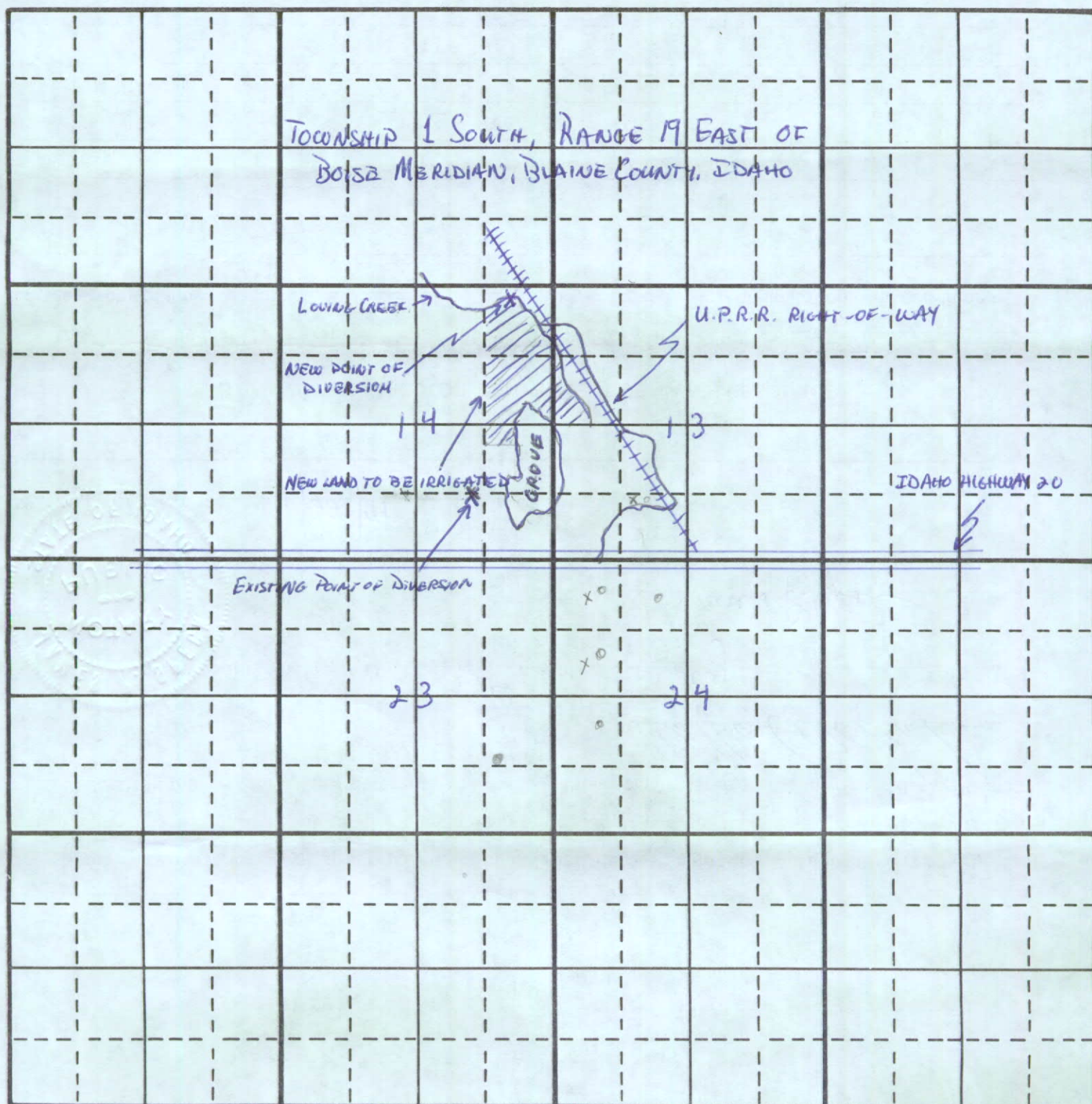


c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	19E	13						15											15
1S	19E	14	15			35								5					55

Total number of acres to be irrigated 70

- Describe any other water rights used for the same purpose as described above. 37-2553, 2575
(ground water)
- 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.

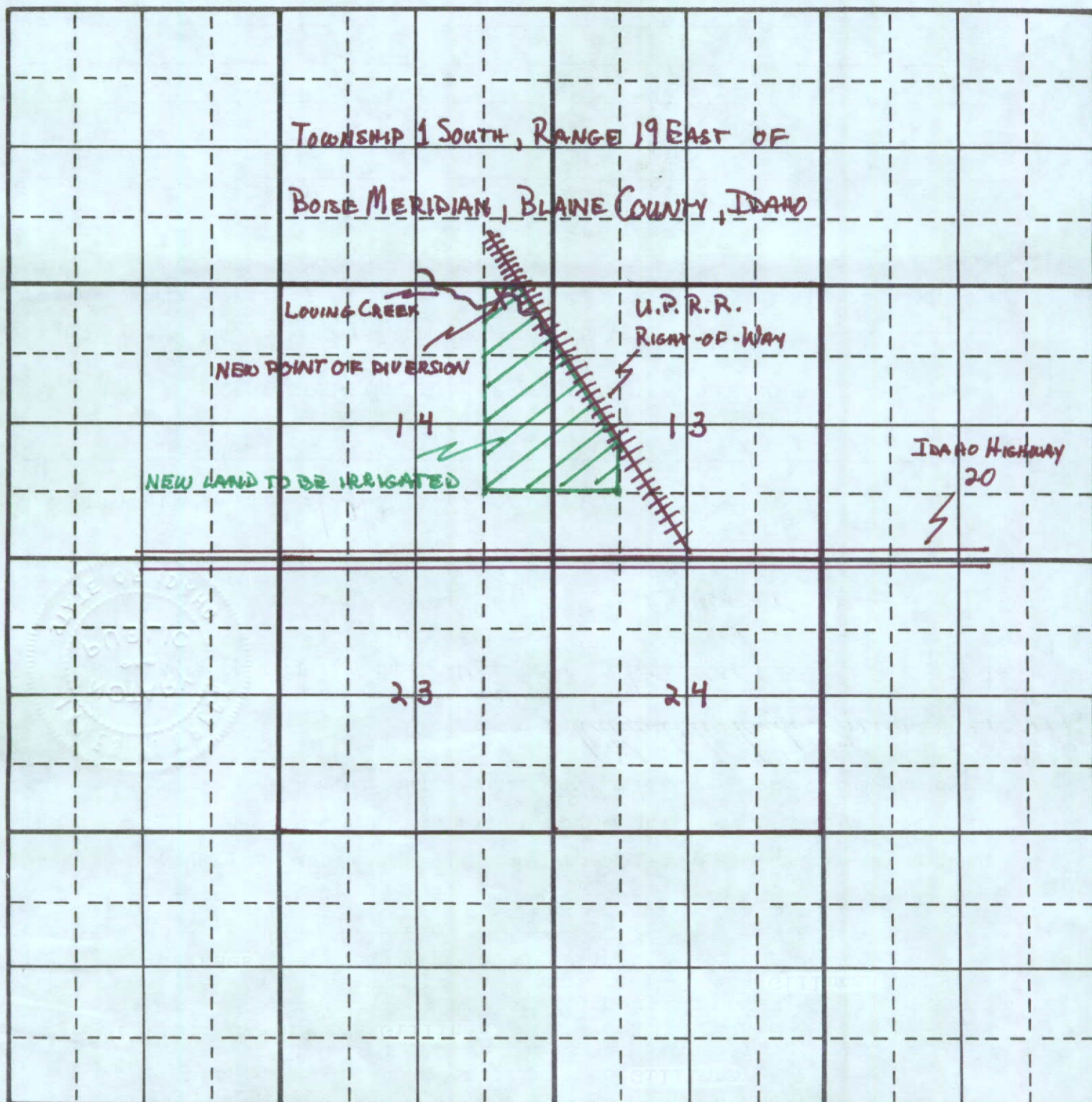
MICROFILMED

c. 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	
1 S	19E	13							20			30							50
1 S	19E	14	30			40						40							110

Total number of acres to be irrigated 160

- Describe any other water rights used for the same purpose as described above. 37-2553, 2575
(ground water; 37-0252 - surface water, if transfer approved)
- 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.

MICROFILMED

AFFIDAVIT of PUBLICATION

RECEIVED

SEP 8 1985

Department of Water Resources
Solutions Division

State of Idaho, }
County of Blaine } SS.

CLINT STENNETT

, 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 29th day of August 1985, and the date of the last publication was on the 5th day of Sept. 1985

Clint Stennett

Subscribed and sworn to before me this 2nd

day of September, 1985
(SEAL)

Robert J. Keenan

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 11
Number of Lines in Notice 54
Number of Insertions 2
Lines tabular at 5/Pica
54 Lines straight at 23.76 4/Pica
54 Subsequent lines at 17.82 3/Pica
TOTAL COST 41.58

COPY OF NOTICE

(Paste Here)

Proposed Change #37-0712
TITLE OF NOTICE
McMahan

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res.
BILL TO

Water right change filed by McMahan

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-0712

Notice is hereby given that William A. and Laura L. McMahan of Ketchum, Idaho, have applied to the Department of Water Resources for a change of place of use and change of point of diversion of a right from Aubrey Creek tributary to Silver Creek. The right described above is evidenced by decree to O.H. Worthington in case of S.C. Frost et al vs. Alturas Water Co. et ux, dated December 13, 1909, in Fourth District Court, County of Lincoln, and is recorded as follows:

Amount: 1.3 cfs

Priority: June 1, 1887

Point of Diversion: No point of diversion specified in decree

The water is used for irrigation of 70 acres within SESW, Sec. 13; W1/2NW1/4, Sec. 24, T1S, R19E

TO BE CHANGED AS FOLLOWS:

Amount: 1.3 cfs

Point of Diversion: NENE, Sec. 14, T1S, R19E, B.M., Blaine County

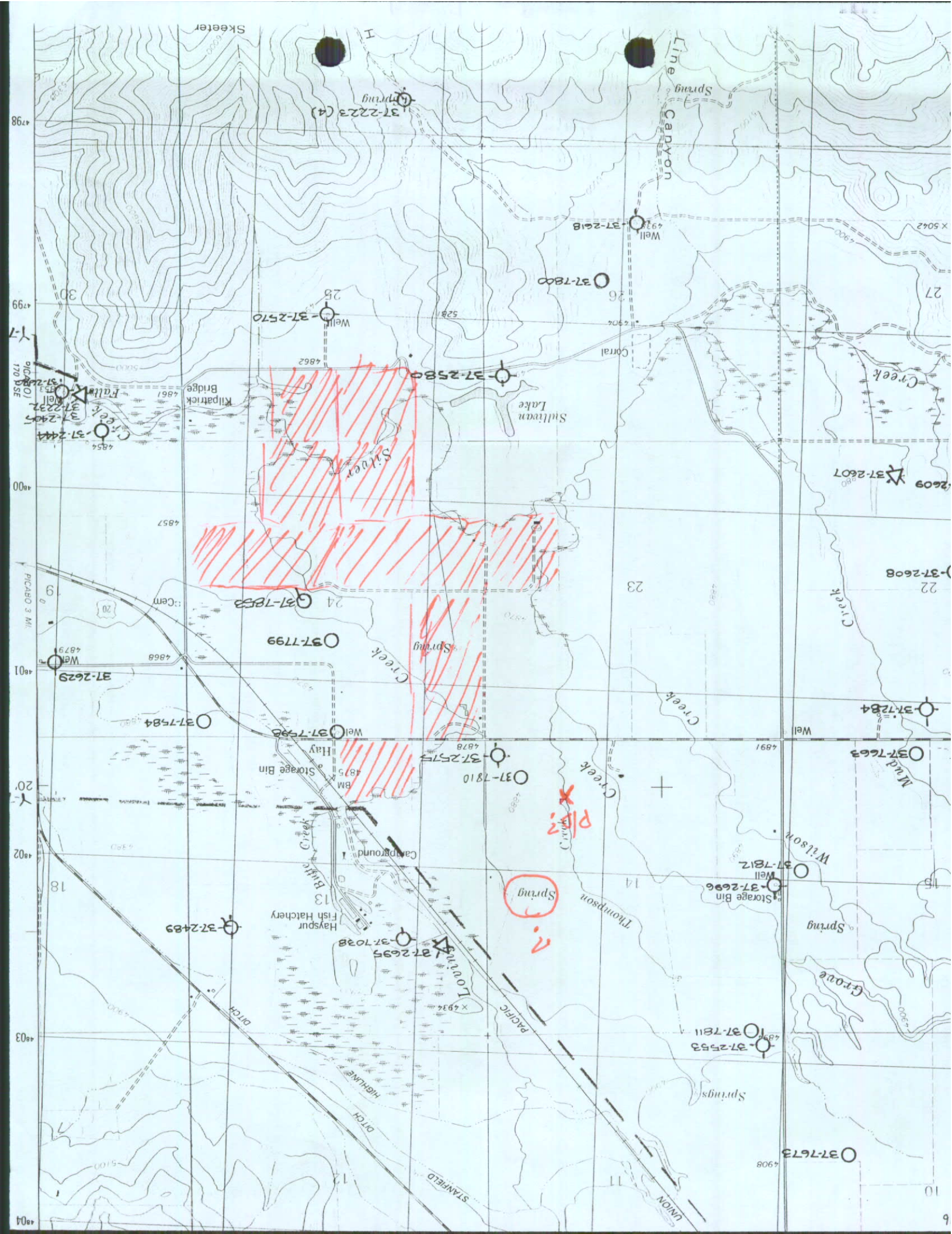
Place of Use: SWNW, Sec. 13; SENE, NESE, Sec. 14, T1S, R19E, for irrigation of 70 acres

Any protest against approval of the proposed change 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 16, 1985.

A. KENNETH DUNN
Director

Publish: Wood River Journal—August 29 and September 5, 1985.

MICROFILMED



Transfer No. 3200
Water Right No. 37-0712

RECEIVED
JUL 25 1993
DEPARTMENT OF WATER RESOURCES
AMENDED DECREE 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

APPROVED

Name of applicant William A. McMahan and/or Laura L. McMahan Phone 208/726-3855
Post Office address Post Office Box 3125, Ketchum, Idaho 83340

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-0712 Decreed to O. H. Worthington
(Name)
in case of S. C. Frost et al vs Alturas Water Co. et ux
dated in Dec. 13, 1909 in Fourth District Court County of Lincoln
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired See original Application

3. Source of water Aubrey Creek tributary to Silver Creek

4. Date of priority June 1, 1887

5. Water is used for the following purposes:

amount 1.3cfs for irrigation purposes from _____ to _____
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 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is _____ % of _____ % of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any No point of diversion specified in Decree

8. Lands irrigated or place of use: Acres actually irrigated

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	19E	13												16					16
1S	19E	24						16	38										54

Total number of acres to be irrigated 70

9. Describe any other water rights used for the same purpose as described above 37-2686, 7598
(ground water)

MICROFILMED

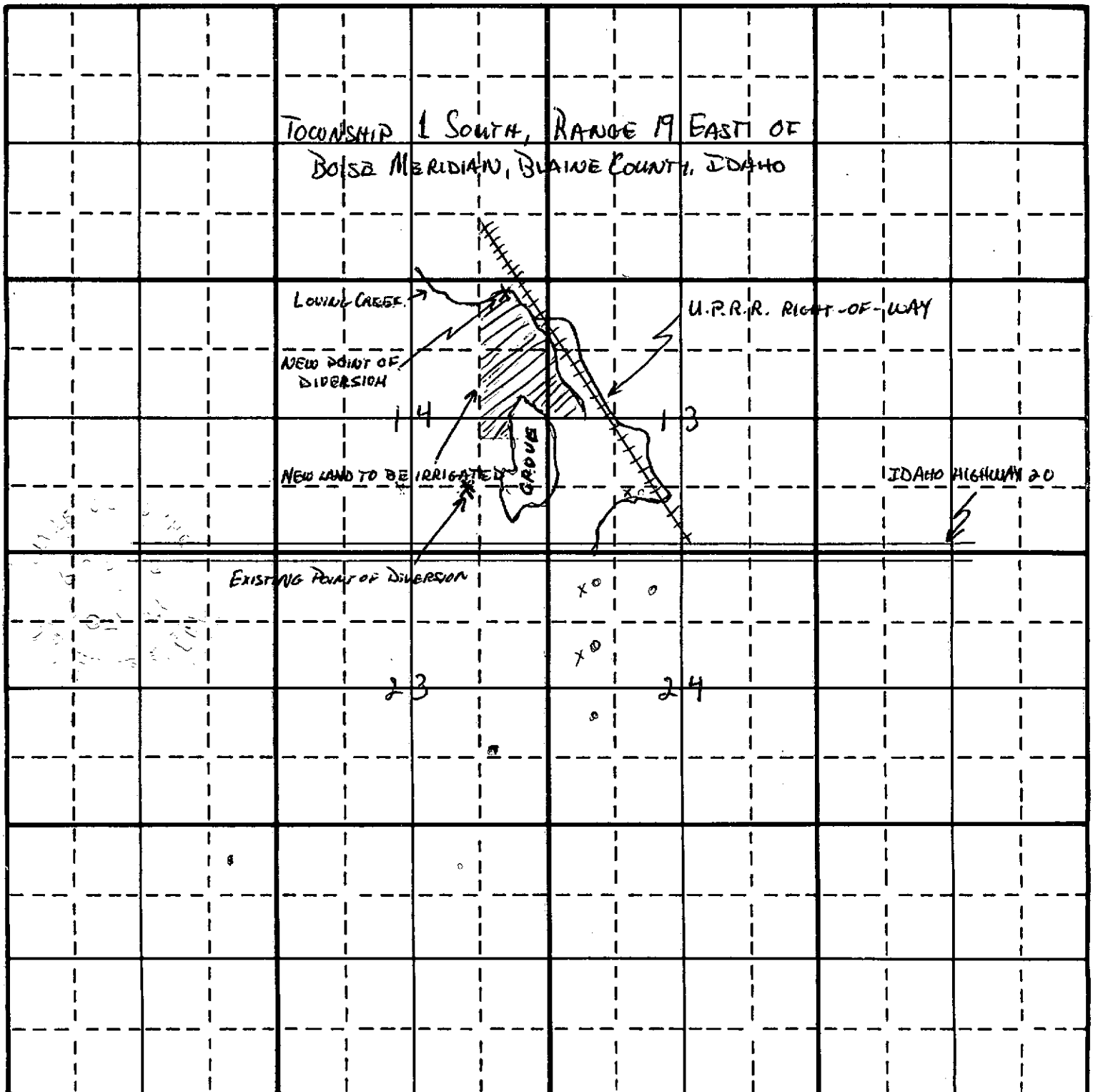
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? yes If yes, describe in item D, REMARKS.

c. 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	
1S	19E	13							15										15
1S	19E	14	15			35								5					55

Total number of acres to be irrigated 70

- Describe any other water rights used for the same purpose as described above. 37-2553, 2575
(ground water)
- 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.

MICROFILMED

MICROFILMED

D. REMARKS

See original Application

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.

Subscribed and sworn to before me this 22nd day of July, 1985
James D. Spelt
(Notary Public)
My commission expires 1/22/91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0712 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 24th day of October, 1985
D. Alan Saylor
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by [Signature]
Prelim. check by [Signature]
Received by [Signature]
Published in Leadville Journal
Pub. dates 8/29 + 9/5/85
Watermaster recommendation requested on 8/15/85
rec'd. 8/20/85
by ADM Jim
Recommended for approval
denial
Copies of protest forwarded by _____
Hearing held by _____
Date _____
Protest filed by Now
Date 1-25-85
Fee 30.00
35326
Date 2/17/85 # 35278

RECEIVED

FEB 14 1985

Transfer No. _____

Water Right No. _____

Department of Water Resources
Bureau of Water Resources

VOID

APPLICATION FOR TRANSFER OF WATER RIGHT

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

Laura L.

Name of applicant William A. McMahan and/or McMahan Phone (208) 726-3855

Post Office address P.O. Box 3125, Ketchum, Idaho 83340

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-0712 Decreed to O.H. Worthington (Name)
in case of S.C. Frost et al vs Alturas Water Co. et ux
dated Dec. 13, 1909 in Fourth District Court County of Lincoln (Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired applicant purchased all the land to which the right is appurtenant (see attached copy of Warranty Deed).

3. Source of water Aubrey Creek tributary to Silver Creek

4. Date of priority June 1, 1887

5. Water is used for the following purposes:

amount 1.3 cfs for irrigation purposes from _____ to _____
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 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is _____ % of _____ % of Section _____

Township _____ Range _____, B.M., in _____ County

Additional points of diversion, if any not specified in decree

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	
1 S	19E	13												X					40
1 S	19E	24					X	X	X										120

160

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above License Nos. 37-2686, 7598 (ground water)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? yes If yes, describe in item D, REMARKS.

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omit part B).

b. _____ acre feet per annum

b. _____ acre feet per annum

2. Point of diversion $\frac{1}{4}$ $\frac{1}{4}$ Section Township

Range _____, B.M., _____ County _____

Additional points

3. Place of use:

[illegible]

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

1. General Information

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

b. ~~Description of diverting works A new headgate and ditch on Loving Creek~~

In the NE 1/4 NE 1/4 Section 14, T.1.S. R.19E, B.M. Blaine County.

c. Describe the reasons for the proposed changes _____ the existing point of diversion

is inadequate. This water can be better used together with 37-0

From the proposed new point of diversion on the new lands to be

gated with a gravity system. There is ample ground water to irrigate

10. All the mentioned groups are

2. Change in point of diversion

Point of diversion NE 1/4 NE 1/4 1/4, Section 14 Township 15

Range _____, B.M., _____
County _____

Additional points _____ None _____

Age Group	Percentage
18-24	10%
25-34	20%
35-44	25%
45-54	20%
55-64	15%
65-74	10%
75-84	5%
85+	5%

Change in place of use

a. Are the lands from which you propose to transfer the water right subject to any liens, deeds or trusts,

10.1016/j.jmb.2011.05.011

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

37-2686 and 7598 will provide adequate water for the entire

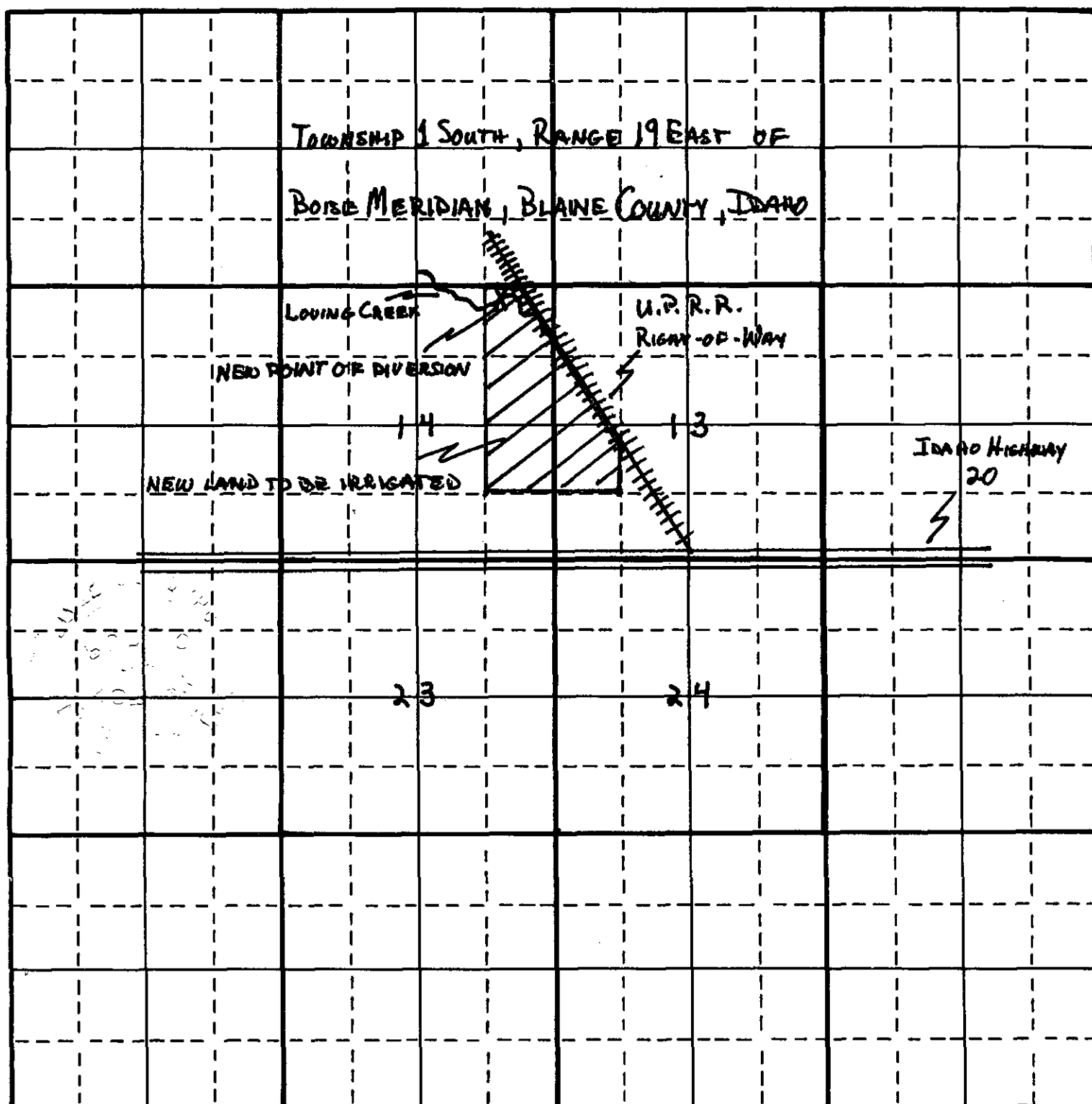
irrigation season.

c. 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	
1 S	19E	13							20			30							50
1 S	19E	14	30			40						40							110

Total number of acres to be irrigated 160

4. Describe any other water rights used for the same purpose as described above. 37-2553, 2575
(ground water; 37-0252 - surface water, if transfer approved)
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.



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

MICROFILMED

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REMARKS
The Worthington water right (37-0712) was not used during the 1977 through 1982 irrigation seasons, when I was in the process of installing a pressurized wheel line sprinkler system for the groundwater rights (37-2686, 7598) and developing and designing a method to pressurize the Worthington water right. I consulted Mr. Reed Newby, the local watermaster, prior to ceasing use of the Worthington water right. He approved my proposal and I continued to pay a portion of his normal fees during that period. The system was completed and the Worthington water right was returned to beneficial use during the 1983 and 1984 irrigation seasons. At no time did I ever intend to give up or forever stop using all or any portion of this water right.

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.

William O. Williams
(Signature of Applicant)
Subscribed and sworn to before me this 16th day of February, 1985
James P. Speck
(Notary Public)
My commission expires 1/29/91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

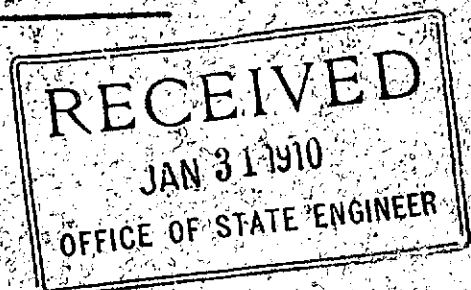
This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said application is hereby subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____

FOR DEPARTMENT USE ONLY

Received by *Monica* Date 2/11/85 Fee \$30.00 #353326 4-11-85
Prelim. check by _____
Received by *Monica* Date 2/11/85 #35278
Published in *Utah Mining Journal* Pub. dates 8/29 & 9/5/85
Watermaster recommendation requested on 8/15/85
rec'd. 8/26/85
Recommended for _____
Approval _____
denial _____
by _____
Hearing held by _____
Date _____
Copies of protest forwarded by _____

In the District Court of the Fourth Judicial District
of the
State of Idaho, in and for the County of Lincoln.



S. C. Frost, et al.,

Plaintiffs,

vs.

Alturas Water Company, et al.,

Defendants.

DECREE.

This cause coming on to be heard this 6th day of October
1909, upon the Report of F. J. Cowen, Referee heretofore appointed for
the purpose of taking the testimony and making recommendations as to Find-
ings of Fact, Conclusions of Law and Decree, to be entered herein, and the
said F. J. Cowen having filed his Report of the testimony taken, and his
recommendations as to Findings of Fact, Conclusions of Law, which have
heretofore been adopted, and the respective plaintiffs and defendants an-
d ~~cross-complainants~~ appearing herein by their respective counsel, and the
court being fully informed and advised in the premises, and having order-
ed that judgment be entered in accordance with the Report and recommenda-
tions of the said Referee, Wherefore, by reason of the law and the Re-
and Findings of Fact and Conclusions of Law aforesaid,

It is Ordered, Adjudged and Decreed, that the several parties, plain-
tiffs and defendants herein named, do have judgment respectively

37 0702	Williams, A. D.	B	100 inches.	June 15, 1891.	Big Wood River.	Trans #207
37 0701	Williams, M. H.	B	400 "	June 15, 1891.	" "	Trans #135-208-325
37 0705	Wilson, Samuel S.	B	110 "	May 31, 1883.	" "	Trans #1086
37 0706	Wilson, Susan	B	140 "	Mch. 15, 1883.	Little Wood River	Cancelled 469-507-1 #900-
37 0707	Wondershek, John	B	80 "	July 10, 1884.	Big Wood River.	
37 0708	Woodworth, E. L.	B	50 "	Apr. 1, 1877.	Little Wood River.	
37 0709	" "		50 "	Feb. 22, 1883.	" "	
37 0710	" "		100" See Woodworth vs Anthony	Nov. 29, 1907.	Big Wood River.	
37 0711	Worden, Ruth S.	B	160 "	Nov. 29, 1907.	" "	
37 0712	Worthington, O. H.	B	65 "	June 1, 1887.	Aubrey Creek.	
37 0713	Wrencher, James A.	B	200 "	June 10, 1880.	Big Wood River.	#156-
37 0714	Young, H. M.	B	120 "	Oct. 1, 1890.	" "	
37 0715	Young, John A.	B	125 "	July 2, 1883.	Soldier Creek.	
37 0716	" "	B	100 "	Apr. 30, 1884.	Little Deer Creek.	

That the users of water from the so-called dry streams, (to-wit:

Breck's Creek, Bullion Creek, Burgess Creek, Camp Creek, Chimney Creek, Corral Creek, Cow Creek, Croy Creek, Deer Creek, Dry Creek, Dyer Creek, Early Creek, Elk Creek, Greenhorn Creek, Guy Hollow, Hix's or Boardman's or Sheep Creek, Indian Creek, Lansing Creek, Little Deer Creek, Little Wood River above its junction with Silver Creek, Minnehaha Creek, Monumental Creek, Muldoon Creek, Rock Creek, Smidt Creek, Soldier Creek, Spring Creek, Three Mile Creek or Four Mile Creek, Upper Malad River, Warm Springs Creek near Hailey, West Fork of Rock Creek, and Willow Creek, are entitled to their various amounts and priorities, as among themselves, as of the respective dates and amounts hereby awarded, regardless of the rights of the users of waters of the main stream and other streams involved in this action; and that the appropriators and users of water from other streams are not entitled to have the waters of said dry streams continue to flow down to where their channels unite with the streams into which they empty.

That Fred. W. Fator and Adam Ifland are entitled to 320 inches of

Total 2,900.59

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } SS.

SEP 6 1985

DEPARTMENT OF WATER RESOURCES
SALT LAKE CITY

CLINT STENNETT

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 29th day of August 1985 and the date of the last publication was on the 5th day of Sept. 1985

Clint Stennett

Subscribed and sworn to before me this 2nd

day of September 1985
(SEAL)

Robert J. Kenner

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

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COPY OF NOTICE

(Paste Here)

Proposed Change #37-0712
TITLE OF NOTICE
McMahan

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res.
BILL TO

Water right change filed by McMahan

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-0712

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Amount: 1.3 cfs

Priority: June 1, 1887

Point of Diversion: No point of diversion specified in decree

The water is used for irrigation of 70 acres within SESW, Sec. 13; W1/2NW1/4, Sec. 24, T1S, R19E

TO BE CHANGED AS FOLLOWS:

Amount: 1.3 cfs

Point of Diversion: NENE, Sec. 14, T1S, R19E, B.M., Blaine County

Place of Use: SWNW, Sec. 13; SENE, NESE, Sec. 14, T1S, R19E, for irrigation of 70 acres

Any protest against approval of the proposed change 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 16, 1985.

A. KENNETH DUNN
Director

Publish: Wood River Journal-August 29 and September 5, 1985.

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CONSOLIDATED TAX NOTICE AND RECEIPT
BLAINE COUNTY TAX COLLECTOR 1983
HAILEY, IDAHO 83333

MARKET VALUE 99,437 TAX CODE AREA 75-00RP01S190231620A PARCEL NUMBER 12994 BILL NUMBER 12994 REAL PROPERTY

FR NESE, SEC 23
 NWSE, NESW, FR NWSW TL 3143.
 FRN1/2NW TL 4189, SWNW, SEC 24
 IS 19E

AC 272.880 MC MAHAN, WILLIAM A ETUX
 RT 1 BOX 350
 BELLEVUE, ID 83313

DELINQUENT CERT

LEVY SHEETS AVAILABLE UPON REQUEST
 YOUR CANCELLED CHECK IS YOUR RECEIPT

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
STATE	.000007	.70	FULL PAYMENT
COUNTY	.001647	163.78	TAX 638.12
RECREATION DIST	.000128	12.74	PEN
SCHODL DIST #61	.003026	300.90	SUB TOT
SCHODL OVERRIDE	.000960	95.46	INT
PICABO CEM	.000050	4.98	TOT
RURAL FIRE	.000599	59.56	1ST INSTALLMENT
			TAX 319.06
			PEN. 6.38
			SUB TOT 325.44
			INT. 11.85
			TOT. 337.29
			2ND INSTALLMENT
			TAX 319.06
			PEN. 6.38
			SUB TOT 325.44
			INT. 11.85
			TOT. 337.29
			2ND INSTALLMENT
			TAX 319.06
			PEN. 6.38
			SUB TOT 325.44
			INT. 11.85
			TOT. 337.29
			2ND INSTALLMENT
			TAX 319.06
			PEN. 6.38
			SUB TOT 325.44
			INT. 11.85
			TOT. 337.29
			2ND INSTALLMENT
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			SUB TOT 325.44
			INT. 11.85
			TOT. 337.29
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			SUB TOT 325.44
			INT. 11.85
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			PEN. 6.38
			SUB TOT 325.44
			INT. 11.85
			TOT. 337.29
			2ND INSTALLMENT
			TAX 319.06
			PEN. 6.38
			SUB TOT 325.44
			INT. 11.85
			TOT. 337.29
			2ND INSTALLMENT
			TAX 319.06
			PEN. 6.38
			SUB TOT 325.44
			INT. 11.85
			TOT. 337.29
			2ND INSTALLMENT
			TAX 319.06
			PEN. 6.38
			SUB TOT 325.44
			INT. 11.85
			TOT. 337.29
			2ND INSTALLMENT
			TAX 319.06
			PEN. 6.38
			SUB TOT 325.44
			INT. 11.85
			TOT. 337.29
			2ND INSTALLMENT
			TAX 319.06
			PEN. 6.38
			SUB TOT 325.44
			INT. 11.85
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			PEN. 6.38
			SUB TOT 325.44
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			2ND INSTALLMENT
			TAX 319.06
			PEN. 6.38
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			INT. 11.85
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CORPORATION WARRANTY DEED

FOR VALUE RECEIVED,

REPUBLIC NATIONAL LIFE INSURANCE COMPANY

a corporation duly organized and existing under the laws of the State of Texas, grantor, does hereby Grant, Bargain, Sell and Convey unto

WILLIAM A. McMAHAN and LAURA LYNN McMAHAN, husband and wife,
P.O. Box 1057, Ketvhum, Idaho
grantee, the following described real estate, situated in Blaine County, Idaho, to-wit:

Township 1 North, Range 19 E., B.M., Blaine County, Idaho

Section 32: S $\frac{1}{2}$ SE $\frac{1}{4}$

~~Township 1 South, Range 19 E., B.M., Blaine County, Idaho~~

~~Section 13: All of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ West of railroad right of way;
EXCEPTING that portion thereof conveyed to the
State of Idaho for highway right-of-way described
in Warranty Deed recorded February 5, 1969, as
Instrument No. 131958, records of Blaine County,
Idaho.~~

~~Section 23: NE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT the S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$~~

~~Section 24: N $\frac{1}{2}$ NW $\frac{1}{4}$, EXCEPTING that portion thereof conveyed
to State of Idaho for highway right-of-way described
in Warranty Deed recorded February 5, 1969, as
Instrument No. 131958, records of Blaine County,
Idaho; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and all of the
NW $\frac{1}{4}$ SW $\frac{1}{4}$ except W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.~~

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.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its Vice President and its Ass't Secretary.

Dated: July 9, 1975

REPUBLIC NATIONAL LIFE INSURANCE COMPANY

By

Robert C. Muchmore, Vice-President

ATTEST

S. A. Wells, Assistant Secretary

STATE OF ~~Idaho~~ TEXAS

County of Dallas

ss.

On this 9th day of July, 19 75,
before me, a Notary public in and for said State, personally appeared Robert C. Muchmore and
S. A. Wells, known to me to
be the Vice President and Ass't Secretary of the corporation that executed this instrument or the persons who executed the 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 affixed my official seal, the day and year in this certificate first above written.

Debra L. Phillips
Notary Public for the State of Texas
Residing at Dallas, Texas

STATE OF IDAHO

County of Blaine

ss.

I hereby certify that this instrument was filed for record at the request of Sawtooth Title Co.
at 20 minutes past 1:00 o'clock P.m.,
this 18th day of July,
1975, in my office, and duly recorded in Book
of Deeds at Page

Marie Luri
Ex-Officio Recorder.

By *Patricia K. Luapp* Deputy.
ENTERED ☐ ENTERED ON MARGIN ☐
FILED ☐ INDEXED IN PARTY ☐
COMPARED ☐ INDEXED 2d PARTY ☐

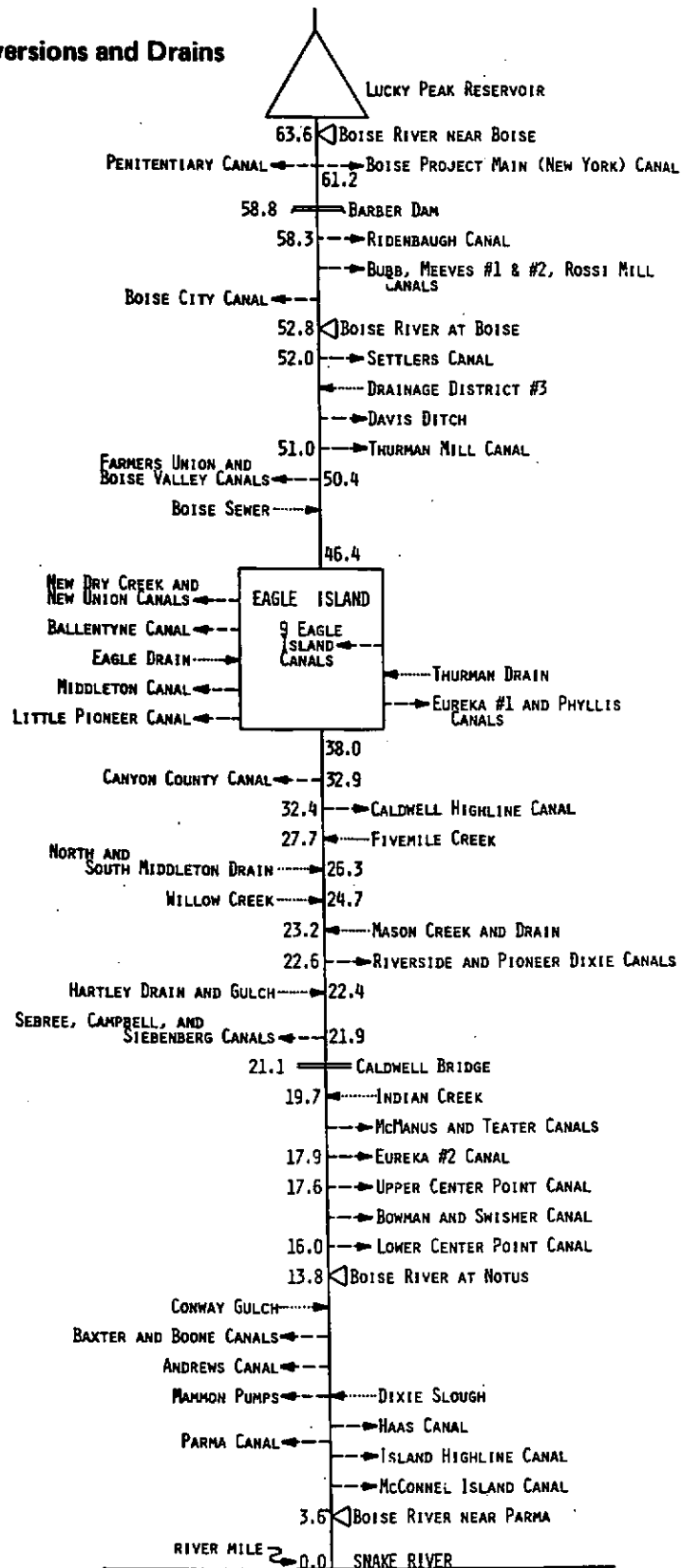
MICROFILMED

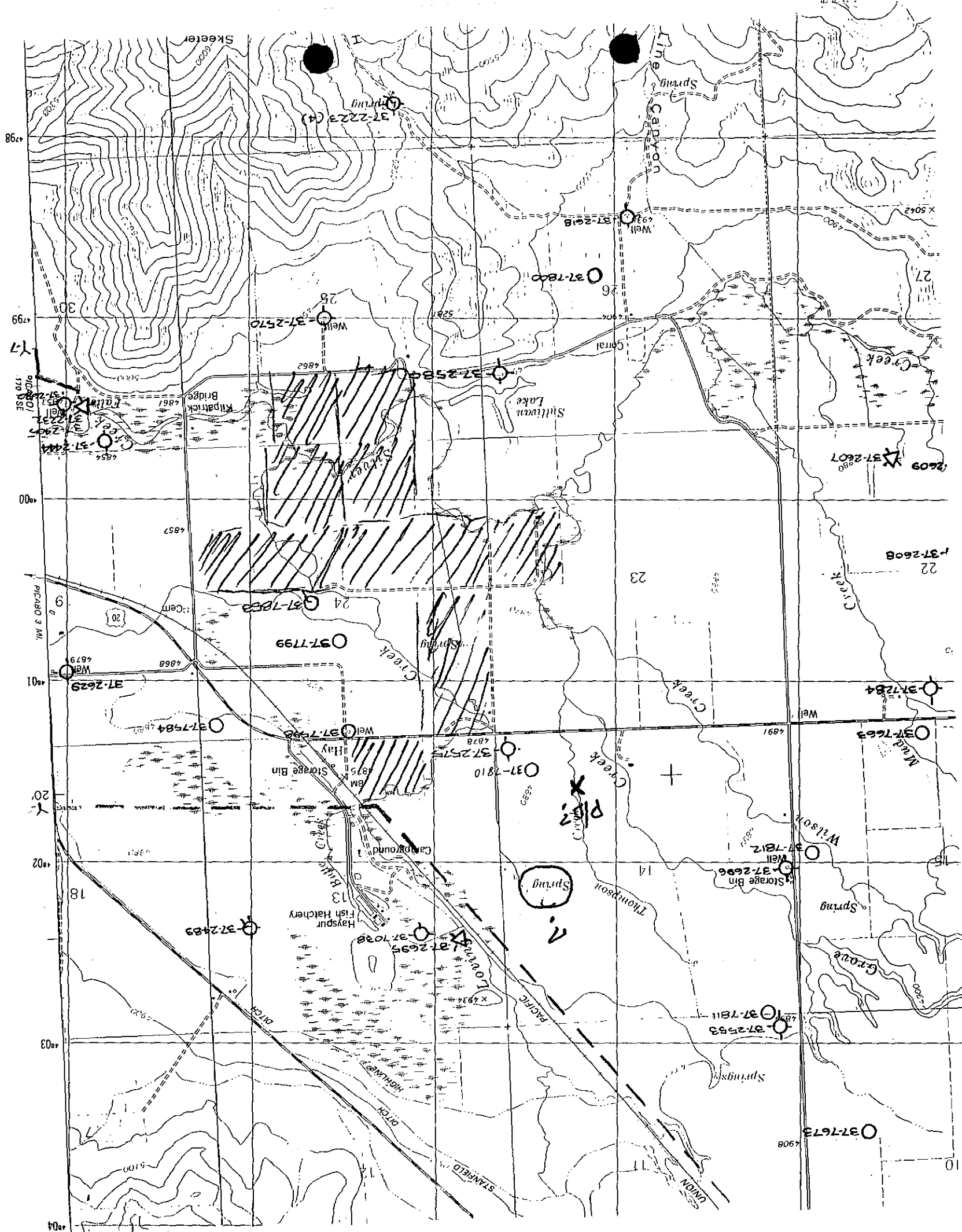
INSTRUMENT NO. 160785

SEPTEMBER 14, 1993 MEMO TO FILE #37--712

SEE FILE NUMBER 37-00252 FOR ALL ORDERS AND CORRESPONDENCE.

FIGURE 3. Boise River Diversions and Drains





APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 37-0712

RECOMMENDATION OF WATERMASTER

RECEIVED

AUG 20 1985

Department of Water Resources
Southern District Office

I, Reid J Newby, watermaster of Silver Creek,
of Water District No. 37-M, County of Blaine, State of Idaho,
whose address is P.O. Box n Shoshone, Idaho 83352
have read the attached copy of the application for transfer of water right for _____
William A McMahan, and to the best of my knowledge believe the
(name)
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 mesaureing device and means of Control;
be installed and maintained. and also a reasonable means for
Watermaster to get to diversion point..

OR

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

Dated at Shoshone, Idaho, this 16 day of August 19 85.

Reid J Newby
(signature) Watermaster

Please use reverse side if needed.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

RECEIVED
APR 8 1985
Department of Water Resources
Southern District Office

INITIAL REVIEW BY: J.E. Stanton

1. Right number 37-0712 Applicant McMAHAN, Wm. A. &/or Laura L.
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 no expansion -
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) 37-2575, 37-1093, 37-1071A (probably not used on this land)
 - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? 37M

FINAL PROCESSING REVIEW BY: ADM

1. Watermaster recommendation requested on 8/15/85 Received on 8/20/85
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny

3. Conditions* OIE, OS (37M, Little Wood R.)

MICROFILMED

RECEIVED

4. By ADM Date 10/10/85

OCT 15 1985

Department of Water Resources

Jim 10-21-85 USE ABOVE CONDITION
* All uses within Watermaster Districts require special conditions.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 37-0712

Notice is hereby given that William A. and Laura L. McMahan of Ketchum, Idaho have applied to the Department of Water Resources for a change of place of use and change of point of diversion of a right from Aubrey Creek tributary to Silver Creek. The right described above is evidenced by decree to O. H. Worthington in case of S. C. Frost et al vs Alturas Water Co. et ux, dated December 13, 1909 in Fourth District Court county of Lincoln, and is recorded as follows:

Amount: 1.3 cfs

Priority: June 1, 1887

