

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JUN 06 2012
DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
37-12366	Yes ☐		Yes ☐		Yes ☐
37-12363	Yes ☐		Yes ☐		Yes ☐
37-4150	Yes ☒	- 37-22770	Yes ☐		Yes ☐
37-4265	Yes ☒	- 37-22772	Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: James B. Fleig and Arnold Landau
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Laurene Powell Jobs, Trustee of the Laurene Powell Jobs Trust UAD March 2, 2009
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
c/o Howson & Simon, LLP

Mailing address
101 Ygaricio Valley Road, Walnut Creek CA 94596
City State ZIP
(925) 977-9060 rbradley@howson-simon.com
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: April 4, 2012
6. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - Filing fee (see instructions for further explanation):
 - o \$25 per *undivided* water right.
 - o \$100 per *split* water right.
 - o No fee is required for pending adjudication claims.

SUPPORT DATA
IN FILE # 37-4150

7. Signature: Laurene Powell Jobs Trustee 5.17.12
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 6.20.2012 Receipt No. 5032631 Receipt Amt. \$250-
Approved by PS Processed by Dms Date 8/21/2012



Order No. 1226222

WARRANTY DEED

FOR VALUE RECEIVED

JAMES B. FLEIG, an unmarried man, as to an undivided 50% interest AND ARNOLD LANDAU, a married man as his sole and separate property, as to an undivided 50% interest

the Grantor does hereby grant, bargain, sell, convey and warrant unto

**LAURENE POWELL JOBS TRUSTEE OF THE LAURENE POWELL JOBS TRUST UAD
MARCH 2, 2009**

the Grantee whose current address is:

c/o Howson & Simon LLP
101 Ygnacio Valley Road, Suite 310
Walnut Creek, CA 94596

the following described premises, in **BLAINE COUNTY, IDAHO**, to-wit:

See attached Exhibit A

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated this 3 day of April, 2012

James B. Fleig

Arnold Landau

This document has been executed in counterparts and together constitutes one document.

Instrument # 596232

HAILEY, BLAINE, IDAHO
4-4-2012 12:40:51 No. of Pages: 10
Recorded for : SUN VALLEY TITLE COMPANY
JOLYNN DRAGE Fee: 37.00
Ex-Officio Recorder Deputy
Index to: WTY/QC/CORP DEED

JB

State of: Nevada
County of: WASHOE

On this 3 day of April, 2012 before me, the undersigned, a Notary Public, in and for said State, personally appeared **JAMES B. FLEIG** known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

Notary Public
Residing at: _____
Commission Expires: _____

State of: Nevada
County of: WASHOE

On this 3 day of April, 2012 before me, the undersigned, a Notary Public, in and for said State, personally appeared **ARNOLD LANDAU**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

Heather Behmer

Notary Public
Residing at: Incline Village, Nevada
Commission Expires: 7/28/15



EXHIBIT "A"

Lot 6A of RIVER'S EDGE SUBDIVISION 1990, A REPLAT OF LOT 6, BLOCK 1, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded January 27, 2000, as Instrument No. 435938, records of Blaine County, Idaho,

EXCEPTING THEREFROM:

A parcel of land being a portion of Lot 6A, Block 1 of a Replat of Lot 6, Block 1, River's Edge Ranch Subdivision 1990, filed as Instrument No. 435938, in the Blaine County Recorder's Office, located in the NE¼SE¼ of Section 30, Township 4 North, Range 18 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

COMMENCING at the southeast corner of said Section 30, monumented by a 3.25" brass cap (Corner Record No. 580111); thence North 89°32'31" West, coincident with the Southerly line of the SE¼SE¼ of said Section 30, a distance of 720.45 feet to the Easterly right-of-way line of Broadway Run, from which the E1/16 corner common to Sections 30 and 31, monumented by a 1.5" iron pipe (Corner Record No. 413481) bears North 89°32'31" West, a distance of 606.84 feet; thence North 05°04'01" East, coincident with said Easterly right-of-way line of Broadway Run, a distance of 1,249.30 feet to the Easterly right-of-way line of SH-75; thence North 46°13'46" East, coincident with said Easterly right-of-way line of SH-75, a distance of 20.09 feet to the beginning of a tangent curve to the left; thence Northeasterly, coincident with said Easterly right-of-way line of SH-75, along the arc of said curve to the left, an arc distance of 322.38 feet, said curve having a radius of 1,179.00 feet, a central angle of 15°39'59", and a chord bearing of North 38°23'46" East, a distance of 321.37 feet to the southwesterly corner of said Lot 6A and the POINT OF BEGINNING; thence Continuing northeasterly, coincident with said Easterly right-of-way of SH-75, along the arc of said curve to the left, an arc distance of 280.91 feet, said curve having a radius of 1,179.00 feet, a central angle of 13°39'04", and a chord bearing of North 23°44'15" East, a distance of 280.24 feet to the northwesterly corner of said Lot 6A; thence South 79°18'16" East, coincident with the Northerly line of said Lot 6A, a distance of 15.75 feet to the beginning of a non-tangent curve to the right; thence Southwesterly along the arc of said curve to the right, an arc distance of 278.16 feet, said curve having a radius of 1,196.00 feet, a central angle of 13°19'32", and a chord bearing of South 23°46'12" West, a distance of 277.53 feet to the Southerly line of said Lot 6A; thence North 88°40'31" West, coincident with the Southerly line of Lot 6A, a distance of 16.42 feet to the POINT OF BEGINNING.

AND

Parcel A3 of RIVER'S EDGE RANCH AMENDED, BLAINE COUNTY, IDAHO, as shown on the official plat thereof, recorded September 7, 2005, as Instrument No. 525674, records of Blaine County, Idaho,

EXCEPTING THEREFROM:

A parcel of land being a portion of Parcel A-3, River's Edge Ranch Amended Subdivision, filed as Instrument No. 525674, in the Blaine County Recorder's Office, located in the NE¼SE¼ of Section 30, Township 4 North, Range 18 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

COMMENCING at the southeast corner of said Section 30, monumented by a 3.25" brass cap

(Corner Record No. 580111); thence
North 89°32'31" West, coincident with the Southerly line of the SE¼SE¼ of said Section 30, a distance of 720.45 feet to the Easterly right-of-way line of Broadway Run, from which the E1/16 corner common to Sections 30 and 31, monumented by a 1.5" iron pipe (Corner Record No. 413481) bears North 89°32'31" West, a distance of 606.84 feet; thence
North 05°04'01" East, coincident with said Easterly right-of-way line of Broadway Run, a distance of 1,249.30 feet to the Easterly right-of-way line of SH-75; thence
North 46°13'46" East, coincident with said Easterly right-of-way line of SH-75, a distance of 20.09 feet to the beginning of a tangent curve to the left; thence
Northeasterly, coincident with said Easterly right-of-way line of SH-75, along the arc of said curve to the left, an arc distance of 603.28 feet, said curve having a radius of 1,179.00 feet, a central angle of 29°19'03", and a chord bearing of North 31°34'14" East, a distance of 596.72 feet; thence
South 79°18'16" East, a distance of 5.03 feet to the southwesterly corner of said Parcel A-3, and the beginning of a non-tangent curve to the left and the POINT OF BEGINNING; thence
Northerly, coincident with the Westerly line of said Parcel A-3, along the arc of said curve to the left, an arc distance of 90.41 feet, said curve having a radius of 1,184.00 feet, a central angle of 04°22'31", and a chord bearing of North 14°41'52" East, a distance of 90.39 feet to the northwesterly corner of said Parcel A-3; thence
South 86°35'27" East, coincident with the Northerly line of said Parcel A-3, a distance of 11.24 feet to the beginning of a non-tangent curve to the right; thence
Southerly along the arc of said curve to the right, an arc distance of 91.87 feet, said curve having a radius of 1,196.00 feet, a central angle of 04°24'03", and a chord bearing of South 14°54'24" West, a distance of 91.84 feet to the Southerly line of said Parcel A-3; thence
North 79°18'16" West, coincident with the Southerly line of said Parcel A-3, a distance of 10.72 feet to the POINT OF BEGINNING.

TOGETHER WITH the water rights identified in the records of the Idaho Department of Water Resources ("IDWR") as 37-12363 and 37-12366, and all of Grantors' right, title and interest in and to Water Rights Nos. 37-04150 and 37-04265; provided, however, that all such water rights are being conveyed to the Grantee with the following covenants and warranties, and no others: 1) that prior to the time of the execution of this Warranty Deed, the Grantors have not conveyed these water rights, or any right, title or interest therein, to any person other than the Grantee, and 2) that such water rights are, at the time of the execution of such Warranty Deed, free from encumbrances done, made or suffered by the Grantors, or any person claiming under them and 3) that Grantor has no actual knowledge of any third party claims to the rights or any title defect in the water rights.



Order No. 1226222

WARRANTY DEED

FOR VALUE RECEIVED

JAMES B. FLEIG, an unmarried man, as to an undivided 50% interest AND ARNOLD LANDAU, a married man as his sole and separate property, as to an undivided 50% interest

the Grantor does hereby grant, bargain, sell, convey and warrant unto

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MARCH 2, 2009**

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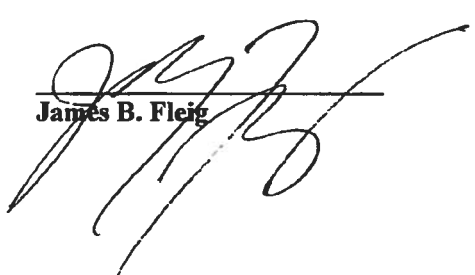
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TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated this 3rd day of April, 2012


James B. Fleig


Arnold Landau

This document has been executed
in duplicate, its end together
constitutes the original.

State of: IDAHO
County of: BLAINE

On this 3rd day of April, 2012, before me, the undersigned, a Notary Public, in and for said State, personally appeared **JAMES B. FLEIG** known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



Notary Public
Residing at: Ketchum ID
Commission Expires: 9/18/2012

State of: _____
County of: _____

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public, in and for said State, personally appeared **ARNOLD LANDAU**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

Notary Public
Residing at: _____
Commission Expires: _____

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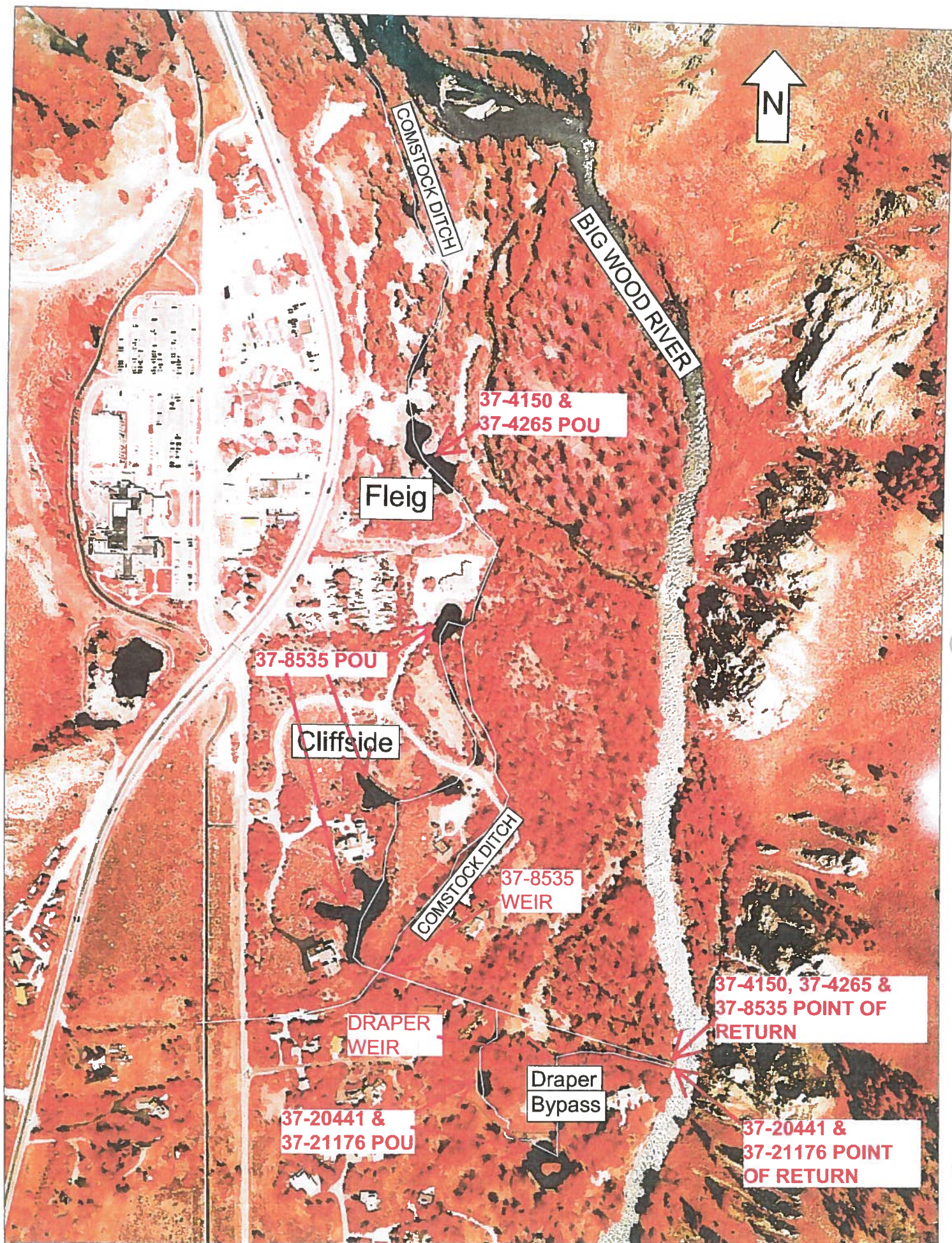
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Parcel Information

Print Results Find Owner Find Parcel Find Address Find Legal

1:3,173

Go



Results

[Clear All](#)

- ☒ **RP00493000006A (Parcels) 154931**
 - ☒ RP00493000006A
- ☒ **RP004930000050 (Parcels) 154928**
 - ☒ RP004930000050

Map Contents

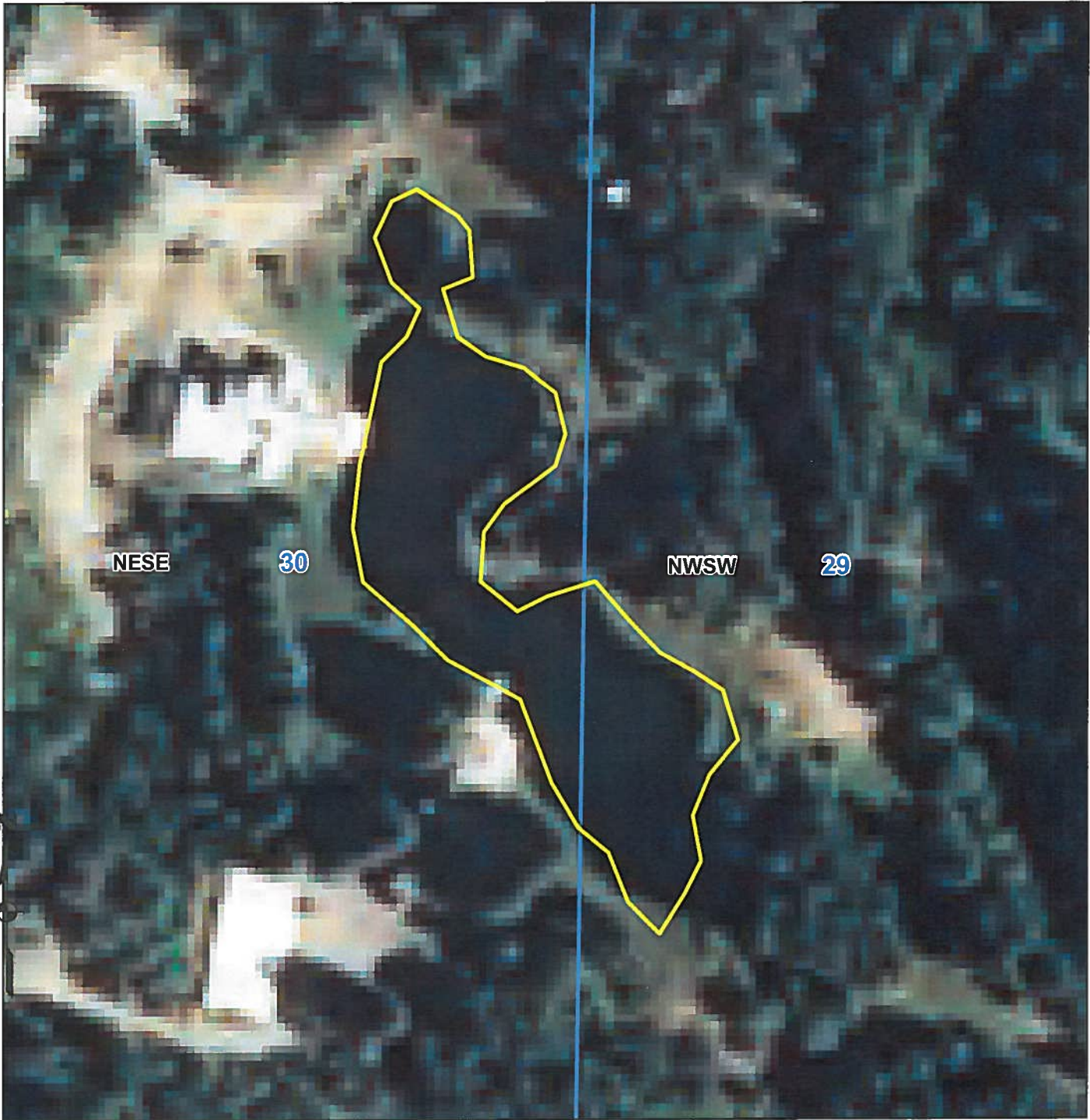
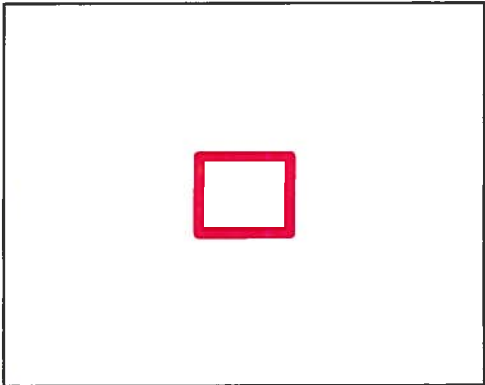
- ☒ Parcel Information
 - ☐ Mileposts
 - ☒ Main Roads
 - ☒ Roads
 - ☐ House Number
 - ☐ Plats
 - ☒ Parcels
 - ☐ Mines
 - ☐ Water Bodies
 - ☐ Water Areas
 - ☐ Water Lines
 - ☐ 1-4 Sections
 - ☐ Townships
 - ☐ Sections
 - ☐ BC_Cities
 - ☐ 2011TaxCodeAreas
 - ☐ Herd Districts
 - ☐ Public Ownership
 - ☐ Voter Precincts
 - ☐ School Trustee Zones







37-4265





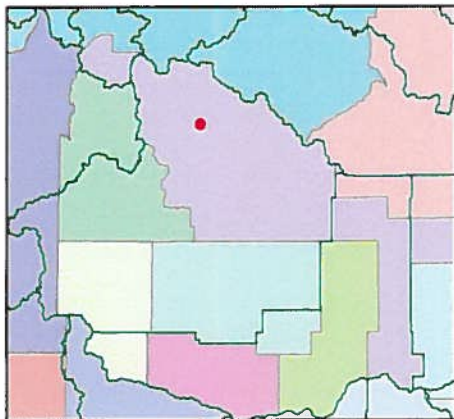
Idaho Department of Water Resources

Adjudication Recommendation

37-4265

(RECREATION)

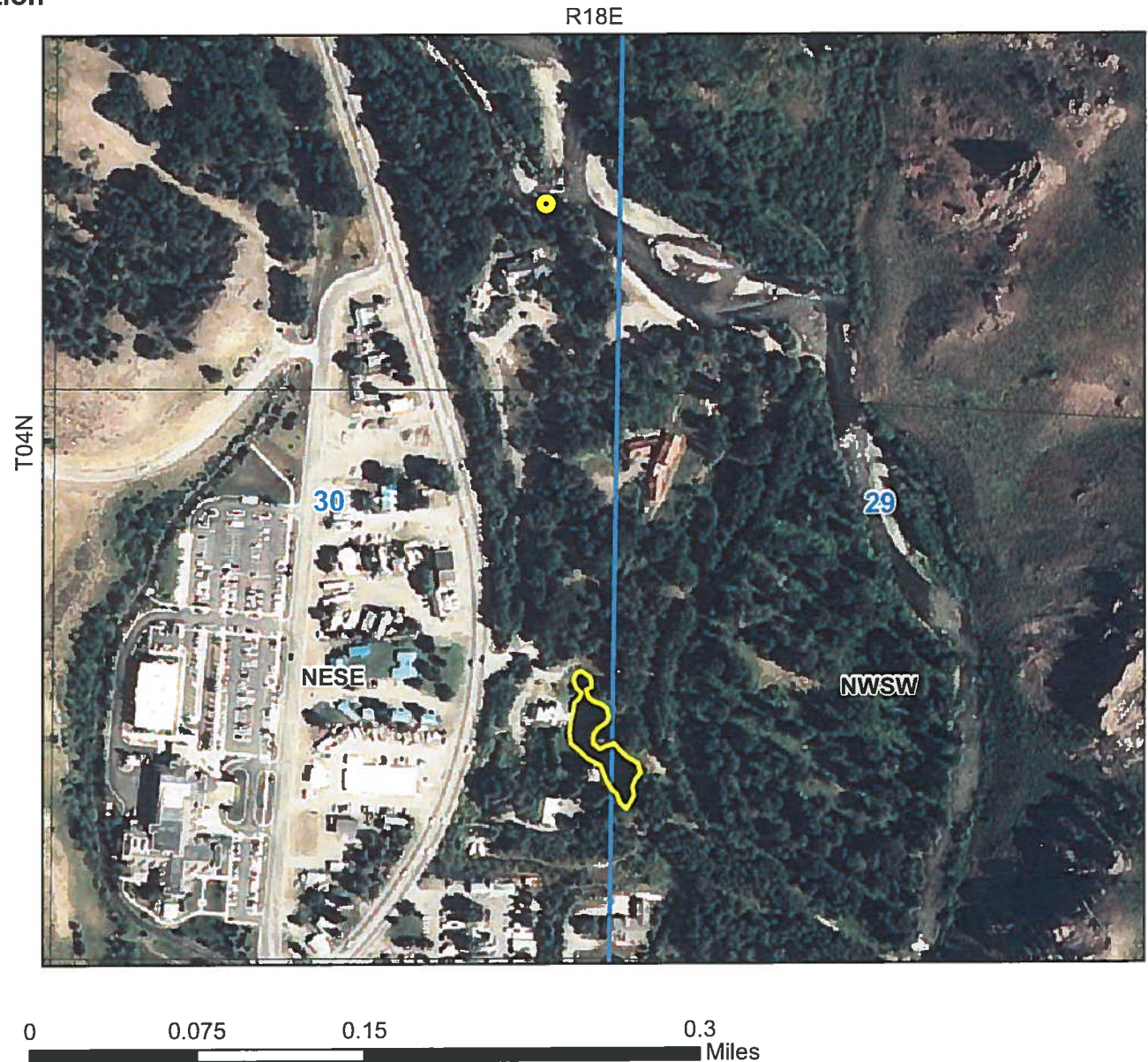
-  Point of Diversion
-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37

Prepared by Fawcett, Trish

2009 Aerial Photography





Idaho Department of Water Resources

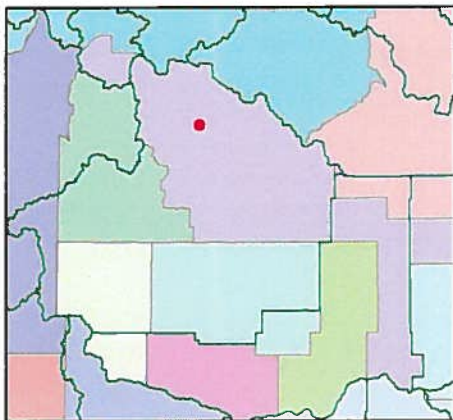
Adjudication Recommendation

37-4150

(RECREATION STORAGE)

R18E

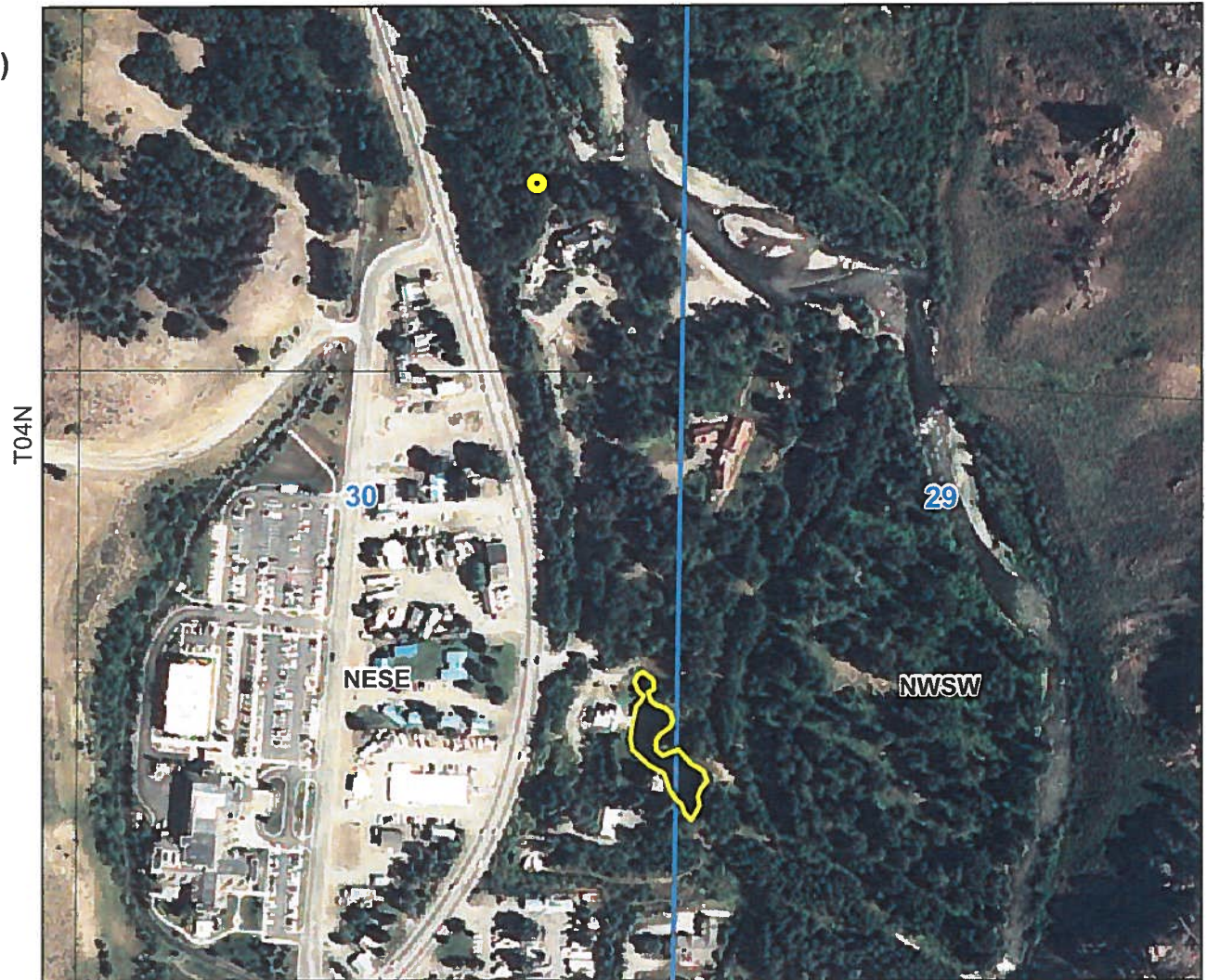
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**Blaine County
IDWR Basin 37**

Prepared by Fawcett, Trish

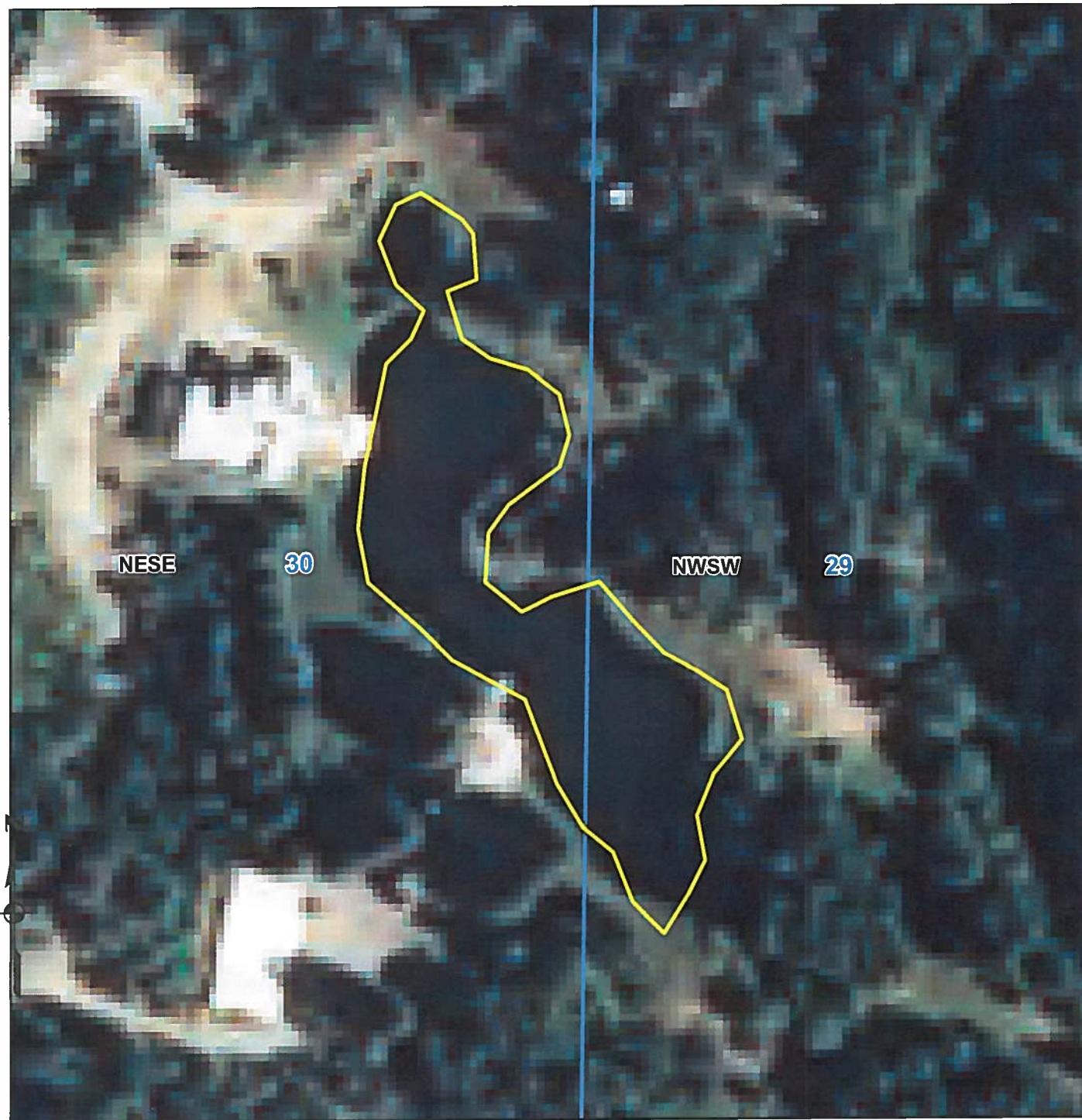
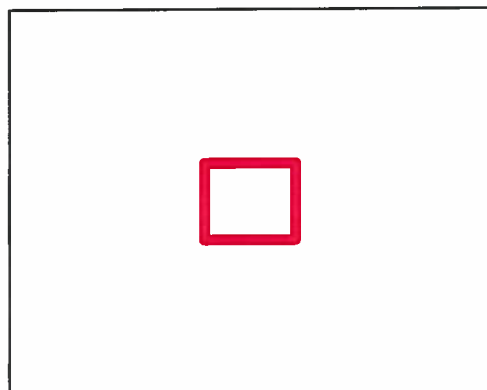
2009 Aerial Photography



0 0.075 0.15 0.3 Miles



37-4150



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4150 V2

WATER RIGHT NUMBER: 37-4150 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD N DICK C/O JAMES B FLEIG PO BOX 869 KETCHUM, ID 83340-0869 (208)725-5200
Current Owner	DOLORES PRITCHARD C/O JAMES B FLEIG PO BOX 869 KETCHUM, ID 83340-0869 (208)725-5200
Current Owner	ARNOLD LANDAU PO BOX 4993 KETCHUM, ID 83340 (949)300-3799
Current Owner	JAMES B FLEIG PO BOX 4993 KETCHUM, ID 83340 (949)300-3799
Original Owner	ROBERT H SHERWOOD BOX 273 SUN VALLEY, ID 83353 (208)726-3300
Directors Report Owner	RIVERS EDGE ASSOCIATES LLC PO BOX 869 KETCHUM, ID 83340 (208)725-5200
Attorney	SPECK & AANESTAD JAMES P SPECK PO BOX 987 KETCHUM, ID 83340 (208)726-4421

Priority Date: 01/01/1939

Basis: Beneficial Use

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION	01/01 to 12/31	0.200 CFS	
RECREATION STORAGE	01/01 to 12/31		1.93 AF
<u>Total Diversion:</u>		0.200 CFS	1.93 AF

Location of Point(s) of Diversion

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

Place of Use

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-4150 V2

RECREATION

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 18E 29	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
										X							
04N 18E 30													X				

RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 18E 29	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
										X							
04N 18E 30													X				

Conditions of Approval:

1. The aesthetic pond established under this right shall not exceed a total capacity of 1.93 acre-feet or a total surface area of 0.46 acres.
2. Measuring devices acceptable to the Department shall be permanently maintained at the point of discharge to the Big Wood River or a hydraulically connected side channel of the Big Wood River.
3. 027 Use of water under this right shall be non-consumptive.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. sclellan 7/23/2010 ADR update

Comment: Proof of this right is supported largely by the unclaimed license 37-8278. Location of the spring source of this right was not determined and GIS POD is centroid only.

2. sclellan 5/11/2011 combined limits

Comment: It does not appear this spring right has ever been subject to a combined diversion review in developments of other rights in the area. Therefore no limits are being added at this time but may be subject to future limits under new developments.

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4265 V2

WATER RIGHT NUMBER: 37-4265 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES B FLEIG PO BOX 4993 KETCHUM, ID 83340 (949)300-3799
Current Owner	ARNOLD LANDAU PO BOX 4993 KETCHUM, ID 83340 (949)300-3799
Current Owner	DOLORES PRITCHARD C/O JAMES B FLEIG PO BOX 869 KETCHUM, ID 83340-0869 (208)725-5200
Current Owner	RICHARD N DICK C/O JAMES B FLEIG PO BOX 869 KETCHUM, ID 83340-0869 (208)725-5200
Original Owner	ROBERT H SHERWOOD BOX 273 SUN VALLEY, ID 83353 (208)726-3300
Directors Report Owner	RIVERS EDGE ASSOCIATES LLC PO BOX 869 KETCHUM, ID 83340 (208)725-5200
Attorney	SPECK & AANESTAD JAMES P SPECK PO BOX 987 KETCHUM, ID 83340 (208)726-4421

Priority Date: 03/01/1939

Basis: Beneficial Use

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> _____ <u>To</u> _____	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION	01/01 to 12/31	4.000 CFS	
RECREATION STORAGE	01/01 to 12/31		1.93 AF
	<u>Total Diversion:</u>	4.000 CFS	1.93 AF

Location of Point(s) of Diversion

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

Place of Use

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-4265 V2

RECREATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	29										X							
04N	18E	30													X				

RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	29										X							
04N	18E	30													X				

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. 027 Use of water under this right shall be non-consumptive.
3. Measuring devices acceptable to the Department shall be permanently maintained at the point of discharge to the Big Wood River or a hydraulically connected side channel of the Big Wood River.
4. X35 Rights 37-4265, 37-8535, 37-20441 and 37-21176 when combined shall not exceed a total diversion rate of 10.00 cfs.
5. The aesthetic pond established under this right shall not exceed a total capacity of 1.93 acre-feet or a total surface area of 0.46 acres.

Remarks:Comments:

1. sclellan 7/23/2010 ADR update

Comment: Proof of this right is supported largely by the unclaimed license 37-8278 and exam. This right is claimed to superceded and replace the licensed right.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 37-21176

WILDLIFE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	32						X											

Conditions of Approval:

- At such times in the future as may be necessary to protect the prior rights of other water users, the Director may require determination of the actual rate of loss within the system and may require additional mitigation for all system losses, including losses which may injure other users from the Comstock Ditch.
- This right is junior to the minimum streamflow in the Big Wood River of 189.00 cfs, as established by water Rights 37-7919 and 37-8307.
- Water diverted under Snake River Basin Adjudication Claim 37-20440 is used in combination with this right to mitigate losses of water resulting from the use of this right. From April 15 to October 31 each year water shall not be diverted under this right except when water is being diverted under SRBA Claim 37-20440, or a decreed water right based on SRBA Claim 37-20440, for mitigation purposes. From November 1 to April 14 each year, water may be diverted under this right without mitigation.
- Measuring devices acceptable to the Department shall be permanently maintained at the point of diversion from the Cliffside Homeowners Assn. Inc. (Graystone) pond and at the point of discharge to the Big Wood River or a hydraulically connected side channel of the Big Wood River.
- R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
- The right holder shall monitor the effect of return flows on the temperature of the Big Wood River in accordance with the rules and regulations of the Department Environmental Quality and in accordance with the agreement with protestant or permit 37-20441. The Director may require other water quality monitoring if necessary, to protect the local public interest. Use of water under this right, when combined with other recreational, aesthetic, hydropower, fish propagation or other traditional "non-consumptive uses" of water must not cause a significant degradation of water quality in the Big Wood River and its tributaries.
- X35 Rights 37-8278, 37-8535, 37-20441 and 37-21176 when combined shall not exceed a total diversion rate of 10.00 cfs.
- X36 Right 37-20441 is also diverted through the point of diversion described above.
- A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently maintained at the point of diversion from the Big Wood River.
- When delivery of water pursuant solely to this right is not possible because of earlier priority rights, including minimum streamflows, water diverted pursuant to Right 37-8278 (or Right 37-4265, if it is decreed in the Snake River Basin Adjudication instead of Right 37-8278) may be delivered through the place of use for this right only if: a) losses incurred from the point of diversion from the Big Wood River to the point of discharge of the water diverted under Right 37-8278 (or 37-4265) are fully compensated, if such compensation is then required for the use of water under Right 37-8278 (or 37-4265), b) the water is discharged directly to the actively flowing channel of the Big Wood River or into a hydraulically connected side channel of the Big Wood River, and c) mitigation is provided as described above.
- 081 Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
- 004 This right does not grant any right-of-way or easement across the land of another.

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 37-20441

WILDLIFE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	18E	32	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
								X											

Conditions of Approval:

1. The right holder shall monitor the effect of return flows on the temperature of the Big Wood River in accordance with the rules and regulations of the Department Environmental Quality and in accordance with the agreement with protestant. The Director may require other water quality monitoring if necessary, to protect the local public interest. Use of water under this right, when combined with other recreational, aesthetic, hydropower, fish propagation or other traditional "non-consumptive uses" of water must not cause a significant degradation of water quality in the Big Wood River and its tributaries.
2. This right is junior to the minimum streamflow in the Big Wood River of 189.00 cfs, as established by water Rights 37-7919 and 37-8307.
3. 004 This right does not grant any right-of-way or easement across the land of another.
4. X35 Rights 37-8278, 37-8535 and 37-20441 when combined shall not exceed a total diversion rate of 10.00 cfs.
5. Water diverted under Snake River Basin Adjudication Claim 37-20440 is used in combination with this right to mitigate losses of water resulting from the use of this right. From April 15 to October 31 each year water shall not be diverted under this right except when water is being diverted under SRBA Claim 37-20440, or a decreed water right based on SRBA Claim 37-20440, for mitigation purposes. From November 1 to April 14 each year, water may be diverted under this right without mitigation.
6. 020 Use of water under this right may be affected by an agreement between the protestant and the right holder.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
8. Measuring devices acceptable to the Department shall be permanently maintained at the point of diversion from the Cliffside Homeowners Assn. Inc. (Graystone) pond and at the point of discharge to the Big Wood River or a hydraulically connected side channel of the Big Wood River.
9. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently maintained at the point of diversion from the Big Wood River.
10. At such times in the future as may be necessary to protect the prior rights of other water users, the Director may require determination of the actual rate of loss within the system and may require additional mitigation for all system losses, including losses which may injure other users from the Comstock Ditch.
11. 081 Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
12. When delivery of water pursuant solely to this right is not possible because of earlier priority rights, including minimum streamflows, water diverted pursuant to Right 37-8278 (or Right 37-4265, if it is decreed in the Snake River Basin Adjudication instead of Right 37-8278) may be delivered through the place of use for this right only if: a) losses incurred from the point of diversion from the Big Wood River to the point of discharge of the water diverted under Right 37-8278 (or 37-4265) are fully compensated, if such compensation is then required for the use of water under Right 37-8278 (or 37-4265), b) the water is discharged directly to the actively flowing channel of the Big Wood River or into a hydraulically connected side channel of the Big Wood River, and c) mitigation is provided as described above.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-8535

WATER RIGHT NUMBER: 37-8535

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GRAYSTONE INC C/O JAMES P SPECK PO BOX 987 KETCHUM, ID 83340-0987 (208)726-4421
Current Owner	CLIFFSIDE HOMEOWNERS ASSN INC PO BOX 3175 KETCHUM, ID 83340 (208)726-5997

Priority Date: 07/11/1989

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
AESTHETIC	1/01 to 12/31	10.000 CFS	7,239.80 AF
	<u>Total Diversion:</u>	10.000 CFS	7,239.80 AF

Location of Point(s) of Diversion

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

Place of Use

AESTHETIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	29											X						
04N	18E	30																X	

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-8535

1. Water temperature effects on the Big Wood River of return flows must be monitored as per agreement between the right holder and the Department of Health & Welfare, Division of Environmental Quality. The Director may require other water quality monitoring if necessary, to protect the local public interest. Use of water under this right, when combined with other recreational, aesthetic, hydropower, fish propagation or other traditional "non-consumptive uses" of water must not cause a significant degradation of water quality in the Big Wood River and its tributaries.
This right is junior to the minimum streamflow in the Big Wood River of 189.00 cfs, as established by water right nos. 37-07919 and 37-08307.
The director retains jurisdiction to review and amend any and all parameters of this right to assure continuing compliance with the "local public interest" criteria of IDAPA Rule 37.03.08.045.01.e. Any person seeking review and amendment of this right shall file a request for a transfer with the department, which request shall include the transfer sought, the reasons for the transfer, and a statement of the changes in circumstances since the license was issued or last reviewed that merit a review of the license. The department shall mail a copy of the request by certified mail, return receipt requested, to the right holder and allow the right holder not less than thirty (30) days from the date of his receipt of the copy of the request to file a response. Upon review of the request and the response, the department may, in its discretion, decide the right needs to be reviewed. If so, it shall notify the general public and specific persons or parties known to be interested in the proposed change, and conduct a hearing for the purpose of determining whether the right should be changed for the purpose of assuring it continues to comply with the "local public interest" criteria of IDAPA Rule 37.03.08.045.01.e. The burden of proof at the hearing shall be upon the persons or parties seeking the transfer to establish that a material change in circumstances has occurred since the right was issued or was reviewed that requires a transfer of the right to prevent a conflict with the "local public interest".
This right, when combined with water diverted pursuant to right no. 37-08278 shall not exceed ten (10) cfs.
When delivery of water pursuant solely to this right is not possible because of earlier priority rights, including minimum streamflows, water diverted pursuant to right no. 37-08278 may be delivered through the place of use for this right only if: a) losses incurred from the point of diversion to the point of discharge of right no. 37-08278 are fully compensated, and b) the water is discharged directly to the actively flowing channel of the Big Wood River.
Right 37-30035 is used in combination with this right to mitigate losses of water resulting from the use of this right. The loss of water available to the holders of senior Comstoc
2. 081 Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:

Comments:

1. MBALDWIN 5/30/1996 PROOF OF BENEFICIAL USE & FIELD EXAM
Comment: Proof of Beneficial Use and Field Exam submitted on this date by C.E. Brockway, Engineer.
2. mciscell 1/17/2007 POD
Comment: PODID 522837 correlated from SpatialDataID 161332 to SpatialDataID 383315
3. mciscell 1/17/2007 POD
Comment: PODID 522837 correlated from SpatialDataID 161332 to SpatialDataID 383315
4. mciscell 1/17/2007 POD
Comment: PODID 522837 correlated from SpatialDataID 161332 to SpatialDataID 383315



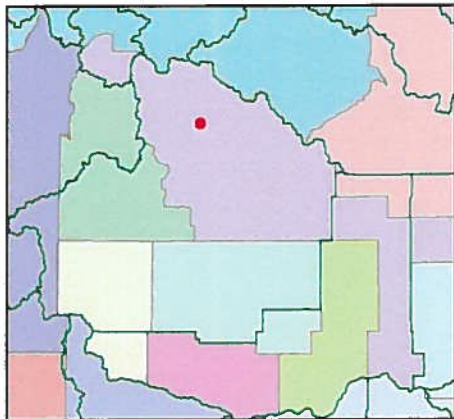
Idaho Department of Water Resources

Adjudication Recommendation

37-4265

(RECREATION STORAGE)

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



**Blaine County
IDWR Basin 37**

Prepared by Fawcett, Trish

2009 Aerial Photography





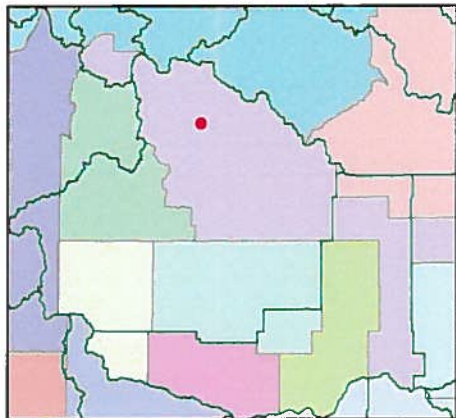
Idaho Department of Water Resources

Adjudication Recommendation

37-4150

(RECREATION)

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



Blaine County
IDWR Basin 37

Prepared by Fawcett, Trish

2009 Aerial Photography



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-12363

WATER RIGHT NUMBER: 37-12363

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ARNOLD LANDAU PO BOX 4993 KETCHUM, ID 83340 (949)300-3799
Current Owner	JAMES B FLEIG PO BOX 4993 KETCHUM, ID 83340 (949)300-3799
Original Owner	HELEN M FASSETT RIVERS EDGE RANCH PO BOX 273 SUN VALLEY, ID 83353 (208)726-3300
Directors Report Owner	ROBERT H SHERWOOD 4889 RIVERVISTA PL BOISE, ID 83705-1980 (208)853-2989
Previous Owner	RIVERS EDGE ASSOCIATES LLC PO BOX 869 KETCHUM, ID 83340 (208)725-5200

Priority Date: 07/10/1948

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
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GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4SE1/4	Sec. 30, Twp 04N, Rge 18E, B.M.
BLAINE County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	29																	
												X							

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-12363

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. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

Comments:

1. CHRISTEN 1/7/1993 OWNERSHIP CHANGE

Comment: CHANGE BASED UPON DEATH CERTIFICATE AND POWER OF ATTORNEY. KKC

2. CORR1 10/2/1997 COPIED FROM REMARKS

Comment: WELL IS LOCATED IN RIVERS EDGE RANCH SUBDIVISION, LOT 6, USE LESS THAN 13,000 GPD THIS IS ONE OF TWO WELLS AT SAME LOCATION (IN THIS CLAIM CALL OUT AS WELL #2)

3. SSHERMAN 3/24/1999 ADDRESS CHANGE

Comment: ADDRESS CHANGE BY CLAIMANT LETTER.

4. tfawcett 3/5/2001 owner change

Comment: ownership changed Sherwood to Rivers Edge Associates per 1409(6) and warranty deed received 3/5/01.

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-12366

WATER RIGHT NUMBER: 37-12366

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HELEN M FASSETT RIVERS EDGE RANCH PO BOX 273 SUN VALLEY, ID 83353 (208)726-3300
Current Owner	JAMES B FLEIG PO BOX 4993 KETCHUM, ID 83340 (949)300-3799
Current Owner	ARNOLD LANDAU PO BOX 4993 KETCHUM, ID 83340 (949)300-3799
Directors Report Owner	ROBERT H SHERWOOD 4889 RIVERVISTA PL BOISE, ID 83705-1980 (208)853-2989
Previous Owner	RIVERS EDGE ASSOCIATES LLC PO BOX 869 KETCHUM, ID 83340 (208)725-5200

Priority Date: 06/26/1939

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
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GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4SE1/4	Sec. 30, Twp 04N, Rge 18E, B.M.
BLAINE County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	18E	29										X							

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-12366

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
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. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

Comments:

1. CHRISTEN 1/7/1993 COPIED FROM REMARKS
Comment: WELL IS LOCATED IN RIVERS EDGE RANCH SUBDIVISION, LOT 6, USE LESS THAN 13,000 GPD THIS IS ONE OF TWO WELLS AT SAME LOCATION (IN THIS CLAIM CALL OUT AS WELL #1) CHANGE OF OWNERSHIP CHANGE BASED UPON DEATH CERTIFICATE AND POWER OF ATTORNEY. KKC
2. CORR1 10/2/1997 COPIED FROM REMARKS
Comment: WELL IS LOCATED IN RIVERS EDGE RANCH SUBDIVISION, LOT 6, USE LESS THAN 13,000 GPD THIS IS ONE OF TWO WELLS AT SAME LOCATION (IN THIS CLAIM CALL OUT AS WELL #1)
3. SSHERMAN 3/24/1999 ADDRESS CHANGE
Comment: ADDRESS CHANGE BY CLAIMANT LETTER.
4. tfawcett 3/5/2001 owner change
Comment: ownership changed Sherwood to Rivers Edge Associates per 1409(6) and warranty deed received 3/5/01.

Water Supply Bank: