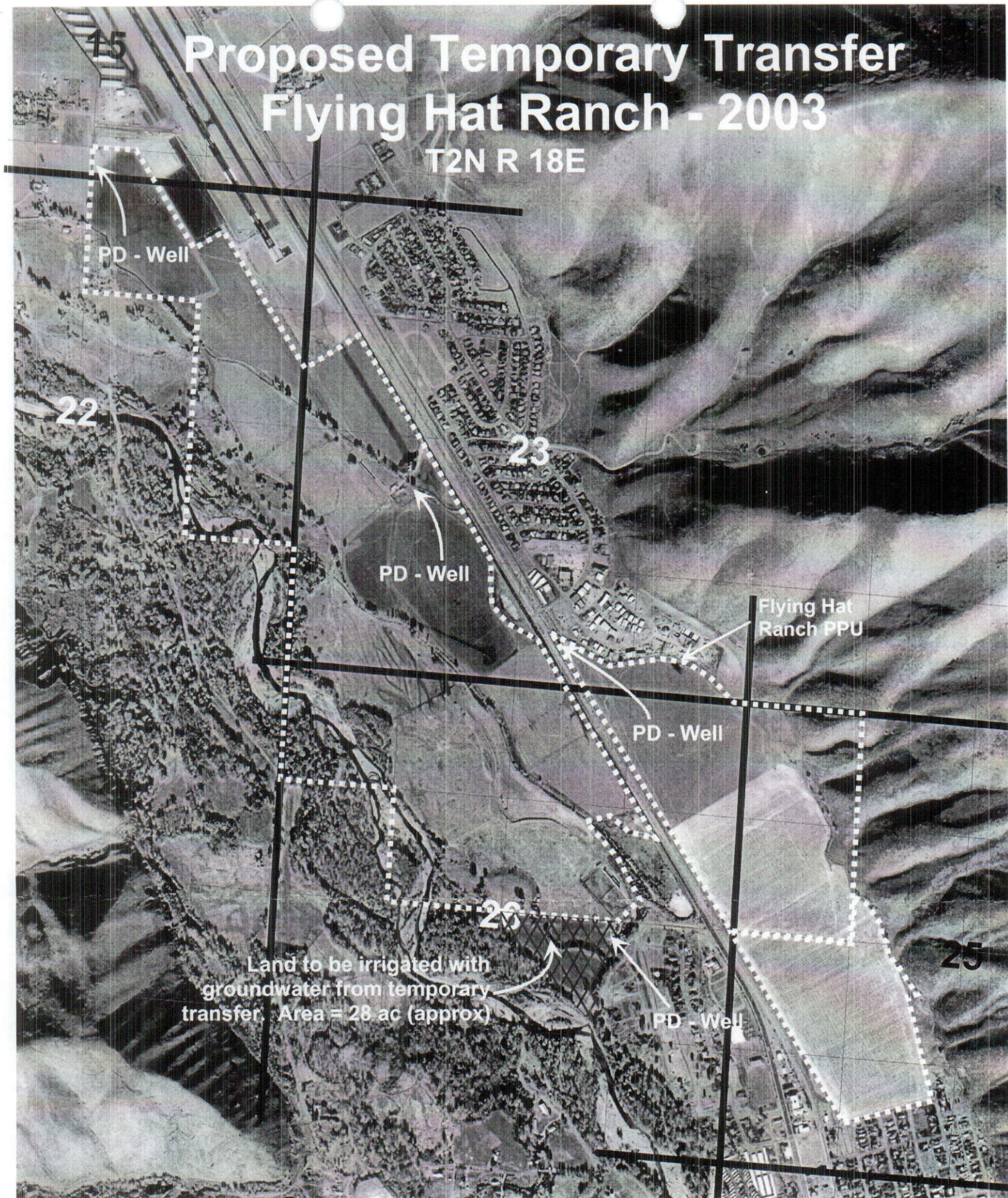


Proposed Temporary Transfer Flying Hat Ranch - 2003

T2N R 18E





**Flying Hat Ranch
Permissible Place of Use**

Total Acres included in PPU = 675 AC

 PPU Boundary

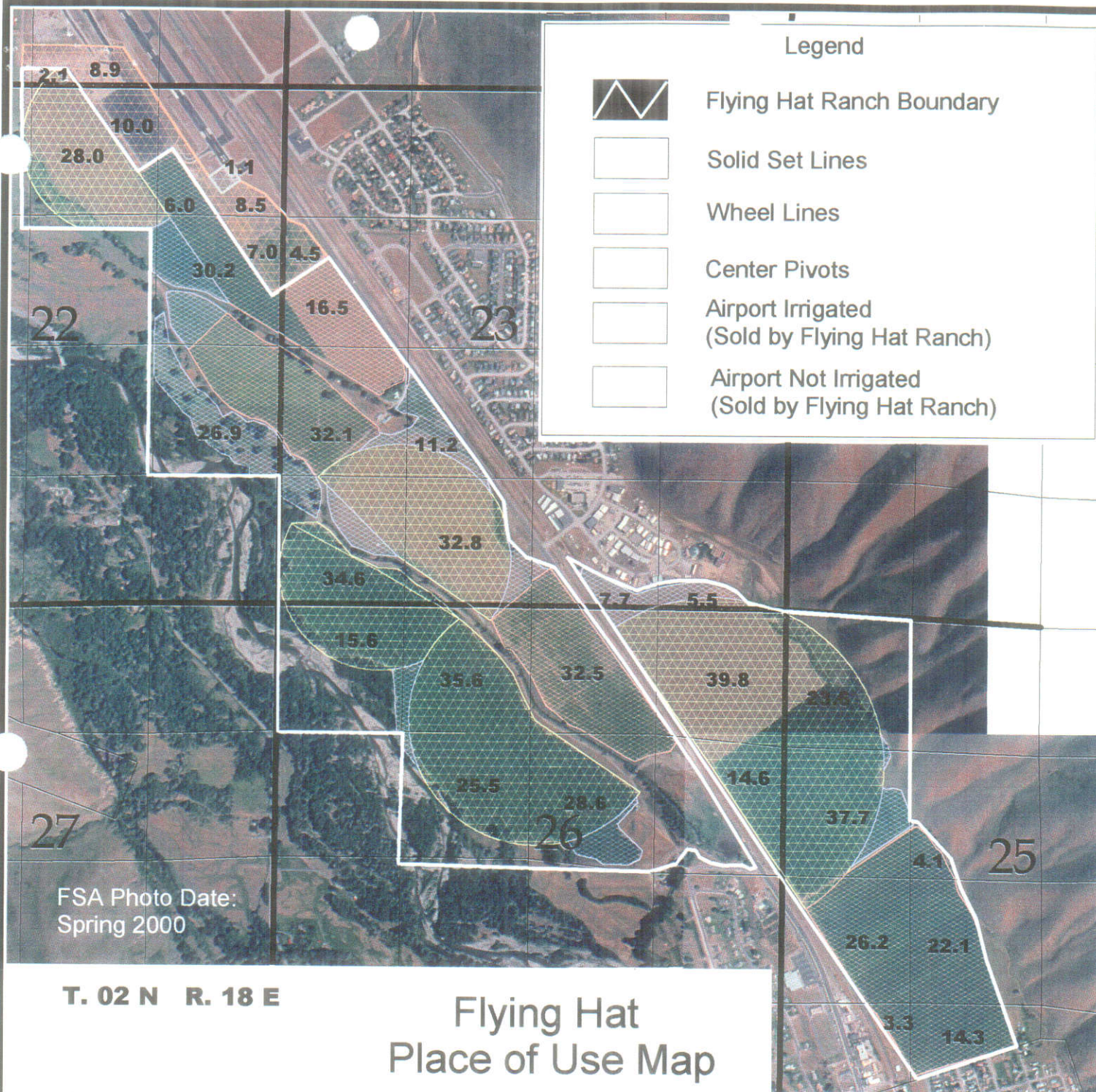
T. 02 N R. 18 E



MICROFILMED

SEP 03 2003

Brockway Engineering, PLLC 7 September, 2000

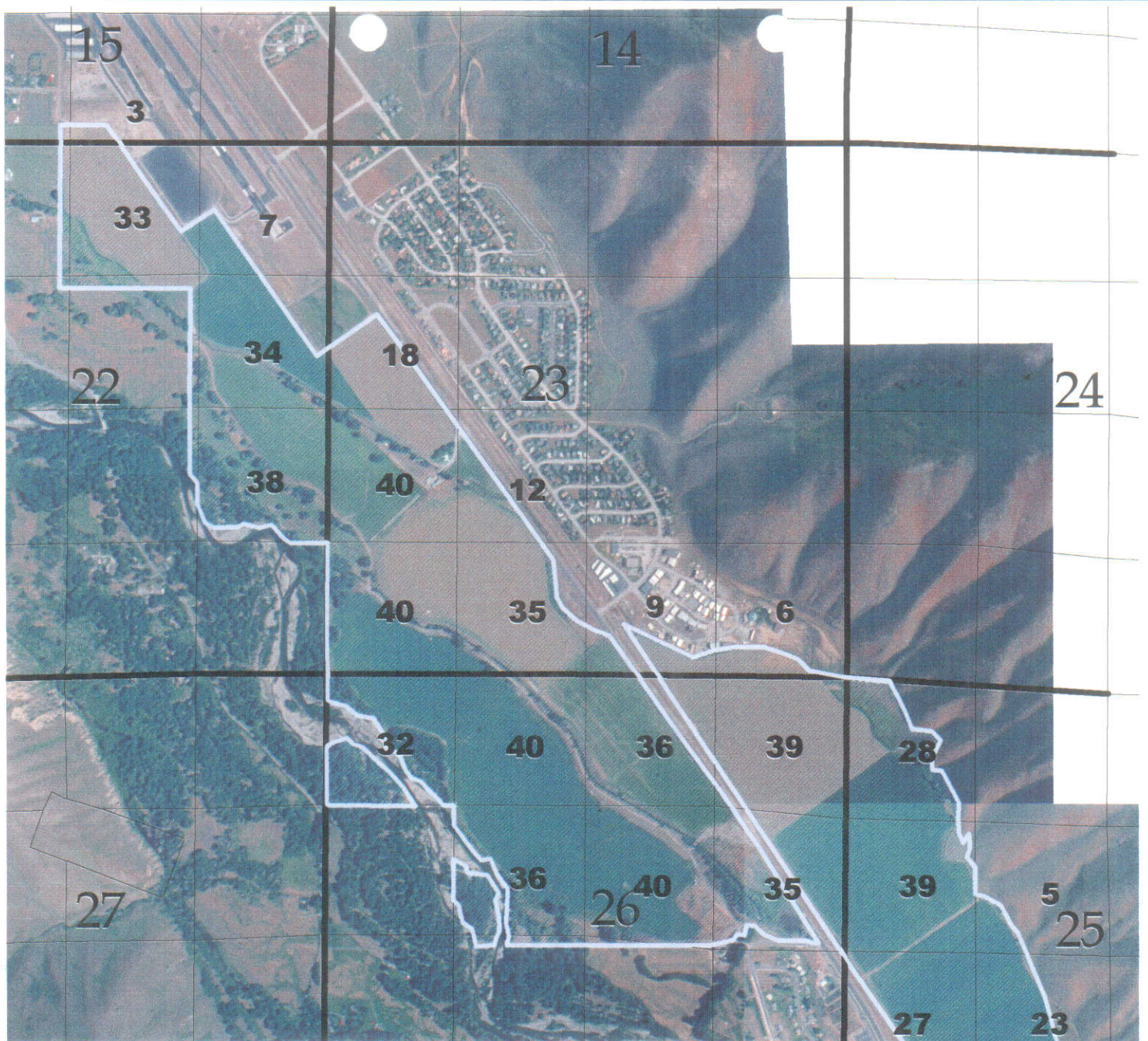


Total Irrigated Acres on Flying Hat Property= 557.1 Acres
 Total Acres Owned by Airport = 40.0 Acres
 Total Irrigated Airport Acres = 38.9 Acres
 Total Irrigated Acres, Airport and Flying Hat Properties = 596.0 Acres

MICROFILMED

SEP 03 2003 Brockway Engineering, PLLC 8 September, 2000





**Flying Hat Ranch
Permissible Place of Use**

Total Acres included in PPU = 675 AC

 PPU Boundary

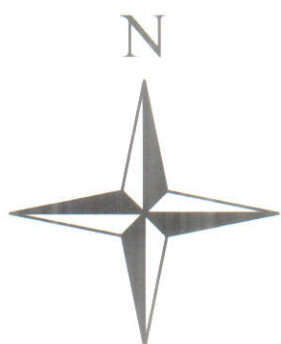
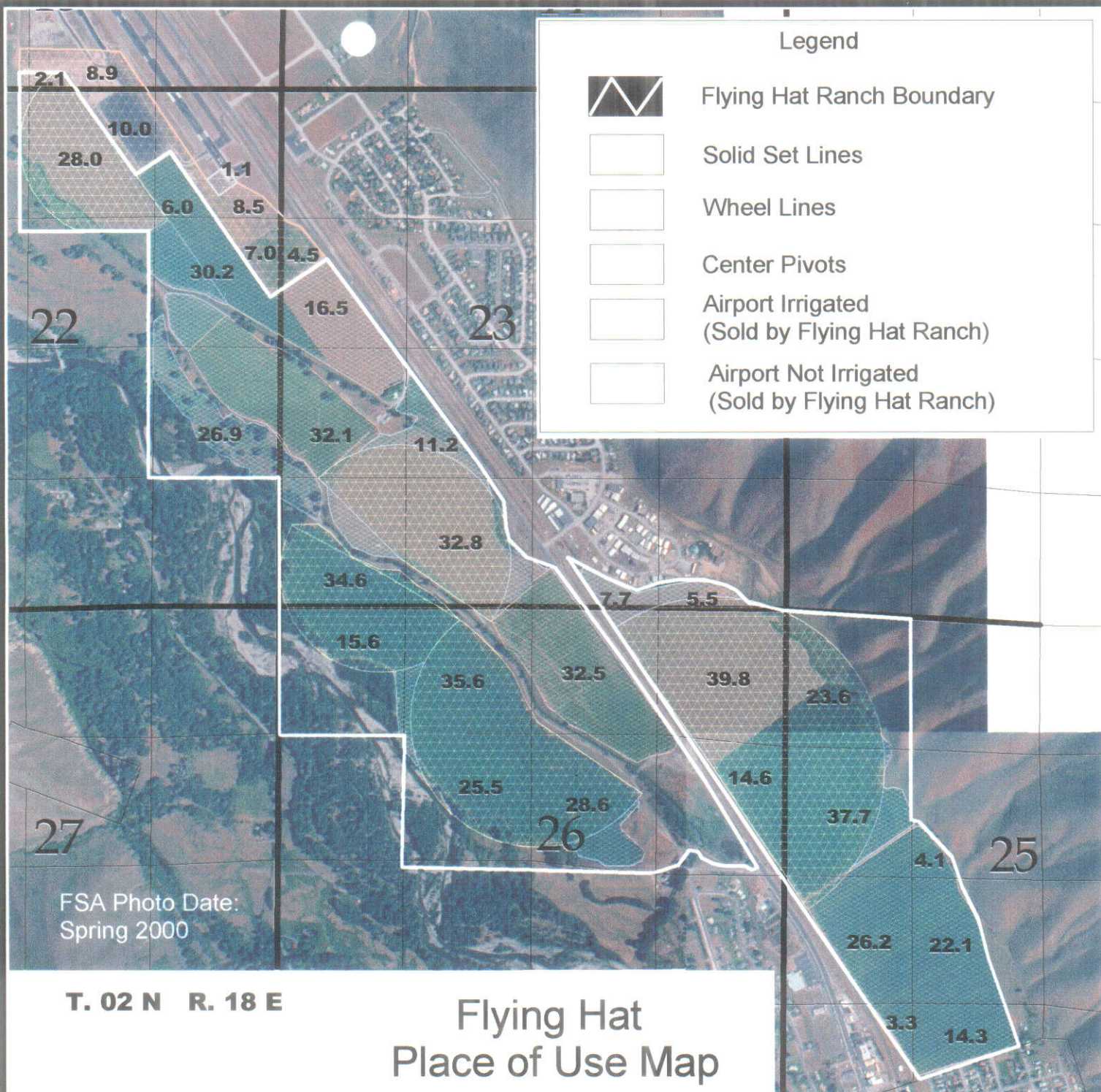
T. 02 N R. 18 E



MICROFILMED
JUL 16 2002

Brockway Engineering, PLLC 7 September, 2000

T69809



Total Irrigated Acres on Flying Hat Property= 557.1 Acres
 Total Acres Owned by Airport = 40.0 Acres
 Total Irrigated Airport Acres = 38.9 Acres
 Total Irrigated Acres, Airport and Flying Hat Properties = 596.0 Acres

MICROFILMED

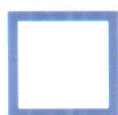
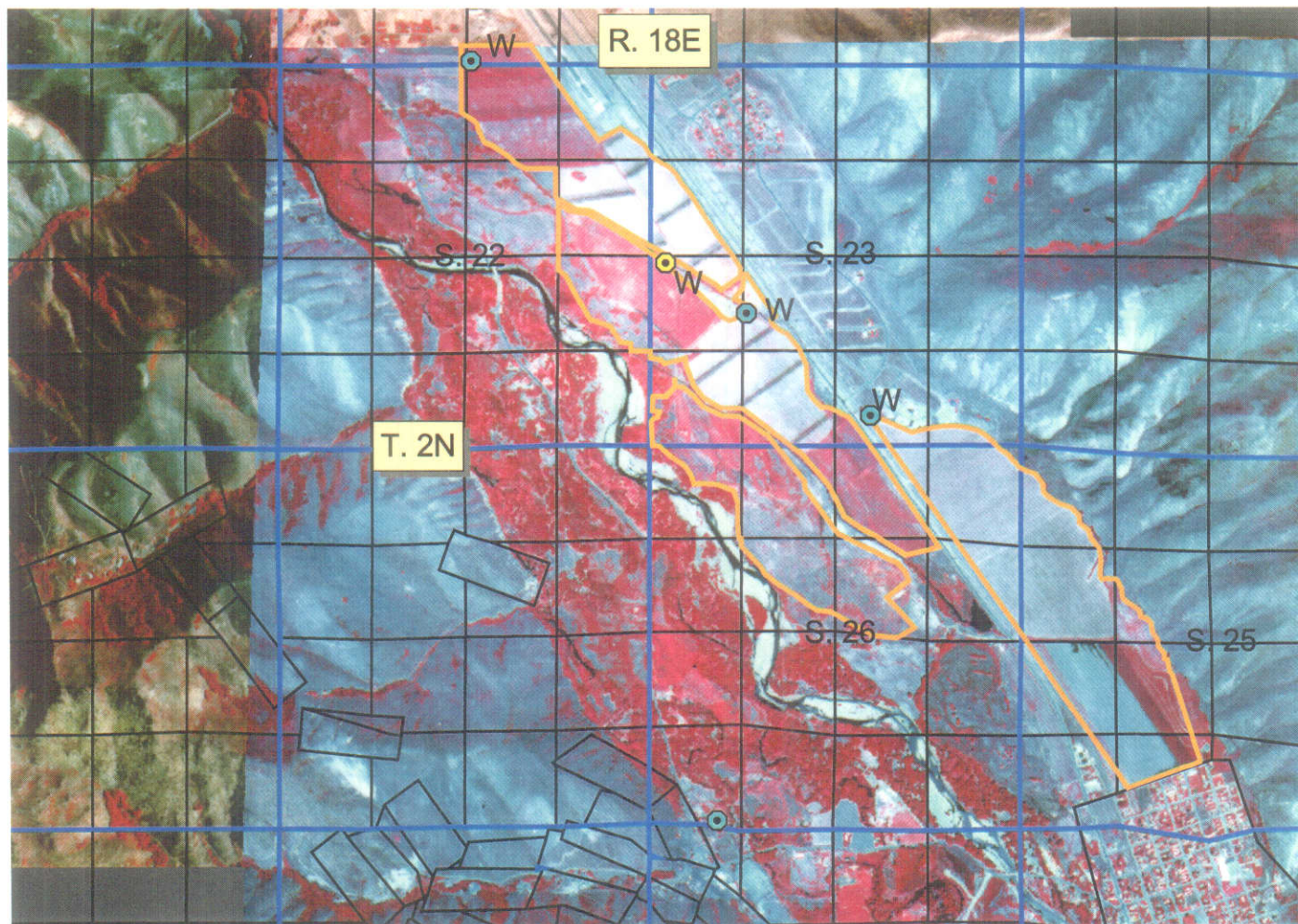
JUL 16 2002

Brockway Engineering, PLLC 8 September, 2000

T69809

IDAHO DEPARTMENT OF WATER RESOURCES

APP FOR TRANSFER - Flying Hat Ranch



Section Lines



Quarter/Quarter Lines

General Location: On both sides of Hwy 75 0 to 2 mi N of Bellevue



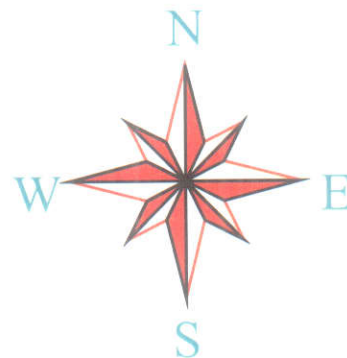
W Irrigation Well



Well Being Added By Transfer



Corrected Permissible Place of Use



Prepared By J E Stanton 4-8-02

1986/87 NAPP Data

Proposed Temporary Transfer Flying Hat Ranch - 2001

Land not irrigated by Flying Hat Ranch in 2001 irrigation season.
Approx acreage = 48 ac

Flying Hat Ranch PPU

Land to be irrigated with groundwater from temporary transfer. Area = 28 ac (approx)

PD - Well

FLYING HAT RANCH
PERMISSIBLE PLACE OF USE MAP

40 - Acre parcel sold to the Airport in 1999

PD - Well

Flying Hat Ranch

Sewage Treatment Plant

PD - Well

PD - Well

Broadford

Bellevue

Total Acres in PPU = 714 acres
Sections 15, 22, 23, 25, 26
Township 2 North, Range 18 East

BROCKWAY ENGINEERING, PLLC
APRIL 17, 2000

BROCKWAY ENGINEERING, PLLC
APRIL 17, 2000

NOV 08 2000

T# 5749

**FLYING HAT RANCH
PLACE OF USE MAP**

40 - Acre parcel sold to the Airport in 1999

Flying Hat Ranch

Total Acres in Place of Use = 596 acres
Sections 15, 22, 23, 25, 26
Township 2 North, Range 18 East

BROCKWAY ENGINEERING, PLLC
APRIL 17, 2000

FLYING HAT RANCH
PLACE OF USE MAP

40 - Acre parcel sold to the Airport in 1999

PD - Well

PD - Well

PD - Well

Flying Hat Ranch

Total Acres in Place of Use = 596 acres
Sections 15, 22, 23, 25, 26
Township 2 North, Range 18 East

BROCKWAY ENGINEERING, PLLC
APRIL 17, 2000

**FLYING HAT RANCH
PLACE OF USE MAP**

40 - Acre parcel sold to the Airport in 1999

Flying Hat Ranch

Total Acres in Place of Use = 596 acres
Sections 15, 22, 23, 25, 26
Township 2 North, Range 18 East

BROCKWAY ENGINEERING, PLLC
APRIL 17, 2000

**NOTICE OF
PROPOSED CHANGE
TO WATER RIGHTS**

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Blaine County:

FLYING HAT RANCH, PO BOX 30006; SALT LAKE CITY UT 84125, has filed Application No 69809 on 3/11/02 for a combined total diversion of 12.68 cfs from ground water. The purpose of the transfer is to record four existing wells (one well currently not recorded on water rights) used for irrigation of 596 acres within a proposed 675 acre permissible place of use located 0 to

2 miles North of Bellevue, ID covering property on both sides of Hwy 75.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before May 13, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published: April 25, May 2, 2002

OK
MB
5/14/02

MICROFILMED
JUL 16 2002

AFFIDAVIT of PUBLICATION

RECEIVED

MAY 09 2002

Department of Water Resources
Southern Region

State of Idaho, }
County of Blaine } SS.

On this 2 day of May, in the year 2002, before me a Notary Public of said State, personally appeared _____, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 24 day of April, 2002 and the date of the last publication was on the 1 day of May 2002

Subscribed and sworn to before me this 2 day of May 2002
(SEAL) _____
NOTARY PUBLIC
STATE OF IDAHO

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 46
Number of Insertions 2
_____ Lines tabular at _____ 7¢ / Pica
46 Lines straight at 1.43 6¢ / Pica
_____ Subsequent lines at _____ 5¢ / Pica
TOTAL COST 70.78

COPY OF NOTICE
(Paste Here)

proposed change to
TITLE OF NOTICE
water rights
PLAINTIFF ATTORNEY

DEFENDANT
~~2500~~ 24620
PLAINTIFF
Id. Dept. of Water
BILL TO Resources

Proposed change to water rights

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

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Karl J. Dreher, Director

Publish: Wood River Journal-April 24 and May 1, 2002.

As of 1997
(Idaho code,
Rev. Statues 1984)

7.8 pt./line straight: .06 / pica
7.8 pt./line tabular: .07 / pica
7.8 pt./line successive
insertion: .05 / pica

MICROFILMED

JUL 16 2002

13020

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

DEPT OF WATER RESOURCES
1341 FILLMORE STREET, SUITE 20
TWIN FALLS ID 833013380

Date 05/02/2002INVOICE NO. 292576Account No. 446620Description 292576NOTICE OF PROPOSTimes 2Lines 41

RECEIVED Tab. Lines

MAY 06 2002

\$ 61.30

Department of Water Resources
Southern Region

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

292576
NOTICE OF PROPOSED
CHANGE TO WATER RIGHTS
Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Blaine County: FLYING HAT RANCH, PO BOX 30006; SALT LAKE CITY UT 84125, has filed Application No. 69809 on 3/11/02 for a combined total diversion of 12.68 cfs from ground water. The purpose of the transfer is to record four existing wells (one well currently not recorded on water rights) used for irrigation of 596 acres within a proposed 675 acre permissible place of use located 0 to 2 miles North of Bellevue, ID covering property on both sides of Hwy 75.
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Karl J. Dreher, Director
Published in the Lewiston Morning Tribune on 4/25 & 5/2/02.

OK
mb
5/6/02

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 292576NOTICE OF attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 04/25, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 04/25/2002, and the last publication thereof being on the 05/02/2002, and said 292576NOTICE OF was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J Lewis

State of Idaho

S.S.

County of Nez Perce

On this 3rd day of May in the year of 2002, before me, a Notary Public, personally appeared Karen J Lewis, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sheral M Lantz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires June 4, 03



NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

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Karl J. Dreher, Director

Published in the Times News on 4/25 & 5/2/02.

The Idaho Statesman

RECEIVED

MAY 03 2002

P.O. Box 40, Boise, Idaho 83707-0040

Department of Water Resources
Southern Region

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount:
100632	646297	T# 69809 PROPOSED CHANGE TO WATER RIGHTS	\$65.40
Attention:	P.O. #	Run Dates	
MARY BALDWIN		APRIL 25, MAY 2, 2002	
IDAHO DEPT. WATER RESOURCES SOUTH 1341 FILLMORE ST. SUITE 200 TWIN FALLS, ID 83301		Number of Lines	
		40	
		Affidavit	Legal #
		1	13283

LEGAL NOTICE PROPOSED CHANGE TO WATER RIGHTS

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Karl J. Dreher, Director

Pub. Apr. 25, May 2, 2002

13283

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning issue of: APRIL 25, 2002

ending issue of: MAY 2, 2002

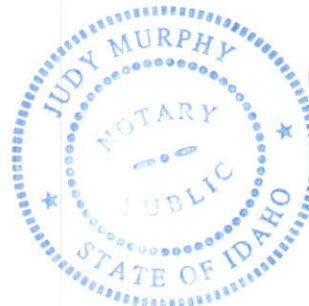
Janice Hildreth

STATE OF IDAHO)

.ss

COUNTY OF ADA)

On this 2 day of MAY in the year of 2002 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 1/6/04

MICROFILMED

JUL 16 2002

County Blaine

Queso de Maiz 250

Address: 222 Woodward Ave. - Detroit, Michigan 4822

On the old station - on

Well location 22-1-E Sec 23, T. 2 N. R. 12 E. S. 14 N.

Date of birth 1921

Total depth of well 14.8'

Core depth to standing water from the ground 35 Feet depth of well 11.5'

the "Pyrenean Sea" station Water temp. 49.0° F.

On "Pumping Out" delivery was _____ a.m. or _____ a.s. Downstream was _____ feet.
Size of pump and motor used to extract _____

Use of pump and meter used to make test.

Length of time of test _____ hours _____ minutes

① Working well, give flow _____ c.f.s. at _____ o.p.m. and of shut off pressure.

STUDY UNIT, STUDENT AND WORK

Water will be used for irrigation

(TYPE AND SIZE OF VALVE, ETC.)

Weight of casing per lineal foot 52.73

Thickness of casing $\frac{1}{4}$ inch Casing material steel

(STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing 22" 148' from 0-148

11000 0-148

MEASURED 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER.
CARBIDE OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER.

CAREER RECORD

Blk. Culm.	From Start	To Foot	Length	Remarks—sect, growing, etc.
20"	0	14.8	14.8	

Number and size of perforations _____ located _____ feet to _____ feet from ground

Date of commencement of work 12/13/61

Date of completion of well 11/20/64

5N5E 5.23 2N18E

USGS

MICROFILMED

JUL 16 2002

[illegible]

WILL DILLER'S STATEMENT

WILL CHILDEN'S STATEMENT
This will was dictated under my supervision and the above information is complete, true and correct to the best of my knowledge and belief.

Signed C. L. Widdleton and Son
C. L. W. 7/1/1900

By C. L. Middleton

~~Date June 01 1965~~

License No. 35

MICROFILMED

JUL 16 2002

115660' (copy)

FLYING
HAT RANCH

Representative
Field

APR 2003



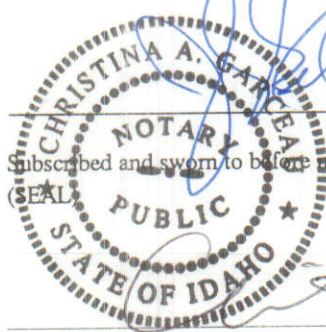
MICROFILMED
NOV 08 2000

AFFIDAVIT of PUBLICATION

RECEIVED
JUN 19 2000
Department of Water Resources
Southern Region

State of Idaho, }
County of Blaine } ss.

On this 15 day of June, in the year 2000, before me a Notary Public of said State, personally appeared _____, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 7 day of June, 2000, and the date of the last publication was on the 14 day of June, 2000



Subscribed and sworn to before me this 15 day of June, 2000

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____ 23.5
Number of Lines in Notice _____ 23
Number of Insertions 2
4 Lines tabular at 3.06 7¢ / Pica
19 Lines straight at 2.82 6¢ / Pica
Subsequent lines at _____ 5¢ / Pica
TOTAL COST 70.82

COPY OF NOTICE

(Paste Here)

Proposed change of water

TITLE OF NOTICE

rights

PLAINTIFF ATTORNEY

DEFENDANT

#24620

State of Idaho PLAINTIFF

Dept. of water resources

BILL TO

Proposed change of water rights

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that Spencer F. Eccles-Flying Hat Ranch, PO Box 30006, Salt Lake City, UT 84125 has filed Application for Transfer No. 5749 for changes to existing irrigation water rights in Blaine County as described below:

Right No.	Priority	Amt (cfs)
37-02713	08/18/1965	10.00
37-07356	04/26/1974	2.68

The rights are diverted from ground water within SESE, S15 and SWSE, S23 and licensed for irrigation on 658 acres (historically used on 596 acres) within Sections 15, 22, 23, 25 & 26. The applicants propose to continue to use existing well in SWSE and drill a new well within NESW, both S23 and also drill a new well within SWSE, S15 for the diversion of a combined total of 12.68 cfs for irrigation of 596 acres in a 714-acre permissible of use located in the sections described above; all T02N, R18E.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200; Twin Falls ID 83301 together with a protest fee of \$25.00 on or before June 26, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Publish: Wood River Journal — June 7 & 14, 2000.

error noted
6/20/00
MB

Publication Rates

As of 1997

(Idaho code,

Rev. Statutes 1984)

7-8 pt./line straight: .06 / pica

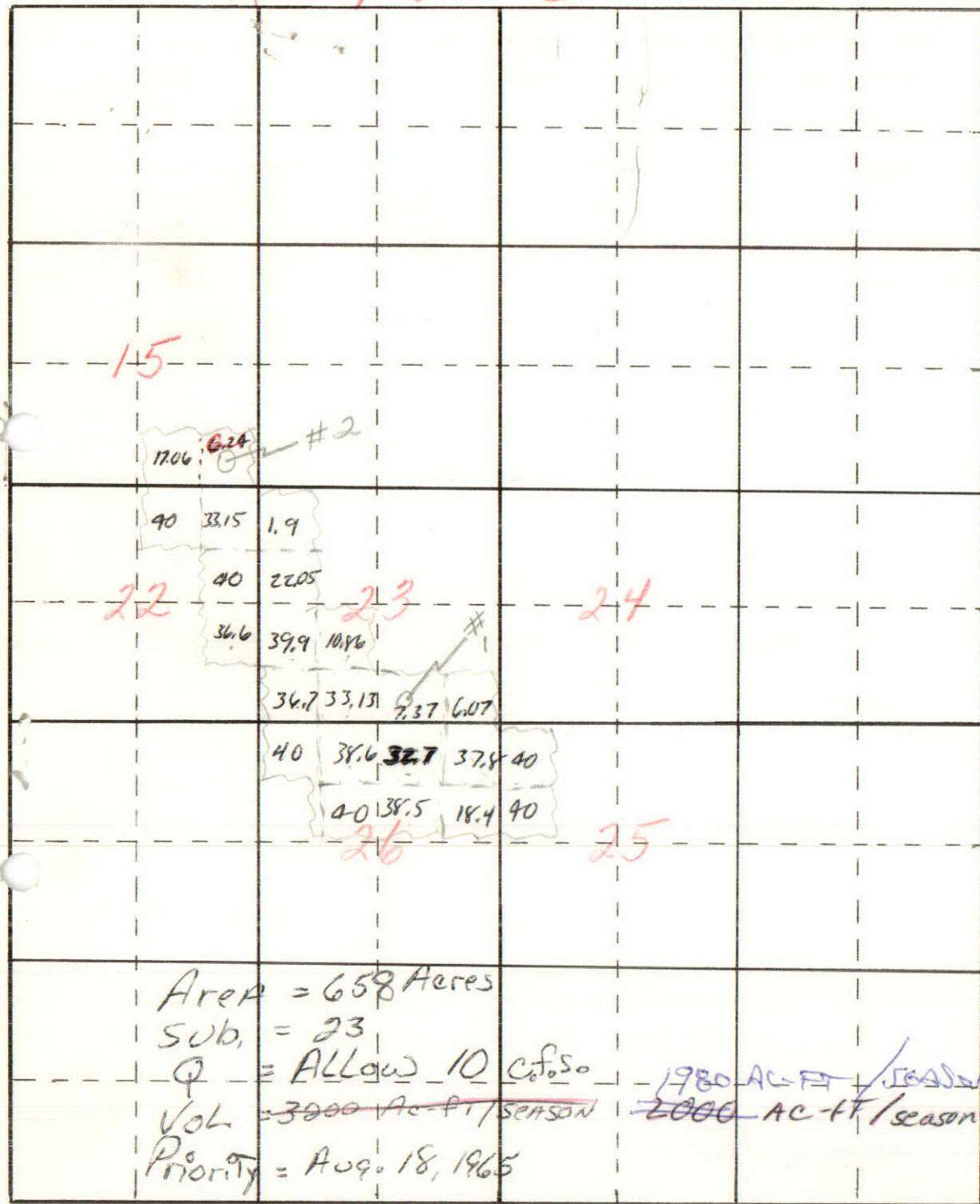
7-8 pt./line tabular: .07 / pica

7-8 pt./line successive

insertion: .05 / pica

MICROFILMED
NOV 08 2000

12561



19

Permit No. G-32491 **37**
 Name of Applicant Edward A. Gage, c/o Gage Ranch, Hailey, Idaho 83333
 Source of Water Subterranean
 a tributary of _____
 Location of P.D. Well No. 1 in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sed. 23, T. 2 N, R. 18 E, B.M.
Well No. 2 in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 2 N, R. 18 E, B.M., Blaine County.

Water is used for Irrigation
 Quantity of water claimed: Permit 10.0 c.f.s. Depositions 10.0 c.f.s.
 Type of measuring device installed or method of measurement and general description
 of diversion works Well #1 - 125'x12" 40 hp motor with 10" bowl
Well #2 - 145'x12" 60 hp motor with 10" bowl
80' from ground

Land to be irrigated or place of use:			
TWP.	RGE.	SEC.	Description
2N	18E	15	S $\frac{1}{2}$ SE $\frac{1}{4}$
		22	N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
		23	W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
		25	W $\frac{1}{2}$ NW $\frac{1}{4}$
		26	NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$

Filed - August 18, 1965
 Due - August 20, 1970
 Made - October 24, 1968
 Priority - August 18, 1965

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and
 acreage covered by subdivision; also show land covered on the map.)
Cove Canal 485" #33

32491
 37-2713

IRRIGATION REQUIREMENT $\approx$ 3.0 ft/season
 10-20-69 DR

RECEIVED

DEC 10 1968

Department of Reclamation

NOTICE OF APPROVED
APPLICATION FOR WATER

Notice is hereby given that Edward A. Gage, dba/The Gage Ranch, Hailey, Idaho has received an approved permit No. G-32491 to divert 10.0 cubic feet per second of water from a subterranean source. The priority to be established under this permit is August 18, 1965.

Water will be diverted by wells, and pumps within the SW1/4 SE1/4, Sec. 23; SE1/4 SE1/4, Sec. 15, T. 2 N., R. 18 E., B.M., County of Blaine and is to be used for irrigation in the S1/2 SE1/4, Sec. 15; E1/2 NE1/4, NW1/4 NE1/4, NE1/4 SE1/4, Sec. 22; W1/2 NW1/4, SW1/4, S1/2 SE1/4, Sec. 23; W1/2 NW1/4, Sec. 25; NE1/4, E1/2 NW1/4, NW1/4 NW1/4, Sec. 26, T. 2 N., R. 18 E., B.M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Hailey Times, Hailey, Idaho on November 28 and December 5, 1968.

Affidavit of Publication

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

NEAL R. NYBLAD, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Managing Editor of 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 Hailey Times, and not in any supplement thereof, for

two consecutive weeks commencing with the first publication thereof on the 28th day of November, 19 68 and ending with the last publication thereof on the 5th day of December, 19 68.

Cost of this publication is \$ 8.64

Neal R. Nyblad
NEAL R. NYBLAD

Subscribed and sworn to before me, this 6th day of December, 19 68.

George S. Dyer
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

32491

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

RECEIVED
AUG 26 2003

Department of Water Resources

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT TC-37-32 IN THE)
NAME OF FLYING HAT RANCH)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

WHEREAS, a drought emergency has been declared for Blaine County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources ("Department") is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on August 22, 2003 Flying Hat Ranch ("applicant") submitted the attached Temporary Change Application TC-37-32 ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

ORDER

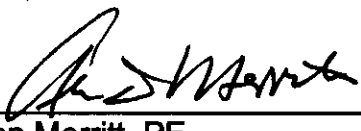
IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

1. Diversion and use of right no(s). 37-02713 part and 37-07356 part is authorized only at the point of diversion and place of use described on the application or as otherwise approved in this order.
2. This temporary change approval does not authorize construction of a new well as a new point of diversion.
3. This temporary change approval may only be used to provide a replacement water supply to lands or other uses that normally have a full

water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

4. Portions of Rights 37-02713 and 37-07356 are limited to the irrigation of 28 acres within the NWSE of Section 26, T02N, R18E for the remainder of the 2003 irrigation season. For this allowance 28 acres shall remain un-irrigated during the 2003 irrigation season of the 596 acres allowed to be irrigated within the 675 acre permissible place of use established by transfer 69809.
5. The use of the portions of rights 37-02713 and 37-07356 as requested is limited to 0.02 cfs per acre (0.56 cfs total) at the field headgate for sprinkler irrigation of the 28 acres authorized by this approval.
6. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
7. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
8. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
9. This temporary change approval expires on 10/31/2003 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 22nd day of August, 2003.



Allen Merritt, PE
Southern Region Manager

CERTIFICATE OF MAILING

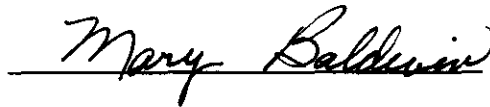
I hereby certify that on the 25th day of August, 2003 a true and correct copy of the above and foregoing Order Authorizing Temporary Change was forwarded with all required charges prepared, by Regular U.S. Mail to the parties listed:

C. E. BROCKWAY P E
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

JASON C. HELMS, EIT
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

SPENCER F. ECCLES
FLYING HAT RANCH
PO BOX 30006
SALT LAKE CITY UT 84125

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



Mary A. Baldwin
Administrative Assistant I

MICROFILMED

SEP 03 2003

RECEIVED

AUG 22 2003

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 28 2003

Department of Water Resources

TEMPORARY CHANGE APPLICATION

(To change point of diversion, place of use or purpose of use)

Name of Applicant: Spencer F. Eccles - Flying Hat Ranch Phone: (801) 350-5329

Post Office Address: P.O. Box 30006 Salt Lake City, UT 84125

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof. Curtailment of WR 37-08858 will leave acreage without water for irrigation. This request will temporarily transfer 28 acres of ground water to the Miram property from the ground water rights appurtenant to the Flying Hat Ranch. Both lands and water rights are owned by the applicant.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-02713</u>	<u>8/18/1965</u>	<u>0.47 cfs</u>	<u>IRR</u>	<u>8/22 to 11/1</u>
<u>37-07356</u>	<u>4/28/1974</u>	<u>0.13 cfs</u>	<u>IRR</u>	<u>8/22 to 11/1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.60 cubic feet per second and/or 112 acre-feet per annum.

3. Source of water Ground Water tributary to _____

4. Points of diversion:

Ident. No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local Name for diversion
			NW	SE	26	2N	18E	Blaine	

5. Land irrigated or place of use:

TWP	RGE	SEC	N.E.				N.W.				S.W.				S.E.				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	18E	26														28			28

MICROFILMED
SEP 13 2003

Total Acres: 28

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right. Applicant owns property & water rights.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
Ranch will cease to irrigate 28 acres during remainder of 2003 season.
- d. Has the water right sought to be transferred been used this year? ☒ Yes ☐ No
If yes, explain. Partially used on land not dried up within existing PPU.
- e. Absent the changes, how would the right be used for the remainder of the year? Irrigation of crop land. No expansion of diversion rate or acres allowed.
- f. Describe other water rights used for the same purpose.
Surface water rights currently cut by watermaster.
- g. Remarks: See attached letter.

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Chris E. Brinkley
Signature of Applicant Chris E. Brinkley

FOR DEPARTMENT USE ONLY

Received by AD Date 8/22/03 Fee 50⁰⁰
Receipted AD # 5026073 Recommend: ✓ approve deny
Watermaster recommendation N/A

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-37-32
And said application is hereby approved, subject to the following limitations and conditions:

See attached Order dated 8/22/03

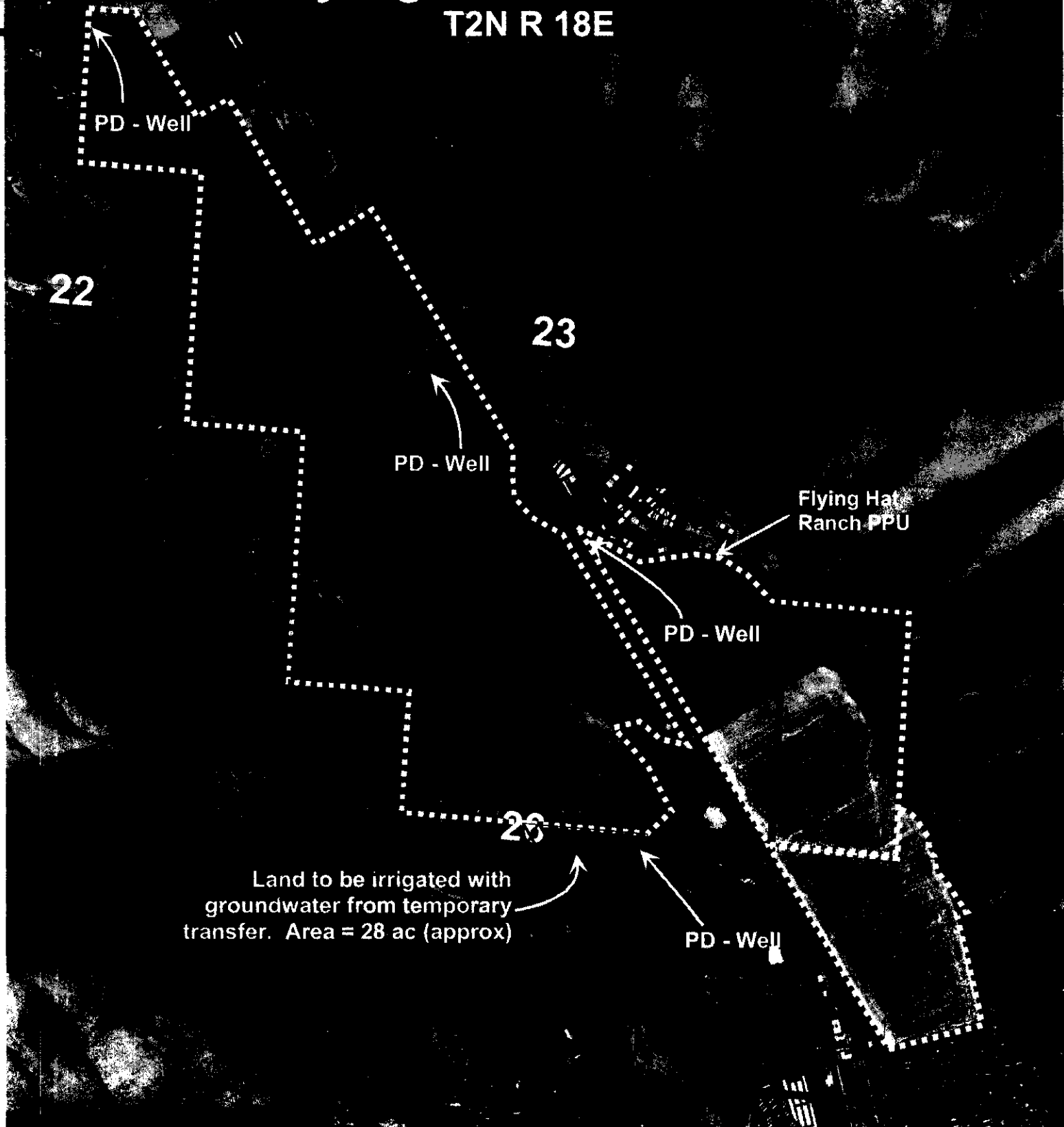
Witness my hand this 22nd day of August, 2003.

For the Director

MICROFILMED
SEP 12 2003

Proposed Temporary Transfer Flying Hat Ranch - 2003

T2N R 18E



LIMITED POWER OF ATTORNEY

RECEIVED
AUG 22 2003
Department of Water Resources
Southern Region

KNOWN ALL MEN BY THESE PRESENT:

I, Spencer F. Eccles - Flying Hat Ranch, hereby nominate and appoint
Charles E. Brockway as my attorney-in-fact with full authority to act
for and on my behalf to undertake any and all acts or matters pertaining to water right transfers
before the Idaho Department of Water Resources for the following water right transactions:
37-02713
37-07356
37-0885B
for the 2003 season

In Blaine County, Idaho. Additionally, I hereby ratify and confirm any
and all such acts on matters as contemplated herein.

My agent is hereby authorizing to sign, seal and deliver, as my act in deed, those said instruments
of writing that may be necessary or proper to carry into execution and effect the applications, and
transfers above-mentioned. Further, I hereby declare that each and every application, transfer,
agreement, receipt, or payment which shall be by my said agent given, made or done for the
aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and
delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever
my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of
these presents. This Limited Power of Attorney will become void upon approval, denial or
withdrawal of the above referenced applications.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal

Dated this 18 day of August 2003.

Spencer F. Eccles
Signature

State of Idaho)

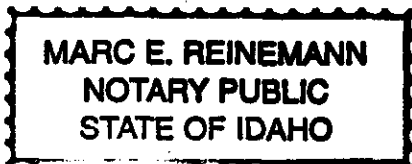
County of BLAINE)

ss.

On this 18th Day of AUGUST, 2003, before me, a Notary Public in
and for said County and State, personally appeared SPENCER F. ECCLES
known or identified to me to be the individual whose name and subscription to the within
instrument, and acknowledged to me that he executed the same.

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

S
E
A
L



Marc E Reinemann
Notary Public
In and for said State and County

RESIDING IN SUN VALLEY, ID
My Commission Expires
OCTOBER 18, 2004

JUL 19 2002

Department of Water Resources

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT TC-37-18 IN THE)
NAME OF FLYING HAT RANCH)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

WHEREAS, a drought emergency has been declared for Blaine County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources ("Department") is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on July 15, 2002 Flying Hat Ranch ("applicant") submitted the attached Temporary Change Application TC-37-14 ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

1. Diversion and use of right no(s). 37-02713 part and 37-07356 part is authorized only at the point of diversion and place of use described on the application or as otherwise approved in this order.
2. This temporary change approval does not authorize construction of a new well as a new point of diversion.
3. This temporary change approval may only be used to provide a replacement water supply to lands or other uses that normally have a full

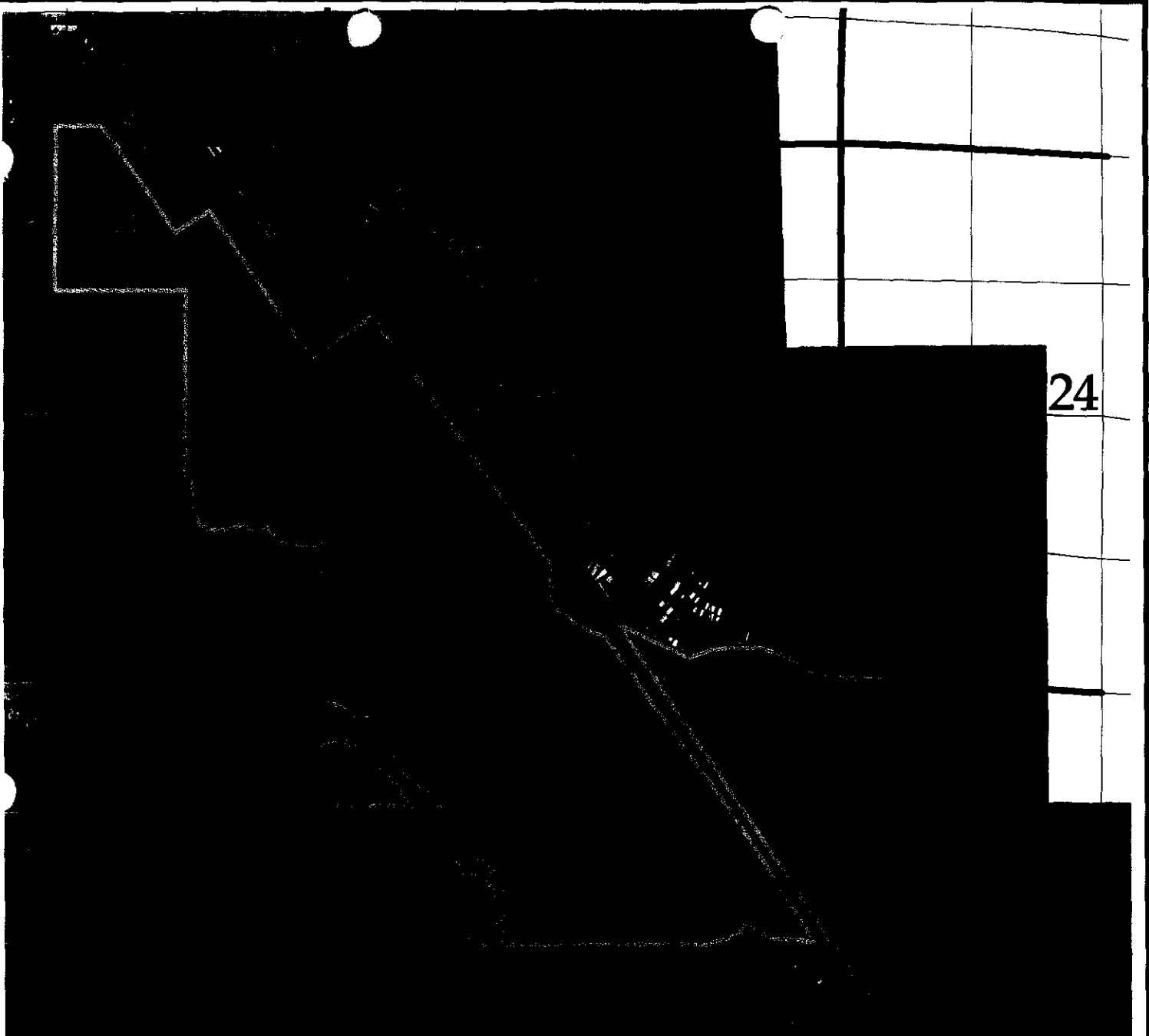
water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

4. Portions of Rights 37-02713 and 37-07356 are limited to the irrigation of 28 acres within the NWSE of Section 26, T02N, R18E for the remainder of the 2002 irrigation season. For this allowance 28 acres shall remain un-irrigated during the 2002 irrigation season of the 596 acres allowed to be irrigated within the 675 acre permissible place of use established by transfer 69809.
5. The use of the portions of rights 37-02713 and 37-07356 as requested is limited to 0.02 cfs per acre (0.56 cfs total) at the field headgate for sprinkler irrigation of the 28 acres authorized by this approval.
6. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
7. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
8. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
9. This temporary change approval expires on 10/31/2002 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 17th day of July, 2002.



Allen Merritt, PE
Southern Region Manager



24

**Flying Hat Ranch
Permissible Place of Use**

Total Acres included in PPU = 675 AC



PPU Boundary

T. 02 N R. 18 E



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SEP 03 2003

Brockway Engineering, PLLC 7 September, 2000

Legend



Flying Hat Ranch Boundary



Solid Set Lines



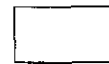
Wheel Lines



Center Pivots



Airport Irrigated
(Sold by Flying Hat Ranch)

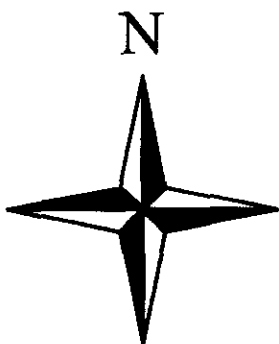


Airport Not Irrigated
(Sold by Flying Hat Ranch)

FSA Photo Date:
Spring 2000

T. 02 N R. 18 E

Flying Hat Place of Use Map



Total Irrigated Acres on Flying Hat Property= 557.1 Acres

Total Acres Owned by Airport = 40.0 Acres

Total Irrigated Airport Acres = 38.9 Acres

Total Irrigated Acres, Airport and Flying Hat Properties = 596.0 Acres

MICROFILMED

SEP 03 2003 Brockway Engineering, PLLC 8 September, 2000

RECEIVED

JUL 13 2

Ident. No. TC-37-18Form 42-222A
12/99STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 15 2002

Department of Water Resources
Southern Region

TEMPORARY CHANGE APPLICATION

(To change point of diversion, place of use or purpose of use)

Name of Applicant Spencer E. Eccles - Flying Hat Ranch Phone (801) 350-5329Post Office Address P.O. Box 30006 Salt Lake City, UT 84125

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof Curtailment of WR # 37-08858 will leave acreage
acreage without water for irrigation. The request will temporarily transfer
28 ac of groundwater to the property from the groundwater rights appurtenant to
the Flying Hat Ranch. Both lands and water rights are owned by the applicant.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-02713</u>	<u>8/18/1965</u>	<u>0.47 cfs</u>	<u>Irrigation</u>	<u>8/01</u> to <u>11/01</u>
<u>37-07356</u>	<u>4/28/1974</u>	<u>0.13 cfs</u>	<u>Irrigation</u>	<u>8/01</u> to <u>11/01</u>
				to
				to

2. Total amount of water being transferred 0.60 cubic feet per second and/or 112 acre-feet per annum

3. Source of water Groundwater tributary to N/A

4. Point(s) of Diversion:

Ident No.	Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
			NW	SE	26	2N	18E	Blaine	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	18E	26														28			28.0

MICROFILMED

Total Acres 28.0

SEP 13 2003

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right Applicant owns both properties and associated water rights.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
Flying Hat Ranch will continue to not irrigate at least 28 acres of land during the 2002 irrigation season.
- d. Has the water right sought to be transferred been used this year? Yes If yes, explain. Partially used on land not dried up within wxisting PPII.
- e. Absent the changes, how would the right be used for the remainder of the year? Irrigation of crop land.
No expansion of diversion rate or acres allowed
- f. Describe other water rights used for the same purpose.
Surface water rights currently cut by watermaster.
- g. Remarks: See attached letter

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Chris E. Bradley
(Signature of applicant)

Power of Attorney

FOR DEPARTMENT USE ONLY

Received by AD Date 7/15/02 Fee \$50⁰⁰
Received AD # 5025076 Recommend: X approve deny
Watermaster recommendation 7/17/02 OK per phone conv.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-37-18

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

See Order dated 7/17/02

Witness my hand this 17th day of July, 2002.

[Signature]
For the Director

MICROFILM

SEP 03 2003

index to: WTYQICORP DEED

11-11-59

Order No. 27438

LEGAL DESCRIPTION

~~EXHIBIT A~~

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

SECTION 26: A parcel of land lying in the NW1/4SE1/4 of said Section, being more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 26; thence
N. 00° 23' 48" W., 2,641.72 feet to a brass cap marking the East quarter corner of said Section 26; thence
N. 89° 56' 02" W., 1,323.81 feet to the Northeast corner of said NW1/4SE1/4, said point being the TRUE POINT OF BEGINNING; thence
S. 00° 19' 10" E., 553.55 feet to a 5/8" rebar on the South boundary of the Blaine Consolidated Mines Company Power Canal right of way; thence
Southwesterly along right of way, S. 25° 39' 03" W., 308.65 feet to a 5/8" rebar; thence
S. 19° 16' 54" E., 177.82 feet to a 5/8" rebar; thence
S. 01° 04' 09" E., 289.17 feet; thence
S. 43° 55' 55" E., 59.68 feet to a 5/8" rebar on the South boundary of said NW1/4SE1/4; thence leaving said right of way, S. 89° 36' 23" W., along the South boundary of said NW1/4SE1/4, 165.91 feet; thence
N. 59° 10' 20" W., 213.59 feet; thence
N. 84° 05' 40" W., 947.96 feet to a point on the West line of the NW1/4SE1/4; thence
N. 00° 19' 59" W., 1,127.41 feet to a 5/8" rebar marking the center 1/4 of said Section 26; thence
S. 89° 56' 02" E., 1,323.81 feet along the North line of said NW1/4SE1/4 to the TRUE POINT OF BEGINNING.
(TL 6847)

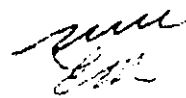
EXCEPTING THEREFROM the right of way of the Big Wood River and any and all mineral rights.

TOGETHER WITH A 60' (SIXTY FOOT) WIDE EASEMENT GRANTED IN A DEED OF EASEMENT RECORDED MARCH 5, 1984, AS INSTRUMENT NO. 249321, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

SECTION 26: COMMENCING at an iron pin marking the East one-quarter corner of said Section 26; thence
West 255.2 feet, more or less to the Southwest Boundary of State Highway No. 20, which point is the REAL POINT OF BEGINNING; thence
West 828.2 feet, more or less, along the North Boundary of the South one-half of Section 26, to a five-eighths inch rebar set by Chip Carlson, L.S. in August 1972 to define the Northeast Corner of the original McNeese parcel; thence

CONTINUED
Order No. 27438



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SEP 03 2003

LEGAL DESCRIPTION, CONTINUED

South 27° 22' 39" W., 67.6 feet; thence
East 901.6 feet, more or less, along a line parallel with and sixty feet South of said
North Boundary of the South one-half, Section 26, to said Southwest Boundary of
State Highway No. 75; thence
North 35° 12' W., 73.4 feet along said Highway Boundary to the POINT OF
BEGINNING.

AND TOGETHER WITH A 60' (SIXTY FOOT) WIDE EASEMENT GRANTED IN A DEED OF EASEMENT
RECORDED MARCH 5, 1984, AS INSTRUMENT NO. 249322. BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

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

SECTION 26: A strip of land, in the NE1/4SE1/4 of said Section 26, 60 feet in width, being the
Northern 60 feet of the following described parcel of land:

BEGINNING at the Northwest corner of said NE1/4SE1/4, said point lying North 89°
58 1/2' W., 1,321.1 feet from the NE corner of the NE1/4SE1/4; thence
S. 0° 30 1/2' E. along the West boundary of said NE1/4SE1/4 for 465 feet more or
less to the North boundary of the Idaho Consolidated Mines Company Power Canal
right of way; thence
in a Northeasterly direction along said right of way for 510 feet more or less to the
North boundary of said NE1/4SE1/4; thence
N. 89° 58 1/2' W., along said North boundary for 240 feet more or less to the POINT
OF BEGINNING.

TOGETHER WITH WATER RIGHTS AS DESCRIBED ON THE ATTACHED EXHIBIT "A"

[Handwritten signature]
[Handwritten initials]

MICROFILMED

SEP 13 2007

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JUL 19 2002

Department of Water Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATIONS)
FOR TEMPORARY CHANGE OF A)
WATER RIGHTS TC-37-19 AND)
TC-37-20 IN THE NAME OF)
FLYING HAT RANCH)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

WHEREAS, a drought emergency has been declared for Blaine County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources ("Department") is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on July 15, 2002 Flying Hat Ranch ("applicant") submitted the attached Temporary Change Applications TC-37-19 and TC-37-20 ("applications") to the Department; and

WHEREAS, the Department has reviewed the applications and has determined the applications can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approvals causes injury to other water rights or constitutes an enlargement in use of the original rights;

ORDER

IT IS HEREBY ORDERED that the applications are **APPROVED** subject to the following conditions:

1. Diversion and use of right no(s). 37-02713 part and 37-07356 part (ground water) and right no(s). 37-481D part, 37-482J part, 37-11976 part, 37-11978 part, and 37-577BP part (Big Wood River) as described on the applications is authorized only at the point of diversion and place of use described on the applications or as otherwise approved in this order.
2. These temporary change approvals do not authorize construction of a new well as a new point of diversion or new diversion point from the Big Wood River.

MICROFILMED
JUL 19 2002

3. These temporary change approvals may only be used to provide a replacement water supply to lands or other uses that normally have a full water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.
4. Portions of rights described above are limited to the irrigation of 5 acres within the 18 acre place of use described on the applications for the remainder of the 2002 irrigation season. For this allowance 5 acres shall remain un-irrigated from any source during the 2002 irrigation season of the 596 acres allowed to be irrigated within the 675 acre permissible place of use established by transfer 69809 and 68526.
5. The use of the portions of rights described above when combined is limited to 0.02 cfs per acre (0.10 cfs total for 5 acres) at the field headgate.
6. These temporary approvals do not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
7. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under these temporary change approvals.
8. These temporary change approvals do not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
9. These temporary change approvals expire on 10/31/2002 unless rescinded or extended by the director. Thereafter, the water rights shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approvals.

DATED this 17th day of July, 2002.



Allen Merritt, PE
Southern Region Manager

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 19 2002

TEMPORARY CHANGE APPLICATION

Department of Water Resources

(To change point of diversion, place of use or purpose of use)

Name of Applicant Flying Hat Ranch c/o Spencer F. Eccles Phone (801) 350-5329

Post Office Address P.O. Box 30006, Salt Lake City, UT 84125

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☒ Other Split right temporarily

2. Describe the proposed change(s) and the reason(s) thereof To provide a supplemental irrigation supply to other lands having a short water supply due to drought.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-2713</u>	<u>8/18/1965</u>	<u>0.08/17.5</u>	<u>Irrigation</u>	<u>7/12</u> to <u>10/31</u>
<u>37-7356</u>	<u>4/28/1974</u>	<u>0.02/8.9</u>	<u>Irrigation</u>	<u>7/12</u> to <u>10/31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.10 cubic feet per second and/or 17.5 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	SE	NW	10	5N	17E	Blaine	Two existing Wells

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	17E	10		3	11		1			4									18*

5.0 acres within this PPU Total Acres 5.0

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SEP 6 2003

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right Agreement attached
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
5.0 acres on the Flying Hat Ranch will not be irrigated from any source
- d. Has the water right sought to be transferred been used this year? Yes If yes, explain Partially used on land not dried up within existing PDU
- e. Absent the changes, how would the right be used for the remainder of the year? Irrigation of crop land.
- f. Describe other water rights used for the same purpose.
37-481D, 37-482J, 37-483D, 37-11977, 37-11975, 37-11976, 37-917, 37-11978, 37-577BP
- g. Remarks: only surface rights 37-481D, 37-482J, 37-11967, 37-11978, and 37-577BP are active as of 7/12/02. This application is being made pursuant to the drought declaration for Blaine County dated 5/8/02.

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Chris E. Brinkley
(Signature of applicant)

Power of Attorney

FOR DEPARTMENT USE ONLY

Received by ADW Date 7/15/02 Fee \$50.00
Receipted ADW # 5025077 Recommend: X approve deny
Watermaster recommendation 7/17/02 OK per phone conv.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-37-19

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

See Order dated 7/17/02

Witness my hand this 17th day of July, 2002.

Ch. E. Brinkley
For the Director

MICROFILMED

SEP 03 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69809

This is to certify that: SPENCER F ECCLES
FLYING HAT RANCH
PO BOX 30006
SALT LAKE CITY UT 84125
(801)350-5329

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
37-2713	AJC/License	08/18/1965	10.00 cfs	2086.0 af	596.0	714.0	GROUND WATER
37-7356	AJC/License	04/28/1974	2.68 cfs	1057.8 af	596.0	714.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

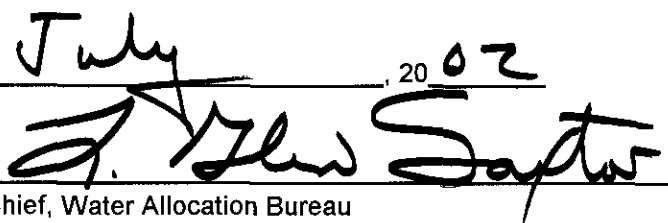
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-2713	NO	NO	YES	YES	NO	NO
37-7356	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acres Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acres Limit	Remaining Total Acres
37-2713	37-2713	10 cfs	2086 af	596.0	675.0		N/A	N/A		N/A
37-7356	37-7356	2.68 cfs	1057.8 af	596.0	675.0		N/A	N/A		N/A
TOTALS		12.68 cfs	2086 af	596	675		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 15 day of July, 2002


Chief, Water Allocation Bureau

MICROFILMED

JUL 16 2002

WATER RIGHT NO. 37-2713
As Modified by Transfer No. 69809

In accordance with the approval of Transfer No. 69809, Water Right No. 37-2713 is now described as follows.

Right Holder: SPENCER F ECCLES
 FLYING HAT RANCH
 PO BOX 30006
 SALT LAKE CITY UT 84125

Priority Date: 08/18/1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 09/01	10.00 CFS	2,086.0 AF
			10.00 CFS	2,086.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSE	Sec. 15 Twp 02N	Rge 18E	BLAINE County
GROUND WATER	NESW	Sec. 23 Twp 02N	Rge 18E	BLAINE County
GROUND WATER	NWSW	Sec. 23 Twp 02N	Rge 18E	BLAINE County
GROUND WATER	SWSE	Sec. 23 Twp 02N	Rge 18E	BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 18E 15															3.0		3.0
02N 18E 22	7.0	33.0		34.0									38.0				112.0
02N 18E 23							18.0		12.0	40.0	40.0	35.0			9.0	6.0	160.0
02N 18E 25							28.0	39.0	5.0	23.0	27.0	5.0	15.0				142.0
02N 18E 26	39.0	36.0	40.0	35.0	40.0	32.0		36.0									258.0

Total Acres: 675

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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JUL 16 2002

WATER RIGHT NO. 37-2713
As Modified by Transfer No. 69809

CONDITIONS OF APPROVAL

4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The total instantaneous diversion of water from all points of diversion under Transfer 69809 shall not exceed 12.68 cfs, nor a total combined annual volume of 2086.0 af.
7. This right is limited to the irrigation of 596 acres within the place of use described above in a single irrigation season.
8. Rights 37-2713 and 37-7356 when combined shall not exceed the irrigation of 596 acres.
9. Rights 37-2713 and 37-7356 when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for sprinkler irrigation of the land described above. When water is applied through a sprinkler irrigation system, the portion of Rights 37-2713 and 37-7356 used for conveyance losses is 0.76 cfs.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 09/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
14. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15th day of July, 2002

MICROFILMED

J. Drew Suptor
Chief, Water Allocation Bureau

JUL 16 2002

WATER RIGHT NO. 37-7356
As Modified by Transfer No. 69809

In accordance with the approval of Transfer No. 69809, Water Right No. 37-7356 is now described as follows.

Right Holder: SPENCER F ECCLES
 FLYING HAT RANCH
 PO BOX 30006
 SALT LAKE CITY UT 84125

Priority Date: 04/28/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	09/01	2.68 CFS	1,057.8 AF
			2.68 CFS	1,057.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSE	Sec. 15 Twp 02N	Rge 18E	BLAINE County
GROUND WATER	NESW	Sec. 23 Twp 02N	Rge 18E	BLAINE County
GROUND WATER	NWSW	Sec. 23 Twp 02N	Rge 18E	BLAINE County
GROUND WATER	SWSE	Sec. 23 Twp 02N	Rge 18E	BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 18E 15															3.0		3.0
02N 18E 22	7.0	33.0		34.0									38.0				112.0
02N 18E 23							18.0		12.0	40.0	40.0	35.0			9.0	6.0	160.0
02N 18E 25							28.0	39.0	5.0	23.0	27.0	5.0	15.0				142.0
02N 18E 26	39.0	36.0	40.0	35.0	40.0	32.0		36.0									258.0

Total Acres: 675

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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JUL 16 2002

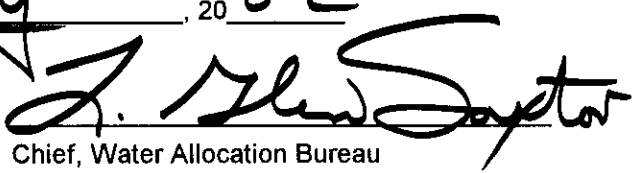
WATER RIGHT NO. 37-7356
As Modified by Transfer No. 69809

CONDITIONS OF APPROVAL

4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The total instantaneous diversion of water from all points of diversion under Transfer 69809 shall not exceed 12.68 cfs, nor a total combined annual volume of 2086.0 af.
7. This right is limited to the irrigation of 596 acres within the place of use described above in a single irrigation season.
8. Rights 37-2713 and 37-7356 when combined shall not exceed the irrigation of 596 acres.
9. Rights 37-2713 and 37-7356 when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for sprinkler irrigation of the land described above. When water is applied through a sprinkler irrigation system, the portion of Rights 37-2713 and 37-7356 used for conveyance losses is 0.76 cfs.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 09/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
14. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15th day of July, 2002


Chief, Water Allocation Bureau

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JUL 16 2002

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 67809
RECEIVED**APPLICATION FOR TRANSFER OF WATER RIGHT**
PART 1

MAR 11 2002

Department of Water Resources
Southern RegionName of applicant Spencer F. Eccles - Flying Hat Ranch Phone 801-350-5329Post Office address P.O. Box 30006 Salt Lake City, Utah 84125 **RECEIVED****A. PURPOSE OF TRANSFER**

JUN - 5 2002

1. ☐ Change point of diversion ☒ Add diversion point ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Amendment

2. Describe the reason for the proposed changes Additional capacity to meet the groundwater irrigation right was required. An additional well was dug (Well #4) to meet this capacity requirement. See attached narrative for additional description.

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

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- | | | | | |
|---------|------------|-----------|------------|---------------|
| 37-2713 | 08/18/1965 | 10.00 cfs | Irrigation | 4/15 to 10/31 |
| 37-7356 | 04/28/1974 | 2.68 cfs | Irrigation | 4/15 to 10/31 |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 12.68 cubic feet per second and/or 2086 acre-feet per annum.
3. Source of water Groundwater tributary to
4. Point(s) of Diversion: See Attached Map with POD Locations

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	SE	23	02N	18E	Blaine	Well #1
		SW	SE	15	02N	18E	Blaine	Well #2
		NE	SW	23	02N	18E	Blaine	Well #3
		NW	SW	23	02N	18E	Blaine	Well #4

5. Lands irrigated or place of use: 675 Acre PPU as Shown

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	15															3		3
2N	18E	22	7	33		34									38				112
2N	18E	23							18		12	40	40	35			9	6	160
2N	18E	25						28	39	5	23	27	5	15					142
2N	18E	26	39	36	40	35	40	32		36									258

PART 1

6. General Information:

- a. Description of diversion system Four groundwater wells with vertical turbine pumps to
main booster stations. Booster stations to hand lines, wheel lines, and
pivot irrigation systems.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract
agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
None
- d. Remarks:
Adding one well to existing POD's to allow diversion of groundwater right to
full licensed amount.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

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SEP 16 2002

Page 3 of 8

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-2713 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax notice☒ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to n/a4. Date of priority 08/18/1965

5. Water is used for the following purpose:

Amount 10.00 cfs for Irrigation purposes from 5/01 to 9/01
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 10.00 cubic feet per second and/or 2086 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	SE	15	02N	18E	Blaine	
		NE	SW	23	02N	18E	Blaine	
		SW	SE	23	02N	18E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02N	18E	15															16		16
02N	18E	22	23	40		39									35				137
02N	18E	23						2	29		17	40	40	38			12	9	187
02N	18E	25						20	39	4	22	28	4	15					132
02N	18E	26	39	36	40	32	40	25		30									242

Total acres 7149. Describe any other water rights used for the same purpose as described above 37-7356

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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1991 JUL 2002

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-7356 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax notice

☒ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to n/a

4. Date of priority 04/28/1974

5. Water is used for the following purpose:

Amount 2.68 cfs for Irrigation purposes from 05/01 to 9/01
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.68 cubic feet per second and/or 1057.8 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	SE	15	02N	18E	Blaine	
		NE	SW	23	02N	18E	Blaine	
		SW	SE	23	02N	18E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02N	18E	15															16		16
02N	18E	22	23	40		39									35				137
02N	18E	23						2	29		17	40	40	38			12	9	187
02N	18E	25						20	39	4	22	28	4	15					132
02N	18E	26	39	36	40	32	40	25		30									242

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Total acres 714

9. Describe any other water rights used for the same purpose as described above 37-02713

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

2. Point(s) of Diversion:

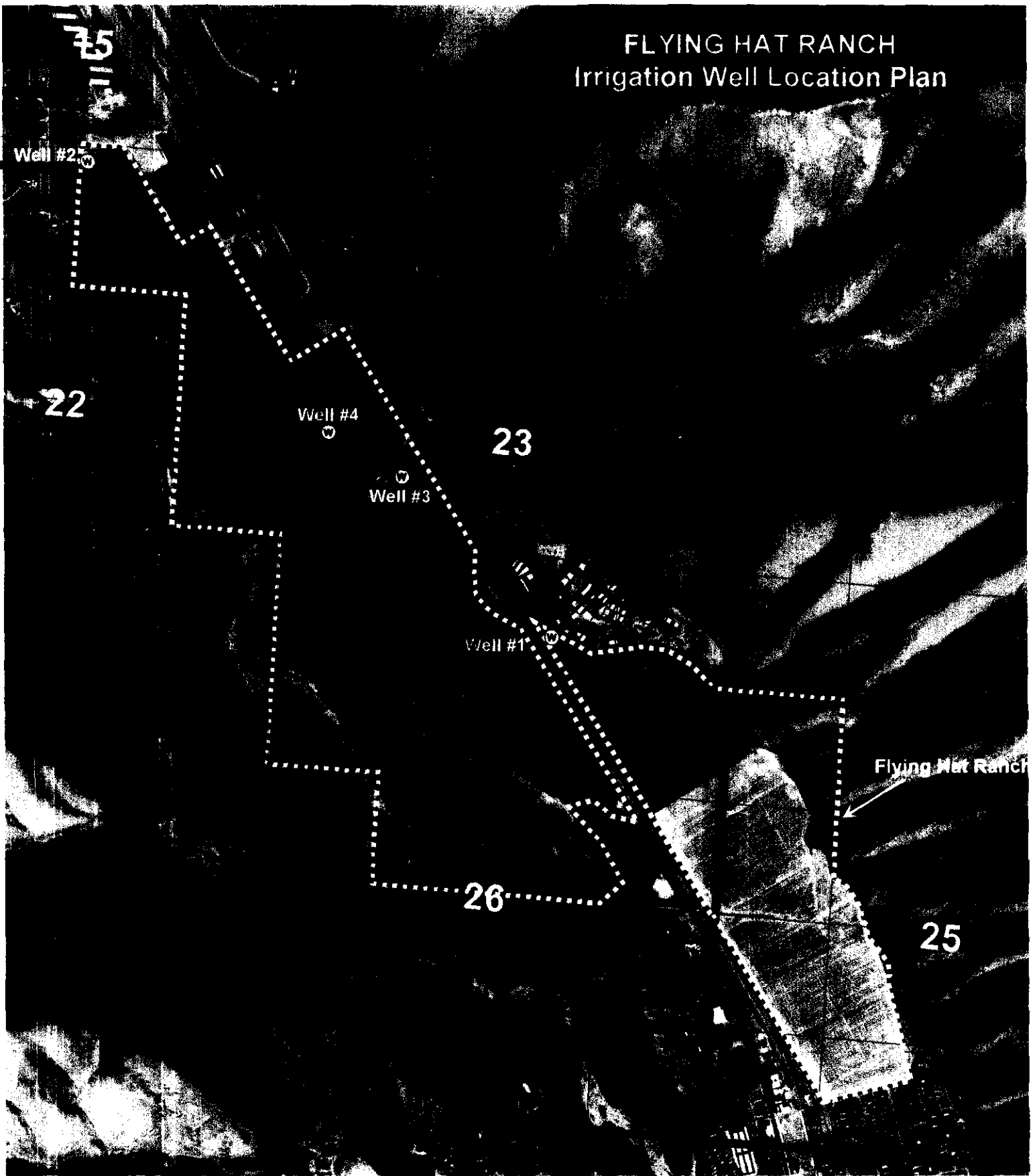
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

FLYING HAT RANCH Irrigation Well Location Plan



BROCKWAY ENGINEERING, PLLC
February, 2002

Township 02 North, Range 18 East

MICROFILMED
JUL 10 2002

PART 3

B. CHANGES IN NATURE OF USE

1.

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

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

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

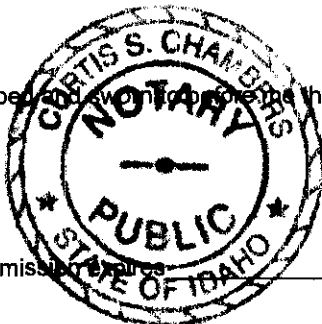
I understand that any willful misrepresentations made in this application may result in voiding its approval.

SPENCER F. ECCLES BY HIS ATTORNEY
 IN FACT, MARC E. REIDEMANN

Marc E. Reidemann

(Signature of Applicant)

Subscribed and sworn to before me this 28TH day of FEBRUARY, 192002.



Curtis S. Chambers
 (Notary Public)

My commission expires 5-15-04

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 12 attachments

Received by J.P. Stanton Date 2-11-02 Protest filed by None

Prelim. check by [Signature] Fee \$730, 5024646

Receipted by [Signature] Date 3-11-02

Published in Reynolds Tribune Times News Copies of protest forwarded by _____

Pub. dates 4/24 + 5/1/02 + 5/25 + 5/30/02

Hearing held by _____ Date _____

Watermaster recommendation requested on 4/19/02 Recommended for ☒ Approval ☐ Denial

_____ rec'd. 4/24/02 by AD

Copy of transfer sent to lien holder _____

MICROFILMED

11-1-2002

24

**Flying Hat Ranch
Permissible Place of Use**

Total Acres included in PPU = 675 AC



PPU Boundary

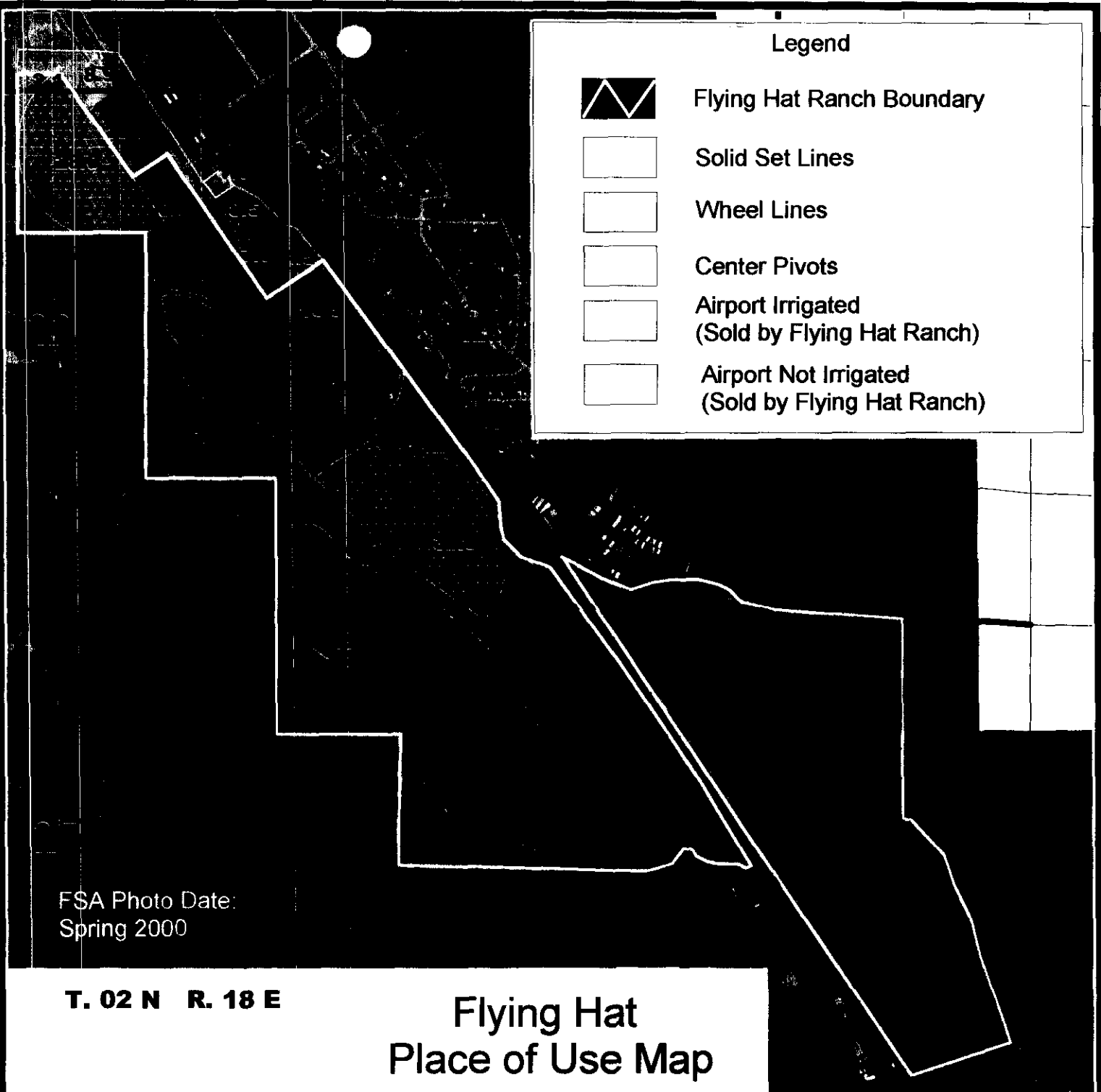
T. 02 N R. 18 E



MICROFILMED
JUL 16 2002

Brockway Engineering, PLLC 7 September, 2000

T69809



Legend



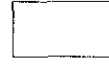
Flying Hat Ranch Boundary



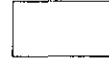
Solid Set Lines



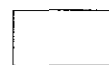
Wheel Lines



Center Pivots



Airport Irrigated
(Sold by Flying Hat Ranch)

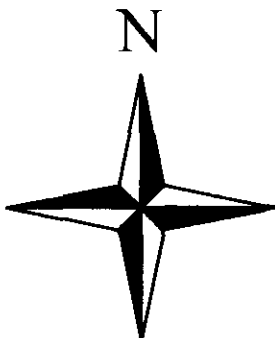


Airport Not Irrigated
(Sold by Flying Hat Ranch)

FSA Photo Date:
Spring 2000

T. 02 N R. 18 E

Flying Hat Place of Use Map



Total Irrigated Acres on Flying Hat Property= 557.1 Acres

Total Acres Owned by Airport = 40.0 Acres

Total Irrigated Airport Acres = 38.9 Acres

Total Irrigated Acres, Airport and Flying Hat Properties = 596.0 Acres

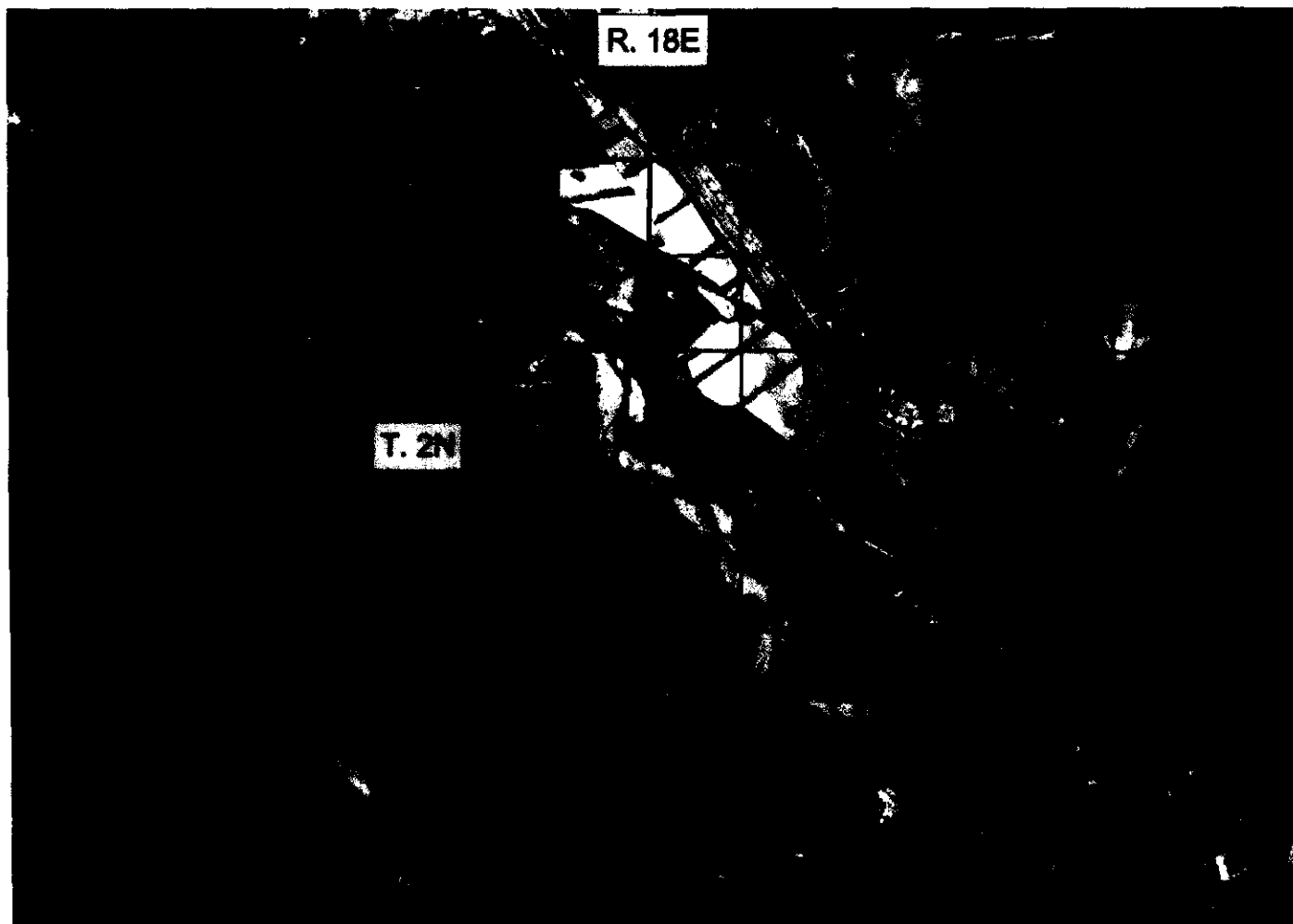
MICROFILM
2000

Brockway Engineering, PLLC 8 September, 2000

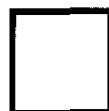
T69809

IDAHO DEPARTMENT OF WATER RESOURCES

APP FOR TRANSFER - Flying Hat Ranch



Section Lines



Quarter/Quarter Lines

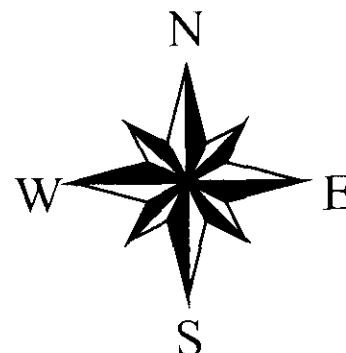
General Location: On both sides of Hwy 75 0 to 2 mi N of Bellevue

● W Irrigation Well

⊙ Well Being Added By Transfer



Corrected Permissible Use



Prepared By J E Stanton 4-8-02

1986/87 NAPP Data

QUITCLAIM DEED

FOR VALUE RECEIVED

WILSON B. GREATON, JR., Personal Representative of the Estate of Edward A. Gago, deceased

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

SPENCER F. ECCLES, a married man as his sole and separate property

whose address is: P. O. Box 2980, Halley, Idaho 83333

the following described premises situated in Blaine County, Idaho, to wit:

See attached Exhibit "A"

BLAINE CO. REQUEST

OF TITLE

1994 FEB 15 A 9:45

362356

together with their appurtenances.

Dated: January 12, 1994



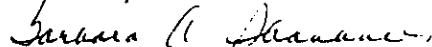
Wilson B. Gration, Jr., Personal Representative of the estate of Edward A. Gago, deceased

STATE OF FLORIDA

COUNTY OF Broward^{ss.}

On FEB 1 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Wilson B. Gration, Jr., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Edward A. Gago, deceased, and acknowledged to me that he subscribed his own name as Personal Representative.

WITNESS my hand and official seal.



Notary Public

Residing at: 4601 E. Oakland Park Blvd. Ft. Lauderdale, FL 33304

Commission Expires

MICROFILM

JUN 16 2002

PROPERTY DESCRIPTION OF FLYING HAT RANCH

A PARCEL OF LAND LYING WITHIN SECTIONS 15, 22, 23, 25 AND 26, TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a Koonce 1969 brass cap marking the southwest corner of Section 23 which is the TRUE POINT OF BEGINNING; thence
 N. 00° 41' 22" E., 1319.28 feet along the west boundary of said Section 23 to a 5/8" rebar marking the northeast corner of the SE1/4 SE1/4 of Section 22; thence
 S. 89° 57' 28" W., 1316.19 feet along the north boundary of the SE1/4 SE1/4 of Section 22 to a Koonce 1984 5/8" rebar marking the northwest corner of the SE1/4 SE1/4 of Section 22; thence
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 N. 00° 20' 16" E., 562.95 feet along the north-south center one-quarter section line of Section 15 to 5/8" rebar; thence

the following 10 courses and distances along the southerly boundary of the Friedman Memorial Airport to 5/8" rebars;

N. 89° 29' 53" E., 923.59 feet; thence
 S. 35° 01' 00" E., 1690.03 feet; thence
 N. 54° 59' 01" E., 314.99 feet; thence
 S. 35° 01' 00" E., 176.50 feet; thence
 S. 56° 24' 01" E., 170.50 feet; thence
 S. 52° 59' 01" E., 261.37 feet; thence
 S. 35° 38' 01" E., 124.74 feet; thence
 S. 40° 50' 01" E., 148.15 feet; thence
 S. 48° 56' 01" E., 110.76 feet; thence
 S. 67° 38' 01" E., 182.45 feet to the southwest boundary of Idaho State Highway No. 75; thence

the following 12 courses and distances along the southwesterly boundary of either I.T.D. property or State Highway No. 75 to 5/8" rebars;

S. 35° 00' 36" E., 3274.59 feet; thence
 S. 35° 01' 38" E., 71.05 feet; thence
 S. 08° 04' 16" E., 66.29 feet; thence
 S. 05° 47' 18" E., 137.07 feet; thence
 S. 09° 20' 18" E., 156.58 feet; thence
 S. 19° 14' 19" E., 43.58 feet; thence
 S. 38° 04' 18" E., 115.13 feet; thence
 S. 45° 59' 10" E., 70.05 feet; thence
 S. 47° 19' 24" E., 81.50 feet; thence
 S. 58° 01' 18" E., 291.00 feet; thence
 N. 65° 43' 47" E., 26.74 feet; thence
 S. 35° 01' 38" E., 2528.67 feet to the northwest corner of the Kohler Lateral Ditch Users Association property; thence

CONTINUED

MICROFILM

1991 1 6 2002

FLYING HAT RANCH PROPERTY DESCRIPTION
PAGE 2

the following 7 courses and distances along the northerly and westerly boundary of the Kohler Lateral Ditch Users Association property to 5/8" rebars;

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S. 47° 24' 34" W., 183.34 feet; thence
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S. 28° 52' 57" E., 303.15 feet; thence
S. 38° 17' 10" E., 116.98 feet; thence
S. 60° 31' 53" E., 113.65 feet; thence
S. 28° 51' 02" W., 341.94 feet to a 5/8" rebar on the east-west one-quarter section line of said Section 26; thence
N. 89° 44' 58" W., 1493.58 feet along said east-west one-quarter section line of Section 26 to a J. U. B. 1972 5/8" rebar marking the center 1/4 corner of said Section 26; thence
N. 09° 43' 37" W., 1320.35 feet along said east-west one-quarter section line of Section 26 to a Porter 5/8" rebar marking the southeast corner of the SW1/4 NW1/4 of Section 26; thence
N. 00° 03' 36" W., 1328.69 feet along the west boundary of the SE1/4 NW1/4 of Section 26 to a Porter 5/8" rebar marking the southeast corner of the NW1/4 NW1/4 of Section 26; thence
N. 89° 38' 03" W., 1321.70 feet along the south boundary of said NW1/4 NW1/4 of Section 26 to a Porter 5/8" rebar marking the north 1/6 corner common to Sections 26 & 27; thence
N. 00° 06' 21" W., 1332.19 feet along the westerly section line of Section 26 to a Koonce 1969 brass cap marking the southwest corner of Section 23 which is the TRUE POINT OF BEGINNING. (containing 509.15 acres more or less)

ALSO COMMENCING at a Koonce 1969 brass cap marking the northeast corner of said Section 26 which is the TRUE POINT OF BEGINNING; thence
S. 88° 46' 10" E., 1324.27 feet along the north boundary of Section 25 to a 1991 Butler 2" aluminum cap marking the northeast corner of the NW1/4 NW1/4 of said Section 25; thence
S. 00° 03' 09" E., 1318.32 feet along the east boundary of said NW1/4 NW1/4 of Section 25 to a Butler 1991 2" aluminum cap marking the southeast corner of said NW1/4 NW1/4 of Section 25; thence
S. 00° 03' 42" E., 1318.47 feet along the east boundary of the SW1/4 NW1/4 of Section 25 to a 5/8" rebar and aluminum cap marking the southeast corner of the SW1/4 NW1/4 of Section 25; thence
N. 89° 01' 39" W., 1320.62 feet along the east-west center one-quarter section line of said Section 25 to a Butler 1991 2" aluminum cap marking the 1/4 corner common to Sections 25 & 26; thence
N. 89° 44' 58" W., 26.07 feet to a 5/8" rebar on the easterly side of the adversely possessed Union Pacific Railroad Right-of-Way now owned by the Idaho Transportation Department; thence
N. 35° 00' 38" W., 3982.03 feet along the fence accepted as the old easterly boundary of the U.P.R.R. right-of-way (by adverse possession) to a 5/8" rebar; thence

the following nine (9) courses and distances along the southerly boundary of the City of Hailey;

S. 66° 29' 09" E., 202.97 feet; thence
S. 65° 09' 54" E., 602.93 feet; thence
N. 72° 58' 58" E., 115.31 feet; thence
N. 76° 25' 47" E., 193.13 feet; thence
N. 82° 25' 15" E., 278.87 feet; thence
S. 70° 49' 57" E., 445.61 feet; thence
S. 49° 55' 20" E., 235.18 feet; thence
S. 49° 55' 20" E., 250.31 feet; thence
S. 09° 31' 09" E., 180.07 feet to a brass cap which is the TRUE POINT OF BEGINNING. (containing 151.82 acres more or less)

MICROFILMED

JUL 16 2002

T69809

QUITCLAIM DEED

FOR VALUE RECEIVED

WILSON B. GREATON, JR., Personal Representative of the Estate of Anne A. Gage, deceased

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

SPENCER F. ECCLES, a married man as his sole and separate property

whose address is: P. O. Box 2980, Halley, Idaho 83333

the following described premises situated in Blaine County, Idaho, to wit:

See attached Exhibit "A"

PLANNED REQUEST

DE 11111111111111111111

1991 FEB 15 10 46

362357

Doc

together with their appurtenances.

Dated: January 12, 1994

Wilson B. Gration, Jr.
Wilson B. Gration, Jr., Personal Representative of the estate of Anne A. Gage, deceased

STATE OF Florida
COUNTY OF Broward

On Feb 1 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Wilson B. Gration, Jr., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Anne A. Gage, deceased, and acknowledged to me that he subscribed his own name as Personal Representative.

WITNESS my hand and official seal.

Barbara A. [Signature]
Notary Public
Residing at: 2601 E. Oakland Park Blvd. Ft. Lauderdale, FL 33306
Commission Expires: 1995

MICROFILMED

JUL 10 2007

PROPERTY DESCRIPTION OF FLYING HAT RANCH

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CONTINUED

MICROFILMED

OCT 16 2002

FLYING HAT RANCH PROPERTY DESCRIPTION
PAGE 2

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MICROFILMED
JUL 16 2002

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See attached Exhibit "A"

together with their appurtenances.

Dated: January 12, 1994

Patrick J. Gage
 Patrick J. Gage, Personal Representative of the estate of Edward A. Gage, deceased 362358

CLAIM ON REQUEST

FILING OFFICE

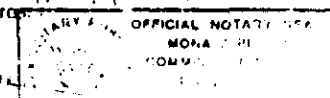
1994 FEB 15 A 9:47

STATE OF)
) ss.
 COUNTY OF)

On 12-1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Patrick J. Gage, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Edward A. Gage, deceased, and acknowledged to me that he subscribed his own name as Personal Representative.

WITNESS my hand and official seal.

[Signature]
 Notary Public
 Residing at: *[Address]*
 Commission Expires: *[Date]*



JUL 15 2002

PROPERTY DESCRIPTION OF FLYING HAT RANCH

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 S. 35° 01' 38" E., 71.05 feet; thence
 S. 08° 04' 16" E., 66.29 feet; thence
 S. 05° 47' 18" E., 137.07 feet; thence
 S. 09° 20' 18" E., 156.58 feet; thence
 S. 19° 14' 19" E., 43.58 feet; thence
 S. 38° 04' 18" E., 115.13 feet; thence
 S. 45° 59' 10" E., 70.05 feet; thence
 S. 47° 19' 24" E., 81.50 feet; thence
 S. 58° 01' 18" E., 291.00 feet; thence
 N. 65° 43' 47" E., 26.74 feet; thence
 S. 35° 01' 38" E., 2528.67 feet to the northwest corner of the Kohler Lateral Ditch Users Association property; thence

CONTINUED

MICROFILMED

JUL 18 2002

FLYING HAT RANCH PROPERTY DESCRIPTION
PAGE 2

the following 7 courses and distances along the northerly and westerly boundary of the Kohler Lateral Ditch Users Association property to 5/8" rebars;

N. 86° 08' 58" W., 403.11 feet; thence
S. 47° 24' 34" W., 183.34 feet; thence
S. 41° 43' 01" E., 389.33 feet; thence
S. 28° 52' 57" E., 303.15 feet; thence
S. 38° 17' 10" E., 116.98 feet; thence
S. 60° 31' 53" E., 113.65 feet; thence
S. 28° 51' 02" W., 341.94 feet to a 5/8" rebar on the east-west one-quarter section line of said Section 26; thence
N. 89° 44' 58" W., 1493.58 feet along said east-west one-quarter section line of Section 26 to a J. U. B. 1972 5/8" rebar marking the center 1/4 corner of said Section 26; thence
N. 89° 43' 37" W., 1320.35 feet along said east-west one quarter section line of Section 26 to a Porter 5/8" rebar marking the southeast corner of the SW1/4 NW1/4 of Section 26; thence
N. 00° 03' 36" W., 1328.69 feet along the west boundary of the SE1/4 NW1/4 of Section 26 to a Porter 5/8" rebar marking the southeast corner of the NW1/4 NW1/4 of Section 26; thence
N. 89° 38' 03" W., 1321.70 feet along the south boundary of said NW1/4 NW1/4 of Section 26 to a Porter 5/8" rebar marking the north 1/6 corner common to Sections 26 & 27; thence
N. 00° 06' 21" W., 1332.19 feet along the westerly section line of Section 26 to a Koonce 1969 brass cap marking the southwest corner of Section 23 which is the TRUE POINT OF BEGINNING. (containing 509.15 acres more or less)

ALSO COMMENCING at a Koonce 1969 brass cap marking the northeast corner of said Section 26 which is the TRUE POINT OF BEGINNING; thence
S. 88° 46' 10" E., 1324.37 feet along the north boundary of Section 25 to a 1991 Butler 2" aluminum cap marking the northeast corner of the NW1/4 NW1/4 of said Section 25; thence
S. 00° 03' 09" E., 1318.32 feet along the east boundary of said NW1/4 NW1/4 of Section 25 to a Butler 1991 2" aluminum cap marking the southeast corner of said NW1/4 NW1/4 of Section 25; thence
S. 00° 03' 42" E., 1318.47 feet along the east boundary of the SW1/4 NW1/4 of Section 25 to a 5/8" rebar and aluminum cap marking the southeast corner of the SW1/4 NW1/4 of Section 25; thence
N. 89° 01' 39" W., 1320.62 feet along the east-west center one-quarter section line of said Section 25 to a Butler 1991 2" aluminum cap marking the 1/4 corner common to Sections 25 & 26; thence
N. 89° 44' 58" W., 26.07 feet to a 5/8" rebar on the easterly side of the adversely possessed Union Pacific Railroad Right-of-Way now owned by the Idaho Transportation Department; thence
N. 35° 00' 38" W., 3982.09 feet along the fence accepted as the old easterly boundary of the U.P.R.R. right-of-way (by adverse possession) to a 5/8" rebar; thence

the following nine (9) courses and distances along the southerly boundary of the City of Hailey;

S. 06° 29' 09" E., 202.97 feet; thence
S. 65° 09' 54" E., 602.93 feet; thence
N. 72° 58' 58" E., 115.31 feet; thence
N. 76° 25' 47" E., 193.13 feet; thence
N. 82° 25' 15" E., 278.87 feet; thence
S. 78° 49' 57" E., 445.61 feet; thence
S. 49° 55' 20" E., 235.18 feet; thence
S. 49° 55' 20" E., 250.31 feet; thence
S. 09° 31' 09" E., 188.07 feet to a brass cap which is the TRUE POINT OF BEGINNING. (containing 151.82 acres more or less)

MICROFILMED

APR 16 2002

QUITCLAIM DEED

FOR VALUE RECEIVED

PATRICK J. GAGE, Personal Representative of the Estate of Anne A. Gage, deceased

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

SPENCER F. ECCLES, a married man as his sole and separate property

whose address is: P. O. Box 2980, Hailey, Idaho 83333

the following described premises situated in Blaine County, Idaho, to wit:

See attached Exhibit "A"

together with their appurtenances.

Dated: January 12, 1994

CLAIMED ON REQUEST

BY Patrick J. Gage (S. Co. 100)

1994 FEB 15 4 08 PM

362359

Patrick J. Gage, Personal Representative of the estate of Anne A. Gage, deceased

STATE OF }
COUNTY OF } ss.

On January 12, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Patrick J. Gage, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Anne A. Gage, deceased, and acknowledged to me that he subscribed his own name as Personal Representative.

WITNESS my hand and official seal.

Notary Public

Residing at:

Commission Expires:

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MICROFILMED

JUL 11 2002

PROPERTY DESCRIPTION OF FLYING HAT RANCH

A PARCEL OF LAND LYING WITHIN SECTIONS 15, 22, 23, 25 AND 26, TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a Koonce 1969 brass cap marking the southwest corner of Section 23 which is the TRUE POINT OF BEGINNING; thence
 N. 00° 41' 22" E., 1319.28 feet along the west boundary of said Section 23 to a 5/8" rebar marking the northeast corner of the SE1/4 SE1/4 of Section 22; thence
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the following 10 courses and distances along the southerly boundary of the Friedman Memorial Airport to 5/8" rebars;

N. 89° 29' 53" E., 923.59 feet; thence
 S. 35° 01' 00" E., 1690.03 feet; thence
 N. 54° 59' 01" E., 314.99 feet; thence
 S. 35° 01' 00" E., 176.50 feet; thence
 S. 56° 24' 01" E., 170.50 feet; thence
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 S. 40° 50' 01" E., 148.15 feet; thence
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 S. 67° 38' 01" E., 182.45 feet to the southwest boundary of Idaho State Highway No. 75; thence

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 S. 05° 47' 18" E., 137.07 feet; thence
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FLYING HAT RANCH PROPERTY DESCRIPTION
PAGE 2

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MICROFILMED

100 1 6 2002

QUITCLAIM DEED

FOR VALUE RECEIVED

MICHAEL T. GAGE, Personal Representative of the Estate of Edward A. Gage, deceased

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

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whose address is: P. O. Box 2980, Halley, Idaho 83333

the following described premises situated in Blaine County, Idaho, to wit:

See attached Exhibit "A"

together with their appurtenances.

Dated: January 12, 1994

ACKNOWLEDGEMENT REQUEST

BY MICHAEL T. GAGE

Michael T. Gage, Personal Representative of the estate of Edward A. Gage, deceased 62360

STATE OF Florida
COUNTY OF BrowardOn Feb 7 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Michael T. Gage, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Edward A. Gage, deceased, and acknowledged to me that he subscribed his own name as Personal Representative

WITNESS my hand and official seal.

Notary Public

Residing at:

Commission Expires

MICROFILMED

FEB 15 2002

PROPERTY DESCRIPTION OF FLYING HAT RANCH

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FLYING HAT RANCH PROPERTY DESCRIPTION
PAGE 2

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MICROFILMED

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Dated: January 12, 1994

BLAINE CO. REQUEST

OF MALE Citizen 100

1994 FEB 15 A 9 49

362361

Michael T. Gage
Michael T. Gage, Personal Representative of the estate of Anne A. Gage, deceased

2-12

STATE OF FLORIDA
COUNTY OF Broward

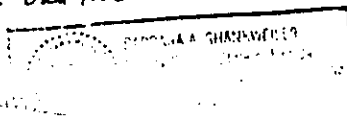
On Feb 7 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Michael T. Gage, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Anne A. Gage, deceased, and acknowledged to me that he subscribed his own name as Personal Representative.

WITNESS my hand and official seal.

Barbara A. Shannan
Notary Public

Residing at: 2601 E. Oakland Park Blvd. Fort Lauderdale FL 33306

Commission Expires:



MICROFILMED

352 1 15 2012

PROPERTY DESCRIPTION OF FLYING HAT RANCH

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MICROFILMED

JUL 16 2002

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N. 00° 03' 36" W., 1328.69 feet along the west boundary of the SE1/4 NW1/4 of Section 26 to a Porter 5/8" rebar marking the southeast corner of the NW1/4 NW1/4 of Section 26; thence
N. 89° 38' 03" W., 1321.70 feet along the south boundary of said NW1/4 NW1/4 of Section 26 to a Porter 5/8" rebar marking the north 1/6 corner common to Sections 26 & 27; thence
N. 00° 06' 21" W., 1332.19 feet along the westerly section line of Section 26 to a Koonce 1969 brass cap marking the southwest corner of Section 23 which is the TRUE POINT OF BEGINNING. (containing 509.15 acres more or less)

ALSO COMMENCING at a Koonce 1969 brass cap marking the northeast corner of said Section 26 which is the TRUE POINT OF BEGINNING; thence
S. 88° 46' 10" E., 1324.37 feet along the north boundary of Section 25 to a 1991 Butler 2" aluminum cap marking the northeast corner of the NW1/4 NW1/4 of said Section 25; thence
S. 00° 03' 06" E., 1318.32 feet along the east boundary of said NW1/4 NW1/4 of Section 25 to a Butler 1991 2" aluminum cap marking the southeast corner of said NW1/4 NW1/4 of Section 25; thence
S. 00° 03' 42" E., 1318.47 feet along the east boundary of the SW1/4 NW1/4 of Section 25 to a 5/8" rebar and aluminum cap marking the southeast corner of the SW1/4 NW1/4 of Section 25; thence
N. 89° 01' 39" W., 1320.62 feet along the east-west center one-quarter section line of said Section 25 to a Butler 1991 2" aluminum cap marking the 1/4 corner common to Sections 25 & 26; thence
N. 89° 44' 58" W., 26.07 feet to a 5/8" rebar on the easterly side of the adversely possessed Union Pacific Railroad Right-of-Way now owned by the Idaho Transportation Department; thence
N. 35° 00' 38" W., 3982.09 feet along the fence accepted as the old easterly boundary of the U.P.R.R. right-of-way (by adverse possession) to a 5/8" rebar; thence

the following nine (9) courses and distances along the southerly boundary of the City of Halley;

S. 66° 29' 09" E., 202.97 feet; thence
S. 65° 09' 54" E., 602.93 feet; thence
N. 72° 58' 58" E., 115.31 feet; thence
N. 76° 25' 47" E., 193.13 feet; thence
N. 82° 25' 15" E., 278.87 feet; thence
S. 78° 49' 57" E., 445.61 feet; thence
S. 49° 55' 20" E., 235.18 feet; thence
S. 49° 55' 20" E., 250.31 feet; thence
S. 89° 31' 09" E., 188.07 feet to a brass cap which is the TRUE POINT OF BEGINNING. (containing 151.82 acres more or less)

MICROFILMED

JUL 18 2002

QUITCLAIM DEED

FOR VALUE RECEIVED

EDWARD A. GAGE, JR., Personal Representative of the Estate of Edward A. Gage, deceased

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

SPENCER F. ECCLES, a married man as his sole and separate property

whose address is: P. O. Box 2980, Halley, Idaho 83333

the following described premises situated in Blaine County, Idaho, to wit:

See attached Exhibit "A"

together with their appurtenances.

Dated: January 12, 1994

BLAINE CO. REQUEST

OF BLAINE COUNTY

1994 FEB 15 A 9:49

362362

EDWARD A. GAGE, JR., Personal Representative of the estate of Edward A. Gage, deceased

STATE OF Mich

COUNTY OF Okla^{ss}

On Jan 31 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared EDWARD A. GAGE, JR., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within Instrument as Personal Representative of the Estate of Edward A. Gage, deceased, and acknowledged to me that he subscribed his own name as Personal Representative.

WITNESS my hand and official seal.

Notary Public

LUANNE SMITH

Residing at:

Notary Public, Oakland County, MI

Commission Expires:

My Commission Expires Oct. 31, 1997

MICROFILMED

JUL 16 2002

PROPERTY DESCRIPTION OF FLYING HAT RANCH

A PARCEL OF LAND LYING WITHIN SECTIONS 15, 22, 23, 25 AND 26, TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a Koonce 1989 brass cap marking the southwest corner of Section 23 which is the TRUE POINT OF BEGINNING; thence
 N. 00° 41' 22" E., 1319.28 feet along the west boundary of said Section 23 to a 5/8" rebar marking the northeast corner of the SE1/4 SE1/4 of Section 22; thence
 S. 89° 57' 28" W., 1316.19 feet along the north boundary of the SE1/4 SE1/4 of Section 22 to a Koonce 1984 5/8" rebar marking the northwest corner of the SE1/4 SE1/4 of Section 22; thence
 N. 00° 26' 07" E., 2639.93 feet along the west boundary of the NE1/4 SE1/4 and SW1/4 NE1/4 of Section 22 to a Koonce 1984 1 1/2" aluminum cap marking the southeast corner of the NW1/4 NE1/4 of Section 22; thence
 N. 89° 58' 17" W., 1327.62 feet along the south boundary of the NW1/4 NE1/4 of Section 22 to a Koonce 1984 5/8" rebar marking the southwest corner of the said NW1/4 NE1/4 of Section 22; thence
 N. 00° 11' 09" E., 1323.64 feet along the north-south center one-quarter section line of Section 22 to a Koonce 1984 1 1/2" aluminum cap marking the north 1/4 corner of Section 22; thence
 N. 00° 20' 16" E., 562.95 feet along the north-south center one-quarter section line of Section 15 to 5/8" rebar; thence

the following 10 courses and distances along the southerly boundary of the Friedman Memorial Airport to 5/8" rebars;

N. 89° 29' 53" E., 923.59 feet; thence
 S. 35° 01' 00" E., 1690.03 feet; thence
 N. 54° 59' 01" E., 314.99 feet; thence
 S. 35° 01' 00" E., 178.50 feet; thence
 S. 56° 24' 01" E., 170.50 feet; thence
 S. 52° 59' 01" E., 261.37 feet; thence
 S. 35° 38' 01" E., 124.74 feet; thence
 S. 40° 50' 01" E., 148.15 feet; thence
 S. 48° 56' 01" E., 110.76 feet; thence
 S. 67° 38' 01" E., 182.45 feet to the southwest boundary of Idaho State Highway No. 75; thence

the following 12 courses and distances along the southwesterly boundary of either I.T.D. property or State Highway No. 75 to 5/8" rebars;

S. 35° 00' 36" E., 3274.59 feet; thence
 S. 35° 01' 38" E., 71.05 feet; thence
 S. 08° 04' 16" E., 66.29 feet; thence
 S. 05° 47' 18" E., 137.07 feet; thence
 S. 09° 20' 18" E., 156.58 feet; thence
 S. 19° 14' 19" E., 43.58 feet; thence
 S. 38° 04' 18" E., 115.13 feet; thence
 S. 45° 59' 10" E., 70.05 feet; thence
 S. 47° 19' 24" E., 81.50 feet; thence
 S. 58° 01' 18" E., 291.00 feet; thence
 N. 65° 43' 47" E., 26.74 feet; thence
 S. 35° 01' 38" E., 2528.67 feet to the northwest corner of the Kohler Lateral Ditch Users Association property; thence

CONTINUED

FLYING HAT RANCH PROPERTY DESCRIPTION
PAGE 2

the following 7 courses and distances along the northerly and westerly boundary of the Kohler Lateral Ditch Users Association property to 5/8" rebars;

N. 86° 03' 58" W., 403.11 feet; thence
S. 47° 24' 34" W., 183.34 feet; thence
S. 41° 43' 01" E., 389.33 feet; thence
S. 28° 52' 57" E., 303.15 feet; thence
S. 38° 17' 10" E., 116.98 feet; thence
S. 60° 31' 53" E., 113.65 feet; thence
S. 28° 51' 02" W., 341.94 feet to a 5/8" rebar on the east-west one-quarter section line of said Section 26; thence
N. 89° 44' 58" W., 1493.58 feet along said east-west one-quarter section line of Section 26 to a J. U. B 1972 5/8" rebar marking the center 1/4 corner of said Section 26; thence
N. 89° 43' 37" W., 1320.35 feet along said east-west one-quarter section line of Section 26 to a Porter 5/8" rebar marking the southeast corner of the SW1/4 NW1/4 of Section 26; thence
N. 00° 03' 36" W., 1328.69 feet along the west boundary of the SE1/4 NW1/4 of Section 26 to a Porter 5/8" rebar marking the southeast corner of the NW1/4 NW1/4 of Section 26; thence
N. 89° 38' 03" W., 1321.70 feet along the south boundary of said NW1/4 NW1/4 of Section 26 to a Porter 5/8" rebar marking the north 1/6 corner common to Sections 26 & 27; thence
N. 00° 06' 21" W., 1332.19 feet along the westerly section line of Section 26 to a Koonce 1969 brass cap marking the southwest corner of Section 23 which is the TRUE POINT OF BEGINNING. (containing 509.15 acres more or less)

ALSO COMMENCING at a Koonce 1969 brass cap marking the northeast corner of said Section 26 which is the TRUE POINT OF BEGINNING; thence
S. 88° 46' 10" E., 1324.37 feet along the north boundary of Section 25 to a 1991 Butler 2" aluminum cap marking the northeast corner of the NW1/4 NW1/4 of said Section 25; thence
S. 00° 03' 09" E., 1318.32 feet along the east boundary of said NW1/4 NW1/4 of Section 25 to a Butler 1991 2" aluminum cap marking the southeast corner of said NW1/4 NW1/4 of Section 25; thence
S. 00° 03' 42" E., 1318.47 feet along the east boundary of the SW1/4 NW1/4 of Section 25 to a 5/8" rebar and aluminum cap marking the southeast corner of the SW1/4 NW1/4 of Section 25; thence
N. 89° 01' 39" W., 1320.62 feet along the east-west center one-quarter section line of said Section 25 to a Butler 1991 2" aluminum cap marking the 1/4 corner common to Sections 25 & 26; thence
N. 89° 44' 58" W., 26.07 feet to a 5/8" rebar on the easterly side of the adversely possessed Union Pacific Railroad Right-of-Way now owned by the Idaho Transportation Department; thence
N. 35° 00' 36" W., 3982.09 feet along the fence accepted as the old easterly boundary of the U.P.R.R. right-of-way (by adverse possession) to a 5/8" rebar; thence

the following nine (9) courses and distances along the southerly boundary of the City of Hailey;

S. 66° 29' 09" E., 202.97 feet; thence
S. 65° 09' 54" E., 602.93 feet; thence
N. 72° 58' 58" E., 115.31 feet; thence
N. 76° 25' 47" E., 193.13 feet; thence
N. 82° 25' 15" E., 278.87 feet; thence
S. 78° 49' 57" E., 445.61 feet; thence
S. 49° 55' 20" E., 235.18 feet; thence
S. 49° 55' 20" E., 250.31 feet; thence
S. 89° 31' 09" E., 188.07 feet to a brass cap which is the TRUE POINT OF BEGINNING. (containing 151.82 acres more or less)

MICROFILMED

JUL 1 1982

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RECEIVED

MAR 11 2002

Department of Water Resources
Southern RegionLIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, Spencer F. Eccles, hereby nominate and appoint
Marc Reinemann as my attorney-in-fact with full authority to
 act for and on my behalf to undertake any and all acts or matters pertaining to water right
 transfers before the Idaho Department of Water Resources for the following water right
 transactions:

Water Right Transfer Application involving water rights #37-2713, & #37-7356 to
incorporate a new well into the Flying Hat Ranch Permissible Place of Use (PPU).

In Blaine County, Idaho. Additionally, I hereby ratify and confirm any
 and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said
 instruments of writing that may be necessary or proper to carry into execution and effect the
 applications, and transfers above-mentioned. Further, I hereby declare that each and every
 application, transfer, agreement, receipt, or payment which shall be by my said agent given,
 made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had
 been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at
 all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or
 concerning the said premises by virtue of these present. This Limited Power of Attorney will
 become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 22nd day of February, 2002

Spencer F. Eccles

Signature

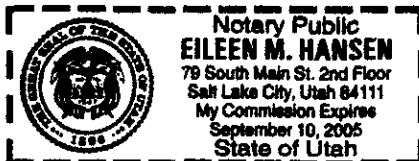
Signature

State of ~~Idaho~~ UtahCounty of Salt Lake

ss.

On this 22nd Day of February, ²⁰⁰²~~2004~~, before me, a Notary Public
 in and for said County and State, personally appeared Spencer F. Eccles,
 known or identified to me to be the individual whose name and subscription to the within
 instrument, and acknowledged to me that he executed the same.

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

S
E
A
L

Eileen M. Hansen
 Notary Public
 In and for said State and County

September 10, 2005
 My Commission Expires

RECEIVED

AUG 17 2001

BEFORE THE DEPARTMENT OF WATER RESOURCES Department of Water Resources

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT TC-37-14 IN THE)
NAME OF FLYING HAT RANCH)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

WHEREAS, a drought emergency has been declared for Blaine County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources ("Department") is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on August 14, 2001 Flying Hat Ranch ("applicant") submitted the attached Temporary Change Application TC-37-14 ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

1. Diversion and use of right no(s). 37-02713 part and 37-07356 part is authorized only at the point of diversion and place of use described on the application or as otherwise approved in this order.
2. This temporary change approval does not authorize construction of a new well as a new point of diversion.
3. This temporary change approval may only be used to provide a replacement water supply to lands or other uses that normally have a full

OCT 19 2001

water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

4. Portions of Rights 37-02713 and 37-07356 are limited to the irrigation of 28 acres within the NWSE of Section 26, T02N, R18E for the remainder of the 2001 irrigation season. For this allowance, 28 acres or more within the SWNW and NWSW of Section 23 and NENE and SENE of Section 22, T02N, R18E shall continue to not be irrigated from any source of water during the 2001 irrigation season.
5. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
6. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
7. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
8. This temporary change approval expires on 10/31/2001 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 14th day of August, 2001.



Allen Merritt, PE
Southern Region Manager

TC-37-14

Form 42-222A
12/96

Ident. No. _____

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AUG 14 2001

TEMPORARY CHANGE APPLICATION

Department of Water Resources
Southern Region

(To change point of diversion, place of use or purpose of use)

Name of Applicant Spencer E. Eccles - Flying Hat Ranch Phone 801-850-5329
Post Office Address PO Box 30006 Salt Lake City, Utah 84145

A. PURPOSE OF TRANSFER

- 1.
- ☒
- Change point of diversion
- ☐
- Add diversion point(s)
- ☒
- Change place of use
-
- ☐
- Change purpose of use
- ☐
- Other

2. Describe the proposed change(s) and the reason(s) thereof Curtailment order under WR
37-0885B has left the acreage without water for irrigation. The request
will temporarily transfer 28 ac. of groundwater to the property from the
groundwater rights appurtenant to the Flying Hat Ranch. Both lands
and water rights are owned by the applicant.

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-02713</u>	<u>8/19/1965</u>	<u>0.42 cfs</u>	<u>Irrigation</u>	<u>8/01 to 11/01</u>
<u>37-07356</u>	<u>4/22/1974</u>	<u>0.13 cfs</u>	<u>Irrigation</u>	<u>8/01 to 11/01</u>

2. Total amount of water being transferred 0.60 cubic feet per second and/or 112 acre-feet per annum.3. Source of water Groundwater tributary to N/A

4. Point(s) of Diversion:

Ident. No.	Lot	%	%	%	Sec	Twp	Rge	County	Local name for diversion

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>2N</u>	<u>18E</u>	<u>26</u>																	

Total Acres 28.0

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AUG 14 '01 09:41

OCT 15 2001

PAGE 02

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right Applicant owns both properties and associated Water Rights.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
Flying Hot Ranch will continue to not irrigate, at least, 28 acres of land during the 2001 Irrigation year.
- d. Has the water right sought to be transferred been used this year? Yes If yes, explain Partially used On land not dried up within existing PPL.
- e. Absent the changes, how would the right be used for the remainder of the year? Irrigation of crop land. No expansion of diversion rate, or acres allowed.
- f. Describe other water rights used for the same purpose.
Surface water rights currently cut by watermaster.
- g. Remarks: See attached letter.

I hereby assume all risk in accordance with Section 43-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentation made in this application may result in voiding its approval.

St Eccles
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by AD Date 8/14/01 Fee \$50.00
 Receipted 5024249 AD Recommend: ☒ approve ☐ deny
 Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-37-14

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

See attached Order Dated 8/14/01

Witness my hand this 19th day of August, 2001.

For the Director

MICROFILMED

Proposed Temporary Transfer Flying Hat Ranch - 2001

Land not irrigated by Flying Hat
Ranch in 2001 irrigation season.
Approx acreage = 48 ac

Flying Hat
Ranch PPU

Land to be irrigated with
groundwater from temporary
transfer. Area = 28 ac (approx)

PD - Well

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

AMENDED

TRANSFER NO. 5749
WATER RIGHT NO(S). 37-02713/37-07356

This is to certify that: **FLYING HAT RANCH**
SPENCER F ECCLES
PO BOX 30006
SALT LAKE CITY UT 84125

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-02713 :			
IRRIGATION	05/01 to 09/01	10.00 CFS	2086.0 AF
Priority: 08/18/1965			
Right No. 37-07356 :			
IRRIGATION	05/01 to 09/01	2.68 CFS	1057.8 AF
Priority: 04/28/1974			
TOTAL:		* 12.68 CFS	2086.0 AF *

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 15, Township 02N, Range 18E
NESW , Sec. 23, Township 02N, Range 18E
SWSR , Sec. 23, Township 02N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N 18E 15	SWSE 16			16
22	NENE 23	NWNE 40	SENE 39	
	NESE 35			137
23	NWNW 2	SWNW 29	NESW 17	
	NWSW 40	SWSW 40	SESW 38	
	SWSE 12	SESE 9		187
25	NWNW 20	SWNW 39	SENE 4	
	NESW 22	NWSW 28	SWSW 4	
	SESW 15			132
26	NENE 39	NWNE 36	SWNE 40	
	SENE 32	NENW 40	NWNW 25	
	SENE 30			242

Total number of acres irrigated: 714 **

MICROFILMED

NOV 0 8 2000

TRANSFER NO. 5749
WATER RIGHT NO(S). 37-02713/37-07356

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The well previously used under Rights 37-02713 and 37-07356 shall be abandoned in a manner which complies with Department well abandonment rules.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 7. The total instantaneous diversion of water from all points of diversion under Transfer 5749 shall not exceed 12.68 cfs, nor a total combined annual volume of 2086.0 af.
- * 8. Rights 37-02713 and 37-07356 when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for sprinkler irrigation of the land described above. When water is applied through a sprinkler irrigation system, the portion of Rights 37-02713 and 37-07356 used for conveyance losses is 0.76 cfs.
- ** 9. Rights 37-02713 and 37-07356 shall not exceed irrigation of 596.0 acres within the place of use described above in a single irrigation season.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 9/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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NOV 08 2000

TRANSFER NO. 5749
WATER RIGHT NO(S). 37-02713/37-07356

CONDITIONS OF APPROVAL AND REMARKS

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 17th day of August, 2000.


Chief, Water Allocation Bureau

MICROFILMED

NOV 08 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5749
WATER RIGHT NO(S). 37-02713/37-07356

This is to certify that: **FLYING HAT RANCH**
SPENCER F ECCLES
PO BOX 30006
SALT LAKE CITY UT 84125

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-02713 :			
IRRIGATION	05/01 to 09/01	10.00 CFS	2086.0 AF
Priority: 08/18/1965			
Right No. 37-07356 :			
IRRIGATION	05/15 to 10/31	2.68 CFS	1057.8 AF
Priority: 04/28/1974			
	TOTAL:	* 12.68 CFS	2086.0 AF *

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 15, Township 02N, Range 18E
NESW , Sec. 23, Township 02N, Range 18E
SWSE , Sec. 23, Township 02N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	18E	15	SWSE 16			16
		22	NENE 23	NWNE 40	SENE 39	
			NESE 35			137
		23	NWNW 2	SWNW 29	NESW 17	
			NWSW 40	SWSW 40	SESW 38	
			SWSE 12	SESE 9		187
		25	NWNW 20	SWNW 39	SENE 4	
			NESW 22	NWSW 28	SWSW 4	
			SESW 15			132
		26	NENE 39	NWNE 36	SWNE 40	
			SENE 32	NENW 40	NWNW 25	
			SENE 30			242
Total number of acres irrigated:						714 **

MICROFILMED

NOV 08 2000

TRANSFER NO. 5749
WATER RIGHT NO(S). 37-02713/37-07356

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The well previously used under Rights 37-02713 and 37-07356 shall be abandoned in a manner which complies with Department well abandonment rules.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 7. The total instantaneous diversion of water from all points of diversion under Transfer 5749 shall not exceed 12.68 cfs, nor a total combined annual volume of 2086.0 af.
- * 8. The portion of Rights 37-02713 and 37-07356 used for conveyance losses in an open ditch system is 0.76 cfs.
- ** 9. Rights 37-02713 and 37-07356 shall not exceed irrigation of 596.0 acres within the place of use described above in a single irrigation season.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 9/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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NOV 08 2000

TRANSFER NO. 5749
WATER RIGHT NO(S) . 37-02713/37-07356

CONDITIONS OF APPROVAL AND REMARKS

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 27th day of July, 2000.


Chief, Water Allocation Bureau

MICROFILMED

NOV 08 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

5749

RECEIVED

JUL 18 2000

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

MAY 18 2000

Department of Water Resources

Department of Water Resources
Southern RegionName of applicant Spencer F. Eccles - Flying Hat Ranch Phone 801-350-5329
Post Office address P.O. Box 30006 Salt Lake City, Utah 84125

A. PURPOSE OF TRANSFER

y 5-30-00

1. ☒ Change point of diversion ☒ Add diversion point ☒ Change place of use
☐ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Land sale of 40 acres to Friedman Memorial Airport
requires relocation of the Flying Hat Ranch Well #2. Create PPU for ranch as
described in transfer application.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE * Changed to standard per

- | Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use | Jeff Ann |
|-----------------|-------------------|-----------------------|-------------------|------------------------------|----------------|
| <u>37-02713</u> | <u>08/18/1965</u> | <u>10.00 cfs</u> | <u>Irrigation</u> | <u>04/01</u> to <u>10-31</u> | <u>5-30-00</u> |
| <u>37-07356</u> | <u>04/28/1974</u> | <u>2.68 cfs</u> | <u>Irrigation</u> | <u>04/01</u> to <u>11/01</u> | <u>"</u> |
| | | | | to | |
| | | | | to | |
2. Total amount of water being transferred 12.68 cubic feet per second and/or 2,384 acre-feet per annum.
3. Source of water Groundwater tributary to N/A
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	SW	23	2N	18E	Blaine	Proposed New Well
		SW	SE	15	2N	18E	Blaine	Proposed New Well
		SW	SE	23	2N	18E	Blaine	Flying Hat Ranch - Well #1

5. Lands irrigated or place of use: Permissible Place of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	15															16		16
2N	18E	22	23	40		39									35				137
2N	18E	23						2	29		17	40	40	38			12	9	187
2N	18E	25						20	39	4	22	28	4	15					132
2N	18E	26	39	36	40	32	40	25		30									242

TS749

PART 1

6. General Information:

- a. Description of diversion system Deep wells discharging to irrigation storage ponds. Pressure irrigation booster stations from irrigation storage ponds to distribution system. Distribution system includes pivot, wheel, and hand line irrigation systems.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
None - Irrigation practices within the ranch will not change with creation of PPU.
- d. Remarks:
Transfer reflects point of diversion change for the proposed new wells. Transfer reflects new PPU for ranch.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

MICROFILMED
NOV 9 8 2000

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 37-02713

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	05/01 to 09/01	10.00 CFS	1980.0 AF

SOURCE

GROUNDWATER

Priority: 08/18/1965

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 15, Township 02N, Range 18E
 SWSE , Sec. 23, Township 02N, Range 18E
 BLAINE County

PLACE OF USE:

IRRIGATION

		NE				NW				SW				SE									
		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
02N	18E 15 :					:					:					:				17	06	:	23.0
02N	18E 22 :	33		40		:					:					:	37					:	150.0
02N	18E 23 :					:		02	22		:	11	40	37	33	:				07	06	:	158.0
02N	18E 25 :					:		40	40		:					:						:	80.0
02N	18E 26 :	38	33	39	18	:	39	40		40	:					:						:	247.0
																					TOTAL ACRES		658.0

CONDITIONS/REMARKS:

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

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? ____ If yes, describe:

MICROFILMED

NOV 9 8 2005

Page ____ of ____

TRANS NO.

T#5749

Water Right No. 37-02713

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

☐ Tax Notice

☐ Warranty Deed

☐ Other

MICROFILMED

NOV 08 2000

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-02713 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax notice ☒ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to N/A

4. Date of priority 08/18/1965

5. Water is used for the following purpose:

Amount 10.00 cfs for Irrigation purposes from 05/01 to 9/01
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 10.000 cubic feet per second and/or 1980.0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SE	SE	15	2N	18E	Blaine	Flying Hat Ranch - Well #2
		SW	SE	23	2N	18E	Blaine	Flying Hat Ranch - Well #1

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	15															17	06	23
2N	18E	22	33	40		40									37				150
2N	18E	23						02	22		11	40	37	33			07	06	158
2N	18E	25						40	40										80
2N	18E	26	38	33	39	18	39	40		40									247

Total acres 658

9. Describe any other water rights used for the same purpose as described above 37-07356, A37-00483D
37-30001, 37-30002, A37-00917, A37-00482J, A37-00481D

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

MICRO
NOV 28 2000

Total acres _____

PART 2

TRANS NO.

T#5749

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 37-07356

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	05/01 to 09/01	2.68 CFS	653.0 AF

SOURCE

GROUNDWATER

Priority: 04/28/1974

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 15, Township 02N, Range 18E
 SWSE , Sec. 23, Township 02N, Range 18E
 BLAINE County

PLACE OF USE:

IRRIGATION

		NE				NW				SW				SE					
		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE		
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
02N	18E 15	:				:				:				:		17	06	: 23.0	
02N	18E 22	:	33	40		40	:			:				:	37			: 150.0	
02N	18E 23	:						02	22	:	11	40	37	33	:		07	06	: 158.0
02N	18E 25	:						40	40	:					:				: 80.0
02N	18E 26	:	38	33	39	18	:	39	40		40	:			:				: 247.0
																	TOTAL ACRES	658.0	

CONDITIONS/REMARKS:

1. SHALL NOT EXCEED 3.0 AFC.

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

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

MICROFILM
 400 3 6 1980

Page ____ of ____

TRANS NO. T# 5749

Water Right No. 37-07356

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

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

RECORDED
NOV 16 2000

Page 5 of 10

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-07356 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax notice☒ Warranty Deed☐ Other _____

3. Source of water Groundwater tributary to N/A

4. Date of priority 04/28/1974

5. Water is used for the following purpose:

Amount 2.68 cfs for Irrigation purposes from 05/01 to 9/01
 (cfs/ac-ft) _____
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

6. Total amount of water under right 2.680 cubic feet per second and/or 653.0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SE	SE	15	2N	18E	Blaine	Flying Hat Ranch - Well #2
		SW	SE	23	2N	18E	Blaine	Flying Hat Ranch - Well #1

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	15															17	06	23.0
2N	18E	22	33	40		40									37				150.0
2N	18E	23						02	22		11	40	37	33			07	06	158.0
2N	18E	25						40	40										80.0
2N	18E	26	38	33	39	18	39	40		40									247.0

Total acres 658.0

9. Describe any other water rights used for the same purpose as described above 37-02713, A37-00483D
37-30002, 37-30001, A37-00917, A37-00482J, A37-00481D

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

No _____

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

A. Draw a map or attach a

USGS map indicating the new

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

See attached maps of PPU & POU.

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

MICHAEL

NOV 9 1990

FLYING HAT RANCH

PERMISSIBLE PLACE OF USE MAP

40 - Acre parcel sold to the Airport in 1999

Total Acres in PPU = 714 acres
Sections 15, 22, 23, 25, 26
Township 2 North, Range 18 East

BROCKWAY ENGINEERING, PLLC
APRIL 17, 2000

FLYING HAT RANCH

PERMISSIBLE PLACE OF USE MAP

Mile 84

PACIFIC

Friedman Memorial Airport

Well

Heliport

PD Well

40 - Acre parcel sold to the Airport in 1999

Flying Hat Ranch

PD Well

Total Acres in PPU = 714 acres
Sections 15, 22, 23, 25, 26
Township 2 North, Range 18 East

BROCKWAY ENGINEERING, PLLC
APRIL 17, 2000

FLYING HAT RANCH

PERMISSIBLE PLACE OF USE MAP

Mile 84
Cove
Canal
Friedman Memorial Airport
Helipoint
PD Well
Br 5250T
BIG
Flying Hat Ranch
Wedge Creek Plant
Prospecta
Water
Sand
Brockford
Holloway

40 - Acre parcel sold to the Airport in 1999

Total Acres in PPU = 714 acres
Sections 15, 22, 23, 25, 26
Township 2 North, Range 18 East

BROCKWAY ENGINEERING, PLLC
APRIL 17, 2000

FLYING HAT RANCH

PERMISSIBLE PLACE OF USE MAP

Mile 84

PACIFIC

Friedman Memorial Airport

Helipoint

PD Well

40 - Acre parcel sold to the Airport in 1999

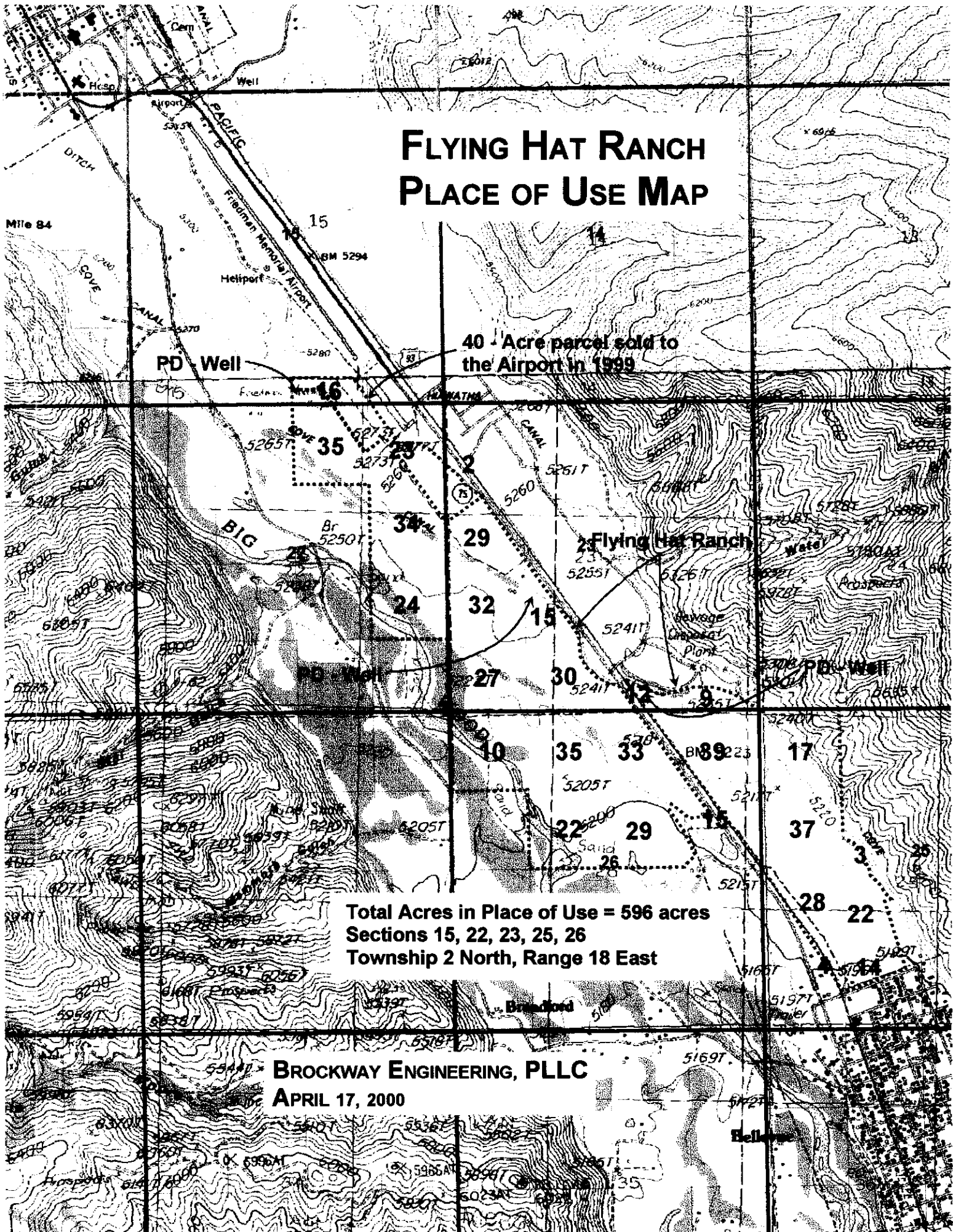
Flying Hat Ranch

PD Well

Total Acres in PPU = 714 acres
Sections 15, 22, 23, 25, 26
Township 2 North, Range 18 East

BROCKWAY ENGINEERING, PLLC
APRIL 17, 2000

FLYING HAT RANCH PLACE OF USE MAP



Total Acres in Place of Use = 596 acres
Sections 15, 22, 23, 25, 26
Township 2 North, Range 18 East

BROCKWAY ENGINEERING, PLLC
APRIL 17, 2000

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

1. New Nature of Use Amount Hours/days/year Period of Use
 (cfs/ac-ft)
- _____ to _____
 _____ to _____
2. Quantity and quality of return flows and location of discharge:
N/A
3. Describe the effects on other water uses resulting from the proposed change:
None

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

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

Subscribed and sworn to before me this 15th day of May, 19 2000



NOTARY PUBLIC
 EILEEN M. HANSEN
 79 So. Main 10th Fl.
 S.L.C., UT 84111
 COMMISSION EXPIRES
 JULY 7, 2001
 STATE OF UTAH

My commission expires _____

Spencer F. Eccles
 (Signature of Applicant)

Eileen M. Hansen
 (Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 5 attachments

Received by JF Linton Date 5-18-00

Protest filed by None

Prelim. check by gs Fee \$100, 5023/10

Received by gs Date 5-18-00

Published in Wood River Journal

Copies of protest forwarded by _____

Pub. dates 6/7 + 6/14/00

Hearing held by _____ Date _____

Watermaster recommendation requested on 6/2/00

Recommended for ☒ Approval ☐ Denial

rec'd. 7/3/00

by AM

Copy of transfer sent to lien holder _____

MICROFILMED

NOV 08 2000

QUITCLAIM DEED

FOR VALUE RECEIVED

WILSON B. GREATON, JR., Personal Representative of the Estate of Edward A. Gage, deceased

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

SPENCER F. ECCLES, a married man as his sole and separate property

whose address is: P. O. Box 2980, Halley, Idaho 83333

the following described premises situated in Blaine County, Idaho, to wit:

See attached Exhibit "A"

BLAINE CO. REQUEST

OF MINOR INTEREST

1994 FEB 15 A 9:45

362356

together with their appurtenances.

Dated: January 12, 1994

Wilson B. Gration, Jr.

Wilson B. Gration, Jr., Personal Representative of the estate of Edward A. Gage, deceased

STATE OF FLORIDA

COUNTY OF Broward } ss.

On Feb 1 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Wilson B. Gration, Jr., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Edward A. Gage, deceased, and acknowledged to me that he subscribed his own name as Personal Representative.

WITNESS my hand and official seal.

Sandra A. Shannan

Notary Public

Residing at: 4601 E. Oakland Park Blvd. Ft. Lauderdale, FL 33304

Commission Expires: 12/31/95

T#5749

PROPERTY DESCRIPTION OF FLYING HAT RANCH

A PARCEL OF LAND LYING WITHIN SECTIONS 15, 22, 23, 25 AND 26, TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a Koonce 1969 brass cap marking the southwest corner of Section 23 which is the TRUE POINT OF BEGINNING; thence
N. 00° 41' 22" E., 1319.28 feet along the west boundary of said Section 23 to a 5/8" rebar marking the northeast corner of the SE1/4 SE1/4 of Section 22; thence
S. 89° 57' 28" W., 1316.19 feet along the north boundary of the SE1/4 SE1/4 of Section 22 to a Koonce 1984 5/8" rebar marking the northwest corner of the SE1/4 SE1/4 of Section 22; thence
N. 00° 26' 07" E., 2639.93 feet along the west boundary of the NE1/4 SE1/4 and SW1/4 NE1/4, Section 22 to a Koonce 1984 1 1/2" aluminum cap marking the southeast corner of the NW1/4 NE1/4 of Section 22; thence
N. 89° 58' 17" W., 1327.62 feet along the south boundary of the NW1/4 NE1/4 of Section 22 to a Koonce 1984 5/8" rebar marking the southwest corner of the said NW1/4 NE1/4 of Section 22; thence
N. 00° 11' 09" E., 1323.64 feet along the north-south center one-quarter section line of Section 22 to a Koonce 1984 1 1/2" aluminum cap marking the north 1/4 corner of Section 22; thence
N. 00° 20' 16" E., 562.95 feet along the north-south center one-quarter section line of Section 15 to 5/8" rebar; thence

the following 10 courses and distances along the southerly boundary of the Friedman Memorial Airport to 5/8" rebars;

N. 89° 29' 53" E., 923.59 feet; thence
S. 35° 01' 00" E., 1690.03 feet; thence
N. 54° 59' 01" E., 314.99 feet; thence
S. 35° 01' 00" E., 176.50 feet; thence
S. 56° 24' 01" E., 170.50 feet; thence
S. 52° 59' 01" E., 261.37 feet; thence
S. 35° 38' 01" E., 124.74 feet; thence
S. 40° 50' 01" E., 148.15 feet; thence
S. 48° 56' 01" E., 110.76 feet; thence
S. 67° 38' 01" E., 182.45 feet to the southwest boundary of Idaho State Highway No. 75; thence

the following 12 courses and distances along the southwesterly boundary of either I.T.D. property or State Highway No. 75 to 5/8" rebars;

S. 35° 00' 36" E., 3274.59 feet; thence
S. 35° 01' 38" E., 71.05 feet; thence
S. 08° 04' 16" E., 66.29 feet; thence
S. 05° 47' 18" E., 137.07 feet; thence
S. 09° 20' 18" E., 156.58 feet; thence
S. 19° 14' 19" E., 43.58 feet; thence
S. 38° 04' 18" E., 115.13 feet; thence
S. 45° 59' 10" E., 70.05 feet; thence
S. 47° 19' 24" E., 81.50 feet; thence
S. 58° 01' 18" E., 291.00 feet; thence
N. 65° 43' 47" E., 26.74 feet; thence
S. 35° 01' 38" E., 2528.67 feet to the northwest corner of the Kohler Lateral Ditch Users Association property; thence

CONTINUED

RECORDED
1984 JUL 10

FLYING HAT RANCH PROPERTY DESCRIPTION
PAGE 2

the following 7 courses and distances along the northerly and westerly boundary of the Kohler Lateral Ditch Users Association property to 5/8" rebars;

N. 86° 08' 58" W., 403.11 feet; thence
S. 47° 24' 34" W., 183.34 feet; thence
S. 41° 43' 01" E., 389.33 feet; thence
S. 28° 52' 57" E., 303.15 feet; thence
S. 38° 17' 10" E., 116.98 feet; thence
S. 60° 31' 53" E., 113.65 feet; thence
S. 28° 51' 02" W., 341.94 feet to a 5/8" rebar on the east-west one-quarter section line of said Section 26; thence
N. 89° 44' 58" W., 1493.58 feet along said east-west one-quarter section line of Section 26 to a J. U. B. 1972 5/8" rebar marking the center 1/4 corner of said Section 26; thence
N. 89° 43' 37" W., 1320.35 feet along said east-west one-quarter section line of Section 26 to a Porter 5/8" rebar marking the southeast corner of the SW1/4 NW1/4 of Section 26; thence
N. 00° 03' 36" W., 1328.69 feet along the west boundary of the SE1/4 NW1/4 of Section 26 to a Porter 5/8" rebar marking the southeast corner of the NW1/4 NW1/4 of Section 26; thence
N. 89° 38' 03" W., 1321.70 feet along the south boundary of said NW1/4 NW1/4 of Section 26 to a Porter 5/8" rebar marking the north 1/6 corner common to Sections 26 & 27; thence
N. 00° 06' 21" W., 1332.19 feet along the westerly section line of Section 26 to a Koonce 1969 brass cap marking the southwest corner of Section 23 which is the TRUE POINT OF BEGINNING. (containing 509.15 acres more or less)

ALSO COMMENCING at a Koonce 1969 brass cap marking the northeast corner of said Section 26 which is the TRUE POINT OF BEGINNING; thence
S. 88° 46' 10" E., 1324.37 feet along the north boundary of Section 25 to a 1991 Butler 2" aluminum cap marking the northeast corner of the NW1/4 NW1/4 of said Section 25; thence
S. 00° 03' 09" E., 1318.32 feet along the east boundary of said NW1/4 NW1/4 of Section 25 to a Butler 1991 2" aluminum cap marking the southeast corner of said NW1/4 NW1/4 of Section 25; thence
S. 00° 03' 42" E., 1318.47 feet along the east boundary of the SW1/4 NW1/4 of Section 25 to a 5/8" rebar and aluminum cap marking the southeast corner of the SW1/4 NW1/4 of Section 25; thence
N. 89° 01' 39" W., 1320.62 feet along the east-west center one-quarter section line of said Section 25 to a Butler 1991 2" aluminum cap marking the 1/4 corner common to Sections 25 & 26; thence
N. 89° 44' 58" W., 26.07 feet to a 5/8" rebar on the easterly side of the adversely possessed Union Pacific Railroad Right-of-Way now owned by the Idaho Transportation Department; thence
N. 35° 00' 38" W., 3982.09 feet along the fence accepted as the old easterly boundary of the U.P.R.R. right-of-way (by adverse possession) to a 5/8" rebar; thence

the following nine (9) courses and distances along the southerly boundary of the City of Hailey;

S. 66° 29' 09" E., 202.97 feet; thence
S. 65° 09' 54" E., 602.93 feet; thence
N. 72° 58' 58" E., 115.31 feet; thence
N. 76° 25' 47" E., 193.13 feet; thence
N. 82° 25' 15" E., 278.87 feet; thence
S. 70° 49' 57" E., 445.61 feet; thence
S. 49° 55' 20" E., 235.18 feet; thence
S. 49° 55' 20" E., 250.31 feet; thence
S. 89° 31' 09" E., 188.07 feet to a brass cap which is the TRUE POINT OF BEGINNING. (containing 151.82 acres more or less)

QUITCLAIM DEED

FOR VALUE RECEIVED

WILSON B. GREATON, JR., Personal Representative of the Estate of Anne A. Gage, deceased

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

SPENCER F. ECCLES, a married man as his sole and separate property

whose address is: P. O. Box 2980, Halley, Idaho 83333

the following described premises situated in Blaine County, Idaho, to wit:

See attached Exhibit "A"

CLAIMED REQUEST

OF WILSON B. GREATON, JR.

1991 FEB 17 A 946

362357

Deed

together with their appurtenances.

Dated: January 12, 1994

Wilson B. Greaton, Jr.

Wilson B. Greaton, Jr., Personal Representative of the estate of Anne A. Gage, deceased

STATE OF Florida
COUNTY OF Broward } ss.

On Feb 1 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Wilson B. Greaton, Jr., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Anne A. Gage, deceased, and acknowledged to me that he subscribed his own name as Personal Representative.

WITNESS my hand and official seal.

Barbara A. Williams

Notary Public

Residing at: 2601 E. Oakland Park Blvd. Ft. Lauderdale, FL 33301

Commission Expires: 12/31/95

Expiration of

T#5749

PROPERTY DESCRIPTION OF FLYING HAT RANCH

A PARCEL OF LAND LYING WITHIN SECTIONS 15, 22, 23, 25 AND 26, TOWNSHIP 2 NORTH, RANGE 16 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a Koonce 1969 brass cap marking the southwest corner of Section 23 which is the TRUE POINT OF BEGINNING; thence
N. 00° 41' 22" E., 1319.28 feet along the west boundary of said Section 23 to a 5/8" rebar marking the northeast corner of the SE1/4 SE1/4 of Section 22; thence
S. 89° 57' 28" W., 1316.19 feet along the north boundary of the SE1/4 SE1/4 of Section 22 to a Koonce 1984 5/8" rebar marking the northwest corner of the SE1/4 SE1/4 of Section 22; thence
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the following 10 courses and distances along the southerly boundary of the Friedman Memorial Airport to 5/8" rebars;

N. 89° 29' 53" E., 923.59 feet; thence
S. 35° 01' 00" E., 1690.03 feet; thence
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S. 40° 50' 01" E., 148.15 feet; thence
S. 48° 56' 01" E., 110.76 feet; thence
S. 67° 38' 01" E., 182.45 feet to the southwest boundary of Idaho State Highway No. 75; thence

the following 12 courses and distances along the southwesterly boundary of either I.T.D. property or State Highway No. 75 to 5/8" rebars;

S. 35° 00' 36" E., 3274.59 feet; thence
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S. 08° 04' 16" E., 66.29 feet; thence
S. 05° 47' 18" E., 137.07 feet; thence
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FLYING HAT RANCH PROPERTY DESCRIPTION
PAGE 2

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MCRC
201 1 6 2000

QUITCLAIM DEED

FOR VALUE RECEIVED

PATRICK J. GAGE, Personal Representative of the Estate of Edward A. Gage, deceased

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

SPENCER F. ECCLES, a married man as his sole and separate property

whose address is: P. O. Box 2980, Hailey, Idaho 83333

the following described premises situated in Blaine County, Idaho, to wit:

See attached Exhibit "A"

together with their appurtenances.

Dated: January 12, 1994

CLAIMED ON REQUEST

RE: HAILEY Blaine County

1994 FEB 15 A 9:07

Patrick J. Gage
Patrick J. Gage, Personal Representative of the estate of Edward A. Gage, deceased 362358

STATE OF

ss.

COUNTY OF

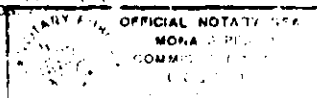
On 1-12-94, before me, the undersigned, a Notary Public in and for said State, personally appeared Patrick J. Gage, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Edward A. Gage, deceased, and acknowledged to me that he subscribed his own name as Personal Representative.

WITNESS my hand and official seal.

Notary Public

Residing at:

Commission Expires:



5748

PROPERTY DESCRIPTION OF FLYING HAT RANCH

A PARCEL OF LAND LYING WITHIN SECTIONS 15, 22, 23, 25 AND 26, TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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FLYING HAT RANCH PROPERTY DESCRIPTION
PAGE 2

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QUITCLAIM DEED

FOR VALUE RECEIVED

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Dated: January 12, 1994

BLAINE CO. REQUEST

OF 11/13/94 (Circumferential)

1994 FEB 15 A 9:48

362359

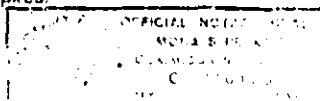
Patrick J. Gage, Personal Representative of the estate of Anne A. Gage, deceased

STATE OF)
COUNTY OF) ss.

On 12/11/94, before me, the undersigned, a Notary Public in and for said State, personally appeared Patrick J. Gage, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Anne A. Gage, deceased, and acknowledged to me that he subscribed his own name as Personal Representative.

WITNESS my hand and official seal.

Notary Public
Residing at:
Commission Expires:



T#5748

PROPERTY DESCRIPTION OF FLYING HAT RANCH

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S. 09° 20' 18" E., 156.58 feet; thence

S. 19° 14' 19" E., 43.58 feet; thence

S. 38° 04' 18" E., 115.13 feet; thence

S. 45° 59' 10" E., 70.05 feet; thence

S. 47° 19' 24" E., 81.50 feet; thence

S. 58° 01' 18" E., 291.00 feet; thence

N. 65° 43' 47" E., 26.74 feet; thence

S. 35° 01' 38" E., 2528.67 feet to the northwest corner of the Kohler Lateral Ditch Users Association property; thence

CONTINUED

RECORDED
1984 10 10

FLYING HAT RANCH PROPERTY DESCRIPTION
PAGE 2

the following 7 courses and distances along the northerly and westerly boundary of the Kohler Lateral Ditch Users Association property to 5/8" rebar;

N. 86° 08' 58" W., 403.11 feet; thence
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S. 41° 43' 01" E., 389.33 feet; thence
S. 28° 52' 57" E., 303.15 feet; thence
S. 38° 17' 10" E., 116.98 feet; thence
S. 60° 31' 53" E., 113.63 feet; thence
S. 28° 51' 02" W., 341.94 feet to a 5/8" rebar on the east-west one-quarter section line of said Section 26; thence
N. 89° 44' 58" W., 1493.56 feet along said east-west one-quarter section line of Section 26 to a J. U. B. 1972 5/8" rebar marking the center 1/4 corner of said Section 26; thence
N. 89° 43' 37" W., 1320.35 feet along said east-west one-quarter section line of Section 26 to a Porter 5/8" rebar marking the southeast corner of the SW1/4 NW1/4 of Section 26; thence
N. 00° 03' 36" W., 1328.69 feet along the west boundary of the SE1/4 NW1/4 of Section 26 to a Porter 5/8" rebar marking the southeast corner of the NW1/4 NW1/4 of Section 26; thence
N. 89° 38' 03" W., 1321.70 feet along the south boundary of said NW1/4 NW1/4 of Section 26 to a Porter 5/8" rebar marking the north 1/6 corner common to Sections 26 & 27; thence
N. 00° 06' 21" W., 1332.19 feet along the westerly section line of Section 26 to a Koonce 1969 brass cap marking the southwest corner of Section 23 which is the TRUE POINT OF BEGINNING. (containing 509.15 acres more or less)

ALSO COMMENCING at a Koonce 1969 brass cap marking the northeast corner of said Section 26 which is the TRUE POINT OF BEGINNING; thence
S. 88° 46' 10" E., 1324.37 feet along the north boundary of Section 25 to a 1991 Butler 2" aluminum cap marking the northeast corner of the NW1/4 NW1/4 of said Section 25; thence
S. 00° 03' 09" E., 1318.32 feet along the east boundary of said NW1/4 NW1/4 of Section 25 to a Butler 1991 2" aluminum cap marking the southeast corner of said NW1/4 NW1/4 of Section 25; thence
S. 00° 03' 42" E., 1318.47 feet along the east boundary of the SW1/4 NW1/4 of Section 25 to a 5/8" rebar and aluminum cap marking the southeast corner of the SW1/4 NW1/4 of Section 25; thence
N. 89° 01' 39" W., 1320.62 feet along the east-west center one-quarter section line of said Section 25 to a Butler 1991 2" aluminum cap marking the 1/4 corner common to Sections 25 & 26; thence
N. 89° 44' 58" W., 26.07 feet to a 5/8" rebar on the easterly side of the adversely possessed Union Pacific Railroad Right-of-Way now owned by the Idaho Transportation Department; thence
N. 35° 00' 38" W., 3982.09 feet along the fence accepted as the old easterly boundary of the U.P.R.R. right-of-way (by adverse possession) to a 5/8" rebar; thence

the following nine (9) courses and distances along the southerly boundary of the City of Hailey;

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S. 65° 09' 54" E., 602.93 feet; thence
N. 72° 58' 58" E., 115.31 feet; thence
N. 76° 25' 47" E., 193.13 feet; thence
N. 82° 25' 15" E., 278.07 feet; thence
S. 78° 49' 57" E., 445.61 feet; thence
S. 49° 55' 20" E., 235.18 feet; thence
S. 49° 55' 20" E., 250.31 feet; thence
S. 89° 31' 03" E., 188.07 feet to a brass cap which is the TRUE POINT OF BEGINNING. (containing 151.82 acres more or less)

QUITCLAIM DEED

FOR VALUE RECEIVED

MICHAEL T. GAGE, Personal Representative of the Estate of Edward A. Gage, deceased

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

SPENCER F. ECCLES, a married man as his sole and separate property

whose address is: P. O. Box 2980, Halley, Idaho 83333

the following described premises situated in Blaine County, Idaho, to wit:

See attached Exhibit "A"

together with their appurtenances.

Dated: January 12, 1994

WITNESS MY REQUEST

OF MYSELF

FOR THE ESTATE OF

Michael T. Gage, Personal Representative of the estate of Edward A. Gage, deceased

62360

STATE OF Florida
COUNTY OF Broward ss.

On Feb 7 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Michael T. Gage, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Edward A. Gage, deceased, and acknowledged to me that he subscribed his own name as Personal Representative

WITNESS my hand and official seal.

Barbara C. Haggard
Notary Public

Residing at: 2401 E. Oakland Park Blvd. Ft. Lauderdale, Fla.
Commission Expires: 12/31/95

T#5749

PROPERTY DESCRIPTION OF FLYING HAT RANCH

A PARCEL OF LAND LYING WITHIN SECTIONS 15, 22, 23, 25 AND 26, TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a Koonce 1969 brass cap marking the southwest corner of Section 23 which is the TRUE POINT OF BEGINNING; thence
N. 00° 41' 22" E., 1319.28 feet along the west boundary of said Section 23 to a 5/8" rebar marking the northeast corner of the SE1/4 SE1/4 of Section 22; thence
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N. 00° 26' 07" E., 2639.93 feet along the west boundary of the NE1/4 SE1/4 and SW1/4 NE1/4, Section 22 to a Koonce 1984 1 1/2" aluminum cap marking the southeast corner of the NW1/4 NE1/4 of Section 22; thence
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N. 00° 20' 16" E., 562.95 feet along the north-south center one-quarter section line of Section 15 to 5/8" rebar; thence

the following 10 courses and distances along the southerly boundary of the Friedman Memorial Airport to 5/8" rebars:

N. 89° 29' 53" E., 923.59 feet; thence
S. 35° 01' 00" E., 1690.03 feet; thence
N. 54° 59' 01" E., 314.99 feet; thence
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S. 35° 38' 01" E., 124.74 feet; thence
S. 40° 50' 01" E., 148.15 feet; thence
S. 48° 56' 01" E., 110.76 feet; thence
S. 67° 38' 01" E., 182.45 feet to the southwest boundary of Idaho State Highway No. 75; thence

the following 12 courses and distances along the southwesterly boundary of either I.T.D. property or State Highway No. 75 to 5/8" rebars;

S. 35° 00' 36" E., 3274.59 feet; thence
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S. 08° 04' 16" E., 66.29 feet; thence
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ALONG RIVER
96' 2 8 000

FLYING HAT RANCH PROPERTY DESCRIPTION
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together with their appurtenances.

Dated: January 12, 1994

BLAINE CO. REQUEST

OF 11/12/93 (1/12/94)

1994 FEB 15 A 9 49

362361

Michael T. Gage, Personal Representative of the estate of Anne A. Gage, deceased

STATE OF FLORIDA

COUNTY OF Broward

On Feb 7 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Michael T. Gage, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Anne A. Gage, deceased, and acknowledged to me that he subscribed his own name as Personal Representative.

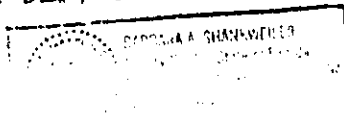
WITNESS my hand and official seal.

Barbara A. Shankweiler

Notary Public

Residing at: 2601 E. Oakland Park Blvd. Fort Lauderdale FL 33306

Commission Expires:



T#5749

PROPERTY DESCRIPTION OF FLYING HAT RANCH

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FLYING HAT RANCH PROPERTY DESCRIPTION
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RECORDED
NOV 18 2009

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FOR VALUE RECEIVED

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Dated: January 12, 1994

BLAINE CO. REQUEST

OF BLAINE CO. REQUEST

1994 FEB 15 A 9 49

362362

Edward A. Gage, Jr.
EDWARD A. GAGE, JR., Personal Representative of the estate of Edward A. Gage, deceased

STATE OF Mich
COUNTY OF Oakland

On Jan 31 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared EDWARD A. GAGE, JR., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Edward A. Gage, deceased, and acknowledged to me that he subscribed his own name as Personal Representative.

WITNESS my hand and official seal.

Luanne Smith
Notary Public LUANNE SMITH
Residing at: Notary Public, Oakland County, MI
Commission Expires: My Commission Expires Oct. 31, 1997

T#5749

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N. 89° 43' 37" W., 1320.35 feet along said east-west one-quarter section line of Section 26 to a Porter 5/8" rebar marking the southeast corner of the SW1/4 NW1/4 of Section 26; thence
N. 00° 03' 36" W., 1328.69 feet along the west boundary of the SE1/4 NW1/4 of Section 26 to a Porter 5/8" rebar marking the southeast corner of the NW1/4 NW1/4 of Section 26; thence
N. 89° 38' 03" W., 1321.70 feet along the south boundary of said NW1/4 NW1/4 of Section 26 to a Porter 5/8" rebar marking the north 1/6 corner common to Sections 26 & 27; thence
N. 00° 06' 21" W., 1332.19 feet along the westerly section line of Section 26 to a Koonce 1969 brass cap marking the southwest corner of Section 23 which is the TRUE POINT OF BEGINNING. (containing 509.15 acres more or less)

ALSO COMMENCING at a Koonce 1969 brass cap marking the northeast corner of said Section 26 which is the TRUE POINT OF BEGINNING; thence
S. 88° 46' 10" E., 1324.37 feet along the north boundary of Section 25 to a 1991 Butler 2" aluminum cap marking the northeast corner of the NW1/4 NW1/4 of said Section 25; thence
S. 00° 03' 09" E., 1318.32 feet along the east boundary of said NW1/4 NW1/4 of Section 25 to a Butler 1991 2" aluminum cap marking the southeast corner of said NW1/4 NW1/4 of Section 25; thence
S. 00° 03' 42" E., 1318.47 feet along the east boundary of the SW1/4 NW1/4 of Section 25 to a 5/8" rebar and aluminum cap marking the southeast corner of the SW1/4 NW1/4 of Section 25; thence
N. 89° 01' 39" W., 1320.62 feet along the east-west center one-quarter section line of said Section 25 to a Butler 1991 2" aluminum cap marking the 1/4 corner common to Sections 25 & 26; thence
N. 89° 44' 58" W., 26.07 feet to a 5/8" rebar on the easterly side of the adversely possessed Union Pacific Railroad Right-of-Way now owned by the Idaho Transportation Department; thence
N. 35° 00' 38" W., 3982.09 feet along the fence accepted as the old easterly boundary of the U.P.R.R. right-of-way (by adverse possession) to a 5/8" rebar; thence

the following nine (9) courses and distances along the southerly boundary of the City of Hailey;

S. 66° 29' 09" E., 202.97 feet; thence
S. 65° 09' 54" E., 602.93 feet; thence
N. 72° 58' 58" E., 115.31 feet; thence
N. 76° 25' 47" E., 193.13 feet; thence
N. 82° 25' 15" E., 278.87 feet; thence
S. 78° 49' 57" E., 445.61 feet; thence
S. 49° 55' 20" E., 235.18 feet; thence
S. 49° 55' 20" E., 250.31 feet; thence
S. 89° 31' 09" E., 188.07 feet to a brass cap which is the TRUE POINT OF BEGINNING. (containing 151.82 acres more or less)

WATER LICENSE

Water License No. 32491/37-2713 Priority August 18, 1965 Amount 10.0 c.f.s.

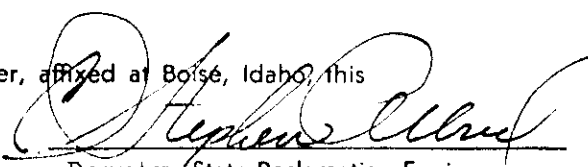
THIS IS TO CERTIFY, that Edward A. Gage
of Hailey, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated August 18, 1965; that Permit 32491/37-2713 was issued pursuant
to said application; that the proposed works were completed on or about October 24, 1968,
with a storage/or carrying capacity of 12.684 c.f.s., said works consisting of 2 wells,
pumps, motors; and that on October 30, 1968,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1,980
acre feet per season, with a maximum rate of diversion of 10.0 cubic feet per second of the waters
of subterranean, tributary of _____,
for the purpose of irrigation from May 1 to September 1;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 2N, R. 18E, B.M., and
other additional points SE~~1~~SE~~4~~, Sec. 15, T. 2N, R. 18E, B.M., in the County of
Blaine; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 1,980 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	18E	15															17	6	23
		22	33	40		40									37				150
		23						2	22		11	40	37	33			7	6	158
		25						40	40										80
		26	38	33	39	18	39	40		40									247

Total number of acres irrigated 658

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
30 day of October, 1969.

Deputy State Reclamation Engineer

32491
37-2713
plat
JWB

37-2713

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40645
Permit No. G- 32491
District No.

1. Name of Applicant: **Edward A. Gage dba/ The Gage Ranch**
Postoffice address: **Hailey** County: **Blaine** State: **Idaho**
2. Quantity of water claimed: **500 miner's inches or 10.0 CFS**
 - (a) Rate of withdrawal in cubic feet per second _____ or Idaho
Miners' inches _____ or gallons per minute
 - (b) Annual withdrawal in acre feet per annum _____
3. Source of water supply: **Subterranean**
4. Location of point of diversion or well is in the **Well #1 SW 1/4 SE 1/4 23**
Well #2/ SE 1/4 of the SE 1/4 of Section 15
Twp. **2 N** , Rge. **18 E** , B.M., County of **Blaine**
5. Water is to be used for: **Irrigation**
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the _____ 1/4 of the _____ 1/4 of Section _____ , Twp.
Rge. _____ , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the _____ 1/4 of the _____ 1/4 of Section _____ , Twp. _____ , Rge. _____ , B.M.
7. Kind of works: **Two deep wells, together with pumps**
8. Estimated cost of works: **\$The two 15,600.00**
9. (a) Is reservoir to be used? **No**
(b) Capacity of reservoir: _____
10. The time required for the completion of such work and complete application of the water to the proposed use is **five**
years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ _____ (c) Amount paid in: \$ _____
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$ _____
(b) Treasury stock: _____ (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
Cove Canal 485" #33
 - (a) **500** (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) _____ (cubic feet per second, inches or gallons per minute) is for new lands.

level of the land, are spaced 50-40 or 50 feet apart.
These ditches are private belong to the Gage Ranch alone and are contained on the Gage Ranch alone.
Remarks: These ditches are often changed, if the land is leveled, but are usually not plowed under when the land is plowed for rotation of crops.

Corrected application received:

12.

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	
2 N	18 E	23					1.9	22.05			10.86	39.9	36.7	33.13			7.35A	6.07A	157.96
		25					40	40											80.00
		26	38.7	32.7	39.6	18.4	38.6	40		40									248.00
		15															17.06A	6.24A	23.30
		22	33.15	40		40									36.6				149.75
																		659.01	

LICENSE ISSUED FOR 10.0 SEC. FT.

LICENSE PAG. NO. _____.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

RECEIVED
J. J. DREHER
Director

August 25, 2003

AUG 26 2003

Department of Water Resources

JASON C. HELMS, EIT
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

C. E. BROCKWAY P E
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

Re: Temporary Change Application No. TC-37-32

Dear Mr. Brockway:

The Temporary Change Application on behalf of the Flying Hat Ranch as referenced above has been GRANTED.

Please be advised that the enclosed ORDER AUTHORIZING TEMPORARY CHANGE contains special conditions of approval.

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

Sincerely,

Allen D. Merritt, P.E.
Southern Region Manager

Enclosure(s)

cc:
SPENCER F. ECCLES
FLYING HAT RANCH
PO BOX 30006
SALT LAKE CITY UT 84125

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

MICROFILMED

SEP 03 2003



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

August 21, 2003

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street – Suite 200
Twin Falls, ID 83301-3380

Re: Flying Hat Ranch – Temporary Change Application

Dear Allen:

Enclosed is an application for temporary change of a water right submitted on behalf of Spencer F. Eccles, owner of the Flying Hat Ranch.

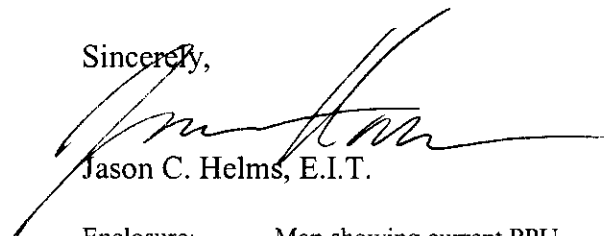
The application requests a transfer of 0.60 cfs of groundwater appurtenant to the Flying Hat Ranch PPU to a parcel of land known as the Mirams property which borders the southern boundary of the ranch. Irrigation under the right appurtenant to the "Mirams" property (37-0885B) has been curtailed due to drought conditions this season.

To prevent an expansion of water use under the two groundwater rights appurtenant to the Flying Hat Ranch PPU, a minimum of 28 acres will not be irrigated during the remainder of the 2003 irrigation season. The enclosed maps show the PPU acres and the location of the proposed transfer for the remaining 2003 season.

Warranty deeds and ownership information on the water rights as well as the Flying Hat Ranch are on file in your office from the previous temporary transfers. I have also included a limited power of attorney with this information which will allow us to act on behalf of Mr. Eccles for this temporary transfer.

Please review the enclosed application and process it at your earliest convenience. If you have any questions or concerns, please don't hesitate to contact me.

Sincerely,


Jason C. Helms, E.I.T.

Enclosure: Map showing current PPU
Temporary Change Application
Limited Power of Attorney

RECEIVED
No 8
AUG 22 2003

Department of Water Resources
Southern Region
RECEIVED

AUG 26 2003

Department of Water Resources

CHARLES E.
BROCKWAY,
Ph.D., P.E.

CHARLES G.
BROCKWAY,
Ph.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

MICROFILMED

SEP 03 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 18, 2002

CHARLES E. BROCKWAY P E
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

Re: Temporary Change Application Nos. TC-37-18, TC-37-19, & TC-37-20 (Flying Hat Ranch)

Dear Dr. Brockway:

The Temporary Change Applications filed on behalf of Flying Hat Ranch as referenced above have been **Granted**.

Please be advised that the enclosed ORDERS AUTHORIZING TEMPORARY CHANGE contains special conditions of approval.

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

Sincerely,

Allen D. Merritt, P.E.
Southern Region Manager

Enclosure(s)

cc:
Spencer F. Eccles
Lee Peterson, Watermaster

MICROFILMED

SEP 03 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 18, 2002

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

Re: Temporary Change Application Nos. TC-37-18, TC-37-19, TC-37-20 (Flying Hat Ranch)

Dear Mr. Peterson:

The Temporary Change Applications filed in the name of Flying Hat Ranch as referenced above have been granted.

Please find a copy of the ORDERS AUTHORIZING TEMPORARY CHANGE enclosed.

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

Sincerely,

Allen D. Merritt, P.E.
Southern Region Manager

Enclosure(s)

MICROFILMED

SEP 9 3 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 16, 2002

SPENCER F ECCLES
FLYING HAT RANCH
PO BOX 30006
SALT LAKE CITY UT 84125

RE: Transfer No.:69809-Water Rights 37-2713, 37-7356 - Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

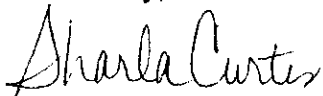
The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

for 
Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

MICROFILMED

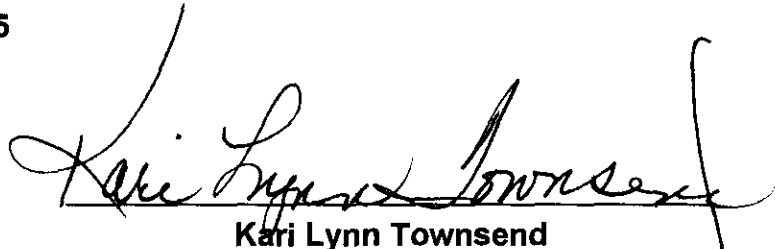
JUL 18 2002

CERTIFICATE OF SERVICE

I hereby certify that on July 16, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69809 - WATER RIGHTS 37-2713 & 37-7356

**SPENCER F ECCLES
FLYING HAT RANCH
PO BOX 30006
SALT LAKE CITY UT 84125**



**Kari Lynn Townsend
Secretary**

MICROFILMED

JUL 15 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

TRANSFER OF WATER RIGHT ANALYSIS

Reviewed by Sharla Curtis on 7/15/02

Trans # 61809 WR No(s) 37-2713 7356
Name: Flying Flat Ranch Resulting Splits N/A N/A
Correct Fee Pd ✓ Ad ok ✓

AREA OF CONCERN: No/Yes

ESPA Moratorium
Big Wood GWMA
TRUST/NON-TRUST

XFER TYPE: B - Change p/d
C - Add p/d
D - Change p/u
E - Change use

F - Change use period
G - Other
H - Change p/d & add p/d
I - Change p/d & p/u
J - Add p/d & change p/u

GROUNDWATER:

DRILLING PERMIT

All wells - 046

WMD - North/East/West

< 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 067

WMD

Supp irr (irr = only use) - 065-104

Supp irr (+ other uses) - 100-105

< 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M

SURFACE WATER:

WD - R64 (WD#)

≤ 0.20 cfs/others - R02, 01P or No MD

> 0.20 cfs - R43

WB, SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or 01Q

LOCATION:

Boise Front LowGeo - 058 (<85 GW)

Mitigation - 121

Trust - R55 (consumptive uses)

Non-Trust - 048 (cons uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-R02-01P-18B-NA

IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)

> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)

STOCKWATER - R37 (BLM/USFS)

MINING - 054-106

FISH PROP - 029(70'S only)-007-122-106

HEAT/COOL - R07(injection well)

FIRE PROT. - 077

USES:

POWER - 17H-17K (+uses)-025-106

MUNICIPAL

Restricted area - 022,075

Irr., GW supp to SW - 102

DOMESTIC

Surface water - WB5 (Big Wood or Boise above Star Bridge)

27A (Payette River)

> 1 in restricted area - 070-071-075(no parks/common areas, etc)

Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop

T08 - comply or rescind

T09 - on-going Snake River Basin Adjudication

T17 - measure all p/d's (used with WB4)

Protested - 020-W19

Multiple pd's per 1/4 - W32

Non-consumptive - 027

Water Quality - 106-R07

Subd lot desc (pd) - W59

Subd lot desc (pu) - W60

Use definitions - W02 ie - S/50 range

Single p/d intended - 076

Zoning ord. (dairys only) - 082

W51 - 2+ yrs to develop

W54 - forfeited ac/rate (used rarely)

W55 - (transfer shrinks total water to less ac)

W57 - no right-of-way

W58 - pending claim (statutory or AJ b/u claim)

W59 - measure p/d's (source changed to original trib)

W61 - extended irr season

WB4 - + p/ds, cfs & afa (used with T17)

WD5 - remaining right (only if specifically requested, i.e. protest)

WD6 - measure & report

WD7 - irr ac removed

WD8 - land application of waste water

T18 - Special T17 & R43 combined - multiple pds in WD

01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

W62 - replaces N05/08/09-14

W63 - replaces C12

T19 - replaces C18

(Before Director's Report, go back to T09)

IRRIGATION SEASON 4/15 - 10/31 (Per updated map)

IRRIGATION VOLUME/AC 3.5

OTHER CONDITIONS/REMARKS

COMMENTS

T files created/updated

Approval form printed

Transfer Memo

Post approval update

Conditions/remarks kept in line w/ previous xfer approval.
Ownership OK



RECEIVED

JUL 12 2002

Department of Water Resources

Fax Transmittal

(208) 736-8543

Fax (208) 736-8506

2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301

To: Sharla Curtis - IDWR	Fax Number: 208-327-7866
From: Jeff Rau - Brockway Engineering	# pages (incl. cover): 1
Cc:	Date: 7/12/02
Re: Transfer #69809 - Flying Hat Ranch - Spencer F. Eccles 37-2713/7356	

☐ Urgent☐ For Review☐ Please Comment☐ Please Reply

Comments:

As discussed on the phone today, Transfer #69809 was sent to the state office on June 4, 2002 for processing at the state level. The transfer adds a point of diversion for a groundwater well system and corrects the PPU to match a previous surface water transfer. As you are aware, the Big Wood River is dropping dramatically and it is likely that the surface water for the ranch will soon be cut and they will be required to utilize their supplemental groundwater wells. This transfer permits the newest well on the system which was drilled as a test well in 2001.

It is my understanding that the transfer is currently #126 in line for processing. On behalf of our client, we would like to request that this transfer be expedited to allow use of the well in the immediate future. Please review the possibility of an expedited processing of this transfer and contact me by Wednesday of next week to discuss.

Since the area (Blaine County) is under a drought declaration, we could utilize the temporary transfer process to add the POD for this season of use while the transfer is being processed. In the past, IDWR does not like to do this with a transfer pending approval. This is an option and we could submit one if you feel that this is a better course of action. Please let me know as soon as possible so we could prepare this request if necessary.

Thank you in advance for your time in reviewing this request. I understand how backlogged your office is right now in processing these documents and do not wish to make things more difficult. Thank you and have a great day.

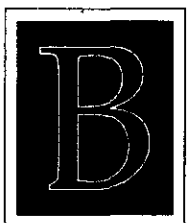
Jeff Rau

If all pages are not received, please call (208) 736-8543 or email tieldredge@mindspring.com

MICROFILMED

JUL 16 2002

TC-37-18



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JUL 19 2002

Department of Water Resources

RECEIVED

JUL 15 2002

Department of Water Resources
Southern Region

July 12, 2002

Mr. Allen Merritt
Idaho Department of Water Resources
Southern Regional Office
1341 Fillmore Street – Suite 200
Twin Falls, ID 83301-3380

Re: Flying Hat Ranch – Temporary Change Application

Dear Allen:

Enclosed is an application for temporary change of a water right submitted on behalf of Spencer F. Eccles, owner of the Flying Hat Ranch. The proposed change would allow for groundwater irrigation on 28 acres on a portion of land recently purchased by Mr. Eccles. The 28 acres is outside of the permissible place of use (PPU) established in August 2000.

The application requests a transfer of 0.60 cfs of groundwater appurtenant to the Flying Hat Ranch PPU to a parcel of land known as the Mirams property which borders the southern boundary of the ranch. Irrigation under the right appurtenant to the "Mirams" property (37-0885B) will likely be curtailed due to drought conditions this season.

The proposed temporary transfer would remove 28 acres of groundwater from the PPU and transfer it into the well and system on the Mirams property for the remainder of this irrigation season. To prevent an expansion of water use under the two groundwater rights appurtenant to the Flying Hat Ranch PPU, a minimum of 28 acres will not be irrigated during the 2002 irrigation season. The enclosed maps show the PPU acres and the actual irrigation during the 2002 season. These maps demonstrate that 38.9 fewer acres are being irrigated than are authorized (557.1 acres compared to 596 acres). The Mirams property is denoted on the maps.

I have included a copy of the deed of sale to Mr. Eccles which includes information on the water right. Warranty deeds and ownership information on the other water rights as well as the Flying Hat Ranch is on file in your office from the previous transfers. I have also included a limited power of attorney with this information which will allow us to act of behalf of Mr. Eccles on these rights.

Due to the drought conditions, this portion of land will need water quickly. Please review the enclosed application and process it at your earliest

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

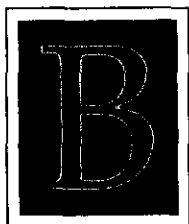
convenience. If you have any questions or concerns, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Chuck Brockway", written over the word "Sincerely,".

Charles G. Brockway, P.E.

Enclosure: Map showing current PPU
 Map showing actual irrigation
 Temporary Change Application
 Limited Power of Attorney
 Deed of Sale – Mirams Property to Eccles



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JUL 19 2002

Department of Water Resources

TC-37-19
2nd
TC-37-20

RECEIVED

JUL 15 2002

Department of Water Resources
Southern Region

July 12, 2002

Mr. Allen Merritt
Idaho Department of Water Resources
Southern Regional Office
1341 Fillmore Street - Suite 200
Twin Falls, ID 83301-3380

Re: Flying Hat Ranch to Sun Valley Trust
Temporary Change Application

Dear Allen:

Enclosed is an application for temporary change of a water right submitted on behalf of Spencer F. Eccles, owner of the Flying Hat Ranch. The proposed change would allow for surface water and supplemental groundwater irrigation near the confluence of the North Fork and Big Wood River.

The application requests a transfer of 0.10 cfs and 5.0 acres appurtenant to the Flying Hat Ranch PPU to land owned by Sun Valley Trust. Irrigation on the Sun Valley Trust property is currently allowed by rights 37-0833P and 37-8760. These are part of the Rockwell Bypass right, which has never been cut until last year, when it was cut on June 21. Lee Peterson has indicated that the Rockwell Bypass right will definitely be cut again this year. When this occurs, groundwater right 37-8760 will be curtailed and the Sun Valley Trust property will be without water.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

The proposed temporary transfer would remove 5.0 acres of surface water and groundwater from the Flying Hat PPU and transfer it to the Sun Valley Trust property for the remainder of this season. To prevent expansion of water use, a minimum of 5.0 acres will not be irrigated during the 2002 irrigation season. The enclosed maps show the PPU acres and the actual irrigation during the 2002 season. These maps demonstrate that 38.9 fewer acres are being irrigated than are authorized (557.1 acres compared to 596 acres).

As of today, surface rights with a priority later than October 15, 1884 have been cut. This still leaves five active surface rights on Flying Hat Ranch. Because these rights are stacked with the groundwater rights, both the active surface water rights and groundwater rights are being transferred.

I have included a copy of an agreement between Sun Valley Trust and Spencer F. Eccles which allows this transfer to occur. I have also included a limited power of attorney which will allow us to act of behalf of Mr. Eccles on this transfer.

Due to the drought conditions, the Sun Valley Trust land will need water very quickly. Please review the enclosed application and process it at your earliest convenience. If you have any questions or concerns, please don't hesitate to contact me.

Sincerely,


Charles G. Brockway, P.E.

Enclosure: Map showing current PPU
 Map showing actual irrigation
 Map showing proposed place of use for 2002 season
 Temporary Change Application
 Limited Power of Attorney
 Agreement for Temporary Transfer of Water Rights

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, Spencer F. Eccles, hereby nominate and appoint
Charles E. Brockway as my attorney-in-fact with full authority to
act for and on my behalf to undertake any and all acts or matters pertaining to water right
transactions before the Idaho Department of Water Resources, described as follows:

Temporary transfers of groundwater rights 37-2713 and 37-7356, and any stacked
surface water rights, for the 2002 season only.

in Blaine County, Idaho. Additionally, I hereby ratify and confirm any
and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said
instruments of writing that may be necessary or proper to carry into execution and effect the
applications, and transfers above-mentioned. Further, I hereby declare that each and every
application, transfer, agreement, receipt, or payment which shall be by my said agent given,
made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had
been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at
all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or
concerning the said premises by virtue of these present. This Limited Power of Attorney will
become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 3rd day of July, 2002

Spencer F. Eccles
Signature

Signature

State of Idaho)

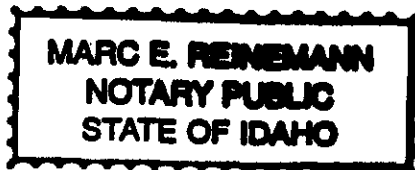
County of Blaine)

ss.

On this 3rd Day of JULY, 2002, before me, a Notary Public
in and for said County and State, personally appeared Spencer F. Eccles,
known or identified to me to be the individual whose name and subscription to the within
instrument, and acknowledged to me that he executed the same.

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

S
E
A
L



Marc E. Reinemann
Notary Public
In and for said State and County

OCTOBER 18 2004
My Commission Expires

RECEIVED

JUL 17 2002

Department of Water Resources
Southern Region

AGREEMENT FOR TEMPORARY TRANSFER OF WATER RIGHTS

This Agreement is made effective as of July 3, 2002 by and between Spencer F. Eccles (Grantor) and Sun Valley Trust (Grantee). The purpose of this Agreement is to allow a portion of irrigation water rights to be transferred from the Grantor's property to the Grantee's property on a temporary single-season basis.

1. Grantor agrees to allow 5.0 acres of groundwater rights 37-2713 and 37-7356, and any stacked surface rights, to be temporarily transferred from the permissible place of described by Transfer No. 68526, to the place of use and point of diversion described as SE1/4 NW1/4 Section 10, T. 4 N., R. 17 E as depicted on Exhibit A to this Agreement. Grantor will not irrigate said 5.0 acres from any source during the 2002 irrigation season.
2. The transfer shall be made on a temporary basis for the 2002 irrigation season only, ending on October 15, 2002. Such temporary transfer is facilitated by the declaration of a drought emergency for Blaine County by the Governor of the State of Idaho.
3. Grantee shall pay all fees and costs related to acquiring the temporary transfer from the Idaho Department of Water Resources. In addition, Grantee shall pay all fees and costs related to acquiring temporary transfers of 33.9 acres of water rights 37-2713 and 37-7356, and any stacked surface water rights, to Grantor's land known locally as the Mirams and Devine parcels.
4. If the temporary transfer is approved, Grantee shall remit to Grantor within 15 (fifteen) days the sum of \$2,000 (Two thousand dollars) in addition to the fees and costs described in paragraph 3; provided, however, that if IDWR places restrictions or conditions on the water right which limit the availability of water at Grantee's place of use for adequate irrigation of 5.0 acres of land, this amount shall be reduced by pro-rating on the basis of acreage that can be adequately irrigated.
5. This Agreement will terminate on October 15, 2002, and at such time all water rights that may have been transferred under this Agreement shall revert to their previous places of use.

Grantor:

Spencer F. Eccles

Spencer F. Eccles 7-2-02
Signature Date
Spencer F. Eccles
Name

OWNER - ECCLES' FLYING CAT
Title CANCEL

Grantee:

Sun Valley Trust, Lily Reeves, Trustee

Lily Reeves 7-11-02
Signature Date
LILY REEVES
Name

TRUSTEE
Title

RECEIVED

JUL 17 2002

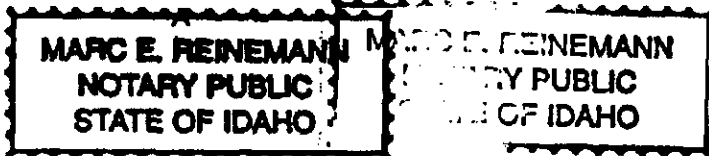
Department of Water Resources
Southern Region

State of IDAHO)
County of BLAINE) ss.

On this 3rd Day of JULY, 2002 before me, a Notary Public in and for said County and State, personally appeared STANLEY F. ECKLES, known or identified to me to be the individual whose name and subscription to the within instrument, and acknowledged to me that he executed the same.

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

S
E



Marc E. Reinemann
Notary Public
In and for said State and County

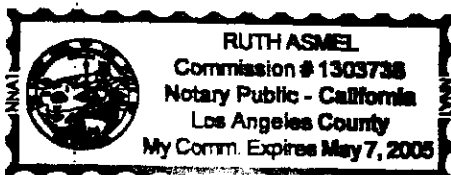
OCTOBER 16, 2004
My Commission Expires
RESIDING IN SUN JACKEY, ID

State of California)
County of Los Angeles) ss.

On this 11th Day of July, 2002 before me, a Notary Public in and for said County and State, personally appeared Tilly Reeves, known or identified to me to be the individual whose name and subscription to the within instrument, and acknowledged to me that he executed the same.

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

S
E
A
L



Ruth Asmel
Notary Public
In and for said State and County

5/7/05
My Commission Expires

MEMO

FROM: Allen Merritt *Am*
TO: Transfer File No. 69809
In the name of: Spencer Eccles – Flying Hat Ranch

DATE: June 4, 2002

RECEIVED

JUN - 5 2002

Water Right(s): 37-02713
37-07356

Department of Water Resources

SUBJECT: Review and Recommendation

This transfer proposes to add another well and reconfigure these ground water rights into a PPU which conforms to the same PPU as established for the surface rights under recent transfer 68526. The transfer also unifies the season of use to the current standard. These same rights were involved in T5749.

The transfer was processed without protest.

The following conditions were structured from previous transfers T5749 and T68526.

Recommendation

I recommend that this transfer be approved subject to the following conditions:

WATER RIGHT NO. 37-2713 and 37-7356

- ✓ 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- ✓ 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
- ✓ 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
- GEN This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of 596 acres within the place of use described above.
- GEN Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977 and 37-11978 when combined with supplemental ground water rights 37-2713 and 37-7356 shall not exceed the irrigation of 596.0 acres to be specifically identified by the right holder prior to each irrigation season within the place of use described above.
- GEN The total instantaneous diversion of water from all points of diversion under Transfer 69809 shall not exceed 12.68 cfs, nor a total combined annual volume of 2086.0 af.

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JUN 11 2002

Rights 37-02713 and 37-07356 shall not exceed irrigation of 596.0 acres within the place of use described above in a single irrigation season.

Rights 37-02713 and 37-07356 when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for sprinkler irrigation of the land described above.

When water is applied through a sprinkler irrigation system, the portion of Rights 37-02713 and 37-07356 used for conveyance losses is 0.76 cfs.

- ✓ T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- ✓ T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ✓ T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- ✓ T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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JUL 15 2002

IDWR TRANSFER ANALYSIS SHEET

APPLICANT

Lejune Water Ranch

TRANSFER NO. 69809

1. Right number(s)

37-2713-37-7356

2. Type of right

☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer

☐ Change P/D ☒ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☒ Other: Change Season

4. Check Existing
Right:

☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments:

5. Check Proposed Right for amount of land &/or water transferred:

☒ Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE: Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: None requested

i. ☒ Existing rights from same source, on land water is being transferred to; right number(s):
Both in transfer

j. ☒ SRBA claim(s) - Comments (NOTE: Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain)

k. ☒ Comment letters _____ Yes ☒ No
 If yes _____ Water District #
 _____ Lienholder, others, see #2
 below for name and address

INITIAL ALLOCATION REVIEW BY J. Stanton DATE 4-5-02
 SRBA SUPERVISOR REVIEW BY _____ DATE _____
 PUBLICATION REVIEW BY _____ DATE _____

1. Legal Notice electronically sent to DWR03::VAULT _____ Yes

2. COMMENT LETTERS Copy of Pg 1 to AJ ☒ Yes 4/18/02

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es):

3. Transfer published correctly? ☒ Yes _____ No

4. Affidavit of publication received? ☒ Yes _____ No

5. Protests received? _____ Yes ☒ No; Acknowledgement sent? _____ Yes

6. Copies made for Region file (see attached supplemental page)? _____ Yes

RECOMMENDED ACTION

1. ☒ Approve

2. _____ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

☒ Also see attached memo for recommendation dated: 6/4/02

4. By Am Date 6/4/02

RECEIVED

APR 24 2002

Department of Water Resources
Southern Region

State of Idaho
Department of Water Resources
Transfer of Water Right(s)

RECOMMENDATION OF WATERMASTER

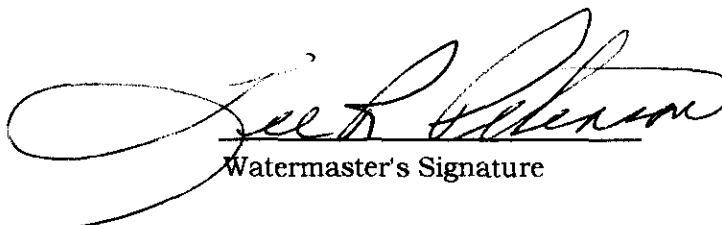
Application No: 69809 Water Right No(s): 37-2713 & 37-7356
Applicant's Name: Spencer F. Eccles - Flying Hat Ranch

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows.
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional Comment:

Dated this 22nd day of April, 2002.

Water District No. 37


Watermaster's Signature

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APR 15 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 19, 2002

JEFFREY S. RAU P E
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

RE: Application for Transfer **No. 69809**

Dear Mr. Rau:

The Department of Water Resources acknowledges receipt of the application filed on behalf of the Flying Hat Ranch. Please refer to the number in all correspondence regarding the above referenced application.

Since the application involves the diversion of 10.0 cfs or greater as specified in Sections 42-203A & 42-222 of the Idaho Code, the Department is required to publish notice of the application in the newspaper designated for the county in which the point of diversion is located as well as the major newspaper in each of the Department of Water Resources' administrative regions.

Therefore, this office has scheduled advertising the application in the **Wood River Journal for 4/24 & 5/1/02 and also in the Idaho Statesman, Post Register, Lewiston Morning Tribune, & Times News on 4/25 & 5/2/02.** The advertisement will be published for two weeks, and a period of ten calendar days following the second publication will be allowed for the submittal of protests. (May 13, 2002).

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

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

State Office personnel will conduct a complete review prior to final processing of the application(s) and will notify the applicant of the outcome of this review.

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

Sincerely,

Mary A. Baldwin
Administrative Assistant

cc:
SPENCER F. ECCLES
PO BOX 30006
SALT LAKE CITY UT 84125

MICROFILMED
JUL 16 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 18, 2002

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

Re: Application for Transfer of Water Right No. 69809 (Spencer F. Eccles/Flying Hat Ranch)

Dear Mr. Peterson:

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

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

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

Regional review of an unprotested application can be completed as soon as the final protest period is past; therefore, your prompt response to this request is appreciated.

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

Very truly yours,

Mary A. Baldwin
Administrative Assistant

Enclosure(s)

MICROFILMED

JUL 18 2002

Proof of Publication

The Post Register

RECEIVED
MAY 10 2002
Department of Water Resources
Southern Region

State of Idaho
County of Bonneville

I, ~~Lynn Winter~~ or Danae Jacobsen, first being duly sworn, depose and say: That I am the ~~Production Supervisor~~ or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 consecutive (days) weeks, first publication having been made on the 25TH day of APRIL 2002, last publication having been made on the 2ND day of MAY 2002 at the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Blaine County:

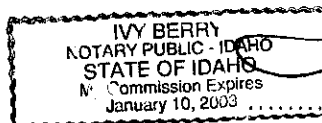
OK MB
5/14/02

FLYING HAT RANCH, PO BOX 30006, SALT LAKE CITY UT 84125, has filed Application No 69809 on 3/11/02 for a combined total diversion of 12.68 cfs from ground water. The purpose of the transfer is to record four existing wells (one well currently not recorded on water rights) used for irrigation of 596 acres within a proposed 675 acre ~~permissible place of use~~ located 0 to 2 miles North of Bellevue, ID covering property on both sides of Hwy 75.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200, Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before May 13, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published: April 25, May 2, 2002

Subscribed and sworn to before me, this 8TH day of MAY 2002



Notary Public

My commission expires January 10, 2003

MICROFILMED

JUL 16 2002

**NOTICE OF
PROPOSED CHANGE
TO WATER RIGHTS**

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Blaine County:

FLYING HAT RANCH, PO BOX 30088, SALT LAKE CITY UT 84125, has filed Application No. 68809 on 3/11/02 for a combined total diversion of 12.68 cfs from ground water. The purpose of the transfer is to record four existing wells (one well currently not producing water) located on the Flying Hat Ranch, 2 miles North of Blaine, ID covering property on both sides of Hwy 75.

2 miles North of Blaine, ID covering property on both sides of Hwy 75.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St., Suite 200, Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before May 13, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published: April 25, May 2, 2002

OK
MB
5/14/02

MICROFILMED

JUN 15 2002

Post Register

(Good Morning!)

333 Northgate Mile
Idaho Falls, ID 83401
(208) 522-1800
May 9, 2002

DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET SUITE 200
TWIN FALLS ID 83301-3380
208-736-3033

RECEIVED

MAY 10 2002

Department of Water Resources
Southern Region

Account #: 546

Published: APRIL 25, MAY 2, 2002

Legal Notice: NOTICE OF PROPOSED FLYING HAT RANCH

T# 69809

Please refer to Invoice # or Ad # 174082

PO #

TOTAL COST: **\$58.63**

OK MB
5/14/02

**Please include Account Number and Ad Number with your Payment.
Thank You!**

MICROFILMED

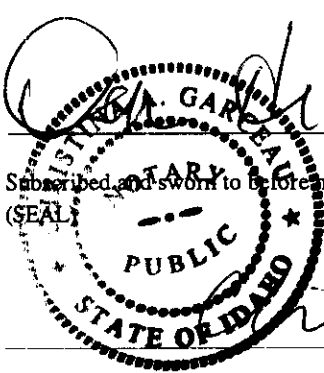
MAY 16 2002

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } ss.

RECEIVED
MAY 09 2002
Department of Water Resources
Southern Region

On this 2 day of May, in the year 2002, before me a Notary Public of said State, personally appeared _____, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 24 day of April, 2002 and the date of the last publication was on the 1 day of May 2002

Subscribed and sworn to before me this 2 day of May 2002
(SEAL)  _____
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____ 11-5
Number of Lines in Notice 46
Number of Insertions 2

46 Lines tabular at _____ 7¢ / Pica

46 Lines straight at 1.43 6¢ / Pica

Subsequent lines at _____ 5¢ / Pica
TOTAL COST 70.78

COPY OF NOTICE
(Paste Here)

proposed change to
TITLE OF NOTICE
water rights
PLAINTIFF ATTORNEY

DEFENDANT
~~24620~~ 24620

PLAINTIFF
Id. Dept. of Water
BILL TO Resources

Proposed change to water rights

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Blaine County.

FLYING HAT RANCH, PO BOX 30006; SALT LAKE CITY UT 84125, has filed Application No. 89998 on 3/11/02 for a combined total diversion of 12.68 cfs from ground water. The purpose of the transfer is to record four existing wells (one well currently not recorded on water rights) used for irrigation of 596 acres within a proposed 875 acre permissible place of use located 0 to 2 miles North of Rexburg, ID covering property on both sides of Hwy 75.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St. Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before May 13, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Publish: Wood River Journal April 24 and May 1, 2002

As of 1997
(Idaho code,
Rev. Statutes 1984)
7.8 pt./line straight: .06 / pica
2.8 pt./line tabular: .07 / pica
7.8 pt./line successive
insertion: .05 / pica

MICROFILM

200 1 6 2002

13020

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

LEGAL ADVERTISING INVOICE

SOLD TO: DEPT OF WATER RESOURCES
1341 FILLMORE STREET, SUITE 20
TWIN FALLS ID 833013380

Date 05/02/2002 INVOICE NO. 292576

Account No. 446620

Description 292576NOTICE OF PROPOS

Times 2

Lines 41

RECEIVED Tab. Lines

MAY 06 2002

\$ 61.30

Department of Water Resources
Southern Region

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

292576
**NOTICE OF PROPOSED
CHANGE TO WATER RIGHTS**
Noted is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for change to water rights within Blaine County: FLYING HAT RANCH, PO BOX 30006, SALT LAKE CITY UT 84125, has filed Application No. 69809 on 3/13/02 for a combined total diversion of 12.68 cfs from ground water. The purpose of the transfer is to record four existing wells (one well currently not recorded on water rights) used for irrigation of 396 acres within a proposed 675 acre permissible place of use located 0 to 2 miles North of Bellevue, ID covering property on both sides of Hwy 75.
For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3633 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St., Suite 200, Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before May 13, 2002. The protestant must also send a copy of the protest to the applicant.
Karl J. Draher, Director
Published in the Lewiston Morning Tribune on 4/25 & 5/2/02.

OK
mb
5/6/02

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 292576NOTICE OF attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 04/25, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 04/25/2002, and the last publication thereof being on the 05/02/2002, and said 292576NOTICE OF was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J Lewis

State of Idaho

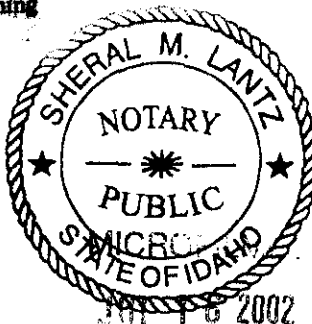
S.S.

County of Nez Perce

On this 3rd day of May in the year of 2002, before me, a Notary Public, personally appeared Karen J Lewis, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sheral M Lantz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires June 4, 03



RECEIVED

MAY 03 2002

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

Department of Water Resources
Southern Region

No 43968

I, Ruby Aufferheide being first duly sworn upon oath, depose
and say that I am principal clerk of the TIMES-NEWS, published daily at,
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping
attached, was published in the regular and entire issue of said newspaper, and not in any supplement
thereof, for two consecutive weeks,
commencing with the issue dated April 25, 2002,
and ending with the issue dated May 2, 2002.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily
except Monday, both of which newspapers prior to consolidation had been published under said names in said city and
county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
which time said newspaper began daily publication under said name in said city and county continuously and unin-
terruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to
be issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 2nd day of May in the year 2002, before me,
a Notary Public, personally appeared Ruby Aufferheide,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5-19-03

LINDA CARY SHAW
NOTARY PUBLIC
STATE OF IDAHO

NOTICE CONCERNING WATER RIGHTS

Notice is hereby given that a Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Blaine County.

FLYING HAT RANCH, P.O. BOX 30006, SALT LAKE CITY UT 84123, has filed Application No. 69899 on 3/11/02 for a combined total diversion of 12.68 cfs from ground water. The purpose of the transfer is to record four existing wells (one well currently not recorded on water rights) used for irrigation of 596 acres within a proposed 675 acre permissible place of use located 0 to 2 miles North of Bellevue, ID covering property on both sides of Hwy 75. For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St., Suite 200, Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before May 13, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Devore, Director

Published in the Times News on 4/25 & 5/2/02.

RETAIN THIS PORTION FOR YOUR RECORDS

REMITTANCE ADDRESS THE TIMES-NEWS - LEGAL P.O. BOX 548, TWIN FALLS, ID 83303-0548		BILL TO DEPT WA1 . RESOURCES	
AD NUMBER 343825	CLASS 0050 LEGAL	SALESPERSON 5	BILLING DATE 05/02/02
AD DESCRIPTION FLYING HAT RANCH WATER RIGHT, T# 69809		START DATE 04/25/02	STOP DATE 05/02/02
PUBLICATION 4 THE TIMES NEWS LEGAL FLAT CHARGE TOTAL AD CHARGE 4 AFFIDAVIT CHARGE	INSERTIONS 2	RATE LGL FC AFFID	NET AMOUNT 68.40 68.40 7.00
DAYS RUN		GROSS AMOUNT	
PURCHASE ORDER legal		PAY THIS AMOUNT 75.40	
		75.40*	

OK
NB
5/6/02

MESSAGE:

RECEIVED

MAY 03 2002

DEPT WA1 . RESOURCES
TWIN FALLS, ID

DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

THE TIMES-NEWS - LEGAL
P.O. BOX 548, TWIN FALLS, ID 83303-0548

legal

AD NUMBER 343825	CLASS 050 LEGAL	START DATE 04/25/02	STOP DATE 05/02/02	GROSS AMOUNT OF 75.40 DUE AFTER
AD DESCRIPTION FLYING HAT RANCH WATER RIGHT		BILLING DATE 05/02/02	TELEPHONE NUMBER 208-736-3033	

☐ VISA ☐ MASTERCARD

CREDIT CARD NUMBER

EXPIRATION DATE: ____/____

SIGNATURE: _____

DEPT WATER RESOURCES
1341 FILLMORE, SUITE 200
TWIN FALLS, ID 83301



MICROFILMED

JUL 16 2002

TOTAL AMOUNT DUE 75.40
ENTER AMOUNT ENCLOSED

20400000003438250000000000000000754000000075406

The Idaho Statesman

RECEIVED

MAY 03 2002

P.O. Box 40, Boise, Idaho 83707-0040
LEGAL ADVERTISING PROOF OF PUBLICATION

Department of Water Resources
Southern Region

Account # 100632	DTI# 646297	Identification T# 69809 PROPOSED CHANGE TO WATER RIGHTS	Amount: \$65.40
Attention: MARY BALDWIN		P.O. #	Run Dates APRIL 25, MAY 2, 2002
IDAHO DEPT. WATER RESOURCES SOUTH 1341 FILLMORE ST. SUITE 200 TWIN FALLS, ID 83301		Number of Lines 40	Affidavit 1
		Legal # 13283	

PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Blaine County:

FLYING HAT RANCH, PO BOX 30006; SALT LAKE CITY UT 84125, has filed Application No. 69809 on 3/11/02 for a combined total diversion of 12.68 cfs from ground water. The purpose of the transfer is to record four existing wells (one well currently not recorded on water rights) used for irrigation of 596 acres within a proposed 675 acre permissible place of use located 0 to 2 miles North of Bellevue, ID covering property on both sides of Hwy 75.

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Neri J. Dreher, Director

Pub. Apr. 25, May 2, 2002

13283

OK
MB
5/6/02

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended, for:

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

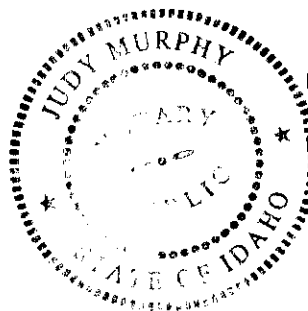
beginning issue of: APRIL 25, 2002

ending issue of: MAY 2, 2002

Janice Hildreth

STATE OF IDAHO)
)
COUNTY OF ADA)

On this 2 day of MAY in the year of 2002 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Notary Public for Idaho
Residing at: *Boise, Idaho*
My Commission expires: 1/6/04

MICROFILMED

MAY 15 2002

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

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Karl J. Dreher, Director

Published in the Wood River Journal on 4/24 & 5/1/02 & in the Idaho Statesman, Lewiston Morning Tribune, Post Register and Times News on 4/25 & 5/2/02.

MICROFILMED

JUL 16 2002

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301

Phone: 736-3033
Fax# : 736-3037

April 19, 2002

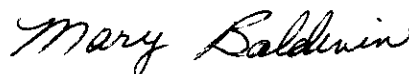
ATTN: Scott Kraus-LEGALS
WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Dear Scott:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues).

If you cannot publish the notice on the proposed dates, please contact us immediately at 736-3033. An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Sincerely



Mary A. Baldwin
Administrative Assistant

MICROFILMED

JUL 16 2002

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301

Phone: 736-3033

Fax#: 736-3037

April 19, 2002

ATTN: JANICE HILDRETH-LEGALS
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

Dear Janice:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues).

If you cannot publish the notice on the proposed dates, please contact us immediately at 736-3033.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Sincerely



Mary A. Baldwin
Administrative Assistant

MICROFILMED
JUL 16 2002

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301
Phone: 736-3033
Fax: 736-3037

April 19, 2002

ATTN Karen
LEWISTON MORNING TRIBUNE
505 C STREET
LEWISTON ID 83501

Dear Karen:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues).

If you cannot publish the notice on the proposed dates, please contact us immediately at 736-3033.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Sincerely

Mary Baldwin

Mary A. Baldwin
Administrative Assistant

MICROFILMED

JUL 16 2002

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301

Phone: 736-3033

Fax#: 736-3037

April 19, 2002

ATTN: **Cathy-LEGALS DEPT**
POST REGISTER
PO BOX 1800
IDAHO FALLS ID 83401

Dear Cathy:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues).

If you cannot publish the notice on the proposed dates, please contact us immediately at 736-3033.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Sincerely



Mary A. Baldwin
Administrative Assistant

MICROFILMED

JUL 16 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 19, 2002

ATTN LEGALS DEPT
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303-0548

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

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

If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

MICROFILMED

101 16 2002

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Blaine County:

FLYING HAT RANCH, PO BOX 30006; SALT LAKE CITY UT 84125, has filed Application No. 69809 on 3/11/02 for a combined total diversion of 12.68 cfs from ground water. The purpose of the transfer is to record four existing wells (one well currently not recorded on water rights) used for irrigation of 596 acres within a proposed 675 acre permissible place of use located 0 to 2 miles North of Bellevue, ID covering property on both sides of Hwy 75. For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before May 13, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Times News on 4/25 & 5/2/02.

MICROFILMED

JUL 16 2002

T69809

RECEIVED

MAR 11 2002

Department of Water Resources
Southern Region

March 11, 2002

Idaho Department of Water Resources
Southern Regional Office
1341 Fillmore, Suite 200
Twin Falls, ID 83301

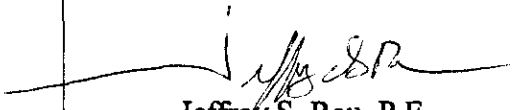
Re: Spencer F. Eccles – Flying Hat Ranch
Water Right Transfer – Well Water

To Whom It May Concern:

Enclosed is an application for transfer of a water right prepared on behalf of Spencer F. Eccles, Flying Hat Ranch. The proposed transfer incorporates a fourth point of diversion for the groundwater right and amends the PPU to agree with the PPU as listed under the surface water rights appurtenant to the ranch.

Please review the transfer application and contact me if you have any questions or comments. We have enclosed a check in the amount of \$730.00 which will cover the application fees per your transfer fee schedule. Thank you and have a great day.

Sincerely,


Jeffrey S. Rau, P.E.

Enclosure: Application for Transfer
Limited Power of Attorney – Marc Reinemann

Cc: Marc Reinemann
Evan Robertson

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

MICROFILMED
MAR 15 2002

**Spencer F. Eccles – Flying Hat Ranch
Water Right Transfer – Groundwater**

Narrative for Transfer:

The proposed transfer for Water Right #'s 37-2713 & 37-7356 adds a fourth well as a diversion point for the groundwater rights. A previous transfer (Transfer #5749) was approved in August 2000, which incorporated one existing well and two proposed new wells which were to be drilled to meet the combined capacity of the groundwater rights of 12.68 cfs. For the purposes of this transfer, we have numbered the wells in the order they were installed. The existing well which was located east of Highway 75 near the business park will be referred to as Well #1. Well #2 was permitted and drilled in July 2000 by Hiddleston Drilling. The capacity of this well was way below expectations and it was determined to utilize the additional POD permitted under Transfer #5749. Well #3 was completed July 18, 2001 by Sherman Couch Well Drilling and tested by GJ Vertiline. While the production of Well #3 was greater than Well #2, the combined amount from the three wells was still below the combined amount allowed under the water rights. In August 2001, a permit was granted by IDWR to complete a "test well" on the ranch. This well (Well #4) was completed by Sherman Couch Well Drilling in November, 2001 and tested by GJ Vertiline. It is the intention of this transfer application to add Well #4 as a point of diversion for these two rights. All of the wells have been pump tested and the production from the four wells will adequately meet the diversion amount of 12.68 cfs allowed under the rights.

Based on well logs on record with IDWR, the following is the basic well construction for each well. Copies of the logs are included with this narrative.

Well #1 – Casing Diameter = 20", Depth = 148 feet, Field Perforated (Mills Knife)

Well #2 – Casing Diameter = 20" (0'-83') & 18" (73'-153'), Depth = 153', Factory Perforated 18" Casing

Well #3 – Casing Diameter = 20", Depth = 181', Factory Perforated & Well Screen

Well #4 – Casing Diameter = 20", Depth = 167', Factory Perforated & Well Screen

Transfer #5749 was expedited under a threat of a drought period on the ranch. As a result, adequate GIS mapping of the irrigated acres was not completed for the transfer. Additional GIS mapping of the ranch completed for the surface water transfer (Transfer #5843) showed a total of 596 acres of irrigation under the ranch. The recommendation of the surface water transfer allowed a total of 596 acres to be irrigated within a 675 acre permissible place of use (PPU). The

MICROFILMED

JUL 11 2001

groundwater rights in this transfer have been amended to reflect this change to agree with the surface water rights and transfer. If approved, the groundwater rights will be limited to 596 acres within the 675 acre PPU within the ranch. Maps showing the delineation of the 596 acres of irrigated area as well as the PPU are included with the transfer documents.

The 596 acres includes 38.9 acres of irrigation which were originally on land now owned by Friedman Memorial Airport, but the water has not been allocated to other portions of the ranch at this time. Mr. Eccles is developing additional plans to either utilize this water on the ranch within the PPU or sell the water to another entity.

The proposed transfer does not call for an expansion or use or an expansion of diversion volume or rate from the aquifer. The proposed addition of a fourth POD will not cause injury to other water right holders and does meet the criteria for approval under the IDWR transfer guidelines.

MICROFILMED

1997 1 5 2002
Page 2

Comment Report

Application ID 69809

1. jstanton 4/5/2002 3:31:13 PM Special Administration Area Notes

Comment: Special Administration Areas : Big Wood River GWMA

Exempt: N

Reason:

Doc Attached:

Explanation:

2. jstanton 4/5/2002 3:32:01 PM Additional Information Notes

Comment: Reviewed by Adjudication Staff: Request

3. jstanton 4/5/2002 Initial Review

Comment: I have thoroughly reviewed the place of use for the pending surface-water transfer, so do not plan to re-visit the property. I see no reason to deny this application. My main concern is with the season of use, which was set at 5-1 to 9-1 by the previous transfer. This application requests season be changed to the standard for that area, but Pam Skaggs said that we cannot do this. The present claims have the shoulder language allowing the longer season of use, so I presume that this will continue with approval of this transfer. I do not think that the applicant is intending to argue this point, since he did not with the previous transfer.

MICROFILMED

JUN 15 2002

STAFF ANALYSIS SUPPLEMENT

T69809

Freyer Nat Ranch
Local Description of new proposed site:

Local Description of new proposed site:

27-2713

37-7356

0-2 miles N/E and _____ miles E/W of Bellvue on both sides of Hwy 75
(City or local landmark).



Other:

[illegible]

PROFIL
16 2002

WELL #1

WELL LOG AND REPORT OF THE

Department of Reclamation
STATE RECLAMATION ENGINEER OF IDAHO

 Permit No. _____ Well No. _____ County Blaine
Owner Idaho

Locate well in section

Address 1111 Woodland St., Detroit, Michigan 4322Biller Co. IdahoAddress 1111 Woodland St., Detroit, Mich.Well location SN 5E 1/4 Sec 13, T. 2 N. R. 12 E. S. 13E 28NType of drilled hole 331

100%	100%
50%	50%

Total depth of well 114.8Static depth to standing water from the ground 35 Water temp. _____ °F.

On "Pumping test" delivery was _____ g.p.m. at _____ c.f.s. Drawdown was _____ feet.

Size of pump and motor used to make test _____

Length of time of test _____ hours _____ minutes.

① During well, give flow _____ c.f.s. or _____ g.p.m. and at shut off pressure _____

② During well, describe control valve _____

(TYPE AND SIZE OF VALVE, ETC.)

Where will be used for irrigationWeight of casing per lined foot 52.73Thickness of casing 1" Casing material steel

(GIVEN, OTHERWISE, GIVE, ETC.)

Diameter, length and location of casing 20" 114.8' from 0-114.8'

(GIVEN 12" OR DIAMETER OR LONG, GIVE INSIDE DIAMETER, GIVE OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

From Casing	From Foot	To Foot	Length	Remarks—casing, grouting, etc.
20"	0	114.8	114.8	

Number and size of perforations _____ located _____ feet to _____ feet from ground

Date of commencement of well 10/13/64 Date of completion of well 11/20/64

SN 5E 1/4 Sec 13, T. 2 N. R. 12 E. S. 13E 28N

USGS

MICROFILMED

JUL 16 1965

000000 0000

[illegible]

WILL COLLIER'S STATEMENT

This cell was drafted under my supervision and the above information is complete, true and correct to the best of my knowledge and belief.

C. L. Wickham & Son
C. L. Wickham

A. L. Hollister

June 07, 1965

Slaves No. 35

MICRO. (1972)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 06-20-02 BY 60322

WELL #2

T69809

P. 01

Form 238-7
3-95-C96IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only		
Inspected by		
Twp	Rgc	Sec
1/4	1/4	1/4
Lot	Long	

1. DRILLING PERMIT NO.

Other IDWR No. 165215 D0008917

2. OWNER:

Name Flying Hat Ranch - Spencer F. Ecol

Address P.O. Box 30006

City Salt Lake City State ID Zip 84125

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location

N

W	E	S	Gov't lot	Twp. 2 North ☒ or South ☐
				Rgc. 18 East ☒ or West ☐
				Sec. 15 1/4 SW 1/4 SE 1/4

Lat: : : Long: : :

Address of Well Site 1300' west of Hwy 75 at the airport

City Hailey

(Give a legal description of land or landmark)

Lt. : : Blk. : : Sub. Name : :

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	60	600 gal	Overbore
Bentonite	0	40	16700 lbs	Overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s)Was drive shoe seal tested? ☐ Y ☒ N How?

8. CASING/LINER:

Chamber	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
20"	+2	83	375	steel	☒	☐	☐	☐

Length of Headpipe Length of Tailpipe

9. PERFORATIONS/SCREENS

☒ Perforations Method

☐ Screens Screen Type

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
73	133	.250	343	18"	steel	☐	☒

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

25 ft below ground

Artesian Pressure lb

Depth flow encountered ft

Describe access port or control device:

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min.	Drawdown	Pumping Level	Time
50'			6 HR

Water Temp. Bottom hole temp.

Water Quality test or comments:

Depth first Water Encountered

12. LITHOLOGIC LOG: (Describe repair or abandonment)

Water

Bore Dia	From	To	Remarks: Lithology, Water Quality & Temp.	Y	N
24	0	7	Top Soil		
24	7	43	Gravel & Cobbles		
24	43	68	River Gravel Layer		
24	68	130	Gravel		
24	130	153	Layer Gravel		

Completed Depth: 153

(Measurable)

Date: Started 7-9-00

Completed 7-30-00

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Hiddleston Drilling & Pump

Firm No. 35

Firm Official

Date

Supervisor or Operator

Date

(Sign once if Firm Official & Operator)

Date: 8/11/00 Time: 3:05 PM

MICROFILM

8/11/2000

P. 01

Form 238-7
1/97

IDAH0 DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT**Office Use Only**

Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat: _____ Long: _____

1. WELL TAG NO. D0016351

DRILLING PERMIT NO. 37-02713 37-073
Other IDWR No. 340907

2. OWNER:

Name FLYING HAT RANCH
Address c/o BROCKWAY ENGINEERING
City 2016 N. WASHINGTON ST. SUITE 4
TWIN FALLS IDAHO 83301

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.


 Twp. 2 North ☒ or South ☐
 Rge. 18 East ☒ or West ☐
 Sec. 23 1/4 NE 1/4 SW 1/4
 Gov't Lot _____ County BLATT
 Lat: _____ Long: _____
 Address of Well Site 200 west of hwy
75 at ranch house pond City HAILEY ID.
 (Draw at least some of road - distance to Road or landmark)

Li. _____ Blk. _____ Sub. Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☒ Other _____

6. DRILL METHOD

☐ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
cement	19	27	10sacks	overbore
bentonite	0	19	37sacks	"

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____

Was drive shoe seal tested? ☐ Yes ☒ No How? bailer

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
20"	+3	137	250	steel	☒	☐	☒	☐
20"	167	180	250	steel	☒	☐	☒	☐
20"					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations	Method	factory
1	1	1
2	2	2
3	3	3
4	4	4
5	5	5
6	6	6
7	7	7
8	8	8
9	9	9
10	10	10
11	11	11
12	12	12
13	13	13
14	14	14
15	15	15
16	16	16
17	17	17
18	18	18
19	19	19
20	20	20
21	21	21
22	22	22
23	23	23
24	24	24
25	25	25
26	26	26
27	27	27
28	28	28
29	29	29
30	30	30
31	31	31
32	32	32
33	33	33
34	34	34
35	35	35
36	36	36
37	37	37
38	38	38
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41	41	41
42	42	42
43	43	43
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74	74	74
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78	78	78
79	79	79
80	80	80
81	81	81
82	82	82
83	83	83
84	84	84
85	85	85
86	86	86
87	87	87
88	88	88
89	89	89
90	90	90
91	91	91
92	92	92
93	93	93
94	94	94
95	95	95
96	96	96
97	97	97
98	98	98
99	99	99
100	100	100

Screens Screen Type low carbon hi cap
acity steel screen

From	To	Slot Size	Number	Diameter	Material	Casing	Line
37	137	1/4	40 ft	20	steel	✓	□
167	180	1/4	40	20	steel	✓	□
137	167	100	scr	18		✓	□

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

27 ft. below ground Artesian pressure _____ lb
Depth flow encountered _____ ft. Describe access port or
control devices: 2" pipe

11. WELL TESTS:

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min.	Drawdown	Pumping Level	Time

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

13. DRILLER'S CERTIFICATION

1/We certify that at minimum well construction standards were complied with at the time the rig was removed.

Company Name COUCH WELL DRILLING INC. No. 161

Firm Office Staples Center 8-10-2001
and
Diller or Cooperator Thermatec

Sign once if Firm Officer & Revalued

FORWARD WHITE COPY TO WATER RESOURCES

91CRO 112

July 2004

WELL #4

T69809

Form 238-7
11/97IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only		
Inspected by		
Twp	Rge	Sec
1/4	1/4	1/4
Lat	Long	

1. WELL TAG NO. P0016577
 DRILLING PERMIT NO. 342652
 Other IDWR No. Ident no 770706

2. OWNER:
 Name FLYING HAT RANCH C/O BROCKWAY ENGN.
 Address 2016 N WASHINGTON ST. SUITE 4
 City TWIN FALLS IDAHO State Zip 83301

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

	Twp. <u>2</u>	North ☒ or South ☐
	Rge. <u>18</u>	East ☒ or West ☐
	Sec. <u>23</u>	1/4 <u>NW</u> 1/4 <u>SW</u> 1/4
	Gov't Lot <u></u>	County <u>BLAINE</u>
Lat: <u></u>		Long: <u></u>
Address of Well Site <u>1000' west of</u>		
<u>HWY 75</u>		City <u>HAILEY</u>

Lt. Bk. Sub. Name

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other test

5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other

6. DRILL METHOD

☐ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/PLUG PACK		AMOUNT		METHOD
Material	From	To	Sacks or Pounds	
cement	22	27	12 sacks	overbore
bentonite	0	22	44 sacks	"

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) Was drive shoe seal tested? ☒ Y ☐ N How? bailer

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing Liner	Welded Threaded
24	1.5	167	375	steel	Temp casing	☐
20	1.5	37	250	steel	☒	☐
20	37	77		screen	☒	☐
Length of 77 pipe	167	250	steel	of 77 pipe	☒	

9. PERFORATIONS/SCREENS

Perforations Method factory
 Screens Screen Type low carbon hi capacity steel screen

From	To	Slot Size	Number	Diameter	Material	Coating	Notes
37	77	100		20	steel	☒	screen
77	167	1/4	40	20	steel	☒	

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

27 ft below ground Artesian pressure lb.

Depth flow encountered ft. Describe access port or control devices: 2" pipe

11. WELL TESTS:

Yield gal/min	Drawdown	Pumping Level	Time
2400	16	43	8 hrs

Water Temp. Bottom hole temp. Water Quality test or comments: Depth first Water Encounter 27

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
24	0	6	soil gravel & boulders		
	6	18	large gravel & boulders		
	18	27	large gravel & cobbles		
	27	42	clay & large gravel		
	42	64	large & small gravel		
	64	82	gravel & clay		
	82	104	gravel & sandy clay		
	104	117	large gravel & boulders		
	117	121	cemented gravel		
	121	133	large & small gravel		
	133	141	small gravel & clay		
	141	149	sand gravel & clay		
	149	154	large gravel & large boulders & cobbles		
	154	163	clay & gravel		
	163	165	cemented gravel		
	165	167	gravel large & small		
	167		bedrock		
			well was gravel packed with 4 washed round gravel and 24" casing was pulled from well		

Completed Depth 167 (Measurable)
 Date Started 9-29-2001 Completed 11-26-2001

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name COUCH WELL DRILLING INC. 161

Firm Official Shannon Couch 12-18-2001
 and
 Driller or Operator Shannon Couch
 (Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

August 15, 2001

JEFFREY S RAU P E
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

Re: Temporary Change Application No. TC-37-14

Dear Mr. Rau:

The Temporary Change Application on behalf of The Flying Hat Ranch as referenced above has been granted.

Please be advised that the enclosed ORDER AUTHORIZING TEMPORARY CHANGE contains special conditions of approval.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'A. D. Merritt'.

Allen D. Merritt, P.E.
Southern Region Manager

CC:
SPENCER F ECCLES
FLYING HAT RANCH
PO BOX 30006
SALT LAKE CITY UT 84125

Enclosure(s)

MICROFILMED
OCT 19 2001

LEGAL DESCRIPTION

Order No. 27438

~~EXHIBIT A~~

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

SECTION 26: A parcel of land lying in the NW1/4SE1/4 of said Section, being more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 26; thence
 N. 00° 23' 48" W., 2,641.72 feet to a brass cap marking the East quarter corner of said Section 26; thence
 N. 89° 56' 02" W., 1,323.81 feet to the Northeast corner of said NW1/4SE1/4, said point being the TRUE POINT OF BEGINNING; thence
 S. 00° 19' 10" E., 553.55 feet to a 5/8" rebar on the South boundary of the Idaho Consolidated Mines Company Power Canal right of way; thence
 Southwesterly along right of way, S. 25° 39' 03" W., 308.65 feet to a 5/8" rebar; thence
 S. 19° 16' 54" E., 177.82 feet to a 5/8" rebar; thence
 S. 01° 04' 09" E., 289.17 feet; thence
 S. 43° 55' 55" E., 59.68 feet to a 5/8" rebar on the South boundary of said NW1/4SE1/4; thence leaving said right of way, S. 89° 36' 23" W., along the South boundary of said NW1/4SE1/4, 165.91 feet; thence
 N. 59° 10' 20" W., 213.59 feet; thence
 N. 84° 05' 40" W., 947.96 feet to a point on the West line of the NW1/4SE1/4; thence
 N. 00° 19' 59" W., 1,127.41 feet to a 5/8" rebar marking the center 1/4 of said Section 26; thence
 S. 89° 56' 02" E., 1,323.81 feet along the North line of said NW1/4SE1/4 to the TRUE POINT OF BEGINNING.
 (TL 6847)

EXCEPTING THEREFROM the right of way of the Big Wood River and any and all mineral rights.

TOGETHER WITH A 60' (SIXTY FOOT) WIDE EASEMENT GRANTED IN A DEED OF EASEMENT RECORDED MARCH 5, 1984, AS INSTRUMENT NO. 249321, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

SECTION 26: COMMENCING at an iron pin marking the East one-quarter corner of said Section 26; thence
 West 255.2 feet, more or less to the Southwest Boundary of State Highway No. 10, which point is the REAL POINT OF BEGINNING; thence
 West 828.2 feet, more or less, along the North Boundary of the South one-half, said Section 26, to a five-eighths inch rebar set by Chip Carlson, L.S. in August 1978, to define the Northeast Corner of the original McNeese parcel; thence

CONTINUED
 Order No. 27438

Post-It® Fax Note	7671	Date	# of pages 11
To Norm Young	From Allen Merritt	Co.	
Co./Dept.		Phone #	
Phone #		Fax #	

MICROFILMED

OCT 1 2 2001

LEGAL DESCRIPTION, CONTINUED

South 27° 22' 39" W., 87.6 feet; thence
East 901.6 feet, more or less, along a line parallel with and sixty feet South of said
North Boundary of the South one-half, Section 26, to said Southwest Boundary of
State Highway No. 75; thence
North 35° 12' W., 73.4 feet along said Highway Boundary to the POINT OF
BEGINNING.

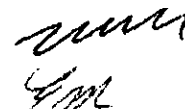
AND TOGETHER WITH A 60' (SIXTY FOOT) WIDE EASEMENT GRANTED IN A DEED OF EASEMENT
RECORDED MARCH 5, 1984, AS INSTRUMENT NO. 249322, BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

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

SECTION 26: A strip of land, in the NE1/4SE1/4 of said Section 26, 60 feet in width, being the
Northern 60 feet of the following described parcel of land:

BEGINNING at the Northwest corner of said NE1/4SE1/4, said point lying North 89°
58 1/2' W., 1,321.1 feet from the NE corner of the NE1/4SE1/4; thence
S. 0° 30 1/2' E. along the West boundary of said NE1/4SE1/4 for 465 feet more or
less to the North boundary of the Idaho Consolidated Mines Company Power Canal
right of way; thence
in a Northeasterly direction along said right of way for 510 feet more or less to the
North boundary of said NE1/4SE1/4; thence
N. 89° 58 1/2' W., along said North boundary for 240 feet more or less to the POINT
OF BEGINNING.

TOGETHER WITH WATER RIGHTS AS DESCRIBED ON THE ATTACHED EXHIBIT "A"



MICROFILMED
OCT 19 2001

EXHIBIT "A"

page 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

AMENDED

TRANSFER NO. 37-00885
WATER RIGHT NO. 37-00885

MAY 11 2 1995

MAY 06 1995

This is to certify that: W C MIRAMS
101 BUCKWHEAT LANE
BOX 961
KETCHUM ID 83340Department of Water Resources
Southern RegionDepartment of Water Resources
Eastern District Office

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/15 to 10/15	0.56 CFS	98.0 AF

SOURCE

GROUNDWATER

Priority: 07/01/1883

LOCATION OF POINT(S) OF DIVERSION:NWSE, Sec. 26, Township 02N, Range 18E
BLAINE CountyPLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
02N	18E	26	NWSE 28			28
Total number of acres irrigated:						28

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afu per acre for the lands above.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

OCT-27-00 FRI 12:35 PM

208 736 0041

P. 3

MICROFILMED

OCT 13 2001

37-00885 B

PAGE 2

page 2

AMENDED

AMENDED

TRANSFER NO. 4480
WATER RIGHT NO. 37-00885B

CONDITIONS/REMARKS:

6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. Use of water under Right No. 37-00885B is limited to those times when water is available to fill the right at the original point of diversion from the Big Wood River within the NWSE, S26, T02N, R18E, as determined by the watermaster.
9. The portion of Right No. 37-00885B described as 0.77 cfs and 7.0 acres has been relinquished through approval of Transfer No. 4480.

Dated this 28th day ofApril1995

Chief, Water Alloc. Bureau

OCT-27-00 FRI 12:36 PM

208 736 0041

** TOTAL PAGE.04 **

P. 4

MICROFILMED

OCT 13 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Aug. 3, 2001

Spencer Eccles
PO Box 30006
Salt Lake City, UT 84130

Re: Curtailment of Ground Water Diversion, Water Right No. 37-0885

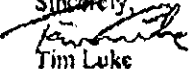
Dear Water User,

The records of the Idaho Department of Water Resources (IDWR) show that you are the owner of the above referenced water right(s) subject to an approved transfer or permit authorizing diversion of ground water that is contingent upon the availability of surface water from the Big Wood River (or tributaries to the Big Wood River). Specifically, the above water right(s) includes a condition that limits the diversion of ground water to those times water is available for diversion under the right(s) and priority from the original source, Big Wood River (or tributaries). The right is also subject to regulation and control by the watermaster of State Water District No. 37, Big Wood River and tributaries.

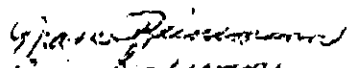
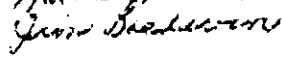
The Water District 37 watermaster has notified IDWR that the priority date of the above referenced water right(s) has been cut and is no longer available for delivery or mitigation purposes. Many water rights have been cut or cut earlier than normal due to drought conditions that have existed in your area this year. Currently, all water rights with a priority date after March 24, 1883 are completely cut. Rights with priority of March 24, 1883 are currently cut back to 50 percent.

The purpose of this letter is to notify you that you must immediately cease diversion of ground water and use under the above referenced water right(s) if such right(s) has a priority date after March 24, 1883. If your right is a priority of March 24, 1883 then you must reduce your diversion to 50 percent of the authorized rate. The water district watermaster will check for use under the water right(s) to insure that there is compliance with this notice as well as terms and conditions of the water right(s). The watermaster has authority to shut off any use that can not be delivered. Failure to comply with this notice and the conditions of the water rights or any further diversion of water made after the use is regulated may result in the issuance of a Notice of Violation and Cease and Desist Order from IDWR. Such orders may carry certain civil penalties. The watermaster will notify you if the priority date under your right(s) is deliverable again this year and if you can resume use of water from your ground water diversion.

IDWR and Water District 37 will appreciate your attention and cooperation in this matter given the existing drought conditions and less than normal water supplies that challenge all of us this year. Questions concerning this matter may be directed to Lee Peterson, Water District 37 Watermaster at 208-886-2451.

Sincerely,

Tim Luke
Water Allocations

Cc: Lee Peterson, Watermaster
IDWR Southern Region

Copy: 


Received

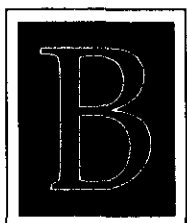
AUG 07 2001

Spencer R. Eccles

MICROFILMED

OCT 1 2001

TC - 37 - 14



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

August 14, 2001

Mr. Allen Merritt
Idaho Department of Water Resources
Southern Regional Office
1341 Fillmore Street – Suite 200
Twin Falls, ID 83301-3380

RECEIVED

AUG 14 2001

Department of Water Resources
Southern Region

Re: Flying Hat Ranch – Temporary Change Application

Dear Allen:

Enclosed is an application for temporary change of a water right submitted on behalf of Spencer F. Eccles of the Flying Hat Ranch. The proposed change would allow for groundwater irrigation on 28 acres on a portion of land purchased by Mr. Eccles last year. The 28 acres is not part of the permissible place of use (PPU) established in August 2000.

The application requests a transfer of 0.60 cfs of groundwater appurtenant to the 596 acre Flying Hat Ranch PPU to a parcel of land known as the Mirams property which borders the southern boundary of the ranch. Irrigation under the right appurtenant to the “Mirams” property (37-0885B) was ceased upon receipt of the curtailment of groundwater diversion notice mailed to our client on August 3, 2001.

The proposed temporary transfer would remove 28 acres of groundwater from the PPU and transfer it into the well and system on the Mirams property for the remainder of this irrigation season. To prevent an expansion of water use under the two groundwater rights appurtenant to the Flying Hat Ranch PPU, a minimum of 28 acres will not be irrigated and dried up for the 2001 irrigation season. In anticipation of the drought condition of 2001, the Flying Hat Ranch did not irrigate portions of their property. A field directly north of the ranch house and directly south of the airstrip has not been irrigated during the 2001 season. This field is approximately 48 acres which is more than enough to satisfy proof of no expansion under this temporary transfer. A map showing the field dried up for this season is included with this application.

As you will note in your review of this information, the water right 37-0885B is apparently still in the name of Mr. Mirams. I have included a copy of the deed of sale to Mr. Eccles which includes information on the water right. Warranty deeds and ownership information on the other water rights as well as the Flying Hat Ranch is on file in your office from the previous transfers. I have also included a limited power of attorney form with this information which will allow us to act of behalf of Mr. Eccles on these rights.

MICROFILMED

OCT 19 2001

CHARLES E.
BROCKWAY,
Ph.D., P.E.

CHARLES G.
BROCKWAY,
Ph.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

I have spoken with Mr. Lee Peterson concerning this proposed transfer and he has indicated that he does not oppose this action and would likely not have jurisdiction over the groundwater transfer. Due to the drought conditions, this portion of land needs water quickly. Please review the enclosed application and process it at your earliest convenience. If you have any questions or concerns, please don't hesitate to contact me. Thank you and have a great day.

Sincerely,



Jeffrey S. Rau, P.E.

Enclosure: Proposed Transfer -- Map
 Temporary Change Application
 Limited Power of Attorney Form
 Deed of Sale -- Mirams Property to Eccles

MICROFILMED
OCT 19 2001

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, Spencer F. Eccles - Flying Hat Ranch, hereby nominate and appoint
Jeffrey S. Rau - Brockway Engineering as my attorney-in-fact with full
 authority to act for and on my behalf to undertake any and all acts or matters pertaining to water
 right transfers before the Idaho Department of Water Resources for the following water right
 transactions:

37-0271337-0735637-0885B

in Blaine County, Idaho. Additionally, I hereby ratify and confirm any
 and all such acts on matters as contemplated herein.

My agent is hereby authorizing to sign, seal and deliver, as my act in deed, those said instruments
 of writing that may be necessary or proper to carry into execution and effect the applications, and
 transfers above-mentioned. Further, I hereby declare that each and every application, transfer,
 agreement, receipt, or payment which shall be by my said agent given, made or done for the
 aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and
 delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever
 my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of
 these presents. This Limited Power of Attorney will become void upon approval, denial or
 withdrawal of the above referenced applications.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal

Dated this 14 day of August 2001.Spencer F. Eccles

Signature

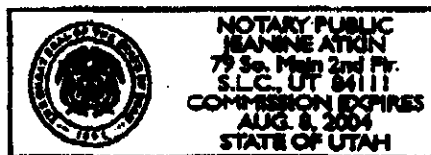
State of Idaho)

ss.

County of _____)

On this 14th Day of August, 2001, before me, a Notary Public in
 and for said County and State, personally appeared Spencer F. Eccles
 known or identified to me to be the individual whose name and subscription to the within
 instrument, and acknowledged to me that he executed the same.

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

S
E
A
LJeanine Atton
Notary Public

In and for said State and County

8-8-2004

My Commission Expires

Order No. 27438

Instrument # 446231

HAILEY, BLAINE, IDAHO

2000-12-21

03:40:00 No. of Pages: 5

Recorded for: SAWTOOTH TITLE

MARSHA RIEMANN

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: WTY/CICORP DEED

WARRANTY DEED

FOR VALUE RECEIVED and as relinquished property in an I.R.C. 1031 tax deferred exchange

WILLIAM C. MIRAMS and ELISABETH A. MIRAMS, CO-TRUSTEES OF THE MIRAMS FAMILY TRUST DATED MARCH 25, 1991

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

SPENCER F. ECCLES,, a married man, as his sole and separate property

GRANTEE(s) whose address is: P.O. Box 3028, Salt Lake City, UT 84110

the following described real property in Blaine County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

L & L RECORDS
2000-2001

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

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

Dated: December 7, 2000

William C. Mirams Co-Trustee
WILLIAM C. MIRAMS, CO-TRUSTEE
Elisabeth A. Mirams Co-Trustee
ELISABETH A. MIRAMS, CO-TRUSTEE

State of Idaho

}
}ss.

County of Blaine

}

On this 12th day of December, in the year 2000, before me, the undersigned, personally appeared WILLIAM C. MIRAMS and ELISABETH A. MIRAMS, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as trustee(s) of the MIRAMS FAMILY TRUST DATED MARCH 25, 1991, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal

Marla G. Mink
Notary Public

Commission Expires: 12/01/2006

J:\scrowl\form\wtd



MICROFILMED

OCT 19 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 18, 2000

FLYING HAT RANCH
SPENCER F ECCLES
PO BOX 30006
SALT LAKE CITY UT 84125

RE: Water Rights 37-02713/37-07356 (Amended Transfer 5749)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Amended Transfer of Water Right for the above referenced water right (Transfer 5749). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as an **amended preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7940.

Sincerely,

Camela S. Skaggs
for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt
Enclosures

MICROFILMED

SEP 12 2000

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of **August, 2000**, I mailed a true and correct copy, postage prepaid, of the foregoing **AMENDED TRANSFER APPROVAL** to the person(s) listed below:

RE: WATER RIGHTS 37-02713 / 37-07356 (Amended Transfer 5749)

**FLYING HAT RANCH
SPENCER F ECCLES
PO BOX 30006
SALT LAKE CITY UT 84125**


Kari Lynn Townsend
Secretary

MICROFILMED

NOV 28 2000

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
NOV 18 2005

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
NOV 3 8 2000

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*****
*                                     P.01 *
*                                     *
*          TRANSACTION REPORT          *
*                                     *
*                                     AUG-11-00 FRI 03:24 PM *
*                                     *
*   DATE  START  RECEIVER  TX TIME PAGES TYPE  NOTE  M#  *
*   -----
*   AUG-11 03:22 PM 912087368506---80935 1'52"  4  SEND  OK
*
*****

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8-16-00

Pam -
 Jeff Ran of
 Broadway Engr calls
 + said the Flying Hat
 draft looks good.
 Ready for signature


MICROFILMED

NOV 28 2000

Amended Approval Updated 8-17-2000.
 28.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX

To: Jeffrey Rau/Brockway From: Jeff Peppersack IDWR
Engineering 327-7940
Fax: (208) 736-8506 Pages: 3 + Cover
Phone : _____ Date: 8-11-2000
Re: DRAFT CC: _____
Amended Transfer 5749

☐ Urgent ☒ For Review ☒ Please Comment ☐ Please Reply ☐ Please Recycle

COMMENTS: Please comment within 5 days.

MACROFILMED

SEP 8 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

AMENDED

TRANSFER NO. 5749
WATER RIGHT NO(S). 37-02713/37-07356

This is to certify that: **FLYING HAT RANCH**
SPENCER F ECCLES
PO BOX 30006
SALT LAKE CITY UT 84125

DRAFT

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-02713 :			
IRRIGATION	05/01 to 09/01	10.00 CFS	2086.0 AF
Priority: 08/18/1965			
Right No. 37-07356 :			
IRRIGATION	05/01 to 09/01	2.68 CFS	1057.8 AF
Priority: 04/28/1974			
TOTAL:		* 12.68 CFS	2086.0 AF *

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 15, Township 02N, Range 18E
NESW , Sec. 23, Township 02N, Range 18E
SWSE , Sec. 23, Township 02N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	18E	15	SWSE 16			16
		22	NENE 23	NWNE 40	SENE 39	
			NESE 35			137
		23	NWNW 2	SWNW 29	NESW 17	
			NWSW 40	SWSW 40	SESW 38	
			SWSE 12	SESE 9		187
		25	NWNW 20	SWNW 39	SENW 4	
			NESW 22	NWSW 28	SWSW 4	
			SESW 15			132
		26	NENE 39	NWNE 36	SWNE 40	
			SENE 32	NENW	NWNW 25	
			SENW 30			242
Total number of acres irrigated:						714 **

DRAFT

RECEIVED

SEP 18 2000

TRANSFER NO. 5749
WATER RIGHT NO(S). 37-02713/37-07356

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The well previously used under Rights 37-02713 and 37-07356 shall be abandoned in a manner which complies with Department well abandonment rules.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 7. The total instantaneous diversion of water from all points of diversion under Transfer 5749 shall not exceed 12.68 cfs, nor a total combined annual volume of 2086.0 af.
- * 8. Rights 37-02713 and 37-07356 when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for sprinkler irrigation of the land described above. When water is applied through a sprinkler irrigation system, the portion of Rights 37-02713 and 37-07356 used for conveyance losses is 0.76 cfs.
- ** 9. Rights 37-02713 and 37-07356 shall not exceed irrigation of 596.0 acres within the place of use described above in a single irrigation season.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 9/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

APPROVED
JUL 3 2008

TRANSFER NO. 5749
WATER RIGHT NO(S) . 37-02713/37-07356

CONDITIONS OF APPROVAL AND REMARKS

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this _____ day of _____, 20

DRAFT

Chief, Water Allocation Bureau

TRICHC
NOV 13 2000

2016 North Washington Street, Suite 4 • Twin Falls, Idaho 83301
(208) 736-8543 • Fax (208) 736-8506

Brockway Engineering

Fax

To: Jeff Peppersack

From: Jeffrey S. Rau

Fax: 208-327-7866

Pages: 6

Phone: 208-327-7900

Date: 8/8/00

Re: Flying Hat Ranch

CC:

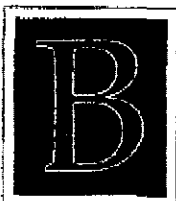
Petition for Reconsideration

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply**

• **Comments:**

See attached letter & water right transfer. Thank you.

MICROFILMED
NOV 8 1 1993



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

FAXED August 8, 2000

Idaho Department of Water Resources
Attn: Jeff Peppersack – Water Allocations
1301 North Orchard Street
Boise, ID 83706

Re: Water Right Transfer #5749
Request for Review of Conditions of Approval

Dear Jeff:

On behalf of the applicant, Brockway Engineering formally petitions for reconsideration of the conditions of approval and remarks for Transfer #5749 for Spencer F. Eccles (Flying Hat Ranch). Under the conditions of approval (#5 & #8) the water right is limited to the standard 0.02 cfs per acre diversion rate and 3.5 AFA diversion volume with the remaining 0.76 cfs used for "conveyance losses in an open ditch system". The use of 0.76 cfs for "conveyance loss" was not the intention of the original transfer request and according to a phone conversation with Allen Merrit, was not the intention of his recommendation.

Under the original transfer request, the applicant requested 12.68 cfs of groundwater to be applied over 596 acres which equals approximately 1.063 inches per acre (0.02126 cfs per acre). Brockway Engineering provided Allen Merrit with an excess flow analysis which justified approximately 0.04 cfs per acre at the field headgate under gravity flow irrigation. Should the applicant wish to ever return to gravity flow irrigation, he should be allowed to maintain the full right of 12.68 cfs which according to our discussion with Allen Merrit was the intention of his recommendation to the state office.

Brockway Engineering formally requests rewording the conditions and recommendations section to allow for the full use of the right of 12.68 cfs at the field headgate if gravity surface irrigation is employed. We feel that the terms, "conveyance losses in an open ditch system" are confusing and may be interpreted several different ways. (i.e. If the applicant were to line the delivery ditch, does this preclude the client from utilizing the full right even though the field requires more than this rate based on the excess flow analysis?)

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

MICROFILMED
NOV 9 1990

Brockway Engineering recommends the following conditions to be amended to read the following:

Condition #5: This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field gate if the lands are sprinkler irrigated. If the gravity surface application is employed, the entire diversion rate of 12.68 cfs or 0.0213 cfs per acre shall be allowed.

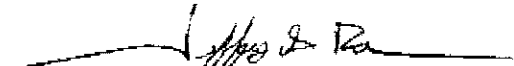
Condition #8: Delete

Condition #10: Delete (See Below)

The original license for water right #37-02713 lists a period of use from 05/01 to 09/01 and for license #37-07356 a period of use from 05/15 to 10/31. The accepted standard irrigation season for this region is 04/15 to 10/31 which was requested on the water right transfer. IDWR has set previous precedent on water right transfers which allow for the period of use to change to 01/01 to 12/31 for dairies without any subordination to other water rights. The standard accepted period of use in this region is 04/15 to 10/31 and we formally request amending the transfer to reflect this period of use for both water rights without subordinating the extended periods beyond the license periods.

I would like to thank your staff for their expeditious review and approval of this transfer and apologize for any additional work that this request causes. Please review this request and contact me if you would like to discuss this further. If the department agrees with rewording portions of the conditions of approval, Brockway Engineering would like to opportunity to review a draft of the conditions prior to signing to avoid any future confusion. Thank you and have a great day.

Sincerely,



Jeffrey S. Rau, PE

Attachment: Transfer of Water Right 5749

Cc: Evan Roberston

RECORDED
2000 08 08

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5749
WATER RIGHT NO(S). 37-02713/37-07356

This is to certify that: **FLYING HAT RANCH**
SPENCER F ECCLES
PO BOX 30006
SALT LAKE CITY UT 84125

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-02713 : IRRIGATION Priority: 08/18/1965	05/01 to 09/01	10.00 CFS	2086.0 AF
Right No. 37-07356 : IRRIGATION Priority: 04/28/1974	05/15 to 10/31	2.68 CFS	1057.8 AF
TOTAL:		* 12.68 CFS	2086.0 AF *

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE, Sec. 15, Township 02N, Range 18E
NBSW, Sec. 23, Township 02N, Range 18E
SWSE, Sec. 23, Township 02N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	18E	15	SWSE 16			16
		22	NENE 23	NWNE 40	SENE 39	137
			NESB 35			
		23	NWNW 2	SWNW 29	NBSW 17	
			NWSW 40	SWSW 40	SEBW 38	
			SWSE 12	SESE 9		187
		25	NWNW 20	SWNW 39	SENW 4	
			NESW 22	NWSW 28	SWSW 4	
			SESW 15			132
		26	NENE 39	NWNE 36	SWNE 40	
			SENE 32	NENW 40	NWNW 25	
			SENW 30			242
Total number of acres irrigated:						714 **

TRANSFER NO. 5749
WATER RIGHT NO(S). 37-02713/37-07356

CONDITIONS OF APPROVAL AND REMARKS

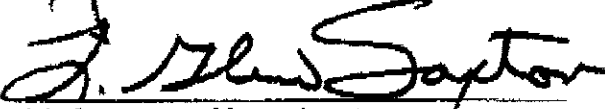
1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The well previously used under Rights 37-02713 and 37-07356 shall be abandoned in a manner which complies with Department well abandonment rules.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-232, Idaho Code, or approval of the Department if a transfer is not required.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 7. The total instantaneous diversion of water from all points of diversion under Transfer 5749 shall not exceed 12.68 cfs, nor a total combined annual volume of 2085.0 af.
- * 8. The portion of Rights 37-02713 and 37-07356 used for conveyance losses in an open ditch system is 0.76 cfs.
- ** 9. Rights 37-02713 and 37-07356 shall not exceed irrigation of 596.0 acres within the place of use described above in a single irrigation season.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 9/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

TRANSFER NO. 5749
WATER RIGHT NO(S). 37-02713/37-07356

CONDITIONS OF APPROVAL AND REMARKS

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 27th day of July, 2000


Chief, Water Allocation Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 27, 2000

FLYING HAT RANCH
SPENCER F ECCLES
PO BOX 30006
SALT LAKE CITY UT 84125

RE: TRANSFER OF WATER RIGHTS 37-02713/37-07356 (Transfer 5749)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Rights for the above referenced water rights (Transfer 5749). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Camille S. Skaggs
for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

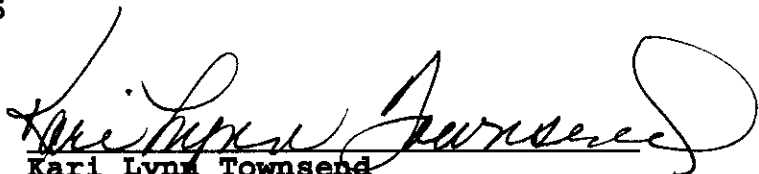
NOV 9 8 2000

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of July, 2000 I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: TRANSFER OF WATER RIGHTS 37-02713/37-07356
(Transfer 5749)

FLYING HAT RANCH
SPENCER F ECCLES
PO BOX 30006
SALT LAKE CITY UT 84125


Kari Lynn Townsend
Secretary

MICROFILMED
NOV 08 2000

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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NOV 0 8 2000

TRANSFER REVIEW SHEET

(10-99)

Transfer # 5749

Date Reviewed 7-25-2000

Right(s) 37-02713 _____
37-07356 _____

☒ WRQ/Split Summary _____ SRBA Status _____ Run POU Comparison Report

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
 F:Change Period of Use G:Other H:Change P/D & Add P/D
 I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership Warranty Needs & Region Review

Transfer ☒ All of Right _____ Portion of Right
 Resulting Split(s) NONE

Check Transfer Against Recorded Right:

Standard Season 4-15 to 10-31 Standard Volume 3.5 / 2.5

(1) ☒ Priority (2) ☒ Use (3) Season W61 (4) Rate (5) Volume
 (6) ☒ Source (7) P/D (8) P/U (9) ☒ Proof/Owner (10) ☒ Map
 (11) NA Water District (12) ☒ Pertinent Conditions (13) NO Expansion
 WM Comment Rev'd 7-3-2000 ± RR Overlap.

(3) Licensed seasons shorter than current standard.
 (4) .02 x 556 = 11.92 cfs 12.68 - 11.92 = .76 cfs conveyance (per gravity system)
 (5) Standard Vol = 3.5 af/acre 37-02713 = 3.5 x 556 = 2086 acft
37-07356 = VDR (extended season) 2.68 x 199 = 537.8 acft
 (8) Reduce GW P/U to 556 total per app & consultant's review, w/in 714 ppv.

Supplemental (GW) Modify Remarks
W35/12.68 (11.92 = .02 cfs/acre .76 cfs conveyance) 556 acres + 2086 acft < VDR
 Transfer Remarks PP/D each pt. same & combined W34 W56
W50 Bath Rts 556 w/in 714 W61
 Conditions 046, 065, 104, R63, T07, T08, T09, T17
R59

Database/Processing Notes
T files

Standard ☒ Non-Standard Amended Approval
updated 8-17-2000

"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo
 Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

Send Copy to Jeff Rau @ Brockway Engineering - FAX 736-8506 Phone 736-8543

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 07/25/00

TIME: 14:10:30

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY	DATE	STG/STS	SOURCE	USE DESC	SYSTEM
37-02713	GAGE, EDWARD A.	C	08/18/1965	L/	GROUNDWATER	IRR	WR	
T37-02713	FLYING HAT RANCH	C	08/18/1965	L/	GROUNDWATER	IRR	WR	

A37-02713	ECCLES, SPENCER F	C	08/18/1965	L/	GROUNDWATER	IRR	AJ	
R37-02713	ECCLES, SPENCER F	C	08/18/1965	L/	GROUNDWATER	IRR	AJ	

WR0631NP

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 07/25/00
TIME: 14:10:42
PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
37-07356	ECCLES, SPENCER F.	C	04/28/1974	L/	GROUNDWATER	IRR	WR
T37-07356	FLYING HAT RANCH	C	04/28/1974	L/	GROUNDWATER	IRR	WR

A37-07356	ECCLES, SPENCER F	C	04/28/1974	L/	GROUNDWATER	IRR	AJ
R37-07356	ECCLES, SPENCER F	C	04/28/1974	L/	GROUNDWATER	IRR	AJ

T5749

IDWR TRANSFER ANALYSIS SHEET

APPLICANT Leysing Hot Ranch TRANSFER NO. 5249
1. Right number(s) 37-02713 etc

2. Type of right ☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☒ Change P/D ☒ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☒ Other: Change period of use, create PPU

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments: Per ADM, no GIS work has been done so that app. can be advertised
ASAP. Will do GIS in connection with surface-water transfer.

5. Check Proposed Right for amount of land &/or water transferred:

☐ Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE: Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: _____

5249

i. ☒ Existing rights from same source, on land water is being transferred to; right number(s): _____

j. ☒ SRBA claim(s) - Comments (NOTE: Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) _____

k. ☒ Comment letters _____ Yes ☒ No
If yes _____ Water District # _____
_____ Lienholder, others, see #2
_____ below for name and address

INITIAL ALLOCATION REVIEW BY JF Clinton DATE 5-30-00
SRBA SUPERVISOR REVIEW BY _____ DATE _____
PUBLICATION REVIEW BY _____ DATE _____

1. Legal Notice electronically sent to DWR03::VAULT _____ Yes
2. COMMENT LETTERS Copy of Pg 1 to AJ ☒ Yes 6/2/00

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es): _____

3. Transfer published correctly? ☒ Yes _____ No
4. Affidavit of publication received? ☒ Yes _____ No
5. Protests received? _____ Yes ☒ No; Acknowledgement sent? _____ Yes
6. Copies made for Region file (see attached supplemental page)? _____ Yes

RECOMMENDED ACTION

1. ☒ Approve
2. _____ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

☒ Also see attached memo for recommendation dated: 7/17/00
4. By AD Date 7/17/00

MEMO

FROM: Allen Merritt 
TO: Transfer File No. 5749
In the name of: Spencer Eccles – Flying Hat Ranch

DATE: July 17, 2000

RECEIVED

Water Right(s): T37-02713
T37-07356

JUL 18 2000

Department of Water Resources

SUBJECT: Review and Recommendation

Due to expected regulation (shutting off) of most of the surface rights from the Big Wood River on this property it is requested that this transfer be processed ASAP to allow use of ground water for crop needs this season from the new well currently being drilled.

This transfer proposes to reconfigure these ground water rights into a PPU as a result of a portion of the original P/U being sold to the Hailey airport for runway expansion and also the acquisition of another parcel of land. Additionally, since the land sold blocks use of one of the old wells two new wells are sought to be drilled. Attached is a deed which shows that the water rights were reserved by the applicant when the land was sold to the airport (City of Hailey & Blaine County).

The applicant's agent has requested expedited approval for drilling of one of the wells since due to the somewhat limited surface water availability this year it is expected that groundwater will be needed later in the season. On 7/3 an expedited drilling permit was issued (D0008917).

The transfer was processed without protest.

Review of the old licenses finds that they are from the same wells and for the same 658 acres. When license 37-02713 was examined they found 12.68 cfs to be the capacity of both wells but 37-02713 was limited to 10.0 cfs. Right 37-07356 was filed for the difference in diversion capacity and that of the first license. License 37-07356 limited both licenses when combined to 3.0 afa/acre.

The applicant's agent in filing the transfer did a review of the original P/U and found that historically 596 acres have been irrigated so they have voluntarily reduced the P/U to 596 acres but they wish to transfer it to a 714 acre PPU. Review by Stanton and Jones has found that the 596 acres appears accurate. The application requests $596 \times 4.0 \text{ afa} = 2384 \text{ afa}$ which is more than the original license's limit. The standard diversion volume for the area is 3.5 afa. The original license's season of use was 5/1 to 9/1. The transfer proposes 4/15 to 10/31 or the standard season for the area. The application requests 12.68 cfs being the licensed rate. If the acres are reduced the field headgate requirement for sprinkler should be limited to 0.02 cfs or 11.92 cfs. The applicant through his agent has supplied an excess flow analysis for a portion of the historical place of use which would justify 0.04 cfs/acre under gravity surface application. It is acknowledged that the intended method of irrigation will be by the use of sprinklers.

The lands have other decreed surface water rights and these groundwater rights are supplemental in nature. The surface rights are subject to a pending transfer to place them into the same PPU of 714

NOV 28 2000

acres. A shape file for the P/U will be developed when this other transfer is processed.

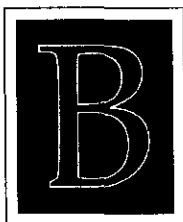
Recommendation

I recommend that this transfer be approved subject to the following conditions:

- The new wells to be drilled are subject to drilling permit requirements. The old irrigation well must be properly abandoned.
- The use of groundwater is supplemental to surface water and the surface water must be used to the maximum extent possible before use of groundwater.
- This transfer authorizes the irrigation of 596 acres in a 714 acre PPU in any one season.
- These rights when combined are limited at a maximum to $596 \times 3.0 \text{ afa} = 1788 \text{ afa}$ but only used to supplement surface water. Also the rights when combined are limited to $596 \times 0.02 = 11.92 \text{ cfs}$ for irrigation applied through a sprinkler system. If gravity surface application is employed the 12.68 cfs is justified; otherwise the difference between 12.68 and 11.92 may be only allowed for conveyance loss in the delivery system.
- Measuring device and control works maintained at all wells and use reported if requested by department.
- Department reserves the right to augment conditions of these rights through pending transfer of surface rights.

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NOV 9 8 2000



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

July 13, 2000

Allen Merritt
Idaho Dept. of Water Resources
Southern Regional Office
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Flying Hat Ranch Well Transfer
Additional Information Requested by IDWR

Dear Allen:

Following are two pieces of information requested by your office to complete the application for transfer of the well water for the Flying Hat Ranch in Blaine County.

The first document is the warranty deed for the sale of the property (40 acres approximately) to the City of Hailey from Spencer F. Eccles. Mr. Eccles has retained all water rights appurtenant to the property as listed on Page #2 of the warranty deed enclosed.

The second document enclosed contains an excess flow analysis for a representative field on the ranch with a calculated peak on-field diversion requirement of 1.45 cfs or 1.99 miners inches. Based on this analysis, we request approval of the well transfer at its full diversion rate as listed in the well transfer application (12.68 cfs for 596 acres total @ 1.06 miners inches per acre).

Please review the following documents at your earliest convenience and contact me if you have any questions or concerns. The deep well is being drilled this week and as always, any effort that you can make in expediting the approval of this transfer would be appreciated. Thank you and have a good day.

Sincerely,


Jeffrey S. Rau PE

Attachments

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

RECEIVED
JUL 13 2000
Department of Water Resources
Southern Region

MICROFILMED

NOV 08 2000

L # T#5749

FILE PROGRE
Tjalling Nat Lench

27-02713 etc

[illegible]

RECEIVED

JUL 03 2000

Department of Water Resources
Southern Region

APPLICATION FOR TRANSFER
NO. 37-5749

RECOMMENDATION OF WATERMASTER

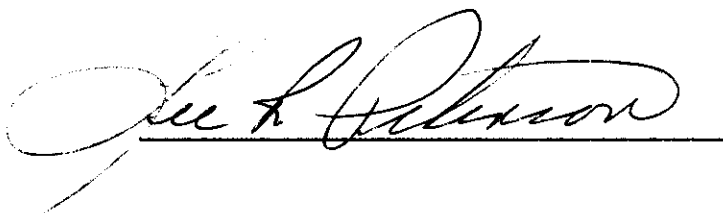
I, Lee R. Peterson, watermaster of Big Wood River
of Water District No 37, County of Blaine, State of
Idaho, whose address is P O Box T, Shoshone, Idaho 83352, have read the attached
copy of the application for transfer of water right for Spencer F Eccles, Flying Hat
Ranch, and to the best of my knowledge believe the 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: Install a control gate and meter (preferably a
Micrometer) that measures in CFS. Also a road right of way for regulation and control
by the Watermaster and or Deputy.

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
as requested for the following
reasons: _____

Dated at Shoshone, Idaho, this 30th, day of June, 2000.



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NOV 08 2000

Please use reverse side if needed.

This Warranty Deed is being re-recorded in order to
prior to the Warranty Deed.

the License Agreement

Order No. 22990

WARRANTY DEED

FOR VALUE RECEIVED

SPENCER F. ECCLES, a married man, as his sole and separate property,

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

CITY OF HAILEY, a municipal corporation and **BLAINE COUNTY, IDAHO**, a political subdivision for the State of Idaho

GRANTEE(s) whose address is: c/o City of Hailey, P.O. Box 945, Hailey, ID 83333

the following described real property in Blaine County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

BLAINE CO. REQUEST

SAWTOOTH TITLE

Corr deed
98 DEC 21 PM 3 45

MARY GREEN, CLERK

FEE \$ 6.00

420474

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

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

Dated: October 27, 1998

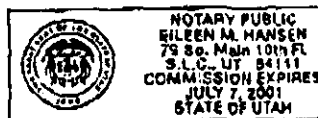
Spencer F. Eccles
SPENCER F. ECCLES

State of *Utah*
County of *Salt Lake* } ss.

On this *30th* day of October, in the year 1998, before me, the undersigned, personally appeared **SPENCER F. ECCLES**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Bileen M. Hansen
Notary Public
Commission Expires: *July 7, 2001*



2.16.000000000000

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NOV 08 2000

EXHIBIT 'A' TO WARRANTY DEED FROM ECCLES TO HAILEY & BLAINE COUNTY**TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.****A parcel of land located within the SE¼ of Section 15, the NE¼ of Section 22 and the NW¼ of Section 23, more particularly described as follows:**

COMMENCING at a brass cap marking the N¼ corner of said Section 15; thence
S. 00° 05' 47" W., 5239.52 feet to a 1981 aluminum cap marking the S¼ corner of said
Section 15; thence
N. 00° 05' 47" E., 321.40 feet to the Southeast corner of Lot 1, Block 1, Broadford Highlands
Subdivision No. 1, as recorded in Blaine County, Idaho, and the TRUE POINT OF
BEGINNING; thence
N. 00° 05' 47" E., 241.66 feet to a 5/8 inch rebar marking the Northwest corner of the Flying
Hat Ranch, as shown on the Record of Survey recorded under Instrument No. 360345,
records of Blaine County, Idaho; thence along the boundary of said Flying Hat Ranch the
following 11 courses; thence
N. 89° 16' 14" E., 923.47 feet to a 5/8 inch rebar; thence
S. 35° 15' 35" E., 1609.03 feet; thence
N. 54° 44' 23" E., 314.99 feet; thence
S. 35° 15' 35" E., 176.50 feet; thence
S. 56° 38' 36" E., 170.50 feet; thence
S. 53° 13' 36" E., 261.37 feet; thence
S. 35° 52' 36" E., 124.74 feet; thence
S. 41° 04' 36" E., 148.12 feet; thence
S. 49° 10' 36" E., 110.76 feet; thence
S. 67° 49' 39" E., 182.39 feet to the Southwesterly boundary of Highway 75; thence
S. 35° 14' 56" E., 327.12 feet along the Southwesterly boundary of Highway 75; thence
leaving the boundary of Flying Hat Ranch S. 54° 44' 55" W., 724.46 feet; thence
N. 35° 15' 05" W., 1798.19 feet; thence
S. 54° 44' 55" W., 402.00 feet; thence
N. 35° 15' 05" W., 1324.36 feet; thence
S. 89° 16' 14" W., 453.39 feet to the TRUE POINT OF BEGINNING.

RESERVING UNTO THE GRANTOR ANY AND ALL WATER RIGHTS APPURTENANT THERETO.

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NOV 08 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

June 2, 2000

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

Re: Application(s) for Transfer of Water Right

Dear Mr. Peterson:

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

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

Please complete the enclosed recommendation form(s) and return to this office.

Regional review of an unprotected application can be completed as soon as the final protest period is past; therefore, your prompt response to this request is appreciated.

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

Very truly yours,

Mary A. Baldwin
Administrative Assistant

Enclosure(s)

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JUN 8 2 2000

FLYING HAT RANCH

Excess flow analysis of representative field

Water rights 37-02713 and 37-07356

C. G. Brockway 7/12/00

The location of the representative field chosen for the excess flow analysis is northwest of residence / shop complex. This field is typical of other land within the ranch boundaries. The soil type on the representative field is designated by the NRCS (formerly SCS) as a Balaam-Adamson riverwash complex, and generally consists of sandy loam and gravelly loam textures.

The field is bounded on the east by the Cove Canal. Gravity irrigation methods have been employed using both surface water and groundwater. The flow direction is generally to the west, away from the canal and toward the river.

The excess flow analysis was based on procedures utilized by IDWR and outlined in "Report Regarding Evaluation of Irrigation Diversion Rates" by Hubble Engineering, and clarified by several reports to the SRBA court issued by IDWR. No canal or ditch losses were included in the analysis.

The following data was employed:

General Data

Area = 36.4 acres

Slope = 0.0125 ft/ft

Run length = 790 ft

Furrow spacing = 2.5 feet

Furrow flow = 4.0 gpm

Soil WHC (SCS published values)

0 – 12"	1.42"
12 – 24"	1.03"
24 – 36"	0.27"
36 – 48"	0.27"
48 – 60"	0.27"
Total	3.26"

The results of the analysis are attached. The calculated peak on-field diversion requirement is 1.45 cfs, or 1.99 miner's inches per acres for the representative field.

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NOV 9 3 1999

SOIL WATER HOLDING CAPACITY - FLYING HAT

From SCS published values

SOIL UNIT 7

Baalam-Adamson Riverwash Complex

Representative field northwest of house/shop

Depth	Unit WHC (in / in)			Total WHC (in)
	Baalam	Adamson	Composite 50 / 50	
0 - 12"	0.105	0.131	0.118	1.42
12 - 24"	0.044	0.128	0.086	1.03
24 - 36"	0.025	0.02	0.023	0.27
36 - 48"	0.025	0.02	0.023	0.27
48 - 60"	0.025	0.02	0.023	0.27
Total				3.26

Irrigation Water Requirements Analysis
Version 1.00
2000-07-12 @ 15:01:08

Flying Hat Excess Flow - REPRESENTATIVE FIELD
Brockway Engineering and C. W. Robison
No canal/lateral/ditch losses

Crop Water Requirements Datafile: picabo.cir
Probability Level for Analysis: 80.0
Number of Canal/Lateral Segments: 1
Number of Irrigation Methods: 1
Number of Soil Types: 1
Number of Crops: 1
Number of Analysis Periods: 8

CANAL/LATERAL INFORMATION

#	Name	Segment	miles	feet	sq-ft	Upstream Length	Width	F-Area	Seepage Method
1	Effective Div.	0	.00	.0	.0	Specified S=	.00	cfs/mi	

IRRIGATION SYSTEM INFORMATION

Name	Assumed	Set	Run	Slope-Furrows
	Efficiency	Time	Flow Length	Width-Others
FURROW FLD.1	48.0	24.	4.0	790. .013

SOILS INFORMATION

Name	Intake	Water Holding Capacity				
	Family	1ft	2ft	3ft	4ft	5ft
LWVGL	2.5	1.42	2.45	2.72	2.99	3.26

CROP SYSTEM INFORMATION

Name	Allowable	Furrow
	Deficit	Spacing Roughness
Alfalfa Hay	50.0	2.500 .100

MICROFILMED
SEP 20 2000

Irrigation Water Requirements Analysis
Version 1.00
2000-07-12 @ 15:01:08

Flying Hat Excess Flow - REPRESENTATIVE FIELD
Brockway Engineering and C. W. Robison
No canal/lateral/ditch losses

CROP DISTRIBUTION FOR LWVGL			by Irrigation System
Crop	Total	01	
Alfalfa Hay	36.4	36.4	

Irrigation System Key
01 - FURROW FLD.1

MICROFILMED
NOV 08 2000

Crop Irrigation Requirements (mm/day)

Title: Picabo Consumptive Use from Brockway and Allen

	Total	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
				Alfalfa Hay					
Root Depth	.0	.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00
Mean CU	759.0	.00	.00	3.64	7.08	6.64	5.06	2.41	.00
Mean IR	681.0	.00	.00	2.98	6.10	6.49	4.68	2.04	.00
Std Dev CU	26.0	.00	.00	.32	.49	.27	.33	.27	.00
Std Dev IR	57.0	.00	.00	.63	1.14	.36	.77	.56	.00

NOV 6 8 2006

Project/Farm Irrigation Water Requirement Analysis
Version 1.00

Crop Requirements (in/day)
Crop Rooting Depths (ft)

BASED ON NORMAL DISTRIBUTION

Adjusted Crop Water Requirements for 80.0% probability level
Total Mar Apr May Jun Jul Aug Sep Oct

	Total	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Alfalfa Hay									
---CU---	30.7	.000	.000	.154	.295	.270	.210	.104	.000
---IR---	28.7	.000	.000	.138	.278	.267	.210	.099	.000
Root Depth		.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0

CU Peak to Ave Ratio vs Application Depth Curve (11 pts)

App.Depth(in)	.61	1.06	1.51	2.12	2.73	3.63	4.54	5.60	6.36
	6.96	7.57							
Peak:Average	1.154	1.138	1.123	1.108	1.092	1.077	1.061	1.046	1.038
	1.031	1.023							

30 CROD LMLL
FEB 02 2005

Irrigation Water Requirements Analysis

Version 1.00

2000-07-12 @ 15:01:08

Flying Hat Excess Flow - REPRESENTATIVE FIELD
Brockway Engineering and C. W. Robison
No canal/lateral/ditch losses

Allowable Soil Water Deficit -- inches
80.0 Percent Probability Level of IR

	SOIL CATAGORY: LWVGL								
Crop	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	
Alfalfa Hay	.00	1.63	1.63	1.63	1.63	1.63	1.63	1.63	

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Irrigation Water Requirements Analysis

Version 1.00

2000-07-12 @ 15:01:08

Flying Hat Excess Flow - REPRESENTATIVE FIELD

Brockway Engineering and C. W. Robison

No canal/lateral/ditch losses

Peak Consumptive Use based on Peak:Mean(ASWD)

80.0 Percent Probability Level of CU

SOIL CATAGORY: LWVGL

Crop	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Alfalfa Hay	--	--	.172	.330	.303	.235	.116	--

Irrigation Water Requirements Analysis
Version 1.00
2000-07-12 @ 15:01:08

Flying Hat Excess Flow - REPRESENTATIVE FIELD
Brockway Engineering and C. W. Robison
No canal/lateral/ditch losses

Irrigation System Analysis FOR SOIL LWVGL

Irrigation System Efficiency Analysis: FURROW FLD.1
Furrow Irrigation-> 24.Hours @ 4.0gpm on 790.ft @ .013ft/ft

CROP	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Alfalfa Hay	---	34.8	34.8	34.8	34.8	34.8	34.8	34.8

Note the following symbol meanings
 @@@ = Water did not reach end of furrow
 * = End-of-Furrow application insufficient

On-Farm Diversion Requirements -- miner inches/ac
With a 80.0 percent probability level

Based on analysis period irrigation requirement

CROP	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Alfalfa Hay	.000	.000	.833	1.675	1.612	1.264	.596	.000

Based on analysis period peak consumptive use

CROP	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Alfalfa Hay	.000	.000	1.039	1.991	1.825	1.418	.701	.000

Irrigation Water Requirements Analysis
Version 1.25
2000-07-12 @ 15:01:08

Flying Hat Excess Flow - REPRESENTATIVE FIELD
Brockway Engineering and C. W. Robison
No canal/lateral/ditch losses

Overall Project On-Farm Diversion Requirement
With a 80.0% Water Requirement Probability Level

Based on analysis period irrigation requirement

CROP	Total ac-ft	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
				miners	inches	per ac.			
Alfalfa Hay	250.	.000	.000	.833	1.675	1.612	1.264	.596	.000
*Entire Project	250.	.000	.000	.833	1.675	1.612	1.264	.596	.000

Based on analysis period peak consumptive use

CROP	Total arces	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
				miners	inches	per ac.			
Alfalfa Hay	36.	.000	.000	1.039	1.991	1.825	1.418	.701	.000
*Entire Project	36.	.000	.000	1.039	1.991	1.825	1.418	.701	.000

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Irrigation Water Requirements Analysis

Version 1.25

2000-07-12 @ 15:01:08

Flying Hat Excess Flow - REPRESENTATIVE FIELD
Brockway Engineering and C. W. Robison
No canal/lateral/ditch losses

Fraction of Soil Type Area served by Canal/Lateral Segment

Canal\Soil Class 01
Effective Div. 1.000

Table Soil Type Key

01 - LWVGL

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Irrigation Water Requirements Analysis

Version 1.25

2000-07-12 @ 15:01:08

Flying Hat Excess Flow - REPRESENTATIVE FIELD

Brockway Engineering and C. W. Robison

No canal/lateral/ditch losses

Canal/Lateral Discharge Summary (cubic feet per second)

Canal/Lateral	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Effective Div.	****	Seepage Rate:	.00 cfs/mi or	.00 cfs	****			

Based on analysis period irrigation requirement

DS Delivery	.0	.0	.0	.0	.0	.0	.0	.0
On-Farm Div.	.0	.0	.6	1.2	1.2	.9	.4	.0
Seepage Loss	.0	.0	.0	.0	.0	.0	.0	.0
US Div. Req.	.0	.0	.6	1.2	1.2	.9	.4	.0

Based on analysis period peak consumptive use

DS Delivery	.0	.0	.0	.0	.0	.0	.0	.0
On-Farm Div.	.0	.0	.8	1.4	1.3	1.0	.5	.0
Seepage Loss	.0	.0	.0	.0	.0	.0	.0	.0
US Div. Req.	.0	.0	.8	1.4	1.3	1.0	.5	.0

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Irrigation Water Requirements Analysis

Version 1.25

2000-07-12 @ 15:01:08

Flying Hat Excess Flow - REPRESENTATIVE FIELD
Brockway Engineering and C. W. Robison
No canal/lateral/ditch losses

PROJECT IRRIGATION DIVERSION REQUIREMENTS
SUMMARY

Total Irrigated Area: 36.40 acres

Based on analysis period irrigation requirement

Max Project Diversion: 1.22 cfs(1.676 mi/ac)

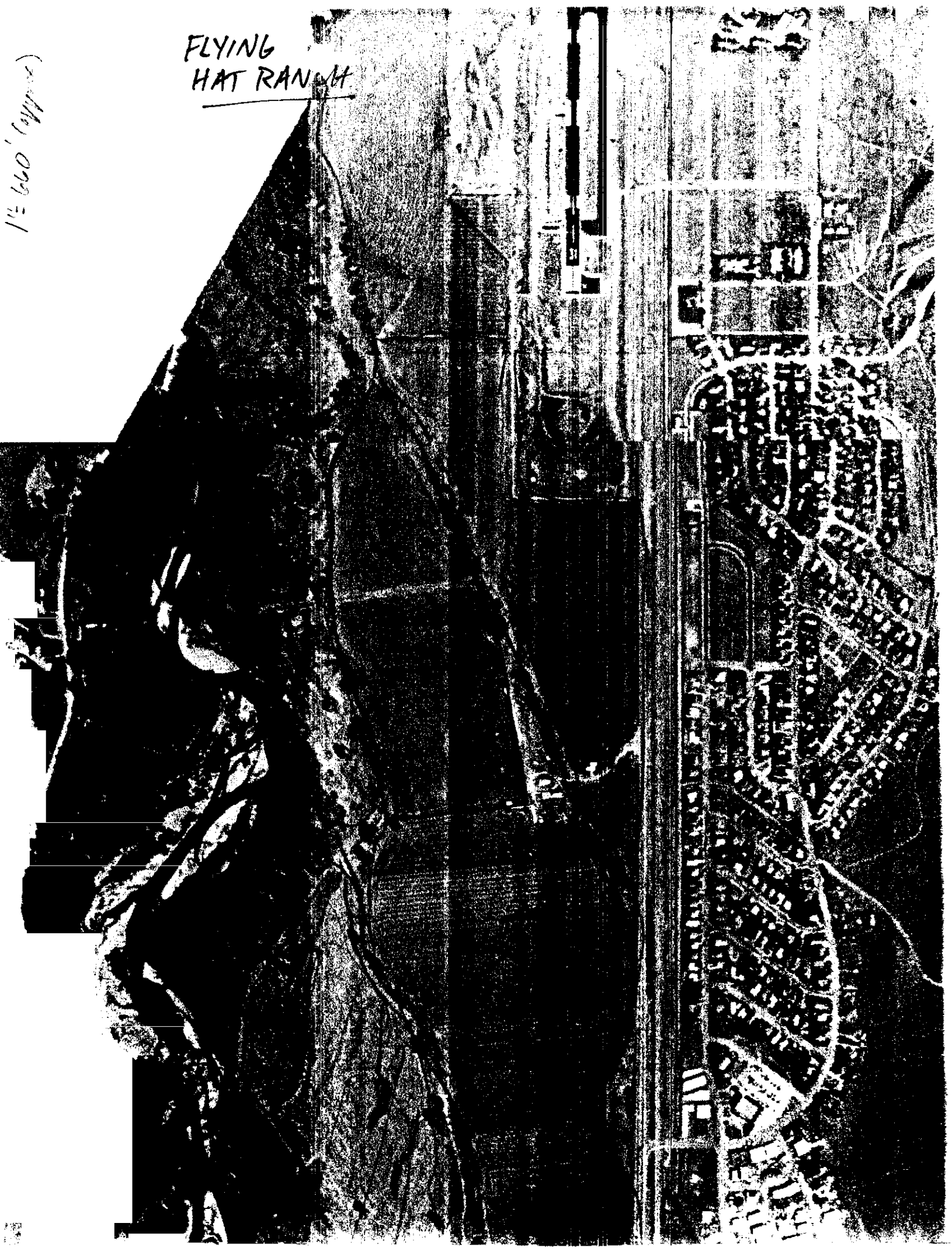
Based on analysis period peak consumptive use

Peak Project Diversion: 1.45 cfs(1.992 mi/ac)

WUCRC

DEC 8 1999

FLYING
HAT RANCH



(11/11/01, 0997/1)

35 to 63 inches—multicolored extremely gravelly coarse sand

Depth class: Very deep

Drainage class: Somewhat excessively drained

Permeability: Moderately rapid in the upper 35 inches; very rapid below this depth

Available water capacity: Very low

Potential rooting depth: 60 inches or more

Restriction affecting rooting depth: Loose sand and gravel at a depth of 35 inches

Runoff: Very slow

Hazard of water erosion: Slight

Shrink-swell potential: Low

Characteristics of the Adamson Soil

Position on landscape: Stream terraces

Parent material: Alluvium derived from various kinds of rock

Elevation: 4,700 to 6,000 feet

Average annual precipitation: About 14 inches

Average annual air temperature: About 42 degrees F

Frost-free period: About 75 days

Typical profile:

0 to 5 inches—grayish brown fine sandy loam

5 to 19 inches—grayish brown loam

19 to 28 inches—grayish brown fine sandy loam

28 to 61 inches—light grayish brown very gravelly coarse sand

Depth class: Very deep

Drainage class: Well drained

Permeability: Moderate in the upper 28 inches; very rapid below this depth

Available water capacity: Low

Potential rooting depth: 60 inches or more

Restriction affecting rooting depth: Loose sand and gravel at a depth of 28 inches

Runoff: Slow

Hazard of water erosion: Slight

Frequency of flooding: Rare

Shrink-swell potential: Low

Inclusions

Similar inclusions: Balaam gravelly sandy loam, Adamson loam in concave areas

Contrasting inclusions: Soils that are similar to the Balaam soil but are shallower to loose sand and gravel and are in convex areas (5 percent)

Major Uses

Cropland, hayland, and pasture

Currently grown irrigated crops: Barley, oats, wheat, alfalfa hay, pasture

General management considerations:

- A suitable cropping system, crop residue management, irrigation water management, and applications of fertilizer help to maintain fertility and tilth.
- Proper grazing practices, irrigation water management, seeding of suitable forage plants, and applications of fertilizer improve the quality of forage on pastures.
- The best suited method of irrigation is a sprinkler system. Use of this method permits an even, controlled application of water, reduces the rate of runoff, and minimizes the risk of water erosion. Border systems are also suitable.
- Adjusting the rate at which irrigation water is applied to the available water capacity, the water intake rate, and the needs of the crop helps to prevent overirrigating and the leaching of plant nutrients.

Rangeland

Dominant vegetation in potential natural plant community:

Basin big sagebrush, bluebunch wheatgrass

Main limitations: Very low and low available water capacity

General management considerations:

- Brush management, proper distribution of livestock, and range seeding are needed.
- Suitable methods of brush management are prescribed burning, chemical spraying, and mechanical treatment.
- Range seeding is suitable on this unit. Drilling is the best suited method.
- Plants that can tolerate droughtiness are suitable for seeding.

Capability Classification

IVs, irrigated and nonirrigated

7—Balaam-Adamson complex, cool, 0 to 2 percent slopes

Composition

Balaam gravelly sandy loam, 0 to 2 percent slopes—50 percent

Adamson fine sandy loam, 0 to 2 percent slopes—35 percent

Contrasting inclusions—15 percent

Characteristics of the Balaam Soil

Position on landscape: Convex areas of stream terraces

Parent material: Alluvium derived from various kinds of rock

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Elevation: 5,200 to 6,000 feet

Average annual precipitation: About 16 inches

Average annual air temperature: About 41 degrees F

Frost-free period: About 65 days

Typical profile:

0 to 10 inches—grayish brown gravelly sandy loam

10 to 17 inches—brown very gravelly sandy loam

17 to 60 inches—multicolored extremely cobbly coarse sand

Depth class: Very deep

Drainage class: Somewhat excessively drained

Permeability: Moderately rapid in the upper 17 inches; very rapid below this depth

Available water capacity: Very low

Potential rooting depth: 60 inches or more

Restriction affecting rooting depth: Loose sand and rock fragments at a depth of 17 inches

Runoff: Very slow

Hazard of water erosion: Slight

Frequency of flooding: Rare

Shrink-swell potential: Low

Characteristics of the Adamson Soil

Position on landscape: Concave areas of stream terraces

Parent material: Alluvium derived from various kinds of rock

Elevation: 5,200 to 6,000 feet

Average annual precipitation: About 16 inches

Average annual air temperature: About 41 degrees F

Frost-free period: About 65 days

Typical profile:

0 to 9 inches—grayish brown fine sandy loam

9 to 22 inches—brown very fine sandy loam

22 to 48 inches—brown extremely cobbly coarse sand

48 to 60 inches—multicolored extremely stony coarse sand

Depth class: Very deep

Drainage class: Well drained

Permeability: Moderate in the upper 22 inches; very rapid below this depth

Available water capacity: Low

Potential rooting depth: More than 60 inches

Restriction affecting rooting depth: Loose sand and rock fragments at a depth of 22 inches

Runoff: Very slow

Hazard of water erosion: Slight

Frequency of flooding: Rare

Shrink-swell potential: Low

Contrasting Inclusions

Balaam very cobbly sandy loam (10 percent); Adamson

gravelly fine sandy loam (5 percent)

Major Uses

Hayland and pasture

Currently grown irrigated crops: Alfalfa, pasture

General management considerations:

- Proper grazing practices, irrigation water management, seeding of suitable forage plants, and applications of fertilizer improve the quality of forage pastures.

- The best suited method of irrigation is a sprinkler system.

- Adjusting the rate at which irrigation water is applied to the available water capacity, the water intake rate, and the needs of the crop helps to prevent overirrigating and the leaching of plant nutrients.

Capability Classification

IVs, irrigated and nonirrigated

8—Balaam-Adamson-Riverwash complex, 0 to 2 percent slopes

Composition

Balaam gravelly sandy loam, flooded, 0 to 2 percent slopes—35 percent

Adamson fine sandy loam, flooded, 0 to 2 percent slopes—25 percent

Riverwash—20 percent

Contrasting inclusions—20 percent

Characteristics of the Balaam Soil

Position on landscape: Flood plains

Parent material: Alluvium derived from various kinds of rock

Elevation: 4,700 to 6,000 feet

Average annual precipitation: About 15 inches

Average annual air temperature: About 42 degrees F

Frost-free period: About 70 days

Typical profile:

0 to 10 inches—grayish brown gravelly sandy loam

10 to 17 inches—brown very gravelly sandy loam

17 to 60 inches—multicolored extremely cobbly coarse sand

Depth class: Very deep

Drainage class: Somewhat excessively drained

Permeability: Moderately rapid in the upper 17 inches; very rapid below this depth

Available water capacity: Very low

Potential rooting depth: 60 inches or more

Restriction affecting rooting depth: Loose sand and rock

TABLE 14.--PHYSICAL AND CHEMICAL PROPERTIES OF THE SOILS

(The symbol < means less than; > means more than. Entries under "Erosion factors--T" apply to the entire profile. Entries under "Wind erodibility group" and "Organic matter" apply only to the surface layer. Absence of an entry indicates that data were not available or were not estimated)

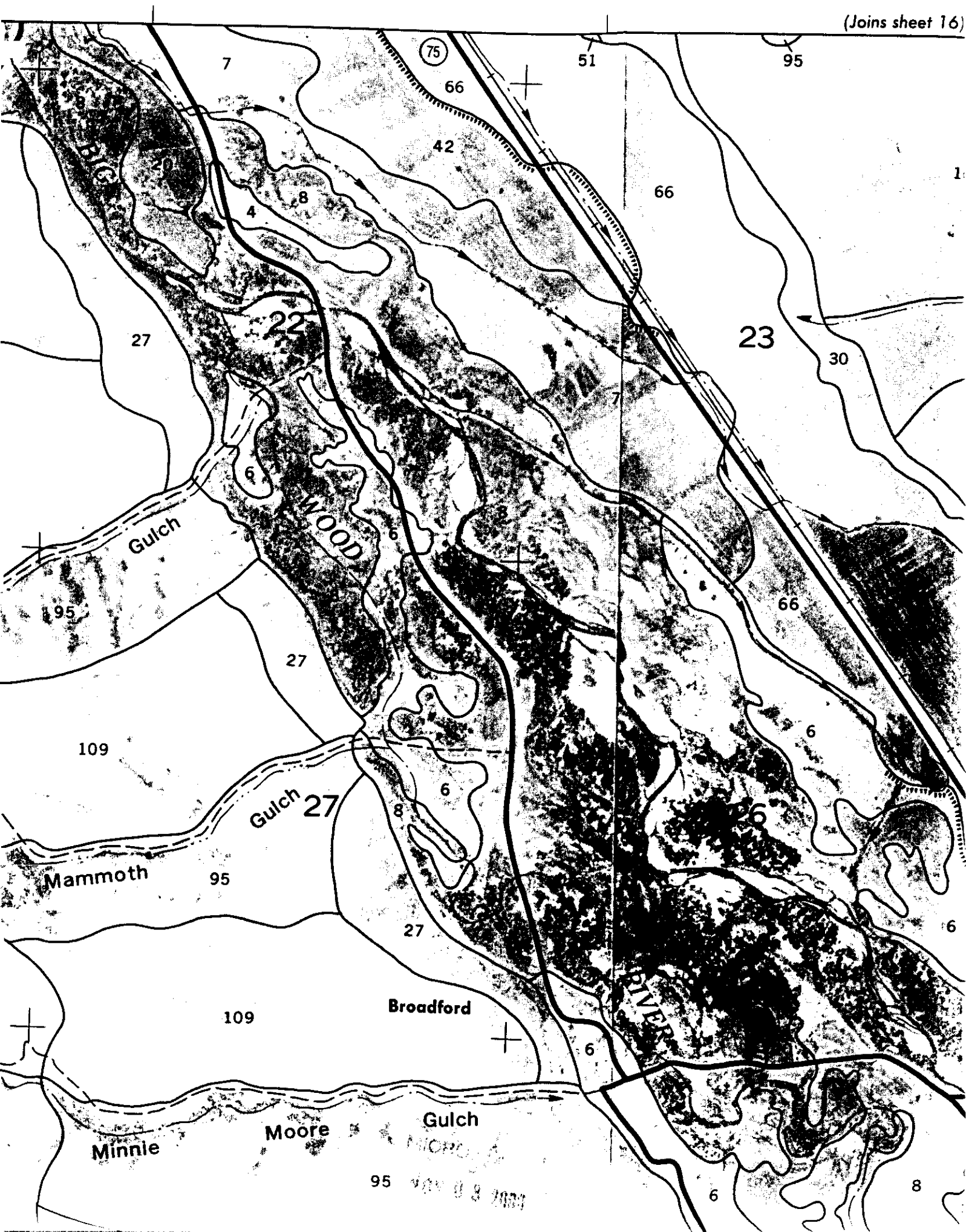
Soil name and map symbol	Depth	Clay	Permeability	Available water capacity	Soil reaction	Salinity	Shrink-swell potential	Erosion factors		Wind erodibility group	Organic matter
								K	T		
	In	Pct	In/hr	In/in	pH	mmhos/cm					Pct
1----- Adamson	0-5 5-28 28-61	10-18 8-18 0-5	0.6-2.0 0.6-2.0 >20	0.16-0.18 0.11-0.18 0.03-0.05	6.6-7.8 6.6-7.8 6.6-7.8	<2 <2 <2	Low----- Low----- Low-----	0.28 0.24 0.10	2	5	1-3
2*: Adios-----	0-5 5-23 23-27 27	20-27 35-60 --- ---	0.6-2.0 <0.06 --- ---	0.16-0.19 0.15-0.17 --- ---	6.6-7.3 6.6-8.4 --- ---	<2 <2 --- ---	Low----- High----- --- ---	0.20 0.28 --- ---	1	8	1-3
Gooding-----	0-9 9-34 34-49 49-62 62	10-20 35-59 27-40 --- ---	0.2-0.6 <0.06 0.06-0.2 --- ---	0.19-0.21 0.14-0.21 0.14-0.21 --- ---	6.6-7.3 6.6-8.4 7.4-8.4 --- ---	<2 <2 <2 --- ---	Low----- High----- High----- --- ---	0.37 0.32 0.32 --- ---	1	6	1-3
Bostrum-----	0-4 4-28 28-32 32-36	15-25 35-50 30-40 ---	0.2-0.6 <0.06 0.06-0.2 ---	0.14-0.18 0.14-0.17 0.19-0.21 ---	6.6-7.3 6.6-8.4 6.6-8.4 ---	<2 <2 <2 ---	Low----- High----- Moderate ---	0.28 0.32 0.32 ---	2	6	<1
3*: Adios-----	0-5 5-23 23-27 27	20-27 35-60 --- ---	0.6-2.0 <0.06 --- ---	0.16-0.19 0.16-0.17 --- ---	6.6-7.3 6.6-8.4 --- ---	<2 <2 --- ---	Low----- High----- --- ---	0.20 0.28 --- ---	1	8	1-3
Adios, cool-----	0-7 7-25 25-28 28-32	20-27 35-60 --- ---	0.6-2.0 <0.06 --- ---	0.16-0.18 0.15-0.17 --- ---	6.6-7.3 6.6-8.4 --- ---	<2 <2 --- ---	Low----- High----- --- ---	0.24 0.28 --- ---	1	6	1-3
4----- Balaam	0-14 14-21 21-61	10-15 5-10 0-5	2.0-6.0 2.0-6.0 >20	0.07-0.10 0.05-0.09 0.01-0.03	6.1-7.3 6.6-7.8 6.6-7.8	<2 <2 <2	Low----- Low----- Low-----	0.15 0.10 0.05	3	3	1-3
5----- Balaam	0-14 14-21 21-61	10-15 5-10 0-5	2.0-6.0 2.0-6.0 >20	0.05-0.08 0.05-0.09 0.01-0.03	6.1-7.3 6.6-7.8 6.6-7.8	<2 <2 <2	Low----- Low----- Low-----	0.10 0.10 0.05	5	6	1-3
6*: Balaam-----	0-21 21-35 35-63	10-15 5-10 0-5	2.0-6.0 2.0-6.0 >20	0.05-0.08 0.05-0.09 0.01-0.03	6.1-7.3 6.6-7.8 6.6-7.8	<2 <2 <2	Low----- Low----- Low-----	0.10 0.10 0.05	5	6	1-3
Adamson-----	0-5 5-28 28-61	8-15 8-18 0-5	2.0-6.0 0.6-2.0 >20	0.11-0.13 0.11-0.18 0.03-0.05	6.6-7.8 6.6-7.8 6.6-7.8	<2 <2 <2	Low----- Low----- Low-----	0.42 0.24 0.10	2	3	1-2
7*: Balaam-----	0-10 10-17 17-60	12-18 7-12 0-10	2.0-6.0 2.0-6.0 >20	0.08-0.13 0.06-0.08 0.01-0.04	5.1-6.0 5.1-5.5 5.1-5.5	<2 <2 <2	Low----- Low----- Low-----	0.10 0.05 0.02	2	3	2-3

See footnote at end of table.

TABLE 14.--PHYSICAL AND CHEMICAL PROPERTIES OF THE SOILS--Continued

Soil name and map symbol	Depth	Clay	Permeability	Available water capacity	Soil reaction	Salinity	Shrink- swell potential	Erosion factors		Wind erodi- bility group	Organic matter
								K	T		
	In	Pct	In/hr	In/in	pH	mmhos/cm					Pct
7*:											
Adamson-----	0-9	12-18	2.0-6.0	0.11-0.14	6.1-6.5	<2	Low-----	0.28	3	3	2-3
	9-22	14-18	0.6-2.0	0.14-0.16	6.1-6.5	<2	Low-----	0.32			
	22-48	0-5	>20	0.01-0.03	6.1-7.3	<2	Low-----	0.02			
	48-60	0-5	>20	0.01-0.03	6.6-7.3	<2	Low-----	0.02			
8*:											
Balaam-----	0-10	12-18	2.0-6.0	0.08-0.13	5.1-6.0	<2	Low-----	0.10	2	3	2-3
	10-17	5-12	2.0-6.0	0.06-0.08	5.1-5.5	<2	Low-----	0.05			
	17-60	0-10	>20	0.01-0.03	5.1-5.5	<2	Low-----	0.02			
Adamson-----	0-9	12-18	2.0-6.0	0.11-0.14	6.1-6.5	<2	Low-----	0.28	3	3	2-3
	9-22	14-18	0.6-2.0	0.14-0.16	6.1-6.5	<2	Low-----	0.32			
	22-48	0-5	>20	0.01-0.03	6.1-7.3	<2	Low-----	0.02			
	48-60	0-5	>20	0.01-0.03	6.6-7.3	<2	Low-----	0.02			
Riverwash.											
9, 10-----	0-11	15-20	0.6-2.0	0.19-0.21	6.1-7.3	<2	Low-----	0.43	5	5	2-3
Bancroft	11-42	18-32	0.6-2.0	0.19-0.21	6.1-8.4	<2	Low-----	0.43			
	42-80	5-18	0.6-2.0	0.06-0.16	7.4-8.4	<2	Low-----	0.24			
11-----	0-6	---	0.6-2.0	0.22-0.30	6.6-7.8	<2	Low-----	---	5	8	60-85
Bickett	6-11	---	0.6-2.0	0.22-0.30	7.4-7.8	<2	Low-----	---			
	11-40	24-35	0.2-0.6	0.19-0.21	7.4-8.4	<2	Moderate	0.32			
	40-61	20-30	0.6-2.0	0.15-0.18	6.6-7.3	<2	Moderate	0.28			
12*:											
Blackspar-----	0-3	10-20	0.6-2.0	0.05-0.07	6.6-7.3	<2	Low-----	0.24	1	8	1-2
	3-17	20-30	0.6-2.0	0.04-0.06	6.6-7.3	<2	Low-----	0.20			
	17	---	---	---	---	---	---	---			
Rock outcrop.											
13*:											
Blackspot-----	0-7	10-18	2.0-6.0	0.06-0.10	7.4-8.4	<2	Low-----	0.17	1	5	1-2
	7-14	10-18	2.0-6.0	0.06-0.10	7.9-9.0	<2	Low-----	0.20			
	14-19	---	---	---	---	---	---	---			
	19	---	---	---	---	---	---	---			
Prudy-----	0-10	18-24	0.6-2.0	0.15-0.17	6.6-7.8	<2	Low-----	0.28	4	5	3-5
	10-42	18-27	0.6-2.0	0.10-0.17	7.4-9.0	<2	Low-----	0.24			
	42-50	---	---	---	---	---	---	---			
	50	---	---	---	---	---	---	---			
14*:											
Bostrum-----	0-4	15-25	0.2-0.6	0.14-0.18	6.6-7.3	<2	Low-----	0.28	2	6	<1
	4-32	35-50	<0.06	0.14-0.17	6.6-8.4	<2	High-----	0.32			
	32-36	---	---	---	---	---	---	---			
Yutru-----	0-7	40-60	<0.06	0.14-0.16	6.6-7.3	<2	High-----	0.37	5	4	.5-1
	7-35	40-60	<0.06	0.14-0.16	6.6-7.8	<2	High-----	0.28			
	35-63	30-40	0.06-0.2	0.19-0.21	7.4-8.4	<2	Moderate	0.32			

See footnote at end of table.

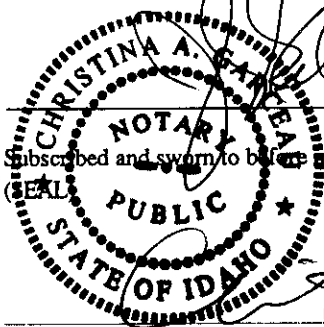


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State of Idaho, }
County of Blaine } SS.

On this 15 day of June, in the year 2000, before me a Notary Public of said State, personally appeared _____, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 7 day of June, 2000 and the date of the last publication was on the 14 day of June, 2000



Subscribed and sworn to before me this 15 day of June, 2000

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line		23.5
Number of Lines in Notice	<u>2</u>	<u>23</u>
Number of Insertions	<u>4</u>	
	Lines tabular at	<u>3.06</u> 7¢ / Pica
	Lines straight at	<u>2.82</u> 6¢ / Pica
	Subsequent lines at	<u>—</u> 5¢ / Pica
TOTAL COST	<u>70.82</u>	

COPY OF NOTICE
(Paste Here)

Proposed change of water
TITLE OF NOTICE

rights

PLAINTIFF ATTORNEY

DEFENDANT

#24620

State of Idaho PLAINTIFF

Dept. of water resources

BILL TO

Proposed change of water rights

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that Spencer F. Eccles-Flying Hat Ranch, PO Box Salt Lake City, UT 84126 has filed Application for Transfer No. 5749 for change of existing irrigation water rights in Blaine County as described below:

Right No.	Priority	Area
37-02713	08/18/1965	10.0
37-07366	04/28/1974	2.8

The rights are diverted from ground water within SESE, S15 and SWSE, S2 licensed for irrigation on 656 acres (historically used on 596 acres) within sections 15, 22, 23, 25 & 28. The applicant proposes to continue to use existing in SWSE and drill a new well within NESE, both S23 and also drill a new well within SWSE, S15 for the diversion of a combined total of 12.68 cfs for 1/2 of 596 acres in a 714-acre parcel located in the sections described above; all T23N, R18E.

Any protest against this proposed change must be filed with the Department of Water Resources, Southern Region, 1240 Franklin St., Suite #200, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before June 26, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Attorney
Publish: Wood River Journal - June 7 & 14, 2000.

error noted
6/20/00
mb

MICROFILM

NOV 03 2000

Publication Rates	
As of 1997	
(Idaho code, Rev. Statutes 1984)	
7-8 pt./line straight:	.06 / pica
7-8 pt./line tabular:	.07 / pica
7-8 pt./line successive insertion:	.05 / pica

12561

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that Spencer F. Eccles-Flying Hat Ranch, PO Box 30006, Salt Lake City UT 84125 has filed **Application for Transfer No. 5749** for changes to existing irrigation water rights in Blaine County as described below:

<u>Right No.</u>	<u>Priority</u>	<u>Amt (cfs)</u>
37-02713	08/18/1965	10.00
37-07356	04/28/1974	2.68

The rights are diverted from ground water within SESE, S15 and SWSE, S23 and licensed for irrigation on 658 acres (historically used on 596 acres) within Sections 15, 22, 23, 25, & 26. The applicants propose to continue to use existing well in SWSE and drill a new well within NESW, both S23 and also drill a new well within SWSE, S15 for the diversion of a combined total of 12.68 cfs for irrigation of 596 acres in a 714 acre permissible of use located in the sections described above; all T02N, R18E.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200; Twin Falls ID 83301 together with a protest fee of \$25.00 on or before June 26, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Wood River Journal on 06/07 & 06/14/00.

MICROFILMED

NOV 08 2000

T#5749



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 2, 2000

ATTN LEGALS DEPT
WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Ladies and Gentlemen:

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

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin

Administrative Assistant

Enclosure

MICROFILMED

JUN 13 2000

T05749

JUN 02 2000

Memo

To: T5749

From: Allen Merritt

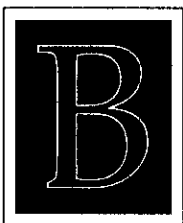
Subject: Phone conversation with Brockway Jr.

I asked why they were reducing licensed 658 acres to 596 in a 714 acre PPU. He indicated that they reduced the acres to 596 because that is all they could show that have been historically irrigated in the recent past and they didn't want to fight the issue of forfeiture. As for the 4.0 it is based on what appears to be licensed so they just took that rate times the 596.

MACROCELL

JUN 02 2000

T5749



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

May 18, 2000

Idaho Department of Water Resources
C/o Mr. Allen Merritt
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

Re: Water Right Transfer Application
Flying Hat Ranch - Groundwater

Dear Mr. Merritt:

The attached application is submitted on behalf of Mr. Eccles for the point of diversion change for two groundwater rights (37-02713, 37-07356). Under the threat of condemnation, the sale of 40 acres of the Flying Hat Ranch to the Friedman Memorial Airport has forced the ranch to abandon a supply line from the well to the ranch which requires the relocation of one of the main irrigation wells (Well #2) located alongside the existing airstrip.

The following transfer application proposes a change of point of diversion eliminating the old Well #2 diversion point and adding two new points of diversion for wells to be drilled to replace the old well. The new wells will pump water into the Cove Canal and into an irrigation storage pond where it will be mixed with canal water prior to pressurization by the irrigation pumping station. The pressure irrigation booster stations distribute water to five pivots and numerous hand & wheel line sprinkler systems throughout the ranch.

In addition to the change in point of diversion, the applicant wishes to create a 714 acre permissible place of use (PPU) as described in the transfer application. The permissible place of use includes land within the ranch boundary and also includes the Divine Ranch which was acquired by Spencer Eccles in 2000. A map of the proposed PPU is included with the application. A second transfer will be submitted to create an identical PPU for the surface water rights appurtenant to the Flying Hat Ranch and Divine Ranch.

The total diversion volume listed on part one of the application has been reduced to agree with the actual acres (596 acres) allowed within the PPU at a diversion volume of 4.00 AFA. A map of the entire place of use by quarter section is included with the application. The diversion rate of 12.68 cfs is to remain unchanged.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

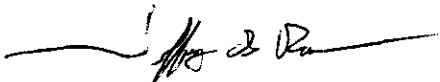
FAX: 736•8506

REC'D
MAY 19 2000

T05749

We would like to work with your staff in their review of this application.
Please review the attached application and contact myself if you have any
questions or concerns. Thank you.

Sincerely,



Jeffrey S. Rau, PE

Cc: Spencer F. Eccles (Applicant)
Evan Robertson
Marc Reinemann

RECEIVED
NOV 03 2000

October 20, 1969

Re: Permit No. 32491/37-2713

Edward A. Gage
c/o Gage Ranch
Hailey, Idaho 83333

Dear Mr. Gage:

A representative from this department has made an examination of your works covered by Permit 37-2713. The works were found capable of producing 12.684 c.f.s. of which 10.0 c.f.s. can be recognized as beneficially used and licensed under Idaho law. The water is used for irrigation of 659 acres in S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22; W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T.2N, R.18E, B.M.

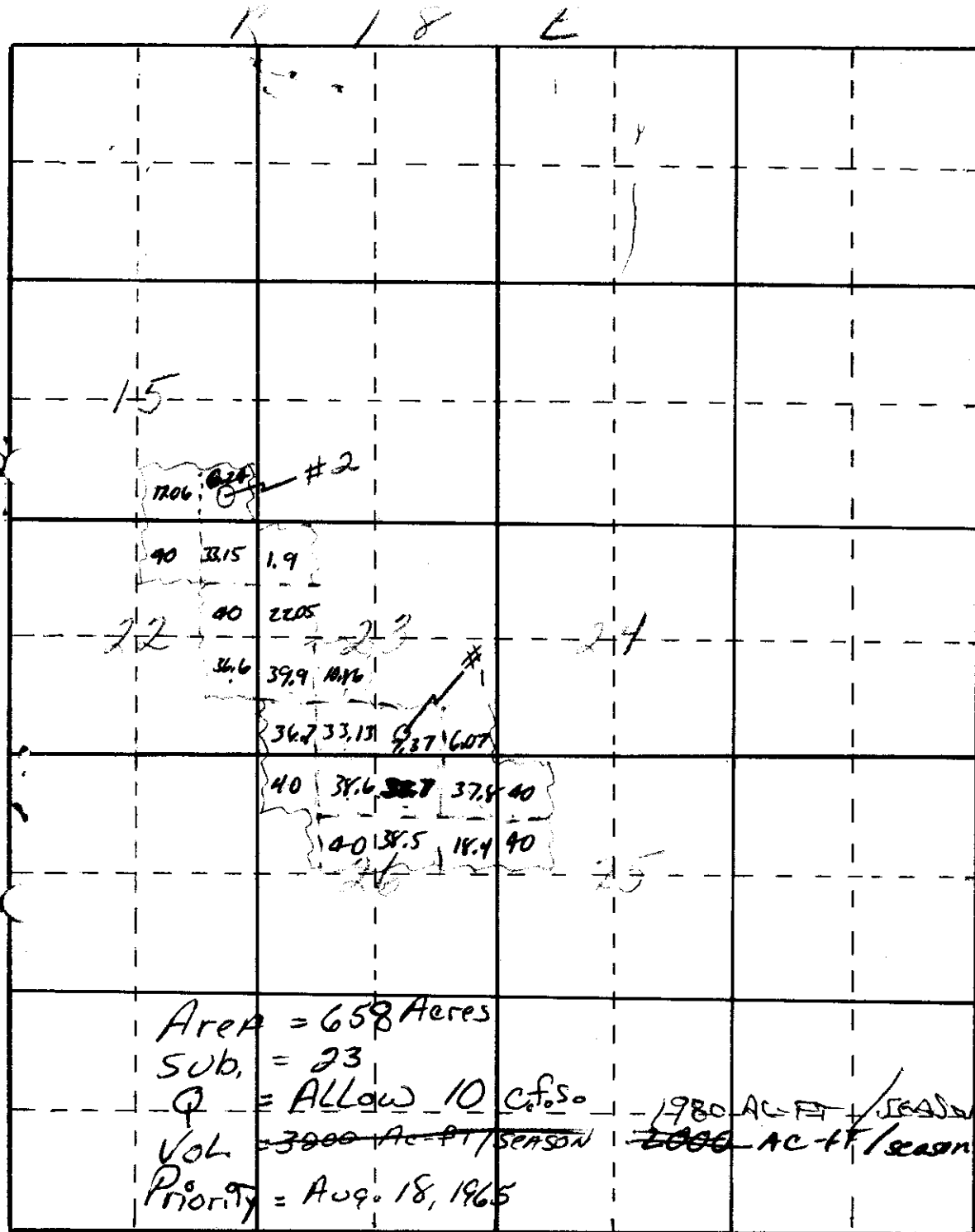
If you disagree with the findings, please advise us within 10 days; otherwise, a license will be issued showing the findings as set forth in this letter.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:mh

32491
37-2713



Permit No. G-32491

37

Name of Applicant Edward A. Gage, c/o Gage Ranch, Hailey, Idaho 83333

Source of Water Subterranean

a tributary of

Location of P.D. Well No. 1 in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sed. 23, T. 2 N, R. 18 E, B.M.

Well No. 2 in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 2 N, R. 18 E, B.M., Blaine County.

Water is used for Irrigation

Quantity of water claimed: Permit 10.0 c.f.s. Depositions 10.0 c.f.s.

Type of measuring device installed or method of measurement and general description

of diversion works Well #1 - 125'x12" 40 hp motor with 10" bowl

Well #2 - 145'x12" 60 hp motor with 10" bowl

80' from ground

Land to be irrigated or place of use:

TWP.	RGE.	SEC.	Description
2N	18E	15	S $\frac{1}{2}$ SE $\frac{1}{4}$
		22	N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
		23	W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
		25	W $\frac{1}{2}$ NW $\frac{1}{4}$
		26	NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$

Filed - August 18, 1965

Total acreage 659.01

Due - August 20, 1970

Made - October 24, 1968

Priority - August 18, 1965

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and

acreage covered by subdivision; also show land covered on the map.

Cove Canal 485" #33

IRRIGATION REQUIREMENT $\pm$ 3.0 ft/season

10-20-69 DR

32491
37-2713

Source of supply Sub.
a tributary of _____

Location of P.D.(s) SW 1/4 SE 1/4 Sec. 23 T 2N, R 18E
SE 1/4 SE 1/4 Sec. 15 T 2N R 18E

Water is used for IRRIGATION

Quantity of water found 12.684 cfs.

How was the measurement made? by micrometer tother by pygmo current meter

Measurement calculations _____

100 cf in 13 sec.

200 cf in 26 sec.

100 cf in 19.8 sec.

Diversion works description and diagram

Well #1 General Electric motor 40 H.P. Ser. # NYT 117309
LAYNE & Bowler pump Ser. # 44207 12" Discharge into
concrete Diversion Box To earth Ditches.

Well #2 General Electric motor 60 H.P. Ser. # KBT 1019479
Verti-Line Pump 3150 G.P.M. 60 FT. 1770 R.P.M. Ser. #
D14892 12" Discharge into concrete Diversion To earth
Ditches

Indicate area irrigated in each subdivision on the map. 23

Total acreage irrigated 659 Acres

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?

MR. UHRI9

Recommended allowance for licensing _____

Description of required amendments. Comments. _____

Report checked? _____

Examination date 13 Aug. 69

Signature John Reynolds P.m.
D.S.T.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Date 13 Aug, 1969 DISCHARGE MEASUREMENT NOTES

Edward GAGE

River at

[illegible]

No. _____ of _____ Sheets. Comp. by _____ Chk. by _____

.9 .10 .20 .30 .40 .50 .60 .70 .75

LAW OFFICES
BENOIT, BENOIT & ALEXANDER

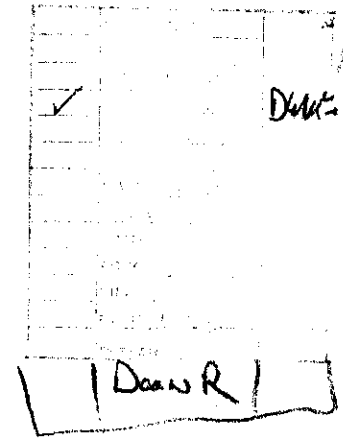
TWIN FALLS BANK & TRUST BLDG.
POST OFFICE BOX 366
TWIN FALLS, IDAHO 83301

HARRY BENOIT 1893-1966
EDWARD L. BENOIT
J. ROBERT ALEXANDER

AREA CODE 208
TELEPHONE 733-8463

December 17, 1968

Mr. Donald W. McEldowney
State of Idaho
Department of Reclamation
State House Annex 2
Boise, Idaho 83707



Re: Permit No. G 32491

2N18f

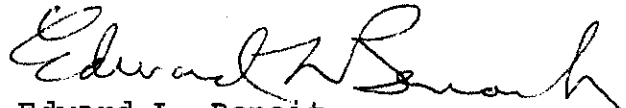
Dear Mr. McEldowney:

37

Thank you for your letter of December 12, 1968.
Mr. Gage's tenant, Mr. Ted Uhrig, lives on the Gage
ranch. He should be contacted to show your examiner
the system.

Very truly yours,

BENOIT, BENOIT & ALEXANDER


Edward L. Benoit

ELB:jdm

cc: Mr. Gage

32491
37-2713

October 30, 1969

Re: Permit No. 32491/37-2713

Edward A. Gage
c/o Gage Ranch
Hailey, Idaho 83333

Dear Mr. Gage:

Enclosed herewith is your Water License
issued on the above numbered permit.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:MH

Enclosure

32491
37-2713

RECEIVED

OCT 30 1968

Identification No. _____

Permit No. G 32491

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Edward A. Gage
b) Post Office Address c/o Gage Ranch, Hailey, Idaho
2. Permit Number G 32491
3. Date of Priority that you are prepared to establish August 20, 1965
4. a) Source from which water was appropriated a) Well No. 1 in SW 1/4 Sec. 23, T2 NR 18 E, Blaine Co. Well No. 2 in SE 1/4 Sec. 15, T 2 NR 18 E, Blaine Co.
b) Location of the point of diversion: 1/4, Section 15, T 2 NR 18 E, Blaine Co.
Township _____, Range _____, Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 10cfs for irrigation purposes from May 1 to Sept. 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 10cfs (3.5 cfs Well #1; 6.5 cfs Well #2) cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Layne Pumps, Inc., Twin Falls, Idaho-Well #1 Layne & Bowler Pump Co., Twin Falls, Idaho-Well #2, pump dealers, both with calibrated orifice.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Not Applicable
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Well #1, 125 feet deep, 12" casing 80' from ground, 40hp motor with 10" bowl; Well #2, 145 feet deep, 12" casing 80' from ground, 60 hp motor with 10" bowl.
b) Describe the type and size of measuring device which you have installed at your point of diversion: None
c) Give well drillers name and address and date the well was completed Well #1, C.L. (Doc) Hiddleston, 1202 F St., Rupert, Idaho, December 14, 1964
Well #2, George Roessler, 302 N. Rail St. W., Shoshone, Idaho, July 22, 1966

C.L. Hiddleston #1
George Roessler #2

32491

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

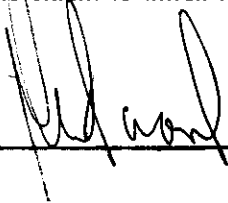
Total number of acres irrigated 659.01

10. Remarks:

The above information is a true statement of the extent to which the above numbered permit has been developed.

Det 24-1968
(Date)

f the extent to which the above numbered p


(Signature)

State of Michigan)
County of Oakland) ss.

On this 24 day of October, 19 68, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at 21710 Woodward
Ferndale, Michigan

MAE L. KEPPEL ✓
Notary Public, Oakland County, Mich.
My commission expires My Commission Expires Mar. 26, 1972

December 12, 1968

Re: Permit No. G-32491

Benoit, Benoit & Alexander
Twin Falls Bank & Trust Building
P. O. Box 366
Twin Falls, Idaho 83301

Gentlemen:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued a field examination must be made by a representative from this department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than Mr. Edward A. Gage, should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG

man typed

Affidavit of Publication

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

NEAL R. NYBLAD, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Managing Editor of 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 Hailey Times, and not in any supplement thereof, for.....
two consecutive weeks commencing with the first publication thereof on the 28th day of November, 19 68 and ending with the last publication thereof on the 5th day of December, 19 68.

Cost of this publication is \$ 8.64

Neal R. Nyblad
NEAL R. NYBLAD

Subscribed and sworn to before me, this 6th day
of December, 19 68.

George J. Smith
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

32491

LAW OFFICES
BENOIT, BENOIT & ALEXANDER

TWIN FALLS BANK & TRUST BLDG.
POST OFFICE BOX 366
TWIN FALLS, IDAHO 83301

HARRY BENOIT 1893-1966
EDWARD L. BENOIT
J. ROBERT ALEXANDER

AREA CODE 208
TELEPHONE 733-5463

December 9, 1968

Mr. R. Keith Higginson, Engineer
State of Idaho
Department of Reclamation
Statehouse-Annex 2
Boise, Idaho

Re: Permit No. G-32491
Edward A. Gage
dba/The Gage Ranch

Dear Mr . Higginson:

Enclosed is Affidavit of Publication for your
records.

Very truly yours,

BENOIT, BENOIT & ALEXANDER


Edward L. Benoit

ELB:jdm

Enclosures

32491

NOTICE OF APPROVED AP-
plication for water

Notice is hereby given that Edward A. Gage, dba/The Gage Ranch, Hailey, Idaho has received an approved permit No. G-32491 to divert 10.0 cubic feet per second of water from a subterranean source. The priority to be established under this permit is August 18, 1965. Water will be diverted by wells, and pumps within the SW 1/4 SE 1/4, Sec. 23; SE 1/4 SE 1/4, Sec. 15, T. 2 N., R. 18 E., B. M., County of Blaine and is to be used for irrigation in the S 1/2 SE 1/4, Sec. 15; E 1/2 NE 1/4, NW 1/4 NE 1/4, NE 1/4 SE 1/4, Sec. 22; W 1/2 NW 1/4, SW 1/4, S 1/2 SE 1/4, Sec. 23; W 1/2 NW 1/4, Sec. 25; NE 1/4, E 1/2 NW 1/4, NW 1/4 NW 1/4, Sec. 26, T. 2 N., R. 18 E., B.M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. Keith Higginson
State Reclamation
Engineer

Published in the Hailey Times,
Hailey, Idaho on November 21
and November 28, 1968.

RECEIVED

NOV 16 1968

Department of Reclamation

32491

November 6, 1968

Re: Permit No. G-32491

Edward A. Gage
dba/The Gage Ranch
Hailey, Idaho

Dear Mr. Gage:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit G-32491.

Before a license can be issued a field examination must be made by a representative from this department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Encl: Benoit, Benoit, & Alexander
Twin Falls Bank & Trust Bldg.
P. O. Box 366
Twin Falls, Idaho 83301

5-25/71

November 6, 1968

Re: Permit No. G-32491
Edward A. Gage
dba/The Gage Ranch

Hailey Times
Hailey, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published 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 our 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 date. If you can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

Edward A.

The expense of the publication is to be paid by _____
Gage, dba/The Gage Ranch, Hailey, Idaho

to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldwney
Appropriation Examiner

DWM:tg

Enc: Legal Notice

cc: Edward A. Gage

Benoit, Benoit, & Alexander

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

32491

RECEIVED

NOTICE OF APPROVED APPLICATION FOR WATER

Department of Reclamation

Notice is hereby given that Edward A. Gage, dba/The Gage Ranch,
Hailey, Idaho
has received an approved permit No. G-32491 to divert Appx/
10.0 cubic feet per second Appx/Sec of water from
a subterranean source
The priority to be established
under this permit is August 18, 1965.
Water will be diverted by wells, and pumps
within the SW¹/₄ Sec. 23;
SE¹/₄ Sec. 15, T. 2 N., R. 18 E., B. M., County of Blaine
and is to be used for irrigation
in the S¹/₄ Sec. 15; E¹/₄ Sec. 22; NW¹/₄ Sec. 22; W¹/₄ Sec. 23; W¹/₄ Sec. 25; NE¹/₄ Sec. 26, T. 2 N., R.
18 E., B. M.

Any protests against the intent of the permit must be filed with the
Department of Reclamation within ten days from the last date of publication
of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Hailey Times, Hailey, Idaho
on November 21 and November 28, 1968

State Reclamation Engineer:

Permit No. G-32491

You are hereby authorized to have the attached notice published at my expense
in the Hailey Times of Hailey, Idaho;
published in the county in which the works are situated.

(signature)

c/o The Gage Ranch

Hailey, Idaho

(address)

(date)

33 2-191

LAW OFFICES
BENOIT, BENOIT & ALEXANDER

TWIN FALLS BANK & TRUST BLDG.
POST OFFICE BOX 366
TWIN FALLS, IDAHO 83301

Boise Reclamation
AREA CODE 208
TELEPHONE 733-6463

HARRY BENOIT 1893-1966
EDWARD L. BENOIT
J. ROBERT ALEXANDER

October 28, 1968

State Reclamation Engineer
State of Idaho
State House
Boise, Idaho

Gentlemen:

Re: Permit G 32491

Enclosed is signed authorization for publication
of notice of Approved Application for Water and also
executed form of Proof of Application of Water for
Beneficial Use.

Very truly yours,

BENOIT, BENOIT & ALEXANDER


Edward L. Benoit

ELB:jdm

Enclosures

INSTRUCTIONS TO DELIVERING EMPLOYEE

☒ Show to whom, date, and
address where delivered ☐ Deliver ONLY
to addressee
(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

20359

INSURED NO.

DATE DELIVERED

OCT 8 1968

1

Lage Kueh - Mrs L. Uhlir

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3

SHOW WHERE DELIVERED (only if requested)

655-16-71548-10

W-32491

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

355-16-71548-10



POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

**RETURN
TO**

POD Form 3811 Apr. 1967

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Annex #2 St. Helens

POST OFFICE, ST.

AND ZIP CODE

Boise, Idaho 83707

4-32491

October 18, 1968

Re: Permit No. 32491

Mr. Edward Benoit
P. O. Box 366
Twin Falls, Idaho 83301

Dear Mr. Benoit:

Enclosed is the affidavit necessary for submitted proof on the above referenced permit.

If you have any questions, please contact the Department of Reclamation.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Enc: Affidavit

3 2491

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. **G-32491**)
in the name of **Edward A. Gage**)
dba/The Gage Ranch, Hailey, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. **G-32491** was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this _____ day of _____, 19____.

R. KEITH HIGGINSON
State Reclamation Engineer

32491

October 1, 1968

Re: Permit No. G-32491

Edward A. Gage
The Gage Ranch
Hailey, Idaho 83333

Gentlemen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with those rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:tg
Enc: Order
Proof package
Advertising package

32491

LAW OFFICES
BENOIT, BENOIT & ALEXANDER

TWIN FALLS BANK & TRUST BLDG.
POST OFFICE BOX 366
TWIN FALLS, IDAHO 83301

HARRY BENOIT 1893-1966
EDWARD L. BENOIT
J. ROBERT ALEXANDER

AREA CODE 208
TELEPHONE 733-5463

September 26, 1968

RECEIVED

SEP 27 1968

Department of Reclamation

Mr. C. Stephen Allred
Assistant State Reclamation Engineer
State of Idaho
Statehouse -- Annex 2
Boise, Idaho 83707

Dear Mr. Allred:

Thank you for your letter of September 25.

The number of the permit is No. G 32491.

Very truly yours,

BENOIT, BENOIT & ALEXANDER


Edward L. Benoit

ELB:jdm

32491

September 25, 1968

Benmit, Benoit & Alexander
Twin Falls Bank and Trust Bldg.
P. O. Box 366
Twin Falls, Idaho 83301

Gentlemen:

Thank you for your letter of September 16, 1968.

On August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures modifying the conditions of permits issued prior to May 31, 1967. Due to these changes, it is necessary for the Department to send an order modifying each permit separately. Therefore, if you would kindly send us the numbers of these two permits, we will send this order and the necessary forms.

Very truly yours,

C. Stephen Allred
Assistant State Reclamation
Engineer

CSA:tg

32491

RECEIVED

SEP 17 1968

LAW OFFICES
BENOIT, BENOIT & ALEXANDER

TWIN FALLS BANK & TRUST BLDG.
POST OFFICE BOX 366
TWIN FALLS, IDAHO 83301

Department of Reclamation

AREA CODE 208
TELEPHONE 733-5463

HARRY BENOIT 1893-1966
EDWARD L. BENOIT
J. ROBERT ALEXANDER

September 16, 1968

*Permit
32491*

State Reclamation Engineer
State House
Boise, Idaho

Dear Sir:

Kindly send necessary forms for proof of completion
of works and application for beneficial use of two separate
permits to appropriate subterranean waters.

Very truly yours,

BENOIT, BENOIT & ALEXANDER

Edward L. Benoit
Edward L. Benoit

ELB:ch

32491

RECEIVED
OCT-26 1966

REPORT OF WELL DRILLER
State of Idaho

Department of Reclamation

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name A. E. Gage

Address 21710 Woodward Ave

Detroit Mich

Owner's Permit No. G-32491

NATURE OF WORK (check): Replacement well ☐

New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: Irrigation

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒

Dug ☐ Other ☐

(explain)

CASING SCHEDULE: Threaded ☐ Welded ☒

20"Diam. from 0 ft. to 151 ft.

"Diam. from ft. to ft.

"Diam. from ft. to ft.

"Diam. from ft. to ft.

Thickness of casing: 280 Material:

Steel ☒ concrete ☐ wood ☐ other ☐

(explain)

PERFORATED? Yes ☒ No ☐ Type of

perforator used: mills

Size of perforations: 1/2" by 3"

1800 perforations from 40 ft. to 147 ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒

Manufacturer's name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

CONSTRUCTION: Well gravel packed? Yes ☐

No. ☒ size of gravel Gravel

placed from ft. to ft. Surface seal

provided? Yes ☐ No ☒ To what depth?

 ft. Material used in seal:

Did any strata contain unusable water? Yes ☐

No. ☒ Type of water:

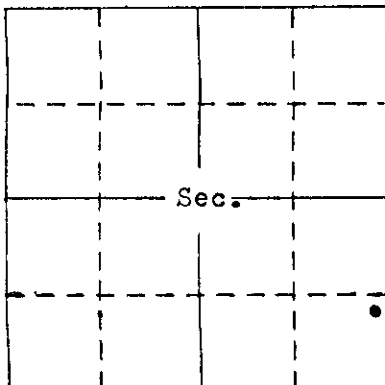
Depth of strata ft. Method of sealing

strata off:

Surface casing used? Yes ☐ No. ☐

Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County Blaine

SE 1/4 SE 1/4 Sec. 15 T. 2 N. 18 E. 18

Size of drilled hole: 20 Total

depth of well: 151 Standing water

level below ground: 32 Temp.

Fahr. 58 ° Test delivery: gpm

or cfs Pump? ☐ Bail ☐

Size of pump and motor used to make test:

Length of time of test: Hrs. Min.

Drawdown: ft. Artesian pressure: ft.

above land surface Give flow cfs

or gpm. Shutoff pressure:

Controlled by: Valve ☐ Cap ☐ Plug ☐

No control ☐ Does well leak around casing?

Yes ☐ No ☐

DEPTH MATERIAL WATER

FROM TO YES OR NO

FEET FEET

0 4 Gravel & Sand no

4 12 Gravel & Clay no

12 35 Gravel & Sand no

35 42 Gravel yes

42 48 Clay & Gravel yes

48 76 Gravel yes

76 89 Clay & med Gravel yes

89 94 Washed Gravel & Sand yes

94 103 Clay & Gravel yes

103 117 Gravel med yes

117 124 Clay & med Gravel yes

124 132 Washed Gravel & Sand yes

132 144 Gravel yes

144 152 Gravel yes

Work started: 8-31-66

Work finished: 9-22-66

Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.

Name: George J. Kressler

Address: Shoshone Idaho

Signed by: Geo Kressler

License No. 19 Date: 10-10-66

Use other side for additional remarks

832491

August 9, 1966

RE: Permit G-32491
Edward A. Gage dba The Gage Ranch

R. H. McCoy Associates, Inc.
Box 577
Hailey, Idaho

Gentlemen:

Enclosed is departmental receipt No. G-10697 in the amount of \$1.00 which covers the fee for a copy of the above referenced permit mailed to you July 29, 1966.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Receipt

32491

ROBERT E. SMYLLIE
Governor

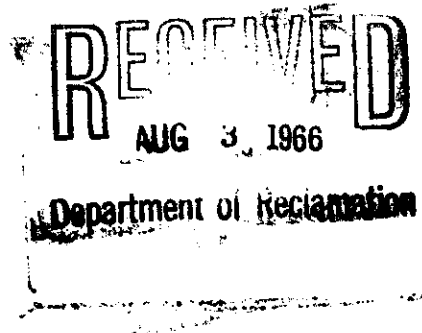


CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

July 29, 1966



RE: Permit G-32491
Edward A. Gage dba The Gage Ranch

R. H. McCoy Associates, Inc.
Box 577
Hailey, Idaho

Gentlemen:

Per your telephone call of the above date we are forwarding a copy of Permit G-32491.

There is, however, a \$1.00 fee for this copy which you may remit to this office.

Very truly yours,


M. RUSSELL BOSCH
Office Manager

MRB:ejw

Enc1: Copy of Permit G-32491

632491

July 29, 1966

RE: Permit G-32491
Edward A. Gage dba The Gage Ranch

R. H. McCoy Associates, Inc.
Box 377
Mailey, Idaho

Gentlemen:

Per your telephone call of the above date we are forwarding a copy of Permit G-32491.

There is, however, a \$1.00 fee for this copy which you may remit to this office.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

Enc1: Copy of Permit G-32491

G 3 2491

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver *ONLY* to
addressee

☐ Show address where
delivered

(Additional charges required for these services)

RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE *(must always be filled in)*

R. H. Mc Coy

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SEP 1 1900

SHOW WHERE DELIVERED *(only if requested)*

532491

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

**PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300**



POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Fill in items below and complete instructions on other side, if applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

**RETURN
TO**

REGISTERED NO.

NAME OF SENDER

Department of Reclamation

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

Room 107 Statehouse

INSURED NO.

CITY, STATE, AND ZIP CODE

Boise, Idaho 83701

CSS-16-71848-8-F

POD Form 3811 Sep. 1963

D-32491-2000 32491

NAME AND
ADDRESS
OF SENDER

Department of Reformation
Room 107, Statehouse
Boise, Idaho

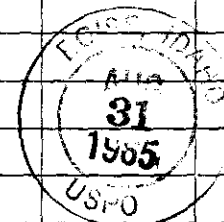
Indicate type of mail:

☒ REGISTERED ☐ REGISTERED
C.O.D.
☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional
copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
1 24798	R. N. McCoy & Associates, Inc.							
2								
3	Box 577,							
4	Hailey, Idaho	\$5.60.10						Letter 8/26/65 Permit 6-32491 \$5.00 Refund (Currency)
5								
6								
7								
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10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								



TOTAL NO. OF PIECES
SENT BY SENDER

1

TOTAL NO. OF
PIECES REC'D AT P. O.

1

POSTMASTER, PER (Name of receiving employee)

*Show under "Remarks" class postage paid if other than first or
if international

O Form 3877, Jan. 1960

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

632491

618-16-8792-14 U. S. GOVERNMENT PRINTING OFFICE

August 26, 1965

Re: Permit No. G-32491
Edward A. Gage
dba The Gage Ranch

VIA REGISTERED MAIL

R. H. McCoy Associates, Inc.,
Box 577,
Hailey, Idaho.

Gentlemen:

We enclose Permit No. G-32491 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-9570 which was issued covering payment in the amount of \$7.25 for the filing fee of the above mentioned permit, ~~together with a~~ \$5.00 refund.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Edward A. Gage
dba The Gage Ranch
Hailey, Idaho

832491

CO-OPERATIVE EXTENSION SERVICE

IN

AGRICULTURE AND HOME ECONOMICS

STATE OF IDAHO

HAILEY 83333

August 5, 1965

University of Idaho
Extension Division
U. S. Dept. of Agriculture
and
Blaine County Commissioners
Cooperating

Extension Service
County Agent Work

RECEIVED
AUG 16 1965

Department of Reclamation

Reclamation Engineer
Department of Reclamation
Room 107, State House
Boise, Idaho

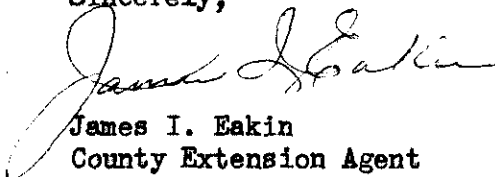
Dear Sir:

Studies of the Little Wood soils found within the area show that water requirements generally exceed three (3) inches per acre application for seasonal irrigation practices. These soils are high in gravel making water penetration very rapid. Irrigation methods only allow surface flooding rather than corrugate irrigation.

This is the situation on the Gage Ranch of Hailey, Idaho. All lands supplied by waters from the permitted well are Little Wood soils and have the high requirements of irrigation water for normal irrigation.

Thank you very much for your attention to this matter.

Sincerely,


James I. Eakin
County Extension Agent

JIE:lmj

B 32491

R. H. McCOY & ASSOCIATES, Inc.

Serving Blaine County

HAILEY, IDAHO 83333
BOX 577
PHONE 788-2912



KETCHUM, IDAHO 83340
Box
PHONE 726-2272

Department of Reclamation

State of Idaho.
Department of Reclamation
107 State House
Boise, Idaho.

Gentlemen:-

RE Application for 2 wells
Gage Ranch, Hailey, Idaho.

We are returning to you herewith an application for the 2 wells on the Gage Ranch between Bellevue and Hailey as per your suggestion in your letter of August 6, 1965.

I have attempted to indicate the entire ranch property on the maps enclosed, also I have made a statement of the irrigation system, which I hope will be understandable.

I am also returning the 2 checks of Mr. Gage's one for \$5.75 and one for \$6.50, for the reason I do not have the formula with which to figure the amount required, and further it is so difficult to get new checks from Mr. Gage who has now gone back to Detroit. If there is an over payment in these 2 checks, it is slight and we waive it, if however we owe more please notify me the amount and I shall sent it by return mail.

Yours truly.

R.H. McCoy
R.H. McCoy.

Former Letter

August 6, 1965

Re: Application for Permit

Edward A. Gage
Box 515
Hailey, Idaho

Dear Mr. Gage:

Returned herewith are your two applications for permit with attached checks for \$5.75 and \$6.50, also enclosed in blank form No. 3

First we suggest you show both wells and all of the land on one application. It seems some of the land described in application with \$5.75 check would be difficult to irrigate from well in SW/4, Sec. 23. Also 6.0 c.f.s. is claimed for which the filing fee is \$6.25.

The land list should also show all of the land in a section on the same line. The Assessor's tract number do not assist this office as we do not know the location.

The two maps should show the boundary of the land to be irrigated and main canals. The map with the \$6.50 check does not show the land. The other maps doesnot show the land Neither one shows the canals.

Two different addresses are shown. The one shows no city but County of Oakland, and probably State of Michigan.

Kindly complete and return with proper filing fee for processing.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:aw

Enc. applications with
checks

532491

Blaine

June 28, 1965

932491

S. A. Gage
21710 Woodward Avenue
Detroit, Michigan
48220

Dear Mr. Gage:

We have received a log on a well drilled for you by C. L. Middleston and Son in Blaine County. The log shows that the well will be used for irrigation purposes. We find no record of a permit for this well.

Idaho Code, 42-229, as amended by the 1963 Session of the Legislature provides that a permit to divert subterranean water must be obtained from this office in all cases where over 13,000 gallons per day or 9 gallons per minute will be diverted.

Idaho Code, 42-237a, provides that the State Reclamation Engineer may commence action to enjoin the illegal opening or excavation of wells, or withdrawal or use of water therefrom.

Form 3, Application for Permit to Appropriate Subterranean Water, and instructions are enclosed. May we hear from you in the matter?

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:mr

Enc. Form 3
Instructions

932491