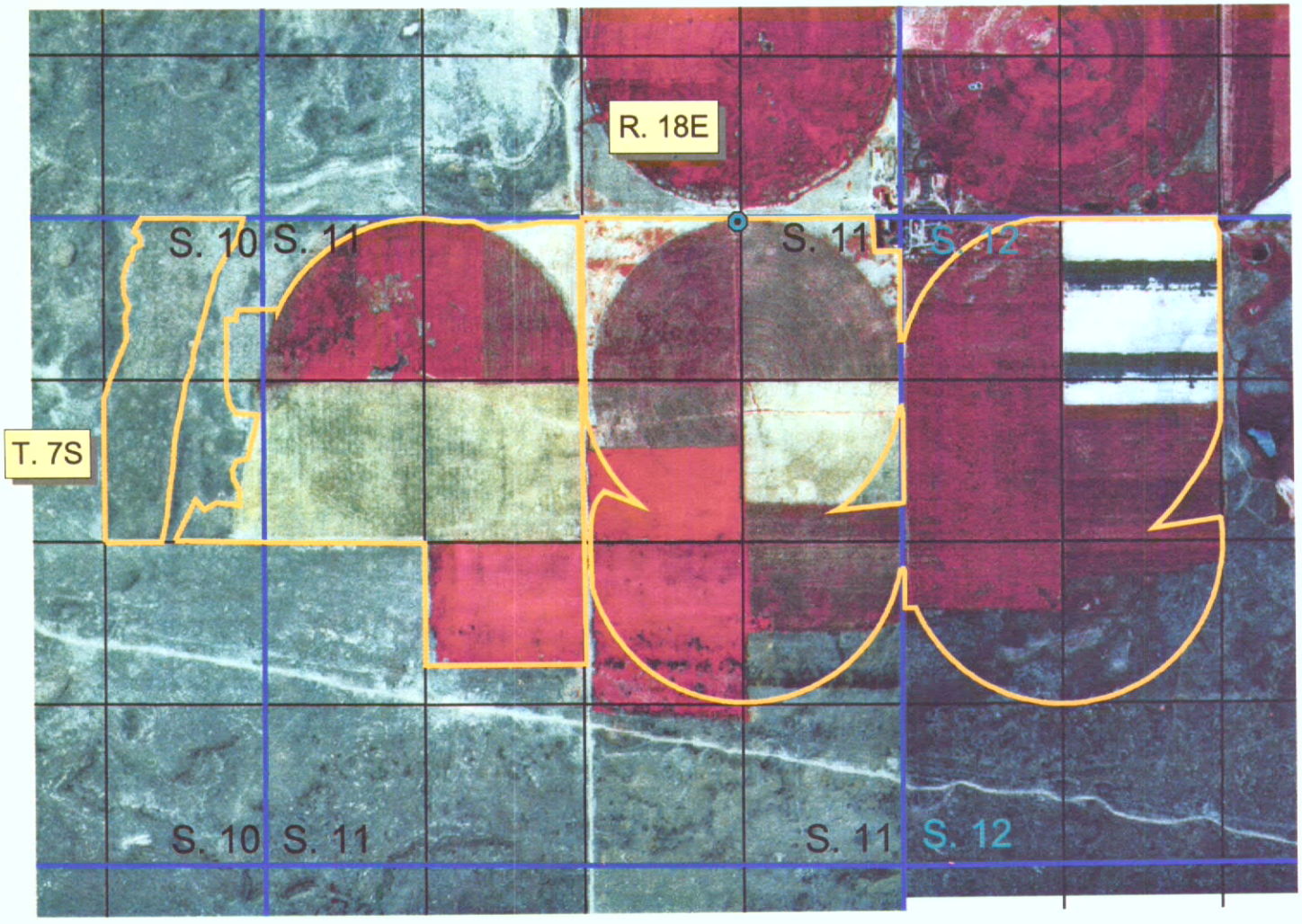
T70065

IDAHO DEPARTMENT OF WATER RESOURCES

APP FOR TRANSFER - James Whittaker



Section Lines

Quarter/Quarter Lines

General Location: The well is located 5 mi S & 2 miles W of Dietrich

Existing Supplemental Well

Proposed PPU

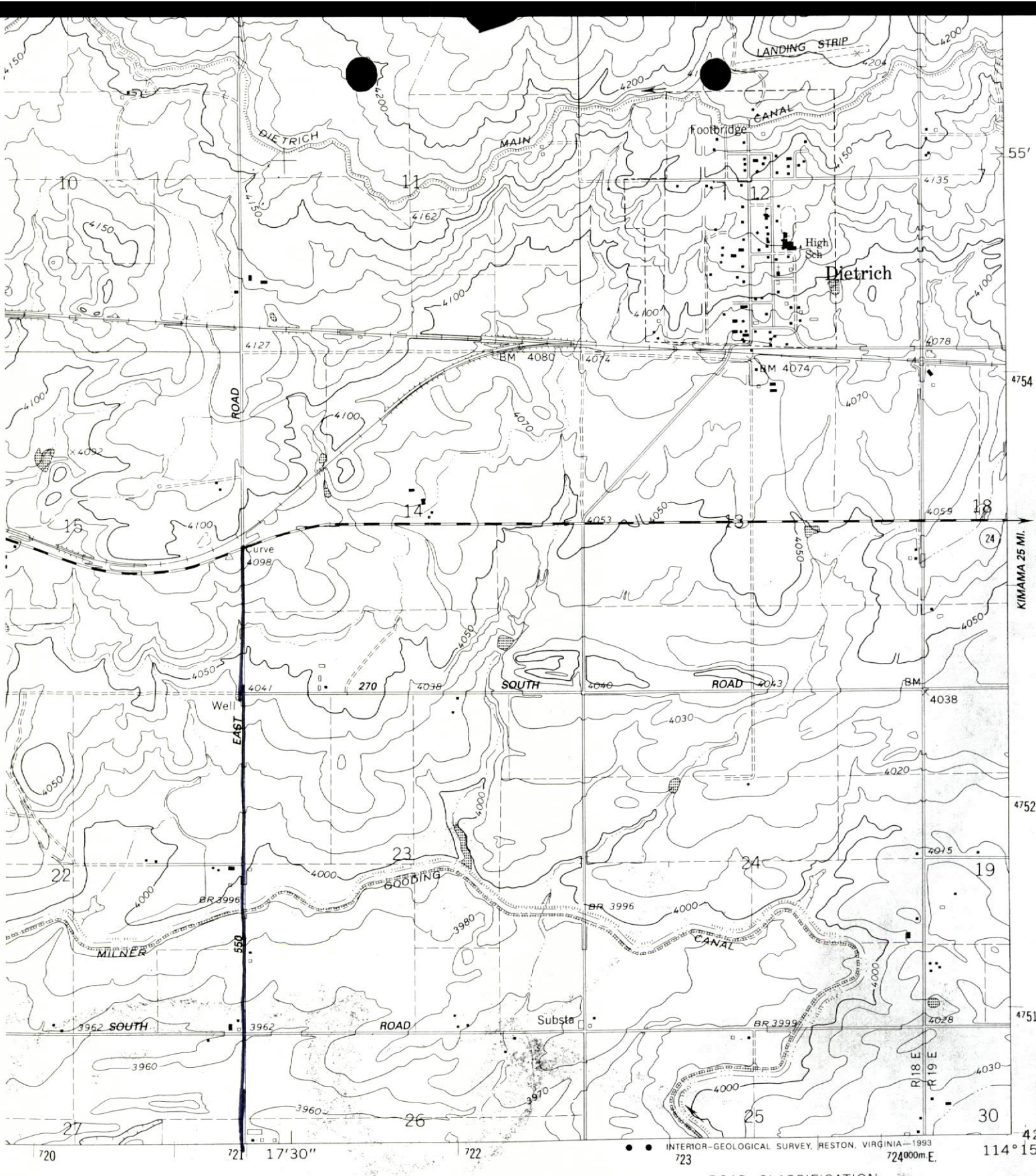
SCANNED
JAN 2 2 2003

N
W
E
S

MICROFILMED
MAY 2 1 2003

Prepared By J E Stanton 1-9-2003

1986/87 NAPP Data



ROAD CLASSIFICATION

Primary highway, hard surface

Secondary highway, hard surface

Light-duty road, hard or improved surface

Unimproved road

Interstate Route U. S. Route State Route

1 MILE

5000 6000 7000 FEET

1 KILOMETER

EET
IM OF 1929

SCANNED
JAN 2 2 2003

IDAHO

QUADRANGLE LOCATION

MICROFILMED
MAY 2 1 2003

CCURACY STANDARDS
L SURVEY
N, VIRGINIA 22092

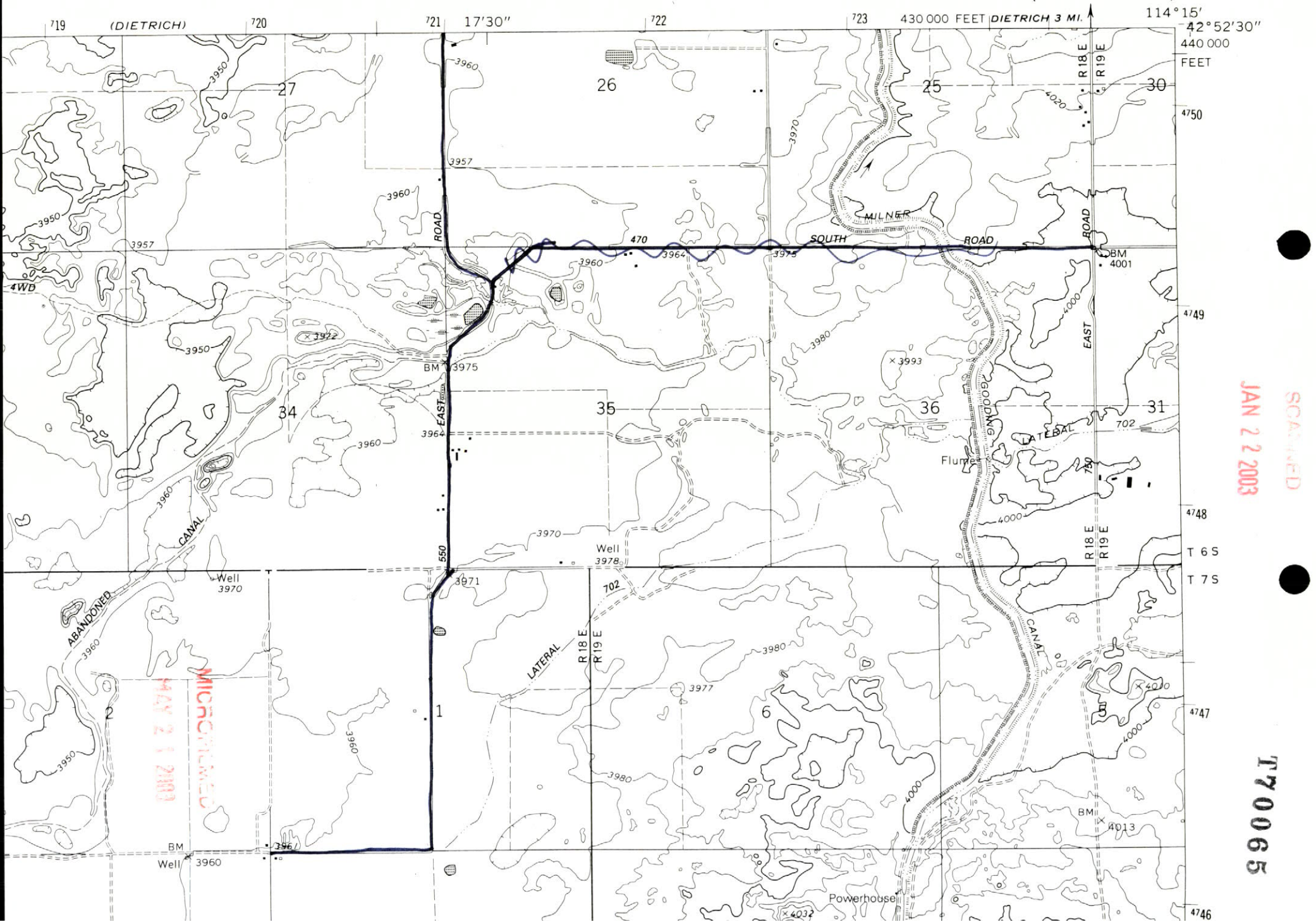
T70065

DIETRICH, IDAHO

42114-H3-TF-024

1971

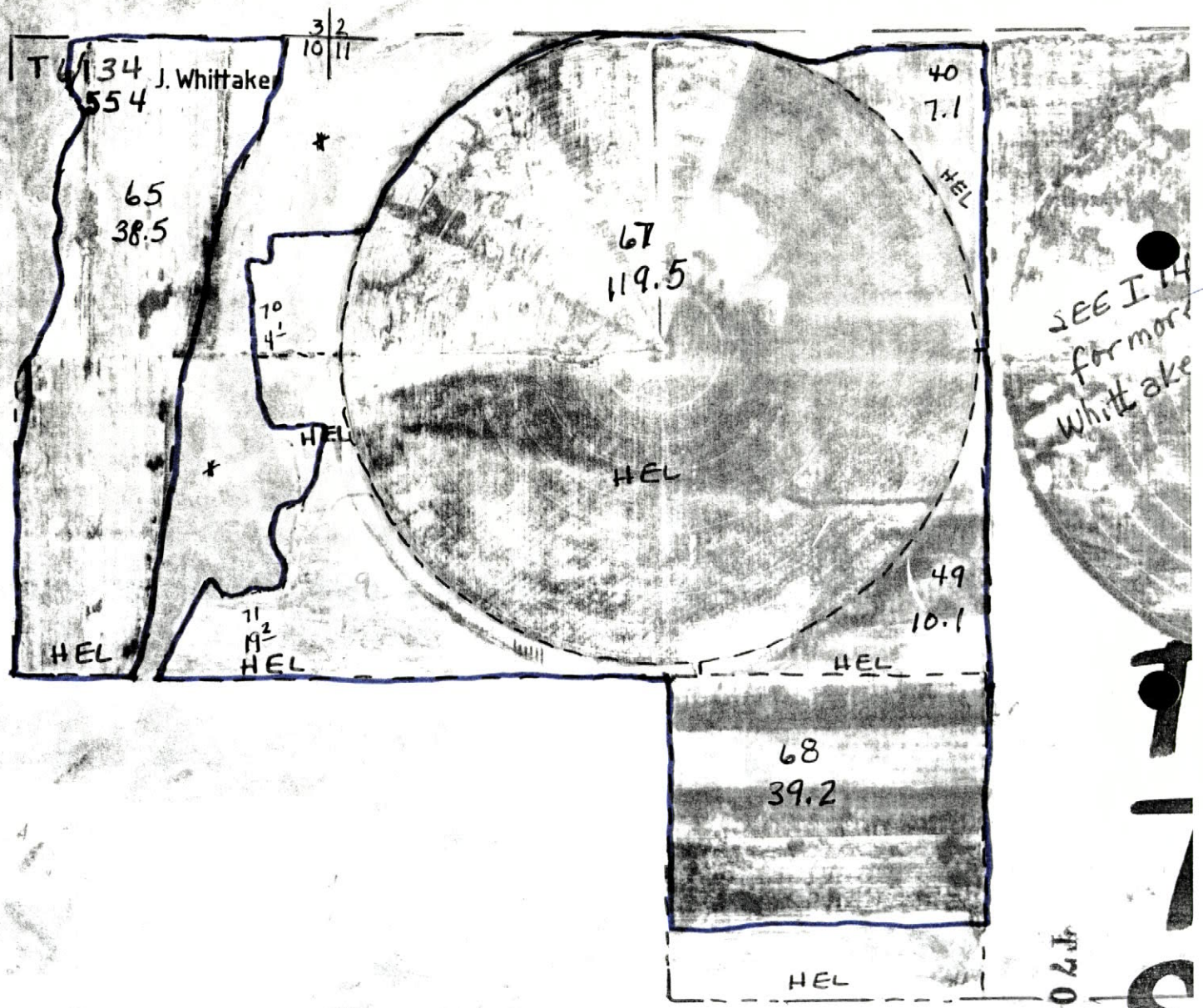
SHOSHONE SE QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)



SCANNED JAN 22 2003
MICROFILMED MAR 21 2000
T70065

1992 photo

H-13



MICROFILMED
MAY 2 1 2003
SCANNED
JAN 2 2 2008

47006S



POW	POD
669933	575818
674988	575824

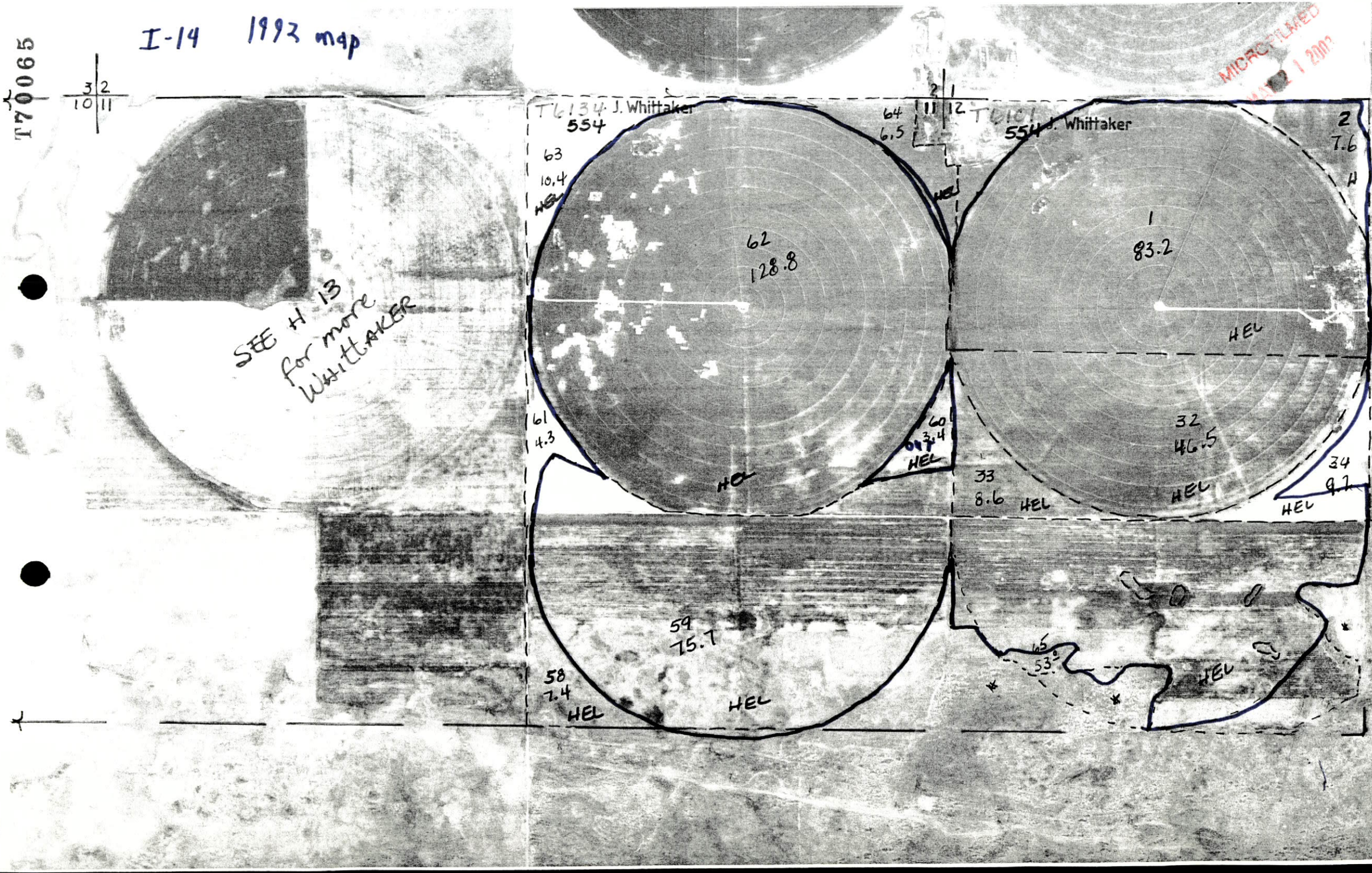
SCANNED
JAN 2 2 2003

MICROFILMED
MAY 2 1 2003

T70065

T700065

I-14 1993 map



MICROFILMED



James Whittaker Well, 37-2644A (T. 70065) Looking North
By J E Stanton 1-8-2003



Same Looking NW

MICROFILMED
MAY 2 1 2003



James Whittaker Well, 37-2644A (T. 70065) Looking North
By J E Stanton 1-8-2003



Same Looking NW

MICROFILMED
MAY 2 1 2003

AFFIDAVIT of PUBLICATION

RECEIVED
FEB 11 2003
Department of Water Resources
Southern Region

State of Idaho
County of Lincoln } ss.

Norma DeVoe, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, 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 30th day of January, 2003, and the date of the last publication was on the 6th day of February, 2003.

Norma DeVoe

On this 6th day of February, in the year of 2003, before me, a Notary Public, personally appeared Norma DeVoe, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

SHELLEY STURGEON
Notary Public
State of Idaho

Shelley Sturgeon
Notary Public for Idaho
Residing at Jerome
My commission expires: 12/3/05

LINCOLN COUNTY JOURNAL
Shoshone, Idaho

OK
MB
2/14/03

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2X

_____	Lines tabular at	_____	8.0¢/Pica
414.56	Lines straight at	29.02	7.0¢/Pica
414.56	Subsequent lines at	24.87	6.0¢/Pica
	Affidavit Fee:	2.50	
	TOTAL COST	56.39	

COPY OF NOTICE

(Paste Here)

Whittaker
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
IDWR

BILL TO

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Lincoln County: JAMES A.WHITTAKER, 498 E 670 S; DIETRICH ID 83324 filed Application No. 70065 on 7/24/02 for diversion of a combined total of 4.95 cfs from ground water. This application proposes to legalize an existing permissable place of use created in 1990 by co-mingling water from a private irrigation well and 400 shares of surface water from American Falls Reservoir District No. 2. The well is located 5 miles South and 2 miles West of Dietrich. For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of $25.00 for each application on or before February 18, 2003. The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director
PUB: 1/30 - 2/6 L45426

№ 7351

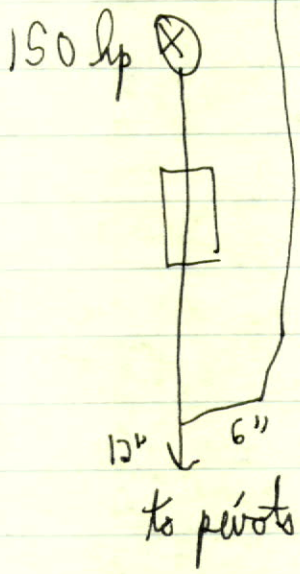
45426

SCANNED
MICROFILMED FEB 25 2003
MAY 21 2003

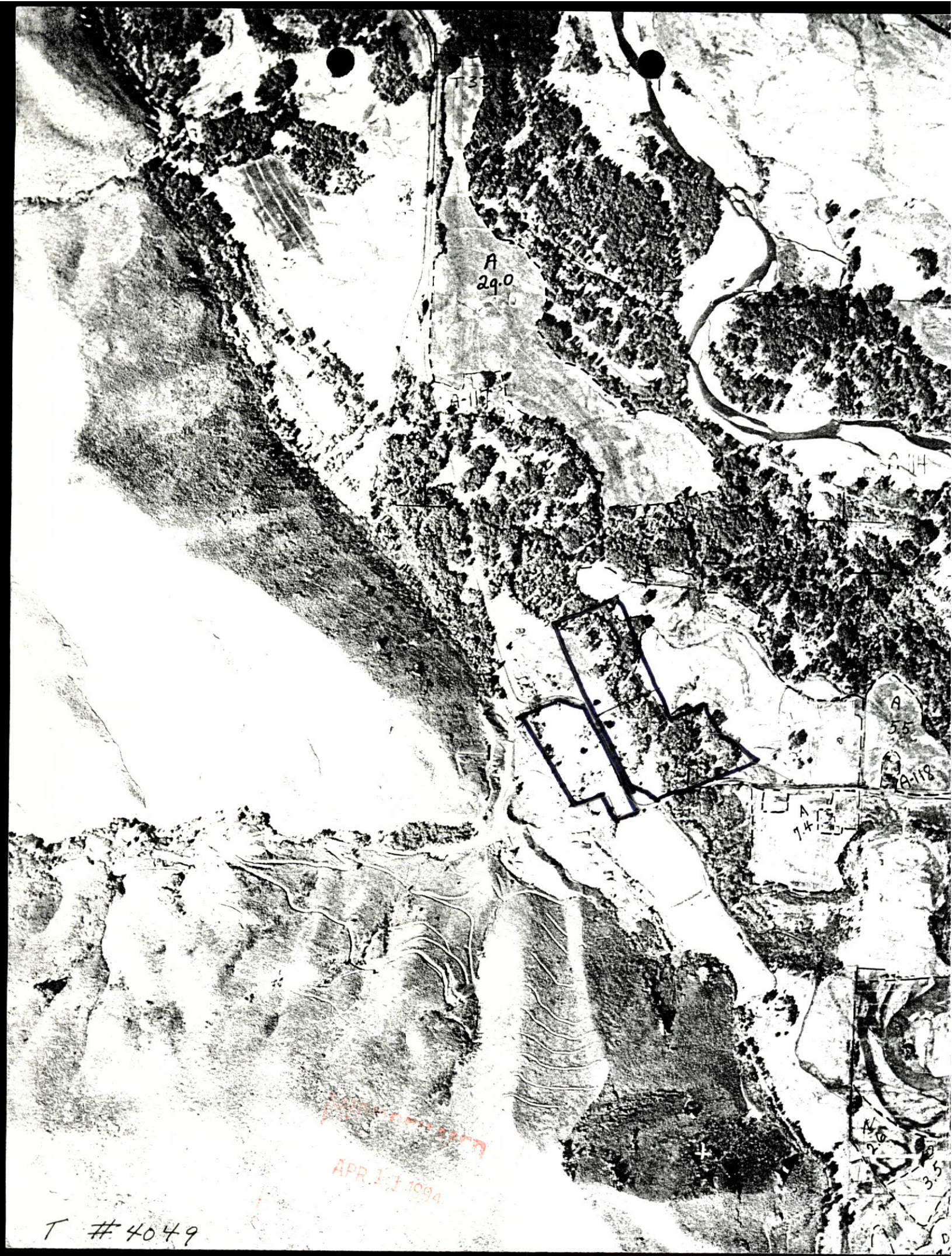
T70065

east & west wells w/ submersible pumps

to handlines ⟷ to handlines (both at same time)



MICROFILMED
MAY 2 1 2003


A
29.0
A-118
A
5.5
A
7.4
APR 11 1994
T #4049

T # 4049

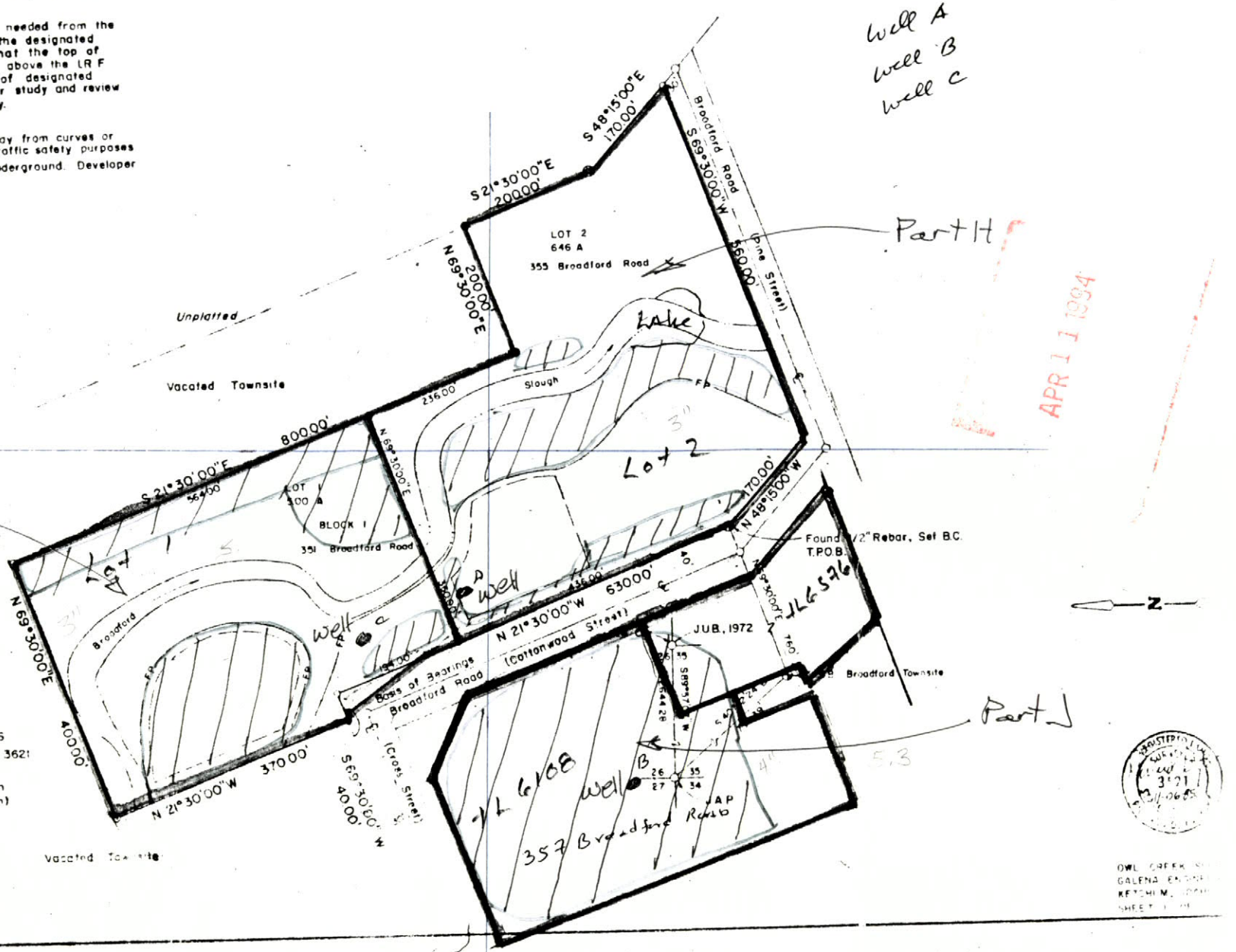
Page 7 of 8

NOTES

1. A 10' Public Utility Easement is centered on interior lot lines and adjacent to exterior lot lines.
2. Areas east of Broadford Slough may be above projected 100-year floodplain.
3. No Conditional Use Permit is needed from the County for construction within the designated building envelopes, provided that the top of foundation walls are two feet above the LR F However, construction outside of designated envelopes shall require further study and review as requested by Blaine County.
4. Driveways shall be situated away from curves or bends in Broadford Road for traffic safety purposes
5. Utilities shall be installed underground. Developer shall provide to lot lines.

OCTOBER 1985

SCALE IN FEET

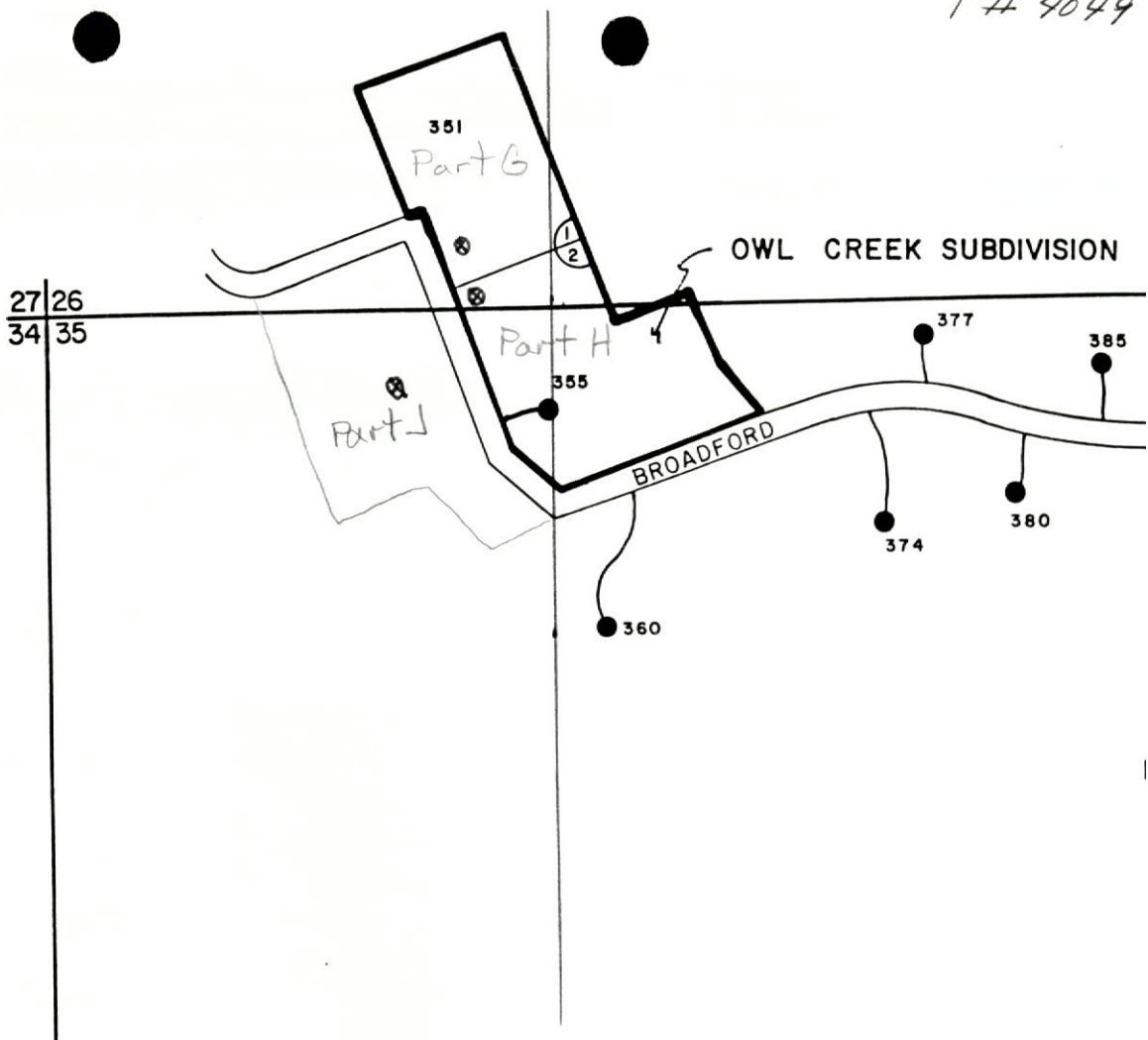


LEGEND

- Found 5/8" Rebar by J.K., 1976
- Set 5/8" Rebar, L.S. 3621
- Brass Cap
- Found 1/2" Rebar by J.K., 1976
- Found Aluminum Cap by J.K., 1976
- Set 1/2" x 24" Rebar capped L.S. 3621
- Building Envelope
- A.F.P. Approximate 100 year Floodplain (Intermediate Regional Floodplain)

OWL CREEK SURVEYING
GALENA ENGINEERING
KETCHUM, IDAHO
SHEET 1 OF 1

T # 4049



KREIGER -

RECEIVED
APR 1 1 1994

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

Sec. 26, Twp. 2 N., R. 18 E B M.

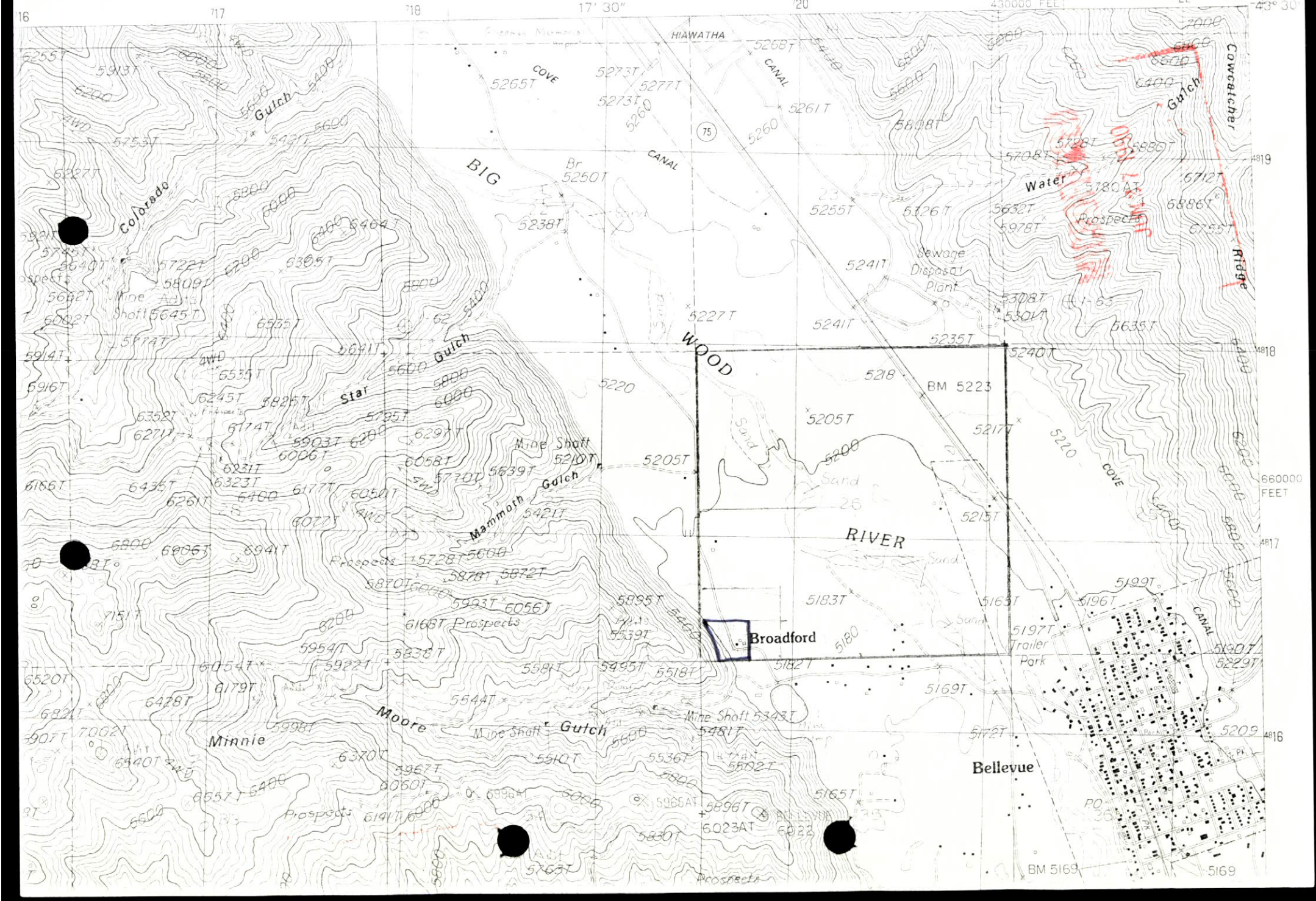
• Center of Sec.



MICROFILMED
JUN 27 1990

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

IDAHO-BLAINE CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



PLAT SHOWING

OWL CREEK SUBDIVISION

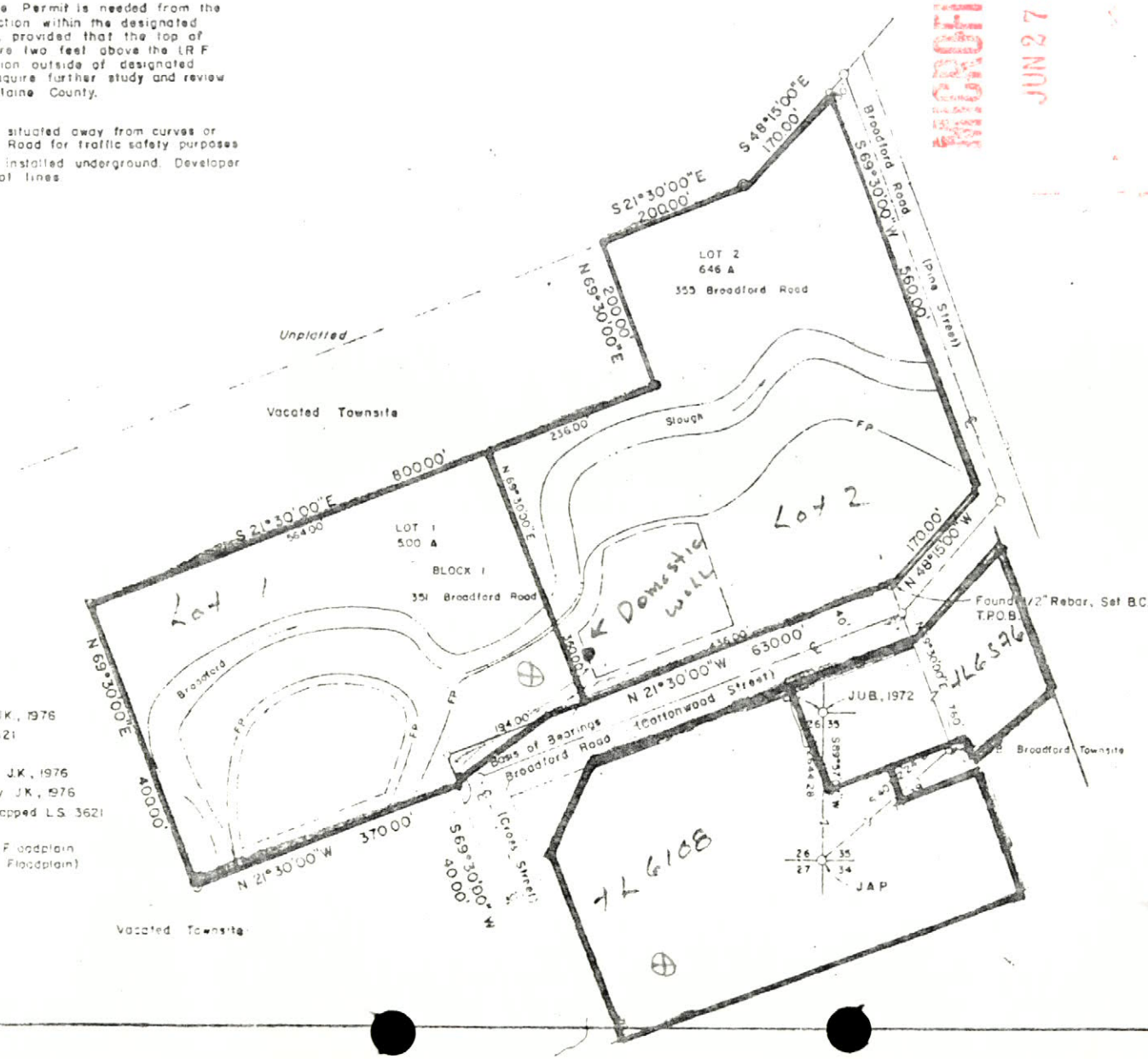
A PORTION OF THE VACATED BROADFORD TOWNSITE
LOCATED IN SECTIONS 26 AND 35, T. 2 N., R. 18 E., B.M.
BLAINE COUNTY, IDAHO
OCTOBER 1985

RECORDED
JUN 27 1990

SCALE IN FEET
100 50 0 100 200 300

NOTES

1. A 10' Public Utility Easement is centered on interior lot lines and adjacent to exterior lot lines.
2. Areas east of Broadford Slough may be above projected 100-year floodplain.
3. No Conditional Use Permit is needed from the County for construction within the designated building envelopes, provided that the top of foundation walls are two feet above the LR F However, construction outside of designated envelopes shall require further study and review as requested by Blaine County.
4. Driveways shall be situated away from curves or bends in Broadford Road for traffic safety purposes
5. Utilities shall be installed underground. Developer shall provide to lot lines.



LEGEND

- Found 5/8" Rebar by J.K., 1976
- Set 5/8" Rebar, L.S. 3621
- Brass Cap
- Found 1/2" Rebar by J.K., 1976
- Found Aluminum Cap by J.K., 1976
- Set 1/2" x 24" Rebar capped L.S. 3621
- Building Envelope
- FP Approximate 100 year Floodplain (Intermediate Regional Floodplain)

Proposed wells - Plan A

OWL CREEK SUBDIVISION
GALENA ENGINEERING, INC
KETCHUM, IDAHO
SHEET 1 OF 2

AFFIDAVIT of PUBLICATION

RECEIVED

MAY 5 1989

Department of Water Resources
Southern Region Office

State of Idaho, } SS.
County of Blaine }

DANIEL J. GORHAM

_____, 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 26th day of Apr, 1989, and the date of the last publication was on the 3rd day of May, 1989.

Daniel J. Gorham

Subscribed and sworn to before me this 4th day of May, 1989.
(SEAL)

Roberta Kaufmann
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line	11	
Number of Lines in Notice	56	
Number of Insertions	2	
_____ Lines tabular at	_____	5¢/Pica
56 Lines straight at	27.72	4¢/Pica
56 Subsequent lines at	21.56	3¢/Pica
TOTAL COST	49.28	

MICROFILMED
JUN 27 1990
#6496

COPY OF NOTICE
(Paste Here)

Proposed Change #37-2644 Johnston
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Proposed change of water right

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 37-2644

Notice is hereby given that Harry Johnston, c/o John Burke of Sun Valley, ID, has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No. 37-2644
Basis of right: License, Pending Transfer
Source: Groundwater
Priority Date: 10/31/60
Amount of water: 3.98 cfs
Water use: Irrigation
Point(s) of diversion: NW1/4-NE1/4, S11, T7S, R18E; Lincoln County.
Place of use: 199 acres within SE1/4NE1/4, S10, T7S, R18E; W1/2NE1/4, S11, T7S, R18E; NW1/4, S11, T7S, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-2644
Amount of water: 0.20 cfs
Point of diversion: NW1/4NE1/4, S11, T7S, R18E; Lincoln County.
Place of use: 10 acres within SW1/4NE1/4, S11, T7S, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-2644
Amount: .20 cfs
Total amount being transferred: .20 cfs
Source: Groundwater
Point of diversion: SW1/4SW1/4-SW1/4, S26, T2N, R18E; Blaine County.
Place of use: 10 acres within SW1/4SW1/4, S26, T2N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301, on or before MAY 15, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal–April 26 and May 3, 1989.

OK MB 6/5/89

AFFIDAVIT of PUBLICATION

RECEIVED
JUL 10 1989
Department of Water Resources
Southern Region Office

State of Idaho,)
)SS.
County of Lincoln)

Patty Nance Gmanager, being first duly sworn, deposes and says that he is the printer (~~publisher~~) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, 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, know as House Bill 145; that the annexed advertisement was published once each week for 2x consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 28 day of June 19 89, and the date of the last publication was on the 5 day of July, 19 89.

Patty Nance

Subscribed and sworn to before me this 7 day of June, 19 89.
(SEAL)

Norma DeVoe
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL
Shoshone, Idaho

MICROFILMED
JUN 27 1990

COST OF PUBLICATION

Number of Lines in Notice _____
Number of Insertions 2x

_____	Lines tabular at	_____	5¢/Pica
526⁵	Lines straight at	21⁰⁴	4¢/Pica
_____	Subsequent lines at	18⁴³	3.5¢/Pica
	TOTAL COST	39.49	

COPY OF NOTICE
(Paste Here)

Change of Water Right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
IDWR

BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-2644

Notice is hereby given that Harry Johnston, c/o John Burke of Sun Valley, ID, has applied to the Department of Water Resources to change the following described water right pursuant to Section 42-222 of the IDAHO CODE.

Water Right No. 37-2644
Basis of right: License, Pending Transfer
Source: Groundwater
Priority Date: 10/31/60
Amount of water: 3.98 cfs; Water use: Irrigation
Point of diversion: NW¼NE¼, S11, T7S, R18E; Lincoln County.
Place of use: 199 acres within SE¼NE¼, S10, T7S, R18E; W½NE¼, S11, T7S, R18E; NW¼S11, T7S, R18E.

PORTION OF RIGHTS TO BE CHANGED

Water Right No.: 37-2644
Amount of water: 0.20 cfs
Point of diversion: NW¼NE¼, S11, T7S, R18E; Lincoln County.
Place of use: 10 acres within SW¼NE¼, S11, T7S, R18E.

TO BE CHANGED AS FOLLOWS

Water Right No.: 37-2644 Amount: .20 cfs
Total amount being transferred: .20 cfs
Source: Groundwater
Point of diversion: SW¼SW¼SW¼, S26, T2N, R18E; Blaine County.
Place of use: 10 acres within SW¼SW¼, S26, T2N, R18E.

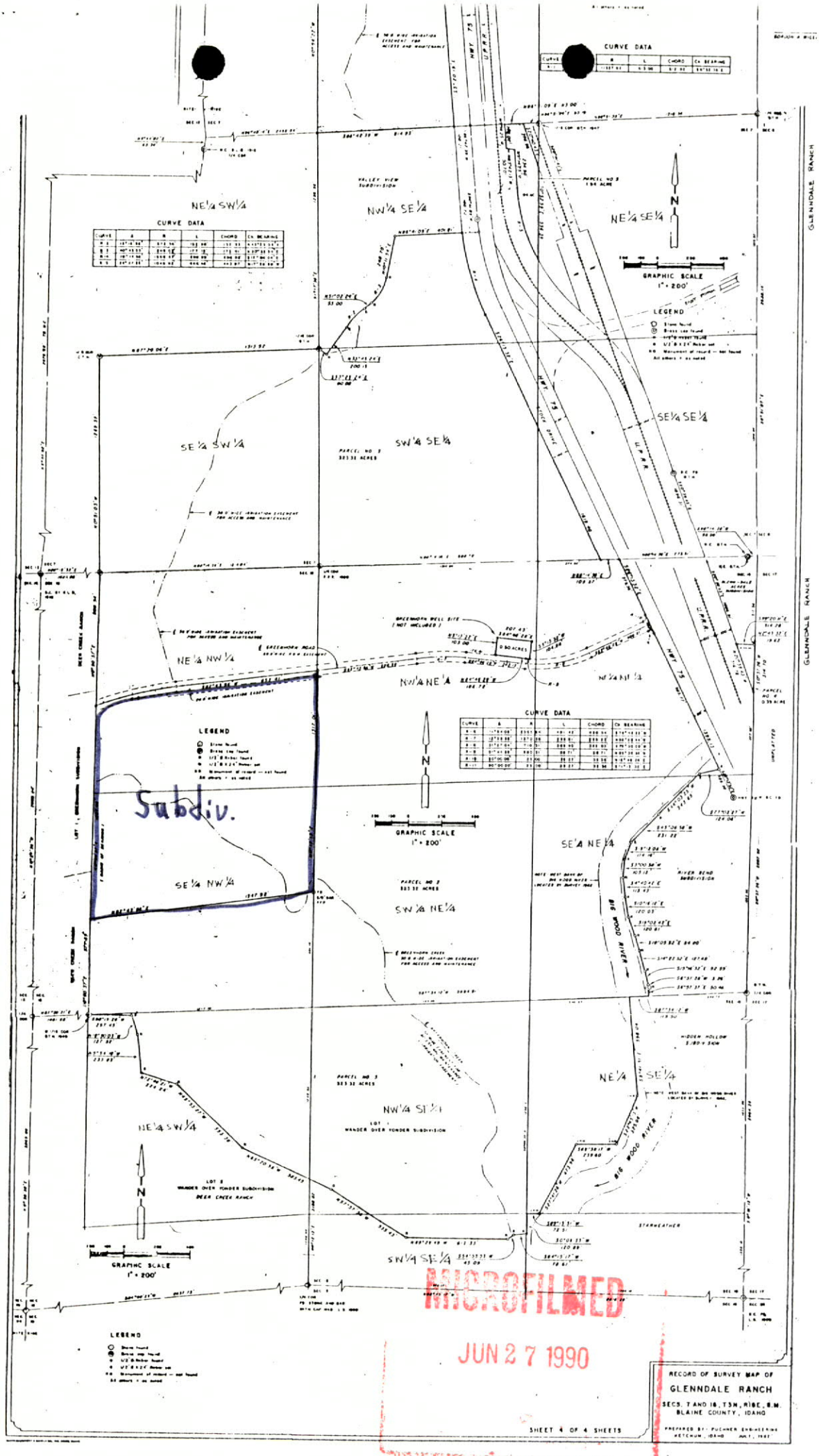
Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave. East, Twin Falls, ID 83301 on or before July 17, 1989.

R. Keith Higginson
Director

Pub: 6-28, 7-5 L17628

17628

OK
MB
7/10/89

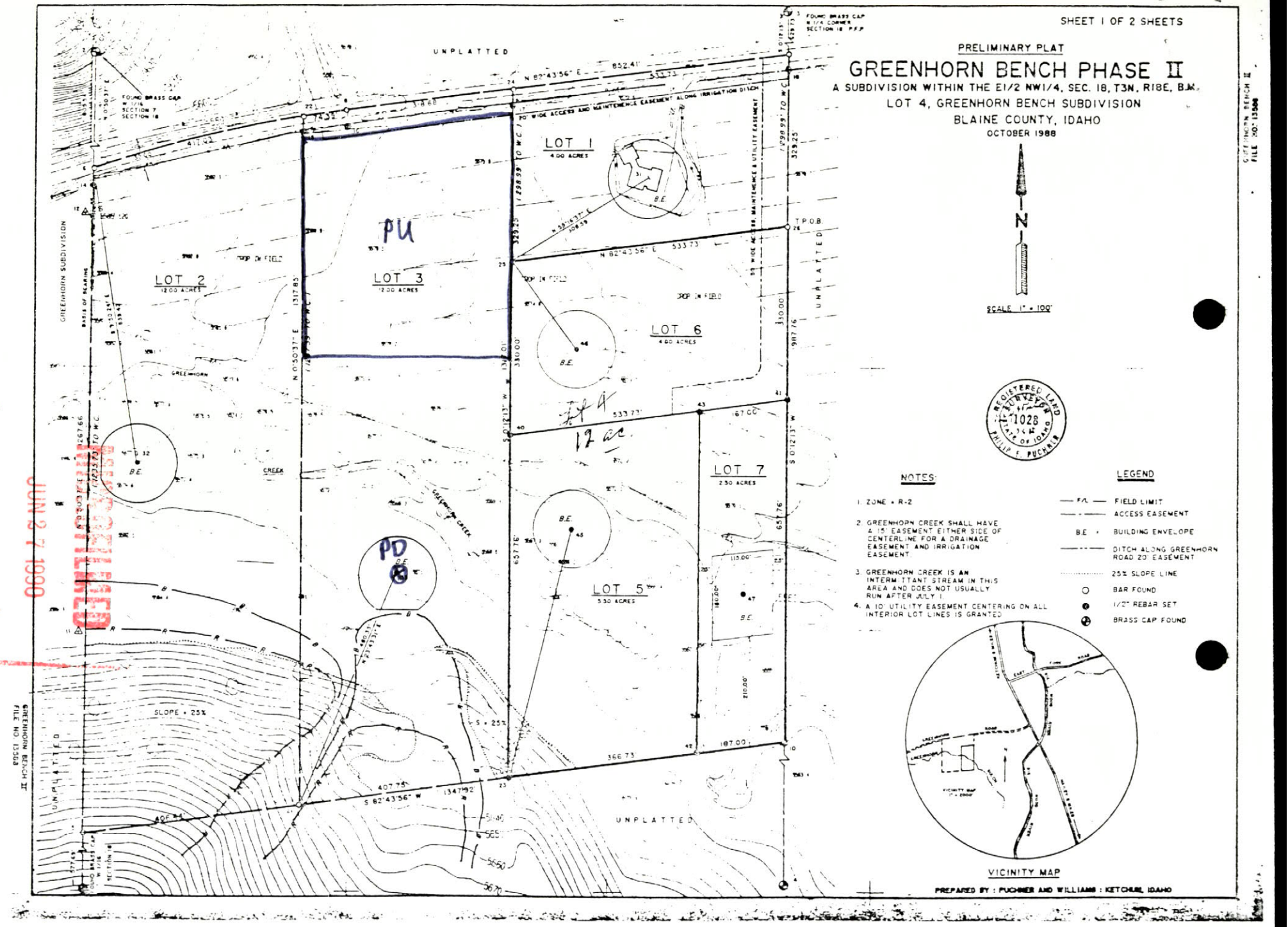


MICROFILMED
JUN 2 7 1990

RECORD OF SURVEY MAP OF
GLENNDALE RANCH
SECS. 7 AND 18, T 3 N., R 18 E., B.M.
BLAINE COUNTY, IDAHO

PREPARED BY: PUCHNER ENGINEERING
KETCHUM, IDAHO JULY, 1987

SHEET 4 OF 4 SHEETS


SHEET 1 OF 2 SHEETS
PRELIMINARY PLAT
GREENHORN BENCH PHASE II
A SUBDIVISION WITHIN THE E1/2 NW1/4, SEC. 18, T3N, R18E, B.M.
LOT 4, GREENHORN BENCH SUBDIVISION
BLAINE COUNTY, IDAHO
OCTOBER 1988
SCALE 1" = 100'
UNPLATTED
LOT 1
4.00 ACRES
LOT 2
12.00 ACRES
LOT 3
12.00 ACRES
LOT 5
5.50 ACRES
LOT 6
4.00 ACRES
LOT 7
2.50 ACRES
T.P.O.B.
GREENHORN SUBDIVISION
GREENHORN CREEK
SLOPE + 25%
N 82°43'56" E 533.73'
S 82°43'56" W 1347.92'
N 82°43'56" E 852.41'
NOTES:
1. ZONE = R-2
2. GREENHORN CREEK SHALL HAVE A 15' EASEMENT EITHER SIDE OF CENTERLINE FOR A DRAINAGE EASEMENT AND IRRIGATION EASEMENT.
3. GREENHORN CREEK IS AN INTERMITTANT STREAM IN THIS AREA AND DOES NOT USUALLY RUN AFTER JULY 1.
4. A 10' UTILITY EASEMENT CENTERING ON ALL INTERIOR LOT LINES IS GRANTED.
LEGEND
F/L FIELD LIMIT
ACCESS EASEMENT
B.E. BUILDING ENVELOPE
DITCH ALONG GREENHORN ROAD 20' EASEMENT
25% SLOPE LINE
BAR FOUND
1/2" REBAR SET
BRASS CAP FOUND
REGISTERED LAND SURVEYOR
10128
STATE OF IDAHO
PHILIP E. PUCHNER
VICINITY MAP
PREPARED BY : PUCHNER AND WILLIAMS : KETCHUM, IDAHO
GREENHORN BENCH II
FILE NO. 13503
PU
PD
17 ac.

Transfer No. _____

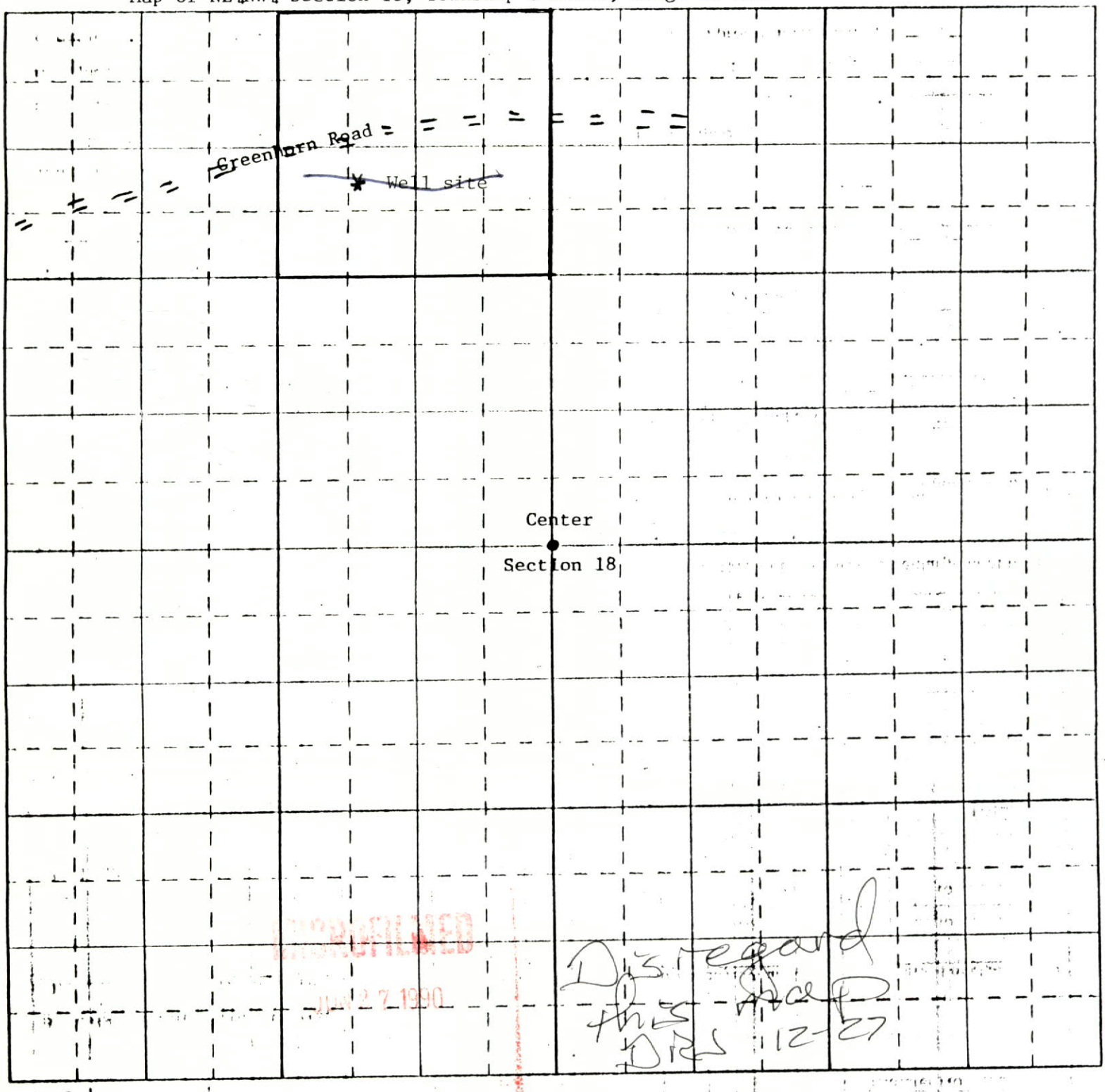
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

Map of NE¼NW¼ Section 18, Township 3 North, Range 18 EBM



RECEIVED
JUN 27 1990

Dist Regard
Ans Ack
DRS 12-27

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

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Blaine }

DANIEL J. GORHAM, 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 22nd day of Feb, 19 89, and the date of the last publication was on the 1st day of Mar., 19 89.

Daniel J. Gorham

Subscribed and sworn to before me this 1st day of March 19 89.
(SEAL)

Roberta McKercher
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

OK MB 3/13/89

COST OF PUBLICATION

Number of Picas per Line		11
Number of Lines in Notice		56
Number of Insertions		2
	Lines tabular at	5¢/Pica
56	Lines straight at 27.72	4¢/Pica
56	Subsequent lines at 21.56	3¢/Pica
TOTAL COST		49.28

MICROFILMED JUN 27 1990

RECEIVED
MAR 03 1989
Department of Water Resources
Southern Region Office

COPY OF NOTICE
(Paste Here)

Proposed Change #37-2644 Wells
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Wells seeks water right change

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-2644

Notice is hereby given that Tommy Wells of Sun Valley ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No.: 37-2644 Part
Basis of right: Two (2) pending transfers
Source: Groundwater
Priority Date: 10/31/1960
Amount of water: 4.12 cfs
Water use: Irrigation
Point(s) of diversion: NW1/4-NE1/4, Sec. 11, T7S, R18E; Lincoln County
Place of use: 206 acres within SE1/4NE1/4, Sec. 10, T7S, R18E; W1/2NE1/4, NW1/4, Sec. 11, T7S, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-2644 Part
Amount of water: .07 cfs
Point of diversion: same
Place of use: 3.5 acres within NW1/4NE1/4, Sec. 11, T7S, R18E.

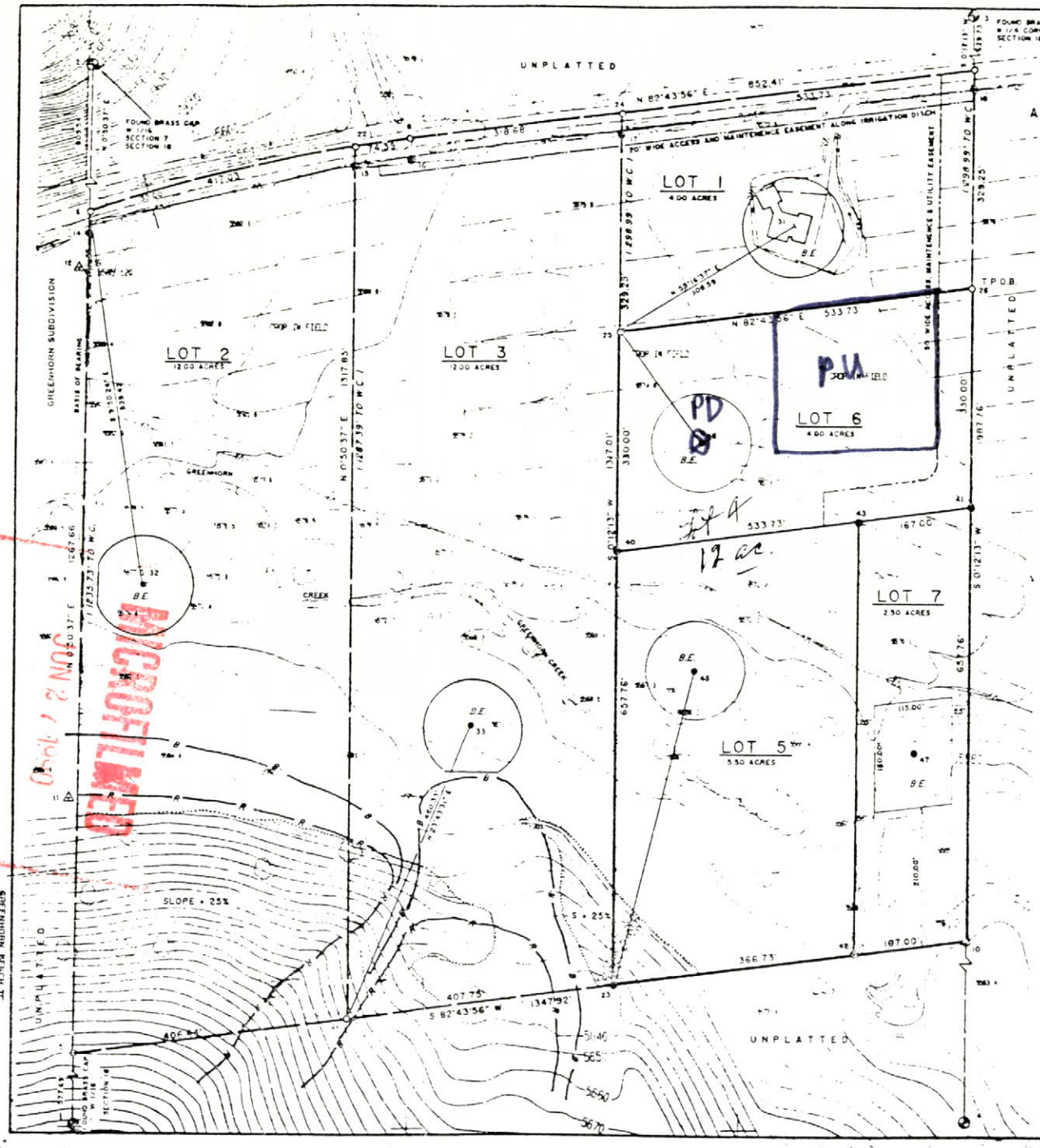
TO BE CHANGED AS FOLLOWS

Water right No.: 37-2644
Amount: .07 cfs
Total amount being transferred: .07 cfs
Source: Groundwater
Point of diversion: NW1/4SE1/4-NW1/4, Sec. 18, T3N, R18E, Blaine County
Place of use: 3.5 acres within NE1/4NW1/4, Sec. 18, T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301, on or before MARCH 13, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal– February 22 and March 1, 1989.



SHEET 1 OF 2 SHEETS

PRELIMINARY PLAT

GREENHORN BENCH PHASE II

A SUBDIVISION WITHIN THE E1/2 NW1/4, SEC. 18, T3N, R18E, B.M.

LOT 4, GREENHORN BENCH SUBDIVISION

BLAINE COUNTY, IDAHO

OCTOBER 1988

SCALE 1" = 100'

REGISTERED LAND SURVEYOR 10128 STATE OF IDAHO PHILIP E. PUCHNER

NOTES:

1. ZONE = R-2
2. GREENHORN CREEK SHALL HAVE A 15' EASEMENT EITHER SIDE OF CENTERLINE FOR A DRAINAGE EASEMENT AND IRRIGATION EASEMENT.
3. GREENHORN CREEK IS AN INTERMITTANT STREAM IN THIS AREA AND DOES NOT USUALLY RUN AFTER JULY 1.
4. A 10' UTILITY EASEMENT CENTERING ON ALL INTERIOR LOT LINES IS GRANTED

LEGEND

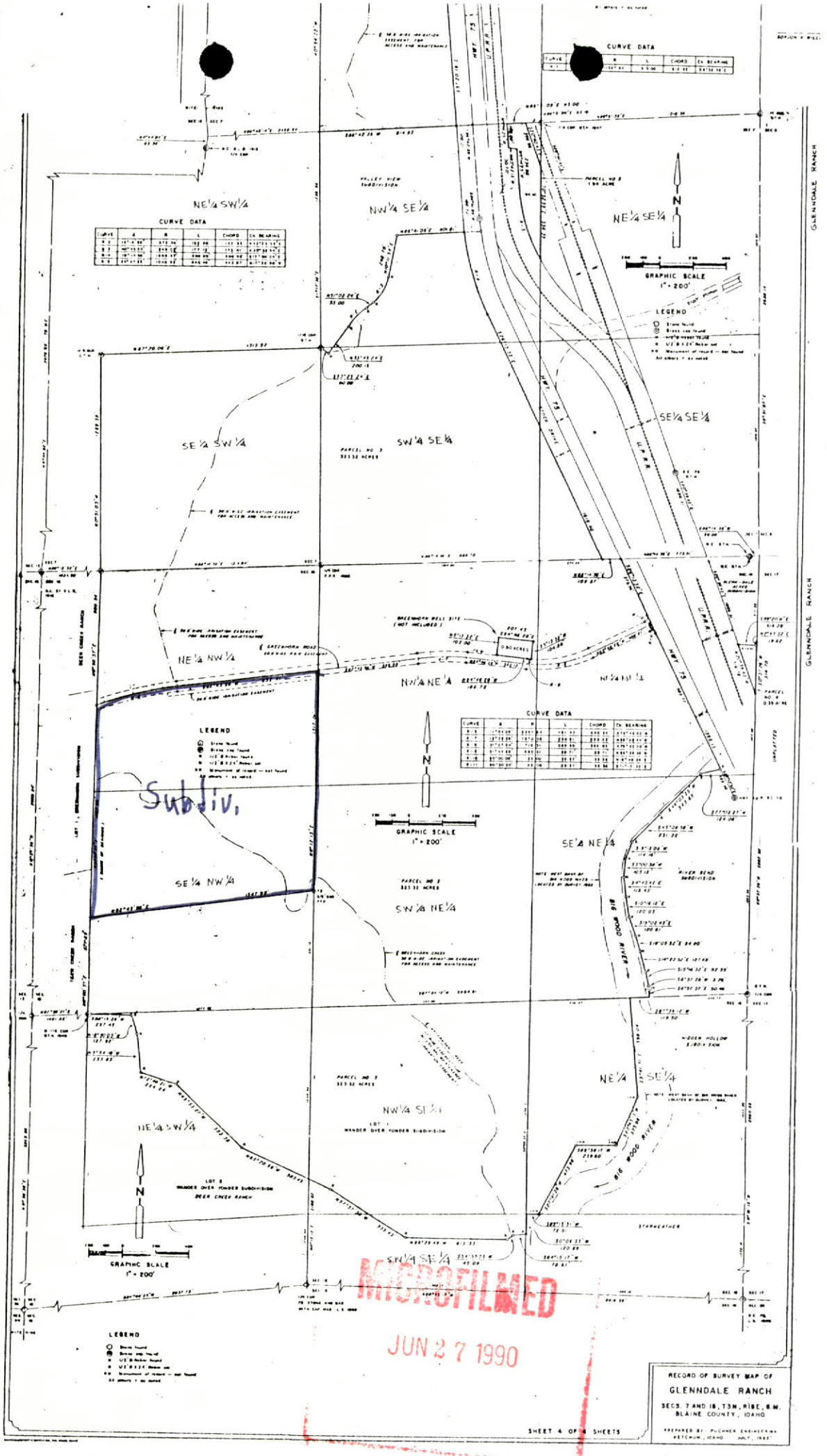
- F/L — FIELD LIMIT
- ACCESS EASEMENT
- B.E. = BUILDING ENVELOPE
- DITCH ALONG GREENHORN ROAD 20' EASEMENT
- 25% SLOPE LINE
- BAR FOUND
- 1/2" REBAR SET
- BRASS CAP FOUND

VICINITY MAP

PREPARED BY : PUCHNER AND WILLIAMS : KETCHUM, IDAHO

GREENHORN BENCH II FILE NO. 13588

RECORDED



MICROFILMED

JUN 27 1990

RECORD OF SURVEY MAP OF
GLENNDALE RANCH
SECS. 7 AND 18, T3N, R18E, B.M.
BLAINE COUNTY, IDAHO

PREPARED BY PUCHNER ENGINEERING
KETCHUM, IDAHO JULY, 1989

SHEET 4 OF 4 SHEETS

Transfer No. _____

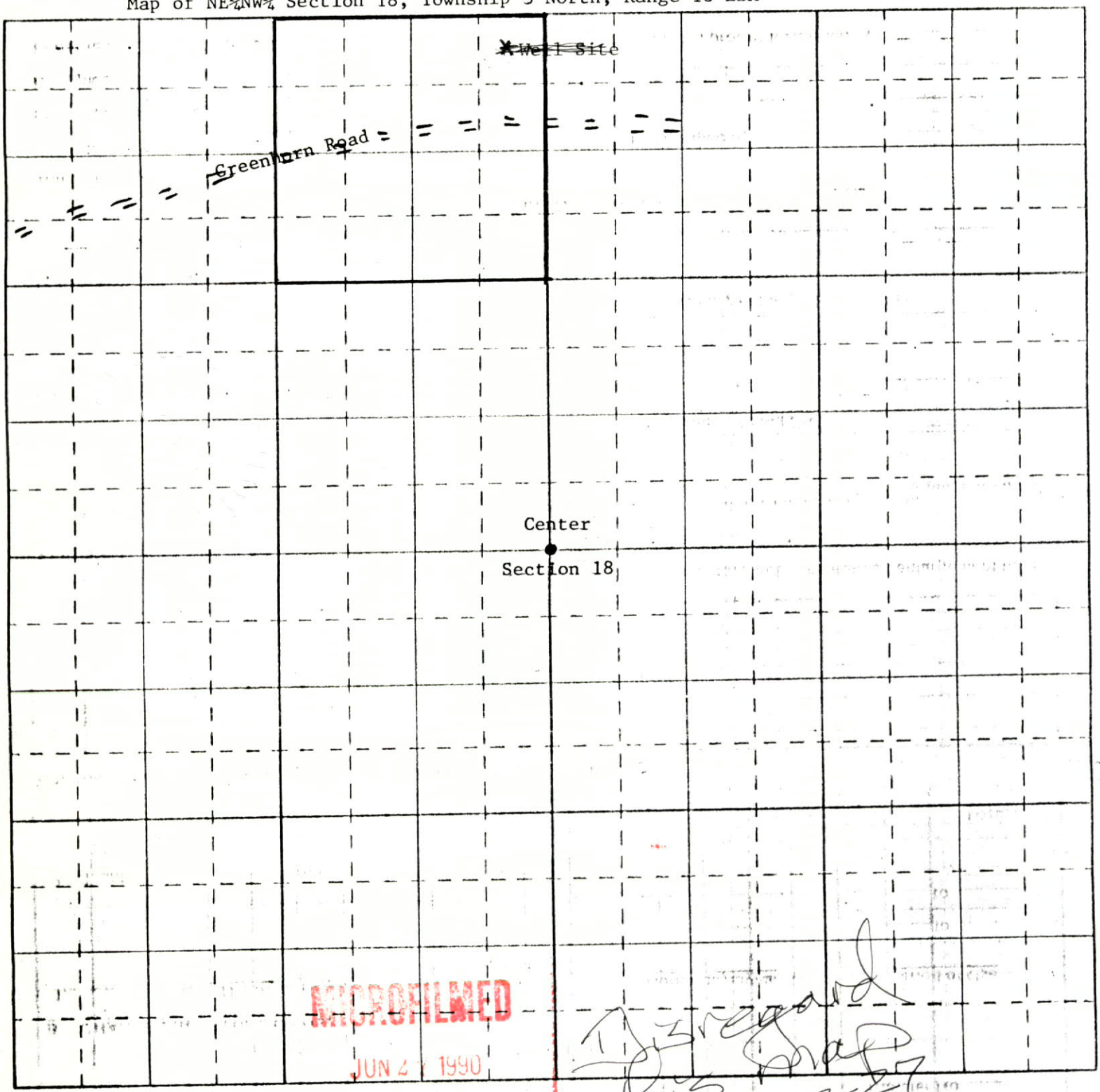
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

Map of NE¼NW¼ Section 18, Township 3 North, Range 18 EBM



MICROFILMED
JUN 2 1990

T. Breyard
This Draft
DRJ 12-27

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

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Blaine }

DANIEL J. GORHAM, 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 22nd day of Feb, 19 89, and the date of the last publication was on the 1st day of Mar, 19 89.

Daniel J. Gorham

Subscribed and sworn to before me this 1st day of March, 19 89.
(SEAL)

Roberta McKeehan
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

OK MB 3/13/89

COST OF PUBLICATION

Number of Picas per Line	11	
Number of Lines in Notice	56	
Number of Insertions	2	
____ Lines tabular at ____		5¢/Pica
56 Lines straight at	27.72	4¢/Pica
56 Subsequent lines at	21.56	3¢/Pica
TOTAL COST	49.28	

MISCELLANEOUS

RECEIVED JUN 27 1990

MAR 03 1989
Department of Water Resources
Southern Region Office

COPY OF NOTICE
(Paste Here)

Proposed Change #37-2644 Engelmann
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Engelmann seeks water right change

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-2644

Notice is hereby given that Earl Engelmann of Sun Valley ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No.: 37-2644 Part
Basis of right: Pending Transfer
Source: Groundwater
Priority Date: 10/31/1960
Amount of water: 4.14 cfs
Water use: Irrigation
Point(s) of diversion: NW1/4-NE1/4, Sec. 11, T7S, R18E; Lincoln County
Place of use: 207 acres within SE1/4NE1/4, Sec. 10, T7S, R18E; W1/2NE1/4, NW1/4, Sec. 11, T7S, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-2644 Part
Amount of water: .02 cfs
Point of diversion: Same
Place of use: One (1) acre within NW1/4NE1/4, Sec. 11, T7S, R18E.

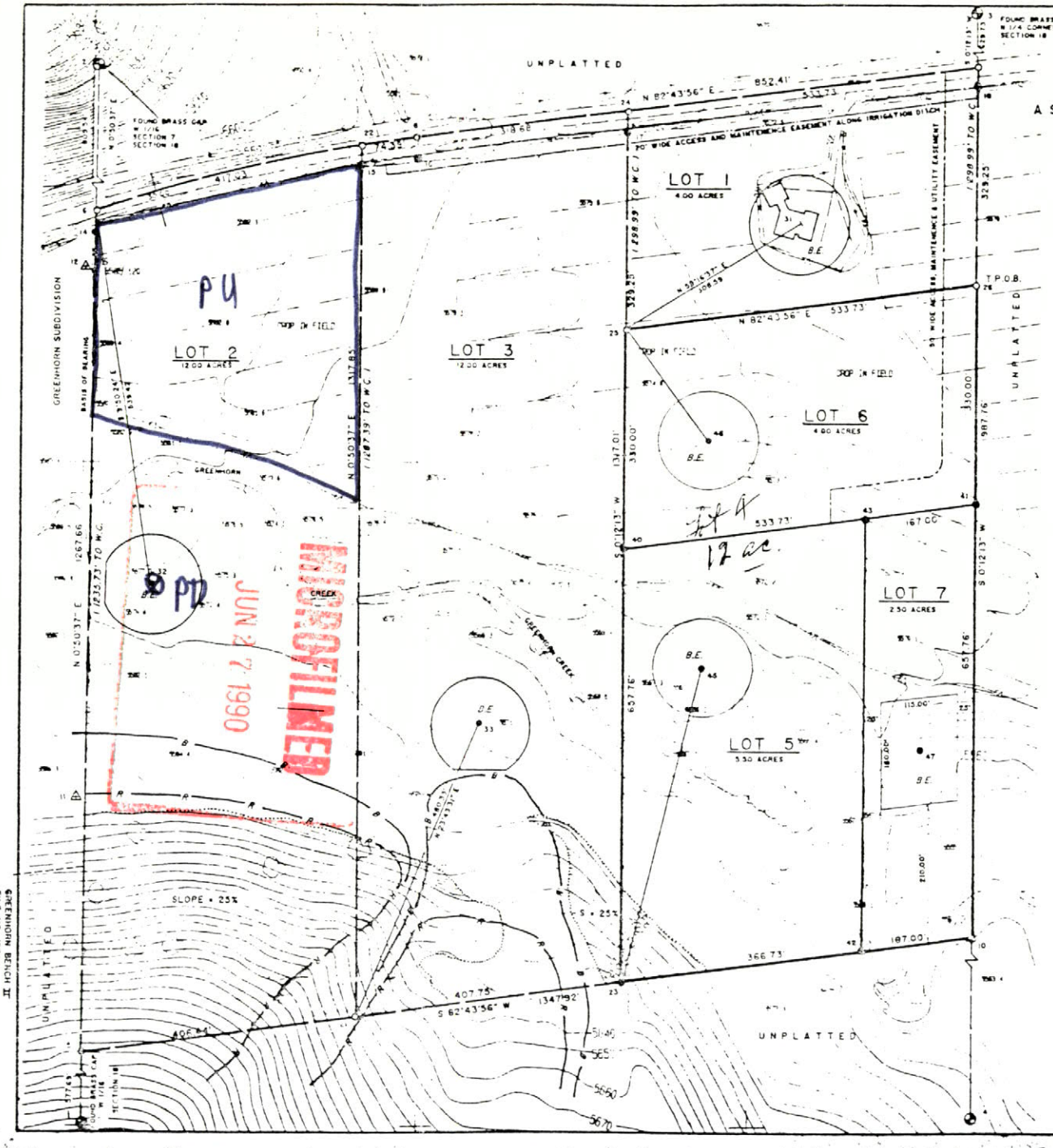
TO BE CHANGED AS FOLLOWS

Water right No.: 37-2644
Amount: .02 cfs
Total amount being transferred: .02 cfs
Source: Groundwater
Point of diversion: SE1/4NE1/4-NW1/4, Sec. 18, T3N, R18E, Blaine County
Place of use: One (1) acre within NE1/4NW1/4, Sec. 18, T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301, on or before MARCH 13, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal--February 22 and March 1, 1989.



SHEET 1 OF 2 SHEETS

PRELIMINARY PLAT

GREENHORN BENCH PHASE II

A SUBDIVISION WITHIN THE E1/2 NW1/4, SEC. 18, T3N, R18E, B.M.
LOT 4, GREENHORN BENCH SUBDIVISION
BLAINE COUNTY, IDAHO
OCTOBER 1988

N

SCALE 1" = 100'

REGISTERED LAND SURVEYOR 7028 STATE OF IDAHO PHILIP F. PUCHNER

NOTES:

1. ZONE = R-2
2. GREENHORN CREEK SHALL HAVE A 15' EASEMENT EITHER SIDE OF CENTERLINE FOR A DRAINAGE EASEMENT AND IRRIGATION EASEMENT.
3. GREENHORN CREEK IS AN INTERMITTANT STREAM IN THIS AREA AND DOES NOT USUALLY RUN AFTER JULY 1.
4. A 10' UTILITY EASEMENT CENTERING ON ALL INTERIOR LOT LINES IS GRANTED.

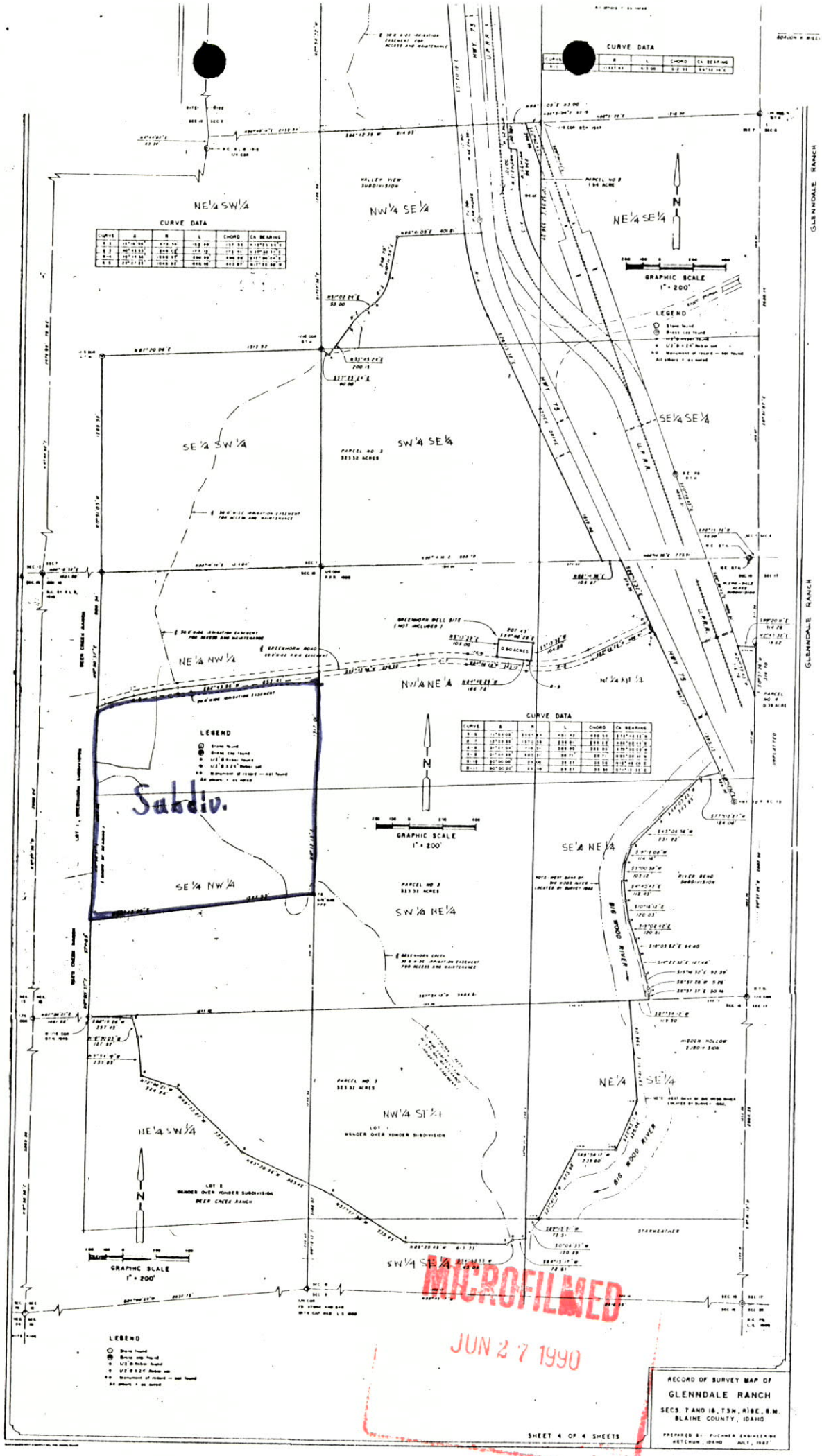
LEGEND

- F/L — FIELD LIMIT
- ACCESS EASEMENT
- B.E. = BUILDING ENVELOPE
- DITCH ALONG GREENHORN ROAD 20' EASEMENT
- 25% SLOPE LINE
- BAR FOUND
- 1/2" REBAR SET
- BRASS CAP FOUND

VICINITY MAP

PREPARED BY : PUCHNER AND WILLIAMS : KETCHUM, IDAHO

GREENHORN BENCH II
FILE NO. 13568


CURVE DATA
NE¼ SW¼
NW¼ SE¼
NE¼ SE¼
SE¼ SW¼
SW¼ SE¼
SE¼ SE¼
NE¼ NW¼
NW¼ NE¼
NW¼ NW¼
SE¼ NW¼
SW¼ NE¼
SE¼ NE¼
NW¼ SW¼
NE¼ SW¼
NW¼ SE¼
NE¼ SE¼
SW¼ SE¼
GRAPHIC SCALE
1" = 200'
LEGEND
Subdiv.
GLENNDALE RANCH
RIVER BEND SUBDIVISION
HIDDEN HOLLOW SUBDIVISION
BIG WOOD RIVER
MEADOW OVER FONDER SUBDIVISION
DEER CREEK RANCH
MICROFILMED
JUN 27 1990
RECORD OF SURVEY MAP OF
GLENNDALE RANCH
SECS. 7 AND 18, T3N, R18E, B.M.
BLAINE COUNTY, IDAHO
SHEET 4 OF 4 SHEETS

Transfer No. _____

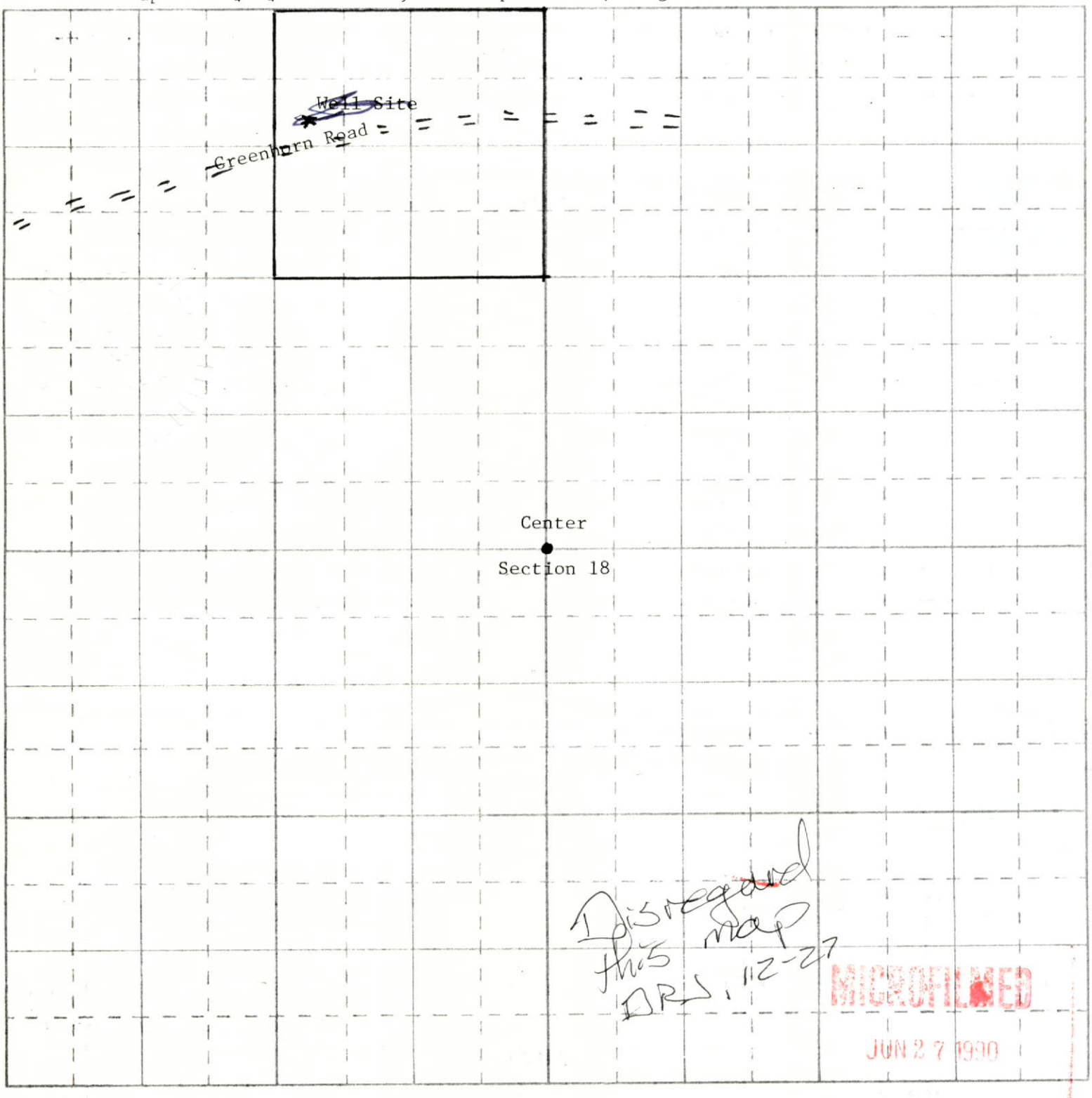
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

Map of NE¼NW¼ Section 18, Township 3 North, Range 18 EBM



Disregard this map DRJ 12-27

MICROFILMED
JUN 27 1990

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

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Blaine }

DANIEL J. GORHAM, 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 22nd day of Feb, 19 89, and the date of the last publication was on the 1st day of Mar, 19 89.

David J Gorham

Subscribed and sworn to before me this 1st day of Mar, 19 89.
(SEAL)

Roberta McKenzie
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

OK NB 3/13/89

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 56
Number of Insertions 2
____ Lines tabular at ____ 5¢/Pica
56 Lines straight at 27.72 4¢/Pica
56 Subsequent lines at 21.56 3¢/Pica
TOTAL COST 49.28

MICROFILMED
JUN 27 1990

COPY OF NOTICE
(Paste Here)

Proposed Change #37-2644 Whiting
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Whiting seeks water right change

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-2644

Notice is hereby given that Henry Whiting II of Sun Valley ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No.: 37-2644 Part
Basis of right: License
Source: Groundwater
Priority Date: 10/31/1960
Amount of water: 4.05 cfs
Water use: Irrigation
Point(s) of diversion: NW1/4-NE1/4, Sec. 11, T7S, R18E; Lincoln County
Place of use: 202.5 acres within SE1/4NE1/4, Sec. 10, T7S, R18E; W1/2NE1/4, NW1/4, Sec. 11, T7S, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-2644 Part
Amount of water: .07 cfs
Point of diversion: same
Place of use: 3.5 acres within NW1/4NE1/4, Sec. 11, T7S, R18E.

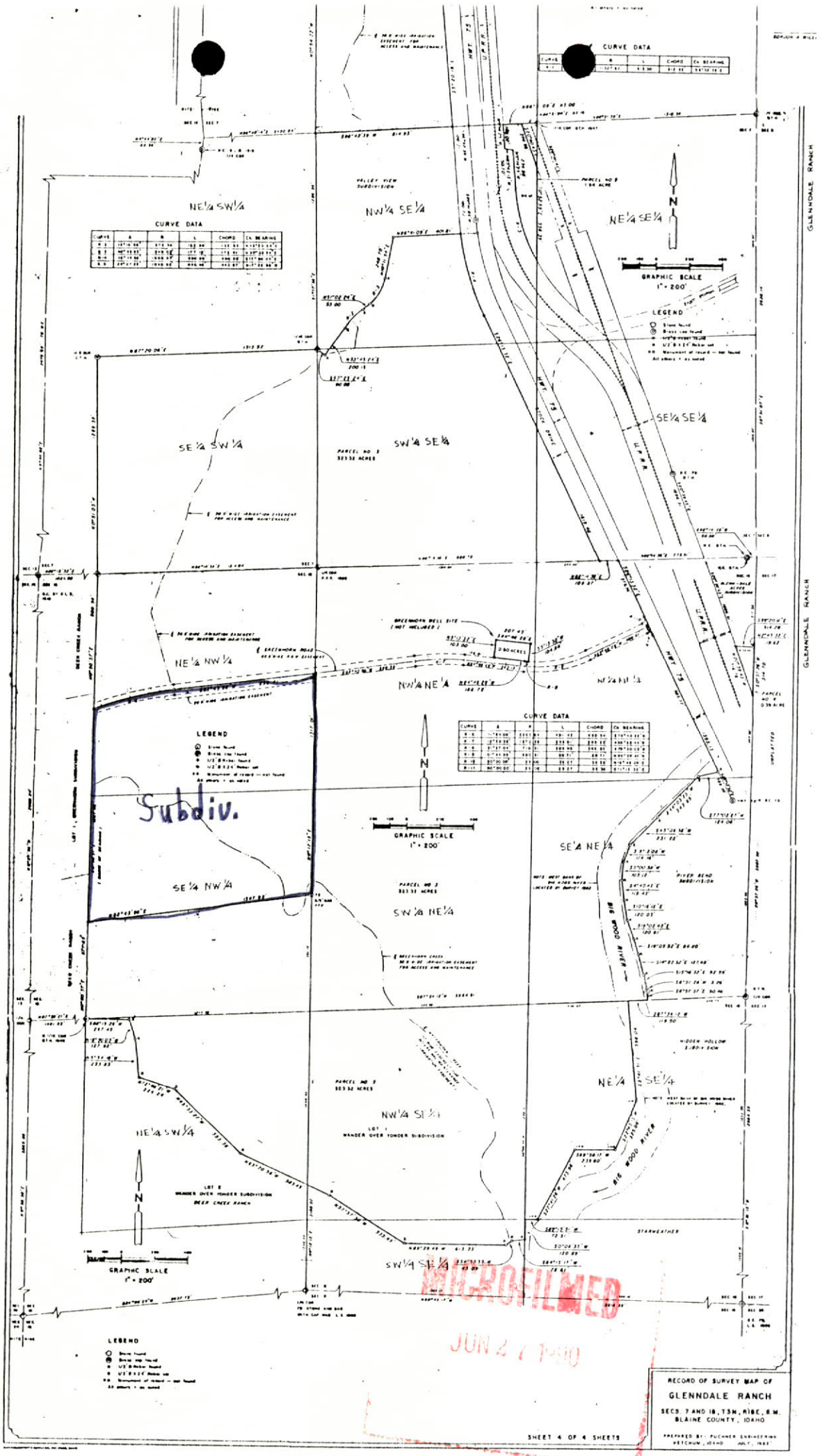
TO BE CHANGED AS FOLLOWS

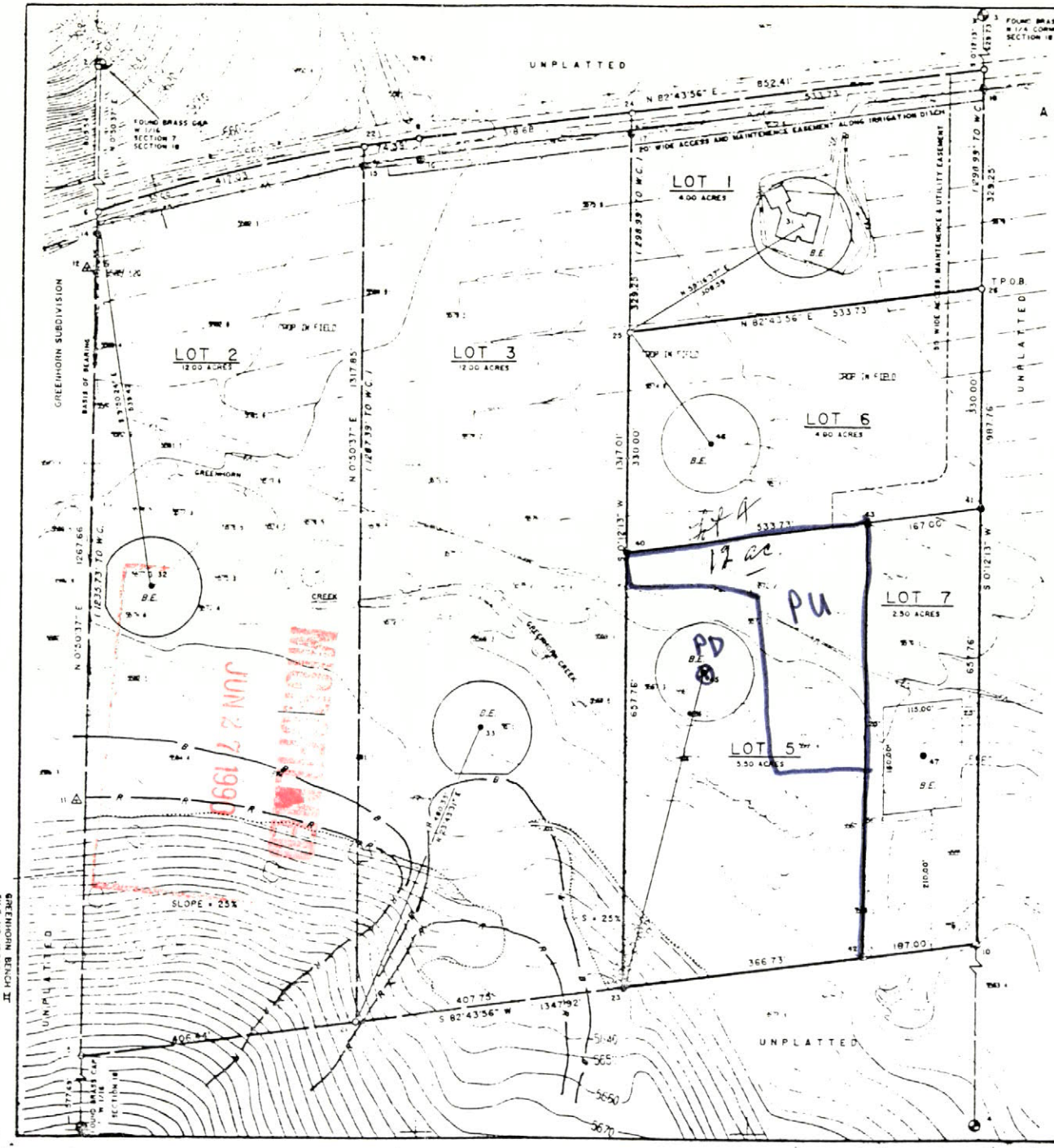
Water right No.: 37-2644
Amount: .07 cfs
Total amount being transferred: .07 cfs
Source: Groundwater
Point of diversion: NW1/4SE1/4-NW1/4, Sec. 18, T3N, R18E, Blaine County
Place of use: 3.5 acres within NE1/4NW1/4, Sec. 18, T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301, on or before MARCH 13, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal–February 22 and March 1, 1989.

RECEIVED
MAR 89
Department of Water Resources
Southern Region Office


CURVE DATA
NE¼ SW¼
NW¼ SE¼
NE¼ SE¼
SE¼ SW¼
SW¼ SE¼
SE¼ SE¼
NE¼ NW¼
NW¼ NE¼
NE¼ NE¼
SE¼ NW¼
SW¼ NE¼
SE¼ NE¼
NE¼ SW¼
NW¼ SE¼
SW¼ SE¼
NE¼ SE¼
GRAPHIC SCALE
1" = 200'
LEGEND
Subdiv.
GLENNDALE RANCH
BIG WOOD RIVER
MICROFILMED
JUN 2 7 1990
RECORD OF SURVEY MAP OF
GLENNDALE RANCH
SECS. 7 AND 18, T3N., R18E., B.M.
BLAINE COUNTY, IDAHO
SHEET 4 OF 4 SHEETS



SHEET 1 OF 2 SHEETS

PRELIMINARY PLAT

GREENHORN BENCH PHASE II

A SUBDIVISION WITHIN THE E1/2 NW1/4, SEC. 18, T3N, R18E, B.M.
LOT 4, GREENHORN BENCH SUBDIVISION
BLAINE COUNTY, IDAHO
OCTOBER 1988

N

SCALE 1" = 100'

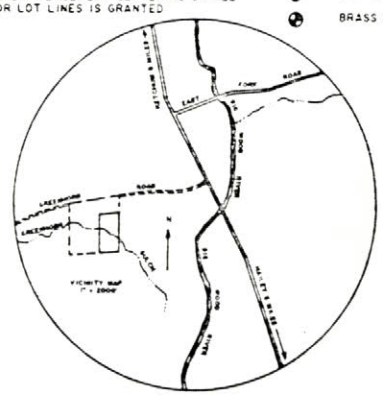
REGISTERED LAND SURVEYOR 10128 STATE OF IDAHO PHILIP E. PUCHNER

NOTES:

1. ZONE = R-2
2. GREENHORN CREEK SHALL HAVE A 15' EASEMENT EITHER SIDE OF CENTERLINE FOR A DRAINAGE EASEMENT AND IRRIGATION EASEMENT.
3. GREENHORN CREEK IS AN INTERMITTANT STREAM IN THIS AREA AND DOES NOT USUALLY RUN AFTER JULY 1.
4. A 10' UTILITY EASEMENT CENTERING ON ALL INTERIOR LOT LINES IS GRANTED

LEGEND

- F/L — FIELD LIMIT
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- B.E. = BUILDING ENVELOPE
- DITCH ALONG GREENHORN ROAD 20' EASEMENT
- 25% SLOPE LINE
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- 1/2" REBAR SET
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VICINITY MAP

PREPARED BY : PUCHNER AND WILLIAMS : KETCHUM, IDAHO

GREENHORN BENCH II
FILE NO. 13568

GREENHORN BENCH II
FILE NO. 13568

Transfer No. _____

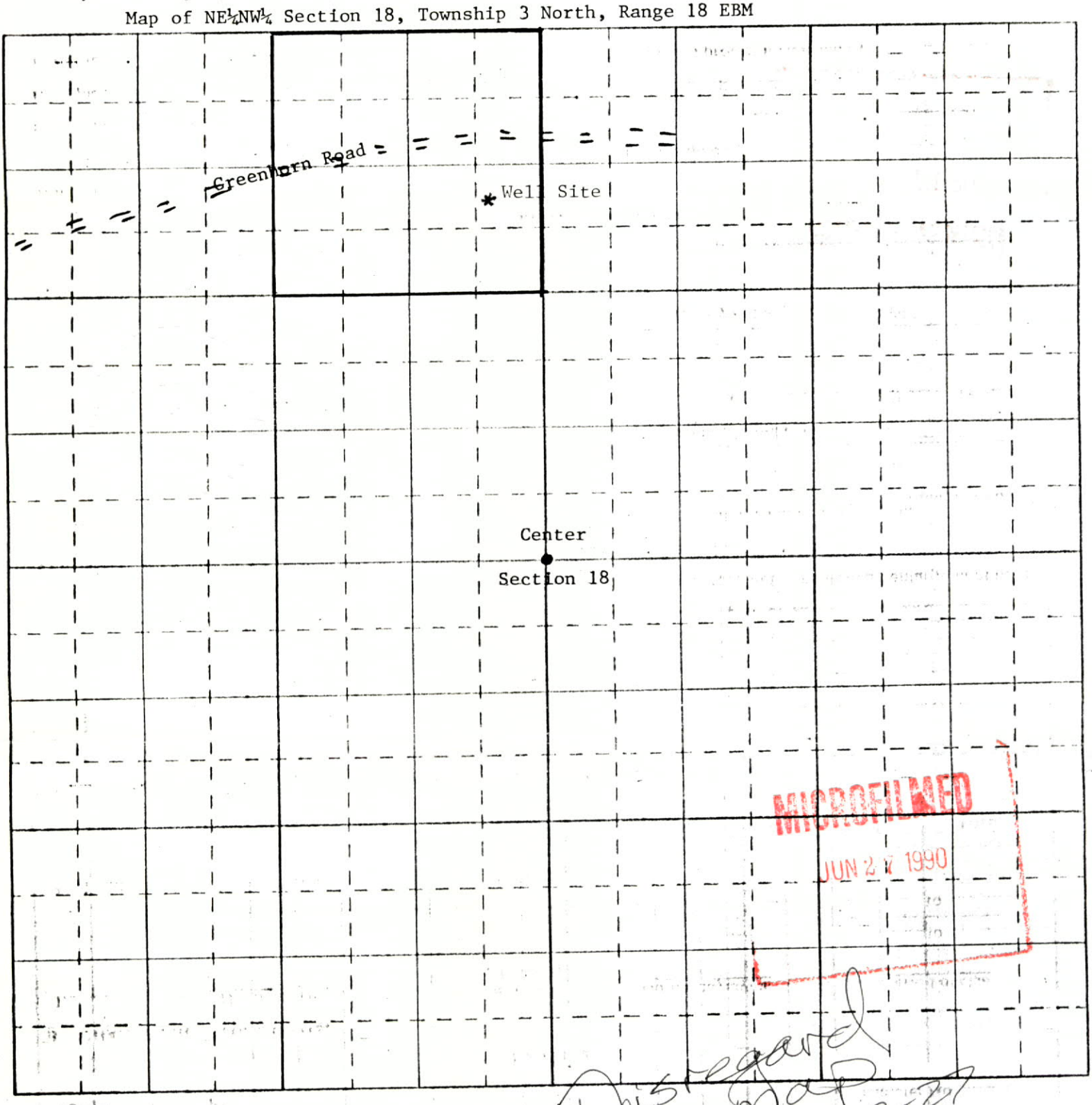
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

Map of NE¼NW¼ Section 18, Township 3 North, Range 18 EBM



MICROFILMED
JUN 27 1990

Disregard Map
This DRJ 12-87

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

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Blaine }

DANIEL J. GORHAM, 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 22nd day of Feb, 19 89, and the date of the last publication was on the 1st day of Mar, 19 89.

Daniel J. Gorham

Subscribed and sworn to before me this 1st day of March, 19 89.
(SEAL)

Roberta Ivey Faucher
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

OK MB 3/13 89

Number of Picas per Line	11	
Number of Lines in Notice	54	
Number of Insertions	2	
_____ Lines tabular at	_____	5¢/Pica
54 Lines straight at	26.73	4¢/Pica
54 Subsequent lines at	20.79	3¢/Pica
TOTAL COST	47.52	

RECEIVED
MAR 03 1989
Department of Water Resources
Southern Region Office

MAILED/RETURNED
JUN 27 1990

COPY OF NOTICE
(Paste Here)

Proposed Change #37-2644 Engelmann
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Engelmann seeks water right change

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 37-2644

Notice is hereby given that Earl Engelmann of Sun Valley ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No.: 37-2644
Basis of right: License
Source: Groundwater
Priority Date: 10/31/1960
Amount of water: 4.18 cfs
Water use: Irrigation
Point(s) of diversion: NW1/4-NE1/4, Sec. 11, T7S, R18E, Lincoln County
Place of use: 209 acres within SE1/4NE1/4, Sec. 10, T7S, R18E; W1/2NE1/4, NW1/4, Sec. 11, T7S, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-2644
Amount of water: .04 cfs
Point of diversion: No change
Place of use: 2 acres within NW1/4NE1/4, Sec. 11, T7S, R18E.

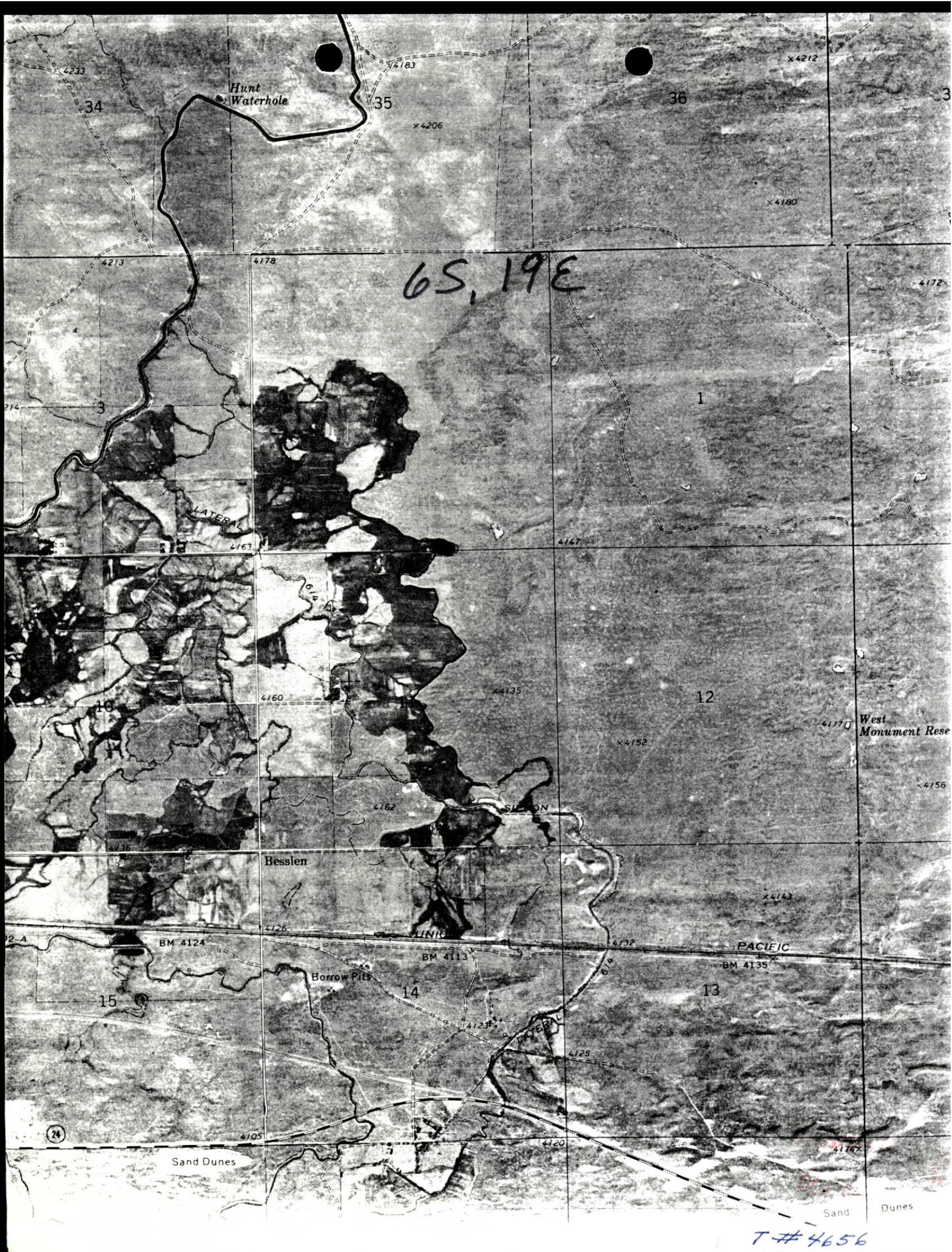
TO BE CHANGED AS FOLLOWS

Water right No.: 37-2644
Amount: .04 cfs
Total amount being transferred: .04 cfs
Source: Groundwater
Point of diversion: NE1/4SE1/4-NW1/4, Sec. 18, T3N, R18E, Blaine County
Place of use: 2.0 acres within SE1/4NW1/4, Sec. 18, T3N, R18E.

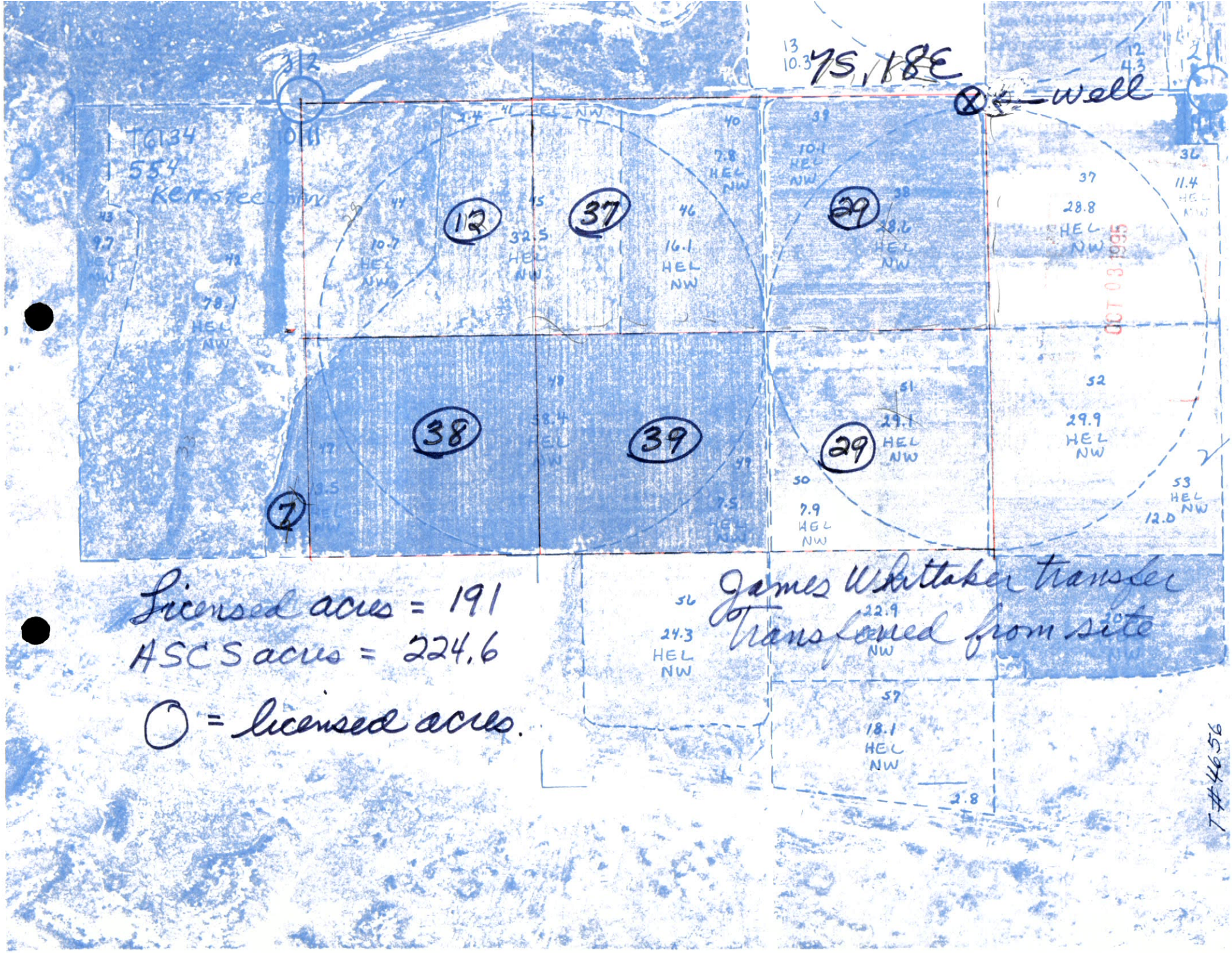
Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301, on or before MARCH 13, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal–February 22 and March 1, 1989.


Hunt Waterhole
34
35
36
4233
4183
×4212
×4206
×4180
6S, 19E
4213
4178
4172
3
1
LATERAL
4163
4147
10
12
×4135
4160
West Monument Rese
4177
×4152
×4156
4162
Besslen
×4143
4126
BM 4124
BM 4113
PACIFIC
BM 4135
4132
Borrow Pits
15
14
13
4123
LATERAL
4125
24
4105
4120
Sand Dunes
Sand Dunes
T#4656


29
28
27
3957
Well
3962
3949
×3972
BM 3975
956×
32
33
34
3
7S, 18E
Well
3970
×3953
×3953
3967
3971
R18E
R19E
3
2
1
BM
3961
Well
3960
3966
10
12
6
3943
3952
3984
15
14
13
BM
3940
OCT 03 1995
T#4656



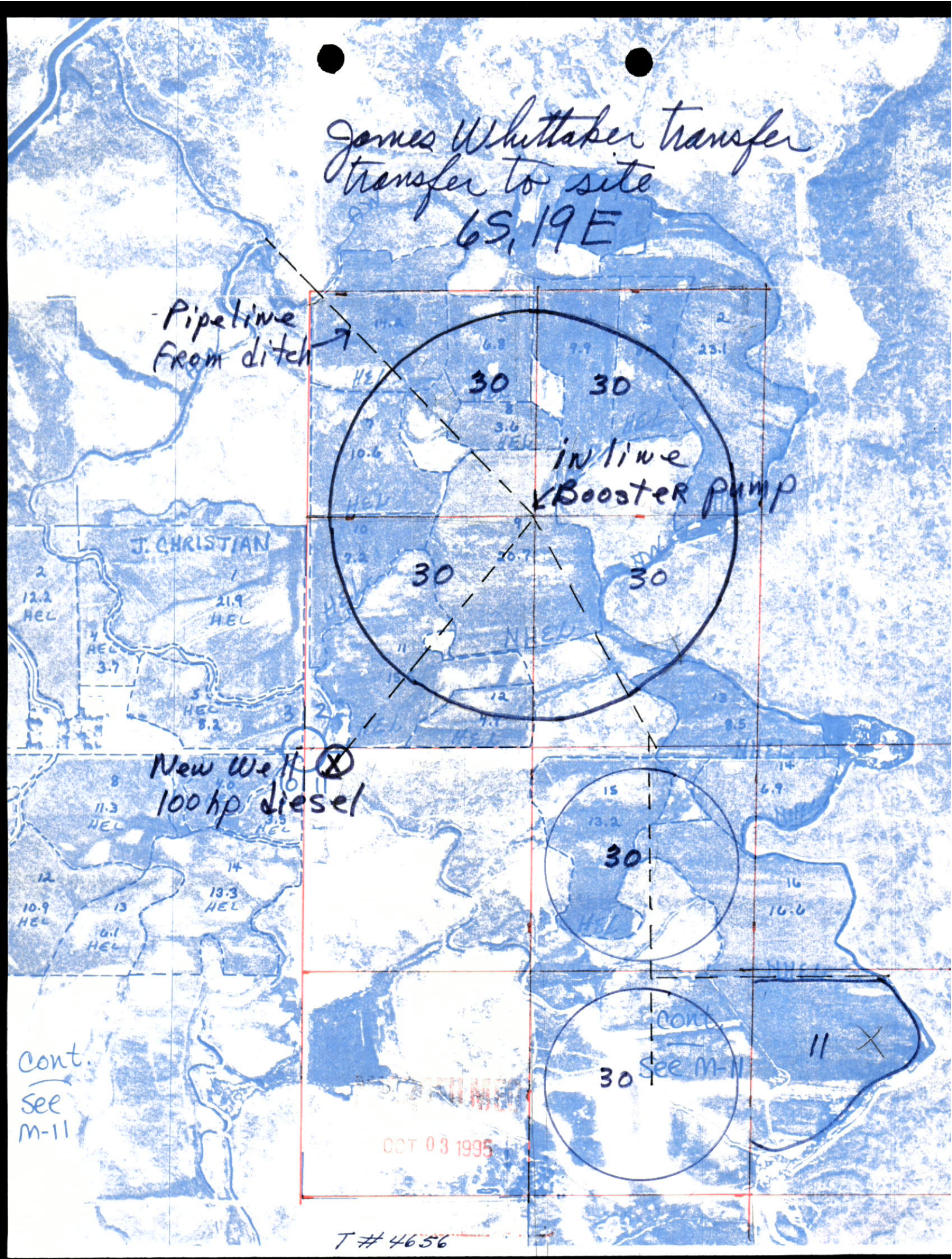
Licensed acres = 191

ASCS acres = 224.6

○ = licensed acres.

James Whittaker transfer
transferred from site

T#4656


James Whittaker transfer
transfer to site
6S, 19E
Pipeline
From ditch
30
30
30
30
30
30
in line
Booster pump
New Well
100 hp diesel
J. CHRISTIAN
Cont.
See M-11
Cont.
See M-11
OCT 03 1995
T # 4656

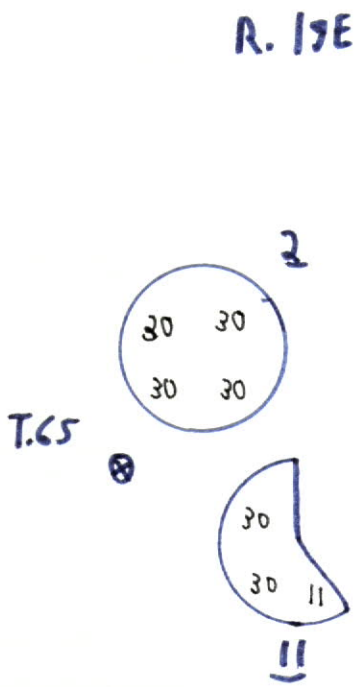
Transfer No. 4656

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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



OCT 03 1995

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

G-29110

Idaho Land & Map Service
Box 2161
Boise, Idaho

37-2644

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-37104
Permit No. G- 29110
District No.

1. Name of Applicant: Cliff M. Devaney
   Postoffice address: 688 Blue Lakes Blvd.,No. Twin Falls County: Twin Falls State: Idaho

2. Quantity of water claimed: 320 miner's inches

   (a) Rate of withdrawal in cubic feet per second 6.4 or Idaho Miners' inches or gallons per minute

   (b) Annual withdrawal in acre feet per annum

3. Source of water supply: Drilled well

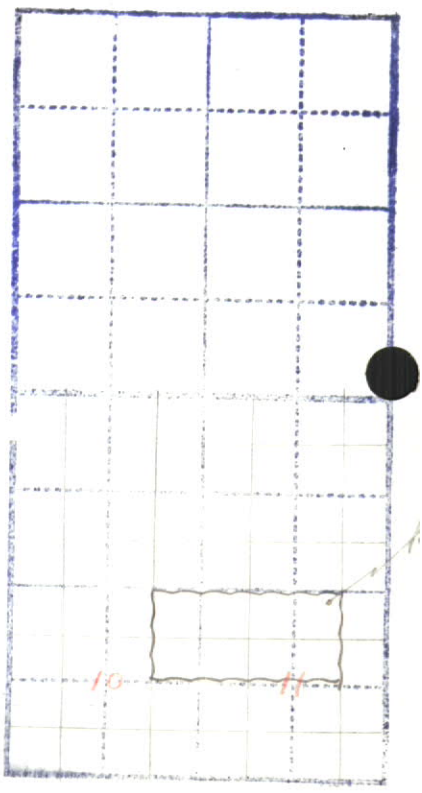
4. Location of point of diversion or well is in the NW ¼ of the NE ¼ of Section 11 Twp. 7 S , Rge. 18 E , B.M., County of Lincoln

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

   (a) Point of use of water is in the ¼ of the ¼ of Section , Twp. Rge. , B. M.

   (b) Waste water or sewage effluent is to be returned to at a point in the ¼ of the ¼ of Section , Twp. , Rge. , B. M.



7. Kind of works: Drilled well, to be cased and equipped with turbine type pump and motor

8. Estimated cost of works: $15,000

9. (a) Is reservoir to be used? No

   (b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

   I. (a) Date and place of incorporation:

   (b) Amount of capital stock: $ (c) Amount paid in: $

   (d) Names and addresses of directors:

   II. The financial resources of the applicant are (a) Cash on hand: $

   (b) Treasury stock: (c) Bonds to be issued:

   (d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

   (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

   (b) 6.4 (cubic feet per second, inches or gallons per minute) is for new lands.

AFFIDAVIT of PUBLICATION

RECEIVED

MAR 04 1993

Department of Water Resources
Southern Region Office

State of Idaho, } SS.
County of Blaine

On this 17th day of Feb, in the year 1993, 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 10 day of Feb, 1993, and the date of the last publication was on the 17 day of Feb, 1993.

Daniel J. Gorham

Subscribed and sworn to before me this 17th day of Feb., 1993.
(SEAL)

Roberta McKeehan

NOTARY PUBLIC

#8565

OK MB 3-5-93

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 54
Number of Insertions _____

_____	Lines tabular at _____	6¢ / Pica	
54	Lines straight at 27.00	5¢ / Pica	
54	Subsequent lines at 24.30	4¢ / Pica	
TOTAL COST	56.30	5.00	

COPY OF NOTICE
(Paste Here)

Notice of proposed water right change.

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

State of Idaho

PLAINTIFF

Dept of Water Resources

BILL TO T.F.

Notice of proposed water right change

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that HARRY E. JOHNSTON of La Jolla, CA has applied to the Department of Water Resources for changes to add a point of diversion and change places of use from groundwater sources and further classified as Transfer # 4049.

The rights to be changed authorize diversion of water from one (1) well located in Section S26, T02N, R18E within Blaine County. The rights are recorded in part as follows:

Number 37-02644F, T#3546
Priority 11/16/1989
Amount 0.20 cfs
Acres 10

Number A37-02644F, T#3546
Priority 11/16/1989
Amount 0.20 cfs
Acres 10

TO BE CHANGED AS FOLLOWS

Water will be diverted from two (2) wells located in S26, T02N, R18E (known as Lots 1 & 2, Owl Creek Subdivision) and one (1) well located in S35, T02N, R18E (known as Tax Lots 6108 & 6576) and will be used to irrigate 10 acres within Blaine County using a total diversion rate of 0.20 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before March 1, 1993.

R. Keith Higginson, Director

Publish: Wood River Journal--February 10 & 17, 1993.

7-8 pt./ line tabular: .6/ pica
7-8 pt./ line successive insertion: .4/ pica

APR 11 1994

8565

ATTACHMENT TO T# 4049

Johnston Transfer 37-2644F



Part of place of use on Lot 2, Sprinkler nozzles elevated



Part of place of use on tax lot 6108 & 5576

APR 1 1 1994

AFFIDAVIT of PUBLICATION

RECEIVED
AUG 10 1995
Department of Water Resources
Southern Region

State of Idaho
County of Lincoln } ss.

Patty Nance, 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, County of Lincoln, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 2 day of August, 19 95, and the date of the last publication was on the 9 day of August, 19 95.

Patty Nance

Subscribed and sworn to before me this 9th day of August, 19 95

(SEAL)

Norma DeVon
NOTARY PUBLIC

9744/5746
LINCOLN COUNTY JOURNAL
Shoshone, Idaho

OK MB 8/23/95

COST OF PUBLICATION

Number of Picas per Line
Number of Lines in Notice
Number of Insertions 2 x

RECEIVED
OCT 03 1995

affidavit fee 2.00

	Lines tabular at		6¢/Pica
534	Lines straight at	26.70	5¢/Pica
534	Subsequent lines at	21.36	4¢/Pica

TOTAL COST 50.06

COPY OF NOTICE
(Paste Here)

Not. Prop. Water Right Chng.
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

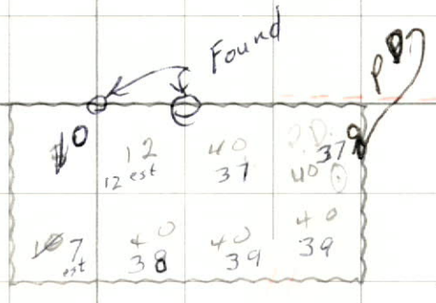
State ID Dept. Water
BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that JAMES A. WHITTAKER, 498 E 670 S.; DIETRICH ID 83324 has applied to the Department of Water Resources to change the following described water right pursuant to Section 42-222 of IDAHO CODE and further described as Transfer No. 4656.

The purpose of this application is to change the Point of Diversion and change the place of use.

WATER RIGHT AS RECORDED:
Water Right No. 37-02644A
Basis: License, Transfer No. 3514
Date of Priority: 10/31/1960
Amount: 3.78 cfs
Source: groundwater
Use: irrigation 4/1-10/31
Point of Diversion: NW1/4NE1/4, S11, T7S, R18E; Lincoln County.
Place of Use: 191 acres within SE1/4NE1/4, S10, T7S, R18E; W1/2NE1/4, NW1/4, S11, T7S, R18E.
A claim has been filed in the Snake River Basin Adjudication.
CHANGES AS FOLLOWS:
Point of diversion: NW1/4NW1/4NW1/4, S11, T6S, R19E; Lincoln County.
Place of use: 191 acres within SW1/4, S2, T6S, R19E; SW1/4NE1/4, E1/2NW1/4, S11, T6S, R19E.
Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of $25.00 on or before August 21, 1995. The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director
Published in the Lincoln County Journal on 8/2 & 8/9/95.



86

123

209

Area - 209A

Rubd - 7

Q = allow 4.18 cfs

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.


R 18 E
60.0
18.8
VV
18.8
44
8.3
8.3
44
14.7
TT
4.7
SS
9.6
9.6
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AA
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WW 6.4
WW
6.4
29
XX
2.9
YY 10.4
YY
10.4
ZZ 7.3
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CCC
16.7
16.7
CCC
DDD
25.7
DDD 25.7
EEE
12.4
EEE 12.4
FFF 12.9
FFF
12.9
GGG
33.4
BBB 33.4
HHH
6.8
6.8
HHH
OO
9.3
OO 9.3
AAA 17.6
AAA
17.6
BBB
30.4
BBB 30.4
29/10
17 12
14 13

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 20th day of June, 1966, at Boise, County of Ada, State of Idaho, before Sharron Deroin, Notary Public, at 224 Idaho Building, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29110, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Cliff M. DeVaney, 688 Blue Lakes Boulevard, North, Twin Falls, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is NW¼NE¼, Section 11, T7S.-R18E, B.M.

5. The place where said water is used is E½NE¼, Section 10; W½-NE¼, NW¼, Section 11, T7S-R18E, B.M.

6. The date of priority which said user is prepared to establish is 10/31/60.

CARL E. TAPPAN
State Reclamation Engineer
Ap28-My19

RECEIVED
JUN 2 1966
Department of Reclamation

RECEIVED
MAY 31 1966
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO LAND OFFICE
BOISE, IDAHO

AFFIDAVIT OF PUBLICATION

LINCOLN COUNTY JOURNAL
SHOSHONE, IDAHO

John H. George,
being first duly sworn, says that he is the
Publisher of
the Lincoln County Journal, a newspaper published weekly at Shoshone, Idaho, having legal publication rights within the State of Idaho, and that the notice, a true copy of which is hereto attached, was published in said newspaper for 4 consecutive weeks, beginning with the issue of

April 28, 1966
and ending with the issue of

May 19, 1966

John H. George

Subscribed and sworn to before me this

27th day of May, 1966

Doreen W. Boller
Notary Public, Shoshone, Idaho

29110

ROBERT E. SMYLIE
Governor

CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

RECEIVED
MAY 10 1966
Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 20th day of June, 1966, at Boise, County of Ada, State of Idaho, before Sharron Deroin, Notary Public, at 224 Idaho Building, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29110, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Cliff M. DeVaney, 688 Blue Lakes Boulevard, North, Twin Falls, Idaho.
2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 6.4 cubic feet per second.
3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is 6.4 cubic feet per second.
4. The point of diversion of said water is NW¼NE¼, Section 11, T7S.-R18E, B.M.
5. The place where said water is used is E½NE¼, Section 10; W½-NE¼, NW¼, Section 11, T7S-R18E, B.M.
6. The date of priority which said user is prepared to establish is 10/31/60.

CARL E. TAPPAN
State Reclamation Engineer
Ap28-My19

Permit No. G-29110

April 19, 1966

RECEIVED
MAY 16 1966
Department of Reclamation

lln County Journal
one, Idaho

emen:

Enclosed you will find a legal notice which we to have published for four consecutive weeks prior to une 20, 1966. The expense of the cation is to be paid by Idaho Land & Appraisal Service ox 2161, Boise, Idaho to whom you should sh proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish office with a copy or tear sheet of the notice for checking ast one week prior to the first publication.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

Please send us a complete copy of the legal notice.

M. Russell Bosch

M. Russell Bosch
Office Manager

29110

NAME OF APPLICANT Cli[redacted]M. DeVaney

Form No. 0

T 7 S - R 18 E., B.M., Idaho

O P D

Sec. 10 S. 11

Permit Map No. 29110
As Approved
NOV 7 1960
GEO. M. CARTER
State Reclamation Engineer

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 70065

This is to certify that: JAMES A WHITTAKER
498 E 670 S
DIETRICH ID 83324
(208)731-4651

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

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
37-8063	WR/License	01/06/1983	2 cfs	1124 af	N/A	281.0	GROUND WATER
37-2644A	WR/Decreed	10/31/1960	3.78 cfs	764 af	N/A	191.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-8063	NO	NO	YES	NO	NO	NO
37-2644A	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-8063	**37-8063**	2.00 cfs	1124 af	281.0	658.0		N/A	N/A	N/A	N/A
37-2644A	**37-2644A**	3.78 cfs	764 af	191.0	658.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		**4.95 cfs**	**1888 af**	**472.0**	**658.0**		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 14 day of April, 20 03

For Chief, Water Allocation Bureau

MICROFILMED MAY 2 1 2003

SCANNED APR 2 1 2003

WATER RIGHT NO. 37-2644A
As Modified by Transfer No. 70065

In accordance with the approval of Transfer No. 70065, Water Right No. 37-2644A is now described as follows.

Right Holder: JAMES A WHITTAKER
498 E 670 S
DIETRICH ID 83324

Priority Date: October 31, 1960

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	3.78 CFS	764.0 AF
			3.78 CFS	764.0 AF

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER NENWNE Sec. 11 Twp 07S Rge 18E LINCOLN County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 18E 10	25.0			26.0													51.0
07S 18E 11	39.0	40.0	37.0	37.0	38.0	32.0	40.0	40.0	30.0				31.0	31.0			395.0
07S 18E 12					40.0	32.0	40.0	36.0	32.0	32.0							212.0

Total Acres: 658

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

2. Prior to the diversion and use of water under Transfer approval 70065, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

3. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

MICROFILMED SCANNED
MAY 2 1 2003 APR 2 1 2003

WATER RIGHT NO. 37-2644A
As Modified by Transfer No. 70065

CONDITIONS OF APPROVAL

5. This right is limited to the irrigation of 191 acres within the place of use described above in a single irrigation season.

6. Rights 37-2644A and 37-8063 when combined shall not exceed a total diversion rate of 4.95 cfs.

7. Use of this right is combined with water from American Falls Reservoir Dist. No. 2

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

9. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when the surface water delivered to this property are not sufficient for the proper irrigation thereof.

10. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 14 day of April, 20 03

For Chief, Water Allocation Bureau

MICROFILMED
MAY 2 1 2003

SC
APR 2 1 2003

WATER RIGHT NO. 37-8063
As Modified by Transfer No. 70065

In accordance with the approval of Transfer No. 70065, Water Right No. 37-8063 is now described as follows.

Right Holder: JAMES A WHITTAKER
498 E 670 S
DIETRICH ID 83324

Priority Date: January 06, 1983

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	2.00 CFS	1,124.0 AF
			2.00 CFS	1,124.0 AF

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER NENWNE Sec. 11 Twp 07S Rge 18E LINCOLN County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 18E 10	25.0			26.0													51.0
07S 18E 11	39.0	40.0	37.0	37.0	38.0	32.0	40.0	40.0	30.0				31.0	31.0			395.0
07S 18E 12					40.0	32.0	40.0	36.0	32.0	32.0							212.0

Total Acres: 658

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

2. Prior to the diversion and use of water under Transfer approval 70065, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

3. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

5. This right is limited to the irrigation of 281 acres within the place of use described above in a single irrigation season.

MICROFILMED

MAY 2 1 2003

APR 2 1 2003

WATER RIGHT NO. 37-8063
As Modified by Transfer No. 70065

CONDITIONS OF APPROVAL

6. Rights 37-2644A and 37-8063 when combined shall not exceed a total diversion rate of 4.95 cfs.

7. Use of this right is combined with water from American Falls Reservoir Dist. No. 2

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

9. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when the surface water delivered to this property are not sufficient for the proper irrigation thereof.

10. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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

Dated this 14 day of April, 20 03

For Chief, Water Allocation Bureau

MICROFILMED
MAY 2 1 2003
SCANNED
APR 2 1 2003

RECEIVED
MAR 2 8 2003
Department of Water Resources

Transfer No. 70065
Receipt No.S025109

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

1. Applicant Information JAMES A WHITTAKER
498 E 670 S
DIETRICH ID 83324
(208)731-4651

Will this transfer result in an ownership change? No

2. Current Water Right **Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acres	Total	Source
37-8063	WR/License	2.00	1,124.0	281.0		GROUND WATER
37-2644A	WR/License	3.78	764.0	191.0		GROUND WATER

3. Purpose of Transfer (Change Proposed) **Part 3A Attached for Each Proposed Right**
Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-8063	NO	NO	YES	NO	NO	NO
37-2644A	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes
Show how the well has been used in conjunction with canal water since farm was converted mostly to pivot irrigation in 1990. Pivots added some land that was not formerly irrigated, but some land outside the pivots has been taken out of production. Farm has 480 American Falls Res. District #2 shares. Well supplements the canal water as needed.

4. FOR CHANGES IN NATURE OF USE ONLY
A. Describe the expected quantity of the return flows and location of discharge after the proposed change

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

5. Total Amounts Transferred

	Rate	Acres	Total	Volume
37-8063	2.00 cfs	281.0	658.0	1,124.0 af
37-2644A	3.78 cfs	191.0	658.0	764.0 af
TOTAL	4.95 cfs	472.0	658.0	1,888.0 af

MICROFILMED
MAY 2 1 2003
SCANNED
JAN 2 2 2003

70065

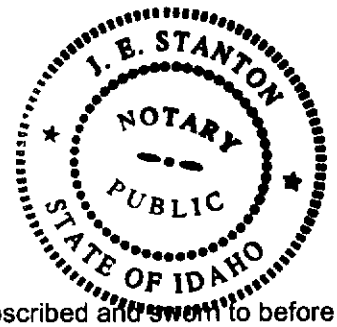
Transfer No. 70065
Receipt No.S025109

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



James A. Whittaker
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 24th day of July, 2002.

J E Stanton
(Notary Public)

My commission expires 10-25-2006

SCANNED
MICROFILMED JAN 22 2003
MAY 21 2003

Transfer No. 70065
Receipt No.S025109

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

Current Water Right No. 37-8063

Priority Date: January 06, 1983
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	3/15	11/15	2.00 CFS	1,124.0 AFA	
	Total Diversion		2.00 CFS	1,124.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER NWNE Sec. 11 Twp 07S Rge 18E LINCOLN County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 18E 10	40.0			33.0													73.0
07S 18E 11	40.0			40.0		28.0			20.0				40.0	40.0			208.0

Total Acres: 281

Conditions/Remarks:

1. The maximum combined rate of diversion under this right & Right No. 37-2644 shall not exceed 5.35 cfs.

2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

MICROFILMED
MAY 2 1 2003
SCANNED
JAN 2 2 2003

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

SCANNED
MICROFILMED JAN 2 2 2003
MAY 2 1 2003

Transfer No. 70065
Receipt No.S025109

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

Current Water Right No. 37-2644A

Priority Date: October 31, 1960
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/15	11/15	3.78 CFS	764.0 AFA	
	Total Diversion		3.78 CFS	764.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER NENWNE Sec. 11 Twp 07S Rge 18E LINCOLN County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 18E 10				7.0													7.0
07S 18E 11		29.0	29.0		37.0	12.0	38.0	39.0									184.0

Total Acres: 191

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

2. USE OF THIS RIGHT WITH RIGHT NO. 37-8063 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.95 CFS.

3. RIGHT NO. 37-8063 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

4. USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS RESERVOIR DIST. NO. 2.

SCANNED
MICROFILMED JAN 2 2 2003
MAY 2 1 2003

T70065

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Well water & canal water have been co-mingled on this farm since 1990.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

SCANNED
MICROFILMED JAN 22 2003
MAY 21 2003

Transfer No. 70065
Receipt No.S025109

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

Proposed Water Right No. 37-8063

Priority Date: January 06, 1983
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/15	11/15	2.00 CFS	1,124.0 AFA	
	Total Diversion		2.00 CFS	1,124.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NENWNE	Sec. 11 Twp 07S Rge 18E LINCOLN County

Describe the proposed diversion system

Point of Diversion # 1 Existing well, motor, pump, joint mainline with canal shares, sprinklers

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 18E 10	25.0			26.0													51.0
07S 18E 11	39.0	40.0	37.0	37.0	38.0	32.0	40.0	40.0	30.0				31.0	31.0			395.0
07S 18E 12					40.0	32.0	40.0	36.0	32.0	32.0							212.0

Total Acres: 658

SCANNED
MICROFILMED
JAN 2 2 2003
MAY 2 1 2003

Transfer No. 70065
Receipt No.S025109

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

Proposed Water Right No. 37-2644A

Priority Date: October 31, 1960
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/15	11/15	3.78 CFS	764.0 AFA	
	Total Diversion		3.78 CFS	764.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER NENWNE Sec. 11 Twp 07S Rge 18E LINCOLN County

Describe the proposed diversion system
Point of Diversion # 1 Existing well, motor, pump, mainline tied into pump for canal shares, sprinklers

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 18E 10	25.0			26.0													51.0
07S 18E 11	39.0	40.0	37.0	37.0	38.0	32.0	40.0	40.0	30.0				31.0	31.0			395.0
07S 18E 12					40.0	32.0	40.0	36.0	32.0	32.0							212.0

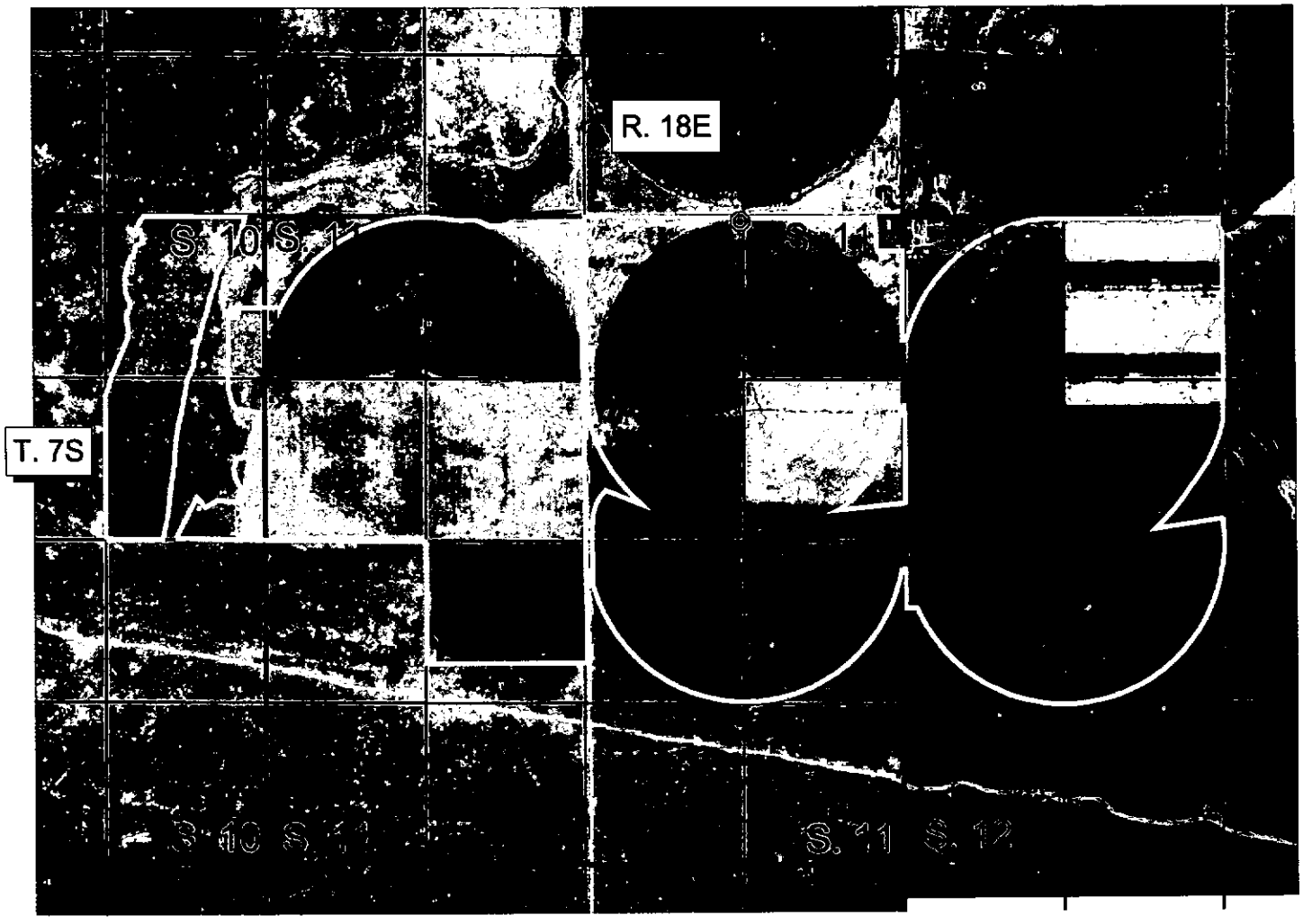
Total Acres: 658

MICROFILMED SCANNED
MAY 2 1 2003 JAN 2 2 2003

T70065

IDAHO DEPARTMENT OF WATER RESOURCES

APP FOR TRANSFER - James Whittaker



Section Lines

Quarter/Quarter Lines

General Location: The well is located 5 mi S & 2 miles W of Dietrich

Existing Supplemental Well

Proposed PPU

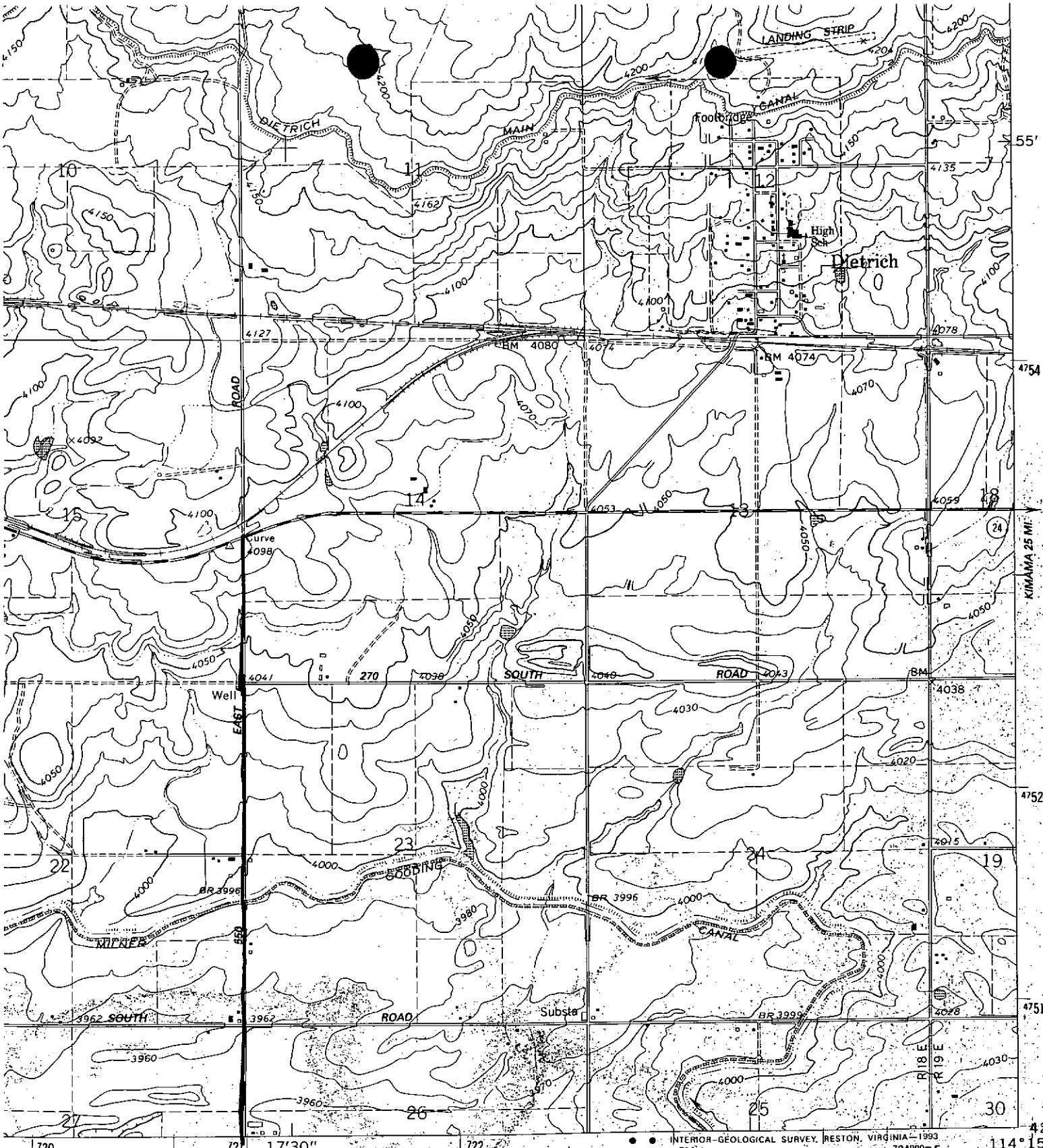
SCANNED
JAN 2 2 2003

N
W
E
S

MICROFILMED
MAY 2 1 2003

Prepared By J E Stanton 1-9-2003

1986/87 NAPP Data



INTERIOR-GEOLOGICAL SURVEY, RESTON, VIRGINIA—1993

ROAD CLASSIFICATION

Primary highway, hard surface

Secondary highway, hard surface

Light-duty road, hard or improved surface

Unimproved road

Interstate Route U. S. Route State Route

1 MILE

5000 6000 7000 FEET

1 KILOMETER

EET
IM OF 1929

CCURACY STANDARDS
L SURVEY
N, VIRGINIA 22092

SCANNED

JAN 2 2 2003

IDAHO

QUADRANGLE LOCATION

MICROFILMED

MAY 2 1 2003

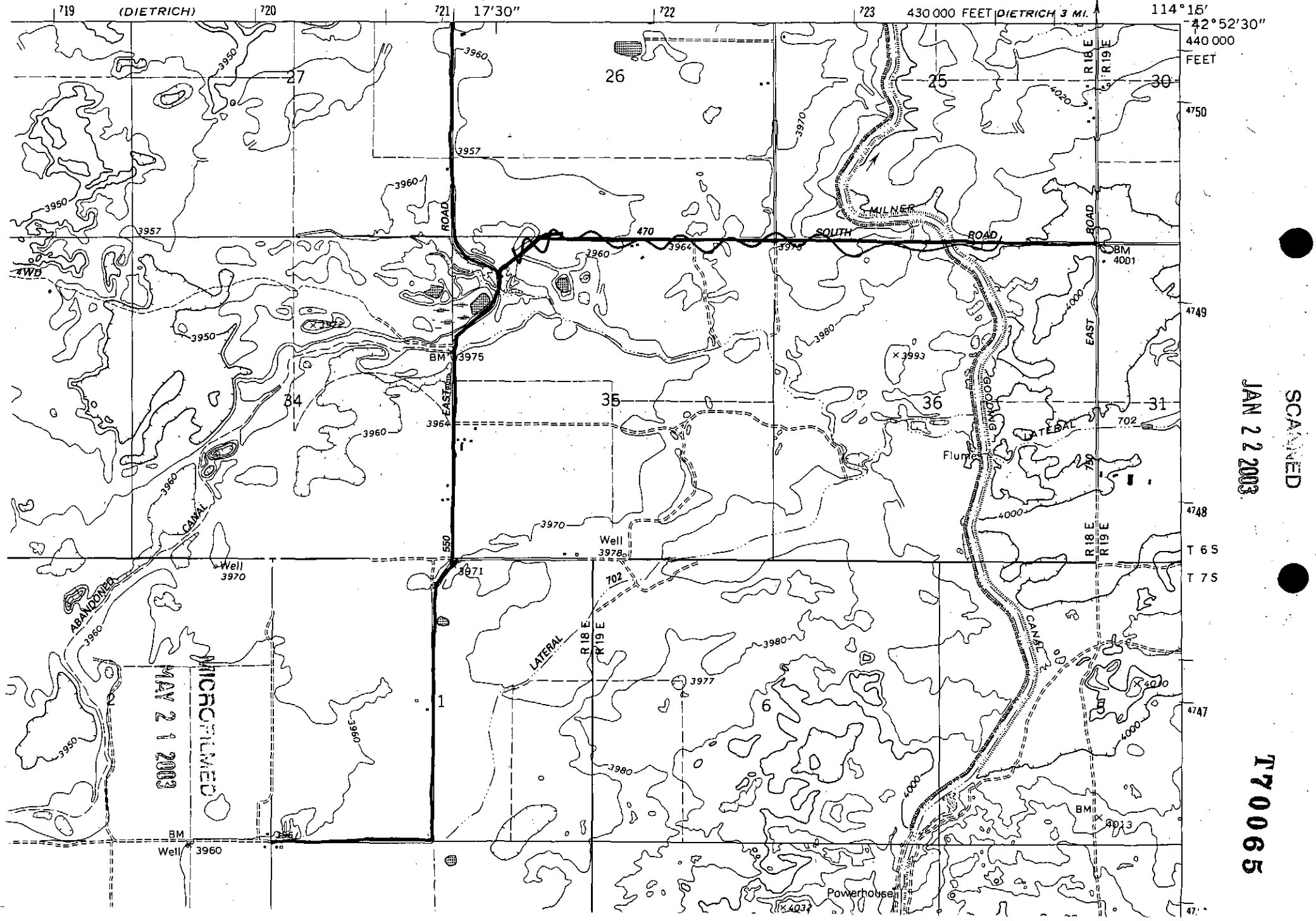
T70065

DIETRICH, IDAHO

42114-H3-TF-024

1971

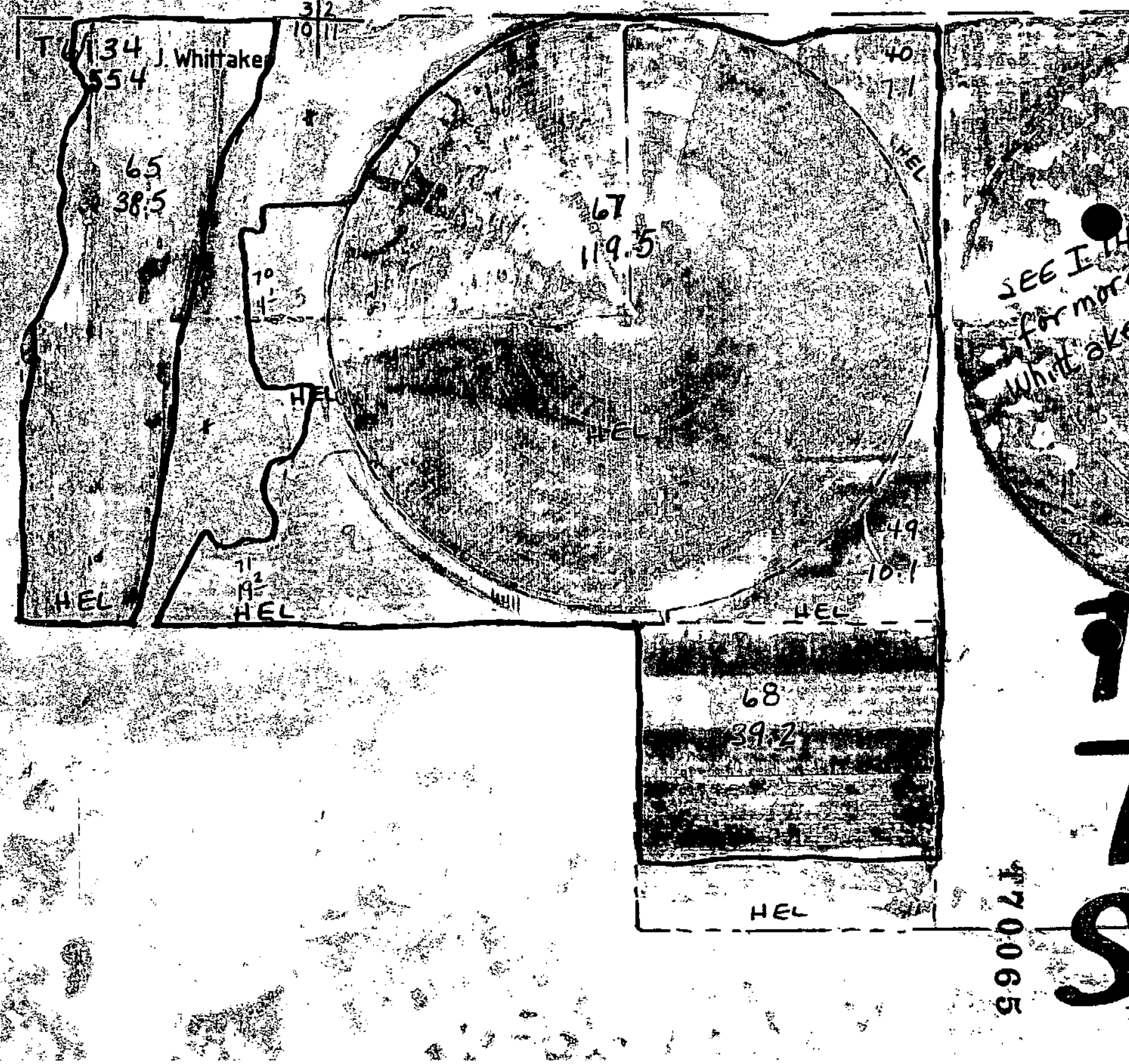
SHOSHONE SE QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)



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JAN 22 2003
MICROFILMED
MAY 21 2003
T70065

1992 photo

H-13



MICROFILMED
MAY 2 1 2003
SCANNED
JAN 2 2 2003



	POA	POD
37[illegible]3	669933	575818
07-2644A	674988	575824

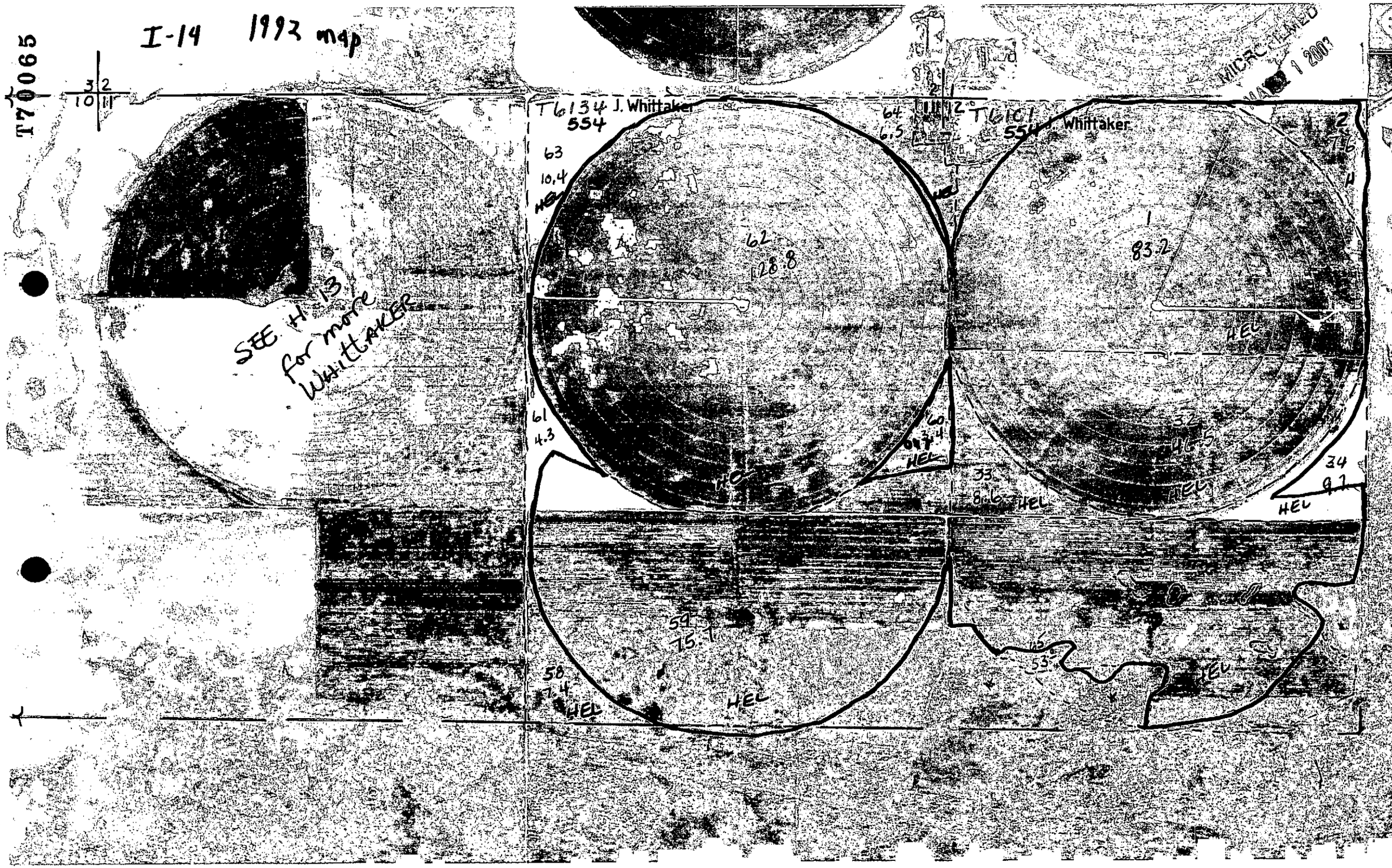
SCANNED
JAN 22 2003

MICROFILMED
MAY 21 2003

T70065

T70065

I-14 1993 map



CHECK PAYABLE TO:
LN COUNTY TAX COLLECTOR
QUIROGA
OX 725
ONE, ID 83352

2001 TAX BILL/RECEIPT

BILL# 3258 CODE AREA 38-00

PARCEL NUMBER
RP07S18E122400A

1ST HALF DUE		2ND HALF DUE		FULL DUE	
408.69	TAX	408.69	TAX	817.38	
	LATE		LATE		
	INT		INT		
	COST		COST		
	TOT		TOT		

L	78,050
I	23,969
TOT MV	102,019
HM-	11,985
NET MV	90,034
TOT ACS	240.000

WHITTAKER JAMES A
168 SOUTH 1150 EAST
DIETRICH ID 83324

NW, N1/2SW
12-7-18

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
LINCOLN COUNTY	.003298191	296.94
D SCHOOL 314	.002654269	238.96
DIETRICH HWY 5	.001246303	112.20
LIN CEMETERY	.000222760	20.06
DIETRICH FIRE	.001987943	23.82
RECREATION DIST	.000370970	33.40
DISTRICT TOTAL	.009780436	725.38
SOLID WASTE		92.00
AMOUNT DUE		817.38

MICROFILMED
MAY 2 1 2003
SCANNED
JAN 2 2 2003

T70065

CHECK PAYABLE TO:
)LN COUNTY TAX COLLECTOR
' QUIROGA
,OX 725
HONE, ID 83352

2001 TAX BILL/RECEIPT

PARCEL NUMBER
RP07S18E100000A

BILL# 3255 CODE AREA 45-00 L 4,210

1ST HALF DUE		2ND HALF DUE		FULL DUE		TOT MV	4,210
27.34	TAX	27.34	TAX	54.68			
	LATE		LATE				
	INT		INT				
	COST		COST				
	TOT		TOT			TOT ACS	80.000

WHITTAKER JAMES A
168 SOUTH 1150 EAST
DIETRICH ID 83324

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
LINCOLN COUNTY	.003298191	13.88
S SCHOOL #312	.007979455	33.58
SHOSHONE HWY 2	.001120756	4.72
LIN CEMETERY	.000222760	.94
DIETRICH FIRE	.001987943	
RECREATION DIST	.000370970	1.56
AMOUNT DUE	.014980075	54.68

E1/2NE
10-7-18

MICROFILMED
MAY 2 1 2003
SCANNED
JAN 2 2 2003

T70065

CHECK PAYABLE TO:
)LN COUNTY TAX COLLECTOR
QUIROGA
OX 725
ONE, ID 83352

2001 TAX BILL/RECEIPT

PARCEL NUMBER
RP07S18E110005A

BILL# 3256 CODE AREA 38-00 L 169,930

1ST HALF DUE		2ND HALF DUE		FULL DUE		TOT MV	169,930
757.08	TAX	757.08	TAX	1,514.16			
	LATE		LATE				
	INT		INT				
	COST		COST				
	TOT		TOT			TOT ACS	440.000

WHITTAKER JAMES A
168 SOUTH 1150 EAST
DIETRICH ID 83324

N1/2, NESW & N1/2SE
11-7-18

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
LINCOLN COUNTY	.003298191	560.46
D SCHOOL 314	.002654269	451.04
DIETRICH HWY 5	.001246303	211.78
LIN CEMETERY	.000222760	37.84
DIETRICH FIRE	.001987943	
RECREATION DIST	.000370970	63.04
DISTRICT TOTAL	.009780436	1,324.16
NS WATER DIST		190.00
AMOUNT DUE		1,514.16

MICROFILMED
MAY 21 2003
SCANNED
JAN 22 2003

T70065

2002 DEC 11 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 37-02644A

NAME AND ADDRESS: JAMES A WHITTAKER
498 E 670 S
DIETRICH, ID 83324

SOURCE: GROUND WATER

QUANTITY: 3.78 CFS
764.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 37-8063 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.95 CFS.

PRIORITY DATE: 10/31/1960

POINT OF DIVERSION: T07S R18E S11 NENWNE Within Lincoln County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	3.78 CFS 764.00 AFY

PLACE OF USE: Irrigation Within Lincoln County

T07S R18E S10	SENE 7.0		
S11	NWNE 29.0	SWNE 29.0	
	NENW 37.0	NWNW 12.0	
	SWNW 38.0	SENW 39.0	

191.0 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED
MAY 2 1 2003

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2003

JAMES A WHITTAKER
498 E 670 S
DIETRICH ID 83324

RE: Transfer No.:70065 - Water Rights 37-2644A, 37-8063 -Transfer Approval Notice

Dear Water Right Holder(s):

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

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

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

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's homepage on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

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

MICROFILMED
MAY 2 1 2003

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

Sincerely,

Pamela S Skaggs

for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

MICROFILMED
MAY 2 1 2003

CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 70065

WATER RIGHTS 37-8063, 37-2644A

JAMES A WHITTAKER
498 E 670 S
DIETRICH ID 83324

Kari Lynn Townsend
Secretary

MICROFILMED
MAY 2 1 2003

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICROFILMED
MAY 2 1 2003

FINAL ORDER

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

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

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

FORM 22a
9/96

IDWR TRANSFER ANALYSIS SHEET

APPLICANT James A. Whittaker TRANSFER NO. 70065

1. Right number(s) 37-2644A 37-8063

2. Type of right
   - ✓ Decree
   - ✓ License
   - ___ Statutory Claim
   - ___ SRBA Beneficial Use Claim

3. Purpose of transfer
   - ___ Change P/D
   - ___ Add P/D
   - ✓ Change P/U
   - ___ Change N/U
   - ___ Change Source
   - ___ Split Right
   - ✓ Other: Create ppu w/ginal shares

4. Check Existing Right:
   - ✓ Source
   - ✓ Priority
   - ✓ Amount
   - ✓ Purpose
   - ✓ Period
   - ___ SRBA Claim
   - ✓ Description of original point(s) of diversion
   - ✓ Description of original place of use
   - ✓ Overlapping rights on original place of use

Comments: _____

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

___ Also see attached memo for more analysis information

a. ✓ All of right

b. ___ Part of right (*NOTE: Part B should be filled in only if part of right is owned by the applicant*)

c. ✓ Description of point(s) of diversion

d. ✓ Description of place of use

e. ✓ Map showing P/D & P/U after transfer

f. ✓ Correct notarized signature and $100 fee

g. ✓ Proof of ownership of right &/or land from which water is transferred

h. ✓ Expansion in use of right - Comments: None requested

70065

i. √ Existing rights from same source, on land water is being transferred to; right number(s): _____

All in Transfer

j. N/A SRBA claim(s) - Comments (*NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain*) _____

k. √ Comment letters √ Yes ___ No
If yes √ Water District # 130
___ Lienholder, others, see #2 below for name and address

INITIAL ALLOCATION REVIEW BY JF Martin DATE 1-9-03
SRBA SUPERVISOR REVIEW BY _____ DATE _____
PUBLICATION REVIEW BY _____ DATE _____

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

2. COMMENT LETTERS Copy of Pg 1 to AJ ✓ Yes 1/23/03

Watermaster recommendation requested on _____, Received on _____

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

_____

3. Transfer published correctly? ✓ Yes ___ No

4. Affidavit of publication received? ✓ Yes ___ No

5. Protests received? ___ Yes ✓ No; Acknowledgement sent? ___ Yes

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

RECOMMENDED ACTION

1. ✓ Approve

2. ___ Deny due to _____

_____

3. Conditions (special conditions in Water Districts) _____

_____

___ Also see attached memo for recommendation dated: _____

4. By _____ Date 3/25/03

TRANSFER REVIEW SHEET

Trans # 70065 **Date Reviewed** 1-8-03

Right No(s).* 37-2644A 37-8063 _____ _____ _____ _____ _____

Split? _Y ✓N _Y ✓N _Y _N _Y _N _Y _N _Y _N _Y _N

AREA OF CONCERN: No/Yes Y

PURPOSE OF TRANSFER FOR EACH RIGHT:
Change p/d Change use period Change p/u
Add p/d Change nature of use

RightID's of From & To records correct? ___Y ___N **(resolve with S.O.)**
Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U ____ **Lien Holder Release** N/A

GROUNDWATER:
DRILLING PERMIT
All wells (046)
DP upgrade req'd __Y __N (contact GW)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

SUPPLEMENTAL - 065-104 (where irrigation is the only use)
SUPPLEMENTAL - 100-105 (where there are other uses besides irrigation)

WITHIN ESPA - 113-114-116 (mitigation)
- 115 (meas. Device)

SURFACE WATER:
WD - R05 (WD# _____) WM comments rec'd ____
≤ 0.20 cfs/others - R02, 01P or No MD
> 0.20 cfs - R43
~~WD~~, SPRINGS/SINK, INACTIVE WD & REST OF STATE
≤ 0.24 cfs/5 acres - No MD
>0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON _____ to _____ (use X61 if extended season)
STANDARD VOLUME _____ af/ac
CONSUMPTIVE USE VOLUME _____ af/ac

USES:
STORAGE - 18C-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
Volume only - R58/R59/R60/R61
STOCKWATER - R37 (all BLM/USFS)
MINING - 054-106
FISH PROP - 029 (70's basins only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077
DAIRY - 082 (zoning if a concern)-106-WD8

USES:
POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN – 007-109-X64
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
- 27A (Payette River)
>1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:
T07 - 1 yr to develop
T08 - comply or rescind
T17 - >1 pd, measure all (use w/ WB4)
T18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19
Water Quality - 106-R07

X27 - Number of acres/season in ppu
X35 – Combined totals of multiple rts

X49 - measure p/'d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
X55 - (transfer shrinks total water to less ac)
004 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X62 - replaces N11 and N13
X63 - replaces C12
WB4 - + p/ds, cfs & afa (used with T17)
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01M)

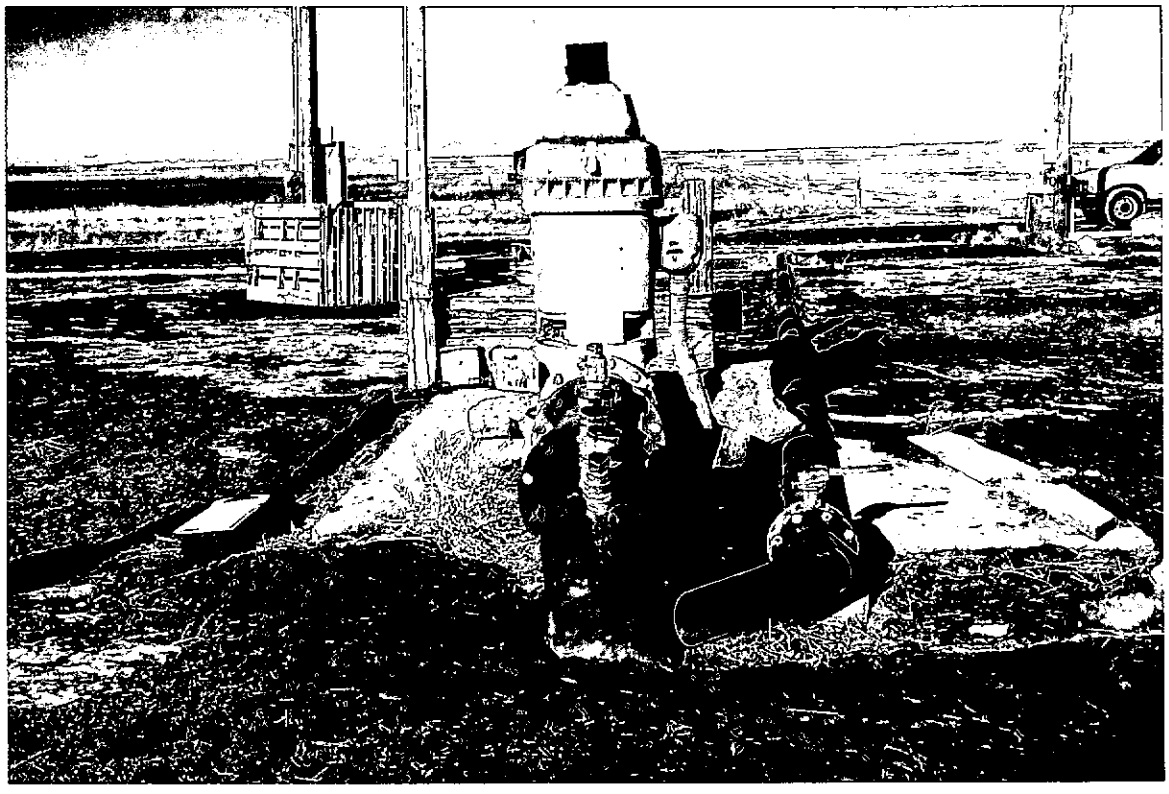
Apply one to chg'd & unchg'd rts that are subject to SRBA:
T09 - on-going SRBA (no Dir Rpt or Recomm yet)
T19 - replaces C18 (if at Recommendation or Partial Decree stage)

T20 – use only on unchg'd rts not subject to SRBA

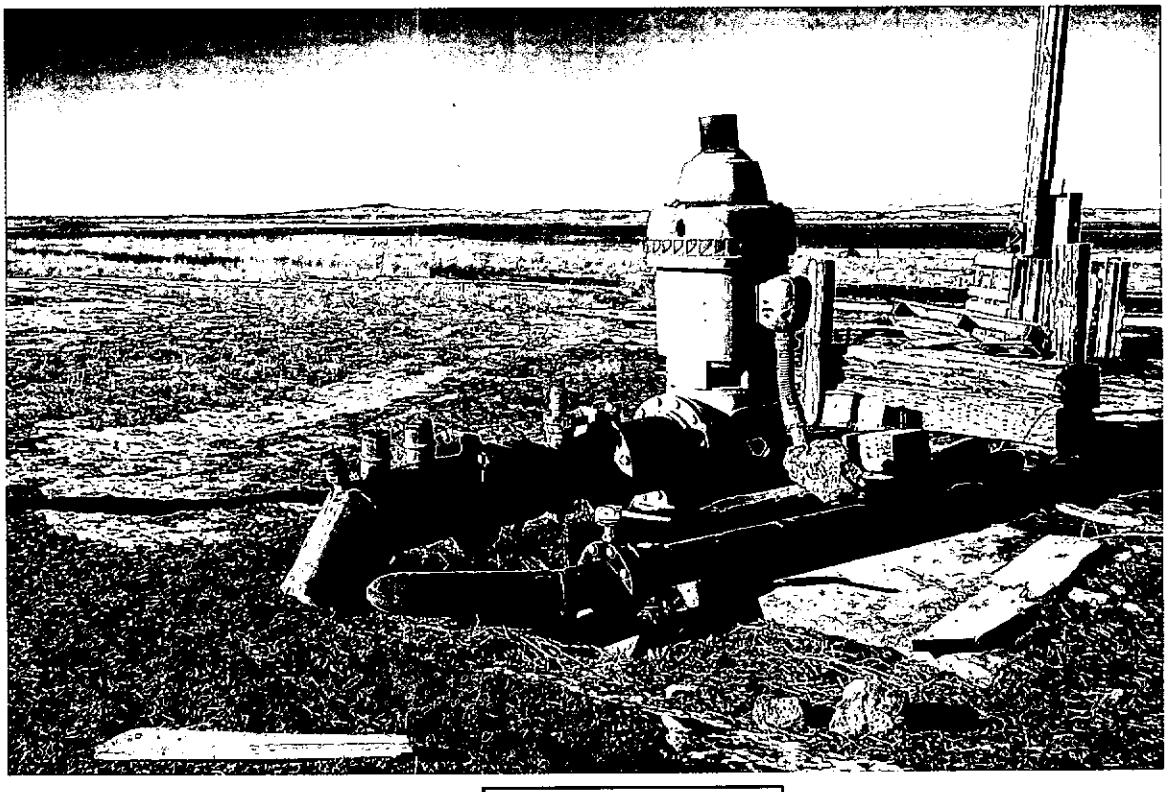
OTHER CONDITIONS/REMARKS _____

COMMENTS _____
Database files updated _____ **Approval form printed** ✓ **Shape files created** ✓
Special Mailing Instructions (cc's, etc) _____
Final database update after approval 28 ***Comment to WR No(s).** NA

4-14-03

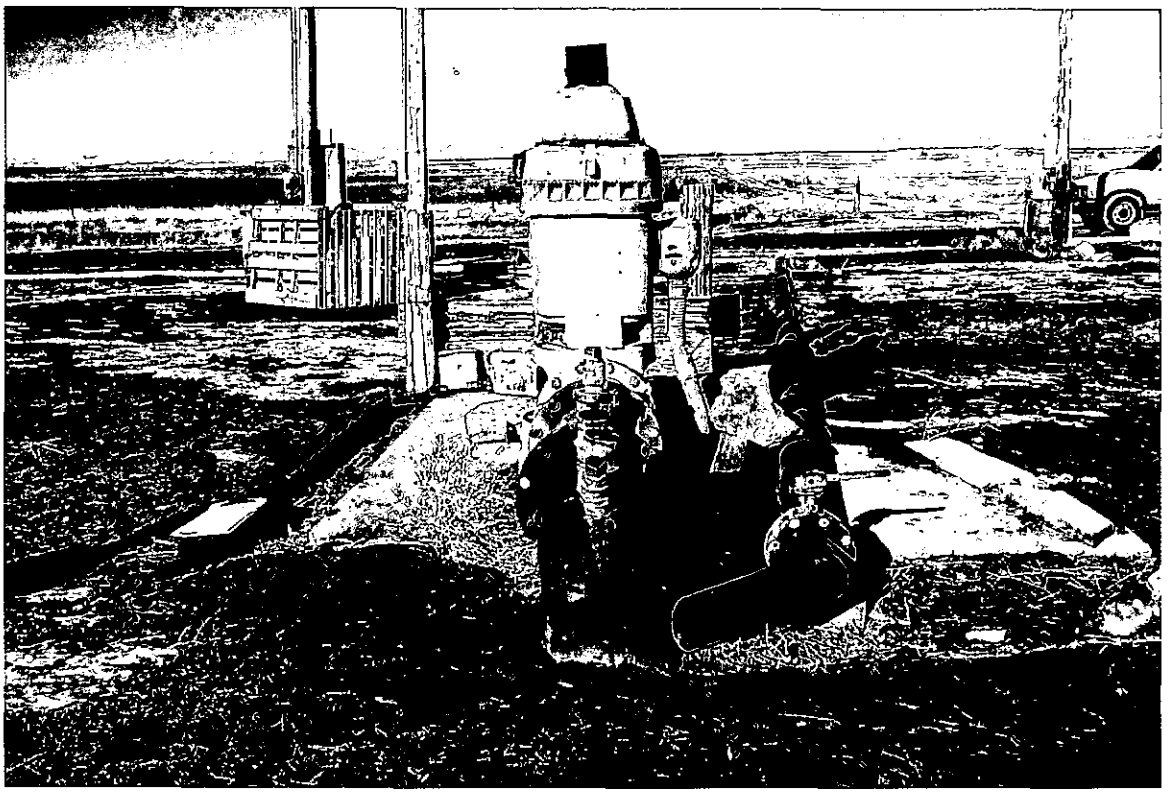


James Whittaker Well, 37-2644A (T. 70065) Looking North
By J E Stanton 1-8-2003

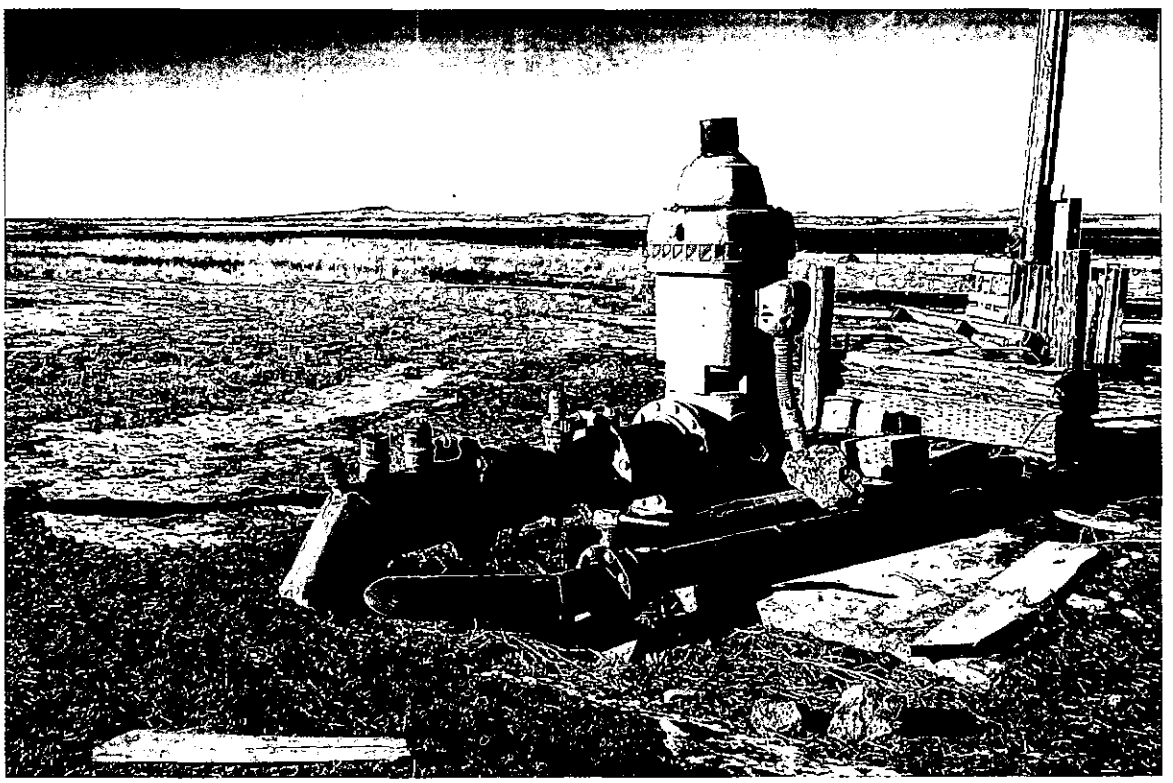


Same Looking NW

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James Whittaker Well, 37-2644A (T. 70065) Looking North
By J E Stanton 1-8-2003



Same Looking NW

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MAY 2 1 2003

FILE PROGRESS SUMMARY CA # 70065

APPLICANT: James A. Whittaker WATER RIGHT NO. 37-2644A etc

INIT.	DATE	COMMENT
ceh	7/25/02	Stuffed to Jim Stanton
JS	1-9-03	To Mary for adv.
MB	1/21/03	Adv. Sch LJ 1/30 + 2/6/03; 2/18/03
MB	1/22/03	Scanned file onto A012; ltr to app.
MB	2/14/03	Pub aff rec (2/11/03)
MB	2/25/03	Back to JS for DRAFT APPROVAL Doc
JS	3-20-03	Draft approval created & stored on A012. To ADM
ADM	3/25/03	checked SDE POU & PD - OK
ADM	3/25/03	Corrected draft approval on A012
ADM	3/25/03	To MB & forward to S.O.

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No: Transfer 70065
Water Right No: 37-8063, 37-2644A
Applicant Name: James Whittaker

Watermaster's Recommendation:

a) ___ I do not oppose approval of this application

b) _X_ I do not oppose approval of this application if it is conditioned as follows:

(R05) Watermaster jurisdiction, Water District 130
(115) Measuring device required (recommend use of condition which references available variance)

c) ___ I oppose approval of this application for the following reasons:

d) _X_ Additional comment:

Per recent satellite imagery, 2002 irrigated area is consistent with proposed pou.

Dated: March 26, 2003

Water District 130

Cindy J Yenter, Watermaster

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MAY 2 1 2003

SCANNED
MAR 2 6 2003

AFFIDAVIT of PUBLICATION

RECEIVED

FEB 11 2003

Department of Water Resources
Southern Region

State of Idaho } ss.
County of Lincoln }

Norma DeVoe, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, 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 30th day of January, 2003, and the date of the last publication was on the 6th day of February, 2003.

Norma DeVoe

On this 6th day of February, in the year of 2003, before me, a Notary Public, personally appeared Norma DeVoe, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

SHELLEY STURGEON
Notary Public
State of Idaho

Shelley Sturgeon
Notary Public for Idaho
Residing at Jerome
My commission expires: 12/3/05

LINCOLN COUNTY JOURNAL
Shoshone, Idaho

OK
MB
2/14/03

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2X

_____ Lines tabular at _____ 8.0¢/Pica
414.56 Lines straight at 29.02 7.0¢/Pica
414.56 Subsequent lines at 24.87 6.0¢/Pica
Affidavit Fee: 2.50
TOTAL COST 56.39

COPY OF NOTICE

(Paste Here)

Whittaker
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
IDWR

BILL TO

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Lincoln County: JAMES A.WHITTAKER, 498 E 670 S; DIETRICH ID 83324 filed Application No. 70065 on 7/24/02 for diversion of a combined total of 4.95 cfs from ground water. This application proposes to legalize an existing permissable place of use created in 1990 by co-mingling water from a private irrigation well and 400 shares of surface water from American Falls Reservoir District No. 2. The well is located 5 miles South and 2 miles West of Dietrich. For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of $25.00 for each application on or before February 18, 2003. The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director
PUB: 1/30 - 2/6 L45426

Nº 7351

45426

SCANNED

MICROFILMED FEB 25 2003

MAY 21 2003

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

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JAMES A WHITTAKER, 498 E 670 S; DIETRICH ID 83324 filed Application No. 70065 on 7/24/02 for diversion of a combined total of 4.95 cfs from ground water. This application proposes to legalize an existing permissable place of use created in 1990 by co-mingling water from a private irrigation well and 400 shares of surface water from American Falls Reservoir District No. 2. The well is located 5 miles South and 2 miles West of Dietrich.

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Karl J. Dreher, Director

Published in the Lincoln County Journal on 1/30 & 2/6/03.

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MAY 2 1 2003

OK ADM 1/22/03

mb-norma-LCJ-electronic-cover

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

Phone: 736-3033 Fax#: 736-3037

January 22, 2003

ATTN: Norma
MAGIC VALLEY PUBLISHING
Lincoln County Journal
PO BOX 468
JEROME ID 83338

Dear Norma:

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

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

Sincerely

Mary Baldwin

Mary A. Baldwin
Administrative Assistant

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MAY 2 1 2003

Baldwin, Mary

From: Baldwin, Mary
Sent: Wednesday, January 22, 2003 3:52 PM
To: Yenter, Cindy (Hodges)
Cc: Baldwin, Mary
Subject: NEW transfer apps

FYI and/or comment:

Jacob Bosma (Bliss Acres) has filed Transfer No. 70250 on some Basin 37 rights to change point of diversion NE of the existing dairy.

James Whittaker has filed Transfer No. 70065 on some Basin 37 rights basically to legalize an existing permissible place of use.

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MAY 2 1 2003

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 22, 2003

JAMES A. WHITTAKER
498 E 670 S
DIETRICH ID 83324

RE: Application for **Transfer No. 70065**

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your application. Please refer to the number in all correspondence regarding the above referenced application.

This office has scheduled advertising the application in the **Lincoln County Journal on 1/30 & 2/6/03.** The advertisement will be published for two weeks, and **a period of ten calendar days following the second publication will be allowed for the submittal of protests. (February 18, 2003)**

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

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

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

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

Sincerely,

Mary Baldwin

Mary A. Baldwin
Administrative Assistant

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MAY 2 1 2003

Comment Report

Application ID 70065

1. jstanton 1/8/2003 9:44:35 AM Special Administration Area Notes
Comment: Special Administration Areas : North Snake GW District
Exempt: N
Reason:
Doc Attached:
Explanation:

2. jstanton 1/8/2003 Legal Notice Remarks
Comment: This application proposes to legalize an existing permissable place of use created in 1990 by co-mingling water from a private irrigation well and 400 shares of surface water from American Falls Reservoir District No. 2. The well is located 5 miles south and 2 miles west of Dietrich.

3. jstanton 1/8/2003 Comment/Analysis
Comment: I have reviewed recent FSA slides on this farm, and the application reflects the place of use as shown on the slides.
Today I visited the property accompanied by the applicant. We looked at the well, and he explained the system operation to me. The well originally had a 150 hp main motor and a 150 hp booster motor; there was a 75 hp relift pump for canal water that enters the east side of the property. Both sources go into a common mainline to feed 5 pivots and various handlines. Whittaker has now piped the canal water downhill to the property, creating about 55 psi; the 75 hp pump has been replaced by a 40 hp booster to maintain proper operating pressure. The booster motor has been removed from the well, so the well pumps 3.58 cfs according to a 1998 measurement and PCC determination. Water from the well runs south a few feet in a 12" mainline before that line goes underground to the main part of the system. A 6" line comes off of the 12" line, running back north maybe 20 feet before splitting on the surface; both branches go to various corner handlines. So there appears to be 3 operating conditions - water going to 12" mainline only, water going to 6" line only, or water going to both.

With regard to the measuring-device requirement, I told Whittaker that one will be required but that he could petition to have the requirement removed. His normal practice is to use the canal water first, as he spent a lot of money improving that system; it is also cheaper to operate than the well. He said that the delivery of canal water is pretty reliable, but that he still needs the well at times during the summer. I have modified Condition 065 to allow this, as I do not think we have legal grounds to stop it; please review. Both of these rights allow 4.0 afa/ac to be diverted, but this will never happen under normal conditions. It would be a considerable expense to Mr. Whittaker if he had to install a mag meter on the 12" mainline, and we have not required this before. But since there appears to be several different operating conditions for this well, a flow meter of some kind may be needed to accurately

SCANNED
MICROFILMED JAN 2 2 2003
MAY 2 1 2003

conditions for this well, a flow meter of some kind may be needed to accurately determine actual diversion volume.

Authority To File: The applicant is the owner of record.

Water Right Validity: The original right on this system was recently decreed in the SRBA, and the later right was licensed after 1990. The applicant has voluntarily reduced the flow rate of the well, and the allowed volume is probably never used. But these are supplemental rights, so I see no reason to reduce the flow or volume at this time.

Injury To Other Rights: The present use has existed for over 10 years without any complaints from the neighbors that I am aware of, so there does not appear to be evidence of injury to other rights. The applicant has reworked his system to minimize the use of ground water on his property, so it is likely that he actually using less ground water now than he was in 1987.

Enlargement Of Use: No issues identified; see previous paragraph.

Local Public Interest: No issues identified.

Beneficial Use/Conservation of Water Resources: As previous stated, the irrigation system on this farm has been reworked to use all water sources as efficiently as possible.

Review of the application finds no clear inconsistency with criteria set forth in Sec. 42-222 I. C. preventing processing of this application.

4. jstanton 1/9/2003 8:04:23 AM Special Administration Area Notes
Comment: Special Administration Areas : Eastern Snake Plain Aquifer
Exempt: N
Reason:
Doc Attached:
Explanation:

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MAY 2 1 2003
SCANNED
JAN 2 2 2003

T70065

ATTACHMENT ____ TRANSFER 70065

RIGHT NO	TNS	RNG	SEC	NE NE	NE NW	NE SW	NE SE	NW NE	NW NW	NW SW	NW SE	SW NE	SW NW	SW SW	SW SE	SE NE	SE NW	SE SW	SE SE	
	7S	18E	10	25			26													51
			11	39	40	37	37	38	32	40	40	30				31	31			395
			12					40	32	40	36	32	32							212
																				668

Corrected POU - 2002 FSA data

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MAY 2 1 2003

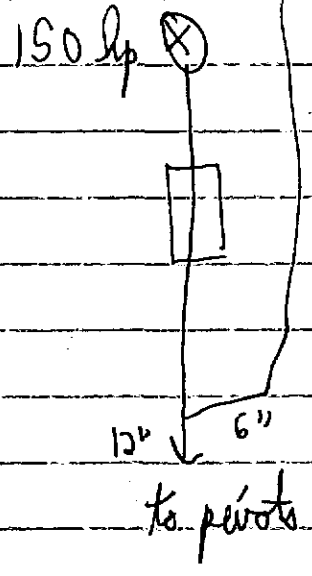
SCANNED

JAN 2 2 2003

T70065

east & west wells w/ submersible pumps

to handlines ⟷ to handlines (both at same time)



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MAY 2 1 2003

WATER RIGHT NUMBER	NAME	CFS
37-02644	SPLIT INTO PARTS A - F BY 5 TRANSFERS APPROVED 11/89.	
37-02644A	WHITTAKER , JAMES A	3.78
37-02644B	ENGELMANN , EARL	0.04
37-02644C	WHITING II , HENRY	0.07
37-02644D	ENGELMANN , EARL	0.02
37-02644E	WELLS , TOMMY	0.07
37-02644F	THIS RIGHT SPLIT INTO PARTS G, H AND J THRU TRANSFER NO. 4049.	
37-02644G	JOHNSTON , HARRY E	0.06
37-02644H	JOHNSTON , HARRY E	0.06
37-02644J	JOHNSTON , HARRY E	0.08

OCT 03 1995

PARTS G/H/I

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4049
WATER RIGHT NO(S). 37-02644G/37-02644H/37-02644J

This is to certify that: **HARRY E JOHNSTON**
7825 FAY AVE SUITE 231
LA JOLLA CA 92037

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

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Right No. 37-02644G :			
IRRIGATION	04/15 to 10/15	0.06 CFS	10.5 AF
Right No. 37-02644H :			
IRRIGATION	04/15 to 10/15	0.06 CFS	10.5 AF
Right No. 37-02644J :			
IRRIGATION	04/15 to 10/15	0.08 CFS	14.0 AF
	TOTAL:	**0.20 CFS**	**35.0 AF**

DATE OF PRIORITY:
Right No. 37-02644G/H/J : 11/16/1989

LOCATION OF POINT(S) OF DIVERSION:

Right No. 37-02644G/H : SWSW , Sec. 26, Township 02N, Range 18E, BLAINE County
Right No. 37-02644J : NWNW , Sec. 35, Township 02N, Range 18E, BLAINE County

PLACE OF USE: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
Right No. 37-02644G :				
02N 18E 26	SWSW 2.9	SESW 0.1		3.0
		Subtotal number of acres irrigated:		3.0
Right No. 37-02644H :				
02N 18E 26	SWSW 0.2	SESW 0.1		0.3
35	NENW 1.4	NWNW 1.3		2.7
		Subtotal number of acres irrigated:		3.0
Right No. 37-02644J :				
02N 18E 26	SWSW 0.3			0.3
35	NWNW 3.7			3.7
		Subtotal number of acres irrigated:		4.0
		TOTAL NUMBER OF ACRES IRRIGATED:		**10.0**

SOURCE

GROUNDWATER

RECEIVED
APR 11 1994

TRANSFER NO. 4049
WATER RIGHT NO(S). 37-02644G/37-02644H/37-02644J

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
4. Right Nos. 37-02644G, 37-02644H and 37-02644J shall not exceed combined totals of 10 acres, 0.20 cfs and 35.0 afa.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

Dated this 8th day of March, 1994.

Chief, Water Alloc. Bureau

APR 11 1994

Form 222
1-87

Page 1 of 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4049

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED
AUG 07 1991
Department of Water Resources
Southern Region Office

PART 1

Name of applicant Harry E. Johnston Phone

Post Office address 7825 Fay Ave, Suite 231, La Jolla, CA 92037

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other
2. Describe the reason for the proposed changes Original transfer did not correctly describe the place of use & diversion system

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

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
~~37-02644F~~	~~11-16-1989~~	~~0.20 cfs~~	~~Irrig.~~	~~4-1 to 11-1~~
37-02644G	11-16-1989	0.06 cfs	Irrig.	4-1 to 11-1
* 37-02644H	11-16-1989	0.06 cfs	Irrig.	4-1 to 11-1
37-02644J	11-16-1989	0.08 cfs	Irrig.	4-1 to 11-1

2. Total amount of water being transferred 0.20 cubic feet per second and/or 30 acre-feet per annum.
3. Source of water Groundwater tributary to
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	SW	26	2N	18E	Blaine	Wells for Lots 1 & 2, Owl Creek Subdiv. (Part G)(Part H)
	NE	NW	NW	35	"	"	"	Well for Tax Lots 6108 & 6576, (Part J)

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
~~2N~~	~~18E~~	~~26~~											~~3.9~~	~~.2~~					~~4.1~~
		35					1	4.9											5.9
2N	18E	26											2.9	.1					3 Part G
Part H		26											.2	.1					0.3 Part H
		35					1.4	1.3											2.7
Part I		26											.3						.3 Part I
		35						3.7											3.7

* Line-outs & edits per telecon 12/16/92 by DJ Total acres 10

PART 1

6. General Information:

a. Description of diversion system 3 unconnected wells for 2 subdivision lots & 2 tax lots, sprinklers, (3 systems)

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

No affect. Original land description was incorrect.

d. Remarks:

P/U is Lots 1 & 2 of Owl Creek Subdiv., & Tax Lots 6108 & 6576. The two suddivision lots each have about 3 irrigated acres. The two tax lots contain about 4 irrigated acres Total.

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 ____.

APR 1 1 1994

Page _____ of _____ TRANS NO. 4049

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. **37-02644F**

STAGE: LICENSE

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	03/15 to 11/15	0.20 CFS

SOURCE

GROUNDWATER

Priority: 11/16/1989

LOCATION OF POINT(S) OF DIVERSION: SWSWSW , Sec. 26, Township 02N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
02N	18E	26	SWSW	10			10
					Total number of acres irrigated:		10

CONDITIONS/REMARKS:

1. The use of water on the lands to which the above referenced water rights were appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water rights.
2. TRANS. 3546. THE PRIORITY DATE OF THIS RIGHT IS SET TO THE DATE OF APPROVAL OF THIS TRANSFER & SHALL BE JUNIOR TO ALL EXISTING WATER RIGHTS IN USE AT THE TIME OF SAID APPROVAL. THE DIRECTOR RETAINS JURISDICTION OF THIS TRANSFER UP TO 5 YEARS FOR THE PURPOSE OF DETERMINING POTENTIAL INJURY TO EXISTING RIGHTS IN THE VICINITY OF THE TRANSFERRED POINT OF DIVERSION.

APR 11 1994

 Transfer No. 4049

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

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

   c. Claim No. A37-02644F on file with the Idaho Department of Water Resources.

   d. Transfer No. 3546 which produced this right.

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

   ☐ Tax Notice ☑ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 11/16/1989

5. Water is used for the following purpose:

   amount 0.20 (cfs/ac-ft) for Irrigation purposes from 4/1 to 11/1
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 0.20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SW	26	2N	18E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	18E	26											10						10

APR 11 1994

Total acres 10

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

PART 2

Transfer No. 4049

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

APR 1 1994

Transfer No. 4049

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. _____ Decreed to _____
      in case of _____ vs. _____
      dated _____ in _____ county of _____
   b. License No. 37-02644F issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. 3546 which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
   ☐ Tax Notice ☒ Warranty Deed ☐ Other _____
3. Source of water Groundwater tributary to _____
4. Date or priority 11-16-1989
5. Water is used for the following purpose:
   amount 0.20 cfs (cfs/ac-ft) for Irrig. purposes from ~~4-1~~ 3-15 to 11-15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right 0.20 cubic feet per second and/or 30 acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SW	26	2N	18E	Rhine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	18E	26											10						10
																APD 7-1-90			

Total acres 10

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

PART 2

Transfer No. 4049

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
																			100

Total acres _____



APR 11 1994

T #4049

T # 4049

NOTES

1. A 10' Public Utility Easement is centered on interior lot lines and adjacent to exterior lot lines.
2. Areas east of Broadford Slough may be above projected 100-year floodplain.
3. No Conditional Use Permit is needed from the County for construction within the designated building envelopes, provided that the top of foundation walls are two feet above the LR F However, construction outside of designated envelopes shall require further study and review as requested by Blaine County.
4. Driveways shall be situated away from curves or bends in Broadford Road for traffic safety purposes.
5. Utilities shall be installed underground. Developer shall provide to lot lines.

OCTOBER 19..

100 50 0 100 200 500
SCALE IN FEET

well A
well B
well C

Part H

Part G

Part J

Unplatted

Vacated Townsite

Vacated Townsite

LOT 2
646 A
355 Broadford Road

Broadford Road

Pine Street

Lake

Slough

Lot 2

BLOCK 1

351 Broadford Road

Well A

Well B

Well C

Found 1/2" Rebar, Set B.C.

T.P.O.B.

J.U.B. 1972

Basis of Bearings
Broadford Road

(Cottonwood Street)

(Cross Street)

Broadford Townsite

S 48°15'00"E 170.00'

S 21°30'00"E 200.00'

N 68°30'00"E 200.00'

S 68°30'00"W 460.00'

N 48°15'00"W 170.00'

N 21°30'00"W 630.00'

S 21°30'00"E 564.00'

N 68°30'00"E 256.00'

N 68°30'00"E 800.00'

N 68°30'00"E 400.00'

N 21°30'00"W 370.00'

S 68°30'00"W 400.00'

N 68°30'00"E 460.00'

N 21°30'00"W 448.28'

S 68°30'00"W 460.00'

N

APR 11 1994

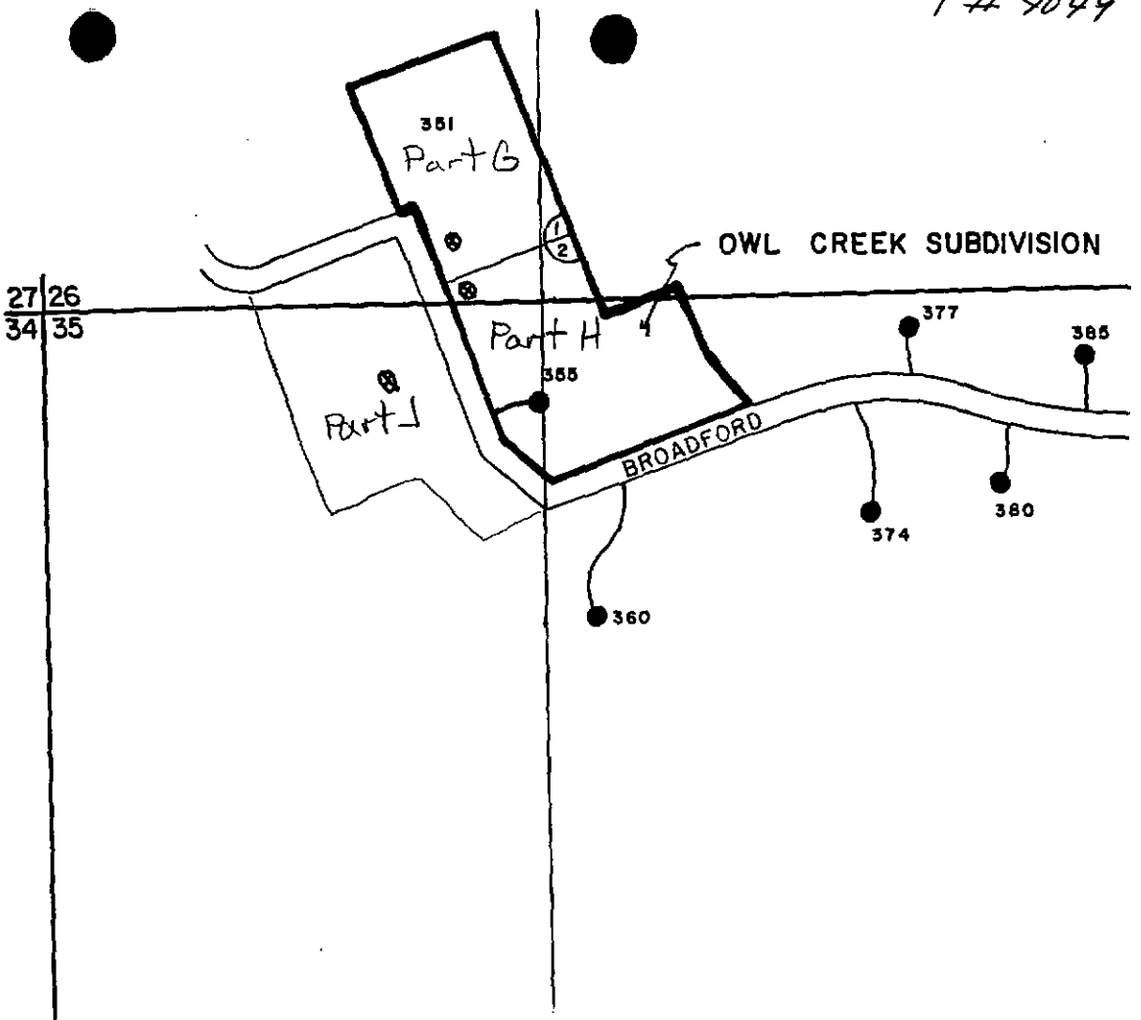
LEGEND

- Found 5/8" Rebar by J.K., 1976
- Set 5/8" Rebar, L.S. 3621
- Brass Cap
- Found 1/2" Rebar by J.K., 1976
- Found Aluminum Cap by J.K., 1976
- Set 1/2" x 24" Rebar capped L.S. 3621
- Building Envelope
- Approximate 100-year Floodplain (Intermediate Regional Floodplain)

OWL CREEK SURV...
GALENA ENGINEE...
KETCHUM, IDAHO
SHEET 1 OF ...

Page 1 of 8

T# 4049



KREIGER -

RECEIVED
APR 11 1994

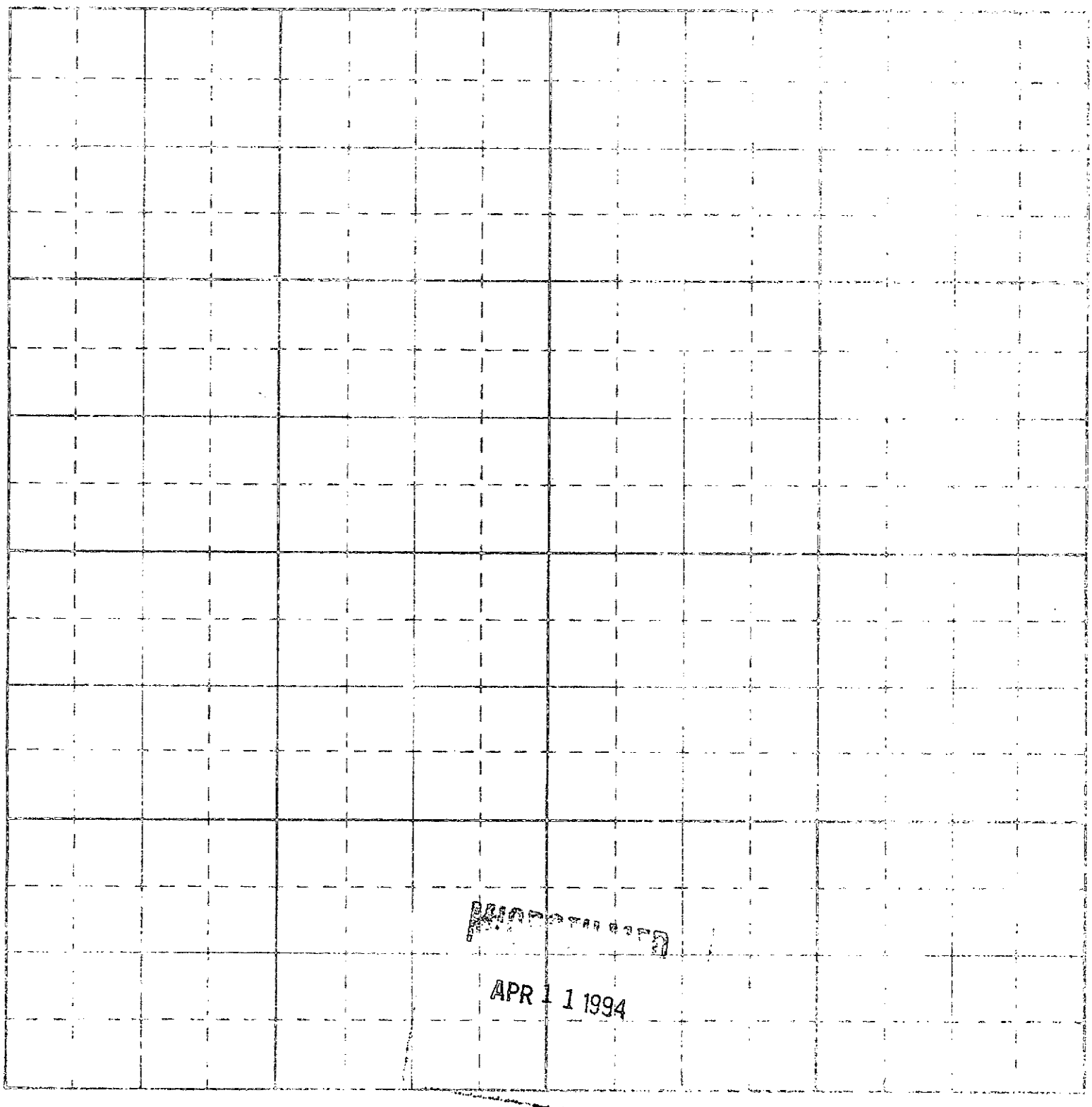
Transfer No. 4049

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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



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

Transfer No. 4049

PART 3

B. CHANGES IN NATURE OF USE

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

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

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

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

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

(Signature of Applicant)

Subscribed and sworn to before me this 7th day of August, 19 91.

(Notary Public)

My commission expires 7-18-1995

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 2 attachments

Received by J.F. Stanton Date 8-7-91 Protest filed by

Prelim. check by DJ Fee $30.50/36/5

Receipted by JJ Date 8-7-91

Published in Wood River Journal Copies of protest forwarded by

Pub. dates 2/10 & 2/17/93 Hearing held by Date

Watermaster recommendation requested on N/A Recommended for ☑ approval ☐ denial

rec'd. by

Copy of transfer sent to lien holder

APR 11 1994

(2) 1st Purchase Lot #2 Part of Lot #1

13423

Courtesy of SAWTOOTH TITLE CO., Inc.

WARRANTY DEED

For Value Received JIM W. KOONCE and LOIS M. KOONCE, husband and wife, as to an undivided 60% interest; JAN E. RODDY, a single woman, as to an undivded 20% interest, AND JAMES E. ROBINSON, a single man, as to an undivided 20% interest,

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

HARRY E. JOHNSTON, Trustee under Declaration of Trust dated October 30, 1980.

whose address is: 7300 Eads Avenue, LaJolla, CA 92037

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

RECEIVED
AUG 12 1991
Department of Water Resources
Southern Region Office

See Attached "Exhibit A"

1st Purchase
Owl Creek
Lot #2
Part of 1

BLAINE CO. REQUEST OF
SEP 13 PM 4 08
MARIE IVIE, CLERK
FEES $ 4.00 DEPUTY

266592

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: September 9, 1985

Jim W. Koonce
Jim W. Koonce

Jan Roddy
Jan E. Roddy

Lois M. Koonce
Lois M. Koonce

James E. Robinson
James E. Robinson

STATE OF IDAHO , COUNTY OF BLAINE

On this day of September 19 85 before me, a notary public in and for said State, personally appeared Jim W. Koonce and Lois M. Koonce, husband and wife; Jan E. Roddy, a single woman, and James E. Robinson, a single man,

known to me to be the person s whose name s are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public
Residing at Hailey , Idaho
Comm. Expires

STATE OF IDAHO, COUNTY OF

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

at minutes past o'clock m., this day of , 19 , in my office, and duly recorded in Book of Deeds at page

Ex-Officio Recorder

By Deputy.

Fees $
Mail to:

APR 11 1994

T #4446

EXHIBIT "A"

A parcel of land within the SW¼ of Section 26 and the NW¼ of Section 35, Township 2 North, Range 18 East, Boise Meridian, and the TOWNSITE OF BROADFORD (now vacated), Blaine County, Idaho, more particularly described as follows:

COMMENCING at an iron pin marking the Southeast corner of Block 51, said BROADFORD TOWNSITE, which point lies South 84°08'03" E., 1885.97 feet from an iron pin set by JAMES PATTERSON, and recognized as the Northwest corner of said Section 35, and said former iron pin being the REAL POINT OF BEGINNING; thence

N. 48°15'00" W., 170.00 feet along the Northwest Boundary of said Block 51 to an iron pin and aluminum cap at the Southeast corner of Lot 21, said Block 51, BROADFORD TOWNSITE; thence

N. 21°30'00" W., 200.00 feet along said Northeast Boundary of Block 51 to the intersection of the centerline of Galena Street with the Northeast Boundary of BROADFORD TOWNSITE; thence

S. 69°30'00" W., 200.00 feet along said centerline of Galena Street to an iron pin at the intersection of the centerlines of Galena and Water Streets, said BROADFORD TOWNSITE; thence

N. 21°30'00" W., 400.00 feet along the centerline of Water Street to an iron pin at the intersection of the centerlines of Water and Cross Street, said BROADFORD TOWNSITE; thence

S. 69°30'00" W., 360.00 feet along the centerline of said Cross Street to the Northeast Boundary of Cottonwood Street, said BROADFORD TOWNSITE; thence

S. 21°30'00" E., 600.00 feet along the Northeast Boundary of Cottonwood Street to an iron pin at the Southwest corner of Lot 21, Block 40, said BROADFORD TOWNSITE; thence

S. 48°15'00" E., 170.00 feet along the Northeast Boundary of said Cottonwood Street to an iron pin at the South corner of Lot 23, Block 40, said BROADFORD TOWNSITE; thence

N. 69°30'00" E., 560.00 feet along said Northwesterly Boundary of Pine Street to the POINT OF BEGINNING.

APR 1 1 1994

SUBJECT TO Reservations contained in Patent from the United States of America to George H. Parsons dated December 5, 1884 recorded in the records of Blaine County, Idaho, and the rights of others thereto entitled in and to the continued uninterrupted flow of Broadford Slough.

...der No. 13497

2nd Purchase – Lot #1 w. H part / 1st purchase

Courtesy of SAWTOOTH TITLE CO., Inc.

WARRANTY DEED

RECEIVED
AUG 12 1991
Department of Water Resources
Southern Region Office

For Value Received

BILLY QUINN

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto HARRY E. JOHNSTON, Trustee Under Declaration of Trust dated October 30, 1980

whose address is: 7300 Eads Avenue; LaJolla, CA 92037

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

Township 2 North, Range 18 East, Boise Meridian, Blaine County, Idaho.

Section 26: A tract of land more particularly described as follows:

Commencing at the Southwest corner of said Section 26, thence S. 40°52'24" E., 731.39 feet;
THENCE N. 21°30'00" W., 1770.00 feet;
THENCE N. 69°30'00" E., 400 feet;
THENCE S. 21°30'00" E., 770 feet;
THENCE N. 69°30'00" E., 360 feet to the TRUE POINT OF BEGINNING;
THENCE continuing N. 69°30'00" E., 400 feet;
THENCE S. 21°30'00" E., 400 feet;
THENCE S. 69°30'00" W., 360 feet;
THENCE N. 21°30'00" W., 30 feet;
THENCE S. 69°30'00" W., 40 feet;
THENCE N. 21°30'00" W., 370 feet to the TRUE POINT OF BEGINNING.

2nd Purchase Creek 1.0 ± ac plus part of 1st Purchase

THE ABOVE LEGAL DESCRIPTION WAS FORMALLY DESCRIBED AS:

All of Block 42 together with a portion of Alder Street, Water Street, Cross Street and Cottonwood Street, as shown on the vacated plat of Broadford Townsite, 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: September 24, 1985

Billy Quinn

STATE OF IDAHO , COUNTY OF BLAINE

On this day of September , 19 85 before me, a notary public in and for said State, personally appeared Billy Quinn

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

ALICE M. ROONEY NOTARY PUBLIC IDAHO

Notary Public

Residing at , Idaho

Comm. Expires

STATE OF IDAHO, COUNTY OF

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

at
this
19 , in
of Deeds

By

Fees $
Mail to:

SEP 30 PM 4 00
Deed
APR 11 1994

26710
Quitclaim Deed

3rd purchase = TL 6108 called Lot #3

13947

Courtesy of SAWTOOTH TITLE CO., Inc.

WARRANTY DEED

For Value Received

JERALD B. BUTLER, a single man; and BRUCE T. BUTLER and LINDA D. BUTLER, husband and wife

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

HARRY E. JOHNSTON, Trustee under Declaration of Trust dated October 30, 1980

whose address is: 7300 Eads Avenue, LaJolla, California 92037

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

SEE EXHIBIT "A" ATTACHED HERETO

SUBJECT TO easements and reservations of record in the office of the County Recorder of Blaine County, Idaho.

RECEIVED
AUG 12 1991
Department of Water Resources
Southern Region Office

3rd Purchase
called Lot #3
TL 6108

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: June 20, 1986

Bruce T. Butler

Jerald B. Butler

Linda D. Butler

STATE OF Idaho, COUNTY OF Blaine

On this 20th day of June, 1986, before me, a notary public in and for said State, personally appeared Jerald B. Butler, a single man; and Bruce T. Butler and Linda D. Butler, husband and wife

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they have executed the same.

Notary Public

Residing at Bellevue, Idaho

Comm. Expires 10/10/86

STATE OF IDAHO, COUNTY OF BLAINE

I hereby certify that this instrument was filed at the request of Sawtooth Title

JUN 24 PM 3 33

274223

Deed

Fee 4.00

IVIE, CLERK

DEPUTY

APR 11 1994

EXHIBIT "A"

parcel of land within the SW¼ of Section 26, and the NW¼ of Section 35, T. 2 N., R. 18 E.,B.M., and the Townsite of Broadford (now vacated), Blaine County, Idaho, more particular. described as follows:

COMMENCING at an iron pin marking the intersection of North Main and Minnie Moore Streets, said Broadford townsite, which pin lies South 62°07'39" East 919.23 feet from an iron pin set by James Patterson, and recognized as the Northwest corner of said Section 35, and said former pin being the REAL POINT OF BEGINNING;

THENCE North 69°30'00" East 150.00 feet along the centerline of said Minnie Moore Street, Townsite of Broadford;

THENCE North 21°30'00" West 97.00 feet along the Southwest boundary of that fraction of Lot 2, Block 21, said Townsite of Broadford owned by Woodville Walker to the Northwest corne of said fraction of Lot 2, Block 21;

THENCE North 69°30'00" East 50.00 feet along the Northwest boundary of said fraction of Lot 2, Block 21 to the Northeast corner of said fraction on the Northeast boundary of said Lot 2;

THENCE North 21°30'00" West 103.00 feet along the lot line common to said Lot 2 and Lot 39, Block 21, Broadford Townsite to the centerline of Galena Street;

THENCE North 69°30'00" East 160.00 feet along the centerline of said Galena Street to the Southwest boundary of Cottonwood Street, said Broadford Townsite;

THENCE North 21°30'00" West 370.00 feet along said Southwest boundary of Cottonwood Street to an iron pin at the North corner of Block 20, said Broadford Townsite;

THENCE South 69°30'00" West 360.00 feet along the South boundary of Cross Street to the centerline of North Main Street, said Broadford Townsite;

THENCE South 21°30'00" East 570.00 feet along the centerline of said North Main Street the POINT OF BEGINNING.

RECEIVED
AUG 12 1991
Department of Water Resources
Southern Region Office

APR 11 1994

sonally appeared
Jerald B. Butler, a single man

4th Purchase - TL 6576
Called Lot # 4

145 Courtesy of SAWTOOTH TITLE CO., Inc.

WARRANTY DEED

4th Purchase Called Lot #4 TL 6576

For Value Received

C. L. SCOFIELD and ELLEN M. SCOFIELD, husband and wife

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

H. E. JOHNSTON, Trustee for H.E.J. Trust

whose address is: 7300 Eads Ave. LaJolla, California 92037

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

Township 2 North, Range 18 East, Boise Meridian, Blaine County, Idaho,
Section 35: A parcel of land more particularly described as follows:
COMMENCING at an iron pin marking the Northwest corner of said Section 35;
THENCE South 40°32'24" East 731.39 feet to the Southwest corner of Lot 2, Block 1, Broadford Townsite;
THENCE North 69°30'00" East 520.00 feet to a point on the centerline of Minnie Moore Street, which point is the REAL POINT OF BEGINNING;
THENCE continuing North 69°30'00" East 40.00 feet along said Minnie Moore Street centerline;
THENCE North 21°30'00" West 200.00 feet along the Southwesterly boundary of Lot 39, Block 21 to the centerline of Galena Street;
THENCE North 69°30'00" East 160.00 feet along the centerline of said Galena Street to the Southwesterly boundary of Cottonwood Street;
THENCE South 21°30'00" East 200.00 feet along said Southwesterly boundary of Cottonwood Street to the centerline of said Minnie Moore Street;
THENCE South 48°15'00" East 170.00 feet along said Southwesterly boundary of Cottonwood Street to an iron pin marking the Easterly-most corner of Lot 37, Block 21;
THENCE South 69°30'00" West 200.00 feet along the Northwesterly boundary of Pine Street;
THENCE North 48°15'00" West 170.00 feet to the POINT OF BEGINNING.

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: September 22, 1986

C. L. Scofield

Ellen M. Scofield

STATE OF Idaho, COUNTY OF Blaine

On this 23 day of Sept., 19 86 before me, a notary public in and for said State, personally appeared

C. L. Scofield and Ellen M. Scofield, husband and wife

known to me to be the person s whose name s are subscribed to the within instrument, and acknowledged to me that they have executed the same.

LAUREN L. LACHANCE NOTARY PUBLIC STATE OF IDAHO

Notary Public

Residing at , Idaho

Comm. Expires 3/91

Sawtooth Title Co., Inc.
BLAINE CO.
REQUEST OF
'86 SEP 25 PM 3 44
MARIE IVIE, CLERK
FEES $ 9.00 DEPUTY

APR 11 1994

Form 222
1-87

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3546

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant Harry Johnston Phone 622-4100

Post Office address %John Burke, P.O. Box 326, Sun Valley ID 83353

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To obtain a ground water right for land without sufficient water rights.

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

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
(Part of) 37-2644 F	10/31/60	.20 cfs	Irrigation	3/15 to 11/15
				to
				to
				to

2. Total amount of water being transferred .20 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Ground water tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SW	26	2N	18E	Blaine	Owl Creek Subdivision-Broadford Rd.

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	18E	26											10						10

RECEIVED
JUN 27 1990

Total acres 10

PART 1

6. General Information:

a. Description of diversion system Deep well with a 3 HP submerssible turbine pump

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Not much change. Will irrigate with canal water.

d. Remarks:

Land is described as Lot 1, Block 1 of Owl Creek Subdivision and Tax Lot 6108 of Section 26, Township 1 North, Range 18 East, Boise Meridian.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-2644F

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

1. The priority date of this right is set to the date of approval of this transfer and shall be junior to all existing water rights in use at the time of said approval.

2. The director retains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights in the vicinity of the transferred point of diversion. 3. The use of water on the lands to which the above referenced water right was appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right.

Witness my hand this 16th day of November, 19 89

RECORDED JUN 27 1990

L. Glen Saylor

 Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. 37-2644 (Part of) _____ issued by the Idaho Department of Water Resources.

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

   d. Transfer No. Pending _____ which produced this right (# 4 of 4 pending transfers)

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

   ☐ Tax Notice ☒ Warranty Deed ☒ Other Agreement of Sale

3. Source of water Ground water tributary to _____

4. Date or priority 10/31/60

5. Water is used for the following purpose: Assumes approval of previously submitted transfer to Earl Engelman, et al

   amount 3.98 (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 3.98 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE		11	7S	18E	Lincoln	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	18E	10				7													7
		11		29	39		37	12	38	39									192

RECEIVED
JUN 27 1990

Total acres 199

9. Describe any other water rights used for the same purpose as described above American Falls Res. District

PART 2

Transfer No. _____

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 0.20 (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion: Same

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	18E	11			10														10

Total acres _____

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

1. amount 3.78 (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	18E	10				7													7
		11		29	29		37	12	38	29									182

Total acres 189

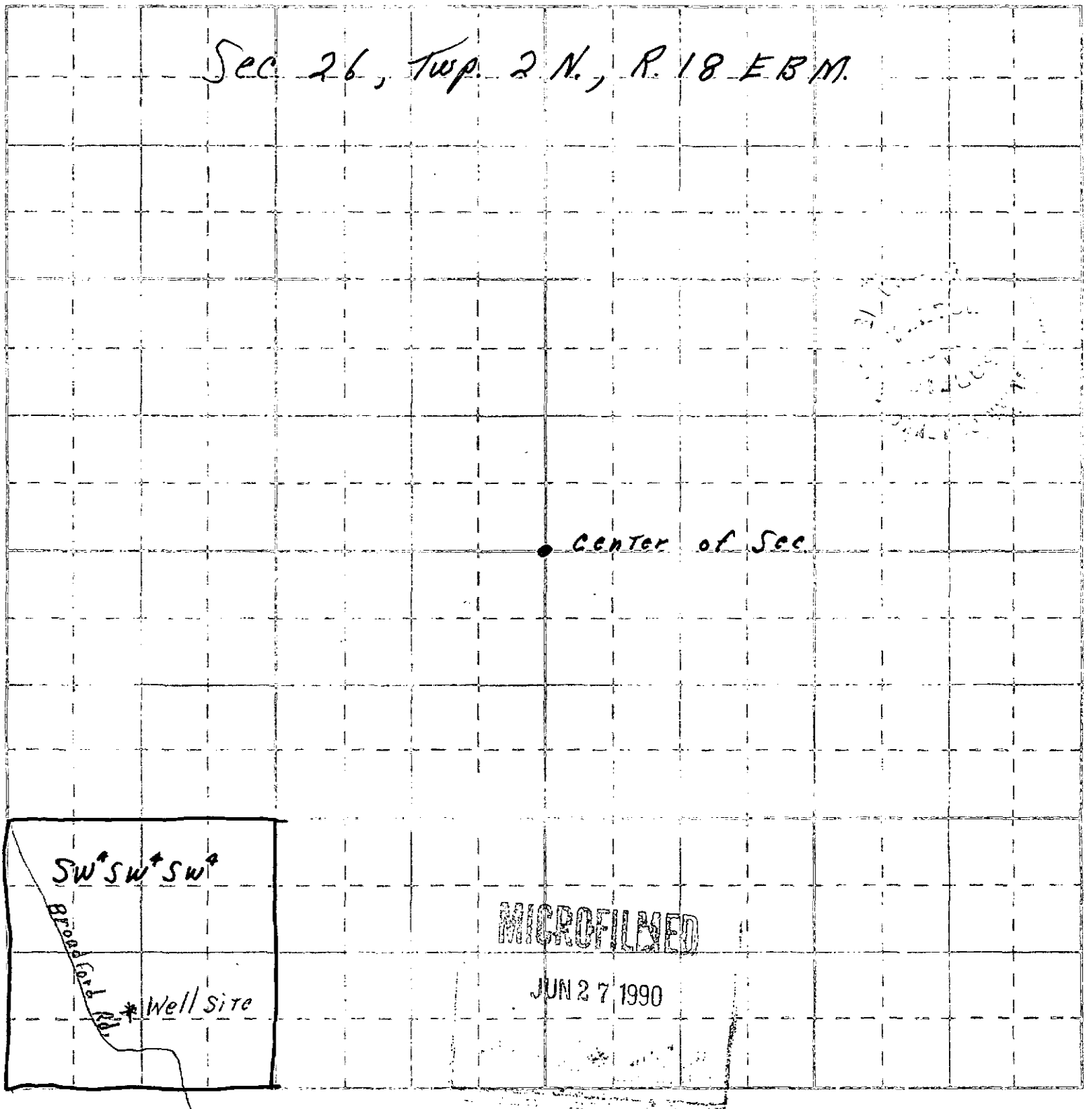
Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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



MICROFILMED
JUN 27 1990

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

PART 3

B. CHANGES IN NATURE OF USE

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

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

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

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

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

Harry Johnston by John Bunle P.A.
(Signature of Applicant)

Subscribed and sworn to before me this 12th day of Nov. 19 89.

H. F. McGuire
(Notary Public)

My commission expires 4/1/91

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 6 attachments

Received by J E Stanton Date 2-1-89 Protest filed by _____

Prelim. check by DRJ Fee $30.

Receipted by J E Stanton Date 2-1-89 5006200

Published in Lincoln Co. Journal Wood River Journal

Pub. dates 4/26 & 5/3; 6/28 & 7/5/89 Copies of protest forwarded by _____

Watermaster recommendation requested on 4/13/89 Hearing held by _____ Date _____

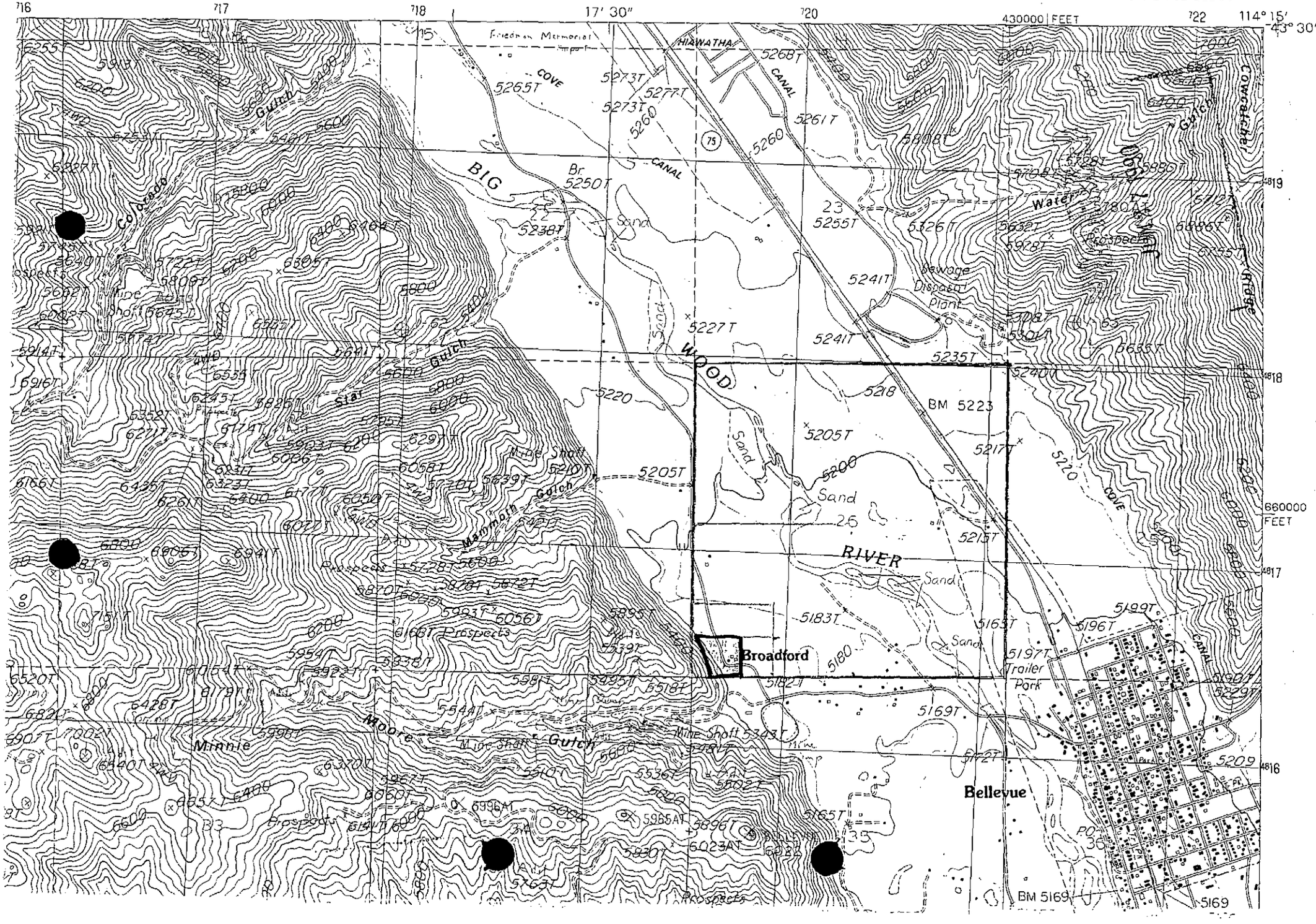
_____ rec'd. Recommended for ☑ approval ☐ denial

by _____

Copy of transfer sent to lien holder _____

RECEIVED
JUN 27 1990

BELLEVUE QUADRANGLE
IDAHO-BLAINE CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



PLAT SHOWING

OWL CREEK SUBDIVISION

A PORTION OF THE VACATED BROADFORD TOWNSITE
LOCATED IN SECTIONS 26 AND 35, T. 2 N., R. 18 E., B.M.
BLAINE COUNTY, IDAHO
OCTOBER 1985

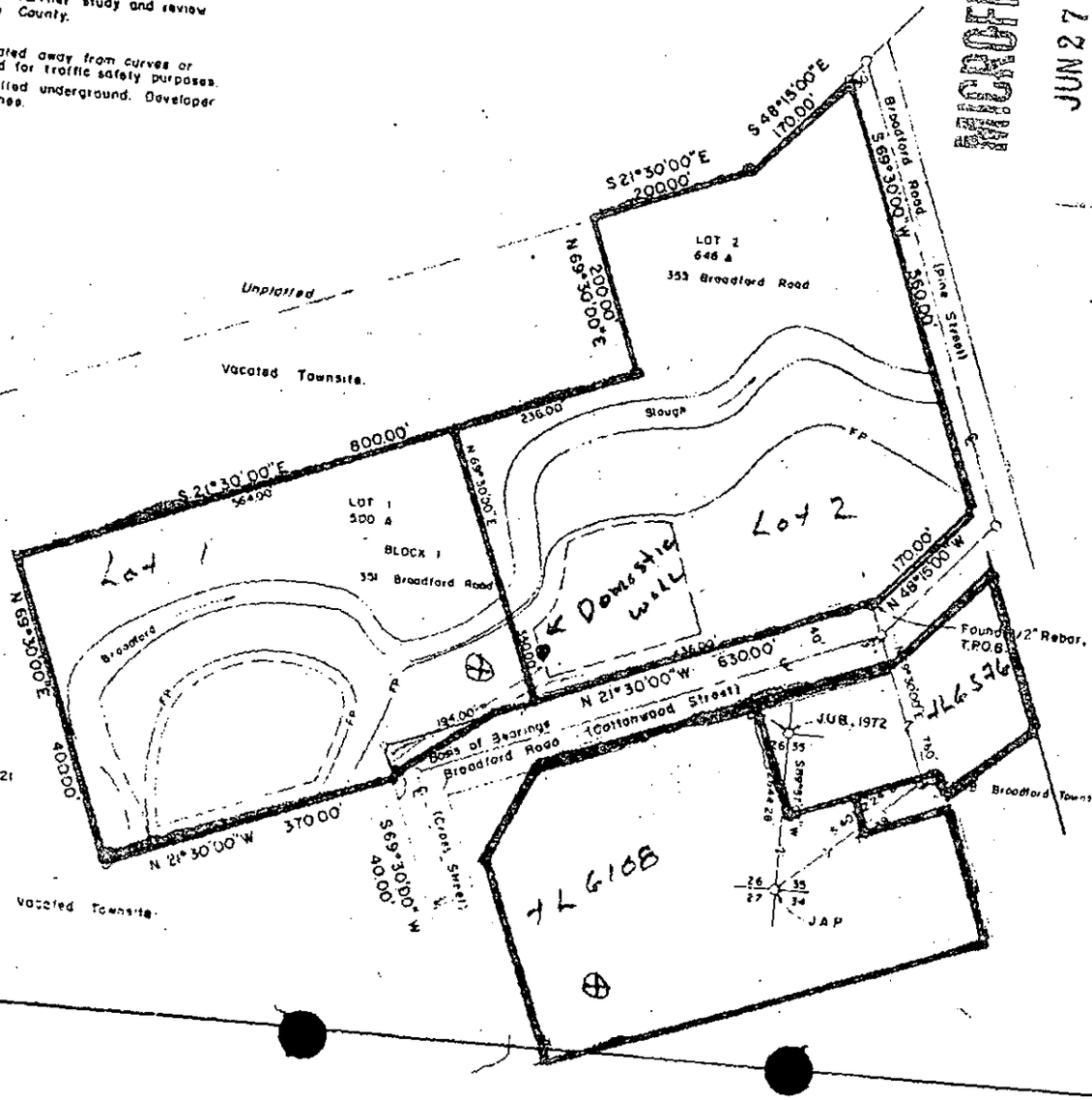
NOTES

1. A 10' Public Utility Easement is centered on interior lot lines and adjacent to exterior lot lines.
2. Areas east of Broadford Slough may be above projected 100-year floodplain.
3. No Conditional Use Permit is needed from the County for construction within the designated building envelopes, provided that the top of foundation walls are two feet above the I.R.F. However, construction outside of designated envelopes shall require further study and review as requested by Blaine County.
5. Driveways shall be situated away from curves or bends on Broadford Road for traffic safety purposes. Utilities shall be installed underground. Developer shall provide to lot lines.

RECORDED JUN 27 1990

LEGEND

- Found 5/8" Rebar by J.K., 1976
- Set 5/8" Rebar, L.S. 3621 Brass Cap
- Found 1/2" Rebar by J.K., 1976
- Found Aluminum Cap by J.K., 1976
- Set 1/2" x 24" Rebar capped L.S. 3621
- Building Envelope
- Approximate 100-year Floodplain (Intermediate Regional Floodplain)



Proposed Wells - Plan A

REGISTERED LAND SURVEYOR
3127

OWL CREEK SUBDIVISION
GALENA ENGINEERING, INC.
KETCHUM, IDAHO
SHEET 1 OF 2

Donnelly, Idaho
April 11, 1990
70° degrees
SW quarter of SW quarter
Section 26
Township 2 North
Range 18 East

SPECIFIC POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That I, HARRY E. JOHNSTON, whose current address is 7825 Fay Ave, Suite 231, La Jolla, CA, 92037, do hereby make and appoint JOHN BURKE whose current address is P.O. Box 326, Sun Valley, Idaho 83353, my true and lawful attorney, to specifically do every act and sign all documents necessary to facilitate the transfer of water rights on that certain property legally described as follows:

Owl Creek Sub Lot # 1, Tax code area: 13-00, Tax parcel Number RP004470000010A.

Vacated Broadford SW 1/4 Sec 26 & NW 1/4 Sec 35 TL 6108 2N 18E Tax area Code: 13-00, Tax Parcel Number:RP02N180358070A. AND FR NW NW TL 6576 Sec 35 2N 18E, Tax code area: 13-00, Tax Parcel Number: RP02N180358080A.

This is a specific power of attorney, limited to the above described purpose, and is not to be construed as generating a general power of attorney for all purposes.

This specific Power Of Attorney shall expire on May 31, 1989.

Harry E Johnston

HARRY E. JOHNSTON

STATE OF CALIFORNIA)
) ss
County of San Diego)

On this 18th day of January, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared HARRY E. 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.

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

Catherina Maria Laurentia Veltz
Notary Public for California

OFFICIAL SEAL
Catherina Maria Laurentia Veltz
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
SAN DIEGO COUNTY
My Commission Exp. July 24, 1992

MICROFILMED
JUN 27 1990

SALE AGREEMENT

~~Oct~~ Nov. This agreement made and entered into this 4th day of ~~October~~, 1988, by and between James Whittaker of Dietrich, Idaho, party of the first part, and John Burke or assigns of Ketchum, Idaho, as party of the second part.

WITNESSETH:

In consideration of the sum of $5,000.00, purchaser buys 10 inches, or .20 cfs, of water of the State of Idaho Department of Water Resources License No. 37-2644. Said water having been applied on 10 acres in NW1/4 NE1/4 NE1/4 (Adjudication Filing Identification #A37-02644) of Section 11, Township 7 South, Range 18 East, Boise Meridian.

The seller represents that the above described property is free and clear of all liens and encumbrances except those of public record on the date hereof or that he will get a partial release of any lien or mortgage that said property is encumbered by and will deliver the partial release to LeMoyne Realty as escrow holder to be delivered when the proper transfer forms have been signed and approved by the State of Idaho. In conjunction with this sale it is understood by the seller that this offer and sale is contingent on the transfer of said water from Dietrich, Idaho to land in Broadford Road area, Hailey, Idaho to be described later.

The sum of $1,000.00 shall be paid as earnest money on this transaction and the balance of $4,000.00 shall be paid on final delivery of transfer papers as noted above.

IN WITNESS WHEREOF the undersigned have set their hands and seals this 4th day of ~~October~~ Nov. 1988.

James Whittaker
James Whittaker

John Burke
John Burke

MICROFILMED
JUN 27 1990

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

On this 4th day of ~~October~~ Nov. in the year 1988, before me, a Notary Public, personally appeared James Whittaker, known or

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

N. F. LeMoyne
Notary Public
Residing at Twin Falls

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

On this 4th day of ~~October~~ Nov. in the year 1988, before me, a Notary Public, personally appeared John Burke, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

N. F. LeMoyne
Notary Public
Residing at Twin Falls

MICROFILMED
JUN 27 1990

CONSOLIDATED TAX NOTICE AND RECEIPT

LINCOLN COUNTY TAX COLLECTOR 1987
CATHY LAUDERT
SHOSHONE, ID 83352 REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
11.325	7-00	RP07S18E100000A	2296

E1/2NE
10-7-18

L 11.325

AC 80.000 WHITTAKER, JAMES A ET UX
536 SO 550 E
DELINQUENT CERT. DIETRICH, IDAHO 83324

TAXING DISTRICT	RATE	AMOUNT
STATE		
COUNTY	.003736	42.32
S SCHOOL 312	.007481	84.72
SHOSHONE HWY 2	.001093	12.38
LINCOLN CEM	.000181	2.06
LINCOLN REC	.000266	3.02
TOTAL	.012757	144.50

RECEIPT

FULL PAYMENT
TAX 144.50
PEN.
SUB TOT.
INT.
TOT.

1ST INSTALLMENT
TAX 72.25
PEN.
SUB TOT.
INT.
TOT.

2ND INSTALLMENT
TAX 72.25
PEN.
SUB TOT.
INT.
TOT.

L=LAND I=IMPROVEMENTS P=PERSONAL PROPTERY
ALSO, PLEASE READ THE BACK OF THIS NOTICE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E100000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2296

SPECIAL CODE	TAX	CODE AREA	TAX	2ND INSTALLMENT
		7-00	72.25	72.25
				PEN.
				SUB TOT.
				INT
				TOT.

2nd
4L

JUN 27 1990

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO
LINCOLN COUNTY TAX COLLECTOR
CATHY LAUDERT
P O BOX 725
SHOSHONE, ID 83352

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1988
DATE PAID
PAID BY
CHECK #
CASH

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E100000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2296

SPECIAL CODE	TAX	CODE AREA	TAX	TOTAL TAX
		7-00	144.50	144.50
				PEN.
				SUB TOT.
				INT.
				TOT.

FULL
4L

SPECIAL CODE	TAX	CODE AREA	TAX	1ST INSTALLMENT
		7-00	72.25	72.25
				PEN.
				SUB TOT.
				INT.
				TOT.

1st
4L

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 1987
DATE PAID
PAID BY
CHECK #
CASH

UA-2B
8/87

CONSOLIDATED TAX NOTICE AND RECEIPT
LINCOLN COUNTY TAX COLLECTOR 1987
CATHY LAUDERT
SHOSHONE, ID 83352 REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
200.402	38-00	RP07S18E110000A	2297

N1/2, NESW & N1/2SE 11-7-18
N1/2N1/2, SWNE, S1/2NW,
L 177.654 N1/2SW & NWSE 12-7-18
I 22.748

AC 840.000 WHITTAKER, JAMES A ET UX
536 SO 550 E
DELINQUENT CERT. DIETRICH, IDAHO 83324

TAXING DISTRICT		AMOUNT	RECEIPT
STATE			FULL PAYMENT
COUNTY	.003736	748.70	TAX 2,228.66
D SCHOOL 314	.004598	921.46	PEN.
DIETRICH HWY 5	.002215	443.90	SUB TOT.
LINCOLN CEM	.000181	36.28	INT.
LINCOLN REC	.000266	53.32	TOT.
			1ST INSTALLMENT
			TAX 1,114.33
			PEN.
			SUB TOT.
			INT.
SAN LANDFILL		25.00	TOT.
			2ND INSTALLMENT
			TAX 1,114.33
			PEN.
			SUB TOT.
			INT.
			TOT.
TOTAL	.010996	2,228.66	

L=LAND I=IMPROVEMENTS P=PRESONAL PROPTERY
ALSO, PLEASE READ THE BACK OF THIS NOTICE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT
REAL PROPERTY 1987 RP07S18E110000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2297

SPECIAL CODE	TAX	CODE AREA	TAX	2ND INSTALLMENT
2	12.50		1,101.83	1,114.33
				PEN.
				SUB TOT
				INT.
				TOT

38-00
2nd
4L

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO
LINCOLN COUNTY TAX COLLECTOR
CATHY LAUDERT
P O BOX 725
SHOSHONE, ID 83352

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1988
DATE PAID
PAID BY
CHECK #
CASH

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT
REAL PROPERTY 1987 RP07S18E110000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2297

SPECIAL CODE	TAX	CODE AREA	TAX	TOTAL TAX
92	25.00		2,203.66	2,228.66
				PEN.
				SUB TOT.
				INT.
				TOT.

38-00
FULL
4L

SPECIAL CODE	TAX	CODE AREA	TAX	1ST INSTALLMENT
92	12.50		1,101.83	1,114.33
				PEN
				SUB TOT.
				INT.
				TOT.

38-00
1st
4L

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 1987
DATE PAID
PAID BY
CHECK #
CASH

UA-2B
8/87

AFFIDAVIT of PUBLICATION

RECEIVED

MAY 5 1989

Department of Water Resources
Southern Region Office

State of Idaho, } SS.
County of Blaine }

DANIEL J. GORHAM, 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 26th day of Apr, 1989, and the date of the last publication was on the 3rd day of May, 1989.

Daniel J. Gorham

Subscribed and sworn to before me this 4th day of May, 1989.
(SEAL)

Roberta Hoffman
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line	11	
Number of Lines in Notice	56	
Number of Insertions	2	
_____ Lines tabular at	_____	5¢/Pica
56 Lines straight at	27.72	4¢/Pica
56 Subsequent lines at	21.56	3¢/Pica
TOTAL COST	49.28	

PAID
JUN 27 1990
#6496

COPY OF NOTICE
(Paste Here)

Proposed Change #37-2644 Johnston
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Proposed change of water right

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 37-2644

Notice is hereby given that Harry Johnston, c/o John Burke of Sun Valley, ID, has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No. 37-2644
Basis of right: License, Pending Transfer
Source: Groundwater
Priority Date: 10/31/60
Amount of water: 3.98 cfs
Water use: Irrigation
Point(s) of diversion: NW1/4-NE1/4, S11, T7S, R18E; Lincoln County.
Place of use: 199 acres within SE1/4NE1/4, S10, T7S, R18E; W1/2NE1/4, S11, T7S, R18E; NW1/4, S11, T7S, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-2644
Amount of water: 0.20 cfs
Point of diversion: NW1/4NE1/4, S11, T7S, R18E; Lincoln County.
Place of use: 10 acres within SW1/4NE1/4, S11, T7S, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-2644
Amount: .20 cfs
Total amount being transferred: .20 cfs
Source: Groundwater
Point of diversion: SW1/4SW1/4-SW1/4, S26, T2N, R18E; Blaine County.
Place of use: 10 acres within SW1/4SW1/4, S26, T2N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301, on or before MAY 15, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal–April 26 and May 3, 1989.

OK MB 6/5/89

AFFIDAVIT of PUBLICATION

RECEIVED
JUL 10 1989
Department of Water Resources
Southern Region Office

COPY OF NOTICE (Paste Here)

Change of Water Right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

Twin
BILL TO

State of Idaho,)
)SS.
County of Lincoln)

Patty Nance, Manager, 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, County of Lincoln, 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, know as House Bill 145; that the annexed advertisement was published once each week for 2x consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 28 day of June 19 89, and the date of the last publication was on the 5 day of July, 19 89.

Patty Nance

Subscribed and sworn to before me this 7 day of June, 19 89.
(SEAL)

Norma DeVoe
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL
Shoshone, Idaho

MICROFILMED

COST OF PUBLICATION

JUN 27 1990

Number of Lines in Notice _____

Number of Insertions 2x

_____	Lines tabular at	_____	5¢/Pica
526[5]	Lines straight at	2.04	4¢/Pica
_____	Subsequent lines at	18.43	3.5¢/Pica
	TOTAL COST	39.49	

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-2644

Notice is hereby given that Harry Johnston, c/o John Burke of Sun Valley, ID, has applied to the Department of Water Resources to change the following described water right pursuant to Section 42-222 of the IDAHO CODE.

Water Right No. 37-2644
Basis of right: License, Pending Transfer
Source: Groundwater
Priority Date: 10/31/60
Amount of water: 3.98 cfs; Water use: Irrigation
Point of diversion: NW¼NE¼, S11, T7S, R18E; Lincoln County.
Place of use: 199 acres within SE¼NE¼, S10, T7S, R18E; W½NE¼, S11, T7S, R18E; NW¼S11, T7S, R18E.

PORTION OF RIGHTS TO BE CHANGED
Water Right No.: 37-2644
Amount of water: 0.20 cfs
Point of diversion: NW¼NE¼, S11, T7S, R18E; Lincoln County.
Place of use: 10 acres within SW¼NE¼, S11, T7S, R18E.

TO BE CHANGED AS FOLLOWS
Water Right No.: 37-2644 Amount: .20 cfs
Total amount being transferred: .20 cfs
Source: Groundwater
Point of diversion: SW¼SW¼SW¼, S26, T2N, R18E; Blaine County.
Place of use: 10 acres within SW¼SW¼, S26, T2N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave. East; Twin Falls, ID 83301 on or before July 17, 1989.

R. Keith Higginson
Director

Pub: 6-28, 7-5 L17628

17628

OK
NRB
7/10/89

PART E

Form 222
1-87

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3526

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant Tommy Wells Phone 208/622-4100

Post Office address Box 326, Sun Valley ID 83353

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To irrigate land that is presently short of water.

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

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
37-2644 E	10/31/60	.07	Irrigation	4/1 to 11/1
				to
				to
				to

2. Total amount of water being transferred .07 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	NW	18	3N	18E	Blaine	[illegible]

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	18					3.5												3.5

Total acres 3.5

 Transfer No. _____

PART 1

6. General Information:

a. Description of diversion system 3 HP Submersible Turbine Pump

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Not much change, will irrigate with canal water.

d. Remarks:

Land is in K Lot 3 of Greenhorn Bench Subdiv.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-2644E

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

1. The priority date of this right is set to the date of approval of this transfer and shall be junior to all existing water rights in use at the time of said approval.

2. The director retains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights in the vicinity of the transferred point of diversion. 3. The use of water on the lands to which the above referenced water right was appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right.

RECEIVED
JUN 27 1990

Witness my hand this 16th day of November, 19 89.

L. Glenn Saxton

Chief, Water Alloc. Bureau

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. 37-2644 Part issued by the Idaho Department of Water Resources.

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

   d. Transfer No. 2 Pending transfers which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☒ Other sale agreement

3. Source of water Groundwater tributary to _____

4. Date or priority 10/31/60

5. Water is used for the following purpose: Assumes approval of 2 pending transfers

   amount 4.12 * (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 4.12 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE		11	7S	18E	Lincoln	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	18E	10				7													7
		11		34	39		37	12	38	29									199

UNCONFIRMED
JUN 2 1 1990

Total acres 206

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

PART 2

Transfer No. _____

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount .07 (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion: Same

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	18E	11		3.5															3.5

Total acres 3.5

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

1. amount 4.05 cfs (cfs/ac-ft) for Irrig. purposes from Mar 15 to Nov 15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

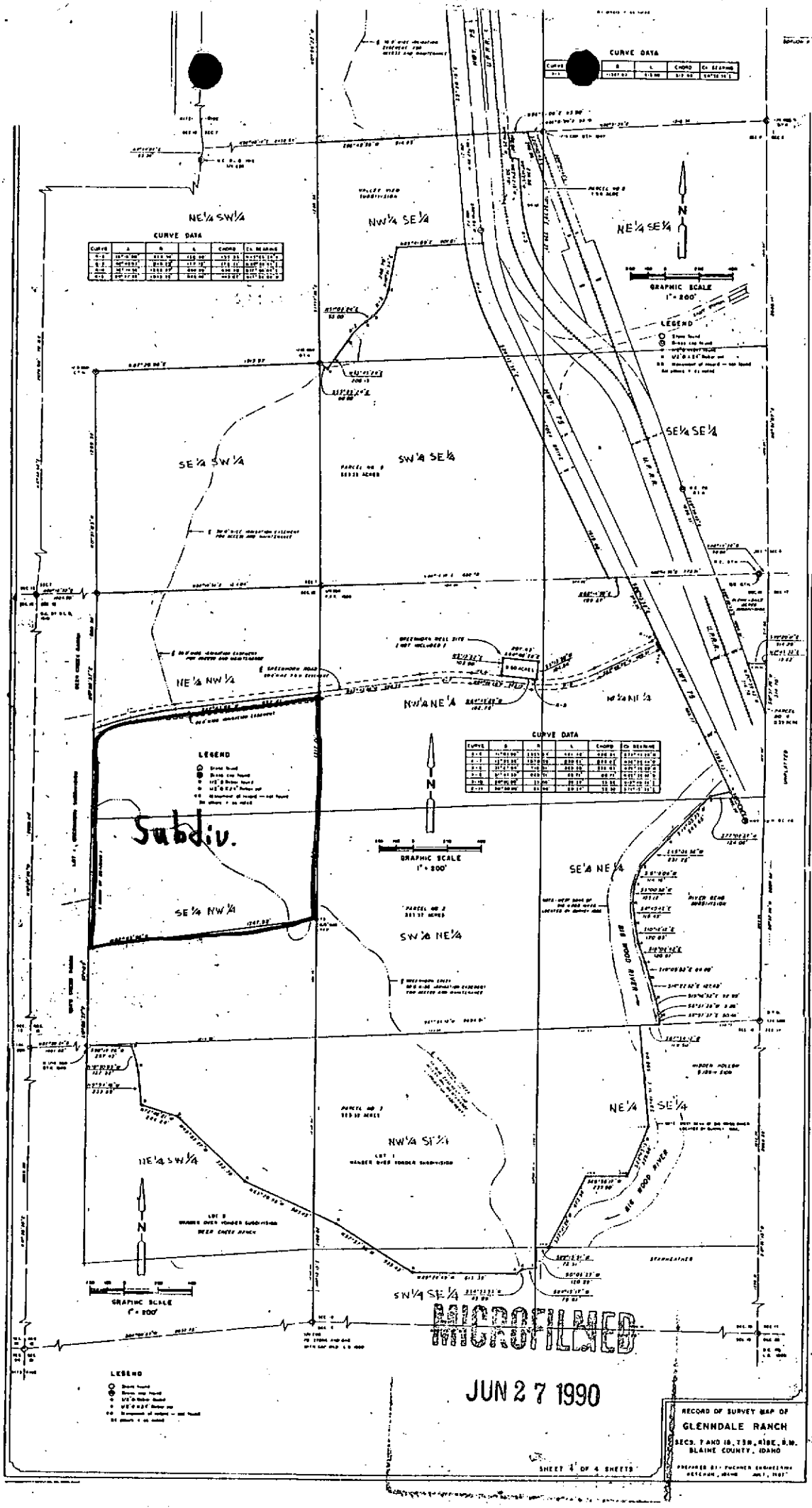
2. Point(s) of Diversion: Same

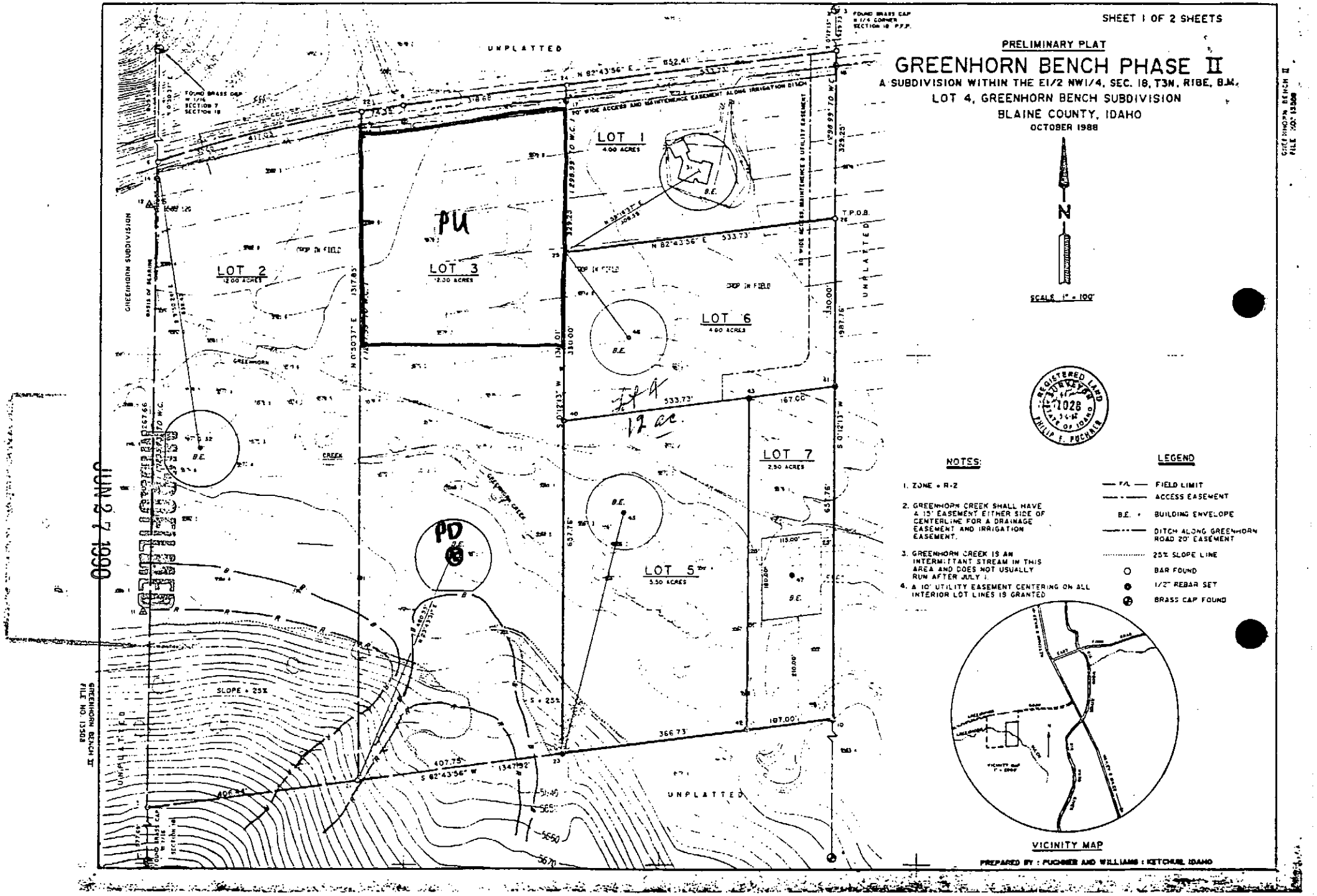
Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	18E	10				7													7
		11		30.5	39		37	12	38	39									195.5

Total acres 202.5


CURVE DATA
NE¼ SW¼
NW¼ SE¼
NE¼ SE¼
SE¼ SW¼
SW¼ SE¼
SE¼ SE¼
NE¼ NW¼
NW¼ NE¼
NE¼ NE¼
Subdiv.
SE¼ NW¼
SW¼ NE¼
SE¼ NE¼
NE¼ SW¼
NW¼ SE¼
NE¼ SE¼
SW¼ SE¼
GRAPHIC SCALE
1" = 200'
LEGEND
GLENNDALE RANCH
BIG WOOD RIVER
MICROFILMED
JUN 2 7 1990
RECORD OF SURVEY MAP OF
GLENNDALE RANCH
SECS. 7 AND 18, T3N., R18E., B.M.
BLAINE COUNTY, IDAHO
SHEET 1 OF 4 SHEETS


SHEET 1 OF 2 SHEETS
PRELIMINARY PLAT
GREENHORN BENCH PHASE II
A SUBDIVISION WITHIN THE E1/2 NW1/4, SEC. 18, T3N, R18E, B.M.,
LOT 4, GREENHORN BENCH SUBDIVISION
BLAINE COUNTY, IDAHO
OCTOBER 1988
SCALE 1" = 100'
UNPLATTED
LOT 1
4.00 ACRES
LOT 2
12.00 ACRES
LOT 3
12.00 ACRES
LOT 4
12 ac.
LOT 5
5.50 ACRES
LOT 6
4.00 ACRES
LOT 7
2.50 ACRES
T.P.O.B.
N 82°43'56" E 533.73'
S 82°43'56" W 1347.92'
407.75'
366.73'
167.00'
197.00'
SLOPE = 25%
CREEK
GREENHORN SUBDIVISION
FOUND BRASS CAP
FOUND 1/2" REBAR
REGISTERED LAND SURVEYOR
11026
STATE OF IDAHO
PHILIP F. FUCHSER
NOTES:
1. ZONE = R-2
2. GREENHORN CREEK SHALL HAVE A 15' EASEMENT EITHER SIDE OF CENTERLINE FOR A DRAINAGE EASEMENT AND IRRIGATION EASEMENT.
3. GREENHORN CREEK IS AN INTERMITTANT STREAM IN THIS AREA AND DOES NOT USUALLY RUN AFTER JULY 1.
4. A 10' UTILITY EASEMENT CENTERING ON ALL INTERIOR LOT LINES IS GRANTED
LEGEND
F/L FIELD LIMIT
ACCESS EASEMENT
B.E. BUILDING ENVELOPE
DITCH ALONG GREENHORN ROAD 20' EASEMENT
25% SLOPE LINE
BAR FOUND
1/2" REBAR SET
BRASS CAP FOUND
VICINITY MAP
PREPARED BY : FUCHSER AND WILLIAMS : KETCHUM, IDAHO
JUN 27 1990
GREENHORN BENCH II
FILE NO. 13508

Transfer No. _____

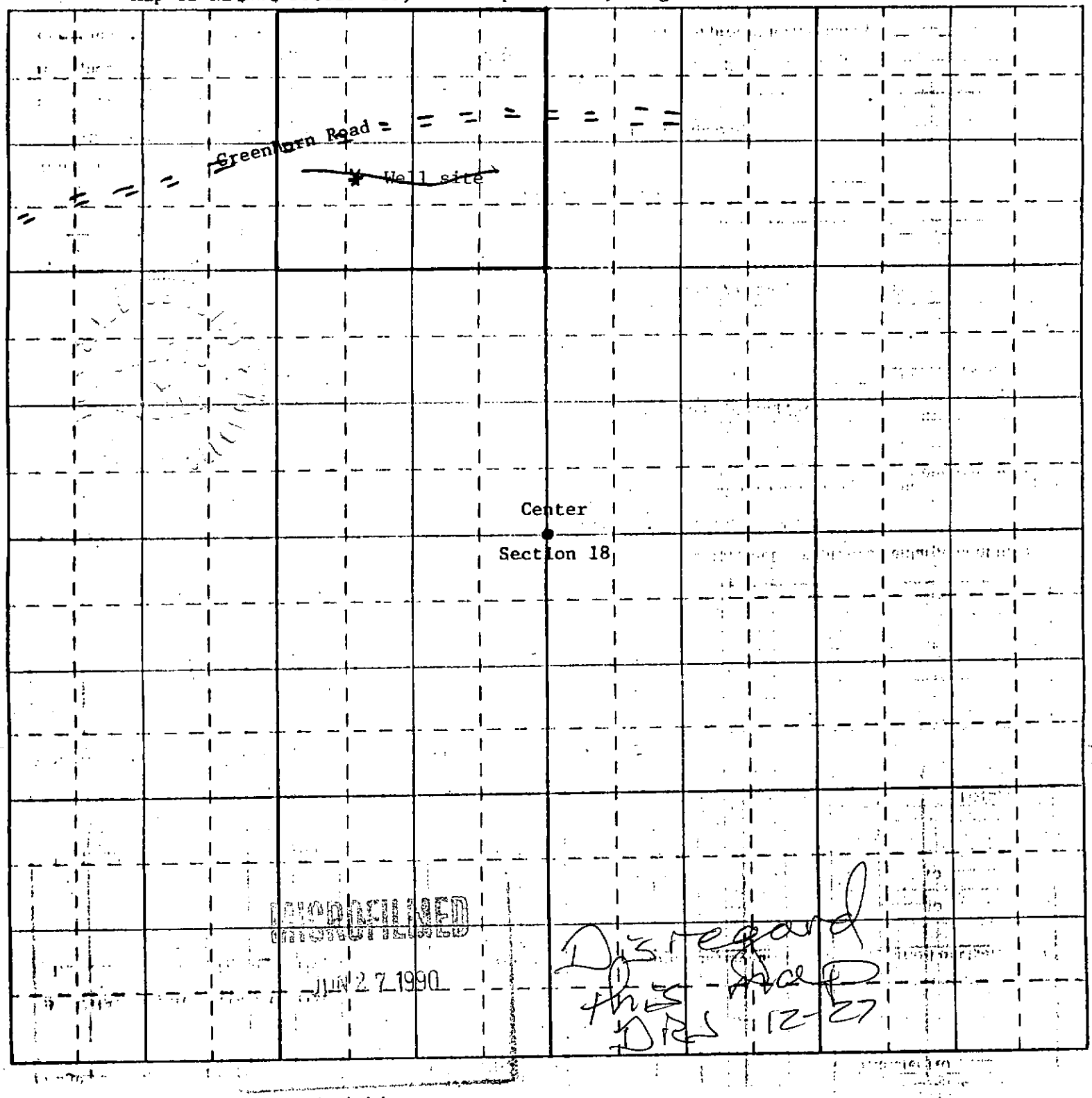
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

Map of NE¼NW¼ Section 18, Township 3 North, Range 18 EBM



RECEIVED
JUN 27 1990

Disregard
this sheet
DRS 12-27

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

 Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
Irrigation	.07		3/15 to 11/15
			to

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

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

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

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

x Tommy D. Wells by agent Maureen Cook
(Signature of Applicant)

Subscribed and sworn to before me this 9th day of November, 19 88.

Judith A. Spruce
(Notary Public)

My commission expires Trial

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by J. Eldridge Date 12-19-88 Protest filed by _____

Prelim. check by _____ Fee $30.00 S004592

Receipted by JS Date 12-19-88

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 2/22 & 3/1/89 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☑ approval ☐ denial

_____ rec'd. RECEIVED by JH

Copy of transfer sent to lien holder JUN 27 1990

SPECIFIC POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, the I or we, Tommy D. Wells and Judith A. Wells whose current address is 25 Crane Dr San Anselmo CA 94960 do(es) hereby make and apoint Maureen Coyle whose current address is c/o Elkhorn Realty, Box 7722, Sun Valley, ID 83354-6029 my true and lawful attorney, to specifically do every act and sign all documents necessary to facilitate the Transference of water rights of that certain real property legally described as follows:

Lot 3 of GREENHORN BENCH SUBDIVISION, Blaine County, Idaho, according to the official plat thereof, recorded in the records of Blaine County, Idaho.

This is a specific power of attorney limited to the above described purpose and is not to be construed as generating a general power of attorney for all purposes.

This Specific Power of Attorney shall expire May 31, 1989.

Tommy D. Wells Judith A. Wells

STATE OF CALIF.
COUNTY OF MARIN

On this 6TH day of DEC., 19 88, before me, the undersigned, a Notary Public, in and for said State, personally appeared TOMMY D. & JUDITH A. WELLS

know to me or identified to me on the basis of satisfactory evidence to be the person(s) who(se) name(s) are subscribed to the within instrument and acknowledged to me that THEY executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Natalie Fedoroff (SEAL)
NOTARY PUBLIC
Residing at: SAN RAFAEL, CA
Commission Expires: 3

OFFICIAL SEAL
NATALIE FEDOROFF
NOTARY PUBLIC-CALIFORNIA
Principal Office in MARIN County
My Commission Expires March 15, 1989

RECORDED
JUN 27 1990

3 Ud'

ASSIGNMENT

This assignment made and entered into this 21st day of November, 1988, by and between John Hepworth as attorney for Dale Gould, assignor, and Henry Whiting II, Tommy D. Wells, and Earl Engelman, assignees.

WITNESSETH:

For consideration heretofore received, assignor does hereby sell, assign and transfer to assignee all of its right, title and interest in and to that certain sale agreement executed October 13, 1988 between James Whittaker of Dietrich, Idaho and John Hepworth, attorney at law, of Twin Falls representing Dale Gould of Buhl, Idaho, wherein James Whittaker sold .20 cfs of water of the State of Idaho Department of Water Resources License No. 37-2644.

The assignor represents that the balance due under said sale agreement will be paid in full by assignor on or before the final approval of transfer of water to Whiting and Wells and Engelman.

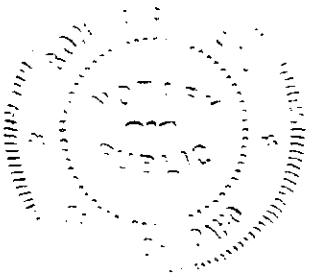
IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date above written.

John C. Hepworth, Attorney for Dale Gould

MICROFILMED
JUN 27 1990

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

On this 21st day of December in the year 1988, before me, a Notary Public, personally appeared John Hepworth, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Bonnie Sievers
Notary Public
Residing at Twin Falls

RECORDED
JUN 27 1990

#1272

SALE AGREEMENT

This agreement made and entered into this 13th day of October, 1988, by and between James Whittaker of Dietrich, Idaho, party of the first part, and John Hepworth, Attorney at Law, of Twin Falls, Idaho representing Dale Gould of Buhl, Idaho, as party of the second part.

WITNESSETH:

In consideration of the sum of $5,000.00, purchaser buys 10 inches, or .20 cfs, of water of the State of Idaho Department of Water Resources License No. 37-2644. Said water having been applied on 10 acres in NW¼NE¼ (Adjudication Filing Identification #A37-02644)

of Section 11, Township 7 South, Range 18 East, Boise Meridian.

The seller represents that the above described property is free and clear of all liens and encumbrances except those of public record on the date hereof or that he will get a partial release of any lien or mortgage that said property is encumbered by and will deliver the partial release to LeMoyne Realty as escrow holder to be delivered when the proper transfer forms have been signed and approved by the State of Idaho. In conjunction with this sale it is understood by the seller that this offer and sale is contingent on the transfer of said water from Dietrich, Idaho to land in Greenhorn Gulch area between Ketchum and Hailey, Idaho to be described later.

The sum of $1,000.00 shall be paid as earnest money on this transaction and the balance of $4,000.00 shall be paid on final delivery of transfer papers as noted above.

IN WITNESS WHEREOF the undersigned have set their hands and seals this 13 day of October 1988.

James Whittaker
James Whittaker

John Hepworth
As Attorney for
Dale Gould

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

On this 13 day of October in the year 1988, before me, a Notary Public, personally appeared James Whittaker, known or

RECORDED
JUN 27 1990

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

Notary Public
Residing at Twin Falls

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

On this 17 day of October in the year 1988, before me, a Notary Public, personally appeared John Hepworth, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public
Residing at Twin Falls

MICROFILMED
JUN 27 1990

ASSIGNMENT

This assignment made and entered into this 21st day of November, 1988, by and between John Hepworth as attorney for Dale Gould, assignor, and Henry Whiting and Tommy Wells, assignees.

WITNESSETH:

For consideration heretofore received, assignor does hereby sell, assign and transfer to assignee all of its right, title and interest in and to that certain sale agreement executed October 13, 1988 between James Whittaker of Dietrich, Idaho and John Hepworth, attorney at law, of Twin Falls representing Dale Gould of Buhl, Idaho, wherein James Whittaker sold .20 cfs of water of the State of Idaho Department of Water Resources License No. 37-2644.

The assignor represents that the balance due under said sale agreement will be paid in full by assignor on or before the final approval of transfer of water to Whiting and Wells.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date above written.

JOHN HEPWORTH, as Attorney for
Dale Gould, ~~Assignor~~

MICROFILMED
JUN 27 1990

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 13th day of December, 1988, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JOHN HEPWORTH, as Attorney for Dale Gould, Assignor, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

NOTARY PUBLIC

Residing at: Buhl Id
My Commission Expires: 1-9-91

MICROFILMED

JUN 27 1990

CONSOLIDATED TAX NOTICE AND RECEIPT 1987

LINCOLN COUNTY TAX COLLECTOR
CATHY LAUDERT
SHOSHONE, ID 83352

REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
200.402	38-00	RP07S18E110000A	2297

N1/2, NESW & N1/2SE 11-7-18
N1/2N1/2, SWNE, S1/2NW,
L 177.654 N1/2SW & NWSE 12-7-18
I 22.748

AC 840.000

WHITTAKER, JAMES A ET UX
536 SO 550 E
DIETRICH, IDAHO 83324

DELINQUENT CERT.

TAXING DISTRICT	RATE	AMOUNT
STATE		
COUNTY	.003736	748.70
D SCHOOL 314	.004598	921.46
DIETRICH HWY 5	.002215	443.90
LINCOLN CEM	.000181	36.28
LINCOLN REC	.000266	53.32
SAN LANDFILL		25.00
TOTAL	.010996	2,228.66

RECEIPT

FULL PAYMENT
TAX 2,228.66
PEN.
SUB TOT.
INT.
TOT.

1ST INSTALLMENT
TAX 1,114.33
PEN.
SUB TOT.
INT.
TOT.

2ND INSTALLMENT
TAX 1,114.33
PEN.
SUB TOT.
INT.
TOT.

L=LAND I=IMPROVEMENTS P=PRESONAL PROPTERY
ALSO, PLEASE READ THE BACK OF THIS NOTICE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E110000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2297

SPECIAL CODE	TAX	CODE AREA	TAX	2ND INSTALLMENT
2	12.50		1,101.83	1,114.33
				PEN.
				SUB TOT.
				INT.
				TOT

38-00

2nd
4L

JUN 27 1990

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO
LINCOLN COUNTY TAX COLLECTOR
CATHY LAUDERT
P O BOX 725
SHOSHONE, ID 83352

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1988
DATE PAID
PAID BY
CASH
CHECK #

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E110000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2297

SPECIAL CODE	TAX	CODE AREA	TAX	TOTAL TAX
92	25.00		2,203.66	2,228.66
				PEN.
				SUB TOT.
				INT.
				TOT.

38-00

FULL
4L

SPECIAL CODE	TAX	CODE AREA	TAX	1ST INSTALLMENT
92	12.50		1,101.83	1,114.33
				PEN.
				SUB TOT.
				INT.
				TOT.

38-00

1st
4L

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 1987
DATE PAID
PAID BY
CASH
CHECK #

UA-2B
6/87

CONSOLIDATED TAX NOTICE AND RECEIPT

LINCOLN COUNTY TAX COLLECTOR 1987
CATHY LAUDERT
SHOSHONE, ID 83352 REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
11,325	7-00	RP07S18E100000A	2296

E1/2NE
10-7-18

L 11,325

AC 80.000 WHITTAKER, JAMES A ET UX
536 SO 550 E
DELINQUENT CERT. DIETRICH, IDAHO 83324

TAXING DISTRICT	RATE	AMOUNT
STATE		
COUNTY	.003736	42.32
S SCHOOL 312	.007481	84.72
SHOSHONE HWY 2	.001093	12.38
LINCOLN CEM	.000181	2.06
LINCOLN REC	.000266	3.02
TOTAL	.012757	144.50

RECEIPT

FULL PAYMENT
TAX 144.50
PEN.
SUB TOT.
INT.
TOT.

1ST INSTALLMENT
TAX 72.25
PEN.
SUB TOT.
INT.
TOT.

2ND INSTALLMENT
TAX 72.25
PEN.
SUB TOT.
INT.
TOT.

L=LAND I=IMPROVEMENTS P=PRESONAL PROPTERY
ALSO, PLEASE READ THE BACK OF THIS NOTICE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E100000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2296

SPECIAL CODE	TAX	CODE AREA	TAX	2ND INSTALLMENT
			72.25	72.25
				PEN.
				SUB TOT.
				INT
				TOT.

7-00
2nd
4L

JUN 27 1990
MIDDLEBURY, IDAHO

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO
LINCOLN COUNTY TAX COLLECTOR
CATHY LAUDERT
P O BOX 725
SHOSHONE, ID 83352

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1988
DATE PAID
PAID BY
CHECK #
CASH

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E100000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2296

SPECIAL CODE	TAX	CODE AREA	TAX	TOTAL TAX
			144.50	144.50
				PEN.
				SUB TOT.
				INT.
				TOT.

7-00
FULL
4L

SPECIAL CODE	TAX	CODE AREA	TAX	1ST INSTALLMENT
			72.25	72.25
				PEN.
				SUB TOT.
				INT.
				TOT.

7-00
1st
4L

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 1987
DATE PAID
PAID BY
CHECK #
CASH

UA-2B
8/87

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Blaine }

DANIEL J. GORHAM, 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 22nd day of Feb. 19 89, and the date of the last publication was on the 1st day of Mar., 19 89.

Daniel J. Gorham

Subscribed and sworn to before me this 1st day of March 19 89.
(SEAL)

Roberta McKercher
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

OK MB 3/13/89

COST OF PUBLICATION

Number of Picas per Line	11	
Number of Lines in Notice	56	
Number of Insertions	2	
____ Lines tabular at		5¢/Pica
56 Lines straight at	27.72	4¢/Pica
56 Lines Subsequent at	21.56	3¢/Pica
TOTAL COST	49.28	

MICROFILMED
JUN 27 1990

RECEIVED
MAR 03 1989
Department of Water Resources
Southern Region Office

COPY OF NOTICE
(Paste Here)

Proposed Change #37-2644 Wells
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
Dept. of Water Resources
BILL TO

Wells seeks water right change

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-2644

Notice is hereby given that Tommy Wells of Sun Valley ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No.: 37-2644 Part
Basis of right: Two (2) pending transfers
Source: Groundwater
Priority Date: 10/31/1960
Amount of water: 4.12 cfs
Water use: Irrigation
Point(s) of diversion: NW1/4-NE1/4, Sec. 11, T7S, R18E; Lincoln County
Place of use: 206 acres within SE1/4NE1/4, Sec. 10, T7S, R18E; W1/2NE1/4, NW1/4, Sec. 11, T7S, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-2644 Part
Amount of water: .07 cfs
Point of diversion: same
Place of use: 3.5 acres within NW1/4NE1/4, Sec. 11, T7S, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-2644
Amount: .07 cfs
Total amount being transferred: .07 cfs
Source: Groundwater
Point of diversion: NW1/4SE1/4-NW1/4, Sec. 18, T3N, R18E, Blaine County
Place of use: 3.5 acres within NE1/4NW1/4, Sec. 18, T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301, on or before MARCH 13, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal—February 22 and March 1, 1989.

PART D

Form 222
1-87

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3525

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Engelmann By phone 12-27 DRJ

Name of applicant Earl ~~Engelman~~ Phone 208/622-4100

Post Office address Box 326, Sun Valley ID 83353

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To irrigate land that is presently short of water.

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

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
37-2644D	10/31/60	.02	Irrigation	4-1 3/15	to 11-1 11/15
					to
					to
					to

2. Total amount of water being transferred .02 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NW	18	3N	18E	Blaine	Greenhorn

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	18					1.0												1.0

BECOME ENTITLED
JUN 27 1990

Total acres 1.0

PART 1

6. General Information:

a. Description of diversion system Deep well with a 2 HP Submersible Turbine Pump

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

No much change, will irrigate with canal water.

d. Remarks:

Land is Lot 6 of Greenhorn Bench Subdiv.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-2644D

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

1. The priority date of this right is set to the date of approval of this transfer and shall be junior to all existing water rights in use at the time of said approval.

2. The director retains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights in the vicinity of the transferred point of diversion. 3. The use of water on the lands to which the above referenced water right was appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right.

Witness my hand this 16th day of November, 19 89.

JUN 27 1990

L. Glenn Saxton

Chief, Water Alloc. Bureau

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. 37-2644 Part issued by the Idaho Department of Water Resources.

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

   d. Transfer No. Pending which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☒ Other agreement of sale

3. Source of water Groundwater tributary to _____

4. Date or priority 10-31-1960

5. Water is used for the following purpose: Assumes approval of other transfer by Earl Engleman

   amount 4.14 * (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 4.14 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE		11	7S	18E	Lincoln	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	18E	10				7													7
		11		35	39		37	12	38	39									200

MICROFILMED
JUN 2 7 1990

Total acres 207

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

PART 2

Transfer No. _____

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount .02 (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion: Same

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	18E	11		1															1

Total acres 1

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

1. amount 4.12 (cfs/ac-ft) for Irrig. purposes from Mar 15 to Nov 15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion: Same

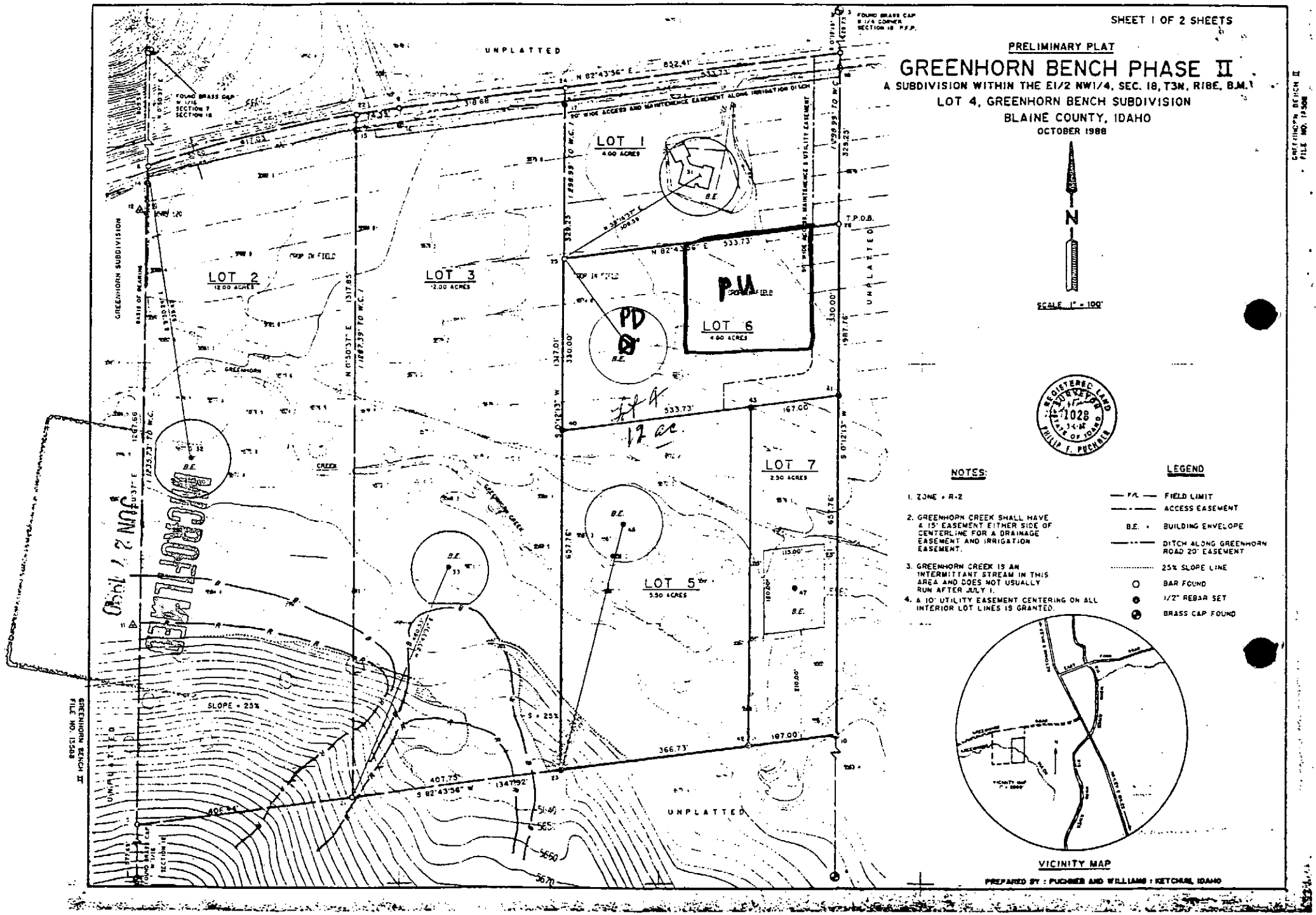
Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

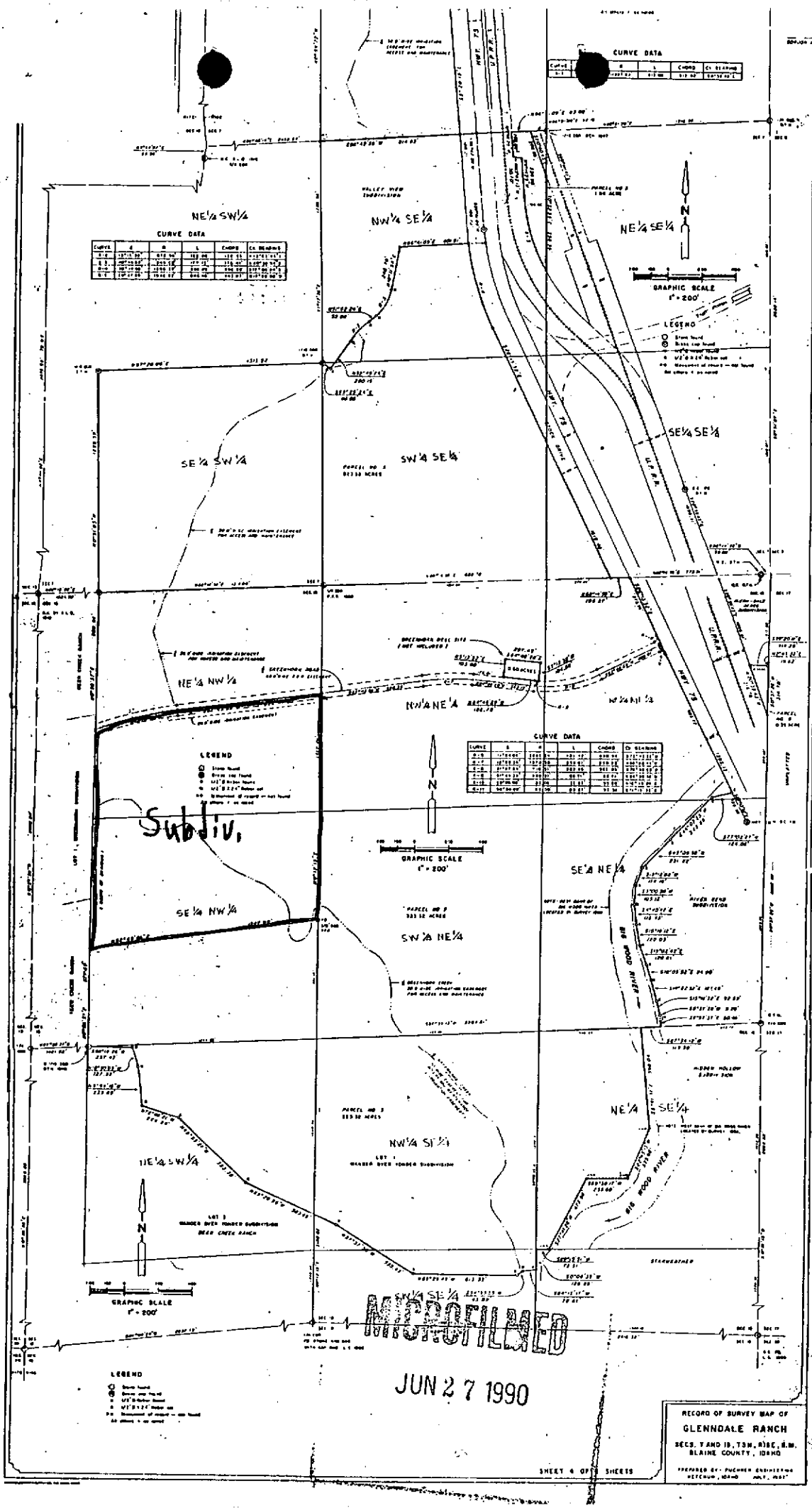
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	18E	10				7													7
		11		34	39		37	12	38	39									199

JUN 27 1990

Total acres 206


SHEET 1 OF 2 SHEETS
PRELIMINARY PLAT
GREENHORN BENCH PHASE II
A SUBDIVISION WITHIN THE E1/2 NW1/4, SEC. 18, T3N, R18E, B.M.
LOT 4, GREENHORN BENCH SUBDIVISION
BLAINE COUNTY, IDAHO
OCTOBER 1988
SCALE 1" = 100'
UNPLATTED
LOT 1
4.00 ACRES
LOT 2
12.00 ACRES
LOT 3
12.00 ACRES
LOT 4
4.00 ACRES
LOT 5
5.50 ACRES
LOT 6
4.00 ACRES
LOT 7
2.50 ACRES
T.P.O.B.
B.E.
SLOPE = 25%
GREENHORN SUBDIVISION
GREENHORN BENCH II
FILE NO. 13588
CERTIFICATE OF SURVEY
FILE NO. 19-588
NOTES:
1. ZONE = R-2
2. GREENHORN CREEK SHALL HAVE A 15' EASEMENT EITHER SIDE OF CENTERLINE FOR A DRAINAGE EASEMENT AND IRRIGATION EASEMENT.
3. GREENHORN CREEK IS AN INTERMITTANT STREAM IN THIS AREA AND DOES NOT USUALLY RUN AFTER JULY 1.
4. A 10' UTILITY EASEMENT CENTERING ON ALL INTERIOR LOT LINES IS GRANTED.
LEGEND
F/L FIELD LIMIT
ACCESS EASEMENT
B.E. BUILDING ENVELOPE
DITCH ALONG GREENHORN ROAD 20' EASEMENT
25% SLOPE LINE
BAR FOUND
1/2" REBAR SET
BRASS CAP FOUND
REGISTERED LAND SURVEYOR
11028
STATE OF IDAHO
PHILIP F. PUCHNER
VICINITY MAP
PREPARED BY : PUCHNER AND WILLIAMS : KETCHUM, IDAHO


CURVE DATA
NE¼ SW¼
NW¼ SE¼
NE¼ SE¼
GRAPHIC SCALE
1" = 200'
LEGEND
SE¼ SW¼
SW¼ SE¼
SE¼ SE¼
NE¼ NW¼
NW¼ NE¼
Subdiv.
SE¼ NW¼
SW¼ NE¼
SE¼ NE¼
NE¼ SE¼
NW¼ SE¼
NE¼ SW¼
SW¼ SE¼
GLENNDALE RANCH
BIG WOOD RIVER
MICROFILMED
JUN 2 7 1990
RECORD OF SURVEY MAP OF
GLENNDALE RANCH
SECS. 7 AND 18, T3N, R18E, B.M.
BLAINE COUNTY, IDAHO
SHEET 4 OF 6 SHEETS

Transfer No. _____

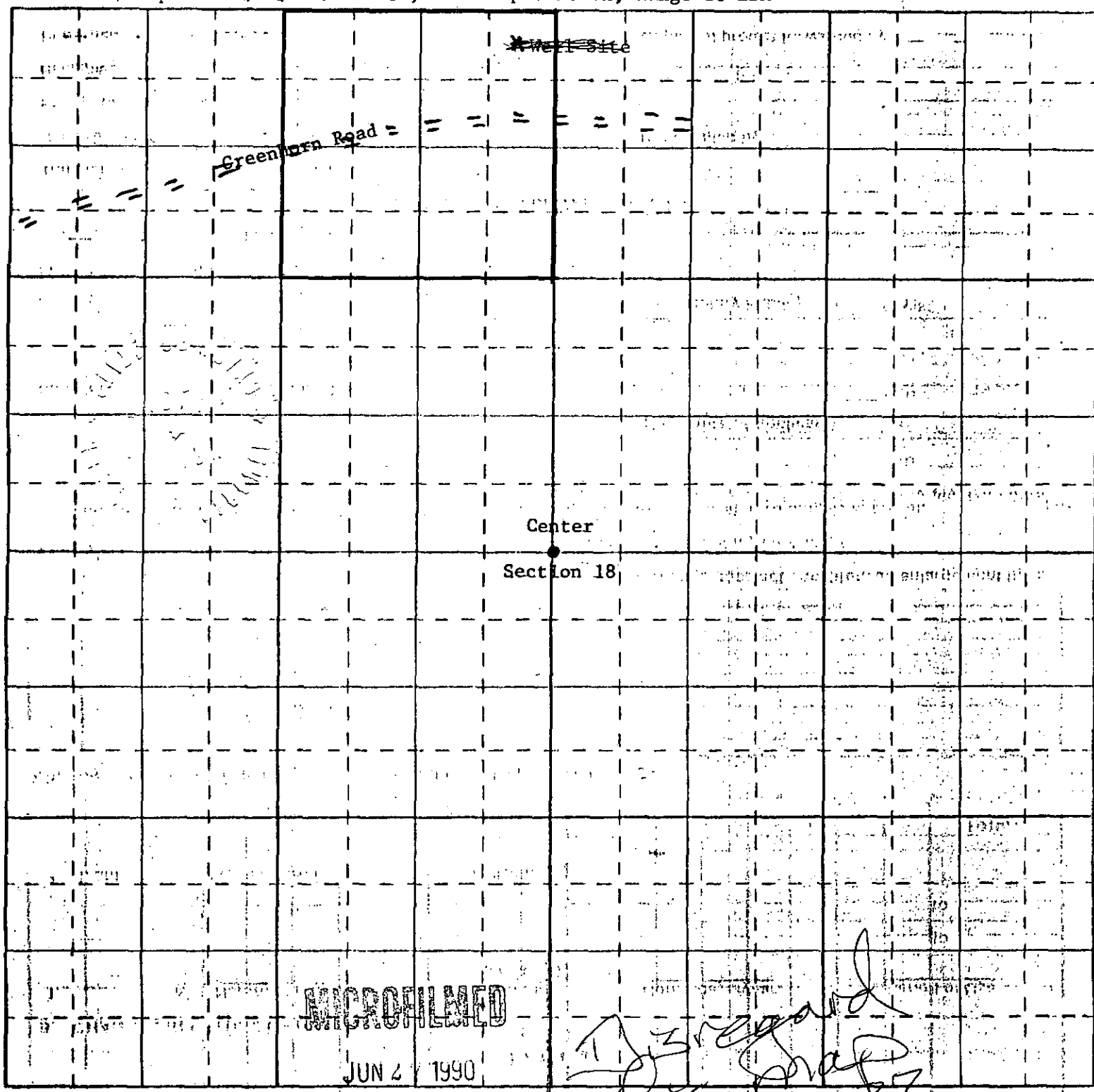
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

Map of NE¼NW¼ Section 18, Township 3 North, Range 18 EBM



RECEIVED
JUN 4 1990

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

 Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
Irrigation	.02		3/15 to 11/15
			to

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

None

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

None

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

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

(Signature of Applicant)

Subscribed and sworn to before me this 9th day of November, 19 88.

Judith A. Sprenke
(Notary Public)

My commission expires 2/6/91

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by J. E. Stanton Date 12-19-88 Protest filed by _____

Prelim. check by _____ Fee $30, 500 4592

Receipted by _____ Date 12-19-88

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 2/22 + 3/1/89 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☑ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RECEIVED
JUN 2 1 1990

#1272

SALE AGREEMENT

This agreement made and entered into this 13th day of October, 1988, by and between James Whittaker of Dietrich, Idaho, party of the first part, and John Hepworth, Attorney at Law, of Twin Falls, Idaho representing Dale Gould of Buhl, Idaho, as party of the second part.

WITNESSETH:

In consideration of the sum of $5,000.00, purchaser buys 10 inches, or .20 cfs, of water of the State of Idaho Department of Water Resources License No. 37-2644. Said water having been applied on 10 acres in NW¼NE¼ (Adjudication Filing Identification #A37-02644)

of Section 11, Township 7 South, Range 18 East, Boise Meridian.

The seller represents that the above described property is free and clear of all liens and encumbrances except those of public record on the date hereof or that he will get a partial release of any lien or mortgage that said property is encumbered by and will deliver the partial release to LeMoyne Realty as escrow holder to be delivered when the proper transfer forms have been signed and approved by the State of Idaho. In conjunction with this sale it is understood by the seller that this offer and sale is contingent on the transfer of said water from Dietrich, Idaho to land in Greenhorn Gulch area between Ketchum and Hailey, Idaho to be described later.

The sum of $1,000.00 shall be paid as earnest money on this transaction and the balance of $4,000.00 shall be paid on final delivery of transfer papers as noted above.

IN WITNESS WHEREOF the undersigned have set their hands and seals this 13 day of October 1988.

James Whittaker
James Whittaker

John C. Hepworth
John Hepworth
As Attorney for
Dale Gould

MICROFILMED
JUN 27 1990

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

On this 13 day of October in the year 1988, before me, a Notary Public, personally appeared James Whittaker, known or

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

Notary Public
Residing at Twin Falls

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

On this 11 day of October in the year 1988, before me, a Notary Public, personally appeared John Hepworth, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public
Residing at Twin Falls

MICROFILMED
JUN 27 1990

ASSIGNMENT

This assignment made and entered into this 21st day of November, 1988, by and between John Hepworth as attorney for Dale Gould, assignor, and Henry Whiting and Tommy Wells, assignees.

WITNESSETH:

For consideration heretofore received, assignor does hereby sell, assign and transfer to assignee all of its right, title and interest in and to that certain sale agreement executed October 13, 1988 between James Whittaker of Dietrich, Idaho and John Hepworth, attorney at law, of Twin Falls representing Dale Gould of Buhl, Idaho, wherein James Whittaker sold .20 CFS of water of the State of Idaho Department of Water Resources License No. 37-2644.

The assignor represents that the balance due under said sale agreement will be paid in full by assignor on or before the final approval of transfer of water to Whiting and Wells.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date above written.

JOHN HEPWORTH, as Attorney for
Dale Gould, Assignor

MICROFILMED

JUN 27 1990

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 13th day of December, 1988, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JOHN HEPWORTH, as Attorney for Dale Gould, Assignor, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

NOTARY PUBLIC

Residing at: Buhl Id
My Commission Expires: 1-9-91

MICROFILMED
JUN 27 1990

CONSOLIDATED TAX NOTICE AND RECEIPT 1987

LINCOLN COUNTY TAX COLLECTOR
CATHY LAUDERT
SHOSHONE, ID 83352

REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
200.402	38-00	RP07S18E110000A	2297

N1/2, NESW & N1/2SE 11-7-18
N1/2N1/2, SWNE, S1/2NW,
L 177.654 N1/2SW & NWSE 12-7-18
I 22.748

AC 840.000

WHITTAKER, JAMES A ET UX
536 SO 550 E
DIETRICH, IDAHO 83324

DELINQUENT CERT.

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
STATE			FULL PAYMENT
COUNTY	.003736	748.70	TAX 2,228.66
D SCHOOL 314	.004598	921.46	PEN.
DIETRICH HWY 5	.002215	443.90	SUB TOT.
LINCOLN CEM	.000181	36.28	INT.
LINCOLN REC	.000266	53.32	TOT.
			1ST INSTALLMENT
			TAX 1,114.33
			PEN.
			SUB TOT.
			INT.
SAN LANDFILL		25.00	TOT.
			2ND INSTALLMENT
			TAX 1,114.33
			PEN.
			SUB TOT.
			INT.
TOTAL	.010996	2,228.66	TOT.

L=LAND I=IMPROVEMENTS P=PRESONAL PROPTERY
ALSO, PLEASE READ THE BACK OF THIS NOTICE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E110000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2297

SPECIAL CODE	TAX	CODE AREA	TAX	2ND INSTALLMENT
2	12.50		1,101.83	1,114.33
				PEN.
				SUB TOT
				INT.
				TOT

38-00

2nd
4L

JUN 27 1990

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO
LINCOLN COUNTY TAX COLLECTOR
CATHY LAUDERT
P O BOX 725
SHOSHONE, ID 83352

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1988
DATE PAID
PAID BY
CHECK #
CASH

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E110000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2297

SPECIAL CODE	TAX	CODE AREA	TAX	TOTAL TAX
92	25.00		2,203.66	2,228.66
				PEN.
				SUB TOT.
				INT.
				TOT.

38-00

FULL
4L

SPECIAL CODE	TAX	CODE AREA	TAX	1ST INSTALLMENT
92	12.50		1,101.83	1,114.33
				PEN.
				SUB TOT.
				INT.
				TOT.

38-00

1st
4L

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 1987
DATE PAID
PAID BY
CHECK #
CASH

UA-2B
8/87

CONSOLIDATED TAX NOTICE AND RECE

LINCOLN COUNTY TAX COLLECTOR — 1987
CATHY LAUDERT
SHOSHONE, ID 83352 — REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
11.325	7-00	RP07S18E100000A	2296

E1/2NE
10-7-18

L 11.325

AC 80.000 WHITTAKER, JAMES A ET UX
536 SO 550 E
DIETRICH, IDAHO 83324

DELINQUENT CERT.

TAXING DISTRICT	RATE	AMOUNT
STATE		
COUNTY	.003736	42.32
S SCHOOL 312	.007481	84.72
SHOSHONE HWY 2	.001093	12.38
LINCOLN CEM	.000181	2.06
LINCOLN REC	.000266	3.02
TOTAL	.012757	144.50

RECEIPT

FULL PAYMENT
TAX 144.50
PEN.
SUB TOT.
INT.
TOT.

1ST INSTALLMENT
TAX 72.25
PEN.
SUB TOT.
INT.
TOT.

2ND INSTALLMENT
TAX 72.25
PEN.
SUB TOT.
INT.
TOT.

L=LAND I=IMPROVEMENTS P=PRESONAL PROPTERY
ALSO, PLEASE READ THE BACK OF THIS NOTICE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E100000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2296

SPECIAL CODE	TAX	CODE AREA	TAX	2ND INSTALLMENT
			72.25	72.25
				PEN.
				SUB TOT.
				INT
				TOT.

7-00
2nd
4L

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO
LINCOLN COUNTY TAX COLLECTOR
CATHY LAUDERT
P O BOX 725
SHOSHONE, ID 83352

JUN 27 1990

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1988
DATE PAID
PAID BY
CHECK #
CASH

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E100000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2296

SPECIAL CODE	TAX	CODE AREA	TAX	TOTAL TAX
			144.50	144.50
				PEN.
				SUB TOT.
				INT.
				TOT.

7-00
FULL
4L

SPECIAL CODE	TAX	CODE AREA	TAX	1ST INSTALLMENT
			72.25	72.25
				PEN.
				SUB TOT.
				INT.
				TOT.

7-00
1st
4L

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 1987
DATE PAID
PAID BY
CHECK #
CASH

UA-2B
8/87

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Blaine }

DANIEL J. GORHAM, 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 22nd day of Feb, 19 89, and the date of the last publication was on the 1st day of Mar, 19 89.

Daniel J Gorham

Subscribed and sworn to before me this 1st day of March, 19 89.
(SEAL)

Roberta McKercher
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

OK MB 3/13/89

Number of Picas per Line	11	
Number of Lines in Notice	56	
Number of Insertions	2	
____ Lines tabular at ____		5¢/Pica
56 Lines straight at	27.72	4¢/Pica
56 Subsequent lines at	21.56	3¢/Pica
TOTAL COST		

RECEIVED JUN 27 1990

RECEIVED
MAR 03 1989
Department of Water Resources
Southern Region Office

COPY OF NOTICE
(Paste Here)

Proposed Change #37-2644 Engelmann
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
Dept. of Water Resources
BILL TO

Engelmann seeks water right change

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-2644

Notice is hereby given that Earl Engelmann of Sun Valley ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No.: 37-2644 Part
Basis of right: Pending Transfer
Source: Groundwater
Priority Date: 10/31/1960
Amount of water: 4.14 cfs
Water use: Irrigation
Point(s) of diversion: NW1/4-NE1/4, Sec. 11, T7S, R18E; Lincoln County
Place of use: 207 acres within SE1/4NE1/4, Sec. 10, T7S, R18E; W1/2NE1/4, NW1/4, Sec. 11, T7S, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-2644 Part
Amount of water: .02 cfs
Point of diversion: Same
Place of use: One (1) acre within NW1/4NE1/4, Sec. 11, T7S, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-2644
Amount: .02 cfs
Total amount being transferred: .02 cfs
Source: Groundwater
Point of diversion: SE1/4NE1/4-NW1/4, Sec. 18, T3N, R18E, Blaine County
Place of use: One (1) acre within NE1/4NW1/4, Sec. 18, T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301, on or before MARCH 13, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal–February 22 and March 1, 1989.

PART C

Form 222
1-87

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3515

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant Henry Whiting II Phone 208/622-4100

Post Office address Box 326, Sun Valley ID 83353

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To irrigate land that is presently short of water.

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

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use		
37-2644 C	10/31/60	.07	Irrigation	4-1	to	11/1
					to	
					to	
					to	

2. Total amount of water being transferred .07 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	NW	18	3 N	18E	Blaine	Greenhorn

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	18					3.5												3.5

MICROFILMED JUN 27 1990

Total acres 3.5

PART 1

6. General Information:

a. Description of diversion system Deep well with a 3 HP submersible turbine pump.

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Not much change, will irrigate with canal water.

d. Remarks:

Land is in Lot 2 of Greenhorn Bench Subdiv.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-2644C

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

1. The priority date of this right is set to the date of approval of this transfer and shall be junior to all existing water rights in use at the time of said approval. 2. The director retains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights in the vicinity of the transferred point of diversion. 3. The use of water on the lands to which the above referenced water right was appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right.

Witness my hand this 16th day of November, 19 89.

L. Glen Saxton

Chief, Water Alloc. Bureau

JUN 27 1990

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. 37-2644 Part issued by the Idaho Department of Water Resources.

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

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☒ Other sale agreement

3. Source of water Groundwater tributary to _____

4. Date or priority 10/31/60

5. Water is used for the following purpose: * Assumes approval of 3 pending transfers

   amount 4.05 * (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 4.05 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE		11	7S	18E	Lincoln	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	18E	10				7													7
		11		30.5	39		37	12	38	39									195.5

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JUN 27 1990

Total acres 666 202.5

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

PART 2

Transfer No. _____

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount .07 (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion: Same

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	18E	11		3.5															3.5

Total acres 3.5

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

1. amount 3.98 cfs (cfs/ac-ft) for Irrig. purposes from Mar 15 to Nov 15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion: Same

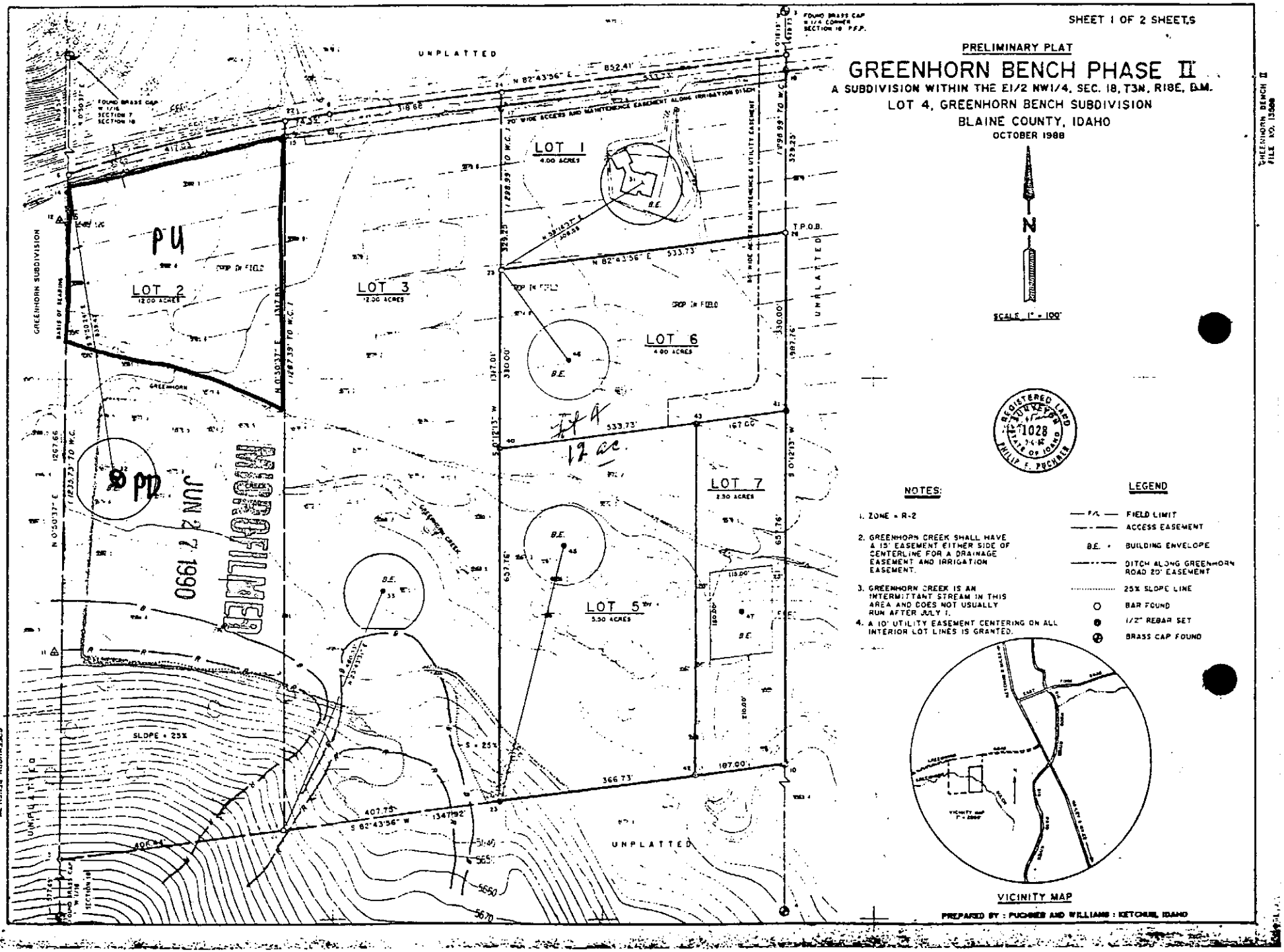
Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

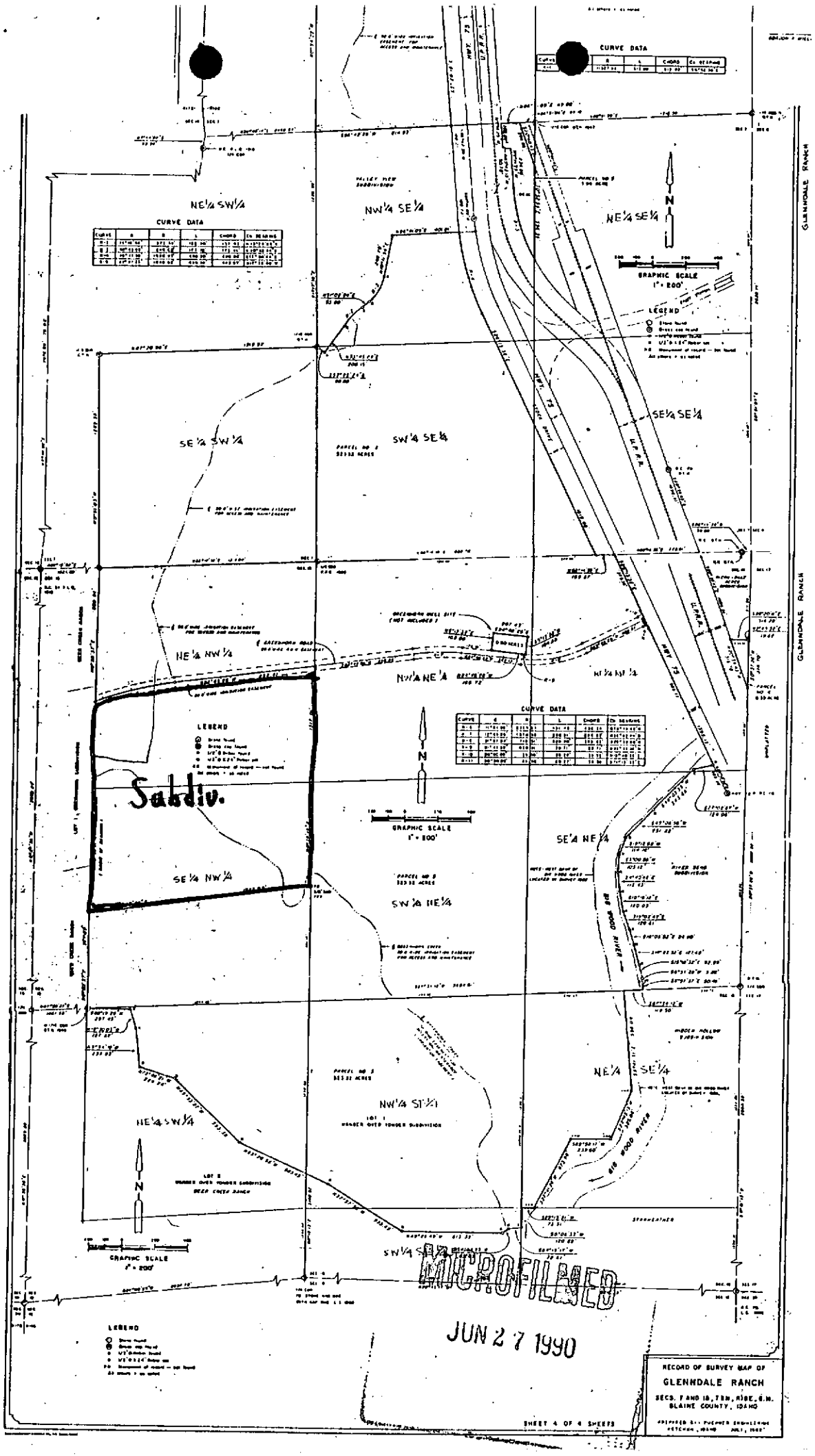
JUL 27 1990

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	18E	10				7													7
		11		29	39		37	12	38	29									192

Total acres 199


SHEET 1 OF 2 SHEETS
PRELIMINARY PLAT
GREENHORN BENCH PHASE II
A SUBDIVISION WITHIN THE E1/2 NW1/4, SEC. 18, T3N, R18E, B.M.
LOT 4, GREENHORN BENCH SUBDIVISION
BLAINE COUNTY, IDAHO
OCTOBER 1988
SCALE 1" = 100'
NOTES:
1. ZONE = R-2
2. GREENHORN CREEK SHALL HAVE A 15' EASEMENT EITHER SIDE OF CENTERLINE FOR A DRAINAGE EASEMENT AND IRRIGATION EASEMENT.
3. GREENHORN CREEK IS AN INTERMITTANT STREAM IN THIS AREA AND DOES NOT USUALLY RUN AFTER JULY 1.
4. A 10' UTILITY EASEMENT CENTERING ON ALL INTERIOR LOT LINES IS GRANTED.
LEGEND
FIELD LIMIT
ACCESS EASEMENT
B.E. BUILDING ENVELOPE
DITCH ALONG GREENHORN ROAD 20' EASEMENT
25% SLOPE LINE
BAR FOUND
1/2" REBAR SET
BRASS CAP FOUND
VICINITY MAP
PREPARED BY : PUCHNER AND WILLIAMS : KETCHUM, IDAHO
LOT 1 4.00 ACRES
LOT 2 12.00 ACRES
LOT 3 12.00 ACRES
LOT 4 17 ac.
LOT 5 5.50 ACRES
LOT 6 4.00 ACRES
LOT 7 2.50 ACRES
UNPLATTED
GREENHORN SUBDIVISION
GREENHORN CREEK
SLOPE = 25%
T.P.O.B.
N 82°43'56" E 533.73'
S 82°43'56" W 1347.92'
JUN 27 1990
REGISTERED LAND SURVEYOR 1028 STATE OF IDAHO PHILIP F. PUCHNER
GREENHORN BENCH II FILE NO. 13568


CURVE DATA
NE¼ SW¼
NW¼ SE¼
NE¼ SE¼
SE¼ SW¼
SW¼ SE¼
SE¼ SE¼
NE¼ NW¼
NW¼ NE¼
NE¼ NE¼
SE¼ NW¼
SW¼ NE¼
SE¼ NE¼
NE¼ SW¼
NW¼ SE¼
NE¼ SE¼
SW¼ SE¼
GRAPHIC SCALE
1" = 200'
LEGEND
Subdiv.
GLENNDALE RANCH
BIG WOOD RIVER
U.P.R.R.
MICROFILMED
JUN 27 1990
RECORD OF SURVEY MAP OF
GLENNDALE RANCH
SECS. 7 AND 18, T3N., R19E., B.M.
BLAINE COUNTY, IDAHO
SHEET 4 OF 4 SHEETS

Transfer No. _____

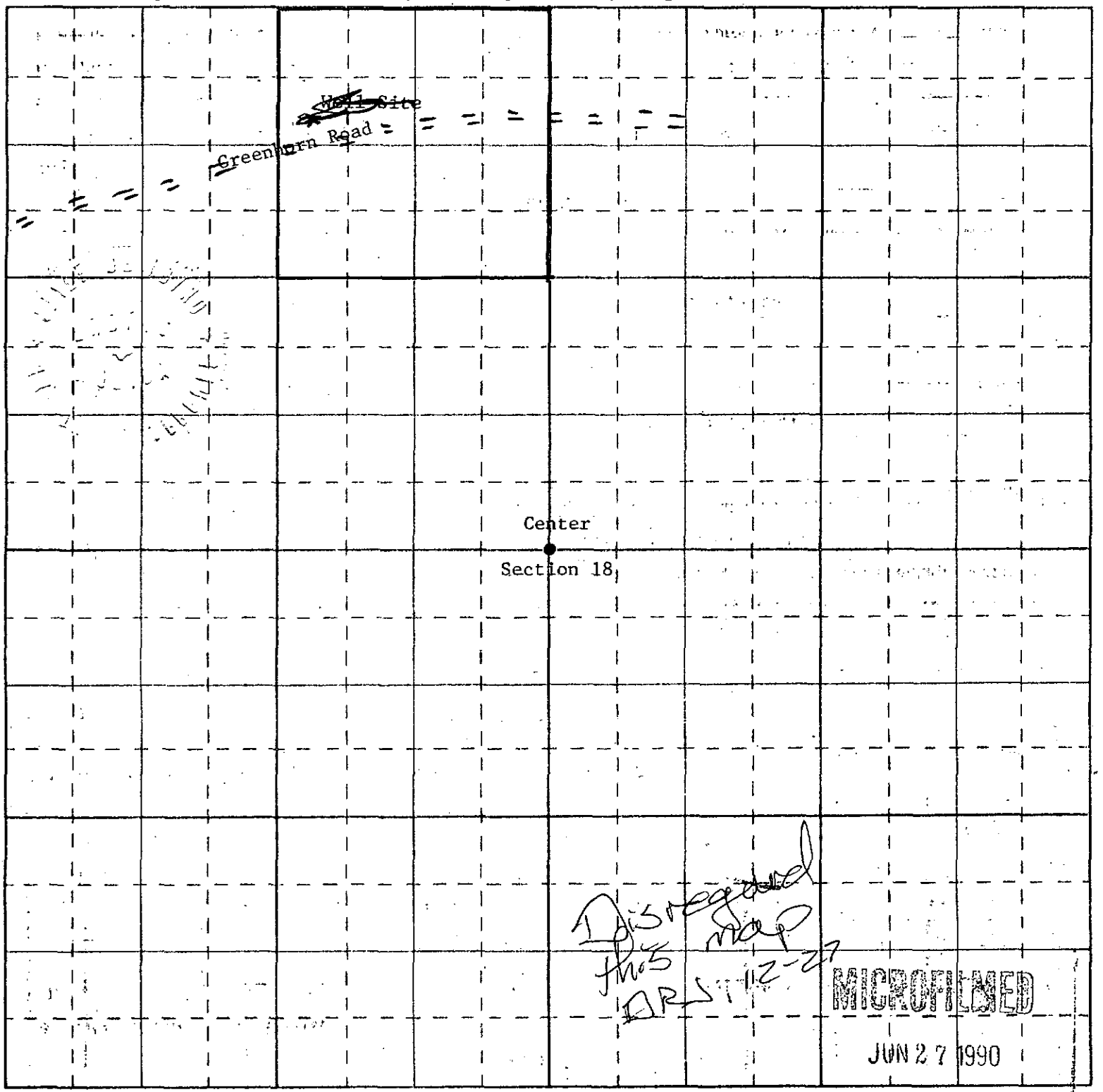
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

Map of NE¼NW¼ Section 18, Township 3 North, Range 18 EBM



Disregarded this map
DRS 12-27

MICROFILMED
JUN 27 1990

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

 Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
Irrigation	.07		3/15 to 11/15
			to

2. Quantity and quality of return flows and location of discharge:
None

3. Describe effects on other water uses resulting from the proposed change:
None

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

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

x Henry Whiting by his agent W.T. Casey
(Signature of Applicant)

Subscribed and sworn to before me this 8th day of November, 19 88.

Judith A. Sprouls
(Notary Public)

My commission expires 2/10/91

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 4 attachments

Received by J F Stanton Date 12-19-88 Protest filed by _____

Prelim. check by _____ Fee $30, SD04592 _____

Receipted by JR Date 12-19-88 _____

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 2/22 & 3/1/89 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☑ approval ☐ denial

_____ rec'd. by _____

Copy of transfer sent to lien holder _____

RECEIVED
JUN 27 1990

SPECIFIC POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That I, HENRY WHITING, II, whose current address is P. O. Box 101, Bliss, Idaho 83314, do hereby make and appoint WILLIAM T. CASEY, whose current address is P. O. Box 326, Sun Valley, Idaho 83353, my true and lawful attorney, to specifically do every act and sign all documents necessary to facilitate the transfer of water rights on that certain real property legally described as follows:

> Lot 2 of GREENHORN BENCH, according to the official official plat thereof, recorded as Instrument No. 298637, records of Blaine County, Idaho.

This is a specific power of attorney, limited to the above described purpose, and is not to be construed as generating a general power of attorney for all purposes.

This Specific Power of Attorney shall expire on May 31, 1989.

HENRY WHITING, II

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

On this 16th day of December, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared HENRY WHITING, II, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

Notary Public for Idaho
Residing at Ketchum, Idaho
Commission expires 2/18/93

MICROFILMED
JUN 27 1990

#1272

SALE AGREEMENT

This agreement made and entered into this 13th day of October, 1988, by and between James Whittaker of Dietrich, Idaho, party of the first part, and John Hepworth, Attorney at Law, of Twin Falls, Idaho representing Dale Gould of Buhl, Idaho, as party of the second part.

WITNESSETH:

In consideration of the sum of $5,000.00, purchaser buys 10 inches, or .20 cfs, of water of the State of Idaho Department of Water Resources License No. 37-2644. Said water having been applied on 10 acres in NW¼NE¼ (Adjudication Filing Identification #A37-02644)

of Section 11, Township 7 South, Range 18 East, Boise Meridian.

The seller represents that the above described property is free and clear of all liens and encumbrances except those of public record on the date hereof or that he will get a partial release of any lien or mortgage that said property is encumbered by and will deliver the partial release to LeMoyne Realty as escrow holder to be delivered when the proper transfer forms have been signed and approved by the State of Idaho. In conjunction with this sale it is understood by the seller that this offer and sale is contingent on the transfer of said water from Dietrich, Idaho to land in Greenhorn Gulch area between Ketchum and Hailey, Idaho to be described later.

The sum of $1,000.00 shall be paid as earnest money on this transaction and the balance of $4,000.00 shall be paid on final delivery of transfer papers as noted above.

IN WITNESS WHEREOF the undersigned have set their hands and seals this 13 day of October 1988.

James Whittaker
James Whittaker

John Hepworth
As Attorney for
Dale Gould

RECORDED
JUN 27 1990

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

On this 13 day of October in the year 1988, before me, a Notary Public, personally appeared James Whittaker, known or

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

Notary Public
Residing at Twin Falls

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

On this 11 day of October in the year 1988, before me, a Notary Public, personally appeared John Hepworth, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public
Residing at Twin Falls

RECORDED
JUN 27 1990

ASSIGNMENT

This assignment made and entered into this 21st day of November, 1988, by and between John Hepworth as attorney for Dale Gould, assignor, and Henry Whiting and Tommy Wells, assignees.

WITNESSETH:

For consideration heretofore received, assignor does hereby sell, assign and transfer to assignee all of its right, title and interest in and to that certain sale agreement executed October 13, 1988 between James Whittaker of Dietrich, Idaho and John Hepworth, attorney at law, of Twin Falls representing Dale Gould of Buhl, Idaho, wherein James Whittaker sold .20 CFS of water of the State of Idaho Department of Water Resources License No. 37-2644.

The assignor represents that the balance due under said sale agreement will be paid in full by assignor on or before the final approval of transfer of water to Whiting and Wells.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date above written.

JOHN HEPWORTH, as Attorney for
Dale Gould, ~~Assignor~~

MICROFILMED
JUN 27 1990

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 13th day of December, 1988, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JOHN HEPWORTH, as Attorney for Dale Gould, Assignor, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

NOTARY PUBLIC

Residing at: Buhl Id
My Commission Expires: 1-9-91

RECEIVED
JUN 27 1990

CONSOLIDATED TAX NOTICE AND RECEIPT 1987
LINCOLN COUNTY TAX COLLECTOR
CATHY LAUDERT
SHOSHONE, ID 83352 REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
200.402	38-00	RP07S18E110000A	2297

N1/2, NESW & N1/2SE 11-7-18
N1/2N1/2, SWNE, S1/2NW,
L 177.654 N1/2SW & NWSE 12-7-18
I 22.748

AC 840.000 WHITTAKER, JAMES A ET UX
536 SO 550 E
DELINQUENT CERT DIETRICH, IDAHO 83324

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
STATE			FULL PAYMENT
COUNTY	.003736	748.70	TAX 2,228.66
D SCHOOL 314	.004598	921.46	PEN.
DIETRICH HWY 5	.002215	443.90	SUB TOT.
LINCOLN CEM	.000181	36.28	INT.
LINCOLN REC	.000266	53.32	TOT.
			1ST INSTALLMENT
			TAX 1,114.33
			PEN.
			SUB TOT.
			INT.
SAN LANDFILL		25.00	TOT.
			2ND INSTALLMENT
			TAX 1,114.33
			PEN.
			SUB TOT.
			INT.
TOTAL	.010996	2,228.66	TOT.

L=LAND I=IMPROVEMENTS P=PRESONAL PROPTERY
ALSO, PLEASE READ THE BACK OF THIS NOTICE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E110000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2297

SPECIAL CODE	TAX	CODE AREA	TAX	2ND INSTALLMENT
2	12.50	1,101.83		1,114.33
				PEN.
				SUB TOT
				INT.
				TOT

38-00
2nd
4L

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO
LINCOLN COUNTY TAX COLLECTOR
CATHY LAUDERT
P O BOX 725
SHOSHONE, ID 83352

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1988
DATE PAID
PAID BY
CHECK #
CASH

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E110000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2297

SPECIAL CODE	TAX	CODE AREA	TAX	TOTAL TAX
92	25.00	2,203.66		2,228.66
				PEN.
				SUB TOT.
				INT.
				TOT.

38-00
FULL
4L

SPECIAL CODE	TAX	CODE AREA	TAX	1ST INSTALLMENT
92	12.50	1,101.83		1,114.33
				PEN
				SUB TOT.
				INT.
				TOT.

38-00
1st
4L

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 1987
DATE PAID
PAID BY
CHECK #
CASH

UA-2B
8/87

CONSOLIDATED TAX NOTICE AND RECEIPT

LINCOLN COUNTY TAX COLLECTOR 1987
CATHY LAUDERT
SHOSHONE, ID 83352 REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
11,325	7-00	RP07S18E100000A	2296

E1/2NE
10-7-18
L 11.325

AC 80.000 WHITTAKER, JAMES A ET UX
536 SO 550 E
DELINQUENT CERT. DIETRICH, IDAHO 83324

TAXING DISTRICT	RATE	AMOUNT
STATE		
COUNTY	.003736	42.32
S SCHOOL 312	.007481	84.72
SHOSHONE HWY 2	.001093	12.38
LINCOLN CEM	.000181	2.06
LINCOLN REC	.000266	3.02
TOTAL	.012757	144.50

RECEIPT

FULL PAYMENT
TAX 144.50
PEN.
SUB TOT.
INT.
TOT.

1ST INSTALLMENT
TAX 72.25
PEN.
SUB TOT.
INT.
TOT.

2ND INSTALLMENT
TAX 72.25
PEN.
SUB TOT.
INT.
TOT.

L=LAND I=IMPROVEMENTS P=PRESONAL PROPTERY
ALSO, PLEASE READ THE BACK OF THIS NOTICE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E100000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2296

SPECIAL CODE	TAX	CODE AREA	TAX	2ND INSTALLMENT
			72.25	72.25
				PEN.
				SUB TOT.
				INT.
				TOT.

7-00
2nd
4L

JUN 27 1988

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO
LINCOLN COUNTY TAX COLLECTOR
CATHY LAUDERT
P O BOX 725
SHOSHONE, ID 83352

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1988
DATE PAID CHECK #
PAID BY CASH

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E100000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2296

SPECIAL CODE	TAX	CODE AREA	TAX	TOTAL TAX
			144.50	144.50
				PEN.
				SUB TOT.
				INT.
				TOT.

7-00
FULL
4L

SPECIAL CODE	TAX	CODE AREA	TAX	1ST INSTALLMENT
			72.25	72.25
				PEN.
				SUB TOT.
				INT.
				TOT.

7-00
1st
4L

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 1987
DATE PAID CHECK #
PAID BY CASH

UA-2B
8/87

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Blaine }

DANIEL J. GORHAM, 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 22nd day of Feb, 19 89, and the date of the last publication was on the 1st day of Mar, 19 89.

Daniel J Gorham

Subscribed and sworn to before me this 1st day of Mar, 19 89.
(SEAL)

Roberta McKenzie
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

OK MB 3/13/89

COST OF PUBLICATION

Number of Picas per Line	11	
Number of Lines in Notice	56	
Number of Insertions	2	
____ Lines tabular at ____		5¢/Pica
56 Lines straight at	27.72	4¢/Pica
56 Subsequent lines at	21.56	3¢/Pica
TOTAL COST	49.28	

MAILED
JUN 27 1990

COPY OF NOTICE
(Paste Here)

Proposed Change #37-2644 Whiting
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Whiting seeks water right change

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-2644

Notice is hereby given that Henry Whiting II of Sun Valley ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No.: 37-2644 Part
Basis of right: License
Source: Groundwater
Priority Date: 10/31/1960
Amount of water: 4.05 cfs
Water use: Irrigation
Point(s) of diversion: NW1/4-NE1/4, Sec. 11, T7S, R18E; Lincoln County
Place of use: 202.5 acres within SE1/4NE1/4, Sec. 10, T7S, R18E; W1/2NE1/4, NW1/4, Sec. 11, T7S, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-2644 Part
Amount of water: .07 cfs
Point of diversion: same
Place of use: 3.5 acres within NW1/4NE1/4, Sec. 11, T7S, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-2644
Amount: .07 cfs
Total amount being transferred: .07 cfs
Source: Groundwater
Point of diversion: NW1/4SE1/4-NW1/4, Sec. 18, T3N, R18E, Blaine County
Place of use: 3.5 acres within NE1/4NW1/4, Sec. 18, T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301, on or before MARCH 13, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal–February 22 and March 1, 1989.

RECEIVED
89
Department of Water Resources
Southern Region Office

PART B

Form 222
1-87

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3514

APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

PART 1

Engelmann By phone 12-27

Engelmann Home # 726-9742

Name of applicant Earl ~~Engleman~~ Phone 208/622-4100 Sun Valley Assoc.

Post Office address Box 326, Sun Valley ID 83353

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes To irrigate land that is presently short of water.

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

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
37-2644B	10/31/60	.04	Irrigation	4-1 3/15	to 11-1 11/15
					to
					to
					to

2. Total amount of water being transferred .04 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	NW	18	3N	18E	Blaine	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	18								2.0									2.0

RECEIVED
JUN 27 1990

Total acres 2.0

PART 1

6. General Information:

a. Description of diversion system Deep well with a 2 HP submersible turbine pump

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Not much change, will irrigate with canal water.

d. Remarks:

Land to be irrigated is part of Lot 5 of the Greenhorn Bench Subdiv.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-2644B

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

1. The priority date of this right is set to the date of approval of this transfer and shall be junior to all existing water rights in use at the time of said approval.

2. The director retains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights in the vicinity of the transferred point of diversion. 3. The use of water on the lands to which the above referenced water right was appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right.

Witness my hand this 16th day of November, 19 89.

JUN 27 1990

L. Glen Saxton

Chief, Water Alloc. Bureau

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. 37-2644 issued by the Idaho Department of Water Resources.

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

   d. Transfer No. _____ which produced this right.

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

   ☑ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 10/31/60

5. Water is used for the following purpose:

   amount 4.18 (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 4.18 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE		11	7S	18E	Lincoln	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	18E	10				7													7
		11		37	39		37	12	38	39									202

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JUN 27 1990

Total acres 209

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

PART 2

Transfer No. _____

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount .04 (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion: Same

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	18E	11		2															2

Total acres 2

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

1. amount 4.14 (cfs/ac-ft) for Irrig. purposes from Mar 15 to Nov 15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion: Same

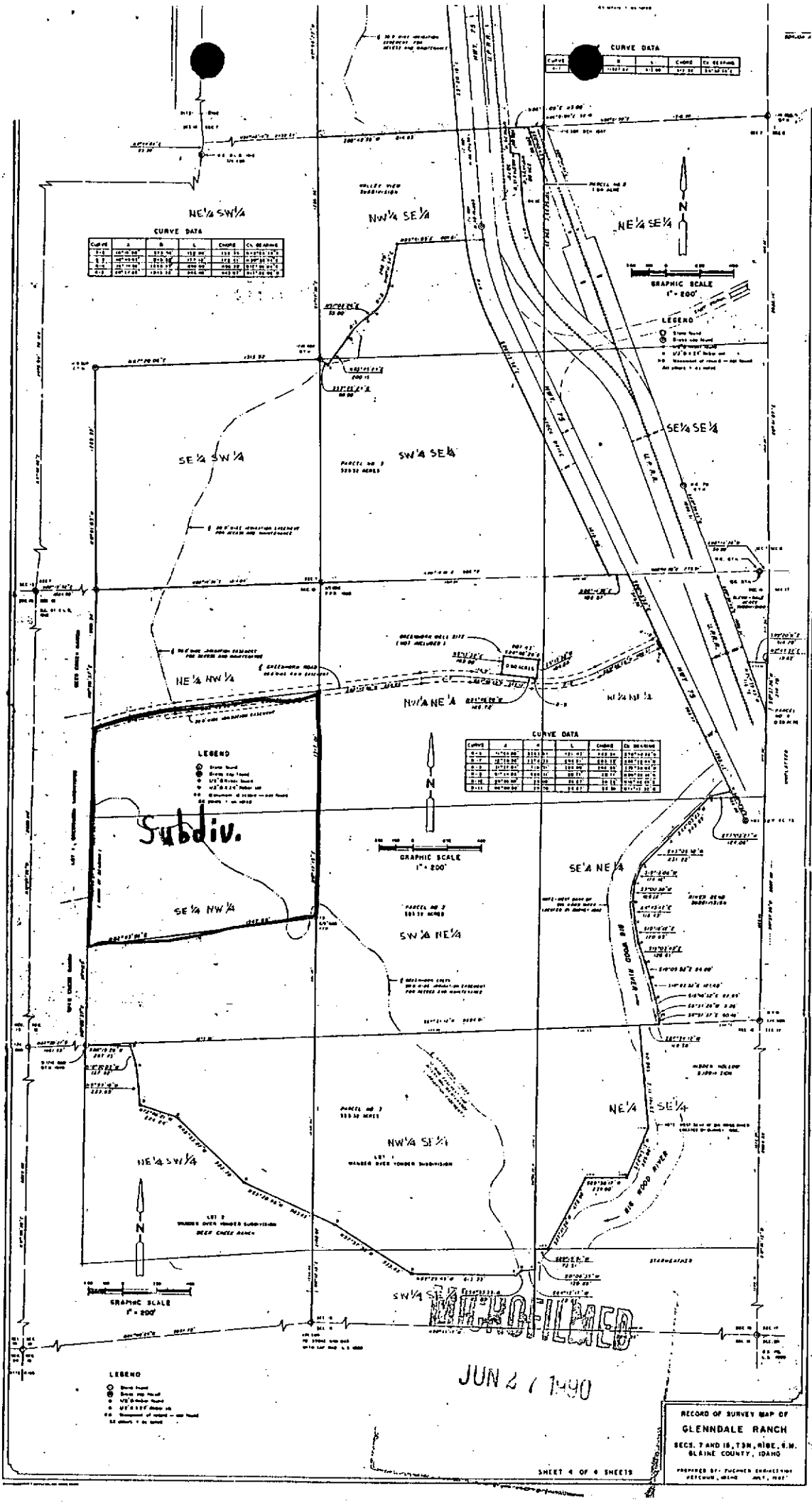
Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

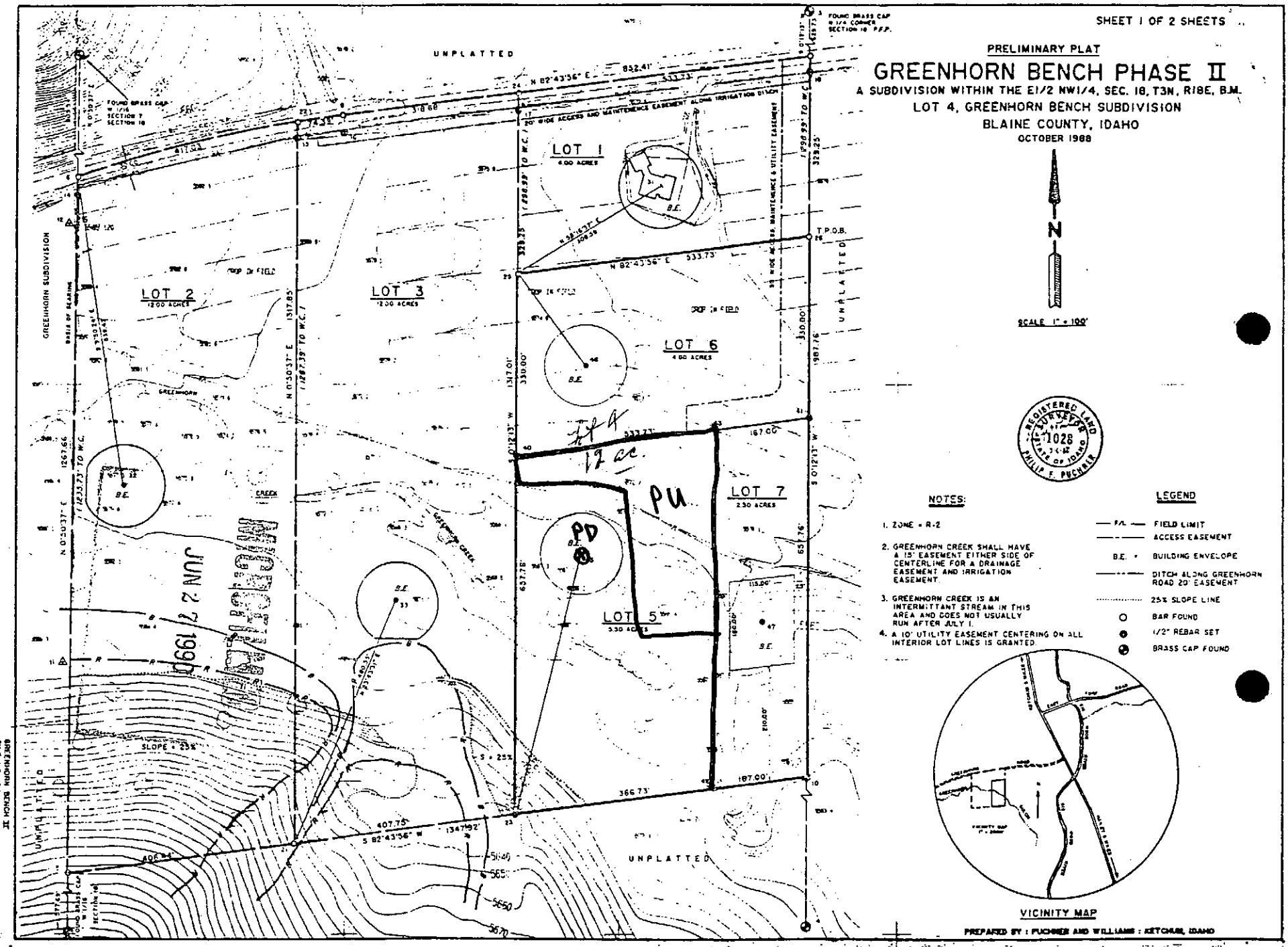
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	18E	10				7													7
		11		35	39		37	12	38	39									200

JUN 27 1990

Total acres 207


CURVE DATA
NE¼ SW¼
NW¼ SE¼
NE¼ SE¼
SE¼ SW¼
SW¼ SE¼
SE¼ SE¼
NE¼ NW¼
NW¼ NE¼
NE¼ NE¼
Subdiv.
SE¼ NW¼
SW¼ NE¼
SE¼ NE¼
NE¼ SW¼
NW¼ SE¼
NE¼ SE¼
SW¼ SE¼
GRAPHIC SCALE
1" = 200'
LEGEND
GLENNDALE RANCH
MICROFILMED
JUN 2 / 1990
RECORD OF SURVEY MAP OF
GLENNDALE RANCH
SECS. 7 AND 18, T3N, R18E, B.M.
BLAINE COUNTY, IDAHO
SHEET 4 OF 4 SHEETS


SHEET 1 OF 2 SHEETS
PRELIMINARY PLAT
GREENHORN BENCH PHASE II
A SUBDIVISION WITHIN THE E1/2 NW1/4, SEC. 18, T3N, R18E, B.M.
LOT 4, GREENHORN BENCH SUBDIVISION
BLAINE COUNTY, IDAHO
OCTOBER 1988
SCALE 1" = 100'
REGISTERED LAND SURVEYOR
1028
STATE OF IDAHO
PHILIP F. PUCHNER
NOTES:
1. ZONE = R-2
2. GREENHORN CREEK SHALL HAVE A 15' EASEMENT EITHER SIDE OF CENTERLINE FOR A DRAINAGE EASEMENT AND IRRIGATION EASEMENT.
3. GREENHORN CREEK IS AN INTERMITTANT STREAM IN THIS AREA AND DOES NOT USUALLY RUN AFTER JULY 1.
4. A 10' UTILITY EASEMENT CENTERING ON ALL INTERIOR LOT LINES IS GRANTED.
LEGEND
F/L FIELD LIMIT
ACCESS EASEMENT
B.E. BUILDING ENVELOPE
DITCH ALONG GREENHORN ROAD 20' EASEMENT
25% SLOPE LINE
BAR FOUND
1/2" REBAR SET
BRASS CAP FOUND
VICINITY MAP
PREPARED BY : PUCHNER AND WILLIAMS : KETCHUM, IDAHO
UNPLATTED
GREENHORN SUBDIVISION
LOT 1
4.00 ACRES
LOT 2
12.00 ACRES
LOT 3
12.00 ACRES
LOT 4
12 ac.
LOT 5
3.30 ACRES
LOT 6
4.00 ACRES
LOT 7
2.30 ACRES
PU
PD
T.P.O.B.
N 82°43'56" E 832.41'
N 82°43'56" E 333.73'
S 82°43'56" W 1347.92'
366.73'
407.75'
406.84'
167.00'
329.25'
330.00'
1317.85'
1267.66'
1987.76'
657.76'
SLOPE = 25%
GREENHORN CREEK
GREENHORN ROAD
JUN 27 1990
5640
5650
5670
GREENHORN BENCH II
FILE NO. 13588

Transfer No. _____

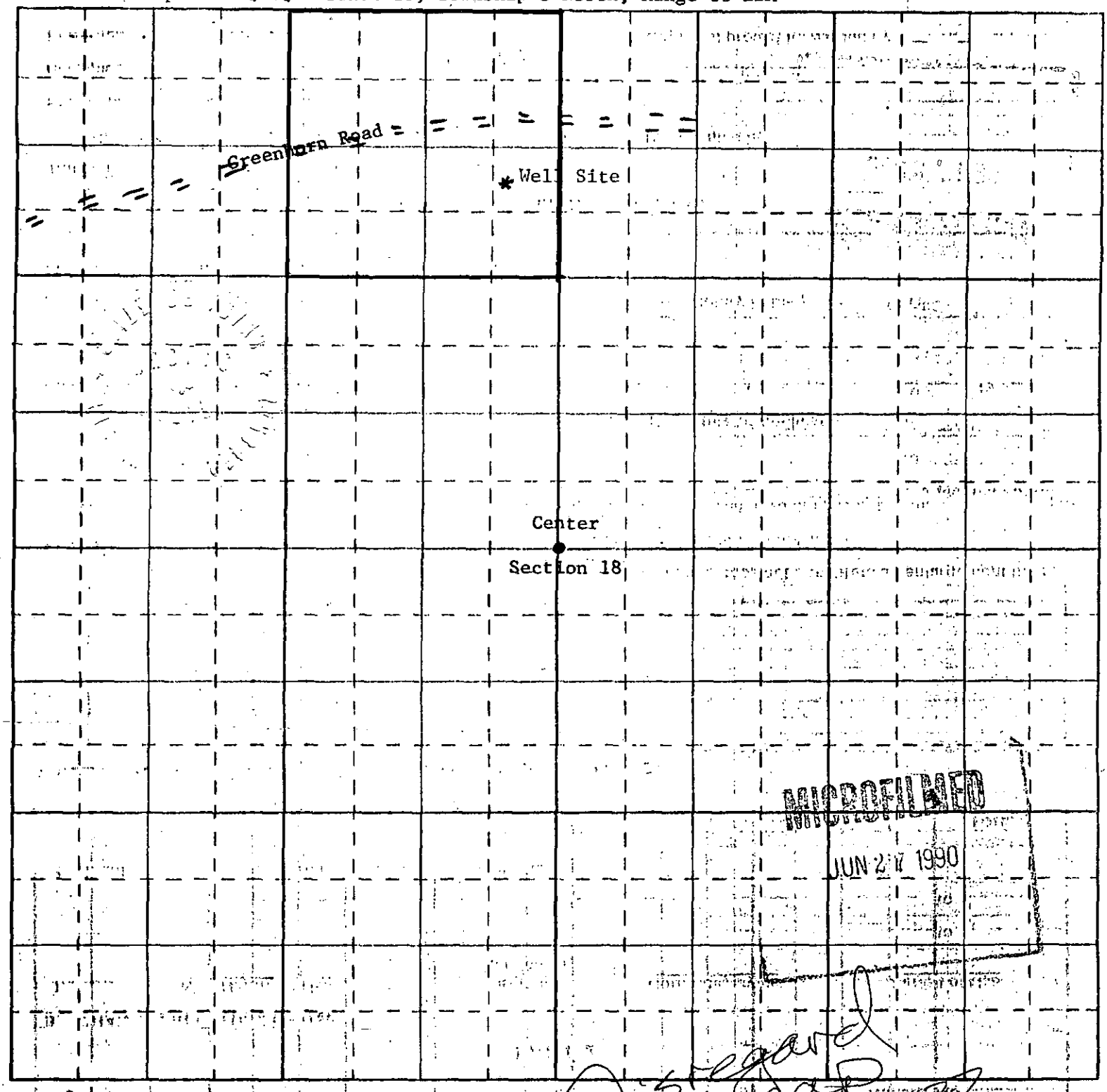
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

Map of NE¼NW¼ Section 18, Township 3 North, Range 18 EBM



MICROFILMED
JUN 27 1990

Distance Road
This DIR 12-87

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

 Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
~~Irrigation~~	~~.04~~		~~3/15~~ to ~~11/15~~
			to

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

None

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

None

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

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

x _____
(Signature of Applicant)

Subscribed and sworn to before me this 9th day of November, 19 88.

Judith C. Sprenkle
(Notary Public)

My commission expires 2/11/91

FOR DEPARTMENT USE ONLY

RECEIVED
JUN 27 1990

Transfer contains _____ pages and _____ attachments

Received by J. F. Stanton Date 12-19-88 Protest filed by _____

Prelim. check by DRV Fee $30. 5004592 _____

Receipted by JA Date 12-19-88 _____

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 2/22 & 3/1/89 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☑ approval ☐ denial

_____ rec'd. _____ by LM

Copy of transfer sent to lien holder _____

#1212

SALE AGREEMENT

This agreement made and entered into this 13th day of October, 1988, by and between James Whittaker of Dietrich, Idaho, party of the first part, and John Hepworth, Attorney at Law, of Twin Falls, Idaho representing Dale Gould of Buhl, Idaho, as party of the second part.

WITNESSETH:

In consideration of the sum of $5,000.00, purchaser buys 10 inches, or .20 cfs, of water of the State of Idaho Department of Water Resources License No. 37-2644. Said water having been applied on 10 acres in NW¼NE¼ (Adjudication Filing Identification #A37-02644)

of Section 11, Township 7 South, Range 18 East, Boise Meridian.

The seller represents that the above described property is free and clear of all liens and encumbrances except those of public record on the date hereof or that he will get a partial release of any lien or mortgage that said property is encumbered by and will deliver the partial release to LeMoyne Realty as escrow holder to be delivered when the proper transfer forms have been signed and approved by the State of Idaho. In conjunction with this sale it is understood by the seller that this offer and sale is contingent on the transfer of said water from Dietrich, Idaho to land in Greenhorn Gulch area between Ketchum and Hailey, Idaho to be described later.

The sum of $1,000.00 shall be paid as earnest money on this transaction and the balance of $4,000.00 shall be paid on final delivery of transfer papers as noted above.

IN WITNESS WHEREOF the undersigned have set their hands and seals this 13 day of October 1988.

James Whittaker
James Whittaker

John Hepworth
As Attorney for
Dale Gould

MICROFILMED
JUN 27 1990

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

On this 13 day of October in the year 1988, before me, a Notary Public, personally appeared James Whittaker, known or

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

Notary Public
Residing at Twin Falls

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

On this 11 day of October in the year 1988, before me, a Notary Public, personally appeared John Hepworth, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public
Residing at Twin Falls

RECORDED FILED
JUN 27 1990

ASSIGNMENT

This assignment made and entered into this 21st day of November, 1988, by and between John Hepworth as attorney for Dale Gould, assignor, and Henry Whiting and Tommy Wells, assignees.

WITNESSETH:

For consideration heretofore received, assignor does hereby sell, assign and transfer to assignee all of its right, title and interest in and to that certain sale agreement executed October 13, 1988 between James Whittaker of Dietrich, Idaho and John Hepworth, attorney at law, of Twin Falls representing Dale Gould of Buhl, Idaho, wherein James Whittaker sold .20 CFS of water of the State of Idaho Department of Water Resources License No. 37-2644.

The assignor represents that the balance due under said sale agreement will be paid in full by assignor on or before the final approval of transfer of water to Whiting and Wells.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date above written.

JOHN HEPWORTH, as Attorney for
Dale Gould, Assignor

MICROFILMED
JUN 27 1990

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 13th day of December, 1988, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JOHN HEPWORTH, as Attorney for Dale Gould, Assignor, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

NOTARY PUBLIC

Residing at: Buhl Id
My Commission Expires: 1-9-91

MICROFILMED
JUN 27 1990

CONSOLIDATED TAX NOTICE AND RECEIPT 1987

LINCOLN COUNTY TAX COLLECTOR
CATHY LAUDERT
SHOSHONE, ID 83352

REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
200,402	38-00	RP07S18E110000A	2297

N1/2, NESW & N1/2SE 11-7-18
N1/2N1/2, SWNE, S1/2NW,
L 177.654 N1/2SW & NWSE 12-7-18
I 22.748

AC 840.000

WHITTAKER, JAMES A ET UX
536 SO 550 E
DIETRICH, IDAHO 83324

DELINQUENT CERT.

TAXING DISTRICT		AMOUNT
STATE		
COUNTY	.003736	748.70
D SCHOOL 314	.004598	921.46
DIETRICH HWY 5	.002215	443.90
LINCOLN CEM	.000181	36.28
LINCOLN REC	.000266	53.32
SAN LANDFILL		25.00
TOTAL	.010996	2,228.66

RECEIPT

FULL PAYMENT
TAX 2,228.66
PEN.
SUB TOT.
INT.
TOT.

1ST INSTALLMENT
TAX 1,114.33
PEN.
SUB TOT.
INT.
TOT.

2ND INSTALLMENT
TAX 1,114.33
PEN.
SUB TOT.
INT.
TOT.

L=LAND I=IMPROVEMENTS P=PRESONAL PROPTERY
ALSO, PLEASE READ THE BACK OF THIS NOTICE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E110000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2297

SPECIAL CODE	TAX	CODE AREA TAX	2ND INSTALLMENT
2	12.50	1,101.83	1,114.33
			PEN.
			SUB TOT
			INT.
			TOT

38-00
2nd
4L

JUN 2 1 1990

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO

LINCOLN COUNTY TAX COLLECTOR
CATHY LAUDERT
P O BOX 725
SHOSHONE, ID 83352

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1988
DATE PAID
PAID BY
CHECK #
CASH

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E110000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2297

SPECIAL CODE	TAX	CODE AREA TAX	TOTAL TAX
92	25.00	2,203.66	2,228.66
			PEN.
			SUB TOT.
			INT.
			TOT.

38-00
FULL
4L

SPECIAL CODE	TAX	CODE AREA TAX	1ST INSTALLMENT
92	12.50	1,101.83	1,114.33
			PEN.
			SUB TOT.
			INT.
			TOT.

38-00
1st
4L

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 1987
DATE PAID
PAID BY
CHECK #
CASH

UA-2B
8/87

CONSOLIDATED TAX NOTICE AND RECEIPT

LINCOLN COUNTY TAX COLLECTOR 1987
CATHY LAUDERT
SHOSHONE, ID 83352 REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
11.325	7-00	RP07S18E100000A	2296

E1/2NE
10-7-18

L 11.325

AC 80.000 WHITTAKER, JAMES A ET UX
536 SO 550 E
DELINQUENT CERT. DIETRICH, IDAHO 83324

TAXING DISTRICT	RATE	AMOUNT
STATE		
COUNTY	.003736	42.32
S SCHOOL 312	.007481	84.72
SHOSHONE HWY 2	.001093	12.38
LINCOLN CEM	.000181	2.06
LINCOLN REC	.000266	3.02
TOTAL	.012757	144.50

RECEIPT

FULL PAYMENT
TAX 144.50
PEN.
SUB TOT.
INT.
TOT.

1ST INSTALLMENT
TAX 72.25
PEN.
SUB TOT.
INT.
TOT.

2ND INSTALLMENT
TAX 72.25
PEN.
SUB TOT.
INT.
TOT.

L=LAND I=IMPROVEMENTS P=PRESONAL PROPTERY
ALSO, PLEASE READ THE BACK OF THIS NOTICE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E100000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2296

SPECIAL CODE	TAX	CODE AREA	TAX	2ND INSTALLMENT
			72.25	72.25
				PEN.
				SUB TOT.
				INT
				TOT.

7-00
2nd
4L

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO
LINCOLN COUNTY TAX COLLECTOR
CATHY LAUDERT
P O BOX 725
SHOSHONE, ID 83352

JUN 27 1988
LINCOLN COUNTY TREASURER

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1988
DATE PAID
PAID BY
CHECK #
CASH

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP07S18E100000A
WHITTAKER, JAMES A ET UX
536 SO 550 E 2296

SPECIAL CODE	TAX	CODE AREA	TAX	TOTAL TAX
			144.50	144.50
				PEN.
				SUB TOT.
				INT.
				TOT.

7-00
FULL
4L

SPECIAL CODE	TAX	CODE AREA	TAX	1ST INSTALLMENT
			72.25	72.25
				PEN.
				SUB TOT.
				INT.
				TOT.

7-00
1st
4L

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 1987
DATE PAID
PAID BY
CHECK #
CASH

UA-2B
8/87

For File 37-2644

CONVERSATION MEMORANDUM

Date 12-27 File # _____

NAME OF PARTY Engelmann

EMPLOYEE DKJ

RE Transfer applications re

1) Obtained correct spelling of name

2) Cleared irrig. season change thru him

3) Requested copy of Whittaker tax notice

Told him we'd hold file until notice comes - no priority jeopardy

Received Whittaker Tax notice for land from which water right is transfered from Harry LeMoyne of 1-20-89

MICROFILMED
JUN 4 1990

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Blaine }

DANIEL J. GORHAM, 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 22nd day of Feb. 19 89, and the date of the last publication was on the 1st day of Mar. 19 89.

Daniel J. Gorham

Subscribed and sworn to before me this 1st day of March 19 89.
(SEAL)

Roberta Mc Cracken
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

OK MB 3/13/89

Number of Picas per Line	11	
Number of Lines in Notice	54	
Number of Insertions	2	
____ Lines tabular at ____		5¢/Pica
54 Lines straight at	26.73	4¢/Pica
54 Subsequent lines at	20.79	3¢/Pica
TOTAL COST		

RECEIVED JUN 27 1990

MAR 03 1989
Department of Water Resources
Southern Region Office

COPY OF NOTICE
(Paste Here)

Proposed Change #37-2644 Engelmann
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Engelmann seeks water right change

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-2644

Notice is hereby given that Earl Engelmann of Sun Valley ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No.: 37-2644
Basis of right: License
Source: Groundwater
Priority Date: 10/31/1960
Amount of water: 4.18 cfs
Water use: Irrigation
Point(s) of diversion: NW1/4-NE1/4, Sec. 11, T7S, R18E, Lincoln County
Place of use: 209 acres within SE1/4NE1/4, Sec. 10, T7S, R18E; W1/2NE1/4, NW1/4, Sec. 11, T7S, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-2644
Amount of water: .04 cfs
Point of diversion: No change
Place of use: 2 acres within NW1/4NE1/4, Sec. 11, T7S, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-2644
Amount: .04 cfs
Total amount being transferred: .04 cfs
Source: Groundwater
Point of diversion: NE1/4SE1/4-NW1/4, Sec. 18, T3N, R18E, Blaine County
Place of use: 2.0 acres within SE1/4NW1/4, Sec. 18, T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301, on or before MARCH 13, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal–February 22 and March 1, 1989.

PART A

Part A

WR0749NP
No. 37-02644A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/19/00
PAGE: 1

NONE ON LIC

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES A WHITTAKER 498 E 670 S DIETRICH ID 83324 (208) 544-2574	10/31/1960	IRRIGATION	00/00	00/00	3.780 CFS	
				TOTAL DIVERSION:		3.780 CFS	

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T07S R18E S11 NWNE LINCOLN County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
07S 18E 10				07													7.0
07S 18E 11		29	29		37	12	38	39									184.0
																TOTAL ACRES	191.0

Pou County: LINCOLN

Dates: App. Received: Priority Date: 10/31/1960
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 05/15/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 07/10/1995 User-ID: SCURTIS Subject: TRANSFER NO. 4656
Trans. #4656 was filed to change the point of diversion and place of use under Right 37-02644A.

Date: 05/19/2000 User-ID: KWALKER Subject: Transfer 4656
Transfer 4656 was rescinded on May 1, 1996, per request of right holder. Today I updated data base to show the right as it was prior to transfer approval per request of Jim Stanton.

Audit: 06/21/90 CURTIS 07/10/95 SCURTIS 08/31/95 SCURTIS 09/27/95 PSKAGGS
05/19/00 KWALKER

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER NO. 4656 OF WATER RIGHT NO. 37-02644A IN THE NAME OF JAMES A. WHITTAKER	**ORDER**

WHEREAS, on February 24, 1995, James A. Whittaker (applicant) filed Application for Transfer No. 4656 changing the point of diversion and place of use of Water Right No. 37-02644A; and,

WHEREAS, on September 28, 1995, the Department approved Application for Transfer No. 4656 with the condition that the changes authorized by the transfer be accomplished within one year of the approval date; and,

WHEREAS, on February 26, 1996, the applicant notified the Department that he would not be able to comply with the conditions of approval and wished to relinquish Application for Transfer No. 4656, thereby returning Water Right No. 37-02644A to the original point of diversion and place of use;

IT IS, THEREFORE, HEREBY ORDERED that approval of Application for Transfer No. 4656 of Water Right No. 37-02644A is **RESCINDED** and Application for Transfer No. 4656 be **VOIDED.**

Dated this 1st day of May, 1996.

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

MAY 07 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4656
WATER RIGHT NO. 37-02644A

This is to certify that: **JAMES A WHITTAKER**
498 E 670 S
DIETRICH ID 83324

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

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	3.78 CFS	764.0 AF

SOURCE

GROUNDWATER

Priority: 10/31/1960

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 11, Township 06S, Range 19E
LINCOLN County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
06S	19E	2	NESW	30	NWSW	30	SWSW	30	
			SESW	30					120
		11	SWNE	11	NENW	30	SENW	30	71
					Total number of acres irrigated:				191

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

RECEIVED
OCT 03 1995

TRANSFER NO. 4656
WATER RIGHT NO. 37-02644A

CONDITIONS OF APPROVAL AND REMARKS

4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 764.0 af for the lands above.
9. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
10. The use of groundwater for irrigation purposes on the lands to which Right No. 37-02644A was appurtenant prior to this approval shall cease.

Dated this 28th day of September, 1995.

L. Glen Saxton
Chief, Water Alloc. Bureau

OCT 03 1995

Form 1-222
12-92

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4656

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED
AUG 30 1995
Department of Water Resources

PART 1

Name of applicant James A. Whittaker Phone 544-[illegible]674

Post Office address 498 E. 670 S., Dietrich, ID

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Well is needed to supplement Magic Reservoir water, which is always short in dry years

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

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
37-02644A	10-31-1960	3.78 cfs	Irrig.	4-1	to 10-31
					to
					to
					to

2. Total amount of water being transferred 3.78 cubic feet per second and/or 764 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	NW	11	6S	~~20E~~ 19E	Lincoln	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6S	19E	7									30	30	30	30					120
		11			11		30			30									71

OCT 03 1995

Total acres 191

PART 1

6. General Information:

a. Description of diversion system Well & pump, sprinklers

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will continue to be irrigated with American Falls Reservoir District #2 shares

d. Remarks:

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 ____.

_____

Page _____ of _____ TRANS NO. 4656

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. **37-02644A**

STAGE: **LICENSE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/01 to 11/01	3.78 CFS

SOURCE

GROUNDWATER

Priority: 10/31/1960

LOCATION OF POINT(S) OF DIVERSION: NWNE , Sec. 11, Township 07S, Range 18E LINCOLN County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
07S	18E	10	SENE	7					7
		11	NWNE	29	SWNE	29	NENW	37	
			NWNW	12	SWNW	38	SENW	39	184
					Total number of acres irrigated:				191

CONDITIONS/REMARKS:

1. Measuring devices of a type approved by the Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

OCT 03 1995

Form 1-222

Page 3 of 6

Transfer No. 4656

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. 37-02644A issued by the Idaho Department of Water Resources.

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

   d. Transfer No. 3514 which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 10-31-1960

5. Water is used for the following purpose:

   amount 3.78 cfs (cfs/ac-ft) for Irrig. purposes from 4-1 to 10-31

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 3.78 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	11	7S	18E	Lincoln	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	18E	10				7													7
		11		28	29		37	12	38	39									184
					54				126										
											OCT 03 1995								

Total acres 191

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

PART 2

Transfer No. K656

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

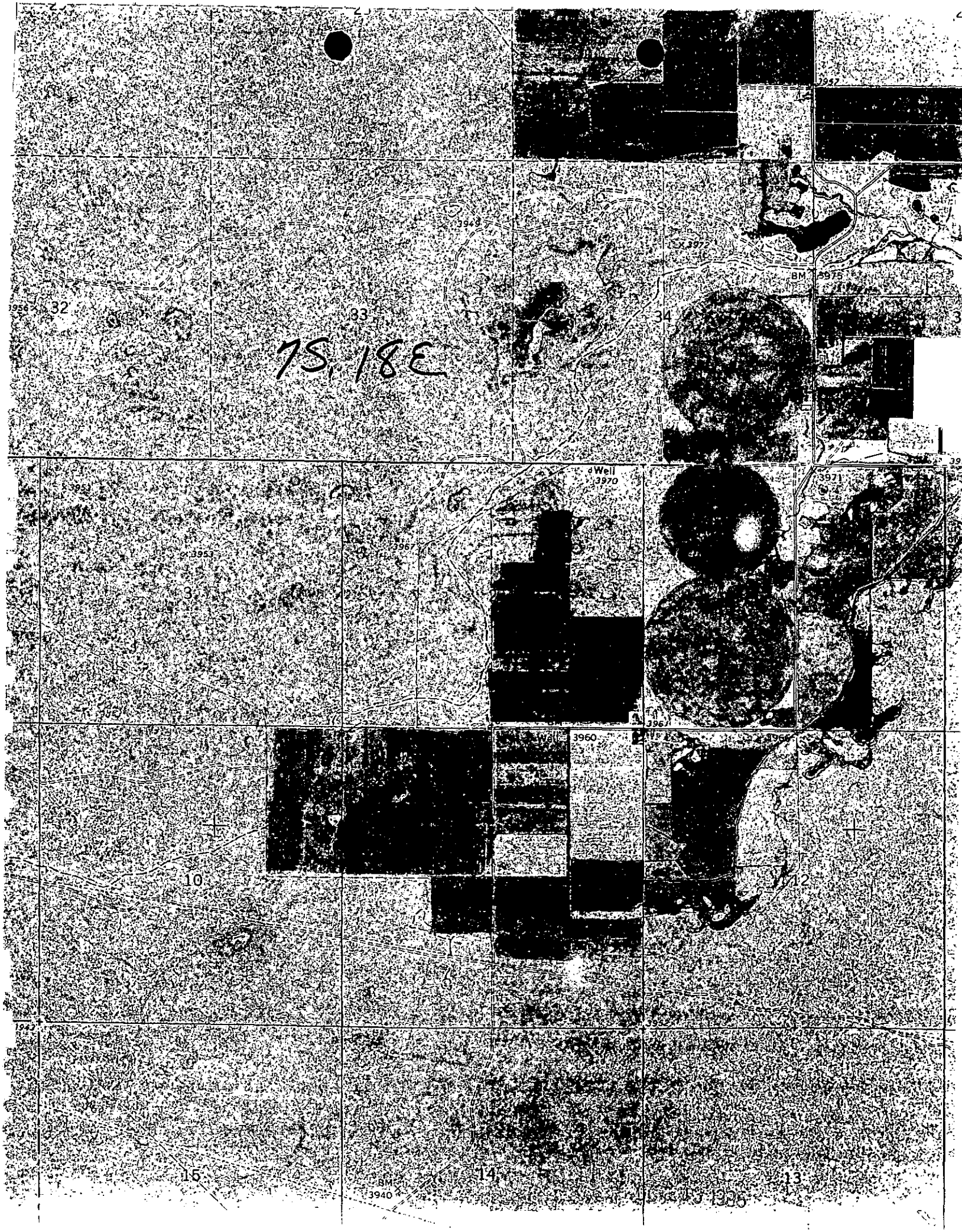
Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

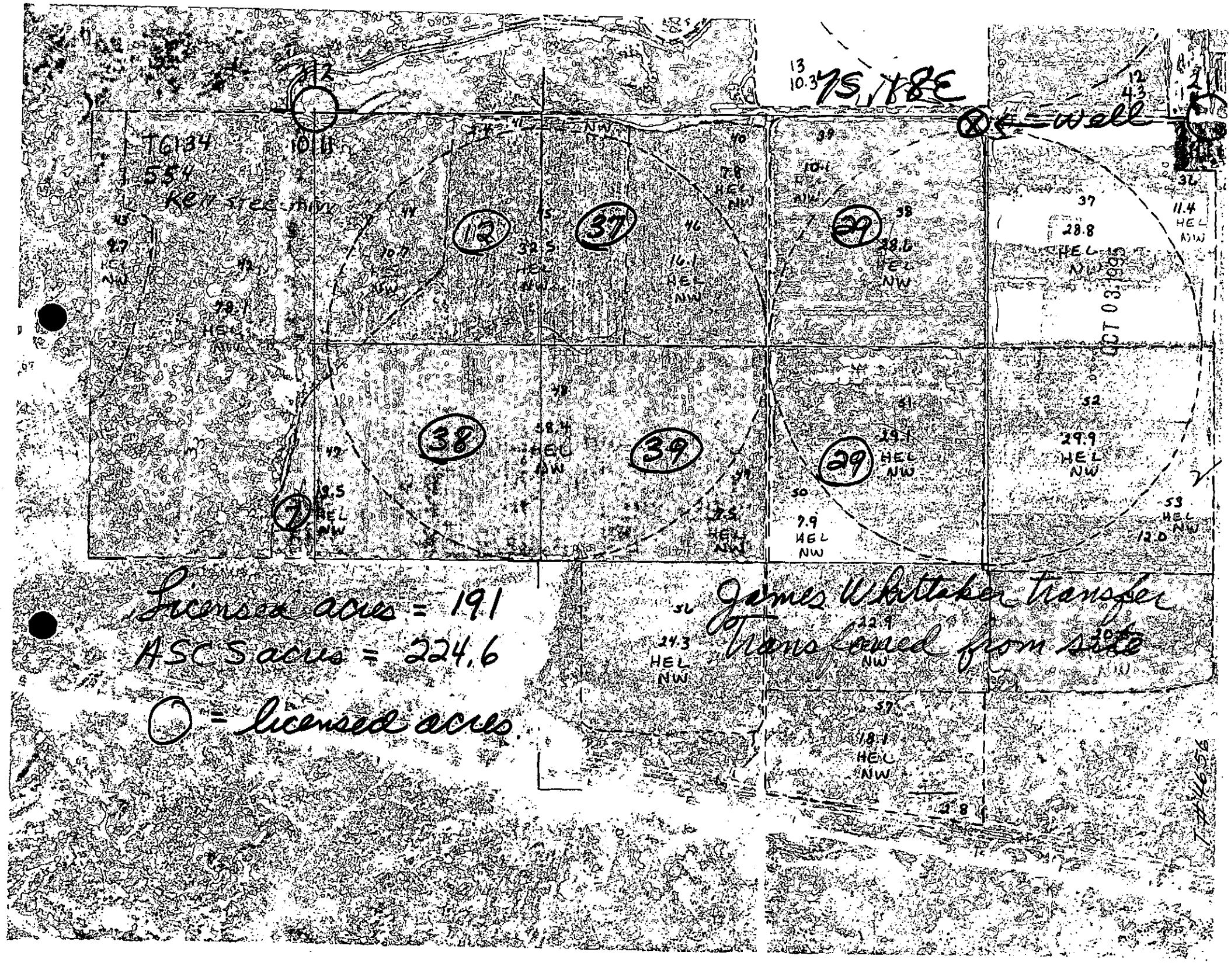
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

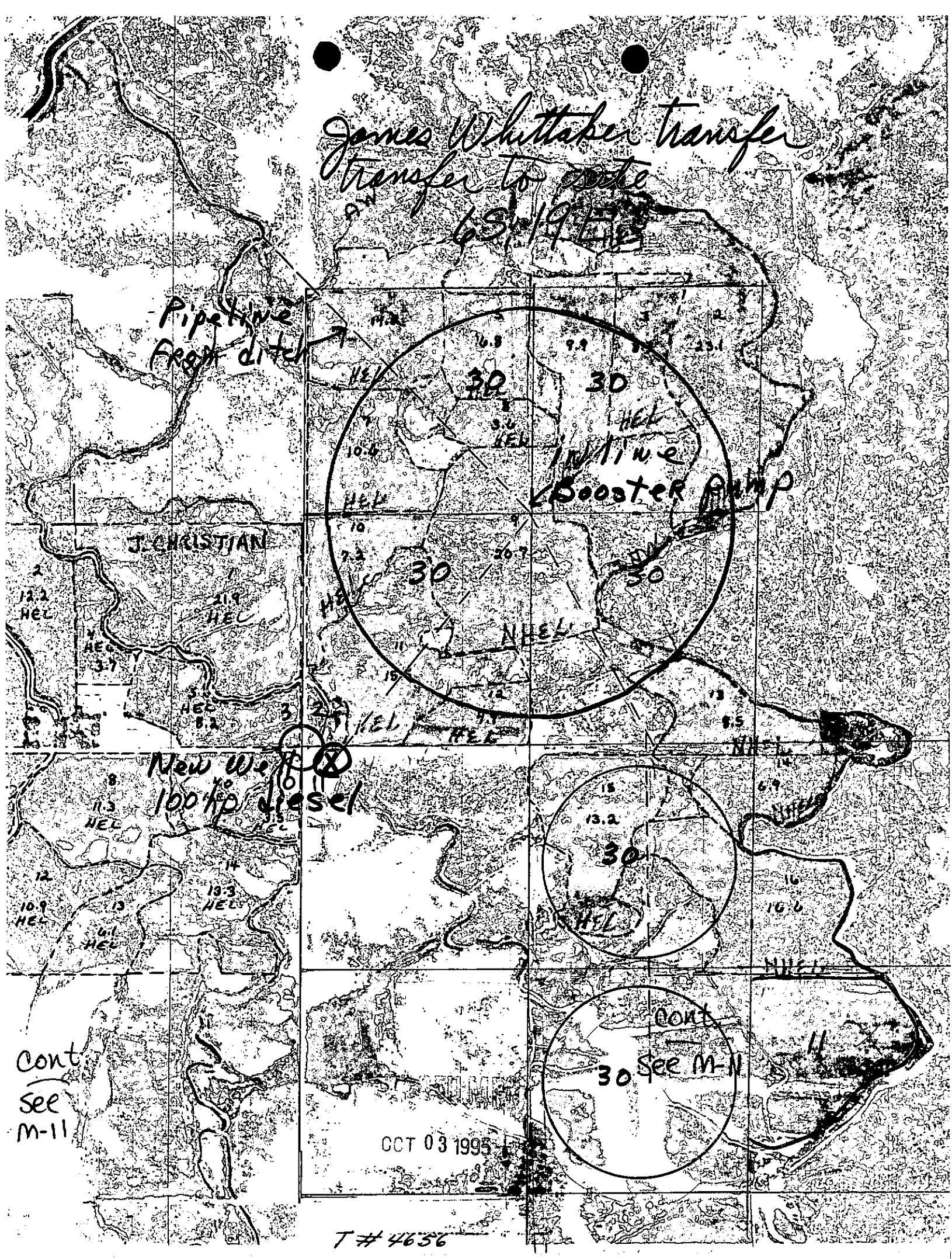
Total acres _____


Hunt's Waterhole
35
6S
Bessler
Borrego
PACIFIC
15
Sand Dunes
Sand Dunes
West
Monument Reser
T#4656


7S, 18E
32
33
34
3
10
12
15
14
13
3970
3960
3961
3971
3967
3953
3957
3972
3975
3940
BM
Well

T#4656


T6134
554
Kellstee-Hill
13
10.3
T5, R8E
⊗ = well
12
4.3
10
11
12
37
38
39
29
7
7.6
HEL
NW
10.7
32.5
16.1
38.6
29.1
29.9
12.9
24.3
19.1
7.9
9.5
11.4
28.8
12.0
OCT 03 '89
Licensed acres = 191
ASCS acres = 224.6
⊙ = licensed acres
James Whittaker transfer
transferred from 5206


James Whittaker transfer
Transfer to Pete
APN
6S/19E
Pipeline
From ditch
30
HEL
30
HEL
Booster Pump
J. CHRISTIAN
30
NHEL
30
New well
100 hp diesel
30
HEL
30
Cont
See M-11
Cont
See M-11
OCT 03 1995
T#4656

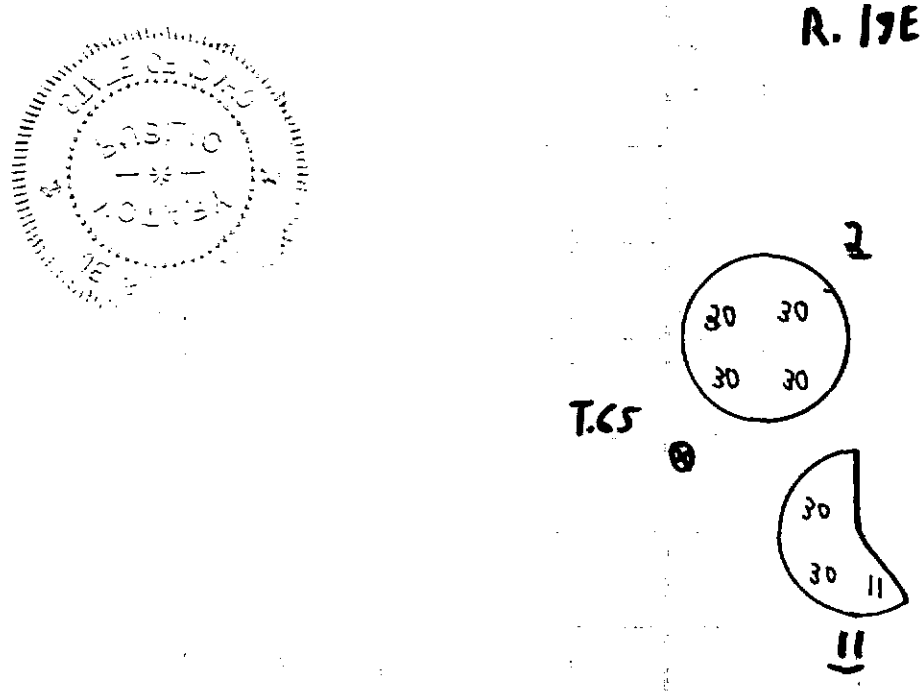
Transfer No. 4656

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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



OCT 03 1995

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

Transfer No. 4656

PART 3

B. CHANGES IN NATURE OF USE

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

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

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

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

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

James A. Whittaker
(Signature of Applicant)

Subscribed and sworn to before me this 24th day of February, 19 95.

J F Stanton
(Notary Public)

My commission expires 10-25-2000

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 4 attachments

Received by J F Stanton Date 2-24-95 Protest filed by None

Prelim. check by _____ Fee $100, SO17792

Receipted by JS Date 2-24-95

Published in Lincoln Co. Journal Copies of protest forwarded by _____

Pub. dates 8/2 + 8/9/95 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. by AM

Copy of transfer sent to lien holder _____

RECEIVED
FEB 24 1995
Department of Water Resources
Southern Region

OCT 03 1995

RECEIVED

MAR 06 1995

Department of Water Resources
Southern Region

FURNISHED BY Land Title and Escrow, Inc.

WARRANTY DEED

For Value Received **KENNETH DARRELL STEELMAN and TERRY LEE STEELMAN, husband and wife**

Deed Work
- ✓ Aerial Photo
- ✓ Plat Book
- Appraisal
- ✓ Computer
- ✓ Index Card
- ✓ Sales Verification
- ✓ Buyer
- Seller

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

JAMES A. WHITTAKER, an unmarried man
whose address is: 498 East 670 South, Dietrich, Idaho 83324

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

TOWNSHIP 7 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 10: E½NE¼; 07S18E100000 ✓✓
Section 11: N½; NE¼SW¼; N½SE¼; 07S18E110005 ✓
Section 12: NW¼; N½SW¼; 07S18E122400 ✓

Together with all Big Wood Canal Company water shares appurtenant thereto.

SUBJECT TO THE FOLLOWING:

All reservations in patents or deeds in the chain of title.

Taxes subsequent to the year 1994, a lien, but not yet due and payable.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Power Line Easement given by Irl V. Sonner and Florence Sonner, husband and wife, to Idaho Power Company, a corporation, dated May 5, 1949, recorded June 15, 1950 in Book 5 Page 380 as Instrument Number 95245, Lincoln County records, affecting the NE¼SW¼ of Section 11, Township 7 South, Range 18, East Boise Meridian.

Right of Way Easement given by James A. Whittaker and Lurline L. Whittaker, husband and wife, to Idaho Power Company, a corporation, dated June 23, 1980, recorded July 14, 1980 as Instrument Number 139398, Lincoln County records, affecting a portion of the NE¼SW¼ and the NW¼SE¼ of Section 11, Township 7 South, Range 18, East Boise Meridian.

An easement for ingress and egress as reserved in Warranty Deed dated March 20, 1989, recorded March 21, 1989 as Instrument Number 152886, Lincoln County records.

Mortgage by and between Kenneth Darrell Steelman and Terry Lee Steelman, husband and wife, and James A. Whittaker, dated March 15, 1989, recorded March 21, 1989 as Instrument Number 152887, Lincoln County records. ASSIGNED TO James A. Whittaker and Twin Falls Bank and Trust Co., Trustee u/w of Lurline L. Whittaker by an Assignment of Mortgage dated March 20, 1989, recorded March 21, 1989 as Instrument Number 152889, Lincoln County records, which the Grantee agrees to assume and pay.

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

Dated: **November 22, 1994**

Kenneth Darrell Steelman
KENNETH DARRELL STEELMAN

Terry Lee Steelman
TERRY LEE STEELMAN

STATE OF IDAHO, COUNTY OF **Jerome**

On this 22nd day of **November**, 19 **94**, before me, a notary public in and for said State, personally appeared

Kenneth Darrell Steelman and Terry Lee Steelman

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

Notary Public for Idaho.
Residing at
Commission expires:

OFFICIAL SEAL
RICK BERNSEN
NOTARY PUBLIC STATE OF IDAHO
JEROME
JEROME COUNTY
My Commission Expires 7-30-97

158801

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of
Land Title & Escrow

NOV 23 1994

at 50 minutes past 4 P M
recorded by Velma Jackson Dep.
Fee: 3.00 Return to: L.T.E.

OCT 03 1995

ORIGINAL

IM 3-1-59

State of Idaho

License and Certificate of Water Right

Water License No. G-29110 Priority October 31, 1960 Amount 4.18 c.f.s.

THIS IS TO CERTIFY that CLIFF M. DEVANEY

of Twin Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 31, 1960; that Permit No. G-29110 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 4.18 second feet, was issued thereunder on November 29, 1966, showing that said works were completed on the 20th day of June, 1966; and that on the 20th day of June, 1966 CLIFF M. DEVANEY

of Twin Falls, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation under Use Permit No. G-29110 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 14 of Licenses, at Page 8602, on the 29th day of November, 1966.

The right hereby confirmed dates from October 31, 1960.

The Point of Diversion is located in the NW ¼ NE ¼, Sec. 11, Twp. 7S, R. 18E, B.M. Lincoln County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.18 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S	18 E	10	SE¼ NE¼	40	7
		11	NW¼ NE¼	40	37
			SW¼ NE¼	40	39
			NE¼ NW¼	40	37
			NW¼ NW¼	40	12
			SW¼ NW¼	40	38
			SE¼ NW¼	40	39
			Total number of acres to be irrigated:		209

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 29th day of November, 1966.

R. Keith Higginson

State Reclamation Engineer.

37 2044

State of Idaho

LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. G-29110

To Cliff M. Devaney
Twin Falls, Idaho

Source of Supply subterranean

Lincoln County

Amount 4.18 Sec. Ft.

Point of Diversion $NW\frac{1}{4}NE\frac{1}{4}$, Sec. 11, T. 7 S, R. 18 E, B.M.

Place of Use $W\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}$, Sec. 11; $SE\frac{1}{4}NE\frac{1}{4}$, Sec. 10, T. 7 S, R. 18 E, B.M.

Purpose irrigation

Date of Priority October 31, 1960

Recorded November 29, 1966

in Book 14 of Licenses, Page 8602

29/10

G-29110

Idaho Land & Map Service
Box 2161
Boise, Idaho

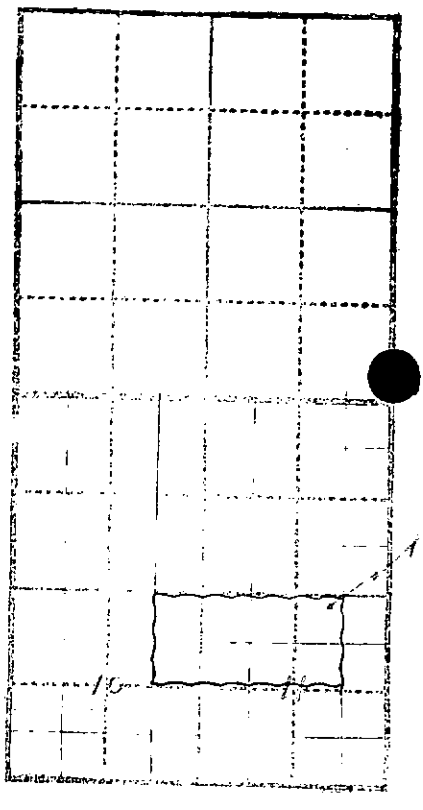
37-2644

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-37104
Permit No. G- 29110
District No.

1. Name of Applicant: Cliff M. Devaney
   Postoffice address: 688 Blue Lakes Blvd.,No. Twin Falls County: Twin Falls State: Idaho



2. Quantity of water claimed: 320 miner's inches

   (a) Rate of withdrawal in cubic feet per second 6.4 or Idaho Miners' inches or gallons per minute

   (b) Annual withdrawal in acre feet per annum

3. Source of water supply: Drilled well

4. Location of point of diversion or well is in the NW ¼ of the NE ¼ of Section 11 Twp. 7 S , Rge. 18 E , B.M., County of Lincoln

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

   (a) Point of use of water is in the ¼ of the ¼ of Section , Twp. Rge. , B. M.

   (b) Waste water or sewage effluent is to be returned to at a point in the ¼ of the ¼ of Section , Twp. , Rge. , B. M.

7. Kind of works: Drilled well, to be cased and equipped with turbine type pump and motor

8. Estimated cost of works: $15,000

9. (a) Is reservoir to be used? No

   (b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

   I. (a) Date and place of incorporation:

   (b) Amount of capital stock: $ (c) Amount paid in: $

   (d) Names and addresses of directors:

   II. The financial resources of the applicant are (a) Cash on hand: $

   (b) Treasury stock: (c) Bonds to be issued:

   (d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

   (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

   (b) 6.4 (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: This permit is to be used in connection with the irrigation of vacant federal land now under application in the Idaho Land office as a desert entry

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

Cliff M. DeVaney *Applicant.*

By s/ Harley M. McDowell *Agent.*

Date of first receipt at Department of Reclamation: 8:00 A.M. October 31, 1960

Returned to applicant for correction:

Corrected application received:

DESERT ENTRY - Idaho Ser. No. .....

Allowed: .....

Approval of State Reclamation Engineer

The number of this permit is G— 29110

Recorded in Book 102 Page 29110 Approved November 7, 1960

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of $ to be filed on or before

Work to begin on or before and to continue deligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before May 7, 1963

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before November 7, 1965

Witness my hand this 7th day of November, 1960

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 7th day of November, 1960

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

STATE OF IDAHO

By s/ ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Totals
7 S	18 E	11		40	40		40	40	40	40									240
		10	40			40													80
																	TOTAL		320

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

WHEREAS, Permit No.G-29110, in the name of Cliff M. DeVaney, requires proofs of completion of works and beneficial use to be made on or before November 7, 1965; and,

WHEREAS, said Permit was issued in connection with Desert Land Entry Idaho Serial #011978; and,

WHEREAS, Applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry, which was not allowed until March 23, 1962;

NOW, THEREFORE, An Extension of Time is allowed for Completion of Works and beneficial use Proofs on Permit No. G-29110 to March 23, 1967, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for every other act required under the terms and conditions of Permit No. G-29110.

Signed at Boise, Idaho, this 16th day of September, 1965

s/ RALPH W. THOMAS, Deputy
State Reclamation Engineer

Permit No. G-29110
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that CLIFF M. DEVANEY of Twin Falls, County of Twin Falls, and State of Idaho, the holder of Permit No. G-29110, issued upon Application No. G-37104 bearing date of priority of October 31, 1960, authorizing the diversion of 6.4 second feet of waters of a well, County of Lincoln, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of theState of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 4.18 second feet of the waters of a well, tributary of subterranean flow; that the point of diversion of said waters NW¼NE¼, Sec. 11, T. 7 S, R. 18 E, B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: W½NE¼, NW¼, Sec. 11; SE¼NE¼, Sec. 10, T. 7 S, R. 18 E, B.M.

Proof of Completion of Works Made: June 20, 1966.

Witness my hand this 29th day of November, A.D. 1966.

S/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 4.18 SEC. FT.
LICENSE PAGE NO. 8602 .

PART J

Part J

MEMORANDUM

TO: **FILE** 37-02644J

FROM: **VAULT**

RE: **TRANSFER #** 69177

DATE: 8-30-02

= =

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

FILE # 37-20392

MICROFILMED
SEP 11 2002

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
Q	CLIFF M DEVANEY 688 BLUE LAKES BLVD N TWIN FALLS ID 83301	11/16/1989	IRRIGATION	04-15	10-15	0.08 CFS	14.00 AFA
				TOTAL DIVERSION:		0.08 CFS	14.00 AFA
C	HARRY E JOHNSTON 7825 FAY AVE SUITE 231 LA JOLLA CA 92037						

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T02N R18E S35 NWNW BLAINE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
02N	18E	26											.3						0.3
02N	18E	35						03											3.7
																	TOTAL ACRES		4.0

Pou County: BLAINE

Other Water Rights with Same Point(s) of Diversion and Source:
37-02693 37-02752A T37-02644F

Other Water Rights Listing Overlapping Place(s) of use:
37-02644F 37-04377 37-07312 T37-02644F T37-02644G T37-02644H

Conditions of Approval:

046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 37.
R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for the
- lands above.
T07 - The change authorized by this transfer shall be accomplished
- within one (1) year of the date of this approval.
T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.
T08 - Failure to comply with the conditions of this transfer is cause
- for the director to issue an order to show cause why the approval
- of the transfer should not be rescinded.

Dates: App. Received: Priority Date: 11/16/1989
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 05/15/1979

Misc: Water District Number: 37 Field Exam Fee:

Comments: Date: 02/18/1994 User-ID: SKAGGS Subject: TRANSFER NO. 4049
Transfer No. 4049 was filed to add 2 new wells and correct the place of use under Right No. 37-02644F, splitting the right into parts G, H and J. Each part has its own point of diversion and are separate systems.

Audit: 02/22/94 SKAGGS 02/22/94 SKAGGS

PART H

WR0749NP
No: T37-02644H

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/22/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	HARRY E JOHNSTON 7825 FAY AVE SUITE 231 LA JOLLA CA 92037	11/16/1989	IRRIGATION	04-15	10-15	0.06 CFS	10.50 AFA
				TOTAL DIVERSION:		0.06 CFS	10.50 AFA
O	CLIFF M DEVANEY 688 BLUE LAKES BLVD N TWIN FALLS ID 83301						

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T02N R18E S26 SWSW BLAINE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
02N	18E	26											.2	.1					0.3
02N	18E	35					01	01											2.7
																	TOTAL ACRES		3.0

Pou County: BLAINE

Other Water Rights with Same Point(s) of Diversion and Source:
37-04377 T37-02644F T37-02644G

Other Water Rights Listing Overlapping Place(s) of use:
37-00311 37-02644F 37-04377 37-07312 37-08576 T37-02644F T37-02644G T37-02644J

Conditions of Approval:

046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.

R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 37.

R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for the
- lands above.

T07 - The change authorized by this transfer shall be accomplished
- within one (1) year of the date of this approval.

T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.

T08 - Failure to comply with the conditions of this transfer is cause
- for the director to issue an order to show cause why the approval
- of the transfer should not be rescinded.

Dates:
App. Received: Priority Date: 11/16/1989
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 05/15/1979

Misc: Water District Number: 37 Field Exam Fee:

Comments: Date: 02/18/1994 User-ID: SKAGGS Subject: TRANSFER NO. 4049
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Audit: 02/18/94 SKAGGS 02/22/94 SKAGGS 02/22/94 SKAGGS

PART G

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 10, 1994

HARRY E JOHNSTON
7825 FAY AVE SUITE 231
LA JOLLA CA 92037

RE: Transfer of Water Right Nos. 37-02644G, 37-02644H and 37-02644J

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4049). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED
APR 11 1994

WR0749NP
No. T37-02644G

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/22/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
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				TOTAL DIVERSION:		0.06 CFS	10.50 AFA
C	HARRY E JOHNSTON 7825 FAY AVE SUITE 231 LA JOLLA CA 92037						

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T02N R18E S26 SWSW BLAINE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
02N	18E	26											02	.1					3.0
																		TOTAL ACRES	3.0

Pou County: BLAINE

Other Water Rights with Same Point(s) of Diversion and Source:
37-04377 T37-02644F T37-02644H

Other Water Rights Listing Overlapping Place(s) of use:
37-00311 37-02644F 37-04377 37-07312 T37-02644F T37-02644H T37-02644J

Conditions of Approval:

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- requirements of Section 42-235, Idaho Code.
R04 - Use of water under this water right will be regulated by the
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R30 - This right when combined with all other rights shall provide no
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- within one (1) year of the date of this approval.
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- of the transfer should not be rescinded.

Dates: App. Received: Priority Date: 11/16/1989
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 05/15/1979

Misc: Water District Number: 37 Field Exam Fee:

Comments: Date: 02/18/1994 User-ID: SKAGGS Subject: TRANSFER NO. 4049
Transfer No. 4049 was filed to add 2 new wells and correct the place of use under Right No. 37-02644F, splitting the right into parts G, H and J. Each part has its own point of diversion and are separate systems.

Audit: 02/18/94 SKAGGS 02/22/94 SKAGGS 02/22/94 SKAGGS

PART F

Part F

MEMORANDUM

TO: FILE 37-02644F

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4049

DATE: March 4, 1994

==========

Transfer No. 4049 was filed to add 2 new wells and correct/change the place of use under right No. 37-02644F, splitting the right into parts G, H and J. Each part represents purchase of a portion of the property, and has a separate point of diversion and place of use.

The rate and volume were divided proportionately according to the acres purchased with all 3 parts combined equaling the parameters of the original right. No expansion of the right results from the transfer.

APR 1 1 1994

TRANSFER REVIEW SHEET

Transfer # 4049 **Date Reviewed** 2-18-94 CS

Right(s) 37-02644F

B:Change P/D **C**:Add P/D **D**:Change P/U **E**:Change Nature of Use
F:Change Period of Use **G**:Other **H**:Change P/D & Add P/D
I:Change P/D & P/U **(J)**Add P/D & Change P/U

Proof of Ownership warranty Deeds reflecting 3 separate purchases.

Transfer ___ **All of Right** ✓ **Portion of Right (~~Part B~~)**

Resulting Split(s) Part F split into Parts G, H & J.

Check Transfer Against Right B/3.5

(1) ✓ **Priority** **(2)** ✓ **Use** **(3)** ___ **Season** **(4)** ✓ **Rate** **(5)** ___ **Volume**

(6) ✓ **Source** **(7)** ___ **P/D** **(8)** ___ **P/U** **(9)** ✓ **Proof/Owner** **(10)** ✓ **Map**

(11) 37 **Water District** **(12)** No **Pertinent Conditions** **(13)** No **Expansion**

(3) Standard IRR Season 4-15 to 10-15
(5) Standard VOL 3.5 af/acre G = 10.5 afa H = 10.5 afa J = 14.0 afa
(7) 2 P/Ds SWSW, S26 = G+H 1 P/D NWNW, S35 = J
(8) Change P/U & split 3 parts

Conditions per XFER 35416 – 5yr Condition would expire 11-16-94, not applicable to current xfer per JJ.

Transfer Remarks All rt. combined/ 10 Acres, 20 cfs, 35 afa

Conditions 046, R30, T07, T09, T08, R04

Database/Processing Notes T files Parts G, H & J
Clear F when approved Database updated 3-10-94 CS

Johnston - XFER.LIS

WR0725NP
(OD-725)

IDAHO DEPARTMENT OF WATER RESOURCES
T-R-S PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 02/22/94
PAGE: 1

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE		SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
T02N R18E S26																										
3700311	BROADFORD															I										
A3700311	BROADFORD															39										39
R3700311	BROADFORD															39										39
3700332	BIG WOOD R																					I				
A3700332	BIG WOOD R																					27				27
3700363F	BIG WOOD R																							04		4
A3700363F	BIG WOOD R																							04		4
R3700363F	BIG WOOD R																							04		4
3700364E	BIG WOOD R																							04		4
A3700364F	BIG WOOD R																							04		4
R3700364F	BIG WOOD R																							04		4
3700419B	BIG WOOD R																	I						I		
3700481	BIG WOOD R	I		I		I		I		I		I				I										
A3700481D	BIG WOOD R	38		33		31		14		40		10				18										184
R3700481D	BIG WOOD R	38		33		31		14		40		10				18										184
3700482A	BIG WOOD R	I		I		I		I		I		I				I										
A3700482J	BIG WOOD R	38		33		31		14		40		10				18										184
R3700482J	BIG WOOD R	38		33		31		14		40		10				18										184
3700483	BIG WOOD R	I		I		I		I		I		I				I										
A3700483D	BIG WOOD R	38		33		31		14		40		10				18										184
R3700483D	BIG WOOD R	38		33		31		14		40		10				18										184
3700537	BIG WOOD R													I				I		I						
A3700537	BIG WOOD R													07				05		16						28
R3700537	BIG WOOD R													03				03		04						10
3700538	BIG WOOD R													I				I		I						
A3700538	BIG WOOD R													08				06		23						37
R3700538	BIG WOOD R													08				13		09						30
3700577BN	BIG WOOD R																									
A3700577BP	BIG WOOD R	38		33		31		14		40		10				18										184
R3700577BP	BIG WOOD R	38		33		31		14		40		10				18										184
T3700577BU	BIG WOOD R																									
T3700577BX	BIG WOOD R																									
T3700577D	BIG WOOD R	I		I		I		I		I		I				I										
3700577H	BIG WOOD R	I		I		I		I		I		I				I										
3700579	BIG WOOD R																						03			3
A3700579	BIG WOOD R																						03			3
R3700579	BIG WOOD R																						03			3
3700885	BIG WOOD R																				I					
A3700885A	BIG WOOD R																	01								1
R3700885A	BIG WOOD R																	01								1
A3700885B	BIG WOOD R																			40						40
R3700885B	BIG WOOD R																			40						40
3700905	BIG WOOD R	I		I				I																		
3702475	SPRINGS			30		30				40		40				40										180
3702644F	GROUNDWATE															~~10~~										10
A3702644F	GROUNDWATE															~~10~~										10

Original prior to Split.

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE NE Lt	NE NE Ac	NE NW Lt	NE NW Ac	NE SW Lt	NE SW Ac	NE SE Lt	NE SE Ac	NW NE Lt	NW NE Ac	NW NW Lt	NW NW Ac	NW SW Lt	NW SW Ac	NW SE Lt	NW SE Ac	SW NE Lt	SW NE Ac	SW NW Lt	SW NW Ac	SW SW Lt	SW SW Ac	SW SE Lt	SW SE Ac	SE NE Lt	SE NE Ac	SE NW Lt	SE NW Ac	SE SW Lt	SE SW Ac	SE SE Lt	SE SE Ac	SUM
~~T3702644F~~	GROUNDWATE																						10											10
T3702644G	GROUNDWATE																						02		0									2
T3702644H	GROUNDWATE																						0		0									
T3702644J	GROUNDWATE																						0											
3702713	GROUNDWATE		38		33		39		18		39		40				40																	247
A3702713	GROUNDWATE		38		33		39		18		39		40				40																	247
R3702713	GROUNDWATE		38		33		39		18		39		40				40																	247
3704377	GROUNDWATE																						04											4
A3704377	GROUNDWATE																						03											3
R3704377	GROUNDWATE																						03											3
3707312	GROUNDWATE																				29		20											49
A3707312	GROUNDWATE																				29		20											49
R3707312	GROUNDWATE																				29		20											49
3707356	GROUNDWATE		38		33		39		18		39		40				40																	247
A3707356	GROUNDWATE		38		33		39		18		39		40				40																	247
R3707356	GROUNDWATE		38		33		39		18		39		40				40																	247
A3713371	GROUNDWATE																													05				5
R3713371	GROUNDWATE																													05				5
	C13Q-Y 24		39		31				08		25		08																					111
T02N R18E S35																																		
A3700033	BIG WOOD R				14																													14
R3700033	BIG WOOD R				14																													14
3700196	BROADFORD																													05				5
A3700196	BIG WOOD R																													05				5
R3700196	BIG WOOD R																													05				5
A3700311	BROADFORD										05																							5
R3700311	BROADFORD										05																							5
3700315A	BROADFORD																									I								
A3700315A	BROADFORD																									14								14
R3700315A	BROADFORD																									14								14
3700315B	BROADFORD																									08						40		48
A3700315B	BROADFORD																									04				10		35		49
R3700315B	BROADFORD																									04				10		35		49
A3700315C	BROADFORD																									21								21
R3700315C	BROADFORD																									21								21
A3700332	BIG WOOD R				03																													3
T3700577CA	BIG WOOD R				0																													
3700578B	BIG WOOD R																													07				7
R3700578B	BIG WOOD R																													07				7
3700578C	BIG WOOD R						I																											
A3700578C	BROADFORD						20																											20
R3700578C	BROADFORD						20																											20
3700578D	BIG WOOD R																											13						13
A3700578D	BIG WOOD R																											13						13
R3700578D	BIG WOOD R																											13						13

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE NE Lt	NE NE Ac	NE NW Lt	NE NW Ac	NE SW Lt	NE SW Ac	NE SE Lt	NE SE Ac	NW NE Lt	NW NE Ac	NW NW Lt	NW NW Ac	NW SW Lt	NW SW Ac	NW SE Lt	NW SE Ac	SW NE Lt	SW NE Ac	SW NW Lt	SW NW Ac	SW SW Lt	SW SW Ac	SW SE Lt	SW SE Ac	SE NE Lt	SE NE Ac	SE NW Lt	SE NW Ac	SE SW Lt	SE SW Ac	SE SE Lt	SE SE Ac	SUM
A3700578E	BIG WOOD R																														03			3
R3700578E	BIG WOOD R																														03			3
A3700578F	BIG WOOD R																														03			3
R3700578F	BIG WOOD R																														03			3
3700579	BIG WOOD R				03																													3
A3700579	BIG WOOD R				03																													3
R3700579	BIG WOOD R				03																													3
3700686A	BROADFORD																		I															
R3700686A	BROADFORD																														07			7
3700686B	BROADFORD																														01			1
A3700686B	BROADFORD																									04					10	35		49
R3700686B	BROADFORD																									04					10	35		49
A3700686C	BROADFORD																														03			3
R3700686C	BROADFORD																														03			3
A3700686D	BROADFORD																														03			3
R3700686D	BROADFORD																														03			3
3700687	BROADFORD		I						I																									
A3700687	BROADFORD		15						35																									50
R3700687	BROADFORD		15						35																									50
3700688B	BIG WOOD R						18																					16						34
A3700688B	BIG WOOD R						18																					16						34
R3700688B	BROADFORD						18																					16						34
A3700688C	BROADFORD						20																											20
R3700688C	BROADFORD						20																											20
A3700688D	BROADFORD																									04					10	35		49
R3700688D	BROADFORD																									04					10	35		49
A3700688E	BROADFORD																									04					10	35		49
R3700688E	BROADFORD																									04					10	35		49
A3700713A	BROADFORD																									04					10	35		49
R3700713A	BROADFORD																									04					10	35		49
T3700713D	BROADFORD																									21						04		25
3702639	GROUNDWATE		12						38																									50
A3702639A	GROUNDWATE								29																									29
A3702639B	GROUNDWATE		12						09																									21
R3702639B	GROUNDWATE		12						09																									21
T3702639D	GROUNDWATE				0																													
T3702644H	GROUNDWATE										01		01																					2
T3702644J	GROUNDWATE												03																					3
T3702752A	GROUNDWATE																04																	4
3702752B	GROUNDWATE																13																	13
A3702752B	GROUNDWATE																13																	13
R3702752B	GROUNDWATE																13																	13
3704238	GROUNDWATE																									10								10
A3704238	GROUNDWATE																									14								14
R3704238	GROUNDWATE																									14								14
3704267	GROUNDWATE				09																													9
A3704267	GROUNDWATE				09																													9
R3704267	GROUNDWATE				09																													9

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE NE Lt	NE NE Ac	NE NW Lt	NE NW Ac	NE SW Lt	NE SW Ac	NE SE Lt	NE SE Ac	NW NE Lt	NW NE Ac	NW NW Lt	NW NW Ac	NW SW Lt	NW SW Ac	NW SE Lt	NW SE Ac	SW NE Lt	SW NE Ac	SW NW Lt	SW NW Ac	SW SW Lt	SW SW Ac	SW SE Lt	SW SE Ac	SE NE Lt	SE NE Ac	SE NW Lt	SE NW Ac	SE SW Lt	SE SW Ac	SE SE Lt	SE SE Ac	SUM
3707178	GROUNDWATE				14																													14
A3707178	GROUNDWATE				14																													14
R3707178	GROUNDWATE				14																													14
R3708001	GROUNDWATE																														08			8
3708001A	GROUNDWATE																														04			4
A3708001A	GROUNDWATE																														04			4
L3708001A	GROUNDWATE																														02			2
R3708001A	GROUNDWATE																														04			4
3708001B	GROUNDWATE																														03			3
A3708001B	GROUNDWATE																														03			3
L3708001B	GROUNDWATE																														03			3
R3708001B	GROUNDWATE																														03			3
3708058	GROUNDWATE				05																													5
3708143	GROUNDWATE						17																											17
3708521	GROUNDWATE																										02							2
3708522	GROUNDWATE						03																											3
3708555	GROUNDWATE																										03							3
3708576	GROUNDWATE																																	2
A3712538	GROUNDWATE				02																													2
R3712538	GROUNDWATE				02																													2
A3712539	GROUNDWATE				03																													3
R3712539	GROUNDWATE				03																													3
A3712540	GROUNDWATE				14																													14
R3712540	GROUNDWATE				14																													14
	C13Q-Y 24				12		37		17																									125
NO QTRS	MAPPING	Lot07-04		Lot17-07																														

Form 22a
6/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: D Jones

1. Right number 37-2644 Applicant Johnston, Harry
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 No more than 10 acres
   i. ☑ Check for existing water rights from same source, on land water is being transferred to.
      Right number(s) Ø
   j. ☑ Is use within a Watermaster District? ☐ Yes ☑ No
      If yes, what district? Groundwater Right

FINAL PROCESSING REVIEW BY: KK

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

RECOMMENDED ACTION

1. ☑ Approve
2. ☐ Deny
3. Conditions* _____
4. By Karen Hathaway Date 3/5/93

** All uses within Watermaster Districts require special conditions.*

AFFIDAVIT of PUBLICATION

RECEIVED

MAR 04 1993

Department of Water Resources
Southern Region Office

State of Idaho, } SS.
County of Blaine

On this 17th day of Jan, in the year 1993, 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 10 day of Feb, 1993, and the date of the last publication was on the 17 day of Feb, 1993.

Daniel J. Gorham

Subscribed and sworn to before me this 17th day of Jan., 1993.
(SEAL)

Roberta McKeehan

NOTARY PUBLIC

#8565

OK MB 3-5-93

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 54
Number of Insertions _____

_____	Lines tabular at	_____	6¢ / Pica
54	Lines straight at	27.00	5¢ / Pica
54	Subsequent lines at	24.30	4¢ / Pica
TOTAL COST		56.30 5.00	

APR 11 1994

8565

COPY OF NOTICE
(Paste Here)

Notice of proposed water right change.
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

State of Idaho
PLAINTIFF

Dept of Water Resources
BILL TO T.F.

Notice of proposed water right change

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that HARRY E. JOHNSTON of La Jolla, CA has applied to the Department of Water Resources for changes to add a point of diversion and change places of use from groundwater sources and further classified as Transfer # 4049.

The rights to be changed authorize diversion of water from one (1) well located in Section S26, T02N, R18E within Blaine County. The rights are recorded in part as follows:

Number 37-02644F, T#3546
Priority 11/16/1989
Amount 0.20 cfs
Acres 10

Number A37-02644F, T#3546
Priority 11/16/1989
Amount 0.20 cfs
Acres 10

TO BE CHANGED AS FOLLOWS

Water will be diverted from two (2) wells located in S26, T02N, R18E (known as Lots 1 & 2, Owl Creek Subdivision) and one (1) well located in S35, T02N, R18E (known as Tax Lots 6108 & 6576) and will be used to irrigate 10 acres within Blaine County using a total diversion rate of 0.20 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before March 1, 1993.

R. Keith Higginson, Director

Publish: Wood River Journal– February 10 & 17, 1993.

7-8 pt./line tabular: .6/pica
7-8 pt./line successive insertion: .4/pica

MEMORANDUM

TO: File, Transfer #4049

FROM: Mary Baldwin

DATE: 09-Feb-1993

SUBJECT: Change of ownership on adjudication claims

Per correspondence received on this date advising the Department of owner status of these water rights, a copy of the letter and information on the above referenced pending transfer application was given to Adjudication Secretary, Judy Givens, on this date.

APR 1 1 1994

HARRY E. JOHNSTON

7825 FAY AVENUE, SUITE 231 / LA JOLLA, CALIFORNIA 92037 / TELEPHONE (619) 454-1677

5 Feb 1993

Douglas Jones, E. I. T.
Water Resources Engineering Specialist
Idaho Dept of Water Resources
Southern Region, 222 Shoshone St. East
Twin Falls, Idaho 83301

RECEIVED
FEB 09 1993
Department of Water Resources
Southern Region Office

Dear Mr Jones.

Re: Your letter of 2 Feb 1993.

As of 1 Feb , 1993. Lot #1 and Lot #2 of Owl Creek was sold to:

Mr Warren G. Sorenson
PO Box 1332
Sun Valley, ID 83353.

License # 3702644 G and # 3702644 H of water rights to go with this sale.

License # 3702644 J of 4 irrigated acres will remain with 357 Broadford Road, tax lots #6108 and #6576 in my name.

Thanks for your cooperation.

Sincerely,

Harry Johnston

RECEIVED
APR 11 1994

Sun Valley Associates
Real Estate Brokers

RECEIVED
FEB 5 1993
Department of Water Resources

February 4, 1993

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Re: Ground Water License Nos. 3702644G and 3702644H

Gentlemen:

Please be advised that Lots 1 and 2 of Owl Creek Subdivision, together with the above referred to Ground Water Licenses, have been sold, as the Warranty Deed attached hereto indicates.

If an Application for Transfer of Water Right is required, please forward it to the Grantee named in the attached Warranty Deed.

If you have any questions, please do not hesitate to call me.

Very truly yours,

SUN VALLEY ASSOCIATES

Stoney Burke

Stoney Burke

SB/js
Enclosure

New application for transfer pending at region.

SB

APR 11 1994

Order No. 19924450
This form furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received HARRY E. JOHNSTON, TRUSTEE UNDER DECLARATION TRUST DATED OCTOBER 30, 1980

the Grantor hereby grants, bargains, sells, conveys and warrants unto WARREN G. SORENSON, AN UNMARRIED MAN,

the Grantee whose current address is: P.O. BOX 1332, SUN VALLEY, IDAHO 83353

the following described premises, to-wit:

PARCEL I:

Lot 1 of a Replat showing Lot 1, OWL CREEK SUBDIVISION, according tot he official plat thereof, recorded September 9, 1991, as Instrument No. 333495, records of Blaine County, Idaho.

PARCEL II:

Lot 2 of OWL CREEK SUBDIVISION, Blaine County, Idaho, according to the official plat thereof, recorded December 6, 1985, as Instrument No. 268882, records of Blaine County, Idaho.

Together with but not limited to the following described water rights appurtenant thereto:
PARCEL I: Ground Water License #3702644G
PARCEL II: Ground Water License #3702644H

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

Dated: January 13, 1993

HARRY E. JOHNSTON, TRUSTEE

State of IDAHO
ss.
County of BLAINE

On this 18th day of January, 1993, before me, the undersigned, a Notary Public, in and for said State, personally appeared HARRY E. JOHNSTON, TRUSTEE

_____, known to me, and/or identified to me on the basis of satisfactory evidence, to be the Trustee's of HARRY E. JOHNSTON, TRUSTEE UNDER DECLARATION TRUST DATED OCTOBER 30, 1980 the Trust that executed the within instrument and acknowledged to me that he executed the same on behalf of said Trust.

WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

MARRON C. MEYER
NOTARY
PUBLIC
STATE OF IDAHO

Notary Public
Residing at: Ketchum, ID
Commission Expires: 12-3-97

RECORDED
APR 11 1994

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

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Number	Priority	Amount	Acres
37-02644F, T#3546	11/16/1989	0.20 cfs	10
A37-02644F, T#3546	11/16/1989	0.20 cfs	10

TO BE CHANGED AS FOLLOWS

Water will be diverted from two (2) wells located in S26, T02N, R18E (known as Lots 1 & 2, Owl Creek Subdivision) and one (1) well located in S35, T02N, R18E (known as Tax Lots 6108 & 6576) and will be used to irrigate 10 acres within Blaine County using a total diversion rate of 0.20 cfs.

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R. Keith Higginson, Director

Published in Wood River Journal on 2/10 & 2/17/93.

APR 11 1994

Disk: Legals/1NofPC

Notice of proposed water right change

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Amount 0.20 cfs
Acres 10

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R. Keith Higginson, Director

Publish: Wood River Journal–February 10 & 17, 1993.

RECEIVED
FEB 09 1993
Department of Water Resources
Southern Region Office

2/10/93

APR 11 1994

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

03-Feb-1993

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

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

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

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

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

APR 11 1994

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

02-Feb-1993

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

HARRY E JOHNSTON
7825 FAY AVE SUITE 231
LA JOLLA CA 92037

Re: Application for Transfer No. 4049 (37-02644G, H, J)

Dear Mr. Johnston:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office will be advertising the application in the Wood River Journal on 2/10 and 2/17/93. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

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

Sincerely,

Douglas Jones, E. I. T.
Water Resources Engineering Specialist

DJ:MB

APR 11 1994

HARRY E. JOHNSTON

7825 FAY AVENUE, SUITE 231 / LA JOLLA, CALIFORNIA 92037
TELEPHONE (619) 454-1677
FAX (619) 454-2679

12/28/92

Douglas Jones:

Enclosed $90

as Requested in your

Letter of Dec 21, 1992

thanks

D.P. #37-90-S-063
12/31/92
R# 5015253

RECEIVED
DEC 31 1992
Department of Water Resources
Southern Region Office
APR 11 1994
T# 4049

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

December 21, 1992

HARRY E. JOHNSTON
7825 FAY AVE., SUITE 231
LA JOLLA, CA 92037

RE: OWL CREEK SUBDIVISION DRILLING PERMITS

Dear Mr. Johnston,

Thank you for forwarding the well driller's reports for the wells constructed in 1990. Review of the drilling permits associated with the logs indicate that one of them (37-90-S-063) was drilled as a domestic well. The actual useage is for non-domestic purposes, therefore the difference between the old domestic fee ($10) and the old non-domestic fee ($100) is due (i.e. $90). Please remit the fee, referencing the above given drill permit number, at your earliest convenience. Without upgrading the domestic drill permit to non-domestic use the Department does not authorize diversion of water for irrigation from the well as proposed in the transfer filed in 1991 (copy enclosed). Southern region will hold the application for transfer until the drilling permit upgrade is accomplished.

In another matter, the drill permit and well driller's report for 37-90-S-063 show an incorrect legal description. The paper work indicates the well is in the SW of the NW, Sec 35 T2N R18E; whereas your property is located in the NW of the NW Sec 35. I have edited the department paper records to reflect what I feel is the correct location. If you feel differently please contact me. If you agree then please correct your records so that future references are made to the correct legal description.

Thank you again for your prompt reply to my request for copies of the drill logs. I look forward to the speedy completion of the transfer process. Please contact me if you have any questions.

Sincerely,

Douglas Jones

Douglas Jones
Engineering Specialist

RECEIVED
APR 11 1994

T # 4049

INTER-DEPARTMENT MEMO

TO: Transfer File 37-2644G,H,I cc: GF, 32-90-5-063

SUBJECT: Drill Permit correction

FROM: D Jones

DATE: 12/31/92

D.P. 37-90-5-063 was issued for domestic use, a transfer had been approved for irr usage, a new transfer was filed, I examined area and noted recently drilled wells, a check of drill permits turned up the above, useage is for non-domestic (irr), difference in fee is needed, wrote to [redacted] owner and obtained balance, Receipt #5015253 was made. Drill permit & log data needs to be changed, copies sent to Boise.

( ) For your information

( ) Response required

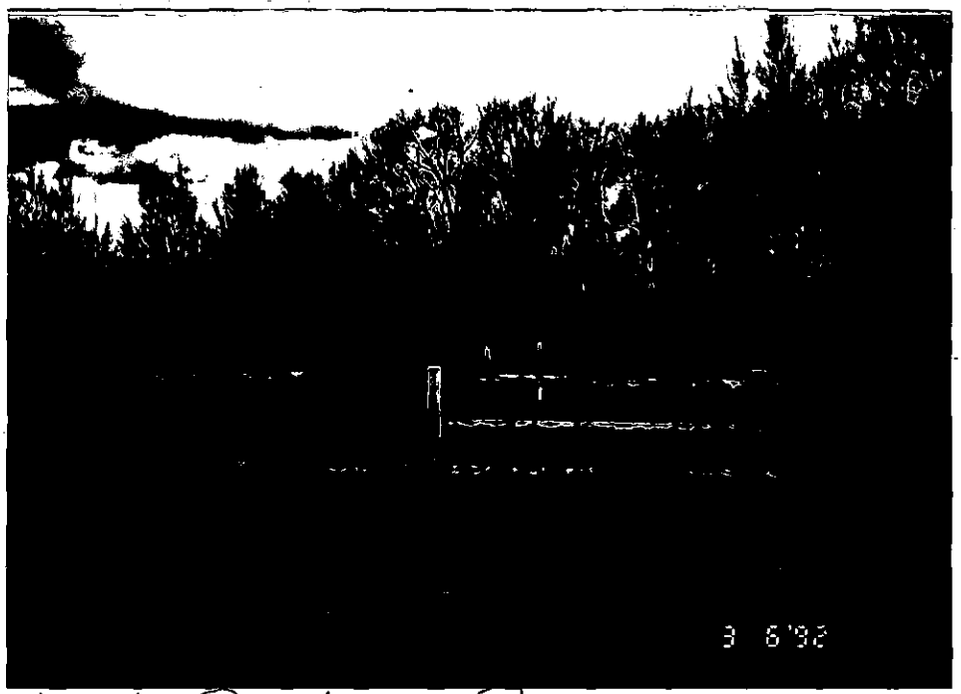
APR 11 1994

Douglas Jones
signature

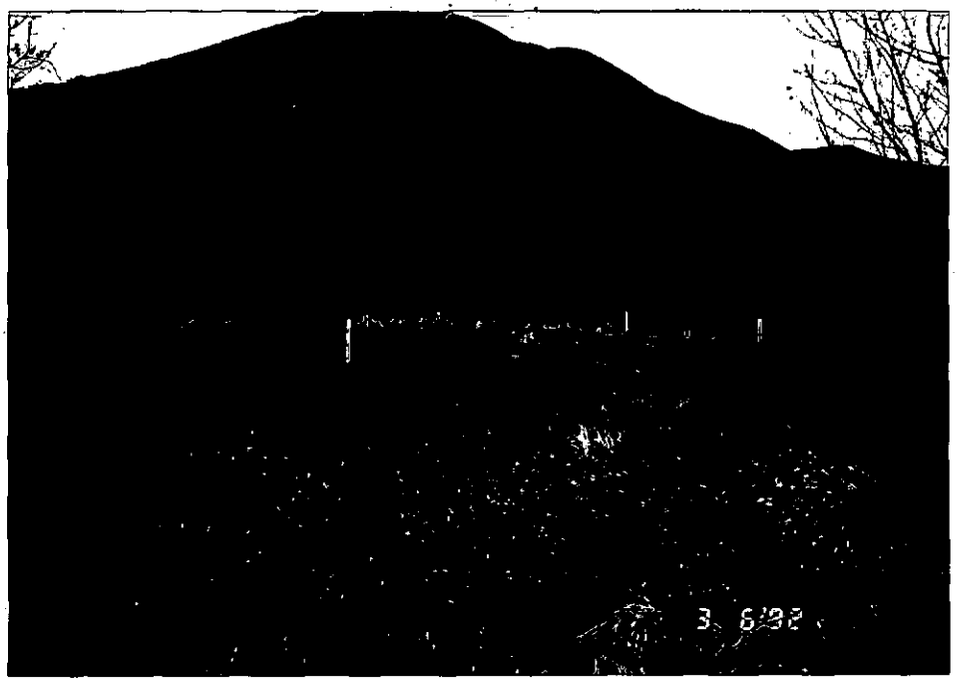
T # 4049

ATTACHMENT TO T# 4049

Johnston Transfer 37-2644F



Part of place of use on Lot 2, sprinkler nozzles elevated



Part of place of use on tax lot 6108 & 5576

APR 11 1994

HARRY E. JOHNSTON

7825 FAY AVENUE, SUITE 231 / LA JOLLA, CALIFORNIA 92037
TELEPHONE (619) 454-1677
FAX (619) 454-2679

12/14/92

Doug Jones,

Enclosed
well Copies

thanks

RECEIVED
DEC 31 1992
Department of Water Resources
Southern Region Office

APR 11 1994

T.# 4049

(rn. 238)
39 DEPARTMENT OF WATER RESOURCES BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

Lot #1

1. WELL OWNER

Name Harry Johnson

Address 7825 Fay Ave. Suite 231 Lajolla Ca. 92307

Owner's Permit No. 37-90-S-123
water permit # 37-2644F

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☒ Domestic ☑ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☑ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
.250 inches	6 inches +	2 feet	62 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

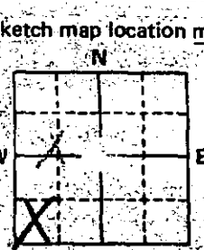
Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ____ Slot size ____ Set from _____ feet to _____ feet
Diameter ____ Slot size ____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 20 Material used in seal: ☐ Cement grout
☒ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☑ Overbore to seal depth
Method of joining casing: ☐ Threaded ☑ Welded ☐ Solvent Weld
☐ Cemented between strata
Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name Owl Creek Ranch
Lot No. _____ Block No. _____

County Blaine

S½ SW¼ Sec. 26, T. 2 ☒ N ☐ S, R. 18 ☐ E ☐ W

7. WATER LEVEL

Static water level _____ feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality good
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☒ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
100	60	1

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
8	0	6	Gravel		x
8	6	14	Sand		x
8	14	34	Gravel		x
6	34	45	Boulder		x
6	45	65	Gravel	x	

RECEIVED
DEC 21 1992
Department of Water Resources
Southern Region Office

10.

Work started 10-22-90 finished 10-22-90

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Wood River Drilling Pump Inc Firm No. 265
Address Box 1165 Hailey, ID 83333 Date 11-1-90
Signed by (Firm Official) Ken Smith
and
(Operator) Bob McGuire

APR 1 1994

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

2

DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

#3
357 Broadford Rd

WELL OWNER

Name Hailey Johnston

Address 7825 Fay Ave. Suite 231
La Jolla, CA 92037

Owner's Permit No. 87-90-5-063

NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

PROPOSED USE

☒ Domestic ☑ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
Cable ☐ Dug ☐ Other _____

WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness		Diameter		From		To	
.250	inches	6	inches +	1½	feet	48	feet
	inches		inches		feet		feet
	inches		inches		feet		feet

Was casing drive shoe used? ☐ Yes ☐ No
Was a packer or seal used? ☐ Yes ☑ No
Perforated? ☐ Yes ☐ No
How perforated? ☐ Factory ☒ Knife ☐ Torch
Size of perforation 1½ inches by ¼ inches

Number		From		To	
.250	perforations	38	feet	48	feet
	perforations		feet		feet
	perforations		feet		feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ___ Slot size ___ Set from _____ feet to _____ feet
Diameter ___ Slot size ___ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 20 Material used in seal: ☐ Cement grout
☑ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☑ Welded ☐ Solvent Weld
☐ Cemented between strata
Describe access port _____

7. WATER LEVEL

Static water level _____ feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature ___ °F. Quality Good
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☑ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
80	45	1

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
8	0	3	top Soil		×
8	3	14	Gravel	×	
6	14	18	Sand		×
8	18	36	Gravel	×	
6	36	43	Boulders	×	
6	43	50	Gravel	×	

RECEIVED
DEC 21 1992
Department of Water Resources
Southern Region Office

10.

Work started 5-29-90 finished 5-30-90

6. LOCATION OF WELL

Sketch map location must agree with written location.

N / W / E / S

Subdivision Name _____
Lot No. _____ Block No. _____
County _____
SW ¼ NW ¼ Sec. 35, T. 5 N/S, R. 18 E/W.

APR 11 1994

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name WOOD RIVER DRILLING AND PUMP Firm No. 245
Address BOX 1165 788-3163 HAILEY, IDAHO 83333 Date 6-12-90
Signed by (Firm Official) Ken Smith
and
(Operator) _____

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

T++ 2449

Form 235-1
9/89

Drilling Permit No. 37-90-5-063
Water Right Permit No. ●
Injection Permit No. _____

RECEIVED
MAY 3 1990
Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources

222 Shoshone St E
Twin Falls Id 83301
734-3578

DRILLING PERMIT

1. **Applicant (Please Print)** HARRY JOHNSTON
2. **Mailing Address** 7825 FAY AVE, SUITE 231
LA JOLLA CA 92037 **Telephone** (619) 454-1617

(✓) Well Owner ( ) Well Operator ( ) Other, specify _____

3. **Proposed well location** ~~NW~~ SW 1/4 NW 1/4, or Gov't lot No. _____,
Sec. 35, Twp. 2N, Rge. 18E, County ~~Lincoln~~ Blaine
Street Address of Well Site _____,
Lot, block and subdivision _____

4. Proposed use of well:

(✓) Single family or stockwater use (less than 13,000 gallons per day)

( ) Irrigation (more than 1/2 acre)

( ) Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

( ) Other (describe fully) _____

5. Well construction information:

A. (✓) New well ( ) Deepen ( ) Replace - See Condition 9.

B. Proposed surface diameter 6" Maximum depth 60 ft ±

C. Anticipated bottom hole temperature:

(✓) 85°F or less (Cold water well)
( ) 85°F to 212°F (Low temp. geothermal well)
( ) 212°F or more (Geothermal well)

6. Construction Start Date 5-14-90

7. Anticipated Well Driller WOOD RIVER DRILLING & PUMP BOX 1115 HAILEY ID 83333
NOTE: The actual well driller must be identified prior to drilling. 788-3163

8. Applicant's signature _____ Date 5/1/90

Title OWNER
(Owner, Firm Representative, Other)

APR 11 1994

Please Send Copy To Driller

T#4049

31-90-3-063

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is Amended. Date 5/3/90.

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.

2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.

4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.

5. Approval of this drilling permit does not authorize trespass on the land of another party.

6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Lauren O Hanson
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. 502253 Receipted by TRJ Fee 10.00 Date 5/3/90

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date APR 1 1 1994

This extension is good for 60 days beyond the above extension approval date.

Form 235-1
7/90

Drilling Permit No. 37-90-S-123
Water Right Permit No. 37-2644E
Injection Permit No.

RECEIVED

AUG 22 1990

Department of Water Resources
Southern Region Office

222 Shoshone St E
Twin Falls, Idaho
734-3578 83301

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. **Applicant (please print)** Harry E Johnston

2. **Mailing Address** 7825 Fay Ave, Suit. 231
La Jolla CA. 92037 Telephone (619) 454-1677

( ) Well Owner ( ) Well Operator ( ) Other, specify

3. **Proposed well location** SW 1/4 SW 1/4, or Gov't Lot No.

Sec. 26, Twp. 2 N, Rge. 18 E, County Blaine

Street Address of Well Site 351 ~~[illegible]~~ Broadford Road

Lot, block and subdivision Owl Creek Subdivision. lot 1 Blk 1

4. **Proposed use of well:**

( ) Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diverstion rate of 0.04 cfs and a diversion volume of 2500 gpd.

(✓) Non-Domestic: Any beneficial use not included within the definition of domestic.

( ) Injection

( ) Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells:

5. **Well construction information:**

A. (X) New well ( ) Deepen ( ) Replace - See Condition 9

B. Proposed Surface Diameter 6" Proposed Maximum Depth 60 ft.

C. Anticipated bottom hole temperature:

(X) 85°F or less (Cold water well)
( ) 85°F to 212°F (Low temp. geothermal well)
( ) 212° or more (Geothermal well)

6. **Construction Start Date** 8-15-90

7. **Anticipated Well Driller** Wood River Drilling & Pump APR 1 1994
NOTE: The actual well driller must be identified prior to drilling.

8. **Applicant's signature** [signature] Date 8/20/90

Title (Owner, Firm Representative, Other)

T # 4049

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved. Date 8/22/90.

If approved, this permit authorizes the constuction or modification of a well subject to the following conditions. READ CAREFULLY

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the wate right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriatior injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (i year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfar which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling perm at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a we
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the we owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules ar Regulations.

SPECIFIC CONDITIONS:

APR 11 1994

Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. 5012590 Receipted by DRJ Fee 200 Date 8/22/90

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

HARRY E. JOHNSTON

7825 FAY AVENUE, SUITE 231 / LA JOLLA, CALIFORNIA 92037
TELEPHONE (619) 454-1677
FAX (619) 454-2679

8/9/91

James Stanton;

Copies of 4 (four)
Deeds to properties
of Owl Creek you
asked for to finalize
(I hope) Water Rights

thanks again

Harry Johnston

RECEIVED
AUG 12 1991
Department of Water Resources
Southern Region Office

APR 11 1994

T # 40449

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

November 27, 1989

RE: Transfer of Water Right No. 37-2644F

Harry Johnston
c/o John Burke
Box 326
Sun Valley, ID 83353

Dear Mr. Johnston:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3546). Be sure to note any conditions of approval on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
JUN 27 1990

HARRY E. JOHNSTON

RECEIVED
OCT 11 1989
Department of Water Resources

7825 FAY AVENUE, SUITE 231 / LA JOLLA, CALIFORNIA 92037 / TELEPHONE (619) 454-1677

Oct 6, 1989

RECEIVED
OCT 10 1989
Department of Water Resources
Southern Region Office

State of Idaho
Dept of Water Resources
Southern Region
2148 4th Ave E
Twin Falls, Idaho

Please change my mailing address --
From: 7300 Eads Ave, la Jolla, Ca, 92037
To: 7825 Fay Ave, Suite 231, La Jolla, Ca, 92037 as on letterhead.

In Ref to:

1. Permit 37-8259 = Waiting for info. 75 F
   37-8308 = waiting for info
   37-2644 = waiting for info. lic. / Trans
2. Approved Permits 37-8254 lic. / Adj Claim
   37-11486

3. Just purchased TL 6275, 26-2N-18E Blaine County, which has a well on it and two old ag wells.
   (a) Has anything been registered? What water rights does it have from the past? I need info as I received no information when I purchased the property.
   (b) If it has NOT been registered or there are no records -- how do I go about it?

Thanks for your cooperation.

Sincerely,
Harry Johnston

MICROFILMED
JUN 27 1990

Form 222a
6/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: DRJ

1. Right number Part of 37-2644 Applicant Johnston, Henry
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) Applications 37-8259, 37-8308
   j. ☐ Is use within a Watermaster District? ☑ Yes ☐ No
      If yes, what district? 37

FINAL PROCESSING REVIEW BY: _____

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

RECOMMENDED ACTION

1. ☑ Approve
2. ☐ Deny
3. Conditions* _____
4. By Loren O. Johnson Date 8/21/89

8-30-89

RECEIVED
AUG 28 1989
Department of Water Resources

* *All uses within Watermaster Districts require special conditions.*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-2644

Notice is hereby given that Harry Johnston, c/o John Burke of Sun Valley, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No. 37-2644
Basis of right: License, Pending Transfer
Source: Groundwater
Priority Date: 10/31/60
Amount of water: 3.98 cfs Water use: Irrigation
Point(s) of diversion: NW1/4NE1/4, S11, T7S, R18E; Lincoln County.
Place of use: 199 acres within SE1/4NE1/4, S10, T7S, R18E; W1/2NE1/4, S11, T7S, R18E; NW1/4, S11, T7S, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-2644
Amount of water: 0.20 cfs
Point of diversion: NW1/4NE1/4, S11, T7S, R18E; Lincoln County.
Place of use: 10 acres within SW1/4NE1/4, S11, T7S, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-2644 Amount: .20 cfs

Total amount being transferred: .20 cfs

Source: Groundwater
Point of diversion: SW1/4SW1/4SW1/4, S26, T2N, R18E; Blaine County.
Place of use: 10 acres within SW1/4SW1/4, S26, T2N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301 on or before July 17, 1989.

R. Keith Higginson, Director

Published in Wood River Journal on 6/28 & 7/5/89.

MICROFILMED

JUN 2 7 19

Magic Valley Publishing
called 6/27/89, 2:30 pm
MB

SHONI LEGAL

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 37-2644

Notice is hereby given that Harry Johnston, c/o John Burke of Sun Valley, ID, has applied to the Department of Water Resources to change the following described water right pursuant to Section 42-222 of the IDAHO CODE.

Water Right No. 37-2644

Basis of right: License, Pending Transfer

Source: Groundwater

Priority Date: 10/31/60

Amount of water: 3.98 cfs; Water use: Irrigation

Point of diversion: NW¼NE¼, S11, T7S, R18E; Lincoln County.

Place of use: 199 acres within SE¼NE¼, S10, T7S, R18E; W½NE¼, S11, T7S, R18E; NW¼S11, T7S, R18E.

PORTION OF RIGHTS TO BE CHANGED

Water Right No.: 37-2644

Amount of water: 0.24 cfs

Point of diversion: NW¼NE¼, S11, T7S, R18E; Lincoln County.

Place of use: 10 acres within SW¼NE¼, S11, T7S, R18E.

TO BE CHANGED AS FOLLOWS

Water Right No.: 37-2644 Amount: .20 cfs

Total amount being transferred: .20 cfs

Source: Groundwater

Point of diversion: SW¼SW¼SW¼, S26, T2N, R18E; Blaine County.

Place of use: 10 acres within SW¼SW¼, S26, T2N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave. East, Twin Falls, ID 83301 on or before July 17, 1989.

R. Keith Higginson
Director

Pub: 6-28, 7-5 L17628

RECEIVED
JUN 27 1989

16-Jun-1989

Lincoln County Journal
P.O. Box 704
Shoshone, ID 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 required publication dates. If time allows, please submit a galley proof for review before publication.

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

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

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED
JUN 27 1990

16-Jun-1989

Harry Johnston
c/o John Burke
P.O. Box 326
Sun Valley, ID 83353

Re: Application for Transfer of Water Right No. 37-2644

Dear Mr. Burke:

Subsequent file review indicates that the legal ad regarding this transfer application must be advertised in the Lincoln County newspaper also. No protests were received from the publication in the Wood River Journal.

This office will be advertising the application in the Lincoln County Journal on 6/28 & 7/5/89. The final date for the timely submitting of protests will be July 17, 1989.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

MICROFILMED
JUN 2 7 1990

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-2644

Notice is hereby given that Harry Johnston, c/o John Burke of Sun Valley, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No. 37-2644
Basis of right: License, Pending Transfer
Source: Groundwater
Priority Date: 10/31/60
Amount of water: 3.98 cfs Water use: Irrigation
Point(s) of diversion: NW1/4NE1/4, S11, T7S, R18E; Lincoln County.
Place of use: 199 acres within SE1/4NE1/4, S10, T7S, R18E; W1/2NE1/4, S11, T7S, R18E; NW1/4, S11, T7S, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-2644
Amount of water: 0.20 cfs
Point of diversion: NW1/4NE1/4, S11, T7S, R18E; Lincoln County.
Place of use: 10 acres within SW1/4NE1/4, S11, T7S, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-2644 Amount: .20 cfs

Total amount being transferred: .20 cfs

Source: Groundwater
Point of diversion: SW1/4SW1/4SW1/4, S26, T2N, R18E; Blaine County.
Place of use: 10 acres within SW1/4SW1/4, S26, T2N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301 on or before May 15, 1989.

R. Keith Higginson, Director

Published in Wood River Journal on 4/26 & 5/3/89.

MICROFILMED
JUN 27 1990

13-Apr-1989

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

Re: Notice of Proposed Change of Water Right No. 37-2644

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.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

JUN 27 1990

13-Apr-1989

Harry Johnston
c/o John Burke
P.O. Box 326
Sun Valley, ID 83353

Re: Application for Transfer No. 37-2644

Dear Mr. Johnston:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office will be advertising the application in the Wood River Journal on 4/26 and 5/3/89. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

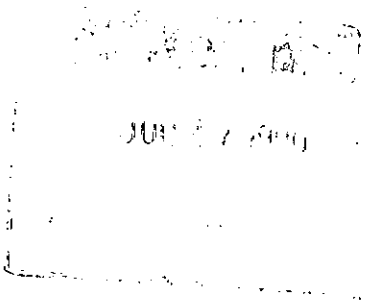
If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

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

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB



PART E

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

November 27, 1989

RE: Transfer of Water Right No. 37-2644E

Tommy Wells
Box 326
Sun Valley, ID 83353

Dear Mr. Wells:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3526). Be sure to note any conditions of approval on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
JUN 2 7 1990

Form 222a
6/78

3/4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: DRL

1. Right number 37-2644 Applicant Wells, Tommy
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 Canal shares on former P/U
   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 G.W. Not Regulated by WM
      If yes, what district? _____

FINAL PROCESSING REVIEW BY: LA

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 Lorn O Haberman Date 3/16/89

JM 3-22-89

RECEIVED
MAR 20 1989
Department of Water Resources

** All uses within Watermaster Districts require special conditions.*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO.37-2644

Notice is hereby given that Tommy Wells of Sun Valley, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No. 37-2644 Part
Basis of right: Two (2) pending transfers
Source: Groundwater
Priority Date: 10/31/1960
Amount of water: 4.12 cfs Water use: Irrigation
Point(s) of diversion: NW1/4NE1/4, Sec. 11, T7S, R18E; Lincoln County
Place of use: 206 acres within SE1/4NE1/4, Sec. 10, T7S, R18E; W1/2NE1/4, NW1/4, Sec. 11, T7S, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-2644 Part
Amount of water: .07 cfs
Point of diversion: Same
Place of use: 3.5 acres within NW1/4NE1/4, Sec. 11, T7S, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-2644 Amount: .07 cfs

Total amount being transferred: .07 cfs

Source: Groundwater
Point of diversion: NW1/4SE1/4NW1/4, Sec. 18, T3N, R18E; Blaine County
Place of use: 3.5 acres within NE1/4NW1/4, Sec. 18, T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301 on or before March 13, 1989.

R. Keith Higginson, Director

Published in Wood River Journal on 2/22 & 3/1/89

MICROFILMED

JUN 2 7 1990

16-Feb-1989

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

Re: (4) Notices of Proposed Change, 37-2644

Gentlemen:

Enclosed you will find 4 legal notices 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 galley proofs for review before publication.

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

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

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED
JUN 2 7 1989

16-Feb-1989

Tommy Wells
P.O. Box 326
Sun Valley, ID 83353

Re: Application for Transfer No. 37-2644

Dear Mr. Wells:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office will be advertising the application in the Wood River Journal on 2/22 and 3/1/89. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

If the 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.

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

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

MICROFILMED
JUN 27 1990

PART D

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

November 27, 1989

RE: Transfer of Water Right No. 37-2644D

Earl Engelmann
Box 326
Sun Valley, ID 83353

Dear Mr. Engelmann:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3525). Be sure to note any conditions of approval on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
JUN 2 7 1990

Form 222a
6/78

3/4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: DRS

1. Right number 37-2644 Applicant Engelmann, Earl
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 Canal Shares on former P/U
   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 C.W. Not Regulated by WM
      If yes, what district? _____

FINAL PROCESSING REVIEW BY: LM

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 Loren Ottahen Date 3/16/89

Jmm 3-22-89

RECEIVED
MAR 20 1989
Department of Water Resources

** All uses within Watermaster Districts require special conditions.*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO.37-2644

Notice is hereby given that Earl Engelmann of Sun Valley, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No. 37-2644 Part
Basis of right: Pending Transfer
Source: Groundwater
Priority Date: 10/31/1960
Amount of water: 4.14 cfs Water use: Irrigation
Point(s) of diversion: NW1/4NE1/4, Sec. 11, T7S, R18E; Lincoln County
Place of use: 207 acres within SE1/4NE1/4, Sec. 10, T7S, R18E; W1/2NE1/4, NW1/4, Sec. 11, T7S, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-2644 Part
Amount of water: .02 cfs
Point of diversion: Same
Place of use: One (1) acre within NW1/4NE1/4, Sec. 11, T7S, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-2644 Amount: .02 cfs

Total amount being transferred: .02 cfs

Source: Groundwater
Point of diversion: SE1/4NE1/4NW1/4, Sec. 18, T3N, R18E, Blaine County
Place of use: One (1) acre within NE1/4NW1/4, Sec. 18, T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301 on or before March 13, 1989.

R. Keith Higginson, Director

Published in Wood River Journal on 2/22 & 3/1/89

MICROFILMED
JUN 27 1990

16-Feb-1989

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

Re: (4) Notices of Proposed Change, 37-2644

Gentlemen:

Enclosed you will find 4 legal notices 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 galley proofs for review before publication.

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

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

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

JUN 2 7 1990

16-Feb-1989

Earl Engelmann
P.O. Box 326
Sun Valley, ID 83353

Re: 2 Applications for Transfers, No. 37-2644

Dear Mr. Engelmann:

The Department of Water Resources acknowledges receipt of your Applications for Transfer.

This office will be advertising the applications in the Wood River Journal on 2/22 and 3/1/89. The advertisements will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the applications are 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 the applications are not protested, they 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 applications and will notify you of the outcome of this review.

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

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

MICROFILMED
JUN 2 7 1990

PART C

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

November 27, 1989

RE: Transfer of Water Right No. 37-2644C

Henry Whiting, II
Box 326
Sun Valley, ID 83353

Dear Mr. Whiting:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3515). Be sure to note any conditions of approval on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
JUN 27 1990

Form 222a
6/78

4/4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: DRJ

1. Right number 37-2644 Applicant Whiting, Henry II
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 Canal shares on former P/U
   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 G.W. Not regulated by W.M.
      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 Loren D Haber Date 3/16/89

JM 3-22-89

RECEIVED
MAR 20 1989
Department of Water Resources

** All uses within Watermaster Districts require special conditions.*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO.37-2644

Notice is hereby given that Henry Whiting, II of Sun Valley, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No. 37-2644 Part
Basis of right: License
Source: Groundwater
Priority Date: 10/31/1960
Amount of water: 4.05 cfs Water use: Irrigation
Point(s) of diversion: NW1/4NE1/4, Sec. 11, T7S, R18E; Lincoln County
Place of use: 202.5 acres within SE1/4NE1/4, Sec. 10, T7S, R18E; W1/2NE1/4, NW1/4, Sec. 11, T7S, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-2644 Part
Amount of water: .07 cfs
Point of diversion: same
Place of use: 3.5 acres within NW1/4NE1/4, Sec. 11, T7S, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-2644 Amount: .07 cfs

Total amount being transferred: .07 cfs

Source: Groundwater
Point of diversion: NW1/4SE1/4NW1/4, Sec. 18, T3N, R18E; Blaine County
Place of use: 3.5 acres within NE1/4NW1/4, Sec. 18, T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301 on or before March 13, 1989.

R. Keith Higginson, Director

Published in Wood River Journal on 2/22 & 3/1/89

MICROFILMED

JUN 27 1990

16-Feb-1989

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

Re: (4) Notices of Proposed Change, 37-2644

Gentlemen:

Enclosed you will find 4 legal notices 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 galley proofs for review before publication.

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

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

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED
JUN 2 7 1990

16-Feb-1989

Henry Whiting II
P.O. Box 326
Sun Valley, ID 83353

Re: Application for Transfer No. 37-2644

Dear Mr. Whiting:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office will be advertising the application in the Wood River Journal on 2/22 and 3/1/89. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

If the 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.

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

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

MICROFILMED
JUN 2 7 1990

PART B

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

November 27, 1989

RE: Transfer of Water Right No. 37-2644B

Earl Engelmann
Box 326
Sun Valley, ID 83353

Dear Mr. Engelmann:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3514). Be sure to note any conditions of approval on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
JUN 2 7 1990

Form 222a
6/78

1/4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: JCL

1. Right number 37-2644 Applicant Engelmann, Earl
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 Canal shares on former P/U
   i. ☑ Check for existing water rights from same source, on land water is being transferred to.
      Right number(s) ~~Canal Shares~~
   j. ☐ Is use within a Watermaster District? ☐ Yes ☑ No GW not dist by wm.
      If yes, what district? ~~Emmett P/U in 1966~~

FINAL PROCESSING REVIEW BY: LM

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 Lorren O Anderson Date 3/16/89

Jim 3.22-89

RECEIVED
MAR 20 1989
Department of Water Resources

** All uses within Watermaster Districts require special conditions.*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO.37-2644

Notice is hereby given that Earl Engelmann of Sun Valley, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No. 37-2644
Basis of right: License
Source: Groundwater
Priority Date: 10/31/1960
Amount of water: 4.18 cfs Water use: Irrigation
Point(s) of diversion: NW1/4NE1/4, Sec. 11, T7S, R18E, Lincoln County
Place of use: 209 acres within SE1/4NE1/4, Sec. 10, T7S, R18E; W1/2NE1/4, NW1/4, Sec. 11, T7S, R18E.

PORTION(S) OF RIGHTS TO BE CHANGED

Water right No.: 37-2644
Amount of water: .04 cfs
Point of diversion: No change
Place of use: 2 acres within NW1/4NE1/4, Sec. 11, T7S, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-2644 Amount: .04 cfs

Total amount being transferred: .04 cfs

Source: Groundwater
Point of diversion: NE1/4SE1/4NW1/4, Sec. 18, T3N, R18E, Blaine County
Place of use: 2.0 acres within SE1/4NW1/4, Sec. 18, T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301 on or before March 13, 1989.

R. Keith Higginson, Director

Published in Wood River Journal on 2/22 & 3/1/89

MICROFILMED

JUN 27 1990

16-Feb-1989

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

Re: (4) Notices of Proposed Change, 37-2644

Gentlemen:

Enclosed you will find 4 legal notices 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 galley proofs for review before publication.

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

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

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

JUN 2 7 1990

16-Feb-1989

Earl Engelmann
P.O. Box 326
Sun Valley, ID 83353

Re: 2 Applications for Transfers, No. 37-2644

Dear Mr. Engelmann:

The Department of Water Resources acknowledges receipt of your Applications for Transfer.

This office will be advertising the applications in the Wood River Journal on 2/22 and 3/1/89. The advertisements will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the applications are 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 the applications are not protested, they 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 applications and will notify you of the outcome of this review.

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

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

MICROFILMED
JUN 27 1990

PART A

Part A

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 17, 2000

North Snake Groundwater District
C/o Steelhead Engineering
152 E Main
Jerome, ID
83338

RE: Water Right 37-02644A, James Whittaker

Dear Mr. Martin;

Jim Whittaker has contacted me concerning an error in records for the above-referenced water right. This right originally applied to a well in Sec. 11 T. 7S R. 18E. In 1995, he got an approved water transfer to move the right to a new well to be drilled in Sec. 11 T. 6S R. 19E. But he was not able to drill the new well, so asked that the transfer be rescinded in 1996. We did issue an order rescinding the transfer, but never changed our records to put the water right back on the original property. I will notify our Boise office of this oversight so that our records can be corrected. We will then show that Mr. Whittaker has only one irrigation well, located in the NW/NE Sec. 11 T. 7S R. 18E. License 37-08063 also covers this well, which supplements American Falls Reservoir District #2 shares if and when it is needed. Jim had received bills for two different wells, so hopefully this letter will solve that problem. If you have questions, feel free to contact me.

Regards,

James E. Stanton
Sr. Water Resource Agent

Cc: Shelley Keen, IDWR

MICROFILMED
SEP 1 1 2002

data entry corrected 5/19/2000 kw

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 1, 1996

JAMES A WHITTAKER
498 E 670 S
DIETRICH ID 83324

RE: TRANSFER NO. 4656 OF WATER RIGHT NO. 37-02644A

Dear Mr. Whittaker,

Enclosed is an order rescinding and voiding your Application for Transfer No. 4656 of water right no. 37-02644A per your request of February 26, 1996.

If you have any questions, you may contact me directly at (208) 327-7947.

Respectfully,

Jim Johnson, Manager
Water Permits Section

JJ:rl

RECEIVED

MAY 07 1996

Dept. of Water Resources
Statehouse
Boise, ID

February 26, 1996

RE: Water Transfer #4656, Rt. 37-02644A

Dear Sirs;

I am the owner of the above-referenced water license and transfer. Due to economic conditions beyond my control, I will not be able to drill a well in the new location as planned. Therefore, I want to relinquish this transfer so that my license will be appurtenant to its original point of diversion and place of use.

Thank You,

Jim Whittaker

Jim Whittaker

RECEIVED

FEB 28 1996

Department of Water Resources
Southern Region

MAY 07 1996

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

SEPTEMBER 28, 1995

JAMES A WHITTAKER
498 E 670 S
DIETRICH ID 83324

Transfer of Water Right No. 37-02644A

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4656. Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

RECEIVED
OCT 03 1995

MEMORANDUM

TO: FILE NO. 37-02644A

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4656

DATE: September 27, 1995

==========

Transfer No. 4656 was filed to change the point of diversion and place of use under Right No. 37-02644A.

This right was developed as a groundwater right for supplemental use with surface shares from American Falls Reservoir District No. 2. The proposed place of use is served primarily by shares from Magic Reservoir and this right will again be used supplementally. The surface water shares at the original place of use have been slightly more reliable than the original place of use. The POU overlap report shows Big Wood Canal Co. SRBA claims for alternate sources are also appurtenant to this property which would reduce the likelihood of any significant change in the use of groundwater.

Field inspection and system review raised a concern about continued use of groundwater within a pivot partially covered by another groundwater right. A condition reinforcing that the use of groundwater at the original place of use under Right No. 37-02644A shall cease has been recommended.

Season of use and diversion volume have been adjusted to current standards. Other conditions recommended include drilling permit requirements, measuring device, future annual reporting, irrigation overlap, use full allotment of surface water, removal of surface rights and standard transfer conditions.

OCT 03 1995

TRANSFER REVIEW SHEET
(04-95)

Transfer # 46516 **Date Reviewed** 09-26-95

Right(s) 37-02644A

✓ **Print Split Summary** ✓ **Run POU Comparison Report**

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
(I) Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership Warranty Deed 11-22-94 Covers full POU

Transfer ✓ **All of Right** ____ **Portion of Right**
Resulting Split(s) NONE

Check Transfer Against Right **Season/Vol.** C/4.0

(1) ✓ **Priority** (2) ✓ **Use** (3) ___ **Season** (4) ✓ **Rate** (5) ___ **Volume**

(6) ✓ **Source** (7) ___ **P/D** (8) ___ **P/U** (9) ✓ **Proof/Owner** (10) ✓ **Map**

(11) NA **Water District** (12) Yes MD **Pertinent Conditions** (13) NO **Expansion**
Special Limiting Condition
Use of GW at Original P/U

(3) Reduce to standard season - 1 Day - 4-1 to 10-31
(5) Standard VOL = 4 x 191 = 764 afa ≤ VDR
(2) Change P/D
(8) Change P/U

Supplemental to supplemental use - Minor Inequality that can't be quantified-Acres = POU report shows no surface water rights overlapping at original location, but region memo & app. state that right is supplemental to American Falls Reservoir District #2 shares.

Transfer Remarks Limit GW use at original P/U WB7, WB8
Conditions 028, R19, B81 (WB7), 046, T07, T08, T09, 065

Database/Processing Notes T file 37-02644A ✓ 9/27/95

WR Reports File ____ **Transfer Memo Complete** ✓

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES A WHITTAKER 498 E 670 S DIETRICH ID 83324 (208) 544-2574	10/31/1960	IRRIGATION	04-01	10-31	3.780 CFS	764.00 AFA
				TOTAL DIVERSION:		3.780 CFS	764.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T06S R19E S11 NWNW LINCOLN County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
06S	19E	2									30	30	30	30					120.0
06S	19E	11			11		30			30									71.0
																		TOTAL ACRES	191.0

Pou County: LINCOLN

Other Water Rights Listing Overlapping Place(s) of use:
37-0086722 37-0087022 37-0087222 37-08797

Conditions of Approval:

046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.

R19 - A totalizing measuring device of a type approved by this
- Department shall be maintained as a part of the diverting works.

028 - After specific notification by the department, the right holder
- shall annually report the amount of water diverted to the
- department.

T07 - The change authorized by this transfer shall be accomplished
- within one (1) year of the date of this approval.

T08 - Failure to comply with the conditions of this transfer is cause
- for the director to issue an order to show cause why the approval
- of the transfer should not be rescinded.

T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.

065 - The right holder shall use the full allotment of appurtenant
- surface water rights in conjunction with groundwater diverted
- under this right.

Remarks: This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 764.0 af for the lands above. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without

Remarks: the approval of the Department.
The use of groundwater for irrigation purposes on the lands to which Right No. 37-02644A was appurtenant prior to this approval shall cease.

Dates:
App. Received:
Priority Date: 10/31/1960
Proof Due Date:
Proof Made Date:
Exam Made Date:
Exam Sent to S.O.:
Licensed Date: 05/15/1979

Misc:
Water District Number:
Field Exam Fee:

Comments: Date: 07/10/1995 User-ID: SCURTIS Subject: TRANSFER NO. 4656
Trans. #4656 was filed to change the point of diversion and place of use under Right 37-02644A.

Audit: 07/10/95 SCURTIS 08/31/95 SCURTIS 09/27/95 PSKAGGS

WR5809NP
No. 37-08063

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/27/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES WHITTAKER RT 1 BOX 52 DIETRICH ID 83324 (208) 544-7731	01/06/1983	IRRIGATION	03-15	11-15	2.000 CFS	1124.00 AFA
				TOTAL DIVERSION:		2.000 CFS	1124.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion Capacity: 5.350 CFS

Point(s) of Diversion: T07S R18E S11 NWNE LINCOLN County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
07S	18E	10	40			33													73.0
07S	18E	11	40			40		28			20				40	40			208.0
																TOTAL ACRES			281.0

Pou County: LINCOLN

Other Water Rights with Same Point(s) of Diversion and Source:
37-02644A

Other Water Rights Listing Overlapping Place(s) of use:
37-00867Z2 37-00870Z2 37-00872Z2 37-02644A

Conditions of Approval:
R31 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.0 afa per acre for the
- lands above.

Remarks: The maximum combined rate of diversion under this right & Right No. 37-2644 shall not exceed 5.35 cfs.

Dates:
App. Received: 01/06/1983 Priority Date: 01/06/1983
Proof Due Date: 06/01/1990 Proof Made Date: 05/24/1989
Exam Made Date: 08/08/1989 Exam Sent to S.O.:
Licensed Date: 11/15/1991

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 09/22/87 05/28/88 CONVERT 02/03/89 GIVENS 05/16/89 CURTIS
07/05/89 CURTIS 08/15/89 PAYNE 10/11/91 CURTIS 10/25/91 AUSTIGUY
10/28/91 CURTIS

T#4650

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	DIETRICH GRAZING ASSN C/O JIM WHITTAKER 98 S 1050 E DIETRICH ID 83324 (208) 544-2833	08/28/1992	IRRIGATION	04-01	10-31	6.000 CFS	
				TOTAL DIVERSION:		6.000 CFS	

Water Source: GROUNDWATER Tributary to: Stage: APPLICATION

Point(s) of Diversion: T06S R19E S03 NESE LINCOLN County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
06S	19E	2			.5				02	09	40	38	38	27		05	01		164.1
06S	19E	11		14	19		39	17	05	29	28			03		17	24	18	217.3
06S	19E	14					25												25.4
																TOTAL ACRES			406.8

Pou County: LINCOLN

Other Water Rights Listing Overlapping Place(s) of use:
37-0086722 37-0087022 37-0087222 T37-02644A

Remarks: This application proposes diversion of trustwater.
Application being held pending withdrawal of drought moratorium.
A well is needed to supplement surface rights.

Dates: App. Received: 08/28/1992 Priority Date: 08/28/1992
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

.0147 cfs/acre

Misc: Water District Number: Field Exam Fee:

Audit: 09/29/92 BALDWIN 11/06/92 BALDWIN 01/05/93 BALDWIN 07/15/93 ZIMMERMA

T#465

WR0725NP
(OD-725)

IDAHO DEPARTMENT OF WATER RESOURCES
T-R-S PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 08/31/95
PAGE: 1

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE NE Lt Ac	NE NW Lt Ac	NE SW Lt Ac	NE SE Lt Ac	NW NE Lt Ac	NW NW Lt Ac	NW SW Lt Ac	NW SE Lt Ac	SW NE Lt Ac	SW NW Lt Ac	SW SW Lt Ac	SW SE Lt Ac	SE NE Lt Ac	SE NW Lt Ac	SE SW Lt Ac	SE SE Lt Ac	SUM
T06S R19E S 2										Proposed Transfer P/U →				30	30	30	30	
										Surface + GW overlaps								
										↳ Application								
0100006	SNAKE RIVE																	
37008672Z2											I	I						
A370086772	LARGE CLAI										40	37	37	20		10	4	148
A3700867Z6	LARGE CLAI										40	37	37	20		10	4	148
370087022												I	I					
370087222												I	I					
T3702644A	GROUNDWATE										30	30	30	30				120
3708797	GROUNDWATE								2 9		40	38	38	27		5	1	160
A3713043	SILVER CRE										40	37	37	20		10	4	148
--86 MAP--	C63Q-AA 25		8	2				20	22		40	37	37	28		10	4	200
										Application 0								
										Big Wood Canal Co (SilverCreek & LWR.)								
T06S R19E S 11			11		30				30									
0100006	SNAKE RIVE																	
37008672Z2			I		I				I			I	I		I	I	I	
A370086772	LARGE CLAI		21		38				37						19	32	22	169
A3700867Z6	LARGE CLAI		21		38				37						19	32	22	169
370087022			I		I				I			I	I		I	I	I	
370087222			I		I				I			I	I		I	I	I	
T3702644A	GROUNDWATE			11	30													71
3708797	GROUNDWATE	App.	14	19	39	17	5		29	28			3		17	24	18	213
A3713043	SILVER CRE		21		38				37						19	32	22	169
--86 MAP--	C63Q-AA 25		21	28	38	20	29		37	22	29	10	3		19	32	22	310
T07S R18E S 10										Original P/U & No Apparent GW Overlaps/Different land Parcels								
0100212	SNAKE RIVE																	
0100213	SNAKE RIVE									Not Claimed this section								
0100215	SNAKE RIVE																	
0100220	SNAKE RIVE																	
3702644A	GROUNDWATE				7													7
A3702644A	GROUNDWATE				7													7
R3702644A	GROUNDWATE				7													7
3708063	GROUNDWATE	40			33					License								73
--86 MAP--	C63Q-AA 74	21			35									3				59
--86 MAP--	C0Q-AA 74				2													2
					40													

T# 4656

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

		NE								NW								SW								SE							
		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE		
WR-NUMBER	SOURCE	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
T07S R18E S 11																																		
0100006	SNAKE RIVE																																	
A0100006	SNAKE RIVE																										6							6
370086Z2			I																														
A370086Z2	LARGE CLAI		22					39																										61
A370086Z6	LARGE CLAI		22					39																										61
370087Q2			I																														
370087Z2			I																														
3702644A	GROUNDWATE			29		29				37		12		38		39																		184
A3702644A	GROUNDWATE			29		29				37		12		38		39																		184
R3702644A	GROUNDWATE			29		29				37		12		38		39																		184
3708063	GROUNDWATE		40					40				28							20								40		40					208
--86 MAP--	C63Q-AA 74		22		39		28		39		38		37		39		40		35		8						38		40		11		4	418
--86 MAP--	C0Q-AA 74		34		39		39		39		40		39		39		40		25		1						24		35					394

no Overlap - fills QQ + pivot

40

T# 4654

WATER RIGHT NUMBER	NAME	CFS
37-02644	SPLIT INTO PARTS A - F BY 5 TRANSFERS APPROVED 11/89.	
37-02644A	DEVANEY , CLIFF M.	3.78
37-02644B	ENGELMANN , EARL	0.04
37-02644C	WHITING II , HENRY	0.07
37-02644D	ENGELMANN , EARL	0.02
37-02644E	WELLS , TOMMY	0.07
37-02644F	THIS RIGHT SPLIT INTO PARTS G, H AND J THRU TRANSFER NO. 4049.	
37-02644G	JOHNSTON , HARRY E	0.06
37-02644H	JOHNSTON , HARRY E	0.06
37-02644J	JOHNSTON , HARRY E	0.08

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

TIAL REVIEW BY: MTS

1. Right number 37-02644A Applicant James K. Whittaker

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 No expansion - See attached memo
   i. ☑ Check for existing water rights from same source, on land water is being transferred to.
      Right number(s) None
   j. ☑ Is use within a Watermaster District? ☐ Yes ☑ No
      If yes, what district? _____

NAL PROCESSING REVIEW BY: ADR

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

ECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* – This right is supplemental to shares in BWCC and when combined with same shall not provide more than 1"/acre.
   – Subject to SRBA review
   – Main device with totalizer for reporting annual use.
4. By ADR Date 8/25/95

*All uses within Watermaster Districts require special conditions.

T# 4656

AFFIDAVIT of PUBLICATION

RECEIVED
AUG 10 1995
Department of Water Resources
Southern Region

State of Idaho } ss.
County of Lincoln }

Patty Nance, 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, County of Lincoln, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 2 day of August, 19 95, and the date of the last publication was on the 9 day of August, 19 95.

Patty Nance

Subscribed and sworn to before me this 9th day of August, 19 95

(SEAL)

Norma DeVon
NOTARY PUBLIC

9744/5746
LINCOLN COUNTY JOURNAL
Shoshone, Idaho

O K mB
8/23/95

COST OF PUBLICATION

Number of Picas per Line
Number of Lines in Notice
Number of Insertions 2x

OCT 03 1995

affidavit fee 2.00

	Lines tabular at		6¢/Pica
534	Lines straight at	26.70	5¢/Pica
534	Subsequent lines at	21.36	4¢/Pica

TOTAL COST 50.06

COPY OF NOTICE

(Paste Here)

Not. Prop. Water Right Chng.
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

State Id Dept. Water
BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that JAMES A. WHITTAKER,498 E 670 S.;DIETRICH ID 83324 has applied to the Department of Water Resources to change the following described water right pursuant to Section 42-222 of IDAHO CODE and further described as Transfer No. 4656.

The purpose of this application is to change the Point of Diversion and change the place of use.

WATER RIGHT AS RECORDED:

Water Right No. 37-02644A
Basis: License, Transfer No. 3514
Date of Priority: 10/31/1960
Amount: 3.78 cfs
Source: groundwater
Use: irrigation 4/1-10/31
Point of Diversion: NW1/4NE1/4, S11, T7S, R18E; Lincoln County.
Place of Use: 191 acres within SE1/4NE1/4, S10, T7S, R18E; W1/2NE1/4, NW1/4, S11, T7S, R18E.
A claim has been filed in the Snake River Basin Adjudication.

CHANGES AS FOLLOWS:

Point of diversion: NW1/4NW1/4NW1/4, S11, T6S, R19E; Lincoln County.
Place of use: 191 acres within SW1/4, S2, T6S, R19E; SW1/4NE1/4, E1/2NW1/4, S11, T6S, R19E.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of $25.00 on or before August 21, 1995. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published in the Lincoln County Journal on 8/2 & 8/9/95.

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Karl J. Dreher, Director

Published in the Lincoln County Journal on 8/2 & 8/9/95.

OCT 03 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

July 21, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

MAGIC VALLEY PUBLISHING CO
ATTN Lincoln County Journal
PO BOX 468
JEROME ID 83338

Gentlemen:

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

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

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

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

RECEIVED
OCT 03 1995

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Karl J. Dreher, Director

Published in the Lincoln County Journal on 8/2 & 8/9/95.

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State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

July 21, 1995

JAMES A WHITTAKER
498 E 670 S
DIETRICH ID 83324

Re: Application for Transfer No. 4656 (37-02644A)

Dear Mr. Whittaker:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in the Lincoln County Journal for 8/2 and 8/9/95. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

OCT 03 1995

MEMORANDUM TO FILE

TO: TRANSFER APPLICATION FILE 37-02644A
JAMES A. WHITTAKER

FROM: MEL SCHULTE

DATE: APRIL 19, 1995

1. THE APPLICATION PROPOSES TO TRANSFER LICENSED GROUNDWATER USED TO SUPPLEMENT CANAL WATER.

2. THE GROUNDWATER SUPPLEMENTS AMERICAN FALLS RESERVOIR DISTRICT #2 WATER AT THE CURRENT LOCATION AND WOULD SUPPLEMENT MAGIC RESERVOIR WATER AT THE NEW LOCATION.

3. A FIELD INSPECTION OF BOTH PLACES OF USE WAS CONDUCTED ON APRIL 17TH WITH THE ASSISTANCE OF THE APPLICANT.

4. APPROVAL OF THE TRANSFER WOULD ALLOW THE APPLICANT TO REDUCE HIS IRRIGATION LABOR TIME BY INSTALLING A QUARTER SECTION PIVOT AND TWO SMALLER PIVOTS. NONE OF THE PIVOTS WOULD HAVE END GUNS. THE LARGER PIVOT IS DESIGNED TO COVER 120 ACRES AND THE TWO SMALLER PIVOTS 30 ACRES EACH.

5. THE IRRIGATION SYSTEM AT THE TRANSFERRED FROM SITE COVERS 224.6 ACRES ACCORDING TO ASCS. THE GROUNDWATER LICENSE COVERS 191 ACRES WITHIN THE 224.6 ACRES, PART OF WHICH (58 ACRES), ARE UNDER A CENTER PIVOT SERVICED BY THE SUBJECT WELL WHICH ALSO OVERLAPS 37-08063. 37-08063 COVERS THE EAST HALF OF THE PIVOT THAT ALSO COVERS THE 58 ACRES SUBJECT TO THIS TRANSFER. IF THE WELL WOULD BE USED TO SUPPLEMENT THIS PIVOT IT COULD DISBURSE WATER ON THE 58 ACRES TO BE DRIED UP OF GROUNDWATER UNDER THIS TRANSFER.

6. AMERICAN FALLS WATER IS GENERALLY MORE RELIABLE THAN MAGIC RESERVOIR WATER. ACCORDING TO THE APPLICANT HE RECEIVES AMERICAN FALLS WATER ABOUT 80% OF THE TIME BUT MAGIC RESERVOIR WATER LESS THAN 80% OF THE TIME. CONSEQUENTLY, THE GROUNDWATER RIGHT WOULD PROBABLY BE USED MORE AT THE NEW SITE THAN THE OLD ONE.

7. RECOMMENDATION IS TO APPROVE THE APPLICATION IF IT CAN BE CONDITIONED PROPERLY TO COVER THE PROBLEM MENTIONED IN #5 ABOVE.

MTS

OCT 05 1995

T # 4656

ORIGINAL

MEMORANDUM

TO: FILE 37-2644

FROM: JIM JOHNSON

OK - Gary

RE: ADVANCING PRIORITY DATE

DATE: August 30, 1989

==========

The department has before it 5 applications for transfer of portions of water right 37-2644. All of the transfer applications propose to move portions of the water right a considerable distance. There is no information available to the department which indicates that injury to existing water rights would occur if the transfers were approved, conversely, neither is there information available to show injury would not occur.

Interestingly, transfer of these types are rare, however, apparently because new applications for groundwater appropriations received in Basin 37 are being held some users, rather than waiting for action on new applications, are seeking existing water rights and filing transfer applications such as is the case on this water right.

The local impact of such transfers may not be visible as not much information is available on groundwater quantities. It is imperative, though, that water users under existing water rights receive protection from water rights with senior priorities being transferred into the area.

Protection of existing water rights can be accomplished by conditioning the transfer approval adjusting original priority date of the transferred water right to the date the transfer application is approved.

In consideration of the above statements and in compliance to other requirements of Section 42-222, Idaho Code, the following conditions shall be required on the transfer applications.

CONDITIONS OF APPROVAL

The priority date of this right is set to the date of approval of

MICROFILMED
JUN 27 1990

this transfer and shall be junior to all existing water rights in use at the time of said approval.

The director retains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights in the vicinity of the transferred point of diversion.

<<T05>> The use of water on the lands to which the above referenced water right(s) were appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right(s).

MICROFILMED
JUN 27 1990

MEMORANDUM

To: Gary Spackman

From: L. Glen Saxton

RE: COMMENTS ON ATTACHED MEMO AND TRANSFER APPLICATIONS

Date: April 28, 1989

I share the general concerns you express in your memo relative to moving ground water rights over long distances.

If we are relatively sure that a water right in one ground water drainage is being transferred to a different drainage, I think we should consider advancing the priority of the right being transferred. Such appears to be the case here. I don't understand why a small portion of the original right is being transferred considering that the department can process and approve a new application out of the backlog processing sequence. for 3 acres or less.

By advancing the priority to the date of filing the transfer, we avoid the situation where the transferred water right will interfere with other rights in the same area by virtue of an earlier priority.

Your memo suggests that this type of filing may start to occur on a routine basis. From my point of view, I do not see that happening on a regular basis once the Swan Falls processing is further underway. I do think we may have to deal with the issue sometime in the future, however, when a new appropriation of ground water is difficult to obtain.

I do not know how to control the potential expansion by the original right holder at the original place of use.

I recommend a memo to the file to justify the advance in priority.

MICROFILMED

JUN 2 7 1990

MEMORANDUM

TO: Glen Saxton
FROM: Gary Spackman Gary
DATE: April 21, 1989
RE: Transfer nos. 3514, 3515, 3525, 3526, and 3546 proposing transfer of water right no. 37-2644

The transfers listed above all propose a change in point of diversion and place of use for a groundwater right originally licensed in the Dietrich area. The point of diversion and place of use of the original water right was located in T7S, R18E. The individuals who are applying for a transfer purchased a portion of the groundwater and propose to move the point of diversion and place of use approximately 60 miles north in the Hailey-Ketchum area, T3N, R18E. The original owner of the water right also plans to continue to irrigate his property with shares of surface water from a canal.

I am concerned for two reasons:

1. Although the long distance transfers approved for Blaine Larsen and others may have set a precedent, I am concerned about the long distance transfer of this water into the Upper Big Wood Basin. As I look at a map, the water, as originally described in the license, was either tributary directly to the Snake River or to the Little Wood River. The water proposed to be diverted is probably tributary to the Big Wood River, although it is difficult to determine. In other words, the groundwater that is now diverted may not be the same groundwater that is proposed to be diverted. How do we control these types of transfers once they begin to be filed routinely?

2. I am also concerned about enlargement that will result if these transfers are approved. The applicant stated that there won't be much change in land irrigated other then irrigation with canal water rather than groundwater. Although there may be two rights appurtenant to the same ground, the ground itself did not require more than what was consumptively needed, whether from surface or groundwater. If these transfers are approved, I would assume that the same amount of water will be consumptively used from the surface water supply on the old place of use. An additional amount equal to the quantity transferred minus losses will be consumptively used on the new place of use. This is an enlargement.

I seek your comments and suggestions.

FORM 22

Permit No. G-29110

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that CLIFF M. DEVANEY of Twin Falls, County of Twin Falls, and State of Idaho, the holder of Permit No. G-29110, issued upon Application No. G-37104 bearing date of priority of October 31, 1960, authorizing the diversion of 6.4 second feet of waters of a well

County of Lincoln, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 4.18 second feet of the waters of a well, tributary of subterranean flow;

that the point of diversion of said waters $NW\frac{1}{4}NE\frac{1}{4}$, Sec. 11, T. 7 S, R. 18 E, B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: $W\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}$, Sec. 11; $SE\frac{1}{4}NE\frac{1}{4}$, Sec. 10, T. 7 S, R. 18 E, B.M.

Proof of Completion of Works Made: June 20, 1966.

Witness my hand this 29th day of November, A. D. 19 66

R. Keith Higginson

State Reclamation Engineer

Permit No. G-29110

Certificate of Completion of Works

Dated November 29, 19 66

Stream a well

County Lincoln

Amount 4.18 c.f.s.

Date of Priority October 31, 1960

Recorded in Book 102

of Permits, page 29110

29110

xxxxxxxxx

November 29, 1966

Re: Permit No. G-29110

Cliff M. Devaney
688 Blue Lakes Blvd. North
Twin Falls, Idaho

Dear Mr. Devaney:

Enclosed are the Certificate of Completion of Works and License and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. G-11009 in the amount of $19.00 covering the fees.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

Enc.

29110

ROBERT E. SMYLIE
Governor

CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

RECEIVED
OCT 20 1966
Department of Reclamation

October 10, 1966

RE: Permit No. G-29110

Cliff M. Devaney
688 Blue Lakes Blvd. North
Twin Falls, Idaho

Dear Mr. Devaney:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-29110 shows the well(s) is (~~are~~) capable of conveying 209 miner's inches, or 4.18 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling $ 19.00 , we will issue the Certificate of Completion of Works for 4.18 c.f.s. and the License and Certificate of Water Right for 4.18 c.f.s. confirming the right, with priority of June 14, 1961 , to the use of subterranean water with the point of diversion in $NW\frac{1}{4}NE\frac{1}{4}$, Sec. 11, for irrigation of 209 acres in $SE\frac{1}{4}NE\frac{1}{4}$, Sec. 10; $W\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}$, Sec. 11, T. 7 S, R. 18 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

29110

OCT 20 1966
Department of Reclamation

RESOLUTION OF THE BOARD OF DIRECTORS OF
AMERICAN FALLS RESERVOIR DISTRICT NO. 2

WHEREAS, by contract entered into between the American Falls Reservoir District No. 2 and the United States of America dated September 21, 1927, certain public lands located within the boundaries of the said District were designated as subject to the provisions of the act of August 11, 1916, (30 Stat. 506), and

WHEREAS, certain public lands now within the boundaries of the District and designated as subject to the act of August 11, 1916, supra, and susceptible to prior development under the Desert Land Entry Act, and that such entries when allowed will be subject to 160 acres under such designation, it was moved by Director Kerner and seconded by Director Butler, that the following be adopted

BE IT RESOLVED, that Exhibit G attached to and made a part of the contract of August 21, 1927 be amended to exclude from such Exhibit; the

E½ SW¼, SE¼, Sec. 10, and
W½ SW¼, Sec. 11, Twp. 7 S. R. 18 E.B.M.

comprising approximately 320 acres of land now designated subject to the act of August 11, 1916 (29 Stat. 506).

After discussion and upon roll call said motion was ~~unanimously~~ adopted by a majority vote

CERTIFICATE

I, Lurlene Eastabrooks, being the duly appointed and qualified secretary of American Falls Reservoir District No. 2, and having charge of the records and files of said District, hereby certify that the foregoing is a true and correct copy of the Resolution of the Board of Directors of American Falls Reservoir

District No. 2, said Resolution having been passed at the regular meeting of the board of directors held September 6, 1966.

IN WITNESS WHEREOF, I have set my hand this 6th day of September, 1966.

Secretary, American Falls Reservoir
District No. 2.

SEAL)

29110

Re: Permit No. G-29110

July 8, 1966

Cliff M. Devaney
688 Blue Lakes Blvd. North
Twin Falls, Idaho

Dear Mr. DeVaney:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~Lincoln County Journal~~ all submitted in proof of completion of works and beneficial use on permit No. ~~G-29110~~.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

Deputy State Reclamation Engineer

RKH:mr

29110

Form 23
2M-4-65

STATE OF IDAHO

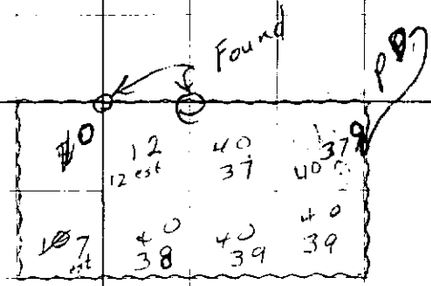
DEPARTMENT OF RECLAMATION

BOISE

REPORT OF EXAMINER

PERMIT NO. G-29110

REPORT ON PROOF OF Completion of Works & Beneficial Use



BL

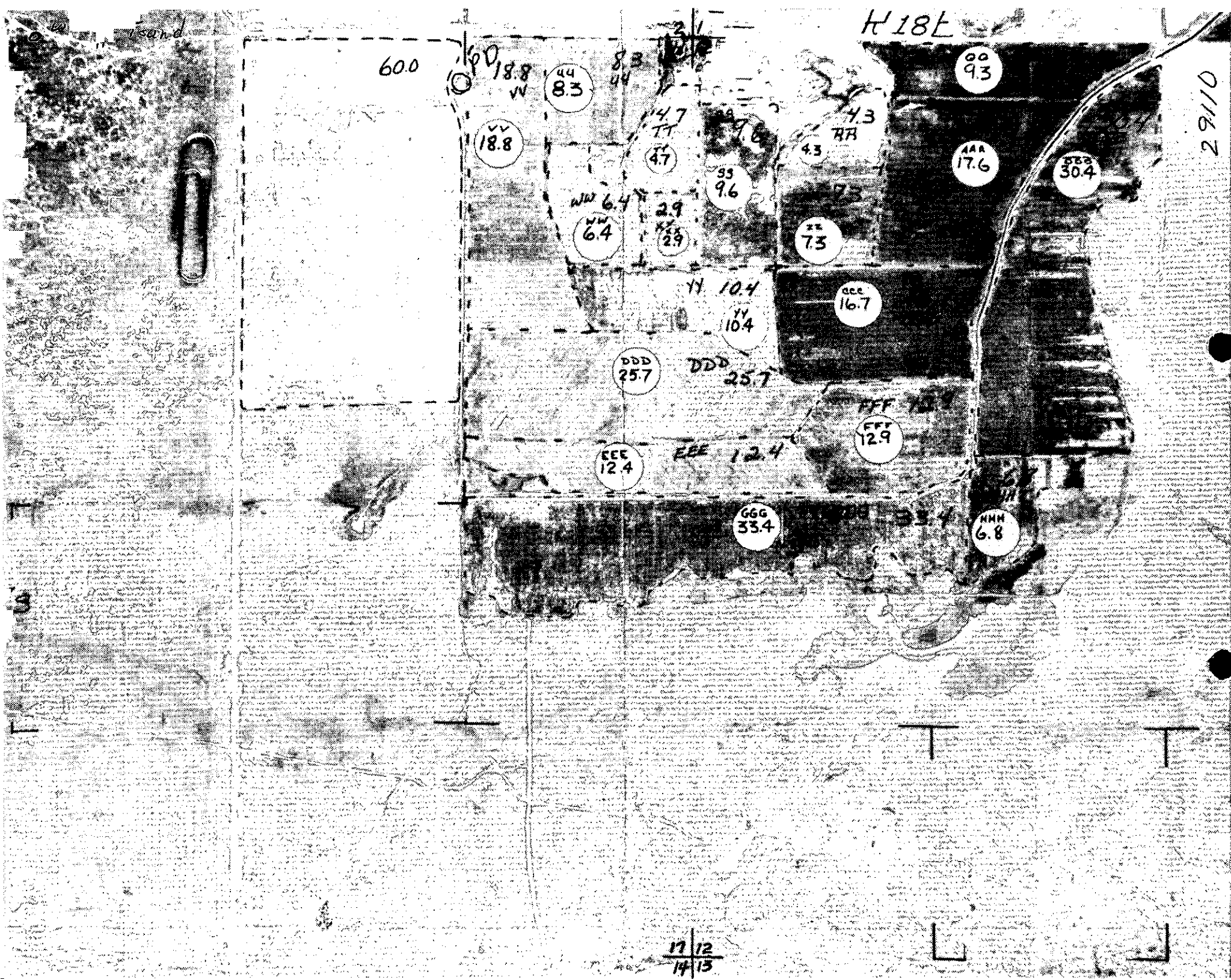
123

209

Area - 209 A

Subd - 7

Q = allow 4.18 cfs


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44
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93
9.6
WW 6.4
WW
6.4
2.9
XX
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7.3
XX
YY 10.4
YY
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DDD
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DDD 25.7
FFF 12.9
FFF
12.9
EEE
12.4
EEE 12.4
GGG
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AAA
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CCC
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17 12
14 13

Form 23
2M-4-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF EXAMINER

Permit No. G-29110

This proof is for Completion of Works & Beneficial Use Water District No.

1. Name of applicant Cliff M. Devaney
2. Source of water supply: a well
3. Location of point of diversion: Is in the NW¼NE¼ of Section 11
   T. 7 S R. 18 E., B.M. County of Lincoln
4. Describe works as they exist, giving dimensions and capacities of same:
   150 HP U.S. Motor # 1385471
   Layne & Bowler Pump # D12496 2250 gpm @ 215' 1770 RPM
   12" discharge to concrete box & Ditch
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
   E½NE¼, Sec. 10; W½NE¼, NW¼, Sec. 11, T. 7 S., R. 18 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

12¼" id 12" @ 19" 3.2 (.819) = 4.26

This examination was made on the 25th day of July, 1966

(Signed) Don Watts
Examiner.

29110

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
AUG 8 1966
Department of Reclamation

Cliff M. Devaney
688 Blue Lakes Blvd. North
Twin Falls, Idaho — 90' x 18"

Permit No. G-29110 — R 142'

Examination for Completion of Works & Beneficial Use

County Lincoln

Sec. 11 T 7S R 18E., B.M.

Quantity: 6.4 c.f.s.

Source: a well

P.D.: NW¼NE¼, Sec. 11, T. 7 S., R. 18 E.B.M.

Use: Irrigation

Extension: March 23, 1967

Protest:

Completion of Works:

Other Rights: none

Filed: October 31, 1960

Due: November 7, 1965

Made: June 20, 1966

Priority: June 14, 1961

Form 16 - 2M
5-5-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29110

RECEIVED
JUN 29 1966
Department of Reclamation

* * * * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and ~~Completion of~~ Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: Cliff M. DeVaney, 688 Blue Lakes Boulevard North, Twin Falls, Idaho, Rancher, 688 Blue Lakes Boulevard North, Twin Falls, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Acting as an individual

Ques. 3. State number, approval date of permit, and date of priority: G-29110; Approved: 11/7/60; Priority: 10/31/60.

Ques. 4. State source of water supply: Drilled well
Give location of point of diversion, showing subdivision, section, township and range

NW¼NE¼, Section 11, T7S-R18E, B.M.

Ques. 5. Describe your works of diversion: well, casing, 150 hp pump & motor, 180' aluminum pipe, 20 hp diesel pump & ditches; state amount of water they are capable of conveying from point of diversion to place of use: 2250 GPMs; Give name of canal or ditch or other works by which water is conducted to such place of use: Private works; if a well, state depth of well 300'; depth and size of casing 90'-18"; depth to water 142'; if pump is used, state discharge of pump: 12"; tell how it was measured or determined Curcular orfice; if sprinkler irrigation, give number and size of nozzles and operating pressure: Gravity

Ques. 6. State for what purpose water is used: Irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

NW¼NE¼ - 40 ac; SW¼NE¼ - 40 ac; ~~X&X~~ NE¼NW¼ - 40 ac; SE¼NW¼ - 40 ac; NW¼NW¼ - 12 ac; SW¼NW¼ - 40 ac;, Section 11, T7S-R18E, B.M.; NE¼NE¼ - 5 ac; SE¼NE¼ - 10 ac;, Sec. 10, T7S-R18E, B.M.

29110

State nature of all improvements which have been made as a direct result of said use:

All improvements are a direct result of said use.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Chuck Jones, Kimberly, Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Domestic use to trailer house next to well.

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Original applicant

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 4/20/66 - Time used since first use:

Continuously as needed since.

Ques. 10. Describe all other water rights appurtenant to same place of use:

NONE

(sign) Cliff M & E Vaney

* * * * * * * * * * *

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County of Ada State of Idaho, on this 20th day of June, A. D. 19 66.

Sharron Deroun

My commission expires: 9/28/68

29110

Form 17A - 4M
5-6-65

RECEIVED
JUN 29 1966
Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29110

* * * * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Chuck Jones, 28, Kimberly, Idaho, well driller, Box 243, Kimberly, Idaho

Ques. 2 Are you acquainted with Cliff M. DeVaney, the holder of Permit No. G-29110 ? How long have you known him and where does he reside?

I've known him about 4 years and he resides at Twin Falls, Idaho

Ques. 3. Have you read or heard said Permit No. G-29110 read, and are you familiar with its provisions and conditions: Yes xxx No. _____

Ques. 4. State source of water supply: well

Give location of place of diversion, showing subdivision, section, township and range

NW¼NE¼, Sec. 11, T7S-R18E, B.M.

Describe works for conveying water to place of use: open ditch

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 5 How much water have you seen being so conveyed? 4- 5 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

T7S-R18E, B.M., Sec. 11 - NW¼NE¼ - 40 ac; NE¼NW¼ - 40 ac; NW¼NW¼ - 25 ac; SW¼NW¼ - 40 ac; SE¼NW¼ - 40 ac; SW¼NE¼ - 40 ac; Section 10 - SE¼NE¼ - 30 ac; NE¼NE¼ - 30 ac.

29110

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Also used for domestic purposes

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Sandy Loam Soil and all of the water used is required for profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No.

Ques. 10. When did you first see this water used? April 25, 1966

Other times you have seen such use: NONE

(Signed): Chuck Jones

* * * * * * * *

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this 20th day of June, A. D. 19 66

Sharron Dixon

Notary Public for the State of Idaho

Residing Boise, Idaho

My commission expires 9/28/68

29110

Form 17A - 4M
5-6-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29110

* * * * * * *

RECEIVED
JUN 29 1966
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Gail Staley, 35, Twin Falls, Idaho, Sales Engineer, 305 DuBois Avenue, Twin Falls, Idaho

Ques. 2 Are you acquainted with Cliff M. DeVaney, the holder of Permit No. G-29110? How long have you known him and where does he reside?

I have known him about 8 months and he lives in Twin Falls, Idaho

Ques. 3. Have you read or heard said Permit No. G-29110 read, and are you familiar with its provisions and conditions: Yes xxx No. _____

Ques. 4. State source of water supply: irrigation well

Give location of place of diversion, showing subdivision, section, township and range

NW¼NE¼, Section 11, T7S-R18E, B.M.

Describe works for conveying water to place of use: ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 5 How much water have you seen being so conveyed? 5 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

T7S-R18E, B.M., Sec. 11 - NW¼NE¼ - 40 ac; SW¼NE¼ - 40 ac; NE¼NW¼ - 40 ac; SE¼NW¼ - 40 ac; NW¼NW¼ - 25 ac; SW¼NW¼ - 40 ac; Section 10 - NE¼NE¼ - 30 ac; SE¼NE¼ - 30 ac.

29110

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Domestic use

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Sandy Loam soil and I estimate about 5 cfs of water is required for the profitable cultivation of these lands

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No.

Ques. 10. When did you first see this water used? April 20, 1966

Other times you have seen such use: NONE

(Signed): [signature]

* * * * * * * *

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this 20th day of June, A. D. 19 66

[signature]

Notary Public for the State of Idaho

Residing Boise, Idaho

My commission expires 9/28/68

29110

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 20th day of June, 1966, at Boise, County of Ada, State of Idaho, before Sharron Deroin, Notary Public, at 224 Idaho Building, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29110, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Cliff M. DeVaney, 688 Blue Lakes Boulevard, North, Twin Falls, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is NW¼NE¼, Section 11, T7S-R18E, B.M.

5. The place where said water is used is E½NE¼, Section 10; W½ NE¼ NW¼, Section 11, T7S-R18E, B.M.

6. The date of priority which said user is prepared to establish is 10/31/60.

CARL E. TAPPAN
State Reclamation Engineer
Ap28-My19

RECEIVED
JUN 2 1966
Department of Reclamation

RECEIVED
MAY 31 1966
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO LAND OFFICE
BOISE, IDAHO

AFFIDAVIT OF PUBLICATION

LINCOLN COUNTY JOURNAL
SHOSHONE, IDAHO

John H. George,
being first duly sworn, says that he is the
Publisher of
the Lincoln County Journal, a newspaper published weekly at Shoshone, Idaho, having legal publication rights within the State of Idaho, and that the notice, a true copy of which is hereto attached, was published in said newspaper for 4 consecutive weeks, beginning with the issue of

April 28, 1966

and ending with the issue of

May 19, 1966

John H. George

Subscribed and sworn to before me this

27th day of May, 1966

Doreen W. Boller

Notary Public, Shoshone, Idaho

29110

Re: Permit No. G-29110

April 19, 1966

Sharron Deroin
Box 2161
Boise, Idaho

Dear Mrs. Deroin:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-29110, in the name of Cliff M. DeVaney. Final Proof is to be made before you, as Notary on the 20th day of June, 19 66, at Boise, Idaho, Idaho.

As of this date, we have mailed the Notice to the Lincoln County Journal, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

[illegible]
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

29/10

ROBERT E. SMYLIE
Governor

CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

RECEIVED
MAY 10 1966
Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 20th day of June, 1966, at Boise, County of Ada, State of Idaho, before Sharron Deroin, Notary Public, at 224 Idaho Building, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29110, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Cliff M. DeVaney, 688 Blue Lakes Boulevard, North, Twin Falls, Idaho.
2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 6.4 cubic feet per second.
3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is 6.4 cubic feet per second.
4. The point of diversion of said water is NW¼NE¼, Section 11, T7S.-R18E, B.M.
5. The place where said water is used is E½NE¼, Section 10; W½-NE¼, NW¼, Section 11, T7S-R18E, B.M.
6. The date of priority which said user is prepared to establish is 10/31/60.

CARL E. TAPPAN
State Reclamation Engineer
Ap28-My19

ermit No. G-29110

April 19, 1966

RECEIVED
MAY 16 1966
Department of Reclamation

ln County Journal
one, Idaho

emen:

Enclosed you will find a legal notice which we to have published for four consecutive weeks prior to une 20, 1966. The expense of the cation is to be paid by Idaho Land & Appraisal Service ox 2161, Boise, Idaho to whom you should sh proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish office with a copy or tear sheet of the notice for checking ast one week prior to the first publication.

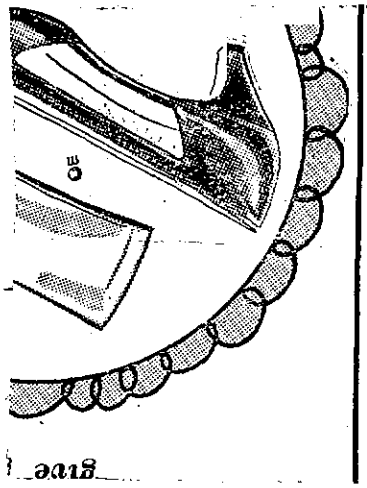
Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

Please send us a complete copy of the legal notice.

M. Russell Bosch
M. Russell Bosch
Office Manager

29110



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

CARL E. TAPPAN
State Reclamation Engineer

RECEIVED
MAY 10 1966
Department of Reclamation

Re: Permit No. G-29110

April 19, 1966

RECEIVED
MAY 16 1966
Department of Reclamation

Lincoln County Journal
Shoshone, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to June 20, 1966. The expense of the publication is to be paid by Idaho Land & Appraisal Service of Box 2161, Boise, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

Please send us a complete copy of the legal notice.

M. Russell Bosch
M. Russell Bosch
Office Manager

29110

No. 36 - 4M
1/65

RECEIVED
APR 19 1966
8:00 A.M.
Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that ~~at 10:00 A.M.~~, on the **20th** day of **June** 19**66**, at **Boise**, County of **Ada**, State of Idaho before **Sharron Deroin**, Notary Public, at (address) **224 Idaho Building**, proof will be submitted of the completion of works for the diversion of **6.4** cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. **G-29110**, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is **Cliff M. DeVaney, 688 Blue Lakes Boulevard, North, Twin Falls, Idaho**

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is **6.4** cubic feet per second.

3. The use to which said water has been applied is **irrigation**, purposes and the amount applied to beneficial use is **6.4** cubic feet per second.

4. The point of diversion of said water is **NW¼NE¼, Section 11, T7S R18E, B.M.**

5. The place where said water is used is **E½NE¼, Section 10; W½NE¼, NW¼, Section 11, T7S-R18E, B.M.**

6. The date of priority which said user is prepared to establish is **10/31/60**.

State Reclamation Engineer

29110

Form No. 11
2M 12-64

RECEIVED
APR 19 1966
8:00 A.M.
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 14, 1966

(P. O.) Box 2161, Boise, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Lincoln County Journal of Shoshone, Idaho Published in the county in which the works are situated. Please send Statement of Charges & Affidavit of Publication to Idaho Land & Appraisal Service, P. O. Box 2161, Boise, Idaho 83701.

Robert M DeWaney.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

Engineer

29110

Re: Permit No. G-29110 April 19, 1966

Lincoln County Journal
Shoshone, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to June 20, 1966. The expense of the publication is to be paid by Idaho Land & Appraisal Service of Box 2161, Boise, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

29110

Sept. 16, 1965

Re: Permit No. G-29110
Cliff M. DeVaney

Idaho Land & Appraisal Service
P.O. Box 2161
Boise, Idaho

Gentlemen:

Enclosed is an Extension of Time to March 23, 1967, on the above numbered permit which has been recorded in this office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. extension

2911

IDAHO LAND & APPRAISAL SERVICE

HARLEY M. McDOWELL
E. J. McDOWELL
MGR. OWNERS

MERVIN J. CHRISTENSEN
(LICENSED SURVEYOR)

JOSEPH J. THACKABERRY

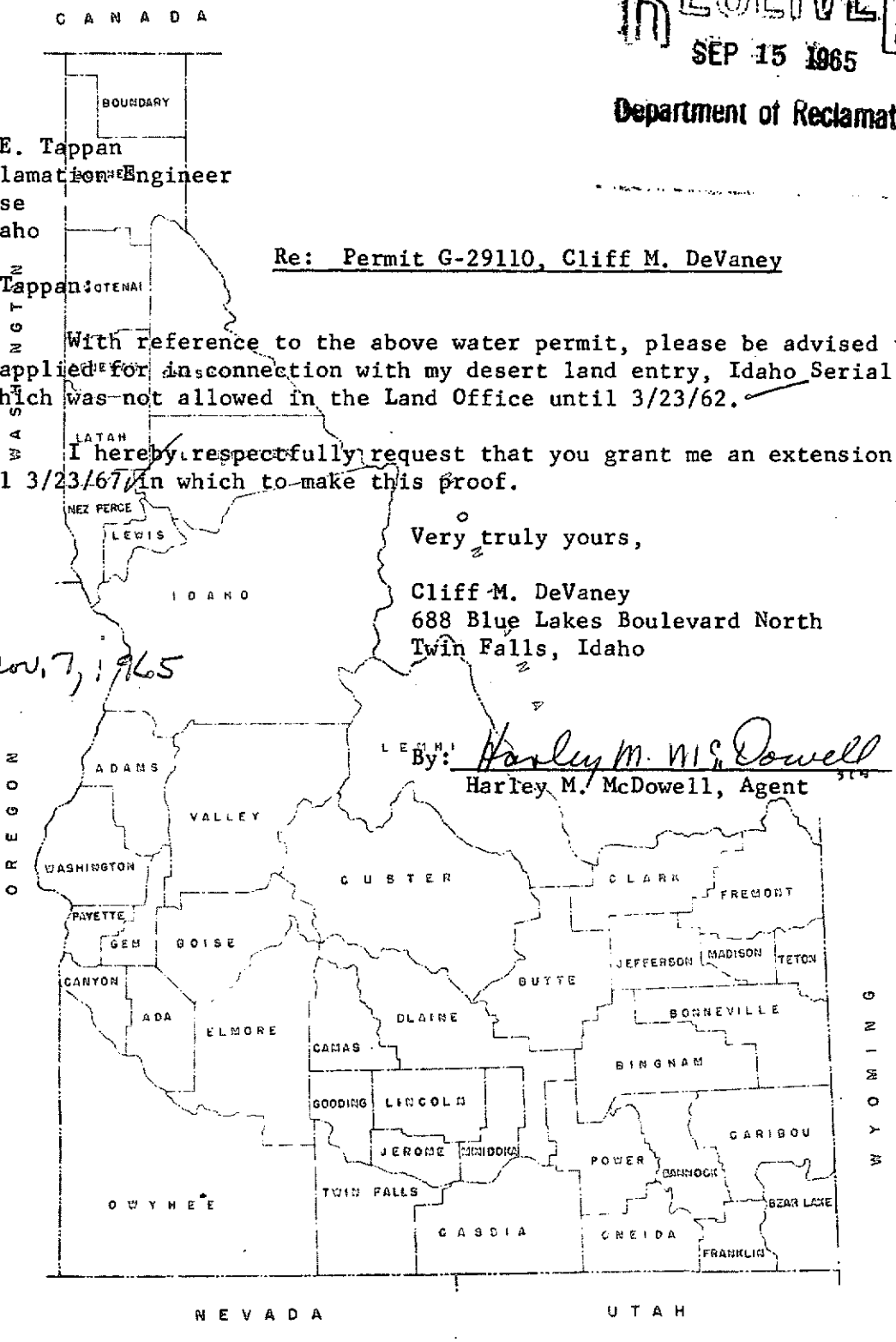
224 IDAHO BLDG. BOISE, IDAHO 83701
P. O. BOX 2161
PHONE 344-2547

ALL PROPERTY APPRAISALS
CUSTOM DRAFTING, MAPPING
LAND PURCHASES
OIL AND GAS LEASES

GRAZING MANAGEMENT
FEDERAL LAND APPLICATIONS
WATER FILINGS & PROOF
STATE LAND LEASES & ASSIGNS

September 14, 1965

RECEIVED
SEP 15 1965
Department of Reclamation



Mr. Carl E. Tappan
State Reclamation Engineer
State House
Boise, Idaho

Re: Permit G-29110, Cliff M. DeVaney

Dear Mr. Tappan:

With reference to the above water permit, please be advised that this was applied for in connection with my desert land entry, Idaho Serial No. 011978, which was not allowed in the Land Office until 3/23/62.

I hereby respectfully request that you grant me an extension of time until 3/23/67 in which to make this proof.

Very truly yours,

Cliff M. DeVaney
688 Blue Lakes Boulevard North
Twin Falls, Idaho

Due Nov. 7, 1965

By: Harley M. McDowell
Harley M. McDowell, Agent

sld

29110

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

WHEREAS, PERMIT NO. G-29110, in the name of Cliff M. DeVaney, requires proofs of completion of works and beneficial use to be made on or before November 7, 1965; and,

WHEREAS, said Permit was issued in connection with Desert Land Entry Idaho Serial #011978; and,

WHEREAS, Applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry, which was not allowed until March 23, 1962;

NOW, THEREFORE, An Extension of Time is allowed for Completion of Works and Beneficial Use Proofs on Permit No. G-29110 to March 23, 1967, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for every other act required under the terms and conditions of Permit No. G-29110.

Signed at Boise, Idaho, this 16th day of September, 1965.

_____

Deputy State Reclamation Engineer

29110

Form 36

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 29110

Sept. 1, 1965

Mr. Cliff M. Devaney
688 Blue Lakes Blvd. No.
Twin Falls, Idaho

Dear Mr. Devaney:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 29110 are due not later than Nov. 7, 1965

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

STATE RECLAMATION ENGINEER

Enc. 136 and 11

cc:

29110

IN REPLY REFER TO:

LO:Cell
Idaho 011978

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Land Office
P. O. Box 2237
Boise, Idaho

MAR 23 1962

NOTICE OF ALLOWANCE

Cliff H. DeVaney
683 Blue Lakes Blvd. N.
Twin Falls, Idaho

Dear Mr. DeVaney:

Your Desert Land Entry, Serial No. Idaho 011978,
Receipt No. 697024, for [illegible], Sec. 10; [illegible], Sec. 11,
Township 7 S., Range 18 E., Boise Meridian, Idaho,
containing 320 acres, has this day been allowed, subject to any valid existing rights and your further compliance with laws and regulations applicable thereto. In correspondence relating to this entry, always refer to the serial number shown above.

Subject to the Act of July 17, 1914, which may require the reservation of all oil and gas deposits to the United States.

Sincerely yours,

c.c. State Reclamation
Idaho Land & Map

Land Office Manager

29110

ILO-20
(Feb., 1962)

29110

November 14, 1960

Re: Permit No. G-29110
Cliff M. DeVaney

Mr. Harley M. McDowell,
Idaho Land & Map Service,
Box 2161,
Boise, Idaho.

Dear Mr. McDowell:

We enclose Permit No, G-29110 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-5333 which was issued covering payment in the amount of $6.50 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk
cc: Cliff M. DeVaney
688 Blue Lakes Blvd. No.
Twin Falls, Idaho

29110

NAME OF APPLICANT Cli[redacted]M. DeVaney

Form No. 0

T 7 S - R 18 E., B.M., Idaho

O PD

Sec. 10 S. 11

Permit Map No. G 29110
As Approved
NOV 7 1960
GEO. N. CARTER
State Reclamation Engineer

October 18, 1960

Re: Application for Permit

Mr. Edward W. Brower
Felt, Idaho

Dear Mr. Brower:

Returned herewith is your application for permit with attached check for the $6.00 filing fee.

The maps were evidently made up for the SW¼, Sec. 8, and you later added the NW¼, Sec. 17 on the land list without adding that land to the maps. Kindly show the additional land on the maps.

You must sign the application on page 3 before it can be accepted.

The application will be processed upon receipt of the signed application with corrected maps and the filing fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:ew

Enc: permit with
attached check

29109