

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

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

APPROVED

Name of applicant George E. Wise

Phone 788-3832

Post Office address Box 164, Bellevue, ID 83313

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. Decreed to Mrs. Elizabeth Roberts (Name) in case of S. C. Frost et al vs Alturas Water Co. et al dated in 12-13-1909 in Fourth District (Name of court) county of Lincoln

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

c. Claim No. on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Inheritance; my wife is the granddaughter of the original owner.
3. Source of water Big Wood River tributary to Malad River
4. Date of priority 6-2-1888
5. Water is used for the following purposes:

amount 0.50 cfs for Irrigation purposes from to

amount for purposes from to

amount for purposes from to (month/day — both dates inclusive)
6. Total amount of water under right: a. 0.50 cubic feet per second &/or b. acre feet per annum
7. Location of original point of diversion is ¼ of ¼ of Section Township Range, B.M., in County
Additional points of diversion, if any Not given in decree
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	18E	26															3		3
		35		3															3
																			PROFILED
																			MAY 23 2003

Total number of acres to be irrigated 6

9. Describe any other water rights used for the same purpose as described above None; 37-0578 is used on separate but adjacent land.
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

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

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1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

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3. Place of use:

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

Total number of acres to be irrigated _____

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

1. General Information

- a. Amount of water to be diverted 0.50 c.f.s. &/or _____ acre feet
- b. Description of diverting works Existing Kline #37 headgate, ditch; pump & pipeline
from Big Wood River Clearwater Slough (tributary to Broadford Slough).
- c. Describe the reasons for the proposed changes Add point of diversion. Also to clarify
use of water regarding P. U.

2. Change in point of diversion

Point of diversion NW ¼ SW ¼, Section 26 Township 2N
Range 18E, B.M., Blaine County
Additional points SW¼SE¼ Sec. 26 T. 2N R. 18E

3. Change in place of use No Change

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

c. Describe the lands ^{and} place of use to which the right will be tr ^{ansferred}:

[illegible]

Total number of acres to be irrigated _____

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

[illegible]

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

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FILED

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D. REMARKS

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The other right decreed to Mrs. Roberts has always been used on the 12 acres owned by her south of the Broadford Road.

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

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

George S. Wise
(Signature of Applicant)

Subscribed and sworn to before me this 18 day of January, 19 85.

Mary A. McCarty
(Notary Public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0579

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

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control

by the watermaster of State Water District No. 37, Big Wood River.

3. This transfer adds a point of diversion from Clearwater Slough, known locally as White Slough, within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, Twp 2N, Rge 18E.
4. The rate of diversion under this water right from Broadford Slough and Clearwater Slough combined shall not exceed the rate of flow available for diversion from Broadford Slough.

Witness my hand this 30th day of April, 19 85.

A. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by JS Date 1-18-85

Protest filed by None

Prelim. check by ADM Fee \$50.00

Receipted by JS Date 12-19-84 #35241

Published in Wood River Journal

Pub. dates 1/31 + 2/7/85

Watermaster recommendation requested on 1/22/85

rec'd. 1/29/85

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial
by ADM Jim

AFFIDAVIT & PUBLICATION

State of Idaho, }
County of Blaine } SS.

GORDON O. GLASMANN

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

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 31st day of January, 1985, and the date of the last publication was on the 7th

day of February, 1985

Gordon O. Glasmann
Subscribed and sworn to before me this 7th

day of February, 1985.
(SEAL)

Darla Pratt
NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11

Number of Lines in Notice 45

Number of Insertions 2

Lines tabular at 5°/Pica

45 Lines straight at 19.80 4°/Pica

45 Subsequent lines at 14.85 3°/Pica

TOTAL COST 34.65

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OPY OF NOTICE

(Paste Here)

#37-0579
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

filed by Geo. Wise

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 375870**

NOTICE IS HEREBY GIVEN, That George E. Wise of Bellevue, Idaho, has applied to the Department of Water Resources to add a diversion point and clarify place of use. The right sought to be changed is evidenced by a decree to Mrs. Elizabeth Roberts, in case of S.C. Frost, et al., vs. Allures Water Co., et al., dated December 13, 1909, in Fourth District Court, County of Lincoln, and are recorded as follows:

Amount: 0.50 cfs

Priority: June 2, 1898

Point of Diversion: Not given in decree

The water is used for irrigation of 6 acres within the SW¼SE¼, Sec. 28, NW¼NE¼, S½, 35, T2N, R18E, Blaine County

**RIGHT TO BE CHANGED
AS FOLLOWS:**

Amount: 0.50 cfs

Point of Diversion: NW¼SW¼, Line 37 Headgate from Broadford Slough, SW¼SE¼, New diversion from Clearwater Slough, Sec. 28, T2N, R18E, Blaine County

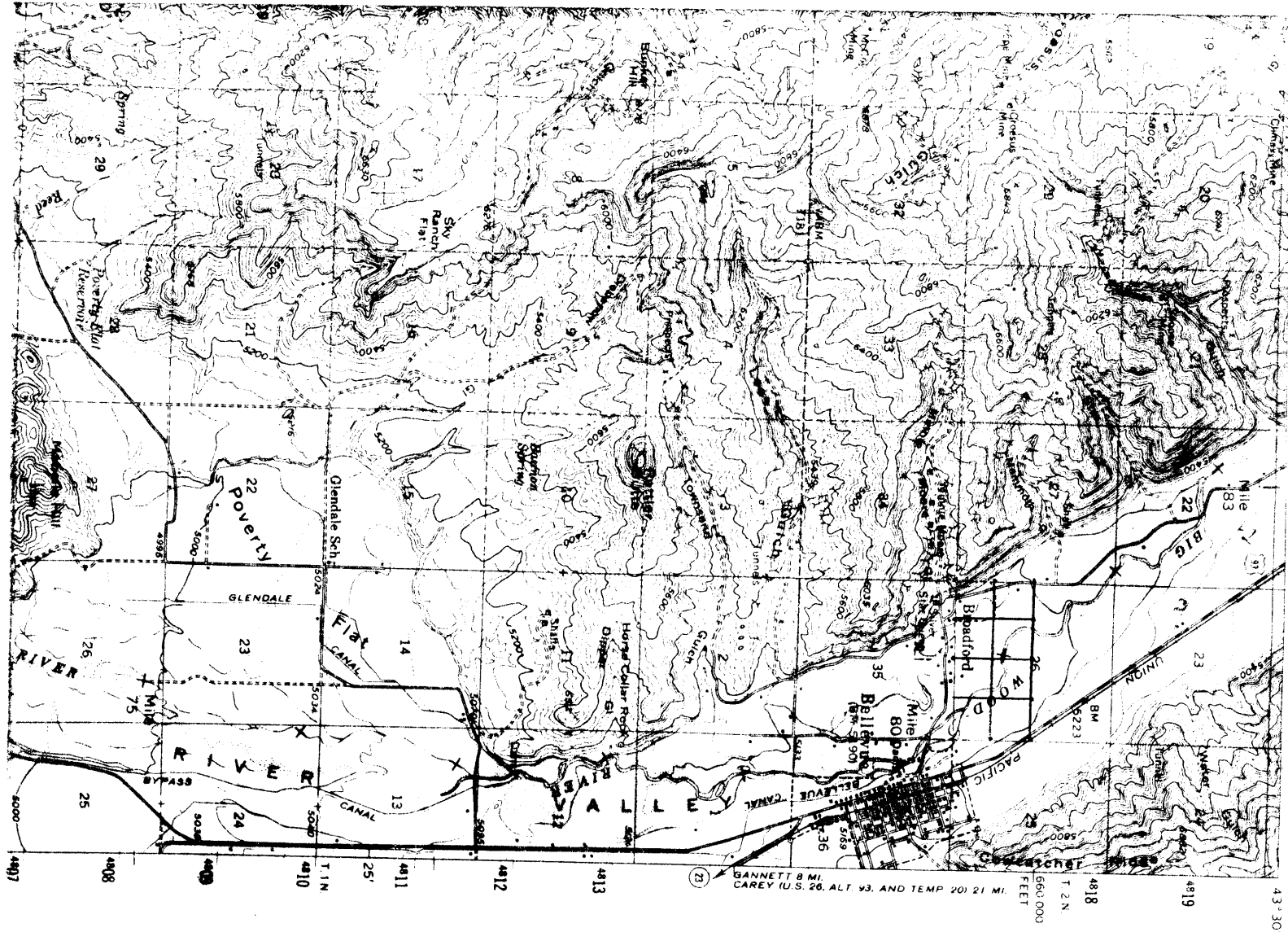
Place of Use: No change

Any protest against approval of the above proposed change of the right described above must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho 83301, on or before FEBRUARY 18, 1985.

A. KENNETH DURN
Director
Publics Wood River Journal
January 31 and February 7, 1985.

FEB 8 1985

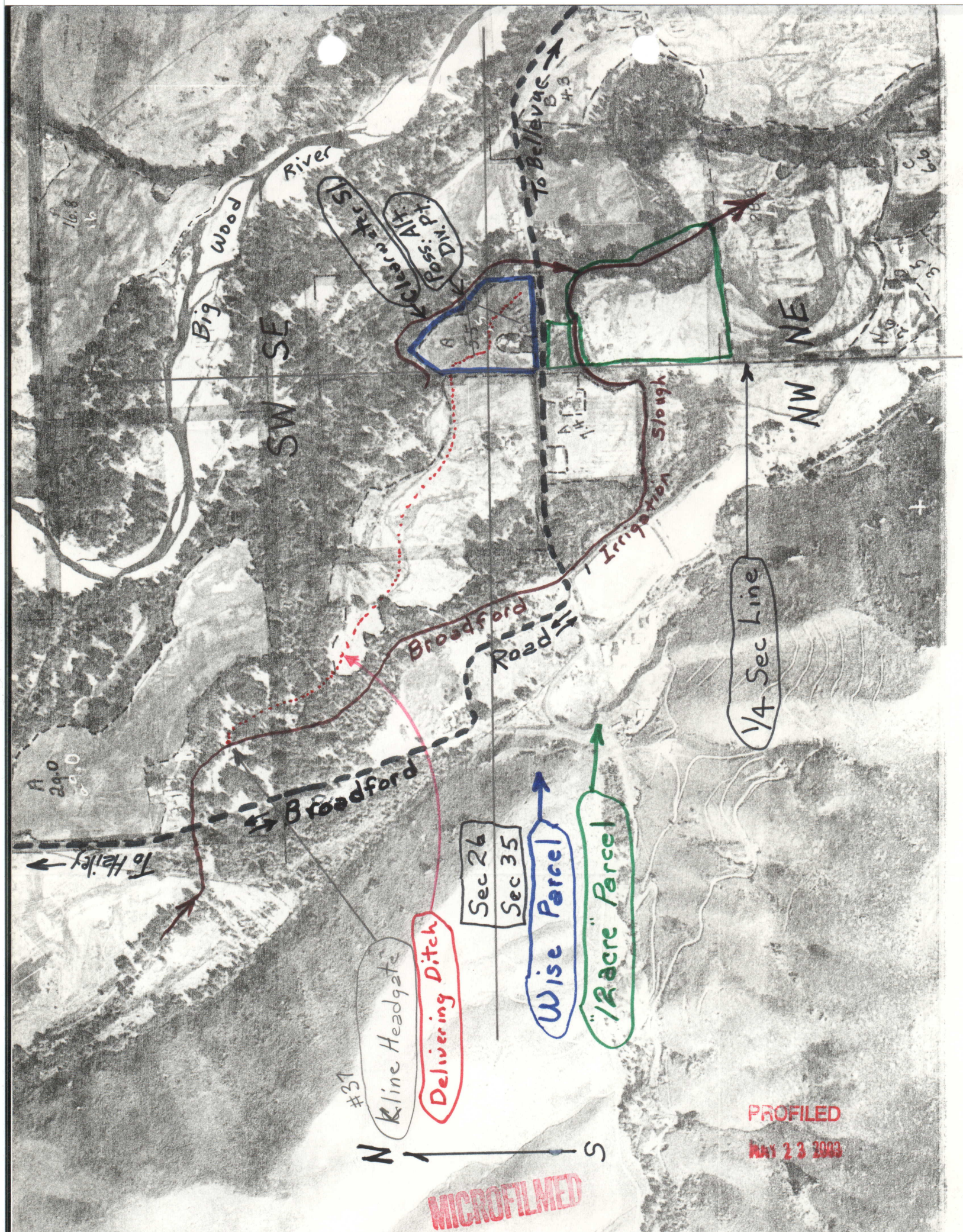
Department of Water Resources
Southern District Office



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RECEIVED

Bellevue, Idaho
December, 1984

DEC 27 1984

Idaho Dept of Water Resources
Southern Region Office
1041 Blue Lakes Blvd North
Twin Falls, Idaho, 83301

Department of Water Resources
Southern District Office

RE: Water Right No 37-0579

ATTN: J. Stanton

Dear Sir:

We have reviewed the application for transfer and have the following comments:

First page, Item A. 9; Not true. Water Right #37-0578 apparently no longer applies to this land. Mr. W. W. Ivie, the present owner, and we have been trying to research this through our remaining family members (85 years + old) but the answer is elusive. Too many transfers on that land from Eliz. Roberts to now. Some time ago (perhaps 2 years ??) a "Mrs Pearson" asked for affidavit on a water right that apparently related to this. Mr Ivie has a well permit and irrigates the land from this well, at present.

Second page, Item C. 3. b; Still no change. But comment above applies.

All of the other items appear true and correct.

As requested, a chain of title is also provided. Apparently Eliz. Roberts was the original holder of the land (pre-1884), and is Mrs Wise' great-grandmother. Roberts sold the land to Peter Johnson when He and wife Mary were married in January, 1921. See copy of deed provided. Peter deceased Jan, 1940. Mary Johnson, Mrs Wise' mother's twin-sister, willed the property to us at her death in June, 1973. See copy of deed from Personal Representative for the probate action to us which is provided. Note that the "Kathleen Werry Chandler" referred to in the deed is actually now Kathleen W. Wise, wife of the named, George E. Wise. These two deeds cover the whole 100 year period.

Note also that these deeds refer also to an acre of land (tax lot #96) which lies directly across from our home, on the south side of Broadford Rd, and which lies entirely in Sec 35. So for over 50 years the "12 acre" parcel referred to in the water right has been landlocked with the only access over this one acre. It is puzzling why a situation like this would be created, way back then. Now that this water right question has come up we presume that it was done to legitimize the transfer of the water right to the Johnsons without going through the transfer process we are now executing. Note that our deeds refer to "water rights, ditches, canals, etc" but the only place these existed was on the land north of Broadford Rd, never on this acre south of the Rd. In any event we have obviated this landlock problem for Mr Ivie by selling him this acre last year, but not the water rights. Mr Ivie is very familiar with all this, as it was his family which purchased the land adjacent west over which our ditch lies, and as a youngster he performed much of the irrigating work on both places, (1930's). Mr Ivie entered the service in World War II and his family sold that land sometime during the war after giving Mary Johnson a Right of Way Deed for the 25" of water over their ditches and land, a copy of which has previously been sent to you. Finally, it would be ridiculous indeed to bring water from the north side of Broadford Rd to this acre on the south side

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of the Rd for the simple reason that the Broadford Slough, the only source of irrigation water in this area, flows right through this acre for its full length, some 278 feet, the acre being bounded by Broadford Rd on the north and the middle of the Slough on the south. See the Broadford Slough flow line on the aerial photo included herewith.

Referring to the aerial photo sheet included herewith, we have attempted to show all material, pertinent items, and as accurately as this small scale allows:

1. Section and $\frac{1}{4}$ section lines.
2. Broadford Rd between Bellevue and Hailey, showing how it bisected Eliz. Roberts original holdings, now made up by the Wise parcel north of the Rd, and the Ivie ("12 acre") parcel south of the Rd.
3. Broadford Irrigation Slough as it flows from the northwest to southeast and through the Ivie parcel.
4. Our delivering ditch as it starts at the Cline headgate on the Forstmann parcel, through the 40 acre Lewis parcel, and finally through our land. The Cline headgate is necessary that far north on the Broadford Slough since the slough is about 3+ feet lower on the Ivie land south of us than our parcel north of Broadford Rd.
5. Possible alternate diversion point on the Clearwater Slough on our northeast boundary. Clearwater Slough ((so called by very old-timers, Whitewater Slough by some late-comers)) apparently arises from springs just north of our parcel, on Assembly of God, Inc. Church Bible Camp property. Brother Walkup, the Church property Administrator, indicated they would have no objection when I talked to him about this a few years ago when our water problems first developed. Clearwater Sl is tributary to Broadford Sl.

As requested herewith is the affidavit from the owner of the 12 acre parcel. ((Incidentally Mr Ivie, this owner, still indicates a desire to lease the land west of us on which our ditch lies, if the absentee owners will give him a reasonable length of leasehold, for his beefalo cattle operation. Since he is a retired contractor, and still has all the heavy equipment necessary, he would put this ditch back in full operation in short order. But since this is so chancey at the moment, an alternate diversion point is required.))

At this point there does not seem to be any more we could add to support our case. We are truly grateful for all the assistance.

Cordially,

George E. Wise

George E. Wise
Box 164
Bellevue, Idaho, 83313
1-208-788-3832

Encl: Appl for Transfer
Deeds - Roberts to Johnson
Johnson to Wise
Affidavit
Aerial photo

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IN THE MATTER OF: Water Right No. 374
0579, Frost Decree, 1909; that por-
tion described: 25" June 2, 1888
water, only.

State of Idaho

County of Blaine

AFFIDAVIT

W. W. Ivie

being first duly sworn,

deposes and says: that he is the owner of the 12 acre parcel described in
the Frost Decree of 1909 to which the 50" of 1884 water and the 25" of
1888 water pertained; and, further, that to his knowledge none of the 25"
of 1888 water ever was delivered to this 12 acre parcel; and, further,
that he does not object to the subject rightful transfer of water right.

Signature

Subscribed and sworn to before me this

26 day of December 1984
Notary Public

Residing at

Hailey Idaho

My commission expires

3/85

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WARRANTY DEED

THIS INDENTURE, Made this 5th day of January,

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

ELIZABETH ROBERTS, a widow, of Bellevue, Blaine County,
Idaho,

the part Y of the first part, and PETER JOHNSON, of the same place,

the part Y of the second part:

WITNESSETH: That the part Y of the first part, for and in consideration of the sum of

Thirteen Hundred Thirty (\$1330.00)

DOLLARS

in hand paid by the said part Y of the second part, the receipt whereof is hereby acknowledged, ha ve granted,

bargained, sold, remised, released, alienated, and confirmed and by these presents do es grant, bargain, sell, remise,

release, alienate and confirm unto the said part Y of the second part, and to his heirs and assigns forever, all

the following described lot, piece, or parcel of land situate in the County of Blaine, State of Idaho, known and

described as follows, to-wit: What is known as Tax Lot No. 91 as shown by the plat thereof on file in the office of the Assessor of said County: Beginning at the quarter section corner, common to Sections 26 and 35 in T. 2 N., R. 18 E., running thence North along the line dividing the SW $\frac{1}{4}$ from the SE $\frac{1}{4}$, Sec. 26, 346 feet more or less to a point; thence N. 43° 15' E. 210 feet more or less; thence S. 46° 30' E. 240 feet more or less; thence S. 6° E. 205 feet more or less; thence S. 57° E. 200 feet more or less; thence S. 18° 50' E. 242 feet more or less to a point on the north side of the Bellevue-Broadford road; thence S. 80° 28' W. 196 feet more or less; thence N. 82° 15' W. 360.9 feet more or less to a point on the line dividing the NW $\frac{1}{4}$ from the NE $\frac{1}{4}$ of Sec. 35, thence North along said line 241.7 feet to the place of beginning, containing 5.8 acres more or less and being a part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35 and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26 T. 2N., R. 18 E., also Tax Lot No. 96, beginning at a point 295.0 feet south of the quarter section corner common to Section 35 and 26, T. 2 N., R. 18 E., running thence South on the line dividing the NW $\frac{1}{4}$ from the NE $\frac{1}{4}$ said Section 35, 200 feet to a point on the north bank of the Broadford slough; thence N. 78° 34' E., 283.4 feet; thence N. 90° 51' E. 90.7 feet; thence N. 79° 28' W. 298.1 feet to the place of beginning, containing one acre and being a part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35 T. 2 N., R. 18 E.B.M., together with any and all water rights, ditches and canals appertaining to said above described lands.

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TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining; and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim or demand whatsoever of the said part y of the first part, either in law or equity, of, in and to the above bargained premises with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the said part y of the second part, his heirs and assigns forever.

And the said part y of the first part, for her heirs, executors, and administrators, do as covenant, grant, bargain and agree to and with the said part y of the second part, his heirs and assigns, that at the time of signing and delivery of these presents well seized of the premises above conveyed, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in law in fee simple, and ha ve good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid; that the same are free and clear of all former or other grants, bargains, sales, liens, taxes, assessments and incumbrances of what kind or nature soever; and the above bargained premises in the quiet and peaceable possession of the said part y of the second part his heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said part y of the first part shall and will Warrant and forever Defend.

IN WITNESS WHEREOF, The said part y of the first part ha s hereunto set her hand the day and year first above written.

Signed and Delivered in the Presence of

W. A. Brodhead

x Elizabeth Roberts (SEAL)

(SEAL)

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(SEAL)

MAY 23 2003

(SEAL)

WITNESSES

No 47312

Warranty Deed

Elizabeth Parker

To

Peter Johnson

1:10 pm.

January 29, 1921

Recorded in Book 118, pg 71

Cosie M. Russell

by Geo. G. McClure

Fee - \$1.40 pd.

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

On this 5th day of January, in the year 19 21, before me

W. A. BRODHEAD

, a Notary Public

in and for said State, personally appeared ELIZABETH ROBERTS, a widow

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

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

W. A. Brodhead

Notary Public.

Residing at Hailey, Idaho.

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CORRECTION TO DEED NO. 163927

THIS INDENTURE, Made the _____ day of January, _____, in the year of
our Lord one thousand nine hundred and Seventy-Six _____ between

ROBERT S. KLEFFNER, as Personal Representative of the Estate of Mary McCann Johnson the part y of first part and
KATHLEEN WERRY CHANDLER and GEORGE E. WISE the part ies of the second part,

WITNESSETH, That the said part y of the first part, for and in consideration of the sum of
TEN AND NO/100 (\$10.00) -----Dollars,
lawful money of the United States of America, to him in hand paid by the said part
of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and con-
veyed, and by these presents do es grant, bargain, sell and convey unto the said part ies of the second
part, and to their heirs and assigns, forever, all that certain
piece or parcel of land situate, lying and being
in the County of Blaine and State of Idaho, particularly described as follows,

to-wit: What is known as Tax Lot 91 as shown by the plat thereof
on file in the office of the Blaine County Assessor, described
as follows:
Beginning at the 1/4 section corner common to Sections 26
and 35, Township 2 North, Range 18 East running thence
north along the line dividing the SW 1/4 from the SE 1/4
Section 26, 346.0 feet more or less to a point, thence N
43°15' E. 210 feet more or less thence S 46°30' E. 240 feet
more or less, thence S 6°00' E. 205 feet more or less, thence
S 57°45' E. 200 feet more or less, thence S 18°50' E. 242 feet
more or less to a point on the north side of the Bellevue
Broadford Road, thence S 80°28' W. 196 feet more or less,
thence N 82°15' W. 360.9 feet more or less to a point on
the line dividing the NW 1/4 from the NE 1/4 of Section 35
thence north along said line 241.7 feet to the point of
beginning, containing 5.8 acres more or less and being a
part of the NW 1/4 NE 1/4 Section 35 and SW 1/4 SE 1/4 Section
26, Township 2 North, Range 18 East, B.M.
Also Tax Lot 96 - Beginning at a point 295.0 feet south of
the 1/4 section corner common to Sections 35 and 26, T. 2
N. R. 18 E. running thence south on the line dividing the
NW 1/4 from the NE 1/4 Section 35, 200 feet to a point on
the north bank of the Broadford slough, thence N. 78°34' E.
283.4 feet, thence N. 9°51' E. 90.7 feet, thence N. 79°28'
W. 298.1 feet to the point of beginning containing 1.0 acres
and being a part of the NW 1/4 NE 1/4 Section 35, Township
2 North, Range 18 East, B.M., together with any and all
water rights, ditches and canals appertaining to said above
described lands.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in
anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits
thereof; and also all the estate, right, title, interest property, possession,
claim and demand whatsoever, as well in law as in equity, of the said part y of the first part, of, in or to the
said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the
said part ies of the second part and to their heirs and assigns forever.

IN WITNESS WHEREOF, The said part y of the first part has hereunto set his hand
and seal the day and year first above written

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

ROBERT S. KLEFFNER, as Personal Representative of the Estate of Mary McCann Johnson (Seal)
ROBERT S. KLEFFNER, as Personal Representative of the Estate of Mary McCann Johnson (Seal)

MAY 23 2003

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STATE OF IDAHO,

County of ADA

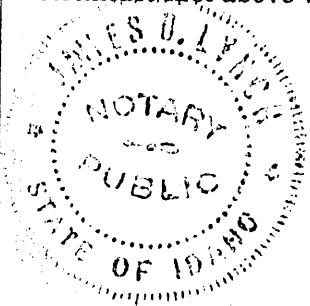
ss.

On this 30th day of January, in the year 19 76, before me
, Notary Public in and for

said State, personally appeared ROBERT S. KLEFFNER, as Personal Representative
of the Estate of Mary McCann Johnson

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

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



James B. French
Notary Public for the State of Idaho,
Residing at Boise, Idaho.

Correction
No. 164358
Bargain and Sale Deed

Robert S. Kleffner,
Personal Representative
Estate of Mary McCann
to Johnson
Kathleen Werry Chandler

Dated _____, 19____
STATE OF IDAHO,
County of *Blaine* } ss.

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

Campbell, Doherty & Lynch

at _____ minutes past _____

o'clock _____ M., this _____ day of

February, A.D. 1976 in

my office, and duly recorded in Book _____

of _____ at page _____

W. M. Doherty
Ex-Officio Recorder.

By *Robert S. Kleffner* Deputy.

Fees, \$ *2.25*

Mail to _____

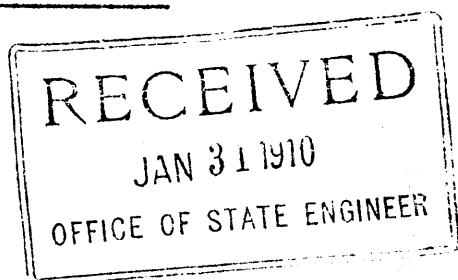
605 West 1st, Boise, Id.

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In the District Court of the Fourth Judicial District
of the
State of Idaho, in and for the County of Lincoln.



S. C. Frost, et al.,

Plaintiffs,

vs.

Alturas Water Company, et al.,

Defendants.

DECREE.

This cause coming on to be heard this 6th day of October, 1909, upon the Report of F. J. Cowen, Referee heretofore appointed for the purpose of taking the testimony and making recommendations as to Findings of Fact, Conclusions of Law and Decree, to be entered herein, and the said F. J. Cowen having filed his Report of the testimony taken, and his recommendations as to Findings of Fact, Conclusions of Law, which have heretofore been adopted, and the respective plaintiffs and defendants and cross-complainants appearing herein by their respective counsel, and the court being fully informed and advised in the premises, and having ordered that judgment be entered in accordance with the Report and recommendations of the said Referee, Wherefore, by reason of the law and the Report and Findings of Fact and Conclusions of Law aforesaid,

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MAY 24 2003

It is Ordered, Adjudged and Decreed, that the several parties, plaintiffs and defendants herein named, do have judgment respectively for a

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✓ 37 0557	Purdum, Rose L.	B	50 inches.	76	May 15, 1884.	Big Wood River.
✓ 37 0558	" "		100 "	87	June 1, 1886.	" " "
✓ 37 0559	" "		180 "	150	June 1, 1888.	" " "
✓ 37 0560	Quong Sing	L	27 "	150	Nov. 28, 1882.	Little Wood River. <i>Trans</i> (Also shares in Big P Cottonwood Canal Co.)
✓ 37 0561	Ranson, Sarah A.	B	65 "	71	May 2, 1884.	Little Wood River. (Also shares in Little Wood River Canal Co.)
✓ 37 0562	Ravenscraft, J.W.	B	300 "	133	May 10, 1887.	Big Wood River. - <i>Trans</i> 301
✓ 37 0563	Rawson, W. F.	B	60 "	✓	May 30, 1881.	Little Wood River.
✓ 37 0564	" "		60 "	✓	May 30, 1882.	" " "
✓ 37 0565	" "		" "			(Also shares in Little Wood River Canal Co.)
✓ 37 0566	" "		" "			Dry Creek.
✓ 37 0567	Reardon, Daniel	B	90 inches.	103	July 30, 1883.	Rock Creek.
✓ 37 0568	" "		80 "	163	July 30, 1883.	" "
✓ 37 0569	" "		50 "	189	June 30, 1884.	" "
✓ 37 0570	" "		40 "	48	June 1, 1886.	" "
✓ 37 0571	Reedy, Mrs. Hannah H.	C	50 "	45	June 1, 1892.	Soldier Creek.
✓ 37 0572	Reedy, Mrs. Joseph H.	C	145 "	62	July 2, 1883.	" "
✓ 37 0573	" "		22 "	89	June 27, 1883.	" "
✓ 37 0574	Rhodes, James M., Trustee.		2000 "	24	Aug. 27, 1882.	Warm Springs Creek. (For power purposes.)
✓ 37 0575	Do.	B	250 "	71	May 30, 1894.	Warm Springs Creek.
✓ 37 0576	Do.		40 "	154	Aug. 1, 1888.	N. Fork of E. Fork of Big Wood River. (For milling purposes for North Star Con- centrating Mill.)
✓ 37 0577	Rice, C. P.	C	180 "	71	Nov. 2, 1885.	Big Wood River.
✓ 37 0578	Richards, S. P.	B				Shares in Little Wood River Canal Company.
✓ 37 0579	Riley, W. T.	B	4000 5595	36	Feb. 24, 1883.	Big Wood River. <i>Trans</i> 456- 586-524-517-722-2036-2
✓ 37 0580	Roberts, Mrs. Elizabeth	B	50 "	74	May 2, 1884.	" "
✓ 37 0581	Do.		25 "	151	June 2, 1888.	" "

