

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 37-21330  
Date Received:  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

STEVEN D HOLZMAN TRUST Phone: (208) 726-4421  
C/O JAMES P SPECK  
PO BOX 987  
KETCHUM ID 83340

2. Date of Priority: 12/13/1887

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 03N      | 18E   | 6       | NE SE                 | BLAINE |      |
| 03N      | 18E   | 6       | NE SE                 | BLAINE |      |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/15 | 10/31 | 0.16   | 14.3       |

7. Total Quantity Appropriated is:  
0.16 C.F.S. and/or 14.3 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 |
|---------------|-------|---------|------------|-----|------------|-------|
| 03N           | 18E   | 7       | SE         | NE  | IRRIGATION | 4.1   |
| Section Acres |       |         |            |     |            | 4.1   |
| Total Acres   |       |         |            |     |            | 4.1   |

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

The total instantaneous diversion of water from all points of diversion under Rights 37-21330 and 37-21332 shall not exceed 0.23 cfs, nor a total combined annual volume of 14.3 af for the irrigation of 4.1 acres.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

This right does not grant any right-of-way or easement across the land of another.

Right Nos. 37-21330 and 37-21332 are used in combination and are diverted at what is locally known as the R-11 and R-11A diversions from the Big Wood River.

Place of use is located within Lots 9, 10 and 29, Gimlet Subdivision No. 11.

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

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

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

15. Basis of Claim: Decreed

COPY

RECEIVED  
TWIN FALLS CO., IDAHO  
FILED

2007 NOV 14 PM 2 32

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

In Re SRBA

Case No. 39576

SUBCASE NO. 37-21329, 37-21330,  
37-21331, 37-21332

**NOTICE OF COMPLETED  
ADMINISTRATIVE PROCEEDING**

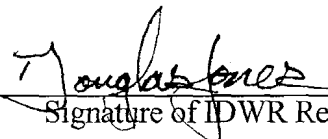
IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

---

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 11/13/07

  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on 11/14, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
PO Box 2707  
Twin Falls ID 83303-2707

Copies to:

Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449

United States Dept of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

Steven D Holzman Trust  
c/o Steve Holzman  
1161 Virginia Rd  
San Marino CA 91108

James P Speck  
Speck & Aanestad  
PO Box 987  
Ketchum ID 83340



Signature of person or attorney mailing the form

11/05/2007

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

RIGHT NUMBER: 37-21329

NAME AND ADDRESS: STEVEN D HOLZMAN TRUST  
C/O STEVE HOLZMAN  
1161 VIRGINIA RD  
SAN MARINO CA 91108

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.060 CFS  
3.20 AFY

The total instantaneous diversion of water from all points of diversion under Transfer No. 71412 for wildlife and aesthetic uses shall not exceed 0.09 cfs, nor a total combined annual volume of 3.2 af.

The annual volume of consumptive wildlife and aesthetics uses under right 37-21329 and 37-21331 is 3.2 af per year.

PRIORITY DATE: 12/13/1887

POINT OF  
DIVERSION:

T03N R18E S6 NESE Within BLAINE County  
T03N R18E S6 NESE Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|-----------------------|----------------------|-----------------------|
| WILDLIFE              | 01/01 12/31          | 0.060 CFS<br>3.20 AFY |
| AESTHETIC             | 01/01 12/31          | 0.060 CFS<br>3.20 AFY |

PLACE OF USE: WILDLIFE in BLAINE County

T03N R18E S07 SENE

AESTHETIC in BLAINE County

T03N R18E S07 SENE

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

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of discharge.

Property is also known as Lots 9, 10 & 29, Gimlet Subdivision No. 11.

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

Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Right Nos. 37-8838, 37-21329 and 37-21331 are used in combination and are diverted at what is locally known as the R-11 and R-11A diversions from the Big Wood River.

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

11/05/2007

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

RIGHT NUMBER: 37-21330

NAME AND ADDRESS: STEVEN D HOLZMAN TRUST  
C/O STEVE HOLZMAN  
1161 VIRGINIA RD  
SAN MARINO CA 91108

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.160 CFS  
14.30 AFY

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The total instantaneous diversion of water from all points of diversion under Rights 37-21330 and 37-21332 shall not exceed 0.23 cfs, nor a total combined annual volume of 14.3 af.

PRIORITY DATE: 12/13/1887

POINT OF  
DIVERSION:

T03N R18E S6 NESE Within BLAINE County  
T03N R18E S6 NESE 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          | 0.160 CFS<br>14.30 AFY |

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S07 SENE 4.10

4.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 4.1 acres in a single irrigation season. Combined Right Nos.: 37-21330 and 37-21332

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

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

Right Nos. 37-21330 and 37-21332 are used in combination and are diverted at what is locally known as the R-11 and R-11A diversions from the Big Wood River.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

Place of use is located within Lots 9, 10 and 29, Gimlet Subdivision No. 11.

This right does not grant any right-of-way or easement across the land of another.

11/05/2007

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

RIGHT NUMBER: 37-21331

NAME AND ADDRESS: STEVEN D HOLZMAN TRUST  
C/O STEVE HOLZMAN  
1161 VIRGINIA RD  
SAN MARINO CA 91108

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.030 CFS  
3.20 AFY

The annual volume of consumptive wildlife and aesthetics uses under right 37-21329 and 37-21331 is 3.2 af per year.

The total instantaneous diversion of water from all points of diversion under Transfer No. 71412 for wildlife and aesthetic uses shall not exceed 0.09 cfs, nor a total combined annual volume of 3.2 af.

PRIORITY DATE: 03/24/1883

POINT OF  
DIVERSION:

T03N R18E S6 NESE Within BLAINE County  
T03N R18E S6 NESE Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|-----------------------|----------------------|-----------------------|
| AESTHETIC             | 01/01 12/31          | 0.030 CFS<br>3.20 AFY |
| WILDLIFE              | 01/01 12/31          | 0.030 CFS<br>3.20 AFY |

PLACE OF USE: WILDLIFE in BLAINE County

T03N R18E S07 SENE

AESTHETIC in BLAINE County

T03N R18E S07 SENE

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

Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Property is also known as Lots 9, 10 & 29, Gimlet Subdivision No. 11.

Right Nos. 37-8838, 37-21329 and 37-21331 are used in combination and are diverted at what is locally known as the R-11 and R-11A diversions from the Big Wood River.

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

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

Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of discharge.

11/05/2007

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

RIGHT NUMBER: 37-21332

NAME AND ADDRESS: STEVEN D HOLZMAN TRUST  
C/O STEVE HOLZMAN  
1161 VIRGINIA RD  
SAN MARINO CA 91108

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.070 CFS  
14.30 AFY

The total instantaneous diversion of water from all points of diversion under Rights 37-21330 and 37-21332 shall not exceed 0.23 cfs, nor a total combined annual volume of 14.3 af.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/24/1883

POINT OF  
DIVERSION:

T03N R18E S6 NESE Within BLAINE County  
T03N R18E S6 NESE 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          | 0.070 CFS       |
|                       |                      | 14.30 AFY       |

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S07 SENE 4.10  
4.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 4.1 acres in a single irrigation season. Combined Right Nos.: 37-21330 and 37-21332

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

This right does not grant any right-of-way or easement across the land of another.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

Right Nos. 37-21330 and 37-21332 are used in combination and are diverted at what is locally known as the R-11 and R-11A diversions from the Big Wood River.

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

Place of use is located within Lots 9, 10 and 29, Gimlet Subdivision No. 11.



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380  
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

November 14, 2007

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

STEVEN D HOLZMAN TRUST  
C/O STEVE HOLZMAN  
1161 VIRGINIA RD  
SAN MARINO CA 91108

RE: SRBA Claim(s) 37-21329, 37-21330, 37-21331, 37-21332

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett  
Technical Records Specialist

Enclosure

cc: JAMES P SPECK  
SPECK & AANESTAD  
PO BOX 987  
KETCHUM ID 83340

RECEIVED

NOV 11 2007

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

ORIGINAL IN RED

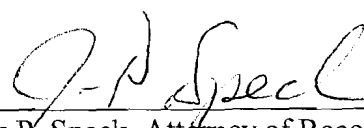
SNAKE RIVER BASIN ADJUDICATION  
CHANGE IN ADDRESS OF NOTICE OF CLAIM

Claim Number (s): 37-21329, 37-21330, 37-21331, 37-21332

Previous Mailing Address: Steven D. Holzman Trust  
c/o James P. Speck  
P.O. Box 987  
Ketchum, ID 83340

New Mailing Address: Steven D. Holzman Trust  
c/o Steve Holzman  
1161 Virginia Road  
San Marino, California 91108

Telephone Number: (208 ) 726-6200

Signature of Claimant(s):   
James P. Speck, Attorney of Record

Please return this completed form to:

Adjudication Bureau  
Idaho Dept. of Water Resources  
1301 N. Orchard St.  
Boise, ID 83706-2237  
Ph. 1/800/451-4129 or  
FAX 208/327-5400

Adjudication Bureau  
Idaho Dept. of Water Resources  
2735 Airport Way  
Boise, ID 83705-5082  
Ph. 208/334-2190  
FAX 208/334-2348

Adjudication Bureau  
Idaho Dept. of Water Resources  
1341 Fillmore St., Ste. 200  
Twin Falls, ID 83301-3380 or  
FAX 208/736-3037

Adjudication Bureau  
Idaho Dept. of Water Resources  
900 N. Skyline, Ste. A  
Idaho Falls, ID 83402-3653  
FAX 208/525-7177

SS  
ADDRESS FM  
Revised 12/13/99

IDWR Use Only:  
Data Entry: \_\_\_\_\_

Date: \_\_\_\_\_

**SPECK & AANESTAD**

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

JAMES P. SPECK  
jim@speckandaanestad.com

DOUGLAS J. AANESTAD  
doug@speckandaanestad.com

RECEIVED  
NOV 1 2007  
IDaho DEPT. OF WATER RESOURCES  
BOYCE A. KEE

TELEPHONE  
(208) 726-4421  
FACSIMILE  
(208) 726-0752

November 1, 2007

Ms. Trish Fawcett  
Idaho Department of Water Resources  
1341 Fillmore, Suite 200  
Twin Falls, Idaho 83301

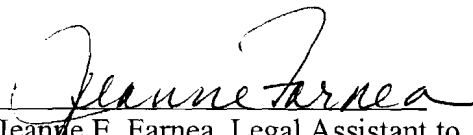
**Re: Water Right Nos.: 37-21329, 37-21330, 37-21331, 37-21332;  
Steven D. Holzman Trust**

Dear Trish:

Enclosed for filing please find the original and one copy of an Address Change Notice for the above-referenced water rights. Please return the receipt date-stamped copy to our office in the postage prepaid, self-addressed envelope provided. Kindly call if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD  
A Professional Corporation

By:   
Jeanne E. Farnea, Legal Assistant to  
James P. Speck

Enclosure

cc: client (w/encl.)

09/15/2006

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

RIGHT NUMBER: 37-21330

NAME AND ADDRESS: STEVEN D HOLZMAN TRUST  
C/O JAMES P SPECK  
PO BOX 987  
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

Right Nos. 37-21330 and 37-21332 are used in combination and are diverted at what is locally known as the R-11 and R-11A diversions from the Big Wood River.

QUANTITY: 0.160 CFS  
14.300 AFY

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The total instantaneous diversion of water from all points of diversion under Rights 37-21330 and 37-21332 shall not exceed 0.23 cfs, nor a total combined annual volume of 14.3 af for the irrigation of 4.1 acres.

PRIORITY DATE: 12/13/1887

POINT OF DIVERSION:

T03N R18E S6 NESE Within BLAINE County

T03N R18E S6 NESE Within BLAINE County

This right does not grant any right-of-way or easement across the land of another.

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.160 CFS

14.30 AFY

PLACE OF USE: IRRIGATION Within BLAINE County

T03N R18E S07

SENE

4.10

4.1 ACRES TOTAL

Place of use is located within Lots 9, 10 and 29, Gimlet Subdivision No. 11.

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.

09/15/2006

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.



# Idaho Department of Water Resources

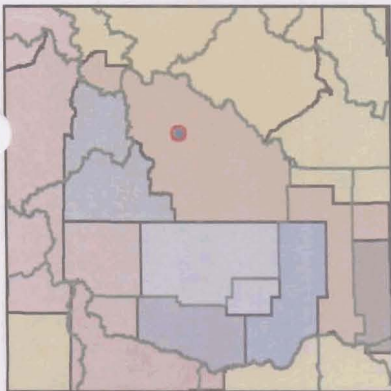
SRBA Recommendation:

**37-21330**

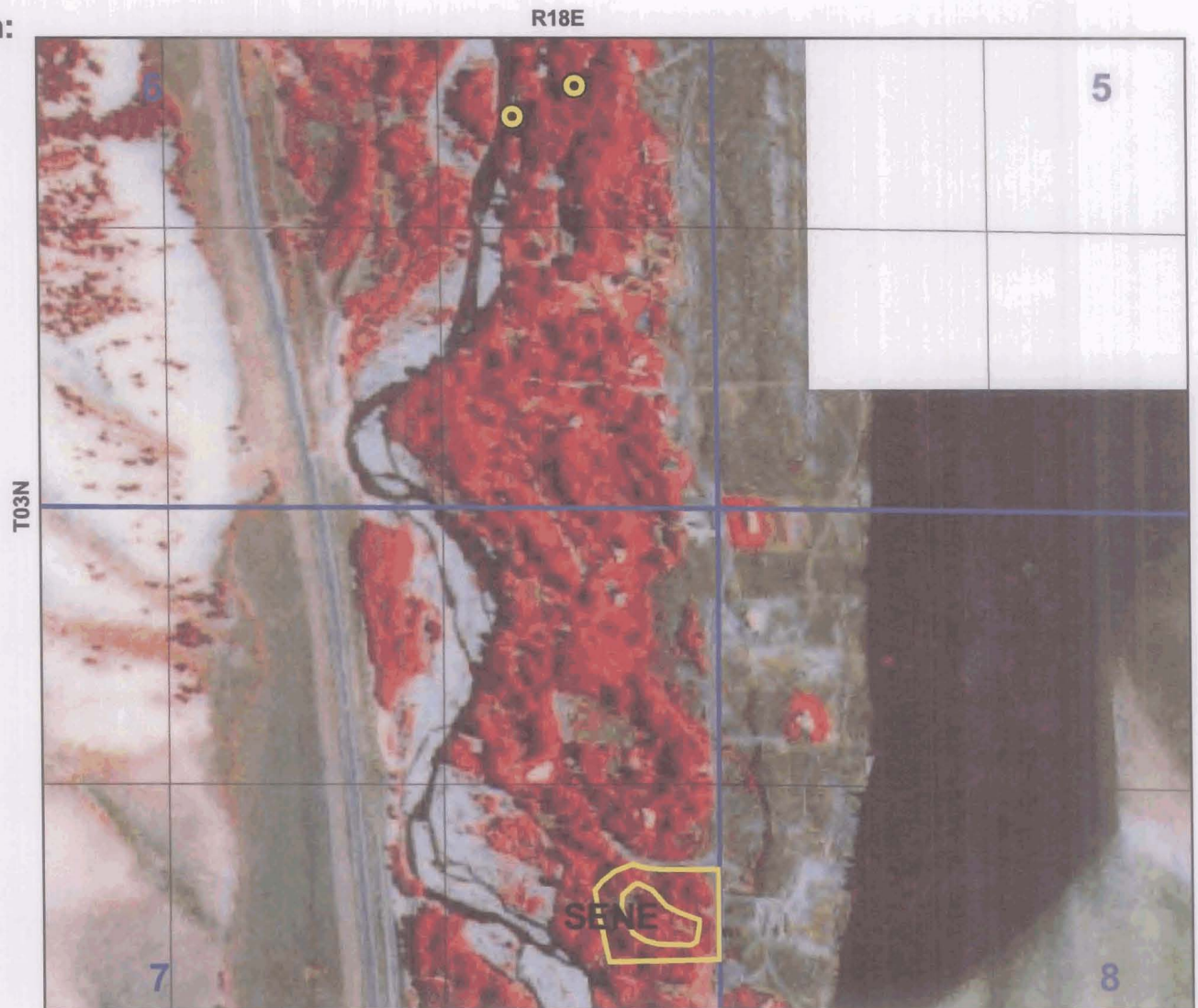
(Irrigation)

## Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



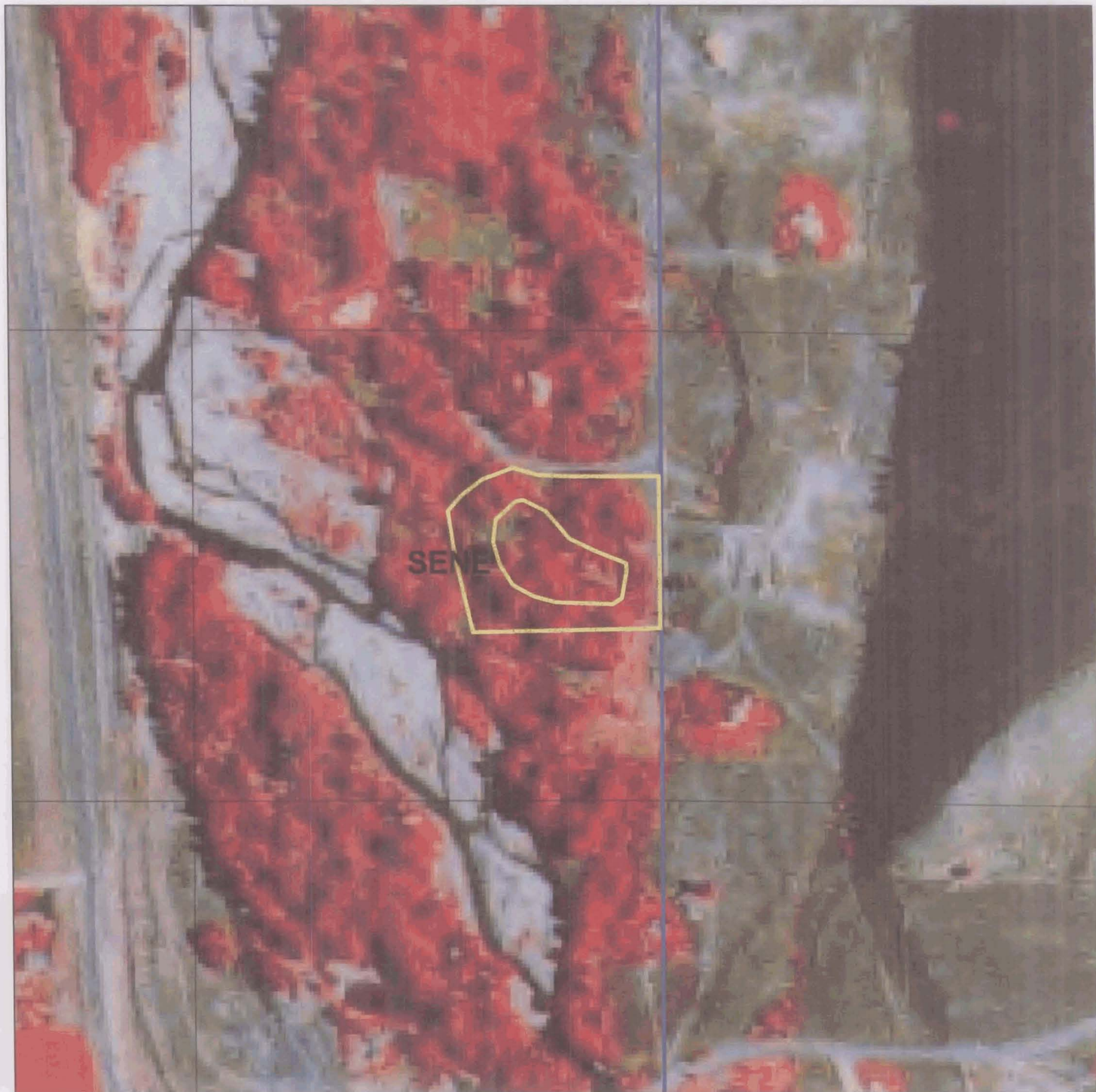
Blaine County  
IDWR Basin 37



0 0.3 0.6 Miles

Prepared by E. NORQUES  
On Tuesday, September 19, 2006  
1987/88 Aerial Photography

37-21330





# Idaho Department of Water Resources

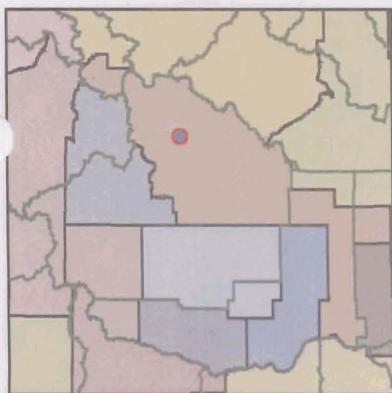
SRBA Recommendation:

**37-21330**

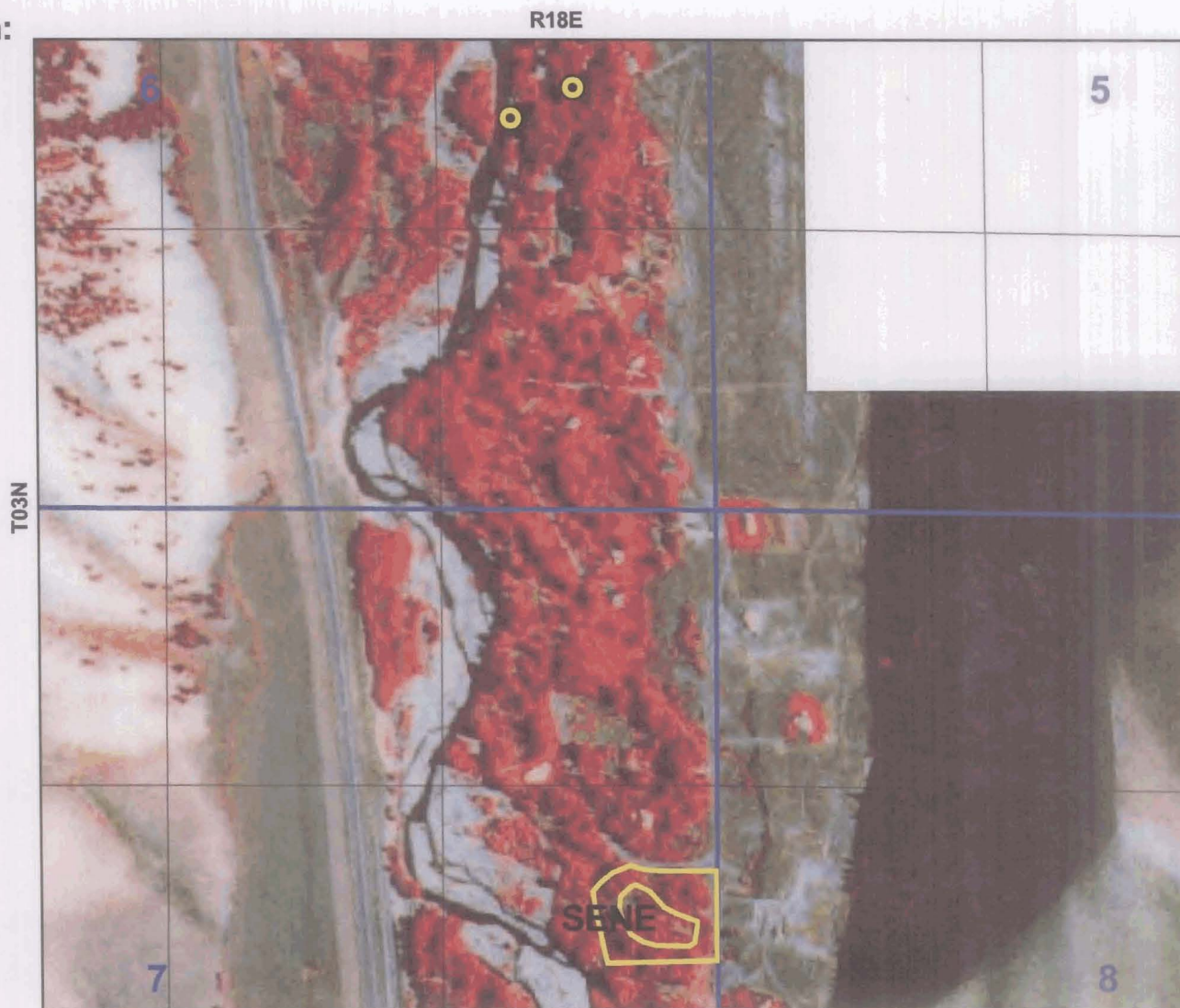
(Irrigation)

## Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters

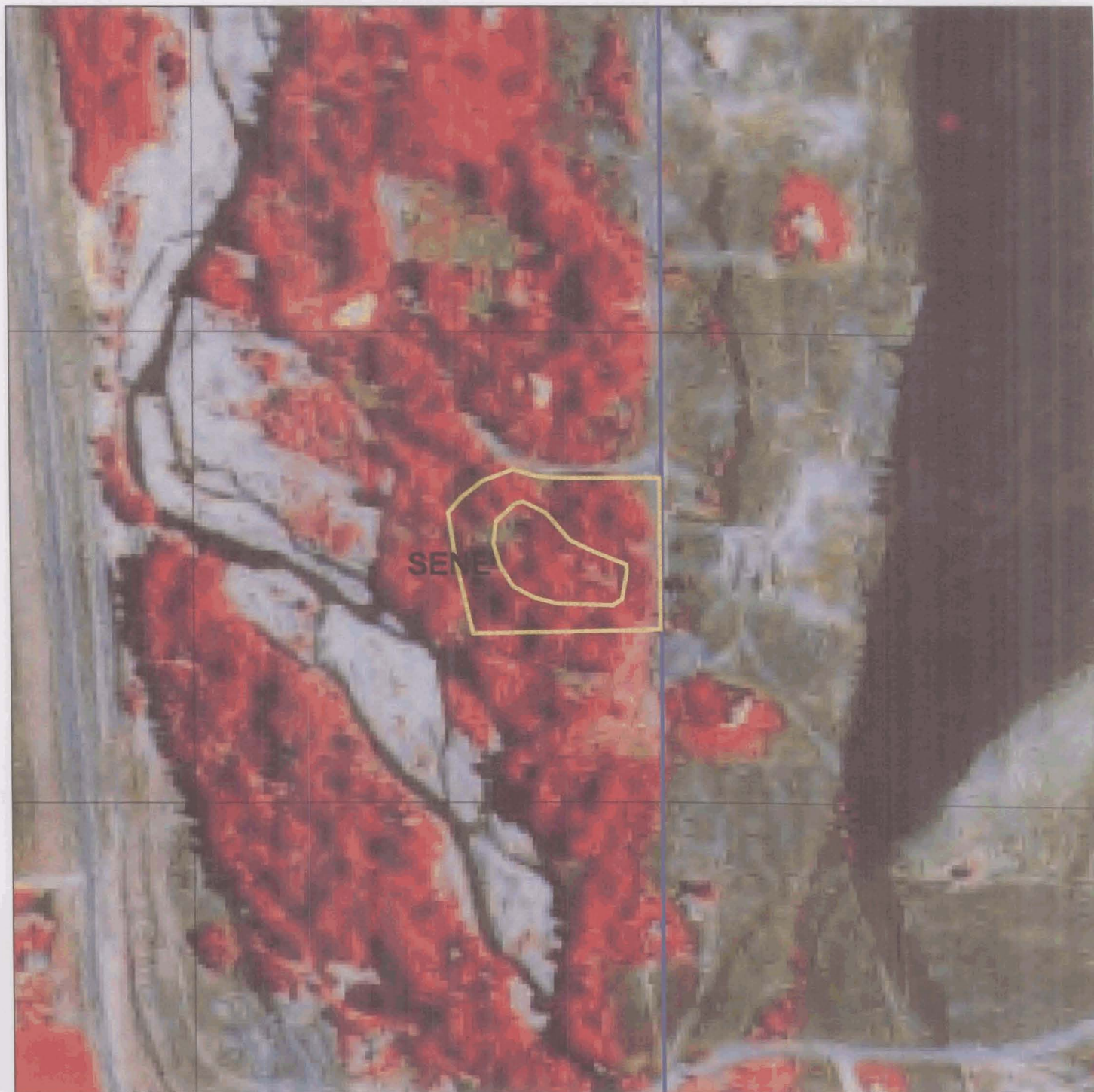


Blaine County  
IDWR Basin 37



Prepared by E. NORQUES  
On Tuesday, September 19, 2006  
1987/88 Aerial Photography

37-21330



37.154 (3005)

Transfer 1735

(9.66) A 3 (0.44 cfs)  
Rinker

Transfer 1450

Crustock (9.34) C 1 (0.22)  
Rinker

Transfer 5423

(8.85) C 0.49  
Rinker C. de la Cruz  
24.4 acres

# AJ Claims

Hold 5111 - B Rinker 0.44  
37.154E

Hold 5111 - C Rinker 8.85  
37.154E

Matches NR. 21329 } Holzman 0.06  
37.154 21330 } 0.10

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 71412

This is to certify that: STEVEN D HOLZMAN TRUST  
C/O JAMES P SPECK  
PO BOX 987  
KETCHUM ID 83340  
(208) 726-4421

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Change**

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u>  |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|----------------|
| 37-154D      | AJC/Decreed         | 12/13/1887      | 0.22 cfs    | 19.6 af       | N/A               | N/A                | BIG WOOD RIVER |
| 37-14260B    | AJC/Decreed         | 03/24/1883      | 0.1 cfs     | 19.6 af       | N/A               | N/A                | BIG WOOD RIVER |

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 37-154D               | YES          | NO         | NO         | NO             | YES                  | YES                  |
| 37-14260B             | YES          | NO         | NO         | NO             | YES                  | YES                  |

**Summary of Water Rights After the Approved Change**

| <u>Existing Right</u> | <u>New No. (changed portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 37-154D               | <b>37-21330</b>                  | 0.16 cfs             | 14.3 af                | N/A               | 4.1                | <b>37-21329</b>                    | 0.06 cfs              | 3.2 af                  | N/A                         | N/A                          |
| 37-14260B             | <b>37-21332</b>                  | 0.07 cfs             | 14.3 af                | N/A               | 4.1                | <b>37-21331</b>                    | 0.03 cfs              | 3.2 af                  | N/A                         | N/A                          |
| <b>COMBINED</b>       |                                  |                      |                        |                   |                    |                                    |                       |                         |                             |                              |
| <b>TOTALS</b>         |                                  | <b>0.23 cfs</b>      | <b>14.3 af</b>         | <b>N/A</b>        | <b>4.1</b>         |                                    | <b>0.09 cfs</b>       | <b>3.2 af</b>           | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 23<sup>rd</sup> day of November, 2004

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 37-21329**  
**As Modified by Transfer No. 71412**

In accordance with the approval of Transfer No. 71412, Water Right No. 37-21329 is now described as follows.

**Right Holder:** STEVEN D HOLZMAN TRUST  
 C/O JAMES P SPECK  
 PO BOX 987  
 KETCHUM ID 83340

**Priority Date:** December 13, 1887

**Source:** BIG WOOD RIVER

**Tributary:** MALAD RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| WILDLIFE              | 01/01 to    | 12/31     | 0.06 CFS              | 3.2 AF        |
| AESTHETIC             | 01/01 to    | 12/31     | 0.06 CFS              | 3.2 AF        |
|                       |             |           | 0.06 CFS              | 3.2 AF        |

**LOCATION OF POINT(S) OF DIVERSION:**

BIG WOOD RIVER            NESE            Sec. 6 Twp 03N Rge 18E BLAINE County

BIG WOOD RIVER            NESE            Sec. 6 Twp 03N Rge 18E BLAINE County

**PLACE OF USE:** WILDLIFE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 03N 18E 7   | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|             |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |        |

**PLACE OF USE:** AESTHETIC

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 03N 18E 7   | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|             |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. The total instantaneous diversion of water from all points of diversion under Transfer No. 71412 for wildlife and aesthetic uses shall not exceed 0.09 cfs, nor a total combined annual volume of 3.2 af.
2. The annual volume of consumptive wildlife and aesthetics uses under right 37-21329 and 37-21331 is 3.2 af per year.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

**WATER RIGHT NO. 37-21330**  
**As Modified by Transfer No. 71412**

In accordance with the approval of Transfer No. 71412, Water Right No. 37-21330 is now described as follows.

**Right Holder:** STEVEN D HOLZMAN TRUST  
 C/O JAMES P SPECK  
 PO BOX 987  
 KETCHUM ID 83340

**Priority Date:** December 13, 1887

**Source:** BIG WOOD RIVER

**Tributary:** MALAD RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/15       | to 10/31  | 0.16 CFS              | 14.3 AF       |
|                       |             |           | 0.16 CFS              | 14.3 AF       |

**LOCATION OF POINT(S) OF DIVERSION:**

BIG WOOD RIVER                      NESE                      Sec. 6   Twp 03N   Rge 18E   BLAINE County

BIG WOOD RIVER                      NESE                      Sec. 6   Twp 03N   Rge 18E   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 |        |
| 03N | 18E | 7   |    |    |    | 4.1 |    |    |    |    |    |    |    |    |    |    |    |    | 4.1    |

Total Acres: 4.1

**CONDITIONS OF APPROVAL**

1. The total instantaneous diversion of water from all points of diversion under Rights 37-21330 and 37-21332 shall not exceed 0.23 cfs, nor a total combined annual volume of 14.3 af for the irrigation of 4.1 acres.
2. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

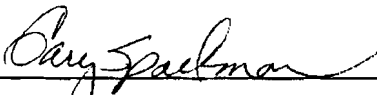
**WATER RIGHT NO. 37-21330**  
**As Modified by Transfer No. 71412**

**CONDITIONS OF APPROVAL**

5. This right does not grant any right-of-way or easement across the land of another.
6. Right Nos. 37-21330 and 37-21332 are used in combination and are diverted at what is locally known as the R-11 and R-11A diversions from the Big Wood River.
7. Place of use is located within Lots 9, 10 and 29, Gimlet Subdivision No. 11.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 23<sup>rd</sup> day of November, 2004

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 37-21331  
As Modified by Transfer No. 71412**

In accordance with the approval of Transfer No. 71412, Water Right No. 37-21331 is now described as follows.

**Right Holder:** STEVEN D HOLZMAN TRUST  
C/O JAMES P SPECK  
PO BOX 987  
KETCHUM ID 83340

**Priority Date:** March 24, 1883

**Source:** BIG WOOD RIVER

**Tributary:** MALAD RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| AESTHETIC             | 01/01       | to 12/31  | 0.03 CFS              | 3.2 AF        |
| WILDLIFE              | 01/01       | to 12/31  | 0.03 CFS              | 3.2 AF        |
|                       |             |           | 0.03 CFS              | 3.2 AF        |

**LOCATION OF POINT(S) OF DIVERSION:**

BIG WOOD RIVER      NESE      Sec. 6 Twp 03N Rge 18E BLAINE County

BIG WOOD RIVER      NESE      Sec. 6 Twp 03N Rge 18E BLAINE County

**PLACE OF USE:** AESTHETIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 18E | 7   |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |        |

**PLACE OF USE:** WILDLIFE

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 18E | 7   |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. The total instantaneous diversion of water from all points of diversion under Transfer No. 71412 for wildlife and aesthetic uses shall not exceed 0.09 cfs, nor a total combined annual volume of 3.2 af.
2. The annual volume of consumptive wildlife and aesthetics uses under right 37-21329 and 37-21331 is 3.2 af per year.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

**WATER RIGHT NO. 37-21331**  
**As Modified by Transfer No. 71412**

**CONDITIONS OF APPROVAL**

4. Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of discharge.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. Right Nos. 37-8838, 37-21329 and 37-21331 are used in combination and are diverted at what is locally known as the R-11 and R-11A diversions from the Big Wood River.
8. Place of use is located within Lots 9, 10 and 29, Gimlet Subdivision No. 11.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 23<sup>rd</sup> day of November, 2004

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 37-21332**  
**As Modified by Transfer No. 71412**

In accordance with the approval of Transfer No. 71412, Water Right No. 37-21332 is now described as follows.

**Right Holder:** STEVEN D HOLZMAN TRUST  
 C/O JAMES P SPECK  
 PO BOX 987  
 KETCHUM ID 83340

**Priority Date:** March 24, 1883

**Source:** BIG WOOD RIVER

**Tributary:** MALAD RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/15       | 10/31     | 0.07 CFS              | 14.3 AF       |
|                       |             |           | 0.07 CFS              | 14.3 AF       |

**LOCATION OF POINT(S) OF DIVERSION:**

BIG WOOD RIVER      NESE      Sec. 6 Twp 03N Rge 18E BLAINE County

BIG WOOD RIVER      NESE      Sec. 6 Twp 03N Rge 18E 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 |        |
| 03N 18E 7   |    |    |    | 4.1 |    |    |    |    |    |    |    |    |    |    |    |    | 4.1    |

Total Acres: 4.1

**CONDITIONS OF APPROVAL**

1. The total instantaneous diversion of water from all points of diversion under Rights 37-21330 and 37-21332 shall not exceed 0.23 cfs, nor a total combined annual volume of 14.3 af for the irrigation of 4.1 acres.
2. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

**WATER RIGHT NO. 37-21332**  
**As Modified by Transfer No. 71412**

**CONDITIONS OF APPROVAL**

5. This right does not grant any right-of-way or easement across the land of another.
6. Right Nos. 37-21330 and 37-21332 are used in combination and are diverted at what is locally known as the R-11 and R-11A diversions from the Big Wood River.
7. Place of use is located within Lots 9, 10 and 29, Gimlet Subdivision No. 11.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 23<sup>rd</sup> day of November, 2004

  
\_\_\_\_\_  
Chief, Water Allocation Bureau