

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: A37-00919
Date Received: 4/05/1989
Receipt No: S006796
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN E. MC CAW, JR. 206-827-4500
Address: 5808 LAKE WASHINGTON
BLVD., N.E.
KIRKLAND, WA 98033

2. Date of Priority: APR 01, 1940

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
03N	18E	20	SW		NW		BLAINE

5. Description of diverting works:
HEADGATE #22 & HIAWATHA CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.545		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	29	SE	SE		IRR	16.0
Section Acres							16.0

A37-00919

Page 1

Date: 04/05/89

MICROFILMED

FEB 23 1993

10. Place of Use: Continued

Total Acres 16.0

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:
NONE

14. Remarks:

SAVED & DEVELOPED RIGHT INDEPENDENT OF PRIORITY DATE.

P. U. IS TAX LOT #2424. BLAINE COUNTY.

RT. IS DELIVERED AS A FLOOD RIGHT BY WATERMASTER.

RT. IS FOR 27.27 INCHES OF WATER.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

O. D. BARKER, ET. AL.

Decree Plaintiff

vs

MANS COFFIN, WATERMASTER

Decree 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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ 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: 39356

Ident. Number

A37-00919

Date Received

3-15-1989

Receipt Number

SP06796

RECEIVED

MAR 15 1989

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) John E. McCaw, Jr. Phone (206) 827-4500
Mailing Address 5808 Lake Washington Blvd., N.E. Zip 98033
Kirkland, WA
2. Date of Priority (Only one (1) per claim) April 1, 1940
3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River
4. a. Location of existing point of diversion is: Township 3N Range 18E Section 20,
1/4 of SW 1/4 of NW 1/4, Govt. Lot B.M., County of Blaine
Additional points of diversion if any: _____
- 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. Headgate #22 and Hiawatha Canal

RECEIVED

APR 5 1989

Department of Water Resources
Southern Region Office

FEB 23 1993

Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/1 to 11/1 amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .545 (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.) N/A

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	
3N	18E	29																	16 16

Total number of acres irrigated 16

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 X 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.
_____ or None (X)

14. Remarks:
Place of use is tax lot #2424, Blaine County. Rt. is delivered as a
floodright by watermaster. Rt. is for 27.27 inches.

COPY

MICROFILMED

Last Name McCaw Ident No. _____

Copies: White -State, Yellow-Claimant
Feb 23 1993

15. Basis of Claim (check one) Ben. Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 37-00919
Court _____ Case Number _____ Decree Date 8/22/51
Plaintiff vs Defendant O.D. Barker, et al. v. Mans Coffin, Watermaster

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

Signature of Claimant (s) X [Signature] Date _____
_____ Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 3rd day of March 19 89

SEAL

Notary Public Barry J. Luboviski

Residing at Ketchum

My Commission Expires 11-7-1991

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Barry J. Luboviski 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 Barry J. Luboviski

Address Box 1172, KETCHUM, IDAHO 83340

Date March 3, 1989

CCF

MICROFILMED

FEB 23 1993

Last Name McCaw Ident. Number _____

Copies White-State, Yellow-Claimant

Sec 29-3N-18E
SE-SE

HIGHWAY 75

TL 2425
Sema

TL 2424

Rail Road

~~S. M. plot~~
McGraw

LSK1

R.O.U.

TL 2767
S. M. Valley
R. Adde Inc.

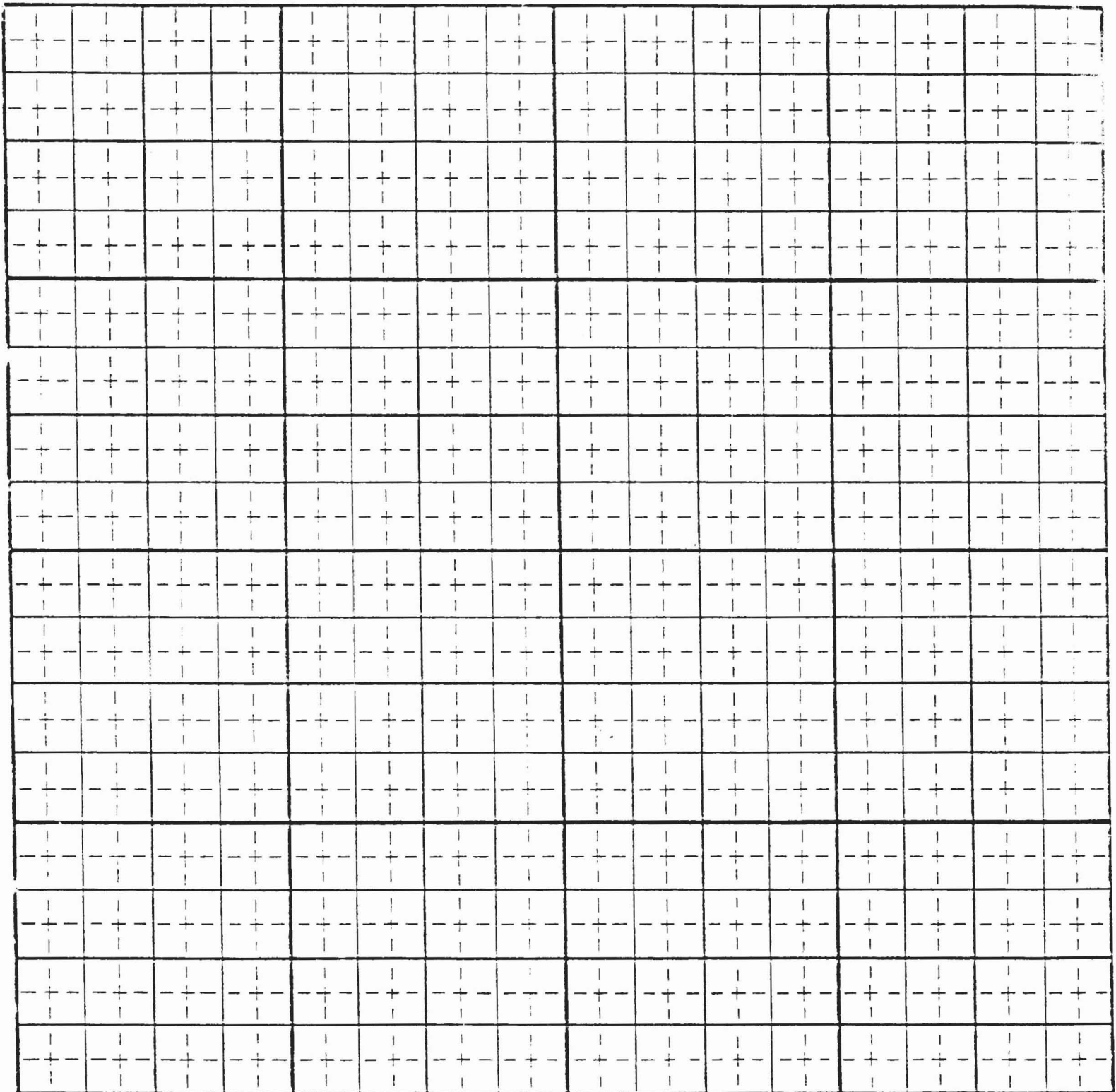
McGraw

MICROFILMED

1" = 200' FEB 23 1993

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED

FEB 23 1993

Last Name McCaw Ident No. _____

Copies: White-State, Yellow-Claimant

COPY

FILED
FEB 11 2008
TWIN FALLS, IDAHO
CLERK OF DISTRICT COURT

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

Subcase No. 37-919

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

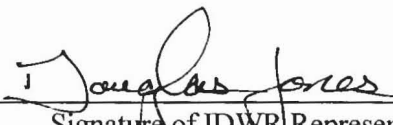
Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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 *Amended 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:

1/22/08


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/6, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

2. 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

Charles E Brockway
Brockway Engineering
2016 N Washington St Ste 4
Twin Falls ID 83301

John E McCaw Jr
5808 Lake Washington Blvd
Kirkland WA 98033



Signature of person or attorney mailing the form

01/09/2008

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

RIGHT NUMBER: 37-919

NAME AND ADDRESS: HARRY S RINKER
PO BOX 7250
NEWPORT BEACH CA 92658-7250

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.545 CFS

PRIORITY DATE: 04/01/1940

POINT OF
DIVERSION: T03N R18E S20 SWNW 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	0.545 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T03N R18E S29 SESE	16.00	
	16 ACRES TOTAL		

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

Water diverted from Headgate #22 delivered through Hiawatha Canal.



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

February 5, 2008

CHARLES E BROCKWAY
BROCKWAY ENGINEERING
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

RE: SRBA Claim(s) 37-919

Dear Mr. Brockway:

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

cc: John E. McCaw Jr.
5808 Lake Washington Blvd
Kirkland WA 98033

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

RECEIVED
NOV 15 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No.(s)	Adjudication Claim No.(s)	Split	Water Right No.(s)	Adjudication Claim No. (s)	Split
<u>37-919</u>	<u> </u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐

2. The following REQUIRED information must be submitted with this form:

- A. The appropriate FILING FEE. See instructions for fee amounts.
- B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) in question, WITH ATTACHED LEGAL DESCRIPTION.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s): John E. McCaw Jr.; 5808 Lake Washington Blvd.
Kirkland, WA 98033
4. New Owner/Claimant(s): Harry S. Rinker
New Mailing Address: PO Box 7250
City, State, Zip Code: Newport Beach, CA 92658-7250
New Telephone Number: (714) 879-8300
5. Date you acquired the property: 19 April 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: _____

<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: _____

<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

7. Signature of New Owner(s) or Claimant(s):
(include title, if applicable)

Chris E. Brachey
Power of Attorney

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

FOR OFFICE USE ONLY

Received by: _____	Date: _____	Fee: _____
Received by: _____	Date: _____	Receipt No: _____
Processed by: _____ AJ	Date: _____	WR: _____ Date: _____

RECEIVED
NOV 15 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

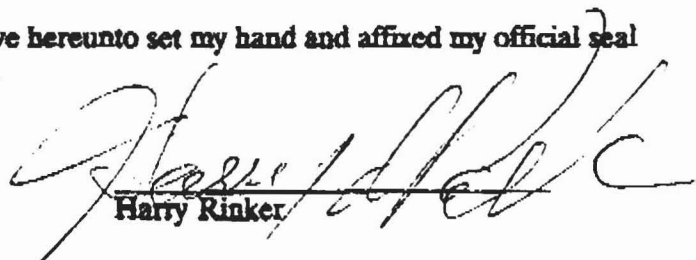
LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

I, Harry Rinker, dba Rinker Company, hereby nominate and appoint Charles E. Brockway, of Kimberly, Idaho, as my attorney-in-fact with full authority to act for and on my behalf to undertake any and all acts or matters pertaining to any and all water rights I may own or seek to acquire in Blaine County, Idaho. Additionally, I hereby ratify and confirm any and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal, and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the applications and transfers above-mentioned. Further, I hereby declare that each and every application, transfer, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these presents.

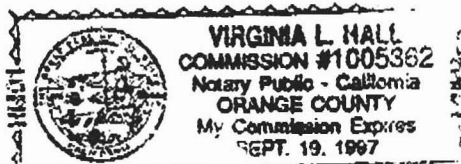
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 1st day of Sept., 1995.


Harry Rinker

CALIF
STATE OF ~~IDAHO~~)
ORANGE) ss.
County of Blaine)

On the 1st day of Sept., 1995, before me, a Notary Public, in and for said County and State, personally appeared HARRY RINKER, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



08225501.gds


NOTARY PUBLIC FOR ~~IDAHO~~ CALIF.
Residing at: LAGUNA NIGUEL
My commission expires: 9/19/97



Change of Ownership 37-919
 T. 03N., R. 18E. Section 29 SESE
 Naip 2006 Aerial photo

RECEIVED

NOV 15 2007

DEPT. OF WATER RESOURCES
 SOUTHERN REGION

Brockway Engineering, PLLC
 ALR - Nov. 15, 2007

Legend

- Sections_3n18e
- 37-919_Rec_POU
- 103n18e
- 37-919_POD (SWNW SEC. 20 3N18E)



SCANNED

This Warranty Deed is being re-recorded to correct the legal description. # 464460

50971

Recording Requested By and
When Recorded Return to:

HAWLEY TROXELL ENNIS & HAWLEY LLP
Attn: Brian L. Ballard
P O Box 1617
Boise, Idaho 83701

Mail Tax Notices to:
Harry S. Rinker, Trustee
P O Box 7250
Newport Beach, CA 92658

Instrument # 464783

HAILEY, BLAINE, IDAHO
2002-05-01 03:52:00 No. of Pages: 5
Recorded for : AMERITITLE
MARSHA RIEMANN Fee: 15.00
Ex-Officio Recorder Deputy
Index to: CORRECTION DEED

RECEIVED
NOV 15 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

464460

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, Silver Creek Communications, Inc., a Washington corporation, whose address is P.O. Box 21749, Seattle, Washington 98111-3749 ("Grantor"), does hereby grant, bargain, sell and convey unto Harry S. Rinker, Trustee Under Declaration of Trust Dated 5/10/66, as amended, whose address is P O Box 7250, Newport Beach, CA 92658 ("Grantee"), the real property legally described on Exhibit A, which exhibit is attached hereto and incorporated herein by this reference (the "Premises")

TO HAVE AND TO HOLD the Premises, with its appurtenances unto the Grantee, its successors and assigns, forever.

This conveyance is made subject to the lien for real property taxes for the year 2002 and each year thereafter and the items listed on Exhibit B, which exhibit is attached hereto and incorporated herein by this reference.

This conveyance includes the quitclaim of water rights appurtenant to the Premises, if any, provided that the same are so quitclaimed without any warranty or representation whatsoever.

Grantor does hereby covenant to and with the Grantee and its successors and assigns, that the Grantor is the owner in fee simple of said real property; that said real property is free from all encumbrances made by it except as may be otherwise expressly specified herein; and that the Grantor will warrant and defend said real property from all lawful claims of all persons claiming by, through or under the Grantor.

EXHIBIT "A"

PARCEL II:

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 29: A parcel of land located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said section, more particularly described as follows:

COMMENCING at a brass cap marking the southeast corner of said Section 29; thence

North 89° 35' 30" W., 1284.02 feet along the south boundary of said Section 29 to its intersection with the east boundary of Idaho State Highway No. 75 monumented with a 5/8 inch rebar; thence

North 1° 07' 35" E., 50.00 feet, more or less, to a 5/8 inch rebar by JUB Engineers on said east boundary Highway No. 75, which point is the **REAL POINT OF BEGINNING**; thence

Continuing North 1° 07' 35" E., 774.66 feet along said Idaho State Highway No. 75 to a 5/8 inch rebar at the southwest corner of Tax Lot 6901; thence **South 89° 03' 33" E., 218.56 feet** along the south boundary of said Tax Lot 6901 to the centerline of the old Weber ditch, monumented by a 5/8 inch rebar 11.0 feet West; thence

The following six (6) courses and distances along the centerline of said canal;

S. 25° 43' 24" E., 166.20 feet; thence

S. 33° 06' 31" E., 60.88 feet; thence

S. 39° 15' 55" E., 97.28 feet; thence

S. 28° 12' 52" E., 200.91 feet; thence

S. 11° 05' 50" E., 209.10 feet; thence

S. 27° 03' 58" E., 130.60 feet; thence

North 89° 38' 57" W., 595.39 feet to the **REAL POINT OF BEGINNING**.

(TL 6865)

FORMERLY SHOWN OF RECORD AS:

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 29: A parcel of land described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 29; thence **N. 89° 35' 58" W., 1,284.03 feet** along the South boundary of said Section 29 to an iron pin on the East boundary of Idaho State Highway 75; thence

N. 01° 07' 47" E., 50.00 feet to a 5/8" rebar by JUB Engineering which point is the **REAL POINT OF BEGINNING**; thence

Continuing N. 01° 07' 40" E., 775.00 feet to an iron pin by JUB Engineering marking the Southwest corner of Tax Lot 2425; thence

S. 88° 52' 40" E., 229.00 feet along the South boundary of said Tax Lot 2425 to the centerline of the Weber Ditch, which point is witnessed by an iron pin by JUB Engineering 11.00 feet N. 88° 52' 40" W.; thence

The following eight courses and distances along the centerline of said Weber Ditch; thence

S. 22° 50' 00" E., 163.50 feet; thence
S. 39° 12' 00" E., 41.50 feet; thence
S. 35° 02' 00" E., 283.00 feet; thence
S. 02° 30' 00" E., 42.00 feet; thence
S. 12° 20' 00" E., 161.00 feet; thence
S. 04° 40' 00" E., 46.00 feet; thence
S. 25° 03' 20" E., 126.75 feet, which point is witnessed by a 5/8" rebar 10.00 feet N. 89° 35'
38" W.; thence
N. 89° 35' 58" W. on a line 50 feet North of and parallel to the South boundary of said
Section 29, 590.00 feet to the POINT OF BEGINNING.
(Former TL 2767)

EXHIBIT B

DEED EXCEPTIONS

1. Any facts, rights, interest or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
2. Rights reserved in federal patents; state deeds or railroad deeds; building or use restrictions; easements and rights of way not inconsistent with the present use of the property; mineral, gas or oil reservations; and building, zoning, environmental or historical preservation regulations and ordinances.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
4. (a) Unpatented mining claims, (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof, (c) water rights, claims or title to water whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
5. General taxes for the year 2002, a lien not yet due and payable
6. Power Line Easement in favor of Idaho Power Company, recorded May 19, 1976, as Instrument No. 166052.
7. Matters as shown on that certain Survey recorded December 18, 1990, as Instrument No. 326336.
8. Matters as shown on that certain Survey recorded February 1, 2002, as Instrument No. 460963

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SOUTHERN REGION

No. C 95683		Due no later than Jun 30, 2002	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080		Annual Report Form	
NO FILING FEE IF RECEIVED BY DUE DATE		1. Mailing Address - Correct in this box if applicable JEM INVESTMENTS, INC. JOHN E. MCCAW, JR. PO BOX 21749 SEATTLE, WA 98111 3749	
		2. Registered Agent and Office NO PO BOX PETER J RICHARDSON 999 MAIN ST SUITE 911 - ONE CAPITAL CENTER BOISE, ID 83702	
		3. New Registered Agent Signature	
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.			
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u> <u>State</u> <u>Zip</u>
Director	John E. McCaw, Jr.	P.O. Box 21749	Seattle WA 98111-3749
President	Stanley B. McCammon	P.O. Box 21749	Seattle WA 98111-3749
Secretary	Stanley B. McCammon	P.O. Box 21749	Seattle WA 98111-3749
5. Organized Under the Laws of: WASHINGTON C 95683		6. Signature <u>Stanley B. McCammon</u> Date <u>4/9/02</u> Name (Typed or Printed) <u>Stanley B. McCammon</u> Title <u>President</u>	

Issued 04/01/2002

Do Not Tape or Staple

4875

71576

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SOUTHERN REGION



Department of State

**CERTIFICATE OF AUTHORITY
OF**

SILVER CREEK COMMUNICATIONS, INC.

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of an Application of SILVER CREEK COMMUNICATIONS, INC. for a Certificate of Authority to transact business in this State, duly signed and verified pursuant to the provisions of the Idaho Business Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Authority to SILVER CREEK COMMUNICATIONS, INC. to transact business in this State under the name SILVER CREEK COMMUNICATIONS, INC. and attach hereto a duplicate original of the Application for such Certificate.

Dated February 1, 1990



Pete T. Cenarrusa
SECRETARY OF STATE

[Signature]
Corporation Clerk

APPLICATION FOR CERTIFICATE OF AUTHORITY

(Profit Corporation)

To the Secretary of State of Idaho

Pursuant to Section 30-1-110, Idaho Code, the undersigned Corporation hereby applies for a Certificate of Authority to transact business in your State, and for that purpose submits the following statement:

1. The name of the corporation is Silver Creek Communications, Inc.

2. The name which it shall use in Idaho is Silver Creek Communications, Inc.

(To be used only when required to avoid a conflict with a name already on file. Must be accompanied by a Board of Directors resolution adopting assumed name in Idaho.)

3. It is incorporated under the laws of Washington

4. The date of its incorporation is 8/2/88 and the period of its duration is perpetual

5. The address of its principal office in the state or country under the laws of which it is incorporated is

5400 Carillon Point, Kirkland, WA 98033

6. The address to which correspondence should be addressed, if different from that in item 5.

7. The street address of its proposed registered office in Idaho is 4477 Emerald St., Suite C-250, Boise, ID 83706, and the name of its proposed registered agent in Idaho at that address is Robert J. Ennis

8. The purpose or purposes which it proposes to pursue in the transaction of business in Idaho are:

To own and operate radio stations.

9. The names and respective addresses of its directors and officers are:

Name	Office	Address
John E. McCaw Jr.	President	5400 Carillon Point
	Treasurer & Director	Kirkland, WA 98033
Robert A. Ratliffe	Vice-President & Secretary	5400 Carillon Point
		Kirkland, WA 98033

(continued on reverse)

Name	Office	Address
<u>MR. MRS. A. J. J.</u>		
<u>STATE OF WASHINGTON</u>		

10. The corporation accepts and shall comply with the provisions of the Constitution and the laws of the State of Idaho.

11. This Application is accompanied by a certificate of Corporate Status or Existence, duly authenticated by the proper officer, of the state or country under the laws of which it is incorporated.

Dated: 1/29/90

SILVER CREEK COMMUNICATIONS, INC.

(Corporation Name)

By [Signature] President

Its President/Vice President (please specify)

and [Signature]

Its Secretary/Assistant Secretary (please specify)

STATE OF Wash.)

COUNTY OF King) ss:

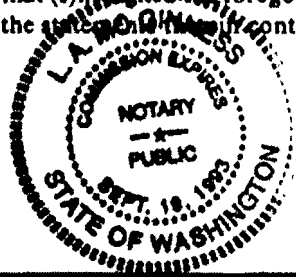
I, L.A. McGuinness, a notary public, do hereby certify that on

this 29th day of January, 1990, personally appeared before

me John E. McEau, Jr., who being by me first duly sworn, declared that (s)he

is the President of Silver Creek Communications, Inc.

that (s)he signed the foregoing document as President of the corporation and that the statements contained are true.



L.A. McGuinness
Notary Public



FEB 1 4 29 PM '90
SECRETARY OF STATE

STATE of WASHINGTON SECRETARY of STATE

I, **Ralph Munro**, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to records on file in this office, as of the date of this certificate,

SILVER CREEK COMMUNICATIONS, INC.

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is a Washington Profit corporation,
duly authorized to transact business or conduct affairs as a corporation in the State of Washington.

Date: January 23, 1990

Corporation Number: 601 099 635

Date of Incorporation
or Qualification: August 2, 1988

Given under my hand and the seal of the State
of Washington, at Olympia, the State Capitol.

Ralph Munro, Secretary of State

T. Michael

This Warranty Deed is being re-recorded to correct the legal description. # 464459

50971

Recording Requested By and
When Recorded Return to:

HAWLEY IROXELL ENNIS & HAWLEY LLP
Attn: Brian L. Ballard
P O. Box 1617
Boise, Idaho 83701

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SOUTHERN REGION

Mail Tax Notices to:
Harry S. Rinker, Trustee
P O Box 7250
Newport Beach, CA 92658

Instrument # 464782

HAILEY, BLAINE, IDAHO

2002-05-01

03:52:00 No. of Pages: 5

Recorded for: AMERITITLE

MARSHA RIEMANN

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: CORRECTION DEED

464459

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, JEM Investments, Inc., a Washington corporation, whose address is P.O. Box 21749, Seattle, Washington 98111-3749 ("Grantor"), does hereby grant, bargain, sell and convey unto Harry S Rinker, Trustee Under Declaration of Trust Dated 5/10/66, as amended, whose address is P O. Box 7250, Newport Beach, CA 92658 ("Grantee"), the real property legally described on Exhibit A, which exhibit is attached hereto and incorporated herein by this reference (the "Premises")

TO HAVE AND TO HOLD the Premises, with its appurtenances unto the Grantee, its successors and assigns, forever.

This conveyance includes the quitclaim of water rights appurtenant to the Premises, if any, provided that the same are so quitclaimed without any warranty or representation whatsoever.

This conveyance is made subject to the lien for real property taxes for the year 2002 and each year thereafter and the items listed on Exhibit B, which exhibit is attached hereto and incorporated herein by this reference.

Grantor does hereby covenant to and with the Grantee and its successors and assigns, that the Grantor is the owner in fee simple of said real property; that said real property is free from all encumbrances made by it except as may be otherwise expressly specified herein; and that the Grantor will warrant and defend said real property from all lawful claims of all persons claiming by, through or under the Grantor.

EXHIBIT "A"

PARCEL I:

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 29: A parcel of land located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said section, more particularly described as follows:

COMMENCING at a brass cap marking the southeast corner of said Section 29; thence

North 89° 35' 30" West 176.31 feet along the south boundary of said Section 29 to a 5/8 inch rebar on the westerly boundary of the old Union Pacific Railroad right-of-way and also the northeast corner of Chapman's East Cloverly Ranch, which point is the **REAL POINT OF BEGINNING**; thence

Continuing North 89° 35' 30" West 1107.71 feet along said south boundary Section 29 to its intersection with the east boundary of Idaho State Highway No. 75 monumented with a 5/8 inch rebar; thence

North 1° 07' 35" East 50.00 feet, more or less, to a 5/8 inch rebar by JUB Engineers on said east boundary Idaho State Highway No. 75; thence **South 89° 38' 57" East 595.39 feet** to the centerline of the old Weber ditch; thence

The following thirteen (13) courses and distances along said canal centerline:

N. 27° 03' 58" W., 130.60 feet; thence

N. 11° 05' 50" W., 209.10 feet; thence

N. 28° 12' 52" W., 200.91 feet; thence

N. 39° 15' 55" W., 97.28 feet; thence

N. 33° 06' 31" W., 60.88 feet; thence

N. 25° 43' 24" W., 166.20 feet witnessed by a 5/8 inch JUB Engineers rebar **10.0 feet West**; thence

N. 23° 16' 42" W., 182.54 feet to a 5/8 inch rebar; thence

N. 13° 41' 08" W., 80.64 feet to a 5/8 inch rebar; thence

N. 21° 30' 29" W., 28.21 feet to a 5/8 inch rebar; thence

N. 9° 10' 46" W., 77.71 feet to a 5/8 inch rebar; thence

N. 28° 36' 40" W., 24.46 feet to a 5/8 inch rebar; thence

N. 56° 35' 54" W., 39.02 feet to a 5/8 inch rebar; thence

N. 75° 51' 56" W., 54.02 feet to a spike on said easterly boundary Idaho State Highway No. 75; thence

North 1° 07' 35" E., 97.46 feet along said east boundary Idaho State Highway No. 75 to the southwest corner of Llama Ranch Subdivision; thence

CONTINUED

S. 89° 39' 53" E., 632.96 feet along the south boundary of said Llama Ranch Subdivision to the southeast corner of said subdivision on said westerly boundary old Union Pacific Railroad right-of-way; thence
S. 18° 40' 47" E., 1401.03 feet along said old Union Pacific Railroad westerly right-of-way to the point of beginning.

FORMERLY SHOWN OF RECORD AS:

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 29: A parcel of land described as follows:

BEGINNING at the intersection of the North line of said SE1/4SE1/4 and the West boundary of Union Pacific R.R.; thence
Westerly along the North line of said SE1/4SE1/4 to the intersection with East boundary of U.S. Highway 93; thence
Along Highway 93 East boundary to intersection with the Webber Ditch; thence
Along Webber Ditch to the intersection with South line of said SE1/4SE1/4; thence
Easterly along said South line of SE1/4SE1/4 to intersection with West boundary of said Railroad; thence
Northerly along West boundary to POINT OF BEGINNING.
(TL 2424)

AND

COMMENCING at the point where the Easterly boundary of U.S. Highway No. 93 intersects the South boundary of Section 29, being the POINT OF BEGINNING; thence
North 50 feet along the East boundary of said U. S. Highway No. 93; thence
East and parallel to the South boundary of said Section 29 to the West boundary of Tax Lot 2424; thence
Southeasterly along the West boundary of said Tax Lot 2424 to the South boundary of said Section 29; thence
East along the South boundary of said Section 29 to the POINT OF BEGINNING; all being situated in the SE1/4SE1/4 of Section 29; and being a strip of land 50 feet wide and extending along the South portion of Tax Lot 2462; all of the tax lot numbers above referred to being all as on file in the office of the County Recorder and County Assessor, Blaine County, Idaho.
(TL 2766)

EXHIBIT B

DEED EXCEPTIONS

1. Any facts, rights, interest or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
2. Rights reserved in federal patents; state deeds or railroad deeds; building or use restrictions; easements and rights of way not inconsistent with the present use of the property; mineral, gas or oil reservations; and building, zoning, environmental or historical preservation regulations and ordinances
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
4. (a) Unpatented mining claims, (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof, (c) water rights, claims or title to water whether or not the matters excepted under (a), (b), or (c) are shown by the public records
5. General taxes for the year 2002, a lien not yet due and payable.
6. Right of Way Deed from A T. Osborn and Jessie Osborn, his wife, to the State of Idaho, in Book 137 of Deeds, page 495, as Instrument No. 70297.
7. Easement for Stock Driveway granted to the State of Idaho, recorded in Book 143 of Deeds, page 328, as Instrument No. 80731.
8. Power Line Easement in favor of Idaho Power Company, recorded in Book 158 of Deeds, page 110, as Instrument No. 91465
9. Matters as shown on that certain Survey recorded February 1, 2002, as Instrument No 460963.

No. C 91378	Due no later than Feb 28, 2001 Annual Report Form	2. Registered Agent and Office NO PO BOX
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080	SILVER CREEK COMMUNICATIONS, INC. JOHN E. MCCAW, JR. PO BOX 21749	CT CORPORATION SYSTEM 300 N 6TH ST BOISE, ID 83702
NO FILING FEE IF RECEIVED BY DUE DATE	SEATTLE, WA 98111	3. <u>New</u> Registered Agent Signature

4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.

Office held	Name	Street or P.O. Address	City	State	Zip
Chairman of the Board,	John E. McCaw, Jr.	- P.O. Box 21749	Seattle, WA	98111-3749	
President,	Stanley B. McCammon	- P.O. Box 21749, Seattle, WA		98111-3749	
Vice President,	Stanley B. McCammon	- P.O. Box 21749, Seattle WA		98111-3749	
Secretary,	Stanley B. McCammon	--P.O. Box 21749, Seattle, WA		98111-3749	
Treasurer,	Stanley B. McCammon	- P.O. Box 21749, Seattle, WA		98111-3749	

5. Organized Under the Laws of:

WASHINGTON C 91378	6. Signature <u>Stanley B. McCammon</u> Date <u>3/9/01</u> Name <u>Stanley B. McCammon</u> Title <u>President</u>
-----------------------	--

Issued 03/06/2001

Do Not Tape or Staple

Fold, seal and mail this portion.

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

DEPT. OF WATER RESOURCES
SOUTHERN REGION



Department of State.

CERTIFICATE OF AUTHORITY
OF

JEM INVESTMENTS, INC.

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of an Application of JEM INVESTMENTS, INC.

_____ for a Certificate of Authority to transact business in this State,
duly signed and verified pursuant to the provisions of the Idaho Business Corporation Act, have
been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Authority to JEM INVESTMENTS, INC.

to transact business in this State under the name JEM INVESTMENTS, INC.

_____ and attach hereto a duplicate original of the Application
for such Certificate.

Dated **June 28, 1991**



Robt. J. Conner

SECRETARY OF STATE

Elizabeth M. Bakala
Corporation Clerk

Corporation Clerk

APPLICATION FOR CERTIFICATE OF AUTHORITY

(Profit Corporation)

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

To the Secretary of State of Idaho

Pursuant to Section 30-1-110, Idaho Code, the undersigned Corporation hereby applies for a Certificate of Authority to transact business in your State, and for that purpose submits the following statement:

1. The name of the corporation is JEM Investments, Inc.
2. The name which it shall use in Idaho is JEM Investments, Inc.
(To be used only when required to avoid a conflict with a name already on file. Must be accompanied by a Board of Directors resolution adopting assumed name in Idaho.)
3. It is incorporated under the laws of Washington
4. The date of its incorporation is July 25, 1988 and the period of its duration is perpetual
5. The address of its principal office in the state or country under the laws of which it is incorporated is 5400 Carillon Point, Kirkland, WA 98033
6. The address to which correspondence should be addressed, if different from that in item 5. 1221 Second Avenue, #500, Seattle, WA 98101-2925
7. The street address of its proposed registered office in Idaho is 4477 Emerald Street, Suite C250, Boise, Idaho, and the name of its proposed registered agent in Idaho at that address is Robert J. Ennis
8. The purpose or purposes which it proposes to pursue in the transaction of business in Idaho are: Own, operate and lease aircraft and to engage in all lawful activities incidental to the attainment of the purposes of this
9. The names and respective addresses of its directors and officers are: _____ corporation.

Name	Office	Address
<u>John E. McCaw, Jr.</u>	<u>President</u>	<u>5400 Carillon Pt., Kirkland, WA 98033</u>
<u>John E. McCaw, Jr.</u>	<u>Secretary</u>	<u>5400 Carillon Pt., Kirkland, WA 98033</u>
<u>John E. McCaw, Jr.</u>	<u>Treasurer</u>	<u>5400 Carillon Pt., Kirkland, WA 98033</u>
<u>John E. McCaw, Jr.</u>	<u>Director</u>	<u>5400 Carillon Pt., Kirkland, WA 98033</u>

(continued on reverse)

Name

Office

Address

10. The corporation accepts and shall comply with the provisions of the Constitution and the laws of the State of Idaho.

11. This Application is accompanied by a certificate of Corporate Status or Existence, duly authenticated by the proper officer of the state or country under the laws of which it is incorporated.

Dated: June 24, 1991

JEM Investments, Inc.

(Corporation Name)

By

[Signature]
Its President/ ~~Vice President~~ (please specify)

and

[Signature]
Its Secretary/ ~~Vice Secretary~~ (please specify)

STATE OF WASHINGTON)

COUNTY OF KING) ss:

I, Richard E. Gifford, a notary public, do hereby certify that on this 24th day of June, 19 91, personally appeared before me John E. McCaw, Jr., who being by me first duly sworn, declared that ~~(s)~~he is the President and Secretary of JEM Investments, Inc.

that (s)he signed the foregoing document as President and Secretary of the corporation and that the statements therein contained are true.

[Signature]
Notary Public

My commission Expires 2/22/94



31 JUN 28 AM 8

SEC. OF STATE

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NOV 15 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE of WASHINGTON SECRETARY of STATE

CERTIFICATE OF EXISTENCE/AUTHORIZATION

OF

JEM INVESTMENTS, INC.

I, RALPH MUNRO, *Secretary of State of the State of Washington*, hereby certify that I am the custodian of the corporation records of this state.

I FURTHER CERTIFY that the records on file in this office show that the above - named profit corporation was incorporated under the laws of the State of Washington and was issued a certificate of Incorporation in Washington on July 25, 1988.

I FURTHER CERTIFY that as of the date of this certificate no Articles of Dissolution or Certificate of Withdrawal have been filed, that the conditions of the Revised Code of Washington, Title 23B.01.280(2) (a) through (d) have been met, and the corporation is duly authorized to transact business in the corporate form in the State of Washington.

Date: June 10, 1991

Given under my hand and the seal of the State of Washington, at Olympia, the State Capitol.

Ralph Munro, Secretary of State

N. Brown



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

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SOUTHERN REGION

November 15, 2007

Mr. Allen Merritt, PE
Idaho Department of Water Resources – Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301

Re: Notice of Change in Water Right Ownership – Harry S. Rinker
Project No. 128-25-2001

Dear Allen:

Enclosed with this letter is a Notice of Change in Water Right Ownership for water right no. 37-919. This water right was owned by John E. McCaw, Jr., who was the President of Silver Creek Communication and JEM Investments. Mr. McCaw sold the land to Mr. Rinker in 2002. Two Osborn water rights (37-522D and 37-523C) had ownership changes previously to Mr. Rinker's name. However, the 37-919 right was not corrected.

We have not included a filing fee, since this water right is still under the SRBA adjudication review.

If you have any questions, please feel free to contact me.

Sincerely,

G. Erick Powell, Ph.D., E.I.T.

enclosed

cc: Harry Rinker
Nick Purdy

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Postage Guaranteed
P.O. Box 03720
22, 87 80720-0003

ADDRESS SERVICE
REQUESTED

FIRST CLASS



U.S. POSTAGE
METRO
MAY 20 1993

Handwritten: X 7 61

Handwritten: 37-8248

Handwritten: 37-919

MC CAW JOHN

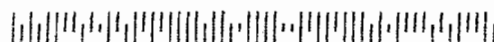
MC CAW JR JOHN E

1000 N. JIMMIE BLVD NE

DEPARTMENT OF
WATER RESOURCES



INSUFFICIENT ADDRESS



11/11/2006

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

RIGHT NUMBER: 37-919
NAME AND ADDRESS: JOHN E MC CAW JR
5808 LAKE WASHINGTON BLVD NE
KIRKLAND WA 98033

Present owner
HARRY S RINKER
PO BOX 7250
NEWPORT BEACH CA 92658-7250

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.545 CFS
PRIORITY DATE: 04/01/1940
POINT OF DIVERSION:

T03N R18E S20 SWNW Within BLAINE County
Water diverted from Headgate #22 delivered through Hiawatha Canal.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.545 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S29 SESE 16.00

16 ACRES TOTAL

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

SAVED & DEVELOPED RIGHT INDEPENDENT OF PRIORITY DATE.
P. U. IS TAX LOT #2424. BLAINE COUNTY.
RT. IS DELIVERED AS A FLOOD RIGHT BY WATERMASTER.
RT. IS FOR 27.27 INCHES OF WATER.



Idaho Department of Water Resources

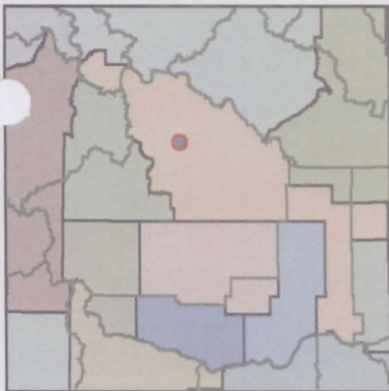
SRBA Recommendation:

37-919

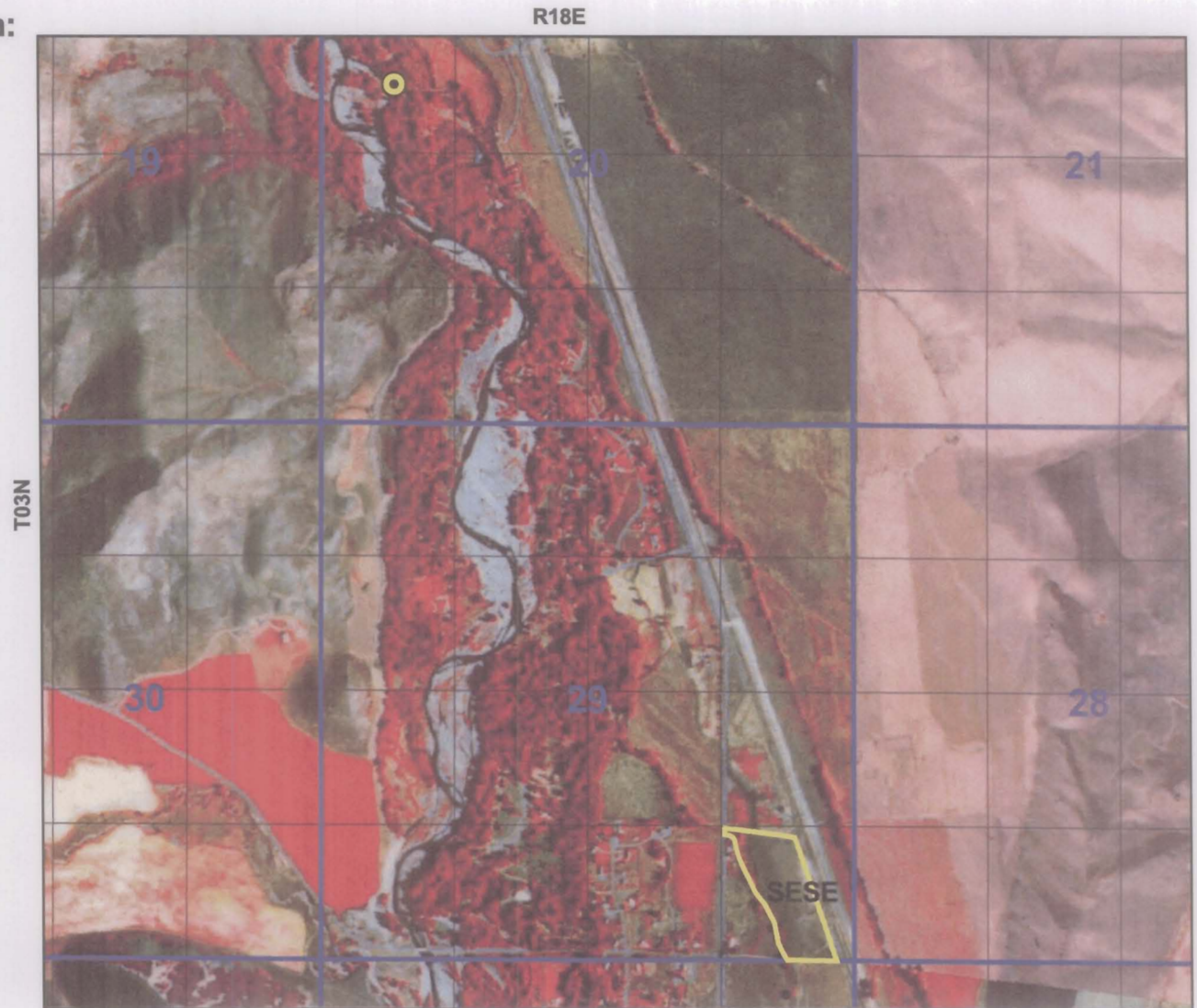
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.7 1.4 Miles

Prepared by E. Norques
On Tuesday, November 14, 2006
1987/88 Aerial Photography

37-919





Idaho Department of Water Resources

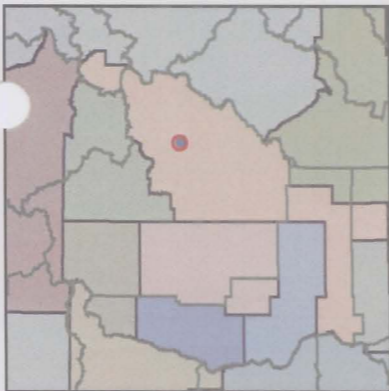
SRBA Recommendation:

37-919

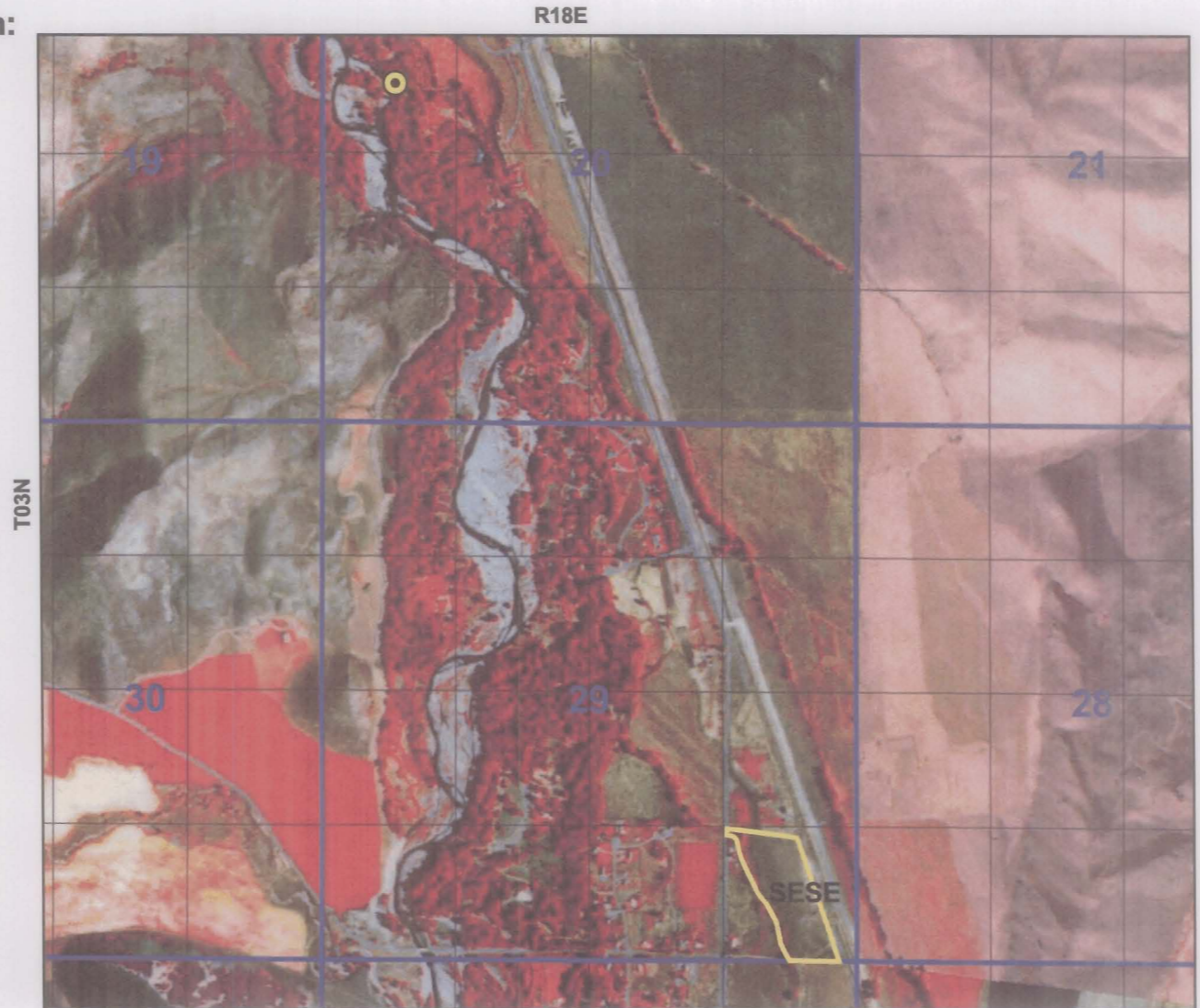
(Irrigation)

Legend

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



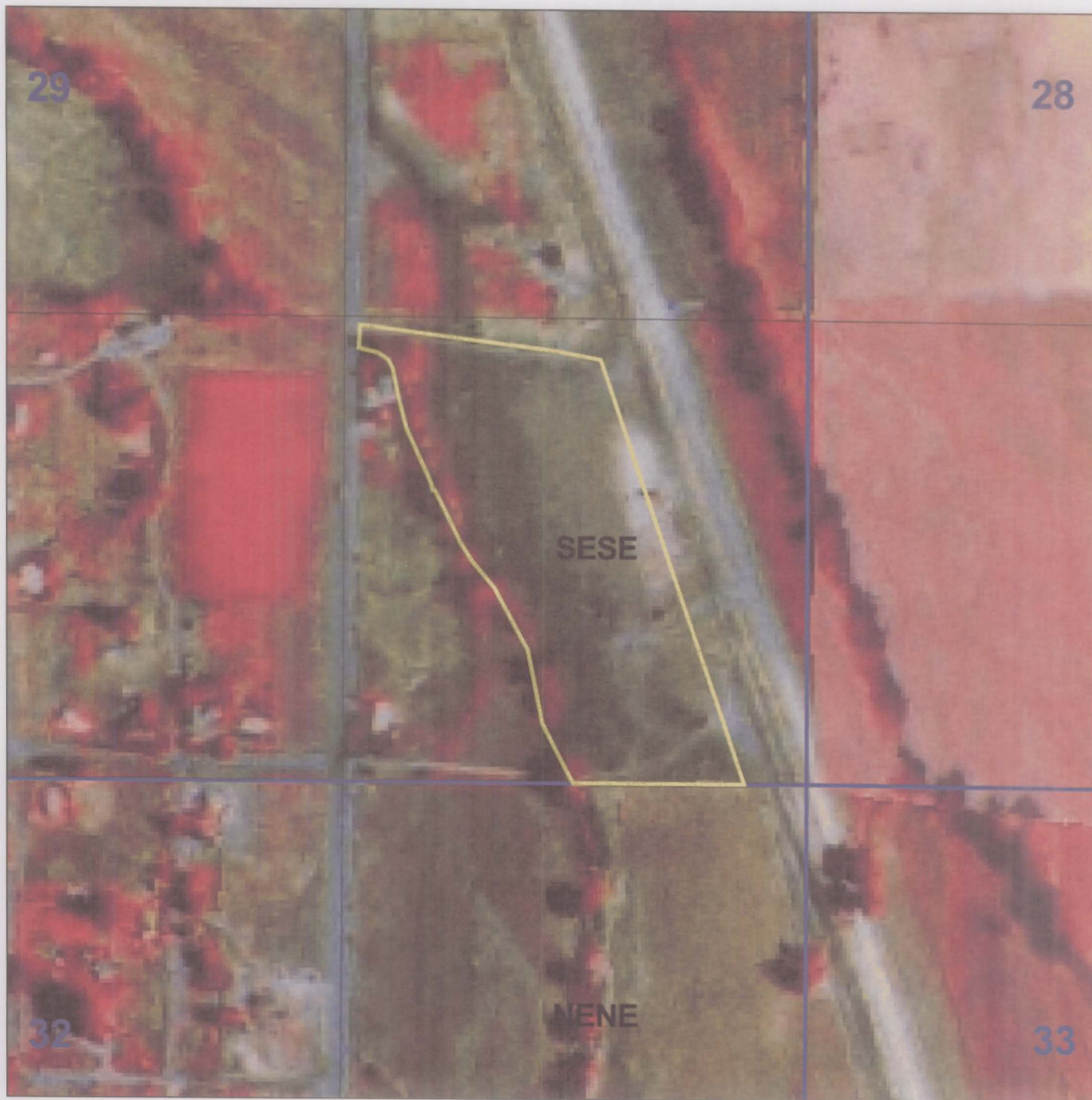
Blaine County
IDWR Basin 37



0 0.7 1.4 Miles

Prepared by E. Norques
On Tuesday, November 14, 2006
1987/88 Aerial Photography

37-919



IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 37-00919 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SIMPLLOT JACK 1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/01/1940 17 D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BIG WOOD RIVER MALAD RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

03N 18E 20 SW NW (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 0.545
43 - DOMESTIC

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.545

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

03N 18E 29 SE SE 01 IRRIGATION (13) BLAINE

Total Acres:

+ - - Diversion Means - HEADGATE #22 & HIAWATHA CANAL

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
SAVED & DEVELOPED RIGHT INDEPENDENT OF PRIORITY DATE.
P. U. IS TAX LOT #2424.
RT. IS DELIVERED AS A FLOOD RIGHT BY WATERMASTER.
RT. IS FOR 27.27 INCHES OF WATER.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

MICROFILMED
FEB 23 1993

Field Exam Fee	-
Swan Falls	-
Temporary Right	- P
DLE/Carey Act	-
Water District	- 37
Transfer/Amended	-

MICROFILMED
FEB 23 1993

Date: 4/4/89

Re: SRBA Claim

Application, filing fee and late fee of \$50.00

TO [Allen Merritt,
Department of Water Resources
Southern Region,
2148 4th Ave. East
Twin Falls, Idaho 83301]

Luboviski, Wygle & Fallon

Attorneys at Law

205 GIACOBBI ANNEX — P. O. BOX 142
KETCHUM, IDAHO 83347

MICROFILMED
FEB 25 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 16, 1989

Luboviski, Wyle & Fallowfield
P O Box 1172
205 Giacobbi Annex
Ketchum, ID 83340

RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim and your check # 873 for \$ 66⁰⁰ which you submitted to our office. I am returning these pursuant to Rule 10,4 of the Department's Adjudications Rules and Regulations. In checking your claim it appears that the following items need clarification:

- [] Item #2 Priority
- [] Item #4 Point of Diversion Legal Description
- [] Item #6 Uses descriptions
- [] Item #9 Description of Non-irrigation Uses
- [] Item #10 Place of Use Legal Description
- [] Item #16 Signature & Notorization
- [✓] Improper fee (THE CORRECT FEE IS \$ 116⁰⁰)
- [] Other or Remarks

Late fee

A Late fee is Due for all claims in Blaine County submitted after October 26th, 1988.

~~If you wish to continue to press your claim please find enclosed instructions and another claim form to use. If you will make the necessary corrections and return your claim with the correct fee and a copy of this letter within 30 DAYS of the date of this letter, your filing will be considered timely and will not be assessed an additional late fee of \$50.00.~~

Sincerely,

Allen Merritt
Allen Merritt, P.E.
Water Rights Supervisor

ADM:adm
Enclosures:

RECEIVED

APR 5 1989

Department of Water Resources
Southern Region Office

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FEB 23 1993