

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-2683B
Date Received: 9/9/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HIDDEN CROWN RANCH LLC Phone:
PO BOX 5129
KETCHUM ID 83340-5129

2. Date of Priority: 08/23/1961

3. Source: GROUND WATER , GROUND WATER , GROUND WATER , GROUND WATER Trib. to: ,
 ,

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
01S	20E	20	NE	SW		BLAINE	
01S	20E	26	SE	SW		BLAINE	R
01S	20E	27	NE	NE		BLAINE	R
01S	20E	20	NE	SW		BLAINE	I

5. Description of diverting works:

Water master diversion well 16P1

Rediversion of ground water from Silver Creek

Injection of ground water into Silver Creek

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	1.12	175.7

7. Total Quantity Appropriated is:
1.12 C.F.S. and/or 175.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	20E	26	NE	NW	IRRIGATION	7
			NW	NW	IRRIGATION	24
			SW	NW	IRRIGATION	20
			SE	NW	IRRIGATION	5
			NE	SE	IRRIGATION	26
			NW	SE	IRRIGATION	14
			SW	SE	IRRIGATION	7
			SE	SE	IRRIGATION	12
Section Acres						115
01S	20E	27	NE	NE	IRRIGATION	15
			SE	NE	IRRIGATION	22
Section Acres						37
Total Acres						152

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

This right is limited to the irrigation of 58.8 acres within the place of use described above in a single irrigation season.

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

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for the authorized ground water point of diversion, point of injection into Silver Creek, and points of rediversion from Silver Creek. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

The total instantaneous diversion of water from all points of rediversion from Silver Creek under Rights 37-2683B and 37-7349B shall not exceed 1.24 cfs, nor total combined annual volume of 217.7 af, for the irrigation of 62.2 acres.

Rediversion of ground water from Silver Creek under Rights 37-2683B & 37-7349B shall not exceed the amount of ground water actually diverted from the authorized well and injected into Silver Creek.

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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

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

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

15. Basis of Claim: License

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-2683B

Date Received:

Receipt No:

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WILLIAM J SWANSON TRUST Phone: (208)726-5201
PO BOX 5129
KETCHUM ID 83340

2. Date of Priority: 08/23/1961

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
01S	20E	20	NE	SW	BLAINE	
01S	20E	26	SE	SW	BLAINE	R
01S	20E	27	NE	NE	BLAINE	R
01S	20E	20	NE	SW	BLAINE	I

5. Description of diverting works:

Water master diversion well 16P1
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1.12 C.F.S. and/or 175.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01S	20E	26	NE	NW		IRRIGATION	7
			NW	NW		IRRIGATION	24
			SW	NW		IRRIGATION	20
			SE	NW		IRRIGATION	5
			NE	SE		IRRIGATION	26
			NW	SE		IRRIGATION	14
			SW	SE		IRRIGATION	7
			SE	SE		IRRIGATION	12
						Section Acres	115
01S	20E	27	NE	NE		IRRIGATION	15
			SE	NE		IRRIGATION	22
						Section Acres	37
						Total Acres	152

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Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for the authorized ground water

point of diversion, point of injection into Silver Creek, and points of rediversion from Silver Creek. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

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After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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

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

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

15. Basis of Claim: License

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 06 2000
Department of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s).: SEE EXHIBIT "C"
Adjudication Claim No(s).: _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant M. Don McFarland and Carol L. McFarland
P.O. Box 5178, Twin Falls, ID 83303-5178
4. New Owner/Claimant(s) William J. Swanson, Trustee
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address P.O. Box 5129
City, State and ZIP Code Ketchum, ID 83340
New Telephone Number (208) 726-5201
5. Date you acquired the property April 4, 2000
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) William J. Swanson
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..



RECEIVED
APR 06 2000
Department of Water Resources
Southern Region

April 4, 2000

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Re: Order No. 26269

Portion of Tick Tock Ranch
Swanson/McFarland

Dear Ladies and Gentlemen:

In connection with the above mentioned order, please find attached copies/originals of the following document(s):

<u> X </u>	Notice of Change of Water Right Ownership.
<u> X </u>	Recorded Warranty Deed.

If you should have any questions, please do not hesitate to contact the undersigned.

Sincerely,

SAWTOOTH TITLE COMPANY



Kristen Kludt
Escrow Officer

kk

Attachment(s)

EXHIBIT "C"
WATER RIGHTS INCLUDED IN SALE

49.20% OF WATER RIGHT 37-00934;
37.17% OF WATER RIGHT 37-02683; and
25.67% OF WATER RIGHT 37-07349,

which water rights are appurtenant to the real estate being purchased by Purchaser,

SUBJECT TO a proportionate share of any assessment levied by State Water District No. 37M, or any other entity authorized to levy against said water rights; and

SUBJECT TO the Idaho Department of Water Resource's limitation of the cfs per acre, the maximum afa for the total irrigated acres for each water right, and the total number of irrigated acres allows, plus any other limitations asserted by the Department heretofore or hereafter.

Order No. 26269

LEGAL DESCRIPTION, CONTINUED

N. $21^{\circ} 30' 00''$ W., 210.00 feet along the Record Centerline of Silver Creek according to Record of Survey Instrument No. 360115; thence

N. $0^{\circ} 38' 05''$ E., 89.46 feet to a 5/8" rebar by PLS 7048; thence

N. $9^{\circ} 02' 44''$ W., 333.78 feet to a 5/8" rebar by PLS 7048 at a fenceline; thence

N. $1^{\circ} 52' 46''$ W., 286.51 feet along a fenceline to a 5/8" rebar by PLS 7048; thence

N. $89^{\circ} 18' 34''$ E., 2,649.98 feet to the TRUE POINT OF BEGINNING.

Order No. 26269
LEGAL DESCRIPTION

EXHIBIT "A"

TOWNSHIP 1 SOUTH, RANGE 20 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTIONS 26 & 27:

A parcel of land lying within said sections, more particularly described as follows:

COMMENCING at an Aluminum Cap by PE 2263 marking the Northwest Corner of said Section 26 proceed N. 89° 33' 40" E., 1,658.63 feet to a 5/8" rebar by PE/LS 1028, thence S. 0° 52' 18" E., 429.61 feet to a 5/8" rebar by PLS 7048, which point is the TRUE POINT OF BEGINNING; thence

S. 0° 52' 18" E., 1,553.08 feet along a 1/256 line being the Westerly Boundary of U.S. Government Lands to a 5/8" rebar by PE/LS 1028; thence

N. 89° 59' 43" W., 333.71 feet along the Northerly Boundary of U.S. Government Lands to a 5/8" rebar by PE/LS 1028; thence

N. 0° 52' 26" W., 318.65 feet to a 5/8" rebar by LS 3621; thence

N. 89° 57' 48" W., 76.50 feet to a 5/8" rebar by LS 3621; thence

S. 72° 39' 49" W., 1,312.96 feet to a 5/8" rebar by LS 3621; thence

S. 0° 23' 18" E., 455.39 feet to a point at the Record Centerline of Silver Creek according to Record of Survey Instrument No. 360115; thence

N. 21° 17' 58" W., 148.07 feet along the Record Centerline of Silver Creek according to Record of Survey Instrument No. 360115; thence

S. 76° 10' 00" W., 450.00 feet along the Record Centerline of Silver Creek according to Record of Survey Instrument No. 360115; thence

N. 74° 50' 00" W., 300.00 feet along the Record Centerline of Silver Creek according to Record of Survey Instrument No. 360115; thence

N. 15° 15' 00" E., 230.00 feet along the Record Centerline of Silver Creek according to Record of Survey Instrument No. 360115; thence

N. 27° 33' 00" W., 290.00 feet along the Record Centerline of Silver Creek according to Record of Survey Instrument No. 360115; thence

N. 14° 25' 00" E., 500.00 feet along the Record Centerline of Silver Creek according to Record of Survey Instrument No. 360115; thence

N. 61° 40' 00" W., 160.00 feet along the Record Centerline of Silver Creek according to Record of Survey Instrument No. 360115; thence

CONTINUED

Order No. 26269

WARRANTY DEED

FOR VALUE RECEIVED

M. DON MCFARLAND and CAROL L. MCFARLAND, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

THE WILLIAM J. SWANSON 1991 REVOCABLE TRUST U/A DATED NOVEMBER 9, 1991

GRANTEE(s) whose address is: **P.O. Box 5129, Ketchum, ID 83340**

the following described real property in **Blaine** County, Idaho, to wit:

SEE LEGAL DESCRIPTION ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

CONVEYING WITHOUT WARRANTY, THE WATER RIGHTS INCLUDED ON EXHIBIT "C" ATTACHED HERETO AND MADE A PART HEREOF.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD 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 they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 30, 2000

M. Don McFarland
M. DON MCFARLAND

Carol L. McFarland
CAROL L. MCFARLAND

State of Idaho

County of Elmore } ss.

On this 3rd day of April, in the year 2000, before me, the undersigned, personally appeared **M. DON MCFARLAND and CAROL L. MCFARLAND**, known or identified to me 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.

Sharon M. Fountain
Notary Public
Commission Expires: 7/13/2000



Instrument # 437910

HAILEY BLAINE, IDAHO

2000-04-04

04:03:00 No. of Pages: 4

Recorded for : SAWTOOTH TITLE

MARSHA RIEMANN

Fee: 12.00

Ex-Officio Recorder Deputy

Index to: WTYQC/CORP DEED

mpp

12/21/2006

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

RIGHT NUMBER: 37-2683B

NAME AND ADDRESS: HIDDEN CROWN RANCH LLC
PO BOX 5129
KETCHUM ID 83340-5129

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.120 CFS
175.700 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands below.

The total instantaneous diversion of water from all points of redirection from Silver Creek under Rights 37-2683B and 37-7349B shall not exceed 1.24 cfs, nor total combined annual volume of 217.7 af, for the irrigation of 62.2 acres.

PRIORITY DATE: 08/23/1961

POINT OF DIVERSION:

T01S R20E S20 NENESW Injection Within BLAINE County

T01S R20E S20 NWNESW Within BLAINE County

T01S R20E S26 NESESW Rediversion Within BLAINE County

T01S R20E S27 SWNENE Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.120 CFS 175.70 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R20E S26	NENW	7.00	T01S R20E S26	NWNW	24.00
T01S R20E S26	SWNW	20.00	T01S R20E S26	SENW	5.00
T01S R20E S26	NESE	26.00	T01S R20E S26	NWSE	14.00
T01S R20E S26	SWSE	7.00	T01S R20E S26	SESE	12.00
T01S R20E S27	NENE	15.00	T01S R20E S27	SENE	22.00

152 ACRES TOTAL

This right is limited to the irrigation of 58.8 acres within the place of use described above in a single irrigation season.

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

Rediversion of ground water from Silver Creek under Rights 37-2683B & 37-7349B shall not exceed the amount of ground water actually diverted from the authorized well and injected into Silver Creek.

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

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

12/21/2006

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

later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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

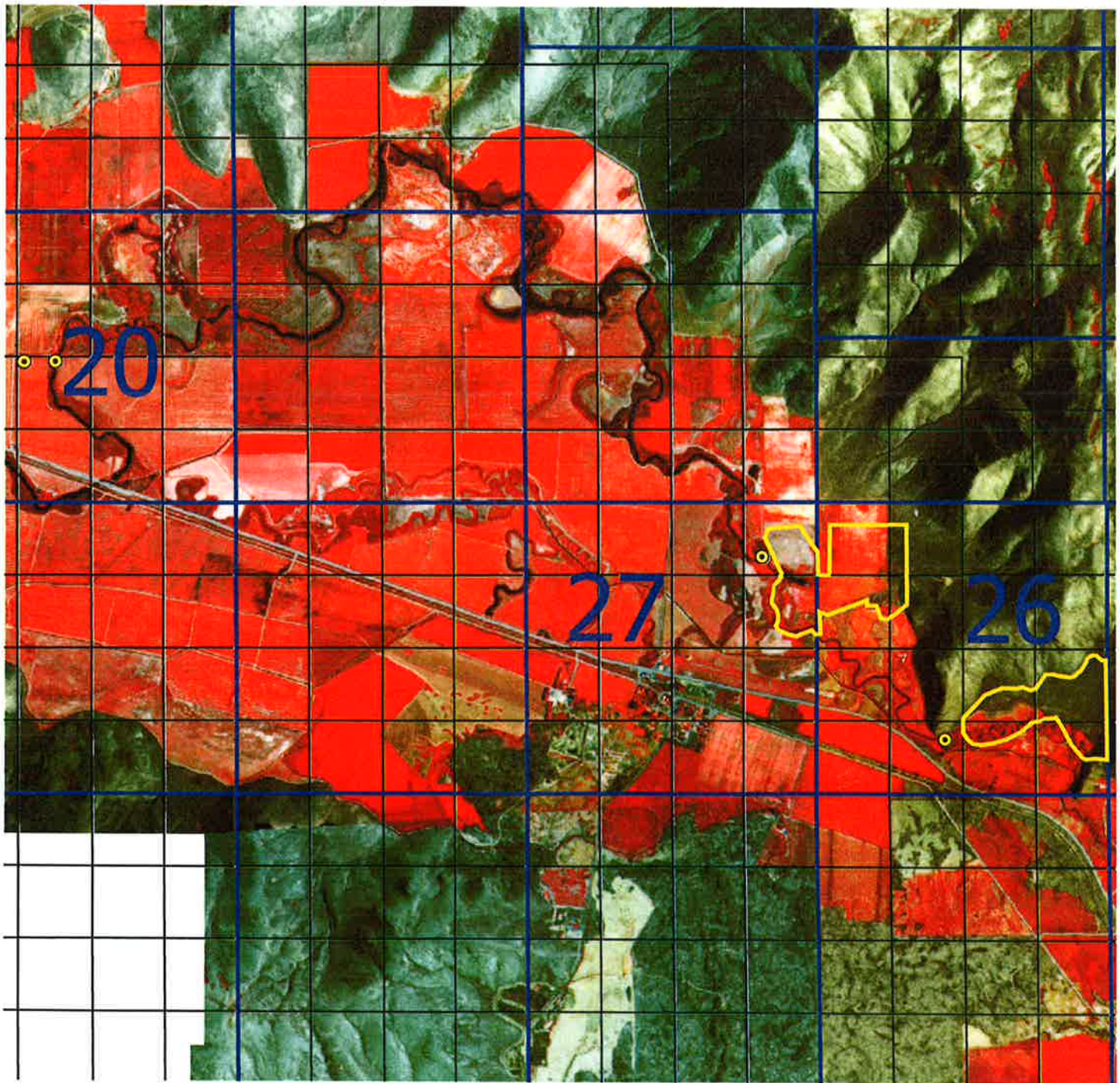
Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37M.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for the authorized ground water point of diversion, point of injection into Silver Creek, and points of redirection from Silver Creek. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

Idaho Department of Water Resources

Right(s): 37-2683B

Recommended Place of Use
TWP 01S RNG 20E S26, 27
Prepared December 21, 2006



660 0 660320 Feet



N



● Recommended Point of Diversion

□ Recommended Place of Use

□ Quarter Section Lines

□ PLSS Section Lines

GIS Place of Use Presentation
1987 NAPP Aerial Photography

Prepared by Amanda Kriwox

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68553

This is to certify that: WILLIAM J SWANSON TRUST
125 GRADUATE DR
KETCHUM ID 83340
(208)726-5201

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-934	AJC/Decreed	11/01/1917	1.60 cfs	N/A	N/A	80.0	SILVER CREEK
37-2683	AJC/License	08/23/1961	3.00 cfs	469 af	N/A	157.0	GROUND WATER
37-7349	WR/License	03/07/1974	1.60 cfs	N/A	82.0	232.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

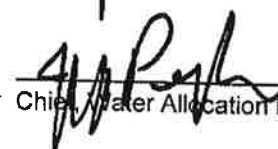
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-934	NO	NO	NO	NO	NO	NO
37-2683	NO	NO	YES	YES	NO	NO
37-7349	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-2683	37-2683B	1.12 cfs	175.7 af	58.8	152.0	37-2683A	1.88 cfs	293.3 af	N/A	98.2
37-7349	37-7349B	0.43 cfs	77.0 af	22.0	152.0	37-7349A	1.17 cfs	N/A	60.0	169.9
COMBINED TOTALS		1.24 cfs	217.7 af	62.2	152.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18 day of July, 2003

For  Chief, Water Allocation Bureau

WATER RIGHT NO. 37-934
As Modified by Transfer No. 68553

In accordance with the approval of Transfer No. 68553, Water Right No. 37-934 is now described as follows.

Right Holder: WILLIAM J SWANSON TRUST
 125 GRADUATE DR
 KETCHUM ID 83340

Priority Date: November 01, 1917

Source: SILVER CREEK

Tributary: LITTLE WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	1.60 CFS	
			1.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SILVER CREEK SWNENE Sec. 27 Twp 01S Rge 20E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 20E 22																11.0	11.0
01S 20E 26							38.0										38.0
01S 20E 27	31.0																31.0

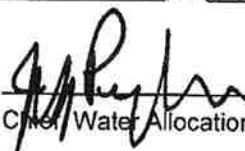
Total Acres: 80

CONDITIONS OF APPROVAL

- Right 37-934 shall be considered abandoned and/or forfeited through approval of Transfer 68553.

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

Dated this 18 day of July, 2003


 For _____
 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-2683A
As Modified by Transfer No. 68553

In accordance with the approval of Transfer No. 68553, Water Right No. 37-2683A is now described as follows.

Right Holder: DON MC FARLAND And
 CAROL C MC FARLAND
 PO BOX 268
 EDEN ID 83325

Priority Date: August 23, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.88 CFS	293.3 AF
			1.88 CFS	293.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNESW	Sec. 20 Twp 01S	Rge 20E	BLAINE County
GROUND WATER	SWSWSE	Sec. 22 Twp 01S	Rge 20E	BLAINE County
GROUND WATER (Injection)	NENESW	Sec. 20 Twp 01S	Rge 20E	BLAINE County
GROUND WATER (Rediversion)	SWNENE	Sec. 22 Twp 01S	Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	22													6.0	30.0	4.0	29.0	69.0
01S	20E	26						14.1											14.1
01S	20E	27	15.1																15.1

Total Acres: 98.2

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37M.
2. Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion and rediversion for measurement into and out of Silver Creek.
3. If the well is drilled deeper than 100 feet, the surface seal must consist of cement or bentonite clay grout and extend from land surface to a depth of not less than 75 feet below land surface, or 5 feet into the next significant confining layer, whichever is greater.

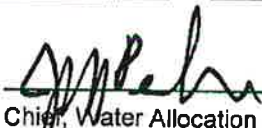
WATER RIGHT NO. 37-2683A
As Modified by Transfer No. 68553

CONDITIONS OF APPROVAL

4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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

Dated this 18 day of July, 20 03


for Chief, Water Allocation Bureau

WATER RIGHT NO. 37-2683B**As Modified by Transfer No. 68553**

In accordance with the approval of Transfer No. 68553, Water Right No. 37-2683B is now described as follows.

Right Holder: WILLIAM J SWANSON TRUST
125 GRADUATE DR
KETCHUM ID 83340

Priority Date: August 23, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	11/01	1.12 CFS	175.7 AF
			1.12 CFS	175.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESW	Sec. 20 Twp 01S Rge 20E BLAINE County
GROUND WATER (Injection)	NESW	Sec. 20 Twp 01S Rge 20E BLAINE County
GROUND WATER (Rediversion)	SESW	Sec. 26 Twp 01S Rge 20E BLAINE County
GROUND WATER (Rediversion)	NENE	Sec. 27 Twp 01S Rge 20E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 20E 26					7.0	24.0	20.0	5.0					26.0	14.0	7.0	12.0	115.0
01S 20E 27	15.0			22.0	7.9	24	20	4.6					29	16	3.1	11	37.0
	16			18													

Total Acres: 152

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 58.8 acres within the place of use described above in a single irrigation season.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37M.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for the authorized ground water point of diversion, point of injection into Silver Creek, and points of rediversion from Silver Creek. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

WATER RIGHT NO. 37-2683B
As Modified by Transfer No. 68553

CONDITIONS OF APPROVAL

4. The total instantaneous diversion of water from all points of diversion from Silver Creek under Rights 37-2683B and 37-7349B shall not exceed 1.24 cfs, nor total combined annual volume of 217.7 af, for the irrigation of 62.2 acres.
5. Rediversion of ground water from Silver Creek under Rights 37-2683B & 37-7349B shall not exceed the amount of ground water actually diverted from the authorized well and injected into Silver Creek.
6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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

Dated this 18 day of July, 20 03

For  Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7349A
As Modified by Transfer No. 68553

In accordance with the approval of Transfer No. 68553, Water Right No. 37-7349A is now described as follows.

Right Holder: M DON MC FARLAND And
 CAROL L MC FARLAND
 PO BOX 268
 EDEN ID 83325-0268

Priority Date: March 07, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/15	1.17 CFS	
			1.17 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESW	Sec. 20 Twp 01S Rge 20E BLAINE County
GROUND WATER	NESW	Sec. 20 Twp 01S Rge 20E BLAINE County
(Injection)		
GROUND WATER	NENE	Sec. 27 Twp 01S Rge 20E BLAINE County
(Rediversion)		
GROUND WATER	NWNE	Sec. 27 Twp 01S Rge 20E 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					
01S	20E	22			19.5	2.5									16.8	39.0	25.5	34.4	137.7
01S	20E	26					15.1												15.1
01S	20E	27	15.7	1.4															17.1

Total Acres: 169.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 60 acres within the place of use described above in a single irrigation season.
2. This right when combined with Right 37-02683A and all other rights shall provide no more than .02 cfs per acre nor more than 210.0 afa for 60 acres within the place of use listed above.
3. Use of this right with Right 37-02683A is limited to a total combined annual diversion volume of 503.3 af and to the irrigation of a combined total of 158.2 acres in a single irrigation season.

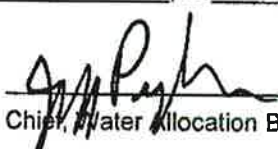
WATER RIGHT NO. 37-7349A
As Modified by Transfer No. 68553

CONDITIONS OF APPROVAL

4. Use of water under this water right will be regulated by the watermaster of State Water District No. 37M.
5. Permanent measuring devices and lockable controlling works of a type acceptable to the Department shall be permanently installed in such a manner that the amount of groundwater injected into Silver Creek and the amount of water rediverted from Silver Creek can be measured.
6. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
7. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
8. Rights 37-02444 and 37-02683 are also diverted through the point of diversion described above.
9. Approval of this transfer does not confirm the validity of this water right.

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

Dated this 18 day of July, 20 03


For Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7349B
As Modified by Transfer No. 68553

In accordance with the approval of Transfer No. 68553, Water Right No. 37-7349B is now described as follows.

Right Holder: WILLIAM J SWANSON TRUST
 125 GRADUATE DR
 KETCHUM ID 83340

Priority Date: March 07, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	0.43 CFS	77.0 AF
			0.43 CFS	77.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESW	Sec. 20 Twp 01S Rge 20E	BLAINE County
GROUND WATER (Injection)	NESW	Sec. 20 Twp 01S Rge 20E	BLAINE County
GROUND WATER (Rediversion)	SESW	Sec. 26 Twp 01S Rge 20E	BLAINE County
GROUND WATER (Rediversion)	NENE	Sec. 27 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 20E 26					7.0	24.0	20.0	5.0					26.0	14.0	7.0	12.0	115.0
01S 20E 27	15.0			22.0													37.0

Total Acres: 152

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 22 acres within the place of use described above in a single irrigation season.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37M.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for the authorized ground water point of diversion, point of injection into Silver Creek, and points of rediversion from Silver Creek. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

WATER RIGHT NO. 37-7349B
As Modified by Transfer No. 68553

CONDITIONS OF APPROVAL

4. The total instantaneous diversion of water from all points of redirection from Silver Creek under Rights 37-2683B and 37-7349B shall not exceed 1.24 cfs, nor total combined annual volume of 217.7 af, for the irrigation of 62.2 acres.
5. Rediversion of ground water from Silver Creek under Rights 37-2683B & 37-7349B shall not exceed the amount of ground water actually diverted from the authorized well and injected into Silver Creek.
6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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

Dated this 18 day of July, 2003


for Chief Water Allocation Bureau