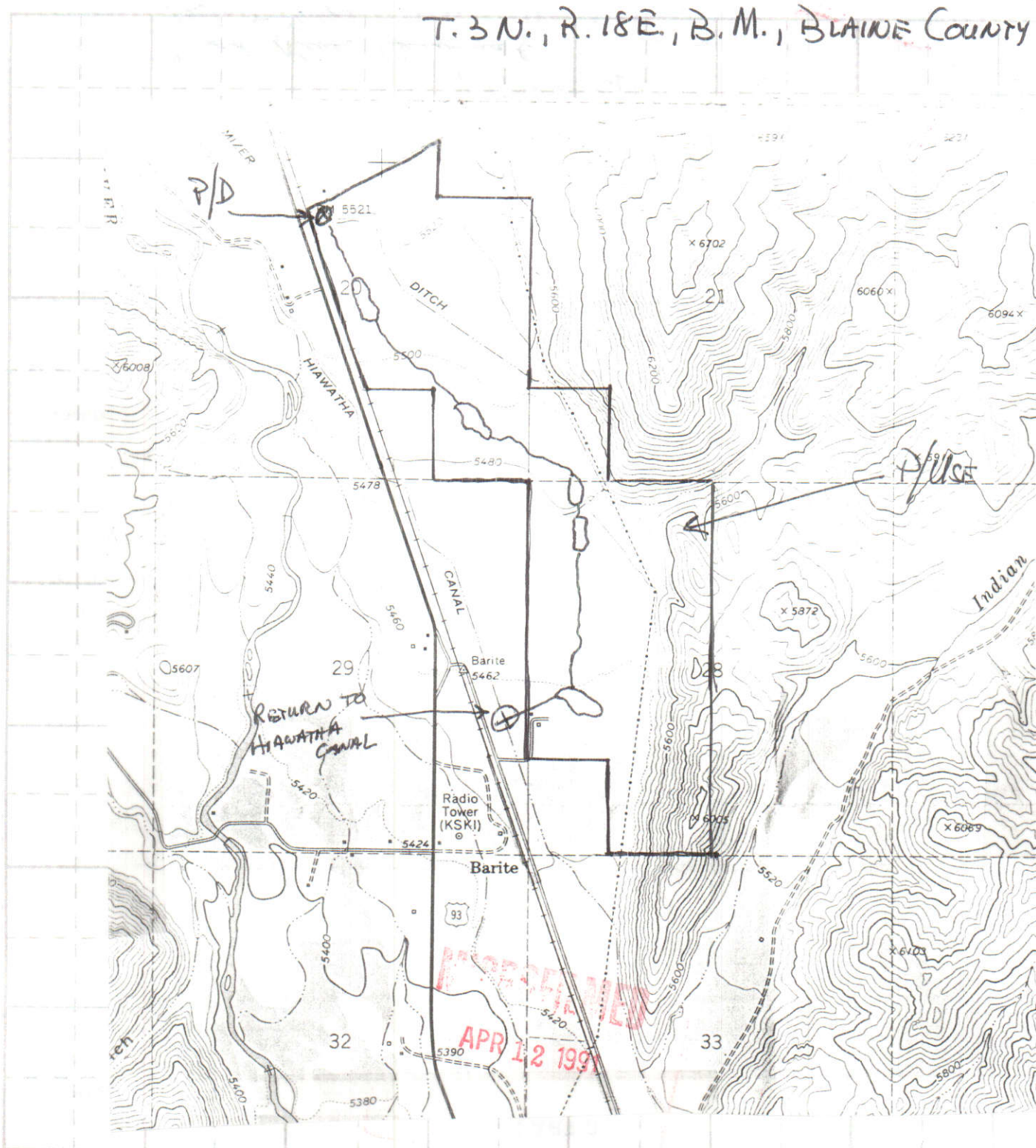


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- 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.

State of Idaho

License and Certificate of Water Right

Water License No. G-28211

Priority October 12, 1959

Amount 3.05 c.f.s.

THIS IS TO CERTIFY that MRS. STELLA MIZER

of Hailey, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 12, 1959; that Permit No. G-28211 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 3.05 second feet, was issued thereunder on March 16, 1967, showing that said works were completed on the 22nd day of September, 1964; and that on the 22nd day of September, 1964, MRS. STELLA MIZER

of Hailey, 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 a subterranean flow for the purpose of supplemental irrigation under Use Permit No. G-28211; 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 8706, on the 16th day of March, 1967.

The right hereby confirmed dates from October 12, 1959.

The Point of Diversion is located in the SE 1/4 NW 1/4, Sec. 20, Twp. 3 N., R. 18 E., B.M. Blaine 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 3.05 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	19 E.	21	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	21
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	2
		20	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	34
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	10
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	9
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	35
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	5
Total number of acres to be irrigated:					156

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 16th day of March, 1967.

MICROFILMED

APR 12 1991

State Reclamation Engineer

AFFIDAVIT of PUBLICATION

RECEIVED

SEP 06 1990

State of Idaho, }
County of Blaine } SS.

Department of Water Resources
Southern Region Office

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 25 day of Aug, 1990, and

the date of the last publication was on the 1 day of Aug, 1990.

Subscribed and sworn to before me this 1st day of Aug, 1990.
(SEAL)

Roberta McKee
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions _____
_____ Lines tabular at _____ 6c / Pica
63 Lines straight at 34.65 5c / Pica
63 Subsequent lines at 27.72 4c / Pica
TOTAL COST 62.37 / fee 5.00 = 67.37

COPY OF NOTICE
(Paste Here)

Notice of Proposed
TITLE OF NOTICE Change

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id Dept. of water
BILL TO

Partners seeks water right change

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-02623

Notice is hereby given that WOOD RIVER COUNTRY CLUB PARTNERS, c/o James P. Speck, Attorney of Ketchum, 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 AS RECORDED

Water right No. 37-02623
Basis of right: License
Source: groundwater
Priority Date: 10/12/1959
Amount of water: 3.05 cfs
Water use: irrigation
Point(s) of diversion:
NE1/4SE1/4, NW1/4, S20, T3N, R18E; Blaine County.
Place of use: 156 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, NE1/4SW1/4, NW1/4-SW1/4, SE1/4SW1/4, S28, T3N, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-02623
(Portion of)
Amount: 2.81 cfs
(Irrigation-From 4/1 to 11/1)
Water right No.: 37-02623
(Portion of)
Amount: 0.24 cfs
(Recreation-From 4/1 to 11/1)
Total amount being transferred: 3.05 cfs

Source: groundwater
Point of diversion:
NE1/4SE1/4NW1/4, S20, T3N, R18E; Blaine County.
Place of use: 143.52 acres within SW1/4NE1/4, SE1/4NE1/4, SE1/4-NW1/4, NE1/4SE1/4, NW1/4-SE1/4, SE1/4SE1/4, S20, T3N, R18E; SW1/4SW1/4, S21, T3N, R18E; NW1/4, NE1/4SW1/4, NW1/4SW1/4, SE1/4SW1/4, S28, T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301, on or before August 13, 1990.

R. Keith Higginson, Director
Publish: Wood River Journal-July 25 and August 1, 1990.

7159

REPROFILMED

APR 1 1991

OK MB 9/12/90

Joseph McFadden,
Atty at Law
Hailey, Idaho

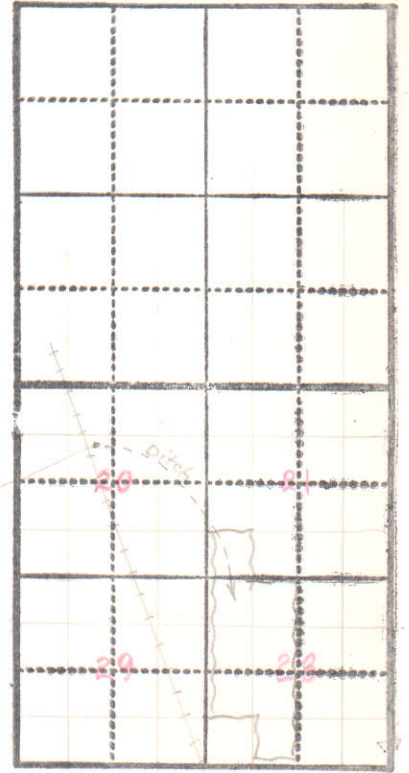
APPLICATION FOR PERMIT

27-2623

To Appropriate the Subterranean Waters of The State of Idaho

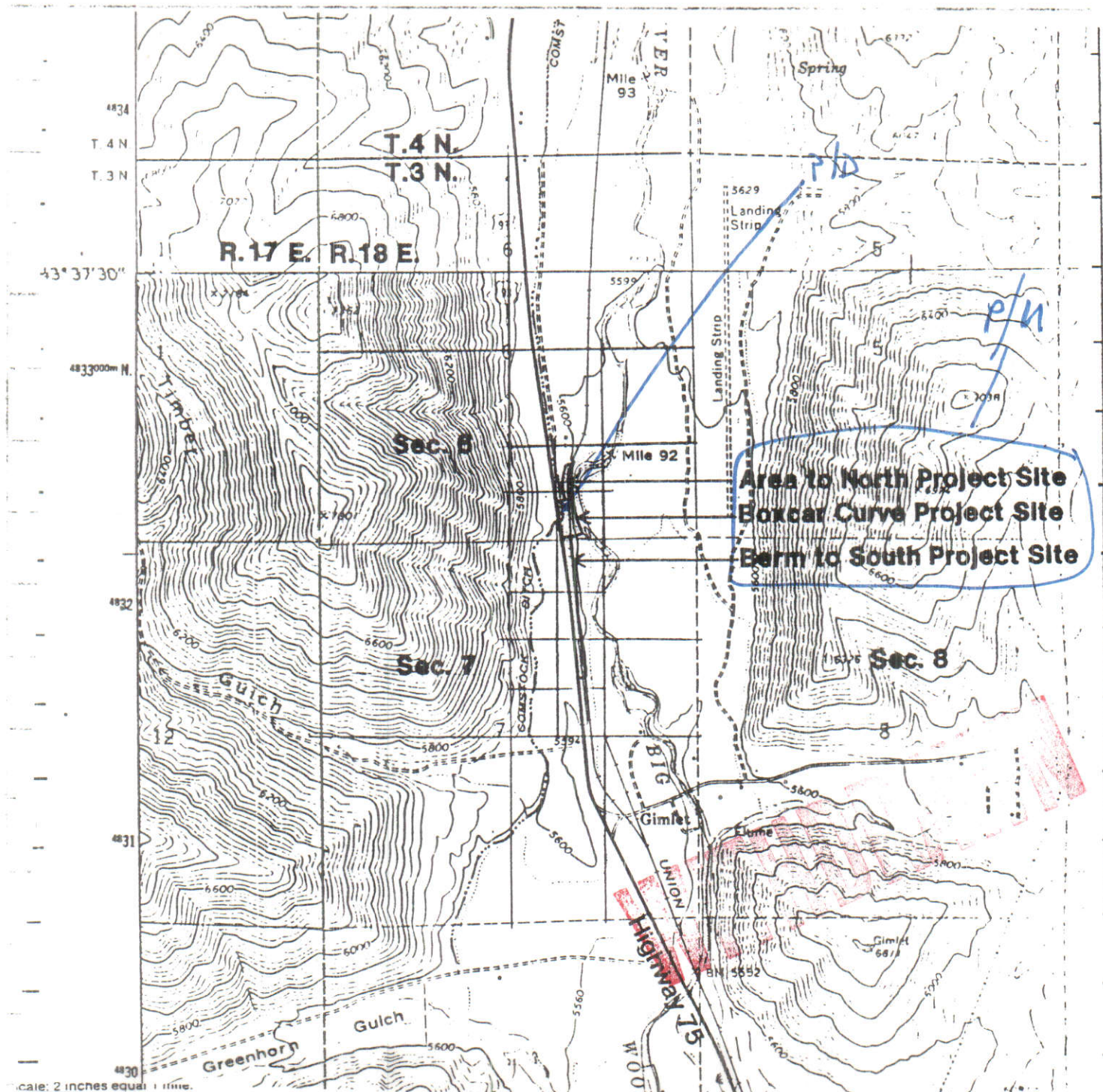
Application No. G- 36175
Permit No. G- 28211
District No.

1. Name of Applicant: Mrs. Stella Mizer, a widow
Postoffice address: Hailey Box 93 County: Blaine State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 6.4 or Idaho
Miners' inches 320 or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: subterranean waters
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20
Twp. 3 N , Rge. 18 E. , B.M., County of Blaine
5. Water is to be used for: Supplemental irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Deep well, with electric pump
8. Estimated cost of works: \$ 9000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 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: 84.5" of 3-24-1883;
100" of 5-1-1886; and 140" of 7-1-1892
 - (a) 6.4 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.



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.

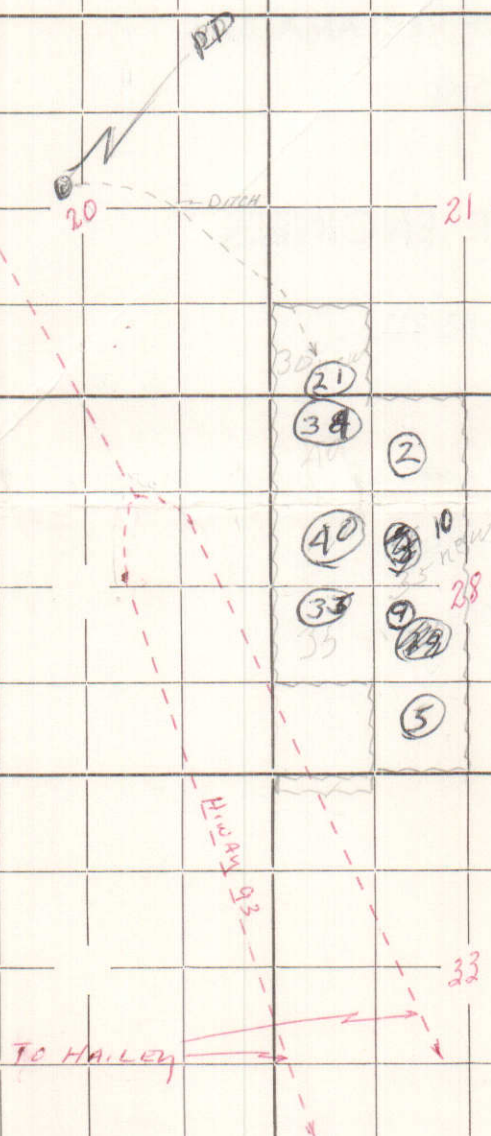






R 18 E

T
3
N



30	21	21
40	36	36
55	43	50
55	44	44
5	5	5
185	144	156 A

area - 156 A

subd - 8

$Q = 3.05 \text{ cfs or } 152 \frac{1}{2}''$

RECEIVED
SEP 23 1964
Department of Reclamation

NOTICE OF PROOF OF COM-
PLETION OF WORKS
and
APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 2 p. m., on the 22nd day of September 1964, at Hailey, County of Blaine, State of Idaho, before V. K. Jeppesen, Notary Public, 113 South Main Street, proof will be submitted of the completion of works for the diversion of 4.38 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-28211, 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 Stella Mizer, Hailey, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.38 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 4.38 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20 Twp. 3 N. R 18 E. B. M.

5. The place where said water is used is SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21; NW $\frac{1}{4}$ of Section 28; NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 28; and Tax Lot 2059 being a portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33 all in Twp. 3 N. Range 18 E. B. M.

6. The date of priority which said user is prepared to establish is October 12, 1959.

CARL E. TAPPAN
State Reclamation Engineer
Pub. 8/13 - 9/3

Affidavit of Publication

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

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for four consecutive weeks commencing with the first publication thereof on the

thirteenth day of August, 1964 and ending with the last publication thereof on the

third day of September, 1964

Cost of this publication is \$ 24.20

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 4th day
of September, 19 64

[Signature]
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

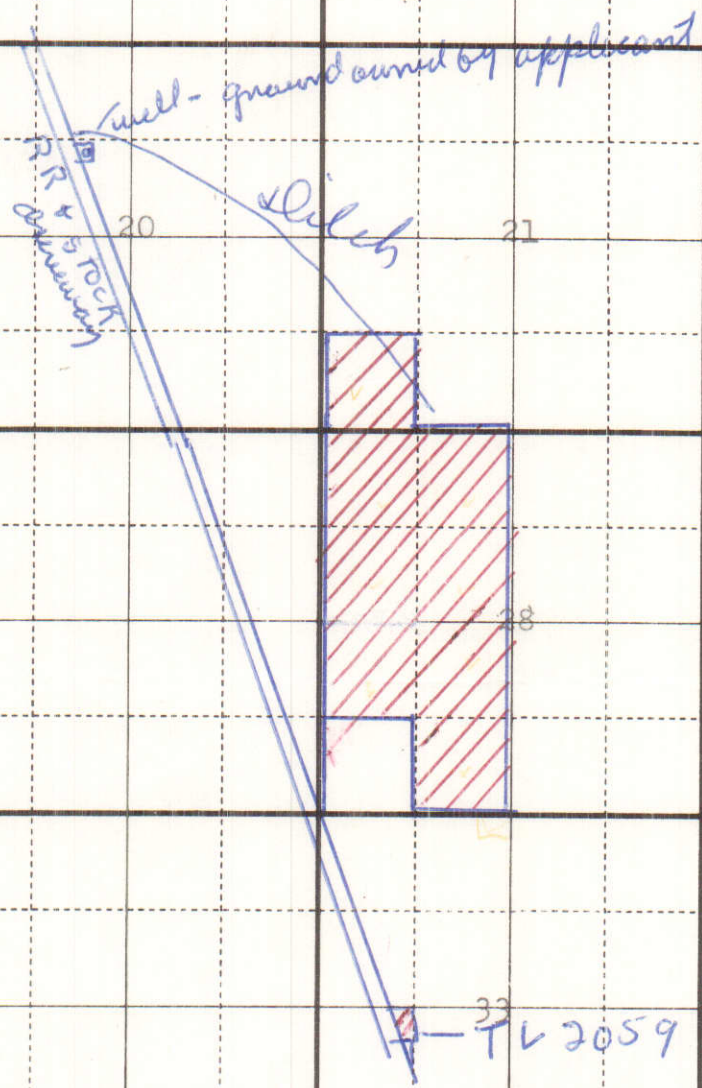
28211

NAME OF APPLICANT STELL MIZER, a widow

Form No. 0

R 18 E

TOWNSHIP #3 NORTH,
RANGE 18 EAST OF THE
BOISE MERIDIAN,
BLAINE COUNTY, IDAHO



T
3
N

Permit Map No. 828211
As Approved
OCT 15 1959
GEO. M. CARTER
State Reclamation Engineer

NOTICE OF PROOF OF COM-
PLETION OF WORKS
and
APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 2 p. m., on the 22nd day of September 1964, at Hailey, County of Blaine, State of Idaho, before V. K. Jeppesen, Notary Public, 113 South Main Street, proof will be submitted of the completion of works for the diversion of 4.38 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-28211, 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 Stella Mizer, Hailey, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.38 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 4.38 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20 Twp. 3 N. R 18 E. B. M.

5. The place where said water is used is SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21; NW $\frac{1}{4}$ of Section 28; NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 28; and Tax Lot 2059 being a portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33 all in Twp. 3 N. Range 18 E. B. M.

6. The date of priority which said user is prepared to establish is October 12, 1959.

CARL E. TAPPAN
State Reclamation Engineer
Pub. 8/13 - 9/3

RECEIVED

FEB 08 1994

Water Right No. 37-026²83

Department of Water Resources
Southern Region Office

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

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

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

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee of \$50.00.

1. Name of water right holder: The Valley Ranch Partner fka Wood River Country Club Partners.
2. Post office address: c/o James P. Speck, Hogue, Speck & Aanestad, P.O. Box 987, Ketchum, Idaho, 83340.
3. The right was obtained or is evidenced by:
 - a. License No. 37-026²83 issued by the Department of Water Resources.
 - b. Transfer No. 3743 issued by the Department of Water Resources.
4. Source of water: groundwater.
5. Date of priority: October 12, 1959.
6. Amount of water: 3.05 cfs.
7. Water is used for: 2.81 cfs for irrigation from April 1 to November 1
0.24 cfs for recreation from April 1 to November 1.
8. Location of point of diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	NW	20	3N	18E	Blaine	n/a

9. Lands irrigated or place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	18E	20			R										R	R		R	
					11.5	7.0									15.0	15.0		11.0	59.5
3N	18E	21											R						
													13.5						13.5
3N	18E	28						R	R			R							
							14.5	15.0	10.8	10.0	7.5	11.0		2.0					70.8

Total acres 143.8

9. Give the last date when water was applied to beneficial use: 1989

Length of extension of time requested: Until November 1, 1996.

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and the reasons for non-use: The approved water right transfer authorizes use of the water right for irrigation of a golf course and for recreational use in the golf course ponds and streams. The construction of the golf course is scheduled to commence in the spring of 1994 and will take a minimum of two years to complete. Thus, an extension of time until the end of the irrigation season of 1996 is requested.

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

THE VALLEY RANCH PARTNERS

By: [Signature]
DAVID C. THREINER, a general partner

SUBSCRIBED AND SWORN TO before me this 18th day of January, 1994.

[Signature]
Notary public for Idaho
Residing at Blaine County
Commission expires 2/5/99

0 ACTION OF THE DIRECTOR DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVE said application subject to the following conditions or reasons:
Resumption of water to a beneficial use shall occur on or before November 1, 1996.

Approval of this extension does not preclude the opportunity for review of the validity of the water right in the ongoing Snake River Basin Adjudication.

Witness my hand this 19th day of May, 1995.

[Signature]
Chief, Water Allocation Bureau

For Department Use Only

Received by ms Date 2/3/94 Time 1100am Preliminary check by MTS
Fee \$ 50.00 Receipted by DW 29464 Date 4/20/94 Publication prepared by ms
Published in Wood River Journal Dates 3/2 + 3/9/94
Publication approved by _____ Date _____ Protests filed by _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for ☒ Approval // Denial by [Signature]

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	
TRANSFERS NO. 3742 AND 3743 IN	)	ORDER GRANTING
THE NAME OF WOOD RIVER COUNTRY	)	EXTENSION OF TIME TO
CLUB PARTNERS	)	COMPLETE TRANSFERS
_____	)	

On March 12, 1991, the Department approved the above referenced Applications for Transfer with a condition that:

The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

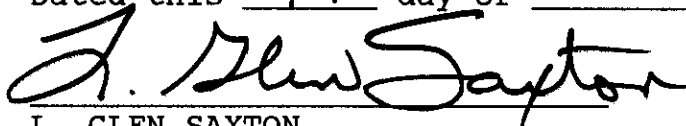
On August 14, 1992, the Department issued an Order granting extension of time in which to accomplish the transfer for two years.

On January 19, 1994, the Department received a request for another extension which showed reasonable cause for the delay.

IT IS HEREBY ORDERED that the right holder of Transfers No. 3742 and 3743 is granted a two year extension period in which to accomplish the transfers.

IT IS FURTHER HEREBY ORDERED that this extension of time does not waive the provisions of Section 42-222(2), Idaho Code.

Dated this 17th day of March, 1994.


L. GLEN SAXTON
Chief, Water Allocation Bureau


APR 11 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF TRANSFER NO. 3743)
)
OF WATER RIGHT NO. 37-02623 IN)
)
THE NAME OF WOOD RIVER COUNTRY)
)
CLUB PARTNERS)
_____)

ORDER GRANTING
EXTENSION OF TIME TO
COMPLETE TRANSFER

On March 12, 1991, the Department approved the above referenced Application for Transfer with a condition that:

The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

The Department has requested notification that the transfer has been completed.

The right holder has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 3743 is granted a two year extension period in which to accomplish the transfer.

Dated this 14th day of August, 1992.

L. Glen Saxton
L. GLEN SAXTON
Chief, Water Alloc. Bureau

MICROFILMED

AUG 20 1992

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3743

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED

JUL 16 1990

PART 1

JUL - 2 1990

Department of Water Resources
Name of applicant Wood River Country Club Partners Phone (208) 424-1234
Southern Region Office
Post Office address c/o James P. Speck, Hogue, Speck & Aanstad, Box 987, Ketchum, ID 83340
Southern Region Office

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 Applicant is developing two adjacent ranches into a golf course and residential subdivision. Water right described below is presently appurtenant to one of the ranches.

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
portion of 37-02623	10/12/1959	2.81 cfs	Irrigation	April 1 to Nov. 1
portion of 37-02623	10/12/1959	0.24 cfs	Recreation	April 1 to Nov. 1
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 3.05 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	~~NE~~	~~SE~~	~~NW~~	20	3N	18E	Blaine	n/a
	*							

5. Lands irrigated or place of use: + PLACE of Use Edit made via telecon w/ Jim Speck on 2-5-91 TJL 2-5-91

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	20			R	13.236.49				R					1.315.95.31			R	61.26
3N	18E	21		*									R	14					14.00
3N	18E	28					14.814.98	11.929.41	5.948.59					1.5					68.26
APR 12 1991																			
+	3N	18E	20		R	11.5 7.0									15	15		11	59.5
	3N	18E	21										R	13.5					13.5
	3N	18E	28				14.5	15	10.8	10	7.5	11		2					70.8

* All edits by James Speck, Atty (Power attached)
(edit notation by BRJ 2/18/90)

Total acres 143.8

PART 1**6. General Information:**a. Description of diversion system See Attached Addendumb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X 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:

All lands historically irrigated by the transferred water right are
incorporated into the golf course/residential development. These lands
will no longer be used for agricultural irrigation.

d. Remarks:

See Attached Addendum**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**This is to certify that I have examined Application for Transfer of Water Rights No. 37-2623And said application is hereby APPROVED, subject to the following limitations and conditions:SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.**RECEIVED**

APR 12 1991

Witness my hand this

12

day of

MarchJ. Glen Saxton

CONDITIONS OF APPROVAL

Transfer of Water Right No. 37-2623

1. Use of water under this water right is subject to control by the watermaster of State Water District No. 37, Big Wood River.
2. This right when combined with right nos. 37-0494, 37-0495, 37-0577T, 37-0577V, & 37-0833K shall provide no more than 3.0 acre-feet per acre for the lands above.
3. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
3. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
4. 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 12th day of March, 1991.

A. Glen Saylor
Chief, Water Allocation Bureau

APPROVED
APR 12 1991

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. 37-02623 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 10/12/1959

5. Water is used for the following purpose:

amount 3.05 for irrigation purposes from April 1 to Nov. 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.05 cubic feet per second and/or n/a acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>X</u>	<u>NE</u>	<u>SE</u>	<u>SW</u>	<u>20</u>	<u>3N</u>	<u>18E</u>	<u>Blaine</u>	<u>n/a</u>
<u>(see note on page 1 of 6) ID, 7/13/90</u>								

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	21											21						21
3N	18E	28					2	34	40	10	9	35	5						135

Total acres 156

9. Describe any other water rights used for the same purpose as described above Portions of 37-00577,

37-00494, 37-00495, 37-00833K

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

No

If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

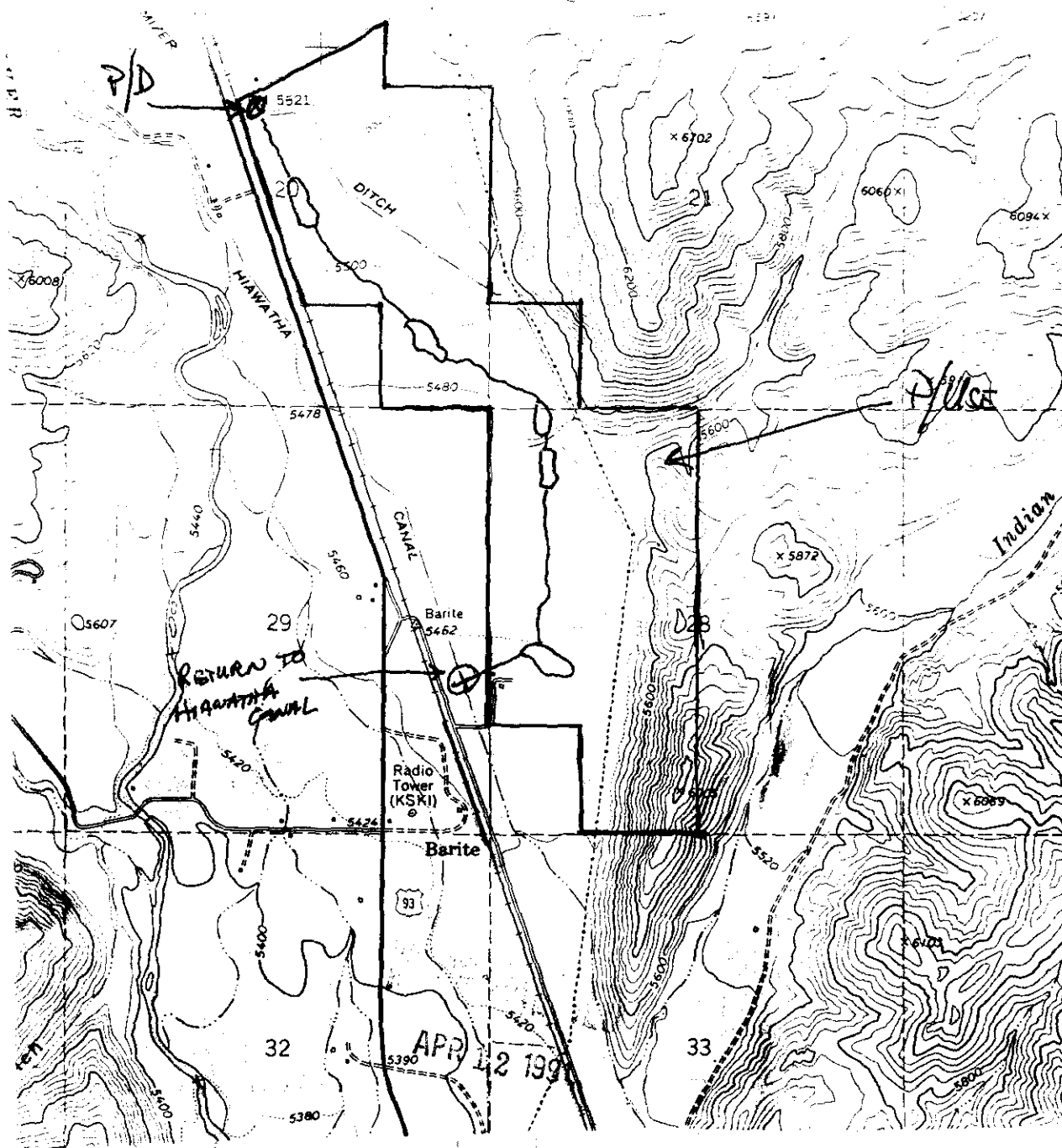
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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.

T. 3 N., R. 18 E., B. M., BLAINE COUNTY



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

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

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>Recreation</u>	<u>0.24 cfs</u>	<u>215 days/year</u>	<u>April 1</u> to <u>Nov. 1</u>
				to

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

See Attached Addendum

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

None. The change to recreation will not increase the consumptive use of this
water right.

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

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

Subscribed and sworn to before me this

79th day of June, 19 90
RON B. YINKER (Signature of Applicant) F&T MGMT. CO. FOR
WOOD RIVER COUNTRY CLUB PARTNERS

Jan P. Spahr
 (Notary Public)

My commission expires

1/29/91**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 4 attachmentsReceived by M.B.Date 7/2/90

Protest filed by

Prelim. check by

Fee 50.00Receipted by DRSDate 7/3/90 5012474Published in Wood River JournalPub. dates 7/25 + 8/1/90Watermaster recommendation requested on N/A

Copies of protest forwarded by

Hearing held by _____ Date _____Recommended for ☒ approval ☐ denialby Leh

Copy of transfer sent to lien holder

RECEIVED

JUL 16 1990

ADDENDUM TO
APPLICATION FOR TRANSFER OF WATER RIGHT
(37-02623)

Department of Water Resources
Southern Region Office

BY
WOOD RIVER COUNTRY CLUB PARTNERS

INTRODUCTION:

Applicant has purchased 1 ranch (all of the lands in Sections 21 and 28 as shown on the map in Part 3 of this Application) and is the purchaser of the adjacent ranch (all of the lands in Section 20 as shown on the map) under a binding contract of sale. Applicant has obtained preliminary plat approval from the Blaine County Planning and Zoning Commission for a residential planned unit development to be known as The Valley Ranch and to include 98 single family home lots, a recreation center and an 18 hole championship golf course, including a clubhouse and maintenance building. Accompanying this Application is a copy of the approved Preliminary Plat (the "Plat") (note: Lots 33 and 34 shown on the Plat will be combined into one lot).

Attached to this Addendum is a summary of the proposed irrigated acres for the project, sub-totalled by the following categories: residential lot irrigation, residential common area, golf course rough and golf course fairway. Please note that the surface area of the ponds (approximately 12.25 acres) is NOT included in these numbers. Adequate surface water rights have been acquired with the ranches to irrigate the golf course rough and fairways and the residential common area - an application for transfer is being filed in conjunction with this Application to accomplish that goal.

The groundwater right which is the subject of this Application is licensed to irrigate 156 acres as described in Part 2, all of which is located in Sections 21 and 28. This irrigation use is supplemental to those surface rights which Applicant has acquired with the ranches. This Application seeks approval of the following changes to this water right:

a. Change the nature of a portion of this right to "consumptive" recreation use in the ponds and streams as golf course hazards. This portion is determined by the surface area of the ponds (12.25 acres), the total, historic irrigated acreage as shown in PART 2 of the Application (156 acres - the amount allowed by the License), and based upon the assumption that the evapo-transpiration losses are approximately the same for the same areas of pond surface and irrigated crop. Thus, $12.25 \text{ acres} / 156 \text{ acres} \times 3.05 \text{ cfs} = 0.24 \text{ cfs}$ will be used for this purpose.

ADDENDUM TO APPLICATION FOR TRANSFER OF WATER
RIGHTS BY WOOD RIVER COUNTRY CLUB PARTNERS - 1

APR 12 1991

b. Change the place of use for the balance of 2.81 cfs to be used for the supplemental irrigation of 143.52 acres of the golf course fairways and rough (determined by subtracting the 9.15 acres of rough to be irrigated by the new wells developed under the accompanying Amended Application for Permit from the total of 152.67 acres for fairways and rough.

ADDENDUM:

PART 1

B.,6.,a. 180 ft. well with 20 in. casing and 75 HP pump discharging to 10 in. pipeline to the northernmost pond depicted on the Plat; gravity flow through the system of streams and ponds for recreational use as golf course hazards and pumped from the ponds into a pressurized underground sprinkler system to irrigate the golf course fairways and most of the rough.

B.,6.,d. The location of the proposed system of ponds and streams is generally depicted in Part 3, A of this Application. The Plat included with this Application accurately shows the size and location of these features on a 1 inch = 200 feet scale. See the INTRODUCTION, above, for general comments about the requested changes. The ponds will also provide a source of water for fire protection for the residential lots and recreational facility buildings.

PART 3

B.,2. The system will provide for the return of any overflow waters from the southernmost pond to the Hiawatha Canal in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S.29, T.3N., R.18E., B.M., Blaine County. The amount of such return flows cannot currently be estimated. There will be no change in the quality of this return water which would adversely impact the irrigation users further down the Canal.

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THE VALLEY RANCH - SUMMARY OF IRRIGATED ACRES

SECTION	1/4	1/4	LOTS	COM AREA	ROUGH	FAIRWAY	TOTAL
20	NW	NE	0.50	0.00	0.00	0.00	0.50
20	SW	NE	5.50	0.15	3.27	9.96	18.88
20	SE	NE	6.50	0.00	1.44	5.05	12.99
20	SE	NW	0.00	2.22	0.00	0.00	2.22
20	NE	SE	6.00	0.00	3.27	11.92	21.19
20	NW	SE	3.00	0.55	1.49	13.82	18.86
20	SE	SE	6.00	0.00	3.30	7.74	17.04
21	SW	SW	2.50	0.00	2.16	11.84	16.50
28	NE	NW	1.00	0.00	0.55	14.88	16.43
28	NW	NW	4.00	6.11	2.49	12.49	25.09
28	SW	NW	5.50	0.00	3.74	11.92	21.16
28	SE	NW	1.00	0.00	1.02	9.41	11.43
28	NE	SW	0.50	0.00	0.86	6.94	8.30
28	NW	SW	7.00	1.00	2.98	8.59	19.57
28	SE	SW	0.00	0.00	0.00	1.54	1.54
TOTALS . . .			49.00	10.03	26.57	126.10	211.70

RECORDED
1931

RECEIVED

JUL 24 1990

SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)

Department of Water Resources
Southern Region Office

WOOD RIVER COUNTRY CLUB PARTNERS, an Idaho general partnership (the "Partnership"), of Blaine County, Idaho, designates and appoints JAMES P. SPECK, of Ketchum, Idaho, as the Partnership's attorney in fact and agent (subsequently called "Agent") to act in the Partnership's name and for the Partnership's benefit for the specific purposes stated herein only. The Partnership grants to its Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as the Partnership might or could do if personally present and fully competent, hereby ratifying and confirming all that the Partnership's Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. The Partnership's agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that the Partnership now has or may hereafter acquire, RELATING ONLY TO the preparation and filing of claims for water rights in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, and the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or the Partnership's Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to the Partnership's Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to the Partnership's Agent shall incur any liability to the Partnership as a result of permitting the Agent to exercise any power.

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5. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

6. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

IN WITNESS WHEREOF, the Partnership has executed this Special Power of Attorney this 21st day of July, 1990.

WOOD RIVER COUNTRY CLUB PARTNERS

By T & T DEVELOPMENT, an Idaho
general partnership and
General Partner

By: [Signature]
Roy B. Tinker, General Partner

STATE OF IDAHO)
) ss.
County of Blaine)

On this 21st day of July, 1990, before me, the undersigned notary public in and for said state, personally appeared Roy B. Tinker, known or identified to me to be one of the general partners in the partnership of T & T DEVELOPMENT, which is a general partner in the partnership of WOOD RIVER COUNTRY CLUB PARTNERS, and the general partner which subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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

[Signature]
Notary Public for Idaho
Residing at: [Signature]

jim:wrccp.pwr

SPECIAL POWER OF ATTORNEY - 2

APR 12 1991

WARRANTY DEED

For Value Received

Buckhorn Investment Company, a California general partnership

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

Wood River Country Club Partners, an Idaho General Partnership

whose address is: P. O. Box 1920, Sun Valley, ID 83353

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

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 20: A parcel of land within the SE1/4 NW1/4, more particularly described as follows:

COMMENCING at a stone marking the Southeast Corner of said Section 20; thence N. 38° 30' W., 4646.00 feet to a 1/2" rebar and said rebar being the TRUE POINT OF BEGINNING; thence S. 14° 40' W., 49.30 feet to a 1/2" rebar; thence N. 19° 28' W., 18.10 feet to a 1/2" rebar; thence S. 64° 13' W., 17.90 feet to a 1/2" rebar; thence N. 17° 55' W., 54.40 feet to a 1/2" rebar; thence S. 75° 24' E., 53.00 feet to a 1/2" rebar, said rebar being the TRUE POINT OF BEGINNING.

Section 21: SW1/4 SW1/4.

Section 28: NW1/4, NW1/4 SW1/4, and E1/2 SW1/4.

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

Dated: January 11, 1990

Buckhorn Investment Company, a California general partnership

By: Barry Snooke, General Partner

TO 443 C
(Partnership)

STATE OF CALIFORNIA

COUNTY OF Los Angeles } ss.

On JANUARY 11, 1990

before me, the undersigned, a Notary Public in and for said State, personally appeared Barry Snooke

to be ONE of the partners of the partnership that executed the within instrument and acknowledged to me that such partnership executed the same.

WITNESS my hand and official seal.

Signature Katherine D. Munro
Name (Typed or Printed)



(This area for official notarial seal)

Instrument No.

RECEIVED

JUL 16 1990

AGREEMENT

Department of Water Resources
Southern Region Office

This Agreement is made this 10th day of January, 1990, between T and T Development, an Idaho general partnership, (hereafter T and T), and Wood River Country Club Partners, an Idaho general partnership, (hereafter WRCCP).

RECITALS

A. WRCCP intends to acquire those certain parcels of real property located in Blaine County, Idaho, which property consists of two contiguous parcels commonly known as the "Mizer Ranch" and the "Blechmann Property" (both of which are hereafter referred to as the "subject property"), which parcels are described in Exhibits A and B attached hereto and incorporated by reference herein as if set forth in full.

B. WRCCP intends to pursue final plat approval of all or a portion of the subject property into a country club with an eighteen (18) hole championship golf course and single family residential subdivision (the "project"), which project will require prior subdivision approval by Blaine County. This agreement shall not apply to any portion of the subject property which is not a part of the project.

C. T and T is one of the partners of WRCCP.

D. WRCCP and T and T desire that T and T manage, oversee and have primary responsibility to pursue the subject property acquisition and the financing therefore,

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the subdivision design and planning, and its final plat approval, and further that T and T be entitled to certain incentive compensation as provided herein as a result of its entrepreneurial efforts.

In consideration of the mutual covenants set forth herein, the parties agree as follows:

1. TERM OF AGREEMENT

This management contract shall commence effective January 1, 1990, and, terminate in one of the following manners:

(a) Termination Upon Agreement. Upon written agreement of both WRCCP and T and T, this agreement shall be terminated.

(b) Unilateral Termination For Cause. This agreement may be unilaterally terminated by WRCCP by the approval of two-thirds of its partners in the event of cause brought about by T and T in the performance of its responsibilities. For cause shall include, for example, such matters as mismanagement, embezzlement, fraud and the like.

(c) Unilateral Termination Prior to Final Plat Approval. WRCCP may terminate this agreement unilaterally upon the vote of two-thirds of the partners of WRCCP prior to receipt from Blaine County of final plat approval.

(d) Unilateral Termination Upon Failure To Obtain Final Plat Approval. Upon the vote of two-thirds of

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the partners of WRCCP, it may unilaterally terminate this Agreement in the event of Blaine County's decision not to approve the final plat in substantially the form submitted by T and T on behalf of WRCCP. WRCCP acknowledges that it will have approved the application submitted by T and T, and therefore agrees that it may not terminate this Agreement upon this particular basis if the County agrees to approve a final plat upon conditions not significantly different from the application.

(e) Sale to Third Party. This Agreement shall terminate upon the vote of two-thirds of the partners of WRCCP to sell the project outright to a third party.

(f) Transfer To A New Entity. This Agreement shall terminate in the event of the vote of two-thirds of the partners of WRCCP to transfer the subject property to a new entity in return for an interest in such new entity.

(g) Unilateral Termination By T and T. T and T may terminate this Agreement unilaterally if final plat approval has not been obtained on behalf of WRCCP by January 20, 1993, despite T and T's good faith efforts to obtain such approval.

2. DUTIES OF T AND T

T and T, shall exert its best efforts to pursue accomplishment of the following, and in so doing shall act in a professional and competent manner:

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(a) Accomplishment of acquisition of the subject property and the financing therefore;

(b) Planning of the country club improvements, including the golf course, and of the residential subdivision; and pursuit of final subdivision plat approval from Blaine County;

(c) Pursuit of private or institutional financing for development of the subdivision project upon final plat approval;

(d) Overseeing all accounting and banking aspects of the subdivision project, including receipt of and responsibility for any income realized by WRCCP and disbursement of all funds to satisfy the obligations of WRCCP, as well as overseeing the preparation of its tax returns;

(e) Responsibility for hiring, placement and supervision of all employees of and independent contractors for WRCCP;

(f) Purchase or acquisition of any and all personal property necessary for the operation of WRCCP; and,

(g) Planning, scheduling and conduct of all business incidental to the subdivision planning aspects of this project, including the purchase of professional and non-professional services.

The parties acknowledge and agree that T and T does not have unlimited authority in regard to the above responsibilities. Such authority is strictly subject to and

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limited by the terms of the Wood River Country Club Partnership Agreement, of which T and T is a party. A copy of that Agreement is attached hereto as Exhibit "C" and incorporated by reference herein. The parties also agree that all disbursements made by T and T over one thousand dollars (\$1000) shall be made by check signed by another partner of WRCCP.

3. COMPENSATION

(a) Planning and Design. T and T shall receive sixty thousand dollars (\$60,000.00) for its efforts in planning and designing the country club and residential subdivision and pursuing final plat approval of such subdivision. Such compensation shall be payable in six (6) equal monthly installments, with the first installment due January 15, 1990, and the final installment due June 15, 1990.

(b) Compensation Upon Termination of Agreement.

(1) Upon Agreement. Compensation to T and T in the event of termination upon agreement pursuant to para 1(a) shall be as the parties then mutually agree.

(2) Termination For Cause. In the event of termination for cause pursuant to paragraph 1(b), T and T shall be entitled to no additional compensation beyond such previously paid pursuant to paragraph 3(a).

(3) Unilateral Termination Prior To Plat Approval. In the event of termination pursuant to

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paragraph 1(c), T and T shall receive the balance, if any, of its paragraph 3(a) compensation, plus the incentive compensation identified in paragraph 3(c).

(4) Unilateral Termination Upon Failure to Obtain Final Plat Approval. In the event of termination pursuant to paragraph 1(d), T and T shall receive only the balance, if any, of its paragraph 3(a) compensation.

(5) Sale to Third Party. In the event of termination pursuant to paragraph 1(e), T and T shall receive the incentive compensation set forth in paragraph 3(c), and, if a final plat has been obtained, the balance, if any, of its paragraph 3(a) compensation.

(6) Transfer to a New Entity. In the event of termination pursuant to paragraph 1(f), T and T shall receive the balance, if any, of its paragraph 3(a) compensation plus the incentive compensation set forth in paragraph 3(c).

(7) Termination by T and T. In the event of termination per paragraph 1(g), T and T shall receive only the balance, if any, of its paragraph 3(a) compensation.

(c) Incentive Compensation. T and T shall also be entitled to incentive compensation in the event of termination pursuant to paragraphs 3(b)(3), (5), or (6), and also in the event of development of the project by WRCCP subsequent to receiving final plat approval.

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compensation shall be based upon a percentage of all net profits of whatever nature received by WRCCP in regard to the project, whether or not plat approval is obtained for the project, WRCCP proceeds to develop the project, or WRCCP sells the project to a third party, and, in addition, the net profits received by WRCCP should it transfer the project to an entity in return for an interest in the new entity and receive profits through such new entity.

The net profit upon which this additional compensation will be based shall be the gross profits received by WRCCP less all cash expenses incurred by WRCCP as a result of the project, including management fees, but excluding the amount which is equal to Ten Thousand Dollars (\$10,000) per acre for each acre of the subject property which is not included as part of the project. This net profit figure shall not be reduced by any income tax deductions which are not actual cash expenses. The percentage of the net profits payable to T and T shall be based upon the following.

<u>NET PROFIT AMOUNT</u>	<u>AMOUNT OF NET PROFIT DUE T AND T</u>
\$1,000,000 or less	0
\$1,000,001 to \$2,000,000	10% of amount in excess of \$1,000,000
\$2,000,001 to \$3,000,000	\$100,000 + 12% of amount in excess of \$2,000,000
\$3,000,001 to \$4,000,000	\$220,000 + 15% of amount in excess of \$3,000,000
\$4,000,001 to \$5,000,000	\$370,000 + 20% of amount in excess of \$4,000,000
All amounts exceeding \$5,000,000	\$570,000 + 25% of amount in excess of \$5,000,000

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Payment of this incentive compensation to T and T shall occur at such time as the profits to be received by WRCCP are distributed to its individual partners.

(d) Survival of Compensation. Both parties acknowledge and agree that T and T's right to compensation, as such is provided pursuant to the terms of this agreement, if any, shall survive and remain an obligation of WRCCP despite termination of this agreement. This shall be the case although such termination could relieve T and T of its management duties.

4. INDEMNIFICATION

T and T agrees to indemnify WRCCP and hold it harmless from any costs and expenses that WRCCP may incur, including a reasonable attorney fee, as a result of T and T's incurring a WRCCP contractual liability without authority to do so.

5. ADDITIONAL PROVISIONS

(a) Modification. This agreement may be modified upon mutual agreement of the parties; however, any modification must be evidenced by a writing signed by both parties.

(b) Attorney Fees. In the event of default by either party in the performance of this agreement, the defaulting party shall pay all attorney fees and associated costs incurred by the non-defaulting party regardless of whether litigation is commenced and through an appellate proceedings.

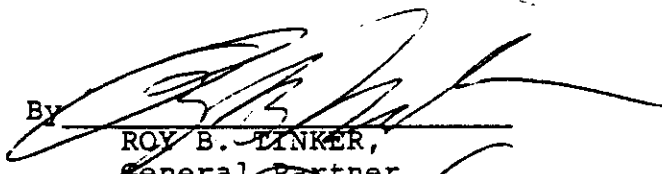
APR 12 1991

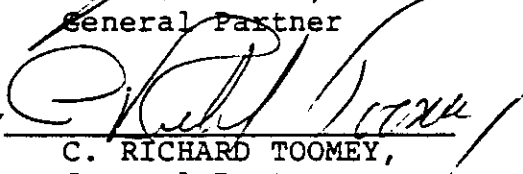
(c) Remedies. In the event of default by either party, the non-defaulting party shall be entitled, in addition to any remedies specifically provided herein, all remedies, both legal and equitable, available pursuant to the laws of the State of Idaho.

(d) Assignment. This agreement shall not be assignable.

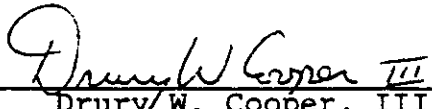
DATED this _____ day of January, 1990.

T AND T DEVELOPMENT

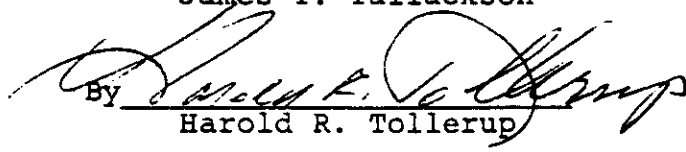
By 
ROY B. LINKER,
General Partner

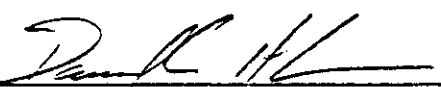
By 
C. RICHARD TOOMEY,
General Partner

WOOD RIVER COUNTRY CLUB PARTNERS:

By 
Drury W. Cooper, III

By 
James T. Tallackson

By 
Harold R. Tollerup

By 
David C. Hutchinson

By _____
Earl M. Smith, Jr.

By _____
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(c) Rescission If the agreement is rescinded by either party, the non-defaulting party shall be entitled, in addition to any remedies specifically provided herein, all remedies, both legal and equitable, available pursuant to the laws of the State of Idaho.

(d) Assignment This agreement shall not be assignable.

DATED this 10th day of January 1990.

T AND T DEVELOPMENT

By [Signature]
ROY B. TINKER,
General Partner

By [Signature]
C. RICHARD TOOMEY,
General Partner

WOOD RIVER COUNTRY CLUB PARTNERS:

By [Signature]
Drury W. Cooper, III

By [Signature]
James T. Tallackson

By [Signature]
Harold A. Tollerup

By [Signature]
David C. Hutchinson

By [Signature]
East of the Sun
APR 12 1991

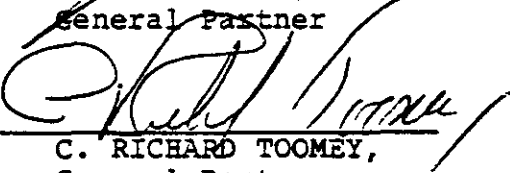
(c) Remedies. In the event of default by either party, the non-defaulting party shall be entitled, in addition to any remedies specifically provided herein, all remedies, both legal and equitable, available pursuant to the laws of the State of Idaho.

(d) Assignment. This agreement shall not be assignable.

DATED this _____ day of January, 1990.

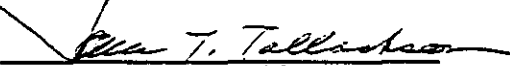
T AND T DEVELOPMENT

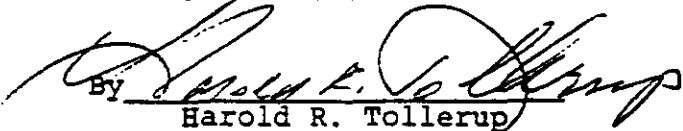
By 
ROY B. LINKER,
General Partner

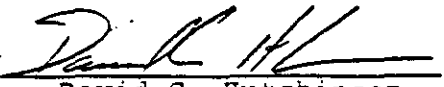
By 
C. RICHARD TOOMEY,
General Partner

WOOD RIVER COUNTRY CLUB PARTNERS:

By 
Drury W. Cooper, III

By 
James T. Tallackson

By 
Harold R. Tollerup

By 
David C. Hutchinson

By _____
Earl M. Smith, Jr.

By  PRESIDENT
Robert J. Scott, Inc.

RECEIVED
FILMED

APR 12 1991

By Jack L. Billhardt

By Duffy S. Witmer
Duffy S. Witmer

By T AND T DEVELOPMENT

Roy B. Tinker
ROY B. TINKER,
General Partner

C. Richard Toomey
C. RICHARD TOOMEY,
General Partner

ALP5/km/6

RECEIVED

APR 12 1991

BY

1988 L. 800-12717

BY

1988 L. 800-12717

BY T AND T DEVELOPMENT

19
ROY E. FINKER
General Partner

19
C. RICHARD TOOMEY,
General Partner

ALP5/km/6

MICROFILMED

APR 12 1991

EXHIBIT "A"

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 20: A parcel of land within the SE1/4 NW1/4, more particularly described as follows:

COMMENCING at a stone marking the Southeast Corner of said Section 20; thence North 38° 30' West, 4646.00 feet to a 1/2" rebar and said rebar being the TRUE POINT OF BEGINNING; thence South 14° 40' West, 49.30 feet to a 1/2" rebar; thence North 19° 28' West, 18.10 feet to a 1/2" rebar; thence South 64° 13' West, 17.90 feet to a 1/2" rebar; thence North 17° 55' West, 54.40 feet to a 1/2" rebar; thence South 75° 24' East, 53.00 feet to a 1/2" rebar, said rebar being the TRUE POINT OF BEGINNING, also known as TAX LOT 3237.

Section 21: SW1/4 SW1/4.

Section 28: NW1/4, NW1/4 SW1/4, and E1/2 SW1/4.

Together with all water and ditch rights appurtenant thereto, which rights include the following:

- (a) Mizer 20 Headgate
 - 84.5 inches, priority dated: March 24, 1883
 - 100.0 inches, priority dated: May 1, 1886
 - 140.0 inches, priority dated: July 1, 1892
- (b) Hiawatha Canal
 - 60.0 inches, priority dated: March 24, 1883
- (c) Irrigation well located on Tax Lot 3237 in Section 20, including pump and attachments.

The above property also includes all easements and appurtenances belonging thereto, and is subject to all easements of record and zoning restrictions.

RECORDED

AUG 12 1991

EXHIBIT A

EXHIBIT B

The following property located in Blaine County, State of Idaho

Township 3 North, Range 18 East of the Boise Meridian:

Section 20: SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{4}$ SE $\frac{1}{4}$; W $\frac{1}{4}$ NE $\frac{1}{4}$, lying south of and adjoining Ohio Gulch Road; E $\frac{1}{4}$ NW $\frac{1}{4}$ lying south of and adjoining Ohio Gulch Road and east of and adjoining the O.S.L. Railroad and Stock Driveways, (EXCEPTING from this parcel the following described tract: That portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ described as beginning at the SE corner of Section 20, thence N 38°31' W 4646 feet to the true point of beginning; thence S 14°40' W 49.3 feet, thence N 19°28' W 18.1 feet, thence S 64°13' W 17.9 feet, thence N 17°55' W 54.4 feet, thence S 75°24' E 53.0 feet to the place of beginning - end of exception).

NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying east of the O.S.L. Railroad and Stock Driveway;
NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying east of the O.S.L. Railroad and Stock Driveway.

12-1991

RECEIVED

JUL 15 1990

Deviation Unit Resources
Southern Region Office

ASSIGNMENT

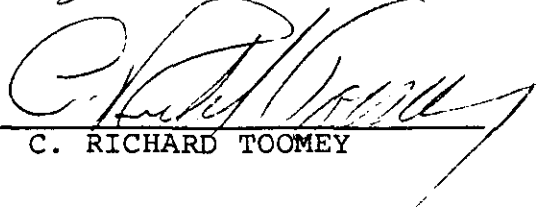
T & T Development, an Idaho general partnership, hereby assigns unto Wood River Country Club Partners, an Idaho General Partnership, all of its interest in that certain agreement entitled "Real Estate Purchase Offer And Acceptance" dated January 3, 1990, as amended February 26, 1990 pursuant to "Amendment To Real Estate Purchase Offer and Acceptance" between the Blechman Trusts, Seller, and T&T Development, Buyer, together with all of its interest in the real property subject to that Agreement which property is described in Exhibit A attached hereto and incorporated herein. Closing of the above transaction in regard to the real property described in Exhibit A is presently scheduled for August 30, 1990. Title to the subject property shall be taken in the name of Wood River County Club Partners.

DATED this 12 day of April, 1990.

T&T DEVELOPMENT COMPANY

By: 

ROY B. TINKER

By: 

C. RICHARD TOOMEY

RECEIVED

APR 12 1991

STATE OF IDAHO)
) ss.
COUNTY OF BLAINE)

On this 12 day of April, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared ROY B. TINKER, known to me to be one of the partners in the partnership of T&T DEVELOPMENT and the partner or one of the partners who subscribed said partnership name to the within instrument, and acknowledged to me that he executed the same in said partnership name.

GIVEN UNDER my hand and official seal on the day and year first above written.

(seal)

Ann Lee
NOTARY PUBLIC for Idaho
Residing at Hailey
Commission Expires 6/12

STATE OF IDAHO)
) ss.
County of Blaine)

On this 16 day of April, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared C. RICHARD TOOMEY, known to me to be one of the partners in the partnership of T&T DEVELOPMENT and the partner or one of the partners who subscribed said partnership name to the within instrument, and acknowledged to me that he executed the same in said partnership name.

GIVEN UNDER my hand and official seal on the day and year first above written.

(seal)

Ann Lee
NOTARY PUBLIC for Idaho
Residing at Hailey
Commission Expires 6/12

AL6/nq/4

NOT RECORDED

APR 12 1991

ASSIGNMENT - 2

EXHIBIT A

The following property located in Blaine County, State of Idaho

Township 3 North, Range 18 East of the Boise Meridian:

Section 20: SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{4}$ SE $\frac{1}{4}$; W $\frac{1}{4}$ NE $\frac{1}{4}$, lying south of and adjoining Ohio Gulch Road; E $\frac{1}{4}$ NW $\frac{1}{4}$ lying south of and adjoining Ohio Gulch Road and east of and adjoining the O.S.L. Railroad and Stock Driveways, (EXCEPTING from this parcel the following described tract: That portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ described as beginning at the SE corner of Section 20, thence N 38°31' W 4646 feet to the true point of beginning; thence S 14°40' W 49.3 feet, thence N 19°28' W 18.1 feet, thence S 64°13' W 17.9 feet, thence N 17°55' W 54.4 feet, thence S 75°24' E 53.0 feet to the place of beginning - end of exception).

NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying east of the O.S.L. Railroad and Stock Driveway;
NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying east of the O.S.L. Railroad and Stock Driveway.

RECEIVED

APR 12 1991

ACCEPTANCE BY OFFEREE/SELLER

The above offer to purchase that certain real property located in Blaine County, Idaho, and identified as set forth in paragraph 1 of the offer, is accepted by Offeree/Seller, subject to all the terms and conditions of the Real Estate Purchase Offer and Acceptance dated January 3, 1990, consisting of nine (9) pages, including the signature and acknowledgment pages.

RECEIVED

JUL 16 1990

Department of Water Resources
Southern Region Office

DATED: JAN. 16, 1990.

FREDERICK H. BLECHMANN,
Trustee of the FREDERICK H.
BLECHMANN TRUST dated October
5, 1983, and the Blechmann
Trust dated April 5, 1986

H. PAUL BLECHMANN,
Trustee of the FREDERICK H.
BLECHMANN TRUST dated December
19, 1972 between Frederick H.
Blechmann and Clarice E.
Blechmann, husband and wife,
grantors, and H. Paul
Blechmann, Trustee

STATE OF IDAHO)
) ss.
County of Blaine)

On this 16th day of January, 19⁹⁰, before me, the undersigned, a Notary Public in and for said State, personally appeared FREDERICK H. BLECHMANN, 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 in this certificate first above written.

(seal)

[Signature]
NOTARY PUBLIC for Idaho
Residing at Jun Valley
Commission Expires 7-21-92

State of Idaho

License and Certificate of Water Right

G-29211

Priority October 12, 1959

Amount 3.05 c.f.s.

APPLICANT MRS. STELLA MIZER

MRS. STELLA MIZER, of the State of Idaho, dated October 12, 1959; that Permit No. G-28211 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 3.05 second feet, was issued thereunder on March 16, 1967, showing that said works were completed on the 22nd day of September, 1964; and that on the 22nd day of September, 1964, MRS. STELLA MIZER

of Hailey, 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 a subterranean flow for the purpose of supplemental irrigation under Use Permit No. G-29211 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 8706, on the 16th day of March, 1967.

The right hereby confirmed dates from October 12, 1959.

The Point of Diversion is located in the SE 1/4 NW 1/4, Sec. 20, Twp. 3 N., R. 18 E., B.M. Blaine 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 3.05 cubic feet per second.

Description and location of use:

Twp	Range	Section	Four-Quadrant Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	19 E.	21 20	SW 1/4 SW 1/4	40	21
			NE 1/4 NW 1/4	40	2
			NW 1/4 NW 1/4	40	34
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	10
			NE 1/4 SW 1/4	40	9
			NW 1/4 SW 1/4	40	35
			SE 1/4 SW 1/4	40	5

Total number of acres to be irrigated: 156

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, on the 16th day of March, 1967.

Keith Higgins
State Reclamation Engineer

100

State of Idaho
License and Certificate of Water Right

Water License No. G-28211 Amount 3.05 c.f.s.
Water District No. _____ Priority October 12, 1959

THIS IS TO CERTIFY that **MRS. STELLA MIZER**
of **Hailey, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **October 12**, 19 **59**; that Permit No. **G-28211**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.05 second feet, was issued thereunder on **March 16**, 1967, showing that said works
were completed on the **22nd** day of **September**, 1964; and that on the **22nd**
day of **September**, 19 **64**, **MRS. STELLA MIZER**

of **Hailey**, State of **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well,
a tributary of **subterranean flow**, for the purpose of **supplemental**
irrigation, under Use Permit No. **G-28211** 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 **8706**, on the **16th** day of **March**, 19 **67**;
The right hereby confirmed dates from **October 12**, 19 **59**;
The Point of Diversion is located
in the **S. 1/4 NW 1/4, Sec. 20, Tp. 3 N., R. 18 E., B. M., Blaine 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 **3.05** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	18 E.	21 28	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	21
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	2
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	34
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	10
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	9
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	35
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	<u>5</u>
			Total number of acres to be irrigated:		

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
16th day of **March**, 1967.

(SEAL) **s/ R. Keith Higginson**
State Reclamation Engineer.

37 2623

Joseph McFadden,
Atty at Law
Hailey, Idaho

APPLICATION FOR PERMIT

37-2623

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 36175
Permit No. G- 28211
District No.

1. Name of Applicant: Mrs. Stella Mizer, a widow
Postoffice address: Hailey Box 93 County: Blaine State: Idaho

2. Quantity of water claimed:

- (a) Rate of withdrawal in cubic feet per second 6.4 or Idaho
Miners' inches 320 or gallons per minute
(b) Annual withdrawal in acre feet per annum

3. Source of water supply: subterranean waters

4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20
Twp. 3 N , Rge. 18 E. , B.M., County of Blaine

5. Water is to be used for: Supplemental irrigation

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

- (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.

- (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.

7. Kind of works: Deep well, with electric pump

8. Estimated cost of works: \$ 9000.00

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

(b) Capacity of reservoir:

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

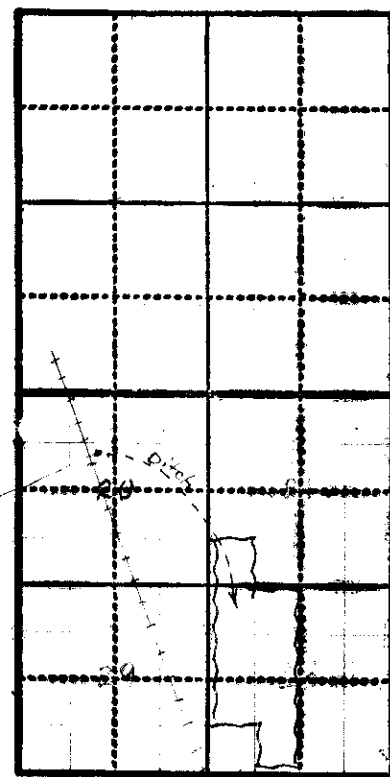
(d) Other resources:

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: 84.5" of 3-24-1883; 100" of 5-1-1886; and 140" of 7-1-1892

- (a) 6.4 (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.

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



Remarks:

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.

s/ Stella Mizer Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. October 12, 1959

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 28211

Recorded in Book 99 Page 28211 Approved Octob er 15, 1959

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 April 15, 1962

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 October 15, 1964

Witness my hand this 15th day of October, 1959

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, 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 15th day of October, 1959.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
3 N	18 E	21 28 33					40	40	40	40	40	40	40	40					40 280 4.38
																			4.38
																			324.38 A
Permit No. G-28211 CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that MRS. STELLA MIZER of Hailey, County of Blaine, and State of Idaho, the holder of Permit No. G-28211, issued upon Application No. G-36175 bearing date of priority of October 12, 1959, authorizing the diversion of 6.4 second feet of waters of a well, County of Blaine, State of Idaho, for supplemental 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 3.05 second feet of the waters of a well, tributary of a subterranean flow; that the point of diversion of said waters is in the SE ¹ / ₄ NW ¹ / ₄ , Sec. 20, T. 3 N., 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:																			
SW ¹ / ₄ SW ¹ / ₄ , Sec. 21; NW ¹ / ₄ , NE ¹ / ₂ SW ¹ / ₄ , SE ¹ / ₄ SW ¹ / ₄ , Sec. 28; T. 3 N., R. 18 E., B.M.																			
Proof of Completion of Works Made: September 22, 1964																			
Witness my hand this 16th day of March, A. D. 1967																			
s/ R. KEITH HIGGINSON State Reclamation Engineer																			

LICENSE ISSUED FOR 3.05 SEC. FT.
L. 8706

RECEIVED

AUG 27 1996

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

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

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

Department of Water Resources

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

August 25, 1996

Mr. Jim Johnson, Manager
Water Right Permits Section
Idaho Dept. of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Valley Ranch, Inc. -- Water Rights Nos. 37-00494, 37-00495, 37-00833K,
37-00577T and V, and 37-02623

Dear Jim:

The Valley Ranch golf course has now been completed and is open for play! The use of all of the above-referenced water rights owned by Valley Ranch, Inc. has been resumed in accordance with the approved transfers and in advance of the November 1, 1996, deadline set forth in the approved extensions of time to avoid forfeiture. Will you please place a copy of this letter in the files for each of these water rights to indicate compliance with the IDWR requirements?

Kindly call me if you have any questions about these matters. Once again, thank you for your continuing cooperation and assistance.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.


James P. Speck

JPS:rb
cc: client



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 19, 1995

The Valley Ranch Partner
c/o James P. Speck
HOGUE SPECK & AANESTAD
P.O. Box 987
Ketchum, ID 83340

RE: Water Right Nos. 37-00494, 37-00495, 37-02623, 37-00833K
& 37-00577T&V ✓

Dear Mr. Speck:

Enclosed are copies of the approved Applications for Extension of Time to Avoid Forfeiture of a Water Right. Please note that resumption of use of the water must occur on or before November 1, 1996.

Please notify the Department as soon as you resume use. If you have not notified the Department, 60 days prior to November 1, 1996, the Department will notify you by certified mail of the need to do so.

Please excuse the delay in processing the extensions. If you have any questions or concerns, please feel free to contact me at (208) 327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

C: IDWR - Regional Office

EXTENSION OF TIME TO AVOID FORFEITURE

ANALYSIS SHEET

1. INITIAL REVIEW BY: MTS
2. RIGHT NUMBER 37-02683 APPLICANT Valley Ranch Partners
3. TYPE OF RIGHT: ☐ Decree ☒ License ☐ Claim
4. Is reason for request extension given on application?
☒ Yes ☐ No (If No, return Application)

5. CHECK:

- (a) ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period of Use 3.0
- (b) ☐ Description of Point(s) of Diversion
- (c) ☐ Description of Place of Use
- (d) ☐ Check for correct Signature, Notarization, Fee

6. OWNERSHIP OF RIGHT

Applicant's ownership confirmed by:

- (a) ☒ Copy of Tax Notice, ~~Deed~~, or other Sec 20 only T 3743 in file.
- (b) ☒ County Assessor records. Date Contacted 2-14-94

7. Is the right in a Watermaster District? ☐ Yes ☒ No Dist. ☐
(If Yes, send copy to Watermaster)

FINAL REVIEW IN REGION by Loren D. Helmer.

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

RECOMMENDED ACTION

- ☐ Approve
☐ Deny

Conditions: _____

AFFIDAVIT of PUBLICATION

RECEIVED

MAR 11 1994

State of Idaho,

County of Blaine

} ss.

Department of Water Resources
Southern Region Office

On this 9 day of March in the year 1994, 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 2 day of March 1994, and the date of the last publication was on the 9 day of March 1994.

Subscribed and sworn to before me this 9th day of March, 1994.
(SEAL)

NOTARY PUBLIC

9037

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 183.300
Number of Insertions 2
Lines tabular at 183.300 6c / Pica
Lines straight at 105.328 5c / Pica
Subsequent lines at 84.318 4c / Pica
TOTAL COST +5.00 \$104.72

COPY OF NOTICE

(Paste Here)

Application for extension

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources, Twin Falls

BILL TO

Applications for extension of time

NOTICE OF APPLICATIONS FOR EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHT

Nos. 37-00494, 37-00495,
37-00577T&V, 37-00833K,
37-02683

Notice is hereby given that THE VALLEY RANCH PARTNERS, c/o James P. Speck, Esquire of Ketchum, ID has applied to the Department of Water Resources for extensions of time to avoid forfeiture of Decreed Water Right Nos. 37-00494, 37-00495, 37-00577T&V, 37-00833K and Licensed Water Right No. 37-02683.

The extensions are requested to avoid loss of the water rights due to non-use until construction of the proposed golf course is completed.

Water Right No. 37-00494
Priority Date: 05/01/1886
Name: Decreed to Jacob Mizer in case of S.C. Frost, Et. Al. vs Alturas Water Co., Et. Al. dated 12/13/1909 in Lincoln County District Court; T# 3742.

Source: Big Wood River tributary to Malad River
Use: 04/01 to 11/01
Irrigation (1.85 cfs)
Recreation (0.15 cfs)
Point(s) of Diversion: SWSNW, S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S2B, T03N, R18E and recreational use within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; W1/2NW, NWSW, S2B, T03N, R18E; Blaine County.

Water Right No. 37-00495
Priority Date: 07/01/1892
Name: Decreed to Jacob Mizer in case of S.C. Frost, Et. Al. vs Alturas Water Co., Et. Al. dated 12/13/1909 in Lincoln County District Court; T# 3742.

Lines tabular at 6c, Pica
Lines straight at 105.328 5c/P
Subsequent lines at 84.318 4c/P
5.00 \$104.72

S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SW
NESE, NWSE, SESE, S20, T0
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-00495
Priority Date: 07/01/1892
Name: Decreed to Jacob Mizer
in case of S.C. Frost, Et. Al.
vs Alturas Water Co., Et. Al.
dated 12/13/1909 in Lincoln
County District Court; T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (2.59 cfs)
Recreation (0.21 cfs)
Point(s) of Diversion: SWSNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-00577I & V
Priority Date: 03/24/1883
Name: Decreed to Wood River
Land Co. in case of Albrethson
vs Wood River Land Co. dated
06/27/1925 in Lincoln County
District Court; T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (1.56 cfs)
Recreation (0.13 cfs)
Point(s) of Diversion: SWSNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-00833K
Priority Date: 11/12/1936
Name: Decreed to Irvin E.
Rockwell in case of Rockwell vs
Coffin dated 08/25/1949 in
Blaine County District Court;
T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (0.69 cfs)
Recreation (0.06 cfs)
Point(s) of Diversion: SWSNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-02683
Priority Date: 10/12/1959
Basis: License, T# 3743
Source: groundwater

W1/2NW, NWSE, S20, T03N, R10E;
Blaine County.

Water Right No. 37-00833K
Priority Date: 11/12/1936
Name: Decreed to Irvin E.
Rockwell in case of Rockwell vs
Coffin dated 08/25/1949 in
Blaine County District Court;
T# 3742.

Source: Big Wood River
tributary to Malad River

Use: 04/01 to 11/01

Irrigation (0.69 cfs)

Recreation (0.06 cfs)

Point(s) of Diversion: SWSNW,
S20, T03N, R10E; Blaine County.

Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R10E; SWSW,
S21, T03N, R10E; NW, NESW,
NWSW, SESW, S28, T03N, R10E and
recreational use within SUNE,
NESE, NWSE, SESE, S20, T03N,
R10E; SWSW, S21, T03N, R10E;
W1/2NW, NWSW, S28, T03N, R10E;
Blaine County.

Water Right No. 37-02683

Priority Date: 10/12/1959

Basin License, T# 3743

Source: groundwater

Use: 04/01 to 11/01

Irrigation (2.81 cfs)

Recreation (0.24 cfs)

Point(s) of Diversion: NESENW,
S20, T03N, R10E; Blaine County.

Place of Use: 143.8 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R10E; SWSW,
S21, T03N, R10E; NW, NESW,
NWSW, SESW, S28, T03N, R10E;
Blaine County.

Claims have been filed on Water
Right Nos. 37-00494, 37-00495,
37-00577BV, 37-00833K, and
37-02683 in the Snake River
Basin Adjudication.

Any protests against the
approval of the above proposed
and described requests must be
filed with the applicant and
with the Director, Dept. of

Water Resources, Southern
Region, 222 Shoshone Street
East, Twin Falls, ID 83301 on
or before March 21, 1994.

R. Keith Higginson, Director

Published in Wood River Journal
on 3/2 & 3/9/94.

Publish: Wood River Journal—
March 2 & 9, 1994.

NOTICE OF APPLICATIONS FOR
EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT

Nos. 37-00494, 37-00495,
37-00577T&V, 37-00833K,
37-02683

Notice is hereby given that THE
VALLEY RANCH PARTNERS, c/o
James P. Speck, Esquire of
Ketchum, ID has applied to the
Department of Water Resources
for extensions of time to avoid
forfeiture of Decreed Water
Right Nos. 37-00494, 37-00495,
37-00577T&V, 37-00833K and
Licensed Water Right
No. 37-02683.

The extensions are requested to
avoid loss of the water rights
due to non-use until
construction of the proposed
golf course is completed.

Water Right No. 37-00494
Priority Date: 05/01/1886
Name: Decreed to Jacob Mizer
in case of S.C. Frost, Et. Al.
vs Alturas Water Co., Et. Al.
dated 12/13/1909 in Lincoln
County District Court; T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (1.85 cfs)
Recreation (0.15 cfs)
Point(s) of Diversion: SWSWNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWNE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-00495
Priority Date: 07/01/1892
Name: Decreed to Jacob Mizer
in case of S.C. Frost, Et. Al.
vs Alturas Water Co., Et. Al.
dated 12/13/1909 in Lincoln
County District Court; T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (2.59 cfs)
Recreation (0.21 cfs)
Point(s) of Diversion: SWSWNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWNE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-00577T & V
Priority Date: 03/24/1883
Name: Decreed to Wood River
Land Co. in case of Albrethson
vs Wood River Land Co. dated
06/27/1925 in Lincoln County
District Court; T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (1.56 cfs)
Recreation (0.13 cfs)
Point(s) of Diversion: SWSWNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWNE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-00833K
Priority Date: 11/12/1936
Name: Decreed to Irvin E.
Rockwell in case of Rockwell vs
Coffin dated 08/25/1949 in
Blaine County District Court;
T# 3742.

Source: Big Wood River
tributary to Malad River
Use: 04/01 to 11/01
Irrigation (0.69 cfs)
Recreation (0.06 cfs)
Point(s) of Diversion: SWSWNW,
S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E and
recreational use within SWNE,
NESE, NWSE, SESE, S20, T03N,
R18E; SWSW, S21, T03N, R18E;
W1/2NW, NWSW, S28, T03N, R18E;
Blaine County.

Water Right No. 37-02683
Priority Date: 10/12/1959
Basis: License, T# 3743
Source: groundwater
Use: 04/01 to 11/01
Irrigation (2.81 cfs)
Recreation (0.24 cfs)
Point(s) of Diversion: NESENW,
S20, T03N, R18E; Blaine County.
Place of Use: 143.8 acres
within S1/2NE, NESE, NWSE,
SESE, S20, T03N, R18E; SWSW,
S21, T03N, R18E; NW, NESW,
NWSW, SESW, S28, T03N, R18E;
Blaine County.

Claims have been filed on Water
Right Nos. 37-00494, 37-00495,
37-00577BV, 37-00833K, and
37-02683 in the Snake River
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approval of the above proposed
and described requests must be
filed with the applicant and
with the Director, Dept. of

Water Resources, Southern
Region, 222 Shoshone Street
East, Twin Falls, ID 83301 on
or before March 21, 1994.

R. Keith Higginson, Director

Published in Wood River Journal
on 3/2 & 3/9/94.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

22-Feb-1994

R. KEITH HIGGINSON
Director

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

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

NOTICE OF APPLICATIONS FOR EXTENSION OF TIME TO AVOID FORFEITURE
OF WATER RIGHT

Nos. 37-00494, 37-00495, 37-00577T&V, 37-00833K, 37-02683

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The extensions are requested to avoid loss of the water rights due to non-use until construction of the proposed golf course is completed.

Water Right No. 37-00494

Priority Date: 05/01/1886

Name: Decreed to Jacob Mizer in case of S.C. Frost, Et. Al. vs Alturas Water Co., Et. Al. dated 12/13/1909 in Lincoln County District Court; T# 3742.

Source: Big Wood River tributary to Malad River

Use: 04/01 to 11/01

Irrigation (1.85 cfs)

Recreation (0.15 cfs)

Point(s) of Diversion: SWSWNW, S20, T03N, R18E; Blaine County.

Place of Use: 147.5 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E and recreational use within SWNE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; W1/2NW, NWSW, S28, T03N, R18E; Blaine County.

Water Right No. 37-00495

Priority Date: 07/01/1892

Name: Decreed to Jacob Mizer in case of S.C. Frost, Et. Al. vs Alturas Water Co., Et. Al. dated 12/13/1909 in Lincoln County District Court; T# 3742.

Source: Big Wood River tributary to Malad River

Use: 04/01 to 11/01

Irrigation (2.59 cfs)

Recreation (0.21 cfs)

Point(s) of Diversion: SWSWNW, S20, T03N, R18E; Blaine County.

Place of Use: 147.5 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E and recreational use within SWNE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; W1/2NW, NWSW, S28, T03N, R18E; Blaine County.

Water Right No. 37-00577T & V
Priority Date: 03/24/1883
Name: Decreed to Wood River Land Co. in case of Albrethson vs Wood River Land Co. dated 06/27/1925 in Lincoln County District Court; T# 3742.
Source: Big Wood River tributary to Malad River
Use: 04/01 to 11/01
Irrigation (1.56 cfs)
Recreation (0.13 cfs)
Point(s) of Diversion: SWSWNW, S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E and recreational use within SWNE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; W1/2NW, NWSW, S28, T03N, R18E; Blaine County.

Water Right No. 37-00833K
Priority Date: 11/12/1936
Name: Decreed to Irvin E. Rockwell in case of Rockwell vs Coffin dated 08/25/1949 in Blaine County District Court; T# 3742.
Source: Big Wood River tributary to Malad River
Use: 04/01 to 11/01
Irrigation (0.69 cfs)
Recreation (0.06 cfs)
Point(s) of Diversion: SWSWNW, S20, T03N, R18E; Blaine County.
Place of Use: 147.5 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E and recreational use within SWNE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; W1/2NW, NWSW, S28, T03N, R18E; Blaine County.

Water Right No. 37-02683
Priority Date: 10/12/1959
Basis: License, T# 3743
Source: groundwater
Use: 04/01 to 11/01
Irrigation (2.81 cfs)
Recreation (0.24 cfs)
Point(s) of Diversion: NESENW, S20, T03N, R18E; Blaine County.
Place of Use: 143.8 acres within S1/2NE, NESE, NWSE, SESE, S20, T03N, R18E; SWSW, S21, T03N, R18E; NW, NESW, NWSW, SESW, S28, T03N, R18E; Blaine County.

Claims have been filed on Water Right Nos. 37-00494, 37-00495, 37-00577BV, 37-00833K, and 37-02683 in the Snake River Basin Adjudication.

Any protests against the approval of the above proposed and described requests must be filed with the applicant and with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before March 21, 1994.

R. Keith Higginson, Director

Published in Wood River Journal on 3/2 & 3/9/94.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

15-Feb-1994

R. KEITH HIGGINSON
Director

JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

Re: Application for Extension of Time To Avoid Forfeiture,
Nos. 37-00494, 37-00495, 37-00577T&V, 37-00833K, 37-02683
(The Valley Ranch Partners)

Dear Mr. Speck:

The Department of Water Resources acknowledges receipt of the five (5) applications for extension of time to avoid forfeiture as referenced above.

This office has scheduled advertising the applications in the Wood River Journal for 3/2 & 3/9/94. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Very truly yours,

Mel Schulte
Water Right Agent

MS:MB

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
JOHN A. SEILLER

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

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

January 19, 1994

RECEIVED

JAN 20 1994

Department of Water Resources

Mr. Jim Johnson
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000

Re: Transfer No. 3742 (Water Rights Nos. 37-00494,
37-00495, 37-00577T&V, 37-00833K) and Transfer
No. 3743 (Water Right No. 37-02683).

Dear Jim:

In 1992, the Department issued its orders granting extensions of time in which to complete the above-referenced approved transfers to March 12, 1994. The approved transfers changed the nature of the use of water rights from agricultural irrigation to a combination of golf course irrigation and recreation, the latter being used in the ponds and streams which are hazards on the golf course. The applicant has recently signed an agreement with a group based in Portland, Oregon for the development of the golf course and construction of the golf course is scheduled to commence this spring. However, it will take a minimum of two years to complete the golf course. Therefore, I would like to request an extension of time to accomplish the transfers through the end of the 1996 irrigation season, i.e. until November 1, 1996. If you would like a more formal application or request for this extension, kindly send me the appropriate forms.

In the meantime, my client has completed and I am enclosing an application for extension of time to avoid forfeiture for each of the water rights together with my firm's check payable to the Department in the sum of Two Hundred Fifty Dollars (\$250.00) representing the Fifty Dollar (\$50.00) filing fee for each application.

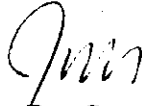
If you have any questions concerning the applications or my requests for extension of time on the transfers, please

Mr. Jim Johnson
January 19, 1994
Page 2

call me. Thank you again for your continuing assistance in these matters.

Sincerely yours,

HOGUE, SPECK & AANESTAD

A handwritten signature in cursive script, appearing to read "JPS", is written over the printed name.

James P. Speck

JPS/vl

Enclosures

cc: Mr. Roy Tinker (with enclosures)
Christopher M. Walters, Esq. (with enclosures)



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 18, 1994

WOOD RIVER COUNTRY CLUB PARTNERS
C/O JAMES P SPECK
HOGUE SPECK & AANESTAD
BOX 987
KETCHUM ID 83340

RE: Transfer Nos. 3742 and 3743 of Water Right Nos. 37-00494/
37-00495/37-00577T/37-00577V/37-00833K and 37-02623

Dear Water Right Holders:

Enclosed please find an Order which grants extension of time to
complete the above referenced transfers.

If you have any questions regarding this matter, please feel free
to contact our office, or me directly at (208) 327-7947.

Sincerely,


JIM JOHNSON
Water Right Supervisor

JJ:dc

Enclosure

RECEIVED

APR 11 1994

MEMORANDUM

Date: March 14, 1994
From: Jim Johnson
To: Glen
Subject: Request for additional time to complete transfers

=====

Glen attached is an order granting additional time to compete transfers Nos. 3742 and 3743.

Jim Speck has also submitted requests for extension of time to avoid forfeiture of water rights on all of the rights identified on the two transfers. These extensions are currently in the second week of advertizing.

RECORDED

APR 11 1994

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
JOHN A. SEILLER

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

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

1-208-327-7866

January 19, 1994

Mr. Jim Johnson
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000

Re: Transfer No. 3742 (Water Rights Nos. 37-00494,
37-00495, 37-00577T&V, 37-00833K) and Transfer
No. 3743 (Water Right No. 37-02683).

Dear Jim:

In 1992, the Department issued its orders granting extensions of time in which to complete the above-referenced approved transfers to March 12, 1994. The approved transfers changed the nature of the use of water rights from agricultural irrigation to a combination of golf course irrigation and recreation, the latter being used in the ponds and streams which are hazards on the golf course. The applicant has recently signed an agreement with a group based in Portland, Oregon for the development of the golf course and construction of the golf course is scheduled to commence this spring. However, it will take a minimum of two years to complete the golf course. Therefore, I would like to request an extension of time to accomplish the transfers through the end of the 1996 irrigation season, i.e. until November 1, 1996. If you would like a more formal application or request for this extension, kindly send me the appropriate forms.

2/3
3/2
In the meantime, my client has completed and I am enclosing an application for extension of time to avoid forfeiture for each of the water rights together with my firm's check payable to the Department in the sum of Two Hundred Fifty Dollars (\$250.00) representing the Fifty Dollar (\$50.00) filing fee for each application.

If you have any questions concerning the applications or my requests for extension of time on the transfers, please

APR 11 1994

Mr. Jim Johnson
January 19, 1994
Page 2

call me. Thank you again for your continuing assistance in these matters.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/vl

Enclosures

cc: Mr. Roy Tinker (with enclosures)
Christopher M. Walters, Esq. (with enclosures)

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

13-Dec-1993

R. KEITH HIGGINSON
Director

JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

Re: Application for Transfer, (Blaine County Recreation
District, (37-02623)

Dear Mr. Speck:

This office acknowledges receipt of your request to withdraw
the above referenced application.

This action classifies the Application as null, void and of
no further consideration by the Idaho Department of Water
Resources.

Enclosed for your information and records is a copy of the
refund memorandum sent to our State Office.

If you have any questions or if this office can be of further
assistance, please feel free to contact us.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

Enclosure

RECEIVED

JAN 11 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: RAH

1. Right number 37-2623 Applicant Blaine Co. Rec. Dist.
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. Fee Rec'd 8/29/91
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

* Part 2 does not agree w/
Transfer 3743 - Return
Part 2 for Amendment.

FINAL PROCESSING REVIEW BY: _____

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

RECOMMENDED ACTION

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

4. By _____ Date _____

T#4274
WITHDRAWN
7-13-93

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4264

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

AUG 22 1991

Name of applicant Blaine County Recreation District ~~Department of Water Resources~~
Post Office address c/o James P Speck, HOGUE, SPECK & AANESTAD, POBox 987, Ketchum, ID 83340 ~~Southern Region Office~~

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 Applicant has leased a portion of a water right for only the remainder of the 1991 irrigation season

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 |
|-----------------|------------|-----------------------|------------------|------------------|
| 37-02623 | 10/12/1959 | 0.1 cfs | irrigation | Apr. 1 to Nov. 1 |
| | | | | to |
| | | | | to |
| | | | | to |

2. Total amount of water being transferred 0.1 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water ground water tributary to _____

4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres _____

PART 1

6. General Information:

a. Description of diversion system Well and pump, main line to underground sprinkler system

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:

None -- it is not being irrigated in 1991

d. Remarks:

See Addendum

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:

WATER RIGHTS

Witness my hand this _____ day of _____, 19 _____

JAN 11 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED

AUG 22 1991

Department of Water Resources
Southern Region Office

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. 37-02683 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3743 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 Lease

3. Source of water ground water tributary to _____

4. Date or priority 10/12/1959

5. Water is used for the following purpose:

amount 2.81 for irrigation purposes from Apr. 1 to Nov. 1
(cfs/ac-ft)
amount 0.24 for irrigation purposes from Apr. 1 to Nov. 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.05 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	NE	20	3N	18E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	20			13.2	6.5									15.2	15.3		11.0	61.2
3N	18E	21											14.0						14.0
3N	18E	28					14.9	15.0	11.9	9.4	6.9	8.6		1.5					68.2

Total acres 143.4

9. Describe any other water rights used for the same purpose as described above: Portions of 37-00577, 37-00494, 37-00495 and 37-00833K

10. To your knowledge, has any portion of this water right undergone a period of one 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 0.1 for irrigation purposes from Apr 1 to Nov 1
 (cfs/~~ac-ft~~)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	NE	20	3N	18E	Blaine	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	20			5.1														5.1

Total acres 5.1

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

1. amount 2.71 for irrigation purposes from Apr. 1 to Nov. 1
 (cfs/~~ac-ft~~)
 amount 0.24 for irrigation purposes from Apr. 1 to Nov. 1
 (cfs/~~ac-ft~~)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	NE	20	3N	18E	Blaine	

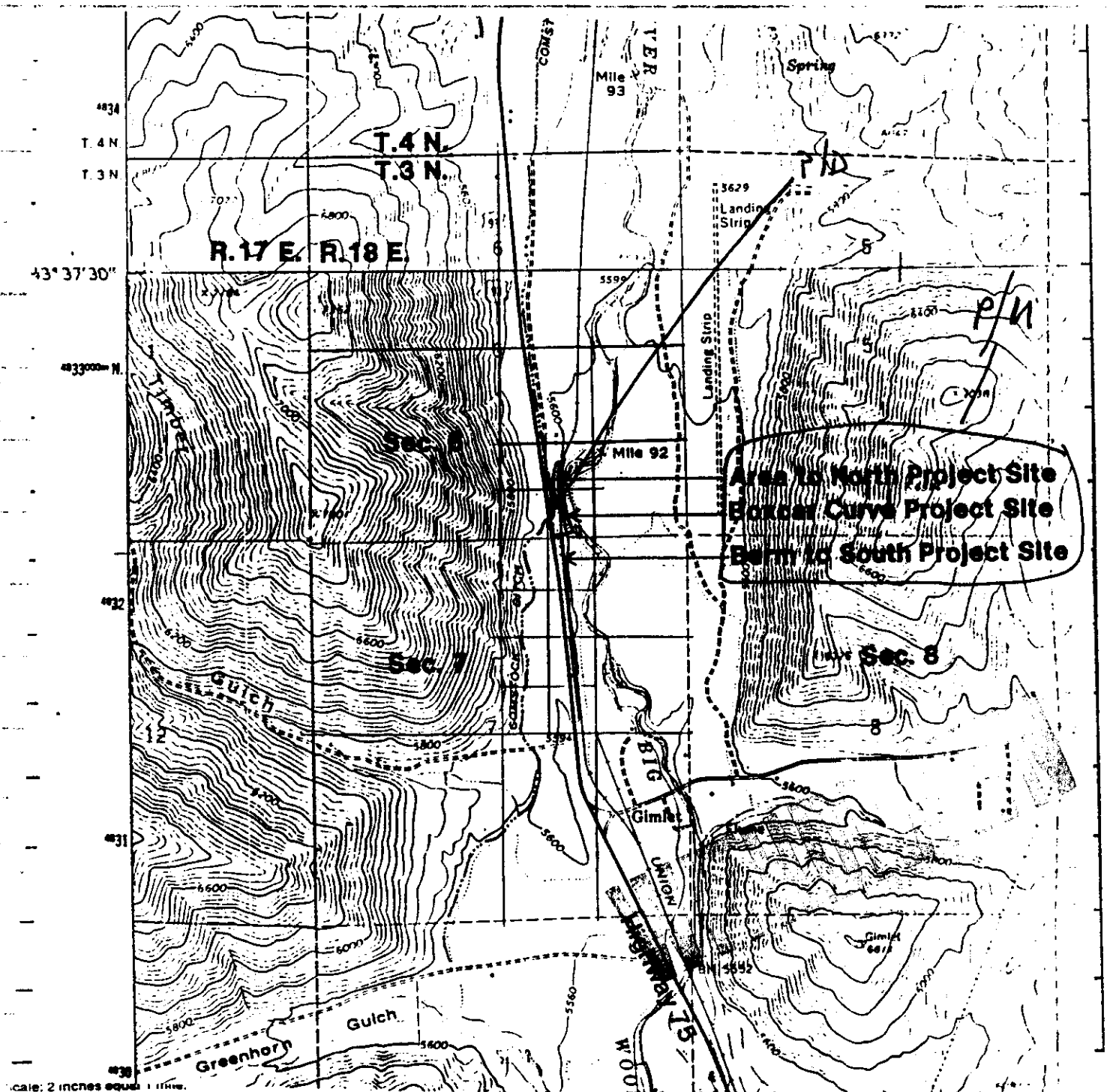
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	20			8.1	6.5									15.2	15.3	11.0		56.1
3N	18E	21											14.0						14.0
3N	18E	28					14.9	15.0	11.9	9.4	6.9	8.6		1.5					68.2

Total acres 138.3

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.



PART 3

B. CHANGES IN NATURE OF USE

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

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

3. Describe 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] Chairman
(Signature of Applicant)

Subscribed and sworn to before me this 20th day of August, 19 91.

[Signature]
(Notary Public)

My commission expires 1/25/97

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 6 attachments

Received by LH Date 8-22-91 Protest filed by _____

Prelim. check by LH Fee 50.00 _____

Received by M. Baldwin Date 8-22-91 5013670 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

JAN 11 1994

STU TEVANT & ASSOCIATES

LANDPLANNING • LANDSCAPE ARCHITECTURE • ENVIRONMENTAL DESIGN

P.O. Box 2924 • Ketchum, Idaho 83340 • (208) 726-3250

RECEIVED

JUL 25 1991

Parcel A, Section 6, Acquired

AREAS OF PROPOSED IRRIGATION

Boxcar Bend

July 24, 1991

WITHDRAWN

1. For Permanent Irrigation - Boxcar Curve

Approximately 1 acre (43,560 square feet) located in SE 1/4 of SW 1/4 of SE 1/4 of Section 6, T. 3N, R. 18E. Parcel A of Rainbow Bend Subdivision with north and south property lines extended east to water's edge of Big Wood River. Approximately located between Mile Marker 123.6 and 123.7 on the east side of Highway 75.

2. For Permanent Irrigation - Area to North of Boxcar Curve

Approximately 14,000 square feet located in NE 1/4 and SE 1/4 of SW 1/4 of SE 1/4 of Section 6, T. 3N, R. 18E beginning at southeast property corner, Lot 1, Rainbow Bend Subdivision (approximately Mile Marker 123.7), continuing east approximately 30' to west edge of existing Wood River Trail path, thence north adjacent to path for approximately 400', thence west approximately 40' to toe of slope, thence to the south along toe of slope to point of beginning at southeast property corner of Lot 1, Rainbow Bend Subdivision.

3. For Temporary Irrigation - Berm to South of Boxcar Curve

Approximately 147,700 square feet located in NE 1/4 and SE 1/4 of NW 1/4 of NE 1/4 and NE 1/4 of SW 1/4 of NE 1/4 of Section 7, T. 3N, R. 18E. beginning at southwest property corner of Parcel A, Rainbow Bend Subdivision (approximately Mile Marker 123.6), thence east to existing Wood River Trail path, thence south adjacent to path approximately 4 tenths of one mile, thence west to Highway 75 right-of-way (approximately Mile Marker 123.1), thence north along highway right-of-way to point of beginning at southwest corner, Parcel A, Rainbow Bend Subdivision.

100-000000

EXHIBIT "A"

JAN 11 1994

ATTACHMENT "A"

LEASE OF WATER RIGHTS

(The Valley Ranch Partners/Blaine County Recreation District)

THIS LEASE is made and entered into as of the date of the last signature hereto by and between THE VALLEY RANCH PARTNERS, an Idaho general partnership (the "Lessor") and BLAINE COUNTY RECREATION DISTRICT, an Idaho recreation district (the "Lessee").

RECITALS

A. Lessor is the owner of Water Right No. 37-02623 which, pursuant to Transfer No. 3743, is used for irrigation and recreation purposes (the "Water Right").

B. Lessee desires to lease the Water Right for irrigation purposes only on its lands in Blaine County, Idaho described in Exhibit A attached hereto and made a part hereof by this reference, and Lessor is willing to enter into such a lease on the following terms and conditions.

TERMS AND CONDITIONS

The parties covenant and agree as follows:

1. LEASE. Lessor does hereby lease to Lessee, and Lessee does hereby lease from Lessor, the Water Rights.

2. TERM. The term of this Lease shall commence on the date hereof and terminate on November 30, 1991.

3. RENT. Lessee shall pay Lessor as rent for the use of the Water Right the sum of One Dollar (\$1.00), to be paid on or before the execution of this Lease.

4. OWNERSHIP OF WATER RIGHT. Lessor represents it is the true and lawful owner of the Water Right, and that such right has not lapsed, been abandoned or forfeited either in whole or in part. Lessor makes no covenant or representation about the actual quantities of water under the Water Right that the Idaho Department of Water Resources (the "Department") may recognize or approve for transfer or diversion to Lessee's lands, regardless of the amounts stated in Transfer No. 3743.

5. APPLICATION FOR TRANSFER. Lessee shall at its sole expense file all necessary applications with the Department to transfer the points of diversion, places of use and nature of use of the Water Right on a temporary basis for the term of this Lease. Lessor shall cooperate in the processing of such

JAN 11 1994

applications and shall execute any documents reasonably necessary for the approval by the Department of such transfer.

6. TRANSFER OF WATER RIGHT UPON TERMINATION OF LEASE. Upon termination of this Lease for any reason, Lessee shall surrender the Water Right to Lessor and, upon demand by Lessor, shall reimburse Lessor for any costs incurred in obtaining approval of the Department necessary to transfer the point of diversion and places of use of the Water Right back to those approved under Transfer No. 3743.

7. BENEFICIAL USE FOR IRRIGATION. During the term of this Lease, Lessee shall beneficially use all of the Water Right for the irrigation of that portion of Lessee's lands approved by the Department, and for no other purpose.

8. INDEMNIFICATION. Lessee agrees to indemnify and hold Lessor harmless against and from any and all costs, damages, expenses, causes of action, or other liabilities arising out of or relating to Lessee's use of the Water Right pursuant to this Lease.

9. DEFAULT; REMEDIES. In the event Lessee defaults in the performance of any of the covenants or conditions of this Lease required to be performed by Lessee, and fails to cure such default for a period of thirty (30) days after receiving written notice of such default from Lessor, Lessor may, at its option, terminate this Lease, repossess the Water Rights and take any and all action necessary to transfer the Water Right back to the point of diversion and places of use approved under Transfer No. 3743, at the sole cost and expense of Lessee. This remedy is not exclusive and Lessor shall have any other remedy available to it at law or in equity, including the right to recover rental payments or damages caused by the breach of the Lease by Lessee.

10. GOVERNING LAW. This Lease and any instruments executed in connection herewith shall be construed and governed by and in accordance with the laws of the State of Idaho.

11. ATTORNEYS FEES. In the event either party hereto retains an attorney for the purpose of enforcing any right or duty arising out of this Lease, the non-prevailing party in such dispute shall pay to the prevailing party the latter's reasonable attorneys fees whether or not litigation is actually instituted.

12. NOTICES: Service of any notice permitted or required under the terms of this Lease shall be deemed complete upon personal delivery of the same to Lessor or Lessee, as the case may be, or upon depositing the same within Federal Express or a similar courier service, or in the United States mails, by

RECORDED

JAN 11 1994

certified or registered mail, addressed to Lessor at c/o Roy Tinker, T & T Management, Post Office Box 1920, Sun Valley, Idaho 83353, or to Lessee at Post Office Box 297, Hailey, Idaho, 83333, with a copy to James P. Speck, Esq., Hogue, Speck & Aanestad, P.O. Box 987, Ketchum, Idaho 83340, as the case may be, or such other address as either shall hereafter designate to the other by notice pursuant to this paragraph.

IN WITNESS WHEREOF the parties hereto have executed the foregoing Lease on the dates set forth below.

"LESSOR"

VALLEY RANCH PARTNERS

Date: 8/20/91

By: [Signature]
T & T Management Company,
General Partner, by Roy Tinker,
Its General Partner

Date: 8/21/91

[Signature]
David C. Hutchinson, General Partner

"LESSEE"

BLAINE COUNTY RECREATION DISTRICT

Date: 8-20-91

By: [Signature]

Its Chairman

WITNESSES

RECORDED

JAN 11 1994

**ADDENDUM TO
APPLICATION FOR TRANSFER OF WATER RIGHT
BY
BLAINE COUNTY RECREATION DISTRICT**

The following is an Addendum to the Application for Transfer of Water Right submitted by the Blaine County Recreation District:

12. Remarks: This Application seeks approval of the temporary transfer, for the remainder of the 1991 irrigation season only, of a water right for the irrigation of those areas described in the document entitled "Areas of Proposed Irrigation", attached hereto as Exhibit A.

Parcel 1 is identified as the "Boxcar Curve Project Site" on the map, and includes the revegetation of a portion of the bank of the Big Wood River adjacent to Applicant's public, recreational, non-motorized pathway, and certain native grasses, trees and shrubs to be planted on Parcel A of Rainbow Bend Subdivision (see plat map attached hereto as Exhibit B) owned by Applicant. Parcel 1 is approximately 1 acre in area.

Parcel 2 is identified as "Area North of Project Site" on the map and includes portions of the pathway within the Rainbow Bend Subdivision owned by Applicant on which native grasses, trees and shrubs will be planted to help screen the homes in the Subdivision from the pathway. Parcel 2 is approximately 14,000 square feet in area.

Parcel 3 is identified as "Berm to South of Project Site" on the map and consists of a berm situated between Highway 75 and the pathway to be planted with native grasses and which will screen the Highway from the pathway. Parcel 3 is approximately 147,700 square feet in area.

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JAN 11 1994



The Economics Press, Inc.
12 Daniel Road, Fairfield, NJ 07004-2575 USA

Dedicated to training and motivating today's work force.

ADDRESS CORRECTION REQUESTED

OFFICE HOURS

Tips for getting along, working better.

IMPORTANT:

This is the current issue
of your subscription

RECEIVED

AUG 26 1991

Department of Water Resources
Southern Region Office

1-OH 14397673-1
MRS MARY BALDWIN, SECY
IDAHO DEPT OF WATER RES
222 SHOSHONE STREET EAST
TWIN FALLS ID 83301-6105

JAN 11 1994

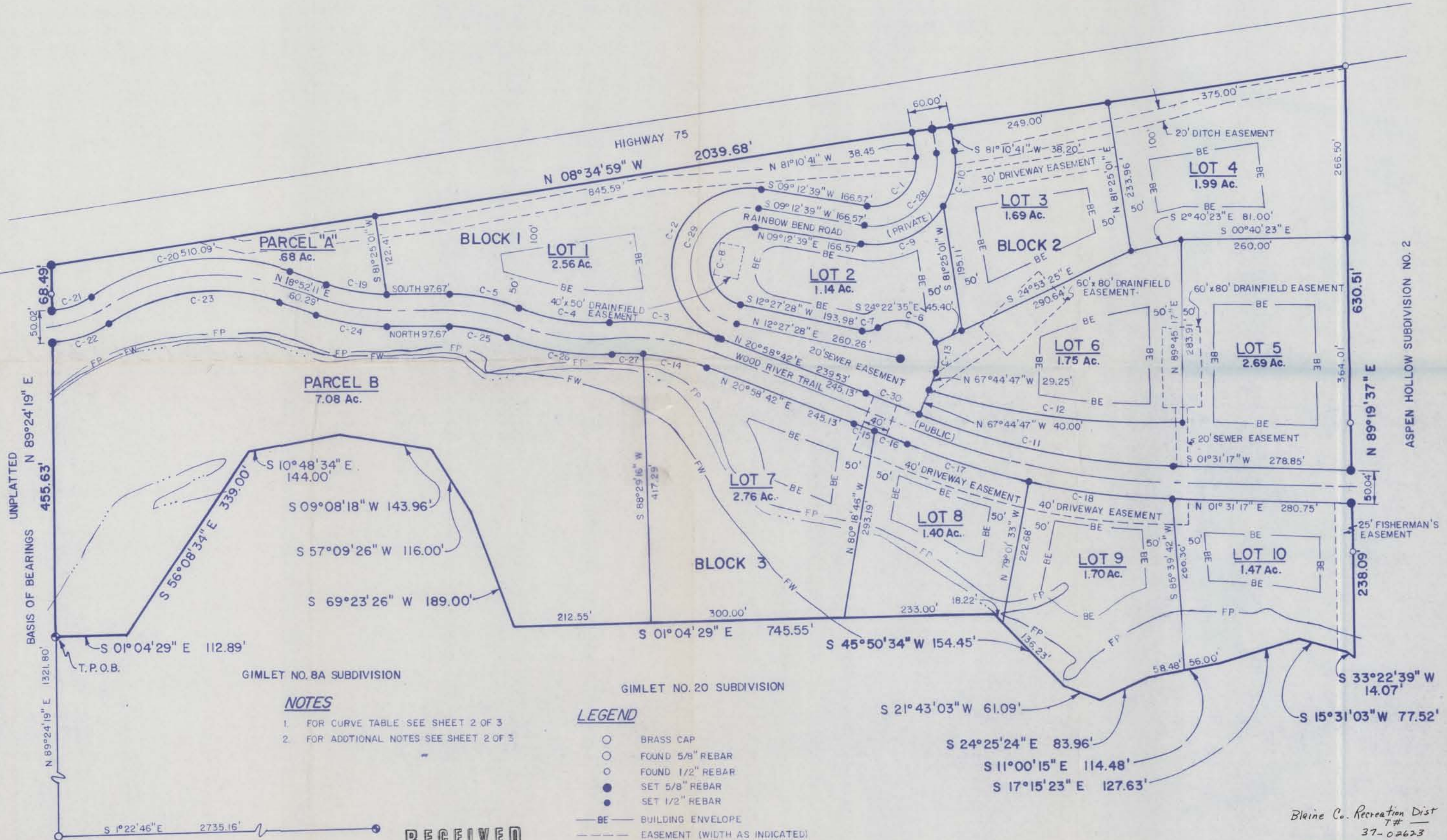
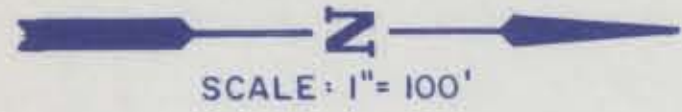
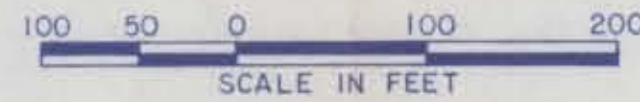


A PLAT SHOWING
RAINBOW BEND SUBDIVISION

LOCATED WITHIN THE SE 1/4, SEC. 6, T. 3N., R. 18E., B. M.

BLAINE COUNTY, IDAHO

1990



NOTES

1. FOR CURVE TABLE SEE SHEET 2 OF 3
2. FOR ADDITIONAL NOTES SEE SHEET 2 OF 3

LEGEND

- BRASS CAP
- FOUND 5/8" REBAR
- FOUND 1/2" REBAR
- SET 5/8" REBAR
- SET 1/2" REBAR
- BE— BUILDING ENVELOPE
- EASEMENT (WIDTH AS INDICATED)
- FP— FLOODPLAIN
- FW— FLOODWAY

RECEIVED

AUG 22 1991

Department of Water Resources
Southern Region Office

Blaine Co. Recreation Dist
T#
37-02623
RAINBOW BEND SUBDIVISION

GALENA ENGINEERING, INC.
KETCHUM, IDAHO
SHEET 1 OF 3

JOB NO. 2320
Rainbow Bend Subd.

EXHIBIT "B"

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
JOHN A. SEILLER

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

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

December 9, 1993

RECEIVED

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

DEC 13 1993
Department of Water Resources
Southern Region Office

Re: Application for Transfer of
Water Right No. 37-02623

Dear Jim:

Enclosed you will find the request to withdraw the
above-referenced Application for Transfer. Please call me if you
have any questions. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD

Jim
James P. Speck

JPS/vl

Enclosure

RECEIVED

JAN 11 1994

To: Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

RECEIVED
DEC 06 1993

Hogue, Speck & Aarnestad

Gentlemen:

I/we wish to withdraw Application for ^{Transfer}~~Permit~~ To Appropriate
the Public Waters of the State of Idaho, No. 37-02623
filed in the name of Blaine Co. Recreation District

Dated this 2 day of December, 1993.

MARY A. CROFTS
Name

DIRECTOR
Title

PO Box 294
Address

HAILEY, ID 83333
Address

RECEIVED

DEC 13 1993

Department of Water Resources
Southern Region Office

[Handwritten signature]

JAN 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

James P. Speck
Hogue, Speck & Aanestad
PO Box 987
Ketchum, ID
83340

November 29, 1993

RE: Application for Transfer, Blaine Co. Recreation District

Dear Jim;

Per our conversation, please find enclosed a withdrawal form for the above-referenced application for transfer. Once we receive the completed form, steps will be taken to refund your filing fee.

Sincerely,

Jim
James E. Stanton
Sr. Water Resource Agent

JAN 11 1994

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

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

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

September 3, 1991

RECEIVED

Mr. Loren Holmes
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

SEP 04 1991

Department of Water Resources
Southern Region Office

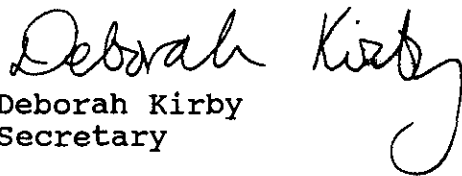
Re: Blaine County Recreation District
Application for Transfer of Water Right

Dear Mr. Holmes:

Please find enclosed an amended Part 2 in connection with
the above-referenced Application for Transfer of Water Right.
Please call if you have any questions regarding this.

Sincerely yours,

HOGUE, SPECK & AANESTAD


Deborah Kirby
Secretary

dmk
Enclosure

RECEIVED

SEP 11 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

29-Aug-1991

R. KEITH HIGGINSON
Director

James P. Speck
P.O. Box 987
Ketchum, ID 83340

Re: Application for transfer of 37-02683 by Blaine Co. Recreation District

Dear Jim:

I have made a preliminary review of the application and have received your check this date. Our receipt is enclosed.

Review of the application indicates that part 2, the description of the water right to be transferred, does not agree with our copy of approved transfer No. 3743. The discrepancy appears to be due to changes made to the previous transfer application during processing, which may not show on your copy.

I have enclosed a complete copy of approved transfer 3743, a database proof reading report, and a copy of your part 2 marked as I believe it should read to describe the starting point for this application.

We will proceed with preparation to advertise the application on the assumption that part 2 will be amended to agree with transfer 3743, but will not publish the notice until the amended part 2 is received.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Loren'.

Loren O. Holmes, P. E.
Southern Region Manager

A faint, illegible stamp or mark, possibly a date or reference number.

JAN 11 1994

HOGUE, SPECK & AANESTAL

A PROFESSIONAL ASSOCIATION

ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

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

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

August 21, 1991

EXPRESS MAIL

Mr. Loren Holmes
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: Blaine County Recreation District
Application for Transfer of Water Right

Dear Loren:

Enclosed you will find the Application for Transfer of Water Right which I have prepared on behalf of the Blaine County Recreation District and which we previously discussed. The District has leased a portion of an irrigation groundwater right for the balance of this irrigation season. The transfer seeks approval of moving the point of diversion and place of use for this season only pursuant to the terms and conditions of the Lease. It is my understanding you will advertise this as quickly as possible so we will know whether or not any protests need to be resolved before proceeding with drilling the well. I am hopeful you will be able to commence advertising in the Wood River Journal next week.

Please call me as soon you receive the Application.
Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD



James P. Speck

JPS\dmk
Enclosure

RECEIVED

AUG 29 1991

Department of Water Resources
Southern Region Office

JAN 11 1994

HOGUE, SPECK & AANESTAD

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(208) 788-3567

August 28, 1991

Mr. Loren Holmes
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: Blaine County Recreation District
Application for Transfer of Water Right

Dear Mr. Holmes:

At Jim Speck's request, I am sending you our check in the amount of \$50.00 for the filing fee which was not included with our letter to you of August 21, 1991 (copy enclosed) and above-referenced Application for Transfer of Water Right. Sorry for any inconvenience this omission may have caused.

Sincerely yours,

HOGUE, SPECK & AANESTAD


Deborah Kirby
Secretary

dmk
Enclosure

RECEIVED

AUG 29 1991

Department of Water Resources
Southern Region Office

HOGUE, SPECK & AANESTAD

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August 21, 1991

EXPRESS MAIL

Mr. Loren Holmes
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

AUG 22 1991

Department of Water Resources
Southern Region Office

Re: Blaine County Recreation District
Application for Transfer of Water Right

Dear Loren:

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Please call me as soon you receive the Application.
Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS\dmk
Enclosure



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

August 14, 1992

RE: Water Right No. 37-02623 (Trans. #3743)
37-00494/00495/00577T/00577V/00833K (Trans. #3742)

Wood River Country Club Partners
c/o James P. Speck, Esq.
PO Box 987
Ketchum, ID 83340

Dear Water Right Holders:

Enclosed are orders granting extensions of time in which to complete your previously approved transfers of water rights.

At the end of the extension period, the department will again contact you regarding completion of the transfers.

Sincerely,

SHARLA CURTIS
Sr. Water Resource Agent

Enclosure

MICROFILMED

AUG 20 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF COMPLETED TRANSFER

The Idaho Department of Water Resources will consider this form as a statement regarding completion of the authorized water right(s) transfer.

1. Water Right No(s). 37-02623

Transfer No. 3743

2. Name of Water Right Holder(s): THE VALLEY RANCH PARTNERS (FORMERLY KNOWN AS WOOD RIVER COUNTRY CLUB PARTNERS).

Address: c/o JAMES P. SPECK, HOGUE, SPECK & AANESTAD, P. O. BOX 987, KETCHUM, ID 83340

3. Water right transfer authorized by Department is:
(check appropriate space or provide description)

Complete _____

Not Complete X

Partially Complete (describe work completed) SEE ATTACHED ADDENDUM

4. If the transfer has not yet been completed or is only partially complete, please provide a statement why the authorized change(s) have not been accomplished and the date which you expect the changes to be complete: _____

SEE ATTACHED ADDENDUM

5. I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in Department action rescinding the approved water right(s) transfer.

James P. Speck, attorney
Signature

(& title if on behalf of a company or organization)

4/24/92
Date

AUG 20 1992

ADDENDUM

The approved water right transfer authorizes use of water for irrigation of a golf course and surrounding residential subdivision lots and for recreational use in golf course ponds and other hazards. The construction of the initial improvements for the subdivision and golf course has begun. The primary road through the subdivision has been constructed to sub-grade and the side roads have been cleared. A pump station on Hiawatha Canal to divert the water from the canal has been constructed. Easements for transmitting water across certain private lands have been obtained and a culvert has been constructed under Highway 75. It is anticipated that other roads will be completed and power and other utilities will be installed this summer and that commencement of construction of the golf course will occur this fall. It will be a minimum of two years to complete the construction of the golf course.

Although the condition that the water be placed to beneficial use within one year of the date of approval was imposed on the transfer, it was never anticipated by the applicant that it could possibly complete construction of this project within that time frame. I believe a period of five years similar to that allowed for a development of new permits should be authorized for a project of this scope.

In the interim, all or a portion of the water rights which are the subject of this transfer will be put to beneficial use by leasing or other methods.

MICROFILMED

AUG 20 1992

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
DONALD E. MITCHELL

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HAILEY, IDAHO 83333
(208) 788-3367
FAX (208) 788-4230

April 27, 1992

VIA TELEFAX 1-327-7866
ORIGINAL TO FOLLOW BY MAIL

Ms. Sharla Curtis
Water Resource Agent
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Approved Transfers Nos. 3742 and 3743

Dear Sharla:

After my telephone call to you last Friday I was, of course, able to locate the proof of completed transfer forms you previously sent me! I have completed, signed and enclose those forms. Please call if you have any questions about them.

I will be out of the office until May 18, 1992. If you need any additional information, I can provide it to you after that date. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS\dmk
cc: Mr. Roy Tinker (w/encls.)

MICROFILMED

AUG 20 1992

J\corres92\curtiss



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 26, 1992

Wood River Country Club Partners
c/o James P. Speck, Esq.
Box 987
Ketchum, ID 83340

RE: Approved Transfer No. 3743/Water Right No(s). 37-02623

Dear Water Right Holder(s):

On March 12, 1991, the Department approved an application for transfer of the above referenced water right(s). A copy of the transfer as approved has been enclosed for your reference. One of the conditions of approval of this transfer was that the authorized change(s) be accomplished within one year of the date of approval.

Please complete and return the enclosed form to confirm that the transfer has been accomplished. If the approved transfer has not been completed or is only partially complete, please provide an explanation why the changes have not been made and give an expected date for completion. The form must be returned to this office within 15 days of the date of this letter. If you wish to return the form by FAX, the number is (208)327-7866.

Please contact me if you have questions concerning this matter.

Sincerely,

SHARLA CURTIS
Water Resource Agent

Enclosure

MICROFILMED

AUG 20 1992

March 13, 1991

RE: Transfer of Water Right No. 37-02623

Wood River Country Club Partners
c/o James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Trans. No. 3743). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED

APR 12 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE *ok Gary*

DATE: February 5, 1991

RE: TRANSFER APP. NO 3743/RT. NO. 37-2623

=====

This transfer involves a change in the place of use for the above right as well as a change in nature of use for a portion of the same right. The transfer has been made by Valley Ranch Partners (formerly Wood River Country Club Partners), who plan to develop a golf course and subdivision north of Hailey. This right is a groundwater license which is and has been supplemental to certain decreed surface water rights. A separate transfer, no. T-3742, has been filed on the surface water rights. The historical use of those rights is described in a memo to the latter transfer file.

The nature of use change under this transfer includes substituting 12.2 acres of irrigation under the license with 12.2 acres of recreational or golf course ponds. The consumptive use associated with either use is considered equivalent. It should be noted that a total of 12.2 acres of irrigation under the surface water rights is also being converted to golf course ponds.

The place of use for the groundwater right has been changed consistent to the place of use changes given in transfer no. 3742. The 12.2 surface acres of ponds under license 37-2623 is subtracted from the original 156 acres under the license, leaving a net irrigation balance of 143.8 acres. This is 3.7 acres less than the combined total number of acres under the surface water rights because it was determined that the total number of irrigated acres under the farm unit was 159.7 acres. A detailed explanation about this 3.7 acre difference is given in the memo accompanying transfer no. 3742.

I do not believe that any expansion will result from the proposed changes. The groundwater use will remain supplemental as it has in the past. I recommend approval of the transfer subject to the following conditions:

Conditions of Approval:

1. <<R04>> Use of water under this water right is subject to control by the watermaster of State Water District No. 37, Big Wood River.
2. This right when combined with right no.s 37-0494, 37-0495, 37-0577T, 37-0577V & 37-0833K shall provide no more than 3.0 acre-feet per acre for the lands above.

APR 12 1991

3. <<R08>> Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.

4. <<T07>> The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

5. <<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.

7. <<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.

APR 12 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

=A37-12271

INITIAL REVIEW BY: DR1

1. Right number 37-2623 Applicant Wood River Country Club Partners

2. Type of right: ☐ Decree ☒ License ☐ Claim

3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Other Δ Nature of use

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

7/18 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).

7/18 c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

7/18 e. ☒ Check map (shows p.d. and p.u. after transfer).

7/18 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) None

j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: LH

1. Watermaster recommendation requested on _____ Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

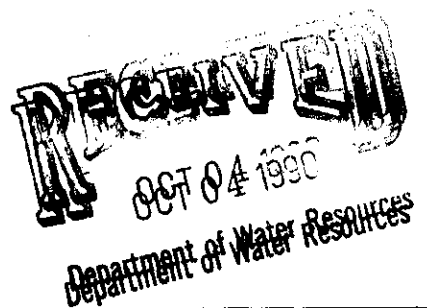
1. ☒ Approve

2. ☐ Deny

3. Conditions* ~~02~~ 02

Approval does not constitute an easement of right to
induct water into reaches of the Hiramath Canal.

4. By Loren O'Hara Date 10/3/90



HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

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

September 26, 1990

RECEIVED
SEP 28 1990

Mr. Gary Spackman
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720

Department of Water Resources

Re: Wood River Country Club Partners
Amended Application for Permit No. 37-08613
Application for Transfer Nos. 37-0577VH,
37-0494, 37-0495, 37-0833K
Application for Transfer No. 37-02623

Dear Gary:

Loren Holmes has informed me the review of the above-referenced Applications at the Southern Regional Office has been completed and they will soon be sent on to your office. You may recall we had several discussions concerning these Applications (especially the Application for Transfer of Surface Water Rights) at the initial stages of filing.

I am writing now to request whatever expedited treatment of these Applications is possible! This is a major project which has been favorably received by the local citizenry and governmental entities. The development and construction of the golf course project will require significant and sophisticated financing arrangements, and perhaps needless to say, all of the potential lenders and investors want to know these Applications have been approved before putting their funds at risk.

I know your staff and you are overworked and perhaps overwhelmed by the current volume of pending water rights matters. I have always found to work promptly and efficiently when matters are drawn to your attention and I am only asking you to continue to work with me on this project as we have on others in the past.

I will be out of the office until November 5, 1990. While I am gone, my partner, Steve Crabtree or my secretary Jean Latham, may contact you to check on the status and report back to

APR 12 1991

my client. Thank you once again for your continuing cooperation and assistance in these matters.

Sincerely yours,

HOGUE, SPECK & AANESTAD



James P. Speck

JPS/jal

cc: Mr. Roy Tinker

APR 12 1961

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
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July 23, 1990

Mr. Douglas Jones, E.I.T.
State of Idaho
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

JUL 24 1990

Department of Water Resources
Southern Region Office

Re: Wood River Country Club Partners
Amended Application for Permit No. 37-08613
Application for Transfer Nos. 37-0577VH,
37-0494, 37-0495, 37-0833K
Application for Transfer No. 37-02623

Dear Doug:

Enclosed you will find a copy of a Special Power of Attorney by the Partnership designating me as the Attorney in Fact and Agent for the Partnership for the above-referenced Applications. Thank you once again for your cooperation and assistance in this matter.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/jal
Enclosure
cc: Mr. Roy Tinker (w/encl.)

MICROFILMED

APR 12 1991

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO.37-02623

Notice is hereby given that WOOD RIVER COUNTRY CLUB PARTNERS, c/o James P. Speck, Attorney of Ketchum, 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 AS RECORDED

Water right No. 37-02623

Basis of right: License

Source: groundwater

Priority Date: 10/12/1959

Amount of water: 3.05 cfs

Water use: irrigation

Point(s) of diversion: NE1/4SE1/4NW1/4, S20, T3N, R18E; Blaine County.

Place of use: 156 acres within SW1/4SW1/4, S21, T3N, R18E; NW1/4, NE1/4SW1/4, NW1/4SW1/4, SE1/4SW1/4, S28, T3N, R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-02623 (Portion of) Amount: 2.81 cfs
(Irrigation-From 4/1 to 11/1)

Water right No.: 37-02623 (Portion of) Amount: 0.24 cfs
(Recreation-From 4/1 to 11/1)

Total amount being transferred: 3.05 cfs

Source: groundwater

Point of diversion: NE1/4SE1/4NW1/4, S20, T3N, R18E; Blaine County.

Place of use: 143.52 acres within SW1/4NE1/4, SE1/4NE1/4, SE1/4NW1/4, NE1/4SE1/4, NW1/4SE1/4, SE1/4SE1/4, S20, T3N, R18E; SW1/4SW1/4, S21, T3N, R18E; NW1/4, NE1/4SW1/4, NW1/4SW1/4, SE1/4SW1/4, S28, T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before August 13, 1990.

R. Keith Higginson, Director

Published in Wood River Journal on 7/25 & 8/1/90.

RECEIVED

APR 12 1991

21

**Partners seeks
water right change**

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 37-02623**

Notice is hereby given that WOOD RIVER COUNTRY CLUB PARTNERS, c/o James P. Speck, Attorney of Ketchum, 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 AS RECORDED

Water right No. 37-02623

Basis of right: License

Source: groundwater

Priority Date: 10/12/1959

Amount of water: 3.05 cfs

Water use: irrigation

Point(s) of diversion:

NE1/4SE1/4, NW1/4, S20, T3N, R18E; Blaine County.

Place of use: 156 acres within

SW1/4SW1/4, S21, T3N, R18E;

NW1/4, NE1/4SW1/4, NW1/4-

SW1/4, SE1/4SW1/4, S28, T3N,

R18E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-02623

(Portion of)

Amount: 2.81 cfs

(Irrigation-From 4/1 to 11/1)

Water right No.: 37-02623

(Portion of)

Amount: 0.24 cfs

(Recreation-From 4/1 to 11/1)

Total amount being transferred:
3.05 cfs

Source: groundwater

Point of diversion:

NE1/4SE1/4NW1/4, S20, T3N,

R18E; Blaine County.

Place of use: 143.52 acres within

SW1/4NE1/4, SE1/4NE1/4, SE1/4-

NW1/4, NE1/4SE1/4, NW1/4-

SE1/4, SE1/4SE1/4, S20, T3N,

R18E; SW1/4SW1/4, S21, T3N,

R18E; NW1/4, NE1/4SW1/4,

NW1/4SW1/4, SE1/4SW1/4, S28,

T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301, on or before August 13, 1990.

R. Keith Higginson, Director

Publish: Wood River Journal-July
25 and August 1, 1990.

APR 12 1991

R I

Depart
So

18-July-1990

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

Gentlemen:

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

12 1991

18-Jul-1990

WOOD RIVER COUNTRY CLUB PARTNERS
C/O JAMES P SPECK ATTORNEY
PO BOX 987
KETCHUM ID 83340

Re: Application for Transfer No. 37-02623

Dear Mr. Speck:

The Department of Water Resources acknowledges receipt of the Application for Transfer on behalf of Wood River Country Club Partners.

This office will be advertising the application in the Wood River Journal on 7/25 and 8/1/90. 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,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

RECORDED

APR 12 1991

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: 3012474

Date: 07/02/90
Time: 16:48:30

Received

From: HOGUE, SPECK & ARNESTAD

Type of Payment	Program Acct Class	Amount
TRANSFER/37-2623	0540199 1238 6390	\$50.00

Total

\$50.00

CHECK 10899

Idaho Department of Water Resources

Region: SOUTHERN

Signature: Douglas Jones

NOT FILMED

APR 12 1991

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
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DOUGLAS J. AANESTAD
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HAILEY OFFICE:
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(208) 788-3567

July 13, 1990

RECEIVED

JUL 16 1990

Idaho Department of Water Resources
Southern Region
222 Shoshone St. East
Twin Falls, ID 83301

Department of Water Resources
Southern Region Office

Attention: Doug Jones

Re: Wood River Country Club Partners -
Applications for Transfer of Water Right

Dear Doug:

Enclosed you will find the revised original of the Application for Transfer of Water Right submitted by Wood River Country Club Partners to change the place of use and nature of use of Water Right No. 37-02623. Also enclosed is a copy of the Agreement between T and T Development and Wood River Country Club Partners evidencing T and T's authority to sign these documents on behalf of the partnership. Finally, I am also enclosing a copy of the signature page of the Real Estate Purchase and Sale Agreement between T and T Development and Blechmann as further evidence of ownership for the partnership's Application of Transfer of Water Right for the various surface water rights.

I understand from our phone conversation of today that all of the partnership's applications are now in order and will be promptly scheduled for advertising. If you need a power of attorney to more specifically document my authority to agree to revisions we made over the telephone, please let me know and I will have one prepared, signed and sent on to you.

Thank you once again for your continuing cooperation and assistance in this matter.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

RECEIVED

APR 12 1991

JPS/lms
Enclosure
cc: Roy Tinker



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

7/11/90

James Speck
Hogue, Speck & Anestad
P.O. Box 987
Ketchum, ID 83340

Re: Valley Ranch Groundwater License Transfer

Dear Mr. Speck,

As we discussed on the phone today I am returning the transfer for several reasons. Please make the necessary corrections and return it to this office for additional processing. The following is an item by item list of information requiring attention:

- 1) Items B4 of Part I and A7 of Part Z (as well as adjudication claim A37-12271):
Description should read SE NW 520 T3N R18E.
- 2) Item B5 of Part I: Recreation use should be indicated by the letter 'R' in tracts in which streams and ponds are located. These tracts would be consistent with those indicated on the surface water transfer.
- 3) Please have Mr. Roy Tinker sign the application and submit evidence that Tinker &/or T & T Mgmt Co can act as representatives of the Snake River Country Club Partners (Applicant), e.g. Power of Attorney APR 12 1991

If you have any questions please contact me

Sincerely,

Douglas Jones

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

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

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

June 29, 1990

Certified Mail
Return Receipt

Department of Water Resources
Southern Region
222 Shoshone St. East
Twin Falls, ID 83301

RECEIVED

JUL - 2 1990

Department of Water Resources
Southern Region Office

Attention: Doug Jones

Re: Wood River Country Club Partners

Dear Doug:

Enclosed you will find the following in accordance with our recent discussions:

1. Amended Application for Permit No. 37-08613;
 2. Application for Transfer of Water Right - various surface water rights;
 3. Application for Transfer of Water Rights - ground water irrigation right No. 37-02623;
 4. Our check payable to the Department in the sum of \$50.00 as the filing fee for item number 3 above.
- Returned for lack of fee. DJ, 7/5/90 Rec'd back 7/11*

The Applications are submitted for the development by the applicant of two adjacent ranches into an eighteen hole championship golf course and a 98 single family home residential planned unit development. I have also enclosed a copy of the preliminary plat for this development recently approved by the Blaine County Planning and Zoning Commission with the proviso, among others, that Lots 33 and 34 as shown on the plat be combined into one lot. I hope one copy of this large scale map is sufficient for review of all three of these Applications.

Please note that the summary of irrigated acres appended to each Application is EXCLUSIVE of the surface area of the ponds, which we have calculated to be approximately 12.25 acres. FURTHER EXPLANATION OF THE REASONS FOR EACH APPLICATION WILL BE FOUND IN THE INTRODUCTION AT THE BEGINNING OF THE ADDENDUM TO EACH APPLICATION.

It is my understanding you will do all you can to accelerate your review and the advertising schedule for these Applications so the project can move forward in an orderly fashion. The initial Applications were filed with the Department

APR 12 1991

Department of Water Resources
June 29, 1990
Page 2

at the end of March and although one new application is included at this time, the enclosures are all in response to comments from your review of the initial submittals. If you find you need any additional information before you can schedule advertising, please contact me immediately.

Thankyou once again for all your cooperation and assistance in these procedures.

Sincerely yours,

HOGUE, SPECK & AANESTAD



James P. Speck

JPS/lms

cc and enclosures: Wood River Country Club Partners
cc and enclosures: Gary Spackman
Department of Water Resources, Boise office

APR 12 1991

IDENT. NO. 37-2623

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 28211 137-2623
 Old No. New No.

Record

1. Original Owner: Stella Meyer

Present Owner: _____

2. Address:

3. City: Hailey State: 10 Zip: _____

4. A. Source of Water: groundwater

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 10-12-1959

D. County: 13

E. Total Diversion Rate: 3.05

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SE 1/4</u>	<u>20</u>	<u>3N</u>	<u>18E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for <u>A</u> purposes.	Amount <u>3.05</u> (cfs or AC-Ft/yr)
from _____ to _____ for _____ purposes.	Amount _____
from _____ to _____ for _____ purposes.	Amount _____
from _____ to _____ for _____ purposes.	Amount _____
from _____ to _____ for _____ purposes.	Amount _____
from _____ to _____ for _____ purposes.	Amount _____

8. Use Code: A

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 28211

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

MD 5-1-79

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that ... Mrs. Stella Mizer
 of ... Hailey, County of ... Blaine, and State of
 ... Idaho, the holder of Permit No. G-28211, issued upon
 Application No. G-36175 .. bearing date of priority of October 12, 1959 .., authorizing the
 diversion of ... 6.4 second feet of waters of a well

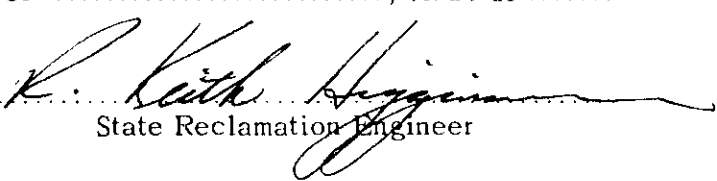
 County of ... Blaine, State of Idaho, for supplemental irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use ... 3.05 second feet of the waters of a well, tributary of a
subterranean flow;

that the point of diversion of said waters is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T. 3 N., ...
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: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28;
T. 3 N., R. 18 E., B.M.

Proof of Completion of Works Made: September 22, 1964

Witness my hand this ... 16th ... day of ... March .., A. D. 19 67


 State Reclamation Engineer

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. G-28211

To Mrs. Stella Mizer

Hailey, Idaho

Source of Supply well, tributary of
a subterranean flow

Blaine

County

Amount 3.05 Sec. Ft.

Point of Diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20,
T. 3 N., R. 18 E., B.M.

Place of Use SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; NW $\frac{1}{4}$,
N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28; T. 3 N.,
R. 18 E., B.M.

Purpose Supplemental irrigation

Date of Priority October 12, 1959

Recorded March 16, 1967

In Book 14 of Licenses, Page 8706

28211

State of Idaho

License and Certificate of Water Right

Water License No. G-28211 Priority October 12, 1959 Amount 3.05 c.f.s.

THIS IS TO CERTIFY that MRS. STELLA MIZER

of Hailey, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 12, 19 59; that Permit No. G-28211 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 3.05 second feet, was issued thereunder on March 16, 19 67, showing that said works were completed on the 22nd day of September, 19 64; and that on the 22nd day of September, 19 64, MRS. STELLA MIZER

of Hailey, 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 a subterranean flow for the purpose of supplemental irrigation, under Use Permit No. G-28211 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 8706, on the 16th day of March, 19 67.

The right hereby confirmed dates from October 12, 19 59.

The Point of Diversion is located

in the SE 1/4 NW 1/4, Sec. 20, Twp. 3 N., R. 18 E., B.M. Blaine County.

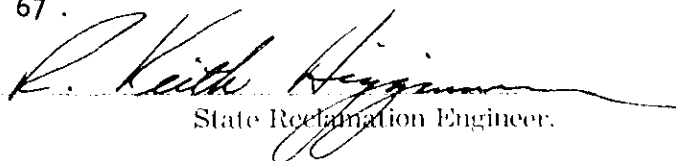
That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.05 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	18 E.	21 28	SW ¹ / ₄ SW ¹ / ₄	40	21
			NE ¹ / ₄ NW ¹ / ₄	40	2
			NW ¹ / ₄ NW ¹ / ₄	40	34
			SW ¹ / ₄ NW ¹ / ₄	40	40
			SE ¹ / ₄ NW ¹ / ₄	40	10
			NE ¹ / ₄ SW ¹ / ₄	40	9
			NW ¹ / ₄ SW ¹ / ₄	40	35
			SE ¹ / ₄ SW ¹ / ₄	40	5
			Total number of acres to be irrigated:		156

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 16th day of March, 19 67.


State Reclamation Engineer.

Permit No. G-28211

**Certificate of Completion
of Works**

Dated .. March 16, 19 67....

Stream well

County Blaine

Amount 3.05 c.f.s.

Date of Priority October 12, 1959.

Recorded in Book 99

of ... Permits, page 28211 .

March 16, 1967

Re: Permit No. G-28211

Mrs. Stella Mizer
Box 93
Hailey, Idaho

Dear Mrs. Mizer:

Enclosed is your Certificate of Completion of Works and License and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. G-11331 in the amount of \$21.00 covering the fees.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:bj

Enc.: Certificate of Completion of Works
License and Certificate of Water Right No. G-28211
Receipt for \$21.00

28211

Department of Reclamation

No. 11331

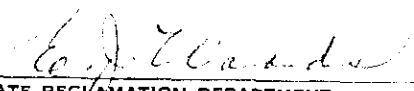
Boise, Idaho, Feb 14, 1967

XXXXXXXXXX

RECEIVED
FROMMrs. Stella Mizer of Hailey, IdahoTwenty one & no/100 DOLLARS

FOR

Well Driller's License Fee	- \$	
Application No.	\$	
Proofs <u>2/14/67</u>	\$	<u>21.00</u>
Certified Copy	- - - \$	
Recording Assignment	- - - \$	
	- - - \$	
TOTAL	- - - \$	<u>21.00</u>


 STATE RECLAMATION DEPARTMENT

Mrs. Stella Mizer

Box 93

Hailey, Idaho

Dear Mrs. Mizer:

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-28211 shows the well(§) is (~~xxx~~) capable of conveying 152.5 miner's inches, or 3.05 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 \$ 21.00, we will issue the Certificate of Completion of Works for 3.05 c.f.s. and the License and Certificate of Water Right for 3.05 c.f.s. confirming the right, with priority of October 12, 1959, to the use of subterranean water with the point of diversion in SE1/4NW1/4, Sec. 20, T. 3 N, R. 18 E, B.M., for irrigation of 156 acres in SW1/4SW1/4, Sec. 21; NW1/4, N1/2SW1/4, SE1/4SW1/4, Sec. 28, T. 3 N, R. 18 E, B.M.

Very truly yours,

 M. Russell Bosch
 Office Manager

MRB:nw

28211

XXXXXXXXXX

January 24, 1967

RE: Permit No. G-28211

Mrs. Stella Mizer
Box 93
Hailey, Idaho

Dear Mrs. Mizer:

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-28211 shows the well(§) is (~~xxx~~) capable of conveying 152.5 miner's inches, or 3.05 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 \$ 21.00, we will issue the Certificate of Completion of Works for 3.05 c.f.s. and the License and Certificate of Water Right for 3.05 c.f.s. confirming the right, with priority of October 12, 1959, to the use of subterranean water with the point of diversion in SE1/4NW1/4, Sec. 20, T. 3 N, R. 18 E, B.M., for irrigation of 156 acres in SW1/4SW1/4, Sec. 21; NW1/4, N1/2SW1/4, SE1/4SW1/4, Sec. 28, T. 3 N, R. 18 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

28211

September 5, 1966

RE: Permit No. G-28211
Mrs. Stella Miser

V. K. Jeppesen
Attorney at Law
Hailey, Idaho

Dear Mr. Jeppesen:

In reply to your inquiry of August 25, Mrs. Stella Miser's Permit No. G-28211 has received final inspection. A letter of notification was sent to her about August 24.

Very truly yours,

Donald J. Watts
Engineer

DJW:mr

28211

August 29, 1966

RE: Permit No. G-28211

Mrs. Stella Mizer
Box 93
Hailey, Idaho

Dear Mrs. Mizer:

The well and land under your Permit No. G-28211 has been inspected by a field examiner from this department and you will be advised of the findings at an early date.

Very truly yours,

Donald Watts
Office Engineer

DW:mr

28211

V. K. JEPPESEN
ATTORNEY AT LAW
HAILEY, IDAHO
83333

RECEIVED
AUG 26 1966

August 25, 1966

Department of Reclamation

Department of Reclamation
Boise, Idaho

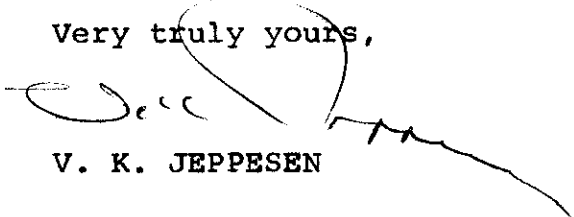
RE: Permit No. G-28211
Stella Mizer

Gentlemen:

Mrs. Mizer is in the office now and wonders when it would be possible to make the final inspection on their well so that no further action would be necessary. She is concerned for fear that the time may run too long before the final measurement is made by your department.

If you have some date when this measurement could be made would you please advise her.

Very truly yours,


V. K. JEPPESEN

VKJ:jmb

Measured & Mrs Mizer has been advised.

28211

LJ- 200
1- 63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Date 8/25 66, 19 DISCHARGE MEASUREMENT NOTES

@ 28241 River at Above Pump

Angle coef- ficient	Dist. from initial point	Width	Depth	Observa- tion depth	Revo- lutions	Time in sec- onds	VELOCITY		Adjust- ed for hor. angle or	Area	Discharge
							At point	Mean in ver- tical			
	3.4	-	0				0				
	4.0	.8	.20		10	44	263			.16	.042
	5.0	1.0	.49		20	74	.300			.49	.147
	6.0	1.0	.50		30	45	.693			.50	.347
	7.0	1.0	.51		30	51	.616			.51	.314
	8.0	1.0	.49		30	48	.652			.49	.287
	9.0	.75	.30		25	49	.510			.225	.122
	9.5	.70	.22		20	40	.530			.154	.082
	10.6	-	0								

1.34

Below Pump

	.70		0								
	1.7	1.	.68		20	58	.378			.68	.257
	2.7	1.	.81		40	50	.824			.81	.667
	3.7	1.	.81		50	40	1.280			.81	1.020
	4.7	1.	.83		50	42	1.210			.83	1.004
	5.7	1.	.81		50	45	1.130			.81	.915
	6.7	.8	.77		30	47	.610			.616	.394
	7.3	.65	.64		15	52	.323			.416	.134
	8.0		.35				0				

4.39

- 1.34

3.05

No. 1 of 1 Sheets. Comp. by D. L. Allen Chk. by 3.05





STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

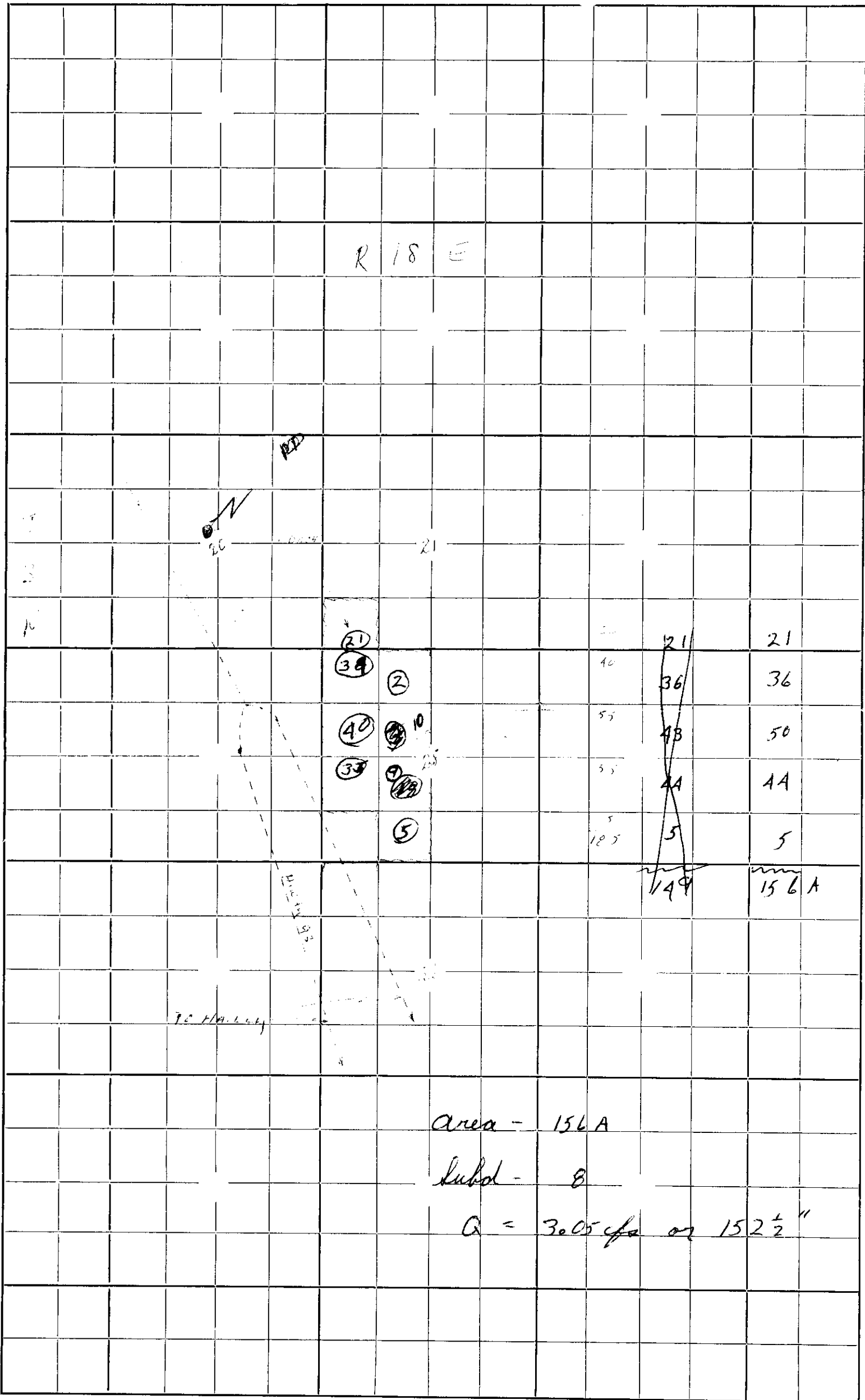
REPORT OF ENGINEER

PERMIT NO. G28211

REPORT ON PROOF OF Completion of Works & Beneficial Use

Mrs. Stella Mizer
Box 93
Hailey, Idaho

28211



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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-28211

This proof is for Comp. of Works & Bene. Use

In Water District No. _____

1. Name of applicant Mrs. Stella Miser

2. Source of water supply: Subterranean waters

3. Location of point of diversion: Is in the SE 1/4 of Section 20

T. 3N R. 18E County of Blaine

4. Describe works as they exist, giving dimensions and capacities of same:

60 H.P. ~~EP~~ Motor # 1185 124
Byron Jackson Pump # 368502 rated 1625 gpm at 3.63 ft

5. Water is used for: Supplemental 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):

SW 1/4, Sec. 21; NW 1/4, NE 1/4, SE 1/4, Sec. 28; NW 1/4, Sec. 33, 3N-18E
making a total of 324.38 acres to be irrigated

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

Q = 3.05 cfs

Measured by

This examination was made on the 25th day of August, 1966.

(Signed) Don Watta Examiner.

Plat ✓
28211

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.

Mrs. Stella Mizer

Box 93

Hailey, Idaho

Permit No. G-28211

Examination for Comp. of Works & Bene. Use

County Blaine

Quantity: 6.4 Sec. 20 T. 3N R. 18E

Source: Well

P.D.: SE NW Sec 20-T3N-R18E

Use: Irrigation (Supplemental)

Filed: 12 October 59

Due: 15 October 64
Made: Sept 22, 1964
Priority: Oct. 12, 1959
Extension:

Protest: —

Completion of Works: —

Other Rights: 84.5" of 3-24-83; 100"
of 5-1-86, 140" of 7-1-92

here

(Re: permit no G-28211)

RECEIVED
AUG 15 1966

Department of Reclamation

Hailey,

Aug-11-1966.

Dear friends,

About two weeks ago, I wrote you stating we have our irrigation pump in operation.

We havent heard from you yet.

Please come over and measure the pump water, We understand there has to be a field man from Boise to measure the pump water, before we can make final proof, on our irrigation pump. We need the pump very much in a year like this, when there is shortage of water, We are anxious to get it all proved up on.

Yours very Truly.

Mrs. Stella Mizer

P.O. Box 93

Hailey, Idaho.

83333

28211

ROBERT E. SMYLLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

September 24, 1965

RE: Permit No. G-28211

Mrs. Stella Mizer
Box 93
Hailey, Idaho 83333

Dear Mrs. Mizer:

We received your letter of September 23 in regard to inspection of works under your permit.

The field inspectors are all in the field and I do not know if your well was visited or not.

As you have not had to use it this year the works will be investigated later when the pump is in operation.

Very truly yours,

A handwritten signature in cursive script that reads 'Ralph W. Thomas'.

RALPH W. THOMAS

Deputy State Reclamation Engineer

RWT:mr

28211

Hailey, Idaho.
July - 25-1966.

Dear Friends,
our irrigation pump is in
operation now. Please come over and inspect
it so we can make final proof on our Well.
We are in north of Hailey Idaho.

our ranch is 3 miles North of Hailey, Idaho.
We are $\frac{1}{4}$ mile East of highway - 93, also east of
the railroad track, please let us know when you
think you will be here, so Dale or Bud Mizer
will be here to go with you,
We look forward to hear from you soon.

We hope to hear from you soon.

Yours truly,

Mrs. Stella Mizer
Hailey, Idaho.
P. O. Box 93.

83333

RECEIVED
27 1966

37 1966

Department of Reclamation

534 86 x 36

282475000

September 24, 1965

RE: Permit No. G-28211

Mrs. Stella Mizer
Box 93
Hailey, Idaho 83333

Dear Mrs. Mizer:

We received your letter of September 23 in regard to inspection of works under your permit.

The field inspectors are all in the field and I do not know if your well was visited or not.

As you have not had to use it this year the works will be investigated later when the pump is in operation.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

28211

SEP 24 1965

Hailey, Idaho.

Sept - 23, 1965.

Gentlemen, dear friends.

We received your letter, stating
you would be here to inspect our
permit. (Water pump for irrigation)
Sept. 13th through the 18th, 1965

Re: permit No. G 28211 my two sons

Dale & Bud Miger was here on the ranch
last week working, but didn't get to see
you, our irrigation pump is above our
ranch about $\frac{1}{2}$ mile, just beside of
our irrigation ditch, near the high way,
our permit was approved Oct-15-1959,

We have used the pump ever
year except this year. 1965 has
be a very good water year here, so it
wasnt necessary to turn the pump
on. as we had plenty of water this year

Next year if it should be a dry
year. then we will need the pump

28211

very much. We want to make
final action, and prove up on our
Pumps. Please write us and tell
us when you will be here, or
what we should do. Please let
us hear from you as soon as
possible about this business,

Very Truly Yours

Mrs Stella Mizer
P.O. Box 93. Hailey, Idaho.
83333

28211

1M April 1962

September 24, 1964

Re: Permit No ~~6~~-28211
Mrs. Stella Miser

Mrs. Stella Miser
P. O. Box 93
Hailey, Idaho

Dear Mrs. Miser:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the HAILEY TIMES, all submitted in proof of completion of works and beneficial use on Permit No ~~6~~-28211

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 and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours ,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

ot
EPR:

RECEIVED
SEP 23 1964

Department of Reclamation

PLETION OF WORKS
and
APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 2 p. m., on the 22nd day of September 1964, at Hailey, County of Blaine, State of Idaho, before V. K. Jeppesen, Notary Public, 113 South Main Street, proof will be submitted of the completion of works for the diversion of 4.38 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-28211, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation owning said permit is Stella [redacted] Hailey, Idaho.

Said works of diversion will be fully completed on the date [redacted] for such completion, and the amount of water which said works are capable of conveying to the point of use is 4.38 cubic feet per second.

The use to which said water has been applied is irrigation, [redacted] and the amount applied to beneficial use is 4.38 cubic feet per second.

The point of diversion of said water is SE 1/4 NW 1/4 of Section 20, T 3 N. R 18 E. B. M.

The place where said water is used is SW 1/4 SW 1/4 of Section 21, NW 1/4 of Section 28; NE 1/4 of the SW 1/4, the NW 1/4 of the SW 1/4 and the SE 1/4 of the SW 1/4 of Section 28; and Tax Lot 2030 being a portion of the NW 1/4 SW 1/4 Section 33 all in Twp. 3 N. Range 18 E. B. M.

6. The date of priority which said user is prepared to establish is October 12, 1959.

CARL E. TAPPAN
State Reclamation Engineer
Pub. 8/13 - 9/3

Affidavit of Publication

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

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for four consecutive weeks commencing with the first publication thereof on the

thirteenth day of August, 1964, and ending with the last publication thereof on the

third day of September, 1964.

Cost of this publication is \$ 24.20

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 4th day

September, 19 64.

[Signature]
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

28211

Hailey, Idaho.
Feb-17-1967.

Dear friends,

Irrigation Well, and completion
of works, and Application of water,
Permit No. G-28211.

Please find enclosed the fees.

\$ 21. 00

Please send our Certificate and
License of Water right,

Yours Very truly,

P.O. Box 43, Mrs. Stella Mager.
Hailey, Idaho.

RECEIVED
FEB 14 1967
Department of Reclamation

28211

STATE OF IDAHO

SEP 23 1964

DEPARTMENT OF RECLAMATION

Department of Reclamation

BOISE, IDAHO

Permit No. G 28211

* * * *

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: _____
Mrs. Stella Mizer, Hailey, Idaho, farming, P. O. Box 93, Hailey, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit: G28211, Oct. 15, 1959, Priority October 15, 1959

Ques. 4. State source of water supply: subterranean
Give location of point of diversion, showing subdivision, section, township and range:
SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, Twp 3 N. R18 EBM

Ques. 5. Describe your works of diversion: 173 ft well, 20 inch casing with
60 hp turbine elec pump; state amount of water they are capable of con-
veying from point of diversion to place of use 219 Miner's Give name of canal or ditch
or other works by which water is conducted to such place of use: Canal #20 (Mizer
Ditch); if a well, state depth of well 173 ft.; depth and size of cas-
ing: 20" 173 ft.; depth to water 40 ft; if pump is used,
state discharge of pump: 219 inches; tell how it was measured or determined: portable
cippoletti weir; if sprinkler irrigation, give number and size of nozzles and
operating pressure: surface gravity irrigation

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 : SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 21, 30
acres; ~~all the water in the half of Section 22 excepting NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$~~
~~and $\frac{1}{2}$ of $\frac{1}{2}$ of $\frac{1}{2}$ of NW $\frac{1}{4}$ SW $\frac{1}{4}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec 28, 80 acres; NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 28,~~
35 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.28 15 acres; NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 28 20 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec
28 5 acres. all in T.3 N. R. 18 E.

State nature of all improvements which have been made as a direct result of said use:

30 acres new cultivation in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21 and 35 acres new cultivation in SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$. Balance of water is supplemental to existing decreed right and permits 2 crops of alfalfa and maturity of grain crops.

28211/2

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Gene Walker, Twin Falls, Idaho

Ques. 7. If for other than irrigation purposes, state purpose and how used:
no other use

Ques. 8. What is the minimum amount of water required for the purpose specified above:
219 Miner's inches

Ques. 9. 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:

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: July 7, 1960 Time used since first use:

Each irrigation season since that date

Ques. 11. Describe all other water rights appurtenant to same place of use:

100 inches of 3-24-83, 100 inches of 5-1-86 and 140 inches of 7-1-92.

Existing rights do not cover new cultivation above described

(sign) Mrs. Stella M. Mizer

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

Hailey, County of Blaine

State of Idaho, on this 22 day of September, A.D. 19 64.

[Signature]
Notary Public for Idaho

My Commission expires: 8-10-67

RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G28211

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:

W. R. Watts, 51, Bellevue, Idaho, Deputy watermaster, P. O. Box 172

Bellevue, Idaho

Ques. 2. Are you acquainted with St Mrs. Stella Mizer, the holder of

Permit No. G. 28211 ? How long have you known him and where does he reside:

Yes, 20 years, She resides North of Hailey, Idaho

Ques. 3. Have you read or heard said Permit No. G28211 read, and are you familiar with its provisions and conditions: Yes: Yes No:

Ques. 4. State source of water supply: subterranean

State place of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 20, Twp 3 N. R. 18 EBM

Describe works for conveying water to place of use: Well, elec pump and surface ditch

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 4.38 How much water have you seen being so

conveyed: 4.38 CFS

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving full legal description: Twp 3 N. R. 18 EBM

Sec. 21: SW $\frac{1}{4}$ SW $\frac{1}{4}$ 30 acres; Sec. 28: W $\frac{1}{2}$ NW $\frac{1}{4}$ 80 acres; NW $\frac{1}{4}$ SW $\frac{1}{4}$ 35 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$ 15 acres; NE $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ 5 acres

28211

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

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:

Gravelly loam requires all of the 4.38 cfs together with rotation
with decreed rights

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: None

Ques. 10. When did you first see this water used: July 7, 1960

Other times you have seen such use: Many times each year since that time

(Signed)

W. K. G. [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 Hailey,

 , County of Blaine, State of Idaho, on this 22 day of September,

A. D., ~~1962~~ 1964

Notary Public for State of Idaho

Residing: Hailey, Idaho

My commission expires: 8-10-67

RECEIVED
SEP 28 1964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Reclamation

BOISE, IDAHO

Permit No. G28211

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:

C. L. Potter, 42, Hailey, Idaho, Ranching, P. O. Hailey, Idaho

Ques. 2. Are you acquainted with Mrs. Stella Mizer, the holder of
Permit No. G 28211 ? How long have you known him and where does he reside:

Yes, 14 years, she resides North of Hailey, Idaho

Ques. 3. Have you read or heard said Permit No. G28211 read, and are you familiar
with its provisions and conditions: Yes: Yes No:

Ques. 4. State source of water supply: sebterranean

State place of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.20, T. 3 N. R. 18 EBM

Describe works for conveying water to place of use: well, electric pump and
surface ditch

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4.38 How much water have you seen being so
conveyed: 4.38

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:
TWP. 3 N. R. 18 EBM.

Sec 21: SW $\frac{1}{4}$ SW $\frac{1}{4}$ 30 acres; Sec. 28: W $\frac{1}{2}$ NW $\frac{1}{4}$ 80 acres; NW $\frac{1}{4}$ SW $\frac{1}{4}$ 35 acres;

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 15 acres; NE $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ 5 acres

28211

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

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:

Gravelly loam. It requires all of the above water plus its use
in rotation with decreed right.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so,
in what way and to what extent: None

Ques. 10. When did you first see this water used: July, 1960

Other times you have seen such use: Many times each year since that date

(Signed)

C. L. Potter

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 Hailey

 , County of Blaine, State of Idaho, on this 22 day of Sept.,

A. D., ~~1962~~ 1964

Notary Public for State of Idaho
Residing: Hailey, Idaho

My commission expires: 8-10-67

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 5, 1964

(P. O.) Hailey, 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 Hailey, Times of
Hailey, Idaho published in the
county in which the works are situated.

Mrs. Stella Meyer

(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

28211

AUG 7 1964

10/1/63

NOTICE OF PROOF OF COMPLETION OF WORKS

Department of Reclamation

and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2 p.M., on the 22nd day of September 1964, at Hailey, County of Blaine, State of Idaho, before V. K. JEPPESEN, Notary Public, at (address) 113 South Main Street, proof will be submitted of the completion of works for the diversion of 4.38 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 28211, 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 STELLA MIZER, Hailey, Idaho
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.38 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 4.38 cubic feet per second.
4. The point of diversion of said water is SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20 Twp. 3 N. R 18 E.B.M.
5. The place where said water is used is SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21; NW $\frac{1}{4}$ of Section 28; NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 28; and Tax Lot 2059 being a portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33 all in Twp. 3 N. Range 18 E.B.M.
6. The date of priority which said user is prepared to establish is October 15, 1959.

CARL E. TAPPAN

State Reclamation Engineer

28211

Re: Permit No. **G-28211**
Stella Miser

Date: **August 7, 1964**

Hailey Times,
Hailey, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to September 22, 1964 the date set for proof; the expense of the publication is to be paid by the applicant Stella Miser of Hailey, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication. **

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense

28211

Re: Permit No. **G-28211**

August 7, 1964

**Stella Miser,
Hailey, Idaho.**

Dear Mrs. Miser:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. **G-28211**. The proofs are to be made at **2:00** o'clock **P.M.**, on the **22nd** day of **September**, 19 **64**, before **V. R. Jeppesen, 113 South Main Street, Hailey, Idaho**, Notary Public.

As of this date, we have mailed the Notice to the **Hailey Times** **Hailey, Idaho**, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. 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, the 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

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

28211

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

July 31, 1964

Re: Permit No. G- 28211

Mrs. Stella Mizer
Box 93
Hailey, Idaho

Dear Mrs. Mizer:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 2 8211 are due not later than Oct. 15, 1964

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,

CARL E. TAPPAN

State Reclamation Engineer

Enclosures Form 36 and 11

28211

RECEIVED

JUL 28 1964

Department of Reclamation

Hailey, Idaho.
July - 27 - 1964

State Water Master.

Dear Friends,

We turned on our irrigation pump last Thursday July 23.

We are trying to prove up on our water. Attorney Jepperson here at Hailey has the permit. Where the water was granted to us.

Will you please come over and measure the pump water. We have just got from now until Oct-25. to make final proof on the water.

We live on a ranch 3 miles north of Hailey, Idaho.

our ranch is $\frac{1}{4}$ mile east of the high way

28211

and railroad track.

Almost anyone in
Hailey. can tell you
where we live,

Come to the house
then we can tell you
where to find the
irrigation pump.

We hope to see you
soon. Thank you.

Yours Truly.

Mrs. Stella Mizer
Hailey.

P.O. Box 93. Idaho.
83333

28211

28211

July 28, 1964

Re: Permit No. 28067

Edwin J. Strandberg
Tamarack, Idaho

Dear Mr. Strandberg:

Returned herewith is the amendment to point of diversion with blank form

The permit shows point of diversion in SE¹/₄SE¹/₄, Sec. 30. The requested change must show the number of points described by 40-acre subdivisions.

There is a fee of \$1.00 for recording an amendment.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. amendment
blank form

July 28, 1964

Re: Permit No. G-28211

Mrs. Stella Mizer
P. O. Box 93
Hailey, Idaho

Dear Mrs. Mizer:

We received your letter in regard to present use of the water from your well.

Normally, the inspection is made after the proofs of use of the water have been completed, however, if the inspector is in your area and has time, the inspection will be made this summer.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

28211

October 27, 1959

Re: Permit No. G-28211
Mrs. Stella Mizer

Mr. Joseph McFadden,
Attorney at Law,
Hailey, Idaho.

Dear Mr. McFadden:

We enclose Permit No. G-28211 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-4390 which was issued covering payment in the amount of \$6.50 for the filing fee of the above mentioned permit.

Very truly yours,

WEO. N. CARTER
State Reclamation Engineer
By

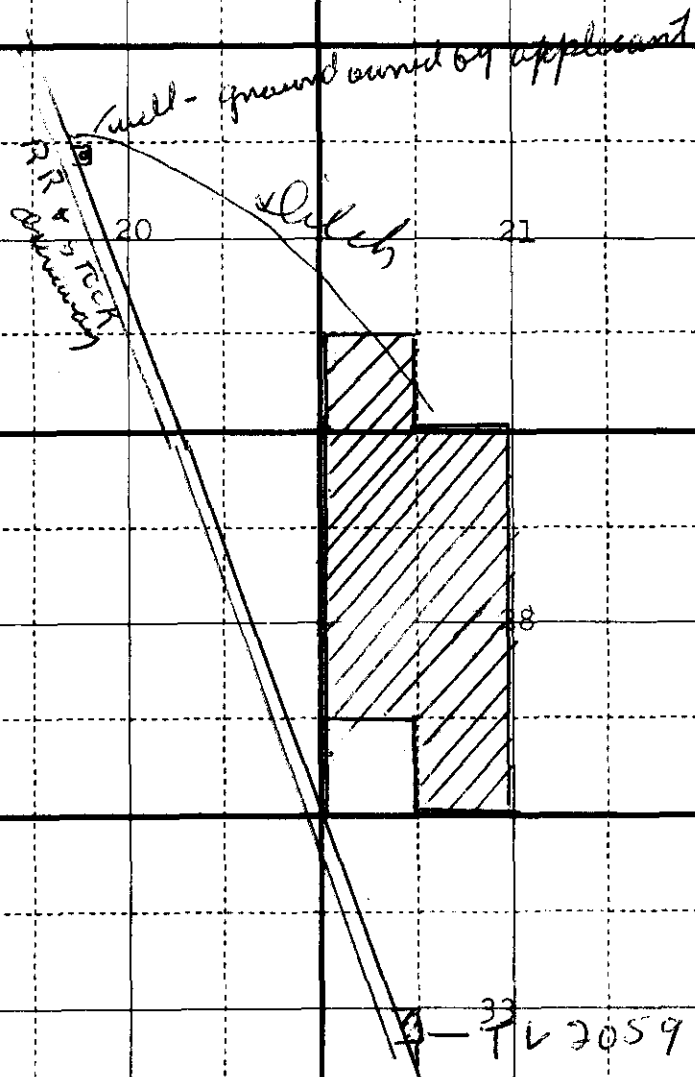
(Mrs.) Edna P. Rutledge
Chief Clerk

Encl.
EPR:pmk
cc: Mrs. Stella Mizer
Hailey, Idaho

NAME OF APPLICANT STELL AIZER, a widow

Form No. 0

TOWNSHIP #3 NORTH,
RANGE 18 EAST OF THE
BOISE MERIDIAN,
BLAINE COUNTY, IDAHO



Permit Map No. 28211
As Approved OCT 15 1959
GEO. N. CARTER
State Reclamation Engineer

JOSEPH MCFADDEN
ATTORNEY AT LAW
HAILEY, IDAHO
October 8, 1959

RECEIVED
OCT 12 1959
Department of Reclamation

George N. Carter
State Reclamation Engineer
State House,
Boise, Idaho

Re: Stella Mizer

Dear Sir:

Enclosed is check of Mrs. Mizer's and application for permit for well on her property.

She has recently purchased a small portion of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20 3 N., Range 18 E.B.M. where it is indicated that the well is situated, and the well is now dug adjacent to the right away for her ditch carrying her decreased rights from Wood River down to her ranching ground. The well is on the ground which she purchased from Mr. Mendiola, and the deed has been recorded.

If you have any further questions concerning this matter please do not hesitate to write me.

Yours Truly,


Joseph McFadden

7/30 1964

**NOTICE OF PROOF OF COM-
PLETION OF WORKS
and
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 2 p. m., on the 22nd day of September 1964, at Hailey, County of Blaine, State of Idaho, before V. K. Jeppesen, Notary Public, 113 South Main Street, proof will be submitted of the completion of works for the diversion of 4.38 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-28211, 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 Stella Mizer, Hailey, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.38 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 4.38 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20 Twp. 3 N. R 18 E. B. M.

5. The place where said water is used is SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21; NW $\frac{1}{4}$ of Section 28; NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 28; and Tax Lot 2059 being a portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33 all in Twp. 3 N. Range 18 E. B. M.

6. The date of priority which said user is prepared to establish is October 12, 1959.

CARL E. TAPPAN
State Reclamation Engineer
Pub. 8/13 - 9/3

28211