

37-02584

LAND BOUGHT BY
VALLEY ENTERTAINMENT

Acres claimed
A37-02584
270 Total acres

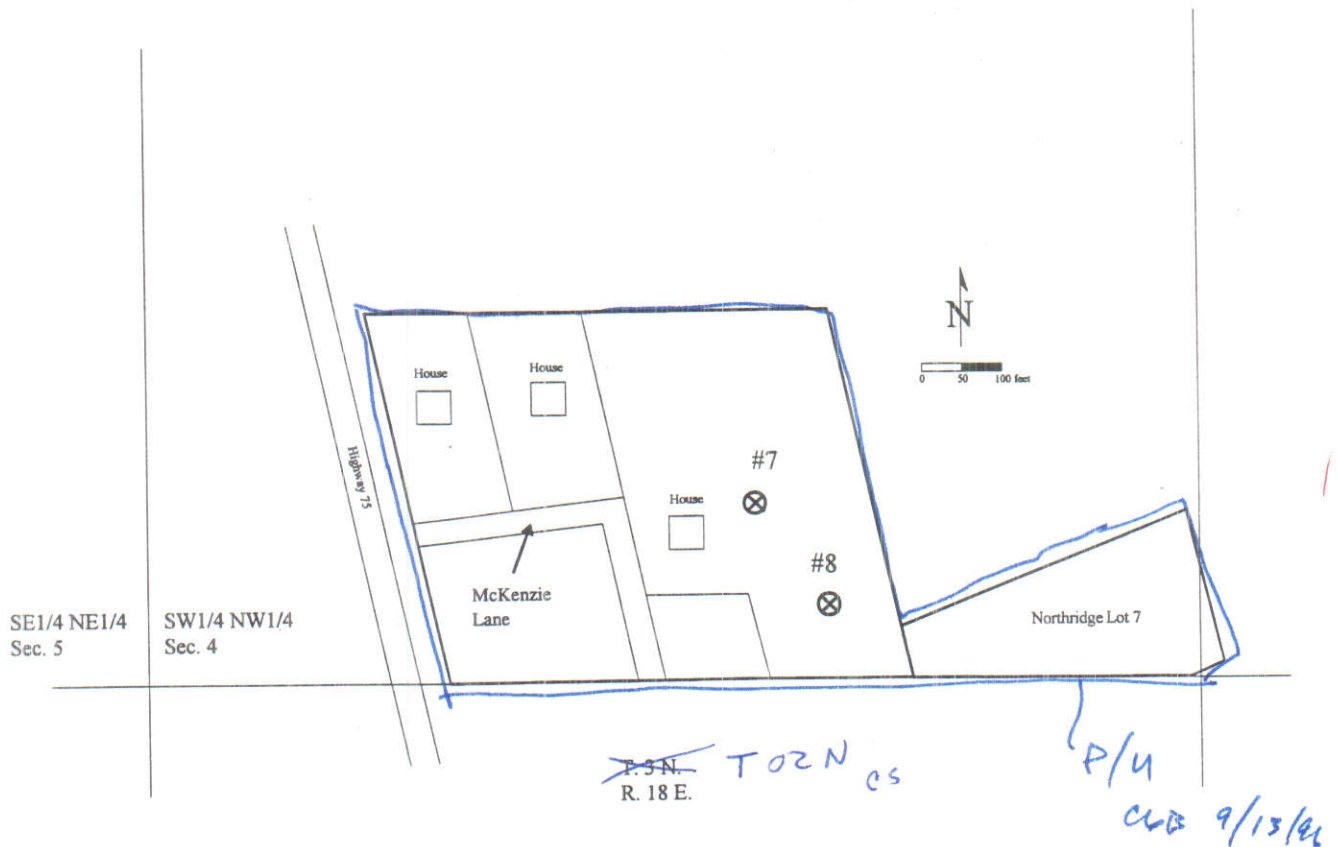
Licensed Acres
37-02584
40 Total acres

Y72
R16E
T015

T # 4983

MICROFILMED
APR 23 2002

* DATABASE SHOWS NO ADDITIONAL WR OR AS CLAIMS FOR LAND HIGHLIGHTED IN BLUE



⊗ Points of diversion (wells)

Willis property on McKenzie Lane and in Northridge Subdivision No. 1 - diagram for transfers of ~~37-08461~~, ~~37-08647~~, and 37-02584.

THESE RIGHTS ARE TO
BE USED WEST OF HIGHWAY 75
IN A SEPERATE SYSTEM(S).
SEE COMPANION TRANSFERS.
ONLY A PART OF 37-02584
IS PROPOSED TO BE USED
ON THE PROPERTY SHOWN
ABOVE.

P.S.

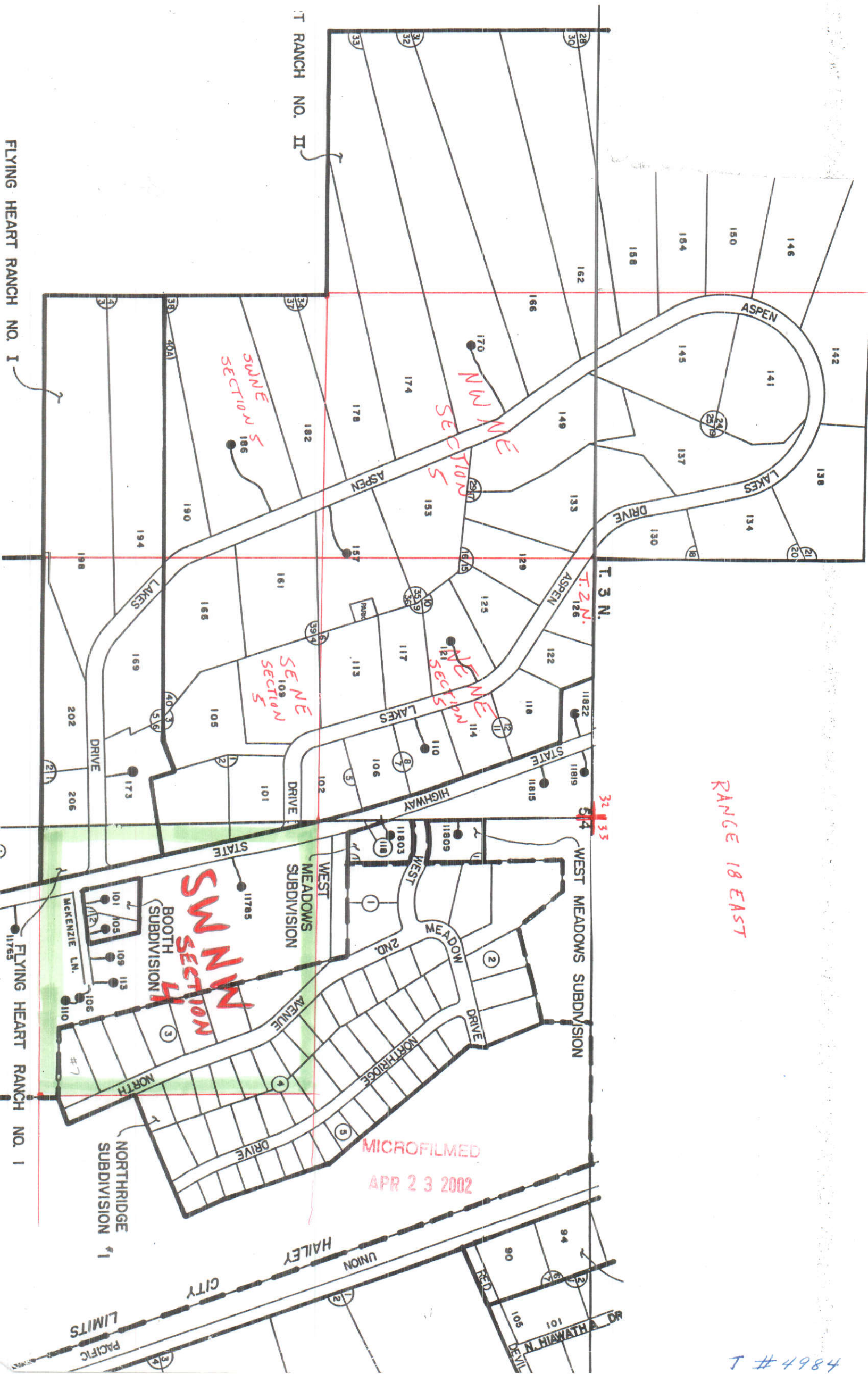
MICROFILMED

APR 23 2002

RANGE 18 EAST

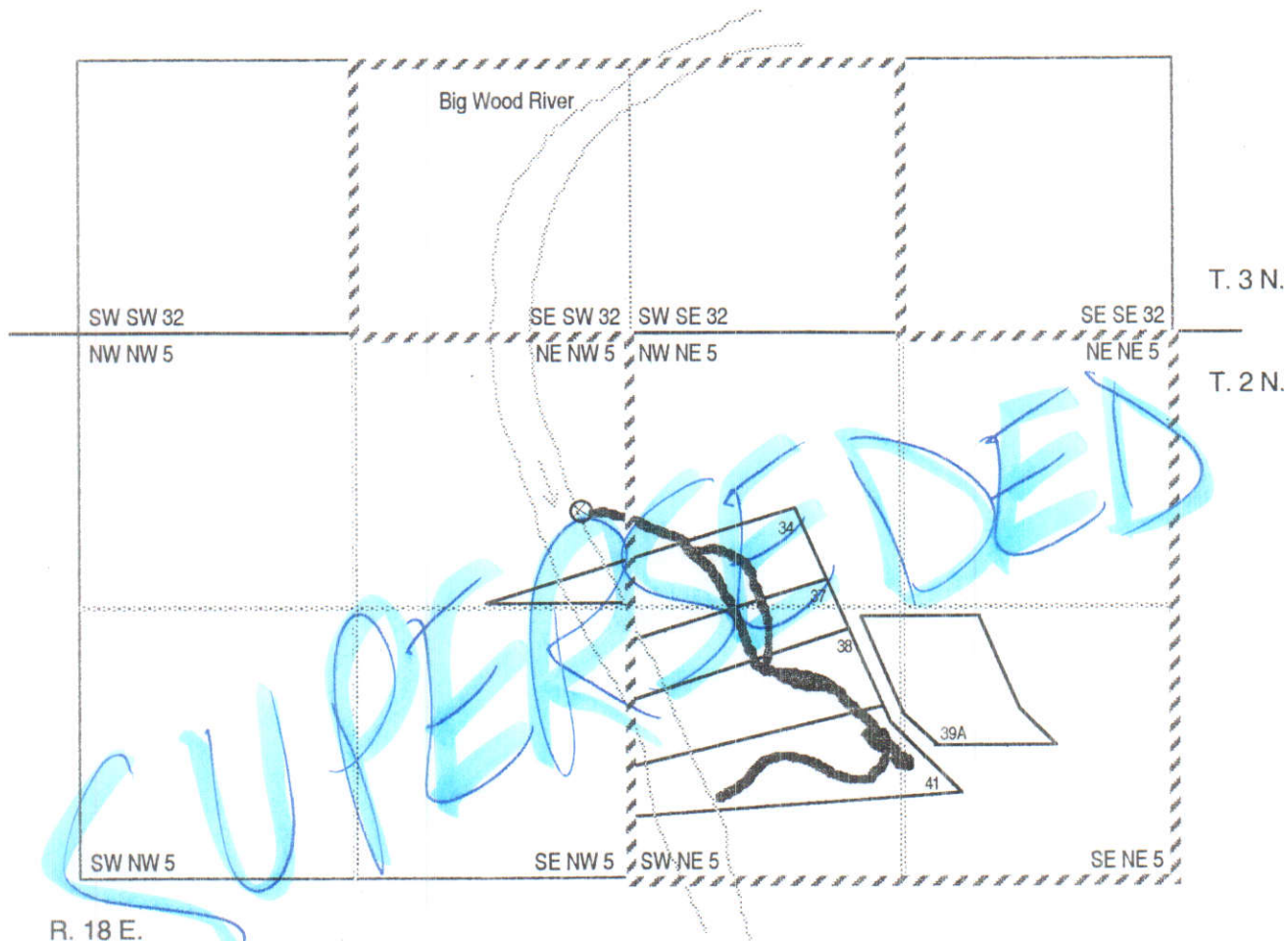
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APR 23 2002

T # 4984



FLYING HEART RANCH NO. II

FLYING HEART RANCH NO. I

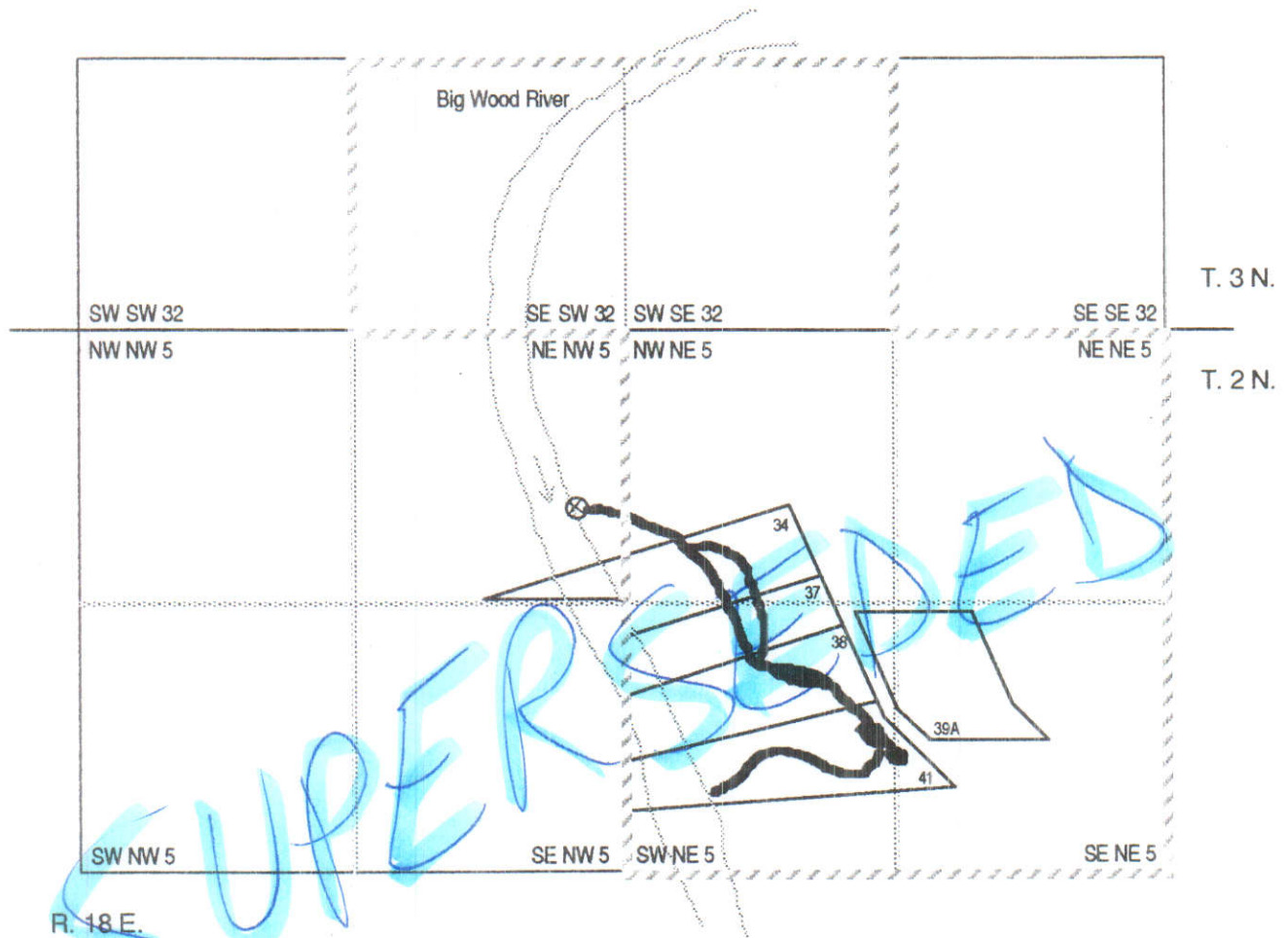


- Place of use listed in decree
- Place of use in ditch/pond system
- Point of diversion

Willis Big Wood river rights - diagram for transfers of 37-00557, 37-00558, 37-00559, and 37-0577BT

MICROFILMED

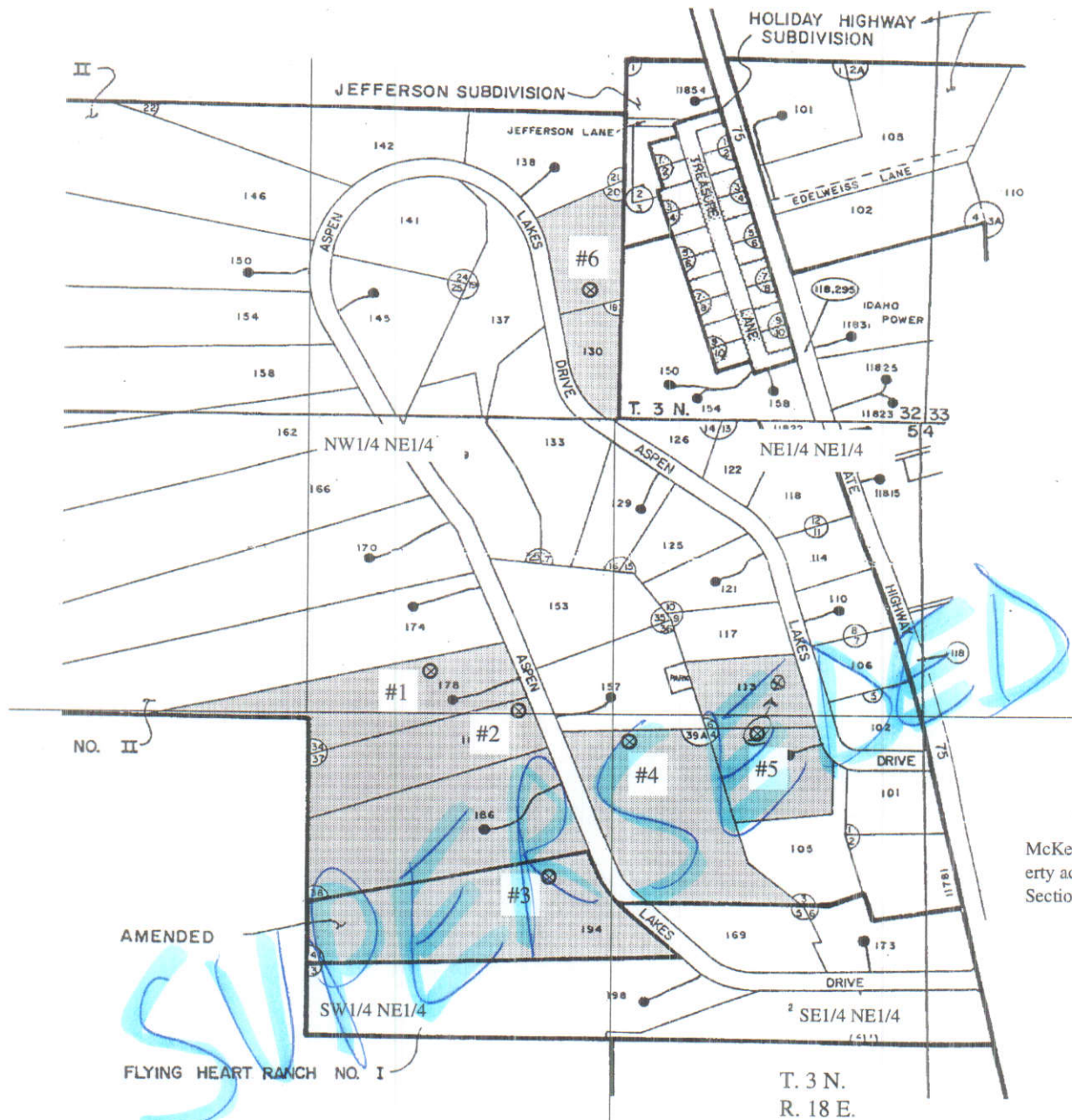
APR 23 2002



-  Place of use listed in decree
-  Place of use in ditch/pond system
-  Point of diversion

Willis Big Wood river rights - diagram for transfers of 37-00557, 37-00558, 37-00559, and 37-0577BT

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APR 23 2002



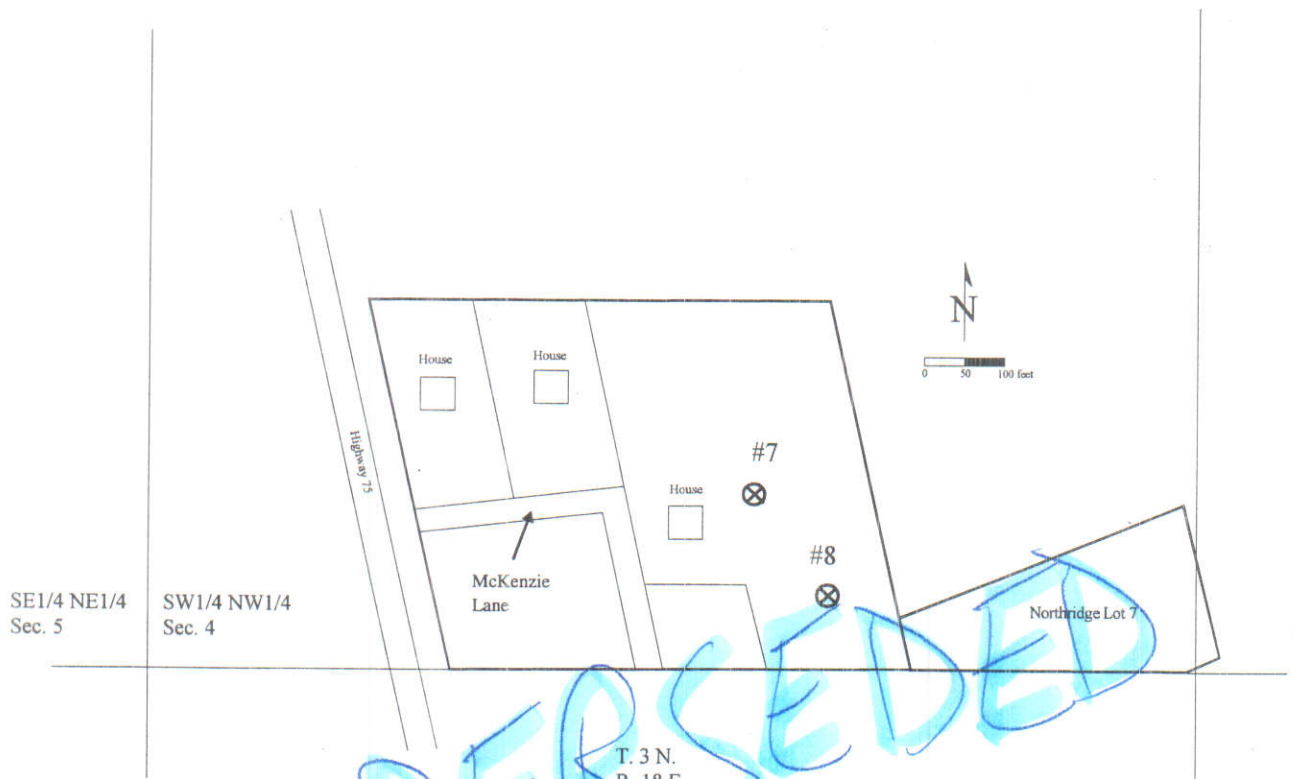
⊗ Point of diversion (well)

Scale: 1" = 500' (approx.)

Willis property in Flying Heart Ranch - diagram for transfers of 37-08461, 37-08647, and 37-02584.
Property owned is shown shaded. P/U is within these lots as indicated on transfers.

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APR 23 2002



⊗ Points of diversion (wells)

Willis property on McKenzie Lane and in Northridge Subdivision No. 1 - diagram for transfers of 37-08461, 37-08647, and 37-02584.

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APR 23 2002

5 Rev 3 Minutes 44 Second

$$\frac{780}{224} \times 99 = 221 \text{ cts or } 110\frac{1}{2} \text{ inches}$$

R-16 E.

TO HAILEY

BOISE

BASE

LINE

5

4

P.D.D.

3

T.

S.

Dry

40 30 30 10

110

40 40 40 40

160

40 40 40 30

150

40

40

40

40

TO FAIRFIELD
10 miles

500

Subdivisions 14

Area 500 acres

Q 221 cts or 110 1/2 inches

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.
-

RECEIVED
AUG 30 1961
Department of Reclamation

4F110
41F110

W. D. Simon
Fairfield, Idaho

Permit No. G-25991.....

Examination for Completion of Works & Beneficial Use

County Camas.....

Sec. 4 T. 1 S. R. 16 E.

Quantity: 3.2 a.c.s.

Source: well

P.D.: SE. 1/4, Sec. 4, T. 1 S., R. 16 E. B. N.

Use: Irrigation & Domestic

Filed: Oct. 4, 1955

Due: Oct. 4, 1960

Extension: —

Completion of Works: —

Other Rights: none

SEP 2 1960
Department of Reclamation

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

NOTICE IS HEREBY GIVEN, That at 10 A.M., on the 26th day of September, 1960, at Fairfield, County of Camas, State of Idaho, before T. T. Wokersien, Notary Public, at Fairfield, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 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. G25991, 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 W. D. Simon, Fairfield, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water said works are capable of conveying to the place of use is 3.2 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, Township 1 S., Rge. 16 E. B. M., Camas County, Idaho.

5. The place where said water is used is SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4, N $\frac{1}{2}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 9, Twp. 1 S., Rge. 16 E. B. M.; S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 5, and E $\frac{1}{2}$ E $\frac{1}{2}$ of Sec. 8, Twp. 1 S., Rge. 16 E. B. M.

6. The date of priority which said user is prepared to establish is October 4th, 1955.

GEO. N. CARTER,
State Reclamation Engineer.
Publish Aug. 25, Sept. 1, 8, and 15, 1960.

G25991

AFFIDAVIT
OF PUBLICATION

STATE OF IDAHO, }
COUNTY OF CAMAS, } ss.

ORIN N. GARRETT, being first duly sworn, on his oath, states: That he is publisher of the Camas County Courier, a newspaper of general circulation in Camas County, Idaho, published weekly at Fairfield, in said county. That said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks prior to the first publication of the annexed Notice of Proof of Completion of Works, etc.

and that said Notice

was published as per clipping attached, in the regular and entire edition of said newspaper and not in any supplement thereof, in four

consecutive issues, the date of the first publication being the

25th day of August,

1960, and the last publication being the

15th day of September, 1960.

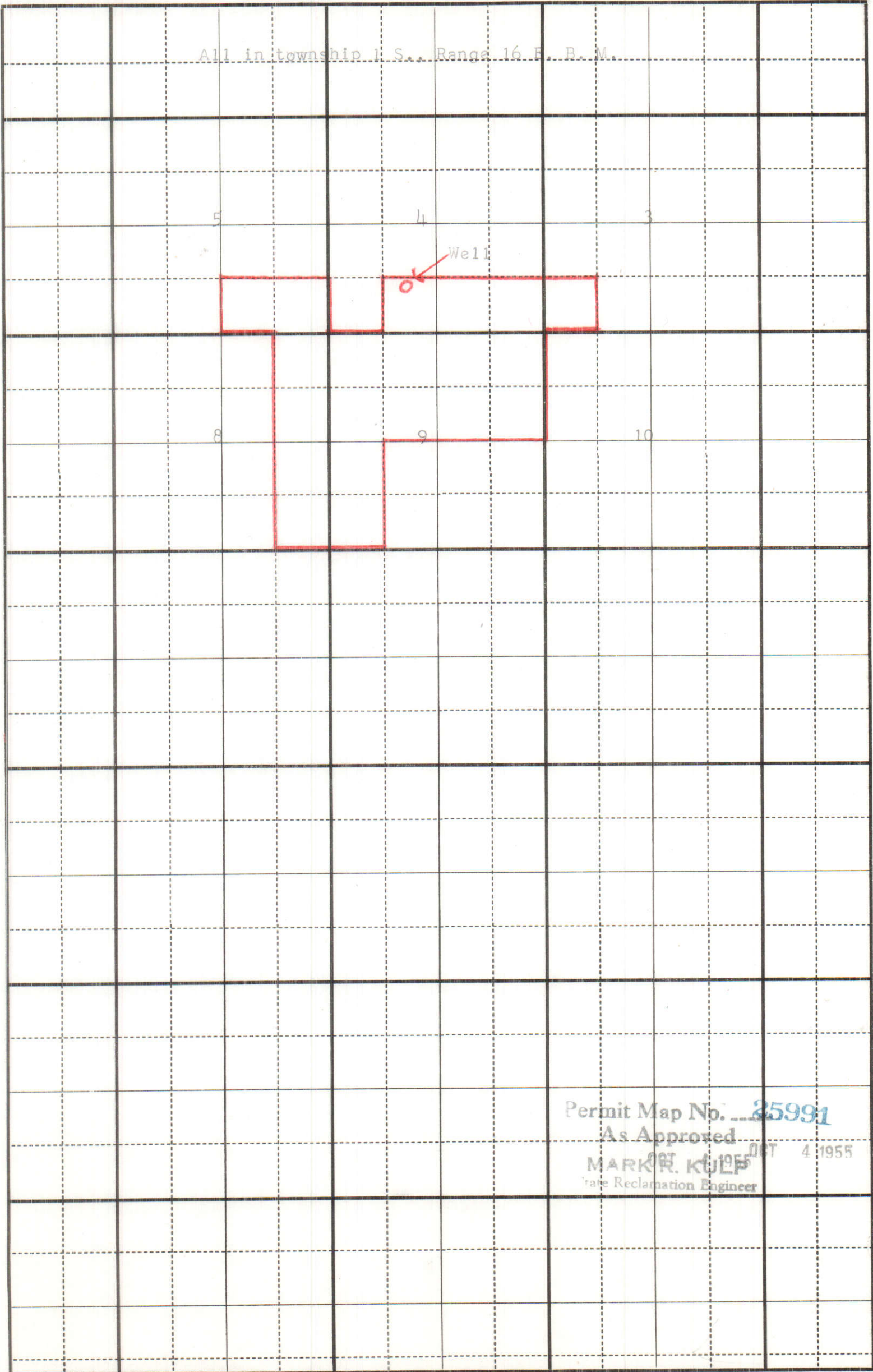
Orin Garrett
Publisher.

Subscribed and sworn to before me this 16th day of September, 1960.

Tom Wokersien
Notary Public Residing in Fairfield, Idaho.

NAME OF APPLICANT W. D. Simon

Form No. 0



Permit Map No. 25991
As Approved
MARK R. KULF
State Reclamation Engineer
OCT 4 1955

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

25991

**NOTICE OF PROOF OF
COMPLETION OF WORKS**

**an
APPLICATION OF WATER
TO BENEFICIAL USE**

NOTICE IS HEREBY GIVEN, That at 10 A.M., on the 26th day of September, 1960, at Fairfield, County of Camas, State of Idaho, before T. T. Wokersien, Notary Public, at Fairfield, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 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. G25991, 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 W. D. Simon, Fairfield, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water said works are capable of conveying to the place of use is 3.2 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to benefi-

cial use is 3.2 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, Township 1 S., Rge. 16 E. B. M., Camas County, Idaho.

5. The place where said water is used is SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4, N $\frac{1}{2}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 9, Twp. 1 S., Rge. 16 E. B. M.; S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 5, and E $\frac{1}{2}$ E $\frac{1}{2}$ of Sec. 8, Twp. 1 S., Rge. 16 E. B. M.

6. The date of priority which said user is prepared to establish is October 4th, 1955.

GEO. N. CARTER,

State Reclamation Engineer.
Publish Aug. 25, Sept. 1, 8, and
15, 1960.

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

RECEIVED

FEB 12 2002

Department of Water Resources

IN THE MATTER OF APPLICATIONS)	DEFAULT ORDER IN PART
FOR TRANSFER NOS. 4983, 4984,)	AND WITHDRAWAL OF
4988, 4989 AND 4990 IN THE NAME)	PROPOSED DEFAULT IN PART
<u>OF W. BRUCE WILLIS</u>)	

This matter having come before the Idaho Department of Water Resources ("Department") as applications for transfer, the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On December 24, 2001 the Department served a NOTICE OF PROPOSED DEFAULT ORDER ("notice") upon W. Bruce Willis ("Applicant") for failure to respond to information requests made to the Applicant regarding his continuing interest in the above captioned applications.
2. The Applicant responded to the notice through his attorney, Ned C. Williamson by filing a PETITION CHALLENGING PROPOSED DEFAULT ORDER ("petition") dated December 31, 2001.
3. The petition specifically states the Applicant wishes to proceed with Applications for Transfer Nos. 4988, 4989 and 4990 and requests that default not be entered in connection with these applications.
4. The petition did not state the Applicant's continuing interest in Applications for Transfer Nos. 4983 and 4984 and did not show grounds why a default order should not be entered for these applications.

CONCLUSIONS OF LAW

1. IDAPA Rule 37.01.01702 (Rule of Procedure 702) authorizes the Department to withdraw a Notice of Proposed Default Order upon a satisfactory showing why a default order should not be entered.
2. Rule of Procedure 702 also authorizes the Department to issue a Default Order for failure to respond to the Notice of Proposed Default Order.
3. The Department should withdraw the Notice of Proposed Default Order for Applications for Transfer Nos. 4988, 4989 and 4990 and should issue a Default Order for Applications for Transfer Nos. 4983 and 4984.

MICROFILMED

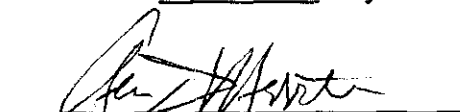
APR 23 2002

ORDER

IT IS THEREFORE, HEREBY ORDERED that Applications for Transfer Nos. **4983** and **4984** are **SET ASIDE** and **DISMISSED** and will not be further considered by the Department.

IT IS FURTHER HEREBY ORDERED that the Notice of Proposed Default issued by the Department on December 31, 2001 in connection with Applications for Transfer Nos. **4988**, **4989** and **4990** is **WITHDRAWN** and that the applications will be further considered by the Department.

Dated this 7th day of January, 2002.



ALLEN MERRITT, P.E.
Southern Region Manager (Presiding Officer)

MICROFILMED

APR 23 2002

CERTIFICATE OF MAILING

I hereby certify that on the 7th day of January, 2002 a true and correct copy of the above and foregoing Default Order In Part and Withdrawal of Proposed Default Order In Part was forwarded with all required charges prepared, by Regular U.S. Mail to the parties listed:

Mary Baldwin

Secretary

EDWARD SIMON ESQ
131 WEST 4TH STREET
PO BOX 540
KETCHUM ID 83340

DEBBIE JOHNSON
PO BOX 3212
HAILEY ID 83323

CHARLES G. BROCKWAY
BROCKWAY ENGINEERING
2016 N WASHINGTON ST - ST# 4
TWIN FALLS ID 83301

DOUGLAS WERTH
BLAINE COUNTY PROSECUTING ATTORNEY
PO BOX 2360
KETCHUM ID 83340

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

WOOD RIVER VALLEY IRR DIST #45
C/O JAMES EAKIN DIRECTOR
PO BOX 296
BELLEVUE ID 83313

NED WILLIAMSON
115 SECOND AVE SOUTH
HAILEY ID 83323

MICROFILMED

APR 23 2002

MAILING LIST
PROTESTED TRANSFERS NOS. 4983 & 4984 (37-02584-BRUCE WILLIS

Applicant:

W. BRUCE WILLIS
C/O EDWARD SIMON ESQ
131 WEST 4TH STREET
PO BOX 540
KETCHUM ID 83340

NED WILLIAMSON
115 SECOND AVE SOUTH
HAILEY ID 83323
Tele# 788-6688

DEBBIE JOHNSON
PO BOX 3212
HAILEY ID 83323

Application Filed by Consultant:

CHARLES G. BROCKWAY
2016 NORTH WASHINGTON STREET
SUITE # 4
TWIN FALLS ID 83301

Protestants:

DOUGLAS WERTH
BLAINE COUNTY PROSECUTING ATTORNEY
PO BOX 2360
KETCHUM ID 83340

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

Protestant on TR# 4983 ONLY:

WOOD RIVER VALLEY IRRIGATION
DISTRICT #45
C/O JAMES EAKIN DIRECTOR
PO BOX 296
BELLEVUE ID 83313

MICROFILMED

APR 23 2002

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

IN THE MATTER OF APPLICATIONS)
FOR TRANSFER NOS. 4983, 4984,)
4988, 4989 AND 4990 IN THE NAME)
OF W. BRUCE WILLIS)

**NOTICE OF
PROPOSED DEFAULT ORDER**

This matter having come before the Idaho Department of Water Resources ("Department") as applications for transfer, the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On February 20, 1996, W. Bruce Willis ("applicant") through Joseph McAllister, having power of attorney from the applicant, filed Applications for Transfer Nos. 4983, 4984, 4988, 4989 and 4990 ("applications") with the Department proposing to modify water rights associated with lands in Blaine County, Idaho. Brockway Engineering prepared the applications for the applicant.

2. On October 16, 1996, the applicant modified applications 4983, 4984, 4989 and 4990.

3. The Department advertised the applications on January 22 and 29, 1997. Applications 4983 and 4984 were subsequently protested by Blaine County and Flying Heart Ranch Owners Association. Wood River Valley Irrigation District #45 protested application 4983. The Department has held all the applications pending resolution of the contested cases.

4. During 1998, the Department held hearings for protested applications for transfer filed in the names of Dennis M. Baker and Huf-N-Puf Trust. The applications proposed modifications to water rights similar to those proposed by the applicant. The Department denied both the Baker and Huf-N-Puf applications.

5. On April 4, 2001, the Department corresponded with the applicant and Joseph McAllister inquiring of their continuing interest in the applications in light of the 1998 decisions for the Baker and Huf-N-Puf applications and sent a copy of the letter to Brockway Engineering. The contact was made in an effort to schedule a formal hearing for the protested applications. Neither the applicant nor his representative responded to the inquiry.

6. Based on information provided by Brockway Engineering that legal representation for the applicant may have changed, on November 9, 2001, the

Department corresponded with Ned Williamson seeking information of continued interest in the applications. The Department sent a copy of the correspondence to Debbie Johnson and Brockway Engineering. Neither Mr. Williamson nor Ms. Johnson responded.

CONCLUSIONS OF LAW

1. IDAPA Rule 37.01.01700 (Rule of Procedure 700) authorizes the Department to issue a Notice of Proposed Default for Failure to Respond to a written inquiry.
2. The Department should enter a Notice of Proposed Default for Failure to Respond to a written request for information about the applications and for failure to show a continuing interest in the applications.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the Department plans to enter a Default Order **SETTING ASIDE** Applications for Transfer Nos. 4983, 4984, 4988, 4989 and 4990 as provided in IDAPA Rule 37.01.01702 (Rule of Procedure 702).

Dated this 24th day of December, 2001.



ALLEN MERRITT, PE
Southern Region Manager (Presiding Officer)

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of December, 2001 a true and correct copy of the above and foregoing Notice of Proposed Default Order was forwarded with all required charges prepared, by Regular U.S. Mail to the parties listed:

Mary Baldwin

Secretary

EDWARD SIMON ESQ
131 WEST 4TH STREET
PO BOX 540
KETCHUM ID 83340

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

JOSEPH MCALLISTER
PO BOX 3212
HAILEY ID 83333

WOOD RIVER VALLEY IRR DIST #45
C/O JAMES EAKIN DIRECTOR
PO BOX 296
BELLEVUE ID 83313

CHARLES G. BROCKWAY
BROCKWAY ENGINEERING
705 SUNRISE BLVD NORTH
TWIN FALLS ID 83301

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BLAINE COUNTY PROSECUTING ATTORNEY
PO BOX 2360
KETCHUM ID 83340

DEBBIE JOHNSON
PO BOX 3212
HAILEY ID 83323

MICROFILMED
APR 23 2002

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.

1. Name of water right holder United States of America, USDA, Farmers Home Admini-
Post office address 3232 Elder Street, Boise, Idaho 83705 stration

2. The right was obtained or is evidenced by: (formerly owned by Richard Giesler)
n/a

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____. Fully describe decree _____

b. License No. 37-2584 issued by the Department of Water Resources. (old G-25991)

c. Claim No. via A37-02584 on file with the Department of Water Resources.

3. Source of water Ground Water (Well) tributary to n/a
(Name of stream or source)

4. Date of priority of right 10/04/55

5. Amount of water a. 2.21 c.f.s. and/or

b. 675 805 ¹²⁻¹⁻⁷² acre feet/annum

6. Water is used for Irrigation from 4/15 to 10/15
from _____ to _____
from _____ to _____
(Purpose) (Month-Day) (Month-Day)

7. Location of point of diversion is SE 1/4 SW 1/4 of Section 4
Township 1S, Range 16E, B.M., in Camas County;
Additional points of diversion, if any _____

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	
1S	16E	4											40			40	40		120
		3										20							20
		9	40	40	10	10	30												130

Total number of acres irrigated 270

JUN 30 1993

9. Give last date when water was applied to beneficial use 1987 crop year October 1
Length of extension of time requested 5 years, or until October 1, 1997
(Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use This property has been in government inventory since 1985. It was rented in 1986 & 1987. Since that time FmHA has anticipated its sale. However, changes in the law regarding former owner's rights & wetlands issues have kept a moratorium against its sale. An extension is requested to protect the future owner's priority date for this water.

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.

[Signature]
ACTING COUNTY SUPERVISOR (Signature of Applicant)

Subscribed and sworn to before me this 25th day of November, 19 92.

[Signature]
(Notary Public)

My commission expires 3-6-94

Residing at Jerome, Idaho

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 APPROVED said application subject to the following conditions or reasons.

Permit holder must resume use of water under this permit on or before
October 1, 1997.

Witness my hand this 7th day of June, 19 93.

[Signature]
L. Glen Saxton, Chief, Water Allocations

For Department Use Only

Received by MTS Date 11-30-92 Time 10 am Preliminary check by [initials]
Fee \$ 50.00 Receipted by MTS Date 11-30-92 Publication prepared by [initials]
Published in The Shoshone Dates 3/30 & 4/6/93
Publication approved by MB Date 5-21-93 Protests filed by: _____

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

JUN 30 1993

RECEIVED

AFFIDAVIT OF PUBLICATION

MAY 21 1993

Department of Water Resources
Southern Region Office

STATE OF IDAHO)
ss.)
County of Camas)

Chelsea Costello, being first duly sworn, deposes and says that he/she is the designated agent for publisher of the Snowshoe, a newspaper published every week in Fairfield, County of Camas, 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, a copy of which is hereto attached, was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 30 day of March, 19 93, and the date of the last publication was on the 6 day of April, 19 93.

Chelsea Costello

Subscribed and sworn to before me this 19 day of MAY, 19 93.

[Signature]
Notary Public in and for
The State of Idaho.
Residing at Fairfield.

THE SNOWSHOE
Fairfield, Idaho
Cost of Publication

Number of lines in notice 34
Number of insertions 2
Cost for advertisement 46.00

37-2584

OK MB
5-21-93

RECORDED

JUN 30 1993

* See reverse *

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

No. 37-02584

Notice is hereby given that USDA-FHA
of Boise, ID has applied to the
Department of Water Resources for an
extension of time to avoid
forfeiture of a portion of a water
right No. 37-02584. The right was
obtained and is evidenced by a
License and is recorded as follows:

Amount: 2.21 cfs

Priority: 10/04/1955

Source: groundwater

Point of Diversion : SE1/4SW1/4,
S4, T01S, R16E; Camas County.

Place of use: irrigation of 500
acres within the SW1/4SW1/4, S3,
T01S, R16E; SE1/4SW1/4, S1/2SE1/4,
S4, T01S, R16E; NE1/4, NW1/4,
W1/2SW1/4, S9, T01S, R16E.

The extension is requested to avoid
loss of the water right due to
non-use.

WATER RIGHT CLAIMED IN SNAKE RIVER
BASIN ADJUDICATION AND RECORDED AS
FOLLOWS:

Water Right No. A37-02584

Priority Date: 10/04/1955

Name: USDA-FMHA

Basis of right: Licensed Right No.
37-02584

Source: groundwater

Use: irrigation (2.21 cfs)
from 04/01 to 11/01

Point(s) of Diversion: SE1/4SW1/4,
S4, T01S, R16E; Camas County.

Place of Use: irrigation of 270
acres within SW1/4SW1/4, S3, T01S,
R16E; SE1/4SW1/4, S1/2SE1/4, S4,
T01S, R16E; NE1/4, NE1/4NW1/4, S9,
T01S, R16E; Camas County.

Any protests against the approval of
the above proposed request described
above must be filed with the
Director, Dept. of Water Resources,
Southern Region, 222 Shoshone Street
East, Twin Falls, ID 83301 on or
before April 16, 1993.

R. Keith Higginson, Director

Published in The Snowshoe on 3/30 &
4/6/93

OK
MB
5-21-93

RECORDED

JUN 30 1993

State of Idaho
License and Certificate of Water Right

Water License No. G-25991

Amount 2.21 c.f.s.

Water District No.

Priority Oct. 4, 1955

THIS IS TO CERTIFY that

W. D. SIMON

of Fairfield, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 4, 1955; that Permit No. G-25991 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.21 second feet, was issued thereunder on September 18, 1961, showing that said works were completed on the 26th day of September, 1960; and that on the 26th day of September, 1960, W. D. SIMON

of Fairfield, 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 irrigation & domestic use, under Use Permit No. G-25991 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

11 of Licenses at page 7163, on the 18 day of September, 1961;

The right hereby confirmed dates from: October 4, 1955;

The Point of Diversion is located

in the SE 1/4 SW 1/4, Sec. 4, Tp. 1 S, R. 16 E., B. M. Camas 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 2.21 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	16 E.	3	SW 1/4 SW 1/4	40	10
			SW 1/4 SE 1/4	40	30
			SW 1/4 SE 1/4	40	30
			SE 1/4 SW 1/4	40	40
		9	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	30
			NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			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 18 day of September, 1961.

s/ RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

37 2584

37-2584

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-33867
Permit No. G- 25991
District No.

W. D. Simon
Fairfield
Idaho

1. Name of Applicant: W. D. SIMON
Postoffice address: Fairfield County: Camas State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 3.2 or Idaho
Miners' inches 160 or gallons per minute. 42600
 - (b) Annual withdrawal in acre feet per annum 4000
3. Source of water supply: subterranean from well
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 4
Twp. 1 S. , Rge. 16 E. , B.M., County of Camas, Idaho
5. Water is to be used for: irrigation and domestic purposes
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: drilled and cased well with pump and motor
8. Estimated cost of works: \$10,000.00
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: none
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 3.2 (cubic feet per second, inches or gallons per minute) is for new lands.

Size of hole-15 1/2", Total depth-2 , Depth of Water standing from rface-95', Pump Test Drawdown-40', 1/4" x 15 1/2" casing-208', perforations-400 3/8" blade located 100' to 208' from surface of ground. Begun Aug. 13, 1955, Completed August 23, 1955. 8" bowls, 6" column.

From Ft. to Ft.
0-3 - Surface soil; 3-4 - Hard pan; 4-90 - Brown clay-some sand and gravel; 90-96 - Lava water; 96-108 - Gravel; 108-153 - Gravel some brown clay; 153-188 - Sand and gravel; 188-208 - Sand, Gravel some clay.
Remarks: I intend to use both pipe and sprinkler system and ditches onto land to be irrigated.

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.

W. D. SIMON Applicant.

By CHARLES SCOGGIN Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. Oct. 4, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-25991

Recorded in Book 91 Page 25991 Approved Oct. 4, 1955

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 December 4, 1955 and to continue diligently 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 4, 1958

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before October 4, 1960

Witness my hand this 4th day of October, 1955

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and IRA H. MASTERS, 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 4th day of October, 1955.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS

By ROBERT E. SMYLLIE
Governor

By PAULA L. FLEENOR
Secretary of State.

Deputy Secretary of State

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	
1 S	16 E	3											40						40
1 S	16 E	4											40				40	40	120
1 S	16 E	5														40	40	80	
1 S	16 E	8	40			40								40			40	160	
1 S	16 E	9	40	40	40	40	40	40	40	40	40							400	

Total Number of Acres to be Irrigated - - 800

Permit No. G-25991

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that W. D. SIMON, of Fairfield, County of Camas, and State of Idaho, the holder of Permit No. G-25991, issued upon Application No. G33867, bearing date of priority of October 4, 1955, authorizing the diversion of 3.2 second feet of waters of a well, County of Camas, State of Idaho, for irrigation and domestic 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 2.21 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is SE 1/4 SW 1/4, Sec. 4, T. 1 S., R. 16 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

500 acres in SW 1/4 SW 1/4, Sec. 3; S 1/2 SE 1/4, SE 1/4 SW 1/4, Sec. 4, N 1/2, W 1/2 SW 1/4, Sec. 9, T. 1 S., R. 16 E., B. M.

Witness my hand this 18 day of September, A. D. 1961.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: September 26, 1960.

PERMITS ISSUED FOR 2.21 SEC. FT.

page 7/63

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: _____

FROM: Allen Merritt

DATE: 2/5/02

Transfers 4983 (66407) and 4984 (66408)
were dismissed pursuant to Default
order dated 1/7/2002. The application
record was voided 2/5/02 by ADM

MICROFILMED

☒ For your information

☐ Response required

ADM
signature

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 498366407

REPLACEMENT

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Southern Region

FEB 12 2002

Name of applicant W. Bruce Willis, c/o Edward Simon, Esq. Phone (208) 726-2200Post Office address 131 West 4th Street, P.O. Box 540, Ketchum, Idaho 83340

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point ☒ Change place of use C.S.
☐ Change nature of use ☐ Change period of use ☒ Other SPLIT RIGHT
2. Describe the reason for the proposed changes Existing groundwater irrigation sources are not sufficient for current and future usage. This transfer would change the P/D and P/U to the applicant's property within the Flying Heart Ranch subdivision north of Hailey, Idaho.

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

1. Right Number 37-02584A Priority 10/4/1955 Amount (cfs/ac-ft) 0.448 cfs Nature of Use Irrigation Period of Use 4/1 ? to 11/1 ?
2. Total amount of water being transferred 0.448 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
		NW	NE	5	02N	18E	Blaine	2 wells & pumps - lots 34, 37 (P/D #1, #2)
		SW	NE	5	02N	18E	Blaine	Well and pump - lot 41 (P/D #3)
		SE	NE	5	02N	18E	Blaine	Well and pump - lot 39A (P/D #4)
		NE	NE	5	02N	18E	Blaine	Well and pump - lot 6 (P/D #5)
		SW	SE	32	03N	18E	Blaine	Well and pump - lot 20 (P/D #6)

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02N	18E	5	1.3	2.1	10.6	3.4													17.4
03N	18E	32															5.0		5.0

MICROFILMED

APR 23 2002

Total acres 22.4

PART 1

6. General Information:

a. Description of diversion system Wells and pumps 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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:
54.7 acres will no longer be irrigated (see remarks below).

d. Remarks:
Groundwater will be transferred to six (6) wells in Blaine County. Irrigation from these wells is currently taking place under licenses 37-08461 and 37-08647, which allow 5.0 acres total. Water for an additional 22.4 acres is needed. It is proposed to transfer water from this right at a rate of 0.008185 cfs/acre (54.7 acres) per the SRBA claimed acres and rate. Systems served by all P/D will likely be interconnected in the future.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

MICROFILMED
 APR 23 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-02584 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 of priority 10/4/1955

5. Water is used for the following purpose:

amount 2.21 cfs for Irrigation purposes from No period listed to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.21 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
		SE	SW	4	01S	16E	Camas	Well and pump

8. Lands irrigated or place of use: (This is P/U on license. Claimed acres are in same sections, but total 270 acres)

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	
01S	16E	3											10.0						10.0
01S	16E	4												40.0			30.0	30.0	100.0
01S	16E	9	40.0	40.0	40.0	30.0	40.0	40.0	40.0	40.0		40.0	40.0						390.0

Total acres 500.09. Describe any other water rights used for the same purpose as described above None

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 The land was held in the federal CRP program until March 1995

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 0.448 cfs for Irrigation purposes from 4/1 to 11/1
 (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
		SE	SW	4	01S	16E	Camas	Well and pump

5. 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	
01S	16E	3											10.0						10.0
01S	16E	4											40.0				4.7		44.7

Total acres 54.7

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

1. amount 1.76 cfs for Irrigation purposes from 4/1 to 11/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

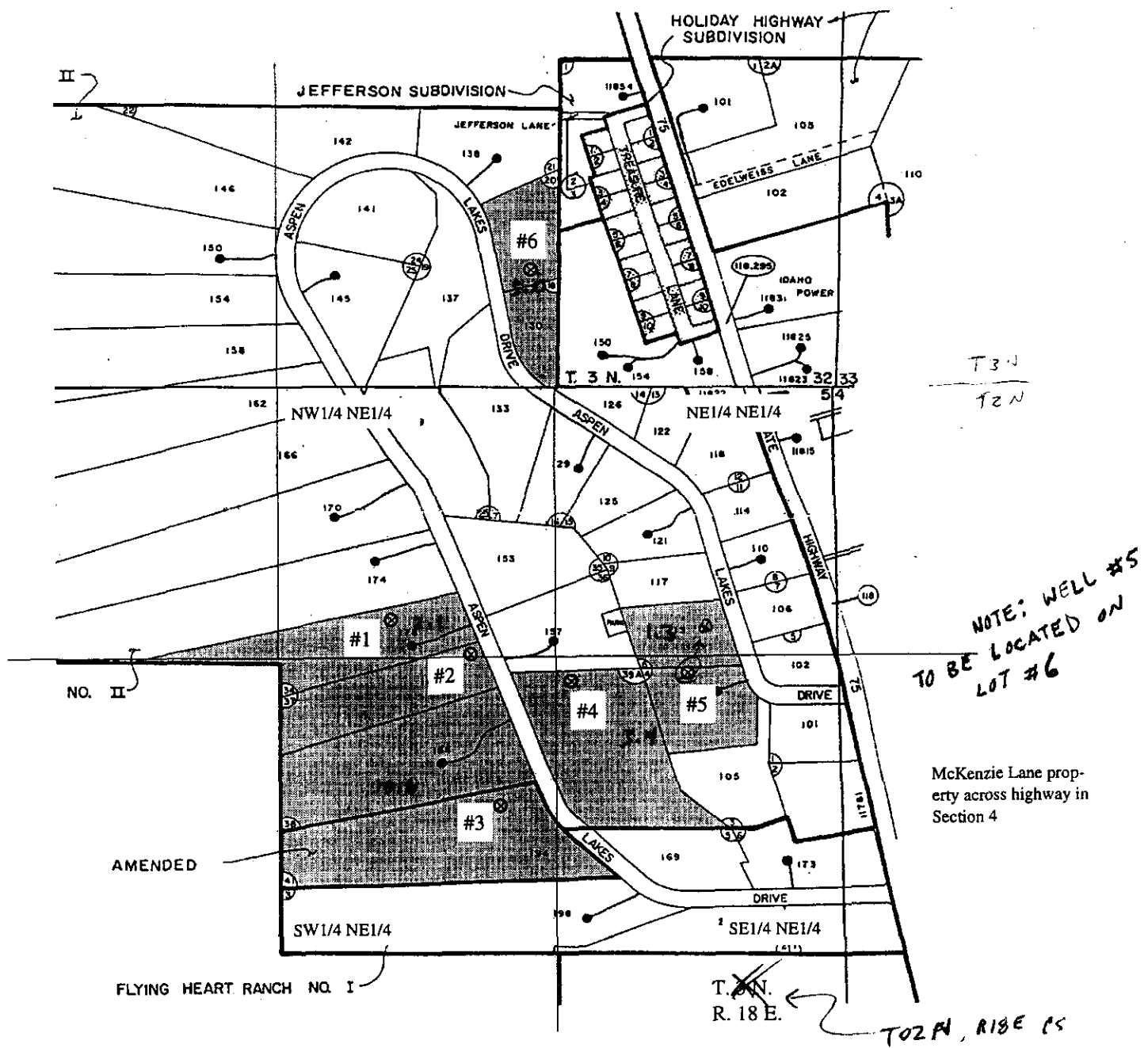
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SE	SW	4	01S	16E	Camas	Well and pump

5. Lands irrigated or place of use: (acres were subtracted from the licensed P/U, not the claimed P/U)

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	
01S	16E	4															25.3	30	55.3
01S	16E	9	40	40	40	30	40	40	40	40	40	40							390

Total acres 445.3



⊙ Point of diversion (well)

Scale: 1" = 500' (approx.)

Willis property in Flying Heart Ranch - diagram for transfers of 37-08461, 37-08647, and 37-02584.
Property owned is shown shaded. P/U is within these lots as indicated on transfers.

MICROFILMED

SEP 13 2002

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.

See accompanying diagram

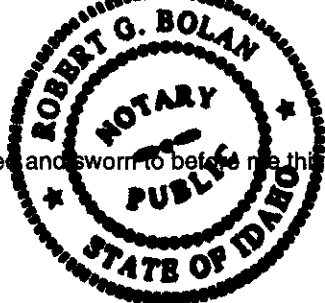
PART 3**B. CHANGES IN NATURE OF USE**

- | <u>New Nature of Use</u> | <u>Amount</u>
(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u> |
|--------------------------|------------------------------|------------------------|----------------------|
| <u>N/A</u> | | | to _____ |
| | | | to _____ |
- Quantity and quality of return flows and location of discharge:
N/A
- Describe the effects on other water uses resulting from the proposed change:
N/A

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



30th

day of

(Signature of Applicant)

September

19 96

(Notary Public)

My commission expires

6/17/1998

(JOE McALLISTER)

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by C SKINNER Date 09/10/96 10/16/96 NOTARIZED Protest filed by _____

Prelim. check by C SKINNER Fee \$100.00 5018864 *

Received by C SKINNER Date 2/20/96 *

Published in Bozeman Courier & Wood River Journal Copies of protest forwarded by _____

Pub. dates 1/22 + 1/29/97 Hearing held by _____ Date _____

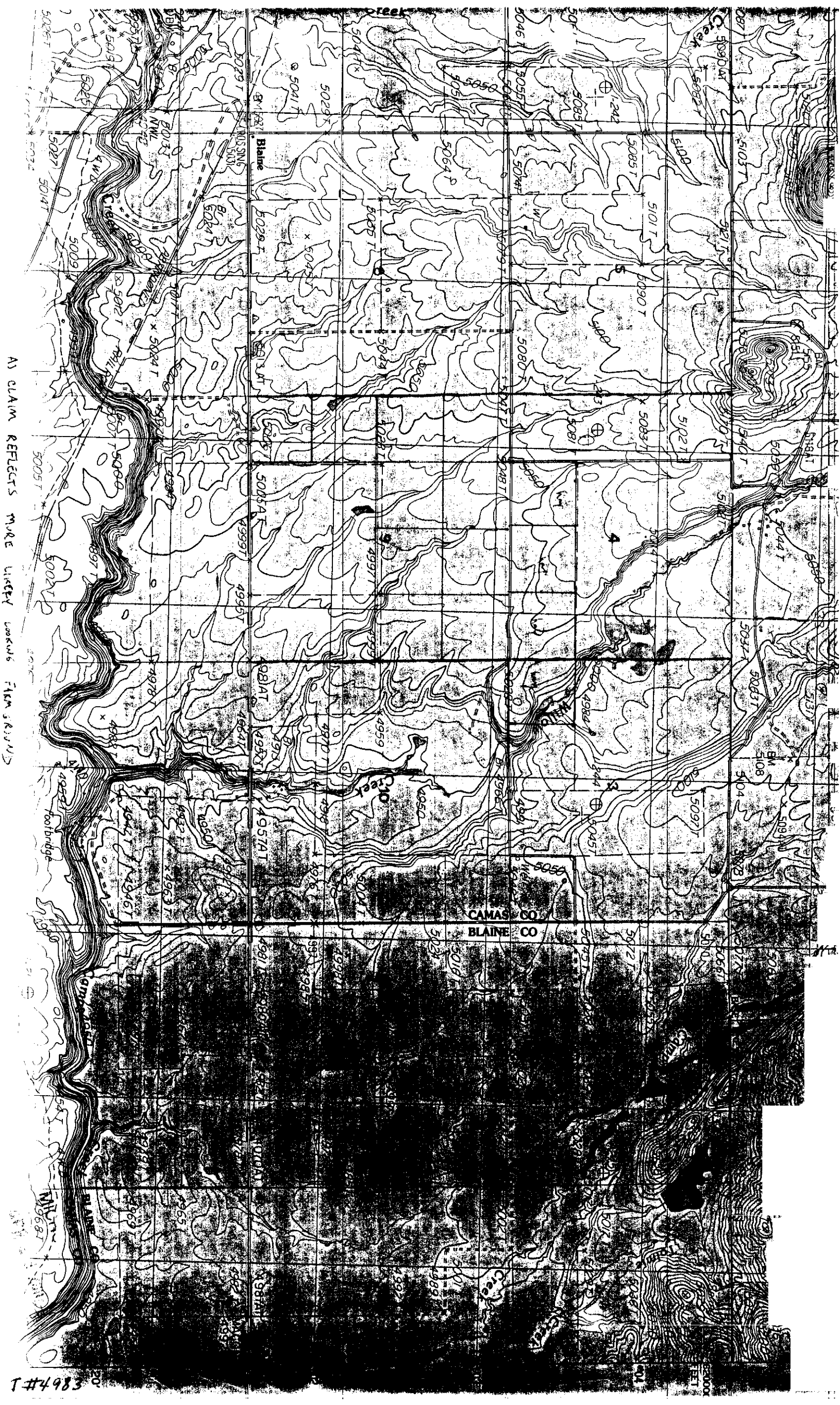
Watermaster recommendation requested on 1/9/97 Recommended for ☐ Approval ☐ Denial

_____ rec'd. 1/30/97 by _____

Copy of transfer sent to lien holder MICHAEL

* APPLICATION
REPLACES PREVIOUSLY
FILED APPLICATION

A) CLAIM REFLECTS MORE LIKELY WORKING FROM SKINNY



T#49838

Form FmHA 1955-49
(Rev. 10-28-81)

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

QUITCLAIM DEED

The UNITED STATES OF AMERICA, acting through the Administrator of the Farmers Home Administration, United States Department of Agriculture, CONVEYS and QUITCLAIMS to

VALLEY ENTERTAINMENT GROUP, INC. an Idaho Corporation
, Grantee, for the sum of TWO HUNDRED THOUSAND DOLLARS AND NO/100 (\$200,000.00)

all interest in the following described real estate situated in the County of CAMAS

State of IDAHO , to-wit:

Township 1 South, Range 16 East, Boise Meridian, in Camas County, Idaho.
Section 3: SW $\frac{1}{4}$ SW $\frac{1}{4}$, except easement granted in Book 13 Deeds, Page 559 to the Mountain States Telephone and Telegraph Company.
Section 4: S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, except easement granted to the Idaho Power Company in Book 20 Deeds, Page 58 on the SE $\frac{1}{4}$ SW $\frac{1}{4}$.
Section 5: S $\frac{1}{2}$ SE $\frac{1}{4}$.
Section 8: E $\frac{1}{2}$ E $\frac{1}{2}$, except the West 40 feet thereof, and except right of way deeded to the State of Idaho, off the South side of the SE $\frac{1}{4}$ SE $\frac{1}{4}$.
Section 9: W $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$, except right of way deeded to the State of Idaho off the South side of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ as shown in Deed recorded in Book 19 Deeds, Page 214, records of Camas County, Idaho.

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

Together with all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto, including but not limited to rights to ground water produced from a well or wells located and to be located on the premises, especially such water under Permit for water Licence No. 25991 for 2.21 c.f.s.

The property referenced to in this Deed is subject to a Conservation Easement for the protection of Wetlands which is attached as Exhibit A, pages 1 thru 6.

69158
Recorded at the Request of
Camas Abstract
at 3:30 P.M.
April 14th, 1995
In Book 29
of Deeds Page 437.
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Korea Blodgett
Fees \$ 24.00

Wherever "Farmers Home Administration",
"FmHA", "Rural Development Administration",
or "RDA" may appear, the term "United States
of America" is substituted.

FmHA 1955-49 (Rev. 10-28-81)

MICROFILMED
SEP 23 2002

This deed is executed and delivered pursuant to the provisions of a sale of Government Inventory property formerly belonging to Richard B. Giesler and S. Janene Giesler, husband and wife, Case Number 12-49-519608591, Advice Number 1204912271, and the

authority set forth in 7 CFR 1900, Subpart A.

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

No member of Congress shall be admitted to any share or part of this deed or to any benefit that may arise therefrom.

Dated March 28, 1995.

UNITED STATES OF AMERICA (Grantor)

By Michael E. Graklanoff
MICHAEL E. GRAKLANOFF, Acting State Director

RECD, formerly Farmers Home Administration
United States Department of Agriculture

In the presence of:

*

*

ACKNOWLEDGMENT

STATE OF IDAHO
COUNTY OF ADA

On this 28th day of March, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared Michael E. Graklanoff, known to be the Acting State Director, RECD, formerly Farmers Home Administration, USDA, and person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above mentioned.

Chris Reninger
CHRIS RENINGER
Notary Public in and for
State of Idaho
Residing at Meridian, Idaho
My Bond Expires 7-6-2000

MICHAEL E. GRAKLANOFF
APR 23 2002

Position 5

Form FmHA 1955-49
(Rev. 10-28-81)

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

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State of IDAHO, to-wit:

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Section 3: SW $\frac{1}{4}$ SW $\frac{1}{4}$, except easement granted in Book 13 Deeds, Page 559 to the Mountain States Telephone and Telegraph Company.
Section 4: S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, except easement granted to the Idaho Power Company in Book 20 Deeds, Page 58 on the SE $\frac{1}{4}$ SW $\frac{1}{4}$.
Section 5: S $\frac{1}{2}$ SE $\frac{1}{4}$.
Section 8: E $\frac{1}{2}$ E $\frac{1}{2}$, except the West 40 feet thereof, and except right of way deeded to the State of Idaho, off the South side of the SE $\frac{1}{4}$ SE $\frac{1}{4}$.
Section 9: W $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$, except right of way deeded to the State of Idaho off the South side of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ as shown in Deed recorded in Book 19 Deeds, Page 214, records of Camas County, Idaho.

Together with all water and water rights, ditches and ditch rights used thereon

MICRO

APR 11 2012

T #4983

This deed is executed and delivered pursuant to the provisions of a sale of Government Inventory property formerly belonging to Richard B. Giesler and S. Janene Giesler, husband and wife, Case Number 12-49-519608591, Advice Number 1204912271, and the

of which, to the extent of the
of the, was approved by the
of the, was approved by the
of the, was approved by the
of the, was approved by the

authority set forth in 7 CFR 1900, Subpart A.

No member of Congress shall be admitted to any share or part of this deed or to any benefit that may arise therefrom.

Dated March 28, 1995.

UNITED STATES OF AMERICA (Grantor)

By

Michael E. Graklanoff
MICHAEL E. GRAKLANOFF, Acting State Director

RECD, formerly Farmers Home Administration
United States Department of Agriculture

In the presence of:

MICROFILMED

SEP 23 2007

RECEIVED

OCT 16 1996

POWER OF ATTORNEY

Department of Water Resources
Southern Region

I, BRUCE WILLIS, of C/O Edward Simon, Esq., P.O. Box 540 Ketchum, ID 83340, do hereby designate and appoint JOSEPH McALLISTER, P.O. Box 3212 Hailey, Idaho 83333 as my attorney in fact and agent to act in my name and for my benefit. I grant to my agent full power and authority to act on my behalf for all water rights held by me, either by license or permit, and to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my agent shall lawfully do or cause to be done by virtue of this power of attorney and the powers herein granted.

This 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 my agent and delivered to such person or institution. This power is revocable by my execution of a written Withdrawal of Power of Attorney, a copy of which shall be delivered to the State of Idaho Department of Water Resources 1301 N. Orchard Steet, Statehouse Mail, Boise, Idaho 83720-7866, and which shall be effective upon receipt.

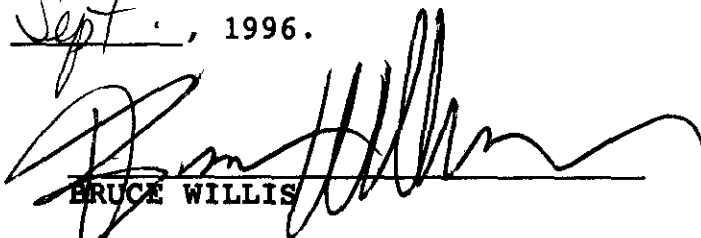
Third parties may rely upon the representations of my agent as to all matters relating to any power granted to my agent, and no person who may act in reliance upon the representations of my agent and on the authority granted to my agent, shall incur any liability to me or my estate as a result of permitting my agent to

MICROFILMED

exercise any power.

This Power of Attorney shall be governed by the laws of 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.

IN WITNESS WHEREOF, I have executed this Power of Attorney this 30 day of Sept, 1996.

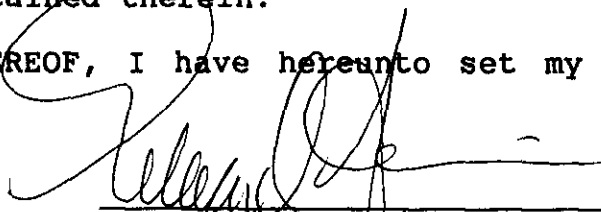


BRUCE WILLIS

STATE OF IDAHO)
)
County of Blaine) ss.

On this the 30th day of Sept, 1996 before me the undersigned Notary Public, personally appeared BRUCE WILLIS known to me to be the person whose signature appears on the within and foregoing instrument, and who acknowledged that he executed the same for the purpose contained therein.

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



Notary Public for Idaho
Residing at: Redmond

WICHITA FALLS
APR 23 2002

OCT 11 1996

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4984
66408

REPLACEMENT APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

FILED 10-2

Name of applicant W. Bruce Willis, c/o Edward Simon, Esq. Phone (208) 726-2200
Post Office address 131 West 4th Street, P.O. Box 540, Ketchum, Idaho 83740

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point ☒ Change place of use 09/12/96 CS.
☐ Change nature of use ☐ Change period of use ☒ Other SPLIT RIGHT
2. Describe the reason for the proposed changes Existing groundwater irrigation sources are not sufficient for current and future usage. This transfer would change the P/D and P/U to the applicant's property known as the McKenzie Lane property north of Hailey, Idaho.

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

1. Right Number 37-02584B Priority 10/4/1955 Amount 0.06 cfs Nature of Use Irrigation Period of Use 4/1 ? to 11/1 ?
2. Total amount of water being transferred 0.06 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
		SW	NW	4	02N	18E	Blaine	2 wells & pumps - McKenzie property

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02N	18E	4							3.0										3.0

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Total acres 3.0

10/11/2002

PART 1

6. General Information:

- a. Description of diversion system Wells and pumps 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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:
7.3 acres will no longer be irrigated (see remarks below).
- d. Remarks:
Groundwater will be transferred to two (2) wells in Blaine County. Water for 3.0 acres is needed. It is proposed to transfer water from this right at a rate of 0.008185 cfs/acre (7.3 acres) per the SRBA claimed acres and rate. Amounts on Part 2 assume concurrent transfer application for 37-02584A is approved.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

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APR 2 1 1982

Page 3 of 6Transfer No. 4984

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. 37-02584 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 of priority 10/4/1955

5. Water is used for the following purpose:

amount 2.21 cfs for Irrigation purposes from No period listed to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.21 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
		SE	SW	4	01S	16E	Camas	Well and pump

8. Lands irrigated or place of use: (This is P/U on license. Claimed acres are in same sections, but total 270 acres)

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	
01S	16E	3											10.0						10.0
01S	16E	4											40.0				30.0	30.0	100.0
01S	16E	9	40.0	40.0	40.0	30.0	40.0	40.0	40.0	40.0		40.0	40.0						390.0

APR 23 2012

Total acres 500.09. Describe any other water rights used for the same purpose as described above None

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 The land was held in the federal CRP program until March 1995

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 0.06 cfs for Irrigation purposes from 4/1 to 11/1
 (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
		SE	SW	4	01S	16E	Camas	Well and pump

5. 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	
01S	16E	4															7.3		7.3

Total acres 7.3

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

1. amount 1.70 cfs for Irrigation purposes from 4/1 to 11/1
 (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
		SE	SW	4	01S	16E	Camas	Well and pump

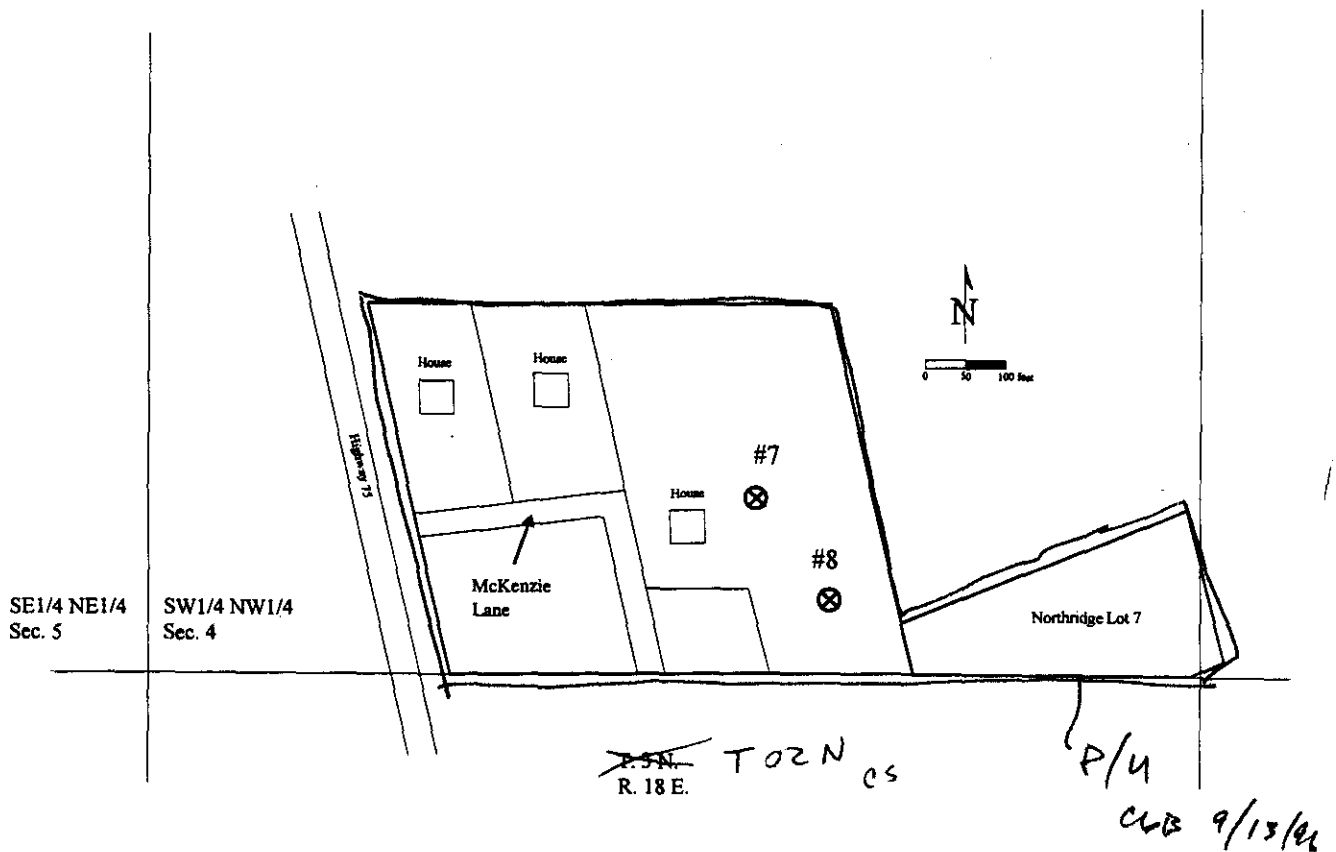
5. Lands irrigated or place of use: (acres were subtracted from the licensed P/U, not the claimed P/U)

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	
01S	16E	4															18.0	30	48.0
01S	16E	9	40	40	40	30	40	40	40	40		40	40						390

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Total acres 438.0

100 1 1 2017



⊗ Points of diversion (wells)

Willis property on McKenzie Lane and in Northridge Subdivision No. 1 - diagram for transfers of ~~37-08461~~, ~~37-08647~~, and 37-02584.

THESE RIGHTS ARE TO
BE USED WEST OF HIGHWAY 75
IN A SEPERATE SYSTEM(S).
SEE COMPANION TRANSFERS.
ONLY A PART OF 37-02584
IS PROPOSED TO BE USED
ON THE PROPERTY SHOWN
ABOVE.
C.S.

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2000 01 2001

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.

See accompanying diagram

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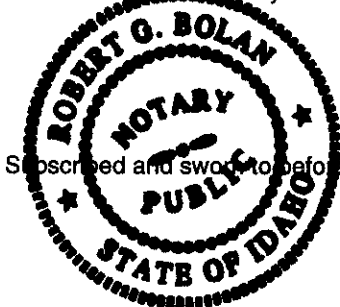
APR 2 1984

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

1. New Nature of Use Amount Hours/days/year Period of Use
 (cfs/ac-ft)
- N/A to
 to
2. Quantity and quality of return flows and location of discharge:
N/A
3. Describe the effects on other water uses resulting from the proposed change:
N/A

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

30th

day of

(Signature of Applicant)

September, 19 96

(Notary Public)

My commission expires

6/17/1998

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments

Received by C SKINNER Date 09/10/96 NOT SIGNED OR NOTARIZED Protest filed by

Prelim. check by C SKINNER Fee \$100.00 \$018864 *

Receipted by C SKINNER Date 2/20/96 *

Published in Campa Courier & Wood River Journal Copies of protest forwarded by

Pub. dates 1/22 + 1/29/97 Hearing held by Date

Watermaster recommendation requested on 1/9/97 Recommended for ☐ Approval ☐ Denial

 rec'd. 1/30/97 by

Copy of transfer sent to lien holder MICROFILMED

* APPLICATION REPLACES
PREVIOUSLY FILED APPLICATION

T # 4984



RECEIVED

OCT 16 1996

POWER OF ATTORNEY

Department of Water Resources
Southern Region

I, BRUCE WILLIS, of C/O Edward Simon, Esq., P.O. Box 540 Ketchum, ID 83340, do hereby designate and appoint JOSEPH McALLISTER, P.O. Box 3212 Hailey, Idaho 83333 as my attorney in fact and agent to act in my name and for my benefit. I grant to my agent full power and authority to act on my behalf for all water rights held by me, either by license or permit, and to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my agent shall lawfully do or cause to be done by virtue of this power of attorney and the powers herein granted.

This 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 my agent and delivered to such person or institution. This power is revocable by my execution of a written Withdrawal of Power of Attorney, a copy of which shall be delivered to the State of Idaho Department of Water Resources 1301 N. Orchard Steet, Statehouse Mail, Boise, Idaho 83720-7866, and which shall be effective upon receipt.

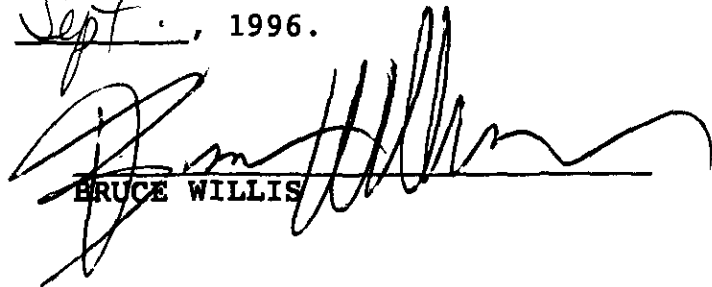
Third parties may rely upon the representations of my agent as to all matters relating to any power granted to my agent, and no person who may act in reliance upon the representations of my agent and on the authority granted to my agent, shall incur any liability to me or my estate as a result of permitting my agent to

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exercise any power.

This Power of Attorney shall be governed by the laws of 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.

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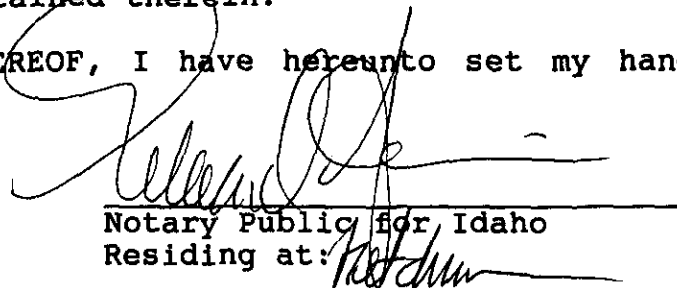

BRUCE WILLIS

STATE OF IDAHO)
County of Blaine)

ss.

On this the 30th day of Sept., 1996 before me the undersigned Notary Public, personally appeared BRUCE WILLIS known to me to be the person whose signature appears on the within and foregoing instrument, and who acknowledged that he executed the same for the purpose contained therein.

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


Notary Public for Idaho
Residing at: Redmond

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PP 2 & 7/8

Position 5

Form FmHA 1955-49
(Rev. 10-28-81)

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

QUITCLAIM DEED

The UNITED STATES OF AMERICA, acting through the Administrator of the Farmers Home Administration, United States Department of Agriculture, CONVEYS and QUITCLAIMS to

VALLEY ENTERTAINMENT GROUP, INC. an Idaho Corporation
, Grantee, for the sum of TWO HUNDRED THOUSAND DOLLARS AND NO/100 (\$200,000.00)

all interest in the following described real estate situated in the County of CAMAS

State of IDAHO , to-wit:

Township 1 South, Range 16 East, Boise Meridian, in Camas County, Idaho.
Section 3: SW $\frac{1}{4}$ SW $\frac{1}{4}$, except easement granted in Book 13 Deeds, Page 559 to the Mountain States Telephone and Telegraph Company.
Section 4: S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, except easement granted to the Idaho Power Company in Book 20 Deeds, Page 58 on the SE $\frac{1}{4}$ SW $\frac{1}{4}$.
Section 5: S $\frac{1}{2}$ SE $\frac{1}{4}$.
Section 8: E $\frac{1}{2}$ E $\frac{1}{2}$, except the West 40 feet thereof, and except right of way deeded to the State of Idaho, off the South side of the SE $\frac{1}{4}$ SE $\frac{1}{4}$.
Section 9: W $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$, except right of way deeded to the State of Idaho off the South side of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ as shown in Deed recorded in Book 19 Deeds, Page 214, records of Camas County, Idaho.

Together with all water and water rights ditches and ditch rights used thereon

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APR 23 2002

This deed is executed and delivered pursuant to the provisions of a sale of Government Inventory property formerly belonging to Richard B. Giesler and S. Janene Giesler, husband and wife, Case Number 12-49-519608591, Advice Number 1204912271, and the

authority set forth in 7 CFR 1900, Subpart A.

No member of Congress shall be admitted to any share or part of this deed or to any benefit that may arise therefrom.

Dated March 28, 1995.

UNITED STATES OF AMERICA (Grantor)

By



MICHAEL E. GRAKLANOFF, Acting State Director

RECD, formerly Farmers Home Administration
United States Department of Agriculture

In the presence of:

*

RECORDED

23 2002

NED C. WILLIAMSON
ATTORNEY AT LAW
115 SECOND AVENUE SOUTH
HAILEY, IDAHO 83333
(208) 788-6688
FAX (208) 788-7901

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JAN 02 2002

Department of Water Resources
Southern Region

December 31, 2001

Allen Merritt, P.E.
Southern Region Manager
State of Idaho
Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

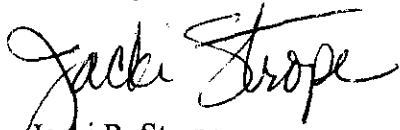
Re: In the Matter of Applications for Transfer Applications for Transfer Nos. 4983, 4984, 4988, 4989 and 4990 in the Name of W. Bruce Willis

Dear Mr. Merritt:

Please file the enclosed original Petition Challenging Proposed Default Order. This document was faxed to you today.

Thank you.

Sincerely,



Jacki R. Strobe
Assistant to Ned C. Williamson

encl.

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APR 23 2002

Ned C. Williamson, Esq.
WILLIAMSON LAW OFFICE, PLLC
115 Second Avenue South
Hailey, Idaho 83333
Tel: 208/788-6688
Fax: 208/788-7901
ISB# 3131

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JAN 02 2002

Department of Water Resources
Southern Region

Attorney for Applicant

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

IN THE MATTER OF APPLICATIONS)	
FOR TRANSFER NOS. 4983, 4984,)	PETITION CHALLENGING PROPOSED
4988, 4989 AND 4990 IN THE NAME)	DEFAULT ORDER
OF W. BRUCE WILLIS)	
_____)	

COMES NOW, the Applicant, W. Bruce Willis, by and through his attorney, Ned C. Williamson of Williamson Law Office, PLLC, and pursuant to I.D.A.P.A Rule 37.01.01701, petitions the Agency and requests that a default order not be entered as requested by the presiding officer in the Notice of Proposed Default Order dated December 24, 2001 for Application Nos. 4988, 4989 and 4990.

Basis of Petition:

1. The Applicant filed Applications for Transfer Nos. 4983, 4984, 4988, 4989 and 4990 with the Department of Water Resources.
2. Application Nos. 4983 and 4984 are applications to transfer the point of diversion and place of use of a water right from Camas County to the Applicant's property north of Hailey, Idaho. These applications involve a groundwater license appurtenant to property in Camas County.

PETITION CHALLENGING PROPOSED DEFAULT ORDER/1

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JAN 23 2002

3. Application No. 4988 is an application to delete an unused point of diversion, change a place of use and delete fish propagation as a use and involves a surface water decree for the Big Wood River.

4. Application Nos. 4989 and 4990 are applications to correct points of diversion and to modify places of use and involve a ground water licenses appurtenant to Flying Heart Subdivision Lots 34 and 37.

5. Protests have only been filed in Application Nos. 4983 and 4984. There have been no protests in Application Nos. 4988, 4989 and 4990.

6. As stated in paragraph 4 of the Findings of Fact in the Notice of Proposed Default Order, the Department of Water Resources denied applications for transfer filed in the names of Dennis Baker and Huf-N-Puf Trust. Application Nos. 4988, 4989 and 4990 involve substantially different issues than those raised in the Baker and Huf-N-Puf applications.

7. There will be no prejudice in proceeding with Application Nos. 4988, 4989 and 4990.

Based on the foregoing, the Applicant wishes to proceed with Application Nos. 4988, 4989 and 4990, and requests that default not be entered in Application Nos. 4988, 4989 and 4990.

DATED this 31st day of December, 2001.

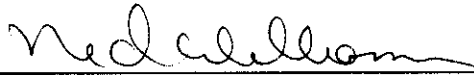
WILLIAMSON LAW OFFICE, PLLC

By Ned C. Williamson
Ned C. Williamson
Attorney for Applicant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 31st day of December, 2001, I served a true and correct filed copy of the within and foregoing document upon the parties named below, in the manner noted:

☒	U.S. Mail	Blaine County Prosecuting Attorney
☐	Via Facsimile	201 2 nd Ave. S., Ste. 100
☐	Hand Delivered	Hailey, ID 83333
☒	U.S. Mail	James P. Speck, Esq.
☐	Via Facsimile	Speck & Aanestad, P.A.
☐	Hand Delivered	P.O. Box 987
		Ketchum, ID 83340
☒	U.S. Mail	Wood River Valley Irrigation District #45
☐	Via Facsimile	c/o James Eakin, Director
☐	Hand Delivered	P.O. Box 296
		Bellevue, ID 83313


Ned C. Williamson

INT DEPARTMENT MEMO

Willis Files

SUBJECT: _____

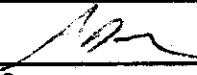
Allen Newirth

DATE: _____

12/26/01

Phone call from Debbie Johnson. She received proposed default notice. She indicated Ned Williamson is the attorney. She indicated that she is the manager of Willis's interests in 2002 (she has taken McCallister place). She indicated she would get something in writing to us soon. I told her we need something by wk from this Friday.
(1/8/02)

For your information


signature

Response required

INTER-DEPARTMENT MEMO

TO: Willis Filer

SUBJECT: _____

FROM: Allen Newitt

DATE: 12/26/01

Phone call from Debbie Johnson ... she received proposed default notice. She indicated Ned Williamson is the attorney. She indicated that she is the manager of Willis's interests in 2002 (she has taken McAllister's place) She indicated she would get something in writing to us soon. I told her we need something by wk from this Friday.
(1/4/02)

() For your information

() Response required

Adm
signature

MICROFILMED

APR 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 24, 2001

Gentlemen:

The enclosed "Notice of Proposed Default Order" has been prepared pursuant to Rules of Procedure 700 through 702 listed below. Pursuant to Rule of Procedure 701 the applicant must petition within seven (7) days from the date of service to prevent the issuance of the default order. Rules of Procedure 053 through 057 may have bearing on responding to this notice.

700. NOTICE OF PROPOSED DEFAULT AFTER FAILURE TO APPEAR OR RESPOND (Rule 700). If an applicant or claimant or appellant, petitioner, protestant, complainant, or moving party fails to appear at the time and place set for hearing, or prehearing conference, on an application or claim or appeal, petition, complaint, or motion, or fails to respond to a written information inquiry, the presiding officer may serve upon all parties a notice of a proposed default order denying the application or claim or appeal, petition, complaint, or motion. The notice of a proposed default order shall include a statement that the default order is proposed to be issued because of a failure of the applicant or claimant or appellant, petitioner, complainant or moving party to appear at the time and place set for hearing or prehearing conference, or to respond to the information inquiry. The notice of proposed default order may be mailed to the last known mailing address of the party proposed to be defaulted. (4-5-00)

701. SEVEN DAYS TO CHALLENGE PROPOSED DEFAULT ORDER (Rule 701). Within seven (7) days after the service of the notice of proposed default order, the party against whom it was filed may file a written petition requesting that a default order not be entered. The petition must state the grounds why the petitioning party believes that default should not be entered. (7-1-93)

702. ISSUANCE OF DEFAULT ORDER (Rule 702). The agency shall promptly issue a default order or withdraw the notice of proposed default order after expiration of the seven (7) days for the party to file a petition contesting the default order or receipt of a petition. If a default order is issued, all further proceedings necessary to complete the contested case shall be conducted without participation of the party in default (if the defaulting party is not a movant) or upon the results of the denial of the motion (if the defaulting party is a movant). All issues in the contested case shall be determined, including those affecting the defaulting party. Costs may be assessed against a defaulting party. (7-1-93)

053. COMMUNICATIONS WITH AGENCY (Rule 53). All written communications and documents that are intended to be part of an official record for a decision in a contested case must be filed with the officer designated by the agency. Unless otherwise provided by statute, rule, order or notice, documents are considered filed when received by the officer designated to receive them, not when mailed, or otherwise transmitted. (7-1-93)

054. IDENTIFICATION OF COMMUNICATIONS (Rule 54). Parties' communications addressing or pertaining to a given proceeding should be written under that proceeding's case

MICROFILMED

APR 23 2002

caption and case number, if applicable. General communications by other persons should refer to case captions, case numbers, permit or license numbers, or the like, if this information is known. (7-1-93)

055. SERVICE BY AGENCY (Rule 55). Unless otherwise provided by statute or these rules, the officer designated by the agency to serve rules, notices, complaints, and orders issued by the agency may serve these documents by regular mail or by certified mail, return receipt requested, to a party's last known mailing address or by personal service. Unless otherwise provided by statute, these rules, order or notice, service of orders and notices is complete when a copy, properly addressed and stamped, is deposited in the United States mail, or the Statehouse mail if the party is a State employee or State agency. The officer designated by the agency to serve documents in a proceeding must serve all orders and notices in a proceeding on the representatives of each party designated pursuant to these rules for that proceeding and upon other persons designated by these rules or by the agency. (4-5-00)

056. COMPUTATION OF TIME (Rule 56). Whenever statute, these or other rules, order, or notice requires an act to be done within a certain number of days of a given day, the given day is not included in the count, but the last day of the period so computed is included in the count. If the day the act must be done is Saturday, Sunday or a legal holiday, the act may be done on the first day following that is not Saturday, Sunday or a legal holiday. (7-1-93)

057. ADDITIONAL TIME AFTER SERVICE BY MAIL (RULE 57). Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon the party and the notice or paper is served upon the party by mail, three (3) days shall be added to the prescribed period. This rule, however, shall not extend the time for filing a protest, a petition for reconsideration of a preliminary, recommended or final order before the agency, the time for filing exceptions with the agency head to a preliminary or recommended order, or the time for filing an appeal with the district court from a final decision of the agency. (4-5-00)

All "Administrative Rules" of the Department may be found at the following internet address:

<http://www2.state.id.us/adm/adminrules/rules/idapa37/37index.htm>

If you have any questions regarding this matter please feel free to contact me at this office.

Sincerely,


Allen Merritt, PE
Southern Region Manager

MICROFILMED
APR 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 9, 2001

Ned Williamson
115 Second Ave S
Hailey, ID 83333

RE: Applications for Transfer No. 4983, 4984, 4988, 4989 and 4990 in the name of W. Bruce Willis

Dear Mr. Williamson:

As we discussed briefly in our phone conversation this day, for some time I have attempted to contact the applicant &/or his attorney to inquire of the continued interest in the above described transfers. I now understand that you represent Mr. Willis. Please file a "notice of appearance" to correct our records.

Please find enclosed a copy of my letter dated April 4, 2001 to Mr. Willis through his attorney of record with this department. As I explained I never received a response to this inquiry.

Please look over this information and get back with me within 30 days. I need to know how the applicant wishes to proceed. If you need further details about the transfers please feel free to visit the office to obtain copies of the applications. If you or the applicant fails to respond I may issue a "Notice of Proposed Default" pursuant to IDAPA 37.01.01.700 (IDWR Rules of Procedure, Rule 700).

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

Sincerely,

Allen Merritt, PE
Southern Region Manager

CC: Brockway Engineers
Debbie Johnson

MICROFILMED
APR 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 4, 2001

W. Bruce Willis
C/O Edward Simon, Esq.
PO Box 540
Ketchum, ID 83340

Joseph McAllister
PO Box 3212
Hailey, ID 83333

RE: Transfer Applications No. 4983, 4984, 4988, 4989 and 4990 in the name of W. Bruce Willis

Gentlemen:

As you may recall several years ago the above listed transfers were filed to move water around to cover developments at the Willis Property north of Hailey. Protests were filed against applications 4983 and 4984. To date no conference or hearing has been held regarding these protested matters. The remaining three applications (4988, 4989 and 4990) have been held with the protested applications since it appears they are all related and all need to be reviewed together.

In 1998 the department processed applications for transfer in the name of Baker and Huf-N-Puf Trust which essentially proposed similar moves of water as transfers 4983 and 4984. The Baker and Huf-N-Puf Trust transfers were also protested and a hearing was held. Ultimately the department issued a final order denying these applications. (Please find a copy of the order denying these applications for your reference.)

The purpose of this letter is to inquire of your continued interest in your applications. In light of denial of similar proposals do you wish to withdraw, modify or press on with your applications. Please let me know within 30 days of your continued interest.

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

Sincerely,

Allen Merritt, PE
Southern Region Manager

CC: Brockway Engineers

MICROFILMED
APR 13 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 30, 1997

USDA
Farmers Home Administration
3232 Elder Street
Boise, Idaho 83705

1590062140

NOTICE TO RESUME WATER USE

RE: Water Right No. 37-02584

Gentlemen:

One of the conditions of department approval of the application for Extension of Time to Avoid Forfeiture of a Water Right for the above referenced water right, was that beneficial use of water be resumed on or before October 1, 1997. Enclosed is a form which when submitted will notify the department that you have again established beneficial use of water as authorized by the water right.

Failure to resume the use of water for the water right and to notify the department of resumed use will be cause for the water to revert back to the state and again be available for appropriation.

Please fill out and return the resumption form within sixty (60) days of receipt of this letter. Please address your correspondence to my attention.

If you have any questions concerning this matter, please contact me at 327-7900.

Sincerely,

JULIE L. YARBROUGH
Sr. Secretary

Enclosure

MICROFILMED
JUN 2 1998

AFFIDAVIT OF PUBLICATION

RECEIVED
JUL 23 1997
Department of
Cultural Resources
Source

STATE OF IDAHO)
SS.
County of Camas)

Edward Reagan, being first duly sworn, deposes and says that he/she is the designated agent for the publisher of The Camas Courier, a newspaper published every week in Fairfield, County of Camas, 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, a copy of which is hereto attached, was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 22nd day of January, 1997, and the date of the last publication was on the 29th day of January, 1997.

Edward Reagan

Subscribed and Sworn to before me this 11th day of April, 1997.

Gayle L. Dettell
Notary Public in and for
The State of Idaho.
Residing in Fairfield.

THE CAMAS COURIER
Post Office Box 339
Fairfield, Idaho

Cost of Publication

Number of lines in notice	<u>44</u>	
Number of insertions	<u>2</u>	
Cost for advertisement	First insertion	\$ <u>17.60</u>
	Second insertion(s)	\$ <u>15.40</u>
	Total cost	\$ <u>33.00</u>

MICROFILMED

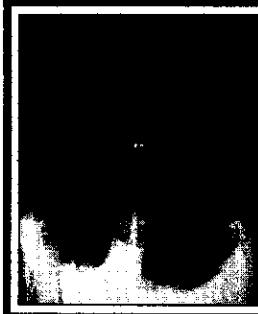
APR 23 2002

OK
MB
7/23/97

22 lines X 2 columns = 44 lines

1st Tr
44 X .40 = 17.60

2nd Tr
44 X .35 = 15.40



Local Poet Published in National Anthology

The poem below by Cheri Lawler (our bright-eyed Camas County Elementary School Kindergarten teacher) was recently published in a volume called "Memories of Tomorrow."

The book is a compilation of original poetical works put out by the National Library of Poetry.

A Mountain Spring?

"Spring has sprung!" or so they say
But in our town, there's been a weather delay.

We try to coax the clouds to flee
by wearing shorts - cold agony
But still they seem to hang around
while we're freezing on the ground.

We try to coax the sun to shine
by hanging wet clothes on the line
But when it's time to bring them in
the underwear's frozen to the clothespin.

We try to coax the flowers to grow
by working with a rake and hoe
But while we're raking, heavens are shaking
And while we're hoeing, icicles are growing.

We try to coax the offspring arrival
by teaching classes in survival
But it was suggested by Warner Wickets
we offer Bahaman airline tickets.

Oh yes, "Spring has sprung!" I hear them speak
I do believe, they meant a leak.

by Cheri Lawler

Legal Advertisements

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that W. Bruce Willis, c/o Edward Simon, Esq., PO Box 540; KETCHUM ID 83340 has filed five (5) transfer applications pursuant to Section 42-222 of IDAHO CODE.

The purpose of Transfer No. 4983 and Transfer No. 4984 is to move portions of groundwater Water Right No. 37-02584 (Priority 10/4/1955) from Camas County to the Flying Heart Ranch Subdivision in Blaine County. Transfer 4983 proposes Water Right No. 37-02584, Part B (0.448 cfs) will be diverted from five (5) wells within NE1/4, S5, T2N, R18E and one (1) well within SE1/4, S32, T3N, R18E for irrigation of 22.4 acres within those same tracts. Transfer 4984 proposes Water Right No. 37-02584, Part D (0.06 cfs) will be diverted from two (2) wells within NW1/4, S4, T2N, R18E for irrigation of three (3) acres within SW1/4NW1/4, S4, T2N, R18E.

Changes to point(s) of diversion and places of use are proposed in Transfer No. 4988 (a portion of Big Wood River Water Right No. 370577 (1.20 cfs), renamed Water Right No. 37-30013 which is used for recreation and aesthetic use), Transfer No. 4989 (groundwater Water Right No. 37-08461 used for irrigation, domestic, stock and fire protection use) and Transfer No. 4990 (groundwater Water Right No. 37-08647 used for irrigation and domestic use).

A protest against approval of any particular transfer must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before February 10, 1997. (Each transfer requires a separate protest). The Protester must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in The Camas Courier on 1/22 & 1/29/97.

CORNERSTONE REALTY, INC.

Cindy Ward, Broker/Owner of Cornerstone Realty, Inc. located in Hailey, ID is pleased to announce the association of CHAR ENGELSTAD as a Sales Associate with their firm. Char and her family have lived in Fairfield for 7 years.

Char Engelstad, Sales Associate

Char will be specializing in Fairfield properties. If you have a property you would like listed or are in the market to buy property, please call Char at 764-2805 or Cornerstone at 208-788-2646, ext. 14.

TOWN & COUNTRY REALTORS

FAIRFIELD / CAMAS COUNTY PROPERTIES

New Listing! 1200 square foot home on 2 acres. New well, country living and privacy in Willow Creek area.

40 acres - close to Soldier off Baseline Road. Owner will finance with 30% cash down payment. Nice Views!

Soldier Creek - 2 1/2 acres in Smoky Dome Ranch. Backs up to creek. \$48,000.

10 acres - completely fenced, county road frontage just 3 miles north of Fairfield. \$45,000.

Affordable - singlewide in town Baldwin subdivision. Corner lot, easy to buy. \$39,500.

Little House on Prairie! - it's for sale - the cutest house in town! 2 story, good location.

Costa Rica! owner will trade his 2 1/2 acres overlooking Pacific Ocean in Playa Hermosa for Fairfield or Soldier Creek property. Costa Rica property valued at \$29,000.

TOWN & COUNTRY REALTORS
Ed Smith, Broker 764-2303
Reed Stewart, Assoc. 764-2501
Lynne Riggan, Assoc. 764-2900

OFFICE PHONE:
764-2026

Slats and Boards

by Shelisa Dalton

The ski club met for their first meeting on January 11, 1997. On the 11th we picked our officers, President is Brandi Gill, Vice-president is Bryce Dalton, Secretary is Annika Backstrom, and Reporter is Shelisa Dalton. We really had a fun day!!

Saturday Mornings

Little Mushers Basketball

1st thru 3rd grades 9:00 a.m. to 10:00 a.m.
4th thru 6th grades 10:00 a.m. to 11:00 a.m.

Basketball Fundamentals & Fun!

Quote of the Week

"We are what we repeatedly do. Excellence, then, is not an act, but a habit."

ARISTOTLE

Get a Subscription. Give a Subscription.
Subscriptions are only \$12.00 per year.
of County subscriptions are \$16.00 per year (\$12.00 for a renewal)
Send your order to: The Camas Courier
P.O. Box 339
Fairfield, ID 83424
APR 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 2, 1997

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

RE: Applications For Transfer #4983 & 4984, Bruce Willis

Dear Mr. Speck;

Per your request, enclosed are copies of the protests of Blaine County and the Wood River Valley Irrigation District #45 against these applications.

Regards,

James E. Stanton
Sr. Water Resource Agent

MICROFILMED

APR 23 2002



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

February 24, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: APPLICATION FOR TRANSFER NOS. 4983 & 4984 (37-02584 Parts, W. Bruce Willis)

Dear Protestant(s):

The protest filed on behalf of the Flying Heart Ranch Owners Association against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

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

AM:MB
Enclosure(s)

MICROFILMED

APR 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 24, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLES G BROCKWAY
BROCKWAY ENGINEERING
705 SUNRISE BLVD NORTH
TWIN FALLS ID 83301

RE: APPLICATION FOR TRANSFER NOS. 4983 and 4984 (37-02584-Bruce Willis)

Dear Mr. Brockway:

Enclosed are copies of protests filed against the above referenced applications filed on behalf of Mr. Willis.

The Department suggests you contact the protestant(s) directly to determine the exact nature of the protest(s) and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

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

AM:MB

Enclosure(s)

cc: Joseph McAllister, PO Box 3212; Hailey ID 83333
Edward Simon, Esq., PO Box 540; Ketchum ID 83340

MICROFILMED

APR 23 2002



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

February 24, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DOUGLAS WERTH
BLAINE COUNTY PROSECUTING ATTORNEY
PO BOX 756
HAILEY ID 83333

RE: APPLICATION FOR TRANSFER NOS. 4983 & 4984 (37-02584 Parts, W. Bruce Willis)

Dear Protestant(s):

The protest filed on behalf of Blaine County against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

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

AM:MB
Enclosure(s)

MICROFILMED

APR 23 2002

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

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

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

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

February 7, 1997

**SENT VIA FAX: 736-3037;
ORIGINAL TO FOLLOW BY MAIL**

RECEIVED

FEB 10 1997

Mr. Allen Merritt
Idaho Department of Water Resources
Southern Region
1341 Filmore Street Suite 200
Twin Falls, Idaho 83301

Idaho Department of Water Resources
Southern Region

Re: W. Bruce Willis - Transfers Nos. 4983 and 4984

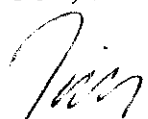
Dear Allen:

I represent the Flying Heart Ranch Owners Association (the "Association"). This letter shall constitute a protest to the above-referenced Transfer Applications filed by W. Bruce Willis on the grounds that other water rights shall be injured by the proposed transfers, the proposed changes are not consistent with the conservation of water resources in the State of Idaho, the proposed changes are not in the local public interest, and the proposed changes will violate the requirements and restrictions of the order creating the Big Wood River Groundwater Management Area. I have enclosed my firm's check payable to IDWR in the sum of \$50 representing the protest fees for these two transfer applications.

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

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.


James P. Speck

JPS:jal
Enclosure - check
cc: Flying Heart Ranch Owners Association
W. Bruce Willis c/o Edward Simon, Esq.

MICROFILMED

SEP 1 1997

2/10/97
Receipt # 2019847
MB

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

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

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

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

February 7, 1997

**SENT VIA FAX: 736-3037;
ORIGINAL TO FOLLOW BY MAIL**

Mr. Allen Merritt
Idaho Department of Water Resources
Southern Region
1341 Filmore Street Suite 200
Twin Falls, Idaho 83301

RECEIVED

FEB 07 1997

Department of Water Resources
Southern Region

Re: W. Bruce Willis - Transfers Nos. 4983 and 4984

Dear Allen:

I represent the Flying Heart Ranch Owners Association (the "Association"). This letter shall constitute a protest to the above-referenced Transfer Applications filed by W. Bruce Willis on the grounds that other water rights shall be injured by the proposed transfers, the proposed changes are not consistent with the conservation of water resources in the State of Idaho, the proposed changes are not in the local public interest, and the proposed changes will violate the requirements and restrictions of the order creating the Big Wood River Groundwater Management Area. I have enclosed my firm's check payable to IDWR in the sum of \$50 representing the protest fees for these two transfer applications.

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

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.


James P. Speck

JPS:jal

Enclosure - check

cc: Flying Heart Ranch Owners Association
W. Bruce Willis c/o Edward Simon, Esq.

MICROFILMED

APR 23 2002

HOGUE, SPECK & AANESTAD
ATTORNEYS AT LAW
P.O. BOX 987, KETCHUM, IDAHO 83340
208/726-4421

FIRST SECURITY BANK OF IDAHO
KETCHUM, IDAHO 83340
92-6-1241

26682

PAY *** Fifty ***

TO THE
ORDER OF

IDWR

DATE and 00/100 Dollars
2/7/97 AMOUNT
\$50.00

HOGUE, SPECK & AANESTAD

Protest Fee



⑈026682⑈ ⑈124100064⑈025 00638 12⑈

HOGUE, SPECK & AANESTAD

26682

Date: 2/7/97

Amount: \$50.00

Paid To: IDWR

RECEIVED
FEB 07 1997
Department of Water Resource
Southern Region

Explanation: Protest Fee

HOGUE, SPECK & AANESTAD

26682

DATE: 2/7/97

AMOUNT: \$50.00

PAID TO: IDWR

Explanation: Protest Fee

ACCOUNT: 1

Client: Flying Heart Ranch Owner's Association

Matter: 970046 MICROFILMED

GENERAL DISBURSEMENT AMOUNTS
MATTER AMOUNT

James I. Eakin, Director
Wood River Valley Irrigation District #45
P.O. Box 296
Bellevue, Idaho 83313



RECEIVED

FEB 10 1997

Department of Water Resources
Southern Region

Department of Water Resources
1341 Filmore Street, Suite 200
Twin Falls, ID 83301

MICROFILMED
APR 23 2002

11 E G 1 W 211

FEB 10 1997

Department of Water Resource
Southern Region

Department of Water Resources
1341 Filmore Street, Suite 200
Twin Falls, Idaho 83301

Please be advised that the Board of Directors of the Wood River Valley Irrigation District #45 opposes the proposed transfer of any and all groundwater rights from Camas county to the Flying Heart Subdivision.

The right in question is 37-02584 with a priority date of October 4, 1955. The groundwater source is from an entirely different aquifer than Big Wood River at Hailey and any further new wells would be considered negative impact on existing water rights.

James L. Perkins

James I. Eakin, Director
Wood River Valley irrigation District #45

cc: Edward Simon

MICROFILMED
JUL 1 2002

2/10/97
Receipt # SO 19848
MB

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

APPLICATION FOR

RECEIVED

1. Matter being protested TRANSFER No. 4983
2. Name of protestant BLAINE COUNTY, IDAHO
3. Protestant's representative for service (If different than protestant)
DOUGLAS WERTH, COUNTY PROSECUTING ATTORNEY
4. Service mailing address Box 756 HAILEY, ID. 83333
5. Service telephone no. 788-5545
6. Basis of protest (including statement of facts and law upon which the protest is based)
AN INTER BASIN TRANSFER FROM A LOWER AREA TO A HIGHER
ELEVATION WILL RESULT IN A DEPLETION OF AVAILABLE RESOURCE IN THE
HIGHER AREA AND ALL WATER RIGHTS HOLDERS DOWN STREAM OF DIVERSION
POINT - THIS WILL RESULT IN EXPANSION OF USE IN THE UPPER AREA. - See
attached
(additional pages may be attached to describe the nature of the protest)
7. What would resolve your protest? DENY TRANSFER OR PROVIDE PLAN FOR
REMEDIATION.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 5th day of February, 1997.

Leonard Harley - Chairman
PROTESTANT

[Signature]
PROTESTANT'S REPRESENTATIVE

MICROFILMED
SEP 23 2002

NOTE:

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
 2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.
 3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
 4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
 5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
 6. Specifically describe the nature of the protest.
 7. Describe the relief being sought by the protestant.
-

FOR DEPARTMENT USE ONLY

Received by MB Date 2/6/97 Time 10:00 am
\$25.00 fee Receipted by MB # 5019837 Date 2/6/97

MICROFILMED
SEP 28 2002

Attachment to Notice of Protest for Transfer Application No. 4983

6. (cont.) In addition, the protest is based upon the fact that the proposed transfer will injure other water rights, is not in the local public interest and is contrary to the conservation of water resources within the state of Idaho. The transfer application is contrary to applicable statutes and case law of the state of Idaho, including without limitation: I.C. §§ 42-108, 42-203A, and 42-222.

RECEIVED

FEB 06 1997

Department of Water Resources
Southern Region
MICROFILMED

APR 23 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: C SKINNER Date: _____

1. Right number 37-02584 (PART) Applicant W. BRUCE WILLIS 4984/66408

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

3. Purpose of transfer: ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Other SPLIT RIGHT

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use NONE LISTED

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use MATCHES ALLOCATION RECORDS SHOULD BE 4/15 TO 10/15

5. Amount of land &/or water transferred:

a. ☐ All of right.

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

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

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

f. ☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred.

h. ☒ Check for expansion in use of right. Comments _____

NONE APPARENT (IRRIGATION PERIOD OF USE?) STANDARD FOR AREA IS 4/15 TO 10/15

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 GROUNDWATER

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Is transfer published correctly? ☐ Yes ☐ No

3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve

2. ☐ Deny

3. Conditions* _____

4. By Adm Date 2/5/02

RECEIVED

JAN 30 1997

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 4984

Department of Water Resources
Southern Region

RECOMMENDATION OF WATERMASTER

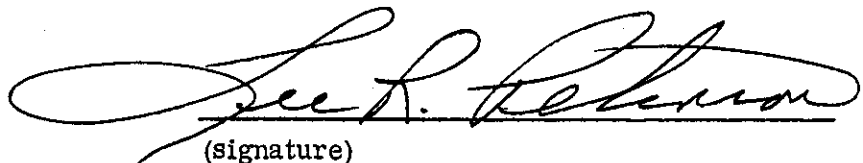
I, Lee R. Peterson, watermaster of Big Wood River,
of Water District No. 37, County of Blaine, State of Idaho,
whose address is P O Box T, Shoshone, Idaho 83352
have read the attached copy of the application for transfer of water right for W. Bruce
Willis & Edward Simon Esq, and to the best of my knowledge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

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: _____

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: I do not believe it's right to transfer
this water right from one aquifer system to another which is already
well used and sometimes over used, taking water from users further
down the system.

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


(signature)

MICROFILMED

APR 23 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET 7# 1

INITIAL REVIEW BY: C SKINNER Date:
1. Right number 37-02584 (Part) Applicant Bruce Willis 4983/66407

2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Other SPLIT RIGHT

4. Check:
a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use NONE LISTED SHOULD BE 4/15 TO 10/15
b. ☒ Description of original point of diversion.
c. ☒ Description of original place of use MATCHES ALLOCATION RECORDS SRBA CLAIM IS FOR LESS ACRES

5. Amount of land &/or water transferred:
a. ☐ All of right.
b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
c. ☒ Check description of point(s) of diversion.
d. ☒ Check description of place of use.
e. ☒ Check map (shows p.d. and p.u. after transfer).
f. ☒ Check for correct signature, notarization, and fee.
g. ☒ Check proof of ownership of right &/or land from which water is transferred. NOTE WATER AND ACRES TRANSFERRED ARE BASED ON SRBA CLAIM, A37-02584
h. ☒ Check for expansion in use of right. Comments NONE APPARENT (IRRIGATION PERIOD OF USE?) QUITCLAIM FROM SRBA CLAIMANT TO VALLEY ENTERTAINMENT
STANDARD SEASON FOR AREA IS 4/15 TO 10/15

- i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) RIGHTS INVOLVED WITH COMPANION TRANSFER(S), ALSO 37-00557, 37-00558, AND 37-00559, BUT THESE THREE RIGHTS ARE NOT USED FOR IRRIGATION. TRANSFER(S) TO RECORD THEIR USE(S) ARE STILL PENDING.
j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No GROUNDWATER
If yes, what district?

- FINAL PROCESSING REVIEW BY:
1. Watermaster recommendation requested on Received on
2. Is transfer published correctly? ☐ Yes ☐ No
3. Protest received? ☐ Yes ☐ No

- RECOMMENDED ACTION
1. ☐ Approve
2. ☐ Deny
3. Conditions* Dismissed
4. By AD Date 2/5/02

RECEIVED

JAN 30 1997

APPLICATION FOR TRANSFER OF WATER RIGHT Department of Water Resources
Southern Region

NO. 4983

RECOMMENDATION OF WATERMASTER

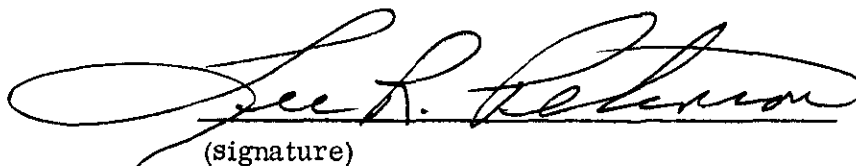
I, Lee R. Peterson, watermaster of Big Wood River,
of Water District No. 37, County of Blaine, State of Idaho,
whose address is P O Box T, Shoshone, Idaho 83352
have read the attached copy of the application for transfer of water right for W. Bruce
Willis & Edward Simon Esq, and to the best of my knowledge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

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: _____

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: I do not believe it's right to transfer
this water right from one aquifer system to another which is already
well used and sometimes over used, taking water from users further
down the system.

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


(signature)

MICROFILMED

Please use reverse side if needed.

APR 23 2007

JAN 1997

Department of Water Resources

AFFIDAVIT of PUBLICATION.

State of Idaho, }
County of Blaine } SS.

On this 29 day of Jan in the year 1997 before me a Notary Public of said State, personally appeared DANIEL J. GORHAM, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and 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 22 day of Jan 1997 and the date of the last publication was on the 29 day of Jan 1997.

[Signature]
Subscribed and sworn to before me this 29 day of Jan 1997.
(SEAL)

[Signature]
NOTARY PUBLIC

#10371
WOOD RIVER JOURNAL
Hailey, Idaho
COST OF PUBLICATION
Number of Picas per Line 11.5
Number of Lines in Notice 97.067
Number of Insertions 2
Lines tabular at 7 1/2 c/Pica
97.067 Lines straight at 6.976 6 1/2 c/Pica
97.067 Subsequent lines at 55.813 5 1/2 c/Pica
TOTAL COST \$127.79

xfer 4983, 4984 -
Right No. 37-0258
COPY OF NOTICE
(Paste Here)

Prop change water right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept Water Resources
BILL TO

Proposed change of water right

Notice is hereby given that W. Bruce Wills, c/o Edward Simon, Esq., PO Box 540; KETCHUM ID 83340 has filed five (5) transfer applications pursuant to Section 42-222 of IDAHO CODE. The purpose of Transfer No. 4983 and Transfer No. 4984 is to move portions of groundwater Water Right No. 37-02584 (Priority 10/4/1955) from Cassia County to the Flying Heart Ranch Subdivision in Blaine County. Transfer 4983 proposes Water Right No. 37-02584, Part B (0.448 cfs) will be diverted from five (5) wells within NE1/4, S5, T2N, R18E and one (1) well within SE1/4, S33, T2N, R18E for irrigation of 22.4 acres within these same tracts. Transfer 4984 proposes Water Right No. 37-02584, Part D (0.06 cfs) will be diverted from two (2) wells within NW1/4, S4, T2N, R18E for irrigation of three (3) acres within SW1/4NW1/4, S4, T2N, R18E. The purpose of Transfer No. 4985 is to delete a recorded point of diversion, change the place of use and delete fish propagation as a use for a portion of Big Wood River Water Right No. 37-0577 (Priority 3/24/1883, which has been renumbered Water Right No. 37-30013. A total of 1.20 cfs will be diverted from the Big Wood River for recreation use (1.20 cfs) and aesthetic use (1.20 cfs) within NE1/4NW1/4, S5, T2N, R18E for use from 1/1 to 12/31 within parts of NE1/4, S5, T2N, R18E. The purpose of Transfer No. 4986 is to add diversion point(s) and change places of use for groundwater Water Right No. 37-08461 (Priority 10/11/1908 for 0.07 cfs) with the same diversion points as Transfer No. 4983 for irrigation of 3.0 acres with domestic, stock and fire protection uses within NE1/4, S5, T2N, R18E. The purpose of Transfer No. 4990 is to add diversion point(s) and change places of use for groundwater Water Right No. 37-08447 (Priority 6/27/1990 for 0.09 cfs) with the same diversion points as Transfer No. 4983 for irrigation of 3.0 acres and domestic use within NE1/4, S5, T2N, R18E. A protest against approval of any particular transfer must be filed with the Department of Water Resources, Southern Region, 1341 Filmore St., Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before February 10, 1997. (Each transfer requires a separate protest). The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director

Published in the Wood River Journal on 1/23 & 1/29/97.

Published: Wood River Journal - January 22 & 29, 1997.

MICROFILMED

APR 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 14, 1997

ATTN EDWARD REAGAN
THE CAMAS COURIER
PO BOX 339
FAIRFIELD ID 83327

Dear Mr. Reagan:

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

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MICROFILMED
APR 13 2001

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that **W. Bruce Willis**, c/o Edward Simon, Esq., PO Box 540; KETCHUM ID 83340 has filed five (5) transfer applications pursuant to Section 42-222 of IDAHO CODE.

The purpose of Transfer No. 4983 and Transfer No. 4984 is to move portions of groundwater Water Right No. 37-02584 (Priority 10/4/1955) from Camas County to the Flying Heart Ranch Subdivision in Blaine County. **Transfer 4983** proposes Water Right No. 37-02584, Part B (0.448 cfs) will be diverted from five (5) wells within NE1/4, S5, T2N, R18E and one (1) well within SE1/4, S32, T3N, R18E for irrigation of 22.4 acres within those same tracts. **Transfer 4984** proposes Water Right No. 37-02584, Part D (0.06 cfs) will be diverted from two (2) wells within NW1/4, S4, T2N, R18E for irrigation of three (3) acres within SW1/4NW1/4, S4, T2N, R18E.

Changes to point(s) of diversion and places of use are proposed in **Transfer No. 4988** (a portion of Big Wood River Water Right No. 37-0577 (1.20 cfs), renumbered Water Right No. 37-30013 which is used for recreation and aesthetic use), **Transfer No. 4989** (groundwater Water Right No. 37-08461 used for irrigation, domestic, stock and fire protection use) and **Transfer No. 4990** (groundwater Water Right No. 37-08647 used for irrigation and domestic use).

A protest against approval of any particular transfer must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before February 10, 1997. (Each transfer requires a separate protest). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in The Camas Courier on 1/22 & 1/29/97.

MICROFILMED

APR 23 2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

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The purpose of Transfer No. 4983 and Transfer No. 4984 is to move portions of groundwater Water Right No. 37-02584 (Priority 10/4/1955) from Camas County to the Flying Heart Ranch Subdivision in Blaine County. **Transfer 4983** proposes Water Right No. 37-02584, Part B (0.448 cfs) will be diverted from five (5) wells within NE1/4, S5, T2N, R18E and one (1) well within SE1/4, S32, T3N, R18E for irrigation of 22.4 acres within those same tracts. **Transfer 4984** proposes Water Right No. 37-02584, Part D (0.06 cfs) will be diverted from two (2) wells within NW1/4, S4, T2N, R18E for irrigation of three (3) acres within SW1/4NW1/4, S4, T2N, R18E.

The purpose of **Transfer No. 4988** is to delete a recorded point of diversion, change the place of use and delete fish propagation as a use for a portion of Big Wood River Water Right No. 37-0577 (Priority 3/24/1883, which has been renumbered Water Right No. 37-30013. A total of 1.20 cfs will be diverted from the Big Wood River for recreation use (1.20 cfs) and aesthetic use (1.20 cfs) within NE1/4NW1/4, S5, T2N, R18E for use from 1/1 to 12/31 within parts of NE1/4, S5, T2N, R18E.

The purpose of **Transfer No. 4989** is to add diversion point(s) and change places of use for groundwater Water Right No. 37-08461 (Priority 10/11/1988 for 0.07 cfs) with the same diversion points as Transfer No. 4983 for irrigation of 2.0 acres with domestic, stock and fire protection uses within NE1/4, S5, T2N, R18E.

The purpose of **Transfer No. 4990** is to add diversion point(s) and change places of use for groundwater Water Right No. 37-08647 (Priority 6/27/1990 for 0.09 cfs) with the same diversion points as Transfer No. 4983 for irrigation of 3.0 acres and domestic use within NE1/4, S5, T2N, R18E.

A protest against approval of any particular transfer must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before February 10, 1997. **(Each transfer requires a separate protest).** The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Wood River Journal on 1/22 & 1/29/97.

MICROFILMED
MAR 3 1997



**State of Idaho
DEPARTMENT OF WATER RESOURCES**

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

January 9, 1997

PHILIP E. BATT
GOVERNOR

CHARLES G BROCKWAY
BROCKWAY ENGINEERING
706 SUNRUJE BLVD NORTH
TWIN FALLS ID 83301

KARL J. DREHER
DIRECTOR

Re: Application for Transfer Nos. 4983 & 4984 (37-02584); 4988 (37-30013); 4989 (37-08461); 4990 (37-08647)--Bruce Willis

Dear Mr. Brockway:

The Department of Water Resources acknowledges receipt of the five (5) above referenced Applications for Transfer filed on behalf of W. Bruce Willis.

This office has scheduled advertising Transfer Nos. 4983 & 4984 in the both the Camas Courier and Wood River Journal on 1/22 & 1/29/97. The legals for the three (3) applications are scheduled to appear solely in The Wood River Journal also on those dates.

The advertisement(s) 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.

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

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

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

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

cc: Joseph McAllister, PO Box 3212; Hailey ID 83333
Edward Simon, Esq., PO Box 540; Ketchum ID 83340

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APR 2 1997

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APR 2 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 9, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

T# 4983, 4984, 4988,
4989, 4990

Re: Application for Transfer of Water Right No. 37-30013 (T# 4988, W. Bruce Willis) & above referenced Transfers.

Dear Mr. Peterson:

Enclosed is a copy of an Application for Transfer of a Water Right within your District, and Watermaster's Recommendation Form. Also enclosed are copies of companion transfer application that have been filed concerning the same property for your information and reference.

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

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

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

In addition, please note the name and location of the headgate on the enclosed transfer. The transfer was filed to correctly describe the headgate that Bruce Willis actually uses. The application refers to the headgate that Bruce Willis uses as the Aspen Lakes #1, located in the SENENW1/4 of Section 5, T02N, R18E. I think Mr. Willis' headgate is actually referred to as the #27 Aspen? The headgate location looks correct according to our records and maps. You may want to check your records and advise us on actual name and location for Mr. Willis' headgate. Hopefully, we will all end up on the same page regarding the headgate name and location so any future confusion can be avoided.

Thanks for your help and if you have any questions about the application, please contact this office or the applicant.

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

MICROFILMED

APR 23 2002

APR 23 2002

MEMORANDUM

TO: Bruce Willis Transfer File (37-02584 Part)

FROM: Corey Skinner *CS*

DATE: October 22, 1996

SUBJECT: Staff Review

The enclosed transfer application, filed by Brockway Engineering for Bruce Willis, seeks to change and add diversion points, change the place of use, and split water right 37-02584. There is a discrepancy between the licensed acres under 37-02584 and the acres claimed in the corresponding SRBA claim, A37-02584. Water right 37-02584 was originally licensed for 500 acres, but SRBA claim A37-02584 was claimed for 270 acres. The enclosed transfer is based on the SRBA claimed acres (270) and the corresponding rate per acre.

This spring, I visited the property that water right 37-02584 is currently appurtenant to. My observations during my field visit lead me to believe that water right 37-02584 is valid, and possible forfeiture should not be a problem in the proposed transfer(s) of this water right.

Companion transfers have been filed to try and "clean up" and properly record Mr. Willis' water rights in the area just north of Hailey. The methodology behind the filings of the transfer applications is discussed in Brockway Engineering's narrative enclosed with the transfer application. A summary would be as follows:

Currently, Mr. Willis owns two groundwater rights (37-08461 and 37-08647) for the irrigation of 5 acres within the area just north of Hailey. In addition, Mr. Willis owns portions of surface rights 37-00557, 37-00558, 37-00559, and 37-00577 that are appurtenant to the same place of use. Mr. Willis is currently irrigating approximately 18.5 acres with groundwater and is running all his surface water through a series of aesthetic ponds and ditches. In addition, Mr. Willis desires to irrigate approximately 12 additional acres that are not currently irrigated.

Four transfer applications have been filed to attempt to cover the total current and desired future irrigation. The total irrigated acreage consists of 3 acres east of Highway 75 and approximately 27.3 acres within Flying Heart Subdivision, west of Highway 75. The basic idea behind this transfer, and the companion transfers, is that any of the total acreage not capable of being covered by the currently licensed 5 acre total (37-08461 and 37-08647) will be covered by transferring a portion of groundwater right 37-02584. Mr. Willis has recently purchased water right 37-

MICROFILMED

204 23 / 1002

T # 4983

Page 2
Willis Transfer Memo
10/22/96

02584 and the land that it is appurtenant to. In addition, a transfer application has been filed to transfer a portion of water right 37-02584 to the three acres east of Highway 75.

Mr. Willis' total proposed irrigated area within Flying Heart Subdivision (27.3 acres west of Highway 75) was treated as one common system/area. Charles G. Brockway of Brockway Engineering said that Mr. Willis plans on connecting all the Flying Heart wells into one common system. This Flying Heart area will be covered by six wells located on various lots that Mr. Willis owns within the subdivision. A transfer application has been filed to spread the 2.0 acres of licensed ground under 37-08461 over the Flying Heart area and to add five additional points of diversion (six total) to this particular right. Similarly, a transfer application has been filed to spread the 3.0 acres of licensed ground under 37-08647 over the Flying Heart area and to add five additional points of diversion (six total) to this particular right. In addition, a transfer application has been filed to transfer a portion of water right 37-02584 to the six wells in the Flying Heart area to cover the remaining irrigated ground not covered by 37-08461 and 37-08647.

Transfer applications have been filed to properly record the current use of Mr. Willis' surface water rights. However, legal issues concerning the ownership of some of these surface rights currently prevent the processing of all but one of these additional applications. From what I observed during a visit to the Flying Heart area earlier this summer, and what the water master has told me, Mr. Willis uses his surface water for aesthetic purposes in his pond and ditch system and has for quite some time. Therefore, the surface water rights that overlap the place of use involved with the groundwater right transfers should not cause any overlap problems.

Water right 37-08429, domestic and irrigation use in the name of Flying Heart Ranch II subdivision, is appurtenant to a portion of Mr. Willis' Flying Heart property (lots 4 and 6). Water right 37-08429 was licensed for 20 acres of irrigation for 16 lots within the subdivision. Mr. Willis' "groundwater transfer package" was prepared to cover the irrigation of a portion of land covered by the subdivision right (37-08429). This was done because Mr. Willis apparently does not want to use the subdivision's system if he can transfer his own water rights to his property and have his own independent system. If Mr. Willis' transfers are approved, the subdivision could possibly file a transfer application to redistribute Mr. Willis' portion of the acres and water to other lots. This would benefit the individual lot owners by allowing them to obtain a small amount of additional water for possible additional irrigated acres not currently covered by 37-08429.

MICROFILMED

APR 23 2002

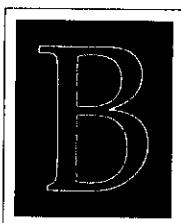
Page 3
Willis Transfer Memo
10/22/96

Brockway Engineering prepared and submitted Mr. Willis' applications as a package, and the applications should probably be either approved or denied as a package. There should be no problems with overlapping surface rights since they no longer are used for irrigation, and the only other possible overlap involves the subdivision's right (37-08429). In addition, there appears to be no expansion involved with Mr. Willis' "groundwater transfer package". However, the most crucial components of the transfer package are the transfer applications involving water right 37-02584.

Water right 37-02584 is the base right that is proposed to provide the water, and therefore the irrigated acres, to make up the discrepancy between the currently licensed 5.0 acres and the proposed 30.5 acres of irrigation. Water right 37-02584 is diverted from and appurtenant to land in the Camas Prairie, near the Camas County and Blaine County line (Sections 3, 4, and 9, Township 01S, Range 16 East). The transfer package proposes to divert and use portions of this right from and on land in the Wood River Valley (Sections 4 and 5, T02N, R18E and Section 32, T03N, R18E). These two areas are both in the Big Wood River Groundwater Management area, but both areas are quite a few miles apart and on opposite sides of the Big Wood River. Therefore, the department may want to carefully consider possible effects on the local aquifers, and possible precedence when considering the proposed transfers for approval.

MICROFILMED

APR 23 2002



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

SEP 10 1996

Department of Water Resources
Southern Region

September 10, 1996

Mr. Corey Skinner
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Re: Willis water right transfer applications for 37-02584, 37-08647, 37-08461, and 37-0577BT

Dear Corey:

With this letter I am re-submitting the following items: 1) two transfer applications for 37-02584 (the Fairfield groundwater), 2) a revised narrative in support of all transfer applications that will be processed at this time, and 3) revised tables of current and future irrigation, including the breakdown of the acreages on each transfer. These tables should replace any other such tables which you may have. I am not re-submitting the diagrams for each transfer or the legal documentation of ownership, since you should have these.

According to our meeting yesterday, the transfer for 37-02584 was split in order to move the water to the two separate systems: the Flying Heart property and the McKenzie property. Part 2 of each application has been corrected so that only the changed and unchanged portions of the right being transferred are described. Also, based on your telephone call yesterday to Jim Johnson, the fact that the recently-licensed community irrigation right for Flying Heart Ranch is appurtenant to portions of lots 4 and 6 was not considered in the transfer.

We discussed the applications for 37-08647 and 37-08461 yesterday, made minor changes, and agreed that these applications are ready to be processed. I have reviewed the application for 37-0577BT; it is very straightforward and no modifications are necessary. Therefore, with the re-submittal of the two applications herein for 37-02584, you should be able to proceed with the processing of these applications. Given that these applications were originally submitted seven months ago, and that all of your requests for revisions could have been voiced at the first meeting in February 1996, I hope that you will now proceed diligently.

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

CHARLES G.
BROCKWAY,
PH.D., E.I.T.

706 SUNRISE
BOULEVARD
NORTH

TWIN FALLS,
IDAHO 83301

208•733•0938
208•734•2580

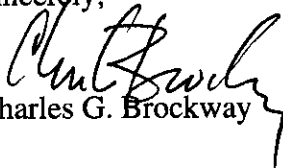
FAX: 736•1746

MICROFILMED

SEP 13 1996

It is my understanding that you are holding the applications for the three surface decrees (37-00557, 37-00558, and 37-00559) until the matter of ownership of these rights is resolved.

Sincerely,



Charles G. Brockway

enclosures

cc: Mr. Ed Simon (w/o enclosures)

MICROFILMED

APR 23 2002

RECEIVED

SEP 10 1996

Department of Water Resources
Southern Region

**NARRATIVE IN SUPPORT OF WATER RIGHT TRANSFER
APPLICATIONS FOR 37-02584, 37-08647, 37-08461, AND 37-
0577BT**

BRUCE WILLIS PROPERTY

Brockway Engineering, P.L.L.C.

September 10, 1996 (REVISED)

This revised narrative will serve as supplementary information for the five transfer applications originally submitted in February 1996 and re-submitted with required modifications on May 14, 1996. Further modifications have been requested by Mr. Corey Skinner before processing can proceed. The applications for transfer of water rights are being submitted for Mr. W. Bruce Willis. Mr. Willis owns property north of Hailey, Idaho and near Fairfield, Idaho. Specifically, the properties to which the transfers are appurtenant is 1) lots 4, 6, 18, 20, 34, 37, 38, 39A, and 41 of Flying Heart Subdivision No. 1; 2) Unplatted parcels on McKenzie lane (directly east of Flying Heart across Highway 75); and 3) Block 1, Lot 7 of Northridge Subdivision No. 1. The Northridge lot lies directly east of and is contiguous with the McKenzie property.

Currently, irrigation water for the property is supplied by six (6) wells: one on each of Flying Heart lots 34, 37, 39A, and 41, and two on the McKenzie property. A total of

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SEP 23 1996

18.46 acres is currently being irrigated, and approximately 12 additional acres is planned in the future. Mr. Willis owns groundwater rights for two of these wells (those in lots 34 and 37), which allow 5 acres of irrigation. In addition, the recently-licensed right 37-08429 for a community water system in the name of Flying Heart Ranch is appurtenant to 16 lots, including Mr. Willis' lots 4 and 6. This right allows 20 acres of irrigation. However, the applicant does not withdraw water from this system, and does not intend to. Therefore, the transfers are being submitted without regard to this community right. The applicant's water rights are deficient by approximately 25 acres. Mr. Willis owns a groundwater license for 500 acres of irrigation near Fairfield. Transfer applications are being filed to move water from the Fairfield land to the land north of Hailey to remedy this deficiency.

In addition to irrigation, a diversion from the Big Wood River supplies aesthetic and recreational ditches and ponds through the main portion of Mr. Willis' land (Flying Heart lots 34, 37, 38, and 41). The three rights under which this diversion is taking place are decreed irrigation rights. These rights were assigned to several lot owners within the Flying Heart Subdivision, including the applicant. The applicant then purchased two additional lots, bringing his share of these rights to a 2/3 interest. Further documentation is being secured to determine whether the applicant has acquired these rights in totality. Transfer applications have been submitted for these rights; however, they are not being processed pending a resolution of the ownership matter.

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APR 23 2002

Other transfers are being filed to correct minor errors which exist in the information currently in the IDWR database. The applications are provided in Section 2, and will be discussed below.

Current and future irrigation

The tables provided in Section 3 show the amount of land which is currently irrigated in each lot and each quarter-section, and the amount which will likely be irrigated in the near future. Irrigation of the main Flying Heart land (lots 34, 37, 38, and 41) and the McKenzie property (including lot 7 of Northridge) will remain essentially as it exists. Additional irrigation will be developed in Flying Heart lots 4, 6, 18, 20, and 39A. Two additional wells are planned in Flying Heart lots 6 and 20. Refer to the diagrams in Section 3 for the location of the irrigated lots.

Discussion of transfer applications

Each transfer application included in this package is discussed below. Diagrams appurtenant to each transfer are provided in Section 3.

1. Transfer for 37-02584. This is a groundwater license that was acquired along with land recently purchased by Mr. Willis in March of 1995. The quitclaim deed shows that this water right was included with the sale (see Section 4). This groundwater license has a priority date of 1955 and is appurtenant to 500 acres near Fairfield, Idaho. The diversion rate listed on the license is 2.21 cfs. It is requested that water be transferred from this

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point of diversion and place of use to the property north of Hailey. Per the recommendation of Mr. Corey Skinner of IDWR Southern Region, two applications are being submitted: one to move water to the Flying Heart property, which will likely become an interconnected system, and one for the McKenzie Lane property, which is a separate system across Highway 75.

Current and future wells would be included as points of diversion. The total irrigation deficiency is 25.4 acres, broken down by quarter-section in Section 3 of this narrative and on Part 1 of the transfer application. At 0.02 cfs / acre, 25.4 acres requires 0.508 cfs. Although license 37-02584 lists 500 acres, the SRBA claim only lists 270 acres. The claim was filed while the land was held in the Federal Crop Reduction Program prior to purchase by Mr. Willis. As per a meeting with the director of IDWR Southern Region, the water would be transferred based on the claimed irrigation rather than the licensed irrigation, i.e. water would be transferred at a rate of $2.21 \text{ cfs} / 270 \text{ acres} = 0.008185 \text{ cfs} / \text{acre}$. Therefore, the portion of the Fairfield property no longer irrigated would be $0.508 \text{ cfs} / (0.008185 \text{ cfs} / \text{acre}) = 62.1 \text{ acres}$. These amounts are apportioned accordingly on each of the two separate transfer applications. Note that the amounts on Part 2 of the McKenzie property application assumes that the two applications are concurrently approved, so that the total acreage reduction from the Camas County land is correct.

2. Transfer for 37-08461. This is a groundwater license appurtenant to the well in Flying Heart lot 34. The license is for 2 acres of irrigation, plus domestic, stock, and fire protection, with a total rate of 0.07 cfs. This transfer application is being filed to correct

MICHOE/MALL

APR 23 2002

the point of diversion decryption to coincide with the actual location of the well, and to modify the place of use. The place of use is being modified to ensure that the right will be appurtenant to all applicable quarter-sections for the Flying Heart property (except lots 18 and 20). This is desired to maximize the flexibility of the irrigation system for future usage (see Table 2, Section 3).

3. Transfer for 37-08647. This is a groundwater license appurtenant to the well in Flying Heart lot 37. The license lists 3 acres of irrigation plus domestic, with a total rate of 0.09 cfs. A transfer application is being filed to correct the point of diversion and to modify the place of use. See the discussion for 37-08461 for a further description of the place of use modification. The well currently irrigates a total of 10.08 acres. This deficiency would be remedied by the transfer of 32-02584.

4. Transfer for 37-0577BT. This is a surface water decree for the Big Wood River. It is a non-consumptive right for fish propagation, recreation, and aesthetics. The transfer application is being filed to delete an unused point of diversion, change the place of use to the pond and ditch system and to delete fish propagation as a use. This right, a portion of the original Riley water, has a somewhat convoluted history. Mr. E. Parry Thomas acquired right 37-00577AH for 1.58 cfs of non-consumptive water for fish, recreation, and aesthetics from Mr. Kenneth Moore. As part of the sale, Mr. Thomas initiated a transfer for 1.20 cfs of the 1.58 cfs to add a point of diversion and change the place of use to land south of Mr. Willis' property. This transfer has been approved, but it is unclear

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SEP 13 2002

how the result of the transfer is recorded by IDWR. In the transfer process, identification numbers became confused. Most likely, the result of the transfer was water right 37-00577BT for 1.20 cfs. To document this, a copy of transfer 2776 is provided in Section 4. However, the IDWR database record for 37-00577BT is an entirely different right.

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APR 23 1997

Willis water rights

Current and future irrigation by 1/4 section

Brockway Engineering. CGB 12/12/95, updated 5/13/96

Page 1/2

CURRENT IRRIGATION

Section	1/4 1/4	34	37	38	41	Lot Number					20	McK	TOTAL by 1/4 1/4
5	NWNE	2.97	0.39			39A	4	6	18				3.36
5	SWNE	0.56	1.58	5.65	3.92	0.10							11.81
5	SENE				0.15	0.14							0.29
5	NENE												0.00
32	SWSE												0.00
4	SWNW											3.00	3.00
TOTAL		3.53	1.97	5.65	4.07	0.24	0.00	0.00	0.00	0.00	0.00	3.00	TOTAL: 18.46
BY LOT													

PROBABLE FUTURE IRRIGATION

Section	1/4 1/4	34	37	38	41	Lot Number					20	McK	TOTAL BY 1/4 1/4
5	NWNE	2.97	0.39			39A	4	6	18				3.36
5	SWNE	0.56	1.58	5.65	3.92	0.10							11.81
5	SENE				0.15	2.00	2.50						4.65
5	NENE							2.50					2.50
32	SWSE								2.50	2.50			5.00
4	SWNW											3.00	3.00
TOTAL		3.53	1.97	5.65	4.07	2.10	2.50	2.50	2.50	2.50	2.50	3.00	TOTAL: 30.32
BY LOT													

POINTS OF DIVERSION

(C = Current, F = Assumed future location)

Section	1/4 1/4	34	37	38	41	Lot Number					20	McK	TOTAL NO. BY 1/4 1/4
5	NWNE	C,F	C,F										2
5	SWNE				C,F								1
5	SENE					C,F							1
5	NENE							F					1
32	SWSE										F		1
4	SWNW											C,F (2)	2
TOTAL NO.		1	1	0	1	1	0	1	0	1	2		TOTAL: 8
BY LOT													

MICHO...

APR 2 5 1996

Willis water rights

Current and future irrigation by 1/4 section

Page 2/2

Brockway Engineering. CGB 12/12/95, rev. 5/13/96, 8/5/96, 9/9/96

IRRIGATION SUMMARY

Section	1/4 1/4	Current	Probable Future	Currently Licensed**	37-08461 after trans.	37-08647 after trans.	Flying Heart 37-08429*	Req'd trans. from Fairfield	Listed acres on transfer
5	NWNE	3.36	3.36	2.50	0.50	0.75	0.00	2.11	2.1
5	SWNE	11.81	11.81	2.50	0.50	0.75	0.00	10.56	10.6
5	SENE	0.29	4.65	0.00	0.50	0.75	0.00	3.40	2.2
5	NENE	0.00	2.50	0.00	0.50	0.75	0.00	1.25	0.0
32	SWSE	0.00	5.00	0.00	0.00	0.00	0.00	5.00	5.0
4	SWNW	3.00	3.00	0.00	0.00	0.00	0.00	3.00	3.0
TOTAL		18.46	30.32	5.00	2.00	3.00	0.00	25.32	22.9

* This is a pending license in the name of Flying Heart Subdivision. The permit is for 16 homes and 20 acres of irrigation, which would therefore allow 1.25 acres of irrigation on each of lots 4 and 6; however per meeting w/ C. Skinner and teleconf. w/ J. Johnson on 9/9/96, it is not necessary to account for these acres in the transfer.

** License 37-08647: 0.5 ac. in NWNE5, 2.5 ac. in SWNE5. License 37-08461: 2.0 ac. in NWNE5.

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APR 23 2002

**WOOD RIVER VALLEY
IRRIGATION DISTRICT #45**

Bellevue, Idaho 83313

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FEB 10 1997

Department of Water Resources
Southern Region

February 7, 1997

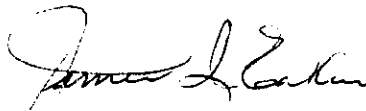
Department of Water Resources
1341 Filmore Street, Suite 200
Twin Falls, Idaho 83301

RE: Willis Water Permit Transfer #4983

Please be advised that the Board of Directors of the Wood River Valley Irrigation District #45 opposes the proposed transfer of any and all groundwater rights from Camas county to the Flying Heart Subdivision.

The right in question is 37-02584 with a priority date of October 4, 1955. The groundwater source is from an entirely different aquifer than Big Wood River at Hailey and any further new wells would be considered negative impact on existing water rights.

Respectfully submitted,



James I. Eakin, Director
Wood River Valley irrigation District #45

cc: Edward Simon

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APR 23 1997

2/10/97
Receipt # 50 19848
MB

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

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

120 EAST AVENUE
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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

February 7, 1997

SENT VIA FAX: 736-3037;
ORIGINAL TO FOLLOW BY MAIL

RECEIVED

FEB 10 1997

Mr. Allen Merritt
Idaho Department of Water Resources
Southern Region
1341 Filmore Street Suite 200
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region

Re: W. Bruce Willis - Transfers Nos. 4983 and 4984

Dear Allen:

I represent the Flying Heart Ranch Owners Association (the "Association"). This letter shall constitute a protest to the above-referenced Transfer Applications filed by W. Bruce Willis on the grounds that other water rights shall be injured by the proposed transfers, the proposed changes are not consistent with the conservation of water resources in the State of Idaho, the proposed changes are not in the local public interest, and the proposed changes will violate the requirements and restrictions of the order creating the Big Wood River Groundwater Management Area. I have enclosed my firm's check payable to IDWR in the sum of \$50 representing the protest fees for these two transfer applications.

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

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.


James P. Speck

JPS:jal
Enclosure - check
cc: Flying Heart Ranch Owners Association
W. Bruce Willis c/o Edward Simon, Esq.

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APR 23 2002

2/10/97
Receipt # 2019847
MB



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

October 14, 1996

Mr. Corey Skinner
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

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OCT 16 1996

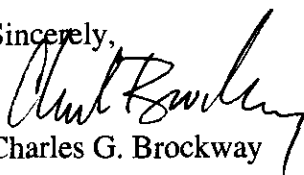
Department of Water Resources
Southern Region

Re: Willis water right transfer applications

Dear Corey:

Enclosed are the transfer applications which were required to be re-signed and notarized. Also enclosed is a power of attorney from Mr. Willis to Mr. McAllister. These applications should now be ready for immediate processing. Please send me copies of the applications as they are actually processed.

Sincerely,



Charles G. Brockway

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

CHARLES G.
BROCKWAY,
PH.D., E.I.T.

706 SUNRISE
BOULEVARD
NORTH

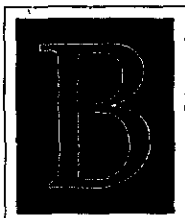
TWIN FALLS,
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APR 23 2002



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P.L.L.C.

Hydraulics

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Water Resources

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MAY 15 1996

Department of Water Resources
Southern Region

May 14, 1996

Mr. Allen Merritt
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Re: Willis water right transfer applications

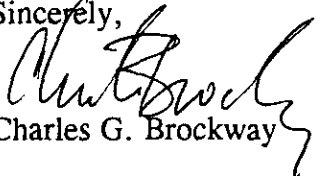
Dear Allen:

With this letter I am resubmitting the transfer applications and supporting narrative for the Bruce Willis property in Blaine County. As per comments by you and other staff members during the recent meeting on this topic, the following two major issues have been addressed:

1. The transfer application for 32-02584 now requests that water be moved at a per-acre rate based on the acres on the SRBA claim rather than those on the license. Even though a claim is in no way a valid water right, you requested that the transfer be applied for in this manner.
2. A license is pending in the name of Flying Heart Subdivision for multiple domestic use in a community water system. The license would allow 20 acres of irrigation appurtenant to lots 1 through 16, which includes Lots 4 and 6 of Flying Heart (owned by Mr. Willis). Therefore, the irrigation listed on the transfer application was modified to account for the 1.25 acres per lot that would be allowed under this pending license.

These applications are now ready for consideration by your office. If any other information is required, please let me know.

Sincerely,


Charles G. Brockway

enclosures

cc: Edward Simon w/o enclosures

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APR 11 1997

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

CHARLES G.
BROCKWAY,
PH.D., E.I.T.

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NORTH

TWIN FALLS,
IDAHO 83301

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208•734•2580

FAX: 736•1746

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MAY 15 1996

Department of Water Resources
Southern Region

WATER RIGHT TRANSFER APPLICATIONS

BRUCE WILLIS PROPERTY

Prepared by

Brockway Engineering, P.L.L.C.

February 5, 1996

SUPERSEDED

Section 1. Narrative

Section 2. Water right transfer applications

Section 3. Tables and diagrams for transfer applications

Section 4. Warranty deeds and bills of sale

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APR 23 2002

WATER RIGHT TRANSFER APPLICATIONS

BRUCE WILLIS PROPERTY

Prepared by

Brockway Engineering, P.L.L.C.

February 5, 1996

SUPERSEDED

This narrative will serve as supplementary information for the five transfer applications enclosed herein. The applications for transfer of water rights are being submitted for Mr. W. Bruce Willis. Mr. Willis owns property north of Hailey, Idaho and near Fairfield, Idaho. Specifically, the properties to which the transfers are appurtenant is 1) lots 4, 6, 18, 20, 34, 37, 38, 39A, and 41 of Flying Heart Subdivision No. 1; 2) Unplatted parcels on McKenzie lane (directly east of Flying Heart across Highway 75); and 3) Block 1, Lot 7 of Northridge Subdivision No. 1. The Northridge lot lies directly east of and is contiguous with the McKenzie property.

Currently, irrigation water for the property is supplied by six (6) wells: one on each of Flying Heart lots 34, 37, 39A, and 41, and two on the McKenzie property. A

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SEP 23 1996

total of 18.46 acres is currently being irrigated, and approximately 12 additional acres is planned in the future. Mr. Willis owns groundwater rights for two of these wells (those in lots 34 and 37), which allow 6 acres of irrigation. In addition, pending license 37-08429 for a community water system in the name of Flying Heart Ranch is appurtenant to 16 lots, including Mr. Willis' lots 4 and 6. This right allows 20 acres of irrigation, or 1.25 acres per lot. The appurtenant water rights are therefore deficient by approximately 22 acres. Mr. Willis owns a groundwater license for 500 acres of irrigation near Fairfield. Transfer applications are being filed to move water from the Fairfield land to the land north of Hailey to remedy this deficiency.

In addition to irrigation, a diversion from the Big Wood River supplies aesthetic and recreational ditches and ponds through the main portion of Mr. Willis' land (Flying Heart lots 34, 37, 38, and 41). The rights under which this diversion is taking place are irrigation rights only; therefore, transfers are necessary to ensure full compliance with water rights regulations.

Other transfers are being filed to correct minor errors which exist in the information currently in the IDWR database. The applications are provided in Section 2, and will be discussed below.

Current and future irrigation

The tables provided in Section 3 show the amount of land which is currently irrigated in each lot and each quarter-section, and the amount which will likely be irrigated in the near future. Irrigation of the main Flying Heart land (lots 34, 37, 38,

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APR 10 1997

and 41) and the McKenzie property (including lot 7 of Northridge) will remain essentially as it exists. Additional irrigation will be developed in Flying Heart lots 4, 6, 18, 20, and 39A. Two additional wells are planned in Flying Heart lots 6 and 20. Refer to the diagrams in Section 3 for the location of the irrigated lots.

Discussion of transfer applications

Each transfer application included in this package is discussed below. Diagrams appurtenant to each transfer are provided in Section 3.

1. Transfer for 37-02584. This is a groundwater license that was acquired along with land recently purchased by Mr. Willis in March of 1995. The quitclaim deed shows that this water right was included with the sale (see Section 4). This groundwater license has a priority date of 1955 and is appurtenant to 500 acres near Fairfield, Idaho. The diversion rate listed on the license is 2.21 cfs. It is requested that water be transferred from this point of diversion and place of use to the property north of Hailey. All current and future wells would be included as points of diversion. The total irrigation deficiency is 22 acres, broken down by quarter-section in Section 3 of this narrative and on Part 1 of the transfer application. At 0.02 cfs / acre, 22 acres requires 0.420 cfs. Although license 37-02584 lists 500 acres, the SRBA claim only lists 270 acres. The claim was filed while the land was held in the Federal Crop Reduction Program prior to purchase by Mr. Willis. As per a meeting with the staff of IDWR Southern Region, the water would be transferred based on the claimed

MICHAEL

APR 22 2002

irrigation rather than the licensed irrigation, i.e. water would be transferred at a rate of $2.21 \text{ cfs} / 270 \text{ acres} = 0.008185 \text{ cfs} / \text{acre}$. Therefore, the portion of the Fairfield property no longer irrigated would be $0.440 \text{ cfs} / (0.008185 \text{ cfs} / \text{acre}) = 53.8 \text{ acres}$.

2. Transfer for 37-08461. This is a groundwater permit appurtenant to the well in Flying Heart lot 34. The permit is for 3 acres (0.06 cfs) irrigation, plus domestic, stock, and fire protection. This transfer application is being filed to correct the point of diversion description to coincide with the actual location of the well and to modify the place of use. The place of use is being modified to ensure that the right will be appurtenant to all applicable quarter-sections for the Flying Heart property (except lots 18 and 20). This is desired to maximize the flexibility of the irrigation system for future usage (see Table 2, Section 2).

3. Transfer for 37-08647. This is a groundwater license appurtenant to the well in Flying Heart lot 37. The license lists 3 acres of irrigation plus domestic. A transfer application is being filed to correct the point of diversion, to correct the diversion rate (the license lists 0.09 cfs; it should be 0.06 cfs for 3 acres), and to modify the place of use. See the discussion for 37-08461 for a further description of the place of use modification. The well currently irrigates a total of 10.08 acres. This deficiency would be remedied by the transfer of 32-02584.

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APR 23 2002

4. Transfers for 37-00557, 37-00558, and 37-00559. These are decreed surface water rights from the Big Wood River, originally owned by Rosa Purdum, all with the same point of diversion and place of use. They are irrigation rights only. The priority dates and diversion rates are given below

37-00557	5/15/1884	1.00 cfs
37-00558	6/1/1886	2.00 cfs
37-00559	6/1/1888	3.60 cfs

Each of the rights lists a total irrigated area of 200 acres, but water from the river is currently used only for recreation and aesthetics in a ditch and pond system. The places of use listed on the permits encompass the existing waterways (see Section 3).

The actual point of diversion is the headgate known as Aspen Lakes #1 by the watermaster, located in SE1/4 NE1/4 NW1/4 Sec. 5 T2N R18E. It coincides with one P/D listed on the permit; however, the permit lists an additional point of diversion in Sec. 32 T3N R18E.

SUPERSEDED

Transfer for 37-00557. Water diverted under this right is used in an aesthetic and recreational pond and ditch system. In addition to deleting an unused point of diversion, the transfer is requested for two reasons: 1) to add recreation and aesthetics as types of use, and 2) to reserve some of the decreed consumptive irrigation water to provide for evaporation losses in the pond/ditch system and to provide an emergency backup irrigation system by which water could be pumped out of the ponds. The amount of irrigation water reserved would be 0.446 cfs for 22.32 acres. This is the land irrigated west of Aspen Lakes Road plus lots 4, 6, and 39A. Refer to the diagram in Section 3. The ponds and ditches will be lined to limit seepage

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APR 21 1997

loss. However, seepage in this area returns to the Big Wood River upstream of the closest downstream diversion and is not lost to the system.

Transfer for 37-00558. This transfer application is being filed to add recreation and aesthetics as types of use and to delete an unused point of diversion.

Transfer for 37-00559. This transfer application is being filed to add recreation and aesthetics as types of use and to delete a point of diversion.

7. Transfer for 37-0577BT. This is a surface water decree for the Big Wood River. It is a non-consumptive right for fish propagation, recreation, and aesthetics. The transfer application is being filed to delete an unused point of diversion, change the place of use to the pond and ditch system and to delete fish propagation as a use. This right, a portion of the original Riley water, has a somewhat convoluted history. Mr. E. Parry Thomas acquired right 37-00577AH for 1.58 cfs of non-consumptive water for fish, recreation, and aesthetics from Mr. Kenneth Moore. As part of the sale, Mr. Thomas initiated a transfer for 1.20 cfs of the 1.58 cfs to add a point of diversion and change the place of use to land south of Mr. Willis' property. This transfer has been approved, but it is unclear how the result of the transfer is recorded by IDWR. In the transfer process, identification numbers became confused. Most likely, the result of the transfer was water right 37-00577BT for 1.20 cfs. To document this, a copy of transfer 2776 is provided in Section 4. However, the IDWR database record for 37-00577BT is an entirely different right.

MICHAEL

APR 23 2009



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

February 19, 1996

Mr. Allen Merritt
Idaho Dept. of Water Resources
222 Shoshone St East
Twin Falls, ID 83301

Subject: Water Right Transfers-Willis Property Blaine County

Dear Allen:

Enclosed are applications for transfer for seven (7) water rights the Bruce Willis property in Blaine County. This submittal is being made to clear up several place of use and point of diversion anomalies, to provide sufficient irrigation water for the properties and change the type of use to reflect additional uses for recreation and aesthetic purposes

After you have reviewed the attached narrative, permit and applications for transfer, I would like to schedule a meeting with you to discuss the overall plan and objectives and concept for achieving the objectives. We can then discuss the individual transfers for completeness as necessary. I believe this would speed up the overall processing procedure.

I am enclosing check #2 from Brockway Engineering for \$700 in payment of fees for the applications for transfer as follows:

Transfer for right 37-02584	\$100
Transfer for right 37-08461	\$100
Transfer for right 37-08647	\$100
Transfer for right 37-00557	\$100
Transfer for right 37-00558	\$100
Transfer for right 37-00559	\$100
Transfer for right 37-0577BT	\$100
Total	\$700

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

CHARLES G.
BROCKWAY,
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BOULEVARD
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208•734•2580

FAX: 736•1746

RECEIVED

FEB 20 1996

Department of Water Resources
Southern Region

CHECK 248 attached

RECEIPT #
S018864

Thank you for your help in processing these applications.

MICROFILMED

APR 13 2002

Sincerely,


C. E. Brockway, PE

cc Ed Simon w/ enclosures

SUPERSEDED

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APR 23 2002

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FEB 20 1996

WATER RIGHT TRANSFER APPLICATIONS

Department of Water Resources
Southern Region

BRUCE WILLIS PROPERTY

Prepared by

Brockway Engineering, P.L.L.C.

February 5, 1996

SUPERSEDED

Section 1. Narrative

Section 2. Water right transfer applications

Section 3. Tables and diagrams for transfer applications

Section 4. Warranty deeds and bills of sale

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APR 23 2002

WATER RIGHT TRANSFER APPLICATIONS

BRUCE WILLIS PROPERTY

Prepared by

Brockway Engineering, P.L.L.C.

February 5, 1996

SUPERSEDED

This narrative will serve as supplementary information for the five transfer applications enclosed herein. The applications for transfer of water rights are being submitted for Mr. W. Bruce Willis. Mr. Willis owns property north of Hailey, Idaho and near Fairfield, Idaho. Specifically, the properties to which the transfers are appurtenant is 1) lots 4, 6, 18, 20, 34, 37, 38, 39A, and 41 of Flying Heart Subdivision No. 1; 2) Unplatted parcels on McKenzie lane (directly east of Flying Heart across Highway 75); and 3) Block 1, Lot 7 of Northridge Subdivision No. 1. The Northridge lot lies directly east of and is contiguous with the McKenzie property.

Currently, irrigation water for the property is supplied by six (6) wells: one on each of Flying Heart lots 34, 37, 39A, and 41, and two on the McKenzie property. A

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total of 18.46 acres is currently being irrigated, and approximately 10 additional acres is planned in the future. Mr. Willis owns groundwater rights for two of these wells (those in lots 34 and 37), which allow 6 acres of irrigation. Mr. Willis also owns a groundwater right for 500 acres near Fairfield. Therefore, transfer applications are being filed to move water from the Fairfield land to the land north of Hailey to remedy this deficiency.

In addition to irrigation, a diversion from the Big Wood River supplies aesthetic and recreational ditches and ponds through the main portion of Mr. Willis' land (Flying Heart lots 34, 37, 38, and 41). The rights under which this diversion is taking place are irrigation rights only; therefore, transfers are necessary to ensure full compliance with water rights regulations.

Other transfers are being filed to correct minor errors which exist in the information currently in the IDWR database. The applications are provided in Section 2, and will be discussed below.

Current and future irrigation

The tables provided in Section 3 show the amount of land which is currently irrigated in each lot and each quarter-section, and the amount which will likely be irrigated in the near future. The main Flying Heart land (lots 34, 37, 38, and 41) and the McKenzie property (including lot 7 of Northridge) will remain essentially as they are. Additional irrigation will be developed in Flying Heart lots 4, 6, 18, 20, and

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39A. Two additional wells are planned in Flying Heart lots 6 and 20. Refer to the diagrams in Section 3 for the location of the irrigated lots.

Discussion of transfer applications

Each transfer included in this package is discussed below. Diagrams appurtenant to each transfer are provided in Section 3.

1. Transfer for 37-02584. This is a groundwater license that was acquired along with land recently purchased by Mr. Willis in March of 1995. The quitclaim deed shows that this water right was included with the sale (see Section 4). This groundwater right has a priority date of 1955 and is appurtenant to 500 acres near Fairfield, Idaho. The diversion rate listed on the license is 2.21 cfs. It is requested that water be transferred from this point of diversion and place of use to the property north of Hailey. All current and future wells would be included as points of diversion. The total irrigation deficiency is 23 acres, broken down by quarter-section on Part 1 of the transfer. At 0.02 cfs / acre, 23 acres requires 0.460 cfs. This amount would be transferred at a rate of $2.21 \text{ cfs} / 500 \text{ acres} = 0.00442 \text{ cfs} / \text{acre}$. Therefore, $23 \text{ cfs} / (0.00442 \text{ cfs} / \text{acre}) = 104.1$ acres of the Fairfield property would no longer be irrigated.

2. Transfer for 37-08461. This is a permit appurtenant to the well in Flying Heart lot 34. The permit is for 3 acres (0.06 cfs) irrigation, plus domestic, stock, and fire

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protection. This transfer application is being filed to correct the point of diversion description to coincide with the actual location of the well, and to modify the place of use. The place of use is being modified to ensure that the right will be appurtenant to all applicable quarter-sections for the Flying Heart property (except lots 18 and 20). This is desired to maximize the flexibility of the irrigation system for future usage (see Table 2, Section 2).

3. Transfer for 37-08647. This is a permit appurtenant to the well in Flying Heart lot 37. The permit lists 3 acres of irrigation plus domestic. A transfer application is being filed to correct the point of diversion, to correct the diversion rate (the permit lists 0.09 cfs; it should be 0.06 cfs for 3 acres), and to modify the place of use. See the discussion for 37-08461 for a further description of the place of use modification. The well currently irrigates a total of 10.08 acres. This deficiency would be remedied by the transfer of 32-00584.

4. Transfers for 37-00557, 37-00558, and 37-00559. These are decreed surface water rights from the Big Wood River, originally owned by Rosa Purdum, all with the same point of diversion and place of use. They are irrigation rights only. The priority dates and diversion rates are given below

37-00557	5/15/1884	1.00 cfs
37-00558	6/1/1886	2.00 cfs
37-00559	6/1/1888	3.60 cfs

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Each of the rights lists a total irrigated area of 200 acres, but water from the river is currently used only for recreation and aesthetics in a ditch and pond system. The places of use listed on the permits encompass the existing waterways (see Section 3). The actual point of diversion is the headgate known as Aspen Lakes #1 by the watermaster, located in SE1/4 NE1/4 NW1/4 Sec. 5 T2N R18E. It coincides with one P/D listed on the permit; however, the permit lists an additional point of diversion in Sec. 32 T3N R18E.

Transfer for 37-00557. Water diverted under this right is used in an aesthetic and recreational pond and ditch system. In addition to deleting an unused point of diversion, the transfer application is being filed for two reasons: 1) to add recreation and aesthetics as types of use, and 2) to reserve some of the decreed consumptive irrigation water to provide for evaporation losses in the pond/ditch system, and to provide an emergency backup irrigation system by which water could be pumped out of the ponds. The amount of irrigation water reserved would be 0.444 cfs for 22.2 acres. This is the land irrigated west of Aspen Lakes Road and lots 4, 6, and 39A.

Refer to the diagram in Section 3. The ponds and ditches will be lined to limit seepage loss. However, seepage in this area returns to the Big Wood River upstream of the closest downstream diversion and is not lost to the system.

Transfer for 37-00558. This transfer application is being filed to add recreation and aesthetics as types of use and to delete an unused point of diversion.

Transfer for 37-00559. This transfer application is being filed to add recreation and aesthetics as types of use and to delete a point of diversion.

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7. Transfer for 37-0577BT. This is a surface water decree for the Big Wood River. It is a non-consumptive right for fish propagation, recreation, and aesthetics. The transfer application is being filed to delete an unused point of diversion, change the place of use to the pond and ditch system and to delete fish propagation as a use. This right, a portion of the original Riley water, has a somewhat convoluted history. Mr. E. Parry Thomas acquired right 37-00577AH for 1.58 cfs of non-consumptive water for fish, recreation, and aesthetics from Mr. Kenneth Moore. As part of the sale, Mr. Thomas initiated a transfer for 1.20 cfs of the 1.58 cfs to add a point of diversion and change the place of use to land south of Mr. Willis' property. This transfer has been approved, but it is unclear how the result of the transfer is recorded by IDWR. In the transfer process, identification numbers became confused. Most likely, the result of the transfer was water right 37-00577BT for 1.20 cfs. To document this, a copy of transfer 2776 is provided with the transfer application. However, the IDWR database record for 37-00577BT is an entirely different right.

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SECTION 3

Tables and Diagrams for Transfer Applications

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Willis water rights

Current and future irrigation by 1/4 section
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CURRENT IRRIGATION

Section	1/4 1/4	34	37	38	41	Lot Number					20	McK	TOTAL by 1/4 1/4
5	NWNE	2.97	0.39										3.36
5	SWNE	0.56	1.58	5.65	3.92	0.10							11.81
5	SENE				0.15	0.14							0.29
5	NENE												0.00
32	SWSE												0.00
4	SWNW											3.00	3.00
TOTAL BY LOT		3.53	1.97	5.65	4.07	0.24	0.00	0.00	0.00	0.00	0.00	3.00	TOTAL: 18.46

PROBABLE FUTURE IRRIGATION

Section	1/4 1/4	34	37	38	41	Lot Number					20	McK	TOTAL BY 1/4 1/4
5	NWNE	2.97	0.39										3.36
5	SWNE	0.56	1.58	5.65	3.92	0.10							11.81
5	SENE				0.15	2.00	2.50						4.65
5	NENE							2.50					2.50
32	SWSE								?		3.00		3.00
4	SWNW											3.00	3.00
TOTAL BY LOT		3.53	1.97	5.65	4.07	2.10	2.50	2.50	0.00	3.00	3.00		TOTAL: 28.32

POINTS OF DIVERSION

(C = Current, F = Assumed future location)

Section	1/4 1/4	34	37	38	41	Lot Number					20	McK	TOTAL NO. BY 1/4 1/4
5	NWNE	C,F	C,F										2
5	SWNE				C,F								1
5	SENE					C,F							1
5	NENE							F					1
32	SWSE										F		1
4	SWNW											C,F (2)	2
TOTAL NO. BY LOT		1	1	0	1	1	0	1	0	1	2		TOTAL: 8

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Willis water rights

Current and future irrigation by 1/4 section
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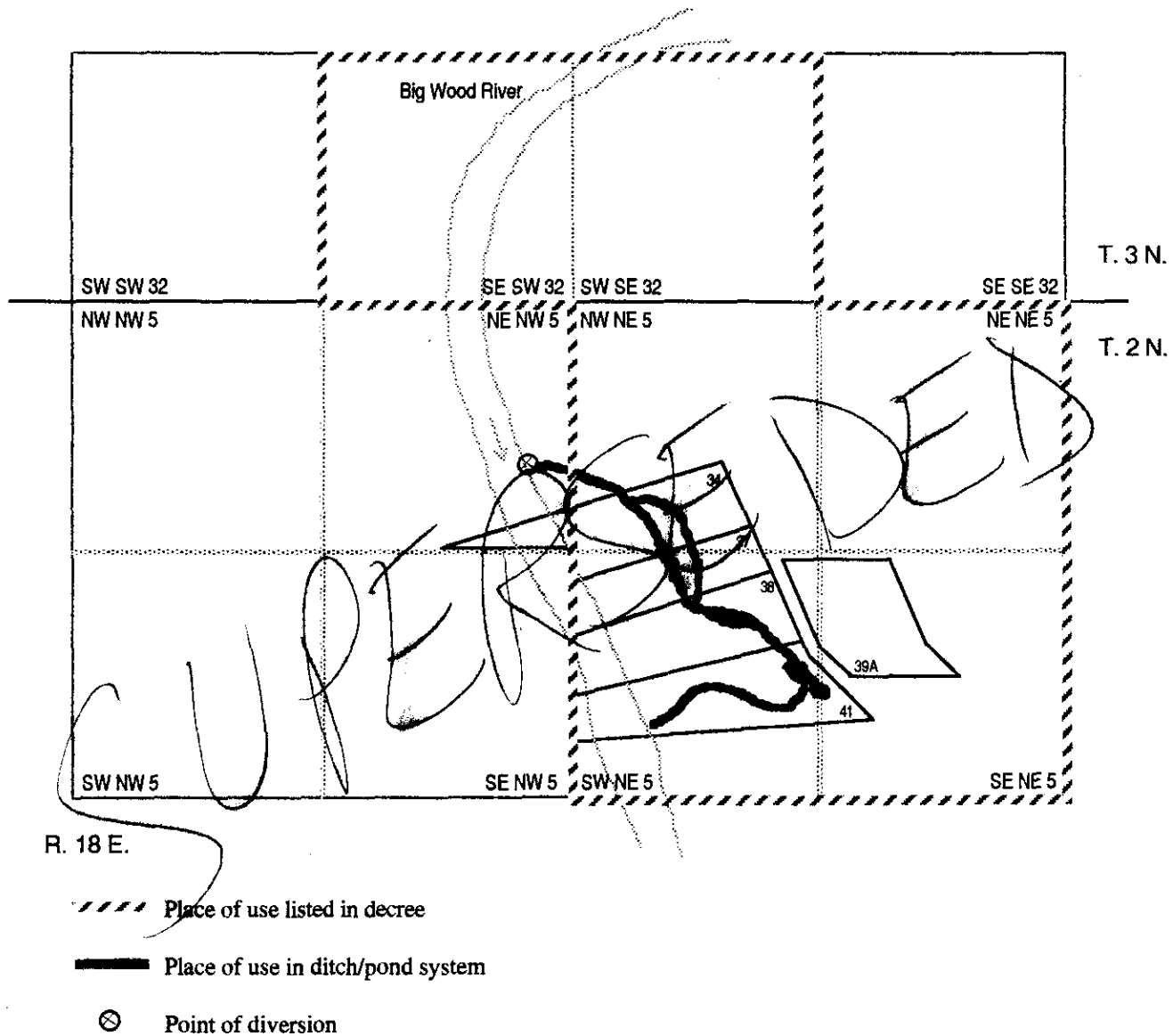
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IRRIGATION SUMMARY

Section	1/4 1/4	Current	Future	Currently Permitted	37-08461 after trans.	37-08647 after trans.	Req'd trans. from Fairfield	Listed acres on transfer
5	NWNE	3.36	3.36	3.50	0.75	0.75	1.86	2.0
5	SWNE	11.81	11.81	2.50	0.75	0.75	10.31	10.5
5	SENE	0.29	4.65	0.00	0.75	0.75	3.15	3.5
5	NENE	0.00	2.50	0.00	0.75	0.75	1.00	1.0
32	SWSE	0.00	3.00	0.00	0.00	0.00	3.00	3.0
4	SWNW	3.00	3.00	0.00	0.00	0.00	3.00	3.0
TOTAL		18.46	28.32	6.00	3.00	3.00	22.32	23.00

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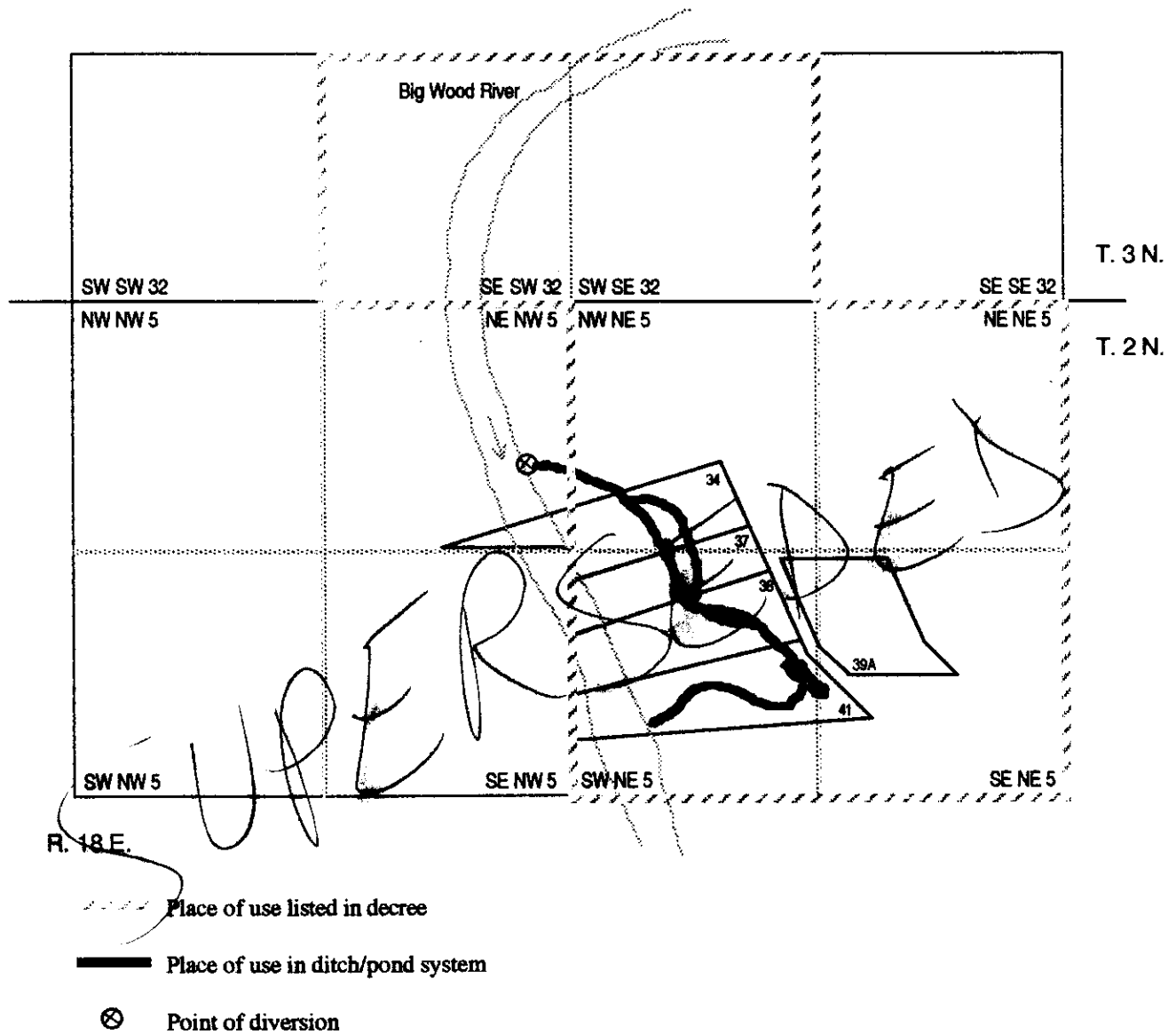
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Willis Big Wood river rights - diagram for transfers of 37-00557, 37-00558, 37-00559, and 37-0577BT

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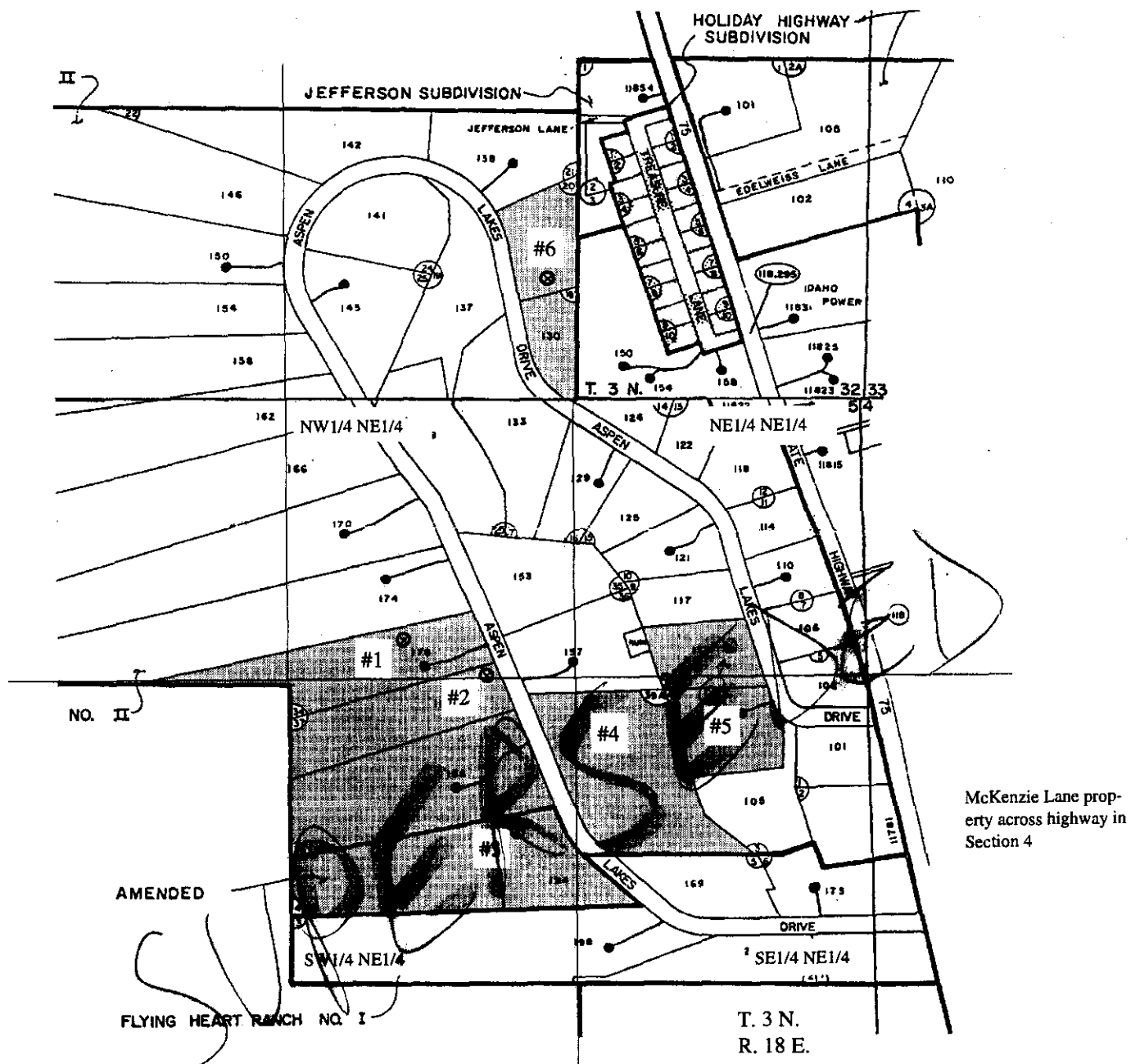
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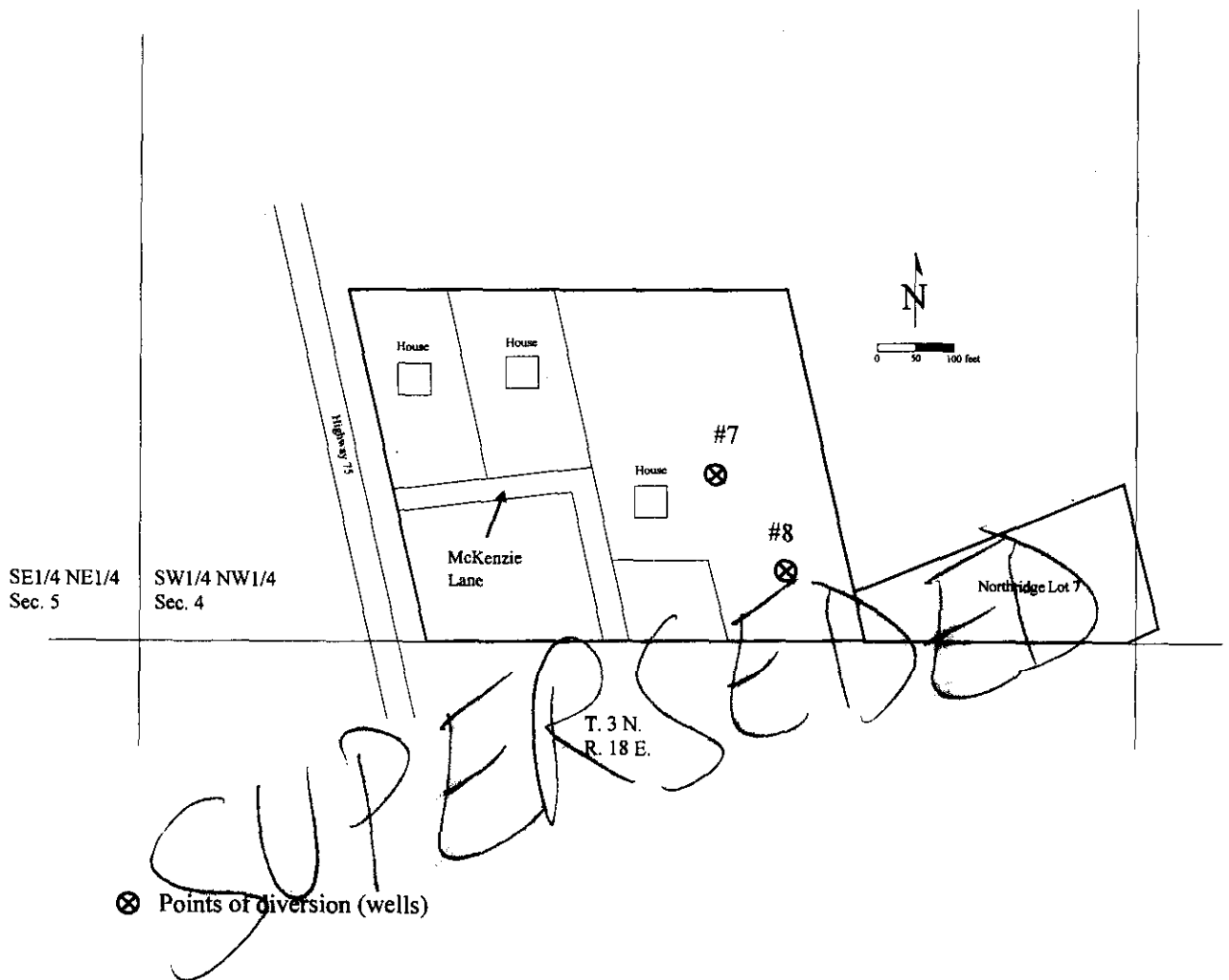


Willis Big Wood river rights - diagram for transfers of 37-00557, 37-00558, 37-00559, and 37-0577BT

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Willis property on McKenzie Lane and in Northridge Subdivision No. 1 - diagram for transfers of 37-08461, 37-08647, and 37-02584.

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Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant W. Bruce Willis, c/o Edward Simon, Esq. Phone (208) 726-2200Post Office address 131 West 4th Street, P.O. Box 540, Ketchum, Idaho 83340**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☒ Add diversion point ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Existing groundwater irrigation sources are not sufficient for current and future usage.

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
- 37-02584 10/4/1955 0.440 cfs Irrigation 4/1 to 11/1
- _____ to _____
- _____ to _____
- _____ to _____
2. Total amount of water being transferred 0.440 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
		SE	SW	4	01S	16E	Camas	Well and pump
		NW	NE	5	02N	18E	Blaine	2 wells & pumps - lots 34, 37 (P/D #1, #2)
		SW	NE	5	02N	18E	Blaine	Well and pump - lot 41 (P/D #3)
		SE	NE	5	02N	18E	Blaine	Well and pump - lot 39A (P/D #4)
		NE	NE	5	02N	18E	Blaine	Well and pump - lot 6 (P/D #5)
		SW	SE	32	03N	18E	Blaine	Well and pump - lot 20 (P/D #6)
		SW	NW	4	02N	18E	Blaine	2 wells & pumps - McKenzie (P/D #7, #8)

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02N	18E	5		1.9	10.4	1.7													14.0
03N	18E	32															5.0		5.0
02N	18E	4							3.0										3.0
01S	16E	4												6.2			40	40	86.2
01S	16E	9	40	40	10	10	30												130

Total acres 238.2

PART 1

6. General Information:

- a. Description of diversion system First P/D listed: Well and pump. Other P/D: Wells and pumps to underground sprinklers.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
_____ Yes 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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:
58.6 acres will no longer be irrigated (see remarks below). Acres on SRBA claim are being used as basis for transfer.
- d. Remarks:
Groundwater will be transferred to eight (8) wells in Colusa County. Irrigation from these wells is currently taking place under rights 37-0846 and 37-0847, which allow 6.0 acres total. Water for an additional 22 acres is needed. It is proposed to transfer water from this right at a rate of 0.008185 cfs/acre (53.8 acres) as per the SRBA claimed acres.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

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Page _____ of _____

Transfer No. _____

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

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 37-02584 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 of priority 10/4/1955

5. Water is used for the following purpose:

amount 2.21 cfs for Irrigation purposes from None period listed to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 2.21 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
		SE	SW	4	01S	16E	Camas	Well and pump

8. Lands irrigated or place of use: (on license. Claimed acres are in same sections, but total 270 acres)

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	
01S	16E	3											10.0						10.0
01S	16E	4											40.0				30.0	30.0	100.0
01S	16E	9	40.0	40.0	40.0	30.0	40.0	40.0	40.0	40.0		40.0	40.0						390.0

Total acres 500.09. Describe any other water rights used for the same purpose as described above None

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

_____ If yes, describe _____

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 0.440 cfs for Irrigation purposes from 4/1 to 11/1
 (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	NE	5	02N	18E	Blaine	Two wells and pumps - lots 34, 37
		SW	NE	5	02N	18E	Blaine	Well and pump - lot 41
		SE	NE	5	02N	18E	Blaine	Well and pump - lot 39A
		NE	NE	5	02N	18E	Blaine	Well and pump - lot 6
		SW	SE	32	03N	18E	Blaine	Well and pump - lots 6 and 18
		SW	NW	4	02N	18E	Blaine	Two wells and pumps - McKenzie Lane

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02N	18E	5		1.9	10.4	1.7													14.0
03N	18E	32															5.0		5.0
02N	18E	4							3.0										3.0

Total acres 22.0

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

1. amount 1.77 cfs for Irrigation purposes from 4/1 to 11/1
 (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
		SE	SW	4	01S	16E	Camas	Well and pump

5. 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	
01S	16E	4												6.2			40	40	86.2
01S	16E	9	40	40	10	10	30												130

Total acres 216.2

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.

See accompanying diagram

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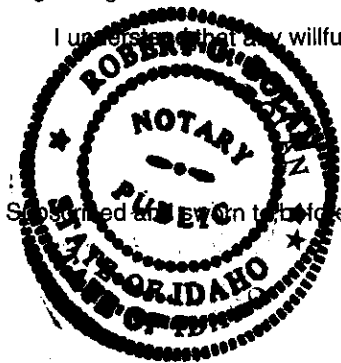
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PART 3**B. CHANGES IN NATURE OF USE**

1. New Nature of Use Amount Hours/days/year Period of Use
 (cfs/ac-ft)
- N/A _____ to _____
 _____ to _____
2. Quantity and quality of return flows and location of discharge:
N/A _____
3. Describe the effects on other water uses resulting from the proposed change:
N/A _____

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 misrepresentation made in this application may result in voiding its approval.



Subscribed and sworn to before me this _____ day of _____, 19 _____

(Signature of Applicant)

(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by ms Date 5/15/96 No fee attached Protest filed by _____

Prelim. check by _____ Fee _____

Received by _____ Date _____

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 _____

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SECTION 2

Water Right Transfer Applications

SUPERSEDED

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APR 23 2002

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 1

FEB 20 1996

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Department of Water Resources
Southern RegionName of applicant W. Bruce Willis, c/o Edward Simon, Esq. Phone (208) 726-2200Post Office address 131 West 4th Street, P.O. Box 540, Ketchum, Idaho 83340

A. PURPOSE OF TRANSFER

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

2. Describe the reason for the proposed changes Existing groundwater irrigation sources are not sufficient for current and future usage.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-02584</u>	<u>10/4/1955</u>	<u>0.460 cfs</u>	<u>Irrigation</u>	<u>4/1</u> to <u>11/1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.460 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
		SE	SW	4	01S	16E	Camas	Well and pump
		NW	NE	5	02N	18E	Blaine	2 wells & pumps - lots 34, 37 (P/D #1, #2)
		SW	NE	5	02N	18E	Blaine	Well and pump - lot 41 (P/D #3)
		SE	NE	5	02N	18E	Blaine	Well and pump - lot 39A (P/D #4)
		NE	NE	5	02N	18E	Blaine	Well and pump - lot 6 (P/D #5)
		SW	SE	32	03N	18E	Blaine	Well and pump - lot 20 (P/D #6)
		SW	NW	4	02N	18E	Blaine	2 wells & pumps - McKenzie (P/D #7, #8)

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02N	18E	5	1.0	2.0	10.5	3.5													17.0
03N	18E	32															3.0		3.0
02N	18E	4							3.0										3.0
01S	16E	4																5.9	5.9
01S	16E	9	40	40	40	30	40	40	40	40		40	40						390

Total acres 418.9

PART 1

6. General Information:

- a. Description of diversion system First P/D listed: Well and pump. Other P/D: Wells and pumps to underground sprinklers.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
_____ Yes 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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:
104.1 acres will no longer be irrigated (see remarks below).
- d. Remarks:
Groundwater will be transferred to eight (8) wells in Blaine County. Irrigation from these wells is currently taking place under rights 37-08461 and 37-08647, which allow 6.0 cfs/acre total. Water for an additional 23 acres is needed. It is proposed to transfer water from this right at a rate of 0.0044 cfs/acre (104.1 acres) for this purpose.

SUPERSEDED
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

MICROFILMED

APR 23 2002

Page _____ of _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-02584 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 of priority 10/4/1955

5. Water is used for the following purpose:

amount 2.21 cfs for Irrigation purpose from no period listed to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.21 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
		SE	SW	4	01S	16E	Camas	Well and pump

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	
01S	16E	3											10.0						10.0
01S	16E	4											40.0				30.0	30.0	100.0
01S	16E	9	40.0	40.0	40.0	30.0	40.0	40.0	40.0	40.0		40.0	40.0						390.0

MICROFILMED

Total acres 500.09. Describe any other water rights used for the same purpose as described above None

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

_____ If yes, describe _____

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 0.460 cfs for Irrigation purposes from 4/1 to 11/1
 (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	NE	5	02N	18E	Blaine	Two wells and pumps - lots 34, 37
		SW	NE	5	02N	18E	Blaine	Well and pump - lot 41
		SE	NE	5	02N	18E	Blaine	Well and pump - lot 39A
		NE	NE	5	02N	18E	Blaine	Well and pump - lot 6
		SW	SE	32	03N	18E	Blaine	Well and pump - lots 6 and 18
		SW	NW	4	02N	18E	Blaine	Two wells and pumps - McKenzie Lane

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02N	18E	5	1.0	2.0	10.5	3.5													17.0
03N	18E	32															3.0		3.00
02N	18E	4							3.0										3.00

Total acres 23.0

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

1. amount 1.75 cfs for Irrigation purposes from 4/1 to 11/1
 (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
		SE	SW	4	01S	16E	Camas	Well and pump

5. 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	
01S	16E	4																5.9	5.9
01S	16E	9	40.0	40.0	40.0	30.0	40.0	40.0	40.0	40.0		40.0	40.0						390.0

Total acres 395.9

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.

See accompanying diagram

SUPERSEDED

MICROFILMED

APR 23 2002

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

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

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

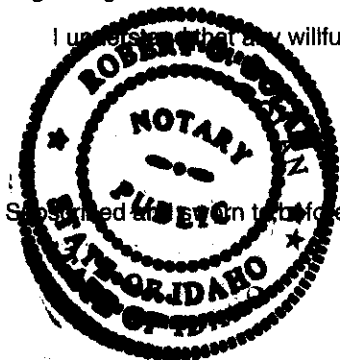
N/A

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

N/A

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

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



Subscribed and sworn to before me this

15th

day of

(Signature of Applicant)

FEBRUARY

, 19

96

Robert J. Smith
(Notary Public)

My commission expires

6/17/1998**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____

Protest filed by _____

Prelim. check by _____ Fee 100.00 5018864Receipted by CS Date 2/20/96

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 _____

MICROFILM

APR 23 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 7, 1993

USDA - Farmers Home Administration
3232 Elder Street
Boise, ID 83705

Re: 37-02584

Dear Permit Holder:

Enclosed is an approved copy of the Application for Extension of Time to Avoid Forfeiture of a Water Right. Please note that you must resume use of the water on or before October 1, 1997.

Please notify the Department as soon as you resume use. If you have not notified the Department, 60 days prior to October 1, 1997, the Department will notify you by certified mail of the need to do so.

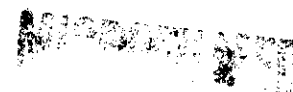
If you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR - Region Office



JUN 30 1993

JS

EXTENSION OF TIME TO AVOID FORFEITURE USDA - FMHA
ANALYSIS SHEET

1. INITIAL REVIEW BY: J. E. Stanton
A37-01584
2. RIGHT NUMBER 37-02584 APPLICANT FHA
3. TYPE OF RIGHT: ☐ Decree ☒ License ☐ Claim
4. Is reason for request extension given on application?
✓ Yes No (If No, return Application)

5. CHECK:

- (a) ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period of Use
- (b) ✓ Description of Point(s) of Diversion
- (c) ✓ Description of Place of Use matches SRBA claim instead of license.
- (d) ✓ Check for correct Signature, Notarization, Fee Rest of licensed ground not claimed.

6. OWNERSHIP OF RIGHT

Applicant's ownership confirmed by: Claimed by FMHA in SRBA

- (a) Copy of Tax Notice, Deed, or other
in file.
- (b) County Assessor records. Date Contacted

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

FINAL REVIEW IN REGION by Loren O'Halloran.

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

RECOMMENDED ACTION

- ✓ Approve
 Deny

Conditions:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

14-May-1993

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

ATTN MR BOUMA
THE SNOWSHOE
PO BOX 360
FAIRFIELD ID 83327

Re: Application for Extension of Time To Avoid Forfeiture
No. 37-02584 (USDA-FHA)

Dear Mr. Bouma:

This letter is a follow-up to my telephone message of 5/5/93.

We have not yet received an Affidavit of Publication for the above referenced legal notice that was published on 3/31 and 4/7/93.

In order to receive payment, a notarized Affidavit of Publication must be submitted to the Department along with the publication bill.

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

Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

RECEIVED

JUN 30 1993

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

No. 37-02584

Notice is hereby given that USDA-FHA of Boise, ID has applied to the Department of Water Resources for an extension of time to avoid forfeiture of a portion of a water right No. 37-02584. The right was obtained and is evidenced by a License and is recorded as follows:

Amount: 2.21 cfs

Priority: 10/04/1955

Source: groundwater

Point of Diversion : SE1/4SW1/4, S4, T01S, R16E; Camas County.

Place of use: irrigation of 500 acres within the SW1/4SW1/4, S3, T01S, R16E; SE1/4SW1/4, S1/2SE1/4, S4, T01S, R16E; NE1/4, NW1/4, W1/2SW1/4, S9, T01S, R16E.

The extension is requested to avoid loss of the water right due to non-use.

WATER RIGHT CLAIMED IN SNAKE RIVER
BASIN ADJUDICATION AND RECORDED AS
FOLLOWS:

Water Right No. A37-02584

Priority Date: 10/04/1955

Name: USDA-FMHA

Basis of right: Licensed Right No.
37-02584

Source: groundwater

Use: irrigation (2.21 cfs)
from 04/01 to 11/01

Point(s) of Diversion: SE1/4SW1/4, S4, T01S, R16E; Camas County.

Place of Use: irrigation of 270 acres within SW1/4SW1/4, S3, T01S, R16E; SE1/4SW1/4, S1/2SE1/4, S4, T01S, R16E; NE1/4, NE1/4NW1/4, S9, T01S, R16E; Camas County.

Any protests against the approval of the above proposed request described above must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before April 16, 1993.

R. Keith Higginson, Director

Published in The Snowshoe on 3/30 &
4/6/93

JUN 30 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

19-Mar-1993

R. KEITH HIGGINSON
Director

THE SNOWSHOE
C/O MR BOUMA
PO BOX 360
FAIRFIELD ID 83327

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.

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
Secretary/Office Coordinator

Enclosure

19 MAR 1993

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

No. 37-02584

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Source: groundwater

Point of Diversion : SE1/4SW1/4, S4, T01S, R16E; Camas County.

Place of use: irrigation of 500 acres within the SW1/4SW1/4, S3, T01S, R16E; SE1/4SW1/4, S1/2SE1/4, S4, T01S, R16E; NE1/4, NW1/4, W1/2SW1/4, S9, T01S, R16E.

The extension is requested to avoid loss of the water right due to non-use.

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND
RECORDED AS FOLLOWS:

Water Right No. A37-02584

Priority Date: 10/04/1955

Name: USDA-FMHA

Basis of right: Licensed Right No. 37-02584

Source: groundwater

Use: irrigation (2.21 cfs) from 04/01 to 11/01

Point(s) of Diversion: SE1/4SW1/4, S4, T01S, R16E; Camas County.

Place of Use: irrigation of 270 acres within SW1/4SW1/4, S3, T01S, R16E; SE1/4SW1/4, S1/2SE1/4, S4, T01S, R16E; NE1/4, NE1/4NW1/4, S9, T01S, R16E; Camas County.

Any protests against the approval of the above proposed request described above must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before April 16, 1993.

R. Keith Higginson, Director

Published in The Snowshoe on 3/30 & 4/6/93



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

19-Mar-1993

R. KEITH HIGGINSON
Director

ASSISTANT COUNTY SUPERVISOR
USDA FARMERS HOME ADMINISTRATION
113 EAST AVENUE F
JEROME ID 83338

Re: Application for Extension of Time To Avoid Forfeiture,
No. 37-02584

Dear Applicant:

The Department of Water Resources acknowledges receipt of your application for extension of time to avoid forfeiture as referenced above.

This office will be advertising the application in the Snowshoe on 3/30 & 4/6/93. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB



United States
Department of
Agriculture

Farmers
Home
Administration

113 East Avenue F
Jerome, Idaho 83338
(208) 324-2306

RECEIVED

NOV 30 1992

Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources
220 Shoshone East
Twin Falls, Idaho 83301

November 25, 1992

re: Giesler, Richard
Elliott, John

Dear Sir:

The attached fees are voluntarily submitted to the State of Idaho in comity and under protest. By so tendering the fees, neither the United States, nor the Farmer's Home Administration, acknowledges the propriety of such fees, or that Idaho forfeiture or abandonment provisions apply to federal property interests. By submitting said fees, the United States does not waive any privileges or rights, and does reserve all arguments concerning the application of Idaho law to federal property interests. The State of Idaho is also hereby placed on notice that said fees may be requested to be returned to the United States in the event of a final judgement finding that Idaho's forfeiture and/or abandonment provisions do not apply to federal property interests.



H. RAEBURN ORMOND
Assistant County Supervisor

RECEIVED

JUN 30 1993

Date: November 30, 1992

To: Phil Rassier
Deputy Attorney General
Legal Services Dept.

From: Mel Schulte
Senior Water Resource Agent
Southern Region

MTS

Re: Forfeiture of federally owned rights

Attached are copies of two Applications for Extension of Time to Avoid Forfeiture submitted by the Farmers Home Administration. Also, attached is a letter from H. Raeburn Ormond challenging the forfeiture provisions of the Idaho Code as they might apply to federal property interests and our required filing fees for the applications.

We have receipted the U.S. Treasury check received from the FmHA and will process the applications through the normal channels unless you advise to the contrary. Please respond directly to Mr. Ormond as to the application of Idaho Code sections 42-222 and 42-221 as they relate to federally owned water rights.

If you need any additional information or assistance I can provide please let me know.

MTS
(attachments)

RECEIVED
JUN 30 1993

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
438 Idaho Street
Gooding, ID 83330

November 30, 1977

State of Idaho
Department of Water Resources
1031 Blue Lakes Blvd. N.
Twin Falls, ID 83301

RECEIVED

JAN 13 1978

Department of Water Resources
Southern District Office

Gentlemen: *file*

This is to advise you that Richard B. Giesler, holder of State License #25991, has mortgaged the rights thereunder to the United States and agreed that he will not assign or amend the license without the consent of the Farmers Home Administration.

Sincerely,

Kevin L. Guthrie
Kevin L. Guthrie
County Supervisor

JUN 30 1993

September 18, 1961

Re: Permit No. G-25991

W. D. Simon
Fairfield, Idaho

Dear Mr. Simon:

We enclose herewith Certificate of Completion
of Works and License and Certificate of Water Right issued on
Permit No. G-25991.

Also enclosed is departmental receipt No. G-6540
in the amount of \$33.00 covering the fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificates
receipt

25991

August 30, 1961

Re: Permit No. G-25991

W. D. Simon
Fairfield, Idaho

Dear Mr. Simon:

Our field engineer'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-25991 shows the well is (are) capable of conveying 110.5 miner's inches, or 2.21 c.f.s. of water for the irrigation of 500 acres.

Upon receipt of the statutory fees, totaling \$ 33.00 , we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$ 28.00 , based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of October 4, 1955 to the use of 2.21 second feet of subterranean water with the point of diversion in the SE¹₄SW¹₄, Sec. 4 for domestic purposes and irrigation of 500 acres in the SW¹₄SW¹₄, Sec. 3; SE¹₄SW¹₄, Sec. 4, S¹₂SE¹₄, Sec. 4; N¹₂, W¹₂SW¹₄, Sec. 9, T. 1 S., R. 16 E., B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

25991

EPR:mr

5 Rev 3 Minute 44 Second

2.23 X 99 = 221 $\frac{1}{2}$ or 110 $\frac{1}{2}$ miles.

R-16 E.

TO HAILEY

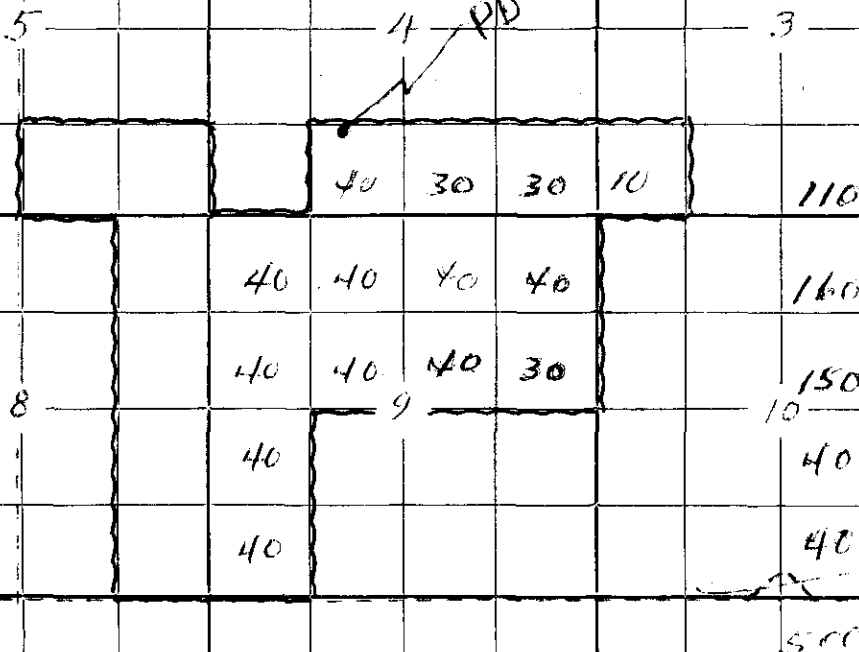
BCISEL

BASE

LINE

PD

T.
S.



Subdivisions 14

Area 500 acres

2.21 $\frac{1}{2}$ or 110 $\frac{1}{2}$ miles.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25991

REPORT ON PROOF OF Completion of Works & Beneficial Use
W. D. Simon
Fairfield, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-25991

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant W. D. Simon

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4

T. 1 S. R. 16 E. County of Camas

4. Describe works as they exist, giving dimensions and capacities of same: 75 H.P. O.S.M. #1040944, Lagne-Bowler Pump #22202, 190" X 8" column; Well 208' X 16" cased all the way. Perforated on bottom 2 1/2 ft.

5. Water is used for: Irrigation and domestic purposes

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 $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3; SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 4; S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5; E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8; NE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 9, T. 1 S., R. 16 E., B.M.

This ground is summer-fallowed each year so the same ground is not irrigated each year.

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

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

Remarks: Mr. Simon along

Measured by Sparling Meter (5 REV. 3 min, 44 Sec.)

This examination was made on the 22nd day of August, 1961

(Signed)

L. Johnson

Examiner.

#25991

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.
-

RECEIVED
AUG 30 1961

Department of Reclamation

4F110
41F110

W. D. Simon
Fairfield, Idaho

Permit No. G-25991

Examination for Completion of Works & Beneficial Use

County Camas

Sec. 4 T. 1 S. R. 16 E.

Quantity: 3.2 a.c.s.

Source: well

P.D.: SE. SW. Sec. 4, T. 1 S., R. 16 E. B. 11

Use: Irrigation & Domestic

Filed: Oct. 4, 1955

Due: Oct. 4, 1960

Extension: —

Completion of Works: —

Other Rights: none

September 28, 1960

RE: Permit No. G-25991

W. D. Simon
Fairfield, Idaho

Dear Mr. Simon:

We acknowledge receipt of the Deposition of Helder and two witnesses, also affidavit of publication in the Camas County Courier, all submitted in proof of completion of works and beneficial use on Permit No. G-25991.

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.

We return one affidavit of publication as we received two copies.

Your deposition included the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4 whereas our records show the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4. Kindly advise if your deposition is correct.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Office Engineer

RWT:mr
Enc. affidavit



ROBERT E. SMYLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, STATE RECLAMATION ENGINEER
BOISE

Department of Reclamation

September 28, 1960

RE: Permit No. G-25991

W. D. Simon
Fairfield, Idaho

Dear Mr. Simon:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Camas County Courier, all submitted in proof of completion of works and beneficial use on Permit No. G-25991.

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.

We return one affidavit of publication as we received two copies.

Your deposition included the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4 whereas our records show the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4. Kindly advise if your deposition is correct.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas

Ralph W. Thomas
Office Engineer

RWT:mr
Enc. affidavit

*Correct description should be SE $\frac{1}{4}$ SW $\frac{1}{4}$ 4-18-16.
and not (the NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4-18-16.)*

W. D. Simon

G25991

AFFIDAVIT
OF PUBLICATION

STATE OF IDAHO, } ss.
COUNTY OF CAMAS, }

ORIN N. GARRETT, being first
duly sworn, on his oath, states:
That he is publisher of the Camas
County Courier, a newspaper of
general circulation in Camas
County, Idaho, published weekly
at Fairfield, in said county. That
said newspaper has been pub-
lished in said County uninterr-
ruptedly and continuously for
over seventy-eight consecutive
weeks prior to the first publica-
tion of the annexed Notice of
Proof of Completion of
Works, etc......
and that said Notice.....

.....
was published as per clipping at-
tached, in the regular and entire
edition of said newspaper and
not in any supplement thereof, in
four..... consecutive issues,
the date of the first publication
being the
25th day of August,
19..... 60....., and the last publica-
tion being the 15th day of
September....., 19 60.....

Orin N. Garrett
Publisher.

Subscribed and sworn to before
me this 16th day of
September, 19 60

Tom W. Kersien
Notary Public Residing in Fair-
field, Idaho.

25991

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

SEP 28 1960
Department of Reclamation

Permit No. G25991

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.

Ans. W. D. Simon, Fairfield, Idaho, Farmer.

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.

Ans. Individual.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. G. 25991, 10/4/1955, 10/4/1955

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Well is the source of the water. Point of diversion is the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 4, Township 1 South, Rge 16 E.B.M., Camas County, Idaho.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Regular ditch from point of diversion to place of use capable of carrying 3.2 cubic feet per second water. Well depth 208', casing depth 208', 15" casing, 84' depth to water. Pump discharges 90" of water thru 8" discharge opening. (This measured by orifice 6" with pressure gauge. Sprinkler irrigation thru 78 nozzles under 50# pressure.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use. See note on letter dated 9-22-60

Ans. SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 3, S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 4, N $\frac{1}{2}$ & the W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 9, Twp 1 South, Range 16, E.B.M., S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 5, E $\frac{1}{2}$ E $\frac{1}{2}$ of Sec 8, Twp 1 South, Rge 16, E.B.M. Irrigate 200 acres of land. All cultivated land.

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. COLE DRILLING COMPANY, GOODING, IDAHO.

G25991

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. All Irrigation.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. Available water.

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.

Ans. Not applicable.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Water used during the last 5 years.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None.

(Sign) W. D. Simpson

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 Fairfield, County of Camas,

State of Idaho, on this 26th day of September, A. D. 1960.

[Signature]

My commission expires 1/26/1962

25991

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

SEP 1 1916
Department of Reclamation

Permit No. G 25991

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.

Ans. Paul E. Cox, Age 41, Residente - Fairfield, Idaho,
Laborer - Fairfield Motor Company, Fairfield, Idaho.

Ques. 2. Are you acquainted with William D. Simon, the
holder of Permit No. G 25991? How long have you known him and where does
he reside?

Ans. I have known Wm. D. Simon 15 years and he resides at
Fairfield, Idaho.

Ques. 3. Have you read or heard read said Permit No. G 25991, and are you
familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for con-
veying water from point of diversion to place of use.

Ans. Well - SE 1/4 SW 1/4 Sec. 4, Twp. 1 South, Rge. 16, E. B. M.
Ditch is used to convey water from Well to place of use.

Ques. 5. How many second feet of water do you estimate said works will safely con-
duct to place of use, and how much water have you seen being so conveyed?

Ans. 90 miner inches -

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons
per minute have you seen the pump deliver, and how did you measure or estimate the
amount?

Ans. 90 miner inches, estimated by 6" orifice at pump.

25991

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation. SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3, S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, N $\frac{1}{2}$ & W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 9, Twp. 1 South, Rge. 16, E. 1. M., S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 5, N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 8, Twp. 1 South, Rge. 16, E. B. M. - used to irrigate 200 acres of land, All cultivated land.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Irrigation water only.

Ques. 9. (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.

Ans. Have used the available water (90 miner inches) to irrigate about 200 acres of land.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No interest.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have delivered Fuel to the well site during each irrigating season, and have witnessed the pumping and beneficial use of the water during the last five years.

(Signed)

Paul C. Co

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 Fairfield, County of Camas, State of Idaho, on this 26th day of September, A. D. 1960.

S. S. Hansen

Notary Public.

My commission expires 1/26/1962.

825991

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. _____

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.

Ans. _____

Howard St. Clair 33 Fairfield Idaho
Farmer + Distributor of Fuel Oil & Fertilizer

Ques. 2. Are you acquainted with _____, the holder of Permit No. 25991? How long have you known him and where does he reside?

Ans. _____

Yes

Ques. 3. Have you read or heard read said Permit No. 25991, and are you familiar with its provisions and conditions?

Ans. _____

Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. _____

Well SE 1/4 SW 1/4 Sec. 7, Twp. 1 South, Range 16 E. B.M.

Pipe used to convey water to place of use

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

Ans. _____

90 inches

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. _____

90 inches 6" Orifice of Pump

25991

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation - SW¹/₄SW¹/₄ Sec 3, S¹/₂SE¹/₄, NE¹/₄SW¹/₄ Sec 4, N¹/₂ & W¹/₂SW¹/₄ Sec 9, Twp 1 South, Rge 16, E.B.M., S¹/₂SE¹/₄ Sec 5, E¹/₂SE¹/₄ Sec 8, Twp 1 South, Rge 16, E.B.M., Used to irrigate 200 acres of land.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Irrigation

Ques. 9. (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.

Ans. Have used the available water (90 miner inches) to irrigate about 200 acres of land.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. Yes

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have delivered Commercial fertilizers and weed and insect sprays to this farm over the last five years and have had many opportunities to witness the pumping and beneficial use of the water.

(Signed)

Howard A. Clow

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 Fairfield, County of Camas, State of Idaho, on this 26 day of Sept, A. D. 1960.

W. J. Lawrence

Notary Public.

My commission expires 1/26/1962

825991

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

August 23, 1960

Re: Permit No. G-25991
W. D. Simon

Mr. W. D. Simon,
Fairfield, Idaho.

Dear Mr. Simon:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-25991. The proofs are to be made at 10:00 o'clock A.M., on the 26th day of September, 1960, ~~xxxx~~, before T. T. Wokorsien, Fairfield, Idaho, Notary Public.

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

It is important that the enclosed depositions be executed by 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,

GEO. N. CARTER
State Reclamation Engineer

By:

Rule
(Mrs.) Edna P. ~~Rutledge~~
Chief Clerk

Encl.

EPR:mk
cc: Notary

825991

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-25991
W. D. Simon

Date: August 23, 1960

Camas County Courier,
Fairfield, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **September 26, 1960** the date set for proof; the expense of the publication is to be paid by the applicant

W. D. Simon of **Fairfield, 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,


GEO. N. CARTER
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

Encl.

825991

Camas Abstract Company

Insurance

P. O. BOX 93

Telephone 1

FAIRFIELD, IDAHO

Fairfield, Idaho.

August 22nd, 1960.

RECEIVED
AUG 23 1960
Department of Reclamation

Mr. Geo. N. Carter,
State Reclamation Engineer,
Boise, Idaho.

Dear Sir:

Enclosed find Form 36 in duplicate and
Form No. 11 for Completion of Works under Permit
No. G25991.

Yours very truly,

W. D. Simon

G25991

1846
THE American Insurance Group

With everything American, tomorrow is secure

RECEIVED
AUG 23 1960
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 22nd, 1960

(P. O.) Fairfield, 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

CANAS COUNTY COURIER of Fairfield, Idaho published in
the county in which the works are situated.

W. D. Simon

(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.

25991

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

Department of Reclamation

Notice is hereby given that at 10 A M., on the 26th day of September 1960, at Fairfield, County of Camas, State of Idaho, before T. T. Wokersien, Notary Public, at (address) Fairfield, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 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. G25991, 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 G. O. Simon, Fairfield, 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 3.2 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The point of diversion of said water is S. SW₄ of Section 4, Township 1 S., Rge. 16 E., C. M., Camas County, Idaho

5. The place where said water is used is SW₄ SW₄ of Sec. 3, S₄ SW₄, SW₄ of Sec. 4, N₂ and W₂ S₄ of Sec. 9, Twp. 1 S., Rge. 16 E., C. M.
S₄ S₄ of Sec. 5 and S₄ S₄ of Sec. 8, Twp. 1 S., Rge. 16 E., C. M.

6. The date of priority which said user is prepared to establish is October 4th, 1955.

G. H. Leaster

State Reclamation Engineer

B25991

TR

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G-25991

Date: August 1, 1960

W. D. Simon
Fairfield, Idaho

Dear Sir:

The date for proofs of Completion of Works and Application of Water to Benefi-
cial Use, as set out under the terms of Permit No. G- 25991 are due not later
than October 4, 1960.

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 Per-
mit, including any amendments made in connection with a change of point of diver-
sion or land list which has been recorded in this department. If charges have
been made and no amendments are on record, we advise that 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 above 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
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 of, 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 Form 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,

GEO. N. CARTER
STATE RECLAMATION ENGINEER

25991

Enclosures Form 36 - 11
instructions

October 10, 1955

RE: Permit No. G-25991

Mr. Charles Scoggin
Attorney At Law
Fairfield, Idaho

Dear Mr. Scoggin:

We enclose Permit No. G-25991 in the name of W. D. Simon and direct his 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-1482 for the \$5.75 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

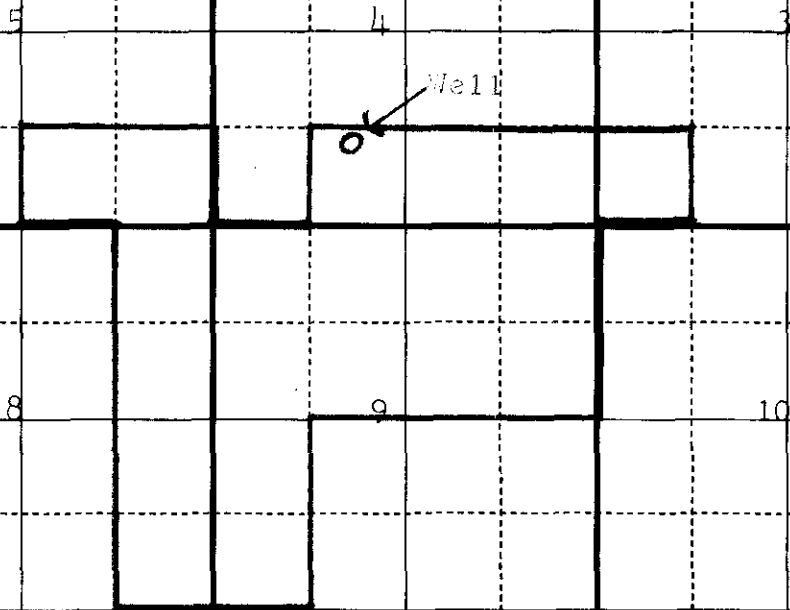
A:cu
Enc.

25991

NAME OF APPLICANT W. D. Simon

Form No. 0

All in township 1 S., Range 16 E., B. M.



Permit Map No. 25991
As Approved
MARK R. KULP
State Reclamation Engineer
OCT 4 1955

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

25991

Charles Scoggin
ATTORNEY-AT-LAW
FAIRFIELD, IDAHO
October 1, 1955

RECEIVED
OCT 4 1955
Department of Reclamation

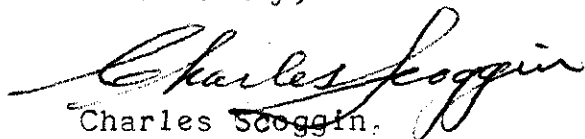
State of Idaho,
Department of Reclamation,
State House,
Boise, Idaho.

Dear Sirs:

Enclosed find Application to Appropriate Subterranean Waters
by W. D. Simon for 160 miners inches. Check is enclosed for
\$5.75.

If this is not sufficient and more is needed let me know and
I will add the suggested corrections.

Yours truly,


Charles Scoggin.

CS:js

B25991

**NOTICE OF PROOF OF
COMPLETION OF WORKS**

**an
APPLICATION OF WATER
TO BENEFICIAL USE**

NOTICE IS HEREBY GIVEN, That at 10 A.M., on the 26th day of September, 1960, at Fairfield, County of Camas, State of Idaho, before T. T. Wokersien, Notary Public, at Fairfield, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 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. G25991, 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 W. D. Simon, Fairfield, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water said works are capable of conveying to the place of use is 3.2 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to benefi-

cial use is 3.2 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, Township 1 S., Rge. 16 E. B. M., Camas County, Idaho.

5. The place where said water is used is SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4, N $\frac{1}{2}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 9, Twp. 1 S., Rge. 16 E. B. M.; S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 5, and E $\frac{1}{2}$ E $\frac{1}{2}$ of Sec. 8, Twp. 1 S., Rge. 16 E. B. M.

6. The date of priority which said user is prepared to establish is October 4th, 1955.

GEO. N. CARTER,
State Reclamation Engineer.
Publish Aug. 25, Sept. 1, 8, and 15, 1960.