

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

79931

FEB 20 2015

MINIMUM REQUIREMENTS CHECKLIST

DEPT OF WATER RESOURCES
SOUTHERN REGION

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Wood River Properties Inc., Harry S. RinkerCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☒ ☐ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Wood River Properties Inc., Harry S. Rinker Phone (714) 979-8300

Mailing address P.O. Box 7250, Newport Beach, CA 92658 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Charles G. Brockway, P.E. Phone (208) 736-8543

Mailing address 2016 Washington St N, Ste 4, Twin Falls, ID 83301 Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

see next page
Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

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

☐ Change nature of use ☐ Change period of use ☒ Other Split water right
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

Place of use will not change, but irrigation portion of this right will be split off as a separate right, 1.4 acres and 0.0124 cfs being designated on Lot 1 of Gimlet Terrace and served by the well thereon.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant DEPT OF WATER RESOURCES Mountain River Properties Inc., Harry S. Rinker Phone (714) 979-8300
Mailing address P.O. Box 7250, Newport Beach, CA 92658 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
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I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Charles G. Brockway
Signature of Applicant or Authorized Representative

Charles E. Brockway
Print Name and Title if applicable

2/17/2015
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

.. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Split water right
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.
Place of use will not change, but irrigation portion of this right will be split off as a separate right, 1.4 acres and 0.0124 cfs being designated on Lot 1 of Gimlet Terrace and served by the well thereon.

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DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part ☐ ☒	37-7847A	0.0124	Irrigation	4/15 to 10/15	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.0124 cfs and/or 4.9 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.0124 cubic feet per second and/or 4.9 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			NW	NW	5	3N	18E	Blaine	Groundwater	Existing well - Lot 1

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	18E	5						2.1	0.2										2.3
Total Acres (for irrigation use)																			2.3*

* Limited to 1.4 acres within this place of use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	37-7847A	0.0124	Irrigation	4/15 to 10/15	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

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New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
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4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	18E	5						1.5	0.3										1.8

* Limited to 1.4 acres within this place of use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing well to sprinkler irrigation. Meter and control device can be accomodated by existing piping if necessary.

- b. Who owns the property at the point(s) of diversion? Edward Blair

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
No access to the property by applicant will be necessary.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
None

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

A portion of spring water right 37-2152 is also applicable to Lot 1.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

Total Acres (for irrigation use)	1.4
----------------------------------	-----

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1. Insert Part 2A reports into the application following Part 1.

☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per 1/4 tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	18E	5						1.2	0.2										1.4
																		</	

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-7847A

Current Owner: HARRY S RINKER
WOOD RIVER PROPERTIES INC

Priority Date: 8/14/1980

Origin: Water Right

Status: Active

Basis: License

Source

GROUND WATER
UNNAMED STREAM

Tributary

BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
FIRE PROTECTION STORAGE	1/01 to 12/31		15 AF
IRRIGATION	4/15 to 10/15	0.25 CFS	43.4 AF
DIVERSION TO STORAGE	4/15 to 10/15	0.11 CFS	
FIRE PROTECTION	1/01 to 12/31	0.33 CFS	
IRRIGATION STORAGE	1/01 to 12/31		15 AF
IRRIGATION FROM STORAGE	4/15 to 10/15		15 AF
DOMESTIC	1/01 to 12/31	0.04 CFS	0.6 AF
	<u>Total Diversion</u>	0.33 CFS	59 AF

Location of Point(s) of Diversion

GROUND WATER	L3(NE1/4NW1/4)	Sec. 5,	Twp 03N,	Rge 18E B.M.
BLAINE County				
UNNAMED STREAM	L3(NE1/4NW1/4)	Sec. 5,	Twp 03N,	Rge 18E B.M.
BLAINE County				

Place of Use

IRRIGATION Within BLAINE County

T03N R18E S5	Lot 3	NENW	5.40	T03N R18E S5	Lot 4	NWNW	6.50
T03N R18E S5		SWNW	0.50				

Total Acres: 12.4

FIRE PROTECTION Within BLAINE County

T03N R18E S5	Lot 3	NENW		T03N R18E S5	Lot 4	NWNW
T03N R18E S5		SWNW				

DOMESTIC Within BLAINE County

T03N R18E S5	Lot 3	NENW
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Place of Use: FIRE PROTECTION STORAGE same as IRRIGATION

Place of Use: DIVERSION TO STORAGE same as IRRIGATION

Place of Use: IRRIGATION STORAGE same as IRRIGATION

Place of Use: IRRIGATION FROM STORAGE same as IRRIGATION

Conditions of Approval:

1. Rights 37-07847 and 37-08275 when combined shall not exceed a storage capacity of 15.5 af.
Storage water shall not be diverted for fire protection use under this right except to fight or repel an existing fire, but in the case of an existing fire, water can be diverted from storage in a quantity as needed to extinguish the fire.
Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
The diversion to storage rate is for groundwater only. It is not necessary to describe a diversion to storage component for the surface water stored under this right.
Aesthetic storage is for a pond and includes the diversion of water from the pond for re-circulation through the aesthetic channel and back into the pond. Three points of diversion are located within NENW, S05, T03N, R18E. Points of diversion are located within Lot 6, Gimlet Terrace Subdivision. Places of use are located within Lots 1 & 5-8, Gimlet Terrace Subdivision. The impoundment of water from the unnamed stream under this right is to be administered as on-stream storage. When water is not available for storage under the priority of this right, flow from the reservoir must equal inflow to the reservoir minus the flow of water being recirculated from the reservoir into the unnamed stream for aesthetic purposes.
2. 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.
3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Licensed Date: 10/30/1998

Water Right Transfer 37-7847A Wood River Properties, Inc.

Brockway Engineering, PLLC
C. G. Brockway, Ph.D., P.E.

February 17, 2015

Overview

Water right 37-7847A is a groundwater irrigation right appurtenant to Gimlet Terrace Subdivision. As currently recorded, 37-7847A allows 12.4 acres of irrigation with a diversion rate from groundwater of 0.11 cfs. Uniquely and somewhat confusingly, this right has both groundwater and a spring as sources, but it is only the groundwater portion which is the subject of this transfer application. It is clear from the beneficial use exam that 0.11 cfs represented the diversion capacity of the wells, and therefore this component of the right is the groundwater diversion rate. This right also contains storage, fire flow, and domestic components, which are not the subject of the present transaction.

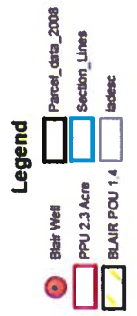
Transfer Description

The only purpose of the transfer is to split off the portion of the right that is appurtenant to Lot 1 and allow diversion of the right from the groundwater well on Lot 1. No change in place of use or other changes are proposed. The portion of the right appurtenant to Lot 1 is 1.4 acres for 37-7847A. The transfer of 37-7847A should be a straightforward split of groundwater for the 1.4 acres and the proportional flow rate of $1.4 / 12.5 \times 0.11 \text{ cfs} = 0.0124 \text{ cfs}$, making it appurtenant to the well on Lot 1.

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DEPT OF WATER RESOURCES
SOUTHERN REGION



TRANSFER 37-7847A
1.4 AC. POU WITHIN 2.3 AC. PPU
NAIP 2013 AERIAL PHOTO.



BROCKWAY ENGINEERING, PLLC.
ALR - Date: 4/21/2015

Path: F:\Projects\Linker-Olmsted Terrace\AerialView\Linker Transfer to Blair.mxd

TRANSFER 79931



0 120 240 Feet

TRANSFER 37-7847A
1.4 Acres POU/1.8 Ac. PPU
NAIP 2013 AERIAL PHOTO.

Legend

	Blair Well		Parcel data_2008
	Transfer_POU		Section_Lines
			Indesc

Order No. 0522137

QUITCLAIM DEED

Instrument # 529707

HAILEY, BLAINE, IDAHO

2005-12-06

03:46:00 No. of Pages: 1

Recorded for : SUN VALLEY TITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

mfp

For Value Received

Edward Blair Jr. and Frances deB. Blair, Husband and Wife

Do hereby convey, release, remise and forever quitclaim unto

EDWARD M. BLAIR AND FRANCES DE BRETTEVILLE BLAIR, HUSBAND AND WIFE

Whose current address is

636 West Willow Street, Chicago, IL 60614

The following described premises, to-wit:

Lot 1, Block 1 of GIMLET TERRACE SUBDIVISION, Blaine County, Idaho as shown on the official plat thereof, recorded October 30, 1987, as Instrument No. 289580, records of Blaine County, Idaho.

Together with their appurtenances.

[Signature of Edward M. Blair]

Edward M. Blair

[Signature of Frances de Bretteville Blair]

Frances de Bretteville Blair

State of: Illinois

County of: Cook

On this 1st day of December, 2005, before me, the undersigned, a Notary Public, in and for said State, personally appeared **EDWARD M. BLAIR AND FRANCES DE BRETTEVILLE BLAIR**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Rita Prapuolenis

Notary Public

Residing at: Plainfield, IL

Commission Expires: 11/30/08



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APR 14 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

TRANSFER 79931

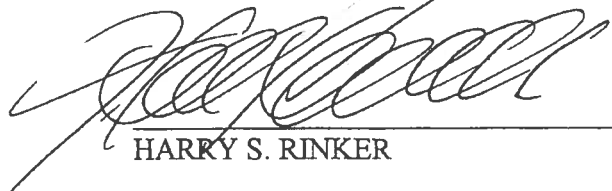
SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

THAT I, **HARRY S. RINKER**, do hereby make, constitute and appoint **CHARLES E. BROCKWAY and CHARLES G. BROCKWAY**, of 2016 N. Washington St., Suite 4, Twin Falls, ID 83301, jointly or severally, my true and lawful attorneys for me, in my name, place and stead, and on my behalf, with full power and authority to execute any and all documents on my behalf as fully and effectually to all intents and purposes as I could do in my own proper person, with full power of substitution, hereby ratifying and confirming all that my said attorney in fact shall lawfully do, or cause to be done, by virtue of the authority herein granted and necessary or useful to carry into effect any or all of the following acts, deeds and things:

1. To execute on my behalf notices of claim, motions, or other pleadings to be filed with the Idaho Department of Water Resources, including filings, in Case No. 39576 or any of its subcases, now pending in the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls, commonly referred to as the Snake River Basin Adjudication. My attorney shall also have the power to execute on my behalf any Application for appropriation of a water right, transfer of a water right or other similar documents affecting any water right which I now have an ownership interest in, or may hereafter acquire, or which water right is owned, in whole or in part, by a trust, corporation, limited liability company or other business entity of which I am a trustee, officer, member or owner.
2. This instrument is to be construed and interpreted as a special power of attorney, limited to the enumeration of the specific terms, items, acts, rights or powers herein granted. This power of attorney shall remain in effect until it is revoked by me in writing.
3. This power of attorney shall not be affected by my disability.

IN WITNESS WHEREOF, I have hereunto set my hand at Costa Mesa,
CALIF, this 6 day of October, 2009.


HARRY S. RINKER

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

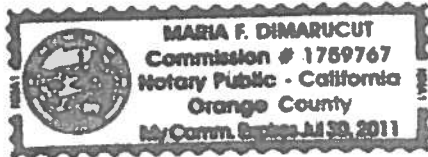
State of California

County of

Orange

On Oct 6, 2009 before me, Maria F Dimarucut
Date Here Insert Name and Title of the Officer

personally appeared Harry S. Rinker
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Special Power of Attorney

Document Date: 10/6/09 Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

No. C 49059	Due no later than Mar 31, 2015 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. WOOD RIVER PROPERTIES, INC. HARRY S RINKER BOX 7250 NEWPORT BEACH CA 92663 USA		BRIAN L BALLARD 877 W MAIN ST STE 1000 BOISE 83702			
			3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
PRESIDENT	HARRY S RINKER	PO BOX 7250	NEWPORT BEACH	CA	USA	92658-7250
5. Organized Under the Laws of: CA C 49059		6. Annual Report must be signed.* Signature: Harry S Rinker Name (type or print): Harry S Rinker Date: 01/27/2015 Title: President				
Processed 01/27/2015		* Electronically provided signatures are accepted as original signatures.				

Maline, Denise

From: Maline, Denise
Sent: Friday, May 01, 2015 4:16 PM
To: 'Kevin Lakey'
Subject: Comment letters for transfer 79931 & app. for permit 37-22940
Attachments: Transfer 79931.pdf; 37-22940.pdf; Comment Letter to WM37 for 37-22940 & 79931.docx

Hi Kevin,

Attached is a cover letter, recommendation forms and copy of application for transfer 79931, and application for permit 37-22940. Please review the information and provide any necessary comments within 21 days. Feel free to contact our office if you have any questions.

Thank you in advance,

Denise Maline
Idaho Dept of Water Resources
Administrative Assistant, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 1, 2015

KEVIN LAKEY
WATER DISTRICT #37
107 W 1ST
SHOSHONE, ID 83352

Via E-mail

RE: Transfer No.: 79931
Water Right No(s): 37-7847A

RE: Application for Permit No.: 37-22940

Dear Kevin:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 30, 2015

WOOD RIVER PROPERTIES INC
HARRY S RINKER
PO BOX 7250
NEWPORT BEACH, CA 92658-7250

RE: Transfer No. 79931
Water Right No(s). 37-7847A

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS** on **5/6/2015** and **5/13/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**May 26, 2015**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant

cc:

BROCKWAY ENGINEERING PLLC
C/O CHARLES G BROCKWAY
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

Maline, Denise

From: Maline, Denise
Sent: Thursday, April 30, 2015 11:09 AM
To: Idaho Mountain Express
Subject: Legal Notice
Attachments: Idaho Mtn Express Cover Letter.docx; Idaho Mtn Express Ad.doc

Attached please find (1) legal notice being submitted for publication on May 6th & 13th, 2015. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 30, 2015

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340

RE: Application For Permit No.(s): 37-22940

RE: Transfer No. 79931
Water Right No(s): 37-7847A

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before May 26th, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-22940

SWIFTSURE RANCH THERAPEUTIC EQUESTRIAN CENTER INC

114 CALYPSO LN

BELLEVUE, ID 83313

Point of Diversion SESENW S12 T01N R18E BLAINE County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.06 CFS

Date Filed: 4/13/2015

Place Of Use: STOCKWATER

T01N R18E S12 SENW NWSE

Place Of Use: DOMESTIC

T01N R18E S12 SENW NESW

Application for permit proposes diverting 0.04 cfs for domestic use and 0.02 cfs for stockwater use, for a total diversion of 0.06 cfs of ground water from an existing well located approximately 2.2 miles south and 0.2 miles east of the intersection of Broadford Rd and Hwy 75 in Bellevue.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79931

WOOD RIVER PROPERTIES INC, HARRY S RINKER, PO BOX 7250, NEWPORT BEACH, CA 92658-7250; has filed Application No. 79931 for changes to the following water rights within BLAINE County(s): Right No(s). 37-7847A. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes splitting off a portion of a ground water irrigation right and creating a new 2.3 acre permissible place of use located approximately 3.5 mi. south and 0.8 mi. east of the city of Ketchum. An existing well and sprinkler system will divert up to 0.0124 cfs and 4.9 AF for the irrigation of 1.4 acres in Lot 1 of the Gimlet Terrace Subdivision.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before May 26, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on May 6th & 13th, 2015

Reeder, Jana

From: charles.g.brockway@brockwayeng.com
Sent: Wednesday, April 22, 2015 9:26 AM
To: Skinner, Corey
Cc: Reeder, Jana
Subject: Re: Rinker App Part 2

This looks good to me.

Chuck

Sent from my android device.

-----Original Message-----

From: "Skinner, Corey" <Corey.Skinner@idwr.idaho.gov>
To: "charles.g.brockway@brockwayeng.com" <charles.g.brockway@brockwayeng.com>
Cc: "Reeder, Jana" <Jana.Reeder@idwr.idaho.gov>
Sent: Tue, 21 Apr 2015 4:51 PM
Subject: Rinker App Part 2

Chuck,

As we discussed, it will make more sense if you can transfer the acres from the south part of the place of use. In particular dry up everything in the SWNW so that the remainder will be in the northern tracts for lots 5 – 8. I went ahead and drafted a "part 2" for your review/use. If it looks OK, you can send it to Jana and ask that the current "Part 2" be replaced.

Let us know if you have any questions.

Thanks,

Corey

Reeder, Jana

From: Charles G. Brockway [charles.g.brockway@brockwayeng.com]
Sent: Tuesday, April 21, 2015 1:13 PM
To: Reeder, Jana
Cc: 'Jim Speck'; 'Harry Rinker'
Subject: FW: Rinker-Blair
Attachments: Rinker Transfer to Blair 4-21-15.jpg

Jana,

Minor change on the Rinker-Blair map. Mr. Blair wishes to have the 1.4 acres shown in the south area of the PPU. Could you let me know the dates this is scheduled for advertisement?

Thank you,
Chuck

Charles G. Brockway, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington St. North, Suite 4
Twin Falls, ID 83301
(208) 736-8543
charles.g.brockway@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Amy Runser [<mailto:amy.runser@brockwayeng.com>]
Sent: Tuesday, April 21, 2015 9:15 AM
To: 'Charles G. Brockway'
Subject: RE: Rinker-Blair

Here it is.

From: Charles G. Brockway [<mailto:charles.g.brockway@brockwayeng.com>]
Sent: Monday, April 20, 2015 5:04 PM
To: 'Amy Runser'
Subject: Rinker-Blair

Amy,

When you get the Rinker-Blair transfer map modified, can you email it to me so I can review and send to Jana at IDWR with a note?

Thanks,
Chuck

Charles G. Brockway, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington St. North, Suite 4
Twin Falls, ID 83301
(208) 736-8543
charles.g.brockway@brockwayeng.com

Reeder, Jana

From: Charles G. Brockway [charles.g.brockway@brockwayeng.com]
Sent: Wednesday, April 15, 2015 8:15 AM
To: Reeder, Jana
Cc: 'Harry Rinker'; 'Jim Speck'
Subject: Rinker-Blair transfer map
Attachments: Rinker Transfer to Blair 4-14-15.jpg

Hi Jana,

Attached is the revision to the map that you requested showing a specific 1.4 acres. We will stick with the PPU structure. Please confirm that with this map and the information you received yesterday from Jim Speck on behalf of Mr. Blair, that you have all you need to advertise this application. If you need anything further, please let me know today.

Thanks,
Chuck

Charles G. Brockway, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington St. North, Suite 4
Twin Falls, ID 83301
(208) 736-8543
charles.g.brockway@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

Reeder, Jana

From: Jim Speck [jim@speckandaanestad.com]
Sent: Tuesday, April 14, 2015 4:42 PM
To: Reeder, Jana
Cc: Blair, Jr., Ed; 'Dr. Charles G. Brockway'
Subject: Re: Application to Transfer POD for Portion of 37-7847
Attachments: 529707 qcd.pdf

Jana,

I represent Ed Blair and his wife, Frances de Bretteville Blair, who are the owners of Lot 1, Block 1. Gimlet Terrace Subdivision. Attached is a copy of the last deed of record to this property confirming this ownership.

A portion of Water Right 37-7847 is decreed to irrigate 1.4A of this Lot and has been and continues to be used for that purpose. Harry Rinker and Wood River Properties, Inc., the owners of the right, have agreed to convey that portion of the right to my clients subject to IDWR approval of changing the point of diversion for the conveyed portion to my clients' well on Lot 1.

They have reviewed and approved the transfer application filed by Harry Rinker for just that purpose.

Please confirm you will now complete the processing of this transfer application.
Thank you.

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue North
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckandaanestad.com

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 8, 2015

Brockway Engineering
2016 N. Washington St.
Suite 4
Twin Falls, ID 83301

Dear Chuck:

A recent review of pending water right applications in our office revealed that you have an unresolved pending transfer application, # 79931, filed with our Department. The application was submitted by Brockway Engineering on February 20, 2015 and seeks to change a point of diversion of water right 37-7847A and split off 2.3 acres of irrigation.

As submitted the application is incomplete. Authorization and proof of ownership are still needed. For applications that propose changing the place of use of a water right, the applicant not only needs to show that they own the right involved with the transfer &/or the land to which it is appurtenant, but they must also show that they own the land where they are proposing to move the water right to. If the land is owned by a party other than the applicant, then the applicant must have some sort of documentation from the current owner of the land allowing the applicant to move the water right(s) to their land. In addition, documentation must be included that addresses the ownership of the right(s) on the land. The documentation must clearly address the issue of whether the applicant will retain ownership of the right(s) on someone else's land, or whether the land owner will own the right(s) once the transfer is approved. There is no documentation included with the application showing ownership of the proposed permissible place of use. Examination of Blaine County tax lot data available to the Department appears to indicate that the proposed 2.3 acre permissible place of use is owned by Edward M. Blair and not owned by Harry Rinker or Wood River Properties Inc.

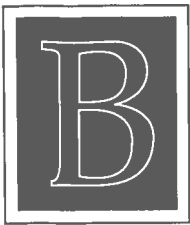
In addition a "206 map" showing where the 1.4 acres of irrigation will occur within the new permissible place of use is also required.

The Department will hold processing of this application for 30 days to allow for the submittal of the information necessary to process transfer application #79931. After that time, if adequate information is not received the Department will return the application along with the \$200.00 filing fee.

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

Sincerely,

Jana Reeder
Sr. Water Resource Agent
IDWR



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAR 13 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

March 9, 2015

Mr. Allen Merritt
Idaho Department of Water Resources
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858

Re: Application for Transfer – 37-7847A

Dear Allen:

This letter concerns the above-referenced application which was submitted to the Department on February 17, 2015. The permissible place of use on Lot 1 needs to be modified to encompass 2.3 acres as shown on the attached map and revised Part 1.B. of the application. The allowed irrigation within the place of use remains unchanged at 1.4 acres. These sheets should substitute for those submitted earlier.

Since this transfer application proposes a change which is inconsequential and represents only a split of an existing right and no change in place of use, I would request that the Department process the application without advertisement.

Cordially,

Charles G. Brockway, P.E.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

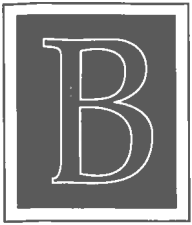
Enc. Revised map and Part 1.B.
cc: H. Rinker
E. Robertson
J. Speck

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

FEB 20 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

February 17, 2015

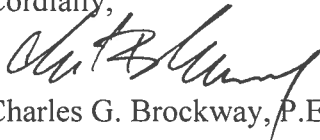
Mr. Allen Merritt
Idaho Department of Water Resources
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858

Re: Application for Transfer – 37-7847A

Dear Allen:

Enclosed please find an application for transfer to split groundwater right 37-7847A and allow diversion of the split portion from a well not currently recorded on the right. No other changes to the water right are proposed. The application fee of \$200 is also enclosed. If you have any questions or need further information, please do not hesitate to contact me.

Cordially,



Charles G. Brockway, P.E.

cc: Harry Rinker
Evan Robertson
Jim Speck

CHARLES E.
BROCKWAY,
Ph.D., P.E.

CHARLES G.
BROCKWAY,
Ph.D., P.E.

2016 NORTH
WASHINGTON
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