

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 37-21241
Date Received: 1/27/2004
Receipt No:
Received By:

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

1. Name of Claimant(s)

RIVERVIEW CLOVERLY IRRIGATION INC Phone: (208)726-4421
C/O JAMES P SPECK
PO BOX 987
KETCHUM ID 83340-0987

2. Date of Priority: 05/21/1890

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	32	NW NW NE	BLAINE	
03N	18E	32	SE NW	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.34	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	18E	32	NW	NE	IRRIGATION	0.9
			SW	NE	IRRIGATION	29.6
			NE	NW	IRRIGATION	0.9
			SE	NW	IRRIGATION	18.9
			NE	SW	IRRIGATION	21.2
			SE	SW	IRRIGATION	0.7
			NE	SE	IRRIGATION	2.6
			NW	SE	IRRIGATION	35.8
			SW	SE	IRRIGATION	0.9
Section Acres						111.5
Total Acres						111.5

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

Rights 37-20842, 37-21239, and 37-21241 when combined shall not exceed the irrigation of 19.9 acres.

The total instantaneous diversion of water from all points of diversion under Rights 37-20417, 37-20421, 37-20425, 37-20842, 37-21239, and 37-21241 shall not exceed 4.79 cfs for the irrigation of 81.6 acres.

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

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

The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

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

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

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

15. Basis of Claim: Decreed

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 37-21241
Date Received: 1/27/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOHN S CHAPMAN Phone:
PO BOX 3950
HAILEY ID 83333

2. Date of Priority: 05/21/1890

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	20	SE SW	BLAINE	

5. Description of diverting works:

HIAWATHA CANAL HEADGATE #22, OSBORN #24, PURDUM #25 HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.343	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	18E	32	SW	NE	IRRIGATION	5
			NE	SW	IRRIGATION	7
			NW	SE	IRRIGATION	14.4
					Section Acres	26.4
					Total Acres	26.4

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 RIGHT IS A SPLIT FROM FORMER RIGHT 37-523G.

15. Basis of Claim: Decreed

RECEIVED
DEC 08 2000
Department of Water Resources
Southern Region

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

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	A37-00521L	X	_____	_____	_____
_____	A37-00522J	X	_____	_____	_____
_____	A37-00523 ~~XG~~	X	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Pending transfer 6-27-16

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) John S. Chapman
Post Office Box 2898, Boise, Idaho 83701
4. New Owner/Claimant(s) Silver Sage Owners Association, Inc.
Name Connector (Check one): [] and, [] or [] and/or
- New Mailing Address Post Office Box 4380
- City, State and Zip Code Ketchum, Idaho 83340
- New Telephone Number (208) 726-6560
5. Date you acquired the property _____

(If the right(s) will not be split, skip this area and proceed to item 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.)
Irrigation	0.177 cfs	14 acres
Stock		
Domestic		
Other		
Total	0.177 cfs	

Silver Sage Owners Association, Inc.
By: George R. Kirk, its president

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

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>A37-00521L</u>		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	<u>0.180 cfs</u>	<u>14 acres</u>
Stock	<u></u>	<u></u>
Domestic	<u></u>	<u></u>
Other <u></u>	<u></u>	<u></u>

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>A37-00522J</u>		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	<u>0.149 cfs</u>	<u>14 acres</u>
Stock	<u></u>	<u></u>
Domestic	<u></u>	<u></u>
Other <u></u>	<u></u>	<u></u>
Total	<u>0.149 cfs</u>	

Order No. 24438

GRANT DEED

FOR VALUE RECEIVED

FIRST SECURITY BANK OF IDAHO, N.A. AS TRUSTEE OF THE JOHN S. CHAPMAN CHARITABLE
REMAINDER UNITRUST DATED DECEMBER 21, 1995

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

SILVER SAGE RANCH, LLC, an Idaho Limited Liability Company

GRANTEE(s), whose address is: P.O. Box 4380, Ketchum, ID 83340

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

Lot 2 in Block 1 of CHAPMAN'S EAST CLOVERLY RANCH, according to the official plat thereof, recorded
as Instrument No. 318754, records of Blaine County, Idaho.

Subject To: Taxes, easements, restrictions and encumbrances of record.

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

FIRST SECURITY BANK OF IDAHO, TRUSTEE

Calvin E. Kidney
CALVIN E. KIDNEY, ASSISTANT VICE PRESIDENT

State of Idaho

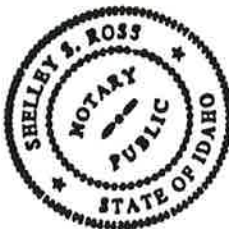
County of Ada

On this 27th day of September in the year 1999, before me, the undersigned, personally
appeared CALVIN E. KIDNEY, known or identified to me to be the Assistant Vice President of First Security Bank
which is the Trustee of the JOHN S. CHAPMAN CHARITABLE REMAINDER UNITRUST UNDER AGREEMENT
DATED DECEMBER 21, 1995, and acknowledged to me that he/she/they executed the same as such trustee.

WITNESS my hand and official seal.

Shelley S. Ross
Notary Public

Commission Expires: 9/28/02



TRUSTEE'S DEED

385500
NOTARY REQUEST
95 DEC 26 PM 3 04
GREGG, CLERK
FEE \$ 3.00

FOR VALUE RECEIVED, the FIRST SECURITY BANK OF IDAHO, N.A., a National Banking Association, of Boise, Ada County, State of Idaho, as Trustee of the JOHN S. CHAPMAN LIVING TRUST dated February 14, 1991, does hereby convey, release, remise and transfer all of its title and interest unto JOHN S. CHAPMAN, a single man, whose address is 216 West Jefferson Street, Boise, Idaho, in the following described premises in Blaine County, State of Idaho, to-wit:

Lot 2, Block 1, Chapman's East Cloverly Ranch,
Blaine County, Idaho.

together with all appurtenances.

DATED: This 21st day of December, 1995.

FIRST SECURITY BANK OF IDAHO, N.A.

By Stephen F. Allen

STATE OF IDAHO)
) ss.
County of Ada)

On this 21st day of December, 1995, before me, a Notary Public in and for said State, personally appeared STEPHEN F. ALLEN, known to me to be the Vice President and Manager of the FIRST SECURITY BANK OF IDAHO, N.A., and executed this instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.

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

Mary L. Loman
Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires: 1.31.97

TRUSTEE'S DEED

QUITCLAIM DEED

FOR VALUE RECEIVED, JOHN S. CHAPMAN of the City of Boise, County of Ada, State of Idaho, the Grantor, do hereby convey, release, remise and forever quitclaim unto the FIRST SECURITY BANK OF IDAHO, N.A., as Trustee of the "JOHN S. CHAPMAN CHARITABLE REMAINDER UNITRUST" dated the 21st day of December, 1995, the Grantee, whose current address is: Trust Department, P. O. Box 2618, Boise, Idaho the following described premises, in BLAINE COUNTY State of Idaho, to-wit:

Lot 2, Block 1, Chapman's East Cloverly Ranch,
Blaine County, Idaho.

together with their appurtenances.

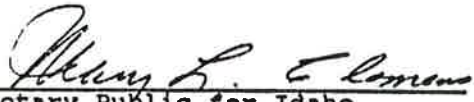
DATED this 21 day of December, 1995.


JOHN S. CHAPMAN

STATE OF IDAHO)
 : ss.
County of Ada)

On this 21st day of December, 1995, before me, a Notary Public in and for said State, personally appeared JOHN S. CHAPMAN, known to me to be the person whose name is subscribed to the foregoing 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 Idaho
Residing at Boise, Idaho
My Commission Expires: 1-31-97

QUITCLAIM DEED

385501

BLAINE CO. REQUEST

CF: *First Security Bank*

'95 DEC 26 PM 3 05

MARY GREEN, CLERK

FEES \$ 3.00

Order No. 24438

GRANT DEED

FOR VALUE RECEIVED

FIRST SECURITY BANK OF IDAHO, N.A. AS TRUSTEE OF THE JOHN S. CHAPMAN LIVING TRUST DATED FEBRUARY 14, 1991

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

JOHN S. CHAPMAN, a single man

GRANTEE(s), whose address is: 216 West Jefferson Street, Boise, ID

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

Lot 2 in Block 1 of CHAPMAN'S EAST CLOVERLY RANCH, according to the official plat thereof, recorded as Instrument No. 318754, records of Blaine County, Idaho.

THIS DEED IS BEING RECORDED TO CORRECT THE NOTARY ACKNOWLEDGEMENT ON THAT CERTAIN TRUSTEE'S DEED RECORDED DECEMBER 26, 1995 AS INSTRUMENT NO. 385500.

Subject To: Taxes, easements, restrictions and encumbrances of record.

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

FIRST SECURITY BANK OF IDAHO, TRUSTEE

Stephen F. Allen
STEPHEN F. ALLEN, VICE PRESIDENT

State of IDAHO

County of ADA

On this 27th day of Sept, in the year 1999, before me, the undersigned, personally appeared STEPHEN F. ALLEN, known or identified to me to be the Vice President of First Security Bank which is the Trustee of the JOHN S. CHAPMAN LIVING TRUST DATED FEBRUARY 14, 1991, and acknowledged to me that he/she/they executed the same as such trustee.

WITNESS my hand and official seal.

Calvin B. Kidney
Notary Public

Commission Expires: 9-29-2000



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: **A37-00523G**
Date Received: 10/27/1988
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JOHN S CHAPMAN
Address: PO BOX 3950
HAILEY ID

83333

2. Date of Priority: **MAY** 21, 1890

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
03N	18E	20	SE	SW			BLAINE

5. Description of diverting works:

HIAWATHA CANAL HEADGATE #22, OSBORN #24, PURDUM #25 HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.510		

7. Total Quantity Appropriated is:

0.510 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

75.4 Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER 200 HEAD RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	32	SW	NE		IRR	5.0
			NE	SW		IRR	7.0
			NW	SE		IRR	14.4

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	26.4
		33	NW	SW	IRR	1.0
			SW	SW	IRR	9.0
			SE	SW	IRR	4.0
					Section Acres	14.0
					Total Acres	40.4

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:

ADDITIONAL WATER RIGHTS WERE TRANSFERRED TO THIS LAND BY VIRTUE OF THE 1965 DECREE IN CHAPMAN V. VALENTINE ET AL, CASE NO. 2848, 4TH DISTRICT COURT, BLAINE COUNTY, 9/02/1965. THEY INCLUDE 17 INCHES (.34 CFS) WITH THIS SAME 5-21-1891 PRIORITY DATE. THESE RIGHTS ARE ON THE PURDUM CANAL, HEADGATE #25.

THIS RIGHT CREATED FROM FORMER NUMBERS 37-00523 B & C.

CLAIM SPLIT BASED UPON PERCENTAGE IDENTIFIED IN WARRANTY DEED 318773. PLACE OF USE SPLIT BASED UPON CLAIMED ACRES WITHIN OWNED ACRES. DATA ENTERED 4-8-96. KKC

6-17-98: CHANGE OF ADDRESS PER NOTICE REC'D 4-7-98 - VH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

June 17, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

John S. Chapman
PO Box 3950
Hailey, Idaho 83333

RE: Snake River Basin Adjudication (SRBA)
Claim No(s). A37-04106, A37-11999, A37-02507B
A37-02640B, A37-00522J, A37-00523G, A37-00833S
A37-00899A, A37-12001, A37-00521L
Change of Address Notification

Dear Claimant:

Thank you for notifying us of your change of address on the water right claims referenced above. The enclosed documents are for your records, please review them for accuracy in all respects. A copy of your Notice of Change of Address has been forwarded to our State Office so that they may update the address on Water Right number 37-08409.

If you have any questions, please feel free to contact this office.

Sincerely,

Vikie Hancock
Records Clerk

37-08409 Sent to G. Johnson 6/13/98 D#



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

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

- ☐ Water Right Number(s): A37-04106 - A37-11999 - A37-02507B
A37-02640B - A37-00522J - A37-0523G
A37-^R008335 A37-^R00899A A37-12001
A37-00521L + 37-08409
WR
- ☐ Old Mailing Address: P.O. Box 744
San Valley, Idaho 83353
- ☐ New Mailing Address: P.O. Box 3950
Hailey, Idaho 83333
- ☐ New Telephone Number: () -
- ☐ Signature of Claimant(s): Joe A. Chapman
- Date: 4/6/98

FOR IDWR USE ONLY	
Initial Review and Data Entry	
Date:	By:
Further Action Needed:	
Further Action Taken	
Date:	By:
Final Review and Data Entry	
Date:	By:

[Handwritten signature]

RECEIVED

APR 07 1998

Department of Water Resources
Southern Region

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: **A37-00523G**
Date Received: 10/27/1988
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JOHN S CHAPMAN 208-343-6485
Address: PO BOX 2898
BOISE ID 83701

2. Date of Priority: MAY 21, 1890

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
03N	18E	20	SE	SW			BLAINE

5. Description of diverting works:
HIAWATHA CANAL HEADGATE #22, OSBORN #24, PURDUM #25 HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.510		

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

8. Total consumptive use is 75.4 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER 200 HEAD RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	32	SW	NE		IRR	5.0
			NE	SW		IRR	7.0
			NW	SE		IRR	14.4

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	26.4
		33	NW	SW	IRR	1.0
			SW	SW	IRR	9.0
			SE	SW	IRR	4.0
					Section Acres	14.0
					Total Acres	40.4

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:

ADDITIONAL WATER RIGHTS WERE TRANSFERRED TO THIS LAND BY VIRTUE OF THE 1965 DECREE IN CHAPMAN V. VALENTINE ET AL, CASE NO. 2848, 4TH DISTRICT COURT, BLAINE COUNTY, 9/02/1965.

THEY INCLUDE 17 INCHES (.34 CFS) WITH THIS SAME 5-21-1891 PRIORITY DATE. THESE RIGHTS ARE ON THE PURDUM CANAL, HEADGATE #25.

THIS RIGHT CREATED FROM FORMER NUMBERS 37-00523 B & C.

CLAIM SPLIT BASED UPON PERCENTAGE IDENTIFIED IN WARRANTY DEED 318773. PLACE OF USE SPLIT BASED UPON CLAIMED ACRES WITHIN OWNED ACRES. DATA ENTERED 4-8-96. KKC

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

WARRANTY DEED

THIS INDENTURE, made effective the 20th day of April, 1990, between JOHN S. CHAPMAN, an unmarried man, the "Grantor," and HARRY S. RINKER, Trustee under Restatement of Declaration of Trust dated July 12, 1985 for the benefit of Harry S. Rinker, et al., the "Grantee," whose mailing address for these purposes is c/o Rinker Company, Post Office Box 7250, Newport Beach, California 92658-7250;

WITNESSETH:

For valuable consideration the Grantor does hereby grant and convey unto the Grantee the real property located in Sections 32 and 33, Township 3 North, Range 18 East, Boise Meridian, Blaine County, Idaho, particularly described as follows:

Lot 1 of Block 1, Chapman's Cloverly Ranch, according to the official plat of said subdivision recorded as Instrument No. 318753, records of Blaine County, Idaho; and

Lot 1 of Block 1, Chapman's East Cloverly Ranch, according to the official plat of said subdivision recorded as Instrument No. 318754, records of Blaine County, Idaho.

ELIOT CO. REQUEST
Sawtooth Title Co., Inc.
Clerk
Deed
90 APR 23 PM 3 12
WAC CLERK
FEES \$21.00
JMP

318773

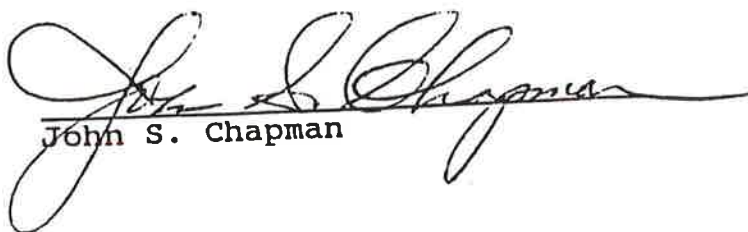
TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof (including water rights described and referred to on attached EXHIBIT 1);

SUBJECT TO the liens, encumbrances, reservations, covenants, restrictions and conditions described on attached EXHIBIT 2 attached hereto and made a part hereof.

TO HAVE AND TO HOLD said premises unto the Grantee, its successors and assigns, forever.

The Grantor covenants with the Grantee, its successors and assigns, that the Grantee shall enjoy the quiet and peaceful possession of said premises; that the Grantor is lawfully seized of said premises in fee simple; and the Grantor warrants that the title to said premises is merchantable and is free from all liens, encumbrances, reservations, covenants, restrictions and conditions excepting those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee.

IN WITNESS WHEREOF, this Warranty Deed has been executed by the Grantor the day and year herein first above written.


John S. Chapman

Together with all water rights appurtenant to the above described real property, specifically including, but not limited to, 90.4% of the following itemized decreed surface water rights for irrigation from the Big Wood River and the ditch rights which are appurtenant to the property, to facilitate the delivery of the surface water through Headgate 22 and the Hiawatha Canal headgate 24 and the Osborn Ditch, and Headgate 25 and the Purdum Ditch:

DECREED RIGHTS

<u>Priority</u>	<u>Purpose</u>	<u>SRBA Claim No.</u>
6/1/1886	Irrigation	37-00521C
5/4/1889	Irrigation	37-00522B
5/21/1890	Irrigation	37-00523B
11/12/1936	Irrigation	37-00833B
4/1/1940	Irrigation	37-00899

and:

LICENSED RIGHTS

85.6%

Together with 91% of groundwater represented by Groundwater License 37-02640 (Grantor retaining 10-16 inches of said right for irrigation appurtenant to 10-11 acres being retained by Grantor in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of ~~4~~ 5 Acres in SW NE Section 32, T. 3 N., R. 18 E.B.M.); and

Together with 89.6% of groundwater represented by Groundwater License 37-02507 (retaining 13 inches of said right for irrigation appurtenant to 15.9 acres being retained by Grantor in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T. 3 N., R. 18 E.B.M. lying west of the railroad right of way).

EXHIBIT 1 - to Warranty Deed from John S. Chapman to Harry S. Rinker, Trustee

page 72, as Instrument No. 98578, records of Blaine County, Idaho. (affects NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32)

12. Power Line Easement from Dorothy Jean Chapman to Idaho Power Company recorded October 15, 1962 in Book 176 of Deeds, page 460, as Instrument No. 117644, records of Blaine county, Idaho. (affects TL 672 in Section 33)
13. Title to that portion of property lying below the mean high water mark of the Big Wood River. (affects W $\frac{1}{2}$ of Section 32)
14. Right of way in favor of Hailey Water Company for pipelines, storage basins, and rights of ingress and egress, as disclosed in that certain Quitclaim Deed recorded October 28, 1916, as Instrument No. 34263, records of Blaine County, Idaho. (affects W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 33)
15. Subject to Declaration of Covenants, Conditions and Restrictions for Chapman's East Cloverly Ranch (a subdivision) recorded as Instrument No. 318772, official records of Blaine County, Idaho.
16. Subject to all easements shown on the Plat of said Chapman's East Cloverly Ranch, filed in ~~Book 318754~~ of Plats at Page ____, official records of Blaine County, Idaho.
17. Subject to Declaration of Covenants, Conditions and Restrictions for Riverview Ranches (a subdivision, a replat of Lot 1 of Block 1 of Chapman's Cloverly Ranch) recorded as Instrument No. 318771, official records of Blaine County, Idaho.
18. Subject to all easements shown on the Plat of said Riverview Ranches, filed in ~~Book 318755~~ of Plats at Page ____, official records of Blaine County, Idaho.
19. Subject to reservation of a nonexclusive easement for road right of way purposes appurtenant to Lot 2 of Block 1, Chapman's East Cloverly Ranch, according to the official plat thereof filed in ~~Book 318754~~ of Plats at Page ____, official records of Blaine County, Idaho, over and across Lot 1 of Block 1 of said Chapman's East Cloverly Ranch, along an existing unimproved road running between said Lot 2 of Block 1, Chapman's East Cloverly Ranch, and Highway No. 75.
20. Subject to reservation of the following described water rights to remain appurtenant to Lot 2 of Block 1, Chapman's Cloverly Ranch, and to Lot 2 of Block 1, Chapman's East

Cloverly Ranch, according to the official plats of said subdivisions on file and of record in the office of the Recorder of Blaine County, Idaho:

9.6% of the decreed rights referred to on EXHIBIT 1;

^{14.4%}
~~9.1%~~ of the groundwater represented by License No. 37-02640;

^{10.4%}
~~89.6%~~ of the groundwater represented by License No. 37-02507;

All of the spring water rights represented by Claim No. 37-01406; 04106

All of the domestic water rights represented by Claims Nos. 37-01999 and 37-12001;

¹¹⁹⁷⁹
All of the water rights represented by Permit No. 37-08409; and

All other water rights appurtenant to Grantor's lands which are not conveyed by this deed.

NOTES:

16. Grantor hereby reserves unto himself and his heirs, devisees, personal representatives, successors and assigns, an undivided interest in and to each of the easements referred to in Exception No. 16, above, which shall be and remain appurtenant to and shall run with Grantor's lands described as Lot 2 in Block 1 of Chapman's East Cloverly Ranch.

18. Grantor hereby reserves unto himself and his heirs, devisees, personal representatives, successors and assigns, an undivided interest in and to each of the easements referred to in Exception No. 18, above, which shall be and remain appurtenant to and shall run with Grantor's lands described as Lot 2 in Block 1 of Chapman's Cloverly Ranch.

CORRECTED WARRANTY DEED

THIS CORRECTED WARRANTY DEED is made this 5th day of April, 1991, the same to be retroactive to and effective as of April 20, 1990, between JOHN S. CHAPMAN, an unmarried man, the "Grantor", and HARRY S. RINKER, Trustee under Restatement of Declaration of Trust dated July 12, 1985, for the benefit of Harry S. Rinker, et al., the "Grantee", whose mailing address for these purposes is c/o Rinker Company, Post Office Box 7250, Newport Beach, California, 92658-7250.

Grantor has previously executed that certain Warranty Deed, dated April 20, 1990, and recorded April 23, 1990, as Instrument No. 318773, records of Blaine County, Idaho, which Warranty Deed is incorporated herein by this reference thereto. The first paragraph under the heading "Licensed Rights", of Exhibit "1" to said Warranty Deed is hereby corrected to read, in its entirety, as follows:

"Together with 85.6% of groundwater represented by Groundwater License 37-02640 (Grantor retaining 16 inches of said right for irrigation appurtenant to 11 acres being retained by Grantor in the NW1/4 SE1/4, and 5 acres being retained by Grantor in the SW1/4 NE1/4, of Section 32, T. 3N., R. 18 E.B.M.); and".

Excepted as corrected hereby, said Warranty Deed shall remain in full force and effect.

IN WITNESS WHEREOF, this Corrected Warranty Deed has been executed by the Grantor the day and year herein first above written.

JOHN S. CHAPMAN

STATE OF Idaho)
County of Blaine) ss.

On this 5th day of April, 1991, before me, the undersigned, a Notary Public in and for said county and state, personally appeared JOHN S. CHAPMAN, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



WITNESS my hand and official seal.

[Signature]
Notary Public for
Residing at [Address]

blb\rinker.cha

BLAINE CO. REQUEST

OF Brian Ballard

1991 APR 17 P 1:28

329289

HARRY RINKER, CLERK

300

MP.

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: A37-00523B

Date Received:

Receipt No: 003081

Received By:

RECEIVED

OCT 26 1988

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: JOHN S. CHAPMAN
Address: P.O. BOX 2898
BOISE, ID

208-343-6485

83701

2. Date of Priority: MAY 21, 1890

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
03N	18E	20	SE	SW			BLAINE

5. Description of diverting works:

HIAWATHA CANAL HEADGATE #22, OSBORN #24, PURDUM #25 HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	5.340		

7. Total Quantity Appropriated is:

5.340 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

785.6 Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER 200 HEAD RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	32	NE	NE		IRR	38.0
			NW	NE		IRR	2.0
			SW	NE		IRR	40.0

A37-00523B

Page

1

Date: 10/24/88

FEB 23 1988

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres		
03N	18E	32	SE	NE		IRR	40.0		
			NE	NW		IRR	2.0		
			SE	NW		IRR	40.0		
			NE	SW		IRR	40.0		
			SE	SW		IRR	1.0		
			NE	SE		IRR	33.0		
			NW	SE		IRR	40.0		
			SW	SE		IRR	1.0		
			Section Acres						277.0
			33	NW	SW		IRR	25.0	
SW	SW			IRR	9.0				
SE	SW			IRR	4.0				
Section Acres						38.0			
Total Acres						315.0			

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

37-00521B&G/00522B&C/00833/00899/00913/02640/02507/04106

14. Remarks:

ADDITIONAL WATER RIGHTS WERE TRANSFERRED TO THIS LAND BY VIRTUE OF THE 1965 DECREE IN CHAPMAN V. VALENTINE ET AL, CASE NO. 2848, 4TH DISTRICT COURT, BLAINE COUNTY, 9/02/1965.

THEY INCLUDE 17 INCHES (.34 CFS) WITH THIS SAME 5-21-1891 PRIORITY DATE. THESE RIGHTS ARE ON THE PURDUM CANAL, HEADGATE #25.

THIS RIGHT CREATED FROM FORMER NUMBERS 37-00523 B & C.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

A37-00523B

Page

2

Date: 10/24/88

MICROFILMED

FEB 23 1993

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *J. L. Chapman* Date: 10-25-88
Date: _____

State of Idaho)

County of Ada) SS.
)

Subscribed and sworn (or affirmed) before me this 26th day

of October 19 88

Wm. L. Clemens
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 1-31-91

09/20/2006

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

RIGHT NUMBER: 37-21241

NAME AND ADDRESS: RIVERVIEW CLOVERLY IRRIGATION INC
C/O JAMES P SPECK
PO BOX 987
KETCHUM ID 83340-0987

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.340 CFS

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Right Nos. 37-20417, 37-20421, 37-20425, 37-20842, 37-21239, and 37-21241 are limited to a total combined diversion rate of 4.79 cfs.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

PRIORITY DATE: 05/21/1890

POINT OF DIVERSION:

T03N R18E S32 NWNWNE Within BLAINE County

T03N R18E S32 SENW Within BLAINE County

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

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.340 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T03N R18E S32	NWNE	0.90	T03N R18E S32	SWNE	29.60
T03N R18E S32	NENW	0.90	T03N R18E S32	SENE	18.90
T03N R18E S32	NESW	21.20	T03N R18E S32	SESW	0.70
T03N R18E S32	NESE	2.60	T03N R18E S32	NWSE	35.80
T03N R18E S32	SWSE	0.90			

111.5 ACRES TOTAL

Right Nos. 37-20417, 37-20421, 37-20425, 37-20842, 37-21239, and 37-21241 are limited to the irrigation of a combined total of 81.6 acres in a single irrigation season.

Rights 37-20842, 37-21239, and 37-21241 when combined shall not exceed the irrigation of 19.9 acres.

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

09/20/2006

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

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

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.

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

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 approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

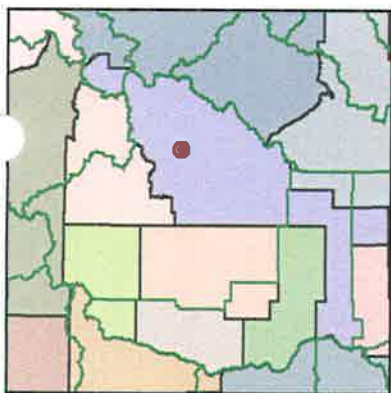
SRBA Recommendation:

37-21241

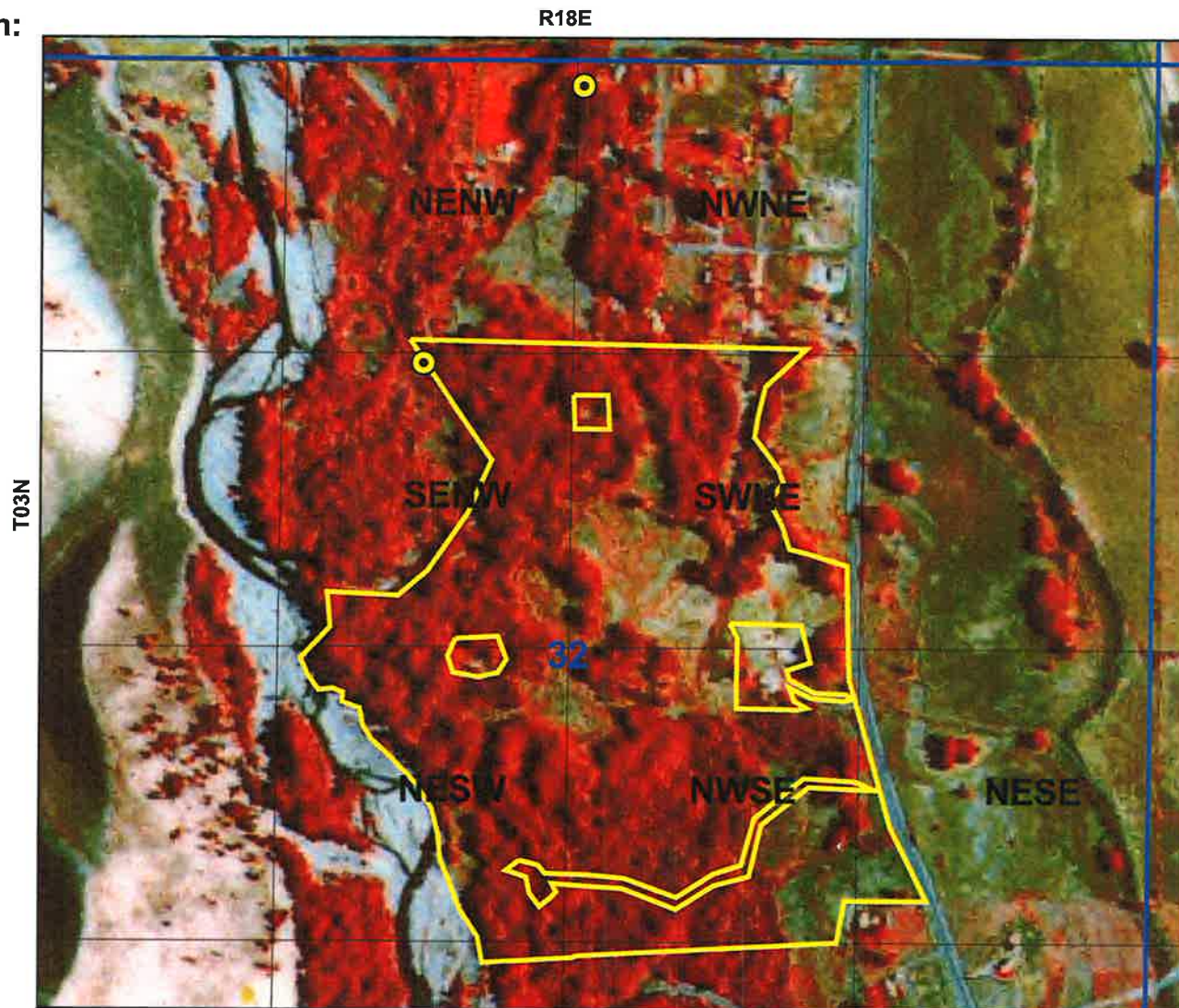
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by E. NORQUES
On Wednesday, September 20, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

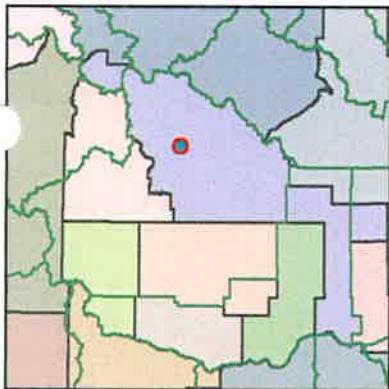
SRBA Recommendation:

37-21241

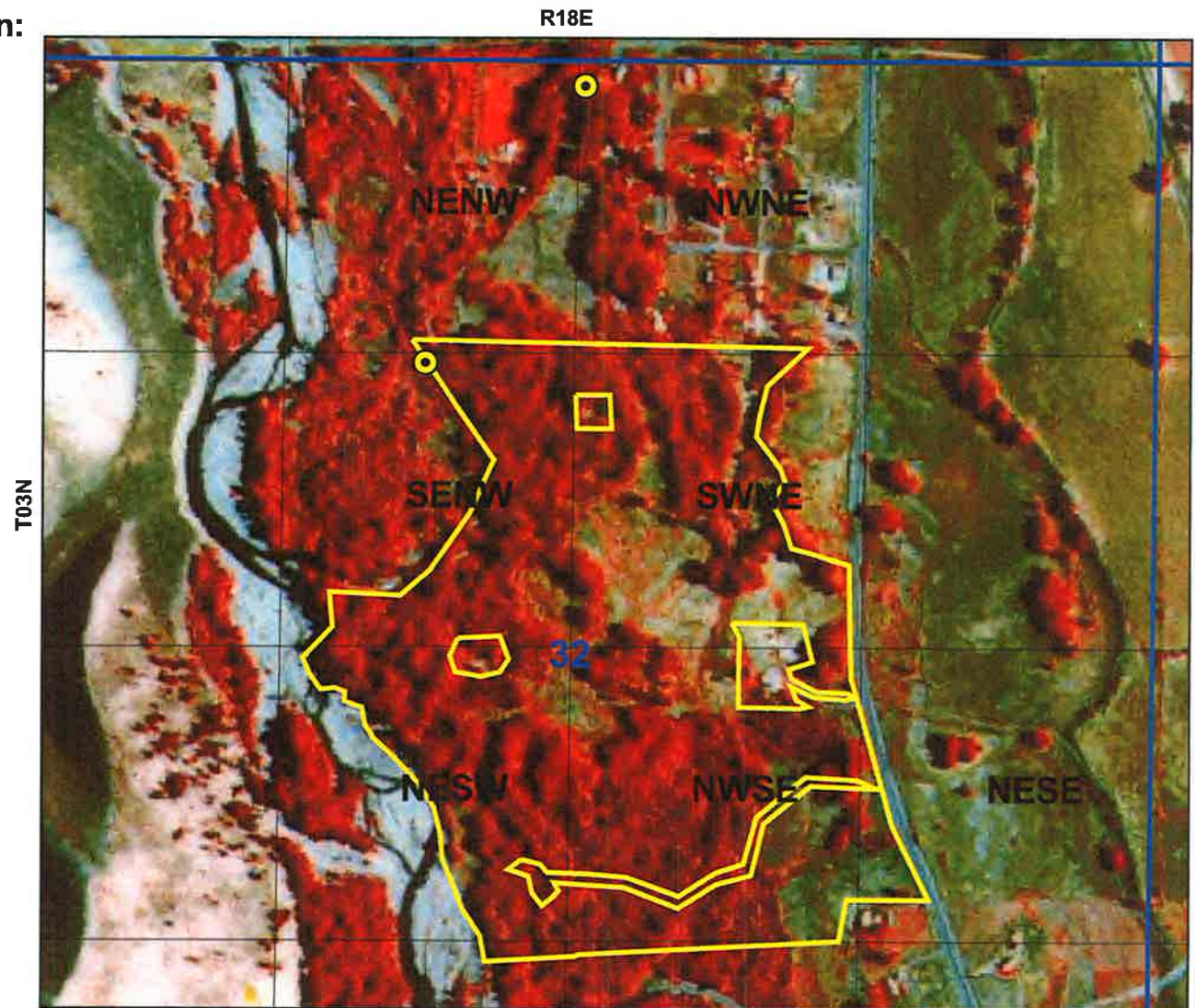
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.3 0.6 Miles



Prepared by E. NORQUES
On Wednesday, September 20, 2006
1987/88 Aerial Photography

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69269

This is to certify that: RIVERVIEW CLOVERLY IRRIGATION INC
 C/O JAMES P SPECK
 120 EAST AVE
 KETCHUM ID 83340
 (208)726-4421

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-521M	AJC/Decreed	06/01/1886	4.94 cfs	N/A	N/A	274.6	BIG WOOD RIVER
37-522K	AJC/Decreed	05/04/1889	4.03 cfs	N/A	N/A	274.6	BIG WOOD RIVER
37-523H	AJC/Decreed	05/21/1890	4.83 cfs	N/A	N/A	274.6	BIG WOOD RIVER
37-20842	AJC/Decreed	06/01/1886	0.34 cfs	N/A	N/A	26.4	BIG WOOD RIVER
37-21239	AJC/Decreed	05/04/1889	0.281 cfs	N/A	N/A	26.4	BIG WOOD RIVER
37-21241	AJC/Decreed	05/21/1890	0.343 cfs	N/A	N/A	26.4	BIG WOOD RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-521M	YES	YES	YES	YES	NO	NO
37-522K	YES	YES	YES	YES	NO	NO
37-523H	YES	YES	YES	YES	NO	NO
37-20842	NO	YES	YES	YES	NO	NO
37-21239	NO	YES	YES	YES	NO	NO
37-21241	NO	YES	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-521M	37-20417	1.49 cfs	N/A	61.7	111.5	37-20416	3.02 cfs	N/A	N/A	134.4
37-522K	37-20421	1.32 cfs	N/A	61.7	111.5	37-20420	2.64 cfs	N/A	N/A	134.4
37-523H	37-20425	1.02 cfs	N/A	61.7	111.5	37-20424	2.25 cfs	N/A	N/A	134.4
37-20842	37-20842	0.34 cfs	N/A	19.9	111.5		N/A	N/A	N/A	N/A
37-21239	37-21239	0.28 cfs	N/A	19.9	111.5		N/A	N/A	N/A	N/A
37-21241	37-21241	0.34 cfs	N/A	19.9	111.5		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.79 cfs	N/A	81.6	111.5		7.91 cfs	N/A	N/A	134.4

SUPPORT DATA

IN FILE # 37-521 M

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69269

Detailed Water Right Description(s) attached

Dated this 27th day of May, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20842
As Modified by Transfer No. 69269

In accordance with the approval of Transfer No. 69269, Water Right No. 37-20842 is now described as follows.

Right Holder: RIVERVIEW CLOVERLY IRRIGATION INC
C/O JAMES P SPECK
120 EAST AVE
KETCHUM ID 83340

Priority Date: June 01, 1886

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	0.34 CFS
			0.34 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NWNWNE Sec. 32 Twp 03N Rge 18E BLAINE County

BIG WOOD RIVER SENW Sec. 32 Twp 03N Rge 18E 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	32		.9	29.6		.9		18.9	21.2		.7	2.6	35.8	.9		111.5		

Total Acres: 111.5

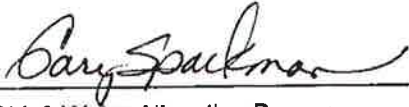
WATER RIGHT NO. 37-20842
As Modified by Transfer No. 69269

CONDITIONS OF APPROVAL

1. Rights 37-20842, 37-21239, and 37-21241 when combined shall not exceed the irrigation of 19.9 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 37-20417, 37-20421, 37-20425, 37-20842, 37-21239, and 37-21241 shall not exceed 4.79 cfs for the irrigation of 81.6 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. This right does not grant any right-of-way or easement across the land of another.
7. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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

Dated this 27th day of May, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20416
As Modified by Transfer No. 69269

In accordance with the approval of Transfer No. 69269, Water Right No. 37-20416 is now described as follows.

Right Holder: HARRY S RINKER
 PO BOX 7250
 NEWPORT BEACH CA 92658-7250

Priority Date: June 01, 1886

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 11/01	3.02 CFS
			3.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SESW Sec. 20 Twp 03N Rge 18E 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 32	38.0			40.0				2.0					30.4				110.4
03N 18E 33									24.0								24.0

Total Acres: 134.4

CONDITIONS OF APPROVAL

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

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

Dated this 27th day of May, 2005


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20417
As Modified by Transfer No. 69269

In accordance with the approval of Transfer No. 69269, Water Right No. 37-20417 is now described as follows.

Right Holder: RIVERVIEW CLOVERLY IRRIGATION INC
 C/O JAMES P SPECK
 120 EAST AVE
 KETCHUM ID 83340

Priority Date: June 01, 1886

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	1.49 CFS
			1.49 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	NWNWNE	Sec. 32 Twp 03N Rge 18E BLAINE County
BIG WOOD RIVER	SENE	Sec. 32 Twp 03N Rge 18E 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 32	.9	29.6			.9			18.9	21.2			.7	2.6	35.8	.9		111.5

Total Acres: 111.5

WATER RIGHT NO. 37-20417
As Modified by Transfer No. 69269

CONDITIONS OF APPROVAL

1. Rights 37-20417, 37-20421, and 37-20425 when combined shall not exceed the irrigation of 61.7 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 37-20417, 37-20421, 37-20425, 37-20842, 37-21239, and 37-21241 shall not exceed 4.79 cfs for the irrigation of 81.6 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. This right does not grant any right-of-way or easement across the land of another.
7. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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

Dated this 27th day of May, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21239
As Modified by Transfer No. 69269

In accordance with the approval of Transfer No. 69269, Water Right No. 37-21239 is now described as follows.

Right Holder: RIVERVIEW CLOVERLY IRRIGATION INC
 C/O JAMES P SPECK
 120 EAST AVE
 KETCHUM ID 83340

Priority Date: May 04, 1889

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	0.28 CFS
			0.28 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NWNWNE Sec. 32 Twp 03N Rge 18E BLAINE County

BIG WOOD RIVER SENW Sec. 32 Twp 03N Rge 18E 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	32	.9		29.6		.9			18.9	21.2			.7	2.6	35.8	.9		111.5

Total Acres: 111.5

WATER RIGHT NO. 37-21239
As Modified by Transfer No. 69269

CONDITIONS OF APPROVAL

1. Rights 37-20842, 37-21239, and 37-21241 when combined shall not exceed the irrigation of 19.9 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 37-20417, 37-20421, 37-20425, 37-20842, 37-21239, and 37-21241 shall not exceed 4.79 cfs for the irrigation of 81.6 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. This right does not grant any right-of-way or easement across the land of another.
7. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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

Dated this 27th day of May, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20420
As Modified by Transfer No. 69269

In accordance with the approval of Transfer No. 69269, Water Right No. 37-20420 is now described as follows.

Right Holder: HARRY S RINKER
 PO BOX 7250
 NEWPORT BEACH CA 92658-7250

Priority Date: May 04, 1889

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 11/01	2.64 CFS
			2.64 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SESW Sec. 20 Twp 03N Rge 18E 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 32	38.0			40.0				2.0					30.4				110.4
03N 18E 33									24.0								24.0

Total Acres: 134.4

CONDITIONS OF APPROVAL

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

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

Dated this 27th day of May, 2005


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20421
As Modified by Transfer No. 69269

In accordance with the approval of Transfer No. 69269, Water Right No. 37-20421 is now described as follows.

Right Holder: RIVERVIEW CLOVERLY IRRIGATION INC
 C/O JAMES P SPECK
 120 EAST AVE
 KETCHUM ID 83340

Priority Date: May 04, 1889

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	1.32 CFS
			1.32 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NWNWNE Sec. 32 Twp 03N Rge 18E BLAINE County

BIG WOOD RIVER SENW Sec. 32 Twp 03N Rge 18E 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	32	.9		29.6		.9			18.9	21.2			.7	2.6	35.8	.9		111.5

Total Acres: 111.5

WATER RIGHT NO. 37-20421
As Modified by Transfer No. 69269

CONDITIONS OF APPROVAL

1. Rights 37-20417, 37-20421, and 37-20425 when combined shall not exceed the irrigation of 61.7 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 37-20417, 37-20421, 37-20425, 37-20842, 37-21239, and 37-21241 shall not exceed 4.79 cfs for the irrigation of 81.6 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. This right does not grant any right-of-way or easement across the land of another.
7. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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

Dated this 27th day of May, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21241
As Modified by Transfer No. 69269

In accordance with the approval of Transfer No. 69269, Water Right No. 37-21241 is now described as follows.

Right Holder: RIVERVIEW CLOVERLY IRRIGATION INC
C/O JAMES P SPECK
120 EAST AVE
KETCHUM ID 83340

Priority Date: May 21, 1890

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	10/31	0.34 CFS
			0.34 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NWNWNE Sec. 32 Twp 03N Rge 18E BLAINE County

BIG WOOD RIVER SENW Sec. 32 Twp 03N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	18E	32		.9	29.6		.9		18.9	21.2			.7		2.6	35.8	.9		111.5

Total Acres: 111.5

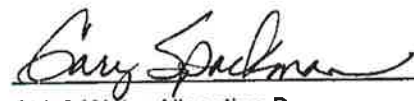
WATER RIGHT NO. 37-21241
As Modified by Transfer No. 69269

CONDITIONS OF APPROVAL

1. Rights 37-20842, 37-21239, and 37-21241 when combined shall not exceed the irrigation of 19.9 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 37-20417, 37-20421, 37-20425, 37-20842, 37-21239, and 37-21241 shall not exceed 4.79 cfs for the irrigation of 81.6 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. This right does not grant any right-of-way or easement across the land of another.
7. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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

Dated this 27th day of May, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20424
As Modified by Transfer No. 69269

In accordance with the approval of Transfer No. 69269, Water Right No. 37-20424 is now described as follows.

Right Holder: HARRY S RINKER
 PO BOX 7250
 NEWPORT BEACH CA 92658-7250

Priority Date: May 21, 1890

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 11/01	2.25 CFS
			2.25 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SESW Sec. 20 Twp 03N Rge 18E 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 32	38.0			40.0				2.0					30.4				110.4
03N 18E 33									24.0								24.0

Total Acres: 134.4

CONDITIONS OF APPROVAL

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

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

Dated this 27th day of May, 2005


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20425
As Modified by Transfer No. 69269

In accordance with the approval of Transfer No. 69269, Water Right No. 37-20425 is now described as follows.

Right Holder: RIVERVIEW CLOVERLY IRRIGATION INC
 C/O JAMES P SPECK
 120 EAST AVE
 KETCHUM ID 83340

Priority Date: May 21, 1890

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	10/31	1.02 CFS
			1.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NWNWNE Sec. 32 Twp 03N Rge 18E BLAINE County

BIG WOOD RIVER SENW Sec. 32 Twp 03N Rge 18E 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	32		.9	29.6		.9		18.9	21.2			.7		2.6	35.8	.9		111.5

Total Acres: 111.5

WATER RIGHT NO. 37-20425
As Modified by Transfer No. 69269

CONDITIONS OF APPROVAL

1. Rights 37-20417, 37-20421, and 37-20425 when combined shall not exceed the irrigation of 61.7 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 37-20417, 37-20421, 37-20425, 37-20842, 37-21239, and 37-21241 shall not exceed 4.79 cfs for the irrigation of 81.6 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. This right does not grant any right-of-way or easement across the land of another.
7. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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

Dated this 27th day of May, 2005


Chief, Water Allocation Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

October 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Jim Speck
Speck & Aanestad
120 East Avenue
P.O. Box 987
Ketchum, ID 83340

Dear Mr. Speck:

Pursuant to your request, I have enclosed copies of the original Snake River Basin Adjudication claims A37-00521C, A37-00522B, and A37-00523B filed by John S. Chapman. As we discussed, these are the claims filed by Mr. Chapman prior to the sale of part of his ranch to Harry Rinker. Examination of the claim files revealed that no maps were included with the claims when they were originally filed.

You also inquired if our office had record of the 1965 Chapman vs. Valentine et al. Decree (case # 2848). I examined our records and was able to find a copy of this particular decree, which I have enclosed per your request. Examination of our records also revealed a 1963 stipulation agreement between Ms. Chapman, the Valentines, and the Rices. This particular stipulation appears to describe where the water described in the 1965 decree was being used. I have also enclosed a copy of this stipulation for your reference.

If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Corey Skinner'.

Corey Skinner, EIT
Dam Safety Section



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

July 17, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Jim Speck
Speck & Aanestad
120 East Avenue
P.O. Box 987
Ketchum, ID 83340

Dear Mr. Speck:

Pursuant to your recent inquiry, I have enclosed information relating to the portions of decreed water rights 37-00521, 37-00522, and 37-00523 that are appurtenant to Lot 2 of Chapman's East Cloverly Ranch located just north of Hailey. John Chapman originally filed Snake River Basin Adjudication claims based on portions of these decreed rights for his entire ranch. A few years ago, Mr. Chapman sold the majority of his ranch to Harry Rinker. Mr. Chapman retained two pieces of the original ranch, one of which consisted of Lot 2 of Chapman's East Cloverly ranch. Due to the Chapman to Rinker conveyance, the Snake River Basin Adjudication claims appurtenant to the original ranch have been split by ownership.

I have enclosed copies of the following information for your reference:

SRBA claims A37-00521C, A37-00522B, and A37-00523B

These are the original Snake River Basin Adjudication Claims filed by John Chapman in 1988 for the entire Chapman ranch. Note that these claims have been split due to the Chapman to Rinker conveyance.

Warranty Deed with Correction

This is the warranty deed where Mr. Chapman conveyed the parts of the Ranch and water rights to Mr. Rinker. These documents discuss how the water rights are to be divided between Mr. Chapman and Mr. Rinker.

Change of Ownership Analysis

This is a document prepared by Kelly Christensen, an Adjudication Agent in our office, that details the splitting of the SRBA claims between Mr. Chapman and Mr. Rinker.

Chapman Ownership Acres Map

This is a map that shows the property that Mr. Chapman retained. The number of acres in each parcel, and the number of acres per Section quarter-quarter are indicated.

SRBA claims A37-00521L, A37-00522J, and A3700523G

These are Mr. Chapman's Snake River Basin Adjudication claims resulting from the split(s) with Mr. Rinker.

Split Trees for 37-00521, 37-00522, and 37-00523

These split trees reflect the various splits of the original water right decrees by approved transfer applications. These split trees also show the Snake River Basin Adjudication claims that have been filed on portions of these decreed rights. Note that these rights have been overclaimed in the SRBA.

Chapman/Rinker Claim & Transfer Application Review

This is a narrative that describes the history of rights appurtenant to the original Chapman Ranch. Maps showing the places of use for parts of 37-00521, 37-00522, and 37-00523 have been included.

Communication Documentation

This is a memo documenting an April 2, 1996 conversation regarding the water use on the Rinker portion of the original Chapman ranch. Note that the Osborn Ditch was filled in and abandoned in the early 1990's on the property just north (upstream) of Lot 2 of Chapman's East Cloverly Ranch.

July 17, 1998
PAGE 3

Hopefully, these documents will provide you with the information you need regarding the portions of rights 37-00521, 37-00522, and 37-00523 that are appurtenant to Lot 2 of Chapman's East Cloverly Ranch. It appears that there are issues regarding the overclaiming of these rights in the Snake River Basin Adjudication. In addition, it appears that the Hiawatha Canal is the only way that these water rights can be delivered to the property. I am not sure of how much water Mr. Chapman has been diverting through the Hiawatha Canal, but this amount, if any, could be a factor that ultimately determines the extent of the validity of the claims for the property.

If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Corey Skinner".

Corey Skinner, EIT
Dam Safety Section

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

August 8, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Tom Miller
P.O. Box 1617
Boise, ID 83701

Dear Mr. Miller:

Pursuant to your recent inquiry, I have enclosed copies of profile reports of Snake River Basin Adjudication Claims in John Chapman's name. These claims are appurtenant to the property that Mr. Chapman retained when he sold the majority of the Cloverly Ranch to Harry Rinker. Please find enclosed profile reports of the following Snake River Basin Adjudication Claims:

A37-00521L	A37-00522J	A37-00523G
A37-00833S	A37-00899A	A37-02507B
A37-02640B	A37-04106	A37-11999
	A37-12001	

It should be noted that the enclosed profile reports are claims and may, or may not, ultimately be recommended to the court as they are claimed.

Some of the Snake River Basin Adjudication claims listed above are based on old decreed water rights. Available information regarding claims A37-00833S and A37-00899A indicates that the water rights that they are based on have not been used for many years. Idaho Code, 42-222, states that a water right is subject to forfeiture if it experiences five consecutive years of non use. For this reason, a preliminary recommendation has been made on these two claims, A37-00833S and A37-00899A, for disallowal based on forfeiture and abandonment of the water rights.

Claims A37-00521L, A37-00522J, and A37-00523G are based on water rights that have been overclaimed in the Snake River Basin Adjudication. For example, water right 37-00521 was originally decreed for 8.00 cfs, but six Snake River Basin Adjudication claims (including A37-00521L) totalling 8.34 cfs have been filed based on this same water right. Water right 37-00522 was originally decreed for 7.00 cfs, but six adjudication claims (including A37-00522J) totalling 7.80 cfs have been filed based on this particular water right. In addition, water right 37-00523 was decreed for 6.00 cfs, but five adjudication claims (including A37-00523G) totalling 7.00 cfs have been filed based on this same water right.

Note that adjudication claims A37-00521L, A37-00522J, and A37-00523G have a claimed point of diversion located within the SESW $\frac{1}{4}$ of Section 20 (T03N, R18E). This particular diversion corresponds to where the Purdum Slough diverts water from the Big Wood River. Also note that the claims also mention the Hiawatha Canal #22, Osborn #24, and Purdum #25 headgates as possible diversions.

There may be some question(s) regarding how water is delivered to Mr. Chapman's property. Note that the Purdum Ditch, served by the Purdum #25 headgate, delivers water to property west of Highway 75. In addition, the department has been notified by individuals involved with Lot 1, Block 1 of Chapman's East Cloverly Ranch that the Osborne Ditch was filled in and leveled at least 5 years ago. This would indicate that the Osborne Ditch is no longer capable of delivering water to property south of Lot 1, Block 1. For these reasons it appears that the only way Big Wood River water can reach Mr. Chapman's property east of Highway 75 is through the Hiawatha Canal. You may want to check with the watermaster to see how much water has been historically delivered to Mr. Chapman through the Hiawatha Canal. This may be the factor that determines the extent of the validity of the Snake River Basin Adjudication claims that are appurtenant to Lot 2, Block 1 of Chapman's East Cloverly Ranch.

Adjudication claims A37-02507B and A37-02640B are based on water rights that were created in the water right transfer process. Mr. Chapman retained some of the irrigation water rights out of the irrigation well he sold to Harry Rinker. Mr. Chapman then transferred these retained groundwater rights to a well and property west of Highway 75.

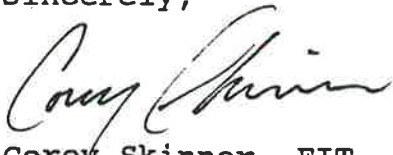
A couple of other claims, A37-11999 and A37-12001, have been filed for domestic use(s) out of wells located in Section 32, Township 3 North, Range 18 East (land located west of Highway 75). Note that claim A37-12001 claims domestic and stockwater uses for property located in Section 31. This property appears to be located in the Osborn Gulch area, west of the Big Wood River.

August 8, 1997
PAGE 3

In addition, profile reports of claim A37-04106 and water right permit 37-08409 have also been included. Claim A37-04106 is for irrigation use out of a spring located west of Highway 75. A field exam was recently completed by a department representative to determine the extent of development under water right permit 37-08409. Apparently, this permit was for water use out of a well for a nursery located east of Highway 75.

If you have any questions, or if I can be of any assistance, feel free to contact me at your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Corey Skinner".

Corey Skinner, EIT
Dam Safety Section

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 28, 1997

Pat Hanggi
Hanggi and Company
P.O. Box 291
Ketchum, ID 83340

Dear Mrs. Hanggi:

Pursuant to your recent inquiry, I have enclosed copies of Snake River Basin Adjudication Claims that are appurtenant to Lot 2, Block 1 of Chapman's East Cloverly Ranch (located in the south $\frac{1}{2}$ of Section 33, Township 03 North, Range 18 East). Please find enclosed proof reports of the following Snake River Basin Adjudication Claims:

A37-00521L

A37-00522J

A37-00523G

A37-00833S

A37-00899A.

Note that these claims were filed by John Chapman and list the irrigated place of use as property in Sections 32 and 33. The claimed irrigated acres in Section 33 (highlighted in pink) is what would be appurtenant to the property you were inquiring about (Lot 2, Block 1).

As we discussed during our telephone conversation, the Snake River Basin Adjudication claims listed above are all based on old decreed water rights. Available information regarding claims A37-00833S and A37-00899A indicates that the water rights that they are based on have not been used for many years. Idaho Code, 42-222, states that a water right is subject to forfeiture if it experiences five consecutive years of non use. For this reason, a preliminary recommendation has been made on these two claims, A37-00833S and A37-00899A, for disallowal based on forfeiture and abandonment of the water rights.

July 28, 1997
PAGE 2

The other three claims (A37-00521L, A37-00522J, and A37-00523G) are based on water rights that have been overclaimed in the Snake River Basin Adjudication. For example, water right 37-00521 was originally decreed for 8.00 cfs, but six Snake River Basin Adjudication claims (including A37-00521L) totalling 8.34 cfs have been filed based on this same water right. Water right 37-00522 was originally decreed for 7.00 cfs, but six adjudication claims (including A37-00522J) totalling 7.80 cfs have been filed based on this particular water right. In addition, water right 37-00523 was decreed for 6.00 cfs, but five adjudication claims (including A37-00523G) totalling 7.00 cfs have been filed based on this same water right.

Since you inquired about the ditch, or ditches, that deliver the water to the property, I included a copy of a map of the area that shows the locations of some of the headgates and ditches that deliver water from the Big Wood River. Note that adjudication claims A37-00521L, A37-00522J, and A37-00523G have a claimed point of diversion located within the SESW $\frac{1}{4}$ of Section 20 (T03N, R18E). This particular diversion corresponds to where the Purdum Slough diverts water from the Big Wood River. Also note that the claims also mention the Hiawatha Canal #22, Osborn #24, and Purdum #25 headgates as possible diversions.

There may be some question(s) regarding how water is delivered to the property you are inquiring about. Note that the Purdum Ditch, served by the Purdum #25 headgate, delivers water to property west of Highway 75. In addition, the department has been notified by individuals involved with Lot 1, Block 1 of Chapman's East Cloverly Ranch that the Osborne Ditch was filled in and leveled at least 5 years ago. This would indicate that the Osborne Ditch is no longer capable of delivering water to property south of Lot 1, Block 1. For these reasons it appears that the only way water can reach the property you are inquiring about is through the Hiawatha Canal. You may want to check with the watermaster to see how much water has been historically delivered to Mr. Chapman through the Hiawatha Canal. This may be the factor that determines the extent of the validity of the Snake River Basin Adjudication claims that are appurtenant to Lot 2, Block 1 of Chapman's East Cloverly Ranch.

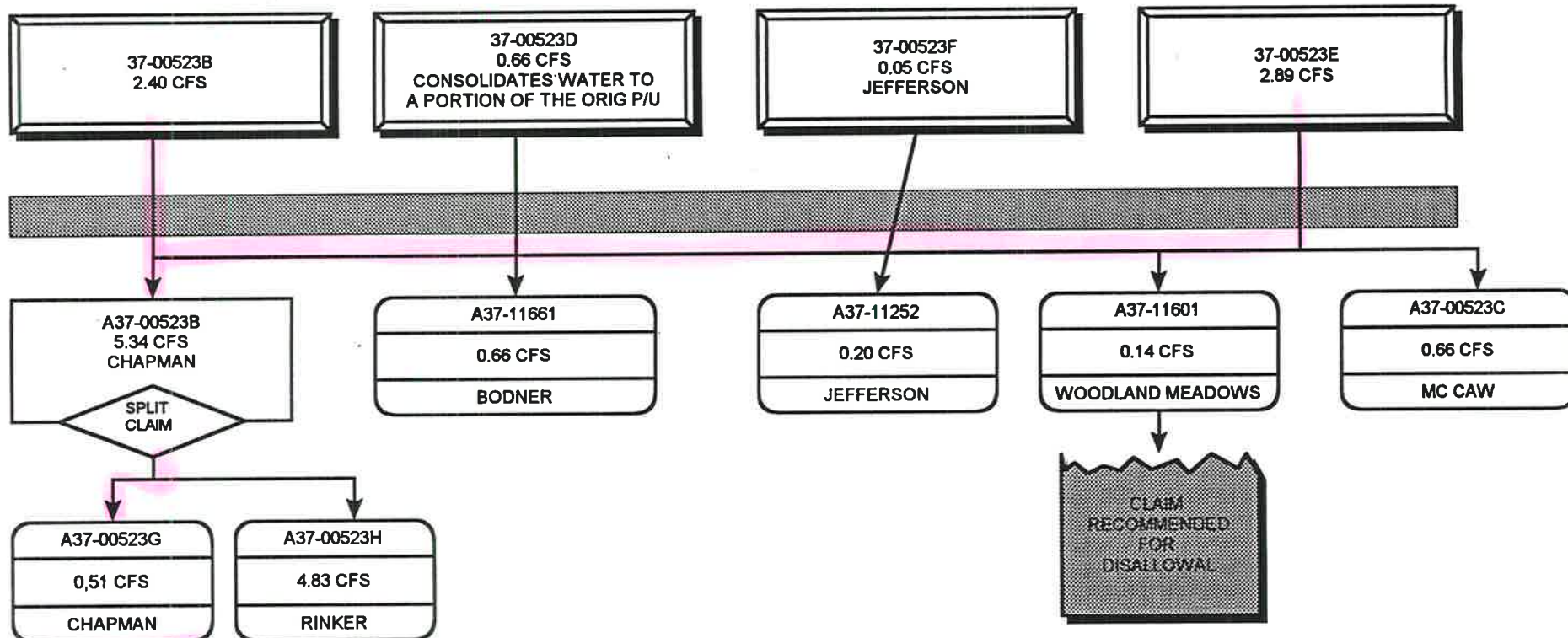
If you have any questions, or if I can be of any other assistance, feel free to contact me at your convenience.

Sincerely,



Corey Skinner, EIT
Dam Safety Section

Enclosures





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

April 5, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

CHANGE OF OWNERSHIP ANALYSIS FOR A37-00521C, A37-00522B, AND A37-00523B

Warranty deed 318773, dated April 20, 1990 and recorded April 23, 1990, states in EXHIBIT 1 in part;

"Together with all water rights appurtenant to the above described real property, specifically including, but not limited to 90.4% of the following itemized decreed surface water rights for irrigation from the Big Wood River and the ditch rights which are appurtenant to the property, to facilitate the delivery of the surface water through Headgate 22 and the Hiawatha Canal headgate 24 and the Osborn Ditch, and Headgate 25 and the Purdum Ditch:"

DECREED RIGHTS

<u>Priority</u>	<u>Purpose</u>	<u>SRBA Claim No.</u>
6/1/1886	Irrigation	37-00521C
5/4/1889	Irrigation	37-00522B
5/21/1890	Irrigation	37-00523B
11/12/1936	Irrigation	37-00833B
4/1/1940	Irrigation	37-00899

PROPORTIONATE SPLIT BASED UPON PERCENTAGE IDENTIFIED IN WARRANTY DEED

	A37-00521C	A37-005222B	A37-00523B	A37-00833B	A37-00899
RATE	5.46 cfs	4.46 cfs	5.34 cfs	1.66 cfs	1.264 cfs
PERCENT	<u>.096</u>	<u>.096</u>	<u>.096</u>	<u>.096</u>	<u>.096</u>

PROPORTIONATE SPLIT OF DIVERSION RATES

CLAIM #	A37-00521L	A37-005222J	A37-00523G	A37-00833S	A37-00899A
CHAPMAN	0.52 cfs	0.43 cfs	0.51 cfs	0.16 cfs	0.12 cfs
CLAIM #	A37-00521M	A37-005222K	A37-00523H	A37-00833T	A37-00899B
RINKER	4.94 cfs	4.03 cfs	4.83 cfs	1.50 cfs	1.144 cfs

The place of use was split with the claimed acres that are appurtenant to the property described as Lot 2 Block 1 of Chapman's Cloverly Ranch subdivision and Lot 2 Block 1 of Chapman's East

Cloverly Ranch subdivision listed for Mr Chapman and the balance of the claimed acres being listed for Mr Rinker.

A37-02507 was split into A37-02507A (owner = Rinker) and A37-02507B (owner = Cloverly Farms) based upon approved transfer 3902.

A37-02640 was split into A37-002640A (owner = Rinker) and A37-02640B (owner = Cloverly Farms) based on approved transfer 3901.

Prepared By KKC

April 8, 1996

File - ADJ:CHAPMAN-SPLIT-ANALYSIS.37

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A37-00521 C

RE: Rinker transfer of Chapman Waters

- 00522 B

- 00523 B

- 00833 B

- 00899 B

DATE 10-6-93

NAME OF PARTY

Dale & Mary Mizer

788-2903

(Watermaster of the Hiawatha)

Mary provided the following information.
She was concerned the proper paperwork be completed and correct.

She said the Chapman's had Hiawatha Canal water but didn't want to pay the maintenance assessment so they moved to the River itself. When Rinker took over he has moved some (or all?) back to the Hiawatha. She has told Mr. Rinker to do the correct paper work to complete this action. She also described this rights:

Osborne Ditch:

6-1-1886

203.79"

Purdum Ditch:

6-1-1886

20.79"

5-4-1889

183.51"

5-4-1889

18.08"

5-21-1889

156.39"

543.69"

5-21-1889

15.37"

54.24"

MICROFILMED

OCT 24 1994

1/23/1988

A CLAIMS RECEIVING CHECKLIST #1

C003081

CLAIMANT'S NAME

John S Chapman

CLAIM IDENT. NO.

A37-0523B

DATE RECEIVED

10/27/88

CK #

234

AMOUNT \$

765⁰⁰

YES

NO

Required Info?

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

Claim checked by:

Bruce A. Schold

Date:

4/4/89

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be sent a copy of amended claim for approval:

(Yes) ☒ (No) ☐

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

FEB 23 1989

Comments: