

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-2553B
Date Received: 11/28/1990
Receipt No: S012856
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THREE CREEKS RANCH L.L.C. Phone: (714)545-7101x2101

1901 BAYADERE TERRACE
CORONA DEL MAR CA USA 92625

2. Date of Priority: 06/28/1954

3. Source: DRAINAGE DITCH , DRAINAGE DITCH , DRAINAGE DITCH Trib. to: LOVING CREEK
, LOVING CREEK , LOVING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
01S	19E	14	NE	NW		BLAINE	
01S	19E	14	NW	NW		BLAINE	
01S	19E	14	NW	NE		BLAINE	

5. Description of diverting works:

DITCH, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2	920

7. Total Quantity Appropriated is:

2 C.F.S. and/or 920 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	19E	14	NW	NE	IRRIGATION	30
			SW	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
					Section Acres	230
					Total Acres	230

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

30 ACRES OVERLAPPED WITH A37-04341

15. Basis of Claim: License

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
FEB 10 2000
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 37-07811; 37-02553B/A37-02553B1;A37-04341
 Adjudication Claim No(s): _____

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant THREE CREEKS RANCH PARTNERSHIP
P.O. BOX 3609, KETCHUM, ID 83340

 New Owner/Claimant(s) THREE CREEKS RANCH L.L.C.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 1901 BAYADERE TERRACE

 City, State and ZIP Code CORONA DEL MAR, CA 92625

 New Telephone Number (714) 545-7101 EXT. 2101

5. Date you acquired the property _____

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Three Creeks Ranch L.L.C.
[Signature]
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

COUNTY RECORDER'S CERTIFICATE

State of Idaho)
County of Blaine)Instrument No. **99465**

This is to certify that the foregoing survey was filed in the Office of the Recorder of Blaine County, Idaho, on this 10 day of NOV, 2000, at 10 o'clock A.M., and duly recorded in the Records of Survey.

Ex-officio Recorder

Deputy

LEGEND

- FOUND 5/8" REBAR
- SET 5/8" REBAR
- ⊙ BRASS CAP
- ⊙ ALUMINUM CAP

SCALE: 1" = 400'

SURVEYOR'S CERTIFICATE

I do hereby certify that I am a Registered Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from a survey made on the ground under my direct supervision to the normal standard of care of Professional Land Surveyors practicing in Idaho, and that on the basis of my knowledge, information and belief, this map is an accurate representation of said survey.

RECORD OF SURVEY

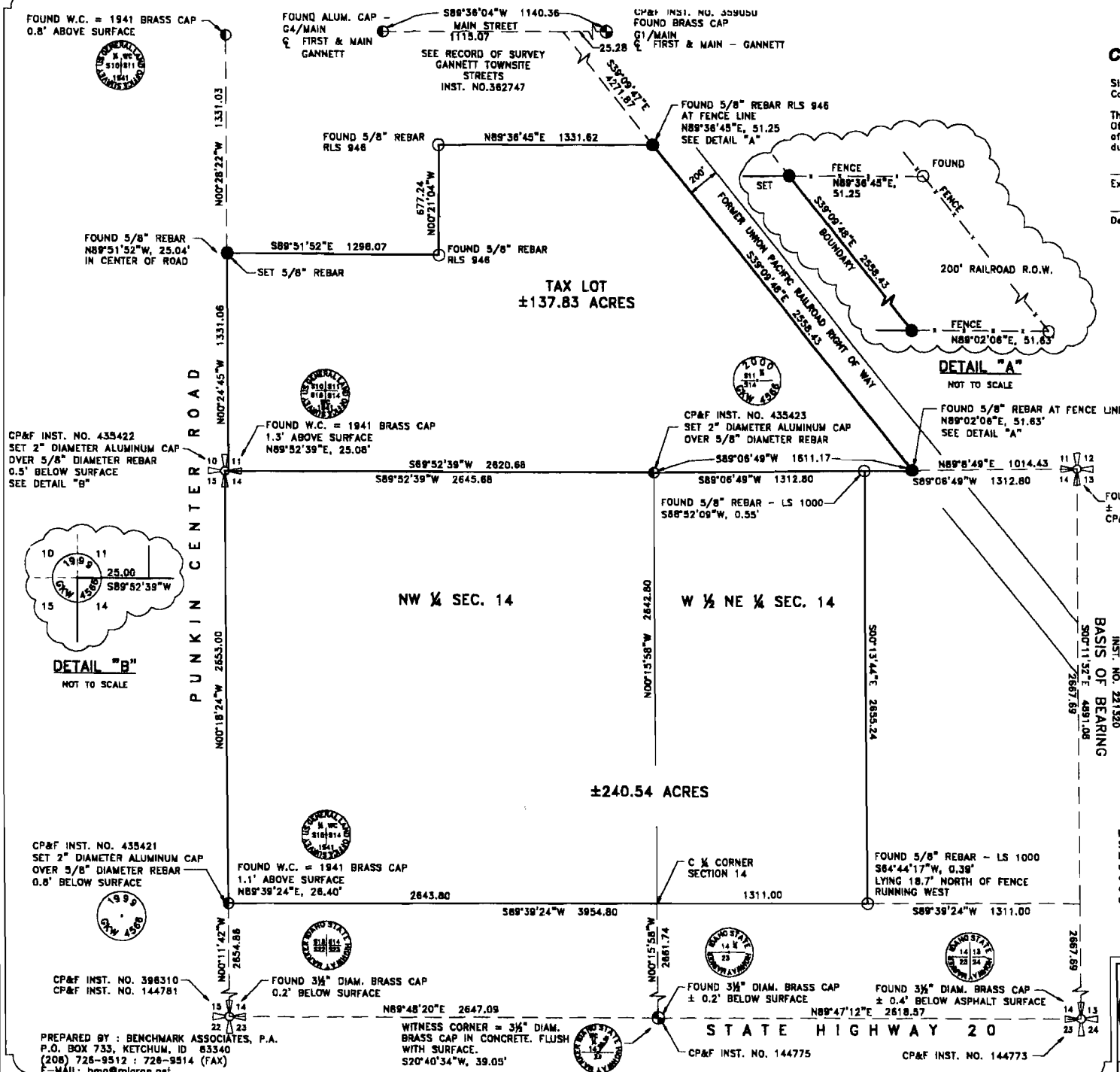


THREE CREEK RANCH

LOCATED WITHIN SECTIONS 11 & 14,
TOWNSHIP 1 SOUTH, RANGE 19 EAST,
BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

PREPARED FOR: JOHN B. CROUL

A RECORD OF SURVEY DRAWN BY: DCS PLOT FILE 99465.DWG
PROJECT NO. 99465 DATE: 1/9/2000 CO-ORD FILE 99465.CRD



DESCRIPTIONS BASED ON SURVEY 1/6/2000

A parcel of land located within the Southwest Quarter and the Southeast Quarter of Section 11, Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows;

Commencing at a 1999 aluminum cap marking the Southwest Corner of said Section 11;

Thence N89°52'39"E, 25.00 feet to the TRUE POINT OF BEGINNING, a point on the east boundary of Punkin Center Road S89°52'39"W, 0.08 feet from a 1941 brass cap Witness Corner;

Thence N00°24'45"W, 1331.06 feet along the east boundary of Punkin Center Road to an iron pin; thence S89°51'52"E, 1298.07 feet to an iron pin; thence N00°21'04"W, 677.24 feet to an iron pin; thence N89°36'45"E, 1331.62 feet to an iron pin and the southwesterly boundary of the former Union Pacific Railroad Right of Way; thence S39°09'48"E, 2558.43 feet along said Right of Way boundary to an iron pin on the south boundary of said Section 11; thence S89°06'49"W, 1611.17 feet along the south boundary of said Section 11 to the South Quarter Corner of said Section 11; thence S89°52'39"W, 2620.68 feet along the south boundary of said Section 11 to the TRUE POINT OF BEGINNING.

