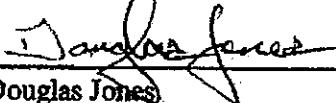
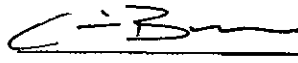


IDWR CONCURRENCE:

 7/1/08
Douglas Jones Date
Technical Engineer 1

IDWR CONCURRENCE:

 7/1/08
Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

06/25/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-21227

NAME AND ADDRESS: RHYTHM RANCH HOMEOWNERS ASSOCIATION
C/O WILLIAM A MCMAHAN
PO BOX 5919
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.650 CFS
122.50 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Rights 37-21227, 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237 when combined shall not exceed a total annual maximum diversion volume of 122.5 af at the field headgate.

PRIORITY DATE: 10/25/1978

POINT OF
DIVERSION:

T02N R18E S35 SESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.650 CFS 122.50 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S35	SWSE	11.00	T02N R18E S35	SESE	38.00
49 ACRES TOTAL					

Place of use does not include federal public lands.

Rights 37-21227, 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237 when combined shall not exceed the irrigation of 35.0 acres.

This right is limited to the irrigation of 35 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.

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

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

06/25/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department. CB

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department. (TV)

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

CERTIFICATE OF SERVICE

I certify that on July 10TH, 2008, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Rhythm Ranch Homeowners Association
c/o William A. McMahan
P.O. Box 5919
Ketchum, ID 83340

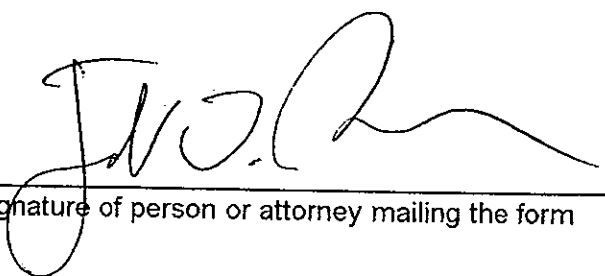
☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S. Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

James P. Speck
SPECK & AANASTAD, PC
P.O. Box 987
Ketchum, ID 83340

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form