

Transfer No. 71435
Receipt No. S026974

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information CLEAR LAKE COUNTRY CLUB
403 CLEAR LAKE LN
BUHL ID 83316
(208)543-4849

Will this transfer result in an ownership change? Yes

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
36-10154	WR/Beneficial Use	0.10		5.6	46.6	CLEAR LAKES CREEK
36-4074	WR/Decreed	1.40		41.0	90.0	CLEAR LAKES CREEK
36-4148A	WR/Decreed	1.50			133.0	CLEAR SPRINGS
36-4148B	WR/Decreed	1.50			90.0	CLEAR SPRINGS

3. Purpose of Transfer (Change Proposed)

Part 3A Attached for Each Proposed Right

Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-10154	NO	NO	YES	NO	NO	NO
36-4074	NO	NO	YES	NO	NO	NO
36-4148A	YES	NO	YES	NO	NO	NO
36-4148B	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

We purchased a portion of Right 36-4148A in 1998, but the purchase has not yet been recorded. Also, all points of diversion will be tied together in a common system. A few additional acres are being irrigated at the driving range, and 1.4 acres that we bought from Clear Lakes Ranch PUD will be put under irrigation also. The place of use for both properties was described in a very confusing manner in the SRBA decrees, so the transfer will describe all of our land as it will be irrigated. For the portion of the decreed pou for the Ranch that is not owned by them, these acres are being removed from their pou as part of our purchase; the remaining land described for them will be what they actually own.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
36-10154	0.10 cfs	5.6	87.9	
36-4074	1.40 cfs	41.0	87.9	
36-16237	0.60 cfs	53.2	87.9	
36-4148B	1.50 cfs		87.9	
TOTAL	3.50 cfs		87.9	351.6 af

Transfer No. 71435

Receipt No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

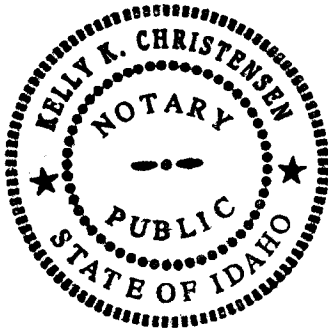
Kevin R. Boguslawski
(Signature of Applicant)

VICE PRESIDENT
(Title or Office)

Subscribed and sworn to before me this 17th day of Aug, 2004.

Kelly K. Christensen
(Notary Public)

My commission expires 4-2-2010



Transfer No. 71435

Receipt No. _____

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

Current Water Right No. 36-4074

Priority Date: September 19, 1912

Origin: Water Right

Basis: Decreed

Status: Active

Source: CLEAR LAKES CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	1.40 CFS		
	Total Diversion	1.40 CFS		

RECEIVED
AUG 17 2004
Department of Water Resources
Southern Region

Source and Point(s) of Diversion:

CLEAR LAKES CREEK L7 (NESWSE) Sec. 2 Twp 09S Rge 14E GOODING 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	
09S	14E	1									.6	23.0	10.6	15.6					49.8
											L 6	L 13	L 12	L 15					
09S	14E	2													1.9		1.8	23.4	27.1
															L 8		L 7	L 9	
09S	14E	11	8.8	4.3															13.1
			L 5	L 6															

Total Acres: 90

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 133 ACRES. COMBINED RIGHT NOS.: 36-04148A & 36-04148B.
- 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.
- RIGHT NO. 36-10154 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
RIGHT NO. 36-10154 IS AN EXPANSION OF THIS RIGHT PURSUANT TO IDAHO CODE 42-1416(2).

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

POU will be described as it presently exists, plus 1.4 additional acres to be added.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 71435

Receipt No. _____

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

Current Water Right No. 36-4148A

Priority Date: September 19, 1912

Origin: Water Right

Basis: Decreed

Status: Active

Source: CLEAR SPRINGS

Tributary: CLEAR LAKES

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	1.50 CFS		
	Total Diversion		1.50 CFS		

Source and Point(s) of Diversion:

CLEAR SPRINGS L5 (SESENE) Sec. 2 Twp 09S Rge 14E GOODING 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	
09S	14E	1							.3	.8	33.6	21.6	21.1						77.4
								L 5	L 6		L 13	L 12	L 15						
09S	14E	2													1.9		1.8	38.5	42.2
															L 8		L 7	L 9	
09S	14E	11	9.1	4.3															13.4
			L 5	L 6															

Total Acres: 133

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 133 ACRES. COMBINED RIGHT NOS.: 36-04148B & 36-04074.
- 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.
- THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-04076, 36-02048, 36-02703, 36-04013A, 36-04013B, 36-04013C AND 36-04148B.

RECEIVED
AUG 17 2004
Department of Water Resources
Southern Region

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

POU will be described as it presently exists, plus 1.4 additional acres to be added.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 71435

Receipt No. _____

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

Current Water Right No. 36-4148B

Priority Date: September 19, 1912

Origin: Water Right

Basis: Decreed

Status: Active

RECEIVED

AUG 17 2004

Department of Water Resources
Southern Region

Source: CLEAR SPRINGS

Tributary: CLEAR LAKES

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	1.50 CFS		
	Total Diversion		1.50 CFS		

Source and Point(s) of Diversion:

CLEAR SPRINGS L5 (SESENE) Sec. 2 Twp 09S Rge 14E GOODING 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	
09S 14E 1								.6	23.0	10.6	15.6						49.8
09S 14E 2								L 6	L 13	L 12	L 15		1.9		1.8	23.4	27.1
09S 14E 11	8.8	4.3											L 8		L 7	L 9	13.1
	L 5	L 6															

Total Acres: 90

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 133 ACRES. COMBINED RIGHT NOS.: 36-04148A & 36-04074.
- 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.
- THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-04076, 36-02048, 36-02703, 36-04013A, 36-04013B, 36-04013C AND 36-04148A.

Page 9

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Yes

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land will not be irrigated due to development for homes, roads, etc., or was never owned by Clear Lakes Ranch.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

No

Transfer No. 71435

Receipt No. _____

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

Current Water Right No. 36-10154

Priority Date: March 01, 1985

Origin: Water Right

Basis: Decreed

Status: Active

RECEIVED
AUG 17 2004

Department of Water Resources
Southern Region

Source: CLEAR LAKES CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	0.10 CFS		
	Total Diversion		0.10 CFS		

Source and Point(s) of Diversion:

CLEAR LAKES CREEK L7 (NESWSE) Sec. 2 Twp 09S Rge 14E GOODING 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	
09S	14E	1											7.5						7.5
09S	14E	2											L 15						
09S	14E	11	8.3	4.7											5.6	20.5			26.1
			L 5	L 6											L 7	L 9			13.0

Total Acres: 46.6

Conditions/Remarks:

1. 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 LIMITED TO THE IRRIGATION OF 5.6 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. USE OF THIS RIGHT WITH RIGHT NO. 36-04074 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION RATE OF 0.82 CFS.

4. THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
5. USE OF THIS RIGHT WITH RIGHT NO. 36-04074 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 46.6 ACRES IN A SINGLE IRRIGATION SEASON.
6. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 36-04074 PURSUANT TO SECTION 42-1426, IDAHO CODE.
7. RIGHT NO. 36-04074 AND IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

No

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

The place of use is being described as it presently exists, plus the addition of 1.4 acres of new land.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

No

Transfer No. 71435
 Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 36-4074

Priority Date: September 19, 1912

Origin: Water Right

Basis: Decreed

Status: Active

RECEIVED

AUG 17 2004

Department of Water Resources
 Southern Region

Source: CLEAR LAKES CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.40 CFS		
	Total Diversion	1.40 CFS		

Source and Point(s) of Diversion:

CLEAR LAKES CREEK L7 (NESWSE) Sec. 2 Twp 09S Rge 14E GOODING County

Describe the proposed diversion system

Point of Diversion # 1 CHECK DAM AND GATES, PIPELINE AND SPRINKLER SYSTEM

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	
09S 14E 1								.8	21.4	10.3	14.3						46.8
09S 14E 2								L 6	L 13	L 12	L 15						
09S 14E 11	7.6	3.4											1.8		6.9	21.4	30.1
	L 5	L 6											L 8		L 7	L 9	11.0

Total Acres: 87.9

Transfer No. 71435
 Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 36-16237

Priority Date: September 19, 1912

Origin:

Basis: Decreed

Status: Pending
 Transfer

Source: CLEAR SPRINGS

Tributary: CLEAR LAKES

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.60 CFS		
	Total Diversion	0.60 CFS		

Source and Point(s) of Diversion:

CLEAR SPRINGS L5 (SESENE) Sec. 2 Twp 09S Rge 14E GOODING County

Describe the proposed diversion system

Point of Diversion # 1 CONCRETE HEADBOX, PIPE, SPRINKLERS

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	
09S	14E	1								.8	21.4	10.3	14.3						46.8
									L 6		L 13	L 12	L 15						
09S	14E	2													1.8		6.9	21.4	30.1
															L 8		L 7	L 9	
09S	14E	11	7.6	3.4															11.0
			L 5	L 6															

Total Acres: 87.9

Transfer No. 71435
 Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 36-4148B

Priority Date: September 19, 1912

Origin: Water Right

Basis: Decreed

Status: Pending
 Transfer

RECEIVED

AUG 17 2004

Department of Water Resources
 Southern Region

Source: CLEAR SPRINGS

Tributary: CLEAR LAKES

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	1.50 CFS		
	Total Diversion	1.50 CFS		

Source and Point(s) of Diversion:

CLEAR SPRINGS L5 (SESENE) Sec. 2 Twp 09S Rge 14E GOODING County

Describe the proposed diversion system

Point of Diversion # 1 CONCRETE HEADBOX, PIPELINE TO RELIFT PUMP TO SPRINKLERS

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	
09S	14E	1								.8	21.4	10.3	14.3						46.8
										L 6	L 13	L 12	L 15						
09S	14E	2													1.8		6.9	21.4	30.1
															L 8		L 7	L 9	
09S	14E	11	7.6	3.4															11.0
			L 5	L 6															

Total Acres: 87.9

Transfer No. 71435

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 36-10154

Priority Date: March 01, 1985

Origin: Water Right

Basis: Decreed

Status: Pending
Transfer**Source:** CLEAR LAKES CREEK**Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.10 CFS		
	Total Diversion	0.10 CFS		

Source and Point(s) of Diversion:

CLEAR LAKES CREEK L7 (NESWSE) Sec. 2 Twp 09S Rge 14E GOODING County

Describe the proposed diversion system

Point of Diversion # 1 CHECK DAM AND GATES, PUMP PIPELINE AND SPRINKLER SYSTEM

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	
09S 14E 1								.8	21.4	10.3	14.3						46.8
09S 14E 2							L 6	L 13	L 12	L 15			1.8		6.9	21.4	30.1
09S 14E 11	7.6	3.4											L 8		L 7	L 9	11.0
	L 5	L 6															

Total Acres: 87.9

Transfer No. 71435

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3B**

PORTION OF RIGHT No. 36-4148A BEING TRANSFERRED

Priority Date: September 19, 1912

Origin:

Basis: Decreed

Status: Pending
Transfer

Source: CLEAR SPRINGS

Tributary: CLEAR LAKES

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.60 CFS		
	Total Diversion	0.60 CFS		

