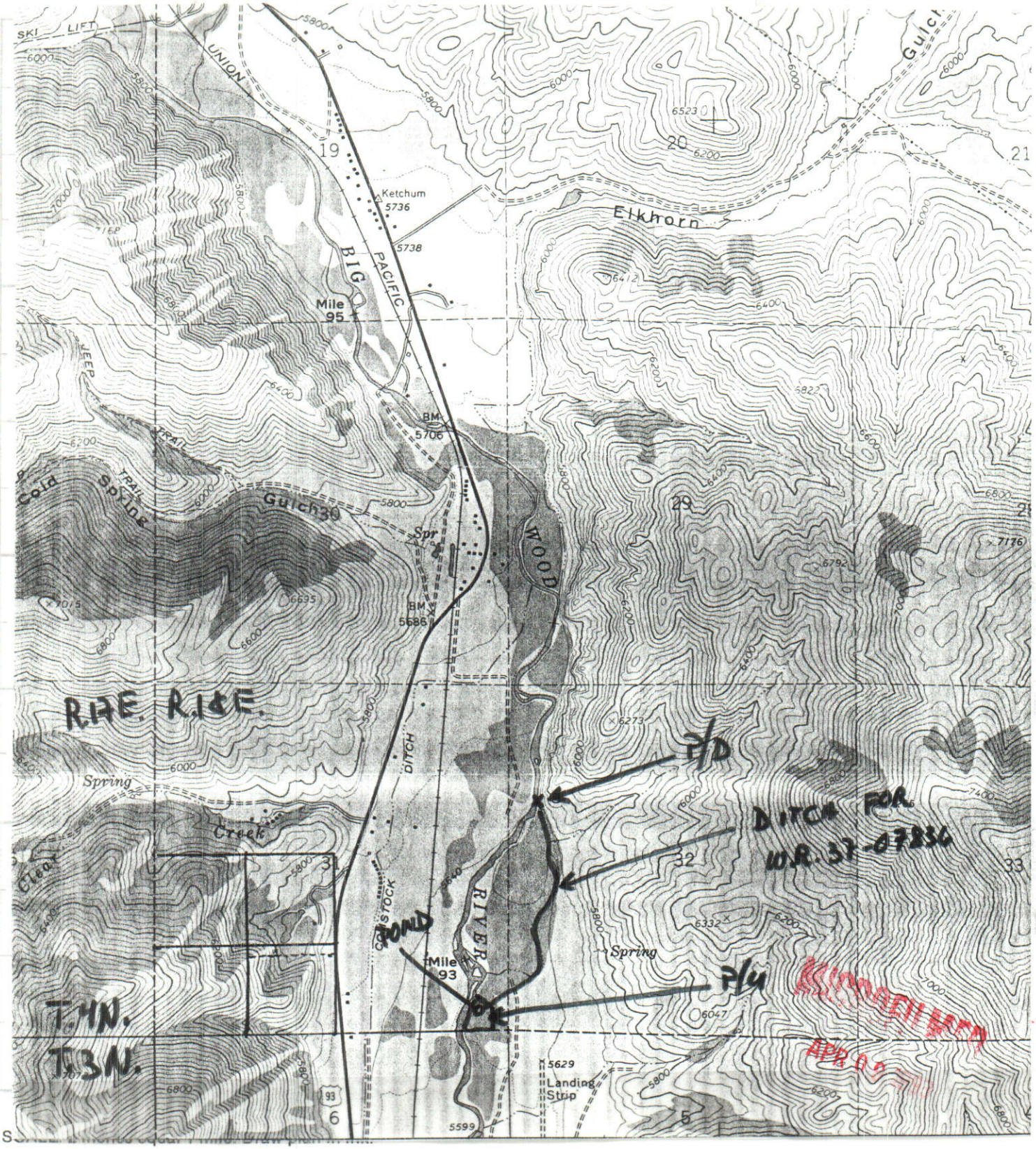
Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

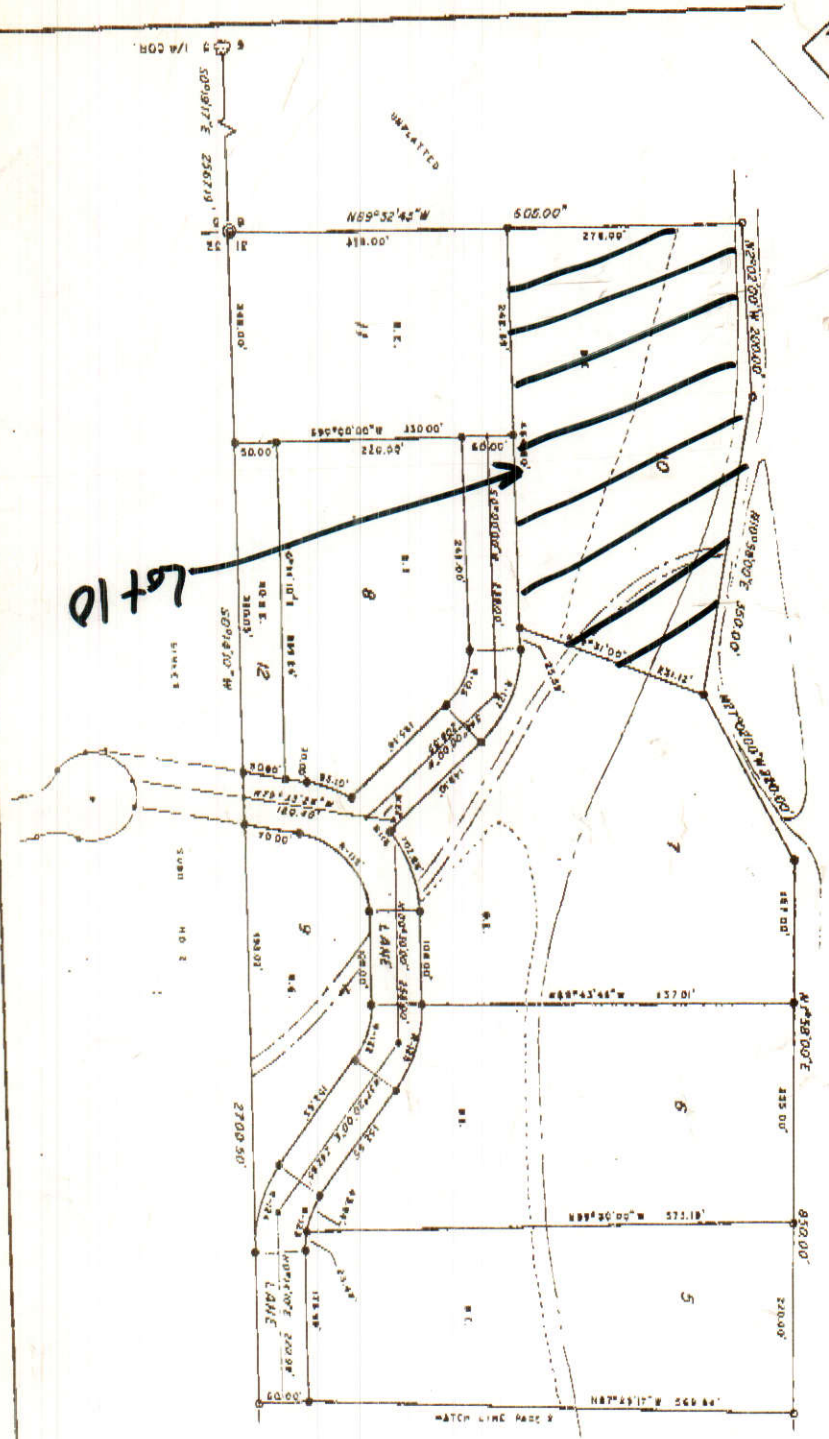


Post-it™ brand fax transmittal memo 7671 | # of pages ▸ 2
To Jim Speck | From Pauline
Co. | Co.
Dept. | Phone #
Fax # | Fax #

RECEIVED
NOV 25 1991
Department of Water Resources
Southern Region Office

GIMLET SUBDIVISION NO. 9

SEC. 31, T4N, R18E, B.M.
BLAINE COUNTY, IDAHO



CURVE DATA

CURVE	Δ	R	LC	L
R1-R18	N0°02'26"E	95.00'	822.30'	830.76'
R1-R15	-	155.00'	193.78'	211.93'
C-122	13°50'00"	109.14'	86.43'	87.54'
C-123	-	969.44'	104.36'	104.41'
R-122	21°09'50"	284.21'	104.64'	105.04'
R-123	-	104.81'	84.34'	87.41'
R-125	47°00'00"	83.30'	66.35'	68.68'
R-123	-	142.30'	119.36'	116.24'

SCALE: 1" = 100'

LEGEND

- 1/2"x24" rebar set
- Pipe to concrete found
- Stone found
- Fiduciary lower
- Building envelope
- Drainage easement

APR 09 1993

PAGE 1 OF 2

ATTACHMENT 4

RECEIVED
NOV 25 1991
Department of Water Resources
Southern Region Office

WATER DIST.37 BIG WOOD RIVER ABOVE MAGIC -- PRIORITY BOOK as of: 10/07/88

RECEIVED
APR 0 9 1993

DIVER NO	R	DIST. PRIOR	OWNER	ST.ID.	ORIG DECREE TO	PRIORITY DATE	INCHES	ABOVE HAILEY	BELOW HAILEY	TRIB.	TOTAL
57-F	X	850-BYEX	J.R.J.INC	37-1204	EXTENSION BY-PASS	07-24-1924	75.00				
		GOOD ONLY WHEN ALL WATER IN EXTENSION BYPASS AFTER 6/15/1883 RTS.CUT									
RRR	X	860-BYEX	U.B.W.R.W.U.A.	37-	EXTENSION BYPASS	07-24-1924	525.00				
		TO BE USED AS PAID BY SHAREHOLDERS									
14	D	800-LIC	WALTER SCHODDE	37-	DOUGLAS KNIGHT	11-13-1925	92.00	257.07			
10	D	750-ROC	ROBERT BLOOMFIELD	37-	ROCKWELL BY-PASS	11-12-1936	10.00	257.27			
13	X	750-ROC	FREDRICK BLECHMAN	37-	ROCKWELL BY-PASS	11-12-1936	50.00				
		ROCKWELL BY-PASS WATER									
33	E	750-ROC	EDWARD VANEVERY	37-	ROCKWELL BY-PASS	11-12-1936	4.00		707.39		
0000-P4	D	750-ROC	DON ANDERSON	37-	ROCKWELL BY-PASS	11-12-1936	10.00	257.47			
06-P	D	750-ROC	PARTICK SIMPSON	37-	ROCKWELL BY-PASS	11-12-1936	25.00	257.97			
23	E	750-ROC	LARRY MCKINSEY	37-	ROCKWELL BY-PASS	11-12-1936	4.00		707.47		
45	E	750-ROC	JOHN STEVENSON	37-0833	ROCKWELL BY-PASS	11-12-1936	65.00		708.77		
50	E	750-ROC	EDWARD CAMERON	37-0833	ROCKWELL BY-PASS	11-12-1936	27.00		709.31		
20	D	750-RO	FREDRICK BLECHMAN	37-	ROCKWELL BY-PASS	11-12-1936	37.50	258.72			
RR	X	700-NC	ELKHORN	37-7148	ELKHORN AT SUN VALLEY	05-31-1972	1.00				
		NON-CONSUMPTIVE USE									
32-P	D	700-PER	WARREN A.LEWIS	37-7196	WARREN A.LEWIS	01-17-1973	1.00	258.74			
FF	X	700-NC	DAVID HOEL	37-7767	FLYING HEART RANCH	02-27-1979	600.00				
		NON-CONSUMPTIVE FISH PROPAGATION									
22-P	D	700-PER	RICHARD FAIRFIELD	37-7791	RICHARD FAIRFIELD	07-19-1979	1.00	258.76			

— 232.5"

AFFIDAVIT of PUBLICATION

RECEIVED
JAN 30 1992
Department of Water Resources
Southern Region Office

State of Idaho, } SS.
County of Blaine

DANIEL J. GORHAM, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 15 day of JAN, 1992, and

the date of the last publication was on the 22 day of JAN, 1992.

David [illegible]

Subscribed and sworn to before me this 22nd day of Jan, 1992.
(SEAL)

Roberta McGuire

NOTARY PUBLIC

8001

OK MB 2-5-92

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line
Number of Lines in Notice 81
Number of Insertions

	Lines tabular at		6¢ / Pica
81	Lines straight at	44.55	5¢ / Pica
81	Subsequent lines at	35.64	4¢ / Pica
TOTAL COST		85.19	

MICROFILMED
APR 09 1993

COPY OF NOTICE
(Paste Here)

COHENS SEEKS WATER
TITLE OF NOTICE

Right Change
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF State of Idaho
Dept. of Water Resources
BILL TO

Cohens seek water right change

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-00833M

Notice is hereby given that Earl R. Cohen &/or Susan Cohen, c/o James P. Speck, Esquire, of Ketchum, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT AS RECORDED

Water Right No. 37-00833J
Basis of Right: Decreed to Irvin E. Rockwell in case of Rockwell vs. Coffin, dated 8/25/1949 in Fourth District Court, Blaine County.
Source: Big Wood River tributary to Malad River
Priority Date: 11/12/1936
Amount of Water: 1.66 cfs
Use: Irrigation
Point(s) of Diversion: SW1/4NE1/4, S16, T2N, R18E (Cove Canal); NE1/4SW1/4, S8, T3N, R18E; (Headgate #13, Cramer Ditch); SW1/4SE1/4, S11, T4N, R17E (Headgate #6, Farnlum Ditch); Blaine County.
Place of Use: Unspecified acres within NE1/4NE1/4, SW1/4NE1/4, SE1/4NE1/4, SE1/4NW1/4, NE1/4SW1/4, NE1/4SE1/4, NW1/4SE1/4, S32, T3N, R18E; NW1/4SW1/4, SW1/4SW1/4, SE1/4SW1/4, S33, T3N, R18E; Blaine County.

PORTION(S) OF RIGHTS TO BE CHANGED

Water Right No.: 37-00833J
Amount of Water: 0.08 cfs
Point of Diversion: SW1/4NE1/4, S16, T2N, R18E (Cove Canal); Blaine County.
Place of Use: 1.2 acres within SW1/4SE1/4, S25, T2N, R18E; Blaine County, based on unrecorded change claimed by applicant.

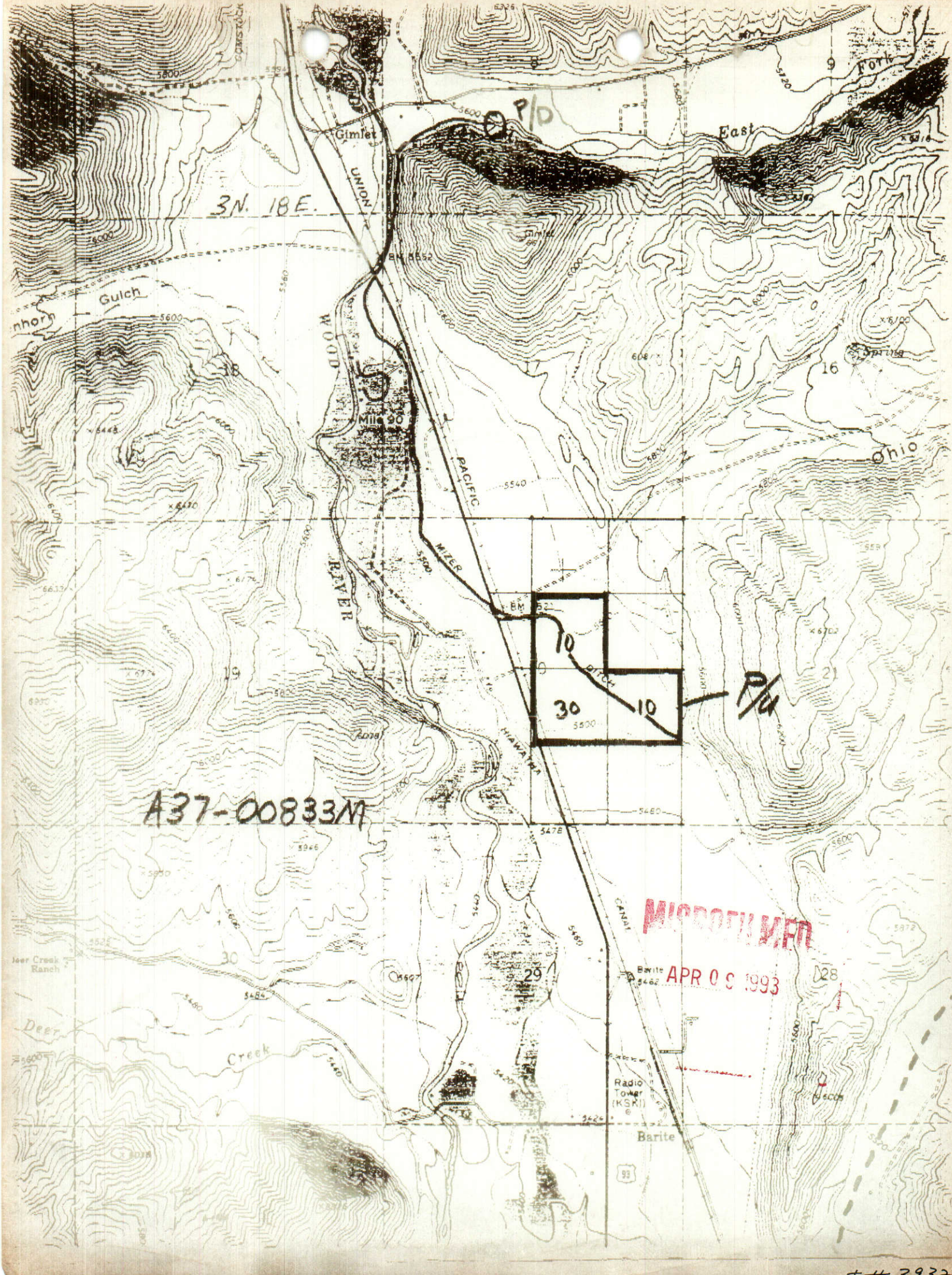
WATER RIGHT NO. 37-00833M TO BE CHANGED AS FOLLOWS:

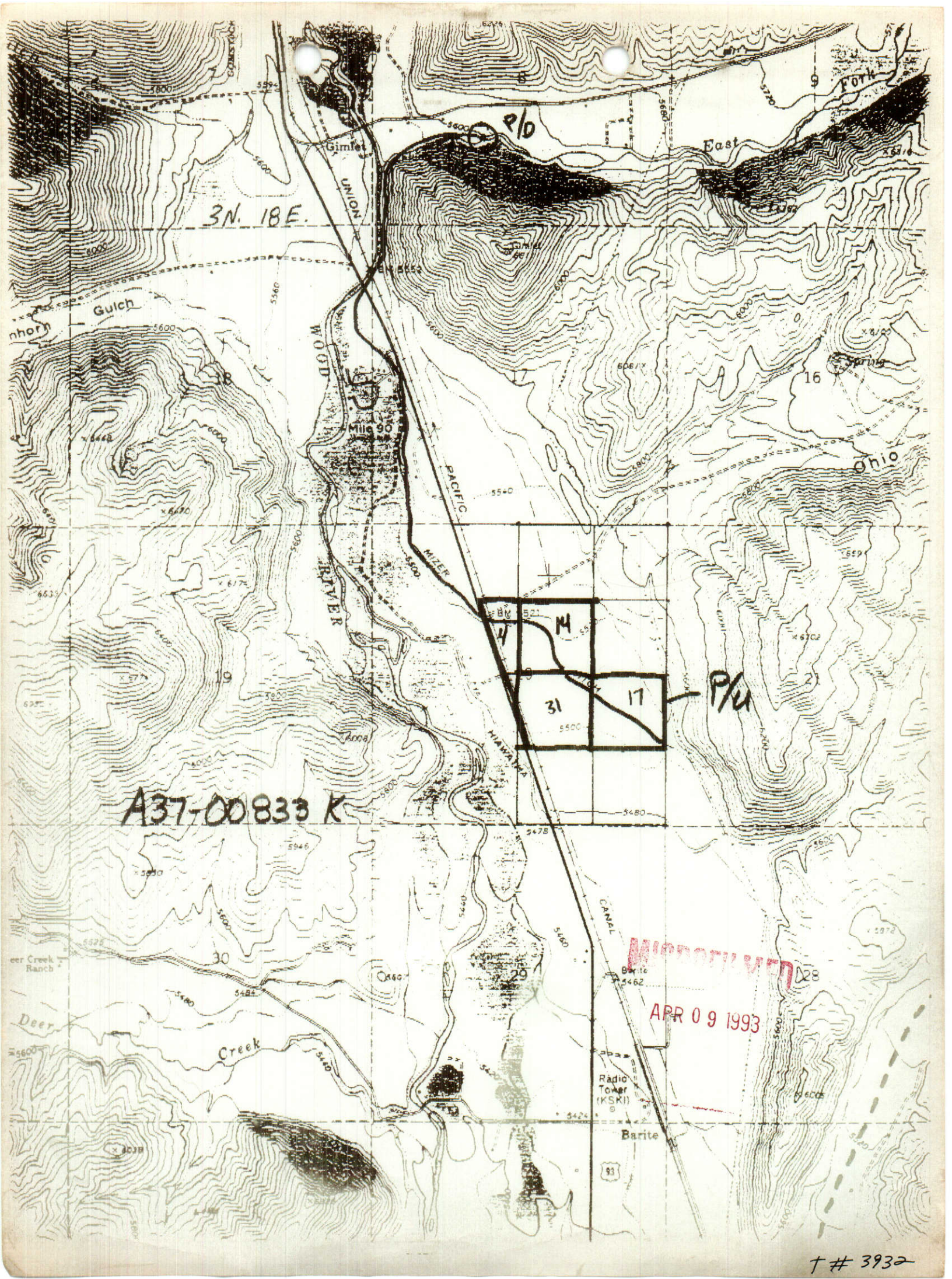
Water Right No.: 37-00833M
Amount: 0.08 cfs
Water Use: Irrigation
Period of Use: 4/1 to 11/1
Total amount being transferred: 0.08 cfs
Source: Big Wood River tributary to Malad River
Priority Date: 11/12/1936
Point of Diversion: NW1/4SW1/4-NW1/4, S32, T4N, R18E (Gimlet); Blaine County.
Place of Use: 1.2 acres within SE1/4SE1/4, S31, T4N, R18E; Blaine County.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301, on or before February 3, 1992.

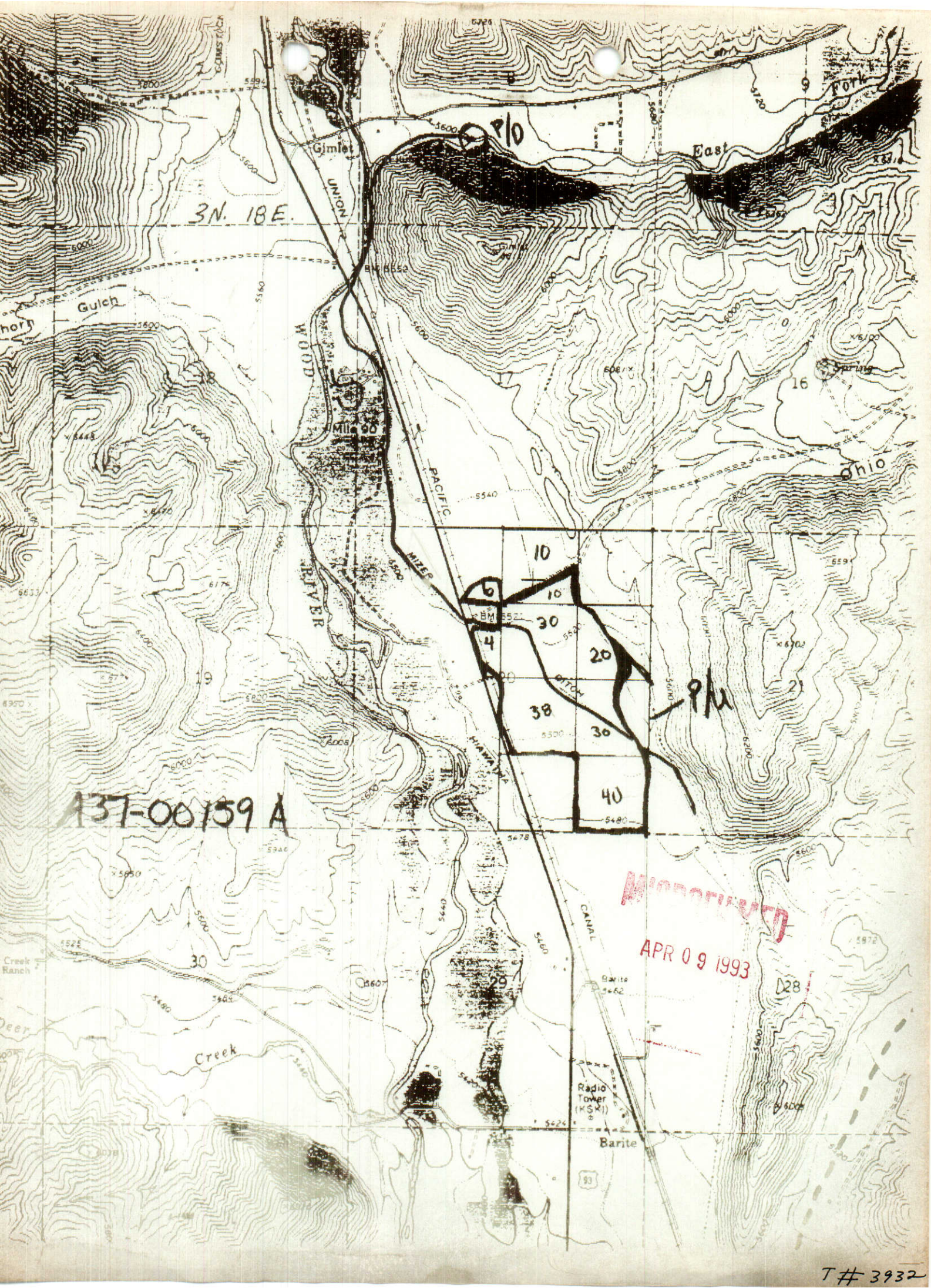
R. Keith Higginson, Director

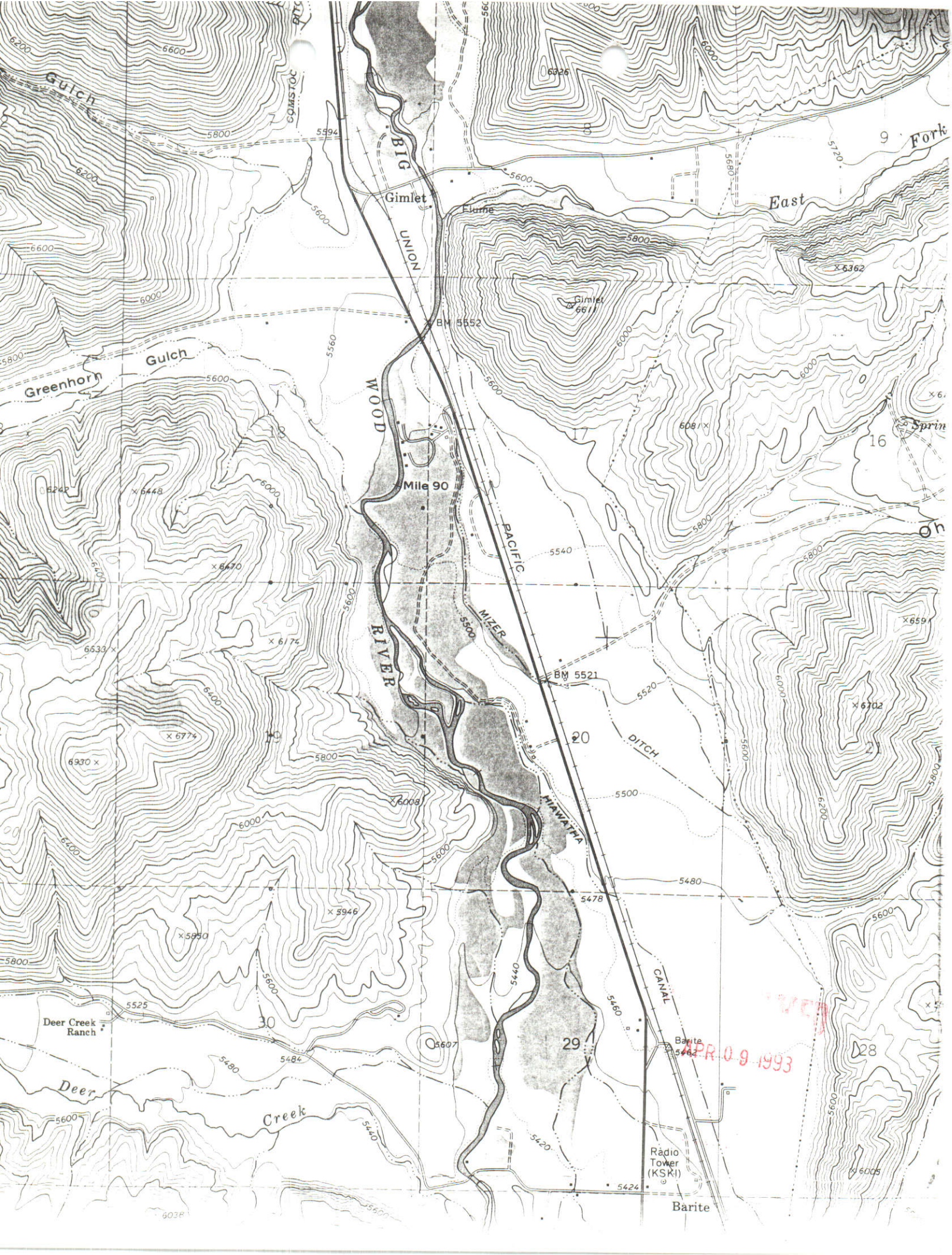
Publish: Wood River Journal--January 15 & 22, 1992.


3N. 18E.
Gimlet
UNION
PACIFIC
MIZER
RIVER
Mile 90
Ohio
East Fork
Gulch
Spring
Barite
Radio Tower (KSR)
Deer Creek
Creek
Ranch
CANAL
HIAWATHA
P/D
P/U
10
10
30
5800
A37-00833M
APR 0 6 1993
T# 3932


3N. 18E.
P/D
East
Fork
Gimlet
UNION
Gulch
WOOD
RIVER
Mile 90
PACIFIC
MIZER
MIAMI MA
Ohio
Spring
4
M
31
17
P/U
A37-00833 K
CANAL
Deer
Creek
Radio
Tower
(KSKI)
Barite
93
RECEIVED
APR 09 1993

T # 3932

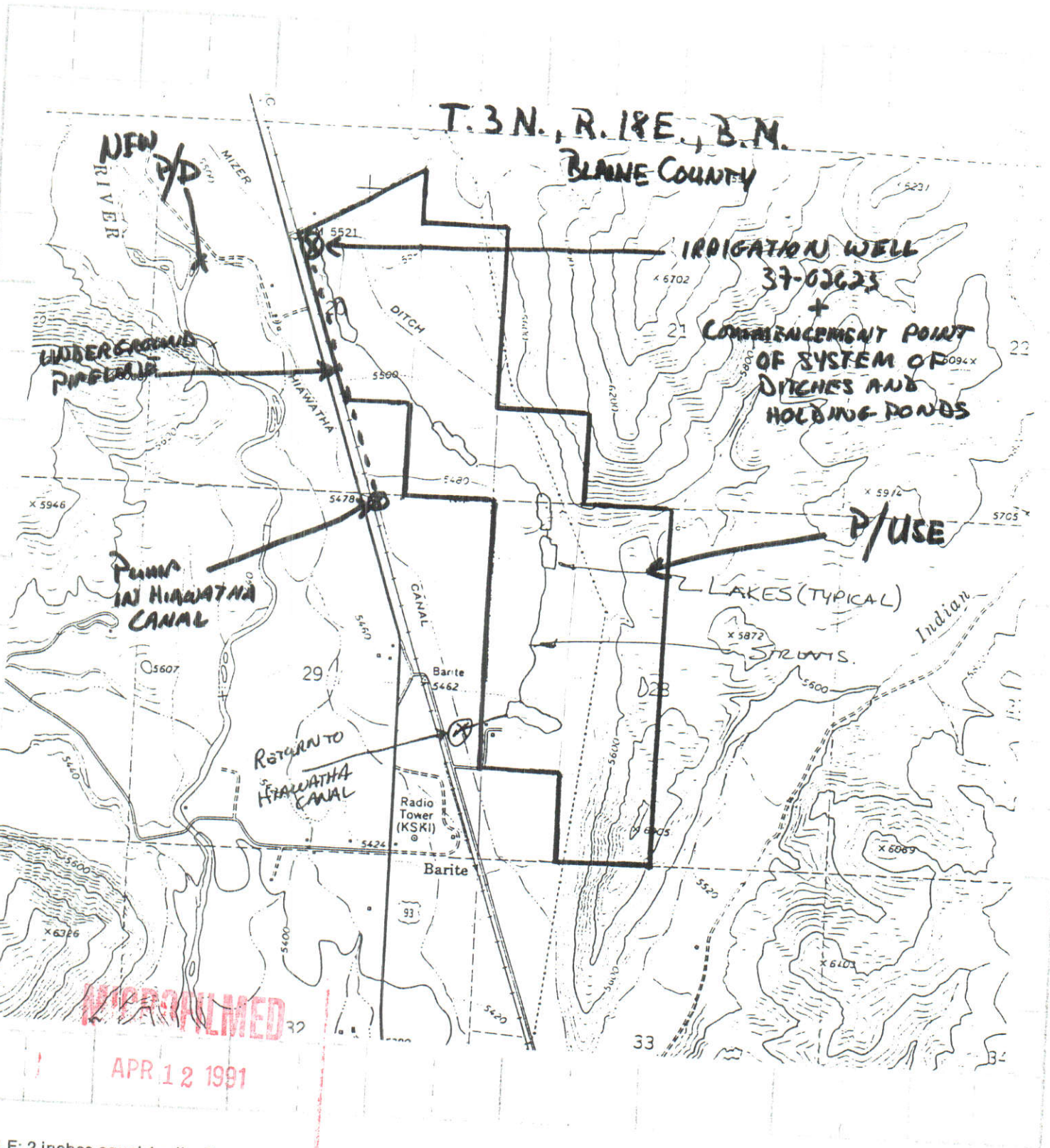

3N. 18E.
P/O
East Fork
Gimlet
UNION
Gulch
WOOD
RIVER
PACIFIC
MIZER
Mill
Spring
Ohio
CANAL
Barite
Radio Tower (KSKI)
Creek
Creek Ranch
10
10
30
4
20
38
30
40
A37-00159 A
APR 09 1993
T# 3932


Gulch
BIG
UNION
Gimlet
Flume
East
Fork
BM 5552
Greenhorn
Gulch
WOOD
RIVER
Mile 90
PACIFIC
MIZER
BM 5521
DITCH
HIAWATHA
CANAL
Deer Creek
Ranch
Deer
Creek
Barite
5462
Radio
Tower
(KSKI)
Barite
APR 09 1993

Transfer No. 37-

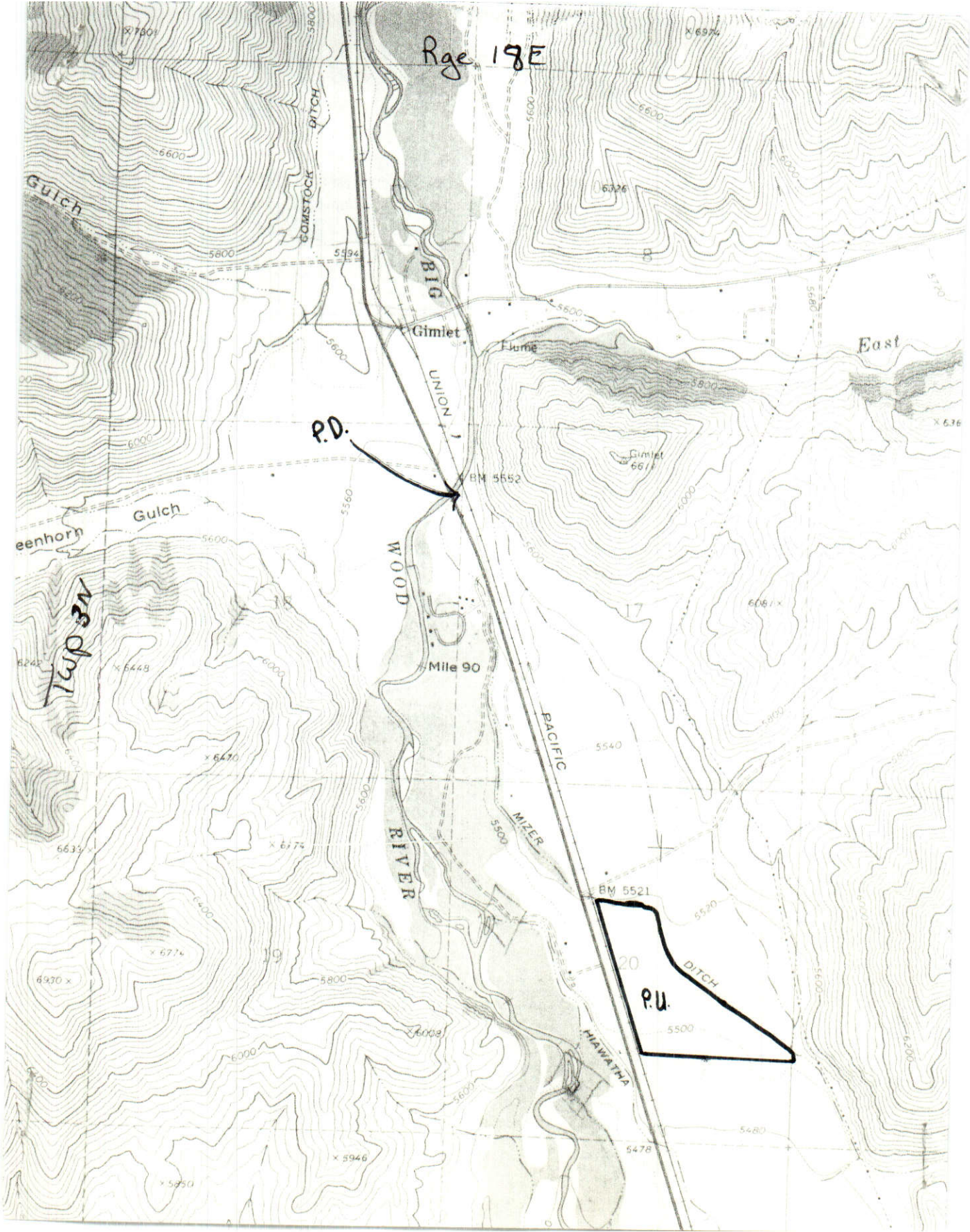
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



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

MICROFILMED
APR 12 1991


Rge 18E
Gulch
COMSTOCK DITCH
BIG
Gimlet
June
East
UNION
P.D.
BM 5552
Gimlet
Gulch
WOOD
Mile 90
PACIFIC
MIZER
RIVER
BM 5521
DITCH
P.U.
HIAWATHA


Twp 3 N.
Rge 18E
Land to be Irrigated
23.9
5.6
A-106
115A
MICROFILMED

AFFIDAVIT OF PUBLICATION

State of Idaho, } SS.
County of Blaine }

GORDON O. GLASMANN, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 13 day of August, 19 81, and the date of the last publication was on the 20 day of August, 19 81.

Gordon O. Glasmann

Subscribed and sworn to before me this 20th day of August, 19 81.
(SEAL)

Roberta McKenzie
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 59
Number of Insertions 2

_____ Lines tabular at _____ 4¢ / Pica
59 Lines straight at 23.01 3¢ / Pica
59 Subsequent lines at 15.34 2¢ / Pica
TOTAL COST 38.35

ob mayo 8/25/81

MICROFILMED

COPY OF NOTICE
(Paste Here)

37-0833C
Chnge. Water Right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

BILL TO
Dept. Water Resources
1041 Blue Lks. Blvd.
Twin Falls 83301

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-0833C

NOTICE IS HEREBY GIVEN, That Frederick H. and/or Clarice E. Blechmann of Sun Valley, Idaho, have applied to the Department of Water Resources for a change of change of point of diversion and change of place of use of a portion of a right from Rockwell Slough tributary to Big Wood River. The right sought to be changed is evidenced by decree to Irvin E. Rockwell in case of Irvin E. Rockwell vs. Mans H. Coffin dated Aug. 25, 1949 in Fourth Judicial District, County of Blaine, and recorded as follows:

Amount: 2.95 cfs
Priority: November 12, 1936
Point of Diversion: NW¼NW¼, Sec. 14, T5N, R17E, B.M., Blaine County
The water is used for irrigation purposes of 187 acres from April 1 to November 1 within W½SW¼, SE¼SW¼, Sec. 14; NW¼NE¼, NW¼, E½SE¼, NW¼SE¼, Sec. 23; W½SW¼, Sec. 24; W½NW¼, Sec. 25, T5N, R17E

PORTION OF RIGHT TO BE CHANGED:
Amount: 0.75 cfs
Point of Diversion: NW¼NW¼, Sec. 14, T5N, R17E, B.M., Blaine County
Place of Use: W½NW¼, SE¼NW¼, Sec. 14; NW¼NE¼, NW¼, N½SE¼, SE¼SE¼, Sec. 23; W½SW¼, Sec. 24; W½NW¼, Sec. 25, T5N, R17E

PORTION OF RIGHT TO BE CHANGED:
Amount: 0.75 cfs
Point of Diversion: NE¼NE¼, Sec. 18, T3N, R18E, B.M., Blaine County
Place of Use: SW¼NE¼, SE¼NW¼, N½SE¼, Sec. 20, T3N, R18E, for irrigation purposes of 66 acres.

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before August 31, 1981.

A. Kenneth Dunn
Director

Publish: Wood River Journal--August 13, 20, 1981.

AFFIDAVIT of PUBLICATION

RECEIVED
SEP 17 1981

COPY OF NOTICE
(Paste Here)

(Part)
Change Wtr Rt 37-0833C
TITLE OF NOTICE

State of Idaho, } SS.
County of Blaine }

Department of Water Resources
Southern District Office
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. Water Resources
BILL TO

GORDON O. GLASMANN, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 3 day of Sept., 19 81, and the date of the last publication was on the 10 day of Sept., 19 81

Gordon O. Glasmann

Subscribed and sworn to before me this 10th day of September, 19 81.
(SEAL)

Roberta McKeever
NOTARY PUBLIC

9/11/81

UNPUBLISHED

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 55
Number of Insertions 2

	Lines tabular at		4¢ / Pica
55	Lines straight at	21.45	3¢ / Pica
55	Subsequent lines at	14.30	2¢ / Pica
	TOTAL COST	35.75	

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-0833C (Part)

NOTICE IS HEREBY GIVEN, That Ed Cammeron of Bellevue, Idaho, has applied to the Department of Water Resources for a of change of point of diversion of the waters of Big Wood River tributary to Malad River. The right sought to be changed is evidenced by decree to Irvin E. Rockwell in case of Irvin E. Rockwell vs. Mans H. Coffin dated Aug. 25, 1949 in Fourth Judicial District, County of Blaine, and recorded as follows:

Amount: 2.95 cfs
Priority: November 12, 1936
Point of Diversion: SW¼NE¼, Sec. 16, T2N, R18E, B.M., Blaine County
The water is used for irrigation purposes of 17 acres from April 1 to November 1 within the SW¼SE¼, Sec. 25; NW¼NE¼, NE¼SE¼, Sec. 36; Lt 3 (NW¼SW¼), Sec. 31, T2N, R18E

PORTION OF RIGHT TO BE CHANGED:
Amount: 0.54 cfs
Point of Diversion: SW¼NE¼, Sec. 16, T2N, R18E, B.M., Blaine County
Place of Use: SW¼SE¼, Sec. 25; NW¼NE¼, NE¼SE¼, Sec. 36; Lt 3 (NW¼SW¼), Sec. 31, T2N, R18E, for irrigation of 17 acres.

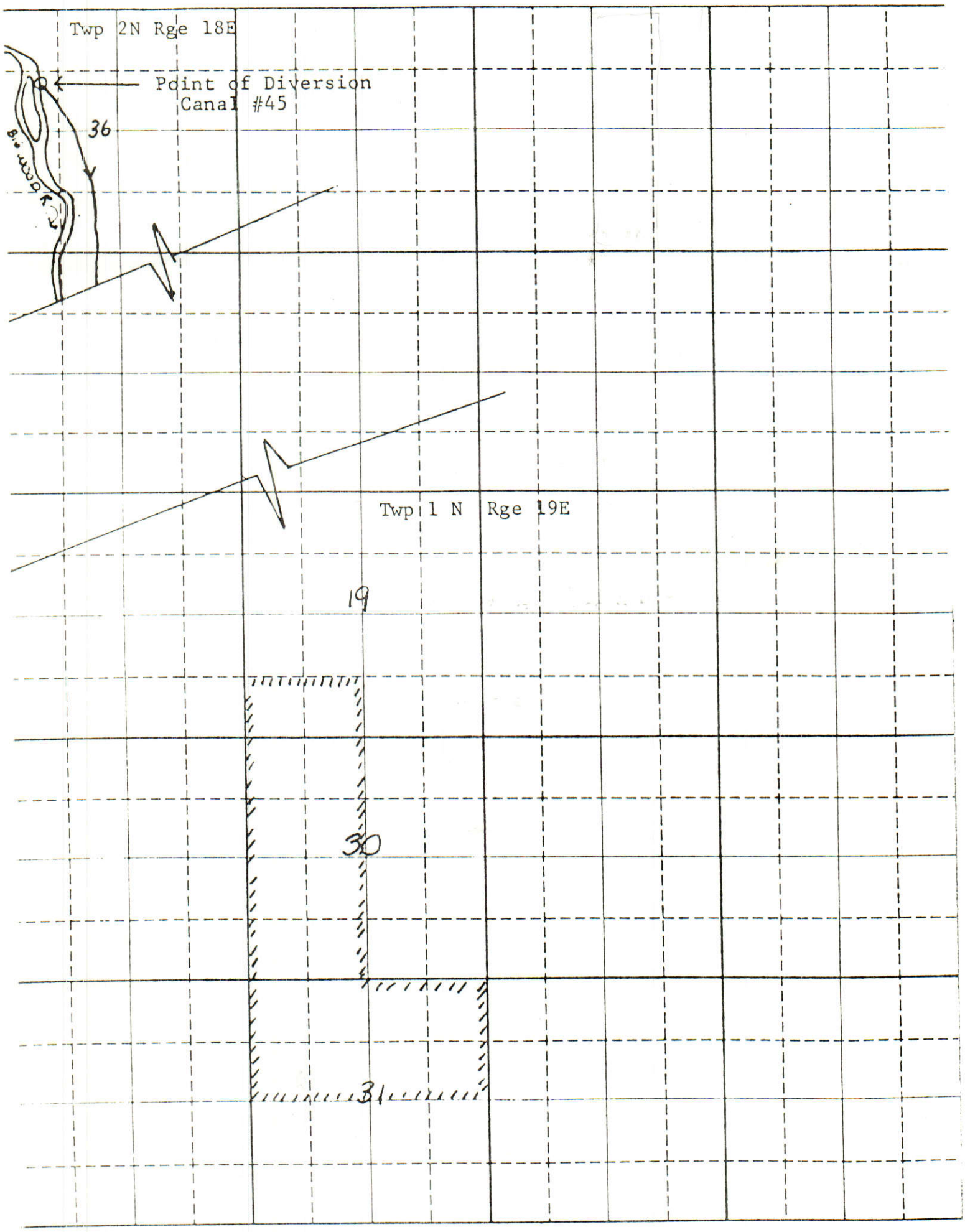
PORTION TO BE CHANGED AS FOLLOWS:
Amount: 0.54 cfs
Point of Diversion: SE¼SW¼, Sec. 12, T1N, R18E, B.M., Blaine County
Place of Use: NW¼NE¼ Sec. 23, T2N, R18E for irrigation of 17 acres

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before September 21, 1981.

A. Kenneth Dunn
Director

Publish: Wood River Journal--September 3, 10, 1981.

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Blaine }

GORDON O. GLASMANN, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 3 day of July, 1980, and the date of the last publication was on the 10 day of July, 1980

Gordon O. Glasmann

Subscribed and sworn to before me this 16th day of July, 1980.
(SEAL)

Roberta McKinney
NOTARY PUBLIC

ok mwright 7/24/80

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 12
Number of Lines in Notice 56
Number of Insertions 2

	Lines tabular at		4¢ / Pica
56	Lines straight at	20.16	3¢ / Pica
56	Subsequent lines at	13.44	2¢ / Pica
	TOTAL COST	33.60	

MICROFILMED

COPY OF NOTICE
(Paste Here)

Permit 37-0833
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
No. 37-0833B

NOTICE IS HEREBY GIVEN, That JOHN FELL STEVENSON, of Bellevue, Idaho, has applied to the Department of Water Resources for a change of point of diversion and place of use of a water right from Big Wood tributary to the Snake River. The right sought to be changed is evidenced by decree in case of I.E. Rockwell vs. Mans Coffi dated August 25, 1949, in District Court, County of Blaine, and further described as follows:

Amount: 1.5 cfs
Priority: Nov. 12, 1936
Point of Diversion: Sec. 16, T.2N, R.18E, B.M.; SW¼SW¼, Sec. 29, T.4N, R.18E, B.M., Blaine County
The water is used for irrigation purposes from April 1 to September 30 for 15.876 acres within SW¼NE¼, Sec. 6, T.3N, R.18E
PORTION OF RIGHT TO BE CHANGED:
Amount: 1.3 cfs
Point of Diversion: SW¼SW¼, Sec. 29, T.4N, R.18E
Place of Use: SW¼NE¼, Sec. 6, T.3N, R.18E
PORTION TO BE CHANGED AS FOLLOWS:
Amount: 1.3 cfs
Point of Diversion: SW¼NW¼, Sec. 36, T.2N, R.18E
Place of Use: Lt. 4 (SW¼Sw¼), SE¼SW¼, Sec. 19; E½NW¼, Lt.1 (NW¼NW¼), Lt. 2 (SW¼NW¼), E½SW¼, Lt. 3 (NW¼SW¼), Lt.4 (SW¼SW¼), Sec. 30; N½, Sec. 31, T.1N, R.19E, for irrigation purposes on 720 acres

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before July 21, 1980.

C. Stephen Allred
Director

Publish: Wood River Journal--July 3, 10, 1980.

REVENUE STAMPS

QUITCLAIM DEED

For Value Received JOHN P. GUERIN and ANN M. GUERIN, husband and wife,

do hereby convey, release, remise and forever quit claim unto E. V. McHAN and McHAN, husband and wife

the following described premises, to-wit:

Seventy-five (75) Miners' Inches of waters of Big Wood River, as decreed to I. E. Rockwell in case of Irvin E. Rockwell vs. Mans Coffin, Decree being dated August 25, 1949, and recorded in Book 12, of Judgments, Page 115, Blaine County, Idaho.

Grantees by acceptance of this deed do hereby convenant and agree to assume proportionate amount of work and payments required to keep said decree and water right in full force and effect, and such proportionate shares of obligations to maintain the By-Pass, as required by Findings of Fact and Conclusions of law, in the Decree in the above legal action.

MICROFILMED

together with their appurtenances.

Dated: August 18, 1972

John P. Guerin

Ann M. Guerin

STATE OF IDAHO, COUNTY OF Blaine

On this 18 day of August, 19 72, before me, a notary public in and for said State, personally appeared John P. Guerin and Ann M. Guerin

known to me to be the person s whose name s are subscribed to the within instrument, and acknowledged to me that they executed the same.

Matt P. Griggs

Notary Public

Residing at Ketchum, Idaho

Comm. Expires 3-11-73

STATE OF IDAHO, COUNTY OF

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

at minutes past o'clock m., this day of , 19 , in my office, and duly recorded in Book of Deeds at page .

Ex-Officio Recorder

By Deputy.

Fees $

Mail to:

INSTRUMENT No.

RECEIVED
SEP 26 1972
Department of Water Administration

RECEIVED
SEP 27 1972
Department of Water Administration
Southern District Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Blaine, } ss.

GEORGE T. FRITZ, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Editor and Publisher of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 14th day of September, 19 72 and ending with the last publication thereof on the 21st day of September 19 72.

Cost of this publication is $ 20.16

GEORGE T. FRITZ

Subscribed and sworn to before me, this 25th day of September, 19 72.

Notary Public for Idaho
Residing at Hailey,
Blaine, County, Idaho.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT CHANGE NO. 37-0833

Notice is hereby given that E. V. McHan and Marjorie McHan of P. O. Box 126, Ketchum, Idaho, have applied to the Dept. of WAter Administration for a change of the point of diversion and place of use of the waters of Rockwell Slough, tributary to Big Wood River. The right sought to be changed is evidenced by Decree to I. E. Rockwell in case of Irvin E. Rockwell -vs- Mans Coffin, dated August 25, 1949, in Fourth Judicial District Court, County of Blaine, and is recorded as follows:

Amount: 4.65 cfs
Priority: November 12, 1936
Point of diversion: NE¼SE¼, Sec. 16, Twp. 2 N, Rge. 18 E, B. M. Blaine County.

The water is used for irrigation purposes from April 1 to Sept. 30 within the SW¼NE¼, Lot 2, SE¼NW¼, fractions of Lot 3 and 4, Lot 5 Sec. 31, Twp. 2N, Rge. 19 E, B. M. and Lot 5, Lot 6, part of SE¼SE¼, Sec. 36, Twp. 2 N, Rge. 18E, B. M.

TO BE CHANGED AS FOLLOWS

Amount: 1.5 cfs
Point of diversion: SW¼SW¼, Sec. 29, Twp. 4 N, Rge. 18 E, B.M.

The water will be used for irrigation purposes within the SW¼NE¼, Sec. 6, Twp. 3 N, Rge. 18 E, B. M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Administration, Statehouse Annex 2, Boise, Idaho, 83707, on or before October 2, 1972.

R. KEITH HIGGINSON, Director

Published in the Wood River Journal at Hailey, Idaho, on September 14 and September 21, 1972.

MICROFILMED

RECEIVED
MAR 29 1971
Department of Water Administration

AFFIDAVIT OF PUBLICATION

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 1655

Notice is hereby given that Donald B. and Joan H. Anderson of P. O. Box # 121, Sun Valley, Idaho, have applied to the Department of Water Administration for a change of point of diversion and place of use of the waters of Rockwell Bypass, tributary to Big Wood River. The right sought to be changed is evidenced by Decree to Irwin E. Rockwell in Case of Rockwell v.s. Coffin and is recorded as follows. Amount: 4.65 c.f.s. Priority: 11/12/36 Point of Diversion: SW1/4SE1/4 Sec. 22, T. 2 N, R. 18 E, B. M., Blaine County

The water is used for irrigation purposes within S1/2SW1/4 Sec. 33, SE1/4NE1/4, SE1/4 NW1/4, N1/2SW1/4, NE1/4 SE1/4 Sec. 32, T. 3 N, R. 18 E, B. M.

TO BE CHANGED AS FOLLOWS

Amount: 0.20 c.f.s.

Point of Diversion: NW1/4 SE 1/4 Sec. 12, T. 4 N, R. 17 E, B. M.

The water will be used for irrigation purposes within the NW 1/4SE1/4 Sec. 12, T. 4 N, R. 17 E, B. M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before April 5, 1971.

R. KEITH HIGGINSON
Director

Published in the Wood River Journal, Post Office Box #988, Hailey, Idaho on March 18, 1971 and March 25, 1971.

STATE OF IDAHO, }
County of Blaine, } ss.

GEORGE T. FRITZ, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Editor and Publisher of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 18th day of March, , 19 71 and ending with the last publication thereof on the 25th day of March, 19 71.

Cost of this publication is $ 10.35.

GEORGE T. FRITZ

Subscribed and sworn to before me, this 26th day of March, , 19 71.

Notary Public for Idaho
Residing at Hailey,
Blaine, County, Idaho.

MICROFILMED

Affidavit of Publication

RECEIVED

STATE OF IDAHO,
County of Blaine, } ss.

NEAL R. NYBLAD, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Managing Editor of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 31st day of December, 19 70 and ending with the last publication thereof on the 7th day of January, 19 71.

Cost of this publication is $ 10.12

Neal R. Nyblad
NEAL R. NYBLAD

Subscribed and sworn to before me, this 9th day of January, 19 71.

Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

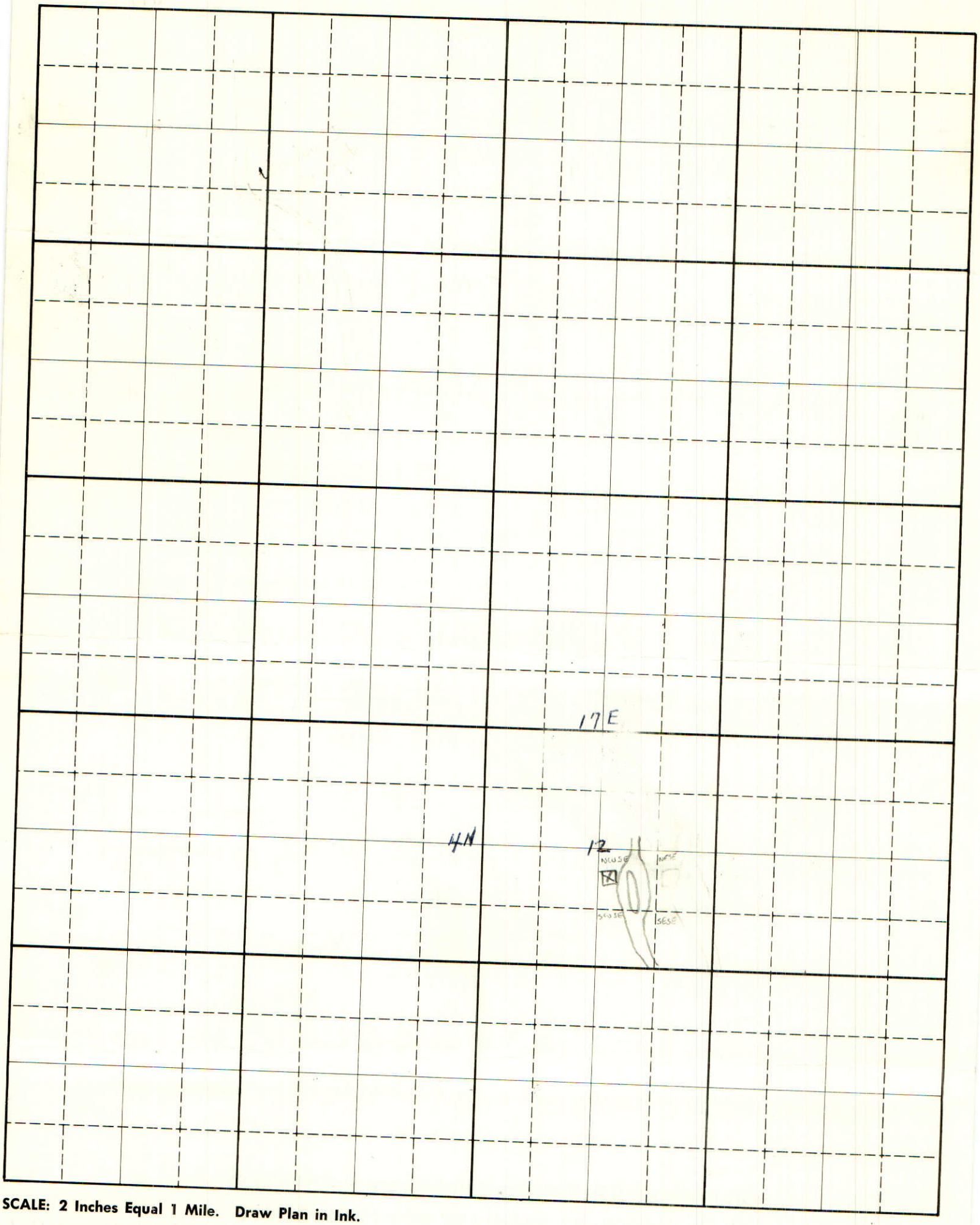
NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 1655

10.12

Notice is hereby given that Donald B. and Joan H. Anderson of P. O. Box 121, Sun Valley, Idaho have applied to the Department of Water Administration for a change of point of diversion and place of use of the waters of Rockwell Bypass tributary to Big Wood River. The right sought to be changed is evidenced by Decree to Irwin E. Rockwell in Case of Rockwell vs. Coffin and is recorded as follows. Amount: 4.65 c.f.s. Priority: 11-12-36 Point of Diversion: SW1/4SE1/4 Sec. 22, T. 2N., R. 18E., B.M., Blaine County. The water is used for Irrigation purposes within S1/2SW1/4 Sec. 33; SE1/4NE1/4, SE1/4NW1/4, N 1/2 SW1/4, NE1/4 SE1/4 Sec. 32, T. 3 N., R. 18 E., B. M. TO BE CHANGED AS FOLLOWS Amount: 0.20 c.f.s.
Point of Diversion: NW1/4 SE1/4 Sec. 12, T. 4 N., R. 17 E., B. M.
The water will be used for Irrigation purposes within the NE1/4SE1/4 Sec. 12, T. 4 N., R. 17 E., B. M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before January 18, 1970.
R. KEITH HIGGINSON
Director

Published in the Wood River Journal, P. O. Box 988, Hailey, Idaho on December 31, 1970 and January 7, 1971.



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

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 incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 14, 1970.

John S Feldhusen

Gladys L Feldhusen

Instrument No.

STATE OF IDAHO, COUNTY OF TWIN FALLS

sonally appeared JOHN S. FELDHUSEN and GLADYS L. FELDHUSEN, husband and wife,

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

Robert W. Stephan
Notary Public

Residing at Twin Falls, Idaho.

STATE OF IDAHO, COUNTY OF TWIN FALLS

at minutes past o'clock m.,
this day of ,
19 , in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By Deputy.

Fees $

Mail to:

STATE OF IDAHO, } ss
COUNTY OF BLAINE, }

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT THE REQUEST OF Mrs. Donnel Anderson
AT 11:05 O'CLOCK A.M.
July 17 A.D. 19 70
RECORDED IN BOOK 124 ON PAGE 243 OF Deeds

George R Mecoy
EX-OFFICIO RECORDER
BY Hazel Barker
DEPUTY

FEES $ 1.00 Paid

ENTERED ON INDEX O
VERIFIED AS TO PARTY
MICROFILMED AND PUNCHED

Deed 134101

Quantity Deed
John S. Feldhusen
et ux
To
Donnel B. Anderson
et ux

Book 121 - Sun Valley

16

NE ¼ - SE ¼
Sec 16 2N 18E
NEW Division Point

Big Wood River

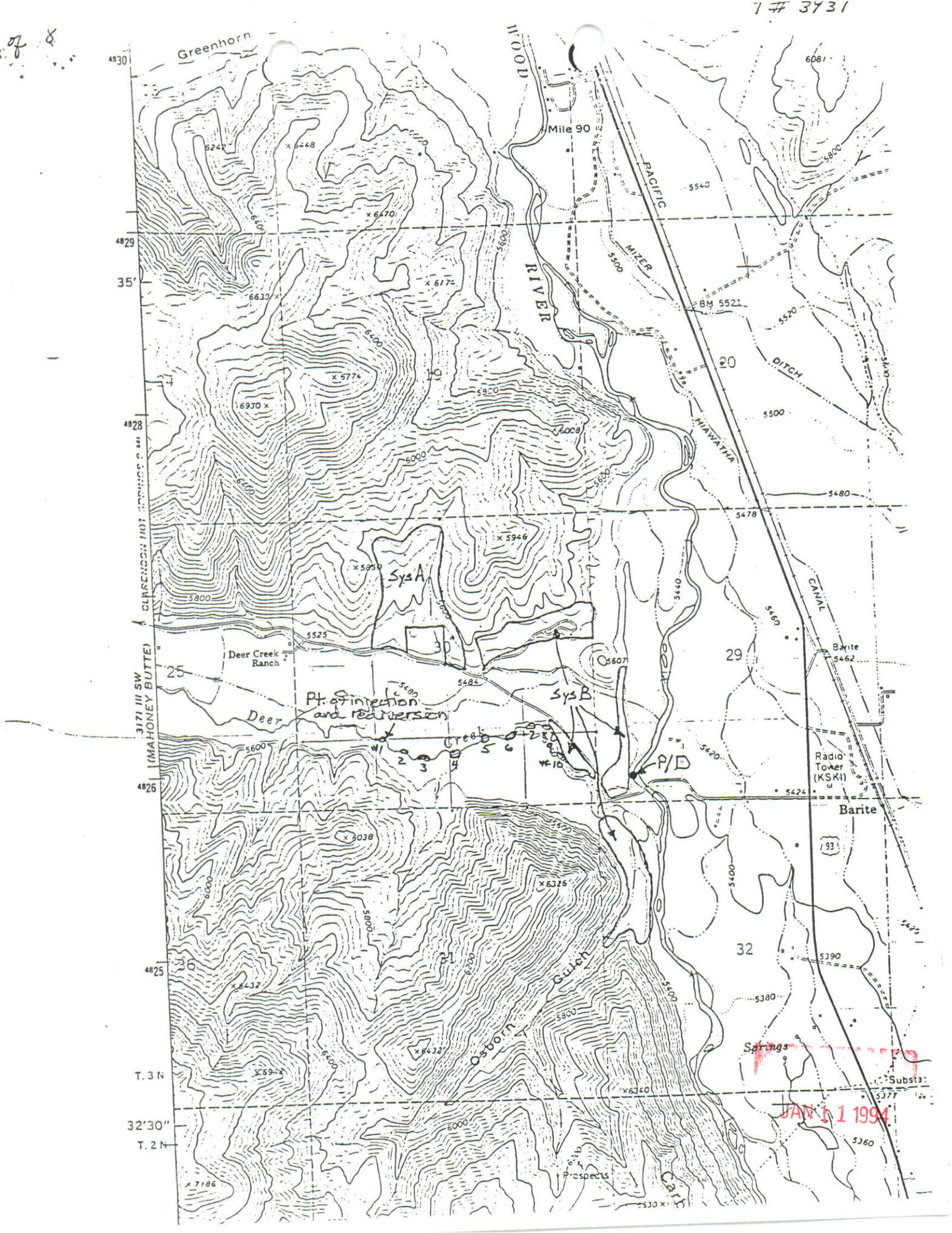
STATE 33 DAM

NW ¼ SW ¼
Sec 22 2N 18E
Old Division

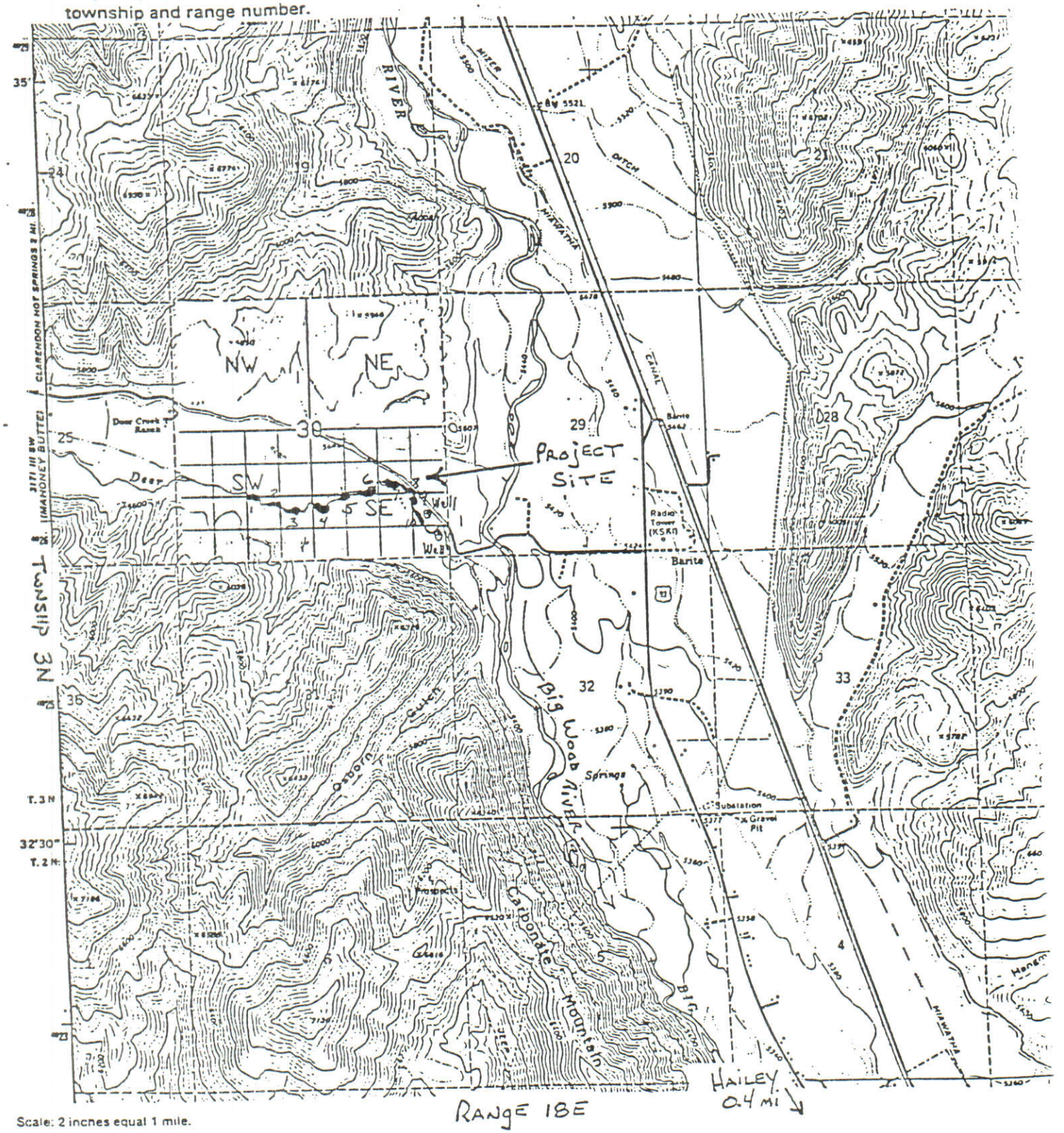
SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

1 of 8

T# 3731


Greenhorn
WOOD RIVER
Mile 90
PACIFIC
MIZER
BM 5521
DITCH
HIAWATHA
CANAL
Sys A
Sys B
Deer Creek Ranch
Pt. of intersection and red riverson
Deer Creek
P/D
Radio Tower (KSKI)
Barite
Barite
Osborn Gulch
Springs
Substa:
Prospects
CLARENDON HOT SPRINGS
(MAHONEY BUTTE)
T. 3 N
T. 2 N
32'30"
35'
4830
4829
4828
4826
4825
25
29
32
36
20
30
3p
5525
5484
5607
5462
5424
5390
5380
5360
5377
6081
6448
6470
6617
6632
6577
6930
6038
6325
6432
6140
7186
6369
JAN 1 1 1994

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

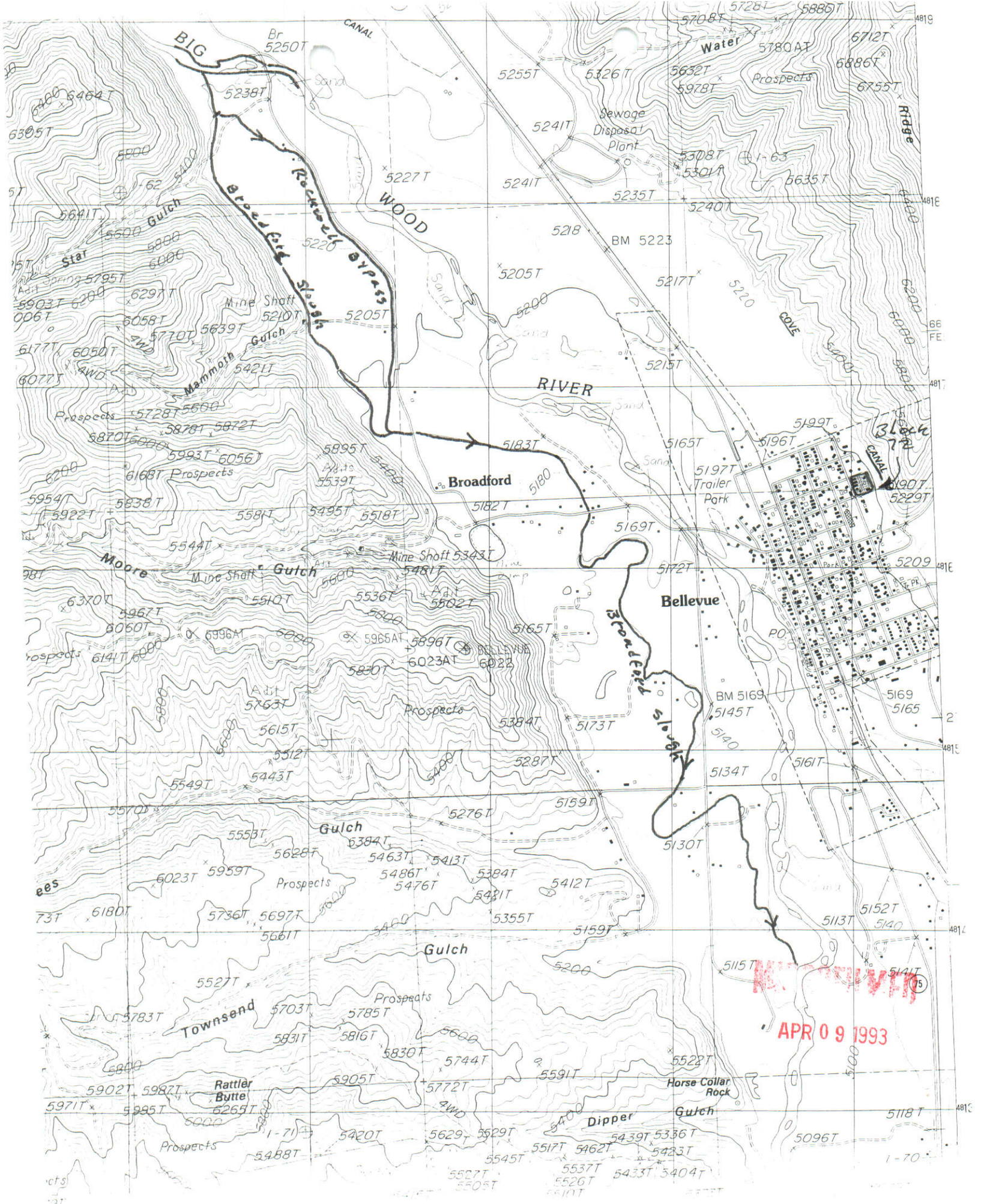


Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

New Deer Creek Ranch Inc. by
Jay L. Dey President
(Applicant)

RECEIVED
JAN 11 1994


BIG WOOD RIVER
Broadford
Bellevue
Broadford Slough
Rockwell Bypass
Broadford Slough
Moore Gulch
Mammoth Gulch
Star Gulch
Townsend Gulch
Dipper Gulch
Horse Collar Rock
Rattler Butte
Sewage Disposal Plant
Trailer Park
Cove
Ridge
Canal
Prospects
Mine Shaft
Adit
Sand
BM 5223
BM 5169
I-63
I-70
I-71
I-62
APR 09 1993



SEC. 25, T. 2 N., R. 18 E.

RECEIVED
APR 09 1993

N

0 250 500
SCALE IN

2522 2500
Detail of Page
2523
2507 250

Edwards, Howar
ENGINEERS / PLAN

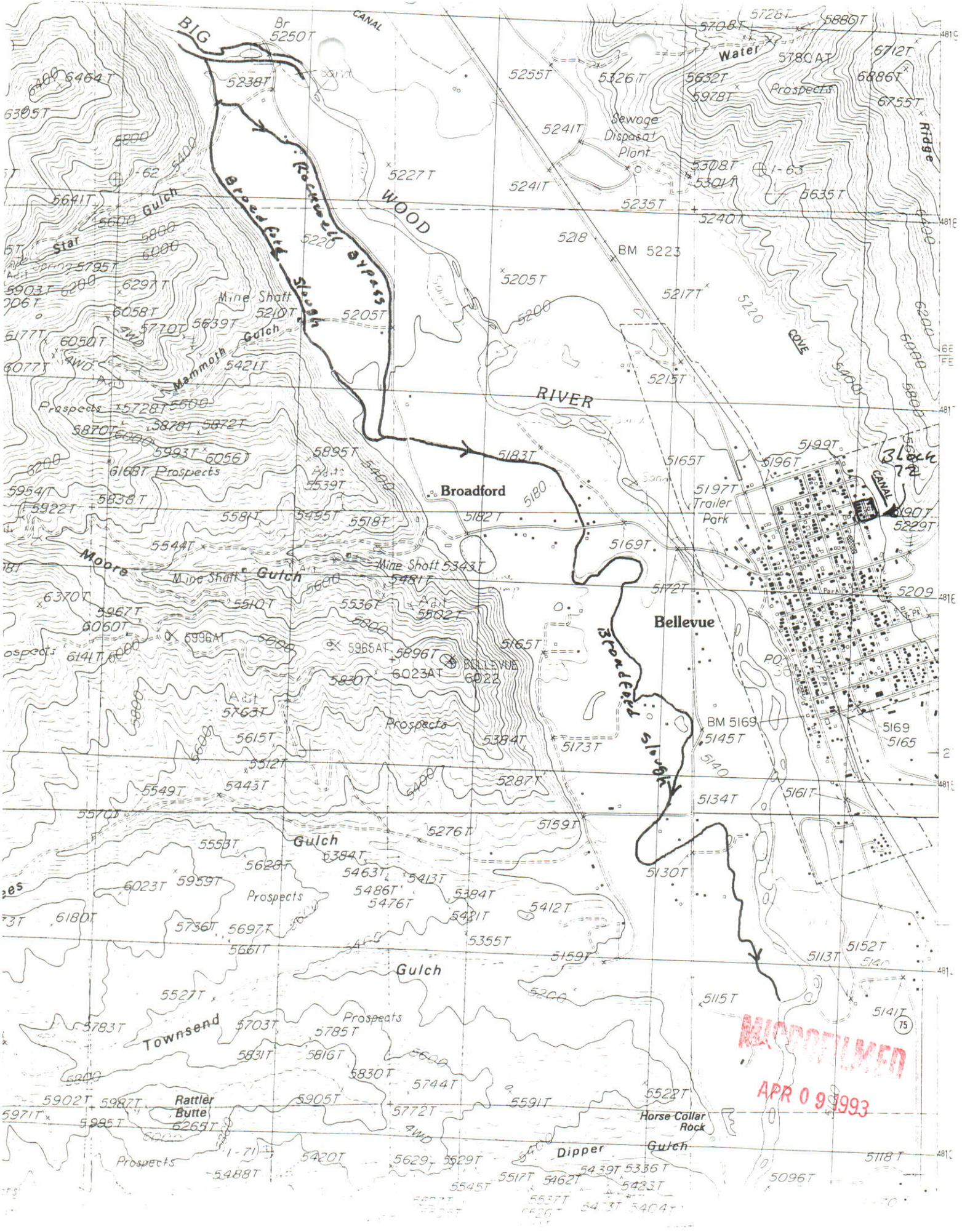
Cohen Transfer

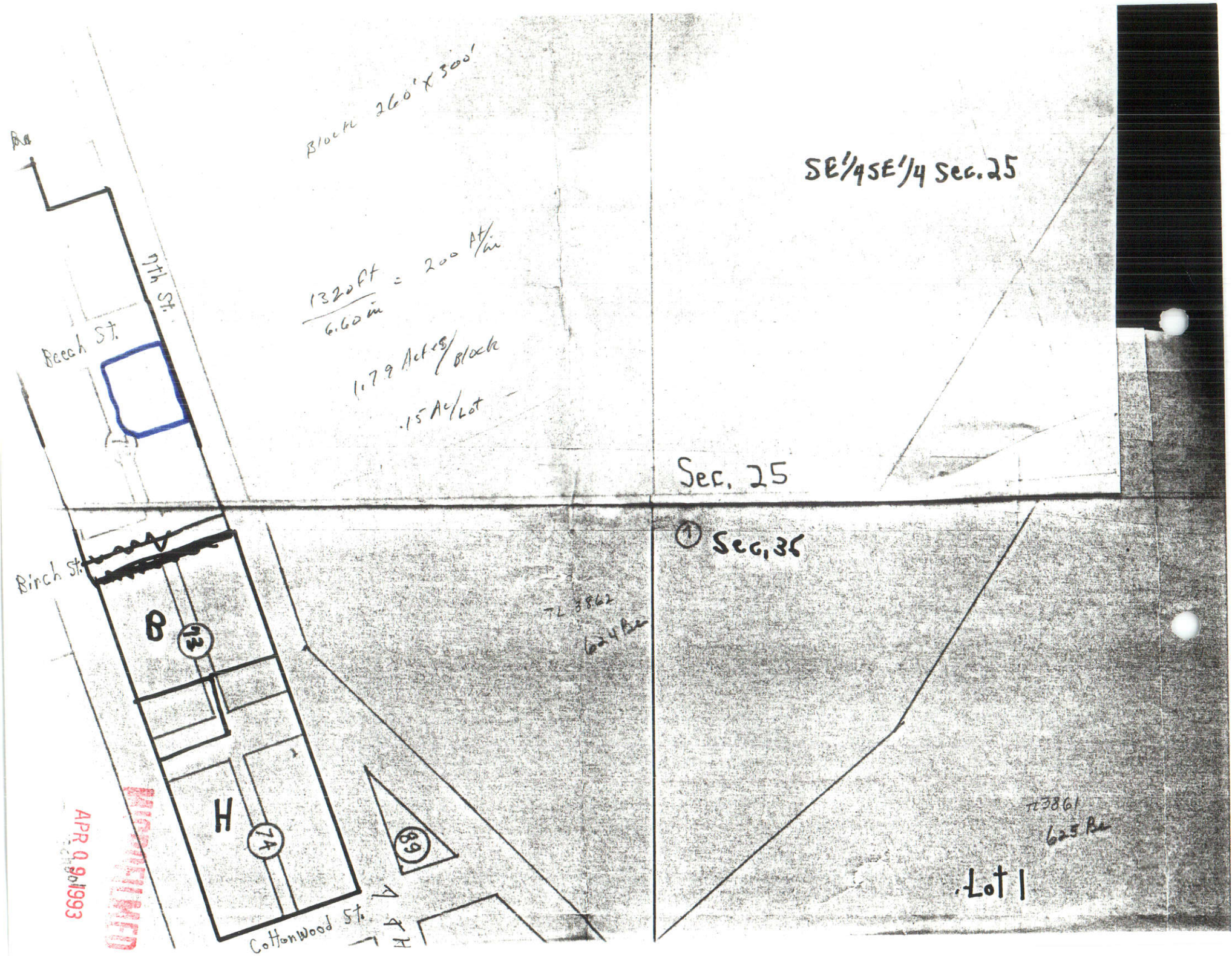




Original P/U In August 1992

MICROFILMED
APR 0 9 1993


BIG
Broadford Slough
Rockwell Bypass
WOOD
RIVER
Broadford
Bellevue
Broadford Slough
Moore Gulch
Mammoth Gulch
Townsend Gulch
Dipper Gulch
Rattler Butte
Horse Collar Rock
Block 72
Trailer Park
Sewage Disposal Plant
Prospects
Mine Shaft
BM 5223
BM 5169
Ridge
Cove
CANAL
APR 09 1993


Block 160' x 300'
SE1/4SE1/4 Sec. 25
1320 ft / 6.60 in = 200 Ac/in
1.79 Acres/Block
.15 Ac/Lot
7th St.
Beech St.
Birch St.
Sec. 25
Sec. 36
B
H
73
74
89
Cottonwood St.
T2S R4W
T2S R3E
Lot 1
APR 09 1993



Mizer Ditch Aug. 1991



Blechmann Property 8.20

RECEIVED
APR 0 9 1993

T. 3 N.

P. O. A.

P. O. D.

Deer Creek Ranch

BASS PROPERTY - NOT A PART

Barite

Radio Tower (KSKI)

HIAWATHA CANAL

Deer Creek

Osborn Gulch

Carbonate Springs

Prospects

STATE

R. 17 E.

R. 18 E.

APR 09 1993

R.17E. R.18E.

T.3N.

R.17E. R.18E.

RECEIVED
MAR 20 1992
Department of Water Resources
Southern Region Office

RECEIVED
MAR 23 1992
Department of Water Resources
Southern Region Office

RECEIVED
APR 19 1993

T# 3932

Deer Creek Ranch

Deer Creek

Osborn Gulch

Carbonate Prospects

Springs

Barite

Barite 5462

Radio Tower (KSKI)

HIAWATHA CANAL

BASS PROPERTY - NOT A PART

STATE

Substatio

93

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

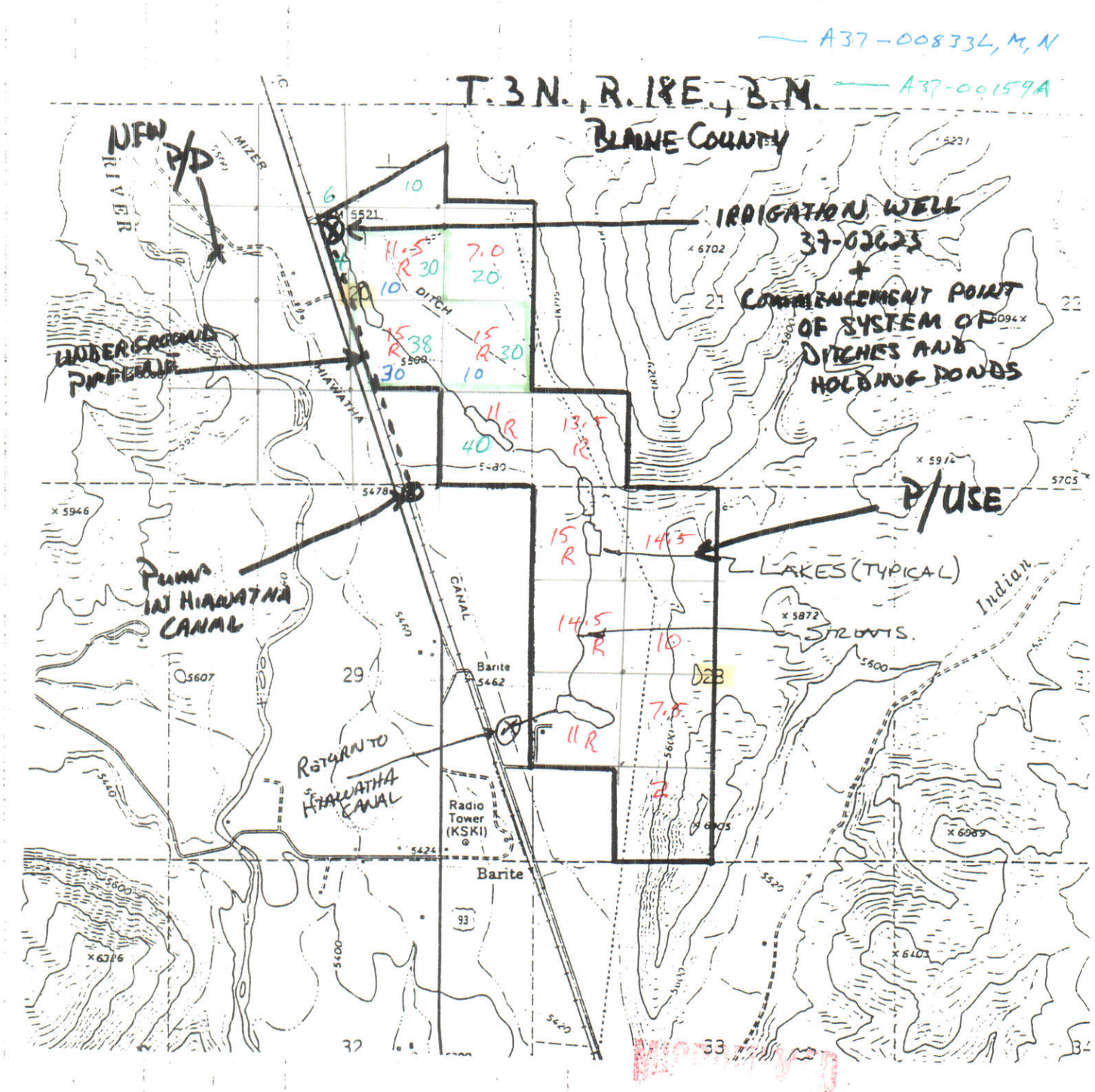
PART 3

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

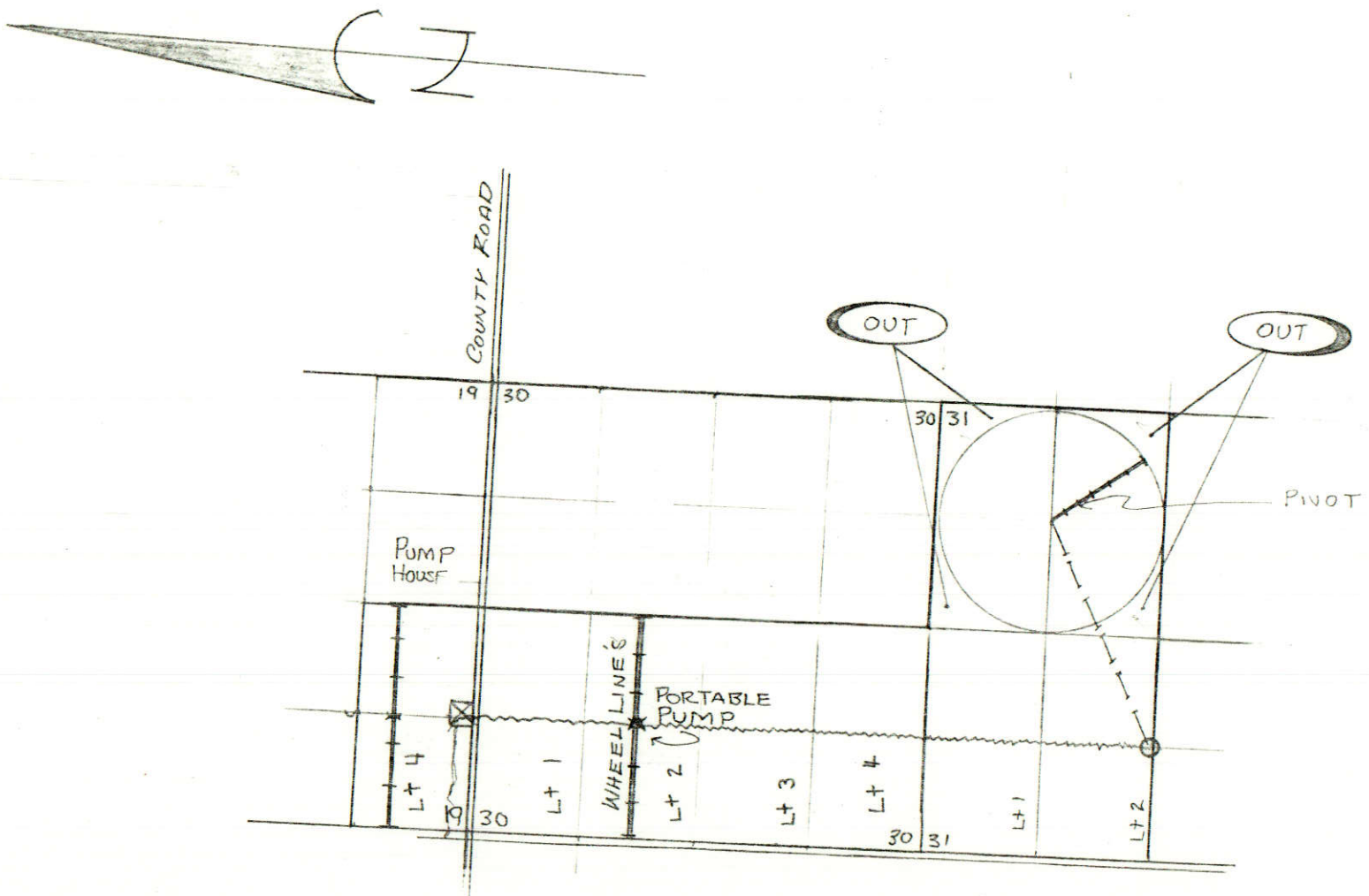
— P/U Rts under T 3742

— A37-00833L, M, N

— A37-00159A



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



T 1 N R 19 E

MICROFILMED

DATE - 11-4-1980
BY - G.F.

T.1606

Affidavit of Publication

NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT

Notice is hereby given that Earl F. Detmer of Twin Falls, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and/or place of use of the waters of Broadford Slough as follows:
Amount: 1.5 cubic feet per second. Priority: 11-12-1936
Point of Diversion: NW 1/4 SW 1/4, Section 22, Township 2N, Range 18E, B. M.
Place of Use: Land description not given in decree.
To Be Transferred To
Point of Diversion: NE 1/4 SE 1/4, Section 16, Township 2N, Range 18E, B. M.
Place of Use: Lots 5 & 6, Fr. SE 1/4 SE 1/4, Sec. 36; Twp. 2N, Rge. 18E., SW 1/4 NE 1/4, Lot 2, SE 1/4 NW 1/4, Fr. Lots 3 & 4, Lot 5; Sec. 31, Twp. 2N. Rge. 19E.
And that on or before the 8 day of September, 1969, any person may present, either in person or by letter to the State Department of Reclamation, for consideration, any reason or reasons why the application for transfer should not be approved.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Wood River Journal on August 28 and September 4, 1969.

STATE OF IDAHO, }
County of Blaine, } ss.

NEAL R. NYBLAD, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Managing Editor of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 28th day of August, 1969 and ending with the last publication thereof on the 4th day of September, 1969.

Cost of this publication is $ 8.74

Neal R. Nyblad
NEAL R. NYBLAD

Subscribed and sworn to before me, this 5th day of September, 1969.

Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

FILMED

RECEIVED
SEP 11 1969
Department of Reclamation

State of Idaho

Now Licensed

T. 1606

License and Certificate of Water Right

Water License No. 18401

Water District No. .....

Amount 4.65 second feet

Priority November 12, 1936

THIS IS TO CERTIFY that IRVIN L. ROCKWELL of Bellevue, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 12, 19 36; that Permit No. 18401 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 10 second feet, was issued thereunder on May 22, 19 42 x, showing that said works were completed on the 26th day of January, 19 42; and that on the 27th day of November, 19 43,

THE HOME SECURITY COMPANY, A CORPORATION, Assignee,

of Bellevue, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of swamp waste water, ~~a tributary of~~, for the purpose of irrigation, stock and domestic use, under Use Permit No. 18401 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the ~~Commissioner of Reclamation~~ State Reclamation Engineer of Idaho and entered of record in Volume 7 of Licenses, at page 4182, on the 9th day of December, 1943;

The right hereby confirmed dates from November 12 19 36;

in the SW ¼ SE ¼, Sec. 22, Tp. 2 N., R. 18 E., B. M. Blaine County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.65 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	18 E.	7	Lot 4	)	
			Pt. $NW\frac{1}{4}$ $SE\frac{1}{4}$ West of U.S.L. HR R/W	)	
			Pt. $S\frac{1}{2}$ $SE\frac{1}{4}$ " " "	)	208.00
		18	$NE\frac{1}{4}$ $NW\frac{1}{4}$	)	
			Lot 1	)	
		18	$NW\frac{1}{4}$ $NE\frac{1}{4}$	)	
			Pt. $NE\frac{1}{4}$ $NE\frac{1}{4}$ West of O.S.L. HR R/W	)	58.70

This Water Applicant to be used on lands as noted. Lease does not Make

x The highest measurements recorded showed a total flow of approximately twenty-seven (27) second feet.

MICROFILMED

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the ~~Commissioner of Reclamation~~ State Reclamation Engineer, affixed at Boise, Idaho, this 9th day of December, 1943

JAMES SPOFFORD

~~Commissioner of Reclamation~~ State Reclamation Engineer

(SEAL)

T. 1606

Identification No. _____

Transfer No. _____

RECEIVED
MAY 27 1969
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder Earl F. Detmer

   Post office address 443 Madison Street Twin Falls, Idaho 83301

2. Right obtained by: Purchase

   a. Decree to I. E. Rockwell (Name) in Case of Irvin E. Rockwell

   vs. Man's Coffin, Dated 25 August 1949 in 4th Judicial District (Name of Court)

   Court. County of Blaine.

   b. License No. -- issued by the State of Idaho, Department of Reclamation.

3. Source of water Broadford Slough (Name of stream or source) tributary to Big Wood River

4. Date of Priority 12 November 1936

5. Amount of water a. ~~4.65~~ 4.65 1.5 c.f.s. and/or

   b. _____ acre feet/annum

6. Water is used for Irrigation from April 1st (Month, Day) to September 30th (Month, Day)

7. Original location of point of diversion is NW ¼ SW ¼ of Section 22,

   Township 2 N, Range 18E, B.M., in Blaine County;

   Additional points of diversion, if any _____

8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	TOTALS
~~2N~~	~~NW~~	~~36~~													lot 5	lot 6			
~~2N~~	~~18E~~	~~36~~			X				lot 2	lot 3	Ft.	lot 4			lot 5				~~178~~
												Freemont ✓	✓						
3N	18E	33				ft. ✓				✓	✓	ft. ✓			ft. ✓				
3N	18E	32																	

Total number of acres presently irrigated _____

MICROFILMED

T. 1606

16

NE ¼ - SE ¼
Sec 16 2N 18E
N 2 10 Division Point

Big Wood River

NW ¼ SW ¼
Sec 22 2N 18 E
Alt Division

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

MICROFILMED

WATER RIGHT NUMBER	NAME	CFS
37-00833	SPLIT INTO 37-0833A & 37-0833B BY TRANS. 1606.	
37-00833A	SPLIT INTO 37-0833C & 37-0833D BY TRANS. 1655.	
37-00833B	SPLIT INTO 37-0833E & 37-0833F BY TRANS. 2462.	
37-00833C	SPLIT INTO 37-0833G & 37-0833H BY TRANS. 2588.	
37-00833D	ANDERSON , DONALD B. ANDERSON , JOAN H.	0.20
37-00833E	MC HAN , E. V. MC HAN , MARJORIE	0.20
37-00833F	STEVENSON , JOHN FELL	1.30
37-00833G	SPLIT INTO 37-0833J & 37-0833K BY TRANS. 2591.	
37-00833H	CAMERON , ED	0.54
37-00833J	Split into 37-00833L & M by Trans. #3895.	
37-00833K	VALLEY RANCH PARTNERS , THE BLECHMANN , CLARICE E.	0.75
37-00833L	Split into 37-00833N & P by Trans. #3932.	
37-00833M	COHEN , SUSAN COHEN , EARL R	0.08
37-00833N	ROCKWELL , IRVIN E	0.58
37-00833P	NEW DEER CREEK RANCH INC	1.00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 3895
WATER RIGHT NO. 37-00833M

This is to certify that: **SUSAN COHEN**
EARL R COHEN
10919 SUN RAY PLACE
LA MESA CA 92041

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

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/01 to 11/01	0.08 CFS	4.2 AF

SOURCE	TRIBUTARY OF
BIG WOOD RIVER	MALAD RIVER

Priority: 11/12/1936

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 32, Township 04N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
04N	18E	31	SESE	1.2			1.2

Total number of acres irrigated: 1.2

CONDITIONS/REMARKS:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

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TRANSFER NO. 3895
WATER RIGHT NO. 37-00833M

CONDITIONS/REMARKS:

6. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. All right holders entitled to use of water under portions of Right No. 37-00833 are required to maintain the Rockwell By-Pass from its entrance to its discharge into the Broadford Slough sufficient to provide free flowing conveyance for not less than 17.36 cfs during the irrigation season.

Dated this 2nd day of April, 1993

L. Glen Saxton

Chief, Water Alloc. Bureau

APR 09 1993

Form 222
1-87

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3895

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

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Department of Water Resources
Southern Region Office

Name of applicant EARL R. COHEN AND/OR SUSAN COHEN Phone

Post Office address 10919 SUN RAY PLACE, LA MESA, CALIFORNIA 92041

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes APPLICANT PURCHASED WATER RIGHT AND DESIRES TO TRANSFER THE POINT OF DIVERSION AND PLACE OF USE TO HIS PROPERTY.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
37-00833J M	11/12/1936	0.08 cfs	IRRIGATION	APR. 1 to NOV. 1
				to
				to
				to

2. Total amount of water being transferred 0.08 cfs cubic feet per second and/or _____ acre-feet per annum.
3. Source of water BIG WOOD RIVER tributary to MALAD RIVER
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	NW	32	4N	18E	BLAINE COUNTY	GIMLET

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	18E	31																1.2	1.2

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Total acres 1.2

Transfer No. _____

PART 1

6. General Information:

a. Description of diversion system STEELHEAD GATE AND CIPPOLLETTI WEIR, EARTHEN DITCH, SMALL HOLDING POND, PUMP FROM POND INTO UNDERGROUND RESIDENTIAL SPRINKLER IRRIGATION SYSTEM.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:

IT WILL NO LONGER BE IRRIGATED

d. Remarks:

SEE ATTACHED ADDENDUM

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____.

_____

MICROFILMED

APR 0 9 1993

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

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Southern Region Office

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. 37-00833J Decreed to IRVIN E. ROCKWELL

   in case of ROCKWELL vs. COFFIN

   dated 8-25-1949 in 4TH DISTRICT COURT county of BLAINE

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☒ Other _____

3. Source of water SEE ATTACHED ADDENDUM tributary to _____

4. Date or priority 11/12/1936

5. Water is used for the following purpose:

   amount 1.66 cfs (cfs/ac-ft) for IRRIGATION purposes from APR. 1 to NOV. 1

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

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

6. Total amount of water under right 1.66 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	16	2N	18E	BLAINE	COVE CANAL
		NE	SW	8	3N	18E	BLAINE	~~COMSTOCK DITCH~~ Headgate #13, Cramer Ditch
		SW	SE	11	4N	17E	BLAINE	Headgate #6, Farnlum Ditch

8. Lands irrigated or place of use: SEE ATTACHED ADDENDUM

P/U as recorded; actual P/U unknown

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	32	X		X	X				X	X				X	X			
		33										X	X	X					

APR 09 1993

Total acres _____

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

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 0.08 cfs (cfs/ac-ft) for IRRIGATION purposes from APR. 1 to NOV. 1
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	16	2N	18E	BLAINE	COVE CANAL

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	18E	~~36~~ 25 *		~~1.2~~													1.2		1.2

* Per telecom w/James Speck, 11-26-91 JO

Total acres 1.2

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

1. amount 1.58 cfs (cfs/ac-ft) for IRRIGATION purposes from APR. 1 to NOV. 1
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	16	2N	18E	BLAINE	COVE CANAL
		NE	SW	8	3N	18E	BLAINE	~~COMSTOCK DITCH~~ Cramer Ditch
		SW	SE	11	4N	17E	BLAINE	Fannlum Ditch

3. Lands irrigated or place of use: SEE ATTACHED ADDENDUM

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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Total acres _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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



 Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

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

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

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

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

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

Earl R. Celon, by Jan D. Spaulding his attorney-in-fact
(Signature of Applicant)

Subscribed and sworn to before me this 21st day of November, 19 91.

Deborah L. Kirby
(Notary Public)

My commission expires Life

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 7 attachments

Received by J C Stanton Date 11-25-91 Protest filed by _____

Prelim. check by DD Fee $30, 5013748 _____

Receipted by JC Date 11-25-91 _____

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 1/15 & 1/22/92 Hearing held by _____ Date _____

Watermaster recommendation requested on 1/3/92 Recommended for ☑ approval ☐ denial

_____ rec'd. 1/27/92 by JC

Copy of transfer sent to lien holder _____

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ADDENDUM TO
APPLICATION FOR TRANSFER OF WATER RIGHT
BY
EARL R. COHEN &/OR SUSAN COHEN

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Department of Water Resources
Southern Region Office

The following is an Addendum to the Application for Transfer of Water Right submitted by Earl R. Cohen &/or Susan Cohen:

PART 1

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

6. General Information.

d. Remarks: The right acquired by Applicants is a portion of the remaining balance of Water Right No. 37-00833, commonly referred to as the Rockwell Bypass Right, after several recorded transfers (37-00833J). The place of use and points of diversion of the remainder were changed by unrecorded transfers. The 0.08 cfs which is the subject of this Application was purchased from Ed and Ann VanEvery in 1990 (see Attachment 1 - copy of transfer document). The VanEvery's acquired the 0.08 cfs approximately 15 years before from W. R. Watts for use on lands in and adjacent to the City of Bellevue (Lots 7, 8 and 9, Block 72, City of Bellevue and a 3/4 acre parcel to the north). During Watts' and VanEverys' ownership, the 0.08 cfs was delivered through the Cove Canal (see Attachments 2 and 3 - copies of Watermaster records). The Application does not seek to expand the number of acres historically irrigated during this prior ownership. Those lands irrigated and the number of irrigated acres for the remainder of 37-00833J (1.58 cfs) are unknown (see IDWR database records).

The point of diversion will be the same as Water Right No. 37-07836 and delivery will be through a lengthy ditch into a small holding pond on Applicants' property, Lot 10, Gimlet Subdivision No. 9 (see Attachment No. 4 - copy of plat).

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED

3. Source of Water: See Remarks, above.

6. Lands Irrigated or Place of Use: See Remarks, above.

j\water\cohenxfr.add
11/4/91

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Southern Region

ADDENDUM TO
APPLICATION FOR TRANSFER OF WATER RIGHT
BY
EARL R. COHEN &/OR SUSAN COHEN

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT

3. Lands Irrigated or Place of Use: See Remarks, above.

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j\water\cohenxfr.add
11/4/91

Clemens Associates
P.O. Box 300
110 Fifth St., Suite 103
Ketchum, Idaho 83340
208/ 726-5331
208/ 726-4108 FAX

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NOV 2[illegible] 1991
Department [illegible] Resources
South[illegible] Region Office

September 11, 1990

Re: Rockwell Bypass Water Right #37-00833

The above mentioned water right, Rockwell Bypass #37-0083 which amounts to 4 inches (.08 cfs) has been sold to Earl Susan Cohen by Ed and Ann VanEvery for an agreed upon amount and which sale shall become effective on 12 September, 1990.

The intent is to transfer the above mentioned water right the Cohen property in Gimlet.

The sale of this water right to the Cohens is verified by signatures below:

Ed VanEvery — 9-11-90
Ed VanEvery — Date

Ann VanEvery — 9/11/90
Ann VanEvery — Date

APR 09 1993

ATTACHMENT 1

NOV-12-91 TUE 14:05 FAX NO. 2083633567 P.01

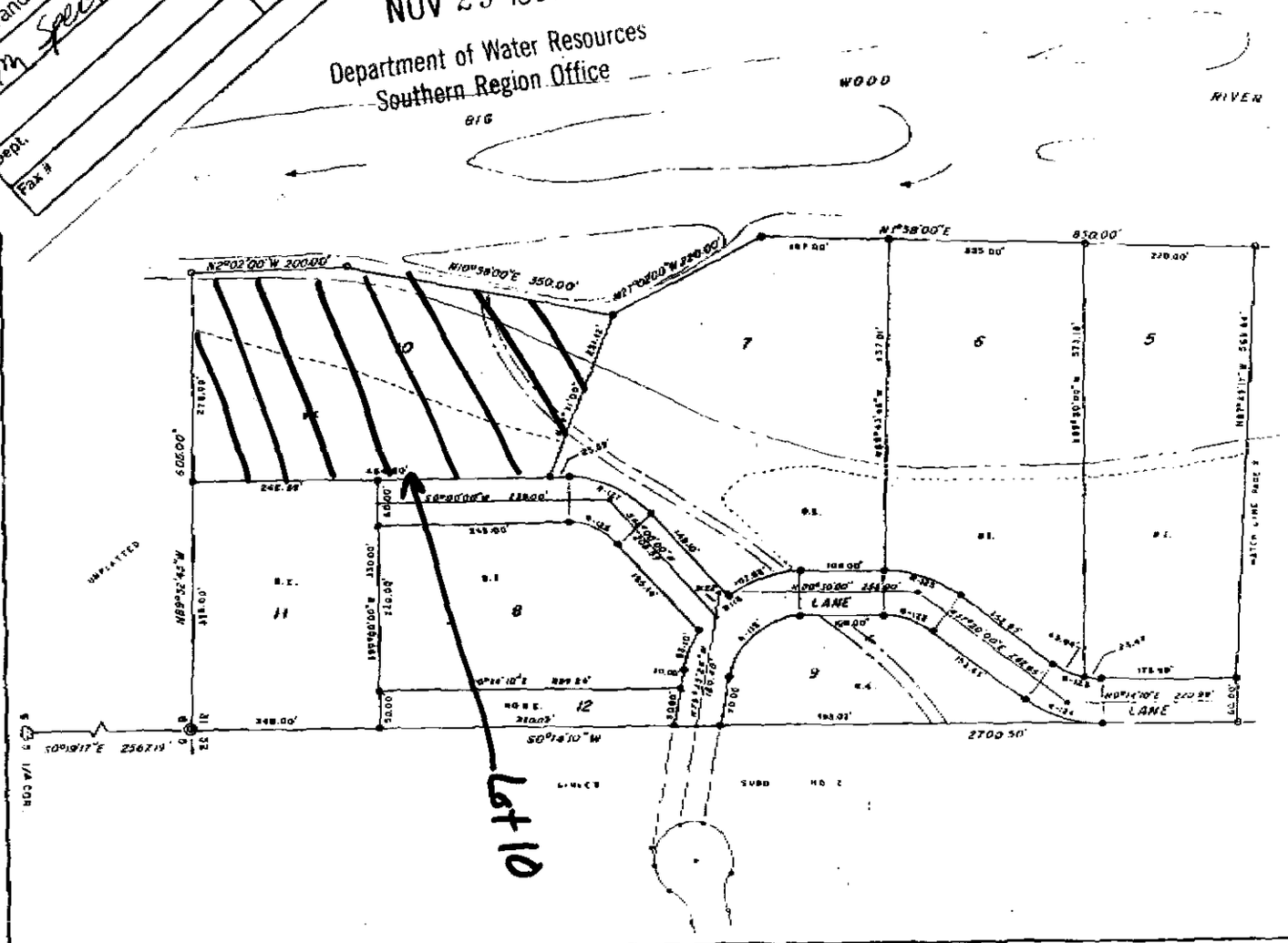
Post-it™ brand fax transmittal memo 7671 | # of pages ▸ 2
To Jim Speck | From Mylander
Co. | Co.
Dept. | Phone #
Fax # | Fax #

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GIMLET SUBDIVISION NO. 9

SEC. 31, T4N, R18E, B.M. BLAINE COUNTY, IDAHO

APR 09 1993



Curve	Δ	R	LC	L
R-118	88°03'26"	35.00'	823.30'	893.74'
R-116	"	155.00'	490.38'	215.88'
R-122	38°50'00"	108.14'	68.43'	67.59'
R-123	"	869.44'	105.35'	105.35'
R-124	37°03'28"	884.81'	104.64'	106.24'
R-125	"	154.91'	98.24'	97.61'
R-126	49°00'00"	82.30'	68.55'	68.88'
R-823	"	142.30'	119.36'	119.21'

ATTACHMENT 4

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WATER DIST. 37 BIG WOOD RIVER DECREE BOOK ABOVE MAGIC RES. as of: 10/07/88

APR 09 1993

DIVER NO	R	DIVER NAME	OWNER	DIST. PRIOR.	ST.ID	ORIG DECREE TO	PRIORITY DATE	INCHES	C.F.S.	OWNER/CFS	CANAL/CFS
32	D	JUSTUS	JAMES STEWART	57-B	37-0645	GEORGE S. STOREY	05-10-1887	100.00	2.00	2.00	5.50
32	D	JUSTUS	JOHN CAMPAGNA,JR	57-A2	37-0562	J.W.RAVENSCROFT	05-10-1887	100.00	2.00	2.00	7.50
32	D	JUSTUS	PAULINE DOCKSTADER	20-A5	37-0363	U.S.JUSTUS	04-12-1883	15.00	0.30	0.30	7.80
	D	JUSTUS	PAULINE DOCKSTADER	56-B5	37-0364	U.S.JUSTUS	05-01-1887	12.00	0.24	0.54	8.04
32	D	JUSTUS	RICHARD THOMPSON	20-A3	37-0363	U.S.JUSTUS	04-12-1883	11.00	0.22	0.22	8.26
32	D	JUSTUS	RICHARD THOMPSON	56-B3	37-0364	U.S.JUSTUS	05-01-1887	8.00	0.16	0.38	8.42
32	D	JUSTUS	ROBERT VERNON	20-A2	37-0363	U.S.JUSTUS	04-12-1883	15.00	0.30	0.30	8.72
32	D	JUSTUS	ROBERT VERNON	56-B2	37-0364	U.S.JUSTUS	05-01-1887	4.00	0.08	0.38	8.80
32-P	D	LEWIS	WARREN A.LEWIS	700-PE	37-7196	WARREN A.LEWIS	01-17-1973	1.00	0.02	0.02	0.02
33	E	COVE	DERRIS HEAD	40-B7	37-0113	R.F.AND ROSA BUHLER	07-10-1884	70.00	1.40	1.40	1.40
33	E	COVE	DON JUSTUS	20-B	37-0155	JOHN W.COOK	04-12-1883	80.00	1.60	1.60	3.00
33	E	COVE	DUANE DUDLEY	35-A5	37-0886	W.D.SCHARIFF ET AL	06-01-1884	5.60	0.11	0.11	3.11
33	E	COVE	EARL D.MANN	25-A	37-0705	SAMUEL S.WILSON	05-31-1883	33.34	0.66	0.66	3.77
	E	COVE	EARL D.MANN	40-B15	37-0113	R.F.AND ROSA BUHLER	07-10-1884	66.67	1.33	2.00	5.11
33	E	COVE	EARL D.MANN	41-A3	37-0482	ANNIE I.MILLER ET AL	08-01-1884	8.34	0.16	2.16	5.27
33	E	COVE	EDWARD VANEVERY	750-RO	37-	ROCKWELL BY-PASS	11-12-1936	4.00	0.08	0.08	5.35
33	E	COVE	FREDRICK BLECHMAN	25-A2	37-0705	SAMUEL S.WILSON	05-31-1883	33.33	0.66	0.66	6.02
33	E	COVE	FREDRICK BLECHMAN	40-B15	37-0113	R.F.AND ROSA BUHLER	07-10-1884	66.66	1.33	1.99	7.35
33	E	COVE	FREDRICK BLECHMAN	41-A3	37-0482	ANNIE I.MILLER ET AL	08-01-1884	8.33	0.16	2.16	7.52
33	E	COVE	LARRY MCKINSEY	750-RO	37-	ROCKWELL BY-PASS	11-12-1936	4.00	0.08	0.08	7.60
33	E	COVE	RAYMOND KINKADE	35-A7	37-0886	W.D.SCHARIFF ET AL	06-01-1884	9.00	0.18	0.18	7.78
33	E	COVE	RICHARD MILLER	19-A35	0577BK	W T RILEY	03-24-1883	5.00	0.10	0.10	7.88
33	E	COVE	RICHARD WELCH,JR.	25-A1	37-0705	SAMUEL S.WILSON	05-31-1883	33.33	0.66	0.66	8.55

ATTACHMENT 2

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Southern Region Office

WATER DIST.37 BIG WOOD RIVER ABOVE MAGIC -- PRIORITY BOOK as of: 10/07/88

DIVER NO	R	DIST PRIOR	OWNER	ST.ID.	ORIG DECREE TO	PRIORITY DATE	INCHES	ABOVE HAILEY	BELOW HAILEY	TRIB.	TOTAL
57-F	X	850-BYEX	J.R.J.INC GOOD ONLY WHEN ALL WATER IN EXTENSION BYPASS AFTER 6/15/1883 RTS.CUT	37-1204	EXTENSION BY-PASS	07-24-1924	75.00				
RRR	X	860-BYEX	U.B.W.R.W.U.A. TO BE USED AS PAID BY SHAREHOLDERS	37-	EXTENSION BYPASS	07-24-1924	525.00				
14	D	800-LIC	WALTER SCHODDE	37-	DOUGLAS KNIGHT	11-13-1925	92.00	257.07			
10	D	750-ROC	ROBERT BLOOMFIELD	37-	ROCKWELL BY-PASS	11-12-1936	10.00	257.27			
13	X	750-ROC	FREDRICK BLECHMAN ROCKWELL BY-PASS WATER	37-	ROCKWELL BY-PASS	11-12-1936	50.00				
33	E	750-ROC	EDWARD VANEVERY	37-	ROCKWELL BY-PASS	11-12-1936	4.00				707.39
0000-P4	D	750-ROC	DON ANDERSON	37-	ROCKWELL BY-PASS	11-12-1936	10.00	257.47			
06-P	D	750-ROC	PARTICK SIMPSON	37-	ROCKWELL BY-PASS	11-12-1936	25.00	257.97			
23	E	750-ROC	LARRY MCKINSEY	37-	ROCKWELL BY-PASS	11-12-1936	4.00				707.47
45	E	750-ROC	JOHN STEVENSON	37-0833	ROCKWELL BY-PASS	11-12-1936	65.00				708.77
37	E	750-ROC	EDWARD CAMERON	37-0833	ROCKWELL BY-PASS	11-12-1936	27.00				709.31
30	D	750-RO	FREDRICK BLECHMAN	37-	ROCKWELL BY-PASS	11-12-1936	37.50	258.72			
[illegible]	X	700-NC	ELKHORN NON-CONSUMPTIVE USE	37-7148	ELKHORN AT SUN VALLEY	05-31-1972	1.00				
[illegible]-P	D	700-PER	WARREN A.LEWIS	37-7196	WARREN A.LEWIS	01-17-1973	1.00	258.74			
[illegible]	X	700-NC	DAVID HOEL NON-CONSUMPTIVE FISH PROPAGATION	37-7767	FLYING HEART RANCH	02-27-1979	600.00				
[illegible] P	D	700-PER	RICHARD FAIRFIELD	37-7791	RICHARD FAIRFIELD	07-19-1979	1.00	258.76			

232.5"

Upper Wood River Water Users		Baseline By-Pass	561.6	Water developed by Baseline By-Pass
Upper Wood River Water Association		ExtensionBy-Pass	525.0	Water developed by Extension By-Pass

DRAGLINE DITCH - engire flow of Dragline ditch but not to exceed 6.0 CFS can be used beginning 6 days after all flow of Big Wood River has been diverted into the Baseline By-Pass owners are"

Upper Big Wood River Water Association

Broadford Slough By-Pass water:

Y1	John Feldhusen	37.5
Y2	Owen Simpson	25.0
Y3	Bellevue Cemetery	20.0
Y4	W.R. Watts	15.0
Y5	E.V. McHan	75.0
Y6	Fred Blechman	50.0
Y7	Don Anderson	10.0
		232.5 inches

V	55-C	Carl Schoessler	Fred Fator	Developed	160.0	Water developed t drainage

This water good only as long as the river is connected.

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on Office

ATTACHMENT 3

9/20/09

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Department of Water Resources
Southern Region Office

SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)

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

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

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

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

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

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

jps\water\cohenpwr

RECORDED
APR 09 1993

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

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

IN WITNESS WHEREOF, I have executed this Special Power of Attorney this 7th day of November, 1991.

EARL R. COHEN

STATE OF California)
) ss.
County of San Diego)

On this 7th day of November, 1991, before me, the undersigned notary public in and for said state, personally appeared EARL R. COHEN, known to me to be the person whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that he executed the same.

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



Gael Courtney
Notary Public for State of California
Residing at: County of San Diego

jps\water\cohenpwr

APR 09 1993

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Blaine

DANIEL J. GORHAM, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 15 day of JAN, 1992, and

the date of the last publication was on the 22 day of JAN, 1992.

Daniel J. Gorham

Subscribed and sworn to before me this 22nd day of Jan, 1992.
(SEAL)

Roberta McGuckin
NOTARY PUBLIC

8001

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 81
Number of Insertions _____

_____ Lines tabular at _____ 6¢ / Pica
81 Lines straight at 44.55 5¢ / Pica
81 Subsequent lines at 35.64 4¢ / Pica
TOTAL COST 85.19 5.00

OK MB 2-5-92

APR 9 1992

COPY OF NOTICE
(Paste Here)

COHENS SEEKS WATER
TITLE OF NOTICE

RIGHT CHange
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF State of Idaho
Dept. of Water Resources
BILL TO

[redacted] water right change

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-00833M

Notice is hereby given that Earl R. Cohen &/or Susan Cohen, c/o James P. Speck, Esquire, of Ketchum, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT AS RECORDED

Water Right No. 37-00833J
Basis of Right: Decreed to Irvin E. Rockwell in case of Rockwell vs. Coffin, dated 8/25/1949 in Fourth District Court, Blaine County.
Source: Big Wood River tributary to Malad River
Priority Date: 11/12/1936
Amount of Water: 1.66 cfs
Use: Irrigation
Point(s) of Diversion: SW1/4NE1/4, S16, T2N, R18E (Cove Canal); NE1/4SW1/4, S8, T3N, R18E; (Headgate #13, Cramer Ditch); SW1/4SE1/4, S11, T4N, R17E (Headgate #6, Farnlum Ditch); Blaine County.
Place of Use: Unspecified acres within NE1/4NE1/4, SW1/4NE1/4, SE1/4NE1/4, SE1/4NW1/4, NE1/4SW1/4, NE1/4SE1/4, NW1/4SE1/4, S32, T3N, R18E; NW1/4SW1/4, SW1/4SW1/4, SE1/4SW1/4, S33, T3N, R18E; Blaine County.

PORTION(S) OF RIGHTS TO BE CHANGED

Water Right No.: 37-00833J
Amount of Water: 0.08 cfs
Point of Diversion: SW1/4NE1/4, S16, T2N, R18E (Cove Canal); Blaine County.
Place of Use: 1.2 acres within SW1/4SE1/4, S25, T2N, R18E; Blaine County, based on unrecorded change claimed by applicant.

WATER RIGHT NO. 37-00833M TO BE CHANGED AS FOLLOWS:

Water Right No.: 37-00833M
Amount: 0.08 cfs
Water Use: Irrigation
Period of Use: 4/1 to 11/1
Total amount being transferred: 0.08 cfs
Source: Big Wood River tributary to Malad River
Priority Date: 11/12/1936
Point of Diversion: NW1/4SW1/4-[redacted] S32, T4N, R18E (Gimlet); Blaine County.
Place of Use: 1.2 acres within [redacted]

TRANS 3932

Form 222
1-87

Page 1 of 12

Transfer No. 3932

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 29 1991
Department of Water Resources
South Central Region Office

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant NEW DEER CREEK RANCH, INCORPORATED Phone 208/788-9813

Post Office address P O BOX 187, HAILEY ID 83333

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes PURCHASE OF 1 cfs BY NEW DEER CREEK RANCH. INC.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
37-00833J part(P)	11-12-1936	1.0 cfs	Irrig.	4-1 to 11-1
				to
				to
				to

2. Total amount of water being transferred 1.0 cubic feet per second and/or 150 acre-feet per annum.

3. Source of water BIG WOOD RIVER tributary to MALAD RIVER

4. Point(s) of Diversion: Approximately 1/4 mile north of Deer Creek Bridge

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	29	3N	18E	BLAINE	pump

5. Lands irrigated or place of use: Approximately 50 acres of land within:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	17E	26											~~40~~ 30*						~~30~~ 40
3N	18E	30								~~20~~ 10*									~~20~~ 10

APR 09 1993

* changed Per Letter From John Rosholt Dated 3-26-92 JK

Total acres 50

Transfer No. 3932

PART 1

6. General Information:

a. Description of diversion system Pump and pipeline, sprinklers

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

Will no longer be irrigated

d. Remarks:

DIVERSION WILL NOT BE EASILY VISIBLE TO PASSERSBY AND ULTIMATELY WILL BE LANDSCAPED TO MASK EVEN THE CURRENT SETUP.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-00833P

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

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 22nd day of December, 19 92.

L. Glen Sayler

CHIEF, WATER ALLOC. BUREAU

APR 09 1993

CONDITIONS OF APPROVAL
Transfer of Water Rights
No. 37-00833P

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

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

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

5. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands above.

7. All right holders entitled to use of water under portions of Right No. 37-00833 are required to maintain the Rockwell By-Pass from its entrance to its discharge into the Broadford Slough sufficient to provide free flowing conveyance for not less than 17.36 cfs during the irrigation season.

Dated this 22nd day of December, 1992.

L. Glenn Saxton
Chief, Water Alloc. Bureau

APR 09 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. 37-00833J Decreed to IRVIN E. ROCKWELL

   in case of IRVIN ROCKWELL vs. MANS H. COFFIN

   dated 8-25-49 in 4TH DISTRICT county of BLAINE

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water BIG WOOD RIVER tributary to MALAD RIVER

4. Date or priority 11-12-36

5. Water is used for the following purpose:

   amount 1.66 (cfs/ac-ft) for Irrig. purposes from _____ to _____

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

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

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

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	16	2N	18E	BLAINE	
		NE	SW	8	3N	18E	BLAINE	
		SW	SE	11	4N	17E	BLAINE	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	32	X		X	X				X	X				X	X			
3N	18E	33										X	X	X					UNSPECIFIED

RECEIVED APR 09 1993

Total acres _____

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

PART 2

Transfer No. 3932

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

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 1.0 (cfs/ac-ft) for irrigation purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion: SAME

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	SW	8	3N	18E	Blaine	Cramer #13 Headgate on East Fork
	SE	NE	NE	18	"	"	"	Headgate #20 & Mizer Ditch on Big Wood R.

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	20			10										10	30			50

Total acres 50

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)* 37-00833N ; if Cohen Transfer is approved, 0833L if not.

1. amount .66 (cfs/ac-ft) for irrigation purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion: same

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use: same

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

APR 09 1993

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Claim No. A37-00833L on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water BIG WOOD RIVER tributary to MALAD RIVER

4. Date or priority 11-12-36

5. Water is used for the following purpose:

   amount .333 cfs (cfs/ac-ft) for Irrig. purposes from 4-1 to 11-1

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

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

6. Total amount of water under right 0.333 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	SW	8	3N	18E	BLAINE	Cramer #13 Headgate on East Fork
	SE	NE	NE	18	3N	18E	BLAINE	Headgate #20 & Mizer Ditch on Big Wood

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	20			10										10	30			50

APR 09 1993

Total acres 50

9. Describe any other water rights used for the same purpose as described above A37-00159A, A37-00833K, M, N

PART 2

Transfer No. 3932

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

APR 09 1998

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Claim No. A37-00833M on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water BIG WOOD RIVER tributary to MALAD RIVER

4. Date or priority 11-26-36

5. Water is used for the following purpose:

   amount .333 cfs (cfs/ac-ft) for irrigiation purposes from 4-1 to 11-1

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

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

6. Total amount of water under right 0.333 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	SW	8	3N	18E	BLAINE	Cramer #13 Headgate on East Fork
	SE	NE	NE	18	3N	18E	BLAINE	Headgate #20 & Mizer Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	20			10										10	30			50
																	APR 09 1993		

Total acres 50

9. Describe any other water rights used for the same purpose as described above A37-00159A, A37-00833K, L, M

PART 2

Transfer No. 3832

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

APR 29 1993

Total acres _____

Transfer No. 3932

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Claim No. A37-00833N on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water BIG WOOD RIVER tributary to MALAD RIVER

4. Date or priority ~~11/26/91~~ 11-12-1936

5. Water is used for the following purpose:

   amount .333 cfs (cfs/ac-ft) for irrigation purposes from 4-1 to 11-1

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

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

6. Total amount of water under right 0.333 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	SW	8	3N	18E	BLAINE	Cramer #13 Headgate on East Fork
	SE	NE	NE	18	3N	18E	BLAINE	Headgate #20 & Mizer Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	20			10										10	30			50

APR 09 1993

Total acres 50

9. Describe any other water rights used for the same purpose as described above A37-00159A, A37-00833K, I, M

PART 2

Transfer No. 3932

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

APR 09 1993

Total acres _____

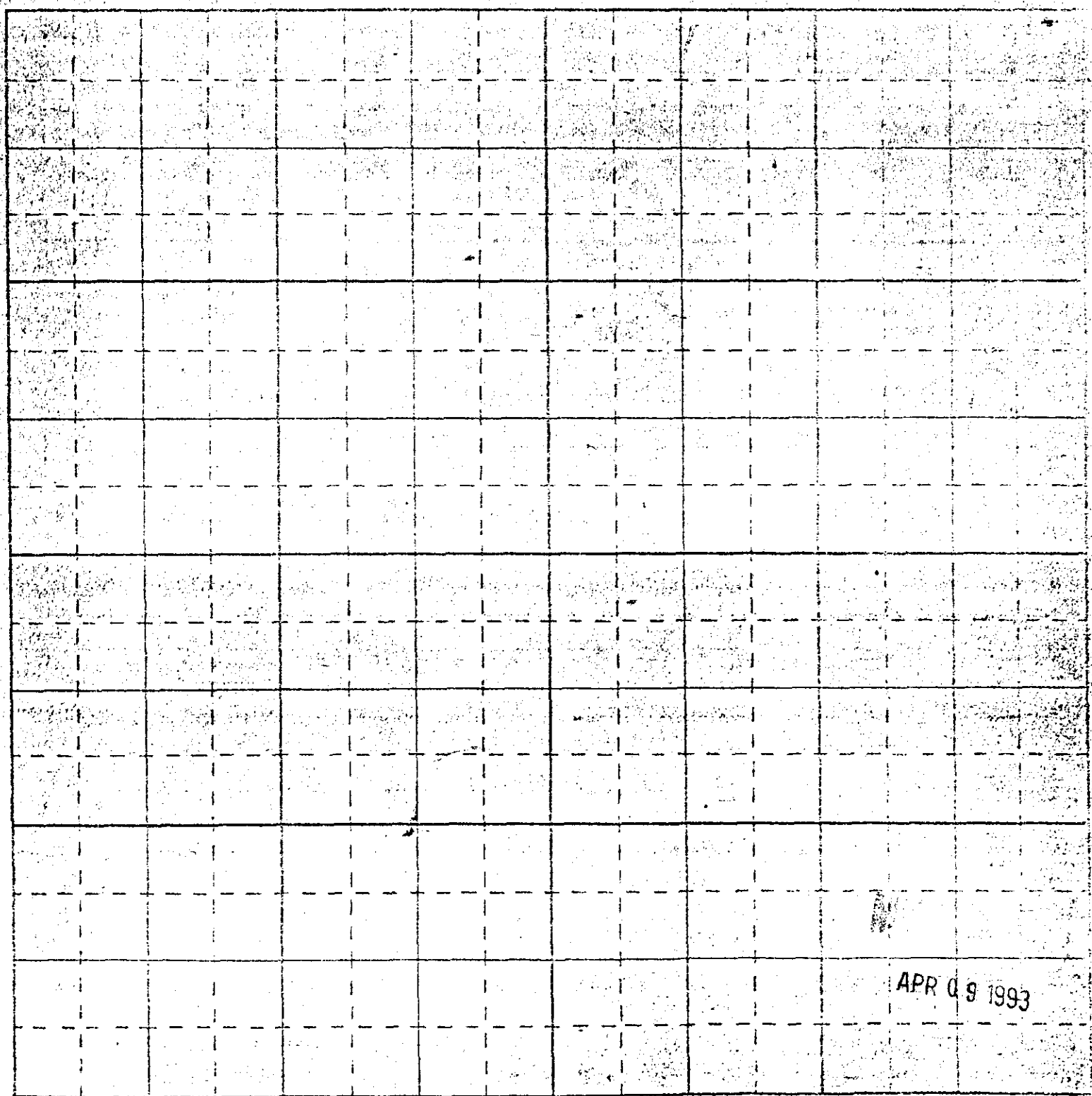
Transfer No. 3932

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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



APR 09 1993

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

Transfer No. 39322

PART 3

B. CHANGES IN NATURE OF USE

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

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

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

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

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

New Deer Creek Ranch Inc. by Jay L. Pres. Cont
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of June, 19 91.

Sherry L. Call
(Notary Public)

My commission expires 3/19/92.

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 7 attachments

Received by DJ Date 7/31/91 Protest filed by

Prelim. check by JF Stanton Fee $50 3013594

Receipted by DJ Date 7/31/91

Published in Wood River Journal Copies of protest forwarded by

Pub. dates 6/17 + 6/24 Hearing held by Date

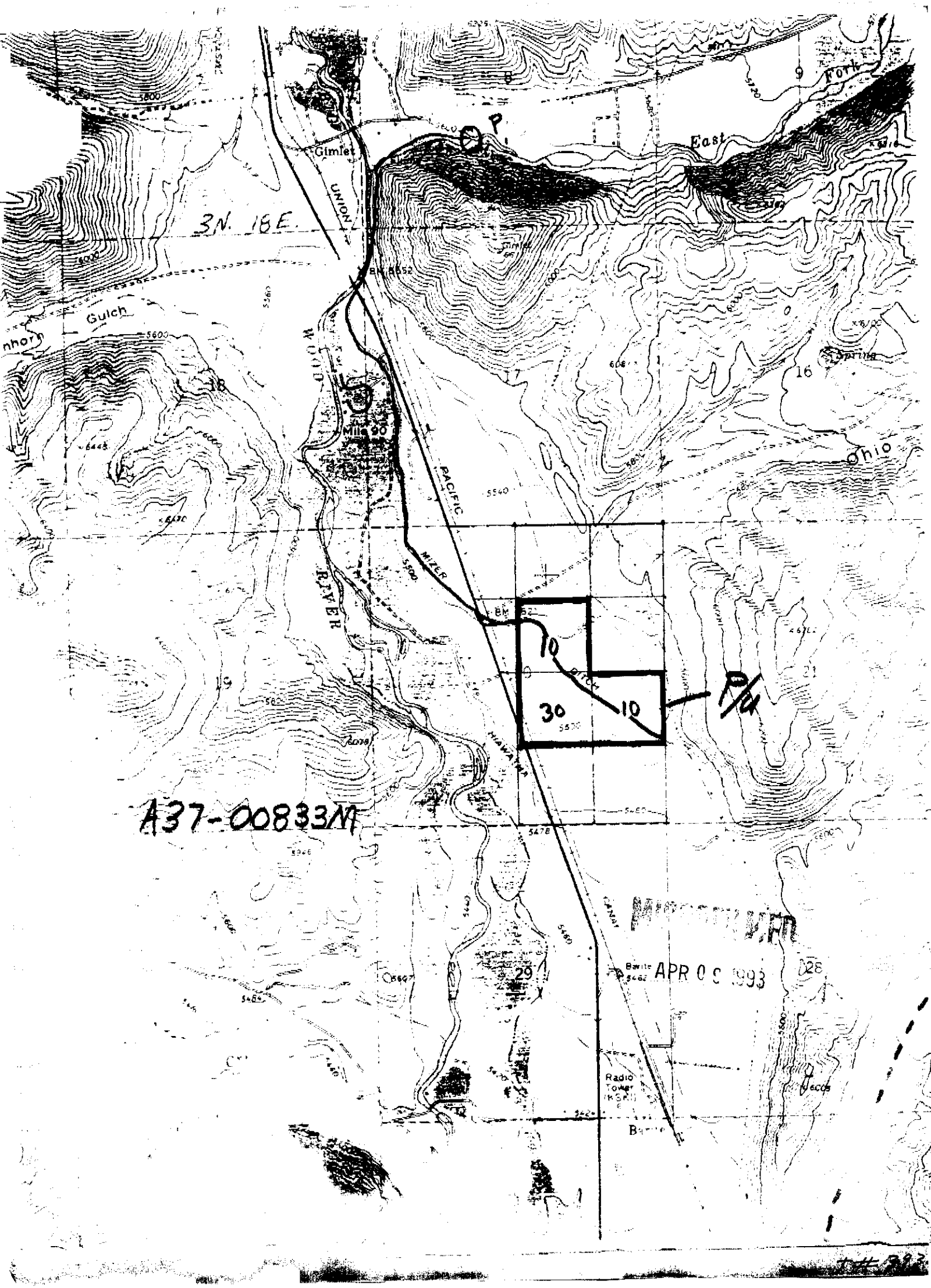
Watermaster recommendation requested on 6/3/92 Recommended for ☐ approval ☐ denial

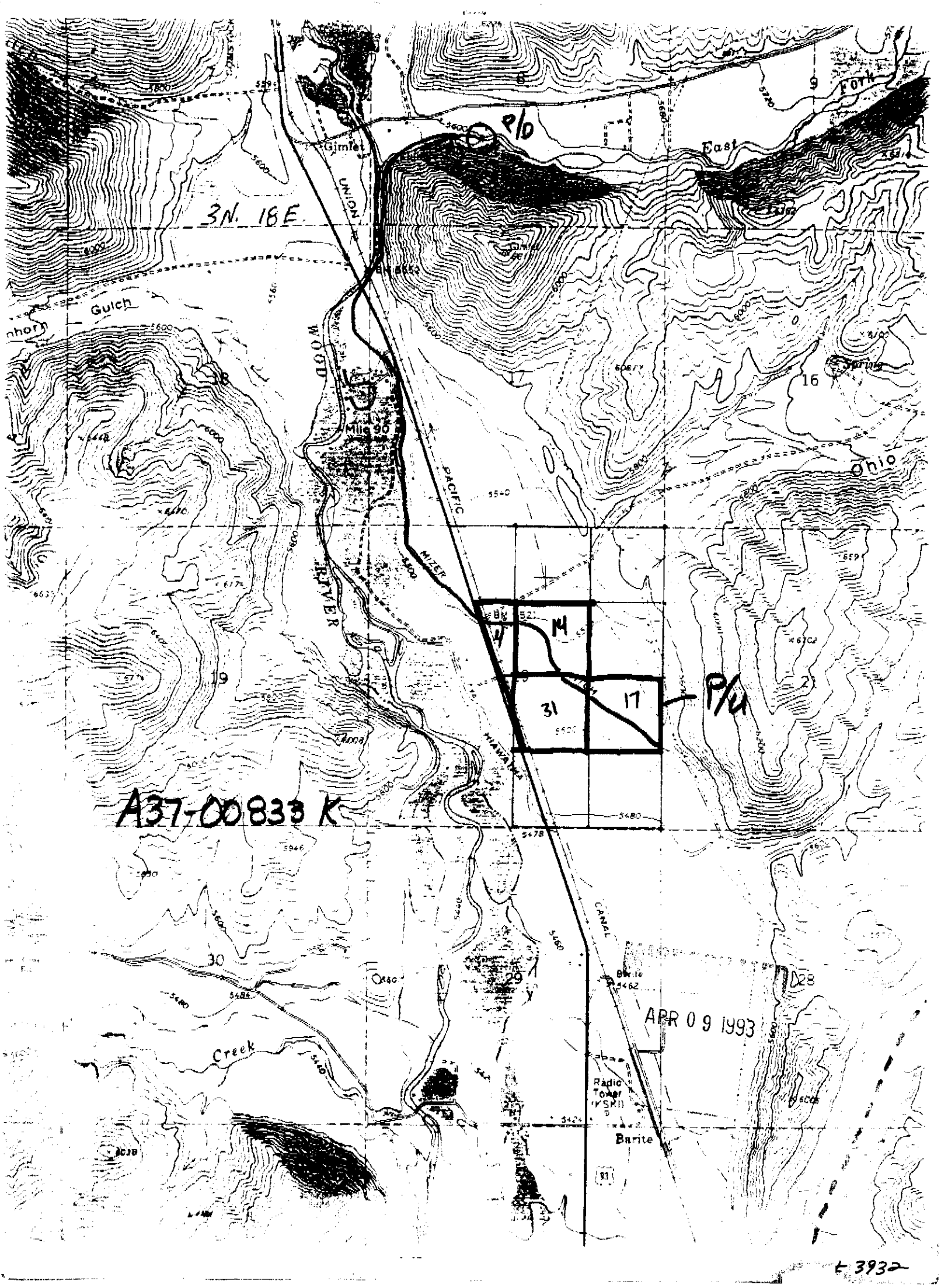
rec'd. 6/15/92 by

Copy of transfer sent to lien holder

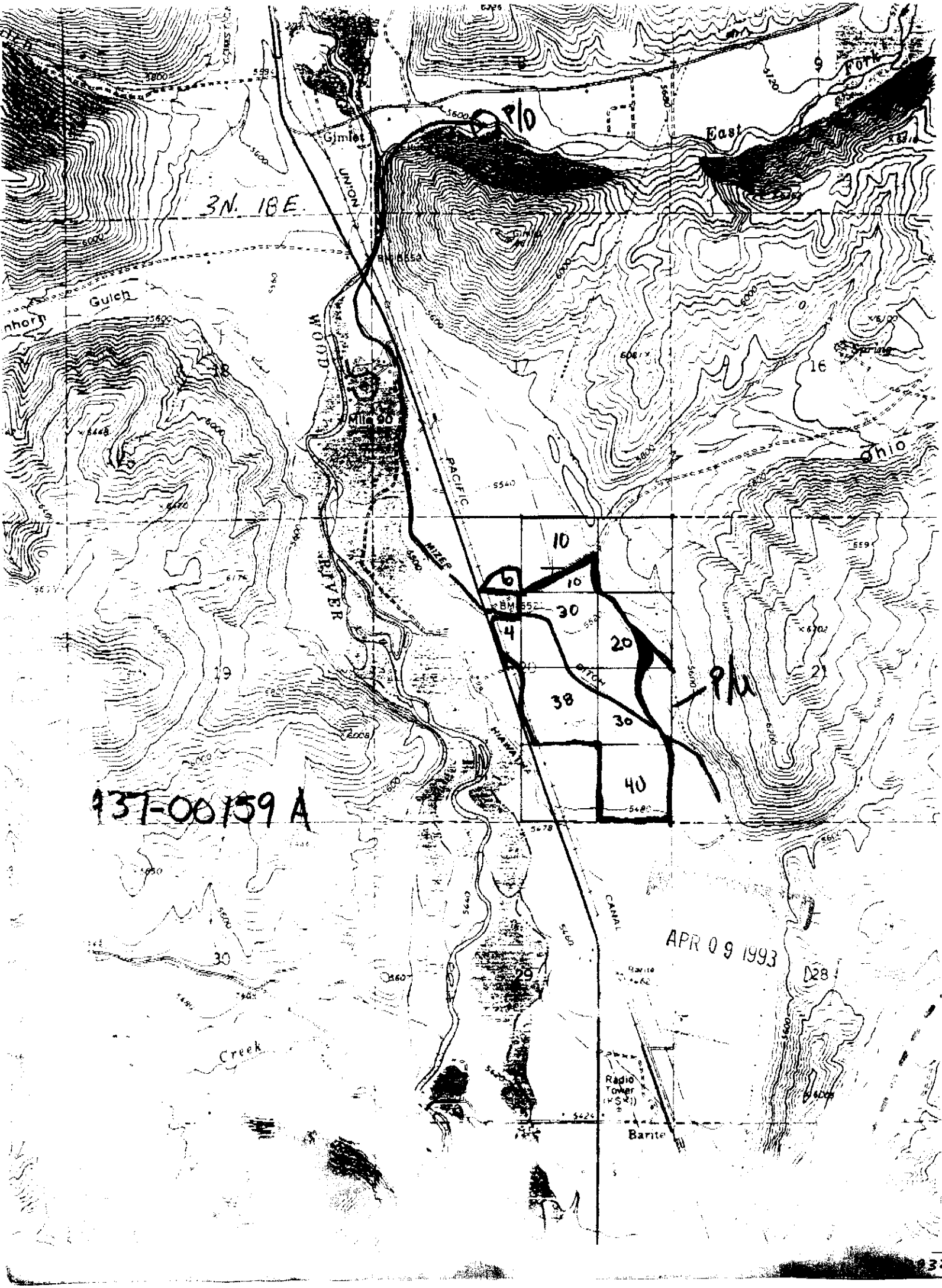
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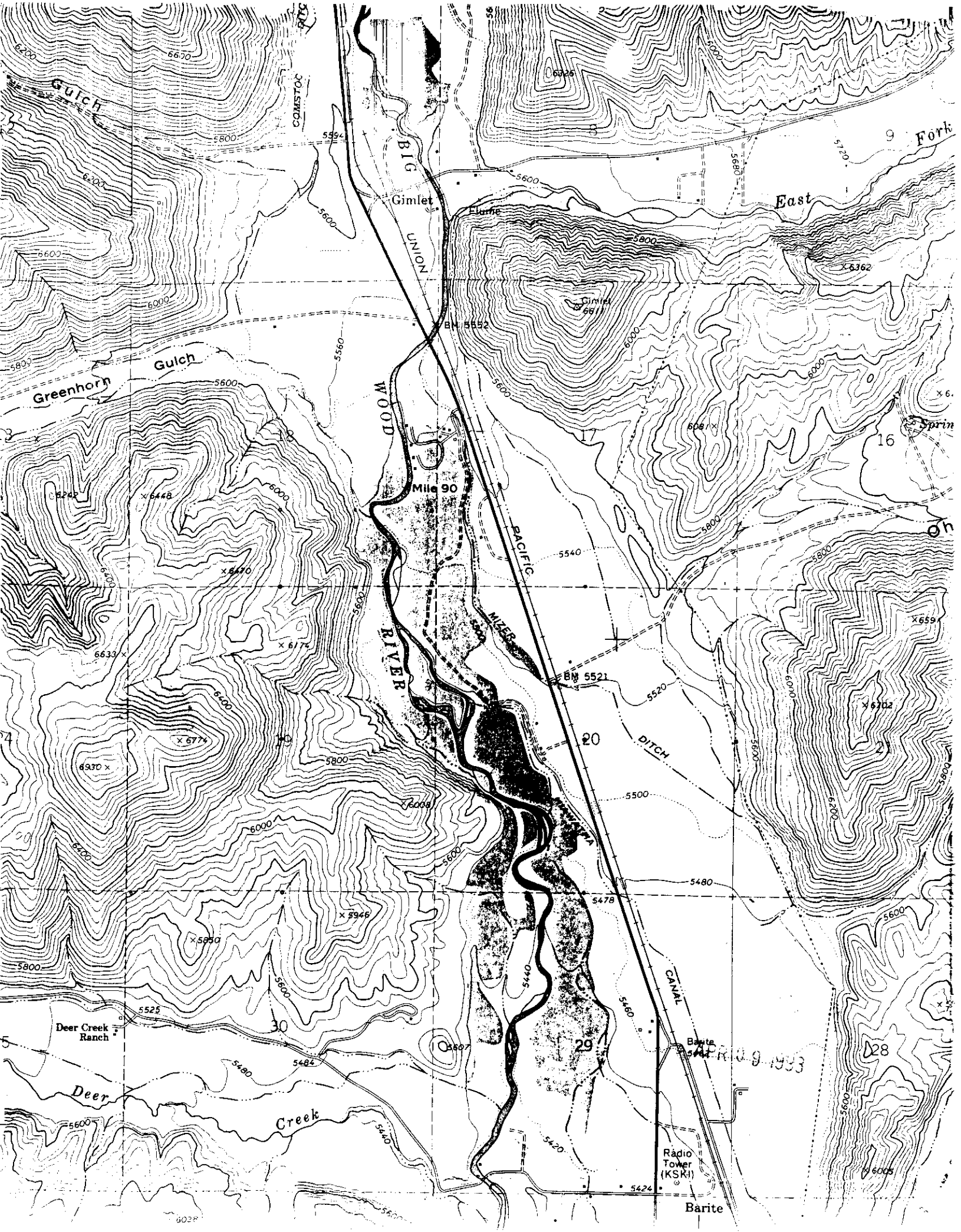
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RECEIVED
APR 09 1993
Department of Water Resources
Southern Region Office

AGREEMENT

THIS AGREEMENT is made and entered into effective this _____ day of March, 1991, by and between The Frederick H. Blechmann Trust dated April 15, 1986, The Sydney B. Cook Revocable Trust, and The Estate of Hollis Day (hereinafter collectively referred to as "Seller"), and New Deer Creek Ranch Corporation, an Idaho corporation (hereinafter referred to as "Buyer").

RECITALS

WHEREAS, Seller is the owner of a certain water right hereinafter described; and

WHEREAS, Seller wishes to sell and Buyer wishes to purchase said water right in accordance with the terms and conditions contained in this Agreement;

COVENANTS

NOW, THEREFORE, in consideration of the mutual covenants, terms, and conditions set forth herein, Seller and Buyer agree as follows:

1. Water Right. Seller shall sell and convey to Buyer, and Buyer shall purchase from Seller, that certain water right (hereinafter the "water right") described as follows:

> Fifty (50) miners inches of the waters of BIG WOOD RIVER being fifty (50) miners inches of water taken from that certain water right of 4.65 cubic feed per second or 232.50 miners inches of the waters of Big Wood River decreed to Irwin E. Rockwell as described in the Findings of Fact and Conclusions of Law and the Decree made and entered on the 25th day of August, 1949, in an action in the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Blaine, wherein the said Irwin E. Rockwell was plaintiff and Mans H. Coffin, Watermaster, was defendant, which said Findings of Fact and Conclusions of Law were recorded in the office of the County Recorder of the County of Blaine, State of Idaho, on the 13th day of September, 1949, in Book 12 of Judgments, at Page 111, and which said Decree was recorded in the office of the County Recorder of the County of Blaine, State of Idaho, on the 13th of September, 1949, in Book 12 of Judgments at Page 115, all subject to the obligations to maintain the by-pass as in said Findings of Fact, Conclusions of Law and Decree prescribed

APR 09 1993

and provided. (The By-pass herein referred to is the Rockwell By-Pass Canal.)

2. Consideration. As consideration for the sale and conveyance of water right, Buyer shall pay to Seller the sum of [redacted] which sum shall be due and payable in cash upon execution of this Agreement and the opening of the escrow provided for herein.

3. Escrow; Conveyance of Subject Water Right. Upon execution of this Agreement, an escrow shall be established at First American Title Company, Ketchum, Idaho. First American Title Company is hereby appointed by the parties hereto as the escrow agent for purposes of closing the transaction provided for herein. The water right shall be conveyed from seller to Buyer by means of a Quitclaim Deed in the approximate form of Exhibit A attached hereto and incorporated herein by this reference. Closing shall take place upon approval by the Idaho Department of Water Resources (the "Department") of an application to: (1) transfer the point of diversion to a location within approximately one-fourth (1/4) mile north of the Deer Creek Bridge, situated in the SW 1/4, SW 1/4, Section 29, Township 3 North, Range 18 East, Boise Meridian, Blaine County, Idaho; and (2) change the place of use of the water to approximately 70 acres of lands lying within portions of the following:

NW 1/4, SW 1/4, Section 29

SW 1/4, SW 1/4, Section 29

SE 1/4, NE 1/4, Section 30

NE 1/4, SE 1/4, Section 30

SE 1/4, SE 1/4, Section 30

NW 1/4, SE 1/4, Section 30

all within Township 3 North, Range 18 East, Boise Meridian, Blaine County, Idaho. Pending closing, the cash consideration shall be deposited into an interest bearing account or certificate of deposit, and all accrued interest shall be paid to Seller upon closing, or to Buyer in the event the purchase and sale is rescinded pursuant to the following paragraphs herein.

4. Limitation on Escrow. In the event the Department has not approved the transfer of the point of diversion and place of use of the water right on or before October 1, 1991, Buyer shall be required to elect to either (1) rescind the transaction as provided for herein or (2) close the purchase and sale and authorize, in writing, the release of the cash consideration to Seller. Such written authorization shall be accepted by the escrow agent in lieu of approval by the Department, as provided in the previous paragraph herein, and escrow agent shall record

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the Quitclaim Deed and release the cash consideration, plus accrued interest, to Seller.

5. Approval by Department of Water Resources. Within thirty (30) days from the execution of this Agreement, Buyer shall file with the Department any and all necessary applications and information required in order to obtain the approval of said Department of the transfer of the point of diversion and place of use of the water right to Buyer's property, as described in paragraph 3 above; provided, however, the thirty (30) day time limit shall not apply to additional information requests by the Department after the initial application has been submitted, nor shall the time limit apply if a hearing is required during the approval process. Buyer covenants and agrees to diligently and aggressively pursue and expedite the approvals of the Department as soon as possible and to timely provide the Department with any documents or other information it requests for the processing of the application or applications. Seller agrees to cooperate with Buyer in Buyer's efforts to obtain the required approvals and to provide Buyer with any relevant information in Seller's possession. Buyer shall respond in a timely manner to Seller's requests for information as to the progress of Buyer's efforts to obtain the required approvals.

6. Adjustment of Purchase Price. It is agreed the cash purchase price provided for herein shall be adjusted in the event the transferred water right approved by the Department is reduced from the fifty (50) miners inches described herein due to the relocation of the point of diversion, change in place of use, or forfeiture. Any such adjustment shall be calculated at Seven Hundred Fifty Dollars ($750) per miners inch. For example, in the event the approved water right transferred to Buyer totals 48 miners inches rather than 50 miners inches, the cash consideration provided for herein shall be reduced by One Thousand Five Hundred Dollars ($1,500). Buyer covenants to take all reasonable action to prevent any reduction resulting from change in place of use, forfeiture, or the relocation of the point of diversion to the location described in paragraph 3 herein. "In the event there is a reduction in the approved water right to be transferred, seller shall have the right to either close the sale provided for herein at the adjusted purchase price or rescind and cancel said sale."

7. No Warranties. It is understood Buyer is relying solely upon the escrow arrangement provided for herein and approval of the transfer of the water right by the Department, and Seller has made no warranties with regard to the present status or priority of the water right. Further, Seller has made no warranties or representations with regard to the effect of the Snake River Basin Adjudication upon the status or priority of the water right.

8. Representation. The parties acknowledge that the law firm of Hogue, Speck & Aanestad has represented only Seller with

APR 09 1993

regard to the transaction provided for herein and the preparation of this Agreement. Buyer acknowledges it has been afforded an opportunity to obtain independent legal counsel and advice with regard to this Agreement and the transaction provided for herein.

9. Authority of Buyer. Upon execution of this Agreement, Buyer shall provide Seller a copy of the executed resolution of the Board of Directors of New Deer Creek Ranch Corporation authorizing the President of that corporation to execute this Agreement.

10. Binding Effect. This Agreement shall be binding upon and insure to the benefit of the heirs, successors, and assigns of the respective parties hereto.

11. Attorneys Fees. In the event either party hereto retains an attorney for the purpose of enforcing any right or duty arising out of this Agreement, or to recover damages resulting from a breach hereof, the prevailing party shall be entitled to recover from the other party all attorneys fees incurred by the prevailing party, whether or not litigation is actually instituted or concluded.

12. Governing Law. This Agreement shall be enforced and governed in accordance with the statutory, regulatory, and case law of the State of Idaho.

13. Entire Agreement. This Agreement sets forth the entire understanding and agreement between the parties hereto. This Agreement may be modified or amended only by means of a written instrument duly executed by both parties.

14. Counterparts. This Agreement may be executed in counterparts, and if it is executed in that manner, it shall have the same effect as if all parties had executed a single original of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement effective the day and year first above written.

SELLER:

SYDNEY B. COOK REVOCABLE TRUST

By Sydney B. Cook
Sydney B. Cook, Trustee

APR 0 9 1993

THE FREDERICK H. BLECHMANN TRUST

By _____
Frederick H. Blechmann, Trustee

ESTATE OF HOLLIS DAY

By _____
Uwarda D. Day, Co-Executor

By _____
Earl D. Mann, Co-Executor

BUYER:

NEW DEER CREEK RANCH CORPORATION

By _____
Jay Sevy, President

APR 0 8 1994

THE FREDERICK H. BLECHMANN TRUST

By_____
Frederick H. Blechmann, Trustee

ESTATE OF HOLLIS DAY

By Uwarda D. Day
Uwarda D. Day, Co-Executor

By Earl D. Mann
Earl D. Mann, Co-Executor

BUYER:

NEW DEER CREEK RANCH CORPORATION

By_____
Jay Sevy, President

RECORDED

APR 09 1993

STATE OF IDAHO)
) ss.
County of Blaine)

On this 15th day of March, 1991, before me, April, the undersigned notary public in and for said state, personally appeared Sydney B. Cook, known or identified to me to be the Trustee of The Sydney B. Cook Revocable Trust and the person who executed the foregoing instrument on behalf of said trust, and acknowledged to me that said trust executed the same.

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

Notary Public in and for Idaho
Residing at: Hailey
Commission Expires: 7/12/93

STATE OF IDAHO)
) ss.
County of Blaine)

On this ____ day of March, 1991, before me, _____, the undersigned notary public in and for said state, personally appeared Frederick H. Blechmann, known or identified to me to be the Trustee of The Frederick H. Blechmann Trust and the person who executed the foregoing instrument on behalf of said trust, and acknowledged to me that said trust executed the same.

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

Notary Public in and for Idaho
Residing at: _____
Commission Expires: _____

APR 0 9 1993

STATE OF IDAHO)
) ss.
County of Blaine)

On this _____ day of March, 1991, before me, _____, the undersigned notary public in and for said state, personally appeared Sydney B. Cook, known or identified to me to be the Trustee of The Sydney B. Cook Revocable Trust and the person who executed the foregoing instrument on behalf of said trust, and acknowledged to me that said trust executed the same.

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

_____
Notary Public in and for Idaho
Residing at: _____
Commission Expires: _____

STATE OF IDAHO)
) ss.
County of Blaine)

On this 15th day of ~~March~~ April, 1991, before me, Ruby Muir Becker the undersigned notary public in and for said state, personally appeared Frederick H. Blechmann, known or identified to me to be the Trustee of The Frederick H. Blechmann Trust and the person who executed the foregoing instrument on behalf of said trust, and acknowledged to me that said trust executed the same.

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

Ruby Muir Becker
Notary Public in and for Idaho
Residing at: Ruby, ID
Commission Expires: 11 FEB 93

APR 09 1993

STATE OF WASHINGTON)
) ss.
County of Pierce)

On this 18th day of ~~March~~ April, 1991, before me, Michelle A Mitchell the undersigned notary public in and for said state, personally appeared Uwarda D. Day, known or identified to me to be the Co-Executor of The Estate of Hollis Day and the person who executed the foregoing instrument on behalf of said estate, and acknowledged to me that said estate executed the same.

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

Michelle A Mitchell
Notary Public in and for Washington
Residing at: Puyallup
Commission Expires: 5-8-92

STATE OF WASHINGTON)
) ss.
County of Pierce)

On this 18th day of ~~March~~ April, 1991, before me, Michelle A. Mitchell the undersigned notary public in and for said state, personally appeared Earl D. Mann, known or identified to me to be the Co-Executor of The Estate of Hollis Day and the person who executed the foregoing instrument on behalf of said estate, and acknowledged to me that said estate executed the same.

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

Michelle A. Mitchell
Notary Public in and for Washington
Residing at: Puyallup
Commission Expires: 5-8-92

APR 09 1993

STATE OF IDAHO)
) ss.
County of Blaine)

On this 30th day of ~~March~~ APRIL, 1991, before me, J. STEPHEN CRABTREE, the undersigned notary public in and for said state, personally appeared Jay Sevy, known or identified to me to be the President of New Deer Creek Ranch Corporation and the person who executed the foregoing instrument on behalf of said corporation, and acknowledged to me that said corporation executed the same.

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

Notary Public in and for Idaho
Residing at: Sun Valley, Idaho
Commission Expires: 7-21-92

APPROVED
APR 09 1993

FEB 03 1994
Department of Water Resources
Southern Region Office

Water Right No. 37-00833K

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE OF A WATER RIGHT

Section 42-222 of the idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a shaowing of reasonable cause.

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee of $50.00.

1. Name of water right holder: The Valley Ranch Partner fka Wood River Country Club Partners.

2. Post office address: c/o James P. Speck, Hogue, Speck & Aanestad, P.O. Boc 987, Ketchum, Idaho, 83340.

3. The right was obtained or is evidenced by:

   a. Decreed to Irvin E. Rockwell in case of Rockwell v. Coffin, dated August 25, 1949 in Blaine County District Court.

   b. Transfer No. 3742 issued by the Department of Water Resources.

4. Source of water: Big Wood River tributary to Malad River.

5. Date of priority: November 12, 1936.

6. Amount of water: 0.75 cfs.

7. Water is used for: 0.69 cfs for irrigation from April 1 to November 1
   0.06 cfs for recreation from April 1 to November 1.

8. Location of point of diversion:

Lot	¼	¼	¼	Sec	Twp	Rge.	County	Local name for diversion
	SW	SW	NW	20	3N	18E	Blaine	Hiawatha Headgate

37-00833K

9. Lands irrigated or place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	18E	20			R										R	R		R	
					11.5	7.0									15.0	15.0		11.0	59.5
3N	18E	21											R						
													13.5						13.5
3N	18E	28						R	R			R							
							14.5	15.0	14.5	10.0	7.5	11.0		2.0					74.5

Total acres 147.5

9. Give the last date when water was applied to beneficial use: It was last used to irrigate the former place of use in 1989. All or a portion of the right may have been used in 1992 by Lane Ranch Association on other lands pursuant to a lease and transfer.

Length of extension of time requested: Until November 1, 1996.

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and the reasons for non-use: The approved water right transfer authorizes use of the water right for irrigation of a golf course and for recreational use in the golf course ponds and streams. The construction of the golf course is scheduled to commence in the spring of 1994 and will take a minimum of two years to complete. Thus, an extension of time until the end of the irrigation season of 1996 is requested.

37-00833K

I hereby assert that noone will be injured by such extension. The information contained in this application is true to the best of my knowledge.

THE VALLEY RANCH PARTNERS

By: Paul C. Hutchison
DAVID C. HUTCHISON, a general partner

SUBSCRIBED AND SWORN TO before me this 18th day of January, 1994.

Ruby A. Becker
Notary public for Idaho
Residing at Blaine County
Commission expires 2/5/99

==========

0 ACTION OF THE DIRECTOR DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby **APPROVE** said application subject to the following conditions or reasons:

Resumption of water to a beneficial use shall occur on or before November 1, 1996.

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

Witness my hand this 19th day of May, 1995.

L. Blue Saxton
Chief, Water Allocation Bureau

==========

For Department Use Only

Received by MB Date 2/3/94 Time 1100 am Preliminary check by MTS
Fee $50.00 Receipted by DW 25464 Date 1/30/94 Publication prepared by MB
Published in Wood River Journal Dates 3/2 & 3/9/94
Publication approved by _____ Date _____ Protests filed by _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for ✓ Approval // Denial by _____

37-00833K

Form 222
1-87

Page 1 of 12

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED JAN 22 1991 Transfer No. 72

APPROVED

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT

AMENDED

PART 1

Name of applicant The Valley Ranch Partners (formerly) Wood River Country Club Partners Phone 208-726-4421

Post Office address c/o James P. Speck, Hogue, Speck & Aanestad, P.O. Box 987, Ketchum, ID 83340

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☒ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes See attached Addendum

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
See Attached Addendum				to
				to
				to
				to

2. Total amount of water being transferred 7.24 cubic feet per second and/or _____ acre-feet per annum.

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

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NW	20	3N	18E	BLAINE	HIAWATHA HEADGATE

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	20		0	R 11.5	7.0									R 15	R 15		R 11	59.5
3N	18E	21											R 13.5						13.5
3N	18E	28					14.5	R 15	R 14.5	10	7.5	R 11.0		2.0					74.5

APR 12 1991

Total acres 147.5

Transfer No. 3742

PART 1

6. General Information:

a. Description of diversion system See Attached Addendum

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

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

n/a

d. Remarks:

See Attached Addendum

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. S 37-0494/0495/0577T&V/0833K

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

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

APPROVED

APR 12 1991

Witness my hand this 12th day of March, 19 91

L. Glenn Saxton

CHIEF, WATER ALLOCATION BUREAU

CONDITIONS OF APPROVAL

Transfer of Water Right Nos. 37-0494/37-0495/37-0577T&V/37-0833K

1. Use of water under this water right is subject to control by the watermaster of State Water District No. 37, Big Wood River.

2. The maximum combined rate of diversion under right nos. 37-0494, 37-0495, 37-0577T, 37-0577V, & 37-0833K shall not exceed 7.24 cfs.

3. When combined, right nos. 37-0494, 37-0495, 37-0577T, 37-0577V, 37-0833K & supplemental groundwater right no. 37-2623 shall provide no more than 3.0 acre-feet per acre for the lands above.

4. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.

5. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.

6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

7. 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.

Dated this 12th day of March, 1991.

L. Glen Saxton

Chief, Water Allocation Bureau

APR 12 1991

Transfer No. 37742

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. 37-00577~~BN~~ T&V Decreed to ~~Wood River Land Co.~~ JACOB & SARAH MIZER VIA W.T. Riley

   in case of ~~Albrethsen~~ S.C. Frost et. al. vs. ~~Wood River Land Co.~~ ALTURAS WATER CO.

   dated ~~6/27/1925~~ 12/13/1909 in Fourth District Court county of Lincoln

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. ~~Many~~ 456 & 487 which produced this right.
   - see comment - PART 5 BELOW.

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

   ☐ Tax Notice ☒ Warranty Deed ☐ Other _____

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

4. Date or priority 3/24/1883

5. Water is used for the following purpose: * TRANSFERS 456 & 487 which produced parts T & V were approved FOR 1.0 cfs EACH, but 1.69 cfs HAS BEEN Delivered) historically UNDER Both Rights COMBINED.

   amount ~~14.678~~ 1.69* (cfs/~~ac-ft~~) for Irrigation purposes from _____ to _____

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

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

6. Total amount of water under right ~~14.678~~ 1.69* cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: *~~Historically delivered, but unrecorded, points of diversion for parts of this water right.~~

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	~~SW~~	~~SW~~	~~NW~~	20	3N	~~18E~~	~~Blaine~~	~~Headgate #22, Hiawatha Canal~~
								~~Various other headgates*~~
	SE	NE	NE	18	3N	18E		MIZER HEADGATE #20

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
~~2N~~	~~18E~~	~~4,5,8,9~~																	
		~~15,16,22~~																	
		~~23,25,26~~																	
3N	18E	21											X						
		28						X	X										

APR 12 1991

** Changes MADE VIA correspondence & meeting w/ Jim Speck RJL. 2-4-91

Total acres unspecified

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

37-00494, 37-00495, 37-00853K, 37-02623

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 1.20 (cfs/ac-ft) for Irrigation purposes from (Hiawatha part) to _____
amount 1.69 (cfs/ac-ft) for Irrigation purposes from (Mizer part) to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NW	20	3N	18E	Blaine	Headgate #22, Hiawatha Canal
	SE	NE	NE	18	3N	18E	Blaine	Headgate #20, Mizer Canal

3. Lands irrigated or place of use: Historical place of use *

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	21											24						24
3N	18E	28					9	39	40	12	9	40							149

Total acres 173

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

1. amount 11.788 (cfs/ac-ft) for Irrigation purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion: Same

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use: Same

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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Total acres unspecified

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. 37-00494 Decreed to Jacob Mizer
      in case of S.C. Frost et al. vs. Alturas Water Co. et ux.
      dated December 13, 1909 in Lincoln county of Idaho
   b. License No. _____ issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
   ☐ Tax Notice ☒ Warranty Deed ☐ Other _____
3. Source of water Big Wood River tributary to Malad River
4. Date or priority May 1, 1886
5. Water is used for the following purpose:
   amount 2.0 cfs (cfs/ac-ft) for Irrigation purposes from April 1 to Nov. 1
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right 2.0 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NE	18	3N	18E	Blaine	Mizer Headgate #20

8. Lands irrigated or place of use: † Historical place of use; ** Decreed but *

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	21											24						24 †
		28					9	39	40	12	9	40							149
3N	18E	28						39	40		9								88**

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* See page 1 of 6 note

Total acres 173

9. Describe any other water rights used for the same purpose as described above Portions of 37-00577, 37-00495, 37-00833K, 37-02623

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

No If yes, describe ____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres ____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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Total acres ____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. 37-00495 Decreed to Jacob Mizer

   in case of S.C. Frost et al. vs. Alturas Water Company et ux.

   dated December 13, 1909 in Lincoln county of Idaho

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☒ Warranty Deed ☐ Other _____

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

4. Date or priority July 1, 1892

5. Water is used for the following purpose:

   amount 2.8 cfs (cfs/ac-ft) for _____ purposes from April 1 to Nov. 1
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 2.8 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NE	18	3N	18E	Blaine	Mizer Headgate #20

8. Lands irrigated or place of use: † Historical P/U ; ** Decreed P/U *

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	21											24						24 †
		28					9	39	40	12	9	40							149
3N	18E	28						39	40		9								88 **

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* See page 1 & 6 note

Total acres 173

9. Describe any other water rights used for the same purpose as described above Portions of 37-00577, 37-00494, 37-00833K, 37-02623

PART 2

Transfer No. 77764

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

APR 12 1991

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. 37-00833K Decreed to Irvin E. Rockwell
   in case of Rockwell vs. Coffin
   dated August 25, 1949 in Blaine county of Idaho
   b. License No. _____ issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. 2591 which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
   ☐ Tax Notice ☐ Warranty Deed ☒ Other See Addendum
3. Source of water Big Wood River tributary to Malad River
4. Date or priority November 12, 1936
5. Water is used for the following purpose:
   amount 0.75 cfs (cfs/ac-ft) for Irrigation purposes from April 1 to Nov. 1
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right 0.75 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NE	18	3N	18E	Blaine	Mizer Headgate #20

8. Lands irrigated or place of use: † Historical p/u ; ** Recorded p/u *

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	21											24						24 †
3N	18E	28					9	39	40	12	9	40							149
3N	18E	20			14					4					17	31			66 **

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* See page 1 of 6 note

Total acres 173

9. Describe any other water rights used for the same purpose as described above Portions of 37-00577, 37-00494, 37-00495, 37-02623

PART 2

Transfer No. _____

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

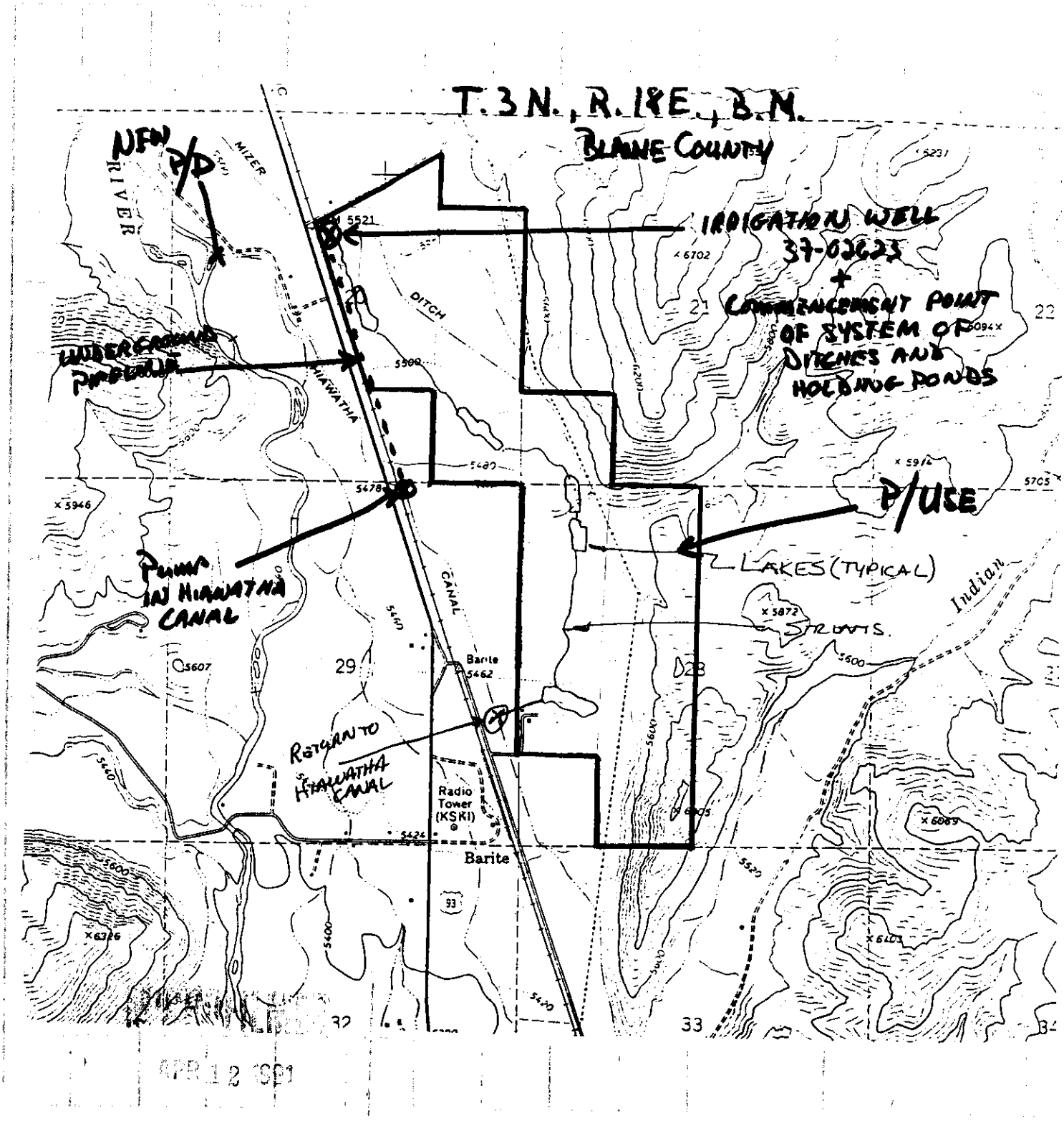
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Total acres _____

Transfer No. _____

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

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



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

 Transfer No. 3742.

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	Recreation	0.60 cfs	215 days/year	April 1 to Nov. 1
	(See Attached Addendum)			to

2. Quantity and quality of return flows and location of discharge:
   See Attached Addendum

3. Describe effects on other water uses resulting from the proposed change:
   None. The change to recreation will not increase the consumptive use of these water rights.

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.

ROBERT FINGER, (Signature of Applicant) T+T MGMNT CO FOR WOOD RIVER COUNTRY CLUB PARTNERS

Subscribed and sworn to before me this 29th day of June, 1990.

(Notary Public)

My commission expires 1/29/91

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 6 attachments

Received by M.B. Date 7/2/90 Protest filed by

Prelim. check by DRJ Fee $50 R# 5011864 no ✓ OK DRJ 7/3/90

Receipted by MB Date 4/9/90

Published in Wood River Journal Copies of protest forwarded by

Pub. dates 7/25 + 8/1/90 Hearing held by Date

Watermaster recommendation requested on 7/19/90 Recommended for ☐ approval ☐ denial

rec'd. 8/6/90 by

Copy of transfer sent to/lien holder

REVISED ADDENDUM TO
APPLICATION FOR TRANSFER OF WATER RIGHTS
(PORTIONS OF 37-00577, 37-00494, 37-00495 & 37-00833K)
BY
WOOD RIVER COUNTRY CLUB PARTNERS
(January 21, 1991)

INTRODUCTION:

Applicant has purchased two (2) ranches and obtained preliminary plat approval from the Blaine County Planning and Zoning Commission for a residential planned unit development to be known as The Valley Ranch and to include 98 single family home lots, a recreation center and an 18 hole championship golf course, including a clubhouse and maintenance building. Accompanying this Application is a copy of the approved Preliminary Plat (the "Plat") (note: Lots 33 and 34 shown on the Plat will be combined into one lot).

Attached to this Addendum is a summary of the proposed irrigated acres for the project, sub-totalled by the following categories: residential lot irrigation, residential common area, golf course rough and golf course fairway. Please note that the surface area of the ponds (approximately 12.25 acres) is NOT included in these numbers. Adequate surface water rights have been acquired with the ranches to irrigate the golf course rough and fairways and the residential common area. These surface water rights are the subject of this Application for Transfer. An Application for Permit has been filed for the development of wells to supply the domestic water system, irrigation of the 0.5 acre per lot maximum allowable residential landscaping area, and as supplemental irrigation water for the residential common area and a portion of the golf course rough. A groundwater irrigation right (37-02623) has also been acquired with the ranches to provide supplemental irrigation water for the golf course fairways and a portion of the rough. An Application for Transfer has also been filed to make the changes necessary for those purposes.

This Application seeks approval of the following changes to these surface water rights:

a. Change the nature of a portion of each right to "consumptive" recreation for use in the ponds and streams as golf course hazards. This portion is determined by the surface area of the ponds (12.2 acres), the total, historic irrigated acreage as shown in PART 2 of the Application, and based upon the assumption that the evapo-transpiration losses are approximately the same for the same areas of pond surface and irrigated crop. Thus, 12.2 acres/159.7 acres X 100% = 7.64% of each water right will be used for this new purpose.

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b. Change the place of use for the balance of (159.7 acres - 12.2 acres = 147.5 acres)/159.7 acres X 100% = 92.36% of each water right to be used for the irrigation of 147.5 acres consisting of the golf course fairways (126 acres) and rough (21.5 acres).

c. Change the point of diversion to the Hiawatha Canal Headgate of all the rights to consolidate delivery of these rights into a single system for more efficient use of the water.

ADDENDUM:

PART 1

A.,2. See the comments at the end of the INTRODUCTION, above.

B,1.

RIGHT NUMBER	PRIORITY	AMOUNT IN CFS	USE	PERIOD OF USE
37-00577T&V[1]	3/24/1883	1.56	irrigation	Apr. 1 to Nov. 1
37-00577T&V	3/24/1883	0.13	recreation	Apr. 1 to Nov. 1
37-00494	5/01/1886	1.85	irrigation	Apr. 1 to Nov. 1
37-00494	5/01/1886	0.15	recreation	Apr. 1 to Nov. 1
37-00495	7/01/1892	2.59	irrigation	Apr. 1 to Nov. 1
37-00495	7/01/1892	0.21	recreation	Apr. 1 to Nov. 1
37-00833K	11/12/1936	0.69	irrigation	Apr. 1 to Nov. 1
37-00833K	11/12/1936	0.06	recreation	Apr. 1 to Nov. 1

B.,6,a. Hiawatha Headgate diverts water into Hiawatha Canal. A pump will be placed in the Canal to bring water into a gravity flow system of streams and ponds for recreational use as golf course hazards and pumped from the ponds into a pressurized underground sprinkler system to irrigate the golf course fairways and rough and the residential common area..

B.,6.,d. The location of the proposed system of ponds and streams is generally depicted in Part 3, A of this

---

[1] As described in Mr. Tim Luke's November 1, 1990 letter to James P. Speck, Esq., those portions of water right 37-00577 acquired by Applicant and historically delivered through the Mizer Ditch are identified as 37-00577T and 37-00577V. Although the total of these two subparts of 37-00577 is 2.0 cfs, the Watermaster's delivery records indicate only 1.69 cfs were ever delivered, and this is the amount requested to be transferred. These subparts are claimed as one right in the Snake River Basin Adjudication as A37-00577BV (please note the Adjudication Claim A37-00577BV is for 1.71 cfs and appears to be 0.02 cfs too much).

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Application. The Plat included with this Application accurately shows the size and location of these features on a 1 inch = 200 feet scale. See the INTRODUCTION, above, for general comments about the requested changes. The ponds will also provide a source of water for fire protection for the residential lots and recreational facility buildings.

Applicant is the owner of record of all the subject water rights, including 37-00833K. This right is a portion of the "Rockwell By-Pass Right" decreed to Irvin E. Rockwell in Rockwell v. Coffin, Blaine County District Court, August 25, 1949, as "saved, conserved and developed waters regardless of the date of the appropriation thereof", the use of which is granted regardless of priority as long as at least 17.36 cfs of water from the Big Wood River is flowing through the Rockwell By-Pass Canal during the irrigation season.

PART 2

A.,9. Transfer 2591 transferred 37-00833K to certain lands in Section 20. However, according to Frederick Blechman, from whom Applicant purchased, the water was never put to use on those lands and, instead, Mr. Blechman agreed with the owners of the lands Applicant has purchased in Sections 21 and 28, that this right could be delivered to and used on those lands in conjunction with the other rights which are the subject of this Application. Thereafter, this right was used in conjunction with the other rights for the irrigation of the 159.7 acres identified in PART 2, A.,8., for each right.

PART 3

B.,1. The amount shown (0.55 cfs) is the total for all of the water rights. The amounts for each right are given in PART 1, B.1. of this ADDENDUM.

B.,2. The system will provide for the return of any overflow waters from the southernmost pond to the Hiawatha Canal in the SE¼NE¼SE¼, S.29, T.3N., R.18E., B.M., Blaine County. The amount of such return flows cannot currently be estimated. There will be no change in the quality of this return water which would adversely impact the irrigation users further down the Canal.

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TRANS. 2591

Form No. 222 10/80

Transfer No. 2591

APPROVED

Water Right No. 37-08332C

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Frederick H. and/or Clarice E. Blechmann Phone 726-3898

Post Office address P. O. Box 184 Sun Valley, ID 83353

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. 37-0833 Decreed to Irvin E. Rockwell (Name)

   in case of Irvin E. Rockwell vs Mans H. Coffin

   dated in Aug. 25, 1949 in Fourth Judicial Dist. (Name of court) county of Blaine

   b. License No. _____ issued by the Idaho Department of Water Resources

   c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

   water was purchased from John Feldhusen - deed attached

3. Source of water Rockwell slough tributary to Big Wood River

4. Date of priority Nov. 12, 1936

5. Water is used for the following purposes:

   amount 2.95 for irrig purposes from Apr 1 to Nov 1

   amount _____ for _____ purposes from _____ to _____

   amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 2.95 cubic feet per second &/or

   b. _____ acre feet per annum

7. Location of original point of diversion is NW ¼ of NW ¼ of Section 14

   Township 5 N Range 17E, B.M., in Blaine County

   Additional points of diversion, if any _____

8. Lands irrigated or place of use: This area has no surveyed section corners, information below is from projected sections.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5 N	17E	14										5	11	17					33
		23		26			30	1	19	3					22	2		9	112
		24										2	17						19
		25						21	2										23

Total number of acres to be irrigated 187

9. Describe any other water rights used for the same purpose as described above 37-0863

   4.6 - Eagle Creek

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a 0.75 cubic feet per second
&/or
b. ____ acre feet per annum

Point of diversion NW ¼ NW ¼, Section 14 Township 5N
Range 17E, B.M., Blaine County
Additional points

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	17E	14						5	11	17									33
		23		26			30	1	19	3					22	2		9	112
		24										2	17						19
		25						21	2										23

Total number of acres to be irrigated 187

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

a. Amount of water to be diverted 0.75 c.f.s. &/or ____ acre feet

b. Description of diverting works headgate, gravel wingdam into water

c. Describe the reasons for the proposed changes applicant has purchased water and desires to transfer it to the land he owns

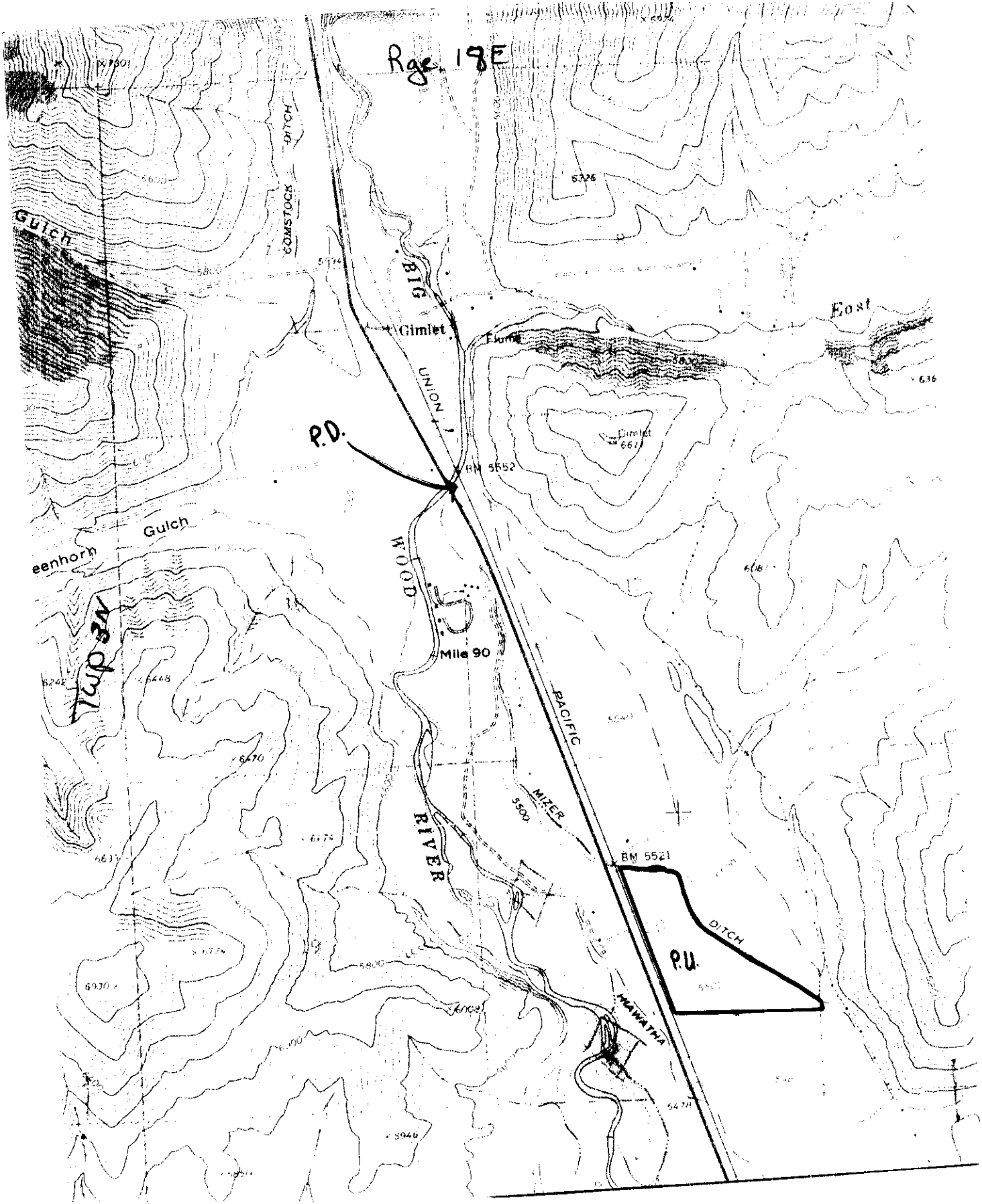
2. Change in point of diversion

Point of diversion NE ¼ NE ¼, Section 18 Township 3N
Range 18E, B.M., Blaine County
Additional points

3. Change in place of use

a. Are there leins, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes ____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer land has been subdivided and sold without this water right. This transfer will not affect the present or proposed use of this land


Rge. 19E
Twp 34
COMSTOCK DITCH
Gulch
BIG
Gimlet
UNION
East
P.D.
BM 5552
Gulch
eenhorn
WOOD
Mile 90
RACIFIC
MIZER
5500
RIVER
BM 5521
DITCH
P.U.
HIAWATHA

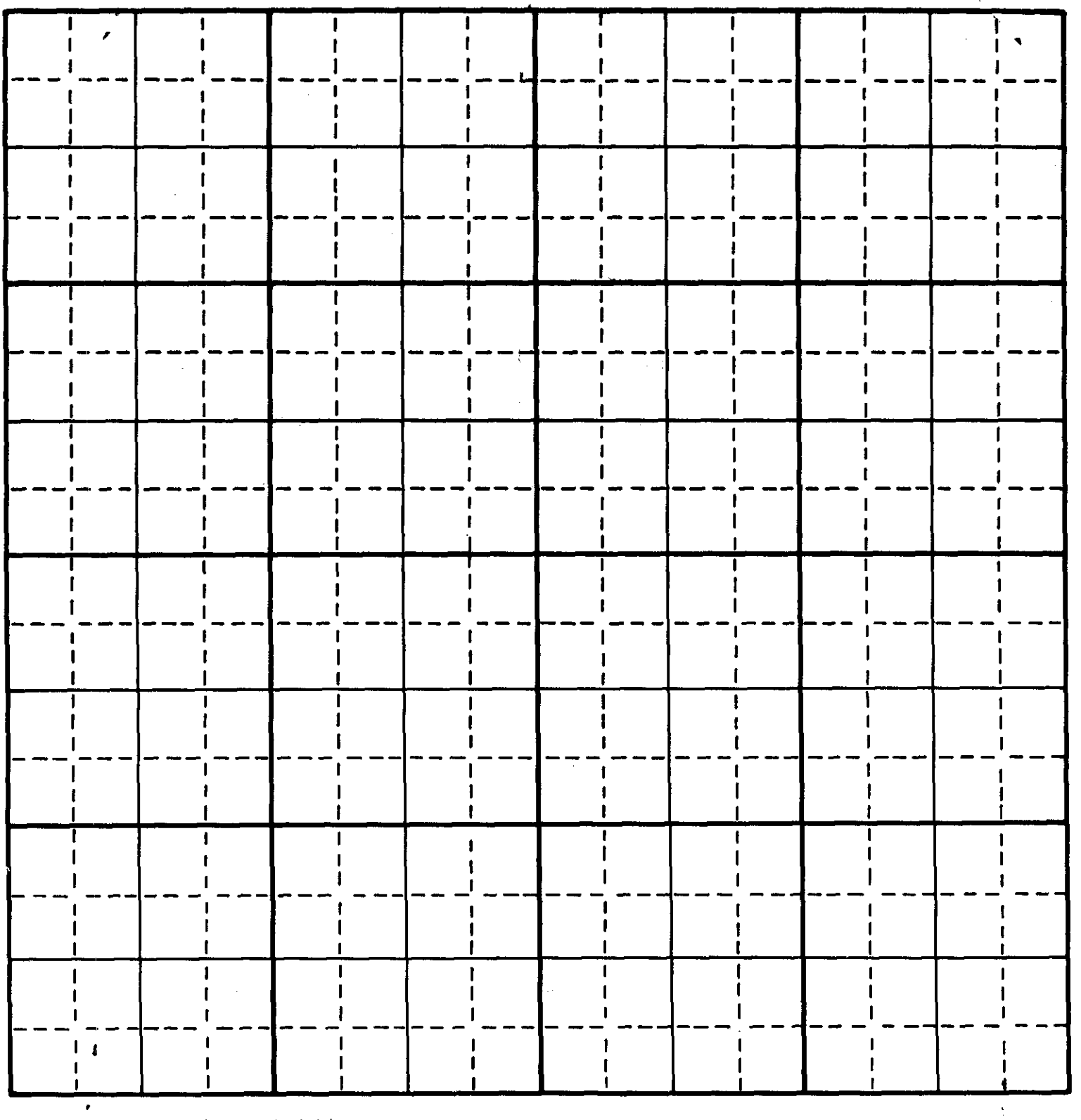
c. Describe the land or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	18E	20			14					4					17	31			66

Total number of acres to be irrigated 66

4. Describe any other water rights used for the same purpose as described above.
a portion of 800" of water right 37-0159 priority July 30, 1888

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number. Maps & Aerial Photos Attached



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

D. REMARKS

The use of this water began on the lands described under A2 prior to when the law required the recording of transfers. aerial photos are attached showing the land the water is being taken from and the land it is going to.

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 willfull misrepresentations made in this application may result in voiding its approval.

Edward H. McEwen
(Signature of Applicant)

Subscribed and sworn to before me this 20 day of July, 19 81.

mary a. hill
(Notary Public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0833C and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 37, Big Wood River.

Witness my hand this 22nd day of October, 19 81.

L. Glen Saxton
Chief, Operations Bureau

MICROFILMED

FOR DEPARTMENT USE ONLY

Received by TCB Date 7-20-81 Protest filed by

Prelim. check by Fee 50.00

Receipted by TCB Date 7-20-81 # 18695

Published in Wood River Journal Copies of protest forwarded by

Pub. dates 8/13 & 8/20/81 Hearing held by Date

Watermaster recommendation requested on 8/4/81 Recommended for approval denial

rec'd. 8/11/81 by DRT

WARRANTY DEED

For Value Received JOHN S. FELDHUSEN and GLADYS L. FELDHUSEN, husband and wife,

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto FREDERICK H. BLECHMANN and CLARICE E. BLECHMANN, husband and wife, Box 184, Sun Valley, Idaho 83353,

Hereinafter called the grantee, the following described water and water rights situate in Blaine County, Idaho, to-wit:

Thirty-seven and one-half (37.5) Miners' Inches of waters of Big Wood River as decreed to I. E. Rockwell in the case of Irvin E. Rockwell vs. Mans Coffin which Decree is dated August 25, 1949, and is recorded in Book 12 of Judgments, Page 115, Office of the County Recorder, Blaine County, State of Idaho.

MICROFILMED

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's, their heirs and assigns forever. And the said 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 incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 12th, 1979.

John S. Feldhusen

Gladys L. Feldhusen

STATE OF IDAHO, COUNTY OF TWIN FALLS.

On this 12th day of June, 1979, before me, a notary public in and for said State, personally appeared JOHN S. FELDHUSEN and GLADYS L. FELDHUSEN, husband and wife,

known to me to be the person s whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

NOTARY PUBLIC IDAHO

Helen C Huston

Notary Public

Residing at Twin Falls, Idaho

Comm. Expires Life Notary

STATE OF IDAHO, COUNTY OF Blaine

I hereby certify that this instrument was filed for record at the request of Frederick H. Blechmann

at 10 minutes past 4:00 o'clock P m., this 27 day of June, 1979 in my office, and duly recorded in Book of Deeds at page

MARIE MELIA

Ex-Officio Recorder

By Peggy Sun Deputy.

Fees $1.00

Mail to:

ENTERED ON ENTERED ON MARGIN

INDEXED INDEXED 1st PARTY

INSTRUMENT No. 194642

AFFIDAVIT

RECEIVED
JUN 23 1981
Department of Water Resources
Southern District Office

STATE OF IDAHO)
)
COUNTY OF BLAINE) ss.

Woodrow R. Watts, being first duly sworn, dispose and says that he is residing in Bellevue, Blaine County, Idahp

For many years I was working in capacity of Assistant Watermaster in the Woodriver Valley, till my retirement. During that I time I know that Mr. John Feldhusen did acquire and own 232 ½ inches of Rockwell By Pass water and which he used for irrigating on his land, H.E.S # 127-128-129-329.

I further state, that Mr. John Feldhusen sold 37½ inches Rockwell By Pass water to Frederick H. Blechmann and his wife Clarice E. Blechmann on June 12, 1979 and a warranty deed was given to F.H. Blechmann for these 37½ inches.

I understand F.H. Blechmann wishes to have these 37½ inches transferred to his land with following description:

FR NESW TL 2061
FR SENW TL 5712
FR NWSE TL 1991

E I / 2 SE, SWNE, Sec 20
3 N 18 E Blaine County 161.660 acres

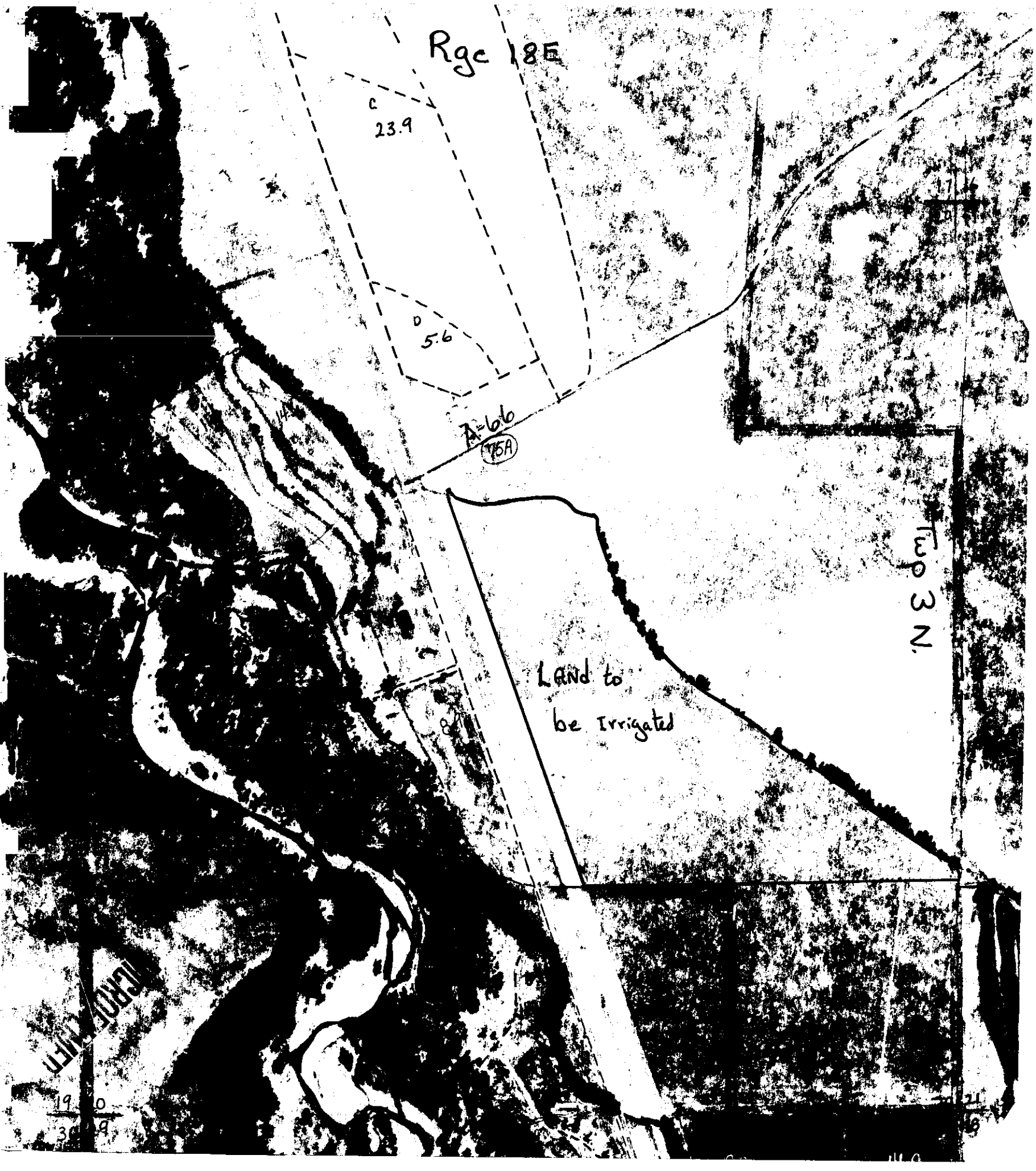
SENE, FR NWNETL 5751
Section 20 3 N 18 E Blaine County 51.200 acres.

MICROFILMED

/s/ W R Watts
Woodrow R. Watts

/s/ Bessie M. Murphy
Notary Public for Idaho
Residing at: Hailey

Seal


Rge 18E
C
23.9
D
5.6
A=6.6
(15A)
Land to
be Irrigated
Twp 3 N.

AFFIDAVIT

RECEIVED
Department of Water Resources
Southern District Office

STATE OF IDAHO)
) ss.
County of Blaine)

EVERETT B. TAYLOR, being first duly sworn, disposes and says that he is a licensed attorney in Idaho, residing at Sun Valley, Idaho with offices at Sun Valley and Hailey, Idaho. That on the 25th day of February, 1944 I represented H.A. Behrens and Grace G. Behrens, husband and wife of Cook County, State of Illinois, in the sale of the following described property to J.S. Feldhusen and Gladys Feldhusen, husband and wife of Twin Falls County, State of Idaho:

H.E.S. #127, embracing a portion of the unsurveyed public domain, Idaho, more particularly described as follows: Beginning at Cor. #1, from which the standard corner of Section 35 and 36 in Twp. 5 N. R. 17 E.B.M. bears S. 22' E. 111.24 chains distant; thence N. 29° 37' W. 46.67 chains to Cor. #2; thence N. 55° 13' E. 15.08 chains to Cor. #3; thence N. 13° 38' W. 19.97 chains to Cor. #4; thence N. 55° 9' E. 19.84 chains to Cor. #5; thence S. 11° 24' E. 55 chains to Cor. #6; thence S. 24° 16' W. 28.61 chains to Cor. #1, the place of beginning, containing 144.26 acres, more or less, as described in the United States Patent.

H.E.S. #128, being in Section 23 and 26, Twp. 5 N. R. 17 E.B.M. and specifically described as follows: Beginning at Cor. #1, from which the standard corners of Sec. 35 and 36 Twp. 5 N. R. 17 E.B.M., bears S. 10° 36' E. 151.53 chains distant; thence N. 13° 54' W. 39.03 chains to Cor. #2; thence N. 39° 43' W. 20.77 chains to Cor. #3; thence N. 54° 31' E. 23.81 chains to Cor. #4; thence S. 34° 49' E. 24.84 chains to Cor. #5; thence N. 55° 17' E. 16.44 chains to Cor. #6; thence S. 14° 21' E. 14.9 chains to Cor. #7; thence S. 55° 9' W. 19.84 chains to Cor. #8; thence S. 13° 38' E. 19.97 chains to Cor. #9; thence S. 55° 13' W. 20.11 chains to Cor. #1, the place of beginning, containing 150.05 acres, more or less. Description taken from Patent recorded in Blaine County, Idaho, Book 99 of Patents, at Page 413.

H.E.S. #129, lying over and across Secs. 14, 15, and 23, Twp. 5 N. R. 17 E.B.M., and more particularly described as follows: Beginning at Cor. #1, from which U.S. Location Monument No. 123 bears

N. 25° 52' W. 74.59 chains distant; thence S. 30° 17' E. 86.27 chains to Cor. #2; thence N. 54° 31' E. 23.81 chains to Cor. #3; thence N. 36° 47' W. 78.43 chains to Cor. #4; thence S. 82° 19' W. 16.03 chains to Cor. #1; the place of beginning, containing 157.19 acres, more or less. Description taken from Patent on record in Blaine County, Idaho, in Book 62 of Patents, on page 633.

H.E.S. #329, embracing a portion of Sec. 14, Twp. 5 N.R. 17 E.B.M. and more particularly described as follows: Beginning at Cor. #1, from which U.S. Location Monument No. 123 bears N. 36° 37' W. 80.93 chains distant; thence N. 57° 16' E. 74.8 chains to Cor. #2; thence S. 37° 3' E. 9.96 chains to Cor. #3; thence S. 54° 58' W. 29.93 chains to Cor. #4; thence S. 18° 38' W. 54.37 chains to Cor. #5; thence N. 36° 47' W. 45.80 chains to Cor. #1, the place of beginning; containing 157.31 acres, more or less. Description taken from Patent recorded in Blaine County, Idaho, in Book 99 of Patents, page 433.

Including 4.6 second feet of the waters of Eagle Creek as shown by that certain decree recorded in Blaine County Records in Book 9 of Judgments, Page 501; and

140 miners' inches of the waters of Big Wood River, being a portion of what is known as the Upper By-Pass (developed) water, a part thereof having originally been decreed to the Mutual Wood River Water Users' Association and a part thereof to the Big Wood River Canal Company in the District Court of the Fourth Judicial district of the State of Idaho in and for Lincoln County, in the case entitled Upper Big Wood River Water Users' Association and others versus S.H. Chapman, Watermaster, decree wherein was made and entered August 28, 1922, and appearing of record in Book 5 of Judgments at page 292 in the records of said Lincoln County, a copy of which decree appears of record in Book 11 of Judgments at page 230 in the records of Blaine County, Idaho.

TOGETHER with a proportionate interest, that is to say 140/900ths, in that certain ditch or canal, known as the By-Pass, sometimes designated as Canal No. 55, diverting water from Big Wood River in Blaine County, Idaho, at a point in the SE¼ of the SW¼ of Section 13, Twp 1 North, Range 18, East Boise Meridian, in Blaine County, State of Idaho, and said water right having been decreed to be appurtenant to the lands hereinabove described under and by virtue of a certain decree dated September 21, 1943, entered in the District Court of the Fourth Judicial District of the State of Idaho in and for Blaine County, in the case entitled H.A. Behrens and Grace G. Behrens, husband and wife, plaintiffs, vs. Mans H. Coffin Watermaster, defendant, and appearing of record in Book 11 of Judgments, page 475, records of Blaine County, Idaho; And any other water or water rights, ditch or ditch rights thereunto appertaining.

Given subject to roads, rights-of-way or easements heretofore taken or established or dedicated to the public use.

That on June 12, 1979 the said J.S. Feldhusen and his wife Gladys Feldhusen conveyed by Warranty Deed to Frederick H. Blechmann and Clarice E. Blechmann, husband and wife of Blaine County, State of Idaho, the following described water rights situated in Blaine County, Idaho, to-wit:

> Thirty-seven and one-half (37.5) Miner's Inches of waters of Big Wood River as decreed to I. E. Rockwell in the case of Irvin E. Rockwell vs. Mans Coffin which Decree is dated August 25, 1949, and is recorded in Book 12 of Judgments, Page 115, Office of the County Recorder, Blaine County, State of Idaho.

That the said Frederick H. Blechmann and Clarice E. Blechmann, husband and wife are desirous of transferring the said 37.5 Miners' Inches of the water of the Big Wood River as described in the said Warranty Deed, to the following described premises:

> Fraction of the NE¼ of the SW¼, Tax Lot 2061; Fraction of the SE¼ of the NW¼, Tax Lot 5712; Fraction of the NW¼ of the SE¼, Tax Lot 5991; E ½ of the SE¼ of the SW¼ of the NE¼ of Section 20, twp. 3 N. 18 E.B.M. containing 161.660 acres, more or less in Blaine County, State of Idaho.
>
> Also, SE¼ of the NE¼, and a fraction of the NE¼ of the NE¼, Tax Lot 5751, Section 20, twp. 3 N. 18 E.B.M. containing 51.200 acres, more or less, in Blaine County, State of Idaho.

The affiant further states that the said 37.5 Miners' Inches of water of the Big Wood River as described in the said Warranty Deed from J.S. Feldhusen and Gladys Feldhusen to Frederick H. Blechmann and Clarice E. Blechmann was used by the said J.S. Feldhusen and Gladys Feldhusen, husband and wife on the property sold by H.A. Behrens and Grace G. Behrens to J.S. Feldhusen and Gladys Feldhusen,

as described above.

Everett B. Taylor

Everett B. Taylor

Subscribed and sworn to before me, this 10th day of June, 1981.

Notary Public for Idaho
Residing at: Hailey, Idaho

AFFIDAVIT
Of
Everett B. Taylor

EVERETT B. TAYLOR
ATTORNEY AT LAW
OFFICES
SUN VALLEY, IDAHO 83353
HAILEY, IDAHO 83333

AFFIDAVIT , PUBLICATION

State of Idaho, } SS.
County of Blaine }

GORDON O. GLASMANN, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 13 day of August, 19 81, and the date of the last publication was on the 20 day of August, 19 81.

Gordon O. Glasmann

Subscribed and sworn to before me this 20th day of August, 19 81.
(SEAL)

Roberta McKinley
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 59
Number of Insertions 2

	Lines tabular at		4¢ / Pica
59	Lines straight at	23.01	3¢ / Pica
59	Subsequent lines at	15.34	2¢ / Pica
	TOTAL COST	38.35	

8/25/81

MICROFILMED

COPY OF NOTICE
(Paste Here)

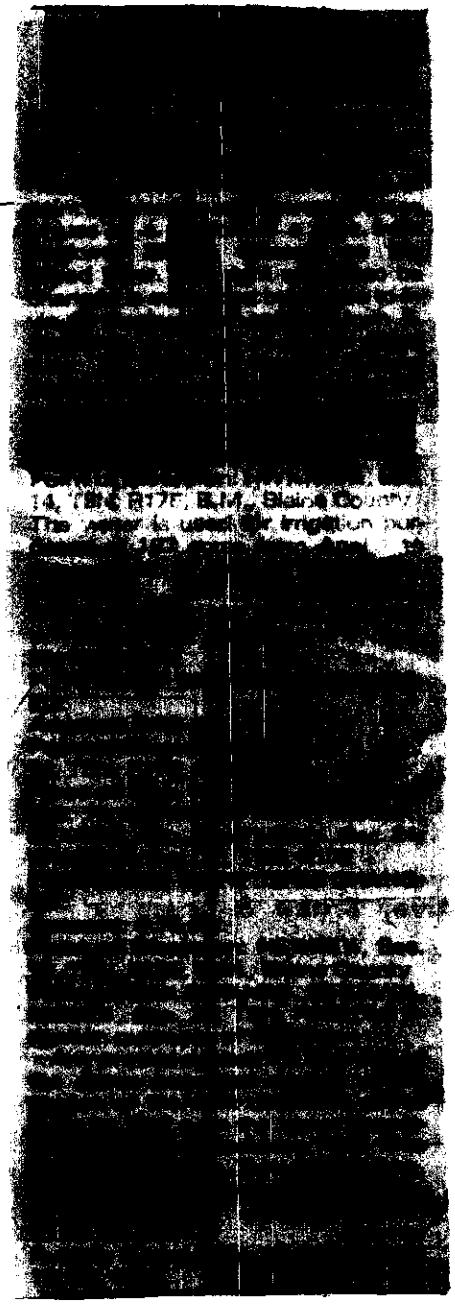
37-0833C
Chnge. Water Right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

BILL TO
Dept. Water Resources
1041 Blue LKS. Blvd.
Twin Falls 83301



TRANS 2588

Form No. 222 10/80

APPROVED

Transfer No. 2588

Water Right No. 37-0833C (Part)

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Ed Cameron Phone 788-4112 - Bus 788-4817 Home

Post Office address Box 177, Bellevue, ID 83313

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. 37-0833 C Decreed to Irvin E. Rockwell (Name)

   in case of Irvin E. Rockwell vs Mans H. Coffin

   dated in Aug 25, 1949 in 4th Judicial District (Name of court) county of Blaine

   b. License No. _____ issued by the Idaho Department of Water Resources

   c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant see Remarks

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

4. Date of priority November 12, 1936

5. Water is used for the following purposes:

   amount 2.95 cfs for irrigation purposes from Apr 1 to Nov 1

   amount _____ for _____ purposes from _____ to _____

   amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 2.95 cubic feet per second &/or

   b. _____ acre feet per annum

7. Location of original point of diversion is SW ¼ of NE ¼ of Section 16

   Township 2 N Range 18E, B.M., in Blaine County

   Additional points of diversion, if any _____

8. Lands irrigated or place of use:

   The location of the place of use and the number of acres are not known except the following.

TWP.	RANGE	SEC.	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	TOTALS
2N	18E	25															2.6		2.6
		36		.4											11.5				11.9
		31										Lt 3 2.5							2.5

MICROFILMED

Total number of acres to be irrigated 17.0

9. Describe any other water rights used for the same purpose as described above approved Application 37-7839 for use of groundwater on cemetary

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a 0.54 cubic feet per second
&/or
b. ____ acre feet per annum

Point of diversion SW ¼ NE ¼, Section 16 Township 2N
Range 18E, B.M., Blaine County
Additional points

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	18E	25															2.6		2.6
		36		.4											11.5				11.9
2N	19E	31										Lt3 2.5							2.5

Total number of acres to be irrigated 17

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

a. Amount of water to be diverted 0.54 c.f.s. &/or _____ acre feet

b. Description of diverting works Headgate and gravel diversion dam during low water

c. Describe the reasons for the proposed changes Cemetary has gone to groundwater and would like to sell surface water. Mr. Halverson and Mr. Dixon have agreed to sell their water. Mr. Cameron would like to purchase water and transfer it to his land

2. Change in point of diversion

Point of diversion ____ SE ¼ SW ¼, Section 12 Township 1N
Range 18E, B.M., Blaine County
Additional points

3. Change in place of use

a. Are there leins, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes ____ No x. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.

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

Most of the land previously irrigated by the right to be transferred is now irrigat by groundwater.

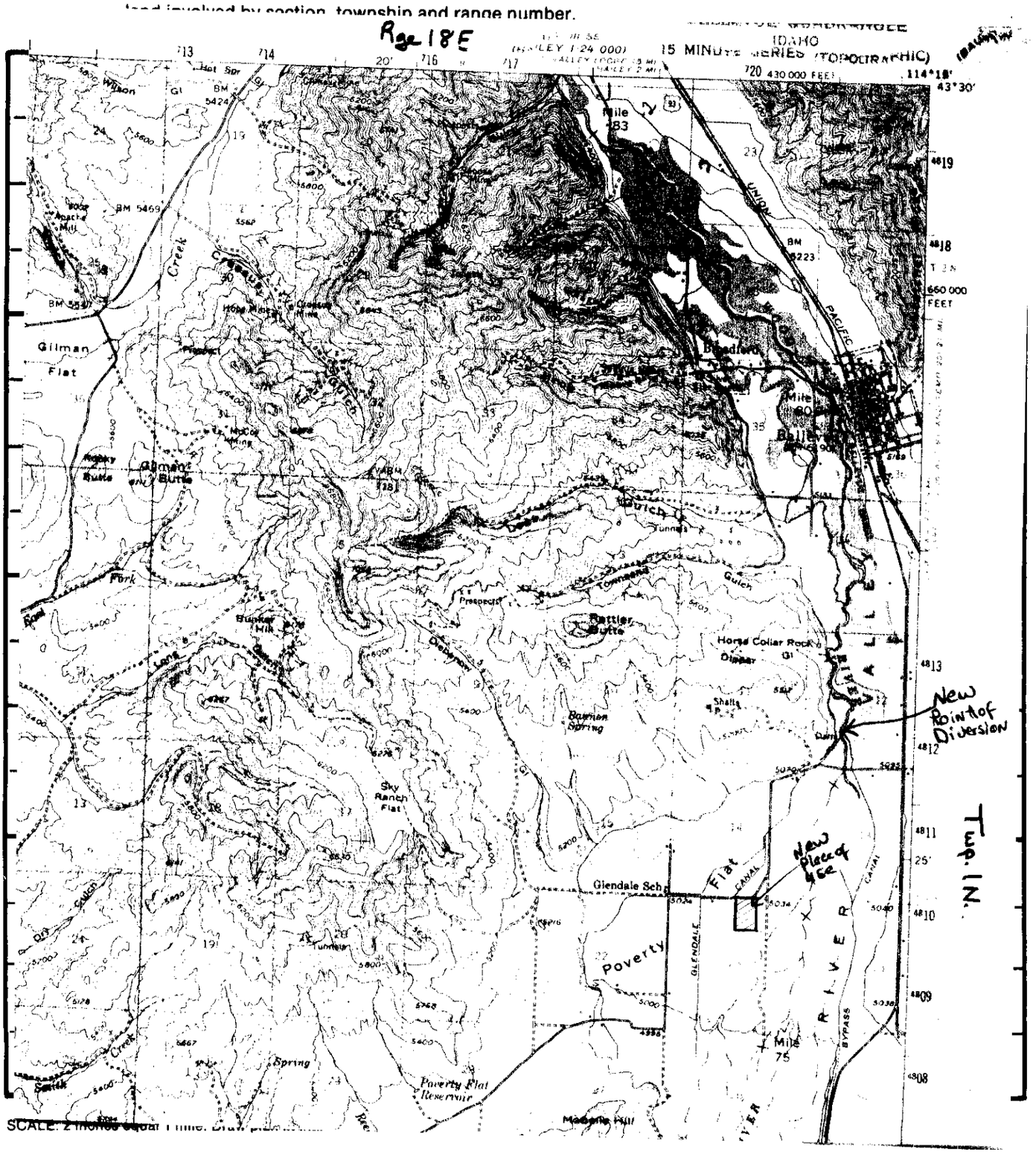
c. Describe the land or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	18E	23		17															17

Total number of acres to be irrigated 17

4. Describe any other water rights used for the same purpose as described above. 37-7243

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



D. REMARKS

This water was moved at least twice from the original place of use and point of diversion prior to the statutory requirement to record transfers. The attached affidavits affirm the use of this water on the land it is being transferred from.

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 willfull misrepresentations made in this application may result in voiding its approval.

Ed Cameron
(Signature of Applicant)

Subscribed and sworn to before me this 21 day of August, 19 81.

James D. Pitts
(Notary Public)

My commission expires Sept 1, 1984

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0833 H and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 37, Big Wood River.

Witness my hand this 22nd day of October, 19 81.

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by maryc Date 8/24/81

Prelim. check by JJ Fee 50.00 #18732

Receipted by maryc Date 8/24/81

Published in Wood River Journal

Pub. dates 9/3 + 9/10/81

Watermaster recommendation requested on 9/27/81

_____ rec'd. _____

Protest filed by None

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial

by ADM for DPT

AN AGREEMENT TO PURCHASE

We, George E Cameron + Margaret J. Cameron agree to purchase (4) Four inches of the Rockwell By-Pass saved water from Michael T. and Connie J. Halverson providing said transfer of water takes place. The sum of money paid for the above described water is ($400.00) Four hundred and no one hundredths dollars.

Dated this 23rd day of July, 1981.

Signed: George E Cameron Purchaser

Margaret J. Cameron Purchaser

Michael T. Halverson Seller

Connie J. Halverson Seller

MICROFILMED

STATE OF IDAHO

County of Blaine

On this 23rd day of July, 1981, before me, the undersigned, a Notary Public in and for said State, personally appeared GEORGE E. CAMERON, MARGARET O. CAMERON, husband and wife, and MICHAEL T. HALVERSON and CONNIE J. HALVERSON, husband and wife known to me to be the person(s) who signed the foregoing instrument.

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

Ellen M Seafield

Notary Public for State of Idaho

Residing at Bellevue, Idaho

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37M
P.O. Box T
Shoshone, Idaho 83352
886~~-2041~~ 2451

REID J. NEWBY
Watermaster

A F F I D A V I T

TO WHOM IT MAY CONCERN:

The Watermaster's records in Shoshone, Idaho show that of the Rockwell By-Pass saved water we have delivered to the Cove 33 diversion located in the NE¼SE¼ of Section 16, Township 2 North, Range 18 EBM since prior to 1959 - 20 inches which we show going to the Bellevue Cemetery, and 15 inches which we show belonged to W.R. Watts from 1965 to 1978, at which time we show the 15 inches of water belonging as follows:

4 inches to Ed Van Every
4 inches to Larry McKenzie
4 inches to Mick Halverson
3 inches to Allen Dixon

Reid J. Newby
Reid J. Newby, Watermaster

Subscribed and sworn before me this 26th day of June, 1981.

Bobbie Lee Newby
Notary
Commission expires LIFE

A F F I D A V I T

TO WHOM IT MAY CONCERN:

The Watermaster's records in Shoshone, Idaho show that of the Rockwell By-Pass saved water we have delivered to the Cove 33 diversion located in the NE¼SE¼ of Section 16, Township 2 North, Range 18 EBM since prior to 1959 - 20 inches which we show going to the Bellevue Cemetery, and 15 inches which we show belonged to W. R. Watts from 1965 to 1978, at which time we show the 15 inches of water belonging as follows:

4 inches to Ed Van Every
4 inches to Larry McKenzie
4 inches to Mick Halverson
3 inches to Allen Dixon

MICROFILMED

W.R. Watts
[redacted]
W. R. WATTS

Subscribed and sworn before me this 14th day of July, 1981.

Nicholas A. Fabrons
Notary

Commission expires July 9 1983

AN AGREEMENT TO PURCHASE

We, George E Cameron & Margaret J. Cameron agree to purchase (3) three inches of the Rockwell By-Pass saved water from ALLEN L. DIXON, a single man providing said transfer of water takes place. The sum of money paid for the above described water is ($300.00) Three hundred and no one hundredths dollars.

Dated this 29th day of July, 1981.

Signed: George E Cameron
Purchaser

Margaret J. Cameron
Purchaser

Allen L. Dixon
Seller

Seller

STATE OF IDAHO

County of Blaine

On this 29th day of July, 1981, before me, the undersigned, a Notary Public in and for said State, personally appeared GEORGE E. CAMERON and MARGARET J. CAMERON, husband and wife, and ALLEN L. DIXON, a single man, known to me to be the person(s) who signed the foregoing instrument.

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

Ellen M. Rockwell
Notary Public for
State of Idaho

Bellevue, Idaho
Residing at

A F F I D A V I T

TO WHOM IT MAY CONCERN:

We the Board of Directors of the Bellevue Cemetery know that we have been delivered 20 inches of the Rockwell By-Pass saved water, Priority Date 11/12/36, State Water Right #37-0833 for use on the Bellevue Cemetery which has approximately 20 acres of land, since prior to 1959.

Eugene Fredrickson

Clarence McNary

Evalyn Barker

Subscribed and sworn before me this 23rd day of July, 1981

Ellen M. Lanfield

Notary

Commission expires March 1, 1985

MICROFILMED

AN AGREEMENT TO PURCHASE

We, George E Cameron & Margaret J. Cameron agree to purchase 20 twenty inches of the Rockwell By-Pass saved water from BELLEVUE CEMETERY DISTRICT providing said transfer of water takes place. The sum of money paid for the above described water is TWO THOUSAND AND NO/100 -----DOLLARS ($2,000.00).

Dated this 23rd day of July, 19 81.

Signed: George E Cameron
Purchaser

Margaret J. Cameron
Purchaser

BELLEVUE CEMETERY DISTRICT
By Eugene Fredrickson
Seller

Clarence McNary
Seller

Evelyn Barker
Seller

MICROFILMED

STATE OF IDAHO

County of Blaine

On this 23rd day of July, 19 81, before me, the undersigned, a Notary Public in and for said State, personally appeared GEORGE E. CAMERON and MARGARET J. CAMERON and EUGENE FREDRICKSON, CLARENCE McNARY and EVALYN BARKER

known to me to be the person(s) who signed the foregoing instrument.

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

Ellen M Barfield
Notary Public for
State of Idaho

Bellevue, Idaho
Residing at

AFFIDAVIT of PUBLICATION

RECEIVED

SEP 17 1981

COPY OF NOTICE
(Paste Here)

(Part)
Change Wtr Rt 37-0833C
TITLE OF NOTICE

State of Idaho, } SS.
County of Blaine }

Department of Water Resources
Southern District Office
PLAINTIFF ATTORNEY

GORDON O. CLASMANN, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 3 day of Sept., 19 81, and the date of the last publication was on the 10 day of Sept, 19 81

DEFENDANT

PLAINTIFF

Dept. Water Resources
BILL TO

Subscribed and sworn to before me this 10th day of September, 19 81.
(SEAL)

Roberta McKeever
NOTARY PUBLIC

9/11/81

NOTICE

Notice is hereby given that the Idaho Department of Water Resources has received an application for permit to change the point of diversion of the water right listed below from the Wood River tributary to Silver Creek. The right sought to be changed is described by decree to Ivie E. Raschkow in case of Irvin E. Raschkow vs. Mary H. Coffin, dated Aug. 28, 1958, in Fifth Judicial District, County of Blaine, and recorded as follows:

Amount: 2.88 cfs
Priority: November 12, 1938
Point of Diversion: SW¼NE¼, Sec. 18, T2N, R19E, B.M., Blaine County
The water is used for irrigation of a place of 17 acres from April 1 to November 1 within the SW¼SE¼, Sec. 36; NW¼NE¼, NE¼SE¼, Sec. 36; Lt. 3 (NW¼SW¼), Sec. 31, T3N, R19E

Amount: 0.64 cfs
Point of Diversion: SW¼NE¼, Sec. 18, T2N, R19E, B.M., Blaine County
Place of Use: SW¼SE¼, Sec. 36, NW¼NE¼, NE¼SE¼, Sec. 36; Lt. 3 (NW¼SW¼), Sec. 31, T3N, R19E for irrigation of 17 acres.
PORTION TO BE CHANGED, AS FOLLOWS:
Amount: 0.64 cfs
Point of Diversion: SE¼SW¼, Sec. 12, T1N, R19E, B.M., Blaine County
Place of Use: [illegible] T2N, [illegible]

Any protest against the granting of the above-indicated request for the portion of the right described above must be filed with the Department of Water Resources, 1010 Lake Street, Room 150, Boise, Idaho 83706, on or before [illegible], 1981.

A. Keith Dunn
Director

Publish: Wood River Journal
September 3, 10, 1981.

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13

Number of Lines in Notice 55

Number of Insertions 2

_____ Lines tabular at _____ 4¢ / Pica

55 Lines straight at 21.45 3¢ / Pica

55 Subsequent lines at 14.30 2¢ / Pica

TOTAL COST 35.75

APPROVED

Form No. 42-222

Transfer No. 2462

RECEIVED

Water Right No. 37-0833B

JUN 1989

APPROVED

Department of Water Resources
Southern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant John Fell Stevenson Phone 788-4826 or 788-3159

Post office address Rt. 1, Box 310, Bellevue, Idaho 83313

A. DESCRIPTION OF RIGHT AS RECORDED Decree dated August 25, 1949, and recorded in Book 12 of Judgments, Page 115, Blaine County, Idaho.

1. Right evidenced by:

   a. Decree to I. E. Rockwell (Name)

   in case of Irvin E. Rockwell vs Mans Coffin

   dated August 25, 1949 in District Court (Name of court) county of Blaine, Idaho

   b. License No. _____ issued by the Idaho Department of Water Resources

   c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant. Transfer #1606 transferred 1.5 cfs to land in Section 32 & 33, Township 3 N, Range 18 E, B.M., (described in Part V of the findings). Transfer #1749 later transferred this same 1.5 cfs to 16 acres in SW1/4 NE1/4, Section 6, Township 3 N, Range 18 E, B.M. Transfer #1655 transferred 0.2 cfs from the original P.U. in Section 32 and 33 to 1 acre in NW1/4 SE1/4, Section 12, Township 4 N, Range 17 E, B.M., (cont. under #4 Remarks)

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

4. Date of priority 11-12-36 Decree # 37-0833B

5. Water is used for the following purposes:

   amount 1.3 cfs for irrigation purposes from April 1 to September 30

   amount _____ for _____ purposes from _____ to _____

   amount _____ for _____ purposes from _____ to _____

   (month/day – both dates inclusive)

6. Total amount of water under right: a. 1.3 cfs of a total of 4.65 cfs cubic feet per second

   &/or

   b. _____ acre feet per annum

7. Location of original point of diversion is _____ ¼ of _____ ¼ of Section 16

   Township 2 N. Range 18 E., B.M., in Blaine County

   Additional points of diversion, if any Changed to SW1/4 SW1/4, Section 29, Township 4 N., Range 18 E., B.M. Blaine County, Idaho, in 1972.

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	18E	6			X														15.876

Total number of acres to be irrigated 15.876

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

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 1.3 cubic feet per second
&/or
b. _____ acre feet per annum

2. Point of diversion SW ¼ SW ¼, Section 29 Township 4 North
Range 18 East, B.M., Blaine County
Additional points _____

3. Place of use:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	18E	6			X														15.876
																			15.876

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

a. Amount of water to be diverted 1.3 c.f.s. &/or _____ acre feet

b. Point(s) of diversion SW ¼ NW ¼, Section 36 Township 2 North
Range 18 East, B.M., Blaine County
Additional points _____

c. Description of diverting works existing District Canal #45

d. Describe the reasons for applying for a change in the point(s) of diversion
Change in place of use as part of the sale of this right to John Stevenson requires new diversion point.

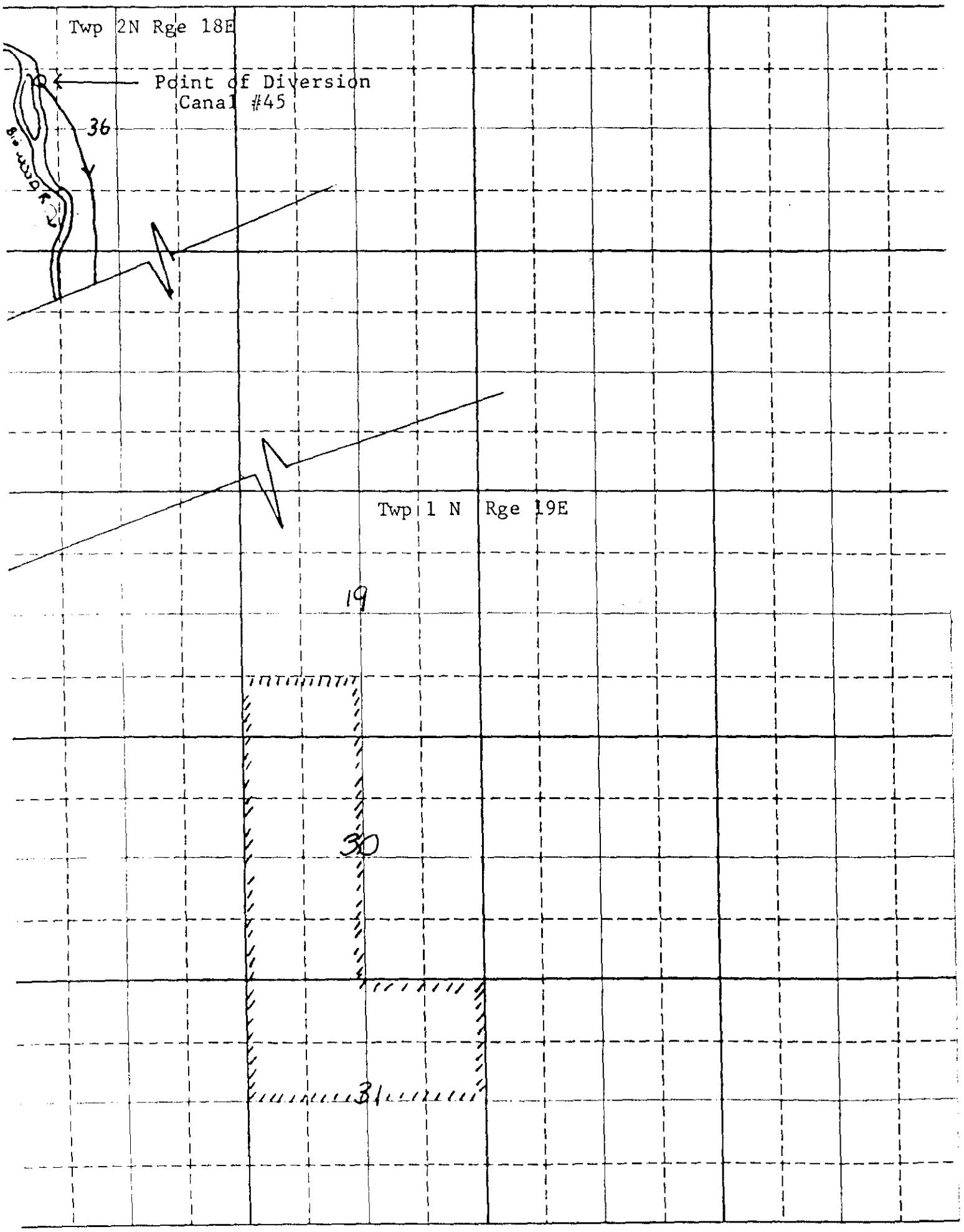
2. Change in place of use 1.3 cfs will be delivered to Buyer.

a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
~~1N~~	~~19E~~	~~19~~											Lt4 40	40					~~80~~
~~1N~~	~~19E~~	~~30~~					40	Lt1 40	Lt2 40	40	40	Lt3 40	Lt4 40	40					~~320~~
~~1N~~	~~19E~~	~~31~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~	~~40~~									~~320~~
1N	19E	30											Lt4 40	25					65

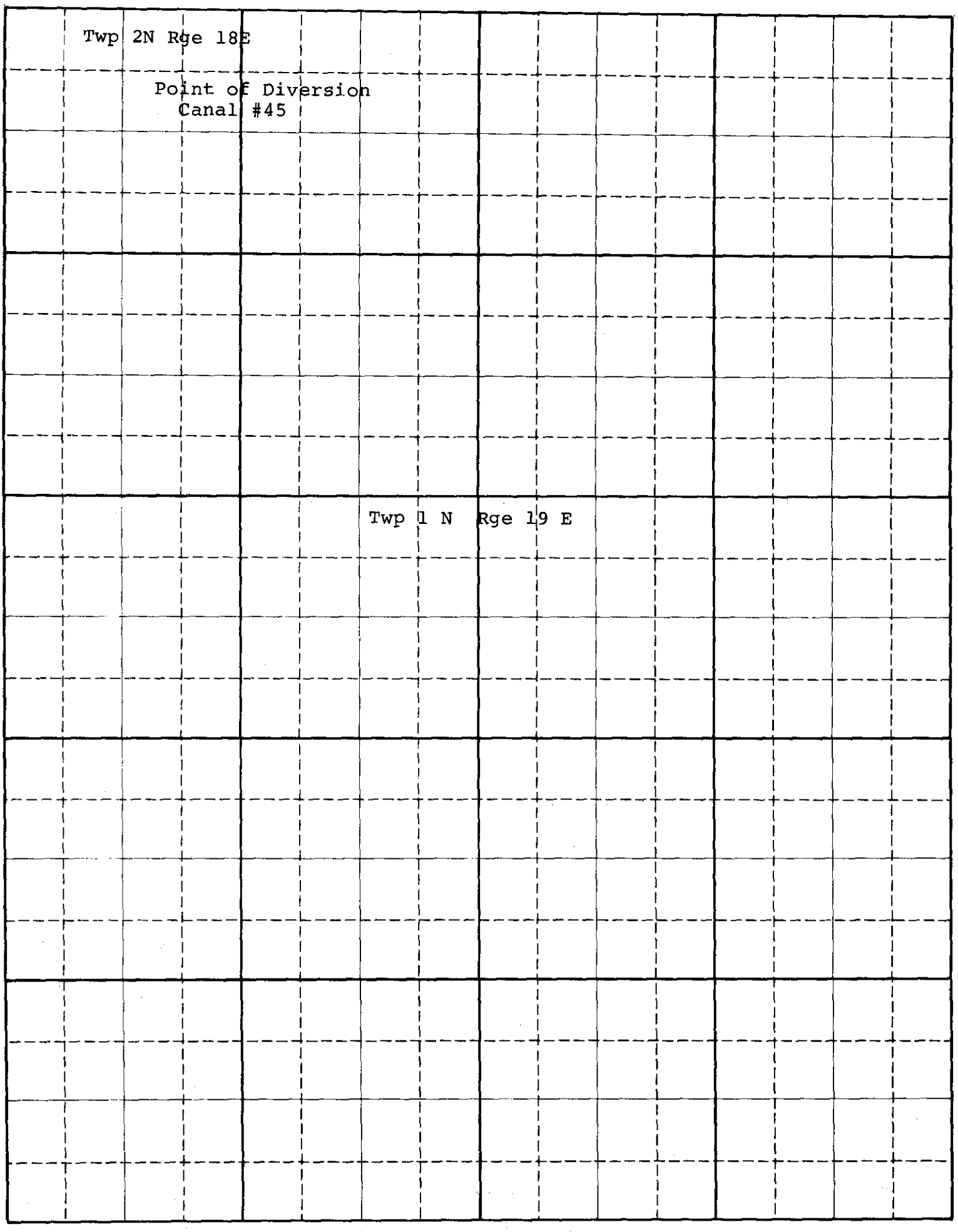
Total number of acres to be irrigated ~~720~~ 65

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

4. Remarks Sale and transfer of water will facilitate irrigation needs of property of Buyer. Owner of property has no need for water. (Continued from A 2.) leaving 1.3 cfs now owned by Marjorie McHan and the E. V. McHan Estate.

I hereby assert that no one will be injured by such change and 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.

John Fell Stevenson
(Signature of applicant)
JOHN FELL STEVENSON

Subscribed and sworn to before me this 4th day of June, 1980.

Mary Dayton Cozz
(Notary public)

My commission expires June 18, 1982

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0833 F and said application is hereby approved, subject to the following limitations and conditions: Use of water under this right shall be under the control of the watermaster of State Water District No. 37, Big Wood River. (2) This right as changed by this transfer, shall not be appurtenant to more than 65 acres. (3) Maximum rate of diversion under this right shall not exceed 1.3 cubic feet per second. (4) A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works. (5) The headgate/controlling works shall be properly maintained.

Witness my hand this 9th day of July, 19 81.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

MICROFILMED

FOR DEPARTMENT USE ONLY

Received by marya Date 5/14/80
Prelim. check by [illegible] Fee 35.00
Receipted by marya Date 5/14/80 #16436
Published in Wood River Journal
Pub. dates July 3 & July 10, 1980
Watermaster recommendation requested on 6/27/80 rec'd.

Protest filed by
Copies of protest forwarded by
Hearing held by Date
Recommended for approval denial
by [illegible] DRR

WATER DEED ONLY

QUITCLAIM DEED

For Value Received MARJORIE McHAN, Personal Representative of the Estate of E. V. McHan, and MARJORIE McHAN, an individual

does ~~do~~ hereby convey, release, remise and forever quit claim unto John Stevenson,

Whose current address is _____,
in the County of _____, State of Idaho;
the following described premises, to-wit:

Sixty-five (65) Miners' Inches of waters of Big Wood River, as decreed to I. E. Rockwell in case of Irvin E. Rockwell vs Mans Coffin, Decree being dated August 25, 1949, and recorded in Book 12, of Judgments, Page 115, Blaine County, Idaho.

Grantee by acceptance of this Deed does hereby covenant and agree to assume proportionate amount of work and payments required to keep said decree and water right in full force and effect, and such proportionate shares of obligations to maintain the By-Pass, as required by Findings of Fact and Conclusions of Law, in the Decree in the above legal action.

MICROFILMED

together with their appurtenances.

Dated: March 13, 1980.

_____ Marjorie McHan
Personal Representative of the Estate of E. V. McHan

_____ Marjorie McHan
An Individual

STATE OF IDAHO, COUNTY OF LINCOLN

On this 7th day of April 1980, before me, a notary public in and for said State, personally appeared Marjorie McHan, Personal Representative of the Estate of E. V. McHan, and Marjorie McHan, an individual.

known to me to be the person who se name is subscribed to the within instrument, and acknowledged to me that she executed the same.

_____ Notary Public

Residing at Shoshone, Idaho

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of
at minutes past o'clock m.,
this day of
19 , in my office, and duly recorded in Book
of Deeds at page , or as Film No. _____

_____ Ex-Officio Recorder

By _____ Deputy.

Fees $

Mail to:

Instrument No.

LARSON, McINTYRE & COLEMAN
LAWYERS
P.O. BOX 525
TWIN FALLS, IDAHO 83301
(208) 734-1224

Address Change:
HERRIOTT BUILDING
156 Second Ave. West
P. O. Box 525
Twin Falls, ID 83301

BERT LARSON, P.A.
C. G. McINTYRE, P.A.
JOHN R. COLEMAN, P.A.

June 9, 1980

RECEIVED
JUN 10 1980
Department of Water Resources
Southern District Office

Mr. Gary L. Funderburg
Idaho Department of Water Resources
Southern Region
1041 Blue Lakes Boulevard North
Twin Falls, ID 83301

Dear Mr. Funderburg:

Enclosed herewith please find the application for transfer of water right executed by John Fell Stevenson and notarized. A copy of the deed of conveyance by Marjorie McHan, personal representative of the estate of E. V. McHan, deceased, and Marjorie McHan, an individual, is enclosed.

We enclose our check to your order in the amount of $35.00.

Please let us know of any questions or suggestions that you may have.

Sincerely,

C. G. McINTYRE

CGM:am
Enclosures
cc: Mr. John Fell Stevenson

MICROFILMED

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Blaine }

GORDON O. GLASMANN, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 3 day of July, 1980, and the date of the last publication was on the 10 day of July, 1980.

Gordon O. Glasmann

Subscribed and sworn to before me this 16th day of July, 1980.
(SEAL)

Roberta McKinney
NOTARY PUBLIC

old mcnaught 7/24/80

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 12
Number of Lines in Notice 56
Number of Insertions 2

	Lines tabular at		4¢ / Pica
56	Lines straight at	20.16	3¢ / Pica
56	Subsequent lines at	13.44	2¢ / Pica
	TOTAL COST	33.60	

MICROFILMED

COPY OF NOTICE
(Paste Here)

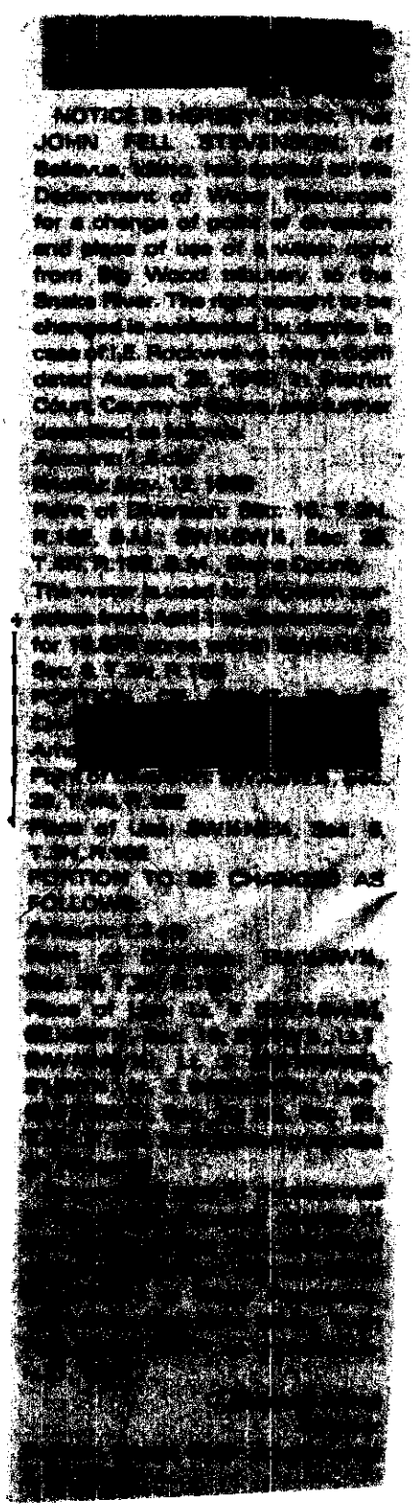
Permit 37-0833
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
BILL TO



TRANS 1749

Identification No. _____

Transfer No. 37-0833
trans #1749

APPROVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder E. V. McHan and Marjorie McHan

   Post office address P. O. Box 126, Ketchum, Idaho 83340

2. Right obtained by:

   a. Decree to I. E. Rockwell (Name) in Case of Irvin E. Rockwell vs. Mans Coffin, Dated Aug. 25, 1949 in Fourth Judicial District (Name of Court) Court. County of Blaine.

   b. License No. _____ issued by the State of Idaho, Department of Reclamation.

3. Source of water Rockwell Slough (Name of stream or source) tributary to Big Wood River

4. Date of Priority November 12, 1936

5. Amount of water a. 1.5 of a total of 4.65 c.f.s. and/or

   b. _____ acre feet/annum

6. Water is used for Irrigation from April 1 (Month, Day) to September 30 (Month, Day)

7. Original location of point of diversion is _____ NE¼ _____ SE¼ of Section 16,

   Township 2N, Range 18E, B.M., in Blaine County;

   Additional points of diversion, if any _____

8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	19E	31			x				Lot 2	x	Fr.	Lot 3	Lot 4			Lot 5			178
2N	18E	36													Lot 5	Lot 6	Fr.	x	122

Total number of acres presently irrigated 300

9. If applicant was not the original holder of this right explain how it was acquired: Purchased

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 1.5 c.f.s. and/or _____ acre feet

b. New point of diversion: SW¼ SW¼, Section 29, Township 4N _____, Range 18E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: Gravity with submerged orifice through open ditch.

d. Is water to be conveyed to the lands previously irrigated? Yes _____ No x.

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

Bought land with no water appurtenant - purchased water to irrigate land

f. Do you intend to make the transfer permanent? Yes

g. Do you intend to abandon completely the old point of diversion? Yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	18E	6			x														15.876

(6 Acres)

Total number of acres to be irrigated 15.876

b. Do you intend to make the transfer permanent? Yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

Yes

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

E. V. McGhan
(signature of applicant)

Subscribed and sworn to before me this 5th day of September, 1972

Kenneth D. Fitl
(notary public)

My commission expires May 26, 1974.

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0833, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons:

Witness my hand this 10 day of October, 1972.

Director State Reclamation Engineer

FOR DEPARTMENT USE ONLY

Received by B Haynes Date 9-5-72 Denied

Prelim. check by B. Haynes Date 9-5-72 Denied

Fee received by [illegible] Date 9-5-72 Fee $ #8783

Approved for publication by

Published in Wood River Journal at Hailey, Idaho Dates 9-14 & 9-21, 1972

Hearing held

Watermaster Recommendation sent

Protest filed by:	Date

QUITCLAIM DEED

REVENUE STAMPS

For Value Received JOHN P. GUERIN and ANN M. GUERIN, husband and wife,

do hereby convey, release, remise and forever quit claim unto E. V. McHAN and McHAN, husband and wife

the following described premises, to-wit:

Seventy-five (75) Miners' Inches of waters of Big Wood River, as decreed to I. E. Rockwell in case of Irvin E. Rockwell vs. Mans Coffin, Decree being dated August 25, 1949, and recorded in Book 12, of Judgments, Page 115, Blaine County, Idaho.

Grantees by acceptance of this deed do hereby convenant and agree to assume proportionate amount of work and payments required to keep said decree and water right in full force and effect, and such proportionate shares of obligations to maintain the By-Pass, as required by Findings of Fact and Conclusions of law, in the Decree in the above legal action.

MICROFILMED

together with their appurtenances.

Dated: August 1[illegible], 19[illegible]

STATE OF IDAHO, COUNTY OF Blaine

On this [illegible] day of August, 19[illegible], before me, a notary public in and for said State, personally appeared [illegible]

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

Notary Public

Residing at , Idaho

Comm. Expires

STATE OF IDAHO, COUNTY OF

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

at minutes past o'clock m., this day of , 19 , in my office, and duly recorded in Book of Deeds at page .

Ex-Officio Recorder

By Deputy.

Fees $

Mail to:

INSTRUMENT No.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Blaine, } ss.

GEORGE T. FRITZ, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Editor and Publisher of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 14th day of September, 19 72 and ending with the last publication thereof on the 21st day of September 19 72.

Cost of this publication is $ 20.16

GEORGE T. FRITZ

Subscribed and sworn to before me, this 25th day of September, 19 72.

Notary Public for Idaho
Residing at Hailey,
Blaine, County, Idaho.

RECEIVED

1972

Administration
Southern District Office

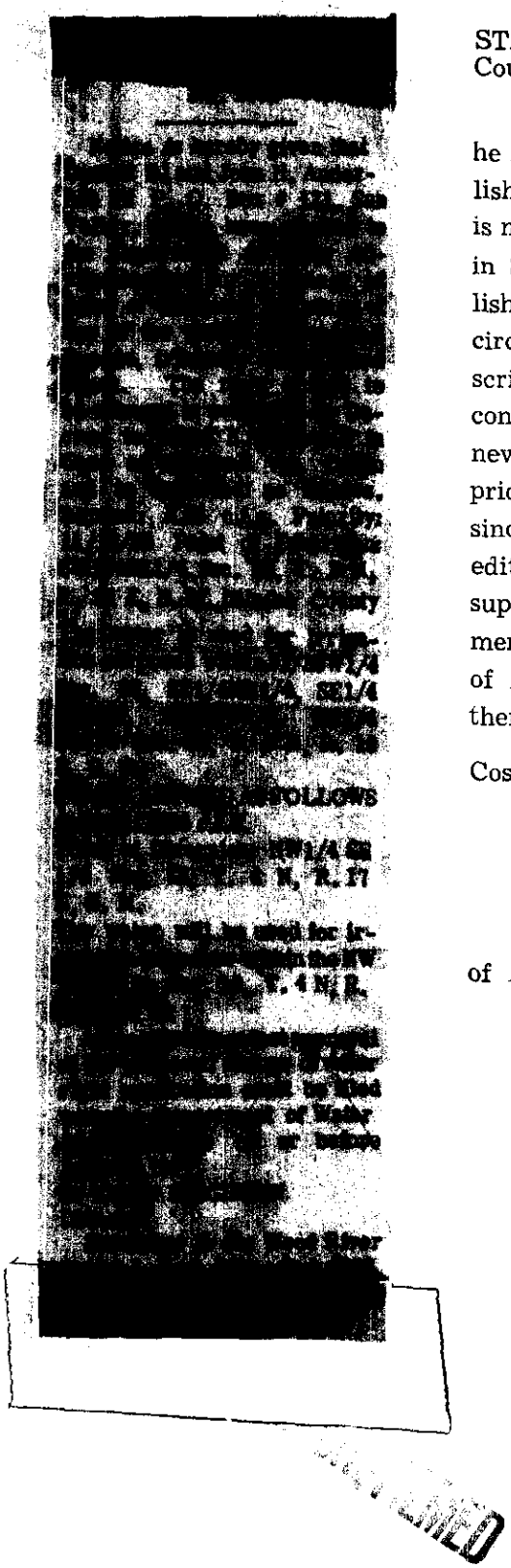
Notice is hereby given that E. V. McHan and Marjorie McHan of P. O. Box 126, Ketchum, Idaho, have applied to the Dept. of Water Administration for a change of the point of diversion and place of use of the waters of Rock Creek Slough, tributary to Big Wood River. The right sought to be changed is evidenced by Decree to I. E. Rockwell in case of Irvin E. Rockwell -vs- Mann Coffin, dated January 23, 1940, in Fourth Judicial District Court, County of Blaine. Right is reported as follows:

Amount: 3.85 cfs
Priority: November 12, 1936
Point of diversion: NE¼ SE¼, Sec. 16, Twp. 2 N. Rge. 18 E. B. M. Blaine County.
The water is used for irrigation purposes from April 1 to Sept. 30 within the SW¼ NE¼, Lot 2, SE¼ NW¼, NE¼ SW¼, Lot 3 and 4, Lot 5 Sec. 31, T. 2N, Rge. 19 E. B. M. and Lot 5, Lot 6, part of SE¼ SE¼, Sec. 36, Twp. 2 N, Rge. 18E. B. M.

TO BE CHANGED AS FOLLOWS

Amount: 1.5 cfs
Point of diversion: SW¼ SW¼, Sec. 29, Twp. 4 N, Rge. 18 E. B.M.
The water will be used for irrigation purposes within the SW¼ NE¼, Sec. 6, Twp. 3 N, Rge. 18 E. B. M.
Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Administration, Statehouse Annex, Boise, Idaho, 83707, on or before October 2, 1972.
[redacted] HIGGINSON,
Published in the Wood River [redacted] Hailey, Idaho, on [redacted]

AFFIDAVIT OF PUBLICATION



STATE OF IDAHO, }
County of Blaine, } ss.

GEORGE T. FRITZ, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Editor and Publisher of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 18th day of March, , 19 71 and ending with the last publication thereof on the 25th day of March, 19 71.

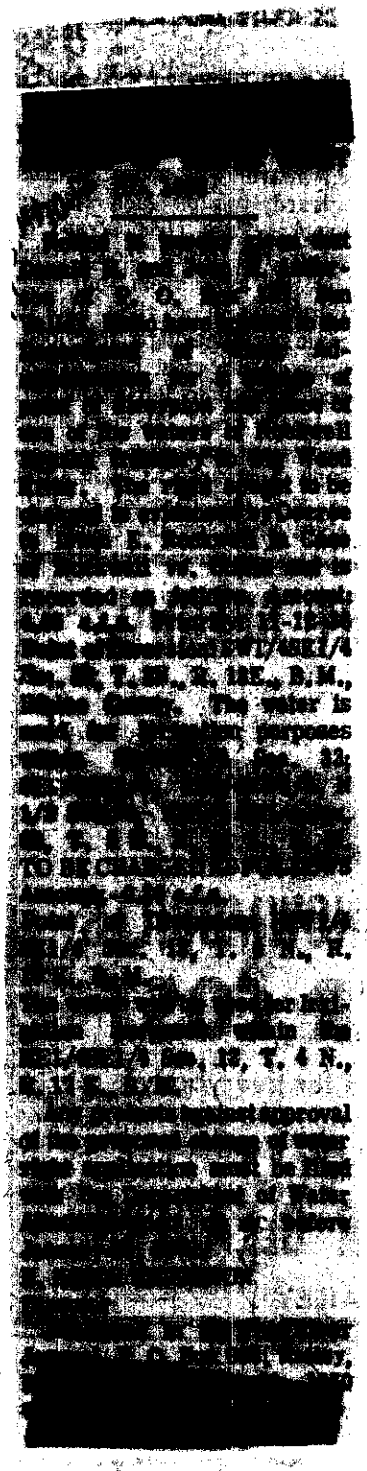
Cost of this publication is $ 10.35.

GEORGE T. FRITZ

Subscribed and sworn to before me, this 26th day of March, , 19 71.

