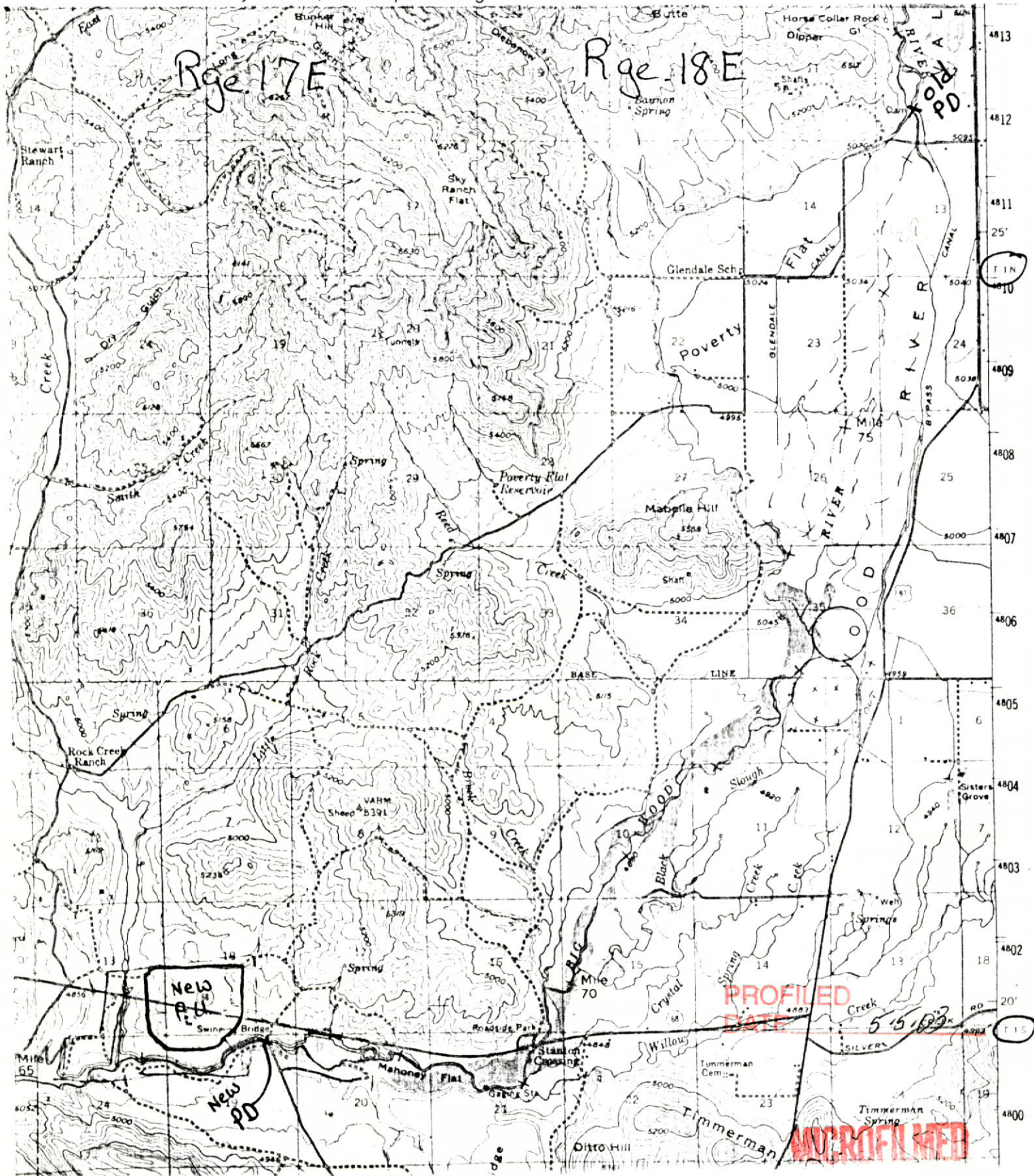


c. Describe the lands place of use to which the right will be transferred:

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	
1S	17E	13													20			32.8	32.8
		24	16.9																16.9
			5																5
	18E	18									40	34	26.3	30		17	17.2		77.7
													32.3						171.3
		19					17.5	Lt1					34.2						43.6
							10	15											25
								26.1											

Total number of acres to be irrigated 171
241.3

4. Describe any other water rights used for the same purpose as described above. 37-7893
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



R18E

T1N

25

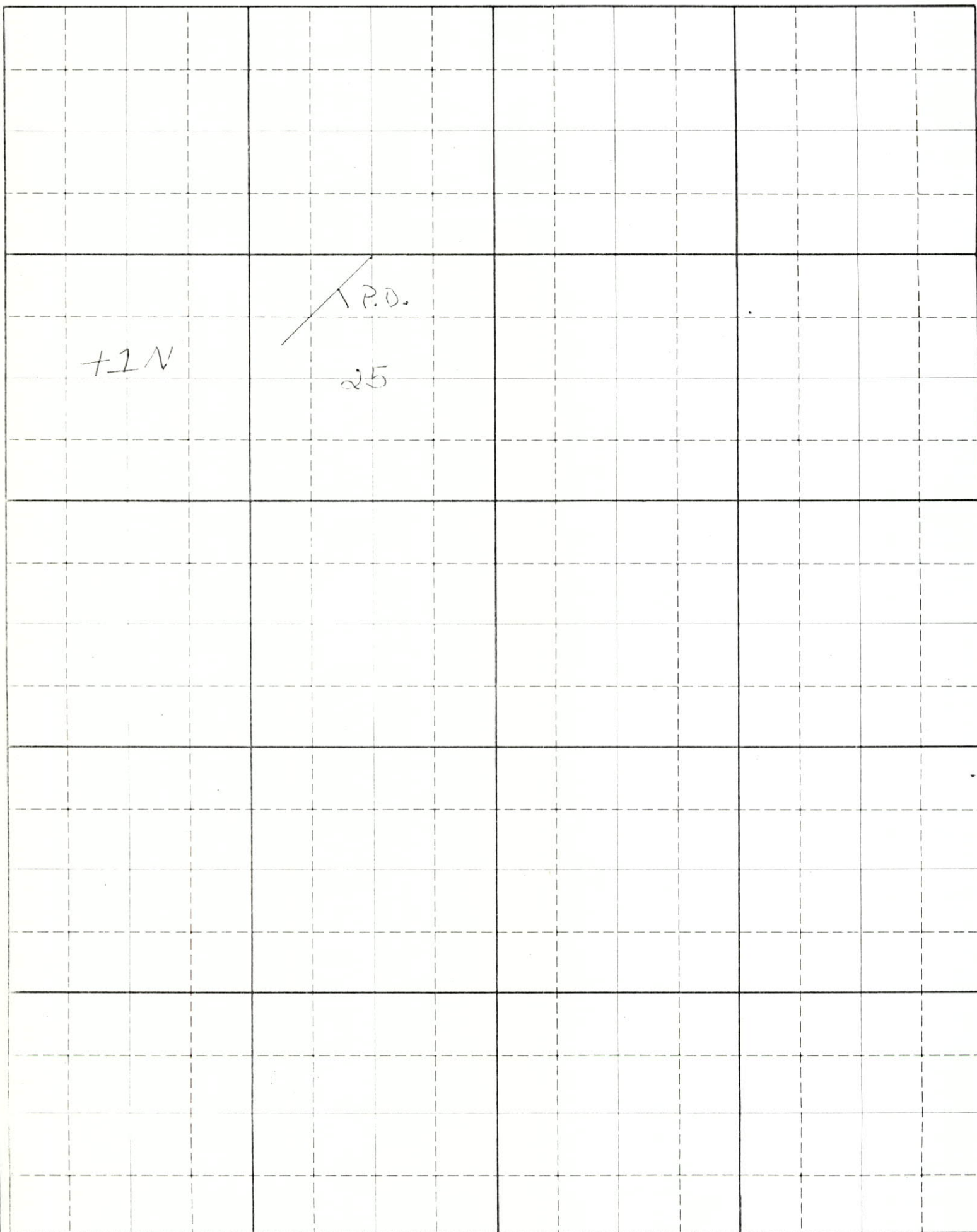
P.D.

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

RECEIVED

PROFILED
DATE 5-05-03

RISE



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

PROFILED

PROFILED
DATE 5-5-3

Inst No 144938
Recorded 8-11-72

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED,

BASILINE CATTLE ASSOCIATION, INC.,

a corporation duly organized and existing under the laws of the State of Idaho, Grantor, does hereby Grant, Bargain, Sell and Convey unto

JOE W. BEARD and BETH M. BEARD, Husband and Wife,

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

PARCEL 1:

TOWNSHIP 1 SOUTH, RANGE 18 EAST, BOISE MERIDIAN,
BLAINE COUNTY, IDAHO.

Section 1: Lot 4; NW 1/4 SW 1/4; The East 5 acres
of SW 1/4 SW 1/4 Except Highway right
of way (Tax Lot 3134)

Section 2: Lot 1; NE 1/4 SE 1/4

Section 18: Lot 3; Lot 4 Except Highway right of way
(Tax Lots 2995 and 2996)
SE 1/4 SW 1/4 Except Highway right of way
(Tax Lots 2997 and 2998)
SW 1/4 SE 1/4 Except Highway right of way
(Tax Lots 2999 and 3000); NE 1/4 SW 1/4;
NW 1/4 SE 1/4

Section 19: Lot 1; NE 1/4 NW 1/4; NW 1/4 NE 1/4;

TOWNSHIP 1 SOUTH, RANGE 17 EAST, BOISE MERIDIAN,
BLAINE COUNTY, IDAHO.

Section 13: NW 1/4 SE 1/4 Except Highway right of way
(Tax Lots 2990 and 2991); NE 1/4 SE 1/4
Except Highway right of way (Tax Lots 2992
and 2993); That portion of SE 1/4 SE 1/4
lying South of State Highway 68; SW 1/4
SE 1/4

Section 24: NE 1/4 NW 1/4; N 1/2 NE 1/4

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN,
BLAINE COUNTY, IDAHO.

Section 35: E 1/2 SW 1/4; W 1/2 SE 1/4
All that portion of NE 1/4 SE 1/4 West
of Highway (Tax Lot 1363)
All that portion of SE 1/4 SE 1/4 West
of Highway Except Highway right of way
(Tax Lot 1365)

ALSO EXCEPTING a fraction of the SE 1/4
SE 1/4 of Section 35, Tp. 1 N., R. 18
E., B.M., in Blaine County, Idaho, more

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PROFILED

CORPORATION WARRANTY DEED DATE 5-5-73

WE SYSTEMS
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SYSTEMS

particularly described as follows:
BEGINNING at a point on the South boundary of said Sec. 35 from which the South Quarter corner of said Sec. 35 bears due West a distance of 1877.0 feet; thence running due North a distance of 1310.3 feet to a fence; thence North 89° 58' E. along said fence a distance of 525.8 feet; thence South 89° 19' East along said fence a distance of 201.9 feet; thence South 0° 31' East along a fence on the Westerly right-of-way boundary of Federal Highway No. 93 a distance of 882.4 feet; thence South 0° 40' West along said right-of-way fence a distance of 182.9 feet; Thence South 3° 53' West along said right-of-way a distance of 242.9 feet to the intersection of said right-of-way and the South boundary line of said Sec. 35; Thence due West along said Section line a distance of 718.8 feet to the point of beginning.

PARCEL II:

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN,
BLAINE COUNTY, IDAHO.

Section 36: NW 1/4 NW 1/4 Except Highway right of way
(Tax Lots 1358 and 1359)
SW 1/4 NW 1/4 Except Highway right of way
(Tax Lots 1360 and 1361)

Together with all buildings, fences, facilities for handling and watering livestock, and all other improvements located thereon, and all rights of way, easements, permits and licenses appurtenant thereto or used in connection therewith, and all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to the following decreed water rights in Big Wood River: 24.2 inches decreed March 24, 1883, 200 inches decreed May 23, 1885, 100 inches decreed June 15, 1886, 60 inches decreed June 15, 1891, and together with the following Taylor Grazing Rights: 38 AUM (15 cattle) Timmerman Hill and 286 AUM (57 cattle) Hailey.

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

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

Subject to the burdens incident to the inclusion of the land within the boundaries of the Base Line Pump Association and Wood River Valley Irrigation District.

Subject to Right of Way for irrigation ditch dated December 5, 1899, recorded May 18, 1900, in Book B of Miscellaneous, page 362, records of Blaine County, Idaho, over and across parts of Sections 35 and 36, Township 1 North, Range 18 East, B.M., and parts of Sections 1 and 2, Township 1 South, Range 18 East, B.M., Blaine County, Idaho.

PROFILED

DATE 5-5-3

CORPORATION WARRANTY DEED

-2-

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SYSTEMS

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UNRECORDED

SYSTEMS

311

Subject to Easement in Deed recorded December 13, 1910, in Deed Book 69, page 278, records of Blaine County, Idaho, which grants "a right of way through the present roadway, for road purposes, through the East five acres of SW 1/4 SW 1/4 Section 1, Township 1 South, Range 18 East, B.M.

Subject to right of way granted to Base Line Canal Company, in Deed dated May 11, 1931, recorded in Book 137 of Deeds, page 596, over and across the S 1/2 SE 1/4 Section 35, Township 1 North, Range 18 East, B.M.; Lot 4 Section 1 and Lot 1 Section 2, Township 1 South, Range 18 East, B.M.

Subject to Pole Line Easement to West Coast Power Company, dated June 14, 1940, recorded October 17, 1940, in Book 143 of Deeds, over and across the W 1/2 NW 1/4 of Section 36, Township 1 North, Range 18 East, B.M.

Subject to Power Line Easement to Idaho Power Company, dated December 4, 1944, recorded April 9, 1945, in Book 148 of Deeds, page 491, over and across part of SW 1/4 SW 1/4 Section 1, Township 1 South, Range 18 East, B.M.

Subject to Power Line Easement to Idaho Power Company, dated April 23, 1949, recorded December 15, 1950, in Book 159 of Deeds, page 452, over and across the NE 1/4 SE 1/4 Section 35, Township 1 North, Range 18 East, B.M.

Subject to Deed to the State of Idaho, dated September 20, 1955, recorded October 24, 1955, in Book 166 of Deeds, page 463, granting easement adjacent to Highway for relocation of all irrigation and drainage ditches and structures and such surface drain ditches as may be necessary to the proper construction of the highway, and agreeing that no buildings or structures, except irrigation or drainage structures will be permitted to be constructed within 20 feet of the highway, and that no bill boards or other advertising signs will be permitted closer than 100 feet from the highway, except signs pertaining to business established on lands adjacent to the highway.

Subject to Power Line Easement to Idaho Power Company dated July 21, 1961, recorded July 21, 1961, in Book 176 of Deeds, page 295, granting easement over and across NW 1/4 NW 1/4 Section 36, Township 1 North, Range 18 East, B.M.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of

PROFILED

DATE 5-5-3

MICROFILM
SYSTEMS

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SYSTEMS

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said premises; that they are free from all encumbrances except
as above described and that Grantor will warrant and defend the
same from all lawful claims whatsoever.

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

DATED: June 8, 1972.

Attest:

STATE OF IDAHO

County of Twin Falls

On this 8th day of June, 1972, before me, a
Notary Public in and for said State of Idaho, personally appeared MONCER and J. P. SMITH, known to me to be the
Secretary-Treasurer of _____ a corporation,
instrument or the person authorized to execute the same on behalf
of said corporation, and they acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal and seal of said State of Idaho at the
first above written.

