

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78261
78096

AUG 20 2012

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

WATER RESOURCES
WESTERN REGION

Name of Applicant(s) MEADOW CREEK RESORT ASSOC Phone 208-347-2260

Mailing address P.O. Box M NEW MEADOWS, ID, 83654 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 RODNEY H. MOORE Phone 208-466-8626, C 880-0

Mailing address 1118 HEATHORN PL. NAMPA, ID, 83686 Email rmoore37@czbleone

☒ 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.

Rodney H. Moore

Signature of Applicant or Authorized Representative

RODNEY H. MOORE, CONSULTANT

Print Name and Title if applicable

8-20-2012

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other OWNERSHIP CHANGE
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**. SEE NARRATIVE ATTACHMENT AT END OF APPLICATION

AMENDED

R. Moore
8/22/12

SUPPORT DATA

IN FILE # 78-142B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION 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.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	78-142B	.52	IRRIGATION	4-1 to 7-1	LITTLE SALMON RIVER
☐ ☒	78-142E ✓	.52	"	4-1 to 7-1	TRIB TO " " "
☒ ☐	78-143B	.33	"	7-2 to 10-31	" " " "
☐ ☒	78-143D ✓	.32	"	7-2 to 10-31	" " " "
☒ ☐	78-144B	.64	"	4-1 to 7-31	" " " "
☐ ☐	-	.40	"	7-2 to 10-31	" " " "
☒ ☐	78-7238	.80	"	5-1 to 11-1	UN NAMED STREAM
☐ ☐				to	SEE PAGE 3
☐ ☐		4.31		to	

Total authorized under rights ~~4.62~~ cfs and/or 4.31 ac-ft ~~SHOWS APPLICANTS PORTION OF RIG~~2. Total amount of water proposed to be transferred or changed 4.62 cubic feet per second and/or _____ acre-feet per annum.

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	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
No			SE	SW	1	19N	1E	ADAMS	LITTLE SALMON RIVER	

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

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

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	1E	2								1				1			8		9
		11	16	10	2	13									10	8	1	3	63
		12						5	5										10

Total Acres (for irrigation use) 82

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.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☐ ☒	78-12157 ✓	.60	IRRIGATION	4-1 to 10-31	LITTLE SALMON RIVER
☒ ☐	78-12309	.28 }	" }	4-1 to 7-1	" " "
☐ ☐	"	.47 }	" }	7-2 to 10-31	" " "
☒ ☒	78-12357 ✓	.42 .11	"	4-1 to 10-31	" " "
☐ ☒	78-12359 ✓	.11	"	4-1 to 10-31	UN NAMED STREAM
☐ ☐				to	AKA LEWIS CREEK, TR
☐ ☐				to	LITTLE SALMON RIVER
☐ ☐				to	
☐ ☐				to	

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: WATER IS PUMPED FROM LITTLE SALMON RIVER TO ADJOINING POND, FROM THE POND TO A GOLF COURSE SPRINKLER SYSTEM OWNED BY APPLICANT, MEADOW CREEK RESORT ASSOC.

- b. Who owns the property at the point(s) of diversion? THIS SYSTEM HAS EXISTED SINCE 1982.
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
MEADOW CREEK PROPERTY OWNERS ASSOC. SEE WARRANTY DEED MCRA TO MCPOA RE: INGRESS & EGRESS TO POND PUMP STATIONS. SEE PAGE 20 SEE ATTACHMENT 2

- 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: NO LIENS

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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
THERE WILL BE NO CHANGE ON THE LAND IRRIGATED, IT IS ALL OWNED BY MCRA, IS A GOLF COURSE IRRIGATED BY THESE WATER RIGHTS SEE NARRATIVE
- e. 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:
THE CHANGES IN POINT OF DIVERSION WILL CONSOLIDATE ALL WATER RIGHTS TO BE USED TO IRRIGATE THE GOLF COURSE.

NO OTHER RIGHTS INVOLVED OTHER THAN THOSE IN APPLICATION

- f. 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:

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

See pg 5-18

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 @ <http://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 @ <http://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.

Right Number:

78-142 E

Irrigation

4/11

7/1

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

* this is 1st of $\mathcal{S}$ splits

Total Acres (for irrigation use)

30

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

Current Water Right No.: 78-142B

Current Owner: MEADOWCREEK RESORT ASSOCIATION INC
Priority Date: 5/15/1906
Origin: Water Right
Status: Active
Basis: Decreed

Source

LITTLE SALMON RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 07/01

Diversion Rate

0.52 CFS

Annual Volume

Total Diversion

0.52 CFS

Location of Point(s) of Diversion

LITTLE SALMON RIVER

SE1/4SW1/4

Sec. 1, Twp 19N, Rge 01E B.M.

ADAMS County

Place of Use

IRRIGATION Within ADAMS County

T19N R01E S2	SESW	1.00	T19N R01E S2	SWSE	8.00
T19N R01E S11	NENE	16.00	T19N R01E S11	NWNE	10.00
T19N R01E S11	SWNE	2.00	T19N R01E S11	SENE	13.00
T19N R01E S11	NESE	10.00	T19N R01E S11	NWSE	8.00
T19N R01E S11	SWSE	1.00	T19N R01E S11	SESE	3.00

Total Acres: 72

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 72 acres in a single irrigation season.
Combined Right Nos.: 78-142B, 78-143B, 78-144B, 78-7238 and 78-12309
2. Right Nos. 78-142B and 78-143B are limited to the irrigation of 34 acres within the place of use described above in a single irrigation season.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 6/29/2009

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

Current Water Right No.: 78-142E

Current Owner: MEADOWCREEK PROPERTY OWNERS ASSN
Priority Date: 5/15/1906
Origin: Water Right
Status: Active
Basis: Decreed

Source

LITTLE SALMON RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 07/01

Diversion Rate

0.69 CFS

Annual Volume

Total Diversion

0.69 CFS

Location of Point(s) of Diversion

LITTLE SALMON RIVER

ADAMS County

NW1/4NE1/4

Sec. 23, Twp 19N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADAMS County

T19N R01E S12

NWSW

40.00

Total Acres: 40

Conditions of Approval:

1. Right Nos. 78-142D, 78-143E and 78-12157 are limited to the irrigation of a combined total of 40 acres in a single irrigation season.
2. F01 Water is delivered through the West Side Ditch.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. This right is renumbered from former right 78-142A.

Decreed Date: 6/11/2009

See Pg. 5 for split portion of this right

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

Current Water Right No.: 78-143B

Current Owner: MEADOWCREEK RESORT ASSOCIATION INC
Priority Date: 5/15/1906
Origin: Water Right
Status: Active
Basis: Decreed

Source

LITTLE SALMON RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

07/02 to 10/31

Diversion Rate

0.33 CFS

Annual Volume

Total Diversion

0.33 CFS

Location of Point(s) of Diversion

LITTLE SALMON RIVER

SE1/4SW1/4

Sec. 1, Twp 19N, Rge 01E B.M.

ADAMS County

Place of Use

IRRIGATION Within ADAMS County

T19N R01E S2	SESW	1.00	T19N R01E S2	SWSE	8.00
T19N R01E S11	NENE	16.00	T19N R01E S11	NWNE	10.00
T19N R01E S11	SWNE	2.00	T19N R01E S11	SENE	13.00
T19N R01E S11	NESE	10.00	T19N R01E S11	NWSE	8.00
T19N R01E S11	SWSE	1.00	T19N R01E S11	SESE	3.00

Total Acres: 72

Conditions of Approval:

1. Right Nos. 78-142B and 78-143B are limited to the irrigation of 34 acres within the place of use described above in a single irrigation season.
2. E56 The rights listed below are limited to the irrigation of a combined total of 72 acres in a single irrigation season.
Combined Right Nos.: 78-142B, 78-143B, 78-144B, 78-7238 and 78-12309
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 6/29/2009

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

Current Water Right No.: 78-143D

Current Owner: MEADOWCREEK PROPERTY OWNERS ASSN
Priority Date: 5/15/1906
Origin: Water Right
Status: Active
Basis: Decreed

Source

LITTLE SALMON RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

07/02 to 10/31

Diversion Rate

0.43 CFS

Annual Volume

Total Diversion

0.43 CFS

Location of Point(s) of Diversion

LITTLE SALMON RIVER

ADAMS County

NW1/4NE1/4

Sec. 23, Twp 19N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADAMS County

T19N R01E S12

NWSW

40.00

Total Acres: 40

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. This right is renumbered from former right 78-143A, which was claimed as part of 78-142A.
3. Right Nos. 78-142D, 78-143E and 78-12157 are limited to the irrigation of a combined total of 40 acres in a single irrigation season.
4. F01 Water is delivered through the West Side Ditch.

Decreed Date: 6/11/2009

Sp/15, next pg.

Total Acres (for irrigation use) 30

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

Current Water Right No.: 78-144B

Current Owner: MEADOWCREEK RESORT ASSOCIATION INC
Priority Date: 6/15/1920
Origin: Water Right
Status: Active
Basis: Decreed

Source

LITTLE SALMON RIVER

Tributary

SALMON RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 07/01	0.64 CFS	
IRRIGATION	07/02 to 10/31	0.4 CFS	
	<u>Total Diversion</u>	0.64 CFS	

Location of Point(s) of Diversion

LITTLE SALMON RIVER SE1/4SW1/4 Sec. 1, Twp 19N, Rge 01E B.M.
ADAMS County

Place of Use

IRRIGATION Within ADAMS County

T19N R01E S2	SESW	1.00	T19N R01E S2	SWSE	8.00
T19N R01E S11	NENE	16.00	T19N R01E S11	NWNE	10.00
T19N R01E S11	SWNE	2.00	T19N R01E S11	SENE	13.00
T19N R01E S11	NESE	10.00	T19N R01E S11	NWSE	8.00
T19N R01E S11	SWSE	1.00	T19N R01E S11	SESE	3.00

Total Acres: 72

Conditions of Approval:

1. K06 This right is limited to the irrigation of 26 acres within the place of use described above in a single irrigation season.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. E56 The rights listed below are limited to the irrigation of a combined total of 72 acres in a single irrigation season.
Combined Right Nos.: 78-142B, 78-143B, 78-144B, 78-7238 and 78-12309

Decreed Date: 6/29/2009

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

Current Water Right No.: 78-7238

Current Owner: MEADOWCREEK RESORT ASSOCIATION INC
Priority Date: 3/25/1983
Origin: Water Right
Status: Active
Basis: Decreed

Source

UNNAMED STREAM

Tributary

LITTLE SALMON RIVER

Beneficial Use

IRRIGATION

From To

05/01 to 11/01

Total Diversion

Diversion Rate

0.8 CFS

0.8 CFS

Annual Volume

120 AF

120 AF

Location of Point(s) of Diversion

UNNAMED STREAM

ADAMS County

NW1/4NE1/4

Sec. 11, Twp 19N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADAMS County

T19N R01E S11	NENE	16.00	T19N R01E S11	SWNE	4.00
T19N R01E S11	SENE	13.00	T19N R01E S11	NESE	7.00

Total Acres: 40

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 72 acres in a single irrigation season.
Combined Right Nos.: 78-142B, 78-143B, 78-144B, 78-7238 and 78-12309
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. S38 The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as November 1, provided other elements of the right are not exceeded. The use of water before May 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Decreed Date: 6/29/2009

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

Current Water Right No.: 78-12157

Current Owner: MEADOWCREEK PROPERTY OWNERS ASSN
Priority Date: 4/1/1931
Origin: Water Right
Status: Active
Basis: Decreed

Source

LITTLE SALMON RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

4/1 to 10/31

Diversion Rate

0.8 CFS

Annual Volume

Total Diversion

0.8 CFS

Location of Point(s) of Diversion

LITTLE SALMON RIVER

ADAMS County

NW1/4NE1/4

Sec. 23, Twp 19N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADAMS County

T19N R01E S12

NWSW

40.00

Total Acres: 40

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Right Nos. 78-142D, 78-143E and 78-12157 are limited to the irrigation of a combined total of 40 acres in a single irrigation season.
3. F01 Water is delivered through the West Side Ditch.

Decreed Date: 6/11/2009

split, next ps.

Total Acres (for irrigation use) 30

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

Current Water Right No.: 78-12309

Current Owner: MEADOWCREEK RESORT ASSOCIATION INC

Priority Date: 4/1/1931

Origin: Water Right

Status: Active

Basis: Decreed

Source

LITTLE SALMON RIVER

Tributary

SALMON RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION 07/02 to 10/31

0.47 CFS

IRRIGATION 04/01 to 07/01

0.28 CFS

Total Diversion

0.47 CFS

Location of Point(s) of Diversion

LITTLE SALMON RIVER

SE1/4SW1/4

Sec. 1, Twp 19N, Rge 01E B.M.

ADAMS County

Place of Use

IRRIGATION Within ADAMS County

T19N R01E S2	SESW	1.00	T19N R01E S2	SWSE	8.00
T19N R01E S11	NENE	16.00	T19N R01E S11	NWNE	10.00
T19N R01E S11	SWNE	2.00	T19N R01E S11	SENE	13.00
T19N R01E S11	NESE	10.00	T19N R01E S11	NWSE	8.00
T19N R01E S11	SWSE	1.00	T19N R01E S11	SESE	3.00

Total Acres: 72

Conditions of Approval:

1. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. E56 The rights listed below are limited to the irrigation of a combined total of 72 acres in a single irrigation season.
Combined Right Nos.: 78-142B, 78-143B, 78-144B, 78-7238 and 78-12309

Decreed Date: 6/29/2009

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

Current Water Right No.: 78-12357

Current Owner: MC NEAL FAMILY PARTNERSHIP
Priority Date: 4/16/1919
Origin: Water Right
Status: Active
Basis: Decreed

Source

LITTLE SALMON RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.42 CFS

Annual Volume

Total Diversion

0.42 CFS

Location of Point(s) of Diversion

LITTLE SALMON RIVER

ADAMS County

NW1/4NE1/4

Sec. 23, Twp 19N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADAMS County

T19N R01E S12

NWNW

2.00

T19N R01E S12

SWNW

14.80

Total Acres: 16.8

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E55 Right Nos. 78-12357 and 78-12359 are limited to the irrigation of a combined total of 21.8 acres in a single irrigation season.
3. F01 Water is delivered through the West Side Ditch.
4. This right is a split from former right 78-2019C, which is a split from former right 78-2019.
5. E51 Right Nos. 78-12357 and 78-12359 are limited to a total combined diversion rate of 0.42 cfs.

Decreed Date: 6/11/2009

split, next pg.

Total Acres (for irrigation use) 4.2

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

Current Water Right No.: 78-12359

Current Owner: MC NEAL FAMILY PARTNERSHIP
Priority Date: 4/1/1927
Origin: Water Right
Status: Active
Basis: Decreed

Source

UNNAMED STREAM

Tributary

LITTLE SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.12 CFS

Annual Volume

Total Diversion

0.12 CFS

Location of Point(s) of Diversion

UNNAMED STREAM

ADAMS County

SW1/4NW1/4

Sec. 12, Twp 19N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADAMS County

T19N R01E S12

NWNW

3.10

T19N R01E S12

SWNW

2.90

Total Acres: 6

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E55 Right Nos. 78-12357 and 78-12359 are limited to the irrigation of a combined total of 21.8 acres in a single irrigation season.
3. B01 Source is also known as Lewis Creek.
4. E51 Right Nos. 78-12357 and 78-12359 are limited to a total combined diversion rate of 0.42 cfs.
5. This right is a split from former right 78-4282C, which is a split of former right 78-4282.

Decreed Date: 6/11/2009

split, next ps.

Total Acres (for irrigation use) 5.9

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ 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. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- N.A. ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- N.A. ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

FOR DEPARTMENT USE ONLY

Transfer contains 20 pages and 4 - 26 PAGES attachments. t 128

Received by SL Date 8/20/12 Prelim. Check by VLM Date 1-13-13

Fee Paid \$ 820 (APR) Date 8/20/12 Received by SL Receipt # W040498

Add'l Fee Paid 500 Date 8/20/12 Received by JA Receipt # W040499

(5 splits in APR) \$75

TRANSFER APPLICATION INCLUDING OWNERSHIP CHANGES FOR SOME RIGHTS IN THE APPLICATION

Applicant submitted draft transfer ideas & draft ownership changes for department comments. Based on that, applicant proposes the following.

Two groups of rights are involved. Both groups are proposed to be diverted from the same existing river diversion and delivered via same conveyance system to a slightly reconfigured golf course (add 10 acres). Net result for all rights will be additional water used on fewer acres to allow excess flow rates for more efficient irrigation.

First group of rights

Several rights already recorded under applicant ownership describe a 72 acre permissible place of use (PPU) for the golf course prior to its reconfiguration:

78-142B, 78-143B, 78-144B, 78-7238 & 78-12309.

All are Little Salmon River rights except 78-7238 from an unnamed stream (aka "Lewis Creek"). River rights are diverted from the same point just east of the golf course.

Transfer will change 78-7238 to be diverted from that river point of diversion located downstream from the mouth of the creek. Transfer will change this group of rights to cover the proposed 82 acre PPU.

Second group of rights

Several other rights also include the Little Salmon River plus another right from "Lewis Creek." These river rights are diverted thru the West Side Ditch originating at New Meadows. These river rights will be diverted from the same river diversion used by group one rights.

"Lewis Creek" right 78-12359 will also be diverted from the same river diversion by the golf course.

The place of use for this second group of rights will be changed to the proposed 82 acre PPU.

Ownership changes for second group of rights

75% of 78-142E, 78-143D & 78-12157 that currently cover the same 40 acres outside of the golf course boundary. Splits at \$100 each, \$300 fee.

Approximately 98% of 78-12359, all of right except minor portion in 2 subdivision lots not owned by applicant. Split at \$100 fee.

About 25% of 78-12357, partial overlap with 78-12359 but not in subdivision lot area. \$100 fee.

78-12359 currently covers part of the 10 acre addition to the proposed golf course PPU. The other 4 ownership change rights do not currently cover any land in the proposed PPU. The applicant's portion of group 2 rights currently serving land beyond the proposed PPU will be retired from irrigation. There are no other irrigation rights covering the acres to be retired.

9a, NARRATIVE (2 pgs)

Total rights for proposed PPU

Group 1 combined rights already cover 72 acres with 2.76 cfs:

1.96 cfs from river & 0.80 cfs from unnamed stream.

Applicant's portion of group 2 combined rights cover about 38 acres with 1.86 cfs:

1.86 cfs river & non-additive 0.11 cfs unnamed stream; non-additive since pre-split 78-12357 (river, 0.42 cfs) & pre-split 78-12359 (stream, 0.12 cfs) are limited to 0.42 cfs when combined.

Both groups combined will provide 4.31 cfs for 82 acres:

$4.31 \text{ cfs} / 82 \text{ acres} = 0.053 \text{ cfs/acre} = 0.05 \text{ cfs/acre}.$

Golf course needs to be watered about 8 hours per night.

$(0.02 \text{ cfs/acre}) / (8 \text{ hr}/24 \text{ hr}) = 0.06 \text{ cfs/acre}.$

Transfer proposes rate of flow exceeding standard 0.02 cfs/acre duty of water to meet golf course requirements by watering at times when members are not using the course. The 0.05 cfs/acre is a theoretical upper limit rather than a rate/acre totally achievable in actual practice. This is due to the variety of flow rates available under the rights in a variety of periods of use defined by the rights: 4/1-10/31, 4/1-7/1, 5/1-11/1 and 7/2-10/31. Still, transfer approval will allow more water for fewer acres to enhance irrigation at the golf course.

Transfer includes copy of department's 7/2/2012 letter plus copies of maps provided by the department. One map shows the river diversion to be used and the proposed 82 acre PPU. The additional 10 acres include approximately 5 acres in NWNW and 5 acres in SWNW, Section 12. The other maps show the ownership change rights.

Applicant understands that any approval of changing diversion points from the unnamed stream to the river will require some type of assurances that this will not result in more water being diverted by these rights by moving to a better source of water. This might require the applicant to install suitable measuring devices in that regard.

Fees

Ownership changes	5 splits	\$ 500
Transfer application	4.62 cfs	\$ 820
Total		\$ 1320



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

July 2, 2012

RODNEY MOORE
TRI-STATE LAND SERVICE
1118 HECKATHORN PLACE
NAMPA ID 83686

Re: Meadow Creek Resort Association Water Rights

Dear Mr. Moore:

You recently submitted a draft water right ownership change and application for transfer for several water rights associated with the MCRA golf course near New Meadows. The information was sent to Kelly Christensen at this office. I am his supervisor and am familiar with the golf course water rights. After discussing this with Kelly, I am providing water right information for your consideration. Your proposed filings are returned as explained in this letter.

Ownership Change

Little Salmon River rights 78-142E, 78-143D, 78-12157 and unnamed stream right 78-12359 ("Lewis Creek") are involved. The river rights cover 40 acres, and the ownership documents describes a 75% split of these to MCRA. The attached summary shows a 75% split of those rights.

Right 78-12359 covers land owned by MCRA except for a very small piece located on two subdivision lots. Those lots are apparently owned by Cleaver and Trudeau, Lots 13 and 14, Meadowcreek Village. Absent other information to the contrary, the MCRA portion of the right appears to be 0.11 cfs for 5.9 acres (over 98% of the right).

The ownership change fee for four splits is \$400. Additionally, river right 78-12357 is for land owned by MCRA. This right overlaps part of right 78-12359. An ownership change for this right could be included with the other rights for an additional \$25. Please see the enclosed aerial photos showing some of this information

Transfer Application

The application is on the department's "short form" limited to point of diversion (POD) change. The cover letter mentions changing the place of use (POU) of the rights to the 72 acre POU for golf course. The "regular form" should be used if you want to change the POU.

However, changing the POU of the above river rights, whether three or four rights, to the golf course cannot be approved. The golf course POU already exceeds the duty of water (0.02 cfs/acre) for

96, DEPARTMENT COMMENT LETTER (3 pgs)

Meadow Creek Resort Association Water Rights
July 2, 2012
Page 2

the attached summary. Adding more river water to the same land is not approvable unless justified. For example, an unlined ditch system might have significant conveyance losses over a long distance, requiring more water for effective irrigation.

Any transfer application is limited to a single proposed system. All the rights being transferred must be diverted through the same proposed system. Typically, all those rights would serve the same POU. A conceivable transfer application might include moving the POD for river rights from New Meadows to the MCRA POD closer to the golf course. Assuming no POU change, this would require information showing the river POD would be one system serving separate lands (golf course and other land).

Changing the POD from "Lewis Creek" to the river might be possible. To prevent enlargement of use and injury to senior rights, this change would most likely require MRCA to install measuring devices to ensure the right is only diverted from the river when creek water is available for this 1927 priority. Changing the POU of this right could be complicated for the portion overlapping with river right 78-12357 – typically would need to change the POU for all rights on overlapping acres.

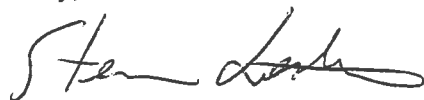
The transfer ideas are somewhat problematic, as you can see.

Conclusions

- An ownership change could be filed to split four river rights and for all of the "Lewis Creek" right, \$425.
- A transfer application could be filed to move the POD for three or four river rights to the extent it could be shown the change results in a single system when combined with other river rights used by MCRA. The fee depends on the total amount of water for the rights being changed (see transfer instructions).
- Another transfer application could be filed to change the POD for 78-12359, \$200.

Forms are enclosed for your convenience. These forms can also be found and completed on the department website at www.idwr.idaho.gov. Please contact me at 334-2190 if you want to discuss this in more detail. Thank you for your attention to this matter.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure: Draft ownership change & draft transfer application
 Water Rights summary
 Water Rights aerial photos
 Forms & instructions

WATER RIGHTS SUMMARY

Notes by SL

OWNERSHIP CHANGE

Splits 75% of NWSW S.12, 40 acres

MCRA Split

River	78-142E	.69 cfs	40 acres	.52 cfs	30 acres
	78-143D	.43 cfs	40 acres	.32 cfs	30 acres
	78-12157	.80 cfs	40 acres	<u>.60 cfs</u>	<u>30 acres</u>
Total		1.44 cfs			30 acres

Split almost 100% NWNW, SWNW S.12

MCRA Split

* Stream	78-12359	.12 cfs	6 acres	.11 cfs	5.9 acres
----------	----------	---------	---------	---------	-----------

MCRA apparently owns all of POU except small piece in 2 subd. lots, assume smallest possible portion for subdivision lots.

4 splits at \$100 each, \$400 total.

Plus 78-12357, River?

Overlaps part of 78-12359
Entire POU apparently owned by MCRA
Ownership change \$25.

.42 cfs
16.8 acres

limits
to
.42 cfs
21.8 acres
combined

TRANSFER APPLICATION

Changing POU to golf course, 72 acre irrigation boundary. Existing rights at golf course already include:

River	78-142B	.52 cfs	34 acre limit
	78-143B	.33 cfs	34 acre limit
	78-144B	.64 cfs	34 acre limit
	78-12309	<u>.47 cfs</u>	<u>72 acre limit</u>
Total		1.96 cfs	72 acres

.027 cfs/acre river water, exceeds .02 cfs/acre duty of water from same source.

* Stream	78-7238	.80 cfs	40 acres (used within same 72 acres)
----------	---------	---------	--------------------------------------

Probably cannot add more river water to golf course. Maybe can add "Lewis Creek" water.

Just change POD: River 78-142E, 78-143D, 78-12157 splits 1.44 cfs, transfer fee \$580, fee does not increase if add 78-12357.
Stream 78-12359 split .11 cfs, transfer fee \$200.

* Stream aka "Lewis CK"



Idaho Department of Water Resources

Water Right
78-12309
(IRRIGATION)

Use for
All Rights

Existing 72
Acres POU

Point of Diversion

Place of Use

State Outline

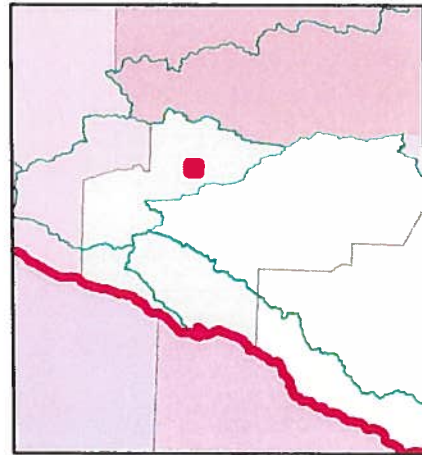
Townships

PLS Sections

Quarter Quarters



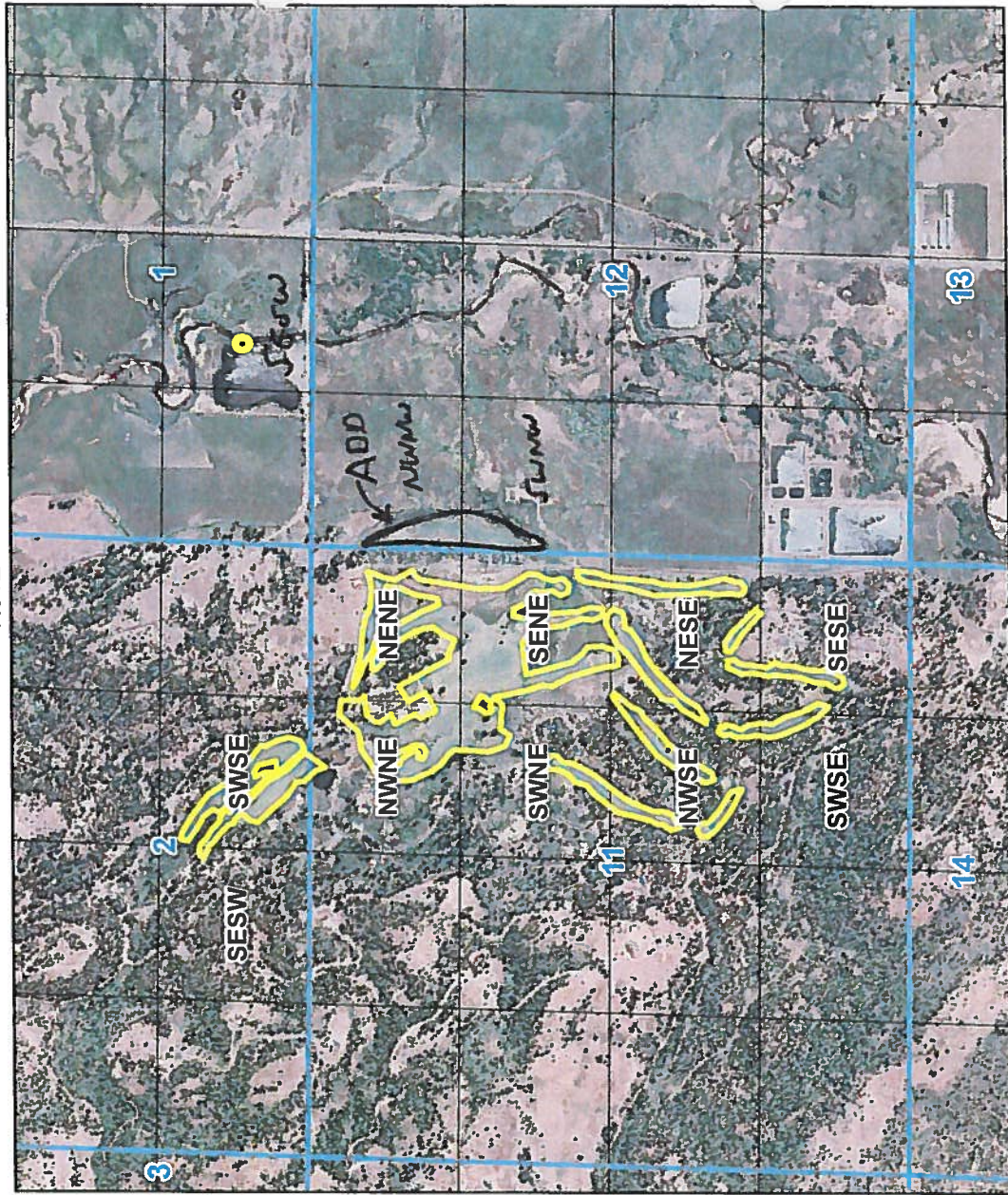
Add 10
Acres to
this



Adams County
IDWR Basin 78

Prepared by Lester, Steve
On July 27, 2012
2009 Aerial Photography

R01E



T19N

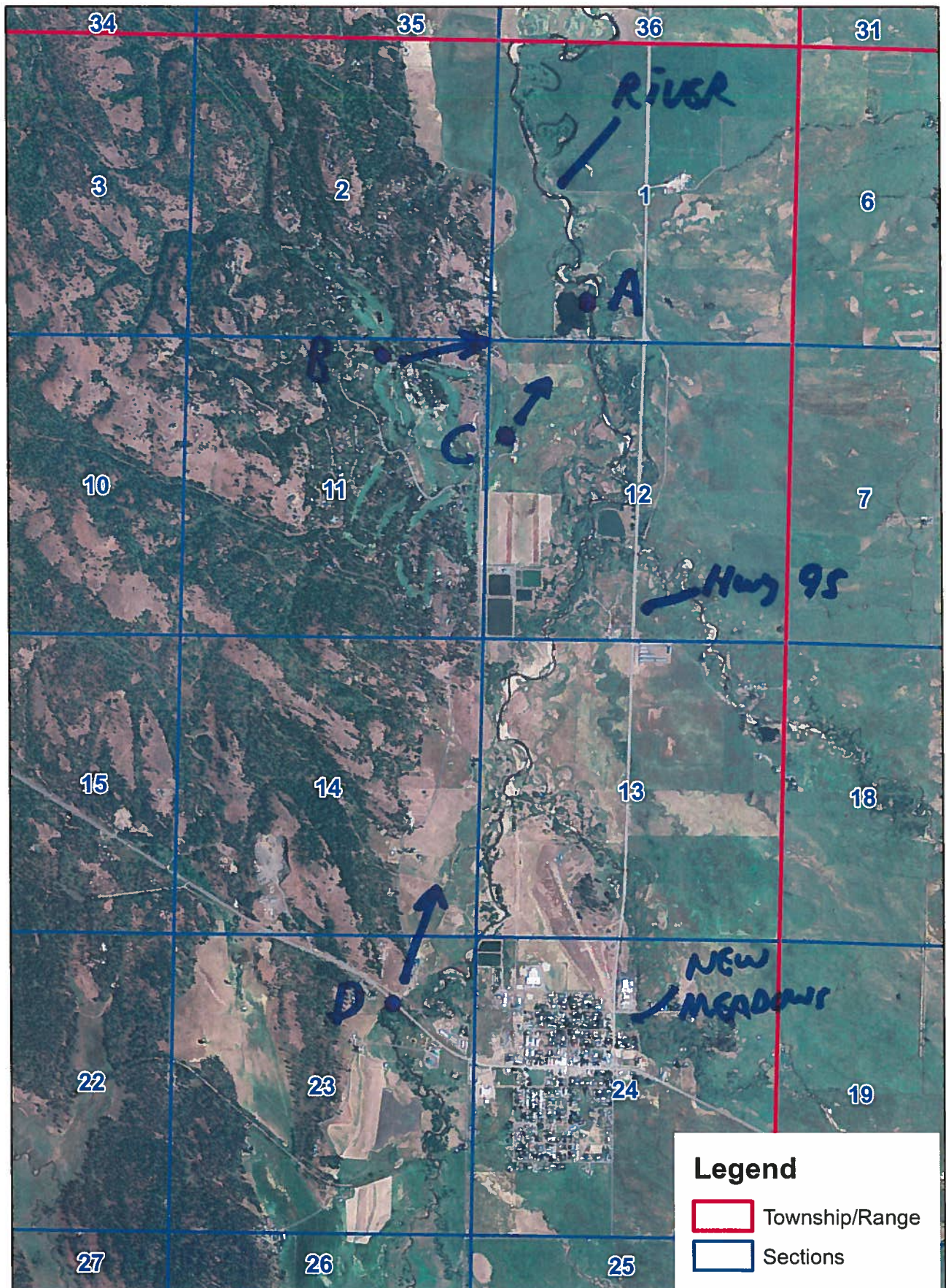


0 0.325 0.65 1.3 Miles

POD (River) ; 82 Acres PPU for All Rights

Attachment 7A (5 pgs of maps)

T19N R1E



move stream poos - B + C } to river
 move river poos - D } poos A
 A is downstream from B, C, D



78-1426

78-143D

78-12157

} Same
40 Acres

Split 30 Acres to
M.C. Resort Assoc Inc.
(All except $5\frac{1}{2}$ $5\frac{1}{2}$)

75% splits



MAP for splits





78-12357

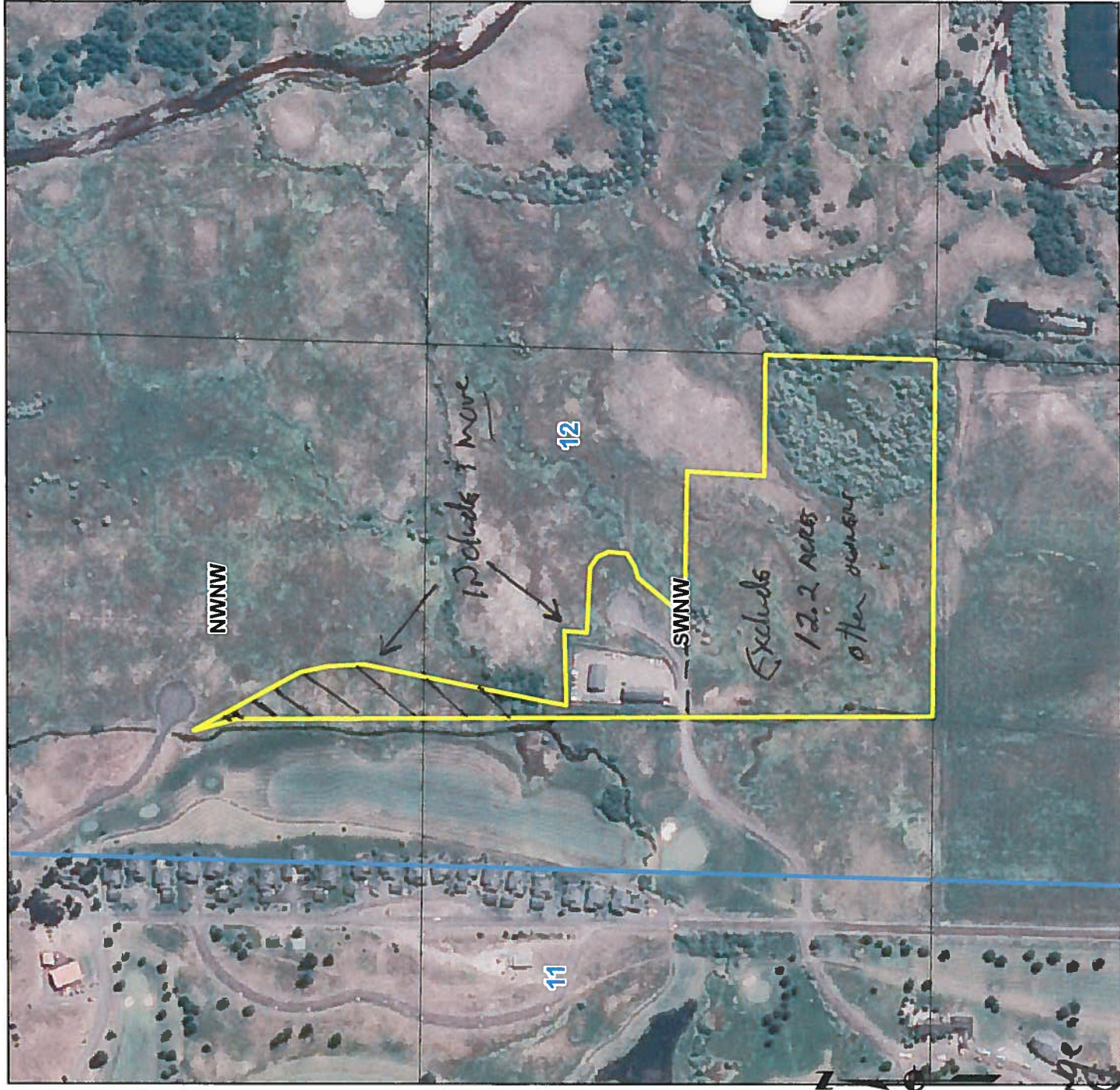
111 portion also covered
by 78-12359

25 % split

nnwn 1.3 acres
sewn 2.9 acres



MAP for own change





Idaho Department of Water Resources



ALL M.C. RESORT ASSOC INC
EXCEPT FRAGMENT AT 2 SUBD. LOTS
R01E

Water Right

78-12359

(IRRIGATION)

Point of Diversion



Place of Use

State Outline

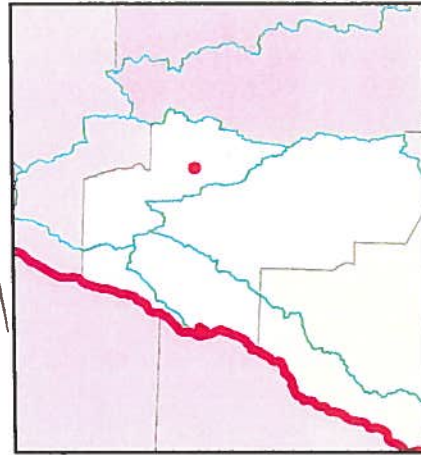
Townships

PLS Sections

Quarter Quarters

Taxlots

98% split



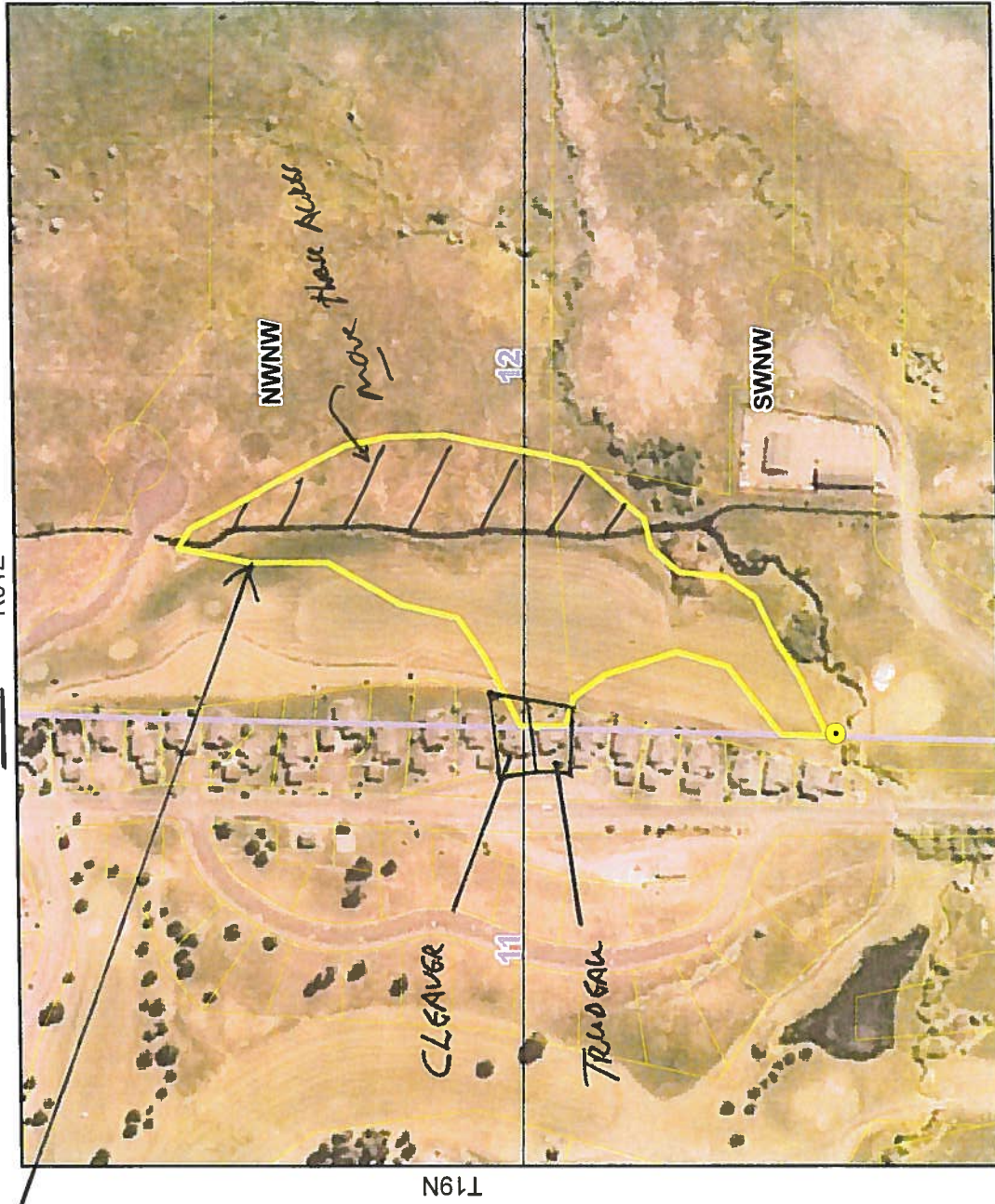
Adams County

IDWR Basin 78

Prepared by Lester, Steve

On June 22, 2012

2009 Aerial Photograph



Owner: Mc Neal Family Partnership
NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Instrument # 122014

COUNCIL, ADAMS, IDAHO

6-20-2011 10:13:17 No. of Pages: 5

Recorded for : AMERITITLE

SHERRY WARD

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 22.00

WARRANTY DEED

FOR VALUE RECEIVED, MEADOWCREEK RESORT ASSOCIATION, INC. an Idaho non-profit corporation ("MCRA"), whose mailing address is P.O. Box M, New Meadows, Idaho 83654, as GRANTOR hereby grants, bargains, sells and conveys unto MEADOWCREEK PROPERTY OWNERS ASSOCIATION, INC., an Idaho nonprofit corporation ("MCPOA"), whose mailing address is P.O. Box 415, New Meadows, ID 83654, as GRANTEE the following described real property (the "Property"), located in Adams County, Idaho: *Executed the 17th day of JUNE, 2011.*

Tax Parcel No.: RP 19N01E123705A (approximately 15.8 acres application land)

Tax Parcel No.: RP19N01E016500A (Entryway, Riverside Park & Pond) -

each of the above parcels being more particularly described in Exhibit "A" attached hereto.

*POD
Access*

EXCEPTING AND RESERVING TO GRANTOR ALL STATUTORY AND COMMON LAW WATER RIGHTS TO THE PROPERTY DESCRIBED HEREIN, AND FURTHER RESERVING TO GRANTOR A PERPETUAL EASEMENT FOR INGRESS AND EGRESS TO THE RIVERSIDE PARK AND POND PROPERTY FOR THE PURPOSE OF USE, MANAGEMENT, MAINTENANCE, REPAIR AND REPLACEMENT OF EXISTING PUMPS, PIPES, POINT OF DIVERSION, PUMPHOUSE, UTILIES AND OTHER IMPROVEMENTS NECESSARY FOR IRRIGATION PURPOSES. AT THE REQUEST OF GRANTEE, THE PARTIES WILL NEGOTIATE A SPECIFIC LOCATION FOR THE EASEMENT WITHIN THE AFOREMENTIONED PROPERTY, IN A LOCATION REASONABLY APPROVED BY GRANTEE.

IN CONSIDERATION of this conveyance, Grantee agrees to record a Satisfaction, Release and Waiver of all currently outstanding MCPOA assessments on all real property owned by Grantor, or Grantor's successors and assigns ("all MCRA Property"), including, but not limited to Tax Parcel No. RP 0017000000A0A (the MeadowCreek Clubhouse) and Tax Parcel No. RP 0017000000D0A (Activity Center, Osprey Grill & Swimming Pool). As additional consideration, Grantee further agrees that all real property and improvements currently owned by the MCRA shall be exempt from all future MCPOA assessments, except assessments for utilities as further addressed below. This exemption shall further apply to the MeadowCreek Clubhouse that has been conveyed to Kipp Massey and Rebecca K. Robinson, Husband and Wife and Ernest L. Robinson and Judith K. Robinson, Husband and Wife, or Ernie's Steakhouse at the 45th Parallel, LLC (collectively "Robinson"). These exemptions shall also apply to successors and assigns of the parties named herein so long as the uses of the affected properties remain substantially the same as exist at the time of this conveyance. In the event such uses substantially change, the MCPOA and then owners will be required to renegotiate the issue of

*2A - ownership
- Access to POD
(16 pages)*

assessments based upon the nature of the change of use and the impact of same upon the overall MeadowCreek PUD.

IN FURTHER CONSIDERATION of this conveyance, Grantee hereby agrees for a period of two (2) years from the date of this conveyance to provide water and sewer services without charge to the MeadowCreek Clubhouse and Activity Center, Osprey Grill & Swimming Pool in exchange for the MeadowCreek Resort Association providing for the pumping of water to the Riverside pond; mowing of the Riverside Park and resort entry area grass; and irrigation of the resort entry landscaping (RP19N01E016500A). At the end of said two year period, MCRA, Robinson and MCPOA shall negotiate terms and conditions for the future provision of metered water and sewer services by MCPOA, on terms consistent with those provided to other properties within the MeadowCreek PUD and in an amount which reflects MCRA's and Robinson's equitable pro-rata share of the costs of utility services and reasonable reserves related to the same.

TO HAVE AND TO HOLD the said Property, together with improvements and appurtenances, unto the said Grantee, its successors and assigns forever. And said Grantor does hereby covenant to and with said Grantee that it is the owner in fee simple of said Property, and that except for real estate taxes due and owing after the date of closing and easements, liens or encumbrances of record, Grantor warrants and represents that the Property is free and clear of all other liens or encumbrances of any kind, and, that they will warrant and defend the same from all lawful claims whatsoever.

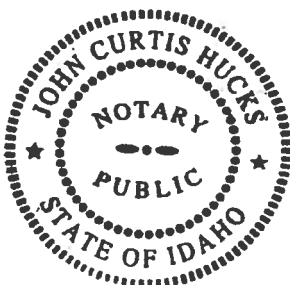
IN WITNESS THEREOF, the said Grantor, by and through its authorized representative, has executed this instrument the day and year first above written.

MEADOWCREEK RESORT ASSOCIATION, INC.
an Idaho non-profit corporation,

By: Robert B. Waggoner
ROBERT B. Waggoner, Its President

STATE OF Idaho)
COUNTY OF VALLEY)

On this 17th day of JUNE, 2011, before me, a Notary Public in and for said State, personally appeared ROBERT B. WAGGONER either known or positively identified to me to be the PRESIDENT and authorized representative of MeadowCreek Resort Association, Inc., the entity whose name is subscribed to the within instrument, and who acknowledged to me that he executed the above instrument on behalf of said entity and for the purposes set forth therein.



John Curtis Hucks
Notary Public John Curtis Hucks
Residing at: New Meadows, ID
Commission Expires: 6-13-15

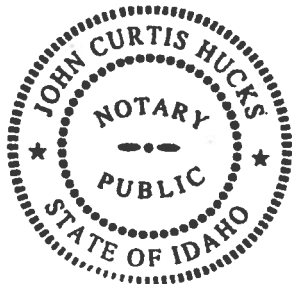
THE UNDERSIGNED GRANTEE ACCEPTS THIS CONVEYANCE SUBJECT TO THE
TERMS AND CONDITIONS SET FORTH HEREIN ON THE DATE INDICATED
BELOW.

MEADOWCREEK PROPERTY OWNERS' ASSOCIATION, INC.
an Idaho nonprofit corporation,

By: Donna Eggleston
DONNA EGGLESTON, Its VP - INTERIM PRESIDENT

STATE OF IDAHO)
COUNTY OF VALLEY)

On this 16th day of JUNE, 2011, before me, a Notary Public in and for said State,
personally appeared DONNA EGGLESTON, either known or positively identified to
me to be the VP - INTERIM PRESIDENT and authorized representative of MeadowCreek Property
Owners' Association, Inc., the entity whose name is subscribed to the within instrument, and who acknowledged
to me that he/she executed the above instrument on behalf of said entity and for the purposes set forth therein.



John Curtis Hucks
Notary Public JOHN CURTIS HUCKS
Residing at: NEW MEADOWS
Commission Expires: 6-13-15

EXHIBIT A
Legal Description of

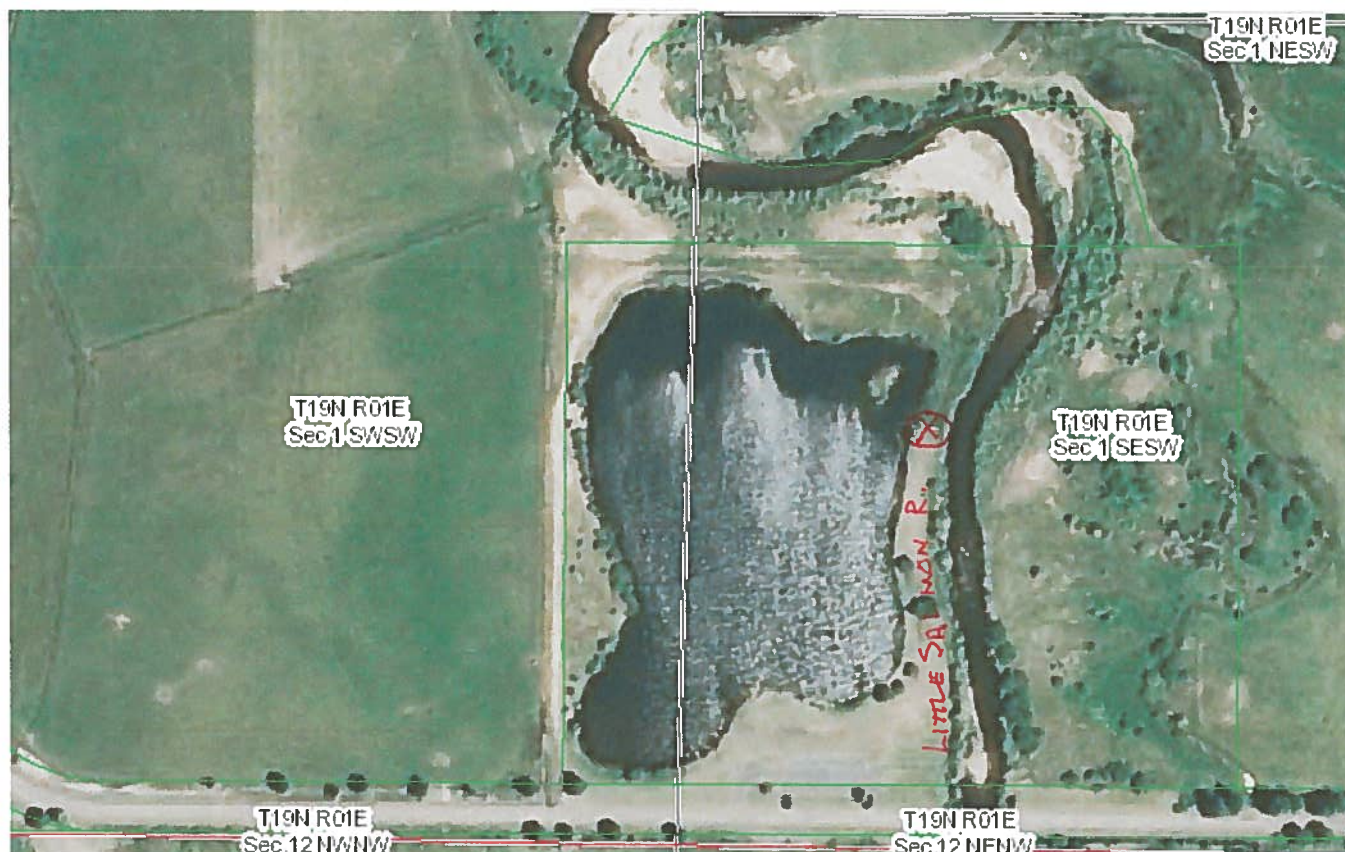
Tax Parcel No.: RP 19N01E123705A (approximately 15.8 acres application land)
Tax Parcel No.: RP19N01E016500A (Entryway, Riverside Park & Pond)

IDAHO

Department of
Water Resources

Transfer Application Internet Mapping

POINT OF DIVERSION



[Help](#) [Other Maps](#) [Water Resources Home](#) [Idaho.gov](#)

⊗ CURRENT POINT OF DIVERSION FOR WATER RIGHTS: 78-7238, 78-12309, 78-1478-143B & 78-1443
AND PROPOSED CHANGE IN PT. OF DIVERSION FOR WATER RIGHTS: 78-00142E, 78-00143B, 78-12157 & 78-12359

QUITCLAIM DEED

Instrument # 123500

COUNCIL, ADAMS, IDAHO

5-15-2012 10:07:11 No. of Pages: 2

Recorded for : HOPKINS MEADOWCREEK LLC

SHERRY WARD

Fee: 13.00

Ex-Officio Recorder Deputy

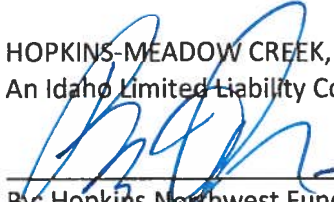
Index to: DEED

GRANTOR, HOPKINS – MEADOW CREEK, LLC, an Idaho Limited Liability Company, for good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE, and forever QUITCLAIM, unto MEADOWCREEK RESORT ASSOCIATION, INC. an Idaho Corporation, as Grantee, and Grantee's successors, heirs and assigns, forever, all of its interest in portions of water rights situated in the County of Adams, State of Idaho, and described as follows:

1. That portion of Idaho Water Right No. 78-00142E appurtenant to Township 19 North, Range 1 East, Section 12 N1/2 SW1/4 exempting therefrom that portion of Idaho Water Right No. 78-00142E appurtenant to Township 19 North, Range 1 East, Section 12 S1/2 S1/2 NW1/4 SW1/4.
2. That portion of Idaho Water Right No. 78-00143D appurtenant to Township 19 North, Range 1 East, Section 12 N1/2 SW1/4 exempting therefrom that portion of Idaho Water Right No. 78-00143D appurtenant to Township 19 North, Range 1 East, Section 12 S1/2 S1/2 NW1/4 SW1/4.
3. That portion of Idaho Water Right No. 78-12157 appurtenant to Township 19 North, Range 1 East, Section 12 N1/2 SW1/4 exempting therefrom that portion of Idaho Water Right No. 78-12157 appurtenant to Township 19 North, Range 1 East, Section 12 S1/2 S1/2 NW1/4 SW1/4.

DATED this 2nd day of March, 2012.

HOPKINS-MEADOW CREEK, LLC,
An Idaho Limited Liability Company,


By: Hopkins Northwest Fund, LLC an Idaho Limited Liability Company, Member
By: Randy Hopkins, Member Manager

State of Idaho }
 } S.S.
County of Ada }

On this 2nd day of March, 2012, personally appeared the above named Randy Hopkins, known to me to be is the **Member- Manager of Hopkins Northwest Fund, LLC**, whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he execute the same on behalf of Hopkins Northwest Fund, LLC.



Notary Public

Residing at Boise Id

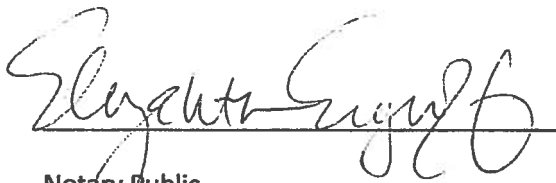
My Commission Expires On 2/3/2012

S
E
A
L



State of Idaho }
 } S.S.
County of Ada }

On this 2nd day of March, 2012, personally appeared the above named Randy Hopkins, known to me to be is the **Member- Manager of Hopkins Northwest Fund, LLC**, whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he execute the same on behalf of Hopkins Northwest Fund, LLC.

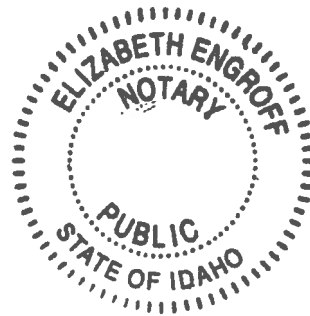


Notary Public

Residing at Boise ID

My Commission Expires On 2/3/2012

S
E
A
L



50387

THESE RIGHTS ARE ALL EAST OF
HOT SPRINGS RD.

QUITCLAIM DEED

GRANTOR, MCNEAL FAMILY LIMITED PARTNERSHIP, an Idaho Limited Partnership, for a good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE, and forever QUITCLAIM, unto HOPKINS - MEADOW CREEK, LLC, an Idaho Limited Liability Company, as Grantee, and to Grantee's successors, heirs, and assigns, forever, all of its interest in portions of water rights situated in the County of Adams, State of Idaho, and described as follows:

1. That portion of Idaho Water Right No. 78-00142E appurtenant to Township 19 North, Range 1 East, Section 12 N $\frac{1}{2}$ SW $\frac{1}{4}$ exempting therefrom that portion of Idaho Water Right No. 78-00142E appurtenant to Township 19 North, Range 1 East, Section 12 S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.
2. That portion of Idaho Water Right No. 78-00143D appurtenant to Township 19 North, Range 1 East, Section 12 N $\frac{1}{2}$ SW $\frac{1}{4}$ exempting therefrom that portion of Idaho Water Right No. 78-00143D appurtenant to Township 19 North, Range 1 East, Section 12 S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.
3. That portion of Idaho Water Right No. 78-12157 appurtenant to Township 19 North, Range 1 East, Section 12 N $\frac{1}{2}$ SW $\frac{1}{4}$ exempting therefrom that portion of Idaho Water Right No. 78-12157 appurtenant to Township 19 North, Range 1 East, Section 12 S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

DATED this 5TH day of APRIL, 2011.

McNeal Family Limited Partnership



McNeal Family Corporation, its General Partner
By: Carey H. McNeal, its Vice President

Instrument # 121759

COUNCIL, ADAMS, IDAHO

4-15-2011 12:42:20 No. of Pages: 2

Recorder for: AMERITITLE

SHERRY WARD

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 13.00

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 5th day of April, 2011, personally appeared the above named Carey H. McNeal, known to me to be the Vice President of McNeal Family Corporation, the General Partner of McNeal Family Limited Partnership, whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same on behalf of McNeal Family Corporation.



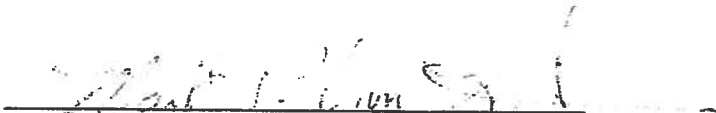
Shirley Cleveland
Notary Public for Idaho
Residing at Boise ID
Commission Expires: 2-28-2012

QUITCLAIM DEED

GRANTOR, MEADOW CREEK PROPERTY OWNERS ASSOCIATION, INC., an Idaho Corporation, for a good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM, unto MCNEAL FAMILY LIMITED PARTNERSHIP, an Idaho Limited Partnership, as GRANTEE, and to Grantee's successors, heirs and assigns, forever, all of its interest in portions of water rights situated in the County of Adams, State of Idaho, and described as follows:

1. That portion of Idaho Water Right No. 78-00142E appurtenant to Township 19 North, Range 1 East, Section 12 N $\frac{1}{2}$ SW $\frac{1}{4}$ exempting therefrom that portion of Idaho Water Right No. 78-12157 appurtenant to Township 19 North, Range 1 East, Section 12 S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.
2. That portion of Idaho Water Right No. 78-00143D appurtenant to Township 19 North, Range 1 East, Section 12 N $\frac{1}{2}$ SW $\frac{1}{4}$ exempting therefrom that portion of Idaho Water Right No. 78-12157 appurtenant to Township 19 North, Range 1 East, Section 12 S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.
3. That portion of Idaho Water Right No. 78-12157 appurtenant to Township 19 North, Range 1 East, Section 12 N $\frac{1}{2}$ SW $\frac{1}{4}$ exempting therefrom that portion of Idaho Water Right No. 78-12157 appurtenant to Township 19 North, Range 1 East, Section 12 S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

IN WITNESS WHEREOF, the GRANTOR has hereunto set its hand this 18 day of April, 2008.


Mark P. Von Lindern, Vice-President
Meadow Creek Property Owners Association

QUITCLAIM DEED

GRANTOR, MEADOW CREEK PROPERTY OWNERS ASSOCIATION, INC., an Idaho Corporation, for a good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM, unto MCNEAL FAMILY LIMITED PARTNERSHIP, an Idaho Limited Partnership, as GRANTEE, and to Grantee's successors, heirs and assigns, forever, all of its interest in portions of water rights situated in the County of Adams, State of Idaho, and described as follows:

1. That portion of Idaho Water Right No. 78-00142E appurtenant to Township 19 North, Range 1 East, Section 12 N $\frac{1}{2}$ SW $\frac{1}{4}$ exempting therefrom that portion of Idaho Water Right No. 78-12157 appurtenant to Township 19 North, Range 1 East, Section 12 S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.
2. That portion of Idaho Water Right No. 78-00143D appurtenant to Township 19 North, Range 1 East, Section 12 N $\frac{1}{2}$ SW $\frac{1}{4}$ exempting therefrom that portion of Idaho Water Right No. 78-12157 appurtenant to Township 19 North, Range 1 East, Section 12 S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.
3. That portion of Idaho Water Right No. 78-12157 appurtenant to Township 19 North, Range 1 East, Section 12 N $\frac{1}{2}$ SW $\frac{1}{4}$ exempting therefrom that portion of Idaho Water Right No. 78-12157 appurtenant to Township 19 North, Range 1 East, Section 12 S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

IN WITNESS WHEREOF, the GRANTOR has hereunto set its hand this 18 day of April, 2008.

Mark P. Von Lindern
Mark P. Von Lindern, Vice-President
Meadow Creek Property Owners Association

Instrument # 22010

COUNCIL, ADAMS, IDAHO

6-20-2011 10:01:07 No. of Pages: 4

Recorded for : AMERITITLE

SHERRY WARD

Fee: 19.00

Ex-Officio Recorder Deputy

Index to DEED

WARRANTY DEED

50405
FOR VALUE RECEIVED, **HOPKINS-MEADOW CREEK, LLC**, an Idaho limited liability company whose mailing address is P.O. Box 670, Meridian, ID 83680, as GRANTOR, hereby grants, bargains, sells and conveys unto **MEADOWCREEK RESORT ASSOCIATION, INC.** an Idaho non-profit corporation, whose mailing address is P.O. Box M, New Meadows, Idaho 83654, as GRANTEE the following described real property (the "Property"), located in Adams County, Idaho:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

together with all improvements situated thereon, and all easements, rights, tenements, and appurtenances thereunto belonging or appertaining to the Property, and all of Grantor's right, title, and interest in and to any and all streets, alleys, or public ways adjacent thereto (hereinafter the "Property").

SUBJECT TO outstanding MeadowCreek Property Owners Association (MCPOA) assessments due for the Property being conveyed by Grantor and described on Exhibit "A", which Grantee expressly agrees to assume and obtain release of by separate agreement with MCPOA. Grantor shall remain fully liable for any MCPOA assessments attributable to real property being retained by Grantor and not described on Exhibit "A".

TO HAVE AND TO HOLD the said Property, together with improvements and appurtenances, unto the said Grantee, their successors, heirs and assigns forever. And the said Grantor does hereby covenant to and with said Grantee, that it is the owner in fee simple of said Property, and that the said Property is free from all encumbrances except real estate taxes due for periods after the date of conveyance; covenants, restrictions, reservations, easements and rights of way of record arising by, through, or under Grantor, or any other person or entity except as noted above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 16th day of June, 2011.

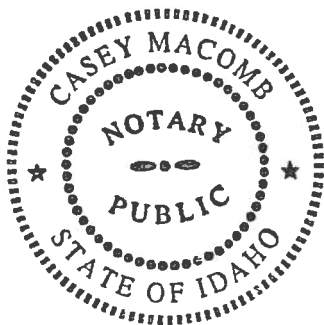
HOPKINS-MEADOW CREEK, LLC,
an Idaho limited liability company

By: **Hopkins Northwest Fund, L.L.C.,**
an Idaho limited liability company-_____

By: *Randy Hopkins*
RANDY HOPKINS, Its MANAGING MEMBER

STATE OF Idaho
COUNTY OF Ada

On this 16th day of June, 2011, before me, a Notary Public in and for said State, personally appeared, Randy Hopkins either known or positively identified to me to be the authorized representative of Hopkins Meadowcreek, LLC the entity whose name is subscribed to the within instrument, and who acknowledged to me that he executed the above instrument on behalf of said entity and for the purposes set forth therein.



[Signature]
Notary Public Casey Macomb
Residing at: Boise, ID
Commission Expires: 5-4-2015

EXHIBIT A

PARCEL 1 (CURRENT PARCEL NO. RP0015001300B0A)

Parcel B, Block 13 of MeadowCreek Subdivision No. 2 formerly known as Kimberland Meadows Subdivision No. 2 as per name change recorded as Instr. No. 84350 and as set forth on the plat of said Subdivision on file and of record in the Adams County Recorders office Book 2 of Plats at page 2, Adams County, Idaho.

PARCEL 2 (RP00166000099AA AND RP00166000099BA)

Lot 99-A, aka Lewis Creek Court, and Lot 99-B, aka River Ranch Circle, as shown on the official plat of MeadowCreek River Ranch on file in the County Recorder's office in Book 3 of Plats, page 3, Adams County, Idaho.

PARCEL 4 (CURRENT PARCEL NO. RP0017000000A0A; RP0017000000B0A; RP0017000000C0A; RP0017000000D0A; RP0017000000E0A; RP0017000000F2A; RP0017000000G0A; RP0017000000HAA; RP0017000000Q0A; RP0017000000R0A; RP0017000000Y0A; RP0017000000Z0A; RP0017002300X0A; RP0017002500W0A)

Parcels A, B, C, D, E, F-2, G, H, Q, R, W, X, Y and Z of MeadowRidge Estates, also known as Kimberland Meadows Subdivision No. 3, Amended, as set forth on the official plat recorded in Book 2 Plats page 8, records of Adams County, Idaho.

(CURRENT PARCEL NO. RP0017000000K0A SPLIT)

A portion of parcel K of MeadowRidge Estates, also known as Kimberland Meadows Subdivision No. 3, Amended, as set forth on the official plat recorded in Book 2 Plats page 8, records of Adams County, Idaho, described as follows:

A parcel of land situate in Section 11, T. 19 N., R. 1 E., B.M., Adams County, Idaho, being the northerly portion of Parcel K, Meadowridge Estates, as shown on the official plat thereof recorded as Instrument No. 83905, in Book 2, on Page 8 of Plats, in the Office of the Recorder of Adams County, Idaho, more particularly described as follows:

Commencing at a 5/8" rebar on the northerly right-of-way of Brookside Drive, marking the southerly corner common to Parcels E and K, Meadowridge Estates, as shown on the official plat thereof recorded as Instrument No. 83905, in Book 2, on Page 8 of Plats, in the Office of the Recorder of Adams County, Idaho;

Thence, N. 23°24'05" W., 746.63 feet along the boundary common to said Parcels E and K, to a 5/8" rebar, the REAL POINT OF BEGINNING;

Thence, continuing N. 23°24'05" W., 288.46 feet along the boundary common to Parcels E and K, Meadowridge Estates, as shown on the official plat thereof recorded as Instrument No. 83905, in Book 2, on Page 8 of Plats, in the Office of the Recorder of Adams County, Idaho to a 5/8" rebar;

Thence, N. 06°54'40" W., 166.21 feet along said common boundary, to a 5/8" rebar;

Thence, N. 75°57'49" W., 61.85 feet along said common boundary, to a 5/8" rebar;

Thence, N. 18°26'07" W., 173.93 feet along said common boundary, to a 5/8" rebar;

Thence, N. 28°42'29" W., 194.33 feet along said common boundary, to a 5/8" rebar marking the westerly corner common to Parcels D and K, of said Meadowridge Estates;

Thence, N. 61°35'10" E., 210.77 feet along the boundary common to said Parcels D and K, to a 5/8" rebar;

Thence, S. 32°56'57"E., 573.21 feet along said common boundary, to a 5/8" rebar;

File No.: 0050405

2452ACG ALTA Plain Language Commitment (6/17/06) – Schedule A

 **stewart**
title guaranty company

Thence, N. 52°05'35" E., 171.64 feet along said common boundary, to a 5/8" rebar;
Thence, N. 15°18'37" E., 54.12 feet along said common boundary, to a 5/8" rebar on the boundary of Parcel F-2, of said Meadowridge Estates;
Thence, S. 74°41'21" E., 50.00 feet along the boundary common to said Parcels F-2 and K, to a 5/8" rebar on the westerly boundary of Parcel H, of said Meadowridge Estates;
Thence, S. 15°18'39" W., 460.65 feet along the boundary common to said Parcels H and K, to a 5/8" rebar;
Thence, S. 62°44'41" E., 185.61 feet along said common boundary, to a 5/8" rebar;
Thence, S. 01°28'08" W., 195.06 feet along said common boundary, to a 5/8" rebar;
Thence, N. 14°15'09" W., 186.75 feet to a 5/8" rebar;
Thence, S. 82°56'14" W., 234.53 feet to a 5/8" rebar;
Thence, N. 75°52'50" W., 115.19 feet, to the Point of Beginning.

ALSO EXCEPTING a parcel of land which comprises all that portion of parcel H now included and platted as MeadowCreek Village Planned Unit Development, Adams County, Idaho, as set forth on the official plat thereof recorded in Book 3 Plats Page 5 in the Adams County Recorder's Office.

PARCEL 5 (CURRENT PARCEL NO. RP19N01E016500A)

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho,

Section 1: A parcel of land more particularly described as follows:

Commencing at the section corner common to Sections 1, 2, 11, and 12, said Township and Range, a brass cap monument;

Thence North 88° 47' 46" East on the Section line common to said Sections 1 and 12. 2233.99 feet to a point;

Thence North 01° 12' 14" West 80 feet to a point on the North right-of-way of Forty-Fifth Parallel Drive, as said Forty-Fifth Parallel Drive is shown on the official plat of Kimberland Meadows Subdivision as recorded in Book 1 Plats page 48, in the Adams County Recorder's Office, said point being the REAL POINT OF BEGINNING;

Thence South 88° 47' 46" West 1037.14 feet on the North right-of-way of the Forty-Fifth Parallel Drive to a point on the said right-of-way;

Thence North 01° 12' 14" West 840 feet to a point;

Thence North 88°47' 46" East 1037.14 feet to a point;

Thence South 01° 12' 14" East 840 feet to the REAL POINT OF BEGINNING.

PARCEL 6 (CURRENT PARCEL NO. RP19N01E112400A; RPN01E123300A; RP19N01E123705A)

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho,

Section 11: All that part of the SE1/4NE1/4 lying South of MeadowCreek Village Planned Unit Development, Adams County, Idaho and East of the County Road known as Hot Springs Road as now established.

Section 12: W1/2NW1/4 EXCEPTING THEREFROM Lots 1 through 5 of MeadowCreek River Ranch as shown in Book 3 of Plats, page 5, records of Adams County, Idaho.

ALSO EXCEPTING THEREFROM Lots 1 through 21 of MeadowCreek Planned Unit Development and all common areas as shown in Book 3 of Plats, page 5, records of Adams County, Idaho.

ALSO EXCEPTING THEREFROM all that part of the SE1/4NE1/4 Section 11 and the SW1/4NW1/4 of Section 12 lying Southerly of Parcel 99-A also known as Lewis Creek Court as shown on the official plat of MeadowCreek River Ranch on file in the County Recorder's office in Book 3 of Plats, page 3, Adams County, Idaho and East of Hotsprings Road.

File No.: 0050405

2452ACG ALTA Plain Language Commitment (6/17/06) - Schedule A

stewart
title guaranty company

c W 1/2 NW 1/4 S1/2
where 78.12357 is

07/11

RECEIVED

AUG 20 2012

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

78261
~~78096~~

MINIMUM REQUIREMENTS CHECKLIST

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 <http://www.idwr.idaho.gov/>.

Check 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.)
CHECK

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #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 transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☒ ☐ #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 <http://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.
- ☐ ☒ #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 Other. Please describe: narrative, dept. comment letter

9a

9b

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, February 13, 2013 4:27 PM
To: 'LEGALS@THEADAMSCOUNTYRECORD.COM'
Subject: Legal Ads
Attachments: Adams Cover Letter.docx; Adams Combined Ad.docx

Good Afternoon Gamaliel Masters,

Please see the attached ad for publication on 2/20/13 & 2/27/13.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer
Administrative Assistant
IDWR, Western Region
Office: 208-334-2190
Fax: 208-334-2348
rachel.sommer@idwr.idaho.gov

February 13, 2013

LEGAL NOTICE DEPARTMENT
THE RECORD
PO BOX R
COUNCIL, ID 83612

RE: Transfer No. 78261
Permit No. 78-12403

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 3/11/2013. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

The following applications have been filed to appropriate the public waters of the State of Idaho:

78-12403

GEORGIA SORENSON

BRENDA WEDDE

5434 HWY 95

NEW MEADOWS, ID 83654

Point of Diversion NESW S22 T22N R01E ADAMS County Source LITTLE SALMON RIVER Tributary SALMON RIVER

Use: DOMESTIC 04/01 to 10/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 9/4/2012

Place Of Use: DOMESTIC

T22N R01E S22 NESW

Domestic use is for irrigation of a yard up to 0.5 acre associated with a home.

PROPOSED CHANGE OF WATER RIGHTS

Meadow Creek Resort Association Inc. of P O Box M, New Meadows ID, 83654 filed Application No. **78261** to transfer ten water rights with 1906 to 1983 priority dates from the Little Salmon River and an unnamed stream (aka Lewis Creek), tributary to the Little Salmon River, totaling 5.1 cfs. The purpose of the transfer is to consolidate all points of diversion for the Meadow Creek Golf Course to one point of diversion from Little Salmon River, and to change the place of use of portions of the rights to the golf course. Water will be used at the golf course two miles northwest of New Meadows, Idaho. The unchanged portion of the rights will remain on land near the golf course.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. 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, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 3/11/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 2/20/2013 and 2/27/2013

PROPOSED CHANGE OF WATER RIGHTS

Meadow Creek Resort Association Inc. of P O Box M, New Meadows ID, 83654 filed Application No. 78261 to transfer ten water rights with 1906 to 1983 priority dates from the Little Salmon River and an unnamed stream (aka Lewis Creek), tributary to the Little Salmon River, totaling 5.1 cfs. The purpose of the transfer is to consolidate all points of diversion for the Meadow Creek Golf Course to one point of diversion from Little Salmon River, and to change the place of use of portions of the rights to the golf course. Water will be used at the golf course two miles northwest of New Meadows, Idaho. The unchanged portion of the rights will remain on land near the golf course.

For additional information concerning the property location, please contact Western Region office at 208-334-2190 or see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp for a full description of the right(s) and the proposed transfer. Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed change must be filed with the Director, IDWR Western Region, 2735 Airport Way, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before <date>. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on <dates>

MEMORANDUM

TO: Transfer No. 78261 File

FROM: Vicky Music

DATE: January 16, 2013

RE: Evaluation of Sufficiency of Information Submitted

The place of use is the MeadowCreek Golf Resort, and the nature of use is irrigation for the golf course. There are ten water rights involved in this transfer. Eight are Little Salmon river diversions: 78-142 B and E, 78-143B and D, 78-144B, 78-12157, 78-12309 and 78-12357. Two are diverted from an unnamed stream [aka "Lewis Creek"]: 78-7238 and 78-12359.

The transfer proposes to consolidate the points of diversion of the ten rights into one POD from the Little Salmon River, slightly reconfigure the 72-acre golf course that is the place of use to a combined limit of 82 acres by splitting some of the rights. The ownership of some of the rights will also change due to the splits.

The site is located approximately 2 miles northwest of New Meadows, Idaho. Contact person for the applicant is consultant, Rodney Moore.

Deviations from Transfer Policy Standards

The application was prepared with IDWR staff assistance and is complete. The transfer proposes an excess diversion rate of 0.05 cfs per acre. This is acceptable as described in the discussion section of this memo.

Summary of Information Submitted

Authority to File:

The applicant is the Meadow Creek Resort Association, owner of record of right nos. 78-142B, 78-143B, 78-144B, 78-7238 and 78-12309. As the owner of record, the applicant has the authority to file a transfer for these rights.

MeadowCreek Property Owners Assn. is the owner of record of right nos. 78-142E, 78-143D and 78-12157. These rights are proposed to be split and portions of the right were conveyed to the applicant. The applicant provided documentation that they have the authority to file this application.

The McNeal Family partnership owns 78-12357 and 78-12359. These rights are proposed to be split and a portion of the rights have been conveyed to the applicant. The applicant provided documentation that they have the authority to file this application.

Water Right Validity:

All of the rights are presumed to be valid because the SRBA partial decrees were all issued in June of 2009, within the past five year period.

Injury to Other Water Rights:

This transfer will result in a more efficient use of the water rights and no injury is expected.

Enlargement of Use:

The application proposes a diversion rate of 0.05 cfs per acres, in excess of the standard and the diversion rate authorized by the rights, and will add 10 acres to the place of use. However, no enlargement of the diversion volume or consumptive use volume is proposed or expected. The excess rate will allow the golf course to irrigate at night when the course is not in use. This practice is consistent with Application Memo # 60, which allows an excess diversion rate for turf grass associated with golf courses, so that irrigation can occur when the course is not being used.

Local Public Interest:

There are no apparent public interest issues.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

Additional Information/Analysis and Discussion

The rights that are proposed to be split are described in the table below.

wr #	owner of record	wr # after Splits	Q	splits – POU # of acres	wr owner after splits
78-142E	MeadowCreek Property Owners Assn.	78-142E	.17	10	MeadowCreek Property Owners Assn.
		78-12409	.52	30	MeadowCreek Resort Assn
78-143D	MeadowCreek Property Owners Assn.	78-143D	.11	10	MeadowCreek Property Owners Assn.
		78-12408	.32	30	MeadowCreek Resort Assn. inc
78-12157	MeadowCreek Property Owners Assn.	78-12157	.2	10	MeadowCreek Property Owners Assn.
		78-12407	.6	30	MeadowCreek Resort Assn.
78-12357	McNeal Family Ltd. Partnership	78-12357	.31	12.6	McNeal Family Ltd. Partnership
		78-12410	.11	4.2	MeadowCreek Resort Assn.
78-12359	McNeal Family Ltd. Partnership	78-12359	0.01	.1	McNeal Family Ltd. Partnership
		78-12411	.11	5.9	MeadowCreek Resort Assn.

Prior to the transfer, the rights appurtenant to the 72-acre golf course were irrigation rights 78-142B, 78-143B, 78-144B, 78-7238 and 78-12309. All were L. Salmon R. diversions except 78-7238, which was an unnamed stream [aka Lewis Cr.] diversion. The total quantity of water diverted for the golf course per these rights was 2.76 cfs. This application proposed to add 10 acres of irrigation from other rights that will be split, and to divert all rights from a common point of diversion on the Little Salmon River. The rights used on the golf course will be limited to 82 irrigated acres and 4.31 cfs.

No additional information is needed from the applicant, nor is additional IDWR analysis needed from other IDWR programs or personnel.

Watermaster comments are not applicable.

Data entry affected the correct record. The partial decrees were issued & the results were migrated to wr records. There are no overlapping rights at existing &/or proposed POD &/or POU. There are no mitigation or water bank issues.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

Condition 046 n/a because a new well is not proposed.