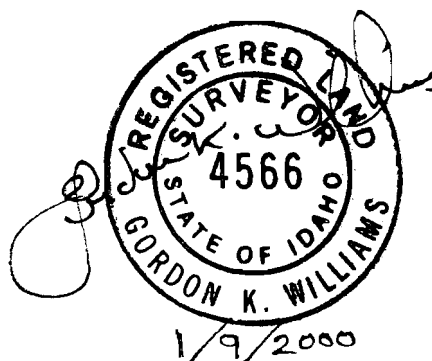
The above described parcel contains approximately 137.83 acres.

All of the Northwest Quarter and all of the West Half of the Northeast Quarter of Section 14, Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows;

Commencing at a 1999 aluminum cap marking the Northwest Corner of said Section 14 and the TRUE POINT OF BEGINNING;

Thence N89°52'39"E, 2645.68 feet along the north boundary of said Section 14 to the North Quarter Corner of said Section 14; thence N89°06'49"E, 1312.80 feet along the north boundary of said Section 14 to the Northeast Corner of the W1/2, NE1/4 of said Section 14; thence S00°13'44"E, 2655.24 feet to the Southeast Corner of the W1/2, NE1/4 of said Section 14; thence S89°39'24"W, 3954.80 feet to the West Quarter Corner of said Section 14; thence N00°18'24"W, 2653.00 feet to the TRUE POINT OF BEGINNING.

The above described parcel contains approximately 240.54 acres.



RECORD OF SURVEY

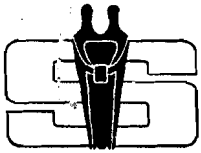


THREE CREEK RANCH

LOCATED WITHIN SECTIONS 11 & 14,
TOWNSHIP 1 SOUTH, RANGE 19 EAST,
BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

PREPARED FOR: JOHN B. CROUL

A RECORD OF SURVEY	DRAWN BY: DCS	PLOT FILE 99465.DWG
PROJECT NO. 99465	DATE: 1/9/2000	CO-ORD FILE 99465.CRD



THIS AGREEMENT MAY BE EXECUTED IN COPIES, AND AS EXECUTED SHALL CONSTITUTE ONE AGREEMENT, BINDING ALL PARTIES, EVEN THOUGH ALL THE PARTIES DO NOT SIGN THE ORIGINAL OR THE SAME COUNTERPART.

Order No. 99009356
This form furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received **THREE CREEKS RANCH PARTNERSHIP**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **THREE CREEKS RANCH L.L.C., an Idaho Limited Liability Company**

the Grantee whose current address is: **1901 BAYADERE TERRACE, CORONA DEL MAR, CA 92625**

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN.

BLAINE COUNTY CLERK

BLAINE COUNTY TITLE

Deed

RECORDED

435948

MARSHA RIEMANN CLERK

18th mpp

1/27/2000

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: **January 20, 2000**

THREE CREEKS RANCH PARTNERSHIP

(Partnership Name)

By

Robert Lieder

ROBERT LIEDER, GENERAL PARTNER

By

State of *Florida*

SS.

County of *Palm Beach*

On this 22nd day of January, 2000, before me, the undersigned, a Notary Public, in and for said State, personally appeared **ROBERT LIEDER**

_____, known to me, or identified to me on the basis of satisfactory evidence, to be **GENERAL PARTNER** of the Partnership that executed the within instrument and acknowledged to me that such partnership executed the same.

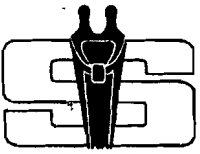
WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

Dorothy D. Allen
Notary Public
Residing at:
Commission Expires:



DOROTHY D. ALLEN
COMMISSION # CC 71606
EXPIRES FEB 12, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.



THIS AGREEMENT MAY BE EXECUTED IN COUNTERPART,
AND AS EX ECUTED SHALL CONSTITUTE ONE AGREEMENT,
BINDING ON ALL PARTIES, EVEN THOUGH ALL THE
PARTIES DO NOT SIGN THE ORIGINAL OR THE SAME
COUNTERPART.

Order No. 99009356
This form furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received **THREE CREEKS RANCH PARTNERSHIP**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **THREE CREEKS RANCH L.L.C.,**
an Idaho Limited Liability Company

the Grantee whose current address is: **1901 BAYADERE TERRACE, CORONA DEL MAR, CA 92625**

the following described premises, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE
INCORPORATED HEREIN.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: **January 20, 2000**

THREE CREEKS RANCH PARTNERSHIP

(Partnership Name)

By Pete Delisser
PETE DELISSER, GENERAL PARTNER

By _____

State of Florida
County of Sarasota ss.

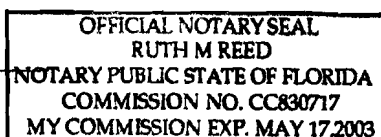
On this 24th day of January, 2000, before me, the undersigned, a Notary Public, in and for said State, personally appeared PETE DELISSER

_____, known to me, or identified to me on the basis of satisfactory evidence, to be GENERAL PARTNER of the Partnership that executed the within instrument and acknowledged to me that such partnership executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

Notary Public Ruth M. Reed
Residing at: Sarasota, FL
Commission Expires:





THIS AGREEMENT MAY BE EXECUTED IN COUNTERPARTY,
AND AS EXECUTED SHALL CONSTITUTE ONE AGREEMENT,
BINDING IN ALL PARTIES, EVEN THOUGH ALL THE
PARTIES DO NOT SIGN THE ORIGINAL OR THE SAME
COUNTERPART.

C No. 99009356
This form furnished by
State County Title Associates

WARRANTY DEED

For Value Received **THREE CREEKS RANCH PARTNERSHIP**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **THREE CREEKS RANCH L.L.C.,**
an Idaho Limited Liability Company

the Grantee whose current address is: **1901 BAYADERE TERRACE, CORONA DEL MAR, CA 92625**

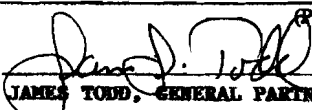
the following described premises, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE
INCORPORATED HEREBIN.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns
forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said
premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful
claims whatsoever.

Dated: **January 20, 2000**

THREE CREEKS RANCH PARTNERSHIP

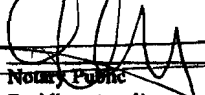
By  (Partnership Name)
JAMES TODD, GENERAL PARTNER
By _____

State of **HAMILTON**
County of **BERMUDA** ss.

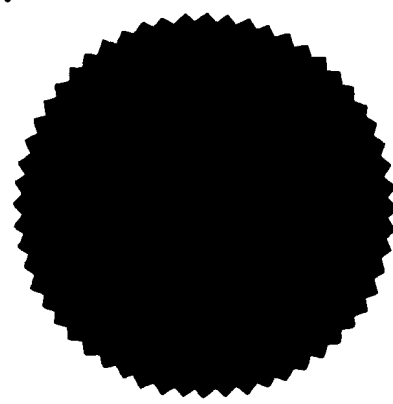
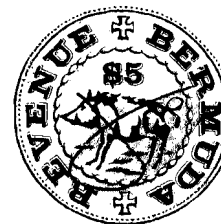
On this **25th** day of **January**, **2000**, before me, the
undersigned, a Notary Public, in and for said State, personally appeared **JAMES TODD**

_____, known to me, as identified to me on the basis of satisfactory
evidence, to be **GENERAL PARTNER** of the Partnership that executed
the within instrument and acknowledged to me that such partnership executed the same.

WITNESS MY HAND AND OFFICIAL SEAL:


Notary Public
Residing at: **HAMILTON BERMUDA**
Commission Expires: **N/A**

(SEAL)
Luciano Alcardi
Notary Public
Marshall & Company
"Sofia House"
48 Church Street
Hamilton
Bermuda
My commission is indefinite.



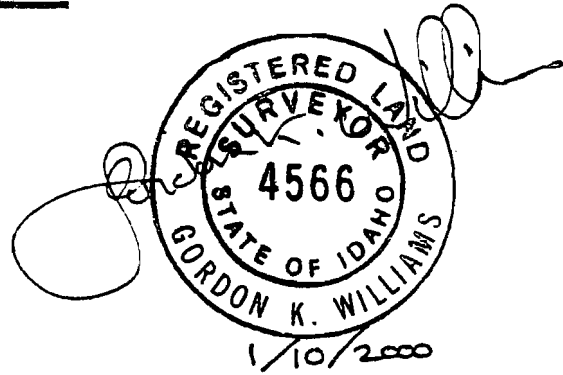
Benchmark Associates, P.A.

ENGINEERING, PLANNING, SURVEYING & MAPPING

P.O. Box 733 • 100 Bell Drive

Ketchum, Idaho 83340

208/726-9512 • Fax 208/726-9514



THREE CREEK RANCH in Section 11, T1S, R19E, B.M.

A parcel of land located within the Southwest Quarter and the Southeast Quarter of Section 11, Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows;

Commencing at a 1999 aluminum cap marking the Southwest Corner of said Section 11; Thence $N89^{\circ}52'39''E$, 25.00 feet to the TRUE POINT OF BEGINNING, a point on the east boundary of Punkin Center Road $S89^{\circ}52'39''W$, 0.08 feet from a 1941 brass cap Witness Corner;

Thence $N00^{\circ}24'45''W$, 1331.06 feet along the east boundary of Punkin Center Road to an iron pin; thence $S89^{\circ}51'52''E$, 1298.07 feet to an iron pin; thence $N00^{\circ}21'04''W$, 677.24 feet to an iron pin; thence $N89^{\circ}36'45''E$, 1331.62 feet to an iron pin and the southwesterly boundary of the former Union Pacific Railroad Right of Way; thence $S39^{\circ}09'48''E$, 2558.43 feet along said Right of Way boundary to an iron pin on the south boundary of said Section 11; thence $S89^{\circ}06'49''W$, 1611.17 feet along the south boundary of said Section 11 to the South Quarter Corner of said Section 11; thence $S89^{\circ}52'39''W$, 2620.68 feet along the south boundary of said Section 11 to the TRUE POINT OF BEGINNING.

The above described parcel contains approximately 137.83 acres.

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ENGINEERING, PLANNING, SURVEYING & MAPPING

P.O. Box 733 • 100 Bell Drive

Ketchum, Idaho 83340

208/726-9512 • Fax 208/726-9514



THREE CREEK RANCH in Section 14, T1S, R19E, B.M.

All of the Northwest Quarter and all of the West Half of the Northeast Quarter of Section 14, Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows;

Commencing at a 1999 aluminum cap marking the Northwest Corner of said Section 14 and the TRUE POINT OF BEGINNING;

Thence N89°52'39"E, 2645.68 feet along the north boundary of said Section 14 to the North Quarter Corner of said Section 14; thence N89°06'49"E, 1312.80 feet along the north boundary of said Section 14 to the Northeast Corner of the W1/2, NE1/4 of said Section 14; thence S00°13'44"E, 2655.24 feet to the Southeast Corner of the W1/2, NE1/4 of said Section 14; thence S89°39'24"W, 3954.80 feet to the West Quarter Corner of said Section 14; thence N00°18'24"W, 2653.00 feet to the TRUE POINT OF BEGINNING.

The above described parcel contains approximately 240.54 acres.

TOGETHER WITH ALL WATER RIGHTS APPURTENANT TO THE REAL PROPERTY,
INCLUDING, BUT NOT LIMITED TO THE FOLLOWING DESCRIBED RIGHTS:

<u>Status</u>	<u>Number</u>	<u>Priority</u>	<u>CFS</u>	<u>Acreage</u>	<u>Source</u>
1. License	37-07811	12/05/1979	3.360	168.0	Groundwater
2. License	37-02553B/ A37-02553B	06/28/1954	2.00	230.0	Surface Water
3. Statutory Claim	A37-04341	06/01/1944	0.880	30.0	Surface Water

THE ABOVE DESCRIBED WATER RIGHTS AND ANY OTHER WATER RIGHTS
APPURTENANT TO THE PROPERTY ARE SUBJECT TO THE FINAL OUTCOME OF ALL
PROCEEDINGS IN AND THE PROVISIONS, TERMS AND CONDITIONS OF THE
DECREE TO BE ENTERED IN IN RE: THE GENERAL ADJUDICATION OF RIGHTS
TO THE USE OF WATER FROM THE SNAKE RIVER BASIN WATER SYSTEM, TWIN
FALLS DISTRICT COURT CASE NO. 39576 (~~the~~ SRBA~~s~~). SELLER WARRANTS
THAT NONE OF THE ABOVE RIGHTS ARE SUBJECT TO FORFEITURE.

realest\water\rights.fm

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-02553B
Date Received: 11/28/1990
Receipt No: S012856
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THREE CREEKS RANCH INC. 208-726-0973
Address: P.O. BOX 1864
KETCHUM, ID 83340

2. Date of Priority: JUN 28, 1954

3. Source: DRAINAGE DITCH Trib. to: LOVING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	19E	14		NW	NE		BLAINE
				NE	NW		BLAINE
				NW	NW		BLAINE

5. Description of diverting works:
DITCH, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		920.00

7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) 920.00 A.F.A.

8. Total consumptive use is 690.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	14	NW	NE		IRR	30.0
			SW	NE		IRR	40.0
			NE	NW		IRR	40.0

A37-02553B

Page 1

Date: 11/28/90

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	14	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	230.0
						Total Acres	230.0

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A37-04341, A37-07811

14. Remarks:
30 ACRES OVERLAPPED WITH A37-04341.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____ Organization
document in the space below as _____ of
_____ Title
_____ and that the statements contained in the
_____ Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number A37-02553B
Date Received _____
Receipt Number _____

RECEIVED

NOV 27 1990

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) THREE CREEKS RANCH, INC. Phone (208) 726-0973
Mailing Address P.O. BOX 1864, KETCHUM, IDAHO Zip 83340

2. Date of Priority (Only one (1) per claim) 6/28/1954

3. Source of water supply (a) DRAINAGE DITCH
which is tributary to (b) LOVING CREEK

4. a. Location of existing point of diversion is: Township 1S Range 19E Section 14,
1/4 of NW 1/4 of NE 1/4, Govt. Lot, B.M., County of BLAINE

Additional points of diversion if any: NENW and NWNW

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

MICROFILMED
FEB 23 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 04/01 to 11/01 amount 2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1S	19E	14		30	40		40	40	40	40									230

Total number of acres irrigated 230

11. In which county (ies) are lands listed above as place of use located? BLAINE

12. Do you own the property listed above as place of use? Yes XXXXXXXX No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
A37-04341, A37-07811 or None ()

14. Remarks:

MICROFILMED
FEB 23 1993

Last Name THREE CREEKS RANCH Ident No. _____
INC.

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

MICROFILMED
FEB 23 1993

Last Name THREE CREEKS RANCH, INC. **Ident No.**

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License XXX Permit _____
Decree _____
If applicable provide IDWR Water Right Number 37-02599 53 7 11-28-1990
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am SECRETARY

Title

of THREE CREEKS RANCH, INC., that I have signed the foregoing
Organization

document in the space below as SECRETARY of THREE CREEKS RANCH, INC.
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Peter deFixey

Title and Organization SECRETARY, THREE CREEKS RANCH, INC. Date 11/9/90

State of Idaho or _____)
County of BLAINE) SS.

Subscribed and sworn (or affirmed) before me this 9th day of November 19 90

SEAL

Notary Public James M. Cenarrusa

Residing at Carey

My Commission Expires 11-10-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name THREE CREEKS RANCH
INC. Ident. Number _____

Copies White-State, Yellow-Claimant

MICROFILMED
FEB 23 1993

GANNE, T QUADRANGLE
IDAHO-BLAINE CO
7.5 MINUTE SERIES (TOPOGRAPHIC)

R.19E

729

10'

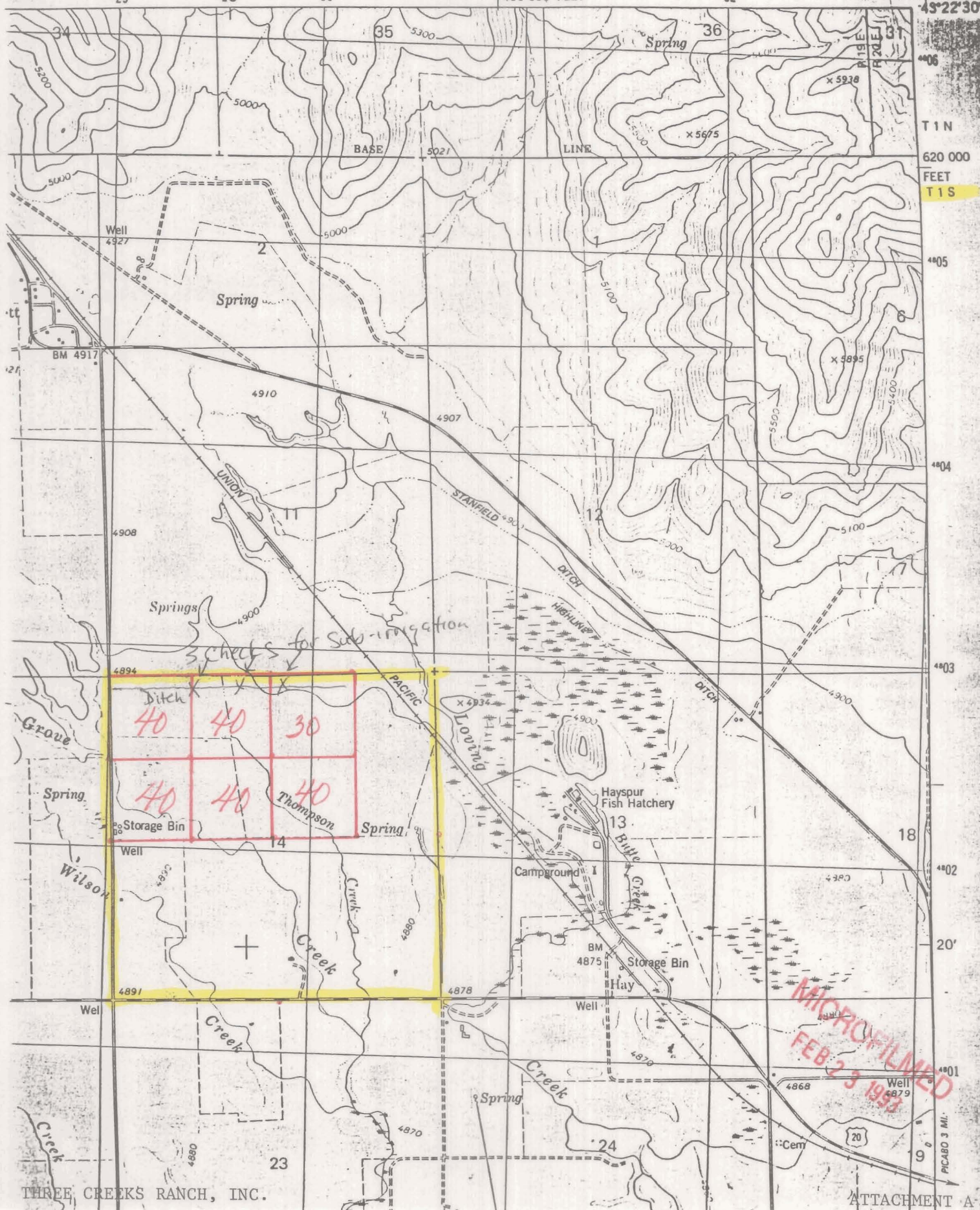
730

460 000 FEET

732

114°07'30"

43°22'30"



GANNI T QUADRANGLE

IDAHO-BLAINE CO

7.5 MINUTE SERIES (TOPOGRAPHIC)

19E

729

10'

730

460 000 FEET

732

114°07'30"

43°2'

MCMAHAN - APPROPRIATION AC.

§13: SWNW 20

NE SW 40

NW SW 20

§14: NENE 20

SE NE 40

NE SE 20

160

MCMAHAN - EXPANSION AC.

§13: SWNW +20

NE SW -307

NW NE +20

SW SW +10

§14: NE SE +20

SE SE +15

115-30=85

SRBA claim: 195 AC.

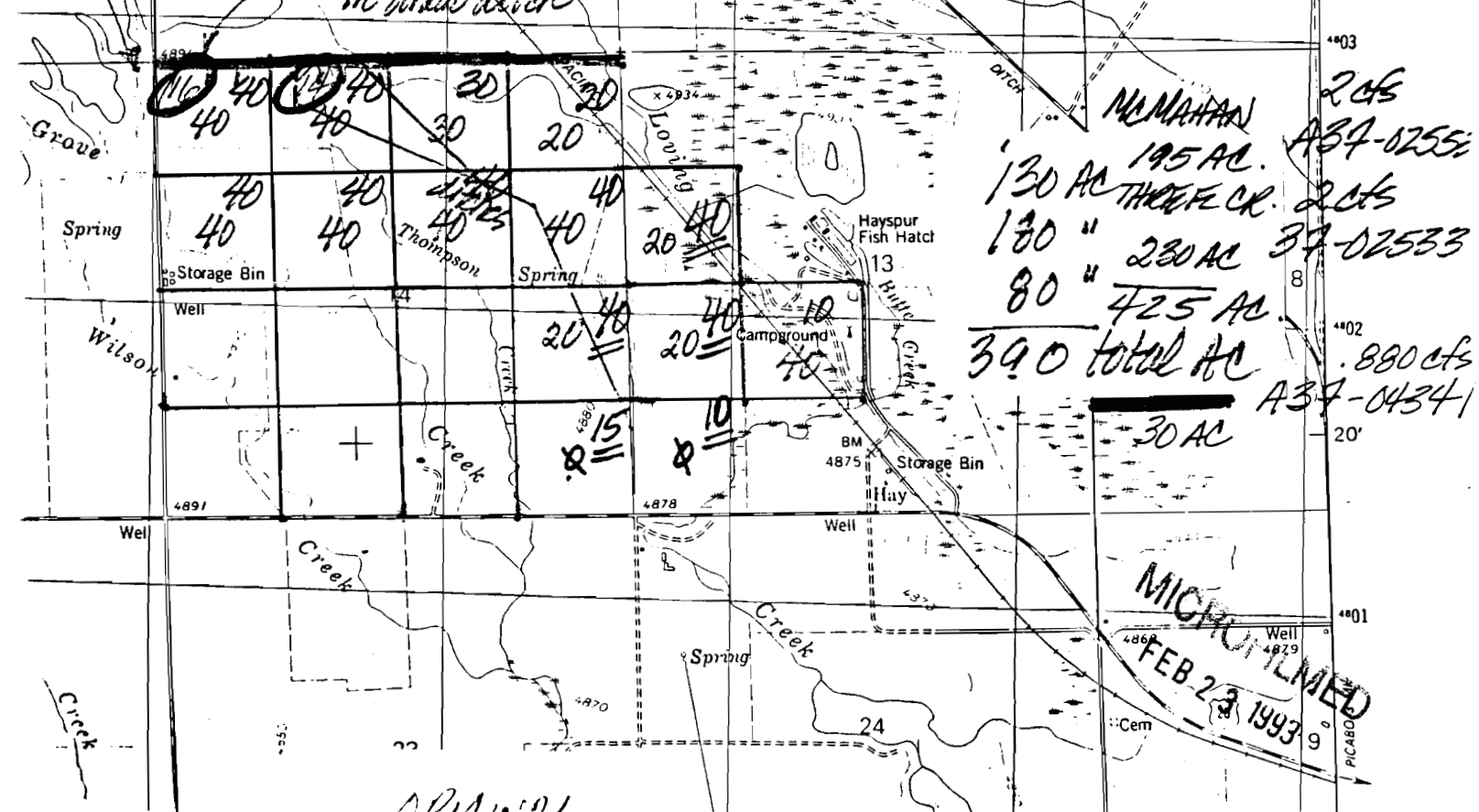
LICENSE: POU

37-02553

390 ACRES

main ditch

orig Point of Diversion
in main ditch



T 1 N

620 000

FEET

T 1 S

4°05'

4°04'

4°03'

4°02'

4°01'

4°00'

07/20/2010

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

RIGHT NUMBER: 37-2553B

NAME AND ADDRESS: THREE CREEKS RANCH LLC
1901 BAYADERE TERR
CORONA DEL MAR CA 92625

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.000 CFS
350.00 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 06/28/1954

POINT OF
DIVERSION:

T01S R19E S14 SENE 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	2.000 CFS 350.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S14	NENE	15.00	T01S R19E S14	SENE	35.00
T01S R19E S14	NESE	27.00	T01S R19E S14	SESE	23.00

100 ACRES TOTAL

Right Nos. 37-252, 37-712, 37-2553A, 37-2553B, 37-2575, 37-2686D and 37-7598D are limited to the irrigation of a combined total of 224 acres in a single irrigation season.

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

The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.

Diversion under Right No. 37-02553B may occur only when flow is available from the original source, an unnamed drain, at the original point of diversion located on or near the line between NENW and NWNW, S14, T01S, R19E.

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 - License

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.

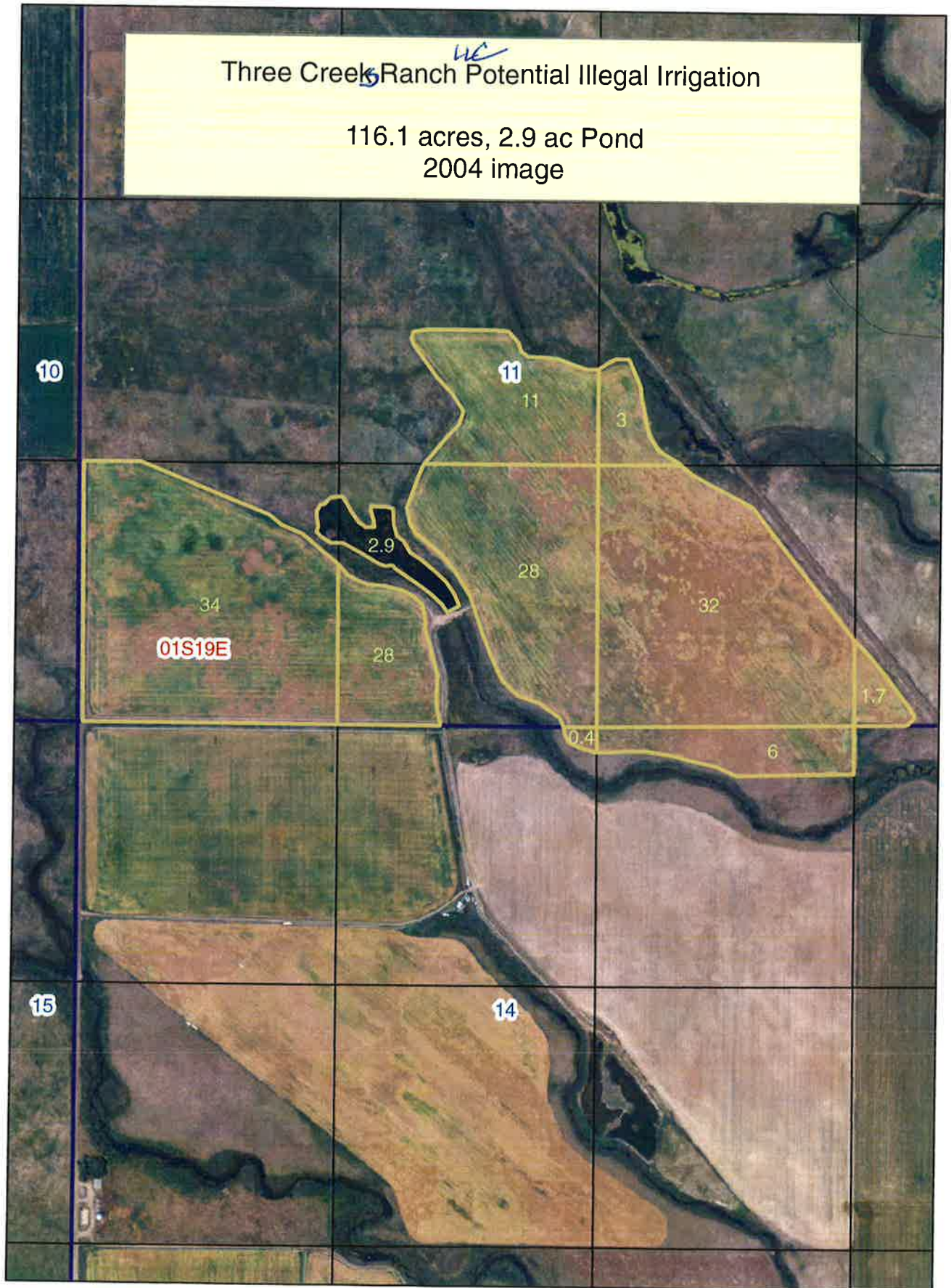
Failure of the right holder to comply with the conditions of transfer 4254 is cause for the Director to rescind approval of the transfer.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

No. W 10816	Due no later than Jan 31, 2010 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. THREE CREEKS RANCH, L.L.C. JOHN V CROUL 1901 BAYADERE TERRACE CORONA MAR CA 92625		BRIAN BARSOTTI 215 PICABO ST STE 304 KETCHUM ID 83340			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MEMBER	CROUL FAMILY TRUST	PO BOX 10013	KETCHUM	ID	USA	83340
MEMBER	KINGSLEY R CROUL SEPARATE	BOX 143	SUN VALLEY	ID	USA	83353
5. Organized Under the Laws of: ID W 10816		6. Annual Report must be signed.* Signature: John V Croul Name (type or print): John V Croul Date: 12/02/2009 Title: Member				
Processed 12/02/2009		* Electronically provided signatures are accepted as original signatures.				

Three Creeks Ranch ^{WC} Potential Illegal Irrigation

116.1 acres, 2.9 ac Pond
2004 image



08/04/2010

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

RIGHT NUMBER: 37-2553B

NAME AND ADDRESS: THREE CREEKS RANCH LLC
1901 BAYADERE TERR
CORONA DEL MAR CA 92625

SOURCE: DRAINAGE DITCH

TRIBUTARY: LOVING CREEK

QUANTITY: 2.000 CFS

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 06/28/1954

POINT OF
DIVERSION:

T01S R19E S14 NENENW Within BLAINE County
T01S R19E S14 NWNENW Within BLAINE County
T01S R19E S14 SWNENW Within BLAINE County
T01S R19E S14 NENWNW Within BLAINE County
T01S R19E S14 NENWNW 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	2.000 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S14	NWNE	26.00	T01S R19E S14	SWNE	36.00
T01S R19E S14	NENW	36.00	T01S R19E S14	NWNW	39.00
T01S R19E S14	SWNW	22.00	T01S R19E S14	SENE	36.00

195 ACRES TOTAL

Right Nos. 37-2553B and 37-7811 are limited to the irrigation of a combined total of 195 acres 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.

The right holder shall use the full allotment of this surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to right 37-7811.

Diversion under Right No. 37-02553B may occur only when flow is available from the original source, an unnamed drain, at the original point of diversion located on or near the line between NENW and NWNW, S14, T01S, R19E.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

08/04/2010

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

RIGHT NUMBER: 37-2553B

NAME AND ADDRESS: THREE CREEKS RANCH LLC
1901 BAYADERE TERR
CORONA DEL MAR CA 92625

SOURCE: DRAINAGE DITCH

TRIBUTARY: LOVING CREEK

QUANTITY: 2.000 CFS

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 06/28/1954

POINT OF DIVERSION:

T01S R19E S14 NENENW Within BLAINE County

T01S R19E S14 NWNENW Within BLAINE County

T01S R19E S14 SWNENW Within BLAINE County

T01S R19E S14 NENWNW Within BLAINE County

T01S R19E S14 NENWNW 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	2.000 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S14	NWNE	26.00	T01S R19E S14	SWNE	36.00
T01S R19E S14	NENW	36.00	T01S R19E S14	NWNW	39.00
T01S R19E S14	SWNW	22.00	T01S R19E S14	SENE	36.00

195 ACRES TOTAL

Right Nos. 37-2553B and 37-7811 are limited to the irrigation of a combined total of 195 acres 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.

The right holder shall use the full allotment of this surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to right 37-7811.

Diversion under Right No. 37-02553B may occur only when flow is available from the original source, an unnamed drain, at the original point of diversion located on or near the line between NENW and NWNW, S14, T01S, R19E.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of water under this water right will be regulated by the watermaster of
State Water District No. 37.



Idaho Department of Water Resources

Adjudication Recommendation

37-2553B

(IRRIGATION)