Notary Public for Idaho
Residing at Hailey,
Blaine, County, Idaho.

Affidavit of Publication



STATE OF IDAHO, }
County of Blaine, } ss.

NEAL R. NYBLAD, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Managing Editor of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 31st day of December, 1970 and ending with the last publication thereof on the 7th day of January, 1971.

Cost of this publication is $10.12

Neal R. Nyblad
NEAL R. NYBLAD

Subscribed and sworn to before me, this 9th day of January, 1971.

Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

TRANS 1655

Identification No. 57-0833

Transfer No. 1655

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPROVED

APPLICATION FOR TRANSFER OF WATER ~~RIGHT~~

To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder Donald B. and Joan H. Anderson

   Post office address P.O. Box 121 Sun Valley, Idaho 83353

2. Right obtained by: Purchased

   a. Decree to Irwin E. Rockwell (Name) in Case of Rockwell ~~vs.~~ Coffin vs. Coffin, Dated 8/25/49 in 4th Judicial District (Name of Court) Court. County of Blaine.

   b. License No. _____ issued by the State of Idaho, Department of Reclamation.

3. Source of water Rockwell Bypass (Name of stream or source) tributary to Big Wood River

4. Date of Priority 11/12/36

5. Amount of water a. 19.36 c.f.s. and/or

   b. _____ acre feet/annum

6. Water is used for Irrigation from April 1 (Month, Day) to Sept. 30 (Month, Day)

7. Original location of point of diversion is SW ¼ SE ¼ of Section 22, Township 2 N, Range 18 E, B.M., in Blaine County;

   Additional points of diversion, if any: Township 5 N, 17 E.B.M. known as Winslow C, belonging to Mr. John Feldhusen.

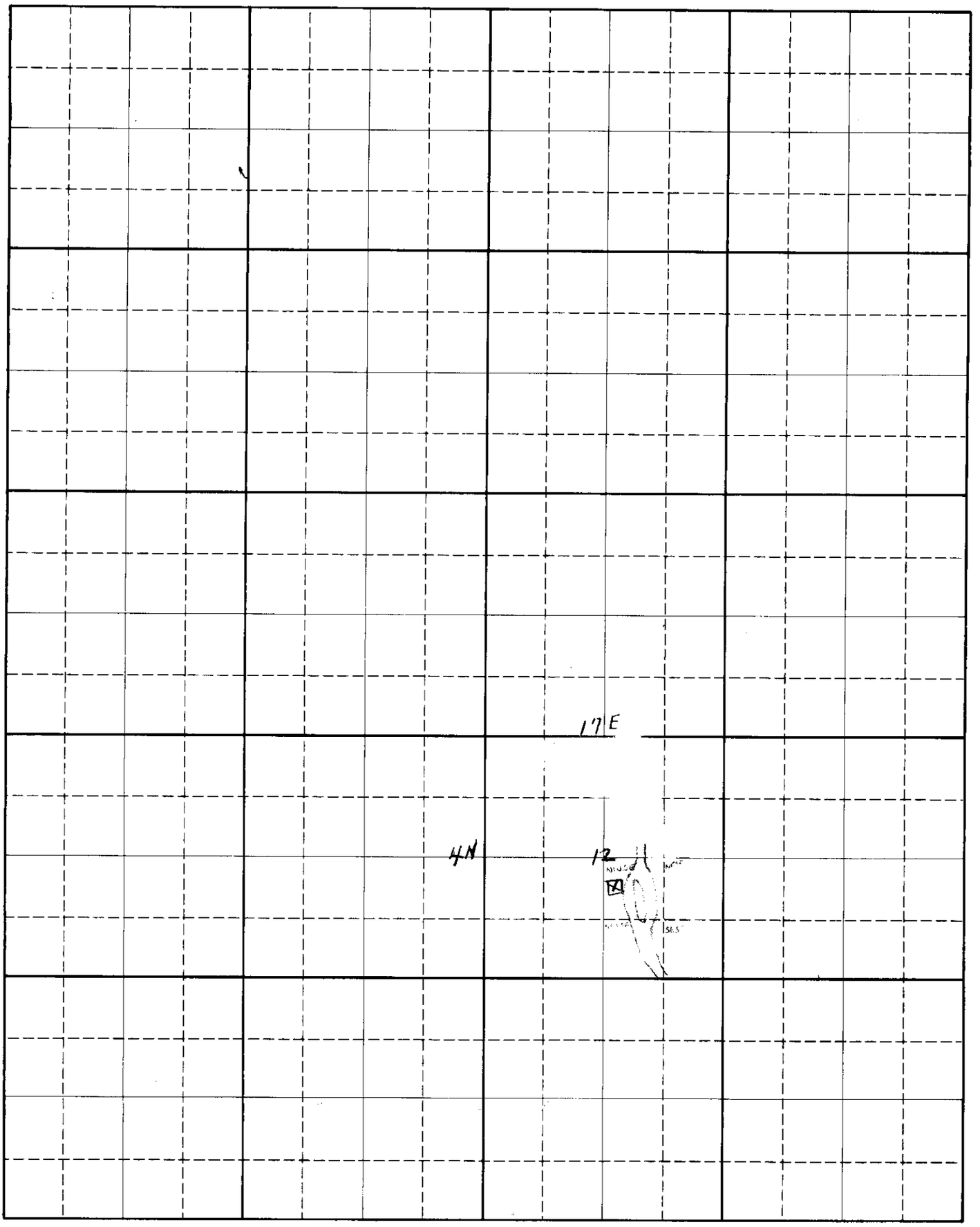
   Also see Abstract of Decrees, Dept. of Reclamation, as worked up by R. W. Hamilton.

8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	18E	33											Fr. S½						
3N	18E	32				✓				✓	Fr.	Fr.		✓	Fr.	✓			

See Dept. of Reclamation Abstract of Decrees. as worked up by R. W. Hamilton.

Total number of acres presently irrigated _____



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: By right of purchase.

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: .20 c.f.s. and/or _____ acre feet

b. New point of diversion: NW ¼ SE ¼, Section 12, Township 4 N _____, Range 17 E., B.M.

c. Description of method of diversion and conveyance from new points of diversion: Pump: Model JHHG-53 Sta-Rite Pump 2 HP.

d. Is water to be conveyed to the lands previously irrigated? Yes _____ No ✓.

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion: Purchased water, that could not be utilized from original point of diversion.

f. Do you intend to make the transfer permanent? Yes.

g. Do you intend to abandon completely the old point of diversion? Yes, for this 10" water

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	17E	12													Fr→1.				

Total number of acres to be irrigated 1

b. Do you intend to make the transfer permanent? Yes.

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

Yes - as far as this water is concerned.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: - None

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Joan H. Anderson
Donald B. Anderson
(signature of applicant)

Subscribed and sworn to before me this 20th day of November, 1970

Corinne Stafford
(notary public)

My commission expires June 15, 1972.

APPROVED

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0833, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

The maximum volume per season shall not exceed 3 acre feet per year. That there be an established access road for Watermaster & Watermaster's Deputy and that this pump be adjusted so as not to pump in excess of the 10" being transferred.

2. Denial of said application is for the following reasons:

Witness my hand this 1st day of July, 19 71.

/State Reclamation Engineer/
Director

THIS BLANK FURNISHED BY TWIN FALLS TITLE & TRUST COMPANY.

WARRANTY DEED

For Value Received JOHN S. FELDHUSEN and GLADYS L. FELDHUSEN, husband and wife,

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto DONALD B. ANDERSON and JOAN H. ANDERSON, husband and wife,

Hereinafter called the Grantee, the following described ~~premises~~ Water and Water Rights situated in ~~Twin Falls~~ Blaine County, Idaho, to-wit:

Ten (10) Miners' Inches of Waters of Big Wood River as decreed to I. E. Rockwell in the case of Irvin E. Rockwell vs. Mans Coffin which Decree is dated August 25, 1949, and is recorded in Book 12 of Judgments, Page 115, Office of the County Recorder, Blaine County, State of Idaho.

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 incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 14, 1970.

John S. Feldhusen

Gladys L. Feldhusen

STATE OF IDAHO, COUNTY OF TWIN FALLS

STATE OF IDAHO, COUNTY OF TWIN FALLS

Instrument No.

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 incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 14, 1970.

John S. Feldhusen

Gladys L. Feldhusen

STATE OF IDAHO, COUNTY OF TWIN FALLS

On this day personally appeared JOHN S. FELDHUSEN and GLADYS L. FELDHUSEN, husband and wife,

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

Notary Public

Residing at Twin Falls, Idaho.

STATE OF IDAHO, COUNTY OF TWIN FALLS

I hereby certify that this instrument was filed for record at minutes past o'clock m., this day of 19, in my office, and duly recorded in Book of Deeds at page

Ex-Officio Recorder

By Deputy.

Fees $

Mail to:

Instrument No.

Warranty Deed

John S. Feldhusen

et ux

To

Donnel B. Anderson

et ux

Lot 1, 21 - Sun Valley

STATE OF IDAHO, COUNTY OF TWIN FALLS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE OFFICE AT 11:05 A.M. July 17 1970 AND RECORDED IN BOOK 343 OF Deeds PAGE 194

Mrs. Donnel Anderson

By Margaret Parker DEPUTY

FEES $4.00 Cyd

Lot 1, 21 - Sun Valley

TRANS 1606

37-0833

Identification No. ~~37-0002~~

Transfer No. 1606

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder Earl F. Detmer

   Post office address 443 Madison Street Twin Falls, Idaho 83301

2. Right obtained by: Purchase

   a. Decree to I. E. Rockwell (Name) in Case of Irvin E. Rockwell

   vs. Man's Coffin, Dated 25 August 1949 in 4th Judicial District (Name of Court)

   Court. County of Blaine.

   b. License No. -- issued by the State of Idaho, Department of Reclamation.

3. Source of water Broadford Slough (Name of stream or source) tributary to Big Wood River

4. Date of Priority 12 November 1936

5. Amount of water a. 4.65 c.f.s. and/or

   b. _____ acre feet/annum

6. Water is used for Irrigation from April 1st (Month, Day) to September 30th (Month, Day)

7. Original location of point of diversion is NW ¼ SW ¼ of Section 22,

   Township 2 N, Range 18E, B.M., in Blaine County;

   Additional points of diversion, if any _____

8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	18E	22													lot 5	lot 6			
2N	18E	23			X				lot 2	lot 3	lot 4	lot 5				lot 1			178

Total number of acres presently irrigated _____

MICROFILMED

16

NE ¼ - SE ¼
Sec 16 2N 18E
NEW Division Point

Big Wood River

STATE HWY 33

NW ¼ SW ¼
Sec 22 2N 18E
Old Division

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: By right of purchase

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 1.5 c.f.s. and/or _____ acre feet

b. New point of diversion: NE ¼ SE ¼, Section 16, Township 2N, Range 18E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: Submerged Orfice and gravity feed canal

d. Is water to be conveyed to the lands previously irrigated? Yes _____ No x.

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

f. Do you intend to make the transfer permanent? yes

g. Do you intend to abandon completely the old point of diversion? yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	18E	36													lot 5	lot 6	Fr.	x	122
2N	19E	31			X				lot 2	x	Fr	lot 3	lot 4			lot 5			178

Total number of acres to be irrigated 300

b. Do you intend to make the transfer permanent? yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

yes

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Earl F. Detmer
(signature of applicant)

Subscribed and sworn to before me this 19th day of May, 19 69

(notary public)

My commission expires March 6, 1971.

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

   Subject to the irrigation requirement for 86 acres of land or 258 acre feet of water per season.

2. Denial of said application is for the following reasons: _____

Witness my hand this 9th day of October, 19 69.

R. Keith Higginson
State Reclamation Engineer

T. 1635

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

IRVIN E. ROCKWELL,

Plaintiff,

-vs-

MANS H. COFFIN, Watermaster,

Defendant.

~~37-0003~~

D E C R E E

This cause came on regularly for trial before the court without a jury on the 29th day of July, 1949, in open court, at the County Court House, at Hailey, in the County of Blaine, State of Idaho, the plaintiff appearing in person and by his attorney Eugene H. Anderson, and the defendant appearing in person, and no other person appearing, either in person or by attorney, in the cause. Whereupon, the case was heard and submitted and by the court taken under advisement and duly considered, and the court having made and filed its decision, that is to say, its findings of fact and conclusions of law,

NOW, THEREFORE, on motion of the plaintiff, IT IS ORDERED, ADJUDGED, AND DECREED as follows:

I

37-0833 That the plaintiff is the owner of and entitled to the use for irrigation, stock water, and domestic use, of 4.65 cubic feet per second of time, or 232.50 miners inches, of the waters

MICROFILMED

T. 160

of Big Wood River, being waters saved, conserved, and developed by said plaintiff during the irrigation season of each year when the Rockwell By-Pass is operated and used for the conveyance of the waters of Big Wood River formerly flowing through what is commonly known as Broadford Slough Swamp Sink, and that the waters decreed hereunderto the plaintiff are the sole and exclusive property of the said plaintiff as saved, conserved and developed waters regardless of the date of the appropriation thereof, and that the plaintiff is entitled to the use of said developed waters irrespective of priority whenever the waters of Big Wood River formerly flowing through the Broadford Slough Swamp Sink are being conveyed and diverted through what is known as the Rockwell By-Pass canal; that the date of the appropriation and priority in and to said water is the 12th day of November, 1936.

II

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the plaintiff be and he is hereby required to maintain the said Rockwell By-Pass from the entrance thereof at the entrance crib therefor to its discharge into the Broadford Slough stream sufficient to provide ample freeway for not less than 17.36 cubic feet per second of time of water, during the irrigation season each year.

III

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the defendant be perpetually and forever enjoined and restrained from

MICROFILMED

T. 1606

interfering with plaintiff's use of said 4.65 cubic feet per second of time, or 232.50 miners inches, of the waters of Big Wood River developed and saved by said plaintiff by the Rockwell By-Pass.

Dated this 25 day of August, 1949.

L. E. Glennon
District Judge

STATE OF IDAHO, }
COUNTY OF BLAINE, } ss.

I, GEORGE F. McCOY, Ex-Officio Recorder in and for said County and State, do hereby certify that the foregoing is a full, true and correct copy of that certain instrument of record in my office, in Book 12 of Judgments, Page 115, Records of Blaine County, State of Idaho.

Witness my hand and official seal this 13 day of September, 1949

By ..... Deputy.

George F. McCoy
Ex-Officio Recorder.

3-Pw

RECEIVED
AUG 2 7 1996
Department of Water Resources

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
MICHELE C. MESKE

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

August 25, 1996

Mr. Jim Johnson, Manager
Water Right Permits Section
Idaho Dept. of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Valley Ranch, Inc. -- Water Rights Nos. 37-00494, 37-00495, 37-00833K, 37-00577T and V, and 37-02623

Dear Jim:

The Valley Ranch golf course has now been completed and is open for play! The use of all of the above-referenced water rights owned by Valley Ranch, Inc. has been resumed in accordance with the approved transfers and in advance of the November 1, 1996, deadline set forth in the approved extensions of time to avoid forfeiture. Will you please place a copy of this letter in the files for each of these water rights to indicate compliance with the IDWR requirements?

Kindly call me if you have any questions about these matters. Once again, thank you for your continuing cooperation and assistance.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.

James P. Speck

JPS:rb
cc: client

MEMORANDUM

TO: FILE 37-00833

FROM: PAM SKAGGS

RE: TRANSFER # 4420

DATE: 8-16-94

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 37-00048 .

MEMORANDUM

TO: FILE 37-0833

FROM: PAM SKAGGS

RE: TRANSFER # 3941

DATE: 12/10/93

==========

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 37-0494.

MICROFILMED

JAN 1 1 1994

MEMORANDUM

To: Karen

From: Glen

RE: ADVERTISEMENT OF WATER SUPPLY BANK WATER

Date: June 1, 1993

Please send the attached advertisement to the newspapers. I would like it published once a week for two consecutive weeks in the Times News in Twin Falls and the Wood River Journal in Hailey. The days of publication should be June 10 and 17, 1993. We probably should request that the billing and the proof of publication be sent to your attention when mailed to the department.

We need to send copies of our notices to Southern region and to the watermaster Lee Peterson so they will know what is going on.

We also should send the attached copy of an application to rent water from the bank to S. Region and advise them to make any needed copies from it.

KDG
6/1/93

MICROFILMED
JAN 1 1 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 1, 1993

The Times News
PO Box 548
Twin Falls, ID 83303

Attn: Legal Advertising Department

Please cause the attached legal advertisement to be published in your weekly paper on June 10 and June 17, 1993.

Please send the affidavit of publication and charges directly to my attention.

In the mean time, if you have any questions or if I can be of any assistance, please feel free to contact myself or Glen Saxton.

Sincerely,

Karen L Gustafson

Karen L. Gustafson
Secretary/Records Manager

Enclosures

JAN 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 1, 1993

The Times News
PO Box 548
Twin Falls, ID 83303

Attn: Legal Advertising Department

Please cause the attached legal advertisement to be published in your weekly paper on June 10 and June 17, 1993.

Please send the affidavit of publication and charges directly to my attention.

In the mean time, if you have any questions or if I can be of any assistance, please feel free to contact myself or Glen Saxton.

Sincerely,

Karen L Gustafson

Karen L. Gustafson
Secretary/Records Manager

Enclosures

JAN 1 1 1994

NOTICE OF WATER FOR RENT

FROM THE WATER SUPPLY BANK

Notice is hereby given that the Idaho Water Resource Board has accepted water rights 37-0005 and 37-0833J into the Water Supply Bank and that the rights are available for rent from the bank pursuant to provisions of Section 42-1761, et. seq., Idaho Code, and the Water Supply Bank rules.

Water right 37-0005 authorizes the diversion of 1.16 cubic feet per second (cfs) of water from the Big Wood River for the irrigation of 58 acres near Hailey, Idaho. The maximum annual volume of water for diversion under this right for irrigation is 203 acre feet. The priority of use is March 10, 1883.

Water right 37-0833J authorizes the diversion of 1.0 cfs of water from the Big Wood River for the irrigation of 50 acres near Hailey. The maximum annual volume for diversion under this right for irrigation is 175 AF. The priority of use is 1883.

These rights are available for rent during 1993 only. The cost to rent the water is $10 per acre foot. In addition, the rentor of right 37-00833J shall pay a $200 fee for the maintenance of the Rockwell by-pass. A potential renter must rent all of one of the rights, not just part of one. The rental process requires review and evaluation of any rental with respect to the point of diversion, place of use and nature of use as provided in Section 42-222, Idaho Code.

Applications to rent the water are available from the Director, Idaho Department of Water Resources at 1301 N. Orchard St., Boise, ID 83706 or from the department's regional offices. Applications received in the office of the Director on or before 5:00 p.m. June 25, 1993, will be considered.

R. KEITH HIGGINSON
Director

MICROFILMED

JAN 1 1 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 1, 1993

John Rosholt
Rosholt, Robertson, et. al.
P.O. Box 1906
Twin Falls, ID 83303-1906

RE: LEASE OFFER TO WATER SUPPLY BANK - NEW DEER CREEK RANCH, INC.

Dear Mr. Rosholt:

At its regularly scheduled Board meeting on May 21, 1993, the Idaho Water Resource Board (Board) accepted water rights 37-0005 and 37-00833J into the Board's Water Supply Bank. Enclosed is a copy of the resolution of the Board.

The department will advertise the availablility of the rights for rent in the Times News and in the Wood River Journal on June 10, and June 17, 1993. If the rights are rented, the department will advise you accordingly.

If you have questions, please contact the department.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region

JAN 1 1 1994

BEFORE THE IDAHO WATER RESOURCE BOARD

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
TO LEASE WATER WATER RIGHT)
NOS. 37-00005 AND 37-00833J) **RESOLUTION**
TO THE WATER SUPPLY BANK)
)

WHEREAS, New Deer Creek Ranch, Inc. (applicant) has submitted an application to place water right nos. 37-00005 and 37-00833J into the Water Supply Bank (bank) which is administered by the Idaho Water Resource Board (Board); and

WHEREAS, the Director of the Department of Water Resources (Director) has investigated the water right and the application to lease the right to the bank as required by Water Supply Bank Rule 3,3.; and

WHEREAS, the Director and the Board find that the requirements for leasing water to the bank have been met by the applicant;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Board accept the right into the bank on a contingency basis with payment to be made to the applicant only upon rental of the rights from the bank.

2. That in addition to other appropriate conditions of rental from the bank as determined by the Director, the following shall apply to any rental of the rights:

a. The rental rate paid by an applicant seeking water from the bank shall be in the amount of ten dollars ($10) per acre foot. The return to the applicant shall be eight dollars ($8) per AF. Ten percent (10%) of the total funds received from a rental shall be credited to the Water Administration Account and the remainder of the funds shall be credited to the Water Management Account.

b. In addition to the cost in paragraph 2.a. above, the renter is responsible to separately pay the delivery cost of the water to Water District No. 37, said cost estimated to be approximately 35 cents per AF.

c. The renter of right no. 37-00833J is also responsible to separately pay the applicant's proportionate share of maintaining the Rockwell by-pass channel during 1993, said share estimated to be approximately $200 per year.

JAN 11 1994

3. That the renter agree to rent all of water right no. 37-00833J or all of water right no. 37-00005.

Adopted this 21st day of MAY, 1993.

F. Don Gladden
Chairman

Attest: Secretary

JAN 11 1994

BEFORE THE IDAHO WATER RESOURCE BOARD

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
TO LEASE WATER WATER RIGHT)
NOS. 37-00005 AND 37-00833J) **RESOLUTION**
TO THE WATER SUPPLY BANK)
)

WHEREAS, New Deer Creek Ranch, Inc. (applicant) has submitted an application to place water right nos. 37-00005 and 37-00833J into the Water Supply Bank (bank) which is administered by the Idaho Water Resource Board (Board); and

WHEREAS, the Director of the Department of Water Resources (Director) has investigated the water right and the application to lease the right to the bank as required by Water Supply Bank Rule 3,3.; and

WHEREAS, the Director and the Board find that the requirements for leasing water to the bank have been met by the applicant;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Board accept the right into the bank on a contingency basis with payment to be made to the applicant only upon rental of the rights from the bank.

2. That in addition to other appropriate conditions of rental from the bank as determined by the Director, the following shall apply to any rental of the rights:

a. The rental rate paid by an applicant seeking water from the bank shall be in the amount of ten dollars ($10) per acre foot. The return to the applicant shall be eight dollars ($8) per AF. Ten percent (10%) of the total funds received from a rental shall be credited to the Water Administration Account and the remainder of the funds shall be credited to the Water Management Account.

b. In addition to the cost in paragraph 2.a. above, the renter is responsible to separately pay the delivery cost of the water to Water District No. 37, said cost estimated to be approximately 35 cents per AF.

c. The renter of right no. 37-00833J is also responsible to separately pay the applicant's proportionate share of maintaining the Rockwell by-pass channel during 1993, said share estimated to be approximately $200 per year.

JAN 1 1 1994

3. That the renter agree to rent all of water right no. 37-00833J or all of water right no. 37-00005.

Adopted this 21st day of MAY, 1993.

F. Don Gilbert
Chairman

Attest: Lee M. Gray
Secretary

JAN 1 1 1994

MEMORANDUM

To: Water Bank Application File A37-00005 and 37-00833J

From: L. Glen Saxton

RE: ANALYSIS OF APPLICATION TO LEASE A WATER RIGHT TO THE WATER SUPPLY BANK - (NEW DEER CREEK RANCH, INC)

Date: April 23, 1993

On April 12, 1993, New Deer Creek Ranch, Inc. (applicant) submitted an application to the department to lease water right nos. A37-00005 and 37-00833J to the Board's Water Supply Bank.

Water Supply Bank Rules 3.2, 3.3 and 3.5 require:

- The submittal of certain information to accompany an application to place water in the Board's Water Supply Bank.

- That the Director review the application and brief the Board on its merits, and

- The Board to consider certain matters before accepting an application into the bank.

RULE 3.2 REVIEW

A37-00005

- The right is represented by a decree authorizing the diversion of 3.0 cfs of water from the Big Wood River for the irrigation of land near Hailey, Idaho. The right was subsequently transferred in a manner that 1.16 cfs of the right is used for the irrigation of 58 acres with the remainer being used for wildlife and recreation. The total volume of water associated with the irrigation portion of the right is 3.0 (58) = 174 AF and the consumptive use volume is 2.5 (58) = 145.

- The priority of use is March 10, 1883.

- The applicant purchased the right from the former owner.

A-37-00833J

- The right is a portion of a decreed and authorizes the diversion of 1.0 cfs of water from the Big Wood River for the irrigation of 50 acres near Hailey, Idaho. The total volume

JAN 1 1 1994

of water assoicated with the right is 150 AF and the consumptive volume is 125 AF.

- The priority of use is 11-12-36 but is Rockwell Bypass water which is exercised as an 1883 right.

- The applicant purchased the right from the former owner.

RULE 3.5 REVIEW

- Information available indicates that the rights are valid and have not been abandoned or forfeited since the department has recently approved transfers for each of the rights.

- The offering rental rate is $10 per AF as compared to $3.25 per AF with other rights the Board has accepted into the bank.

- The offering also requests that all of the rights be rented, not just part of the rights.

- The offering is for 1993 only.

- The application is not contrary to the state water plan.

- The application is in the local public interest.

- The probability of renting the right from the bank is unknown.

RECOMMENDATION

- If the Board accepts the right into the bank, the acceptance should be on a contingency basis with payment to the lessor only if the right or part thereof is rented from the bank.

JAN 1 1 1994

— ROSHOLT, ROBERTSON & TUCKER —
ATTORNEYS AT LAW

142 3RD AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
(208) 734-0700

RECEIVED
APR 12 1993
IDAHO DEPARTMENT OF WATER RESOURCES

DATE: 3/7/93

TO:
Wayne Haas
IWRB

RE: Lease

Please find 2 Flow Rights (wood River) of Mem Deer Creek Ranch, Inc. for Placement in the IWRB Water Bank, Per Paragraph D.2. of the Form.

Thanks
ROSHOLT, ROBERTSON & TUCKER

BY Thomas Rosholt

cc: Dewey

RECEIVED
JAN 11 1994

Form No. 42-1761
1/81

Water Supply Bank No. _____

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION TO SELL OR LEASE A WATER RIGHT TO THE WATER SUPPLY BANK

Name of Seller/Lessor NEW DEER CREEK RANCH, INC. Phone (208) 788-9813

Post office address P.O. BOX 187, HAILEY, ID 83333

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. 37-00833J Decreed to Irwin E. Rockwell (Name)

   in case of Irwin E. Rockwell vs Mans H. Coffin

   dated Aug. 25, 1949 in 4th Jud. District (Name of court) county of Blaine

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Permit No. 37-00833J issued by the Idaho Department of Water Resources.

2. Source of water Big Wood River tributary to Malad - Snake

3. Date of priority 11/12/36 (Rockwell Bypass Water - exercised as an 1883 right).

4. Water is used for the following purposes:

   amount 1 c/f/s for Irrigation purposes from 4/1 to 11/1

   amount _____ for _____ purposes from _____ to _____

   amount _____ for _____ purposes from _____ to _____

   (month/day — both dates inclusive)

5. Total amount of water under right: a. 1 cubic feet per second &/or b. 150 acre feet per annum

6. Location of point of diversion is SW ¼ of SW ¼ of Section 29 Township 3N. Range 18E., B.M., in Blaine County

   Additional points of diversion, if any _____

7. Lands irrigated or place of use: Approximately 50 acres of land within:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	17E	26											40						40
3N	18E	30								10									10

Total number of acres to be irrigated 50

JAN 11 1994

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

1. Explain how the right, or portion thereof, was acquired and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right.

Water right was purchased from Frederick H. Blechman Trust, the Sydney B. Cook Revocable Trust, and the Estate of Hollis Day. (IDWR Transfer #3932 attached hereto.)

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

IDWR investigated as to abandonment or forfeiture as part of examination during transfer process. Transfer #3932 to New Deer Creek Ranch was approved December 22, 1992.

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support this description:

This right has priority to everything on the Big Wood River provided that 17.36 c/f/s of water is available in the Rockwell Bypass.

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use no longer receive water from any source?

The right was purchased in 1992 to water 58 dry acres. Facilities are not yet in place to divert.

5. Describe the anticipated effect of this sale or lease upon other water users.

None.

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JAN 11 1994

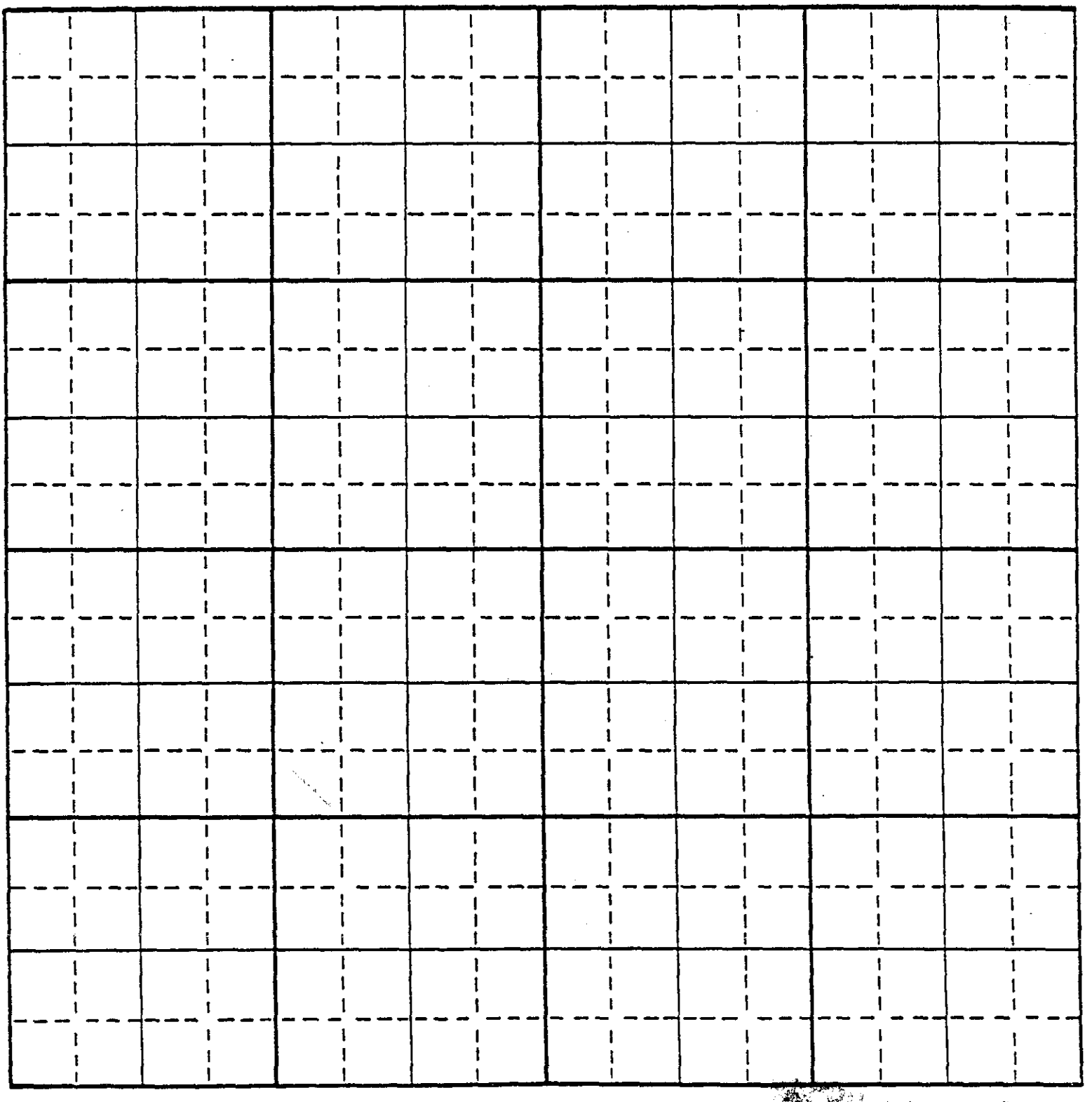
6. List any assessments, charges or fees currently being paid for the use of the water.

New Deer Creek Ranch has a proportionate duty constricting 21.6 percent of the maintenance obligation to maintain the Rockwell Bypass. If the water is leased, this cost is to be borne by the lessee.

7. If the water right is a permit, describe the work accomplished toward developing the right.

8. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

9. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.



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

094

10. Remarks _____

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale

__X__ For lease for the period from 4/1/93 to 11/1/93

_____ As a gift to the State of Idaho.

2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)

Lessee must divert all water available from start of regulation until end of irrigation season on or about September 15, 1993 at a charge of $10/acre foot measured by State Watermaster.

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:

__X__ Acceptable _____ Not Acceptable

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer the sale or lease of this right to the Idaho Water Resource Board.

NEW DEER CREEK RANCH, INC.

4/3/93 (Date)

By: Jay Sevy (Signature of applicant)
President

ACTION OF THE WATER RESOURCE BOARD

This is to certify that the Board has reviewed Application to Sell or Lease a Water Right No. _____

and said Application is hereby _____

Witness my hand this _____ day of _____, 19____

_____

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Prelim. check by _____

Watermaster recommendation requested on _____ rec'd. _____

Recommended for _____ approval _____ denial by _____

JAN 1 1 1994

Form 222
1-87

Page 1 of 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3931

RECEIVED
APR 20 1992
Department of Water Resources

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant Maxine Hazen Phone 788-4891

Post Office address P.O. Box 94, Bellevue, ID 83313

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
   ☒ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Water right to irrigate land not presently farmed and to augment flow through ponds covered under permit 37-8748

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
37-0005	3/10/1883	1.16	Irrigation	4/1 to 11/1
37-0005	3/10/1883	3.00	Wildlife	4/1 to 11/1
37-0005	3/10/1883	3.00	Recreation	4/1 to 11/1
				to

2. Total amount of water being transferred 3.00 cubic feet per second and/or _____ acre-feet per annum.

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

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	29	3N	18E	Blaine	Pump from River
		SE	SW	30	3N	18E	Blaine	Injection & Rediversion from Deer C

5. Lands irrigated or place of use: Permissible Place of Use, of which 58 ac. irr. per yr.

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	29										3	7						10
		30			13	10	30			23					1			5	82
		32						10	14										24
3N	18E	30									R,W			R,W	R,W	R,W	R,W	R,W	

JAN 11 1994

Total acres 116

Transfer No. 3931

PART 1

6. General Information:

a. Description of diversion system Pump in a sump in side channel of B.W. River, pipeline to 1st of 10 ponds on Deer Cr., injected, rediversion pump in same pond to irrigation system A or B (@ 58ac). Wildlife and Rec. uses in 10 ponds.

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

Dry land

d. Remarks:

System A place of use is described as: 5ac SW NE, 30ac NENW, 23 ac. SENW

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-00005

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

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 30th day of September, 19 92.

R. Wales Sexton

CHIEF, WATER ALLOC. BUREAU

JAN 11 1994

CONDITIONS OF APPROVAL
Transfer of Water Rights
No. 37-00005

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

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

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

5. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained at the point of diversion from the Big Wood River. Additionally, a measuring device shall be installed at the mouth of Deer Creek for the purpose of verifying the equivalent flow of water being returned from the recreational and wildlife ponds.

6. This right is limited to the irrigation of 58 acres in the place of use described herein in a single irrigation season.

7. The Director retains jurisdiction to require compensation for evaporation losses from the ponds if determined to be necessary.

Dated this 30th day of September, 1992.

L. Glenn Saxton
Chief, Water Alloc. Bureau

JAN 11 1994

Transfer No. 3931

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. 37-00005 Decreed to Henry W. Adams
   in case of Frost vs. Alturas Water Company
   dated Dec. 13, 1909 in 4th JD county of Lincoln
   b. License No. _____ issued by the Idaho Department of Water Resources.
   c. Claim No. A37-00005 on file with the Idaho Department of Water Resources.
   d. Transfer No. 41 which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
   ☐ Tax Notice ☑ Warranty Deed ☐ Other _____
3. Source of water Big Wood River tributary to Malad River
4. Date or priority Mar 10, 1883
5. Water is used for the following purpose:
   amount 3.0 cfs (cfs/ac-ft) for irrigation purposes from ~~3/15~~ 4/1 to 11/~~15~~ 1
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right 3.0 cfs cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	22	2N	18E	Blaine	No 44 Kohler Ditch
		SE	NE	26	2N	18E	Blaine	Rediversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	18E	25										7	Lt3 13						20
		26				2									38	2		13	55

JAN 11 1994

Total acres 75

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

 Transfer No. 3931

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. 37-00005 Decreed to Henry W. Adams
   in case of Frost vs. Alturas Water Company
   dated Dec 13, 1909 in 4th Dist. Court county of Lincoln
   b. License No. N/A issued by the Idaho Department of Water Resources.
   c. Claim No. N/A on file with the Idaho Department of Water Resources.
   d. Transfer No. 41 which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
   ☐ Tax Notice ☒ Warranty Deed ☐ Other
3. Source of water Big Wood River tributary to Malad River
4. Date or priority Mar 10, 1883
5. Water is used for the following purpose:
   amount 3.0 cfs (cfs/ac-ft) for irrigation purposes from 4/1 to 11/1
   amount (cfs/ac-ft) for purposes from to
   amount (cfs/ac-ft) for purposes from to
6. Total amount of water under right 3.0 cfs cubic feet per second and/or acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	22	2N	18E	Blaine	No. 44 Kohler Ditch
		SE	NE	26	2N	18E	Blaine	Rediversion

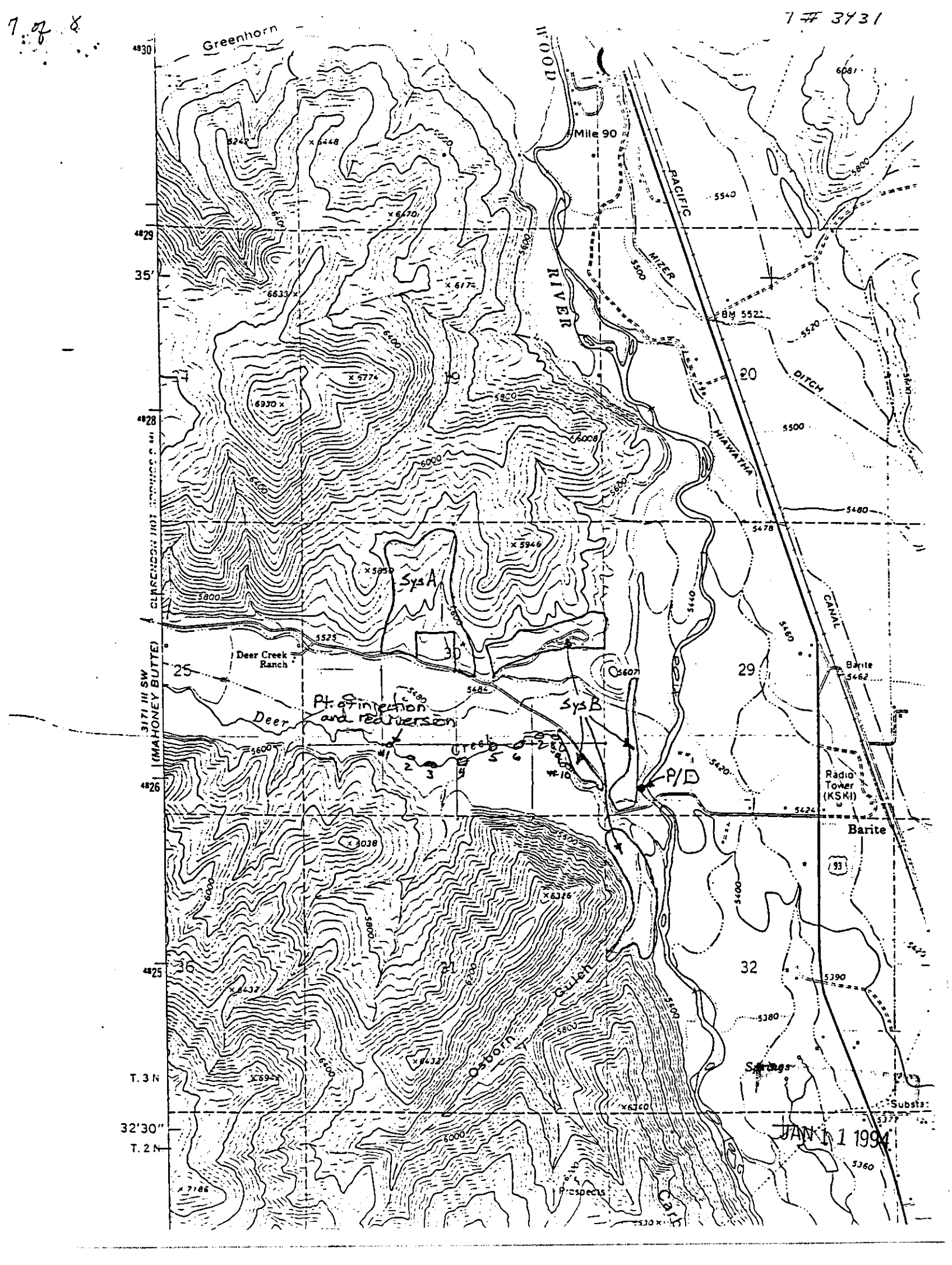
8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	18E	25											Lt3						-
		26													X			X	-
		36						Lt2											-

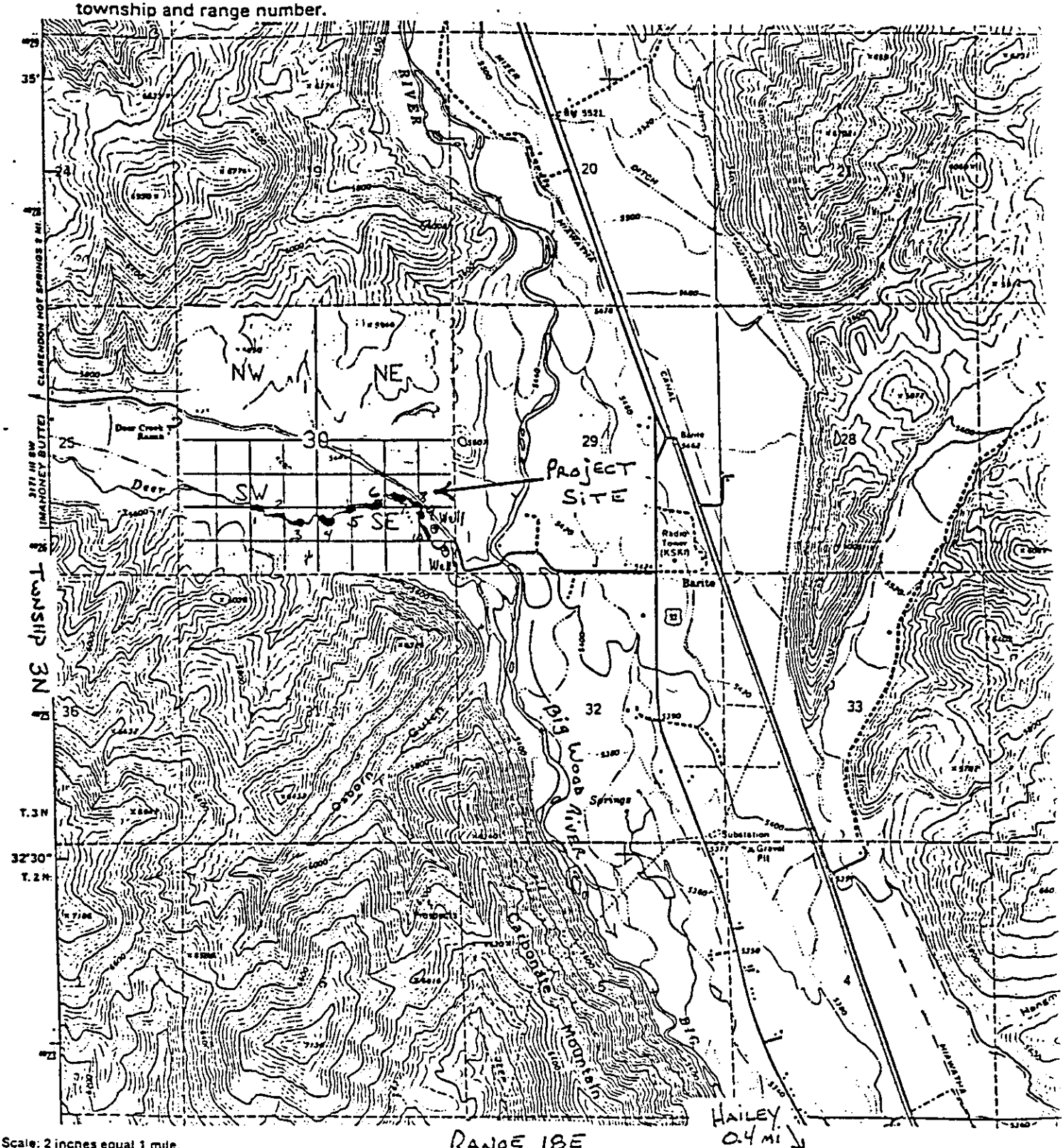
Total acres unspecified

RECEIVED JAN 11 1994

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


Greenhorn
Mile 90
RACIFIC
MIZER
RIVER
BM 5521
DITCH
HIAWATHA
CANAL
Sys A
Sys B
Deer Creek Ranch
Deer Creek
Pt. of intersection and reservoir
P/D
Radio Tower (KSKI)
Barite
Barite
Springs
Substa
Osborn Gulch
Prospects
Carl
CLARENDON HOT SPRINGS 9 mi
(MAHONEY BUTTE)
T. 3 N
T. 2 N
32'30"
35'
JAN 1 1 1994

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



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

New Deer Creek Ranch Inc. by
Jay L. Lee President
(Applicant)

JAN 1 1 1994

 Transfer No. 3931

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	Wildlife	3.0 cfs	24/215/yr	4/1 to 11/1
	Recreation	3.0 cfs	24/215/yr	4/1 to 11/1

2. Quantity and quality of return flows and location of discharge:
Up to 1.84 cfs returned to system as seepage and direct flows from Deer Ck to Big Wood R. system; quality unchanged.

3. Describe effects on other water uses resulting from the proposed change:
None.

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.

Maxine Hazen
(Signature of Applicant)

Subscribed and sworn to before me this 20th day of April, 19 92.

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/1992

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 9 attachments

Received by DE Stanton Date 11/7/91 (4/20/92) Protest filed by

Prelim. check by DL Fee $50 #043866

Receipted by ✓ Date 11/7/91

Published in Wood River Journal Copies of protest forwarded by

Pub. dates Hearing held by Date

Watermaster recommendation requested on 6/2/92 Recommended for ☐ approval ☐ denial

rec'd. 6/15/92 by

Copy of transfer sent to lien holder

JAN 11 1994

TRANS 3895

State of I ho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 5, 1993

SUSAN COHEN
EARL R COHEN
10919 SUN RAY PL
LA MESA CA 92041

RE: Transfer of Water Right No. 37-00833M

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3895). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

APR 0 9 1993

MEMORANDUM

TO: **File 37-00833M**

FROM: **Sharla**

DATE: **February 25, 1993**

RE: **Transfer Review (No. 3895)**

The above referenced transfer application proposes to change the point of diversion and place of use under a portion of right 37-00833J. The recently approved transfer #3932 was also for a portion of this right. Sufficient documentation was obtained to show that the right has been delivered and used.

A memo from Jim Stanton concerning this transfer indicates that water used under this part of the right has not been used since 1986 or 1987. In a phone conversation with Jim Speck on 2/24, Mr. Speck pointed out that while that may be the case, the property was purchased in 1990 and the transfer was filed in 1991. The transfer was filed in a timely enough manner to remove the issue of forfeiture. The property owner has been waiting for transfer approval to resume use of water.

The transfer can be approved with the following conditions:

T07 The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

T08 Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

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.

R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

R43 A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

R30 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands above.

APR 0 9 1993

All right holders entitled to use of water under portions of Right No. 37-00833 are required to maintain the Rockwell By-Pass from its entrance to its discharge into the Broadford Slough sufficient to provide free flowing conveyance for not less than 17.36 cfs during the irrigation season.

APR 0 9 1993

MEMORANDUM

DATE: 13-Jan-1993

FROM: Loren Holmes

TO: Transfer file 37-0833M, Cohen

Field investigation and watermaster records support a conclusion that this right is appurtenant to the Van Every lands described as original place of use.

No SRBA claim has been filed based on this right. Any approval prior to receipt of a claim should be conditioned to void the transfer if no claim is filed.

The Cove #33 diversion is upstream from the Rockwell Bypass reach where the water saving which creates this right occurs. The transfer proposes to move the diversion upstream to the Cramer #13 headgate, leapfrogging 24 existing diversions and dewatering this reach of the river by .08 cfs.

This reach is part of the place of use of permit 37-7919 and applications 37-8258 & 37-8307 for instream flows. Approval should be conditioned to make the right, as transferred, subject to permit 37-7919, and possibly, the two applications.

Right 37-0886 overlaps the Van Every lands. There is no evidence of actual use of 37-0886 on the lands, and the right is unclaimed. The database should be annotated to indicate that 37-0886 is not valid for these lands.

MICROFILMED

APR 0 9 1993

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: Cohen Transfer

FROM: Jim Stanton

DATE: 9-8-92

County Assessor records show that Ann Van Every owns Lots 7, 8, 9 of Block 72 in Bellevue. Records also show that a mobile home was put on Lot 8 in 1985 & on Lot 7 in 1989. The lots are now served by city water. Mrs. Van Every recently told me that the last use of river water on this property was in 1986 or 1987, so it looks like the 5 years of non-use allowed under 42-222 has been exceeded.

Rt. 37-0886 is also decreed to the Van Every property, but is not included in this transfer. Neither Van Every or Cohen has claimed any of this right in the SRBA. This right is for 2.0 cfs. Recorded parts add up to 1.82 cfs, but only 1.246 cfs is claimed in SRBA. Several of the claims are for way over 1"/acre. So I presume a good part of this right will be lost in the SRBA.

(X) For your information

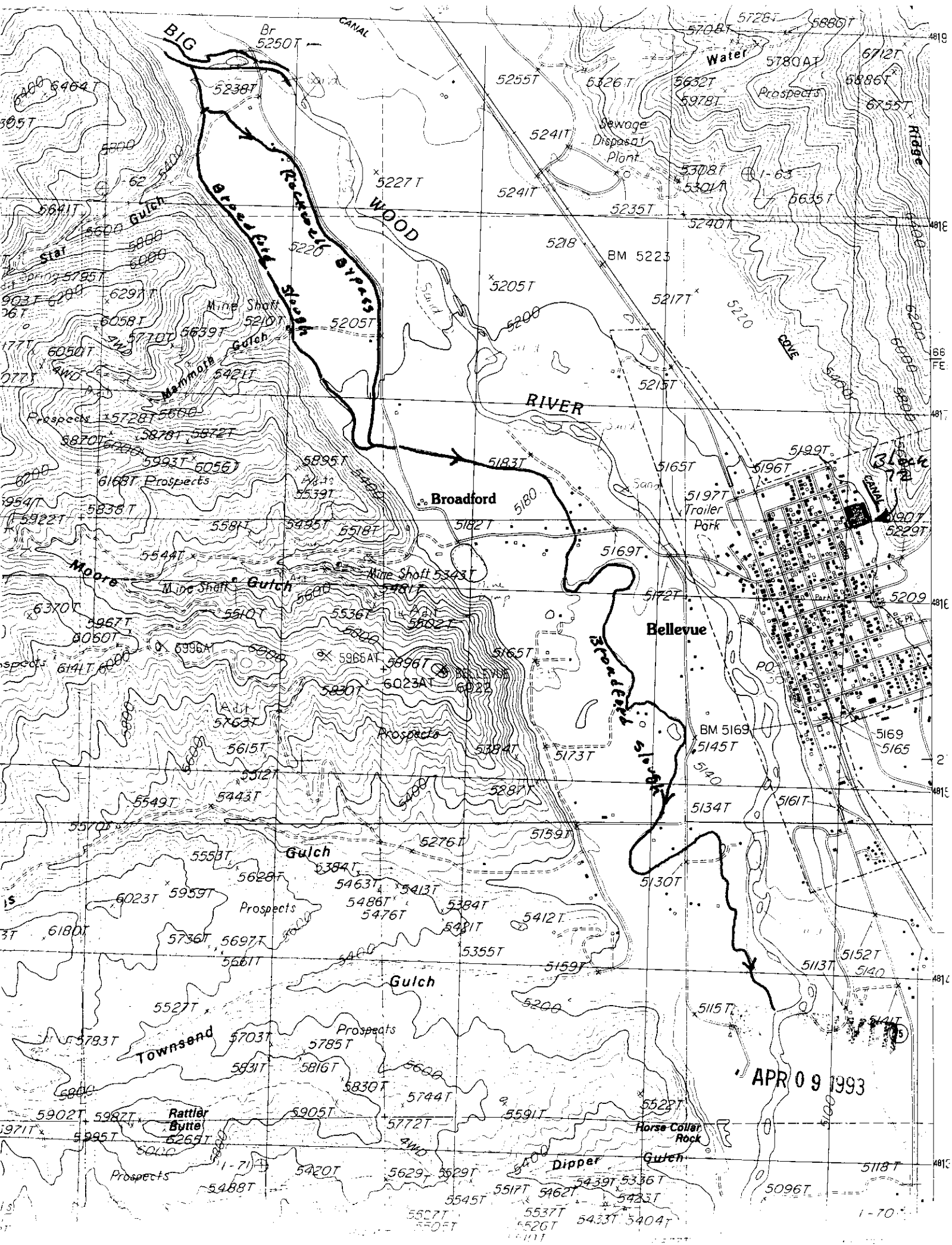
( ) Response required

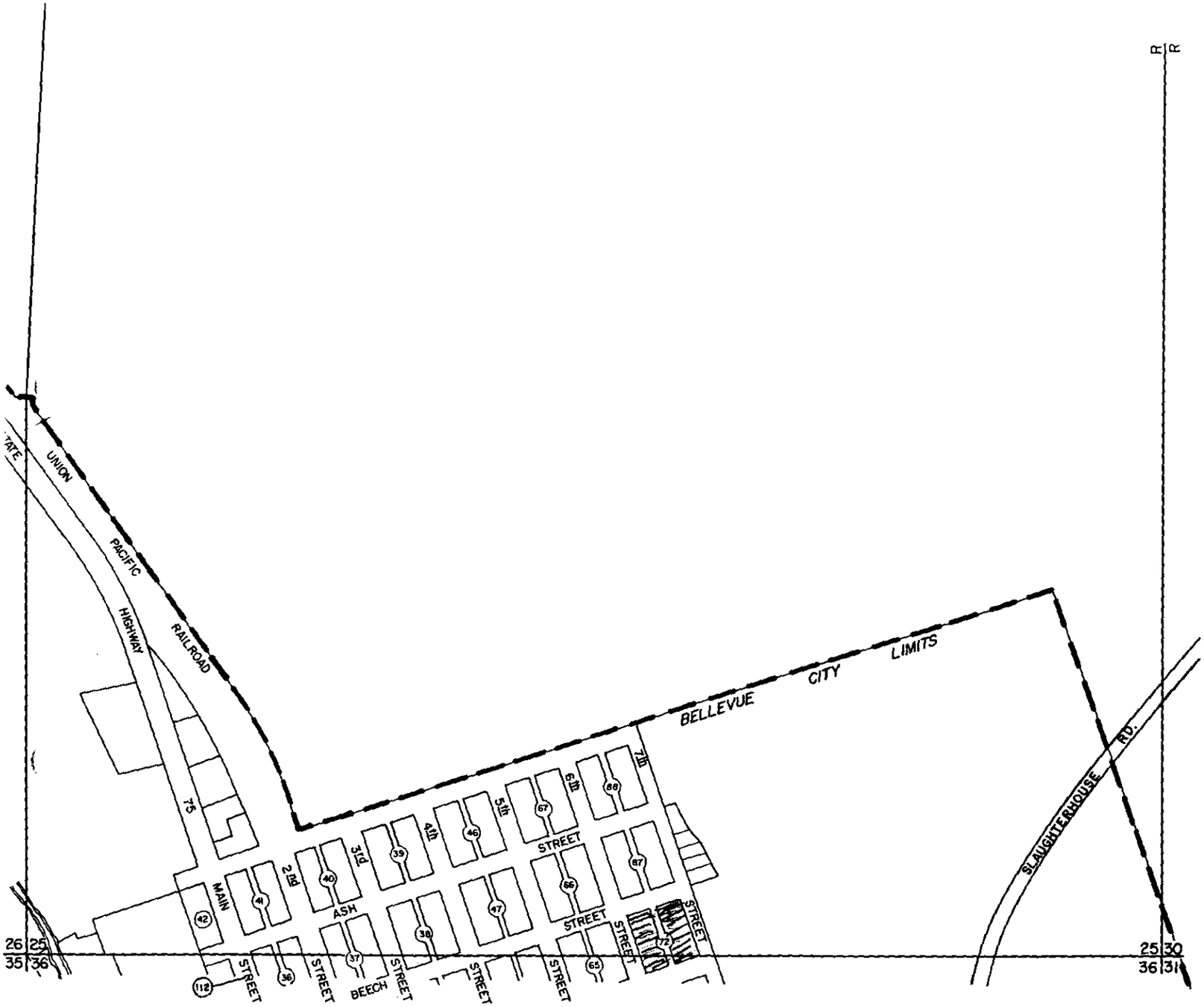
J S Stanton
signature

APR 09 1993

37-0833	WR RECORD	SRBA RECORD	WD 37 RECORD
	WR No. Owner Amount	Claim No. Claimant Amount	Diversion Owner Amount
37-0833 4.65cfs			
G → T2591	37-0833J Rockwell 1.66		
T1606 → A			
T1655 → C → T2588	37-0833K Valley Ranch .75	A37-00833K Blechmann .75	Mizer Ditch Blechmann .75
	37-0833H Cameron .54	A37-00833H Cameron .54	Glendale Canal Cameron .54
	37-0833D Anderson .2	A37-00833D Anderson .2	Don P4 Pump Anderson .2
B → T2462	37-0833E McHan .2	A37-00833D Bloomfield .2	Comstock Ditch Bloomfield .2
	37-0833F Stevenson 1.3	A37-00833F Stevenson 1.3	District Canal Stevenson 1.3
	total 4.65	A37-00833L Blechmann Tr. .333	
		A37-00833M Cook Trust .333	Kramer Ditch Blechmann 1.0
		A37-00833N Day Estate .333	
		A37-00833P Mckenzie .08	Cove Canal Mckenzie .08
Cohen Transfer result:			
37-0833J 1.66 → Cohen Transfer APP → L Rockwell 1.58			Cove Canal Van Every .08
→ M Cohen .08			Farnlum ditch Simpson .50
			total 4.65
		A37-00833B Chapman 1.66	
		Total 5.73	

APR 09 1993


BIG
Broadford Slough
Broadford Bypass
WOOD
RIVER
Broadford
Bellevue
Moore
Gulch
Townsend
Gulch
Dipper
Gulch
Rattler Butte
Horse Collar Rock
Mammoth Gulch
Star Gulch
Mine Shaft
Prospects
Sewage Disposal Plant
Trailer Park
Water
Ridge
COVE
CANAL
BM 5223
BM 5169
I-90
I-71
I-70
APR 09 1993



SEC. 25, T. 2 N., R. 18 E.

APR 0 9 1993

N

0 250 500

SCALE IN

2522 2500

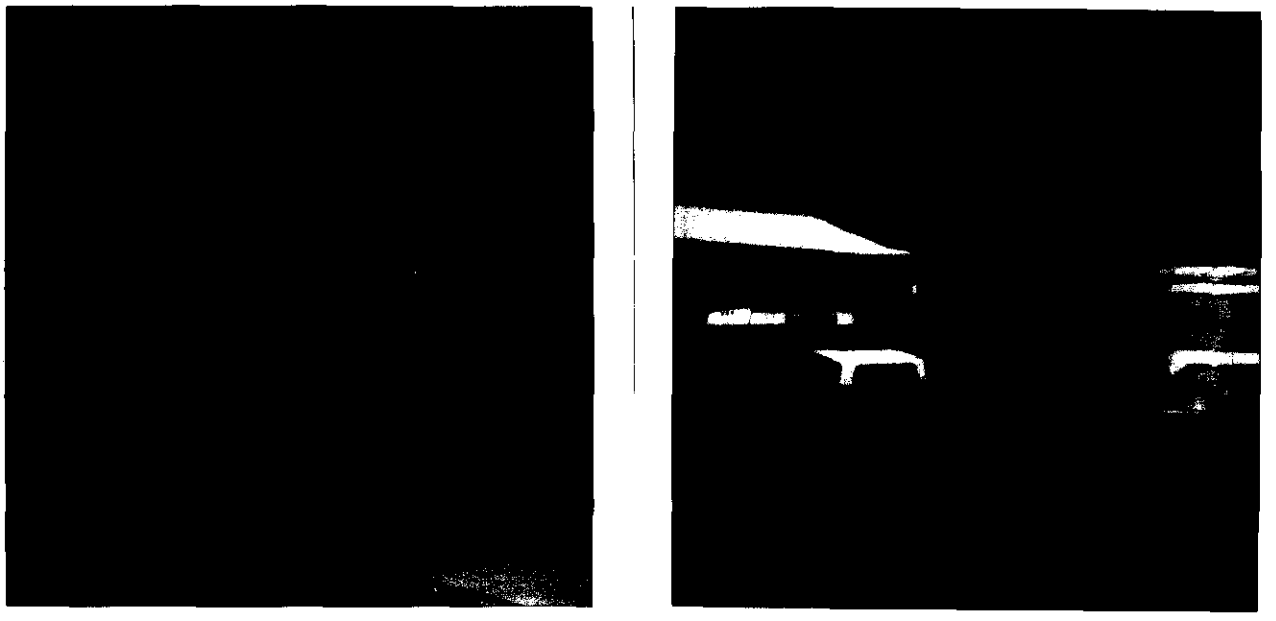
2523 Detail of Page

2507 250

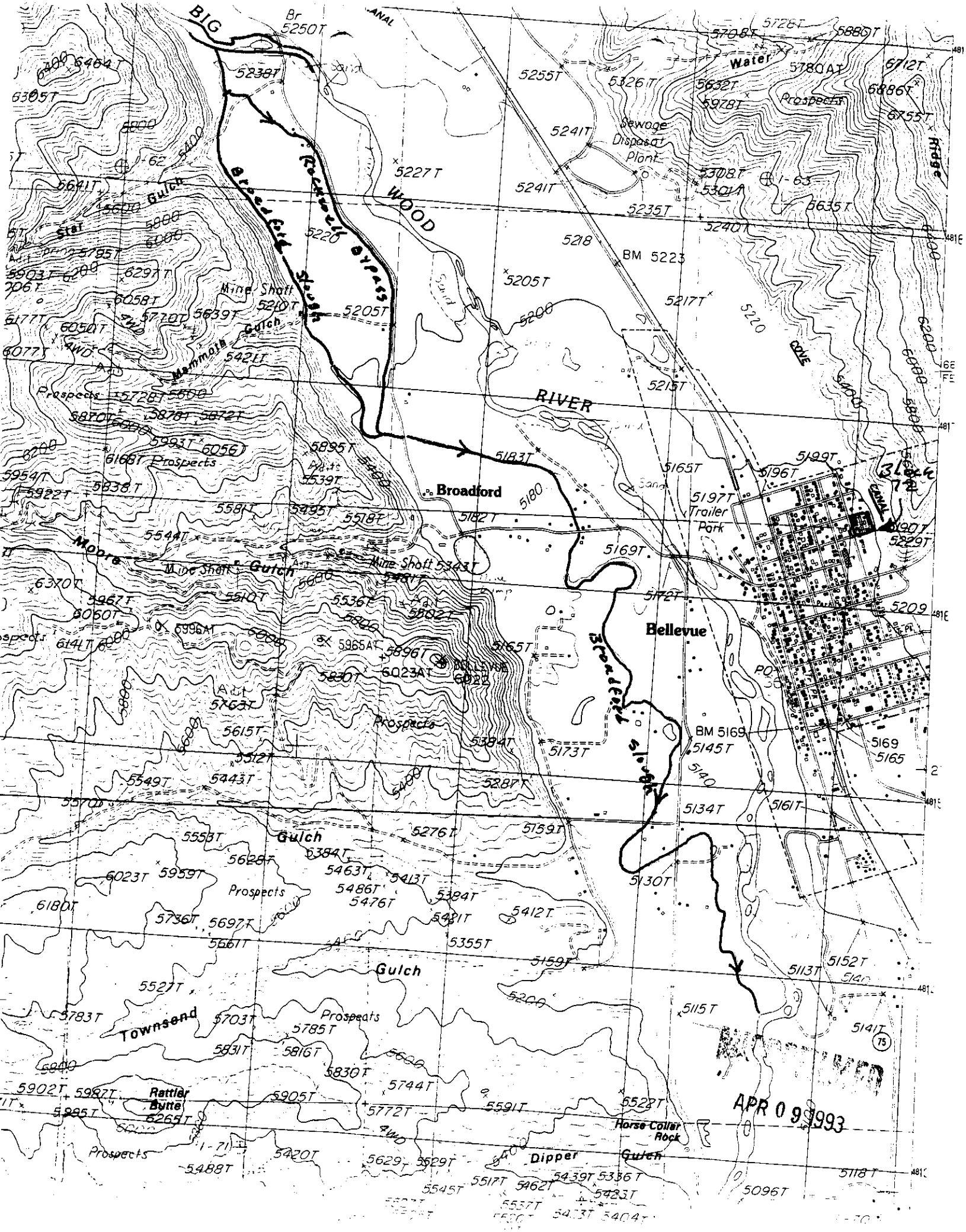
Edwards, Howar

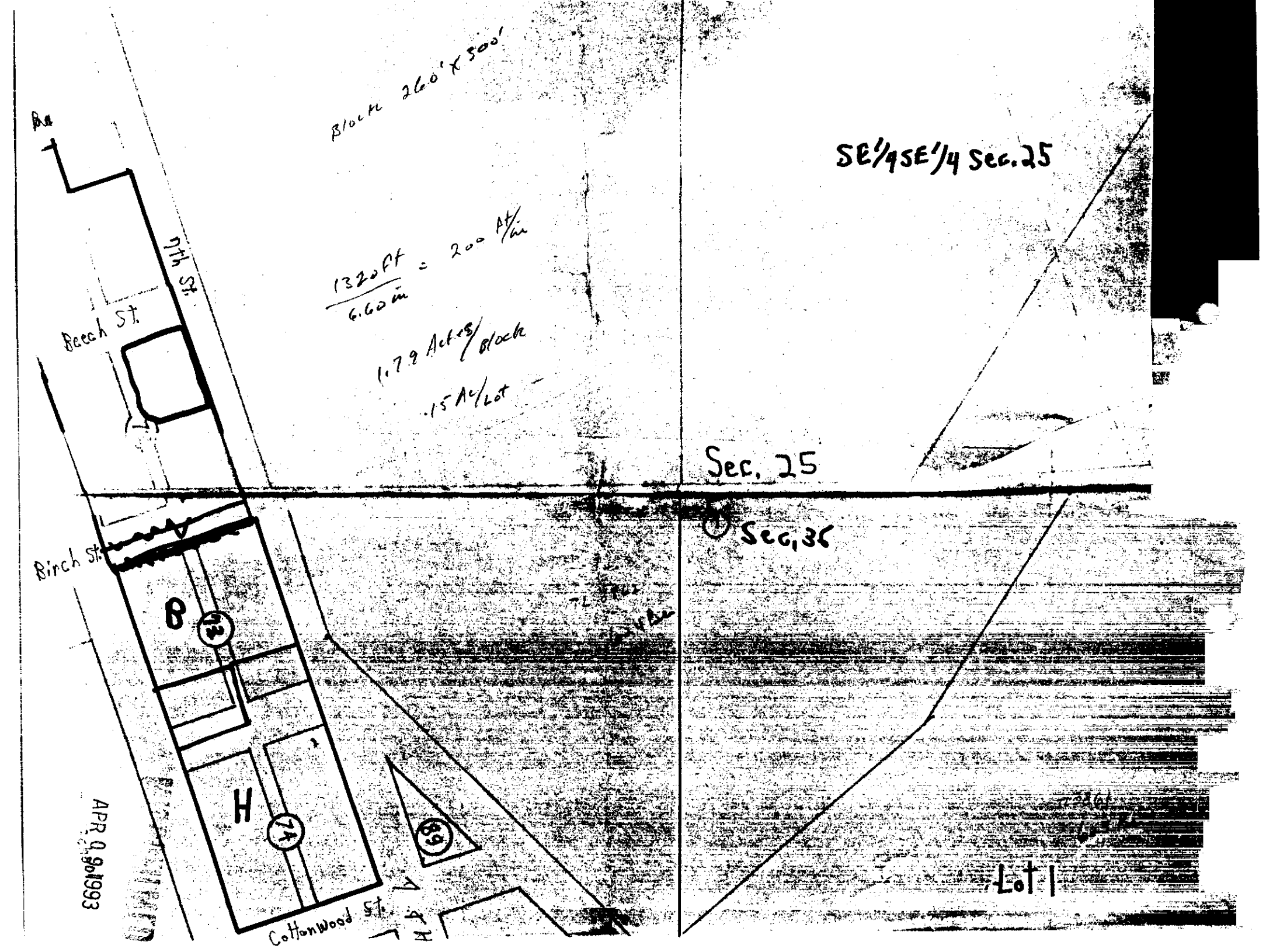
ENGINEERS / PLAN

Cohen Transfer



Original P/U In August 1992


BIG
Broadford Slough
Rockwell Bypass
WOOD
RIVER
Broadford
Bellevue
Moore
Gulch
Townsend
Gulch
Rattler Butte
Dipper Gulch
Horse Collar Rock
Mammoth Gulch
Star
Mine Shaft
Prospects
Sewage Disposal Plant
Trailer Park
Water
Ridge
COVE
CANAL
Block 72
BM 5223
BM 5169
APR 09 1993


Block 260' x 500'
SE1/4SE1/4 Sec. 25
1320 Ft / 6.60 in = 200 Ac/in
1.79 Acres/Block
.15 Ac/Lot
7th St.
Beech St.
Birch St.
Sec. 25
Sec. 36
B
H
74
89
Cottonwood St.
Lot 1
APR 0 9 1993

Cof

Form 222a
6/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cohen, Earl R / Susan

TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: K.J

1. Right number 37-00883 J Applicant _____
2. Type of right: ☑ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☑ Change point of diversion ☐ Add diversion point(s) ☑ Change place of use
   ☐ Other _____
4. Check:
   a. ☑ Source ☑ Priority ☐ Amount ☐ Purpose ☑ Period of use
   b. ☑ Description of original point of diversion.
   c. ☑ Description of original place of use.
5. Amount of land &/or water transferred:
   a. ☐ All of right.
   b. ☑ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
   c. ☑ Check description of point(s) of diversion.
   d. ☑ Check description of place of use.
   e. ☑ Check map (shows p.d. and p.u. after transfer).
   f. ☑ Check for correct signature, notarization, and fee.
   g. ☑ Check proof of ownership of right &/or land from which water is transferred.
   h. ☑ Check for expansion in use of right. Comments _____
   _____
   i. ☑ Check for existing water rights from same source, on land water is being transferred to.
   Right number(s) _____
   j. ☑ Is use within a Watermaster District? ☑ Yes ☐ No
   If yes, what district? 37.

FINAL PROCESSING REVIEW BY: KJ

1. Watermaster recommendation requested on 1/3/92 Received on 1/22/92
2. Is transfer published correctly? ☑ Yes ☐ No
3. Protest received? ☑ Yes ☐ No — Withdrawn 3/12/92

RECOMMENDED ACTION

1. ☑ Approve
2. ☐ Deny
3. Conditions* DS (37-Big Wood R), OCJ — See memo for Additional Conditions
4. By Karen O'Hanlon Date 1/13/93

** All uses within Watermaster Districts require special conditions.*

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

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

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

May 21, 1992

RECEIVED
MAY 2 2 1992
Department of Water Resources
Southern Region Office

Mr. Loren Holmes
Department of Water Resources
222 Shoshone Street
Twin Falls, Idaho 83301

Re: Application for Transfer of Water Right No. 37-0833M
Earl and Susan Cohen

Dear Loren:

This letter will confirm our telephone conversation of May 21, 1992 in response to your April 29, 1992 letter to me. My clients and I are aware Mr. Van Every did not file a claim in the Snake River Basin Adjudication for his portion of the above-referenced water right. As you have determined, this is actually a portion of water right no. 37-0833J which is still listed in the Department's records in the name of Irvin E. Rockwell, the original owner by decree. Although the ownership of Mr. Van Every's portion is supported by the Watermaster's records, the transfers from Mr. Rockwell to Mr. Van Every were not recorded with the Department. If assistance beyond the Watermaster's records in establishing Mr. Van Every's ownership of his portion of this right is required, please let me know as soon as possible.

My clients will file a claim in the Adjudication upon approval of this transfer reflecting the new point of diversion and place of use. On this representation, I understand the Department will proceed to review and process the transfer application without requiring Mr. Van Every to file a claim in the Adjudication.

RECEIVED
APR 0 9 1993

j\corres92\holmesl.002

Thank you very much for your continuing cooperation and assistance in these matters. Please do not hesitate to call me if you have any further questions.

Sincerely yours,

HOGUE, SPECK & AANESTAD

James P. Speck

JPS\dmk
cc: Mr. and Mrs. E. Cohen
Mr. D. Clemens

j\corres92\holmesl.002

APR 0 9 1993

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

29-Apr-1992

James P. Speck
P.O. Box 987
Ketchum, ID 83340

Re: Application for transfer 37-0833M, Earl Cohen

Dear Mr. Speck:

This office has completed advertising and preliminary review of this application.

On review, I find that the right has evidently not been claimed in the SRBA. A brief summary of the relationship between the water right records, SRBA claims and Watermaster records is attached.

Because failure to file a claim will eventually result in the right being extinguished in the adjudication, I cannot recommend approval of the transfer unless a claim is filed.

This office will continue to hold the application without action for thirty (30) days to allow time for the filing of a claim.

Sincerely,

Loren O. Holmes, P. E.
Southern Region Manager

cc: Gary Spackman

RECEIVED
APR 09 1993

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

13-Mar-1992

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

RE: Application for Transfer No. 37-00833 M (Cohen)

Dear Mr. Oneida:

This office acknowledges receipt of the withdrawal of your protest against the above referenced application.

Since you were the only protestant, the issue of the protest has been resolved and the Department is now prepared to proceed with the normal processing of the application which includes regional review prior to being forwarded to our State Office.

The Department will continue review of the application without further contact with you unless information is requested.

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

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

RECEIVED
APR 0 9 1993

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

13-Mar-1992

JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

RE: Protested Application for Transfer No. 37-00833 M (Cohen)

Dear Mr. Speck:

We have received a withdrawal of the protest filed by Big Wood Canal Company against approval of the above referenced application.

Since they were the only protestant, the issue of the protest has been resolved and the Department is now prepared to proceed with the normal processing of the application which includes regional review prior to being forwarded to our State Office.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

APR 0 9 1993

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

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

120 EAST AVENUE
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(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

March 11, 1992

RECEIVED
MAR 18 1992
Department of Water Resources
Southern Region Office

Mr. Dick Oneida
Big Wood Canal Company
Post Office Box C
Shoshone, ID 83352

Re: Application for Transfer (37-00833M)
Earl R. Cohen and/or Susan Cohen

Dear Dick:

This letter will confirm our telephone conversation of March 6, 1992. As I explained, my clients, Mr. and Mrs. Earl R. Cohen, have purchased four inches (4") of the proportion of water right No. 37-00833J owned by Edward Van Every. Mr. Van Every's ownership of the four inches has not previously been confirmed by a transfer recorded with the Department of Water Resources. This portion of the original water right (commonly known as a Rockwell Bypass Water Right) is designated in the Department's records as 37-00833J in the total amount of eighty-four inches (84"). This eighty-four inches has been unofficially split by unrecorded sales and transfers, such as the one wherein Mr. Van Every acquired his four inches.

My clients have purchased the entire four inches from Mr. Van Every and desire to transfer it to their property in the Gimlet area. It will be delivered through a headgate and lengthly ditch that also delivers Water Right No. 37-07836 totaling 10.0 cfs.

It is my understanding that based on these representations you will withdraw the protest filed on behalf of Big Wood Canal Company on January 22, 1992. Thank you once again for your continuing cooperation and assistance.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.

Jim

James P. Speck

cc: Mr. and Mrs. Earl R. Cohen
Mr. Loren Holmes

APR 09 1993

f:kpt\ltrs\jim\cohen.ltr

Big Wood Canal Company
112 S. Apple P.O. Box C
Shoshone, Idaho 83352
886-2331

RECEIVED
MAR 12 1992
Department of Water Resources
Southern Region

March 10, 1992

Director
Department of Water Resources
222 Shoshone St.
Twin Falls, Idaho 83303

RE: Application No. 37-00833
Earl R. Cohen &/or Susan Cohen

I would like to withdraw my protest against Application No. 37-00833.

Sincerely,

Richard M. Oneida
Manager

cc: Earl R. Cohen &/or Susan Cohen

RMO/mae

RECEIVED
APR 09 1993

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

11-Feb-1992

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

RE: APPLICATION FOR TRANSFER NO. 37-00833 M (Cohen)

Dear Mr. Speck:

Enclosed is a copy of a protest filed against the above referenced application filed on behalf of your clients, Earl & Susan Cohen.

The Department suggests you contact the protestant(s) directly to determine the exact nature of the protest(s) and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure(s)

APR 0 9 1993

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

11-Feb-1992

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

RE: APPLICATION FOR TRANSFER NO. 37-00833 M (Cohen)

Dear Mr. Oneida:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure(s)

RECEIVED
APR 0 9 1993

Big Wood Canal Company

112 S. Apple P.O. Box C
Shoshone, Idaho 83352
886-2331

RECEIVED
JAN 23 1992
Department of Water Resources
Southern Region Office

January 22, 1992

Director
Department of Water Resources
222 Shoshone St.
Twin Falls, Idaho 83303

RE: Application No. 37-00833M
Earl R. Cohen &/or Susan Cohen

I would like to protest Application No. 37-00833M on grounds this water is not a large enough amount to be equitably controlled or measured, which could be detrimental to the storage of irrigation water at Magic Reservoir.

Sincerely,

Richard M. Oneida
Manager

RMO/mae

APR 09 1993

RECEIVED
JAN 27 1992
Department of Water Resources
Southern Region Office

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 37-00833M

RECOMMENDATION OF WATERMASTER

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

A. I hereby endorse the above numbered Application for Transfer and recommend that the Director of the Department of Water Resources approve the transfer subject to the following conditions: That a control gate and a 1 Foot Cippolletti weir be installed with an access for the Watermaster or Deputy at this location. It is doubtful 4" of water will ever reach the proposed pond.

OR

B. I do not endorse approval of the above numbered Application for Transfer as requested for the following reasons: _____

Dated at _____, Idaho, this _____ day of _____ 19 ___.

Lee R. Peterson
(signature)

APR 0 9 1993

Please use reverse side if needed.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-00833M

Notice is hereby given that Earl R. Cohen &/or Susan Cohen, c/o James P. Speck, Esquire of Ketchum, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT AS RECORDED

Water right no. 37-00833J
Basis of right: Decreed to Irvin E. Rockwell in case of Rockwell vs. Coffin dated 8/25/1949 in Fourth District Court, Blaine County.
Source: Big Wood River tributary to Malad River
Priority Date: 11/12/1936
Amount of water: 1.66 cfs Use: irrigation
Point(s) of diversion: SW1/4NE1/4, S16, T2N, R18E (Cove Canal); NE1/4SW1/4, S8, T3N, R18E; (Headgate #13, Cramer Ditch); SW1/4SE1/4, S11, T4N, R17E (Headgate #6, Farnlum Ditch); Blaine County.
Place of use: Unspecified acres within NE1/4NE1/4, SW1/4NE1/4, SE1/4NE1/4, SE1/4NW1/4, NE1/4SW1/4, NE1/4SE1/4, NW1/4SE1/4, S32, T3N, R18E; NW1/4SW1/4, SW1/4SW1/4, SE1/4SW1/4, S33, T3N, R18E; Blaine County.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right no.: 37-00833J
Amount of water: 0.08 cfs
Point of diversion: SW1/4NE1/4, S16, T2N, R18E (Cove Canal); Blaine County.
Place of use: 1.2 acres within SW1/4SE1/4, S25, T2N, R18E; Blaine County, based on unrecorded change claimed by applicant.

WATER RIGHT NO. 37-00833M TO BE CHANGED AS FOLLOWS:

Water right No.: 37-00833M Period of Use: 4/1 to 11/1
Water Use: irrigation Amount: 0.08 cfs

Total amount being transferred: 0.08 cfs

Source: Big Wood River tributary to Malad River
Priority Date: 11/12/1936
Point of diversion: NW1/4SW1/4NW1/4, S32, T4N, R18E (Gimlet); Blaine County.
Place of use: 1.2 acres within SE1/4SE1/4, S31, T4N, R18E; Blaine County.

APPROVED
APR 0 9 1993

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before February 3, 1992.

R. Keith Higginson, Director

Published in Wood River Journal on 1/15 & 1/22/92.

RECEIVED
APR 0 9 1993

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

03-Jan-1992

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

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

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

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

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED
APR 0 9 1993

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

03-Jan-1992

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

Re: Application for Transfer No. 37-00833M (Cohen)

Dear Mr. Speck:

The Department of Water Resources acknowledges receipt of the Application for Transfer on behalf of Earl R. Cohen &/or Susan Cohen.

This office will be advertising the application in the Wood River Journal on 1/15 and 1/22/92. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

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

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

APR 0 9 1993

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

03-Jan-1992

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

Re: Application for Transfer of Water Right No. 37-00833M (Cohen)

Dear Mr. Peterson:

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

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

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

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

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

Enclosures

APR 0 9 1993

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

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

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HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

November 21, 1991

RECEIVED
NOV 25 1991
Department of Water Resources
Southern Region Office

Mr. Loren Holmes
Department of Water Resources
222 Shoshone Street
Twin Falls, Idaho 83301

Re: Earl R. Cohen and or Susan Cohen
Application for Transfer of Water Right
No. 37-00833 J

Dear Loren:

Enclosed you will find an application for transfer of a portion of the above-referenced water right to a point of diversion and place of use located on lands owned by my clients, Mr. and Mrs. Earl R. Cohen, in the Gimlet No. 9 subdivision south of Ketchum, Idaho. Also enclosed is our check payable to the Department for $30.00 as the required filing fee and a copy of the special power of attorney executed by Mr. Cohen naming me as his attorney in fact. After you have had an opportunity to review the enclosed application, please call me if you have any questions. Kindly advise as to when the application will be advertised.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD

James P. Speck

JPS\dmk
Enclosures
cc: Mr. and Mrs. Earl R. Cohen (w/encls.)
Dr. Charles Brockway (w/encls.)
Mr. Doug Clemens (w/encls.)

APR 09 1993

j\corres91\holmesl.003

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

James P. Speck
P. O. Box 987
Ketchum, ID
83340

November 26, 1991

RE: Application for Transfer of Water Right, Earl Cohen

Dear Jim;

Per our conversation of earlier today, I have made certain changes on Part 2 of the Cohen transfer. Enclosed is a copy of the changes for your file. The overall intent of the transfer is not affected by these changes.

Sincerely,

Jim
James E. Stanton
Sr. Water Resource Agent

APR 09 1993

TRANS 3932

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 23, 1992

NEW DEER CREEK RANCH INC
PO BOX 187
HAILEY ID 83333-0187

RE: Transfer of Water Right No. 37-00833J

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3932). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

MICROFILMED

APR 09

MEMORANDUM

TO: **File 37-00833P**

FROM: **Sharla**

DATE: **December 14, 1992**

RE: **Transfer Review (No. 3932)**

The above referenced transfer application proposes to change the point of diversion and place of use under this right.

Advertising was completed correctly. Initial review of this application raised questions as to possible forfeiture of the right since it was impossible to determine where (and if) water had been delivered in the past. Mr. Blechmann's subsequent submittal of additional information to Jim Johnson and Jim's conversations with the watermater, Lee Peterson, led to the determination that there is sufficient proof that water has been delivered under the right. The transfer can be approved with the following conditions:

T07 The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

T08 Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

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.

R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

R43 A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

R30 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands above.

All right holders entitled to use of water under portions of Right No. 37-00833 are required to maintain the Rockwell By-Pass from its entrance to its discharge into the Broadford Slough sufficient to provide freeway for not less than 17.36 cfs during the irrigation season.

MICROFILMED

APR 0 9 1993

RECEIVED
NOV 2 5 1992
Department of Water Resources

F. H. Blechmann
P. O. Box 184
Sun Valley, Idaho 83353

Nov. 24 '92

Mr. Jim Johnson
% Department of Water Resources
1301 North Orchard St, State House Mail
Boise, Idaho 83720-9000

Dear Jim:—

I was very pleased to speak to you over the phone yesterday. Enclosed please find all the papers you wanted. If you still want or need more please let me know. I try to oblige.

My partner Syd Cook will forward to you also copies of papers regarding water rights.

MICROFILMED
APR 09 1993

Sincerely
F.H. Blechmann
(Fredrick)

FREDERICK H. BLECHMANN
Post Office Box 184
Sun Valley, Idaho 83353

January 6, 1992

Mr. J. Stephen Crabtree
Attorney at Law
Post Office Box 987
Ketchum, Idaho 83340

Dear Mr. Crabtree:

After several weeks of searching for some special records regarding grazing on the Mendiola Ranch, I have been successful.

11/09/81	B/L Ranch	$500.00
09/29/82	Ramsey-Anderson	$900.00
06/21/83	Ramsey-Anderson	$600.00
07/30/84	Ramsey-Anderson	$700.00

Also in the 1980's in early spring, I had Gary J. Hibbard, as far as I recall, put some cattle on my land in for only a couple years.

I also did let V. K. Jeppesen place some cattle on the ranch for grazing in the 80's. Still others may have placed cattle on my land also.

During ownership of the ranch, I grew and planted seedling trees on a few acres which I later transplanted where I am living now. Water for growing the seedlings came from the Mizer and Cramer ditches.

For a number of years the owners of the Mizer Ranch raised hay, the water of which did run through my property before it got to the Mizer Ranch and it was mostly Rockwell bypass water, or all Rockwell bypass water.

Mentioning the original bypass water ditch, located between Hailey and Bellevue close to the Wood River, a good number of times when the beavers felled trees over the ditch, Reid Newby and I got the process going to have tractors remove them. In those years I was the paymaster collecting the dues and monies to get the ditch flowing that was not cheap on labor or money.

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At this time of life I am an Octogenarian and was an immigrant from Germany. I came to Sun Valley the year Averel Harriman opened the fabulous ski resort in 1937, and he asked me to work for the Union Pacific here in Sun Valley. The only time I left Sun Valley was when I was called upon to fight a war in the South Pacific for over four years. By nature I am a frugal person and when it comes to Wood River water I used it only when the need was there so that the next water rights owner had some left for him to use cautiously also.

Since an official of the Idaho Department of Water Resources is thinking of forfeiture of my 50 inches of Rock Well bypass water, I am very much aghast and struck with sudden astonishment. So would my two partners.

I have been the local guy in charge of protecting the water rights for all of us and I thought I did a conscientious job all the time. We all know in the Wood River Valley about the last three or four years when it came to the developers trying to buy nearly each square foot of land between Sun Valley and Hailey. The land I had there could not be rented out for grazing, to grow hay on, or to grow small trees. It was impossible to find a renter. I left the precious water in the river to fill Magic Reservoir up for agricultural use south of there.

Now for not having wasted this water for the last three or four years, does the Idaho Department of Water Resources still recommend the forfeiture of our 50 inches of Rockwell bypass water?

As you have read in the foregoing pages, I have used all irrigation water wisely for the many years. We own the water rights and I never ever missed paying for my water rights each year.

Sincerely yours,

Frederick H. Blechmann

FHB/jn

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APR 09 1993

(X) I AM REFERING TO A WATER OFFICIAL OUT OF TOWN, IN THE SUMMER OF 1990 WHO SAID MY WATER WAS NOT USED. AT THAT TIME WORK FOR A GOLF COURSE WAS STARTED. WHY WAS I NOT APPROACHED BY THIS GENTLEMAN TO FARM IT. PROBABLY THE WATER WAS RENTED OUT.

(X) READ ALSO MR. OTT'S DISCUSSION

NOV-13-92 FRI 14:48 BIG WOOD CANAL/AFRD #2 2088862331 P.01

APRIL 1992

DIVISION OF ROCKWELL BY PASS WATER

HAS TO BE 17" CFS SAVES 232 1/2" OF WATER IF THE BY PASS IS NOT IN USE WATER IS NO GOOD
NO PRIORITY CUT GOOD ALL SEASON 37-0833

PRESENT OWNER	CANAL NAME	CANAL NO.	PRIORITY NO.	INCHES	CFS
WOOD RIVER COUNTRY CLUB	MIZER	20	Y-1	37.5	.75
FREDERICK BLECHMANN	CRAMER	13	Y-2	50.0	.99
PATRICK SIMPSON	FARNLUM	6	Y-3	25.0	.50
EDWARD CAMERON	GLENDALE	50	Y-4	27.0	.54
EARL CHOEN	GIMLET	9	Y-5	4.0	.08
JAMES L FIGGE	COVE	33	Y-6	4.0	.08
JOHN STEVENSON	DISTRICT	45	Y-7	65.0	1.30
DON ANDERSON	DON	P-13	Y-8	10.0	.20
ROBERT BLOOMFIELD	COMSTOCK	10	Y-9	10.0	.20
				232.5	

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WATER RESOURCES

This is a record from the watermaster of Water District 37 showing ownership of right 37-0833.

Jim J.
12-2-92

TOTAL CFS
.75
1.74
2.24
2.78
2.86
2.94
4.24
4.44
4.64
4.64

APR 0 9 1993

Book 148 Page 348

No. 86724

WARRANTY DEED

H. A. BEHRENS ET UX. TO J. S. FELDHUSEN ET UX.

THIS INDENTURE, Made this 25th day of February, in the year of our Lord one thousand nine hundred and forty-four, between H. A. BEHRENS and GRACE G. BEHRENS, husband and wife on and continuously since October 10, 1942, Wayne, County of Cook, State of Illinois, the parties of the first part, and J. FELDHUSEN and GLADYS FELDHUSEN, husband and wife, of Twin Falls, County of Twin Falls, State of Idaho, the parties of the second part, WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of Fifteen Thousand and no/100 ($15,000.00) Dollars lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate situated in Blaine County, State of Idaho, to-wit:

H.E.S. #127, embracing a portion of the unsurveyed public domain, Idaho, more particularly described as follows: Beginning at Cor. #1, from which the standard corner of Sections 35 and 36 in Twp. 5 N. R. 17 E.B.M. bears S. 22' E. 111.24 chains distant; thence N. 29° 37' W. 46.67 chains to Cor. #2; thence N. 55° 13' E. 15.08 chains to Cor. #3; thence N. 13° 38' W. 19.97 chains to Cor. #4; thence N. 55° 9' E. 19.84 chains to Cor. #5; thence S. 11° 24' E. 55 chains to Cor. #6; thence S. 24° 16' W. 28.61 chains to Cor. #1, the place of beginning, containing 144.26 acres, more or less, as described in the United States Patent.

H.E.S. #128, being in Sections 23 and 26, Twp. 5 N. R. 17 E.B.M. and specifically described as follows: Beginning at Cor. #1, from which the standard corners of Sec. 35 and 36 Twp. 5 N. R. 17 E.B.M., bears S. 10° 36' E. 151.53 chains distant; thence N. 13° 54' W. 39.03 chains to Cor. #2; thence N. 39° 43' W. 20.77 chains to Cor. #3; thence N. 54° 31' E. 23.81 chains to Cor. #4; thence S. 34°49' E. 24.84 chains

to Cor. #5; thence N. 55° 17' E. 16.44 chains to Cor. #6; thence S. 14° 21' E. 14.9 chains to Cor. #7; thence S. 55° 9' W. 19.84 chains to Cor. #8; thence S. 13° 38' E. 19.97 chains to Cor. #9; thence S. 55° 13' W. 20.11 chains to Cor. #1, the place of beginning, containing 150.05 acres, more or less. Description taken from Patent recorded in Blaine County, Idaho, Book 99 of Patents, at Page 413.

H.E.S. #129, lying over and across Secs. 14, 15, and 23, Twp. 5 N. R. 17 E.B.M., and more particularly described as follows: Beginning at Cor. #1, from which U.S. Location Monument No. 123 bears N. 25° 52' W. 74.59 chains distant; thence S. 30° 17' E. 86.27 chains to Cor. #2; thence N. 54° 31' E. 23.81 chains to Cor. #3; thence N. 36° 47' W. 78.43 chains to Cor. #4; thence S. 82° 19' W. 16.03 chains to Cor. #1; the place of beginning, containing 157.19 acres, more or less. Description taken from Patent on record in Blaine County, Idaho, in Book 62 of Patents, on page 633.

H.E.S. #329, embracing a portion of Sec. 14, Twp. 5 N. R. 17 E.B.M. and more particularly described as follows: Beginning at Cor. #1, from which U. S. Location Monument No. 123 bears N. 36°37' W., 80.93 chains distant; thence N. 57° 16' E. 74.8 chains to Cor. #2; thence S. 37° 3' E. 9.96 chains to Cor. #3; thence S. 54° 58' W. 29.93 chains to Cor. #4; thence S. 18° 38' W. 54.37 chains to Cor. #5; thencx N. 36° 47' W. 45.80 chains to Cor. #1, the place of beginning; containing 157.31 acres, more or less. Description taken from Patent recorded in Blaine County, Idaho, in Book 99 of Patents, page 433.

Including 4.6 second feet of the waters of Eagle Creek as shown by that certain decree recorded in Blaine County Records in Book 9 of Judgments, Page 501; and

140 miners' inches of the waters of Big Wood River, being a portion of what is known as the Upper By-Pass (developed) water, a part thereof having originally been decreed to the Mutual Wood River Water Users' Association and a part thereof to the Big Wood River Canal Company in the District Court of the Fourth Judicial District of the State of Idaho in and for Lincoln County, in the case entitled Upper Big Wood River Water Users' Association and others versus S. H. Chapman, Watermaster, decree wherein was made and entered August 28, 1922, and appearing of record in Book 5 of Judgments at page 292 in the records of said Lincoln County, a copy of which decree appears of record in Book 11 of Judgments at page 230 in

APR 09 1993

of said Lincoln County, a copy of which decree appears of record in Book 11 of Judgments at page 230 in the records of Blaine County, Idaho,

TOGETHER with a proportionate interest, that is to say 140/900ths, in that certain ditch or canal, known as the By-Pass, sometimes designated as Canal No. 55, diverting water from Big Wood River in Blaine County, Idaho, at a point in the SE¼ of the SW¼ of Section 13, Township 1 North, Range 18, East Boise Meridian, in Blaine County, State of Idaho, and said water right having been decreed to be appurtenant to the lands hereinabove described under and by virtue of a certain decree dated September 21, 1943, entered in the District Court of the Fourth Judicial District of the State of Idaho in and for Blaine County, in the case entitled H. A. Behrens and Grace G. Behrens, husband and wife, plaintiffs, vs. Mans H. Coffin, Watermaster, defendant, and appearing of record in Book 11 of Judgments, page 475, records of Blaine County, Idaho; And any other water or water rights, ditch or ditch rights thereunto appertaining.

Given subject to roads, rights-of-way or easements heretofore taken or established or dedicated to the public use.

($16.50 I. R. S.)
(AFFIXED AND)
(CANCELLED)

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceful possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs and against all and every person and persons whomsoever lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

H. A. Behrens (Seal)

Grace G. Behrens (Seal)

STATE OF ILLINOIS,)
) ss.
County of Cook.)

On this 25th day of February, in the year 1944, before me, the undersigned, a Notary Public in and for said State and County, personally appeared H. A. Behrens and Grace G. Behrens, husband and wife on and continuously since October 10, 1942, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(Seal)

C. de Latour
Notary Public for Illinois,
Residence: Chicago, Illinois.
My Commission expires: April 7, 1947

Filed for record at the request of John S. Feldhusen at 11:50 A. M., March 27, 1944.

B. P. Thamm, Ex-Officio Recorder.

No. 86734 CORRECTION DEED

HATTIE V. DARRAH ET MAR. to H. A. BEHRENS ET UX.

To Whom It May Concern:

I have served as the Deputy Watermaster for District 37 in the Big Wood River during the period 1978 through 1991during which time I was responsible for delivery of water under permits, licenses and decrees effective on the Big Wood River and tributaries above Magic Reservoir.

During those years, I delivered irrigation water to the Cramer #13 headgate diverting from East Fork and the Mizer #20 headgate diverting from the Big Wood River at the request of Mr. Fred Blechman under water right 37-00833 which is part of the Rockwell Bypass water right. Those requested and delivered diversions are recorded in the Watermaster records of District 37 in Shoshone, Idaho.

On several occasions, I observed water flowing in the Cramer ditch through the Heatherlands Subdivision, across Ohio Gulch Road and onto pasture south of the road. I particularly remember this water being delivered when Mr. Ramsey was renting the pasture from Fred Blechman.

There were some problems with the Cramer ditch due to rock slides during 1984 or 1985 and water may not have been delivered during those years.

During the 1990 and 1991 irrigation seasons , I transferred water from Mr. Blechman under the 50 inch Rockwell right which he, Mr. Cook, and Hollis Day own. During these periods, water was very low in the East Fork of the Big Wood River and the Rockwell water could not be delivered through the Cramer ditch to reach the Blechman property. Mr. Blechman agreed to allow the transfer of the 50 inches downstream to the District 45 diversion and utilized on District 45 lands for irrigation.

Otis Disbennett Jr.

Otis Disbennett Jr.

Date 2-22-93

APR 09 1993

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances and that they will warrant and [illegible]

Dated: December 9, 1963.

John S. Feldhusen

Gladys L. Feldhusen

STATE OF IDAHO, COUNTY OF BLAINE.

On this 13 day of Dec., 1963, before me, a notary public in and for said State, personally appeared JOHN S. FELDHUSEN and GLADYS L. FELDHUSEN, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

(SEAL)

R. H. McCoy
Notary Public
Residing at Hailey, Idaho
Comm. Expires March 31, 1967.

Filed for record at the request of R. H. McCoy Agency at 1:15 o'clock P. M., December 16, 1963.

George F. McCoy, Ex-Officio Recorder

By Goldie Ellinger, Deputy

No. 119706 WARRANTY DEED

FAY J. FRAHM ET UX TO HAROLD FILLMORE ET UX ET AL

For Value Received FAY J. FRAHM and VIVIAN G. FRAHM, husband and wife, Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto HAROLD FILLMORE and LILLIAN FILLMORE, husband and wife and ARLIE WHITE and BERTHA WHITE, husband and wife, Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lot twenty-five (25) in Section one (1) Township Two (2) South, Range Seventeen (17) E. B. M., Blaine County, Idaho

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 incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: - - -

Fay J. Frahm

Vivian G. Frahm

STATE OF IDAHO, COUNTY OF TWIN FALLS

On this - - day of November, 1963, before me, a notary public in and for said State, personally appeared Fay J. Frahm and Vivian G. Frahm, husband and wife, known to me to be the persons whose names - - subscribed to the within instrument, and acknowledged to me that they executed the same.

(SEAL)

Reuben D. McKinney
Notary Public
Residing at Kimberly, Idaho

Filed for record at the request of Harold Fillmore at 11:45 o'clock A. M., December 17, 1963.

George F. McCoy, Ex-Officio Recorder

By Hazel Barber, Deputy

APR 09 1993

WARRANTY DEED

For Value Received **JOHN S. FELDHUSEN** and GLADYS L. FELDHUSEN, husband and wife,

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto FREDERICK H. BLECHMANN and CLARICE E. BLECHMANN, husband and wife, Box 184, Sun Valley, Idaho 83353,

Hereinafter called the grantee, the following described water and water rights situate in Blaine County, Idaho, to-wit:

> Thirty-seven and one-half (37.5) Miners' Inches of waters of Big Wood River as decreed to I. E. Rockwell in the case of Irvin E. Rockwell vs. Mans Coffin which Decree is dated August 25, 1949, and is recorded in Book 12 of Judgments, Page 115, Office of the County Recorder, Blaine County, State of Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's, their heirs and assigns forever. And the said 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 incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 12th, 1979.

John S. Feldhusen

Gladys L. Feldhusen

STATE OF IDAHO, COUNTY OF TWIN FALLS.

On this 12th day of June, 1979, before me, a notary public in and for said State, personally appeared JOHN S. FELDHUSEN and GLADYS L. FELDHUSEN, husband and wife,

known to me to be the person s whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

NOTARY PUBLIC IDAHO

Notary Public

Residing at Twin Falls, Idaho

Comm. Expires Life Notary

STATE OF IDAHO, COUNTY OF Blaine

I hereby certify that this instrument was filed for record at the request of Frederick H. Blechmann

at 10 minutes past 4:00 o'clock P. m., this 21 day of June, 1979 in my office, and duly recorded in Book of Deeds at page

MARIE MC LEA

Ex-Officio Recorder

By Deputy Lee Deputy.

Fees $1.00

Mail to:

ENTERED ON MASTER INDEX

INDEXED TO GRANTOR AND PARTY CHECKED

APR 09 1993

INSTRUMENT No. 194662

THIS BLANK FURNISHED BY FIRST AMERICAN TITLE

COPY

QUITCLAIM DEED

For Value Received The Frederick H. Blechmann Trust dated April 15, 1986, The Sydney B. Cook Revocable Trust, and The Estate of Hollis Day

do hereby convey, release, remise and forever quit claim unto

New Deer Creek Ranch Corporation

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

Fifty (50) miners inches of the waters of BIG WOOD RIVER being fifty (50) miners inches of water taken from that certain water right of 4.65 cubic feet per second of time or 232.50 miners inches of the waters of Big Wood River decreed to Irwin E. Rockwell as described in the Findings of Fact and Conclusions of Law and the Decree made and entered on the 25th day of August, 1949, in an action in the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Blaine, wherein the said Irwin E. Rockwell was plaintiff and Mans H. Coffin, Watermaster, was defendant, which said Findings of Fact and Conclusions of Law were recorded in the office of the County Recorder of the County of Blaine, State of Idaho, on the 13th day of September, 1949, in Book 12 of Judgments, at Page 111, and which said Decree was recorded in the office of the County Recorder of the county of Blaine, State of Idaho, on the 13th of September, 1949, in Book 12 of Judgments at Page 115, all subject to the obligations to maintain the by-pass as in said Findings of Fact, Conclusions of Law and Decree prescribed and provided. (The By-pass herein referred to is the Rockwell By-Pass Canal.)

together with their appurtenances.

Dated:

THE FREDERICK H. BLECHMANN TRUST

By Frederick H. Blechmann, Trustee

THE SYDNEY B. COOK REVOCABLE TRUST

By Sydney B. Cook, Trustee

THE ESTATE OF HOLLIS DAY

By Uwarda D. Day, Co-Executor

By Earl D. Mann, Co-Executor

STATE OF **COUNTY OF**

On this day of , 19 , before me, a notary public in and for said State, personally appeared

known or identified to me to be the person who name is subscribed to the within instrument and acknowledged to me that he executed the same.

Notary Public

Residing at

Commission Expires:

APR 09 1993

EXHIBIT A

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 12, 1992

RE: Application for Transfer of Water Right No. 37-00833 (part) in the name of New Deer Creek Ranch, Inc.

Lee Peterson
Water District #37
PO Box T
Shoshone, ID 83352

In follow-up to your telephone conversation with Jim Johnson a few days ago, enclosed is a copy of New Deer Creek Ranch's transfer application.

As he discussed with you, we have some concerns regarding the delivery and use of water under this remaining portion of the Rockwell Bypass decreed right. I have enclosed a summary sheet which shows previously approved transfers and the remaining portion (part J) which is proposed for another split by New Deer Creek Ranch. According to the information available to us, this right is appurtenant to lands within Sections 32 and 33, Twp 3N, Rge 18E. Three Snake River Basin Adjudication claims which were filed on this portion, however, claimed an "unrecorded transfer" to Section 20.

For our own education and for purposes of reviewing the transfer application for approval, we now seek your assistance. It appears that the right is currently held by Mr. Blechmann. If you could provide a detailed record of delivery under this right, complete with names to show the chain of ownership from Mr. Rockwell to Mr. Blechmann, it would be very much appreciated. Any information you have concerning the lands irrigated by this water delivery is also essential. Information from our file shows delivery of this right through the Mizer and/or Cramer ditches. Delivery through the Mizer ditch in light of photos taken in 1991 appears questionable. Any background you can provide concerning delivery through these ditches is welcomed.

Lastly, I have enclosed a copy of the correspondence being sent to Jay Sevy (ranch manager for New Deer Creek). As you can see, we are requesting his assistance in gathering information to

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document the chain of land ownership and tracking of lands irrigated under this right. With their assistance and yours, we will hopefully gain an understanding of what has occurred over time in the delivery and use of this right.

I look forward to working with you on this matter. Feel free to give me a call at 327-7944 to discuss any of these issues.

Sincerely,

Sharla Curtis

SHARLA CURTIS
Sr. Water Resource Agent

Enclosures

APR 09 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 12, 1992

RE: Application for Transfer of Water Right No. 37-00833 (part)

Jay Sevy
New Deer Creek Ranch
Box 187
Hailey, ID 83333

Dear Mr. Sevy:

As you are aware, Jim Johnson and I have been reviewing the above referenced transfer application in detail. Before proceeding any further, I have to ask for some assistance from you.

Information in our file shows that the right proposed to be transferred is appurtenant to Sections 32 and 33, T3N, R128E. The three Snake River Basin Adjudication claims filed on the right indicate an "unrecorded transfer" to Section 20. We need to have a detailed chain of ownership from the original right holder, Mr. Rockwell, to Mr. Blechmann. In addition, an accounting of lands irrigated under this right is required which will document the unrecorded transfer(s) to lands other than those identified in our records. If you are able to give us information as to dates when these changes occurred, that would be most helpful.

I understand that you will be leaving the area shortly for a few weeks. If you are unable to gather this information before you leave, please don't worry. You can just give me a call at 327-7944 and let me know a time frame that will work out best for you.

Sincerely,

Sharla Curtis

SHARLA CURTIS
Sr. Water Resource Agent

cc: Lee Peterson, Watermaster

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

14-Sep-1992

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

J STEPHEN CRABTREE ESQUIRE
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

Re: Application for Transfer No. 37-00833J-Part (37-00833P, T#3932/New Deer Creek Ranch Inc.)

Dear Mr. Crabtree:

Thank you for your letter of 9/1/92 in which you inquired about the status of the above referenced application for transfer.

The application has been sent to our State Office in Boise for final processing.

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

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

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HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

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

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

September 1, 1992

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SEP 02 1992
Department of Water Resources
Southern Region Office

Mr. Loren Holmes, Director
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RE: Transfer 37-00833J-Part

Dear Mr. Holmes:

This firm represents the parties who are selling certain water rights to the New Deer Creek Ranch Corporation pursuant to the above-referenced transfer. We were informed in April that the transfer had been approved. Subsequent publication took place, and I understand no protests were filed.

This transaction has been pending, and the sale proceeds held in escrow, for over a year. Any assistance you could render to expedite final approval would be very much appreciated.

Thanks very much.

Very truly yours,

HOGUE, SPECK & AANESTAD, P.A.

J. Stephen Crabtree

JSC/dc
cc: Earl D. Mann, Esq.
John A. Rosholt, Esq.
Mr. Frederick H. Blechmann
Mr. Sydney B. Cook
Mr. Jay Sevy
Ms. Susan Rubel

APR 09 1993

MEMORANDUM

DATE: 01-Sep-1992

FROM: Loren Holmes
TO: New Deer Creek transfer file

SUBJECT: Final region analysis and recommendations

The 4.65 cfs of water under the various parts of 37-0833 is water saved by flowing 17 cfs of water through the Rockwell Bypass, which is located upstream from Bellevue. The saved water reaches the main river channel below the District 45 canal diversion. Except for .54 cfs of the right diverted in the Glendale canal under 37-0833H, all of the right is diverted at points upstream from the saving reach. The saved water is treated as a separate source and not subjected to any priority cut as long as 17 cfs can be run through the bypass.

This transfer enables the sale of the portion of the Rockwell right claimed as 37-0833 L,M & N. The claims are based on a previous unrecorded transfer which changed the place of use to the starting point for this transfer.

The applicant has responded to questions regarding the continuous use of the water right with affidavits from the watermaster and evidence of a temporary transfer to other lands within the water district. The information shows that water has been delivered under this right by the watermaster, but not used on lands claimed as the original place of use within the last five years.

Transfer #3742 previously changed several rights appurtenant to the original place of use. This application now proposes the removal of the remaining 1 cfs of the Rockwell water right to other lands.

The seller of this right, Blechmann, also claims 98 acres of the original place of use irrigated under A37-00159A, which has not been affected by any transfer.

The apparent effect of this transfer would be to remove A37-0833L,M & N from an overlap with A37-00159A and apply it to lands where it will be the primary water right.

This expansion in irrigated acres supports a recommendation of denial.

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Form 222a
6/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: J F Clanton Date

1. Right number 37-00833J Part Applicant New Deer Creek Ranch Inc.
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Other _____
4. Check:
   a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
   b. ☒ Description of original point of diversion.
   c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
   a. ☐ All of right.
   b. ☒ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
   c. ☒ Check description of point(s) of diversion.
   d. ☒ Check description of place of use.
   e. ☒ Check map (shows p.d. and p.u. after transfer).
   f. ☒ Check for correct signature, notarization, and fee.
   g. ☒ Check proof of ownership of right &/or land from which water is transferred.
   h. ☒ Check for expansion in use of right. Comments Not all rights are being transferred. If approved, this would constitute an expansion.
   i. ☒ Check for existing water rights from same source, on land water is being transferred to.
      Right number(s) 37-0467 in Sec. 30 possibly
   j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
      If yes, what district? 37

FINAL PROCESSING REVIEW BY: LW

1. Watermaster recommendation requested on 6/3/92 Received on 6/15/92
2. Is transfer published correctly? ☑ Yes ☐ No
3. Protest received? ☐ Yes ☑ No

RECOMMENDED ACTION

1. Approve
2. ☑ Deny
3. Conditions* See Attached Memo

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SEP 3 1992
Department of Water Resources

4. By Karen A Lukas Date 9/1/92

** All uses within Watermaster Districts require special conditions.*

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JUN 1 5 1992
Department of Water Resources
Southern Region Office

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 3932

RECOMMENDATION OF WATERMASTER

I, Lee R. Peterson, watermaster of Big Wood River, of Water District No. 37, County of Blaine, State of Idaho, whose address is P O Box T, SHoshone, Idaho 83352 have read the attached copy of the application for transfer of water right for Deer Creek Ranch INc. (name), and to the best of my knowledge believe the application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend that the Director of the Department of Water Resources approve the transfer subject to the following conditions: With this approval, I request a flow meter (preferably McCrometor) be installes on the pump to record water use, a lockable control valve and a five inch loss to the river.

OR

B. I do not endorse approval of the above numbered Application for Transfer as requested for the following reasons: _____

Dated at Shoshone, Id, Idaho, this 12 day of June 19 92.

Lee R. Peterson
(signature)

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APR 0 9 1993

Please use reverse side if needed.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-00833J, A37-00833L, A37-00833M, A37-00833N

Notice is hereby given that NEW DEER CREEK RANCH, INCORPORATED of HAILEY, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

This Application for Transfer proposes to change point(s) of diversion and change place of use.

WATER RIGHT AS RECORDED

Water Right No. 37-00833J
Basis of right: Decreed to Irvin E. Rockwell in case of Irvin Rockwell vs Hans H. Coffin dated 8/25/1949 in Fourth District Court, Blaine County.
Source: Big Wood River tributary to Malad River
Priority: 11/12/1936
Amount: 1.66 cfs
Use: Stockwater, domestic and irrigation.
Point(s) of diversion: SW1/4NE1/4, S16, T02N, R18E; NE1/4SW1/4, S8, T03N, R18E; SW1/4SE1/4, S11, T04N, R17E; Blaine County.
Place of use: NE1/4NE1/4, SW1/4NE1/4, SE1/4NE1/4, SE1/4NW1/4, NE1/4SW1/4, N1/2SE1/4, S32, T03N, R18E; NW1/4SW1/4, S1/2SW1/4, S33, T03N, R18E; Blaine County.

PORTION(S) OF RIGHTS TO BE CHANGED

Water Right No.: 37-00833J
Amount: 1.00 cfs
Point of diversion: SE1/4NE1/4SW1/4, S8, T03N, R18E (Cramer #13 Headgate on East Fork); SE1/4NE1/4NE1/4, S18, T03N, R18E; Blaine County.
Place of use: 50 acres within SW1/4NE1/4, N1/2SE1/4, S20, T03N, R18E; Blaine County.

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND RECORDED AS FOLLOWS:

Water Right No. A37-00833L
Name: Frederick H. Blechmann Trust
Basis of right:
Decreed Right No. 37-00833J
Priority: 11/12/1936
Source: Big Wood River tributary to Malad River
Amount: .333 cfs
Use: irrigation
Points of Diversion: SE1/4NE1/4SW1/4, S8, T03N, R18E (Cramer #13 Headgate on East Fork); SE1/4NE1/4NE1/4, S18, T03N, R18E (Headgate #20 & Mizer Ditch on Big Wood); Blaine County.
Place of Use: 50 acres within SW1/4NE1/4, N1/2SE1/4, S20, T03N, R18E; Blaine County.

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND RECORDED AS FOLLOWS:

Water Right No. A37-00833M
Name: Sydney B. Cook Trust
Basis of right:
Decreed Right No. 37-00833J
Priority: 11/12/1936
Source: Big Wood River tributary to Malad River
Amount: .333 cfs
Use: irrigation
Points of Diversion: SE1/4NE1/4SW1/4, S8, T03N, R18E (Cramer #13 Headgate on East Fork); SE1/4NE1/4NE1/4, S18, T03N, R18E (Headgate #20 & Mizer Ditch); Blaine County.
Place of Use: 50 acres within SW1/4NE1/4, N1/2SE1/4, S20, T03N, R18E; Blaine County.

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND RECORDED AS FOLLOWS:

Water Right No. A37-00833N
Name: Hollis Day
Basis of right: Decreed Right No. 37-00833J
Priority: 11/12/1936
Source: Big Wood River tributary to Malad River
Amount: .333 cfs
Use: irrigation
Points of Diversion: SE1/4NE1/4SW1/4, S8, T03N, R18E (Cramer #13 Headgate on East Fork); SE1/4NE1/4NE1/4, S18, T03N, R18E (Headgate #20 & Mizer Ditch); Blaine County.
Place of Use: 50 acres within SW1/4NE1/4, N1/2SE1/4, S20, T03N, R18E; Blaine County.

WATER RIGHT NO. 37-00833P & ADJUDICATION CLAIM NOS. A37-00833L, A37-00833M, A37-00833N TO BE CHANGED AS FOLLOWS:

Period of Use: 4/1 to 11/1
Water Use: irrigation
Amount: 1.00 cfs

Total amount being transferred: 1.00 cfs

Source: Big Wood River tributary to Malad River
Priority: 11/12/1936
Point of diversion: SW1/4SW1/4, S29, T03N, R18E (pump); Blaine County.
Place of use: 50 acres within SW1/4SW1/4, S26, T03N, R17E; SE1/4NW1/4, S30, T03N, R18E; Blaine County.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before July 6, 1992.

R. Keith Higginson, Director

Published in Wood River Journal on 6/17 & 6/24/92.

MICROFILMED
APR 09 1993

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

05-Jun-1992

ATTN PATTY HEALY
WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

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

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

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

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

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

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APR 09 1993

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-00833J, A37-00833L, A37-00833M, A37-00833N

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Priority: 11/12/1936
Amount: 1.66 cfs
Use: Stockwater, domestic and irrigation.
Point(s) of diversion: SW1/4NE1/4, S16, T02N, R18E; NE1/4SW1/4, S8, T03N, R18E; SW1/4SE1/4, S11, T04N, R17E; Blaine County.
Place of use: NE1/4NE1/4, SW1/4NE1/4, SE1/4NE1/4, SE1/4NW1/4, NE1/4SW1/4, N1/2SE1/4, S32, T03N, R18E; NW1/4SW1/4, S1/2SW1/4, S33, T03N, R18E; Blaine County.

PORTION(S) OF RIGHTS TO BE CHANGED

Water Right No.: 37-00833J
Amount: 1.00 cfs
Point of diversion: SE1/4NE1/4SW1/4, S8, T03N, R18E (Cramer #13 Headgate on East Fork); SE1/4NE1/4NE1/4, S18, T03N, R18E; Blaine County.
Place of use: 50 acres within SW1/4NE1/4, N1/2SE1/4, S20, T03N, R18E; Blaine County.

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND RECORDED AS FOLLOWS:

Water Right No. A37-00833L
Name: Frederick H. Blechmann Trust
Basis of right: Decreed Right No. 37-00833J
Priority: 11/12/1936
Source: Big Wood River tributary to Malad River
Amount: .333 cfs
Use: irrigation
Points of Diversion: SE1/4NE1/4SW1/4, S8, T03N, R18E (Cramer #13

APR 0 9 1993

Headgate on East Fork); SE1/4NE1/4NE1/4, S18, T03N, R18E (Headgate #20 & Mizer Ditch on Big Wood); Blaine County.
Place of Use: 50 acres within SW1/4NE1/4, N1/2SE1/4, S20, T03N, R18E; Blaine County.

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND RECORDED AS FOLLOWS:

Water Right No. A37-00833M
Name: Sydney B. Cook Trust
Basis of right: Decreed Right No. 37-00833J
Priority: 11/12/1936
Source: Big Wood River tributary to Malad River
Amount: .333 cfs
Use: irrigation
Points of Diversion: SE1/4NE1/4SW1/4, S8, T03N, R18E (Cramer #13 Headgate on East Fork); SE1/4NE1/4NE1/4, S18, T03N, R18E (Headgate #20 & Mizer Ditch); Blaine County.
Place of Use: 50 acres within SW1/4NE1/4, N1/2SE1/4, S20, T03N, R18E; Blaine County.

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND RECORDED AS FOLLOWS:

Water Right No. A37-00833N
Name: Hollis Day
Basis of right: Decreed Right No. 37-00833J
Priority: 11/12/1936
Source: Big Wood River tributary to Malad River
Amount: .333 cfs
Use: irrigation
Points of Diversion: SE1/4NE1/4SW1/4, S8, T03N, R18E (Cramer #13 Headgate on East Fork); SE1/4NE1/4NE1/4, S18, T03N, R18E (Headgate #20 & Mizer Ditch); Blaine County.
Place of Use: 50 acres within SW1/4NE1/4, N1/2SE1/4, S20, T03N, R18E; Blaine County.

WATER RIGHT NO. 37-00833P & ADJUDICATION CLAIM NOS. A37-00833L, A37-00833M, A37-00833N TO BE CHANGED AS FOLLOWS:

Period of Use: 4/1 to 11/1
Water Use: irrigation
Amount: 1.00 cfs

Total amount being transferred: 1.00 cfs

Source: Big Wood River tributary to Malad River
Priority: 11/12/1936
Point of diversion: SW1/4SW1/4, S29, T03N, R18E (pump); Blaine County.
Place of use: 50 acres within SW1/4SW1/4, S26, T03N, R17E;

APR 0 9 1993

SE1/4NW1/4, S30, T03N, R18E; Blaine County.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before July 6, 1992.

R. Keith Higginson, Director

Published in Wood River Journal on 6/17 & 6/24/92.

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New Deer Creek Ranch Inc 3

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

03-Jun-1992

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

JOHN A ROSHOLT ESQUIRE
PO BOX 1906
TWIN FALLS ID 83303-1906

Re: Application for Transfer No. 37-00833P, A37-00833L, A37-00833M, A37-00833N (New Deer Creek Ranch, Inc.)

Dear Mr. Rosholt:

The Department of Water Resources acknowledges receipt of the Application for Transfer on behalf of New Deer Creek Ranch, Inc..

This office will be advertising the application in the Wood River Journal on 6/17 and 6/24/92. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

In order to complete regional review, a list of corporate officers and addresses should be submitted to this office.

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

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

APR 0 9 1993

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

03-Jun-1992

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

Re: Application for Transfer of Water Right No. 37-00833J, A37-00833L, A37-00833M, A37-00833N (New Deer Creek Ranch, Inc.)

Dear Mr. Peterson:

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

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

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

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

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

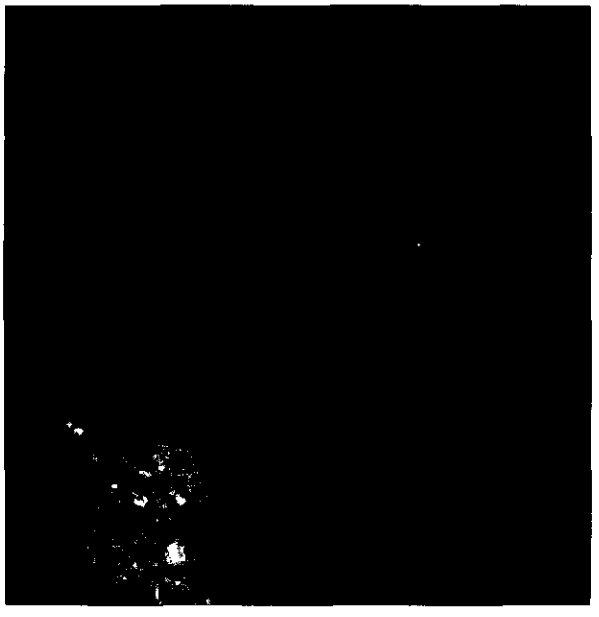
Very truly yours,

James E. Stanton
Sr. Water Resource Agent

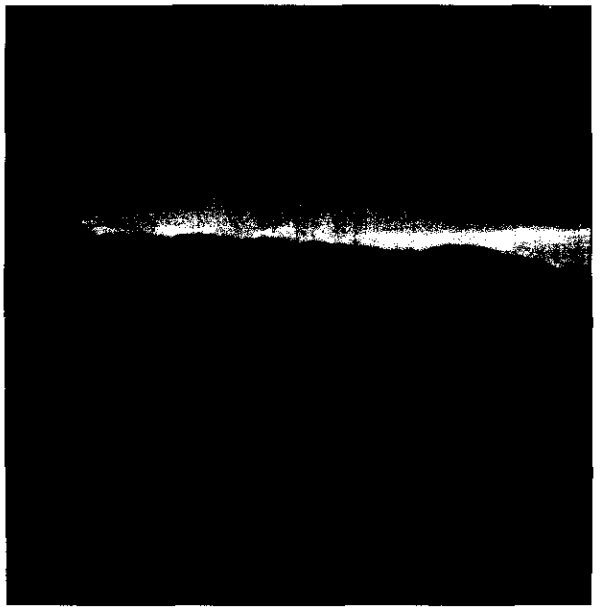
JS:MB

Enclosures

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APR 09 1993



Mizer Ditch Aug. 1991



Blechmann Property 8.20

APR 09 993

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN O. FITZGERALD
D. BERNARD ZALEHA

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1020 MAIN STREET, SUITE 400
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 334-6034

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MAR 26 1992
Department of Water Resources
Southern Region Office

March 26, 1992

Mr. Douglas Jones, EIT
Water Resources Engineering Specialist
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: New Deer Creek Ranch/Blechmann Transfer - 37-00833J-Part

Dear Doug:

As to appurtenancies, Jay Sevy tells me that if this transfer is approved, he would use the 50 inches of water as shown on the attached map in yellow.

Thanks,

JOHN A. ROSHOLT

JAR:le
03269205.JAR

Enclosure

cc: Jay Sevy

APR 09 1993

CHARLES
BROCKWAY
ENGINEERING

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FEB 26 1992
Hogue, Speck & Aanestad

RECEIVED
MAR 30 1992
Department of Water Resources
Southern Region Office

February 24, 1992

Mr. Steve Crabtree, Attorney
Hogue, Speck and Aanstad
P.O. Box 987
Ketchum, Idaho

Subject: Blechman-Cook-Day Water Rights

Dear Steve:

Enclosed is the signed statement by Otis Disbennett Jr., Deputy Watermaster for Big Wood River regarding delivery and transfer of the Rockwell Byposs water for Fred Blechman, Syd Cook and Hollis Day estate. Also enclosed are transfer slips from Tinker's records showing transfers in 1990.
I will proceed with amendment of the SRBA claims to take care of the overlap problem. I believe with the Watermaster records from Newby and the statement by Tinker that the forfeiture problem can be remedied.

I understand you will transmit the records to Jay Sevy or the proper people to effect the transfer. If you need additional information, please call.

Sincerely,

C.E. Brockway P.E.

cc: F. Blechman

CHARLES E.
BROCKWAY,
PHD., P.E.

706 SUNRISE
BOULEVARD
NORTH

TWIN FALLS,
IDAHO 83301

208•733•0938

APR 09 1993

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
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D. BERNARD ZALEHA

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BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 334-6034

March 19, 1992

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MAR 20 1992
Department of Water Resources
Southern Region Office

Mr. James E. Stanton
Senior Water Resource Agent
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: Transfer 37-00833J - Part

Dear Jim:

Per your request in your October 25, 1991 letter to Jay Sevy (copy attached for convenience), we herewith forward:

(1) February 20, 1992 Affidavit of Fred Blechmann;

(2) The Statement of Otis Disbennett, Jr. with Water Transfer slips attached; and

(3) The February 24, 1992 letter of C.E. Brockway, P.E.

In our view the enclosures substantially refute your expressed concerns that the right has been forfeited.

Please advise as to your recommendation in the further processing of the transfer.

Respectfully submitted,

JOHN A. ROSHOLT

JAR:le
03199204.JAR
Enclosures
cc: Jay Sevy
J. Stephen Crabtree

APR 09 1993

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MAR 30 1992
Department of Water Resources
Southern Region Office

IDAHO DEPARTMENT OF WATER RESOURCES

IN RE: Application for Transfer of Water Right to New Deer Creek Ranch Corporation	**AFFIDAVIT OF FREDERICK H. BLECHMANN**

State Of Idaho)
) ss.
County of Blaine)

I, FREDERICK H. BLECHMANN, being first duly sworn upon oath, do hereby depose and state as follows:

1. I am the Trustee of the Frederick H. Blechmann Trust, one of the owners of the water right which is the subject of the above-referenced Application for Transfer.

2. I have reviewed Mr. James E. Stanton's letter to Jay Sevy dated October 25, 1991, with regard to possible forfeiture of the subject water rights. I have also reviewed the letter from Reid J. Newby, Watermaster of District No. 37, to Mr. Sydney Cook confirming deliveries and assessments for the period 1984 through 1990. A copy of that letter is attached hereto as Exhibit "A" and incorporated by this reference. I do not have a detailed recollection as to the exact amounts of water which I asked to be delivered each year, but I have no reason to question the accuracy of Mr. Newby's letter.

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APR 09 1993

TF 3932

3. I do not believe these water rights have been forfeited. I visually confirmed the deliveries described in Mr. Newby's letter and the fact that the water flowed through the Mizer and/or Cramer ditches to the property located adjacent to, and south of, Ohio Gulch Road.

4. Although I do not have a detailed recollection as to exactly which years cattle were grazed on the subject property, the property was used for grazing during a portion of the period of 1984 through 1990. The water delivered was used to enhance the grazing on the property.

5. All bills and assessments for the water delivered have been paid.

I have read the foregoing Affidavit, know the contents thereof to be true of my own personal knowledge, and could testify competently thereto if called as a witness.

DATED this 20th day of FEBRUARY, 1992.

FREDERICK H. BLECHMANN

SUBSCRIBED AND SWORN to before me this 20th day of February, 1992.

Notary Public for: IDAHO
Residing at: SUN VALLEY
Commission Expires: 7-24-92

f:rb\jsc\blchmann.aff
February 19, 1992

APR 09 1993

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MAR 31 1992
Department of Water Resources
Southern Region Office

Mr. Sydney Cook
P. O. Box 1910
Sun Valley, ID 83353

Subject: Delivery of Water Rockwell Bypass 37-00833

Dear Mr. Cook:

In regard to you inquiry about delivery of water under those parts of the Rockwell Bypass water owned by yourself, Mr. Fred Blechmann and Mr. Hollis Day, I have examined the records in the Watermaster files and can report the following deliveries and assessments for the period 1984-90.

1984	25.3 cfs per year	Mizer #20 diversion
	-0- cfs per year	Cramer #13 diversion
1985	167.2 cfs per year	Cramer #13 diversion
	28.2 cfs per year	Mizer #20 diversion
1986	none	
1987	36.1 cfs per year	Mizer #20 diversion
1988	30.6 cfs per year	Mizer #20 diversion
1989	174.1 cfs per year	Cramer #13 diversion
	16.0 cfs per year	Mizer #20 diversion
1990	none	

If you require additional data on specific years please let me know.

Reid J. Newby
Watermaster
District #37

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APR 09 1993

RECEIVED
MAR 31 1992
Department of Water Resources
Southern Region Office

To Whom It May Concern:

I have served as the Deputy Watermaster for District 37 in the Big Wood River during the period 1978 through 1991during which time I was responsible for delivery of water under permits, licenses and decrees effective on the Big Wood River and tributaries above Magic Reservoir.

During those years, I delivered irrigation water to the Cramer #13 headgate diverting from East Fork and the Mizer #20 headgate diverting from the Big Wood River at the request of Mr. Fred Blechman under water right 37-00833 which is part of the Rockwell Bypass water right. Those requested and delivered diversions are recorded in the Watermaster records of District 37 in Shoshone, Idaho.

On several occasions, I observed water flowing in the Cramer ditch through the Heatherlands Subdivision, across Ohio Gulch Road and onto pasture south of the road. I particularly remember this water being delivered when Mr. Ramsey was renting the pasture from Fred Blechman.

There were some problems with the Cramer ditch due to rock slides during 1984 or 1985 and water may not have been delivered during those years.

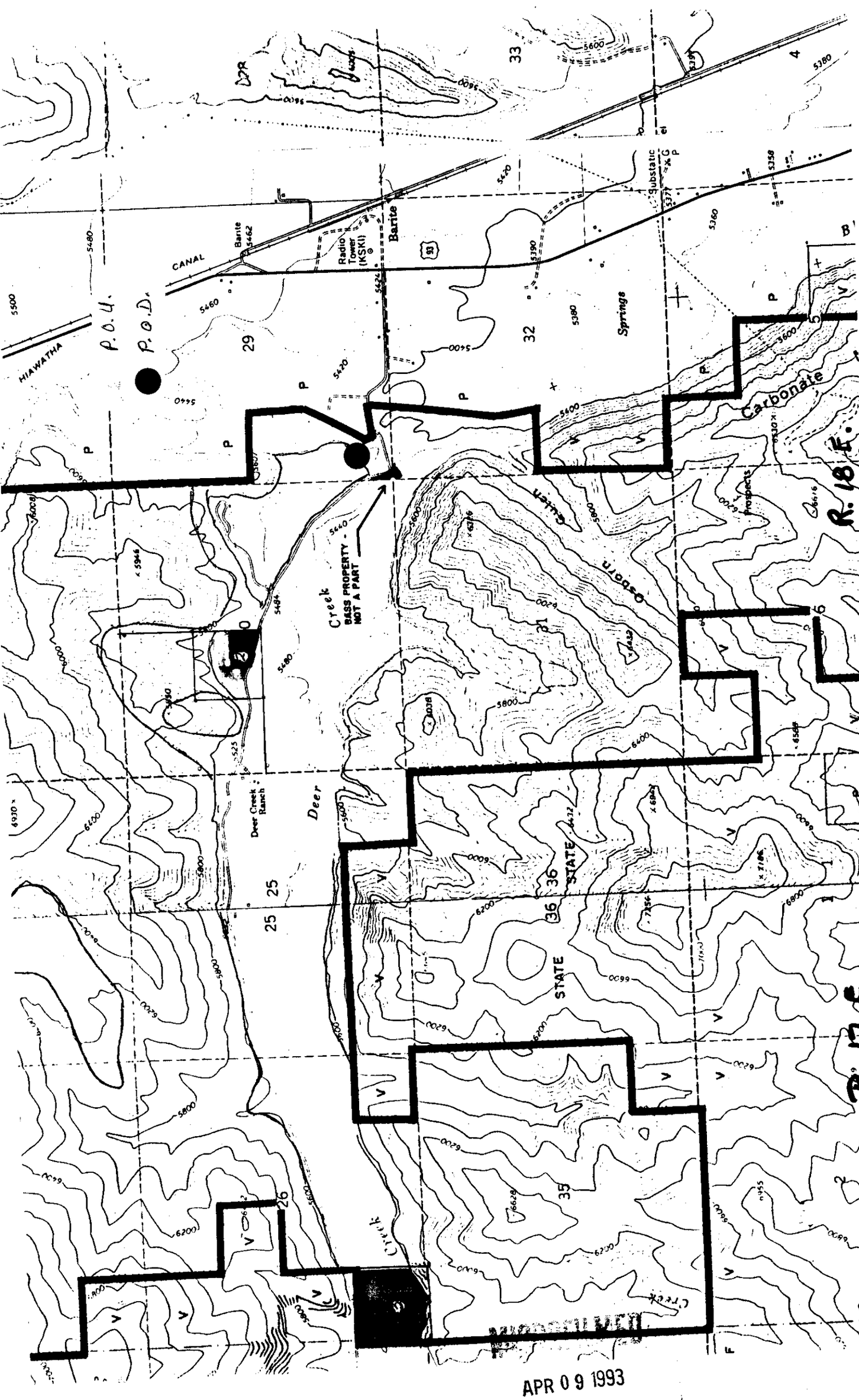
During the 1990 and 1991 irrigation seasons , I transferred water from Mr. Blechman under the 50 inch Rockwell right which he, Mr. Cook, and Hollis Day own. During these periods, water was very low in the East Fork of the Big Wood River and the Rockwell water could not be delivered through the Cramer ditch to reach the Blechman property. Mr. Blechman agreed to allow the transfer of the 50 inches downstream to the District 45 diversion and utilized on District 45 lands for irrigation.

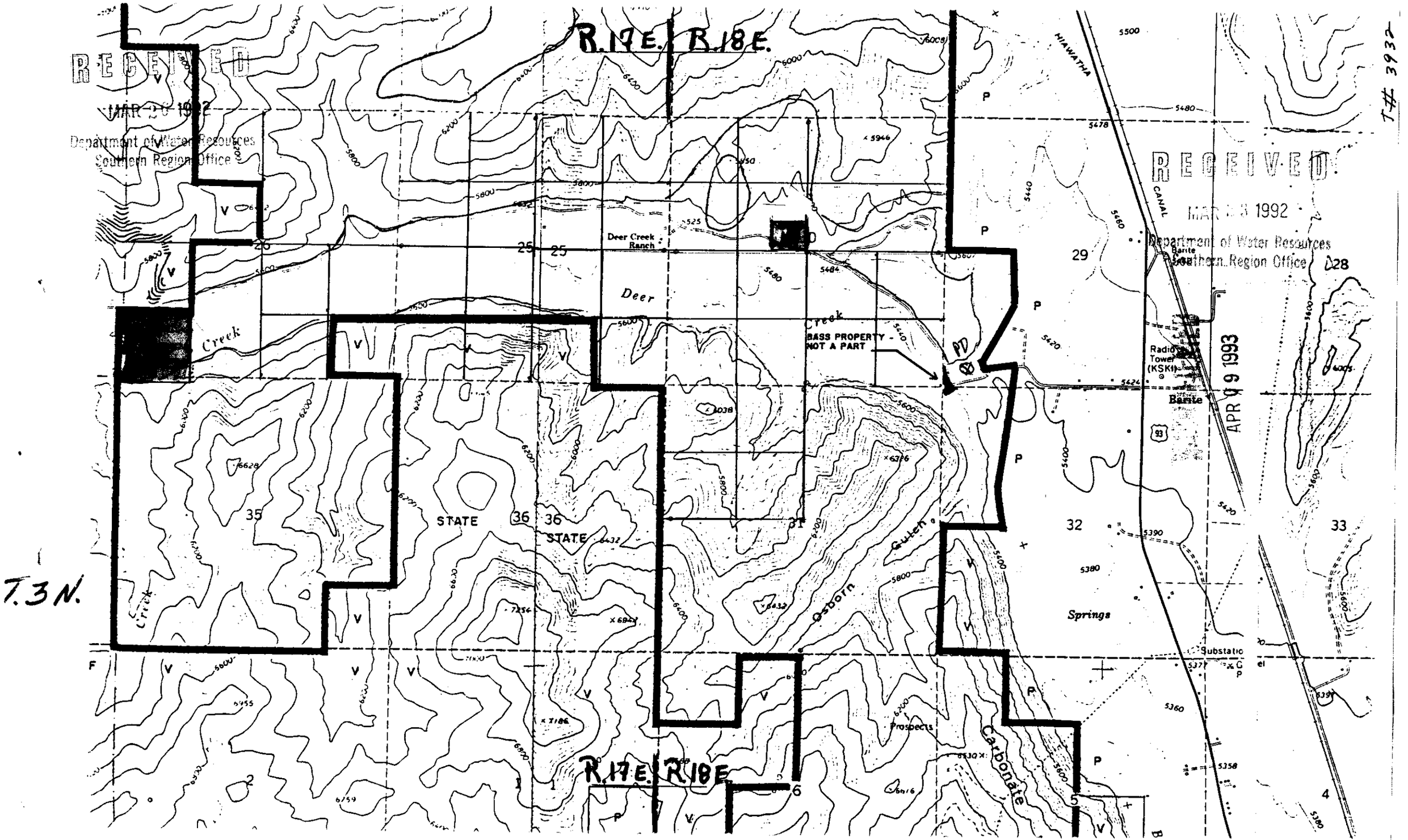
Otis Disbennett Jr.

Otis Disbennett Jr.

Date 3-22-92

APR 09 1992


P.O.U.
P.O.D.
HIAWATHA
CANAL
Barite
Radio Tower (KSKI)
Barite
93
Substatic
Springs
Carbonate
Queen
Osborn
Prospects
R. 18 E.
BASS PROPERTY - NOT A PART
Creek
Deer Creek Ranch
Deer
STATE
STATE
Creek
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T. 3 N.
R. 17 E.
APR 09 1993
T# 3932


R.17E. R.18E.
R.17E. R.18E.
T.3N.
RECEIVED
MAR 26 1992
Department of Water Resources
Southern Region Office
RECEIVED
MAR 26 1992
Department of Water Resources
Southern Region Office
APR 09 1993
T# 3932
Deer Creek Ranch
Deer Creek
BASS PROPERTY - NOT A PART
HIAWATHA
CANAL
Barite
Radio Tower (KSKI)
STATE
STATE
Osborn Gulch
Springs
Prospects
Carbonate
Substation
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37-0833	WR RECORD	SRBA RECORD	WD 37 RECORD
	WR No. Owner Amount	Claim No. Claimant Amount	Diversion Owner Amount
	37-0833J Rockwell 1.66		
	37-0833K Valley Ranch .75	A37-00833K Blechmann .75	Mizer Ditch Blechmann .75
	37-0833H Cameron .54	A37-00833H Cameron .54	Glendale Canal Cameron .54
	37-0833D Anderson .2	A37-00833D Anderson .2	Don P4 Pump Anderson .2
	37-0833E McHan .2	A37-00833D Bloomfield .2	Comstock Ditch Bloomfield .2
	37-0833F Stevenson 1.3	A37-00833F Stevenson 1.3	District Canal Stevenson 1.3
		A37-00833L Blechmann Tr. .333	
		A37-00833M Cook Trust .333	Kramer Ditch Blechmann 1.0
		A37-00833N Day Estate .333	
		A37-00833D Mckenzie .08	Cove Canal Mckenzie .08
			Cove Canal Van Every .08
			Farnlum ditch Simpson .50
	[redacted]	A37-00833B Chapman 1.66	

APR 09 1993

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

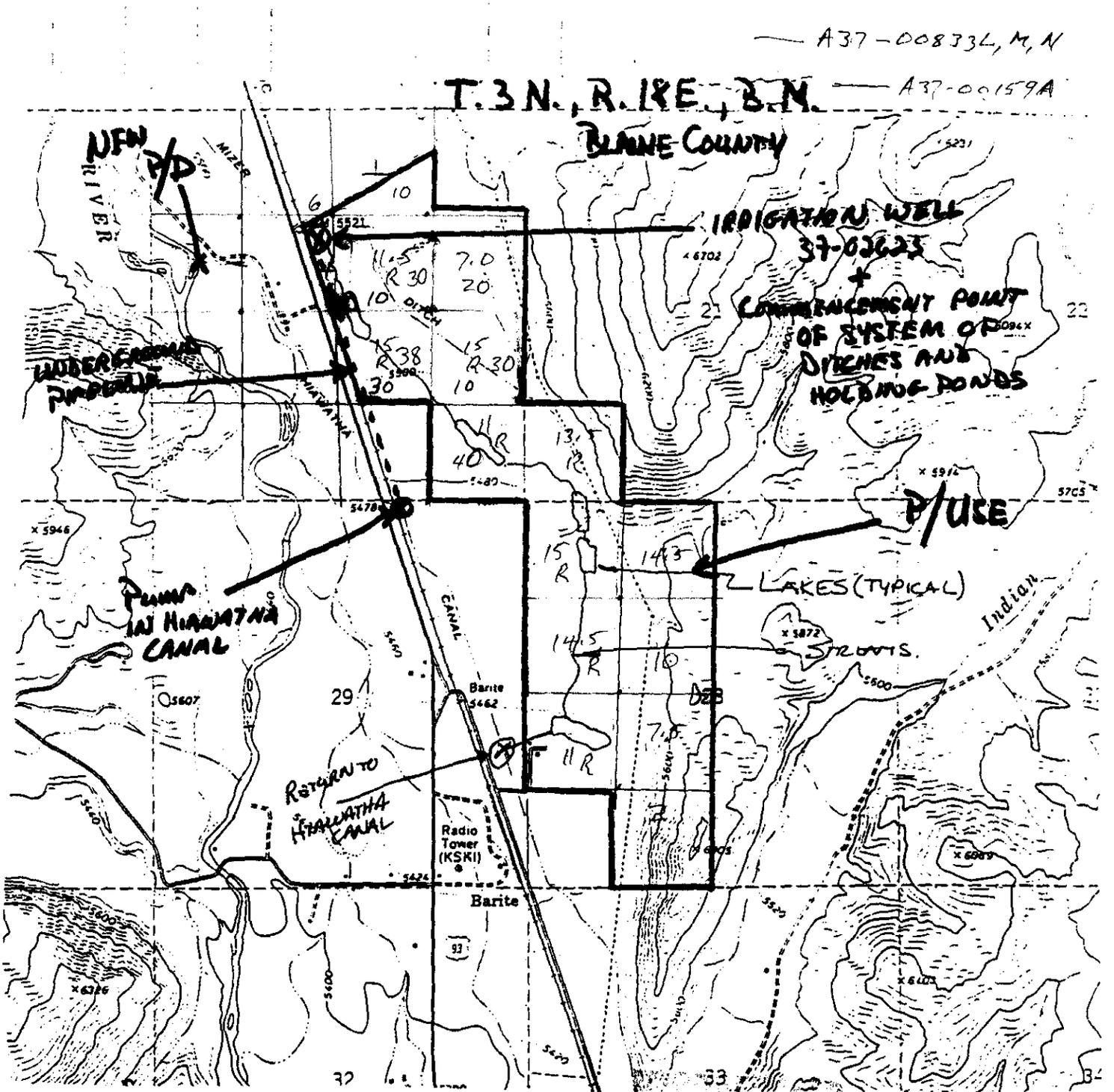
PART 3

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

— P/U Rts under T 3742

— 37-008336, M, N

— 37-00159A



APR 09 1993

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

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Jay Sevy, Manager
New Deer Creek Ranch, Inc.
P. O. Box 187
Hailey, ID
83333

October 25, 1991

RE: Application for Transfer of Water Right 37-00833J Part

The purpose of this letter is to clarify our position on the above-referenced transfer application. Adjudication claims show that Mr. Blechmann owns parts of 37-0833 & 37-0159 for use on the original place of use described in the proposed transfer. But the transfer only proposes to move a part of 37-0833. Approval of the transfer would thus constitute an increase in the number of irrigated acres, which is illegal under Sec. 42-222 of the Idaho Code. In order to avoid this problem, all water rights on the original land must be transferred to the new land. Or Mr. Blechmann could relinquish the other right to the State.

In August, I inspected the original land owned by Mr. Blechmann. I concluded that the water rights claimed by him in the SRBA have not been used for more than five years. Under Sec. 42-222 of the Idaho Code, these rights appear to no longer be valid.

Regardless of what is done regarding the expansion problem discussed above, I would have to recommend that the transfer be denied due to forfeiture of the water righs involved. The final decision on all transfers is made by our Boise office, of course. I am merely responsible for staff review of the transfer prior to advertising.

We are holding this transfer awaiting your response to these problems. If you wish us to proceed with the transfer as it now exists, we will do so.

Sincerely,

RECEIVED

APR 0 9 1993

James E. Stanton
James E. Stanton
Sr. Water Resource Agent

cc: John Rosholt

APR 0 9 1993

TRANS 374-2

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 19, 1995

The Valley Ranch Partner
c/o James P. Speck
HOGUE SPECK & AANESTAD
P.O. Box 987
Ketchum, ID 83340

RE: Water Right Nos. 37-00494, 37-00495, 37-02623, 37-00833K & 37-00577T&V

Dear Mr. Speck:

Enclosed are copies of the approved Applications for Extension of Time to Avoid Forfeiture of a Water Right. Please note that resumption of use of the water must occur on or before November 1, 1996.

Please notify the Department as soon as you resume use. If you have not notified the Department, 60 days prior to November 1, 1996, the Department will notify you by certified mail of the need to do so.

Please excuse the delay in processing the extensions. If you have any questions or concerns, please feel free to contact me at (208)327-7900.

Sincerely,

Julie L. Yarbrough

JULIE L. YARBROUGH
Senior Secretary

Enclosures

C: IDWR - Regional Office

EXTENSION OF TIME TO AVOID FORFEITURE

ANALYSIS SHEET

1. INITIAL REVIEW BY: NTS

2. RIGHT NUMBER 37-00833K APPLICANT Valley Ranch Partners

3. TYPE OF RIGHT: ☑ Decree ☐ License ☐ Claim

4. Is reason for requestion extension given on application?

✓ Yes ___ No (If No, return Application)

5. CHECK:

(a) ☑ Source ☑ Priority ☑ Amount ☑ Purpose
☑ Period of Use

(b) ✓ Description of Point(s) of Diversion
(c) ✓ Description of Place of Use
(d) ✓ Check for correct Signature, Notarization, Fee

6. OWNERSHIP OF RIGHT

Applicant's ownership confirmed by:

(a) ✓ Copy of Tax Notice, Deed, or other T 3742. in file.
(b) ✓ County Assessor records. Date Contacted 2-14-93

7. Is the right in a Watermaster District? ✓ Yes ___ No Dist 37
(If Yes, send copy to Watermaster)

FINAL REVIEW IN REGION by Loren O Stalvern.

(a) Is Application published correctly? ✓ Yes ___ No

(b) Protest Received? ___ Yes ✓ No

RECOMMENDED ACTION

✓ Approve
___ Deny

Conditions: _____

AFFIDAVIT of PUBLICATION

RECEIVED

MAR 11 1994

Department of Water Resources
Southern Region Office

State of Idaho, } ss.
County of Blaine }

On this 9 day of March, in the year 1994 before me a Notary Public of said State, personally appeared DANIEL J. GORHAM, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 2 day of March 1994, and the date of the last publication was on the 9 day of March, 1994.

Daniel J. Gorham

Subscribed and sworn to before me this 9th day of March, 1994.
(SEAL)

Roberta McFarlane
NOTARY PUBLIC

#9037

0K MB 3/14/94

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 183.300
Number of Insertions 2

_____	Lines tabular at _____	6¢ / Pica
183.300	Lines straight at 105.398	5¢ / Pica
183.300	Subsequent lines at 84.318	4¢ / Pica
TOTAL COST +5.00	$104.72	

COPY OF NOTICE
(Paste Here)

Application for extension
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
Dept of Water Resources, Twin Falls
BILL TO

Applications for extension of time

NOTICE OF APPLICATIONS FOR EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHT Nos. 37-00494, 37-00495, 37-00577T&V, 37-00833K, 37-02683

Notice is hereby given that THE VALLEY RANCH PARTNERS, c/o James P. Speck, Esquire of Ketchum, ID has applied to the Department of Water Resources for extensions of time to avoid forfeiture of Decreed Water Right Nos. 37-00494, 37-00495, 37-00577T&V, 37-00833K and Licensed Water Right No.37-02683.

The extensions are requested to avoid loss of the water rights due to non-use until construction of the proposed golf course is completed.

Water Right No. 37-00494
Priority Date: 05/01/1886
Name: Decreed to Jacob Mizer in case of S.C. Frost, Et. Al. vs Alturas Water Co., Et. Al. dated 12/13/1909 in Lincoln County District Court; T# 3742.

Source: Big Wood River tributary to Malad River
Use: 04/01 to 11/01
Irrigation (1.85 cfs)
Recreation (0.15 cfs)
Point(s) of Diversion: SWSWNW, S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E and recreational use within SWNE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; W1/2NW, NWSW, S28, T03N, R18E; Blaine County.

Water Right No. 37-00495
Priority Date: 07/01/1892
Name: Decreed to Jacob Mizer in case of S.C. Frost, Et. Al. vs Alturas Water Co., Et. Al. dated 12/13/1909 in Lincoln

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'sequent lines at 84,318 4¢ / F
00 $104.72

S21, R1 .. ,
NWSW, SESW, S28, T03N, R18E and recreational use within SW NESE, NWSE, SESE, S20, TO. R18E;SWSW, S21, T03N, R18E; W1/2NW, NWSW, S28, T03N, R18E; Blaine County.

Water Right No. 37-00495
Priority Date: 07/01/1892
Name: Decreed to Jacob Mizer in case of S.C. Frost, Et. Al. vs Alturas Water Co., Et. Al. dated 12/13/1909 in Lincoln County District Court; T# 3742.

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Irrigation (2.59 cfs)
Recreation (0.21 cfs)
Point(s) of Diversion: SWSWNW, S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E and recreational use within SWNE, NESE, NWSE, SESE, S20, T03N, R18E;SWSW, S21, T03N, R18E; W1/2NW, NWSW, S28, T03N, R18E; Blaine County.

Water Right No. 37-00577 & V
Priority Date: 03/24/1883
Name: Decreed to Wood River Land Co. in case of Albrethson vs Wood River Land Co. dated 06/27/1925 in Lincoln County District Court; T# 3742.
Source: Big Wood River tributary to Malad River
Use: 04/01 to 11/01
Irrigation (1.56 cfs)
Recreation (0.13 cfs)
Point(s) of Diversion: SWSWNW, S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres within S1/2NE, NESE, NWSE, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E and recreational use within SWNE, NESE, NWSE, SESE, S20, T03N, R18E;SWSW, S21, T03N, R18E; W1/2NW, NWSW, S28, T03N, R18E; Blaine County.

Water Right No. 37-00833K
Priority Date: 11/12/1936
Name: Decreed to Irvin E. Rockwell in case of Rockwell vs Coffin dated 08/25/1949 in Blaine County District Court; T# 3742.
Source: Big Wood River tributary to Malad River
Use: 04/01 to 11/01
Irrigation (0.69 cfs)
Recreation (0.06 cfs)
Point(s) of Diversion: SWSWNW, S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E and recreational use within SWNE, NESE, NWSE, SESE, S20, T03N, R18E;SWSW, S21, T03N, R18E; W1/2NW, NWSW, S28, T03N, R18E; Blaine County.

Water Right No. 37-02683
Priority Date: 10/12/1959
Basis: License, T# 3743
Source: groundwater
Use: 04/01 to 11/01

W1/2[illegible]
Blaine County.

Water Right No. 37-00833K
Priority Date: 11/12/1936
Name: Decreed to Irvin E. Rockwell in case of Rockwell vs Coffin dated 08/25/1949 in Blaine County District Court; T# 3742.
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Recreation (0.06 cfs)
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Place of Use: 147.5 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E and recreational use within SWNE, NESE, NWSE, SESE, S20, T03N, R18E;SWSW, S21, T03N, R18E; W1/2NW, NWSW, S28, T03N, R18E; Blaine County.

Water Right No. 37-02683
Priority Date: 10/12/1959
Basis: License, T# 3743
Source: groundwater
Use: 04/01 to 11/01
Irrigation (2.81 cfs)
Recreation (0.24 cfs)
Point(s) of Diversion: NESENW, S20, T03N, R18E; Blaine County.
Place of Use: 143.8 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E; Blaine County.

Claims have been filed on Water Right Nos. 37-00494, 37-00495, 37-00577BV, 37-00833K, and 37-02683 in the Snake River Basin Adjudication.

Any protests against the approval of the above proposed and described requests must be filed with the applicant and with the Director, Dept. of

Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before March 21, 1994.

R. Keith Higginson, Director

Published in Wood River Journal on 3/2 & 3/9/94.

Publish: Wood River Journal—March 2 & 9, 1994.

NOTICE OF APPLICATIONS FOR EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHT Nos. 37-00494, 37-00495, 37-00577T&V, 37-00833K, 37-02683

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Place of Use: 147.5 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E and recreational use within SWNE, NESE, NWSE, SESE, S20, T03N, R18E;SWSW, S21, T03N, R18E; W1/2NW, NWSW, S28, T03N, R18E; Blaine County.

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Priority Date: 07/01/1892
Name: Decreed to Jacob Mizer in case of S.C. Frost, Et. Al. vs Alturas Water Co., Et. Al. dated 12/13/1909 in Lincoln County District Court; T# 3742.

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Water Right No. 37-00577T & V
Priority Date: 03/24/1883
Name: Decreed to Wood River Land Co. in case of Albrethson vs Wood River Land Co. dated 06/27/1925 in Lincoln County District Court; T# 3742.
Source: Big Wood River tributary to Malad River
Use: 04/01 to 11/01
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Priority Date: 11/12/1936
Name: Decreed to Irvin E. Rockwell in case of Rockwell vs Coffin dated 08/25/1949 in Blaine County District Court; T# 3742.
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Water Right No. 37-02683
Priority Date: 10/12/1959
Basis: License, T# 3743
Source: groundwater
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Published in Wood River Journal on 3/2 & 3/9/94.

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

22-Feb-1994

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

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

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

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

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

NOTICE OF APPLICATIONS FOR EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHT
Nos. 37-00494, 37-00495, 37-00577T&V, 37-00833K, 37-02683

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Name: Decreed to Irvin E. Rockwell in case of Rockwell vs Coffin dated 08/25/1949 in Blaine County District Court; T# 3742.
Source: Big Wood River tributary to Malad River
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Water Right No. 37-02683
Priority Date: 10/12/1959
Basis: License, T# 3743
Source: groundwater
Use: 04/01 to 11/01
Irrigation (2.81 cfs)
Recreation (0.24 cfs)
Point(s) of Diversion: NESENW, S20, T03N, R18E; Blaine County.
Place of Use: 143.8 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E; Blaine County.

Claims have been filed on Water Right Nos. 37-00494, 37-00495, 37-00577BV, 37-00833K, and 37-02683 in the Snake River Basin Adjudication.

Any protests against the approval of the above proposed and described requests must be filed with the applicant and with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before March 21, 1994.

R. Keith Higginson, Director

Published in Wood River Journal on 3/2 & 3/9/94.

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

15-Feb-1994

JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

Re: Application for Extension of Time To Avoid Forfeiture, Nos. 37-00494, 37-00495, 37-00577T&V, 37-00833K, 37-02683 (The Valley Ranch Partners)

Dear Mr. Speck:

The Department of Water Resources acknowledges receipt of the five (5) applications for extension of time to avoid forfeiture as referenced above.

This office has scheduled advertising the applications in the Wood River Journal for 3/2 & 3/9/94. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

If an application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. A typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,

Mel Schulte
Water Right Agent

MS:MB

Form 42-1409(5)

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

DEC 21 1993

Department of Water Resources
Eastern Region Office

Please print or type
(see instructions on back of page)

DATE OF CLOSING: August 31, 1990

LEGAL DESCRIPTION OF PROPERTY: Township_____ Range_____
Section_____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot_____, Block, _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.
SEE ATTACHED WARRANTY DEED

[ ] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[ ] Water Right Number(s) Assigned by IDWR: A 37-00833K

[ ] Name and Address of Former Owner/Claimant(s)(Seller): Frederick Blechman Trust
Post Office Box 184
Sun Valley, Idaho 83353

[ ] New Owner/Claimant (Purchaser): Valley Ranch Partners

[ ] New Mailing Address: Post Office Box 1302
Sun Valley Idaho 83353

[ ] New Telephone Number: ( )_____-_____

[ ] Does the change in ownership result in a splitting of the water right owned/claimed? X yes ___ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
Entire amount is transferred

[ ] Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[ ] Signature of New Owner/Claimant(s) Daniel C. Hall, General Partner Date 12/10/93
_____ Date _____

[ ] Signature of Former Owner/Claimant(s): Duffy Witmer, General Partner Date 12/10/93
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: **By:**
Further Action Needed:

Further Action Taken
Date: **By:**
Final Review and Data-Entry
Date: **By:**
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

Order No. 14226 Rerecord to correct legal description

WARRANTY DEED

For Value Received Frederick H. Blechmann as Trustee of the Frederick H. Blechmann Trust dated April 15, 1986, as to an undivided 5/12 interest; Howard Paul Blechmann as Trustee under Trust Agreement dated December 6, 1976, as to an undivided 2/12 interest; and Frederick H. Blechmann and Howard P. Blechmann, Trustees of The Blechmann Trust dated October 5, 1983, as to an undivided 5/12 interest

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
The Valley Ranch Partners, an Idaho General Partnership
whose address is: P. O. Box 1920, Sun Valley, ID, 83353

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 20: SE1/4 NE1/4.
E1/2 SE1/4.
W1/2 NE1/4 lying South of Ohio Gulch Road
E1/2 NW1/4 lying South of Ohio Gulch Road and East of the O.S.L. Railroad and State of Idaho Stock Driveway Right-of-Ways. (TL 5752)
NW1/4 SE1/4 lying East of the O.S.L. Railroad and State of Idaho Stock Driveway Right-of-Ways. (TL 1991)
NE1/4 SW1/4 lying East of the O.S.L. Railroad and State of Idaho Stock Driveway Right-of-Ways. (TL 2061)

EXCEPTING THEREFROM a tract of land lying within the SE1/4 NW1/4 described as follows:

COMMENCING at the Southeast corner of Section 20; thence N. 38° 31' W. 4646.00 feet to the TRUE POINT OF BEGINNING; thence
S. 14° 40' W. 49.30 feet; thence
N. 19° 28' W. 18.10 feet; thence
S. 54° 13' W. 17.90 feet; thence
N. 17° 55' W. 54.40 feet; thence
S. 75° 24' E. 53.00 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH all ditch and water rights appurtenant which are thirty-seven and one-half (37 1/2) inches of Rockwell Bypass Water from the Mizer Headgate #20.

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 said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: August 22, 1990

Frederick H. Blechmann, Trustee

Howard Paul Blechmann, Trustee

Frederick H. Blechmann, Trustee

Howard P. Blechmann, Trustee

State of Idaho

County of Blaine

On August 30 1990 before me, the undersigned, a Notary Public in and for said State, personally appeared Frederick H. Blechmann as Trustee of The Frederick H. Blechmann Trust dated April 15, 1986, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same on behalf of said trust.

WITNESS my hand and official seal.

Signature

Commission Expires: 3-11-93

RECEIVED
DEC 27 1993
Department of Water Resources
Southern Region Office

Order No. 14236

WARRANTY DEED

For Value Received Frederick H. Blechmann as Trustee of the Frederick H. Blechmann Trust dated April 15, 1986, as to an undivided 5/12 interest; Howard Paul Blechmann as Trustee under Trust Agreement dated December 6, 1976, as to an undivided 2/12 interest; and Frederick H. Blechmann and Howard P. Blechmann, Trustees of The Blechmann Trust dated October 5, 1983, as to an undivided 5/12 interest

(hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto)
The Valley Ranch Partners, an Idaho General Partnership
whose address is: P. O. Box 1920, Sun Valley, ID, 83353

(hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 20: SE1/4 NE1/4.
E1/2 SE1/4.
W1/2 NE1/4 lying South of Ohio Gulch Road ~~XXXXXXXX~~
E1/2 NW1/4 lying South of Ohio Gulch Road and East of the O.S.L. Railroad and State of Idaho Stock Driveway Right-of-Ways. (TL 8752)
NW1/4 SE1/4 lying East of the O.S.L. Railroad and State of Idaho Stock Driveway Right-of-Ways. (TL 1991)
NE1/4 SW1/4 lying East of the O.S.L. Railroad and State of Idaho Stock Driveway Right-of-Ways. (TL 2061)

EXCEPTING THEREFROM a tract of land lying within the SE1/4 NW1/4 described as follows:

COMMENCING at the Southeast corner of Section 20: thence N. 38° 31' W. 4645.00 feet to the TRUE POINT OF BEGINNING; thence
S. 14° 40' W. 49.30 feet; thence
N. 19° 28' W. 18.10 feet; thence
S. 64° 13' W. 17.90 feet; thence
N. 17° 55' W. 54.40 feet; thence
S. 75° 24' E. 63.00 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH all ditch and water rights appurtenant which are thirty-seven and one-half (37 1/2) inches of Rockwell Bypass Water from the Mizer Headgate #20.

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 said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: August 22, 1990

Frederick H. Blechmann, Trustee

Howard Paul Blechmann, Trustee

Frederick H. Blechmann, Trustee

Howard P. Blechmann, Trustee

State of

County of

On _____ before me, the undersigned, a Notary Public in and for said State, personally appeared Frederick H. Blechmann as Trustee of The Frederick H. Blechmann Trust dated April 15, 1986, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same on behalf of said trust.

WITNESS my hand and official seal

Signature _____
Commission Expires:

RECEIVED
DEC 2 1993
Department of Water Resources
Southern Region Office

WD

State of

County of

On _____before me, the undersigned, a Notary Public in and for said State, personally appeared Howard Paul Blechmann as Trustee under Trust Agreement dated December 6, 1976, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same on behalf of said trust.

WITNESS my hand and official seal.

Signature_____

Commission Expires:

326782

BLAINE CO. REQUEST
FOR AMERICAN TITLE CO.
COZ - Bred
'91 JAN 7 PM 1 18

FEE $12.00

State of Idaho

County of Blaine

On December 30 1990 before me, the undersigned, a Notary Public in and for said State, personally appeared Frederick H. Blechmann, Trustee of The Blechmann Trust dated October 5, 1983, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same on behalf of said trust.

WITNESS my hand and official seal.

Signature Vincent K Reed

My Commission Expires: 3/1/93

State of

County of

On _____before me, the undersigned, a Notary Public in and for said State, personally appeared Howard P. Blechmann, Trustee of The Blechmann Trust dated October 5, 1983, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same on behalf of said trust.

WITNESS my hand and official seal.

Signature_____

Commission Expires:

RECEIVED
DEC 2 1 1993
Department of Water Resources
Southern Region Office

AUG-30-90 THU 13:47 FAT KETCHUM FAX NO. 12067263567 P. 01

State of Arizona

County of Maricopa

On August 30, 1990 before me, the undersigned, a Notary Public in and for said State, personally appeared Howard Paul Blechmann as Trustee under Trust Agreement dated December 6, 1976, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same on behalf of said trust.

WITNESS my hand and official seal.

Signature Howard Q Harring

Commission Expires: My Commission Expires Sept. 9, 1993

State of

County of

On _____ before me, the undersigned, a Notary Public in and for said State, personally appeared Frederick H. Blechmann, Trustee of The Blechmann Trust dated October 5, 1953, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same on behalf of said trust.

WITNESS my hand and official seal.

Signature _____

Commission Expires:

State of Arizona

County of Maricopa

On August 30 1990 before me, the undersigned, a Notary Public in and for said State, personally appeared Howard P. Blechmann, Trustee of The Blechmann Trust dated October 5, 1953, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same on behalf of said trust.

WITNESS my hand and official seal.

Signature Howard Q Harring

Commission Expires: My Commission Expires Sept. 9, 1993

RECEIVED

DEC 21 1993

Department of Water Resources
Southern Region Office

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

CIVIL CASE NUMBER: 39356

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

Ident Number A37-00833K
Date Received _____
Receipt Number _____

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

1. **Name of Claimant(s):** The Valley Ranch Partners
   Phone: 1-208-726-1875
   Mailing Address: P.O. Box 1302
   Sun Valley, ID 83353

2. **Date of Priority:** November 12, 1936

3. **Source of water supply (a)** Big Wood River **which is tributary to (b)** Malad River

4. **a. Location of point of diversion is:**

Township	Range	Section	¼	¼	¼	Lot	County
3N	18E	20	SW	SW	NW		Blaine

Additional points of diversion if any:

5. **Description of existing diversion works:** Hiawatha Headgate, Hiawatha Canal, pump in Canal to gravity flow system of streams and ponds, pumped from ponds into a pressurized underground sprinkler irrigation system.

6. **Water is claimed for following purposes:**

Purpose	From	To	Amount
Irrigation	April 1	November 1	0.69 cfs
Recreatio	April 1	November 1	0.06 cfs

7. **Total Quantity Claimed:** 0.75 cfs

8. **Total consumptive use claimed is** 399.25 **acre feet per annum.**

9. **Non-irrigation uses:** Recreation use as golf course hazards.

10. **Place of use:**

			NE				NW				SW				SE				TOTALS
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	18E	20			R 11.5	7.0									R 15.0	R 15.0		11.0	59.5
3N	18E	21											R 13.5						13.5
3N	18E	28					14.5	R 15.0	R 14.5	10.0	7.5	R 11.0		2.0					74.5
TOTALS																			147.5

11. **Place of use is located in** Blaine **County.**

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

13. **Describe any other water rights used at the same place and for the same purposes as described above?** A37-00577BV, A37-00494, A37-00495, A37-02683.

14. **Remarks:** Claimant acquired land and water rights in 1990 and has received all necessary governmental approvals to develop an 18 hole championship golf course as a part of a planned unit development for 99 single family residential lots. Transfer 3742 approved the change of the claimed water right and the other Big Wood River rights described in paragraph 13, above, from irrigation to the uses, point of diversion and places of use described above. Surface area of ponds is 12.2 acres and is included in consumptive use calculation. Claimed right is a portion of the "Rockwell By-Pass Right", the use of which is granted regardless of priority as long as at least 17.36 cfs from the Big Wood River is flowing through the Rockwell By-Pass Canal during the irrigation season.

15. Basis of Claim: Decree
IDWR Water Right Number: 37-00833K
Court: Blaine County District Court
Case Number:
Decree Date: August 25, 1949
Plaintiff v. Defendant: Rockwell v. Coffin

16. Signature(s)

(a) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments -

[For Organizations] We do solemnly swear or affirm that we are general partners of The Valley Ranch Partners, an Idaho general partership, that we have signed the foregoing document in the space below as general partners of The Valley Ranch Partners and that the statements contained in the foregoing document are true and correct.

THE VALLEY RANCH PARTNERS

Date: 12/10/93

By _____
David C. Hutchinson,
a general partner

Date: 12/10/93

By _____
Duffy Witmer,
a general partner

State of Idaho)
) ss.
County of Blaine)

Subscribed and sworn before me this 10 day of December, 1993.

Notary Public _____
Residing at Ketchum, ID
Commission Expires 1/27/97

Last Name: Valley Ranch Partners **Ident No.** A37-00833K

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

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

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

January 19, 1994

RECEIVED
JAN 20 1994
Department of Water Resources

Mr. Jim Johnson
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000

Re: Transfer No. 3742 (Water Rights Nos. 37-00494, 37-00495, 37-00577T&V, 37-00833K) and Transfer No. 3743 (Water Right No. 37-02683.

Dear Jim:

In 1992, the Department issued its orders granting extensions of time in which to complete the above-referenced approved transfers to March 12, 1994. The approved transfers changed the nature of the use of water rights from agricultural irrigation to a combination of golf course irrigation and recreation, the latter being used in the ponds and streams which are hazards on the golf course. The applicant has recently signed an agreement with a group based in Portland, Oregon for the development of the golf course and construction of the golf course is scheduled to commence this spring. However, it will take a minimum of two years to complete the golf course. Therefore, I would like to request an extension of time to accomplish the transfers through the end of the 1996 irrigation season, i.e. until November 1, 1996. If you would like a more formal application or request for this extension, kindly send me the appropriate forms.

In the meantime, my client has completed and I am enclosing an application for extension of time to avoid forfeiture for each of the water rights together with my firm's check payable to the Department in the sum of Two Hundred Fifty Dollars ($250.00) representing the Fifty Dollar ($50.00) filing fee for each application.

If you have any questions concerning the applications or my requests for extension of time on the transfers, please

call me. Thank you again for your continuing assistance in these matters.

Sincerely yours,

HOGUE, SPECK & AANESTAD

James P. Speck

JPS/vl

Enclosures

cc: Mr. Roy Tinker (with enclosures)
Christopher M. Walters, Esq. (with enclosures)

MEMORANDUM

TO: Files 37-0495 /37-0577T
37-0577V / 37-0833K

FROM: Brenda

DATE: March 11, 1991

RE: Transfer No. 3742

See file 37-0494 for all correspondence regarding the above referenced transfer.

MICROFILMED
APR 12 1991

TRANS 2591

October 27, 1981

Re: Application for Transfer of Water Right No. 37-0833C

Frederick H. &/or Clarice E. Blechmann
P.O. Box 184
Sun Valley, ID 83353

Dear Mr. and Mrs. Blechmann:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2591). Be sure to note the conditions of approval listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:kw
Enclosure



October 27, 1981

RE: Application for Transfer of Water Right No. 37-0833C

Ed Cameron
Box 177
Bellevue, ID 83313

Dear Mr. Cameron:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2588). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:kw
Enclosure



INTER-DEPARTMENT MEMO — 1

FROM Dave T

DATE 10/20/81

TO Glen S.

Kay Walker

SUBJECT T 2591 & T 2588

Here are two more transfers of Rockwell By-Pass Water. This "developed water," ~~which~~ according to Phil Rassier's memo dated 7/2/81 (with NCY endorsement, in file), is not subject to the "enlargement provision" of Sec 42-222 - Idaho Code.

Therefore, we have ~~did not~~ accepted the fact that these two transfers may constitute enlargements, and they are recommended for approval.

Dave

SIGNATURE

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 37-0833 C

RECOMMENDATION OF WATERMASTER

I, Reid J Newby, watermaster of Big Wood River, of Water District No. 37, County of Blaine, State of Idaho, whose address is Box T Shoshone, Idaho have read the attached copy of the application for transfer of water right for Frederick H Blechman (name), and to the best of my knowledge believe the application to be true.

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

OR

B. I do not endorse approval of the above numbered Application for Transfer as requested for the following reasons: _____

Dated at Shoshone, Idaho, this 8 day of August 19 81.

Reid J Newby
(signature)

Please use reverse side if needed.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-0833C

Notice is hereby given that Frederick H. and/or Clarice E. Blechmann of Sun Valley Idaho have applied to the Department of Water Resources for a change of change of point of diversion and place of use - of a portion of a right from Rockwell Slough tributary to Big Wood River. The right sought to be changed is evidenced by decree to Irvin E. Rockwell in case of Irvin E. Rockwell vs Mans H. Coffin dated Aug. 25, 1949 in Fourth Judicial Dist. County of Blaine and recorded as follows:

Amount: 2.95 cfs Priority: November 12, 1936

Point of Diversion NW¼NW¼, Sec. 14, T5N, R17E, B.M., Blaine County

The water is used for irrigation purposes of 187 acres from April 1 to November 1 within W½SW¼, SE¼SW¼, Sec. 14; NW¼NE¼, NW¼, E½SE¼, NW¼SE¼, Sec. 23; W½SW¼, Sec. 24; W½NW¼, Sec. 25 T5N, R17E

PORTION OF RIGHT TO BE CHANGED:

Amount: 0.75 cfs

Point of Diversion NW¼NW¼, Sec. 14, T5N, R17E, B.M., Blaine County

Place of Use: W½NW¼, SE¼NW¼, Sec. 14; NW¼NE¼, NW¼, N½SE¼, SE¼SE¼, Sec. 23; W½SW¼, Sec. 24; W½NW¼, Sec. 25, T5N, R17E

PORTION TO BE CHANGED AS FOLLOWS:

Amount: 0.75 cfs

Point of Diversion: NE¼NE¼, Sec. 18, T3N, R18E, B.M., Blaine County

Place of Use: SW¼NE¼, SE¼NW¼, N½SE¼, Sec. 20, T3N, R18E for irrigation purposes of 66 acres

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before August 31, 1981.

A. KENNETH DUNN
Director

Published in Wood River Journal on August 13 and August 20, 1981

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

August 5, 1981

Wood River Journal
P. O. Box 988
Hailey, Idaho 83333

Re: Notice of Proposed Change of Water Right 37-0833C

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

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

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

Sincerely,

Mary A. Hill
Sr. Secretary

Encl:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

August 4, 1981

Mr. Reid Newby
Watermaster District 37
Box T
Shoshone, Idaho 83352

Re: Application for Transfer of Water Right No. 37-0833 C

Dear Mr. Newby:

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

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

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

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

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

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Terry Blau

DATE 7-22-81

TO File 37-0833C

SUBJECT Blackman Transfer fld. Review

On 7-9-81 I made an on-site review of the lands this right was being transferred from. The attached aerial photo shows the lands among those that Feldhusen owned that it appeared could have been irrigated using Big Wood River water without pumping. There is no evidence that any pumping took place.



Terry S Blau
SIGNATURE

Form 222a
6/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: JG Clanton

1. Right number 37-0833C Applicant BLECHMANN, Frederick H. &/or Clarice E.
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Other _____
4. Check:
   a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
   b. ☒ Description of original point of diversion.
   c. ☒ Description of original place of use.

Note: Right will split into 37-0833F & 37-0833H upon approval of transfer.

5. Amount of land &/or water transferred:
   a. ☐ All of right.
   b. ☒ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
   c. ☒ Check description of point(s) of diversion.
   d. ☒ Check description of place of use.
   e. ☒ Check map (shows p.d. and p.u. after transfer).
   f. ☒ Check for correct signature, notarization, and fee.
   g. ☒ Check proof of ownership of right &/or land from which water is transferred.

2.95 = 187
.75 = X
$\frac{X}{.75} = \frac{187}{2.95}$
$X = 187(.75)/2.95 = 47$ Ac

   h. ☒ Check for expansion in use of right. Comments no expansion
   i. ☒ Check for existing water rights from same source, on land water is being transferred to.
      Right number(s) 37-0159 part, 37-0496, 0497 part (decreed here but not owned by applicant according to watermaster records)
   j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
      If yes, what district? 37

FINAL PROCESSING REVIEW BY: ADM

1. Watermaster recommendation requested on 8/4/81 Received on 8/11/81
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

$\frac{66}{187} = 0.35$

.35 X 2.95 = 1.04 cfs

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* ~~01~~, ~~01D~~, 01E, 05 (37, Big Wood R)

MODIFIED

RECEIVED
SEP 08 1981
Department of Water Resources

By _____ Date _____

JM 9/25/81 use above condition change "Permit to Right"

** All uses within Watermaster Districts require special conditions.*

TRANS 2588

RECEIVED
OCT 5 1981
Department of Water Resources
Southern District Office
RECEIVED
OCT 9 1981
Department of Water Resources

A F F I D A V I T

TO WHOM IT MAY CONCERN:

The Watermaster's records in Shoshone, Idaho show that of the Rockwell By-Pass saved water delivered to the Cove 33 diversion located in the NE¼SE¼ of Section 16, Township 2 North, Range 18 EBM since prior to 1959 -- 20 inches is shown going to the Bellevue Cemetery, and 15 inches is shown belonging to W. R. Watts from 1965 to 1978, at which time 4 inches of water was sold to Mick Halverson and 3 inches was sold to Allen Dixon. This water was used on Halverson's property described as:

Lots 11 and 12, Block 87
Fr. SW¼SW¼ Tax Lot 6005 Section 25, Township 2N 18 EBM

and used on Dixon's property described as:

Lots 7, 8, 9, and 10 Block 87

Both of the above described properties are located in Bellevue, Idaho.

Attested to by:

W. R. Watts

Reid J. Newby, Watermaster

RECEIVED
SEP 31 1981
Department of Water Resources
Southern District Office

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 37-0833C Part

RECOMMENDATION OF WATERMASTER

I, Reid J Newby, watermaster of Big Wood River, of Water District No. 37, County of Gooding, State of Idaho, whose address is Box T Shoshone, Idaho 83352 have read the attached copy of the application for transfer of water right for Ed Cameron (name), and to the best of my knowledge believe the application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend that the Director of the Department of Water Resources approve the transfer subject to the following conditions: Transfer be made with no loss to the river

OR

B. I do not endorse approval of the above numbered Application for Transfer as requested for the following reasons: _____

Dated at Shoshone, Idaho, Idaho, this 29 day of August 19 81.

Reid J Newby
(signature)

MICROFILMED

Please use reverse side if needed.

RECEIVED
OCT 5 1981
Department of Water Resources
Southern District Office

RECEIVED
OCT 9 1981
Department of Water Resources

A F F I D A V I T

TO WHOM IT MAY CONCERN:

The Watermaster's records in Shoshone, Idaho show that of the Rockwell By-Pass saved water delivered to the Cove 33 diversion located in the NE¼SE¼ of Section 16, Township 2 North, Range 18 EBM since prior to 1959 -- 20 inches were delivered ~~to~~ For the Bellevue Cemetery located in Sections 25, 31, and 36, more specifically described as:

.4 acres of NW¼NE¼ Sec. 36 Township 2N R 18 EBM
2.6 acres of SW¼SE¼ Sec. 25 Township 2N R 18 EBM
11.5 acres of NE¼SE¼ Sec. 31 Township 2N R 19 EBM
2.5 acres, Lot 3 of NW¼SW¼ Sec. 31 Township 2N 19 EBM

Attested to by:

Eugene Fredrickson
Eugene Fredrickson

Clarence McNary
Clarence McNary

MICROFILMED

Evalyn Barker
Evalyn Barker

Reid Newby
Reid J. Newby, Watermaster

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

August 27, 1981

Reid Newby
Watermaster District #37
Box T
Shoshone, Idaho 83352

Re: Application for Transfer of Water Right No. 37-0833C Part

Dear Mr. Newby:

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

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

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

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

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

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
37-0833C (Part)

Notice is hereby given that Ed Cammeron of Bellevue, Idaho, has applied to the Department of Water Resources for a change of point of diversion of the waters of Big Wood River tributary to Malad River. The right sought to be changed is evidenced by decree to Irvin E. Rockwell in case of Irvin E. Rockwell vs Mans H. Coffin dated August 25, 1949 in Fourth Judicial District county of Blaine and is recorded as follows:

Amount: 2.95 cfs Priority: November 12, 1936

Point of Diversion: SW¼NE¼, Sec. 16, T2N, R18E, B.M., Blaine County

The water is used for irrigation of 17 acres from April 1 to November 1 within the SW¼SE¼, Sec. 25; NW¼NE¼, NE¼SE¼, Sec. 36; Lt3 (NW¼SW¼), Sec. 31, T2N, R18E

PORTION OF RIGHT TO BE CHANGED:

Amount: 0.54 cfs

Point of Diversion: SW¼NE¼, Sec. 16, T2N, R18E, B.M., Blaine County
Place of Use:
SW¼SE¼, Sec. 25; NW¼NE¼, NE¼SE¼, Sec. 36; Lt 3 (NW¼SW¼), Sec. 31, T2N, R18E for irrigation of 17 acres .

PORTION TO BE CHANGED AS FOLLOWS:

Amount: 0.54 cfs

Point of Diversion: SE¼SW¼, Sec. 12, T1N, R18E, B.M., Blaine County

Place of Use: NW¼NE¼ Sec. 23, T2N, R18E for irrigation of 17 acres.

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before September 21, 1981.

A. KENNETH DUNN
Director

Published in Wood River Journal on September 3 and September 10, 1981.

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-08838C (Part)

NOTICE IS HEREBY GIVEN, That Ed Cammeron of Bellevue, Idaho, has applied to the Department of Water Resources for a of change of point of diversion of the waters of Big Wood River tributary to Malad River. The right sought to be changed is evidenced by decree to Irvin E. Rockwell in case of Irvin E. Rockwell vs. Mans H. Coffin dated Aug. 25, 1949 in Fourth Judicial District, County of Blaine, and recorded as follows:

Amount: 2.95 cfs
Priority: November 12, 1936
Point of Diversion: SW¼NE¼, Sec. 16, T2N, R18E, B.M., Blaine County
The water is used for irrigation purposes of 17 acres from April 1 to November 1 within the SW¼SE¼, Sec. 25; NW¼NE¼, NE¼SE¼, Sec. 36; Lt 3 (NW¼SW¼), Sec. 31, T2N, R18E

PORTION OF RIGHT TO BE CHANGED:

Amount: 0.54 cfs
Point of Diversion: SW¼NE¼, Sec. 16, T2N, R18E, B.M., Blaine County
Place of Use: SW¼SE¼, Sec. 25; NW¼NE¼, NE¼SE¼, Sec. 36; Lt 3 (NW¼SW¼), Sec. 31, T2N, R18E, for irrigation of 17 acres.

PORTION TO BE CHANGED AS FOLLOWS:

Amount: 0.54 cfs
Point of Diversion: SE¼SW¼, Sec. 12, T1N, R18E, B.M., Blaine County
Place of Use: NW¼NE¼ Sec. 23, T2N, R18E for irrigation of 17 acres

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before September 21, 1981.

A. Kenneth Dunn
Director

Publish: Wood River Journal--September 3, 10, 1981.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

August 27, 1981

Wood River Journal
P.O. Box 988
Hailey, Idaho 83333

Re: Notice of Proposed Change of Water Right No. 37-0833C (Part)

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

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

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

Sincerely,

MICROFILMED

Mary A. Hill
Sr. Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

Form 222a
6/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: J E Stanton

1. Right number 37-0833C Part Applicant Ed Cameron T 2588
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Other _____
4. Check:
   - (a) ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
   - (b) ☒ Description of original point of diversion.
   - (c) ☒ Description of original place of use.
5. Amount of land &/or water transferred:
   - (a) ☒ All of right.
   - (b) ☒ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
   - c. ☒ Check description of point(s) of diversion.
   - d. ☒ Check description of place of use.
   - e. ☒ Check map (shows p.d. and p.u. after transfer).
   - f. ☒ Check for correct signature, notarization, and fee.
   - g. ☐ Check proof of ownership of right &/or land from which water is transferred.
   - h. ☒ Check for expansion in use of right. Comments groundwater is irrigating the ~~applicant's~~ land this water is being removed from.
   - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
     Right number(s) 37-0362 part
   - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
     If yes, what district? 37

FINAL PROCESSING REVIEW BY: ADM

1. Watermaster recommendation requested on 8/27/81 Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No 01E, 05 (37 BIGWOOD)

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* Meas. device, lockable control, under control of ~~watermaster of Dist. 37.~~ 01E, 05 (37 BIG WOOD RIVER)
4. By ADM Date 9/29/81

Ami 10/14/81

* *All uses within Watermaster Districts require special conditions.*

RECEIVED
OCT 01 1981
Department of Water Resources

MICROFILMED

10/7/81

TO: DAVE

FROM: JIM

RE: CONDITIONS OF APPROVAL FOR TRANS. 2588

FOLLOWING ARE CONDITIONS THAT WE WOULD NORMALLY USE ON TRANSFERS WITH EXCESSIVE CFS / ACRE. However because of the special CONSIDERATION GIVEN TO PAST TRANSFERS YOU MAY WANT TO CHANGE SOME OF THE CONDITIONS.

Please review and return if you concur.

1). OIE

2). OS (37, BIG WOOD)

3) ~~X~~ Maximum rate of diversion under this right shall not exceed 0.34 cfs nor shall the annual volume exceed 59.6 acre feet.

10/13

Jim:

Because ① the water right described by T2588 will be conveyed 1½ miles through a ditch to the place of use, ② The water described herein is Rockwell By-Pass water (and is therefore "saved" or "developed water), and ③ the irrigation system at the new place of use will likely be flood irrigation, we should limit only the acreage to be irrigated.* This is limited to 17 ac by ~~the~~ Part C of the transfer so no third condition of approval is required. Dave

* and 0.54 cfs does not appear to be excessive.

TRANS 2462

July 10, 1981

C. G. McIntyre
156 Second Ave., West
P.O. Box 526
Twin Falls, ID 83301

Dear Mr. McIntyre,

RE: Transfer of Water Right No.'s 37-0833 & 37-0158

Enclosed are copies of the approved Application for Transfers of the above referenced water rights (Transfer No.'s 2462 & 2456). Be sure to note the conditions of approval as listed on the fourth pages.

Please note that the Department has approved the two enclosed transfers in full. However, our position remains unchanged regarding the Mabel Spencer transfers. With the information that is currently in our files, including a letter received from Mrs. Spencer on June 8, 1981, our action will be to (1) approved Transfer No. 2455 on Water Right No. 37-0886 (6.4 miners inches) and (2) deny the other three applications with the condition that the rights cannot be delivered unless the water moved by Transfer No. 2455 is returned to the original property.

The only alternative to the above described action appears to be for Mrs. Spencer to withdraw all four transfer applications and leave all the water on the 3 acres. If Mrs. Spencer wishes to withdraw the applications or if you have further questions, please contact me prior to August 14, 1981.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

cc: Mrs. Mabel Spencer
P.O. Box 52
Bellevue, ID 83313

Enclosures

DRT Tu 7/7/81

MEMO

7/2/81

TO: Norm Young
FROM: Phil Lassen
RE: C. & McIntyre Letter

I agree.
NCT.

In the normal transfer situation, it is clear that the new place of use shall not exceed in acreage the old place of use. This is so that an expansion or enlargement of the original right does not occur as prohibited by §42-222, Idaho Code. This principle appears to be applicable to the four transfers 2454, 2455, 2457 and 2458 applied for by Mabel Spencer.

I feel that the enlargement prohibition should not be applied to transfer 2462 applied for by John Fell Stevenson. Because the 1.3 cfs sought to be transferred is classified as salvaged water made available only through the efforts of the applicant and his predecessors no other water user is in a likely position to be legally harmed by the transfer. Any concern over the precendential impact of approving the transfer should be minimal because it would be limited to instances of salvaged or developed water.

RECEIVED
JUN 18 1981
Department of Water Resources

LARSON, McINTYRE & COLEMAN
LAWYERS
156 SECOND AVE. WEST
P.O. BOX 525
TWIN FALLS, IDAHO 83301
(208) 734-1224

BERT LARSON, P.A.
C. G. McINTYRE, P.A.
JOHN R. COLEMAN, P.A.

THOMAS B. HIGH

June 17, 1981

Idaho Department of Water Resources
Statehouse
Boise, ID 83720

ATTENTION: Mr. David R. Tuthill, Jr., P.E. Supervisor
Water Allocation Section

Re: Applications for Transfer No. 2454 (37-0418), 2455 (37-0886), 2456 (36-0158), 2457 (37-0703), 2458 (37-0113) and 2462 (37-0833)

Dear Mr. Tuthill:

This is in response to your letter of May 29, 1981, and your request for our response prior to taking final action. We follow your example of organizing our comments by names of applicant.

Mr. and Mrs. Stanley Johnson

You propose to approve this entire transfer with the water to be used on 40 acres within the NE¼ SW¼ of Section 30, Township 1 North, Range 19 East, Boise Meridian, Blaine County, Idaho. Our client, John Fell Stevenson, concurs in your proposal.

John Fell Stevenson

The Application for Transfer is Number 2462. The names of the rightholders are E. V. McHan and Marjorie McHan. They are both now deceased. Under Transfer No. 1749 and Identification No. 37-0833 they changed the point of diversion from the NE¼ SE¼ of Section 16, Township 2 North, Range 18 East, Boise Meridian, to the SW¼ SW¼ of Section 29, Township 4 North, Range 18 East, Boise Meridian, and the place of use from 178 acres in Section 31. Township 2 North, Range 19 East, Boise Meridian, and 122 acres in Section 36, Township 2 North, Range 18 East, Boise Meridian, to 15.876 acres in the SW¼ NE¼ of Section 6, Township 3 North, Range 18 East, Boise Meridian, The application was approved on October 10, 1972, by R. Keith Higginson, Director of the Idaho Department of Water Resources. The water was orig-

inally decreed to Irvin E. Rockwell in the case of Irvin E. Rockwell vs. Mans Coffin, dated August 25, 1949, and recorded in Book 12 of Judgments, Page 115, Blaine County, Idaho. The water awarded in the Rockwell Decree is for "saved water" by virtue of the Rockwell Bypass. The recipient of the water must assume proportionate amount of work and payments required to keep the decree and water right in full force and effect and such proportionate shares and obligations to maintain the bypass as required by Findings of Fact and Conclusions of Law in the decree in the legal action. The approval of the entire transfer with the water to be used on 65 acres within the NE¼ SW¼ of Section 30, Township 1 North, Range 19 East, Boise Meridian, would not be an enlargement of the water right. The water was appurtenant to over 7,000 acres and then to 300 acres and then made appurtenant to approximately 16 acres. The applicant, John Fell Stevenson, now wishes to make it appurtenant to 720 acres. The holder of the water rights has the burden of maintaining the Rockwell Bypass to get the "saved water". The holder must maintain the Rockwell Bypass proportionally for 65 inches of water to get 32 inches under the proposal of the Idaho Department of Water Resources. The 33 inches will revert to the river when it is made possible by the work and resources of the holder. By reason of the fact that this is additional or "saved water", the Department should approve the transfer for the 1.3 cfs as requested in the application. If the proposal of the Idaho Department of Water Resources is to become the rule, then the Rockwell water should be the exception to the rule because it is a decree for "saved water".

? only 40 acres within the tract. Use other lands for P/U, since these are the lands to which the Johnson right will be tr.b. DRT 7-7 81

MIDPOINT LAW

Mrs. Mabel Spencer

This office has received no comment from Mrs. Mabel Spencer. We understand that the Watermaster, Mr. Reid Newby, has talked to Mrs. Spencer. While the amount of water to be transferred is small, the loss to Mrs. Mabel Spencer will be great. She presently has 28.4 miners inches and after the approval of the one transfer she will no longer be delivered any water for her premises.

It appears to us that the position taken by the Idaho Department of Water Resources gives a windfall benefit to existing water rights by increasing the amount of water to fill their rights at the expense of the small water users. By administrative action the property rights of Mrs. Mabel Spencer and the Estates of E. V. McHan and Marjorie McHan, both now deceased, are taken without due process. The Idaho Department of Water Resources has been allowing water rights to be made appurtenant to premises with fewer acres than the number of

inches being transferred to the smaller parcels. We assume that if the holder of the water rights wishes to transfer such water, the Department will take the position that the extra water for the small parcel cannot be transferred to a larger parcel without an administrative "cut" in the water rights on the theory that this is providing maximum protection for existing water rights and to insure that no expansion occurs. This policy unjustly penalizes the holder of the water right.

In your letter you mention that the methodology described is different than that used on the "Astorquia" transfer which was approved on the 2nd of July, 1980, by the Idaho Department of Water Resources. We have relied on this method. In the Astorquia transfer the 1.53 cfs was transferred as set forth in the application for transfer of water right and approved with the following action of the director:

> "(2) This water right shall not be appurtenant to more than 31.1 acres of the lands described as place of use."

If Mr. John Fell Stevenson should later decide to transfer the 1.53 cfs or a net of 1.43 cfs after the transmission loss, the Department may take the position that the transfer cannot be to more than 31.1 acres and he can only transfer 31.1 miners inches of water and he must forfeit the balance of the water to protect existing water rights and to insure that no expansion occurs. A windfall to existing water rights results.

We respectfully submit that all of the applications for transfer should be approved by the Idaho Department of Water Resources to be consistent with the practice and procedure followed by the Idaho Department of Water Resources for many years and which have been relied upon in the past by water users in transfering their water rights. Before such a major policy change in the transfer of water rights is adopted by the Idaho Department of Water Resources, it should be announced with an effective date a year in the future.

We would appreciate the opportunity to make further comments in areas opened by this letter before final action by the Idaho Department of Water Resources.

Sincerely,

C. G. McIntyre

CGM: am
cc: Mr. John Fell Stevenson
Mr. Jack M. Murphy
Mr. Reid Newby
Mrs. Mabel Spencer
Southern Region Office

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 29, 1981

Mr. C. G. McIntyre
Larson McIntyre & Coleman
156 Second Avenue West
P. O. Box 525
Twin Falls, Idaho 83301

RE: Applications for Transfer Nos. 2454 (37-0418), 2455 (37-0886) 2456 (36-0158), 2457 (37-0703), 2458 (37-0113), and 2462 (37-0833).

Dear Mr. McIntyre:

I am writing to you as a principal party in dealing with the above referenced applications for transfer. We have completed a review of the application and wish to solicit any response prior to taking final action. The comments below are organized by name of applicant.

Mrs. Mabel Spencer submitted four applications for transfer, nos. 2454, 2455, 2457, and 2458. As noted on the applications, all four of the water rights identified by the transfers have been used to irrigate two parcels of land identified as tax lots 1026 and 2144, Blaine County.

Per a telephone conversation with personnel in the Blaine County Assessor's Office, the size of tax lot 1026 is 2.6 acres and the size of tax lot 2144 is 0.34 acres. Therefore, assuming that the entire parcels were irrigated, about three acres were irrigated by the Mabel Spencer water rights.

MICROFILMED

The responsibility of this Department regarding review of applications for transfer is to insure that no expansion occurs. Since a water right is limited by both rate of flow and volume, we must insure that the acreage irrigated is not increased when a change in place of use occurs. Therefore, we must require that no more than three acres of the John Fell Stevenson farm be irrigated with the water transferred from Mrs. Spencer. Her water rights are outlined as on the next page.

TRANSFER NO.	WATER RIGHT NUMBER	MINERS INCHES	CFS	DATE OF PRIORITY	SOURCE
2454	37-0418	5	0.10	06-23-1888	Warm Springs Creek
2455	37-0886	6.4	0.128	06-01-1884	Big Wood River
2457	37-0703	10	0.20	06-15-1891	Big Wood River
2458	37-0113	7	0.14	07-10-1884	Big Wood River

Based on the requirement to not allow expansion, we can approve only one of the above transfers, no. 2455. Normally only one miner's inch (.02 cfs) per acre is allowed, but due to the length of the ditch in Mr. Stevenson's conveyance system, a maximum ditch loss (50%) can be allowed. Therefore we propose approval of transfer of 0.120 cfs to be used on 3 acres within the SE¼SW¼ Sec. 30, T. 1 N., R. 19 E.. Given the present information, we propose to deny the other three applications for transfer and instruct the watermaster to no longer deliver the rights, since the consumptive use on the Spencer property will be replaced with three acres consumptive use on the Stevenson property.

Mr. & Mrs. Stanley Johnson submitted application for transfer no 2456. The 1.0 cfs identified in the application has been used to irrigate about 40 acres of land within the NW¼NW¼ Sec. 9, T. 2 N., R. 18 E.. We propose to approve this entire transfer, with the water to be used on 40 acres within the NE¼SW¼ Sec. 30, T. 1 N., R. 19 E.

John Fell Stevenson submitted application for transfer no 2462. The 1.3 cfs identified in the application has been shown to irrigate about 16 acres of land within the SE¼NE¼ Sec. 6, T. 3 N., R. 18 E. If the maximum 50% ditch loss is utilized, only 0.64 cfs can be transferred, to be utilized on a maximum of 16 acres within the SE¼SW¼ Sec. 30, T. 1 N., R. 19 E. We propose to approve the transfer for this rate of flow unless another rate can be substantiated.

We recognize that the methodology described above is different from that used on the "Astorquia" transfer. The reason for this change is an increasing need to provide maximum protection for existing water rights.

If you have additional information that may be needed to evaluate the applications, please send it to my attention by June 20, 1981. We will finalize processing shortly thereafter.

Sincerely,

DAVID R. TUTHILL JR., P. E.
Supervisor, Water Allocation Section

DRT:jg c.c. Southern Region Office
Mabel Spencer
Mr. & Mrs Stanley G. Johnson
Mr. Reid Newby

CONVERSATION MEMORANDUM

DATE 5/13/81

FILE 37-0833
37-0158

NAME OF PARTY Reid Newby 886-2451

EMPLOYEE Dave Tuthill

RE: Reid Newby is intimately familiar with the lands and water rights identified in the above referenced files. He confirmed ownership of 1.0 cfs of 37-0158 by Stan Johnson and ownership of the McHan right (37-0883) by John Fell Stevenson.

Reid Stated that in both cases the land from which the water is proposed to be removed was at one time used the water but now is being developed into housing areas and commercial interests. He supported transfer of the rights, to the extent that no expansion would occur. DRT

MICROFILMED

LARSON, McINTYRE & COLEMAN

LAWYERS
156 SECOND AVE. WEST
P.O. BOX 525
TWIN FALLS, IDAHO 83301
(208) 734-1224

BERT LARSON, P.A.
C. G. McINTYRE, P.A.
JOHN R. COLEMAN, P.A.

THOMAS B. HIGH

October 27, 1980

Mr. Gary Funderburg
Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. N.
Twin Falls, ID 83301

Re: Estate of John Fell Stevenson

Dear Mr. Funderburg:

Enclosed herewith please find a copy of the water transfer from Astorquia to John Fell Stevenson. Please note how they handled the transfer of the water right to the 720 acres of John Fell Stevenson to avoid an expansion of use.

I thought maybe we could do this on the Spencer transfers, Johnson's transfer and McHan transfer to John Fell Stevenson to satisfy the Idaho Department of Water Resources that there is not an expansion of use.

You asked about the water purchase from Mabel Spencer. The water rights Mabel Spencer is selling to John Fell Stevenson are as follows:

1. From the decree to Adolph Hecherd and W. D. Scharff in the Frost Decree for 80 inches of Big Wood River with a priority of June 10, 1887, Mrs. Spencer is selling 6.4 miner inches.

2. From the decree to R. F. Buller and Rosa B. Buller in the Frost Decree for 750 inches of Big Wood River with a priority of July 10, 1884, Mrs. Spencer is selling 7 miner inches.

3. From the decree to A. D. Williams in the Frost Decree for 100 inches of Big Wood River with a priority of June 15, 1891, Mrs. Spencer is selling 10 miner inches.

4. From the decree to Horace C. Lewis in the Frost Decree for 200 inches of Warm Springs Creek with a priority of June 23, 1888, Mrs. Spencer is selling 5 miner inches.

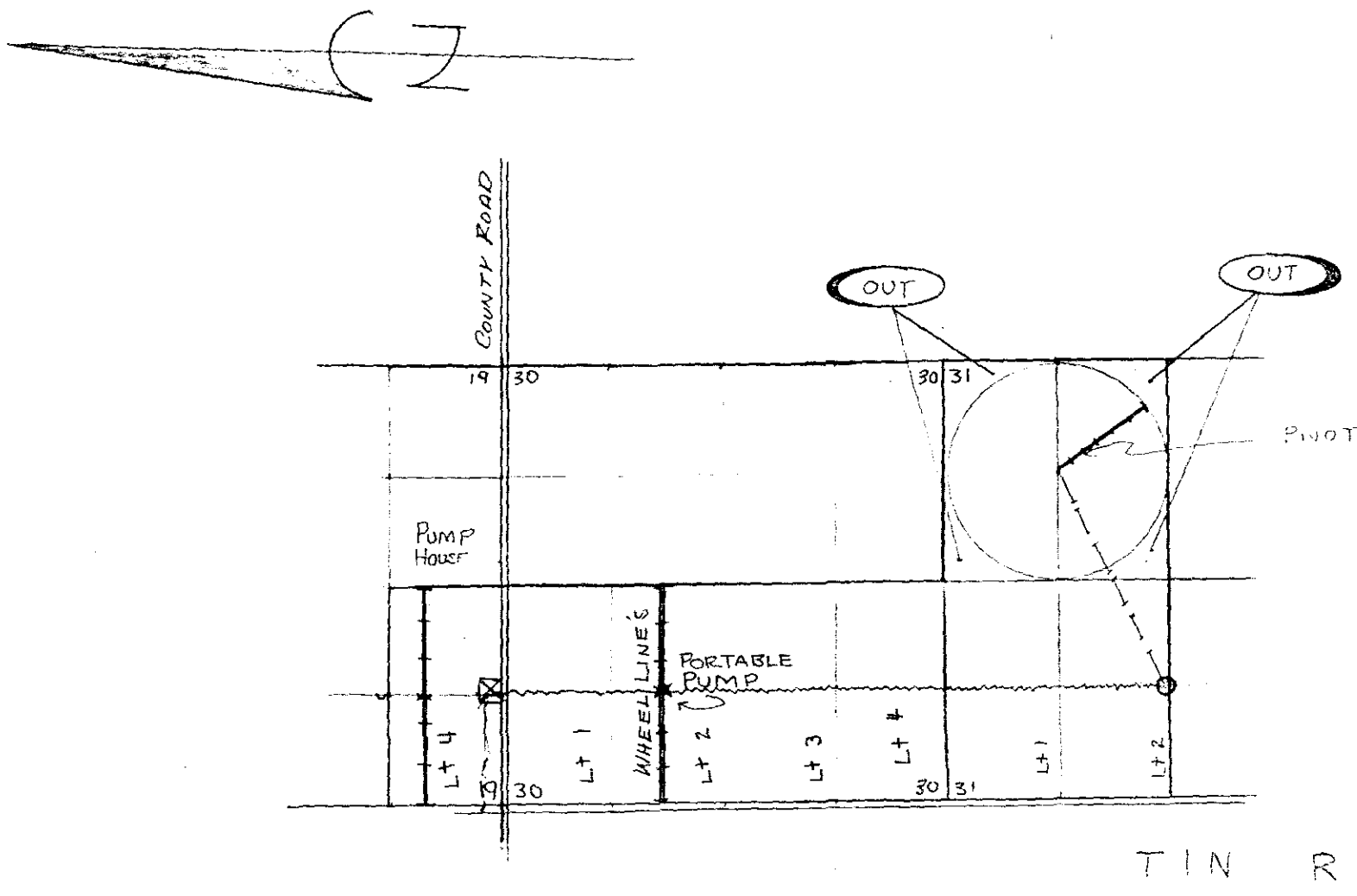
If you need anything further please let us know.

Sincerely,

C. G. McIntyre

CGM:cp

enc



T 1 N R 19 E

MICROFILMED

DATE - 11-4-1980
BY - GF

~~DRAFT COND. OF APPR. FOR T37-0833E PAGE 1~~

1) Use of water under this right shall be under the control of the ~~watermaster of State Water District No. 37.~~

2) This right, as changed by this transfer, shall not be appurtenant to ~~more than 15.575 acres.~~

3) Maximum rater of diversion under this right shall not Exceed 1.3 cubic feet per second ~~not~~ and no more than 97.6 Acre Feet per annum. ~~Shall be on.~~

4) 01

MICROFILMED

Form 222a
6/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: Gary Funkenburg

1. Right number 37-0833 Applicant STEVENSON, John Fell

2. Type of right: ☒ Decree ☐ License ☐ Claim

3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Other _____

4. Check:
   a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
   b. ? ☒ Description of original point of diversion.
   c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:
   a. ☐ All of right.
   b. ☒ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
   c. ☒ Check description of point(s) of diversion.
   d. ☒ Check description of place of use.
   e. ☒ Check map (shows p.d. and p.u. after transfer).
   f. ☒ Check for correct signature, notarization, and fee.
   g. ☒ Check proof of ownership of right &/or land from which water is transferred.
   h. ☒ Check for expansion in use of right. Comments _____
   i. ☒ Check for existing water rights from same source, on land water is being transferred to.
      Right number(s) _____
   j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
      If yes, what district? 37

FINAL PROCESSING REVIEW BY: LL

1. Watermaster recommendation requested on 6-27-80 Received on 7/2/80
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

MICROFILMED

1. ☒ Approve
2. ☐ Deny
3. Conditions* Attached
4. By Loren O Harlan Date 8-7-80

Jmm 8/14/80 use attached conditions

* *All uses within Watermaster Districts require special conditions.*

Resources

APPLICATION FOR TRANSFER OF WATER RIGHT
NO. 37-0833B

RECEIVED
JUL 2 1980
Department of Water Resources
Southern District Office

RECOMMENDATION OF WATERMASTER

I, Reid J. Newby, watermaster of Big Wood River, of Water District No. 37, County of Blaine, State of Idaho, whose address is Box T Shoshone, Idaho 83352 have read the attached copy of the application for transfer of water right for John Fell Stevenson (name), and to the best of my knowledge believe the application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend that the Director of the Department of Water Resources approve the transfer subject to the following conditions: NOne

OR

B. I do not endorse approval of the above numbered Application for Transfer as requested for the following reasons: _____

Dated at Shoshone, Idaho, this 1st day of July 1980.

Reid J. Newby
(signature)

MICROFILMED

Please use reverse side if needed.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-08338

Notice is hereby given that John Fell Stevenson

of Bellevue, Idaho has applied to the Department of Water

Resources for a change of point of diversion and place of use of a water right from a Big Wood River tributary/ Snake River. The

right sought to be changed is evidenced by decree in case of I. E. Rockwell vs Mans Coffin dated Aug.25, 1949 in District Court county of Blaine and further described as follows:

Amount: 1.5 cfs Priority: November 12, 1936

Point of Diversion Sec.16, T.2N, R.18E, B.M.; SW¼SW¼, Sec.29,T.4N, R.18E., B.M., Blaine County

The water is used for irrigation purposes from Apr.1 to Sept.30 for 15.876 acres within SW¼NE¼, Sec. 6, T.3N, R.18E

PORTION OF RIGHT TO BE CHANGED:

Amount: 1.3 cfs

Point of Diversion SW¼SW¼, Sec.29, T4N, R.18E

Place of Use: SW¼NE¼, Sec.6, T3N, R.18E

PORTION TO BE CHANGED AS FOLLOWS:

Amount: 1.3 cfs

Point of Diversion: SW¼NW¼, Sec.36, T2N,R18E

Place of Use: Lt4(SW¼SW¼), SE¼SW¼, Sec.19; E½NW¼, Lt1(NW¼NW¼), Lt2 (SW¼NW¼), E½SW¼, Lt 3 (NW¼SW¼), Lt4 (SW¼SW¼), Sec.30; N½, Sec. 31, T.1N, R.19E for irrigation purposes on 720 acres

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before July 21, 1980.

C. STEPHEN ALLRED
Director

Published in Wood River Journal on July 3 and July 10,1980

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

June 27 , 1980

Wood River Journal
P. O. Box 988
Hailey, Idaho 83333

Re: Notice of Proposed Change of Water Right No. 37-0833

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

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

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

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED

Bill submitted: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

June 27, 1980

Mr. Reid Newby
Watermaster District 37
Box T
Shoshone, Idaho 83352

Re: Application for Transfer of Water Right No. 37-0833B

Dear Reid:

Enclosed is a copy of the above referenced application. Please review it and submit any comments you may have.

If you have questions reagarding the application, please contact this office.

Sincerely,

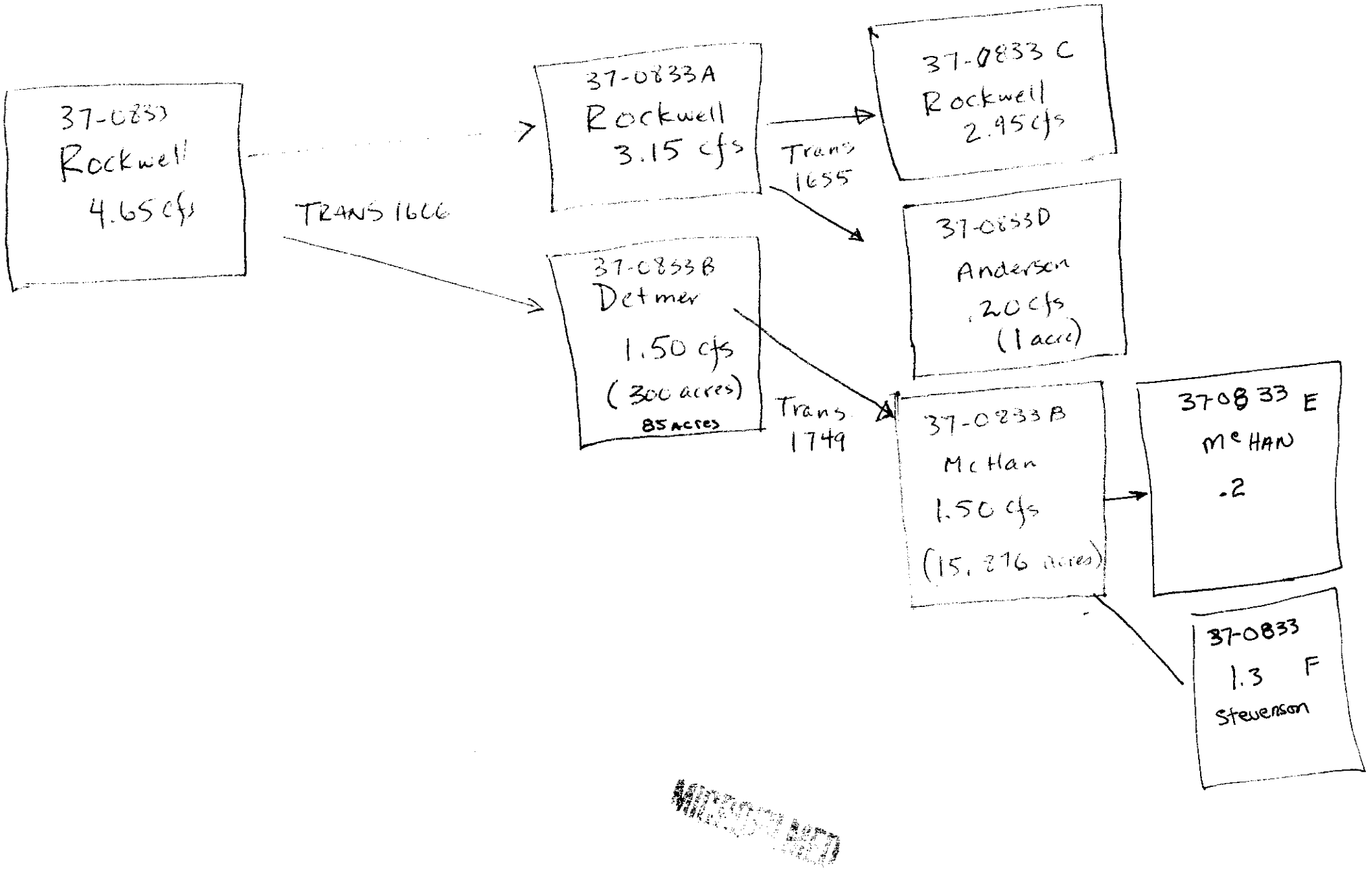
Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED


37-0833
Rockwell
4.65 cfs
TRANS 1666
37-0833A
Rockwell
3.15 cfs
Trans
1655
37-0833 C
Rockwell
2.95 cfs
37-0833B
Detmer
1.50 cfs
(300 acres)
85 ACRES
37-0833D
Anderson
.20 cfs
(1 acre)
Trans
1749
37-0833 B
McHan
1.50 cfs
(15.876 acres)
37-0833 E
McHAN
.2
37-0833
1.3 F
Stevenson

TRANS 1749

October 11, 1972

Re: Transfer No. 37-0833

E. V. & Marjorie McHan
P. O. Box 126
Ketchum, Idaho 83340

Dear Mr. & Mrs. McHan:

Enclosed please find a copy of your approved Application for Transfer of Water Right No. 37-0833. We direct your attention to the condition of approval as listed on the fourth page.

We are enclosing a letter describing different types of measuring devices accepted by this Department.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of transfer
information letter

bc: Southern District Office

RECEIVED

SEP 15 1972

Department of Water Administration

Identification No. _____

Transfer No. 37-0833

APPLICATION FOR TRANSFER OF WATER RIGHT

RECOMMENDATION OF WATERMASTER

I, Reid J Newby, watermaster of Big Wood River, of Water District No. 37, County of Blaine, State of Idaho, whose address is Box N Shoshone, Idaho, have read the attached copy of the application for transfer of water right for E.V. McHan & Marjorie McHan (name), and to the best of my knowledge believe the application to be true.

A. I hereby endorse Application for Transfer and recommend that the State Reclamation Engineer approve the Transfer subject to the following conditions: that there be no River Loss - Transferring upstream & that Comstock Headgate be maintained Properly.

OR

B. I do not endorse approval of this Application for Transfer as requested for the following reasons: _____

Dated at Shoshone, Idaho, this 15 day of Sept., 1972.

Reid J Newby
(Signature)

COPY

September 8, 1972

Re: Transfer No. 37-0833

Mr. Reid J. Newby
Box N
Shoshone, Idaho 83352

Dear Mr. Newby:

Enclosed is a copy of Application for Transfer No. 37-0833. Please review this application and submit your comments on the enclosed form no later than September 28, 1972.

Your assistance in this matter is appreciated.

Very truly yours,

Donald W. McEldowney
Water Rights Supervisor

DWM/cd

Enc:

RECEIVED

SEP 23 1972

Department of Water Administration

Identification No. _____

Transfer No. 37-0833

APPLICATION FOR TRANSFER OF WATER RIGHT

RECOMMENDATION OF WATERMASTER

I, Reid J Newby, watermaster of Big Wood River, of Water District No. 37, County of Blaine, State of Idaho, whose address is Box N Shoshone, Idaho, have read the attached copy of the application for transfer of water right for E.V. McHan + Marjorie McHan (name), and to the best of my knowledge believe the application to be true.

A. I hereby endorse Application for Transfer and recommend that the State Reclamation Engineer approve the Transfer subject to the following conditions: that there be no River loss - Transferring upstream + that Comstock Headgate be maintained Properly.

OR

B. I do not endorse approval of this Application for Transfer as requested for the following reasons: _____

Dated at Shoshone, Idaho, this 15 day of Sept., 1972.

Reid J Newby
(Signature)

DWM Division

September 8, 1972

Re: Transfer No. 37-0833

Mr. Reid J. Newby
Box N
Shoshone, Idaho 83352

Dear Mr. Newby:

Enclosed is a copy of Application for Transfer No. 37-0833. Please review this application and submit your comments on the enclosed form no later than September 28, 1972.

Your assistance in this matter is appreciated.

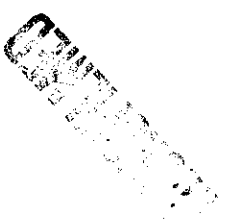
Very truly yours,

Donald W. McEldowney
Water Rights Supervisor

DWM/cd

Enc:

September 8, 1972



Re: Transfer App. No. 37-0833 - McHan

Wood River Journal
P.O. Box 988
Hailey, Idaho 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

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

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

> " I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."
>
> ---
>
> (signature of claimant)

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

Bill submitted 10-5-72 by

BDF:DR
Enc: Legal notice

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-0833

Notice is hereby given that E. V. McHan and Marjorie McHan of P.O. Box 126, Ketchum, Idaho, have applied to the Dept. of Water Administration for a change of the point of diversion and place of use of the waters of Rockwell Slough, tributary to Big Wood River. The right sought to be changed is evidenced by Decree to I. E. Rockwell in case of Irvin E. Rockwell -vs- Mans Coffin, dated August 25, 1949, in Fourth Judicial District Court, County of Blaine, and is recorded as follows:

Amount: 4.65 cfs Priority: November 12, 1936

Point of diversion: NE¼SE¼, Sec. 16, Twp. 2 N, Rge. 18 E, B.M. Blaine County.

The water is used for irrigation purposes from April 1 to Sept. 30 within the SW¼NE¼, Lot 2, SE¼NW¼, fractions of Lot 3 and 4, Lot 5, Sec. 31, Twp. 2 N, Rge. 19 E, B.M. and Lot 5, Lot 6, part of SE¼SE¼, Sec. 36, Twp. 2 N, Rge. 18 E, B.M.

TO BE CHANGED AS FOLLOWS

Amount: 1.5 cfs Point of diversion: SW¼SW¼, Sec. 29, Twp. 4 N, Rge. 18 E, B.M.

The water will be used for irrigation purposes within the SW¼NE¼, Sec. 6, Twp. 3 N, Rge. 18 E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707, on or before October 2, 1972.

R. KEITH HIGGINSON, Director

Published in the Wood River Journal at Hailey, Idaho, on September 14 and September 21, 1972.

TRANS 1655

July 1, 1971

Re: Transfer No. 37-0833/1655

Mr. Reid J. Newby, Watermaster
Post Office Box #128
Shoshone, Idaho 83352

Dear Mr. Newby:

Please find enclosed a copy of the APPROVED Application for Transfer No. 1655.

If you have any questions in the matter, please let us know.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

Enclosure

July 1, 1971

Re: Transfer No. 37-0833/1655

Mr. Donald B. Johnson
Post Office Box #121
Sun Valley, Idaho 83353

Dear Mr. Johnson:

Please find enclosed a copy of your APPROVED Transfer No. 1655.

If we may be of any further assistance, please do not hesitate to contact this office.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

Enclosure

Southern Idaho District Council of the Assemblies of God

SUPERINTENDENT 46 810
HOMER B. WALKUP
P. O. BOX 309
NAMPA, IDAHO 83651

ASSISTANT SUPERINTENDENT
WARREN D. COMBS
312 - 16TH AVENUE NORTH
NAMPA, IDAHO 83651

SECRETARY-TREASURER
MARTIN SUMNER, JR.
P. O. BOX 309
NAMPA, IDAHO 83651

PRESBYTERS

SECTION 1
F. C. HOWE
614 JUNCTION
GRANGEVILLE, IDAHO 83530

SECTION 2
D. C. ALLEN
201 EAST 34TH
BOISE, IDAHO 83704

SECTION 3
L. I. LAMANCE
BOX 601
TWIN FALLS, IDAHO 83330

SECTION 4
C. A. SLAUGHTER
P .O. BOX 88
POCATELLO, IDAHO 83201

April 5, 1971

Department of Water Administration
R. Keith Higginson, Diredtor
Boise, Idaho

Dear Sirs:

It was brought to the attention of the headquarters of the Southern Idaho District Council of the Assemblies of God that an attempt to divert water from land once owned by Irwin E. Rockwell in Blaine County has been made.

Since we own over 57 acres of the old Rockwell Estate, we are concerned about this diversion. While the Sections listed in the advertizing do not seem to be identical with our leagl description, we do not want to risk loosing some water right which is legally ours.

Therefore, we hereby register a protest against any diversion of water which would affect in any adverse way our rights on the Rockwell Estate which is designated on the tax rolls of Blaine County as lying in Sections 26 and 35.

We trust you will do all in your power to protect our water rights in this situation.

Thank you very much.

Sincerely yours,

Homer B. Walkup

Homer B. Walkup
Superintendent

Southern Idaho District Council of the Assemblies of God

SUPERINTENDENT
HOMER B. WALKUP
P. O. BOX 309
NAMPA, IDAHO 83651

ASSISTANT SUPERINTENDENT
WARREN D. COMBS
312 - 16TH AVENUE NORTH
NAMPA, IDAHO 83651

SECRETARY-TREASURER
MARTIN SUMNER, JR.
P. O. BOX 309
NAMPA, IDAHO 83651

PRESBYTERS

SECTION 1
F. C. HOWE
614 JUNCTION
GRANGEVILLE, IDAHO 83530

SECTION 2
D. C. ALLEN
201 EAST 34TH
BOISE, IDAHO 83704

SECTION 3
L. I. LAMANCE
BOX 601
TWIN FALLS, IDAHO 83330

SECTION 4
C. A. SLAUGHTER
P .O. BOX 88
POCATELLO, IDAHO 83201

April 5, 1971

MICROFILMED

Department of Water Administration
614 W. State St.
Boise, Ida. 83705

Att: Mr. D.W. McEldowney

Dear Mr. Mc Eldowney:

After our conversations relative to the water diversion on the Rockwell land at Bellevue on Monday the 5th of April, I contacted Mr. Reed Newby, watermaster at Shoshone, Idaho.

He assured me that our land or water is not affected as this diversion was several miles north of our diversion ditch.

We can drop our protest, therefore, so this will authorize you to remove our letter of protest in the matter.

I wish to thank you for your help at the office this morning.

Sincerely yours,

Homer B. Walkup

Homer B. Walkup
Superintendent

March 3, 1971

Re: Transfer No. 1655

The Wood River Journal
Post Office Box # 988
Hailey, Idaho 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. 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. In order to receive payment, the following certification must appear on the bill:

> "I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."
>
> ----------
> (signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

Enc: Legal Notice

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 1655

Notice is hereby given that Donald B. and Joan H. Anderson of P.O. Box #121, Sun Valley, Idaho, have ~~has~~ applied to the Department of Water Administration for a change of point of diversion and place of use of the waters of Rockwell Bypass, tributary to Big Wood River.

The right sought to be changed is evidenced by Decree to Irwin E. Rockwell in Case of Rockwell v.s. Coffin and is recorded as follows.

Amount: 4.65 c.f.s. Priority: 11/12/36

Point of Diversion: SW¼SE¼ Sec. 22, T. 2 N, R. 18 E, B.M., Blaine County

The water is used for irrigation purposes within S½SW¼ Sec. 33, SE¼NE¼, SE¼NW¼, N½SW¼, NE¼SE¼ Sec. 32, T. 3 N, R. 18 E, B.M.

TO BE CHANGED AS FOLLOWS

Amount: 0.20 c.f.s.

Point of Diversion: NW¼SE¼ Sec. 12, T. 4 N, R. 17 E, B.M.

The water will be used for irrigation purposes within the NW¼SE¼ Sec. 12, T. 4 N, R. 17 E, B.M.

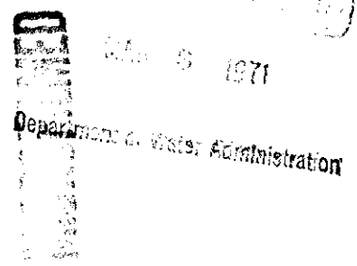
Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before April 5, 1971.

R. KEITH HIGGINSON
Director

Published in the Wood River Journal, Post Office Box #988, Hailey, Idaho on March 18, 1971 and March 25, 1971.

Box 121
Sun Valley, Idaho
83353

Mar 2, 1971



Department of Water Administration
Statehouse - Annex 2.
Boise, Idaho.
Att: Mr. D.W. McEldowney.

Dear Mr. McEldowney;

Thank you for your letter of February 24, 1971. I have checked with our surveyor and he has informed me that indeed the location of land to be irrigated and the new point of diversion are located within the NW¼ SE¼ of Section 12, Township 4 N, Range 17 E, B.M. Therefore you have our permission to change Item # 11 of our application for transfer of water right and initiate readvertising.

Thank you for your help.

Sincerely,

Joan H. Anderson.
(Mrs. Donald B.).

February 24, 1971

Re: Permit No. 37-1833
Transfer # 1655

Donald B. & Joan H. Anderson
Post Office Box #121
Sun Valley, Idaho 83353

Dear Mr. Anderson:

We have taken the information that you have supplied us with and have reviewed two new advance sheets concerning the proposed maps of this area, published by the Geological Survey. It would appear that your point of diversion and place of use are located within the NW¼SE¼ of Section 12, Township 4 N, Range 17 E, B.M. We have taken the liberty of changing your map, and if you agree, we will need to change item #11 to correspond with the map.

If indeed, both the point of diversion and the place of use are in the NW¼SE¼ of Section 12, then it will be necessary for the department to re-advertise your transfer application. Please advise us by return mail and we would initiate the re-advertising.

Your assistance in this matter has been greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cm

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse – Annex 2
Boise, Idaho 83707
(208) 384-2215

R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

February 16, 1971

Re: Identification No. 37-0833
Transfer No. 1655

Mr. Donald B. & Joan H. Anderson
Post Office Box #121
Sun Valley, Idaho 83353

Dear Mr. & Mrs. Anderson:

MICROFILMED

We are enclosing your application for transfer. The Department has processed the transfer and is prepared to take final action. We would require one point of clarification before final action is taken. The description entered under item #10 and #11 of the application correspond. However, they do not correspond with the map you have entered.

Please make the necessary changes and return the application for processing.

If we can be of further assistance, please contact us.

Very truly yours,

RECEIVED
FEB 23 1971
Department of Water Administration

Donald W. McEldowney
Appropriation Supervisor

DWM:cm

Enc: application for transfer (completed)

Have penciled in a map in what I hope is the right place. If O.K. - please ink in; otherwise return to me

February 16, 1971

Re: Identification No. 37-0833
Transfer No. 1655

Mr. Donald B. & Joan H. Anderson
Post Office Box #121
Sun Valley, Idaho 83353

Dear Mr. & Mrs. Anderson:

We are enclosing your application for transfer. The department has processed the transfer and is prepared to take final action. We would require one point of clarification before final action is taken. The description entered under item #10 and #11 of the application correspond. However, they do not correspond with the map you have entered.

Please make the necessary changes and return the application for processing.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cm

Enc: application for transfer (completed)

Identification No. 37-0833

Transfer No. 1655

APPLICATION FOR TRANSFER OF WATER RIGHT

RECOMMENDATION OF WATERMASTER

I, Reid J. Newby, watermaster of Silver Creek & Little Wood River, of Water District No. 7-AB ~~11-A-B~~, County of Blaine, State of Idaho, whose address is P.O. Box 128, Shoshone, Idaho, have read the attached copy of the application for transfer of water right for Donald B. & Joan H. Anderson (name), and to the best of my knowledge believe the application to be true.

A. I hereby endorse Application for Transfer and recommend that the State Reclamation Engineer approve the Transfer subject to the following conditions:

That there be an established access road for Watermaster & Watermaster's Deputy and that this pump be adjusted so as not to pump in excess of the 10" being transferred.
(This has neen explained to the above applicants)

OR

B. I do not endorse approval of this Application for Transfer as requested for the following reasons: _____

Dated at Shoshone, Idaho, this 18 day of December, 1972.

Reid J. Newby
(Signature)

December 17, 1970

Re: Application for Transfer of Water Right No. 1655/37-0833

COPY

Mr. Reid J. Newby, Watermaster
P.O. Box 128
Shoshone, Idaho 83352

Dear Mr. Newby:

Enclosed is a copy of an Application for Transfer of Water Right which has been submitted to this office. We would appreciate your recommendation for either approval or denial of this transfer application.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosure

December 17, 1970

Re: Transfer Application No. 1655/37-0833

Wood River Journal
P.O. Box 988
Hailey, Idaho 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. 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. In order to receive payment, the following certification must appear on the bill:

> "I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

_____
(signature of claimant)

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosure

Bill submitted 1-12-71 **By** [illegible]

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 1655

Notice is hereby given that Donald B. and Joan H. Anderson of P. O. Box 121, Sun Valley, Idaho have applied to the Department of Water Administration for a change of point of diversion and place of use of the waters of Rockwell Bypass tributary to Big Wood River. The right sought to be changed is evidenced by Decree to Irwin E. Rockwell in Case of Rockwell vs. Coffin and is recorded as follows. Amount: 4.65 c.f.s. Priority: 11-12-36 Point of Diversion: SW1/4SE1/4 Sec. 22, T. 2N., R. 18E., B.M., Blaine County. The water is used for Irrigation purposes within S1/2SW1/4 Sec. 33; SE1/4NE1/4, SE1/4NW1/4, N 1/2 SW1/4, NE1/4 SE1/4 Sec. 32, T. 3 N., R. 18 E., B. M.
TO BE CHANGED AS FOLLOWS
Amount: 0.20 c.f.s.
Point of Diversion: NW1/4 SE1/4 Sec. 12, T. 4 N., R. 17 E., B. M.
The water will be used for Irrigation purposes within the NE1/4SE1/4 Sec. 12, T. 4 N., R. 17 E., B. M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before January 18, 1970.

R. KEITH HIGGINSON
Director

Published in the Wood River Journal, P. O. Box 988, Hailey, Idaho on December 31, 1970 and January 7, 1971.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 1655

Notice is hereby given that Donald B. and Joan H. Anderson of P.O. Box 121, Sun Valley, Idaho have ~~has~~ applied to the Department of Water Administration for a change of point of diversion and place / of use of the waters of Rockwell Bypass tributary to Big Wood River.

The right sought to be changed is evidenced by Decree to Irwin F. Rockwell in Case of Rockwell vs. Coffin and is recorded as follows.

Amount: 4.65 c.f.s. Priority: 11-12-36

Point of Diversion: SW¼SE¼ Sec. 22, T. 2 N., R. 18 E., B.M., Blaine County

The water is used for Irrigation purposes within S½SW¼ Sec. 33; SE¼NE¼, SE¼NW¼, N½SW¼, NE¼SE¼ Sec. 32, T. 3 N., R. 18 E., B.M.

TO BE CHANGED AS FOLLOWS

Amount: 0.20 c.f.s.

Point of Diversion: NW¼SE¼ Sec. 12, T. 4 N., R. 17 E., B.M.

The water will be used for Irrigation purposes ~~xxxxxx~~ within the NE¼SE¼ Sec. 12, T. 4 N., R. 17 E., B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before January 18, 1970.

R. KEITH HIGGINSON
Director

Published in the Wood River Journal, P.O. Box 988, Hailey, Idaho on December 31, 1970 and January 7, 1971.

November 23, 1970

Donald D. and Joan H. Anderson
Box 121
Sun Valley, Idaho 83353

Dear Mr. and Mrs. Anderson:

Returned herewith is Departmental Receipt No. 5352 in the amount of $10.00 for Application for Transfer,

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

TRANS 1606

Dellcove, Idaho.
Oct 12, 1969

T 1606

State Reclamation Department
Boise, Idaho

Gentlemen.

Your letter stating that my claims should be directed to the Conell that is involved.

Mr Ed Plemmons is a Director of the Water and Conell involved. and per Event Counsell in victory of that Coll. And the Pres of them has all Rights got enough water for the Conell to keep up all grass in the some Ditch causing it Befuzzell of email water ways in the ditch. that some tryes to Rotate Water in the some ditch.

And Woodrow Hatto is the Water master for my Woodrow and also the Ditch rider for Conell 83, the one in question.

And mr Hatto has put water on this Conell 83. more than it has land to, use the water on. and he has sold water ouse down the Ditch to other people that had no water, or ditch right on Conell 83. is this not using the Official Capacity to Monopolize. a Conflict of Interest. I Believe. my Complaint has been directed to all Concerned. Including the Reclamation Dept. If you see Lawsuit let ark the Attorney General or the Governor.

Sincerely Yours
O.K. Heal

T. 1056

October 10, 1969

Re: Detmer Transfer of Water Right

COPY

W. R. Head
Bellevue,
Idaho 83313

Dear Mr. Head:

This letter is to advise you that we are issuing a certificate authorizing the transfer of Mr. Earl Detmer's Water Right.

Your protest stated that Mr. Detmer had been given authority to put his water into the Cove 33 Ditnh and others had been refused this priviledge. We feel your protest is against the ditch company rather than against Mr. Detmer.

Very truly yours,

Robert W. Hamilton
Supervisor of Water Distribution

RWH:mh

MICROFILMED

T. 16

October 10, 1969

COPY

Reid J. Newby, Watermaster
Water District No. 7-AB
P. O. Box 128
Shoshone, Idaho 83352

Dear Mr. Newby:

We are enclosing a copy of approved transfer of water right No. 1606, in the name of Earl F. Detmer, (in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer).

Very truly yours,

Robert W. Hamilton
Supervisor of Water Distribution

RWH:mh

Enclosure

MICROFILMED

October 9, 1969

COPY

Earl F. Detmer
443 Madison Street
Twin Falls, Idaho 83301

Dear Mr. Detmer:

We are enclosing a copy of your approved transfer of water right No. 1606, (in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer).

The Departmental Receipt for $20.00, covering the fees, was given to you.

Very truly yours,

Robert W. Hamilton
Supervisor of Water Distribution

RWH:mh

Enclosure

MICROFILMED

Bellevue, Idaho
Oct 4 1969

Robert W. Hamilton
Supervisor of Water Distribution
Dept. of Reclamation
Dear Sir,

In regard to Mr. Heads protest of the Earl Detmer transfer of 75 miles. Mr. Heads Son was present (representing Mr. Head) at the meeting 4/26/67 when this was presented and it was approved.

Mr. Head is hard to get along with. He refuses to put a head gate & measuring device. He also owes 2 years water assessments. This and the fact he has not had water that we could expect to transfer, accounts for this being turned down.

Yours truly,
Everett A. Campbell
Sec-Treas
Canal # 33

T. 1606

September 22, 1969

COPY

Everett A. Campbell
Secretary - Treasurer
Cove 33 Ditch
Bellevue, Idaho 83313

Dear Mr. Campbell:

We have received a protest from Mr. W. R. Head in connection with the Earl Detmer application for transfer of water right. Mr. Head indicates that others have been denied the opportunity to transfer their water into your ditch while some are allowed to do so. We have advised him that the matter was discussed at a ditch company meeting and was voted to allow Mr. Detmer to carry 75 inches in the canal. We have also advised him that we consider his protest as a protest against the ditch company rather than a protest against Mr. Detmer's transfer of water right.

He has failed to show that his right might be injured by such a transfer. We would like to know if your records indicate that Mr. Head was at the meeting in which this matter was discussed.

As everything appears to be in order, it is quite probable that Mr. Detmer's application will be allowed and if Mr. Head feels himself aggrieved, he will then have to appeal to the district court.

Very truly yours,

Robert W. Hamilton
Supervisor of Water Distribution

RWH:mh

MICROFILMED

Boise Idaho T. 1606

Sept 10 1969.

RECEIVED
Department of Reclamation

Department of Reclomation.
State House. Anex 2.
Mr Robert Hamelton.

Dear Sir

I Have your letter in regard
of mr. Shelton on sept 9 Derection
me to go to the Ditch people that
the Matter that mr Zel Depner
is try to get a permit right in
I Have ask mr Depner to
do something about the Pridicament
in the Ditch, but he did not
do any thong. and I Protested
to Take be for the Next time
of the Publication in the Wood
River Journal. on the 8 of sept.

There is a monopley already
in this Ditch in question between
mr Campbell an Mr Depner
and the Water meter mr
Hood & Ross Platts. that is 2 Gilead
the Record will show this.
for this Reason. that mr Campbell
Mr Depner mr Platts, for when
the Most Matter in the Ditch the
they Know that is Matter up to

MICROFILMED

At the Two last Months there
Has been Precipitation And I am Sorry to
much Concerned Mutch that By Law
Allowing Mr Watts to put Log amount
Of Water in the Ditch Which He only
Have a small parcel of Land and
Reselling that Water after other People
Has Bought Water of the Land and
Was Refused the Right to put the
Water in the Canal Impression, on
Ground that Was Not Room in
the Ditch. I Believe my Protest
is at the Right Place and Would
like it to Stand and take the Legle
Chanels.

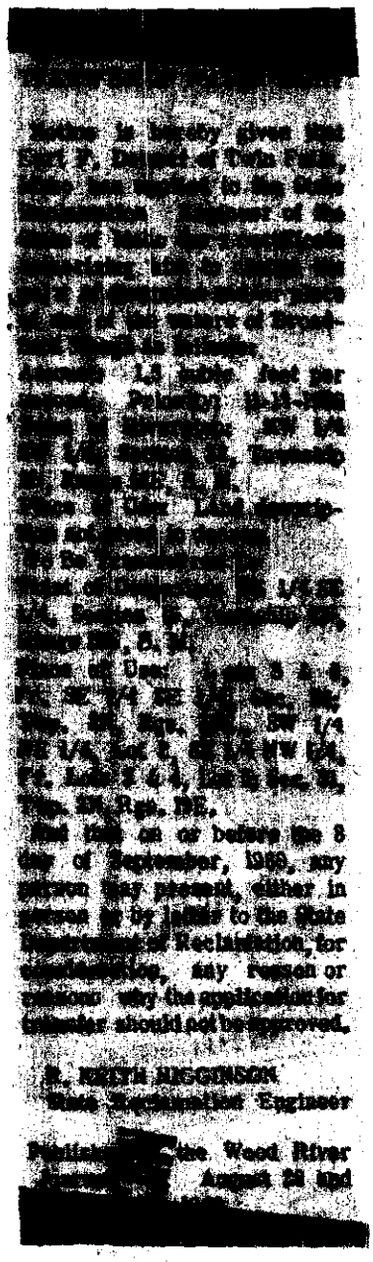
Sincerely

D. M. Head

MICROFILMED

T. 4-2-6

Affidavit of Publication



STATE OF IDAHO, }
County of Blaine, } ss.

NEAL R. NYBLAD, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Managing Editor of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 28th day of August, 1969 and ending with the last publication thereof on the 4th day of September, 1969.

Cost of this publication is $ 8.74

Neal R. Nyblad
NEAL R. NYBLAD

Subscribed and sworn to before me, this 5th day of September, 1969.

Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

RECEIVED
SEP 11 1969
Department of Reclamation

September 9, 1969

COPY

W. N. Head
Bellevue,
Idaho 83313

Dear Mr. Head:

We have received your protest in connection with the proposed application for transfer of water right submitted to this department by Earl F. Detmer. We feel your protest should be directed to the ditch company as they have given Mr. Detmer authority to carry this water in their ditch.

We are enclosing a copy of the letter submitted to us by Mr. Detmer along with his application for transfer of water right. It would appear that the ditch company officials voted on the question of allowing this extra water in the ditch.

Very truly yours,

Robert W. Hamilton
Supervisor of Water Distribution

RWH:mh

Enclosure

MICROFILMED

Fallon, Idaho.
August 5 1969

T. 1606

State Reclamation Engineer.
Boise Idaho

Dear Sir

I want to Protest Watter transfer, that is Inclosed in notice from Woodruff Journal.

On ground that Larg Watter user in the Ditch Has been alowed to put Larg amount of Watter in the Ditch, in question. but small Watter user is Not allowed to do same, to allow this transfer with out first giving all in the Ditch the same Privilige would be showing favors to some at the expense of many Ohers.

Sincerely yours

W. H. Read

MICROFILMED
RECEIVED
SEP 8 1969
Department of Reclamation

T. 1606

August 11, 1969

Hailey Times,
Hailey,
Idaho 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

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

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

> I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

_____
Signature of claimant

Very truly yours,

ROBERT W. HAMILTON,
Supervisor of Water Distribution

RWH/mh

Enclosure

MICROFILMED

T. 1606

August 11, 1969

COPY

Re: Application for Transfer
of Water Right

Earl F. Detmer
443 Madison Street
Twin Falls, Idaho 83301

Dear Mr. Detmer:

We have mailed the notice of proposed transfer of water right to the Hailey Times, Hailey, Idaho, to be published once a week for two consecutive weekly issues, August 21 and 28, 1969.

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH/mh

MICROFILMED

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Karl F. Detmer of Twin Falls, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and/or place of use of the waters of Broadford Slough as follows:

Amount: 1.5 cubic feet per second. Priority: 11-12-1936

Point of Diversion: NW¼ SW¼, Section 22, Township 2N, Range 18E, B.M.

Place of Use: Land description not given in decree.

To Be Transferred To

Point of Diversion: NE¼ SE¼, Section 16, Township 2N, Range 18E, B.M.

Place of Use: Lots 5 &6, Fr. SE¼SE¼, Sec. 36; Twp. 2N, Rge. 18E., SW¼NE¼, Lot 2, SE¼NW¼, Fr. Lots 3 & 4, Lot 5; Sec. 31, Twp. 2N, Rge. 19E.

And that on or before the 8 day of September, 1969 any person may present, either in person or by letter to the State Department of Reclamation, for consideration, any reason or reasons why the application for transfer should not be approved.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Hailey Times on August 21 & 28, 1969.

State of Idaho

License and Certificate of Water Right

Water License No. 18401

Water District No.

Amount 4.65 second feet

Priority November 12, 1936

THIS IS TO CERTIFY that IRVIN L. ROCKWELL of Bellevue, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 12, 19 36; that Permit No. 18401 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 10 second feet, was issued thereunder on May 22, 19 42 x, showing that said works were completed on the 26th day of January, 19 42; and that on the 27th day of November, 19 43,

THE HOME SECURITY COMPANY, A CORPORATION, Assignee,

of Bellevue, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of swamp waste water, a tributary of, for the purpose of irrigation, stock and domestic use, under Use Permit No. 18401 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the ~~Commissioner of Reclamation~~ State Reclamation Engineer of Idaho and entered of record in Volume 7 of Licenses, at page 4182, on the 9th day of December, 1943;

The right hereby confirmed dates from November 12, 19 36.

in the SW ¼ SE ¼, Sec. 22, Tp. 2 N., R. 18 E., B. M. Blaine County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.65 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	18 E.	7	Lot 4		
			Pt. NW¼ SE¼ west of O.S.L. RR R/W		
			Pt. S½ SE¼ " " "		208.00
		18	NE¼ NW¼		
			Lot 1		
		18	NW¼ NE¼		
			Pt. NE¼ NE¼ west of O.S.L. RR R/W		58.70

x The highest measurements recorded showed a total flow of approximately twenty-seven (27) second feet.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the ~~Commissioner of Reclamation~~ State Reclamation Engineer, affixed at Boise, Idaho, this 9th day of December, 1943

JAMES SPOFFORD

~~Commissioner of Reclamation~~ State Reclamation Engineer

(SEAL)

Bellevue, Idaho

May 8, 1969

This is to certify that Earl Detmer is in good standing in the Ditch Company that serves his farm. All assessments have been paid that are due Canal #33up to the assessment just made to operate the ditch during the summer of 1969.

This is also to certify that at the last meeting o of the Ditch Company it was voted that Mr. Detmer be allowed to use the Canal to carry the 75 inches he just purchased.

Everett A. Campbell

Everett A. Campbell
Sec.--Treasurer.

T. 1606

PRINTED AND FOR SALE BY STANDARD PRINTING CO., TWIN FALLS

WARRANTY DEED

THIS INDENTURE, made this 1st day of May, 1965, between

JOHN S. FELDHUSEN and GLADYS L. FELDHUSEN, husband and wife,

of Twin Falls, County of Twin Falls, State of Idaho,

the parties of the first part, hereinafter called the grantor, and

EARL F. DETMER and LORETTA DETMER, husband and wife,

of Bellevue, County of Blaine, State of Idaho,

the parties of the second part, hereinafter called the grantee.

WITNESSETH, that the grantor, for and in consideration of the sum of ----------

One and no/100---------- DOLLARS
and other and good valuable considerations,

in lawful money of the United States of America/ to the grantor in hand paid by the grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, and to the grantee's heirs and assigns forever, all the

following described Water and Water Rights situate in Blaine County, ~~real estate situated in Twin Falls County~~, State of Idaho:.

Seventy-five (75) Miners' Inches of waters of Big Wood River as decreed to I. E. Rockwell in the case of Irvin E. Rockwell vs. Hans Coffin which Decree is dated August 25, 1949, and is recorded in Book 12 of Judgments, Page 115, Office of the County Recorder, Blaine County, State of Idaho.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto, be longing or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the grantor.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with appurtenances, unto the grantee, and to the grantee's heirs and assigns forever. And the grantor, and the grantor's heirs, the said premises in the quiet and peaceable possession of the grantee, and the grantee's heirs and assigns, against the grantor, and the grantor's heirs, and against all and every person and persons whomsoever, lawfully claiming the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the grantor has subscribed this deed the day and year first above written.

John S. Feldhusen

Gladys L. Feldhusen

MICROFILMED

T. 1606

STATE OF IDAHO,
County of Twin Falls, } ss.

On this 24th day of May, 1965, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN S. FELDHUSEN and GLADYS L. FELDHUSEN, husband and wife,

known to me to be the person s whose name s are subscribed to the within instrument and acknowledged to me that they executed the same.

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

Helen McCallie

Notary Public in and for the State of Idaho,
Residing at Twin Falls, Idaho.

My commission expires on the 14th
day of June, 1968

MICROFILMED

No. 132601

WARRANTY DEED

John S. Feldhusen
et ux

TO

Earl F. Dettmer
et ux

Dated ....., 19....

STATE OF IDAHO,
County of Twin Falls, } ss.

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

at 05 *minutes past* 2 *o'clock* P. *M., this* 26 *day of* May, 19 65 *in my office and duly recorded in Book* 191 *of Deeds at page* 101

George S. McCoy
Ex-Officio Recorder

By Hazel Barton *Deputy*

Fees $ 1.50 Paid

Return to .....

INDEXED 1st PARTY
INDEXED 2nd PARTY

May 21, 1969

COPY

Mr. Earl F. Detmer
443 Madison Street
Twin Falls, Idaho 83301

Dear Mr. Detmer:

We have received your application for transfer of water right, and note that the land you have described to which the water was decreed does not appear in the decree as far as we can find. We have penciled in the subdivisions as shown by the decree. If you own any portion of these, you should so indicate on page one of the application. It appears the point of diversion will be changed to the Cove 33 Ditch. It will be necessary to supply us with a letter from the officers of this ditch company authorizing us to transfer your water into this ditch. It also appears that you may be expanding your water right by including extra lands. We generally cannot allow the expansion of a water right; however, if you state your reasons for wishing to include this land, it might help your application to be approved.

Please make the necessary corrections and answer the above questions and return the application to us along with a filing fee of $20.00. We can then process your application.

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:mjl

Enclosures

Department of Reclamation

Identification No._____

Transfer No._____

APPLICATION FOR TRANSFER OF WATER RIGHT

RECOMMENDATION OF WATERMASTER

I, Reid J Newby, watermaster of Big Wood River, of Water District No. 37-A3, County of Blaine, State of Idaho, whose address is Box 128 Shoshone, Idaho 83352, have read the attached copy of the application for transfer of water right for Earl F. Detmer (name), and to the best of my knowledge believe the application to be true.

A. I hereby endorse Application for Transfer and recommend that the State Reclamation Engineer approve the Transfer subject to the following conditions:

No stream flow loss as Water Was originally Delivied Below new Diversion Point.

OR

B. I do not endorse approval of this Application for Transfer as requested for the following reasons:_____

Dated at Shoshone, Idaho, this 20 day of May, 1969.

Reid J Newby
(Signature)

T. 1606

Identification No. _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Reclamation

1. Name of Right Holder Earl F. Detmer

   Post office address 443 Madison Street Twin Falls, Idaho 83301

2. Right obtained by: Purchase

   a. Decree to I. E. Rockwell (Name) in Case of Irvin E. Rockwell

   vs. Man's Coffin, Dated 25 August 1949 in 4th Judicial District (Name of Court)

   Court, County of Blaine.

   b. License No. -- issued by the State of Idaho, Department of Reclamation.

3. Source of water Broadford Slough (Name of stream or source) tributary to Big Wood River

4. Date of Priority 12 November 1936

5. Amount of water a. ~~4.65~~ 4.65 1.5 c.f.s. and/or

   b. _____ acre feet/annum

6. Water is used for Irrigation from April 1st (Month, Day) to September 30th (Month, Day)

7. Original location of point of diversion is NW ¼ SW ¼ of Section 22,

   Township 2 N, Range 18E, B.M., in Blaine County;

   Additional points of diversion, if any _____

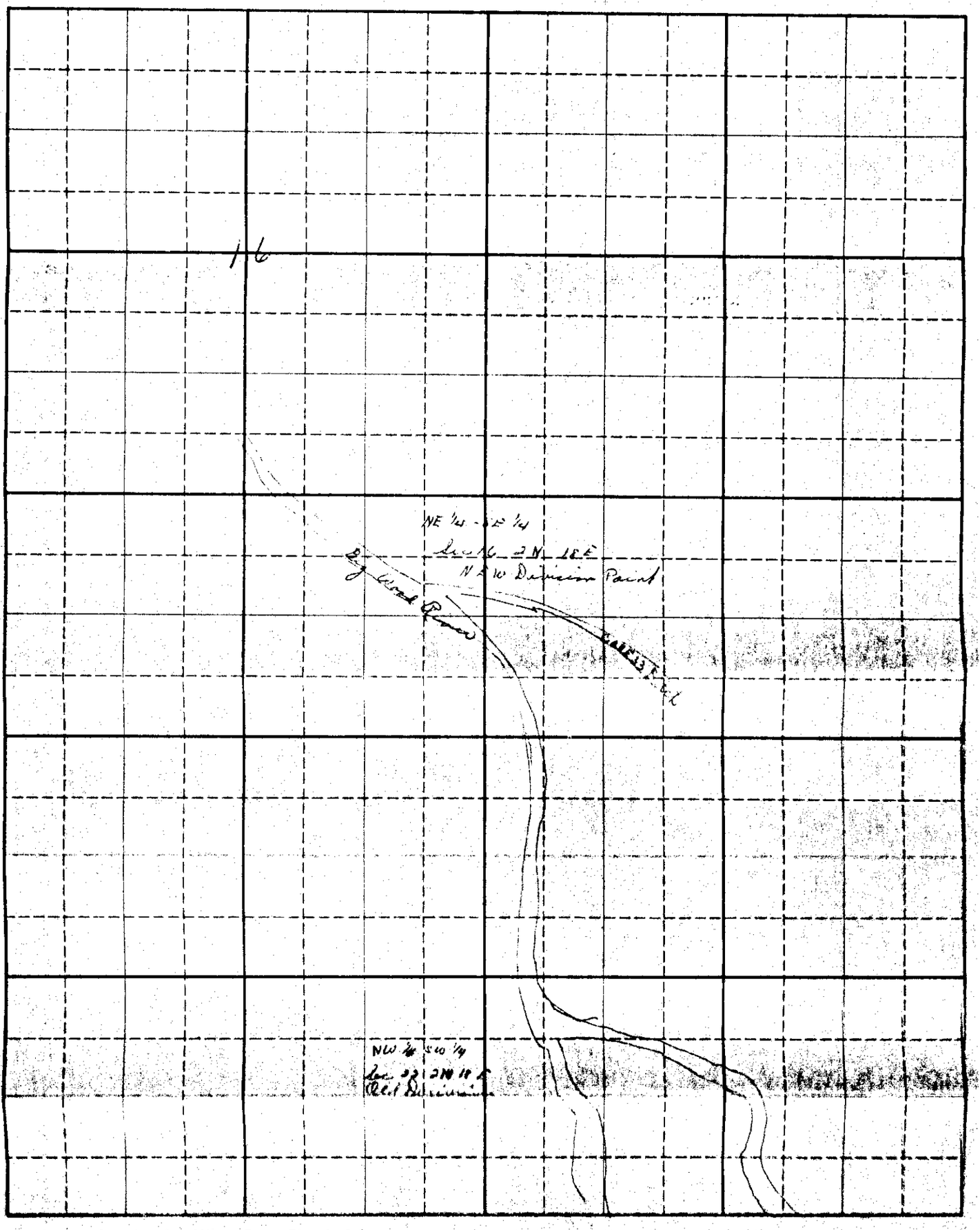
8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	18E	30														lot 3			
2N	18E	31			X														1.5
3N	18E	32											Apr. ✓	✓					
3N	18E	32				Apr.				✓	✓	Apr. ✓			Apr. ✓				

Total number of acres presently irrigated _____

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T. 1606



SCALE: 2 inches Equal 1 Mile. Draw Plan in Ink.

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T. 1606

9. If applicant was not the original holder of this right explain how it was acquired: By right of purchase

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 1.5 c.f.s. and/or _____ acre feet

b. New point of diversion: NE ¼ SE ¼, Section 16, Township 2N, Range 18E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: Submerged Orfice and gravity feed canal

d. Is water to be conveyed to the lands previously irrigated? Yes _____ No x.

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

f. Do you intend to make the transfer permanent? yes

g. Do you intend to abandon completely the old point of diversion? yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	18E	36													lot 5	lot 6	Fr.	x	122
2N	19E	31			X				lot 2	x	Fr	lot 3	lot 4			lot 5			178

Total number of acres to be irrigated 300

MICROFILMED

T. 1606

b. Do you intend to make the transfer permanent? yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

yes

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Earl F. Detgner
(signature of applicant)

Subscribed and sworn to before me this 19th day of May, 19 69

(notary public)

My commission expires March 6, 1971.

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons:

Witness my hand this _____ day of _____, 19____.

_____
State Reclamation Engineer

MICROFILMED