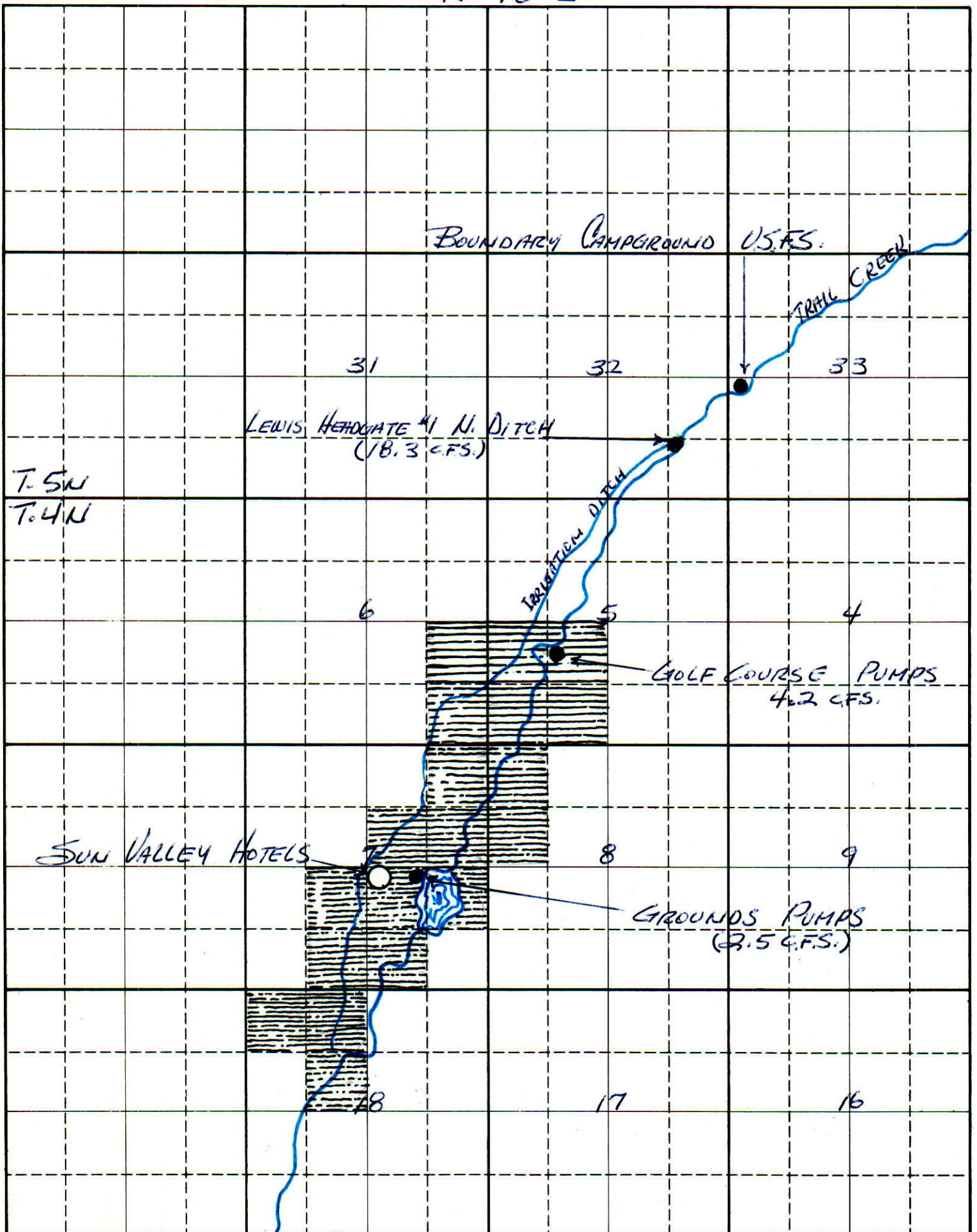


- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

R. 18 E



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

USE AREA



WATER-WAYS



MICROFILMED

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
 Connty of Blaine } SS.

MAR 27 1978

Department of Water Resources
 Southern District Office

GORDON O. GLASMANN

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 9 day of March

1978, and the date of the last publication was on the 16

day of March, 1978.

Subscribed and sworn to before me this 23rd

day of March, 1978.
 (SEAL)

Rabute McKenney

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice 43

Number of Insertions 2

Lines tabular at 39c

43 Lines straight at 26c 11.18

43 Subsequent lines at 15c 6.45

TOTAL COST 17.63

COPY OF NOTICE

(State Here)

Permit 37-0415-

Sun Valley Co.

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
 1041 Blue Lakes Blvd N

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-0415

Notice is hereby given that Sun Valley Co., Sun Valley, Idaho, has applied to the Dept of Water Resources for a change of the point of diversion of the waters of Trail Cr., tributary to Big Wood Riv. The right sought to be changed is evidenced by Decree to Horace C. Lewis in case of Frost vs. Alturas Water Co., dated 12-9-1909 in Fourth Judicial Court county of Lincoln, No. 37-0415, and is recorded as follows:

Amount: 25 cfs Priority: 4-25-1881
 Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 5N, Rge. 18E., B.M.; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, Twp. 4N, Rge. 18E., B.M., Blaine County.

The water is used for the irrigation of 753.1 acres within the SW $\frac{1}{4}$, Sec. 5: E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 6; NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7; W $\frac{1}{2}$ NW $\frac{1}{2}$, Sec. 8; Lots 1 & 3, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, Twp. 4N, Rge. 18E., B.M.

TO BE CHANGED AS FOLLOWS:

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 5N Rge. 18 E., .M.; NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5; NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, Twp. 4N, Rge. 18E., B.M.

The amount and place of use of water same as above.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Id 83301, on or before March 27, 1978.

C. STEPHEN ALLRED

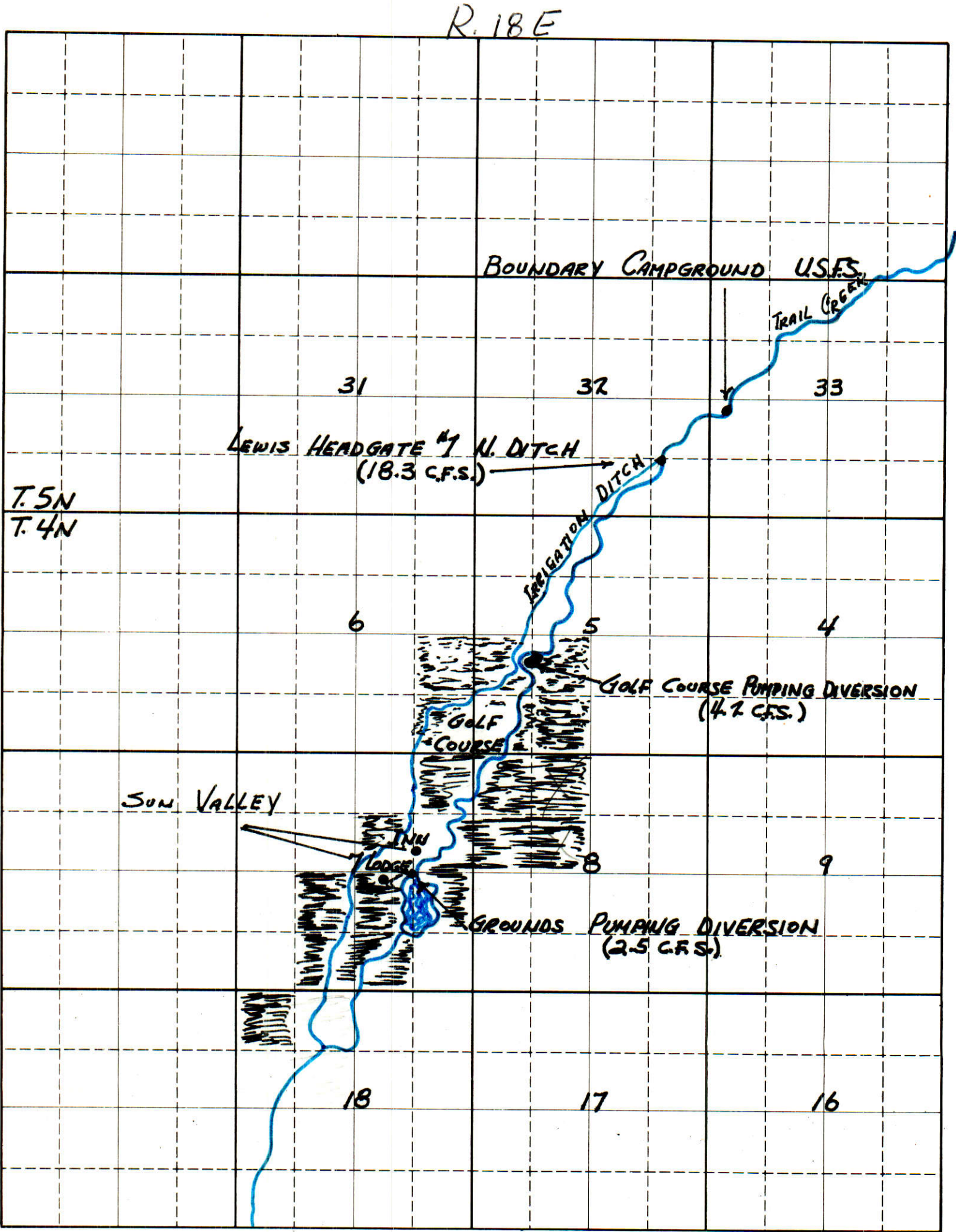
Director

Publish: Wood River Journal, 3-9 & 3-16 1978.

Nº 0069

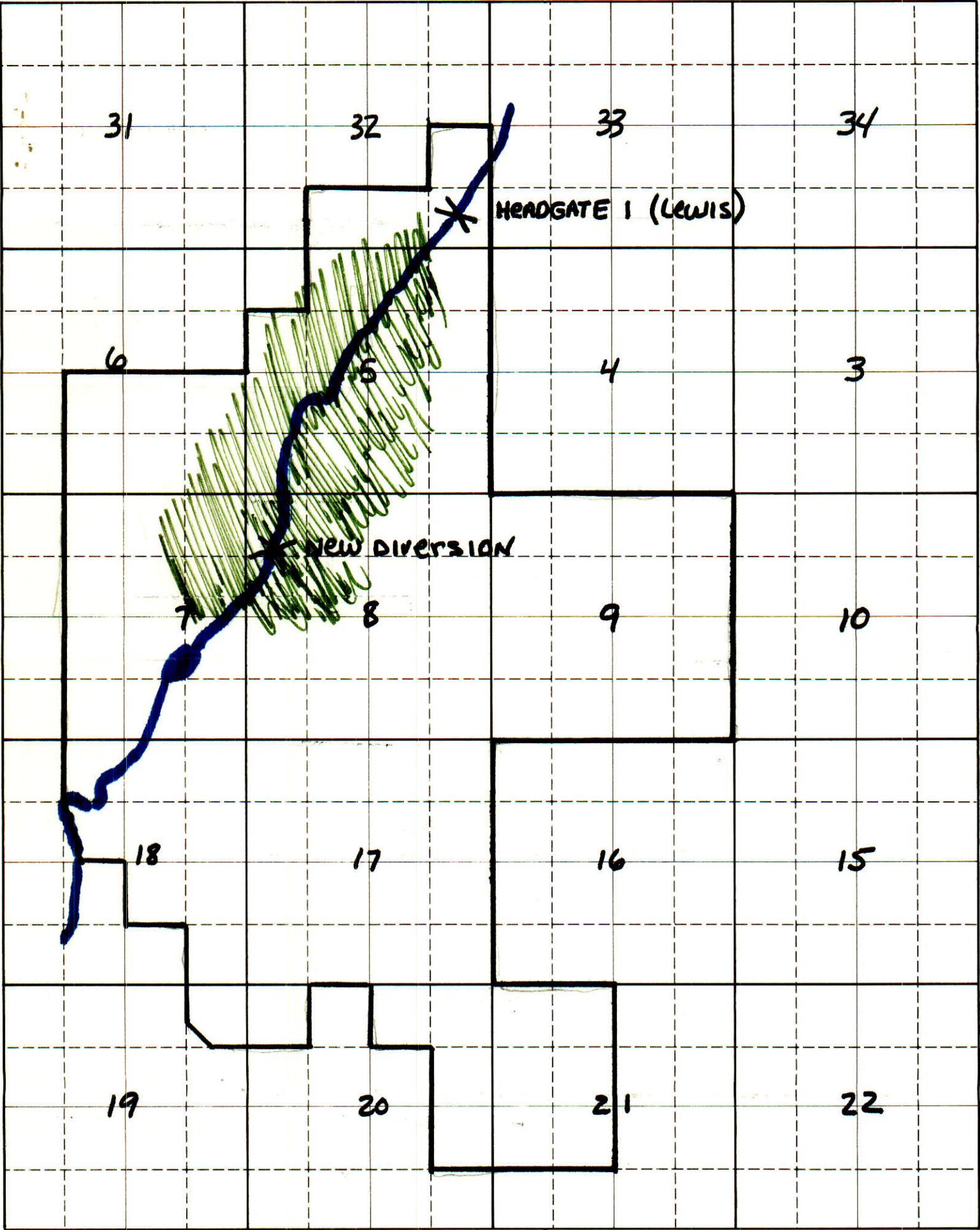
MICROFILM

- 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.

USE AREA 
WATER-WAYS 



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

- SUN VALLEY CO., INC. BOUNDARY
- TRAIL CREEK
- IRRIGATION AREA (ONLY THE GOLF COURSE)

AFFIDAVIT OF PUBLICATION

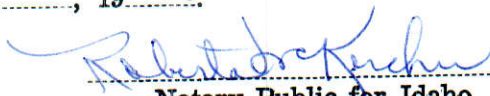
STATE OF IDAHO, }
County of Blaine, } ss.

GEORGE T. FRITZ, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Editor and Publisher of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 26th day of OCTOBER, 19 72 and ending with the last publication thereof on the 2nd day of NOVEMBER, 19 72.

Cost of this publication is \$ 10.08.


GEORGE T. FRITZ

Subscribed and sworn to before me, this 3rd day
of NOVEMBER, 19 72.


Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

RECEIVED

NOV 8 1972

Department of Water Administration

NOTICE OF CORRECTION

Notice is hereby given that Notice of Proposed Change of Water Right No. 37-0415 in the name of Sun Valley Company, Inc. was advertised incorrectly on September 28 and October 5, 1972.

The new points of diversion were advertised as being in the SE¹/4SW¹/4 of Sec. 32, Twp. 5 N, Rge. 18 E, B.M. and NE¹/4NE¹/4 of Sec. 8, Twp. 4 N, Rge. 18 E, B.M. WHEREAS, the points of diversion are proposed to be in the SE¹/4SW¹/4 Sec. 32, Twp. 5 N, Rge. 18 E, B.M. and NE¹/4NE¹/4 Sec. 8, Twp. 4 N, Rge. 18 E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707, on or before November 13, 1972.

R. KEITH HIGGINSON
Director

Published in the Wood River Journal at Hailey, Idaho, on October 26 and November 2, 1972.

RECEIVED

NOV 10 1972

Department of Water Administration
Southern District Office

RECEIVED

AFFIDAVIT OF PUBLICATION

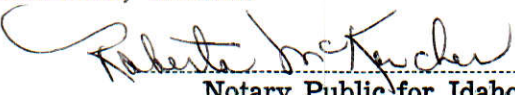
STATE OF IDAHO, }
County of Blaine, } ss.

GEORGE T. FRITZ, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Editor and Publisher of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 28th day of September, 19 72 and ending with the last publication thereof on the 5th day of October, 19 72.

Cost of this publication is \$ 18.00.


GEORGE T. FRITZ

Subscribed and sworn to before me, this 6th day
of OCTOBER, 19 72.


Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

RECEIVED

OCT 12 1972

Department of Water Administration
Southern District Office

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-0415

Notice is hereby given that Sun Valley Company, Inc. of Sun Valley, Idaho, has applied to the Dept. of Water Administration for a change of the point of diversion of the waters of Trail Creek, tributary to the Wood River. The right sought to be changed is evidenced by Decree to Horace C. Lewis, in case of Frost Decree vs. Alturas Water Co., dated December 9, 1909, in Fourth Judicial Court, county of Lincoln, and is recorded as follows:

Amount: 25 cfs
Priority: April 25, 1881
Point of diversion:
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 5
N, Rge. 18 E, B. M., Blaine
County.

The water is used for irrigation purposes from April 1 to November 15 within the S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; Twp. 4 N, Rge. 18 E, B. M.

TO BE CHANGED AS FOLLOWS

Point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, Twp. 5 N, Rge. 18 E, B. M. and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Twp. 4 N, Rge. 18 E, B. M. Amount: 1.36 cfs

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Administration, Statehouse Annex 2, Boise, Idaho, 83707, on or before October 16, 1972.

R. KEITH HIGGINSON,
Director

Published in the Wood River Journal at Hailey, Idaho, on September 28 and October 5, 1972.

RECORDED

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, M. S.	100 "	May 31, 1886.	Silver Creek. <i>Trans. # 1023</i>
" "	50 "	Oct. 25, 1892.	" " <i>Trans. # 1023</i>
Lemman, E. B.	160 "	Apr. 1, 1907.	Three Mile Creek or Trans. # 597 Four Mile Creek.
Leonard, William	12-1/2 "	May 9, 1883.	Deer Creek.
" "	70 "	May 15, 1883.	" "
" "	150 "	July 5, 1884.	" " 835
" "	100 "	June 15, 1885.	" "
" "	100 "	July 1, 1893.	" "
<i>0415</i> Lewis, Horace C.	1250 "	Apr. 25, 1881.	Trail Creek.
<i>A16</i> " "	325 "	Oct. 5, 1883.	" "
<i>A17</i> " "	200 "	Oct. 5, 1883.	" " (For pipe-line.)
" "	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.	" " " TRANS # 200
Do.	110 "	Apr. 1, 1884.	" " " " # 20
Do.	110 "	Apr. 1, 1887.	" " " # 119- " # 20
<i>0426</i> Lloyd, Bruce	125 "	Apr. 1, 1887.	Silver Creek. # 900
<i>0427</i> Logan, James	150 "	Dec. 18, 1903.	Big Wood River.
<i>0428</i> Loving, Henry	40 "	June 1, 1889.	Butte Creek.
<i>0429</i> Loving, John T.	160 "	Oct. 31, 1889.	Big Wood River.
<i>0430</i> Lumb, John	160 "	June 1, 1902.	" " "

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	~~Lewis, Horace C.~~	~~25.00~~		~~37-0415~~
~~1741~~	~~Sun Valley Co., Inc.~~	~~1.36~~		~~37-0415 A~~
	~~Lewis, Horace C.~~	~~23.64~~		~~37-0415 B~~
2233	Sun Valley Co., Inc.	25.00		37-0415

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Transfer No. 2233Application No. 39-0415STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

FEB 27 1978

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

APPROVED
Department of Water Resources
Southern District OfficeName of applicant SUN VALLEY CO. Phone 622-4111Post office address SUN VALLEY, IDAHO 83353

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to HORACE C. LEWIS
in case of FROST DECREE (Name) vs ALTURAS WATER CO.
dated 12/9/1909 in 4TH JUDICIAL COURT county of LINCOLN
(Name of court)

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

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

2. 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

ACQUIRED THROUGH PURCHASE (COPY ATTACHED)3. Source of water TRAIL CREEK tributary to BIG WOOD RIVER4. Date of priority 4/25/1881

5. Water is used for the following purposes:

amount 25 CFS. for IRRIGATION OR OTHER USES 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. 25 cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32
Township 5N Range 18E, B.M., in BLAINE CountyAdditional points of diversion, if any NW $\frac{1}{4}$ OF NW $\frac{1}{4}$ SEC 8, T.4N, RANGE 18E, B.M. IN BLAINE COUNTY

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 $\frac{1}{4}$	
T.4N	18E	5									40	40	40	40					160
T.4N	18E	6													40			40	80
T.4N	18E	7	40		40	40					40			40	40	40	40		320
T.4N	18E	8						40	40										80
T.4N	18E	18					LOT 1 39.96	40		LOT 3 33.14									113.1

Total number of acres to be irrigated 753.1

MICROFILMED

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

1. LEWIS #1 GATE 18.3 CFS.
2. GOLF PUMPS 4.2 CFS.
3. GROUNDS PUMPS 2.5 CFS.

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

b. Point(s) of diversion

LEWIS #1 GATE SE ¼ SE ¼, Section 32 Township 5N
Range 18E, B.M., BLAINE County
(GOLF PUMPS) NE ¼ of SW ¼ Sec. 5, T. 4N, Range 18E, B.M.
(GROUNDS PUMPS) NW ¼ of SE ¼ Sec. 7, T. 4N, Range 18E, B.M.

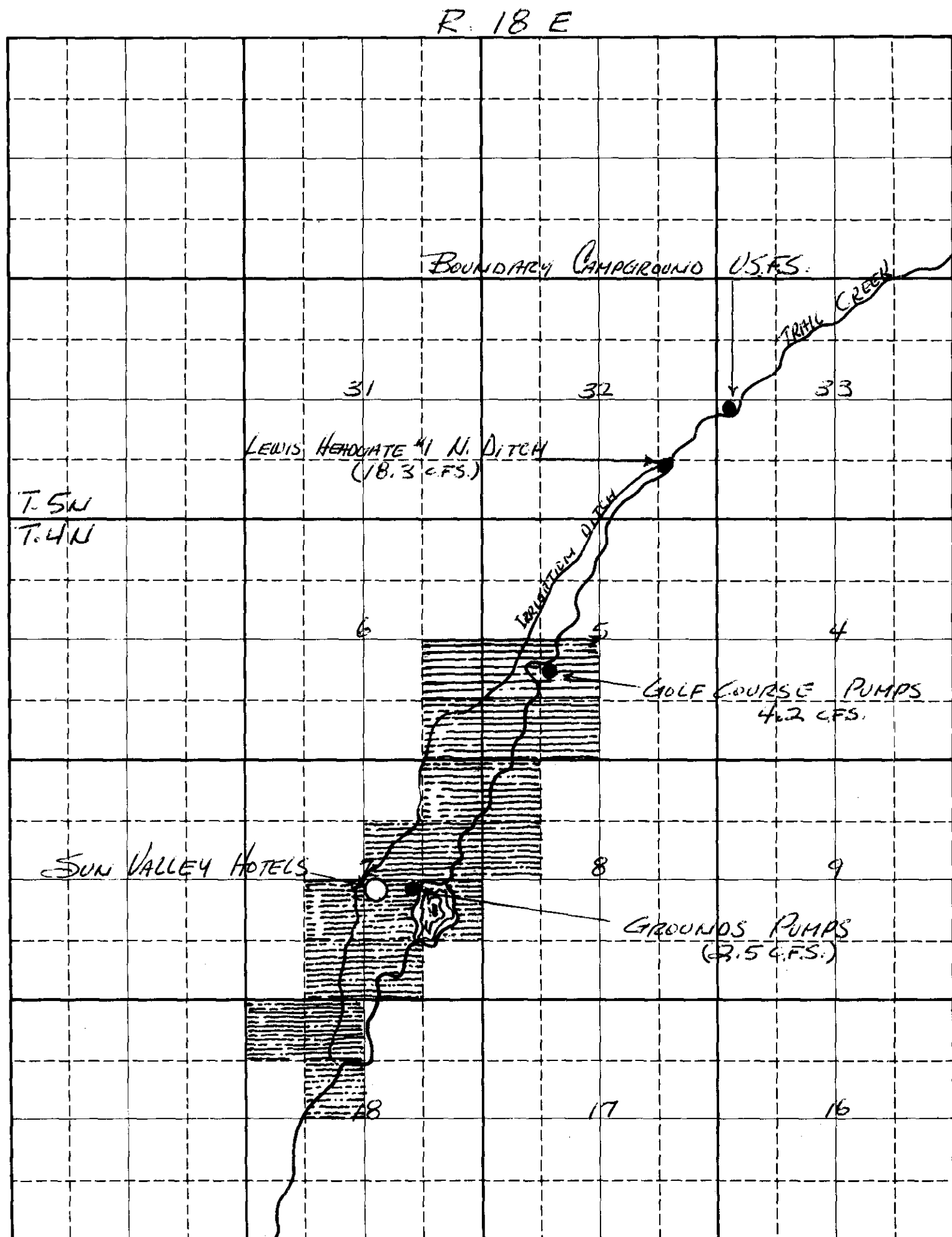
c. Description of diverting works A HEADGATE + TWO PUMPING STATIONS

d. Describe the reasons for applying for a change in the point(s) of diversion TO SUPPLY WATER TO A GOLF COURSE SPRINKLING SYSTEM AND A HOTEL GROUNDS SPRINKLING SYSTEM.

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

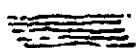
TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
			SAME AS PART A. PARAGRAPH *8																	

- 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.

USE AREA



WATERWAYS



MICROFILMED

3. Remarks SEE PART H. PARAGRAPH #7 (ADDITIONAL POINTS OF DIVERSION) THE 1.36 CFS. PUMPED DIRECTLY FROM TRAIL CREEK IN THE LOCATION DESCRIBED IN TRANSFER PERMIT NO. 37-0415 WILL NO LONGER BE USED.

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.

Director of Operations
San Valley Company

Wallace Kuffman
(Signature of applicant)

Subscribed and sworn to before me this 24 day of January, 1978.

Melissa B. Shores
(Notary public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0415

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

Measuring device and locking devices of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

Use of water under transfer is subject to the control by the watermaster of State Water District No. 37, Big Wood River.

The maximum rate of diversion shall not exceed; 4.12 cfs in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5 and 2.45 cfs in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, Twp. 4N, Rge. 18E, B. M.

If the above diversions are not used, 25.0 cfs may be diverted from Lewis Headgate #1 located in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 5N, Rge. 18E, B. M.

Witness my hand this 24TH day of May, 19 78.

Norman C. Young
Administrator

FOR DEPARTMENT USE ONLY

Received by T.B. Date 27 Jan 1978

Prelim. check by JS Fee \$30.00

Receipted by Sm Date 1-16-78

Published in _____

Pub. dates _____

Watermaster recommendation requested on _____

rec'd. 3-7-78

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial

by Michael L. Steele

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED, SUN VALLEY COMPANY, INC.

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto SUN VALLEY RESORTS, INC., an Idaho corporation, whose address is Sun Valley, Idaho 83353

grantee, the following described real estate, situated in Blaine County, Idaho, to-wit:

That certain real property described on Exhibit A attached hereto and by this reference incorporation herein; together with all water rights and water stock appurtenant thereto or used in connection therewith.

- Subject to:
1. Those matters set forth in Schedule B of Preliminary Title Report No. T-2888A dated as of March 31, 1977, and issued by Titlewest, Inc., other than Exceptions No. 16 through 26, 50 and 52 of Part Two hereof;
 2. Conditions, restrictions, reservations, easements and encumbrances of record;
 3. Nondelinquent General and Special Taxes and Assessments;
 4. Those matters set forth in Exhibit F to that certain Agreement for Sale of Assets dated April 6, 1977, by and between Sun Valley Resorts, Inc. and Sun Valley Company, Inc., insofar as such matters relate to the real property conveyed hereby.

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

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its Secretary.

Dated: April 6, 1977

By

William C. Janss, PRESIDENT.

ATTEST:

SECRETARY.

STATE OF IDAHO,

County of Blaine

On this 7th day of April, 1977, before me, a Notary public in and for said State, personally appeared William C. Janss and

known to me to be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Notary Public for the State of Idaho,
Residing at Idaho.

STATE OF IDAHO,

County of Blaine

I hereby certify that this instrument was filed for record at the request of SUN VALLEY RESORTS, INC. at minutes past o'clock m. this day of 19, in my office, and duly recorded in Book of Deeds at Page

Ex-Officio Recorder

By Deputy.

Fees \$
Paid to:

INSTRUMENT NO.

MICROFILMED

EXHIBIT A

Schedule C
Page One

PARCEL I: SUN VALLEY PROPERTY

A parcel of land within Section 32, Township 5 North, Range 18 East, Boise Meridian, Blaine County, and Sections 5, 6, 7, 8, 9, 17 and 18, Township 4 North, Range 18 East, Boise Meridian, Sun Valley, Blaine County, and more particularly described as follows:

Commencing at the SW Corner of said Section 7; thence
S. 89° 32' 45" E., 1375.60 feet to the True Point of
Beginning; thence
N. 0° 03' 28" E., 1608.79 feet; thence
N. 87° 52' 00" E., 562.58 feet; thence
N. 12° 57' 39" W., 171.05 feet; thence
158.73 feet along a curve to the left with a central angle
of 20° 13' 09", a radius of 449.80 feet and a long chord of
157.90 feet that bears N. 66° 55' 40" E.; thence
190.90 feet along a curve to the right with a central
angle of 32° 44' 54", a radius of 334.00 feet and a long
chord of 188.30 feet that bears N. 73° 12' 01" E.; thence
N. 89° 34' 00" E., 131.17 feet; thence
50.01 feet along a curve to the right with a central angle
of 2° 17' 58", a radius of 1246.23 feet and a long chord
of 50.01 feet that bears N. 1° 06' 21" W.; thence
S. 89° 34' 00" W., 130.58 feet; thence
111.20 feet along a curve to the left with a central angle
of 16° 35' 31", a radius of 384.00 feet and a long chord
of 110.81 feet that bears S. 81° 16' 14" W.; thence
24.18 feet along a curve to the right with a central angle
of 83° 10' 00", a radius of 16.66 feet and a long chord of
22.12 feet that bears N. 65° 26' 32" W.; thence
N. 23° 51' 26" W., 8.91 feet; thence
104.94 feet along a curve to the left with a central angle
of 33° 07' 52", a radius of 181.48 feet and a long chord of
103.48 feet that bears N. 40° 25' 22" W.; thence
N. 20° 49' 22" E., 137.20 feet; thence
N. 61° 24' 00" W., 331.00 feet; thence
N. 78° 08' 00" W., 191.00 feet; thence
West 219.12 feet; thence
N. 0° 03' 28" E., 274.59 feet; thence
N. 0° 21' 50" E., 2642.49 feet; thence
N. 1° 01' 31" W., 2630.55 feet; thence
S. 89° 26' 58" E., 3936.13 feet; thence
N. 1° 05' 03" W., 1308.39 feet; thence
S. 88° 22' 49" E., 1315.00 feet; thence
N. 0° 50' 06" W., 1262.70 feet; thence
N. 89° 36' 24" W., 135.44 feet; thence

Schedule C

Page Two

N. 0° 14' 52" E., 1330.65 feet; thence
S. 89° 47' 57" E., 1325.20 feet; thence
S. 89° 43' 10" E., 1322.47 feet; thence
N. 0° 09' 35" E., 1334.14 feet; thence
S. 89° 49' 53" E., 1316.10 feet; thence
S. 0° 06' 36" E., 2673.50 feet; thence
S. 87° 34' 59" E., 115.01 feet; thence
S. 0° 06' 29" E., 5258.25 feet; thence
S. 0° 16' 59" W., 2677.74 feet; thence
N. 88° 15' 28" W., 1292.10 feet; thence
S. 0° 09' 38" W., 1333.65 feet; thence
N. 88° 01' 18" W., 1289.43 feet; thence
S. 0° 02' 16" W., 1049.56 feet; thence
N. 51° 35' 22" W., 165.94 feet; thence
N. 69° 43' 38" W., 118.33 feet; thence
S. 75° 36' 23" W., 116.66 feet; thence
N. 67° 16' 48" W., 220.08 feet; thence
N. 52° 47' 13" W., 167.00 feet; thence
S. 62° 52' 55" W., 124.70 feet; thence
N. 27° 18' 43" W., 50.00 feet; thence
S. 62° 52' 57" W., 219.05 feet; thence
S. 48° 09' 02" E., 207.95 feet; thence
N. 76° 57' 50" W., 208.37 feet; thence
N. 31° 54' 10" W., 177.87 feet; thence
N. 58° 46' 53" W., 192.94 feet; thence
S. 74° 51' 32" W., 88.06 feet; thence
S. 40° 14' 28" W., 228.27 feet; thence
S. 12° 05' 10" W., 60.00 feet; thence
108.78 feet along a curve to the right with a central angle
of 16° 21' 28", a radius of 381.01 feet and a long chord of
108.41 feet that bears S. 69° 43' 48" E.; thence
S. 46° 54' 32" W., 194.00 feet; thence
S. 47° 04' 23" E., 312.75 feet; thence
S. 1° 26' 47" W., 396.13 feet; thence
S. 54° 32' 31" E., 917.08 feet; thence
East 118.00 feet; thence
S. 18° 48' 56" E., 378.26 feet; thence
N. 87° 44' 16" W., 2159.39 feet; thence
S. 0° 23' 34" E., 1312.40 feet; thence
S. 89° 53' 05" W., 2650.12 feet; thence
S. 89° 56' 33" W., 941.83 feet; thence
N. 1° 00' 00" E., 127.00 feet; thence
N. 13° 20' 36" E., 93.42 feet; thence
N. 31° 11' 47" E., 172.21 feet; thence
N. 14° 04' 05" E., 129.92 feet; thence
N. 4° 48' 47" E., 237.29 feet; thence

Schedule C
Page Three

N. 13° 27' 00" W., 121.37 feet; thence
N. 4° 55' 22" W., 148.00 feet; thence
S. 83° 26' 23" W., 42.89 feet; thence
N. 44° 37' 27" W., 45.70 feet; thence
N. 45° 22' 33" E., 45.00 feet; thence
N. 2° 51' 50" E., 244.17 feet; thence
N. 44° 37' 27" W., 124.63 feet; thence
N. 24° 13' 40" E., 590.17 feet; thence
N. 65° 46' 20" W., 80.00 feet; thence
N. 82° 03' 18" W., 346.25 feet; thence
S. 89° 24' 33" W., 229.66 feet; thence
N. 0° 31' 27" W., 661.05 feet to the True Point of
Beginning.

PARCEL II: RIVER RUN PROPERTY

All those portions of Lot 6 of said Section 18,
Township 4 North, Range 18 East, of Lots 1 and 2 of said
Section 19, Township 4 North, Range 18 East, and of the
NE¼NE¼ of Section 24, Township 4 North, Range 17 East of
the Boise Meridian, in Blaine County, Idaho, together
bounded and described as follows:

Beginning at the section corner common to Sections 18 and 19
of Township 4 North, Range 18 East and Sections 13 and 24
of Township 4 North, Range 17 East of the Boise Meridian;
thence North a distance of 654.20 feet to the Southwesterly
boundary line of the Ketchum Townsite; thence
S. 44° 45' E. a distance of 130.0 feet to the most southerly
corner of the Ketchum Townsite; thence
N. 45° 15' E. a distance of 490.0 feet along the South-
easterly boundary line of said Ketchum Townsite; thence
S. 36° 30' E. a distance of 666.0 feet; thence
N. 66° 45' E. a distance of 200.0 feet; thence
S. 11° 45' E. a distance of 367.8 feet; thence
South a distance of 80.0 feet to a point in the South line
of said Lot 6 in Section 18; thence
East along the South line of said Lot 6 which is coincident
with the North line of said Lot 1 in Section 19, to a point
in the Easterly right of way line of U.S. Highway No. 93,
which point is 20.4 feet, more or less, distant Westerly
from the Northeast corner of said Lot 1 measured along the
North line thereof; thence
Southeasterly along said Easterly right of way line of
highway a distance of 144 feet, more or less, to a point in

Schedule C

Page Four

the East line of said Lot 1 that is 142.3 feet, more or less, distant South from the Northeast corner of said Lot 1, measured along said East line; thence South along the East lines of said Lots 1 and 2 of Section 19 to the Southeast corner of said Lot 2; thence West along the South line of said Lot 2 to the Southwest corner thereof; thence North along the West line of said Lot 2 to the Southeast corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24; thence West along the South line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24 to the Southwest corner thereof; thence North along the West line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24 to the Northwest corner thereof; thence East along the North line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24 to the point of beginning.

PARCEL III: SHILLINGTON PROPERTY

Right of Way and Easement for road lying within Lot 2, Section 13, Township 4 North, Range 17 East, Boise Meridian, Blaine County, Idaho, described as follows:

Commencing at the C $\frac{1}{4}$ Corner of said Section 13 monumented by a Bureau of Land Management brass cap, from which the east $\frac{1}{4}$ corner of said Section 13 bears N. 89° 37' 25" E., and lies 2652.83 feet distant and from which the CN 1/16 corner of said Section 13 bears N. 0° 29' 54" E., and lies 1331.40 feet distant; thence running N. 0° 29' 54" E., for 271.56 feet along the Westerly boundary of said Lot 2 to the Real Point of Beginning; thence N. 0° 29' 54" E., for 60.00 feet to a point, said point being the Southwest corner of a parcel of land described in a certain Warranty Deed between Tom Kochinas and Dempsey Construction Company, recorded December 7, 1971 and said point also being the Northwest corner of a parcel of land as described in a certain Real Estate Agreement between Willard Shillington and Gerald Morgan and Sun Valley Co., Inc., recorded August 24, 1972; thence S. 89° 55' 35" E., 970.08 feet along a line common to the above described Warranty Deed and Real Estate Agreement, to a point on the Westerly boundary of Third Avenue; thence S. 22° 16' 35" E., for 64.87 feet along said Westerly avenue boundary to a point, said point lies N. 44° 37' 20" W., 199.92 feet and N. 22° 16' 35" W., 7.87 feet of the most easterly corner of Block 71 of the Ketchum Townsite; thence

Schedule C.
Page Five

N. 89° 55' 35" W., for 995.34 feet along a line parallel to and 60 feet south of the above described common line to the Real Point of Beginning.

AND

Vendees equitable interest under that certain Real Estate Agreement dated August 23, 1972, wherein Willard H. and Edith D. Shillington, husband and wife, and Gerald Morgan and Ruth Morgan, husband and wife, are the Vendors, recorded August 24, 1972, as Instrument No. 145168, records of Blaine County, Idaho, and as amended by Supplemental Agreement dated July 23, 1974, as to the following described property:

TOWNSHIP 4 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO,

SECTION 13:

All of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying Southwesterly of the Big Wood River.

AND

A parcel of land within Section 13, Township 4 North, Range 17 East, Boise Meridian, Ketchum, Blaine County, Idaho, and more particularly described as follows:

Commencing at a brass cap marking the Center Quarter Cor of said Section 13 (also the SW corner of the NE $\frac{1}{4}$ of said Section 13), thence
N. 0° 28' 58" E., 255.36 feet along the center section line to the True Point of Beginning; thence
N. 0° 28' 58" E., 76.20 feet; thence
S. 89° 55' 27" E., 655.63 feet; thence
S. 0° 34' 16" W., 60.00 feet; thence
N. 89° 55' 27" W., 430.09 feet; thence
S. 0° 58' 18" W., 16.20 feet; thence
N. 89° 55' 27" W., 225.31 feet to the True Point of Beginning.

Schedule C
Page Six

PARCEL IV: WARM SPRINGS PROPERTY:

A parcel of land within Township 4 North,
Range 17 East of the Boise Meridian, Blaine County, Idaho,
described as follows:

Section 14: Commencing at a brass cap marking the Northwest
corner of said Section 14; thence
S. 58° 27' E., 1772.77 feet to the true point of beginning; thence
N. 59° 54' E., 10.48 feet; thence
S. 12° 27' 59" E., 412.94 feet; thence
N. 89° 20' 59" W., 294.39 feet; thence
N. 68° 35' 51" E., 131.25 feet; thence
N. 17° 22' 59" W., 275.50 feet; thence
93.15 feet along a curve to the left with a central angle of
7° 15', a radius of 736.26 feet and a tangent of 46.64 feet
along the South boundary of Warm Springs Village Subdivision,
Second Addition Revised; thence
N. 59° 54' 01" E., 84.20 feet to the True Point of Beginning.

PARCEL V: DOLLAR MOUNTAIN PROPERTY

Lots 2, 4, 8, 10-16 inclusive, 19-25 inclusive, and 27 of
DOLLAR MOUNTAIN SUBDIVISION, BLAINE COUNTY, IDAHO, according
to the official plat thereof, on file in the office of the
County Recorder, Blaine County, Idaho.

AND

A parcel of land within Lot 26 of the DOLLAR MOUNTAIN SUBDIVISION,
Blaine County, Idaho, according to the official plat thereof,
on file in the office of the County Recorder, Blaine County,
Idaho, more particularly described as follows:

Commencing at the most Southerly corner of said Lot 26;
said corner being the True Point of Beginning; thence
N. 45° 19' 06" W., 45.00 feet; thence
N. 83° 12' 56" E., 94.18 feet; thence
S. 55° 11' 45" W., 74.93 feet to the True Point of Beginning.

PARCEL VI: SKI EASEMENTS

Non-exclusive easement granted to SUN VALLEY COMPANY, INC., by ELKHORN AT SUN VALLEY, a joint venture, recorded April 5, 1977, as Instrument No. 172696, records of Blaine County, Idaho, and more particularly described as follows:

SKI EASEMENT "A"

A parcel of land within Sections 17, 18, 19 and 20, Township 4 North, Range 18 East, Boise Meridian, Sun Valley, Blaine County, Idaho and more particularly described as follows:

Commencing at the S $\frac{1}{4}$ corner of said Section 17; thence N. 88° 42' 01" W., 350.00 feet to the true point of beginning; thence
N. 88° 42' 01" W., 992.98 feet; thence
S. 0° 33' 14" W., 1,344.46 feet; thence
N. 87° 51' 11" W., 1,304.88 feet; thence
S. 89° 52' 14" W., 796.73 feet; thence
N. 45° 06' 43" W., 777.59 feet; thence
N. 0° 05' 40" W., 780.53 feet; thence
N. 0° 25' 56" W., 1,318.57 feet; thence
S. 89° 56' 20" W., 1,324.16 feet; thence
N. 0° 28' 22" W., 1,318.34 feet; thence
N. 89° 56' 32" E., 2,650.14 feet; thence
N. 0° 23' 34" W., 1,312.39 feet; thence
S. 87° 44' 16" E., 2,159.36 feet; thence
S. 19° 30' 15" W., 1,102.20 feet; thence
S. 20° 29' 06" E., 1,228.70 feet; thence
S. 4° 43' 08" E., 1,735.62 feet to the true point of beginning.

SKI EASEMENT "B"

A parcel of land within Sections 8, 9 and 17, Township 4 North, Range 18 East, Boise Meridian, Sun Valley, Blaine County, Idaho, and more particularly described as follows:

Commencing at the SW Corner of said Section 9 and said corner being the true point of beginning; thence
S. 43° 42' 30" W., 758.86 feet; thence
N. 61° 07' 25" W., 1,652.46 feet; thence
N. 54° 47' 52" W., 178.68 feet; thence
N. 50° 16' 25" W., 589.95 feet; thence
N. 0° 02' 15" E., 698.41 feet; thence
S. 88° 01' 18" E., 1,289.43 feet; thence
N. 0° 09' 36" E., 1,333.66 feet; thence

SCHEDULE C
Page Eight

S. 88° 15' 26" E., 1,292.11 feet; thence
N. 0° 16' 59" E., 2,677.74 feet; thence
S. 87° 38' 19" E., 5,244.62 feet; thence
S. 0° 13' 01" E., 5,259.15 feet; thence
N. 88° 42' 09" W., 5,287.96 feet to the true point of
beginning, EXCEPTING THEREFROM

A parcel of land within Section 9, Township 4 North,
Range 18 East, Boise Meridian, Sun Valley, Blaine County,
Idaho, and more particularly described as follows:

Commencing at the SW Corner of said Section 9, said corner
being the true point of beginning; thence
N. 0° 17' 01" E., 910.21 feet; thence
S. 88° 42' 09" E., 335.00 feet; thence
S. 0° 17' 01" W., 910.21 feet; thence
N. 88° 42' 09" W., 335.00 feet to the true point of
beginning.

PARCEL VII: COLD SPRINGS PROPERTY

A parcel of land within Section 30, Township 4 North, Range
18 East, Boise Meridian, Blaine County, Idaho, and more
particularly described as follows:

Commencing at the West Quarter Corner of said Section 30; thence
N. 89° 49' 27" E., 1553.13 feet to the true point of
beginning; thence
N. 48° 31' 25" E., 259.56 feet; thence
N. 83° 59' 00" E., 120.66 feet; thence
North, 325.42 feet; thence
S. 81° 10' 19" E., 135.59 feet; thence
South, 487.79 feet; thence
S. 89° 49' 27" W., 448.44 feet to the True Point of Beginning.

AND

Township 4 North, Range 17 East, Boise Meridian, Blaine
County, Idaho.

SECTION 30: A parcel of land more particularly described
as follows:

Commencing at the West Quarter Corner of said Section
30 and said corner being the true point of beginning; thence
N. 0° 39' 44" W., 1102.91 feet; thence
S. 65° 12' 47" E., 1064.13 feet; thence
S. 81° 10' 19" E., 925.19 feet; thence
South 325.41 feet; thence
S. 83° 59' 00" W., 120.66 feet; thence

SCHEDULE C
Page Nine

S. 48° 31' 25" W., 259.56 feet; thence
S. 89° 49' 27" W., 200.22 feet; thence
S. 0° 08' 29" W., 51.96 feet; thence
S. 75° 17' 43" W., 533.12 feet; thence
N. 33° 23' 25" W., 102.42 feet; thence •
N. 82° 52' 18" W., 786.84 feet to the true point of beginning.

PARCEL VIII:

Lot 6 of PROPSECTOR WELLS SUBDIVISION, BLAINE COUNTY, IDAHO,
as shown on the official plat thereof, on file in the
office of the County Recorder, Blaine County, Idaho.

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } SS.

Department of Water Resources
Southern District Office

SIMPSON, J. SIMPSON, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 9 day of March, 1978, and the date of the last publication was on the 16 day of March, 1978.

Subscribed and sworn to before me this 23rd

day of March, 1978.
(SEAL)

Rabute McKencher
NOTARY PUBLIC

WOOD RIVER JOURNAL Hailey, Idaho COST OF PUBLICATION

Number of Lines in Notice	<u>43</u>	
Number of Insertions	<u>2</u>	
Lines tabular at	39c	
<u>43</u> Lines straight at	26c	<u>11.18</u>
<u>43</u> Subsequent lines at	15c	<u>6.45</u>
TOTAL COST		<u>17.63</u>

COPY OF NOTICE

(Write Here)

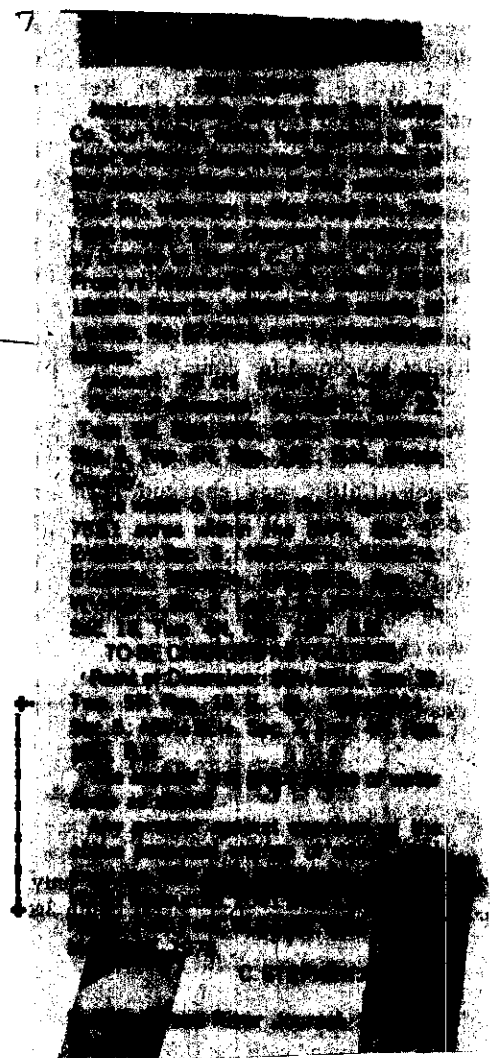
Permit 37-0415-
Son Valley Co.

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 Blue Lakes Blvd N



Nº 0069

WATER



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

RECEIVED

FEB 25 1978

February 17, 1978

Department of Water Resources
Southern District Office

Sun Valley Company
Sun Valley, ID 83353

ATTENTION: Ken Zimmerman

Re: Application for Transfer - Sun Valley Co.

Dear Mr. Zimmerman:

In the preliminary checking of this transfer, it was discovered that the signature on the application did not reflect the name of the applicant. The applicant's name which is Sun Valley Company, must be shown as part of the signature and the person signing must show his authority to do so. In this case the signature should read Sun Valley Company, Wally Huffman, and show the position which Mr. Huffman holds which indicates he has the authority to sign for Sun Valley Company.

I am returning the transfer for this necessary correction. Please return it at your earliest convenience.

Sincerely,

Terry Blau
Senior Water Resource Agent

TB:sm

Enclosure

Mr HUFFMAN HAS PUT HIS CO. TITLE
ON THE APPLICATION.

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

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

C. Stephen Allred
Director

January 19, 1978

Sun Valley Company
Sun Valley, ID 83353

ATTENTION: Mr. Ken Zimmerman

Dear Mr. Zimmerman:

I am returning your Application for Transfer as per our telephone conversation of January 18, 1978. The changes that should be made have been indicated on the application. We will hold the filing fee pending the return of your application.

Please forgive the inconvenience this may cause you.

Sincerely yours,

Terry G. Blau
Senior Water Resource Agent

TGB:sm

Enclosure

MICROFILM

Transfer No. _____

Application No. 67-2416

RECEIVED

JAN 24 1978

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

Department of Water Resources
SANDWICH BUILDING

Name of applicant SUN VALLEY CO. Phone 622-4111
Post office address SUN VALLEY, IDAHO 83353

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree to HORACE C. LEWIS
in case of FROST DECREE (Name) vs ALTURAS WATER CO.
dated 12/9/1909 in 4TH JUDICIAL COURT county of LINCOLN
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. 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

ACQUIRED THROUGH PURCHASE (COPY ATTACHED)

3. Source of water TRAIL CREEK tributary to BIG WOOD RIVER

4. Date of priority 4/25/1881

5. Water is used for the following purposes: OTHER USES 11/13/78
amount 35 CFS. for IRRIGATION & PASTURES purposes from APRIL 1ST to DEC. 1ST
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 25 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32
Township 5N Range 18E, B.M., in BLAINE County
Additional points of diversion, if any NW $\frac{1}{4}$ of NW $\frac{1}{4}$, SEC. 8, T.4N,
RANGE 18E, B.M. IN BLAINE COUNTY.

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 $\frac{1}{4}$	
T.4N	18E	5									40	40	40	40					160
T.4N	18E	6													40	40	40	40	80
T.4N	18E	7	40		40	40					40			40	40	40	40		320
T.4N	18E	8						40	40										80
T.4N	18E	18						40											40

Total number of acres to be irrigated

MICROFILMED
3

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 SE ¼ SE ¼, Section 32 Township 5N
Range 18E, B.M., BLAINE County _____
Additional points (GOLF PUMPS) NE¼ of SW¼ SEC. 5, T.4N, RANGE 18E, B.M.
(GROUNDS PUMPS) NW¼ of SE¼ SEC. 7, T.4N, RANGE 18E, B.M.
c. Description of diverting works LEWIS #1 A HEADGATE - GOLF COURSE PUMPS - GROUNDS AREAS PUMPS
d. Describe the reasons for applying for a change in the point(s) of diversion TO SUPPLY WATER TO A GOLF COURSE SPRINKLING SYSTEM AND A HOTEL GROUNDS SPRINKLING SYSTEM

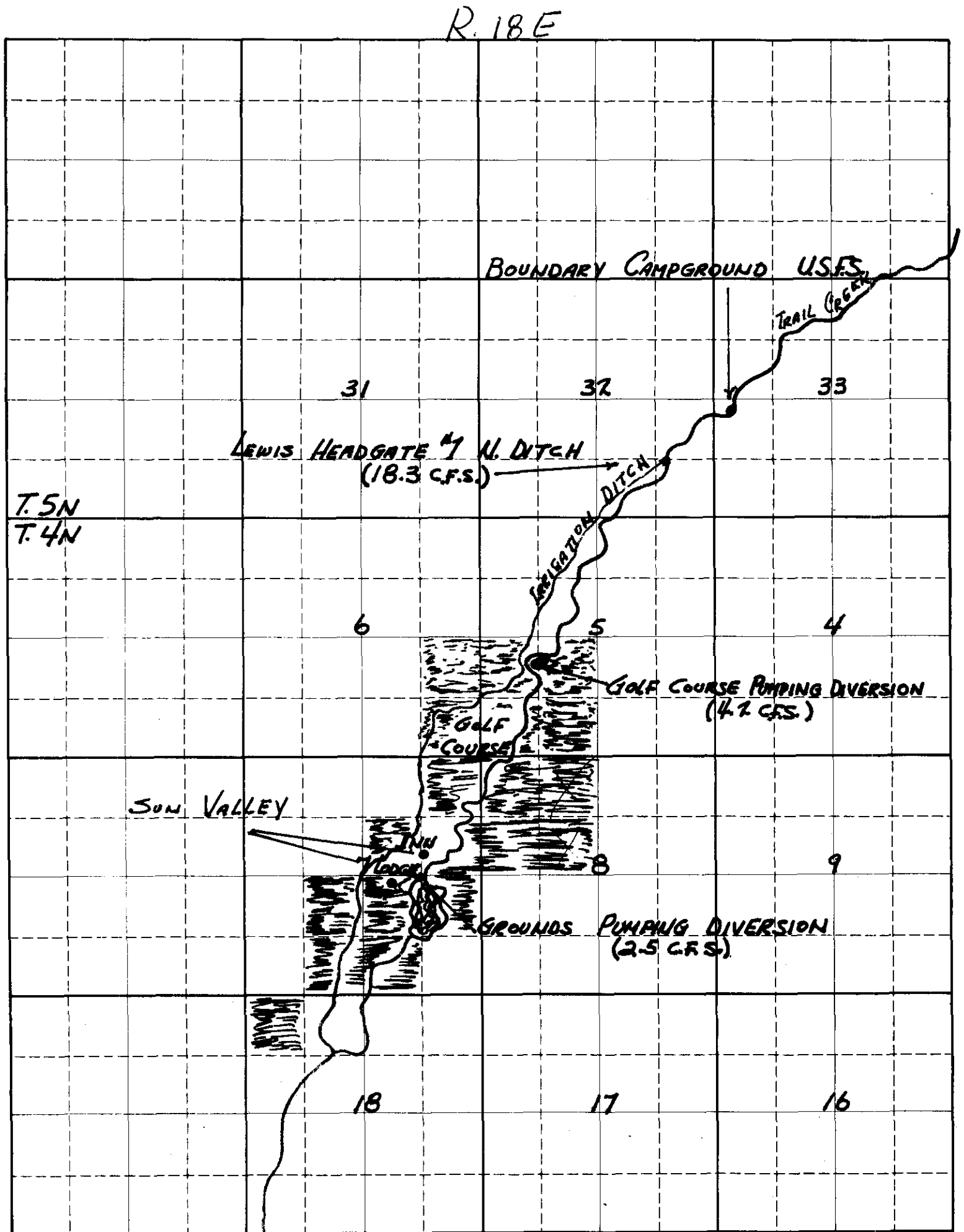
2. Change in place of use

- 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	
T.4N	18E	5									40	40	40	40					160
T.4N	18E	6													40			40	80
T.4N	18E	7	40		40	40					40			40	40	40	40		320
T.4N	18E	8							40	40									80 + 53
T.4N	18E	18							40										113 + 40

Total number of acres to be irrigated 753

- 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.

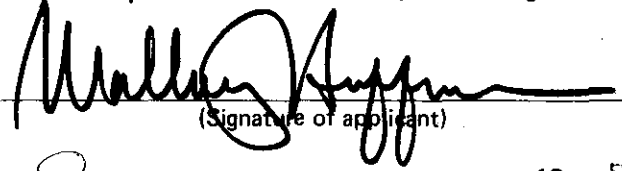


SCALE: 2 inches equal 1 mile. Draw plan in ink.

USE AREA 
WATERWAYS 

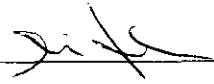
3. Remarks SEE PART A. SEC. 7 (ADDITIONAL POINTS OF DIVERSION)
THE 1.36 C.F.S. PUMPED DIRECTLY FROM TRAIL CREEK IN
THE LOCATION DESCRIBED IN TRANSFER PERMIT NO.
37-0415 WILL NO LONGER BE USED.

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.


(Signature of applicant)

Subscribed and sworn to before me this 9 day of January, 1978


(Notary public)

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 TB Date 1-16-78

Protest filed by _____

Prelim. check by _____ Fee 30⁰⁰ #7486

Receipted by  Date 1/16/78

Published in _____

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for _____ approval _____ denial _____

_____ rec'd. _____

by _____

Identification No. _____

Transfer No. 37-0475

APPROVED

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

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

1. Name of Right Holder SUN VALLEY COMPANY INC. by Harry Holmes
Post office address Sun Valley, Idaho

2. Right obtained by:

a. Decree to Horace C. Lewis in Case of Frost Decree
(Name)
vs. Alturas Water Co., Dated 12/9/1909 in 4th Judicial Court
(Name of Court)
Court. County of Lincoln

b. ~~License No.~~ Decree issued by the State of Idaho, Department of Reclamation.

3. Source of water Trail Creek tributary to Wood River
(Name of stream or source)

4. Date of Priority 4/25/1881

Amount of water a. 25 c.f.s. and/or

b. _____ acre feet/annum

6. Water is used for irrigation from April 1 to November 15
(Month, Day) (Month, Day)

7. Original location of point of diversion is SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32,
Township 5N, Range 18E, B.M., in Blaine County;

Name of Diversion Canal 1 Lewis Headgate
Additional point of diversion, if any: 1/2 mile N. of Trail Creek Cabin

8. Lands presently irrigated or place of use: Parts of the following sections

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 $\frac{1}{4}$	
4N	18E	5							5	5	5	10	10	5	5				45
4N	18E	6															10		10
4N	18E	7	10	10		10					10								40
4N	18E	8					5	10	5										20

Total number of acres presently irrigated 115 Acres

9. If applicant was not the original holder of this right explain how it was acquired: _____

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 1.36 c.f.s. and/or _____ acre feet
- b. New point of diversion: SE SE 32 5N
NE NE 8 4N
_____, Range 18E 18E, B.M. py R K H
- c. Description of method of diversion and conveyance from new points of diversion: Water
to be pumped (500 gal/min) by pipe to underground irrigation system
- d. Is water to be conveyed to the lands previously irrigated? Yes X No _____
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
To have a water source closer to area being irrigated and to provide
additional pump in the event that the one located at canal 1 should
breakdown.
- f. Do you intend to make the transfer permanent? Yes
- g. Do you intend to abandon completely the old point of diversion? No
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

No new land will be used

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

- b. Do you intend to make the transfer permanent? No
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:
New diversion will irrigate the same property as before, but
will give better line balance.
- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: No new ground.
- e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge

SUN VALLEY COMPANY INC.

By: Harry Holmes
President (signature of applicant)

Subscribed and sworn to before me this 10th day of August, 19 72

Mary C. Jefferson
(notary public)

My commission expires July 11, 1975

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0415,
and said application is hereby APPROVED

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

A measuring device of a type approved by this Department shall be permanently
installed and maintained as part of the diverting works.

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

Witness my hand this 8 day of December, 19 72

P. Kid Higin
Director ~~State Reclamation Engineer~~
Dept. of Water Administration

Rec'd # 8747 **FOR DEPARTMENT USE ONLY**

Received by <u>all</u>	Date <u>8-14-72</u>	3:00pm	Protest filed by:	Date
Prelim. check by <u>D</u>	Date <u>9-21-72</u>			
Fee received by <u>ip</u>	Date <u>9-21-72</u>	Fee \$ <u>50.00</u>		
Approved for publication by _____				
Published in <u>Wood River</u>	Dates <u>9-28 & 10-5, 1972</u>			
<u>Journal at Hailey, Idaho</u>				
Hearing held _____				
Watermaster Recommendation sent _____				

AFFIDAVIT OF PUBLICATION

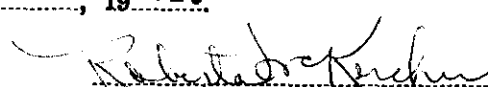
STATE OF IDAHO, }
County of Blaine, } ss.

GEORGE T. FRITZ, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Editor and Publisher of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 26th day of OCTOBER, 19 72 and ending with the last publication thereof on the 2nd day of NOVEMBER, 19 72.

Cost of this publication is \$ 10.08.


GEORGE T. FRITZ

Subscribed and sworn to before me, this 3rd day
of NOVEMBER, 19 72.


Notary Public for Idaho
Residing at Hailey,
Blaine, County, Idaho.

RECEIVED

NOV 1972

Department of Water Administration

Notice is hereby given that Notice of Proposed Change of Water Right No. 37-0418 in the name of Sun Valley Company, Inc. was advertised incorrectly on September 28 and October 5, 1972.

The new points of diversion were advertised as being in the SW 1/4 of Sec. 22, Twp. 5 N., Rge. 18 E., B.M. and NE 1/4 of Sec. 8, Twp. 4 N., Rge. 18 E., B.M. WHEREAS the points of diversion are proposed to be in the SE 1/4 SW 1/4, Sec. 22, Twp. 5 N., Rge. 18 E., B.M. and NE 1/4, Sec. 8, Twp. 4 N., Rge. 18 E., B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Administration, Statehouse Annex 2, Boise, Idaho, 83727, on or before November 13, 1972.

H. KEITH HIGGINS
Director

Published in the Wood River Journal at Hailey, Idaho, on October 26 and 27, 1972.

RECEIVED

NOV 19 1972

Department of Water Administration
Southern District Office

CENTRAL

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Blaine, } ss.

GEORGE T. FRITZ, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Editor and Publisher of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 28th day of September, 19 72 and ending with the last publication thereof on the 5th day of October, 19 72.

Cost of this publication is \$ 18.00

George T. Fritz
GEORGE T. FRITZ

Subscribed and sworn to before me, this 6th day
of OCTOBER, 19 72.

Roberta McKenney
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

RECEIVED

OCT 12 1972

Department of Water Administration
Southern District Office

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 22-0418

Notice is hereby given that San Valley Company, Inc. of San Valley, Idaho, has applied to the Dept. of Water Administration for a change of the point of diversion of the water of Frost Creek, Blaine County, Idaho, to the Wood River. The right sought to be changed is evidenced by Decree in Blaine County, in case of Frost Decree re. Alameda Water Co., dated December 9, 1949, in Fourth Judicial Court, county of Lincoln, and is recorded as follows:

Amount: 25 cfs
Priority: April 20, 1901
Point of diversion:
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 4
N, Rge. 18 E, B. M., Blaine
County.

The water is used for
irrigation purposes from April 1
to November 15 within the
S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 5; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6;
N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7; N $\frac{1}{2}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; Twp. 4 N,
Rge. 18 E, B. M.

TO BE CHANGED AS FOLLOWS

Point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 32, Twp. 4 N, Rge. 18 E, B.
M. and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, Twp.
4 N, Rge. 18 E, B. M. Amount:
1.36 cfs

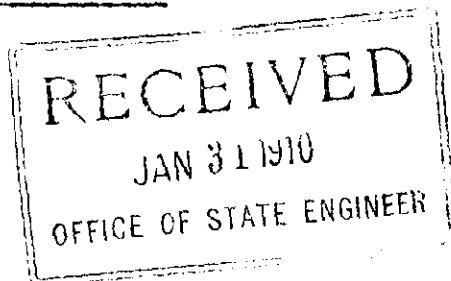
Any protest against approval
of the above proposed change of
water right must be filed with
the Idaho Dept. of Water Ad-
ministration, Statehouse
Annex 2, Boise, Idaho, 83727, on
or before October 15, 1972.

R. KEITH HIGGINSON,
Director

Published in the Wood River
Journal at Hailey, Idaho, on
September 28 and October 5,

RECEIVED

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



S. C. Frost, et al.,

Plaintiffs,

vs.

Alturas Water Company, et al.,

Defendants.

DECREE.

This cause coming on to be heard this 6th day of October, 1909, upon the Report of F. J. Cowen, Referee heretofore appointed for the purpose of taking the testimony and making recommendations as to Findings of Fact, Conclusions of Law and Decree, to be entered herein, and the said F. J. Cowen having filed his Report of the testimony taken, and his recommendations as to Findings of Fact, Conclusions of Law, which have heretofore been adopted, and the respective plaintiffs and defendants and cross-complainants appearing herein by their respective counsel, and the court being fully informed and advised in the premises, and having 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 W.	60 "	June 1, 1898.	Soldier Creek.
Lawson, Martin	15 "	Aug. 1, 1880.	Little Wood River.
" "	80 "	Apr. 1, 1881.	" " "
Lawson, M. S.	100 "	May 31, 1886.	Silver Creek. <i>Trans # 1000</i>
" " "	50 "	Oct. 25, 1892.	" " <i>Trans # 1000</i>
Lemman, E. B.	160 "	Apr. 1, 1907.	Three Mile Creek or Trans # 597 Four Mile Creek.
Leonard, William	12-1/2 "	May 9, 1883.	Deer Creek.
" "	70 "	May 15, 1883.	" "
" "	150 "	July 5, 1884.	" " <i>1835</i>
" "	100 "	June 15, 1885.	" "
" "	100 "	July 1, 1893.	" "
<i>0415 TRANS # 2233</i> Lewis, Horace C.	1250 "	Apr. 25, 1881.	Trail Creek.
<i>A16</i> " "	325 "	Oct. 5, 1883.	" "
<i>A17</i> " "	200 "	Oct. 5, 1883.	" " (For pipe-line.)
<i>Trans # 1052</i> " "	200 "	June 23, 1888.	Warm Springs Creek.
<i>Trans # 1000</i> " "	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.	" " " <i>TRANS # 20</i>
Do.	110 "	Apr. 1, 1884.	" " " <i>" 20</i>
Do.	110 "	Apr. 1, 1887.	" " " <i>" 20</i>
<i>37 0426</i> Lloyd, Bruce	125 "	Apr. 1, 1887.	Silver Creek. <i>900</i>
<i>37 0427</i> Logan, James	150 "	Dec. 18, 1903.	Big Wood River.
<i>37 0428</i> Loving, Henry	40 "	June 1, 1889.	Butte Creek.
<i>37 0429</i> Loving, John T.	160 "	Oct. 31, 1889.	Big Wood River.
<i>37 0430</i> Lumb, John	160 "	June 1, 1902.	" " "

37-4118

May 5, 1980

Mr. Jim Speck
P.O. Box PP
Ketchum, ID 83340

Dear Mr. Speck:

As discussed in our telephone conversation, the department requires the person wishing to change the point of diversion and/or place of use to file an affidavit in the form of a transfer application. If the applicant is not the original holder of the right, the applicant is asked to explain how it was acquired and to attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant. Enclosed is a copy of the warranty deed of Sun Valley, Inc., pertaining to the transfer of right No. 37-0415 decreed to Horace C. Lewis.

In researching our records further, I did not locate a transfer for right No. 37-0416 with a priority date of October 5, 1883, for 325 inches of the waters of Trail Creek decreed to Horace C. Lewis. The same lands are identified as for right No. 37-0415, described in the Findings of Fact in the case of S. C. Frost, et al., vs. Alturas Water Co., et al.

Also decreed to Horace C. Lewis is right No. 37-0417 with a priority date of October 5, 1883, for 200 inches of the waters of Trail Creek for domestic and other purposes to village of Ketchum by means of a reservoir and pipeline.

As requested, enclosed is an invoice for charges to date.

If you have any questions or need further assistance, please do not hesitate to contact us.

Sincerely,

Roberta Garrett
Records Supervisor

RG:ab

Enclosures

May 26, 1978

Re: Transfer of Water Right No. 37-0415

Sun Valley Co.
Sun Valley,
Idaho 83353

Gentlemen:

Enclosed is a copy of the approved Application for Transfer of the above referenced water right (Transfer No. 2233).

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

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

May 16, 1978

MEMO

TO: 37-0415 (file)
FROM: JIM JOHNSON
RE: Points of clarification on Transfer Application 2233

The following questions were discussed with the watermaster by telephone on May 11, 1978.

1. How were the loss allocations of transferred water determined?

Ans: Reid Newby, watermaster, and Ken Zimmerman, applicant, estimated the channel losses accruing at Golf Course pumps, at the new diversion, and a new downstream diversion at the ground pumps. The channel losses at the Golf Course pumps were estimated to be less than 2% of the flow and losses at the ground pumps were greater than 2%. Therefore, they both agreed that a 2% channel loss would be allocated both new diversions.

2. Should the diversion at Lewis #1 gate be limited to 18.3 cfs as implied by the transfer application in Part C1.a?

Ans: No, there was an oversight on the application. The listed amounts are calculations of flows at each diversion, before losses, when all three points are in use. There will be times when one or both of the new diversions will not be used and up to 25 cfs may be desired to be diverted at the Lewis #1 gate. All three diversions will be regulated by the watermaster.

3. What is the significance of the "Boundary Campground U.S.F.S." shown on the map in the transfer application?

Ans: The watermaster felt that it had no significance; The applicant used it as a point of reference.

The proposed transfer conditions were discussed with the watermaster and he concurred with each condition. He indicated that he had worked with the applicant on the proposed transfer and felt that the applicant would also concur with the conditions.

RECORDED

RECEIVED

MAR 7 1978

Department of Water Resources
Southern District Office

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 37-0415

RECOMMENDATION OF WATERMASTER

I, Reid J Newby, watermaster of Big Wood River,
of Water District No. 37, County of Blaine, State of Idaho,
whose address is Box T Shoshone, Idaho 83352
have read the attached copy of the application for transfer of water right for 37-0415
Sun Valley Co., 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 there be a 2 % loss charge to all water
transferred

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, Idaho, this 6th day of March 19 78.

Reid J Newby
(signature)

Please use reverse side if needed.

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

1. Source TRAIL CREEK WATER Name Sun Valley Company
2. Right Being Transferred Right No. 37-0415
- a. ☒ Decree Transfer No. _____
- _____ 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 copy attached
- _____
4. No Expansion of Right
- Comment _____
- _____
5. ☒ Map
6. _____ Signature
7. ☒ Fee
8. Watermaster's Comments sent for 2-28-78
- _____
- _____
9. Comments _____
- _____
- _____
10. Initial Review by J. P. Sturton Date 2-28-78
11. Recommended Action
- ☒ Approve
- _____ Deny
- ☒ Conditions meas device & locking headgate
- By Michael Steel Date 3-27-78 ^{by oral request}
from Watermaster.

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-0415

Notice is hereby given that Sun Valley Co., Sun Valley, Idaho, has applied to the Dept. of Water Resources for a change of the point of diversion of the waters of Trail Cr., tributary to Big Wood Riv. The right sought to be changed is evidenced by Decree to Horace C. Lewis in case of Frost vs. Alturas Water Co., dated 12/9/1909 in Fourth Judicial Court county of Lincoln, No. 37-0415, and is recorded as follows:

Amount: 25 cfs

Priority: 4/25/1881

Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 5N, Rge. 18E., B.M.;
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, Twp. 4N, Rge. 18E., B.M.,
Blaine County.

The water is used for the irrigation of 753.1 acres within the SW $\frac{1}{4}$, Sec. 5; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 6; NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 8; Lots 1 & 3, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, Twp. 4N, Rge. 18E., B.M.

TO BE CHANGED AS FOLLOWS

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 5N, Rge. 18E., B.M.;
NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5; NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, Twp. 4N, Rge.
18E., B.M.

The amount and place of use of water same as above.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, ID 83301, on or before March 27, 1978.

C. STEPHEN ALLRED

Director

Published in the Wood River Journal on 3/9 & 3/16/78.

MICROFILMED

March 2, 1978

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

Re: Transfer of Water Right No. 37-0415 - Sun Valley Co.

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.

MICROFILMED

Bill submitted: _____



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

February 28, 1978

Mr. Reid Newby
Box T
Shoshone, Idaho 83352

Re: Comments on Transfer of Water Right No. 37-0415 - Sun Valley Co.

Dear Mr. Newby:

We have received an Application for Transfer of Water Right No. 37-0415 in the name of Sun Valley Company. Enclosed is a copy of the transfer for your review. The Department requests that comments on this transfer be submitted to this office prior to 3/28, 1978.

Please complete the form enclosed and return it to the Southern Region Office.

Sincerely,

Gary Funderburg
Senior Water Resource Agent

GF:sm

Enclosures

RECEIVED

February 17, 1978

Sun Valley Company
Sun Valley, ID 83353

ATTENTION: Ken Zimmerman

Re: Application for Transfer - Sun Valley Co.

Dear Mr. Zimmerman:

In the preliminary checking of this transfer, it was discovered that the signature on the application did not reflect the name of the applicant. The applicant's name which is Sun Valley Company, must be shown as part of the signature and the person signing must show his authority to do so. In this case the signature should read Sun Valley Company, Wally Huffman, and show the position which Mr. Huffman holds which indicates he has the authority to sign for Sun Valley Company.

I am returning the transfer for this necessary correction. Please return it at your earliest convenience.

Sincerely,

Terry Blau
Senior Water Resource Agent

TB:sm

Enclosure

MICROFILMED

January 19, 1978

Sun Valley Company
Sun Valley, ID 83353

ATTENTION: Mr. Ken Zimmerman

Dear Mr. Zimmerman:

I am returning your Application for Transfer as per our telephone conversation of January 18, 1978. The changes that should be made have been indicated on the application. We will hold the filing fee pending the return of your application.

Please forgive the inconvenience this may cause you.

Sincerely yours,

Terry G. Blau
Senior Water Resource Agent

TGB:sm

Enclosure

REPROFILMED

October 15, 1973

Re: Transfer of Water Right No. 37-0415

Sun Valley Company, Inc.
Sun Valley,
Idaho 83353

Gentlemen:

Enclosed please find an Order which corrects your Transfer No. 37-0415.

If you have any questions regarding this matter, please contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:JC
Enclosure

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF TRANSFER OF WATER)

RIGHT NO. 37-0415 IN THE NAME OF)

SUN VALLEY CO., INC.)

ORDER

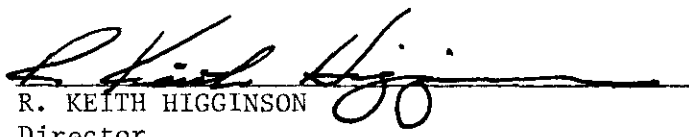
WHEREAS, on September 21, 1972, Sun Valley Company, Inc. filed with the Department of Water Administration an application for transfer of water right requesting an additional point of diversion on Trail Creek for the irrigation of 115 acres; and,

WHEREAS, on December 8, 1972, the Department approved said transfer for a point of diversion within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 5N, Rge. 18E, B.M., and the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Twp. 4N, Rge. 18E, B.M.; and,

WHEREAS, the Department finds that the points of diversion were listed in error on the transfer application and should be in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 5N, Rge. 18E, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, Twp. 4N, Rge. 18E; this description corresponding with the map of said application;

IT IS, THEREFORE, HEREBY ORDERED that Transfer of Water Right No. 37-0415 be and is corrected to show the points of diversion as being with the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 5N, Rge. 18E and the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, Twp. 4N, Rge. 18E, B.M.

Dated this 15 day of OCTOBER, 1973.


R. KEITH HIGGINSON
Director

DDR:jc

MICROFILMED

September 21, 1973

Re: Transfer No. 37-0415

Sun Valley Company, Inc.
Sun Valley
Idaho 83353

Gentlemen:

It was recently brought to our attention that there is a discrepancy in the points of diversion as listed under your Transfer No. 37-0415, which was approved December 8, 1972.

We have enclosed a copy of the transfer for your review. Please note that the new points of diversion under item 10b are the SE¹/₄SE¹/₄, Sec. 32 and NE¹/₄NE¹/₄, Sec. 8. Whereas, the map indicates the points of diversion to be within the SE¹/₄SE¹/₄, Sec. 32 and NW¹/₄NW¹/₄, Sec. 8.

If you would please advise this office of the actual location of the diversion points, we will take the necessary steps to correct the transfer.

If you should have any questions regarding this matter, please advise.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:cd

Enc: Copy of Transfer

December 11, 1972

Re: Transfer No. 37-0415

Sun Valley Company, Inc.
Attn: Mr. Harry Holmes
Sun Valley, Idaho 83353

Gentlemen:

Enclosed please find a copy of your approved Application for Transfer of Water Right No. 37-0415.

Be sure to note that a special condition requiring you to install and maintain measuring devices at your points of diversion has been placed upon this transfer. We have enclosed a letter describing different types of measuring devices accepted by this office.

Also enclosed is departmental receipt No. 8747 in the amount of \$30.00 covering the filing fee for this transfer.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of transfer
Information letter
Receipt #8747

bc: Southern District Office

REC
MAY 10 1973
Department of
INTER-DEPARTMENT MEMO — 1

FROM Ken Flowerdew

DATE 5-8-73

TO Darlene

SUBJECT Transfer # 37-0415 - Sun Valley Company Inc.

I contacted Reid Newby on this who had contacted Ken Zimmerman of Sun Valley. Ken Zimmerman wants only one point of diversion, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 4N, R. 18E. This corresponds with the map. It was advertised with two points. Should this be readvertised? As far as I know, it wasn't protested so I see no reason to do this. Would you please send a corrected copy with one point to Ken Zimmerman.


SIGNATURE

INTER-DEPARTMENT MEMO — 1

DATE May 2, 1973

FROM Darlene

TO Ken F.

SUBJECT Transfer #37-0415--Sun Valley Co., Inc.

In connection with the discrepancy between the listed point of diversion and the map, would you please contact Sun Valley Co. and find out which description is correct.

Advise us and we will take the necessary steps to correct the transfer.
Thank you for your help.

RECEIVED
MAY 3 1973
FBI - DENVER

SIGNATURE

October 24, 1972

Re: Transfer App. No. 37-0415

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the 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.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

" I hereby certify that the foregoing account is just and correct,
that the amount claimed is legally due, after allowing all just
credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

Bill submitted 11-14-72 by ds

BDF:DR
Enc: Legal notice

NOTICE OF CORRECTION

Notice is hereby given that Notice of Proposed Change of Water Right No. 37-0415 in the name of Sun Valley Company, Inc. was advertised incorrectly on September 28 and October 5, 1972.

The new points of diversion were advertised as being in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32, Twp. 5 N, Rge. 18 E, B.M. and NE $\frac{1}{4}$ NE of Sec. 8, Twp. 4 N, Rge. 18 E, B.M. WHEREAS, the points of diversion are proposed to be in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, Twp. 5 N, Rge. 18 E, B.M. and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8, Twp. 4 N, Rge. 18 E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707, on or before November 13, 1972.

R. KEITH HIGGINSON

Director

Published in the Wood River Journal at Hailey, Idaho, on October 26 and November 2, 1972.

RECEIVED

Identification No. _____

Transfer No. 37-0415

Department of Water Administration

APPLICATION FOR TRANSFER OF WATER RIGHT

RECOMMENDATION OF WATERMASTER

I, Reid J Newby, watermaster of Big Wood River,
of Water District No. 37, County of Blaine, State of Idaho,
whose address is Box N Shoshone, Idaho,

have read the attached copy of the application for transfer of water right for
Sun Valley Company Inc., and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse Application for Transfer and recommend that the State
Reclamation Engineer approve the Transfer subject to the following conditions:

No Conditions

OR

B. I do not endorse approval of this Application for Transfer as requested
for the following reasons: _____

Dated at Shoshone, Idaho, this 3 day of oct, 19 72.

Reid J Newby
(Signature)

RECEIVED

September 29, 1972

C
Re: Transfer App. No. 37-0415

O
Mr. Reid J. Newby, Watermaster
Water District No. 37
Box N
Shoshone, Idaho 83352

Dear Mr. Newby:

P
Enclosed is a copy of Application for Transfer No. 37-0415. Please review this application and submit your comments no later than October 16, 1972.

Very truly yours,

Y
Donald W. McEldowney
Water Rights Supervisor

DWM/cd

Enc: application for transfer

MICROFILMED

State of Idaho
Department of Reclamation
Office of the Watermaster
Shoshone, Idaho
September 27, 1972

Department of Water Administration

Idaho Department of Water Administration
Statehouse Annex 2
Boise, Idaho 83707

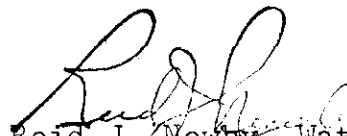
Attention: Donald W. McEldowney, Water Rights Supervisor

Dear Mr. McEldowney,

Please send copy of transfer application #37-0415. I
can't make any comments on this until I know what it is.

Thank you.

Very truly yours,


Reid J. Newby, Watermaster
Water District 27 & 37M

RJN:bl

RECEIVED

C September 25, 1972

C Re: Transfer App. No. 37-0415

O Mr. Reid J. Newby, Watermaster
Water District No. 37
Box N
Shoshone, Idaho 83352

Dear Mr. Newby:

P Enclosed is a copy of Application for Transfer No. 37-0415. Please review this application and submit your comments on the enclosed form no later than October 16, 1972.

Y Your assistance in this matter is appreciated.

Very truly yours,

Donald W. McEldowney
Water Rights Supervisor

DWM/cd

Enc:

MICROFILMED

September 25, 1972

Re: Transfer App. No. 37-0415 - Sun Valley Company, Inc.

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the 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.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

" I hereby certify that the foregoing account is just and correct,
that the amount claimed is legally due, after allowing all just
credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Ronald W. McEldowney
Water Rights Supervisor

Bill submitted 10-24-72 by ds

DWM:DR
Enc: Legal notice

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-0415

Notice is hereby given that Sun Valley Company, Inc. of Sun Valley, Idaho, has applied to the Dept. of Water Administration for a change of the point of diversion of the waters of Trail Creek, tributary to the Wood River. The right sought to be changed is evidenced by Decree to Horace C. Lewis, in case of Frost Decree vs. Alturas Water Co., dated December 9, 1909, in Fourth Judicial Court, county of Lincoln, and is recorded as follows:

Amount: 25 cfs

Priority: April 25, 1881

Point of diversion: $SE\frac{1}{4}SE\frac{1}{4}$, Sec. 32, Twp. 5 N, Rge. 18 E, B.M.,
Blaine County.

The water is used for irrigation purposes from April 1 to November 15 within the $S\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, Sec. 5; $SE\frac{1}{4}SE\frac{1}{4}$, Sec. 6; $N\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, Sec. 7; $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, Sec. 8; Twp. 4 N, Rge. 18 E, B.M.

TO BE CHANGED AS FOLLOWS

Point of diversion: $SE\frac{1}{4}SE\frac{1}{4}$, Sec. 32, Twp. 5 N, Rge. 18 E, B.M.
and $NE\frac{1}{4}NE\frac{1}{4}$, Sec. 8, Twp. 4 N, Rge. 18 E, B.M. Amount: 1.36 cfs

Any protest against a proval of the above proposed change of water right must be filed with the Idaho Dept. of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707, on or before October 16, 1972.

R. KEITH HIGGINSON, Director

Published in the Wood River Journal at Hailey, Idaho, on September 28 and October 5, 1972.

MICROFILMED

September 19, 1972

Re: Application for Transfer - Sun Valley Company, Inc.

Sun Valley Company, Inc.
Sun Valley,
Idaho 83353

ATTN: Mr. Harry Holmes

Dear Mr. Holmes:

In reference to your Application for Transfer in connection with Right No. 37-0415, the source of water is Trail Creek tributary to Wood River, Blaine County.

Before we can process your application we will need a filing fee of \$30.00. Processing involves a two-week advertising period and a ten day protest period. This procedure must be completed before this Department will know what action it will take. We would request that you submit it as soon as available.

Item 9 of the application, concerning your ownership to the right, was not completed. We would request that you advise us how the right was required and submit evidence that you do own the right. Possibly a contract of sale or deed to the water would be sufficient.

If you have any questions on the matter, please contact us.

Very truly yours,

Donald W. McEldowney
Water Rights Supervisor

DWM/cd

August 25, 1972

Sun Valley Company, Inc.
Attn: Harry Holmes, Pres.
Sun Valley, Idaho 83353

Dear Mr. Holmes:

Pursuant to our letter of August 17th, we have received the \$30.00 filing fee in connection with your application for transfer of water right.

However, the application was not submitted with the fee. Please forward the application to this office as soon as possible in order that we may begin its processing.

If the application has already been forwarded to us, please disregard this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

August 17, 1972

Sun Valley Company, Inc.
Attn: Harry Holmes, Pres.
Sun Valley, Idaho 83353

Dear Mr. Holmes:

The enclosed application for transfer appears to be in order, however, before we can process the application we will require a \$30.00 filing fee.

Please return the application with the filing fee to this office at your earliest convenience.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

