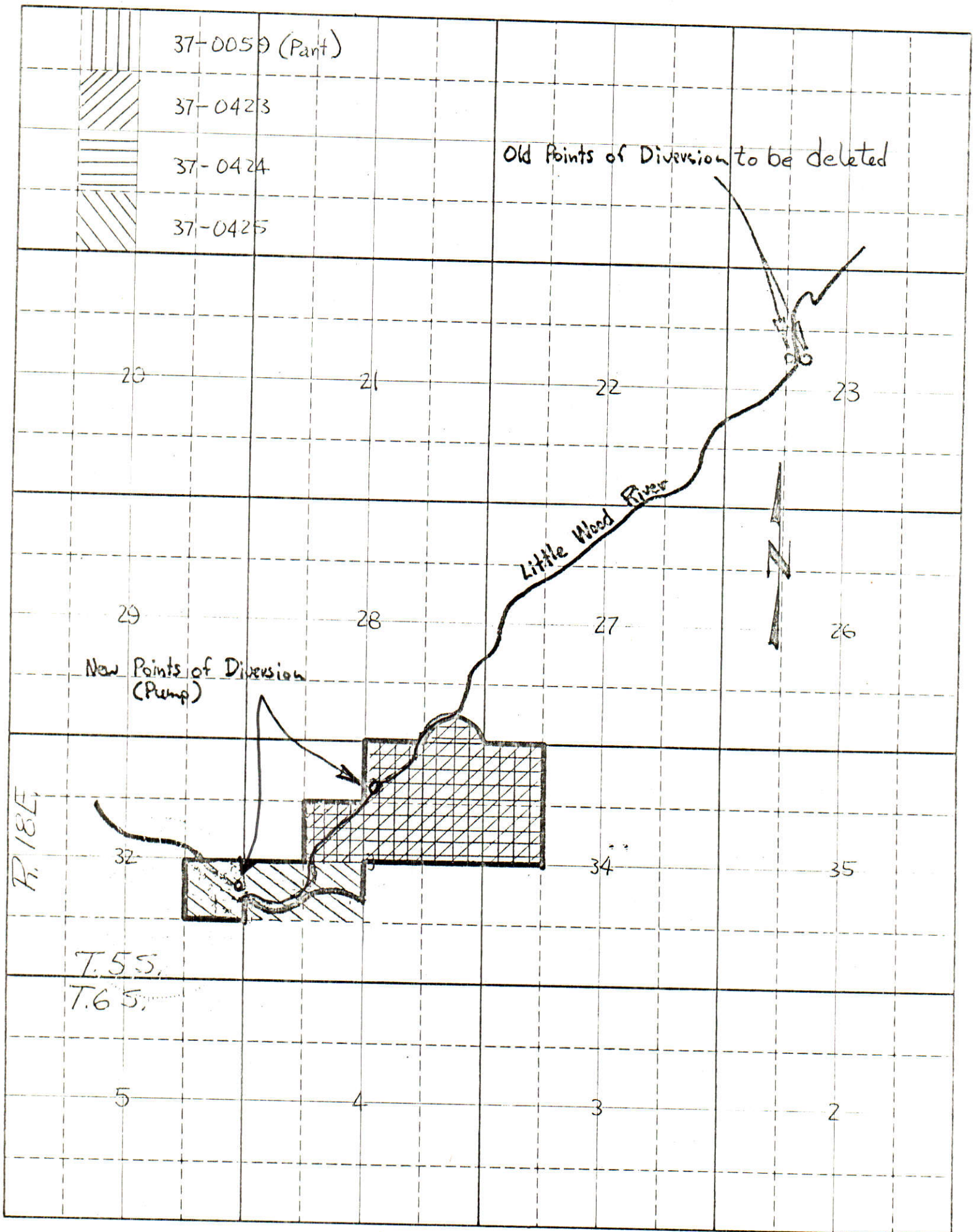
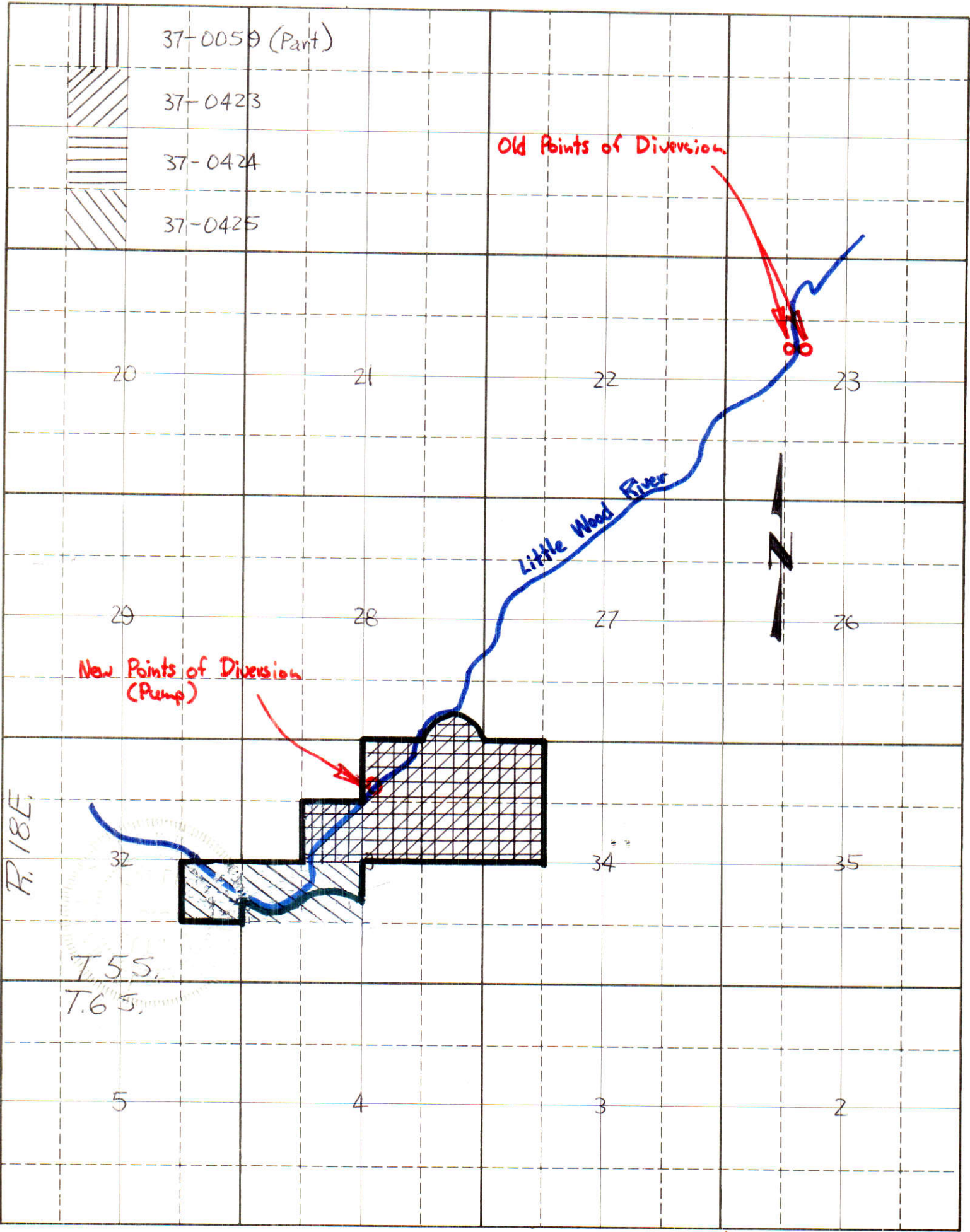


- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

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



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

**NOTICE OF AMENDED
TRANSFER OF WATER
RIGHT**

NOS.: A-37-0423
B-37-0424
C-37-0425
D-37-0059

Notice is hereby given that Donald Taber of Shoshone, Idaho, has applied to the Department of Water Resources for a change of point of diversion and place of use of the waters of Big Wood and Little Wood Rivers. The right is to be amended as follows:

A-37-0423

Amount: 0.30 cfs

Points of Diversion: (2 points) SE¹/₄NW¹/₄, Sec. 28; and additional point NW¹/₄NE¹/₄, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 295 acres within the SE¹/₄SE¹/₄, Sec. 28; NE¹/₄, SE¹/₄NW¹/₄, Sec. 33; W¹/₂NW¹/₄, Sec. 34, Twp. 5S, Rge. 18E, B.M.

B-37-0424

Amount: 2.20 cfs

Points of Diversion: (2 points) SE¹/₄NW¹/₄, Sec. 23; and additional point NW¹/₄NE¹/₄, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 295 acres within the SE¹/₄SE¹/₄, Sec. 28; NE¹/₄, SE¹/₄NW¹/₄, Sec. 33; W¹/₂NW¹/₄, Sec. 34, Twp. 5S, Rge. 18E, B.M.

C-37-0425

Amount: 2.20 cfs

Points of Diversion: (2 points) SE¹/₄NW¹/₄, Sec. 23; and additional point NW¹/₄NE¹/₄, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigatin of 120 acres within

the NE¹/₄SE¹/₄, Sec. 32; N¹/₂-SW¹/₄, Sec. 33; Twp. 5S, Rge. 18E, B.M.

D-37-0059

Amount: 3.04 cfs measured at points of diversionon Little Wood River

Points of Diversion: (2 points) SE¹/₄NW¹/₄, Sec. 23 and additional point NW¹/₄NE¹/₄, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 295 acres within the SE¹/₄SE¹/₄, Sec. 28; NE¹/₄, SE¹/₄NW¹/₄, Sec. 33; W¹/₂NW¹/₄, Sec. 34, Twp. 5S, Rge. 18E, B.M.

Any protest against approval of the above amended transfer of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301, on or before October 26, 1976.

/S/ R. KEITH HIGGINSON
Director

Pub: 10-7, 14

**NOTICE OF AMENDED
TRANSFER OF
WATER RIGHT**

NOS: A-37-0423
B-37-0424
C-37-0425
D-37-0059

Notice is hereby given that Donald Taber of Shoshone, Idaho, has applied to the Department of Water Resources for a change of point of diversion and place of use of the waters of Big Wood and Little Wood Rivers. The right is to be amended as follows:

A-37-0423

Amount: 0.30 cfs
Points of Diversion: (2 points)
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and additional point NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, W $\frac{1}{2}$ NW $\frac{1}{4}$, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 295 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

B-37-0424

Amount: 2.20 cfs
Points of Diversion: (2 points)
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and additional point NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 295 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

C-37-0425

Amount: 2.20 cfs
Points of Diversion: (2 points)
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and additional point NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 120 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 32; N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33; Twp. 5S, Rge. 18E, B.M.

D-37-0059

Amount: 3.04 cfs measured at points of diversion on Little Wood River

Points of Diversion: (2 points)
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23 and additional point NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 295 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

Any protest against approval of the above amended transfer of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before October 4, 1976.

/S/ R. KEITH HIGGINSON
Director

Pub: 9-2-9

**NOTICE OF AMENDED
TRANSFER OF
WATER RIGHT**

NOS: A-37-0423
B-37-0424
C-37-0425
D-37-0059

Notice is hereby given that Donald Taber of Shoshone, Idaho, has applied to the Department of Water Resources for a change of point of diversion and place of use of the waters of Big Wood and Little Wood Rivers. The right is to be amended as follows:

A-37-0423

Amount: 0.30 cfs
Points of Diversion: (2 points)
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and additional point NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, W $\frac{1}{2}$ NW $\frac{1}{4}$, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 295 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

B-37-0424

Amount: 2.20 cfs
Points of Diversion: (2 points)
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and additional point NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 295 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

C-37-0425

Amount: 2.20 cfs
Points of Diversion: (2 points)
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and additional point NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 120 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 32; N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33; Twp. 5S, Rge. 18E, B.M.

D-37-0059

Amount: 3.04 cfs measured at points of diversion on Little Wood River

Points of Diversion: (2 points)
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23 and additional point NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 295 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

Any protest against approval of the above amended transfer of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before October 4, 1976.

/S/ R. KEITH HIGGINSON
Director

Pub: 9-2-9

9-29-76

**NOTICE OF AMENDED
TRANSFER OF
WATER RIGHT**

NOS: A-37-0423
B - 37-0424
C - 37-0425
D - 37-0059

Notice is hereby given that Donald Taber of Shoshone, Idaho, has applied to the Department of Water Resources for a change of point of diversion and place of use of the waters of Big Wood and Little Wood Rivers. The right is to be amended as follows:

A - 37-0423
Amount: 0.30 cfs
Points of Diversion: (2 points)
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and additional point NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 295 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

B - 37-0424
Amount: 2.20 cfs
Points of Diversion: (2 points)
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and additional point NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 295 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

C - 37-0425
Amount: 2.20 cfs
Points of Diversion: (2 points)
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and additional point NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 120 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32;

N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33; Twp. 5S, Rge. 18E, B.M.

D - 37-0059
Amount: 3.04 cfs measured at points of diversion on Little Wood River

Points of Diversion: (2 points)
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23 and additional point NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 295 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

Any protest against approval of the above amended transfer of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before September 20, 1976.

/s/ R. KEITH HIGGINSON
Director

Pub: 9-2-9

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

NOS: A-37-0423

B-37-0424

C-37-0425

D-37-0059

Notice is hereby given that Donald Taber of Shoshone, Idaho, has applied to the Department of Water Resources for a change of a point of diversion and place of use of the waters of Big Wood and Little Wood Rivers. The rights sought to be changed is evidenced by Decree to Little Wood River Swine Raising Company and Decree to Big Cottonwood Canal Company and is recorded as follows:

A-37-0423

Amount: 0.3 cfs; Priority: 4-1-1883; Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 5S, Rge. 18E, B.M., Lincoln County

The water is used for the irrigation of 295 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

B-37-0424

Amount: 2.2 cfs; Priority: 4-1-1884; Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 5S, Rge. 18E, B.M. Lincoln County

The water is used for the irrigation of 295 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

C-37-0425

Amount: 2.2 cfs; Priority: 4-1-1887; Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 5S, Rge. 18 E, B.M., Lincoln County

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The water is used for the irrigation of 120 acres within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M. D-37-0059

Amount: 4.16 cfs; Priority: 5-27-1899; Point of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, Twp. 2S, Rge. 18E, B.M., Big Wood River, Blaine County

The water is used for the irrigation of 580 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, B.M., Lincoln County

**TO BE CHANGED
AS FOLLOWS**

A-37-0423

Amount: 0.30 cfs; Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and (additional point) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M., Lincoln County

The water will be used for the irrigation of 40 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 5S, Rge. 18E, B.M.

