

12/21/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-99A
NAME AND ADDRESS: CLAYMORE MGMT
C/O MIKE PARKINSON
1049 N 3000 E
SUGAR CITY ID 83448

CLAYMORE MGMT
7050 UNION PARK AVE SUITE 600
MIDVALE UT 84047

SOURCE: ROCK CREEK TRIBUTARY:

QUANTITY: 1.000 CFS

PRIORITY DATE: 06/01/1896

POINT OF DIVERSION:
T15N R42E S13 SESESW Within FREMONT County
T15N R42E S13 SESESW Within FREMONT County
T15N R42E S13 SESESW Within FREMONT County
T15N R42E S13 SWNESE Within FREMONT County
T15N R42E S13 SENWSE Within FREMONT County
T15N R42E S13 NWSWSE Within FREMONT County
T15N R42E S13 NWSWSE Within FREMONT County
T15N R42E S24 NESWSW Within FREMONT County
T15N R42E S24 SWSESW Within FREMONT County
T15N R42E S25 SENWSW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	1.000 CFS

PLACE OF USE: IRRIGATION Within FREMONT County

T15N R42E S13	SWSE	4.90	T15N R42E S24	NENE	7.80
T15N R42E S24	NWNE	37.00	T15N R42E S24	SWNE	40.00
T15N R42E S24	SENE	40.00	T15N R42E S24	NESW	35.00
T15N R42E S24	SESW	29.00	T15N R42E S24	NESE	40.00
T15N R42E S24	NWSE	40.00	T15N R42E S24	SWSE	24.00
T15N R42E S24	SESE	22.00			

319.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 319.7 acres in a single irrigation season. Combined Right Nos.: 21-99A, 21-10830

The rights listed below are limited to the irrigation of a combined total of 574.7 acres in a single irrigation season. Combined Right Nos.: 21-95A, 21-96A, 21-99A, 21-2077, 21-10830, 21-10831

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 21-99A V1

WATER RIGHT NUMBER: 21-99A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CLAYMORE MGMT C/O MIKE PARKINSON 1049 N 3000 E SUGAR CITY, ID 83448
Current Owner	CLAYMORE MGMT 7050 UNION PARK AVE SUITE 600 MIDVALE, UT 84047 (801)556-0915
Original Owner	JOHN H MAGLEBY 456 E 2ND S REXBURG, ID 83440 (208)356-3159
Original Owner	SHIRLENE P MAGLEBY 456 E 2 S REXBURG, ID 83440 (208)356-3159

Priority Date: 06/01/1896

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
DUCK CREEK	HENRYS LAKE

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 10/31	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

DUCK CREEK	SW1/4SE1/4SW1/4	Sec. 13, Twp 15N, Rge 42E, B.M.
FREMONT County		
DUCK CREEK	NE1/4SE1/4SW1/4	Sec. 13, Twp 15N, Rge 42E, B.M.
FREMONT County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	42E	13									26.0			31.0	38.0	36.0	20.0	40.0	191.0
15N	42E	24	19.0	24.0	40.0	39.0			.4	40.0			32.0	30.0	39.0	40.0	29.0	22.0	354.4
15N	43E	18											.1						.1

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15N 43E 19				.4				.4
				L 2				

Total Acres: 545.9

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E56 The rights listed below are limited to the irrigation of a combined total of 545.9 acres in a single irrigation season. Combined Right Nos.: 21-95A, 21-96A, 21-99A, 21-2077, 21-10830, 21-10831
3. K06 This right is limited to the irrigation of 545.9 acres within the place of use described above in a single irrigation season.

Remarks:

Comments:

Water Supply Bank:

08/01/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-99A
NAME AND ADDRESS: SHIRLENE P MAGLEBY
456 E 2 S
REXBURG ID 83440

JOHN H MAGLEBY
456 E 2ND S
REXBURG ID 83440

SOURCE: DUCK CREEK TRIBUTARY: HENRYS LAKE

QUANTITY: 1.000 CFS

PRIORITY DATE: 06/01/1896

POINT OF DIVERSION:
T15N R42E S13 NESESW Within FREMONT County
T15N R42E S13 SWSESW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	1.000 CFS

PLACE OF USE: IRRIGATION Within FREMONT County

T15N R42E S13	NESW	26.0	T15N R42E S13	SESW	31.0
T15N R42E S13	NESE	38.0	T15N R42E S13	NWSE	36.0
T15N R42E S13	SWSE	20.0	T15N R42E S13	SESE	40.0
T15N R42E S24	NENE	19.0	T15N R42E S24	NWNE	24.0
T15N R42E S24	SWNE	40.0	T15N R42E S24	SENE	39.0
T15N R42E S24	SENW	0.4	T15N R42E S24	NESW	40.0
T15N R42E S24	SWSW	32.0	T15N R42E S24	SESW	30.0
T15N R42E S24	NESE	39.0	T15N R42E S24	NWSE	40.0
T15N R42E S24	SWSE	29.0	T15N R42E S24	SESE	22.0
T15N R43E S18 Lot 4 SWSW		0.1	T15N R43E S19 Lot 2 SWNW		0.4

545.9 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 545.9 acres in a single irrigation season. Combined Right Nos.: 21-95A, 21-96A, 21-99A, 21-2077, 21-10830, 21-10831

This right is limited to the irrigation of 545.9 acres within the place of use described above in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed