

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: **A37-00577CG**
Date Received: 11/ 4/1992
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: COTTONWOOD CREEK INVESTMENTS INC 208-622-4706
Address: PO BOX 1965
SUN VALLEY ID 83353

2. Date of Priority: MAR 24, 1883

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	18E	20		SW	NW		BLAINE
				SE	SW		BLAINE
		29		NW	SE		BLAINE

5. Description of diverting works:
HIAWATHA CANAL, PURDUM SLOUGH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.690		

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

8. Total consumptive use is 95.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	18E	29	SW	NE		IRR	19.0
			NW	SE		IRR	19.0

MICROFILMED

NOV 22 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	38.0
					Total Acres	38.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-00657E

14. Remarks:

PURSUANT TO APPROVED TRANSFER 4171:

1. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS TRANSFER.

2. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

3. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

4. USE OF WATER UNDER THESE WATER RIGHTS WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 37.

5. MEASURING DEVICES OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE INSTALLED AND MAINTAINED AT EACH POINT OF DIVERSION AND POINT OF REDIVERSION.

6. THE COMBINED ANNUAL VOLUME OF WATER UNDER RIGHT NOS. A37-00577CG AND A37-00657E SHALL NOT EXCEED 133.0 ACRE FEET.

7. POINT OF REDIVERSION UNDER RIGHT NOS. A37-00577CG AND A37-00657E IS FROM PURDUM SLOUGH.

CHANGE OF OWNERSHIP MADE 9/21/95 TF. BRENNAN TO COTTONWOOD CREEK INVESTMENTS INC.

THIS CLAIM WAS SPLIT FROM A37-00577C PURSUANT TO APPROVED TRANSFER 4171.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

MICROFILMED
NOV 22 1996

S.C. FROST

Decree Plaintiff

ALTURAS WATER CO.

vs

Decree Defendant

MICROFILMED
NOV 22 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

AUG 03 1994

Department of Water Resource
Southern Region Office

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 3N Range 18ESection 29, * 1/4 of 1/4 of 1/4 Govt. Lot _____, BM _____

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

* SWNE and NWSE of Section 29

AUG 01 1994

Department of Water Resource

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)Assigned by IDWR: 37-00577BY and 37-00657B

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

Robert M. BrennanP.O. Box 1991

☐ New Owner/Claimant
(Purchaser):

Sun Valley, ID 83353Cottonwood Creek Investments, Inc.☐ New Mailing Address:P.O. Box 1965Sun Valley, ID 83353☐ New Telephone Number:(208) 622 - 4706

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

Water right previously split pursuant to Transfer No. 4171
approved on January 25, 1994.

☐ Attach proof of
ownership, describe
proof attached:

Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s)

Evelyn DavisDate 7/24/94Cottonwood Creek Investments

Date _____

☐ Signature of Former
Owner/Claimant(s):

Date _____

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED
NOV 22 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

Order No. 16967

WARRANTY DEED

POOR ORIGINAL

For Value Received Robert M. Brennan, a married man as his sole and separate property

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Cottonwood Creek Investments, Inc., an Idaho corporation whose address is: P. O. Box 1686, Rancho Santa Fe, CA, 92067

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9 of Cottonwood Creek Subdivision, according to the official plat thereof, recorded as Instrument No. 337073, records of Blaine County, Idaho.

Subject to:

A Mortgage to secure an indebtedness of \$1,590,720.00, recorded June 8, 1990, as Instrument No. 320429, records of Blaine County, Idaho.

Dated: June 4, 1990.

Mortgagor: Robert M. Brennan, an unmarried man.

Mortgagee: Gary J. Hibberd and Donna G. Hibberd, husband and wife.

Final Due Date: June 4, 1990.

(Includes Additional Property)

And Re-recorded as Instrument No. 323269, records of Blaine County, Idaho, to correct the final due date to be June 4, 1994.

And Re-recorded as Instrument No. 325923, records of Blaine County, Idaho, to correct the legal description.

And Re-recorded January 14, 1992 as Instrument No. 337196, records of Blaine County, Idaho, to add Exhibit "B".

The Grantee(s) herein agree(s) to assume and pay according to the terms and conditions of the above. *

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: October 25, 1993

Robert M. Brennan
Robert M. Brennan

BLAINE CO. REQUEST
FIRST AMERICAN TITLE CO.

OF

1993 NOV -2 P 3:26

358637

MARY GREEN, CLERK *mp*

FEES \$6.00

Deed

State of

County of

On _____ before me, the undersigned, a Notary Public in and for said State, personally appeared Robert M. Brennan, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Signature _____

Commission Expires:

*; provided, however, that the Mortgagee agrees to extend the maturity date from June 4, 1994 to November 1, 1995. If the Mortgagee is unable or unwilling to so extend the maturity then Grantor agrees to purchase the said Mortgage and the indebtedness secured thereby and then extend the maturity date to November 1, 1995, or extend credit to Grantee in an amount sufficient to pay in full the indebtedness secured by the Mortgage on the same terms and conditions as are contained in the said Mortgage and Note secured thereby excepting that the maturity date shall be extended to November 1, 1995.

MICROFILMED
NOV 22 1996

03464 4/163/2

PROMISSORY NOTE

POOR ORIGINAL

\$100,000.00

Ketchikan, Idaho March 19, 1993

For Value Received, I, We, or either of us promise to pay in the order of: Everett Davis III Separate Property Trust

The Principal Sum of One Hundred Thousand and 00/100

in lawful money of the United States of America, with interest thereon at the rate of ten percent per annum

from March 19, 1993

PAYABLE AS FOLLOWS:

One installment of \$100,000.00, plus interest, all due and payable on or before May 3, 1993. Payments to be applied first to accrued interest at said annual rate and second to reduction of principal.

The maker hereof may repay any or all sums due hereunder at anytime without prior notice to the holder and without penalty or premium of any kind.

In case of failure to pay any installment when same shall become due, the holder at his option, may declare the whole principal hereof as immediately due and payable. In case this note is collected by an attorney, either with or without suit the undersigned hereby agree to pay a reasonable attorney's fee.

This note is secured by a Mortgage of even date executed by the undersigned on certain real property described therein.

The undersigned hereby waive presentment, protest, and notice.

PAYABLE TO:
Everett Davis III Separate Property Trust
P. O. Box 1886
Rancho Santa Fe, CA 92067

Robert M. Freeman
Robert M. Freeman

This Promissory Note is collateralized by the property described in Exhibit A attached hereto and made a part hereof.

BLAINE CO. REQUEST

OF FIRST AMERICAN TITLE CO

1993 MAR 22 P 1:18

351049

PAID TO ENH. CLEARED
FILED 5/2

my-

MICROFILMED
NOV 22 1996

POOR ORIGINAL

Exhibit "A"

Parçol I:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and Parcel A of Cottonwood Creek Subdivision, according to the official plat thereof, recorded as Instrument No. 337073, records of Blaine County, Idaho.

Parcel 11:

Township 3 North, Range 18 East, Boise Meridian, Blaine County,
Idaho.

Section 20: S1/2 SW1/4

Excepting therefrom all that portion of Zinc Spur Ranch Units Two and Three, Blaine County, Idaho, lying within said S1/2 SW1/4.

Section 29: W1/2 NW1/4, NE1/4 NW1/4

Excepting therefrom all that portion of Zinc Spur Ranch Unit Two, Blaine County, Idaho, lying within said NE1/4 NW1/4 AND Excepting therefrom all that portion of Lots 1 through 11, inclusive, of Cottonwood Creek Subdivision, Blaine County, Idaho.

STATE OF IDAHO

STATE OF IDAHO
COUNTY OF: Blaine

March 22, 1993

רובינסון מ. ברונו Robert M. Brunson

1. *Author's address:* Department of Psychology, University of California, San Diego, 3542 La Jolla Village Drive, San Diego, CA 92093, USA. E-mail: shawn.walker@ucsd.edu

It is respectfully requested that the Bureau be kept advised of any changes in the status of the case, and that the Bureau be kept advised of any developments in the case.

With Love, my name) and with, and with

Signature: *[Signature]*
My Commission Expires: 1-12-97

தமிழ் அகாடமி / ஸ்காலர்ஷிப் பரிந்துரை! உங்கள்

MICROFILMED
NOV 22 1996

POOR ORIGINAL



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
JUN 09 1995
Department of Water Resources
Southern Region

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 3N Range 18E
Section 29 * 1/4 of 1/4 of 1/4 Govt. Lot _____

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

*SWNE and NESE of Section 29

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s) _____
Assigned by IDWR: 37-00577C and 37-00657C

☒ Name and Address of Former Owner/Claimant(s)(Seller): Robert M. Brennan

P.O. Box 1991

Sun Valley, Idaho 83353

☒ New Owner/Claimant (Purchaser): Cottonwood Creek Investments, Inc.

☒ New Mailing Address: P.O. Box 1965
Sun Valley, Idaho 83353

☒ New Telephone Number: (208) 622 - 4706

☒ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

Water rights split by Transfer No. 4171(attached). Cottonwood
Creek Investments owns 0.69 cfs of 37-00577C and 0.76 cfs of

37-00657C used to irrigate 38 acres in the SWNE & NWSE of Section
29, T3N R18E, B.M. The remaining 0.37 cfs of 37-00577C & 0.40 cfs

☒ Attach proof of ownership, describe proof attached: of 37-00657C will remain in Robert Brennan's name.
Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) *Robert M. Brennan* Date 6/3/95
President, Cottonwood Creek Investments, Inc. Date _____

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED
NOV 22 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

Order No. 16967

WARRANTY DEED

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Dated: June 4, 1990.

Mortgagor: Robert M. Brennan, an unmarried man.

Mortgagee: Gary J. Hibbard and Donna G. Hibbard, husband and wife.

Final Due Date: June 4, 1990.

(Includes Additional Property)

And Re-recorded as Instrument No. 323269, records of Blaine County, Idaho, to correct the final due date to be June 4, 1994.

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The Grantee(s) herein agree(s) to assume and pay according to the terms and conditions of the above. *

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantee is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: October 25, 1993

Robert M. Brennan

BLAINE CO. REQUEST
FIRST AMERICAN TITLE CO.

OF

1993 NOV -2 P 3 26

358637

MARY GREEN, CLERK M.P.

Deed

FEES \$6.00

State of

County of

On _____ before me, the undersigned, a Notary Public in and for said State, personally appeared Robert M. Brennan, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Signature _____

Commission Expires:

*I provided, however, that the Mortgagee agree to extend the maturity date from June 4, 1994 to November 1, 1995. If the Mortgagee is unable or unwilling to so extend the maturity then Grantor agrees to purchase the said Mortgage and the indebtedness secured thereby and then extend the maturity date to November 1, 1995, or extend credit to Grantee in an amount sufficient to pay in full the indebtedness secured by the Mortgage on the same terms and conditions as are contained in the said Mortgage and Note secured thereby excepting that the maturity date shall be extended to November 1, 1995.

MICROFILMED
NOV 22 1996

POOR ORIGINAL

QUITCLAIM DEED

For Value Received

Gary J. Hibbard and Donna G. Hibbard, husband and wife

do hereby convey, release, remise and forever quit claim unto

Robert M. Brennan, a single person

whose address is: 1411 Marsh Street, Suite 207, San Luis Obispo, CA 93401

the following described premises situated in Blaine County, Idaho, to-wit:

The following described water rights:

- 58 inches of 1881 priority
- 53 inches of 1883 priority
- 183 inches of 1889 priority
- 200 inches of 1891 priority

BLAINE CO. REQUEST

OF FIRST AMERICAN TITLE CO.

1991 MAR 29 P 3:26

328718

MARY GREEN, CLERK YNP

FEES \$

3.00

Deed

Post-It® brand fax transmittal memo 7871

To	From	# of pages
Co.	Co.	
Dept.	Phone #	
Fax #	Fax #	

Brian R. Clark

M. Green

together with their appurtenances.

Dated: June 8, 1990

Gary J. Hibbard

Donna G. Hibbard

STATE OF Idaho COUNTY OF Blaine Lincoln

On this 26th day of February, 1991,
before me, a Notary Public in and for said State, personally
appeared Gary J. Hibbard and Donna G.
Hibbard

known or identified to me to be the person who
is subscribed to the within instrument and acknowledged
to me that they executed the same.

Virginia Churchman

Residing at Shoshone, Idaho
Commission Expires: 6/24/94



MICROFILMED
NOV 22 1996

WARRANTY DEED

For Value Received Gary J. Hibbard and Donna G. Hibbard, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Robert M. Brennan, a single person

whose address is: 1411 Marsh Street, Suite 207, San Luis Obispo, CA 93401

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

See Attached Schedule "A" Made a Part Hereof

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: May 31, 1990

Gary J. Hibbard
Gary J. Hibbard

Donna G. Hibbard
Donna G. Hibbard

State of Idaho

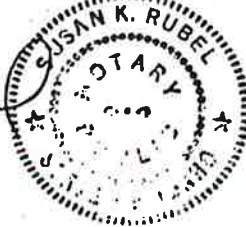
County of Blaine

On June 4 1990 before me, the undersigned, a Notary Public in and for said State, personally appeared Gary J. Hibbard and Donna G. Hibbard personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Signature Susan K. Rubel

Commission Expires: 3-11-95



BLAINE CO. REQUEST
OF: FIRST AMERICAN TITLE CO.
Deed
JUN 8 PM 3 35
MARY (NEED) CLERK ynp
FEES \$6.00

320427

MICROFILMED
NOV 22 1996

Exhibit "A"

PARCEL I:

Lot 2 in Block 2 of ZINC SPUR - UNIT FOUR, according to the official plat thereof, recorded as Instrument No. 214089, records of Blaine County, Idaho.

PARCEL II:

Lot 2 in Block 1 of ZINC SPUR - UNIT FIVE, according to the official plat thereof, recorded as Instrument No. 233535, records of Blaine County, Idaho.

PARCEL III:

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

SECTION 29: W1/2 NW1/4, NE1/4 NW1/4.

Excepting therefrom all that portion of ZINC SPUR RANCH UNIT TWO, BLAINE COUNTY, IDAHO, lying within said NE1/4 NW1/4.

MICHOFILMED
NOV 22 1996

RECEIVED

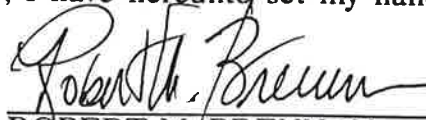
POWER OF ATTORNEY

MAY 18 1993

Department of Water Resources
County Clerk's Office

KNOW ALL MEN BY THESE PRESENTS that I, ROBERT M. BRENNAN, of Blaine County, Idaho, hereby make, constitute and appoint BRIAN L. BALLARD, my true and lawful attorney for me and in my name to do anything and everything that I myself could do if personally present, giving my said attorney full power and authority to do everything whatsoever necessary to be done in the premises as fully as I could do if personally present specifically relating to all water right matters, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney or his substitute or substitutes shall lawfully do or cause to be done by virtue hereof.

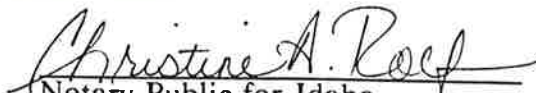
IN WITNESS WHEREOF, I have hereunto set my hand this 6 day of May, 1993.


ROBERT M. BRENNAN

STATE OF IDAHO,)
) ss.
County of Blaine.)

On this _____ day of May, 1993, before me, the undersigned, a Notary Public in and for said county and state, personally appeared ROBERT M. BRENNAN, known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal.


Notary Public for Idaho
Residing at Halley, Idaho
Commission expires 4-6-99

blb\brennan.poa

MICROFILMED
NOV 22 1996

WARRANTY DEED

For Value Received Gary J. Hibbard and Donna G. Hibbard, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Robert M. Brennan, a single person

whose address is: 1411 Marsh Street, Suite 207, San Luis Obispo, CA 93401

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

See Attached Schedule "A" Made a Part Hereof

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: May 31, 1990

Gary J. Hibbard
Gary J. Hibbard

Donna G. Hibbard
Donna G. Hibbard

State of Idaho

County of Blaine

On June 4 1990 before me, the undersigned, a Notary Public in and for said State, personally appeared Gary J. Hibbard and Donna G. Hibbard personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Signature Susan K. Rubel

Commission Expires: 3-11-95



BLAINE CO. REQUEST
OF: First American Title Co.
90 JUN 8 PM 3 35
NOTARY PUBLIC
FEES \$ 6.00
mp

320427

MICROFILMED
NOV 22 1996

QUITCLAIM DEED

For Value Received

Gary J. Hibbard and Donna G. Hibbard, husband and wife

do hereby convey, release, remise and forever quit claim unto

Robert M. Brennan, a single person

whose address is: 1411 Marsh Street, Suite 207, San Luis Obispo, CA 93401

The following described premises situated in Blaine County, Idaho, to-wit:

The following described water rights:

58 inches of 1881 priority
53 inches of 1883 priority
183 inches of 1889 priority
200 inches of 1891 priority

BLAINE CO. REQUEST
OF FIRST AMERICAN TITLE CO.

1991 MAR 29 P 3:26

328778

MARY GREEN, CLERK *mp*

FEES \$

3⁰⁰

Deed

together with their appurtenances.

Dated: June 8, 1990

Gary J. Hibbard
Gary J. Hibbard

Donna G. Hibbard
Donna G. Hibbard

STATE OF Idaho COUNTY OF ~~Blaine~~ Lincoln

On this 26th day of February, 1991,
before me, a Notary Public in and for said State, personally
appeared Gary J. Hibbard and Donna G.
Hibbard

known or identified to me to be the person who
is subscribed to the within instrument and acknowledged
to me that they executed the same.

Virginia Churchman

Notary Public

Residing at Shoshone, Idaho
Commission Expires: 6/24/92

MICROFILMED
NOV 22 1995

QUITCLAIM DEED

For Value Received

Gary J. Hibbard and Donna G. Hibbard, husband and wife

do hereby convey, release, remise and forever quit claim unto

Robert M. Brennan, a single person

whose address is: 1411 Marsh Street, Suite 207, San Luis Obispo, CA 93401

the following described premises situated in Blaine County, Idaho, to-wit:

The following described water rights:

58 inches of 1881 priority
53 inches of 1883 priority
183 inches of 1889 priority
200 inches of 1891 priority

BLAINE CO. REQUEST
OF FIRST AMERICAN TITLE CO.

1991 MAR 29 P 3:26 328778

MARY GREEN, CLERK *mgp*
FEES \$

3⁰⁰

Deed

together with their appurtenances.

Dated: June 8, 1990

Gary J. Hibbard
Gary J. Hibbard

Donna G. Hibbard
Donna G. Hibbard

STATE OF Idaho COUNTY OF ~~Blaine~~ Lincoln
On this 26th day of February, 1991,
before me, a notary public in and for said State, personally
appeared Gary J. Hibbard and Donna G.
Hibbard

known or identified to me to be the person who
is subscribed to the within instrument and acknowledged
to me that they executed the same.

Virginia Churchman

Notary Public

Residing at Shoshone, Idaho
Commission Expires: 6/28/94

MICROFILMED
NOV 22 1996

GRANT DEED

FOR VALUE RECEIVED, GANN - F.C.I., LTD., an Idaho limited partnership, the Grantor, hereby grants, bargains, sells and conveys unto ROBERT M. BRENNAN, a married man, dealing with his sole and separate property, whose current address is: 115 R. Seacliff, Shell Beach, California 93449, the Grantee, the real property located in Blaine County, Idaho, described on Exhibit "A" attached hereto.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantee, his successors and assigns forever, subject to the encumbrances shown on Exhibit "B" attached hereto.

IN WITNESS WHEREOF, the Grantor has caused its name to be subscribed to the within instrument effective the 22nd day of May, 1987.

"GRANTOR"

GANN-F.C.I., LTD., an Idaho
limited partnership

By R. Wayne Gann
R. Wayne Gann,
General Partner

RECEIVED
REQUEST OF
JUN 23 AM 11 31
JAN GREEN, JR.
EPPC 6/22

FIRST AMERICAN TITLE CO

235348

MICROFILMED
NOV 22 1996

GRANT DEED - 1
2/5-22-87/A14/GF00

STATE OF CALIFORNIA)
) ss.
County of San Luis Obispo)

On this 27th day of May, 1987, before me, the undersigned,
a Notary Public in and for said State, personally appeared R.
WAYNE GANN, known or identified to me to be the General Partner
of GANN - F.C.I., LTD., an Idaho Limited Partnership, and
acknowledged to me that he executed the within and foregoing
instrument for and on behalf of said Partnership and in said
Partnership's name.

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



Thomas Leone
Notary Public for California
Residing at: _____
Commission expires: _____

GRANT DEED - 2
2/5-22-87/A14/GF00

MICROFILMED
NOV 22 1996

Order No. 11681E5040
Legal Description

EXHIBIT "A"

Lots 1,2,3,4,5,6,7,8,9,10,11,13,14,15,16,17,18,21,22,23,25,27,28,29,30,31,33, 34,35,36,37,38,39,40,41,42,43,44,45,46,47,48,49,50,51,52,53,54,55,56,57,59,60, 61,62,63 and 64 of STARWEATHER PLAT 1, JANUARY 1982, AMENDED MAY 1983, according to the official plat thereof, recorded as Instrument No. 257442, records of Blaine County, Idaho.

AND

Common Lot 58 of STARWEATHER PLAT 1, AMENDED MARCH 1985, according to the official plat thereof, recorded as Instrument No. 261808, records of Blaine County, Idaho.

AND

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

A tract of land lying in the SE1/4 SE1/4 of SECTION 18, the E1/2 NE1/4 of SECTION 19 and the SW1/4 NW1/4 of SECTION 20, more particularly described as follows:

BEGINNING at the 1/4 corner common to Sections 19 and 20; thence
N. 88° 33' 53" W., 1312.65 feet to the SW corner of the NE1/4 SE1/4 of Section 19; thence
N. 00° 18' 57" E., 3948.42 feet to the NW corner of the SE1/4 SE1/4 of Section 18; thence
N. 89° 18' 50" E., 80.00 feet; thence
S. 06° 33' 06" E., 300.87 feet; thence
S. 40° 16' 47" E., 773.37 feet; thence
S. 32° 44' 07" W., 499.30 feet; thence
S. 05° 34' 55" E., 261.73 feet; thence
S. 24° 26' 38" E., 362.49 feet; thence
S. 15° 15' 18" E., 570.09 feet; thence
S. 77° 16' 32" E., 317.81 feet; thence
S. 37° 44' 49" E., 392.05 feet; thence
S. 15° 04' 07" E., 269.26 feet; thence
S. 62° 03' 46" E., 747.06 feet; thence
S. 22° 19' 43" W., 605.39 feet; thence
N. 87° 47' 35" W., 434.18 feet to the TRUE POINT OF BEGINNING.

NOTE FOR INFORMATION: Said Parcel located in Sections 18, 19 and 20, Township 3 North, Range 18 East, is known as Tax Lot No. 6113 on the Assessor Rolls of Blaine County, Idaho.

EXCEPTING THEREFROM THE RIGHT OF WAY OF THE BIG WOOD RIVER.

TOGETHER WITH ALL APPURTENANCES, INCLUDING WATER, DITCHES, AND DITCH RIGHTS.

THIS CONVEYANCE OF THE COMMON-AREA LOTS IS MADE SUBJECT TO ANY RIGHT, TITLE OR INTEREST OF THE STARWEATHER SUBDIVISION HOMEOWNERS ASSOCIATION OR THE INDIVIDUAL LOT OWNERS' INTEREST IN SUCH LOTS.

MICROFILMED
NOV 22 1996

EXHIBIT "B"

1. General taxes for the year 1987.
2. Power Line Easement in favor of IDAHO POWER COMPANY, recorded as Instrument No. 97359, records of Blaine County, Idaho. (Blanket Easement - NW1/4 SW1/4 of Section 17, Township 3 North, Range 18 East & NE1/4 SE1/4 of Section 18, Township 3 North, Range 18 East).
3. Reservations set forth in that certain Warranty Deed from JOSEPHINE PRICE, Grantor, to STARWEATHER PARTNERS, Grantee, recorded as Instrument No. 196004, records of Blaine County, Idaho, as follows: "Reserving unto the Seller, rights of ingress and egress on a footpath running from the ranch house to the Hiawatha Canal and the Big Wood River; Grantor shall have use of a right-of-way reasonably maintained by Grantee, and subject to Grantor's approval providing the access from the highway to the Grantor's remaining property line and to property owned by Robert McDowell, abutting on Grantor's remaining property."
4. Development Easement in favor of BLAINE COUNTY, recorded as Instrument No. 223012, records of Blaine County, Idaho.
5. Master Declaration of Covenants, Conditions and Restrictions as to the Use of Real Property Embraced within the STARWEATHER SUBDIVISION, located in Blaine County, Idaho, recorded as Instrument No. 223013, records of Blaine County, Idaho. The conveyance of the common-area lots is made subject to any right, title or interest of the Starweather Subdivision Homeowners Association or the individual lot owners' interest in such lots.
6. Moratorium recorded September 3, 1986, as Instrument No. 276346, records of Blaine County, Idaho (as to subdivided lots only).

MICROFILMED
NOV 22 1996

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: A37-00577C
Date Received: 11/ 4/1992
Receipt No: C025917
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT M BRENNAN
Address: PO BOX 1933
SUN VALLEY ID

208-788-9876

83353

2. Date of Priority: MAR 24, 1883

3. Source: BIG WOOD RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03N	18E	20	SW SE	NW SW	BLAINE BLAINE

5. Description of diverting works:
HIAWATHA CANAL, PURDUM SLOUGH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.060		

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

A.F.A.

8. Total consumptive use is

330.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	18E	29	SW SE NE NW	NE NW SW SE	IRR IRR IRR IRR	35.0 34.0 25.0 2.0

A37-00577C

Page 1

Date: 11/05/92
MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Section Acres 132.0

Total Acres 132.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

A37-00659B, A37-00657C, A37-00658, A37-00451

14. Remarks:

THIS PROPERTY WAS PURCHASED IN JUNE 1990.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S.C. FROST

Decree Plaintiff

ALTURAS WATER CO.

vs

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: _____

MICROFILMED
FEB 23 1993

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

Notary Public

Residing at

My Commission Expires

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.

Print Name _____

Signature _____

Signature _____

Address _____

Date _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A37-00577CDate Received Nov. 4, 1992Receipt Number C025917

RECEIVED

NOV 04 1992

Department of Water Resources

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

OCT 13 1992

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) ROBERT M. BRENNAN Phone (208) 788-9876Mailing Address P.O. BOX 1933, SUN VALLEY, ID Zip 833532. Date of Priority (Only one (1) per claim) MARCH 24, 18833. Source of water supply (a) BIG WOOD RIVER
which is tributary to (b) SNAKE RIVER4. 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 BLAINEAdditional points of diversion if any: SE 1/4 OF SW 1/4, 3N, 18E, SEC 20

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.HIWATHA CANAL;
PURDUM SLOUGHMICROFILMED
FEB 23 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/15 to 10/15 amount 1.060 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.060 (cfs) and/or (b) _____ (acre feet)

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

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	18E	29			35					34	25					38			132

Total number of acres irrigated 132

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 ☒ 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.
37-00657 ; 37-00659 ; 37-00658 ; 37-00451 or None ()

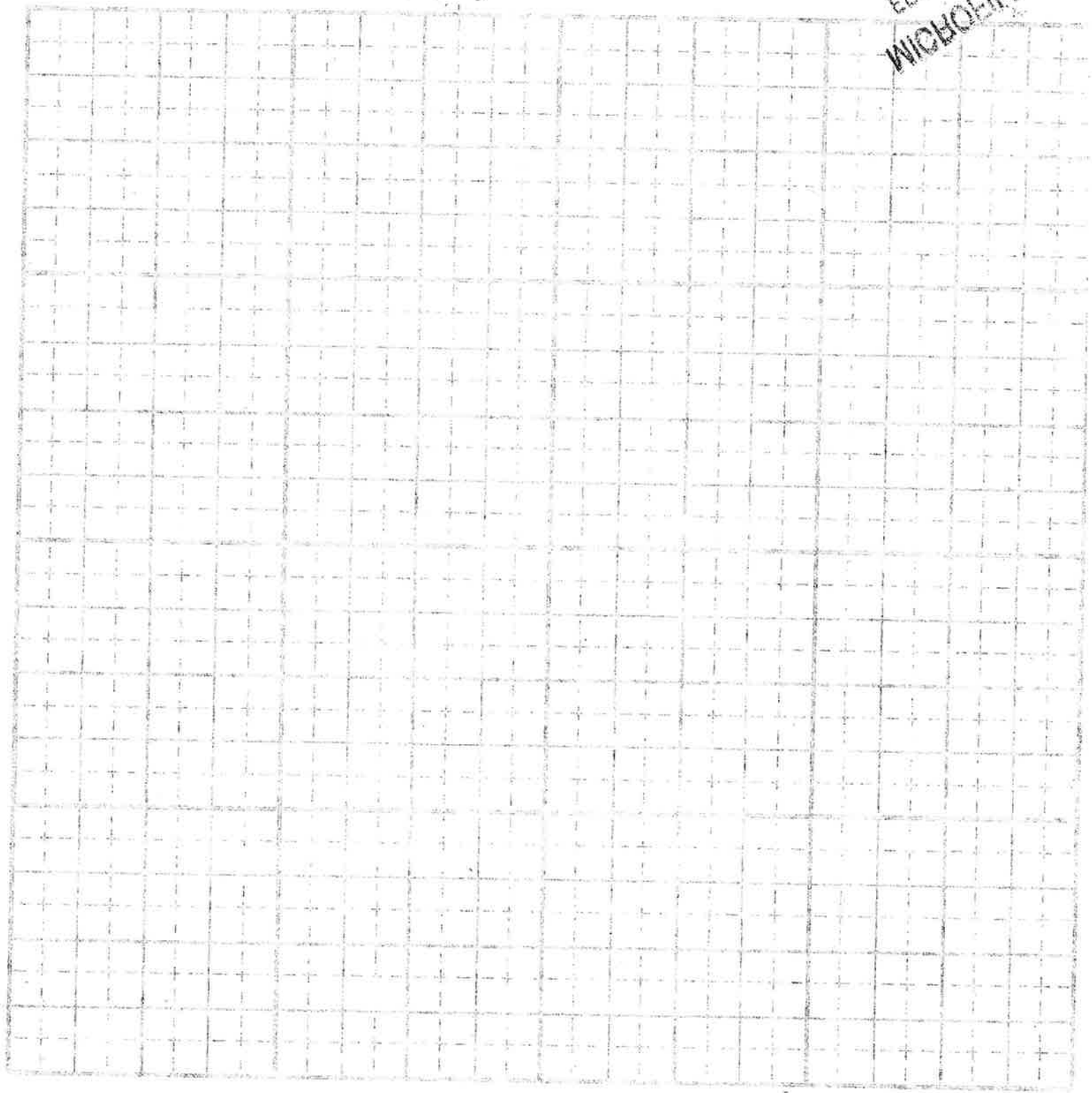
14. Remarks: THIS PROPERTY WAS PURCHASED IN JUNE OF 1990

MICROFILMED
FEB 23 1993

Last Name BRENNAN Ident No. A37-00577

Copies: White -State, Yellow-Claimant

REC 53 1883
MICROFILMED



Scale 1 inch equals 1 mile

(SEE ADJACENT)

Map is projected from center of gravity of area of the section number, township, and range number.

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

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date 12/13/1909

Plaintiff vs Defendant SC FROST V. ALTURAS WATER CO.

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 5 pages

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

Signature of Claimant (s) [Signature]

Date Sept. 21, 1992

Date _____

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

of _____ Title _____, that I have signed the foregoing

document in the space below as _____ of _____

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 21st day of SEPTEMBER 19 92

SEAL

Notary Public [Signature]

Residing at BOISE, IDAHO

My Commission Expires 12/12/93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, BRIAN L. BALLARD 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 [Signature]

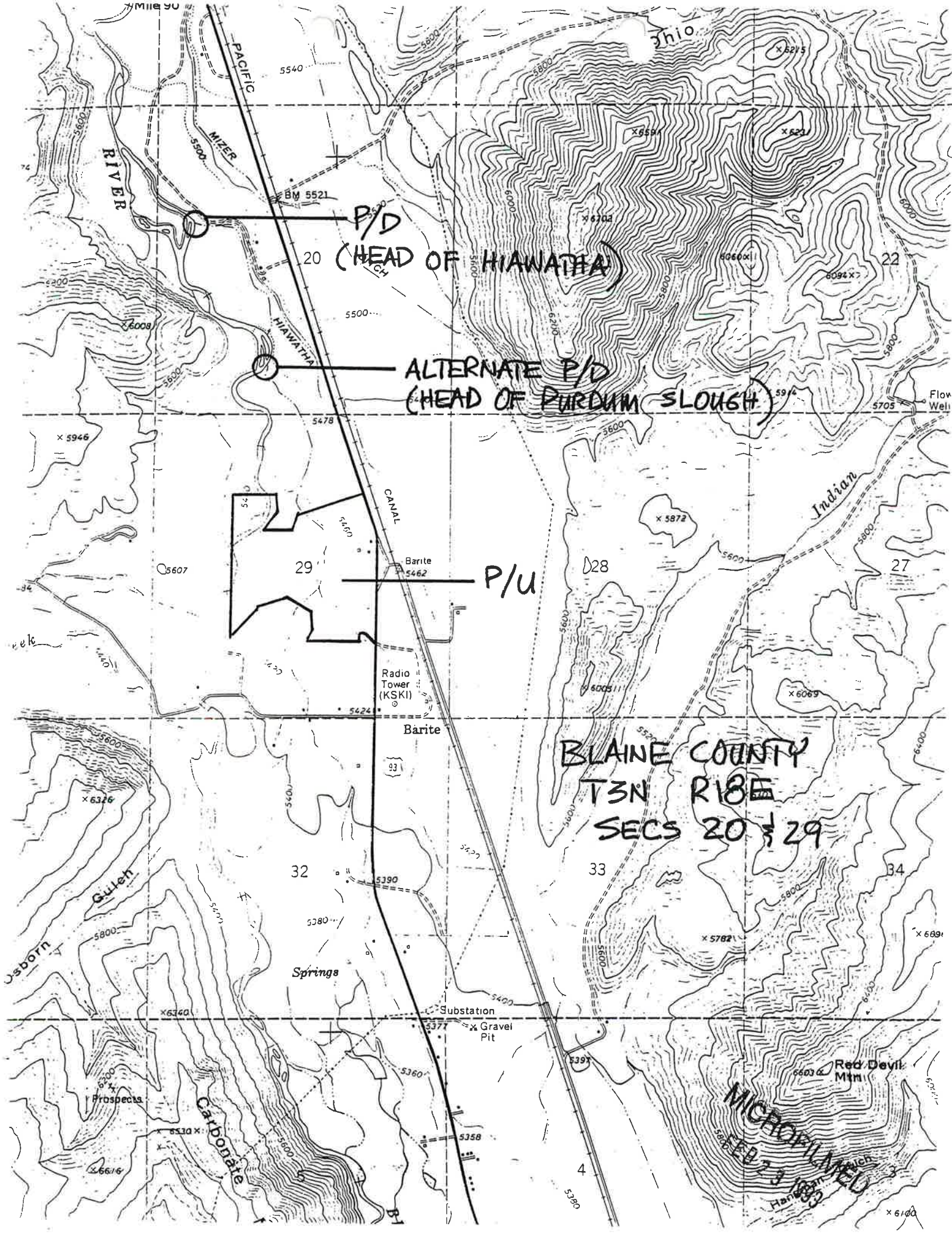
Address P.O. BOX 1617 BOISE IDAHO 83701

Date 9/21/92

Last Name BRENNAN Ident. Number A37-00577

Copies White-State, Yellow-Claimant

MICROFILMED
FEB 23 1993



RIVER

MIZER

P/D
(HEAD OF HIAWATHA)

ALTERNATE P/D
(HEAD OF PURDUM SLOUGH)

P/U

BLAINE COUNTY
T3N R18E
SECS 20 & 29

GULCH

Springs

Substation

Gravel Pit

Red Devil Mtn

MICROFILMED
SERIALS ACQUISITION
JAN 23 1983

WARRANTY DEED

For Value Received Gary J. Hibbard and Donna G. Hibbard, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
Robert M. Brennan, a single person
whose address is: 1411 Marsh Street, Suite 207, San Luis Obispo, CA 93401

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

See Attached Schedule "A" Made a Part Hereof

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: May 31, 1990

Gary J. Hibbard
Gary J. Hibbard

Donna G. Hibbard
Donna G. Hibbard

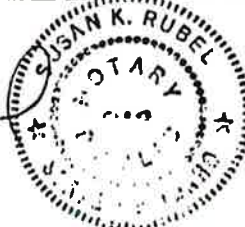
State of Idaho

County of Blaine

On June 4 1990 before me, the undersigned, a Notary Public in and for said State, personally appeared Gary J. Hibbard and Donna G. Hibbard personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Signature Susan K. Rubel
Commission Expires: 3-11-95



BLAINE CO. REQUEST
OF: FIRST AMERICAN TITLE CO.
Red
90 JUN 8 PM 3 35
MARY JOE'S CLERK
mp
FEES \$ 6.00

320427

MICROFILMED
FEB 23 1993

Exhibit "A"

PARCEL I:

Lot 2 in Block 2 of ZINC SPUR - UNIT FOUR, according to the official plat thereof, recorded as Instrument No. 214089, records of Blaine County, Idaho.

PARCEL II:

Lot 2 in Block 1 of ZINC SPUR - UNIT FIVE, according to the official plat thereof, recorded as Instrument No. 233535, records of Blaine County, Idaho.

PARCEL III:

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

SECTION 29: W1/2 NW1/4, NE1/4 NW1/4.

Excepting therefrom all that portion of ZINC SPUR RANCH UNIT TWO, BLAINE COUNTY, IDAHO, lying within said NE1/4 NW1/4.

MICROFILMED
FEB 23 1993

QUITCLAIM DEED

For Value Received

Gary J. Hibbard and Donna G. Hibbard, husband and wife

do hereby convey, release, remise and forever quit claim unto

Robert M. Brennan, a single person

whose address is: 1411 Marsh Street, Suite 207, San Luis Obispo, CA 93401

the following described premises situated in Blaine County, Idaho, to-wit:

The following described water rights:

58 inches of 1881 priority
53 inches of 1883 priority
183 inches of 1889 priority
200 inches of 1891 priority

BLAINE CO. REQUEST

OF FIRST AMERICAN TITLE CO.

1991 MAR 29 P 3:26

328118

MARY GREEN, CLERK *mp*

FEES \$

3.00

Deed

together with their appurtenances.

Dated: June 8, 1990

Gary J. Hibbard
Gary J. Hibbard

Donna G. Hibbard
Donna G. Hibbard

STATE OF Idaho COUNTY OF ~~Blaine~~ Lincoln
On this *26th* day of February, 1991,
before me, a notary public in and for said State, personally
appeared Gary J. Hibbard and Donna G.
Hibbard

known or identified to me to be the person who
is subscribed to the within instrument and acknowledged
to me that they executed the same.

Virginia Churchman

Residing at Shoshone, Idaho
Commission Expires: 6/24/92



MICROFILMED
FEB 23 1993

COPY

DISTRICT COURT - 5122A
TWIN FALLS CO., IDAHO
FILED

2009 SEP 11 PM 11 34

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. 37-577CG, 37-657E
	)	
Case No. 39576	)	
	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

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

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

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

Dated: 9/10/09



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 9/11, 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:

Original to:

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

Copies to:

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

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

Cottonwood Creek Investments Inc
c/o Robin Taylor
PO Box 2840
Ketchum ID 83340



Signature of person or attorney mailing the form

07/29/2008

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

RIGHT NUMBER: 37-577CG

NAME AND ADDRESS: COTTONWOOD CREEK INVESTMENTS INC
C/O ROBIN TAYLOR
PO BOX 2840
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.690 CFS

The combined annual volume of water under water rights No. 37-00577CG and 37-657E shall not exceed 133.0 acre feet.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T03N R18E S20 SWNW Within BLAINE County
T03N R18E S20 SESW Within BLAINE County
T03N R18E S29 NWSE Rediversion 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	0.690 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T03N R18E S29 SWNE 19.00	T03N R18E S29 NWSE 19.00	
	38 ACRES TOTAL		

Right Nos. 37-577CG and 37-657E are limited to the irrigation of a combined total of 38 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

Point of rediversion is from Purdum Slough.

Failure of the right holder to comply with the conditions of transfer 4171 is cause for the Director to rescind approval of the transfer.

Water is delivered through the Hiawatha canal and the Purdum Slough.

Measuring devices of a type approved by this Department shall be installed and maintained on all points of diversion and point of rediversion.

The right holder shall accomplish the change authorized by transfer 4171 within one (1) year of the date of the transfer approval.

07/29/2008

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

RIGHT NUMBER: 37-657E

NAME AND ADDRESS: COTTONWOOD CREEK INVESTMENTS INC
C/O ROBIN TAYLOR
PO BOX 2840
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.760 CFS

The combined annual volume of water under water rights No. 37-00577CG and 37-657E shall not exceed 133.0 acre feet.

PRIORITY DATE: 05/01/1881

POINT OF
DIVERSION:

T03N R18E S20 SWNW Within BLAINE County
T03N R18E S20 SESW Within BLAINE County
T03N R18E S29 NWSE Rediversion 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	0.760 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T03N R18E S29 SWNE 19.00	T03N R18E S29 NWSE 19.00	
	38 ACRES TOTAL		

Right Nos. 37-577CG and 37-657E are limited to the irrigation of a combined total of 38 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Measuring devices of a type approved by this Department shall be installed and maintained on all points of diversion and point of rediversion.

Failure of the right holder to comply with the conditions of transfer 4171 is cause for the Director to rescind approval of the transfer.

Water is delivered through the Hiawatha canal and the Purdum Slough.

The right holder shall accomplish the change authorized by transfer 4171 within one (1) year of the date of the transfer approval.

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

Point of rediversion is from Purdum Slough.



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

September 11, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

COTTONWOOD CREEK INVESTMENTS INC
C/O ROBIN TAYLOR
PO BOX 2840
KETCHUM ID 83340

RE: SRBA Claim(s) 37-577CG, 37-657E

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
Updated by 12/08
Date 7/21/08

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.

(Please print or type)

RECEIVED**JUL 21 2008****DEPT. OF WATER RESOURCES
SOUTHERN REGION**

- [] Water Right Number(s): 37-657E
- [] Name(s): Cottonwood Creek Investments, Inc.
- [] Old Mailing Address: P.O. Box 1965
Sun Valley, ID 83353
- [] New Mailing Address: c/o Robin Taylor
Secretary
Cottonwood Creek HOA
P.O. Box 2840, Ketchum, ID 83340
- Telephone Number: (208) 721 - 1165
- Email: _____
- [] Signature(s) of Owner(s) Robin Taylor
Secretary
(Include your title if on behalf of company or organization)
- Date: 7/18/08

Send a signed original to your closest regional office:

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

SCANNED
JUL 21 2008

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



UNITED STATES POSTAGE
02 1M
0004230683
\$ 00.87
MAR 07 2007
MAILED FROM ZIP CODE 83701

ATTEMPTED
NOT KNOWN

REFUSED

RECEIVED

MAR 15 2007

DEPARTMENT OF
WATER RESOURCES

3x21

37-57766

NO LONGER OWNER WATER SHARE
TRY P.O. BOX 3416
HAILEY, ID. 83333

COTTONWOOD CREEK INVESTMENTS
PO BOX 1965
SUN VALLEY ID 83353

12/21/2006

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

RIGHT NUMBER: 37-577CG

NAME AND ADDRESS: COTTONWOOD CREEK INVESTMENTS INC
PO BOX 1965
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.690 CFS

The combined annual volume of water under water rights No. 37-00577CG and 37-657E shall not exceed 133.0 acre feet.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T03N R18E S20 SWNW Within BLAINE County
T03N R18E S20 SESW Within BLAINE County
T03N R18E S29 NWSE Rediversion Within BLAINE County
Point of rediversion is from Purdum Slough.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.690 CFS

PLACE OF USE:

<u>IRRIGATION in BLAINE County</u>			
T03N R18E S29	SWNE	19.00	T03N R18E S29 NWSE 19.00

38 ACRES TOTAL

Right Nos. 37-577CG and 37-657E are limited to the irrigation of a combined total of 38 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

Failure of the right holder to comply with the conditions of transfer 4171 is cause for the Director to rescind approval of the transfer.

Water is delivered through the Hiawatha canal and the Purdum Slough.

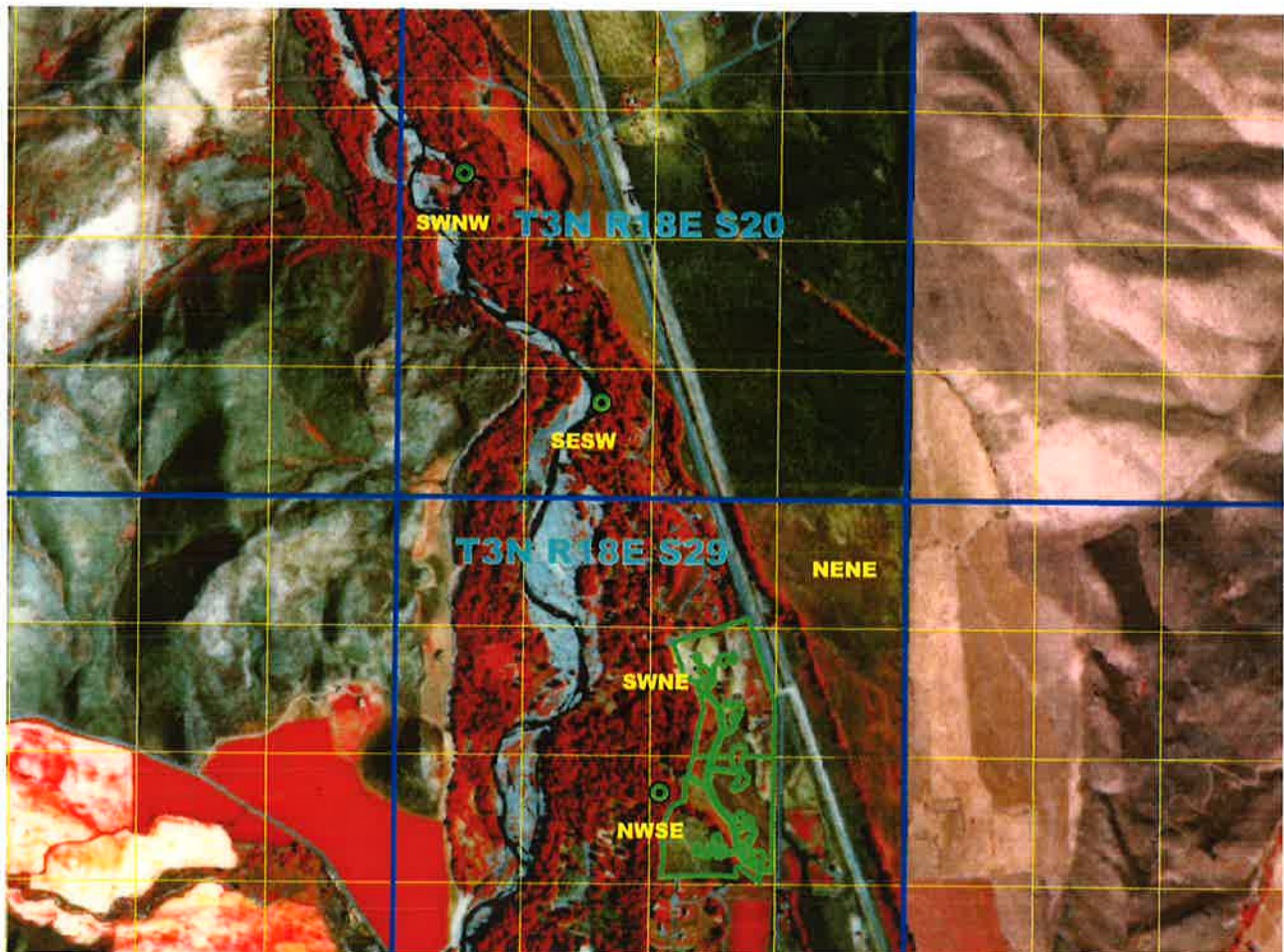
Measuring devices of a type approved by this Department shall be installed and maintained on all points of diversion and point of rediversion.

The right holder shall accomplish the change authorized by transfer 4171 within one (1) year of the date of the transfer approval.



State of Idaho
Idaho Department of Water Resources
Western Region

T3N R18E SECTION(S) 20 & 29
WATER RIGHT(S) : 37-577CG & 37-657E



0.5 0 0.5 1 Miles

- ⊙ Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

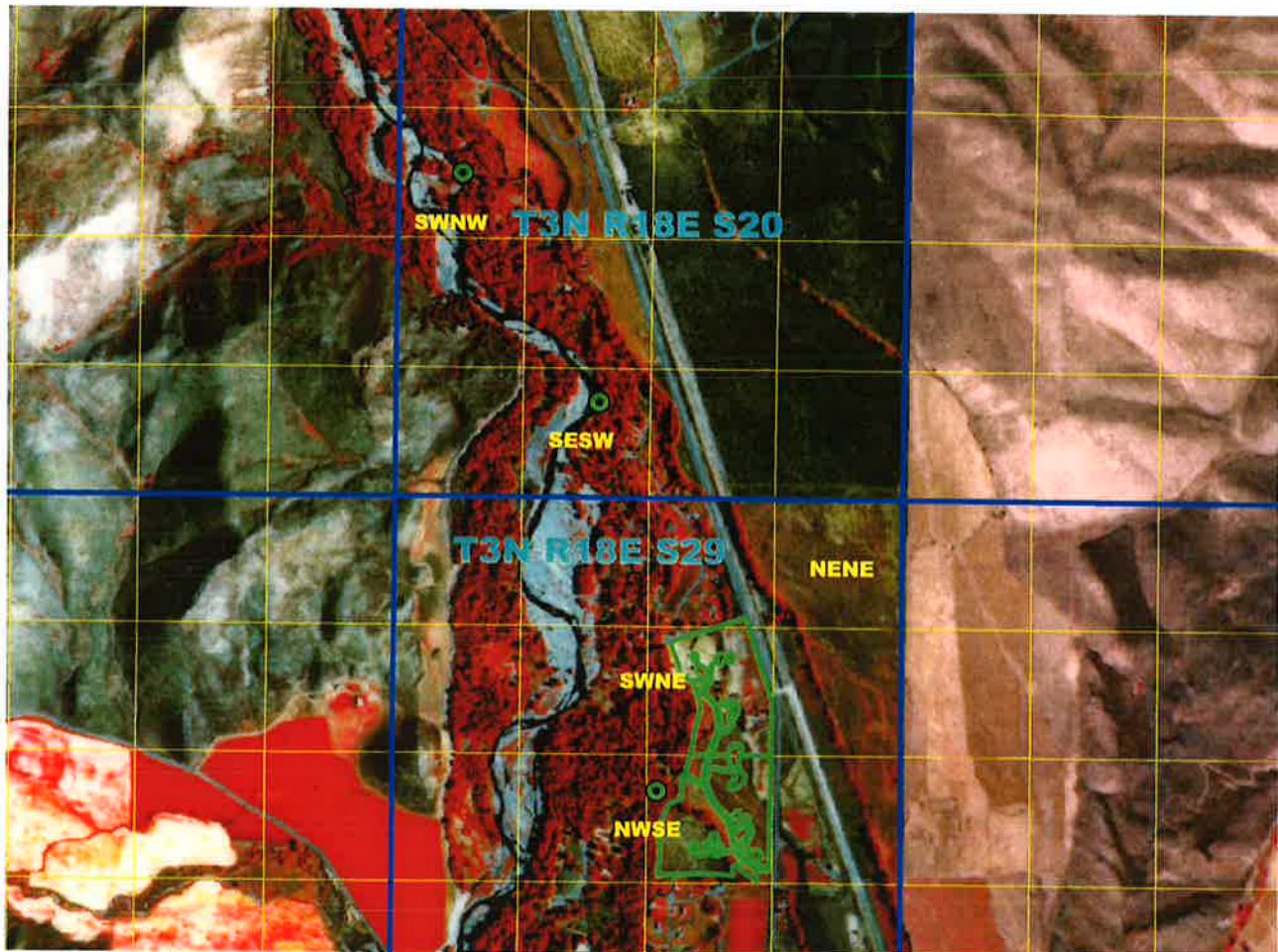
GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: December 2006





State of Idaho
Idaho Department of Water Resources
Western Region

T3N R18E SECTION(S) 20 & 29
WATER RIGHT(S) : 37-577CG & 37-657E



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

Total Irrigated Acres = 38 acre(s)

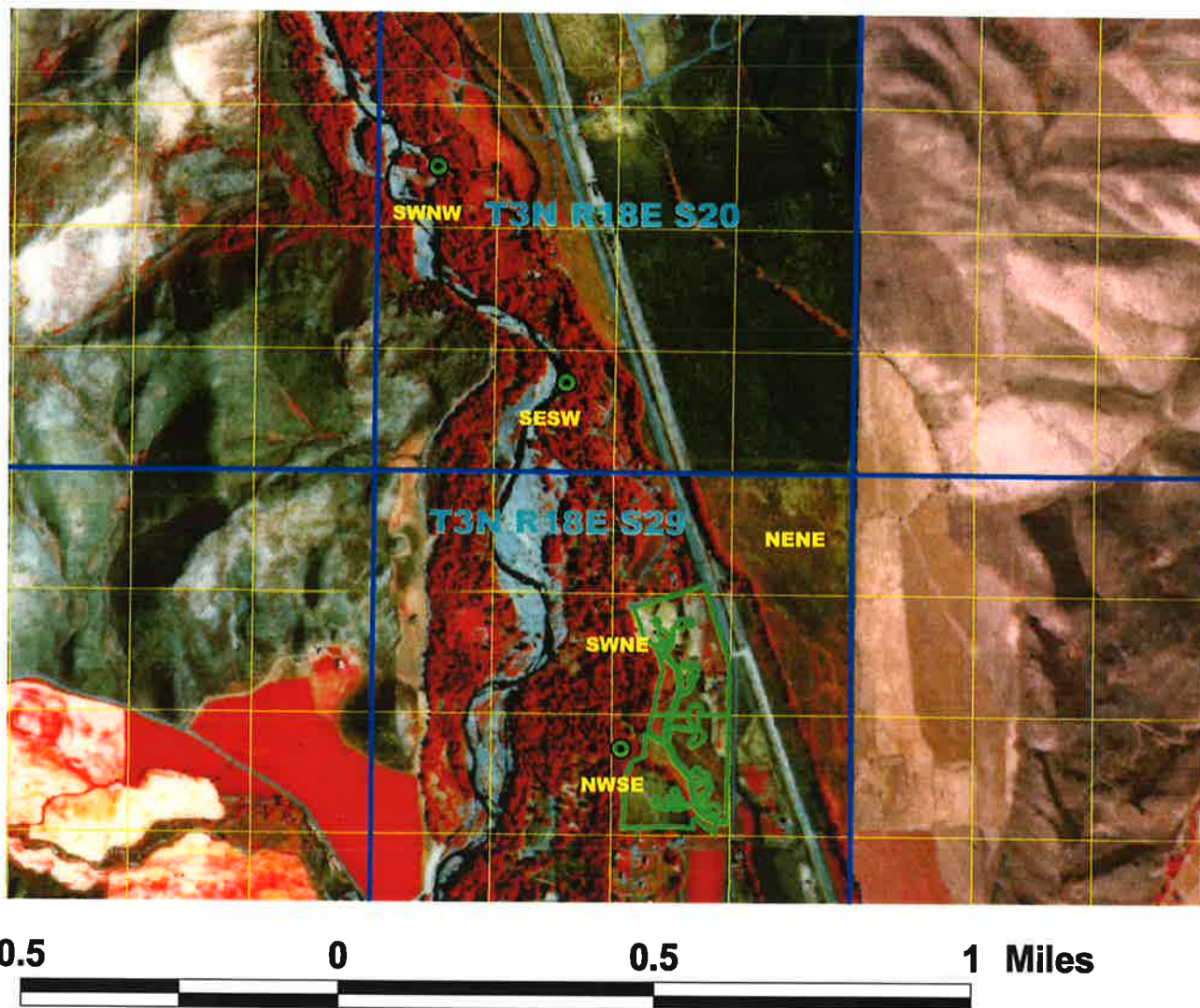
GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: December 2006





**State of Idaho
Idaho Department of Water Resources
Western Region**

**T3N R18E SECTION(S) 20 & 29
WATER RIGHT(S) : 37-577CG & 37-657E**



Shape File determined from transfer # 4171.

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

**GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: December 2006**



T3N R18E
S20 SWNW

T3N R18E S29

NENE

SWNE
19 acres

NWSE
19 acres

PLEASE NOTE: The maps available don't show the exact acres being irrigated. The exact acres being irrigated will not be known until the development has been fully completed. Therefore, the shape file represents the area where 38 acres could be irrigated once the development is complete.

TO: ADJUDICATION CLAIM FILE 37-577CG & 37-657E

FROM: DANIEL A. NELSON

DATE: 12/21/06

SUBJECT: CLAIM REVIEW

This claim is based on two older decreed rights that were transferred in 1994 to split the rights and change the place of use. This transfer is the true basis of these claims, and the recommendation on these claims will reflect the transfer. The biggest issue with the transfer is the map showing the actual place of use. The place of use drawn on the map shows approximately 53 acres of ground. The purpose of the transfer was to move the water around to accommodate a new subdivision. The actual acres to be irrigated had not been determined at the time of the transfer, so a general boundary was drawn.

Current aerial photography of the property shows that the roads and several ponds have been constructed, but the homes and other structures of the subdivision have yet to be developed. This makes it impossible to determine the actual acres irrigated. The land available for irrigation at this time is 47 acres, which could easily be reduced to the 38 acres allowed once all the development is complete. Therefore, I left the acre amounts the same as listed on the transfer, and drew a map that excluded the ground that has already been taken out of production. The map will need to be refined once the development is completed.

There are no other significant overlapping water rights for this property. These claims are numbered differently on the water right database due to changes of ownership and other reasons. Water right 37-577CG is now listed as 37-30037 in the water rights database, and water right 37-657E is listed as 37-657B in the water rights database. The adjudication water right numbers will override the water right numbers once the SRBA is complete, and the decrees are moved over to the water right database.

The point of diversion in the SESW Section 20 is the point of diversion for the Purdum Slough, and the point of re-diversion in the NWSE of Section 29 is the point where water is diverted from the Purdum Slough. The Point of diversion in the SWNW Section 20 is point of diversion for the Hiawatha canal.

All of the conditions listed on the transfer will be carried over to the recommendation.

3/15/2006

BIG WOOD ABOVE MAGIC DECREE BOOK

DIVER NO	R	DIVER NAME	DIST_PRIOR	LAST NAME- OWNER ST_ID	DECREE TO	PRIOR DATE		INCHES	CFS	OWNER TRANSFER NUMBERS & PERMIT NUMBERS CFS
22	D	HIAWATHA	4-A2	COTTONWOOD INVESTMENT COTTONWOOD INVESTMENT	37-0657B	ANNA B TROGER	05 / 01	1881	38.00	0.76 0.76 CAN BE DELIVERED AT 23-P1
22	D	HIAWATHA	19-A2	COTTONWOOD INVESTMENT	37-0577BY	W.T.RILEY	03 / 24	1883	34.50	0.69 1.45

37-657B

Renumbered TO
37-657 E in
S R B A.

Always consider the possibility that river losses or conveyance losses for a ditch system may exist even if the claim matches the water master list.

Yellow highlighted rights indicates rate and name match.

Blue and/or green highlighted rights indicate Possible match but with problems

Bright blue = research after 6-23-2005 matches.

Red = likely guess of a match or some kind of significant problem.

The list is not necessarily comprehensive. Most water carried on the watermaster list as Big Wood River losses or Conveyance losses are not shown on this comparison. Further research by right needs to be done.

Note: some entries contain a comments box (small red triangle in upper left corner of a cell)

watermaster records				ADJUDICATION CLAIMS		WATER RIGHTS	
sort							
55-C	E	5 WASHINGTON ASPHALT	37-0577	0.20	11816	Wood River Ranch Co	Possible match
44	E	5 ECCLES WINDOW ROCK RANCH L	37-0577AT	0.35			
22	D	5 DAVID L CROPPER	37-0577	0.11			
22	D	4 EDMUND E DUMKE	37-0577	1.41	21112	1.42 MARATHON PARTNERS LLC	rates match
22	D	5 JACKSON W ALLRED II	37-0577	0.06			
22	D	2 ERIC AND JOAN RAZOR	37-0577	0.06	20807	0.06 RASOR, ERIC N ; RASOR, JOAN T	
		2 ROD THORNTON	37-0577BN	0.03	21113	0.03 Thornton	RE: License 37-8820
55-C	E	4 JEFFERY ANDERTON	37-0577	0.19	577 CC	????? PART???	Going to file a late claim 12/04/06
55-C	X	4 BIG WOOD RIVER	37-0577BH	0.02	577 BH	0.18 BRUNKER, BUFFY R ; BRUNKER, MICHAEL B	0.02 lost to river, 0.16 delivered to Baseline
22	D	4 THOMAS HICKEY	37-0577	0.48	577 CE	1.09 YOUNG, FERN ; YOUNG, ROBERT	Possible part of this right.
RLR-30	E	4 MICHAEL B BRUNKER-RLR-30	37-0577BH	0.16	577 BH	BRUNKER, BUFFY R ; BRUNKER, MICHAEL B	
55-C	E	4 LEWIS WILLIAM DYE	37-0577	0.50	577 CC	1.8 DYE, WILLIAM LEWIS ; SUNBEAM HOLDING TRUST	Recommended 1,8 which includes Dye and Sunbeam Holding total holdings.
55-C	E	4 LEWIS WILLIAM DYE	37-0577	0.40	577 CC	DYE, WILLIAM LEWIS ; SUNBEAM HOLDING TRUST	
55-C	E	4 SUNBEAM HOLDING TRUST	37-0577	0.50	577 CC	DYE, WILLIAM LEWIS ; SUNBEAM HOLDING TRUST	
55-C	E	4 SUNBEAM HOLDING TRUST	37-0577	0.40	577 CC	DYE, WILLIAM LEWIS ; SUNBEAM HOLDING TRUST	
22	D	3 DAVID B HENNESSY	37-0577	0.10	11411	0.1 GORMAN, DONNA F ; GORMAN, JAMES A	
45	E	3 JOHN SCHERER	37-0577	2.20	577 BT	2.2 SOUTH COUNTY ESTATES LLC	
22	D	3 WOOD RIVER COUNTRY CLUB	37-0577T&V	1.56	577 BV	1.69 THE VALLEY CLUB INC	
55-C	E	3 A W MOLYNEUX	37-30000P	0.76	20571	0.77 MOLYNEUX, A W ; MOLYNEUX, MAXINE	
22	D	3 WOOD RIVER COUNTRY CLUB	37-0577	1.20	577 BU	1.2 THE VALLEY CLUB INC	
77-P	X	3 J D SPRING CREEK RANCH	37-0577BB	0.18	19831	1.02 J D SPRING CREEK RANCH LLC	conveyance losses of right
22	D	3 J D SPRING CREEK RANCH	37-0577BK	4.14	11483	6.96 J D SPRING CREEK RANCH LLC	
22	D	3 J D SPRING CREEK RANCH	37-577BH	2.82	11483	J D SPRING CREEK RANCH LLC	
22	D	3 MELVIN B EVANS	37-0577	0.03			
22	D	3 MELVIN B EVANS	37-0577	0.03	20806	0.06 EVANS, JANET ; EVANS, MELVIN B	577BP eccles WATERMASTER HAS BEEN DELIVERING 350" FOR THE PUS. THIS CLAIM MAY POSSIBLY INCLUDE PORTIONS OF PREVIOUSLY SPLIT RTS. 37-00577F, 37-0057H, 37-00577BA, & 37-00577BL.
45	E	3 H G 2 LIMITED PARTNERSHIP	37-0577	0.99	11526 A	0.99 HG2 LIMITED PARTNERSHIP	
27	O	3 HARRY S RINKER	37-0577	0.20	577 AK	0.2 RINKER POSSIBLE MATCH	
22	D	3 LISELOTTE BODNER	37-0577BM	0.22	11654 A	0.23 KEGLEY, RODNEY	
RLR-04	F	3 J D SPRING CREEK RANCH	37-0577BB	1.02	19831	1.02 J D SPRING CREEK RANCH LLC	
0005	H	2 GENE GOOLD	37-0577	0.99	30009	1.1 GOOLD, GENE	below Magic 0.11 cfs for conveyance losses
22	D	2 EMB-HAILEY L P	37-0577	0.84	12869	0.95 EMB-HAILEY LP A CALIFORNIA LTD PTNR	
22	D	2 JIM SAVARIA	37-0577	0.42	14275	0.48 SAVARIA, JAMES R ; SAVARIA, SHIRLEY J	
22	D	2 S F ECCLES RLS-06	37-0577	1.40	577 BP	7 ECCLES FLYING HAT RANCH LLC	conveyance losses per T-69526
38-P1	E	2 S F ECCLES	37-0577	5.60	577 BP	ECCLES FLYING HAT RANCH LLC	11
RLR-02	E	2 E HADLEY STUART-RLR-02	37-0577	2.70	30020	2.9 STUART JR, E HADLEY	577 2.9 STUART JR, E HADLEY

33	E	2 RANDY W JOHNSON	37-0577BK	0.10	577 CB	0.1 MILLER, RICHARD D						
22	D	2 CHARLES E CORD	37-0577PT	0.39	11596	split into 21139 & 21140	30034	0.39	CORD JR, CHARLES E			
22	X	2 THOMAS-SETWART FMLY TR-GW	37-30000D	0.04	577 CM	0.04 THOMAS-STEWART FAMILY TRUST	30000	0.03	THOMAS-STEWART FAMILY TRUST			
45	E	2 BELLEVUE FARMS	37-0577	5.06								
45	E	2 CURT BARKER	37-0577	0.22			21346 7 21347		appears to be split			
45	E	2 THOMAS O GARA	37-0577	0.55	577 BZ	0.69 THOMAS M O GARA FAMILY TRUST	30000	0.03	THOMAS-STEWART FAMILY TRUST			
50	E	2 WILLIAM D BROWN	37-0577	0.69	11830	BROWN, FRANCIS J ; BROWN, ROBERT C ; BROWN, WALTER C ; BROWN, WILLIAM D						
RLR-20	E	2 EDWARD CAMERON-RLR-20	37-0577	0.46	577 Y	0.5 CAMERON, GEORGE EDWARD ; CAMERON, MARGARET J						
RLR-06	E	2 WILLIAM S LEET-RLR-06	37-0577BB	0.45	577 BB	0.48 LEET, MARY HELEN ; LEET, WILLIAM S						
55-C	E	2 A W MOLYNEUX UNIT #1	37-30011B	0.12	20893	0.28 SCHMID, KATHRYN ; SCHMID, STEPHEN	30011	0.12	MOLYNEUX, A W			
55-C	E	2 A W MOLYNEUX UNIT #1	37-30011C	0.16		See Remarks	30011	0.16	MOLYNEUX, A W			
0-P1A	D	2 COYOTE BLUFF	37-30024	0.40	11654 D	0.36 COYOTE BLUFF HOMES ASSN INC						
22	D	2 HIAWATHA CANAL CO	37-0577	0.15	12087	HIAWATHA CANAL WATER USERS ASSOCIATION OF LATERAL OR LATERALS						
22	D	2 HIAWATHA CANAL CO	37-0577	0.02	12088	HIAWATHA CANAL WATER USERS ASSOCIATION OF LATERAL OR LATERALS						
55-C	E	1 A W MOLYNEUX UNIT #1	37-30000L	0.03	20892	0.05 SCHMID, KATHRYN ; SCHMID, STEPHEN						
55-C	E	1 A W MOLYNEUX UNIT #1	37-30000K	0.02	20892	0.05 SCHMID, KATHRYN ; SCHMID, STEPHEN						
33	X	1 BRUCE WILLIS-NCP	37-00577AH	1.20	577 CH	1.2 PETER M THOMAS TRUST ; RIVER GROVE FARM	30013	1.2	PETER M THOMAS TRUST RIVER GROVE FARM			
21	D	1 RIVERBEND PARTNRES ONE	37-0577	0.38	577 CJ	0.38 RIVERBEND PARTNERS ONE	30012	0.38	MOORE, KENNETH			
22	D	1 HELEN LEIDY SAMSON	37-0577	0.10	577 CL	0.1 SAMSON, HELEN LEIDY ; THE SAMSON 1991 REVOCABLE TRUST						
22	D	1 CITY OF HAILEY	37-0577	2.86	10717	2.86 CITY OF HAILEY						
22	D	1 DAVID L CROPPER	37-0577	0.90	577 BS	0.9 CROPPER, DAVID L ; CROPPER, LINDA C						
22	D	1 JOHN R SCHERER	37-0577	0.04	11757	0.04 SCHERER, JOHN R ; SCHERER, PATRICIA J						
22	D	1 MARY MIZER	37-0577	0.10	12106	0.1 MIZER, MARY M						
22	D	1 TIMOTHY MYLNAR	37-0577	0.03	20808	0.03 MYLNAR, JOAN ; MYLNAR, TIMOTHY						
RLR-52	D	1 RICHARD NELSON	37-0577	0.06	577 BR	0.06 NELSON, RICHARD W						
22	D	1 HENRICUS BEEKWILDER	37-0577	0.26	11801	0.26 HENRICUS P BEEKWILDER FAMILY REVOCABLE TRUST						
22	D	1 TOM RICHMOND	37-0577	0.02	11704	0.02 RICHMOND, LINDA ; RICHMOND, TOM						
33	E	1 MITCHELL GUTCHES	37-0577	0.10	577 BY	0.1 GUTCHES, CAROLYN L ; GUTCHES, MITCHELL T						
33	E	1 WAYNE BURKE	37-0577	0.02	577 AQ	0.02 BURKE, JANE ; BURKE, WAYNE L						
45	E	1 SPENCER ECCLES	37-0577	3.50	11978	3.5 ECCLES FLYING HAT RANCH LLC						
45	E	1 B S RANCH	37-0577	0.07	11526 C	0.07 B S RANCH						
45	E	1 CARL BROWING	37-0577	0.04	11526 B	0.04 BROWNING, BARBARA ; BROWNING, CARL						
45	E	1 DON L NISSON	37-0577	1.38	577 K	1.38 NISSON, DELORES ; NISSON, DON						
45	E	1 GERALD B BASHAW	37-0577	0.69	11556	0.69 BASHAW, AUDREY ; BASHAW, GERALD B						
45	E	1 JAMES EAKIN	37-0577	2.80	577 V	2.8 EAKIN, JAMES I						
RLR-31	E	1 JOHN STEVENSON-RLR-31	37-0577	1.43	577 AP	1.43 STEVENSON, JOHN F						
45	E	1 ROBERT GARDNER	37-0577	1.38	11671	1.38 GARDNER, KATHRYN ALLRED ; GARDNER, ROBERT E						
45	E	1 THOMAS M BECK	37-0577	0.55	11566	0.55 BECK, THOMAS M						
55-C	E	1 C REID LAU	37-0577	0.28	20438	0.28 LAU, C REID						
55-C	E	1 ROD KOTIGA	37-0577	0.19	12045	0.19 KOTIGA, ROD ; SALFELD, VICKY						

577 BY Renumbered TO 577 CG ← OK.

Renumbered TO 577 CG ← OK.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-577CG V1

WATER RIGHT NUMBER: 37-577CG V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROBERT M BRENNAN PO BOX 1933 SUN VALLEY, ID 83353 (208)788-9876
Original Owner	BRIAN L BALLARD PO BOX 1617 BOISE, ID 83701 (208)344-6000
Current Owner	COTTONWOOD CREEK INVESTMENTS INC PO BOX 1965 SUN VALLEY, ID 83353 (208)622-4706

Priority Date: 03/24/1883

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	0.690 CFS	
	<u>Total Diversion:</u>	0.690 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	SW1/4NW1/4	Sec. 20, Twp 03N, Rge 18E, B.M.
BLAINE County		
BIG WOOD RIVER	SE1/4SW1/4	Sec. 20, Twp 03N, Rge 18E, B.M.
BLAINE County		
BIG WOOD RIVER	NW1/4SE1/4	Sec. 29, Twp 03N, Rge 18E, B.M.
BLAINE County	(Rediversion)	

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	29			19.0												19.0		38.0

Total Acres: 38

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-577CG V1

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. Point of rediversion is from Purdum Slough.
3. The combined annual volume of water under water rights No. 37-00577CG and 37-657E shall not exceed 133.0 acre feet.
4. T08 Failure of the right holder to comply with the conditions of transfer 4171 is cause for the Director to rescind approval of the transfer.
5. E55 Right Nos. 37-577CG and 37-657E are limited to the irrigation of a combined total of 38 acres 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.
7. Water is delivered through the Hiawatha canal and the Purdum Slough.
8. Measuring devices of a type approved by this Department shall be installed and maintained on all points of diversion and point of rediversion.
9. T07 The right holder shall accomplish the change authorized by transfer 4171 within one (1) year of the date of the transfer approval.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-577CG V1

Comments:

1. dnelson 12/21/2006 Claim Review

Comment: This claim is based on two older decreed rights that were transferred in 1994 to split the rights and change the place of use. This transfer is the true basis of these claims, and the recommendation on these claims will reflect the transfer. The biggest issue with the transfer is the map showing the actual place of use. The place of use drawn on the map shows approximately 53 acres of ground. The purpose of the transfer was to move the water around to accommodate a new subdivision. The actual acres to be irrigated had not been determined at the time of the transfer, so a general boundary was drawn.

Current aerial photography of the property shows that the roads and several ponds have been constructed, but the homes and other structures of the subdivision have yet to be developed. This makes it impossible to determine the actual acres irrigated. The land available for irrigation at this time is 47 acres, which could easily be reduced to the 38 acres allowed once all the development is complete. Therefore, I left the acre amounts the same as listed on the transfer, and drew a map that excluded the ground that has already been taken out of production. The map will need to be refined once the development is completed.

There are no other significant overlapping water rights for this property. These claims are numbered differently on the water right database due to changes of ownership and other reasons. Water right 37-577CG is now listed as 37-30037 in the water rights database, and water right 37-657E is listed as 37-657B in the water rights database. The adjudication water right numbers will override the water right numbers once the SRBA is complete, and the decrees are moved over to the water right database.

The point of diversion in the SESW Section 20 is the point of diversion for the Purdum Slough, and the point of re-diversion in the NWSE of Section 29 is the point where water is diverted from the Purdum Slough. The Point of diversion in the SWNW Section 20 is point of diversion for the Hiawatha canal.

All of the conditions listed on the transfer will be carried over to the recommendation.

2. dnelson 12/21/2006 Text

Comment: PURSUANT TO APPROVED TRANSFER 4171: 1. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS TRANSFER.

2. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

3. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

4. USE OF WATER UNDER THESE WATER RIGHTS WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 37.

5. MEASURING DEVICES OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE INSTALLED AND MAINTAINED AT EACH POINT OF DIVERSION AND POINT OF REDIVERSION.

6. THE COMBINED ANNUAL VOLUME OF WATER UNDER RIGHT NOS.

A37-00577CG AND A37-00657E SHALL NOT EXCEED 133.0 ACRE FEET.

7. POINT OF REDIVERSION UNDER RIGHT NOS. A37-00577CG AND A37-00657E IS FROM PURDUM SLOUGH.

***** CHANGE OF OWNERSHIP MADE 9/21/95 TF. BRENNAN TO COTTONWOOD CREEK INVESTMENTS INC.

***** THIS CLAIM WAS SPLIT FROM A37-00577C PURSUANT TO APPROVED TRANSFER 4171.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-577CG V1

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	133	38

Combined Water Rights: 37-577CG, 37-657E

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	12/21/2006 1:19:56 PM	dnelson			Active
Priority Date	12/21/2006 1:20:53 PM	dnelson			Active
POD	12/21/2006 1:25:19 PM	dnelson			Active
Source	12/21/2006 1:25:37 PM	dnelson			Active
POU	12/21/2006 1:26:32 PM	dnelson			Active
Use	12/21/2006 1:26:51 PM	dnelson			Active
Season	12/21/2006 1:27:45 PM	dnelson			Active
Quantity	12/21/2006 1:28:22 PM	dnelson			Active
Summary			12/21/2006	dnelson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	12/21/2006 1:21:49 PM	dnelson	Updated shape
POD	12/21/2006 1:23:56 PM	dnelson	Updated shape
POD	12/21/2006 1:25:19 PM	dnelson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-577CG V1

Source	12/21/2006 1:25:37 PM	dnelson	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	12/21/2006 1:26:24 PM	dnelson	Updated shape for Active POU
POU	12/21/2006 1:26:32 PM	dnelson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?
Contacts	12/21/2006 1:19:57 PM	dnelson	(No) 1. Do you want to schedule an appointment? Comment for 1: Watermaster report shows water was delivered and transfer 4171 provided place of use and conditions. No field exam required.
General	12/21/2006 1:20:53 PM	dnelson	(Yes) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 2. Was the owner or the owners predecessor in interest of the place of use joined in the later decree? (No) 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Use	12/21/2006 1:26:51 PM	dnelson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-577CG V1

Season	12/21/2006 1:27:46 PM	dnelson	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	12/21/2006 1:28:22 PM	dnelson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required?
POD	12/21/2006 1:25:11 PM	dnelson	Updated shape
Summary	12/21/2006 1:30:41 PM	dnelson	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Summary	11/3/2006 4:54:53 PM	CFRITSCH	Bulk Copy

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-577CG

WATER RIGHT NUMBER: 37-577CG

Renumbered in SRBA
Listed as 57734
in xfer 4171
Then changed
TO 37-30037
OK

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROBERT M BRENNAN PO BOX 1933 SUN VALLEY, ID 83353 (208)788-9876
Original Owner	BRIAN L BALLARD PO BOX 1617 BOISE, ID 83701 (208)344-6000
Current Owner	COTTONWOOD CREEK INVESTMENTS INC PO BOX 1965 SUN VALLEY, ID 83353 (208)622-4706

Priority Date: 03/24/1883

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	0.690 CFS	
	<u>Total Diversion:</u>	0.690 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	SW1/4NW1/4	Sec. 20, Twp 03N, Rge 18E, B.M.
BLAINE County		
BIG WOOD RIVER	SE1/4SW1/4	Sec. 20, Twp 03N, Rge 18E, B.M.
BLAINE County		
BIG WOOD RIVER	NW1/4SE1/4	Sec. 29, Twp 03N, Rge 18E, 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	
03N	18E	29																	38.0

Total Acres: 38

Conditions of Approval:

use same conditions
as 37-657E.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-577CG

1. PURSUANT TO APPROVED TRANSFER 4171: 1. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS TRANSFER.
2. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
3. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.
4. USE OF WATER UNDER THESE WATER RIGHTS WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 37.
5. MEASURING DEVICES OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE INSTALLED AND MAINTAINED AT EACH POINT OF DIVERSION AND POINT OF REDIVERSION.
6. THE COMBINED ANNUAL VOLUME OF WATER UNDER RIGHT NOS. A37-00577CG AND A37-00657E SHALL NOT EXCEED 133.0 ACRE FEET.
7. POINT OF REDIVERSION UNDER RIGHT NOS. A37-00577CG AND A37-00657E IS FROM PURDUM SLOUGH.
- ***** CHANGE OF OWNERSHIP MADE 9/21/95
TF. BRENNAN TO COTTONWOOD CREEK INVESTMENTS INC.
***** THIS CLAIM WAS SPLIT FROM
A37-00577C PURSUANT TO APPROVED TRANSFER 4171.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 11/4/1992
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-30037

WATER RIGHT NUMBER: 37-30037

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	W T RILEY
	, ID
Current Owner	ROBERT M BRENNAN
	PO BOX 1933
	SUN VALLEY, ID 83353
	(208)788-9876

Priority Date: 03/24/1883

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	0.690 CFS	
	<u>Total Diversion:</u>	0.690 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	SW1/4NW1/4	Sec. 20, Twp 03N, Rge 18E, B.M.
BLAINE County		
BIG WOOD RIVER	SE1/4SW1/4	Sec. 20, Twp 03N, Rge 18E, B.M.
BLAINE County		
BIG WOOD RIVER	NW1/4SE1/4	Sec. 29, Twp 03N, Rge 18E, B.M.
BLAINE County	(Rediversion)	

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	29			19.0											19.0			38.0

Total Acres: 38

Conditions of Approval:

1. Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion and point of rediversion.
The combined annual volume of water under this right and Right 37-00657B shall not exceed 133.0 acre feet.
Point of rediversion is from Purdum Slough.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-30037

- Rescind*
2. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
 3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
 4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
 5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Remarks:Comments:

1. SKAGGS 1/11/1994 TRANSFER NO. 4171

Comment: Trans. #4171 was filed to change the place of use and add a point of diversion.

2. SCURTIS 10/23/1996 PREVIOUS NUMBER

Comment: This right reflects a portion of the W. T. Riley right which was not assigned a suffix portion of 37-00577 in the computer system prior to the renumbering of valid portions to 30000 series numbers. The transfer(s) which created this right were further splits of previous numbers 37-00577BA & BN.

Dates and Other Information:

Licensed Date:

Decreed Date: 6/27/1925

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: Wood River Land Co

Decree Plaintiff: Martin Albrethsen

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

ORIGINAL CLAIM
IN 577CF
D-8 11/3

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 18, 2000

KEN and KATHY SCHOESSLER
HC 62 BOX 1600
WELLS NV 89835

RE: A37-02556B, A37-07612 (New Claims)
A37-00577C, A37-00704G, A37-07817, 37-11747, A37-11749, A37-11750,
A37-11751, A37-11752, 37-11758 (Address Change)

Dear Mr. and Mrs. Schoessler,

Enclosed are the two **NEW Claims** you wished to file. If they appear correct, please sign in front of a notary and return to my attention with a check for \$100.00 (\$50.00 per claim).

One thing I did notice was that we already had a claim in our TEMP file for A37-07612. It was dated 10/19/1988, but for some reason the fees were never paid and so the claim was never officially filed. This will take care of that and the only reason I mentioned this is because it listed the legal description for the Point of Diversion (Item #4), as the NWNWNW of Section 7. The License, however, listed the Point of Diversion as the NWNE of Section 7. I have enclosed a map for you to review and if the claim I have prepared needs to be changed, just make any changes and initial by the those changes. I will make the corrections to our records when I receive them with your check.

I have also enclosed the **Change of Address** form listing your other rights, which needs to be **signed and dated** and returned to our office.

If you have any questions, feel free to give me a call at the office.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 16, 2000

KEN & KATHY SCHOESSLER
HC 62 BOX 1600
WELLS NV ~~897~~35

RE: A37-02556B and A37-0761a (New Claims)
A37-00577C, A37-00704G, A37-07817, A37-11747, A37-11749, A37-11750,
A37-11751, A37-11752 and A37-11758 (Address Changes)

Dear Mr. and Mrs. Schoessler,

Enclosed is your receipt and copies of your new adjudication claims and profile reports showing your address has been updated on your other claims. Please look them over carefully to make sure everything is correct.

Feel free to give me a call at the office if you have any questions.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

AJ0743NP
(00-124)

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

09/21/95 14:09:56
Page 1

Water Right Number - A37-00577C

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SPLIT CLAIM

1 -
2 -
3 -

City- X
Phone - 208-000-0000

State- ID Zip- X

*** O - ORIGINAL OWNER ***
BRENNAN

ROBERT M

1 - PO BOX 1933
2 -
3 -

City- SUN VALLEY
Phone - 208-788-9876
1 - PO BOX 1617
2 -
3 -

State- ID Zip- 83353

BALLARD

BRIAN L

City- BOISE
Phone - 208-344-6000

State- ID Zip- 83701

+ - - Priority Date - - +
03/24/1883

+ - - - Region - - - +
17 SOUTHERN

+ - - - Stage - - - +

+ - - - Status - - - +
Z - SEE REMARKS

+ - - - - Source - - - - - +
BIG WOOD RIVER
SPLIT RIGHT

+ - - - - Tributary - - - - - +
SNAKE RIVER

Tw	Rng	Sec	Tract	Lot	Rflg	Point of Diversion
03N	18E	20	SW NW SE SW			(13) BLAINE (13) BLAINE

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/15	10/15		1.060	

+ - Total Div. Rate - +
1.060

+ - Total Div. Volume - +

+ - Total Consumptive Use - +
330.0

+ - KW Usage - +

Tw	Rng	Sec	Tract	Lot	Place of Use	Acres	Code	Description	County
03N	18E	29	SW NE			35.0	01	IRRIGATION	(13) BLAINE
03N	18E	29	SE NW			34.0	01	IRRIGATION	(13) BLAINE
03N	18E	29	NE SW			25.0	01	IRRIGATION	(13) BLAINE
03N	18E	29	NW SE			38.0	01	IRRIGATION	(13) BLAINE

Total Acres: 132.0

+ - - Diversion Means - HIAWATHA CANAL, PURDUM SLOUGH

NOV 22 1996
MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 5, 1992

Brian Ballard
P.O. Box 1617
Boise, ID 83701

RE: Snake River Basin Adjudication (SRBA)
Blaine County - Notices of Claim for Robert M. Brennan

Dear Brian:

We are forwarding to you copies of the Notices of Claim you filed for Mr. Robert Brennan in the SRBA.

Upon review, we have interpreted some of the data from these notices in a manner we feel more accurately states the true status of Mr. Brennan's water use. The items that were modified are highlighted. More specifically, we added a consumptive use figure of 330.0 AFA (2.5 AF/Acre * 132 Acres) on all five notices, we changed the year in the priority date of A37-00451 from 1989 to the 1889, and we made some minor clarification of claim notice numbers at item 13 of all five notices.

Please review the enclosed computer-generated copies to be sure that the modifications are correct. If you believe our data is incorrect, please cross out the incorrect information, insert the correct information, have your client sign the forms, have the signatures notarized, and return the forms to IDWR within 30 days.

If you believe our modifications are correct, please retain these copies for your records.

If you have any questions, please contact me at 327-7934.

Sincerely,

Shelley Walter Keen
Senior Water Resource Agent

SWK:region
Enclosures:

Computer Generated Notice of Claim and Yellow Copies of
A37-00659B, A37-00658, A37-00657C, A37-00451, and A37-0051

MICROFILMED
FEB 23 1993

5/1989

FRA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Brennan, Robert M. CLAIM 1 NT. NO. A37-60577C

DATE RECEIVED 11/4/92 CK # 4136/6025916 AMOUNT \$ 382.00 YES NO Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
3. Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
4. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) N/A ☒ YES ☐ NO *
5. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
6. Is there a description of the diverting works? ☒ YES ☐ NO *
7. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
8. Is the period of use included? ☒ YES ☐ NO *
9. Is a quantity claimed for each use? ☒ YES ☐ NO *
10. Is a total quantity claimed entered? ☒ YES ☐ NO *
11. If required is a consumptive use entered? N/A ☒ YES ☐ NO 132 x 2.5 = 330AFY
12. Is the consumptive use correct? N/A ☒ YES ☐ NO *
13. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☒ YES ☐ NO *
14. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
15. Is (are) the county(ies) entered? ☒ YES ☐ NO *
16. Is the ownership of p.u. checked? ☒ YES ☐ NO *
17. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
18. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ YES ☐ NO *
19. Is the basis of the claim indicated? ☒ YES ☐ NO *
20. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒ YES ☐ NO *
21. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
22. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
23. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
24. Is the fee enclosed correct? Exempt ☒ YES ☐ NO *
25. If this claim is based on an existing water right, has the identification number been entered? N/A ☒ YES ☐ NO *
26. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: S.W. Keen Date: 10/13/92

Claim must be returned to claimant: (Yes) ☒ (No) ☐

Claimant must be notified of modifications: (Yes) ☒ (No) ☐

Receipt Prepared by: J. Yarbrough Date: 11/4/92
Claim data entered by: S.W. Keen Date: 11/5/92 Checked by: FEB 28 1993
Sent to claimant by: _____ Date: _____

Comments: \$50.00 (Same acres as A37-00657C). No Late Fee - property purchased after Round #1, claim filed before Round #2. (See AJ Memo #2, Exception #3).

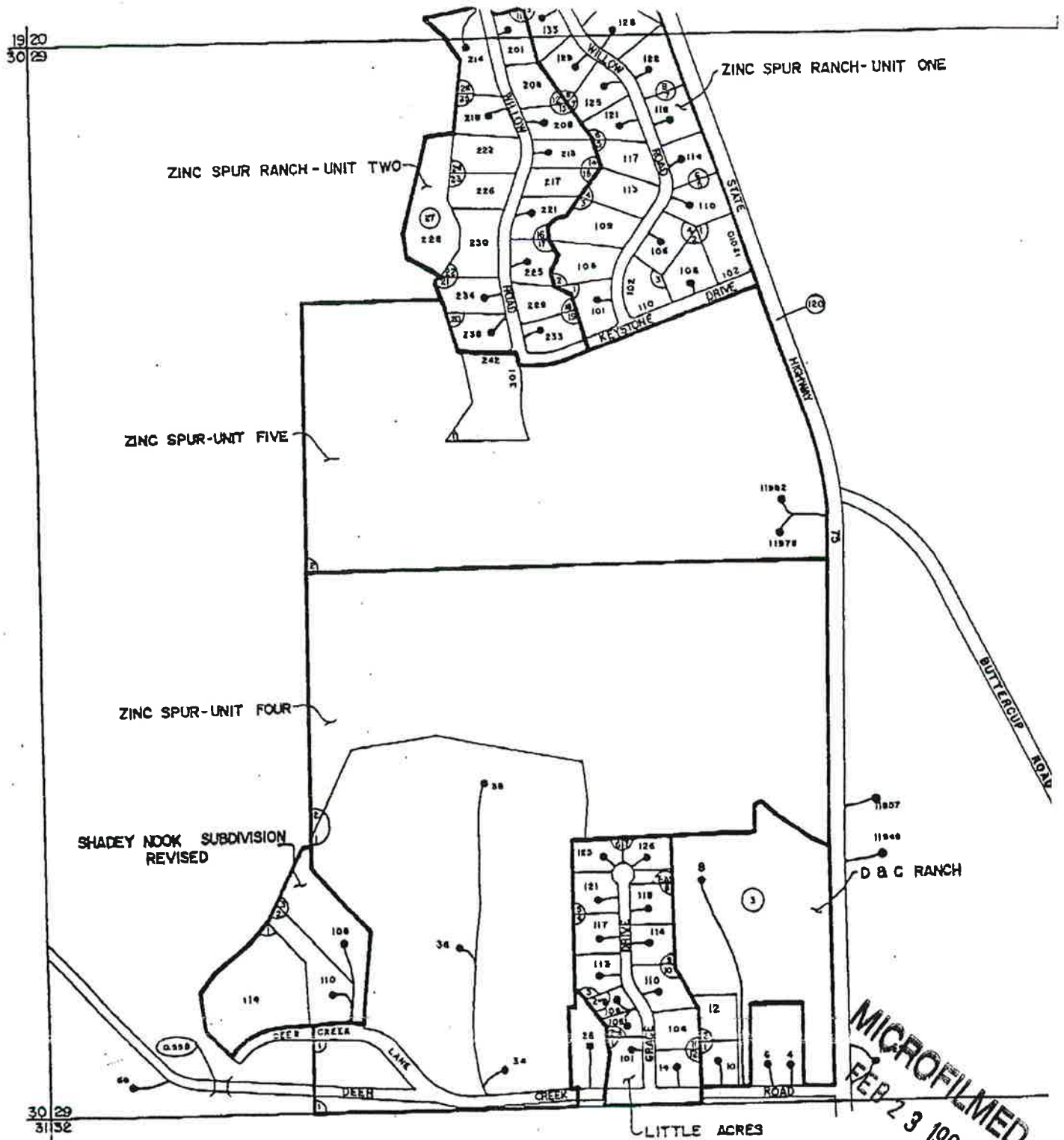
TO: STATE OFFICE

NOV-04-'92 WED 15:36 D:IDWR SOUTHERN

TEL NO:1-208(-3037

#873 P02

A37-00577





IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

☐ Water Right Number(s): A37-00577C, A37-00704G, A37-07817, 37-11747, A37-11749,

A37-11750, A37-11751, A37-11752, 37-11758

☐ Old Mailing Address:

120 BASELINE RD

BELLEVUE ID 83313

(208) 788-3174

☒ New Mailing Address:

Ken + Kathy Schoessler

HC 62 Box 1600

Wells, NV 89835

☐ New Telephone Number: (775) 755 - 2808

☐ Signature of Claimant(s): _____

Date: _____

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data Entry

Date: _____ By: _____

pls. sign
& date
return with
new claims #



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

September 21, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

ATTN: EVERETT DAVIS
COTTONWOOD CREEK INVESTMENTS INC
PO BOX 1965
SUN VALLEY ID 83353

RE: SRBA Claims A37-00657E and A37-00577CG

Dear Claimant:

Pursuant to the approval of Transfer No. 4171, the above referenced Notice(s) of Claim in the Snake River Basin Adjudication have been created to conform with the transfer. Enclosed please find a printout of your claim records. Please check these records over carefully to verify they correctly reflect your intended change. If you have questions please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

MICROFILMED
NOV 22 1996

501 a

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

FIRST INTERSTATE CENTER

SUITE 1000

POST OFFICE BOX 1617

BOISE, IDAHO 83701

TELEPHONE

(208) 344-6000

FAX

(208) 342-3829

POCATELLO OFFICE

125 NORTH GARFIELD

POST OFFICE BOX 4167

POCATELLO, IDAHO 83205

TELEPHONE

(208) 233-0845

RICHARD B. BURLEIGH

15 6 11 1

AUG 03 1994

Department of Water Resource
Southern Region Office

Idaho Dept. of Water Resources
Statehouse Mail
Boise, ID 83720-9000

Attention: Adjudication Bureau

Re: Notice of Change of Water Right Ownership

Dear Sir of Madam:

Please find enclosed a Notice of Change of Water Right Ownership for Water Right No. 37-00577BY and 37-00657B. If you have any questions regarding this change of ownership please contact the undersigned.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY



Richard B. Burleigh

RBB:ag
Enclosure

RECEIVED
AUG 01 1994
Department of Water Resources

MICROFILMED
NOV 22 1995



Stat. of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

May 19, 1995

RICHARD B BURLEIGH
HAWLEY, TROXELL, ENNIS, & HAWLEY
PO BOX 1617
BOISE, ID 83701

RE: SRBA CLAIMS A37-00577BY & A37-00657B
BRENNAN-COTTONWOOD INVESTMENTS
OWNERSHIP CHANGE

DEAR SIR:

IN REVIEWING THE CHANGE OF OWNERSHIP THAT WAS SENT IN AUGUST OF 1994, THERE ARE SOME PROBLEMS IN COMPLETING THIS TRANSACTION.

THE FIRST PROBLEM IS THAT THE ABOVE-REFERENCED CLAIMS ARE NOT IN THE NAME OF ROBERT M BRENNAN. A37-00577BY IS IN THE NAME OF BRUCE BUCHANAN, AND A37-00657B IS IN THE NAMES OF GARY AND DONNA HIBBARD.

THE SECOND PROBLEM IS THE WARRANTY DEED AND THE PROMISARY NOTE ARE CONFLICTING WITH THE SIGNATURE ON THE FORM.

THE PROMISARY NOTE IS GOING FROM EVERETT DAVIS III SEPERATE PROPERTY TO ROBERT BRENNAN.

THE WARRANTY DEED THEN HAS BRENNAN SELLING THE COTTONWOOD INVESTMENTS, WITH THE HIBBARDS BEING COTTONWOOD INVESTMENTS. THE PROBLEM IS THAT EVERETT DAVIS SIGNED THE FORM AS THE PRESIDENT OF COTTONWOOD INVESTMENTS.

I AM SENDING YOU A COPY OF THE CHANGE OF OWNERSHIP SENT FOR YOUR REVIEW. I AM ALSO SENDING PROOFS OF THE CLAIMS THAT WERE REFERENCED, ALSO THE PROOFS OF A37-00657C & A37-00577C THAT ARE IN THE NAME OF ROBERT BRENNAN ARE INCLUDED. A NEW OWNERSHIP CHANGE FORM IS INCLUDED.

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NOV 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

PAGE 2

IF YOU HAVE ANY QUESTION PLEASE FEEL FREE TO CALL ME AT THIS
OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

MICROFILMED
NOV 22 1996

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

FIRST INTERSTATE CENTER
877 MAIN STREET, SUITE 1000
POST OFFICE BOX 1617
BOISE, IDAHO 83701-1617

TELEPHONE
(208) 344-6000

FAX
(208) 342-3829

KETCHUM OFFICE

319 WALNUT AVENUE
POST OFFICE BOX 297
KETCHUM, IDAHO 83340-0297

POCATELLO OFFICE

125 NORTH GARFIELD
POST OFFICE BOX 4167
POCATELLO, IDAHO 83205-4167

RICHARD B. BURLEIGH

June 8, 1995

Tara Backlund
Idaho Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301-6105

Re: Notice of Change of Water Right Ownership

Dear Tara:

Please find enclosed the revised Notice of Change of Water Right Ownership for water previously owned by Robert Brennan and transferred to Cottonwood Creek Investments, Inc. The notice of change was revised to address the issues raised in your May 19, 1995 letter. Also enclosed is a Warranty Deed from Robert Brennan to Cottonwood Creek Investments, Inc. a Warranty Deed and Quitclaim from Gary J. Hibbard and Donna G. Hibbard to Robert Brennan and a copy of Transfer No. 4171 which split Robert Brennan's water right.

Mr. Davis has been and continues to be the president of Cottonwood Creek Investments, Inc. and in that capacity is authorized to sign the Notice on behalf of the corporation. There is no relationship between Gary J. Hibbard and Cottonwood Creek Investments, Inc. The reference to Cotton Creek Investment, Inc. on the Proof for Water Right No. A37-00657B may not be correct. At any rate, to the best of my knowledge it is not associated with Mr. Davis or Cottonwood Creek Investments, Inc. Mr. Hibbard did transfer to Mr. Brennan certain water rights including the water rights subject to Transfer No. 4171. (See attached Quitclaim Deed). Mr. Hibbard has no current ties or ownership interest in the water subject to this notice or the land on which it is used.

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NOV 22 1996

HAWLEY TROXELL ENNIS & HAWLEY

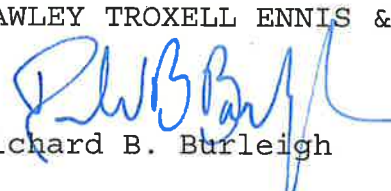
June 8, 1995

Page 2

If you have any questions regarding this Notice of Change of Water Right Ownership, please contact me as soon as possible.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY



Richard B. Burleigh

RBB\jkc
Enclosures
cc: E. Davis

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NOV 22 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Egon Adjud.

TRANSFER OF WATER RIGHT

TRANSFER NO. 4171
WATER RIGHT NO(S). 37-00577BY/37-00577BZ/37-00657B/37-00657C

This is to certify that: ROBERT M BRENNAN
PO BOX 1991
SUN VALLEY ID 83353

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
Right No. 37-00577BY: IRRIGATION Priority: 03/24/1883	04/15 to 10/15	0.69 CFS
Right No. 37-00577BZ: IRRIGATION Priority: 03/24/1883	04/15 to 10/15	0.37 CFS
Right No. 37-00657B : IRRIGATION Priority: 05/01/1881	04/15 to 10/15	0.76 CFS
Right No. 37-00657C : IRRIGATION Priority: 05/01/1881	04/15 to 10/15	0.40 CFS

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FEB 01 1994

Department of Water Resources
Southern Region Office

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG WOOD RIVER	MALAD RIVER

Right Nos. 37-00577BY^{CG} and 37-00657B^E :
LOCATION OF POINT(S) OF DIVERSION:

Rediversion

SWNW , Sec. 20, Township 03N, Range 18E
SESW , Sec. 20, Township 03N, Range 18E
NWSE , Sec. 29, Township 03N, Range 18E
BLAINE County

Right Nos. 37-00577BY^{CG} and 37-00657B^E :
PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 18E 29	SWNE 19	NWSE 19		38
Total number of acres irrigated:				38

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NOV 22 1995

TRANSFER NO. 4171
WATER RIGHT NO(S). 37-00577BY/37-00577BZ/37-00657B/37-00657C

Right Nos. 37-00577^{CF}BZ and 37-00657^DC :

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 20, Township 03N, Range 18E
BLAINE County

Right Nos. 37-00577^{CF}BZ and 37-00657^DC :

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
03N	18E	20	SWSW 10			10
03N	18E	29	NWNW 05	SWNW 05		10
Total number of acres irrigated:						20

CONDITIONS/REMARKS:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Use of water under these water rights will be regulated by the watermaster of State Water District No. 37.
5. Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion and point of redirection.
6. The combined annual volume of water under Right Nos. 37-00577BY and 37-00657B shall not exceed 133.0 acre feet.
7. The combined annual volume of water under Right Nos. 37-00577BZ and 37-00657C shall not exceed 70.0 acre feet.
7. Point of redirection under Right Nos. 37-00577BY and 37-00657B is from Purdum Slough.

Dated this 25th day of

January, 1994.

J. Glen Saylor
Chief, Water Alloc. Bureau

MICROFILMED
NOV 22 1996

Date Sent to _____

OCT 2 1993

Page 1 of 12STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4171

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

MAY 18 1993

Name of applicant Robert M. Brennan Phone 288-8846 Department of Water Resources
Southern Region OfficePost Office address PO Box 1991, Sun Valley, ID 83353

A. PURPOSE OF TRANSFER

- 1.
- ☐
- Change point of diversion
- ☒
- Add diversion point(s)
- ☒
- Change place of use

☐ Change nature of use ☐ Change period of use ☒ Other Split rights

2. Describe the reason for the proposed changes
- When land is being subdivided, so portions of original farm will no longer be irrigated. Water from these areas is being moved to west side of Big Wood R. Also to show a split of these rights that occurred in 1990.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
1) <u>37-00577 Part</u>	<u>3-24-1883</u>	<u>0.88 cfs</u>	<u>Irrig.</u>	<u>4-15</u> to <u>10-15</u>
<u>37-00657</u>	<u>5-1-1881</u>	<u>0.76 cfs</u>	<u>1.45 "</u>	<u>"</u> to <u>"</u>
2) <u>37-00577 Part</u>	<u>3-24-1883</u>	<u>0.37 cfs</u>	<u>"</u>	<u>"</u> to <u>"</u>
<u>37-00657 F</u>	<u>5-1-1881</u>	<u>0.40 cfs</u>	<u>0.77 "</u>	<u>"</u> to <u>"</u>

2. Total amount of water being transferred 2.22 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Big Wood River tributary to Malad River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	20	3N	18E	Blaine	Headgate & Hiawatha Canal
		SE	SW	"	"	"	"	Purdum Slough
		NW	SE	29	"	"	"	Re-diversion From Purdum Slough
	SE	SW	SE	20	"	"	"	Private pump

5. Lands irrigated or place of use:

Twp.	Rge.	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	
3N	18E	29				19										19			38
3N	18E	20											10						10
		29					5	5											10
																			20

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NOV 22 1996

PART 1

6. General Information:

a. Description of diversion system Pump in Wood River, pipeline & ditch to pond, Pump in pond to sprinklers (Parcel #2). Gravity diversion via Higwatha Canal & Purdum Slough (Parcel #1).

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Land will no longer be irrigated.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

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NOV 22 1996

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 37-00577BY Decreed to W. T. Riley
in case of S. C. Frost, Et. Al. vs. Altungs Water Co., Et. Al.
dated 12-13-1909 in Fourth District county of Lincoln

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. Many which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Big Wood River tributary to Malad River

4. Date or priority 3-24-1883

5. Water is used for the following purpose:

amount 13.38 cfs for Irrig. purposes from 4-15 to 10-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 13.38 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	20	3N	18E	Blaine	Herdgate #22 + Hiawatha Canal

8. Lands irrigated or place of use: Unspecified lands under Hiawatha Canal

Twp.	Rge.	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	

UNRECORDED
 NOV 22 1996

Total acres _____

9. Describe any other water rights used for the same purpose as described above 37-00657 Part

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.06 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: Same

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
<u>3N</u>	<u>18E</u>	<u>29</u>			<u>26</u>					<u>3</u>	<u>3</u>					<u>26</u>			<u>58</u>

Total acres 58

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: Same

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use: Unspecified lands under Highway Canal

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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NOV 22 1996

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-00577C Amended on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Big Wood River tributary to Mohd River4. Date or priority 3-24-1883

5. Water is used for the following purpose:

amount 1.06 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.06 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	20	3N	18E	Blaine	Hedgegate #22 & Highway 66
		SE	SW	20	"	"	"	Purdum Slough

8. Lands irrigated or place of use:

Twp.	Rge.	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	
3N	18E	29			26					3	3					26			58

Total acres 589. Describe any other water rights used for the same purpose as described above A37-00657C

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NOV 24 1995

PART 2

Transfer No. 4171

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.37 cfs for Irrig. purposes from 4-15 to 10-15
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
2. Point(s) of Diversion: Same (will be changed by transfer)

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	
<u>3N</u>	<u>18E</u>	<u>29</u>			<u>7</u>					<u>3</u>	<u>3</u>						<u>7</u>		<u>20</u>

Total acres 20

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.69 cfs for Irrig. purposes from 4-15 to 10-15
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) Same
2. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	
<u>3N</u>	<u>18E</u>	<u>29</u>			<u>19</u>												<u>19</u>		<u>38</u>

Total acres 38

NOT RECORDED
NOV 22 1995

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00657 Decreed to Anna B. Troeger
 in case of S.C. Frost, Et. AL. vs. Altungs Water Co., Et. AL.
 dated 12-13-1907 in Fourth District county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 2491, Unrecorded Split which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Big Wood River tributary to Malad River4. Date or priority 5-1-1881

5. Water is used for the following purpose:

amount 3.2 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 3.2 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	20	3N	18E	Blaine	Headgate & Hiawatha Canal
		SE	SW	"	"	"	"	Purdum Slough
		NW	SE	29	"	"	"	Re-div. from Purdum Slough

8. Lands irrigated or place of use: Per Trans. 2491

Twp.	Rge.	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	
3N	18E	21			40	40				40	40			40	40	40			280

MICROFILMED
 NOV 22 1996

Total acres 2809. Describe any other water rights used for the same purpose as described above 37-00577

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.16 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	
<u>2N</u>	<u>18E</u>	<u>29</u>			<u>26</u>					<u>3</u>	<u>3</u>					<u>26</u>			<u>58</u>

Total acres 58**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 2.04 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use: Per SRBA claims A37-00657A & B

Twp.	Rge.	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	
<u>2N</u>	<u>18E</u>	<u>29</u>	<u>40</u>	<u>7</u>		<u>33</u>													<u>101</u>

Total acres 101

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-00657C Amended on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Big Wood River tributary to Malad River

4. Date or priority 5-1-1881

5. Water is used for the following purpose:

amount 1.16 cfs for Irrig. purposes from 4-15 to 10-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.16 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	20	3N	18E	Bhine	Headgate #22 + Highway Canal
		SE	SW	"	"	"	"	Pondum Slough

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals.
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	18E	29			26					3	3					26			58

MICROFILMED
NOV 22 1996

Total acres 58

9. Describe any other water rights used for the same purpose as described above A37-00577C

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.40 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: Same (will be changed by transfer)

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	
<u>3N</u>	<u>18E</u>	<u>29</u>			<u>7</u>					<u>3</u>	<u>3</u>					<u>7</u>			<u>20</u>

Total acres 20

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.76 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) Same

2. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

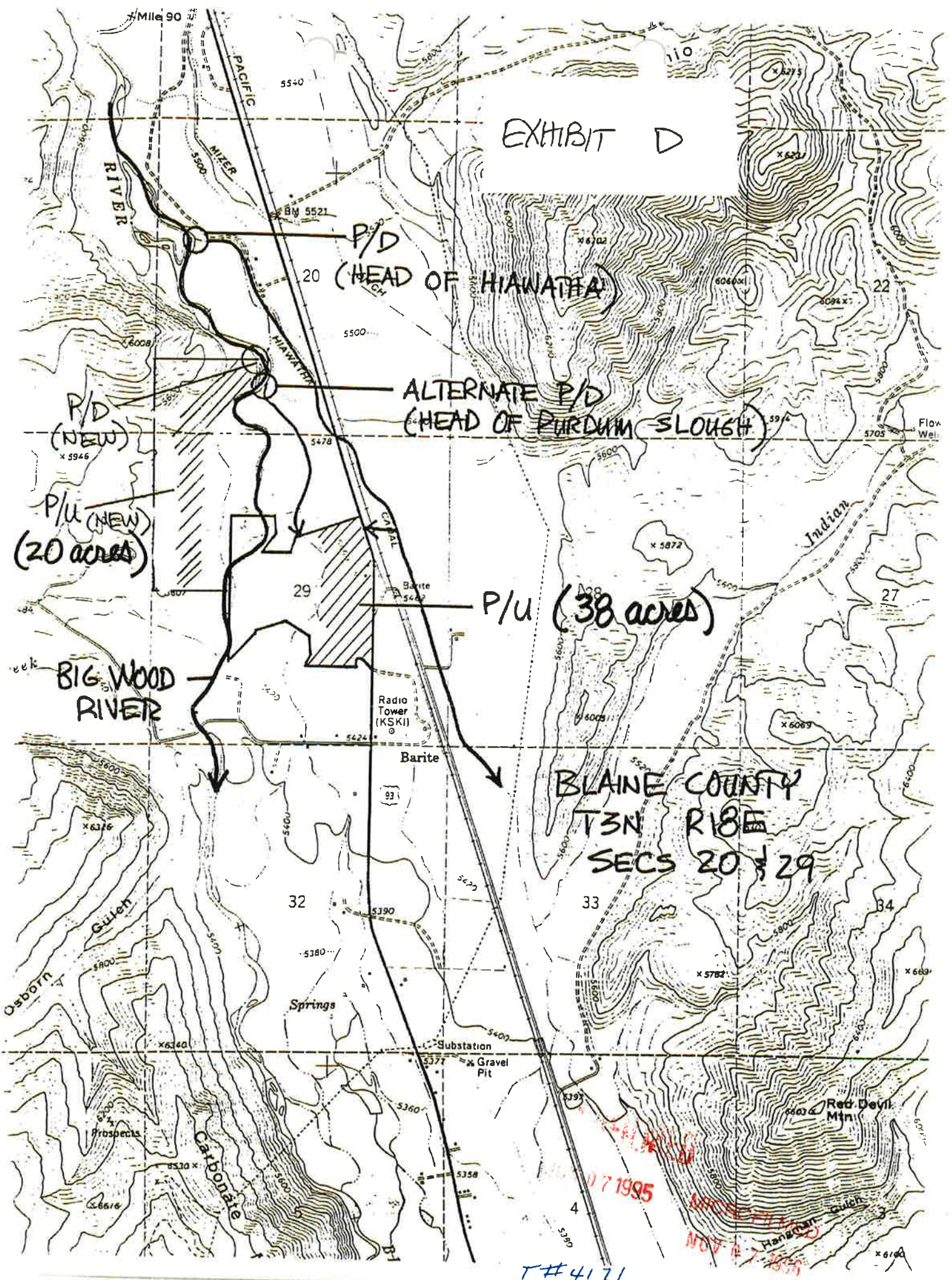
3. Lands irrigated or place of use:

Twp.	Rge.	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	
<u>3N</u>	<u>18E</u>	<u>29</u>			<u>19</u>											<u>19</u>			<u>38</u>

Total acres 38

MICROFILMED
NOV 22 1996

EXHIBIT D





T B
15.1

A
30.0

C
34.0

6.0

A-72
77A

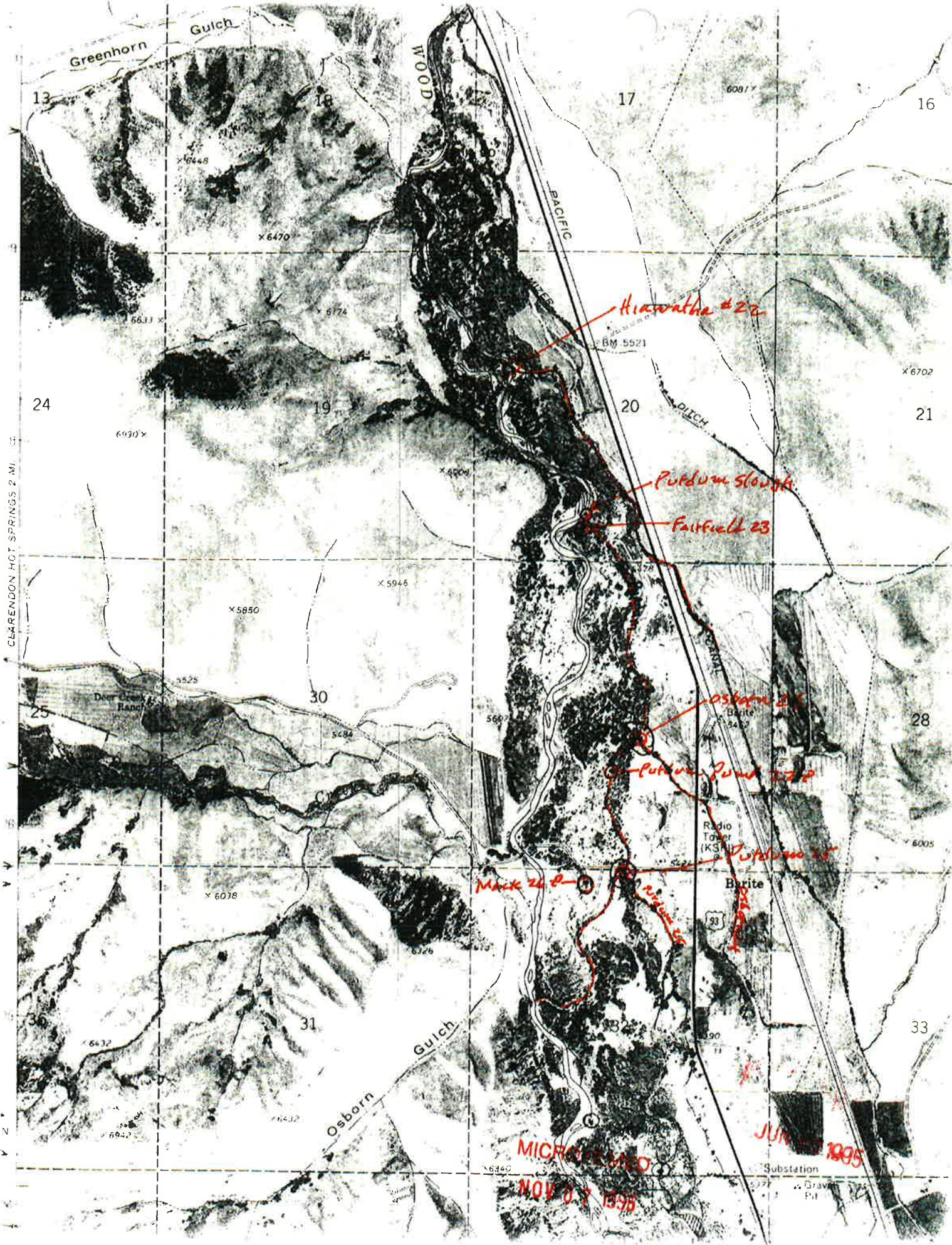
JUN 07 1995

MICROFILMED
NOV 07 1996

D
15.1

E
5.1

29 28
32 33



CLARENDON HOT SPRINGS 2 MI.

MICROFILMED
NOV 07 1996

JUN 1995

Substation
Grav. Pit

INTER-DEPARTMENT MEMO

TO: Jim/Stanton/ File

SUBJECT: Brennan Transfer

FROM: Jim Stanton

DATE: 5-25-93

Today I did a pre-transfer exam on the Brennan transfer (37-0577 Part, 37-0657 Part). I compared the Before-Transfer & After-Transfer maps with the actual property. Due to the landscaping that has already been done on the property, it is difficult to tell how much of the property was historically irrigated. But with regard to the land that is proposed to be dried up, I believe that the land along the east side of the river bottom (white on the quad map) was probably irrigated pasture at one time (about 7½ acres). The land that is shown as river bottom is just that - natural trees and brush that were probably never irrigated except by beavers or by natural flooding. As proposed, the transfer therefore appears to constitute an expansion of use. I couldn't tell what use will be made of the other open land on the east side of the river; perhaps some of it could be dried up. Recommend denial of transfer as presently constituted.

(X) For your information

() Response required

JUN 07 1995

NOV 07 1996

T # 4171

BLAINE COUNTY
TWP. 3N R. 18E
SEC. 20 & 29

20

PLACE
OF
USE

X 5946

AS
DECREED

5850

30

BEFORE
TRANSFER

Radio
Tower
(KSN)

Barite

Gulch

X 6432

Osborn

JUN 07 1995
EXHIBIT A
NOV 07 1998

T # 4171



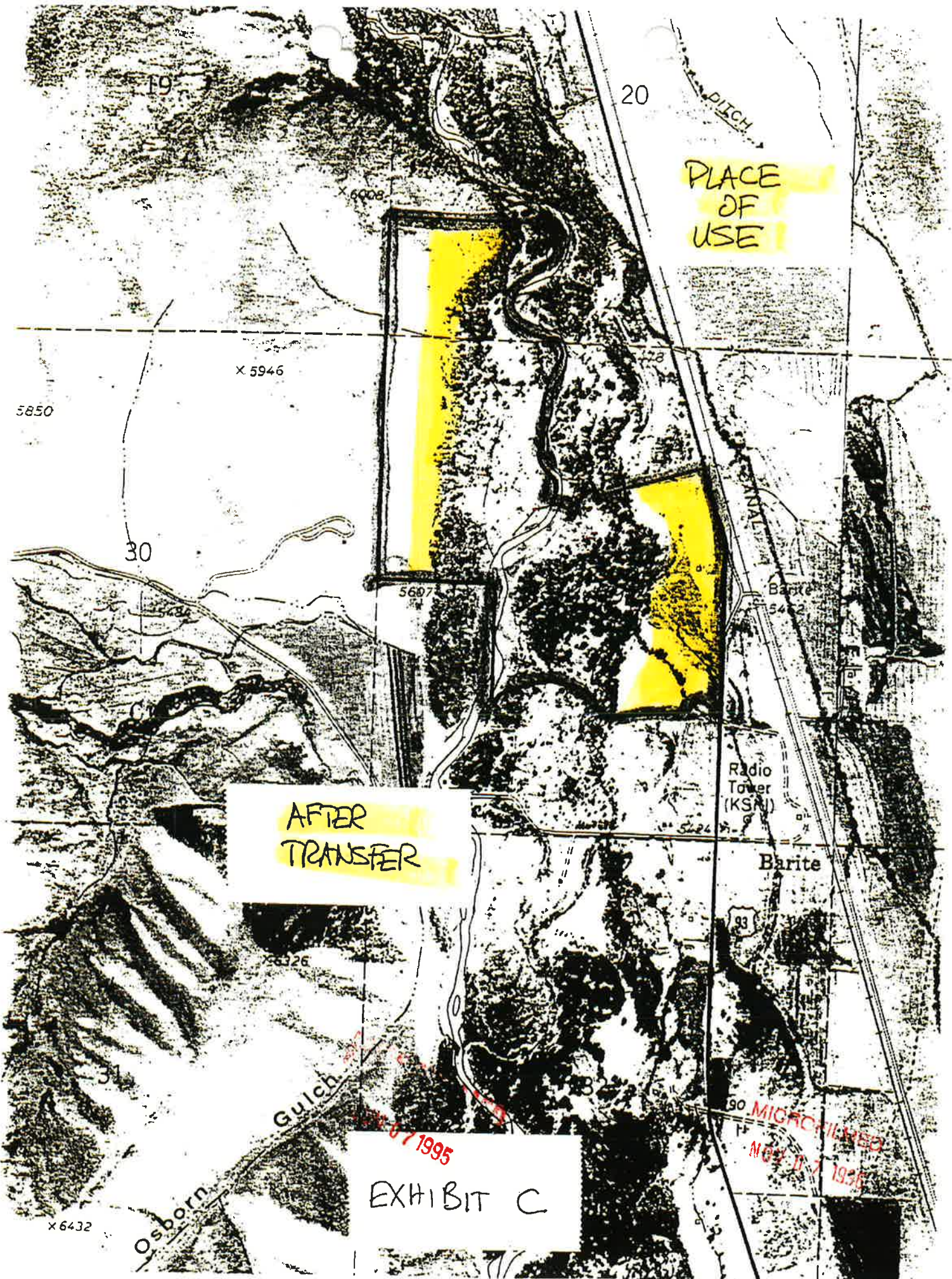
PLACE OF
USE

HISTORICAL

BEFORE
TRANSFER

JUN 07 1995
EXHIBIT B
T#4171

MICROFILMED
NOV 07 1999



AFTER
TRANSFER

EXHIBIT C

BRENNAN, ROBERT M.
TRANSFER APPLICATION
37-00577 (PART) 37-00657 (PART)

1. Right #37-00577BY shown on Part 2 is not reflected on the current Water Right data base. It is based on a proposed split tree for the right prepared by Jim Stanton. Pam Skaggs has a copy of the proposed split tree.

2. The suffix for 37-00577 as a result of the proposed split created by this transfer cannot be determined until several other pending transfers for 37-00577 are processed.

3. The unrecorded transfers shown in the split tree below for 37-00657 are based on adjudication claims filed for this right.

4. SPLIT TREE FOR 37-00657

	37-00657:	3.2 CFS FOR 280 ACRES
	37-00657A:	.02 CFS FOR 1 ACRE--N/O PULLEN--UNRECORDED TRANSFER
	37-00657B:	2.02 CFS-101 ACRES-N/O HIBBARD--UNRECORDED TRANSFER
	37-00657C:	1.16 CFS-58 ACRES-N/O BRENNAN--UNRECORDED TRANSFER
T#	37-00657E:	N/O BRENNAN DIV. RATE: .76 CFS P/D: 3N, 18E, S20, SWNW SESW S29, NWSE P/U: 3N, 18E, S29, SWNE--19 ACRES NWSE--19 "
T#	37-00657F:	N/O BRENNAN DIV. RATE: .40 CFS P/D: 3N, 18E, S20, SESWSE P/U: 3N, 18E, S20, SWSW--10 ACRES 3N, 18E, S29, NWNW--5 " SWNW--5 "

MICROFILMED
JUN 07 1995

Split Tree

JUN 07 1995

T# 4171

RELINQUISHMENT OF NOTICE OF CLAIM

TO WHOM IT MAY CONCERN:

I Robert M. Brennan hereby relinquish and
 Print Name(s)

withdraw any and all of my right, title and interest in and to
 Notice of Claim to a Water Right # A37-00658, filed under
 §42-1409, Idaho Code.

Signed at Boise Idaho this 13th day
 of May, 1993.

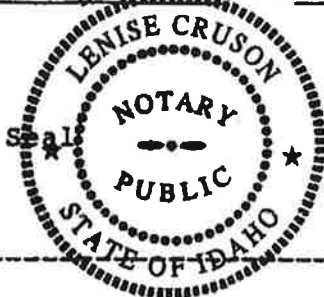
Robert M. Brennan
 Signature of Claimant

Relinquishments

Signature of Claimant

State of Idaho)
) ss.
 County of Ada)

Subscribed and sworn (or affirmed) before me this 13th day
 of May, 1993.



Lenise Cruson
 Notary Public

Residing at Boise, Idaho

My Commission Expires 9/9/98

For IDWR Use

Data Entry
 Claim File

Initials

Date

Return to:
 Idaho Department of Water Resources
 Adjudication Section
 222 Shoshone St. East
 Twin Falls, ID 83301

-7-

RECEIVED
 JUN 07 1995
 MAY 18 1993

Department of Water Resources
 MICROFILMED

NOV 07 1996

RECEIVED

MAY 18 1993

Department of Water Resources
Southern Region Office

RELINQUISHMENT

TO WHOM IT MAY CONCERN:

I hereby relinquish to the State of Idaho, all my
right, title and interest in and to ^{Right} ~~Permit~~ to appropriate the
Public Waters of the State of Idaho, No. 37-00658.

Signed at Bonne, Idaho this 13th day
of May, 1993.

Robert M. Belmann
By Eric J. Belmann, his attorney in fact
Permit Holder

ATTEST:

Lennie Cruse

JUN 07 1995
MICROFILMED
NOV 07 1996

RECEIVED

MAY 18 1993

Department of Water Resources
Southern Region Office

RELINQUISHMENT

TO WHOM IT MAY CONCERN:

I hereby relinquish to the State of Idaho, all my
right, title and interest in and to ^{Right} ~~Permit~~ to appropriate the
Public Waters of the State of Idaho, No. 37-00659A Per (Claimed as A37-

Signed at Boise, Idaho this 13th day 00659B)
of May, 1993.

Robert M. Brennan
By John L. Bellin, his attorney in fact
Permit Holder

ATTEST:

Lemuel Crum

JUN 07 1995

MICROFILMED

NOV 07 1996

RELINQUISHMENT OF NOTICE OF CLAIM

Form 25c

TO WHOM IT MAY CONCERN:

I Robert M. Brennan hereby relinquish and
Print Name(s)

withdraw any and all of my right, title and interest in and to
Notice of Claim to a Water Right # A37-00659B, filed under
§42-1409, Idaho Code.

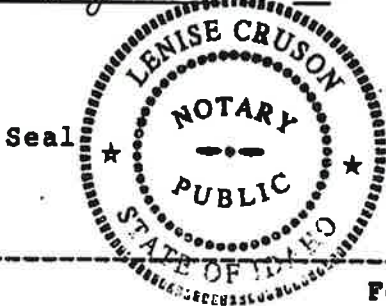
Signed at Boise Idaho this 12th day
of May, 1993.

Robert M. Brennan
By - [Signature] Signature of Claimant

Signature of Claimant

State of Idaho)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 13th day
of May, 1993.



Lenise Cruson
Notary Public

Residing at Boise, Idaho

My Commission Expires 9/9/98

For IDWR Use

Data Entry
Claim File

Return to:
Idaho Department of Water Resources
Adjudication Section
222 Shoshone St. East
Twin Falls, ID 83301

Initials

Date

-7-

RECEIVED MICROFILME

MAY 18 1993 NOV 07 199

Department of Water Resources
Southern Region Office

JUN 07 1995

RELINQUISHMENT OF NOTICE OF CLAIM

TO WHOM IT MAY CONCERN:

I Robert M. Brennan hereby relinquish and
 Print Name(s)

withdraw any and all of my right, title and interest in and to
 Notice of Claim to a Water Right # A37-00451, filed under
 §42-1409, Idaho Code.

Signed at Boise Idaho this 18th day
 of May, 1993.

Robert M. Brennan
 Signature of Claimant

 Signature of Claimant

State of Idaho)
 County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 13th day
 of May, 1993.



Lenise Cruxon
 Notary Public

Residing at Boise, Idaho

My Commission Expires 9/9/98

For IDWR Use

Data Entry
 Claim File

Initials

Date

Return to:

Idaho Department of Water Resources
 Adjudication Section
 222 Shoshone St. East
 Twin Falls, ID 83301

-7-

RECEIVED

MAY 18 1993

JUN 07 1995 MICROFILMED
 Department of Water Resources
 Southern Region Office

NOV 07 1995

RECEIVED

RELINQUISHMENT

MAY 18 1993

Department of Water Resources
Southern Region Office

TO WHOM IT MAY CONCERN:

I hereby relinquish to the State of Idaho, all my
right, title and interest in and to ^{Right} ~~Permit~~ to appropriate the
Public Waters of the State of Idaho, No. 37-00451.

Signed at Bonneville this 18th day
of May, 1993.

Robert M. Belman
by [Signature] his attorney in fact
Permit Holder

ATTEST
Lenise Crum

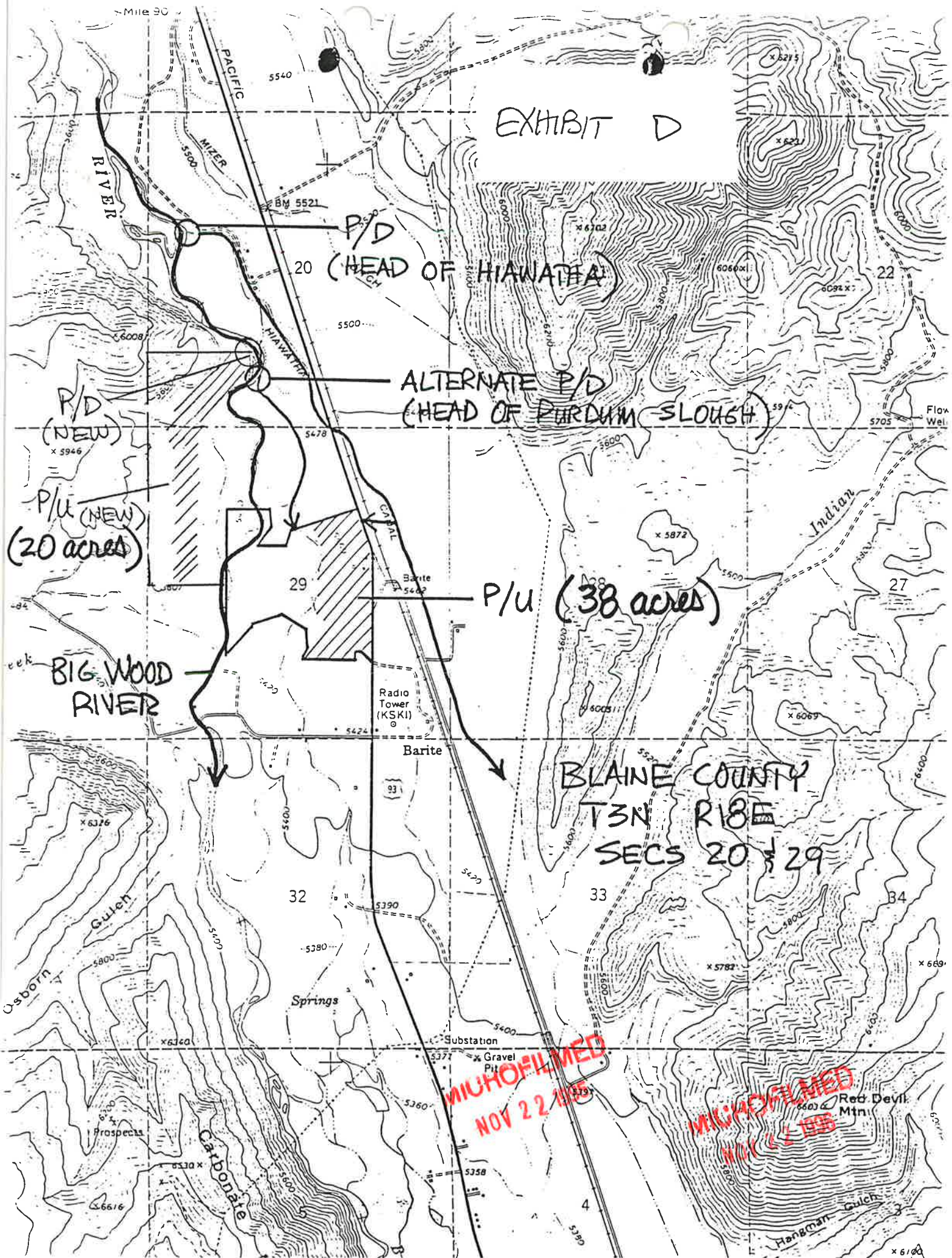
RECORDED

JUN 07 1995
MICROFILMED

NOV 07 1996

1/4 Mile 30

EXHIBIT D



MICROFILMED
NOV 22 1955

MICROFILMED
NOV 22 1955

MICROFILMED
NOV 22 1995



29	28
32	33

A
30.0

T11 B
15.1

C
34.0

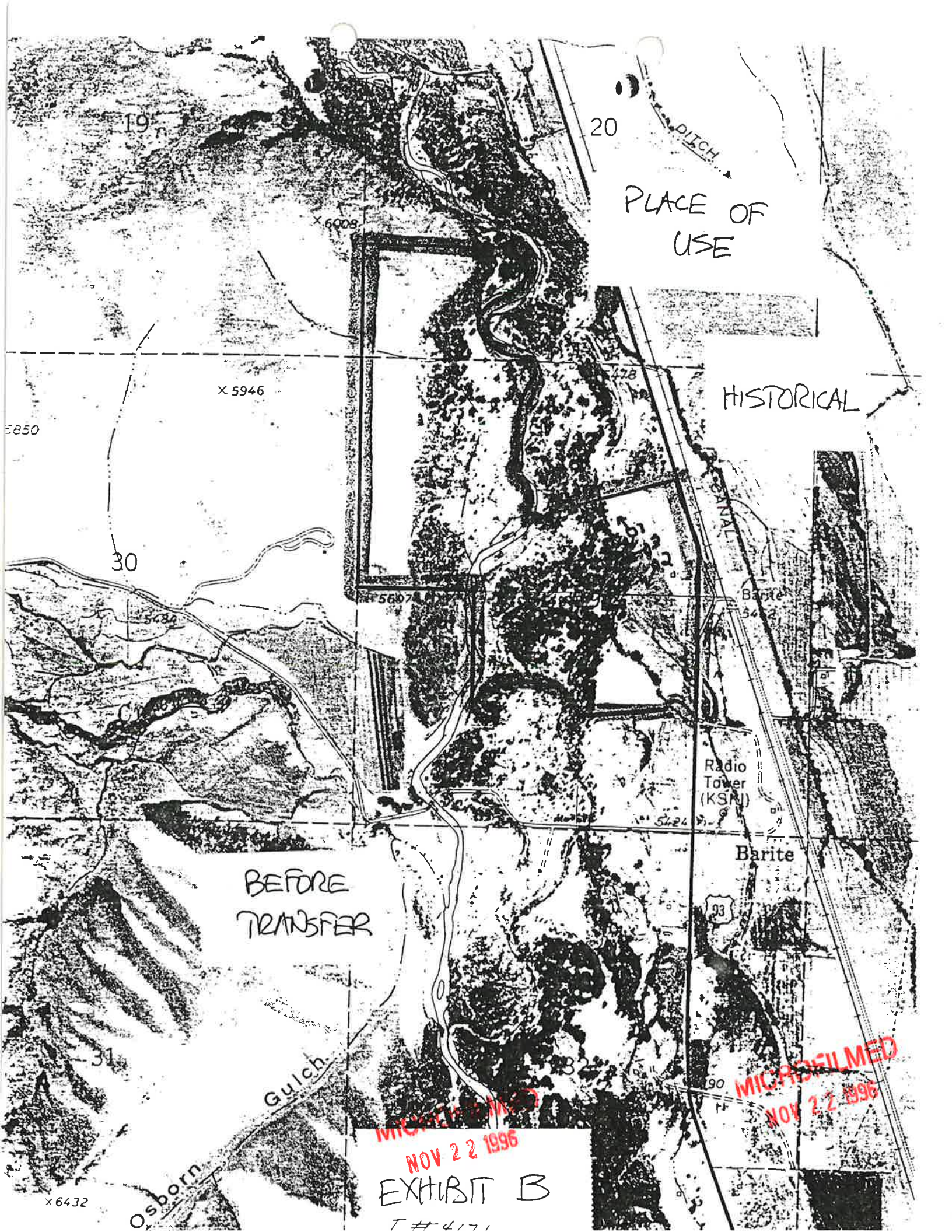
6.0

A-72
87A

D
15.1

E
5.1

POOR ORIGINAL



20

DITCH

PLACE OF
USE

HISTORICAL

X 5946

30

X 5684

X 5607

Radio
Tower
(KSN)

Barite

BEFORE
TRANSFER

93

Gulch

31

32

MICROFILMED
NOV 22 1996

MICROFILMED
NOV 22 1996

EXHIBIT B

T # 4171

X 6432

Osborn

BLAINE COUNTY
TWP. 3N R. 18E
SEC. 20 & 29

20

PLACE
OF
USE

AS
DECREED

X 5946

30

BEFORE
TRANSFER

Radio
Tower
(KSN)

Barite

X 6326

Gulch

NOV 22 1995

EXHIBIT A

X 6432

Osborn



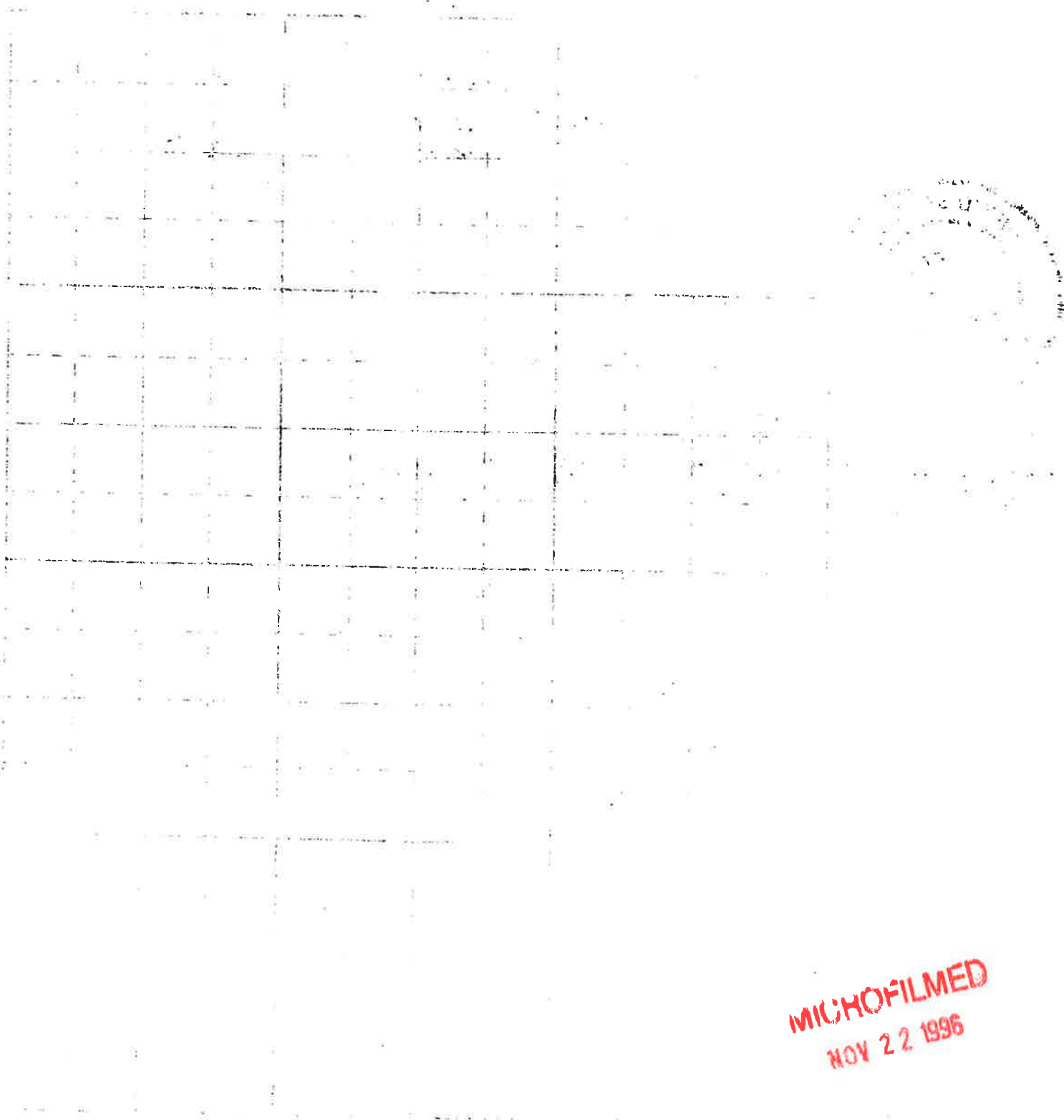
PLACE
OF
USE

AFTER
TRANSFER

MICROFILMED
NOV 22 1996
EXHIBIT C

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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NOV 22 1996

MEMORANDUM

DATE: 05-Oct-1993

FROM: Loren Holmes *LH*

TO: Transfer 4171 file

SUBJECT: Summary of review at region

- Note that applicant relinquishes (abandons?) several water rights in the process of this transfer.

Jim Stanton's field exam on 5/25/93 indicates existing ditches carrying water & irrigable, but possibly not irrigated land. Jim recommends denial of the application based on non-use.

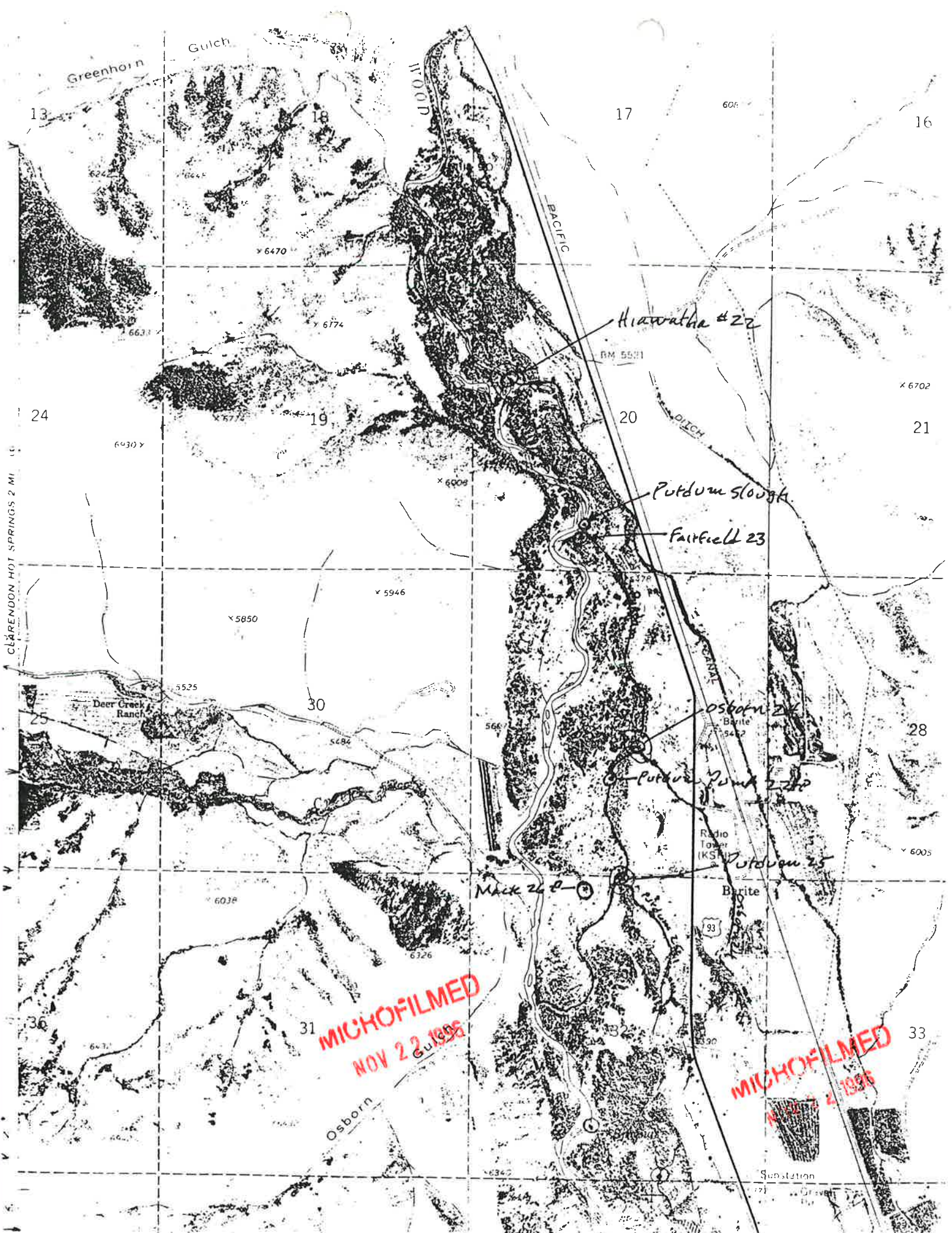
Transfer 2491 on rights 37-00657 & 00658 allowed the rights to be diverted at the applicant's choice of the Hiawatha 22 headgate or via the Purdum Slough. A 5% loss was to be deducted from water delivered via the Purdum Slough.

The Purdum Slough is not administered as a delivery headgate by the water district, but as a side channel of the river or a feeder canal. Water is turned into the Purdum Slough and delivered at numbered headgates along the slough. Excess water is returned to the river downstream.

Additional information from maps and the Memorandum Decision & Order on transfer 2491 indicates that the ditch observed by Jim Stanton is the Osborn 24 ditch.

After review of available information, I don't believe a strong argument exists for a finding of non-use of these water rights, although use on all of the decreed place of use is questionable. The fact that the applicant relinquishes other apparently appurtenant rights on this place indicates an eagerness to establish a firm water supply with the best rights in the package. The applicant's project, which is already in place, incorporates irrigation with extensive use of the water for landscaping purposes.

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NOV 22 1996



CLARENDON HOT SPRINGS 2 MI. E.

MICROFILMED
NOV 22 1996

MICROFILMED
NOV 22 1996