

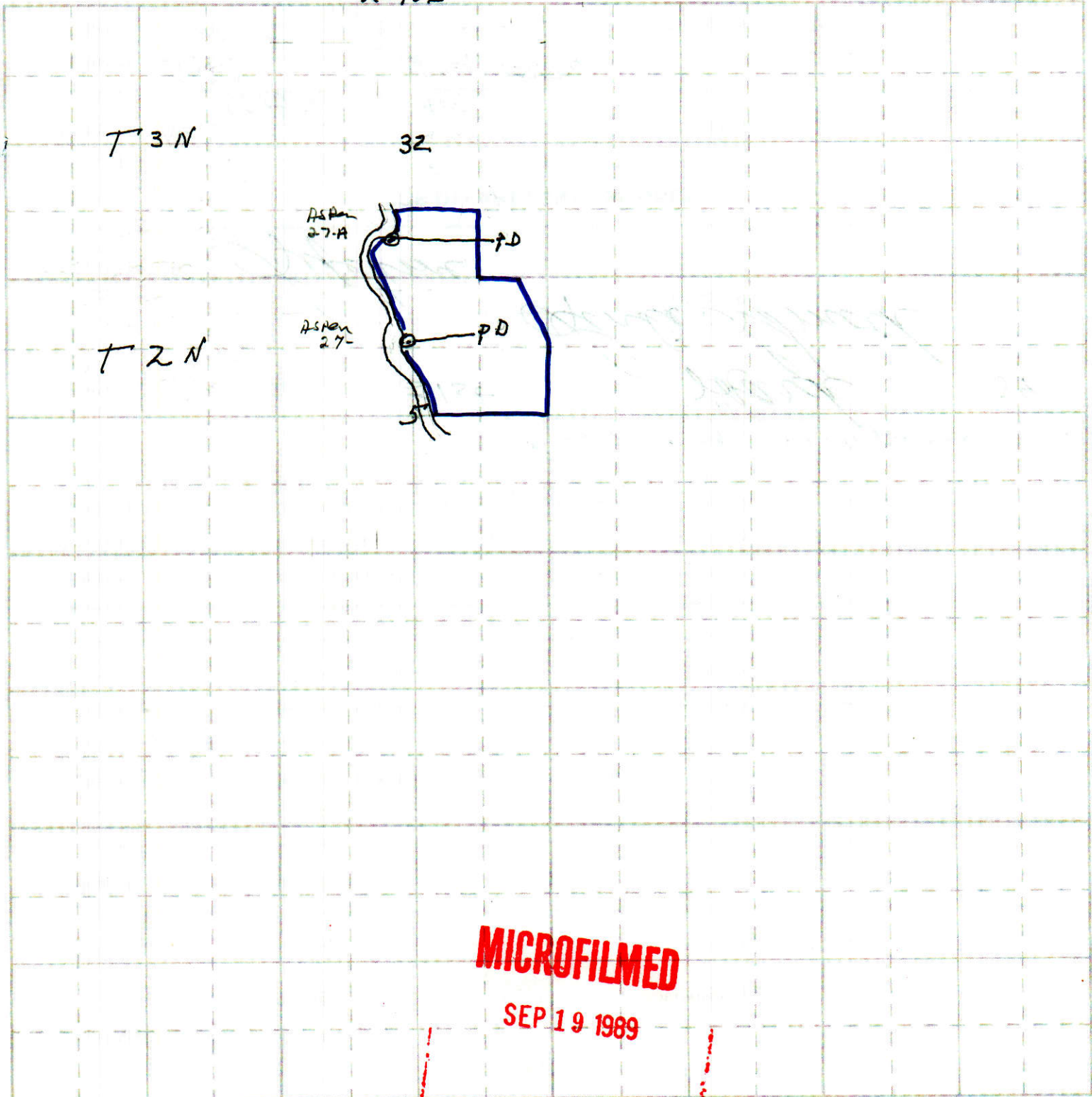
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

2 FEB 18 1989

MICROFILMED

- 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



MICROFILMED

SEP 19 1989

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

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 3rd day of July, 1989, and

the date of the last publication was on the 12th day of July, 1989.

Subscribed and sworn to before me this 12th day of July, 1989.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 99
Number of Insertions 2
Lines tabular at 5¢/Pica
99 Lines straight at 49.01 4¢/Pica
99 Subsequent lines at 38.12 3¢/Pica
TOTAL COST 87.13

RECEIVED

SEP 19 1989

JUL 13 1989

Department of Water Resources
Southern Region Office

COPY OF NOTICE

(Paste Here)

Proposed Change #37-0557...
TITLE OF NOTICE Aspen Lakes

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Aspen Lakes seeks water change

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NOS. 37-0557, 37-0558, 37-0559

Notice is hereby given that Aspen Lakes Ltd., c/o John Biggs of Sun Valley 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 No. 37-0557

Basis of right: Decreed to Rosa L. Purdum in case of S.C. Frost vs. Alturas Water Co., dated 12/13/1909 in Fourth District Court, Lincoln County, Transfer No. 3197.

Source: Big Wood River tributary to Malad River

Priority Date: 5/15/1884

Amount of water: 1.0 cfs

Water use: Irrigation

Point(s) of diversion: SE1/4-SW1/4, S32, T3N, R18E, Blaine County (Aspen 27).

Place of use: 200 acres within NE1/4, S5, T2N, R18E; SE1/4-SW1/4, SW1/4SE1/4, S32, T3N, R18E.

Water right No. 37-0558

Basis of right: Decreed to Rosa L. Purdum in case of S.C. Frost vs. Alturas Water Co., dated 12/14/1909, in Fourth Judicial Court, Lincoln County, Transfer No. 3197.

Source: Big Wood River tributary to Malad River.

Priority Date: 6/1/1886

Amount of water: 2.00 cfs

Water use: Irrigation

Point(s) of diversion: SE1/4-SW1/4, S32, T3N, R18E, Blaine County (Aspen 27).

Place of use: 200 acres within NE1/4, S5, T2N, R18E; SE1/4-SW1/4, SW1/4SE1/4, S32, T3N, R18E.

Water right No. 37-0559

Basis of right: Decreed to Rosa L. Purdum in case of S.C. Frost vs. Alturas Water Co., dated 12/13/1909 in Fourth Judicial Court, Lincoln County, Transfer No. 3197.

Source: Big Wood River tributary to Malad River

Priority Date: 6/1/1888

Amount of water: 3.6 cfs

Water use: Irrigation

Point(s) of diversion: SE1/4-SW1/4, S32, T3N, R18E, Blaine County (Aspen 27).

Place of use: 200 acres within NE1/4, S5, T2N, R18E; SE1/4-SW1/4, SW1/4SE1/4, S32, T3N, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-0557

Amount: 1.0 cfs

Water right No.: 37-0558

Amount: 2.0 cfs

Water right No.: 37-0559

Amount: 3.6 cfs

Total amount

being transferred: 6.6 cfs

Source: Big Wood River tributary to Malad River

Point of diversion: SE1/4NE1/4-NW1/4, S5, T2N, R18E, Blaine County (Aspen 27); NE1/4SE1/4-SW1/4, S32, T3N, R18E, Blaine County (Aspen 27A).

Place of use: No changes.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls ID 83301.

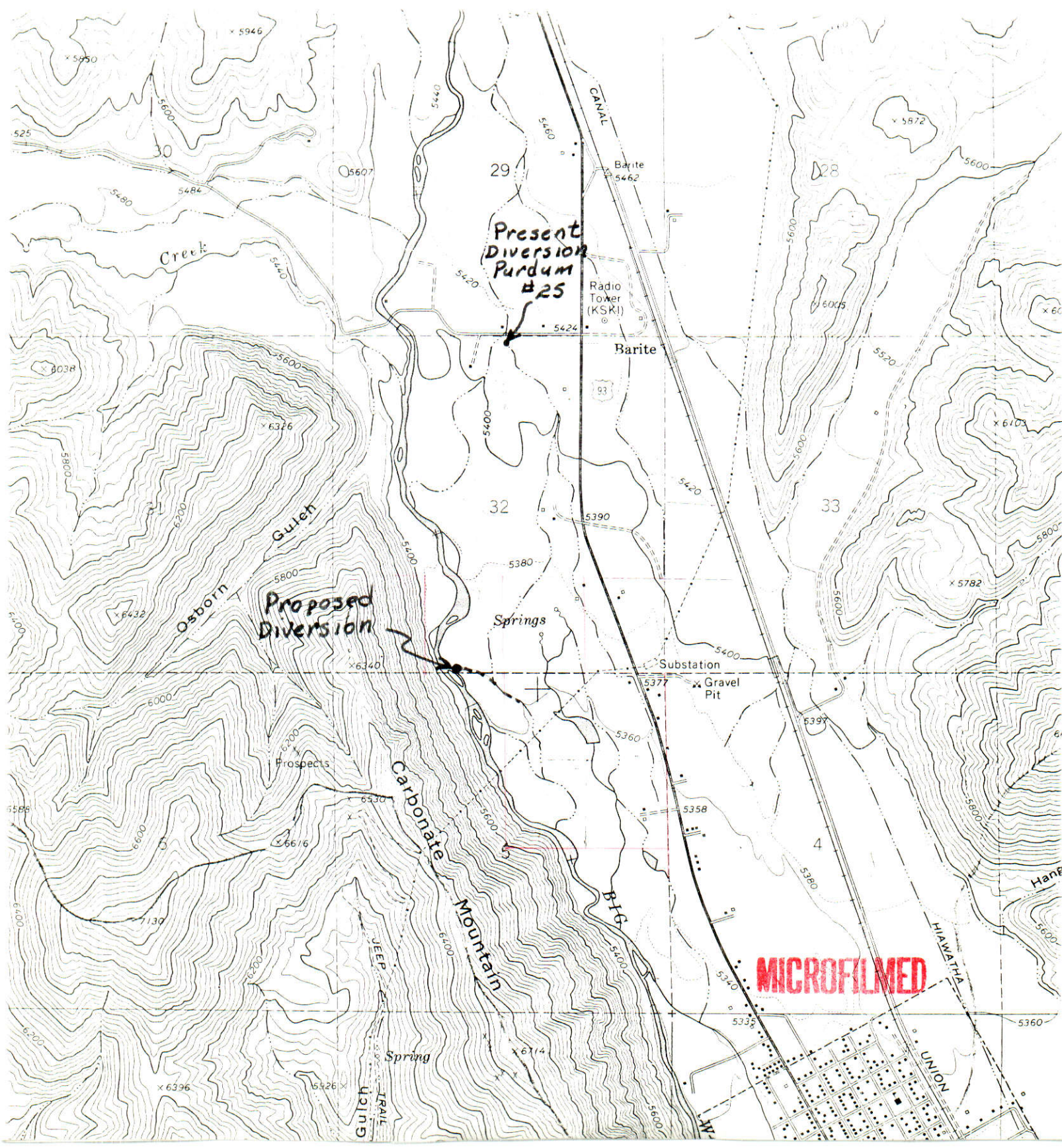
R. Keith Higginson, Director
Publish: Wood River Journal-July 3 & 12, 1989.

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



AFFIDAVIT OF PUBLICATION

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 14th day of Nov 19 85, and the date of the last publication was on the 21st day of Nov 19 85

Subscribed and sworn to before me this 21st day of November 1985
(SEAL)

Roberta McKee
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho
COST OF PUBLICATION

Department of Water Resources
Southern District Office

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

Lines tabular at _____ 5¢/Pica
74 Lines straight at 32.56 4¢/Pica
74 Subsequent lines at 24.42 3¢/Pica
TOTAL COST 56.98

MICROFILMED

COPY OF NOTICE

(Paste Here)

Proposed Change
TITLE OF NOTICE
#37-0557, 58 & 59
Aspen Lakes Ltd.
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res.
BILL TO

Water right change filed by Aspen Lakes

CORRECTED -
NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 37-0557
37-0558
37-0559

Notice is hereby given that Aspen Lakes, Ltd., c/o John Biggs, of Sun Valley, 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 rights sought to be changed are evidenced by decree to Rose L. Purdum in case of S.C. Frost vs. Alturas Water Co., dated December 13, 1909, in Fourth Judicial District, county of Lincoln, and are described as follows:

37-0557

Amount: 1.0 cfs
Priority: May 15, 1884

Point of Diversion: Not listed in decree. Watermaster records - NWNE, Sec. 32, T3N, R18E, B.M., Blaine County

The water is used for irrigation of an estimated 140 acres within NE1/4, Sec. 5, T2N, R18E; SESW, SWSE, Sec. 32, T3N, R18E for irrigation of an estimated 60 acres. Total 200 acres.

37-0558

Amount: 2.0 cfs
Priority: June 1, 1886

Point of Diversion: Same as 37-0557

Place of Use: Same as 37-0557
37-0559

Amount: 3.6 cfs
Priority: June 1, 1888

Point of Diversion: Same as 37-0557

Place of Use: Same as 37-0557
TO BE CHANGED
AS FOLLOWS:

Amount: 6.6 cfs
Point of Diversion: SESW, Sec. 32, T3N, R18E, B.M., Blaine County

Place of Use: No Change
Any protest against approval of the proposed change of the rights described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before December 2, 1985.

A. KENNETH DUNN
Director

Publish: Wood River Journal-
November 14 & 21, 1985.

AFFIDAVIT of PUBLICATION

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 5th day of Sept.

19 85, and the date of the last publication was on the 12th

day of Sept., 19 85

Clint Stennett

Subscribed and sworn to before me this 17th

day of September, 19 85
(SEAL)

Roberta M. Ketchum
NOTARY PUBLIC

WOOD RIVER JOURNAL Hailey, Idaho COST OF PUBLICATION

Numer of Picas per Line 11
Number of Lines in Notice 83
Number of Insertions 2
Lines tabular at 5/Pica
83 Lines straight at 36.52 4/Pica
83 Subsequent lines at 27.39 3/Pica
TOTAL COST 63.91

MICROFILMED

OPY OF NOTICE

(Paste Here)

Proposed Change
TITLE OF NOTICE

37-0557, 37-0558
37-0559

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res.
BILL TO

Water right change filed by Aspen Lakes

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-0557
37-0558
37-0559

Notice is hereby given that Aspen Lakes, Ltd., c/o John Biggs, of Sun Valley, 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 rights sought to be changed are evidenced by decree to Rose L. Purdum in case of S.C. Frost vs. Alturas Water Co., dated December 13, 1909, in Fourth Judicial District, County of Lincoln, and are recorded as follows:

37-0557

Amount: 1.0 cfs

Priority: May 15, 1884

Point of Diversion: Not listed in decree. Watermaster records - NWNE, Sec. 32, T3N, R18E, B.M., Blaine County

The water is used for irrigation of an estimated 140 acres within NE1/4, Sec. 5, T2N, R18E; SESW, SWSE, Sec. 32, T3N, R18E, for irrigation of an estimated 60 acres. Total 200 acres.

37-0558

Amount: 2.0 cfs

Priority: June 1, 1886

Point of Diversion: Same as 37-0557

Place of Use: Same as 37-0557

37-0559

Amount: 3.6 cfs

Priority: June 1, 1888

Point of Diversion: Same as 37-0557

Place of Use: Same as 37-0557

TO BE CHANGED
AS FOLLOWS:

Amount: 6.0 cfs

Point of Diversion: SESW, Sec. 32, T3N, R18E, B.M., Blaine County

Place of Use: No change

PORTIONS TO BE CHANGED
AS FOLLOWS:

37-0577AY

Amount: 1.60 cfs

Point of Diversion: SWNW, Sec. 22, T1S, R18E, B.M., Blaine County

Place of Use: SWNW, NWSW, Sec. 27, SENE, Sec. 28, T1S, R18E for irrigation of 68 acres

Any protest against approval of the proposed change of the rights 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 23, 1985.

A. KENNETH DUNN
Director

Publish: Wood River Journal-
September 5 & 12, 1985.

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

NO. 37-0557

37-0558

37-0559

Notice is hereby given that Aspen Lakes, Ltd., c/o John Biggs, of Sun Valley, Idaho, has applied to the Department of Water Resources for a change of point of diversion of the waters of the Big Wood River tributary to Malad River. The rights sought to be changed are evidenced by decree to Rose L. Purdum in case of S.C. Frost vs. Alturas Water Co., dated December 13, 1909, in Fourth Judicial District, County of Lincoln, and are recorded as follows:

37-0557

Amount: 1.0 cfs

Priority: May 15, 1884

Point of Diversion: Not listed in decree. Watermaster records - NWNE, Sec. 32, T3N, R18E, B.M., Blaine County

The water is used for irrigation of an estimated 140 acres within NE1/4, Sec. 5, T2N, R18E; SESW, SWSE, Sec. 32, T3N, R18E, for irrigation of an estimated 60 acres. Total 200 acres.

37-0558

Amount: 2.0 cfs

Priority: June 1, 1886

Point of Diversion: Same as 37-0557

Place of Use: Same as 37-0557

37-0559

Amount: 3.6 cfs

Priority: June 1, 1888

Point of Diversion: Same as 37-0557

Place of Use: Same as 37-0557

**TO BE CHANGED
AS FOLLOWS:**

Amount: 6.0 cfs

Point of Diversion: SESW, Sec. 32, T3N, R18E, B.M., Blaine County

Place of Use: No change

**PORTIONS TO BE CHANGED
AS FOLLOWS:**

Amount: 1.60 cfs

Point of Diversion: SWNW, Sec. 22, T1S, R18E, B.M., Blaine County

Place of Use: SWNW, NWSW, Sec. 27; SENE, Sec. 28, T1S, R18E for irrigation of 68 acres

Any protest against approval of the proposed change of the rights 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 23, 1985.

A. KENNETH DUNN
Director

Publish: Wood River Journal—
September 5 & 12, 1985.

9/30/85

37-0577AY

Page 1 of 10STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3575APPLICATION 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 |
2. Total amount of water being transferred 6.6 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
	SE	NE	NW	5	2N	18E	Blaine	Aspen 27
	NE	SE	SW	32	3N	18E	Blaine	Aspen 27A

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	

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 main-
tained 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.

Witness my hand this 15th day of September, 1989

J. Blum Saxton
Chief, Water Alloc. Bureau

RECEIVED

SEP 16 1989

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. 3177 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

MICROFILMED

SEP 19 1989

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

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 parts B and C.)

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

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. 37-0558 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 Malad

4. Date or priority June 01, 1886

5. 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		60

Total acres 200

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

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

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

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 _____

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

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

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

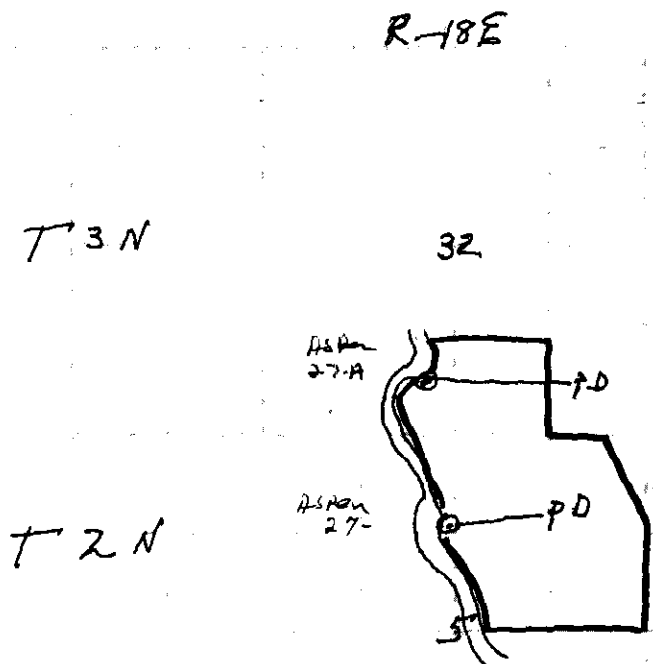
3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

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

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

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

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

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

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

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

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

G. P. Hagen Lakes CTO.
(Signature of Applicant)

Sandra Smith
(Notary Public)

My commission expires Lifetime**FOR DEPARTMENT USE ONLY**Transfer contains 10 pages and 0 attachmentsReceived by AG Date 4/3/89 No 5 checkPrelim. check by J. E. Stanton Fee \$50Receipted by DR Date 6/5/89 5007506Published in Wood River JournalPub. dates 7/5 + 7/12/89Watermaster recommendation requested on 6/22/89_____ rec'd. 7/5/89

Copy of transfer sent to lien holder _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denialby SA Jim**MICROFILMED**

SEP 19 1989

319 WALNUT AVENUE
POST OFFICE BOX 297
KETCHUM, IDAHO 83340

LAWSON & PEEBLES
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

TELEPHONE
(208) 726-5657
FACSIMILE
(208) 726-9743

May 15, 1989

RECEIVED

JUN 5 1989

Department of Water Resources
Southern Region Office

Mr. William C. Mirams
P. O. Box 961
Ketchum, Idaho 83340

Re: Flying Heart Ranch Water Rights

Dear Bill:

As a follow-up to our recent discussions, I am requesting your permission to locate an additional diversion point, and the related weir and measuring devices, on your Lot 23 in Flying Heart Ranch. We need your consent in order to complete the pending application with the Idaho Department of Water Resources.

If you are willing to give your permission, subject to your right to review and approve plans and specifications for the work, please so indicate by signing and returning the copy of this letter enclosed for that purpose.

Thank you for your continued cooperation.

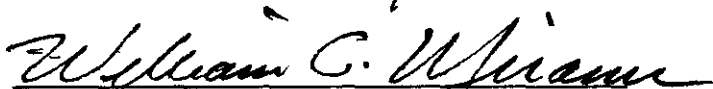
Very truly yours,

LAWSON & PEEBLES


Edward A. Lawson

EAL/cr/flying.mir
Encl.

AGREED TO AS OF MAY 16, 1989


WILLIAM C. MIRAMS

MICROFILMED

SEP 19 1989

WHEN RECORDED MAIL TO:

Aspen Lakes, A ltd partnership
c/o Tobin & Tobin, Attornies
2600 Crocker Plaza, One Post St
San Francisco, Calif 94104

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

at above address

The undersigned grantor(s) declare(s) that:

Documentary transfer tax is \$ 550.00

(X) computed on full value of property conveyed, or

() computed on full value less value of liens and encumbrances remaining at time of sale, and

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

ROSCOE B. BIGLER & LAVERNE W. BIGLER, husband and wife

HAROLD C. VALENTINE and IRENE J. VALENTINE, husband and wife

hereby GRANT(S) to

ASPEN LAKES, a California Limited Partnership

the real property in the City of
County of BLAINE COUNTY,

IDAHO

, State of ~~California~~ described as

TO 447 C
(Individual)

STATE OF CALIFORNIA

COUNTY OF Los Angeles } SS.On April 5, 1979before me, the undersigned, a Notary Public in and for said State, personally appeared Harold C. Valentine

to be the person whose name is subscribed
to the within instrument and acknowledged that he
executed the same.

WITNESS my hand and official seal.

Signature

FERNANDO B. DIAZ

Name (Typed or Printed)



(This area for official notarial seal)

T HEREOF

STATE OF CALIFORNIA
COUNTY OF

} SS

ON May 3, 1979, before me, the
undersigned, a Notary Public in and for said County and State, personally appeared

Roscoe B. Bigler & Laverne W. Bigler

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



OFFICIAL SEAL
LITA ZABAIA BIEJO
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My comm. expires DEC 22, 1981

Signature: Lita Zabaia Biejo

GENERAL ACKNOWLEDGMENT
Form No. 16

Escrow or Loan No. _____

Title Order No. _____

EXHIBIT "A"

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

PARCEL I:

Lots 2, 3 and a fraction of Lot 1, and a portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 5, and a fraction of SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, more particularly described by metes and bounds as follows:

Commencing at the East quarter Corner of said Section 5; thence N. 88° 57' 28" E., 268.70 feet to a point on the Westerly boundary of State Highway 75; thence N. 13° 10' 40" W., 586.50 feet along said Westerly boundary to the TRUE POINT OF BEGINNING; thence Continuing along said Westerly boundary N. 12° 41' 23" W., 631.50 feet to a point of curve; thence 736.54 feet along a curve to the left with a central angle of 7° 25' 00", a radius of 5690.00 feet, a tangent of 368.79 feet and a chord of 736.03 feet; thence N. 20° 06' 23" W., 640.15 feet; thence Leaving the Westerly boundary of said highway, N. 89° 05' 15" W., 264.00 feet; thence N. 20° 06' 23" W., 165.00 feet to a point on the North line of Lot 1 of said Section 5; thence N. 89° 05' 15" W., 568.24 feet along said North line to the N.E. Corner of Lot 2; thence Continuing N. 89° 05' 15" W., 1309.70 feet to the N.E. Corner of Lot 3; thence Continuing N. 89° 15' 47" W., 1307.81 feet to the N.W. Corner of said Lot 3; thence S. 0° 54' 54" E., 1344.59 feet to the S.W. Corner of said Lot 3; thence S. 89° 31' 10" E., 1299.30 feet to the S.E. Corner of said Lot 3; thence S. 0° 33' 28" E., 778.71 feet; thence S. 89° 58' 47" E., 2190.67 feet; thence N. 68° 56' 12" E., 161.00 feet; thence S. 21° 19' 34" E., 123.03 feet; thence N. 80° 27' 39" E., 382.25 feet to the TRUE POINT OF BEGINNING.

PARCEL II:

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 32: SW $\frac{1}{4}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ SW $\frac{1}{4}$.

SEP 19 1985

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

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 3rd day of July, 1989, and

the date of the last publication was on the 12th day of July, 1989.

Subscribed and sworn to before me this 12th day of July, 1989.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 99
Number of Insertions 2
Lines tabular at 5¢/Pica
47 Lines straight at 49.01 4¢/Pica
99 Subsequent lines at 38.12 3¢/Pica
TOTAL COST 87.13

RECEIVED

SEP 19 1989

JUL 13 1989

Department of Water Resources
Southern Region Office

COPY OF NOTICE

(Paste Here)

Proposed Change # 37-0557...
TITLE OF NOTICE Aspen Lakes

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Aspen Lakes
Section 37-0557
NOTICE OF CHANGE
CHARGE

Notice is hereby given that Aspen Lakes Ltd., c/o John Riggs of Sun Valley, 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 No. 37-0557

Basis of right: Decreed to Rosa L. Purdum in case of S.C. Frost vs. Alturas Water Co., dated 12/13/1909 in Fourth District Court, Lincoln County, Transfer No. 3197.

Source: Big Wood River tributary to Malad River

Priority Date: 5/15/1884

Amount of water: 1.0 cfs

Water use: Irrigation

Point(s) of diversion: SE1/4-SW1/4, S32, T3N, R18E, Blaine County (Aspen 27).

Place of use: 200 acres within NE1/4, S5, T2N, R18E; SE1/4-SW1/4, SW1/4SE1/4, S32, T3N, R18E.

Water right No. 37-0558

Basis of right: Decreed to Rosa L. Purdum in case of S.C. Frost vs. Alturas Water Co., dated 12/13/1909 in Fourth Judicial Court, Lincoln County, Transfer No. 3197.

Source: Big Wood River tributary to Malad River

Priority Date: 6/1/1888

Amount of water: 2.00 cfs

Water use: Irrigation

Point(s) of diversion: SE1/4-SW1/4, S32, T3N, R18E, Blaine County (Aspen 27).

Place of use: 200 acres within NE1/4, S5, T2N, R18E; SE1/4-SW1/4, SW1/4SE1/4, S32, T3N, R18E.

Water right No. 37-0559

Basis of right: Decreed to Rosa L. Purdum in case of S.C. Frost vs. Alturas Water Co., dated 12/13/1909 in Fourth Judicial Court, Lincoln County, Transfer No. 3197.

Source: Big Wood River tributary to Malad River

Priority Date: 6/1/1888

Amount of water: 3.5 cfs

Water use: Irrigation

Point(s) of diversion: SE1/4-SW1/4, S32, T3N, R18E, Blaine County (Aspen 27).

Place of use: 200 acres within NE1/4, S5, T2N, R18E; SE1/4-SW1/4, SW1/4SE1/4, S32, T3N, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-0557

Amount: 1.0 cfs

Water right No.: 37-0558

Amount: 2.0 cfs

Water right No.: 37-0559

Amount: 3.5 cfs

Total amount of water being transferred: 4 cfs

Source: Big Wood River tributary to Malad River

Point of diversion: SE1/4NE1/4-NW1/4, S5, T2N, R18E, Blaine County (Aspen 27); NE1/4SE1/4-SW1/4, S32, T3N, R18E, Blaine County (Aspen 27A).

Place of use: No changes.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301.

R. Keith Hoggins, Director

Publish: Wood River Journal-July

3 & 12, 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

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 <u>1.0 cfs</u> for <u>Irrigation</u> purposes from <u>not listed</u> to _____ |
| amount <u>2.0 cfs</u> for <u>Irrigation</u> purposes from <u>not listed</u> to _____ |
| amount <u>3.6 cfs</u> for <u>Irrigation</u> purposes from <u>not listed</u> 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.

MICROFILMED

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

MICROFILMED

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

1. General Information 6.6 cfs ADM 12/4/55 25 per
memo 11/4/55
- 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

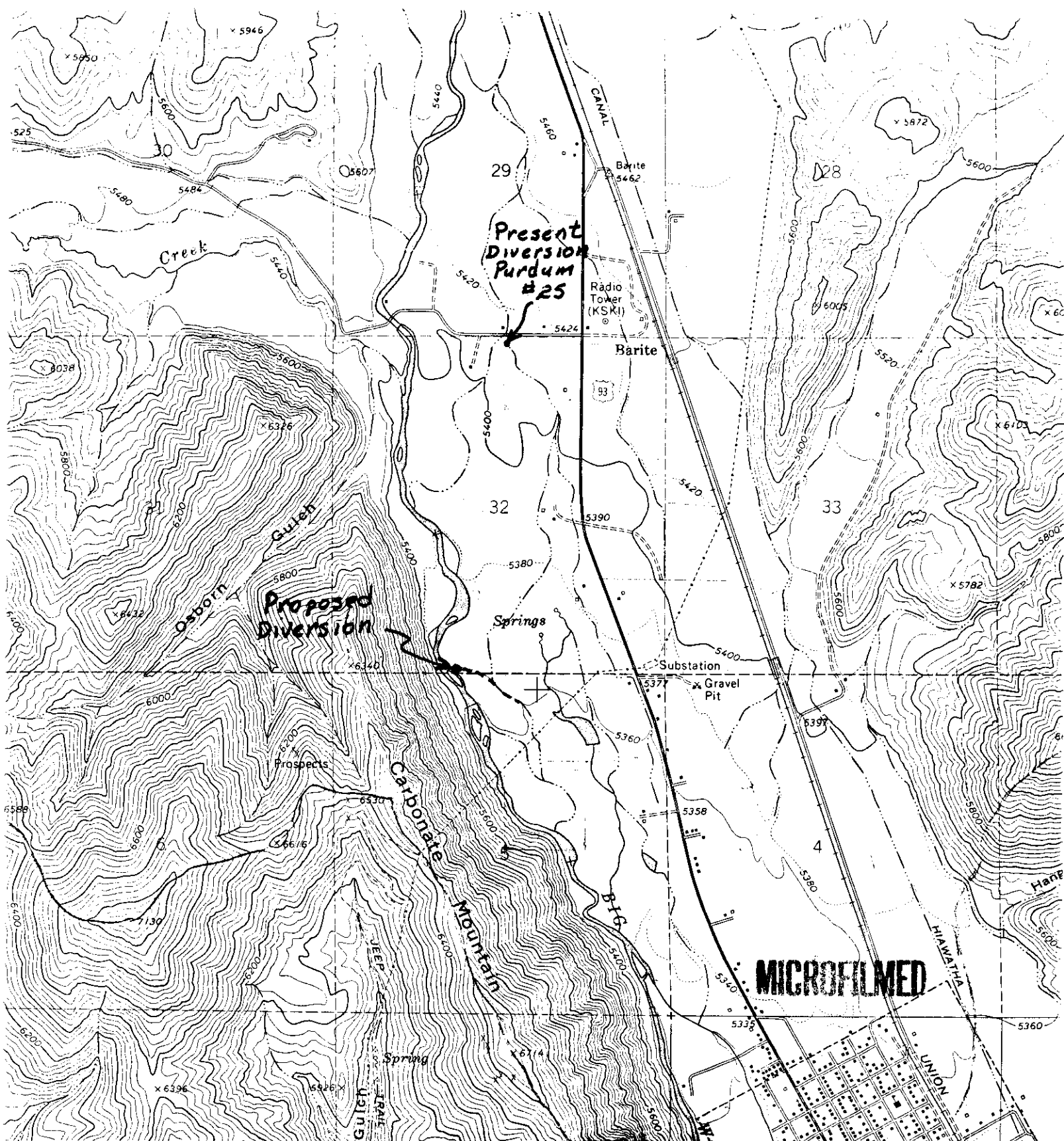
3. Change in place of use No Change
- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

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



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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 Partner
Aspen Taper Ltd.*
John D. Biggo
(Signature of Applicant)

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

R. D. 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.

A. Glen Saylor
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by *mary* Date 9/9/85

Protest filed by None

Prelim. check by G.F. Fee SD. # 36715

Receipted by *mary* Date 8/19/85

Published in Wood River Journal

Copies of protest forwarded by _____

Pub. dates sept 5 & 12, 1985

Hearing held by _____ Date _____

Re-advertised 11/14 & 11/21/85

Watermaster recommendation requested on 8/27/85

Recommended for approval denial

by ADM Sim

rec'd. 8/29/85

AFFIDAVIT of PUBLICATION

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 5th day of Sept.

19 85 and the date of the last publication was on the 12th

day of Sept. 19 85

Clint Stennett

Subscribed and sworn to before me this 17th

day of September 19 85
(SEAL)

Roberta McKee

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 11
Number of Lines in Notice 83
Number of Insertions 2

Lines tabular at 5/Pica
83 Lines straight at 36.52 4/Pica
83 Subsequent lines at 27.39 3/Pica

TOTAL COST 63.91

MICROFILMED

OPY OF NOTICE

(Paste Here)

Proposed Change

TITLE OF NOTICE
* 37-0557, 37-0558

37-0559

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res.

BILL TO

Water Right Change
filed Department of Water Resources

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT

NO. 37-0557

37-0558

37-0559

Notice is hereby given that Aspen Lakes, Ltd., c/o John Boyd, of Sun Valley, 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 Malheur River. The right to divert 35 cfs changed as indicated by decree to NE 1/4 Sec. 6, T3N, R18E, S4M, Blaine County, Idaho, dated December 12, 1984, in Fourth Judicial District, County of Lincoln, and are recorded as follows:

37-0557

Amount: 1.0 cfs

Priority: May 15, 1884

Point of Diversion: Not listed in decree. Watermaster records. NAME, Sec. 32, T3N, R18E, S4M, Blaine County

The water is used for irrigation of an estimated 100 acres. NE 1/4 Sec. 6, T3N, R18E, S4M, Blaine County, Idaho, for irrigation of an estimated 20 acres. Total 200 acres.

37-0558

Amount: 2.0 cfs

Priority: June 1, 1888

Point of Diversion: Same as 37-0557

Place of Use: Same as 37-0557

37-0559

Amount: 3.0 cfs

Priority: June 1, 1888

Point of Diversion: Same as 37-0557

Place of Use: Same as 37-0557

TO BE CHANGED

AS FOLLOWS:

Amount: 0.0 cfs

Point of Diversion: SE 1/4 Sec. 32, T3N, R18E, S4M, Blaine County

Place of Use: No change

ADDITIONAL TO BE CHANGED

AS FOLLOWS:

37-0577AY

Amount: 1.00 cfs

Point of Diversion: SE 1/4 Sec. 28, T1S, R18E, S4M, Blaine County

Place of Use: NW 1/4 Sec. 28, T1S, R18E, S4M, Blaine County

Amount: 1.00 cfs

Point of Diversion: SE 1/4 Sec. 28, T1S, R18E, S4M, Blaine County

Place of Use: NW 1/4 Sec. 28, T1S, R18E, S4M, Blaine County

Amount: 1.00 cfs

Point of Diversion: SE 1/4 Sec. 28, T1S, R18E, S4M, Blaine County

Place of Use: NW 1/4 Sec. 28, T1S, R18E, S4M, Blaine County

Amount: 1.00 cfs

Point of Diversion: SE 1/4 Sec. 28, T1S, R18E, S4M, Blaine County

Place of Use: NW 1/4 Sec. 28, T1S, R18E, S4M, Blaine County

Amount: 1.00 cfs

Point of Diversion: SE 1/4 Sec. 28, T1S, R18E, S4M, Blaine County

Place of Use: NW 1/4 Sec. 28, T1S, R18E, S4M, Blaine County

37-9

30-70

myl

10 State

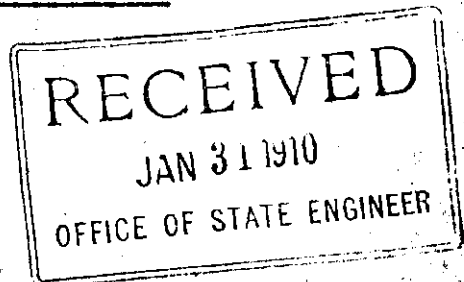
37 0557	Furum, Rose L.	B	50 inches.	14	May 15, 1884.	Big Wood River. T. 3197
37 0558	" "	"	100 "	118	June 1, 1886.	" " " T. 3197
37 0559	" "	"	180 "	150	June 1, 1888.	" " " T. 3197
37 0560	Quong Bing	L	27 "	130	Nov. 28, 1882.	Little Wood River. Trans P. (Also shares in Big Cottonwood Canal Co.)
37 0561	Ranson, Sarah A.	B	65 "	74	May 2, 1884.	Little Wood River. (Also shares in Little Wood River Canal Co.)
37 0562	Ravenscraft, J.W.	D	300 "	133	May 10, 1887.	Big Wood River. - Trans 307
37 0563	Rawson, W. F.	B	60 "	✓	May 30, 1881.	Little Wood River.
37 0564	" "	"	60 "	27	May 30, 1882.	" " "
37 0565	" "	"	"	"	"	(Also shares in Little Wood River Canal Co.)
"	"	"	"	"	"	Dry Creek.
37 0566	Reardon, Daniel	B	90 inches.	135	July 30, 1883.	Rock Creek.
37 0567	"	"	80 "	135	July 30, 1883.	" "
37 0568	"	"	50 "	148	June 30, 1884.	" "
37 0569	"	"	40 "	118	June 1, 1886.	" "
37 0570	Reedy, Mrs. Hannah H.	D	50 ✓	143	June 1, 1892.	Soldier Creek.
37 0571	Reedy, Mrs. Joseph H.	C	145 ✓	142	July 2, 1883.	" " ✓
37 0572	"	"	22 ✓	149	June 27, 1883.	" "
37 0573	Rhodes, James M., Trustee.	"	2000 "	27	Aug. 27, 1882.	Warm Springs Creek. (For power purposes.)
37 0574	Do.	B	250 "	211	May 30, 1894.	Warm Springs Creek.
37 0575	Do.	"	40 "	158	Aug. 1, 1888.	N. Fork of E. Fork of Big Wood River. (For milling purposes for North Star Con- centrating Mill.)
37 0576	Rice, C. P.	C	180 "	111	Nov. 2, 1885.	Big Wood River.
37 0577	Richards, S. P.	B	"	"	"	Shares in Little Wood River Canal Company.
37 0578	Riley, W. T.	B	4000 5595	36	Mc. 24, 1883.	Big Wood River. Trans 456-487 (588) 586-514-639-712-2036-2525 D E F G H
37 0579	Roberts, Mrs. Elizabeth.	B	50 "	74	May 2, 1884.	" " "
37 0580	"	"	25 "	75	June 2, 1888.	" " "

Adol 223-

MICROFILMED

240

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 Findings 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 that judgment be entered in accordance with the Report and recommendations of the said Referee, Wherefore, by reason of the law and the Report and Findings of Fact and Conclusions of Law aforesaid,

It is Ordered, Adjudged and Decreed, that the several parties, plaintiffs and defendants herein named, do have judgment respectively for

MICROFILMED MICROFILMED



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

September 18, 1989

RE: Transfer of Water Right Nos. 37-0557/0558/0559

Aspen Lakes Ltd.
c/o John Biggs
Box 1747
Sun Valley, ID 83353

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Transfer No. 3575). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:hm

Enclosure

MICROFILMED

SEP 19 1989

MEMORANDUM

TO: FILE 37-0557 etal
FROM: JIM JOHNSON
RE: TRANSFER APPLICATION REVIEW
DATE: September 12, 1989

=====

CONDITIONS OF APPROVAL

<<R04>> Use of water under this water right is subject to control of State Water District No. 37, Big Wood River.

<<R43>> 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.

RECEIVED
SEP 13 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: J.F. Stanton

1. Right number 37-0557, 0558, 0559 Applicant Aspen Lakes Ltd.
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. requested 6-14-89
 - 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) N/A
 - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? 37

FINAL PROCESSING REVIEW BY: L.H.

1. Watermaster recommendation requested on 6/22/89 Received on 7/5/89
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

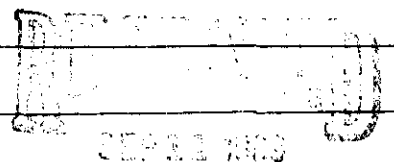
RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* OLD, 0.5 LWD 37 - Big wood R?

4. By Loren O'Halloran Date 9/6/89

June 9-12-89

* All uses within Watermaster Districts require special conditions.



Department of Water Resources

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NOS. 37-0557, 37-0558, 37-0559

Notice is hereby given that Aspen Lakes Ltd., c/o John Biggs of Sun Valley, 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 No. 37-0557

Basis of right: Decreed to Rosa L. Purdum in case of S. C. Frost vs. Alturas Water Co. dated 12/13/1909 in Fourth Judicial Court, Lincoln County, Transfer No. 3197.

Source: Big Wood River tributary to Malad River

Priority Date: 5/15/1884

Amount of water: 1.0 cfs

Water use: Irrigation

Point(s) of diversion: SE1/4SW1/4, S32, T3N, R18E, Blaine County (Aspen 27).

Place of use: 200 acres within NE1/4, S5, T2N, R18E; SE1/4SW1/4, SW1/4SE1/4, S32, T3N, R18E.

Water right No. 37-0558

Basis of right: Decreed to Rosa L. Purdum in case of S. C. Frost vs. Alturas Water Co. dated 12/14/1909 in Fourth Judicial Court, Lincoln County, Transfer No. 3197.

Source: Big Wood River tributary to Malad River.

Priority Date: 6/1/1886

Amount of water: 2.00 cfs

Water use: Irrigation

Point(s) of diversion: SE1/4SW1/4, S32, T3N, R18E, Blaine County (Aspen 27).

Place of use: 200 acres within NE1/4, S5, T2N, R18E; SE1/4SW1/4, SW1/4SE1/4, S32, T3N, R18E.

Water right No. 37-0559

Basis of right: Decreed to Rosa L. Purdum in case of S. C. Frost vs. Alturas Water Co. dated 12/13/1909 in Fourth Judicial Court, Lincoln County, Transfer No. 3197.

Source: Big Wood River tributary to Malad River.

Priority Date: 6/1/1888

Amount of water: 3.6 cfs

Water use: Irrigation

Point(s) of diversion: SE1/4SW1/4, S32, T3N, R18E, Blaine County (Aspen 27).

Place of use: 200 acres within NE1/4, S5, T2N, R18E; SE1/4SW1/4, SW1/4SE1/4, S32, T3N, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-0557
Water right No.: 37-0558
Water right No.: 37-0559

Amount: 1.0 cfs
Amount: 2.0 cfs
Amount: 3.6 cfs

MINUTEMAN

SEP 19 1989

Total amount being transferred: 6.6 cfs

Source: Big Wood River tributary to Malad River

Point of diversion: SE1/4NE1/4NW1/4, S5, T2N, R18E, Blaine County (Aspen 27); NE1/4SE1/4SW1/4, S32, T3N, R18E, Blaine County (Aspen 27A).

Place of use: No changes.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301 on or before July 24, 1989.

R. Keith Higginson, Director

Published in Wood River Journal on 7/5 & 7/12/89.

MICROFILMED
SEP 19 1989

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

**NOS. 37-0557,
37-0558, 37-0559**

OK
MB
7/10/89

Notice is hereby given that Aspen Lakes Ltd., c/o John Biggs of Sun Valley 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 No. 37-0557

Basis of right: Decreed to Rosa L. Purdum in case of S.C. Frost vs. Alturas Water Co., dated 12/13/1909 in Fourth District Court, Lincoln County, Transfer No. 3197.

Source: Big Wood River tributary to Malad River

Priority Date: 5/15/1884

Amount of water: 1.0 cfs

Water use: Irrigation

Point(s) of diversion: SE1/4-SW1/4, S32, T3N, R18E, Blaine County (Aspen 27).

Place of use: 200 acres within NE1/4, S5, T2N, R18E; SE1/4-SW1/4, SW1/4SE1/4, S32, T3N, R18E.

Water right No. 37-0558

Basis of right: Decreed to Rosa L. Purdum in case of S.C. Frost vs. Alturas Water Co., dated 12/14/1909, in Fourth Judicial Court, Lincoln County, Transfer No. 3197.

Source: Big Wood River tributary to Malad River.

Priority Date: 6/1/1886

Amount of water: 2.00 cfs

Water use: Irrigation

Point(s) of diversion: SE1/4-SW1/4, S32, T3N, R18E, Blaine County (Aspen 27).

Place of use: 200 acres within NE1/4, S5, T2N, R18E; SE1/4-SW1/4, SW1/4SE1/4, S32, T3N, R18E.

Water right No. 37-0559

Basis of right: Decreed to Rosa L. Purdum in case of S.C. Frost vs. Alturas Water Co., dated 12/13/1909 in Fourth Judicial Court, Lincoln County, Transfer No. 3197.

Source: Big Wood River tributary to Malad River

Priority Date: 6/1/1888

Amount of water: 3.6 cfs

Water use: Irrigation

Point(s) of diversion: SE1/4-SW1/4, S32, T3N, R18E, Blaine County (Aspen 27).

Place of use: 200 acres within NE1/4, S5, T2N, R18E; SE1/4-SW1/4, SW1/4SE1/4, S32, T3N, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-0557

Amount: 1.0 cfs

Water right No.: 37-0558

Amount: 2.0 cfs

Water right No.: 37-0559

Amount: 3.6 cfs

Total amount

being transferred: 6.6 cfs

Source: Big Wood River tributary to Malad River

Point of diversion: SE1/4NE1/4-NW1/4, S5, T2N, R18E, Blaine County (Aspen 27); NE1/4SE1/4-SW1/4, S32, T3N, R18E, Blaine County (Aspen 27A).

Place of use: No changes.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls ID 83301, on or before JULY 24, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal-July 3 & 12, 1989.

RECEIVED

JUL - 6 1989

Department of Water Resources
Southern Region Office

WED

JOHN M. BIGGS

Dear Mr. STANTON

July 5, 1989

Enclosed is a copy of
the original Grant Deed issued
when Aspen Lakes Limited
purchased the Flying Heart Ranch
in 1979.

J M Biggs
General Partner
Aspen Lakes Ltd.

RECEIVED

JUL - 6 1989

Department of Water Resources
Southern Region Office

MICROFILMED

SEP 19 1989

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. _____

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 _____
Aspen Lakes Ltd, 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 means measure and control this point of diversion be
installed and maintain at all times and that the watermaster and his deputies
have a means to get to the point of diversion .

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 3th day of July 19 89.

Reid J. Newby
MICROFILMED

SEP 19 1989

RECEIVED

JUL - 5 1989

Please use reverse side if needed.

Department of Water Resources
Southern Region Office

22-Jun-1989

Wood River Journal
P.O. 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

MICROFILMED

SEP 19 1989



22-Jun-1989

Aspen Lakes Ltd.
c/o John M. Biggs
P.O. Box 1747
Sun Valley, ID 83353

Re: Application for Transfer No. 37-0557, 37-0558, 37-0559

Dear Mr. Biggs:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office will be advertising the application in the Wood River Journal on 7/5 and 7/12/89. 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.

If the 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.

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

MICROFILMED

SEP 19 1989

22-Jun-1989

Reid J. Newby, Watermaster
Water District #37
Box T
Shoshone, ID 83352

Re: Application for Transfer of Water Right No. 37-0557,
37-0558, 37-0559 (Aspen Lakes Ltd.)

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, 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

MICROFILMED

SEP 19 1989

JOHN M. BIGGS

John M. Biggs
P.O. Box 1747
Sun Valley, Idaho 83353

6/2/89

Gary -
Enclosed are the Aspen Lake Ltd
check and the permission letter from
William Miron.

If anything else is required
you can reach me at 726-1365.

Thank you

JMB

RECEIVED

JUN 5 1989

Department of Water Resources
Southern Region Office

Applicant contacted 4-4-89. will send proof
of ownership & filing fee. transfer was prepared
by Chuck Brockway. lower P/D does not agree
with map. OK &

423-5582

~~contacted 5-9-89. will send for proof of ownership
will be redone with new applicant. Ed Larson
for property owners. 5-18-89 wait to hear from him.~~

FILED

19 1989



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

December 18, 1985

RE: Transfer of Water Right Nos. 37-0557/0558/0559

Aspen Lakes Ltd.
C/O John Biggs
Box 1747
Sun Valley, ID 83353

Dear Mr. Biggs:

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Transfer No. 3197). Be sure to note the conditions of approval as listed on the final page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: *A. Funderburg*

1. Right number 37.0557-0558-0559 Applicant ASPEN LAKES, LTD.
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- Rideau Newby

FINAL PROCESSING REVIEW BY: ADM

1. Watermaster recommendation requested on 8/27/85 Received on 9/29/85
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* OIE, 05, 04

MICROFILMED

RECEIVED
DEC 11 1985

Department of Water Resources
RECEIVED
OCT 16 1985

4. By ADM Date 10/10/85

Jari USE ABOVE CONDITIONS 12-17-85
* All uses within Watermaster Districts require special conditions.

Department of Water Resources

CORRECTED NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-0557
37-0558
37-0559

Notice is hereby given that Aspen Lakes, Ltd, % John Biggs, of Sun Valley, 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 rights sought to be changed are evidenced by decree to Rose L. Purdum in case of S. C. Frost vs Alturas Water Co., dated December 13, 1909 in Fourth Judicial District, county of Lincoln, and are recorded as follows:

37-0557

Amount: 1.0 cfs

Priority: May 15, 1884

Point of Diversion: Not listed in decree. Watermaster records - NWNE, Sec. 32, T3N, R18E, B.M., Blaine County

The water is used for irrigation of an estimated 140 acres within NE1/4, Sec. 5, T2N, R18E; SESW, SWSE, Sec. 32, T3N, R18E for irrigation of an estimated 60 acres. Total 200 acres.

37-0558

Amount: 2.0 cfs

Priority: June 1, 1886

Point of Diversion: Same as 37-0557

Place of Use: Same as 37-0557

37-0559

Amount: 3.6 cfs

Priority: June 1, 1888

Point of Diversion: Same as 37-0557

Place of Use: Same of 37-0557

MICROFILMED

TO BE CHANGED AS FOLLOWS:

Amount: 6.6 cfs

Point of Diversion: SESW, Sec. 32, T3N, R18E, B.M., Blaine
County

Place of Use: No Change

Any protest against approval of the proposed change of the rights
described above must be filed with the Idaho Department of Water
Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301
on or before December 2, 1985.

A.KENNETH DUNN
Director

Published in Wood River Journal Nov. 14 and Nov. 21, 1985 .

MICROFILMED

Disk: Patty-9/NofPro

Water right change filed by Aspen Lakes

~~— CORRECTED —~~ NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-0557

37-0558

37-0559

Notice is hereby given that Aspen Lakes, Ltd., c/o John Biggs, of Sun Valley, 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 Maled River. The rights sought to be changed are evidenced by decrees to Rose L. Purdum in case of S.C. Frost vs. Alturas Water Co., dated December 13, 1909, in Fourth Judicial District, county of Lincoln, and are described as follows:

37-0557

Amount: 1.0 cfs

Priority: May 15, 1884

Point of Diversion: Not listed in decrees. Watermaster records - NWNE, Sec. 32, T3N, R18E, B.M., Blaine County

The water is used for irrigation of an estimated 140 acres within NE1/4, Sec. 5, T2N, R18E; SESW, SWSE, Sec. 32, T3N, R18E for irrigation of an estimated 80 acres. Total 200 acres.

37-0558

Amount: 2.0 cfs

Priority: June 1, 1886

Point of Diversion: Same as 37-0557

Place of Use: Same as 37-0557

37-0559

Amount: 3.6 cfs

Priority: June 1, 1886

Point of Diversion: Same as 37-0557

Place of Use: Same as 37-0557

TO BE CHANGED
AS FOLLOWS:

Amount: 6.6 cfs

Point of Diversion: SESW, Sec. 32, T3N, R18E, B.M., Blaine County

Place of Use: No Change

Any protest against approval of the proposed change of the rights described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before December 2, 1985.

A. KENNETH DUNN
Director

Publish: Wood River Journal-
November 14 & 21, 1985.

ok
marg
11/7/85



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

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

A. Kenneth Dunn
Director

November 4, 1985

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

Re: Corrected Notice of Proposed Change of Water Right No.
37-0557, 37-0558, 37-0559

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.

Very truly yours,

Mary A. Newby
Sec/Office Coord.

Encl:

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM

JH

DATE

11/4/85.

TO

File

SUBJECT

Conversation with Chuck Blockman & John Biggs.

Mr Blockman said the 6 cfs amount in item C is a mistake & the intent is to divert 6.6 cfs less whatever loss is determined by the watermaster. Mr Biggs wants to start construction before the riverbed freezes. I told him we had to readvertise to clear up the legal notice & would also change the amount to be diverted at the new point. I told him he would probably be safe to go ahead since the application had not been protested.

MICROFILMED

SIGNATURE

MEMO

TO: Files, 37-0557, 37-0558, 37-0559

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 Hs 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 16 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.

37-0577AY

Davis Investments

is other
Transfer

RECEIVED

OCT 21 1985

Department of Water Resources
Southern District Office

RECEIVED
AUG 29 1985

Department of Water Resources
Southern District Office

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 37-0557
~~37-0558~~
~~37-0559~~

RECOMMENDATION OF WATERMASTER

I, Reid I Newby, watermaster of Big wood River,
of Water District No. 37, County of Blaine, State of Idaho,
whose address is Box N Shoshone, Idaho 83352
have read the attached copy of the application for transfer of water right for _____
Asphen Lakes Ltd % John Biggs, 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 planes for measuring divice and Means of Control be
approved by Watermaster prior to installation. That there be access to diversion
point for Watermaster and Deputies. That Measuring Devise and Control Gate be installed
and maintained.

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 28 day of August 19 85.

Reid I Newby
(signature)

Please use reverse side if needed.

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-0557
37-0558
37-0559

Notice is hereby given that Aspen Lakes, Ltd, % John Biggs, of Sun Valley, 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 rights sought to be changed are evidenced by decree to Rose L. Purdum in case of S. C. Frost vs Alturas Water Co., dated December 13, 1909 in Fourth Judicial District, county of Lincoln, and are recorded as follows:

37-0557

Amount: 1.0 cfs

Priority: May 15, 1884

Point of Diversion: Not listed in decree. Watermaster records - NWNE, Sec. 32, T3N, R18E, B.M., Blaine County

The water is used for irrigation of an estimated 140 acres within NE1/4, Sec. 5, T2N, R18E; SESW, SWSE, Sec. 32, T3N, R18E for irrigation of an estimated 60 acres. Total 200 acres.

37-0558

Amount: 2.0 cfs

Priority: June 1, 1886

Point of Diversion: Same as 37-0557

Place of Use: Same as 37-0557

37-0559

Amount: 3.6 cfs

Priority: June 1, 1888

Point of Diversion: Same as 37-0557

Place of Use: Same of 37-0557

TO BE CHANGED AS FOLLOWS:

Amount: 6.0 cfs

Point of Diversion: SESW, Sec. 32, T3N, R18E, B.M., Blaine County

Place of Use: No Change

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PORTIONS TO BE CHANGED AS FOLLOWS:

37-0577AY

Amount: 1.60 cfs

Point of Diversion: SWNW, Sec. 22, T1S, R18E, B.M., Blaine
County

Place of Use: SWNW, NWSW, Sec. 27; SENE, Sec. 28, T1S, R18E for
irrigation of 68 acres

Any protest against approval of the proposed change of the rights
described above must be filed with the Idaho Department of Water
Resources, 1041 Blue Lakes Blvd. North, Twin Fall, Idaho, 83301
on or before September 23, 1985.

A. KENNETH DUNN
Director

Published in Wood River Journal Sept. 5 and 12, 1985.

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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 28, 1985

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

Re: Notice of Proposed Change of Water Right 37-0557
37-0558
37-0559

Notice of Proposed Change of Water Right 37-0577AY
37-0310A

Gentlemen:

Enclosed you will find 2 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 27, 1985

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

Re: Application for Transfer of Water Right No. 37-0577AY
37-0310
Application for Transfer of Water Right No. 37-0557
37-0558
37-0559

Dear Mr. Newby

Enclosed are copies of Applications for Transfer of Water Rights within your District, and Watermaster's Recommendation Forms.

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 applicants.

Very truly yours,

Mary A. Newby
Secretary/Office Coord.

Encl:

MICROFILMED

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 Hs 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.

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