



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

December 14, 2000

Cliffside Homeowners Association, Inc.
P. O. Box 4630
Ketchum, ID 83340

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIMS A37-00419B,
37-00703E, 37-10913

Dear Claimant(s):

Pursuant to the change in ownership request submitted to the department, we have changed the record of current ownership of the above-referenced claims to you. Enclosed are copies of the computer records of the claims, reflecting the change in claimant.

Please review these records and if there is an error or if you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, reading 'Florence Munzenrieder'.

Florence Munzenrieder
SRBA Records Clerk

Enclosure

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 37-10913
Date Received: 8/11/88
Receipt No:
Received By:

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

1. Name of Claimant(s)

CLIFFSIDE HOMEOWNERS ASSOCIATION INC
PO BOX 4630
KETCHUM ID 83340

Phone: (208)726-5997

2. Date of Priority: 03/24/1883

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
04N	18E	30	SE SE NE	BLAINE

5. Description of diverting works:

HEADGATE, DITCH, PONDS, PUMPS, PONDS & SPRINKLER IRR. SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.15	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	18E	30	SE	SE	IRRIGATION	6
Section Acres						6
Total Acres						6

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:

SEE TRANSFER NO. 3590. THE PLACE OF USE IS THE COMMON LAND- SCAPING FOR THE CLIFFSIDE SUBD., CONSISTING OF SIX (6) SINGLE FAMILY RESIDENTIAL LOTS, AND IS OWNED BY THE OWNERS OF THE SIX (6) LOTS. APPLICANT IS THE DEVELOPER OF THE SUBD. THIS RIGHT IS ALSO BENEFICIALLY USED AS COMPENSATION/MITIGATION FOR POSSIBLE SYSTEM LOSSES UNDER PERMIT 37-08535 (SEE CONDITION NO. 16 OF PERMIT), WHICH IS THE WATER RIGHT FOR THE AESTHETIC USE OF THE SYSTEM OF STREAMS AND PONDS IN THE SUBD

CONFORMED ATTORNEY MAILING ADDRESS DMS

12-14-00, FM: OWNERSHIP CHANGE COMPLETED PER REQUEST RECEIVED 9-12-00.

15. Basis of Claim: Decreed

RECEIVED

SEP 12 2000

Department of Water Resources
Southern Region

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

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>37-08535</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>37-08538</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>37-00419B</u>	<u>A37-00419B</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>37-00703E</u>	<u>A37-00703E</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>37-00577BL</u>	<u>A37-10913</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) Graystone, Inc.
P.O. Box 2473, Ketchum, Idaho 83340
4. New Owner/Claimant(s) Cliffside Homeowners Association, Inc.
 Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address Post Office Box 4630
- City, State and Zip Code Ketchum, Idaho 83340
- New Telephone Number (208) 726-5997
5. Date you acquired the property August 31, 2000



6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

7. Signature of New owner(s) or Claimant(s)
(include title if applicable)

R. J. Cuy, PRESIDENT

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

For Office Use only

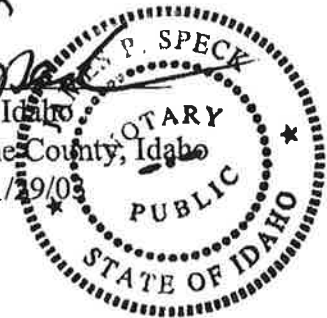
Received by Lawrence Date 9/12/00 Fee \$50.00
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

STATE OF IDAHO)
) ss.
County of Blaine)

On this 31st day of August, 2000, before me, the undersigned, a notary public in and for said state, personally appeared Peter W. Gray, known or identified to me to be the Vice-President of Graystone, Inc. and the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.


Notary Public for Idaho
Residing at: Blaine County, Idaho
Comm. Expires: 1/29/03



**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

**James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
P. O. Box 987
Ketchum, Idaho 83340**

Instrument # 442849

HAILEY BLAINE, IDAHO

2000-09-05 03:54:00 No. of Pages: 2

Recorded for : SPECK & AANESTAD

MARSHA RIEMANN Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

(space above line for Recorder's use)

QUITCLAIM DEED

FOR VALUE RECEIVED, GRAYSTONE, INC., an Idaho corporation, ("Grantor"), does hereby convey, release, remise and forever quitclaim to CLIFFSIDE HOMEOWNERS ASSOCIATION, INC., an Idaho nonprofit corporation, P.O. Box 4630, Ketchum, Idaho 83340 ("Grantee"), all of its right, title and interest in and to the following described water rights, situated in Blaine County, Idaho, to wit:

1. All of Water Right License No. 37-08535;
2. All of Water Right License No. 37-08538;
3. All of Water Right No. 37-00419B which is also claimed in In Re: Snake River Basin Adjudication ("SRBA") as A37-00419B;
4. All of Water Right No. 37-00703E which has been claimed in the SRBA as A37-00703E, and
5. All of Water Right No. 37-00577BL which has been claimed in the SRBA as A37-10913.

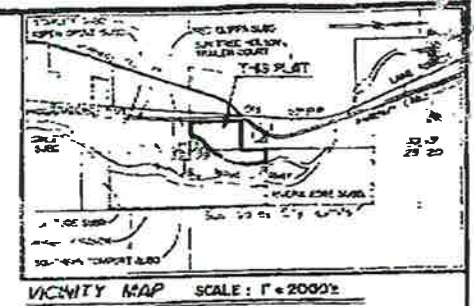
DATED this 31 day of AUGUST, 2000.

GRANTOR:

GRAYSTONE, INC.

By: 
PETER W. GRAY Its Vice PRESIDENT

A PLAT SHOWING
A REPLAT OF CLIFFSIDE SUBDIVISION, BLOCK 2
 LOCATED WITHIN
 SECTIONS 29 & 30, T. 4 N., R. 38 E., B.M., BLAINE COUNTY, IDAHO
 AUGUST 1989



LEGEND

- 1 Found Brass Cap
- 2 Found 5/8" Rebar
- 3 Found 1/2" Rebar
- 4 Set 5/8" Rebar, L.S. 3621
- 5 Set 1/2" Rebar, L.S. 3621
- 6 Easement, Right of Way
- 7 Easement, Right of Way
- 8 Access Corner, Site of Street

NOTES

1. The owner of the subdivision is responsible for the maintenance and repair of the subdivision.
2. The owner of the subdivision is responsible for the maintenance and repair of the subdivision.
3. The owner of the subdivision is responsible for the maintenance and repair of the subdivision.
4. The owner of the subdivision is responsible for the maintenance and repair of the subdivision.
5. The owner of the subdivision is responsible for the maintenance and repair of the subdivision.
6. The owner of the subdivision is responsible for the maintenance and repair of the subdivision.
7. The owner of the subdivision is responsible for the maintenance and repair of the subdivision.
8. The owner of the subdivision is responsible for the maintenance and repair of the subdivision.
9. The owner of the subdivision is responsible for the maintenance and repair of the subdivision.
10. The owner of the subdivision is responsible for the maintenance and repair of the subdivision.

Handwritten signature

D. Ferguson, L.S. 3621

A REPLAT OF CLIFFSIDE
 SUBDIVISION BLOCK 2
 S. L. ENGINEERING, INC.
 1000 N. 10th St.
 TETON, IDAHO 83420
 SHEET 1 OF 2

1000 N. 10th St.



SCALE 1" = 200'

T. 4 N. R. 38 E. B.M.

PUBLIC!

STATE HIGHWAY 100

SUN TREE HOLLOW
 TRAILER COURT

NOTIFICATION 9/13/89

CURVE DATA

Station	Angle	Radius	Chord	Delta
1+00.00	113.00	100.00	100.00	113.00
2+00.00	113.00	100.00	100.00	113.00
3+00.00	113.00	100.00	100.00	113.00
4+00.00	113.00	100.00	100.00	113.00
5+00.00	113.00	100.00	100.00	113.00
6+00.00	113.00	100.00	100.00	113.00
7+00.00	113.00	100.00	100.00	113.00
8+00.00	113.00	100.00	100.00	113.00
9+00.00	113.00	100.00	100.00	113.00
10+00.00	113.00	100.00	100.00	113.00

SAWTOOTH TITLE CO., INC.
 While this is a photographic
 reproduction of the recorded plat,
 the Company assumes no liability for
 variations, if any, with a re-survey.

NOTIFICATION 9/13/89

AUG-29-2000 TUE 11:45 AM SAWTOOTH TITLE CO

FAX NO. 7261062

P. 02

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

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

September 11, 2000

RECEIVED

SEP 12 2000

Department of Water Resources
Southern Region

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

**RE: Graystone, Inc. - Cliffside Homeowners Association
Notice in Change of Water Right Ownership**

Dear Allen:

Enclosed you will find the Notice in Change of Water Right Ownership for the transfer of the water rights described therein by Graystone, Inc. to Cliffside Homeowners Association, Inc. Also enclosed is our check payable to the Department for the \$50 filing fee, a copy of the Notice and a stamped and self addressed return envelope. Please receipt date stamp the copy of the Notice and return it to me. Kindly call me if you have any questions about this water right transfer.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____


James P. Speck

JPS:rsd

enclosures

cc: Peter Gray, w/encl.
Ron Alling, w/encl.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A37-00419B

A37-00703E

A37-10913

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

May 20, 1996 10:35am

NAME:
CINDY ZIMMERMAN IDWR

RE:
OVERLAP REVIEW 37-08538

SHE CALLED TO ADVISE SRBA OF THE POSSIBLE ERRORS AND OVERLAPS WITH THE PENDING LICENSE 37-08538. SHE HAS CONTACTED THE BLAINE CO. ASSESSOR AND THEY LIST THE CLIFFSIDE SUBD. LOTS 3-10, BLK. 36 AS BEING IN T02N, R18E, S36. CLAIM REMARKS REFER TO THESE LOTS AS T04N, R18E, S30. SEEMS TO BE SOME CONFUSION REGARDING THE LOTS AND THE LEGAL AND WETHER THEY OVERLAP WITH THE NEW LICENSE.

I TOLD HER I WILL REVIEW THESE AND GET BACK TO HER.
CLAIMS: A37-00419B, A37-00703E, & A37-10913.

**** CALLBACK ****
May 20, 1996 3:39pm

NAME:
CINDY ZIMMERMAN

RE:
ANSWER TO ABOVE

CLAIMS WERE ORIGINALLY CLAIMED IN LOTS 3-10 IN BELLEVUE. THEY WERE SOLD TO GREYSTONE AND THEN TRANSFERRED BY T#3590 TO LAND IN T04N. CHANGE OF OWNERSHIP WAS FILED AND THE CLAIMS WERE AMENDED. TRANSFER MAY NOT BE FULLY DOCUMENTED IN THE WATER RIGHT DATA BASE.

A37-00419B = 37-00419B
A37-00703E = 37-00703C
A37-10913 = 37-00577*

THESE SURFACE RIGHTS MAY HAVE BEEN REPLACED BY A NEW GROUNDWATER PERMIT 37-08538. APPEARS TO HAVE 100% OVERLAP.

NOV 28 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

04-Nov-1992

JAMES R SPECK
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: A37-00419B - A37-00703E - A37-10913 - ROSEBERRY, ROSEBERRY &
SORENSEN

Dear Mr. Speck:

This letter is in reference to the CHANGE OF OWNERSHIP for the above-listed Adjudicated Claims you sent in. We have changed our computer records and I am sending you a copy of each Claim. I apologize for the time it has taken and hope it has not caused you any inconvenience.

Please check them for accuracy and should you have any questions, please do not hesitate to contact me at this office at the above-listed telephone number.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures

MICROFILMED
MAR 01 1993

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: **A37-10913**
Date Received: 8/11/1988
Receipt No: S001407
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: GRAYSTONE INC. 208-726-5997
Address: C/O PETER GRAY
P O BOX 2162
KETCHUM 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
04N	18E	30	SE	SE	NE		BLAINE

5. Description of diverting works:
HEADGATE, DITCH, PONDS, PUMPS, PONDS & SPRINKLER IRR. SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.150		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	18E	30	SE	SE		IRR	6.0

MICROFILMED

MAR 01 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	6.0
					Total Acres	6.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-00419B, A37-00703E, 37-08538

14. Remarks:
SEE TRANSFER NO. 3590. THE PLACE OF USE IS THE COMMON LAND-SCAPING FOR THE CLIFFSIDE SUBD., CONSISTING OF SIX (6) SINGLE FAMILY RESIDENTIAL LOTS, AND IS OWNED BY THE OWNERS OF THE SIX (6) LOTS. APPLICANT IS THE DEVELOPER OF THE SUBD. THIS RIGHT IS ALSO BENEFICIALLY USED AS COMPENSATION/MITIGATION FOR POSSIBLE SYSTEM LOSSES UNDER PERMIT 37-08535 (SEE CONDITION NO. 16 OF PERMIT), WHICH IS THE WATER RIGHT FOR THE AESTHETIC USE OF THE SYSTEM OF STREAMS AND PONDS IN THE SUBD.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

Water Right Number - R37-10913		Prefix Translation: RESEARCH	Old (D) Number -			
+ - - - - Last Name - - - - +		+ - First Name - - +	+ - - - - Address - - - - - +			
*** A - ATTORNEY *** SPECK		JAMES R	1 - HOGUE SPECK & AANESTAD 2 - PO BOX 987 3 - City- KETCHUM State- ID Zip- 83340 Phone - 208-726-4421			
*** C - CURRENT OWNER *** GRAYSTONE INC			1 - C/O PETER GRAY 2 - P O BOX 2162 3 - City- KETCHUM State- ID Zip- 83353 Phone - 208-726-5997			
*** O - ORIGINAL OWNER *** ROSEBERRY		THOMAS	1 - 520 W. 8TH 2 - 3 - City- JEROME State- ID Zip- 83338 Phone - 208-324-2113			
SORENSEN		MARGUERITE	1 - 2 - 3 - City- JEROME State- ID Zip- 83338 Phone - 208-000-0000			
ROSEBERRY		EUGENE	1 - 520 W. 8TH 2 - 3 - City- JEROME State- ID Zip- 83338 Phone - 208-324-2113			
+ - - Priority Date - - + 03/24/1883		+ - - - Region - - - + ERROR IN REGION	+ - - - Stage - - - + D - DECREED + - - - Status - - - +			
+ - - - - Source - - - - - + BIG WOOD RIVER		+ - - - - Tributary - - - - - + MALAD RIVER				
+ - - - - Point of Diversion - - - - - +						
Twn	Rng	Sec	Tract	Lot	RFlg	County
04N	18E	30	SE SE		(13)	BLAINE
+ - - - - Water Use - - - - - +						
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume	
01	IRRIGATION	04/01	11/01	0.150		
+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Consumptive Use - +		+ - KW Usage - +
0.150				15.0		

MICROFILMED
MAR 0 1 1993

MICROFILMED
MAR 0 1 1993

Water right number - R37-10913

Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
04N	18E	30	SE SE		6.0	01	IRRIGATION	(13) BLAINE

Total Acres: 6.0

+ - - Diversion Means - KOHLER #44 HEADGATE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A37-00419B & A37-00703E

Remarks
THE PLACE OF USE IS LOTS 3 THRU 10 OF BLK. 36 OF CITY OF BELLEVUE.

Old Water Right Numbers
No Old Water Right Numbers Found

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments
Date: 10/28/1992 User Id: GIVENS Subject: OWNERSHIP CHANGE CHANGE OF OWNERSHIP RECEIVED 01/02/92 ORIGINAL OWNERS EUGENE &/OR THOMAS ROSEBERRY &/OR MARGUERITE SORENSON NEW OWNER GRAYSTONE INC. COPY OF WARRANTY DEED AND QUITDEED CLAIM SUBMITTED.

Audit Fields
11/04/92 GIVENS

Adjudication Rights Dates and Flags Area
--

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 08/11/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- F000000	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- D
				Notice of Error Flag	-

MICROFILMED
MAR 01 1993

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

August 11, 1992

RECEIVED

AUG 12 1992

Department of Water Resources
Southern Region Office

Ms. Judy Givens
Adjudication Secretary
Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: Graystone, Inc./Elizabeth K. Gray and/or Constance K. Gray
A37-00419B, A37-00703E and A37-10913 -
Eugene Roseberry, Thomas Roseberry and Marguerite Sorensen

Dear Ms. Givens:

In response to your letter to Mr. Jim Speck dated August 4, 1992, I am enclosing a copy of the Special Power of Attorney assigned to Mr. Speck from Ms. Gray. I am sorry this was not included with the Notice of Change of Ownership.

Please call if you need any further information. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD



Deborah Kirby
Secretary

dmk
Enclosure

MICROFILMED
MAR 01 1993

RECEIVED

SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)

AUG 12 1992

Department of Water Resources
Southern Region Office

I, ELIZABETH K. GRAY, designate and appoint JAMES P. SPECK, of Blaine County, Idaho, as my attorney in fact and agent (subsequently called "Agent") to act in my name and for my benefit for the specific purposes stated herein only. I grant to my Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. My agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that I now have or may hereafter acquire, RELATING ONLY TO the preparation and filing of claims for water rights in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, and the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or my Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. DISABILITY OF PRINCIPAL. This Special Power of Attorney shall not be affected by disability of the principal.

5. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to my Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to my Agent shall incur any liability to us or our estates as a result of permitting the Agent to exercise any power.

SPECIAL POWER OF ATTORNEY - 1

j:\water\graypwr

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MAR 01 1993

6. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

7. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

IN WITNESS WHEREOF, I have executed this Special Power of Attorney this 5 day of November, 1991.

Elizabeth K. Gray
ELIZABETH K. GRAY

STATE OF IDAHO)
) ss.
County of Blaine)

On this 5th day of November, 1991, before me, the undersigned notary public in and for said state, personally appeared ELIZABETH K. GRAY, known to me to be the person whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that she executed the same.

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

Deborah H. Kirby
Notary Public for Idaho
Residing at: Rephur, Idaho

SPECIAL POWER OF ATTORNEY - 2

j:\water\graypwr

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MAR 01 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

04-Aug-1992 11:31

JAMES P SPECK
HOGUE SPECK & AANESTAD
P.O. BOX 987
KETCHUM ID 83340

RE: A37-00419B, A37-00703E & A37-10913 - EUGENE ROSEBERRY, THOMAS
ROSEBERRY & MARGUERITE SORENSON

Dear Mr. Speck:

This letter is in reference to the NOTICE OF CHANGE OF OWNERSHIP FOR CLAIM(S) TO WATER RIGHT(S) on the above-referenced Claims. In reviewing the information enclosed, I failed to see a document showing the power of attorney assigned to you signed by Ms. Gray.

I apologize for the delay this transaction has taken, but due to the backlog of Ownership Changes, I will try to process as soon as possible.

Should you have any questions, please do not hesitate to contact me at this office, or call at the above-listed telephone number.

Sincerely,

Judy Givens
Adjudication Secretary

/jg

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MAR 01 1993

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
DONALD E. MITCHELL

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

December 30, 1991

12-31-91
CERTIFIED MAIL P 450 412 179
RETURN RECEIPT REQUESTED

Mr. Loren Holmes
Department of Water Resources
222 Shoshone Street
Twin Falls, Idaho 83301

Re: Snake River Basin Adjudication
Claims Nos. A37-10913, A37-00419B and A37-00703E
- Graystone, Inc.

Dear Loren:

Enclosed for filing in the Snake River Basin
Adjudication are the following documents submitted by my client,
Graystone, Inc.

1. Notice of Change of Ownership;
2. Amended Claim No. A37-10913;
3. Amended Claim No. A37-00419B; and
4. Amended Claim No. A37-00703E.

Once these Amended Claims have been logged into the Department's
computer database, please send me copies of the appropriate
printouts.

Kindly call me if you have any questions. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS\dmk
Enclosures
cc: Graystone, Inc. (w/encls.)

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MAR 01 1993

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

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

CIVIL CASE NUMBER: 39356

NOTICE OF CHANGE OF OWNERSHIP
FOR
CLAIM(S) TO WATER RIGHT(S)

1. Claim Identification Number(s): A37-00419B, A37-00703E, A37-10913
2. Name of Original Claimant(s): Eugene Roseberry, Thomas
Roseberry & Marguerite Sorenson
Mailing Address: 520 West 8th
Jerome, ID 83338
3. Name of Purchaser(s)/New Claimant(s)
of Water Right(s): Graystone, Inc.
Mailing Address: c/o Peter Gray
P. O. Box 2162
Ketchum, ID 83353

4. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the purchaser(s)/new claimant(s) of the water rights identified herein and that all notices required by law to be mailed by the director to the purchaser(s)/new claimant(s) should be mailed to the address listed below.

Signature: James P. Speck

James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 12/30/91

GRAYSTONE, INC.

MICROFILMED
MAR 01 1993

DATE: 12/30/91

By: Elizabeth K. Gray

Elizabeth K. Gray, President

James P. Speck, Jr.
attorney in fact

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
James P. Speck
HOGUE, SPECK & AANESTAD
Post Office Box 987
Ketchum, Idaho 83340

RECEIVED

JAN 10 1989

County of Blaine
Idaho Reg. 17

(Space above line for Recorder's use)

WARRANTY DEED

FOR VALUE RECEIVED, THOMAS ROSEBERRY and VETA A. ROSEBERRY, husband and wife, EUGENE P. ROSEBERRY, a ~~married~~ ^{single} ~~man~~ ^{man} dealing in his sole and separate property, and MARGUERITE ~~ROSEBERRY~~ ^{ROSEBERRY} a ~~married~~ ^{single} ~~woman~~ ^{woman} dealing in her sole and separate property, all of whose mailing address is c/o Thomas Roseberry, 520 8th West, Jerome, ID 83338 (the "Grantor" whether one or more), hereby grants, bargains, sells and conveys unto ELIZABETH K. GRAY, a married woman dealing in her sole and separate property, whose mailing address is P. O. Box 2162, Ketchum, ID 83340 ("Grantee", whether one or more), the following described water rights appurtenant to certain real property situated in Blaine County, Idaho:

As more particularly described in Exhibit A attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD, the said water rights and appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said water rights, that said water rights are free from all encumbrances except as above-described, and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 19 day of May, 1989.

Thomas Roseberry
Thomas Roseberry

Veta A. Roseberry
Veta A. Roseberry

Eugene P. Roseberry, Jr. & Roseberry
Eugene P. Roseberry his ATTORNEY IN FACT.

Marguerite Sorensen
Marguerite Sorensen

STATE OF IDAHO)
County of Blaine) ss.

On this 19th day of May, 1989, before me, the undersigned, a notary public in and for said state, personally appeared Thomas Roseberry, Veta A. Roseberry and Marguerite Sorensen, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

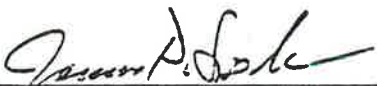
IN WITNESS WHEREOF, I have hereunto affixed by official seal the day and year in this certificate first above written.

James P. Spack
Notary Public for Idaho
Residing at: Emtork Rd

STATE OF IDAHO)
County of Blaine) ss.

On this 19th day of May, 1989, before me, the undersigned ^{NPS} Notary Public in and for said state, personally appeared ~~Thomas~~ Roseberry, known or identified to me to be the person whose name is subscribed to the foregoing instrument as the attorney in fact of Eugene P. Roseberry, and acknowledged to me that he subscribed the name of Eugene P. Roseberry thereto as principal, and his own name as attorney in fact.

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



Notary Public for Idaho
Residing at: East Fork, ID

j:\gray.ded
5/19/89

WARRANTY DEED - 3

MICROFILMED
MAR 01 1993

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

CIVIL CASE NUMBER: 39356

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

Ident Number A37-10913

Date Received _____

Receipt Number _____

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

RECEIVED

JAN 02 1992

Department of Water Resources
Southern Region Office

1. Name of Claimant(s): Graystone, Inc.
Phone: (208) 726-5997
Mailing Address: c/o Peter Gray
P. O. Box 2162
Ketchum, ID 83353

2. Date of Priority: March 24, 1883

3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
4N	18E	30	SE	SE	NE		Blaine

Additional points of diversion if any: None.

b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	------------	------------	------------	------------	---------------

Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	------------	------------	------------	------------	---------------

5. Description of existing diversion works: Comstock #10 Headgate, Comstock Ditch, ponds, pumps in ponds to underground sprinkler irrigation system.

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MAR 01 1993

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	0.15 cfs

7. Total Quantity Claimed: 0.15 cfs

8. Total consumptive use claimed is 15 acre feet per annum.

9. Non-irrigation uses: See Remarks.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
4N	18E	30	SE	SE	I	6

Total number of irrigated acres: 6

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? A37-00419B, A37-00703E, 37-08538.

14. Remarks: See Transfer No. 3590. The place of use is the common landscaping for the Cliffside Subdivision, consisting of six (6) single family residential lots, and is owned by the owners of the six (6) lots. Applicant is the developer of the subdivision. This right is also beneficially used as compensation/mitigation for possible system losses under Permit 37-08535 (see condition no. 16 of Permit), which is the water right for the aesthetic use of the system of streams and ponds in the Subdivision.

Last Name: Graystone
j\grystne\3710913.clm

Ident No. A37-10913

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Scale: 2 inches equals 1 mile



MAR 21 1995

RECEIVED

JAN 02 1992

Department of Water Resources
Southern Region Office

15. **Basis of Claim:** Decree
IDWR Water Right Number: 37-00577BL
Court: Lincoln County District Court
Case Number:
Decree Date: December 13, 1909
Plaintiff v. Defendant:

S. C. Frost et al v. Alturus Water Company, et ux

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments -

[For Organizations] I do solemnly swear or affirm that I am the president of Graystone, Inc., an Idaho corporation, that I have signed the foregoing document in the space below as president of Graystone, Inc. and that the statements contained in the foregoing document are true and correct.

GRAYSTONE, INC.

DATE: 12/30/91

By: Elizabeth K. Gray by Jan Speck,
Elizabeth K. Gray, President
her attorney in fact

State of Idaho)
County of Blaine) ss.

Subscribed and sworn before me this 30th day of December, 1991.

Notary Public Deborah H. Kirby
Residing at Ketchum, Idaho
Commission Expires 11/1/92

17. **Notice of Appearance:**

Notice is hereby given that I, James P. Speck, will be acting as attorney at law 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 the address listed below.

Signature: James P. Speck
James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 12/30/91

Last Name: Graystone
j\grystne\3710913.clm

Ident No. A37-10913

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MAR 01 1993

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

James P. Speck, Esq.
HOGUE, SPECK & AANESTAD
P. O. Box 987
Ketchum, Idaho 83340

RECEIVED

JAN 03 1992

Department of Water Resources
Northern Region Office

(space above line for Recorder's use)

QUITCLAIM DEED

FOR VALUE RECEIVED, ELIZABETH K. GRAY, a married woman dealing in her sole and separate property, whose mailing address is P. O. Box 2162, Ketchum, ID 83340 (hereinafter referred to as the "Grantor"), does hereby convey, release, remise and forever quitclaim unto GRAYSTONE, INC., an Idaho corporation, whose mailing address is (hereinafter referred to as the "Grantee"), any and all interest Grantor may have in the following described premises, situated in Blaine County, Idaho, to wit:

1. 7.5 inches (0.15 cfs) of Idaho Water Right No. 37-0577, originally decreed to W. T. Riley for the diversion of waters of the Big Wood River with priority date of March 24, 1883, and claimed in In Re the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System, Twin Falls county Case No. 39576, as Identification No. A37-10913.
2. 9 inches (0.18 cfs) of Idaho Water Right No. 37-0419B, originally decreed to Horace C. Lewis, for the diversion of waters of the Big Wood River with priority date of August 2, 1889, and claimed in In Re the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System, Twin Falls county Case No. 39576, as Identification No. A37-00419B.
3. 20 inches (0.40 cfs) of Idaho Water Right No. 37-0703C originally decreed to A. D. Williams for the diversion of waters of the Big Wood River with priority date of June 15, 1891, and claimed in In Re the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System, Twin Falls county Case No. 39576, as Identification No. A37-00703E.

QUITCLAIM DEED - 1

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MAR 01 1993

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the Grantee, and to Grantee's heirs and assigns forever.

DATED this 10 day of July, 1989.

GRANTOR:

Elizabeth K. Gray
ELIZABETH K. GRAY

STATE OF IDAHO)
)
County of Blaine) ss.

On this 10th day of July, 1989, before me the undersigned notary public in and for said state, personally appeared ELIZABETH K. GRAY, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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

James P. Speck
Notary Public for Idaho
Residing at: East Teton, ID

j:\grayh20.qcd
7/9/89

QUITCLAIM DEED - 2

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MAR 01 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SNAKE RIVER BASIN ADJUDICATION CLAIM VERIFICATION REPORT

FIELD REPORT LOGCLAIM NUMBER: A37 - 10913

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT RECEIVED	COMPLETED REVIEW	COMPLETED DATA ENTRY
PRIORITY DATE	N		see 3-28-90	
POINT OF DIV.	N		I	
SOURCE	N		I	
PLACE OF USE	YES ✓		see 6-6-90	
DIV. AMOUNT	YES	XS FLOW ?	I	
CONSUMPTIVE USE	N		I	
USES	N		see 3-28-90	
PERIOD OF USE	N		see 3-28-90	
BASIS OF CLAIM	N		I	

REMARKS: SEE A37-00419 B : WHAT SPLIT ?
-577

CORE Number
- 577 ? BN
what split ?

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GENERAL INFORMATION

Claim number: A37-10913

LAST: ROSEBERRY

FIRST: THOMAS

ADDRESS: 520 West 8th

CITY: Jerome

STATE: ID

ZIP: 83338

PHONE: (208) 724 - 2113

OWNER CODE: C

OWNER CONNECTOR: +/OR

LAST: "

FIRST: EUGENE

ADDRESS: "

CITY: "

STATE:

ZIP:

PHONE: () -

OWNER CODE: C

Also: SORENSEN

MARGUERITE (c)

FIELD EXAMINATION INFORMATION

CONTACT PERSON: PHONE NUMBER () -

DATE OF FIELD EXAM: / / APPOINTMENT MADE? Y() N(), TIME:

ACCOMPANIED BY: PHONE NUMBER () -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

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PRIORITY DATE REVIEW SHEET

CLAIM NUMBER: A37- 10913

PRIORITY DATE: 3/24/1883

STAGE D

PRIORITY DATE: 3/24/1883

STAGE D

C. REVIEW - FIELD EXAM NEEDED? Y() N(~~X~~)

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(~~)~~
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE: 3/24/1983

REVIEWED BY SOC

DATE 3-28-90

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A. SRBA CLAIM POINT OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>2N</u>	<u>18E</u>	<u>22</u> <u>26</u>	—	<u>NE</u> <u>SE</u>	<u>SE</u> <u>NE</u>	—	<u>13</u> (R)

SOURCE: BIG WOOD RIVER TRIB: MALAD RIVER

B. IDWR RECORD POINT OF DIVERSION RECORD AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>3N</u>	<u>18E</u>	<u>20</u>	—	<u>SW</u>	<u>NW</u>	—	<u>13</u>

SOURCE: BIG WOOD RIVER TRIB: MALAD RIVER

C. REVIEW - FIELD EXAM NEEDED? Y() N(X)

		ATTACHED	OR	SEE FILE
VERIFIED	(<u>X</u>) TOPO MAP/ORTHO-PQ	YES() NO()		<u>A37-00419B</u>
WITH:	() ASCS MAP	YES() NO()		—
	() WATERMASTER RECORDS	YES() NO()		—
	() FIELD EXAM	YES() NO()		—
	() OTHER	YES() NO()		—

REMARKS: _____

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>2N</u>	<u>18E</u>	<u>22</u>	<u>SW</u>	<u>NE</u>	<u>SE</u>	—	<u>13</u>
—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—

SOURCE: B.W.R. TRIB: MALAD RIVER

REVIEWED BY See DATE 5-14-90

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MAR 01 1993

PLACE OF USE REVIEW SHEET (IRRIGATION)

CLAIM # A37-10913FIELD EXAM REQUIRED: Y(☒) N(☐)PRESUMPTION FLAG: Y(☒) N(☐)ROOT WATER RIGHT NUMBERS 37-00577 BN

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
<u>2N 18E 26 SW SW</u>	<u>A37-04377 / 3.5</u>	<u>— — — — / —</u>	<u>0</u>	<u>—</u>	<u>—</u>
	<u>-00419E / 2</u>	<u>— — — — / —</u>	<u>—</u>	<u>—</u>	<u>—</u>
	<u>-00703E / 2</u>	<u>— — — — / —</u>	<u>—</u>	<u>—</u>	<u>—</u>
	<u>-10913 / 2</u>	<u>— — — — / —</u>	<u>—</u>	<u>—</u>	<u>—</u>
	<u>-07312 / 20</u>	<u>37-07312 / 20</u>	<u>—</u>	<u>—</u>	<u>—</u>
	<u>— — — — / —</u>	<u>— -04377 / 4</u>	<u>—</u>	<u>—</u>	<u>—</u>
	<u>— — — — / —</u>	<u>— -08259 / 5</u>	<u>—</u>	<u>—</u>	<u>—</u>
	<u>— — — — / —</u>	<u>— -08308 / 1</u>	<u>—</u>	<u>—</u>	<u>—</u>
TOTAL ACRES <u>2</u>		<u>— — — —</u>	<u>—</u>	<u>—</u>	<u>—</u>

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(☐) N(☐)
 IF YES SEE ATTACHED SHEET:

REMARKS: SEE A37-00419 BREVIEWED BY SCWDATE 5-14-90

MICROFILMED
 MAR 01 1993

TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES2N 8E 36 NW NW A37-004198 / 2-00703E / 2-10913 / 2-11895 / .5-11902 / .5-11904 / .5- / - | 37-08081 / 5- / - | - / -

TOTAL ACRES

2

TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES- / -- / -- / -- / -- / -- / -- / -- / -

TOTAL ACRES

TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES- / -- / -- / -- / -- / -- / -- / -- / -

TOTAL ACRES

MICROFILMED
MAR 01 1993

A. S.R.B.A CLAIMED USES:

PURPOSES	MONTH/DAY	RATE
FOR <u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-1</u>	<u>0.15</u> CFS
FOR _____	FROM ____ TO ____	____ CFS
FOR _____	FROM ____ TO ____	____ CFS

B. I.D.W.R. RECORDED USES:

PURPOSES	MONTH/DAY	RATE
FOR <u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-1</u>	<u>14.678</u> CFS
FOR _____	FROM ____ TO ____	____ CFS
FOR _____	FROM ____ TO ____	____ CFS

PRESUMPTION FLAG: _____

PERIOD OF USE:

IS PERIOD OF USE WITHIN THE RECOMMENDED SEASON?

Y(☒) N(☐)

RECOMMENDED AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO IDWR STANDARDS OR OTHER?

Y(☐) N(☒)

REMARKS:

RECOMMENDED USES:

PURPOSES	MONTH/DAY	RATE
FOR <u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-1</u>	<u>0.15</u> CFS
FOR _____	FROM ____ TO ____	____ CFS
FOR _____	FROM ____ TO ____	____ CFS

REVIEWED BY

Sec

DATE

3-28-90

MICROFILMED
MAR 01 1993

CLAIM # A37-10913

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N(☒)

SRBA CLAIMED RATE: 0.15 CFS IDWR ROOT RIGHT RATE: 14.678 CFS
IF NO or IF STATUTORY CLAIM or BENEFICIAL USE field exam required.

IS FLOW MEASUREMENT REQUIRED? Y(☒) N()

B. FLOW MEASUREMENTS

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS

C. ARE OTHER WATER RIGHTS USED? Y(☒) N() If YES complete overlap review.

OTHER RIGHTS LISTED IN CLAIM: _____

SEE
A37-00419B

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1. IRRIGATION RATE.

ACRES 4 X 0.02 CFS/ACRE = _____ CFS.
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

IF YES EXCESSIVE WATER USE FORM FILED AND ATTACHED? Y() N()

2. ANNUAL IRRIGATION CONSUMPTIVE USE & FIELD HEADGATE DIVERSION VOLUME.

ACRES _____ X CONSUMPTIVE RATE FOR AREA _____ A.F./ACRE =

TOTAL CONSUMPTIVE USE _____ ACRE FEET/ANNUM

ACRES _____ X FIELD APPLIC. RATE FOR AREA _____ A.F./ACRE =

TOTAL FIELD APPLIC. _____ ACRE FEET/ANNUM

E. RATE/VOLUME CALCULATIONS: (OTHER USES)

CONTACT OWNER? Y() N() SEE ATTACHED SHEET? Y() N()

RECOMMENDED DIVERSION RATE: 0.15 CFS

RECOMMENDED CONSUMPTIVE USE: 10.0 AF/ANNUM

RECOMMENDED FIELD HEADGATE APPLICATION: _____ AF/ANNUM

REVIEWED BY See DATE 5-14-90

MICROFILMED
MAR 01 1993

BASIS OF CLAIM ISSUES REVIEW SHEET

CLAIM # A37-10913

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
EXCESSIVE AMOUNT _____	()	()

THIS SRBA CLAIM CFS/ACRE

0.038

OTHER SRBA CLAIMS CFS/ACRE

____ - ____

____ - ____

____ - ____

SEE
A37-00419B

**Excessive water use form filed and ATTACHED? Y(E) N(E)

B. SPLIT WATER RIGHT REVIEW

ROOT RIGHT # <u>37-00577</u>	SPLITS # ____ - ____	____ CFS
____ CFS	# ____ - ____	____ CFS
	# ____ - ____	____ CFS
	# ____ - ____	____ CFS
	# ____ - ____	____ CFS
	TOTAL CFS	____

②
BASIN WIDE
Review

**Do the sum of the parts equal the whole?

Y() N()

**IF NO is the written review sheet ATTACHED?

Y() N()

REMARKS: _____

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

MICROFILMED
MAR 01 1993

ADDITIONAL ACREAGE FORM

Claim number: A37-10913

[illegible]

TOTAL NUMBER OF ACRES 4.0

REMARKS:

REVIEWED BY _____

DATE _____

MICROFILMED
MAR 01 1993

Water Right Number - A37-10913

Adj. Flag Translation: Adjudication Temporary Work Area

Old (D) Number -

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

*** C - CURRENT OWNER ***
ROSEBERRY

THOMAS

1 - 520 WEST 8TH

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-2113

ROSEBERRY

EUGENE

1 - 520 WEST 8TH

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-2113

SORENSEN

MARGUERITE

1 -

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-000-0000

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

+ - - - Region - - - +

+ - - - Stage - - - +
D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - - +
BIG WOOD RIVER

+ - - - - Tributary - - - - - +
MALAD RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County (Blank if no Index Code)

02N 18E 22 NE SE (13) BLAINE
02N 18E 26 SE NE R (13) BLAINE

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

01 - IRRIGATION 04/01 11/01 0.150

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.150 12.0

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

02N 18E 26 SW SW 2.0 01 IRRIGATION (13) BLAINE
02N 18E 36 NW NW 2.0 01 IRRIGATION (13) BLAINE

Total Acres: 4.0

+ - - Diversion Means - KOHLER #44 HEADGATE

+ - - Non-Irrigation Use -

MICROFILMED
MAR 0 1 1993

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 08/11/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S001407	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR		

MICROFILMED
MAR 01 1993

WATER DIST. 37 WOOD RIVER ABOVE MAGIC -- PRIORITY BOOK 22 OF 1

04/23/88

DIVER NO	DIST. R PRIOR.	OWNER	ST. ID.	ORIG DECREE TO	PRIORITY DATE	INCHES	BWCC	BELOW #10 CUT	ABOVE 10	OTHER	T
22	D 19-A18	MAXINE FOX	37-0577	W.T.RILEY	03-24-1883	20.00					1
22	D 19-A24	W R VALLEY ASSOCIATES	37-0577	W.T.RILEY	03-24-1883	45.19					1
22	D 19-B4	NICHOLAS MARICICH	37-0028	ALTURAS WATER CO.	03-24-1883	2.00					1
22	D 19-A29	FACESETTER HOMES INC.	37-0577	W.T.RILEY	03-24-1883	136.00					1
22	D 19-A11	QUIGLEY CANYON CO	37-0577	W.T.RILEY	03-24-1883	9.00					1
22	D 19-A30	QUIGLEY LAND CO.	37-0577	W.T.RILEY	03-24-1883	72.00					1
22	D 19-A25	ROBERT LOGAN	37-0577	W.T.RILEY	03-24-1883	13.00					1
22	D 19-A19	S.F.ECCLES	37-0577	W.T.RILEY	03-24-1883	350.00					1
22	D 19-A12	SPRENGER GRUBB ASSOC.	370577BH	W.T.RILEY	03-24-1883	141.10					1
22	D 19-A2A	THOMAS B.CAMPION	37-0577	W.T.RILEY	03-24-1883	13.00					1
22	D 19-A3	TOM RICHMOND	37-0577	W.T.RILEY	03-24-1883	1.00					1
26-P	D 19-A14	WILLIAM NORRIS	37-0577	W.T.RILEY	03-24-1883	10.00					1
33	E 19-A35	STEVEN BUCHANAN	37-0577	W.T.RILEY	03-24-1883	5.00					1
33	E 19-A33	W.R.WATTS	37-0577	W.T.RILEY	03-24-1883	17.50					1
44	E 19-A37	BUD ROSEBERRY	37-0577	W.T.RILEY	03-24-1883	7.50					1
44	E 19-A36	TED DIVINE	37-0577	W.T.RILEY	03-24-1883	175.00					1
45	E 19-A39	THOMAS M BECK	37-0577	W.T.RILEY	03-24-1883	27.60					1
45	E 19-A1	BELLEVUE FARMS	37-0577	W.T.RILEY	03-24-1883	252.80					1
45	E 19-A41	CHARLIE BROWNING	37-0577	W.T.RILEY	03-24-1883	55.20					1

MICROFILMED
MAR 1 1993

PRIORITY
BELOW MAGIC

MADE IN U.S.A.

Water Right Number - 37-00577BN

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***
WOOD RIVER LAND CO.

1 -
2 -
3 -
City-
Phone -

State- Zip-

*** O - ORIGINAL OWNER ***
RILEY

W. T.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - - Region - - - +
03/24/1883 17

+ - - - Stage - - - +
D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - - +
BIG WOOD RIVER

+ - - - - Tributary - - - - - +
MALAD RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

03N 18E 20 SW NW (13) BLAINE

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

01 - IRRIGATION

14.678

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
14.678

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

02N	18E	4				01	IRRIGATION	(13) BLAINE
02N	18E	5				01	IRRIGATION	(13) BLAINE
02N	18E	8				01	IRRIGATION	(13) BLAINE
02N	18E	9				01	IRRIGATION	(13) BLAINE
02N	18E	15				01	IRRIGATION	(13) BLAINE
02N	18E	16				01	IRRIGATION	(13) BLAINE
02N	18E	22				01	IRRIGATION	(13) BLAINE
02N	18E	23				01	IRRIGATION	(13) BLAINE
02N	18E	25				01	IRRIGATION	(13) BLAINE
02N	18E	26				01	IRRIGATION	(13) BLAINE
03N	18E	28				01	IRRIGATION	(13) BLAINE
03N	18E	29				01	IRRIGATION	(13) BLAINE
03N	18E	33				01	IRRIGATION	(13) BLAINE

MICROFILMED
MAR 01 1993

Adj. flag translation: Standard Water Right Number

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
1	2	3	4	5	6	7	8	9

Total Acres:

+ - - Diversion Means - VIA HIAWATHA CANAL.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+	Remarks
	P/U INCOMPLETE. SEE FILE. AC. IRR. UNKNOWN.

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

+ - - - Decree Plaintiff - - - +	+ - - - Decree Defendant - - - +	+ - Decree Date - +
ALBRETHSEN	WOOD RIVER LAND CO.	06/27/1925

+ - - Audit Fields - 12/27/89 CURTIS

+-----Water Rights Dates and Flags Area-----

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 06/27/1925				

Page 1 of 10STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3590APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Graystone, Inc. Phone (208)726-4421Post Office address c/o James P. Speck, Hogue, Speck & Aanestad, P.O. Box 987
Ketchum, ID 83340

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 _____
2. Describe the reason for the proposed changes Applicant has purchased water rights
(see attached deeds) and desires to transfer them to its property.

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
<u>37-0577BL Part</u>	<u>Mar. 24, 1883</u>	<u>0.15cfs</u>	<u>irrigation</u>	<u>April 1 to Nov. 1</u>
<u>37-0419B</u>	<u>Aug. 2, 1889</u>	<u>0.18cfs</u>	<u>irrigation</u>	<u>April 1 to Nov. 1</u>
<u>37-0703E</u>	<u>June 15, 1891</u>	<u>0.40cfs</u>	<u>irrigation</u>	<u>April 1 to Nov. 1</u>

2. Total amount of water being transferred 0.73 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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE	NE	30	4N	18E	Blaine	Comstock No. 10 Headgate

5. 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	
4N	18E	30																6	6

Total acres 6

PART 1

6. General Information:

a. Description of diversion system Comstock No. 10 Headgate in Big Wood River to Comstock Ditch to stream and pond system: pump from large pond to underground sprinkler system for irrigation of common landscaping for new residential subdivision

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:

It will no longer be irrigated, except by domestic wells

d. Remarks:

See attached Addendum

The P/U was described incorrectly on Transfer #1661. It should have been Blocks 36 and 41 in Bellevue, which cover about 6 acres in Sec. 25 & 36 T. 2N R. 18E. Some of this land was sold without water rights in 1979.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0419B/0577BL/0703C

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

SEE ATTACHED CONDITIONS OF APPROVAL.

MICROFILMED

JUN 27 1990

Witness my hand this 22nd day of June, 19 90

for the Norman C. Young
Chief, Water Alloc. Bureau

CONDITIONS OF APPROVAL

Transfer of Water Right Nos. 37-0419B/0577BL/0703C
Transfer No. 3590

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Diversion and use of water pursuant to rights approved by this transfer is subject to control of the watermaster of state Water District #37, Big Wood River.
3. This transfer is associated with permit to appropriate water no. 37-8535. A portion of right no. 37-0577 must compensate for losses of water used pursuant to permit no. 37-8535 as follows:
 - a) When the Comstock Ditch rights are being delivered, the 0.15 cfs of right no. 37-0577, or a requisite portion, must be delivered to the point of return to the Comstock Ditch from the Graystone system.
 - b) When the Comstock Ditch rights are not deliverable, but water is being delivered through the Graystone system, the 0.15 cfs of right no. 37-0577, or a requisite portion, must remain in the Big Wood River.
4. The 0.15 cfs of right no. 37-0577 pertaining to this transfer may be diverted for irrigation use when water is not being delivered to the Graystone system pursuant to right no. 37-8535.
5. Prior to diversion of water as approved by this transfer, the Comstock #10 diversion structure must be reconstructed to the satisfaction of IDWR.

Witness my hand this 22ND day of June, 1990.

for the Norman C. Young
Chief, Water Alloc. Bureau

MICROFILMED

JUN 27 1990

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. 37-0577BL Decreed to W.T. Riley
in case of S.C. Frost et al vs. Alturas Water Company, et al
dated Dec. 13, 1909 in Lincoln county of _____
- 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 Warranty Deed to water rights only

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

4. Date or priority March 24, 1883

5. Water is used for the following purpose: SEE ATTACHED ADDENDUM

amount 14.5 cfs for irrigation purposes from April 1 to Nov. 1
(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 14.5 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	36	3N	18E	Blaine	Headgate #22 & Hiawatha Canal

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	28, 29, 33																	
2N	18E	4.5																	
		8.9																	
		15.16																	
		22.23																	
		25.26																	

MICROFILMED

JUN 27 1990

Total acres _____

9. Describe any other water rights used for the same purpose as described above 37-0419B, 37-0703C

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 SEE ATTACHED ADDENDUM

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

1. amount 0.15 cfs for irrigation purposes from April 1 to Nov. 1
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: Present point of diversion

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	SE	22	2N	18E	Blaine	Kohler #44 Headgate
	SE	SE	NE	26	2N	18E	Blaine	Re diversion from pond

3. Lands irrigated or place of use:

P/U per
T. 1661

True
P/U

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	
2N	18E	26													X			X	7
2N	18E	25											2.5						2.5
		36					1	2.5											3.5

Total acres 6

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

1. amount 14.35 cfs for Irrig. 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: f Same

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

3. Lands irrigated or place of use: Same

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	

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. 37-0419B Decreed to Horace C. Lewis
in case of S.C Frost, et al vs. Alturua Water Company, et al
dated December 13, 1909 in Lincoln county of _____
- 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. 1661 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 Warranty Deed to water rights only

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

4. Date or priority Aug. 2, 1889

5. Water is used for the following purpose:

amount 0.18cfs for irrigation purposes from April 1 to Nov. 1
(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 0.18 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
	SE	NE	SE	22	2N	18E	Blaine	Kohler #44 Headgate
	SE	SE	NE	26	2N	18E	Blaine	Rediversion from pond

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	
2N	18E	26													X			X	7
2N	18E	25											2.5						2.5
		36					1	2.5											3.5

P/U per
T. 1661

True P/U

Total acres 6

9. Describe any other water rights used for the same purpose as described above

37-0577 (a portion); 37-0703C (a portion)

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 _____ 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:

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	

Total acres _____

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:

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	

Total acres _____

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JUN 27 1990

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. 37-0703C Decreed to A.D. Williams
in case of S.C Frost et al vs. Alturus Water Company et al
dated December 13, 1909 in Lincoln county of _____
- 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. 207. 2457 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 Warranty Deed to water rights only

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

4. Date or priority June 15, 1891

5. Water is used for the following purpose:

amount 1.4cfs for irrigation purposes from _____ to _____
(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 1.4 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
	SE	NE	SE	22	2N	18E	Blaine	Kohler #44 Headgate
	SE	SE	NE	26	2N	18E	Blaine	Rediversion from pond

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	
2N	18E	25										X	X						X

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Total acres X

9. Describe any other water rights used for the same purpose as described above

37-0577(a portion); 37-0419B

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** SEE ATTACHED ADDENDUM

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

1. amount 0.4cfs for irrigation purposes from April 1 to Nov. 1
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	SE	22	2N	18E	Blaine	Kohler # 44 Headgate
	SE	SE	NE	26	2N	18E	Blaine	Rediversion from pond

3. Lands irrigated or place of use: Historical P/U since 1971 or earlier

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	25											2.5						2.5
		36					1	2.5											3.5

Total acres 6**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 1.0cfs for irrigation purposes from April 1 to Nov. 1
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	SE	22	2N	18E	Blaine	Kohler #44 Headgate
	SE	SE	NE	26	2N	18E	Blaine	Rediversion from pond

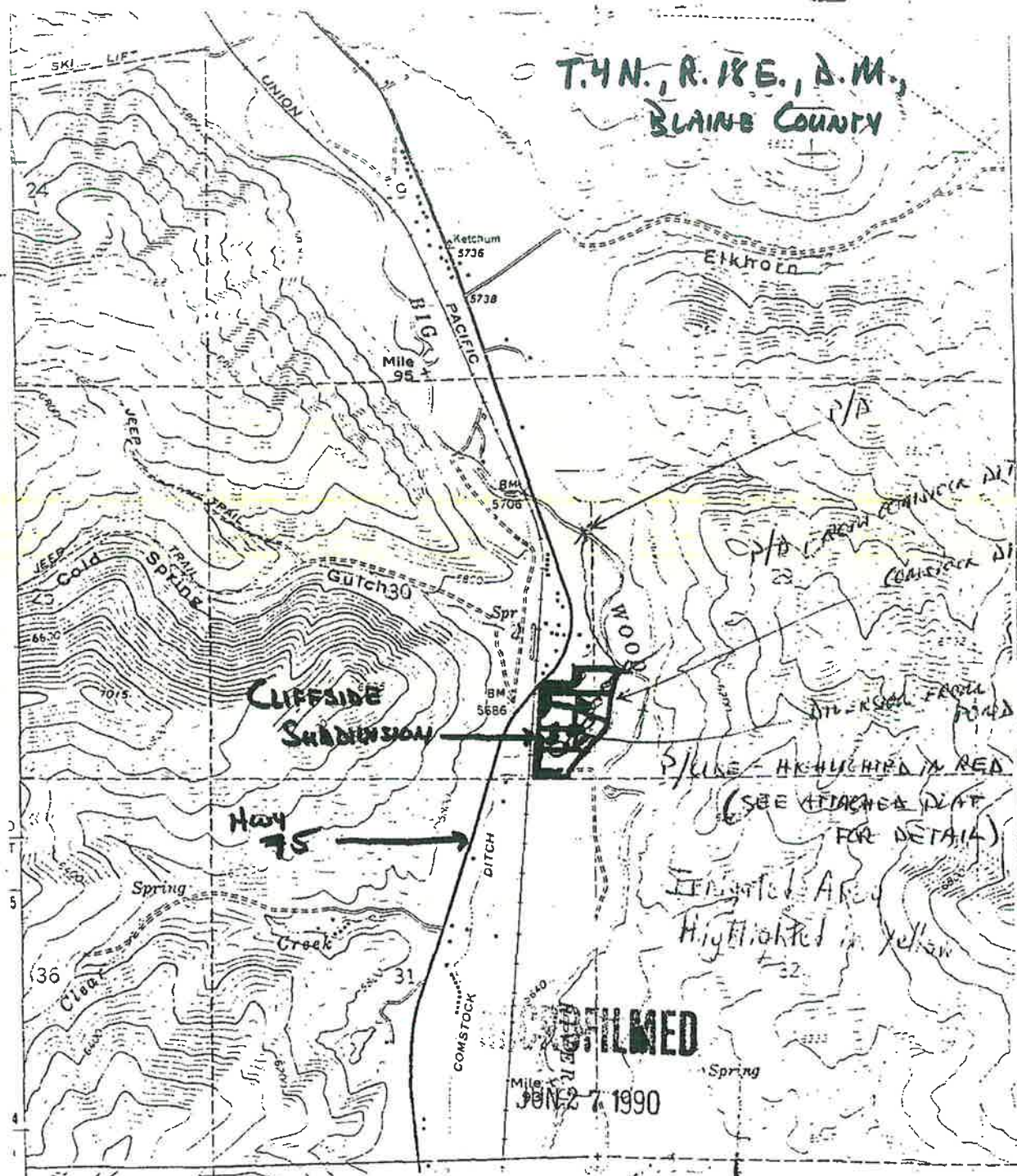
3. Lands irrigated or place of use:

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	
2N	18E	25										X	X						X

Total acres X

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.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1. New Nature of Use Amount Hours/days/year Period of Use
 (cfs/ac-ft)
N/A _____ to _____
 _____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

GRAYSTONE, INC.

By: Elizabeth K. Gray (President)
 (Signature of Applicant)

Subscribed and sworn to before me this 10th day of July, 19 89.

James P. Spach
 (Notary Public)

My commission expires 1/28/91

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 26 attachments

Received by JRP Date 7-11-89 Protest filed by _____

Prelim. check by J.F. Stanton Fee 50 500 852¢ _____

Received by JRS Date 7/11/89 _____

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 9/6 & 9/13/89 Hearing held by _____ Date _____

Watermaster recommendation requested on 8/28/89 Recommended for ☒ approval ☐ denial

_____ rec'd. 9/1/89

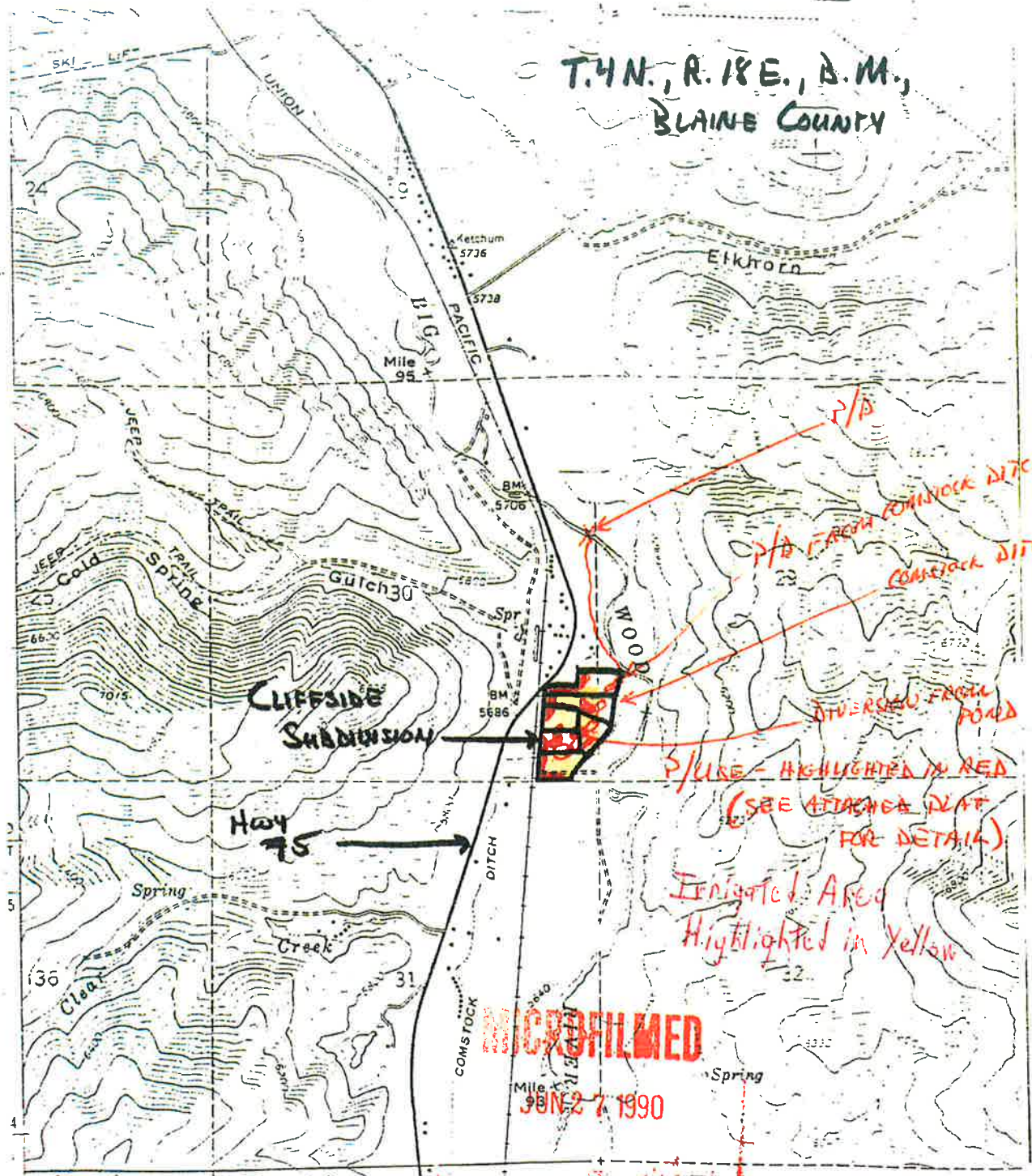
Copy of transfer sent to lien holder _____

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JUN 27 1990

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.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

ADDENDUM TO
APPLICATION FOR TRANSFER
BY

GRAYSTONE, INC.

(A part of 37-0577, 37-0419B and a part of 37-0703C)

1. Elizabeth K, Gray purchased the three (3) water rights which are the subject of theis Application for Transfer from Thomas Roseberry, et al., and then transferred the rights to Applicant (see attached copies of Warranty Deed and Quitclaim Deed).

2. This Application for Transfer is part of a complete water rights plan for the development of a new, large-lot residential subdivision known as Cliffside Subdivision (the "Subdivision"). A copy of the preliminary plat as approved by the Blaine County Planning and Zoning Commission is attached. The water rights which are the subject of this Application for Transfer will be used to irrigate the landscaping depicted on the attached preliminary plat. The landscaping consists of approximately six (6) acres of lawn, trees, shrubs, native grasses and wildflowers, primarily located on bermed areas along the perimeter of the Subdivision and adjacent to the several ponds to be constructed within the Subdivision. Ownership of these water rights and responsibility for maintaining and irrigating this landscaping will be transferred to the homeowners association, consisting of the owners of the six (6) lots in Block 2 of Cliffside Subdivision, upon sale of lots in the Subdivision. The water rights plan includes the following components:

a. Six (6) Applications for Permits - domestic water plus a maximum of 2 acres of irrigated residential landscaping. One (1) Application for Permit is filed for each of the six (6) lots in the Subdivision. Each lot will have its own well to serve one (1) single family residence and any related improvements permitted under the applicable zoning ordinances, and to irrigate any landscaping (up to a maximum of 2 acres) which is not a part of the landscaping covered by the Application for Transfer and Application for Permit described in sub-paragraphs b and c, below.

b. Application for Transfer - three (3) Big Wood River irrigation water rights. This is the subject Application.

c. Application for Permit - irrigation of the Subdivision landscaping. This well will provide "supplemental water" to irrigate the same landscaping which is to be irrigated by the surface rights transferred

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JUN 27 1990

pursuant to the Application for Transfer described in subparagraph c, above.

d. Application for Permit - non-consumptive, aesthetic use of surface water flowing through the system of ponds and streams shown on the plat. Applicant is requesting the right to divert 10.0 cfs of the Big Wood River through the stream - pond system to the boundary of the Subdivision, as shown on the attached preliminary plat, for non-consumptive, aesthetic purposes. The adjacent landowner has agreed to grant an easement to allow the water to then flow across her property back to the Big Wood River. At the same time, this landowner will apply for a permit to obtain the non-consumptive, aesthetic use of the SAME 10.0 cfs as it flows through her land and returns to the Big Wood River. Applicant and the adjacent landowner will provide replacement water necessary to compensate for any measurable loss in the entire system.

3. Applicant is unable to determine which sub-part of the W. T. Riley right (37-0577) is the "Right as Recorded" for the 0.15 cfs purchased from Thomas Roseberry, et al. The same conclusion was reached when Roseberry filed his Claim in the Snake River Basin Adjudication - thus, the Claim was given Identification Number A37-10913. Consequently, the amount, point of diversion and place of use for the "Right as Recorded" and the "Unchanged Portion of the Right" are left blank. The description of the "Portion of Right Being Transferred" identifies the point of diversion and place of use as the same as 37-0419B, since Transfer 1661 for the latter right indicates this portion of the W. T. Riley right was used on the same land at that time.

4. For the portion of 37-0703C being transferred, the description of the "Portion of Right Being Transferred" identifies the point of diversion and place of use as the same as 37-0419B, since Transfer 1661 for the latter right indicates this portion of 37-0703C was used on the same land at that time.

j:\grayxfr.add
7/9/89

RECEIVED

JUN 27 1990



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: A37-10913
Date Received: 8/11/1988
Receipt No: 5001407
Received By: APM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EUGENE ROSEBERRY 208-324-2113
Address: 520 WEST 8TH
JEROME, ID 83338
AND/OR
Name: THOMAS ROSEBERRY 208-324-2113
Address: 520 WEST 8TH
JEROME, ID 83338
AND/OR
Name: MARGUERITE SORENSON
Address: JEROME, ID 83338

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
02N	18E	22	NE	SE			BLAINE
		26	SE	NE		R	BLAINE

5. Description of diverting works:
KOHLER #44 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.150		

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

8. Total consumptive use is 12.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-10913

Page 1

Date: 08/11/88

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MAR 01 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	26	SW	SW		IRR	2.0
						Section Acres	2.0
		36	NW	NW		IRR	2.0
						Section Acres	2.0
						Total Acres	4.0

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:
PART OF 37-0419 & PART OF 37-0703

14. Remarks:
THIS CLAIM IS BASED ON A PORTION OF 37-0577; WHICH PORTION IS UNKNOWN. THE PLACE OF USE IS LOTS 3 THRU 10 OF BLK. 36 OF CITY OF BELLEVUE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

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): Thomas C Roseberry Date: 8-11-88
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of Aug 19 88

[Signature]
Notary Public

Seal

Residing at Kimberly, Idh
My Commission Expires 6/30/92

12/22/2006

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

RIGHT NUMBER: 37-10913

NAME AND ADDRESS: CLIFFSIDE HOMEOWNERS ASSN INC
PO BOX 3175
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.150 CFS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T04N R18E S30 SESENE 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	0.150 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S30 SESE 6.00

6 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 6 acres in a single irrigation season. Combined Right Nos.: 37-419B, 37-703E, 37-10913 and 37-8538.

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

12/22/2006

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

The 0.15 cfs of right no. 37-10913 pertaining to transfer no. 3590 may be diverted for irrigation use when water is not being delivered to the subdivision system pursuant to right no. 37-8535.

A measuring device and lockable controlling works of a type approved by the Department shall be permanently installed and maintained as a part of the diverting works.

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

Transfer no. 3590 is associated with license no. 37-8535. Right no. 37-10913 must compensate for losses of water used pursuant to license no. 37-8535 as follows:

a) When the Comstock Ditch rights are being delivered, the 0.15 cfs of right no. 37-10913, or a requisite portion, must be delivered to the point of return to the Comstock Ditch from the subdivision system.

b) When the Comstock Ditch rights are not deliverable, but water is being delivered through the subdivision system, the 0.15 cfs of right no. 37-10913, or a requisite portion, must remain in the Big Wood River.

Prior to diversion of water as approved by transfer no. 3590, the Comstock #10 diversion structure must be reconstructed to the satisfaction of IDWR.



Idaho Department of Water Resources

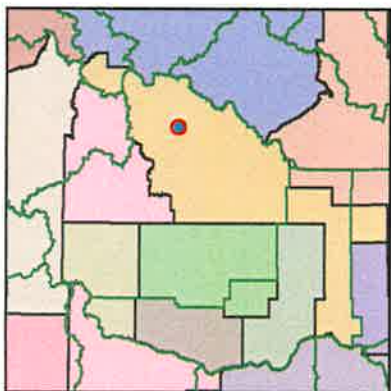
SRBA Recommendation:

37-10913

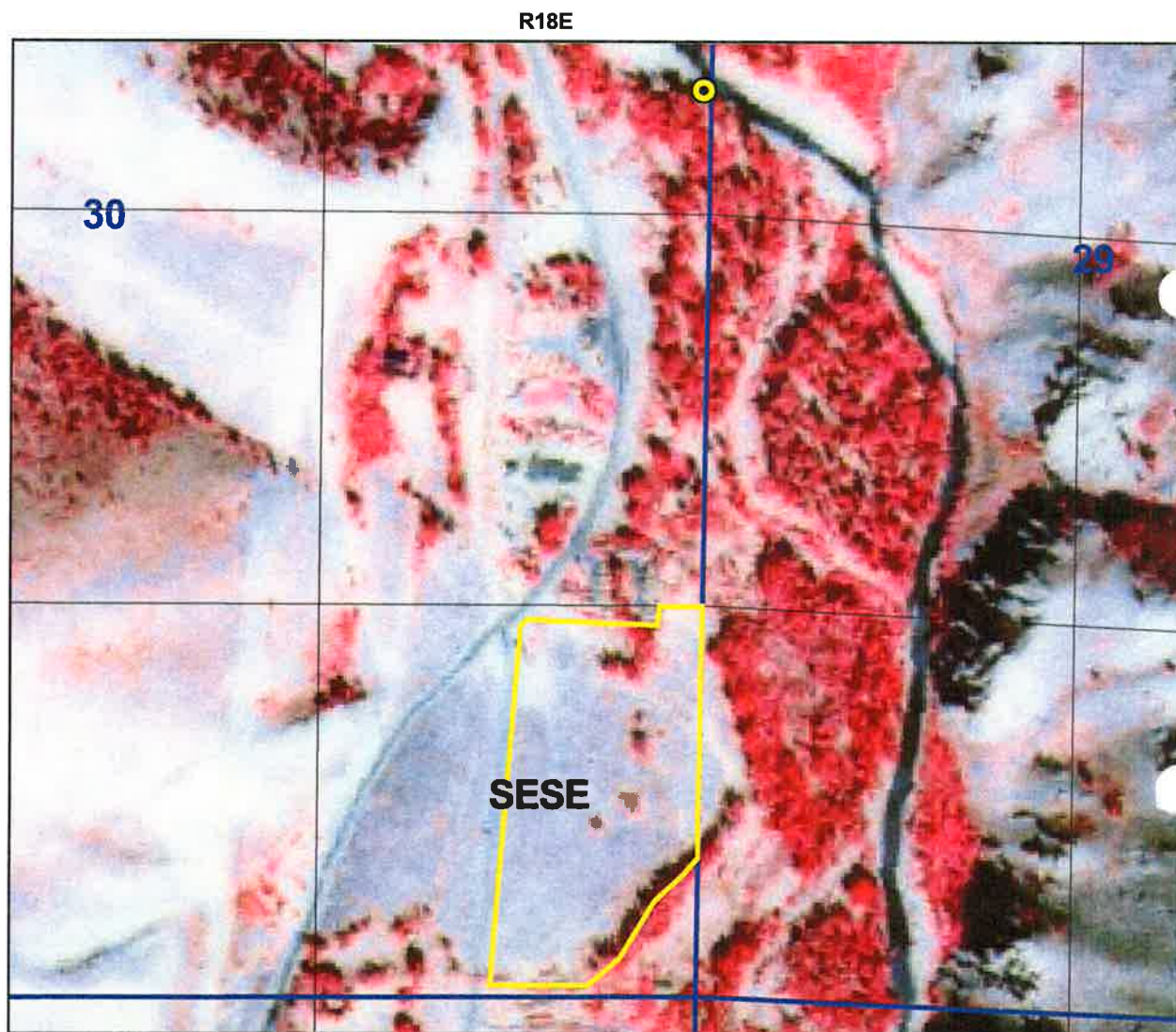
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.3 0.6 Miles

Prepared by L. Graves
On Friday, December 22, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 37-10913 V1

WATER RIGHT NUMBER: 37-10913 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MARGUERITE SORENSON
	JEROME, ID 83338
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Current Owner	CLIFFSIDE HOMEOWNERS ASSN INC PO BOX 3175 KETCHUM, ID 83340 (208)726-5997
Original Owner	EUGENE ROSEBERRY 520 W 8TH JEROME, ID 83338 (208)324-2113
Original Owner	THOMAS ROSEBERRY 520 W 8TH JEROME, ID 83338 (208)324-2113
Original Owner	GRAYSTONE INC C/O PETER GRAY PO BOX 2473 KETCHUM, ID 83340-2473 (208)726-4421

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	0.150 CFS	
	<u>Total Diversion:</u>	0.150 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	SE1/4SE1/4NE1/4	Sec. 30, Twp 04N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-10913 V1

04N 18E 30 |
Total Acres: 6

6.0 | 6.0

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 6 acres in a single irrigation season. Combined Right Nos.: 37-419B, 37-703E, 37-10913 and 37-8538.
2. The 0.15 cfs of right no. 37-10913 pertaining to transfer no. 3590 may be diverted for irrigation use when water is not being delivered to the subdivision system pursuant to right no. 37-8535.
3. R01 A measuring device and lockable controlling works of a type approved by the Department shall be permanently installed and maintained as a part of the diverting works.
4. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
5. Transfer no. 3590 is associated with license no. 37-8535. Right no. 37-10913 must compensate for losses of water used pursuant to license no. 37-8535 as follows:
 - a) When the Comstock Ditch rights are being delivered, the 0.15 cfs of right no. 37-10913, or a requisite portion, must be delivered to the point of return to the Comstock Ditch from the subdivision system.
 - b) When the Comstock Ditch rights are not deliverable, but water is being delivered through the subdivision system, the 0.15 cfs of right no. 37-10913, or a requisite portion, must remain in the Big Wood River.
6. Prior to diversion of water as approved by transfer no. 3590, the Comstock #10 diversion structure must be reconstructed to the satisfaction of IDWR.
7. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-10913 V1

Comments:

1. GIVENS 10/28/1992 OWNERSHIP CHANGE

Comment: CHANGE OF OWNERSHIP RECEIVED 01/02/92 ORIGINAL OWNERS EUGENE &/OR THOMAS ROSEBERRY &/OR MARGUERITE SORENSON NEW OWNER GRAYSTONE INC. COPY OF WARRANTY DEED AND QUITDEED CLAIM SUBMITTED.

2. FMUNZENR 12/14/2000 OWNERSHIP CHANGE

Comment: 12-14-00, FM: OWNERSHIP CHANGE COMPLETED PER REQUEST RECEIVED 9-12-00.

3. Igraves 12/22/2006 Transfer

Comment: This right is subject to approved transfer no. 3590.

4. Igraves 12/22/2006 P/U

Comment: Parts of the common area appear to overlap into other quarters as verified by the subdivision plat map and licensing exam for right 37-8538, however all the irrigated common area was listed in the SESE per approved transfer no. 3590 and license 37-8538. The transfer was approved in 1990 and the license in 1996 (post 1987). The shape file reflects the subdivision area located in the SESE only.

5. Igraves 12/22/2006 Overlaps

Comment: Rights 37-419B, 37-703E and 37-8538 are used for irrigation on the same acres. Right 37-8535 is used for aesthetic use within the p/u, mitigated by right 37-10913 (see conditions).

6. Igraves 12/22/2006 History

Comment: This right is a portion of right 37-577BL and is/was aka 37-30035.

7. Igraves 12/22/2006 P/D

Comment: P/d changed to SESENE S30 per approved transfer no. 3590.

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: NONE RECEIVED

State or Federal: S

Owner Name Connector: AND

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: