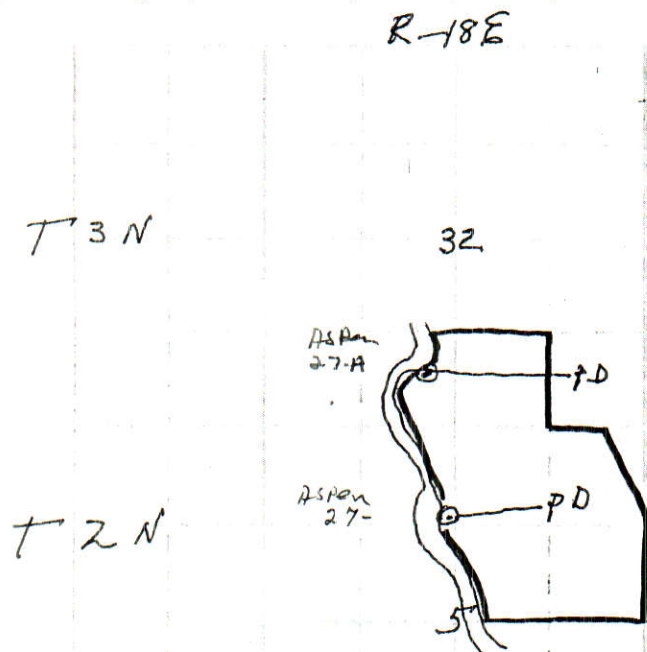


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- 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.



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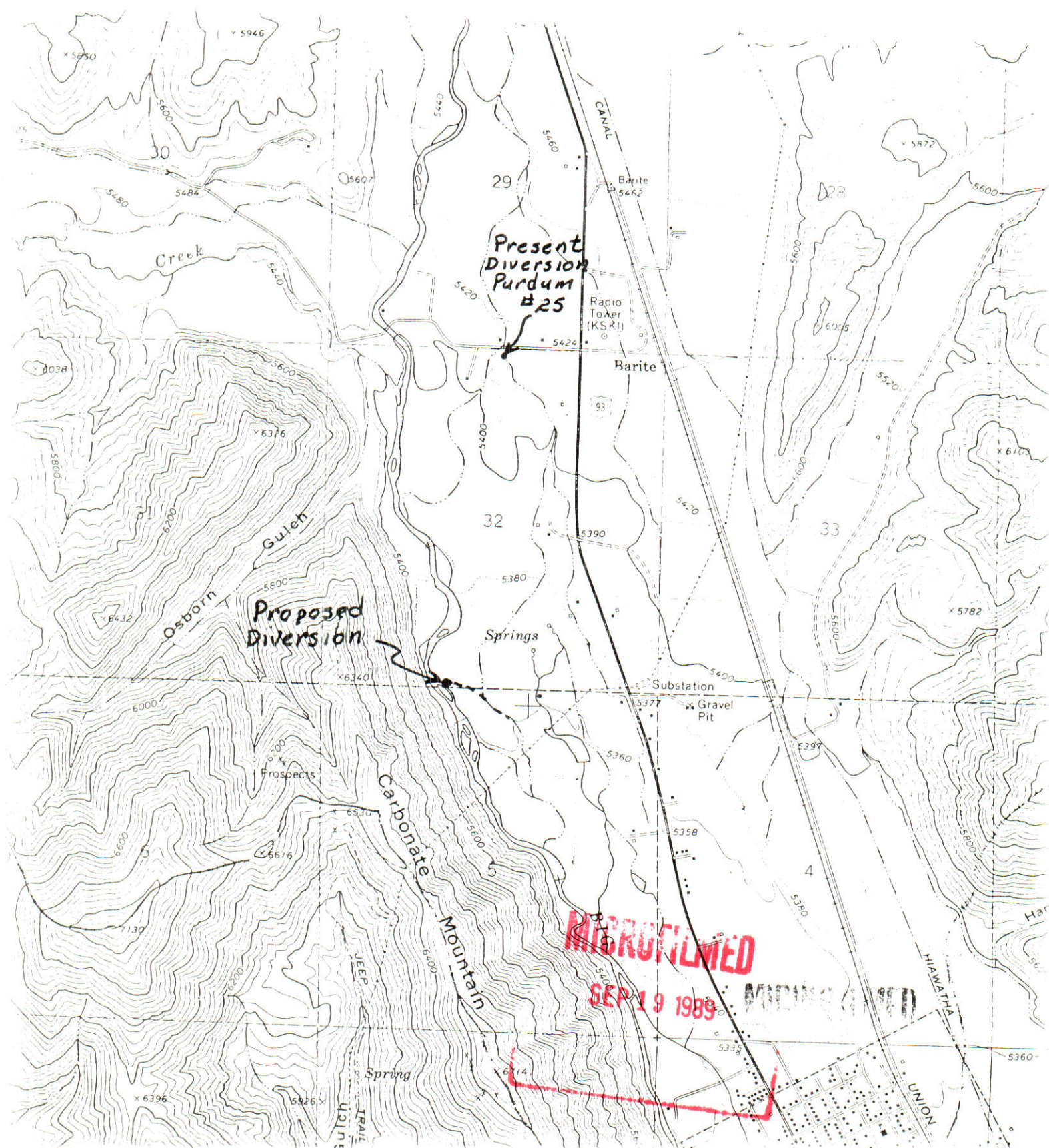
SEP 19 1989

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

[illegible]

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____
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. Quad sheet and aerial photo



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3575

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

726-1363

Name of applicant Aspen Lakes Ltd. Phone (208) 788-2461
Post Office address c/o Mr. John Biggs P.O. Box 1747 Sun Valley, Idaho, 83353

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 To be able to supply the water to the land better.

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 | |
|---|------------|-----------------------|------------------|---------------|----------|
| (1) 37-0557 | 05-15-1884 | 1.00 | Irrigation | 04-01 | to 11-01 |
| (2) 37-0558 | 06-01-1886 | 2.00 | Irrigation | 04-01 | to 11-01 |
| (3) 37-0559 | 06-01-1888 | 3.6 | Irrigation | 04-01 | to 11-01 |
| | | | | | to |
| 2. Total amount of water being transferred <u>6.6</u> cubic feet per second and/or _____ acre-feet per annum. | | | | | |
| 3. Source of water <u>Big Wood River</u> tributary to <u>Malad River</u> | | | | | |
| 4. Point(s) of Diversion: | | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres _____

PART 1

6. General Information:

- a. Description of diversion system Controlling Works and measuring device on
both diversions points. possible Broad Crested Weir.

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes NA 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:

To be able to reach the lands with a better supply of water.

- d. Remarks:

The P/D in Sec. 32 washed out after the previous transfer was approved. The P/D in
Sec. 5 has been used since then. The new P/D in Sec. 32 is upstream from the original
site. If this transfer is approved, there will be two points of diversion for these
rights.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0557/0558/0559

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

1. A lockable measuring device 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. 2. Use of water under these rights is subject to control by the watermaster of State Water District No. 37, Big Wood River.

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SEP 1 1989

Witness my hand this

15

day of

September, 1989J. Glen Saxton
Chief, Water Alloc. Bureau

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. 37-0557 Decreed to Rosa L. Purdum
in case of S.C. Frost vs. Alturas Water Co.
dated December 13, 1909 in 4th judicial District 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. 3197 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 By Purchase

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

4. Date or priority May 15, 1884

5. Water is used for the following purpose: Irrigation

amount 1.0 CFS for Irrigation purposes from April 1 to Nov. 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.0 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	SW		32	3N	18E	Blaine	Aspen 27

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	5	X	X	X	X													140
3N	18E	32												X			X		60

Total acres 200

9. Describe any other water rights used for the same purpose as described above State Water Right # 37-0558
and State Water Right # 37-0559

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. 37-0558 Decreed to Rosa L Purdum
in case of S C Frost vs. Alturas Water Co.
dated December 14, 1909 in fourth Judicial District 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. 3197 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 By Purchase

3. Source of water Big Wood River tributary to Malad4. Date or priority June 01, 18865. Water is used for the following purpose: Irrigation

amount 2.00 CFS for Irrigation purposes from 04-01 to 11-01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.00 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	SW		32	3N	18E	BLAINE	Aspen 27

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	8E	5	X	X	X	X													140
3N	18E	32											X				X		60

Total acres 200

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

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. 37-0559 Decreed to Rosa L. Purdum
in case of S.C. Frost vs. Alturas Water Co.
dated December 13, 1909 in 4th Judicial District 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. 3197 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 By Purchase

3. Source of water Big Wood River tributary to Malad

4. Date or priority June 01, 1888

5. Water is used for the following purpose: Irrigation

amount 3.6 CFS for Irrigation purposes from 04-01 to 11-01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.60 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	SW		32	3N	18E	Blaine	Aspen 274

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	5	X	X	X	X													140
3N	18E	32												X			X		60

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Total acres 200

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

State WR # 37-0557 and State WR # 37-0558

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

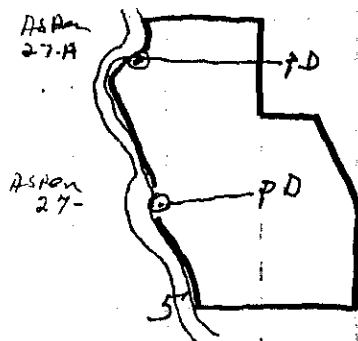
A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

R-18E

T 3 N

32

T 2 N



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SEP 19 1989

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

1.

<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:

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

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

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

J. M. Biggs G.P. Aspen Lakes 670.
(Signature of Applicant)

Subscribed and sworn to before me this 31st day of March, 19 89.

Sandra Smith
(Notary Public)

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 0 attachments

Received by AG Date 4/3/89 no check Protest filed by _____

Prelim. check by J. E. Stanton Fee \$50

Receipted by DRJ Date 6/5/89 5007506

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 7/5 & 7/12/89 Hearing held by _____ Date _____

Watermaster recommendation requested on 6/22/89 Recommended for ☒ approval ☐ denial

_____ rec'd. 7/5/89 **MICROFILMED** by LA

Copy of transfer sent to lien holder _____

SEP 19 1989

RECEIVED
AUG 19 1985
Department of Water Resources
Southern District Office

Transfer No. 3197

Water Right No. 37-0557
37-0558
37-0559

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 Aspen Lakes Ltd. Phone (208) 788-2461

Post Office address c/o Mr. John Biggs P.O. Box 1747, Sun Valley, Idaho, 83353

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to Rose L. Purdum (Name)
in case of Frost vs Alturas Water Co.
dated in Dec. 13, 1909 in 4th Judicial District 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 By purchase- see copy of deed.

3. Source of water Big Wood River tributary to Malad

4. Date of priority 1) 5-15-1884 2) 6-1-1886 3) 6-1-1888

5. Water is used for the following purposes:

amount 1.0 cfs for Irrigation purposes from not listed to _____
amount 2.0 cfs for Irrigation purposes from not listed to _____
amount 3.6 cfs for Irrigation purposes from not listed to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 6.6 cubic feet per second
&/or
b. -- acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 32
Not listed in decree-obtained from Watermaster
Township 3N Range 18E, B.M., in Blaine County
Additional points of diversion, if any none

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	18E	5	X	X	X	X													est. 140
3N	18E	32											X				X		est. 60

Total number of acres to be irrigated est. 200

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

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 the entire right is owned by the applicant. (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:

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

1. General Information 6.6 cfs ADM 12/4/85 25 per
memo 11/4/85

a. Amount of water to be diverted 6 c.f.s. &/or _____ acre feet

b. Description of diverting works Check dam, headgate, lockable gate and measuring device, improved minor flood channel and new ditch.

c. Describe the reasons for the proposed changes Difficulty in maintaining ditch to property from present diversion due to land development.

2. Change in point of diversion
Point of diversion SE ¼ SW ¼, Section 32 Township 3 N.
Range 18E, B.M., Blaine County
Additional points none

3. Change in place of use No Change

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

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

MICROFILMED

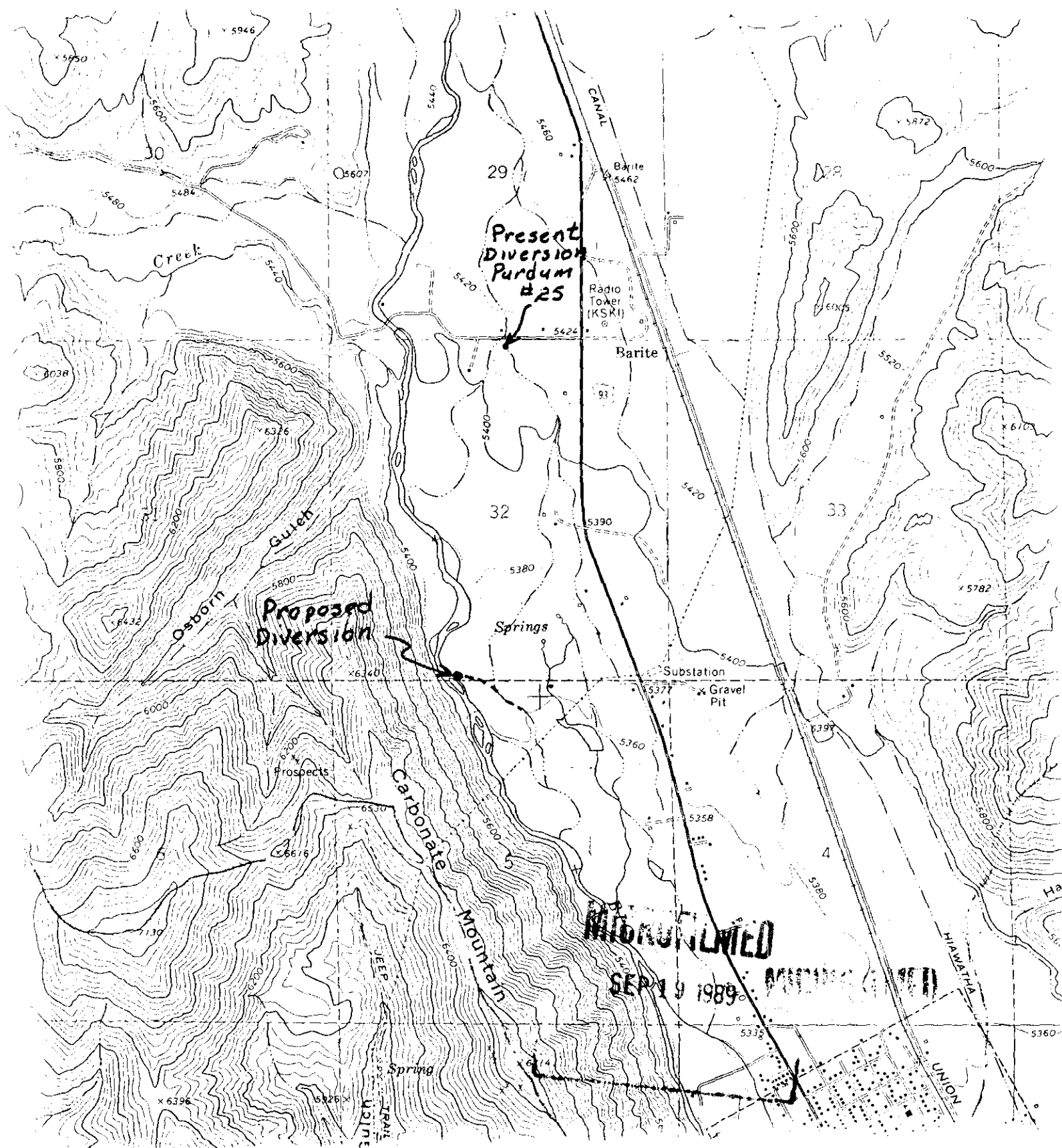
SEP 19 1989

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

[illegible]

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____
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. Quad sheet and aerial photo



ORIGINAL FILED

D. REMARKS

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

General Postman
Aspen Lake Ltd.
J. M. Biggs
(Signature of Applicant)

Subscribed and sworn to before me this 16th day of AUGUST, 19 85

R. E. Michelson
(Notary Public)

My commission expires Perpetuity

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0557/0558/0559 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 these rights is subject to control by the watermaster of State Water District No. 37, Big Wood River. 3. The issuance of this transfer in no way grants any right-of-way or easement across the land of another.

Witness my hand this 17th day of December, 19 85

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>margin</u>	Date <u>8/19/85</u>	Protest filed by <u>None</u>
Prelim. check by <u>G.F.</u>	Fee <u>50.⁰⁰ #36715</u>	
Receipted by <u>margin</u>	Date <u>8/19/85</u>	
Published in <u>Wood River Journal</u>		Copies of protest forwarded by _____
Pub. dates <u>sept 5 & 12, 1985</u>		Hearing held by _____ Date _____
Re-advertised <u>11/14 & 11/21/85</u>		Re-advertised to <u>approval</u> denial
Watermaster recommendation requested on <u>8/27/85</u>		
_____ rec'd. <u>8/29/85</u>		by <u>ADM Sim</u> <u>SEP 19 1985</u>

1-34-

msl

9459
Adol-Luel 5-11-71

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

RECEIVED

JAN 31 1910

OFFICE OF STATE ENGINEER

S. C. Frost, et al.,

Plaintiffs,

vs.

DECREE.

Alturas Water Company, et al.,

Defendants.

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, and
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-
ports 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 for

MICROFILMED

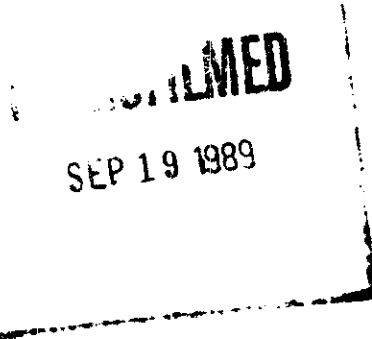
FROM Sharla

DATE 9/13/89

TO Files 37-0558/0559

SUBJECT Trans. 3575

See file 37-0557 for all correspondence regarding
the above referenced transfer.



SIGNATURE

INTER-DEPARTMENT MEMO — 1

FROM Sharla

DATE 12/17/85

TO Files 37-0558 & 37-0559

SUBJECT Trans. 3197

See file 37-0057 for all correspondence regarding the above referenced transfer.

MICROFILMED

SIGNATURE

TO: Files 37-0557, 37-0558, 37-05.

FROM: JIM JOHNSON

RE: TRANSFER REVIEW

10-17-85

During review of this transfer, I noted that item A.6. showed 6.6 cfs as a total of the 3 rts being transferred, however, item C 1.a. only showed 6.0 cfs, a difference of 0.6 cfs.

In pursuit of information explaining this difference I discovered that the newspaper publication identified 6.0 cfs being diverted at the new pt. of diversion, but, it also identified 1.6 cfs under right 37-0577AY as being also transferred. THIS, HOWEVER, DOES NOT APPEAR TO BE CORRECT.

This transfer application needs to identify why only 6.0 cfs is proposed to be diverted after the transfer and if only 6.0 cfs is intended, identify which water rt. is being affected. Also the inclusion of rt. 37-0577AY AS PART OF THE PUBLICATION OF the transfer Application needs to be resolved.

The Transfer Application is being returned to the region.

10-17-85