

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71145**

This is to certify that: RHYTHM RANCH HOMEOWNERS ASSOCIATION
C/O JAMES P. SPECK
PO BOX 987
KETCHUM ID 83340
(208)726-4421

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-21229	AJC/Decreed	06/01/1885	0.525 cfs	N/A	N/A	35.0	BROADFORD SLOUGH
37-21231	AJC/Decreed	06/01/1886	0.55 cfs	N/A	N/A	35.0	BROADFORD SLOUGH
37-21233	AJC/Decreed	08/15/1902	0.79 cfs	N/A	N/A	35.0	BROADFORD SLOUGH
37-21235	AJC/Decreed	08/15/1902	0.175 cfs	N/A	N/A	35.0	BROADFORD SLOUGH
37-21237	AJC/Decreed	06/10/1880	0.22 cfs	N/A	N/A	35.0	BROADFORD SLOUGH

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>
37-21229	NO	YES	YES	NO	NO	NO
37-21231	NO	YES	YES	NO	NO	NO
37-21233	NO	YES	YES	NO	NO	NO
37-21235	NO	YES	YES	NO	NO	NO
37-21237	NO	YES	YES	NO	NO	NO

SUPPORT DATA

IN FILE # 37-21229

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71145**

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-21229	37-21229	0.53 cfs	N/A	31.1	49.0		N/A	N/A	N/A	N/A
37-21231	37-21231	0.55 cfs	N/A	31.1	49.0		N/A	N/A	N/A	N/A
37-21233	37-21233	0.79 cfs	N/A	31.1	49.0		N/A	N/A	N/A	N/A
37-21235	37-21235	0.17 cfs	N/A	31.1	49.0		N/A	N/A	N/A	N/A
37-21237	37-21237	0.22 cfs	N/A	31.1	49.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.26 cfs	108.9 af	31.1	49.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 2nd day of March, 2006



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21229
As Modified by Transfer No. 71145

In accordance with the approval of Transfer No. 71145, Water Right No. 37-21229 is now described as follows.

Right Holder: RHYTHM RANCH HOMEOWNERS ASSOCIATION
 C/O JAMES P. SPECK
 PO BOX 987
 KETCHUM ID 83340

Priority Date: June 01, 1885

Source: BROADFORD SLOUGH **Tributary:** BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.53 CFS	
			0.53 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BROADFORD SLOUGH NESESE Sec. 35 Twp 02N 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	
02N 18E 35															11.0	38.0	49.0

Total Acres: 49

WATER RIGHT NO. 37-21229
As Modified by Transfer No. 71145

CONDITIONS OF APPROVAL

1. Rights 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237 when combined shall not exceed a total diversion rate of 2.26 cfs, a total annual maximum diversion volume of 108.9 af at the field headgate, and the irrigation of 31.1 acres.
2. Rights 37-21227, 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237 when combined shall not exceed a total annual maximum diversion volume of 122.5 af at the field headgate, and the irrigation of 35.0 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. 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.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
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.

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 2nd day of March, 20 06



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21231
As Modified by Transfer No. 71145

In accordance with the approval of Transfer No. 71145, Water Right No. 37-21231 is now described as follows.

Right Holder: RHYTHM RANCH HOMEOWNERS ASSOCIATION
 C/O JAMES P. SPECK
 PO BOX 987
 KETCHUM ID 83340

Priority Date: June 01, 1886

Source: BROADFORD SLOUGH **Tributary:** BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.55 CFS	
			0.55 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BROADFORD SLOUGH NESESE Sec. 35 Twp 02N 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	
02N 18E 35															11.0	38.0	49.0

Total Acres: 49

WATER RIGHT NO. 37-21231
As Modified by Transfer No. 71145

CONDITIONS OF APPROVAL

1. Rights 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237 when combined shall not exceed a total diversion rate of 2.26 cfs, a total annual maximum diversion volume of 108.9 af at the field headgate, and the irrigation of 31.1 acres.
2. Rights 37-21227, 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237 when combined shall not exceed a total annual maximum diversion volume of 122.5 af at the field headgate, and the irrigation of 35.0 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. 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.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
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.

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 2nd day of March, 2006



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21233
As Modified by Transfer No. 71145

In accordance with the approval of Transfer No. 71145, Water Right No. 37-21233 is now described as follows.

Right Holder: RHYTHM RANCH HOMEOWNERS ASSOCIATION
C/O JAMES P. SPECK
PO BOX 987
KETCHUM ID 83340

Priority Date: August 15, 1902

Source: BROADFORD SLOUGH

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.79 CFS	
			0.79 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BROADFORD SLOUGH NESESE Sec. 35 Twp 02N 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	
02N	18E	35															11.0	38.0	49.0

Total Acres: 49

WATER RIGHT NO. 37-21233
As Modified by Transfer No. 71145

CONDITIONS OF APPROVAL

1. Rights 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237 when combined shall not exceed a total diversion rate of 2.26 cfs, a total annual maximum diversion volume of 108.9 af at the field headgate, and the irrigation of 31.1 acres.
2. Rights 37-21227, 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237 when combined shall not exceed a total annual maximum diversion volume of 122.5 af at the field headgate, and the irrigation of 35.0 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. 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.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
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.

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 2nd day of March, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21235
As Modified by Transfer No. 71145

In accordance with the approval of Transfer No. 71145, Water Right No. 37-21235 is now described as follows.

Right Holder: RHYTHM RANCH HOMEOWNERS ASSOCIATION
 C/O JAMES P. SPECK
 PO BOX 987
 KETCHUM ID 83340

Priority Date: August 15, 1902

Source: BROADFORD SLOUGH **Tributary:** BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.17 CFS	
			0.17 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BROADFORD SLOUGH NESESE Sec. 35 Twp 02N 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	
02N 18E 35															11.0	38.0	49.0

Total Acres: 49

WATER RIGHT NO. 37-21235
As Modified by Transfer No. 71145

CONDITIONS OF APPROVAL

1. Rights 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237 when combined shall not exceed a total diversion rate of 2.26 cfs, a total annual maximum diversion volume of 108.9 af at the field headgate, and the irrigation of 31.1 acres.
2. Rights 37-21227, 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237 when combined shall not exceed a total annual maximum diversion volume of 122.5 af at the field headgate, and the irrigation of 35.0 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. 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.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
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.

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 2nd day of March, 2006



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21237
As Modified by Transfer No. 71145

In accordance with the approval of Transfer No. 71145, Water Right No. 37-21237 is now described as follows.

Right Holder: RHYTHM RANCH HOMEOWNERS ASSOCIATION
 C/O JAMES P. SPECK
 PO BOX 987
 KETCHUM ID 83340

Priority Date: June 10, 1880

Source: BROADFORD SLOUGH **Tributary:** BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.22 CFS	
			0.22 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BROADFORD SLOUGH NESESE Sec. 35 Twp 02N 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	
02N 18E 35															11.0	38.0	49.0

Total Acres: 49

WATER RIGHT NO. 37-21237
As Modified by Transfer No. 71145

CONDITIONS OF APPROVAL

1. Rights 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237 when combined shall not exceed a total diversion rate of 2.26 cfs, a total annual maximum diversion volume of 108.9 af at the field headgate, and the irrigation of 31.1 acres.
2. Rights 37-21227, 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237 when combined shall not exceed a total annual maximum diversion volume of 122.5 af at the field headgate, and the irrigation of 35.0 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. 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.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
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.

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 2nd day of March, 2006



Chief, Water Allocation Bureau