

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 37-14260A
Date Received: 8/5/1991
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RINKER CO Phone: (714)979-8300
PO BOX 7250
NEWPORT BEACH CA 92658

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	Type
03N	18E	18	NE NE	BLAINE	

5. Description of diverting works:

PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.08	15.4

7. Total Quantity Appropriated is:
0.08 C.F.S. and/or 15.4 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
03N	18E	7	SE	SW	IRRIGATION	4.4
Section Acres						4.4
Total Acres						4.4

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 CLAIM IS BASED ON TRANSFER #3487, DATED 10/6/89, AND IS SUB- JECT TO CONTROL BY THE WATERMASTER OF DISTRICT 37, BIG WOOD RIVER
***** THIS CLAIM WAS SPLIT FROM A37-14260 PURSUANT TO APPROVED TRANSFER 4520.
This claim represents water right 37-30028.

Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.

Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.

Use of water under Right 37-30028 may be affected by an agreement between the protestant of Transfer 4826 and the right holder.

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

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

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.

Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

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 the water right(s) in the ongoing Snake River Basin Adjudication.

15. Basis of Claim: Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-30028

WATER RIGHT NUMBER: 37-30028

<u>Owner Type</u>	<u>Name and Address</u>
Trustee	HARRY S RINKER PO BOX 7250 NEWPORT BEACH, CA 92658-7250 (714)879-8300
Current Owner	RINKER CO PO BOX 7250 NEWPORT BEACH, CA 92658 (714)979-8300
Original Owner	W T RILEY , ID

Priority Date: 03/24/1883

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	0.080 CFS	15.40 AF
	<u>Total Diversion:</u>	0.080 CFS	15.40 AF

Location of Point(s) of Diversion

BIG WOOD RIVER	NE1/4NE1/4	Sec. 18, Twp 03N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	7												4.4					4.4

Total Acres: 4.4

Conditions of Approval:

- ✓ 1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-30028

2. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.
Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
Use of water under Right 37-30028 may be affected by an agreement between the protestant of Transfer 4826 and the right holder.
- ✓ 3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
4. ~~T09~~ Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- ✓ 5. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
- ✓ 6. T04 Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- ✓ 7. R63 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. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Remarks:Comments:

1. SKAGGS 1/10/1994 PREVIOUS NUMBER

Comment: This right was previously numbered 37-00577BP.

2. PSKAGGS 12/13/1996 TRANSFER 4826

Comment: Transfer No. 4826 was filed to change the point of diversion & place of use under Right No. 37-30028. (See also companion Transfer Nos. 4823-4827.)

3. PSKAGGS 9/15/1999 TRANSFER 5423

Comment: Transfer 5423 changes Rights 37-00154C, 37-00364G, 37-02627B (C & D), 37-02632, 37-30028 & 37-30030 to include the development of Golden Eagle Subdivision Phase II.

Dates and Other Information:

Licensed Date:

Decreed Date: 6/27/1925

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number: 37

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant: Wood River Land Co

Decree Plaintiff: Martin Albrethsen

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Authers

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

AMENDED

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

This is to certify that: **RINKER COMPANY**
PO BOX 7250
NEWPORT BEACH CA 926587250

NOV 26 1989

Department of Water Resources
Southern Region

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-00154C :			
IRRIGATION	04/15 to 10/15	2.85 CFS	498.4 AF
RECREATION	01/01 to 12/31	6.00 CFS	257.6 AF
AESTHETIC	01/01 to 12/31	6.00 CFS	257.6 AF
Priority: 12/13/1887			
		8.85 CFS	756.0 AF
Right No. 37-00364G :			
IRRIGATION	04/15 to 10/15	0.24 CFS	56.0 AF
Priority: 05/01/1887			
Right No. 37-02627C :			
IRRIGATION	04/15 to 10/15	0.79 CFS	137.6 AF
RECREATION STORAGE	01/01 to 12/31		144.0 AF
FIRE PROTECTION ST	01/01 to 12/31		144.0 AF
AESTHETIC STORAGE	01/01 to 12/31		144.0 AF
DIVERSION TO STORA	01/01 to 12/31	1.15 CFS	46.0 AF
Priority: 12/09/1959			
		1.15 CFS	183.6 AF
Right No. 37-02627D :			
IRRIGATION	04/15 to 10/15	0.10 CFS	17.5 AF
Priority: 12/09/1959			
Right No. 37-02632 :			
IRRIGATION	04/15 to 10/15	1.94 CFS	339.5 AF
RECREATION STORAGE	01/01 to 12/31		142.0 AF
FIRE PROTECTION ST	01/01 to 12/31		142.0 AF
AESTHETIC STORAGE	01/01 to 12/31		142.0 AF
DIVERSION TO STORA	01/01 to 12/31	2.30 CFS	
Priority: 03/29/1960			
		2.30 CFS	402.5 AF

TRANSFER NO. 5423
 WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
 37-02632/37-30028/37-30030

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-30028 :			
IRRIGATION	04/15 to 10/15	0.08 CFS	15.4 AF
Priority: 03/24/1883			
Right No. 37-30030 :			
IRRIGATION	04/15 to 10/15	0.36 CFS	84.0 AF
Priority: 03/24/1883			

WATER RIGHT NO. 37-00154C

SOURCE

BIG WOOD RIVER

TRIBUTARY OF

MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 18, Township 03N, Range 18E
 SENW , Sec. 32, Township 03N, Range 18E
 BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 18E 7	SESW 12.2	SWSE 8.2	SESE 2.6	23.0
18	NENE 15.9	NWNE 25.7	SWNE 24.1	
	SENE 13.5	NENW 12.9	SENE 2.1	
	NESE 12.6	NWSE 11.9	SWSE 0.4	
	SESE 0.3			119.4
				142.4

Total number of acres irrigated:

PLACE OF USE: RECREATIONTWN RGE SEC

03N 18E 32 SENW

PLACE OF USE: AESTHETIC, same as RECREATION useCONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. 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.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

TRANSFER NO. 5423
WATER RIGHT NO(S) . 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.
8. The total instantaneous diversion of water from all points of diversion under Right 37-00154C shall not exceed 8.85 cfs, nor total combined annual volume of 756.0 af.
9. That portion of Right No. 37-00154C for recreation and aesthetics moved to Purdum Slough is subordinated to all other rights in the slough to prevent injury.
10. The right holder shall install and maintain a diversion monitoring system to measure the diverted volume on a monthly basis from both diversions identified above. Monthly volumes and the total annual diversion will be reported to the Department and the watermaster.
11. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.
12. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
13. Irrigation of 5.0 acres previously authorized under Right 37-00154C shall cease to provide mitigation of the primary use of groundwater under Right 37-02627D for irrigation of 5.0 acres in Ohio Gulch, and irrigation of 18.4 acres previously authorized under Right 37-00154C shall cease to provide mitigation of the primary use of groundwater under Right 37-02627C to provide for storage uses in the pond system.

WATER RIGHT NO. 37-00364G

SOURCE

BIG WOOD RIVER

TRIBUTARY OF

MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 18, Township 03N, Range 18E
BLAINE County

TRANSFER NO. 5423
 WATER RIGHT NO(S) . 37-00154C/37-00364G/37-02627C/37-02627D
 37-02632/37-30028/37-30030

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	7	SWSE	16.0		16.0
Total number of acres irrigated:						16.0

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. 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.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.
8. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.
9. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
10. Use of water under Right 37-00364G may be affected by an agreement between the protestant of Transfer 4824 and the right holder.

WATER RIGHT NO. 37-02627CSOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 18, Township 03N, Range 18E
 NESE , Sec. 18, Township 03N, Range 18E
 NWSE , Sec. 18, Township 03N, Range 18E
 BLAINE County

TRANSFER NO. 5423
 WATER RIGHT NO(S) . 37-00154C/37-00364G/37-02627C/37-02627D
 37-02632/37-30028/37-30030

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
03N	18E	7	SESW	3.8	SWSE	24.2	SESE	2.6	30.6
		18	NENW	8.7					8.7
Total number of acres irrigated:									39.3

PLACE OF USE: RECREATION STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>				
03N	18E	7	SESW	NWSE	SWSE	
		18	SESE	NWNE	NENW	

PLACE OF USE: FIRE PROTECTION STORAGE & AESTHETIC STORAGE, same as RECREATION STORAGE

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. This right 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.
4. 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.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.
8. The right holder shall maintain a totalizing measuring device and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.
9. The total instantaneous diversion of water from all points of diversion under Right 37-02627C shall not exceed 1.15 cfs, nor total combined annual volume of 183.6 af.
10. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.

TRANSFER NO. 5423
 WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
 37-02632/37-30028/37-30030

11. The first year that water is diverted to recreation, fire protection and aesthetic storage uses as authorized under Transfer 5423, the irrigation use within Golden Eagle Subdivision II shall be limited to 23.1 total acres of the 80.7 acres allowed.
12. At the end of each irrigation season the right holder shall measure the remaining volume in the storage ponds. Any year that the storage volume drops below 98.0 af, irrigation the following year shall be reduced by 1.0 acre for every 2.5 af required to increase the volume to 98.0 af.
13. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
14. Use of water under Right 37-02627C may be affected by an agreement between the protestant of Transfer 5045 and the right holder.
15. The Director maintains jurisdiction of Transfer 5045 up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion located in the SWNE, S18, T03N, R18E.

WATER RIGHT NO. 37-02627D

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 16, Township 03N, Range 18E
 BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	16	NESW 3.0	NWSW 1.0	SWSW 2.0	16.0
			SESW 10.0			
Total number of acres irrigated:						* 16.0

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

TRANSFER NO. 5423
 WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
 37-02632/37-30028/37-30030

4. 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.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.
- * 8. Right 37-02627D is limited to the irrigation of 5.0 acres within the place of use described above in a single irrigation season.
9. Five irrigated acres under Right 37-00154C will no longer be irrigated to mitigate use of Right 37-02627D as a primary groundwater right.
10. For regulation purposes Right 37-02627D shall be considered junior to all existing rights in the vicinity of the transferred point of diversion located in the NESW, S16, T03N, R18E at the time Transfer 5423 is approved.
11. Use of water under Right 37-02627D may be affected by an agreement between the protestant of Transfer 5045 and the right holder.

WATER RIGHT NO. 37-02632

SOURCE
 GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 18, Township 03N, Range 18E
 NESE , Sec. 18, Township 03N, Range 18E
 NWSE , Sec. 18, Township 03N, Range 18E
 BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	7	SESW 8.4			8.4
	18		NENE 13.8	NWNE 22.2	SWNE 17.9	
			SENE 9.2	NENW 4.2	SENE 1.5	
			NESE 9.9	NWSE 9.4	SWSE 0.3	
			SESE 0.2			
Total number of acres irrigated:						88.6
						97.0

PLACE OF USE: RECREATION STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
03N	18E	18	NWNE	SWNE	NESE
			NWSE		

PLACE OF USE: FIRE PROTECTION STORAGE & AESTHETIC STORAGE, same as RECREATION STORAGE

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. 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.
3. This right 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.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.
9. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.
10. The total instantaneous diversion of water from all points of diversion under Right 37-02632 shall not exceed 2.30 cfs, nor total combined annual volume of 402.5 af.
11. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.
12. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
13. The first year that water is diverted to aesthetic, recreation and fire protection storage uses approved under Transfer 4825, the irrigation use under this right shall be limited to 74.5 acres, 1.49 cfs and 260.5 afa.

TRANSFER NO. 5423
 WATER RIGHT NO(S) . 37-00154C/37-00364G/37-02627C/37-02627D
 37-02632/37-30028/37-30030

14. The reduction of irrigation during the first year will provide the additional storage volume to fill the ponds when combined with the 63.0 afa associated with the 18.0 acres no longer irrigated.
15. At the end of each irrigation season the right holder shall measure the remaining volume in the storage ponds. Any year that the storage volume drops below 79.0 af, irrigation the following year shall be reduced by 1.0 acre for every 3.5 af required to increase the volume to 79.0 af.
16. Use of water under Right 37-02627C may be affected by an agreement between the protestant of Transfer 4825 and the right holder.

WATER RIGHT NO. 37-30028

SOURCE
 BIG WOOD RIVER

TRIBUTARY OF
 MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 18, Township 03N, Range 18E
 BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	7	SESW	4.4		4.4
Total number of acres irrigated:						4.4

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. 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.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.

TRANSFER NO. 5423
 WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
 37-02632/37-30028/37-30030

8. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.
9. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
10. Use of water under Right 37-30028 may be affected by an agreement between the protestant of Transfer 4826 and the right holder.

WATER RIGHT NO. 37-30030

SOURCE

BIG WOOD RIVER

TRIBUTARY OF

MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 18, Township 03N, Range 18E
 BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	7	NESW 15.3	NWSE 8.2	SESE 0.5	24.0
Total number of acres irrigated:						24.0

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. 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.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

8. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.
9. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
10. Use of water under Right 37-30030 may be affected by an agreement between the protestant of Transfer 4823 and the right holder.

Transfer 5423 is approved as described above and subject to the conditions of approval listed under each right.

Dated this 19th day of November, 1999.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 37-00154C, 37-00364G, 37-02627B , 37-02632, 37-30028 & 37-30030

FROM: Pam Skaggs/State Office *CS*

SUBJECT: Transfer 5423

DATE: September 23, 1999

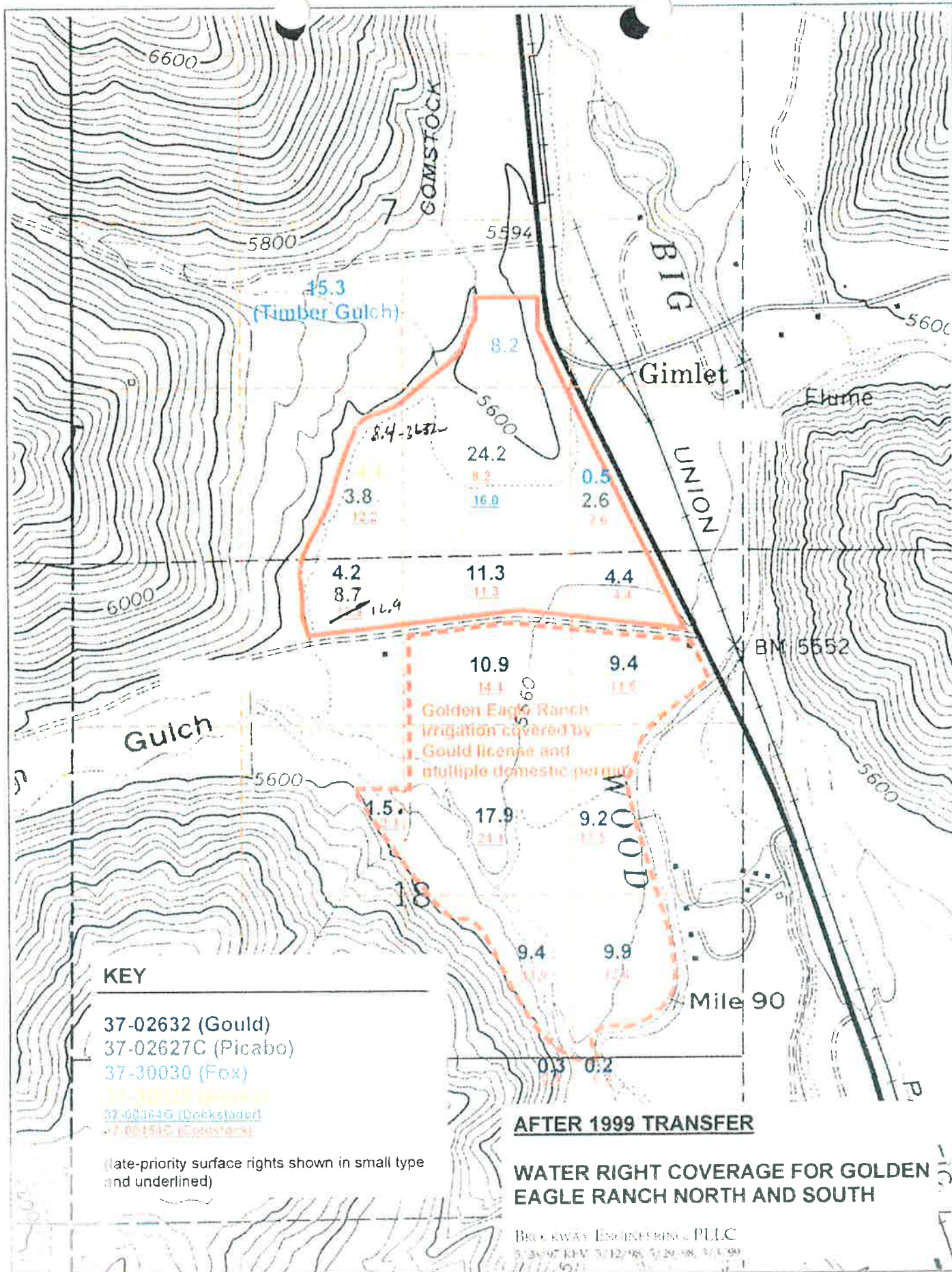
Transfer 5423 reflects the development of subdivision including a system of recreation, fire protection and aesthetic ponds. Previous Transfers 4823-4827 were approved for the initial development of Golden Eagle Subdivision Phase I. These rights have all been identified as part of the continued expansion of the subdivision as Golden Eagle Subdivision Phase II. (See Allen Merrit's Memo of 07-12-99 for a more detailed explanation of the transfer and region recommendations.)

The primary change is to use a portion of groundwater Right 37-02627B to provide water for a new pond system. Portions of surface water Right 37-000154C are used as mitigation for the primary use of the groundwater for the ponds (37-02627C) and 5 acres irrigation proposed in Ohio Gulch (37-02627D). The storage location was included under Right 37-02632 that had been previously authorized and the place of use slightly modified under Right 37-30030. A combined right limit of these rights was corrected through this transfer limiting the combined irrigation use to a 186.8 total acres.

The transfer also acknowledges reduction of irrigation in Golden Eagle Subdivision Phase II by 3.5 acres while water is diverted under Permit 37-08888 that provides for a temporary tree nursery while the subdivision is being constructed. The application is being processed simultaneously with the transfer and is conditioned to reflect the reduction of irrigated acres under these rights.

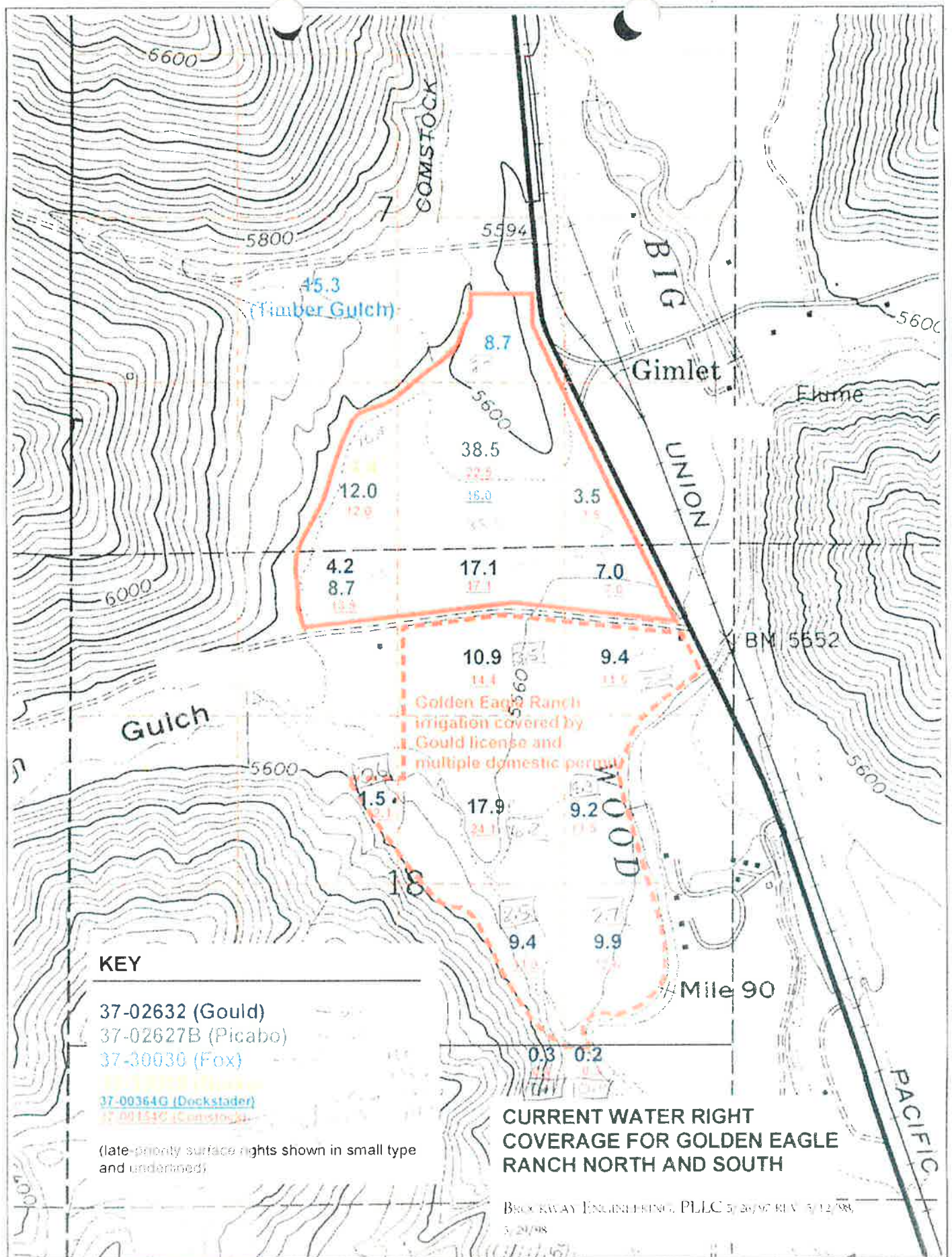
Recommended conditions included watermaster control, measuring devices & lockable controlling works, supplemental groundwater (where appropriate), irrigation overlap, combined right limits, mitigation requirements, pond requirements to compensate for initial filling & any additional annual losses, drilling permit requirement (37-02627D), existing conditions and standard transfer conditions.

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SEP 28 1999



37-02632 (Gould)
37-02627C (Picabo)
37-30030 (Fox)
37-30038 (Hudson)
37-00364G (Cockstaded)
37-00154G (Cockstaded)

T# 15423



6/9/94

COMMUNICATION DOCUMENTATION

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 Kelly K Christensen

CUSTOMER:
CRYSTAL ROSHOLT'S OFFICE

DATE: February 4, 1997 4:41pm

SUBJECT: CONFLICT BETWEEN A37-13351 & A37-14260
phone (X) walk-in()

She stated that John Burke filed A37-13351 based upon information contained in transfer 3487. Apparently Burke then sold to Rinker who filed A37-14260 rather than submitting a change of ownership. Transfer 4520 then split that right and is shown on the allocation data base as rights 37-30028 and 37-30029. She suggested and I agreed that if Burke does indeed have NO interest in this claim that he just withdraw that claim to settle the conflict between the two adj claims.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

February 6, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

GARY SLETTE
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

RE: Amendment of SRBA Claims A37-14260A, A37-14260B, A37-00154C,
A37-00154D - RINKER CO.

Dear Gary:

Pursuant to the approval of Transfer No. 4520, the above referenced Notice(s) of Claim in the Snake River Basin Adjudication have been amended to conform with the transfer. Please find enclosed a printout of the way your client's claim records have been modified. Please check these modified records over carefully to verify they correctly reflect the intended change. If you have questions please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

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NOV 29 1996

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-14260A**
Date Received: 8/ 5/1991
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: RINKER CO 714-979-8300
Address: P O BOX 7250
NEWPORT BEACH CA 92658

2. Date of Priority: MAR 24, 1883

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

4. Point of Diversion:

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

5. Description of diverting works:
PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.080		

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

8. Total consumptive use is 11.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	18E	7	SW	NE		IRR	4.4

Section Acres 4.4

Total Acres 4.4

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11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

A37-00154, WR# 37-08268, & 37-00577BP

14. Remarks:

THIS CLAIM IS BASED ON TRANSFER #3487, DATED 10/6/89, AND IS SUB-
JECT TO CONTROL BY THE WATERMASTER OF DISTRICT 37, BIG WOOD RIVER

THIS CLAIM WAS SPLIT FROM A37-14260 PURSUANT TO APPROVED
TRANSFER 4520.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

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NOV 29 1996

AJ0743NP
(00-124)

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

10/11/95 09:14:20
Page 1

Water Right Number - A37-14260

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***

SPLIT CLAIM

1 -
2 -
3 -

City- X
Phone - 208-000-0000

State- ID Zip- 00000

*** O - ORIGINAL OWNER ***
RINKER CO

1 - P O BOX 7250
2 -
3 -
City- NEWPORT BEACH
Phone - 714-979-8300

State- CA Zip- 92658

+ - - Priority Date - - + + - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/24/1883 17 SOUTHERN Z - SEE REMARKS

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

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
03N 18E 18 SW SE NE (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.180 40.00
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.180 40.00 30.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
03N 18E 7 SW NE 10.0 01 IRRIGATION (13) BLAINE
Total Acres: 10.0

+ - - Diversion Means - PUMP & PIPELINE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A37-00154, WR# 37-08268, & 37-00577BP

+ - - - - Remarks - - - - - +
THIS CLAIM IS BASED ON TRANSFER #3487, DATED 10/6/89, AND IS SUB-
JECT TO CONTROL BY THE WATERMASTER OF DISTRICT 37, BIG WOOD RIVER

THIS CLAIM HAS BEEN SPLIT INTO PARTS A AND B PURSUANT TO APPROVED
TRANSFER 4520. A37-14260A FOR .08 CFS IS FOR IRRIGATION USE.

NOV 29 1996
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Southern AJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4520
WATER RIGHT NO(S). 37-00154D/37-00577BT

RECEIVED

JUN 14 1995

Department of Water Resources
Southern Region

This is to certify that: **RINKER COMPANY**
PO BOX 7250
NEWPORT BEACH CA 92658

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-00154D :			
Priority: 12/13/1887			
WILDLIFE	01/01 to 12/31	0.22 CFS	159.3 AF
AESTHETIC	01/01 to 12/31	0.22 CFS	159.3 AF
SUBTOTAL:		0.22 CFS	159.3 AF
Right No. 37-00577BT:			
Priority: 03/24/1883			
WILDLIFE	01/01 to 12/31	0.10 CFS	72.4 AF
AESTHETIC	01/01 to 12/31	0.10 CFS	72.4 AF
SUBTOTAL:		0.10 CFS	72.4 AF
TOTAL:		0.32 CFS	231.7 AF

SOURCE

BIG WOOD RIVER

TRIBUTARY OF

MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 6, Township 03N, Range 18E
BLAINE County

PLACE OF USE: WILDLIFE

TWN RGE SEC

03N 18E 7 SENE

PLACE OF USE: AESTHETIC, same as WILDLIFE use

CONDITIONS/REMARKS:

- * 1. Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of effluent discharge.

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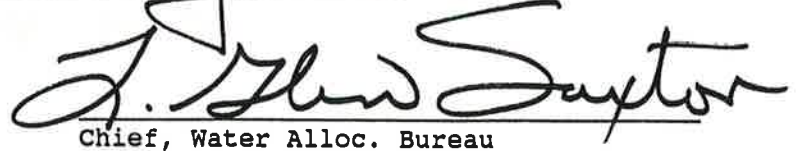
NOV 29 1996

TRANSFER NO. 4520
WATER RIGHT NO(S). 37-00154D/37-00577BT

CONDITIONS/REMARKS:

- *2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
- 3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- 4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- 5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- 6. 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.
- *7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4520 shall not exceed 0.32 cfs, nor total combined annual volume of 231.7 af.
- *8. Right Nos. 37-00154D, 37-00577BT and 37-08838 are used in combination and are diverted at what is locally known as the R-11 and R-11A diversions from Big Wood River.
- *9. Two points of diversion are located within NESE, S06, T03N, R18E.
- *10. Place of use is located within Lots 9, 10 and 29, Gimlet Subdivision No. 11.

Dated this 23rd day of May, 1995


Chief, Water Alloc. Bureau

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NOV 29 1996

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4520APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant RINKER COMPANY Phone 714-979-8300
Post Office address P. O. Box 7250 Newport Beach CA 92658

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 to use water as makeup water for a pond system on
Lateral 10 of Gimlet II Subdv. See App. For Permit 37-08838

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>A37-14260</u>
<u>(pt. 37-0577BP)</u> | <u>03-24-1883</u> | <u>0.10 cfs</u> | <u>wildlife/aesthetics</u> | <u>01/01</u> to <u>12/31</u> |
| <u>37-00154D</u> | <u>12-13-1887</u> | <u>0.22 cfs</u> | <u>"</u> | <u>"</u> to <u>"</u> |
| | <u>12-28-94</u> | <u>0.32</u> | | |
2. Total amount of water being transferred 0.10 cfs 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
		NE	SE	6	3N	18E	BLAINE	

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	
3N	18E	7				X													

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MAY 23 1996

Total acres _____

PART 1

6. General Information:

a. Description of diversion system pump and pipeline will be used for diversion and return flow
will return to same channel

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
5.6 ~~6.4~~ acres will be eliminated from irrigation leaving 3.6 ^{4.4} irrigated acres at current
POU

d. Remarks:

Transferred portion of this right is intended to mitigate consumptive loss under an
application for permit filed by Rod Rinker seeking to appropriate water for non-consump-
tive use

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____.

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NOV 29 1996

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00577 ¹⁵⁴⁴ Decreed to M. A. Comstock
 in case of S. C. Frost Et. AL. vs. Alturas Water Co, Et. AL.
 dated 12-13-1909 in Fourth District county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 1735 which produced this right.

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

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Big Wood River tributary to Majad River4. Date or priority 12-13-1887

5. Water is used for the following purpose:

amount 9.56 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

6. Total amount of water under right 9.56 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
		NW	SW	29	4N	18E	Blaine	Herdgate & Comstock Ditch

8. Lands irrigated or place of use: * Decreed P/U ** Present 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	
* 3N	18E	7	X	X	X	X								X		X	X	X	
		17						X											
		18	X	X	X	X	X			X									
** 3N	18E	7		9	12									20		11	38	3	409.93
		18	22	38	32	18	12							16	15			153	246

Total acres

9. Describe any other water rights used for the same purpose as described above 37-00577 BP

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 0.22 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
2. Point(s) of Diversion: Same as 2.A.7.

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>3N</u>	<u>18E</u>	<u>7</u>			<u>5.6</u>														<u>5.6</u>

Total acres 5.6

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

1. amount 9.34 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
2. Point(s) of Diversion: Same as 2.A.7.

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>3N</u>	<u>18E</u>	<u>7</u>		<u>9</u>	<u>6.4</u>					<u>20</u>					<u>8</u>	<u>11</u>	<u>38</u>	<u>3</u>	<u>87.4</u>
		<u>18</u>	<u>22</u>	<u>38</u>	<u>32</u>	<u>18</u>	<u>12</u>								<u>16</u>	<u>16</u>	<u>6</u>		<u>152</u>

Total acres 240.4

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NOV 29 1996

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00577BP Decreed to Wood River Land Company
in case of Albrethsen vs. Wood River Land Company
dated 06-27-1925 in Fourth District county of Blaine
- b. License No. 37-00577 (BP pt.) issued by the Idaho Department of Water Resources.
- c. Claim No. A37-14260 on file with the Idaho Department of Water Resources.
- d. Transfer No. 3487 which produced this right.

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

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

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

4. Date or priority 03-24-1883

5. Water is used for the following purpose:

amount 0.18 cfs for irrigation purposes from 04/01 to 11/01
(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
	SW	SE	NE	18	3N	18E	Blaine	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	7			10														10

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NOV 29 1996

Total acres 10

37-00154A

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

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 0.10 cfs for Irrig. purposes from 4-1 to 11-1
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion: Same as 2, A.7.

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	6	3N	18E	BLAINE	

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	
3N	18E	7			5.6	*													5.6

Total acres 5.6

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

1. amount 0.08 cfs for irrigation purposes from 04/01 to 11/01
 (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
		SE	NE	18	3N	18E	BLAINE	Hiawatha Canal

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	
3N	18E	7			3.6														3.6
					4.4														4.4

Total acres 3.6 4.4

3-6 4.4
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 NOV 29 1995

MARTEN

WATER

WAY

ROAD

GIMLET SUBDIVISION NO 1111

Peb
Rocker
Ponds

Pump

WILDERNESS

ROAD

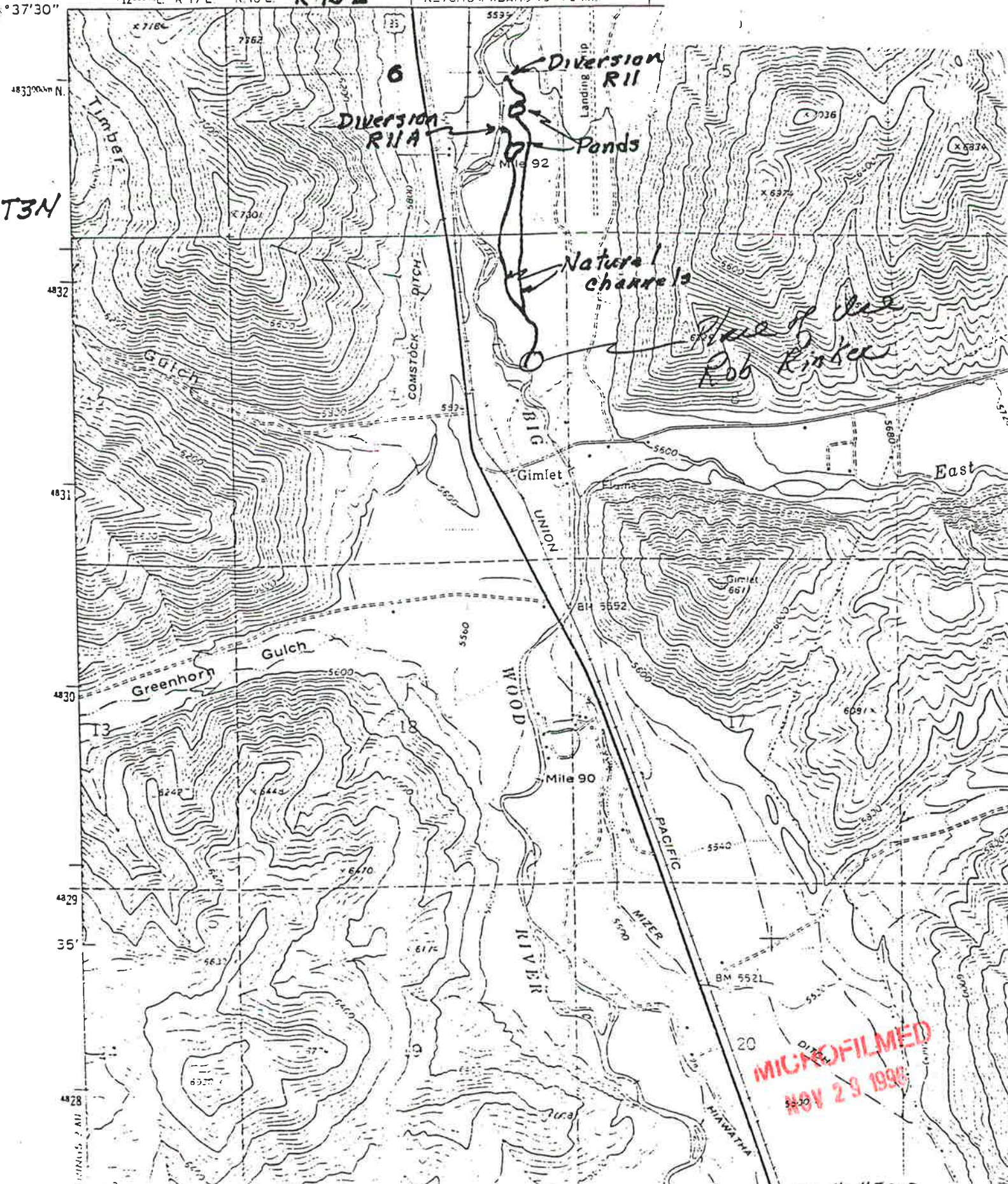
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NOV 29 1996

T# 4520

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

114°22'30" 712000m E. R 17 E R 18 E **R 18 E**

SUN VALLEY 5 MI.
KETCHUM IDAHO 75' 4.2 MI.



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NOV 23 1998

T # 4520



PART 3

B. CHANGES IN NATURE OF USE

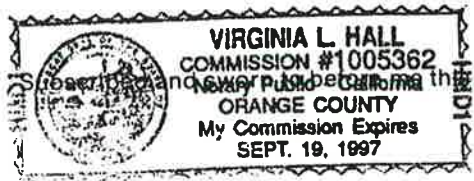
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

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.



[Signature]
(Signature of Applicant)
30th day of November, 19 94
Virginia L. Hall
(Notary Public)

My commission expires 9/19/97

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 3 attachments

Received by MTS Date 12-5-94 Protest filed by None

Prelim. check by JF Johnston Fee \$100

Receipted by MTS (5017542) Date 12-5-94

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 1/4 & 1/11/95 Hearing held by _____ Date _____

Watermaster recommendation requested on 12/28/94 Recommended for ☒ approval ☐ denial

_____ rec'd. 1/19/95 by Adm

Copy of transfer sent to lien holder _____

RECEIVED
DEC 05 1994
Department of Water Resources
Southern Region Office

FROM: Allen Merritt *Am*

DATE: February 8, 1995

TO: FILES : APPLIC. FOR PERMIT 37-08838 & TRANSFER #4520

SUBJECT: Analysis and Recommendation

Both of the above referenced applications deal with the same project. The project consists of developing ponds for wildlife & aesthetic purposes. The water proposed to be diverted is covered by application for permit 37-08838 for the non-consumptive component and application for transfer #4520 for the consumptive component. The project proposes to re-divert water from an existing man-made channel which conveys water diverted under right 37-07822.

Based on the files it appears that possible injury to existing water rights has been mitigated.

I RECOMMEND THAT BOTH APPLICATIONS BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

37-08838

- Add all conditions on license 37-07822 consistent with permit language.
- The ponds must be lined with either a man-made liner or an amended soil liner to minimize seepage loss from ponds.
- Rights identified on Transfer #4520 to be delivered for mitigation in connection to delivery of this right for diversion to storage. (If rights on #4520 are cut off due to priority this right shall cease diversion to storage)
- Under control of watermaster district 37.
- Approval does not grant easement to cross land of another.

Transfer #4520

- Under control of watermaster district 37.
- Water rights to be delivered for mitigation of loss for delivery of 37-07822.
- Subject to SRBA review.

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NOV 29 1995

37-00154 D, 37-00577 BR (PT), A37-14260, 1 #4520

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: Rinker Co. Transfer App.

FROM: Jim Stanton

DATE: 12-28-94

I was planning to hold this transfer until next Spring so that a pre-transfer exam could be conducted once the snow goes off the present P/U. However, today attorney Gary Slette called and asked that the transfer be advertised along with the application for permit that also covers the new P/U. Gary stated that his arrangement with his client and with the subdivision people calls for both filings to be advertised together. His argument is that the original P/U has not been irrigate, so has no connection to other rights on the Golden Eagle Ranch (of which the present P/U is a small part). An extension of time to avoid forfeiture was recently approved to protect the primary right on the present P/U. Based on the attorney's request, I agreed to advertise both filings together. Based on is argument, I do not plan to do a field review of this transfer.

☒ For your information

☐ Response required

JS
signature

T # 452

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NOV 28 1996

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-14260
Date Received: 8/2/1991
Receipt No: 5013609
Received By: R. H. W.

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

1. Name: RINKER CO. 714-979-8300
Address: P. O. BOX 7250
NEWPORT BEACH, CA 92658

2. Date of Priority: MAR 24, 1883

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

4. Point of Diversion:

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

5. Description of diverting works:
PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.180		40.00

7. Total Quantity Appropriated is:
0.180 C.F.S. (and/or) 40.00 A.F.A.

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:

COPY

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	18E	7	SW	NE		IRR	10.0

Section Acres 10.0

Total Acres

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11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

A37-00154, WR# 37-08268, & 37-00577BP

14. Remarks:

THIS CLAIM IS BASED ON TRANSFER #3487, DATED 10/6/89, AND IS SUBJECT TO CONTROL BY THE WATERMASTER OF DISTRICT 37, BIG WOOD RIVER

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 Organizations:

I do solemnly swear or affirm that I am President of _____ Title

Rinker Co. Organization, that I have signed the foregoing document in the space below as President of _____ Title

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

Harry Rinker, by Gary Sleeth
Signature of Authorized Agent
Big Attorney in fact
Title and Organization

8/5/91
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of August 19 91

Robert V. Horstell
Notary Public

Seal

Residing at Twin Falls, Idaho
My Commission Expires January 16, 1995

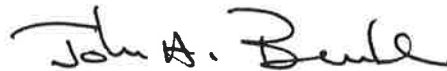
COPY

July 23, 1990

To Whom it May Concern:

This letter is to certify that I have conveyed .18 cfs of water to the owner of the Golden Eagle Ranch pursuant to transfer No. 3487. Harry Rinker and/or his agents are authorized to call for the delivery of that water as I claim no further interest in the same.

Yours truly,

A handwritten signature in dark ink, appearing to read "John A. Burke". The signature is fluid and cursive, with the first name "John" being the most prominent.

John A. Burke

63361

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MAR 01 1993

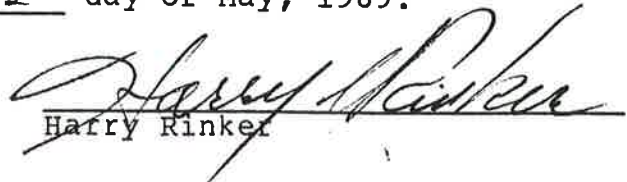
LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

Harry Rinker hereby nominates and appoints Gary D. Slette of Nelson, Rosholt, Robertson, Tolman & Tucker, P. O. Box 1906, Twin Falls, ID 83303, as attorney-in-fact with full authority to act for and on behalf of Harry Rinker to execute any and all documents required or necessary to apply for and obtain water rights for my property located in Blaine County.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 22nd day of May, 1989.


Harry Rinker

STATE OF California)
) ss.
County of Orange)

On this 22nd day of May, 1989, before me, a Notary Public, in and for said County and State, personally appeared Harry Rinker, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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




NOTARY PUBLIC FOR CALIFORNIA
Residing at: Santa Ana, Ca
My commission expires: 5/31/89

1526m

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MAR 01 1993

OCT 16 1989

Transfer No. 3487

APPLICATION FOR TRANSFER OF WATER RIGHTS

RIGHT
APPROVED
10/2/89

Name of applicant John A. Burke & Frederick E. Judd Phone 622-4100
Post Office address P. O. Box 326, Sun Valley, ID 83353

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 Water right will be sold & moved to new land upstream from original P/U.

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

1. Right Number 37-0577BP Priority 3-24-1883 Amount (cfs/ac-ft) 0.18 Nature of Use Irrigation Period of Use Apr 1 to Nov 1

 to

 to

 to

2. Total amount of water being transferred 0.18 cubic feet per second and/or acre-feet per annum.

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

4. Point(s) of Diversion: * Changed per telecon w/Gary Slette 11-4-88

[illegible]

5. Lands irrigated or place of use:

[illegible]

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MAR 01 1993

Total acres 10

37-057713P T-3487

PART 1

6. General Information:

a. Description of diversion system -Existing Headgate #10 & Comstock Ditch- *Pump in Big Wood River, pipeline to P/Ub. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

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

Land will continue to be irrigated from Quigley Creek.

d. Remarks:

The new P/U is already being irrigated with surface water, but with rights of a later priority. A pending transfer of groundwater also covers this land.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0577BPAnd said application is hereby APPROVED, subject to the following limitations and conditions:

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 prior to diversion of water under this right.. 2. The use of water on the lands to which the above referenced water rights were appurtenant is hereby abandoned and

failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute

loss or forfeiture of the water rights. 3. Use of water under this right is subject

to control by the watermaster of State Water District No. 37, Big Wood River.

Witness my hand this

6th day ofOctober, 19 89J. Blum Saylor
Chief, Water Alloc. Bureau

MICROFILMED

MAR 01 1993

**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 Wood River Land Co.
in case of Albrethsen vs. Wood River Land Co.
dated 6-27-1925 in Fourth District county of Blaine
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. Many which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

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

4. Date or priority 3-24-1883

5. Water is used for the following purpose: ** Per Prof report & T/C in 6/4/88 state 11/18/88*

* amount 14.6784.5 cfs for Irrigation purposes from Apr 1 to Nov 1
(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	20	3N	18E	Blaine	Headgate #22 & Hiawatha Canal

8. Lands irrigated or place of use: Exact P/U not described in decree

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	
3N	18E	28,29																	
		33																	
2N	18E	4,5,																	
		8-10																	
		15,16																	
		22,23,																	

25,26

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Total acres _____

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

MAR 01 1993

Permit 37-7693

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 0.18 cfs for Irrigation purposes from Apr 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: Same

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	10	10																10

Total acres 10**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

* 1. amount 14.50 14.32 cfs for Irrigation purposes from Apr 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: Same

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

3. Lands irrigated or place of use: Same

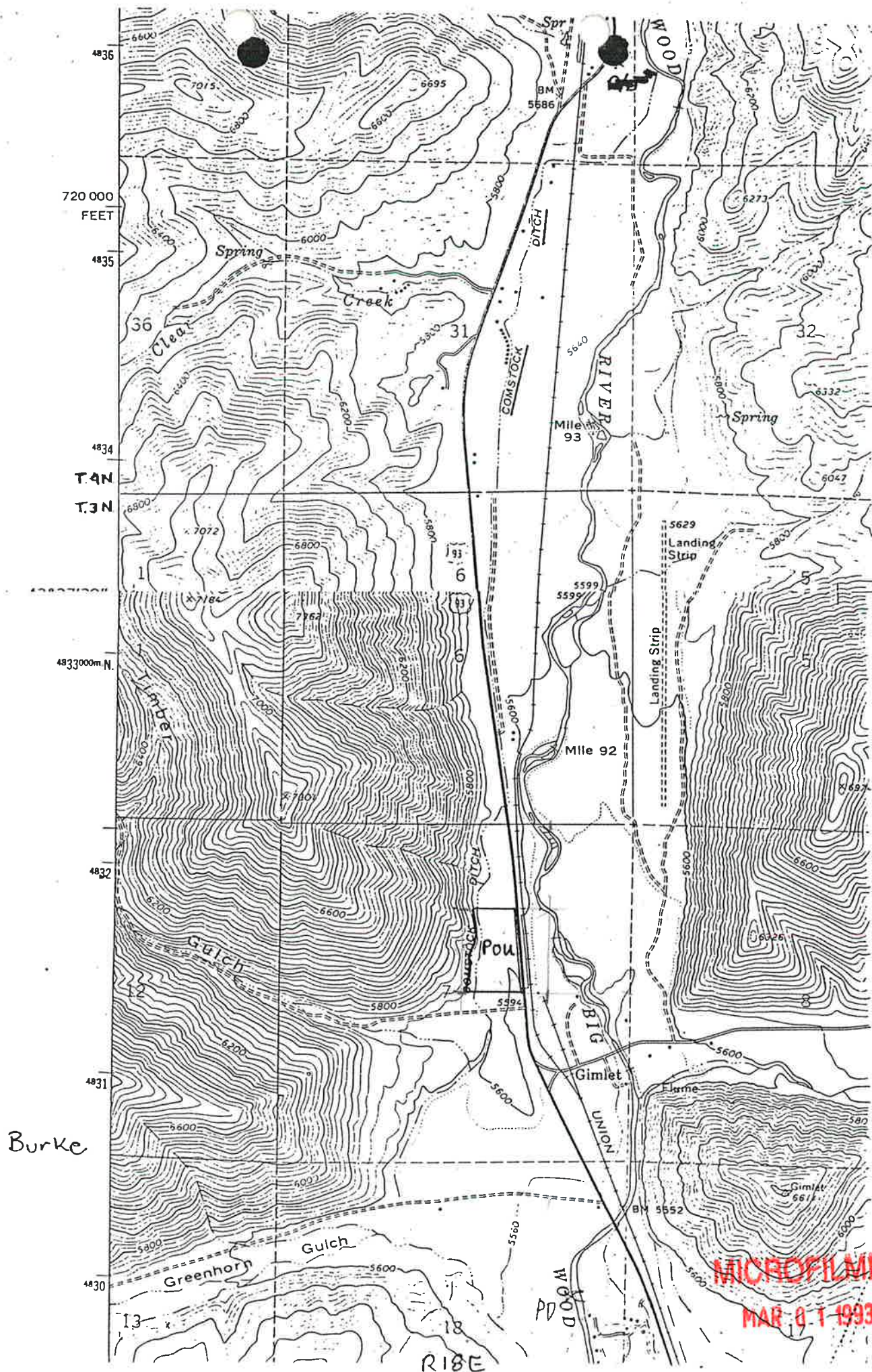
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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* Per PADD report & T/C report 11/18/88

Total acres 0 1 1993

A. Drinking



bed

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MAR 01 1993

SCALE:

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

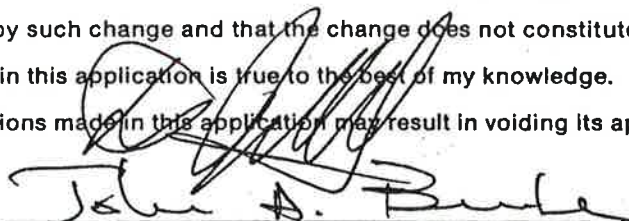
1.	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

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.



(Signature of Applicant)

Subscribed and sworn to before me this 24th day of October, 1988.

(Notary Public)

My commission expires 2/10/91**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 2 attachmentsReceived by T. Jasper Date 10/26/88

Protest filed by _____

Prelim. check by _____ Fee 30.00Receipted by J. E. Starnes Date 10-28-88 # 5003326Published in Wood River Journal

Copies of protest forwarded by _____

Pub. dates 2/8 & 2/15/89

Hearing held by _____ Date _____

Watermaster recommendation requested on 1/30/89Recommended for ☒ approval ☐ denial_____ rec'd. 2/1/89by Ref. Gary

Copy of transfer sent to lien holder _____

MICROFILMED**MAR 01 1993**

COPY

FILED
2008 FEB 6 12:12:03

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

In Re SRBA

Case No. 39576

Subcase No. 37-153A, 37-154C,
37-364D, 37-2627C, 37-2632,
37-14260A, 37-20749, 37-22060

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

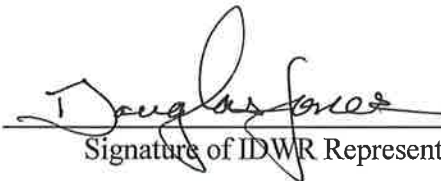
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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

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

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

Dated: 1/22/08


Signature of IDWR Representative

CERTIFICATE OF MAILING

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

1. Original to:

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

2. Copies to:

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

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

Golden Eagle Ranch Homeowners Assn Inc
c/o Sun Country Management
PO Box 1932
Ketchum ID 83340

Albert Barker
Barker Rosholt & Simpson
PO Box 2139
Boise ID 83701

Brian Ballard
Hawley Troxell Ennis & Hawley
PO Box 1617
Boise ID 83701-1617

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

Rinker Co
Wood River Properties
PO Box 7250
Newport Beach CA 92658

Glenn B Gould Family Partnership
1876 E 4300 N
Buhl ID 83316

James P Speck
Speck & Aanstad
PO Box 987
Ketchum ID 83340

Craig Hobdey
PO Box 176
Gooding ID 83330



Signature of person or attorney mailing the form

01/15/2008

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

RIGHT NUMBER: 37-153A

NAME AND ADDRESS: GOLDEN EAGLE RANCH HOMEOWNERS ASSOCIATION, INC
C/O SUN COUNTRY MANAGEMENT
PO BOX 1932
KETCHUM ID 83340

SOURCE: GREENHORN CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 4.740 CFS

PRIORITY DATE: 09/01/1885

POINT OF
DIVERSION:

T03N R18E S18 SWSWNE Within BLAINE County
T03N R18E S18 NESWNW 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	4.740 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S18	NENE	12.00	T03N R18E S18	NWNE	20.00
T03N R18E S18	SWNE	32.00	T03N R18E S18	SENE	18.00
T03N R18E S18	NESE	16.00	T03N R18E S18	NWSE	15.00

113 ACRES TOTAL

Right Nos. 37-153A, 37-154C, 37-2627C and 37-2632 are limited to the
irrigation of a combined total of 142.4 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

01/15/2008

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

RIGHT NUMBER: 37-154C

NAME AND ADDRESS: GOLDEN EAGLE RANCH HOMEOWNERS ASSOCIATION, INC
C/O SUN COUNTRY MANAGEMENT
PO BOX 1932
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 8.850 CFS
756.00 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 above.

The total instantaneous diversion of water from all points of diversion under Right 37-00154C shall not exceed 8.85 cfs, nor total combined annual volume of 756.0 af.

PRIORITY DATE: 12/13/1887

POINT OF
DIVERSION:

T03N R18E S18 NENE Within BLAINE County
T03N R18E S32 SENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION	01/01 12/31	6.000 CFS 257.60 AFY
AESTHETIC	01/01 12/31	6.000 CFS 257.60 AFY
IRRIGATION	04/15 10/31	2.850 CFS 498.40 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S07	SESW	12.20	T03N R18E S07	SWSE	8.20
T03N R18E S07	SESE	2.60	T03N R18E S18	NENE	15.90
T03N R18E S18	NWNE	25.70	T03N R18E S18	SWNE	24.10
T03N R18E S18	SENE	13.50	T03N R18E S18	NENW	12.90
T03N R18E S18	SENW	2.10	T03N R18E S18	NESE	12.60
T03N R18E S18	NWSE	11.90	T03N R18E S18	SWSE	0.40
T03N R18E S18	SESE	0.30			

RECREATION in BLAINE County

T03N R18E S32 SENW

AESTHETIC in BLAINE County

T03N R18E S32 SENW

142.4 ACRES TOTAL

Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.

Irrigation of 5.0 acres previously authorized under Right 37-00154C shall cease to provide mitigation of the primary use of groundwater under Right 37-02627D for irrigation of 5.0 acres in Ohio Gulch, and irrigation of 18.4 acres previously authorized under Right 37-00154C shall cease to provide mitigation of the primary use of groundwater under Right 37-02627C to provide for storage uses in the pond system.

Rights 37-00154C, 37-00364D, 37-02627C, 37-02632, 37-08854, 37-14260A, 37-20749 and 37-20750 when combined shall not exceed the irrigation of 178 acres; 5.5 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 81.7 acres in the Golden Eagle Subdivision Phase II.

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

The right holder shall accomplish the change authorized by transfer no. 5423 within one (1) year of the date of the transfer approval.

Approval of transfer no. 5423 in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

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

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.

The right holder shall install and maintain a diversion monitoring system to measure the diverted volume on a monthly basis from both diversions identified above. Monthly volumes and the total annual diversion will be reported to the Department and the watermaster.

Failure of the right holder to comply with the conditions of transfer no. 5423 is cause for the Director to rescind approval of the transfer.

That portion of Right No. 37-00154C for recreation and aesthetics moved to Purdum Slough is subordinated to all other rights in the slough to prevent injury.

01/15/2008

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

RIGHT NUMBER: 37-364D

NAME AND ADDRESS: GOLDEN EAGLE RANCH HOMEOWNERS ASSOCIATION, INC
C/O SUN COUNTRY MANAGEMENT
PO BOX 1932
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.240 CFS
56.00 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 above.

PRIORITY DATE: 05/01/1887

POINT OF
DIVERSION:

T03N R18E S18 NENE 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	0.240 CFS 56.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S07 SWSE 16.00

16 ACRES TOTAL

Rights 37-00154C, 37-00364D, 37-02627C, 37-02632, 37-08854, 37-14260A, 37-20749 and 37-20750 when combined shall not exceed the irrigation of 178 acres; 5.5 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 81.7 acres in the Golden Eagle Subdivision Phase II.

Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.

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

Failure of the right holder to comply with the conditions of transfer no. 5423 is cause for the Director to rescind approval of the transfer.

Use of water under Right 37-00364D may be affected by an agreement between the protestant of Transfer 4824 and the right holder.

Approval of transfer no. 5423 in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

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

The right holder shall accomplish the change authorized by transfer no. 5423 within one (1) year of the date of the transfer approval.

01/15/2008

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

RIGHT NUMBER: 37-2627C

NAME AND ADDRESS: GOLDEN EAGLE RANCH HOMEOWNERS ASSOCIATION, INC
C/O SUN COUNTRY MANAGEMENT
PO BOX 1932
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.150 CFS
183.60 AFY

At the end of each irrigation season the right holder shall measure the remaining volume in the storage ponds. Any year that the storage volume drops below 98.0 af, irrigation the following year shall be reduced by 1.0 acre for every 2.5 af required to increase the volume to 98.0 af.

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 total instantaneous diversion of water from all points of diversion under Right 37-02627C shall not exceed 1.15 cfs, nor total combined annual volume of 183.6 af.

PRIORITY DATE: 12/09/1959

POINT OF
DIVERSION:

T03N R18E S18 SWNE Within BLAINE County
T03N R18E S18 NESE Within BLAINE County
T03N R18E S18 NWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FIRE PROTECTION STORAGE	01/01 12/31	144.00 AFY
IRRIGATION	04/15 10/31	0.790 CFS 137.60 AFY
DIVERSION TO STORAGE	01/01 12/31	1.150 CFS 46.00 AFY
AESTHETIC STORAGE	01/01 12/31	144.00 AFY
RECREATION STORAGE	01/01 12/31	144.00 AFY

PLACE OF USE:

IRRIGATION in BLAINE County

T03N R18E S07	SESW	3.80	T03N R18E S07	SWSE	24.20
T03N R18E S07	SESE	2.60	T03N R18E S18	NENW	8.70

RECREATION STORAGE in BLAINE County

T03N R18E S07	SESW	T03N R18E S07	NWSE
T03N R18E S07	SWSE	T03N R18E S07	SESE
T03N R18E S18	NENE	T03N R18E S18	NWNE
T03N R18E S18	NENW		

FIRE PROTECTION STORAGE in BLAINE County

T03N R18E S07	SESW	T03N R18E S07	NWSE
T03N R18E S07	SWSE	T03N R18E S07	SESE
T03N R18E S18	NENE	T03N R18E S18	NWNE
T03N R18E S18	NENW		

AESTHETIC STORAGE in BLAINE County

T03N R18E S07	SESW	T03N R18E S07	NWSE
T03N R18E S07	SWSE	T03N R18E S07	SESE
T03N R18E S18	NENE	T03N R18E S18	NWNE
T03N R18E S18	NENW		

39.3 ACRES TOTAL

Rights 37-00154C, 37-00364D, 37-02627C, 37-02632, 37-08854, 37-14260A, 37-20749 and 37-20750 when combined shall not exceed the irrigation of 178 acres; 5.5 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 81.7 acres in the Golden Eagle Subdivision Phase II.

Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.

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

This right 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.

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.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder shall accomplish the change authorized by transfer no. 5423 within one (1) year of the date of the transfer approval.

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

The right holder shall maintain a totalizing measuring device and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.

Failure of the right holder to comply with the conditions of transfer no. 5423 is cause for the Director to rescind approval of the transfer.

The first year that water is diverted to recreation, fire protection and aesthetic storage uses as authorized under Transfer 5423, the irrigation use within Golden Eagle Subdivision II shall be limited to 23.1 total acres of the 80.7 acres allowed.

The Director maintains jurisdiction of Transfer 5045 up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion located in the SWNE, S18, T03N, R18E.

Use of water under Right 37-02627C may be affected by an agreement between the protestant of Transfer 5045 and the right holder.

01/15/2008

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

RIGHT NUMBER: 37-2632

NAME AND ADDRESS: GOLDEN EAGLE RANCH HOMEOWNERS ASSOCIATION, INC
C/O SUN COUNTRY MANAGEMENT
PO BOX 1932
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.300 CFS
402.50 AFY

At the end of each irrigation season the right holder shall measure the remaining volume in the storage ponds. Any year that the storage volume drops below 79.0 af, irrigation the following year shall be reduced by 1.0 acre for every 3.5 af required to increase the volume to 79.0 af.

The total instantaneous diversion of water from all points of diversion under Right 37-02632 shall not exceed 2.30 cfs, nor total combined annual volume of 402.5 af.

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 first year that water is diverted to aesthetic, recreation and fire protection storage uses approved under Transfer 4825, the irrigation use under this right shall be limited to 1.49 cfs and 260.5 afa.

PRIORITY DATE: 03/29/1960

POINT OF
DIVERSION:

T03N R18E S18 SWNE Within BLAINE County
T03N R18E S18 NESE Within BLAINE County
T03N R18E S18 NWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DIVERSION TO STORAGE	01/01 12/31	2.300 CFS
AESTHETIC STORAGE	01/01 12/31	142.00 AFY
RECREATION STORAGE	01/01 12/31	142.00 AFY
IRRIGATION	04/15 10/31	1.940 CFS 339.50 AFY
FIRE PROTECTION STORAGE	01/01 12/31	142.00 AFY

PLACE OF USE:

IRRIGATION in BLAINE County

T03N R18E S07	SESW	8.40	T03N R18E S18	NENE	13.80
T03N R18E S18	NWNE	22.20	T03N R18E S18	SWNE	17.90
T03N R18E S18	SENE	9.20	T03N R18E S18	NENW	4.20
T03N R18E S18	SENW	1.50	T03N R18E S18	NESE	9.90
T03N R18E S18	NWSE	9.40	T03N R18E S18	SWSE	0.30
T03N R18E S18	SESE	0.20			

RECREATION STORAGE in BLAINE County

T03N R18E S18	NWNE	T03N R18E S18	SWNE
T03N R18E S18	NESE	T03N R18E S18	NWSE

FIRE PROTECTION STORAGE in BLAINE County

T03N R18E S18	NWNE	T03N R18E S18	SWNE
T03N R18E S18	NESE	T03N R18E S18	NWSE

AESTHETIC STORAGE in BLAINE County

T03N R18E S18	NWNE	T03N R18E S18	SWNE
T03N R18E S18	NESE	T03N R18E S18	NWSE

97 ACRES TOTAL

Rights 37-00154C, 37-00364D, 37-02627C, 37-02632, 37-08854, 37-14260A, 37-20749 and 37-20750 when combined shall not exceed the irrigation of 178 acres; 5.5 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 81.7 acres in the Golden Eagle Subdivision Phase II.

Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.

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.

This right 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.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder shall accomplish the change authorized by transfer no. 5423 within one (1) year of the date of the transfer approval.

Approval of transfer no. 5423 in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Failure of the right holder to comply with the conditions of transfer no. 5423 is cause for the Director to rescind approval of the transfer.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at each point in a manner that will provide the watermaster suitable control of the diversions.

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

The reduction of irrigation during the first year will provide the additional storage volume to fill the ponds when combined with the 63.0 afa associated with the 18.0 acres no longer irrigated.

01/15/2008

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

RIGHT NUMBER: 37-14260A

NAME AND ADDRESS: GOLDEN EAGLE RANCH HOMEOWNERS ASSOCIATION, INC
C/O SUN COUNTRY MANAGEMENT
PO BOX 1932
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.080 CFS
15.40 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 above.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T03N R18E S18 NENE 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	0.080 CFS 15.40 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S07 SESW 4.40

4.4 ACRES TOTAL

Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.

Rights 37-00154C, 37-00364D, 37-02627C, 37-02632, 37-08854, 37-14260A, 37-20749 and 37-20750 when combined shall not exceed the irrigation of 178 acres; 5.5 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 81.7 acres in the Golden Eagle Subdivision Phase II.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

Approval of transfer no. 5423 in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Use of water under Right 37-30028 may be affected by an agreement between the protestant of Transfer 4826 and the right holder.

Failure of the right holder to comply with the conditions of transfer no. 5423 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by transfer no. 5423 within one (1) year of the date of this approval.

01/15/2008

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

RIGHT NUMBER: 37-20749

NAME AND ADDRESS: GOLDEN EAGLE RANCH HOMEOWNERS ASSOCIATION, INC
C/O SUN COUNTRY MANAGEMENT
PO BOX 1932
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.020 CFS
3.50 AFY

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T03N R18E S18 SENENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.020 CFS 3.50 AFY

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.

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S07 SESW 1.00

1 ACRES TOTAL

Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 , 37-20748, and 37-20749 when combined shall not exceed the irrigation of 186.8 acres; 14.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 81.7 acres in the Golden Eagle Subdivision Phase II.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of water under this 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. 37.

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

Place of use is located within Lot 2, Blk. 1, Golden Eagle Ranch #2 Subdivision.

This right does not grant any right-of-way or easement across the land of another.

Use of water under Right 37-20749 may be affected by an agreement between the protestant of Transfer 4823 and the right holder.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

01/15/2008

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

RIGHT NUMBER: 37-22060

NAME AND ADDRESS: GOLDEN EAGLE RANCH HOMEOWNERS ASSOCIATION, INC
C/O SUN COUNTRY MANAGEMENT
PO BOX 1932
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.127 CFS
30.40 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 above.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T03N R18E S18 SENENE 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	0.127 CFS 30.40 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S07	NWSE 8.20	T03N R18E S07	SESE 0.50
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8.7 ACRES TOTAL

Rights 37-00154C, 37-00364D, 37-02627C, 37-02632, 37-08854, 37-14260A, 37-20749, 37-22060, 37-22061, 37-22062 and 37-22063 when combined shall not exceed the irrigation of 178 acres; 5.5 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 81.7 acres in the Golden Eagle Subdivision Phase II.

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

Failure of the right holder to comply with the conditions of transfer no. 70109 is cause for the Director to rescind approval of the transfer.

Use of water under Rights 37-22060, 37-22061, 37-22062 and 37-22063 may be affected by an agreement between the protestant of Transfer 4823 and the right holder.

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. 37.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right is a split from former right 37-20750.

This right does not grant any right-of-way or easement across the land of another.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

February 6, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

GOLDEN EAGLE RANCH HOMEOWNERS ASSN INC
C/O SUN COUNTRY MANAGEMENT
PO BOX 1932
KETCHUM ID 83340

RE: SRBA Claim(s) 37-153A, 37-154C, 37-364D, 37-2627C,
37-2632, 37-14260A, 37-20749, 37-22060

Dear Claimants:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Brian Ballard
Rinker Co. & Wood River Properties
James P. Speck
Albert Barker
Scott Campbell
Glenn B. Gould Family Partnership
Craig Hobdey

RECEIVED

DEC 28 2007

DEPARTMENT OF
WATER RESOURCES

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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
Ady 37-154C			Ady 37-2632		
Ady 37-364D			Ady 37-153A		
37-14260A			4C 37-8854		
37-20749			Reinc 37-8881		
37-22060					
37-2627C					

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) The Rinker Company
Wood River Properties, Inc.
Golden Eagle LLC
4. New Owner/Claimant(s) Golden Eagle Ranch Homeowners Association, Inc.
Name Connector (Check one): ☐ and ☐ or, ☐ and/or
- New Mailing Address c/o Sun Country Management, P.O. Box 1932
- City, State and ZIP Code Ketchum, ID 83340
- New Telephone Number (208) 726-3858 Email: sunco1007@cox-internet.com

SCANNED

JAN 08 2008

5. Date you acquired the property 1/2/97 and 10/2/07 (see attached)
6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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

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

7. Signature(s) of New Owner(s) or Claimant(s) BY: Golden Eagle Ranch Homeowners Association, Inc.
Timothy Harris, Pres. (title if applicable)
 (title if applicable)

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

For IDWR Office Use Only:

Received by [Signature]
 Receipted by [Signature]
 Processed by AJ

Date 12.31.07
 Date 12.31.07
 Date _____

Receipt Amt \$50.00
 Receipt No C085605
 WR _____ Date _____

SCANNED

JAN 08 2008

Recording Requested By and
When Recorded Return to:
Brian L. Ballard
Hawley Troxell Ennis & Hawley LLP
P.O. Box 1617
Boise, Idaho 83701

Instrument # 552048

HAILEY, BLAINE, IDAHO
2007-10-02 04:15:00 No. of Pages: 3
Recorded for : HAWLEY, TROXELL, ENNIS
JOLYNN DRAGE Fee: 9.00
Ex-Officio Recorder Deputy
Index to: CORRECTION DEED

YMP

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

CORRECTION AND QUITCLAIM DEED AND ASSIGNMENT

FOR VALUE RECEIVED, THE RINKER COMPANY, a California corporation, WOOD RIVER PROPERTIES, INC., a California corporation, and GOLDEN EAGLE LLC, a California limited liability company (collectively, "GRANTORS"), do hereby assign, transfer, release and forever quitclaim unto GOLDEN EAGLE RANCH HOMEOWNERS ASSOCIATION, INC., an Idaho nonprofit corporation ("GRANTEE"), whose address is c/o Sun Country Management, P.O. Box 1932, Ketchum, Idaho 83340, all right, title and interest Grantors may have, if any, in and to the following described water rights, identified by the following water right numbers:

#37-154C
#37-364D
#37-14260A
#37-20749
#37-22060
#37-2627C
#37-2632
#37-153A
#37-8854
#37-8881

Said water rights are conveyed without warranty or representation by Grantors, as the same may be a part of the Water System located within GOLDEN EAGLE RANCH SUBDIVISION, according to the Official Plat thereof, recorded on the January 2, 1997, as Instrument No. 397902, Official Records, Blaine County, Idaho and GOLDEN EAGLE RANCH II SUBDIVISION, according to the Official Plat thereof, recorded on the February 1, 2001, as Instrument No. 447435, Official Records, Blaine County, Idaho.

This Correction and Quitclaim Deed and Assignment is made to correct the ownership records of the Idaho Department of Water Resources and to clarify ownership of the above described water rights, pursuant to that certain DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GOLDEN EAGLE RANCH SUBDIVISION, recorded January 2, 1997, as Instrument No. 397903, Official Records, Blaine County, Idaho ("Master Declaration"), and that certain SUPPLEMENTAL DECLARATION OF ANNEXATION TO GOLDEN EAGLE RANCH SUBDIVISION AND SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GOLDEN EAGLE RANCH II SUBDIVISION AND ACKNOWLEDGEMENT AND CONSENT, recorded January 31, 2001, as Instrument No. 447431, Official Records, Blaine County, Idaho ("Supplemental Declaration"), as such Master Declaration and Supplemental Declaration have been amended. This Correction and Quitclaim Deed and Assignment is made pursuant to Article 8 (Water System) of the Master Declaration, in particular Section 8.1 thereof, which provides, among other things,

that all water rights related to the Water System shall be owned only by the Association, and not individual Owners

Executed this 6th day of September, 2007.

THE RINKER COMPANY,
a California corporation

By: [Signature]
Harry S. Rinker, President

WOOD RIVER PROPERTIES, INC.
a California corporation

By: [Signature]
Harry S. Rinker, President

GOLDEN EAGLE LLC,
a California limited liability company

By: **Wood River Properties, Inc.,**
a California corporation, Member
By: [Signature]
Harry S. Rinker, President

State of California }
County of Orange } ss

On this 6th day of September 2007, before me, the undersigned, personally appeared HARRY S. RINKER, known or identified to me to be the president of THE RINKER COMPANY and the president of WOOD RIVER PROPERTIES, INC., the corporations that executed the instrument or the person who executed the instrument on behalf of said corporations, and acknowledged to me that such corporations executed the same

WITNESS my hand and official seal



[Signature]
Notary Public for California
Residing at Orange County
My commission expires April 9, 2008

State of California }
County of Orange } ss

On this 6th day of September, 2007, before me, the undersigned, personally appeared HARRY S. RINKER, known or identified to me to be President of Wood River Properties, Inc., the member of the limited liability company of GOLDEN EAGLE LLC, and the member who subscribed said company name to the foregoing instrument, and acknowledged to me that he executed the same in said company name.

WITNESS my hand and official seal.




Notary Public for California
Residing at Orange County
My commission expires April 9, 2008



RECEIVED

DEC 28 2007

DEPARTMENT OF
WATER RESOURCES

877 Main Street, Suite 1000
P.O. Box 1617
Boise, Idaho 83701-1617
(208) 344-6000 Fax (208) 342-3829
www.hteh.com

GARRETT MAUGHAN
LEGAL ADMINISTRATIVE ASSISTANT
EMAIL: GMAU@HTEH.COM
DIRECT DIAL: (208) 388-4883

December 28, 2007

VIA HAND DELIVERY

Jeff Peppersack
Idaho Department of Water Resources
322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: *Notice of Change in Water Right Ownership and Assignment of Permit*

Dear Jeff,

Per our telephone conversation regarding the above referenced matter, please find enclosed our Notice of Change in Water Right Ownership with attached Correction and Quitclaim Deed and Assignment. Also enclosed is our check in the amount of \$50.00 for filing fees (\$25.00 each for Water Right Nos. 37-8854 and 37-8881.) Please review the attached Deed and verify that the language is sufficient for the assignment of permit of Water Right No. 37-8881.

If there are any questions or concerns, please contact me directly.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY LLP

Garrett Maughan
Assistant to Brian Ballard

Enclosures

SCANNED

JAN 08 2008

42149.0001.1117394.1

12/27/2006

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

RIGHT NUMBER: 37-14260A

NAME AND ADDRESS: RINKER CO
PO BOX 7250
NEWPORT BEACH CA 92658

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.080 CFS
15.400 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 above.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T03N R18E S18 NENE 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	0.080 CFS 15.40 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S07 SESW 4.40

4.4 ACRES TOTAL

Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.

Rights 37-00154C, 37-00364D, 37-02627C, 37-02632, 37-08854, 37-14260A, 37-20749 and 37-20750 when combined shall not exceed the irrigation of 178 acres; 5.5 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 81.7 acres in the Golden Eagle Subdivision Phase II.

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

12/27/2006

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

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

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

Approval of transfer no. 5423 in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Use of water under Right 37-30028 may be affected by an agreement between the protestant of Transfer 4826 and the right holder.

Failure of the right holder to comply with the conditions of transfer no. 5423 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by transfer no. 5423 within one (1) year of the date of this approval.



Idaho Department of Water Resources

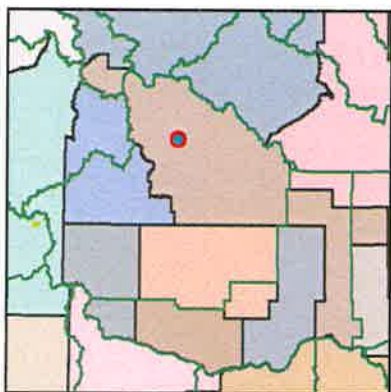
SRBA Recommendation:

37-14260A

(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles

Prepared by L. Graves
On Thursday, December 28, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-14260A V1

WATER RIGHT NUMBER: 37-14260A V1

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	GARY D SLETTE ROBERTSON AND SLETTE PLLC PO BOX 1906 TWIN FALLS, ID 83303-1906 (208)933-0700
Current Owner	RINKER CO PO BOX 7250 NEWPORT BEACH, CA 92658 (714)979-8300

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 To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.080 CFS	15.40 AF
	<u>Total Diversion:</u>	0.080 CFS	15.40 AF

Location of Point(s) of Diversion

BIG WOOD RIVER	NE1/4NE1/4	Sec. 18, Twp 03N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	7												4.4					4.4

Total Acres: 4.4

Conditions of Approval:

1. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. T04 Approval of transfer no. 5423 in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-14260A V1

5. Use of water under Right 37-30028 may be affected by an agreement between the protestant of Transfer 4826 and the right holder.
6. R63 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.
7. Rights 37-00154C, 37-00364D, 37-02627C, 37-02632, 37-08854, 37-14260A, 20749 and 37-20750 when combined shall not exceed the irrigation of 178 acres; 5.5 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 81.7 acres in the Golden Eagle Subdivision Phase II.
8. T08 Failure of the right holder to comply with the conditions of transfer no. 5423 is cause for the Director to rescind approval of the transfer.
9. T07 The right holder shall accomplish the change authorized by transfer no. 5423 within one (1) year of the date of this approval.
10. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. Igraves 12/27/2006 History

Comment: This claim was split from right 37-14260, aka 37-577BT, per approved transfer no. 4520. This claim is also subject to approved transfer no. 5423 and is represented by water right 37-30028.

2. Igraves 12/27/2006 Conditions

Comment: The combined p/u/acre limit condition resulting from approved transfer no. 5423 has been updated due to the approval of transfer nos. 70090 & 70109 on associated rights.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

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:

10/06/2006

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

RIGHT NUMBER: 37-14260A

NAME AND ADDRESS: RINKER CO
PO BOX 7250
NEWPORT BEACH CA 92658

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.080 CFS
15.400 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 above.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T03N R18E S18 NENE Within BLAINE County

Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.080 CFS 15.40 AFY

PLACE OF USE: IRRIGATION Within BLAINE County

T03N R18E S07 SESW 4.40

4.4 ACRES TOTAL

Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.

Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.

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

THIS CLAIM IS BASED ON TRANSFER #3487, DATED 10/6/89, AND IS SUB- JECT TO CONTROL BY THE WATERMASTER OF DISTRICT 37, BIG WOOD RIVER ***** THIS CLAIM WAS SPLIT FROM A37-14260 PURSUANT TO APPROVED TRANSFER 4520.
This claim represents water right 37-30028.

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

10/06/2006

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

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

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

Use of water under Right 37-30028 may be affected by an agreement between the protestant of Transfer 4826 and the right holder.

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