B-37-0424

Amount: 2.2 cfs; Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and (additional point) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M., Lincoln County

The water will be used for the irrigation of 295 acres within the NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

C-37-0425

Amount: 2.2 cfs; Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and (additional point) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M., Lincoln County; Place of Use: No change

D-37-0059

Amount: 4.16 cfs; Point of Diversion: No change

The water will be used for the irrigation of 420 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

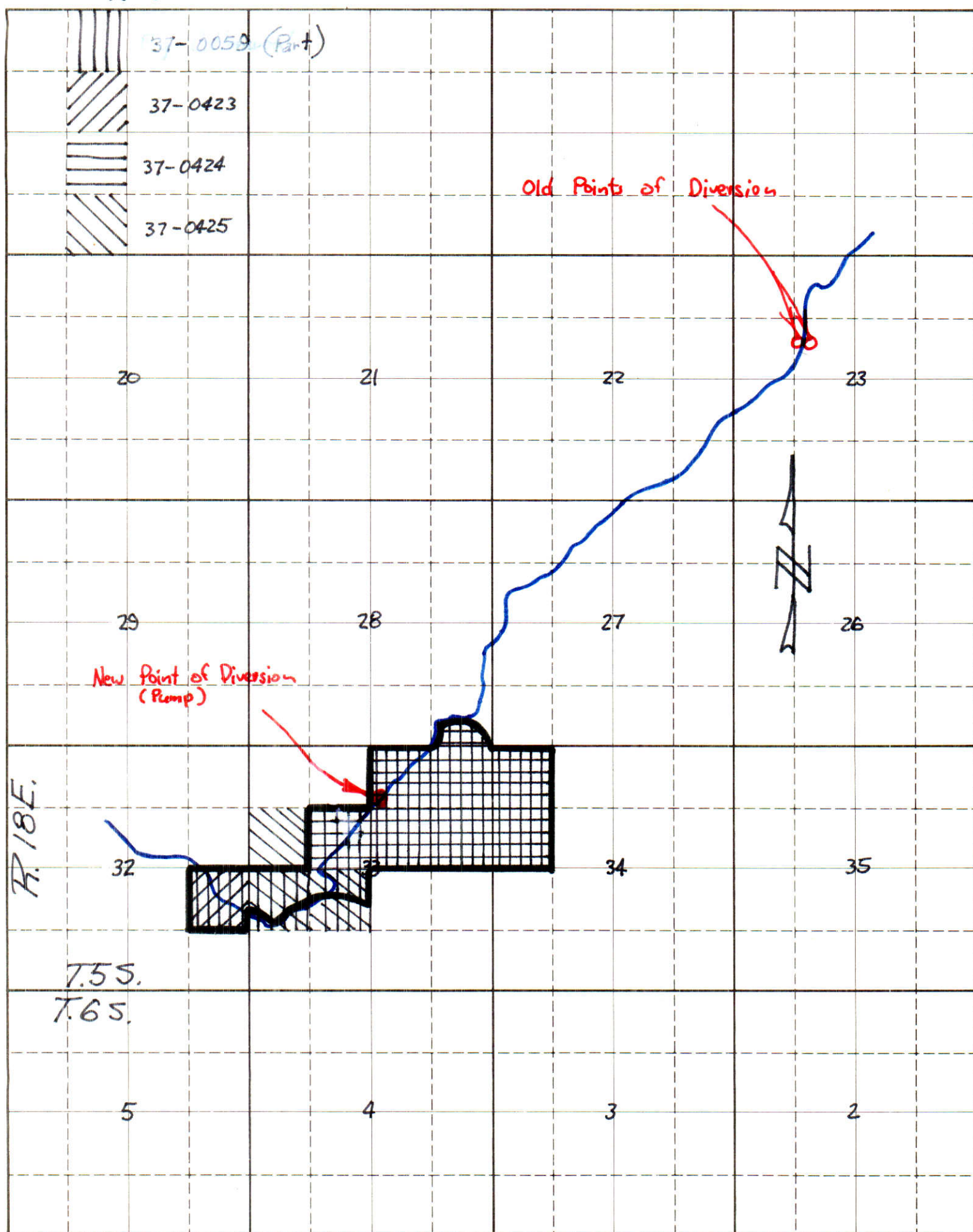
Any protest against approval of the above-proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301, on or before July 5, 1976.

/S/ R. KEITH HIGGINSON
Director

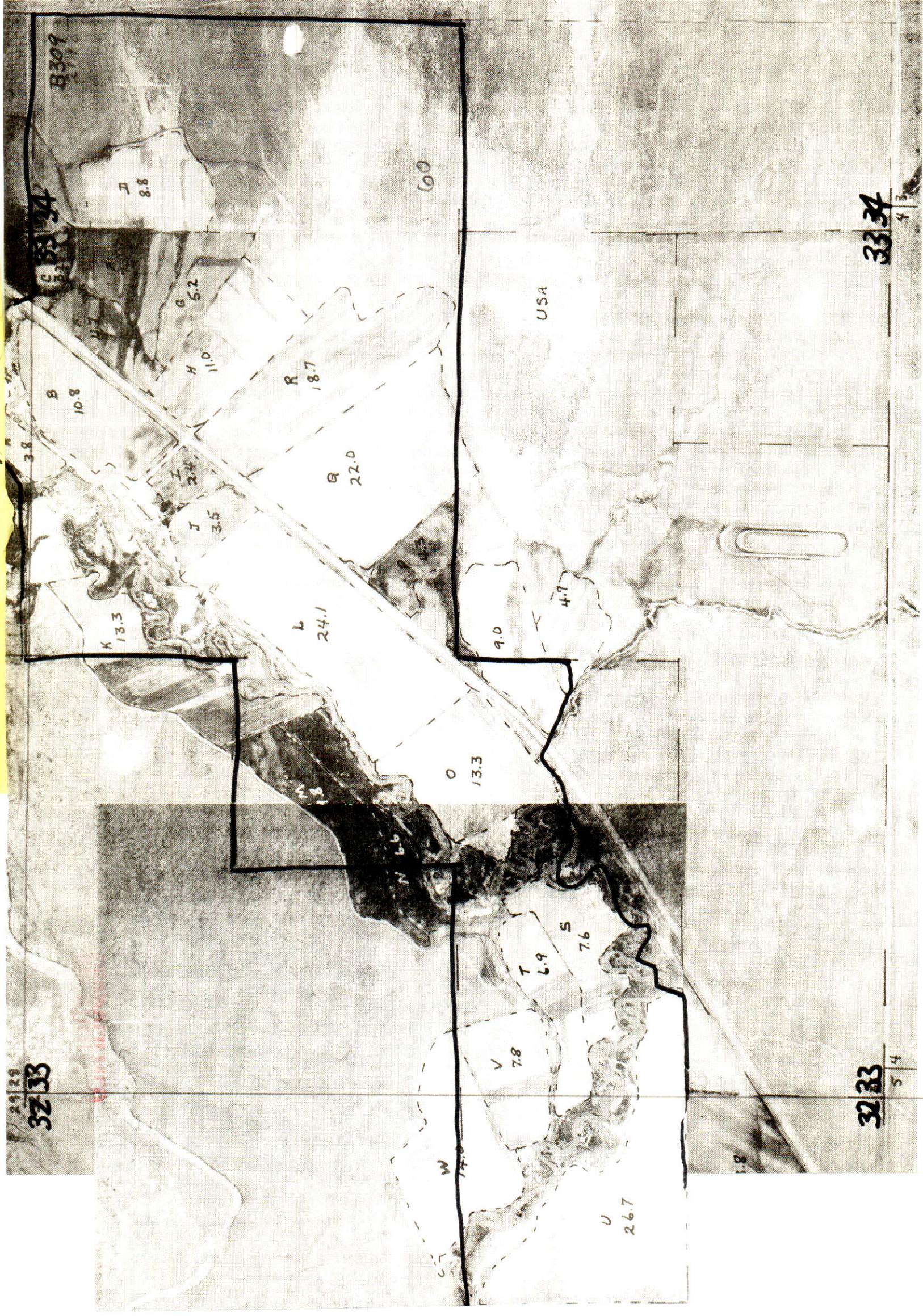
66

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

KEY



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



WARRANTY DEED

THIS INDENTURE, Made this 1st day of September, in the year of our Lord one thousand nine hundred and sixty-six, between JOHN J. URRUTIA, (Also known as John Urrutia), and OLIVE URRUTIA, husband and wife, at all times since prior to acquiring the within described property, of Shoshone, County of Lincoln, State of Idaho, the parties of the first part, and EARL W. HUTCHISON and MYKILE HUTCHISON, husband and wife, of Dietrich, County of Lincoln, State of Idaho, the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One Hundred (\$100) Dollars, lawful money of the United States of America, and other good and valuable consideration to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described property in the County of Lincoln, State of Idaho, to-wit:

Township 6 South, Range Eighteen East of the Boise Meridian:

Section 3: Lots Three (3), Four (4), Southwest Quarter of the Northeast Quarter (SWNE $\frac{1}{4}$), and the South Half of the Northwest Quarter (SWNW $\frac{1}{2}$);

Section 4: Lots Two (2), Three (3), Four (4), South Half of the Northeast Quarter (SENE $\frac{1}{2}$), South Half of the Northwest Quarter (SENW $\frac{1}{2}$), and the East Half of the Southeast Quarter (ESE $\frac{1}{2}$);

Township Five (5) South, Range Eighteen (18) East of the Boise Meridian:

Section 28: That part of the South Half of the Southeast Quarter (SESE $\frac{1}{2}$) described as follows: BEGINNING at a point on the North Line of Section Thirty-three (33), Township Five (5) South, Range Eighteen East of the Boise Meridian, 32.71 rods

West of the Northeast corner; thence in a direction a little East of North 23 rods to a stone set in ground near the bank of Little Wood River marked H; thence in a Westerly and Southerly direction following the line of the river to a point where said river intersects the North line of Section 33; thence East along said North line 40 rods more or less to the place of beginning.

Section Thirty-two (32): Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$).

Section Thirty-three (33): Northeast Quarter (NE $\frac{1}{4}$) and the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$); North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$) EXCEPT: a strip of land 80 feet wide for Highway purposes as set forth in deed to State of Idaho across North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$); Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$); Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$); the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$), of Section Thirty-three (33) and part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$), of Section Twenty-eight (28), Township Five (5) South, Range Eighteen (18) East, of the Boise Meridian, recorded January 9, 1936, in Book 37, of Deeds at Page 528.

Except that part of the Southeast Quarter of the Northwest Quarter of the Southwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirty-three (33), Township Five (5) South, Range Eighteen (18) East, Boise Meridian, lying South of Little Wood River, and that part of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) said Section Thirty-three (33), lying South and Southwesterly of Little Wood River and of the dry creek which joins said Little Wood River approximately in the center of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section as described in Deed by Western Lands, Inc., a corporation to the Village of Shoshone, Lincoln County, Idaho, dated June 3, 1935, and recorded July 6, 1937, in Book 38 Deeds, Page 90, records of Lincoln County, Idaho.

Section Thirty-Four (34): The West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$):

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including, but not limited to 154.51 shares of the capital stock of the Big Wood Canal Company; and water and ditch right under American Falls Reservoir District No. 2;

ALSO, together with all grazing rights, licenses, leases, permits, and privileges and extensions and

ROBERT E. ADAMS
ATTORNEY AT LAW

renewals thereof, now and hereafter owned, held and controlled by the first parties and used in the operation of the above premises, especially Taylor Grazing Act grazing rights administered by the United States Department of the Interior, acting through the Bureau of Land Management.

Subject to exceptions and reservations contained in patents from the United States.

Subject to the existing easements for roads, highways, ditches, canals, laterals and power and transmission lines.

Subject to the burdens incident to the inclusion of the land within the boundaries of the American Falls Reservoir District No. 2 and the rights of the Big Wood Canal Company to levy assessments.

Subject to the easements in favor of the Telephone and Telegraph Company as disclosed by the instruments recorded on December 28, 1948 in Book 5 of Agreements, at Page 317, and on June 14, 1917 in Book 3 of Agreements at Page 291, records of Lincoln County, Idaho.

Subject to the road easement and easement for irrigation and drainage ditches as disclosed by the instrument in favor of the State of Idaho, recorded January 9, 1936, in Book 37 of Deeds, at Page 528, records of Lincoln County, Idaho.

Subject to the easement in favor of the Idaho Power Company as disclosed by the instrument recorded April 16, 1948, in Book 5 of Agreements at Page 292, records of Lincoln County, Idaho.

Subject to the unpaid balance of the \$27,000.00 mortgage executed by the Parties of the First Part in favor of the Federal Land Bank of Spokane, recorded February 27, 1962, as microfilmed instrument No. 112465, records of Lincoln County, Idaho.

Subject to the unpaid balance of that certain mortgage executed by the parties of the first part in favor of the Farmers Home Administration, United States Department of Agriculture in said instrument designated as the "Government" for the sum of Twenty-one thousand five hundred (\$21,500) Dollars, dated and recorded May 5, 1965 in the office of the Lincoln County Auditor at Shoshone, Idaho.

It is understood that the water rights hereinbefore referred to includes sixty-five (65) shares of stock in the Big Cottonwood Canal Company and one hundred ten inches (110 inches) of the waters of Little Wood River with decreed priority of April 1, 1867; also one hundred ten inches (110 inches) of the waters of Little Wood River with a decreed priority of April

HOWARD E. ADAMS
ATTORNEY AT LAW

1, 1884; and fifteen (15) inches of the waters of
Little Wood River with decreed priority of April 1,
1883.

TOGETHER, with all and singular the tenements, hereditaments
and appurtenances thereto belonging or in anywise appertaining,
the reversion and reversions, remainder and remainders, rents,
issues and profits thereof; and all estate, right, title and
interest in and to the said property, as well in law as in
equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above men-
tioned and described premises, together with the appurtenances,
unto the parties of the second part, and to their heirs and
assigns forever and the said parties of the first part, and
their heirs, the said premises in the quiet and peaceable
possession of the said parties of the second part, their heirs
and assigns, against the said parties of the first part, and
their heirs, and against all and every person and persons whom-
soever, lawfully claiming or to claim the same shall and will
WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first
part have hereunto set their hands and seals the day and year
first above written.

John J. Urrutia (Seal)
Olive Urrutia (Seal)

STATE OF IDAHO) ss.
County of Lincoln)

On this 28th day of September, in the year 1966
before me, Howard E. Adkins, a Notary Public in and for said
State, personally appeared John J. Urrutia and Olive Urrutia
known to me to be the persons whose names are subscribed to
the within instrument, and acknowledged to me that they executed
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.

Howard E. Adkins
Notary Public for the State
of Idaho, Residing at Pocatello,
Idaho.



119067

State of Idaho
County of Lincoln

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

Earl W. Hutchinson

at 3:00 o'clock P.M. this 31

day of Oct, 1966

and my office and any records on file

are 119067

For: Paula L. Kray
Lincoln Recorder

By: [Signature]
Deputy

Return to:

Earl W. Hutchinson
Detroit, MI

125195

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By Notary Public
My Commission Expires July 1st

THIS AGREEMENT, made and entered into this 27th day of November, 1975, by and between LA DOR C. SORESENSEN and LARUE S. SORESENSEN, husband and wife, the Parties of the First Part, hereinafter called the Vendors, and HAROLD J. KELYON and BETTY LEE KELTON, husband and wife, the Parties of the Second Part, hereinafter called the Vendees, WITNESSETH:

That the Vendors, for and in consideration of the sum of Two Hundred Ninety-Four Thousand and No/100 Dollars (\$294,000.00) lawful money of the United States of America, to be paid at the time and in the manner hereinafter mentioned, reserved and contained on the part of the Vendees to be paid, kept and performed by the Vendees, hereby promise, covenant and agree to sell and convey unto the Vendees all that certain real property situate, lying and being in the County of Lincoln, State of Idaho, more particularly described as follows, to-wit:

TOWNSHIP 6 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 3: Lots 3, 4. SW¹/₄: SW¹/₄:

Section 4: Lots 2, 3, 4. SE¹/₄: SE¹/₄: E¹/₄SE¹/₄:

TOWNSHIP 5 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 28: That part of the SE¹/₄ described as follows:

Beginning at a point on the North line of Section 33, Township 5 South, Range 18, East Boise Meridian, 32.75 rods West of the Northeast corner;
Thence in a direction a little East of North 23 rods to a stone set in ground near the bank of Little Wood River marked H;
Thence in a westerly and southerly direction following the line of the river to a point where said river intersects the North line of Section 33;
Thence East along said North line 40 rods more or less to the place of beginning.

Section 22: NE¹/₄SE¹/₄:

Section 23: NE¹/₄: SE¹/₄NW¹/₄: N¹/₂SW¹/₄:

Except a strip of land 50 feet wide for highway purposes as set forth in deed to State of Idaho, across N¹/₂SW¹/₄: SE¹/₄NW¹/₄: N¹/₂NE¹/₄, Section 23 and part of the SE¹/₄SE¹/₄ Section 28, Township 5 South Range 18 East, Boise Meridian, recorded January 8, 1934, in Book 27 Deeds Page 120.

MICROFILMED

AND EXCEPT that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 5 South, Range 18 East, Boise Meridian, lying South of Little Wood River, and that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 23, lying South and Southwesterly of Little Wood River and of the dry creek which joins said Little Wood River approximately in the center of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section as described in Deed by Western Lands, Inc., a corporation, to the Village of Shoshone, Lincoln County, Idaho, dated June 3, 1935 and recorded July 6, 1937, in Book 38 Deeds, Page 90, Lincoln County records.

Section 34: W $\frac{1}{2}$ NW $\frac{1}{2}$:

Together with 154.51 shares of the capital stock of Big Wood Canal Company; and together with 65 shares of stock in Big Cottonwood Canal Company; and 110 inches of water of Little Wood River, with decreed priority of April 1, 1887; and 110 inches of the water of Little Wood River with a decreed priority of April 1, 1884; and 15 inches of water of Little Wood River, with a decreed priority of April 1, 1883;

Together with Bureau of Land Management Grazing permits as follows:

Crater Butte: 90 pair cattle;
Notch Butte: 130 pair cattle;
Star Lake: 32 pair cattle;

In addition to the above lands and appurtenances, Vendors agree to sell, transfer and assign to the Vendees all their right, title and interest in and to their right to purchase additional Bureau of Land Management lands under the terms of an application now filed with the said Bureau of Land Management by Vendors and to cooperate with Vendees in carrying said application through to completion.

Said premises are subject to the following mortgages:

Mortgage given by Earl W. Hutchison and Myrtle Hutchison, husband and wife, to the Federal Land Bank of Spokane, dated August 1, 1966;

Mortgage given by Earl W. Hutchison and Myrtle Hutchison, husband and wife, to John J. Urrutia and Olive Urrutia, husband and wife, dated November __, 1966;

Contract between Hutchison & Sons, Inc., as Vendors and the Vendees herein as Vendees, dated March 26, 1977, for the purchase of the above described property.

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Little Wood River Swine Raising Co.	0.3	0	37-0423
2008	Donald Taber	0.3	0	37-0423
2203	Donald Taber	0.3	0	37-0423

N

A

R

029-0341

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

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

APPROVED

Name of applicant Donald Taber Phone 886-2427

Post office address Box 662, Shoshone, Idaho 83352

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant deeds and sales contracts were submitted in conjunction with Transfer # 2008
3. Source of water Big Wood & Little Wood River tributary to Malad River
4. Date of priority (see attached sheet)
5. Water is used for the following purposes:
- amount _____ for _____ purposes from _____ to _____
- amount _____ for _____ purposes from _____ to _____
- amount _____ for _____ purposes from _____ to _____
(month/day -- both dates inclusive)
6. Total amount of water under right: a. _____ cubic feet per second
&/or
b. (2points) _____ acre feet per annum
7. Location of original point of diversion is SE ¼ of NW ¼ of Section 23
Township 5S Range 18E, B.M., in Lincoln County
Additional points of diversion, if any NW ¼ NE ¼ Sec. 33 T. 5S R. 18E
8. Lands irrigated or place of use:

See Attached Sheet

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

See Attached Sheet

1. Change in point of diversion
- a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NW ¼ NE ¼, Section 33 Township 5S
Range 18E, B.M., Lincoln County
Additional points NE¼SE¼, Sec. 32, Twp. 5S, Rge. 18E, B.M.
- c. Description of diverting works _____
- d. Describe the reasons for applying for a change in the point(s) of diversion To add one point of diversion and delete two points of diversion not listed on Transfer # 2008.
The purpose of the Transfer is to facilitate the change from gravity to sprinkler irrigation and to locate the point of diversion nearer the place of use.
2. Change in place of use
- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

DESCRIPTION OF RIGHT OR PORTION THEROF, AS RECORDED.

A. Decree Identification Number 37-0423

Amount: 0.30 cfs

Points of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23; and (additional point)
NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 33, all in Twp. 5S., Rge.18E., B.M.

Place of Use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	18E	28																15	15
		33	40	40	40	40				40									200
		34						40	40										80
Total Number of Acres																			295

B. Decree Identification Number 37-0424

Amount: 2.20 cfs

Points of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23; and (additional point)
NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 33, all in Twp. 5S., Rge.18E., B.M.

Place of Use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	18E	28																15	15
		33	40	40	40	40				40									200
		34						40	40										80
Total Number of Acres																			295

C. Decree Identification Number 37-0425

Amount: 2.20 cfs

Points of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23; and (additional point)
NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 33, all in Twp. 5S., Rge.18E., B.M.

Place of Use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	18E	32												40					40
		33								40	40								80
Total Number of Acres																			120

D. Decree Identification Number 37-0059 (Part)

Amount: 3.04 cfs measured at points of diversion on Little Wood River

Points of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23; and (additional point)
NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 33, all in Twp. 5S., Rge.18E., B.M.

Place of Use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	18E	28																15	15
		33	40	40	40	40				40									200
		34						40	40										80
Total Number of Acres																			295

DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER REQUESTED CHANGE

A. Decree Identification Number 37-0423 Priority - 4/1/1883
 Amount: 0.30 cfs
 Points of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32;
 NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, all in Twp. 5S, Rge. 18E., B.M.
 Place of Use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	18E	28																15	15
		33	40	40	40	40				40									200
		34						40	40										80
Total Number of Acres																			295

B. Decree Identification Number 37-0424 Priority - 4/1/1884
 Amount: 2.20 cfs
 Points of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32;
 NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, all in Twp. 5S, Rge. 18E., B.M.
 Place of Use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	18E	28																15	15
		33	40	40	40	40				40									200
		34						40	40										80
Total Number of Acres																			295

C. Decree Identification Number 37-0425 Priority - 4/1/1887
 Amount: 2.20 cfs
 Points of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32;
 NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, all in Twp. 5S, Rge. 18E., B.M.
 Place of Use:

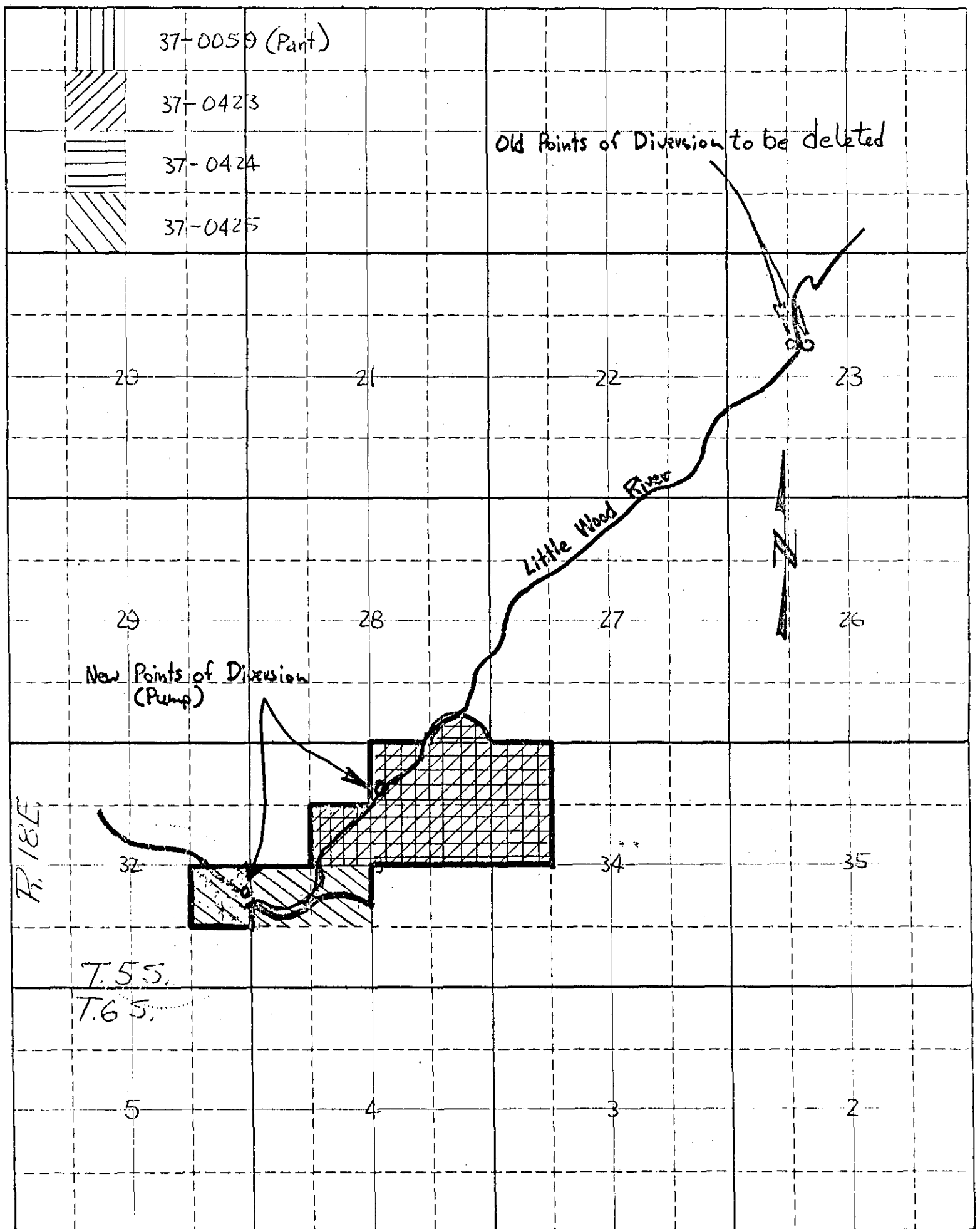
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	18E	32												40					40
		33								40	40								80
Total Number of Acres																			120

D. Decree Identification Number 37-0059 (Part) Priority - 5/27/1899
 Amount: 3.04 cfs measured at points of diversion on Little Wood River
 Points of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32;
 NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, all in Twp. 5S, Rge. 18E., B.M.
 Place of Use:

4.16

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	18E	28																15	15
		33	40	40	40	40				40									200
		34						40	40										80
Total Number of Acres																			295

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



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

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

The grid is a 10x10 square grid. It is divided into four 5x5 quadrants by a central vertical line and a central horizontal line. The lines are solid for the main grid and dashed for the internal section lines.

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

3. Remarks This Transfer is being filed to reflect the discontinued use of the old
diversion points and the addition of a new diversion point not shown on
Transfer # 2008

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

Donald Taber
(Signature of applicant)

Subscribed and sworn to before me this 11th day of January, 19 78.

Michael L. Steh
(Notary public)

My commission expires Lifetime

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. A-37-0423, B-37-0424,
C-37-0425 & D-37-0059
and said application is hereby APPROVED, subject to the following limitations and conditions:

1. That rights 37-0423, 37-0424, 37-0425 be subject to 6% conveyance loss when diverted
from Little Wood River in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 5S, Rge. 18E, B. M. and 5% conveyance
loss loss when diverted from Little Wood River in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B. M.
2. A measuring device of a type approved by this Department shall be permanently installed
and maintained at the point of the diverting works.
3. Use of water under this transfer is subject to control by the watermaster of Water
District No. 37M, Little Wood River.

Witness my hand this 4th day of April, 19 78.

Norman C. Young
Administrator

FOR DEPARTMENT USE ONLY

Received by TGB Date 1-11-78

Protest filed by _____

Prelim. check by JD Fee 30⁰⁰

Receipted by TGB Date 1-11-78

Published in Lincoln Co. Journal

Copies of protest forwarded by _____

Pub. dates 2/2 + 2/9/78 Sm DI 2/13/78

Hearing held by _____ Date _____

Watermaster recommendation requested on 1/13/78

Recommended for approval denial

rec'd. 1/18/78 Sm

by Jim Johnson

AFFIDAVIT of PUBLICATION

FEB 13 1978

State of Idaho, }
County of Lincoln } SS.

Department of Water Resources
Southern District Office

Nelba Thorne being first duly sworn deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, 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 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 on

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 February

1978, and the date of the last publication

day of February

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-0423, 37-0424,
37-0425, 37-0059

Subscribed and sworn to before me
day of February
(SEAL)

Maya

Notice is hereby given that Donald Taber, Shoshone, ID 83352, has applied to the Department of Water Resources for a change of points of diversion of the waters of the Big & Little Wood Rivers. The rights sought to be changed are evidenced by the Decree in the case of S.C. Frost vs. Alturas Water Co., October 6, 1909, Fourth Judicial Court, Blaine & Lincoln Counties, and subsequent change as recorded by Transfer No. 2008, and are recorded as follows:

LINCOLN COUNTY

Shoshone, I

A. 37-0423 for .3 cfs with

COST OF PUBLICATION

Number of Lines in Notice

Number of Insertions

Lines tabular at 315c

96 Lines straight at 21c 20.16

96 Subsequent lines at 15c 14.40

TOTAL COST 34.56

priority of 4/1/1883, point of diversion on: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 23, and (additional pt.) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E., B.M., used for irrigation purposes of 295 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E., B.M.

B. 37-0424 for 2.2 cfs with priority of 4/1/1884, point of diversion: Same as for A. above with place of use same as for A. above.

C. 37-0425 for 2.2 cfs with priority of 4/1/1887, point of diversion: same as A. above, to be used for irrigation purposes of 120 acres within NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32; N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E., B.M.

D. 37-0059 (Part) for 3.04 cfs with priority of 5/27/1899 at points of diversion on Little Wood Riv., point of diversion: Same as for A. above. Place of use: Same as for A. above.

TO BE CHANGED AS FOLLOWS:

A. 37-0423, point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E., B.M. No change in quantity or place of use.

B. 37-0424, point of diversion: Same as A. above. No change in quantity or place of use.

C. 37-0425, point of diversion: Same as A. above. No change in quantity or place of use.

D. 37-0059 (Part), point of diversion: Same as A. above. No change in quantity or place of use.

Any protest against the approval of the above change of water rights must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, ID 83301, on or before February 20, 1978.

/s/ C. Stephen Allred
Director

Pub: 2-2, 9

N RATES Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

No 1767

NOTICE

(P)

NOTICE

CORNEY

NT

F

AFFIDAVIT of PUBLICATION

COPY OF NOTICE

(Paste Here)

State of Idaho,
County of Lincoln

SS.

Department of Water Resources
Southern District Office

FEB 23 1978

Water Right
TITLE OF NOTICE

37-0423 37-0424,
PLAINTIFF ATTORNEY

34-0425, 37-0059
DEFENDANT

Donald Taber
PLAINTIFF

Melba Thorne, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, 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 2 day of February

1978, and the date of the last publication was on the 9

day of February, 1978.

Melba Thorne

Subscribed and sworn to before me this 9

day of February, 1978
(SEAL)

Mary Ann Hagen
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Lines in Notice

Number of Insertions

Lines tabular at 315c

96 Lines straight at 21c 20.16

96 Subsequent lines at 15c 14.40

TOTAL COST 34.56

they taught her the "trick of the
And, so for one who never
she would become a bar owner
Tanaka has proven a woman
ceed at this business, if she ist
of hard work, long hours and st
it.

Young artists

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-0123, 37-0424,
37-0425, 37-0059

eli
1 Sh Notice is hereby given
- that Donald Taber, Sho-
- Feshone, Id 83352, has ap-
- plied to the Department of
t sy Water Resources for a
t change of points of di-
- fir version of the waters of the
na Big & Little Wood Riv-
- ers. The rights sought to be
no changed are evidenced by
re the Decree in the case of S.C.
Frost vs. Alturas Water Co.,
M October 6, 1909, Fourth
gi Judicial Court, Blaine & Lin-
cc coln Counties, and subse-
si quent change as recorded by
dc Transfer No. 2008, and are
recorded as follows:

(Ida. 44) A. 37-0423 for .3 cfs with

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

No 1767

Transfer No. 2008

Application No. A - 37-0423
B - 37-0424
C - 37-0425
D - 37-0059 (Part)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

AMENDED

Name of applicant Donald Taber Phone 886-2427
Post office address Box 662, Shoshone, ID, 83352

A. DESCRIPTION OF RIGHT AS RECORDED

SEE ATTACHED SHEETS

1. Right evidenced by:
- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____ (Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
(See attached deeds and sales contracts)
3. Source of water Big Wood & Little Wood River tributary to Malad River
4. Date of priority (See attached sheets) _____
5. Water is used for the following purposes: (See attached sheets)
- amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day – both dates inclusive)
6. Total amount of water under right: a. _____ cubic feet per second
&/or
b. (2 points) _____ acre feet per annum
7. Location of original point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23
Township 5S Range 18E, B.M., in Lincoln County
Additional points of diversion, if any _____
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
- Additional points _____

3. Place of use:

[illegible]

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

1. Change in point of diversion
- a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33 Township 5S
Range 18E, B.M., Lincoln County
Additional points (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 5S., Rge. 18E.
- c. Description of diverting works Pump, motor and sprinkler system.
- d. Describe the reasons for applying for a change in the point(s) of diversion _____
To change from gravity irrigation to sprinkler irrigation and to have the
point of diversion located nearer to the place of use.
2. Change in place of use (See attached sheets)
- a. Describe the lands or place of use to which the right will be transferred:

[illegible]

Total number of acres to be irrigated _____

SEE ATTACHED SHEETS

D. Decree Identification Number 37-0059 (Part)
 Amount: 3.04 cfs measured at points of diversion on Little Wood River
 Points of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23; and (additional point)
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 33, all in Twp. 5S., Rge.18E., B.M.
 Place of Use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	18E	28																15	15
		33	40	40	40	40				40									200
		34						40	40										80
															Total Number of Acres				295

DESCRIPTION OF RIGHT OR PORTION THEROF, AFTER REQUESTED CHANGE

A. Decree Identification Number 37-0423

Amount: 0.30 cfs

Points of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23; and (additional point)
NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 33, all in Twp. 5S., Rge.18E., B.M.

Place of Use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	18E	28																15	15
		33	40	40	40	40				40									200
		34						40	40										80
																		Total Number of Acres	295

B. Decree Identification Number 37-0424

Amount: 2.20 cfs

Points of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23; and (additional point)
NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 33, all in Twp. 5S., Rge.18E., B.M.

Place of Use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	18E	28																15	15
		33	40	40	40	40				40									200
		34						40	40										80
																		Total Number of Acres	295

C. Decree Identification Number 37-0425

Amount: 2.20 cfs

Points of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23; and (additional point)
NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 33, all in Twp. 5S., Rge.18E., B.M.

Place of Use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	18E	32												40					40
		33								40	40								80
																		Total Number of Acres	120

D. Decree Identification No. 37-0059 (Part)

Decreed to Big Cottonwood Canal Company appurtenant to lands described as owned by Harry W. Anderson and George H. Anderson.

Priority: 5-27-1899

Amount: 4.16 cfs measured at the head of the Richfield Canal

3.04 cfs measured at the diversions from the Little Wood River

Point of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 30, Twp. 2S., Rge. 18E., B.M.

(head of Richfield Canal)

(2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23, Twp. 5S., Rge. 18E., B.M.

(diversions on the Little Wood River)

Place of Use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	18E	27	40	40			40			40									160
		28																20	20
		32													40				40
		33	40	40	40	40				40	40	40							280
		34						40	40										80
																			Total number of acres 580

DESCRIPTION OF RIGHTS AS RECORDED

Rights evidenced by:

Decrees in the case of S. C. Frost vs. Alturas Water Company dated October 6, 1909, in the Fourth Judicial District, County of Blaine and County of Lincoln. The following are the rights evidenced by the above court case:

A. Decree identification No. 37-0423

Decreed to Little Wood Swine Raising Company

Priority: 4-1-1883

Amount: 0.30 cfs

Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 5S., Rge. 18E.

Place of Use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	18E	27	40	40			40			40									160
		28																15	15
		33	40	40	40														120
Total number of acres																			295

B. Decree identification No. 37-0424

Decreed to Little Wood Swine Raising Company

Priority: 4-1-1884

Amount: 2.20 cfs

Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 5S., Rge. 18E.

Place of Use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	18E	27	40	40			40			40									160
		28																15	15
		33	40	40	40														120
Total number of acres																			295

C. Decree identification No. 37-0425. Transfer No. 719; Urrutia, Ramon & Son.

Decreed to Little Wood Swine Raising Company

Transferred by Urrutia Ramon & Son.

Priority: 4-1-1887

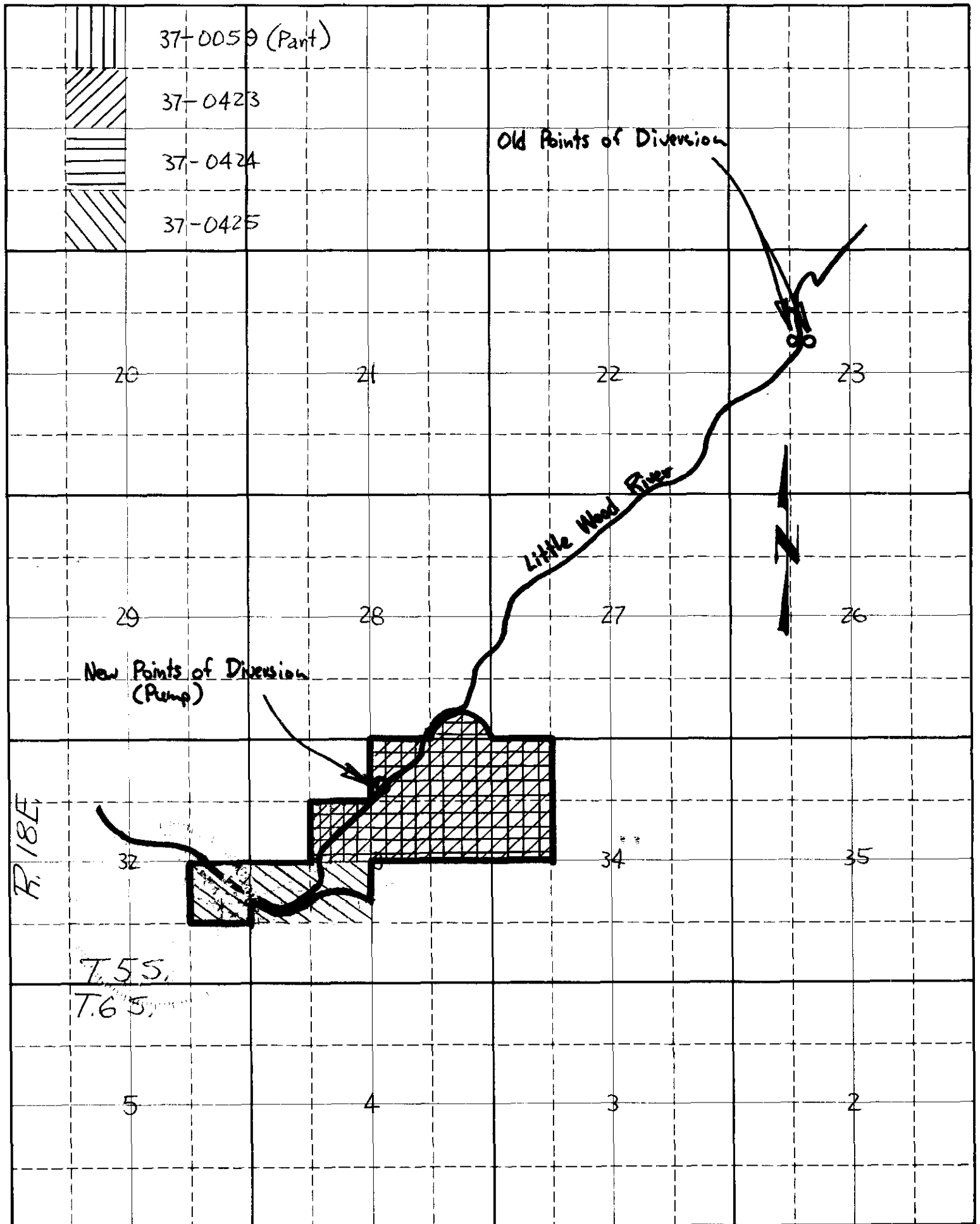
Amount: 2.20 cfs

Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 5S., Rge. 18E.

Place of Use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	18E	33							40		40	40							120
Total number of acres																			120

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



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

3. Remarks _____

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

x Donald Taber
(Signature of applicant)

Subscribed and sworn to before me this 17 day of Aug, 1976

Michael L. Stahl
(Notary public)

My commission expires Lifetime

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0423, 37-0424, 37-0425, 37-0059 (Part),
and said application is hereby APPROVED Trans. #2008

Approval of said application is subject to the following limitations and conditions:

- (1) That rights 37-0423, 37-0424 & 37-0425 be subject to a 5% conveyance loss when diverted from the new point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5 S, Rge. 18 E, B. M.
- (2) That measuring devices of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

Witness my hand this 4 day of November, 19 76

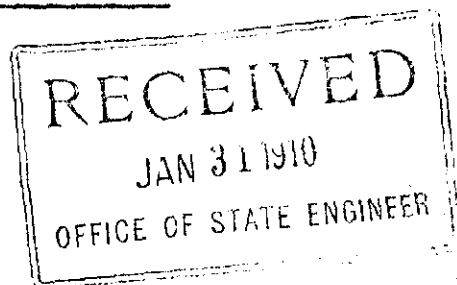
Corrected 12/3/76

R. Fred Higin

FOR DEPARTMENT USE ONLY

Received by <u>ADM</u>	Date <u>8-25-76</u>	Protest filed by _____
Prelim. check by <u>mb</u>	Fee <u>\$30.00 #2192</u>	_____
Receipted by <u>pj</u>	Date <u>8-25-76</u>	_____
Published in <u>Lincoln County Journal</u>	Copies of protest forwarded by _____	
Pub. dates <u>September 2 & 9, 1976</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>approval</u> denial	
_____ rec'd. _____	by <u>Michael L. Stahl</u>	

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



S. C. Frost, et al.,

Plaintiffs,

vs.

DECREE.

Alturas Water Company, et al.,

Defendants.

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

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

✓ Lakes, Harold and Arthur, Jr.	200 inches.	✓ Nov. 26, 1886.	Big Wood River.
✓ Lane, Jennie	160 "	✓ Oct. 28, 1891.	Little Wood River.
✓ Lawrence, Frank N.	60 "	✓ June 1, 1898.	Soldier Creek.
✓ Lawson, Martin	15 "	✓ Aug. 1, 1880.	Little Wood River.
✓ " "	80 "	✓ Apr. 1, 1881.	" " "
✓ Lawson, H. S.	100 "	✓ May 31, 1886.	Silver Creek.
✓ " " "	50 "	✓ Oct. 25, 1892.	" " "
✓ Lemman, E. B.	160 "	✓ Apr. 1, 1907.	Three Mile Creek or Trans #59 Four Mile Creek.
✓ Leonard, William	12-1/2 "	✓ May 9, 1883.	Deer Creek.
✓ " "	70 "	✓ May 15, 1883.	" "
✓ " "	150 "	✓ July 5, 1884.	" " 5435
✓ " "	100 "	✓ June 15, 1885.	" "
✓ " "	100 "	✓ July 1, 1893.	" "
✓ Lewis, Horace C.	1250 "	✓ Apr. 25, 1881.	Trail Creek.
✓ " " "	325 "	✓ Oct. 5, 1883.	" "
✓ " " "	200 "	✓ Oct. 5, 1883.	" "
✓ " " "	200 "	✓ June 23, 1888.	Warm Springs Creek.
✓ " " "	100 "	✓ Aug. 2, 1889.	" " "
✓ Little, John H.	160 "	✓ Oct. 31, 1889.	Big Wood River.
✓ Little Wood River Canal Company	1600 "	✓ Apr. 15, 1893.	Little Wood River.
✓ Do.	8400 "	✓ Sept. 2, 1899.	" " "
✓ Little Wood River Swine Raising Co.	15 "	✓ Apr. 1, 1883.	" " "
✓ Do.	110 "	✓ Apr. 1, 1884.	" " "
✓ Do.	110 "	✓ Apr. 1, 1887.	" " "
37 0426 ✓ Lloyd, Bruce	125 "	✓ Apr. 1, 1887.	Silver Creek. #900
37 0427 ✓ Logan, James	150 "	✓ Dec. 18, 1903.	Big Wood River.
37 0428 ✓ Loving, Henry	40 "	✓ June 1, 1889.	Butte Creek.
37 0429 ✓ Loving, John T.	160 "	✓ Oct. 31, 1889.	Big Wood River.
37 0430 ✓ Lumb, John	160 "	✓ June 1, 1902.	" " "

April 10, 1978

Re: Transfer of Water Right No.'s 37-0423,
37-0424, 37-0425 and 37-0059

Donald Taber
Box 662
Shoshone, ID 83352

Dear Mr. Taber:

Enclosed is a copy of the approved Application for Transfer of the above
referenced Water Rights.

Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

RECEIVED
APR 11 1978

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 37-0423, 37-0424, 37-0425, 37-0059

Notice is hereby given that Donald Taber, Shoshone, Id 83352, has applied to the Department of Water Resources for a change of points of diversion of the waters of the Big & Little Wood Rivers. The rights sought to be changed are evidenced by the Decree in the case of S. C. Frost vs. Alturas Water Co., October 6, 1909, Fourth Judicial Court, Blaine & Lincoln Counties, and subsequent change as recorded by Transfer No. 2008, and are recorded as follows:

- A. 37-0423 for .3 cfs with priority of 4/1/1883, point of diversion:
(2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, and (additional pt.) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33,
Twp. 5S, Rge. 18E., B.M., used for irrigation purposes of 295
acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34,
Twp. 5S, Rge. 18E., B.M.
- B. 37-0424 for 2.2 cfs with priority of 4/1/1884, point of diversion:
Same as for A. above with place of use same as for A. above.
- C. 37-0425 for 2.2 cfs with priority of 4/1/1887, point of diversion:
same as A. above, to be used for irrigation purposes of 120 acres
within NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32; N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E., B.M.
- D. 37-0059 (Part) for 3.04 cfs with priority of 5/27/1899 at points of
diversion on Little Wood Riv., point of diversion: Same as for A.
above. Place of use: Same as for A. above.

TO BE CHANGED AS FOLLOWS:

MICROFILMED

Page 2

- A. 37-0423, point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E., B.M. No change in quantity or place of use.
- B. 37-0424, point of diversion: Same as A. above. No change in quantity or place of use.
- C. 37-0425, point of diversion: Same as A. above. No change in quantity or place of use.
- D. 37-0059 (Part), point of diversion: Same as A. above. No change in quantity or place of use.

Any protest against the approval of the above change of water rights must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, ID 83301, on or before February 20, 1978.

C. STEPHEN ALLRED.

Director

Published in the Lincoln County Journal on 2/2 and 2/9/78.

RECEIVED

January 19, 1978

Lincoln County Journal
P. O. Box 704
Shoshone, ID 83352

Re: Change of Water Right No. 37-0423, 37-0424, 37-0425, 37-0059 - Donald Taber

Gentlemen:

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

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

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

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sm

Enc.

Bill submitted: _____

RECEIVED
JAN 18 1978

Department of Water Resources
Southern District Office

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. A-37-0423 B-37-0424
C-37-0425 D-37-0059

RECOMMENDATION OF WATERMASTER

I, Reid J. Newby, watermaster of Little Wood River,
of Water District No. 37M, County of Lincoln, State of Idaho,
whose address is Box T Shoshone, Idaho 83352

have read the attached copy of the application for transfer of water right for _____

Donald Taber, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: That rights 37-0423, 37-0424 and 37-0425
be subject to a 6% conveyance loss at the new point of diversion.

Also, that a measuring device be installed permanently and be
maintained at all times.

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 16th day of January 19 78.

Reid J. Newby
(signature) Watermaster

Please use reverse side if needed.

RECEIVED
JAN 16 1978
WATERMASTER SHOSHONE

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

1. Source Big & Little Wood Rivers Name Ronald Faber
-0424
2. Right Being Transferred Right No. Decree 37-0423-0425, 37-0459
Transfer No. _____
- a. ☒ Decree
____ License
____ Use
- b. ☒ Priority
- c. ☒ Location - Original P. D.
- d. ☒ " - Original P. U.
- e. ☒ " - New P.D.
- f. ☒ " - New P.U.
- g. ☒ Amount
 ☒ All
 ____ Part
3. ☒ Proof of Ownership of Right
 Comment _____
4. No Expansion of Right
 Comment _____
5. ☒ Map
6. ☒ Signature
7. ☒ Fee
8. Watermaster's Comments requested 1-13-78
 Received 1/18/78 Sm
9. Comments _____
10. Initial Review by J.P. Stanton Date 1-13-78
11. Recommended Action
 ☒ Approve
 ____ Deny
 ____ Conditions _____
- By Michael Steele Date 2-22-78

copy to Bure 1-13-78 ga

SEE FILE 37-0423 FOR ALL OTHER CORRESPONDENCE IN CONNECTION WITH THIS TRANSFER.

December 3, 1976

Re: Transfer No. 2008

Mr. Donald Taber
Box 662
Shoshone, ID 83352

Dear Mr. Taber:

It has been brought to our attention that the conditions of approval were omitted from the above referenced transfer at the time of approval. We are, therefore, herewith forwarding a corrected copy of the transfer for your records.

We direct your attention to the conditions of approval; please note that a special condition requiring you to install and maintain measuring devices has been placed upon this transfer. Also enclosed is a letter describing different types of measuring devices accepted by the Director.

We apologize for any inconvenience this oversight may have caused.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enc: Copy of transfer
Information letter

cc: IDWR - Twin Falls
Watermaster

November 10, 1976

Re: A - 37-0423 (Trans. #2008)
B - 37-0424 (Trans. #2008)
C - 37-0425 (Trans. #2008)
D - 37-0059 (Trans. #2008) (Part)

Donald Taber
Box 662
Shoshone, ID 83352

Dear Mr. Taber:

Enclosed herewith is a copy of your approved Application for Transfer #2008.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enc.

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

1. Source Big Wood & Little Wood Rivers Name Donald Taber
2. Right Being Transferred Right No. _____
Transfer No. _____
- a. ☒ Decree
_____ License
_____ Use
- b. ☒ Priority
- c. ☒ Location - Original P. D.
- d. ☒ " - Original P. U.
- e. ☒ " - New P.D.
- f. ☒ " - New P.U.
- g. ☒ Amount
_____ All
_____ Part
3. ☒ Proof of Ownership of Right
Comment Deeds
4. ☒ Expansion of Right
Comment No
5. ☒ Map
6. ☒ Signature
7. ☒ Fee
8. Watermaster's Comments Send out for 6/8/76
9. Comments THAT A 5% LOSS ON described rights
A-B-C ; D (NO LOSS) be deducted from
WATER DELIVERED.
10. Initial Review by L. B. Date 6-4-76
11. Recommended Action
☒ Approve
_____ Deny
☒ Conditions See attached
- By Michael Shub Date 7-8-76

CONDITIONS FOR APPROVAL

The Application for Transfer is recommended for approval subject to the following conditions:

1. That a 5% loss on described rights A, B and C be taken when the rights are diverted at the new point of diversion located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 3, Twp. 5S, Rge. 18E, B.M.

Thus the deliverable amounts at the new point of diversion shall be: (A - 0.29 cfs), (B - 2.09 cfs), (C - 2.09 cfs).

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Lincoln } SS.

OCT 15 1976

Laray Trammel Department of Water Resources
deposes and says that he is the printer (publisher) of the Lincoln
County Journal, a newspaper published every week in Shoshone, Lin-
coln County, State of Idaho; that said newspaper has been continuous-
ly 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 7 day of Oct.
19 76, and the date of the last publication was on the 14
day of Oct., 19 76.

Laray Trammel

Subscribed and sworn to before me this 14

day of October, 19 76.
(SEAL)

Mary Ann Hagan
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL Shoshone, Idaho COST OF PUBLICATION

Number of Lines in Notice
Number of Insertions
Lines tabular at 315c
Lines straight at 21c
Subsequent lines at 15c
TOTAL COST

COPY OF NOTICE

(Paste Here)

A Notice of Amended
TITLE OF NOTICE
Transferring Water

PLAINTIFF ATTORNEY

Donald Taber
PLAINTIFF

PLAINTIFF

BILL TO

Dept of Water Resources
1041 Blue Lake Blvd N,
Twin Falls, Ida.
83301

PUBLICATION RATES		
(Idaho Code, Rev. Statutes 1971)		
7 pt. per line, straight		21c
7 pt. per line, tabular		315c
7 pt. per line, successive		15c
insertions		

Nº 1525

O.K.
10-15-76

NOS. A-37-0422
B-37-0423
C-37-0424
D-37-0425

Notice is hereby given that Donald Faber of Idaho, has applied to the Department of Water for a change of point of diversion and place of use of the waters of Big Wood and Little Wood Rivers. The right is to be amended as follows:

A-37-0422
Amount: 0.30 cfs
Points of Diversion: (2 points)
SE 1/4 NW 1/4, Sec. 25, and additional point NW 1/4 NE 1/4, Sec. 34, Twp. 35, Rge. 18E, S. 1E

The water is to be used for the irrigation of the above lands the SE 1/4 NE 1/4, Sec. 25, and SE 1/4 NW 1/4, Sec. 34, Twp. 35, Rge. 18E, S. 1E

B-37-0423
Amount: 0.30 cfs
Points of Diversion: (2 points)
SE 1/4 NW 1/4, Sec. 25, and additional point NW 1/4 NE 1/4, Sec. 34, Twp. 35, Rge. 18E, S. 1E

The water is to be used for the irrigation of the above lands the SE 1/4 NE 1/4, Sec. 25, and SE 1/4 NW 1/4, Sec. 34, Twp. 35, Rge. 18E, S. 1E

C-37-0424
Amount: 0.30 cfs
Points of Diversion: (2 points)
SE 1/4 NW 1/4, Sec. 25, and additional point NW 1/4 NE 1/4, Sec. 34, Twp. 35, Rge. 18E, S. 1E

The water is to be used for the irrigation of the above lands the SE 1/4 NE 1/4, Sec. 25, and SE 1/4 NW 1/4, Sec. 34, Twp. 35, Rge. 18E, S. 1E

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho,
County of Lincoln

SS.

SEP 27 1976

Department of Water Resources
Southern District Office

Jaray Trammel, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, 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 16 day of Sept, 1976, and the date of the last publication was on the 23 day of Sept., 1976

Jaray Trammel

Subscribed and sworn to before me this 23

day of September, 1976
(SEAL)

Mary Ann Hagen
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Lines in Notice 82

Number of Insertions 82

Lines tabular at 315c

82 Lines straight at 21c 17.22

82 Subsequent lines at 15c 12.30

TOTAL COST 29.52

COPY OF NOTICE

(Paste Here)

Notice of Amended
Transfer of Water Rights

#A-37-6423

B-37-0434

C-37-0435

D-37-0059

PLAINTIFF ATTORNEY

DEFENDANT

Donald

BILL TO

Dept of Water Resources
1041 - Blue Lakes
Bldg. North
Trin Falls

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

No. 1513

republished

The water is to be used for
the irrigation of the water right
the SE1/4, Sec. 22, Twp. 22,
Rge. 22, S. 22.

D-37-4020

Amount: 1.00 cfs measured at
points of diversion on Little
Wood River

Points of Diversion: (3 points)
SE1/4NW1/4, Sec. 22, and addi-
tional point NW1/4, Sec. 22,
Twp. 22, Rge. 22, S. 22.

The water is to be used for
the irrigation of the water right
the SE1/4, Sec. 22, Twp. 22,
Rge. 22, S. 22.

Any person who wishes to
divert water from the water right
the SE1/4, Sec. 22, Twp. 22,
Rge. 22, S. 22, must first
obtain a permit from the
Department of Water Resources.

W. B. BROWN, Commissioner
Department of Water Resources

Page Two

Notice is hereby given that
Donald Tabor of
Idaho, has applied to the De-
partment of Water Resources
for a change of point of diver-
sion and place of use of the
waters of the Little Wood
River. The right is to be
amended as follows:

A-37-0423

Amount: 0.20 cfs

Points of Diversion: (3 points)
SE1/4NW1/4, Sec. 22, and addi-
tional point NW1/4, Sec. 22,
Twp. 22, Rge. 22, S. 22.

The water is to be used for
the irrigation of the water right
the SE1/4, Sec. 22, Twp. 22,
Rge. 22, S. 22.

B-37-0424

Amount: 2.20 cfs

Points of Diversion: (3 points)
SE1/4NW1/4, Sec. 22, and addi-
tional point NW1/4, Sec. 22,
Twp. 22, Rge. 22, S. 22.

The water is to be used for
the irrigation of the water right
the SE1/4, Sec. 22, Twp. 22,
Rge. 22, S. 22.

Notice

The water is to be used for
the irrigation of the water right
the SE1/4, Sec. 22, Twp. 22,
Rge. 22, S. 22.

D-37-4020

Amount: 1.00 cfs measured at
points of diversion on Little
Wood River

Points of Diversion: (3 points)
SE1/4NW1/4, Sec. 22, and addi-
tional point NW1/4, Sec. 22,
Twp. 22, Rge. 22, S. 22.

The water is to be used for
the irrigation of the water right
the SE1/4, Sec. 22, Twp. 22,
Rge. 22, S. 22.

Any person who wishes to
divert water from the water right
the SE1/4, Sec. 22, Twp. 22,
Rge. 22, S. 22, must first
obtain a permit from the
Department of Water Resources.

W. B. BROWN, Commissioner
Department of Water Resources

W. B. BROWN, Commissioner
Department of Water Resources

Page Two

9-29-76

AFFIDAVIT ~~PUBLICATION~~ RECEIVED

State of Idaho, }
County of Lincoln } SS.

SEP 13 1976

Department of Water Resources
Southern District Office

Larry Hammel, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, 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 2 day of September, 1976, and the date of the last publication was on the 9 day of September, 1976.

Larry Hammel

Subscribed and sworn to before me this 9

day of September, 1976.
(SEAL)

Mary Ann Hagen
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL
Shoshone, Idaho

COST OF PUBLICATION

Number of Lines in Notice

Number of Insertions

Lines tabular at 315c

72 Lines straight at 21c 15.12

72 Subsequent lines at 15c 10.80

TOTAL COST 25.92

COPY OF NOTICE

(Paste Here)

Amended Transfer
TITLE OF NOTICE

Water Right
PLAINTIFF ATTORNEY

A-D-37-0423-37-0059
DEFENDANT

Donald
PLAINTIFF

BILL TO

Dept. of Water Resources
1041 Blue Lakes Blvd N.
Idaho Falls ID

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

No 1500

Father's name
Date
Place
Age
Sex
Color
Height
Weight
Build
Hair
Eyes
Mouth
Nose
Complexion

[illegible]

THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION
500 5TH AVENUE
NEW YORK 17, N.Y.

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

100-4534

August 26, 1976

Lincoln County Journal
P. O. Box 704
Shoshone, Idaho 83352

Re: Amended Transfer of Water Right Nos. 37-0423 - 37-0425 Donald Taber
37-0424 - 37-0059

Gentlemen:

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

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

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

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:pj

Enc.

Bill submitted: _____

NOTICE OF AMENDED TRANSFER OF WATER RIGHT

NOS.: A - 37-0423
B - 37-0424
C - 37-0425
D - 37-0059

Notice is hereby given that Donald Taber of Shoshone, Idaho, has applied to the Department of Water Resources for a change of point of diversion and place of use of the waters of Big Wood and Little Wood Rivers. The right is to be amended as follows:

A - 37-0423

Amount: 0.30 cfs

Points of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and additional point NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 295 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

B - 37-0424

Amount: 2.20 cfs

Points of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and additional point NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 295 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

C - 37-0425

Amount: 2.20 cfs

Points of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and additional point NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 120 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32; N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33; Twp. 5S, Rge. 18E, B.M.

D - 37-0059

Amount: 3.04 cfs measured at points of diversion on Little Wood River
Points of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23 and additional point NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 33, Twp. 5S, Rge. 18E, B.M.

The water is to be used for the irrigation of 295 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 28; NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

Any protest against approval of the above amended transfer of water right
must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd.
North, Twin Falls, Idaho, 83301, on or before September 20, 1976.

October 4, 1976. (error from newspaper
re-advertised date)

October 26, 1976
R. KEITH HIGGINSON
DIRECTOR

Published in the Lincoln County Journal on September 2 and September 9, 1976.

Sept. 16	Sept. 23, 1976
Oct. 7	Oct. 14, 1976

August 25, 1976

Donald Taber
Box 662
Shoshone, Idaho 83352

Dear Mr. Taber:

Please find enclosed your receipt for check # 92-39 in the amount of \$30.00 which was received in this office on the above date.

Sincerely,

P. Jolley
Secretary

Enc.

MICROFILMED

MEMORANDUM

RECEIVED

JUL 16 1976

Department of Water Resources
Southern District Office

TO: Mike Steele

FROM: Dave Tuthill DET

RE: Transfer 2008

DATE: July 15, 1976

This transfer has been well documented and explained except for one missing link: We must make certain that the water right which was withheld in the 1948 sale of lands within section 27 between Urrutias and Baughs was not forfeited through non-use. This assurance can be made by showing that in and around 1948 the Urrutias had possession of enough of the lands involved in this transfer that no more than .02 cfs needed to be assigned to each acre. If this was not the case it is possible that the water right withheld by the Urrutias, or a portion thereof, was lost through forfeiture.

The transfer on right 37-0425 shows that in 1947 the Urrutias owned 120 acres to which 2.2 cfs were appurtenant. This leaves room for .2 cfs on that land. To whose lands did the remaining Urrutia water go?

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. A-37-0423 c-37-0425
B-37-0424 D- 37-0059

JUN 11 1976

Department of Water Resources
Southern District Office

RECOMMENDATION OF WATERMASTER

I, Bettie Lou Newby, watermaster of Little Wood River,
of Water District No. 37M, County of Lincoln, State of Idaho,
whose address is Box T Shoshone, Idaho 83352

have read the attached copy of the application for transfer of water right for _____

Donald Taber, and to the best of my knowledge believe the
(name)

application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: That a 5% loss on described rights A - B - C, and
on D (no loss) this is a verbal agreement between Big Wood Canal Co.
& users of Big Cottonwood Water diverted from Big Wood at the head
of the Richfield Canal.

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 10th day of June 19 76.

Bettie Lou Newby
(signature) Watermaster

Please use reverse side if needed.

INTER-DEPARTMENT MEMO — 1

FROM Allen Merritt

DATE July 26, 1976

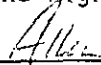
TO Dave Tuthill

SUBJECT Transfer No. 2008

In response to the memorandum dated July 15, 1976, a trip to the Lincoln County Courthouse was made to document who had control of the lands involved during the time of the 1948 sale. Warranty Deed No. 93012 was found which deeded from Ramon Urrutia to his son, John Urrutia, those lands involved in the transfer. In this Deed, it specifically stated which rights were appurtenant to which lands.

The attached aerial photographs obtained from the SCS, show the traditional irrigation of the lands before the transfer.

Both the newly found deed and aerial photographs indicate that if the transfer were allowed as proposed, there would be expansion of the right.


SIGNATURE

MEMORANDUM

TO: File

DATE: 6-4-76

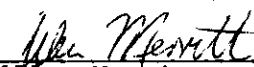
FROM: Terry Blau and Allen Merritt

SUBJECT: Donald Taber Transfer

The following is a chronological listing of events which may aid in understanding the Taber transfer:

1. October 6, 1909 - Frost Decree; Rights 37-0423, 37-0424, 37-0425 and 37-0059 appurtenant to lands in Sections 27, 28, 32, 33 and 34. (See Decree for details)
2. June 3, 1935 - A portion of land in the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 33 was sold to the village of Shoshone. (Ref. - Book 38 Deeds, page 90, Lincoln County Records) At this time a portion of right 37-0059 was appurtenant to that land.
3. December 19, 1947 - Right 37-0425 is transferred to lands in Section 33. (Ref. Trans. 719)
4. April 27, 1948 - Lands located in Section 27 are sold without water rights. (Ref. Warranty Deed No. 96148, Book 44, page 357, Lincoln County Records) At this time a portion of Rights 37-0423, 37-0424 and 37-0059 were appurtenant to that land. After this sale, the water was delivered to the remaining lands covered under these rights.
5. Present day - Mr. Taber wishes to change point of diversion to allow for a pumping station and legally transfer those rights left over from the land that was sold "dry" in Section 27 and put it on the lands in Sections 32, 33 and 34 on which it has been used for the past several years.


Terry G. Blau


Allen Merritt

AFFIDAVIT OF PUBLICATION

RECEIVED

State of Idaho, }
County of Lincoln } SS.

JUN 29 1976

Department of Water Resources
Southern District Office

Laray Hammel, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, 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 17 day of June, 1976, and the date of the last publication was on the 24 day of June, 1976.

Laray Hammel
Subscribed and sworn to before me this 24 day of June, 1976.
(SEAL)

Mary Ann Hagen
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Lines in Notice

Number of Insertions

Lines tabular at 315c

116 Lines straight at 21c 24.36

Subsequent lines at 15c 17.40

TOTAL COST 41.76

COPY OF NOTICE

(Paste Here)

Water Permit

TITLE OF NOTICE

Jahor - 37-0423,24,

PLAINTIFF ATTORNEY

25.37-0089

OFFICE

PLAINTIFF

BILL TO

Dept of Water Resources
1041 Blue Lakes Blvd N
Idaho Falls ID

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

OK 4/21/76

No 1460

June 8, 1976

Lincoln County Journal

P. O. Box 704

Shoshone, Idaho 83352

Re: Donald Taber Transfer No. 37-0423, 37-0424, 37-0059, 37-0425
Gentlemen:

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

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

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

Sincerely,

Michael L. Steele,
Southern Region Supervisor

MLS:pj

Enc.

Bill submitted: _____

NOS.: A - 37-0423
B - 37-0424
C - 37-0425
D - 37-0059

A - 37-0423

The water is used for the irrigation of 295 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

B - 37-0424

The water is used for the irrigation of 295 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 13E, BM.

C - 37-0425

The water is used for the irrigation of 120 acres within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

D - 37-0059

Amount: 4.16 cfs

Priority: 5-27-1899

Point of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, Twp. 2S, Rge. 18E, B.M., Big Wood River,
Blaine County

The water is used for the irrigation of 580 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33, W $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 34, B.M., Lincoln County

TO BE CHANGED AS FOLLOWS

A - 37-0423

Amount: 0.30 cfs

Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and (additional point) NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 33, Twp. 5S, Rge. 18E, B.M., Lincoln County

The water will be used for the irrigation of 40 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 32, Twp. 5S, Rge. 18E, B.M.

B - 37-0424

Amount: 2.2 cfs

Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and (additional point) NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 33, Twp. 5S, Rge. 18E, B.M., Lincoln County

The water will be used for the irrigation of 295 acres within the NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 33, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

C - 37-0425

Amount: 2.2 cfs

Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and (additional point) NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 33, Twp. 5S, Rge. 18E, B.M., Lincoln County

Place of Use: No change

D - 37-0059

Amount: 4.16 cfs

Point of Diversion: No change

The water will be used for the irrigation of 420 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S,
Rge. 18E, B.M.

Any protest against approval of the above-proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before July 5, 1976.

R. KEITH HIGGINSON
Director

Published in the Lincoln County Journal on June 17, 1976, and June 24, 1976.

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

NOS: A-37-0423

B-37-0424

C-37-0425

D-37-0059

Notice is hereby given that Donald Taber of Shoshone, Idaho, has applied to the Department of Water Resources for a change of a point of diversion and place of use of the waters of Big Wood and Little Wood Rivers. The rights sought to be changed is evidenced by Decree to Little Wood River Swine Raising Company and Decree to Big Cottonwood Canal Company and is recorded as follows:

A-37-0423

Amount: 0.3 cfs; Priority: 4-1-1883; Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 5S, Rge. 18E, B.M., Lincoln County

The water is used for the irrigation of 295 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

B-37-0424

Amount: 2.2 cfs; Priority: 4-1-1884; Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 5S, Rge. 18E, B.M. Lincoln County

The water is used for the irrigation of 295 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

C-37-0425

Amount: 2.2 cfs; Priority: 4-1-1887; Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 5S, Rge. 18 E, B.M., Lincoln County

The water is used for the irrigation of 120 acres within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M.

D-37-0059

Amount: 4.16 cfs; Priority: 5-27-1899; Point of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, Twp. 2S, Rge. 18E, B.M., Big Wood River, Blaine County

The water is used for the irrigation of 580 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, B.M., Lincoln County

RECEIVED

JUN 16 1976

Department of Water Resources
SOUTHERN DISTRICT
**TO BE CHANGED
AS FOLLOWS**

A-37-0423

Amount: 0.30 cfs; Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and (additional point) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M., Lincoln County

The water will be used for the irrigation of 40 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 5S, Rge. 18E, B.M.

B-37-0424

Amount: 2.2 cfs; Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and (additional point) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M., Lincoln County

The water will be used for the irrigation of 295 acres within the NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

C-37-0425

Amount: 2.2 cfs; Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; and (additional point) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 5S, Rge. 18E, B.M., Lincoln County; Place of Use: No change

D-37-0059

Amount: 4.16 cfs; Point of Diversion: No change

The water will be used for the irrigation of 420 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Twp. 5S, Rge. 18E, B.M.

Any protest against approval of the above-proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301, on or before July 5, 1976.

/S/ R. KEITH HIGGINSON
Director

MICROFILMED

b7p

ALV. NO

must be filed with the Idaho Department of Water Resources

378.

1041 BLUE LAKES

Any protest against approval of the above-proposed change of water right

June 2, 1976

Mr. and Mrs. Donald Taber
Box 662
Shoshone, Idaho 83352

Re: Application for Transfer

Dear Mr. and Mrs. Taber:

Enclosed is your Receipt No. 2108 for check number 92-39 in the amount of \$30.00 for the above-referenced application for transfer, which was received in this office on June 2, 1976.

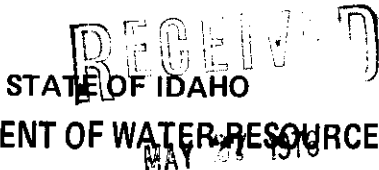
Sincerely,

Paula Jolley
Secretary

Enc.

Transfer No. 2008

Application No. A - 37-0423
B - 37-0424
C - 37-0425
D - 37-0059



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

Name of applicant Donald Taber Phone 886-2427
Post office address Box 662, Shoshone, ID 83352

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
(See attached deeds)
3. Source of water Big Wood & Little Wood Rivers tributary to Malad River
4. Date of priority (See attached sheets)
5. Water is used for the following purposes:(See attached sheets)
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)
6. Total amount of water under right: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is (2 points) SE ¼ of NW ¼ of Section 23
Township 5S Range 18E, B.M., in Lincoln County
Additional points of diversion, if any _____
8. Lands irrigated or place of use:

SEE ATTACHED SHEETS

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

1. Change in point of diversion

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

b. Point(s) of diversion NW _____ ¼ NE _____ ¼, Section 33 Township 5S
Range 18E, B.M., Lincoln County
Additional points (2 points) SE¼NW¼, Sec. 23, Twp. 5S, Rge. 18E.

c. Description of diverting works pump, motor and sprinkler system.

d. Describe the reasons for applying for a change in the point(s) of diversion
To change from gravity irrigation to sprinkler irrigation and to have the point of diversion located nearer to the place of use.
2. Change in place of use (See attached sheets)

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

A. Decree Identification Number 37-0423

Points of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23; and (additional point)NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, all in Township 5S, Range 18E.

TWP.	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	18E	32													40				40

Points of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23; and (additional point) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, all in Township 5S, Range 18E.

[illegible]

Points of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23; and (additional point) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, all in Township 5S, Range 18E.

Place of Use:

[illegible]

D. Decree Identification No. 37-0059 (Part)

Decreed to Big Cottonwood Canal Company appurtenant to lands described as owned by Anderson Brothers (Harry W. & George H.)

Priority: 5-27-1899

Amount: 4.16 cfs

Point of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, Township 2S, Range 18E. (Head of Richfield Canal)

Place of Use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	18E	27	40	40			40			40									160
		28																20	20
		32													40				40
		33	40	40	40	40				40	40	40							280
		34						40	40										80
																			580
																			Total acres to be irrigated

DESCRIPTION OF RIGHTS AS RECORDED

Rights evidenced by:

Decrees in the case of S. C. Frost vs. Alturas Water Company dated October 6, 1909, in Fourth Judicial District, County of Blaine and County of Lincoln. The following are the rights evidenced by the above court case:

A. Decree identification No. 37-0423

Decreed to Little Wood Swine Raising Company

Priority: 4-1-1883

Amount: 0.3 cfs

Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, Township 5S, Range 18E.

Place of Use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	18E	27	40	40			40			40									160
		28																15	15
		33	40	40	40														120
			Total number of acres to be irrigated															295	

B. Decree identification No. 37-0424

Decreed to Little Wood Swine Raising Company

Priority: 4-1-1884

Amount: 2.2 cfs

Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, Township 5S, Range 18E.

Place of Use:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5S	18E	27	40	40			40			40									160
		28																15	15
		33	40	40	40														120
																			Total number of acres 295

C. Decree identification No. 37-0425. Transfer No. 719 Urrutia, Ramon & Son.

Decreed to Little Wood Swine Raising Company

Transferred by Urrutia Ramon & Son.

Priority: 4-1-1887

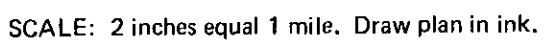
Amount: 2.2 cfs

Point of Diversion: (2 points) SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, Township 5S, Range 18E.

Place of Use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	18 E	33							40		40		40						120
									Total number of acres to be irrigated										120

- KEY



3. Remarks Water under Decreed No. 37-0059 (Part) will also be delivered with Decreed No.'s 37-0423, 37-0424 and 37-0425.

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

Donald Taber
(Signature of applicant)

Subscribed and sworn to before me this 25 day of May, 19 76

Joy M. Elch
(Notary public)
Clk., 5th Dist Court

My commission expires _____

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 _____.

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____, 19 _____

FOR DEPARTMENT USE ONLY

Received by ADM Date 6-2-76 Protest filed by NONE
Prelim. check by mls Fee 30.00
Receipted by ADM Date 6-2-76 #2108
Published in Lincoln County Journal Copies of protest forwarded by _____
Pub. dates JUNE 17 & 24 1976 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
6/8/76 rec'd. 6/11/76 by Michael P. Stebbins

May 18, 1976

Mr. Donald Taber
Box 662
Shoshone, ID 83352

Dear Mr. Taber:

Please find enclosed a rough draft application for the transfer of a water right. Please check it over carefully to see that it describes the transfer as discussed early in May of this year. If the draft is suitable to you, please sign the application and have it notarized, then submit with the application Thirty (30) dollars and a copy of a Warranty Deed to the land which is in your name to our office.

Upon receipt of your application, we will process your transfer.

If you have any questions, please contact our office.

Sincerely,

Allen Merritt
Water Resource Analyst

AM:cc

Enc.

ADDANDUM to the KELTON-TABER agreement dated October 3rd 1975

EXHIBIT "A"

TOWNSHIP 6 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 3: Lots 3, 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$;

Section 4: Lots 2, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$;

TOWNSHIP 5 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 28: That part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ described as follows: Beginning at a point on the North Line of Section 33, Township 5 South, Range 18, East Boise Meridian, 32.75 rods West of the Northeast corner; Thence in a direction a little East of North 23 rods to a stone set in ground near the bank of Little Wood River marked H; Thence in a Westerly and Southerly direction following the line of the river to a point where said river intersects the North line of Section 33; Thence East along said North line 40 rods more or less to the place of beginning.

Section 32: NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 33: NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; EXCEPT a strip of land 80 feet wide for Highway purposes as set forth in deed to state of Idaho, across N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 33 and part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Township 5 South Range 18 East, Boise Meridian, recorded January 9, 1936 in Book 37 Deeds, Page 528. AND EXCEPT that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 5 South, Range 18 East, Boise Meridian, lying South of Little Wood River, and that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 33, lying South and Southwesterly of Little Wood River and of dry creek which joins said Little Wood River approximately in the center of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section as described in Deed by Western Lands, Inc., a corporation, to the Village of Shoshone, Lincoln County, Idaho, dated June 3, 1935 and recorded July 6, 1937, in Book 38 Deeds, Page 90, Lincoln County records.

Section 34: W $\frac{1}{2}$ NW $\frac{1}{4}$

Bruce Taber
Donald Taber

Harold J. Kelton
Betty Lee Kelton

THIS INDENTURE, Made this third day of June in the year of our Lord one Thousand nine hundred and thirty-five between WESTERN LANDS, INC., a corporation duly organized and existing under the laws of the State of Idaho and having its principal office in Idaho at Burley in the County of Cassia, party of the first part, and THE VILLAGE OF SHOSHONE, of _____ County of Lincoln, State of Idaho, part of the second part.

WITNESSETH, that the party of the first part, having been hereunto duly authorized by resolution of its Board of Directors, for and in consideration of the sum of ONE DOLLAR and other valuable consideration lawful money of the United States of America, to it in hand paid by the said part of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said part of the second part, and to heirs and assigns forever, all the following described real estate situated in _____ County of Lincoln, State of Idaho, to-wit:

That portion of the Southeast Quarter of the Northwest Quarter of the Southwest Quarter of Section Thirty-three, lying south of Little Wood River, containing approximately five acres, and that portion of the Northeast quarter of the Southwest Quarter of Section Thirty-three, lying south and southwesterly of Little Wood River and of the dry creek which joins said Little Wood River approximately in the center of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section (being approximately the south half of said forty acre tract, the north boundary of which portion is Little Wood River and its tributary dry creek running northwesterly and westerly into said Little Wood River), containing approximately twenty acres,

All being in Township Five South of Range Eighteen East Boise Meridian.

50¢ I. R. STAMP ATTACHED AND CANCELLED

L.H.D. 4/24/36

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity of the said party of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the part of the second part, and to heirs and assigns forever. And the said party of the first part, and its successors, the said premises in the quiet and peaceable possession of the said part of the second part heirs and assigns, against the said party of the first part, and its successors, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend. Subject to unpaid taxes.

IN WITNESS WHEREOF, the party of the first part has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary in pursuance to said resolution the day and year first above written.

Page
Book

THIS INDENTURE, Made this 27th day of April, in the year of our Lord one thousand nine hundred and forty eight, between Ramon Urrutia and Justa Urrutia, husband and wife; John Urrutia and Olive Urrutia, husband and wife of Shoshone, County of Lincoln, State of Idaho, the parties of the first part and Harry G. Baugh, Jr. and Edith Baugh, husband and wife of Shoshone, County of Lincoln, State of Idaho, the parties of the second part

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Fifteen Hundred and no/100 - - - - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, the following described real estate situated in Lincoln County, Idaho, to-wit:

N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 27, T. 5 S., R. 18 E., B. M.

> It being understood and agreed that no water rights nor shares of water stock are conveyed herewith.

\$1.65 I. R. Stamps attached and cancelled Ramon Urrutia RM March 8-1951 3/8/51

Ramon & John
Harry Baugh

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part:

TO HAVE AND TO HOLD All and singular the above mentioned and described premises, together with the appurtenances unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

_____	Ramon Urrutia (SEAL)
_____	Justa Urrutia (SEAL)
_____	John Urrutia (SEAL)
_____	Olive Urrutia (SEAL)

STATE OF IDAHO }
County of Lincoln } ss.

On this 27th day of April in the year 1948, before me the undersigned, a Notary Public, in and for said County, personally appeared Ramon Urrutia and Justa Urrutia, husband and wife; John Urrutia and Olive Urrutia, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

R. W. Grove
Notary Public, Shoshone, Idaho.

(N. P. Seal affixed.) (N. P. Seal)

Recorded at request of H. G. Baugh at 2:20 o'clock P. M., this 9 day of March, 1951.

By Wanda Nebeker Deputy. Ruth K. Chess County Recorder.
Fees, \$1.50

PROOF READ
WARRANTY DEED No. 93012

Ramon
John

EVMS-YORK CO., PRINTERS & BINDERS, BOISE, IDAHO

THIS INDENTURE, Made this 27th day of April, in the year of our Lord one thousand nine hundred and forty eight, between Ramon Urrutia and Justa Urrutia, husband and wife

of Shoshone, County of Lincoln, State of Idaho, the parties of the first part, and John Urrutia and Olive Urrutia, husband and wife

of Shoshone, County of Lincoln, State of Idaho, the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten Dollars and exchange of property - - - - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate situated in Lincoln County, Idaho, to-wit:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, with 120 shares of stock in the Big Wood Canal Company, and supplemental right in American Falls Reservoir District No. 2;

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32; N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, with 65 shares of stock in the Big Cottonwood Canal Company, and 110 inches of the waters of Little Wood River with decreed priority of April 1, 1887;

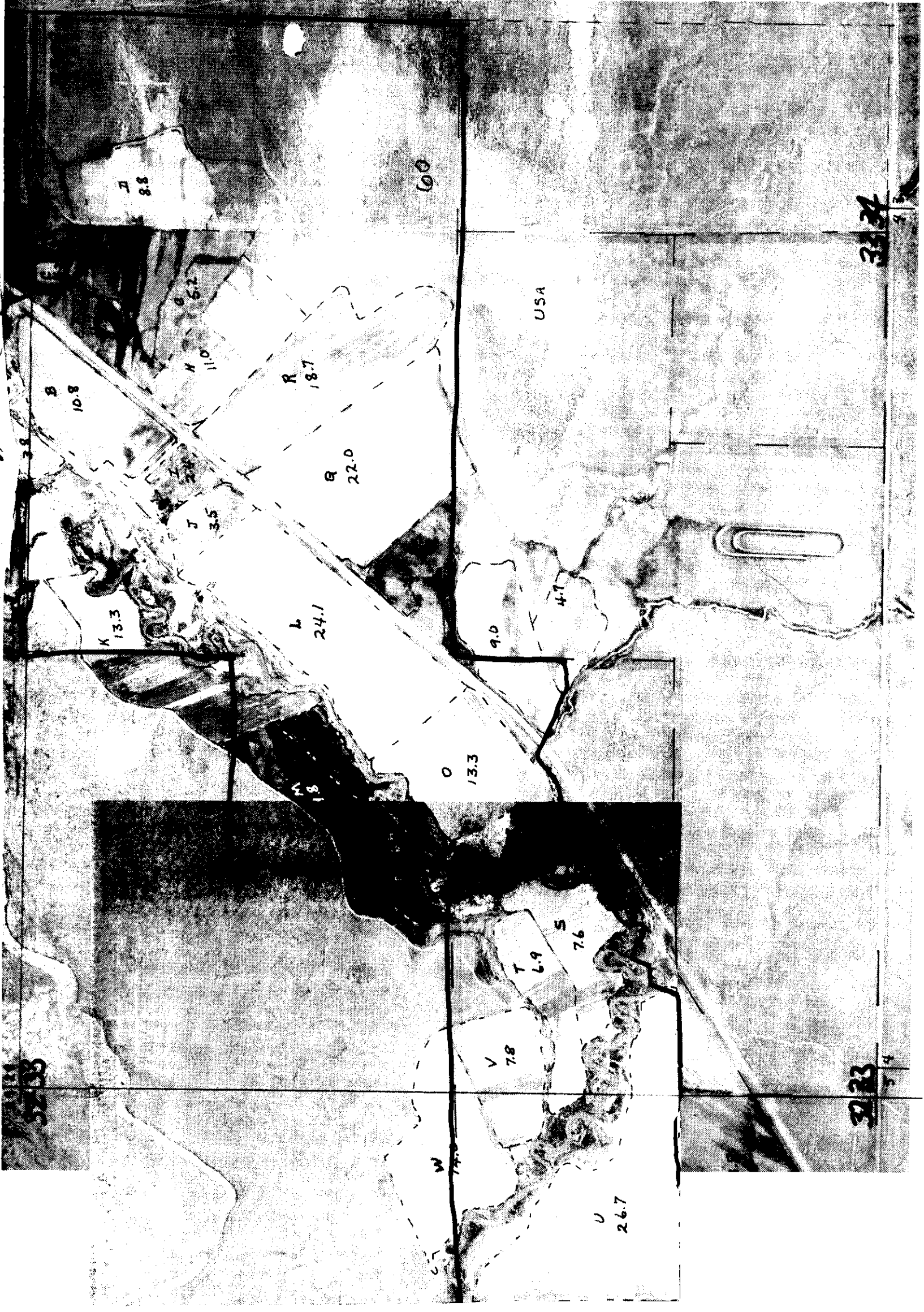
N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, with 110 inches of the waters of Little Wood River with decreed priority of April 1, 1884;

Tax #1 of Sec. 28, described as follows: Commencing at a point 32 and 3/4 rods west of the NE corner of Sec. 33 and on the north line of the latter section; thence a little east of north 23 rods to a stone marked "H" set in the ground near the bank of Little Wood River; thence in a Southwesterly direction following the line of Little Wood River to a point where said river intersects the north line of said section 33; thence east along said north line 40 rods, more or less, to the place of beginning, being approximately 15 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 28, with 15 inches of waters of Little Wood River with decreed priority of April 1, 1883, all in T. 5 S., R. 18 E., B. M.

Excepting therefrom right of way conveyed to State of Idaho for highway purposes by deed recorded Jan. 9, 1936, Book 37, page 528, records of Lincoln County; Excepting therefrom two parcels conveyed to the Village of Shoshone by deed recorded July 6, 1927, Book 38 Deeds, page 90, records of Lincoln County, Idaho.

\$27.50 I. R. Stamps attached and cancelled Ramon Urrutia April 27-1948

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part:



W. S. RANNEY DIED

THIS INDENTURE, MADE this 1st day of September, in the year of our Lord one thousand nine hundred and sixty-six, between JOHN J. URRUTIA, (Also known as John Urrutia), and OLIVE URRUTIA, husband and wife, at all times being, and to acquiring the within described property, of the County of Blaine, State of Idaho, the parties of the first part, and JOHN J. URRUTIA, and MYRTLE HUTCHINGS, husband and wife, of the County of Lincoln, State of Idaho, the parties of the second part,

[illegible]

...the Northeast Quarter of Section Thirty-two (32) and the East of North 13 rods to the place of beginning near the bank of Little Wood River and then in a Westerly and Southerly direction following the line of the river to a point where said river intersects the North line of Section Thirty-three East along said North line 40 rods to the place of beginning.

Section Thirty-two (32): Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$).

Section Thirty-three (33): Northeast Quarter (NE $\frac{1}{4}$) and the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$); North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$) EXCEPT; a strip of land 80 feet wide for Highway purposes as set forth in deed to State of Idaho across North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$); Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$); Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$); the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$), of Section Thirty-three (33) and part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$), of Section Thirty-three (33), Township Five (5) South, Range Eighteen (18) East, Boise Meridian, recorded January 1, 1937, in Book 33, of Deeds at Page 528.

Except that part of the Southeast Quarter of the Northwest Quarter and the Southeast Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-three (33), Township Five (5) South, Range Eighteen (18) East, Boise Meridian, lying South of Little Wood River and that part of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) said Section Thirty-three (33), lying South and Southwesterly of Little Wood River and the dry creek which joins said Little Wood River approximately in the center of said Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section as described in deed by Western Lands, Inc., in cooperation to the Village of Shoshone, Idaho, dated June 13, 1935, and recorded July 1, 1937, in Book 38 Deeds, Page 90, records of Lincoln County, Idaho.

Section Thirty-four (34): The West Half of the Northwest Quarter (NW $\frac{1}{2}$).

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including, but not limited to 154.51 shares of the capital stock of the Big Wood Canal Company; and water and ditch right under American Falls Reservoir District No. 2;

ALSO, together with all grazing rights, interests, claims, permits, and privileges and extensions and

...now and hereafter owned, held, conveyed, or used by the first parties and used in the water rights on the premises, especially Taylor Grants. As the land is administered by the United States Department of the Interior, acting through the Bureau of Reclamation.

Subject to exceptions and reservations contained in the grant from the United States.

Subject to the existing easements for roads, highways, canals, laterals and power and transmission lines.

Subject to the burdens incident to the inclusion of the land within the boundaries of the American Falls Reservoir District No. 2 and the rights of the Big Wood Canal Company to levy assessments.

Subject to the easements in favor of the Telephone and Telegraph Company as disclosed by the instruments recorded on December 28, 1900, and the easements at Page 317, and on June 12, 1901, and the easements at Page 291, records of Lincoln County, Idaho.

Subject to the easements in favor of the irrigation and drainage system as disclosed by the instrument in favor of the irrigation system, recorded January 9, 1901, and the easements at Page 528, records of Lincoln County, Idaho.

Subject to the easements in favor of the Idaho Power Company as disclosed by the instrument recorded April 16, 1900, and the easements at Page 291, records of Lincoln County, Idaho.

Subject to the unpaid balance of the mortgage executed by the United States Department of the Interior in favor of the Federal Government, recorded February 27, 1901, and the easements at Page 528, records of Lincoln County, Idaho.

Subject to the unpaid balance of the mortgage executed by the United States Department of the Interior in favor of the Federal Government, recorded May 5, 1901, and the easements at Page 528, records of Lincoln County, Idaho.

It is understood that the water rights hereinafore reserved includes sixty-five (65) shares of stock in the Big Cottonwood Canal Company and one hundred shares (110 inches) of the waters of Little Wood River with a decreed priority of April 1, 1887; also one hundred ten inches (110 inches) of the waters of the Big Cottonwood River with a decreed priority of April 1, 1887.

... and fifteen (15) inches of ...
... White Wood River with deeded priority of ...
...

... with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, together with the reversions and reversions, remainder and remainders, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above described and described premises, together with the appurtenances and the parties of the second part, and to their heirs and assigns forever and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

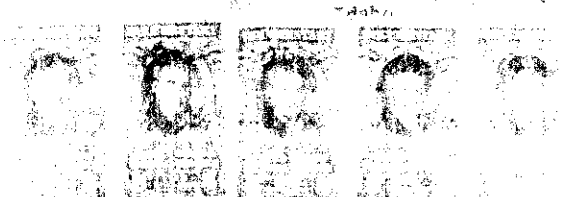
[Signature] (Seal)
[Signature] (Seal)

STATE OF IDAHO) ss.
County of Lincoln)

On this 22 day of September, in the year 1966 before me, Howard E. ... Notary Public in and for said State, personally appeared John J. ... and Gabe Urrutia known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed said ...

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

[Signature]
Notary Public for the State of Idaho, Residing at ...



115067

State of Idaho } ss.
County of Lincoln }

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

Carl W. Hutchins

at 3:00 o'clock p.m. this 31

day of Dec, 19 66

in my office and duly recorded on file

No. 119067

For 4.00 By Amelia L. Haran
County Recorder

Return to Carl W. Hutchins
Director

125-25

22

THIS AGREEMENT, made and entered into this 27th day of November, 1935, by and between LAURA C. SORENSEN and LARUE S. SORENSEN, husband and wife, the Parties of the First Part, hereinafter called the Vendors, and HAROLD J. KELTON and BETTY LEE KELTON, husband and wife, the Parties of the Second Part, hereinafter called the Vendees, WITNESSETH:

That the Vendors, for and in consideration of the sum of Two Hundred Ninety-Four Thousand and No/100 Dollars (\$294,000) lawful money of the United States of America, to be paid at the time and in the manner hereinafter mentioned, reserved and contained on the part of the Vendees to be paid, kept and performed by the Vendees, hereby promise, covenant and agree to sell and convey unto the Vendees all that certain real property situate, lying and being in the County of Lincoln, State of Idaho, more particularly described as follows, to-wit:

TOWNSHIP 6 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 3: Lots 3, 4. SW1/4; SW1/4;

Section 4: Lots 2, 3, 4. SW1/4; SW1/4; SE1/4;

TOWNSHIP 5 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 28: That part of the SE1/4 described as follows:

Beginning at a point on the North line of Section 33,
Township 5 South, Range 18, East Boise Meridian, 32.75
rods West of the Northeast corner;
Thence in a direction a little East of North 23 rods to
a stone set in ground near the bank of Little Wood
River marked H;
Thence in a westerly and southerly direction following
the line of the river to a point where said river
intersects the North line of Section 33;
Thence East along said North line 40 rods more or less
to the place of beginning.

Section 32: NE1/4;

Section 33: NE1/4; SW1/4; NW1/4;

EXCERPT a strip of land 20 feet wide for a road, 200
paces in width, in need to State of Idaho, across NW1/4;
SE1/4; SW1/4; NW1/4, Section 33, Township 5 South, Range 18 East, Boise
Meridian, recorded January 1, 1935 in Book 17 Deeds Page 111.

AND EXCEPT that part of the SE¹/₄ of Section 11, Township 12 S., Range 12 E., East 3rd Meridian, 1907, South of Little Wood River, and that part of the NE¹/₄ of said Section 11, with south and southwesterly of Little Wood River and of the dry creek which joins said Little Wood River approximately in the center of said NE¹/₄ of said Section as described in Deed by Western Lands, Inc., a corporation, to the Village of Shoshone, Lincoln County, Idaho, dated June 3, 1935 and recorded July 4, 1937, in Book 36 Deeds, Page 90, Lincoln County records.

Section 34: WYNN:

Together with 154.51 shares of the capital stock of Big Wood Canal Company; and together with 65 shares of stock in Big Cottonwood Canal Company; and 110 inches of water of Little Wood River, with decreed priority of April 1, 1887; and 110 inches of the water of Little Wood River with a decreed priority of April 1, 1884; and 15 inches of water of Little Wood River, with a decreed priority of April 1, 1853;

Together with Bureau of Land Management Grazing permits as follows:

Crater Butte: 99 pair cattle;
Notch Butte: 139 pair cattle;
Star Lake: 32 pair cattle;

In addition to the above lands and appurtenances, Vendors agree to sell, transfer and assign to the Vendees all their right, title and interest in and to their right to purchase additional Bureau of Land Management lands under the terms of an application now filed with the said Bureau of Land Management by Vendors and to cooperate with Vendees in carrying said application through to completion.

Said premises are subject to the following mortgages:

Mortgage given by Earl W. Hutchinson and Myrtle Hutchinson, husband and wife, to the Federal Land Bank of Spokane, dated August 1, 1966;

Mortgage given by Earl W. Hutchinson and Myrtle Hutchinson, husband and wife, to John J. Urrutia and Olive Urrutia, husband and wife, dated November 1, 1966;

Contract between Hutchinson & Sons, Inc., as Vendors and the Vendees herein as Vendees, dated March 26, 1973, for the purchase of the above described property.