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MAY 27 1903



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 9, 1985

RE: Transfer of Water Right No. 37-0579

George E. Wise
Box 164
Bellevue, ID 83313

Dear Mr. Wise:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3100). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosure

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: ADM

1. Right number 37-0579 Applicant WISE, George E.
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point ☐ Change place of use
☒ Other Clarify P/U ✓

4. Check:

- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use Not Listed in Decree
- b. ☒ Description of original point of diversion. - Not Listed in Decree
- c. ☒ Description of original place of use. P/U with originally described lands. ✓

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. - (see aerial photo)
- 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 Appears to be none

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) 37-0578 (See Affid. from Irie confirming split of use between 37-0578 & 37-0579)

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

If yes, what district? 37

FINAL PROCESSING REVIEW BY: ADM

1. Watermaster recommendation requested on 1/22/85 Received on 1/29/85
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny

3. Conditions* OIE, 05 (37, Big Wood River), 04

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4. By ADM Date 2/25/85

Jim 4-15-85 USE ABOVE CONDITIONS

* All uses within Watermaster Districts require special conditions.

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 37-0579

RECOMMENDATION OF WATERMASTER

RECEIVED

JAN 29 1985

Department of Water Resources
Southern District Office

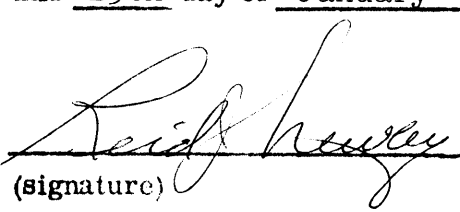
I, Reid J. Newby, watermaster of Big Wood River,
of Water District No. 37, County of Blaine, State of Idaho,
whose address is P. O. Box T, Shoshone, Idaho 83352
have read the attached copy of the application for transfer of water right for _____
George E. Wise, and to the best of my knowledge believe 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: that what they are calling the Clearwater Slough
is commonly known as the White Slough

OR

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

Dated at Shoshone, Idaho, this 25th day of January 19 85.


(signature)

Please use reverse side if needed.

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NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-0579

Notice is hereby given that George E. Wise of Bellevue, Idaho has applied to the Department of Water Resources to add a diversion point and clarify place of use. The right sought to be changed is evidenced by a decree to Mrs. Elizabeth Roberts in case of S. C. Frost et al vs. Alturas Water Co., et al dated December 13, 1909 in Fourth District Court county of Lincoln and is recorded as follows:

AMOUNT: 0.50 cfs

PRIORITY: June 2, 1888

POINT OF DIVERSION: Not give in decree

The water is used for irrigation of 6 acres within the SW1/4SE1/4, Sec. 26; NW1/4NE1/4, Sec. 35, T2N, R18E, Blaine County

RIGHT TO BE CHANGED AS FOLLOWS:

AMOUNT: 0.50 cfs

POINT OF DIVERSION: NW1/4SW1/4, Kline #37 Headgate from Broadford Slough; SW1/4SE1/4, New diversion from Clearwater Slough, Sec. 26, T2N, R18E, Blaine County

PLACE OF USE: No change

Any protest against the approval of the above change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before February 18, 1985.

A.KENNETH DUNN
Director

PUBLISHED IN Wood River Journal on 1/31 & 2/7/85.

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MAY 23 2003

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

January 22, 1985

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

Re: Notice of Proposed Change of Water Right No. 37-0579

Gentlemen:

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

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

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

Very truly yours,

Mary A. Newby
Sec/Office Coord.

Encl:

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MAY 23 2003

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

January 22, 1985

Reid J. Newby
Watermaster District 37
Box 1
Shoshone, Idaho 83352

Re: Application for Transfer of Water Right 37-0579

Dear Mr. Newby:

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

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

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

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

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

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

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MAY 23 2003

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