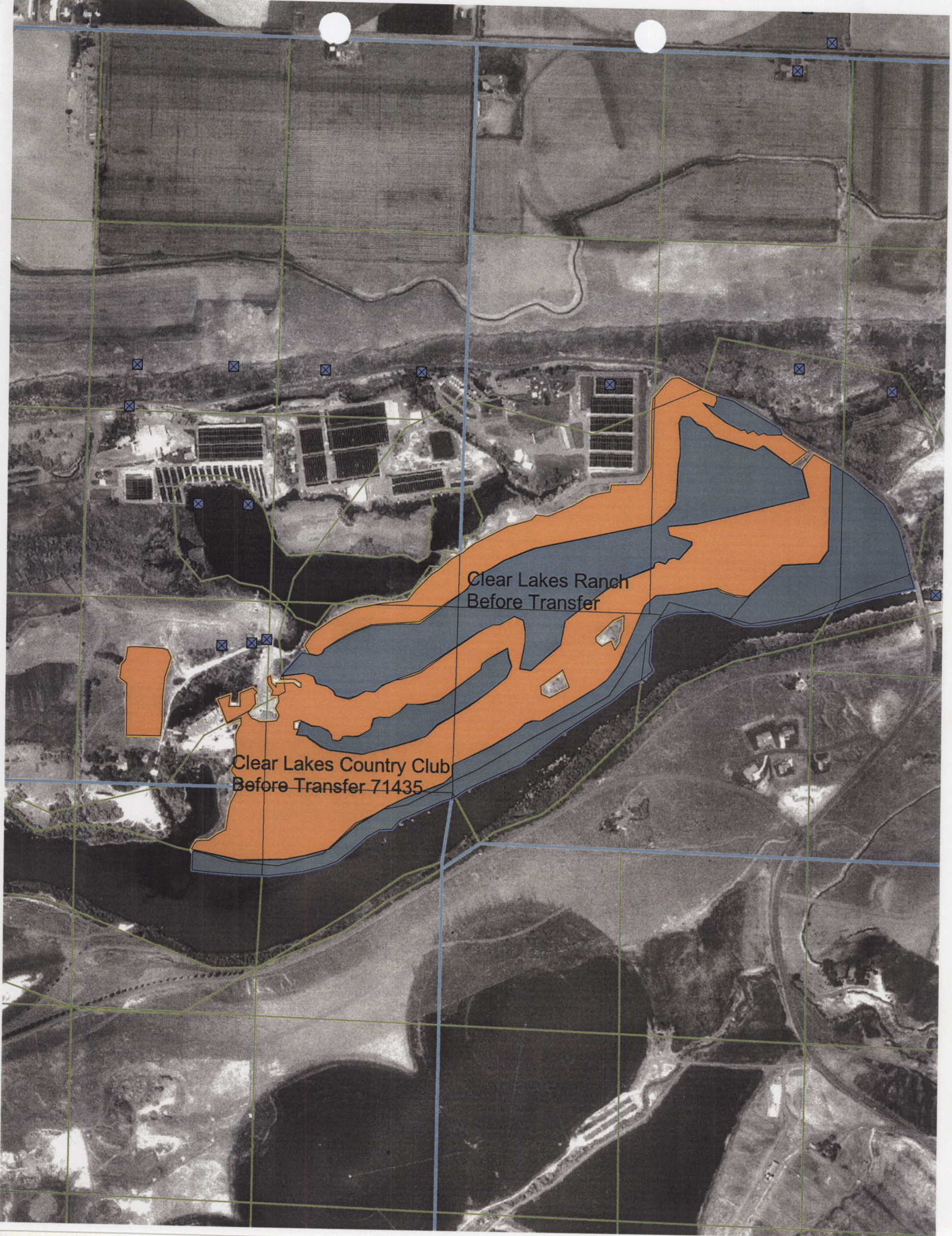
Source and Point(s) of Diversion:

CLEAR SPRINGS L5 (SESENE) Sec. 2 Twp 09S Rge 14E GOODING County

PLACE OF USE: IRRIGATION

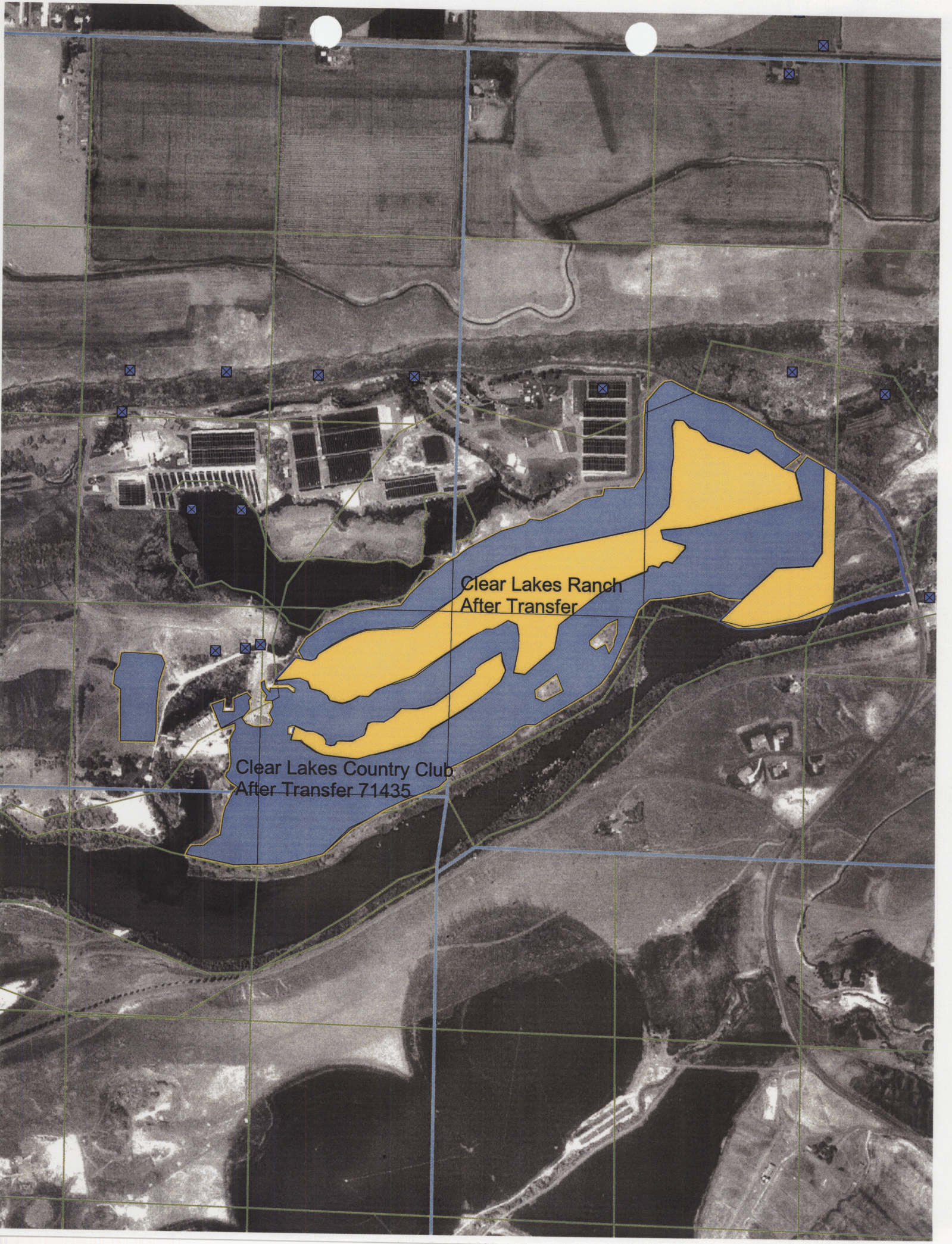
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	14E	1							.3	.8	15.8	10.2	21.1						48.2
									L 5	L 6	L 13	L 12	L 15						
09S	14E	2													1.9		1.8	25.2	28.9
															L 8		L 7	L 9	
09S	14E	11	9.1	4.3															13.4
			L 5	L 6															

Total Acres: 90.5



Clear Lakes Ranch
Before Transfer

Clear Lakes Country Club
Before Transfer 71435



Clear Lakes Ranch
After Transfer

Clear Lakes Country Club
After Transfer 71435