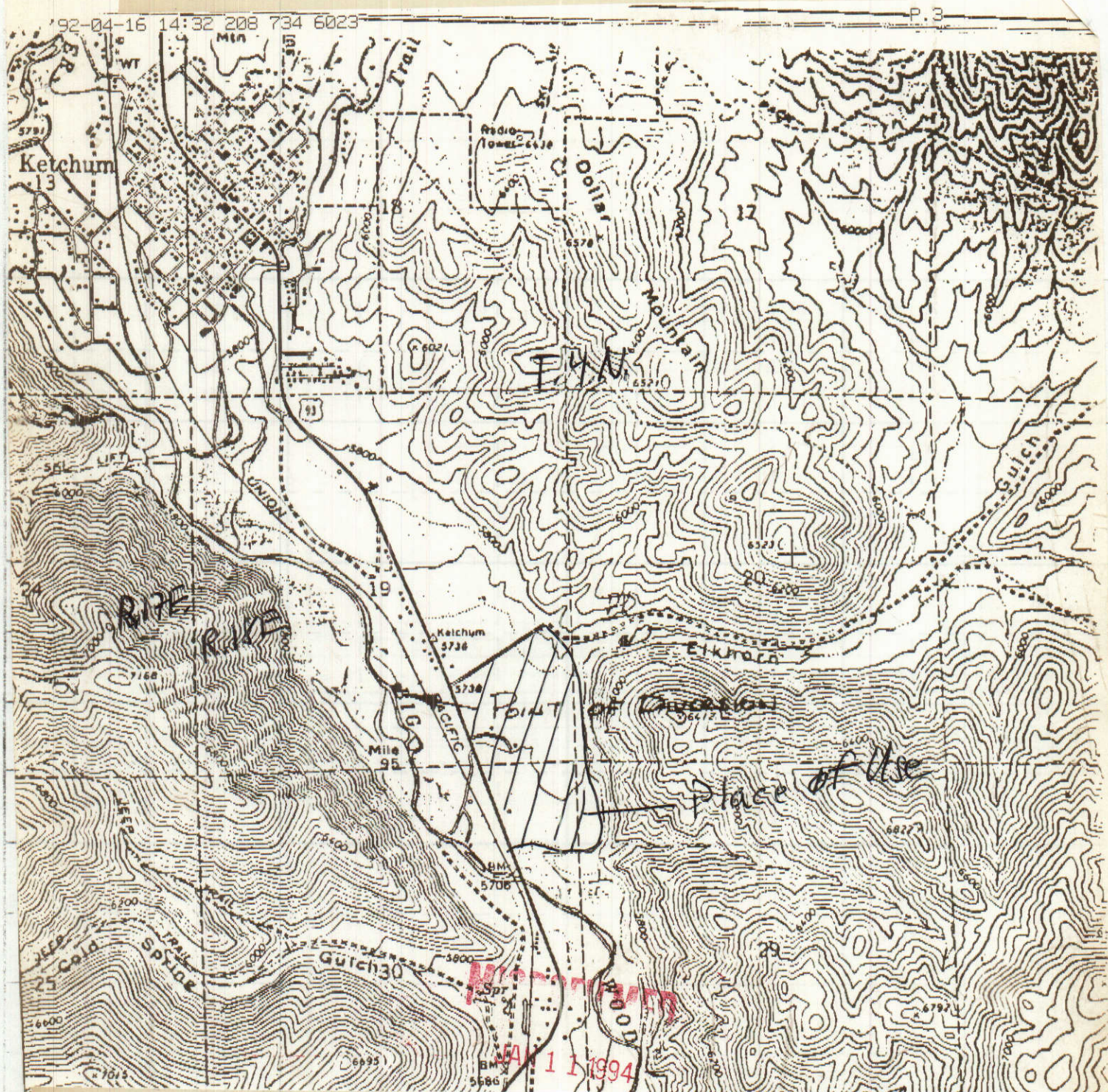


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



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

AFFIDAVIT of PUBLICATION

RECEIVED

JUL 13 1992

State of Idaho,

County of Blaine

} ss.

Department of Water Resources
Southern Region Office

On this 1 day of July, in the year 1992, before me a Notary Public of said State, personally appeared **DANIEL J. GORHAM**, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 24 day of June, 1992 and the date of the last publication was on the 1 day of July, 1992.

Subscribed and sworn to before me this 12 day of July, 1992.
(SEAL)

NOTARY PUBLIC

#8266
WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line	
Number of Lines in Notice	<u>252</u>
Number of Insertions	
Lines tabular at	6¢ / Pica
<u>252</u> Lines straight at	<u>126.00</u> 5¢ / Pica
<u>252</u> Subsequent lines at	<u>113.40</u> 4¢ / Pica
TOTAL COST	<u>244.40</u> 5.00

COPY OF NOTICE
(Paste Here)

Ranch seeks change of
water right.

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Ranch seeks change of water right

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NOS. 37-00577T,
37-00577V, 37-00494, 37-00495,
37-00833K

Notice is hereby given that
LANE RANCH ASSOCIATION, c/o
Evan Robertson of Twin Falls,
ID has applied to the
Department of Water Resources
to change the following
described water right(s)
pursuant to Section 42-222 of
the IDAHO CODE.

This Application for Transfer

proposes to change point(s) of
diversion and place of use for
the 1992 irrigation season to
enable a temporary lease of the
water rights.

WATER RIGHT AS RECORDED

Water Right No. 37-00577T & V
Basis of right: Decreed to W.T.
Riley in case of S.C. Frost,
Et. Al vs Alturus Water Co.
dated 12/13/1909 in Fourth
District Court, Lincoln County,
T#3742.

Source: Big Wood River
tributary to Malad River
Priority: 3/24/1883

Amount & Use: 1.56 cfs for
irrigation from 4/1 to 11/1
0.13 cfs for

recreation from 4/1 to 11/1

Point(s) of diversion:
SW1/4SW1/4NW1/4, S20, T03N,
R18E (Hiawatha Headgate);
Blaine County.

Place of use: 147.5 acres
within S1/2NE1/4, NE1/4SE1/4,
NW1/4SE1/4, SE1/4SE1/4, S20,
T03N, R18E; SW1/4SW1/4, S21,
T03N, R18E; NW1/4, NE1/4SW1/4,
NW1/4SW1/4, SW1/4SW1/4, S28,
T03N, R18E; recreation use in
same quarter sections with the
EXCEPTION OF SE1/4NE1/4, S20,
T03N, R18E, E1/2NW1/4,
NE1/4SW1/4, SW1/4SW1/4, S28,
T03N, R18E; Blaine County.

WATER RIGHT AS RECORDED

Water Right No. 37-00494
Basis of right: Decreed to Jacob Mizer in case of S.C. Frost, Et Al vs Alturus Water Co dated 12/13/1909 in Fourth District Court, Lincoln County, T#3742.

Source: Big Wood River tributary to Malad River
Priority: 5/1/1886

Amount & Use: 1.85 cfs for irrigation from 4/1 to 11/1

0.15 cfs for recreation from 4/1 to 11/1

Point(s) of diversion: SW1/4SW1/4NW1/4, S20, T03N, R18E (Hiawatha Headgate); Blaine County.

Place of use: 147.5 acres within S1/2NE1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S20, T03N, R18E; SW1/4SW1/4, S21, T03N, R18E; NW1/4, NE1/4SW1/4, NW1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; recreation use in same quarter sections with the EXCEPTION OF SE1/4NE1/4, S20, T03N, R18E, E1/2NW1/4, NE1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; Blaine County.

WATER RIGHT AS RECORDED

Water Right No. 37-00495
Basis of right: Decreed to Jacob Mizer in case of S.C. Frost, Et. Al vs Alturus Water Co. dated 12/13/1909 in Fourth District Court, Lincoln County; T#3742.

Source: Big Wood River tributary to Malad River
Priority: 7/1/1892

Amount & Use: 2.59 cfs for irrigation from 4/1 to 11/1

0.21 cfs for recreation from 4/1 to 11/1

Point(s) of diversion: SW1/4SW1/4NW1/4, S20, T03N, R18E (Hiawatha headgate); Blaine County.

Place of use: 147.5 acres within S1/2NE1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S20, T03N, R18E; SW1/4SW1/4, S21, T03N, R18E; NW1/4, NE1/4SW1/4, NW1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; recreation use in same quarter sections with the EXCEPTION OF SE1/4NE1/4, S20, T03N, R18E, E1/2NW1/4, NE1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; Blaine County.

WATER RIGHT AS RECORDED

Water Right No. 37-00833K
Basis of right: Decreed to Irvin E. Rockwell in case of Rockwell vs Coffin dated 8/25/1949 in Fifth District Court, Blaine County, T#3742.
Source: Big Wood River tributary to Malad River
Priority: 11/12/1936

Amount & use: 0.69 cfs for irrigation from 4/1 to 11/1

0.06 cfs for recreation from 4/1 to 11/1

Point(s) of diversion: SW1/4SW1/4NW1/4, S20, T03N, R18E (Hiawatha Headgate); Blaine County.

Place of use: 147.5 acres within S1/2NE1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S20, T03N, R18E; SW1/4SW1/4, S21, T03N, R18E; NW1/4, NE1/4SW1/4, NW1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; recreation use in same quarter sections with the EXCEPTION OF SE1/4NE1/4, S20, T03N, R18E, E1/2NW1/4, NE1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; Blaine County.

WATER RIGHTS TO BE CHANGED AS FOLLOWS:

Water Right No.: 37-00577T&V
Priority Date: 3/24/1883
Period of Use: 4/1 to 11/1
Water Use: irrigation & recreation
Amount: 1.69 cfs

Water Right No.: 37-00833K
Priority Date: 11/12/1936
Period of Use: 4/1 to 11/1
Water Use: irrigation & recreation
Amount: 0.75 cfs

Water Right No.: 37-00494
Priority Date: 5/1/1886
Period of Use: 4/1 to 11/1
Water Use: irrigation & recreation
Amount: 2.00 cfs

Water Right No.: 37-00495
Priority Date: 7/1/1892
Period of Use: 4/1 to 11/1
Water Use: irrigation & recreation
Amount: 2.80 cfs

Total amount being transferred: 7.24 cfs

Source: Big Wood River tributary to Malad River
Point of diversion: SW1/4SE1/4, S19, T04N, R18E; Blaine County.
Place of use: Recreation use and irrigation of 24.7 acres within NE1/4SE1/4, SW1/4SE1/4, SE1/4SE1/4, S19, T04N, R18E; SW1/4SW1/4, S20, T04N, R18E; NW1/4NW1/4, S29, T04N, R18E; N1/2NE1/4, S30, T04N, R18E; Blaine County.

This application is made to accomodate a Lease of the Water Rights for the 1992 season.

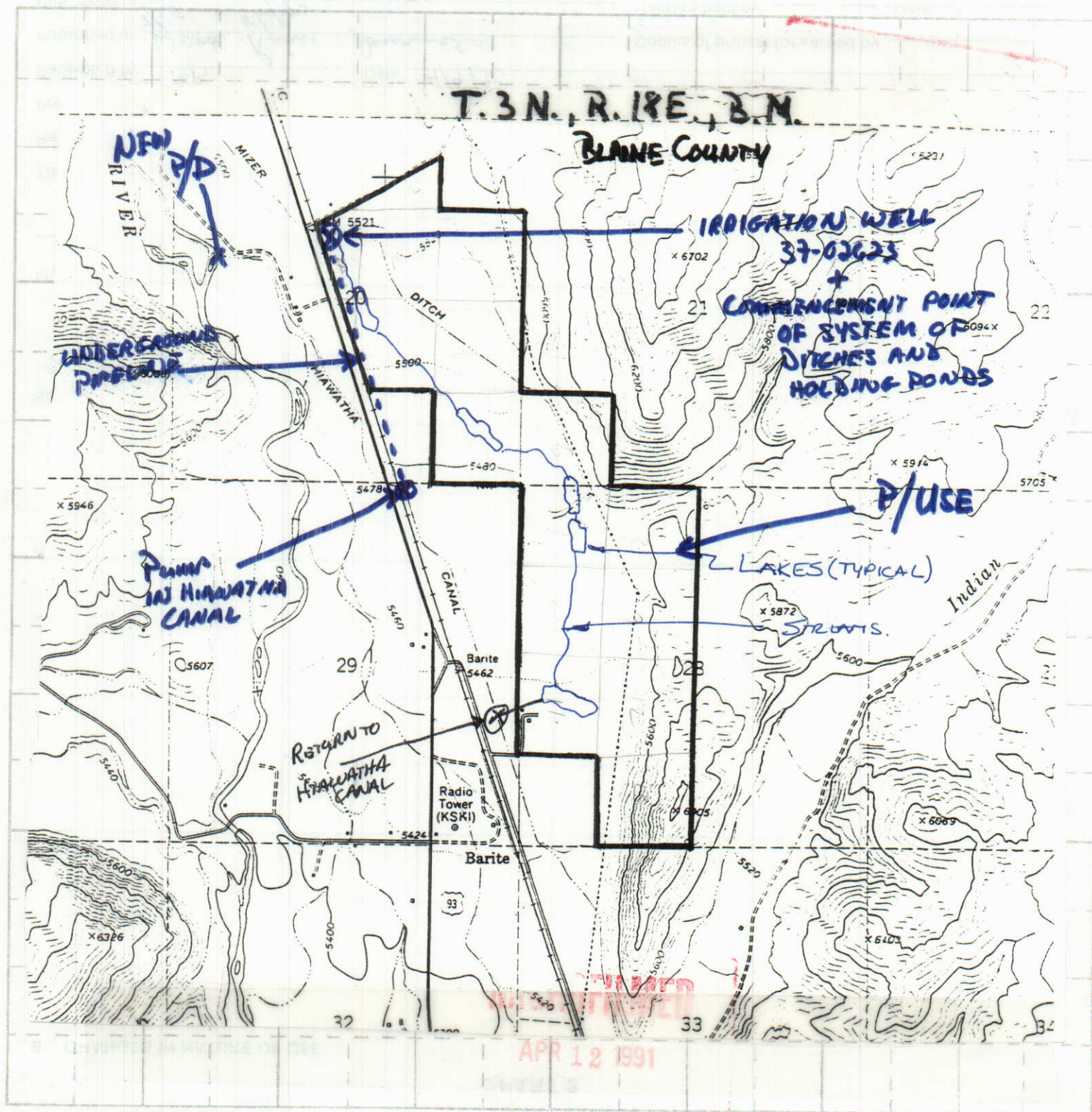
Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before July 13, 1992.

R. Keith Higginson, Director

Publish: Wood River Journal- June 24 and July 1, 1992.

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

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



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

№ 7160

10000000 To editou
april 10

WATER RIGHT AS RECORDED

Water right No. 37-00494

Basis of right: Decreed to Jacob Mizer in case of S.C. Frost, et al., vs. Alturas Water Co., et ux., dated 12/13/1909, in Lincoln County.

Source: Big Wood River tributary to Malad River

Priority Date: 5/1/1886

Amount of water: 2.0 cfs

Water use: irrigation

Point(s) of diversion:

SE1/4NE1/4NE1/4, S18, T3N;

R18E (Mizer Headgate #20);

Blaine County.

Decreed Place of use: 88 acres within W1/2NW1/4, NE1/4SW1/4, S28, T3N, R18E.

Historical Place of use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E.

WATER RIGHT AS RECORDED

Water right No. 37-00495

Basis of right: Decreed to Jacob Mizer in case of S.C. Frost et al., vs. Alturas Water Company, et ux., dated 12/13/1909, in Lincoln County.

Source: Big Wood River tributary to Malad River

Priority Date: 7/1/1892

Amount of water: 2.8 cfs

Water Use: irrigation

Point(s) of diversion:

SE1/4NE1/4NE1/4, S18, T3N,

R18E (Mizer Headgate #20);

Blaine County.

Decreed Place of Use: 88 acres within W1/2NW1/4, NE1/4SW1/4, S28, T3N, R18E.

Historical Place of Use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E.

WATER RIGHT AS RECORDED

Water right No. 37-00833K

Basis of right: Decreed to Irvin E. Rockwell in case of Rockwell vs. Coffin, dated 8/25/1949 in Blaine County; Transfer No. 2591.

Source: Big Wood River tributary to Malad River

Priority Date: 11/12/1936

Amount of water: 0.75 cfs

Water Use: irrigation

Point(s) of diversion:

SE1/4NE1/4NE1/4, S18, T3N,

R18E (Mizer Headgate #20);

Blaine County.

Recorded Place of Use: 66 acres within SW1/4NE1/4, SE1/4NW1/4, N1/2SE1/4, S20, T3N, R18E.

Historical Place of Use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-00577

Amount: 1.12 cfs (Irrigation)

Water right No.: 37-00577

Amount: 0.08 cfs (Recreation)

Water right No.: 37-00577

Amount: 1.57 cfs (Irrigation)

Water right No.: 37-00577

Amount: 0.12 cfs (Recreation)

Water right No.: 37-00494

Amount: 1.86 cfs (Irrigation)

Water right No.: 37-00494

Amount: 0.14 cfs (Recreation)

Water right No.: 37-00495

Amount: 2.60 cfs (Irrigation)

Water right No.: 37-00495

Amount: 0.20 cfs (Recreation)

Water right No.: 37-00833K

Amount: 0.70 cfs (Irrigation)

Water right No.: 37-00833K

Amount: 0.05 cfs (Recreation)

Total amount being transferred:
8.44 cfs

Source: Big Wood River tributary to Malad River

Point of diversion:

SW1/4SW1/4NW1/4, S20, T3N,

R18E (Hiawatha Headgate);

NE1/4NW1/4NE1/4, S29, T3N,

R18E (Re-diversion pump from

Hiawatha); Blaine County.

Place of use: 162.7 acres within

S1/2NE1/4, SE1/4NW1/4,

NE1/4SE1/4, NW1/4SE1/4,

SE1/4SE1/4, S20, T3N, R18E;

SW1/4SW1/4, S21, T3N, R18E;

NW1/4, NE1/4SW1/4,

NW1/4SW1/4, SE1/4SW1/4, S28,

T3N, R18E

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301, on or before August 13, 1990.

R. Keith Higginson, Director

Publish: Wood River Journal-July 25 and August 1, 1990.

AFFIDAVIT of PUBLICATION

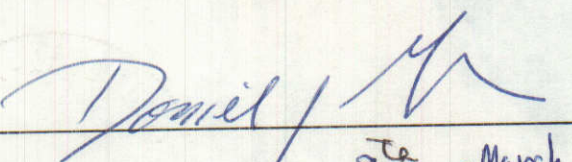
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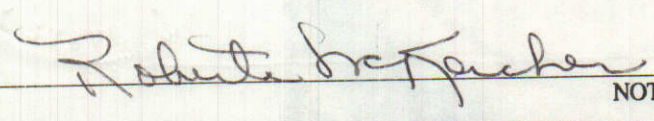
MAR 11 1994

State of Idaho, } ss.
County of Blaine }

Department of Water Resources
Southern Region Office

On this 9 day of March in the year 1994, before me a Notary Public of said State, personally appeared **DANIEL J. GORHAM**, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 2 day of March 1994, and the date of the last publication was on the 9 day of March 1994.


Subscribed and sworn to before me this 9th day of March, 1994.
(SEAL)


NOTARY PUBLIC

#9037

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 183.300
Number of Insertions 2
Lines tabular at 183.300 6¢/Pica
Lines straight at 105.328 5¢/Pica
Subsequent lines at 84.318 4¢/Pica
TOTAL COST +5.00 \$194.72

COPY OF NOTICE
(Paste Here)

Application for extension
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources, Twin Falls
BILL TO

Applications for extension of time

NOTICE OF APPLICATIONS FOR
EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT
Nos. 37-00494, 37-00495,
37-00577T&V, 37-00833K,
37-02683

Notice is hereby given that THE VALLEY RANCH PARTNERS, c/o James P. Speck, Esquire of Ketchum, ID has applied to the Department of Water Resources for extensions of time to avoid forfeiture of Decreed Water Right Nos. 37-00494, 37-00495, 37-00577T&V, 37-00833K and Licensed Water Right No. 37-02683.

The extensions are requested to avoid loss of the water rights due to non-use until construction of the proposed golf course is completed.

Water Right No. 37-00494
Priority Date: 05/01/1886
Name: Decreed to Jacob Mizer in case of S.C. Frost, Et. Al. vs Alturas Water Co., Et. Al. dated 12/13/1909 in Lincoln County District Court; T# 3742.

Source: Big Wood River tributary to Malad River
Use: 04/01 to 11/01 Irrigation (1.85 cfs)
Recreation (0.15 cfs)
Point(s) of Diversion: SWSNW, S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E and recreational use within SWNE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; W1/2NW, NWSW, S28, T03N, R18E; Blaine County.

Water Right No. 37-00495
Priority Date: 07/01/1892
Name: Decreed to Jacob Mizer
in case of S.C. Frost, Et. Al.
vs Alturas Water Co., Et. Al.
dated 12/13/1909 in Lincoln
County District Court; T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (2.59 cfs)
Recreation (0.21 cfs)
Point(s) of Diversion: SWSWNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWNE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-00577T & V
Priority Date: 03/24/1883
Name: Decreed to Wood River
Land Co. in case of Albrethson
vs Wood River Land Co. dated
06/27/1925 in Lincoln County
District Court; T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (1.56 cfs)
Recreation (0.13 cfs)
Point(s) of Diversion: SWSWNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWNE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-00833K
Priority Date: 11/12/1936
Name: Decreed to Irvin E.
Rockwell in case of Rockwell vs
Coffin dated 08/25/1949 in
Blaine County District Court;
T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (0.69 cfs)
Recreation (0.06 cfs)
Point(s) of Diversion: SWSWNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWNE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-02683
Priority Date: 10/12/1959
Basis: License, T# 3743
Source: groundwater
Use: 04/01 to 11/01
Irrigation (2.81 cfs)
Recreation (0.24 cfs)
Point(s) of Diversion: NESENW,
S20, T03N, R18E; Blaine County.
Place of Use: 143.8 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E;
Blaine County.

Claims have been filed on Water
Right Nos. 37-00494, 37-00495,
37-00577BV, 37-00833K, and
37-02683 in the Snake River
Basin Adjudication.

Any protests against the
approval of the above proposed
and described requests must be
filed with the applicant and
with the Director, Dept. of

Water Resources, Southern
Region, 222 Shoshone Street
East, Twin Falls, ID 83301 on
or before March 21, 1994.

R. Keith Higginson, Director

Published in Wood River Journal
on 3/2 & 3/9/94.

Publish: Wood River Journal—
March 2 & 9, 1994.

Valley
Ranch

Post-It™ brand fax transmittal memo 7671 # of pages 1

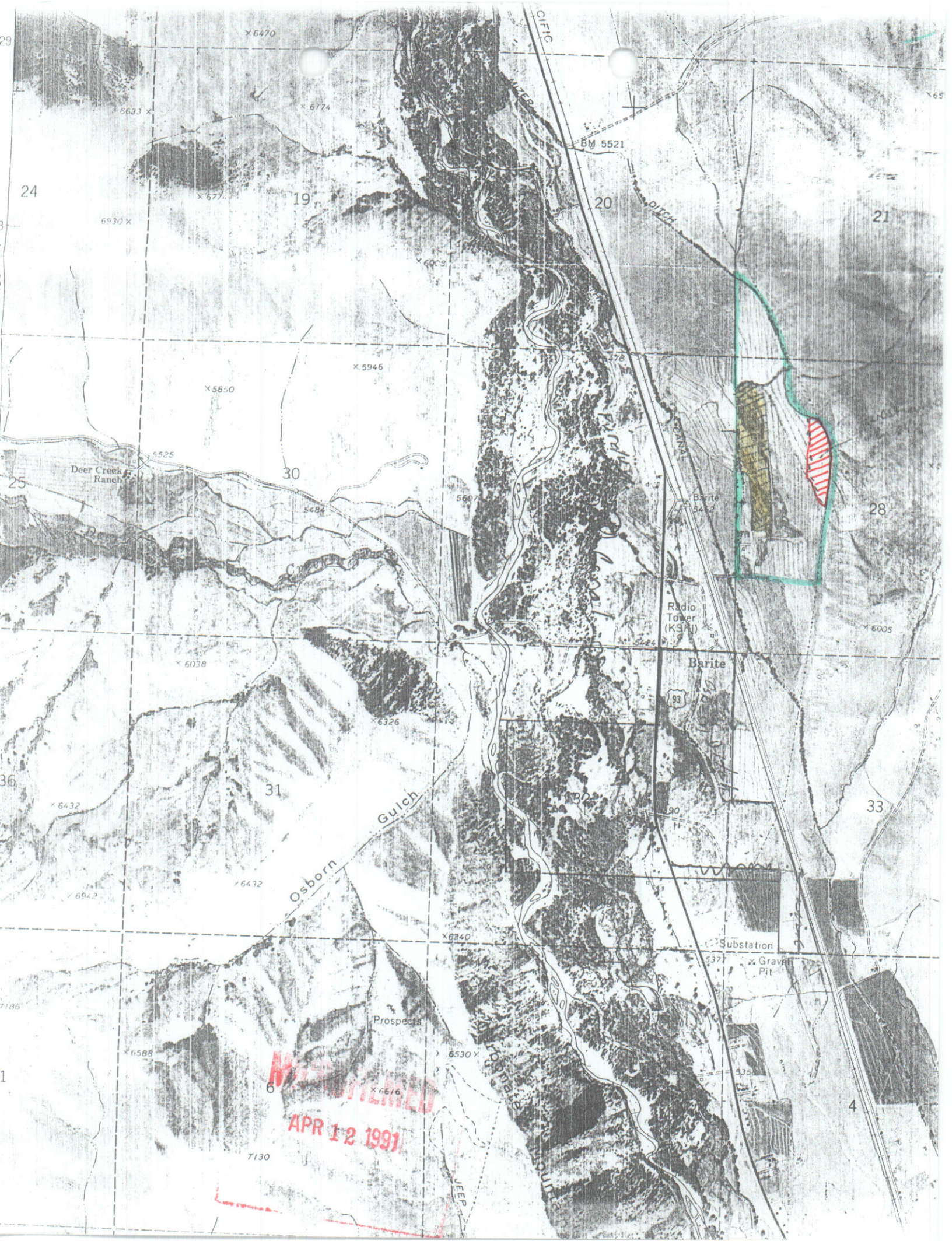
To	JEAN	From	Geauld Morales
Co.	J.M. Speck	Co.	EHM Eng
Dept.		Phone #	734-4885
Fax #	726-0752	Fax #	734-6049

APR 12 1991
MICROFILMED

FIELD 2

FIELD 1

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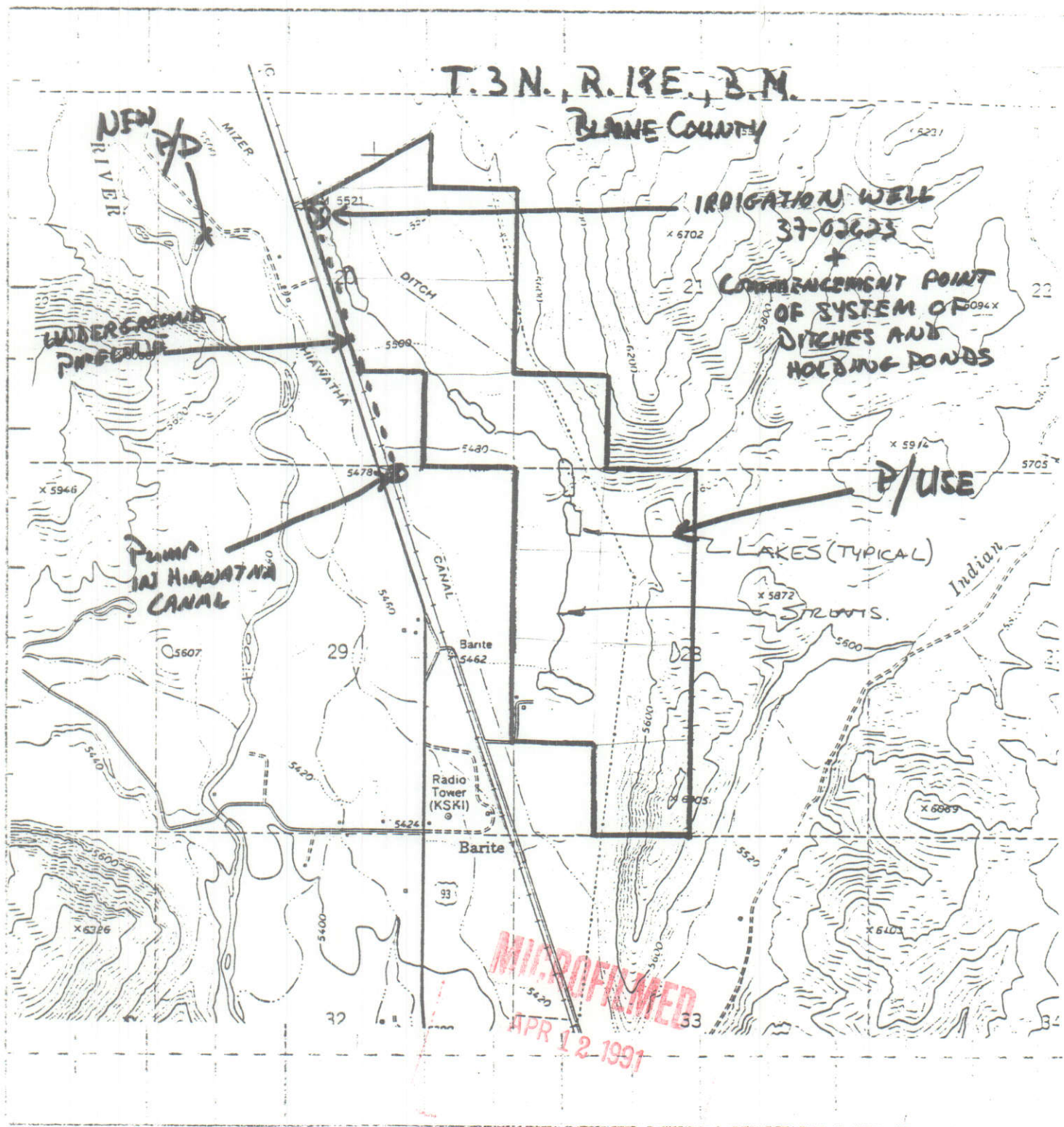


APR 12 1991



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

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



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

37371VEE

FEB 03 1994

Department of Water Resources
Southern Region OfficeWater Right No. 37-00494STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

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

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

1. Name of water right holder: The Valley Ranch Partner fka Wood River Country Club Partners.
2. Post office address: c/o James P. Speck, Hogue, Speck & Aanestad, P.O. Box 987, Ketchum, Idaho, 83340.
3. The right was obtained or is evidenced by:
 - a. Decreed to Jacob Mizer in case of S.C. Frost v. Alturus Water Co., dated December 13, 1909 in Lincoln County District Court.
 - b. Transfer No. 3742 issued by the Department of Water Resources.
4. Source of water: Big Wood River tributary to Malad River.
5. Date of priority: May 1, 1886.
6. Amount of water: 2.0 cfs.
7. Water is used for: 1.85 cfs for irrigation from April 1 to November 1
0.15 cfs for recreation from April 1 to November 1.
8. Location of point of diversion:

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

9. Lands irrigated or place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	18E	20			R										R	R		R	
					11.5	7.0									15.0	15.0		11.0	59.5
3N	18E	21											R						
													13.5						13.5
3N	18E	28						R	R			R							
							14.5	15.0	14.5	10.0	7.5	11.0		2.0					74.5
Total acres																			147.5

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

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

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

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

THE VALLEY RANCH PARTNERS

By: David C. Hutchinson
DAVID C. HUTCHINSON, a general partner

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

Ruby A. Becker
Notary public for Idaho
Residing at Blaine County
Commission expires 2/15/95

0 ACTION OF THE DIRECTOR DEPARTMENT OF WATER RESOURCES

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

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

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

Witness my hand this 19th day of May, 1995

J. Glen Saylor
Chief, Water Allocation Bureau

For Department Use Only

Received by ms Date 2/3/94 Time 11:00am Preliminary check by MTS
Fee \$ 50.00 Receipted by DW 29464 Date 1/20/94 Publication prepared by ms
Published in Wood River Journal Dates 7/2 + 7/9/94
Publication approved by _____ Date _____ Protests filed by _____

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

SEE MEMO DATED 12/13/93 FOR EXPLANATION OF NO ACTION TAKEN ON THIS
TRANSFER APPLICATION.

T#3941

MICROFILMED

JAN 11 1994

Page 1 of 12

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3941

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant LANE RANCH ASSOCIATION Phone 208-734-0700
Post Office address C/O EVAN ROBERTSON, POST OFFICE BOX 1906, TWIN FALLS, IDAHO 83303-1906

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe the reason for the proposed changes APPLICANT HAS LEASED THE WATER RIGHTS FOR THE 1992 IRRIGATION SEASON ONLY. AT THE END OF THE SEASON, THE RIGHTS SHOULD AUTOMATICALLY REVERT TO THE CURRENT, APPROVED USES UNDER TRANSFER 3742.

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

- Right Number SEE ADDENDUM Priority _____ Amount (cfs/ac-ft) _____ Nature of Use _____ Period of Use _____ to _____
_____ to _____
_____ to _____
_____ to _____
- Total amount of water being transferred 7.24 cubic feet per second and/or _____ acre-feet per annum.
- Source of water BIG WOOD RIVER tributary to MALAD RIVER
- Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	19	4N	18E	BLAINE	NONE

5. 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	
4N	18E	19													3.7		3.5	5.6	12.8
		20											3.1						3.1
		30	8.0	0.3															8.3
		29						0.5											0.5

NOTE: R. USES IN THE SAME LOCATIONS

Total acres 24.7

PART 1

6. General Information:

a. Description of diversion system 75 HORSEPOWER TURBINE PUMP AND A 10" TRANSPORT PIPELINE
DELIVERING WATER FROM THE BIG WOOD RIVER TO LANE RANCH

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NONE - THIS IS A TEMPORARY TRANSFER FOR THE 1992 IRRIGATION SEASON ONLY

d. Remarks:

SEE ADDENDUM

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19____.

RECORDED

JAN 11 1994

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. 37-00577T&V Decreed to W. T. RILEY
in case of S. C. FROST, ET AL vs. ALTURUS WATER CO.
dated 12/13/1909 in FOURTH DISTRICT COURT county of LINCOLN
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3742 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 LEASE (SEE ATTACHED)

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

4. Date or priority 3/24/1883

5. Water is used for the following purpose:

amount 1.56 for IRRIGATION purposes from APRIL 1 to NOVEMBER 1
(cfs/acre) 0.13 for RECREATION purposes from APRIL 1 to NOVEMBER 1
(cfs/acre) _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

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

7. Point(s) of Diversion:

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

8. Lands irrigated or place of use:

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

Total acres 147.5

9. Describe any other water rights used for the same purpose as described above 37-00833K, 37-00494,
37-00495 (SEE TRANSFER 3742)

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 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00494 Decreed to JACOB MIZER
in case of S. C. FROST, ET AL vs. ALTURUS WATER CO.
dated 12/13/1909 in FOURTH DISTRICT COURT county of LINCOLN
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3742 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 LEASE (SEE ATTACHED)

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

4. Date or priority 5/1/1886

5. Water is used for the following purpose:

amount 1.85 for IRRIGATION purposes from APRIL 1 to NOVEMBER 1
(cfs/acre) 0.15 for RECREATION purposes from APRIL 1 to NOVEMBER 1
(cfs/acre) _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NW	20	3N	18E	BLAINE	HIAWATHA HEADGATE

8. 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	
3N	18E	20			R 11.5	7.0									R 15	R 15		R 11	59.5
3N	18E	21											R 13.5						13.5
3N	18E	28					14.5	R 15	R 14.5	10	7.5	R 11.0	2.0						74.5

JAN 11 1994

Total acres 147.5

9. Describe any other water rights used for the same purpose as described above 37-00833K, 37-00577 T&V
37-00495 (SEE TRANSFER 3742)

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 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00495 Decreed to JACOB MIZER
in case of S. C. FROST, ET AL vs. ALTURUS WATER CO.
dated 12/13/1909 in FOURTH DISTRICT COURT county of LINCOLN
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3742 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 LEASE (SEE ATTACHED)

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

4. Date or priority 7/1/1892

5. Water is used for the following purpose:

amount 2.59 for IRRIGATION purposes from APRIL 1 to NOVEMBER 1
(cfs/acre) 0.21 for RECREATION purposes from APRIL 1 to NOVEMBER 1
(cfs/acre) _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

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

7. Point(s) of Diversion:

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

8. Lands irrigated or place of use:

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

Total acres 147.5

9. Describe any other water rights used for the same purpose as described above 37-00577 T&V, 37-00833K

37-00494 (SEE TRANSFER NO. 3742)

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 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00833K Decreed to IRVIN E. ROCKWELL
in case of ROCKWELL vs. COFFIN
dated 8/25/1949 in FIFTH DISTRICT COURT county of BLAINE
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3742 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 LEASE (SEE ATTACHED)

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

4. Date or priority 11/12/1936

5. Water is used for the following purpose:

amount 0.69 for IRRIGATION purposes from APRIL 1 to NOVEMBER 1
(cfs/acre) amount 0.06 for RECREATION purposes from APRIL 1 to NOVEMBER 1
(cfs/acre) amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.75 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

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

8. Lands irrigated or place of use:

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

JAN 11 1994

Total acres 147.5

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

37-00577 T&V,

37-Q0494, 37-Q0495 (SEE TRANSFER NO. 3742)

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	

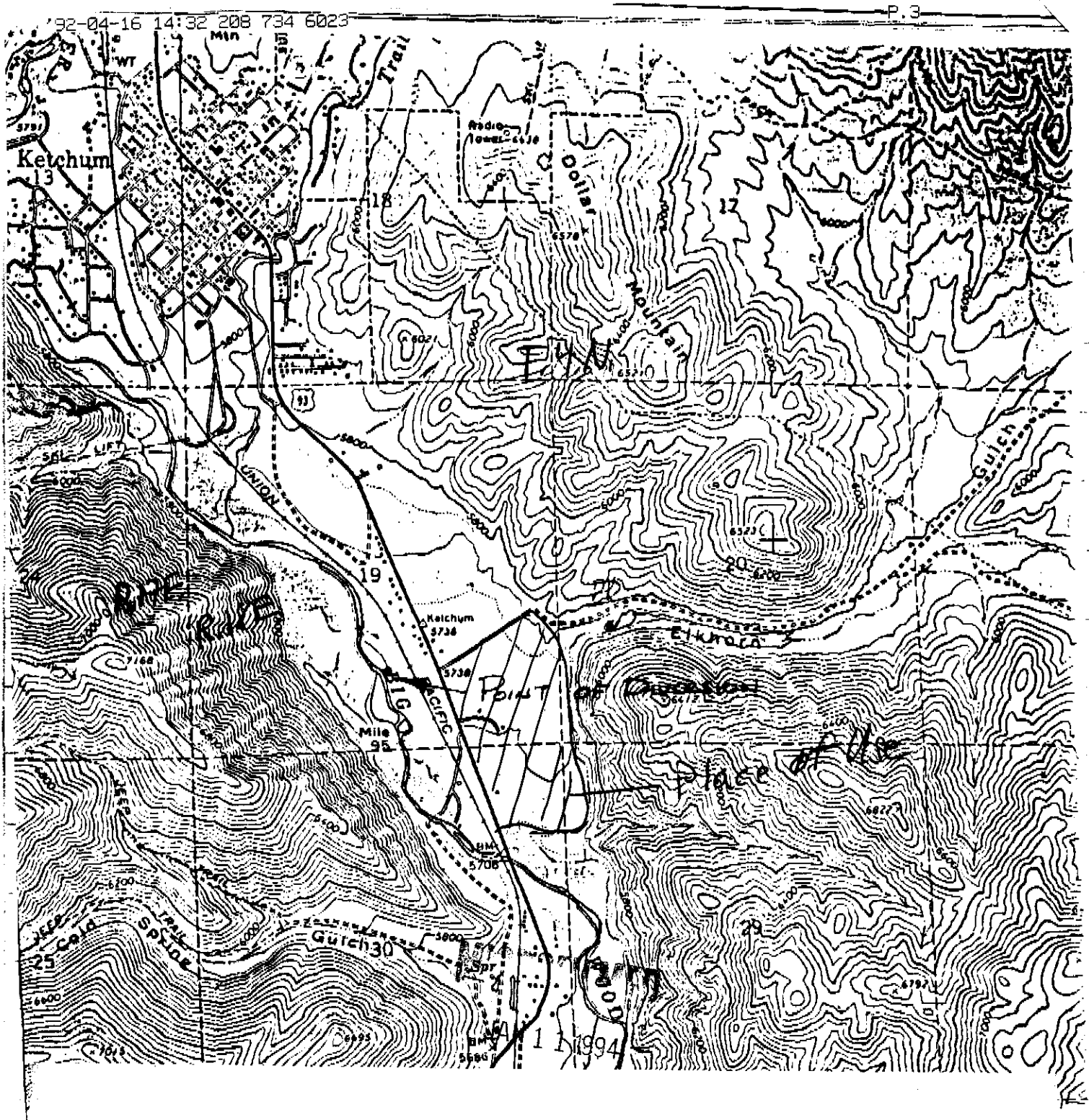
Total acres _____

RECORDED

JAN 11 1994

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

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



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

Page 12 of 12Transfer No. 3941

PART 3

B. CHANGES IN NATURE OF USE

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

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

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

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

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

Subscribed and sworn to before me this

24thday of April 25, 19 92.

(Signature of Applicant)

Lynn A. Waite

(Notary Public)

My commission expires

11-8-97

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 2 attachmentsReceived by MTS Date 5-5-92 Protest filed byPrelim. check by J.E. Blanton Fee \$50.00 5014498Received by MTS Date 5-5-92Published in Wood River Journal Copies of protest forwarded byPub. dates 9/24 & 7/1/92 Hearing held by DateWatermaster recommendation requested on 6/12/92 Recommended for ☒ approval ☐ denial

rec'd.

6/22/92

by

Copy of transfer sent to lien holder

**ADDENDUM TO
APPLICATION FOR PERMIT
BY
CASCEA ASSOCIATES, INC.**

The following is an Addendum to the Application for Transfer of Water Right submitted by Cascea Associates, Inc. ("Applicant"):

PART 1

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

1.

<u>Right Number</u>	<u>Priority</u>	<u>Amount</u>	<u>Nature of Use</u>	<u>Period of Use</u>
37-00577T&V	03/24/1883	1.69 cfs	irrigation	Apr. 1 to Nov. 1
37-00577T&V	03/24/1883	1.69 cfs	recreation	Apr. 1 to Nov. 1
37-00833K	11/12/1936	0.75 cfs	irrigation	Apr. 1 to Nov. 1
37-00833K	11/12/1936	0.75 cfs	recreation	Apr. 1 to Nov. 1
37-00494	05/01/1886	2.00 cfs	irrigation	Apr. 1 to Nov. 1
37-00494	05/01/1886	2.00 cfs	recreation	Apr. 1 to Nov. 1
37-00495	07/01/1892	2.80 cfs	irrigation	Apr. 1 to Nov. 1
37-00495	07/01/1892	2.80 cfs	~~irrigation~~ recreation	Apr. 1 to Nov. 1

6. General Information:

d. Remarks: Applicant seeks the temporary transfer of the point of diversion, place of use and nature of use of the above-described water rights for the 1992 irrigation season **ONLY**. The water rights shall be used in the same system and for the same purposes as those water rights described in Applicant's approved Transfer No. 3609. It is agreed the following conditions should be imposed on approval of this transfer.

1. On November 1, 1992, the point of diversion and place of use of the water rights shall automatically revert and transfer back to their present status as described in **PART 2** of this Application. The filing and approval of another Application for Transfer shall not be necessary.

2. The following condition similar to condition no. 6 imposed on Applicant for the approval of Transfer No. 3609 shall also apply to this Application.

The recreational use approved by the transfer shall be considered to have a consumptive component equal to the smaller of:

- (a) the irrigation consumption prior to the transfer less irrigation consumption after the transfer, or
- (b) actual consumption by the authorized recreational use.

JAN 14 1994

LEASE OF WATER RIGHTS

(The Valley Ranch Partners/Lane Ranch Association, Inc.)

THIS LEASE is made and entered into as of the date of the last signature hereto by and between THE VALLEY RANCH PARTNERS, an Idaho general partnership (the "Lessor") and LANE RANCH ASSOCIATION, INC., an Idaho Corporation (the "Lessee").

RECITALS

A. Lessor is the owner of the following water rights:

37-00577T
37-00577V
37-00833K
37-00494
37-00495

which, pursuant to Transfer No. 3742, are to be used for irrigation and recreation uses (the "Water Rights").

B. Lessee desires to lease the Water Rights for recreation and irrigation purposes on its lands within the City of Sun Valley, Idaho described in Exhibit A attached hereto and made a part hereof by this reference, and Lessor is willing to enter into such a lease on the following terms and conditions.

TERMS AND CONDITIONS

The parties covenant and agree as follows:

1. LEASE. Lessor does hereby lease to Lessee, and Lessee does hereby lease from Lessor, the Water Rights.

2. TERM; RETROACTIVE EFFECT. The term of this Lease shall be for one (1) irrigation season, commencing on and retroactively effective to April 1, 1992, and terminating on November 1, 1992.

3. RENT. Lessee shall pay Lessor as rent for the use of the Water Rights the sum of One Thousand Two Hundred Dollars (\$ 1200), to be paid on or before the execution of this Lease.

4. OWNERSHIP OF WATER RIGHTS. Lessor represents it is the true and lawful owner of the Water Rights, and that such rights have not lapsed, been abandoned or forfeited either in whole or in part. Lessor makes no covenant or representation about the actual quantities of water under the Water Rights that the Idaho

LEASE OF WATER RIGHTS - 1

j\valley\wtrrights.lse
4/17/92

JAN 14 1992

Department of Water Resources (the "Department") may recognize or approve for transfer or diversion to Lessee's lands, regardless of the amounts stated in Transfer No. 3742.

5. APPLICATION FOR TRANSFER. Lessee shall at its sole expense file all necessary applications with the Department to transfer the points of diversion and places of use of the Water Rights on a temporary basis for the term of this Lease. Lessor shall cooperate in the processing of such applications and shall execute any documents reasonably necessary for the approval by the Department of such transfer.

6. TRANSFER OF WATER RIGHTS UPON TERMINATION OF LEASE. Upon termination of this Lease for any reason, Lessee shall surrender the Water Rights to Lessor and, upon demand by Lessor, shall reimburse Lessor for any costs incurred in obtaining approval of the Department necessary to transfer the points of diversion and places of use of the Water Rights back to those approved under Transfer No. 3742.

7. BENEFICIAL USE FOR RECREATION AND IRRIGATION. During the term of this Lease, Lessee shall beneficially use all of the Water Rights for recreation and the irrigation of that portion of Lessee's lands as approved by the Department, and for no other purpose.

8. INDEMNIFICATION. Lessee agrees to indemnify and hold Lessor harmless against and from any and all costs, damages, expenses, causes of action, or other liabilities arising out of or relating to Lessee's use of the Water Rights pursuant to this Lease.

9. DEFAULT; REMEDIES. In the event Lessee defaults in the performance of any of the covenants or conditions of this Lease required to be performed by Lessee, and fails to cure such default for a period of thirty (30) days after receiving written notice of such default from Lessor, Lessor may, at its option, terminate this Lease, repossess the Water Rights and take any and all action necessary to transfer the Water Rights back to the points of diversion and places of use approved under Transfer No. 3742, at the sole cost and expense of Lessee. This remedy is not exclusive and Lessor shall have any other remedy available to it at law or in equity, including the right to recover rental payments or damages caused by the breach of the Lease by Lessee.

10. GOVERNING LAW. This Lease and any instruments executed in connection herewith shall be construed and governed by and in accordance with the laws of the State of Idaho.

11. ATTORNEYS FEES. In the event either party

LEASE OF WATER RIGHTS - 2

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4/17/92

JAN 11 1994

hereto retains an attorney for the purpose of enforcing any right or duty arising out of this Lease, the non-prevailing party in such dispute shall pay to the prevailing party the latter's reasonable attorneys fees whether or not litigation is actually instituted.

12. NOTICES: Service of any notice permitted or required under the terms of this Lease shall be deemed complete upon personal delivery of the same to Lessor or Lessee, as the case may be, or upon depositing the same within Federal Express or a similar courier service, or in the United States mails, by certified or registered mail, addressed to Lessor at c/o Roy Tinker, T & T Management, Post Office Box 1920, Sun Valley, Idaho 83353, with a copy to James P. Speck, Esq., Hogue, Speck & Aanestad, P.O. Box 987, Ketchum, Idaho 83340, or to Lessee at c/o Evan Robertson, Esq., Post Office Box 1906, Twin Falls, Idaho 83303-1906 as the case may be, or such other address as either shall hereafter designate to the other by notice pursuant to this paragraph.

IN WITNESS WHEREOF the parties hereto have executed the foregoing Lease on the dates set forth below.

"LESSOR"

VALLEY RANCH PARTNERS

Date: 5/1/92

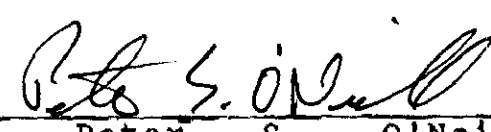
By: 

T & T Management Company,
General Partner, by Roy Tinker,
Its General Partner

"LESSEE"

LANE RANCH ASSOCIATION, INC.

Date: 4/20/92

By: 

Peter S. O'Neill,
president

LEASE OF WATER RIGHTS - 3

j:\valley\wtrrights.lse
4/17/92

AFFIDAVIT of PUBLICATION

RECEIVED

JUL 18 1992

State of Idaho,
County of Blaine

} ss.

Department of Water Resources
Southern Region Office

On this 1 day of July, in the year 1992, before me a Notary Public of said State, personally appeared **DANIEL J. GORHAM**, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 24 day of June, 1992, and the date of the last publication was on the 1 day of July, 1992.

Subscribed and sworn to before me this 12 day of July, 1992.
(SEAL)

NOTARY PUBLIC

#8266
WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line	
Number of Lines in Notice	<u>252</u>
Number of Insertions	
Lines tabular at	6¢ / Pica
Lines straight at	5¢ / Pica
Subsequent lines at	4¢ / Pica
TOTAL COST	<u>244.40</u>

COPY OF NOTICE
(Paste Here)

Ranch seeks change of
water right

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
R.I.T.O

Ranch seeks change of water right

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NOS. 37-00577T,
37-00577V, 37-00494, 37-00495,
37-00833K

Notice is hereby given that
LANE RANCH ASSOCIATION, c/o
Evan Robertson of Twin Falls,
ID has applied to the
Department of Water Resources
to change the following
described water right(s)
pursuant to Section 42-222 of
the IDAHO CODE.

This Application for Transfer

proposes to change point(s) of
diversion and place of use for
the 1992 irrigation season to
enable a temporary lease of the
water rights.

WATER RIGHT AS RECORDED

Water Right No. 37-00577T & V
Basis of right: Decreed to W.T.
Riley in case of S.C. Frost,
Et. Al vs Alturus Water Co.
dated 12/13/1909 in Fourth
District Court, Lincoln County,
T#3742.

Source: Big Wood River
tributary to Malad River
Priority: 3/24/1883
Amount & Use: 1.56 cfs for
irrigation from 4/1 to 11/1
0.13 cfs for
recreation from 4/1 to 11/1
Point(s) of diversion:
SW1/4SW1/4NW1/4, S20, T03N,
R10E (Hiawatha Headgate);
Blaine County.

Place of use: 147.5 acres
within S1/2NE1/4, NE1/4SE1/4,

--- Building Permits
--- Gas Replaces
--- Beginning Balance
--- GENERAL FUND REVENUE
--- TOTAL EXPENSE

1 199

WATER RIGHT AS RECORDED

Water Right No. 37-00494
Basis of right: Decreed to Jacob Mizer in case of S.C. Frost, Et Al vs Alturus Water Co dated 12/13/1909 in Fourth District Court, Lincoln County, T#3742.

Source: Big Wood River tributary to Malad River
Priority: 5/1/1886

Amount & Use: 1.85 cfs for irrigation from 4/1 to 11/1

0.15 cfs for recreation from 4/1 to 11/1

Point(s) of diversion: SW1/4SW1/4NW1/4, S20, T03N, R18E (Hiawatha Headgate); Blaine County.

Place of use: 147.5 acres within S1/2NE1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S20, T03N, R18E; SW1/4SW1/4, S21, T03N, R18E; NW1/4, NE1/4SW1/4, NW1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; recreation use in same quarter sections with the EXCEPTION OF SE1/4NE1/4, S20, T03N, R18E, E1/2NW1/4, NE1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; Blaine County.

WATER RIGHT AS RECORDED

Water Right No. 37-00495
Basis of right: Decreed to Jacob Mizer in case of S.C. Frost, Et. Al vs Alturus Water Co. dated 12/13/1909 in Fourth District Court, Lincoln County, T#3742.

Source: Big Wood River tributary to Malad River
Priority: 7/1/1892

Amount & Use: 2.59 cfs for irrigation from 4/1 to 11/1

0.21 cfs for recreation from 4/1 to 11/1

Point(s) of diversion: SW1/4SW1/4NW1/4, S20, T03N, R18E (Hiawatha headgate); Blaine County.

Place of use: 147.5 acres within S1/2NE1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S20, T03N, R18E; SW1/4SW1/4, S21, T03N, R18E; NW1/4, NE1/4SW1/4, NW1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; recreation use in same quarter sections with the EXCEPTION OF SE1/4NE1/4, S20, T03N, R18E, E1/2NW1/4, NE1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; Blaine County.

WATER RIGHT AS RECORDED

Water Right No. 37-00833K

Basis of right: Decreed to Irvin E. Rockwell in case of Rockwell vs Coffin dated 8/25/1949 in Fifth District Court, Blaine County, T#3742.

Source: Big Wood River tributary to Malad River
Priority: 11/12/1936

Amount & use: 0.69 cfs for irrigation from 4/1 to 11/1

0.06 cfs for recreation from 4/1 to 11/1

Point(s) of diversion: SW1/4SW1/4NW1/4, S20, T03N, R18E (Hiawatha Headgate); Blaine County.

Place of use: 147.5 acres within S1/2NE1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S20, T03N, R18E; SW1/4SW1/4, S21, T03N, R18E; NW1/4, NE1/4SW1/4, NW1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; recreation use in same quarter sections with the EXCEPTION OF SE1/4NE1/4, S20, T03N, R18E, E1/2NW1/4, NE1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; Blaine County.

WATER RIGHTS TO BE CHANGED AS FOLLOWS:

Water Right No.: 37-00577T&V

Priority Date: 3/24/1883

Period of Use: 4/1 to 11/1

Water Use: irrigation & recreation

Amount: 1.69 cfs

Water Right No.: 37-00833K

Priority Date: 11/12/1936

Period of Use: 4/1 to 11/1

Water Use: irrigation & recreation

Amount: 0.75 cfs

Water Right No.: 37-00494

Priority Date: 5/1/1886

Period of Use: 4/1 to 11/1

Water Use: irrigation & recreation

Amount: 2.00 cfs

Water Right No.: 37-00495

Priority Date: 7/1/1892

Period of Use: 4/1 to 11/1

Water Use: irrigation & recreation

Amount: 2.80 cfs

Total amount being transferred: 7.24 cfs

Source: Big Wood River tributary to Malad River

Point of diversion: SW1/4SE1/4, S19, T04N, R18E; Blaine County.

Place of use: Recreation use and irrigation of 24.7 acres

within NE1/4SE1/4, SW1/4SE1/4, SE1/4SE1/4, S19, T04N, R18E;

SW1/4SW1/4, S20, T04N, R18E; NW1/4NW1/4, S29, T04N, R18E;

N1/2NE1/4, S30, T04N, R18E; Blaine County.

This application is made to accommodate a Lease of the Water Rights for the 1992 season.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before July 13, 1992.

R. Keith Higginson, Director

Publish: Wood River Journal--
June 24 and July 1, 1992.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF TRANSFER NO. 3742)
OF WATER RIGHT NOS. 37-00494/)
00495/00577T/00577V/00833K IN THE)
NAME OF WOOD RIVER COUNTRY)
CLUB PARTNERS)
_____)

ORDER GRANTING
EXTENSION OF TIME TO
COMPLETE TRANSFER

On March 12, 1991, the Department approved the above referenced Application for Transfer with a condition that:

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

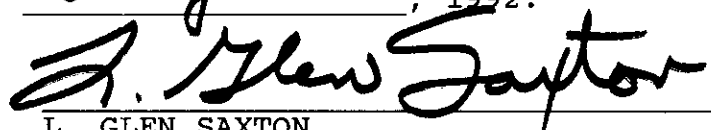
The Department has requested notification that the transfer has been completed.

The right holder has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 3742 is granted a two year extension period in which to accomplish the transfer.

Dated this 14th day of August, 1992.


L. GLEN SAXTON
Chief, Water Alloc. Bureau

APPROVED
AUG 20 1992

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transfer
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12-76
March
1993.*

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 22 1991

Transfer

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT

AMENDED

PART 1

The Valley Ranch Partners (formerly)

Name of applicant Wood River Country Club Partners Phone 208-726-4421Post Office address c/o James P. Speck, Hogue, Speck & Aanestad, P.O. Box 987, Ketchum, ID 83340

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes See attached Addendum

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

1. Right Number _____ Priority _____ Amount (cfs/ac-ft) _____ Nature of Use _____ Period of Use _____
See Attached Addendum _____ to _____
 _____ to _____
 _____ to _____
 _____ to _____
2. Total amount of water being transferred 7.24 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Big Wood River tributary to Malad River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NW	20	3N	18E	BLAINE	HIWATA HEADGATE

5. 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	
3N	18E	20		0	R 11.5	7.0									R 15	R 15		R 11	59.5
3N	18E	21											R 13.5						13.5
3N	18E	28					14.5	R 15	R 14.5	10	7.5	R 11.0	2.0						74.5

Total acres 147.5

Page 1 of 12

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED
Transfer No. 3742
RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

JUL - 2 1990

Department of Water Resources

Name of applicant Wood River Country Club Partners Phone (208) 833-4444
Post Office address c/o James P. Speck, Hogue, Speck, & Aarnestad, P.O. Box 987, Ketchum, ID 83340

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes See Attached Addendum

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

1. Right Number _____ Priority _____ Amount (cfs/ac-ft) _____ Nature of Use _____ Period of Use _____
See Attached Addendum _____ to _____
_____ to _____
_____ to _____
_____ to _____
2. Total amount of water being transferred 8.44 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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NW	20	3N	18E	Blaine	Hiawatha Headgate
	NE	NW	NE	29	3N	18E	Blaine	Rediversion pump from Hiawatha *

5. 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	
3N	18E	20			R 13.386	6.49				R 2.22					R 15.19	R 15.86		R 11.04	64.18
3N	18E	21										R 14							14.00
3N	18E	28					1543	R 21.09	R 15.86	1043	37.8	R 12.57		1.54					84.52
								*											

* Edits per telecon w/ James Speck, Atty (power enclosed) by DRJ. 2/18/90
Total acres 162.7

PART 1

6. General Information:

- a. Description of diversion system See Attached Addendum
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? n/a Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
n/a
- d. Remarks:
See Attached Addendum

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. S. 37-0494/0495/0577T&V/0833K
And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

RECEIVED
APR 12 1991

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

J. Glen Saylor
CHIEF, WATER ALLOCATION BUREAU

CONDITIONS OF APPROVAL

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

1. Use of water under this water right is subject to control by the watermaster of State Water District No. 37, Big Wood River.
2. The maximum combined rate of diversion under right nos. 37-0494, 37-0495, 37-0577T, 37-0577V, & 37-0833K shall not exceed 7.24 cfs.
3. When combined, right nos. 37-0494, 37-0495, 37-0577T, 37-0577V, 37-0833K & supplemental groundwater right no. 37-2623 shall provide no more than 3.0 acre-feet per acre for the lands above.
4. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
5. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 12th day of March, 1991.


Chief, Water Allocation 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. 37-00577BN T&V Decreed to Wood River Land Co. JACOB & SARAH MIZER VIA W.T. RILEY
in case of Albrethsen S.C. First et. AL. vs. Wood River Land Co. ALUMAS WATER Co.
dated 6/27/1925 12/13/1909 in Fourth District Court county of Lincoln

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

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

d. Transfer No. Many 456 & 487 which produced this right.

- See Comment - PART 5 below.

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

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

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

4. Date or priority 3/24/1883

5. Water is used for the following purpose: * TRANSFERS 456 & 487 which produced PARTS T&V were APPROVED
FOR 1.0 cfs EACH, but 1.69 cfs HAS BEEN DELIVERED HIS FORMERLY
amount 14.678 / 1.69* for Irrigation purposes from _____ to UNDER BOTH RIGHTS
(cfs/ac-ft) _____ purposes from _____ to COMBINED.
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____

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

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

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NW	20	3N	18E	Blaine	Headgate #22, Hiawatha Canal
								Various other headgates*
	SE	NE	NE	18	3N	18E		MIZER HEADGATE #20

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 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	
2N	18E	458,9																	
		15, 16, 22																	
		25, 26																	
3N	18E	21											X						
		28						X	X			X							

*Changes MADE VIA CORRESPONDENCE & MEETING w/ Jim Speck
12. 2-4-91*

Total acres unspecified

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

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

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 1.20 for Irrigation purposes from (Hiawatha part) to _____
 (cfs/ac-ft)
 amount 1.69 for Irrigation purposes from (Mizer part) 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
	SW	SW	NW	20	3N	18E	Blaine	Headgate #22, Hiawatha Canal
	SE	NE	NE	18	3N	18E	Blaine	Headgate #20, Mizer Canal

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

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

Total acres 173**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 11.788 for Irrigation 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: Same

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

3. Lands irrigated or place of use: Same

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

Total acres unspecified

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00494 Decreed to Jacob Mizer
in case of S.C. Frost et al. vs. Alturas Water Co. et ux.
dated December 13, 1909 in Lincoln county of Idaho
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

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

4. Date or priority May 1, 1886

5. Water is used for the following purpose:

amount 2.0 cfs 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 2.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

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

8. Lands irrigated or place of use: † Historical place of use; ** Decreed 1/0*

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

** See page 1 of 6 note*

Total acres 173

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

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ 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. 37-00495 Decreed to Jacob Mizer
in case of S.C. Frost et al. vs. Alturas Water Company et ux.
dated December 13, 1909 in Lincoln county of Idaho
- b. License No. issued by the Idaho Department of Water Resources.
- c. Claim No. on file with the Idaho Department of Water Resources.
- d. Transfer No. which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other

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

4. Date or priority July 1, 1892

5. Water is used for the following purpose:

amount 2.8 cfs for 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 2.8 cubic feet per second and/or acre-feet per annum.

7. Point(s) of Diversion:

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

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

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

* See page 1 of 6 note

Total acres 173

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

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ 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. 37-00833K Decreed to Irvin E. Rockwell
 in case of Rockwell vs. Coffin
 dated August 25, 1949 in Blaine county of Idaho
 - b. License No. _____ issued by the Idaho Department of Water Resources.
 - c. Claim No. _____ on file with the Idaho Department of Water Resources.
 - d. Transfer No. 2591 which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other See Addendum
3. Source of water Big Wood River tributary to Malad River
4. Date or priority November 12, 1936
5. Water is used for the following purpose:

amount 0.75 cfs 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 0.75 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NE	18	3N	18E	Blaine	Mizer Headgate #20

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

Twp.	Rge.	Sec.	NE 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	
3N	18E	21											24						24
3N	18E	28					9	39	40	12	9	40							149
3N	18E	20			14					4					17	31			46**

* See page 1 of 6 note

Total acres 173

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

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

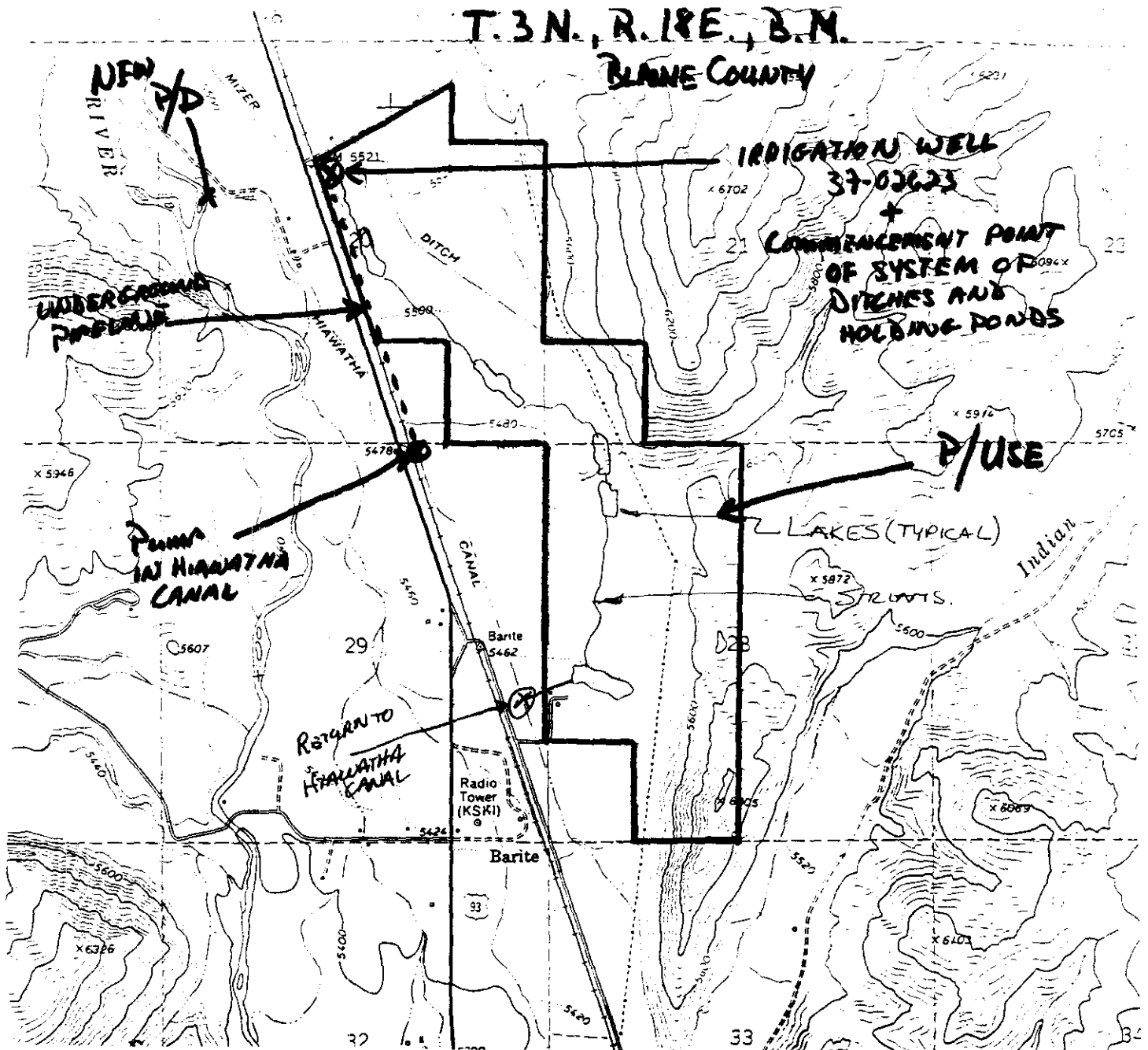
3. Lands irrigated or place of use:

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.



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

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>
	Recreation	0.60 cfs	215 days/year	April 1 to Nov. 1
	(See Attached Addendum)			_____ to _____

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

See Attached Addendum

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

None. The change to recreation will not increase the consumptive use of these water rights.

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

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

Subscribed and sworn to before me this

29th

day of

June

19

90

ROBERT STINKER, (Signature of Applicant) TFT MOUNTAIN CO.
FOR WOOD RIVER COUNTRY CLUB PARTNERS

James D. Spack
 (Notary Public)

My commission expires

1/29/91

FOR DEPARTMENT USE ONLYTransfer contains 12 pages and 6 attachmentsReceived by H.B.Date 7/2/90

Protest filed by

Prelim. check by DRJFee \$50 R# 5011864

7/2/90

Receipted by MRDate 4/9/90Published in Wood River Journal

Copies of protest forwarded by

Pub. dates 7/25 + 8/1/90

Hearing held by _____ Date _____

Watermaster recommendation requested on 7/19/90Recommended for ☐ approval ☐ denialrec'd. 8/6/90

by _____

Copy of transfer sent to lien holder _____

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

INTRODUCTION:

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

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

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

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

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

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

ADDENDUM:

PART 1

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

B,1.

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

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

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

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

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

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

PART 2

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

PART 3

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

B.,2. The system will provide for the return of any overflow waters from the southernmost pond to the Hiawatha Canal in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S.29, T.3N., R.18E., B.M., Blaine County. The amount of such return flows cannot currently be estimated. There will be no change in the quality of this return water which would adversely impact the irrigation users further down the Canal.

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

INTRODUCTION:

Applicant has purchased 1 ranch (all of the lands in Sections 21 and 28 as shown on the map in Part 3 of this Application) and is the purchaser of the adjacent ranch (all of the lands in Section 20 as shown on the map) under a binding contract of sale. Applicant has obtained preliminary plat approval from the Blaine County Planning and Zoning Commission for a residential planned unit development to be known as The Valley Ranch and to include 98 single family home lots, a recreation center and an 18 hole championship golf course, including a clubhouse and maintenance building. Accompanying this Application is a copy of the approved Preliminary Plat (the "Plat") (note: Lots 33 and 34 shown on the Plat will be combined into one lot).

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

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

a. Change the nature of a portion of each right to "consumptive" recreation for use in the ponds and streams as golf course hazards. This portion is determined by the surface area of the ponds (12.25 acres), the total, historic irrigated acreage as shown in PART 2 of the Application, and based upon the assumption that the evapo-transpiration losses are approximately

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the same for the same areas of pond surface and irrigated crop. Thus, 12.25 acres/173 acres X 100% = 7.08% of each water right will be used for this new purpose.

b. Change the place of use for the balance of (173 acres - 12.25 acres)/173 acres X 100% = 92.92% of each water right to be used for the irrigation of 162.70 acres consisting of the golf course fairways and rough and the residential common area.

c. Change the point of diversion to the Hiawatha Canal Headgate of all the rights (except the 1.2 cfs portion of 37-00577 which is already delivered through that headgate) to consolidate delivery of these rights into a single system for more efficient use of the water.

ADDENDUM:

PART 1

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

B,1.

RIGHT NUMBER	PRIORITY	AMOUNT IN CFS	USE	PERIOD OF USE
37-00577 ¹	3/24/1883	1.12	irrigation	Apr. 1 to Nov. 1
37-00577	3/24/1883	0.08	recreation	Apr. 1 to Nov. 1
37-00577	3/24/1883	1.57	irrigation	Apr. 1 to Nov. 1
37-00577	3/24/1883	0.12	recreation	Apr. 1 to Nov. 1
37-00494	5/01/1886	1.86	irrigation	Apr. 1 to Nov. 1
37-00494	5/01/1886	0.14	recreation	Apr. 1 to Nov. 1
37-00495	7/01/1892	2.60	irrigation	Apr. 1 to Nov. 1
37-00495	7/01/1892	0.20	recreation	Apr. 1 to Nov. 1
37-00833K	11/12/1936	0.70	irrigation	Apr. 1 to Nov. 1
37-00833K	11/12/1936	0.05	recreation	Apr. 1 to Nov. 1

B.,6,a. Hiawatha Headgate diverts water into Hiawatha Canal. A pump will be placed in the Canal to bring water into a

¹ Applicant has acquired 2 separate portions of 37-00577. The first, 1.2 cfs, is presently diverted through the Hiawatha Headgate and Canal. The second, 1.69 cfs, is presently diverted through the Mizer Headgate and Ditch. Since no transfers of these portions of the original right have been recorded, they are not identified by letter subparts. They are, however, identified in the Snake River Basin Adjudication as A37-00577BU and A37-00577BV, respectively (please note the Adjudication Claim A37-00577BV is for 1.71 cfs and appears to be 0.02 cfs too much).

ADDENDUM TO APPLICATION FOR TRANSFER OF WATER
RIGHTS BY WOOD RIVER COUNTRY CLUB PARTNERS - 2

APR 12 1991

gravity flow system of streams and ponds for recreational use as golf course hazards and pumped from the ponds into a pressurized underground sprinkler system to irrigate the golf course fairways and rough and the residential common area..

B.,6.,d. The location of the proposed system of ponds and streams is generally depicted in Part 3, A of this Application. The Plat included with this Application accurately shows the size and location of these features on a 1 inch = 200 feet scale. See the INTRODUCTION, above, for general comments about the requested changes. The ponds will also provide a source of water for fire protection for the residential lots and recreational facility buildings.

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

PART 2

A.,9. Transfer 2591 transferred 37-00833K to certain lands in Section 20. However, according to Frederick Blechman, from whom Applicant is purchasing this right pursuant to a binding contract of sale (see attached copy of the first page of the Real Estate Purchase Offer and Acceptance), the water was never put to use on those lands and, instead, Mr. Blechman agreed with the owners of the lands Applicant has purchased in Sections 21 and 28, that this right could be delivered to and used on those lands in conjunction with the other rights which are the subject of this Application. Thereafter, this right was used in conjunction with the other rights for the irrigation of the 173 acres identified in PART 2, A.,8., for each right.

PART 3

B.,1. The amount shown (0.60 cfs) is the total for all of the water rights. The amounts for each right are given in PART 1, B.1. of this ADDENDUM.

B.,2. The system will provide for the return of any overflow waters from the southernmost pond to the Hiawatha Canal in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S.29, T.3N., R.18E., B.M., Blaine County. The amount of such return flows cannot currently be estimated. There will be no change in the quality of this return water which would adversely impact the irrigation users further down the Canal.

THE VALLEY RANCH - SUMMARY OF IRRIGATED ACRES

SECTION	1/4	1/4	LOTS	COM AREA	ROUGH	FAIRWAY	TOTAL
20	NW	NE	0.50	0.00	0.00	0.00	0.50
20	SW	NE	5.50	0.15	3.27	9.96	18.88
20	SE	NE	6.50	0.00	1.44	5.05	12.99
20	SE	NW	0.00	2.22	0.00	0.00	2.22
20	NE	SE	6.00	0.00	3.27	11.92	21.19
20	NW	SE	3.00	0.55	1.49	13.82	18.86
20	SE	SE	6.00	0.00	3.30	7.74	17.04
21	SW	SW	2.50	0.00	2.16	11.84	16.50
28	NE	NW	1.00	0.00	0.55	14.88	16.43
28	NW	NW	4.00	6.11	2.49	12.49	25.09
28	SW	NW	5.50	0.00	3.74	11.92	21.16
28	SE	NW	1.00	0.00	1.02	9.41	11.43
28	NE	SW	0.50	0.00	0.86	6.94	8.30
28	NW	SW	7.00	1.00	2.98	8.59	19.57
28	SE	SW	0.00	0.00	0.00	1.54	1.54
TOTALS . . .			49.00	10.03	26.57	126.10	211.70

11.43
 11.43
 Apr 30 1963

160
 12
 148

not 56

RECEIVED

JUL 24 1990

SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)

Department of Water Resources
Southern Region Office

WOOD RIVER COUNTRY CLUB PARTNERS, an Idaho general partnership (the "Partnership"), of Blaine County, Idaho, designates and appoints JAMES P. SPECK, of Ketchum, Idaho, as the Partnership's attorney in fact and agent (subsequently called "Agent") to act in the Partnership's name and for the Partnership's benefit for the specific purposes stated herein only. The Partnership grants to its Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as the Partnership might or could do if personally present and fully competent, hereby ratifying and confirming all that the Partnership's Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

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

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

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

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

APR 18 1991

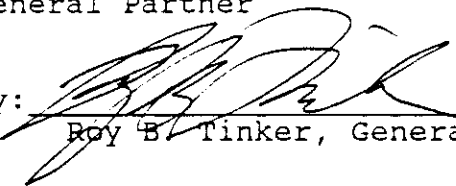
5. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

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

IN WITNESS WHEREOF, the Partnership has executed this Special Power of Attorney this 21st day of July, 1990.

WOOD RIVER COUNTRY CLUB PARTNERS

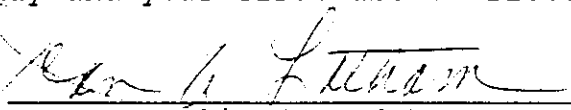
By T & T DEVELOPMENT, an Idaho
general partnership and
General Partner

By: 
Roy B. Tinker, General Partner

STATE OF IDAHO)
) ss.
County of Blaine)

On this 21st day of July, 1990, before me, the undersigned notary public in and for said state, personally appeared Roy B. Tinker, known or identified to me to be one of the general partners in the partnership of T & T DEVELOPMENT, which is a general partner in the partnership of WOOD RIVER COUNTRY CLUB PARTNERS, and the general partner which subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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


Notary Public for Idaho
Residing at: Ellen, Idaho

jim:wrccp.pwr

SPECIAL POWER OF ATTORNEY - 2

WARRANTY DEED

For Value Received

Buckhorn Investment Company, a California general partnership

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Wood River Country Club Partners, an Idaho General Partnership
whose address is: P. O. Box 1920, Sun Valley, ID 83353

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

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

Section 20: A parcel of land within the SE1/4 NW1/4, more particularly described as follows:

COMMENCING at a stone marking the Southeast Corner of said Section 20; thence N. 38° 30' W., 4646.00 feet to a 1/2" rebar and said rebar being the TRUE POINT OF BEGINNING; thence S. 14° 40' W., 49.30 feet to a 1/2" rebar; thence N. 19° 28' W., 18.10 feet to a 1/2" rebar; thence S. 64° 13' W., 17.90 feet to a 1/2" rebar; thence N. 17° 55' W., 54.40 feet to a 1/2" rebar; thence S. 75° 24' E., 53.00 feet to a 1/2" rebar, said rebar being the TRUE POINT OF BEGINNING.

Section 21: SW1/4 SW1/4.

Section 28: NW1/4, NW1/4 SW1/4, and E1/2 SW1/4.

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

Dated: January 11, 1990

Buckhorn Investment Company, a California general partnership

By: Barry Snooke, General Partner

TO 442 C
(Partnership)

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } SS.
On JANUARY 11, 1990

before me, the undersigned, a Notary Public in and for said State, personally appeared Barry Snooke

to be ONE of the partners of the partnership
that executed the within instrument and acknowledged to me
that such partnership executed the same.

WITNESS my hand and official seal.

Signature: Katherine D. Munoz
Name (Typed or Printed)



(This area for official notarial seal)

Instrument No.

RECEIVED

JUL 16 1990

AGREEMENT

Department of Water Resources
Southern Region Office

This Agreement is made this 10th day of January, 1990, between T and T Development, an Idaho general partnership, (hereafter T and T), and Wood River Country Club Partners, an Idaho general partnership, (hereafter WRCCP).

RECITALS

A. WRCCP intends to acquire those certain parcels of real property located in Blaine County, Idaho, which property consists of two contiguous parcels commonly known as the "Mizer Ranch" and the "Blechmann Property" (both of which are hereafter referred to as the "subject property"), which parcels are described in Exhibits A and B attached hereto and incorporated by reference herein as if set forth in full.

B. WRCCP intends to pursue final plat approval of all or a portion of the subject property into a country club with an eighteen (18) hole championship golf course and single family residential subdivision (the "project"), which project will require prior subdivision approval by Blaine County. This agreement shall not apply to any portion of the subject property which is not a part of the project.

C. T and T is one of the partners of WRCCP.

D. WRCCP and T and T desire that T and T manage, oversee and have primary responsibility to pursue the subject property acquisition and the financing therefore,

APR 12 1991

the subdivision design and planning, and its final plat approval, and further that T and T be entitled to certain incentive compensation as provided herein as a result of its entrepreneurial efforts.

In consideration of the mutual covenants set forth herein, the parties agree as follows:

1. TERM OF AGREEMENT

This management contract shall commence effective January 1, 1990, and, terminate in one of the following manners:

(a) Termination Upon Agreement. Upon written agreement of both WRCCP and T and T, this agreement shall be terminated.

(b) Unilateral Termination For Cause. This agreement may be unilaterally terminated by WRCCP by the approval of two-thirds of its partners in the event of cause brought about by T and T in the performance of its responsibilities. For cause shall include, for example, such matters as mismanagement, embezzlement, fraud and the like.

(c) Unilateral Termination Prior to Final Plat Approval. WRCCP may terminate this agreement unilaterally upon the vote of two-thirds of the partners of WRCCP prior to receipt from Blaine County of final plat approval.

(d) Unilateral Termination Upon Failure To Obtain Final Plat Approval. Upon the vote of two-thirds of

the partners of WRCCP, it may unilaterally terminate this Agreement in the event of Blaine County's decision not to approve the final plat in substantially the form submitted by T and T on behalf of WRCCP. WRCCP acknowledges that it will have approved the application submitted by T and T, and therefore agrees that it may not terminate this Agreement upon this particular basis if the County agrees to approve a final plat upon conditions not significantly different from the application.

(e) Sale to Third Party. This Agreement shall terminate upon the vote of two-thirds of the partners of WRCCP to sell the project outright to a third party.

(f) Transfer To A New Entity. This Agreement shall terminate in the event of the vote of two-thirds of the partners of WRCCP to transfer the subject property to a new entity in return for an interest in such new entity.

(g) Unilateral Termination By T and T. T and T may terminate this Agreement unilaterally if final plat approval has not been obtained on behalf of WRCCP by January 20, 1993, despite T and T's good faith efforts to obtain such approval.

2. DUTIES OF T AND T

T and T, shall exert its best efforts to pursue accomplishment of the following, and in so doing shall act in a professional and competent manner:

(a) Accomplishment of acquisition of the subject property and the financing therefore;

(b) Planning of the country club improvements, including the golf course, and of the residential subdivision; and pursuit of final subdivision plat approval from Blaine County;

(c) Pursuit of private or institutional financing for development of the subdivision project upon final plat approval;

(d) Overseeing all accounting and banking aspects of the subdivision project, including receipt of and responsibility for any income realized by WRCCP and disbursement of all funds to satisfy the obligations of WRCCP, as well as overseeing the preparation of its tax returns;

(e) Responsibility for hiring, placement and supervision of all employees of and independent contractors for WRCCP;

(f) Purchase or acquisition of any and all personal property necessary for the operation of WRCCP; and,

(g) Planning, scheduling and conduct of all business incidental to the subdivision planning aspects of this project, including the purchase of professional and non-professional services.

The parties acknowledge and agree that T and T does not have unlimited authority in regard to the above responsibilities. Such authority is strictly subject to and

limited by the terms of the Wood River Country Club Partnership Agreement, of which T and T is a party. A copy of that Agreement is attached hereto as Exhibit "C" and incorporated by reference herein. The parties also agree that all disbursements made by T and T over one thousand dollars (\$1000) shall be made by check signed by another partner of WRCCP.

3. COMPENSATION

(a) Planning and Design. T and T shall receive sixty thousand dollars (\$60,000.00) for its efforts in planning and designing the country club and residential subdivision and pursuing final plat approval of such subdivision. Such compensation shall be payable in six (6) equal monthly installments, with the first installment due January 15, 1990, and the final installment due June 15, 1990.

(b) Compensation Upon Termination of Agreement.

(1) Upon Agreement. Compensation to T and T in the event of termination upon agreement pursuant to para 1(a) shall be as the parties then mutually agree.

(2) Termination For Cause. In the event of termination for cause pursuant to paragraph 1(b), T and T shall be entitled to no additional compensation beyond such previously paid pursuant to paragraph 3(a).

(3) Unilateral Termination Prior To Plat Approval. In the event of termination pursuant to

APR 12 1991

paragraph 1(c), T and T shall receive the balance, if any, of its paragraph 3(a) compensation, plus the incentive compensation identified in paragraph 3(c).

(4) Unilateral Termination Upon Failure to Obtain Final Plat Approval. In the event of termination pursuant to paragraph 1(d), T and T shall receive only the balance, if any, of its paragraph 3(a) compensation.

(5) Sale to Third Party. In the event of termination pursuant to paragraph 1(e), T and T shall receive the incentive compensation set forth in paragraph 3(c), and, if a final plat has been obtained, the balance, if any, of its paragraph 3(a) compensation.

(6) Transfer to a New Entity. In the event of termination pursuant to paragraph 1(f), T and T shall receive the balance, if any, of its paragraph 3(a) compensation plus the incentive compensation set forth in paragraph 3(c).

(7) Termination by T and T. In the event of termination per paragraph 1(g), T and T shall receive only the balance, if any, of its paragraph 3(a) compensation.

(c) Incentive Compensation. T and T shall also be entitled to incentive compensation in the event of termination pursuant to paragraphs 3(b)(3), (5), or (6), and also in the event of development of the project by WRCCP subsequent to receiving final plat approval. This

compensation shall be based upon a percentage of all net profits of whatever nature received by WRCCP in regard to the project, whether or not plat approval is obtained for the project, WRCCP proceeds to develop the project, or WRCCP sells the project to a third party, and, in addition, the net profits received by WRCCP should it transfer the project to an entity in return for an interest in the new entity and receive profits through such new entity.

The net profit upon which this additional compensation will be based shall be the gross profits received by WRCCP less all cash expenses incurred by WRCCP as a result of the project, including management fees, but excluding the amount which is equal to Ten Thousand Dollars (\$10,000) per acre for each acre of the subject property which is not included as part of the project. This net profit figure shall not be reduced by any income tax deductions which are not actual cash expenses. The percentage of the net profits payable to T and T shall be based upon the following.

<u>NET PROFIT AMOUNT</u>	<u>AMOUNT OF NET PROFIT DUE T AND T</u>
\$1,000,000 or less	0
\$1,000,001 to \$2,000,000	10% of amount in excess of \$1,000,000
\$2,000,001 to \$3,000,000	\$100,000 + 12% of amount in excess of \$2,000,000
\$3,000,001 to \$4,000,000	\$220,000 + 15% of amount in excess of \$3,000,000
\$4,000,001 to \$5,000,000	\$370,000 + 20% of amount in excess of \$4,000,000
All amounts exceeding \$5,000,000	\$570,000 + 25% of amount in excess of \$5,000,000

Payment of this incentive compensation to T and T shall occur at such time as the profits to be received by WRCCP are distributed to its individual partners.

(d) Survival of Compensation. Both parties acknowledge and agree that T and T's right to compensation, as such is provided pursuant to the terms of this agreement, if any, shall survive and remain an obligation of WRCCP despite termination of this agreement. This shall be the case although such termination could relieve T and T of its management duties.

4. INDEMNIFICATION

T and T agrees to indemnify WRCCP and hold it harmless from any costs and expenses that WRCCP may incur, including a reasonable attorney fee, as a result of T and T's incurring a WRCCP contractual liability without authority to do so.

5. ADDITIONAL PROVISIONS

(a) Modification. This agreement may be modified upon mutual agreement of the parties; however, any modification must be evidenced by a writing signed by both parties.

(b) Attorney Fees. In the event of default by either party in the performance of this agreement, the defaulting party shall pay all attorney fees and associated costs incurred by the non-defaulting party regardless of whether litigation is commenced and through an appellate proceedings.

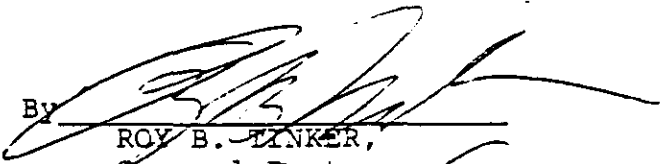
(c) Remedies. In the event of default by either party, the non-defaulting party shall be entitled, in addition to any remedies specifically provided herein, all remedies, both legal and equitable, available pursuant to the laws of the State of Idaho.

(d) Assignment. This agreement shall not be assignable.

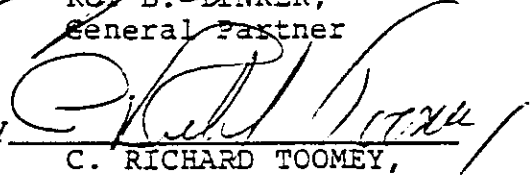
DATED this _____ day of January, 1990.

T AND T DEVELOPMENT

By


ROY B. TINKER,
General Partner

By

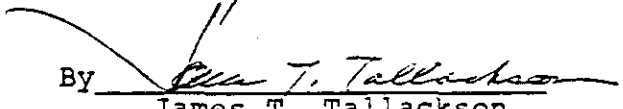

C. RICHARD TOOMEY,
General Partner

WOOD RIVER COUNTRY CLUB PARTNERS:

By


Drury W. Cooper, III

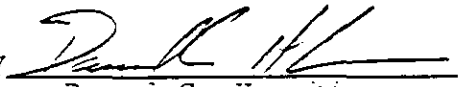
By


James T. Tallackson

By


Harold R. Tollerup

By


David C. Hutchinson

By

Earl M. Smith, Jr.

By

(a) Remedies In the event of default by either party, the non-defaulting party shall be entitled, in addition to any remedies specifically provided herein, all remedies, both legal and equitable available pursuant to the laws of the State of Idaho.

(b) Assignment This agreement shall not be assignable.

DATED this 10th day of January 1990.

T AND T DEVELOPMENT

By [Signature]
ROY E. TINKER,
General Partner

By [Signature]
C. RICHARD TOOMEY,
General Partner

WOOD RIVER COUNTRY CLUB PARTNERS:

By [Signature]
Drury W. Cooper, III

By [Signature]
James T. Tallackson

By [Signature]
Harold A. Tollerup

By [Signature]
David E. Hutchinson

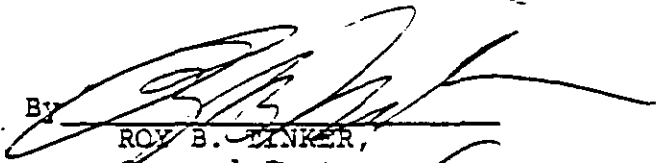
By [Signature]
Earl W. Smith, Jr.

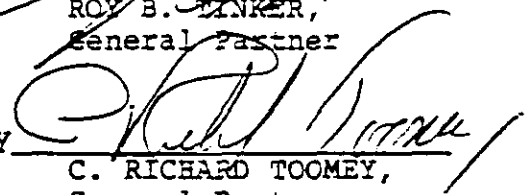
(c) Remedies. In the event of default by either party, the non-defaulting party shall be entitled, in addition to any remedies specifically provided herein, all remedies, both legal and equitable, available pursuant to the laws of the State of Idaho.

(d) Assignment. This agreement shall not be assignable.

DATED this _____ day of January, 1990.

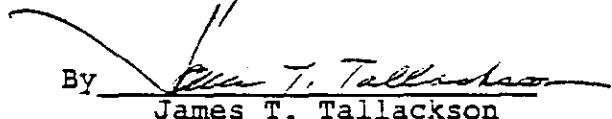
T AND T DEVELOPMENT

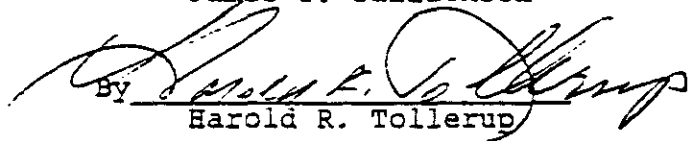
By 
ROY B. FINKER,
General Partner

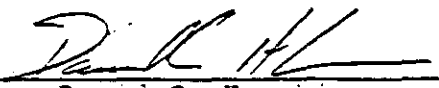
By 
C. RICHARD TOOMEY,
General Partner

WOOD RIVER COUNTRY CLUB PARTNERS:

By 
Drury W. Cooper, III

By 
James T. Tallackson

By 
Harold R. Tollerup

By 
David C. Hutchison

By _____
Earl M. Smith, Jr.

By 
Robert J. Scott, Inc.

APR 12 1991

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... ..

1. THE UNITED STATES OF AMERICA

ROY E. FORD
JAMES A. FORD

C. RICHARD TOOMEY,
General Partner

ALP 5/km/6

By Jack L. Billhardt

By Duffy S. Witmer
Duffy S. Witmer

By T AND T DEVELOPMENT

Roy B. Tinker
ROY B. TINKER,
General Partner

C. Richard Toomey
C. RICHARD TOOMEY,
General Partner

ALP5/km/6

NOTARIZED

APR 12 1991

EXHIBIT "A"

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

Section 20: A parcel of land within the SE1/4 NW1/4, more particularly described as follows:

COMMENCING at a stone marking the Southeast Corner of said Section 20; thence North 38° 30' West, 4646.00 feet to a 1/2" rebar and said rebar being the TRUE POINT OF BEGINNING; thence South 14° 40' West, 49.30 feet to a 1/2" rebar; thence North 19° 28' West, 18.10 feet to a 1/2" rebar; thence South 64° 13' West, 17.90 feet to a 1/2" rebar; thence North 17° 55' West, 54.40 feet to a 1/2" rebar; thence South 75° 24' East, 53.00 feet to a 1/2" rebar, said rebar being the TRUE POINT OF BEGINNING, also known as TAX LOT 3237.

Section 21: SW1/4 SW1/4.

Section 28: NW1/4, NW1/4 SW1/4, and E1/2 SW1/4.

Together with all water and ditch rights appurtenant thereto, which rights include the following:

- (a) Mizer 20 Headgate
 - 84.5 inches, priority dated: March 24, 1883
 - 100.0 inches, priority dated: May 1, 1886
 - 140.0 inches, priority dated: July 1, 1892
- (b) Hiawatha Canal
 - 60.0 inches, priority dated: March 24, 1883
- (c) Irrigation well located on Tax Lot 3237 in Section 20, including pump and attachments.

The above property also includes all easements and appurtenances belonging thereto, and is subject to all easements of record and zoning restrictions.

EXHIBIT B

The following property located in Blaine County, State of Idaho

Township 3 North, Range 18 East of the Boise Meridian:

Section 20: SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{4}$ SE $\frac{1}{4}$; W $\frac{1}{4}$ NE $\frac{1}{4}$, lying south of and adjoining Ohio Gulch Road; E $\frac{1}{4}$ NW $\frac{1}{4}$ lying south of and adjoining Ohio Gulch Road and east of and adjoining the O.S.L. Railroad and Stock Driveways, (EXCEPTING from this parcel the following described tract: That portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ described as beginning at the SE corner of Section 20, thence N 38°31' W 4646 feet to the true point of beginning; thence S 14°40' W 49.3 feet, thence N 19°28' W 18.1 feet, thence S 64°13' W 17.9 feet, thence N 17°55' W 54.4 feet, thence S 75°24' E 53.0 feet to the place of beginning - end of exception).

NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying east of the O.S.L. Railroad and Stock Driveway;
NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying east of the O.S.L. Railroad and Stock Driveway.

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Deputy
Southern Region Office

ASSIGNMENT

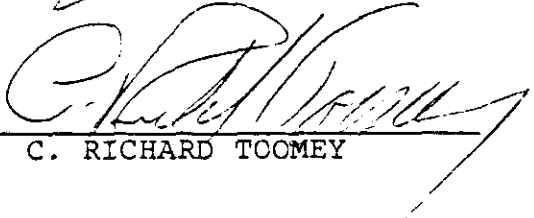
T & T Development, an Idaho general partnership, hereby assigns unto Wood River Country Club Partners, an Idaho General Partnership, all of its interest in that certain agreement entitled "Real Estate Purchase Offer And Acceptance" dated January 3, 1990, as amended February 26, 1990 pursuant to "Amendment To Real Estate Purchase Offer and Acceptance" between the Blechman Trusts, Seller, and T&T Development, Buyer, together with all of its interest in the real property subject to that Agreement which property is described in Exhibit A attached hereto and incorporated herein. Closing of the above transaction in regard to the real property described in Exhibit A is presently scheduled for August 30, 1990. Title to the subject property shall be taken in the name of Wood River County Club Partners.

DATED this 12 day of April, 1990.

T&T DEVELOPMENT COMPANY

By: 

ROY E. TINKER

By: 

C. RICHARD TOOMEY

MICROFILMED

APR 12 1991

STATE OF IDAHO)
) ss.
COUNTY OF BLAINE)

On this 12 day of April, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared ROY B. TINKER, known to me to be one of the partners in the partnership of T&T DEVELOPMENT and the partner or one of the partners who subscribed said partnership name to the within instrument, and acknowledged to me that he executed the same in said partnership name.

GIVEN UNDER my hand and official seal on the day and year first above written.

(seal)

[Signature]
NOTARY PUBLIC for Idaho
Residing at Hailey
Commission Expires 1992

STATE OF IDAHO)
) ss.
County of Blaine)

On this 16 day of April, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared C. RICHARD TOOMEY, known to me to be one of the partners in the partnership of T&T DEVELOPMENT and the partner or one of the partners who subscribed said partnership name to the within instrument, and acknowledged to me that he executed the same in said partnership name.

GIVEN UNDER my hand and official seal on the day and year first above written.

(seal)

[Signature]
NOTARY PUBLIC for Idaho
Residing at Hailey
Commission Expires 1992

AL6/nq/4

EXHIBIT A

The following property located in Blaine County, State of Idaho

Township 3 North, Range 18 East of the Boise Meridian:

Section 20: SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{4}$ SE $\frac{1}{4}$; W $\frac{1}{4}$ NE $\frac{1}{4}$, lying south of and adjoining Ohio Gulch Road; E $\frac{1}{4}$ NW $\frac{1}{4}$ lying south of and adjoining Ohio Gulch Road and east of and adjoining the O.S.L. Railroad and Stock Driveways, (EXCEPTING from this parcel the following described tract: That portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ described as beginning at the SE corner of Section 20, thence N 38°31' W 4646 feet to the true point of beginning; thence S 14°40' W 49.3 feet, thence N 19°28' W 18.1 feet, thence S 64°13' W 17.9 feet, thence N 17°55' W 54.4 feet, thence S 75°24' E 53.0 feet to the place of beginning - end of exception).

NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying east of the O.S.L. Railroad and Stock Driveway;
NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying east of the O.S.L. Railroad and Stock Driveway.

ACCEPTANCE BY OFFEREE/SELLER

The above offer to purchase that certain real property located in Blaine County, Idaho, and identified as set forth in paragraph 1 of the offer, is accepted by Offeree/Seller, subject to all the terms and conditions of the Real Estate Purchase Offer and Acceptance dated January 3, 1990, consisting of nine (9) pages, including the signature and acknowledgment pages.

RECEIVED

JUL 16 1990

Department of Water Resources
Southern Region Office

DATED: JAN. 11, 1990.

FREDERICK H. BLECHMANN,
Trustee of the FREDERICK H.
BLECHMANN TRUST dated October
5, 1983, and the Blechmann
Trust dated April 5, 1986

H. PAUL BLECHMANN,
Trustee of the FREDERICK H.
BLECHMANN TRUST dated December
19, 1972 between Frederick H.
Blechmann and Clarice E.
Blechmann, husband and wife,
grantors, and H. Paul
Blechmann, Trustee

STATE OF IDAHO)
) ss.
County of Blaine)

On this 11th day of January, 19⁹⁰, before me, the undersigned, a Notary Public in and for said State, personally appeared FREDERICK H. BLECHMANN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

(seal)

[Signature]
NOTARY PUBLIC for Idaho
Residing at Jun Valley
Commission Expires 7-21-92

REAL ESTATE PURCHASE OFFER AND ACCEPTANCE

THIS OFFER TO PURCHASE REAL PROPERTY is made this 3RD day of January, 1990, by T & T DEVELOPMENT, an Idaho General Partnership, hereafter "Buyer", to the FREDERICK H. BLECHMANN TRUST dated October 5, 1983, THE BLECHMANN TRUST dated April 15, 1986, and Trust dated December 19, 1972, between Frederick H. Blechmann and Clarice E. Blechmann, husband and wife, grantors, and H. Paul Blechmann, Trustee, hereafter collectively referred to as "Seller".

1. Description of Property Subject to Offer.

Buyer offers to purchase real property located in Section 20, Township 3 North, Range 18 East, Boise Meridian, Blaine County, Idaho, with all ditch and water rights appurtenant which are thirty-seven and one-half (37 1/2) inches of Rockwell Bypass Water, and three hundred ninety-five (395) inches of 1888 decreed water from the East Fork of the Big Wood River identified by shares held in the upper Wood River Water User's Association, which property lies east of Highway 75 and south of Ohio Gulch Road as depicted on Exhibit A attached hereto, and which is legally described on Exhibit B attached hereto, both exhibits being incorporated herein as if set forth in full.

2. Purchase Price. The purchase price for the subject property shall be Ten Thousand Dollars (\$10,000) per acre. Although the parties acknowledge that the subject property is slightly in excess of two hundred (200) acres the exact acreage is unclear. Consequently, Buyer shall have the property surveyed at its sole expense and the total purchase price of the property as surveyed shall be Ten Thousand Dollars (\$10,000) per acre. The Purchase price shall be payable as follows:

(a) Earnest Money. In the event of Seller's acceptance, Twenty-Five Thousand Dollars (\$25,000), will be deposited by Buyer with First American Title Company, Ketchum, Idaho, on January 5, 1990, such date to constitute the opening of escrow;

(b) Balance of Down Payment. Four Hundred Ninety-five Thousand Dollars (\$495,000) shall be paid, together with the earnest money for a total of Five Hundred Twenty Thousand Dollars (\$520,000) to Seller in cash, cashier's check, or certified funds, at the time of closing; and

(c) Deferred Payment. The balance of the purchase price shall be evidenced by a non-recourse promissory note which is secured by a first mortgage upon the subject property and the appurtenant water rights.

AFFIDAVIT of PUBLICATION

RECEIVED

SEP 06 1990

State of Idaho, }
County of Blaine } SS.

Department of Water Resources
Southern Region Office

DANIEL J. GOSWAMI, 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 25 day of July, 1990, and

the date of the last publication was on the 1 day of Aug., 1990.

Subscribed and sworn to before me this 1st day of Aug., 1990.
(SEAL)

Roberta McKenney

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 171
Number of Insertions _____

Lines tabular at _____ 6¢ / Pica
Lines straight at 94.05 5¢ / Pica
Subsequent lines at 75.24 4¢ / Pica
TOTAL COST 1169.29 / 5.00

\$174.29

COPY OF NOTICE
(Paste Here)

Notice of Proposed
TITLE OF NOTICE Change

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id Dept Water Resour
BILL TO

Partners seeks water right change

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NOS. 37-00577BN, 37-0494,
37-00495, 37-0833K

Notice is hereby given that WOOD RIVER COUNTRY CLUB PARTNERS, c/o James P. Speck, Attorney of Ketchum, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT AS RECORDED

Water right No.: 37-00577BN

Basis of right: Decreed to Wood River Land Co. in case of Albrethsen vs. Wood River Land Co., dated 6/27/1925 in Fourth District Court, Lincoln County; Many Transfers.

Source: Big Wood River tributary to Malad River

Priority Date: 3/24/1883

Amount of water: 14.678 cfs

Water use: irrigation

Point(s) of diversion: SW1/4-SW1/4, NW1/4, S20, T3N, R18E (Headgate #22, Hiawatha Canal); Blaine County.

Place of use: Unspecified acres within S4, 5, 8, 9, 15, 16, 22, 23, 25, 26, T2N, R18E; S28, 29, 33, T3N, R18E.

PORTION(S) OF RIGHTS
TO BE CHANGED

Water right No.: 37-00577BN

Amount of water: 1.20 cfs for irrigation (Hiawatha part); 1.69 cfs for irrigation (Mizer part)

Point of diversion: SW1/4SW1/4NW1/4, S20, T3N, R18E (Headgate #22, Hiawatha Canal); SE1/4NE1/4NE1/4, S18, T3N, R18E (Headgate #20, Mizer Canal); Blaine County.

Historical place of use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E.

No 7160

WATER RIGHT AS RECORDED

Water right No. 37-00494

Basis of right: Decreed to Jacob Mizer in case of S.C. Frost, et al., vs. Alturas Water Co., et ux., dated 12/13/1909, in Lincoln County.

Source: Big Wood River tributary to Malad River

Priority Date: 5/1/1886

Amount of water: 2.0 cfs

Water use: irrigation

Point(s) of diversion: SE1/4NE1/4NE1/4, S18, T3N, R18E (Mizer Headgate #20); Blaine County.

Decreed Place of use: 88 acres within W1/2NW1/4, NE1/4SW1/4, S28, T3N, R18E.

Historical Place of use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E.

WATER RIGHT AS RECORDED

Water right No. 37-00495

Basis of right: Decreed to Jacob Mizer in case of S.C. Frost et al., vs. Alturas Water Company, et ux., dated 12/13/1909, in Lincoln County.

Source: Big Wood River tributary to Malad River

Priority Date: 7/1/1892

Amount of water: 2.8 cfs

Water Use: irrigation

Point(s) of diversion: SE1/4NE1/4NE1/4, S18, T3N, R18E (Mizer Headgate #20); Blaine County.

Decreed Place of Use: 88 acres within W1/2NW1/4, NE1/4SW1/4, S28, T3N, R18E.

Historical Place of Use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E.

WATER RIGHT AS RECORDED

Water right No. 37-00833K

Basis of right: Decreed to Irvin E. Rockwell in case of Rockwell vs. Coffin, dated 8/25/1949 in Blaine County; Transfer No. 2591.

Source: Big Wood River tributary to Malad River

Priority Date: 11/12/1936

Amount of water: 0.75 cfs

Water Use: irrigation

Point(s) of diversion: SE1/4NE1/4NE1/4, S18, T3N, R18E (Mizer Headgate #20); Blaine County.

Recorded Place of Use: 66 acres within SW1/4NE1/4, SE1/4NW1/4, N1/2SE1/4, S20, T3N, R18E.

Historical Place of Use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-00577

Amount: 1.12 cfs (Irrigation)

Water right No.: 37-00577

Amount: 0.08 cfs (Recreation)

Water right No.: 37-00577

Amount: 1.57 cfs (Irrigation)

Water right No.: 37-00577

Amount: 0.12 cfs (Recreation)

Water right No.: 37-00494

Amount: 1.86 cfs (Irrigation)

Water right No.: 37-00494

Amount: 0.14 cfs (Recreation)

Water right No.: 37-00495

Amount: 2.60 cfs (Irrigation)

Water right No.: 37-00495

Amount: 0.20 cfs (Recreation)

Water right No.: 37-00833K

Amount: 0.70 cfs (Irrigation)

Water right No.: 37-00833K

Amount: 0.05 cfs (Recreation)

Total amount being transferred: 8.44 cfs

Source: Big Wood River tributary to Malad River

Point of diversion: SW1/4SW1/4NW1/4, S20, T3N, R18E (Hiawatha Headgate); NE1/4NW1/4NE1/4, S29, T3N, R18E (Re-diversion pump from Hiawatha); Blaine County.

Place of use: 162.7 acres within S1/2NE1/4, SE1/4NW1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S20, T3N, R18E; SW1/4SW1/4, S21, T3N, R18E; NW1/4SW1/4, SE1/4SW1/4, S28, T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301, on or before August 13, 1990.

R. Keith Higginson, Director

Publish: World River Journal--July 25 and August 1, 1990.

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.,
 P l a i n t i f f s,
 vs.
 Alturas Water Company, et al.,
 D e f e n d a n t s.
 : : : : :

RECEIVED
 JAN 31 1910
 OFFICE OF STATE ENGINEER

DECREE.

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

111573590
 (ch.)

Miller, Benjamin F.	150 inches.	317	July 16, 1907.	Big Wood River.
Millsaps, Frank	55	"	Apr. 1, 1883.	Little Wood River.
"	"	"		(Also shares in Big Cottonwood Canal Co.)
Millsaps, Mary E.	160	"	June 27, 1908.	Little Wood River.
Minear, John W.	50	"	Sept. 1, 1883.	Soldier Creek.
"	40	"	May 15, 1884.	"
"	60	"	June 1, 1898.	"
Mink, Amanda M.	160	"	May 14, 1883.	"
Mink, Cicero B.	140	"	Jan. 18, 1900.	Cow Creek, a tributary of Upper Malad River.
Mink, James D.	160	"	June 30, 1883.	Soldier Creek.
Mink, T. M.	80	"	June 1, 1882.	Corral Creek.
Mizer, Jacob	100	"	May 1, 1886.	Big Wood River.
"	140	"	July 1, 1892.	"
Mizer, Thomas	200	"	July 1, 1883.	"
"	100	"	July 1, 1892.	"
Monroe, James W.	80	"	Aug. 11, 1884.	"
"	100	"	May 1, 1905.	"
Moody, Marcus L.	320	"	Oct. 20, 1902.	"
Morgan, W. Y.	400	"	May 1, 1886.	"
Morrell, Siegel	40	"	June 31, 1884.	Soldier Creek.
"	120	"	June 1, 1898.	"
Morris, Frank H.	145	"	Apr. 30, 1906.	Big Wood River or Malad River.
Moulton, W. H.	160	"	May 20, 1896.	Big Wood River.
"	80	"	May 15, 1902.	"
Mullins Canal & Reservoir Co.	750	"	June 15, 1890.	"
Murphy, Mrs. Susan R.	120	"	May 1, 1885.	Deer Creek.
Myers, S. J.	200	"	June 1, 1884.	Big Wood River.
"	140	"	Oct. 15, 1884.	"

RECEIVED

AUG 27 1996

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
MICHELE C. MESKE

Department of Water Resources

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

August 25, 1996

Mr. Jim Johnson, Manager
Water Right Permits Section
Idaho Dept. of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Valley Ranch, Inc. -- Water Rights Nos. 37-00494, 37-00495, 37-00833K,
37-00577T and V, and 37-02623

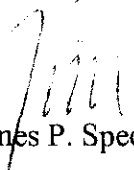
Dear Jim:

The Valley Ranch golf course has now been completed and is open for play! The use of all of the above-referenced water rights owned by Valley Ranch, Inc. has been resumed in accordance with the approved transfers and in advance of the November 1, 1996, deadline set forth in the approved extensions of time to avoid forfeiture. Will you please place a copy of this letter in the files for each of these water rights to indicate compliance with the IDWR requirements?

Kindly call me if you have any questions about these matters. Once again, thank you for your continuing cooperation and assistance.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.



James P. Speck

JPS:rb
cc: client



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 19, 1995

The Valley Ranch Partner
c/o James P. Speck
HOGUE SPECK & AANESTAD
P.O. Box 987
Ketchum, ID 83340

RE: Water Right Nos. 37-00494, 37-00495, 37-02623, 37-00833K
& 37-00577T&V

Dear Mr. Speck:

Enclosed are copies of the approved Applications for Extension of Time to Avoid Forfeiture of a Water Right. Please note that resumption of use of the water must occur on or before November 1, 1996.

Please notify the Department as soon as you resume use. If you have not notified the Department, 60 days prior to November 1, 1996, the Department will notify you by certified mail of the need to do so.

Please excuse the delay in processing the extensions. If you have any questions or concerns, please feel free to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

C: IDWR - Regional Office

AFFIDAVIT of PUBLICATION

COPY OF NOTICE
(Paste Here)

Application for extension
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources, Twin Falls
BILL TO

Applications for extension of time

NOTICE OF APPLICATIONS FOR
EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT
Nos. 37-00494, 37-00495,
37-00577T&V, 37-00833K,
37-02683

Notice is hereby given that THE
VALLEY RANCH PARTNERS, c/o
James P. Speck, Esquire of
Ketchum, ID has applied to the
Department of Water Resources
for extensions of time to avoid
forfeiture of Decreed Water
Right Nos. 37-00494, 37-00495,
37-00577T&V, 37-00833K and
Licensed Water Right
No. 37-02683.

The extensions are requested to
avoid loss of the water rights
due to non-use until
construction of the proposed
golf course is completed.

Water Right No. 37-00494
Priority Date: 05/01/1886
Name: Decreed to Jacob Mizer
in case of S.C. Frost, Et. Al.
vs Alturas Water Co., Et. Al.
dated 12/13/1909 in Lincoln
County District Court; T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (1.85 cfs)
Recreation (0.15 cfs)
Point(s) of Diversion: SWSNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

MAR 11 1994

State of Idaho, }
County of Blaine } SS.

Department of Water Resources
Twin Falls Region Office

On this 9 day of March, in the year 1994, before me a Notary Public
of said State, personally appeared **DANIEL J. GORHAM**, known
or identified to me to be the person whose name is subscribed to be the within
instrument, and being by me first duly sworn, declared that the statements therein
are true, and acknowledged to me that he executed the same. As the publisher of
the Wood River Journal, he/she attests that said newspaper has been continu-
ously and and uninterruptedly published for a period of seventy-eight consecu-
tive weeks prior to the first publication of the annexed notice, and is a newspaper
qualified to publish legal notices as provided by act of the 1919 session of the
legislature of the State of Idaho, known as House Bill 145; that the annexed
advertisement was published once each week for 2 consecutive issues in
said newspaper proper and not in a supplement; that the date of the first
publication of said advertisement was on the 2 day of March 1994, and
the date of the last publication was on the 9 day of March 1994.

Subscribed and sworn to before me this 9th day of March, 1994.
(SEAL)

NOTARY PUBLIC

9037
WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 183300
Number of Insertions 2
Lines tabular at 6c/ Pica
183300 Lines straight at 105.328 5c/ Pica
183300 Subsequent lines at 84.318 4c/ Pica
TOTAL COST +5.00 \$104.72

Water Right No. 37-00495
Priority Date: 07/01/1892
Name: Decreed to Jacob Mizer
in case of S.C. Frost, Et. Al.
vs Alturas Water Co., Et. Al.
dated 12/13/1909 in Lincoln
County District Court; T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (2.59 cfs)
Recreation (0.21 cfs)
Point(s) of Diversion: SWSWNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWNE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-00577T & V
Priority Date: 03/24/1883
Name: Decreed to Wood River
Land Co. in case of Albrethson
vs Wood River Land Co. dated
06/27/1925 in Lincoln County
District Court; T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (1.56 cfs)
Recreation (0.13 cfs)
Point(s) of Diversion: SWSWNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWNE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-00833K
Priority Date: 11/12/1936
Name: Decreed to Irvin E.
Rockwell in case of Rockwell vs
Coffin dated 08/25/1949 in
Blaine County District Court;
T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (0.69 cfs)
Recreation (0.06 cfs)
Point(s) of Diversion: SWSWNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWNE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-02683
Priority Date: 10/12/1959
Basis: License, T# 3743
Source: groundwater
Use: 04/01 to 11/01
Irrigation (2.81 cfs)
Recreation (0.24 cfs)
Point(s) of Diversion: NESENW,
S20, T03N, R18E; Blaine County.
Place of Use: 143.8 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E;
Blaine County.

Claims have been filed on Water
Right Nos. 37-00494, 37-00495,
37-00577BV, 37-00833K, and
37-02683 in the Snake River
Basin Adjudication.

Any protests against the
approval of the above proposed
and described requests must be
filed with the applicant and
with the Director, Dept. of

Water Resources, Southern
Region, 222 Shoshone Street
East, Twin Falls, ID 83301 on
or before March 21, 1994.

R. Keith Higginson, Director

Published in Wood River Journal
on 3/2 & 3/9/94.

Publish: Wood River Journal—
March 2 & 9, 1994.

NOTICE OF APPLICATIONS FOR
EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT

Nos. 37-00494, 37-00495,
37-00577T&V, 37-00833K,
37-02683

Notice is hereby given that THE
VALLEY RANCH PARTNERS, c/o
James P. Speck, Esquire of
Ketchum, ID has applied to the
Department of Water Resources
for extensions of time to avoid
forfeiture of Decreed Water
Right Nos. 37-00494, 37-00495,
37-00577T&V, 37-00833K and
Licensed Water Right
No. 37-02683.

The extensions are requested to
avoid loss of the water rights
due to non-use until
construction of the proposed
golf course is completed.

Water Right No. 37-00494
Priority Date: 05/01/1886
Name: Decreed to Jacob Mizer
in case of S.C. Frost, Et. Al.
vs Alturas Water Co., Et. Al.
dated 12/13/1909 in Lincoln
County District Court; T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (1.85 cfs)
Recreation (0.15 cfs)
Point(s) of Diversion: SWSWNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWNE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-00495
Priority Date: 07/01/1892
Name: Decreed to Jacob Mizer
in case of S.C. Frost, Et. Al.
vs Alturas Water Co., Et. Al.
dated 12/13/1909 in Lincoln
County District Court; T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (2.59 cfs)
Recreation (0.21 cfs)
Point(s) of Diversion: SWSWNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWNE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-00577T & V
Priority Date: 03/24/1883
Name: Decreed to Wood River
Land Co. in case of Albrethson
vs Wood River Land Co. dated
06/27/1925 in Lincoln County
District Court; T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (1.56 cfs)
Recreation (0.13 cfs)
Point(s) of Diversion: SWSWNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWNE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-00833K
Priority Date: 11/12/1936
Name: Decreed to Irvin E.
Rockwell in case of Rockwell vs
Coffin dated 08/25/1949 in
Blaine County District Court;
T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (0.69 cfs)
Recreation (0.06 cfs)
Point(s) of Diversion: SWSWNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWNE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-02683
Priority Date: 10/12/1959
Basis: License, T# 3743

Source: groundwater
Use: 04/01 to 11/01
Irrigation (2.81 cfs)
Recreation (0.24 cfs)
Point(s) of Diversion: NESENW,
S20, T03N, R18E; Blaine County.
Place of Use: 143.8 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E;
Blaine County.

Claims have been filed on Water
Right Nos. 37-00494, 37-00495,
37-00577BV, 37-00833K, and
37-02683 in the Snake River
Basin Adjudication.

Any protests against the
approval of the above proposed
and described requests must be
filed with the applicant and
with the Director, Dept. of

Water Resources, Southern
Region, 222 Shoshone Street
East, Twin Falls, ID 83301 on
or before March 21, 1994.

R. Keith Higginson, Director

Published in Wood River Journal
on 3/2 & 3/9/94.



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

22-Feb-1994

R. KEITH HIGGINSON
Director

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

NOTICE OF APPLICATIONS FOR EXTENSION OF TIME TO AVOID FORFEITURE
OF WATER RIGHT

Nos. 37-00494, 37-00495, 37-00577T&V, 37-00833K, 37-02683

Notice is hereby given that THE VALLEY RANCH PARTNERS, c/o James P. Speck, Esquire of Ketchum, ID has applied to the Department of Water Resources for extensions of time to avoid forfeiture of Decreed Water Right Nos. 37-00494, 37-00495, 37-00577T&V, 37-00833K and Licensed Water Right No. 37-02683.

The extensions are requested to avoid loss of the water rights due to non-use until construction of the proposed golf course is completed.

Water Right No. 37-00494

Priority Date: 05/01/1886

Name: Decreed to Jacob Mizer in case of S.C. Frost, Et. Al. vs Alturas Water Co., Et. Al. dated 12/13/1909 in Lincoln County District Court; T# 3742.

Source: Big Wood River tributary to Malad River

Use: 04/01 to 11/01

Irrigation (1.85 cfs)

Recreation (0.15 cfs)

Point(s) of Diversion: SWSWNW, S20, T03N, R18E; Blaine County.

Place of Use: 147.5 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E and recreational use within SWNE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; W1/2NW, NWSW, S28, T03N, R18E; Blaine County.

Water Right No. 37-00495

Priority Date: 07/01/1892

Name: Decreed to Jacob Mizer in case of S.C. Frost, Et. Al. vs Alturas Water Co., Et. Al. dated 12/13/1909 in Lincoln County District Court; T# 3742.

Source: Big Wood River tributary to Malad River

Use: 04/01 to 11/01

Irrigation (2.59 cfs)

Recreation (0.21 cfs)

Point(s) of Diversion: SWSWNW, S20, T03N, R18E; Blaine County.

Place of Use: 147.5 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E and recreational use within SWNE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; W1/2NW, NWSW, S28, T03N, R18E; Blaine County.

Water Right No. 37-00577T & V

Priority Date: 03/24/1883

Name: Decreed to Wood River Land Co. in case of Albrethson vs Wood River Land Co. dated 06/27/1925 in Lincoln County District Court; T# 3742.

Source: Big Wood River tributary to Malad River

Use: 04/01 to 11/01

Irrigation (1.56 cfs)

Recreation (0.13 cfs)

Point(s) of Diversion: SWSWNW, S20, T03N, R18E; Blaine County.

Place of Use: 147.5 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E and recreational use within SWNE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; W1/2NW, NWSW, S28, T03N, R18E; Blaine County.

Water Right No. 37-00833K

Priority Date: 11/12/1936

Name: Decreed to Irvin E. Rockwell in case of Rockwell vs Coffin dated 08/25/1949 in Blaine County District Court; T# 3742.

Source: Big Wood River tributary to Malad River

Use: 04/01 to 11/01

Irrigation (0.69 cfs)

Recreation (0.06 cfs)

Point(s) of Diversion: SWSWNW, S20, T03N, R18E; Blaine County.

Place of Use: 147.5 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E and recreational use within SWNE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; W1/2NW, NWSW, S28, T03N, R18E; Blaine County.

Water Right No. 37-02683

Priority Date: 10/12/1959

Basis: License, T# 3743

Source: groundwater

Use: 04/01 to 11/01

Irrigation (2.81 cfs)

Recreation (0.24 cfs)

Point(s) of Diversion: NESENW, S20, T03N, R18E; Blaine County.

Place of Use: 143.8 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E; Blaine County.

Claims have been filed on Water Right Nos. 37-00494, 37-00495, 37-00577BV, 37-00833K, and 37-02633 in the Snake River Basin Adjudication.

Any protests against the approval of the above proposed and described requests must be filed with the applicant and with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before March 21, 1994.

R. Keith Higginson, Director

Published in Wood River Journal on 3/2 & 3/9/94.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

15-Feb-1994

R. KEITH HIGGINSON
Director

JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

Re: Application for Extension of Time To Avoid Forfeiture,
Nos. 37-00494, 37-00495, 37-00577T&V, 37-00833K, 37-02683
(The Valley Ranch Partners)

Dear Mr. Speck:

The Department of Water Resources acknowledges receipt of the five (5) applications for extension of time to avoid forfeiture as referenced above.

This office has scheduled advertising the applications in the Wood River Journal for 3/2 & 3/9/94. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If an application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Mel Schulte
Water Rights Agent

MS:MB

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
JOHN A. SEILLER

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

January 19, 1994

RECEIVED

JAN 20 1994

Department of Water Resources

Mr. Jim Johnson
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000

Re: Transfer No. 3742 (Water Rights Nos. 37-00494,
37-00495, 37-00577T&V, 37-00833K) and Transfer
No. 3743 (Water Right No. 37-02683.

Dear Jim:

In 1992, the Department issued its orders granting extensions of time in which to complete the above-referenced approved transfers to March 12, 1994. The approved transfers changed the nature of the use of water rights from agricultural irrigation to a combination of golf course irrigation and recreation, the latter being used in the ponds and streams which are hazards on the golf course. The applicant has recently signed an agreement with a group based in Portland, Oregon for the development of the golf course and construction of the golf course is scheduled to commence this spring. However, it will take a minimum of two years to complete the golf course. Therefore, I would like to request an extension of time to accomplish the transfers through the end of the 1996 irrigation season, i.e. until November 1, 1996. If you would like a more formal application or request for this extension, kindly send me the appropriate forms.

In the meantime, my client has completed and I am enclosing an application for extension of time to avoid forfeiture for each of the water rights together with my firm's check payable to the Department in the sum of Two Hundred Fifty Dollars (\$250.00) representing the Fifty Dollar (\$50.00) filing fee for each application.

If you have any questions concerning the applications or my requests for extension of time on the transfers, please

Mr. Jim Johnson
January 19, 1994
Page 2

call me. Thank you again for your continuing assistance in these matters.

Sincerely yours,

HOGUE, SPECK & AANESTAD

A handwritten signature in cursive script, appearing to read 'Jim', is written over the printed name of James P. Speck.

James P. Speck

JPS/vl

Enclosures

cc: Mr. Roy Tinker (with enclosures)
Christopher M. Walters, Esq. (with enclosures)

MEMORANDUM

TO: File 37-00495

FROM: Sharla

DATE: December 13, 1993

RE: Transfer #3941

The above referenced transfer was filed in May of 1992. The front of the application states that the transfer was requested for the 1992 irrigation season only. This is verified by the lease agreement.

The previous transfer contained a condition that the transfer would be completed within a year. The transfer was not completed at that time, and an extension was granted allowing until 1994 for completion. In the meantime, Trans. #3941 was filed as a temporary use of the water identified in the earlier permanent transfer.

The filing of this temporary transfer was appropriate in case an issue had arisen concerning delivery of the right. Unfortunately, because of the timing, action on this temporary transfer at this date is moot. Therefore, no action will be taken; the transfer will remain in the file for documentation purposes only.

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 3941

RECOMMENDATION OF WATERMASTER

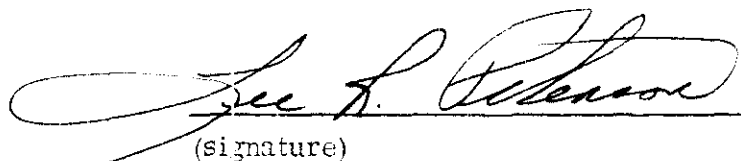
I, Lee R. Peterson, watermaster of Big Wood River,
of Water District No. 37, County of Blaine, State of Idaho,
whose address is P O Box T, Shoshone, Idaho 83352
have read the attached copy of the application for transfer of water right for _____
Lane Ranch Assn., and to the best of my knowledge believe 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: None

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 18 day of June 19 92.


(signature)

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NOS. 37-00577T,
37-00577V, 37-00494, 37-00495,
37-00833K

Notice is hereby given that
LANE RANCH ASSOCIATION, c/o
Evan Robertson of Twin Falls,
ID has applied to the
Department of Water Resources
to change the following
described water right(s)
pursuant to Section 42-222 of
the IDAHO CODE.

This Application for Transfer
proposes to change point(s) of
diversion and place of use for
the 1992 irrigation season to
enable a temporary lease of the
water rights.

WATER RIGHT AS RECORDED

Water Right No. 37-00577T & V
Basis of right: Decreed to W.T.
Riley in case of S.C. Frost,
Et. Al vs Alturus Water Co.
dated 12/13/1909 in Fourth
District Court, Lincoln County,
T#3742.
Source: Big Wood River
tributary to Malad River
Priority: 3/24/1883
Amount & Use: 1.56 cfs for
irrigation from 4/1 to 11/1
0.13 cfs for
recreation from 4/1 to 11/1
Point(s) of diversion:
SW1/4SW1/4NW1/4, S20, T03N,
R18E (Hiawatha Headgate);
Blaine County.
Place of use: 147.5 acres
within S1/2NE1/4, NE1/4SE1/4,
NW1/4SE1/4, SE1/4SE1/4, S20,
T03N, R18E; SW1/4SW1/4, S21,
T03N, R18E; NW1/4, NE1/4SW1/4,
NW1/4SW1/4, SW1/4SW1/4, S28,
T03N, R18E; recreation use in
same quarter sections with the
EXCEPTION OF SE1/4NE1/4, S20,
T03N, R18E, E1/2NW1/4,
NE1/4SW1/4, SW1/4SW1/4, S28,
T03N, R18E; Blaine County.

WATER RIGHT AS RECORDED

Water Right No. 37-00494
Basis of right: Decreed to
Jacob Mizer in case of S.C.
Frost, Et Al vs Alturus Water
Co dated 12/13/1909 in Fourth
District Court, Lincoln County,
T#3742.
Source: Big Wood River
tributary to Malad River
Priority: 5/1/1886
Amount & Use: 1.85 cfs for
irrigation from 4/1 to 11/1
0.15 cfs for
recreation from 4/1 to 11/1
Point(s) of diversion:
SW1/4SW1/4NW1/4, S20, T03N,
R18E (Hiawatha Headgate);
Blaine County.
Place of use: 147.5 acres
within S1/2NE1/4, NE1/4SE1/4,
NW1/4SE1/4, SE1/4SE1/4, S20,
T03N, R18E; SW1/4SW1/4, S21,

SW1/4, R18E; NW1/4, NE1/4SW1/4,
SW1/4SW1/4, S28,
T03N, R18E; recreation use in
same quarter sections with the
EXCEPTION OF SE1/4NE1/4, S20,
T03N, R18E, E1/2NW1/4,
NE1/4SW1/4, SW1/4SW1/4, S28,
T03N, R18E; Blaine County.

WATER RIGHT AS RECORDED

Water Right No. 37-00495
Basis of right: Decreed to
Jacob Mizer in case of S.C.
Frost, Et. Al vs Alturus Water
Co. dated 12/13/1909 in Fourth
District Court, Lincoln County;
T#3742.
Source: Big Wood River
tributary to Malad River
Priority: 7/1/1892
Amount & Use: 2.59 cfs for
irrigation from 4/1 to 11/1
0.21 cfs for
recreation from 4/1 to 11/1
Point(s) of diversion:
SW1/4SW1/4NW1/4, S20, T03N,
R18E (Hiawatha headgate);
Blaine County.
Place of use: 147.5 acres
within S1/2NE1/4, NE1/4SE1/4,
NW1/4SE1/4, SE1/4SE1/4, S20,
T03N, R18E; SW1/4SW1/4, S21,
T03N, R18E; NW1/4, NE1/4SW1/4,
NW1/4SW1/4, SW1/4SW1/4, S28,
T03N, R18E; recreation use in
same quarter sections with the
EXCEPTION OF SE1/4NE1/4, S20,
T03N, R18E, E1/2NW1/4,
NE1/4SW1/4, SW1/4SW1/4, S28,
T03N, R18E; Blaine County.

WATER RIGHT AS RECORDED

Water Right No. 37-00833K
Basis of right: Decreed to
Irvin E. Rockwell in case of
Rockwell vs Coffin dated
8/25/1949 in Fifth District
Court, Elaine County, T#3742.
Source: Big Wood River
tributary to Malad River
Priority: 11/12/1936
Amount & use: 0.69 cfs for
irrigation from 4/1 to 11/1
0.06 cfs for
recreation from 4/1 to 11/1
Point(s) of diversion:
SW1/4SW1/4NW1/4, S20, T03N,
R18E (Hiawatha Headgate);
Blaine County.
Place of use: 147.5 acres
within S1/2NE1/4, NE1/4SE1/4,
NW1/4SE1/4, SE1/4SE1/4, S20,
T03N, R18E; SW1/4SW1/4, S21,
T03N, R18E; NW1/4, NE1/4SW1/4,
NW1/4SW1/4, SW1/4SW1/4, S28,
T03N, R18E; recreation use in
same quarter sections with the
EXCEPTION OF SE1/4NE1/4, S20,
T03N, R18E, E1/2NW1/4,
NE1/4SW1/4, SW1/4SW1/4, S28,
T03N, R18E; Blaine County.

WATER RIGHTS TO BE CHANGED AS
FOLLOWS:

Water Right No.: 37-00577T&V

Priority Date: 3/24/1883
Period of Use: 4/1 to 11/1
Water Use: irrigation &
recreation
Amount: 1.69 cfs

Water Right No.: 37-00833K
Priority Date: 11/12/1936
Period of Use: 4/1 to 11/1
Water Use: irrigation &
recreation
Amount: 0.75 cfs

Water Right No.: 37-00494
Priority Date: 5/1/1886
Period of Use: 4/1 to 11/1
Water Use: irrigation &
recreation
Amount: 2.00 cfs

Water Right No.: 37-00495
Priority Date: 7/1/1892
Period of Use: 4/1 to 11/1
Water Use: irrigation &
recreation
Amount: 2.80 cfs

Total amount being transferred:
7.24 cfs

Source: Big Wood River
tributary to Malad River
Point of diversion: SW1/4SE1/4,
S19, T04N, R18E; Blaine County.
Place of use: Recreation use
and irrigation of 24.7 acres
within NE1/4SE1/4, SW1/4SE1/4,
SE1/4SE1/4, S19, T04N, R18E;
SW1/4SW1/4, S20, T04N, R18E;
NW1/4NW1/4, S29, T04N, R18E;
N1/2NE1/4, S30, T04N,
R18E; Blaine County.

This application is made to
accommodate a Lease of the Water
Rights for the 1992 season.

Any protest against approval of
the application for transfer
must be filed with the
Department of Water Resources,
222 Shoshone Street East, Twin
Falls, ID 83301 on or before
July 13, 1992.

R. Keith Higginson, Director

Published in Wood River Journal
on 6/24 & 7/1/92.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

15-Jun-1992

R. KEITH HIGGINSON
Director

ATTN PATTY HEALY
WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NOS. 37-00577T, 37-00577V, 37-00494, 37-00495, 37-00833K

Notice is hereby given that LANE RANCH ASSOCIATION, c/o Evan Robertson of Twin Falls, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

This Application for Transfer proposes to change point(s) of diversion and place of use for the 1992 irrigation season to enable a temporary lease of the water rights.

WATER RIGHT AS RECORDED

Water Right No. 37-00577T & V

Basis of right: Decreed to W.T. Riley in case of S.C. Frost, Et. Al vs Alturus Water Co. dated 12/13/1909 in Fourth District Court, Lincoln County, T#3742.

Source: Big Wood River tributary to Malad River

Priority: 3/24/1883

Amount & Use: 1.56 cfs for irrigation from 4/1 to 11/1

0.13 cfs for recreation from 4/1 to 11/1

Point(s) of diversion: SW1/4SW1/4NW1/4, S20, T03N, R18E (Hiawatha Headgate); Blaine County.

Place of use: 147.5 acres within S1/2NE1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S20, T03N, R18E; SW1/4SW1/4, S21, T03N, R18E; NW1/4, NE1/4SW1/4, NW1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; recreation use in same quarter sections with the EXCEPTION OF SE1/4NE1/4, S20, T03N, R18E, E1/2NW1/4, NE1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; Blaine County.

WATER RIGHT AS RECORDED

Water Right No. 37-00494

Basis of right: Decreed to Jacob Mizer in case of S.C. Frost, Et Al vs Alturus Water Co dated 12/13/1909 in Fourth District Court, Lincoln County, T#3742.

Source: Big Wood River tributary to Malad River

Priority: 5/1/1886

Amount & Use: 1.85 cfs for irrigation from 4/1 to 11/1

0.15 cfs for recreation from 4/1 to 11/1

Point(s) of diversion: SW1/4SW1/4NW1/4, S20, T03N, R18E (Hiawatha Headgate); Blaine County.

Place of use: 147.5 acres within S1/2NE1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S20, T03N, R18E; SW1/4SW1/4, S21, T03N, R18E; NW1/4, NE1/4SW1/4, NW1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; recreation use in same quarter sections with the EXCEPTION OF SE1/4NE1/4, S20, T03N, R18E, E1/2NW1/4, NE1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; Blaine County.

WATER RIGHT AS RECORDED

Water Right No. 37-00495

Basis of right: Decreed to Jacob Mizer in case of S.C. Frost, Et. Al vs Alturus Water Co. dated 12/13/1909 in Fourth District Court, Lincoln County; T#3742.

Source: Big Wood River tributary to Malad River

Priority: 7/1/1892

Amount & Use: 2.59 cfs for irrigation from 4/1 to 11/1

0.21 cfs for recreation from 4/1 to 11/1

Point(s) of diversion: SW1/4SW1/4NW1/4, S20, T03N, R18E (Hiawatha headgate); Blaine County.

Place of use: 147.5 acres within S1/2NE1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S20, T03N, R18E; SW1/4SW1/4, S21, T03N, R18E; NW1/4, NE1/4SW1/4, NW1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; recreation use in same quarter sections with the EXCEPTION OF SE1/4NE1/4, S20, T03N, R18E, E1/2NW1/4, NE1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; Blaine County.

WATER RIGHT AS RECORDED

Water Right No. 37-00833K

Basis of right: Decreed to Irvin E. Rockwell in case of Rockwell vs Coffin dated 8/25/1949 in Fifth District Court, Blaine County, T#3742.

Source: Big Wood River tributary to Malad River

Priority: 11/12/1936

Amount & use: 0.69 cfs for irrigation from 4/1 to 11/1

0.06 cfs for recreation from 4/1 to 11/1

Point(s) of diversion: SW1/4SW1/4NW1/4, S20, T03N, R18E (Hiawatha Headgate); Blaine County.

Place of use: 147.5 acres within S1/2NE1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S20, T03N, R18E; SW1/4SW1/4, S21, T03N, R18E; NW1/4, NE1/4SW1/4, NW1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; recreation use in same quarter sections with the EXCEPTION OF SE1/4NE1/4, S20, T03N, R18E, E1/2NW1/4, NE1/4SW1/4, SW1/4SW1/4, S28, T03N, R18E; Blaine County.

WATER RIGHTS TO BE CHANGED AS FOLLOWS:

Water Right No.: 37-00577T&V
Priority Date: 3/24/1883
Period of Use: 4/1 to 11/1
Water Use: irrigation & recreation
Amount: 1.69 cfs

Water Right No.: 37-00833K
Priority Date: 11/12/1936
Period of Use: 4/1 to 11/1
Water Use: irrigation & recreation
Amount: 0.75 cfs

Water Right No.: 37-00494
Priority Date: 5/1/1886
Period of Use: 4/1 to 11/1
Water Use: irrigation & recreation
Amount: 2.00 cfs

Water Right No.: 37-00495
Priority Date: 7/1/1892
Period of Use: 4/1 to 11/1
Water Use: irrigation & recreation
Amount: 2.80 cfs

Total amount being transferred: 7.24 cfs

Source: Big Wood River tributary to Malad River
Point of diversion: SW1/4SE1/4, S19, T04N, R18E; Blaine County.
Place of use: Recreation use and irrigation of 24.7 acres within
NE1/4SE1/4, SW1/4SE1/4, SE1/4SE1/4, S19, T04N, R18E; SW1/4SW1/4,
S20, T04N, R18E; NW1/4NW1/4, S29, T04N, R18E; N1/2NE1/4, S30,
T04N, R18E; Blaine County.

This application is made to accomodate a Lease of the Water Rights
for the 1992 season.

Any protest against approval of the application for transfer must
be filed with the Department of Water Resources, 222 Shoshone
Street East, Twin Falls, ID 83301 on or before July 13, 1992.

R. Keith Higginson, Director

Published in Wood River Journal on 6/24 & 7/1/92.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

12-Jun-1992

R. KEITH HIGGINSON
Director

EVAN ROBERTSON ESQUIRE
PO BOX 1906
TWIN FALLS ID 83301

Re: Application for Transfer Nos. 37-00577T&V, 37-00494, 37-00495,
37-00833K (Lane Ranch Association)

Dear Mr. Robertson:

The Department of Water Resources acknowledges receipt of an
Application for Transfer on behalf of Lane Ranch Association.

This office will be advertising the application in the Wood River
Journal on 6/24 & 7/1/92. The advertisement will be published for two
weeks, and a period of ten days following the second publication will
be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the
protest. The protest must be resolved before the application is
approved or denied. If the protest is not resolved voluntarily, this
Department will conduct a conference and/or hearing on the matter.

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

cc: Jim Speck, Attorney



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

12-Jun-1992

R. KEITH HIGGINSON
Director

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

Re: Application for Transfer of Water Right Nos.
37-00577T&V, 37-00494, 37-00495, 37-00833K (Lane Ranch
Association)

Dear Mr. Peterson:

Enclosed is a copy of an Application for Transfer of a Water Right within your District, and Watermaster's Recommendation Form.

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form and return it to this office.

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

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

Enclosures

INTER-DEPARTMENT MEMO — 1

FROM Jim Stanton

DATE 6-2-92

TO File

SUBJECT App. for Temporary Transfer, Lane Ranch Assn.

Transfer #3742 allowed 6.69 cfs $\frac{1}{2}$ for irrigation and 0.55 cfs for recreation under the five water rights. The new transfer proposes 7.24 cfs for irrigation and 7.24 cfs for recreation, with a total diversion rate of 7.24 cfs. The original transfer covered 147.5 acres of irrigation, while the new transfer proposes only 24.7 acres. Although the diversion rate for both uses appears to increase, both the actual diversion rate and the consumptive volume for irrigation will decrease with the acreage decrease. This should make up and then some for any increase in volume lost to recreation (supposedly a non-consumptive use).

I spoke to Jim Speck today (attorney for Valley Ranch Partners). He said that the previous transfer was made to provide water for a golf course, but that the development was not yet completed. Since the water is not yet needed by the present owner, it was being leased for this year to the Lane Ranch. Since it appears that Condition of Approval #5 on T. #3742 has not been met, Condition #6 may come into play.

I drove past the original P/U per T. 3742 on 6-3-92; there were no signs of significant development or water use.



SIGNATURE

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
DONALD E. MITCHELL

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

April 30, 1992

CERTIFIED MAIL P 059 723 347
RETURN RECEIPT REQUESTED

Mr. Loren Holmes
Department of Water Resources
222 Shoshone Street
Twin Falls, Idaho 83301

Re: The Valley Ranch Partners -
Lane Ranch Association, Inc.
Application for Transfer - 37-00577 T&V,
37-00833K, 37-00494 and 37-00495

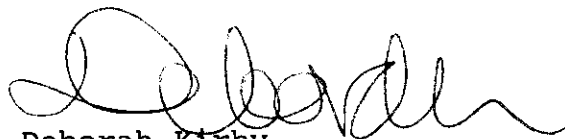
Dear Mr. Holmes:

Please find enclosed the above-referenced Application for Transfer together with a duly executed Lease of Water Rights. This Application is in connection with Lane Ranch Association, Inc.'s lease of water rights from The Valley Ranch Partners for the summer of 1992 only. I understand from Jim Speck that he has spoken with Gary Spackman about this and that the Department has agreed to expedite the processing of the Application. I also understand from Jim that the Department has agreed to have it advertised in the Wood River Journal as soon as possible. I am also enclosing a filing fee of \$50.00.

Thank you for your early attention to this matter.

Sincerely yours,

HOGUE, SPECK & AANESTAD


Deborah Kirby
Secretary

dmk

Enclosures

cc: Evan Robertson, Esq.
Mr. Gary Spackman
Mr. Roy Tinker

JAN 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 14, 1992

RE: Water Right No. 37-02623 (Trans. #3743)
37-00494/00495/00577T/00577V/00833K (Trans. #3742)

Wood River Country Club Partners
c/o James P. Speck, Esq.
PO Box 987
Ketchum, ID 83340

Dear Water Right Holders:

Enclosed are orders granting extensions of time in which to complete your previously approved transfers of water rights.

At the end of the extension period, the department will again contact you regarding completion of the transfers.

Sincerely,

SHARLA CURTIS
Sr. Water Resource Agent

Enclosure

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
DONALD E. MITCHELL

120 EAST AVENUE
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(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

April 27, 1992

VIA TELEFAX 1-327-7866
ORIGINAL TO FOLLOW BY MAIL

RECEIVED
APR 28 1992

Ms. Sharla Curtis
Water Resource Agent
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Department of Water Resources

Re: Approved Transfers Nos. 3742 and 3743

Dear Sharla:

After my telephone call to you last Friday I was, of course, able to locate the proof of completed transfer forms you previously sent me! I have completed, signed and enclose those forms. Please call if you have any questions about them.

I will be out of the office until May 18, 1992. If you need any additional information, I can provide it to you after that date. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS\dmk
cc: Mr. Roy Tinker (w/encls.)

j\corres92\curtiss

RECEIVED
AUG 20 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF COMPLETED TRANSFER

The Idaho Department of Water Resources will consider this form as a statement regarding completion of the authorized water right(s) transfer.

1. Water Right No(s). 37-00494/00495/00577TEV/0833K
Transfer No. 3742

2. Name of Water Right Holder(s): THE VALLEY RANCH PARTNERS (FORMERLY KNOWN AS
WOOD RIVER COUNTRY CLUB PARTNERS).
Address: c/o JAMES P. SPECK, HOGUE, SPECK & AANESTAD, P.O. BOX 987, KETCHUM, ID 83340

3. Water right transfer authorized by Department is:
(check appropriate space or provide description)

Complete _____ Not Complete X

Partially Complete (describe work completed) SEE ATTACHED ADDENDUM

4. If the transfer has not yet been completed or is only partially complete, please provide a statement why the authorized change(s) have not been accomplished and the date which you expect the changes to be complete: _____

SEE ATTACHED ADDENDUM

5. I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in Department action rescinding the approved water right(s) transfer.

J. P. Speck, attorney
Signature

4/24/92
Date

(& title if on behalf of a company or organization)

APR 20 1992

ADDENDUM

The approved water right transfer authorizes use of water for irrigation of a golf course and surrounding residential subdivision lots and for recreational use in golf course ponds and other hazards. The construction of the initial improvements for the subdivision and golf course has begun. The primary road through the subdivision has been constructed to sub-grade and the side roads have been cleared. A pump station on Hiawatha Canal to divert the water from the canal has been constructed. Easements for transmitting water across certain private lands have been obtained and a culvert has been constructed under Highway 75. It is anticipated that other roads will be completed and power and other utilities will be installed this summer and that commencement of construction of the golf course will occur this fall. It will be a minimum of two years to complete the construction of the golf course.

Although the condition that the water be placed to beneficial use within one year of the date of approval was imposed on the transfer, it was never anticipated by the applicant that it could possibly complete construction of this project within that time frame. I believe a period of five years similar to that allowed for a development of new permits should be authorized for a project of this scope.

In the interim, all or a portion of the water rights which are the subject of this transfer will be put to beneficial use by leasing or other methods.



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 26, 1992

The Valley Ranch Partners
c/o James P. Speck, Esq.
Box 987
Ketchum, ID 83340

RE: Approved Transfer No. 3742/Water Right No(s). 37-00494/00495/
05577T&V/0833K

Dear Water Right Holder(s):

On March 12, 1991, the Department approved an application for transfer of the above referenced water right(s). A copy of the transfer as approved has been enclosed for your reference. One of the conditions of approval of this transfer was that the authorized change(s) be accomplished within one year of the date of approval.

Please complete and return the enclosed form to confirm that the transfer has been accomplished. If the approved transfer has not been completed or is only partially complete, please provide an explanation why the changes have not been made and give an expected date for completion. The form must be returned to this office within 15 days of the date of this letter. If you wish to return the form by FAX, the number is (208)327-7866.

Please contact me if you have questions concerning this matter.

Sincerely,

SHARLA CURTIS
Water Resource Agent

Enclosure

400 2 0 1992

March 13, 1991

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

Wood River Country Club Partners
c/o James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Trans. No. 3742). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MEMORANDUM

TO: FILE

FROM: TIM LUKE

OK Gary

DATE: February 5, 1991

RE: TRANSFER APP. NO 3742/RT. NO.S 37-0577, 37-0494, 37-0495 &
37-0833K

=====

This transfer involves changing the place of use, points of diversion, and nature of use for portions of all of the above rights. The transfer has been made by Valley Ranch Partners (formerly Wood River Country Club Partners), who plan to develop a golf course and subdivision north of Hailey.

My memo of October 12, 1990 and letter to Jim Speck dated November 1, 1990, outlined a number of concerns about this transfer. The letter also asked the applicants to provide some additional information. This memo addresses each of my previous concerns and describes information submitted and/or how my concerns were resolved. I believe that all of my concerns have been addressed and I now recommend approval based on proposed conditions shown at the end of this memo.

1) Historical Use of Rights & Place of use:

a) Question identifying subtraction error and number of acres after change.

- Applicants originally identified 173 acres as historically irrigated and proposed under this transfer to change the nature of use for 12.25 acres of irrigation to 12.25 surface acres of ponds. The applicants had made an error in subtracting the pond acreage from the original 173 acres. The applicants have acknowledged the error and have made corrections, which are further discussed below. The total pond surface acreage has been rounded to 12.2 acres.

b) Question concerning historical irrigation use.

- I had originally questioned the 173 acre figure given by the applicants. Based on my review of aerial photos available to the department, I concluded that a maximum of 155 to 160 acres had been irrigated. It was further pointed out that a supplemental groundwater license was issued in 1966 to the former landowner for 156 acres. The place of use description in the supplemental license closely matched the maximum acreage that I had calculated based on review of the aerial photos.

My review of the most recent photography from 1984 indicated that a maximum of 128 acres had been irrigated at that time. Based on the 1984 photo, I began to question whether portions of any of the

right had actually been forfeited over the past five or more consecutive years. I therefore asked the applicants to provide aerial photos or slides from ASCS and/or other information to pinpoint the number of irrigated acres over the past five years. The applicants informed me, and I later confirmed with the ASCS that photos or slides for this particular area were not available for the past five or six years. The most recent photo available to me or the ASCS was the 1984 photo.

Due to the discrepancy between the 1984 photo and earlier photos, I agreed to meet the applicants engineering consultant and make a field inspection of the lands in question. Based on my field inspection, review of the engineers survey map which showed the location of the main and lateral ditches, and other affidavits submitted by the applicants which described historical use over the past ten years, I agreed that the total number of irrigated acres was 159.7 (160 acres). The approximate 28 acres which I believed was non-irrigated in 1984 had been irrigated as pasture. An affidavit from a former owner and operator of the ranch states that this same parcel has been irrigated as pasture over the past ten years. My field inspection also confirmed that the parcel was irrigated within the past five years. I also agreed that the supplemental groundwater license may have omitted several acres and that it could have included 160 acres rather than 156 acres. It seems that the examiner, like myself, placed the location of the Mizer ditch slightly west of where it was actually located. My field exam confirmed the true location of the ditch and seems to account for the difference between the 156 acres in the license and from my original estimate and the acreage determined by the engineer. In summation, based on the field inspection and maps, we agreed that the historical use should be limited to 159.7 acres.

c) Question concerning number of acres irrigated with surface water prior to issuance of supplemental groundwater license.

- My review of information in the groundwater license (no. 37-2623) revealed that the former landowners submitted an affidavit stating that the groundwater development included lands not previously irrigated with surface water rights. This point was originally raised when I was trying to investigate which lands were actually irrigated with the surface water rights. Upon further review and comparison of the affidavit with the license exam and previous transfers filed on other rights which moved water to the Mizer Ranch, there seems to be some inconsistency with the affidavit statement and a question as to what land if any, was added by the groundwater development. I therefore recommend not pursuing this question further. My review indicates that all of the surface and groundwater rights were commingled and used on the entire 160 acres. I do not have any evidence to show that the surface rights were expanded, and can not show that additional land was added as result of the groundwater development. I have no substantial evidence to show that the main four decreed rights historically used on the ranch, 37-0577T, 37-0577V, 37-0494 & 37-0495, were not used on the entire 160 acres prior to the groundwater development.

d) Question concerning Rockwell by-pass right no. 37-0833K.

- Concern with this right was that a transfer approved in 1981 was never accomplished. The applicants represented instead that the right was delivered and used on the Mizer Ranch, even though the owner of the right filed an SRBA claim listing the place of use as shown under the approved transfer. In response to this question, the applicants submitted water delivery records from the District 37 watermaster showing that this right had been delivered to the Mizer Ditch. Also submitted was an affidavit from Roy Tinker, a former landowner who operated the ranch, which stated that a verbal agreement to use the right on the Mizer ranch existed between Tinker and the owner of the right, Fred Blechman. Jim Speck, attorney for the new landowners of the Mizer Ranch has informed me that Mr. Blechman was responsible for filing the SRBA claim and that Blechman followed the advice of the department in filing the claim. Mr. Speck also told me that Blechman is elderly and that he was probably confused about how to file at the time.

e) Questions concerning portions of right no. 37-0577

- The transfer application originally identified at least two separate portions of the W.T. Riley right, including 1.69 cfs and 1.20 cfs. The applicants had represented that there were no recorded transfers on 37-0577 which made any portions of this right appurtenant to the Mizer Ranch. Upon review of the file however, we found two portions of the right which were appurtenant to the Mizer Ranch. These portions include 37-0577T and 37-0577V. Each right, according to our database and the original approved transfers, is for 1.0 cfs. However, the watermaster's records show that a combined total of only 1.69 cfs has historically been delivered under both rights. The applicants therefore only identified 1.69 cfs on the transfer application.

I have amended part 2. of the transfer application to properly identify the portions of 37-0577 which are being transferred.

- In regard to the 1.2 cfs portion of the Riley right which the applicants originally claimed was delivered to the Hiawatha Canal and appurtenant to the Mizer Ranch, we questioned the applicants as to how this 1.2 cfs was conveyed to the Mizer property. The applicants have since omitted this portion of the Riley right from the transfer. The total amount being transferred has been reduced from 8.44 cfs to 7.24 cfs. This change is reflected on the amended part 1. which we received on January 22, 1991.

2) Change in Point of Diversion

- Question concerning proposed point of diversion change from the Mizer ditch to the Hiawatha canal.

The watermaster suggested, and we concurred, that some formal consent about the point of diversion change should be obtained from the owners and users of the Hiawatha canal. The applicants have submitted a consent form from the Hiawatha Canal Association.

Database changes:

After the transfer is made, all five decreed rights will show the same place of use. In other wordds, the database will show that each right is appurtenant to 147.5 acres. However, no more water will be diverted under each right than was formerly diverted and the approved transfer will include the standard diversion rate and volume conditions. There should be no expansion in the rights as a result of changing the place of use.

There may be a potential problem with reducing the recorded rate of diversion for rights 37-0577T and 37-0577V. I recommend reducing the rate under each right from 1.0 cfs to 0.85 and 0.84 cfs respectively. This will properly reflect the combined 1.69 cfs rate historically delivered under the rights. I also do not recommend that we split these rights further in order to reconcile the 0.31 cfs historically not delivered. Instead, I recommend keeping parts T & V and using the remarks section in both rights to explain the situation.

Conditions of Approval:

1. <<R04>> Use of water under this water right is subject to control by the watermaster of State Water District No. 37, Big Wood River.
2. The maximum combined rate of diversion under right no.s 37-0494, 37-0495, 37-0577T, 37-0577V & 37-0833K shall not exceed 7.24 cfs.
3. When combined, right no.s 37-0494, 37-0495, 37-0577T, 37-0577V, 37-0833K & supplemental groundwater right no. 37-2623 shall provide no more than 3.0 acre-feet per acre for the lands above.
4. <<R08>> Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
5. <<T07>> The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. <<T08>> Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. <<T09>> Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

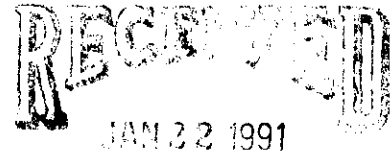
120 EAST AVENUE
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KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

January 21, 1991

SENT VIA FEDERAL EXPRESS

Mr. Tim Luke
Senior Water Resource Specialist
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720



Department of Water Resources

Re: The Valley Ranch Partners (formerly Wood River
Country Club Partners) - Transfer Application No.
3742

Dear Tim:

Enclosed are the revised 1st page and Addendum for the above-referenced Application for Transfer of Water Right. The revised 1st page is to replace the revision sent to you by Gerald Martens on January 15, 1991. I have also revised the Addendum to reflect the following matters discussed in my January 14, 1991 letter to you:

1. The 1.2 cfs of 37-00577 has been deleted reducing the total transfer to 7.24 cfs.

2. The pond acreage has been rounded off to 12.2 acres, the historical irrigated acreage reduced to 159.7 acres, and the breakdown of each right for irrigation and recreation changed accordingly.

3. The Partners have a new name and now own legal title to all of the water rights which are the subject of the Application.

Finally, I understand from our telephone conversation on January 17, 1991 that you will recommend the 147.5 acres identified in the enclosed revised Part 1 as the new place of use for ALL of the rights subject to the standard conditions for maximum diversion rate and volume. I also understand the information enclosed is all you need to send the Application, together with Application for Transfer No. 3743 (for water right no. 37-02623) and Application for Permit No. 37-08613, to Gary Spackman for final Department review.

Mr. Tim Luke
January 21, 1991
Page 2

Thank you for your patient cooperation and assistance
in processing this Application.

Sincerely yours,

HOGUE, SPECK & AANESTAD



James P. Speck

JPS/j

RECEIVED
JAN 21 1991

JAN 21 1991



Edwards, Howard & Martens, Inc.

ENGINEERS / PLANNERS / SURVEYORS

1139 Falls Ave. E., Suite B
Twin Falls, Idaho 83301
Phone 734-4888

January 15, 1991

IN THE FIELDS OF:

PLANNING
SURVEYING
HIGHWAYS
WATER
SEWAGE
STRUCTURAL
SUBDIVISIONS
AIRPORTS
BRIDGES

Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83701

RECEIVED
JAN 16 1991

Department of Water Resources

Attn: Tim Luke

Dear Mr. Luke,

Transmitted herewith is the amended Part 1 of the Standard Form 222 Application for transfer of Water Rights as per our discussion of January 11, 1991 at the Office of Jim Speck in Ketchum, Idaho.

The basic irrigation needs are as follows:

Golf Course Fairways:	126 Acres
Rough (Golf Course on Lot):	21 Acres
Lots (98 Lots @ 0.5 Acres/Lot):	49 Acres
Common Area (Landscaped Area):	10 Acres
Common Area (Lakes):	<u>12 Acres</u>

218 Acres Total

=====

Per our discussion the fairways, lakes, and rough totals 159 acres which is less than the following total acres with historic irrigation.

SW SW, Section 21	-	21.3 Acres
NW NW, Section 28	-	34.2 Acres
NE NW, Section 28	-	1.8 Acres

MICROFILMED

APR 12 1991

SW NW, Section 28	-	40.0 Acres
NW SW, Section 28	-	35.0 Acres
SE NW, Section 28	-	12.0 Acres
NE SW, Section 28	-	9.0 Acres
SE SW, Section 28	-	6.4 Acres
		159.7 Acres
		=====

The lots and common area will be irrigated from a central water system (ground water source). Total maximum acreage irrigated from all sources is 218 acres. The Subdivision Restrictive Covenants specify that a maximum of one-half acre will be irrigated on any lot. Retaining of existing vegetation, requiring no supplemental irrigation, is encouraged for all lots.

The attached Part 1 reflects the breakdown of the 218 acres, of which not more than 159.7 acres will be irrigated from the Bigwood River Water source. The same acres will receive supplemental irrigation water from the existing ground water source. The balance (58.3 acres) will be irrigated from the ground water source.

Please call if there are any questions.

Respectfully yours,
EHM ENGINEERS, INC.



Gerald L. Martens, P.E.

GLM/jm
cc:file
Jim Speck
Encl.

RECORDED

APR 12 1991

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 1.20 for Irrigation purposes from (Hiawatha part) to _____
 (cfs/ac-ft)
 amount 1.69 for Irrigation purposes from (Mizer part) 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
	SW	SW	NW	20	3N	18E	Blaine	Headgate #22, Hiawatha Canal
	SE	NE	NE	18	3N	18E	Blaine	Headgate #20, Mizer Canal

3. Lands irrigated or place of use:

Historical place of use

Twp.	Rge.	Sec.	NE 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	
3N	18E	21											24						24
3N	18E	28					9	39	40	12	9	40							149
		21						34.2	40			35	21.3						21.3
		28					1.8	34.2	40	12	9	35	6.4	6.4					136.4
																			159.7 *

* AS REVISED PER MEETING w/ Jim Speck, G. MARTENS
 & Tom LIRE on 1/11/1991 TGL 2-5-91

Total acres 173

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

1. amount 11.788 for Irrigation 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: Same

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

3. Lands irrigated or place of use: Same

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 unspecified

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

January 14, 1991

EXPRESS MAIL

Mr. Tim Luke
Senior Water Resource Specialist
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

RECEIVED
JAN 17 1991

Department of Water Resources

Re: The Valley Ranch Partners (formerly Wood River
Country Club Partners) - Transfer Application No.
3742

Dear Tim:

Thank you very much for taking the time to come to Ketchum and inspect the property. Our meeting resolved many of the outstanding issues and I hope the Transfer Application can now be processed as quickly as possible.

This letter will respond to the numbered concerns and requests in your November 1, 1990 letter to me.

1. We have agreed the total historical irrigated acres in Sections 21 and 28 is 159.7 acres. Enclosed is a copy of the Part 2 which we marked up in my office breaking this total down by 40 acre parcel. Subtracting 12.25 acres for pond surface area, the total lands proposed to be irrigated as shown in B, 5 of Part 1 will now be $159.7 - 12.25 = 147.45$ acres. Gerry Martens will provide you with the 40 acre parcel breakdown of this total. As we discussed, the proposed total irrigated acres for fairway and rough for the new golf course is 152.67 acres, so the surface rights will almost cover it. However, the supplemental groundwater sources (37-02623, as transferred, and the new Application for Permit No. 37-08613) will cover this entire area plus approximately 10 acres of common area and 49 acres of residential landscaping for the 98 single family homesites. No changes are necessary in these groundwater Applications.

2. I understand concern #2 is no longer significant. However, the approved Transfer will impose certain irrigated acreage restrictions on each of the surface rights based upon the Department's records. Nonetheless, I think the historical acres for the 1883 rights (37-00577T and 00577V) should be the number we agreed upon as described above. Transfers 456 and 487 did not

Mr. Tim Luke
January 14, 1991
Page 2

specify acreage, but identified four 40 acre parcels. Thus, the 159.7 acres should not be viewed as an expansion for these rights.

3. The Partners concede that the 1.2 cfs portion of 37-00577 historically delivered through the Hiawatha Canal was never applied to the Mizer Ranch. Therefore, this right should be dropped from the Transfer Application.

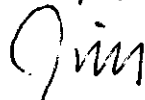
4. Enclosed is the Affidavit of Roy Tinker, an unsigned copy of which you reviewed in my office. It explains the verbal agreement with Mr. Blechman concerning the use of 37-00833K on the Mizer Ranch by Buckhorn Investment Co. There is no written documentation of this arrangement. I have also enclosed a copy of the recorded warranty deed from Blechman to the Partners which includes a transfer of all of his right, title and interest in this water right.

5. Enclosed is a copy of the letter sent to the Hiawatha Canal Company for their consent to the Transfers. As soon as it is signed, a copy will be forwarded to you.

As you know, I will be out of the office until February 1, 1991. If you have any more questions concerning any of the pending matters for the Partners while I'm gone, please contact Gerry Martens. thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD



James P. Speck

JPS/j

RECEIVED
HOGUE, SPECK & AANESTAD

APR 12 1991

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 1.20 for Irrigation purposes from (Hiawatha part) to _____
 (cfs/ac-ft) 1.69 for Irrigation purposes from (Mizer part) to _____
 (cfs/ac-ft) _____ 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
	SW	SW	NW	20	3N	18E	Blaine	Headgate #22, Hiawatha Canal
	SE	NE	NE	18	3N	18E	Blaine	Headgate #20, Mizer Canal

3. Lands irrigated or place of use:

Historical place of use

Twp.	Rge.	Sec.	NE 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	
3N	18E	21											24						24
3N	18E	28					9	39	40	12	9	40							149
		<u>21</u>						~~34~~ 40				~~35~~ 21.3							<u>21.3</u>
		<u>28</u>					18	34.2	40	12	9	35	6.4						<u>136.4</u>
																			<u>157.7</u>

Total acres 173**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

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

2. Point(s) of Diversion: Same

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

3. Lands irrigated or place of use: Same

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 unspecified

AFFIDAVIT OF ROY B. TINKER

STATE OF IDAHO)
) ss.
County of Blaine)

I, ROY B. TINKER, being first duly sworn upon oath,
depose and state as follows:

1. I was a general partner in Buckhorn Investment Co. ("Buckhorn"), the owner, from 1980 to 1989, of those lands described in Exhibit A attached hereto and made a part hereof by this reference (the "Mizer Ranch").

2. I am also a general partner in T & T Development, which is the managing general partner of Wood River Country Club Partners (now known as The Valley Ranch Partners - see copy of Second Amended Certificate of Assumed or Fictitious Name for Wood River Country Club Partners attached hereto as Exhibit B and made a part hereof by this reference), which purchased the Mizer Ranch from Buckhorn (the "Partnership").

3. The Mizer Ranch included the following Big Wood River water rights delivered through the Mizer Ditch: 1.69 cfs of 37-00577T and 37-00577V, 2.0 cfs of 37-00494 and 2.8 cfs of 37-00495. In addition, pursuant to a verbal agreement with Mr. Frederick Blechmann, Buckhorn had the use of water right no. 37-00833K (0.75 cfs). These water rights are the subject of an

Application for Transfer filed by the Partnership for permission to change the point of diversion, place of use and nature of use of these rights to a residential planned unit development and championship eighteen hole golf course on the Mizer Ranch and property to the north acquired by the Partnership from Mr. Blechman. The water rights will be used for irrigation of and recreational ponds on the golf course.

4. When Buckhorn acquired the Mizer Ranch, the irrigated portion was divided into two fields as shown on the map attached hereto as Exhibit C and made a part hereof by this reference. At that time, field #1 was used to raise pasture grass and field #2 was used to raise a combination of alfalfa and pasture grass. According to the prior owner, which was confirmed by my physical inspection of the Ranch, the water rights described above had been applied to these fields by flood irrigation through the main ditch and many laterals. This same method of irrigation and crop raising was continued by Buckhorn whenever the water was available.

5. I personally observed Buckhorn use all of the above-described water rights on both fields as follows:

a. In 1980, 1981 and 1983, the water was delivered through the Mizer Ditch and applied to both fields to raise grass and alfalfa/grass, respectively. No water was delivered into the Mizer Ditch for the Mizer Ranch in 1982.

b. In 1984, the Mizer Headgate was repaired and, once repaired, the water was delivered and applied as it was the

prior years.

c. In 1985, the water rights were again delivered and used on both fields to raise grass and alfalfa/grass, respectively.

d. In 1986, water was not delivered to the Mizer Ranch through the Mizer Ditch. It was a "high water" year and we were required to construct a "safety gate" behind the Mizer Headgate to prevent flooding of the Alturus Vista Subdivision through which the Mizer Ditch runs.

e. In 1987, the water rights were again delivered and used on both fields to raise grass and alfalfa/grass, respectively.

f. In 1988, the Mizer Ditch was blocked by construction activities in the Starweather Subdivision and the water rights never reached the Mizer Ranch.

g. In 1989, the Hidden Hollow Bridge collapsed and blocked the Mizer Ditch, again preventing the water rights from reaching the Mizer Ranch.

h. In 1990, water rights nos. 37-00577T and 37-00577V were leased to the Lane Ranch in Ketchum, Idaho with the specific approval of the Watermaster and used at that location.

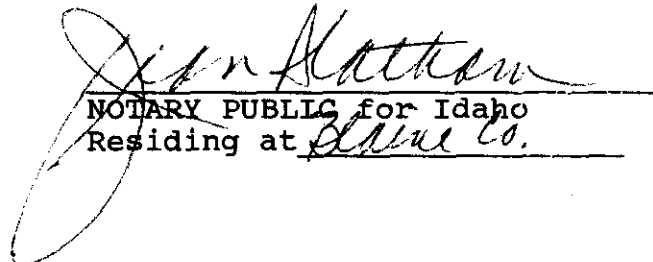
i. During several of the years when grass and alfalfa were raised, the Mizer Ranch was leased to small cattle operations and the cattle fed on both the grass and alfalfa.

6. At no time has either Buckhorn or the Partnership ever intended to abandon or otherwise give up any of these water rights.

DATED this 15TH day of JANUARY, 1991.


ROY B. TINKER

SUBSCRIBED AND SWORN TO before me this 15th day of January, 1991.


NOTARY PUBLIC for Idaho
Residing at Blaine Co.

j\tinker.aff
1/11/91

MISCELLANEOUS

APR 12 1991

Township 3 North, Range 18 East of the Boise Meridian, Blaine
County, Idaho,

Section 20: A parcel of land within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly
described as follows: Commencing at a stone marking
the Southeast corner of said Section 20 thence

North 38° 30' West 4646.0 feet to a $\frac{1}{2}$ " rebar and said rebar being
the True Point of Beginning: thence
South 14° 40' West 49.3 feet to a $\frac{1}{2}$ " rebar; thence
North 19° 28' West 18.1 feet to a $\frac{1}{2}$ " rebar; thence
South 64° 13' West 17.9 feet to a $\frac{1}{2}$ " rebar; thence
North 17° 55' West 54.4 feet to a $\frac{1}{2}$ " rebar; thence
South 75° 24' East 53.0 feet to a $\frac{1}{2}$ " rebar, said rebar being the
True Point of Beginning:

Section 21: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 28: NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, and E $\frac{1}{4}$ SW $\frac{1}{4}$

Included with the above described real estate are all water rights
and grazing rights which are described as follows:

Water Rights:

- a. Mizer 20 Headgate
84.5 inches, priority dated: March 24, 1883
100.0 inches, priority dated: May 1, 1886
140.0 inches, priority July 1, 1892
- b. Hiawatha Canal
60.0 inches, priority dated: March 24, 1883
- c. Irrigation well located on Tax Lot 3237 in Section 20 producing
approximately 200 inches, including pump and attachments.

Grazing Rights:

- a. Laidlaw Park (B.L.M.) - approximately 63 head
- b. Home Place (B.L.M.) - approximately 111 head
- c. Greenhorn Ranger Station (Forest Allotment) - approximately
35 head.

including all easements and appurtenances belonging thereto
and subject to any easements of record and zoning restrictions.

APR 12 1991

EXHIBIT A

SECOND AMENDED CERTIFICATE
OF ASSUMED OR FICTITIOUS NAME

FOR

WOOD RIVER COUNTRY CLUB PARTNERS

(Complying with Idaho Code Section 53-501)

THIS CERTIFIES that there is being carried on, conducted or transacted, or is about to be conducted or transacted in Blaine, County the business of development of real property for golf course and country club, under the designation, name and style of THE VALLEY RANCH PARTNERS, which is assumed or fictitious, being other than the true and real name of the persons conducting or transacting such business or having an interest therein. This Second Amended Certificate amends and replaces the Amended Certificate recorded by Wood River Country Club Partners on March 8, 1990, as Instrument No. 317199.

The true or real full names of the persons conducting or transacting or intending to conduct or transact said business or having an interest therein, and their post office addresses are as follows:

<u>NAME</u>	<u>ADDRESS</u>
T and T Development Roy B. Tinker, general partner C. Richard Toomey, general partner	P.O. Box 1920 Sun Valley, Idaho 83353
Drury W. Cooper, III	P.O. Box 2023 Ketchum, Idaho 83340
James T. Tallackson	P.O. Box 1750 Sun Valley, Idaho 83353
Harold R. Tollerup	P.O. Box 1955 Sun Valley, Idaho 83353
Duffy S. Witmer	P.O. Box 129 Ketchum, Idaho 83340

SECOND AMENDED CERTIFICATE OF ASSUMED OR
FICTITIOUS NAME - 1

APR 12 1991

EXHIBIT B

David C. Hutchinson

P.O. Box 2216
Sun Valley, Idaho 83353

Earl M. Smith, Jr.

P.O. Box 2585
Sun Valley, Idaho 83353

Jack L. Billhardt

Woods End Road
New Canaan, CT 06840

Robert J. Scott, Inc.

14221 - 212th Dr. N.E.
Woodinville, WA 98072

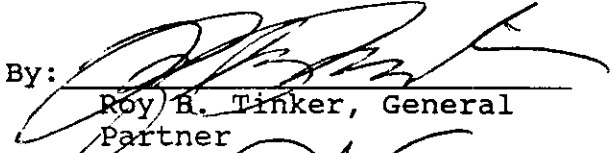
This certificate may be executed simultaneously in one or more counterparts each of which shall be deemed an original, but all of which together shall constitute one in the same certificate.

This certificate is executed and acknowledged by the persons so named and no other persons are conducting or transacting business or have an interest therein.

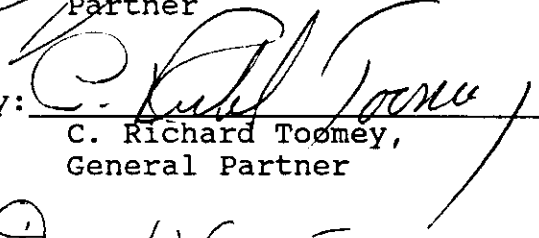
DATED this 28th day of August, 1990.

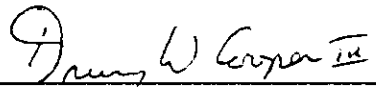
T and T Development

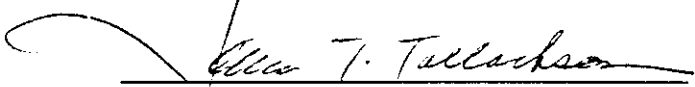
By:

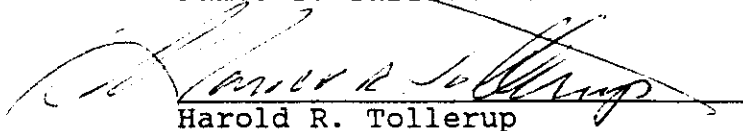

Roy R. Tinker, General
Partner

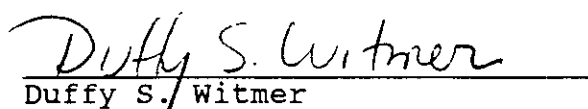
By:


C. Richard Toomey,
General Partner


Drury W. Cooper, III


James T. Tallackson


Harold R. Tollerup


Duffy S. Witmer

SECOND AMENDED CERTIFICATE OF ASSUMED OR
FICTITIOUS NAME - 2

David C. Hutchinson
David C. Hutchinson

Earl M. Smith, Jr.
Earl M. Smith, Jr.

Jack L. Billhardt
Jack L. Billhardt

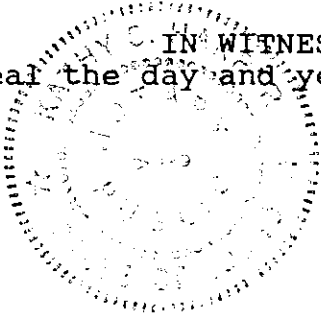
Robert J. Scott, Inc.

By: Robert J. Scott
Robert J. Scott,
President

STATE OF IDAHO)
County of Blaine) ss.

On this 28th day of August, 1990, before me, the undersigned notary public in and for said state, personally appeared Roy B. Tinker, known or identified to me to be a General Partner of T and T Development and the person who executed the foregoing instrument on behalf of said Partnership and acknowledged to me that said Partnership executed the same.

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



Valley
Notary Public for Idaho
Residing at: Ketchum, Id.

STATE OF IDAHO)
County of Blaine) ss.

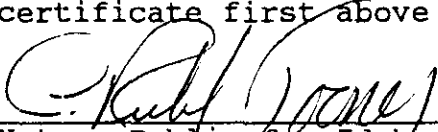
On this 28th day of August, 1990, before me, the undersigned notary public in and for said state, personally appeared C. Richard Toomey, known or identified to me to be a General Partner of T and T Development and the person who

SECOND AMENDED CERTIFICATE OF ASSUMED OR
FICTITIOUS NAME - 3

APR 12 1991

executed the foregoing instrument on behalf of said Partnership and acknowledged to me that said Partnership executed the same.

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

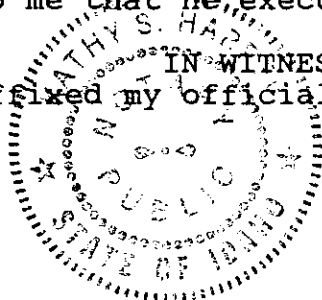


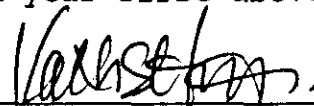
Notary Public for Idaho
Residing at: Ketchikan ID.

STATE OF IDAHO)
) ss.
County of Blaine)

On this 28th day of August, 1990, before me, the undersigned notary public in and for said state, personally appeared Drury W. Cooper, III, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



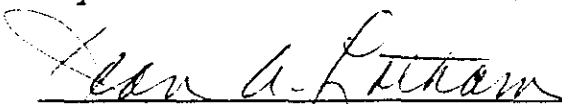


Notary Public for Idaho
Residing at: Ketchikan, Id.

STATE OF IDAHO)
) ss.
County of Blaine)

On this 15th day of October, 1990, before me, the undersigned notary public in and for said state, personally appeared James T. Tallackson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



Notary Public for Idaho
Residing at: Blaine, W.

STATE OF IDAHO)
) ss.
County of Blaine)

On this 28th day of August, 1990, before me, the undersigned notary public in and for said state, personally appeared Harold R. Tollerup, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

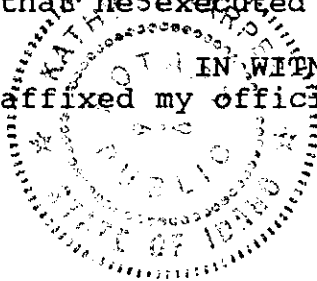


Kathy S. Harris
Notary Public for Idaho
Residing at: Ketchum, Id.

STATE OF IDAHO)
) ss.
County of Blaine)

On this 28th day of August, 1990, before me, the undersigned notary public in and for said state, personally appeared Duffy S. Witmer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



Kathy S. Harris
Notary Public for Idaho
Residing at: Ketchum, Id.

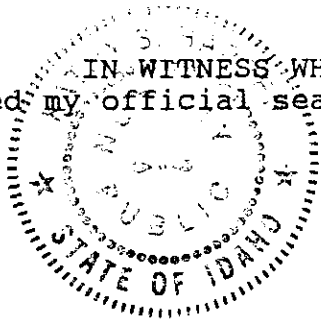
STATE OF IDAHO)
) ss.
County of Blaine)

On this 28th day of August, 1990, before me, the undersigned notary public in and for said state, personally appeared David C. Hutchinson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

SECOND AMENDED CERTIFICATE OF ASSUMED OR
FICTITIOUS NAME - 5

APR 12 1991

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

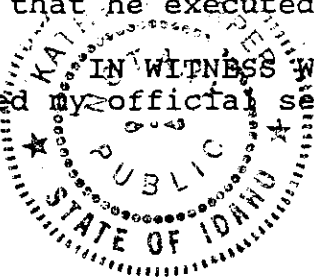


[Signature]
Notary Public for Idaho
Residing at: Ketchum, Id.

STATE OF IDAHO)
) ss.
County of Blaine)

On this 28th day of August, 1990, before me, the undersigned notary public in and for said state, personally appeared Earl M. Smith, Jr., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



[Signature]
Notary Public for Idaho
Residing at: Ketchum, Id.

STATE OF CONNECTICUT)
) ss.
County of Fairfield)

On this 4 day of oct, 1990, before me, the undersigned notary public in and for said state, personally appeared Jack L. Billhardt, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

[Signature: Dorothy S. Moore]
Notary Public for Connecticut
Residing at: New Canaan

DOROTHY S. MOORE
NOTARY PUBLIC
MY COMMISSION EXPIRES MARCH 31, 1991

SECOND AMENDED CERTIFICATE OF ASSUMED OR
FICTITIOUS NAME - 6

IDAHO
STATE OF CALIFORNIA)
County of BLAINE) ss.

On this 28th day of August, 1990, before me, the undersigned notary public in and for said state, personally appeared Robert J. Scott, known or identified to me to be the President of Robert J. Scott, Inc. and the person who executed the foregoing instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

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



[Signature]
Notary Public for California
Residing at: Ketchum, ID.

vlyfict.nme/jal

SECOND AMENDED CERTIFICATE OF ASSUMED OR
FICTITIOUS NAME - 7

MID 2000
APR 2000

1-01-16 12:56 208 734 6023

Post-It™ brand fax transmittal memo 7671 # of pages 1

To	JEAN	From	Geoffrey Matthews
Co	Jim Speck	Co	EHM Co
Dept.		Phone #	734-4838
Fax #	734-6019	Fax #	734-6019

Wiley
Ranch

APR 12 2008
MIDPT. INC.

FIELD 2

FIELD 1

2021
2022

2022
2023

WARRANTY DEED

For Value Received Frederick H. Blechmann as Trustee of the Frederick H. Blechmann Trust dated April 13, 1986, as to an undivided 5/12 interest; Howard Paul Blechmann as Trustee under Trust Agreement dated December 6, 1976, as to an undivided 2/12 interest; and Frederick H. Blechmann and Howard P. Blechmann, Trustees of The Blechmann Trust dated October 5, 1983, as to an undivided 5/12 interest

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto The Valley Ranch Partners, an Idaho General Partnership whose address is: P. O. Box 1920, Sun Valley, ID, 83353

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

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

Section 20: SE1/4 NE1/4.
E1/2 SE1/4.
W1/2 NE1/4 lying South of Ohio Gulch Road (TL 5752)
E1/2 NW1/4 lying South of Ohio Gulch Road and East of the O.S.L. Railroad and State of Idaho Stock Driveway Right-of-Ways. (TL 5752)
NW1/4 SE1/4 lying East of the O.S.L. Railroad and State of Idaho Stock Driveway Right-of-Ways. (TL 1991)
NE1/4 SW1/4 lying East of the O.S.L. Railroad and State of Idaho Stock Driveway Right-of-Ways. (TL 2061)

EXCEPTING THEREFROM a tract of land lying within the SE1/4 NW1/4 described as follows:

COMMENCING at the Southeast corner of Section 20; thence N. 38° 31' W. 4545.00 feet to the TRUE POINT OF BEGINNING; thence
S. 14° 40' W. 49.30 feet; thence
N. 19° 28' W. 18.10 feet; thence
S. 64° 13' W. 17.90 feet; thence
N. 17° 55' W. 54.40 feet; thence
S. 75° 24' E. 53.00 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH all ditch and water rights appurtenant which are thirty-seven and one-half (37 1/2) inches of Rockwell Bypass Water from the Mizer Headgate #20.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: August 22, 1990

Frederick H. Blechmann, Trustee

Frederick H. Blechmann, Trustee

State of

County of

On _____ before me, the undersigned Frederick H. Blechmann as Trustee of The Frederick H. Blechmann Trust (proved to me on the basis of satisfactory evidence) to be it and acknowledged to me that he/she/they executed the same

WITNESS my hand and official seal.

Signature _____

Commission Expires _____

Howard P. Blechmann
Howard Paul Blechmann Trustee
Howard P. Blechmann
Howard P. Blechmann, Trustee

APR 12 1991

WARRANTY DEED

For Value Received Frederick H. Blechmann as Trustee of the Frederick H. Blechmann Trust dated April 15, 1986, as to an undivided 5/12 interest; Howard Paul Blechmann as Trustee under Trust Agreement dated December 6, 1976, as to an undivided 2/12 interest; and Frederick H. Blechmann and Howard P. Blechmann, Trustees of The Blechmann Trust dated October 5, 1983, as to an undivided 5/12 interest

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto The Valley Ranch Partners, an Idaho General Partnership whose address is: P. O. Box 1920, Sun Valley, ID, 83353

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

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

Section 20: SE1/4 NE1/4.
E1/2 SE1/4.
W1/2 NE1/4 lying South of Ohio Gulch Road ~~XTMXS~~
E1/2 NW1/4 lying South of Ohio Gulch Road and East of the O.S.L. Railroad and State of Idaho Stock Driveway Right-of-Ways. (TL 5752)
NW1/4 SE1/4 lying East of the O.S.L. Railroad and State of Idaho Stock Driveway Right-of-Ways. (TL 1991)
NE1/4 SW1/4 lying East of the O.S.L. Railroad and State of Idaho Stock Driveway Right-of-Ways. (TL 2061)

EXCEPTING THEREFROM a tract of land lying within the SE1/4 NW1/4 described as follows:

COMMENCING at the Southeast corner of Section 20; thence N. 38° 31' W. 4646.00 feet to the TRUE POINT OF BEGINNING; thence
S. 14° 40' W. 49.30 feet; thence
N. 19° 28' W. 18.10 feet; thence
S. 64° 13' W. 17.90 feet; thence
N. 17° 55' W. 54.40 feet; thence
S. 75° 24' E. 53.00 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH all ditch and water rights appurtenant which are thirty-seven and one-half (37 1/2) inches of Rockwell Bypass Water from the Mizer Headgate #20.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: August 22, 1990

Frederick H. Blechmann
Frederick H. Blechmann, Trustee
Frederick H. Blechmann
Frederick H. Blechmann, Trustee

Howard Paul Blechmann, Trustee

Howard P. Blechmann, Trustee

State of Idaho

County of Blaine

On August 30 1990 before me, the undersigned, a Notary Public in and for said State, personally appeared Frederick H. Blechmann as Trustee of The Frederick H. Blechmann Trust dated April 15, 1986, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same on behalf of said trust.

WITNESS my hand and official seal.

Signature Edward B. Rupp
Commission Expires: 3-11-93



APR 12 1991

WD

State of

County of

On _____ before me, the undersigned, a Notary Public in and for said State, personally appeared Howard Paul Bleckmann as Trustee under Trust Agreement dated December 6, 1976, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same on behalf of said trust.

WITNESS my hand and official seal.

Signature _____

Commission Expires: _____

State of Idaho

County of Blaine

On August 30 1990 before me, the undersigned, a Notary Public in and for said State, personally appeared Frederick H. Bleckmann, Trustee of The Bleckmann Trust dated October 5, 1983, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same on behalf of said trust.

WITNESS my hand and official seal.

Signature [Signature]

Commission Expires: 31193

State of

County of

On _____ before me, the undersigned, a Notary Public in and for said State, personally appeared Howard P. Bleckmann, Trustee of The Bleckmann Trust dated October 5, 1983, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same on behalf of said trust.

WITNESS my hand and official seal.

Signature _____

Commission Expires: _____

BLAINE CO. REQUEST

FIRST AMERICAN TITLE CO.

con. Deed

'91 JAN 7 PM 4 18

MARY GREEN, CLERK ES

FEES \$12.00

#323318

326782

BLAINE CO. REQUEST

FIRST AMERICAN TITLE C

Deed
'90 AUG 31 PM 4 26

MARY GREEN, CLERK P

FEES \$12.00

323318

APR 12 1991

State of ArizonaCounty of Maricopa

On August 30, 1990 before me, the undersigned, a Notary Public in and for said State, personally appeared Howard Paul Blechman as Trustee under Trust Agreement dated December 6, 1976, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same on behalf of said trust.

WITNESS my hand and official seal.

Signature Howard P. BlechmanCommission Expires: My Commission Expires Sept. 9, 1993

State of

County of

On _____ before me, the undersigned, a Notary Public in and for said State, personally appeared Frederick H. Blechman, Trustee of The Blechman Trust dated October 5, 1983, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same on behalf of said trust.

WITNESS my hand and official seal.

Signature _____

Commission Expires: _____

State of ArizonaCounty of Maricopa

On August 30, 1990 before me, the undersigned, a Notary Public in and for said State, personally appeared Howard P. Blechman, Trustee of The Blechman Trust dated October 5, 1983, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same on behalf of said trust.

WITNESS my hand and official seal.

Signature Howard P. BlechmanCommission Expires: My Commission Expires Sept. 9, 1993

AUG 12 1991

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

January 10, 1991

HAND DELIVERED

Hiawatha Canal Association
c/o Dale Mizer
P. O. Box 728
Hailey, ID 83333

Re: Valley Ranch Partners (formerly Wood River Country
Club Partners) - Applications to Transfer Water
Rights

Dear Mr. Mizer:

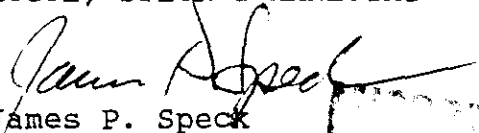
I represent the Valley Ranch Partners (formerly Wood River Country Club Partners). As you know, my client has applied to the Idaho Department of Water Resources for approval of the change of point of diversion of several water rights from the Mizer Ditch to the Hiawatha Canal, and the Association has previously approved of this proposal. This Transfer Application (No. 3742) also proposes the return of certain portions of these rights at certain times to the Hiawatha Canal. In addition, my client has applied for approval of the use of an irrigation well right (3.05 cfs) in the same system of ponds and streams for irrigation and recreation uses on the planned golf course, including the possibility of "return" of this water to the Canal. Enclosed are copies of these two Transfer Applications.

The Department has asked my client to obtain the consent of the Association to these proposals for return flows to the Canal. Will you please present this to the board of directors of the Association and, if approved, sign the enclosed copy of this letter in the space provided below. If you have any questions, please do not hesitate to contact me.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

APR 12 1991

Hiawatha Canal Association
January 10, 1991
Page 2

APPROVED: HIAWATHA CANAL ASSOCIATION

By:

Dale Mizer, its

water master
Hiawatha Canal

JPS/j
(enclosures)
cc: T & T Management Co.

Mr. Gerald Marten
1139 Falls ave. East
Twin Falls, Idaho 83301

Regards: Mizer diversion from Big Wood River Water Rights.

Sir:

Enclosed are copies of the delivery records for the Mizer 20 diversion from the Big Wood River, for the years 1979 to 1990 inclusive. Also enclosed are copies of the Watermaster's Cost report for those same years. These records show.

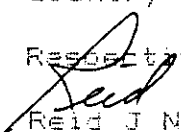
1. The entire amount all the Owners in the canal were delivered for each month of that year at the diversion point.

2. The Watermaster's Cost report shows the amount of Water each Owner recieved that year, based on the amount of water their decree entitled them to.

The water rights that were in the Mizer 20 Diversion for these years are as follows.

1. Elizbeth Cook 2.50 In. of 7-1-1883 priority date
Our recorders indicate that Mrs. Cook still owns this right.
2. Fredrick Blechmann 37.50 In. of Rockwell By-Pass Water
Our recorders indicate this water is in process of being transfered.
3. Wayne Gann 197.50 In. of 7-1-1883 priority date
100.00 In. of 7-1-1892 priority date
We now show this water as being Owned by Robert Brennan.
4. Buckhorn Investments 84.30 In of 3-24-1883 Priority date
100.00 In of 5-1-1886 Priority date
140.00 In of 7-1-1892 Priority date.
Our records show this water as being owned by Wood River Country Club.

Respectively


Reid J Newby

RECEIVED
MAY 1 1991

APR 12 1991

1979

1979

MIZER #20						MOORE #21					
APRIL	MAY	JUNE	JULY	AUGUST	SEPT	APRIL	MAY	JUNE	JULY	AUGUST	SEPT
		5.7	5.7	5.7	6.0		1.6	1.6	1.6	1.6	1.6
		5.7	5.7	5.7	6.0			1.6	1.6	1.6	1.6
		5.7	5.7	5.7	5.5						
		7.0	5.7	2.0	5.0						
		7.0	5.7	2.0	4.0						
		7.0	5.7	2.0	4.0						
		7.0	5.7	2.0	4.0						
		5.7	5.7	1.6	4.0						
		5.7	5.7	1.6	4.0						
		7.0	5.7	2.0	4.0						
		7.0	5.7	2.0	4.0						
		7.0	5.7	2.0	4.0						
		7.0	4.0	3.0	5.0						
		7.0	4.0	4.0	6.0						
		6.2	4.0	5.7	6.0						
		5.7	4.0	5.7	6.0						
		5.7	4.0	5.7	6.0						
		5.7	6.4	5.7	5.0						
		5.7	6.4	5.7	4.0						
		5.7	5.7	4.0	4.0						
		5.7	5.7	4.0	4.0						
		5.7	5.7	1.5	4.0						
		5.7	5.7	0	4.0						
		5.7	5.7		4.0						
		5.7	5.7		4.0						
		5.7	5.7		4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.7	7.0	4.0						
		5.7	5.								

1,980

Old No. #		Gooding Knight		New No. 19 G-K		MIZER #20						
DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	APRIL	MAY	JUNE	JULY	AUGUST	SEPT
1			5.2	8.4	8.4	8.4		4.0	6.7	8.7	4.0	4.0
2								4.0	6.7	8.7	4.0	4.0
3								4.0	6.7	8.7	4.0	4.0
4								6.0	6.7	8.7	4.0	4.0
5								8.0	6.7	8.7	4.0	2.0
6								7.0	6.7	8.7	3.5	2.0
7								6.0	6.7	8.7	3.5	2.0
8								0	6.0	8.7	3.5	2.0
9								6.0	5.7	8.7	3.5	2.0
10								6.0	5.7	8.0	3.5	5.7
11								6.0	5.7	7.1	2.0	5.7
12								6.0	5.7	7.1	2.0	4.0
13								4.0	4.1	6.0	4.0	4.0
14								4.0	4.5	5.0	4.0	4.0
15								4.0	5.0	5.0	5.7	5.7
16								4.0	6.2	5.0	5.7	5.7
17								4.0	7.0	5.0	5.7	5.7
18								4.0	7.2	5.0	5.7	5.7
19								4.0	7.5	5.0	5.7	4.0
20								4.0	8.0	5.0	5.7	4.0
21								4.0	8.0	3.6	5.7	4.0
22								4.0	8.0	3.6	5.7	4.0
23								4.0	8.0	3.6	5.7	5.7
24								4.0	8.0	3.6	5.7	5.7
25								4.0	8.3	3.6	4.0	5.7
26								4.0	8.3	3.6	4.0	5.7
27								4.0	8.7	3.6	4.0	5.7
28								4.0	8.7	3.6	4.0	5.7
29								4.0	8.7	4.0	4.0	5.7
30								4.0	8.7	4.0	4.0	5.7
31								6.2	8.7	4.0	4.0	5.7
T								6.2	208.9	182.3	134.5	133.8

1981

MOORE #21												
DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	MIZER #20					
1	1.6	1.6	1.6	1.6	1.6	1.6	APRIL	MAY	JUNE	JULY	AUGUST	SEPT
2		1.6	1.6	1.6	1.6	1.6	8.0	8.0	11.4	5.7	4.0	3.0
3			1.6	1.6	1.6	1.6	8.0	8.0	11.4	5.7	4.0	3.0
4				1.6	1.6	1.6	8.0	8.0	9.8	4.0	4.0	3.0
5					1.6	1.6	8.0	8.0	9.8	4.0	4.0	2.0
6						1.6	8.0	8.0	8.0	4.0	4.0	2.0
7							8.0	8.0	8.0	4.0	4.0	2.0
8							8.0	8.0	8.0	4.0	4.0	2.0
9							8.0	8.0	8.0	4.0	4.0	2.0
10							8.0	8.0	8.0	4.0	4.0	2.0
11							8.0	8.0	8.0	4.0	4.0	2.0
12							8.0	8.0	8.0	4.0	4.0	2.0
13							8.0	8.0	8.0	4.0	4.0	2.0
14							8.0	8.0	8.0	4.0	4.0	2.0
15							8.0	8.0	8.0	4.0	4.0	2.0
16							8.0	8.0	8.0	4.0	4.0	2.0
17							8.0	8.0	8.0	4.0	4.0	2.0
18							8.0	8.0	8.0	4.0	4.0	2.0
19							8.0	8.0	8.0	4.0	4.0	2.0
20							8.0	8.0	8.0	4.0	4.0	2.0
21							8.0	8.0	8.0	4.0	4.0	2.0
22							8.0	8.0	8.0	4.0	4.0	2.0
23							8.0	8.0	8.0	4.0	4.0	2.0
24							8.0	8.0	8.0	4.0	4.0	2.0
25							8.0	8.0	8.0	4.0	4.0	2.0
26							8.0	8.0	8.0	4.0	4.0	2.0
27							8.0	8.0	8.0	4.0	4.0	2.0
28							8.0	8.0	8.0	4.0	4.0	2.0
29							8.0	8.0	8.0	4.0	4.0	2.0
30							8.0	8.0	8.0	4.0	4.0	2.0
31							8.0	8.0	8.0	4.0	4.0	2.0
T	191.4	231.4	209.0	127.4	111.0	66.0						

1983

1983

KNIGHT - GOODING #19				MIZER #20			
DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	DAY
1				8.4	8.4	8.4	1
2				8.4	8.4	8.4	2
3				8.4	8.4	8.4	3
4				8.4	8.4	8.4	4
5				8.4	8.4	8.4	5
6				8.4	8.4	8.4	6
7				8.4	8.4	8.4	7
8				8.4	8.4	8.4	8
9				8.4	8.4	8.4	9
10				8.4	8.4	8.4	10
11				8.4	8.4	8.4	11
12				8.4	8.4	8.4	12
13				8.4	8.4	8.4	13
14				8.4	8.4	8.4	14
15				8.4	8.4	8.4	15
16				8.4	8.4	8.4	16
17				8.4	8.4	8.4	17
18				8.4	8.4	8.4	18
19				8.4	8.4	8.4	19
20				8.4	8.4	8.4	20
21				8.4	8.4	8.4	21
22				8.4	8.4	8.4	22
23				8.4	8.4	8.4	23
24				8.4	8.4	8.4	24
25				8.4	8.4	8.4	25
26				8.4	8.4	8.4	26
27				8.4	8.4	8.4	27
28				8.4	8.4	8.4	28
29				8.4	8.4	8.4	29
30				8.4	8.4	8.4	30
31				8.4	8.4	8.4	31
T			191.2	260.4	260.4	252.1	T

MICROFILMED

APR 12 1991

1984

MIZER #20										MOORE #21					DAY
APRIL	MAY	JUNE	JULY	AUGUST	SEPT	APRIL	MAY	JUNE	JULY	AUGUST	SEPT				
		7.0	14.7	6.0	4.0		1.6	1.6	1.6	1.6	-0-				1
		7.0	6.7	6.0	4.0		1.6	1.6	1.6	1.6					2
		4.3	6.7	6.0	4.0		1.6	1.6	1.6	1.6					3
		4.3	6.7	6.0	4.0		1.6	1.6	1.6	1.6					4
		4.3	6.7	6.0	7.0		1.6	1.6	1.6	1.6					5
		7.4	5.2	6.0	7.0		1.6	1.6	1.6	1.6					6
		7.4	5.2	6.9	7.0		1.6	1.6	1.6	1.6					7
		5.2	4.3	4.3	7.0		1.6	1.6	1.6	1.6					8
		5.2	4.3	4.3	4.0		1.6	1.6	1.6	1.6					9
		5.2	4.3	4.3	4.0		1.6	1.6	1.6	1.6					10
		3.0	6.0	4.3	4.0		1.6	1.6	1.6	1.6					11
		3.0	6.0	4.3	4.0		1.6	1.6	1.6	1.6					12
		3.0	9.5	4.3	4.0		1.6	1.6	1.6	1.6					13
		3.0	9.5	4.3	4.0		1.6	1.6	1.6	1.6					14
		3.0	9.1	4.3	4.0		1.6	1.6	1.6	1.6					15
		3.0	2.1	4.3	4.0		1.6	1.6	1.6	1.6					16
		8.0	6.0	4.0	4.0		1.6	1.6	1.6	1.6					17
		8.0	6.0	4.0	4.0		1.6	1.6	1.6	1.6					18
		8.0	7.9	4.0	4.0		1.6	1.6	1.6	1.6					19
		8.5	7.9	4.0	4.0		1.6	1.6	1.6	1.6					20
		8.5	10.8	4.0	4.0		1.6	1.6	1.6	1.6					21
		8.5	10.8	4.0	4.0		1.6	1.6	1.6	1.6					22
		8.5	10.8	4.0	2.0		1.6	1.6	1.6	1.6					23
		9.5	10.8	4.0	2.0		1.6	1.6	1.6	1.6					24
		9.5	2.3	4.0	2.0		1.6	1.6	1.6	1.6					25
	-0-	10.5	2.3	4.0	2.0		1.6	1.6	1.6	1.6					26
	4.0	10.5	7.4	4.0	2.0		1.6	1.6	1.6	0					27
	4.0	10.5	7.4	4.0	-0-		1.6	1.6	1.6						28
	4.0	14.7	8.5	4.0	-0-		1.6	1.6	1.6						29
	4.0	14.7	8.5	4.0	-0-		1.6	1.6	1.6						30
	4.0	14.7	8.5	4.0	-0-		1.6	1.6	1.6	-0-					31
	20.0	213.2	229.9	141.0	110.0		50.0	48.0	49.6	41.6					T

1985

KNIGHT-GOODING #19												MIZER #20														
DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPT
1				5.2									1		6.0	5.2	3.0	3.5	1.0	1						
2				5.2									2		6.0	5.2	3.0	1.4	1.0	2						
3				5.2									3		6.0	5.2	3.0	1.4	1.0	3						
4				5.2									4		6.0	5.2	3.0	1.4	1.0	4						
5				5.2									5		6.0	5.2	3.0	1.4	1.0	5						
6				5.2									6		5.2	5.2	3.0	1.4	1.0	6						
7				5.2									7		5.2	5.2	3.0	1.4	1.0	7						
8				5.2									8		5.0	5.2	3.0	1.4	1.0	8						
9				5.2									9		5.0	5.2	3.0	1.0	5.7	9						
10				5.2									10		6.0	5.2	2.8	1.0	5.7	10						
11				5.2									11		6.0	5.2	2.8	1.0	4.5	11						
12				5.2									12		6.0	5.2	2.5	1.0	4.5	12						
13				5.2									13		6.0	5.2	2.5	1.0	2.8	13						
14				5.2									14		6.0	5.2	2.5	1.0	2.8	14						
15				5.2									15		6.0	5.2	2.0	1.0	2.8	15						
16				5.2									16		6.0	5.2	2.0	1.0	-0-	16						
17				5.2									17		6.0	5.2	2.0	1.0		17						
18				5.2									18		6.0	5.2	1.4	1.0		18						
19				5.2									19		6.0	5.2	1.4	1.0		19						
20				5.2									20		6.0	5.2	1.4	1.0		20						
21				5.2									21		6.0	5.2	1.4	1.0		21						
22				5.2									22		6.0	5.2	1.4	1.0		22						
23				5.2									23		6.0	5.2	1.4	1.0		23						
24				5.2									24		6.0	5.2	1.4	1.0		24						
25				5.2									25		6.0	5.2	1.4	1.0		25						
26				5.2									26		6.0	5.2	1.4	1.0		26						
27				5.2									27		6.0	5.2	1.4	1.0		27						
28				5.2									28		6.0	5.2	1.4	1.0		28						
29				5.2									29		5.2	5.2	1.4	1.0		29						
30				5.2									30		5.2	5.2	1.4	1.0		30						
31				5.2									31		5.2	5.2	3.5	1.0		31						
T			62.4	161.2			88.4	170.4	145.2	67.2	36.3	36.8	T													

UNRECORDED

APR 12 1991

1986

KNIGHT-GOODING #19							MIZER #20						
DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	
1			5.2	5.2	5.2	5.2			8.0	-0-	4.3	1	
2			5.2	5.2	5.2	5.2		5.6	-0-		4.3	2	
3			5.2	5.2	5.2	5.2		5.6			4.3	3	
4			5.2	5.2	5.2	5.2		5.6			3.0	4	
5			5.2	5.2	5.2	5.2		5.6			3.0	5	
6			5.2	5.2	5.2	5.2		5.6			3.0	6	
7			5.2	5.2	5.2	5.2		7.3			3.0	7	
8			5.2	5.2	5.2	5.2		7.3			3.0	8	
9			5.2	5.2	5.2	5.2		5.6			3.0	9	
10			5.2	5.2	5.2	5.2		5.6			3.0	10	
11			5.2	5.2	5.2	5.2		5.6	2.8	2.8	2.1	11	
12			5.2	5.2	5.2	5.2		4.0	2.8	2.8	2.1	12	
13			5.2	5.2	5.2	5.2		4.0	2.8	2.8	1.5	13	
14			5.2	5.2	5.2	5.2		4.0	2.8	2.8	1.5	14	
15			5.2	5.2	5.2	5.2		4.0	2.8	2.8	-0-	15	
16			5.2	5.2	5.2	5.2		4.0	2.0	2.0		16	
17			5.2	5.2	5.2	5.2		2.8	2.0	2.0		17	
18			5.2	5.2	5.2	5.2		2.8	1.0	1.0		18	
19			5.2	5.2	5.2	5.2		7.5	1.0	1.0		19	
20			5.2	5.2	5.2	5.2		7.5	1.0	1.0		20	
21			5.2	5.2	5.2	5.2		7.0	1.0	1.0		21	
22			5.2	5.2	5.2	5.2		7.0	1.0	1.0		22	
23			5.2	5.2	5.2	5.2		8.0	-0-	-0-		23	
24			5.2	5.2	5.2	5.2		8.0				24	
25			5.2	5.2	5.2	5.2		8.0				25	
26			5.2	5.2	5.2	5.2		9.8				26	
27			5.2	5.2	5.2	5.2		9.8				27	
28			5.2	5.2	5.2	5.2		6.0	5.2	5.2		28	
29			5.2	5.2	5.2	5.2		6.0	5.2	5.2		29	
30		5.2	5.2	5.2	5.2	5.2		8.0	5.2	5.2		30	
31		5.2	5.2	5.2	5.2	5.2		8.0	5.2	5.2		31	
T		10.4	156.0	161.2	161.2	130.0		184.4	8.0	43.8	41.1	T	

TOTAL. cfs

618.8

TOTAL cfs

277.3

1987

MIZER #20										MOORE #21									
DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	DAY
1		5.3	6.0	-0-				1.3	1.5	1.3	1.0	1.0				1.3	1.0	1.0	1
2		5.3	6.0					1.3	1.5	1.3	1.0	1.0				1.3	1.0	1.0	2
3		5.3	6.0					1.3	1.5	1.3	1.0	1.0				1.3	1.0	1.0	3
4		4.9	6.0					1.2	1.5	1.3	1.0	1.0				1.3	1.0	1.0	4
5		4.9	6.0					1.2	1.5	1.3	1.0	1.0				1.3	1.0	1.0	5
6		5.3	6.0					1.3	1.5	1.3	1.0	1.0				1.3	1.0	1.0	6
7		5.3	6.0					1.3	1.5	1.3	1.0	1.0				1.3	1.0	1.0	7
8		6.4	6.4					1.2	1.5	1.3	1.0	1.0				1.3	1.0	1.0	8
9		6.4	6.4					1.2	1.5	1.3	1.0	1.0				1.3	1.0	1.0	9
10		6.4	7.4					1.2	1.5	1.3	1.0	1.0				1.3	1.0	1.0	10
11		6.4	7.4					1.2	1.5	1.3	1.0	1.0				1.3	1.0	1.0	11
12		6.4	5.6					1.2	1.5	1.3	1.0	1.0				1.3	1.0	1.0	12
13	1.4	6.4	5.6				1.2	1.2	1.2	1.3	1.0	1.0				1.3	1.0	1.0	13
14	1.4	6.4	5.6				1.2	1.2	1.2	1.3	1.0	1.0				1.3	1.0	1.0	14
15	1.4	6.4	4.3				1.2	1.2	1.2	1.3	1.0	1.0				1.3	1.0	1.0	15
16	1.4	6.4	4.3				1.2	1.2	1.2	1.3	1.0	1.0				1.3	1.0	1.0	16
17	2.0	6.4	4.0				1.2	1.2	1.2	1.3	1.0	1.0				1.3	1.0	1.0	17
18	2.0	8.9	4.0				1.2	1.3	1.2	1.3	1.0	1.0				1.3	1.0	1.0	18
19	2.0	8.9	3.0				1.2	1.3	1.2	1.3	1.0	1.0				1.3	1.0	1.0	19
20	1.4	7.5	3.0				1.2	1.3	1.2	1.3	1.0	1.0				1.3	1.0	1.0	20
21	1.4	7.5	3.0				1.2	1.3	1.2	1.3	1.0	1.0				1.3	1.0	1.0	21
22	1.4	7.0	1.5				1.2	1.3	1.2	1.3	1.0	1.0				1.3	1.0	1.0	22
23	1.4	7.0	1.5				1.2	1.5	1.2	1.3	1.0	1.0				1.3	1.0	1.0	23
24	-0-	7.0	1.0				1.2	1.5	1.2	1.3	1.0	1.0				1.3	1.0	1.0	24
25		7.0	1.0				1.2	1.5	1.2	1.3	1.0	1.0				1.3	1.0	1.0	25
26		7.0	-0-				1.2	1.5	1.2	1.3	1.0	1.0				1.3	1.0	1.0	26
27	4.0	6.4					1.2	1.5	1.2	1.3	1.0	1.0				1.3	1.0	1.0	27
28	4.0	6.4					1.2	1.5	1.2	1.3	1.0	1.0				1.3	1.0	1.0	28
29	4.9	6.0					1.3	1.5	1.3	1.3	1.0	1.0				1.3	1.0	1.0	29
30	4.9	6.0					1.3	1.5	1.3	1.3	1.0	1.0				1.3	1.0	1.0	30
31		6.0						1.5		1.0	1.0					1.0	1.0		31
T	35.0	198.9	117.0				21.8	41.1	29.7	38.8	31.0	30.0							T

TOTAL CFS 350.9 TOTAL CFS 202.4

11/10/81

WATER DISTRICT 37 & 37-M

=====							
CANAL NAME	MIZER			CANAL NUMBER	20	YEAR	1988
=====							
OWNER	BUCKHORN.COOK,BLECHMANN			PAGE	1	USER	SAME
=====							
DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
=====							
1			8.00	2.10			1
2			8.00	2.10			2
3			8.00	2.10			3
4			8.00	2.10			4
5			8.00	OFF			5
6			OFF				6
7							7
8			4.80				8
9			4.80				9
10			5.20				10
11			5.20				11
12			5.20				12
13			4.80				13
14			4.80				14
15			5.20				15
16		6.70	5.20				16
17		6.70	6.70				17
18		6.70	6.70				18
19		6.70	6.70				19
20		6.00	6.00				20
21		6.00	6.00				21
22		6.00	6.00				22
23		9.50	6.00				23
24		9.50	5.20				24
25		9.50	5.20				25
26		9.50	5.20				26
27		10.50	3.00				27
28		10.50	3.00				28
29		10.50	3.00				29
30		8.50	3.00				30
31		8.50					31
=====							
TOTAL	0.00	131.30	156.90	8.40	0.00	0.00	

YEARLY C.F.S. 296.60

YEARLY ACRE FEET 588.28

TOTAL NUMBER OF DAYS 50

(This report must be made in Triplicate and forwarded to the Department of Water Administration,
Boise, Idaho, for Approval.)

WATERMASTER'S REPORT

From January 1, 1980 To December 31, 1980

Water District No. 37

Name of Watermaster Reid J Newby

P.O. Address Box N Shoshone, Idaho 83352

AFFIDAVIT OF WATERMASTER

STATE OF IDAHO,
Blaine, Lincoln
& Gooding } ss.
COUNTY OF _____

Reid J Newby, being first duly sworn, deposes and says
that he is ~~(Deputy)~~ Watermaster on ~~Big Wood River Creek~~ in District 37, having been
lawfully appointed by the Director Department of Water Administration C. Stephen Allred
that the volumes of water, as stated in this report, prorated by him to the several users, are correct;
was spent.
that the sum of \$38,864.72 ~~is due as stated and that the same is justly due and unpaid~~

Reid J Newby
~~(Deputy)~~ Watermaster District No. 37

Subscribed and sworn to before me, this 23 day of December, 1980

Anthony Lila
Notary Public.

(SEAL)

My Commission expires 2-1-83

Boise, Idaho, Jan 12, 1981

I HEREBY CERTIFY, That Reid J Newby
was lawfully appointed by me (Deputy) Watermaster of District No. 37, and that his bill
for services rendered prorated to the several users, as herein sworn to, is, to the best of my knowledge
and belief, correct.

By C. Stephen Allred
Gary Lundberg

APR 12 1981

1980 COST REPORTS

RCPT NO	CANAL NO	W.D. PRIOR #	STATE ID NO	OWNERS NAME	24/HR CFS	1980 COST OR BUDGET	1980 BUDGET	DEBIT	CREDIT	BALANCE DUE
17		36-A	37-0539	Rupert House	-0-	-0-	8.86		8.86	
17		36-A1	37-0539	Robert Brenner	-0-	-0-	57.56		57.56	
18		68-A1	37-0387	Thomas C. Glaccum	21.6	3.41	4.96		1.55	
18		68-A	37-0387	James Sheridan	145.3	22.93	34.89		11.96	
18		68-A2	37-0387	Patrick Madden	1.7	27	-0-	27		
18		68-A3	37-0387	Catherine Madden	3.4	54	-0-	54		
19		35-E10	37-0120	Walter Schodde	634.4	100.12	108.04		7.92	
19		35-F	37-0260	Steve McQueen	294.4	46.46	72.62		26.16	
20		19-C6	37-0577-0494-0499	Buckhorn Inv. Co	450.2	71.05	78.64		7.59	
20		29-A	37-0496	Josephine Price	3.7	58	64		.06	
20		29-A1	37-0496-0497	Starweather Partner	416.0	65.65	76.23		10.58	
21		19-K1	37-0577	Kenneth Moore	257.6	40.65	32.94	7.71		
22		4-A	37-0657-0577-0659	Garv Hibbard	1206.8	190.45	168.26	22.19		
22		19-C2B	37-0577	Tom Richmond	3.7	58	35	23		
22		19-C2B	37-0577	L. Smith	3.7	58	35	23		
22		19-B	37-0028-0297	K.R. Buttram	758.2	119.66	76.51	43.15		
22		19-C4	37-0577	David L. Cropper	87.2	13.76	14.17		41	
22		19-D	37-0024-0577-0004	John Drexler	552.8	87.24	100.96		13.72	
22		19-F1	37-0004	Micheal McGraw	14.8	2.34	2.66		32	

1981

Name	Cts Volume Used	Share of Cost	Adopted Budget	Debit	Credit
WAYNE GANN	447.20	67.95	76.15	.00	8.21
KENNETH MOORE	259.40	39.42	47.23	.00	7.81
GARY HIBBARD	1238.70	186.71	221.51	.00	34.80
TOM RICHMOND	2.50	10.00	10.00	.00	.00
L. SMITH	2.50	10.00	10.00	.00	.00
K.R. BUTTRAM	759.40	115.39	138.75	.00	23.37
DAVID L. CROPPER	114.90	17.45	15.56	1.90	.00
JOHN DREXLER	723.80	109.99	100.69	9.30	.00
MICHAEL MCGRAW	19.00	10.00	10.00	.00	.00
FACESETTER DEVLOP.	346.20	52.61	48.51	4.10	.00
BUCKHORN INV. CO.	153.70	23.36	21.42	1.94	.00
ROSTAN INC.	203.30	30.89	28.38	2.51	.00
CHARLES CURTIS	19.00	10.00	10.00	.00	.00
QUIGLEY LAND CO.	183.40	27.87	25.63	2.24	.00
MARTIN YOUNG	386.70	58.75	54.19	4.57	.00
JAMES GORMAN	12.40	10.00	10.00	.00	.00
QUIGLEY CANYON CO.	275.20	41.82	54.01	.00	12.19
MAXINE FOX	51.20	10.00	10.00	.00	.00
STATE OF IDAHO	336.30	51.10	68.65	.00	17.55
SPRENGER GRUBB ASSOC	885.80	134.60	166.59	.00	31.99
JIM SAYARIA	63.60	10.00	10.00	.00	.00
ANTONE BODNER	93.40	14.19	12.81	1.38	.00
JAMES STEWART	38.00	10.00	10.00	.00	.00
MARY MIZER & D. MIZER	12.40	10.00	10.00	.00	.00
CITY OF HAILEY	363.60	55.25	51.26	3.99	.00
S.F. ECCLES	535.40	81.36	124.49	.00	43.13
NORTHRIDGE PROP.	948.60	144.14	144.62	.00	.48
ROBERT LOGAN	10.00	10.00	10.00	.00	.00
J.R. SIMFLOT	126.40	19.21	27.46	.00	8.25
HIAMATHA CANAL CO.	344.20	52.36	51.26	1.10	.00
TOM SHANKLIN	22.60	10.00	10.00	.00	.00
ROBERT SWANER	22.20	10.00	10.00	.00	.00
				.00	4.83

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NAME	VOLUME	YEAR EXPENSE	YEAR BUDGET	DEBIT	CREDIT
GLEN-DALE RANCHES	178.20	33.92	64.43	.00	30.51
GIMLET PROPERTIES	873.00	166.17	143.85	22.32	.00
HARRY S. RINKER	4.60	10.00	10.00	.00	.00
WOOD RIVER PROP. INC	209.50	39.88	167.41	.00	127.53
ROBERT SMITH	13.90	10.00	10.00	.00	.00
RICHARD BERTEA	4.20	10.00	10.00	.00	.00
FRED BLECHMAN	347.20	66.09	78.25	.00	12.16
DON ATKINSON	22.40	10.00	10.00	.00	.00
RUPERT HOUSE	56.40	10.74	10.00	.74	.00
TOM PEIZER	.00	10.00	31.69	.00	21.69
THOMAS C. GLACCUM	.00	10.00	10.00	.00	.00
L.M. SHERIDAN CO.	.00	10.00	10.00	.00	.00
WALTER SCHODDE	598.00	113.83	50.18	63.65	.00
MRS STEVE MCQUEEN	966.00	183.87	30.75	153.12	.00
BUCKHORN INV. CO.	.00	10.00	90.93	.00	80.93
ELIZABETH COOK	.00	10.00	10.00	.00	.00
WAYNE GANN	.00	10.00	83.86	.00	73.86
KENNETH MOORE	184.00	35.02	48.64	.00	13.62
GARY HIBBARD	1038.80	197.73	230.41	.00	32.68
TOM RICHMOND	1.30	10.00	10.00	.00	.00
L. SMITH	1.30	10.00	10.00	.00	.00
K.R. BUTTRAM	598.60	113.94	142.41	.00	28.47
DAVID L. CROPPER	77.00	14.66	21.55	.00	6.89
JOHN DREXLER	472.80	89.99	135.73	.00	45.74

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NAME	VOLUME	YEAR EXPENSE	YEAR BUDGET	DEBIT	CREDIT
THOMAS C. GLACCUM 25	.00	10.00	10.00	.00	.00
DAVID SHERIDAN 26	.00	10.00	10.00	.00	.00
WALTER SCHODDE 27	419.20	76.67	116.05	.00	39.38
MRS. STEVE MCQUEEN 28	163.20	29.85	71.43	.00	41.58
BUCKHORN INV. CO. 29	331.60	60.65	84.91	.00	24.26
ELIZABETH COOK 30	28.20	10.00	10.00	.00	.00
WAYNE GANN 31	311.00	56.88	10.00	46.88	.00
KENNETH MOORE 32	189.20	34.60	40.76	.00	6.16
GARY HIBBARD 33	1334.10	244.00	243.20	.80	.00
TOM RICHMOND 34	2.20	10.00	10.00	.00	.00
LENIER SMITH 35	2.20	10.00	10.00	.00	.00
K.R. BUTTRAM 36	207.90	38.02	145.55	.00	107.53
DAVID L. CROPPER 37	108.70	19.88	18.36	1.52	.00
JOHN DREXLER 38	688.60	125.94	116.30	9.64	.00
MICHAEL MCGRAW 39	.00	10.00	10.00	.00	.00
PACESETTER HOMES 40	329.00	60.17	55.62	4.55	.00
BUCKHORN INV. CO. 41	145.20	26.56	24.49	2.07	.00
STANLEY K. LEVISON 42	193.30	35.35	32.65	2.70	.00
JANET LEE 43	18.20	10.00	10.00	.00	.00
QUIGLEY LAND CO. 44	174.30	31.88	29.39	2.49	.00
JAMES GORMAN 45	12.40	10.00	10.00	.00	.00
QUIGLEY CANYON CO. 46	385.10	70.43	65.01	5.42	.00
MAXINE FOX 47	48.10	10.00	10.00	.00	.00
STATE OF IDAHO 48	481.40	88.05	81.74	6.31	.00

REC#	NAME	CFS	USED	COST	BUDGET	DEBIT	CREDIT
1	WALTER CANDY	14.10	20.00	20.00	0.00		
2	IVAN GUSTAFSEN	2.30	20.00	20.00	0.00		
3	RIVER ROCK LTD	505.20	98.77	53.36	45.41		
4	DON ANDERSON	18.40	20.00	20.00	0.00		
5	SUN VALLEY INC	2532.20	495.05	409.82	85.23		
6	IDA PARK FOUNDATION	297.00	58.06	50.14	7.92		
7	WEYYAKIN PARTNERS	427.40	83.56	75.20	8.36		
8	PATRICK SIMPSON	347.20	67.88	67.58	0.30		
9	JOHN MCDONALD	5.70	20.00	0.00	20.00		
10	ROBERT BLOOMFIELD	5.80	20.00	0.00	20.00		
11	RICHARD LINDSEY	37.70	20.00	20.00	0.00		
12	GLEN-DALE RANCHES	108.40	21.19	46.67	0.00		
13	GIMLET PROPERTIES	243.80	47.66	48.11	0.00		
14	HARRY S. RINKER	5.70	20.00	20.00	0.00		
15	WOOD RIVER PROP. INC	220.10	43.03	20.00	23.03		
16	RICHARD BERTEA	16.40	20.00	20.00	0.00		
17	LEE MORTIMER	49.00	20.00	20.00	0.00		
18	FRED BLECHMAN	172.40	33.70	36.30	0.00		
19	HEATHERLAND HOMEOWNERS	144.20	28.19	32.30	0.00		
20	DON ATKINSON	9.20	20.00	20.00	0.00		
21	DEXTER HAYMOND	8.80	20.00	20.00	0.00		
22	RUPERT HOUSE	1.60	20.00	66.21	0.00		4
23	ROBERT BRENNAN	10.80	20.00	20.00	0.00		
24	WALTER SCHODDE	223.60	43.71	86.80	0.00		4
25	MRS. STEVE MCQUEEN	0.00	20.00	44.14	0.00		2
26	BUCKHORN INV. CO	265.20	51.85	68.66	0.00		1
27	ELIZABETH COOK	2.30	20.00	20.00	0.00		
28	WAYNE GANN	248.50	48.58	64.40	0.00		15
29	KENNETH MOORE	200.00	39.10	39.18	0.00		
30	GARY HIBBARD	659.40	128.91	276.22	0.00		147
31	TOM RICHMOND	1.40	20.00	20.00	0.00		
32	LENIER SMITH	1.40	20.00	20.00	0.00		
33	K.R. BUTTRAM	484.20	94.66	109.30	0.00		14
34	DAVID L. CROPPER	84.40	20.00	22.50	0.00		2
35	JOHN DREXLER	364.10	71.18	142.58	0.00		71
36	PACESETTER DEVELOPMENT	254.30	49.72	68.11	0.00		18
37	BUCKHORN INV. CO	112.30	21.95	30.07	0.00		8
38	JANET LEE	14.20	20.00	20.00	0.00		
39	QUIGLEY LAND CO	134.70	26.33	36.09	0.00		9
40	JAMES GORMAN	9.30	20.00	20.00	0.00		
41	QUIGLEY CANYON CO	194.80	38.08	79.73	0.00		41
42	MAXINE FOX	37.60	20.00	20.00	0.00		
43	STATE OF IDAHO	243.60	47.62	99.68	0.00		52
44	JIM SAVARIA	46.90	20.00	20.00	0.00		

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WATER DISTRICT 37 COST REPORT FOR YEAR 1986

REC#	NAME	CFS USED	COST	BUDGET	DEBIT	CREDIT
1	WALTER CANDY	25.60	20.00	20.00	0.00	0.00
2	IVAN GUSTAFSEN	4.90	20.00	20.00	0.00	0.00
3	RIVER ROCK LTD	481.50	86.07	96.20	0.00	10.13
4	DAN OLMSTEAD	71.00	20.00	0.00	20.00	0.00
5	DON ANDERSON	31.20	20.00	20.00	0.00	0.00
6	SUN VALLEY INC	2778.60	496.67	541.11	0.00	44.44
7	IDA PARK FOUNDATION	384.00	68.64	63.47	5.17	0.00
8	WEYYAKIN PARTNERS	552.60	98.77	91.33	7.44	0.00
9	PATRICK SIMPSON	327.00	58.45	74.20	0.00	15.75
10	JOHN McDONALD	35.30	20.00	20.00	0.00	0.00
11	ROBERT BLOOMFIELD	34.10	20.00	20.00	0.00	0.00
12	RICHARD LINDSEY	61.50	20.00	20.00	0.00	0.00
13	GLEN B GOULD FAMILY	0.00	20.00	29.49	0.00	9.49
14	GIMLET PROPERTIES	205.30	36.70	73.47	0.00	36.77
15	HARRY S. RINKER	59.30	20.00	20.00	0.00	0.00
16	WOOD RIVER PROP. INC	189.50	33.87	47.03	0.00	13.16
17	RICHARD BERTEA	130.20	23.27	20.00	3.27	0.00
18	LEE MORTIMER	18.60	20.00	20.00	0.00	0.00
19	FRED BLECHMAN	15.00	20.00	36.84	0.00	16.84
20	HEATHERLAND HOMEOWNERS	531.80	95.06	30.81	64.25	0.00
21	DON ATKINSON	6.40	20.00	20.00	0.00	0.00
22	DEXTER HAYMOND	0.00	20.00	20.00	0.00	0.00
23	RUPERT HOUSE	51.60	20.00	29.91	0.00	9.91
24	ROBERT BRENNAN	0.00	20.00	20.00	0.00	0.00
26	WALTER SCHODDE	618.80	110.61	47.79	62.82	0.00
25	EDWARD R DALE	84.00	20.00	0.00	20.00	0.00
27	BUCKHORN INV. CO	144.20	25.77	56.68	0.00	30.91
28	ELIZABETH COOK	1.10	20.00	20.00	0.00	0.00
29	GANN INV. ATT: TOM LEONE	132.00	23.59	53.10	0.00	29.51
30	KENNETH MOORE	188.30	33.66	42.73	0.00	9.07
31	GARY HIBBARD	926.00	165.52	149.59	15.93	0.00
32	TOM RICHMOND	2.40	20.00	20.00	0.00	0.00
33	LENIER SMITH	2.40	20.00	20.00	0.00	0.00
34	K.R. BUTTRAM	638.70	114.16	103.48	10.68	0.00
35	DAVID L. CROPPER	98.40	20.00	20.00	0.00	0.00
36	JOHN DREXLER	630.80	112.75	67.46	45.29	0.00
37	PACESETTER DEVELOPMENT	301.30	53.86	54.34	0.00	0.48
38	BUCKHORN INV. CO	133.20	23.81	24.00	0.00	0.19
39	JANET LEE	16.50	20.00	20.00	0.00	0.00
40	QUIGLEY LAND CO	159.50	28.51	28.79	0.00	0.28
41	JAMES GORMAN	11.00	20.00	20.00	0.00	0.00
42	QUIGLEY CANYON CO	267.10	47.74	63.00	0.00	15.26
43	MAXINE FOX	44.60	20.00	20.00	0.00	0.00
44	STATE OF IDAHO	329.40	58.88	73.42	0.00	14.54

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C#	NAME	CFS USED	COST	BUDGET	DEBIT	CREDIT
1	WALTER CANDY	12.50	20.00	20.00	0.00	0.00
2	IVAN GUSTAFSEN	2.70	20.00	20.00	0.00	0.00
3	SEABOARD IDAHO INC	757.70	150.34	93.93	56.41	0.00
4	DAN OLMSTEAD	277.70	55.10	20.00	35.10	0.00
5	DON ANDERSON	32.40	20.00	20.00	0.00	0.00
6	SUN VALLEY INC	3965.50	786.83	542.04	244.79	0.00
7	IDA PARK FOUNDATION	328.10	65.10	74.91	0.00	9.81
8	WEYYAKIN PARTNERS	478.50	94.94	107.80	0.00	12.86
9	PATRICK SIMPSON	885.20	175.64	63.80	111.84	0.00
10	ROBERT SHERWOOD	53.00	20.00	21.46	0.00	1.46
11	JOHN McDONALD	12.90	20.00	20.00	0.00	0.00
12	ROBERT BLOOMFIELD	10.30	20.00	20.00	0.00	0.00
13	RICHARD LINDSEY	85.30	20.00	20.00	24.32	0.00
14	GLEN B GOULD FAMILY	156.00	30.95	20.00	10.95	0.00
15	GIMLET PROPERTIES	204.60	40.60	40.04	0.56	0.00
16	HARRY RINKER	269.90	53.55	20.00	33.55	0.00
17	WOOD RIVER PROPERTIES	160.50	31.85	36.97	0.00	5.12
18	JOSEPH CIRILLO	57.90	20.00	20.00	10.08	0.00
19	BARBARA MCQUEEN	377.60	74.92	20.00	54.92	0.00
20	RICHARD BERTEA	63.30	20.00	25.40	0.00	5.40
21	LEE MORTIMER	18.30	20.00	20.00	0.00	0.00
22	FREDERICK BLECHMANN	36.10	20.00	20.00	0.00	0.00
23	HEARTHERLAND HOMEOWNER	205.80	40.83	103.74	0.00	62.91
24	DON ATKINSON	7.00	20.00	20.00	0.00	0.00
25	RUPERT HOUSE	6.40	20.00	20.00	0.00	0.00
26	EDWARD R DALE	170.20	33.77	20.00	13.77	0.00
27	WALTER SCHODDE	613.60	121.75	120.71	1.04	0.00
28	BUCKHORN INVESTMENT	312.40	61.99	34.18	27.81	0.00
29	ELIZABETH COOK	2.40	20.00	20.00	0.00	0.00
30	GANN INV ATT:T LEONE	0.00	20.00	36.09	0.00	16.09
31	KENNETH MOORE	202.40	40.16	36.73	3.43	0.00
32	GARY HIBBARD	1234.10	244.87	180.64	64.23	0.00
33	TOM RICHMOND	3.20	20.00	20.00	0.00	0.00
34	LENIER SMITH	0.00	20.00	20.00	0.00	0.00
35	K R BUTTRAM	727.80	144.41	124.60	19.81	0.00
36	DAVID CROPPER	107.60	21.35	20.00	1.35	0.00
37	JOHN DREXLER	681.20	135.16	123.06	12.10	0.00
38	PACESETTER HOMES	0.00	20.00	58.78	0.00	38.78
39	BUCKHORN INVESTMENTS	143.40	28.45	25.99	2.46	0.00
40	JANET LEE	0.00	20.00	20.00	0.00	0.00
41	QUIGLEY LAND CO	172.40	34.21	31.11	3.10	0.00
42	JAMES GORMAN	12.00	20.00	20.00	0.00	0.00
43	QUIGLEY CANYON CO	0.00	20.00	52.10	0.00	32.10
44	MAXINE FOX	0.00	20.00	20.00	0.00	0.00

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WATER DISTRICT 37 COST REPORT FOR YEAR 1988

REC#	NAME	CFS USED	COST	BUDGET	DEBIT	CREDIT
=====	=====	=====	=====	=====	=====	=====
1	WALTER CANDY	9.10	20.00	20.00	0.00	0.00
2	IVAN GUSTAFSEN	1.50	20.00	20.00	0.00	0.00
3	SEABOARD IDAHO INC	784.90	272.46	175.57	96.89	0.00
4	JOHN E MCCAW	18.80	20.00	64.34	35.10	44.34
5	DON ANDERSON	25.40	20.00	20.00	0.00	0.00
6	SUN VALLEY INC	3986.40	1383.78	918.81	464.97	0.00
7	IDA PARK FOUNDATION	312.00	108.30	76.02	32.28	0.00
8	WEYYAKIN PARTNERS	455.00	157.94	110.87	47.07	0.00
9	PATRICK SIMPSON	404.00	140.24	205.10	0.00	64.86
10	ROBERT SHERWOOD	53.00	20.00	20.00	0.00	0.00
11	JOHN McDONALD	20.00	20.00	20.00	0.00	0.00
12	ROBERT BLOOMFIELD	24.30	20.00	20.00	0.00	0.00
13	RICHARD LINDSEY	130.00	45.13	20.00	25.13	0.00
14	GLEN B GOULD FAMILY	221.00	76.71	36.14	40.57	0.00
15	GIMLET PROPERTIES	168.00	58.32	47.40	10.92	0.00
16	HARRY RINKER	153.90	53.42	62.53	0.00	9.11
17	WOOD RIVER PROPERTIES	206.10	71.54	37.19	34.35	0.00
18	JOSEPH CIRILLO	71.60	24.85	20.00	4.85	0.00
19	BARBARA MCQUEEN	67.20	23.33	87.50	0.00	64.17
20	RICHARD BERTEA	32.80	20.00	20.00	0.00	0.00
21	GROVE CREEK ASSOCIATIO	45.00	20.00	20.00	0.00	0.00
22	FREDERICK BLECHMANN	30.50	20.00	20.00	0.00	0.00
23	HEATHERLAND HOMEOWNER	120.50	41.83	63.90	0.00	22.07
24	DON ATKINSON	2.50	20.00	20.00	0.00	0.00
25	RUPERT HOUSE	34.40	20.00	20.00	0.00	0.00
26	EDWARD R DALE	19.00	20.00	39.43	13.77	19.43
27	WALTER SCHODDE	556.40	193.14	142.18	50.96	0.00
28	BUCKHORN INVESTMENT	135.90	47.17	72.39	0.00	25.22
29	ELIZABETH COOK	10.00	20.00	20.00	0.00	0.00
30	ROBERT BRENNAN	130.20	45.20	20.00	25.20	0.00
31	KENNETH MOORE	32.90	20.00	46.90	3.43	26.90
32	GARY HIBBARD	1003.90	348.48	285.94	62.54	0.00
33	TOM RICHMOND	11.00	20.00	20.00	0.00	0.00
34	LENIER SMITH	3.00	20.00	20.00	0.00	0.00
35	K R BUTTRAM	478.10	165.96	168.63	0.00	2.67
36	DAVID CROPPER	86.10	29.89	24.93	4.96	0.00
37	JOHN DREXLER EST	162.40	56.37	157.83	0.00	101.46
38	PACESETTER	0.00	20.00	20.00	0.00	0.00
39	BUCKHORN INVESTMENTS	115.20	39.99	33.22	6.77	0.00
40	JANET LEE	10.00	20.00	20.00	0.00	0.00
41	QUIGLEY LAND CO	138.30	48.01	39.94	8.07	0.00
42	JAMES GORMAN	10.00	20.00	20.00	0.00	0.00
43	QUIGLEY CANYON CO	0.00	20.00	20.00	0.00	0.00
44	MAXINE FOX	0.00	20.00	20.00	0.00	0.00

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WATER DISTRICT 37 COST REPORT FOR YEAR 1990

P.	R	NAME	CFS USED	COST	BUDGET	DEBIT	CREDIT
		=====	=====	=====	=====	=====	=====
		MIKE MCCANN	2.90	20.00	20.00	0.00	0.00
		SEABOARD IDAHO INC	661.20	241.55	230.42	11.13	0.00
		JOHN E MCCAW	117.60	42.96	37.17	5.79	0.00
		DON ANDERSON	25.40	20.00	20.00	0.00	0.00
		SUN VALLEY INC	3380.70	1235.03	1047.11	187.92	0.00
		IDA PARK FOUNDATION	393.40	143.72	164.89	0.00	21.17
		WEYAKIN PARTNERS	573.10	209.36	239.71	0.00	30.35
		PATRICK SIMPSON	272.90	99.70	68.89	30.81	0.00
		CASCEA ASSOCIATES	212.60	77.67	0.00	77.67	0.00
		ROBERT SHERWOOD	16.70	20.00	25.83	0.00	5.83
		JOHN McDONALD	10.00	20.00	20.00	0.00	0.00
		ROBERT BLOOMFIELD	20.00	20.00	20.00	0.00	0.00
		THE MEADOWS	10.00	20.00	40.88	0.00	20.88
		GLEN B GOULD FAMILY	0.00	20.00	74.83	0.00	54.83
		GIMLET PROPERTIES	178.00	65.03	35.40	29.63	0.00
		HARRY RINKER	79.40	29.01	77.81	0.00	48.80
		WOOD RIVER PROPERTIES	73.60	26.89	65.41	0.00	38.52
		BRUCE R MCCAW	4.20	20.00	23.37	0.00	3.37
		BARBARA MCQUEEN	0.00	20.00	88.78	0.00	68.78
		RICHARD BERTEA	37.60	20.00	50.40	0.00	30.40
		GROVE CREEK ASSOCIATIO	3.90	20.00	20.00	0.00	0.00
		FREDERICK BLECHMANN	56.30	20.57	63.53	0.00	42.96
		HEATHERLAND HOMEOWNER	178.20	65.10	47.70	17.40	0.00
		RUPERT HOUSE	20.80	20.00	20.00	0.00	0.00
		EDWARD R DALE	50.60	20.00	20.00	0.00	0.00
		WALTER SCHODDE	598.00	218.46	210.30	8.16	0.00
		DAVID SHERIDAN	261.40	95.49	28.41	67.08	0.00
		COUNTRY CLUB XTINKER	154.90	56.59	89.08	0.00	32.49
		CODY WALDEN	15.50	20.00	0.00	20.00	0.00
		THOMAS N FUELLING	15.50	20.00	0.00	20.00	0.00
		ELIZABETH COOK	3.80	20.00	20.00	0.00	0.00
		ROBERT BRENNAN	224.70	82.09	28.04	54.05	0.00
		FERN MACKENZIE	72.70	26.56	20.00	6.56	0.00
		GARY HIBBARD	790.30	288.71	336.21	0.00	47.50
		TOM RICHMOND	2.60	20.00	20.00	0.00	0.00
		JIM KOONCE	21.00	20.00	0.00	20.00	0.00
		JOHN BAZOVSKY	10.80	20.00	0.00	20.00	0.00
		RONALD WILCOX	219.70	80.26	0.00	80.26	0.00
		THOMAS M HANSON	23.60	20.00	0.00	20.00	0.00
		PACESTETTER HOMES INC	339.60	124.06	0.00	124.06	0.00
		NICHOLAS MARICICH	10.80	20.00	0.00	20.00	0.00
		HILTON MCCABE	11.30	20.00	0.00	20.00	0.00
		WOOD RIVER ASSOCIATES	404.60	147.81	0.00	147.81	0.00
		ROBERT W. FULLEN	2.60	20.00	20.00	0.00	0.00

[illegible]

Watermaster's Report

From _____, 19____
To _____, 19____
— OF —

_____ County, Idaho,

Dated _____, 19____

STATE OF IDAHO, } ss.
COUNTY OF _____

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

this _____ day of _____,
A.D. 19____.

Ex-Officio Recorder.

By _____ Deputy.

STATE OF IDAHO, } ss.
COUNTY OF _____
We, the Board of County Commissioners of _____ County,
State of Idaho, have examined and approved the bill of \$ _____, payable to
_____, Watermaster for District No. _____, for
services rendered during 19____, and have ordered a warrant drawn in favor of said Water-
master, payable out of the funds of said Water District on deposit with the County Treasurer.
ATTEST:

Chairman of Board.

Clerk.



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

November 1, 1990

James P. Speck
P.O. Box 987
Ketchum, ID 83340

RE: Transfer Application No. 3742/RT. NO.S 37-0577, 37-0494, 37-0495 & 37-0833K

Dear Mr. Speck:

The above transfer application has been forwarded to the state office for final review and processing. Gary Spackman and I have reviewed the transfer and have developed several questions or concerns. This letter addresses those concerns and asks you to provide a response and some additional information.

1) Historical use of rights and place of use:

a) Your transfer application appears to represent that the four rights above have historically been commingled and used for irrigating 173 acres in sections 21 and 28 of T3N, R18E. You then propose to change the place of use under these rights to cover 162.7 acres, and change the nature of use for irrigation of 12.25 acres to 12.25 acres of ponds. Subtracting 12.25 acres from the original 173 acres leaves a balance of 160.75 acres, not 162.7 acres. The number of acres to be irrigated after the change therefore appears to be overstated by 2 acres.

b) I have reviewed correspondence in this transfer file and found that Doug Jones of our Twin Falls office had inspected a black and white air photo from 1974 and determined that a total of 160 acres had been irrigated within the subject property in sections 21 and 28. My review of the same photo confirms irrigation at that time of 155 to 160 acres. The 1966 field exam for supplemental groundwater right no. 37-2623 confirms irrigation of 156 acres within the ranch boundaries. Upon review of a 1984 infrared aerial photo on file at the state SCS office, I found only about 127 acres of irrigated land within the larger 173 acre ranch unit. The department's 1986 remote sensing report shows that only 21 acres of land were classified as irrigated in that year. Based on the more recent data, our concern is that we do not allow a transfer which represents an enlargement of the rights, or grants more irrigable acreage than what has been irrigated over the past five consecutive years.

Since the 1984 and 1986 data is the most recent data we have available, we ask that you contact your local ASCS office and

APR 12 1991

obtain aerial photos, slides or crop reports which will confirm the maximum amount of irrigable acreage within the past five years.

c) There is some question also as to the actual number of acres irrigated with the surface water rights prior to the issuance of the supplemental groundwater right. Review of a 1964 deposition by Mrs. Stella Mizer, who held the groundwater permit at that time, reveals that this groundwater right included some acreage that was newly cultivated. The groundwater permit, according to Mizer's deposition, was not supplemental to all of the 156 acres that were ultimately licensed. Based on Mizers description of the newly cultivated lands, and comparison with the licensed groundwater right, I have concluded that the 21 acres in the SWSW of sec. 21, and the 10 acres in the SENW licensed under the groundwater right may not have been irrigated with the surface water rights prior to the use of the groundwater well.

d) Another historical use question concerns right no. 37-0833K. As you noted in your addendum, transfer no. 2591 produced this right and transferred the place of use to lands in section 20. You claim that transfer no. 2591 was never accomplished, but instead the right was used on the other lands in sections 21 and 28. If this right was used on the other lands, why was an adjudication claim filed for 37-0833K showing the place of use in section 20, rather than in sections 21 and 28. When and with whom did Mr. Blechman make the informal transfer from section 20 to sections 21 and 28, and when was right 37-0833K first used for irrigating lands within section 21 and 28?

e) There are also several questions pertaining to both portions of right no. 37-0577. Your addendum states that there are not any recorded transfers for these portions of the original right. The departments records show two portions of 37-0577, resulting in rights 37-0577T and 37-0577V, were transferred to the Mizer ranch in sections 21 and 28. Specifically, 1.0 cfs (50 miners inches) each were transferred by Jacob and Sarah Mizer by separate transfers, T-456 and T-487, to the Mizer Ditch (Canal #20) for irrigation of lands within the SWSW of section 21, the W1/2NW1/4, and NWSW of section 28. The transfers were made in 1929 and 1930 respectively. Records of the District 37 water master show that only 1.69 cfs (84.3 inches) of right 37-0577 were ever delivered through the Mizer Ditch (this includes delivery records from 1932 through 1990). There are no records that rights 37-0577T and 37-0577V were ever transferred again or made appurtenant to lands other than those listed in the original transfers. If you claim that these rights have been used on additional lands not covered by the transfer, then such use may be viewed as an expansion.

In regard to the 1.20 cfs portion of 37-0577 identified in your transfer, when and how was this right acquired by any owner of lands in sections 21 and 28? Also, how has this water been conveyed from the Hiwatha Canal to the subject properties, and to which lands has this portion been made appurtenant.

*Mizer
Transfers resulting in 37-577T & 577V - neither transfer specified # of acres to which it should be transferred @ 1.0 cfs each
APP 12 1991*

2) Change in Point of Diversion:

One of the questions raised by the Big Wood River watermaster in his review of this transfer was whether or not consent to the transfer had been given by the owners and users of the Hiawatha Canal. Although these people may have been provided notice of the transfer through the local newspaper notice, we believe that the Hiawatha users should provide some type of formal consent due to the size and nature of your transfer, and the fact that your application proposes routing return flow to the Hiawatha Canal.

In summation, our concerns and requests are as follows:

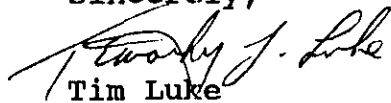
- 1) Provide confirmation of the number of acres irrigated in sections 21 and 28 over the past five consecutive years. You should also address or acknowledge the mathematical error concerning subtraction of the pond surface acreage.
- 2) Describe specifically the place of use location for the 1.69 cfs under rights 37-0577T and 37-0577V, and if possible, confirm whether or not groundwater right no 37-2623 included expansion acreage that was not formerly covered with any of the surface rights. *Transfer from some lands*
- 3) Describe how and when the 1.2 cfs portion of right 37-0577 was acquired. Confirm which lands this right is appurtenant, when this right was first used on those lands and how the water has been conveyed from the Hiawatha Canal to the lands in question. *1.2 acreage on transfer*
- 4) Confirm if and when right 37-0833K was first used on lands in sections 21 and 28. Provide any documentation concerning the informal transfer of this right between Blechman and the owners of the land, and state why the Snake River Basin Adjudication claim for this right does not list the section 21 and 28 lands as the place of use. *1.2 acreage on transfer*
- 5) Obtain some type of formal consent to the transfer, including the return flow proposal, from the owners and users of the Hiawatha Canal.

Based on what we have reviewed thus far, I wish to notify you at this time that the department may limit the surface rights to specific numbers of acres. For example, if an 1883 right is found to have been used on a specific 100 acres of land, this right can not be used to irrigate more than 100 acres at the new location.

Finally, I wish to mention that we have also reviewed transfer no. 3743 (transfer of groundwater right 37-2623) and see no immediate problems with this application. Consent from the Hiawatha Canal owners should be submitted prior to any approval of this transfer.

We are confident that you will respond to this inquiry at your earliest convenience. Please contact me at this office if you have questions concerning this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Timothy J. Luke". The signature is fluid and cursive, with the first name "Timothy" and last name "Luke" clearly distinguishable.

Tim Luke

Sr. Water Resource Spec.

cc: Region

Review of NHAP Photo @ SCS state office - Boise
Photo # 241-139 & 241-140 from Sept, 1984

- On December 11, 1990 I visited the state SCS office & re-reviewed the above NHAP photos from 1984. I had previously reviewed the photo in early October of this year and estimated that there was 127 acres irrigated within the ranch or property boundary. My notes from the October review were lost or misplaced. As a result, I re-reviewed the photo on 12-11-90.

The attached map is a 1974 orthophoto with areas outlined w/ information from my 1984 review. Area outlined in green felt pen is the from Borel or RA irrigated ranch property. Similar to the supplemental groundwater filing, I find no more than 156 irrigated acres in 1974. The '84 photo matches the '74 photo except for some non-irrigated areas in 1984.

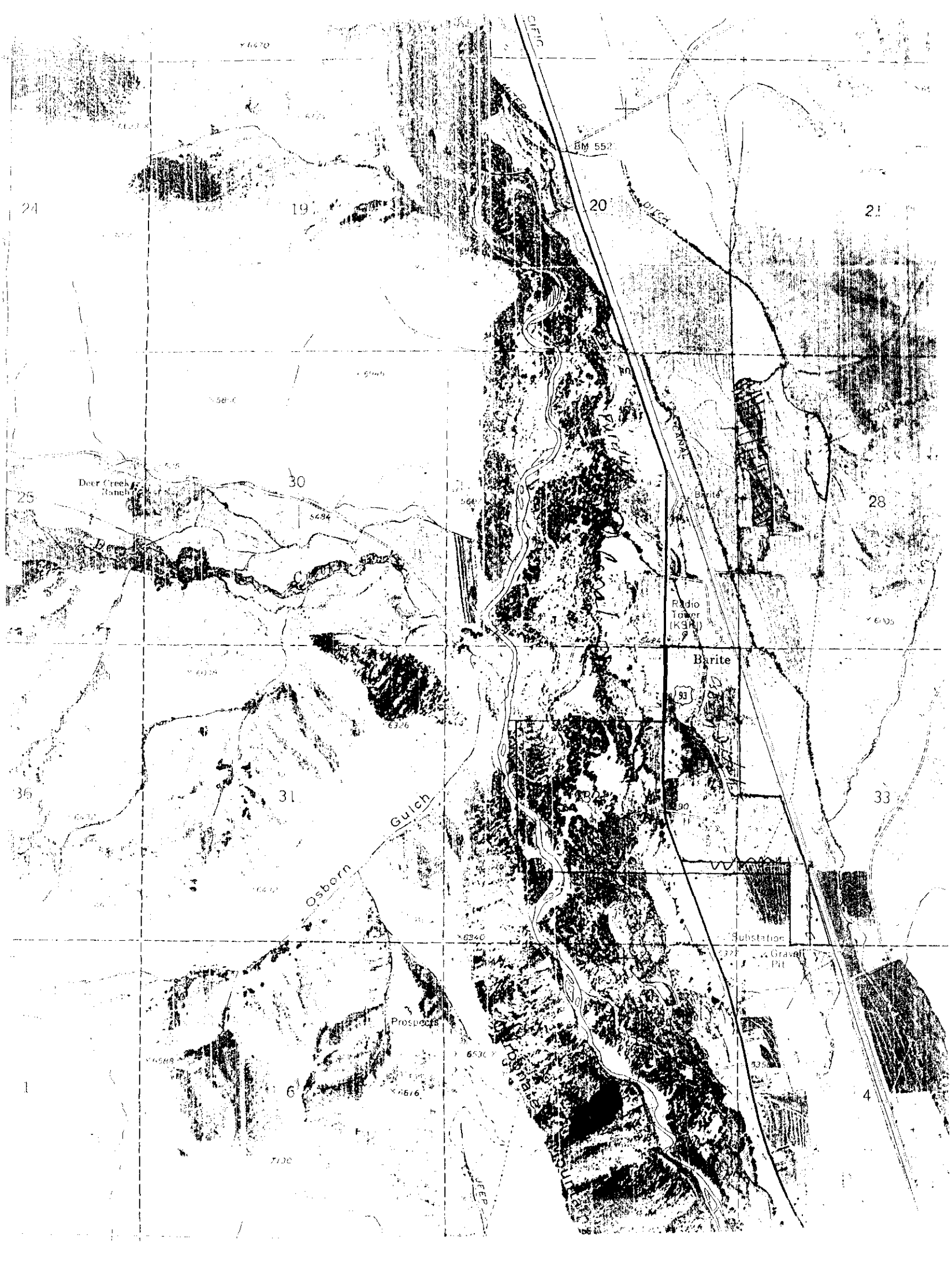
The area colored in yellow represents non-irrigated acreage in 1984. It is clear this area is not irrigated in 1984. The cross-hatched area in red - on the ^{east} ~~west~~ property boundary, has been marked because the '84 photo is somewhat inconclusive as determining whether this tract is irrigated or not. For analysis of '84 photo, I have included this tract among the irrigated acreage.

Description of the yellow, non-irrigated area is as follows:

see 28 W 1/2 NW NW : 10 acres
 W 1/2 SW NW : 14.5 acres
 NW ~~SW~~ SW : 3.5 acres
 total : 28.0 acres

APR 12 1991

Net Irrigated Acreage therefore = 156 - 28 = 128 acres



MEMORANDUM

TO: GARY

FROM: TIM LUKE

DATE: October 12, 1990

RE: TRANSFER APP. NO 3742/RT. NO.S 37-0577, 37-0494, 37-0495 & 37-0833K

=====

This transfer involves changing the place of use, points of diversion, and nature of use for portions of all of the above rights. The transfer has been made by Wood River Country Club Partners, who plans to develop a golf course and subdivision north of Hailey. The applicants have purchased or are negotiating to buy two separate ranches for the development. The transfer application represents that one of the ranches includes all of the above water rights.

In my initial review of the transfer I have developed several concerns outlined below:

1. Recorded place of use & extent of beneficial use.

- Applicants have included a portion of the W.T. Reiley right (37-0577) under this transfer but have not identified a specific place of use or number of acres under the right.

- Right no.s 37-0494 and 37-0495 were decreed to a Jacob Mizer under the Frost Decree for use on 120 acres owned by Mizer. The transfer seems to indicate that both rights were originally used on only 88 acres within the 120 acre land base owned by Mizer. The transfer further appears to indicate that these two rights were later comingled and used with rights 37-0577 and 37-0833K on 173 acres.

- Right no. 37-0833K is recorded as being appurtenant to 66 acres separate from the 173 acre land base mentioned above. The transfer application however claims that this right has historically been comingled with other rights and used on the 173 acre land base.

- There is some question as to the extent of use under these rights. As per a 1966 field exam for a supplemental groundwater right on the 173 acre land base, only 156 irrigable acres (out of 320 permitted acres) were recommended for licensing. My review of a 1974 orthophoto also confirms irrigation of about 156 acres. Upon review of a 1984 NHAP photo, I found only about 127 acres of irrigated land within the larger 173 acre land base. The department's 1986 remote sensing report shows that only 21 acres were classified as irrigated in that year.

- I spoke with Reid Newby on 10/11/90 about some of his comments in the file. Reid said he had records that he has delivered all four rights up through at least 1989.

12 1991

To summarize my concerns about recorded place of use and extent of beneficial use, I have some suspicion that the entire 173 acres have not been irrigated within the past five consecutive years. I also beleive that the applicants have not adequately shown that the four rights were ever appurtenant to the entire 173 acres. I believe the applicants should submit aerial photos dated within the past five years to confirm the amount of acreage available for transfer under the four rights.

Also, as we have already discussed, I agree with you that the applicants may need to be more definitive in describing the place of use for the rights. I would like to know in particular how the 173 acre ranch became consolidated and when and how the W.T. Reiley right and 37-0833K right were comingled with the Mizer rights. While I dont' really object to the four rights being used for the entire golf course, I do think that we should be able to better describe the extent of use of the rights, and limit the volume of water available for transfer. Perhaps we should consider using a methodology for determining amount of volume eligible for transfer similar to that used on some Boise River transfers.

2. Change in Point of Diversion.

- Reid Newby had suggested that there should be some type of consent given by the users and owners of the Hiawatha Canal. Due to the amount of water involved with this transfer, and the fact that the applicants have proposed that return flow be routed to the Hiwatha, I think it would be appropriate in this case to receive input from the Hiwatha users. I further agree with his comments numbered 2, 3 and 4. Those concerns can be adequately adressed by conditions.

- I don't understand, nor do I agree with Reid's recommendation that return flow be routed to the Big Wood River.

Please provide your thoughts about this transfer and let me know what type of follow-up you want to pursue. I can draft any necessary correspondence. I have also reviewed the groundwater transfer (T-3243). I don't see any problems with the latter transfer.

*per GAA's
Speks
Average also appears to be off by 2 or 2.5 acres
in adding acreage. Gary found that Speks needed to come up w/
2 more acres.*

RECEIVED

APR 12 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEETINITIAL REVIEW BY: DR1. Right number 37-0577-0444 Applicant Wood River Country Club Partners
-0495, -0533K2. Type of right: ☒ Decree ☒ License ☐ Claim3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Other Change nature of use

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☐ Period of useb. ☒ Description of original point of diversion.c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

-0494, -0495, -0533K
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). See, also, Attached oversize mapf. ☒ 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 See attached sheet
for commentsi. ☒ 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 ☐ NoIf yes, what district? 37

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 7/19/90 Received on 8/6/902. Is transfer published correctly? ☒ Yes ☐ No3. Protest received? ☒ Yes ☐ No Protest withdrawn 8/29/90

RECOMMENDED ACTION

1. ☒ Approve2. ☐ Deny3. Conditions* 05<37-Big Wood R.>, OLS**RECEIVED**
OCT 04 1990

Department of Water Resources

4. By [Signature] Date 10/3/90
This approval does not constitute consent of D.O.W. to withdrawal
of water under in the Gnamatha Court

* All uses

Next -
In addition to the usual
file copy, please keep a copy
of the Protest, Withdrawal, &
Letter from EWR on the protested
transfer
Thux Loren

Transfer Analysis Sheet Addendum For: ^{1/2}
Wood River Country Club Partners'
Surface Water Transfer

[37-0577(Parts), -0494, -0495, -0833K]

Comments on expansion:

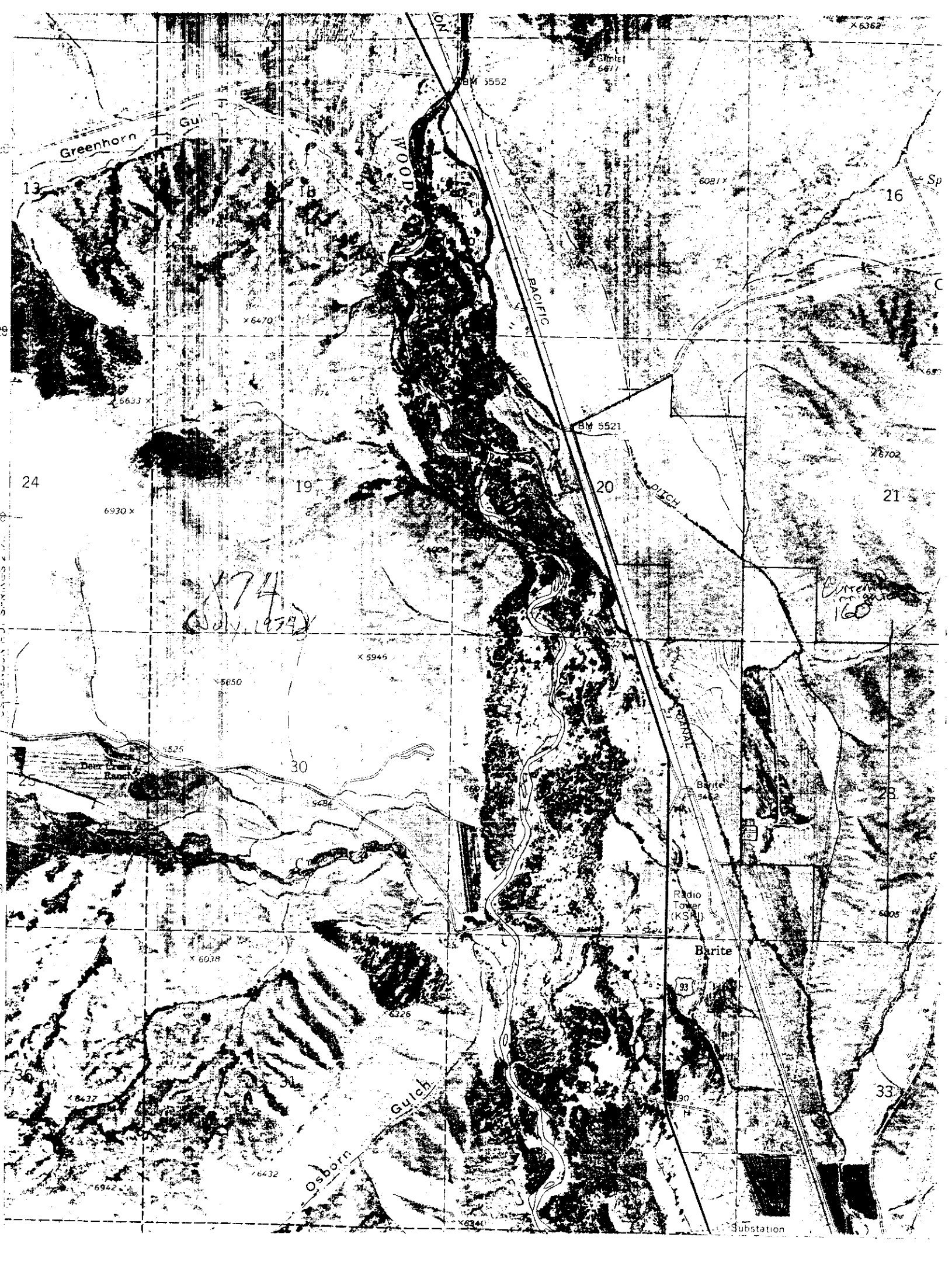
- 1) 37-0577(Parts), -0494 & -0495 had an unspecified number of acres on record. Part 2's indicate historical useage of all rights ^(combined) covering entire ranch (173 acres indicated on Part 2's)
- 2) Adjudication claims indicate 180 acres irrigated within ranch.
- 3) Orthophoto quad. analysis (based on 1974 airphoto) indicates that 160-170 acres are irrigated within ranch.
- 4) Supplemental irrigation groundwater right, was licensed for 156 acres within ranch, with priority date 10/12/59. [Transfer pending]
- 5) Transfer application filed on 4/6/90 (the original) indicated the intention to provide 241 acres of irrigation. This application was returned to Atty James Speck on 6/15 due to problems w/ change in nature of use, number of acres actually irrigated, overlap, etc.

DRJ
7/18/90

DRJ
2/18/90

Transfer Analysis Addendum, Cont' 2/2
Wood River Country Club Partners' Transfer

- 6) My opinion is that the primary water rights 37-0577 (1883) & 37-0833K (Perpetual) ~~and 37-0444 (1886)~~, total of 3.64 cfs, are ~~is~~ adequate to support the proposed use.



X 6362

BM 5552

Greenhorn Gulch

13

18

17

16

X 6470

6633 x

24

6930 x

19

BM 5521

20

21

X 6702

174
(July, 1974)

X 5945

5650

25

30

28

Deer Creek Ranch

5525

5484

5521

Barite

5452

Radio Tower (KSAH)

Barite

93

90

6005

33

X 6437

6432

Osborn Gulch

X 6340

Substation

Big Wood Canal Company

112 S. Apple P.O. Box C
Shoshone, Idaho 83352
886-2331

RECEIVED

AUG 29 1990

Department of Water Resources
Southern Region Office

August 27, 1990

R. Keith Higginson
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RE: Application #37-00577BN, 37-0494,
37-00495. 37-0833K WOOD RIVER
COUNTRY CLUB PARTNERS

Dear Sir:

After discussing the transfer of this water with Gerald Martens, Engineer for the Wood River Country Club Partners, I will withdraw my protest providing the conditions to flow meter and measuring device as outlined in attached letter Exhibit A are made a condition of the transfer.

Sincerely,



Richard M. Oneida
Manager

RMO/lma

MICROFILMED

APR 12 1991



Edwards, Howard & Martens, Inc.

ENGINEERS / PLANNERS / SURVEYORS

1139 Falls Ave. E., Suite B
Twin Falls, Idaho 83301
Phone 734-4888

August 22, 1990

IN THE FIELDS OF:

PLANNING
SURVEYING
HIGHWAYS
WATER
SEWAGE
STRUCTURAL
SUBDIVISIONS
AIRPORTS
BRIDGES

Big Wood Canal Company
112 So. Apple
Shoshone, Idaho 83352

Attn: Dick Oneida

Re: Water Right Transfer
37-00577
37-00494
37-00833K
37-00159

Dear Mr. Oneida,

Following our discussion concerning the above specified transfers and the Bigwood Canal Company concerns and subsequent protest the following information is provided:

1. The water will be diverted to the lands from the Hiawatha Canal with a pump system with the following equipment:
 - a) Flowmeter and totalizer measuring flow in gallons per minute and total gallons pumped.
 - b) Flow rate adjustment device that can be adjusted by the watermaster. Flow device will be lockable.
 - c) Plans for the pump and measuring device will be supplied to your office for approval prior to construction. No construction will be started prior to your approval.
2. Diversions from the Bigwood River into the Hiawatha Canal will be limited to irrigation needs. All other rights will be left in the Bigwood River and be available for downstream uses.

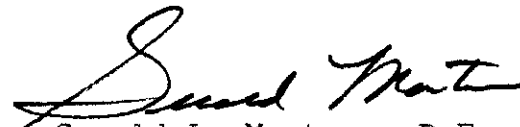
RECEIVED

APR 12 1991

It is my understanding that the above data is sufficient for you to request your protest be removed. If additional information is needed please call me as soon as possible. Completion of the transfer is necessary to finalize the funding and design of the project so that construction may begin.

Please call me if there are any further questions.

Respectfully yours,
EHM ENGINEERS, INC.


Gerald L. Martens, P.E.

GLM/jm
cc:file

APR 12 1991

Big Wood Canal Company

112 S. Apple P.O. Box C
Shoshone, Idaho 83352
886-2331

RECEIVED

AUG 06 1990

Department of Water Resources
Southern Region Office

Aug. 3, 1990

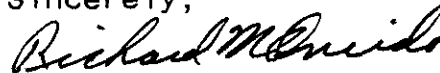
R. Keith Higginson
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RE: Application #37-00577BN, 37-0494,
37-00495, 37-0833K WOOD RIVER
COUNTRY CLUB PARTNERS

Dear Sir:

The Big Wood Canal Company would like to protest to the applications filed by Wood River Country Club Partners on grounds that this change of water right could be detrimental to the delivery of water of Big Wood Canal Company.

Sincerely,



Richard M. Oneida
Manager

RMO/lma

FILED
APR 12 1991

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 37-00577BN, 37-00494,

AUG 06 1990

37-00495, 37-00853K & 37-02623

RECOMMENDATION OF WATERMASTER

Department of Water Resources
Southern Region Office

I, Reid J. Newby, watermaster of Big Wood River,
Water District No. 37, County of Blaine, State of Idaho,
whose address is P. O. Box T, Shoshone, ID 83352
have read the attached copy of the application for transfer of water right for Wood River
Country Club Partners, 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: _____

OR

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

Dated at Shoshone, Idaho, this 1st day of August 1990.

RECEIVED
AUG 12 1991

Reid J. Newby
(signature)

Please use reverse side if needed.

August 2, 1990

- B.
1. I see no permission granted by users and owners of Hiawatha Canal to use said canal to transport these new waters.
 2. I see no provisions for installation of a permanent measuring device to measure water from the Big Wood River into the Hiawatha Canal
 3. I see no mention of a measuring device or controlling gate to divert water from the Hiawatha Canal
 4. There is no mention of the Rockwell By-Pass being maintained as required by original decree.
 5. The waters from East Fork (395 inches of 1888 decree) IS NOT part of the Upper Wood River Water Users Association water. This water right is a decreed right in the Frost vs. Alturas Water Co. decree - Part of State WR #37-0159

6. Watermaster records now show:

37-0577	60" = 1.20 cfs	Hiawatha #22
37-0577	84.5 = 1.69 cfs	Hiawatha #22
37-0494	100" = 2.00 cfs	Hiawatha #22
37-0495	140" = 2.80 cfs	Hiawatha #22
37-0832	37.5 = .75 cfs	Mizer #20 ✓

* Per telecon
w/watermaster
8-3-90

MB

7. Part A., 9. Mr. Frederick Blechmann states this water was not used on land it was made appurtenant to.

Mizer #20 * The Watermaster's office delivered this water to ~~Eraser~~ ~~to~~ diversion point from ~~East Fork~~ for use on lands shown in Transfer #2591. Big Wood R.

MB

- B. Part 3, B., 1. 0.60 cfs = 30 inches of water - needs to be explained.

Part 3, B., 2. This office feels that all of the water not used for consumptive purpose should be returned to the river for the purpose of upholding any and all younger consumptive use rights that could be kept in effect, instead of just being returned to the Hiawatha Canal.

Until these questions have been answered we recommend that this transfer be denied.

12 1991

Paul J. Hewley
Watermaster

How does it find what lands? - He doesn't. He just delivers

Did I see Mizer #20? Hiawatha if any.

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

July 23, 1990

Mr. Douglas Jones, E.I.T.
State of Idaho
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

JUL 24 1990

Department of Water Resources
Southern Region Office

Re: Wood River Country Club Partners
Amended Application for Permit No. 37-08613
Application for Transfer Nos. 37-0577VH,
37-0494, 37-0495, 37-0833K
Application for Transfer No. 37-02623

Dear Doug:

Enclosed you will find a copy of a Special Power of Attorney by the Partnership designating me as the Attorney in Fact and Agent for the Partnership for the above-referenced Applications. Thank you once again for your cooperation and assistance in this matter.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/jal
Enclosure
cc: Mr. Roy Tinker (w/encl.)

12 1991

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NOS. 37-0577BN, 37-0494, 37-00495, 37-0833K

Notice is hereby given that WOOD RIVER COUNTRY CLUB PARTNERS, c/o James P. Speck, Attorney of Ketchum, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT AS RECORDED

Water right No. 37-00577BN

Basis of right: Decreed to Wood River Land Co. in case of Albrethsen vs. Wood River Land Co. dated 6/27/1925 in Fourth District Court, Lincoln County; Many Transfers.

Source: Big Wood River tributary to Malad River

Priority Date: 3/24/1883

Amount of water: 14.678 cfs

Water use: irrigation

Point(s) of diversion: SW1/4SW1/4NW1/4, S20, T3N, R18E (Headgate #22, Hiawatha Canal); Blaine County.

Place of use: Unspecified acres within

S4,5,8,9,15,16,22,23,25,26,T2N, R18E; S28,29,33, T3N, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-00577BN

Amount of water: 1.20 cfs for Irrigation (Hiawatha part)

1.69 cfs for Irrigation (Mizer part)

Point of diversion: SW1/4SW1/4NW1/4, S20, T3N, R18E (Headgate #22, Hiawatha Canal); SE1/4NE1/4NE1/4, S18, T3N, R18E (Headgate #20, Mizer Canal); Blaine County.

Historical place of use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E.

WATER RIGHT AS RECORDED

Water right No. 37-00494

Basis of right: Decreed to Jacob Mizer in case of S.C. Frost et.al. vs. Alturas Water Co. et. ux. dated 12/13/1909 in Lincoln County.

Source: Big Wood River tributary to Malad River

Priority Date: 5/1/1886

Amount of water: 2.0 cfs

Water use: irrigation

Point(s) of diversion: SE1/4NE1/4NE1/4, S18, T3N, R18E (Mizer Headgate #20); Blaine County.

Decreed Place of use: 88 acres within W1/2NW1/4, NE1/4SW1/4, S28, T3N, R18E.

Historical Place of use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E.

WATER RIGHT AS RECORDED

Water right No. 37-00495

APR 12 1991

Basis of right: Decreed to Jacob Mizer in case of S.C. Frost et.al. vs. Alturas Water Company, et ux. dated 12/13/1909 in Lincoln County.

Source: Big Wood River tributary to Malad River

Priority Date: 7/1/1892

Amount of water: 2.8 cfs

Water Use: irrigation

Point(s) of diversion: SE1/4NE1/4NE1/4, S18, T3N, R18E (Mizer Headgate #20); Blaine County.

Decreed Place of Use: 88 acres within W1/2NW1/4, NE1/4SW1/4, S28, T3N, R18E.

Historical Place of Use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E.

WATER RIGHT AS RECORDED

Water right No. 37-00833K

Basis of right: Decreed to Irvin E. Rockwell in case of Rockwell vs. Coffin dated 8/25/1949 in Blaine County; Transfer No. 2591.

Source: Big Wood River tributary to Malad River

Priority Date: 11/12/1936

Amount of water: 0.75 cfs

Water Use: irrigation

Point(s) of diversion: SE1/4NE1/4NE1/4, S18, T3N, R18E (Mizer Headgate #20); Blaine County.

Recorded Place of Use: 66 acres within SW1/4NE1/4, SE1/4NW1/4, N1/2SE1/4, S20, T3N, R18E.

Historical Place of Use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-00577	Amount: 1.12 cfs	(Irrigation)
Water right No.: 37-00577	Amount: 0.08 cfs	(Recreation)
Water right No.: 37-00577	Amount: 1.57 cfs	(Irrigation)
Water right No.: 37-00577	Amount: 0.12 cfs	(Recreation)
Water right No.: 37-00494	Amount: 1.86 cfs	(Irrigation)
Water right No.: 37-00494	Amount: 0.14 cfs	(Recreation)
Water right No.: 37-00495	Amount: 2.60 cfs	(Irrigation)
Water right No.: 37-00495	Amount: 0.20 cfs	(Recreation)
Water right No.: 37-00833K	Amount: 0.70 cfs	(Irrigation)
Water right No.: 37-00833K	Amount: 0.05 cfs	(Recreation)

Total amount being transferred: 8.44 cfs

Source: Big Wood River tributary to Malad River

Point of diversion: SW1/4SW1/4NW1/4, S20, T3N, R18E (Hiawatha Headgate); NE1/4NW1/4NE1/4, S29, T3N, R18E (Re-diversion pump from Hiawatha); Blaine County.

Place of use: 162.7 acres within S1/2NE1/4, SE1/4NW1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S20, T3N, R18E; SW1/4SW1/4, S21, T3N, R18E; NW1/4, NE1/4SW1/4, NW1/4SW1/4, SE1/4SW1/4, S28, T3N, R18E.

APR 12 1991

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before August 13, 1990.

R. Keith Higginson, Director

Published in Wood River Journal on 7/25 & 8/1/90.

APR 12 1991

**Partner weeks
water right change**

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NOS. 37-00577BN, 37-0494,
37-00495, 37-0833K**

Notice is hereby given that WOOD RIVER COUNTRY CLUB PARTNERS, c/o James P. Speck, Attorney of Ketchum, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

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Source: Big Wood River tributary to Malad River

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Point(s) of diversion: SW1/4-SW1/4, NW1/4, S20, T3N, R18E (Headgate #22, Hiawatha Canal); Blaine County.

Place of use: Unspecified acres within S4, 5, 8, 9, 15, 16, 22, 23, 25, 26, T2N, R18E; S28, 29, 33, T3N, R18E.

**PORTION(S) OF RIGHTS
TO BE CHANGED**

Water right No.: 37-00577BN

Amount of water: 1.20 cfs for Irrigation (Hiawatha part); 1.69 cfs for Irrigation (Mizer part)

Point of diversion: SW1/4SW1/4NW1/4, S20, T3N, R18E (Headgate #22, Hiawatha Canal); SE1/4NE1/4NE1/4, S18, T3N, R18E (Headgate #20, Mizer Canal); Blaine County.

Historical place of use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E.

WATER RIGHT AS RECORDED

Water right No. 37-00494

Basis of right: Decreed to Jacob Mizer in case of S.C. Frost, et al., vs. Alturas Water Co., et ux., dated 12/13/1909, in Lincoln County.

Source: Big Wood River tributary to Malad River

Priority Date: 5/1/1886

Amount of water: 2.0 cfs

Water use: irrigation

Point(s) of diversion: SE1/4NE1/4NE1/4, S18, T3N, R18E (Mizer Headgate #20); Blaine County.

Decreed Place of use: 88 acres within W1/2NW1/4, NE1/4SW1/4, S28, T3N, R18E.

Historical Place of use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E.

WATER RIGHT AS RECORDED

Water right No. 37-00495

Basis of right: Decreed to Jacob Mizer in case of S.C. Frost et al., vs. Alturas Water Company, et ux., dated 12/13/1909, in Lincoln County.

Source: Big Wood River tributary to Malad River

Priority Date: 7/1/1892

Amount of water: 2.8 cfs

Water Use: irrigation

Point(s) of diversion: SE1/4NE1/4NE1/4, S18, T3N, R18E (Mizer Headgate #20); Blaine County.

Decreed Place of Use: 88 acres within W1/2NW1/4, NE1/4SW1/4, S28, T3N, R18E.

Historical Place of Use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E.

WATER RIGHT AS RECORDED

Water right No. 37-00833K

Basis of right: Decreed to Irvin E. Rockwell in case of Rockwell vs. Coffin, dated 8/25/1949 in Blaine County; Transfer No. 2591.

Source: Big Wood River tributary to Malad River

Priority Date: 11/12/1936

Amount of water: 0.75 cfs

Water Use: irrigation

Point(s) of diversion: SE1/4NE1/4NE1/4, S18, T3N, R18E (Mizer Headgate #20); Blaine County.

Recorded Place of Use: 66 acres within SW1/4NE1/4, SE1/4NW1/4, N1/2SE1/4, S20, T3N, R18E.

Historical Place of Use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E.

RECEIVED

JUL 23 1990

Department of Water Resources
Southern Region Office

✓ ok
A.S.
7-23-90

APR 12 1991

~~Decreed Place of Use:~~ 88 acres within W1/2NW1/4, NE1/4SW1/4, S28, T3N, R18

Historical Place of Use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E

WATER RIGHT AS RECORDED

Water right No.: 37-00833K

Basis of right: Decreed to Irvin E. Rockwell in case of Rockwell vs. Coffin, dated 8/25/1949 in Blaine County; Transfer No. 2591.

Source: Big Wood River tributary to Malad River

Priority Date: 11/12/1936

Amount of water: 0.75 cfs

Water Use: irrigation

Point(s) of diversion: SE1/4NE1/4NE1/4, S18, T3N, R18E (Mizer Headgate #20); Blaine County.

Recorded Place of Use: 66 acres within SW1/4NE1/4, SE1/4NW1/4, N1/2SE1/4, S20, T3N, R18E

Historical Place of Use: 173 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, N1/2SW1/4, S28, T3N, R18E

TO BE CHANGED AS FOLLOWS

Water right No.: 37-00577

Amount: 1.12 cfs (Irrigation)

Water right No.: 37-00577

Amount: 0.08 cfs (Recreation)

Water right No.: 37-00577

Amount: 1.57 cfs (Irrigation)

Water right No.: 37-00577

Amount: 0.12 cfs (Recreation)

Water right No.: 37-00494

Amount: 1.86 cfs (Irrigation)

Water right No.: 37-00494

Amount: 0.14 cfs (Recreation)

Water right No.: 37-00495

Amount: 2.60 cfs (Irrigation)

Water right No.: 37-00495

Amount: 0.20 cfs (Recreation)

Water right No.: 37-00833K

Amount: 0.70 cfs (Irrigation)

Water right No.: 37-00833K

Amount: 0.05 cfs (Recreation)

Total amount being transferred: 8.44 cfs

Source: Big Wood River tributary to Malad River

Point of diversion: SW1/4SW1/4NW1/4, S20, T3N, R18E (Hiawatha Headgate); NE1/4NW1/4NE1/4, S29, T3N, R18E (Re-diversion pump from Hiawatha); Blaine County.

Place of use: 162.7 acres within S1/2NE1/4, SE1/4NW1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S20, T3N, R18E; SW1/4SW1/4, S21, T3N, R18E; NW1/4, NE1/4SW1/4, NW1/4SW1/4, SE1/4SW1/4, S28, T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301, on or before August 13, 1990.

R. Keith Higginson, Director

Publish: Wood River Journal--July 25 and August 1, 1990.

RECEIVED

JUL 23 1990

Department of Water Resources
Southern Region Office

19-Jul-1990

WOOD RIVER COUNTRY CLUB PARTNERS
C/O JAMES SPECK ATTORNEY
PO BOX 987
KETCHUM ID 83340

Re: Application for Transfer Nos. 37-0577BH, 37-0494, 37-0495,
37-0833K

Dear Mr. Speck:

The Department of Water Resources acknowledges receipt of the Application for Transfer on behalf of Wood River Country Club Partners.

This office will be advertising the application in the Wood River Journal on 7/25 and 8/1/90. 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.

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,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

19-Jul-1990

REID J NEWBY WATERMASTER
WATER DISTRICT #37
BOX T
SHOSHONE ID 83352

Re: Application for Transfer of Water Right Nos. 37-0577BH,
37-0494, 37-0495, 37-0833K

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,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-July-1990

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

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 725-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

June 29, 1990

Certified Mail
Return Receipt

Department of Water Resources
Southern Region
222 Shoshone St. East
Twin Falls, ID 83301

RECEIVED

JUL - 2 1990

Department of Water Resources
Southern Region Office

Attention: Doug Jones

Re: Wood River Country Club Partners

Dear Doug:

Enclosed you will find the following in accordance with
our recent discussions:

1. Amended Application for Permit No. 37-08613;
2. Application for Transfer of Water Right - various surface water rights;
3. Application for Transfer of Water Rights - ground water irrigation right No. 37-02623;
4. Our check payable to the Department in the sum of \$50.00 as the filing fee for item number 3 above.

*Returned for
lack of fee. D.J.
7/5/90
Rec'd back 7/11
Returned 7/11
Rec'd 7/16*

The Applications are submitted for the development by the applicant of two adjacent ranches into an eighteen hole championship golf course and a 98 single family home residential planned unit development. I have also enclosed a copy of the preliminary plat for this development recently approved by the Blaine County Planning and Zoning Commission with the proviso, among others, that Lots 33 and 34 as shown on the plat be combined into one lot. I hope one copy of this large scale map is sufficient for review of all three of these Applications.

Please note that the summary of irrigated acres appended to each Application is EXCLUSIVE of the surface area of the ponds, which we have calculated to be approximately 12.25 acres. FURTHER EXPLANATION OF THE REASONS FOR EACH APPLICATION WILL BE FOUND IN THE INTRODUCTION AT THE BEGINNING OF THE ADDENDUM TO EACH APPLICATION.

It is my understanding you will do all you can to accelerate your review and the advertising schedule for these Applications so the project can move forward in an orderly fashion. The initial Applications were filed with the Department

Department of Water Resources
June 29, 1990
Page 2

at the end of March and although one new application is included at this time, the enclosures are all in response to comments from your review of the initial submittals. If you find you need any additional information before you can schedule advertising, please contact me immediately.

Thankyou once again for all your cooperation and assistance in these procedures.

Sincerely yours,

HOGUE, SPECK & AANESTAD

A handwritten signature in cursive script, appearing to read "Jim", written in dark ink.

James P. Speck

JPS/lms

cc and enclosures: Wood River Country Club Partners
cc and enclosures: Gary Spackman
Department of Water Resources, Boise office

Mr. James Speck, Atty
Hogue, Speck & Aanestad
PO Box 987
Ketchum, ID 83340

15-Jun-1990

RE: Wood River Country Club Partners Transfer

Dear Jim,

During routine processing of the submitted application I uncovered some problems that need to be addressed. Some of the problems are merely bookkeeping items, but some of the problems are rather significant.

One of the significant problems involves the additional (change of) use to provide for aesthetic ponds and streams in the development. None of the original water rights included a storage or aesthetic component; therefore development of pond(s) and streams would necessitate a change in the nature of use. The transfer as submitted does not account for this change. A complete and accurate description of the pond number, sizes (length, width, depth), and design particulars needs to be included with the transfer. Normally in a lined pond situation an equal number of acres of irrigation must be foregone as total pond surface area, in this case about 12 acres if the plat is an accurate plan. If the ponds are unlined then an evaluation of the seepage loss to the subsurface must be included with the description of the diversion system in the transfer (Part 1,B,6,a). Because the volume of the water right does not change the volumes represented by the pond and stream development would reduce the volume available for irrigation. This discussion of pond surface area leads me to the second major problem which is identifying proposed and existing irrigation acreage on both Part 1 and Part 2's, respectively.

Some of the water rights as recorded do not include the number and distribution of acres irrigated. However, the Department requires that the applicant provide us with the information of what has been the maximum number and distribution of irrigated acreage within last 5, or so, years. Irrigation information is necessary to evaluate the proposed changes.

I examined the orthophoto quads available to us to take a stab at figuring the number of acres irrigated. The air photos on which these quads are developed were flown in 1974. The photos show that there were no irrigations made to land in section 20, and only a total of 160 acres were irrigated in sections 21 and 28. To obtain the most accurate acreage I recommend researching ASCS airphoto coverage and developing tract by tract use. This information is entered in the Part 2's for the water rights in item A,8 (if all right is being transferred), or item B,3

15-Jun-1990

page 2

and C,3 (if part of right is transferred and there is no record of irrigated acres).

For the water right 37-00577 portions the submitted Part 2 references only the previously unsplit portions totaling 2.89 cfs. Enclosed is a Part 2 for this right which I prepared, please base yours on this and add the recent acreages irrigated to item B,3.

The submitted transfer indicates in Part 1,B,5 the intention to irrigate 241 acres. An examination of the subdivision plat prepared by Clements shows that the developed area within the borders totals about 400 acres. Reducing that by the acreage that won't be irrigated due to "natural" veg. zones, roads and parking, and assumed house prints yields a figure of about 300 acres. Reduction calculations were based on information provided by Gerald Martens. This information indicates that up to 1 acre of irrigation will be provided to lot owners, that the average lot is 1.8 acres, and that 40% of lots (avg 0.7 ac) will not be irrigated at all due to covenants (natural vegetation zones). In any event it appears that more acres will be irrigated than recently has been.

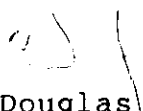
Furthermore, after comparing the distribution of acres given in the transfer application to the development proposed on the PUD plat I concluded that there is an unreasonable allocation of acres per tract. For example, the app indicates that ten acres will be irrigated in the SENE of Section 20, I calculated 29 acres; the app says 26 acres in NENW Section 28, I calculated about 18 acres; and the app says 4 acres in the NESW Section 20, I didn't see any part of the property within that tract. There are several agreements in allocation and several other discrepancies.

Complicating the analysis are the other water rights, a license and an application, which are not included in the transfer or otherwise discussed. The irrigation license overlaps the Section 21 & 28 land and would contribute to all the uses if utilized. The interrelationship between the proposed system of the multiple domestic and irrigation of 60 acres application and the system involved in this transfer is unknown. Please submit information to allow the Department to evaluate the potential overlap of the proposed places of use. Useful information may include a plat indicating the areas irrigated by the course system and the approximate area of the domestic systems showing overlap, etc.

In conclusion, the major problems are that the aesthetic use is not accounted for in the transfer; and that the total acres indicated in Part 1,B,5 does not agree with the development plat or the apparent historically irrigated acreage. The minor problems are related to accurate reportage of the distribution of acres in Parts 1 and 2.

I shall be out of the office until 6/26, if you have any questions please contact either Jim Stanton or Loren Holmes of this office or someone in the transfer analysis section in the State Office.

Sincerely,



Douglas Jones, EIT
Water Resources Engineer-In-Training

cc Gerald Martens, EHM Engineers

enc

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

120 EAST AVENUE
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KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

April 5, 1990

CERTIFIED MAIL; RETURN RECEIPT REQUESTED

Mr. Loren Holmes
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

*Copy of
original app,
original returned
per letter dated
6/15/90*

Re: Wood River Country Club Partners
Application for Permit

Dear Loren:

Enclosed you will find an Application for Transfer of Water Right which I have prepared on behalf of Wood River Country Club Partners. This Application seeks to consolidate all of my client's irrigation water rights into a more efficient use of its irrigation system.

I have also enclosed our check payable to the Department in the sum of \$50.00 for the filing fee. I will be out of the office until May 7, 1990. If you have any questions about this Application, please call my secretary, Jean Latham and she can reach me. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD

J. P. Speck
James P. Speck

JPS/jal
Enclosure
cc: Roy Tinker
Gerald Martens

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Wood River Country Club Partners Phone (208) 726-4421

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

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Applicant desires to consolidate all of its irrigation water rights into the Hiawatha Canal for a more efficient use of its irrigation system and to combine water rights from 2 adjacent ranches for irrigation of a golf course and residential subdivision to be developed on the combined parcels.

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

portion of 37-00577 3/24/1883 1.2 cfs irrigation Apr. 1 to Nov. 1

portion of 37-00577 3/24/1883 1.69 cfs irrigation Apr. 1 to Nov. 1

37-00494 5/01/1886 2.0 cfs irrigation Apr. 1 to Nov. 1

See attached Addendum for additional rights to _____

2. Total amount of water being transferred 16.34 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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NW	20	3N	18E	Blaine	Hiawatha Headgate

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 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	
3N	18E	20		9	18	10				3	4				17	21		12	94
3N	18E	21											27						27
3N	18E	28					26	22	18	18	11	17		18					120

Scott Allen

Total acres 241

PART 1

6. General Information:

a. Description of diversion system See attached Addendum

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

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

N/A

d. Remarks:

See attached Addendum

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____.

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00577 Decreed to W. T. Riley
in case of S.C. Frost et al. vs. Alturus Water Co. et ux.
dated December 13, 1909 in Lincoln county of Idaho
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

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

4. Date or priority March 24, 1883

5. Water is used for the following purpose:

amount 1.2 cfs for irrigation purposes from Apr. 1 to Nov. 1
(cfs/acre) ~~amount~~ 1.69 cfs for irrigation purposes from Apr. 1 to Nov. 1
(cfs/acre) ~~amount~~ _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.89 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NW	20	3N	18E	Blaine	Hiawatha Headgate
	SE	NE	NE	18	3N	18E	Blaine	Mizer #20 Headgate

8. Lands irrigated or place of use: See attached Addendum

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 _____

9. Describe any other water rights used for the same purpose as described above See attached Addendum

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

No If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

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

1. amount 1.2 for irrigation purposes from Apr. 1 to Nov. 1
 (cfs/acre) ~~amount~~
 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
	SW	SW	NW	20	3N	18E	Blaine	Hiawatha Headgate

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	
3N	18E	21											20						20
3N	18E	28					15	35	40	20	10	40							160

Total acres 180**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

See attached Addendum

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. 37-00494 Decreed to Jacob Mizer
in case of S.C. Frost et al. vs. Alturus Water Co. et ux.
dated December 13, 1909 in Lincoln county of Idaho
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

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

4. Date or priority May 1, 1886

5. Water is used for the following purpose:

amount 2.0 cfs for irrigation purposes from Apr. 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 2.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NE	18	3N	18E	Blaine	Mizer Headgate #20

8. Lands irrigated or place of use:

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	
3N	18E	28						40	40		40								120

Total acres 120

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

See attached Addendum

PART 2

Transfer No. _____

Trans No. _____

has not undergone a period of five or more consecutive years of non-use?

has not undergone a period of five or more consecutive years of non-use?

INFERRED

(changed by the applicant, omit part B and C.)

_____ purposes from _____ to _____

_____ purposes from _____ to _____

_____ purposes from _____ to _____

County	Local name for diversion

1/4		SW 1/4				SE 1/4				Totals
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 _____

RIGHT (omit if there is no change)

_____ purposes from _____ to _____

_____ purposes from _____ to _____

_____ purposes from _____ to _____

County	Local name for diversion

W 1/4		SW 1/4				SE 1/4				Totals
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 _____

RIGHT

is Water Company et ux.

of Idaho

Department of Water Resources.

Department of Water Resources.

right.

tenant or other documents which

other _____

Mad River

_____ to Nov. 1

_____ to _____

_____ to _____

_____ acre-feet per annum.

Local name for diversion
Madgate #20

SE 1/4				Totals
1/4	NW 1/4	SW 1/4	SE 1/4	
				120

Total acres 120

Totals

Totals

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00833K Decreed to Irvin E. Rockwell
in case of Rockwell vs. Coffin
dated August 25, 1949 in Blaine county of Idaho
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 2591 which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☒ Other see Addendum

3. Source of water Big Wood River tributary to Malad River4. Date or priority November 12, 1936

5. Water is used for the following purpose:

amount (0.75) .75 cfs for irrigation purposes from Apr 1. to Nov. 1
(cfs/ac-ft) ~~xxx~~
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) (0.75)

6. Total amount of water under right .75 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

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

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	20			14					4					17	31			66

Total acres 66

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

see attached Addendum

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. 37-00159 Decreed to Hugh Cramer
in case of S.C. Frost et al. vs. Alturus Water Co. et ux.
dated December 13, 1909 in Lincoln county of Idaho
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

- ☐ Tax Notice ☐ Warranty Deed ☒ Other See attached Addendum

3. Source of water East Fork Tributary ~~xx tributary~~ to Big Wood River4. Date or priority July 30, 1888

5. Water is used for the following purpose:

amount 16.0 cfs for irrigation purposes from Apr. 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 16.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	SW	8	3N	18E	Blaine	Cramer #13 Headgate

8. 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	
3N	18E	17									X			X			X		
3N	18E	20	X	X		X	X								X	X		X	

Total acres _____

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

_____, see attached Addendum

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 7.9 cfs for irrigation purposes from Apr. 1 to Nov. 1
 (cfs/ac-ft) ~~amount~~ _____ for _____ purposes from _____ to _____
 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
	SW	NE	SW	8	3N	18E	Blaine	Cramer #13 Headgate

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	
3N	18E	20				X	X								X	X		X	

Total acres _____

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

1. amount 8.1 cfs for irrigation purposes from Apr. 1 to Nov. 1
 (cfs/ac-ft) ~~amount~~ _____ for _____ purposes from _____ to _____
 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
	SW	NE	SW	8	3N	18E	Blaine	Kramer #13 Headgate

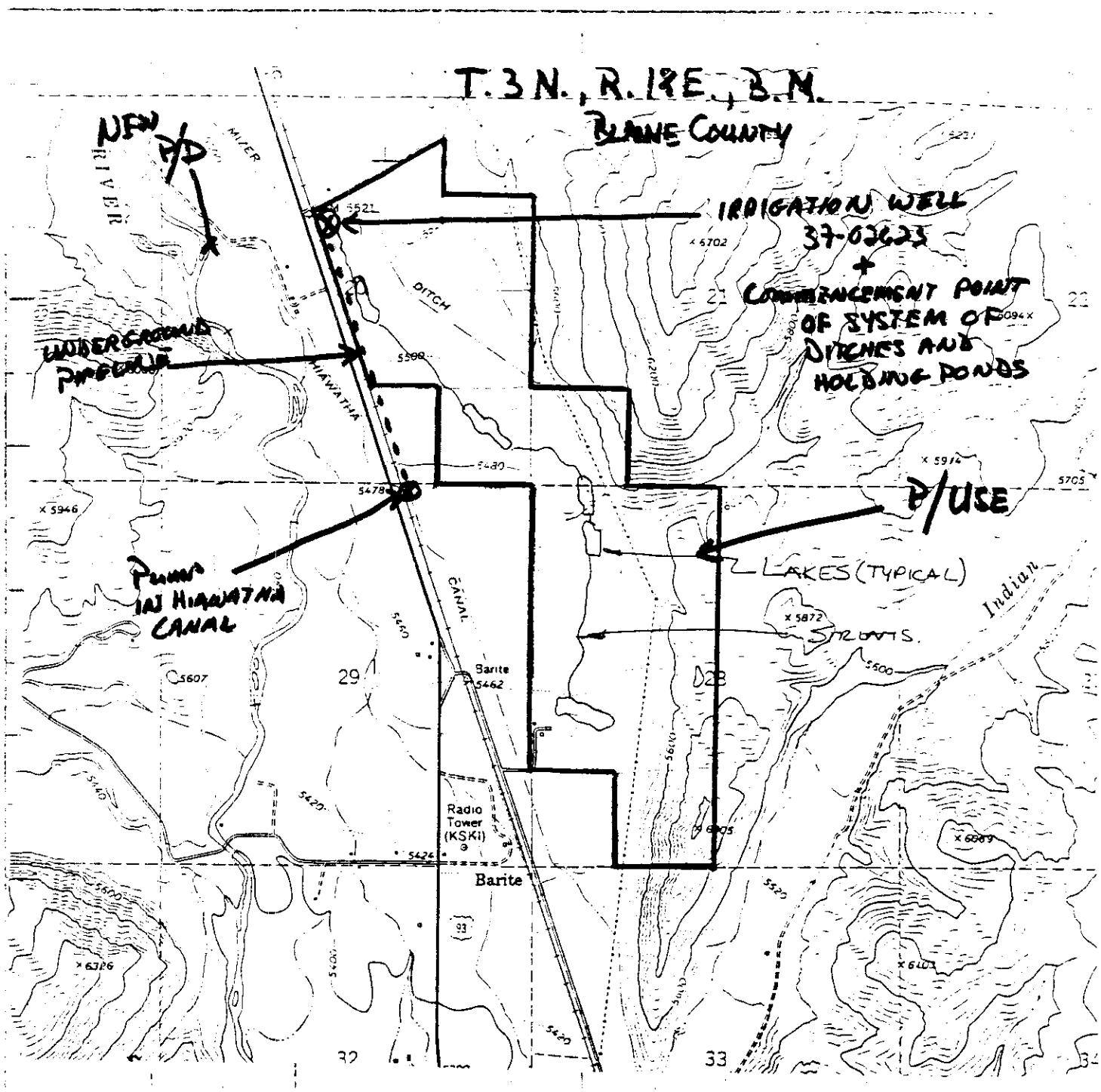
3. Lands irrigated or place of use:

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	
3N	18E	17									X			X			X		
3N	18E	20	X	X			X												

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.



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

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.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 30th day of March, 19 90.

[Signature]
(Notary Public)

My commission expires 1/29/91

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and 4 attachments

Received by dc Date 4/6/90 Protest filed by _____

Prelim. check by _____ Fee 50⁰⁰ R# 5011864 _____

Receipted by me Date 4/9/90 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

ADDENDUM TO
APPLICATION FOR TRANSFER OF WATER RIGHTS
BY
WOOD RIVER COUNTRY CLUB PARTNERS

PART 1

B,1.

RIGHT NUMBER	PRIORITY	AMOUNT	USE	PERIOD OF USE
37-00495	7/1/1892	2.8 cfs	irrigation	April 1 to Nov. 1
37-00833K	11/12/1936	0.75 cfs	irrigation	April 1 to Nov. 1
37-00159B	7/30/1888	7.9 cfs	irrigation	April 1 to Nov. 1

6,a. Hiawatha Headgate diverts water into Hiawatha Canal. A pump will be placed in the Canal to bring water into a series of ditches and holding ponds on the place of use. Water will be pumped from the ponds into a pressurized sprinkler system which will also be provided with water from Water Right No. 37-02623, an irrigation well right for 3.05 cfs used on the same lands.

6,c. Applicant has purchased the lands identified as the new place of use in Sections 21 and 28, and has the lands in Section 20 under a binding contract of sale from Blechman. Applicant is proposing to develop all such lands into an 18 hole golf course and a 100 household residential planned unit development, together with a clubhouse, swimming pool, tennis courts and recreation center. The portions of Water Rights Nos. 37-00577 and all of 37-00494 and 37-00495, as well as a licensed irrigation groundwater right (37-02623) are appurtenant to the lands in Sections 21 and 28 and are owned by Applicant; the other rights (37-00833K and a portion of 37-00159) are under contract with Blechman.

Applicant intends to use all of these surface rights and the groundwater right to irrigate the golf course, the common areas of the planned unit development and portions of the residential lots by combining them into a single pressurized irrigation system whereby water will be stored in and pumped from the ponds. The ponds will also provide a necessary source of water for fire protection.

PART 2

37-00577 - The 2 portions of the W. T. Riley right (37-00577) are parts of the original right which were never transferred from the original place of use. One (1.2 cfs) is currently diverted through the Hiawatha Canal and therefore does

not require a change of the point of diversion. The other (1.69 cfs) is currently diverted through the Mizer Ditch. Applicant does not have the information on the original place of use of the entire W. T. Riley right, and thus cannot accurately complete sub-parts A, 8 and C, 2 of Part 2 for these portions of the rights.

37-00159 - This right has been split between the Heatherlands Homeowners Association for a subdivision immediately north of the proposed development (8.0 cfs) and Blechman (8.0 cfs less 0.1 cfs apparently sold to someone else. No transfers have been recorded since the point of diversion and place of use have not changed when the ownership has changed. No irrigated acreage was specified in the decree, and so none is identified in this Part 2 of the Application.

WARRANTY DEED

For Value Received

Buckhorn Investment Company, a California general partnership

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Wood River Country Club Partners, an Idaho General Partnership
whose address is: P. O. Box 1920, Sun Valley, ID 83353

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

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

Section 20: A parcel of land within the SE1/4 NW1/4, more particularly described as follows:

COMMENCING at a stone marking the Southeast Corner of said Section 20; thence N. 38° 30' W., 4646.00 feet to a 1/2" rebar and said rebar being the TRUE POINT OF BEGINNING; thence S. 14° 40' W., 49.30 feet to a 1/2" rebar; thence N. 19° 28' W., 18.10 feet to a 1/2" rebar; thence S. 64° 13' W., 17.90 feet to a 1/2" rebar; thence N. 17° 55' W., 54.40 feet to a 1/2" rebar; thence S. 75° 24' E., 53.00 feet to a 1/2" rebar, said rebar being the TRUE POINT OF BEGINNING.

Section 21: SW1/4 SW1/4.

Section 28: NW1/4, NW1/4 SW1/4, and E1/2 SW1/4.

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

Dated: January 11, 1990

Buckhorn Investment Company, a California general partnership

Barry Shooke, General Partner
By: Barry Shooke, General Partner

TO 442 C
(Partnership)

STATE OF CALIFORNIA }
COUNTY OF Los Angeles } ss.
On JANUARY 11, 1990

before me, the undersigned, a Notary Public in and for said State, personally appeared Barry Shooke

to be ONE of the partners of the partnership
that executed the within instrument and acknowledged to me
that such partnership executed the same.

WITNESS my hand and official seal.

Signature Katherine D. Munro
Name (Typed or Printed)



Instrument No.

REAL ESTATE PURCHASE OFFER AND ACCEPTANCE

THIS OFFER TO PURCHASE REAL PROPERTY is made this 3RD day of January, 1990, by T & T DEVELOPMENT, an Idaho General Partnership, hereafter "Buyer", to the FREDERICK H. BLECHMANN TRUST dated October 5, 1983, THE BLECHMANN TRUST dated April 15, 1986, and Trust dated December 19, 1972, between Frederick H. Blechmann and Clarice E. Blechmann, husband and wife, grantors, and H. Paul Blechmann, Trustee, hereafter collectively referred to as "Seller".

1. Description of Property Subject to Offer.

Buyer offers to purchase real property located in Section 20, Township 3 North, Range 18 East, Boise Meridian, Blaine County, Idaho, with all ditch and water rights appurtenant which are thirty-seven and one-half (37 1/2) inches of Rockwell Bypass Water, and three hundred ninety-five (395) inches of 1888 decreed water from the East Fork of the Big Wood River identified by shares held in the upper Wood River Water User's Association, which property lies east of Highway 75 and south of Ohio Gulch Road as depicted on Exhibit A attached hereto, and which is legally described on Exhibit B attached hereto, both exhibits being incorporated herein as if set forth in full.

2. Purchase Price. The purchase price for the subject property shall be Ten Thousand Dollars (\$10,000) per acre. Although the parties acknowledge that the subject property is slightly in excess of two hundred (200) acres the exact acreage is unclear. Consequently, Buyer shall have the property surveyed at its sole expense and the total purchase price of the property as surveyed shall be Ten Thousand Dollars (\$10,000) per acre. The Purchase price shall be payable as follows:

(a) Earnest Money. In the event of Seller's acceptance, Twenty-Five Thousand Dollars (\$25,000), will be deposited by Buyer with First American Title Company, Ketchum, Idaho, on January 5, 1990, such date to constitute the opening of escrow;

(b) Balance of Down Payment. Four Hundred Ninety-five Thousand Dollars (\$495,000) shall be paid, together with the earnest money for a total of Five Hundred Twenty Thousand Dollars (\$520,000) to Seller in cash, cashier's check, or certified funds, at the time of closing; and

(c) Deferred Payment. The balance of the purchase price shall be evidenced by a non-recourse promissory note which is secured by a first mortgage upon the subject property and the appurtenant water rights