Legend

⊙ Point of Diversion

— Place of Use

▭ State Outline

▭ Townships

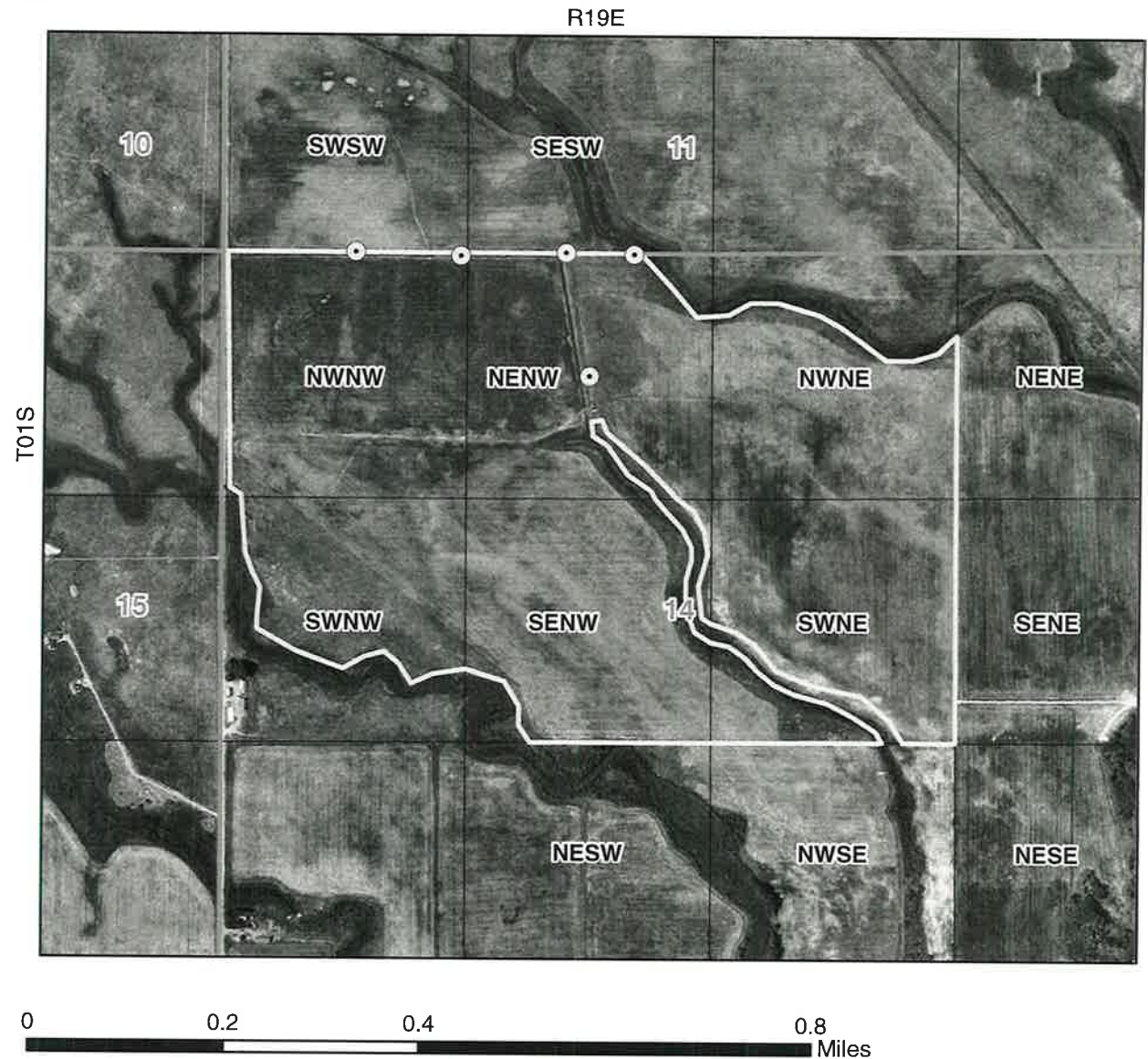
▭ PLS Sections

▭ Quarter Quarters



Blaine County
IDWR Basin 37

Prepared by Doug Jones
On August 04, 2010
1992 Aerial Photography



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7811

WATER RIGHT NUMBER: 37-7811

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THREE CREEKS RANCH LLC 1901 BAYADERE TERR CORONA DEL MAR, CA 92625 (714)545-7101x2101
Original Owner	KENNETH F HELLYER 2409 143RD PL SE MILL CREEK, WA 98012

Priority Date: 12/05/1979

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15	to 10/15	3.360 CFS	
	<u>Total Diversion:</u>		3.360 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 14, Twp 01S, Rge 19E, B.M.
BLAINE 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		
01S	19E	14	24.0	37.5			26.0	36.0	9.5	35.0									168.0	
			24	37			25	37	8.1	33										
Total Acres: 168			25	37	37		37	39	23	35										

Conditions of Approval:

1. R56 Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
2. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 588 af for the lands above.
3. R57 The Director retains jurisdiction of the right and may change, add, or remove any requirement as determined to be appropriate.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 37-7811

WATER RIGHT NUMBER: 37-7811

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THREE CREEKS RANCH LLC 1901 BAYADERE TERR CORONA DEL MAR, CA 92625 (714)545-7101x2101
Original Owner	KENNETH F HELLYER 2409 143RD PL SE MILL CREEK, WA 98012

Priority Date: 12/05/1979

Basis:

Status: Closed

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15	to 10/15	3.360 CFS	
	<u>Total Diversion:</u>		3.360 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 14, Twp 01S, Rge 19E, B.M.
BLAINE 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	
01S	19E	14	24.0	37.5			26.0	36.0	9.5	35.0									168.0

Total Acres: 168

Conditions of Approval:

1. R56 Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
2. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 588 af for the lands above.
3. R57 The Director retains jurisdiction of the right and may change, add, or remove any requirement as determined to be appropriate.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2553A

WATER RIGHT NUMBER: 37-2553A

Owner Type Name and Address
 Current Owner SILAS DAYLEY
 GANNETT, ID 83329

Priority Date: 06/28/1954

Basis: License

Status: Active

Source Tributary
 UNNAMED DRAIN LOVING CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.000 CFS	
DOMESTIC	/ to /		
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN	NW1/4NW1/4	Sec. 14, Twp 01S, Rge 19E, B.M.
BLAINE County		
UNNAMED DRAIN	NE1/4NW1/4	Sec. 14, Twp 01S, Rge 19E, B.M.
BLAINE 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	
01S	19E	14		30.0	5.0		40.0	40.0	40.0	40.0									195.0

Total Acres: 195

DOMESTIC same as IRRIGATIONConditions of Approval:

1. 2 P/D IN NWNW, 3 IN NENW, S14, T1S, R19E.
SOURCE DESCRIBED AS A DRAINAGE DITCH.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2553A

Comments:

1. PSKAGGS 8/26/1994 TRANSFER NO. 4254

Comment: Transfer No. 4254 was filed to change the point of diversion, source, and change and reduce the place of use. The original source is from a drain drawing water from the perched aquifer and will be changed to an existing well or groundwater. The transfer splits the right into parts A and B.

Dates and Other Information:

Licensed Date: 5/15/1979
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank:



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

October 10, 2001

KARL J. DREHER
DIRECTOR

RE: OWNERSHIP CHANGE, FOR ADJUDICATION CLAIMS A37-2553Band 4341

Claimant(s):

Pursuant to the change in ownership request that has been submitted to the department, we have changed the records of current ownership of the above referenced claim(s) to you, or your successor. Please find the enclosed copies of the computer record of the claims, noting the change in claimant. Review these records and if there is an error, or if you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, reading 'Dorothy L. Worley', is written over the printed name.

Dorothy L. Worley
SRBA Office Specialist

Enclosure
DLW

BLAINE COUNTY TITLE

DARYL J. FAUTH
PRESIDENT

MELODY MATTSON
VICE PRESIDENT

208 SPRUCE AVENUE NORTH
P.O. BOX 3176 KETCHUM, IDAHO 83340
(208) 726-0700
(208) 726-8406 (FAX)
1-800-346-6879
(OUTSIDE OF IDAHO)

RECEIVED
FEB 02 2000
Department of Water Resources
Southern Region

February 01, 2000

Idaho Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

RE: Three Creeks Ranch LLC

To Whom It May Concern,

Enclosed please find a copy of the Notice of Change of Water Right Ownership, survey, and copy of recorded Warranty Deed showing change of ownership of the subject property. The signed original Notice will be forwarded to you from Mr. John V. Croul, Member of the LLC mentioned above. I neglected to include the necessary copies with Mr. Croul's document when I mailed him his copies last week, along with a self addressed stamped envelope for him to mail the Notice directly to your office.

I called your office this morning to ask if it was okay to mail these things separately and was told yes it was. Please call me if you have any questions; Mr. Croul's signed Notice should be arriving at your office within a couple of weeks.

Sincerely,



Melody Mattson
Vice President

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN O. FITZGERALD
D. BERNARD ZALEHA

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1020 MAIN STREET, SUITE 400
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 334-6034

February 5, 1992

RECEIVED

FEB 7 1992

Idaho Department of Water Resources
Twin Falls, ID

Attention: Judy Givens
Southern Region
Idaho Department of Water Resources
222 Shoshone St. E.
Twin Falls, ID 83301

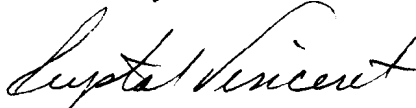
RE: SRBA CLAIMS IN THE SOUTHERN REGION

Dear Judy:

The attached is a list of our clients for whom we filed claims in the SRBA, and who by signing and returning a letter to our office, have requested that we continue to represent them in the adjudication process.

The claims highlighted identify those we filed in your region. Please check these claims and make certain that we are shown on your computer as representative, in order for us to receive the mailings from the department and perform the required service for our clients in a timely manner.

Yours truly,


Crystal Vincent

CV:mw
02059207.CV

MICROFILMED
FEB 23 1992

Form 222
7/92

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

OCT 15 1993

Department of Water Resources

Southern Region Office
Phone: 1-208-726-4421Name of applicant: William A. McMahan, TrusteePost Office address: c/o James P. Speck, Hogue, Speck & Aarnestad, P.O. Box 987, Ketchum, ID 83340

PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other:
2. Describe the reason for the proposed changes: Applicant desires to combine this water right with 37-07810 to be diverted from the same well for irrigation of a portion of the same lands.

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

1.

Right Number	Priority	Amount	Nature	Period of Use	Volume
37-02553 <u>4</u>	June 28, 1954	2.0 cfs	irrigation	April 1 to November 1	

2. Total amount of water being transferred: 2.0 cubic feet/second and/or _____ acre-feet per annum.3. Source of water: groundwater tributary to _____

4. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	NE	14	1S	19E	Blaine	

5. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1S	19E	13							20		10	40	10						80
1S	19E	14	20 15			40 25									40 25			15 25	115

Total acres: 195

MAR 23 1995

T# 4254

RECEIVED

OCT 15 1993

Trans No. 4254

6. General Information:

Department of Water Resources
Southern Region Office

a. 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.

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: None.

c. Remarks: The existing, licensed source is an unnamed, man-made drain and the method of diversion is by placing checks in the drain to both raise the water table for sub-irrigation and to create a source from which water can be pumped to sprinkler irrigation systems. The drain is located on adjacent lands owned by other persons. The new point of diversion (the existing well for 37-07810) is located within the Big Wood River Groundwater Management Area where groundwater and surface water are presumed to be interconnected sources. Applicant purchased the lands where the water is used together with 2.0 cfs of 37-02553 from Ken Hellyer in 1981. The change of ownership was not recorded with IDWR. The requested change of place of use is made only to confirm where the water has been used since it was acquired by Applicant.

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT

1. amount 2.0 cfs for irrigation purposes from April 1 to November 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
			NE	NW	14	1S	19E	Blaine	
			NW	NW	14	1S	19E	Blaine	

3. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1S	19E	14		30	5		40	40	40	40									195

Total acres: 195

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PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 37-02553

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	4.00 CFS
DOMESTIC	to	
Totals		4.00 CFS

SOURCE

UNNAMED DRAIN

TRIBUTARY OFLOVE^{BLG}LAND CREEK

Priority: 06/28/1954

LOCATION OF POINT(S) OF DIVERSION:NENW , Sec. 14, Township 01S, Range 19E
NWNW , Sec. 14, Township 01S, Range 19E
BLAINE CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S 19E 13	SWNW 20	NESW 40	NWSW 20	80
14	NENE 20	NWNE 30	SWNE 40	
	SENE 40	NENW 40	NWNW 40	
	SWNW 40	SENE 40	NESE 20	310
Total number of acres irrigated:				390

PLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:

1. 2 P/D IN NWNW, 3 IN NENW, S14, T1S, R19E.
2. SOURCE DESCRIBED AS A DRAINAGE DITCH.

MAR 23 1995

PART 2

T #4254

B DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED (USE FOR SPECIAL RIGHTS ONLY)

Water Right Number 37-02553 Part BAmount 2.0 cfs/af Use Irrigation from 4-15 to 10-15

Amount _____ cfs/af Use _____ from _____ to _____

Amount _____ cfs/af Use _____ from _____ to _____

Point(s) of Diversion: (If additional space is needed, use back of Part 2)

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Pod Flag	Local name for diversion
		SE	SE	NE	14	15	19E	Blaine		Existing well

Lands Irrigated or Place(s) of Use: (If additional space is needed, use back of Part 2)

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15	19E	13							9		9	34	31	2					85
		14	20			38									24			26	108

Total acres 193

DESCRIPTION OF UNCHANGED PORTION OF RIGHT

Water Right Number 37-02553 Part AAmount 2.0 cfs/af Use Irrigation from 4-15 to 10-15

Amount _____ cfs/af Use _____ from _____ to _____

Amount _____ cfs/af Use _____ from _____ to _____

Point(s) of Diversion: (If additional space is needed, use back of Part 2)

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Pod Flag	Local name for diversion
		NE	NW		14	15	19E	Blaine		Checkgate in drain
		NW	NW		14	15	19E	"		" " "

Lands Irrigated or Place(s) of Use: (If additional space is needed, use back of Part 2)

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15	19E	14		30	5		40	40	40	40									195

Total acres 195

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License and Certificate of Water Right

Water License No. G-25072 37-2553

Water District No.

Amount Department of Water Resources
U.S. Reclamation Office
Priority June 28, 1954

THIS IS TO CERTIFY that SILAS DAYLEY

of Gannett, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 28, 1954, that Permit No. G-25072 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 4.0 second feet, was issued thereunder on October 11, 1957, showing that said works were completed on the 21st day of June, 1957; and that on the 24th day of June, 1957, SILAS DAYLEY

of Gannett, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a drainage ditch, a tributary of for the purpose of irrigation and domestic use, under Use Permit No. G-25072 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 10 of Licenses at page 67, on the 11 day of October, 1957.

The right hereby confirmed dates from June 28, 1954.

The Point of Diversion is located 3 miles N. 2 1/4 W. 2 1/4

in the NW 1/4, NW 1/4, Sec 14, Tp 1 S., R. 19 E., B. M., Blaine County, Idaho.

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 4.0 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.	19 E.	13	SW NW	10	20
			NW SW	15	20
			NE SW	10	40
		14	NE NE	30	20
			NW NE	40	30
			SW NE	40	40
			SE NE	35	40
			NE NW	40	40
			NW NW	40	40
			SW NW	20	40
			SE NW	40	40
			NE SE	40	20
Total number of acres irrigated				190	

EXHIBIT B

RECORDED

23 1995