

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76280

This is to certify that: COTTONWOOD CREEK HOMEOWNERS ASSOCIATION
C/O ROBIN TAYLOR SEC
PO BOX 2840
KETCHUM ID 83340

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-577CG	WR/Decreed	03/24/1883	0.69 cfs	N/A		38.0	BIG WOOD RIVER
37-657E	WR/Decreed	05/01/1881	0.76 cfs	N/A		2.3	BIG WOOD RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-577CG	NO	YES	YES	NO	NO	YES
37-657E	NO	YES	YES	NO	NO	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-577C G	37-577C G	0.69 cfs	N/A	36.5	107.5		N/A	N/A		N/A
37-657E	37-657E	0.76 cfs	N/A	36.5	107.5		N/A	N/A		N/A
COMBINED										
TOTALS		1.45 cfs		36.5	107.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18th day of October, 2011



Southern Region Manager

WATER RIGHT NO. 37-577CG
As Modified by Transfer No. 76280

In accordance with the approval of Transfer No. 76280, Water Right No. 37-577CG is now described as follows.

Right Holder: COTTONWOOD CREEK INVESTMENTS INC
 C/O ROBIN TAYLOR
 PO BOX 2840
 KETCHUM ID 83340

Priority Date: March 24, 1883

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	04/15	to 10/31	0.03 CFS	
AESTHETIC STORAGE	04/15	to 10/31		2.5 AF
WILDLIFE STORAGE	04/15	to 10/31		2.5 AF
IRRIGATION	04/15	to 10/31	0.66 CFS	
RECREATION STORAGE	04/15	to 10/31		2.5 AF
			0.69 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SWNW Sec. 20 Twp 03N Rge 18E BLAINE County

BIG WOOD RIVER SWNE Sec. 29 Twp 03N Rge 18E BLAINE County

PLACE OF USE: AESTHETIC STORAGE, WILDLIFE STORAGE & RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
03N	18E	29			X											X			

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
03N	18E	29		.6	33.2				19.3	22.9						31.4	.1		107.5

Total Acres: 107.5

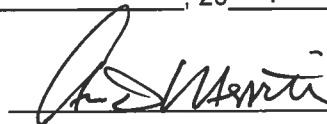
WATER RIGHT NO. 37-577CG
As Modified by Transfer No. 76280

CONDITIONS OF APPROVAL

1. The wildlife, aesthetic and recreation storage use authorized by rights 37-577CG and 37-657E authorizes the total annual diversion of 2.5 af to be used for the replacement of losses caused by evaporation from the 1.5 acre of total surface area of the ponds authorized by right 37-22594.
2. 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.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. This right is limited to the irrigation of 36.5 acres within the authorized place of use in a single irrigation season.
5. Rights 37-577CG and 37-657E when combined shall not exceed a total diversion rate of 1.45 cfs and the irrigation of a total of 36.5 acres.
6. This right is limited to the irrigation of a specific 36.5 acres within the 107.5 acre place of use authorized by this right in a single irrigation season. The specific 36.5 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 36.5 acres to be irrigated within the 107.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 18th day of October, 20 11



Southern Region Manager

WATER RIGHT NO. 37-657E
As Modified by Transfer No. 76280

In accordance with the approval of Transfer No. 76280, Water Right No. 37-657E is now described as follows.

Right Holder: COTTONWOOD CREEK INVESTMENTS INC
 C/O ROBIN TAYLOR
 PO BOX 2840
 KETCHUM ID 83340

Priority Date: May 01, 1881

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.73 CFS	
DIVERSION TO STORAGE	04/15	to 10/31	0.03 CFS	
AESTHETIC STORAGE	04/15	to 10/31		2.5 AF
RECREATION STORAGE	04/15	to 10/31		2.5 AF
WILDLIFE STORAGE	04/15	to 10/31		2.5 AF
			0.76 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SWNW Sec. 20 Twp 03N Rge 18E BLAINE County

BIG WOOD RIVER SWNE Sec. 29 Twp 03N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 18E 29		.6	33.2				19.3	22.9						31.4	.1		107.5

Total Acres: 107.5

PLACE OF USE: AESTHETIC STORAGE, WILDLIFE STORAGE & 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	
03N 18E 29			X											X			

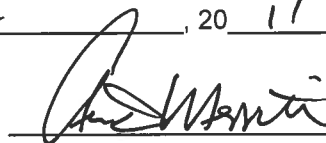
WATER RIGHT NO. 37-657E
As Modified by Transfer No. 76280

CONDITIONS OF APPROVAL

1. The wildlife, aesthetic and recreation storage use authorized by rights 37-577CG and 37-657E authorizes the total annual diversion of 2.5 af to be used for the replacement of losses caused by evaporation from the 1.5 acre of total surface area of the ponds authorized by right 37-22594.
2. 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.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. This right is limited to the irrigation of 36.5 acres within the authorized place of use in a single irrigation season.
5. Rights 37-577CG and 37-657E when combined shall not exceed a total diversion rate of 1.45 cfs and the irrigation of a total of 36.5 acres.
6. This right is limited to the irrigation of a specific 36.5 acres within the 107.5 acre place of use authorized by this right in a single irrigation season. The specific 36.5 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 36.5 acres to be irrigated within the 107.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 18th day of October, 20 11


Southern Region Manager

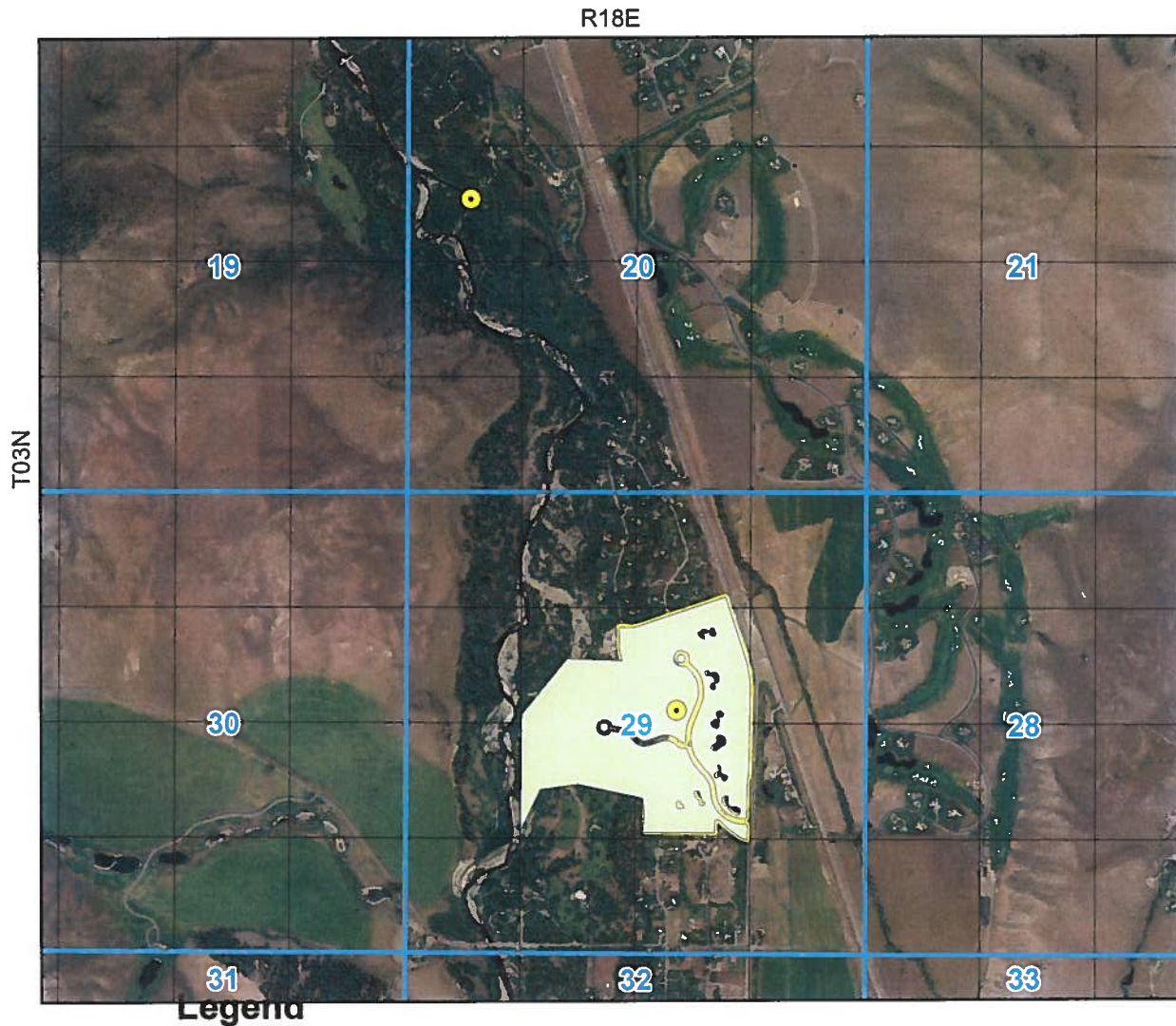
State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 76280

Rights: 37-577CG, 37-657E

This map depicts the IRRIGATION permissible place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



Legend

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

0 0.25 0.5 1 Miles



State of Idaho
Department of Water Resources

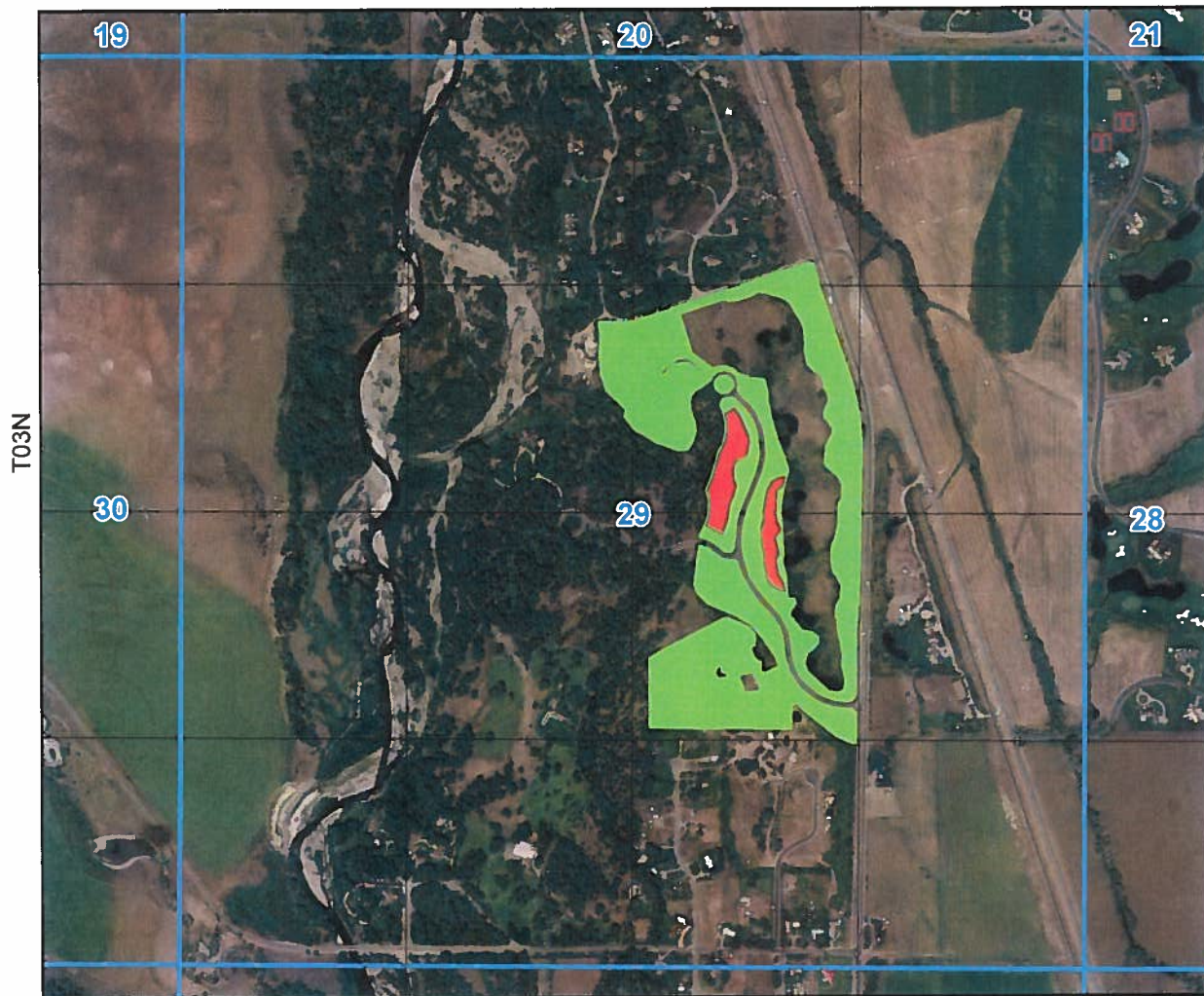
Attachment To Transfer Of Water Right

Transfer No. 76280

Rights: 37-577CG, 37-657E

This map depicts the place of use of the limited 33.5 acres to be IRRIGATED within the permissible place of use boundary and the 3.0 acres to be dried up for mitigation for 2012 for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.

R18E



0 0.125 0.25 0.5 Miles

Legend

-  Place Of Use Boundary
-  CCHOA- 3.0 Acres to Dry Up for First Fill Mitigation



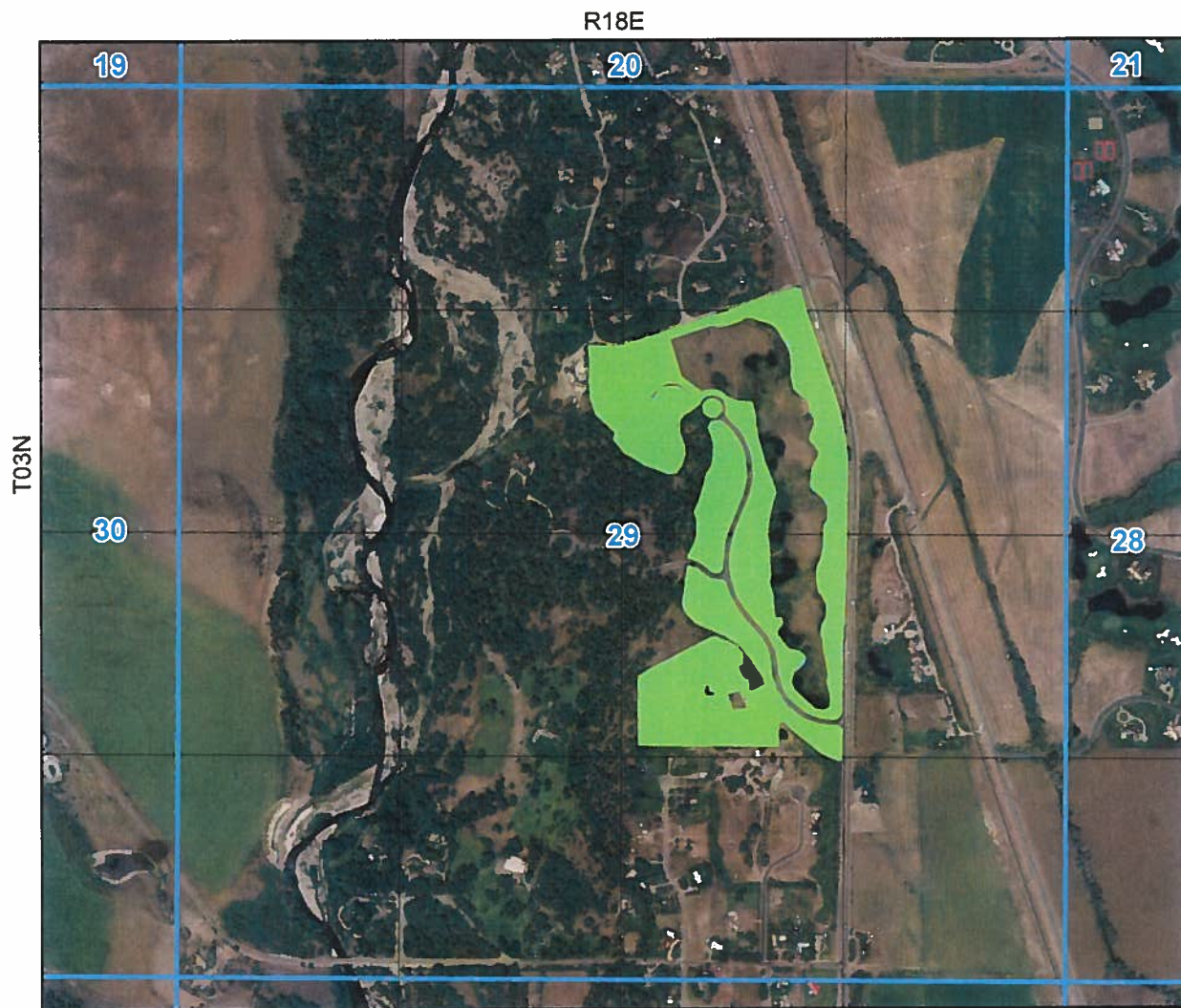
State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 76280

Rights: 37-577CG, 37-657E

This map depicts the place of use of the limited 36.5 acres to be IRRIGATED within the permissible place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.125 0.25 0.5 Miles

Legend

-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters



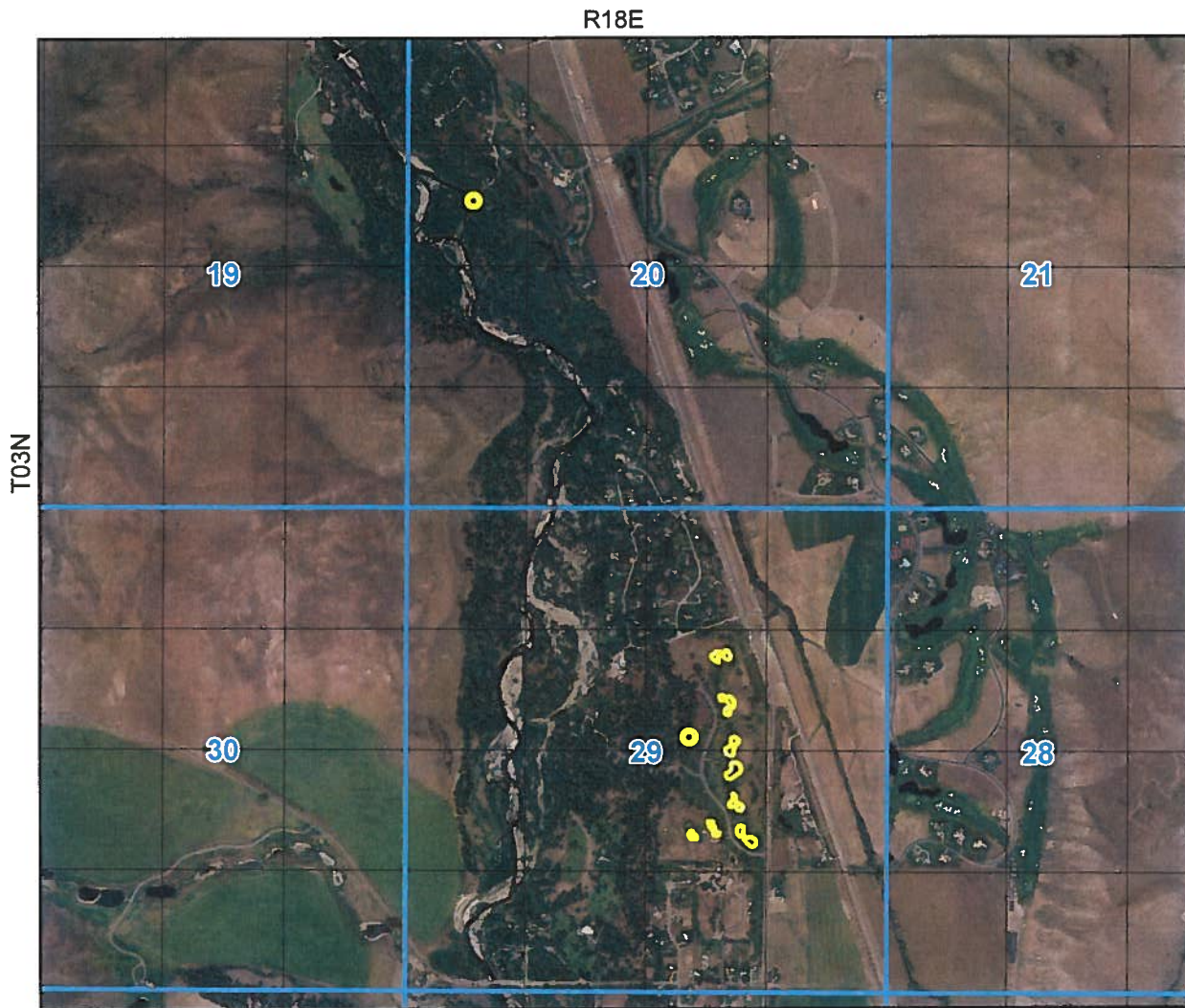
State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 76280

Rights: 37-577CG, 37-657E

This map depicts the AESTHETIC, WILDLIFE and RECREATION STORAGE place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.25 0.5 1 Miles

Legend

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