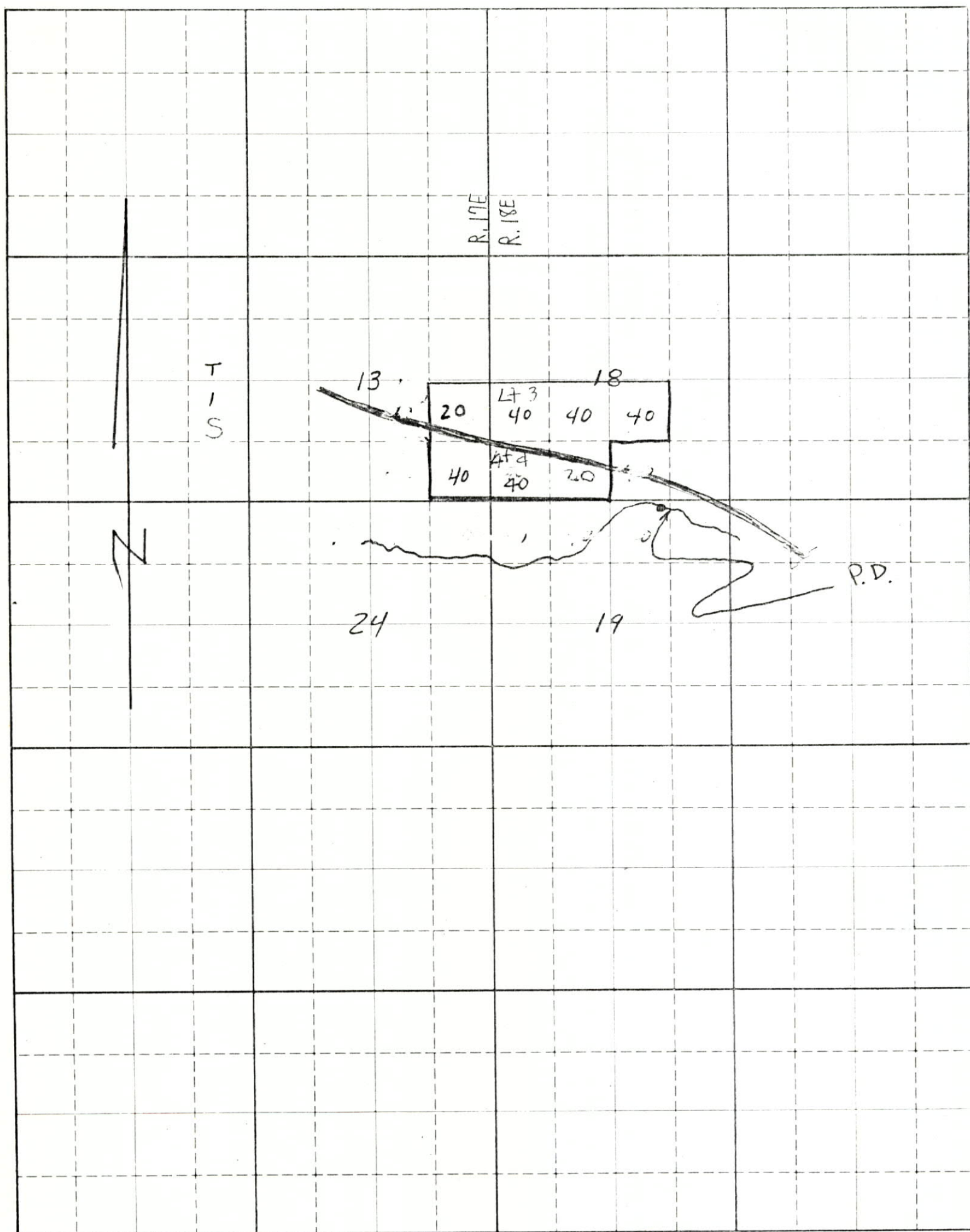
James P. Smith
Notary Public, State of Idaho
Residing at Twin Falls, Idaho.

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DATE 5-5-3

WE SELL

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



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

PROFILED
DATE 5-5-03

RECEIVED

MAR 14 1997

Department of Water Resources
Southern Region

Water Right No. 37-00027

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

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

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee of \$100.00.

1. Name of water right holder: J.R.J. Development.
2. Post office address: c/o James P. Speck, Hogue, Speck & Aanestad, P.O. Box 987,
Ketchum, Idaho, 83340.
3. The right was obtained or is evidenced by:
 - a. Decree No. 37-00027.
 - b. Snake River Basin Adjudication Claim No. A37-00027.
4. Source of water: Big Wood River.
Tributary to: Malad River.
5. Date of priority: June 15, 1886.
6. Amount of water: 2.0 cfs.
7. Water is used for: Irrigation

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MAY 21 2003

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DATE 5-5-03

8. Location of point of diversion:

Township	Range	Section	¼	¼	¼	Lot	County
1S	18E	19		NE	NE		Blaine

9. Lands irrigated or place of use:

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
1S	17E	13																32.8	32.8
1S	17E	24	16.9																16.9
1S	18E	18											34.2	26.3			17.2		77.7
1S	18E	19							17.5	26.1									43.6
TOTALS																			171.0

10. Give the last date when water was applied to beneficial use: 1985.

Length of extension of time requested: Until November 1, 1999.

11. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and the reasons for non-use: The water right was purchased by the applicant together with 37-00026 and Transfer No. 2987 approved in 1985 authorized the change of point of diversion and place of use for both rights to applicant's property as identified above. At that time and continuing through the present date, applicant was and has been negotiating with the Bureau of Land Management ("BLM") to sell the property to which these rights are appurtenant for wildlife habitat and to protect a crucial deer migration corridor. The BLM purchase is contingent upon Congressional appropriation of funds through the Land and Water Conversation Fund. This has not yet occurred. The conversion of the property to irrigated lands would defeat the purpose of the BLM acquisition. Therefore, applicant has deferred the implementation of the approved transfer and the conversion of the lands to irrigation pending the final outcome of such negotiations. Applicant formerly owned Permit 37-07893. IDWR granted applicant an extension of time to prove beneficial use for this Permit on the basis of the same negotiations with BLM. Applicant is confident the negotiations can be concluded within the time period requested for the extension.

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.

J.R.J. DEVELOPMENT

By: John McDonald
John McDonald Partner



SUBSCRIBED AND SWORN TO before me this 20th day of February, 1997.

Janet A. Latham
Notary public for Idaho
Residing at Blaine Co.
Commission expires 1-13-2001

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

Witness my hand this _____ day of _____, 1997.

For Department Use Only

Received by J. Stanton Date 3-14-97 Time 9 am Preliminary check by MB
Fee \$ 100. Receipted by go 5019925 Date 3-14-97 Publication prepared by MB
Published in Wood River Journal Dates 4/30 & 5/7/97
Publication approved by MB Date 5/13/97 Protests filed by _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for // Approval ☒ Denial ☐ by AD

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

Name of applicant J.R.J. Development, Inc. Phone 423-5411Post Office address Box 1724 Twin Falls, Idaho 83301

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. A-37-0026 Decreed to George Allred (Name)
B-37-0027
in case of S. C. Frost, et al vs Alturas Water Co., et al
dated in 12/13/1909 in 4th District county of Lincoln
(Name of court)

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

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

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

Acquired through purchase(see attached warranty deed)People named on deed are Principals in J.R.J. Development Inc.3. Source of water Big Wood River tributary to Snake River4. Date of priority A- 5/23/1885B- 6/15 /1886

5. Water is used for the following purposes:

amount A 4.5 for irrigation purposes from _____ to _____amount B 2.0 for irrigation purposes from _____ to _____amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)6. Total amount of water under right: a. A 4.5 cubic feet per second
b. B 2.0 &/or
acre feet per annum7. Location of original point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 12Township 1N Range 18E, B.M. in Blaine County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

PROFILED

DATE 5-5-03

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 $\frac{1}{4}$	
1S	18E	1							Lt4 20.5			*	*						100.5
		2				Lt1 20.8								*					60.8
1N	18E	35															*	*	80

*acres not given in decree - assume 40 acres

Total number of acres to be irrigated 241.39. Describe any other water rights used for the same purpose as described above 37-722537-761610. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS.

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

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

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

Total number of acres to be irrigated _____

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

1. General Information
- a. Amount of water to be diverted A - 4.5 c.f.s. &/or _____ acre feet
B - 2.0
- b. Description of diverting works Lift pump from river to pond, pump to pressurize water
into sprinkler system
- c. Describe the reasons for the proposed changes to make water right purchased by applicant
apurtenant to land which they own
2. Change in point of diversion
- Point of diversion NE ¼ NE ¼, Section 19 Township 1S
Range 18E, B.M., Blaine County
Additional points _____
3. Change in place of use
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes DNA No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
The land this water was originally decreed to is now partially irrigated by
means of artesian wells

PROFILED
DATE 5-5-03

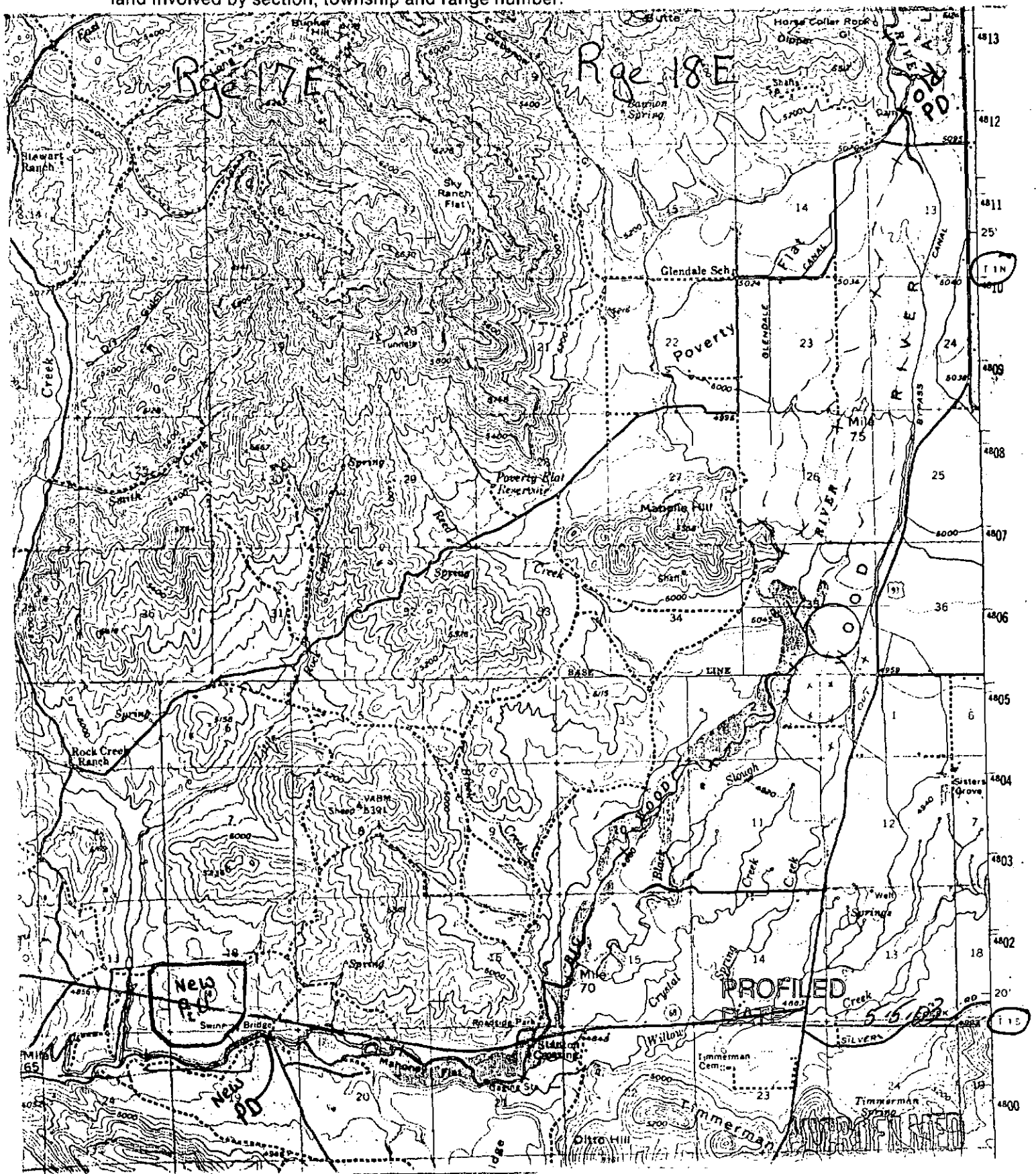
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c. Describe the lands and place of use to which the right will be transferred:

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	
1S	17E	13													20			32.8	32.8
		24	16.9																16.9
			5																5
	18E	18									40	Lt3	Lt4	26.3		17	17.2		77.7
												34	32.3	30					171.3
		19					17.5	Lt1					34.2						43.6
							10	15											25
								26.1											

Total number of acres to be irrigated. 171
241.3

4. Describe any other water rights used for the same purpose as described above. 37-7893
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



D. REMARKS

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

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

Romi J. Smith PARTNER
(Signature of Applicant)

Subscribed and sworn to before me this 20 day of January, 19 84

Loren O. Palmer
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0026/0027 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. Use of water under these rights is subject to control by the watermaster of State Water District No. 37, Big Wood River.
2. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
3. A 10% river channel loss is assessed to the rights identified herein, and the rate of flow shall not exceed 5.85 cfs at the point of diversion.

Witness my hand this 17th day of October, 19 85

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by eh Date 1/20/84 Protest filed by _____
Prelim. check by J Fee \$50.00
Receipted by maya Date 1/20/84 # 32975
Published in wood river journal Copies of protest forwarded by _____
Pub. dates 1/2 + 2/9/84 2/9 + 2/16 Hearing held by _____ Date _____
Watermaster recommendation requested on 1/24/84 Recommended for approval denial
_____ rec'd. 1/30/84 by LH Jim

PROFILED
DATE 5-5-83

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Identification No. 1946
Transfer No. 37-0026 (part), 37-0027,
37-1204 37-0891

RECEIVED
AUG 5 1974

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

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

1. Name of Right Holder Joseph W. Beard
Post office address Bellevue, Idaho 83313

2. Right obtained by: Purchase
a. Decree to George Allred (A) (B) in Case of S.C. Frost et al
(Name) (C) Big Wood Water Users Association
vs. Alturas Water Co., Dated Dec. 13, 1909 Fourth Judicial District
(Name of Court)
Court. County of Lincoln

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

3. Source of water Big Wood River tributary to Snake River
(Name of stream or source)

4. Date of Priority A-5-23-1885 C-7-24-24
B-6-15-86

5. Amount of water a. A - 4.00 cfs c.f.s. and/or
B - 2.00 cfs
b. C - 1.50 cfs acre feet/annum

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

1 7. Original location of point of diversion is NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36,
Township 1N, Range 18E, B.M. in Blaine County;
Additional points of diversion, if any none

8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1S	18E	1							Lt 4			X	X						
1S	18E	2				Lt 1									X				
1N	18E	35												X			X	X	
n 1N	18E	36						X	X										

Total number of acres presently irrigated 375

PROFILED
DATE 5-5-03

RECORDED

MICROFILMED

R18E

T1N

25

P.D.

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

RECEIVED
MAY 10 1963

PROFILED
DATE 5-05-63

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

10. CHANGE IN POINT OF DIVERSION

A - 4.0 cfs

B - 2.0 cfs

C - 1.50 cfs

a. Quantity to be diverted at new point: _____ c.f.s. and/or _____ acre feet

b. New point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, Township 1N
Range 18E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: _____
Through an established diversion point by gravity. Open ditch
to fields previously irrigated.

d. Is water to be conveyed to the lands previously irrigated? Yes x No _____

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

To be able to use the water to a more beneficial use for
both the land and the water

f. Do you intend to make the transfer permanent? yes

g. Do you intend to abandon completely the old point of diversion? yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE None

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

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

Total number of acres to be irrigated _____

PROFILED
DATE 5-5-03

- b. Do you intend to make the transfer permanent? _____
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans: _____

- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: _____

- e. Indicate on the above plat the new land to be irrigated and the point of diversion.

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

Joseph W. Board
 (signature of applicant)

Subscribed and sworn to before me this 20th day of May, 1974

Joseph J. Tippett
 (notary public)
Town of Lincoln, Idaho

My commission expires 2-24-78

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0026(part), 37-0037-1204
 and said application is hereby APPROVED

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

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

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

Witness my hand this 18 day of September, 1974

R. Keith Higgins
 State Reclamation Engineer

FOR DEPARTMENT USE ONLY

Received by ij Date 8-1-74

Protest filed by: _____ Date _____

Prelim. check by dr Date 8-1-74

Fee received by ij Date 8/01/74 Fee \$ 30.00

Approved for publication by R&R cc

Published in Lincoln Co. J. Dates 8-22 & 8-29-74

Hearing held _____

Watermaster Recommendation sent _____

FILED
DATE 5-5-83

RECEIVED
MAY 20 1974

Identification No. _____

Transfer No. 3110

423 5923

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

NOV 18 1975

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

Department of Water Resources
Southern District Office

Withdrawn

1. Name of Right Holder JOSEPH W. BEARD

Post office address Bellevue, Idaho 83313

2. Right obtained by: Purchase Big Wood Water Users Association

a. Decree to George Allred (a) (b) (c) / in Case of S. C. Frost et al
(Name) Co.

vs. Alturas Water/, Dated Dec. 13, 1909 in Fourth Judicial District

(Name of Court)

Court. County of Lincoln

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

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

(Name of stream or source)

4. Date of Priority A 5-23-1885 C 7-24-24

B 6-15-86

5. Amount of water a A 4.00 cfs c.f.s. and/or

B 2.00 cfs

b. C 1.50 cfs acre feet/annum

6. Water is used for irrigation from April 1 to October 15

(Month, Day)

(Month, Day)

7. Original location of point of diversion is NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36

Township 1N, Range 18E, B.M., in Blaine County;

Additional points of diversion, if any none

8. Lands presently irrigated or place of use:

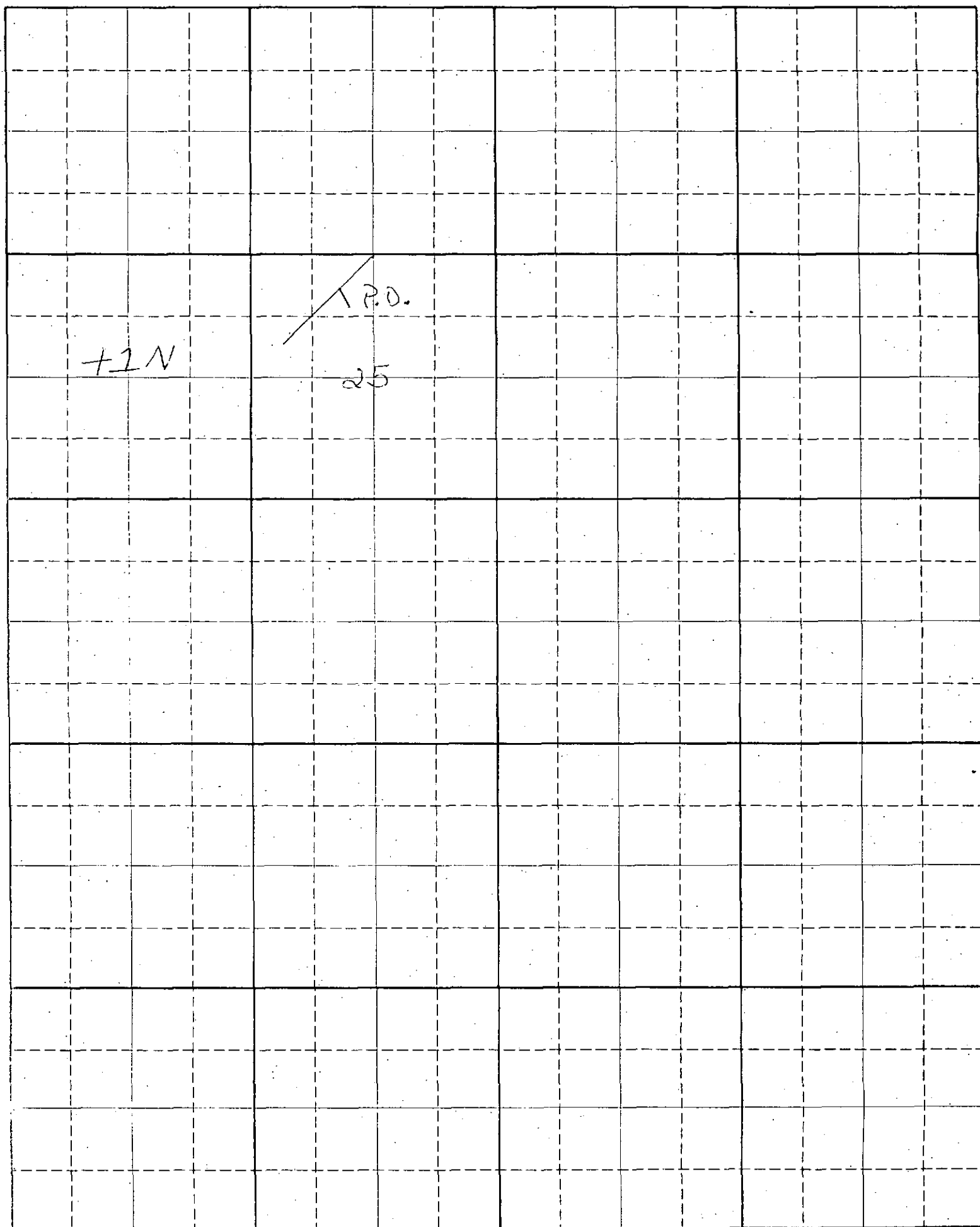
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1S	18E	1							Lt 4			X	X						
1S	18E	2				Lt 1									X				
1N	18E	35												X			X	X	
1N	18E	36						X	X										

Total number of acres presently irrigated 375

PROFILED

DATE 5-5-3

R18E



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

RECEIVED
MAY 11 1963

PROFILED
DATE 5-5-3

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

10. CHANGE IN POINT OF DIVERSION

A 4.00 cfs C 1.50 cfs

a. Quantity to be diverted at new point: B 2.00 cfs c.f.s. and/or _____ acre feet

b. New point of diversion: NE ¼ NW ¼, Section 25, Township 1N
Range 18E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: _____
Through an established diversion point by gravity. Open
ditch to fields previously irrigated.

d. Is water to be conveyed to the lands previously irrigated? Yes XX No _____

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

To be able to use the water to a more beneficial use for both the land and the water.

f. Do you intend to make the transfer permanent? Right holder intends to use both
points of diversion.

g. Do you intend to abandon completely the old point of diversion? No. Right holder intends to use both points of diversion.

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

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

[illegible]

Total number of acres to be irrigated_____

PROFILED
DATE 5-5-3

b. Do you intend to make the transfer permanent?_____

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:_____

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

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

Joseph W. Beards
(signature of applicant)

Subscribed and sworn to before me this 7 day of November, 19 75

[Signature]
(notary public)

My commission expires December 12, 1977

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

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

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

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

Witness my hand this _____ day of _____, 19 _____

Withdrawn

State Reclamation Engineer

FOR DEPARTMENT USE ONLY

Received by _____ Date _____

Protest filed by: _____ Date _____

Prelim. check by _____ Date _____

Fee received by _____ Date _____ Fee \$ _____

Approved for publication by _____

Published in _____ Dates _____

Hearing held _____

Watermaster Recommendation sent _____

PROFILED
DATE 5-5-3

RECEIVED

Recorded 8-11-72

1. The first of these is the fact that the
2. second of these is the fact that the
3. third of these is the fact that the
4. fourth of these is the fact that the
5. fifth of these is the fact that the
6. sixth of these is the fact that the
7. seventh of these is the fact that the
8. eighth of these is the fact that the
9. ninth of these is the fact that the
10. tenth of these is the fact that the

SHE WILL BE THE FIRST OF HER KIND TO BE BUILT,
SHEARER, AND FOLLOWED BY A SECOND, WHICH IS NOW IN PROGRESS
COUNTY, IDAHO, TO THE

INDEX

FORM NO. 19
FEBRUARY 1964

Journal of Management Education 30(6)

Section 1: Lot

1967 7. 15. 1967

[illegible]

Section 16; NW 1/4 NE 1-3;

100-37111-1
BLAINE, O

W. BOESE 000000000000

Section 7.
West Highway Rte at 62nd
St. (2931); N. 1/4 S. 1/4
7 right of way (Tas 208; 1-62
portion of S. 1/4 S. 1/4
into Highway S.; No 1/4

1/2 NE 1/4

[illegible]

EAST, BOISE MORNING.

Section 23: 1/2 SE 1/4
1/4 NE 1/4 Sec. 1/4 West
Twp 136N
R2E 1/4 NE 1/4 Sec. 1/4 West
Highway right of way

SE 1/4 of the NE 1/4
 T. 28 N., R. 1 E., S. 16
 Blaine County, Idaho, more

PROFILED

DATE 5-5-3

60

SYSTEMS

particularly described as follows:
BEGINNING at a point on the South boundary of said Sec. 35 from which the North Quarter corner of said Sec. 35 bears due West a distance of 1877.3 feet; thence running due North a distance of 1310.3 feet to a fence; thence North 89° 58' E. along said fence a distance of 325.8 feet; thence South 89° 19' East along said fence a distance of 301.9 feet; thence South 0° 31' East along a fence on the Westerly right-of-way boundary of Federal Highway No. 93 a distance of 882.4 feet; thence South 0° 40' West along said right-of-way fence a distance of 182.9 feet; Thence South 3° 53' West along said right-of-way a distance of 202.9 feet to the intersection of said right-of-way and the South boundary line of said Sec. 35; Thence due West along said Section line a distance of 718.8 feet to the point of beginning.

PARCEL II:

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN,
BLAINE COUNTY, IDAHO.

Section 36: NW 1/4 NW 1/4 Except Highway right of way
(Tax Lots 1360 and 1361)
SW 1/4 NW 1/4 Except Highway right of way
(Tax Lots 1360 and 1361)

Together with all buildings, fences, facilities for handling and watering livestock, and all other improvements located thereon, and all rights of way, easements, permits and licenses appurtenant thereto or used in connection therewith, and all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to the following decreed water rights in Big Lost River: 24.2 inches decreed March 24, 1883, 200 inches decreed May 23, 1885, 100 inches decreed June 15, 1886, 60 inches decreed June 15, 1891, and together with the following Taylor Grazing Rights: 38 AUM (15 cattle) Timmerman Hill and 286 AUM (57 cattle) Hailey.

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

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

Subject to the burdens incident to the inclusion of the land within the boundaries of the Base Line Pump Association and Wood River Valley Irrigation District.

Subject to Right of Way for irrigation ditch dated December 5, 1899, recorded May 18, 1900, in Book B of Miscellaneous, page 362, records of Blaine County, Idaho, over and across parts of Sections 35 and 36, Township 1 North, Range 18 East, B.M., and parts of Sections 1 and 2, Township 1 South, Range 18 East, B.M., Blaine County, Idaho.

PROFILED

DATE 5-5-3

8107-213

5-5-3

Subject to Easement in Deed dated July 23, 1910, in Book 68, page 47, recorded in Deed Book 68, page 47, which grants to the State of Idaho, which grants to the State of Idaho, which grants to the State of Idaho, for road purposes, across the NW 1/4 SW 1/4 Section 35, Township 1 North, Range 10 East, B.M.

Subject to right of way of the Idaho Canal Company, in Deed dated July 23, 1910, recorded in Book 137 of Deeds, page 286, which grants to the State of Idaho, the S 1/2 SW 1/4 Section 35, Township 1 North, Range 10 East, B.M.; also Section 35 and 36, Township 1 North, Range 10 East, B.M.

Subject to Deed dated July 23, 1910, recorded in Book 137 of Deeds, page 286, which grants to the State of Idaho, the S 1/2 SW 1/4 NW 1/4 of Section 35, Township 1 North, Range 10 East, B.M.

Subject to Deed dated July 23, 1910, recorded in Book 137 of Deeds, page 286, which grants to the State of Idaho, the S 1/2 SW 1/4 NW 1/4 of Section 35, Township 1 North, Range 10 East, B.M.

Subject to Deed dated July 23, 1910, recorded in Book 137 of Deeds, page 286, which grants to the State of Idaho, the S 1/2 SW 1/4 NW 1/4 of Section 35, Township 1 North, Range 10 East, B.M.

Subject to Deed dated July 23, 1910, recorded in Book 137 of Deeds, page 286, which grants to the State of Idaho, the S 1/2 SW 1/4 NW 1/4 of Section 35, Township 1 North, Range 10 East, B.M.

Subject to Deed dated July 23, 1910, recorded in Book 137 of Deeds, page 286, which grants to the State of Idaho, the S 1/2 SW 1/4 NW 1/4 of Section 35, Township 1 North, Range 10 East, B.M.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee that the Grantor is the owner in fee simple of

PROFILED

DATE 5-5-3

COPIES OF DEEDS

RECORDED

INDEXED

SECRET

said proceeds: that they are free from
as above described and that they
same from all lawful claims and demands.

IN WITNESS WHEREOF, the Board of Directors
resolution of the Board of Directors
here to be recorded.
Secretary-Treasurer.

DATED: *June 1, 1955*

SECRET

Copy of this document

has been made available to the
Board of Directors
for their information and
use in the event of any
dispute or litigation.

Witness my hand and
seal this 1st day of June, 1955.

RECEIVED
JUN 1 1955

PROFILED
DATE 5-5-3

AFFIDAVIT OF PUBLICATION

Rec: 9-6-74 LT

State of Idaho, }
County of Lincoln } SS.

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

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

of said advertisement was on the 22nd day of August, 1974, and the date of the last publication was on the 29th

day of August, 1974

Subscribed and sworn to before me this 5th

day of September, 1974
(SEAL)

Helen Maguffin
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Lines in Notice 52

Number of Insertions two

Lines tabular at 315c

52 Lines straight at 21c 10.92

52 Subsequent lines at 15c 7.80

TOTAL COST \$18.72

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 37-0026 (part),
37-0027, 37-1204

Notice is hereby given that Joseph W. Beard, Bellevue, Idaho, has applied to the Department of Water Resources for a change of point of diversion of the waters of the Big Wood River. The right sought to be changed is evidenced by Decree to (A) (B) George Allred, (C) Big Wood Water Users Association in the case of S. C. Frost et al v. Alturas Water Co. dated Dec. 13, 1909 and recorded as follows:

Amount: Priority:
(A) 4.00 cfs 5-23-85
(B) 2.00 cfs 6-15-86
(C) 1.50 cfs 7-24-24

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T 1N, R 18E, B.M., Blaine Co.

The water is used for irrigation from Apr. 1 to Oct. 15 within Lt 4 of SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 1; Lt. 1 of SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2; SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36, T 1N, R 18E, B.M.

TO BE CHANGED AS FOLLOWS:

Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T 1N, R 18E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. N., Twin Falls, Idaho, on or before Sept. 9, 1974.

R. KEITH HIGGINSON
Director

8-22-21c-1

(Idaho Code, Rev. Statutes 1971)

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

PROFILED

DATE 5-5-3

No 1271

MICROFILMED

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

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

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 31 day of October, 1974, and the date of the last publication was on the 7 day of November, 1974.

Subscribed and sworn to before me this 12

day of November, 1974.
(SEAL)

Rabita McKercher

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice 51
Number of Insertions 2
Lines tabular at 315c
Lines straight at 21c 10.71
Subsequent lines at 15c 7.65

TOTAL COST 18.36

PROFILED

DATE 5-5-3

COPY OF NOTICE

(Paste Here)

Notice of Proposed Change of Water Right - No 37-0026, (part) 37-0027-1204

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

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

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 37-0026 (part)
37-0027, 37-1204

Notice is hereby given that Joseph W. Beard, Bellevue, Id., has applied to the Department of Water Resources for a change of the point of diversion of the waters of Big Wood River, tributary to Snake River. The right sought to be changed is evidenced by Decree to (A) (B) George Alfred, (C) Big Wood Water Users Association in Case of S.C. Frost et al v. Alturas Water Co., dated Dec. 13, 1909 in 4th Judicial District Ct., County of Lincoln, and recorded as follows:

Amount:	Priority:
A - 4.00cfs	5-23-85
B - 2.00cfs	6-15-86
C - 1.50cfs	7-24-24

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T 1N, R 18E, B.M., Blaine Co.

The water is used for irrigation purposes from Apr. 1 to Oct. 15 within (SW $\frac{1}{4}$ NW $\frac{1}{4}$) Lot 4, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 1; (SE $\frac{1}{4}$ NE $\frac{1}{4}$) Lot 1, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T 1S, R 18E; SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36, T 1N, R 18E, B.M.

TO BE CHANGED AS FOLLOWS

Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T 1N, R 18E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Resources, 1041 Blue Lakes Blvd. N, on or before 11-18-74.

R. KEITH HIGGINSON
Director

Published: Wood River Journal, Blaine County, October 31 and November 7, 1974

RECEIVED

MAY - 8 2003

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

Department of Water Resources

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
jimspeck@cox-internet.com

DOUGLAS J. AANESTAD
aanestad@cox-internet.com

May 5, 2003

L. Glen Saxton
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720-9000

Re: J.R.J Development, Inc.;
Applications to sell or lease water right to Water Supply Bank

Dear Glen:

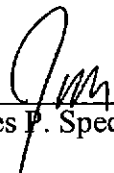
Enclosed you will find the originals and one copy each of Applications to lease Water Rights Nos. 37-26 and 37-27 to the Water Supply Bank. Please have your secretary receipt date-stamp the copies and return them to me in the postage pre-paid self-addressed envelope included for that purpose.

There is a third water right (37-891C) which is used on these same lands. However, a claim in the SRBA was never filed for this water right until today. Once this claim has been entered into the data base we will file an application to lease the water right to the Water Supply Bank.

Please call me if you have any questions about these applications. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jef
Enclosures
cc: Client w/ enclosure

MICROFILMED

MAY 21 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

May 9, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

James P. Speck
HOGUE, SPECK & AANESTAD
120 East Avenue
P.O. Box 987
Ketchum, ID 83340

RECEIVED

MAY 13 2003

Department of Water Resources

RE: APPLICATION TO LEASE WATER RIGHT NOS. 37-0026 AND 37-0027 TO
THE WATER SUPPLY BANK

Dear Mr. Speck:

The department has completed its review of the 2 Applications to Sell or Lease a Water Right to the Water Supply Bank ("bank") that you submitted to this office on behalf of JRJ Development Co. Please consider that the offered water rights are accepted into the bank.

Items to keep in mind in connection with lease of a water right to the bank are as follows:

1. There is no rental payment to the owner of the water rights if the rights or a part thereof are not rented from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Administrator
Water Management Division

c: IDWR - S. Region
✓ 37-0026 and 37-0027

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MAY 21 2003

RECEIVED

MAY - 8 2003

Department of Water Resources

Water Supply Bank No. _____

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Name of Seller/Lessor J.R.J.DEVELOPMENT, INC. Phone (208) 726-5161

Post office address Post Office Box 471, Twin Falls, Idaho 83303

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. 37-26 Decreed to George Allred
(Name)
in case of S.C. Frost et al. vs Alturus Water Co., et al.
dated 12/13/09 in _____ county of Lincoln. District Court
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water
Resources.
- c. Permit No. _____ issued by the Idaho Department of Water
Resources.

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease,
show "all" on line a. below and skip the remainder of part 2.)

- a. Amount of water under right: all cubic feet per second &/or
_____ acre-feet per annum
- b. Point of diversion: _____ 3 of _____ 3 of Section _____ Township _____ Range
_____, B.M. in _____ County.
Additional points _____

MICROFILMED
MAY 21 2003

c. 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	

If the right is for irrigation, show the number of acres for the part of the right to be put into the bank.

Total number of acres _____

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

- a. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right. If the right is not recorded in the name of the seller/lessor, attach a copy of a change of ownership form as required by Section 42-248 or 42-1409(6), Idaho Code, together with required documentation.

Exhibit A is a copy of the Warranty Deed by which the Seller/Lessor acquired the water right and the land to which it is appurtenant in 1979.

- b. Describe the frequency of water use under the right, or portion thereof, during the past five (5) years of use. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture. (This information is not required if a partial decree has been issued on the right within the last 5 years).

Exhibit B consists of the Watermaster Delivery records for Water Rights 37-26 and 37-27 for 1997 and 1998 which show use during the past five years.

MICROFILMED

MAY 21 2003

- c. If the right is from a surface water source, describe the period of the year that water is typically available to satisfy the right.

Attached hereto as Exhibit C is a copy of a graph showing to dates this water right was cut in the period from 1945 through 1987.

- d. Describe any other water rights with the same purpose and place of use as the right, or portion thereof, offered for lease. Will the present place of use continue to receive water from any source? If so, describe.

Water Right Nos. 37-27 and 37-891C.

No

- e. If the water right is a permit, describe the work accomplished toward developing the right.

- f. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

4. REMARKS:

5. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

☐

For sale;

☒

For lease for a period from Indefinite to _____
(Day, month, year) (Day, month, year)

(The lease period may be shown as "indefinite", if the total duration of lease is unknown); or

☐

As a gift to the state of Idaho.

2. Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as the "current rental rate".

Current Rental Rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

1. Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

0505-03
Date

John H. McDonald
Signature

FOR DEPARTMENT USE ONLY

Received by WTA Date 5-8-03 Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

MICROFILMED
MAY 21 2003

WARRANTY DEED

For Value Received

JOSEPH WILLIAM BEARD, an unmarried man

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto JOHN McDONALD and LOIS McDONALD, husband and wife; RON STANLEY and MARGARET STANLEY, husband and wife; JAMES HOWARD WEBB, SR., and BERNICE P. WEBB, husband and wife, AND JAMES HOWARD WEBB, JR., and CAROL WEBB, husband and wife, whose address is: P.O. Box 1, Ketchum, ID 83340

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

Township 1 South, Range 18 E., B.M., Blaine County, Idaho.
Section 18: Lot 3, Lot 4, EXCEPT Highway right of way (Tax Lots 2995 and 2996), SE $\frac{1}{4}$ SW $\frac{1}{4}$, EXCEPT Highway right of way (Tax Lots 2997 and 2998), SW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT Highway right of way (Tax Lots 2999 and 3000); NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 19: Lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

Township 1 South, Range 17 E., B.M., Blaine County, Idaho
Section 13: NW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT Highway right of way (Tax Lots 2990, and 2991), NE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT Highway right of way (Tax Lots 2992 and 2993), That portion of SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying South of State Highway 68, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Section 24: NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$

TOGETHER with all water rights appurtenant thereto, including but not limited to 225 inches of decreed May 23, 1885; 100 inches decreed June 15, 1886, and 75 inches of Base Line By-Pass.

SUBJECT TO easements of record in the records of Blaine County, Idaho.

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

Dated: December 28, 1979

Joseph William Beard
Joseph William Beard

316704

STATE OF Idaho, COUNTY OF Blaine On this <u>28</u> day of December, 1979, before me, a Notary Public in and for said State, personally appeared Joseph William Beard, an unmarried man known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that <u>he has</u> executed the same. <u>Alicia M. Rooney</u> Notary Public, Idaho Residing at _____ Comm. Expires <u>HAILEY</u>	STATE OF IDAHO, COUNTY OF <u>Blaine</u> I hereby certify that this instrument was filed for record at the request of <u>Sawtooth Title Co., Inc.</u> at <u>31 minutes past</u> <u>3</u> o'clock <u>P</u> m., this <u>22</u> day of <u>February</u> 19 <u>80</u> in my office, and duly recorded in Book _____ of Deeds at page _____ <u>Mary Green</u> Ex-Officio Recorder By <u>M. Pyne</u> Deputy. Fees \$ <u>3.00</u> Mall to: _____ MICROFILMED MAR 21 2003
--	--

EXHIBIT A

WATER DISTRICT 37 & 37M

CANAL NAME	BROWN				CANAL NO.	85-P	1997
OWNER	JOHN MC DONALD						
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1							1
2							2
3							3
4							4
5							5
6							6
7							7
8					5.56		8
9					5.56		9
10					5.56		10
11					5.56		11
12					5.56		12
13					5.56		13
14							14
15							15
16							16
17							17
18							18
19							19
20							20
21							21
22							22
23							23
24							24
25							25
26							26
27							27
28							28
29							29
30							30
31							31
TOTAL	0.00	0.00	0.00	0.00	33.36	0.00	

YEARLY C F S 33
 YEARLY ACRE FEET 66
 TOTAL NO OF DAYS 6
 YEARLY MEAN 6

MICROFILMED

MAY 21 2003

EXHIBIT B

WATER DISTRICT 37 & 37M

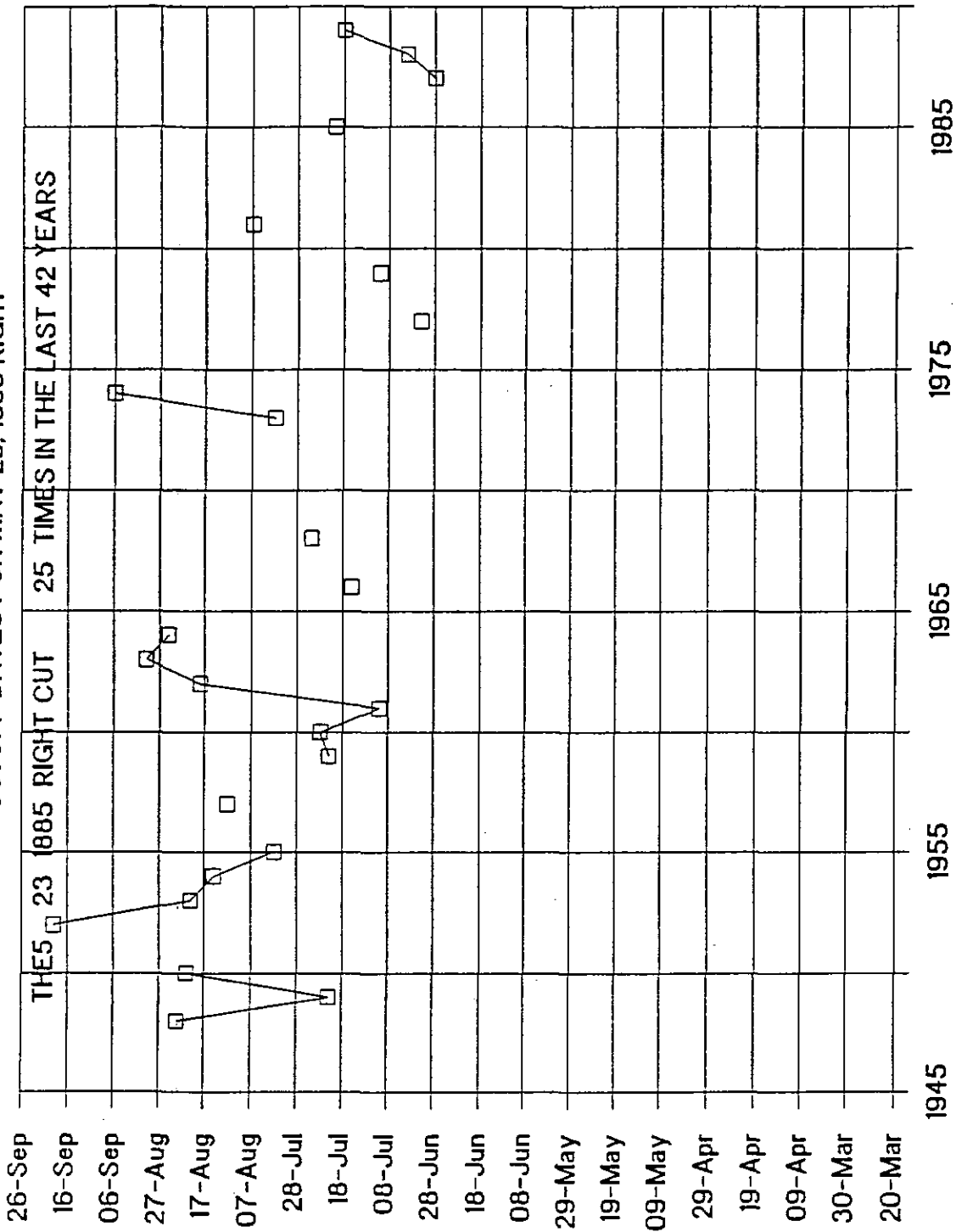
CANAL NAME		BROWN		CANAL NO. 85-P			1998
OWNER		JOHN MC DONALD					
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1							1
2							2
3							3
4							4
5							5
6							6
7							7
8							8
9							9
10							10
11							11
12							12
13							13
14							14
15							15
16							16
17							17
18							18
19							19
20				6.66			20
21				6.66			21
22				6.66			22
23				6.66			23
24				6.66			24
25							25
26							26
27							27
28							28
29							29
30							30
31							31
TOTAL	0.00	0.00	0.00	33.30	0.00	0.00	
YEARLY C F S				33			
YEARLY ACRE FEET				66			
TOTAL NO OF DAYS				5			
YEARLY MEAN				7			

MICROFILMED 102

MAY 21 2003

BIG WOOD RIVER WATER RIGHTS

CUTOFF DATES FOR MAY 23, 1885 RIGHT



MICROFILMED
DATE OF PRIORITY CUT
MAY 2 1 2 AM
EXHIBIT C

MEMORANDUM

TO: FILE 37-00027

FROM: VAULT

RE: TRANSFER # TC-37-2

DATE: 5-10-01

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 37-00026

MICROFILMED
MAY 21 2003

PROFILED
DATE 5-5-03



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 30, 1997

James P. Speck
HOGUE, SPECK & AANESTAD
120 East Ave
P.O. Box 987
Ketchum, ID 83340

**RE: REQUEST FOR EXTENSION OF TIME TO AVOID FORFEITURE OF
WATER RIGHT NOS. 37-00026 AND 37-00027**

Dear Mr. Speck:

As requested in your July 29, 1997 letter, I have enclosed the originals of the above referenced applications filed in the name of J.R.J. Development. The request to withdraw the applications apparently was prompted within a meeting attended by your client John McDonald on behalf of J.R.J. Development, Karl J. Dreher, Norman C. Young and myself.

The meeting was held at the IDWR conference room on June 6, 1997, at the request of Mr. McDonald. During the meeting, the department advised that it could not approve the applications, since the applications had not been timely filed before the end of the five (5) year period of non-use as provided in Section 42-222(2), Idaho Code. Mr. McDonald asked for alternatives to which the department suggested the following:

1. Check with the watermaster of the Big Wood River to determine if water district records show that the water rights have been delivered at the original place of use subsequent to the department's approval of Transfer No. 2987 on October 17, 1985.
2. Withdraw the applications before the department denies them in order to avoid the precedent of the department having denied the applications. The lack of such precedent might provide a position in the Snake River Basin Adjudication that the rights have not been forfeited through non-use even though the rights have not been used since 1985 according to Mr. McDonald.

MICROFILMED

MAY 21 2003

PROFILED

DATE 5-5-03

Please contact the department if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Glen Saxton". The signature is fluid and cursive, with the first name "L." being small and the last name "Saxton" being larger and more prominent.

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 2

c: IDWR - Regional Office
Adjudication Bureau
Doug Jones - IDWR

MICROFILMED
MAY 21 2003

PROFILED
DATE 5-5-03

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

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

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

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

July 29, 1997

RECEIVED

JUL 30 1997

Department of Water Resources

VIA FACSIMILE (208) 327-7866
ORIGINAL TO FOLLOW BY MAIL

Glen Saxton
Water Allocation Bureau
Department of Water Resources
Post Office Box 83720
Boise, ID 83720-0098

Re: Applications for Extension of Time to Avoid Forfeiture-
Water Rights 37-00026 and 37-00027

Dear Glen:

My client, JRJ Development, hereby withdraws the Applications for Extension of Time to avoid forfeiture which it filed for its water rights nos. 37-00026 and 37-00027. My client has taken the suggestions made by Karl Dreher in his meeting with John McDonald and the water will be used pursuant to the approved transfer this summer. Please return the original applications to me.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.



James P. Speck

JPS:rsd
cc: John McDonald

MICROFILMED
DATE 5-5-03
MAY 21 2003

PROFILED

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

Attorneys at Law

120 East Avenue

Post Office Box 987

Ketchum, Idaho 83340

Phone: (208) 726-4421

FAX: (208) 726-0752

FAX MEMO/COVER SHEET

DATE: July 29, 1997
PAGE: 1 OF 2
TO: Glen Saxton
FAX NO: 208-327-7866
SUBJECT: Applications for Extension of Time to Avoid Forfeiture
FROM: James P. Speck, Esq.

The information contained in this fax is confidential information intended only for the use of the recipient named above and may be subject of attorney/client privilege. If the reader of this message is not the named recipient, you are hereby notified that any distribution, dissemination, copying or other use of this communication is strictly prohibited and no privilege is waived. If you have received this message in error, please immediately notify us by telephone. Thank you.

MICROFILMED

MAY 21 2003

PROFILED

DATE 5-5-03

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY C. HOGUE
JAMES P. SPECK
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FAX (208) 788-4230

July 29, 1997

VIA FACSIMILE (208) 327-7866
ORIGINAL TO FOLLOW BY MAIL

Glen Saxton
Water Allocation Bureau
Department of Water Resources
Post Office Box 83720
Boise, ID 83720-0098

Re: Applications for Extension of Time to Avoid Forfeiture-
Water Rights 37-00026 and 37-00027

Dear Glen:

My client, JRJ Development, hereby withdraws the Applications for Extension of Time to avoid forfeiture which it filed for its water rights nos. 37-00026 and 37-00027. My client has taken the suggestions made by Karl Dreher in his meeting with John McDonald and the water will be used pursuant to the approved transfer this summer. Please return the original applications to me.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.



James P. Speck

JPS:rsd
cc: John McDonald

MICROFILMED

MAY 21 2003

PROFILED

DATE 5-5-03

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

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JAMES P. SPECK
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(208) 788-3567
FAX (208) 788-4230

June 26, 1997

VIA FACSIMILE - (208) 327-7866
ORIGINAL TO FOLLOW BY MAIL

Mr. Glen W. Saxton
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000

RECEIVED

JUL 01 1997

Department of Water Resources

**Re: JRJ Development - Applications for Extension of Time to Avoid Forfeiture of
Water Rights Nos. 37-00026 and 37-00027**

Dear Glen:

This letter is responding to your June 6, 1997 letter. My client is actively pursuing additional information to support its Applications. However, it needs more time to complete the process and reach a decision on whether to proceed with or withdraw the Applications. Therefore, I am asking for an additional thirty (30) days. Please let me know immediately if this request will be granted.

Thank you for your continuing cooperation and assistance in these matters.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.



James P. Speck

JPS/j

cc: Client

MICROFILMED
MAY 21 2003

PROFILED
DATE 5-5-03

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

P. O. Box 987

Ketchum, ID 83340

1-208-726-4421

Fax: 1-208-726-0752

FAX COVER SHEET/MEMO

To:	Mr. Glen W. Saxton	Date:	June 26, 1997
Fax #:	(208) 327-7866	Pages:	2, including this cover sheet.
From:	James P. Speck		
Subject:	<i>JRJ Development - Applications for Extension of Time to Avoid Forfeiture of Water Rights Nos. 37-00026 and 37-00027</i>		

COMMENTS:

THE INFORMATION CONTAINED IN THIS FAX TRANSMISSION IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE ABOVE-NAMED RECIPIENT AND MAY BE THE SUBJECT OF ATTORNEY-CLIENT PRIVILEGE. IF THE READER OF THIS MESSAGE IS NOT THE ABOVE-NAMED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISTRIBUTION, DISSEMINATION, COPYING OR OTHER USE OF THIS COMMUNICATION IS STRICTLY PROHIBITED AND NO PRIVILEGE IS WAIVED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE. THANK YOU.

- 1 -

MICROFILMED

MAY 21 2003

PROFILED

DATE 5-5-03

HOGUE, SPECK & AANESTADA PROFESSIONAL ASSOCIATION
ATTORNEYSTERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
MICHELE C. MESKE120 EAST AVENUE
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POST OFFICE BOX 460
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(208) 788-3567
FAX (208) 788-4230

June 26, 1997

VIA FACSIMILE - (208) 327-7866
ORIGINAL TO FOLLOW BY MAILMr. Glen W. Saxton
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000**Re: JRJ Development - Applications for Extension of Time to Avoid Forfeiture of
Water Rights Nos. 37-00026 and 37-00027**

Dear Glen:

This letter is responding to your June 6, 1997 letter. My client is actively pursuing additional information to support its Applications. However, it needs more time to complete the process and reach a decision on whether to proceed with or withdraw the Applications. Therefore, I am asking for an additional thirty (30) days. Please let me know immediately if this request will be granted.

Thank you for your continuing cooperation and assistance in these matters.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.



James P. Speck

JPS/j

cc: Client

MICROFILMED

MAY 21 2003

PROFILED

DATE 5.5.03



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 27, 1997

James P. Speck
HOGUE, SPECK & AANESTAD
120 E. Avenue
P.O. Box 987
Ketchum, ID 83340

RE: APPLICATIONS FOR EXTENSION OF TIME TO AVOID FORFEITURE -
RIGHTS 37-00026 AND 37-00027

Dear Mr. Speck:

I have received by FAX your letter dated June 26, 1997 in connection with the above referenced applications. I will withhold action on the pending applications until the end of July 1997 as you have requested. If I have not received either additional information in support of the applications or a withdrawal of the applications by 5:00 p.m. on July 31, 1997, the department will act on the applications with the information which is then available.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region
Allen Merritt

MICROFILMED
MAY 21 2003

PROFILED
DATE 5-5-03

MEMORANDUM

To: Files 37-00026 and 37-00027
From: L. Glen Saxton *WZ*
RE: MEETING WITH JOHN MCDONALD
Date: June 6, 1997

On this date, John McDonald in an unscheduled meeting met with Karl Dreher, Norm Young and me concerning pending applications for extension of time to avoid forfeiture water rights (applications) which he filed in connection with rights 37-00026 and 37-00027.

McDonald stated he was seeking alternatives to the pending department action to deny the applications. Alternatives suggested to McDonald include the following:

1. Relative to the pending applications, McDonald could withdraw the applications before the department acts on them in order to prevent the precedent of the denial potentially finding that the rights had been forfeited.
2. Relative to forfeiture, McDonald could check with the watermaster of the Big Wood River to determine if water district records show that the water rights have been delivered at the original place of use subsequent to the 1985 transfer approvals. If so, McDonald would have a good argument in the SRBA that the rights have not been forfeited.

MICROFILMED
MAY 21 2003

PROFILED
DATE 5.5.03



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 6, 1997

James P. Speck
HOGUE, SPECK & AANESTAD
120 E. Avenue
P.O. Box 987
Ketchum, ID 83340

RE: APPLICATIONS FOR EXTENSION OF TIME TO AVOID FORFEITURE -
RIGHTS 37-00026 AND 37-00027

Dear Mr. Speck:

Our Twin Falls office has completed the advertising of the above referenced applications and has forwarded the applications to this office for final review and action.

As you know, the applications were filed with the department on March 14, 1997, pursuant to Section 42-222(2), Idaho Code, showing that water was last diverted and applied to a beneficial use in 1985 (12 years ago).

My assessment of the applications is that they were not timely filed as required in the code and should be denied by the department, since a portion of Section 42-222(2), Idaho Code, provides in pertinent part as follows:

Application for an extension shall be made before the end of the five (5) year period upon forms furnished by the department of water resources

If you have additional information you would like the department to consider relative to action on the applications, please submit it within twenty (20) days. If you do not timely provide the requested information, the department will act on the applications with the information now available. Feel free to contact me if you have questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region
Allen Merritt

MICROFILMED

MAY 21 2003

PROFILED
DATE 5.5.03

FROM: Allen Merritt *AM*

DATE: May 22, 1997

TO: Extension of Time to Avoid Forfeiture
Right 37-00026 (A37-00026)
Right 37-00027 (A37-00027)
Both in the Name of: J.R.J. Development

SUBJECT: Review and Recommendation

On the face of both applications it is stated that the water has not been used since at least since 1985. I do not understand the legal principle in which negotiations with the federal government justifies the approval of these applications. The legal principle that these applications are based should be reviewed by legal staff. Short of an explanation that there is some sort of legal basis for approval, I concur with Jim Stanton's 3/28/97 memo and I recommend that both applications be denied and the rights found forfeited.

MICROFILMED

MAY 21 2003

PROFILED

DATE 5-5-03

EXTENSION OF TIME TO AVOID FORFEITURE
ANALYSIS SHEET

1. INITIAL REVIEW BY: J. E. Stanton
2. RIGHT NUMBER 39-00027 APPLICANT JRT Development
3. TYPE OF RIGHT: ☒ Decree ☐ License ☐ Claim
4. Is reason for request extension given on application?
✓ Yes No (If No, return Application)

5. CHECK:

- (a) ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period of Use
- (b) ✓ Description of Point(s) of Diversion
(c) ✓ Description of Place of Use
(d) ✓ Check for correct Signature, Notarization, Fee

6. OWNERSHIP OF RIGHT

Applicant's ownership confirmed by:

- (a) ✓ Copy of Tax Notice, Deed, or other
in file.
- (b) County Assessor records. Date Contacted
7. Is the right in a Watermaster District? ✓ Yes No Dist. 37
(If Yes, send copy to Watermaster)

FINAL REVIEW IN REGION by AD

- (a) Is Application published correctly? X Yes No
- (b) Protest Received? Yes X No

RECOMMENDED ACTION

X Approve
Deny

See memo 5/22/97

Conditions:

RECEIVED

MAY 27 1997

Department of Water Resources

PROFILED

DATE 5-5-03

AFFIDAVIT of PUBLICATION

RECEIVED

MAY 13 1997

State of Idaho,
County of Blaine

} ss.

Department of Water Resources
Southern Region

On this 7 day of May, in the year 1997, before me a Notary Public of said State, personally appeared **DANIEL J. GORHAM**, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 30 day of April, 1997, and the date of the last publication was on the 7 day of May, 1997.

[Signature]

Subscribed and sworn to before me this 12 day of May, 1997.
(SEAL)

[Signature]

NOTARY PUBLIC

PROFILED

DATE 5-5-03 WOOD RIVER JOURNAL
Hailey, Idaho

#10505

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 54,167
Number of Insertions 2
Lines tabular at 7 6c/Pica
Lines straight at 37,375 6 5c/Pica
Subsequent lines at 31,146 5 4c/Pica
TOTAL COST +5 \$ 73.52

MICROFILMED

MAY 21 2003

Right Nos. 37-00026 : 27

COPY OF NOTICE
(Paste Here)

Application for extension of time
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. of Water Resources
BILL TO

Application for extension of time

Notice is hereby given that JRJ DEVELOPMENT, c/o James P. Speck, Esq., PO Box 987, KETCHUM ID 83340 has applied to the Department of Water Resources for an extension of time to avoid forfeiture of Decreed Water Right Nos. 37-00026 and 37-00027. The extensions are requested to avoid loss of the water rights due to non-use while negotiations with the USDI-Bureau of Land Management for the sale of the land are pending. Decreed Water Right No. 37-00026
Priority Date: 05/23/1885
Source: Big Wood River tributary to Malad River
Use: Irrigation (4.5 cfs)
Decreed Water Right No. 37-00027
Priority Date: 06/15/1886
Source: Big Wood River tributary to Malad river
Use: Irrigation (2.0 cfs)
Point(s) of Diversion: NE1/4NE1/4, S19, T01S, R18E; Blaine County.
Place of Use: 171 acres within parts of Sections 13 & 24, T01S, R17E and Sections 18 & 19, T01S, R18E; Blaine County.
Any protest against the approval of the above proposed and described request must be filed with the Director, Dept. 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 May 19, 1997. The protestant must also send a copy of the protest to the applicant, Karl J. Dreher, Director Publish: Wood River Journal - April 30 & May 7, 1997.

EXTENSION OF TIME
APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED

NO. 37-00027

APR 30 1997

RECOMMENDATION OF WATERMASTER

Department of Water Resources
Southern Region

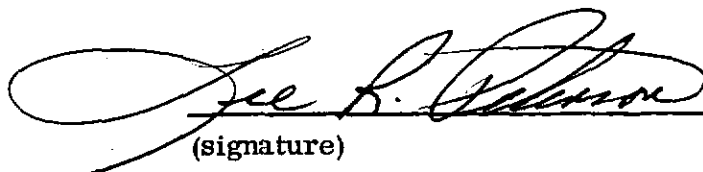
I, Lee R. Peterson, watermaster of Big Wood River,
of Water District No. 37, County of Blaine, State of Idaho,
whose address is P O Box T, Shoshone, Idaho 83352
have read the attached copy of the application for transfer of water right for _____
JRJ Development, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: None

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Shoshone, Idaho, this 28th day of April 19 97.


(signature)

Please use reverse side if needed.

MICROFILMED

PROFILED
DATE 5.5.03

MAY 21 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

April 18, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES P SPECK ESQ
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

Re: Applications for Extension of Time To Avoid Forfeiture, No. 37-00026 & 37-00027

Dear Mr. Speck:

The Department of Water Resources acknowledges receipt of the applications for extension of time to avoid forfeiture filed on behalf of J.R.J Development.

This office has scheduled advertising the applications in the Wood River Journal for 4/30 & 5/7/97.

The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

MICROFILMED

MAY 21 2003

PROFILED

DATE 5-5-03



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

April 18, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

Re: Application for Extension of Time To Avoid Forfeiture of Water
Right Nos. 37-00026 & 37-00027 (J.R.J. Development)

Dear Mr. Peterson:

Enclosed are copies the Applications for Extension of Time To Avoid
Forfeiture for two water rights within your District, and
Watermaster's Recommendation Forms.

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

Please complete the enclosed recommendation forms and return them
to this office.

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

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

Enclosures

MICROFILMED
MAY 21 2003

PROFILED
DATE 5-05-03

TUE 16:10

HOGUE, SPECK & AANESTAD

FAX NO. 20872-52

P. 02/04

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION OF
ATTORNEYS

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

120 EAST AVENUE
P. O. BOX 987
KETCHUM, IDAHO 83340
(208)726-4421
FAX (208)726-0752

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

April 1, 1997

VIA FACSIMILE - (208) 736-3037
ORIGINAL WILL NOT FOLLOW

Mr. Jim Stanton
Idaho Department of Water Resources
222 Shoshone East
Twin Falls, ID 83301

RECEIVED

APR 01 1997

Department of Water Resources
Southern Region

Re: J.R.J. Development Company - Applications for Extension of Time to Avoid Forfeiture

Dear Jim:

Enclosed are copies of the Warranty Deed with the legal description for the property, including the place of use, and the first page of the partnership agreement for J.R.J. Development Company, which is an Idaho general partnership. My client explains the use of J.R.J. Development, Inc. - indicating a corporate entity - as the name of the owner of the rights in question or other water rights in IDWR records was a mistake that they never caught. Please call if this is not sufficient information.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.



James P. Speck

JPS/j
(enclosures)
cc: client (w/ enclosures)

PROFILED
DATE 5-5-03
MICROFILMED

MAY 21 2003

WARRANTY DEED

For Value Received

JOSEPH WILLIAM BEARD, an unmarried man

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

JOHN McDONALD and LOIS McDONALD, husband and wife; RON STANLEY and MARGARET STANLEY, husband and wife; JAMES HOWARD WEBB, SR., and BERNICE P. WEBB, husband and wife, AND JAMES HOWARD WEBB, JR., and CAROL WEBB, husband and wife, whose address is:

P.O. Box 1, Ketchum, ID 83340

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

Township 1 South, Range 18 E., B.M., Blaine County, Idaho.

Section 18: Lot 3, Lot 4, EXCEPT Highway right of way (Tax Lots 2995 and 2996), SE $\frac{1}{4}$ SW $\frac{1}{4}$, EXCEPT Highway right of way (Tax Lots 2997 and 2998), SW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT Highway right of way (Tax Lots 2999 and 3000), NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19: Lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

Township 1 South, Range 17 E., B.M., Blaine County, Idaho

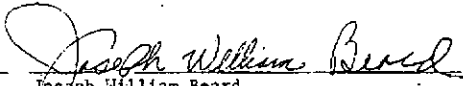
Section 13: NW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT Highway right of way (Tax Lots 2990, and 2991), NE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT Highway right of way (Tax Lots 2992 and 2993), That portion of SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying South of State Highway 68, SW $\frac{1}{4}$ SE $\frac{1}{4}$;Section 24: NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ NE $\frac{1}{4}$

TOGETHER with all water rights appurtenant thereto, including but not limited to 225 inches of decreed May 23, 1885; 100 inches decreed June 15, 1886, and 75 inches of Base Line By-Pass.

SUBJECT TO easements of record in the records of Blaine County, Idaho.

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

Dated: December 28, 1979


 Joseph William Beard

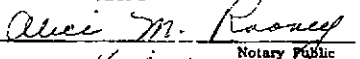
316704

STATE OF Idaho, COUNTY OF Blaine

 On this 28th day of December, 1979,
 I, the undersigned, a Notary Public in and for said State, personally appeared

Joseph William Beard, an unmarried man

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


 Alice M. Rooney
Notary Public
IdahoResiding at
Comm. Expires
 STATE OF IDAHO, COUNTY OF Blaine
 I hereby certify that this instrument was filed for record at
 the request of Sawtooth Title Co., Inc.

 at 31 minutes past 3 o'clock p.m.,
 this 22 day of February
 1979 in my office, and duly recorded in Book
 of Deeds at page


 Ex-Officio Recorder
By  Deputy.Fees \$ 3.00
Mail to:
 PROFILED
 DATE 5-5-03

MICROFILMED

MAY 21 2003

TUE 16:11

HOGUE, JACK & AARNESTAD

FAX NO. 20872752

P. 04/04

J.R.J. DEVELOPMENT COMPANY, INC.

208 734 7841

P. 92

J.R.J. DEVELOPMENT COMPANYPARTNERSHIP AGREEMENT

THIS PARTNERSHIP AGREEMENT is made and entered into this 1 day of JAN, 1980, by and among John McDonald, Ron Stanley, and James Howard Webb, Sr.,/James Howard Webb, Jr., a joint venture, hereinafter called the "partners."

NOW, THEREFORE, it is agreed as follows:

1. Name and Business. The partners hereby form a general partnership under the name of J.R.J. Development Company, hereinafter called the "partnership." The partnership shall be authorized to acquire by purchase, lease, or otherwise, lands and interest in lands; to own, hold, lease, finance, improve, develop and manage real property so acquired; to erect, alter, or improve buildings or other structures situated on said real property; to make investments in all types of businesses; and to operate all legal forms of business enterprises.

2. Address. The address of the partnership business shall be P. O. Box 1724, Twin Falls, Idaho 83301.

3. Term. The partnership shall continue until terminated as hereinafter provided.

4. Books. The partnership books and business records shall be maintained at the office of Ron Standley Company, or at such other place as the partners may designate. Each partner shall have access to the partnership books and records at all times during normal business hours. The books shall be kept on a cash basis for each fiscal year, and shall be closed and balanced at the end of each such year.

5. Capital. The capital of the partnership has been contributed by the partners as follows:

John McDonald	33 1/3%
Ron Stanley	33-1/3%
Webb/Webb, a joint	33-1/3%
venture	<u>100%</u>

The foregoing capital represents undivided interests in the partnership assets, subject to liabilities. An individual capital account shall be maintained for each partner. The

MICROFILMED

PROFILED

MAY 21 2003

DATE 5-5-03

TO: File

DATE: March 28, 1997

FROM: Jim Stanton

SUBJECT: Apps. For Ext. of Time To Avoid Forf., JRJ Development

Both of these applications should be denied. Water was transferred to this property in 1985 for irrigation, but the applicant states that he immediately began negotiating to sell the land to the federal government. Therefore, the transfer appears to have been made for speculative purposes to increase the value of the land for sale. Maybe we can rescind the transfer and declare the rights forfeited for this reason.

Even if the rights were valid in 1985 when the transfer was approved, they were not used by 1990. So an extension of time to avoid forfeiture should have been filed then to protect the rights. Even if extensions had been granted then, they would have run out in 1995. So if we approve these extensions, we are retroactively approving a 14 1/2-year extension. Doesn't sound legal to me. Again, it looks like the proper thing to do is to deny the extensions and declare the rights invalid. Since the applicant has already said that the land is still in a natural state, I do not plan to visit the property.

MICROFILMED

MAY 21 2003

PROFILED
DATE 5-5-03

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

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

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

February 26, 1997

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

RECEIVED

MAR 14 1997

Department of Water Resources
Southern Region

Mr. Alan Merritt
Idaho Department of Water Resources
222 Shoshone East
Twin Falls ID 83301

Re: Applications for Extension of Time to Avoid Forfeiture - 37-00026 & 37-00027

Dear Alan:

Enclosed you will find two Applications for Extension of Time to Avoid Forfeiture of a Water Right which I have prepared for JRJ Development for its water rights 37-00026 and 37-00027. I've also enclosed my firm's check payable to IDWR in the sum of \$200.00 as the filing fee for these two applications. As you will see from Paragraph 11 of each application, there is an extensive history of negotiations between the Bureau of Land Management (BLM) and my client for the former to acquire the property to protect a crucial deer migration corridor. Unfortunately, the BLM purchase is contingent upon Congressional appropriation of funds which has not yet occurred. In the meantime, my client has felt compelled to keep the property in its natural state to preserve the possibility of such a sale for the public benefit. The length of the extension of time requested will allow my client to conclude its negotiations with the BLM and, if successful, construct a system to apply the water to irrigation of the lands in question.

Please call me if you have any questions. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.


James P. Speck

JPS/sw
Enclosures

Cc: Client (w/copies)

MICROFILMED
MAY 21 2003

PROFILED
DATE 5-5-03

IDAKO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

WATER
=====

PRIORITY	DATE	WATER USE	USE PERIOD	DIVERSION	DIVERSION	PAGE:
			FROM TO	RATE	VOLUME	
06/15/1886		IRRIGATION	00/00 00/00	2.000 CFS		

Tributary to: MALAD RIVER

Stage: DECEED

BLAINE County

:	SUM	----
:		33.0
:		17.0
:		77.0
:		44.0
:		171.0

2

of Approval:

005 - Use of water under this right is subject to control by the
- watermaster of State Water District No. 37.

01E - A measuring device and lockable controlling works of a type
- acceptable to the Department shall be permanently installed and
- maintained as part of the diverting works.

016 - See remarks for additional conditions of approval.

AC. IRR. = 171. TRANS. 2987. A 10% RIVER CHANNEL LOSS IS ASSESSED TO THE RTS. IDENTIFIED HEREIN, & THE RATE OF FLOW SHALL NOT EXCEED 5.85 AT THE P/O.

Priority Date:
Proof Made Date:
Exam Sent to S.O.:

09/06/94 SCURTIS

PROFILED
 DATE 5-5-03

OWNER CODE: C
 NAME & ADDRESS: JRJ DEVELOPMENT INC
 PO BOX 1724
 TWIN FALLS ID 833010000
 (208) 423-5411
 PRIORITY DATE: 06/15/1986
 WATER USE: IRRIGATION
 USE PERIOD FROM TO: 04-01 11-01
 DIVERSION RATE: 2.00 CFS
 DIVERSION VOLUME: 1067.00 AFA
 TOTAL DIVERSION: 2.00 CFS
 CONSUMPTIVE USE:

Water Source: BIG WOOD RIVER
 Tributary to: MALAD RIVER
 Point(s) of Diversion: T01S R18E S19 NWENE
 Stage: DECREED
 BLAINE County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE					
		NENE NUNE SUNE				NEW NW NW SW NW				NESW NW SW SWSW				NESE NW SE SESE					
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
01S 17E 13	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	106.0
01S 17E 24	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	30.0
01S 18E 18	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	234.0
01S 18E 19	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	57.0
TOTAL ACRES																		427.0	

POB County: BLAINE
 Non-Irrigation Uses: NONE.
 Other Rights: A3700026, A3707983.

Conditions of Approval:
 01E - A measuring device and lockable controlling works of a type
 - acceptable to the Department shall be permanently installed and
 - maintained as part of the diverting works.

Remarks: GEN
 TRANS. 2987. A 10% RIVER CHANNEL LOSS IS
 ASSESSED TO THE RTS. IDENTIFIED HEREIN, & THE RATE OF FLOW
 SHALL NOT EXCEED 5.85 AT THE P/D.
 THIS RIGHT IS COMBINED WITH THE A3700026, AND A3707983.
 Dates: Exam Made Date: Verified Date: 12/09/1985 Objection Filed Date:
 Misc: Water District Number: 37 Field Inspection Flag: D
 Presumption Flag:
 Audit: 10/20/88 CARLSON 03/30/95 POST-STD

RECEIVED

MAR 14 1997

Department of Water Resources
Southern Region

Water Right No. 37-00027

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

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

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee of \$100.00.

1. Name of water right holder: J.R.L. Development.
2. Post office address: c/o James P. Speck, Hogue, Speck & Aanestad, P.O. Box 987, Ketchum, Idaho, 83340.
3. The right was obtained or is evidenced by:
 - a. Decree No. 37-00027.
 - b. Snake River Basin Adjudication Claim No. A37-00027.
4. Source of water: Big Wood River.
Tributary to: Malad River.
5. Date of priority: June 15, 1886.
6. Amount of water: 2.0 cfs.
7. Water is used for: Irrigation

MP0240 FILMED

MAY 21 2003

PROFILED

DATE 5-5-03

8. Location of point of diversion:

Township	Range	Section	¼	¼	¼	Lot	County
1S	18E	19		NE	NE		Blaine

9. Lands irrigated or place of use:

			NE				NW				SW				SE					
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	TOTALS	
1S	17E	13																32.8	32.8	
1S	17E	24	16.9																16.9	
1S	18E	18											34.2	26.3				17.2	77.7	
1S	18E	19						17.5	26.1										43.6	
TOTALS																			171.0	

10. Give the last date when water was applied to beneficial use: 1985.

Length of extension of time requested: Until November 1, 1999.

11. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and the reasons for non-use: The water right was purchased by the applicant together with 37-00026 and Transfer No. 2987 approved in 1985 authorized the change of point of diversion and place of use for both rights to applicant's property as identified above. At that time and continuing through the present date, applicant was and has been negotiating with the Bureau of Land Management ("BLM") to sell the property to which these rights are appurtenant for wildlife habitat and to protect a crucial deer migration corridor. The BLM purchase is contingent upon Congressional appropriation of funds through the Land and Water Conversation Fund. This has not yet occurred. The conversion of the property to irrigated lands would defeat the purpose of the BLM acquisition. Therefore, applicant has deferred the implementation of the approved transfer and the conversion of the lands to irrigation pending the final outcome of such negotiations. Applicant formerly owned Permit 37-07893. IDWR granted applicant an extension of time to prove beneficial use for this Permit on the basis of the same negotiations with BLM. Applicant is confident the negotiations can be concluded within the time period requested for the extension.

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.

J.R.J. DEVELOPMENT

By: John McDonald
John McDonald Partner

SUBSCRIBED AND SWORN TO before me this 20th day of February, 1997.

Janet L. Latham
Notary public for Idaho
Residing at Blaine Co.
Commission expires 1-13-2001

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

Witness my hand this _____ day of _____, 1997.

For Department Use Only

Received by J. Stanton Date 3-14-97 Time 9 am Preliminary check by AD
Fee \$ 100. Receipted by SS 19925 Date 3-14-97 Publication prepared by MB
Published in Wood River Journal Dates 4/30 & 5/7/97
Publication approved by MB Date 5/13/97 Protests filed by _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for // Approval ☒ Denial by AD

Page 3
MICROFILMED
MAY 21 2003

PROFILED
DATE 5-5-03

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE
June 5, 1997 1:00pm

CUSTOMER
Saxton, Glen

SUBJECT: 37-00026, -00027 plus AJ claims w/ the same #'s
phone call (x) walk-in (.)

He wanted to know if Jim Speck filed an Application for Extension of Time regarding the above permits; Our files show that not only did Speck file for extension March 14, Jim Stanton wrote a memo stating his reasons why it should be denied March 28, and ADM backed Jim Stanton up with another memo May 22, supposedly all was sent to SO on May 23, 1997.

I called Glen back with this information.

57-00023-15

INTER-DEPARTMENT MEMO — 1

FROM Sharla

DATE 10/16/85

TO File 37-0027

SUBJECT Trans. 2987

See file 37-0026 for all correspondence regarding the above referenced transfer.

PROFILED

DATE 5-5-03

MICROFILMED

SIGNATURE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

August 2, 1982

Joe Beard
Bellevue,
Idaho 83313

Re: Application for Transfer of Water Right

Dear Mr. Beard:

We understand that you have sold the 240 acres in Sec. 13 and 18 to which you planned to transfer 1885 and 1886 water rights.

If you are no longer interested in the transfer, please sign the attached form relinquishing the application for transfer. If these water rights went with the land you sold, then the new owner should make his own application for transfer.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

James E. Stanton
Sr. Water Resource Agent

LOH:JES:marya

Encl:

RECEIVED
JUL 10 1982

PROFILED
DATE 5-5-03



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

December 24, 1980

Mr. Joe Beard
Bellevue,
Idaho 83313

Re: Application for Transfer of Water Rights 37-0026 - 37-0027.

Dear Mr. Beard:

On April 4, 1980, you filed an application to transfer the two above referenced water rights decreed from the Big Wood River.

When last contacted by phone, in August, 1980, you indicated to Jim Stanton of this office that the land and water rights had been sold and that you no longer had an interest in the application.

In order to allow us to clear out files, please sign the attached relinquishment form and return it to this office in the envelope provided.

If you have any questions, please contact me.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

RECEIVED
DEC 24 1980

PROFILED
DATE 5-5-03

STATE OF IDAHO
Department of Water Resources

No 17050

Boise, Idaho, Apr 4, 1980

RECEIVED
FROM

Lee Board

of Leekman, Hazelton

thirty - four & 00/100

DOLLARS

FOR

<u>travel</u>	\$	<u>25</u>	<u>00</u>
	\$		
	\$		
	\$		
<u>92-188</u>	\$		
TOTAL	\$	<u>25</u>	<u>00</u>

PROFILED
DATE 5-5-83

Mary A. Hill

STATE OF IDAHO
Department of Water Resources

No 17050

Boise, Idaho, June 4, 1980

RECEIVED
FROM

for fees of Leellen / Hazelton 35.18
at thirty - three & 18/100 DOLLARS

FOR

<u>trans</u>	<u>25</u>	<u>00</u>
<u>92-188</u>		
TOTAL . . .	<u>25</u>	<u>00</u>

trans a fee

PROFILED
DATE 5-5-83

INTER-DEPARTMENT MEMO — 1

DATE 9-2-80

FROM Jim Stanton

TO File

SUBJECT Transfer of Water Rights Initiated By Joe Beard 1-4-80

Due to various problems & delays, this transfer was never advertised. Mr. Beard never answered the letter I sent him on 6-20-80. I contacted him on 8-29-80 by phone. He stated that he had sold the water and also the land where the water was to be transferred, and that the new owners would be making the needed transfers. The transfer started by Mr. Beard is therefore null and void by his choice.

MAILED
SEP 11 1980

PROFILED

DATE 5-5-03



SIGNATURE



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3576

January 21, 1980

Joe Beard
Belleuve,
Idaho 83313

Dear Mr. Beard:

On January 4, 1980, you filed an Application for Transfer on your water rights. The rights that you have are for 280 acres and can be transferred for only that amount. Your application shows 620 acres. Before we can continue the processing of your transfer, you will need to correct this error.

Please contact us at your earliest convenience.

Sincerely,

Gary L. Funderburg
Senior Water Resource Agent

GLF:marya

RECEIVED
JAN 23 1980
TWIN FALLS

PROFILED
DATE 5-5-03



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

June 20, 1980

Joe Beard

Bellevue, Idaho 83313

Re: Application for Transfer of Water Right

Dear Mr. Beard:

We are holding your application for transfer of the George Allred decreed rights. Your deed shows that you own 4 cfs of the 5-23-1885 right, but you propose to transfer 4.5 cfs. Unless you can provide proof that you own the entire right, the transfer will have to be changed to show the lesser amount. I have not been able to contact you by phone to discuss this so please call at your earliest convenience. We cannot change a notarized document, so it may be desirable to re-do the entire transfer.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

James E. Stanton
Senior Water Resource Agent

JES:

RECEIVED
JUN 24 1980

PROFILED
DATE 5-5-03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: _____

1. Right number 37-0026, 0027 Applicant BEARD, Joe
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☒ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☐ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☐ Check for expansion in use of right. Comments _____
 - i. ☐ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☐ Is use within a Watermaster District? ☐ Yes ☐ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☐ Yes ☐ No
3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions* _____

4. By _____ Date _____

PROFILED
DATE 5-5-03

RECEIVED
NOV 15 1982

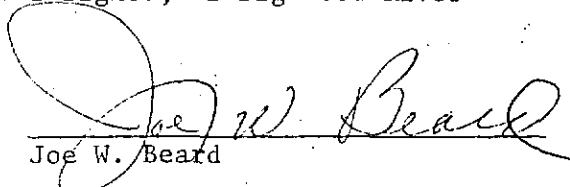
MEMORANDUM

FROM: Joseph W. Beard

TO: The file

SUBJECT: #37-0026, 37-1204, part 37-0027 (Joseph W. Beard) Transfer

I, JOE W. BEARD, At this time request to withdraw my Application for Transfer #37-0026, 37-1204, part 37-0027 water rights, of Big Wood River filed November 17, 1975.


Joe W. Beard

STATE OF IDAHO,)
) ss.
COUNTY OF TWIN FALLS)

On this 27th day of May, 1977, before me, the undersigned, a Notary Public for Idaho, personally appeared Joe W. Beard, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.



Notary Public for Idaho
Residing at Twin Falls, Idaho

MICROFILMED

PROFILED
DATE 5.5.03

RECEIVED

SEP 13 1982

Department of Water Resources
Southern District Office

RELINQUISHMENT

TO WHOM IT MAY CONCERN:

I hereby relinquish to the State of Idaho,
all my right, title and interest in and to Permit to Appropriate
the Public Waters of the State of Idaho, No. 37-0026- 37-0027.

Signed at Twin Falls, ID this 13 day
of September, 19 82.

David W. Beard
Permit Holder

ATTEST:

Mary A. Hill
Mary A. Hill
Secretary

THIS "RELINQUISHMENT" FORM CAN BE
CONSIDERED TO BE A WITHDRAWAL OF
T 2754

David R. Talley
Nov 17, 1982

PROFILED
DATE 5.5.03

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

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

Name of applicant Joe Beard Phone 788-4214 726-3417Post office address Bellevue, Idaho 83313 829-5539

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to George Allred (Name)in case of S. C. Frost vs Alturas Water Co.dated Oct. 6, 1909 in _____ county of Blaine
(Name of court)

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

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

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

Thru purchase of the property3. Source of water Big Wood River tributary to Snake River4. Date of priority: 6-15-86-5/23/85

5. Water is used for the following purposes:

amount 4.5 for irrigation purposes from 4 - 1 to 11 - 1amount 2.0 for irrigation purposes from 4 - 1 to 11 - 1

amount _____ for _____ purposes from _____ to _____

(month/day - both dates inclusive)

6. Total amount of water under right: a. 4.5 5-23-85 cubic feet per secondb. 2.0 6-15-86 &/or
acre feet per annum7. Location of original point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 25Township 1 N Range 18 E, B.M., in Blaine County

Additional points of diversion, if any _____

8. Lands irrigated or place of use: Both rights decreed to the same ground

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 $\frac{1}{4}$	
1S	18E	1							Lt4			X	X						100
1S	18E	2													X				60
1N	18E	35															X	X	80

Total number of acres to be irrigated 2409. Describe any other water rights used for the same purposes as described above NonePROFILED
DATE 5-5-83

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

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

3. Place of use: _____

[illegible]

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

1. Change in point of diversion
- a. Amount of water to be diverted 6.5 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NW ¼ NE ¼, Section 19 Township 1 S.
Range 18 E., B.M., Camas County
Additional points _____

- c. Description of diverting works Headgate, measuring device & Ditch

- d. Describe the reasons for applying for a change in the point(s) of diversion _____

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

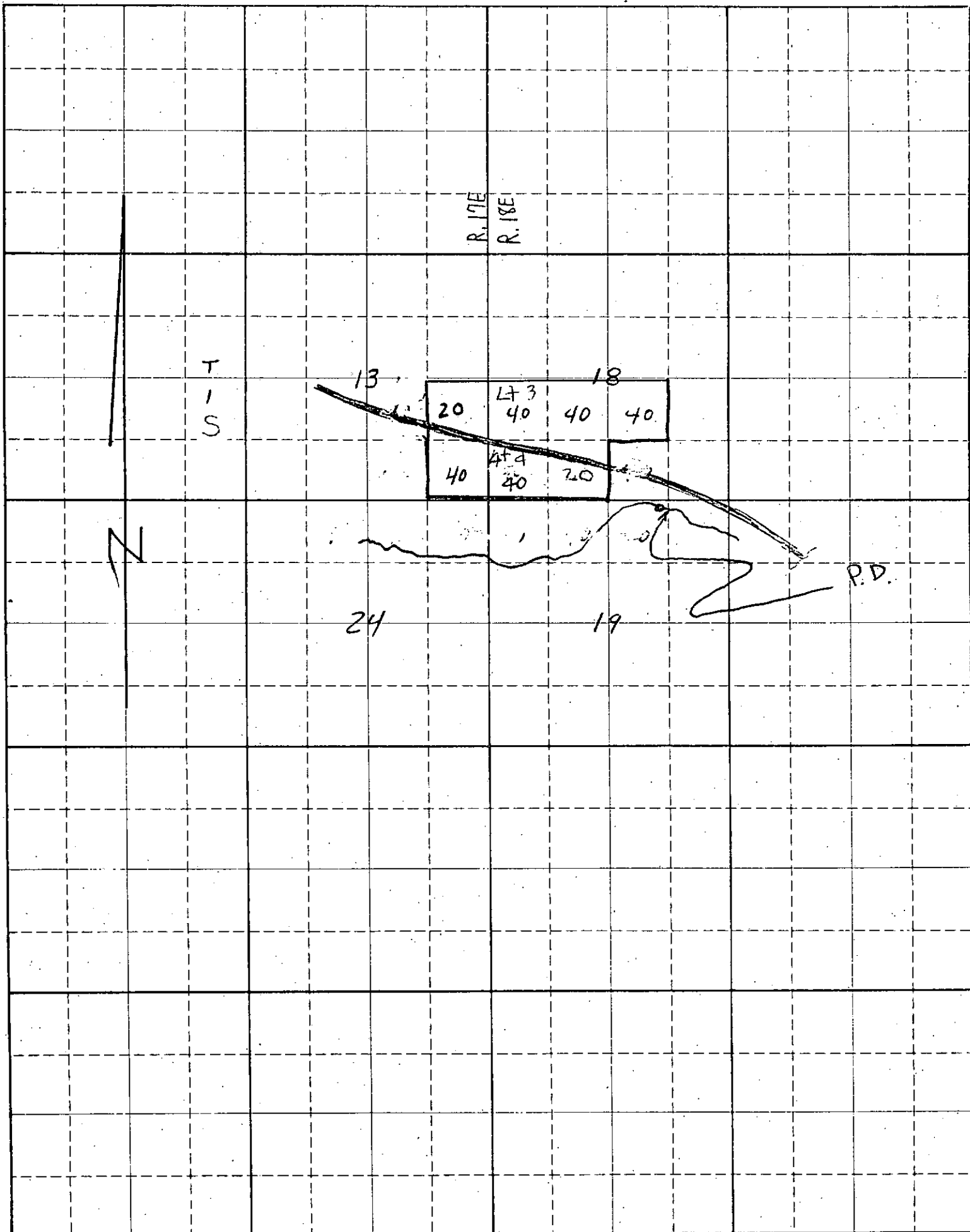
[illegible]

Total number of acres to be irrigated 240

PROFILED

DATE 5.5.03

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



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

RECEIVED

PROFILED
DATE 5-5-03

4. Remarks _____

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

* J. Brind
(Signature of applicant)

Subscribed and sworn to before me this 4 day of January, 19 80.

Mary A. Hill
(Notary public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said application is hereby _____, subject to the following limitations and conditions:

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

FOR DEPARTMENT USE ONLY

Received by g Date 1/4/80

Prelim. check by _____ Fee 25.⁰⁰ \$17050

Receipted by mary Date 1/4/80

Published in _____

Pub. dates _____

Watermaster recommendation requested on _____

_____ rec'd. _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for _____ approval _____ denial _____

by _____

PROFILED
DATE 5-5-03

AGREEMENT

This Agreement entered into this ____ day of May, 1975, by and between Joseph W. Beard hereinafter referred to as First Party and Harold Johnston, Michael McGonigal and First Security Bank of Idaho hereinafter referred to as Second Parties.

WHEREAS, First party is presently the owner of 4 cfs of 5-23-1885 water, 2 cfs of 6-15-86 water and 1.50 cfs of 7-24-24 water, and

WHEREAS, First party wishes to use the water at a different headgate or diversion point than the water is presently being diverted, and

WHEREAS, First party wishes to divert all of his water from ditch Brown 55F to Base Line Canal Company ditch 55C, and

WHEREAS, Second parties will have additional waste if all of the water is taken from ditch Brown 55F where it is presently being diverted, and

WHEREAS, First party is desirous of retaining friendly relations and does not wish to cause loss of water to his neighbors and is willing to leave water in Brown 55F to stop an additional water loss to neighbors, and

WHEREAS, First party has presently pending an application of transfer of water rights and a protest has been filed by Harold Johnston, one of the second parties,

NOW THEREFORE, In consideration of the premises, it is agreed as follows:

I

First party will leave 60 inches of water in ditch Brown 55F to reduce any loss of water to second parties. The water that will be left in Brown 55F will be water from the 6-15-86 decree.

II

First party shall withdraw his application of transfer of water rights which is presently pending and file a new application requesting that all his water be made available to both ditches or diversion headgates.

III

Second parties agree not to object to first party's using the rest of his water and diverting it to Base Line Canal Company, ditch #55C or from ditch Brown 55F as he sees fit, so long as 50 inches of water of '86 water stays in ditch Brown 55F.

IV

Second parties further agree that they will not file any protest of the new application for transfer of point of diversion which will be filed by first party.

V

It is further agreed that this Agreement may be recorded and will be binding on the heirs, executors, personal representatives, assigns, beneficiaries and successors in interest of the various parties.

JOSEPH W. BEARD, First Party

Harold Johnston

HAROLD JOHNSTON, Second Party

MICHAEL MCGONIGAL, Second Party

FIRST SECURITY BANK OF IDAHO
Second Party

Notary Public
for the State of Idaho
My Comm. Expires 12/31/75

By

John E. Thompson
John E. Thompson 8/15/75

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

In the Matter of Protest Against Approval)
of Application for Permit No.'s 37-0026 (part),)
37-0027, & 37-1204 in the name of Joseph) NOTICE OF CONFERENCE AND/OR HEARING
W. Beard)
.....)

On August 1, 1974, Joseph W. Beard, filed with the Department of Water Resources an Application For Transfer of Water Right. On October 18, 1974, The Department received protests against approval of said application from Harold Johnston.

The Department has set the matter of protest for conference and/or hearing for Wednesday, February 19, 1975, at 1:30 p.m., in the Blaine County Courthouse, Hailey, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party desiring the taking of stenographic notes by a qualified court reporter must request such in writing at least five (5) days before the date set for hearing and must submit to the director the name of a qualified reporter who is available on the date set for hearing. The party requesting the reporter shall bear the expense of the reporter's attendance fees. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this twenty-ninth day of January 1975.

Bob Haynes

BOB HAYNES
Southern District Engineer

MICROFILMED

PROFILED
DATE 5-5-03

J. ALFRED MAY
JAMES J. MAY
JAY D. SUDWEEKS
GREG J. FULLER

MAY, MAY, SUDWEEKS & FULLER

ATTORNEYS AT LAW
516 SECOND STREET EAST
TWIN FALLS, IDAHO 83301

P. O. BOX 105
AREA CODE 208
733-7180

November 17, 1975

RECEIVED

NOV 18 1975

State of Idaho Dept. of
Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Department of Water Resources
Southern District Office

Gentlemen:

Enclosed please find an Application for Change
of a Pointed Diversion. Would you please process this
application for Joe Beard? If you have any questions,
call me at 733-7180.

Very truly yours,

MAY, MAY, SUDWEEKS & FULLER



Jay D. Sudweeks

JDS:jb

RECEIVED

PROFILED
DATE 5-5-03

RECEIVED

OCT 23 1974

October 18, 1974

Department of Water Resources
Southern District Office

I, Harold Johnston, of Wood River Ranch protest the transfer submitted by Joseph W. Beard, 37-0026 (part), 37-0227, 37-1204.

1. I feel this transfer of point of diversion is based on speculative purposes for rental or sale of his water because there is no way he can get his water to the same land from his new proposed point of diversion.
2. This will adversely affect my rights since I will sustain increased water losses.

Harold Johnston
Harold Johnston
Wood River Ranch
Bellevue, Idaho

State of Idaho)
) ss.
County of Blaine)

On this 21 day of October, 1974, before me personally appeared Harold Johnston, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Robert C. Montemore
Notary Public residing at:
Helena, Montana

My commission expires: Commission Expires 12-22-77

MICROFILMED

PROFILED
DATE 5-5-03

April 21, 1977

Mr. Joe W. Beard
Route 1
Kimberly, Idaho 83341

Dear Mr. Beard:

I understand the concern that you have with regards to the water transfer and costs incurred to you in addition to the time you have been required to spend solving these problems. It is not my intention to go through another hearing to solve the matter. It is my understanding, that the protestant has passed away and it would seem an easy solution to the problem would be to relinquish your application for transfer and reapply identifying the errors you referred to in your letter of April 19, 1977.

I feel if we could discuss this matter at your convenience, we could resolve this problem.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MES:eb

RECORDED

RECORDED

PROFILED
DATE 5-5-83

100-40-10-10
APR 20 1977
Department of Water Resources
Twin Falls District Office

April 19, 1977

Michael L. Steele
Southern Region Supervisor
State of Idaho
Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Dear Mr. Steele;

I have made several attempts to call you. After all this time, why are you in such a big rush on this water transfer. If you will remember it cost me several hundred dollars already besides a good deal of time. Now you want me to go through another hearing and spend more money, right at the busiest time of the year. Also, I have tried every since I have owned the ranch to get the well license for the well. Your office has read the meter, which has cost me two meters because they don't last that long, and I haven't heard one word on this yet.

In the first place, on the water transfer, it was an error in advertising by your office, that caused this situation. I met with an attorney with those protesting this transfer, and I see no reason why I should have to go through that again. There was an open hearing and a settlement was reached by those protesting at that hearing. Now what do you expect me to do--go through all that again? Right now, as you can see by trying to contact me I am really pushed for time.

Yours truly,

Joe W. Beard
Joe W. Beard

PROFILED
DATE 5-5-03

April 12, 1977

Mr. Joseph W. Beard
Bellevue, Idaho 83313

Dear Mr. Beard:

On March 29, 1977, I sent a letter to you requesting that you contact this office regarding the application for Transfer of a Water Right, filed in 1975. To date, we have no correspondence with you regarding this matter.

In order to clarify the questions pertaining to this application, it will be necessary to reschedule a protest hearing, requiring all parties connected with the last hearing to attend or be represented by a predecessor in their interest.

If we do not hear from you by the 17th of April, we will reschedule the hearing.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sb

MICROFILMED

PROFILED
DATE 5-5-83

March 29, 1977

Mr. Joseph W. Beard
Bellevue, Idaho 83313

Dear Mr. Beard:

You submitted to this Department, on November 17, 1975, an Application For Transfer of a Water Right. Subsequent to that, a protest was filed and a hearing was held. Before we can make a decision, it is necessary that you contact us regarding the facts that were submitted at the hearing. We have attempted to contact you on several occasions through your attorney, by letters, and numerous telephone calls concerning this Transfer.

Please contact me as soon as possible, as this matter requires immediate attention.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sb

MICROFILMED

PROFILED
DATE 5-5-03

37-0026 (PART), 37-0027 & 37-1204 - Joseph Beard

Courtroom, Blaine County Courthouse, Hailey, Idaho

February 19, 1975 - 1:30 p.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
Joe W. Beard	Bellvue	
Jay D. Sidwell	Box 105 TF	A Hy for Joe Bea
Harold C. Guberton	Bellvue	Wood River Ran
John D. Mc. Sangal	Jerome Ida	Spring of Blackness P.
Wayne Colark	Bellvue	
Reed F. Newley	Shoshone,	Watermaster 374
Al R. Watts	McLennan	Deft. Watermaster
Harold Snider	Twin Falls	Past Pres. Base Line Co.
Bill Sherbins	Bellvue, Id.	
Jack Meguire	Hailey, Idaho	First Security P.

RECEIVED
FEB 20 1975
MICROFILMED

PROFILED
DATE 5-5-03

Joseph W Beard 2-19-75

Desire to get water spread over place better
transfer from 55 F to 55 C

Land in Section 35, 1 & 2 is presently
irrigated with well water Water will actual
be put on 80 acres in Sec 36

Water was paid for by right holder
Water has been temporarily transferred to 55-C

Water

Should water be left in ditch for loss
Is right lost
Enlargement of right.

RECEIVED

MICROFILMED

PROFILED
DATE 5-5-03

January 29, 1975

Mrs. Marie Ivie, Clerk
Blaine County Courthouse
Hailey, Idaho 83333

Dear Mrs. Ivie:

This is to confirm the use of the Courtroom for conference and/or hearing to be held by this office on Wednesday, February 19, 1975, at 1:30 p.m.

Thank you for your cooperation in this matter.

Sincerely,

Bob Haynes
Southern District Engineer

BH:cc

RECEIVED
FEB 1 1975

RECEIVED
FEB 1 1975

PROFILED
DATE 5-5-03

November 22, 1974

RE: Application for Transfer of Water Right No.'s 37-0026 (part), 37-0227, 37-1204
Joseph W. Beard

Mr. Joseph W. Beard
Bellevue, Idaho 83313

Dear Mr. Beard:

We have enclosed a copy of the protest filed against the issuance of your above referenced application for transfer of water right. The following are the items we can consider at a conference and/or hearing in either approving or denying a transfer application:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

Bob Haynes
Southern District Engineer

BH:

enc.

bc

MICROFILMED

MICROFILMED

PROFILED
DATE 5-5-03

NAME AND ADDRESS OF SENDER

NUMBER OF ARTICLE

NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS

Indicate type of mail
☐ INSURED ☐ 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	DUE SENDER IF C. O. D.	ENDORSEMENT	R. R. FEE	S. D. FEE	S. H. FEE	RESTRICTED DELIVERY FEE	Remarks
1	Joseph W. Beard, Bellevue, Idaho 83313	10	30			15				
2	Wood River Ranch, Bellevue, Idaho	10	30			15				
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										

PROFILED
DATE 5-5-03

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
 (Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below

SIGNATURE OR NAME OF ADDRESSEE (Must always be)

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (Only if requested, and include ZIP)

Return Receipt Requested

RECEIPT FOR CERTIFIED MAIL—50¢ (plus postage)

SENT TO
 STREET AND NO.
 P. O., STATE AND ZIP CODE

Mr. Harold Johnston

Wood River Ranch

Bellevue, Idaho 83313

OPTIONAL SERVICES FOR ADDITIONAL FEES
 1. Shows to whom and date delivered 15¢
 With delivery to addressee only 65¢
 2. Shows to whom, date and where delivered 35¢
 With delivery to addressee only 55¢
 DELIVER TO ADDRESSEE ONLY 50¢
 SPECIAL DELIVERY (extra fee required)

PS Form 3900 10 INSURANCE COVER IS PROVIDED—

No. 538618

1-30-75

November 21, 1974

RE: Application for Transfer of Water Right No.'s 37-0026 (part), 37-0227, 37-1204
Joseph W. Beard

Mr. Harold Johnston
Wood River Ranch
Bellevue, Idaho 83313

Dear Mr. Johnston:

This is to acknowledge receipt of your protest against the above referenced application for transfer of water right. The following are the items we can consider at a conference and/or hearing in either approving or denying a transfer application:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

Bob Haynes
Southern District Engineer

BH:cc

cc: [signature]

RECEIVED
NOV 27 1974
SOUTHERN DISTRICT
ENGINEER

PROFILED

DATE 5-5-83

**NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT**

No. 37-0026 (part),
37-0027, 37-1204

Notice is hereby given that Joseph W. Bear, Bellevue, Id., has applied to the Department of Water Resources for a change of the point of diversion of the waters of Big Wood River, tributary to Snake River. The right sought to be changed is evidenced by Decree to (A) (B) George Allred, (C) Big Wood Water Users Association in Case S.C. Frost et al ⁽⁶⁾ Alturas Water Co., dated Dec. 13, 1909 4th Judicial District Ct.,

County of Lincoln, and recorded as follows:

Amount:
A - 4.00 cfs
B - 2.00 cfs
C - 1.50 cfs

Priority:
5-23-85
6-15-86
7-24-24

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T 1N, R 18E, B.M., Blaine Co.

The water is used for irrigation purposes from Apr. 1 to Oct. 15 within (SW $\frac{1}{4}$ NW $\frac{1}{4}$) Lot 4, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 1; (SE $\frac{1}{4}$ NE $\frac{1}{4}$) Lot 1, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T 1S, R 18E; SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36, T 1N, R 18E, B.M.

**TO BE CHANGED
AS FOLLOWS**

Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T 1N, R 18E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Resources, 1041 Blue Lick Blvd. N., on or before 11:45 P.M. on October 17, 1974.

R. KEITH HIGGINS

Director

Published: Wood River Journal, Blaine County, October 17 and 24, 1974.

October 18, 1974

RE: Application No. 37-

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

Gentlemen:

The above numbered application which was to be published in your newspaper on 10-17 and 10-24-74 will have to be re-advertised at your expense for two consecutive weeks beginning 10-31-74 and 11-7-74 due to a mistake in printing. The protest date will have to be changed to 11-18-74.

A copy of your advertising is enclosed with areas circled that need to be changed. A copy of the proposed advertising is also enclosed. The "priority" must be printed across from the "amount" or it changes the context of the advertising. We did not receive a galley proof before the notice was advertised.

Very truly yours,

Bob Haynes
Southern District Engineer

BH:lt

enc.

MAILED

FILED
DATE 5-5-83

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 37-0026 (part), 37-0027, 37-1204

Notice is hereby given that Joseph W. Beard, Bellevue, Id., has applied to the Department of Water Resources for a change of the point of diversion of the waters of Big Wood River, tributary to Snake River. The right sought to be changed is evidenced by Decree to (A) (B) George Allred, (C) Big Wood Water Users Association in Case of S.C. Frost et al v. Alturas Water Co., dated Dec. 13, 1909 in 4th Judicial District Ct., County of Lincoln, and recorded as follows:

Amount: A - 4.00 cfs
B - 2.00 cfs
C - 1.50 cfs

Priority: 5-23-85
6-15-86
7-24-24

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T 1N, R 18E, B.M., Blaine Co.

The water is used for irrigation purposes from Apr. 1 to Oct. 15 within (SW $\frac{1}{4}$ NW $\frac{1}{4}$) Lot 4, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 1; (SE $\frac{1}{4}$ NE $\frac{1}{4}$) Lot 1, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T 1S, R 18E; SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36, T 1N, R 18E, B.M.

TO BE CHANGED AS FOLLOWS

Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T 1N, R 18E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Resources, 1041 Blue Lakes Blvd. N., on or before 11-4-74.

R. KEITH HIGGINSON
Director

Published in the Wood River Journal on 10-17 & 10-24-74.

MICROFILMED

PROFILED
DATE 5-5-83

October 9, 1974

RE: Application No. 37-0026 (part), 37-0027, 37-1204

Mr. Joseph W. Beard
Bellevue
Idaho 83313

Dear Mr. Beard:

Recently you received a copy of an approved application for transfer of water rights from our Boise office. Due to the error on our part of advertising your proposed transfer in the Lincoln County Journal rather than the Wood River Journal, it will be necessary for us to rescind that approval and advertise the application in the county where the point of diversion occurs as is required by law. You will receive a formal order to this effect shortly. In the meantime, we will proceed with re-advertising the application to facilitate action on it.

If you have any questions, please don't hesitate to contact us.

Very truly yours,

Bob Haynes
Southern District Engineer

RECEIVED
BUREAU OF REVENUE
OCT 10 1974

PROFILED
DATE 5-5-83

XXXXXXXXXXXXXXXXXXXXX RESOURCES

October 9, 1974

RE: Application No. 37-0026 (part), 37-0027, 37-1204

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

Gentlemen:

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

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

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

Sincerely,

Bob Haynes
Southern District Engineer

RECEIVED
OCT 10 1974
FBI - BOISE

PROFILED
DATE 5-5-03

September 19, 1974

Re: Transfer No. 37-0026 (part)
37-0027, 37-1204

Mr. Joseph Beard
Bellevue,
Idaho 83313

Dear Mr. Beard:

Enclosed is a copy of your approved Transfer of water right issued on the above referenced number. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your Transfer. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

cc: Reid Newby, Watermaster
Shoshone, Idaho 83352

Encl: Copy of Transfer

PROFILED
DATE 5-5-03

MICROFILMED

Base Line Canal Co.

We the undersigned
Directors of the Base
Line Canal Co. approve
the transfer of the
waters mentioned
below from Canal 55-F
to Canal 55-C.

900" - 5/23/1885

100" - 6/15/1886

75" - Extension By Pass.

PROFILED
DATE 5-5-03

NOT RECORDED

Chas. Walden
Director - Canal 55-C

Harold Russell
Director - Canal 55-C

Carl K. Russell
Director - Canal 55-C

Justed

June 3, 1974

RECORDED

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 37-0026 (part), 37-0027, 37-1204 AUG 1 1974

RECOMMENDATION OF WATERMASTER

Department of Water Resources

I, Reid Newby, watermaster of Big Wood River,
of Water District No. 37, County of Lincoln, State of Idaho,
whose address is Box N, Shoshone, Idaho,
have read the attached copy of the application for transfer of water right for Joseph Beard
(name), 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 Administration approve the transfer subject
to the following conditions: None

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons:

Dated at Shoshone, Idaho, this 20 day of May, 19 74.

Reid Newby
(signature)

RECEIVED

RECEIVED

Please use reverse side if needed.

PROFILED

DATE 5-5-03

AUG 5 1974

Department of Water Resources
Southern District Office

mail
shoshone legal

~~galley proof~~

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT - *L 24*

No. 37-0026 (part),
37-0027, 37-1204

Notice is hereby given that Joseph W. Beard, Bellevue, Idaho, has applied to the Department of Water Resources for a change of point of diversion of the waters of the Big Wood River. The right sought to be changed is evidenced by Decree to (A) (B) George Allred, (C) Big Wood Water Users Association in the case of S. C. Frost et al v. Alturas Water Co. dated Dec. 13, 1909 and recorded as follows:

Amount:	Priority:
(A) 4.00 cfs	5-23-85
(B) 2.00 cfs	6-15-86
(C) 1.50 cfs	7-24-24

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T 1N, R 18E, B.M., Blaine Co.

The water is used for irrigation from Apr. 1 to Oct. 15 within Lt 4 of SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 1; Lt. 1 of SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2; SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36, T 1N, R 18E, B.M.

TO BE CHANGED
AS FOLLOWS:

Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T 1N, R 18E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. N., Twin Falls, Idaho, on or before Sept. 9, 1974.

R. KEITH HIGGINSON
Director
8-22-2tc-1

*ok LT
8-22-74*

MICROFILMED

PROFILED

DATE 5-5-83

XXXXXXXXXXXXXXXXXXXXX RESOURCES

August 15, 1974

RE: Application for Transfer - 37-0026 (part), 37-0027, 37-1204 - Joseph W. Beard

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

Gentlemen:

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

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

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

Sincerely,

Bob Hagnes
Southern District Engineer

RECEIVED

PROFILED
DATE 5-5-03

RECEIVED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-0026 (part), 37-0027,
37-1204

Notice is hereby given that Joseph W. Beard, Bellevue, Idaho, has applied to the Department of Water Resources for a change of point of diversion of the waters of the Big Wood River. The right sought to be changed is evidenced by Decree to (A) (B) George Allred, (C) Big Wood Water Users Association in the case of S. C. Frost et al v. Alturas Water Co. dated Dec. 13, 1909 and recorded as follows:

Amount: (A) 4.00 cfs
(B) 2.00 cfs
(C) 1.50 cfs

Priority: 5-23-85
6-15-86
7-24-24

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T 1N, R 18E, B.M., Blaine Co.

The water is used for irrigation from Apr. 1 to Oct. 15 within Lt. 4 of SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 1; Lt. 1 of SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2; SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36, T 1N, R 18E, B.M.

TO BE CHANGED AS FOLLOWS:

Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T 1N, R 18E, B.M.

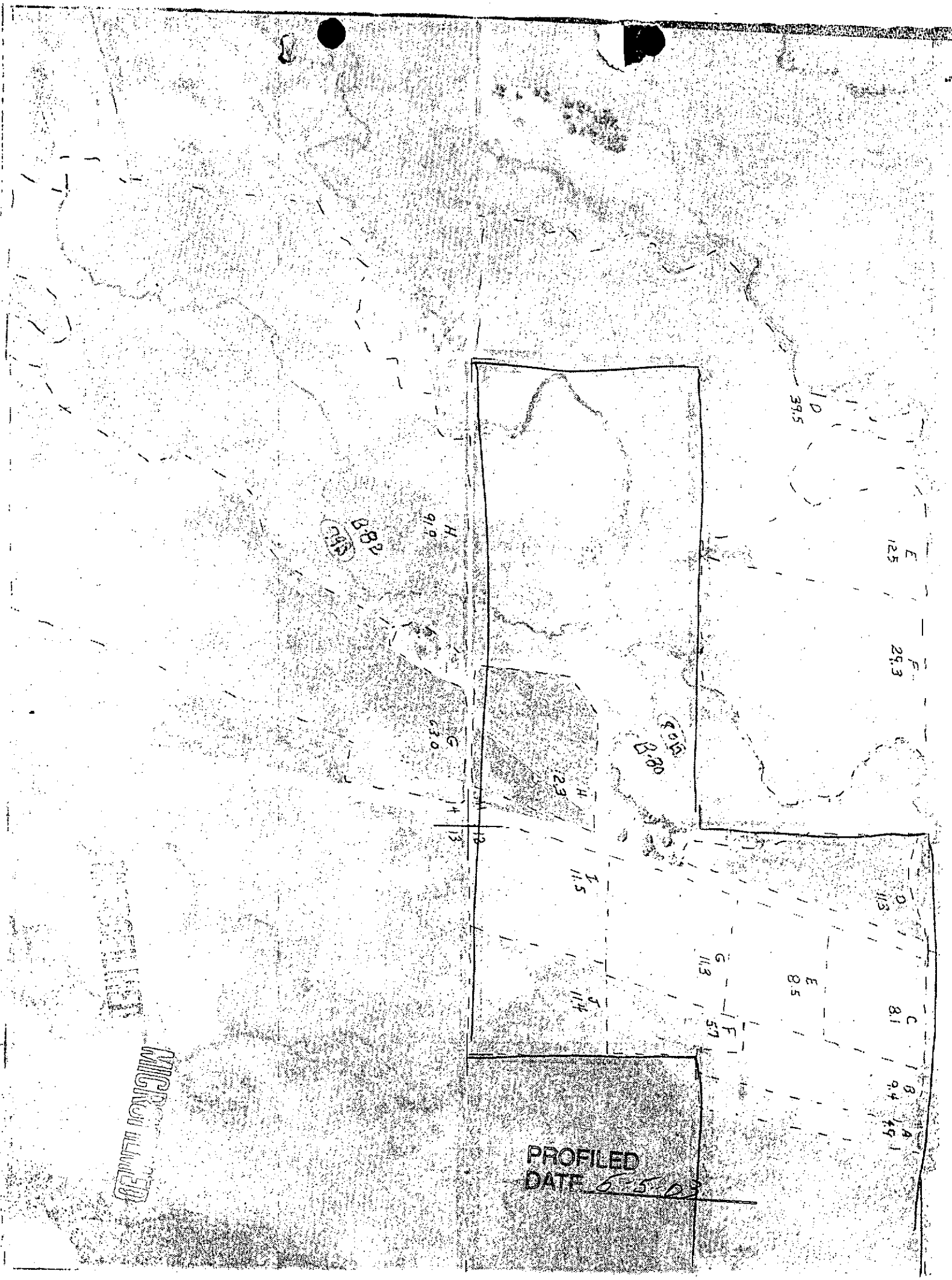
Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd N., Twin Falls, Idaho, on or before Sept. 9, 1974.

R. KEITH HIGGINSON
Director

Published in the Lincoln County Journal 8-22 and 8-29-74.

RECEIVED
MAY 10 1974
IDAHO DEPARTMENT OF
WATER RESOURCES

PROFILED
DATE 5-05-03



E 12.5

F 29.3

D 39.5

H 91.9
B 82
C 63

G 50.5
B 80

H 91.9

G 63.0

H 12.3

F 11.5

F 11.4

G 11.3

F 5.7

E 8.5

D 11.3

C 8.1

B 9.4

A 4.9

PROFILED
DATE 6-5-03

WICKIWI

Mc Gougle 5-15-82 73"
5-31-87

NESW SUSE W $\frac{1}{2}$ SW
Sec 12 SESE Sec 1
15 18E

WW R 5-15-82 S $\frac{1}{2}$ SE, S $\frac{1}{2}$ SW Sec ~~27~~ 18E
- - 95

F.S.B. 5-23-85 23" S $\frac{1}{2}$ SE Sec 35 1N
18E

Parcel 3: A portion of SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec
35 TIN R 18E:

RECEIVED
MAY 23 1985
MAY 23 1985

PROFILED
DATE 5.5.03

IMPORTANT MESSAGE

For Bob
Date 3-24 Time 3:30 P. M.

WHILE YOU WERE AWAY

M Harold Johnston
of Wood River Ranch Inc.

Phone No. Area Code Number Extension

Telephoned		Please Call	
Called To See You		Will Call Again	
Wants To See You		Urgent	
Returned Your Call			

Message Legal T15, R18E
S 2 1/4 Sec 2, SW 1/4 SW 1/4,
Sec 1 Place of use.
If you need more give him
a call

Signed Ken

Transfer No. _____

DATE 5.5.03

THIS INDENTURE, Made this 7th day of November

in the year of our Lord one thousand nine hundred and sixty-nine, between

MARY M. McGONIGAL, a widow,

of Bellevue, County of Blaine, State of Idaho

the party of the first part, and

SPRING OF GLADNESS RANCH, INC., a corporation,

of Bellevue, County of Blaine, State of Idaho,

the party of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of

TEN & NO/100----- DOLLARS,

lawful money of the United States of America, and other good and valuable consideration, to in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said part of the second part, and to its heirs and assigns forever, all of the following described real estate, situated in Blaine x County of x, State of Idaho, to-wit:

The South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Eleven (11), and the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), the North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$), and the Southwest Quarter of the Northeast Quarter (S $\frac{1}{4}$ NE $\frac{1}{4}$), and the fractional Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) (known as Tax Lot No. 528) of Section Twelve (12), all in Township One (1), South, Range Eighteen (18), East of the Boise Meridian, containing 243 acres, more or less, together with all water and water rights belonging thereto, whether decreed or deeded and together with all ditches and ditch rights, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining,

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

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

PROFILED
DATE 5.5.03

XXXXXXXXXXXXXXXXXXXXX RESOURCES

August 15, 1974

RE: Application for Transfer of Water Right No. 37-0026 (part), 37-0027,
37-1204

Mr. Joseph W. Beard
Bellevue
Idaho 83313

Dear Mr. Beard:

Enclosed is your Receipt No. 15920 for your check in the amount of \$30.00 for the above referenced transfer of water right which was received in the Boise office 8-1-74.

Sincerely,

Lydia L. Tippet
Secretary

enc.

PROFILED

DATE

MICROFILMED