Point of Diversion: No point of diversion specified in decree

The water is used for irrigation of 70 acres within SESW, Sec. 13; W1/2NW1/4, Sec. 24, T1S, R19E,

TO BE CHANGED AS FOLLOWS:

Amount: 1.3 cfs

Point of Diversion: NENE, Sec. 14, T1S, R19E, B.M., Blaine County

Place of Use: SWNW, Sec.13; SENE, NESE, Sec. 14, T1S, R19E, for irrigation of 70 acres

Any protest against approval of the proposed change 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 16, 1985.

A. Kenneth Dunn
Director

Published in Wood River Journal August 29 and September 5, 1985.

MICROFILMED

OK
ADA

**Water right change
filed by McMahon**

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

NO. 37-0712

Notice is hereby given that William A. and Laura L. McMahon of Ketchum, Idaho, have applied to the Department of Water Resources for a change of place of use and change of point of diversion of a right from Aubrey Creek tributary to Silver Creek. The right described above is evidenced by decree to O.H. Worthington in case of S.C. Frost et al vs. Alturas Water Co. et ux, dated December 13, 1909, in Fourth District Court, County of Lincoln, and is recorded as follows:

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Point of Diversion: No point of diversion specified in decree

The water is used for irrigation of 70 acres within SESW, Sec. 13, W1/2NW1/4, Sec. 24, T1S, R19E

TO BE CHANGED

AS FOLLOWS:

Amount: 1.3 cfs

Point of Diversion: NENE, Sec. 14, T1S, R19E, B.M. Blaine County

Place of Use: SWNW, Sec. 13, SENE, NESE, Sec. 14, T1S, R19E

for irrigation of 70 acres

Any protest against approval of the proposed change 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 16, 1985.

A. KENNETH DUNN
Director

Publish: Wood River Journal-
August 29 and September 5,
1985.

*8/23/85
m
PB*



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

August 20, 1985

Wood River Journal
P. O. Box 988
Hailey, Idaho 83333

Re: Notice of Proposed Change of Water Right No. 37-0712,
Notice of Proposed Change of Water Right No. 37-0252 Part
Notice of Proposed Change of Water Right No. 37-0252 Part
Notice of Proposed Change of Water Right No. 37-7598
Notice of Proposed Change of Water Right No. 37-2686

Gentlemen:

Enclosed you will find 5 legal notices 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.

Very truly yours,

Mary A. Newby
Sec/Office Coord.

Encl:

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

August 15, 1985

Reid J. Newby
Watermaster District 37
Box T
Shoshone, Idaho 83352

Re: Applications for Transfer of Water Right No. 37-0252-Part
(1), 37-0252-Part (2), 37-0712, 37-4115

Dear Mr. Newby:

Enclosed are copies of Applications for Transfer of Water Rights 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 forms and return them to this office.

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

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

Very truly yours,

Mary A. Newby
Secretary/Office Coord.

Encl:

MICROFILMED