

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 37-894B
Date Received: 2/12/2007
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

*Amended Claim
Received - 9-30-09*

1. Name of Claimant(s)

BIG WOOD GOLF COURSE LLC Phone: (208)438-5678
PO BOX 87
SUN VALLEY ID USA 83353

2. Date of Priority: 09/01/1920

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
04N	17E	1	NW 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 FROM STORAGE	04/15	10/31	3.184	
RECREATION STORAGE	01/01	12/31		49.9
AESTHETIC STORAGE	01/01	12/31		49.9
DIVERSION TO STORAGE	04/15	10/31	3.184	

7. Total Quantity Appropriated is:
3.184 C.F.S.

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04S	17E	1	NE SE	IRRIGATION FROM STORAGE	1
			SE SE	IRRIGATION FROM STORAGE	23
			SE SE	RECREATION STORAGE	
			SE SE	AESTHETIC STORAGE	

						Section Acres	24
04S	17E	12	NE	NE		AESTHETIC STORAGE	
			NE	NE		RECREATION STORAGE	
			SE	NE		RECREATION STORAGE	
			SE	NE		AESTHETIC STORAGE	
			NE	SE		AESTHETIC STORAGE	
			NE	SE		RECREATION STORAGE	
			SE	SE		RECREATION STORAGE	
			SE	SE		AESTHETIC STORAGE	
			NE	NE		IRRIGATION FROM STORAGE	18
			SE	NE		IRRIGATION FROM STORAGE	14
			NE	SE		IRRIGATION FROM STORAGE	12
			SE	SE		IRRIGATION FROM STORAGE	9.2
						Section Acres	53.2
04S	18E	6	SW	SW	7	IRRIGATION FROM STORAGE	0.9
			SW	SW	7	RECREATION STORAGE	
			SW	SW	7	AESTHETIC STORAGE	
						Section Acres	0.9
04S	18E	7	SW	NW	2	RECREATION STORAGE	
			SW	NW	2	AESTHETIC STORAGE	
			NW	SW	3	IRRIGATION FROM STORAGE	4
			SW	SW	4	IRRIGATION FROM STORAGE	11
						Section Acres	15
						Total Acres	93.1

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:

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

SAVED & DEVELOPED RT. EXCLUSIVE OF PRIORITY DUE CONSTRUCTION OF BASELINE BYPASS CANAL.

TRANS. 1750.

ALSO SEE COMPLAINT IN CASE OF BEHRENS VS COFFIN, 9-21-1943.

This claim is renumbered from 37-892A to match the water right record 37-894B.

Amended claim received 9-30-2009

15. Basis of Claim: Decreed

Amended Claim

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 FORM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-894B

Date Received

Receipt Number

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

DISTRICT COURT - 5th JUDICIAL
TWIN FALLS CO. IDAHO
FILED
2009 SEP 30 PM 2 53

Please type or print clearly

1. Name of Claimant (s) Bigwood Golf Course, L.L.C. Phone 208-720-6589
Mailing Address P.O. Box 85, Paul, ID Zip 83347
2. Date of Priority (Only one (1) per claim) 9/1/1920
3. Source of water supply (a) Big Wood River
which is tributary to (b) Melad River
4. a. Location of existing point of diversion is: Township 04N Range 17E Section 1,
NE 1/4 of NW 1/4 of SE 1/4, Govt. Lot, B.M., County of Blaine County
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,
_____ 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. Existing headgates, ditches, pipes and pumps

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Storage for Rec & Aes purposes from 1/01 to 12/31 amount _____ or 49.9

For Diversion to Storage purposes from 4/15 to 10/31 amount 3.184 or _____

For Irrigation from Storage purposes from 4/15 to 10/31 amount 3.184 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.184 (cfs) and / or (b) _____ (acre feet)

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

9. Non-irrigation uses; described fully (e.g. Domestic: list number of households served; Stockwater: type and number of livestock, etc.) Diversion to storage and storage in irrigation pond and numerous small recreation / aesthetic ponds on golf course.

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
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
04S	17E	1													1			23	24
		12	18			14									12			9.2	53.2
04S	18E	6											0.9						0.9
		7										4	11						15
04S	17E	1																R,J	
		12	R,J			R,J									R,J			R,J	
04S	18E	6											R,J						
04S	18E	7							R,J										

Total number of acres irrigated 93.1

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

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

37-274, 37-276B, 37-158C and 37-894B

Or None ☐

14. Remarks:

93.1 acres have been historically irrigated according to IDWR. An accomplished transfer from irrigation to the ponds occurred prior to November 1987. Irrigation under this right will be reduced by 7.0 acres and limited to 86.1 acres within the 93.1-acre PPU to mitigate for the annual pond consumptive use.

Recreation & aesthetic place of use includes ponds located on Bigwood subdivision property that are part of the golf course system.

Last Name _____ Ident. No. _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree x

If applicable provide IDWR Water Right Number 37-894B

Court 4th Judicial Court in Lincoln County Case Number _____ Decree Date 8/28/1922

Plaintiff vs Defendant S.C. Frost, et al. vs Alturas Water Company, et al.

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) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Attorney in fact Title

Of Bigwood Golf Course, LLC Organization that I have signed the foregoing

Document in the space below as _____ of _____ Title Organization

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

Signature of Authorized Agent Laci Thompson

Title and Organization _____ Date _____

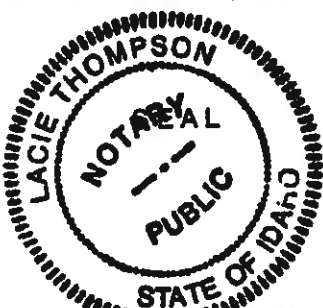
State of Idaho / or _____)
County of Blaine) ss.

Subscribed and sworn (or affirmed) before me this 30th day of Sept, 2009.

Notary Public Laci Thompson

Residing at Hailey

My Commission Expires 1/28/2014



Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

BIG WOOD GOLF COURSE

POND VOLUME CALCULATIONS

BROCKWAY ENGINEERING, PLLC.

ALR/CGB - SEPT 29, 2009

Volume calculated using formula $V = d/3 * (Asfc + Abot + \text{Sqrt}(Asfc * Abot))$

POND	Surface Area	Surface / bottom area		Max. Depth	Volume	
	(ac)	(ft2)	(ac)	(ft)	(ft3)	(ac-ft)
1	0.123	5358	0.123	6	17428	0.40
1		1019	0.023			
2	0.044	1899	0.044	5	3941	0.09
2		79	0.002			
3	2.445	106496	2.445	20	1385302	31.80
3		37828	0.868			
4	0.201	8769	0.201	3.5	24417	0.56
4		5326	0.122			
5	0.128	5583	0.128	4	13153	0.30
5		1443	0.033			
6	0.143	6243	0.143	5	16865	0.39
6		1172	0.000			
7	0.089	3898	0.089	5	9310	0.21
7		416	0.008			
8	1.161	50588	1.161	9.6	315973	7.25
8		17988	0.413			
9	0.203	8862	0.203	4.5	25815	0.59
9		3104	0.071			
10	0.206	8964	0.206	5.5	26464	0.61
10		1639	0.037			
11	0.013	575	0.013	4	766	0.02
11		0	0.000			
12	0.073	3195	0.073	4	4260	0.10
12		0	0.000			
13	0.075	3283	0.075	4	7299	0.17
13		688	0.016			
14	0.050	2192	0.050	4	6595	0.15
14		1160	0.018			
15	0.282	12289	0.282	6	51698	1.19
15		5408	0.124			
16	0.013	586	0.013	4	782	0.02
16		0	0.000			
17	0.029	1246	0.029	4.5	2001	0.05
17		6	0.000			
18	0.021	920	0.021	4	1532	0.04
18		39	0.001			
19	0.162	7042	0.162	5	20704	0.48
19		1810	0.042			
20	0.007	323	0.007	5	539	0.01
20		0	0.000			
21	0.022	963	0.022	5	1709	0.04
21		4	0.000			
22	0.014	617	0.014	5	1029	0.02
22		0	0.000			

POND	Surface Area	Surface / bottom area		Max. Depth	Volume	
	(ac)	(ft2)	(ac)	(ft)	(ft3)	(ac-ft)
23	0.166	7228	0.166	5	20213	0.46
23		1551	0.017			
24	0.116	5039	0.116	3.5	12019	0.28
24		2049	0.047			
25	0.142	6183	0.142	4.5	19676	0.45
25		2785	0.064			
26	0.250	10871	0.250	4.5	36561	0.84
26		5659	0.130			
27	0.168	7325	0.168	5	24988	0.57
27		2989	0.069			
28	0.156	6803	0.156	3	14049	0.32
28		2846	0.065			
29	0.155	6741	0.155	3	12336	0.28
29		1960	0.040			
30	0.442	19275	0.442	4	62136	1.43
30		12073	0.277			
31	0.145	6327	0.145	5	19284	0.44
31		1835	0.042			
32	0.152	6612	0.152	2.5	12634	0.29
32		3642	0.084			
33	0.048	2088	0.048	2.5	3103	0.07
33		557	0.000			
TOTALS	7.45				2174582	49.9

Big Wood Golf Course - Amended SRBA Claims **Calculation of Irrigated Area to be Removed for Pond Mitigation**

Brockway Engineering

GWS 9/22/2009

Rev CGB 9/29/09 per IDWR policy discussion

Crop: use Pdef seasonal. Pond: use Pdef annual, discounting the months with negative values.

Site is just north of Ketchum. Interpolate between the Hailey and Galena stations using the station elevation as a proxy.

Interpolation

Hailey Ranger Station

Elevation	5350 feet
Turf P _{def}	574 mm <i>found 514.1</i>
Open water shallow P _{def}	512 mm (not including negative months)

Golf Course - Interpolated between stations

Elevation	5893 feet
Turf P _{def}	508 mm
Open water shallow P _{def}	475 mm (not including negative months)

Galena Station

Elevation	7310 feet
Turf P _{def}	334 mm <i>found 382.2</i>
Open water shallow P _{def}	380 mm (not including negative months)

Irrigated Acres Removed for Ponds

	mm		acres		
Pond	475	x	7.45	=	11.6 AFA
	AFA		mm		
Dried Irrigation Acres	11.6	÷	508	=	7.0 Acres
	Acres		Acres		
Irrigable Acres	93.1	-	7.0	=	86.1 Acres

COPY

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2009 JUL 28 PM 1 36

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. 37-158C, 37-274, 37-276B,
) 37-892A, 37-894B, 37-4269
)
)

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING
)

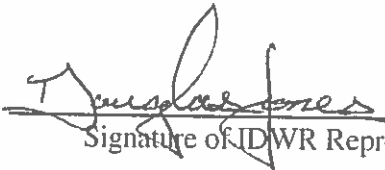
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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: 7/27/09


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 7-28, 2009, 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

Albert Barker
Barker Rosholt & Simpson
PO Box 2139
Boise ID 83301

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

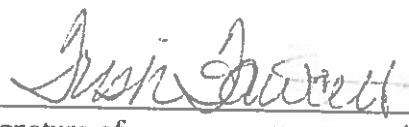
Scott Campbell
Moffatt Thomas Barrett Rock & Fields
PO Box 829
Boise ID 83701

Big Wood Golf Course LLC
PO Box 87
Sun Valley ID 83353

Craig Hobdey
Hobdey & Hobdey
PO Box 176
Gooding ID 83330

David Sellgren
c/o Elizabeth Bosted-Sellgren
PO Box 85
Paul ID 83347

Fritz Haemmerle
Haemmerle & Haemmerle PLLC
PO Box 1800
Hailey ID 83333



Signature of person or attorney mailing the form

06/30/2009

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

RIGHT NUMBER: 37-158C

NAME AND ADDRESS: BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 07/01/1881

POINT OF
DIVERSION:

T04N R17E S1 NENWSE 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	0.600 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T04N R17E S01 NESE 1.00	T04N R17E S01 SESE	23.00
	T04N R17E S12 NENE 18.00	T04N R17E S12 SENE	14.00
	T04N R17E S12 NESE 12.00	T04N R17E S12 SESE	9.20
	T04N R18E S06 Lot 7 SWSW 0.90	T04N R18E S07 Lot 3 NWSW	4.00
	T04N R18E S07 Lot 4 SWSW 11.00		

93.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 93.1 acres in a single irrigation season. Combined Right Nos.: 37-274, 37-276B, 37-158C and 37-894B.

This right is limited to the irrigation of 24 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

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

Water from all rights is comingled and distributed through one system to sprinkler irrigate golf course & common area within Big Wood Subd.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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.

06/30/2009

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

RIGHT NUMBER: 37-274

NAME AND ADDRESS: BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 06/01/1882

POINT OF
DIVERSION:

T04N R17E S1 NENWSE 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	0.800 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T04N R17E S01 NESE 1.00	T04N R17E S01 SESE	23.00
	T04N R17E S12 NENE 18.00	T04N R17E S12 SENE	14.00
	T04N R17E S12 NESE 12.00	T04N R17E S12 SESE	9.20
	T04N R18E S06 Lot 7 SWSW 0.90	T04N R18E S07 Lot 3 NWSW	4.00
	T04N R18E S07 Lot 4 SWSW 11.00		

93.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 93.1 acres in a single irrigation season. Combined Right Nos.: 37-274, 37-276B, 37-158C and 37-894B.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

06/30/2009

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

RIGHT NUMBER: 37-276B

NAME AND ADDRESS: BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3.680 CFS

PRIORITY DATE: 06/01/1885

POINT OF
DIVERSION:

T04N R17E S1 NENWSE 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	3.680 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T04N R17E S01 NESE 1.00	T04N R17E S01 SESE	23.00
	T04N R17E S12 NENE 18.00	T04N R17E S12 SENE	14.00
	T04N R17E S12 NESE 12.00	T04N R17E S12 SESE	9.20
	T04N R18E S06 Lot 7 SWSW 0.90	T04N R18E S07 Lot 3 NWSW	4.00
	T04N R18E S07 Lot 4 SWSW 11.00		

93.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 93.1 acres in a single irrigation season. Combined Right Nos.: 37-274, 37-276B, 37-158C and 37-894B.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

06/30/2009

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-892A	BIG WOOD GOLF COURSE LLC PO BOX 87 SUN VALLEY ID 83353	Disallowed	Recommended as Right No. 37-894B.

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

RIGHT NUMBER: 37-894B

NAME AND ADDRESS: BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3.184 CFS

PRIORITY DATE: 09/01/1920

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed/saved water in the Big Wood River, as established by and subject to the provisions included within In Re Upper Big Wood River Water Users Assn, et. al., plaintiff vs. S. H. Chapman, Watermaster, Defendant in the District Court of Lincoln County dated 8/28/1922.

POINT OF DIVERSION:

T04N R17E S1 NENWSE Within BLAINE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE		PERIOD OF USE		QUANTITY	
IRRIGATION		04/15	10/31	3.184 CFS	
PLACE OF USE: <u>IRRIGATION in BLAINE County</u>					
T04N R17E S01	NESE	1.00	T04N R17E S01	SESE	23.00
T04N R17E S12	NENE	18.00	T04N R17E S12	SENE	14.00
T04N R17E S12	NESE	12.00	T04N R17E S12	SESE	9.20
T04N R18E S06 Lot 7	SWSW	0.90	T04N R18E S07 Lot 3	NWSW	4.00
T04N R18E S07 Lot 4	SWSW	11.00			

93.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 93.1 acres in a single irrigation season. Combined Right Nos.: 37-274, 37-276B, 37-158C and 37-894B.

This right is limited to the irrigation of 90 acres within the place of use described above in a single irrigation season.

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

Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW1/4SE1/4SW1/4 Section 12, T1N, R18E. The amount of water deliverable under this right is proportionate to the prorata share of senior priority water (prior to 6/15/1883) deliverable in the Baseline Bypass and Extension Bypass system. This right is curtailed when all priority rights through the Baseline Bypass and Extension Bypass system are futile or not called for during the irrigation season.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

06/30/2009

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-4269	BIG WOOD GOLF COURSE LLC PO BOX 87 SUN VALLEY ID 83353	Disallowed	No lawful appropriation shown.

RECEIVED

MAY 07 2009

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

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
	37-158C	-			
	274	-			
	276B	-			
	892A	-			
	894B	-			
	4269	-			

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) or claim(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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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 OF PROPERTY** or **SURVEY MAP**.

3. ~ Name and Address of Former
Owner/Claimant(s)

David M. Sellgren
 PO Box 2810, Sun Valley, ID 83353
 Big Wood

4. New Owner/Claimant(s)

Golf Course LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

PO Box 87

City, State and ZIP Code

Sun Valley, ID 83353

New Telephone Number

(208) 438-5678 Email: rpost@earthlink.net
 720-6589

5. Date you acquired the property _____
6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if necessary). If your quantity of water is greater than a 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s) Bigwood Golf Course LLC
Elizabeth Prosted-Salgsen, member
 (title if applicable)

 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by J P Stanton
 Received by -
 Processed by _____ AJ

Date 5-7-09
 Date -
 Date _____

Receipt Amt. -
 Receipt No. -
 WR _____ Date _____



ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

00 FEB -3 AM 8:55

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is: Bigwood Golf Course, L.L.C.
2. The address of the initial registered office is: 291 W. 3rd Street, #16
Ketchum, ID 83340
- agent at that address is: David M. Sellgren and the name of the initial registered
3. The mailing address for future correspondence: P. O. Box 87, Sun Valley,
Idaho 83353

4. Management of the limited liability company will be vested in:

Manager(s) ☐ or Member(s) ☒ . (please check the appropriate box)

5. If management is to be vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is to be vested in the members, list the name(s) and address(es) of at least one initial member.

Name

Address

David M. Sellgren

P. O. Box 87, Sun Valley, ID 83353

6. Signature of at least one person responsible for forming the limited liability company:

David M. Sellgren

DAVID M. SELLGREN

IDAHO SECRETARY OF STATE

02/03/2000 09:00
CK: 1968 CT: 24249 BH: 287898

1 @ 100.00 = 100.00 ORGAN LLC # 2

W 11003

No. W 11003	Due no later than 2/28/2009 Annual Report Form		2. Registered Agent and Address (NO PO BOX)	
Return to: SECRETARY OF STATE 450 NORTH FOURTH STREET PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed.		ELIZABETH BOSTED-SELLGREN 291 W 3RD ST #16 KETCHUM ID 83340	
	BIGWOOD GOLF COURSE, L.L.C. ~~PO BOX 87~~ Box 85 SUN VALLEY ID 83353 PAUL ID 83347		3. New Registered Agent Signature:	
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.				
Office Held	Name	Street or PO Address	City	State Zip
Member	Elizabeth Bosted-Sellgren	Box 85	Paul	ID 83347
5. Organized Under the Laws of:		6. Annual Report must be signed.		
ID W 11003		Signature: <u>Elizabeth Bosted-Sellgren</u> Name (type or print): <u>Elizabeth Bosted-Sellgren</u>		Date: <u>3-12-09</u> Title: <u>Member</u>

Form 2/16/2000 by All R

700007000100

EXHIBIT A

LEGAL DESCRIPTION

Real property located in the City of Ketchum, County of Blaine, State of Idaho, as more particularly described as follows:

Block 11, 14, 16, and 18 of BIGWOOD P.U.D. LARGE BLOCK SUBDIVISION PLAT, according to the official plat thereof, recorded as Instrument No. 270981, records of Blaine County, Idaho

AND

Block 12A of BIGWOOD P.U.D. SUBDIVISION BLOCK 12A, according to the official plat thereof, recorded as Instrument No. 429493, records of Blaine County, Idaho

AND

Block 13, 17A, 17B, 21 and 22 of AMENDED BIGWOOD P.U.D. SUBDIVISION BLOCKS 4A-4D, 5, 7, 12, 13, 17A, 17B, 19, 21 and 22, according to the official plat thereof, recorded as Instrument No. 289785, records of Blaine County, Idaho

together with all appurtenances.

OPERATING AGREEMENT

THIS OPERATING AGREEMENT of BIGWOOD GOLF COURSE, L.L.C., an Idaho Limited Liability Company ("Company") organized pursuant to the Idaho Limited Liability Company Act ("Act") is made and entered into as of this 20 day of NOVEMBER, 2002 by and among the Company and DAVID M. SELLGREN and WILLIAM A. SELLGREN (collectively "Members").

WHEREAS, the Members have organized the Company as an Idaho Limited Liability Company by filing Articles of Organization with the Secretary of State of Idaho, which were accepted by the Secretary of State of Idaho on February 3, 2000.

WHEREAS, the Members desire to enter into this Operating Agreement to set forth the duties, obligations, rights and agreements of the Members as to the conduct and business of the Company.

NOW, THEREFORE, the Members, intending to be bound, hereby agree as follows:

I. NAME AND ORGANIZATION OF COMPANY.

1.1 Name. The name of the Company is BIGWOOD GOLF COURSE, L.L.C. and all business of the Company shall be conducted under that name or under any other name, but in any case, only to the extent permitted by applicable law.

1.2 Principal Office. The principal office of the Company shall be located at 291 W. 3rd Street, #16, Ketchum, Idaho 83340.

1.3 Term. The Company shall be dissolved and its affairs wound up in accordance with the Act and this Operating Agreement on December 31, 2050, unless sooner dissolved in accordance with the Act or this Operating Agreement.

II. NATURE OF BUSINESS

The Company is formed to engage in the operation of a public golf course known as the Bigwood Golf Course. The Company shall have the authority to do all things necessary or convenient to accomplish its purpose and operate its business as described herein.

(g) Substitute Member. An Assignee who has been admitted to all of the rights of membership pursuant to the Operating Agreement.

IN WITNESS WHEREOF, this Operating Agreement is executed as of the day and year above written.

BIGWOOD GOLF COURSE, L.L.C.
an Idaho limited liability company

David M. Sellgren
By: David M. Sellgren
Its: Member

David M. Sellgren
DAVID M. SELLGREN

William A. Sellgren
WILLIAM A. SELLGREN

EXHIBIT A

CAPITAL ACCOUNT AND OWNERSHIP INTEREST SCHEDULE

<u>Name</u>	<u>Initial Capital Contribution</u>	<u>Ownership Interest</u>
David M. Sellgren P. O. Box 87 Sun Valley, ID 83353	75% of real property known as Bigwood Golf Course	75%
William A. Sellgren 12806 Harney Street Omaha, NE 68154	25% of real property known as Bigwood Golf Course	25%

STATE OF IDAHO
CERTIFICATION OF VITAL RECORDS

STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF HEALTH POLICY AND VITAL STATISTICS
CERTIFICATE OF DEATH

Date Filed DECEMBER 22, 2005

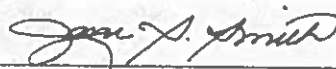
State File No. 2005-09861

DECEDENT - LEGAL NAME DAVID MONROE SELLGREN			
SEX MALE	SOCIAL SECURITY NUMBER [REDACTED]	AGE 76 YEARS	DATE OF BIRTH NOVEMBER 21, 1929
BIRTHPLACE BEVERLY HILLS, CALIFORNIA		PLACE OF RESIDENCE TWIN FALLS, IDAHO	
MARITAL STATUS AT TIME OF DEATH MARRIED		NAME OF SURVIVING SPOUSE (if wife, maiden name) ELIZABETH RICHTER	WAS DECEDENT EVER IN U.S. ARMED FORCES? YES
FATHER - NAME ARTHUR SELLGREN			BIRTHPLACE UNKNOWN/NOT STATED
MOTHER - MAIDEN NAME FERN LOCKHART			BIRTHPLACE UNKNOWN/NOT STATED
METHOD OF DISPOSITION CREMATION		FUNERAL SERVICE LICENSEE LEWIS A. LENKER	
NAME AND ADDRESS OF FUNERAL FACILITY WHITE MORTUARY, INC., TWIN FALLS, IDAHO			
DATE OF DEATH DEC. 15, 2005	TIME OF DEATH 5:10 P.M.	CITY, TOWN OR LOCATION OF DEATH KIMBERLY, IDAHO	COUNTY OF DEATH TWIN FALLS
CAUSE OF DEATH (underlying cause last) a. ALZHEIMERS DEMENTIA			Approximate Interval Between Onset and Death 6 MONTHS
b. DUE TO (or as a consequence of):			
c. DUE TO (or as a consequence of):			
d. DUE TO (or as a consequence of):			
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above NONE STATED			WAS AN AUTOPSY PERFORMED? NO
MANNER OF DEATH NATURAL		NAME OF CERTIFIER MATTHEW JOLLEY, M.D.	TITLE PHYSICIAN
CORONER SUBSEQUENT CERTIFICATION IF NECESSARY			
EXTERNAL CAUSES ONLY			
DATE OF INJURY	TIME OF INJURY	PLACE OF INJURY	INJURY AT WORK?
LOCATION WHERE INJURY OCCURRED			
DESCRIPTION OF HOW INJURY OCCURRED			

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF HEALTH POLICY AND VITAL STATISTICS

DATE ISSUED: DECEMBER 23, 2005

This copy not valid unless prepared on engraved border displaying state seal and signature of the Registrar.


JANE S. SMITH
STATE REGISTRAR



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 37-894B
Date Received: 2/12/2007
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DAVID M SELLGREN Phone: (208) 726-8071

PO BOX 2810
SUN VALLEY ID USA 83353

*Re-numbered from
37-892A*

2. Date of Priority: 09/01/1920

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
04N	17E	1	NW 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	04/01	11/01	3.184	
AESTHETIC	04/01	11/01	3.184	

7. Total Quantity Appropriated is:
3.184 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
04N	17E	1	SE	SE	IRRIGATION	17	
			SE	SE	AESTHETIC		
						Section Acres	17
04N	17E	12	NE	NE	AESTHETIC	29	
			SE	NE	AESTHETIC		
			NE	SE	AESTHETIC		
			NE	NE	IRRIGATION		
			SE	NE	IRRIGATION		
			NE	SE	IRRIGATION		
			SE	SE	IRRIGATION		
						Section Acres	71
04N	18E	7	NW	SW	IRRIGATION	1.5	
			SW	SW	IRRIGATION	6.5	
						Section Acres	8
						Total Acres	96

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

SAVED & DEVELOPED RT. EXCLUSIVE OF PRIORITY DUE CONSTRUCTION OF BASELINE BYPASS CANAL.

TRANS. 1750.

ALSO SEE COMPLAINT IN CASE OF BEHRENS VS COFFIN, 9-21-1943.

This claim is renumbered from 37-892A to match the water right record 37-894B.

15. Basis of Claim: Decreed

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

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

08/31/2010

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

RIGHT NUMBER: 37-894B

NAME AND ADDRESS: BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY ID 83353

VERIFIED BY KKC
8-31-10

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3.180 CFS
~~165.00~~ 349.9 AFY

Right Nos. 37-158C, 37-274, 37-276B and 37-894B are limited to a total combined annual diversion volume of ~~428.4~~ 349.9 AF.

~~Right Nos. 37-158C, 37-274, 37-276B and 37-894B are limited to a total combined annual diversion volume for irrigation storage and irrigation from storage of 428.5 AF.~~

~~Right Nos. 37-158C, 37-274, 37-276B and 37-894B are limited to a total combined annual diversion volume for aesthetic storage and recreation storage of 49.9 AF.~~

Storage capacity 49.9 AF.

PRIORITY DATE: 09/01/1920

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed/saved water in the Big Wood River, as established by and subject to the provisions included within In Re Upper Big Wood River Water Users Assn, et. al., plaintiff vs. S. H. Chapman, Watermaster, Defendant in the District Court of Lincoln County dated 8/28/1922.

POINT OF
DIVERSION:

T04N R17E S1 NENWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
RECREATION STORAGE	01/01 12/31	~~17.2~~ <u>49.90</u> AFY
IRRIGATION STORAGE	04/15 10/31	31.80 AFY
IRRIGATION FROM STORAGE	04/15 10/31	~~147.8~~ <u>300.00</u> AFY
AESTHETIC STORAGE	01/01 12/31	~~17.2~~ <u>49.90</u> AFY
DIVERSION TO STORAGE	04/15 10/31	3.180 CFS

PLACE OF USE: IRRIGATION STORAGE in BLAINE County

T04N R17E S01 SESE

IRRIGATION FROM STORAGE in BLAINE County

T04N R17E S01	NESE	1.00	T04N R17E S01	SESE	19.00
T04N R17E S12	NENE	17.00	T04N R17E S12	SENE	13.00
T04N R17E S12	NESE	11.00	T04N R17E S12	SESE	9.00
T04N R18E S06 Lot 7 SWSW		0.70	T04N R18E S07 Lot 3 NWSW		4.00
T04N R18E S07 Lot 4 SWSW		11.00			

RECREATION STORAGE in BLAINE County

T04N R17E S01	SESE	T04N R17E S12	NENE
T04N R17E S12	SENE	T04N R17E S12	NESE

T04N R17E S12	SESE	T04N R18E S06 Lot 7	SWSW
T04N R18E S07 Lot 2	SWNW		
<u>AESTHETIC STORAGE in BLAINE County</u>			
T04N R17E S01	SESE	T04N R17E S12	NENE
T04N R17E S12	SENE	T04N R17E S12	NESE
T04N R17E S12	SESE	T04N R18E S06 Lot 7	SWSW
T04N R18E S07 Lot 2	SWNW		

85.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 85.7 acres in a single irrigation season. Combined Right Nos.: 37-274, 37-276B, 37-158C and 37-894B.

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.

Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW1/4SE1/4SW1/4 Section 12, T1N, R18E. The amount of water deliverable under this right is proportionate to the prorata share of senior priority water (prior to 6/15/1883) deliverable in the Baseline Bypass and Extension Bypass system. This right is curtailed when all priority rights through the Baseline Bypass and Extension Bypass system are futile or not called for during the irrigation season.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Water from all rights is comingled and distributed through one system to sprinkler irrigate golf course & common area within Big Wood Subd.

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

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

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.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

07/23/2010

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

RIGHT NUMBER: 37-894B

NAME AND ADDRESS: BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3.180 CFS
165.000 AFY

Storage capacity 49.9 AF.

Right Nos. 37-158C, 37-274, 37-276B and 37-894B are limited to a total combined annual diversion volume of 349.9 AF.

PRIORITY DATE: 09/01/1920

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed/saved water in the Big Wood River, as established by and subject to the provisions included within In Re Upper Big Wood River Water Users Assn, et. al., plaintiff vs. S. H. Chapman, Watermaster, Defendant in the District Court of Lincoln County dated 8/28/1922.

POINT OF DIVERSION:

T04N R17E S1 NENWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	01/01 12/31	49.90 AFY
IRRIGATION STORAGE	04/15 10/31	31.80 AFY
IRRIGATION FROM STORAGE	04/15 10/31	300.00 AFY
AESTHETIC STORAGE	01/01 12/31	49.90 AFY
DIVERSION TO STORAGE	04/15 10/31	3.180 CFS

PLACE OF USE: IRRIGATION STORAGE in BLAINE County

T04N R17E S01 SESE

IRRIGATION FROM STORAGE in BLAINE County

T04N R17E S01	NESE	1.00	T04N R17E S01	SESE	19.00
T04N R17E S12	NENE	17.00	T04N R17E S12	SENE	13.00
T04N R17E S12	NESE	11.00	T04N R17E S12	SESE	9.00
T04N R18E S06 Lot 7 SWSW		0.70	T04N R18E S07 Lot 3 NWSW		4.00
T04N R18E S07 Lot 4 SWSW		11.00			

RECREATION STORAGE in BLAINE County

T04N R17E S01	SESE	T04N R17E S12	NENE
---------------	------	---------------	------

T04N R17E S12	SENE	T04N R17E S12	NESE
T04N R17E S12	SESE	T04N R18E S06 Lot 7	SWSW
T04N R18E S07 Lot 2 SWNW			

AESTHETIC STORAGE in BLAINE County

T04N R17E S01	SESE	T04N R17E S12	NENE
T04N R17E S12	SENE	T04N R17E S12	NESE
T04N R17E S12	SESE	T04N R18E S06 Lot 7	SWSW
T04N R18E S07 Lot 2 SWNW			

85.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 85.7 acres in a single irrigation season. Combined Right Nos.: 37-274, 37-276B, 37-158C and 37-894B.

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.

Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW1/4SE1/4SW1/4 Section 12, T1N, R18E. The amount of water deliverable under this right is proportionate to the prorata share of senior priority water (prior to 6/15/1883) deliverable in the Baseline Bypass and Extension Bypass system. This right is curtailed when all priority rights through the Baseline Bypass and Extension Bypass system are futile or not called for during the irrigation season.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Water from all rights is comingled and distributed through one system to sprinkler irrigate golf course & common area within Big Wood Subd.

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

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

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.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

02/25/2010

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

RIGHT NUMBER: 37-894B

NAME AND ADDRESS: BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3.180 CFS
165 AFY

Right Nos. 37-158C, 37-274, 37-276B and 37-894B are limited to a total combined annual diversion volume of 478.4 AF.

Right Nos. 37-158C, 37-274, 37-276B and 37-894B are limited to a total combined annual diversion volume for irrigation storage and irrigation from storage of 428.5 AF.

Right Nos. 37-158C, 37-274, 37-276B and 37-894B are limited to a total combined annual diversion volume for aesthetic storage and recreation storage of 49.9 AF.

Storage capacity 49.9 AF.

PRIORITY DATE: 09/01/1920

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed/saved water in the Big Wood River, as established by and subject to the provisions included within In Re Upper Big Wood River Water Users Assn, et. al., plaintiff vs. S. H. Chapman, Watermaster, Defendant in the District Court of Lincoln County dated 8/28/1922.

POINT OF DIVERSION:

T04N R17E S1 NENWSE Within BLAINE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	04/15 10/31	31.80 AFY
IRRIGATION FROM STORAGE	04/15 10/31	147.8 AFY
AESTHETIC STORAGE	01/01 12/31	17.2 AFY
RECREATION STORAGE	01/01 12/31	17.2 AFY
DIVERSION TO STORAGE	04/15 10/31	3.180 CFS

Now was 71.2 OK. 500.0 49.9 49.9 OK.

PLACE OF USE: IRRIGATION STORAGE in BLAINE County

T04N R17E S01 SESE

IRRIGATION FROM STORAGE in BLAINE County

T04N R17E S01	NESE	1.00	T04N R17E S01	SESE	19.00
T04N R17E S12	NENE	17.00	T04N R17E S12	SENE	13.00
T04N R17E S12	NESE	11.00	T04N R17E S12	SESE	9.00
T04N R18E S06 Lot 7 SWSW		0.70	T04N R18E S07 Lot 3 NWSW		4.00
T04N R18E S07 Lot 4 SWSW		11.00			

AESTHETIC STORAGE in BLAINE County

T04N R17E S01	SESE	T04N R17E S12	NENE
T04N R17E S12	SENE	T04N R17E S12	NESE
T04N R17E S12	SESE	T04N R18E S06 Lot 7 SWSW	
T04N R18E S07 Lot 2 SWSW			

ADR
2-25-10

RECREATION STORAGE in BLAINE County

T04N R17E S01	SESE	T04N R17E S12	NENE
T04N R17E S12	SENE	T04N R17E S12	NESE
T04N R17E S12	SESE	T04N R18E S06 Lot 7	SWSW
T04N R18E S07 Lot 2	SNNW		

85.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 85.7 acres in a single irrigation season. Combined Right Nos.: 37-158C, 37-274, 37-276B and 37-894B.

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.

Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW1/4SE11/4SW1/4 Section 12, T1N, R18E. The amount of water deliverable under this right is proportionate to the pro rata share of senior priority water (prior to 6/15/1883) deliverable in the Baseline Bypass and Extension Bypass system. This right is curtailed when all priority rights through the Baseline Bypass and Extension Bypass system are futile or not called for during the irrigation season.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Water from all rights is comingled and distributed through one system to sprinkler irrigate golf course & common area within Big Wood Subd.

Right includes accomplished change in nature of use pursuant to Section 42-1425, Idaho Code.

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

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.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

02/24/2010

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

RIGHT NUMBER: 37-158C

WORK Sheet

NAME AND ADDRESS: BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.600 CFS
60.0 AFY

85.7ac
*5 AFA
428.5
+49.9
478.4 AF

- 1 Right Nos. 37-158C, 37-274, 37-276B and 37-894B are limited to a total combined annual diversion volume of 478.4 AF.
- 2 Right Nos. 37-158C, 37-274, 37-276B and 37-894B are limited to a total combined annual diversion volume for irrigation storage and irrigation from storage of 428.5 AF.
- 3 Right Nos. 37-158C, 37-274, 37-276B and 37-894B are limited to a total combined annual diversion volume for aesthetic storage and recreation storage of 49.9 AF.

Storage capacity 49.9 AF.

PRIORITY DATE: 07/01/1881

POINT OF
DIVERSION:

T04N R17E S1 NENWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION FROM STORAGE	04/15 10/31	53.7 AFY
RECREATION STORAGE	01/01 12/31	6.3 AFY
AESTHETIC STORAGE	01/01 12/31	6.3 AFY
DIVERSION TO STORAGE	04/15 10/31	0.600 CFS
IRRIGATION STORAGE	04/15 10/31	31.8 AFY

PLACE OF USE: IRRIGATION STORAGE in BLAINE County

T04N R17E S01 SESE

IRRIGATION FROM STORAGE in BLAINE County

T04N R17E S01	NESE	1.00	T04N R17E S01	SESE	19.00
T04N R17E S12	NENE	17.00	T04N R17E S12	SENE	13.00
T04N R17E S12	NESE	11.00	T04N R17E S12	SESE	9.00
T04N R18E S06 Lot 7 SWSW		0.70	T04N R18E S07 Lot 3 NWSW		4.00
T04N R18E S07 Lot 4 SWSW		11.00			

AESTHETIC STORAGE in BLAINE County

T04N R17E S01	SESE	T04N R17E S12	NENE
T04N R17E S12	SENE	T04N R17E S12	NESE
T04N R17E S12	SESE	T04N R18E S06 Lot 7 SWSW	
T04N R18E S07 Lot 2 SWNW			

RECREATION STORAGE in BLAINE County

T04N R17E S01	SESE	T04N R17E S12	NENE
T04N R17E S12	SENE	T04N R17E S12	NESE

T04N R17E S12

SESE

T04N R18E S06 Lot 7 SWSW

T04N R18E S07 Lot 2 SWNW

85.7 ACRES TOTAL

This right is limited to the irrigation of 24 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 85.7 acres in a single irrigation season. Combined Right Nos.: 37-274, 37-276B, 37-158C and 37-894B.

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.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Water from all rights is comingled and distributed through one system to sprinkler irrigate golf course & common area within Big Wood Subd.

Right includes accomplished change in nature of use pursuant to Section 42-1425, Idaho Code.

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

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

02/24/2010

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

RIGHT NUMBER: 37-894B

NAME AND ADDRESS: BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY ID 83353

VERIFIED BY: *ADR*
KKe
2-25-10

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3.180 CFS
165 AFY

Right Nos. 37-158C, 37-274, 37-276B and 37-894B are limited to a total combined annual diversion volume of 478.4 AF.

Right Nos. 37-158C, 37-274, 37-276B and 37-894B are limited to a total combined annual diversion volume for irrigation storage and irrigation from storage of 428.5 AF.

Right Nos. 37-158C, 37-274, 37-276B and 37-894B are limited to a total combined annual diversion volume for aesthetic storage and recreation storage of 49.9 AF.

Storage capacity 49.9 AF.

PRIORITY DATE: 09/01/1920

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed/saved water in the Big Wood River, as established by and subject to the provisions included within In Re Upper Big Wood River Water Users Assn, et. al., plaintiff vs. S. H. Chapman, Watermaster, Defendant in the District Court of Lincoln County dated 8/28/1922.

POINT OF
DIVERSION:

T04N R17E S1 NENWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	04/15 10/31	31.80 AFY
IRRIGATION FROM STORAGE	04/15 10/31	147.8 AFY
AESTHETIC STORAGE	01/01 12/31	17.2 AFY
RECREATION STORAGE	01/01 12/31	17.2 AFY
DIVERSION TO STORAGE	04/15 10/31	3.180 CFS

PLACE OF USE: IRRIGATION STORAGE in BLAINE County

T04N R17E S01 SESE

IRRIGATION FROM STORAGE in BLAINE County

T04N R17E S01	NESE	1.00	T04N R17E S01	SESE	19.00
T04N R17E S12	NENE	17.00	T04N R17E S12	SENE	13.00
T04N R17E S12	NESE	11.00	T04N R17E S12	SESE	9.00
T04N R18E S06 Lot 7 SWSW	0.70		T04N R18E S07 Lot 3 NWSW		4.00
T04N R18E S07 Lot 4 SWSW	11.00				

AESTHETIC STORAGE in BLAINE County

T04N R17E S01	SESE	T04N R17E S12	NENE
T04N R17E S12	SENE	T04N R17E S12	NESE
T04N R17E S12	SESE	T04N R18E S06 Lot 7 SWSW	

T04N R18E S07 Lot 2 SWNW

RECREATION STORAGE in BLAINE County

T04N R17E S01	SESE	T04N R17E S12	NENE
T04N R17E S12	SENE	T04N R17E S12	NESE
T04N R17E S12	SESE	T04N R18E S06 Lot 7	SWSW
T04N R18E S07 Lot 2	SWNW		

85.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 85.7 acres in a single irrigation season. Combined Right Nos.: 37-274, 37-276B, 37-158C and 37-894B.

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.

Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW1/4SE1/4SW1/4 Section 12, T1N, R18E. The amount of water deliverable under this right is proportionate to the pro rata share of senior priority water (prior to 6/15/1883) deliverable in the Baseline Bypass and Extension Bypass system. This right is curtailed when all priority rights through the Baseline Bypass and Extension Bypass system are futile or not called for during the irrigation season.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Water from all rights is comingled and distributed through one system to sprinkler irrigate golf course & common area within Big Wood Subd.

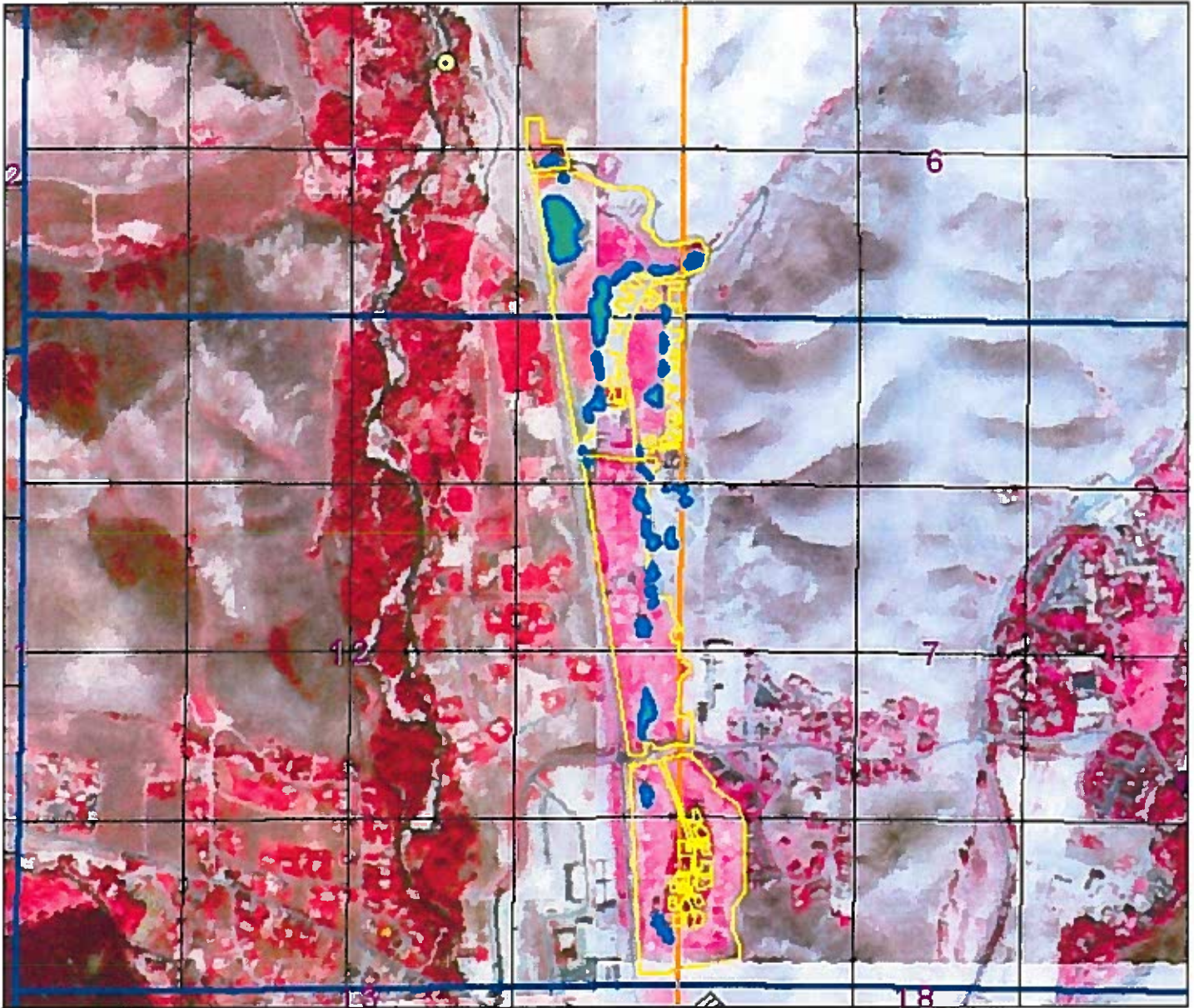
Right includes accomplished change in nature of use pursuant to Section 42-1425, Idaho Code.

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

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.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

RECOMMENDED PLACE OF USE FOR 37-158C, 37-274, 37-276B and 37-894B



PLACE OF USE
TWP 04N, RNG 17E, SEC 1 and 12
TWP 04N, RNG 18E, SEC 6 and 7
Data Entry on February 26, 2010

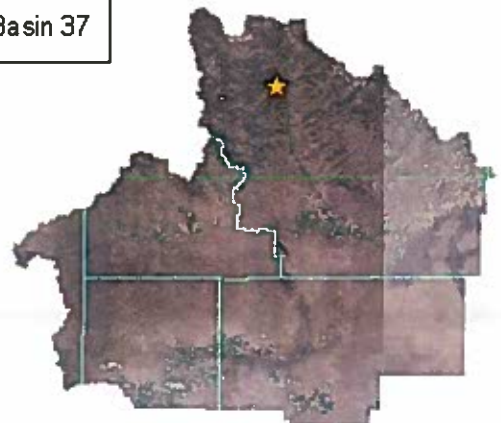
★ LOCATION IN BASIN

- Recommended pond storage
- Recommended point of diversion
- Recommended place of use
- Township lines
- Section lines
- Quarter/quarter lines

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP PHOTOGRAPHY
BY KELLY K CHRISTENSEN



Basin 37



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-894B V1

WATER RIGHT NUMBER: 37-894B V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MUTUAL WOOD RIVER WATER USERS ASSN , ID
Original Owner	BIG WOOD CANAL CO 112 S APPLE ST SHOSHONE, ID 83352 (208)886-2331
Directors Report Owner	DAVID M SELLGREN PO BOX 2810 SUN VALLEY, ID 83353 (208)726-8071
Original Owner	SPRENGER LAND INVESTMENT INC PO BOX 249 SUN VALLEY, ID 83353
Current Owner	BIG WOOD GOLF COURSE LLC PO BOX 87 SUN VALLEY, ID 83353 (208)438-5678

Priority Date: 09/01/1920

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	3.184 CFS	
	Total Diversion:	3.184 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER NE1/4NW1/4SE1/4 Sec. 1, Twp 04N, Rge 17E, B.M.
BLAINE County

Place of Use

IRRIGATION

Twp	Rge	Sec	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
04N	17E	1													1.0			23.0	24.0
04N	17E	12	18.0			14.0									12.0			9.2	53.2
04N	18E	6										.9 L 7							.9

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-894B V1

04N 18E 7				4.0	11.0			15.0
				L 3	L 4			

Total Acres: 93.1

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. E56 The rights listed below are limited to the irrigation of a combined total of 93.1 acres in a single irrigation season. Combined Right Nos.: 37-274, 37-276B, 37-158C and 37-894B.
3. 157 Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed/saved water in the Big Wood River, as established by and subject to the provisions included within In Re Upper Big Wood River Water Users Assn, et. al., plaintiff vs. S. H. Chapman, Watermaster, Defendant in the District Court of Lincoln County dated 8/28/1922.
4. Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW1/4SE1/4SW1/4 Section 12, T1N, R18E. The amount of water deliverable under this right is proportionate to the prorata share of senior priority water (prior to 6/15/1883) deliverable in the Baseline Bypass and Extension Bypass system. This right is curtailed when all priority rights through the Baseline Bypass and Extension Bypass system are futile or not called for during the irrigation season.
5. K06 This right is limited to the irrigation of 90 acres within the place of use described above in a single irrigation season.
6. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

Comments:

SubCase:

SubCase Number: 37-894B
 Class: 1
 SF5 Filed Date:
 Special Master Recom Signed Date:
 Attorney Assigned:
 Adjudication Agent: Allen Merritt
 Basis of Claim: Decreed
 Date Filed: 7/24/2009 Objection Status: Active

Water Supply Bank:



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

July 28, 2009

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY ID 83353

RE: SRBA Claim(s) 37-158C, 37-274, 37-276B, 37-892A,
37-894B, 37-4269

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

cc: David Sellgren
Haemmerle & Haemmerle PLLC
Barker Rosholt & Simpson
Moffatt Thomas Barrett Rock & Fields
Hobdey & Hobdey



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

SOUTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 13, 2007

David Sellgren
PO Box 2810
Sun Valley, ID 83353

RE: SRBA Recommendations 37-892A, 37-894B, 37-158C, 37-274 and 37-276B

Dear Mr. Sellgren:

The Department has re-evaluated the recommendations created earlier this year for your claims filed in the Snake River Basin Adjudication.

Please find enclosed the most current recommendations referenced above.

To summarize changes to the recommendations:

- Your claim 37-892A is being recognized as right 37-894B.
- The point of diversion is now being described in the NENWSE of S1, T4N, R17E based on field review of the point of diversion.
- The total acres irrigated is found to be 93.1 acres with distribution of the acres within the tracts listed within the shape shown on the enclosed map.
- Appropriate acre limits have been applied for the various rights.
- The season of use is applied uniformly for the area served.

The Department plans to recommend the rights as described in the enclosed recommendations to the SRBA court within the next few days. If you find these recommendations in error we look forward to working with you during the objection period once these recommendations have been filed with the court. If you have questions please feel free to contact this office.

Respectfully,

Allen Merritt, PE
Southern Region Manager

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-894B

WATER RIGHT NUMBER: 37-894B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SPRENGER LAND INVESTMENT INC PO BOX 249 SUN VALLEY, ID 83353
Original Owner	MUTUAL WOOD RIVER WATER USERS ASSN , ID
Original Owner	BIG WOOD CANAL CO 112 S APPLE ST SHOSHONE, ID 83352 (208)886-2331

Priority Date: 09/01/1920

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	3.184 CFS	
	<u>Total Diversion:</u>	3.184 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	NW1/4SE1/4	Sec. 1, Twp 04N, Rge 17E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	17E	12													40.0			40.0	80.0
04N	18E	7											3.0	7.0					10.0
													L 3	L 4					

Total Acres: 90

Conditions of Approval:

1. SAVED & DEVELOPED RT. EXCLUSIVE OF PRIORITY DUE CONSTRUCTION OF BASELINE BYPASS CANAL.
TRANS. 1750.
ALSO SEE COMPLAINT IN CASE OF BEHRENS VS COFFIN, 9-21-1943.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-894B

2. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Remarks:

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 8/28/1922
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: S H Chapman
Decree Plaintiff: Upper Wood River Water Users Assn
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

02/12/2007

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

RIGHT NUMBER: 37-894B

NAME AND ADDRESS: DAVID M SELLGREN
PO BOX 2810
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3.184 CFS

PRIORITY DATE: 09/01/1920

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed/saved water in the Big Wood River, as established by and subject to the provisions included within In Re Upper Big Wood River Water Users Assn, et. al., plaintiff vs. S. H. Chapman, Watermaster, Defendant in the District Court of Lincoln County dated 8/28/1922.

POINT OF DIVERSION:

T04N R17E S1 NENWSE 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	3.184 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R17E S01	NESE	1.00	T04N R17E S01	SESE	23.00
T04N R17E S12	NENE	18.00	T04N R17E S12	SENE	14.00
T04N R17E S12	NESE	12.00	T04N R17E S12	SESE	9.20
T04N R18E S06 Lot 7 SWSW		0.90	T04N R18E S07 Lot 3 NWSW		4.00
T04N R18E S07 Lot 4 SWSW		11.00			

93.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 93.1 acres in a single irrigation season. Combined Right Nos.: 37-274, 37-276B, 37-158C and 37-894B.

This right is limited to the irrigation of 90 acres within the place of use described above in a single irrigation season.

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

Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the

NW1/4SE1/4SW1/4 Section 12, T1N, R18E. The amount of water deliverable under this right is proportionate to the prorata share of senior priority water (prior to 6/15/1883) deliverable in the Baseline Bypass and Extension Bypass system. This right is curtailed when all priority rights through the Baseline Bypass and Extension Bypass system are futile or not called for during the irrigation season.

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.

02/12/2007

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section
42-1425, Idaho Code.



Idaho Department of Water Resources

SRBA Recommendation:

37-894B

(Irrigation)

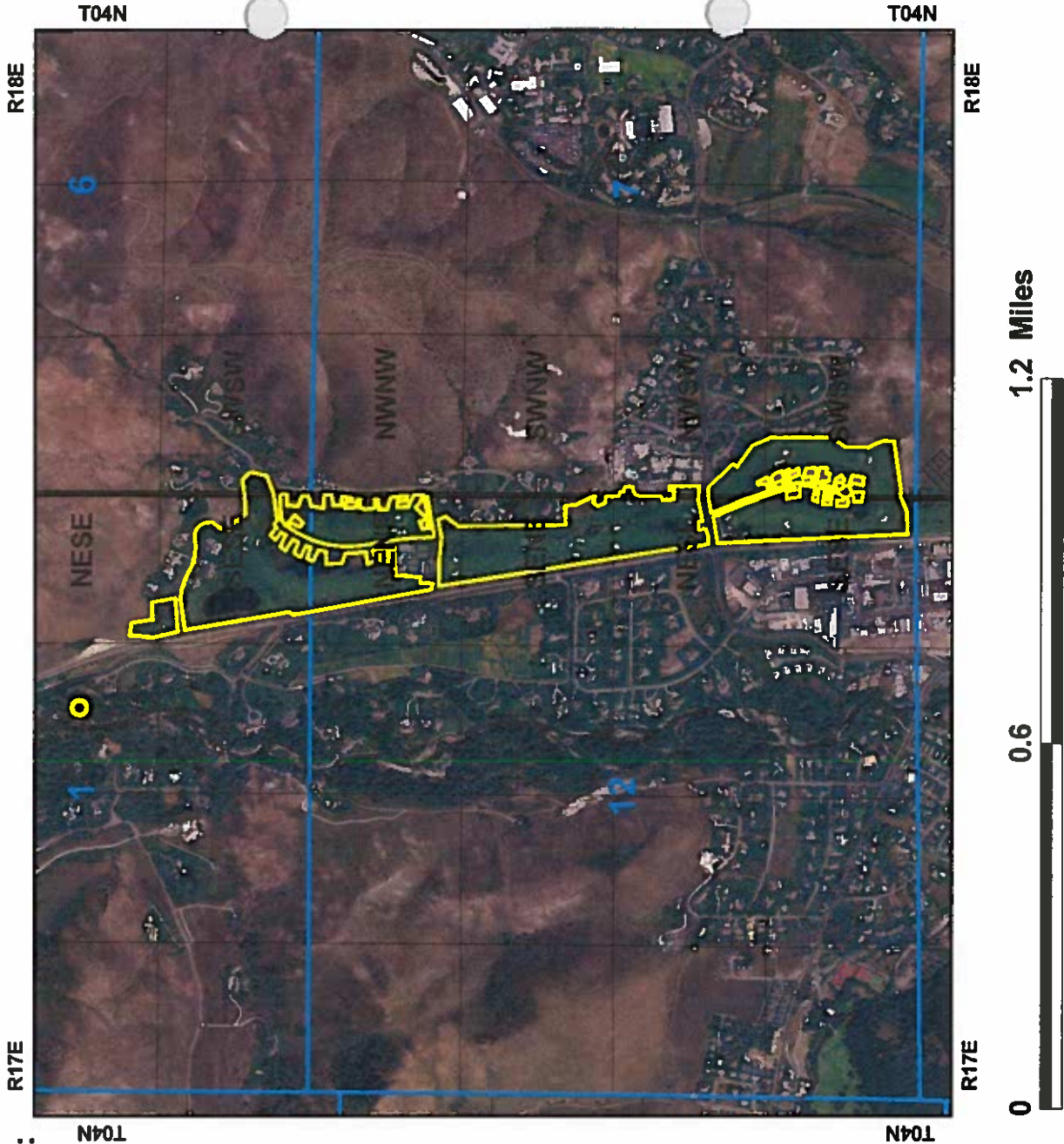
Legend

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



Blaine County
IDWR Basin 37

Prepared by A. Merritt
On Monday, February 12, 2007
2004 Aerial Photography



Owner: David M Sellgren

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-894B

WATER RIGHT NUMBER: 37-894B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SPRENGER LAND INVESTMENT INC PO BOX 249 SUN VALLEY, ID 83353
Original Owner	MUTUAL WOOD RIVER WATER USERS ASSN ID
Original Owner	BIG WOOD CANAL CO 112 S APPLE ST SHOSHONE, ID 83352 (208)886-2331

Priority Date: 09/01/1920

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	3.184 CFS	
	<u>Total Diversion:</u>	3.184 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	NW1/4SE1/4	Sec. 1, Twp 04N, Rge 17E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
04N	17E	12																	40.0		40.0	80.0
04N	18E	7									3.0	7.0										10.0
											L 3	L 4										

Total Acres: 90

Conditions of Approval:

1. SAVED & DEVELOPED RT. EXCLUSIVE OF PRIORITY DUE CONSTRUCTION OF BASELINE BYPASS CANAL.
TRANS. 1750.
ALSO SEE COMPLAINT IN CASE OF BEHRENS VS COFFIN, 9-21-1943.
2. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-274

WATER RIGHT NUMBER: 37-274

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SPRENGER LAND INVESTMENT INC PO BOX 249 SUN VALLEY, ID 83353
Original Owner	FRED W GOODING , ID

Priority Date: 06/01/1882

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	NW1/4SE1/4	Sec. 1, Twp 04N, Rge 17E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	17E	1															20.0	20.0	40.0

Total Acres: 40

Conditions of Approval:

1. SEE TRANSFER #1739
2. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-892A V1

WATER RIGHT NUMBER: 37-892A V1

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	DAVID M SELLGREN PO BOX 2810 SUN VALLEY, ID 83353 (208)726-8071
Original Owner	SEABOARD IDAHO INC PO BOX 2115 SUN VALLEY, ID 83353 (208)726-5657
Original Owner	SUTTON SELLGREN & SELLGREN INC C/O DAVID SELLGREN PO BOX 87 SUN VALLEY, ID 83353 (208)726-8071
Current Owner	BIG WOOD GOLF COURSE LLC PO BOX 87 SUN VALLEY, ID 83353 (208)438-5678
Attorney	FRITZ X HAEMMERLE 400 S MAIN ST STE 102 PO BOX 1800 HAILEY, ID 83333 208-578-0520

*Recommended
as 37-894/B*

Priority Date: 09/01/1920

Basis: Decreed

Status: Disallowed

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	3.184 CFS	
	<u>Total Diversion:</u>	3.184 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	NW1/4SE1/4	Sec. 1,	Twp 04N,	Rge 17E, B.M.
BLAINE County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	17E	1																	17.0
04N	17E	12	29.0			15.0								19.0				8.0	71.0

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-892A V1

04N 18E 7			1.5	6.5		8.0
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Total Acres: 96

Conditions of Approval:

1. P06 Recommended as Right No. 37-894B.
2. P16 Recommended as Right No. 37-894B: This is included for a claim that is proposed to be disallowed because the right claimed is recommended pursuant to another right. The remark indicates the water right number of the other right that is proposed to be recommended. If you are not mailed a notice of the recommendation of the other right, then the other right is recommended in another claimants name.

Remarks:

Comments:

1. awarntje 11/12/2006 Contact
Comment: IDWR NOTE: THIS CLAIM IS AMENDED TO ADD AES. USE AND SENT OFF FOR SIGNATURE. OWNERSHIP CHANGE AMDE 1-5-95 BY TLB.
2. amerritt 1/5/2007 added saved water language
Comment: added saved water language.
3. cfritsch 2/7/2007 Updated Conditions
Comment: Updated Conditions
4. cfritsch 2/7/2007 Copied from Remarks
Comment: Water from all rights is comingled and distributed through one system to sprinkler irrigate golf course & common area within Big Wood Dubd.
5. djones 2/9/2007 Disallowal
Comment: The claim disallowed because the use of water is represented by shares in the Upper Wood River Water Users Assn. The Assn has filed claim 37-892 representing the Bypass Canal rights held by UWRWUA.
6. amerritt 2/12/2007 recommended as:
Comment: Recommended as 37-894B. Watermaster records support delivery.

Saved Water in Bypass Area

7/31/2002 by ADM

Water Right Records

SRBA Records

Chapman Decree 8/28/1922 (Bypass)

	Inches	cfs
37-892	561.6	11.232 UBWRWUA
37-894B	159.2	3.184 Sprenger Land Inv Inc
37-894A	179.2	3.584 Big Wood Canal Co

	Inches	cfs
~~NOT CLAIMED~~	561.6	11.232 UBWRWUA
~~37-892A~~	159.2	3.184 David Sellgren
37-11394	84.6	1.692 Spring of Gladness Ranch
37-893A	84.6	1.692 William Serbine
NOT CLAIMED	10	0.2 Koenig & Grabher

	Inches	cfs
37-895	900	18
	900	18 Big Wood Canal Co. (Winter Water)

	Inches	cfs
~~NOT CLAIMED~~	900	18
	900	18 Big Wood CC 37-895

Coffin Decree 7/18/1941 (Extension Bypass)

37-891A	525	10.5 UBWRWUA
37-891B	75	1.5 George Allred
37-891C	300	6 Baseline Canal Co

~~NOT CLAIMED~~	525	10.5 UBWRWUA
~~NOT CLAIMED~~	75	1.5 JRL Inc
37-891B	300	6 Baseline Canal Co

	Inches	cfs
	900	18

	Inches	cfs
	900	18

Coffin Decree 12/31/942 (Dragline Ditch)

37-890	300	6 UBWRWUA
	300	6

NOT CLAIMED	300	6 UBWRWUA
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***7/16/2002 Watermaster indicates Dragline ditch has been filled in so no developed water delivered.

UBWRWUA 37-891C
JRL 37-20895

11	0-P1	D	GUS	MIKE	MCCANN	37-0276	FRED W. GOODING	06 / 01 / 1885	2.00	0.04	0.04	0.04
12	0-P1A	D	HUF		HUF N PUF TRUST % RON ALLING	37-30024D	W T RILEY	03 / 24 / 1883	3.50	0.07	0.07	0.07
13												
14	0-P2	D	TOM		SUTTON, SELIGREN & SELIGREN	37-0158C	ECRAMER	07 / 01 / 1881	30.00	0.60	0.60	0.60
15	0-P2	D	TOM		SUTTON, SELIGREN & SELIGREN	37-0274	FRED W. GOODING	06 / 01 / 1882	40.00	0.80	1.40	1.40
16	0-P2	D	TOM		SUTTON, SELIGREN & SELIGREN	37-0276	FRED W. GOODING	06 / 01 / 1885	184.00	3.68	5.08	5.08
17	0-P2	X	TOM		SUTTON, SELIGREN & SELIGREN	37-0832	BASELINE BT-PASS	09 / 01 / 1920	159.20	3.18	3.18	
18												
19	0-P3	D	DCN	DON	ANDERSON	37-0833	BOCKWELL BY-PASS	11 / 12 / 1936	10.00	0.20	0.20	0.20
20												
21												
22												

A0009771