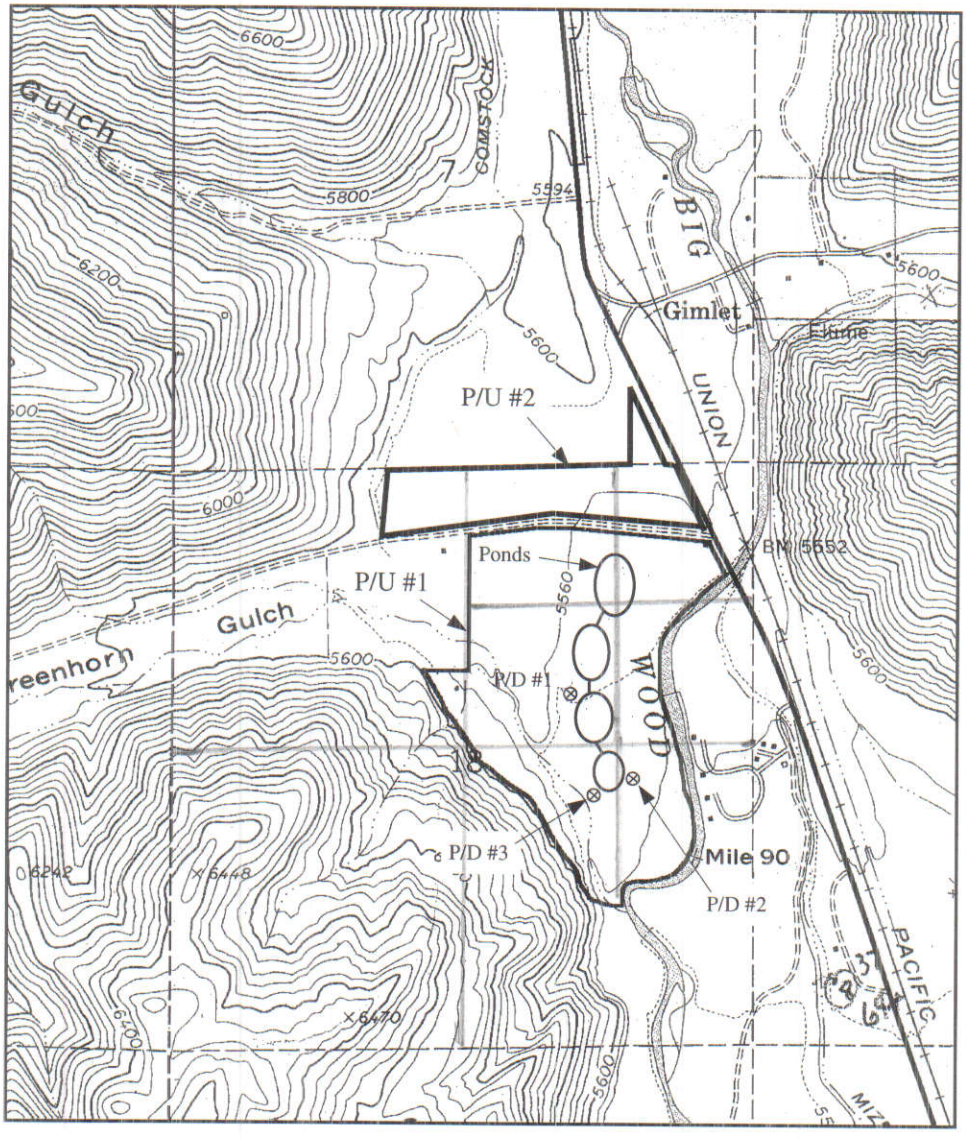
Pg 5 of 6

T # 4825

T3N R18E



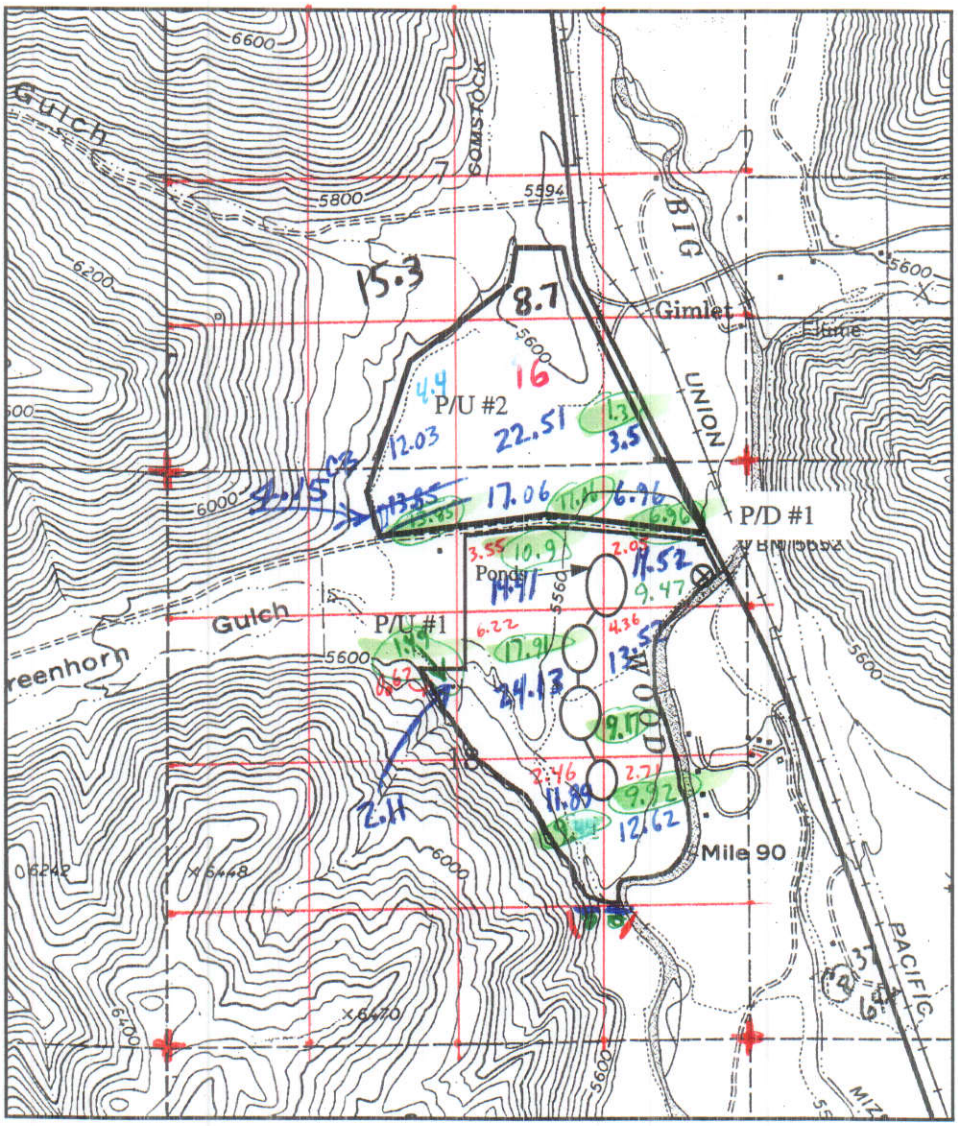
Transfer application for 32-02632
Golden Eagle Ranch
Rinker Company

MICROFILMED
JAN 0 9 1997

AFTER TRANSFERS

T3N R18E

154C
364G
577 BS
577 BR
37-02632
DOMESTIC PERMIT



TOTAL ACRES SOUTH = 90.8

5. Lands irrigated or place of use: 154C

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
03N	18E	18	11.52	14.41	24.13	13.52				2.11					12.62	11.89	0.36	0.26	90.8[1]
03N	18E	18	6.96	17.06			13.85												37.9[2]
03N	18E	7												12.03			22.51	3.50	38.0[2]
03N	18E	32								R, J									(Purdum)

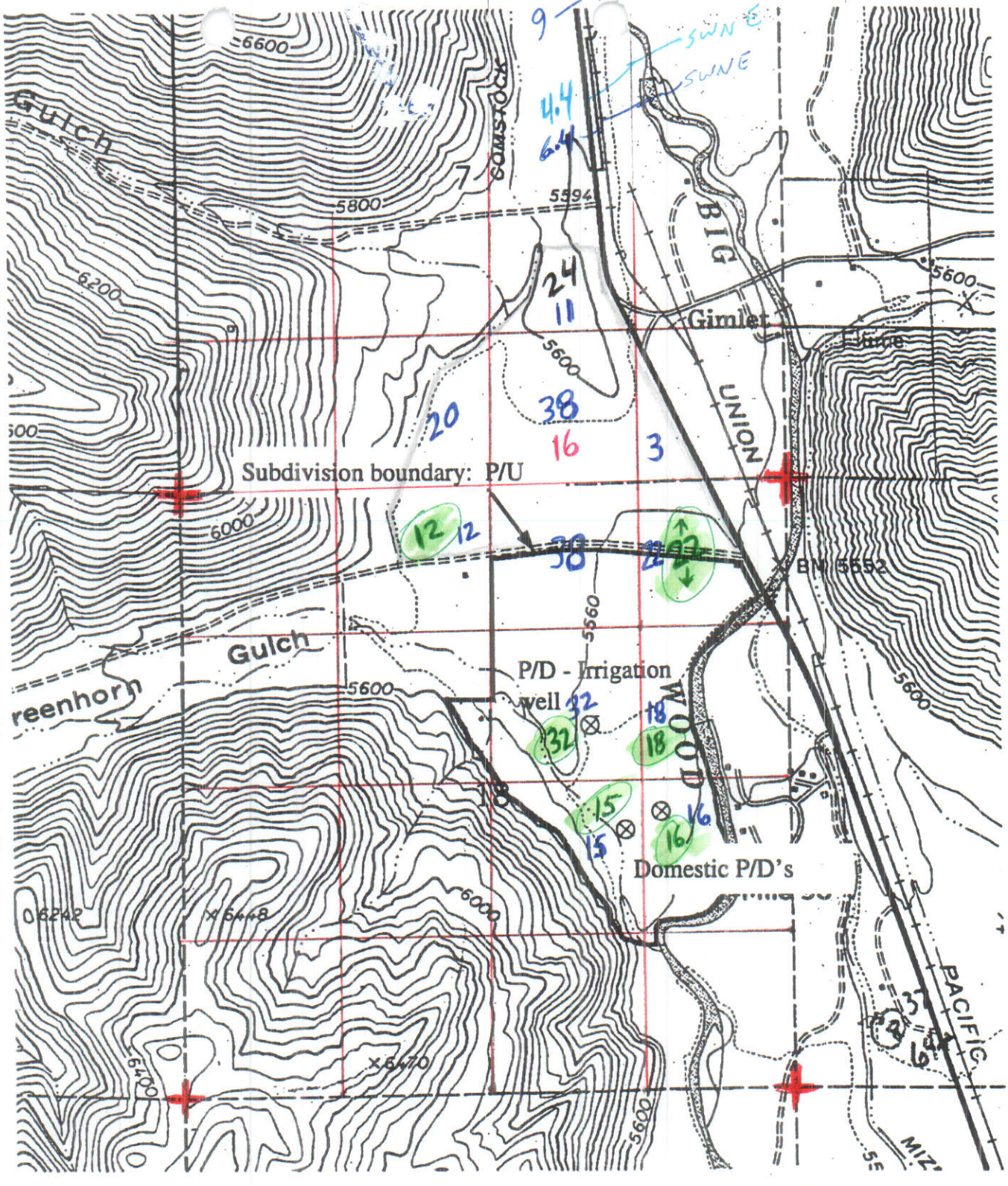
MICROFILMED JAN 09 1997

[1]Golden Eagle Ranch, [2]North of Greenhorn Rd.

Total acres 166.7

T # 4825

T3N R18E



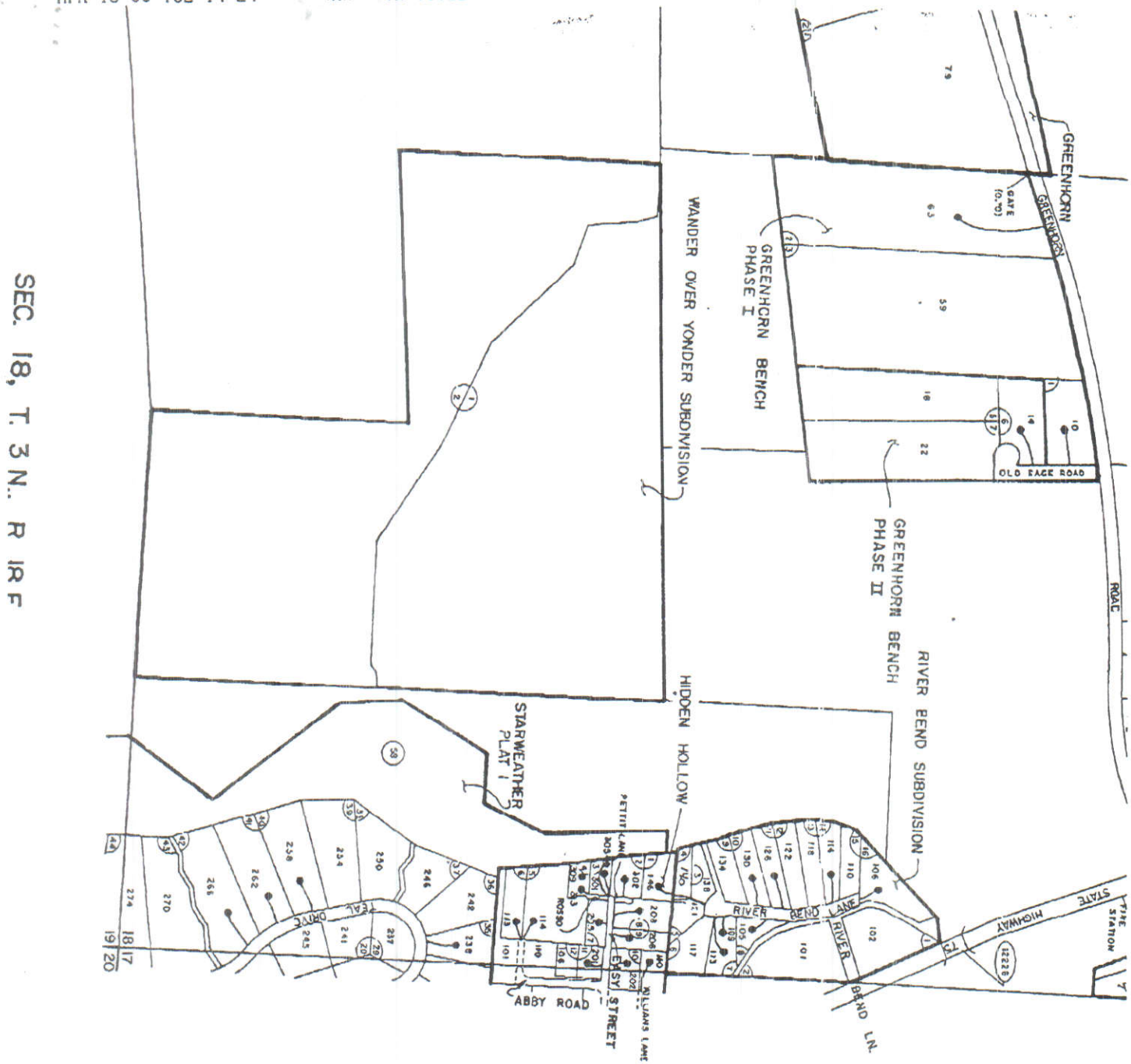
37-00154C Comstock
3646
577 BS
577 BR
37-02632

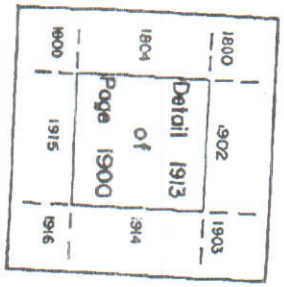
Application for Permit for Golden Eagle Ranch
Two domestic wells for 44 residential lots

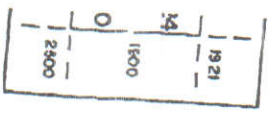
BEFORE TRANSFERS

MICROFILMED
JAN 0 9 1997

T # 4825





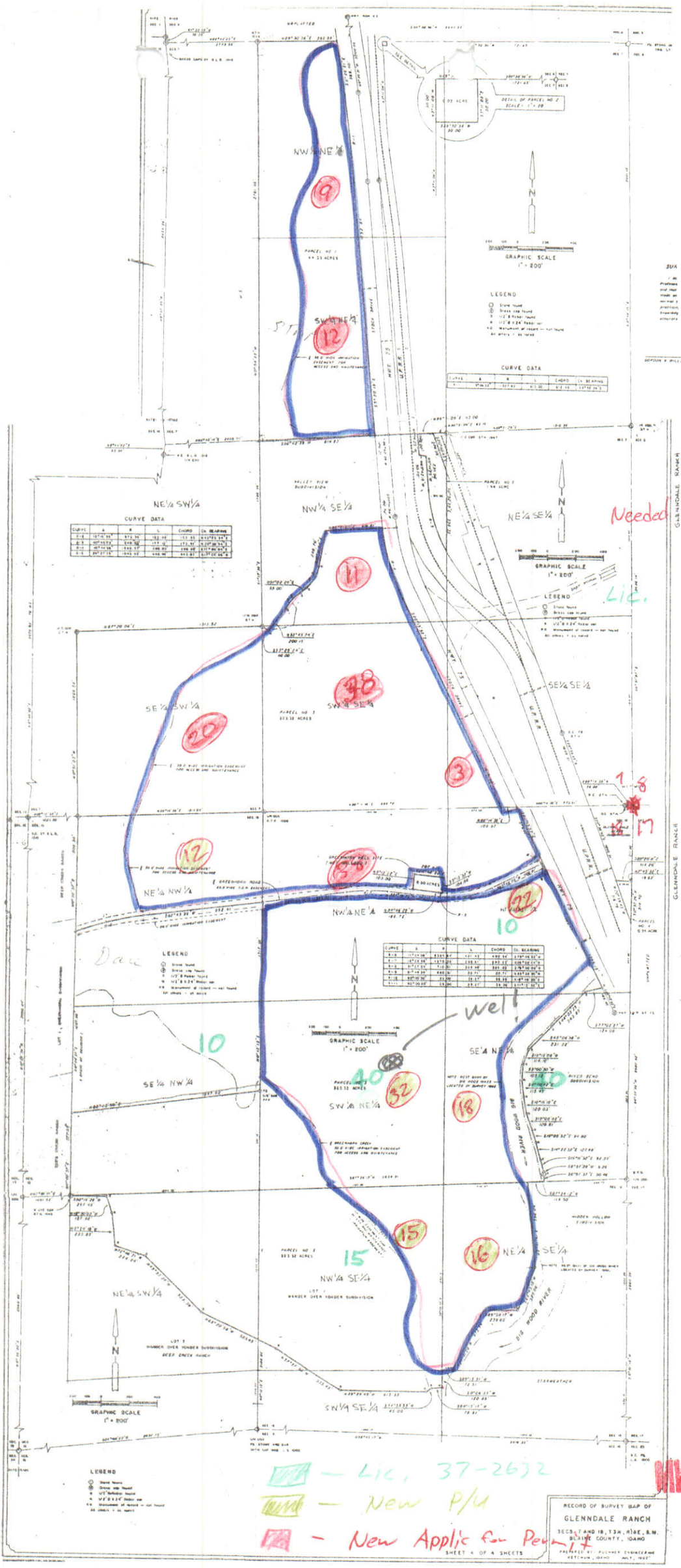








MICROFILMED
JAN 0 9 1997


NW¼NE¼
9
SW¼NE¼
12
NE¼SW¼
NW¼SE¼
11
SE¼SW¼
20
SW¼SE¼
38
3
NE¼NW¼
12
NW¼NE¼
22
10
SE¼NW¼
10
SW¼NE¼
40
32
18
NW¼SE¼
15
15
NE¼SE¼
16
NE¼SW¼
SW¼SE¼
NE¼SE¼
Needed 246 acres
Lic. 115 acres
well
GLENNDALE RANCH
GRAPHIC SCALE
1" = 200'
CURVE DATA
LEGEND
— Lic. 37-2672
— New P/U
— New Applic for Pen
MICROFILMED
RECORD OF SURVEY MAP OF
GLENNDALE RANCH
SHEET 4 OF 4 SHEETS

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Blaine }

CLINT STENNETT, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 17th day of April 1986, and the date of the last publication was on the 24th day of April, 1986

Clint Stennett

Subscribed and sworn to before me this 24th day of April, 1986.
(SEAL)

Roberta McKinnon
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line			11
Number of Lines in Notice			45
Number of Insertions			2
	Lines tabular at		5¢/Pica
45	Lines straight at	19.80	4¢/Pica
45	Subsequent lines at	14.85	3¢/Pica
	TOTAL COST		34.65

COPY OF NOTICE
(Paste Here)

Proposed Change
TITLE OF NOTICE
#37-2632 Rinker Co.

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res
BILL TO

Water right change filed by Rinker Co.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-2632

Notice is hereby given that Rinker Company of Newport Beach, California, has applied to the Department of Water Resources for a change of place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 37-2632 and is recorded as follows:

Amount: 2.30 cfs
Priority: March 29, 1960
Point of Diversion: SWNE, Sec. 18, T3N, R18E, B.M., Blaine County
The water is used for irrigation of 115 acres within the NENE, S1/2NE1/4, SENW, NWSE, Sec. 18, T3N, R18E

TO BE CHANGED AS FOLLOWS:

Amount: 2.30 cfs
Point of Diversion: NESWNE, Sec. 18, T3N, R18E, B.M., Blaine County
Place of Use: NENE, S1/2NE1/4, NENW, N1/2SE1/4, Sec.18, T3N, R18E for irrigation of 115 acres.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041, Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before May 5, 1986.

A. KENNETH DUNN
Director

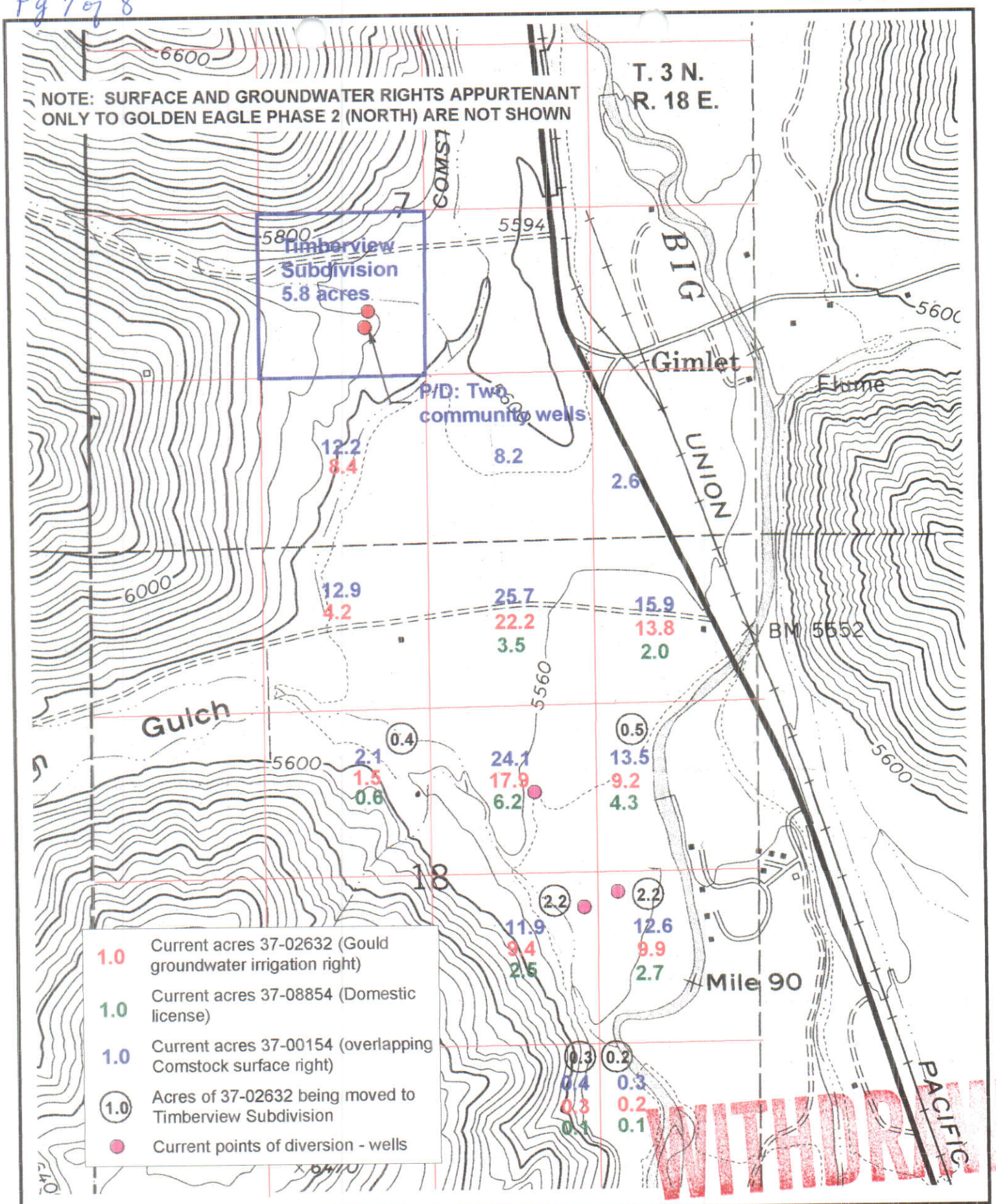
Publish: Wood River Journal--April 17 & 24, 1986.

No. 4650

MICROFILMED

Pg 7 of 8

T70110



WITHDRAWN

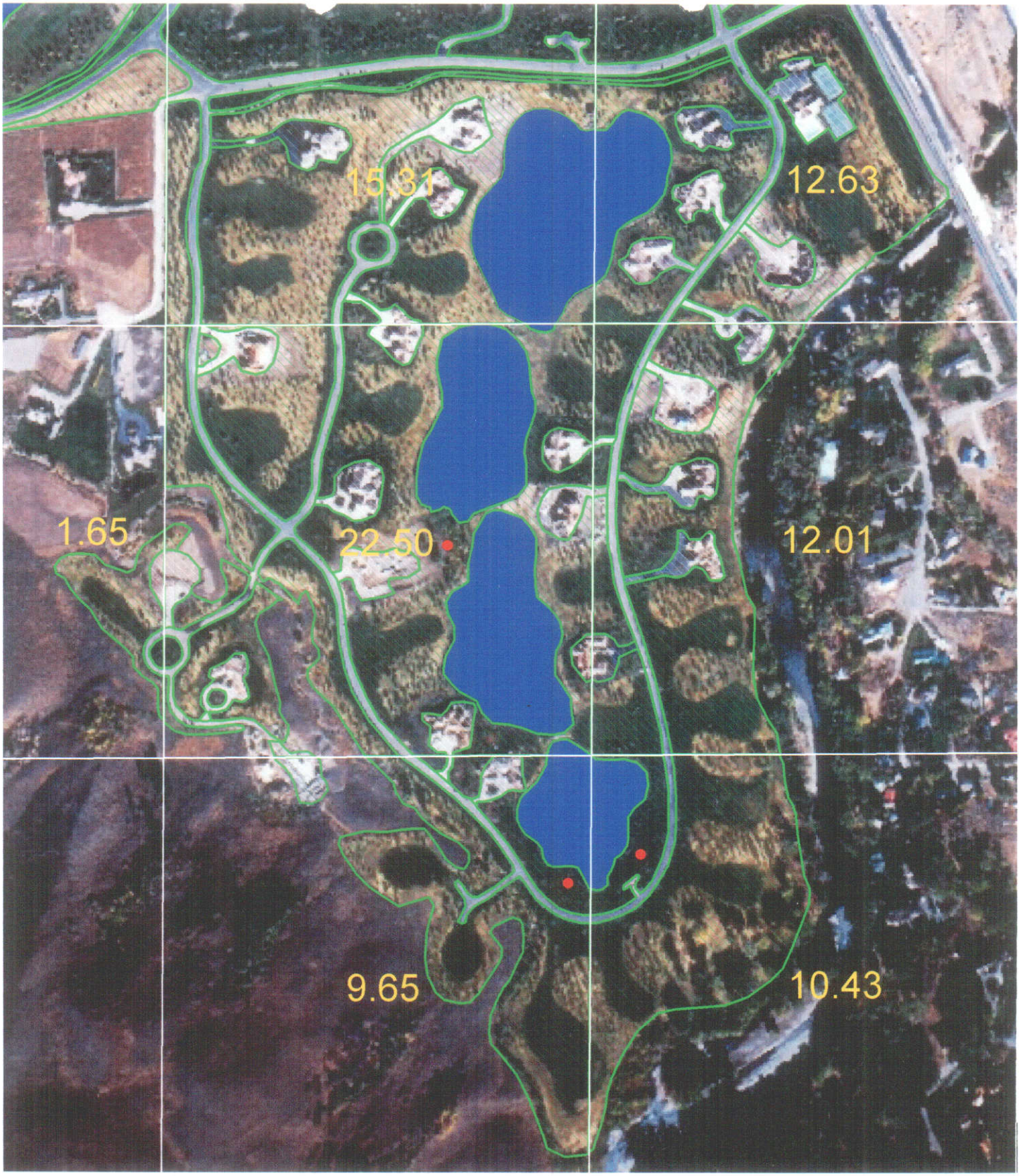
WATER RIGHT TRANSFER - RINKER COMPANY

Golden Eagle groundwater - 5.8 acres being moved to Timberview Subdivision

Brockway Engineering, PLLC
March 4, 2002
Corrected July 24, 2002

MICROFILMED
JUL 28 2003
SCANNED
APR 18 2003

T70110



Aerial photo date: Fall 2001

Golden Eagle Ranch Phase 1

Water rights: 37-02632 (Gould GW)
37-08854 (Domestic License)
37-00154 (Comstock)

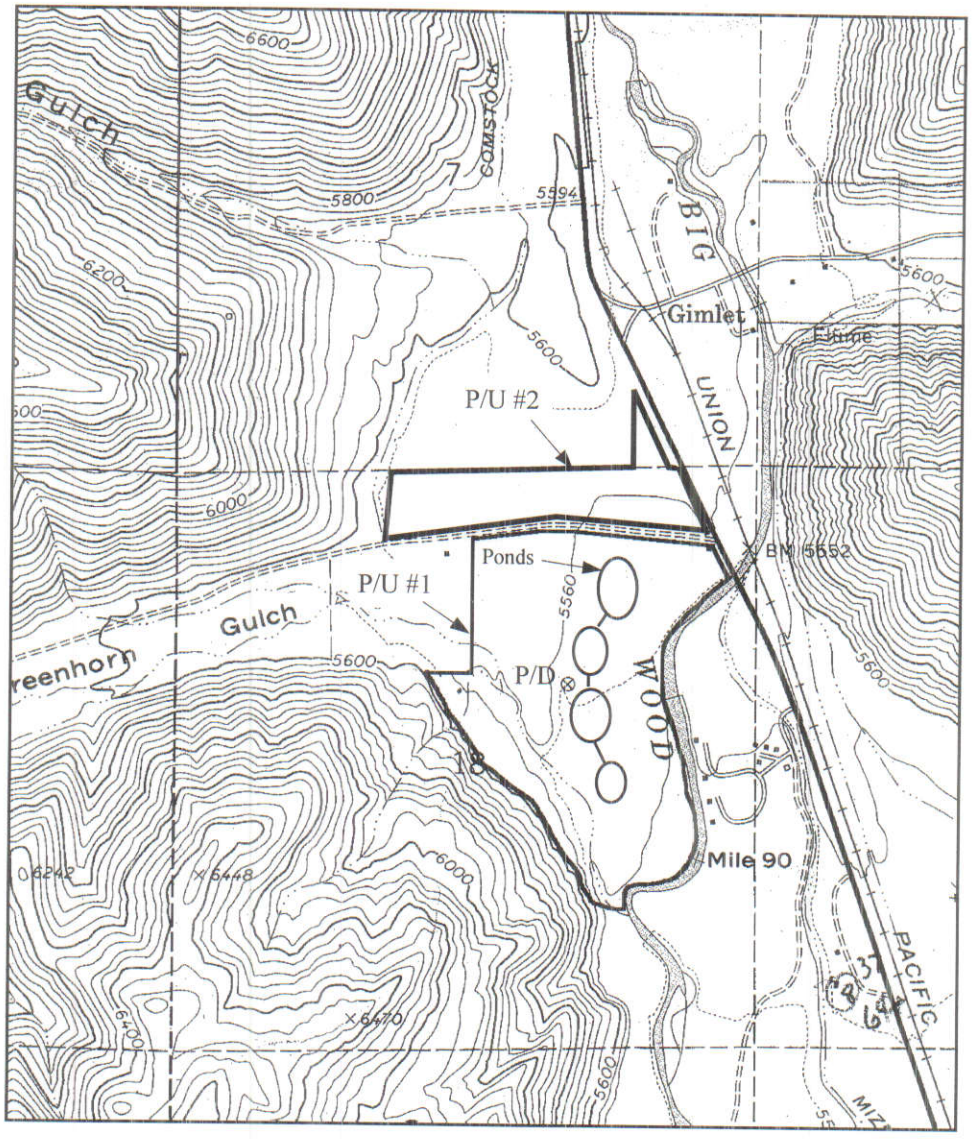
Irrigated Area | Ponds | Hardscape | Well

MICROFILMED SCANNED

Brockway Engineering, PLLC

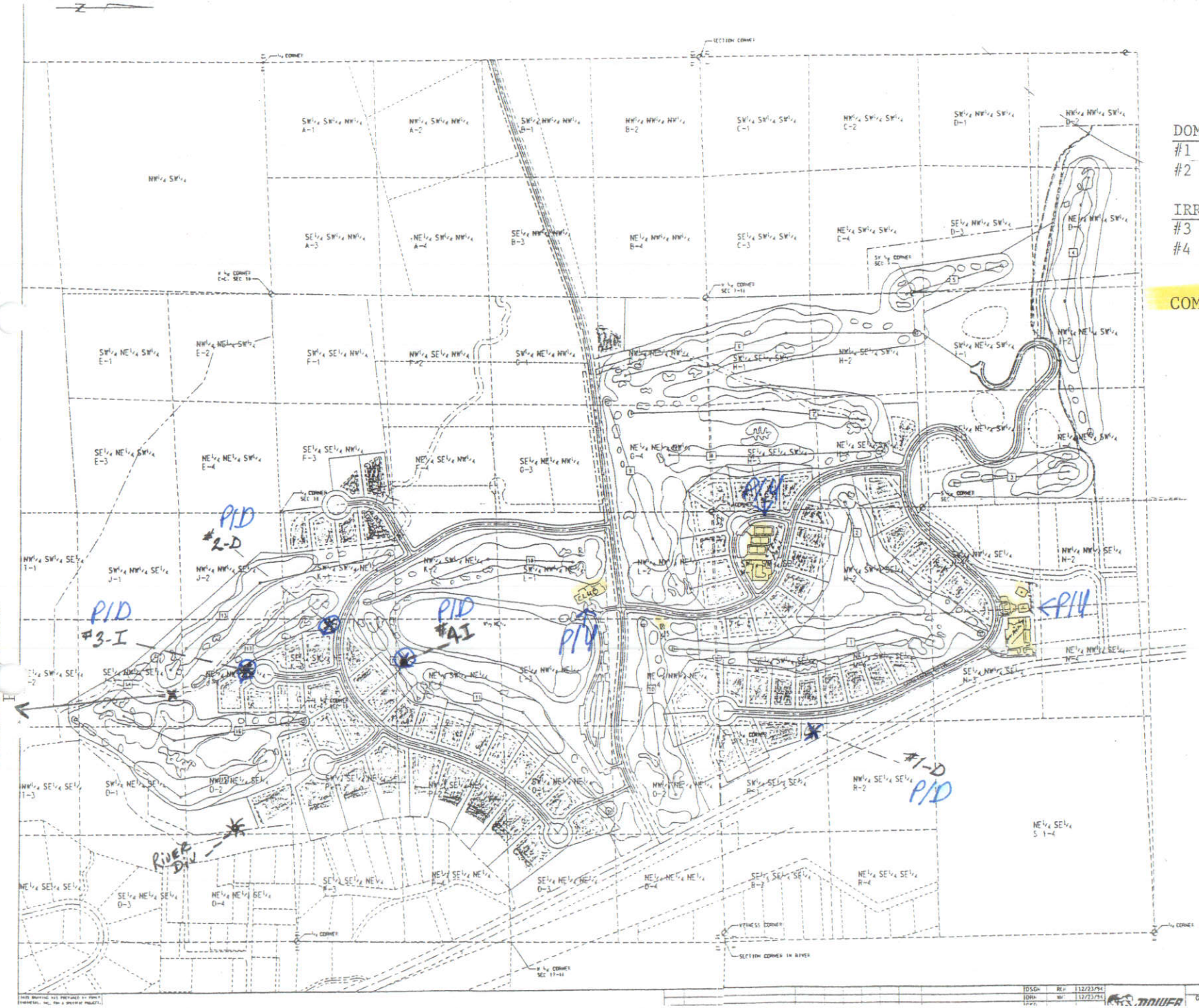
JUL 28 2003 APR 18 2003

T3N R18E



Transfer application for 32-02632
Golden Eagle Ranch
Rinker Company

MICROFILMED
JAN 0 9 1997



DOMESTIC WELLS
#1 - D
#2 - D

IRRIGATION WELLS
#3 - I (new well)
#4 - I (present P/D)

COMMERCIAL POU

RECEIVED SEP 14 1995

PRINTED FOR
JAN 18 1995
REFERENCE

T # 4588

T #4588

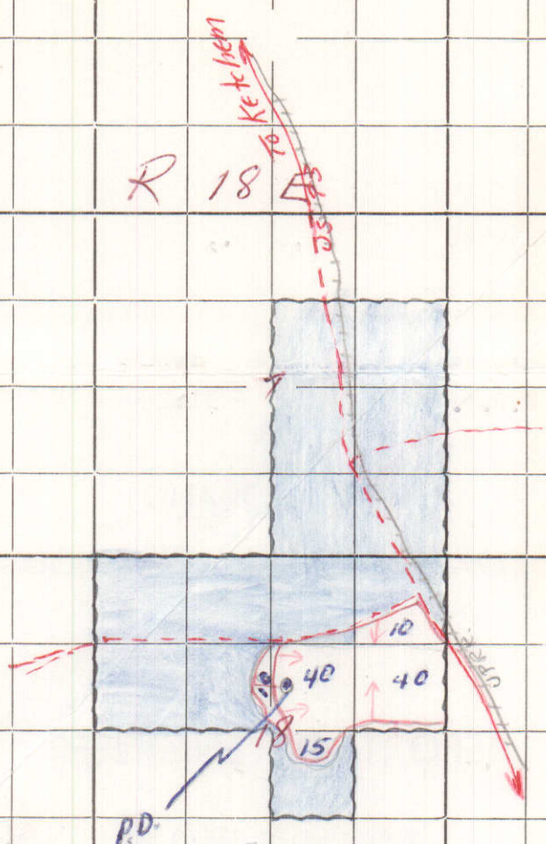
Existing Pipeline Diversion

SEP 14 1995

Existing Pond



Thank Ron Carlson



Subdivisions 5

area 115 acres

c/w 4.04

Allow Q 2.30 CFS or 115 inches

total measurement

4.04 CFS

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

28570

RECEIVED
JAN 7 1964
Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 a.m., on the 11th day of June, 1963, at Buhl, County of Twin Falls, State of Idaho, before William L. Nungester, Notary Public, at Farmers National Bank Bldg., Buhl, Idaho, proof will be submitted of the completion of works for the diversion of 8.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G28570, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Glenn Dale Ranches, Inc., Buhl, County of Twin Falls, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 8.0 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 8.0 cubic feet per second.

4. The point of diversion of said water is in the Southwest Quarter of the Northeast Quarter (SW¼NE¼), Section 18, Township 3, North, Range 18, E.B.M.

5. The place where said water is used is North Half (N½), NW¼ SE¼, Sec. 18, S½ NE¼, SE¼, Sec. 7, all in Twp. 3 N., Rge. 18, E.B.M.

6. The date of priority which said user is prepared to establish is March 29, 1960.

GEO. N. CARTER,
State Reclamation Engineer.
5/2-9-16-23

Affidavit of Publication

STATE OF IDAHO, }
County of Blaine, } ss.

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey Times, and not in any supplement thereof, for four consecutive weeks commencing with the first publication thereof on the second day of May, 1963 and ending with the last publication thereof on the twenty-third day of May, 1963

Cost of this publication is $ 23.76

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 24th day of May, 1963.

R. N. McCoy
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

28570

NAME OF APPLICANT G[illegible]NN DALE RANCHES, INC.

Form No. 0

R 18 E

T 3 N

Well-Point of Diversion

SW¼ NE¼ 18

Permit Map No. 28570
As Approved
GEO. N. CARTER
State Reclamation Engineer
MAR 30 1960

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

28570

C/S Enc. B 673

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

GEO. N. CARTER, STATE RECLAMATION ENGINEER

BOISE

ROBERT E. SMYLIE
Governor

RECEIVED
MAR 29 1960
Department of Reclamation

March 23, 1960

RE: Application for Permit
Glen Dale Ranches, Inc.

John C. Hepworth
Attorney at Law
Buhl, Idaho

Dear Mr. Hepworth:

The application was returned to you March 17, 1960 for correction of the point of diversion and the filing fee of $6.75 for 8.0 cubic feet per second of water claimed.

The application was received March 21, 1960 with the point of diversion corrected, however the check which was supposed to be enclosed could not be found. The check was expected in the next mail but it is still missing. Kindly get the fee here in order that the application can be assigned a priority and be in line for approval.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:mr

6.75 ✓ Glen Dale

28570

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 a.m., on the 11th day of June, 1963, at Buhl, County of Twin Falls, State of Idaho, before William L. Nungester, Notary Public, at Farmers National Bank Bldg., Buhl, Idaho, proof will be submitted of the completion of works for the diversion of 8.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G28570, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Glenn Dale Ranches, Inc., Buhl, County of Twin Falls, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 8.0 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 8.0 cubic feet per second.

4. The point of diversion of said water is in the Southwest Quarter of the Northeast Quarter (SW¼NE¼), Section 18, Township 3, North, Range 18, E.B.M.

5. The place where said water is used is North Half (N½), NW¼ SE¼, Sec. 18, S½ NE¼, SE¼, Sec. 7, all in Twp. 3 N., Rge. 18, E.B.M.

6. The date of priority which said user is prepared to establish is March 29, 1960.

GEO. N. CARTER,
State Reclamation Engineer.

5/2-9-16-23

28570

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF TRANSFER NO. 66843 OF WATER RIGHTS 37-154C, 37-364G, 37-2627C, 37-2627D, 37-2632, 37-30028 & 37-30030 IN THE NAME OF RINKER COMPANY	ORDER GRANTING EXTENSION OF TIME TO COMPLETE TRANSFER

On November 19, 1999 the Department issued an Amended Approval for Application for Transfer 5423 (renumbered to 66843) with a condition that:

> The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

The right holder has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 66843 is granted an extension to November 19, 2001 in which to accomplish the transfer.

IT IS FURTHER HEREBY ORDERED that this extension does not stay the accumulation of the 5 year period associated with forfeiture of a water right for non-use.

Dated this 9th day of April, 2001.

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED
APR 11 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED *AMENDED*

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

This is to certify that: **RINKER COMPANY**
PO BOX 7250
NEWPORT BEACH CA 926587250

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Right No. 37-00154C :			
IRRIGATION	04/15 to 10/15	2.85 CFS	498.4 AF
RECREATION	01/01 to 12/31	6.00 CFS	257.6 AF
AESTHETIC	01/01 to 12/31	6.00 CFS	257.6 AF
Priority: 12/13/1887			
		8.85 CFS	756.0 AF
Right No. 37-00364G :			
IRRIGATION	04/15 to 10/15	0.24 CFS	56.0 AF
Priority: 05/01/1887			
Right No. 37-02627C :			
IRRIGATION	04/15 to 10/15	0.79 CFS	137.6 AF
RECREATION STORAGE	01/01 to 12/31		144.0 AF
FIRE PROTECTION ST	01/01 to 12/31		144.0 AF
AESTHETIC STORAGE	01/01 to 12/31		144.0 AF
DIVERSION TO STORA	01/01 to 12/31	1.15 CFS	46.0 AF
Priority: 12/09/1959			
		1.15 CFS	183.6 AF
Right No. 37-02627D :			
IRRIGATION	04/15 to 10/15	0.10 CFS	17.5 AF
Priority: 12/09/1959			
Right No. 37-02632 :			
IRRIGATION	04/15 to 10/15	1.94 CFS	339.5 AF
RECREATION STORAGE	01/01 to 12/31		142.0 AF
FIRE PROTECTION ST	01/01 to 12/31		142.0 AF
AESTHETIC STORAGE	01/01 to 12/31		142.0 AF
DIVERSION TO STORA	01/01 to 12/31	2.30 CFS	
Priority: 03/29/1960			
		2.30 CFS	402.5 AF

MICROFILMED
NOV 30 1999

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Right No. 37-30028 :			
IRRIGATION	04/15 to 10/15	0.08 CFS	15.4 AF
Priority: 03/24/1883			
Right No. 37-30030 :			
IRRIGATION	04/15 to 10/15	0.36 CFS	84.0 AF
Priority: 03/24/1883			

WATER RIGHT NO. 37-00154C

SOURCE	TRIBUTARY OF
BIG WOOD RIVER	MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 18, Township 03N, Range 18E
SENW , Sec. 32, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
03N	18E	7	SESW	12.2	SWSE	8.2	SESE	2.6	23.0
		18	NENE	15.9	NWNE	25.7	SWNE	24.1	
			SENE	13.5	NENW	12.9	SENW	2.1	
			NESE	12.6	NWSE	11.9	SWSE	0.4	
			SESE	0.3					119.4
					Total number of acres irrigated:				142.4

PLACE OF USE: RECREATION

TWN	RGE	SEC	
03N	18E	32	SENW

PLACE OF USE: AESTHETIC, same as RECREATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

MICROFILMED
NOV 30 1999

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.
8. The total instantaneous diversion of water from all points of diversion under Right 37-00154C shall not exceed 8.85 cfs, nor total combined annual volume of 756.0 af.
9. That portion of Right No. 37-00154C for recreation and aesthetics moved to Purdum Slough is subordinated to all other rights in the slough to prevent injury.
10. The right holder shall install and maintain a diversion monitoring system to measure the diverted volume on a monthly basis from both diversions identified above. Monthly volumes and the total annual diversion will be reported to the Department and the watermaster.
11. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.
12. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
13. Irrigation of 5.0 acres previously authorized under Right 37-00154C shall cease to provide mitigation of the primary use of groundwater under Right 37-02627D for irrigation of 5.0 acres in Ohio Gulch, and irrigation of 18.4 acres previously authorized under Right 37-00154C shall cease to provide mitigation of the primary use of groundwater under Right 37-02627C to provide for storage uses in the pond system.

WATER RIGHT NO. 37-00364G

SOURCE	TRIBUTARY OF
BIG WOOD RIVER	MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 18, Township 03N, Range 18E
BLAINE County

MICROFILMED
NOV 30 1999

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D 37-02632/37-30028/37-30030

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
03N	18E	7	SWSE	16.0			16.0
					Total number of acres irrigated:		16.0

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. 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.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.
9. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
10. Use of water under Right 37-00364G may be affected by an agreement between the protestant of Transfer 4824 and the right holder.

WATER RIGHT NO. 37-02627C

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 18, Township 03N, Range 18E
NESE , Sec. 18, Township 03N, Range 18E
NWSE , Sec. 18, Township 03N, Range 18E
BLAINE County

MICROFILMED
NOV 30 1999

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D 37-02632/37-30028/37-30030

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
03N	18E	7	SESW	3.8	SWSE	24.2	SESE	2.6	30.6
		18	NENW	8.7					8.7
					Total number of acres irrigated:				39.3

PLACE OF USE: RECREATION STORAGE

TWN	RGE	SEC			
03N	18E	7	SESW	NWSE	SWSE
			SESE		
		18	NENE	NWNE	NENW

PLACE OF USE: FIRE PROTECTION STORAGE & AESTHETIC STORAGE, same as RECREATION STORAGE

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. The right holder shall maintain a totalizing measuring device and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.
9. The total instantaneous diversion of water from all points of diversion under Right 37-02627C shall not exceed 1.15 cfs, nor total combined annual volume of 183.6 af.
10. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.

MICROFILMED
NOV 3 0 1999

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

11. The first year that water is diverted to recreation, fire protection and aesthetic storage uses as authorized under Transfer 5423, the irrigation use within Golden Eagle Subdivision II shall be limited to 23.1 total acres of the 80.7 acres allowed.
12. At the end of each irrigation season the right holder shall measure the remaining volume in the storage ponds. Any year that the storage volume drops below 98.0 af, irrigation the following year shall be reduced by 1.0 acre for every 2.5 af required to increase the volume to 98.0 af.
13. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
14. Use of water under Right 37-02627C may be affected by an agreement between the protestant of Transfer 5045 and the right holder.
15. The Director maintains jurisdiction of Transfer 5045 up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion located in the SWNE, S18, T03N, R18E.

WATER RIGHT NO. 37-02627D

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 16, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
03N	18E	16	NESW	3.0	NWSW	1.0	SWSW	2.0	
			SESW	10.0					16.0
					Total number of acres irrigated:				* 16.0

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this water right will be regulated by the watermaster of 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.

MICROFILMED
NOV 3 0 1999

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
* 8. Right 37-02627D is limited to the irrigation of 5.0 acres within the place of use described above in a single irrigation season.
9. Five irrigated acres under Right 37-00154C will no longer be irrigated to mitigate use of Right 37-02627D as a primary groundwater right.
10. For regulation purposes Right 37-02627D shall be considered junior to all existing rights in the vicinity of the transferred point of diversion located in the NESW, S16, T03N, R18E at the time Transfer 5423 is approved.
11. Use of water under Right 37-02627D may be affected by an agreement between the protestant of Transfer 5045 and the right holder.

WATER RIGHT NO. 37-02632

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 18, Township 03N, Range 18E
NESE , Sec. 18, Township 03N, Range 18E
NWSE , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
03N	18E	7	SESW	8.4					8.4
		18	NENE	13.8	NWNE	22.2	SWNE	17.9	
			SENE	9.2	NENW	4.2	SENW	1.5	
			NESE	9.9	NWSE	9.4	SWSE	0.3	
			SESE	0.2					88.6
					Total number of acres irrigated:				97.0

PLACE OF USE: RECREATION STORAGE

TWN	RGE	SEC				
03N	18E	18	NWNE	SWNE	NESE	
			NWSE			

PLACE OF USE: FIRE PROTECTION STORAGE & AESTHETIC STORAGE, same as RECREATION STORAGE

MICROFILMED
NOV 30 1999

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D 37-02632/37-30028/37-30030

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.
10. The total instantaneous diversion of water from all points of diversion under Right 37-02632 shall not exceed 2.30 cfs, nor total combined annual volume of 402.5 af.
11. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.
12. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
13. The first year that water is diverted to aesthetic, recreation and fire protection storage uses approved under Transfer 4825, the irrigation use under this right shall be limited to 74.5 acres, 1.49 cfs and 260.5 afa.

MICROFILMED
NOV 30 1999

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

14. The reduction of irrigation during the first year will provide the additional storage volume to fill the ponds when combined with the 63.0 afa associated with the 18.0 acres no longer irrigated.
15. At the end of each irrigation season the right holder shall measure the remaining volume in the storage ponds. Any year that the storage volume drops below 79.0 af, irrigation the following year shall be reduced by 1.0 acre for every 3.5 af required to increase the volume to 79.0 af.
16. Use of water under Right 37-02627C may be affected by an agreement between the protestant of Transfer 4825 and the right holder.

WATER RIGHT NO. 37-30028

SOURCE	TRIBUTARY OF
BIG WOOD RIVER	MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
03N	18E	7	SESW	4.4			4.4
					Total number of acres irrigated:		4.4

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. 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.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

MICROFILMED
NOV 30 1999

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

8. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.
9. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
10. Use of water under Right 37-30028 may be affected by an agreement between the protestant of Transfer 4826 and the right holder.

WATER RIGHT NO. 37-30030

SOURCE	TRIBUTARY OF
BIG WOOD RIVER	MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
03N	18E	7	NESW	15.3	NWSE	8.2	SESE	0.5	24.0
					Total number of acres irrigated:				24.0

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. 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.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

MICROFILMED
NOV 30 1999

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

8. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.
9. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
10. Use of water under Right 37-30030 may be affected by an agreement between the protestant of Transfer 4823 and the right holder.

Transfer 5423 is approved as described above and subject to the conditions of approval listed under each right.

Dated this 19th day of November, 1999.

Chief, Water Allocation Bureau

MICROFILMED
NOV 30 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

This is to certify that: **RINKER COMPANY**
PO BOX 7250
NEWPORT BEACH CA 926587250

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Right No. 37-00154C :			
IRRIGATION	04/15 to 10/15	2.85 CFS	498.4 AF
RECREATION	01/01 to 12/31	6.00 CFS	257.6 AF
AESTHETIC	01/01 to 12/31	6.00 CFS	257.6 AF
Priority: 12/13/1887			
		8.85 CFS	756.0 AF
Right No. 37-00364G :			
IRRIGATION	04/15 to 10/15	0.24 CFS	56.0 AF
Priority: 05/01/1887			
Right No. 37-02627C :			
IRRIGATION	04/15 to 10/15	0.57 CFS	99.0 AF
RECREATION STORAGE	01/01 to 12/31		144.0 AF
FIRE PROTECTION ST	01/01 to 12/31		144.0 AF
AESTHETIC STORAGE	01/01 to 12/31		144.0 AF
DIVERSION TO STORA	01/01 to 12/31	1.10 CFS	37.0 AF
Priority: 12/09/1959			
		1.10 CFS	136.0 AF
Right No. 37-02627D :			
IRRIGATION	04/15 to 10/15	0.15 CFS	17.5 AF
Priority: 12/09/1959			
Right No. 37-02632 :			
IRRIGATION	04/15 to 10/15	1.94 CFS	339.5 AF
RECREATION STORAGE	01/01 to 12/31		142.0 AF
FIRE PROTECTION ST	01/01 to 12/31		142.0 AF
AESTHETIC STORAGE	01/01 to 12/31		142.0 AF
DIVERSION TO STORA	01/01 to 12/31	2.30 CFS	
Priority: 03/29/1960			
		2.30 CFS	402.5 AF

MICROFILMED
SEP 2 8 1999

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D 37-02632/37-30028/37-30030

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Right No. 37-30028 :			
IRRIGATION	04/15 to 10/15	0.08 CFS	15.4 AF
Priority: 03/24/1883			
Right No. 37-30030 :			
IRRIGATION	04/15 to 10/15	0.36 CFS	84.0 AF
Priority: 03/24/1883			

WATER RIGHT NO. 37-00154C

SOURCE	TRIBUTARY OF
BIG WOOD RIVER	MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 18, Township 03N, Range 18E
SENW , Sec. 32, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
03N	18E	7	SESW	12.2	SWSE	8.2	SESE	2.6	23.0
		18	NENE	15.9	NWNE	25.7	SWNE	24.1	
			SENE	13.5	NENW	12.9	SENW	2.1	
			NESE	12.6	NWSE	11.9	SWSE	0.4	
			SESE	0.3					119.4
					Total number of acres irrigated:				142.4

PLACE OF USE: RECREATION

TWN	RGE	SEC	
03N	18E	32	SENW

PLACE OF USE: AESTHETIC, same as RECREATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

MICROFILMED
SEP 2 8 1999

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D 37-02632/37-30028/37-30030

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.
8. The total instantaneous diversion of water from all points of diversion under Right 37-00154C shall not exceed 8.85 cfs, nor total combined annual volume of 756.0 af.
9. That portion of Right No. 37-00154C for recreation and aesthetics moved to Purdum Slough is subordinated to all other rights in the slough to prevent injury.
10. The right holder shall install and maintain a diversion monitoring system to measure the diverted volume on a monthly basis from both diversions identified above. Monthly volumes and the total annual diversion will be reported to the Department and the watermaster.
11. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.
12. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
13. Irrigation of 5.0 acres previously authorized under Right 37-00154C shall cease to provide mitigation of the primary use of groundwater under Right 37-02627D for irrigation of 5.0 acres in Ohio Gulch, and irrigation of 18.4 acres previously authorized under Right 37-00154C shall cease to provide mitigation of the primary use of groundwater under Right 37-02627C to provide for storage uses in the pond system.

WATER RIGHT NO. 37-00364G

SOURCE	TRIBUTARY OF
BIG WOOD RIVER	MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 18, Township 03N, Range 18E BLAINE County

MAR 2 3 2009

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D 37-02632/37-30028/37-30030

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
03N	18E	7	SWSE	16.0			16.0
					Total number of acres irrigated:		16.0

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. 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.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.
9. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
10. Use of water under Right 37-00364G may be affected by an agreement between the protestant of Transfer 4824 and the right holder.

WATER RIGHT NO. 37-02627C

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 18, Township 03N, Range 18E
NESE , Sec. 18, Township 03N, Range 18E
NWSE , Sec. 18, Township 03N, Range 18E
BLAINE County

MICROFILMED
SEP 28 1995

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
03N	18E	7	SESW	3.8	SWSE	24.2	SESE	2.6	30.6
		18	NENW	8.7					8.7
					Total number of acres irrigated:				39.3

PLACE OF USE: RECREATION STORAGE

TWN	RGE	SEC			
03N	18E	7	SESW	NWSE	SWSE
			SESE		
		18	NENE	NWNE	NENW

PLACE OF USE: FIRE PROTECTION STORAGE & AESTHETIC STORAGE, same as RECREATION STORAGE

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. The right holder shall maintain a totalizing measuring device and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.
9. The total instantaneous diversion of water from all points of diversion under Right 37-02627C shall not exceed 1.10 cfs, nor total combined annual volume of 136.0 af.
10. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.

MICROFILMED
SEP 28 2005

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

11. The first year that water is diverted to recreation, fire protection and aesthetic storage uses as authorized under Transfer 5423, the irrigation use within Golden Eagle Subdivision II shall be limited to 27.4 total acres.
12. The reduction of irrigation during the first year will provide additional storage volume to fill the ponds when combined with the 37.0 afa associated with the 18.4 acres no longer irrigated.
13. At the end of each irrigation season the right holder shall measure the remaining volume in the storage ponds. Any year that the storage volume drops below 107.0 af, irrigation the following year shall be reduced by 1.0 acre for every 2.0 af required to increase the volume to 107.0 af.
14. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
15. Use of water under Right 37-02627C may be affected by an agreement between the protestant of Transfer 5045 and the right holder.
16. The Director maintains jurisdiction of Transfer 5045 up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion located in the SWNE, S18, T03N, R18E.

WATER RIGHT NO. 37-02627D

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 16, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
03N	18E	16	NESW	3.0	NWSW	1.0	SWSW	2.0	
			SESW	10.0					16.0
					Total number of acres irrigated:				* 16.0

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this water right will be regulated by the watermaster of 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.

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
* 8. Right 37-02627D is limited to the irrigation of 5.0 acres within the place of use described above in a single irrigation season.
9. Five irrigated acres under Right 37-00154C will no longer be irrigated to mitigate use of Right 37-02627D as a primary groundwater right.
10. For regulation purposes Right 37-02627D shall be considered junior to all existing rights in the vicinity of the transferred point of diversion located in the NESW, S16, T03N, R18E at the time Transfer 5423 is approved.
11. Use of water under Right 37-02627D may be affected by an agreement between the protestant of Transfer 5045 and the right holder.

WATER RIGHT NO. 37-02632

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 18, Township 03N, Range 18E
NESE , Sec. 18, Township 03N, Range 18E
NWSE , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
03N	18E	7	SESW	8.4					8.4
		18	NENE	13.8	NWNE	22.2	SWNE	17.9	
			SENE	9.2	NENW	4.2	SENW	1.5	
			NESE	9.9	NWSE	9.4	SWSE	0.3	
			SESE	0.2					88.6
					Total number of acres irrigated:				97.0

PLACE OF USE: RECREATION STORAGE

TWN	RGE	SEC			
03N	18E	18	NWNE	SWNE	NESE
			NWSE		

PLACE OF USE: FIRE PROTECTION STORAGE & AESTHETIC STORAGE, same as RECREATION STORAGE

SEP 2 6 1989

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.
10. The total instantaneous diversion of water from all points of diversion under Right 37-02632 shall not exceed 2.30 cfs, nor total combined annual volume of 402.5 af.
11. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.
12. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
13. The first year that water is diverted to aesthetic, recreation and fire protection storage uses approved under Transfer 4825, the irrigation use under this right shall be limited to 74.5 acres, 1.49 cfs and 260.5 afa.

SEP 26 2005

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

14. The reduction of irrigation during the first year will provide the additional storage volume to fill the ponds when combined with the 63.0 afa associated with the 18.0 acres no longer irrigated.
15. At the end of each irrigation season the right holder shall measure the remaining volume in the storage ponds. Any year that the storage volume drops below 79.0 af, irrigation the following year shall be reduced by 1.0 acre for every 3.5 af required to increase the volume to 79.0 af.
16. Use of water under Right 37-02627C may be affected by an agreement between the protestant of Transfer 4825 and the right holder.

WATER RIGHT NO. 37-30028

SOURCE	TRIBUTARY OF
BIG WOOD RIVER	MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
03N	18E	7	SESW	4.4			4.4
					Total number of acres irrigated:		4.4

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. 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.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

SEP 2 6 1997

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

8. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.
9. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
10. Use of water under Right 37-30028 may be affected by an agreement between the protestant of Transfer 4826 and the right holder.

WATER RIGHT NO. 37-30030

SOURCE	TRIBUTARY OF
BIG WOOD RIVER	MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
03N	18E	7	NESW	15.3	NWSE	8.2	SESE	0.5	24.0
					Total number of acres irrigated:				24.0

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. 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.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

SEP 2 8 [illegible]

TRANSFER NO. 5423
WATER RIGHT NO(S). 37-00154C/37-00364G/37-02627C/37-02627D
37-02632/37-30028/37-30030

8. Rights 37-00154C, 37-00364G, 37-02627C, 37-02632, 37-08854, 37-30028 and 37-30030 when combined shall not exceed the irrigation of 186.8 acres; 15.3 acres in the Timber Gulch Subdivision, 90.8 acres in the Golden Eagle Subdivision Phase I, and 80.7 acres in the Golden Eagle Subdivision Phase II.
9. Irrigation of 3.5 acres in Golden Eagle Subdivision Phase II will cease as long as water is diverted under Permit 37-08888 for irrigation of a tree nursery during construction of the subdivision.
10. Use of water under Right 37-30030 may be affected by an agreement between the protestant of Transfer 4823 and the right holder.

Transfer 5423 is approved as described above and subject to the conditions of approval listed under each right.

Dated this 24th day of September, 1999.

R. Glen Saxton
Chief, Water Allocation Bureau

SEP 28 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED ***AMENDED***

TRANSFER NO. 4825
WATER RIGHT NO. 37-02632

This is to certify that: **RINKER COMPANY**
PO BOX 7250
NEWPORT BEACH CA 926587250

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/15 to 10/15	** 1.94 CFS	** 339.5 AF
RECREATION STORAGE	01/01 to 12/31		142.0 AF
FIRE PROTECTION ST	01/01 to 12/31		142.0 AF
AESTHETIC STORAGE	01/01 to 12/31		142.0 AF
DIVERSION TO STORA	01/01 to 12/31	2.30 CFS	
	Totals	* 2.30 CFS	* 402.5 AF

SOURCE

GROUNDWATER

Priority: 03/29/1960

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 18, Township 03N, Range 18E
NESE , Sec. 18, Township 03N, Range 18E
NWSE , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
03N	18E	18	NENE	16.4	NWNE	28	SWNE	17.9	
			SENE	9.2	NENW	4.2	SENW	1.5	
			NESE	9.9	NWSE	9.4	SWSE	0.3	
			SESE	0.2					97
					Total number of acres irrigated:				** 97

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

MICROFILMED
MAR 2 / 1998

TRANSFER NO. 4825
WATER RIGHT NO. 37-02632

CONDITIONS OF APPROVAL AND REMARKS

3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
4. Use of water under this right may be affected by an agreement between the protestant and the right holder.
5. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
8. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
9. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
10. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
11. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
* 12. The total instantaneous diversion of water from all points of diversion under Transfer No. 4825 shall not exceed 2.30 cfs, nor total combined annual volume of 402.5 af.
** 13. The first year that water is diverted to aesthetic, recreation and fire protection storage uses, the irrigation use under this right shall be limited to 74.5 acres, 1.49 cfs and 260.5 afa.
14. The reduction of irrigation during the first year will provide the additional storage volume to fill the ponds when combined with the 63.0 afa associated with the 18.0 acres no longer irrigated.
15. At the end of each irrigation season the right holder shall measure the remaining volume in the storage ponds. Any year that the storage volume drops below 79.0 af, irrigation the following year shall be reduced by 1.0 acre for every 3.5 af required to increase the volume to 79.0 af.

MICROFILMED
MAR 27 1998

TRANSFER NO. 4825
WATER RIGHT NO. 37-02632

CONDITIONS OF APPROVAL AND REMARKS

16. Right Nos. 37-00154C, 37-00364G, 37-02632, 37-30028 and 37-30030 in combination shall not exceed irrigation of 185.4 acres.

Dated this 4th day of March, 1998

L. Glen Saxton
Chief, Water Alloc. Bureau

MICROFILMED
MAR 27 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER NOS. 4825 AND 4827 IN THE NAME OF RINKER COMPANY	**ORDER GRANTING PETITION FOR RECONSIDERATION**

On December 23, 1996, the Idaho Department of Water Resources (department) issued a Preliminary Order in connection with Application for Transfer Nos. 4824, 4825, 4826 and 4827 in the name of Rinker Company (Rinker).

On January 23, 1997, Brockway Engineering filed a Petition for Reconsideration with the department on behalf of Rinker seeking to submit additional information relative to the transfers.

Since the department is receptive to correct discrepancies or errors in transfers it approves, the department should grant the petition even though it was not timely filed.

ORDER

IT IS THEREFORE HEREBY ORDERED that Rinker's Petition for Reconsideration to submit additional information is **APPROVED.**

IT IS FURTHER HEREBY ORDERED that Rinker shall submit any additional information for the department's consideration within thirty (30) days of the date of this order.

Dated this 5th day of February, 1997.

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

MAR 27 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4825
WATER RIGHT NO. 37-02632

This is to certify that: **RINKER COMPANY**
PO BOX 7250
NEWPORT BEACH CA 926587250

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/15 to 10/15	** 1.94 CFS	** 339.5 AF
RECREATION STORAGE	01/01 to 12/31		142.0 AF
FIRE PROTECTION ST	01/01 to 12/31		142.0 AF
AESTHETIC STORAGE	01/01 to 12/31		142.0 AF
DIVERSION TO STORA	01/01 to 12/31	1.94 CFS	
	Totals	* 1.94 CFS	* 402.5 AF

SOURCE

GROUNDWATER

Priority: 03/29/1960

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 18, Township 03N, Range 18E
NESE , Sec. 18, Township 03N, Range 18E
NWSE , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
03N	18E	18	NENE	16.4	NWNE	28.0	SWNE	17.9	
			SENE	9.2	NENW	4.2	SENW	1.5	
			NESE	9.9	NWSE	9.4	SWSE	0.3	
			SESE	0.2					97.0
					Total number of acres irrigated:				** 97.0

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

TRANSFER NO. 4825
WATER RIGHT NO. 37-02632

CONDITIONS OF APPROVAL AND REMARKS

3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
4. Use of water under this right may be affected by an agreement between the protestant and the right holder.
5. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
8. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
9. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
10. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
11. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
* 12. The total instantaneous diversion of water from all points of diversion under Transfer No. 4825 shall not exceed 1.94 cfs, nor total combined annual volume of 402.5 af.
** 13. The first year that water is diverted to aesthetic, recreation and fire protection storage uses, the irrigation use under this right shall be limited to 74.5 acres, 1.49 cfs and 260.5 afa.
14. The reduction of irrigation during the first year will provide the additional storage volume to fill the ponds when combined with the 63.0 afa associated with the 18.0 acres no longer irrigated.
15. At the end of each irrigation season the right holder shall measure the remaining volume in the storage ponds. Any year that the storage volume drops below 79.0 af, irrigation the following year shall be reduced by 1.0 acre for every 3.5 af required to increase the volume to 79.0 af.

TRANSFER NO. 4825
WATER RIGHT NO. 37-02632

CONDITIONS OF APPROVAL AND REMARKS

16. Right Nos. 37-00154C, 37-00364G, 37-02632, 37-30028 and 37-30030 in combination shall not exceed irrigation of 185.4 acres.

Dated this 20th day of December, 1996.

Chief, Water Alloc. Bureau

Form 1-222
12-90

Page 1 of 6

RECEIVED
APR 01 1996
Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. ~~48225~~

RECEIVED
AUG 09 1996
Department of Water Resources

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Rinker Company and/or Harry S. Rinker, Trustee Phone (714) 979-8300

Post Office address P.O. Box 7250, Newport Beach, CA 92658-7250

A. PURPOSE OF TRANSFER

1. ! Change point of diversion ✔ Add diversion point ✔ Change place of use
   ✔ Change nature of use ✔ Change period of use ! Other _____
2. Describe the reason for the proposed changes Property is being developed into a 44-lot subdivision including domestic use and ponds. Transfer is needed to add other uses for the subdivision and to clarify places of use.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
37-02632	3/29/1960	1.94 CLB ~~2.14~~ ~~2.12~~ CCB cfs	Irrigation	4/15 to 10/15
37-02632	3/29/1960	2.30 cfs	Diversion to storage	4/15 to 10/15
37-02632	3/29/1960	142 ac-ft	Storage for aes, rec, fire	1/1 to 12/31
37-02632	3/29/1960	0.16 cfs	Summer pond c.u.	4/15 to 10/15
37-02632	3/29/1960	0.06 cfs	Winter pond c.u.	10/15 to 4/15

2. Total amount of water being transferred 2.30 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SE	SW	NE	18	03N	18E	Blaine	Existing well and pump
	NW	NE	SE	18	03N	18E	Blaine	New well #1
	NE	NW	SE	18	03N	18E	Blaine	New well #2
								MAY BE MOVED

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
03N	18E	18	9.47	10.90	17.91	9.17				1.49					9.92	9.44	0.31	0.23	68.8[1]
03N	18E	18	6.96	17.06			~~13.85~~ CCB 4.15 CLB												~~37.9~~ CCB ~~37.9~~[2] 28.2 CLB
~~03N~~	~~18E~~	~~7~~																1.30	~~0.3~~[2] CCB
03N	18E	18	R,J	R,J	R,J										R,J	R,J			(Ponds)
			16.4	28	17.9	9.2	4.2			1.5					9.9	9.4	.3	.2	97

[1]Golden Eagle Ranch lots and landscape, [2]Remaining acres north of Greenhorn Rd.

Total acres ~~107.6~~ ~~106.0~~ CCB 97.0 CLB

CLB 7/31/96

PART 1

6. General Information:

a. Description of diversion system P/D #1: Existing pump and modified pipeline to head of pond system consisting of four (4) ponds; water can be pumped to irrigation system from last pond or directly from the well. P/D #2 and #3 are new wells which supply pond evaporation in the non-irrigation season. See narrative for explanation.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ___X___ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will continue to be irrigated in conjunction with domestic right for which a permit has been filed, except for house footprints, driveways, roads, paths, and ponds.

d. Remarks:
Ponds located in subdivision will be filled from groundwater (this right), and from surface water for which transfers have been filed. Ponds will be used to store water for irrigation and fire protection. Compensation for evaporation of pond water is included as a use and irrigated acres are reduced accordingly. See narrative.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

_____

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. **37-02632**

STAGE: **LICENSE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION DOMESTIC	04/15 to 10/15 to	2.30 CFS
	Totals	2.30 CFS

SOURCE

GROUNDWATER

Priority: 03/29/1960

LOCATION OF POINT(S) OF DIVERSION: NESWNE , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
03N	18E	18	NENE	22	SWNE	32	SENE	18	
			NENW	12	NESE	16	NWSE	15	115
					Total number of acres irrigated:				115

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

Form 1-222
12-90

Page 3 of 6

Transfer No. 4825

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. 37-02632 issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. 3250 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

   ☐ Tax notice ✓ Warranty Deed ☐ Other_____

3. Source of water Groundwater tributary to _____

4. Date of priority 3/29/1960

5. Water is used for the following purpose:

   amount 2.30 cfs (cfs/ac-ft) for Irrigation purposes from 4/1 to 11/1
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 2.30 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NE	18	03N	18E	Blaine	100 HP pump to sprinkler system

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
03N	18E	18	22		32	18	12								16	15			115

Total acres 115

9. Describe any other water rights used for the same purpose as described above 37-00154, 37-00153A

PART 2

Transfer No. 4825

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

5. Lands irrigated or place of use:

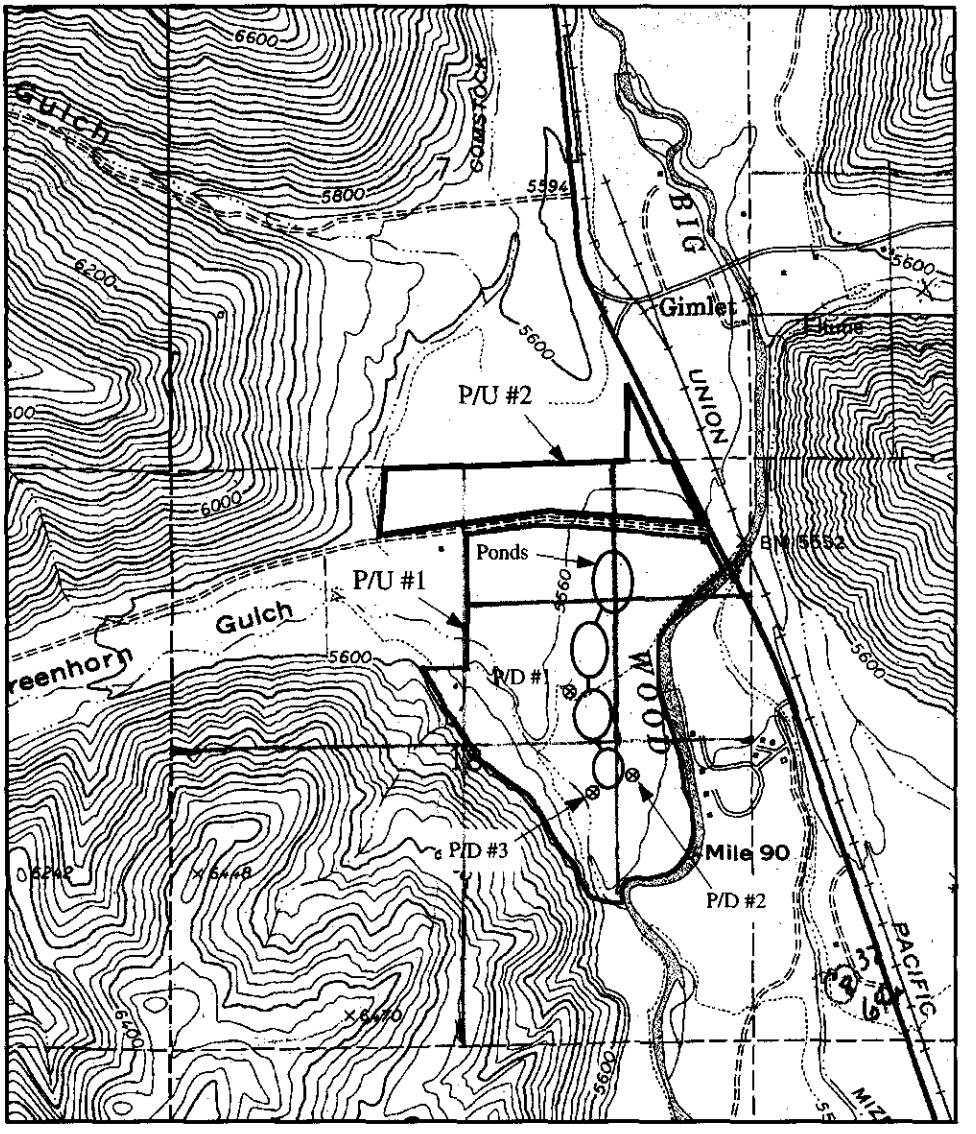
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

Pg 5 of 6

T # 4825

T3N R18E

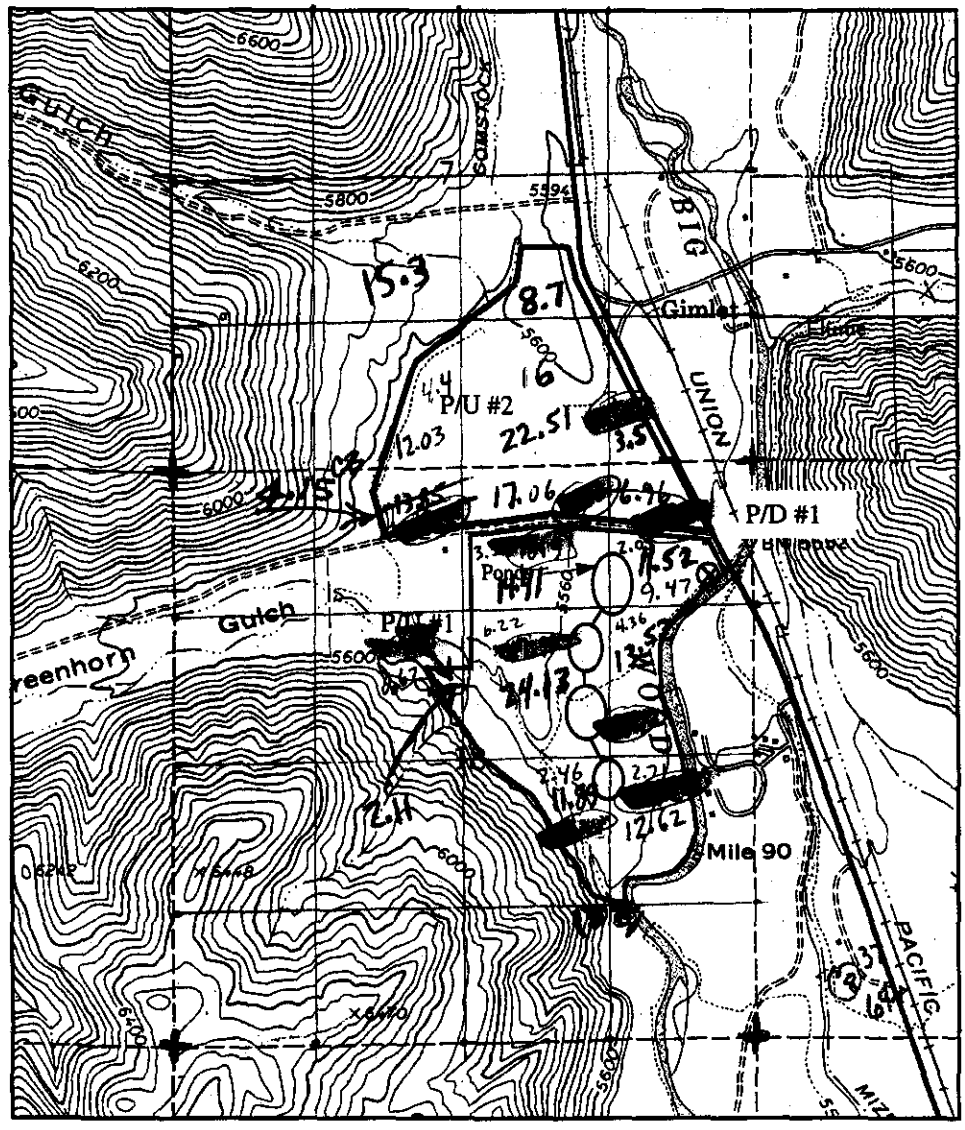


Transfer application for 32-02632
Golden Eagle Ranch
Rinker Company

AFTER TRANSFERS

T3N R18E

154C
364G
577 BR
[redacted]
DOMESTIC PERMIT



TOTAL ACRES SOUTH = 90.8

5. Lands irrigated or place of use: 154C

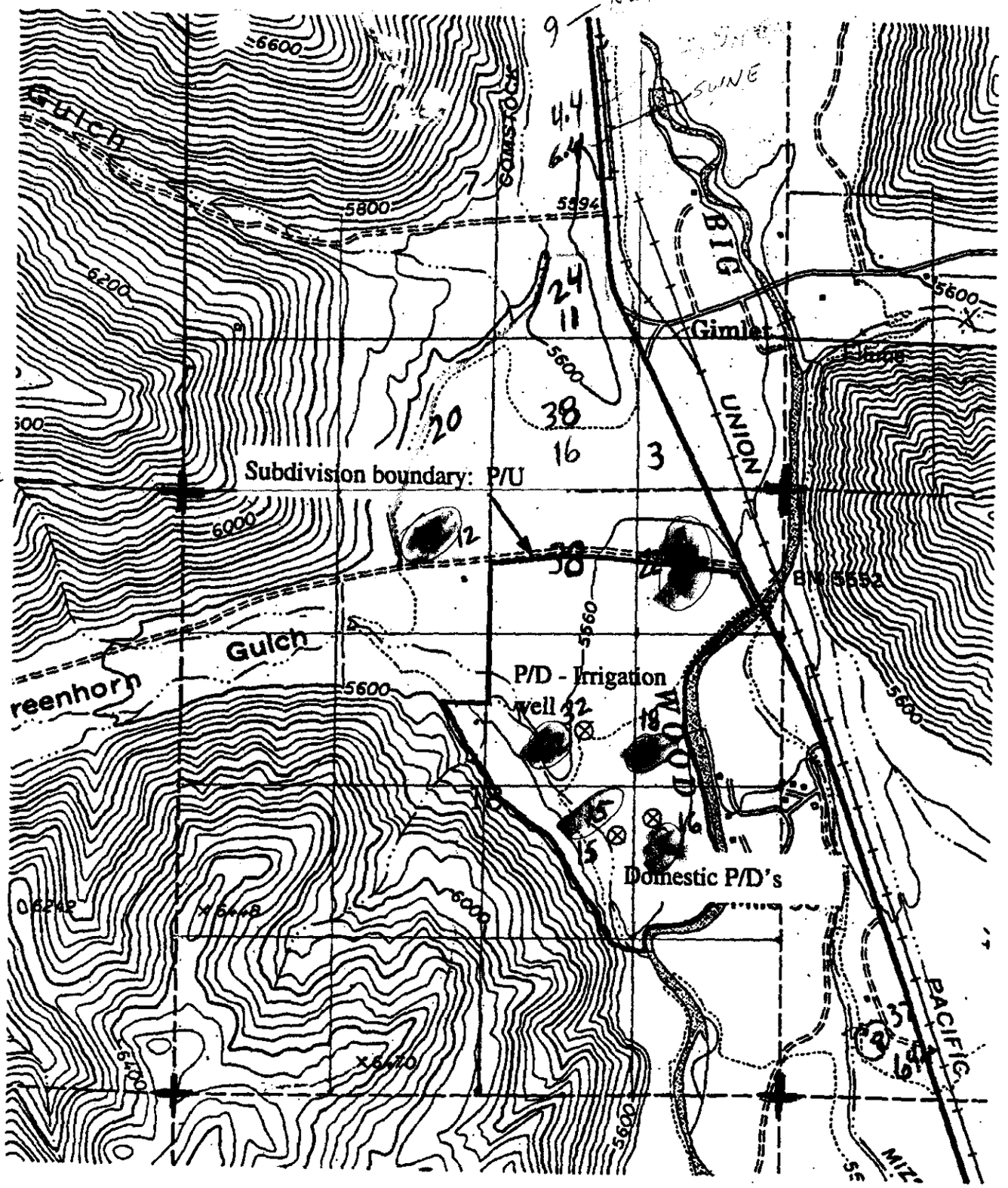
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
03N	18E	18	11.52	14.41	24.13	13.52				2.11					12.62	11.89	0.36	0.26	90.8[1]
03N	18E	18	6.96	17.06			13.85												37.9[2]
03N	18E	7												12.03			22.51	3.50	38.0[2]
03N	18E	32								R, J									(Purdum)

[1]Golden Eagle Ranch, [2]North of Greenhorn Rd.

Total acres 166.7

T # 4825

T3N R18E



37-00154C Comstock
3646
577 BR

Application for Permit for Golden Eagle Ranch
Two domestic wells for 44 residential lots

BEFORE TRANSFERS

T # 4825

Page _____ of _____ Transfer No. 4825

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See attached diagram

SCALE: 2 inches equals one mile. Draw plan in ink.

Transfer No. 4825

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
Aesthetics, recreation	142 ac-ft		1/1 to 12/31
			to

2. Quantity and quality of return flows and location of discharge:

Water will be recirculated in pond system. During irrigation season, water will be pumped from ponds, applied to land, and will percolate back to the aquifer. Irrigation return flow to Big Wood River may occasionally occur via overflow from last pond into Greenhorn Gulch channel.

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

No effect -- well will continue to be used for irrigation.

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.

Chas E Brockway owner of attorney
(Signature of Applicant)

Subscribed and sworn to before me this 13th day of March, 19 96.

Sherry L. Call
(Notary Public)

My commission expires 3/19/98

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments

Received by CS Date 04/01/96

Prelim. check by CS Fee $100.00

Receipted by CS S018863 Date 02/20/96

Published in Wood River Journal

Pub. dates 5/15 + 5/22/96

Watermaster recommendation requested on 5/6/96

rec'd. 5/17/96

Copy of transfer sent to lien holder

Protest filed by Mike Greenhorn
(Both withdrawn)

Copies of protest forwarded by

Hearing held by Date

Recommended for ☒ Approval ☐ Denial

by AO

Feb 7, 1965

QUITCLAIM DEED

For Value Received GLENN B. GOULD FAMILY PARTNERSHIP, a Partnership composed of Glenn B. Gould, Oleta Gould, the Estate of Steve G. Gould, Deceased, who acquired the property as Steve G. Gould, Jana L. Gould Bean, Glenn C. Gould Trust-Glenn B. Gould Family, and Ruth M. Gould Trust-Glenn B. Gould Family, which acquired the property as Ruth C. Gould Trust-Glenn B. Gould Family, the Grantor, do hereby convey, release, remise and forever quit claim unto HARRY S. RINKER as Trustee of the Harry S. Rinker Investment Trust under a Declaration of Trust dated July 31, 1974, the Grantee, whose address is Post Office Box 7250, Newport Beach, California 92663-0250, the property in Blaine County, Idaho, described as follows:

Lot 1 of WANDER OVER YONDER SUBDIVISION, and A permanent easement for the right of entry upon real property adjacent to such real property which shall entitle the grantee to inspect, maintain and improve that pump and water conveyance system located upon the above-described property. Said reserved easement and right of way shall include a strip of land no less than five feet as measured on either side of that pipeline and pump installed or to be installed on and/or across the above parcel.

together with their appurtenances.

DATED January 17, 1991.

GLENN B. GOULD FAMILY PARTNERSHIP

Glenn B. Gould
GLENN B. GOULD

Oleta Gould
OLETA GOULD

ESTATE OF STEVE G. GOULD, DECEASED
BY: Glenn B. Gould
Its Personal Representative

Jana L. Gould Bean
JANA L. GOULD BEAN

GLENN C. GOULD TRUST-
GLENN B. GOULD FAMILY
BY: Glenn B. Gould
Its Trustee

RUTH M. GOULD TRUST-
GLENN B. GOULD FAMILY
BY: Glenn B. Gould
Its Trustee

Smith & Weeks
Attorneys at Law

QUITCLAIM DEED/1

STATE OF IDAHO)
) ss.
County of Twin Falls)

On January 4, 1991, before me, a Notary Public in and for said State, personally appeared GLENN B. GOULD and OLETA GOULD, husband and wife; GLENN B. GOULD, as Personal Representative of the ESTATE OF STEVE G. GOULD, DECEASED; JANA L. GOULD BEAN; GLENN B. GOULD, as Trustee of the GLENN C. GOULD TRUST-GLENN B. GOULD FAMILY; and GLENN B. GOULD, as Trustee of the RUTH M. GOULD TRUST-GLENN B. GOULD FAMILY, known to me to be the Partners in the Partnership of GLENN B. GOULD FAMILY PARTNERSHIP and the Partners who subscribed the Partnership name to the foregoing instrument, and acknowledged to me that they executed it in the Partnership name.

[illegible]
Notary Public for Idaho
Commission Expires 4-4-97

QUIT CLAIM DEED/2

326899

BLAINE CO. REQUEST

FIRST AMERICAN TITLE CO.

'91 JAN 10 PM 4 18

MARY ESSELBY CLERK

FEE $6.00

Dad

Smith & Hicks

RECEIVED
MAR 04 1996
Department of Water Resources
Southern Region

Order No. 14865

BLAINE CO. REQUEST
FIRST AMERICAN TITLE CO.

326896

Deed

FEES $ 15.00
'95 JAN 10 PM 4 15
MARY HERRON, CLK

WARRANTY DEED

For Value Received, GLENN B. GOULD FAMILY PARTNERSHIP, a Partnership composed of Glenn B. Gould; Oleta Gould; the Estate of Steve G. Gould, Deceased, who acquired the property as Steve B. Gould; Jana L. Gould Bean; Glenn C. Gould Trust-Glenn B. Gould Family; and Ruth M. Gould Trust-Glenn B. Gould Family, which acquired the property as Ruth C. Gould Trust-Glenn B. Gould Family, the Grantor, grants, bargains, sells, and conveys to HARRY S. RINKER as Trustee of the Harry S. Rinker Investment Trust under a Declaration of Trust dated July 31, 1974, the Grantee, whose address is Post Office Box 7230, Newport Beach, California 92663-0250, the real property in Blaine County, Idaho, described on Exhibit "B."

TO HAVE AND TO HOLD the premises, with their appurtenances to the Grantee and his heirs and assigns forever. The Grantor covenants to and with the Grantee, that the Grantor is the owner in fee simple of the premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED: December 31, 1995.

GLENN B. GOULD FAMILY PARTNERSHIP

Glenn B. Gould
GLENN B. GOULD

Oleta Gould
OLETA GOULD

ESTATE OF STEVE G. GOULD, DECEASED

Jana L. Gould Bean
JANA L. GOULD BEAN

BY: Glenn B. Gould
Its Personal Representative

GLENN C. GOULD TRUST-GLENN B. GOULD FAMILY

BY: Glenn B. Gould
Its Trustee

RUTH M. GOULD TRUST-GLENN B. GOULD FAMILY

BY: Glenn B. Gould
Its Trustee

Smith & Weeks
Attorneys at Law
116 Sturdy Insurance Plaza
Post Office Box 550
Ketchum, Idaho 83340-0550

WARRANTY DEED/1

MICROFILMED
JAN 0 4 1996

STATE OF IDAHO)
: ss.
County of Twin Falls.)

On January 2, 1991, before me, a Notary Public in and for said State, personally appeared GLENN B. GOULD and OLETA GOULD, husband and wife; Glenn B. Gould, as Personal Representative of the ESTATE OF STEVE G. GOULD, DECEASED; JANA L. GOULD BEAN; Glenn B. Gould, as Trustee of the GLENN C. GOULD TRUST-GLENN B. GOULD FAMILY; and Glenn B. Gould, as Trustee of the RUTH M. GOULD TRUST-GLENN B. GOULD FAMILY, known to me to be the Partners in the Partnership of GLENN B. GOULD FAMILY PARTNERSHIP and the Partners who subscribed the Partnership name to the foregoing instrument and acknowledged to me that they executed it in the Partnership name.

N.F. L Morse
Notary Public for Idaho
Commission Expires 4/6/95

Smith & Hicks
Attorneys at Law
219 Main Avenue East
Post Office Box 185
Twin Falls, Idaho 83303-0185

WARRANTY DEED/?

MICROFILMED
JAN 0 5 1995

Order No. 14865
Legal Description

Exhibit "B"

PARCEL I

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 7:

W1/2 NE1/4 lying West of Stock Driveway right-of-way;
NW1/4 SE1/4 lying between the Union Pacific Railroad right-of-way and the right-of-way for Union Pacific Railroad spur.

A portion of property in the NW1/4 NE1/4 described as follows:

BEGINNING at the Northwest corner of said parcel; thence
South a distance of 30.00 feet to a point; thence
East a distance of 30.00 feet to a point; thence
North a distance of 30.00 feet to a point; thence
West 30.00 feet to the POINT OF BEGINNING.

Section 18:

SE1/4 NW1/4 EXCEPT that portion of the following described parcel of land lying within the E1/2 NW1/4 of said Section, more particularly described as follows:

COMMENCING at a brass cap marked N1/4 Corner Section 18, said brass cap being N. 88° 15' 32" E., 2,835.55 feet from a brass cap marked as the Northwest corner of said Section 18; thence S. 0° 12' 13" W., 629.73 feet to the TRUE POINT OF BEGINNING, said point being on the center line of the Greenhorn Road; thence
S. 0° 12' 13" W., 1,317.01 feet; thence
S. 82° 43' 56" W., 1,347.92 feet; thence
N. 0° 50' 37" E., 1,267.66 feet to a point on the East boundary of the Greenhorn P.U.D. Subdivision and the centerline of the Greenhorn Road; thence
491.42 feet along a curve to the right with a central angle of 11° 54' 08", a radius of 2,365.64 feet, and a long chord of 490.54 feet that bears N. 76° 46' 52" E., said curve being the centerline of the Greenhorn Road; thence
N. 82° 43' 56" E., 852.41 feet along the centerline of the Greenhorn Road to the TRUE POINT OF BEGINNING.

W1/2 NE1/4 lying South of Greenhorn Road Right-of-way;

NE1/4 NE1/4 lying West of State Highway 75 right-of-way and South of Greenhorn Road right-of-way;

SE1/4 NE1/4, EXCEPT River Bend Subdivision, according to the official plat thereof recorded in Book 5 of Plats, page 14, records of Blaine County, Idaho;

NE1/4 NE1/4 lying East of the Union Pacific Railroad right-of-way, EXCEPT Glenn-Dale Acres Subdivision, Blaine County, Idaho, according to the official plat thereof on file in the office of the County Recorder, Blaine County, Idaho.

A Parcel of land in the NE1/4 SE1/4, more particularly described as follows:

BEGINNING at the Northwest corner of the NE1/4 SE1/4 of said Section 18; thence
E. 605.00 feet along the North boundary of the said NE1/4 SE1/4; thence
S. 5° 43' E., 603.00 feet; thence
S. 22° 38' W., 325.00 feet; thence
W. 240.00 feet; thence
S. 27° 40' W., 474.00 feet; thence
W. 80.00 feet to the Southwest corner of the NE1/4 SE1/4; thence
North 1,320.00 feet along the West boundary of said NE1/4 SE1/4 to the PLACE OF BEGINNING.

Lot 1, WANDER OVER YONDER SUBDIVISION, Blaine County, Idaho, according to the official plat thereof recorded as Instrument No. 212906, records of Blaine County, Idaho.

PARCEL II

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY. IDAHO.

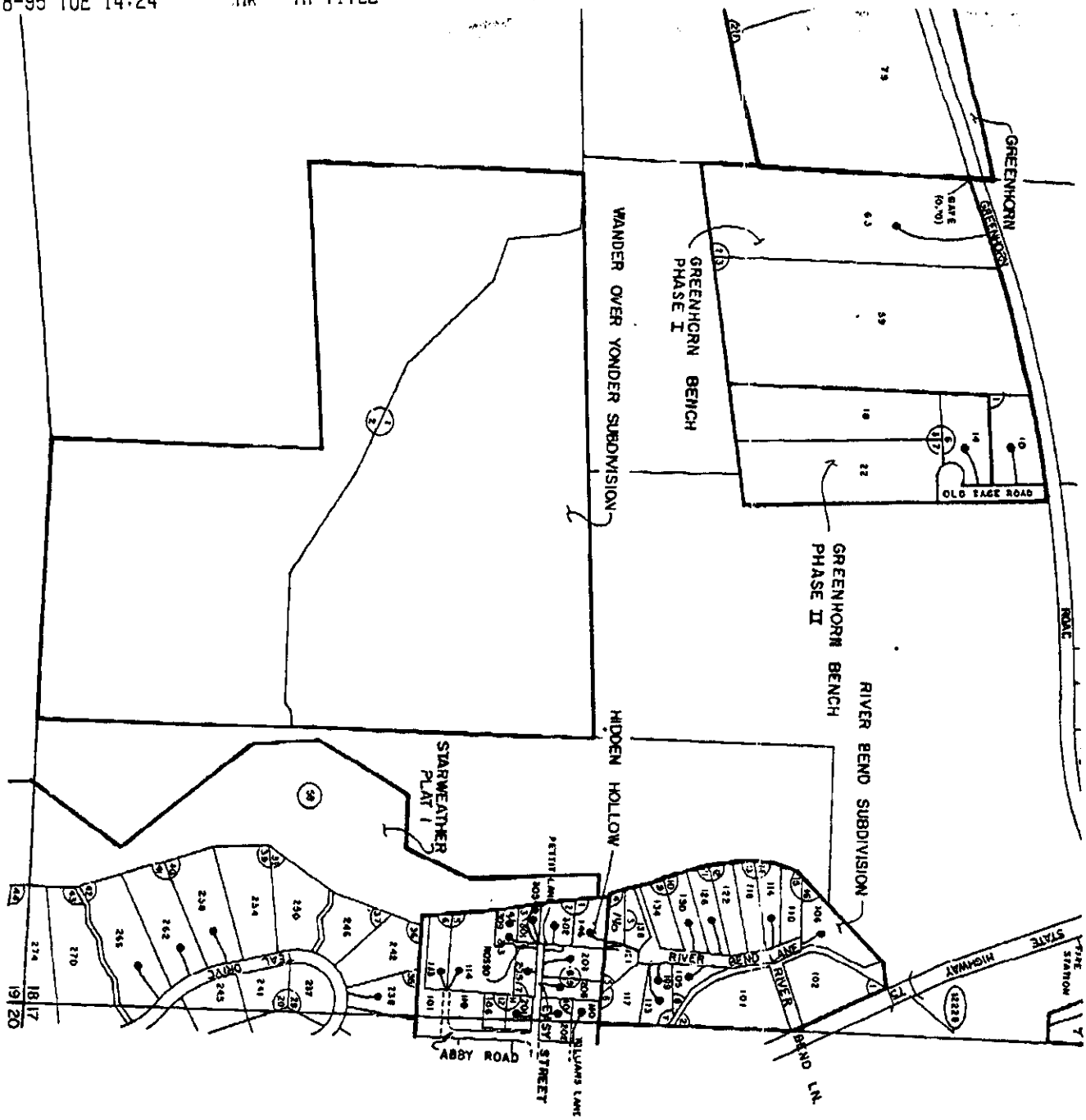
A Parcel of land within the NE1/4 SE1/4 Section 18 more particularly described as follows:

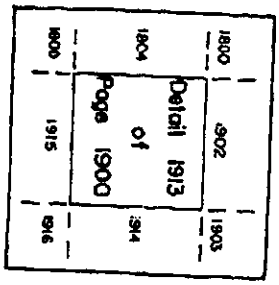
COMMENCING at the Southeast corner of said Section 18; thence
N. 0° 01' 13" E., 2,664.00 feet to the East Quarter Corner of said Section 18; thence
S. 65° 43' 36" W., 745.97 feet to a point on the Westerly bank of the Big Wood River said point being the TRUE POINT OF BEGINNING; thence
S. 17° 38' 48" E., 97.34 feet along said bank; thence
S. 13° 27' 04" E., 237.47 feet along said bank; thence
S. 2° 34' 05" E., 88.21 feet along said bank; thence
S. 19° 37' 52" W., 21.76 feet along said bank; thence
S. 43° 07' 18" W., 104.12 feet along said bank; thence
S. 23° 01' 37" W., 89.43 feet along said bank; thence
S. 38° 02' 14" W., 123.93 feet along said bank; thence
S. 46° 41' 32" W., 74.82 feet along said bank; thence

S. 73° 35' 46" W., 80.21, feet along said bank; thence
S. 69° 06' 58" W., 129.60 feet along said bank; thence
S. 39° 43' 19" W., 298.36 feet along said bank; thence
leaving said Westerly bank of the Big Wood River
S. 89° 13' 51" W., 9.55 feet to a 5/8" rebar marked MILAZZO 3231; thence
N. 27° 41' 26" E., 473.96 feet to a 5/8" rebar marked MILAZZO 3231; thence
N. 89° 58' 17" E., 239.60 feet to a 5/8" rebar marked MILAZZO 3231; thence
N. 22° 45' 13" E., 325.06 feet to a 5/8" rebar marked MILAZZO 3231; thence
N. 5° 41' 31" W., 320.04 feet to the TRUE POINT OF BEGINNING.

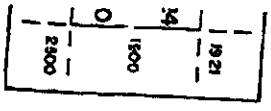
EXCEPTING THEREFROM the mean high water line of the Big Wood River.

TOGETHER WITH Water License No. 37-2632 (formerly 6-28570) for 2.30 c.f.s. of water for irrigation, 260 inches of water from Greenhorn Creek pursuant to a Decree dated September 1, 1885, and 302 inches of water from Big Wood River pursuant to a Decree dated December 13, 1887.


GREENHORN
GREENHORN
GREENHORN BENCH PHASE I
WANDER OVER YONDER SUBDIVISION
GREENHORN BENCH PHASE II
OLD SAGE ROAD
RIVER BEND SUBDIVISION
HIDDEN HOLLOW
STARWEATHER PLAT I
ABBY ROAD
RIVER BEND LANE
RIVER BEND LN.
STATE HIGHWAY
SEC. 18, T. 3 N., R 1R F


Detail 1913
Page 1900 of
1800
1804
1900
902
1915
1903
1914
1916


0
250
500
1000
SCALE IN FEET


0
34
2800
1500
1921


1000

RINKER COMPANY

RECEIVED
FEB 15 1996
Department of Water Resources
Southern Region

FACSIMILE COVER SHEET

DATE: FEBRUARY 15, 1996

TO: ALLEN MERRITT

FIRM NAME: IDAHO DEPT. OF WATER RESOURCES

FAX NUMBER: 208/736-3037

FROM: HARRY RINKER

RE: GOLDEN EAGLE RANCH - WATER TRANSFERS

****

Message:

MR. MERRITT: ATTACHED PLEASE FIND A COPY OF A POWER OF ATTORNEY FORM FOR YOUR PROCESSING THE ABOVE REFERENCED WATER TRANSFERS. HSR/lc

HARD COPY WILL ____ WILL NOT ___X___ FOLLOW

TOTAL PAGES INCLUDING COVER SHEET: ___2___

MICROFILMED
JAN 09 1997

MAILING ADDRESS: P.O. BOX 7950 • NEWPORT BEACH, CALIFORNIA 92658-7950
TEL: (714) 979-8300 • FAX: (714) 979-3327

POWER OF ATTORNEY

SPECIAL

KNOW ALL MEN BY THESE PRESENTS: That HARRY S. RINKER, Trustee U/D/T dated 7/12/85, the undersigned (jointly and severally if more than one), hereby makes, constitutes and appoints CHARLES R. BROCKWAY his true and lawful attorney for him and in his name, place and stead and for his use and benefit:

To

Perform all acts necessary and proper and whatsoever known incident to and in connection with all water rights appurtenant to that certain real property in the County of Blaine, State of Idaho, more particularly described in Exhibit A attached hereto.

GIVING AND GRANTING unto his said attorney full power and authority to do and perform all and every act and thing whatsoever requisite, necessary, or appropriate to be done in and about the premises as fully to all intents and purposes as he might or could do if personally present, hereby ratifying all that his said attorney shall lawfully do or cause to be done by virtue of these presents.

Wherever the context so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

WITNESS his hand this first day of February, 1996.

Harry S. Rinker Trustee
U/D/T dated 7/12/85

State of California
County of Orange

On Feb. 1, 1996 before me, Virginia L. Hall

personally appeared Harry S. Rinker

☑ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

VIRGINIA L. HALL
COMMISSION #1010582
Notary Public - California
Orange County
My Commission Expires
SEPT. 19, 1997

Virginia L Hall

CAPACITY CLAIMED BY SIGNER(S)
☐ INDIVIDUAL(S)
☐ CORPORATE
OFFICER(S)
☐ PARTNER(S)
☐ ATTORNEY IN FACT
☑ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER:

SIGNER IS REPRESENTING:

ATTENTION NOTARY: The information requested below is OPTIONAL. It could, however, prevent fraudulent attachment of this certificate to any unauthorized document.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Title or Type of Document
Number of Pages Date of Document
Signer(s) Other Than Named Above

MICROFILMED
JAN 09 1997

Exhibit "A"

PARCEL I:

TOWNSHIP 3 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 18:

SE1/4 NW1/4 EXCEPT that portion of the following described parcel of land lying within the E1/2 NW1/4 of said Section, more particularly described as follows:

COMMENCING at a brass cap marked N1/4 Corner Section 18, said brass cap being N. 88° 15' 32" E., 2,835.55 feet from a brass cap marked as the Northwest corner of said Section 18; thence
S. 0° 12' 13" W., 629.73 feet to the TRUE POINT OF BEGINNING, said point being on the center line of the Greenhorn Road; thence
S. 0° 12' 13" W., 1,317.01 feet; thence
S. 82° 43' 56" W., 1,347.92 feet; thence
N. 0° 50' 37" E., 1,267.66 feet to a point on the East boundary of the Greenhorn PUD Subdivision and centerline of the Greenhorn Road; thence
491.42 feet along a curve to the right with a central angle of 11° 54' 08", a radius of 2,365.64 feet, and a long chord of 490.54 feet that bears N. 76° 46' 52" E., said curve being the centerline of the Greenhorn Road; thence
N. 82° 43' 56" E., 852.41 feet along the centerline of the Greenhorn road to the TRUE POINT OF BEGINNING.

W1/2 NE1/4 lying South of Greenhorn Road Right-of-way;

NE1/4 NE1/4 lying West of State Highway 75 right-of-way and South of Greenhorn Road right-of-way;

MICROFILMED
JAN 09 1997

SE1/4 NE1/4, EXCEPT River Bend Subdivision, according to the official plat thereof recorded in Book 5 of Plats, page 14, records of Blaine County, Idaho;

NE1/4 NE1/4 lying East of the Union Pacific Railroad right-of-way, EXCEPT Glenn-Dale Acres Subdivision, Blaine County, Idaho, according to the official plat thereof on file in the office of the County Recorder, Blaine County, Idaho.

A parcel of land in the NE1/4 SE1/4, more particularly described as follows:

BEGINNING at the Northwest corner of the NE1/4 SE1/4 of said Section 18; thence
E. 605.00 feet along the North boundary of the said NE1/4 SE1/4; thence
S. 5° 43' E., 603.00 feet; thence
S. 22° 38' W., 325.00 feet; thence
W. 240.00 feet; thence
S. 27° 40' W., 474.00 feet; thence
W. 80.00 feet to the Southwest corner of the NE1/4 SE1/4; thence
North 1,320.00 feet along the West boundary of said NE1/4 SE1/4 to the PLACE OF BEGINNING.

Lot 1 Wander Over Yonder Subdivision, Blaine County, Idaho, according to the official plat thereof recorded as Instrument No. 212906, records of Blaine County, Idaho.

PARCEL II:

TOWNSHIP 3 NORTH,, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

A Parcel of land within the NE1/4 SE1/4 Section 18 more particularly described as follows:

COMMENCING at the Southeast corner of said Section 18; thence
N. 0° 01' 13" E., 2,664.00 feet to the East Quarter Corner of said Section 18; thence
S. 65° 43' 36" W., 745.97 feet to a point on the Westerly bank of the Big Wood River said point being the TRUE POINT OF BEGINNING; thence
S. 17° 38' 48" E., 97.34 feet along said bank; thence
S. 13° 27' 04" E., 237.47 feet along said bank; thence
S. 2° 34' 05" E., 88.21 feet along said bank; thence
S. 19° 37' 52" W., 21.76 feet along said bank; thence
S. 43° 07' 18" W., 104.12 feet along said bank; thence
S. 23° 01' 37" W., 89.43 feet along said bank; thence
S. 38° 02' 14" W., 123.93 feet along said bank; thence
S. 46° 41' 32" W., 74.82 feet along said bank; thence

MICROFILMED
1996 9 1637

S. 73° 35' 46" W., 80.21, feet along said bank; thence
S. 69° 06' 58" W., 129.60 feet along said bank; thence
S. 39° 43' 19" W., 298.36 feet along said bank; thence
leaving said Westerly bank of the Big Wood River
S. 89° 13' 51" W., 9.55 feet to a 5/8" rebar marked MILAZZO 3231; thence
N. 27° 41' 26" E., 473.96 feet to a 5/8" rebar marked MILAZZO 3231; thence
N. 89° 58' 17" E., 239.60 feet to a 5/8" rebar marked MILAZZO 3231; thence
N. 22° 45' 13" E., 325.06 feet to a 5/8" rebar marked MILAZZO 3231; thence
N. 5° 41' 31" W., 320.04 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM the mean high water line of the Big Wood River.

PARCEL III:

A parcel of land within Section 7 and Section 18, Township 3 North, Range 18 East, Boise Meridian, Blaine County, Idaho and more particularly described as follows:

COMMENCING at a brass cap marking Southwest corner of SE1/4, SW1/4 of said Section 7 and the TRUE POINT OF BEGINNING; thence
N. 00° 51' 03" W., 1269.59 feet to a brass cap marking the Northwest corner of the SE1/4 SW1/4 of said Section 7; thence
N. 87° 20' 06" E., 1313.52 feet to a brass cap marking the Northeast corner of the SE1/4, SW1/4 of said Section 7 and the Southwest corner of Valley View Subdivision, according to the official plat thereof recorded in Book 6 of Plats, page 5, records of Blaine County, Idaho; thence
along the Southerly boundary of Valley View Subdivision S. 53° 25' 24" E. 60.00 feet; thence
N. 35° 45' 24" E., 200.15 feet; thence
152.98 feet along a curve to the right with a central angle of 15° 16' 56", a radius of 573.56 feet and a long chord of 152.53 feet that bears N. 43° 23' 54" E.; thence
N. 51° 02' 24" E., 55.00 feet; thence
177.12 feet along a curve to the left with a central angle of 40° 45' 03", a radius of 249.03 feet and a long chord of 173.41 feet that bears N. 30° 39' 54" E.; thence
N. 10° 11' 54" E., 248.70 feet; thence
N. 86° 41' 09" E., 401.81 feet to the Southeast corner of Valley View Subdivision and the west boundary of the Stock Drive right-of-way; thence
following the west boundary of the Stock Drive right-of-way 499.09 feet along a curve to the left with a central angle of 18° 14' 56", a radius of 1566.97 feet and a long chord of 496.98 feet that bears S. 17° 06' 04" E., thence

MICRO-FILMED
JAN 09 '97

Legal Description
Page 4

S. 26° 13' 32" E., 1619.40 feet to a point on the west boundary of the Stock Drive right-of-way and the south boundary of said Section 7; thence
N. 88° 14' 36" E., 109.87 feet along the south boundary of said Section 7 to a point on the west boundary of Highway 75; thence
S. 26° 13' 32" E., 434.36 feet along the west boundary of Highway 75 to a point on the centerline of the Greenhorn Road Easement; thence
following the centerline of the Greenhorn Road Easement S. 63° 46' 28" W., 400.61 feet; thence
389.90 feet along a curve to the right with a central angle of 31° 27' 04", a radius of 710.31 feet and a long chord of 385.03 feet that bears S. 79° 30' 00" W.; thence
N. 84° 46' 28" W., 363.13 feet; thence
298.81 feet along a curve to the left with a central angle of 12° 29' 36", a radius of 1370.38 feet and a long chord of 298.22 feet that bears N. 88° 58' 44" W.; thence
S. 82° 43' 56" W., 598.98 feet to the centerline of the Greenhorn Road Easement and the northeast corner of Greenhorn Bench Phase 2 subdivision, according to the official plat thereof, records of Blaine County, Idaho; thence
S. 82° 43' 56" W., 852.41 feet along the centerline of the Greenhorn Road Easement and the north boundary of Greenhorn Bench Phase 2 subdivision; thence
491.42 feet along a curve to the left with a central angle of 11° 54' 08", a radius of 2365.64 feet and a long chord of 490.54 feet that bears S. 76° 46' 52" W., to the centerline of the Greenhorn Road Easement and the northwest corner of Greenhorn Bench Phase 2 subdivision; thence
N. 00° 50' 37" E., 809.54 feet along the west boundary of the NE1/4, NW1/4 of said Section 18 to the True Point of Beginning.

Excepting therefrom the following described Greenhorn Well Site parcel:

Commencing at the Northeast corner of said Section 18; thence S. 88° 14' 36" W., 2628.08 feet to a brass cap marking the North 1/4 corner of said Section 18; thence
S. 63° 24' 37" E., 1194.89 feet to the True Point of Beginning; thence
N. 05° 13' 32" E., 105.00 feet; thence
S. 84° 46' 28" E., 207.43 feet; thence
S. 05° 13' 32" W., 104.68 feet to the north boundary of the Greenhorn Road Easement; thence
following the Greenhorn Road Easement 20.71 feet along a curve to the right with a central angle of 01° 44' 39", a radius of 680.31 feet and a long chord of 20.71 feet that bears N. 85° 38' 55" W.; thence
N. 84° 46' 28" W., 186.72 feet along the north boundary of the Greenhorn Road Easement to the True Point of Beginning.

Legal Description
Page 5

PARCEL IV:

A parcel of land lying within the SE1/4, SE1/4, Section 18, Township 3 North, Range 18 E., B.M., Blaine County, Idaho, being more particularly described as follows:

Commencing at the 5/8" bar marking the East 1/16 corner common to Sections 18 & 19, T. 3 N., R. 18 E., B.M.,; thence
North 0° 16' 22" West, 1290.63 feet to the 5/8" bar marking the southeast 1/16 corner of said Section 18, which point is the Real Point of Beginning; thence
North 89° 54' 18" East, 80.18 feet to a 5/8" bar; thence
South 6° 41' 42" East, 112.58 feet to a point in the Big Wood River; thence
South 84° 19' 47" West, 93.18 feet to the 1/2" bar marking the southeast corner of Lot 1, Wander Over Yonder Subdivision; thence
North 0° 16' 22" West, 120.89 feet to the Real Point of Beginning.

MICROFILMED
JAN 0 9 1997

Page 1 of 3

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

RECEIVED
APR 2 1986
Department of Water Resources
Southern District Office

RECEIVED
APR 24 1986
Department of Water Resources
Southern District Office

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1
PROPOSED CHANGE

APPROVED

Name of applicant(s) Rinker Co. Phone (714) 979-8300

Post Office address P.O. Box 7250, Newport Beach, California, 92658-7250

1. Explain Fully purpose of transfer

☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

☐ Change in nature of use from _____ to _____ ☐ Other _____

Describe the reason for the proposed changes To correct apparent error in licensing and to change P/U due to sale of land.

DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

2.	Right Number	Priority	Amount	Nature of Use	Period of Use
a.	37-2632	3/29/1960	2.30 cfs	Irrig & Dom.	Not Listed on Lic. to _____
b.					to
c.					to
d.					to
e.					to

3. Total amount of water under right: a. 2.30 cubic feet per second and/or _____ acre feet per annum

4. Source of water Groundwater tributary to _____

5. Point(s) of Diversion

Twp.	Rge.	Sec.	1/4	1/4	1/4	County	Twp.	Rge.	Sec.	1/4	1/4	1/4	County
3N.	18E.	18	NE	SW	NE	Blaine							

6. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N.	18E.	18	22		32	18	12								16	15			115

MICROFILMED

Total Acres 115

Page _____ of _____

PART 1

MICROFILMED

7. General Information

a. Description of diverting works Existing well & 50 H.P. pump which will be modified to 100 H.P. pump with the addition of 131 acres under new application.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer Transfer is intended to correct description of land as licensed in error. Lands being deleted or dropped from P/U have not been capable of being irrigated. The New P/U more correctly show lands irrigated. This

d. Remarks transfer is being made in conjunction with an application for permit which will expand the P/U from 115 acres with the addition of 131 acres to a total of 246 acres.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-2632

And said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 24th day of June, 19 86.

A. Glen Saxton

Chief, Operations Bureau

Name Rinker Co.

Page 2 of 3

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
WATER RIGHT AS PRESENTLY RECORDED

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs _____

   dated in _____ in _____ county of _____

   b. License No. 37-2632 issued by the Idaho Department of Water Resources

   c. Claim No. _____ on file with the Idaho Department of Water Resources

   d. Transfer No. _____ which produced this right

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attatchment A. Check appropriate box below:

   ☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date of priority 3/29/1960

5. Water is used for the following purpose:

   amount 2.30 cfs for Irrig & Dom, purposes from Not Listed to _____

   amount _____ for _____ purposes from _____ to _____

   amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right: a. 2.30 cubic feet per second

   and/or

   b. _____ acre feet per annum

7. Point(s) of Diversion

Twp.	Rge.	Sec.	1/4	1/4	1/4	County	Twp.	Rge.	Sec.	1/4	1/4	1/4	County
3N.	18E	18		SW	NE	Blaine							

8. Place(s) of Use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N.	18E	18	10		40	40				10						15			115

MICROFILMED

Total Acres 115

PART 2

Transfer No._____

9. Describe any other water rights used for the same purpose as described above Decreed surface water rights

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? No If yes, describe _____

MICROFILMED

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED
(if the entire right is to be changed by the applicant, omit part B.)

1. Amount of water: a. _____ cubic feet per second and/or b. _____ acre feet per annum

2. Point(s) of Diversion:

Twp.	Rge.	Sec.	1/4	1/4	1/4	County	Twp.	Rge.	Sec.	1/4	1/4	1/4	County

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is none) #_____

1. Amount of water: a. _____ cubic feet per second and/or b. _____ acre feet per annum

2. Point(s) of Diversion:

Twp.	Rge.	Sec.	1/4	1/4	1/4	County	Twp.	Rge.	Sec.	1/4	1/4	1/4	County

3. Place(s) of Use: (Attach additional list if required)

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total Acres _____

Name Rinker Co.

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

ADDITIONAL INFORMATION & SIGNATURE

1. If transfer changes nature of use, answer FULLY the following items.

a. New Nature of Use | Amount | Hours/day | Period of Use

_____ _____ _____ _____ to _____

b. Quantity and quality of return flows and location of discharge.

_____

_____

c. Describe affects on other water uses resulting from the proposed change.

_____

_____

_____

_____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargementin use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Harry Rinker X
(Signature of Applicant)

Subscribed and sworn to before me this 1st day of April, 19 86.

_____
(Notary Public)

My commission expires 5/1/91

FOR DEPARTMENT USE ONLY

Transfer contains 3 pages and 2 attachments Deed, Aeriel Photo

Received by maya Date 3/24/86 Protest filed by None

Prelim. check by _____ Fee $50.00 _____

Receipted by maya Date 3/24/86 # 40050 _____ MICROFILMED

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 4/17 + 4/24/86 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by Adm Jim

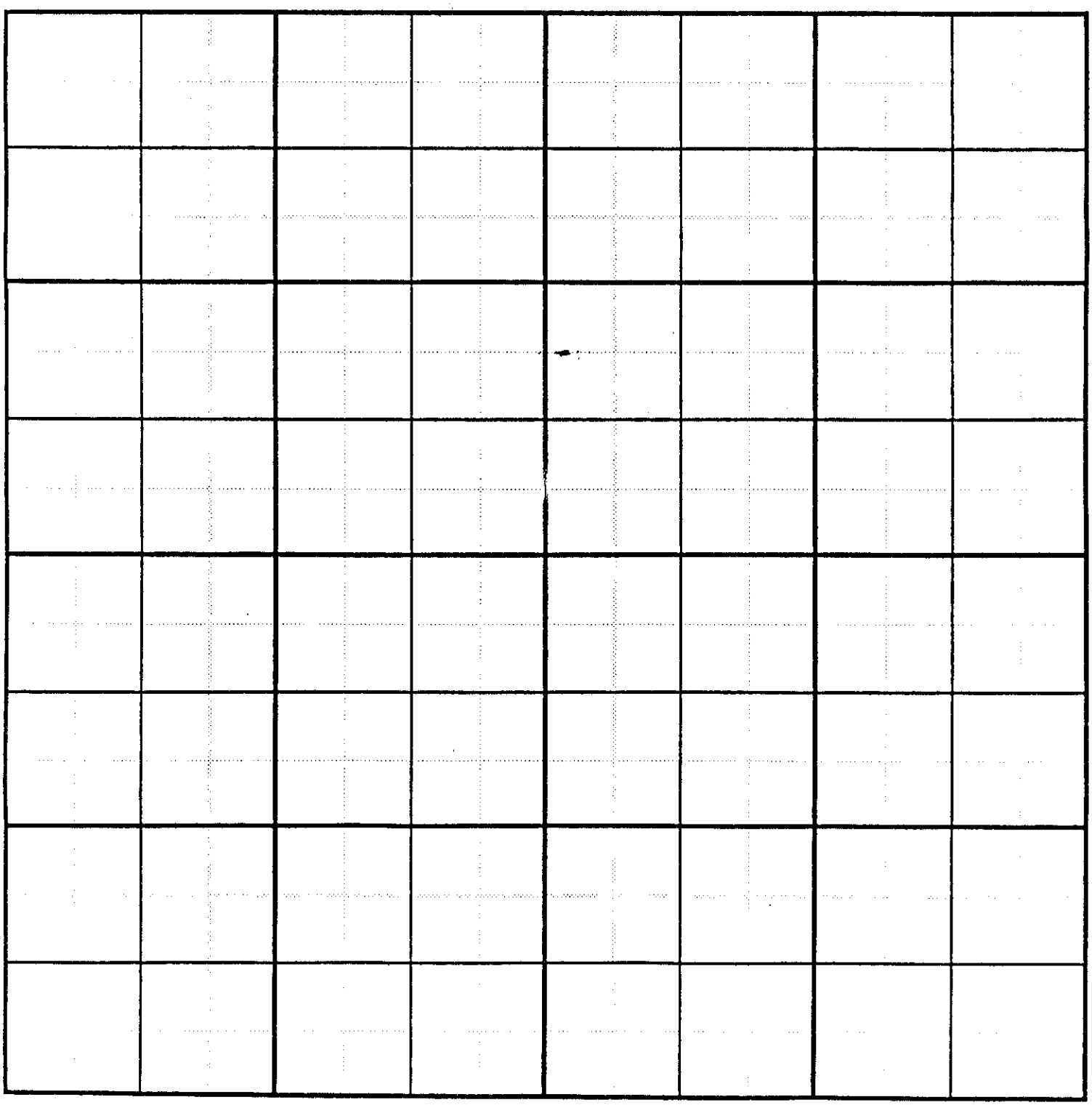
Copy of transfer sent to lien holder _____

MICROFILMED

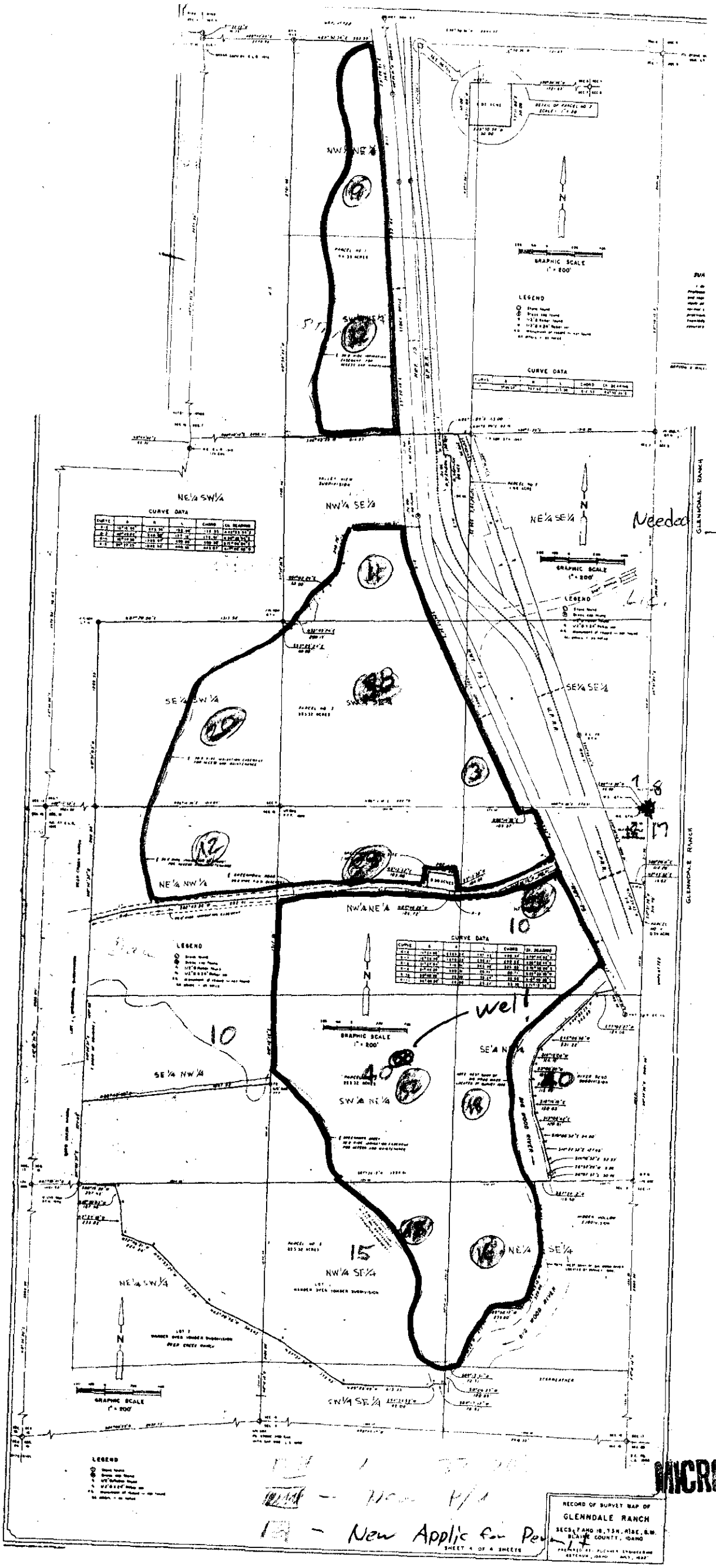
PART 3

Transfer No._____

2. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.


NW¼NE¼
SW¼NE¼
NE¼SW¼
NW¼SE¼
NE¼SE¼
SE¼SW¼
SW¼SE¼
NE¼NW¼
NW¼NE¼
SE¼NW¼
SW¼NE¼
NW¼SW¼
SW¼SW¼
NW¼SE¼
SE¼SE¼
SW¼SE¼
CURVE DATA
LEGEND
GRAPHIC SCALE
1" = 200'
GLENNDALE RANCH
Needed 246 acres
115 ac.
well
MICROFILMED
RECORD OF SURVEY MAP OF
GLENNDALE RANCH
SECS. 7 AND 18, T.5N., R.16E., B.M.
BLAINE COUNTY, IDAHO
SHEET 4 OF 4 SHEETS

A G R E E M E N T O F S A L E

1. PARTIES: AGREEMENT Made between GLENN B. GOULD FAMILY PARTNERSHIP, a partnership composed of Glenn B. Gould, Oleta Gould, Steve G. Gould, Jana L. Gould, Glenn C. Gould Trust-Glenn B. Gould Family and Ruth M. Gould Trust-Glenn B. Gould Family, the "Seller", and HARRY S. RINKER, the "Buyer", on May 21, 1985.

2. SALE: The Seller agrees to sell and convey and the Buyer agrees to purchase the real property situated in Blaine County, Idaho, described on Exhibit "A" together with 176 miners inches of water from the Big Wood River pursuant to a Decree dated December 13, 1887.

3. PURCHASE PRICE: The purchase price for the property is $500,000.00, payable as follows:

A. $100,000.00 upon closing of this Agreement as hereinafter described.

B. The balance of $400,000.00 is payable in annual installments of $50,000.00 including interest. The first payment is due July 1 , 1986, and a like payment is due on the same day of each year thereafter until the entire principal balance, including interest, is fully paid. The foregoing notwithstanding, the

SMITH, BEEKS & GOSS
ATTORNEYS AT LAW
P.O. BOX 508
TWIN FALLS, IDAHO
83303-0508

MICROFILMED

of the option to purchase shall be paid by the Buyer from the date that a subdivision plat of said property is recorded in the Office of the Recorder of Blaine County, Idaho. Buyer shall continue to pay taxes on said option property until its option expires or until it is exercised.

8. TITLE INSURANCE: The Seller shall obtain, at its own expense, a policy of title insurance on the property herein sold in the face amount of $500,000.00 insuring merchantable title in the property. The title policy shall be secured and delivered to the Buyer immediately after closing of this Agreement.

9. COVENANT AGAINST LIENS: Until the purchase price is paid in full, the Buyer will keep all accounts, taxes, levies and assessments promptly paid and will not permit liens to attach against the property as a result of nonpayment of any thereof. In the event of nonpayment of taxes, insurance or other similar items, the Seller may pay them and add the amount to the balance owing under this Agreement. The Buyer shall immediately, upon demand, repay all amounts so paid by the Seller.

10. INSPECTION: The Buyer purchasing this property has inspected it as to the amount of land in cultivation, prevalence of rocks, noxious weeds and other objectionable features and is relying upon its own judgment and not upon the representations of the Seller. The property is purchased by the Buyer in an AS IS condition and there are no warranties, either express or implied, except as specified in this Agreement.

SMITH, BEEKS & GOSS
ATTORNEYS AT LAW
P.O. BOX 508
TWIN FALLS, IDAHO
83303-0508

MICROFILMED

entire unpaid balance, including interest, shall be due July 1, 1995.

C. Interest on the unpaid balance shall be computed at 9% per annum from July 1 , 1985.

4. ASSIGNABILITY: The Buyer may assign all or a part of its rights under this Agreement; provided, however, the Buyer shall remain personally liable to the Seller for all obligations of the Buyer to be kept pursuant to this or any subsequent Agreements provided for herein. Sale of any lots shall be subject to all provisions of this Agreement.

5. WASTE: Until the unpaid principal and interest are paid in full by the Buyer to the Seller, the Buyer shall keep the property and improvements in good condition and repair, reasonable wear and tear excepted.

6. CLOSING: Closing of this Agreement shall be at Sawtooth Title Company in Ketchum, Idaho, on July 1, 1985. At closing Buyer shall deliver the down payment and a Mortgage on the property securing the unpaid balance of the purchase price. The Seller shall deliver its Warranty Deed to the subject property conveying title to it to Buyer, free and clear of all encumbrances except easements of record, current taxes and the purchase money Mortgage.

7. PRORATES: Taxes on the property subject of this Agreement of Sale shall be prorated by the parties to June 30, 1985. In addition, real estate taxes on the property subject

SMITH, BEEKS & GOSS
ATTORNEYS AT LAW
P.O. BOX 508
TWIN FALLS, IDAHO
83303-0508

MICROFILMED

18. TIME: Time is of the essence of this Agreement.

19. NOTICES: All notices shall be in writing. They shall be served in the same manner as a Summons under Idaho law or may be sent by certified mail to the parties. All notices shall be deemed to have been given when service is completed or when they are received by the party to be notified, whichever occurs first.

20. NUMBER AND GENDER: All words used in the singular number include the plural. All words used in the plural number include the singular. All words used in any gender include all genders.

21. ENTIRE CONTRACT: This contract states the entire agreement between the parties. The parties are not bound by any stipulations, representations, agreements or promises, oral or otherwise, not printed or inserted in this Agreement.

22. BINDING EFFECT: The provisions of this Agreement and its terms and conditions are binding upon and inure to the benefit of the heirs, personal representatives, successors and assigns of the parties.

"Seller"

GLENN B. GOULD FAMILY PARTNERSHIP

BY: Glenn B. Gould
GLENN B. GOULD
Partner

"Buyer"

Harry S. Rinker
HARRY S. RINKER

SMITH, BEEKS & GOSS
ATTORNEYS AT LAW
P.O. BOX 508
TWIN FALLS, IDAHO
83303-0508

MICROFILMED

STATE OF: Idaho)
: ss.
County of: Twin Falls.)

On May 21, 1985, before me, a Notary Public in and for said State, personally appeared GLENN B. GOULD, known to me to be one of the partners of GLENN B. GOULD FAMILY PARTNERSHIP whose name is subscribed to the foregoing instrument and acknowledged to me that said partnership executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year in this certificate first above written.

H. F. LeMoyne
Notary Public for: ~~Twin Falls, Idaho~~
Residing at: Twin Falls

STATE OF: Idaho)
: ss.
County of: Blaine.)

On May 28, 1985, before me, a Notary Public in and for said State, personally appeared HARRY S. RINKER, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year in this certificate first above written.

H. F. LeMoyne
Notary Public for: Idaho
Residing at: Twin Falls.

SMITH, BEEKS & GOSS
ATTORNEYS AT LAW
P.O. BOX 508
TWIN FALLS, IDAHO
83303-0508

MICROFILMED

...p 3 North, Range 18 East, Boise Meridian, Blaine County, Idaho

...ion 7:
SE¼SW¼;

W½SE¼ West of Stock Driveway right of way, EXCEPT property platted as Valley View Subdivision, according to the official plat thereof recorded in Book 6 of Plats, page 5, records of Blaine County, Idaho;

SE¼SE¼ lying West of Stock Driveway right of way.

...ction 18:
NE¼NW¼, EXCEPT therefrom the following described parcel:
A parcel of land within the E½NW¼, Section 18, Township 3 North, Range 18 East, Boise Meridian, Blaine County, Idaho, and more particularly described as follows:
COMMENCING at a brass cap marked N¼ Cor., Sec. 18, T3N, R18E, said brass cap being N. 88°15'32" E., 2,835.55 feet from a brass cap marked as the Northwest corner of said Section 18;
THENCE S. 0°12'13" W., 629.73 feet to the TRUE POINT OF BEGINNING, said point being on the center line of the Greenhorn Road;
THENCE S. 0°12'13" W., 1,317.01 feet;
THENCE N. 82°43'56" E., 1,347.92 feet;
THENCE N. 0°50'37" E., 1,267.66 feet to a point on the East boundary of the Greenhorn P.U.D. Subdivision and the center line of the Greenhorn Road;
THENCE 491.42 feet along a curve to the right with a central angle of 11°54'08", a radius of 2,365.64 feet, and a long chord of 490.54 feet that bears N. 76°46'52" E., said curve being the center line of the Greenhorn Road;
THENCE N. 82°43'56" E., 852.41 feet along the center line of the Greenhorn Road to the TRUE POINT OF BEGINNING.

NW¼NE¼ lying North of the centerline of said Greenhorn Road, EXCEPT a parcel of land within the NE¼ of Section 18, Township 3 North, Range 18 East, Boise Meridian, Blaine County, Idaho, and more particularly described as follows:
COMMENCING at a brass cap marking the N¼ corner of said Section 18 which is S. 88°14'36" W., 2,628.08 feet from the Northeast corner of said Section 18;
THENCE S. 63°24'37" E., 1,194.89 feet to the POINT OF BEGINNING;
THENCE N. 5°13'32" E., 105.00 feet;
THENCE S. 84°46'28" E., 207.43 feet;
THENCE S. 5°13'32" W., 104.68 feet to a point on the North boundary of the Greenhorn Road easement;
THENCE 20.71 feet along a curve to the right with a central angle of 1°44'39", a radius of 680.31 feet, and a long chord of 20.71 feet that bears N. 85°38'55" W., and said curve being the north boundary of the Greenhorn Road easement;
THENCE N. 84°46'28" W., 186.72 feet along the North boundary of the Greenhorn Road easement to the POINT OF BEGINNING.

NE¼NE¼ lying North of the centerline of said Greenhorn Road and West of the Stock Driveway right of way.

EXHIBIT "A"

...RECORDED

ARCEL I:
ownship 3 North, Range 18 East, Boise Meridian, Blaine County, Idaho,

ection 7:
W½NE¼ lying West of Stock Driveway right of way;

NW¼SE¼ lying between the Union Pacific Railroad right of way and the right of way for Union Pacific Railroad spur.

A portion of property in the NW¼NE¼ described as follows:
BEGINNING at the Northwest corner of said parcel; thence South a distance of 30 feet to a point; thence East a distance of 30 feet to a point; thence North a distance of 30 feet to a point; thence West 30 feet to the POINT OF BEGINNING.

ection 18:
SE¼NW¼ EXCEPT that portion of the following described parcel of land lying within the E½NW¼ of said Section, more particularly described as follows:
COMMENCING at a brass cap marked N¼ Cor., Sec. 18 T3N, R18E, said brass cap being N. 88°15'32" E., 2,835.55 feet from a brass cap marked as the Northwest corner of said Section 18; thence S. 0°12'13" W., 629.73 feet to the TRUE POINT OF BEGINNING, said point being on the center line of the Greenhorn Road;
THENCE S. 0°12'13" W., 1,317.01 feet;
THENCE S. 82°43'56" W., 1,347.92 feet;
THENCE N. 0°50'37" E., 1,267.66 feet to a point on the East boundary of the Greenhorn P.U.D. Subdivision and the centerline of the Greenhorn Road;
THENCE 491.42 feet along a curve to the right with a central angle of 11°54'08", a radius of 2,365.64 feet, and a long chord of 490.54 feet that bears N. 76°46'52" E., said curve being the centerline of the Greenhorn Road;
THENCE N. 82°43'56" E., 852.41 feet along the centerline of the Greenhorn Road to the TRUE POINT OF BEGINNING.

W½NE¼ lying South of Greenhorn Road right of way;

NE¼NE¼ lying West of State Highway 75 right of way and South of Greenhorn Road right of way;

SE¼NE¼, EXCEPT River Bend Subdivision, according to the official plat thereof recorded in Book 5 of Plats, page 14, records of Blaine County, Idaho;

NE¼NE¼ lying East of the Union Pacific Railroad right of way, EXCEPT Glenn-Dale Acres Subdivision, Blaine County, Idaho, according to the official plat thereof on file in the office of the County Recorder, Blaine County, Idaho.

A parcel of land in the NE¼SE¼, more particularly described as follows:
BEGINNING at the Northwest corner of the NE¼SE¼ of said Section 18;
THENCE East 605 feet along the North boundary of the said NE¼SE¼;
THENCE S. 5°43' E., 603 feet;
THENCE S. 22°38' W., 325 feet;
THENCE West 240 feet;
THENCE S. 27°40' W., 474 feet;
THENCE West 80 feet to the Southwest corner of the NE¼SE¼;
THENCE North 1,320 feet along the West boundary of said NE¼SE¼ to the PLACE OF BEGINNING.

Lot 1, WANDER OVER YONDER SUBDIVISION, Blaine County, Idaho, according to the official plat thereof recorded as Instrument No. 212906, records of Blaine County, Idaho.

EXHIBIT "B"

MICROFILMED

PARCEL II:

Township 3 North, Range 18 East, Boise Meridian, Blaine County, Idaho

A parcel of land within the NE¼SE¼ Section 18 more particularly described as follows:
COMMENCING at the Southeast corner of said Section 18, thence N. 0°01'13" E., 2,664.2 feet to the East Quarter Corner of said Section 18;
THENCE S. 65°43'36" W., 745.97 feet to a point on the westerly bank of the Big Wood River, said point being the TRUE POINT OF BEGINNING;
THENCE S. 17°38'48" E., 97.34 feet along said bank;
THENCE S. 13°27'04" E., 237.47 feet along said bank;
THENCE S. 2°34'05" E., 88.21 feet along said bank;
THENCE S. 19°37'52" W., 21.76 feet along said bank;
THENCE S. 43°07'18" W., 104.12 feet along said bank;
THENCE S. 23°01'37" W., 89.43 feet along said bank;
THENCE S. 38°02'14" W., 123.93 feet along said bank;
THENCE S. 46°41'32" W., 74.82 feet along said bank;
THENCE S. 73°35'46" W., 80.21 feet along said bank;
THENCE S. 69°06'58" W., 129.60 feet along said bank;
THENCE S. 39°43'19" W., 298.36 feet along said bank;
THENCE leaving said Westerly bank of the Big Wood River S. 89°13'51" W., 9.55 feet to a 5/8" rebar marked MILAZZO 3231;
THENCE N. 27°41'26" E., 473.96 feet to a 5/8" rebar marked MILAZZO 3231;
THENCE N. 89°58'17" E., 239.60 feet to a 5/8" rebar marked MILAZZO 3231;
THENCE N. 22°45'13" E., 325.06 feet to a 5/8" rebar marked MILAZZO 3231;
THENCE N. 5°41'31" W., 320.04 feet to the TRUE POINT OF BEGINNING.

MICROFILMED

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Blaine }

CLINT STENNETT, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 17th day of April 19 86 and the date of the last publication was on the 24th day of April, 19 86

Clint Stennett

Subscribed and sworn to before me this 24th day of April, 19 86.
(SEAL)

Roberta McKeehan
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line			11
Number of Lines in Notice			45
Number of Insertions			2
	Lines tabular at		5¢/Pica
45	Lines straight at	1980	4¢/Pica
45	Subsequent lines at	14.85	3¢/Pica
	TOTAL COST		34.65

mcrfe

COPY OF NOTICE
(Paste Here)

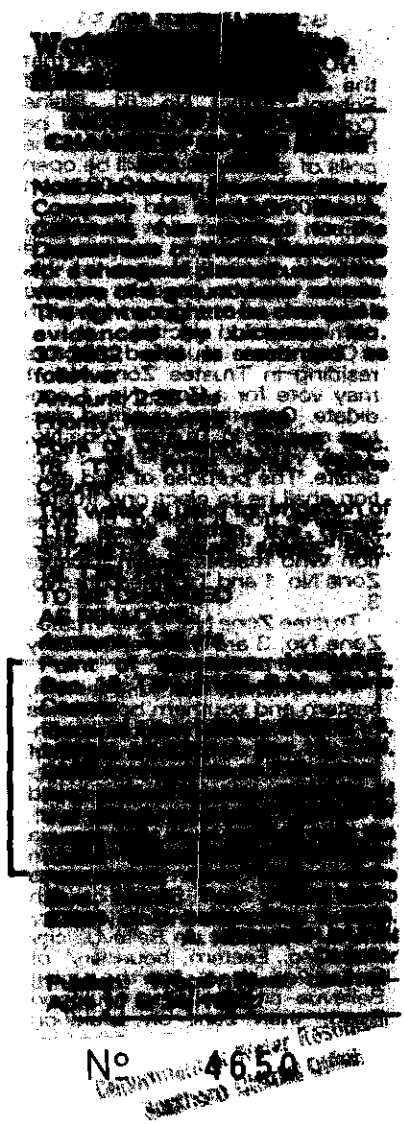
Proposed Change
TITLE OF NOTICE
#37-2632 Rinker Co.

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res
BILL TO



No. 4650

MICROFILMED

+7961

State of Idaho
License and Certificate of Water Right

Water License No. G-28570 Amount 2.30 c.f.s.

Water District No. Priority March 29, 1960

THIS IS TO CERTIFY that GLEN DALE RANCHES, Inc.

of Buhl, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 29, 1960; that Permit No. G-28570 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 4.04 second feet, was issued thereunder on August 25, 1964, showing that said works were completed on the 11th day of June, 1963; and that on the 11th day of June, 1963,

GLEN DALE RANCHES, Inc.

of Buhl, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation and domestic, under Use Permit No. G-28570 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 13 of Licenses at page 7961, on the 25 day of August, 1964;

The right hereby confirmed dates from March 29, 1960;

The Point of Diversion is located

in the SW ¼ NE ¼, Sec. 18, Tp. 3 N., R. 18 E, B. M. Blaine County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.30 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	18 E	18	$SE\frac{1}{4}$ $NW\frac{1}{4}$	40	10
			$NE\frac{1}{4}$ $NE\frac{1}{4}$	40	10
			$SW\frac{1}{4}$ $NE\frac{1}{4}$	40	40
			$SE\frac{1}{4}$ $NE\frac{1}{4}$	40	40
			$NW\frac{1}{4}$ $SE\frac{1}{4}$	40	15
			Total number of acres to be irrigated:		115

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 25th day of August, 1964.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

37 2002

State of Idaho
License and Certificate of Water Right

P.D. Transfer #291

Water License No. G-26171 Amount 5.54 c.f.s.

Water District No. Priority February 6, 1956

THIS IS TO CERTIFY that LEONA C. LYON - Assignee - Anderson Grigg of Glendale, Arizona, made application for a permit to appropriate the public waters of the State of Idaho, dated February 6, 19 56; that Permit No. G-26171 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 5.54 second feet, was issued thereunder on August 25, 1964, showing that said works were completed on the 30th day of June, 19 61; and that on the 30th day of June, 19 61,

LEONA C. LYON - Assignee - Anderson Grigg of Burley, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of two wells, a tributary of subterranean flow, for the purpose of irrigation and domestic, under Use Permit No. G-26171 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 13 of Licenses at page 7962, on the 25th day of August, 19 64;

The right hereby confirmed dates from February 6, 19 56;

The Point of Diversion is located $NW\frac{1}{4}SW\frac{1}{4}$ in the SW ¼ SE ¼, Sec. 5, Tp. 11 S, R. 22 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 5,54 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S	22 E	5	$N\frac{1}{2}$	320	320
			$SE\frac{1}{4}$	160	160
			$NE\frac{1}{4}$ $SW\frac{1}{4}$	40	40
			$NW\frac{1}{4}$ $SW\frac{1}{4}$	40	10
			$SE\frac{1}{4}$ $SW\frac{1}{4}$	40	10
			Total number of acres to be irrigated:		540

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 25th day of August, 19 64.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

G-28570

APPLICATION FOR PERMIT 37-2632

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-36552
Permit No. G- 28570
District No.

1. Name of Applicant: GLENN DALE RANCHES, Inc.

   Postoffice address: Buhl County: Twin Falls State: Idaho

2. Quantity of water claimed:

   (a) Rate of withdrawal in cubic feet per second 8.0 or Idaho
   Miners' inches 400 or gallons per minute

   (b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the SW ¼ of the NE ¼ of Section 18
   Twp. 3 N. , Rge. 18 E , B.M., County of Blaine

5. Water is to be used for: irrigation and domestic

6. If for municipal, industrial or recreational purposes, give:

   (a) Point of use of water is in the ¼ of the ¼ of Section , Twp.
   Rge. , B.M.

   (b) Waste water or sewage effluent is to be returned to
   at a point in the ¼ of the ¼ of Section , Twp. , Rge. , B.M.

7. Kind of works: cased, drilled well, pump and ditches

8. Estimated cost of works: $ 5000

9. (a) Is reservoir to be used? no

   (b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

   I. (a) Date and place of incorporation: Nov. 17, 1949; Buhl, Idaho

   (b) Amount of capital stock: $150,000 (c) Amount paid in: $ 100,000

   (d) Names and addresses of directors: Glenn C. Gould, Ruth M. Gould, Glenn B. Gould and J. Dale Gould, all of Buhl, Idaho

   II. The financial resources of the applicant are (a) Cash on hand: $

   (b) Treasury stock: $50,000 (c) Bonds to be issued: none

   (d) Other resources: Lands, equipment and livestock 225,000

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

   (a) 8.0 (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.

   (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: This well has actually been drilled and has been in use for several years.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

Glenn Dale Ranches, Inc. *Applicant.*

By s/ Glen B. Gould Pres. *Agent.*

Date of first receipt at Department of Reclamation: 8:30 A. M. March 29, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G—28570

Recorded in Book 100 Page 28570 Approved March 30, 1960

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of $ to be filed on or before

Work to begin on or before and to continue deligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before September 30, 1962

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before March 30, 1965

Witness my hand this 30th day of March, 1960

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARHOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 30th day of March, 19 65

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

STATE OF IDAHO

By s/ ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3 N	18 E	18	40	40	40	40	40	40	40	40						40			360
		7			40	40									40	40	40	40	240
																	TOTAL		600

Permit No. G-28570 ✓

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that GLENN DALE RANCHES, Inc. of Buhl, County of Twin Falls, and State of Idaho, the holder of Permit No. G-28570, issued upon Application No. G-36552, bearing date of priority of March 29, 1960, authorizing the diversion of 8.0 second feet of waters of a well, County of Blaine, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said permit; that said works are adequate for diverting and conveying to the place of intended use 4.04 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SW¼NE¼, Sec. 18, T. 3 N., R. 18 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

N½, NW¼SE¼, Sec. 18; S½NE¼, SE¼, Sec. 7, T. 3 N., R. 18 E., B. M.

Witness my hand this 25th day of August, A. D. 1964.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: June 11, 1963

LICENSE ISSUED FOR 2.3 SEC. FT.
LICENSE PAGE NO. 7961

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 11, 2003

HARRY RINKER
C/O RINKER CO
PO BOX 9250
NEWPORT BEACH CA 92658

RE: Application for Transfer 70110 – Right 37-2632

Dear Applicant(s):

The Department acknowledges the withdrawal of Application for Transfer 70110 that proposed a change to Water Right 37-2632.

The application has been voided and no further action will be taken.

Sincerely,

for Pamela S. Skaggs
Sr. Water Resource Agent

PSS:klt

cc: Charles E. Brockway
c/o Brockway Engineering, PLLC
2016 N. Washington, #4
Twin Falls, ID 83301

MICROFILMED
JUL 2 6 2003

Form 1-222
12-90

T#3

Page 1 of 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No 70110

RECEIVED
JUL 24 2002
Department of Water Resources
Southern Region

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED
JUN 11 2003
Department of Water Resources

Name of applicant Harry Rinker Phone (714) 979-8300

Post Office address c/o Rinker Company, P.O. Box 9250, Newport Beach, CA 92658-7250

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point ☒ Change place of use
   ☐ Change nature of use ☐ Change period of use ☒ Other Split right

2. Describe the reason for the proposed changes Move irrigated acres to other land.

WITHDRAWN

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
37-2632	3/29/1960	0.12/20.3	Irrigation	4/15 to 10/15
(part)				to
				to
				to

WITHDRAWN 3-24-03

2. Total amount of water being transferred 0.12 cubic feet per second and/or 20.3 acre-feet per annum.

3. Source of water Groundwater tributary to

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	SW	7	3N	18E	Blaine	Timberview Wells (2)
								(existing per Blackwag) C.S.

SCANNED
APR 18 2003

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	7									5.8								5.8

WITHDRAWN 3-24-03

MICROFILMED
JUL 23 2003

Printed 3/4/02 11:56 (70110)

Total acres 5.8

T70110

Transfer No. _____

PART 1

6. General Information:

a. Description of diversion system Two community wells to looped system serving 5 lots in Timberview Terrace subdivision.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:

5.8 acres is not being irrigated on Golden Eagle South - this portion of the right will be moved to Timberview Terrace subdivision. Comstock river right (37-0154) is overlapping - 5.8 acres will be removed from this right completely and left in the river.

d. Remarks:

Due to large houses and hardscape areas on Golden Eagle Phase 1, irrigation is less than anticipated when transfers were originally approved in December 1997. Timberview ac. allocation: 1.0 ac Lt 1, 0.5 ac Lts 2-4, 3.0 ac Lt 5, 0.3 ac common area.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

WITHDRAWN

Witness my hand this _____ day of _____, 19 _____.

_____

MICROFILMED

JUL 2 8 2003

Form 1-222
12-90

Page 3 of 8

T70110

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

WITHDRAWN

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. _____ Decreed to _____
      in case of _____ vs. _____
      dated _____ in _____ county of _____
   b. License No. 37-2632 issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

   ☐ Tax notice ☐ Warranty Deed ☐ Other _____

SCANNED
APR 18 2003

3. Source of water Groundwater tributary to _____
4. Date of priority 3/29/1960
5. Water is used for the following purpose:

   Amount 1.94/339.5 (cfs/ac-ft) for Irrigation purposes from 4/15 to 10/15
   Amount 142 af (cfs/ac-ft) for (or for protection) Storage purposes from 1/1 to 12/31
   Amount 2.30 cfs (cfs/ac-ft) for Div. to Stor. purposes from 1/1 to 12/31

6. Total amount of water under right 2.30 cubic feet per second and/or 339.5 (or 407.5) acre-feet per annum.
7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NE	18	3N	18E	Blaine	Gould irrig. well
		NE	SE	18	3N	18E	Blaine	East domestic well
		NW	SE	18	3N	18E	Blaine	West domestic well

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	7												8.4					8.4
3N	18E	18	13.8	22.2	17.9	9.2	4.2			1.5					9.9	9.4	0.3	0.2	88.6

Total acres 97.0

9. Describe any other water rights used for the same purpose as described above 37-0154

MICROFILMED
JUL 28 2003

T70110

PART 2

Transfer No.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. Amount 0.12/20.3 (cfs/ac-ft) for Irrigation purposes from 4/15 to 10/15
   Amount (cfs/ac-ft) for purposes from to
   Amount (cfs/ac-ft) for purposes from to

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NE	18	3N	18E	Blaine	Gould well
		NE	SE	18	3N	18E	Blaine	East domestic well
		NW	SE	18	3N	18E	Blaine	West domestic well

3. Lands irrigated or place of use:

			NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
Twp.	Rge.	Sec.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	18				0.5				0.4					2.2	2.2	0.3	0.2	5.8

Total acres 5.8

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount 1.82/319.2 (cfs/ac-ft) for Irrigation purposes from 4/15 to 10/15
   Amount 142 ac-ft (cfs/ac-ft) for Storage purposes from 1/1 to 12/31
   Amount 2.3 cfs (cfs/ac-ft) for Div. to Stor. purposes from 1/1 to 12/31

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NE	18	3N	18E	Blaine	Gould well
		NE	SE	18	3N	18E	Blaine	East domestic well
		NW	SE	18	3N	18E	Blaine	West domestic well

3. Lands irrigated or place of use:

			NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
Twp.	Rge.	Sec.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	7												8.4					8.4
3N	18E	18	13.8	22.2	17.9	8.7	4.2			1.1					7.7	7.2			82.8

MICROFILMED
JUL 2 8 2003

Total acres 91.2

T70110

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

WITHDRAWN

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. 37-0154 Decreed to M. H. Comstock
      in case of _____ vs. _____
      dated _____ in _____ county of _____
   b. License No. _____ issued by the Idaho Department of Water Resources.
   c. Claim No. 37-00154C on file with the Idaho Department of Water Resources.
   d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.
   ☐ Tax notice ☐ Warranty Deed ☐ Other _____

3. Source of water Big Wood River tributary to Malad River

4. Date of priority 12/13/1887

5. Water is used for the following purpose:
   Amount (cfs/ac-ft) 2.85/498.4 for Irrigation purposes from 4/15 to 10/15
   Amount (cfs/ac-ft) 6.00/257.6 for Recreation purposes from 1/1 to 12/31
   Amount (cfs/ac-ft) 6.00/257.6 for Aesthetics purposes from 1/1 to 12/31

6. Total amount of water under right 8.85 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	NE	18	3N	18E	Blaine	Golden Eagle pump
		SE	NW	32	3N	18E	Blaine	Purdum Slough

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	7												12.2			8.2	2.6	23.0
3N	18E	18	15.9	25.7	24.1	13.5	12.9			2.1					12.6	11.9	0.4	0.3	119.4

Total acres 142.4

9. Describe any other water rights used for the same purpose as described above 37-2632

MICROFILMED
JUL 2 8 2003

T70110

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. Amount (cfs/ac-ft) 0.12/20.3 for Irrigation purposes from 4/15 to 10/15
   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

WITHDRAWN

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	NE	18	3N	18E	Blaine	Golden Eagle pump
		SE	NW	32	3N	18E	Blaine	Purdum Slough

SCANNED

3. Lands irrigated or place of use:

APR 18 2003

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	18				0.5				0.4					2.2	2.2	0.3	0.2	5.8

Total acres 5.8

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount (cfs/ac-ft) 2.73/478.1 for Irrigation purposes from 4/15 to 10/15
   Amount (cfs/ac-ft) 6.00/257.6 for recreation C.S. purposes from 1/1 to 12/31
   Amount (cfs/ac-ft) 6.00/257.6 for aesthetics C.S. purposes from 1/1 to 12/31

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	NE	18	3N	18E	Blaine	Golden Eagle pump
		SE	NW	32	3N	18E	Blaine	Purdum Slough

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	7												12.2			8.2	2.6	23.0
3N	18E	18	15.9	25.7	24.1	13.0	12.9			1.7					10.4	9.7	0.1	0.1	113.6

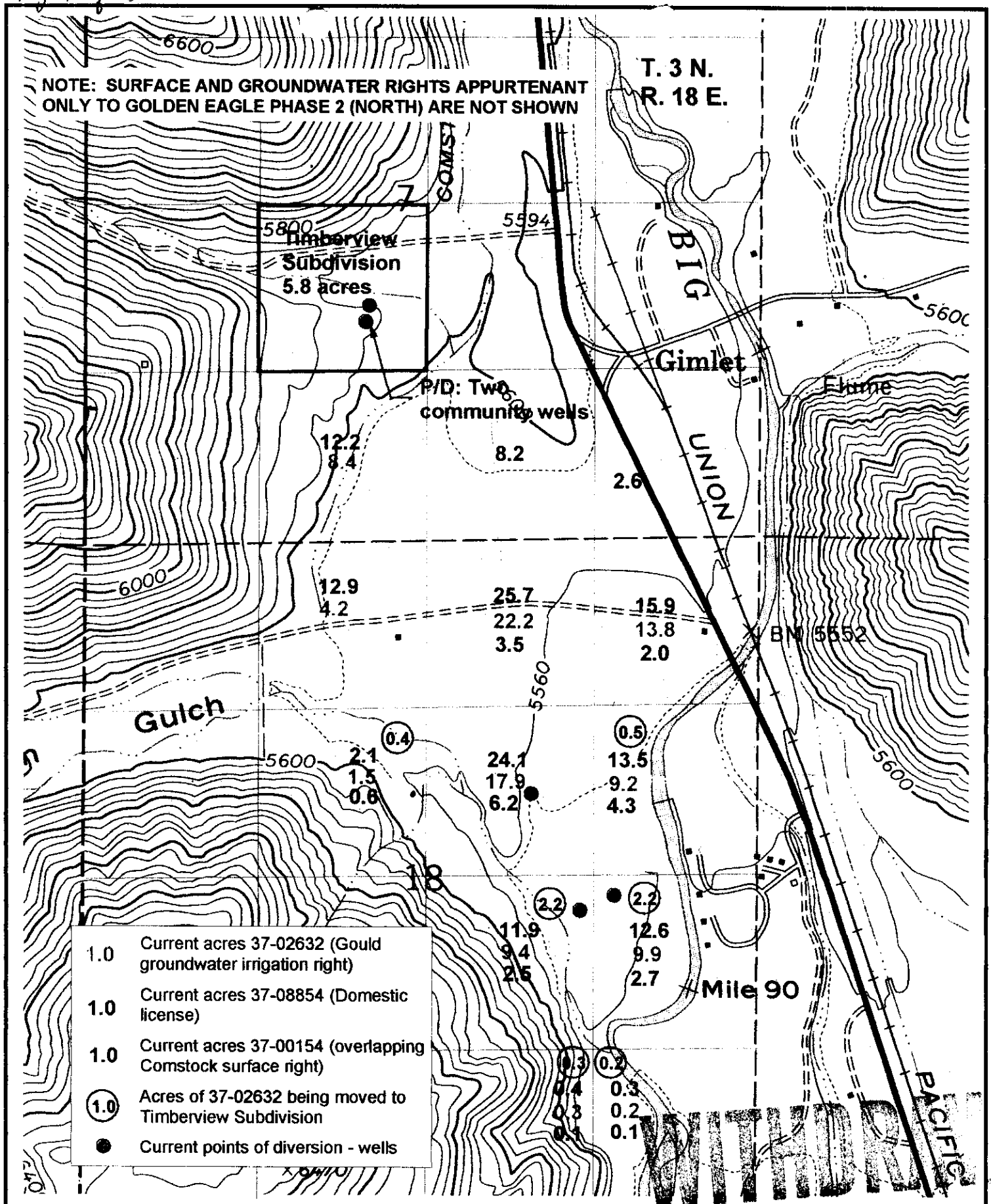
MICROFILMED

JUL 28 2003

Total acres 136.6

Pg 7 of 8

T70110



WATER RIGHT TRANSFER - RINKER COMPANY

Golden Eagle groundwater - 5.8 acres being moved to Timberview Subdivision

Brockway Engineering, PLLC
March 4, 2002
Corrected July 24, 2002

MICROFILMED
JUL 2 3 2003

T70110
Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

None

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

None

WITHDRAWN

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.

TANYA L. ELDREDGE NOTARY PUBLIC STATE OF IDAHO

Chas E Brockway
(Signature of Applicant) Assoc. attorney

Subscribed and sworn to before me this 24th day of April, 19 2002

Tanya L. Eldredge
(Notary Public)

My commission expires 12-18-06

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 42 attachments

Received by L. SKINNER Date 7/19/2002 Protest filed by _____

Prelim. check by L. SKINNER Fee $100.00 S025105 _____

Receipted by L. SKINNER Date 7/24/2002 _____

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 9/11 & 9/18/02 Hearing held by _____ Date

Watermaster recommendation requested on 8/27/02 Recommended for [ ] Approval [ ] Denial

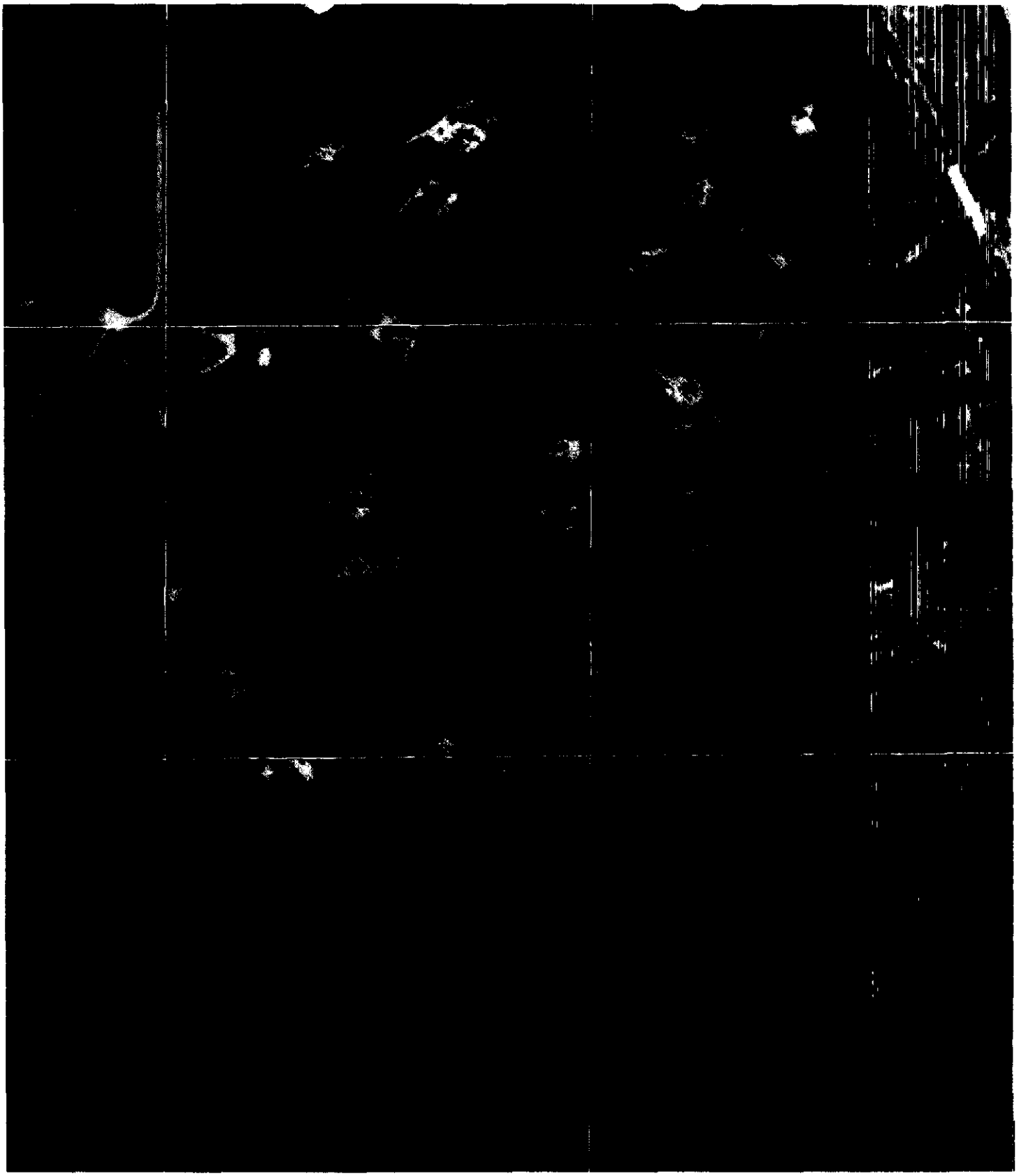
_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MICROFILMED
JUL 28 2003

SCANNED
APR 18 2003

T70110



Aerial photo date: Fall 2001

Golden Eagle Ranch Phase 1

Water rights: 37-02632 (Gould GW)
37-08854 (Domestic License)
37-00154 (Comstock)

Irrigated Area | Ponds | Hardscape | Well

MICROFILMED SCANNED

Brockway Engineering, PLLC

JUL 28 2003 APR 18 2003

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

I, Harry Rinker, dba Rinker Company, hereby nominate and appoint Charles E. Brockway, of Kimberly, Idaho, as my attorney-in-fact with full authority to act for and on my behalf to undertake any and all acts or matters pertaining to any and all water rights I may own or seek to acquire in Blaine County, Idaho. Additionally, I hereby ratify and confirm any and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal, and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the applications and transfers above-mentioned. Further, I hereby declare that each and every application, transfer, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these presents.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 1st day of Sept., 1995.

Harry Rinker

STATE OF ~~IDAHO~~ CALIF)
) ss.
County of ~~Blaine~~ ORANGE)

On the 1st day of Sept., 1995, before me, a Notary Public, in and for said County and State, personally appeared HARRY RINKER, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

VIRGINIA L. HALL
COMMISSION #1005362
Notary Public - California
ORANGE COUNTY
My Commission Expires
SEPT. 19, 1997

Virginia L. Hall

NOTARY PUBLIC FOR ~~IDAHO~~ CALIF.
Residing at: LAGUNA NIGUEL
My commission expires: 9/19/97

AUG-31-1995 13:39 ** TOTAL PAGE.002 **
91% P.02

MICROFILMED
APR 2 2002 JUL 2 8 2003

** TOTAL PAGE.001 **

T70110

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

I, Harry Rinker, dba Rinker Company, hereby nominate and appoint Charles E. Brockway, of Kimberly, Idaho, as my attorney-in-fact with full authority to act for and on my behalf to undertake any and all acts or matters pertaining to any and all water rights I may own or seek to acquire in Blaine County, Idaho. Additionally, I hereby ratify and confirm any and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal, and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the applications and transfers above-mentioned. Further, I hereby declare that each and every application, transfer, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these presents.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 1st day of Sept., 1995.

Harry Rinker

STATE OF ~~IDAHO~~ CALIF)
) ss.
County of ~~Blaine~~ ORANGE)

On the 1st day of Sept., 1995, before me, a Notary Public, in and for said County and State, personally appeared HARRY RINKER, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

VIRGINIA L. HALL
COMMISSION #1005362
Notary Public - California
ORANGE COUNTY
My Commission Expires
SEPT. 19, 1997

Virginia L. Hall

NOTARY PUBLIC FOR ~~IDAHO~~ CALIF.
Residing at: LAGUNA NIGUEL
My commission expires: 9/19/97

MICROFILMED

JUL 2 8 2003

T70110

Instrument # 445137
HAILEY, BLAINE, IDAHO
2000-11-15 03:45:00 No. of Pages: 2
Recorded for : SAWTOOTH TITLE
MARSHA RIEMANN Fee: 6.00
Ex-Officio Recorder Deputy
Index to: GRANT DEED

Order No. 27426

GRANT DEED

THIS GRANT DEED is made this 26th day of October, 2000, between **GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250** ("the Grantor"), and **CURTIS JOHNSON and CAROL JOHNSON, husband and wife, whose address is P.O. Box 6769. Ketchum, ID 83340,** (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 2 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California
limited liability company

By: WOOD RIVER PROPERTIES, INC.,
a California corporation, its Member

By:
Title: President

State of Idaho)
)ss.
County of Blaine)

On this 6th day of November, in the year 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared **HARRY S. RINKER,** known or identified to me to be the **President of Wood River Properties, Inc., a California corporation,** which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Jan L. Burrell

Notary Public for
Commission Expires: 2/18/2004

JAN BURRELL NOTARY PUBLIC STATE OF IDAHO

J:\escrow\forms\gd

MICROFILMED
JUL 28 2003

SCANNED
APR 1 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc., accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

9. Any interest of the State of Idaho in and to that portion of the Property lying below the high water mark of the Big Wood River.

MICROFILMED
JUL 28 2003
SCANNED
APR 21 2004

T70110

Order No. 22264

GRANT DEED

THIS GRANT DEED is made this 21st day of January, 1997, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7260 ("the Grantor"), and WILLIAM A. MCCANN and LOUISE M. MCCANN, husband and wife, whose address is 414 N. Orleans St., #601, Chicago, IL 60610, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 3 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

399112

Deed

BLAINE CO. REQUEST

SAWTOOTH TITLE

'97 FEB 14 AM 9 26

MARY GREEN, CLERK

FEES $ 6.00 MPP

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.**, a California corporation, its Member

By: _____
Title: President

State of California)
)ss.
County of ORANGE)

On this 29th day of JANUARY, in the year 1997, before me, VIRGINIA L. HALL, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall
Notary Public for California
Residing at: ORANGE, CALIFORNIA
Commission Expires: SEPT. 19, 1997

VIRGINIA L. HALL
COMMISSION #1005362
Notary Public - California
ORANGE COUNTY
My Commission Expires
SEPT. 19, 1997

MICROFILMED
JUL 2 8 2003
SCANNED
APR 2 1 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Any interest of the State of Idaho in and to that portion of the Property lying below the high water mark of the Big Wood River. (Applicable only to Lots 1,2,3,4,5,6,7,8,.9,10,.11,12 and 13 - remove from deeds for lots to which this exception is not applicable.)

MICROFILMED
JUL 2 8 2003
SCANNED
APR 2 1 2003

T70110

Order No 22263

GRANT DEED

THIS GRANT DEED is made this 12 day of February, 1997, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 ("the Grantor"), and THADDEUS WALCZAK, TRUSTEE OF THE THADDEUS WALCZAK 1996 TRUST DATED NOVEMBER 7, 1996, whose address is 1350 E. Sibley Blvd., Dolton, IL 60419, (the "Grantee")

WITNESSETH

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows

Lot 4 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California
limited liability company

By: WOOD RIVER PROPERTIES, INC.
a California corporation, its Member

By: _____
Title: Vice-President

State of California)
)ss.
County of Orange)

On this 12th day of February, in the year 1997, before me, Virginia L. Hall, a Notary Public in and for said State, personally appeared RUTH WILLIAMS known or identified to me to be the Vice-President of Wood River Properties, Inc., a California corporation, which corporation is a member of Golden Eagle LLC, a California limited liability company and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

_____
Notary Public for California
Residing at Orange, California
Commission Expires September 19, 1997

VIRGINIA L. HALL
COMMISSION #1005362
Notary Public - California
ORANGE COUNTY
My Commission Expires
SEPT. 19, 1997

MICROFILMED
JUL 28 2003

SCANNED
APR 21 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Any interest of the State of Idaho in and to that portion of the Property lying below the high water mark of the Big Wood River. (Applicable only to Lots 1,2,3,4,5,6,7,8,,9,10,,11,12 and 13 - remove from deeds for lots to which this exception is not applicable.)

MICROFILMED
JUL 28 2003
SCANNED
APR 21 2005

T70110

GRANT DEED

THIS GRANT DEED is made this **17th** day of **January, 1997**, between **GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7260** ("the Grantor"), and **THE PHILIP and KAREN DETWILER FAMILY TRUST DATED NOVEMBER 7, 1987**, whose address is **P. O. Box 718, Sun Valley, ID 83353**, (the "Grantee")

WITNESSETH

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 5 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

398889

Deed

BLAINE CO. REQUEST

SAWTOOTH TITLE

'97 FEB 5 PM 1 10

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.**, a California corporation, its Member

By: _____
Title: President

State of California)
)ss.
County of ORANGE)

FEES 6.00 MPP

On this 21st day of JANUARY, in the year 1997, before me, VIRGINIA L. HALL, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall

Notary Public for California
Residing at: ORANGE, CALIFORNIA
Commission Expires: SEPT. 19th, 1997

VIRGINIA L. HALL
COMMISSION #1005362
Notary Public - California
ORANGE COUNTY
My Commission Expires
SEPT 19, 1997

J:\escrowforms\gdtc

SCANNED

APR 1 1 2003

MICROFILMED

JUL 2 8 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record

3. Unpatented mining claims, reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto, water rights, claims or title to water

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Any interest of the State of Idaho in and to that portion of the Property lying below the high water mark of the Big Wood River. (Applicable only to Lots 1,2,3,4,5,6,7,8,.9,10,.11,12 and 13 - remove from deeds for lots to which this exception is not applicable.)

SCANNED
APR 2 1 2003

MICROFILMED
JUL 2 8 2003

Order No. 25523

GRANT DEED

THIS GRANT DEED is made this **13th** day of **March, 1999,** between **GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250** ("the Grantor"), and **ROBERT C. HONEY and MARIANNE KIRWAN HONEY, husband and wife,** whose address is **One Spinnaker, #5, Marina Del Rey, CA 90292,** (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 6 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

425612

SAWTOOTH TITLE

BLAINE CO. REQUEST

'99 MAR 25 PM 3 02

CLERK

FEES $ 6.00

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.** a California corporation, its Member

By: _____
Title: President

State of California }
}ss.
County of Orange }

On this 24TH day of MARCH, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **HARRY S. RINKER,** known or identified to me to be the **President of Wood River Properties, Inc., a California corporation,** which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L Hall

Notary Public for California
Commission Expires: Sept 19, 2001

VIRGINIA L. HALL
COMM. # 1152677
Notary Public-California
Orange County
My Comm. Expires
SEPT. 19, 2001

J:\escrowforms\gs

MICROFILMED
JUL 23 2003

SCANNED
MAR 21 2003

T70110

Order No. 22399

GRANT DEED

THIS GRANT DEED is made this 17th day of January, 1997, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7260 ("the Grantor"), and MARSHA SLOAN GLAZER, TRUSTEE UNDER THE LIVING TRUST DECLARATION OF MARSHA SLOAN GLAZER DATED JANUARY 11, 1993 AS AMENDED OCTOBER 12, 1993 whose address is ~~6330 SE 42nd Street, Mercer Island, WA 98040~~. (the "Grantee")
P.O. Box 997, Mercer Island, WA 98040

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 7 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

398880

Deed

BLAINE CO. REQUEST
SAWTOOTH TITLE
'97 FEB 5 PM 1 08

MARY KEEN, CLERK
FEES $ 6.00 mPP

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.**, a California corporation, its Member

By: _____
Title: President

State of California)
)ss.
County of ORANGE)

On this 21st day of JANUARY, in the year 1997, before me, VIRGINIA L. HALL, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall

Notary Public for California
Residing at: ORANGE, CALIFORNIA
Commission Expires: SEPT 19, 1997

VIRGINIA L. HALL
COMMISSION #1005362
Notary Public - California
ORANGE COUNTY
My Commission Expires

MICROFILMED

JUL 28 2003

RECORDED

APR 1 1 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Any interest of the State of Idaho in and to that portion of the Property lying below the high water mark of the Big Wood River. (Applicable only to Lots 1,2,3,4,5,6,7,8,.9,10,.11,12 and 13 - remove from deeds for lots to which this exception is not applicable.)

MICROFILMED
JUL 2 8 2003
SCANNED
APR 2 1 2003

T70110

GRANT DEED

THIS GRANT DEED is made this 23rd day of August, 1999, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 ("the Grantor"), and HARRY S. RINKER, TRUSTEE UNDER THE AMENDED AND RESTATED DECLARATION OF TRUST DATED FEBRUARY 5, 1991, whose address is P.O. Box 7250, Newport Beach, CA 92658-7250 (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 8 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California
limited liability company

By: WOOD RIVER PROPERTIES, INC.,
a California corporation, its Member

By: _____
Title: President

State of Idaho)
)ss.
County of Blaine)

On this 25 day of August, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared HARRY S. RINKER, known or identified to me to be the President of Wood River Properties, Inc., a California corporation, which corporation is a member of Golden Eagle LLC, a California limited liability company and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Jan C. Burrell

Notary Public for
Commission Expires: 2-18-2004

JAN BURRELL NOTARY PUBLIC STATE OF IDAHO

SAWTOOTH TITLE

130019

MICROFILMED

JUL 28 2003

SCANNED

SEP 21 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

9. Any interest of the State of Idaho in and to that portion of the Property lying below the high water mark of the Big Wood River. (Applicable only to Lots 1,2,3,4,5,6,7,8,9,10,11,12 and 13)

MICROFILMED

JUL 2 8 2003

SCANNED

SEP 2 1 2003

T70110

GRANT DEED

THIS GRANT DEED is made this 23rd day of August, 1999, between HARRY S. RINKER, TRUSTEE UNDER THE AMENDED AND RESTATED DECLARATION OF TRUST DATED FEBRUARY 5, 1991, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 ("the Grantor"), and DIANE J. RINKER, a married woman, as her sole and separate property, whose address is P.O. Box 7250, Newport Beach, CA 92658-7250 (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 8 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

HARRY S. RINKER, TRUSTEE

State of Idaho }
}ss.
County of Blaine }

On this 25 day of August, in the year 1999, before me, the undersigned, personally appeared HARRY S. RINKER, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as trustee UNDER THE AMENDED AND RESTATED DECLARATION OF TRUST DATED FEBRUARY 5, 1991, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal.

Jan L. Burrell
Notary Public
Commission Expires: 2-18-2004

JAN BURRELL NOTARY PUBLIC STATE OF IDAHO

'99 AUG 25 P1 [illegible]
SAWTOOTH LT
BLAINE [illegible] REQUEST
FEES $ [illegible]
430320

MICROFILMED
JUL 28 2003
CANNED
APR 21 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

9. Any interest of the State of Idaho in and to that portion of the Property lying below the high water mark of the Big Wood River. (Applicable only to Lots 1,2,3,4,5,6,7,8,9,10,11,12 and 13)

SCANNED
APR 21 2003
MICROFILMED
JUL 28 2003

T70110

Order No. 26608

GRANT DEED

THIS GRANT DEED is made this 17th day of **February, 2000**, between **GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250** ("the Grantor"), and **EVENING HATCH, LLC, a Washington limited liability company**, whose address is **425 Pike Street, Suite 600, Seattle, WA 98101**, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 9 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California
limited liability company

By: **WOOD RIVER PROPERTIES, INC.**
a California corporation, its Member

By: _____
Title: President

State of California)
)ss.
County of Orange)

On this 21st day of March in the year 2000 before me, the undersigned, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall
Notary Public for
Commission Expires:

VIRGINIA L. HALL
COMM. # 1152677
Notary Public-California
Orange County
My Comm Expires
SEPT 19 2001

437668

Deed

BLAINE CO. REQUEST

OF: SAWTOOTH TITLE

'00 MAR 28 P3 3 34

MICROFILMED

JUL 28 2003

SCANNED

APR 3 1 2000

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto, water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

9. Any interest of the State of Idaho in and to that portion of the Property lying below the high water mark of the Big Wood River.

MICROFILMED
JUL 2 8 2003

SCANNED
APR 7 1 2003

T70110

Order No. 22920

GRANT DEED

THIS GRANT DEED is made this **18th** day of **May, 1997**, between **GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250** ("the Grantor"), and **JOSEPH M. GAFFNEY, TRUSTEE OF LIVING TRUST AGREEMENT NO. 1 DATED MARCH 25, 1997, whose address is 1111 3rd Ave., Suite 3400, Seattle, WA 98101**, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 10 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

402771

Deed

BLAINE CO. REQUEST
SAWTOOTH TITLE

'97 JUN 10 PM 4 16

MARY GREEN, CLERK

FEES $6.00

6/10/97

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.** a California corporation, its Member

By: _____
Title: President

State of California)
)ss.
County of Orange)

On this 6TH day of June, in the year 1997, before me, Virginia L. Hall, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall

Notary Public for California
Residing at: Orange, California
Commission Expires: September 19, 1997

VIRGINIA L. HALL
COMMISSION #1005362
Notary Public - California
ORANGE COUNTY
My Commission Expires
SEPT. 19, 1997

J:\escrowforms\gdllc

MICROFILMED

JUL 28 2003

SEP 11 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review Committee Manual, recorded May 14, 1997, as Instrument No. 401921.

9. Any interest of the State of Idaho in and to that portion of the Property lying below the high water mark of the Big Wood River.

MICROFILMED

JUL 2 8 2003

T70110

Order No. 22662

GRANT DEED

THIS GRANT DEED is made this 5th day of June, 1997, between **GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250** ("the Grantor"), and **THE HUCKLEBERRY TRUST DATED 1-17-94, THOR THORSON, TRUSTEE,** whose address is **P.O. Box 1717, Bellevue, WA 98009,** (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lots 11 and 14 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

402955
BLAINE CO. REQUEST
97 JUN 17 PM 2 23
MARY GREEN, CLERK
FEES $ 6.00
6-17-97

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.** a California corporation, its Member

By: _____
Title: President

State of California }
}ss.
County of Orange }

On this 9th day of June, in the year 1997, before me, Virginia L. Hall, a Notary Public in and for said State, personally appeared **HARRY S. RINKER,** known or identified to me to be the **President of Wood River Properties, Inc., a California corporation,** which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall
Notary Public for California
Residing at: Orange, California
Commission Expires: September 19, 1997

VIRGINIA L. HALL
COMMISSION #1003362
Notary Public - California
ORANGE COUNTY
My Commission Expires
SEPT. 19, 1997

J:\escrowforms\gdllc

MICROFILMED
JUL 28 2003

SCANNED
APR 21 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

9. Any interest of the State of Idaho in and to that portion of the Property lying below the high water mark of the Big Wood River. (As to Lot 11)

MICROFILMED

JUL 2 3 2003

SCANNED

SEP 2 1 2003

T70110

Order No 23574

GRANT DEED

THIS GRANT DEED is made this **21st** day of **October, 1997**, between **GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250** ("the Grantor"), and **THE HUCKLEBERRY TRUST DATED JANUARY 17, 1994, THOR THORSON, TRUSTEE**, whose address is **P.O. Box 1717, Bellevue, WA 98009**, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 12 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.**, a California corporation, its Member

By: _____
Title: President

State of Idaho }
}ss.
County of Blaine }

On this 22 day of October, in the year 1997, before me, Virginia L. Hall, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Jan L. Burrell
Notary Public for Idaho
Commission Expires: 2-18-98

J:\escrowforms\gdtc

JAN BURRELL NOTARY PUBLIC STATE

408226
Deed
BLAINE CO. REQUEST
SAWTOOTH TITLE
'97 NOV 21 PM 3 50

MICROFILMED
JUL 23 2003

SCANNED
SEP 21 2003

T70110

Order No 23365

GRANT DEED

THIS GRANT DEED is made this 14th day of October, 1997, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 ("the Grantor"), and THE HUCKLEBERRY TRUST DATED JANUARY 17, 1994, THOR THORSON, TRUSTEE, whose address is P.O. Box 1717, Bellevue, WA 98009, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 13 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

407060

Deed

BLAINE CO. REQUEST

SAWTOOTH TITLE

'97 OCT 16 PM 3 56

MARY GREEN, CLERK

FEES $ FEES $ 6.00

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.**, a California corporation, its Member

By: _____

Title: President

State of California }
}ss.
County of Orange }

On this 15th day of October, in the year 1997, before me, Virginia L. Hall, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall

Notary Public for California
Commission Expires: 9/19/2001

SM1 VIRGINIA L. HALL COMM. # 1152677 Notary Public-California Orange County My Comm Expires SEPT. 19, 2001 SM1

J:\escrowforms\g.doc

MICROFILMED
JUL 28 2003

SCANNED
JUL 21 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

9. Any interest of the State of Idaho in and to that portion of the Property lying below the high water mark of the Big Wood River. (Affects Lots 1,2,3,4,5,6,7,8,9,10,11,12 and 13)

MICROFILMED
JUL 2 8 2003

T70110

Instrument # 439220
HAILEY BLAINE, IDAHO
2000-05-15 04:00:00 No. of Pages: 2
Recorded for : SAWTOOTH TITLE
MARSHA RIEMANN Fee: 6.00
Ex-Officio Recorder Deputy MPP
Index to: GRANT DEED

Order No. 26740

GRANT DEED

THIS GRANT DEED is made this **10th** day of **May, 2000**, between **GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250** ("the Grantor"), and **M AND M LAND HOLDINGS, L.L.P., an Idaho limited liability company**, whose address is **1065 Ponte Vedra Blvd., Ponte Vedra Beach, FL 32082**, *(the "Grantee").*

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 14 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California
limited liability company

By: WOOD RIVER PROPERTIES, INC.
a California corporation, its Member

By:
Title: President

State of California }
}ss.
County of Orange }

On this 11TH day of May in the year 2000 before me, the undersigned, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall

Notary Public for California
Commission Expires: Sept 19, 2001

J:\escrow\form.lge

VIRGINIA L. HALL
COMM. #1152677

MICROFILMED

JUL 20 2000

SCANNED

APR 2 1 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

MICROFILMED
JUL 2 3 2001
SCANNED
APR 1 1 2003

T70110

Order No. 23033

GRANT DEED

THIS GRANT DEED is made this 18th day of May, 1997, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 ("the Grantor"), and JOSEPH M. GAFFNEY, TRUSTEE OF LIVING TRUST AGREEMENT NO. 1 DATED MARCH 25, 1997, whose address is 1111 3rd Ave., Suite 3400, Seattle, WA 98151, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 15 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

402769

Deed 402769
BLAINE CO. REQUEST
OF SAWTOOTH TITLE
97 JUN 10 PM 4 16
MARY GREEN, CLERK
FEES $ 6 00
6/10/97

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.**, a California corporation, its Member

By: _____
Title: President

State of California)
)ss.
County of Orange)

On this 6th day of June, in the year 1997, before me, Virginia L. Hall, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall
Notary Public for California
Residing at Orange, California
Commission Expires: September 19, 1997

VIRGINIA L. HALL
COMMISSION #1006362
Notary Public - California
ORANGE COUNTY
My Commission Expires
SEPT. 19, 1997

J:\escrow\forms\gdllc

MICROFILMED
JUL 2 8 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review Committee Manual, recorded May 14, 1997, as Instrument No. 401921.

MICROFILMED

JUL 2 3 2003

T70110

Order No. 24374

GRANT DEED

THIS GRANT DEED is made this 16th day of July, 1997, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 ("the Grantor"), and LARRY W. WANGBERG and MICHELLE D. WANGBERG, TRUSTEES OF THE WANGBERG LIVING TRUST DATED SEPTEMBER 17, 1990whose address is 33 Irving Avenue, Atherton, CA 94027, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 16 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California limited liability company

By: WOOD RIVER PROPERTIES, INC. a California corporation, its Member

By: _____
Title: President

State of Idaho)
)ss.
County of Blaine)

On this 3rd day of August, in the year 1998, before me, Virginia L. Hall, a Notary Public in and for said State, personally appeared HARRY S. RINKER, known or identified to me to be the President of Wood River Properties, Inc., a California corporation, which corporation is a member of Golden Eagle LLC, a California limited liability company and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Jan L. Burrell

Notary Public for Idaho
Commission Expires: 2-18-2004

JAN BURRELL NOTARY PUBLIC STATE OF IDAHO

417326
Deed

BLAINE CO. REQUEST
SAWTOOTH TITLE

'98 AUG 5 PM 4 04

FEES $ 6.00

MICROFILMED
JUL 23 2003

SCANNED
APR 21 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

MICROFILMED
JUL 28 2003
SCANNED
APR 2 1 2003

T70110

Order No. 25236

GRANT DEED

THIS GRANT DEED is made this **21st** day of **January, 1999**, between **GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250** ("the Grantor"), and **WILLIAM S. MORRISON, AS TRUSTEE FOR WILLIAM S. MORRISON, III DECLARATION OF TRUST DATED JULY 23, 1995**, whose address is **P.O. Box 2793, Sun Valley, ID 83353**, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 17 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

99 JAN 27 PM 3 37
FEES $ 6.00
ANN, CLERK
BLAINE CO. REQUEST
SAWTOOTH TITLE
Deal
423505

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.** a California corporation, its Member

By: _____
Title: President

State of)
)ss.
County of)

On this 26TH day of JANUARY, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall
Notary Public for California - Orange County
Commission Expires: 9/19/2001

SMI1 VIRGINIA L. HALL COMM. #1152677 Notary Public-California Orange County My Comm. Expires SEPT. 19, 2001 SMI1

J:\escrowforms\gs

MICROFILMED
JUL 28 2003
SCANNED
APR 11 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance therato; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

MICROFILMED
JUL 2 8 2003
SCANNED
APR 1 2 2005

T70110

Order No. 26996

A 44684

Instrument # 44684
HAILEY BLAINE, IDAHO
2000-08-01 01:31:00 No. of Pages: 1
Recorded for SAWTOOTH TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: GRANT DEED

GRANT DEED

THIS GRANT DEED is made this 20th day of July, 2000, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 ("the Grantor"), and WASHINGTON & CO. USA, LLC, an Idaho limited liability company, whose address is 23 Bull Plain, Hertford, SG 14 1DX, England, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 18 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to the following matters affecting the Property:

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California limited liability company
By: WOOD RIVER PROPERTIES, INC.
a California corporation, its Member

By:
Title: President

State of Idaho }
}ss.
County of Blaine }

On this 28th day of July in the year 2000 before me, the undersigned, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Jan Burrell
Notary Public for

JAN BURRELL NOTARY

MICROFILMED
JUL 23 2003
SCANNED
APR 21 2004

Order No. 25375

GRANT DEED

THIS GRANT DEED is made this 1st day of **February, 1999**, between **GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250** ("the Grantor"), and **S & W INVESTMENT, L.L.C., an Idaho limited liability company, whose address is PO Box 2362, Ketchum, ID 83340,** (the "Grantee").

WITNESSETH:

For valuable consideration, and as replacement property in an I.R.C. 1031 tax deferred exchange, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 19 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

'99 APR 1 PM 3 42

FEES $ 6.-

425824

BLAINE CO. REQUEST OF SAWTOOTH TITLE

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California limited liability company

By: WOOD RIVER PROPERTIES, INC., a California corporation, its Member

By: _____
Title: President

State of California)
)ss.
County of Orange)

On this 24th day of March, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **HARRY S. RINKER,** known or identified to me to be the **President of Wood River Properties, Inc., a California corporation,** which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall
Notary Public for
Commission Expires:

VIRGINIA L. HALL
COMM. # 1152677
Notary Public-California
Orange County
My Comm Expires
SEPT. 19, 2001

MICROFILMED

JUL 23 2003

SCANNED

APR 11 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

MICRO[illegible]
JUL 2 3 2003
SCANNED
APR 2 1 2003

T70110

#19397

GRANT DEED

THIS GRANT DEED is made this 23rd day of January, 1997, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 (the "Grantor"), and Dennis P. Kavanagh and Sheree W. Kavanagh, husband and wife, whose address is P.O. Box 1604, Ketchum, ID 83340 (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 20 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat recorded as Instrument No. 397902 and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH all and singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California limited liability company

By: WOOD RIVER PROPERTIES, INC., a California corporation, its Member

By: _____

Title: _____

398847

Deed

BLAINE CO. REQUEST

OF: FIRST AMERICAN TITLE CO

'97 FEB 4 PM 12 48

MARY GREEN, CLERK mpp

FEES $ 9.00

SCANNED

MICROFILMED

APR 2 1 2003

JUL 2 3 2003

STATE OF California)
) ss.
County of ORANGE)

On this 23rd day of January, 1997, before me, VIRGINIA L HALL, a Notary Public in and for said State, personally appeared Harry S. Rinker, President, known or identified to me to be the of WOOD RIVER PROPERTIES, INC., a California corporation, which corporation is a Member of GOLDEN EAGLE LLC, a California limited liability company, and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

VIRGINIA L. HALL
COMMISSION #1005362
Notary Public - California
ORANGE COUNTY
My Commission Expires
SEPT. 19, 1997

Virginia L. Hall
Notary Public for CALIFORNIA
Residing at ORANGE, CALIFORNIA
My commission expires SEPT 19, 1997

MICRO
JUL 2 8 2003
APR 2 1 2003

EXHIBIT "A" TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument No. 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Any adverse claim to any portion of the Property which lies below the line of mean high water.

MICROFILMED
JUL 23 2003
SCANNED
APR 21 2003

T70110

Order No 22392

GRANT DEED

THIS GRANT DEED is made this 17th day of January, 1997, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7260 ("the Grantor"), and JOHN SOFRO and BARBARA SOFRO, TRUSTEES OF THE SOFRO TRUST OF 1986 DATED OCTOBER 14, 1986, whose address is P.O. Box 673, Ketchum, ID 83340. (the "Grantee")

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 21 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

398885

Deed

BLAINE CO. REQUEST
SAWTOOTH TITLE

'97 FEB 5 PM 1 09

MPP

FEES $ 6.00

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.**, a California corporation, its Member

By: _____
Title: President

State of California)
)ss.
County of ORANGE)

On this 21st day of JANUARY, in the year 1997, before me, VIRGINIA L. HALL, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a **member of Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall

Notary Public for California
Residing at: ORANGE, CALIFORNIA
Commission Expires: SEPT 19, 1997

VIRGINIA L. HA...
COMMISSION #1...
Notary Public - Cal...
ORANGE COUNTY

MICROFILMED
JUL 28 2003

SCANNED
APR 2 7 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

MICROFILMED
JUL 28 2003
SCANNED
APR 21 2003

T70110

Order No 22401

GRANT DEED

THIS GRANT DEED is made this 27th day of January, 1997, between **GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7260** ("the Grantor"), and **H. DAVIS MCCAIN and LYNN B. MCCAIN, husband and wife**, whose address is **13027 3rd Ave., NW, Seattle, WA 98177**, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 22 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

398820

Deed

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.**, a California corporation, its Member

By: _____
Title: President

BLAINE CO. REQUEST FOR SAWTOOTH TITLE

97 FEB 3 PM 2 48

FEES $ 6.00

State of California }
}ss.
County of Orange }

On this 29th day of JANUARY, in the year 1997, before me, Virginia L. Hall, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall
Notary Public for California
Residing at: Orange, California
Commission Expires: September 19, 1997

VIRGINIA L. HALL
COMMISSION #1005362
Notary Public - California
ORANGE COUNTY
My Commission Expires
SEPT. 19, 1997

J:\escrow\forms\gdllc

MICROFILMED

JUN 23 2003

SCANNED

APR 21 2003

EXHIBIT 'A' TO GRANT DEED

1 Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2 Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3 Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto: water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

MICRO
JUL 2 3 2003
AMENDED
APR 7 1 2003

T70110

Order No 22391

GRANT DEED

THIS GRANT DEED is made this 17th day of January, 1997, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7260 ("the Grantor"), and PETER EZZELL, a married man, as his sole and separate property, whose address is 1508 Georginia Ave., Santa Monica, CA 90402, (the "Grantee")

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 23 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

398893

Deed

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.**, a California corporation, its Member

By: _____
Title: President

CO. REQUEST SAWTOOTH TITLE

'97 FEB 5 PM 1 11

CLERK MPP

FEES $ 6.00

State of California)
)ss.
County of ORANGE)

On this 21st day of JANUARY, in the year 1997, before me, VIRGINIA L. HALL, a Notary Public in and for said State, personally appeared HARRY S. RINKER, known or identified to me to be the President of Wood River Properties, Inc., a California corporation, which corporation is a member of Golden Eagle LLC, a California limited liability company and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall

Notary Public for California
Residing at: ORANGE, CALIFORNIA
Commission Expires: SEPT 19, 1997

VIRGINIA L. HALL COMMISSION #1

MICRO

JUL 2 8 2003

APR 1 1 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

MICROFILMED
JUL 28 2003
SCANNED
APR 21 2003

T70110

Order No 22266

GRANT DEED

THIS GRANT DEED is made this 17th day of January, 1997, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7260 ("the Grantor"), and LEON M. ELLIS AND ANN A. ELLIS, TRUSTEES OF THE ELLIS FAMILY TRUST, UNDER DECLARATION OF TRUST DATED NOVEMBER 7, 1995, whose address is 4936 Alta Canada Road, La Canada, CA 91011, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 24 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

398887

GOLDEN EAGLE LLC, a California limited liability company

By: WOOD RIVER PROPERTIES, INC. a California corporation, its Member

By: _____
Title: President

Deed
[illegible] CO. REQUEST
SAWTOOTH TITLE
'97 FEB 5 PM 1 10
[illegible] CLERK
FEES $ 6.00 MPP

State of California)
)ss.
County of ORANGE)

On this 21st day of JANUARY, in the year 1997, before me, VIRGINIA L. HALL, _____, a Notary Public in and for said State, personally appeared HARRY S. RINKER, known or identified to me to be the President of Wood River Properties, Inc., a California corporation, which corporation is a member of Golden Eagle LLC, a California limited liability company and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal

Virginia L. Hall
Notary Public for California
Residing at: ORANGE, CALIFORNIA
Commission Expires SEPT 19, 1997

SCANNED
APR 21 2003
MICROFILMED
JUL 23 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

MICROFILMED
JUL 23 2003
SCANNED
APR 2 1 2005

T70110

Order No. 22309

GRANT DEED

THIS GRANT DEED is made this **29th** day of **January, 1997**, between **GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7260** ("the Grantor"), and **JENNIFER KITCHIN, a single woman, whose address is 752 West End Ave., #3A, New York, NY 10025**, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 25 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

398985

Deed

BLAINE CO. REQUEST
SAWTOOTH TITLE

'97 FEB 7 PM 2 58

MARY GREEN, CLERK

mpp FEES $ 6.00

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.**, a California corporation, its Member

By: _____
Title: President

State of California)
)ss.
County of Orange)

On this 31st day of JANUARY, in the year 1997, before me, Virginia L. Hall, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall

Notary Public for California
Residing at: Orange, California
Commission Expires: September 19, 1997

VIRGINIA L. HALL
COMMISSION #1005362
Notary Public - California
ORANGE COUNTY
My Commission Expires
SEPT. 19, 1997

MICROFILMED

JUL 2 8 2003

SCANNED

APR 1 1 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

MICROFILMED
JUL 2 6 2003
SCANNED
APR 2 1 2003

T70110

Instrument # 440747
HAILEY BLAINE, IDAHO
2000-06-30 04:12:00 No. of Pages: 2
Recorded for : SAWTOOTH TITLE
MARSHA RIEMANN Fee: 6.00
Ex-Officio Recorder Deputy
Index to: GRANT DEED

Order No. 26931

GRANT DEED

THIS GRANT DEED is made this 13th day of June, 2000, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 ("the Grantor"), and BURKE P. JONES and LADOENA F. JONES, husband and wife, whose address is 9640 W. Pebble Brook Lane, Boise, ID 83703, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 26 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California limited liability company

By: WOOD RIVER PROPERTIES, INC. a California corporation, its Member

By:
Title: President

State of California)
)ss.
County of Orange)

On this 26TH day of June in the year 2000 before me, the undersigned, a Notary Public in and for said State, personally appeared HARRY S. RINKER, known or identified to me to be the President of Wood River Properties, Inc., a California corporation, which corporation is a member of Golden Eagle LLC, a California limited liability company and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall
Notary Public for
Commission Expires: Sept 19, 2001

J:\escrow\forms\gd

SM1 VIRGINIA L. HALL COMM # 1152677 Notary Public California SM1

SCANNED
MICROFILMED SEP 2 1 2002
JUL 2 3 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

MICROFILMED
JUL 2 3 2003
SCANNED
APR 2 1 2003

T70110

Instrument # 442775
HAILEY BLAINE IDAHO
2000-09-01 03:28:00 No. of Pages: 1
Recorded for SAWTOOTH TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to GRANT DEED

Order No. 27042

GRANT DEED

THIS GRANT DEED is made this 18th day of **August, 2000**, between **GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250** ("the Grantor"), and **MARK C. MASUR, a married man, as his sole and separate property**, whose address is **6014 Woodland Drive, Dallas, TX 75225-2833**, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 27 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to the following matters affecting the Property:

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.**, a California corporation, its Member

By: _____
Title: President

State of Idaho)
)ss.
County of Blaine)

On this 28th day of August, in the year 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

JANICE M. BURREL NOTARY PUBLIC

MICROFILMED

JUL 2 3 2003

T70110

Order No 22390

GRANT DEED

THIS GRANT DEED is made this 21st day of January, 1997, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7260 ("the Grantor"), and DANIEL WILLIAM THORNTON, a single man, whose address is P.O. Box 6171, Ketchum, ID 83340, (the "Grantee")

WITNESSETH

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows

Lot 28 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

398891

Deed

BLAINE CO. REQUEST

SAWTOOTH TITLE

'97 FEB 5 PM 1 11

MARY BENN, CLERK

FEES $ 6.00 YMPP

GOLDEN EAGLE LLC, a California limited liability company

By: WOOD RIVER PROPERTIES, INC., a California corporation, its Member

By: _____

Title: President

State of California)
)ss.
County of ORANGE)

On this 21st day of JANUARY, in the year 1997, before me, VIRGINIA L. HALL, a Notary Public in and for said State, personally appeared HARRY S. RINKER, known or identified to me to be the President of Wood River Properties, Inc., a California corporation, which corporation is a member of Golden Eagle LLC, a California limited liability company and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall

Notary Public for California
Residing at: ORANGE, CALIFORNIA
Commission Expires: SEPT. 19, 1997

VIRGINIA L. HALL
COMMISSION #1008362
Notary Public - California
ORANGE COUNTY
My Commission Expires
SEPT. 19, 1997

MICROFILMED

JUL 23 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

SCANNED
MICRO... APR 21 2003
JUL 29 2003

T70110

Order No 26081

GRANT DEED

THIS GRANT DEED is made this 23rd day of **September, 1999**, between **GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250** ("the Grantor"), and **DAVID L. HAYES and CAROL G. HAYES, husband and wife, whose address is 29 Sierra, Piedmont, CA 94611**, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 29 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

432404
Deed

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.**, a California corporation, its Member

By:
Title: President

REQUEST SAWTOOTH TITLE

99 OCT 12 PM 4 05

CLERK

FEES $6.00 MPP

State of Calif)
)ss.
County of Orange)

On this 27th day of September, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall
Notary Public for California
Commission Expires: Sept 19, 2001

jl escrow\formsige

SMI1 VIRGINIA L. HALL COMM. # 1152677 Notary Public-California Orange County My Comm. Expires SEPT 19, 2001 SMI1

MICRO

JUN 28 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401621.

MICRO FILMED APR - 1 2003

JUL 2 8 2003

T70110

Order No. 25649

GRANT DEED

THIS GRANT DEED is made this 6th day of May, 1999, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 ("the Grantor"), and GERALD ALAN BOAS and BEVERLY ELAINE BOAS, TRUSTEES OF THE BOAS LIVING TRUST DATED JULY 13, 1990, whose address is P.O. Box 626, Sun Valley, ID 83353, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 30 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

99 JUN 23 PM 2 31

SAWTOOTH TITLE

FEES $6.00

420943

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.**, a California corporation, its Member

By: _____
Title: President

State of Calif. }
}ss.
County of Orange }

On this 9th day of June, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall
Notary Public for
Commission Expires:

SM1 VIRGINIA L. HALL COMM. # 1152677 Notary Public-California Orange County My Comm Expires SEPT. 19, 2001 SM1

J:\escrow\forms\gde

MICROFILMED

JUL 23 2003

SCANNED

APR 21 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

SCANNED
APR 2 1 2005
MICROFILMED
JUL 2 3 2003

T70110

Order No. 22276

GRANT DEED

THIS GRANT DEED is made this 10TH day of February, 1997, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 (the Grantor"), and DAVID F. WILSON and PATRICIA W. WILSON, husband and wife, whose address is P.O. Box 3214, Ketchum, ID 83340, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 31 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

399175
BLAINE CO. REQUEST
SAWTOOTH TITLE
FEB 14 PM 4 18
Mary Green
CLERK
FEES $ 6.00
2-14-97

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California limited liability company

By: WOOD RIVER PROPERTIES, INC. a California corporation, its Member

By: Ruth Williams
Title: Vice-President

State of California }
}ss.
County of Orange }

On this 11TH day of FEBRUARY, in the year 1997, before me, Virginia L. Hall, a Notary Public in and for said State, personally appeared **RUTH WILLIAMS**, known or identified to me to be the **Vice-President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall
Notary Public for California
Residing at: Orange, California
Commission Expires: September 19, 1997

VIRGINIA L. HALL
COMMISSION #1002362
Notary Public - California
ORANGE COUNTY
My Commission Expires
SEPT. 19, 1997

J:\escrow\forms\gdfc

SCANNED
MICROFILMED APR 21 2003
JUL 28 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

MICRO
JUL 2 3 2003

SCANNED
APR 2 1 2003

T70110

Order No. 25760

GRANT DEED

THIS GRANT DEED is made this 9th day of July, 1999, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 ("the Grantor") and WILLIAM E. NORRIS, TRUSTEE OF THE WILLIAM E. NORRIS SEPARATE PROPERTY TRUST DATED FEBRUARY, 15, 1991, AS TO AN UNDIVIDED 65.60% INTEREST, and WILLIAM E. NORRIS, A MARRIED MAN, AS HIS SOLE AND SEPARATE PROPERTY, AS TO AN UNDIVIDED 34.4% INTEREST whose address is P. O. Box 146, Sun Valley, ID 83353(the "Grantee").

WITNESSETH:

For valuable consideration and as replacement property in an I.R.C. 1031 tax deferred exchange, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 32 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

429448

BLAINE CO. REQUEST SAWTOOTH TITLE

'99 JUL 13 PM 3 21

FEES $6.00

GOLDEN EAGLE LLC, a California limited liability company

By: WOOD RIVER PROPERTIES, INC. a California corporation its Member

By:

Title: President

State of California)
)ss.
County of Orange)

On this 12th day of July, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall

Notary Public for
Commission Expires: Sept 19, 2001

VIRGINIA L. HALL
COMM. # 1152677
Notary Public-California
Orange County
My Comm Expires
SEPT. 19, 2001

SCANNED

MICROFILMED APR 2 1 2003

JUL 28 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

MICROFILMED
JUL 23 2003
SCANNED
APR 21 200

T70110

Order No. 22196

GRANT DEED

THIS GRANT DEED is made this 24th day of February, 1997, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 (the Grantor") and ROKAN CORPORATION, a Delaware corporation whose address is P.O. Box 610, Ketchum, ID 83340, (the "Grantee")

WITNESSETH

For valuable consideration the receipt of which is hereby acknowledged Grantor hereby grants and conveys unto the Grantee and to Grantee's successors and assigns forever all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows

Lot 34 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

399581

Deed

REQUEST

SAWTOOTH TITLE

'97 FEB 28 PM 3 36

Mary Green CLERK mPP

FEES 6.00

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.**, a California corporation, its Member

By: _____

Title: President

State of Idaho)
)ss
County of Blaine)

On this 24 day of February, in the year 1997, before me, Jan L. Burrell, a Notary Public in and for said State personally appeared **HARRY S. RINKER**, known or identified to me to be the **President of Wood River Properties, Inc., a California corporation**, which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name

WITNESS my hand and official seal.

_____

Notary Public for Idaho
Residing at: Hailey, Idaho
Commission Expires: February 18, 1998

SCANNED
APR 1 1 2003
MICROFILMED
JUL 2 8 2003

EXHIBIT 'A' TO GRANT DEED

1 Real property taxes and assessments accrued or accruing from and after the date of recordation of this Grant Deed

2 Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record

3 Unpatented mining claims, reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto, water rights, claims or title to water

4 Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6 Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

MICROFILMED
JUL 2 9 2003
SCANNED
APR 2 1 2005

T70110

Order No. 26226

GRANT DEED

THIS GRANT DEED is made this 23rd day of **September, 1999,** between GOLDEN EAGLE LLC, a **California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250** ("the Grantor"), and **REITER FAMILY TRUST ESTABLISHED JANUARY 30, 1991**, whose address is **9650 Business Center Dr., Rancho Cucamonga, CA 91730**, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 35 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

431936

Deed

REQUEST

SAWTOOTH TITLE

1999 SEP 28 PM 2 23

FEE: $ 6.00

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California
limited liability company

By: **WOOD RIVER PROPERTIES, INC.**
a California corporation, its Member

By: _____
Title: President

State of California)
)ss.
County of Orange)

On this 27TH day of Sept, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **HARRY S. RINKER,** known or identified to me to be the **President of Wood River Properties, Inc., a California corporation,** which corporation is a member of **Golden Eagle LLC, a California limited liability company** and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall

Notary Public for California
Commission Expires: Sept. 19, 2001

SMI1 VIRGINIA L. HALL COMM. # 1152677 Notary Public-California Orange County My Comm Expires SEPT. 19, 2001 SMI1

J:\escrow\formslge

MICROFILMED

JUL 2 8 2003

SCANNED

APR 2 1 2003

EXHIBIT 'A' TO GRANT DEED

1 Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

SCANNED
MICROFILMED
APR 2 1 2003
JUL 2 6 2003

T70110

Order No. 20958

HAILEY BLAINE IDAHO
2000-07-14 04:01:00 No. of Pages: 1
Recorded for SAWTOOTH TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: GRANT DEED

GRANT DEED

THIS GRANT DEED is made this 7th day of July, 2000, between **GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250** ("the Grantor") and **J. EVAN ROBERTSON, a married man, as his sole and separate property, as to an undivided 1/2 interest and GARY D. SLETTE, a married man, as his sole and separate property, as to an undivided 1/2 interest** whose address is **P.O. Box 1906, Twin Falls, ID 83303**, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged and as replacement property in an I R C 1031 tax deferred exchange for the benefit of Gary D. Slette, Grantor hereby grants and conveys unto the Grantee and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine State of Idaho, more particularly described as follows:

Lot 36 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to the following matters affecting the Property:

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.** a California corporation, its Member

By: _____
Title: President

State of Idaho)
)ss.
County of Blaine)

On this 13 day of July in the year 2000 before me, the undersigned, a Notary Public in and for said State, **personally appeared HARRY S. RINKER, known or identified to me to be the President of Wood River Properties, Inc., a California corporation, which corporation is a member of Golden Eagle LLC, a California limited liability company and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.**

WITNESS my hand and official seal

JEAN BURRELL NOTARY

MICROFILMED SCANNED
JUL 28 2000 APR 2 2003

T70110

Order No. 26292

GRANT DEED

THIS GRANT DEED is made this 21st day of December, 1999, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 ("the Grantor"), and WILLIAM L. JOSEPH and LAURIE S. JOSEPH, husband and wife, whose address is 108 Hillside Avenue, Piedmont, CA 94611, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 37 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

BLAINE CO. REQUEST
SAWTOOTH TITLE
2000 JAN -7 P 4:03
435451
CLERK
1/7/2000

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California limited liability company

By: WOOD RIVER PROPERTIES, INC. a California corporation, its Member

By: _____
Title: President

State of Idaho)
)ss.
County of Blaine)

On this 21st day of December, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared HARRY S. RINKER, known or identified to me to be the President of Wood River Properties, Inc., a California corporation, which corporation is a member of Golden Eagle LLC, a California limited liability company and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

_____
Notary Public for
Commission Expires: 2-18-2004

JAN BURRELL NOTARY PUBLIC STATE OF IDAHO

MICROFILMED SCANNED
JUL 28 2003 APR 11 2003

0

LE LLC, a
92658-7250
dress is 108

nd conveys
cated in the

ecorded as
No. 398090,

Deed

451

7/2000

ect to those
erence.

nd year first

and for said
Wood River
California
ecuted the
to me that

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

SCANNED
MICROFILMED
APR 21 2003
JUL 28 2003

T70110

Order No. 26260

GRANT DEED

THIS GRANT DEED is made this 2nd day of November, 1999, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 ("the Grantor"), and TIMOTHY P. FLAHERTY and TRACY O. FLAHERTY, husband and wife, whose address is 2004 72nd Ave. SE, Mercer Island, WA 98040, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 38 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

BLAINE CO. REQUEST
OF SAWTOOTH TITLE
1999 NOV 23 P 12:47
Marsha Riemann CLERK
FEES $6.00 YM PP

Deed
433766

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California
limited liability company

By: WOOD RIVER PROPERTIES, INC.
a California corporation, its Member

By: _____
Title: President

State of California)
)ss.
County of ORANGE)

On this 5TH day of November, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared HARRY S. RINKER, known or identified to me to be the President of Wood River Properties, Inc., a California corporation, which corporation is a member of Golden Eagle LLC, a California limited liability company and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall
Notary Public for
Commission Expires: SEPT 19, 2001

SMIT VIRGINIA L. HALL COMM. # 1152677 Notary Public-California Orange County My Comm. Expires SEPT. 19, 2001 SMIT

J:\corp\forms\gp

MICROFILMED

JUL 28 2003

N EAGLE LLC, a
fornia 92658-7250
whose address is

grants and conveys
perty located in the

hereof recorded as
ument No. 398090,

reed

16b

g, subject to those
by reference.

e day and year first

)

—

blic in and for said
ent of Wood River
LLC, a California
who executed the
owledged to me that

HALL
2677
alifornia
nty
ires
201

SM1

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

SCANNED
MICROFILMED
APR 2 1 2003
JUL 2 8 2003

T70110

Order No. 26506

GRANT DEED

THIS GRANT DEED is made this 5th day of January, 2000, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 ("the Grantor"), and CHARLES M. JOHNSON AND KATRIN B. JOHNSON, TRUSTEES OF THE JOHNSON FAMILY TRUST DATED NOVEMBER 9, 1999, whose address is 1319 Santanella Terrace, Corona del Mar, CA 92625, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 39 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

436272
Deed
BLAINE CO. REQUEST
OF: SAWTOOTH TITLE
'00 FEB 7 PM 3 48
MARSHA RIEMANN, CLERK
FEES $ 6.00

GOLDEN EAGLE LLC, a California limited liability company

By: WOOD RIVER PROPERTIES, INC. a California corporation, its Member

By: _____
Title: President

State of California)
)ss.
County of Orange)

On this 5TH day of January, in the year 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared HARRY S. RINKER, known or identified to me to be the President of Wood River Properties, Inc., a California corporation, which corporation is a member of Golden Eagle LLC, a California limited liability company and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L Hall
Notary Public for California
Commission Expires: Sept 19, 2001

VIRGINIA L. HALL
COMM. # 1152677
Notary Public-California
Orange County
My Comm Expires
SEPT. 19, 2001

SM11 SM11

MICROFILMED
JUL 28 2003
SCANNED
APR 1 2003

GOLDEN EAGLE LLC, a
ch, California 92658-7250
TEES OF THE JOHNSON
race, Corona del Mar, CA

hereby grants and conveys
eal property located in the

plat thereof recorded as
ment No. 398090, records

belonging, subject to those
d herein by reference.

as of the day and year first

436272
Deed
BLAINE CO. REQUEST
OF: SAWTOOTH TITLE

'00 FEB 7 PM 3 48
ARSHA RIEMANN, CLERK
FEES $ 6.00

otary Public in and for said
President of Wood River
n Eagle LLC, a California
person who executed the
d acknowledged to me that

-SM11-

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Doed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

MICROFILMED

JUL 2 8 2003

SCANNED

SEP 2 1 2003

#19631

(1)

GRANT DEED

THIS GRANT DEED is made this _____ day of January, 1997, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 (the "Grantor"), and George G. Golleher and Rita Golleher, husband and wife, whose address is 11 La Senda Place, Laguna Beach, CA 92677 (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 40 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat recorded as Instrument No. 397902 and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH all and singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

398872

Deed

BLAINE CO. REQUEST

OF: FIRST AMERICAN TITLE CO.

'97 FEB 5 AM 11 22

MARY GREEN, CLERK ym PP

FEES $ 9.00

GOLDEN EAGLE LLC, a California limited liability company

By: WOOD RIVER PROPERTIES, INC., a California corporation, its Member

By: _____

Title: _____

MICROFILMED

JUL 2 8 2003

SCANNED

STATE OF California)
) ss.
County of ORANGE)

On this 23rd day of January, 1997, before me, VIRGINIA L. HALL, a Notary Public in and for said State, personally appeared Harry S. Rinker, known or identified to me to be the President of WOOD RIVER PROPERTIES, INC., a California corporation, which corporation is a Member of GOLDEN EAGLE LLC, a California limited liability company, and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Virginia L. Hall

Notary Public for CALIFORNIA
Residing at ORANGE, CALIFORNIA
My commission expires SEPT 19, 1997

VIRGINIA L. HALL
Commission #1008362
Notary Public - California
ORANGE COUNTY
My Comm. Expires
SEP 19, 1997

GRANT DEED - Page 2

MICROFILMED
SCANNED
JUN 28 2001

EXHIBIT "A" TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument No. 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Any adverse claim to any portion of the Property which lies below the line of mean high water.

SCANNED
MICROFILMED APR 2 1 2003
JUL 2 3 2003

T70110

Order No. 26211

GRANT DEED

THIS GRANT DEED is made this 2nd day of November, 1999, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 ("the Grantor"), and ROBERT A. GWINNER and PATRICIA D. GWINNER, husband and wife, whose address is P.O. Box 73, Sun Valley, ID 83353, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 41 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

'99 NOV 10 PM 4 00
BLAINE CO. REQUEST
SAWTOOTH TITLE
433359
Deed
FEES $ 6.00

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California limited liability company

By: WOOD RIVER PROPERTIES, INC., a California corporation, its Member

By: _____
Title: President

State of California)
)ss.
County of ORANGE)

On this 5TH day of November, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared HARRY S. RINKER, known or identified to me to be the President of Wood River Properties, Inc., a California corporation, which corporation is a member of Golden Eagle LLC, a California limited liability company and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall
Notary Public for
Commission Expires: SEPT. 19, 2001

VIRGINIA L. HALL
COMM. # 1152677
Notary Public-California
Orange County
My Comm Expires
SEPT. 19, 2001

MICRO

JUL 28 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

433359

MICRO
JUL 2 3 2003

Order No. 24285

GRANT DEED

THIS GRANT DEED is made this 4th day of August, 1998, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 ("the Grantor"), and LOT 42, L.L.C., a Washington limited liability company, whose address is P.O. Box 1449, Edmonds, WA 98020, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 42 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GOLDEN EAGLE LLC, a California
limited liability company

By: WOOD RIVER PROPERTIES, Inc.,
a California corporation, its Member

By: _____
Title: President

State of Idaho)
) ss.
County of Blaine)

On this 10th day of August, in the year 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared HARRY S. RINKER, known or identified to me to be the President of Wood River Properties, Inc., a California corporation, which corporation is a member of Golden Eagle LLC, a California limited liability company and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Jan L. Burrell
Notary Public for
Commission Expires: 2.18.2004

JAN BURRELL NOTARY PUBLIC STATE OF IDAHO

417504

Deed

BLAINE CO. REQUEST
OF SAWTOOTH TITLE

'98 AUG 11 PM 3 51

CLERK mpp

FEES $ 6.00

MICRO

SCANNED

JUL 2 3 2003

APR 1 2002

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

MICROFILMED
JUL 2 8 2003

SCANNED
SEP 2 1 2003

Order No 22450

GRANT DEED

THIS GRANT DEED is made this 17th day of January, 1997, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7260 ("the Grantor"), and STEPHEN K. BOONE and MICHELE BOONE, husband and wife, whose address is P. O. Box 887, Olympia, WA 98507, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 43 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho (the "Property").

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

398878

Deed

BLAINE CO. REQUEST
SAWTOOTH TITLE
97 FEB 5 Pm 1:06

FEES $6.00 mPP

GOLDEN EAGLE LLC, a California limited liability company

By: **WOOD RIVER PROPERTIES, INC.**, a California corporation, its Member

By: _____
Title: President

State of California)
)ss.
County of ORANGE)

On this 21st day of JANUARY, in the year 1997, before me, VIRGINIA L. HALL, a Notary Public in and for said State, personally appeared HARRY S. RINKER, known or identified to me to be the President of Wood River Properties, Inc., a California corporation, which corporation is a member of Golden Eagle LLC, a California limited liability company and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall

Notary Public for California
Residing at: ORANGE, CALIFORNIA
Commission Expires: SEPT 19, 1997

VIRGINIA L. HALL
COMMISSION #1

MICRO

JUL 28 2003

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

MICROFILMED

JUL 2 8 2003

T70110

Order No. 25363

GRANT DEED

THIS GRANT DEED is made this 20th day of January, 1999, between GOLDEN EAGLE LLC, a California limited liability company, whose address is P. O. Box 7250, Newport Beach, California 92658-7250 ("the Grantor"), and GORDON A. WALKER, a married man, as his sole and separate property, whose address is 7225 W. Box Canyon, Sedalia, CO 80135-9146, (the "Grantee").

WITNESSETH:

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants and conveys unto the Grantee, and to Grantee's successors and assigns forever, all of that certain real property located in the County of Blaine, State of Idaho, more particularly described as follows:

Lot 44 of GOLDEN EAGLE RANCH SUBDIVISION, according to the official plat thereof recorded as Instrument No. 397902, and corrected by Surveyor's Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

TOGETHER WITH and all singular the rights and appurtenances thereunto belonging, subject to those matters affecting the Property described in Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

423712

Deed

BLAINE CO. REQUEST
SAWTOOTH TITLE
2/1/99
99 FEB 1 PM 4 05
MARIE SOREMANN, CLERK
FEES $ 6.00

GOLDEN EAGLE LLC, a California limited liability company

By: WOOD RIVER PROPERTIES, INC. a California corporation, its Member

By: _____
Title: President

State of California)
) ss.
County of Orange)

On this 26TH day of January, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared HARRY S. RINKER, known or identified to me to be the President of Wood River Properties, Inc., a California corporation, which corporation is a member of Golden Eagle LLC, a California limited liability company and the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation as a Member of said limited liability company, and acknowledged to me that such corporation executed the same in said limited liability company's name.

WITNESS my hand and official seal.

Virginia L. Hall
Notary Public for Calif.
Commission Expires: Sept 19, 2001

VIRGINIA L. HALL
COMM. # 1192677
Notary Public-California
Orange County
My Comm. Expires
SEPT. 19, 2001

SCANNED

APR 21 2003

MICROFILMED

1999 01 0 2002

EXHIBIT 'A' TO GRANT DEED

1. Real property taxes and assessments, accrued or accruing from and after the date of recordation of this Grant Deed.

2. Rights-of-way, easements, claims of easements, covenants, restrictions and encumbrances established or of record.

3. Unpatented mining claims; reservations or exceptions in patents and state or railroad deeds or in acts authorizing the issuance thereto; water rights, claims or title to water.

4. Building or use restrictions, and building and zoning laws, regulations and ordinances of any governmental unit.

5. Declaration of Covenants, Conditions and Restrictions for Golden Eagle Ranch Subdivision, recorded January 2, 1997 as Instrument No. 397903, records of Blaine County, Idaho.

6. Levies and assessments of Golden Eagle Ranch Homeowners Association, Inc. accrued or accruing from and after the date of recordation of this Grant Deed.

7. Easements, restrictions and notes as shown on the official plat of Golden Eagle Ranch Subdivision, recorded as Instrument 397902, and Affidavit recorded as Instrument No. 398090, records of Blaine County, Idaho.

8. Terms and Conditions contained in the Golden Eagle Ranch Subdivision Architecture Review committee Manual, recorded May 14, 1997, as Instrument No. 401921.

SCANNED

JUL 2 8 2003

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

RECEIVED
MAR 24 2003
Department of Water Resources
Southern Region

March 19, 2003

Mr. Corey Skinner
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Applications for Transfer – Rinker / Timberview Terrace Subdivision

Dear Corey:

The ownership ambiguity regarding water right 37-30030 on Timberview Terrace Subdivision has been resolved. I understand that this transfer is being processed but the ownership needed to be clarified.

The enclosed quitclaim deeds convey 3.2 acres to Bates (Lot 2), and 1.0 acre to the homeowner's association for the irrigation of Tract A. Recall that Adare (Lot 1) had been deeded 1.0 miner's inch which equates to 1.3 acres based on 0.015 cfs/acre. Therefore, the remaining portion of the right owned outright by Harry Rinker is 15.3 – 1.3 – 1.0 – 3.2 = 9.8 acres. Of this amount, 1.0 acre is being moved to Lot 2, Golden Eagle 2 and the remaining 8.8 acres are being moved to the KSKI property.

Also enclosed is a withdrawal of transfer #70110 which sought to move a portion of groundwater right 37-2632.

Please do not hesitate to call if you have any questions.

Cordially,

Charles G. Brockway, P.E.

cc: Harry Rinker

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D., P.E.

2016 NORTH WASHINGTON STREET • SUITE 4

TWIN FALLS, IDAHO 83301

208•736•8543

FAX: 736•8506

MICROFILMED
JUL 2 8 2003

SCANNED
APR 2 1 2003

8/2000

Rec'd @ Southern
3-24-2003

REQUEST FOR WITHDRAWAL OF APPLICATION FOR TRANSFER

To: State of Idaho Department of Water Resources
1341 Fillmore Street
Suite 200
Twin Falls, ID 83301-3380

RECEIVED
JUN 11 2003
Department of Water Resources

Gentlemen:

I/We wish to withdrawal Application for Transfer No. 70110.

The Application is filed in the name of Harry Rinker

Dated this 19th day of March, 2003.

Harry E Brockway
(Signature of Applicant)

Rep - Power of Attorney
(Title)

2016 Washington St. No. Twin Falls ID 83301
(Address)

Subscribed and sworn (or affirmed) before me this 19th day of MARCH 2003.

SEAL

HEATHER M. MAXSON NOTARY PUBLIC STATE OF IDAHO

Notary Public Heather M Maxson
Residing at Twin Falls
My Commission Expires 2-24-09

MICROFILMED APR 18 2003
JUL 28 2003

FORM 22a
9/96

IDWR TRANSFER ANALYSIS SHEET

APPLICANT Harry Kenter TRANSFER NO. 70110

1. Right number(s) 37-2632

2. Type of right ___ Decree X License ___ Statutory Claim
___ SRBA Beneficial Use Claim

3. Purpose of transfer X Change P/D ___ Add P/D X Change P/U
___ Change N/U ___ Change Source X Split Right
___ Other:

4. Check Existing Right: X Source X Priority X Amount X Purpose
X Period ___ SRBA Claim
X Description of original point(s) of diversion
X Description of original place of use
X Overlapping rights on original place of use

Comments: RIGHT(S) INVOLVED WITH THIS TRANSFER WERE CREATED BY PREVIOUSLY APPROVED TRANSFERS.

5. Check Proposed Right for amount of land &/or water transferred:

___ Also see attached memo for more analysis information

a. ___ All of right

b. X Part of right (*NOTE! Part B should be filled in only if part of right is owned by the applicant*)

c. X Description of point(s) of diversion

d. X Description of place of use

e. X Map showing P/D & P/U after transfer

f. X Correct notarized signature and $100 fee

g. X Proof of ownership of right &/or land from which water is transferred OWNERSHIP ISSUES! IT APPEARS THAT APPLICANT SOLD WATER WITH PROPERTY (SEE DEEDS)

h. X Expansion in use of right - Comments: TRANSFER PROPOSES TAKING A SUPPLEMENTAL GW RIGHT (OVERLAPS WITH 37-154C) AND CHANGE IT TO A PRIMARY GW RIGHT. IMPACTS ON AQUIFER AND OTHER GW USERS? EXPANSION IN GW VOLUME?

70110

i. X Existing rights from same source, on land water is being transferred to; right number(s): 37-30030, BUT PROPOSED TO BE MOVED OFF THROUGH COMPANION TRANSFERS

j. X SRBA claim(s) - Comments (*NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain*) RIGHTS INVOLVED WITH THIS TRANSFER WERE CREATED BY PREVIOUSLY APPROVED TRANSFERS.

k. X Comment letters X Yes ___ No
If yes X Water District # 37
___ Lienholder, others, see #2 below for name and address

INITIAL ALLOCATION REVIEW BY J. SKINNER DATE 8/1/2002
SRBA SUPERVISOR REVIEW BY _____ DATE _____
PUBLICATION REVIEW BY _____ DATE _____

1. Legal Notice electronically sent to DWR03::VAULT ___ Yes

2. COMMENT LETTERS Copy of Pg 1 to AJ ✓ Yes 8/28/02

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es):

_____

3. Transfer published correctly? ___ Yes ___ No

4. Affidavit of publication received? ___ Yes ___ No

5. Protests received? ___ Yes ___ No; Acknowledgement sent? ___ Yes

6. Copies made for Region file (see attached supplemental page)? ___ Yes

RECOMMENDED ACTION

1. ___ Approve

2. ___ Deny due to WITHDRAWN 3-24-03

_____

3. Conditions (special conditions in Water Districts) _____

_____

___ Also see attached memo for recommendation dated: _____

4. By _____ Date _____

#3

G# 70110

FILE PROGRESS SUMMARY

APPLICANT: Harry Kenber WATER RIGHT NO. 37-2632

INIT.	DATE	COMMENT
ab	7/24/02	Stapled to Carey Skinner
CS	8/26/02	GAVE TRANSFER TO MARY FOR ADVERTISING
MB	8/27/02	Adv Sch WJ 9/11 & 9/18/02 ; 9/30/02
		LTR to Reg. WD # 37, Memo to SCA & WD #130
MB	9/5/02	LTR to Brockway
MB	10/8/02	Pub. affid. rec'd & to ADM for signoff
MB	4/21/03	File scanned to date.
~~CS~~	~~5/15/03~~	
CS	5/15/03	RECEIVED OK FOR OTHER RELATED TRANSFERS
		FORWARDED PACKAGE TO ALLEN FOR FINAL REGIONAL
		REVIEW AND SIGNOFF
AD	6/10/03	Process Terminated (Application status
		changed to withdrawn)
AD	6/10/03	File to MB to forward to S.J.

AFFIDAVIT of PUBLICATION

RECEIVED

OCT 08 2002

Department of Water Resources
Southern Region

State of Idaho, } ss.
County of Blaine

On this 20 day of September in the year 2002 before me a Notary Public of said State, personally appeared , known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 11 day of September 2002 and the date of the last publication was on the 18 day of September 2002

CHRISTINA A. GARCIA NOTARY PUBLIC STATE OF IDAHO

Subscribed and sworn to before me this 20 day of September 2002

(SEAL)

NOTARY PUBLIC

#11645

OK mb 10/8/02

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line		11.5	
Number of Lines in Notice	81		
Number of Insertions	2		
—	Lines tabular at	—	7¢ / Pica
81	Lines straight at	1.43	6¢ / Pica
—	Subsequent lines at	—	5¢ / Pica
TOTAL COST	120.83		

COPY OF NOTICE
(Paste Here)

Proposed change to

TITLE OF NOTICE

Water Rights

PLAINTIFF ATTORNEY

DEFENDANT

#24620

PLAINTIFF

Id. Dept. of Water Resources

BILL TO

Proposed change to water rights

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that three (3) Applications for Transfer were filed on 7/24/02 by Harry S. Rinker, Rinker Company, PO Box 7250; Newport CA 92658-7250 with the Idaho Department of Water Resources for changes to water rights within Blaine County:

Application No. 70090 proposes diversion of 0.02 cfs from Big Wood River tributary to Malad River. The purpose of the transfer is to change the place of use of a 1.0-acre portion of right 37-30030 from land within the Timberview Terrace Subdivision to land approximately 1/2 mile South located within the Golden Eagle 2 Subdivision. Both subdivisions are located approximately 6 miles North and 2 miles West of Hailey.

Application No. 70109 proposes diversion of 0.22 cfs from Big Wood River tributary to Malad River. The purpose of the transfer is to move 0.22 cfs and 14.3 acre portions of right 37-30030 from the Timberview Terrace Subdivision located approximately 6.0 miles North and 2.0 miles West of Hailey, to land near the KSKI radio tower, near the Highway 75 and Deer Creek Road intersection approximately 2.5 miles North and 0.75 miles West of Hailey. The transferred right is proposed to be diverted from the Big Wood River through the Hailey No. 1 Canal diversion and the Osborne ditch diversion.

Application No. 70110 proposes diversion of 0.12 cfs from ground water. The purpose of the transfer is to move 0.12 cfs and 5.8 acre portions of ground water right 37-2632 from Golden Eagle Ranch 1 Subdivision to Timberview Terrace Subdivision. Both subdivisions are located near the mouth of Greenhorn Gulch approximately 6.0 miles North and 2.0 miles West of Hailey. The transferred right is proposed to be diverted from two existing wells at the Timberview Terrace Subdivision.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of $25.00 for each application on or before September 30, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Publish: Wood River Journal–September 11 & 18, 2002.

MICROFILMED
JUN 2 8 2003

SCANNED
APR 2 1 2003

RECEIVED
DEC 17 2002
Department of Water Resources
Southern Region

State of Idaho
Department of Water Resources
Transfer of Water Right(s)

RECOMMENDATION OF WATERMASTER

Application No: 70110 Water Right No(s): 37-2632

Applicant's Name: Harry S Rinker

Watermaster's Recommendation:

a) ___X___ I do not oppose approval of this application.

b) _____ I do not oppose approval of this application if it is conditioned as follows.

c) _____ I oppose approval of this application for the following reasons:

d) _____ Additional Comment:

Dated this 12th day of December, 2002.

Water District No. 37

Watermaster's Signature

MICROFILMED
JUN 2 3 2003

SCANNED
APR 2 1 2003

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 5, 2002

CHARLES G. BROCKWAY P E
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

RE: 3 Applications for Transfer Nos. 70090, 70109, & 70110 - Rinker Company

Dear Mr. Brockway:

The Department of Water Resources acknowledges receipt of the applications filed on behalf of Harry Rinker, Rinker Company as referenced above. Please refer to these numbers in all correspondence regarding the above referenced applications.

This office has scheduled advertising the applications in the **Wood River Journal on 9/11 & 9/18/02.** The advertisement will be published for two weeks, and **a period of ten calendar days following the second publication will be allowed for the submittal of protests. (September 30, 2002)**

If an application is protested, the applicant will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

In addition, please provide a list of the names, titles and addresses of all partners and designation of the managing partner, if any. (Rule 035.03.b, i). This information must be received prior to completion of the Regional Review and Recommendation.

State Office personnel will conduct a complete review prior to final processing of the application(s) and will notify the applicant regarding the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Mary Baldwin

Mary A. Baldwin
Administrative Assistant

MICROFILMED
JUL 2 8 2003

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that three (3) Applications for Transfer were filed on 7/24/02 by **Harry S. Rinker, Rinker Company,** PO Box 7250; Newport CA 92658-7250 with the Idaho Department of Water Resources for changes to water rights within Blaine County:

Application No. 70090 proposes diversion of 0.02 cfs from Big Wood River tributary to Malad River. The purpose of the transfer is to change the place of use of a 1.0-acre portion of right 37-30030 from land within the Timberview Terrace Subdivision to land approximately ¼ mile South located within the Golden Eagle 2 Subdivision. Both subdivisions are located approximately 6 miles North and 2 miles West of Hailey.

Application No. 70109 proposes diversion of 0.22 cfs from Big Wood River tributary to Malad River. The purpose of the transfer is to move 0.22 cfs and 14.3 acre portions of right 37-30030 from the Timberview Terrace Subdivision located approximately 6.0 miles North and 2.0 miles West of Hailey, to land near the KSKI radio tower, near the Highway 75 and Deer Creek Road intersection approximately 2.5 miles North and 0.75 miles West of Hailey. The transferred right is proposed to be diverted from the Big Wood River through the Hiawatha Canal diversion and the Osborne ditch diversion.

Application No. 70110 proposes diversion of 0.12 cfs from ground water. The purpose of the transfer is to move 0.12 cfs and 5.8 acre portions of ground water right 37-2632 from Golden Eagle Ranch 1 Subdivision to Timberview Terrace Subdivision. Both subdivisions are located near the mouth of Greenhorn Gulch approximately 6.0 miles North and 2.0 miles West of Hailey. The transferred right is proposed to be diverted from two existing wells at the Timberview Terrace Subdivision.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of $25.00 for each application on or before September 30, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Wood River Journal on 9/11 & 9/18/02.

MICROFILMED

JUL 2 3 2003

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301
Phone: 736-3033 Fax# : 736-3037

September 4, 2002

ATTN: Scott Kraus-LEGALS
WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Dear Scott:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 at 736-3033. An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Sincerely

Mary Baldwin

Mary A. Baldwin
Administrative Assistant

MICRO
JUL 2 8 2003

Baldwin, Mary

From: Baldwin, Mary
Sent: Wednesday, August 28, 2002 8:54 AM
To: Bates, Allan; Yenter, Cindy (Hodges); Blau, Terry
Cc: Baldwin, Mary
Subject: NEW transfer apps

FYI &/or comment:

Rinker Company has filed 3 transfer apps involving Blaine County as follows:

T# 70090 involves Right No. 37-30030 (Big Wood River)---proposes to move water from Timberview Terrace Subdivision TO Golden Eagle 2 Subdivision.

T# 70109 involves Right No. 37-30030 (Big Wood River)--proposes to move water from Timberview Terrace Subdivision TO land near the KSKI radio tower North & West of Hailey.

T# 70110 involves Rightr No. 37-2632 (groundwater)--proposes to move water from Golden Eagle Ranch 1 Subdivision TO Timberview Terrace Subdivision.

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 27, 2002

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

Re: Three (3) Applications for Transfer of Water Right - Rinker Company

Dear Mr. Peterson:

Enclosed are copies of three (3) Applications for Transfer of a Water Right within your District, and Watermaster's Recommendation Form(s).

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form(s) and return to this office.

Regional review of an unprotested application can be completed as soon as the final protest period is past; therefore, your prompt response to this request is appreciated.

If you have any questions about an application, please contact this office or the applicant.

Very truly yours,

Mary Baldwin

Mary A. Baldwin
Administrative Assistant

Enclosure(s)

MICROFILMED
JUL 2 8 2003

T70110

RECEIVED
AUG 05 2002
Department of Water Resources
Southern Region

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

August 2, 2002

Mr. Corey Skinner
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Rinker transfer application to KSKI property
Project No. 128-28-2002

Dear Corey:

Per your request, I am enclosing:

1. Tax notices for Lots 4 and 5 of Timberview Terrace subdivision, showing Mr. Rinker's ownership of these properties.

2. A revised page of the application showing the correct POD location for the Osborne Ditch.

Please let me know if you need anything further.

Sincerely,

for Charles E. Brockway, P.E.

Enc
cc: Harry Rinker

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D., P.E.

2016 NORTH WASHINGTON STREET • SUITE 4

TWIN FALLS, IDAHO 83301

208•736•8543

FAX: 736•8506

MICROFILMED
JUL 2 6 2003

SCANNED
APR 2 1 2003

T70110

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

RECEIVED
JUL 19 2002
Department of Water Resources
Southern Region

July 17, 2002

Mr. Corey Skinner
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Transfer applications – Harry Rinker
Project Nos. 128-18-1999 / 128-28-2002 / 128-25-2001

Dear Corey:

I am re-submitting Mr. Rinker's transfer applications with additional documentation pursuant to your letter of April 26, 2002.

The Timberview Terrace lot owners have executed agreements with Harry Rinker which clarify the ownership of water right 37-30030. These agreements are enclosed.

With respect to water right ownership on Golden Eagle phase 1, I am submitting deeds for all lots which have been sold by Mr. Rinker. These deeds indicate that the lots were sold without water rights and that Mr. Rinker still owns these rights. Given this fact, I do not believe it is necessary to evaluate the irrigated acreage for each subdivision lot. I believe it is sufficient to calculate, via aerial mapping, the actual irrigated acreage in each 40 that will remain on the water right.

I am also enclosing a deed showing Mr. Rinker's ownership of the KSKI area property and a tax notice for Lot 2, Block 1 of Golden Eagle Ranch phase 2 subdivision.

Hopefully, this documentation will address the ownership issues you raised with these transfer applications.

With regard to the hydrologic implications of transfer #3, there will be no enlargement of the overall acreage irrigated, diversion rate, or diversion volume. Since surface right 37-0154C is overlapping the groundwater, it is proposed to dry up 5.8 acres under 37-0154C and leave the proportionate flow rate in the river. Currently, right 37-0154C is used until it is cut off, and then the groundwater right is used through the end of the season. After the transfer, all water for the 5.8 acres would be drawn from groundwater, with 0.12 cfs of the surface right left in the river.

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D., P.E.

2016 NORTH WASHINGTON STREET • SUITE 4

TWIN FALLS, IDAHO 83301

208•736•8543

FAX: 736•8506

MICROFILMED

I have previously discussed the hydrologic implications of such transfers with Norm Young, and he has indicated to me two considerations that are pertinent to the present case: 1) It is not necessary for a transfer to have absolutely zero impact on both the surface water system and the groundwater system at all locations and at all times. In practicality, this would be an impossible criteria. In fact, the "reasonable pumping level" statute allows changes in groundwater depletion patterns provided reasonable pumping levels are maintained. 2) Over-mitigating a known impact during one time period to compensate for a small, perhaps uncertain, impact in another time period may be acceptable.

IMPACTS ON AQUIFER AND OTHER GW USERS?

The concern in this case is whether pumping all of the volume from groundwater will cause a depletion of river flow relative to the current situation. This would occur only if the "new" pumping, i.e. pumping during the active period of the surface water right, has a time-lagged impact on the river due to aquifer dispersion. Previous modeling by Brockway Engineering of the aquifer-river interaction at nearby locations has indicated that the time lag between groundwater pumpage and river response is short (on the order of 5 to 15 days, depending on the proximity of the well to the river). Therefore, pumping when the surface right is active will not have an extended impact on the river later into the season, and 0.12 cfs remaining in the river is more than sufficient to mitigate for depletion of river flow during the active period of the surface right. After the surface right is cut, groundwater use is clearly authorized based on its current and historic use as a supplemental source, and no mitigation is necessary.

With respect to the last issue you raised, Mr. Rinker holds assets in the name of various entities over which he has full control. This fact has not been a problem in the past in the course of the numerous water right applications that IDWR has processed for Mr. Rinker.

Please review this information. If there are any problems, I would like to schedule a meeting with you and Allen to resolve any issues.

Sincerely,

Charles G. Brockway, P.E.

Enc: Transfer application package (re-submitted)
Deeds for Golden Eagle #1 lots
Deed for KSKI property
Tax notice for Lot 2, Block 1, Golden Eagle #2
Agreements between Rinker and Timberview owners

cc: Harry Rinker

MICROFILMED
JUL 2 8 2003

T70110

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 26, 2002

Charles G. Brockway
Brockway Engineering
2016 North Washington Street
Suite 4
Twin Falls, ID 83301

Dear Mr. Brockway:

You recently submitted three transfer applications, in the name of Harry Rinker, to our office. As you recall, you have referenced the applications as transfers #1, #2, and #3, with transfers #1 and #2 proposing to move portions of right 37-30030 from Timberview Terrace Subdivision to other properties, and transfer #3 proposing to move a portion of right 37-2632 from Golden Eagle Ranch 1 Subdivision to the Timberview Terrace Subdivision. I have had an opportunity to briefly discuss these applications with Allen Merritt, and our office has decided to return the applications, along with the filing fees, to provide you an opportunity to further address possible ownership and expansion issues.

Water right 37-30030 currently lists a place of use of 24 acres, with 15.3 acres being appurtenant to the NE 1/4 SW 1/4 of Section 07 (T03N, R18E). This 15.3-acre portion is apparently appurtenant to the Timberview Terrace Subdivision. Right 37-30030 was moved to this property through Transfer #5423, which was filed to mostly address water right issues for Golden Eagle 2. A review of this application and subsequent approval documents reveals that the distribution of this 15.3-acre portion of right 37-30030 amongst the lots in Timberview Terrace Subdivision was not addressed. According to deeds that were submitted with transfer application #2, and information obtained from the Blaine County Assessor's office, the lot sizes and ownership of the lots within Timberview Terrace Subdivision are apparently as follows:

Lot Number	Lot Size	Lot Owner
1	3.75 acres	John & Sonja Adare
2	4.75 acres	Jeffery & Nancy Bates
3	3.86 acres	John Lane & Inge-Lise Eckman
4	6.28 acres	Rinker Company
5	8.54 acres	Rinker Company

MICROFILMED
APR 2 3 2002
SCANNED
APR 2 3 2002

The total lot acreage for the five lots in Timberview Terrace Subdivision is 27.18 acres, with right 37-30030 apparently being appurtenant to 15.3 acres of these 27.18 acres. Naturally, this brings up the issue of exactly what lots, and how much of each lot, that right 37-30030 is appurtenant to. The deeds submitted with transfer #2 partially address this issue, but there still remains the need for further clarification. Apparently the owners of Lot 1 obtained a "1 miners inch" portion of right 37-30030, which would equate to approximately 1.33 acres of the 15.3 acres. It also appears that the owners of Lot 3 did not purchase any of right 37-30030 with their property, but the owners of Lot 2 purchased their property "with appurtenances". **It is apparent that Mr. Rinker &/or Rinker Company has somewhere between a 9 to 14 acre portion of right 37-30030 appurtenant to Timberview Terrace Subdivision, depending on how much of the right is appurtenant to Lot 2. Please note that transfers #1 and #2 propose transferring a total of 15.3 acres from the Timberview Terrace Subdivision.**

The Department has been requiring the submittal of proof of ownership of both the current and proposed places of use for transfer applications. If the property (proposed or current place of use) is not owned by the applicant, a written statement from the actual property owner also needs to be included with the application indicating that the owner consents to the proposed transfer. If a party other than the applicant owns the proposed place of use, the statement from the owner should address who will actually own the water right after the proposed transfer. **We need some sort of written statement from the owner of Lot 2 of Timberview Terrace Subdivision, or other documentation, clarifying the ownership of right 37-30030. In addition, there is no proof of ownership information for the proposed places of use for transfers #1 and #2.**

The map submitted with transfer #3 clearly shows various areas within the Golden Eagle Ranch 1 development that are to be dried up by transfer #3. The Department needs to have proof that each of these developed lots are still owned by Mr. Rinker, or were indeed sold without appurtenant water rights. After review and consultation with other Department staff, **we request the submittal of the deeds for the lots within Golden Eagle Ranch 1, in lieu of the letter from AmeriTitle. In addition, we ask that you also submit a subdivision plat that shows the location of the various lots,** so they can be compared to the deeds and the map that was submitted with the transfer. Transfer #3 proposes moving a 5.8-acre portion of right 37-2632 to the Timberview Terrace Subdivision. You indicated how this 5.8 acre portion would be distributed amongst the lots in the remarks section of transfer #3, but as discussed in the proceeding paragraph, **we will need proof of ownership information for the five lots and written statements from the owners of the lots, if different from the applicant, addressing the ownership of the right after the proposed transfer.**

SCANNED
APR 2 1 2003
MICROFILMED
JUL 2 8 2003

Further examination of transfer #3 reveals that there may possibly be expansion issues relating to transferring a groundwater right that currently overlaps a surface water right (37-154C) to property without surface water rights, assuming transfers #1 and #2 can be approved. While the overlapping right, 37-154C, appears to be dealt with in transfer #3 to reflect the currently authorized irrigated acres being dried up, it appears that you are proposing a scenario where the use of groundwater would be increased by moving at a maximum a partially supplemental right to a primary right situation. If this application is resubmitted as proposed, **we ask that you provide some sort of information that shows how the use of the groundwater right will not be expanded on the Timberview Terrace Subdivision acreage.**

Examination of the applications and the various ownership documents submitted with these applications, and proceeding applications involving the properties reveals that some of the information reflects Harry Rinker as owner, some reflects Rinker Company as owner, while others reflect Harry Rinker as trustee of various trust organizations. **We also ask that any discrepancies between applications and actual ownership by various Rinker entities attempt to be cleared up, if possible.**

If you have any questions, or need any further assitance, feel fee to contact me at your convenience.

Sincerely,

Corey Skinner, PE
Water Resource Engineer

Enclosures

MICROFILMED
JUL 2 8 2003
SCANNED
APR 2 1 2003

T70110

RECEIVED
JUL 19 2002
Department of Water Resources
Southern Region

RECEIVED
APR 24 2002
Department of Water Resources
Southern Region

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D., P.E.

2016 NORTH WASHINGTON STREET • SUITE 4

TWIN FALLS, IDAHO 83301

208•736•8543

FAX: 736•8506

April 24, 2002

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Transfer applications – Harry Rinker
Project Nos. 128-18-1999 / 128-28-2002 / 128-25-2001

Dear Allen:

Enclosed are three (3) transfer applications for Harry Rinker. The primary purpose of the transfers is to ensure that the Timberview Terrace subdivision has adequate water rights for irrigation from the existing community wells. Recall that 15.3 acres of surface water right 37-30030 was made appurtenant to Timberview Terrace in the course of transfers for Golden Eagle 2, approved in 1999. However, this right cannot be utilized on Timberview because a surface water delivery system is not feasible at this time. Therefore, a groundwater right is needed, which will come from a portion of the existing right on Golden Eagle 2, as described in Transfer #3 below. Transfers #1 and #2 should be processed concurrently to move 15.3 acres of 37-30030 to other land.

Each application is described as follows:

Transfer #1: Move 1.0 acre of surface water right 37-30030 from its current place of use on Timberview Terrace subdivision to Lot 2 of Golden Eagle 2 subdivision.

Transfer #2: Move 14.3 acres of surface water right 37-30030 from its current place of use on Timberview Terrace subdivision to Mr. Rinker's land in the vicinity of the KSKI radio station. The point of diversion would be changed from the Golden Eagle river pump station to the Hiawatha Ditch, with the Osborn Ditch as an alternate.

Transfer #3: Move 5.8 acres of groundwater right 37-02632 from its current place of use on Golden Eagle Ranch 1 subdivision to Timberview Terrace. Of the 44 residential lots in Golden Eagle 1, 27 have been sold and most of these have been built upon. As it turns out, the house footprints and hardscape areas are approximately twice as large as assumed in 1997 for the water right

MICROFILMED/SCANNED
APR 21 2003

transfer for this subdivision. To determine actual irrigation, an aerial photo from the fall of 2001 was precisely rectified to the ITM grid and a very accurate measurement of irrigation was made, subtracting as-built roads, houses, driveways, ponds, and other non-irrigated areas. The analysis indicates that the current irrigation south of Greenhorn Road is 5.8 acres less than the allowable irrigation of 90.7 acres. It is proposed to move this excess acreage to the Timberview Terrace wells.

With regard to water right ownership, Mr. Rinker owns all of the water rights on Golden Eagle 1. Attached to Transfer #3 is a letter from AmeriTitle verifying that no water rights were deeded to any individual lot owner. Hopefully this will suffice in lieu of 27 separate deeds. Mr. Rinker's office also confirmed to me that no water rights have been assigned to the homeowners' association. On Timberview Terrace, Lots 1, 2, and 3 have been sold. The deeds attached to this transfer show that Lot 1 was deeded with 1.0 inch of 37-30030, Lot 2 was deeded with "appurtenances" and Lot 3 was deeded explicitly without water rights. The remainder of 37-30030 is owned by Rinker – this right was previously appurtenant to and was used on Golden Eagle north before the 1999 transfers. Documentation in that file will confirm Rinker's ownership.

I anticipate we may need a meeting to help clarify any issues that may arise. Please let me know.

Enclosed is Brockway Engineering check #3698 for $450.00 to cover the fees for the three applications.

Sincerely,

Charles G. Brockway, P.E.

Enc: Water right transfer applications (3) and supporting documents
cc: Harry Rinker

MICROFILMED SCANNED
MAY 2 6 2003 APR 2 1 2003

T20110

GOLDEN EAGLE RANCH PHASE 1
AS-BUILT IRRIGATION AND WATER AREAS

Based on 2001 photo by Nick Purdy, rectified to the ITM grid and to the IDWR 1987 infrared photo
Brockway Engineering - CGB 1/2/02

Objective: Estimate total irrigation as of Fall 2001

Subdivision was completed 1998, most lots are built-out but several remain unbuilt.
Actual as-built hardscape on built-out lots was delineated in ArcView.

Minor trees & flowers within hardscape area ---------- 0.02 acres = 871 ft^2

Qtr	Current gross irrig.*	No. built lots in 40	Minor tree & flow	Net irrig. area	1997 transfer** Gould	Domestic	Total	Moved to Timber	Remain on Gould	Domestic	Total
NENE18	12.6	4.5	0.09	12.7	9.4	2.0	11.4	0.0	9.4	2.0	11.4
NWNE18	15.3	4	0.08	15.4	10.9	3.5	14.4	0.0	10.9	3.5	14.4
SWNE18	22.5	8	0.16	22.7	17.9	6.2	24.1	0.0	17.9	6.2	24.1
SENE	12.0	5.5	0.11	12.1	9.2	4.3	13.5	0.5	8.7	4.3	13.0
SENW	1.70	0	0	1.7	1.5	0.6	2.1	0.4	1.1	0.6	1.7
NESE	10.4	0	0	10.4	9.9	2.7	12.6	2.2	7.7	2.7	10.4
NWSE	9.7	1	0.02	9.7	9.4	2.5	11.9	2.2	7.2	2.5	9.7
SWSE	0.0	0	0	0.0	0.3	0.1	0.4	0.3	0.0	0.1	0.1
SESE	0.0	0	0	0.0	0.2	0.1	0.3	0.2	0.0	0.1	0.1
Total	84.2	23	0.5	84.7	68.7	22.0	90.7	5.8	62.9	22.0	84.9

Pond surface area	16.8 acres
Waterway surface area	0 acres
Total water area	16.8 acres

** Acres reflect only the land south of road (Golden Eagle phase 1)

APPROVED IN 1997 TRANSFER:

Irrigated area after transfer	90.7 acres (Gould + domestic permit)
Water area assumed	16.8 acres (18.0 acres of irrigation removed)

* Delineated with rectified 2001 photo using ArcView. Excludes current as-built hardscape and other non-irrigated areas, but includes irrigation occurring on unbuilt lots.

T70110

AmeriTitle
Part Of The JELD-WEN Family

April 22, 2002

Idaho Department of Water Resources

Re: Golden Eagle Ranch I Subdivision

To Whom It May Concern:

I am writing this letter at the request of Harry Rinker, seller of lots within Golden Eagle Ranch I Subdivision.

Please be advised that none of the Grant Deeds transferring title to any of the lots in this subdivision transferred any water rights.

If you have any questions, please contact the undersigned.

Sincerely,

AMERITITLE, INC.

Jan L. Burrell
Operations Manager

jlb

171 W Sixth Street • PO Box 188 • Ketchum, Idaho 83340 • 208 726-4595 • 800 837-4595 • Fax 208 726-1062 • Website: www.ameri-title.com

MICROFILMED

MEMORANDUM

TO: Files 37-00154C, 37-00364G, 37-02627B , 37-02632, 37-30028 & 37-30030

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5423

DATE: September 23, 1999

Transfer 5423 reflects the development of subdivision including a system of recreation, fire protection and aesthetic ponds. Previous Transfers 4823-4827 were approved for the initial development of Golden Eagle Subdivision Phase I. These rights have all been identified as part of the continued expansion of the subdivision as Golden Eagle Subdivision Phase II. (See Allen Merrit's Memo of 07-12-99 for a more detailed explanation of the transfer and region recommendations.)

The primary change is to use a portion of groundwater Right 37-02627B to provide water for a new pond system. Portions of surface water Right 37-000154C are used as mitigation for the primary use of the groundwater for the ponds (37-02627C) and 5 acres irrigation proposed in Ohio Gulch (37-02627D). The storage location was included under Right 37-02632 that had been previously authorized and the place of use slightly modified under Right 37-30030. A combined right limit of these rights was corrected through this transfer limiting the combined irrigation use to a 186.8 total acres.

The transfer also acknowledges reduction of irrigation in Golden Eagle Subdivision Phase II by 3.5 acres while water is diverted under Permit 37-08888 that provides for a temporary tree nursery while the subdivision is being constructed. The application is being processed simultaneously with the transfer and is conditioned to reflect the reduction of irrigated acres under these rights.

Recommended conditions included watermaster control, measuring devices & lockable controlling works, supplemental groundwater (where appropriate), irrigation overlap, combined right limits, mitigation requirements, pond requirements to compensate for initial filling & any additional annual losses, drilling permit requirement (37-02627D), existing conditions and standard transfer conditions.

MICROFILMED
SEP 28 1999

MEMORANDUM

TO: **FILE** 37-02632

FROM: **PAM SKAGGS**

RE: **TRANSFER #** 5423

DATE: 3/26/99

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 37-00154.

MICROFILMED
MAR 23 1999

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

March 19, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RINKER COMPANY
PO BOX 7250
NEWPORT BEACH CA 92658-7250

RE: Water Right 37-02632 (Transfer 4825)

Dear Mr. Rinker:

Enclosed is a copy of your approved Amended Transfer of Water Right for the above referenced water right (Transfer 4825). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer.

Also, please be advised that the accompanying **transfer approval** should be considered and treated as a **preliminary order** of the department issued pursuant to Section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

MICROFILMED
MAR 2 7 1998

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of March, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing **AMENDED TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHT 37-02632 (Transfer 4825)

RINKER COMPANY
PO BOX 7250
NEWPORT BEACH CA 92658-7250

Kari Lynn Townsend
Secretary

MICROFILMED

MAR 2 7 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED
MAR 2 / 1998

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

(a) the petition for reconsideration is disposed of; or
(b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
MAR 1 1 1998

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 19, 1998

LEE PETERSON
WATERMASTER
BOX T
SHOSHONE ID 83352

RE: TRANSFER OF WATER RIGHT 37-02632 (Transfer 4825)

Dear Lee:

Enclosed is a copy of the recently approved Amended Transfer of Water Right for the above referenced water right (Transfer 4825) in the name of Rinker Company.

Also enclosed is a copy of the reviewers notes.

If you have any questions, please call me at (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Permits Section

JJ:klt

Enclosures

MICROFILMED
MAR 27 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37 M
P.O. Box T
Shoshone, Idaho 83352
(208) 886-2451

RECEIVED
MAR 13 1997
Department of Water Resources

LEE R. PETERSON
Watermaster

March 11,1997

To Whom It May Concern:

The following information is the result of reviewing the Watermaster reports and worksheets from 1989 through 1996 for the use of 37-0154 in the name of Glen B. Gould, for 6.04 CFS and 37-0154 in the name of Harry Rinker, for 3.52 CFS.

YEAR	NAME	24 HR. CFS
1988	Glen B. Gould	221.55
1988	Harry Rinker	129.03
1989	Glen B. Gould	223.90
1989	Harry Rinker	130.40
1990	Glen B. Gould	0
1990	Harry Rinker	72.00
1991	Glen B. Gould	0
1991	Harry Rinker	0
1992	Glen B. Gould	0
1992	Harry Rinker	0
1993	Glen B. Gould	0
1993	Harry Rinker	292.86

In 1993 the Watermaster's office received a warranty deed transferring ownership of the 6.04 CFS from Gould to Rinker. The sale took place in 1991 and the sale was not reported to the District until 1993. Because of this there is no way to be certain that a portion of the water used in 1993 was in fact a portion of the 6.04 CFS or all part of 3.52 CFS.

1994	Harry Rinker	19.74
1995	Harry Rinker	0
1996	Harry Rinker	0

If we can be of further assistance in this matter feel free to contact our office.

Sincerely,

Norma Peterson
Secretary/Treasurer

CC: Jim Johnson
Chuck Brockway

MICROFILMED
MAR 27 1998

DECREE BOOK ✓
PRIORITY BOOK ✓
DATABASE ✓
ADDRESS LIST ✓
ROLEDEX ✓
WTRUSR Del Glen Gould
WTRUSRAY Lotus ✓

Comstock 10

RINKER COMPANY

December 13, 1993

RECEIVED
DEC 20 1993
Shoshone Water Master

Mr. Lee Petersen, Watermaster
DEPARTMENT OF WATER RESOURCES
Water District 37 and 37M
Box T
Shoshone, Idaho 83352

Re: Decree No. 37-0154A
302 Inches
MH Comstock dated 12/13/87

Dear Lee:

So that your records will be correct, I have enclosed herewith a copy of the Title Policy No. 85-00-380250 dated July 8, 1985 and Title Policy No. H-487100 dated January 10, 1991 relative to our purchase of the Glenn Gould Ranch property which is now commonly called the Golden Eagle Ranch.

As I indicated to you on the telephone, this property was originally acquired in the form of an option to purchase and that option has been exercised in accordance with the enclosed documents.

If you have any further questions, please let me know.

Sincerely,

Harry S. Rinker

Happy Holidays

/lc

Encls.

MICROFILMED
MAR 2 7 1998

MAILING ADDRESS: P.O. BOX 7250 • NEWPORT BEACH, CALIFORNIA 92658-7250
TEL: (714) 979-8300 • FAX: (714) 979-3327

WR0749NP
No. T37-02632 AMENDED

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT AMENDED

DATE: 03/12/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	RINKER COMPANY	03/29/1960	IRRIGATION	04/15	10/15	1.940 CFS	339.50 AFA
	PO BOX 7250		RECREATION STORAGE	01/01	12/31		142.00 AFA
	NEWPORT BEACH CA 92658-7250		FIRE PROTECTION STORAGE	01/01	12/31		142.00 AFA
	(714) 979-8300		AESTHETIC STORAGE	01/01	12/31		142.00 AFA
			DIVERSION TO STORAGE	01/01	12/31	2.300 CFS	
					TOTAL DIVERSION:	2.300 CFS	402.50 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T03N R18E S18 SWNE NESE NWSE BLAINE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
03N	18E	18	16	28	17	09	04			01					09	09	.3	.2	97.0
																	TOTAL ACRES		97.0

Pou County: BLAINE

Other Water Rights with Same Point(s) of Diversion and Source:
37-02632 37-07093 37-08854 T37-00577X3

Other Water Rights Listing Overlapping Place(s) of use:
37-00153B 37-00153C 37-00153D 37-00154C 37-02632 37-02644B 37-02644C 37-02644D 37-02644E 37-08268
37-08439 37-08445 37-08551 37-08854 37-30012 T37-00577X3

Conditions of Approval:

R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 37.

046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.

R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for the
- lands above.

020 - Use of water under this right may be affected by an agreement
- between the protestant and the right holder.

079 - This right shall not be used if the surface water right(s)
- appurtenant to the place of use is sold, transferred, leased or
- used on any other place of use.

065 - The right holder shall use the full allotment of appurtenant
- surface water rights in conjunction with groundwater diverted
- under this right and shall only divert groundwater under this
- right when water from the appurtenant surface water rights cannot
- be delivered to the right holder.

T04 - Approval of this transfer in no way grants any right-of-way or

Amended
T#4825
Change -
Div to Stor 1.94 to 2.30
TOTAL 2.30
#12 Change Rate
Database Updated.
3-4-98 CB.

Rinker1.lis;

Conditions of Approval:

- easement for use of a delivery system owned by person(s) other
- than the right owner.

T07 - The change authorized by this transfer shall be accomplished
- within one (1) year of the date of this approval.

T08 - Failure to comply with the conditions of this transfer is cause
- for the director to issue an order to show cause why the approval
- of the transfer should not be rescinded.

T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.

T17 - Prior to diversion of water under this approval, the right holder
- shall provide a means of measurement acceptable to the Department
- from all authorized points of diversion which will allow
- determination of the total rate of diversion.

Remarks: The total instantaneous diversion of water from all points of diversion under Transfer No. 4825 shall not exceed 2.30 cfs, nor total combined annual volume of 402.5 af.
The first year that water is diverted to aesthetic, recreation and fire protection storage uses, the irrigation use under this right shall be limited to 74.5 acres, 1.49 cfs and 260.5 afa.
The reduction of irrigation during the first year will provide the additional storage volume to fill the ponds when combined with the 63.0 afa associated with the 18.0 acres no longer irrigated.
At the end of each irrigation season the right holder shall measure the remaining volume in the storage ponds. Any year that the storage volume drops below 79.0 af, irrigation the following year shall be reduced by 1.0 acre for every 3.5 af required to increase the volume to 79.0 af.
Right Nos. 37-00154C, 37-00364G, 37-02632, 37-30028 and 37-30030 in combination shall not exceed irrigation of 185.4 acres.

Dates:

App. Received:		Priority Date:	03/29/1960
Proof Due Date:		Proof Made Date:	
Exam Made Date:		Exam Sent to S.O.:	
Licensed Date:	08/25/1964		

Misc: Water District Number: 37 Field Exam Fee:

Comments: Date: 02/28/1996 User-ID: SCURTIS Subject: TRANSFER NO. 3250
Trans. #3250 was approved on 6/24/86 to change the place of use under this right.

Date: 05/02/1996 User-ID: MBALDWIN Subject: TRANSFER NO. 4825
T# 4825 filed on 4/1/96 proposes to change nature of use, add diversion point(s), change period of use and change place of use.
T# 4825 also connected with Golden Eagle Ranch Subdivision.
(See also companion Transfer Nos. 4823-27)

Date: 03/12/1997 User-ID: PSKAGGS Subject: AMENDED TRANSFER NO. 4825

Comments: Date: 03/12/1997 User-ID: PSKAGGS Subject: AMENDED TRANSFER NO. 4825
Petition for Reconsideration and further review resulted in an amended transfer approval being issued.

Audit: 03/12/97 PSKAGGS

MEMORANDUM

Date: March 11, 1997

To: File

From: Jim Johnson

Subject: Review of Petition for Reconsideration of Transfer Approvals T.4825 and T.4827.

==========

T. 4825

I have reviewed Mr. Brockway's concern that a diversion to storage limit 1.94 cfs (which is the same rate authorized for diversion for irrigation) is not sufficient to replace evaporation and to provide an simultaneous rate for irrigation. Mr. Brockway as provided an estimate of seasonal peak evaporation rate occurring in July which equates to 0.16 cfs. Mr. Brockway is requesting that this rate be included on the transfer approval so that the total authorized diversion rate is 1.94 cfs + 0.16 cfs or 2.10 cfs. In a practical view, because the rate is so small, I am not sure adding the 0.16 cfs is required. Mr. Brockway requested the diversion to storage to be changed from 1.94 cfs to 2.30 cfs which is the total rate that was authorized for diversion under the water right prior to the transfer.

Since the transfer approval can be easily modified to include the 0.16 cfs plus the additional 0.20 cfs without re-advertizement I am recommending that an amended transfer T. 4825 be issued. The rate of diversion to storage should be changed from 1.94 cfs to 2.30 cfs.

T. 4827

I have reviewed Mr. Brockway's concern on this transfer and concur that an error was made in interpreting the information supplied by the Big Wood River Watermaster in the letter dated February 21, 1996. I have further conferred with the watermaster to determine if additional information was available to determine exactly how much water was applied to land irrigated by Mr. Rinker. While there is a long history of diversions records made to the Comstock ditch, little information is available as to the actual distribution of water among the various land owners within the canal delivery system. I am convinced that to pursue further investigation would be very costly, time consuming and the results will have very little impact on the actions proposed by this transfer since the applicant intends to convert water above 3.34 cfs to non-consumptive Aesthetic and Recreation flow.

I am further influenced by the resolution of two protests filed against the approval of this transfer. The protestants, while

MICROFILMED
MAR 2 7 1998

being concerned about possible expansion, did not appear to be motivated to pursue the verification of the historical use under this right. The protests were withdrawn on the basis that the applicant would provide measurement and reporting of monthly diverted volume.

This condition was not included on the original transfer approval and I recommend that it should be placed on the approved amended transfer. (See Withdrawal of Protest dated July 25, 1996.)

I further recommend the rate for diversion for recreation and aesthetics should be changed to 6.00 cfs, Condition No. 9 should be modified to change 5.13 cfs to 9.34 cfs and Condition No. 10 should be removed.

MICROFILMED
MAR 27 1998

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

RECEIVED
MAR 06 1997
Department of Water Resources
Southern Region

March 6, 1997

Mr. Glen Saxton
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83720-9000

Re: Petition for Reconsideration
Water right transfer Nos. 4825 and 4827

Dear Glen:

Please consider this letter as a submittal of additional information in accordance with the approved Petition for Reconsideration dated February 5, 1997, regarding water right transfers in the name of Mr. Harry Rinker.

Transfer No. 4825 (water right 37-02632).
Under this transfer, a groundwater license allowing 115 acres was modified to include storage for irrigation and recreational/aesthetic use. The preliminary order recognized the reduction of irrigated acreage from 115 to 97 and the corresponding reduction in irrigation diversion rate from 2.30 cfs to 1.94 cfs. This reduction in irrigated acres was made to compensate for the consumptive use (evaporation) of the ponds. A trade-off was made between evapotranspiration of the crop and evaporation of the ponds, so that the consumptive use after the transfer would not increase. However, the preliminary order authorized only 1.94 cfs for diversion to storage, the same rate as the irrigation diversion. It is not possible to maintain the ponds in this manner; the authorized diversion rate to storage must be greater than the irrigation diversion rate in order to satisfy the evaporative demand of the ponds and still provide sufficient irrigation water. The maximum summertime evaporation of the pond is estimated at 0.16 cfs. Therefore, at least 1.94 + 0.16 cfs = 2.10 cfs is required as diversion to storage to maintain the ponds. The balance of 0.20 cfs should be considered a non-consumptive recreation/aesthetics use, since it is not used for irrigation or for pond evaporation mitigation. There is no justification for reducing the total diversion rate on a licensed right without evidence of non-use. It has been established with certainty that all of this right has been beneficially used consistently for many years.

MICROFILMED
MAR 27 1998

T # 4825 4827 Transfer

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D.

706 SUNRISE BOULEVARD NORTH

TWIN FALLS, IDAHO 83301

208•733•0938
208•734•2580

FAX: 736•1746

Transfer No. 4827 (water right 37-00154).
This transfer concerns a decreed surface water right from the Big Wood River, delivered via the Comstock Ditch. After a previous transfer (No. 4520), the recorded usage was 9.34 cfs for 240.4 acres of irrigation. Transfer No. 4827 requested 3.34 cfs for irrigation of 166.8 acres, with the remainder, 6.00 cfs, to be converted to non-consumptive and transferred to ponds on the Purdum Slough. IDWR determined that a maximum of 5.86 cfs had been delivered under this right and recognized the 240.4 acres, or 0.0244 cfs/acre.

1. The conclusion that 5.86 cfs was the maximum delivered flow rate was deduced by erroneous reasoning. This value was calculated from an amount reported to Allen Merritt by the watermaster Lee Peterson in the correspondence attached hereto dated February 21, 1996. Mr. Peterson reported the maximum annual diversion amount under this right was 292.86 cfs-days in 1993. IDWR mistakenly assumed this was a maximum instantaneous diversion rate in miner's inches, and computed an equivalent rate of 5.86 cfs. Even if this error had not been made, it would not have been possible to determine the maximum diversion rate given only total annual cfs-days. Although watermaster records of daily diversion rates in cfs are available for the past 8 years, no record of what proportion of the rate is applicable to each wateruser on the ditch is available; the watermaster measures only the diversion to the head of the ditch, not the rates being withdrawn by each user. It is therefore not possible to determine Mr. Rinker's maximum diversion rate using records of the watermaster, and this approach is not justifiable in this case as a means for IDWR to limit the decreed rate of flow.

2. The 1.79 cfs allowed in the preliminary order for recreation and aesthetic use was also derived using a flawed assumption. After 3.34 cfs was allowed for 166.8 acres (at 0.02 cfs/acre), the remaining 73.6 acres was multiplied by the per-acre flow rate on the original right assuming the erroneous 5.86 cfs (0.0244 cfs/acre) to arrive at 1.79 cfs. This would be justified if additional irrigation were desired, but in fact the intent was to convert the remainder of the right to non-consumptive for use in recreational and aesthetic ponds on Purdum Slough. Even assuming that 5.86 cfs was indeed the maximum diversion rate, the remainder of the right available for non-consumptive use would be 5.86 – 3.34 = 2.52 cfs, not 1.79 cfs. In essence, this represents a forfeiture of water that had already been determined to be valid when the 5.86 cfs value was adopted.

MICROFILMED
MAR 27 1998

3. The preliminary order authorized 3.34 cfs for irrigation, 1.79 cfs for recreation and aesthetics, and declared the remainder, 4.21 cfs, to be abandoned (condition No. 10). Idaho law establishes that abandonment of a water right requires intent by the rightholder, which must be evidenced by clear and convincing evidence of unequivocal facts. See Brief in Support of Petition for Reconsideration submitted herewith. Mere non-use of any part of a right does not constitute intent to abandon. Mr. Rinker absolutely did not intend to abandon any portion of this right, and in fact has called for the delivery of the full water right as recently as 1995 (see letter attached as exhibit "A" to the enclosed brief). Mr. Peterson has also confirmed that Mr. Rinker has ordered his water right four times since 1984, and the water has been delivered, with no 5-year period of non-use (see attached correspondence).

Therefore, please consider this letter to be a formal request to issue final orders for transfer Nos. 4825 and 4827, corrected as follows.

Transfer No. 4825:

Change the authorized rate for diversion to storage to 2.30 cfs
Modify condition No. 12 to read 2.30 cfs in place of 1.94 cfs

Transfer No. 4827:

Change the authorized rate for recreation and aesthetic uses to 6.00 cfs
Modify condition No. 9 to read 9.34 cfs in place of 5.13 cfs
Delete condition No. 10

Sincerely,

Charles G. Brockway

enclosures
cc: Harry Rinker
Gary Slette
Allen Merritt

MICROFILMED
MAR 2 7 1998

#10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37 M
P.O. Box T
Shoshone, Idaho 83352
(208) 886-2451

LEE R. PETERSON
Watermaster

Allen Merritt
Idaho Department of
Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

February 21, 1996

Allen:

In response to your phone call regarding Harry Rinker water on the Comstock ditch, 37-0154A for 478" of water with priority date 12-13-1887.

This system is a multiple user ditch and since 1984 when Mr. Rinker bought this unit he has ordered water delivered into the head of the Comstock four times.

YEAR	CFS	YEAR	CFS
1984	0	1990	0
1985	0	1981	0
1986	0	1992	0
1987	88.90	1993	292.86
1988	0	1994	19.74
1989	130.40	1995	0

As I mentioned to you his ditch proceeding in a southerly direction at the base of the mountain on the west side of the highway, certainly does not indicate to me of being used for a number of years.

If I can be of further help just call.

Sincerely,

Lee R. Peterson
Watermaster

MICROFILMED
MAR 2 7 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37 M
P.O. Box T
Shoshone, Idaho 83352
(208) 886-2451

#10

LEE R. PETERSON
Watermaster

Alan Merritt
IDWR
222 Shoshone St. East
Twin Falls, Idaho 83301

October 29, 1996

Alan:

The following is the information you requested on Monday, October 28, 1996, on the Comstock Ditch for a ten year period.

	1986 CFS	1987 CFS	1988 CFS	1989 CFS	1990 CFS
Glen B Gould	0	156.00	221.00	223.90	0
Harry Rinker	0	88.90	129.00	130.40	79.40
John Mc Donald	35.30	12.90	20.00	18.50	10.00
Robert Bloomfield	34.10	85.30	24.30	20.50	20.00
Richard Lindsey	61.50	10.30	130.00	122.30	Sold
Robert Sherwood		53.00	53.00	77.30	16.70
Kanshar % R J Sharp					10.00
Graystone					0
	1991 CFS	1992 CFS	1993 CFS	1994 CFS	1995 CFS
Glen B Gould	0	Sold			
Harry Rinker	104.26	0	292.86	19.70	0
John Mc Donald	0	0	41.60	1.99	78.32
Robert Bloomfield	11.62	17.32	28.02	1.35	83.08
Robert Sherwood	112.16	0	688.00	57.70	1022.
Kanshar % RJ Sharp	99.22	89.36	274.55	13.10	685.43
Graystone	223.12	0	738.98	61.00	1199.

In 1992 you will notice that there was not much water delivered not only was that a dry year but that was the year they did construction on aesthetic ponds.

If you need further information feel free to give us a call.

Sincerely,

Norma Peterson
Secretary/Treasurer

MICROFILMED
MAR 2 7 1998

RINKER COMPANY

May 4, 1995

IDAHO DEPARTMENT OF WATER RESOURCES
Attention: Lee Peterson, Watermaster
Water District 37 and 37M
Box T
Shoshone, Idaho 83352

Re: Request for Water - Comstock Ditch

Dear Lee:

Our records indicate that we hold a 478" water right in subject Comstock Ditch.

Please accept this letter as our formal request to begin delivery of said water at your opportune time. So that the distribution can properly be managed, would you kindly telephone Nick Purdy (788-3539) a day or two before you schedule the transfer.

Also, if you have any questions, please call either Nick or myself.

Sincerely,

Harry S. Rinker

/lc

cc: Nick Purdy
Bart Rinker
Chuck Brockway
Gary Slette, Esq.

Assessments not Paid
5/8/95
NP
Paid 5/16/95

RECEIVED
MAY - 8 1995
Shoshone Water Master

MAILING ADDRESS: P.O. BOX 7850 • NEWPORT BEACH, CALIFORNIA 92658-7850
TEL: (714) 979-8300 • FAX: (714) 979-3337

MICROFILMED
MAR 27 1998

Gary D. Slette
ROSHOLT, ROBERTSON & TUCKER
P.O. Box 1906
Twin Falls, Idaho 83303-1906
Telephone: (208) 734-0700
03059702.GDS/jc

RECEIVED
MAR 06 1997
Department of Water Resources
Southern Region

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

In re: Application for Transfer No. 4827 Applicant: Rinker Co. and/or Harry S. Rinker	))))))	BRIEF IN SUPPORT OF PETITION FOR RECONSIDERATION

With regard Transfer No. 4827 (37-00154C), IDWR personnel determined "the highest rate of diversion requested for this right in the last 10 years to be 5.86 cfs". Memorandum from Pam Skaggs/State Office to File No. 37-00154C, Re: Transfer No. 4827 (Dec. 16, 1996). Concluding that a portion of the 9.34 cfs decreed right had been abandoned, the preliminary order/transfer approval recognizes only 5.13 cfs and finds that 4.21 cfs has been abandoned. We believe this determination is not supported by the law or the facts and should be revised on reconsideration by IDWR.

Abandonment is a question of intention and must be evidenced by a clear and decisive act. *Idaho Farms Co. v. North Side Canal Co.*, 24 F.Supp. 189, 197 (D. Idaho 1938); *Gilbert v. Smith*, 97 Idaho 735, 739 (1976). It must be proved by clear and convincing evidence of unequivocal acts. *Jenkins v. State*, 103 Idaho 384, 388-89, 647 P.2d 1256, 1260-61 (1982). Finally, it must be demonstrated that the two elements--intent and a decisive act of abandonment--existed in unity, at the same moment in time. Kinney on Irrigation and Water

MICROFILMED
MAR 27 1997

Rights, Second Edition, Vol. 2, Sec. 1101, pp. 1979-83 (1912). Abandonment is a question of fact to be decided by the trier of fact on the basis of the record. *Jenkins*, 103 Idaho at 389. Simply put, there is no clear and convincing evidence in this matter of any intent to abandon or a clear, decisive and unequivocal act of abandonment, let alone that the two existed in unity. Indeed, there is no specific finding in the preliminary order/transfer approval that clear and convincing evidence of abandonment exists.

According to the IDWR Memorandum of December 16, 1996, "watermaster records report the highest rate of diversion requested for this right in the last 10 years to be 5.86 cfs." Apparently based on this statement, IDWR concluded that the remainder of the water right has been abandoned.

However, IDWR's characterization of past demands from the watermaster is incorrect. The owners of the water right have called for full delivery of the right. (*See* attached letter from Harry Rinker to Watermaster Lee Peterson dated May 4, 1995.) The fact that the right was only delivered in a maximum amount of 5.86 cfs over the past ten years does not demonstrate any intent on the part of the water right owners to abandon the undelivered portion of the right. It merely indicates that the right was not available for delivery in the decreed amount. It is well-established that a water right cannot be abandoned if non-use of the right is the result of circumstances over which he has no control, e.g., shortage of supply. *Hodges v. Trail Creek Irrig. Co.*, 78 Idaho 10, 16 (1956); *Gilbert*, 97 Idaho at 735. In any event, the circumstances do not reveal a clear, decisive, and unequivocal act of abandonment.

In addition, the mere fact of non-use, without conclusive evidence of intent to abandon, is not sufficient to establish abandonment. No matter how the water delivery records are construed regarding use or non-use of the water right, there exists no conclusive evidence of

MICROFILMED

any intent to abandon any portion of the right. Abandonment of water rights is not favored and all intendments are to be indulged in against abandonment. *Hodges*, 78 Idaho at 16.

As a result, the water right should be recognized in its decreed amount of 9.34 cfs on reconsideration. Of this amount, 3.34 cfs should be authorized for the irrigation of 166.8 acres and the remaining 6.00 cfs should be authorized for recreation and aesthetic uses (i.e., ponds).

RESPECTFULLY SUBMITTED this 6th day of March, 1997.

ROSHOLT, ROBERTSON & TUCKER

By _____
Gary D. Slette

MICROFILMED
MAR 27 1997

RINKER COMPANY

May 4, 1995

IDAHO DEPARTMENT OF WATER RESOURCES
Attention: Lee Peterson, Watermaster
Water District 37 and 37M
Box T
Shoshone, Idaho 83352

Re: Request for Water - Comstock Ditch

Dear Lee:

Our records indicate that we hold a 478" water right in subject Comstock Ditch.

Please accept this letter as our formal request to begin delivery of said water at your opportune time. So that the distribution can properly be managed, would you kindly telephone Nick Purdy (788-3539) a day or two before you schedule the transfer.

Also, if you have any questions, please call either Nick or myself.

Sincerely,

Harry S. Rinker

/lc

cc: Nick Purdy
Bart Rinker
Chuck Brockway
Gary Slette, Esq.

Assessments not Paid
5/8/95
NP
Paid 5/16/95

RECEIVED
MAY - 8 1995
Shoshone Water Master

MAILING ADDRESS: P.O. BOX 7250 • NEWPORT BEACH, CALIFORNIA 92658-7250
TEL: (714) 979-8300 • FAX: (714) 979-3327

MICROFILMED
MAR 2 7 1998

RECEIVED
MAR 0 7 1997
Department of Water Resources
Boise Office

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

March 6, 1997

VIA FACSIMILE 327-7866

L. Glen Saxton, Chief
Water Allocation Bureau
Idaho Department of Water Resources
Statehouse Mail
1301 North Orchard
Boise, Idaho 83720-9000

Re: Rinker Transfers Nos. 4825 and 4827

Dear Glen:

Enclosed please find correspondence from Charles G. Brockway pertaining to the reconsideration of the above-numbered transfers. Additionally, I am enclosing a Brief in Support of Reconsideration prepared by our firm for consideration in this matter. The originals of these documents have been filed this date at the Southern Region office of the Idaho Department of Water Resources, and these copies are being provided to you for your information. On behalf of Mr. Rinker, I would respectfully request your favorable action upon reconsideration. If you have any questions or comments, please contact me.

Yours truly,

GARY D. SLETTE

GDS:jc
Enclosures
cc: Harry Rinker (w/encs.)
Charles G. Brockway
03069701.gds

MICROFILMED
MAR 27 1997

RECEIVED
MAR 0 7 1997
Department of Water Resources

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D.

706 SUNRISE BOULEVARD NORTH

TWIN FALLS, IDAHO 83301

208•733•0938
208•734•2580

FAX: 736•1746

March 6, 1997

Mr. Glen Saxton
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83720-9000

Re: Petition for Reconsideration
Water right transfer Nos. 4825 and 4827

Dear Glen:

Please consider this letter as a submittal of additional information in accordance with the approved Petition for Reconsideration dated February 5, 1997, regarding water right transfers in the name of Mr. Harry Rinker.

Transfer No. 4825 (water right 37-02632).
Under this transfer, a groundwater license allowing 115 acres was modified to include storage for irrigation and recreational/aesthetic use. The preliminary order recognized the reduction of irrigated acreage from 115 to 97 and the corresponding reduction in irrigation diversion rate from 2.30 cfs to 1.94 cfs. This reduction in irrigated acres was made to compensate for the consumptive use (evaporation) of the ponds. A trade-off was made between evapotranspiration of the crop and evaporation of the ponds, so that the consumptive use after the transfer would not increase. However, the preliminary order authorized only 1.94 cfs for diversion to storage, the same rate as the irrigation diversion. It is not possible to maintain the ponds in this manner; the authorized diversion rate to storage must be greater than the irrigation diversion rate in order to satisfy the evaporative demand of the ponds and still provide sufficient irrigation water. The maximum summertime evaporation of the pond is estimated at 0.16 cfs. Therefore, at least 1.94 + 0.16 cfs = 2.10 cfs is required as diversion to storage to maintain the ponds. The balance of 0.20 cfs should be considered a non-consumptive recreation/aesthetics use, since it is not used for irrigation or for pond evaporation mitigation. There is no justification for reducing the total diversion rate on a licensed right without evidence of non-use. It has been established with certainty that all of this right has been beneficially used consistently for many years.

MICROFILMED
MAR 2 7 1998

Transfer No. 4827 (water right 37-00154).
This transfer concerns a decreed surface water right from the Big Wood River, delivered via the Comstock Ditch. After a previous transfer (No. 4520), the recorded usage was 9.34 cfs for 240.4 acres of irrigation. Transfer No. 4827 requested 3.34 cfs for irrigation of 166.8 acres, with the remainder, 6.00 cfs, to be converted to non-consumptive and transferred to ponds on the Purdum Slough. IDWR determined that a maximum of 5.86 cfs had been delivered under this right and recognized the 240.4 acres, or 0.0244 cfs/acre.

1. The conclusion that 5.86 cfs was the maximum delivered flow rate was deduced by erroneous reasoning. This value was calculated from an amount reported to Allen Merritt by the watermaster Lee Peterson in the correspondence attached hereto dated February 21, 1996. Mr. Peterson reported the maximum annual diversion amount under this right was 292.86 cfs-days in 1993. IDWR mistakenly assumed this was a maximum instantaneous diversion rate in miner's inches, and computed an equivalent rate of 5.86 cfs. Even if this error had not been made, it would not have been possible to determine the maximum diversion rate given only total annual cfs-days. Although watermaster records of daily diversion rates in cfs are available for the past 8 years, no record of what proportion of the rate is applicable to each wateruser on the ditch is available; the watermaster measures only the diversion to the head of the ditch, not the rates being withdrawn by each user. It is therefore not possible to determine Mr. Rinker's maximum diversion rate using records of the watermaster, and this approach is not justifiable in this case as a means for IDWR to limit the decreed rate of flow.

This is true -

True

2. The 1.79 cfs allowed in the preliminary order for recreation and aesthetic use was also derived using a flawed assumption. After 3.34 cfs was allowed for 166.8 acres (at 0.02 cfs/acre), the remaining 73.6 acres was multiplied by the per-acre flow rate on the original right assuming the erroneous 5.86 cfs (0.0244 cfs/acre) to arrive at 1.79 cfs. This would be justified if additional irrigation were desired, but in fact the intent was to convert the remainder of the right to non-consumptive for use in recreational and aesthetic ponds on Purdum Slough. Even assuming that 5.86 cfs was indeed the maximum diversion rate, the remainder of the right available for non-consumptive use would be 5.86 – 3.34 = 2.52 cfs, not 1.79 cfs. In essence, this represents a forfeiture of water that had already been determined to be valid when the 5.86 cfs value was adopted.

– How much can be changed to recreation?

MICROFILMED
MAR 2 7 1998

3. The preliminary order authorized 3.34 cfs for irrigation, 1.79 cfs for recreation and aesthetics, and declared the remainder, 4.21 cfs, to be abandoned (condition No. 10). Idaho law establishes that abandonment of a water right requires intent by the rightholder, which must be evidenced by clear and convincing evidence of unequivocal facts. See Brief in Support of Petition for Reconsideration submitted herewith. Mere non-use of any part of a right does not constitute intent to abandon. Mr. Rinker absolutely did not intend to abandon any portion of this right, and in fact has called for the delivery of the full water right as recently as 1995 (see letter attached as exhibit "A" to the enclosed brief). Mr. Peterson has also confirmed that Mr. Rinker has ordered his water right four times since 1984, and the water has been delivered, with no 5-year period of non-use (see attached correspondence).

Therefore, please consider this letter to be a formal request to issue final orders for transfer Nos. 4825 and 4827, corrected as follows.

Transfer No. 4825:

Change the authorized rate for diversion to storage to 2.30 cfs
Modify condition No. 12 to read 2.30 cfs in place of 1.94 cfs

Transfer No. 4827:

Change the authorized rate for recreation and aesthetic uses to 6.00 cfs
Modify condition No. 9 to read 9.34 cfs in place of 5.13 cfs
Delete condition No. 10

Sincerely,

Charles G. Brockway

enclosures
cc: Harry Rinker
Gary Slette
Allen Merritt

MICROFILMED
MAR 27 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37M
P.O. Box T
Shoshone, Idaho 83352
(208) 886-2451

#-10

LEE R. PETERSON
Watermaster

Allen Merritt
Idaho Department of
Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

February 21, 1996

Allen:

In response to your phone call regarding Harry Rinker water on the Comstock ditch, 37-0154A for 478" of water with priority date 12-13-1887.

This system is a multiple user ditch and since 1984 when Mr. Rinker bought this unit he has ordered water delivered into the head of the Comstock four times.

YEAR	CFS	YEAR	CFS
1984	0	1990	0
1985	0	1981	0
1986	0	1992	0
1987	88.90	1993	292.86
1988	0	1994	19.74
1989	130.40	1995	0

As I mentioned to you his ditch proceeding in a southerly direction at the base of the mountain on the west side of the highway, certainly does not indicate to me of being used for a number of years.

If I can be of further help just call.

Sincerely,

Lee R. Peterson
Watermaster

MICROFILMED
MAR 2 7 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37M
P.O. Box T
Shoshone, Idaho 83352
(208) 886-2451

#10

LEE R. PETERSON
Watermaster

Alan Merritt
IDWR
222 Shoshone St. East
Twin Falls, Idaho 83301

October 29, 1996

Alan:

The following is the information you requested on Monday, October 28, 1996, on the Comstock Ditch for a ten year period.

	1986 CFS	1987 CFS	1988 CFS	1989 CFS	1990 CFS
Glen B Gould	0	156.00	221.00	223.90	0
Harry Rinker	0	88.90	129.00	130.40	79.40
John Mc Donald	35.30	12.90	20.00	18.50	10.00
Robert Bloomfield	34.10	85.30	24.30	20.50	20.00
Richard Lindsey	61.50	10.30	130.00	122.30	Sold
Robert Sherwood		53.00	53.00	77.30	16.70
Kanshar % R J Sharp					10.00
Graystone					0

	1991 CFS	1992 CFS	1993 CFS	1994 CFS	1995 CFS
Glen B Gould	0	Sold			
Harry Rinker	104.26	0	292.86	19.70	0
John Mc Donald	0	0	41.60	1.99	78.32
Robert Bloomfield	11.62	17.32	28.02	1.35	83.08
Robert Sherwood	112.16	0	688.00	57.70	1022.
Kanshar % RJ Sharp	99.22	89.36	274.55	13.10	685.43
Graystone	223.12	0	738.98	61.00	1199.

In 1992 you will notice that there was not much water delivered not only was that a dry year but that was the year they did construction on aesthetic ponds.

If you need further information feel free to give us a call.

Sincerely,

Norma Peterson
Secretary/Treasurer

MICROFILMED
MAR 27 1998

RINKER COMPANY

May 4, 1995

IDAHO DEPARTMENT OF WATER RESOURCES
Attention: Lee Peterson, Watermaster
Water District 37 and 37M
Box T
Shoshone, Idaho 83352

Re: Request for Water - Comstock Ditch

Dear Lee:

Our records indicate that we hold a 478" water right in subject Comstock Ditch.

Please accept this letter as our formal request to begin delivery of said water at your opportune time. So that the distribution can properly be managed, would you kindly telephone Nick Purdy (788-3539) a day or two before you schedule the transfer.

Also, if you have any questions, please call either Nick or myself.

Sincerely,

Harry S. Rinker

/lc

cc: Nick Purdy
Bart Rinker
Chuck Brockway
Gary Slette, Esq.

Assessments not Paid
5/8/95
NP
Paid 5/16/95

RECEIVED
MAY - 8 1995
Shoshone Water Master

MAILING ADDRESS: P.O. BOX 7950 • NEWPORT BEACH, CALIFORNIA 92658-7950
TEL: (714) 979-8300 • FAX: (714) 979-3327

MICROFILMED
MAR 27 1998

RECEIVED
MAR 0 7 1997
Department of Water Resources

Gary D. Slette
ROSHOLT, ROBERTSON & TUCKER
P.O. Box 1906
Twin Falls, Idaho 83303-1906
Telephone: (208) 734-0700
03059702.GDS/jc

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

In re: Application for Transfer No. 4827 Applicant: Rinker Co. and/or Harry S. Rinker	))))))	BRIEF IN SUPPORT OF PETITION FOR RECONSIDERATION

With regard Transfer No. 4827 (37-00154C), IDWR personnel determined "the highest rate of diversion requested for this right in the last 10 years to be 5.86 cfs". Memorandum from Pam Skaggs/State Office to File No. 37-00154C, Re: Transfer No. 4827 (Dec. 16, 1996). Concluding that a portion of the 9.34 cfs decreed right had been abandoned, the preliminary order/transfer approval recognizes only 5.13 cfs and finds that 4.21 cfs has been abandoned. We believe this determination is not supported by the law or the facts and should be revised on reconsideration by IDWR.

Abandonment is a question of intention and must be evidenced by a clear and decisive act. *Idaho Farms Co. v. North Side Canal Co.*, 24 F.Supp. 189, 197 (D. Idaho 1938); *Gilbert v. Smith*, 97 Idaho 735, 739 (1976). It must be proved by clear and convincing evidence of unequivocal acts. *Jenkins v. State*, 103 Idaho 384, 388-89, 647 P.2d 1256, 1260-61 (1982). Finally, it must be demonstrated that the two elements--intent and a decisive act of abandonment--existed in unity, at the same moment in time. Kinney on Irrigation and Water

MICROFILMED
MAR 1938

Rights, Second Edition, Vol. 2, Sec. 1101, pp. 1979-83 (1912). Abandonment is a question of fact to be decided by the trier of fact on the basis of the record. *Jenkins*, 103 Idaho at 389. Simply put, there is no clear and convincing evidence in this matter of any intent to abandon or a clear, decisive and unequivocal act of abandonment, let alone that the two existed in unity. Indeed, there is no specific finding in the preliminary order/transfer approval that clear and convincing evidence of abandonment exists.

According to the IDWR Memorandum of December 16, 1996, "watermaster records report the highest rate of diversion requested for this right in the last 10 years to be 5.86 cfs." Apparently based on this statement, IDWR concluded that the remainder of the water right has been abandoned.

However, IDWR's characterization of past demands from the watermaster is incorrect. The owners of the water right have called for full delivery of the right. (*See* attached letter from Harry Rinker to Watermaster Lee Peterson dated May 4, 1995.) The fact that the right was only delivered in a maximum amount of 5.86 cfs over the past ten years does not demonstrate any intent on the part of the water right owners to abandon the undelivered portion of the right. It merely indicates that the right was not available for delivery in the decreed amount. It is well-established that a water right cannot be abandoned if non-use of the right is the result of circumstances over which he has no control, e.g., shortage of supply. *Hodges v. Trail Creek Irrig. Co.*, 78 Idaho 10, 16 (1956); *Gilbert*, 97 Idaho at 735. In any event, the circumstances do not reveal a clear, decisive, and unequivocal act of abandonment.

In addition, the mere fact of non-use, without conclusive evidence of intent to abandon, is not sufficient to establish abandonment. No matter how the water delivery records are construed regarding use or non-use of the water right, there exists no conclusive evidence of

MICROFILMED
MAR 27 1998

any intent to abandon any portion of the right. Abandonment of water rights is not favored and all intendments are to be indulged in against abandonment. *Hodges*, 78 Idaho at 16.

As a result, the water right should be recognized in its decreed amount of 9.34 cfs on reconsideration. Of this amount, 3.34 cfs should be authorized for the irrigation of 166.8 acres and the remaining 6.00 cfs should be authorized for recreation and aesthetic uses (i.e., ponds).

RESPECTFULLY SUBMITTED this 6th day of March, 1997.

ROSHOLT, ROBERTSON & TUCKER

By _____
Gary D. Slette

MICROFILMED
MAR 2 ? 1998

RINKER COMPANY

May 4, 1995

IDAHO DEPARTMENT OF WATER RESOURCES
Attention: Lee Peterson, Watermaster
Water District 37 and 37M
Box T
Shoshone, Idaho 83352

Re: Request for Water - Comstock Ditch

Dear Lee:

Our records indicate that we hold a 478" water right in subject Comstock Ditch.

Please accept this letter as our formal request to begin delivery of said water at your opportune time. So that the distribution can properly be managed, would you kindly telephone Nick Purdy (788-3539) a day or two before you schedule the transfer.

Also, if you have any questions, please call either Nick or myself.

Sincerely,

Harry S. Rinker

/lc

cc: Nick Purdy
Bart Rinker
Chuck Brockway
Gary Sletta, Esq.

Assessments not Paid
5/8/95
NP
Paid 5/16/95

RECEIVED
MAY - 8 1995
Shoshone Water Master

MAILING ADDRESS: P.O. BOX 7250 • NEWPORT BEACH, CALIFORNIA 92658-7250
TEL: (714) 979-8300 • FAX: (714) 979-3317

MICROFILMED
MAR 27 1998

State of Id.
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 5, 1997

CHUCK BROCKWAY
706 SUNRISE BLVD
TWIN FALLS ID 83301

RE: TRANSFER NOS. 4825 AND 4827

Dear Chuck:

Enclosed is an Order Granting Petition for Reconsideration for the above referenced transfers in the name of Rinker Company.

If you have any questions about this order, please contact me as soon as possible. My telephone number is (208) 327-7947.

Respectfully,

Jim Johnson, Manager
Water Permits Section

JJ:ph

Enclosure

MICROFILMED
MAR 27 1998

CERTIFICATE OF MAILING

I hereby certify that on the **5th** day of **February, 1997**, I mailed a true and correct copy, postage prepaid, of the foregoing **Order Granting Petition for Reconsideration** to the person(s) listed below:

Transfer Nos. 4825 and 4827

CHUCK BROCKWAY
706 SUNRISE BLVD
TWIN FALLS ID 83301

Patti Harrell
Patti Harrell
Secretary

MICROFILMED
MAR 27 1998

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 23, 1996

RINKER COMPANY
PO BOX 7250
NEWPORT BEACH CA 92658-7250

RE: Transfer No. 4825
Water Right No. 37-02632

Dear Water Right Holder:

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4825). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer.

The accompanying **transfer approval** should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties, if any, to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have any questions, please feel free to contact me.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:ph

Enclosure

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 24, 1996

LEE PETERSON, WATERMASTER
DISTRICT 37, BIG WOOD RIVER
BOX T
SHOSHONE ID 83352

RE: TRANSFER OF WATER RIGHT NO. 37-02632
(TRANSFER NO. 4825)

Dear Mr. Peterson:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water right (Transfer No. 4825) in the name of Rinker Company. Also included is a copy of the reviewers notes.

If you have any questions, please call me at (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Permits Section

JJ:ph

enclosures

MEMORANDUM

TO: FILE NO. 37-02632
FROM: PAM SKAGGS/STATE OFFICE
SUBJECT: TRANSFER NO. 4825
DATE: December 12, 1996

==========

Transfer No. 4825 is the third of five transfer applications filed in the name of Rinker Company for the development of Golden Eagle Ranch Subdivision project. Transfer Nos. 4823-4827 involve Right Nos. 37-00154C, 37-00364G, 37-02632, 37-30028 and 37-30030 which have historically been used to irrigate portions of the land being subdivided. The transfers cover irrigation of 185.4 acres within the subdivision and development of a pond system.

Transfer No. 4825 proposes to add points of diversion and change the nature, period and place of use under groundwater Right No. 37-02632. Two new wells are proposed to be added to the system to serve both irrigation and storage uses. Season of use and diversion volume were adjusted to current standards.

Change in Nature of Use Evaluation

			Div.Vol./ C.U.Vol.
BEFORE 37-02632:	**2.30 cfs**	**115.0 acres**	**402.5 afa / 287.5 afa**
T#4825			
IRR Use:	1.94 cfs	97.0 acres	339.5 afa / 242.5 afa
STORAGE:	--------	(18.0 acres)	142.0 afa / 42.0 afa (2.5 x 16.8)
Totals:	**1.94 cfs**	**97.0 acres**	**402.5 afa / 282.5 afa**

The transfer proposes to cease irrigation of 18 acres and create a series of 4 lined ponds with the surface area of 16.8 acres and the capacity of 142.0 af. The 18 acres have 63 afa associated with them that will be available annually to compensate for standard losses from the ponds. 142 - 63 = 79 af

The balance of the pond volume must be compensated for the initial fill through reduction of irrigated acres.

79 af/ 3.5 = 22.5 acres 97 - 22.5 = 74.5 acres

Evaluation of the storage volume at the end of each irrigation season will determine the maximum number of irrigated acres available the following season. The acres will be reduced by 1 acre for every 3.5 af the pond falls below 79 af. The maximum annual diversion volume from all points of diversion for all uses is limited to 402.5 af.

Recommended conditions include watermaster control, drilling permit requirements, measuring device/multiple points of diversion, protest agreement, irrigation overlap, right-of-way, combined right limits and standard transfer conditions.

TRANSFER REVIEW SHEET
(04-96)

Transfer # 4825 **Date Reviewed** 11-8-96 CS

Right(s) 37-02632

_____**Print Split Summary** _____**Run POU Comparison Report**

B:Change P/D **C:**Add P/D **D:**Change P/U **E:**Change Nature of Use
F:Change Period of Use **(G):**Other **H:**Change P/D & Add P/D
I:Change P/D & P/U Add P/D - Change Period, Nature & P/U. **J:**Add P/D & Change P/U

Proof of Ownership Warranty Deed / Previous Transfer

Transfer ✓ **All of Right** _____**Portion of Right**
Resulting Split(s) NONE

Check Transfer Against Recorded Right **Season/Vol.** 3/3.5

(1) ✓**Priority** **(2)**___**Use** **(3)**___**Season** **(4)** ✓**Rate** **(5)**___**Volume**

(6) ✓**Source** **(7)**___**P/D** **(8)**___**P/U** **(9)** ✓**Proof/Owner** **(10)** ✓**Map**

(11) 37 **Water District** WM approval rcvd. 5-17-96 **(12)** NO **Pertinent Conditions** **(13)** NO **Expansion** Compensate for Pond.

(2) Change a portion of IRR to AES, REC, FIRE PROT. 115-97 = 18 Acres
16.8 Acre Surface Area & 142 AF Capacity - 18 Acres of IRR given to Pond Use.
18 x .022 = .36 cfs less diversion - 2.30 cfs - .36 = (1.94 CFS) (IRR & Div. Str)
18 x 3.5 = 63 af associated with Acres out. Total Pond = 142 - 63 = 79 af
142 af ÷ 3.5 = 40.5 Acres - Initial fill year - 18 acres requirement met
40.5 - 18 = (22.5 additional Acres) should not be irr. to compensate for initial fill of ponds. - Anytime Pond Vol drops below (79 af) additional acres cannot be irrigated. 1 Acre for every 3.5 af needed 0-79 af up to 22.5 Acres. Storage uses = 142 af or pond system capacity.
(3) Allow yr round use all except IRR (5) 97 x 3.5 = (339.5 af) < VOR 142 af storage.
(7) Add 2 New P/Ds (8) Rearrange Acres within Sec 18. Combined Limits - All xfer rts.

Transfer Remarks Special Pond condition - 79 af / Initial fill. Prior to IRR season.
Conditions 020, 046, B30, R04, ~~WB5~~ 079/065, WB4/I17, I04, I07, I08, I09
Protest Agreement

Database/Processing Notes **Standard** ✓ **Non-Standard**_____
I file

WR_Reports File ~~Riker3.wpf~~ CS **Transfer Memo Complete** ✓
File Deleted 12-20-96 **Database Updated** 12-20-96 CS

Approval Cover Letter **Standard** ✓ **Preliminary Order**_____

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	RINKER COMPANY	03/29/1960	IRRIGATION	04/15	10/15	1.940 CFS	339.50 AFA
	PO BOX 7250		RECREATION STORAGE	01/01	12/31		142.00 AFA
	NEWPORT BEACH CA 92658-7250		FIRE PROTECTION STORAGE	01/01	12/31		142.00 AFA
	(714) 979-8300		AESTHETIC STORAGE	01/01	12/31		142.00 AFA
			DIVERSION TO STORAGE	01/01	12/31	1.940 CFS	
						TOTAL DIVERSION: 1.940 CFS	402.50 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T03N R18E S18 SWNE NESE NWSE BLAINE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
03N	18E	18	16	28	17	09	04			01					09	09	.3	.2	97.0
																TOTAL ACRES			97.0

Pou County: BLAINE

Other Water Rights with Same Point(s) of Diversion and Source:
37-07093 37-08854 T37-00577X3

Other Water Rights Listing Overlapping Place(s) of use:
37-00153B 37-00153C 37-00153D 37-00154C 37-02632 37-02644B 37-02644C 37-02644D 37-02644E 37-08268
37-08439 37-08445 37-08551 37-08854 37-30012 T37-00154C T37-00577X3

Conditions of Approval:

R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 37.

046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.

R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for the
- lands above.

020 - Use of water under this right may be affected by an agreement
- between the protestant and the right holder.

079 - This right shall not be used if the surface water right(s)
- appurtenant to the place of use is sold, transferred, leased or
- used on any other place of use.

065 - The right holder shall use the full allotment of appurtenant
- surface water rights in conjunction with groundwater diverted
- under this right and shall only divert groundwater under this
- right when water from the appurtenant surface water rights cannot
- be delivered to the right holder.

T04 - Approval of this transfer in no way grants any right-of-way or

Conditions of Approval:

- easement for use of a delivery system owned by person(s) other
- than the right owner.

T07 - The change authorized by this transfer shall be accomplished
- within one (1) year of the date of this approval.

T08 - Failure to comply with the conditions of this transfer is cause
- for the director to issue an order to show cause why the approval
- of the transfer should not be rescinded.

T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.

T17 - Prior to diversion of water under this approval, the right holder
- shall provide a means of measurement acceptable to the Department
- from all authorized points of diversion which will allow
- determination of the total rate of diversion.

Remarks: The total instantaneous diversion of water from all points of diversion under Transfer No. 4825 shall not exceed 1.94 cfs, nor total combined annual volume of 402.5 af.
The first year that water is diverted to aesthetic, recreation and fire protection storage uses, the irrigation use under this right will be limited to 74.5 acres, 1.49 cfs and 260.5 afa. This reduction of irrigation will provide the additional storage volume to fill the ponds when combined with the 63.0 afa associated with the 18.0 acres no longer irrigated.
In addition, at the end of each irrigation season the ponds will be measured to identify the remaining storage volume. Any year that the storage volume drops below 79.0 af, irrigation the following year will be reduced 1.0 acre for every 3.5 af required to raise the volume to 79.0 af.
Right Nos. 37-00154C, 37-00364G, 37-02632, 37-30028 and 37-30030 in combination shall not exceed irrigation of 185.4 acres.

Dates:
App. Received: Priority Date: 03/29/1960
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 08/25/1964

Misc: Water District Number: 37 Field Exam Fee:

Comments: Date: 02/28/1996 User-ID: SCURTIS Subject: TRANSFER NO. 3250
Trans. #3250 was approved on 6/24/86 to change the place of use under this right.

Date: 05/02/1996 User-ID: MBALDWIN Subject: TRANSFER NO. 4825
T# 4825 filed on 4/1/96 proposes to change nature of use, add diversion point(s), change period of use and change place of use.
T# 4825 also connected with Golden Eagle Ranch Subdivision.
(See also companion Transfer Nos. 4823-27)

Audit: 05/02/96 MBALDWIN 05/03/96 MBALDWIN 06/03/96 MBALDWIN 07/30/96 MBALDWIN
11/08/96 PSKAGGS 12/12/96 PSKAGGS

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	RINKER CO	02/20/1996	IRRIGATION	04/15	10/15	0.440 CFS	
	PO BOX 7250		DOMESTIC	01/01	12/31	0.310 CFS	
	NEWPORT BEACH CA 92658-7250						
	(714) 979-8300			TOTAL DIVERSION:		0.440 CFS	

Water Source: GROUNDWATER Tributary to: Stage: PERMIT

Point(s) of Diversion: T03N R18E S18 SWNE NESE NWSE BLAINE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
03N	18E	18	02	03	06	04				.6					02	02	.1	.1	22.0
																	TOTAL ACRES		22.0

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: BLAINE

Other Water Rights with Same Point(s) of Diversion and Source:
37-07093 T37-00577X3

Other Water Rights Listing Overlapping Place(s) of use:
37-00153B 37-00153C 37-00153D 37-00154C 37-02632 37-02644B 37-08268 37-08439 37-08445 37-30012
T37-00154C T37-00577X3 T37-02632

Conditions of Approval:

01M - After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

065 - The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

46B - The right holder shall comply with Idaho well construction standards when constructing a well pursuant to this right.

03A - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Remarks: This permit shall not be assigned or sold without first securing the written approval of the Department of Water Resources.
The approval of this permit is specifically limited to use of water in connection with the proposed subdivision known as Golden Eagle Ranch Subdivision.
If the permit holder is unable to obtain approval from Blaine County for Golden Eagle Ranch Subdivision, this permit is null and void.
Licensed water right No. 37-02632 is presently appurtenant to most of the twenty-two (22) acres identified as irrigated land on this permit (37-08854). Authorization to develop the irrigation use identified on this permit exists only if the department approves a transfer which removes right No. 37-02632 from the lands identified as the irrigated place of use on this permit.
Place of use is located within Lots 1-44, Golden Eagle Ranch Subdivision.
Domestic use is for 44 homes.
Domestic use does not include lawn, garden, landscape, or other types of irrigation.
The use authorized under this right shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
The irrigation use occurring under this right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.

Dates: App. Received: 02/20/1996 Priority Date: 02/20/1996
Proof Due Date: 05/01/1997 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 04/15/1996 User-ID: CZIMMERM Subject: CORPORATE OFFICERS
The sole officer of Rinker Company is Harry S. Rinker.

Audit: 02/28/96 MBALDWIN 03/04/96 SCURTIS 04/15/96 CZIMMERM 05/01/96 CZIMMERM
05/02/96 SKEEN

WR0750NP
(OD-12)

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 11/08/96
PAGE: 1

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE NE Lt Ac	NE NW Lt Ac	NE SW Lt Ac	NE SE Lt Ac	NW NE Lt Ac	NW NW Lt Ac	NW SW Lt Ac	NW SE Lt Ac	SW NE Lt Ac	SW NW Lt Ac	SW SW Lt Ac	SW SE Lt Ac	SE NE Lt Ac	SE NW Lt Ac	SE SW Lt Ac	SE SE Lt Ac	SUM
3702632	T03N R18E S18 GROUNDWATER																	
	:	22		32	18 :	12	Original: P/U							16	15			: 115
3700153A	GREENHORN :	I	I	I	I :	I			I :									:
A3700153A	GREENHORN :	12	20	32	18 :		Gould		:					16	15			: 113
3700153B	GREENHORN :				:				02 :									: 2
A3700153B	GREENHORN :				:				02 :									: 2
R3700153B	GREENHORN :				:				02 :									: 2
3700153C	GREENHORN :	I	I	I	I :	I			I :									:
A3700153C	GREENHORN :				:	13	DeLisser + Engelman											: 13
3700153D	GREENHORN :				:				05 :									: 5
A3700153D	GREENHORN :				:				05 :									: 5
R3700153D	GREENHORN :				:				05 :									: 5
3700154C	BIG WOOD R :	I	I	I	I :	I	Portion Transferred under T#4827 Rinker											:
A3700154C	BIG WOOD R :	22	38	32	18 :	12			:					16	15			: 153
T3700154C	BIG WOOD R :	18	31	24	13 :	13			02 :					12	11	0	0	: 124
R3700496C	BIG WOOD R :	02			:				:									: 2
R3700577AH	BIG WOOD R :				03 :				:									: 3
A3700577CJ	BIG WOOD R :				03 :				:									: 3
~~T3700577X3~~	~~GROUNDWATE~~ :	~~13~~	~~18~~		:	~~12~~			:									~~43~~
A3702632	GROUNDWATE :	22		32	18 :	12			:					16	15			: 115
T3702632	GROUNDWATE :	~~16.4~~	~~28~~	17.9	~~09.2~~ :	~~13.4.2~~			01.5 :	Proposed P/U				~~09.9~~	~~09.4~~	0.3	0.2	: ~~101~~ 97
3702644B	GROUNDWATE :				:				02 :	Reduced Acres for Pond use/ Inew OQ								: 2
A3702644B	GROUNDWATE :				:				02 :									: 2
R3702644B	GROUNDWATE :				:				02 :									: 2
3702644C	GROUNDWATE :				:	03			:									: 3
A3702644C	GROUNDWATE :				:	03			:									: 3
3702644D	GROUNDWATE :				:	01			:									: 1
A3702644D	GROUNDWATE :				:	01			:									: 1
R3702644D	GROUNDWATE :				:	01			:									: 1
3702644E	GROUNDWATE :				:	03			:									: 3
A3702644E	GROUNDWATE :				:	03			:									: 3
3708268	GROUNDWATE :		38		:		Rinker : Application/ Moratorium Hold											: 38
3708439	GROUNDWATE :				:				:					02			04	: 6
3708445	GROUNDWATE :	0			:				:									:
3708464	GROUNDWATE :				:			06	:									: 6
L3708464	GROUNDWATE :				:			02-03	:									: 3
3708551	GROUNDWATE :				:	03			:									: 3
3708854	GROUNDWATE :	02	03	06	04 :	Permit/Rinker		0	:	Domestic Component				02	02	0	0	: 19
A3711262	GROUNDWATE :				02 :				:	w/22 Acres IRR								: 2
A3712027	GROUNDWATE :				:				:					02			04	: 6
A3712029	GROUNDWATE :				:				:					02			04	: 6
A3714257	GROUNDWATE :	22		32	18 :	12	} Expansion of 37-02632							16	15			: 115
A3714258	GROUNDWATE :	11	19		:	12	} Not Included on T# 4825											: 42
(AH) 3730012	BIG WOOD R :	I			:				:					I				:
PLSS DATA	LEGAL LOOK :				:	01	02		:	03	04							:
--86 MAP--	C13Q-X 74 :	27	38	24	12 :	10			:					15	05			: 131

Multiple Overlaps Surface rts.

T# 4825

SD-0611-2 Basin: 37 Starting Water Right: 02632

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
_	37-02632	RINKER CO	C	03/29/1960	L/	GROUNDWATER	IRR DOMEST	WR
_	T37-02632	RINKER COMPANY	C	03/29/1960	L/	GROUNDWATER	IRR DIV S REC FIR S AES S AES AES	WR
_	A37-02632	RINKER CO	C	03/29/1960	L/	GROUNDWATER	IRR DOMEST	AJ

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
(Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu _____)
Natural 2.1/7V OVR LIB=PRODLIBS Last key was ENTR

T#4825

Form 222a
6/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET T #4825

INITIAL REVIEW BY: C. SKINNER

1. Right number 37-02632 Applicant Rinker Co.
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
   ☒ Other CHANGE NATURE AND PERIOD OF USE
4. Check:
   a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use SHOULD BE 4/15 TO 10/15
   b. ☒ Description of original point of diversion.
   c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
   a. ☒ All of right.
   b. ☐ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
   c. ☒ Check description of point(s) of diversion.
   d. ☒ Check description of place of use.
   e. ☒ Check map (shows p.d. and p.u. after transfer).
   f. ☒ Check for correct signature, notarization, and fee.
   g. ☒ Check proof of ownership of right &/or land from which water is transferred.
   h. ☒ Check for expansion in use of right. Comments APPEARS TO BE NONE, SEE BROCKWAY ENGINEERING NARRATIVE SUBMITTED WITH APPLICATION
   i. ☒ Check for existing water rights from same source, on land water is being transferred to.
      Right number(s) SEE ATTACHED MEMO
   j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
      If yes, what district? _____

FINAL PROCESSING REVIEW BY: AD

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☒ Yes ☐ No – withdrawn

RECEIVED
AUG 0 9 1996
Department of Water Resources

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* See memo 8/5/96
4. By AD Date 8/5/96

* *All uses within Watermaster Districts require special conditions.*

T#4825

FROM: Allen Merritt DATE: August 5, 1996

TO: Transfer File No. 4823, 4824, 4825, 4826 & 4827
In the Name of: Rinker Co.

SUBJECT: Review and Recommendation

These five transfers are all related to development of the Golden Eagle Ranch Subdivision located at the mouth of Greenhorn Gulch along the Big Wood River. All transfers should be review together. The area is presently irrigated using decreed rights from the Big Wood River and from a licensed groundwater right which are subject of these transfers. There are also BU claims (A37-14257 & A37-14258) for use of the licensed well but these claims are not part of these transfers. Additionally there is an application for permit for the same extra acres being held due to the moratorium (37-08268). This application overlaps the BU claims. Also there has recently been issued a permit (37-08854) for development of the domestic uses in the subdivision including some irrigation of acres within lots (1/2 acre per lot) of the subdivision.

All transfers were protested by Greg & Cindy Mann. Additionally transfers 4825 & 4826 were protested by Greenhorn Homeowners Assoc. All protests have since been withdrawn. The Mann withdrawals and withdrawal of protest of 4825 by Greenhorn are based on agreed conditions of approval between applicant and protestants.

Transfers 4823, 4824, 4826 & 4827 deal with the surface water decrees. The major purpose of these transfers is to piece the allowable acres under these various rights into a patchwork to cover the intended place of use on the Golden Eagle Ranch and also to identify a common new point of diversion on the Big Wood River where it is intended that a new pumping station is to be constructed for the subdivision.

Transfer 4823 Refer to Skinner 4/17/96 Memo referencing 37-00577BR. The 15.3 acres is in the Timber Subdivision and the 8.7 acres is in the Golden Eagle Ranch Subdivision.

Transfer 4824 Refer to Skinner 4/17/96 Memo referencing 37-00364G.

Transfer 4826 Refer to Skinner 4/17/96 Memo referencing 37-00577BS.

Transfer 4827 Refer to Skinner 4/17/96 Memo referencing 37-00154C. ***This transfer, in addition to the Golden Eagle Ranch matter, also requests a transfer of a portion of the diversion rate to non-consumptive use for flow through some ponds on a separate system a few miles south on the Purdum Slough.

Transfer 4825 deals with the groundwater license 37-02632. The transfer requests additional points of diversion and also changes the place of use and the nature of use of a portion of the right. The change in the nature of use is from irrigation to creation of a series of ponds which are for aesthetic, recreation and fire protection purposes for the subdivision.

ANALYSIS

The transfers as a whole do not appear to expand the use of these rights. There does exist some question as to right 37-00154C and it's past use. This right historically has been diverted through the Comstock ditch. The lands served are at the end of the ditch. The right overlaps with the groundwater rights including license 37-02632 and BU claims A37-14257 and A37-14258. Over the last several years the groundwater has been the primary water right for these acres although watermaster records indicate a portion of this right has been delivered at the head of the ditch. In light of no clear and convincing evidence that this right has been forfeited I recommend it be allowed to be transferred. Brockway's Engineering Report (Final Amended Report in Transfer File 4825) appears to address the expansion issues of these transfers and particularly the change in nature of use analysis.

RECOMMENDATION

I recommend that these transfers be approved with the following conditions:

General:

- -Subject to SRBA.
- -Measuring device with totalizing meter and lockable means of control at all points of diversion.
- -When all rights combined shall not exceed 0.02 cfs per acre nor 3.5 AFA per acre for irrigation or a maximum of 185.4 acres irrigated.
- -All rights under control of Watermaster District 37 and subject to reporting to IDWR.

Transfer 4827

- -Portion of right for recreation & aesthetics moved to Purdum Slough is subordinated to all other rights in Slough to prevent injury.

Transfer 4825

- -Use of water from wells from all rights (37-02632 [97.0 acre], 37-08854 [22.0 acres max], A37-14257 [same acres as 37-02632], A37-14258 [67.1 expansion acres if approved in SRBA]) shall be limited to a maximum of 186.1 acres.
- -All new wells drilled are required a drilling permit.

Below are the recommended acres to be irrigated by the various rights. Note that the rights are broken out by location between north and south of the road or between the Golden Eagle Subdivision

and Timber Subdivision.

RIGHT NO	TWP	RGE	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
37-00154C North RD	03N	18E	7												12.0			22.5	3.5	38.0
37-00154C North RD	03N	18E	18	7.0	17.1			4.1												28.2
37-00154C South RD	03N	18E	18	11.5	14.4	24.1	13.5				2.1					12.6	11.9	.4	.3	90.8
37-14258 Expansion	03N	18E	7												16.4		8.7	38.5	3.5	67.1
37-00364G	03N	18E	7															16		16.0
37-02632 North RD	03N	18E	18	7.0	17.1			4.1												28.2
37-02632 South RD	03N	18E	18	9.5	10.9	17.9	9.2				1.5					9.9	9.4	.3	.2	68.8
37-00577BS	03N	18E	7												4.4					4.4
37-00577BR Golden	03N	18E	7														8.7			8.7
37-00577BR Timber	03N	18E	7									15.3								15.3
37-08854	03N	18E	18	2.0	3.5	6.2	4.3				0.6					2.7	2.5	0.1	0.1	22.0
TOTAL ACRES IN GOLDEN	03N	18E	7												16.4		8.7	38.5	3.5	67.1
TOTAL ACRES IN GOLDEN	03N	18E	18	18.5	31.5	24.1	13.5	4.1			2.1					12.6	11.9	.4	.3	119.0
TOTAL ACRES IN TIMBER												15.3								15.3

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

July 30, 1996

GARY D SLETTE ESQ
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

RE: Protested Applications for Transfer Nos. 4823-4827

Mr. Slette:

We have received a withdrawal of the protests filed by Greenhorn Homeowners Assoc., Inc. and Greg & Cindy Mann against approval of the above referenced applications.

The issue of the protest has been resolved and the Department is now prepared to proceed with the normal processing of the applications which include regional review prior to being forwarded to our State Office.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

cc: Chuck Brockway

Stat of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

July 30, 1996

GREG & CINDY MANN
PO BOX 269
BELLEVUE ID 83313

RE: Applications for Transfer Nos. 4823-4827 (Rinker Co.)

Dear Mr. & Mrs. Mann:

This office acknowledges receipt of the withdrawal of the protest against the above referenced applications.

The issue of the protest has been resolved and the Department is now prepared to proceed with the normal processing of the applications which includes regional review prior to being forwarded to our State Office.

The Department will continue review of the applications without further contact with you unless information is requested.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

July 30, 1996

ATTN MICHELE C MESKE
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: Applications for Transfer No. 4825 (Rinker Co.)

Dear Ms. Meske:

This office acknowledges receipt of the withdrawal of the protest filed on behalf of the Greenhorn Homeowners Association, Inc. against the above referenced application.

The issue of the protest has been resolved and the Department is now prepared to proceed with the normal processing of the application which includes regional review prior to being forwarded to our State Office.

The Department will continue review of the application without further contact with you unless information is requested.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

RECEIVED
JUL 30 1996
Department of Water Resources
Southern Region

ORIGINAL

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

In re: Transfer No. 4825 Applicant: Rinker Co. and/or Harry S. Rinker	))))	WITHDRAWAL OF PROTEST

COMES NOW the Protestant Greenhorn Homeowners Association, Inc., by and through Michele Meske, its attorney of record, and hereby withdraws its protest to Transfer No. 4825 on the basis of the following:

1. The transfer application pertaining to Water Right No. 37-02632 will be modified to reflect that the consumptive use from an additional nine (9) acres will be dedicated to mitigation of evaporative loss from the ponds.

2. A diversion monitoring system will be installed and implemented by the Applicant to measure the diverted volume on a monthly basis from the river diversion, the irrigation well, and the two (2) domestic wells. Monthly volumes and the total annual diversion from all sources will be reported to the Idaho Department of Water Resources ("IDWR") consistent with the IDWR monitoring requirements imposed on Basin 36.

DATED this 26th day of July, 1996.

HOGUE, SPECK & AANESTAD

By Michele C. Meske
Michele C. Meske
Attorney for Greenhorn Homeowners Association, Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that on the 26th day of July, 1996, he caused a true and correct copy of the foregoing WITHDRAWAL OF PROTEST, to be served upon the following persons in the following manner:

Idaho Department of Water Resources	[ ]	Hand Deliver
ATTN: Glen Saxton	[X]	U.S. Mail
1301 North Orchard	[ ]	Overnight Courier
Boise, ID 83720	[ ]	Facsimile Transmission
Idaho Department of Water Resources	[ ]	Hand Deliver
ATTN: Allen Merritt	[X]	U.S. Mail
222 Shoshone Street East	[ ]	Overnight Courier
Twin Falls, ID 83301	[ ]	Facsimile Transmission
Greg and Cindy Mann	[ ]	Hand Deliver
P.O. Box 269	[X]	U.S. Mail
Bellevue, ID 83313	[ ]	Overnight Courier
	[ ]	Facsimile Transmission
Gary D. Slette	[ ]	Hand Deliver
Rosholt, Robertson & Tucker	[X]	U.S. Mail
P.O. Box 1906	[ ]	Overnight Courier
Twin Falls, ID 83303-1906	[ ]	Facsimile Transmission

Michele C. Meske

Michele C. Meske

ORIGINAL

RECEIVED
JUL 29 1996
Department of Water Resources
Southern Region

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

In re: Transfer Nos. 4823, 4824, 4825, 4826 and 4827 Applicant: Rinker Co. and/or Harry S. Rinker	)))))	WITHDRAWAL OF PROTEST

COME NOW, the Protestants Greg and Cindy Mann, and hereby withdraw their protest to the above-numbered transfers on the basis of the following:

1. The transfer application pertaining to Water Right No. 37-02632 will be modified to reflect that the consumptive use from an additional nine (9) acres will be dedicated to mitigation of evaporative loss from the ponds.

2. A diversion monitoring system will be installed and implemented by the Applicant to measure the diverted volume on a monthly basis from the river diversion, the irrigation well, and the two (2) domestic wells. Monthly volumes and the total annual diversion from all sources will be reported to the Idaho Department of Water Resources ("IDWR") consistent with the IDWR monitoring requirements imposed on Basin 36.

DATED this 25 day of July, 1996.

GREG MANN

CINDY MANN

CERTIFICATE OF SERVICE

The undersigned certifies that on the _____ day of July, 1996, he caused a true and correct copy of the foregoing WITHDRAWAL OF PROTEST, to be served upon the following persons in the following manner:

Idaho Department of Water Resources ATTN: Glen Saxton 1301 North Orchard Boise, ID 83720	[ ] [ ] [ ] [ ]	Hand Deliver U.S. Mail Overnight Courier Facsimile Transmission
Idaho Department of Water Resources ATTN: Allen Merritt 222 Shoshone Street East Twin Falls, ID 83301	[ ] [ ] [ ] [ ]	Hand Deliver U.S. Mail Overnight Courier Facsimile Transmission
Gary D. Slette Rosholt, Robertson & Tucker P.O. Box 1906 Twin Falls, ID 83303-1906	[ ] [ ] [ ] [ ]	Hand Deliver U.S. Mail Overnight Courier Facsimile Transmission
James P. Speck Michele C. Meske Hogue, Speck & Aanestad P.O. Box 987 Ketchum, ID 83340	[ ] [ ] [ ] [ ]	Hand Deliver U.S. Mail Overnight Courier Facsimile Transmission

_____

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

RECEIVED
JUL 19 1996
Department of Water Resources
Southern Region

July 18, 1996

Michele C. Meske
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, Idaho 83340

Re: Withdrawal of Protests

Dear Michele:

I have prepared identical Withdrawals of Protest for you and the Manns, and am enclosing a copy herewith for your execution. On behalf of Harry Rinker, we acknowledge and agree that in the event Item No. 1 is not complied with before processing by the IDWR, the Withdrawal of Protest shall not be effective. Furthermore, we acknowledge and agree that the language of Item No. 2 shall be included as a condition of transfer approval by the IDWR, unless IDWR requires a more stringent monitoring program.

Based upon those terms, I would request that you execute the Withdrawal, and provide the original to the local office of the IDWR with a photocopy to me at your earliest convenience. Thank you in advance for your cooperation.

Yours truly,

GARY D. SLETTE

GDS:jc
Enclosures
cc: Harry Rinker
Chuck Brockway
Allen Merritt
07189604.gds

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

RECEIVED
JUL 19 1996
Department of Water Resources
Southern Region

July 18, 1996

Greg and Cindy Mann
P.O. Box 269
Bellevue, Idaho 83313

Re: Withdrawal of Protests

Dear Greg and Cindy:

I have prepared identical Withdrawals of Protest for you and the Greenhorn Homeowners Association, Inc., and am enclosing a copy herewith for your execution. On behalf of Harry Rinker, we acknowledge and agree that in the event Item No. 1 is not complied with before processing by the IDWR, the Withdrawal of Protest shall not be effective. Furthermore, we acknowledge and agree that the language of Item No. 2 shall be included as a condition of transfer approval by the IDWR, unless IDWR requires a more stringent monitoring program.

Based upon those terms, I would request that you execute the Withdrawal, and provide the original to the local office of the IDWR with a photocopy to me at your earliest convenience. Thank you in advance for your cooperation.

Yours truly,

GARY D. SLETTE

GDS:jc
Enclosures
cc: Harry Rinker
Chuck Brockway
Allen Merritt
07189605.gds

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
MICHELE C. MESKE

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

July 11, 1996

RECEIVED
JUL 12 1996
Department of Water Resources
Southern Region

Mr. Gary Slette
VIA FACSIMILE 208/736-0041
ORIGINAL NOT TO FOLLOW

Re: Greenhorn Owners Association Protest to Applications for Transfer

Dear Gary:

I apologize for not returning your calls sooner, but I have been preparing to leave for vacation, which has made me quite busy. Attached is your letter concerning the Golden Eagle Ranch Applications for Transfer containing the Applicant's agreement to modify one transfer and institute monitoring in exchange for a withdrawal of my client's protest. Jo Lowe of Greenhorn Owners Association has authorized me to sign the letter on the Association's behalf and accept the Applicant's agreement. I will be unable to attend to the formal withdrawal of the protest before I depart for vacation this morning, but will give it my attention when I return to the office on July 22.

Sincerely,

HOGUE, SPECK & AANESTAD, P.A.

Michele C. Meske

Michele C. Meske

MCM/
cc: Greenhorn Owners Association
Allen Merritt, IDWR

MICROFILMED

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

RECEIVED
JUL 0 3 (illegible)
Hogue

July 3, 1996

VIA FACSIMILE 726-0752

Ms. Michele Meske
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, Idaho 83340

VIA FACSIMILE 726-9793

Greg and Cindy Mann
P.O. Box 269
Bellevue, Idaho 83313

Re: Golden Eagle Water Transfers

Dear Michele, Cindy and Greg:

In accordance with our discussions at the pre-hearing conference today, if the Greenhorn Homeowners Association, Inc., and the Manns will both agree to withdraw their respective protests, the Applicant will agree to the following:

1. The transfer pertaining to 37-02632 will be modified to reflect that the consumptive use from an additional nine (9) acres will be dedicated to mitigation of evaporative loss from the ponds.

2. A diversion monitoring system will be installed and implemented to measure the diverted volume on a monthly basis from the river diversion, the irrigation well, and the two (2) domestic wells. Monthly volumes and the total annual diversion from all sources will be reported to the Idaho Department of Water Resources ("IDWR") consistent with the IDWR monitoring requirements imposed on Basin 36.

If you agree to the foregoing, please sign below in the space provided. In order to be operative, both Protestants must sign a copy of this document and formally withdraw

their protest. Please fax your signed copy to me as well as to the other Protestant at the above-identified fax number. If you have any questions or comments, please contact me. I can be reached at 622-3175 prior to Monday.

Yours truly,

Gary D. Slette/jc

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER NOS. 4823, 4824,4825, 4826 AND 4827	)	NOTICE OF HEARING
RINKER CO. &/or HARRY S. RINKER, Applicant	)	SOURCE: groundwater
CINDY & GREG MANN, GREENHORN OWNERS ASSOC., Protestants	)	COUNTY: Blaine

On April 1, 1996 Rinker Co., &/or Harry S. Rinker, applicant, filed with the Department of Water Resources five (5) applications to transfer the public waters of the State of Idaho. The Department has received protests against the approval of said applications from the above captioned protestants. The conference held on July 3, 1996 did not resolve the protests.

The Department has scheduled the matter for hearing on Thursday, August 15, 1996 at 10:00 a.m. in the Blaine County Planning & Zoning Meeting Room, Old Courthouse, 206 First Ave. South; Hailey, ID.

The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code and the adopted Rules of Procedure of the department. A copy of the rules may be obtained from the department upon request. The presiding officer at the hearing will be Glen Saxton.

If you plan to offer exhibits for the record, note that IDAPA Rule of Procedure 37.01.01606 requires that you provide a copy of exhibits to each party and to the presiding officer.

The hearing will be conducted in a facility which meets the accessibility requirements of the Americans With Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within ten (10) days prior to the hearing.

All parties to the matter will have the opportunity to respond and present information and argument on all issues involved.

Dated this 11th day of July, 1996.

Allen D. Merritt, P.E.
Regional Manager

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of July, 1996, a true and correct copy of the foregoing Notice of Hearing was forwarded with all required charges prepared, by the method(s) indicated below, to the parties listed:

Mary Baldwin
Secretary

GARY D SLETTE ESQ ROSHOLT ROBERTSON & TUCKER PO BOX 1906 TWIN FALLS ID 83303-1906	Hand delivered U.S. Mail-Regular U.S. Mail-Certified Fax	____ ____ __x__ ____
ATTN MICHELE MESKE JAMES P SPECK ESQ HOGUE SPECK & AANESTAD PO BOX 987 KETCHUM ID 83340	Hand delivered U.S. Mail-Regular U.S. Mail-Certified Fax	____ __X__ ____ ____
CINDY & GREG MANN PO BOX 269 BELLEVUE ID 83313	Hand delivered U.S. Mail-Regular U.S. Mail-Certified Fax	____ ____ __X__ ____
CHARLES E BROCKWAY PE 706 SUNRISE BLVD TWIN FALLS ID 83301	Hand delivered U.S. Mail-Regular U.S. Mail-Certified Fax	____ __x__ ____ ____

FROM: Allen Merritt DATE: July 8, 1996

TO: Rinker Transfer Files: 4823, 4824, 4825, 4826 & 4827

SUBJECT: Prehearing Conference

On July 3rd, 1996 I conducted a prehearing conference on the above referenced transfers. All referenced transfers are protested by Cindy & Greg Mann. Additionally transfer 4825 is protested by Greenhorn Owners Association. All parties were represented at the prehearing conference. Rinker was represented by his attorney, Gary Slette, and his consultant, Chuck Brockway. The Manns represented themselves. Greenhorn Owners Association was represented by attorney Michele Meske with Jim Speck's law firm. Others at the conference were as listed on the roster of attendance.

Before the conference it was reported that Brockway had talked with Terry Scandlin, consultant for Greenhorn Owners, and had possibly resolved their protest if transfer 4825 was modified by reducing acres in some fashion. Negotiations continue between these parties.

The Manns expressed their concerns that the transfer was moving irrigated lands around and as a result of recently approved permit 37-08854 there would be an increase in acres irrigated amounting to 22 acres. It was explained that permit 37-08854 was not part of these proceedings. The matter of the processing of applications in the moratorium and the allowance for permits for subdivisions to be processed was discussed in detail. We also discussed the issue of measuring devices and requirement to report or monitor water use. Their feeling was that in the Wood River Valley there has not been control of the water used in subdivisions and expansions are occurring as development goes unchecked. I suggested that if they felt that the moratorium needs to be revised that they should petition the director or if they felt the domestic exemption should not be allowed or revised they could discuss the matter with their legislators. They expressed their frustration in their feeling that not enough studies have been done and the resource is being eroded by the department continuing to allow domestic wells. They were also frustrated in that nothing is monitored or that monitoring may be several years away.

To address Manns' concerns Slette discussed installing measuring devices and reporting similar to what is done in Basin 36. He also expressed his desire to proceed with setting a hearing. Manns indicated that they were upset with Slette's tactic of "discovery" and indicated that they could not respond by the deadline due to being out of town. They wanted to know how to get an extension and I told them I did not know other than follow the rules of procedure. All interested including Manns were given copies of the rules of procedure.

MICROFILMED
JAN 0 8 1997

We discussed setting a hearing date and all parties agreed that August 15th, 1996 would be acceptable. The parties indicated that they preferred not to go to a hearing and would continue to work toward an agreement for measuring devices, etc. On returning to my office I found that Slette had drafted a settlement agreement and had faxed it to the parties.

In a phone conversation this day with Cindy Mann she again asked how she could get an extension on discovery and I suggested she contact the hearing officer, Glen Saxton. We also discussed groundwater districts and measuring districts and I told her that if she had backing within the county that those entities could be established now instead of later and suggested she contact Gary Spackman.

MICROFILMED

RE: Transfer Nos. 4823, 4824, 4825, 4826 & 4827 (RINKER CO., &/OR HARRY S. RINKER)

PLACE: Mini-Court Room, Blaine County Judicial Bldg.; Hailey, ID

DATE: 1:00 p.m., Wednesday- July 3, 1996

CONFERENCE OFFICER: Allen D. Merritt

ASSISTED BY:

ROSTER OF ATTENDANCE

NAME	ADDRESS	REPRESENTING
Cindy Mann	Box 269 Bellevue 83313	Self
Michele Moske	P.O. Box 987, Ketchum	Greenhorn Owners Assoc.
John Gladics	PO Box 1379 Ketchum	self
Andy Scatro	Id mtn Exp	
GREG MANN	BOX 269 BELLEVUE	SELF
Tom Blanchard	Bx 275 Bellevue	"
Gary Slette	Box 1906 Twin Falls	Rinker
Chuck Brockway	Twin Falls	Rinker

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

DATE: 7-3-96

RECEIVED
JUL 03 1996
Department of Water Resources
Southern Region

FAX TO: Michele Meske 726-0752
Greg and Cindy Mann 726-9793

FROM: Gary D. Slette/jc

RE: Golden Eagle Water Transfers

NUMBER OF PAGES INCLUDING THIS ONE: 3

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL US BACK AS SOON AS POSSIBLE AT (208) 734-0700.

THE INFORMATION CONTAINED IN THIS FACSIMILE COMMUNICATION IS ATTORNEY/CLIENT PRIVILEGED AND/OR CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS COVER PAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION OR THE INFORMATION CONTAINED HEREIN IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY CALL AT (208) 734-0700, AND RETURN THIS FACSIMILE TO US BY MAIL AT THE ABOVE ADDRESS. WE APPRECIATE YOUR COOPERATION.

ADDITIONAL MESSAGE:

cc: Harry Rinker (via facsimile)
Chuck Brockway (via facsimile)
Allen Merritt, IDWR (via facsimile)

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

July 3, 1996

RECEIVED
JUL 03 1996
Department of Water Resources
Southern Region

VIA FACSIMILE 726-0752

Ms. Michele Meske
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, Idaho 83340

VIA FACSIMILE 726-9793

Greg and Cindy Mann
P.O. Box 269
Bellevue, Idaho 83313

Re: Golden Eagle Water Transfers

Dear Michele, Cindy and Greg:

In accordance with our discussions at the pre-hearing conference today, if the Greenhorn Homeowners Association, Inc., and the Manns will both agree to withdraw their respective protests, the Applicant will agree to the following:

1. The transfer pertaining to 37-02632 will be modified to reflect that the consumptive use from an additional nine (9) acres will be dedicated to mitigation of evaporative loss from the ponds.

2. A diversion monitoring system will be installed and implemented to measure the diverted volume on a monthly basis from the river diversion, the irrigation well, and the two (2) domestic wells. Monthly volumes and the total annual diversion from all sources will be reported to the Idaho Department of Water Resources ("IDWR") consistent with the IDWR monitoring requirements imposed on Basin 36.

If you agree to the foregoing, please sign below in the space provided. In order to be operative, both Protestants must sign a copy of this document and formally withdraw

their protest. Please fax your signed copy to me as well as to the other Protestant at the above-identified fax number. If you have any questions or comments, please contact me. I can be reached at 622-3175 prior to Monday.

Yours truly,

Gary D. Slette/jc

GARY D. SLETTE

GDS:jc
cc: Harry Rinker (via facsimile)
Chuck Brockway (via facsimile)
Allen Merritt, IDWR (via facsimile)
07039601.gds

ACCEPTED BY:

HOGUE, SPECK & AANESTAD

By_____
Michele C. Meske
Attorneys for Greenhorn
Homeowners Association, Inc.

ACCEPTED BY:

_____
GREG MANN

_____
CINDY MANN

RECEIVED
JUN 25 1996
Department of Water Resources
Southern Region

Gary D. Slette
ROSHOLT, ROBERTSON & TUCKER
P.O. Box 1906
Twin Falls, Idaho 83303-1906
Telephone: (208) 734-0700
06249605.GDS/jc

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

In re:	)	
Transfer Nos. 4823, 4824, 4825,	)	NOTICE OF SERVICE
4826 and 4827	)	OF DISCOVERY
Applicant: Rinker Co. and/or	)	
Harry S. Rinker	)	

TO: IDAHO DEPARTMENT OF WATER RESOURCES.

YOU WILL PLEASE TAKE NOTICE that the Applicant, Rinker Co. and/or Harry S. Rinker, by and through his attorney of record, Gary D. Slette of Rosholt, Robertson & Tucker, served APPLICANT'S INTERROGATORIES, REQUESTS FOR ADMISSION AND REQUESTS FOR PRODUCTION TO PROTESTANTS MANN, on the Protestant, Cindy and Greg Mann, on the 24th day of June, 1996, by hand depositing the same in the United States mail, postage prepaid, in an envelope, addressed to Cindy and Greg Mann.

DATED this 24th day of June, 1996.

ROSHOLT, ROBERTSON & TUCKER

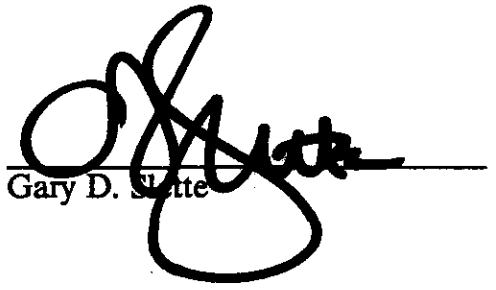
By _____
Gary D. Slette

CERTIFICATE OF SERVICE

The undersigned certifies that on the 24 day of June, 1996, he caused a true and correct copy of the foregoing NOTICE OF SERVICE OF DISCOVERY, to be served upon the following persons in the following manner:

Greg and Cindy Mann
P.O. Box 269
Bellevue, ID 83313

[ ] Hand Deliver
[✓] U.S. Mail
[ ] Overnight Courier
[ ] Facsimile Transmission



Gary D. Slette

Gary D. Slette
ROSHOLT, ROBERTSON & TUCKER
P.O. Box 1906
Twin Falls, Idaho 83303-1906
Telephone: (208) 734-0700
06249604.GDS/jc

RECEIVED
JUN 25 1996
Department of Water Resources
Southern Region

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

In re:	)	
Transfer No. 4825	)	NOTICE OF SERVICE
Applicant: Rinker Co. and/or	)	OF DISCOVERY
Harry S. Rinker	)	

TO: IDAHO DEPARTMENT OF WATER RESOURCES.

YOU WILL PLEASE TAKE NOTICE that the Applicant, Rinker Co. and/or Harry S. Rinker, by and through his attorney of record, Gary D. Slette of Rosholt, Robertson & Tucker, served APPLICANT'S INTERROGATORIES TO PROTESTANT GREENHORN OWNERS ASSOCIATION, INC., on the Protestant, Greenhorn Owners Association, Inc., on the 24th day of June, 1996, by hand depositing the same in the United States mail, postage prepaid, in an envelope, addressed to James P. Speck, its attorney of record.

DATED this 24th day of June, 1996.

ROSHOLT, ROBERTSON & TUCKER

By _____
Gary D. Slette

MICROFILMED
JUL 09 1997

CERTIFICATE OF SERVICE

The undersigned certifies that on the 24 day of June, 1996, he caused a true and correct copy of the foregoing NOTICE OF SERVICE OF DISCOVERY, to be served upon the following persons in the following manner:

James P. Speck	[ ]	Hand Deliver
Hogue, Speck & Aanestad	[✓]	U.S. Mail
P.O. Box 987	[ ]	Overnight Courier
Ketchum, ID 83340	[ ]	Facsimile Transmission



Gary D. Slette

MICROFILMED
JUN 03 1997

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER NOS. 4823, 4824,4825, 4826 AND 4827	)	NOTICE OF PRE-HEARING CONFERENCE
RINKER CO. &/or HARRY S. RINKER, Applicant	)	SOURCE: groundwater
CINDY & GREG MANN, GREENHORN OWNERS ASSOC., Protestants	)	COUNTY: Blaine

On April 1, 1996 Rinker Co., &/or Harry S. Rinker, applicant, filed with the Department of Water Resources five (5) applications to transfer the public waters of the State of Idaho. The Department has received protests against the approval of said applications from the above captioned protestants.

The Department has set the matter of protest for conference on Wednesday, July 3, 1996 at 1:00 p.m. in the Mini-Court Room, Blaine County Judicial Bldg., 206 First Avenue So.; Hailey, ID.

The purpose of the conference is to formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

The conference will be held in accordance with Chapter 2, Title 42, of the Idaho Code and the adopted Rules of Practice and Procedure of the Department of Water Resources.

The conference will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the department within (10) days prior to the conference.

Dated this 17th day of June, 1996.

Allen D. Merritt, P.E.
Regional Manager

MICROFILMED
JAN 0 9 1997

CERTIFICATE OF MAILING

I hereby certify that on the 17TH day of June, 1996, a true and correct copy of the foregoing Notice of Pre-Hearing Conference was forwarded with all required charges prepared, by the method(s) indicated below, to the parties listed:

Mary Baldwin
Secretary

GARY D SLETTE ESQ ROSHOLT ROBERTSON & TUCKER PO BOX 1906 TWIN FALLS ID 83303-1906	Hand delivered U.S. Mail-Regular U.S. Mail-Certified Fax	____ __x__ ____ ____
ATTN MICHELLE Michele Meske JAMES P SPECK ESQ HOGUE SPECK & AANESTAD PO BOX 987 KETCHUM ID 83340	Hand delivered U.S. Mail-Regular U.S. Mail-Certified Fax	____ __x__ ____ ____
CINDY & GREG MANN PO BOX 269 BELLEVUE ID 83313	Hand delivered U.S. Mail-Regular U.S. Mail-Certified Fax	____ __x__ ____ ____

MICROFILMED
JUN 0 5 1997

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR TRANSFER ISSUES

Section 42-222, Idaho Code, identifies the following potential issues that the department can consider in connection with an application for transfer:

1. Will the proposed transfer injure other water rights?

2. Will the proposed transfer constitute an enlargement in the use of the original right?

3. Is the proposed transfer in the local public interest, where local public interest is defined as the affairs of the people in the area directly affected by the proposed use?

4. Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, and 4 above and must provide evidence for the department to evaluate these criteria. The initial burden of proof on issue 3 above lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a pre-hearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement or make settlement offers, schedule hearings, establish procedure at hearing and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement. The department may issue a "pre-conference statement order" which requires response to the inquiries.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape. The hearing likely will be conducted by a hearing officer appointed by the Director rather than by the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director. Parties may by written stipulation waive the right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer. As part of the conference a date may be set by which exchange of exhibits and witness lists must occur.

EFFECT OF FAILURE TO APPEAR AT A CONFERENCE OR HEARING

Failure to appear at the time and place set for a conference or hearing by the applicant or protestant(s) may allow the department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing party.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within (10) days prior to the hearing.

List of parties, Rinker Transfers 4823-4827

Legal counsel for applicant, Rinker Co., &/or Harry S. Rinker:

GARY D SLETTE ESQ
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

Legal counsel for Greenhorn Owners Association, Inc. protesting T# 4825 & ~~4826~~ only

ATTN MICHELLE Michele Meske
JAMES P SPECK ESQ
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

Protestants to all five (5) transfer apps:

CINDY & GREG MANN
PO BOX 269
BELLEVUE ID 83313

Representative who filed transfers:

CHARLES E BROCKWAY, PE
706 SUNRISE BLVD
TWIN FALLS ID 83301

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

June 17, 1996

DON RAST BAILIFF
BLAINE CO JUDICIAL BLDG
PO BOX 1006
HAILEY ID 83333

Dear Mr. Rast:

This is a follow-up to our telephone conversation on this date to confirm the reservation of the Mini-Court Room for a meeting to be held by this office on Wednesday-July 3, 1996, from 1:00 p.m.- 5:00 p.m.

If you have any questions please feel free to contact me or Allen Merritt, Southern Regional Office Manager.

Thank you very much for your assistance in this matter.

Very truly yours,

Mary Baldwin
Senior Secretary

T035820

RECEIVED

JUN 17 1996

Department of Water Resources
Southern Region

6/13/1996

JIM SPECKS OFFICE

TWO PROTEST FEES	64103	229 21 1155	50.00
		$	50.00

Region: TEST

Signature: _____

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 10, 1996

GARY D SLETTE
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

RECEIVED
JUN 13 1996
Department of Water Resources
Southern Region

RE: Transfer Nos. 4823, 4824, 4825, 4826, and 4827 (Harry S. Rinker)

Dear Mr. Slette:

I have enclosed an Order Authorizing Discovery issued June 10, 1996, in the matter of Applications for Transfer Nos. 4823, 4824, 4825, 4826, and 4827 in the name of Harry S. Rinker and/or Rinker Co.

If you have any questions, please contact me at 208-327-7946.

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

SWK

c: Glen Saxton
Southern Region

RECEIVED
JAN 0 3 1997

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

RECEIVED
JUN 13 1996
Department of Water Resources
Southern Region

IN THE MATTER OF APPLICATION FOR TRANSFER NOS. 4823, 4824, 4825 4826 AND 4827 IN THE NAME OF RINKER CO. AND/OR HARRY S. RINKER

ORDER AUTHORIZING DISCOVERY

On June 6, 1996, Rinker Co. and/or Harry S. Rinker (applicant), by and through attorney Gary D. Slette, requested the department to issue an order Authorizing Discovery pursuant to IDAPA Rules 37.01.01521 through 37.01.01531 (Rules of Procedure 521 through Rule 531).

The Director of the department of Water Resources (Director) hereby authorizes the parties to engage in discovery commencing with the date of this order. The parties shall complete discovery five days prior to the date of any hearing set on the applications in this matter. Discovery shall be conducted pursuant to IDAPA 37.01.01520-532 (Rules of Procedure 520 through 532). The parties are directed to answer or otherwise respond to discovery in accordance with the department's Rules of Procedure and the Idaho Rules of Civil Procedure, as appropriate.

In accordance with Rule 520, the scope of discovery shall be governed by Rule 26(b) of the Idaho Rules of Civil Procedure, unless otherwise provided by statute, rule or order of the Director.

DATED this 10th day of June, 1996.

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

JUL 03 1997

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

June 11, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

CINDY & GREG MANN
PO BOX 269
BELLEVUE ID 83313

RE: APPLICATION FOR TRANSFER NOS. 4823, 4824, 4825, 4826 and 4827 (Rinker Co.)

Dear Protestants:

This office acknowledges receipt of your protest against the approval of the above referenced applications.

Correspondence in our file indicates that you have been contacted by legal counsel representing the applicant for the above referenced application in an attempt to resolve the matter.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB
Enclosure(s)

MICROFILMED
JAN 0 3 1997

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

June 11, 1996

JAMES P SPECK ESQ
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: APPLICATION FOR TRANSFER NOS. 4825 & 4826 (Rinker Co.)

Dear Mr. Speck:

This office acknowledges receipt of the protest on behalf of the Greenhorn Owners Association, Inc. against the approval of the above referenced applications.

Correspondence in our file indicates that you have been contacted by legal counsel representing the applicant for the above referenced application in an attempt to resolve the matter.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB
Enclosure(s)

MICROFILMED
JAN 0 8 1997

6/7/06

T.F. Glen Sexton —

- He will send out order governing discovery.
- Will not set hearing until Pre hearing conf.

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

June 6, 1996

RECEIVED
JUN 07 1996
Department of Water Resources
Southern Region

Idaho Department of Water Resources
ATTN: Allen D. Merritt
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: Transfer Nos. 4823, 4824, 4825, 4826 and 4827 ("Rinker")

Dear Allen:

I have received a copy of the protest filed with regard to each of the above-numbered transfers on behalf of Cindy and Greg Mann, as well as the protest of Jim Speck filed on behalf of the Greenhorn Owners Association, Inc., with regard to Transfers Nos. 4825 and 4826. I believe that Jim was unaware of an approved extension of time with regard to the water right that is the subject of Transfer No. 4826, so it is quite possible that he may be withdrawing that protest. Beyond that, Chuck Brockway, Mr. Rinker's engineering consultant, will be discussing relevant issues with Terry Scanlan, the consultant for the Greenhorn Owners Association, Inc., and we may be able to reach a resolution concerning their concerns on that transfer as well.

With regard to the Manns' protest, and the Speck protest, if unresolved, Mr. Rinker hereby requests the setting of a hearing in this matter. In addition, I would like to conduct discovery in accordance with IDAPA 37.01.01.520. As a result, I am enclosing with this letter my Motion to Compel Discovery. I would appreciate your earliest attention to this matter, and would request an order allowing discovery to proceed consistent with section 521 of IDAPA 37.01.01.

If you have any questions or comments, please contact me.

Yours truly,

GARY D. SLETTE

cc: Harry Rinker
Chuck Brockway
James P. Speck
Cindy and Greg Mann

06069602.GDS/jc

Gary D. Slette
ROSHOLT, ROBERTSON & TUCKER
P.O. Box 1906
Twin Falls, Idaho 83303-1906
Telephone: (208) 734-0700
06069603.GDS/jc

RECEIVED
JUN 07 1996
Department of Water Resources
Southern Region

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

In re:	)	
Transfer Nos. 4823, 4824, 4825,	)	MOTION TO COMPEL
4826 and 4827	)	DISCOVERY
Applicant: Rinker Co. and/or	)	
Harry S. Rinker	)	

COMES NOW the Applicant, by and through his attorney of record, and moves the Idaho Department of Water Resources to issue its order compelling discovery with regard to the above-captioned transfers. Applicant desires to conduct depositions as well as serving written interrogatories, requests for admission and requests for production of documents.

DATED this 6 day of June, 1996.

ROSHOLT, ROBERTSON & TUCKER

By _____
Gary D. Slette

CERTIFICATE OF SERVICE

The undersigned certifies that on the 6 day of June, 1996, he caused a true and correct copy of the foregoing MOTION TO COMPEL DISCOVERY, to be served upon the following persons in the following manner:

James P. Speck	[ ]	Hand Deliver
Hogue, Speck & Aanestad	[✓]	U.S. Mail
P.O. Box 987	[ ]	Overnight Courier
Ketchum, ID 83340	[ ]	Facsimile Transmission
Greg and Cindy Mann	[ ]	Hand Deliver
P.O. Box 269	[✓]	U.S. Mail
Bellevue, ID 83313	[ ]	Overnight Courier
	[ ]	Facsimile Transmission

Gary D. Slette

May 31, 1996

RECEIVED
JUN 03 1996
Department of Water Resources
Southern Region

Idaho Department of Water Resources
Southern Region
222 Shoshone St. East
Twin Falls, ID 83301

To Whom it may Concern:

I would like to protest against approval of the Water Right Transfers as advertised in the legal edition of the Wood River Journal on Wednesday May 15, 1996, numbered Transfer 4823, 4824, 4825, 4826, and 4827. The applicant is Rinker Co. &/or Harry S. Rinker.

I have enclosed a copy of my April 27, 1996 letter to the Blaine County Planning and Zoning Administrator, which outlines the areas of my concern. I am now acting as a private citizen rather than as a County Commissioner. My husband and I depend on agriculture as a major means of support and our water rights and use of water in our watershed are of obvious importance to us.

I have no objection to the applicant's past or present use of his property. I simply feel that his water right and use should not expand as a result of the subdivision process. If approved without mitigation, this application will set a precedent for continued expansion of water rights beyond that currently existing in our valley.

I have researched the Transfers and the uses being applied for and would like to have the opportunity to share some of my findings with IDWR. Please let me know when a conference is scheduled.

Sincerely,

Cindy and Greg Mann

Enclosure

cc: Mr. Harry Rinker

P.O. Box 269
Bellevue, ID 83313
208 788-4951

MICROFILMED

Receipt # 5019194
6/3/96
mB

April 27, 1996

Linda Haavik
Blaine County Planning and Zoning
P.O. Box 149
Hailey, ID 83333

RE: Golden Eagle Ranch Subdivision

Dear Linda:

The time ran short as always during the review of the Golden Eagle Ranch Subdivision last Thursday Night, April 25. Although we did cover many of the issues of concern in that meeting, there remains, at least one that needs more attention. The purpose for this letter is to let everyone involved, have proper preparation time before what we hope is the final meeting for preliminary review of the GER Sub. before the Blaine County Planning and Zoning Commission.

The remaining issue of concern is WATER. I've tallied up all of the public comment we have received since the beginning of the meetings on GER. Of those comments, 74% were concerned about the use of water on the premises. Several of the responses went so far as to express doubt as to why we only have one professional opinion about water quality and quantity, and that opinion is being supplied and paid for by the applicant.

We have addressed water issues in the three previous meetings. Two days before last Thursday's meeting, the applicant supplied two copies of their Transfer of Use Application to IDWR that I had requested at the previous meeting. I have been able to briefly review the application and have developed a few new questions.

In my opinion, one question stands above all others on this issue. That question is:

> "When a private property owner who owns consumptive water rights as well as just land, wants to subdivide their property for Residential Use, do they automatically get to use not only the deeded water right for the entire property, but additional water rights based on Domestic use?

This applicant is making that assumption. They are claiming the existing irrigation water for the subdivision on the south side of Greenhorn Road, and they have been approved by IDWR for a domestic use of an additional 22 acres of water. They have made a slight concession of 8 acres of water to compensate for the

evaporative loss from the ponds which has been subtracted from their 115 acres of original water right. The essential point remains that they began with 115 acres of water use and are assuming that IDWR will approve a Transfer of Use which will net them 129 acres of water use.

Original right	115
Evaporative loss	- 8
Net right	107
Domestic Use Approved	+22
New net right	**129**

The new points of use described in the application for Transfer to IDWR of the 129 acres of water use breakdown as follows:

Domestic Use Approved	22
Irrigation Well	68.8
Total water on Subdivision	90.8
Remaining water on North	38.2
Total acres irrigated	**129**

Dr. Brockway argues continuously that the plants can only use a certain amount of water and that the remainder will return to the aquifer. He also states that the combined use of this proposal will not add to the amount of water being pumped from the aquifer, and that the subdivision will actually use slightly less water that the alfalfa field. I have trouble understanding why, if less water is going to be used, the applicant would even want to apply for an increased amount. Wouldn't it make more sense to take the original 115 acres of water use, less the 22 acres for Domestic use, and operate on the remaining 93 acres of water use? Water rights are a commodity. Whether or not this land will actually consume all of the water the applicant is asking for, is not really the question. The fact is, if the applicant is granted the use of this much water, it becomes his property, to move around and/or sell, governed only by IDWR.

The Department of Water Resources seems to be the only State Agency that the Blaine County Planning and Zoning Department has not been able to solicit response from during our agency review process before hearing. I propose the P and Z Commission participate in the Transfer of Use Application, currently before the IDWR. We are certainly not threatening their jurisdiction, but rather participating in the planning process for the remaining water in our small valley.

In the application to IDWR, the applicant is also asking to divert portions of his surface water from a pumping station in the Big Wood River rather than the water being delivered down the Comstock ditch as it was historically. When water is delivered via ditch, there is always a seepage loss along the way. The applicant may argue that leaving the water in the river and removing it further down by direct pumping is beneficial in that loss being avoided. What about the area along that ditch that benefited from that seepage loss? What about any loss in the river itself between the bridge at Dean Tire and the bridge at Greenhorn? IDWR needs to look closely at all of these factors, as a straight across trade of water rights may not be equitable to the other water users in the valley. The applicant is also asking to dry up acreage along the highway north of his Timberview Terrace property, and apply that water *to* his Timberview Terrace Property. I ask, *what acreage that has been watered in the last five years is being dried up,* in order to make this equitable exchange? Serious consideration should be given to the Applicant relinquishing a percentage of his water rights as mitigating factors in the various transfers he proposes.

Our Comprehensive Plan guides us, as does our common sense, to scrutinize changes that could set destructive precedents for the remaining developable land in the County.

Please distribute this letter as you see appropriate. See you on Monday Night, May 6.

Sincerely,

Cindy Mann
Blaine County Planning and Zoning Commissioner

RECEIVED
MAY 0 1 2007

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
MICHELE C. MESKE

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

June 2, 1996

VIA FACSIMILE - 1-208-736-3037
ORIGINAL TO FOLLOW BY MAIL

RECEIVED
JUN 04 1996
Department of Water Resources
Southern Region

Mr. Alan Merritt
Idaho Department of Water Resources
222 Shoshone East
Twin Falls ID 83301

RE: Golden Eagle Ranch - Applications for Transfer Nos. 4825 and 4826

Dear Allen:

I represent the Greenhorn Owners Association, Inc. (The "Association"), the non-profit corporation whose members are the owners of lots within the Greenhorn Subdivision located to the west of the proposed Golden Eagle Subdivision under development by Rinker Company and/or Harry Rinker, trustee (collectively, "Rinker"). Rinker has filed applications to transfer Water Rights Nos. 37-02632 (No. 4825) and 37-00577BS (No. 4826). Please consider this letter a formal protest to these applications on the following grounds:

1. Transfer No. 4825 will injure other water rights, constitutes an enlargement in use of the original right, is not consistent with the conservation of water resources within Idaho and is not in the local public interest.

2. Transfer No. 4826 will injure other water rights and constitutes an enlargement in use of the original right.

~~Enclosed is~~ my firm's check payable to IDWR in the amount of $50.00 to cover the fee for the protests. Thank you.
↳ has been deposited directly to your account. The receipt is enclosed.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.

James P. Speck

JPS/jps
cc: Client
Terry Scanlan
Rinker Company

F:\WPDATA\JIM\LETTERS\MERRITT.001

MICROFILMED

Receipt # T035820
D. Allen, State office
6/13/96

First Security Bank®

First Security Bank of Idaho

Receipt

Currently Giving 110%

Thank you for your business.

The date, time, number, type, and amount of your transaction are shown below.

06/03/96 13:46:53 029 2307 0362
DDA DEPOSIT 50.00
RT# ACT 0030803019
ACCEPTED

Member F.D.I.C.

ID-42A Idaho R 12/93

25919

HOGUE, SPECK & AANESTAD
ATTORNEYS AT LAW
P.O. BOX 857, KETCHUM, IDAHO 83340
208/726-4421

FIRST SECURITY BANK OF IDAHO
KETCHUM, IDAHO 83340
92-6-1241

PAY *** Fifty ***

TO THE ORDER OF

IDWR

DATE 6/3/96

and 00/100** Dollars
AMOUNT
$50.00

HOGUE, SPECK & AANESTAD

Protest Fees

⑈025919⑈ ⑆124100064⑆029 00838 15⑈

Security features included. Details on back.

HOGUE, SPECK & AANESTAD

25919

Date: 6/3/96

Amount: $50.00

Paid To: IDWR

Explanation: Protest Fees

First Security Bank. First Security Bank of Idaho, N.A.

Date June 3 1996

Checking Deposit

For Deposit to the Account of
Name Idaho Dept. of Water
Address Twin Falls, Idaho Resources
Acknowledgment of
Cash Received
Signature

ID-6 R 8/95 7Y

All items are received by the bank for purposes of collection and are subject to the Uniform Commercial Code. All credits for items are provisional until collected.

Cash				
Checks 92-6	50	•	00	
Total from Other Side				
From Savings				
Total	50	•	00	
Less Cash Received				

* 003080301 9 $ 50.00

⑆5757⑈5757⑆

From: DWR60::MBALDWIN 3-JUN-1996 16:49:15.74
To: MBALDWIN,DWR01::DALLEN
CC:
Subj: direct deposit

On this date Jim Speck's office made a direct deposit of $50.00 to our account to pay for two protest fees. They made the deposit at the First Security Bank in Ketchum. Will you need to make a receipt on the system??? Their ck# is 25919. They are protesting Transfer Nos. 4825 & 4826 (Rinker Co.). Thx!

25919

HOGUE SPECK & AANESTAD
ATTORNEYS AT LAW
P.O. BOX 987, KETCHUM, IDAHO 83340
208/726-4421

FIRST SECURITY BANK OF IDAHO
KETCHUM, IDAHO 83340
92-6-1241

PAY *** Fifty ***
TO THE ORDER OF

DATE 6/3/96

and 00/100 Dollars
AMOUNT
$50.00

IDWR

HOGUE, SPECK & AANESTAD

Protest Fees

"025919" :124100064:029 00838 15"

Security features included. Details on back.

RECEIVED

HOGUE, SPECK & AANESTAD

25919

Date: 6/3/96

Amount: $50.00

Paid To: IDWR

Explanation: Protest Fees

First Security Bank

Department of Water Resources
Southern Region
First Security Bank of Idaho

Receipt

Currently Giving 110%

Thank you for your business.

The date, time, number, type, and amount of your transaction are shown below.

06/03/96 13:48:53 029 2307 0562
IDA DEPOSIT 50.00
ACT 0030803019
ACCEPTED

ID-42A Idah

Member F.D.I.C

First Security Bank

First Security Bank of Idaho, N.A.

Date June 3 1996

Checking Deposit

For Deposit to the Account of
Name Idaho Dept. of Water
Address Twin Falls, Idaho Resources
Acknowledgment of
Cash Received

Signature

ID-6 R 8/95 TY

All items are received by the bank for purposes of collection and are subject to the Uniform Commercial Code. All credits for items are provisional until collected.

Cash	
Checks 92-6	50.00
Total from Other Side	
From Savings	
Total	50.00
Less Cash Received	

* 0030803019 $ MICROFILMED 50.00

:5757=5757:

Verified 6/3/96
MB

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
MICHELE C. MESKE

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

June 2, 1996

RECEIVED
JUN 03 1996
Department of Water Resources
Southern Region

VIA FACSIMILE - 1-208-736-3037
ORIGINAL TO FOLLOW BY MAIL

Mr. Alan Merritt
Idaho Department of Water Resources
222 Shoshone East
Twin Falls ID 83301

RE: Golden Eagle Ranch - Applications for Transfer Nos. 4825 and 4826

Dear Allen:

I represent the Greenhorn Owners Association, Inc. (The "Association"), the non-profit corporation whose members are the owners of lots within the Greenhorn Subdivision located to the west of the proposed Golden Eagle Subdivision under development by Rinker Company and/or Harry Rinker, trustee (collectively, "Rinker"). Rinker has filed applications to transfer Water Rights Nos. 37-02632 (No. 4825) and 37-00577BS (No. 4826). Please consider this letter a formal protest to these applications on the following grounds:

1. Transfer No. 4825 will injure other water rights, constitutes an enlargement in use of the original right, is not consistent with the conservation of water resources within Idaho and is not in the local public interest.

2. Transfer No. 4826 will injure other water rights and constitutes an enlargement in use of the original right.

~~Enclosed is~~ my firm's check payable to IDWR in the amount of $50.00 to cover the fee for the protests. Thank you.

↳ has been deposited directly to your account. The receipt is enclosed.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.

James P. Speck

JPS/jps
cc: Client
Terry Scanlan
Rinker Company

F:\WPDATA\JPS\LETTERS\MERRITT.001

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
MICHELE C. MESKE

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

☐ FAX Cover Sheet ☐ FAX Message

FAX No. (208) 736-3037

To: Mr. Alan Merritt
IDWR

Date: 6/3/96 Time 3:00 P.M.
From: Jacki R. Strope
Dept: Secretary to James P. Speck
☐ Reply to above (FAX No .....)
If prompt response is requested check:
by ☐ FAX ☐ Phone (Ext .....)

3 pages faxed *including this sheet*

Re: Golden Eagle Ranch App for Transfer Nos. 4825 & 4826

Message:

Enclosed is a revised copy of the facsimile letter previously transmitted to you in the above-captioned matter.

I have also enclosed a copy of the check, deposit slip, and receipt verifying that our $50.00 protest fee was deposited to your account today.

The original letter and receipt will be mailed to you today. Please give me a call as soon as possible if there are any problems.

Thank you for your assistance

Jacki R. Strope

The information contained in this fax is confidential information intended only for the use of the recipient named above and may be subject of attorney/client privilege. If the reader of this message is not the named recipient, you are hereby notified that any distribution, dissemination, copying or other use of this communication is strictly prohibited and no privilege is waived. If you have received this message in error, please immediately notify us by telephone.

Thank you.

105

RECEIVED
JUN 03 1996

AFFIDAVIT of PUBLICATION

RECEIVED

MAY 29 1996

Department of Water Resources
Southern Region

State of Idaho, } ss.
County of Blaine

On this 22 day of May, in the year 1996, before me a Notary Public of said State, personally appeared DANIEL J. GORHAM, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 15 day of May, 1996, and the date of the last publication was on the 22 day of May, 1996.

Daniel J. Gorham

Subscribed and sworn to before me this 22nd day of May, 19 96.
(SEAL)

Roberta McEachen
NOTARY PUBLIC

#10078

WOOD RIVER JOURNAL
Hailey, Idaho

OK MB 5/29/96

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 123,067
Number of Insertions 2

	Lines tabular at	6¢ / Pica
123,067	Lines straight at 70,763	5¢ / Pica
123,067	Subsequent lines at 56,611	4¢ / Pica

TOTAL COST +5 $132.37

xfers: 4823 - 4827

COPY OF NOTICE
(Paste Here)

Prop. Change
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Resources, So. Reg.
BILL TO

Proposed change of water rights

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS A Notice is hereby given that BINKER COMPANY A/OR HARRY S. BINKER, TRUSTEE-PO BOX 7250, NEWPORT BEACH CA 92658-7250 has filed five (5) transfers pursuant to Section 42-222 of IDAHO CODE. These transfers are in connection with the development of the Golden Eagle Ranch Subdivision.

The purpose of TRANSFER NO. 4823, is to change the point of diversion and place of use. Water Right No. 37-00877BR (0.36 cfs) with a priority date of 3/24/1983 will be diverted via pump and pipeline from the Big Wood River within NE1/4NE1/4, S18, T3N, R18E; Blaine County for irrigation of 24.0 acres within S1/2, S7, T3N, R18E.

The purpose of TRANSFER NO. 4824, is to change the point of diversion. Water Right No. 37-00364G (0.34 cfs) with a priority date of 5/1/1957 will be diverted as listed above for irrigation of 16 acres within SW1/4SE1/4, S7, T3N, R18E.

The purpose of TRANSFER NO. 4825, is to add points of diversion, change place of use, nature and period of use. Water Right No. 37-02633 with a priority date of 3/29/1960 will be diverted from an existing well within SW1/4NE1/4 with two (2) new wells within NE1/4SE1/4, NW1/4SE1/4, all S18, T3N, R18E; Blaine County.

A total of 186 acres will be irrigated within S18, T3N, R18E with aesthetic ponds located within E1/2, S18, T3N, R18E.

Amount	Use
2.12 cfs	irrigation
2.30 cfs	diversion to storage
142 afa	

aesthetic, recreation, fire storage
0.16 cfs aesthetics (4/15-10/15)
0.06 cfs aesthetics (10/15-4/15)

A total of 2.30 cfs of water is being transferred.

The purpose of TRANSFER NO. 4826, is to change the point of diversion and place use. Water Right No. 37-00877BR (0.08 cfs) with a priority date of 3/24/1983 will be diverted via pump and pipeline from the Big Wood River within NE1/4NE1/4, S18, T3N, R18E; Blaine County for irrigation of 4.4 acres within NE1/4SW1/4, S7, T3N, R18E.

The purpose of TRANSFER NO. 4827, is to change the point of diversion, place of use, nature and period of use. Water Right No. 37-00854C with a priority date of 12/13/1957 will be diverted from the Big Wood River via pump and pipeline within NE1/4NE1/4, S18, T3N, R18E; and within SE1/4NW1/4, S33, T3N, R18E as a re-direct of Pardum Slough into Riverview Trinity Blaine County. Irrigation (3.33 cfs) of 166.7 acres within Golden Eagle Subdivision will be within Sections 7 and 18, T3N, R18E. Recreational and aesthetic use (6.81 cfs) will be within SE1/4NW1/4, S33, T3N, R18E using water from Pardum Slough.

A protest against approval of any particular transfer must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of $25.00 on or before June 3, 1996. (Each transfer requires a separate protest). The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director

Published in the Wood River Journal on 5/15 & 5/22/96.

MICROFILMED
MAY 0 3 1997

RECEIVED
MAY 17 1996
Department of Water Resources
Southern Region

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 4825

RECOMMENDATION OF WATERMASTER

I, Lee R. Peterson, watermaster of Big Wood River, of Water District No. 37, County of Blaine, State of Idaho, whose address is P O Box T, Shoshone, Idaho 83352 have read the attached copy of the application for transfer of water right for Rinker Co, Harry S Rinker Trustee (name) and to the best of my knowledge believe the application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend that the Director of the Department of Water Resources approve the transfer subject to the following conditions: The new point of diversion be installed with a control gate, and measuring device such as a Micrometer meter. Also a road right of way for the Watermaster and or Deputy.

OR

B. I do not endorse approval of the above numbered Application for Transfer as requested for the following reasons: _____

Dated at Shoshone, Idaho, this 15 day of May 19 96.

Lee R. Peterson
(signature)

Please use reverse side if needed.

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that RINKER COMPANY &/OR HARRY S. RINKER, TRUSTEE-PO BOX 7250; NEWPORT BEACH CA 92658-7250 has filed five (5) transfers pursuant to Section 42-222 of IDAHO CODE. These transfers are in connection with the development of the Golden Eagle Ranch Subdivision.

The purpose of TRANSFER NO. 4823, is to change the point of diversion and place of use. Water Right No. 37-00577BR (0.36 cfs) with a priority date of 3/24/1883 will be diverted via pump and pipeline from the Big Wood River within NE1/4NE1/4, S18, T3N, R18E; Blaine County for irrigation of 24.0 acres within S1/2, S7, T3N, R18E.

The purpose of TRANSFER NO. 4824, is to change the point of diversion. Water Right No. 37-00364G (0.24 cfs) with a priority date of 5/1/1887 will be diverted as listed above for irrigation of 16 acres within SW1/4SE1/4, S7, T3N, R18E.

The purpose of TRANSFER NO. 4825, is to add points of diversion, change place of use, nature and period of use. Water Right No. 37-02632 with a priority date of 3/29/1960 will be diverted from an existing well within SW1/4NE1/4 with two (2) new wells within NE1/4SE1/4, NW1/4SE1/4, all S18, T3N, R18E; Blaine County.

A total of 106 acres will be irrigated within S18, T3N, R18E with aesthetic ponds located within E1/2, S18, T3N, R18E.

Amount	Use
2.12 cfs	irrigation
2.30 cfs	diversion to storage
142 afa	aesthetic, recreation, fire storage
0.16 cfs	aesthetics (4/15-10/15)
0.06 cfs	aesthetics (10/15-4/15)

A total of 2.30 cfs of water is being transferred.

The purpose of TRANSFER NO. 4826, is to change the point of diversion and place use. Water Right No. 37-00577BS (0.08 cfs) with a priority date of 3/24/1883 will be diverted via pump and pipeline from the Big Wood River within NE1/4NE1/4, S18, T3N, R18E; Blaine County for irrigation of 4.4 acres within SE1/4SW1/4, S7, T3N, R18E.

The purpose of TRANSFER NO. 4827, is to change the point of diversion, place of use, nature and period of use. Water Right No. 37-00154C with a priority date of 12/13/1887 will be diverted from the Big Wood River via pump and pipeline within NE1/4NE1/4, S18, T3N, R18E; and within SE1/4NW1/4, S32, T3N, R18E as a re-direct of Purdum Slough into Riverview Ditch; Blaine County. Irrigation (3.33 cfs) of 166.7 acres within Golden Eagle Subdivision will be within Sections 7 and 18, T3N, R18E. Recreational and aesthetic use (6.01 cfs) will be within SE1/4NW1/4, S32, T3N, R18E using water from Purdum Slough.

A protest against approval of any particular transfer must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of $25.00 on or before June 3, 1996. (Each transfer requires a separate protest). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Wood River Journal on 5/15 & 5/22/96.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

May 8, 1996

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MICROFILMED
JAN 0 9 1997

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that RINKER COMPANY &/OR HARRY S. RINKER, TRUSTEE-PO BOX 7250; NEWPORT BEACH CA 92658-7250 has filed five (5) transfers pursuant to Section 42-222 of IDAHO CODE. These transfers are in connection with the development of the Golden Eagle Ranch Subdivision.

The purpose of **TRANSFER NO. 4823,** is to change the point of diversion and place of use. Water Right No. 37-00577BR (0.36 cfs) with a priority date of 3/24/1883 will be diverted via pump and pipeline from the Big Wood River within NE1/4NE1/4, S18, T3N, R18E; Blaine County for irrigation of 24.0 acres within S1/2, S7, T3N, R18E.

The purpose of **TRANSFER NO. 4824,** is to change the point of diversion. Water Right No. 37-00364G (0.24 cfs) with a priority date of 5/1/1887 will be diverted as listed above for irrigation of 16 acres within SW1/4SE1/4, S7, T3N, R18E.

The purpose of **TRANSFER NO. 4825,** is to add points of diversion, change place of use, nature and period of use. Water Right No. 37-02632 with a priority date of 3/29/1960 will be diverted from an existing well within SW1/4NE1/4 with two (2) new wells within NE1/4SE1/4, NW1/4SE1/4, all S18, T3N, R18E; Blaine County.
A total of 106 acres will be irrigated within S18, T3N, R18E with aesthetic ponds located within E1/2, S18, T3N, R18E.

Amount	Use
2.12 cfs	irrigation
2.30 cfs	diversion to storage
142 afa	aesthetic, recreation, fire storage
0.16 cfs	aesthetics (04/15-10/15)
0.06 cfs	aesthetics (10/15-04/15)

A total of 2.30 cfs of water is being transferred.

The purpose of **TRANSFER NO. 4826,** is to change the point of diversion and place use. Water Right No. 37-00577BS (0.08 cfs) with a priority date of 3/24/1883 will be diverted via pump and pipeline from the Big Wood River within NE1/4NE1/4, S18, T3N, R18E; Blaine County for irrigation of 4.4 acres within SE1/4SW1/4, S7, T3N, R18E.

The purpose of **TRANSFER NO. 4827,** is to change the point of diversion, place of use, nature and period of use. Water Right No. 37-00154C with a priority date of 12/13/1887 will be diverted from the Big Wood River via pump and pipeline within NE1/4NE1/4, S18, T3N, R18E; and within SE1/4NW1/4, S32, T3N, R18E as a re-direct of Purdum Slough into Riverview Ditch; Blaine County. Irrigation (3.33 cfs) of 166.7 acres within Golden Eagle Subdivision will be within

JAN 0 3 1997

Sections 7 and 18, T3N, R18E. Recreational and aesthetic use (6.01 cfs) will be within SE1/4NW1/4, S32, T3N, R18E using water from Purdum Slough.

A protest against approval of any particular transfer must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of $25.00 on or before June 3, 1996. **(Each transfer requires a separate protest).** The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Wood River Journal on 5/15 & 5/22/96.

JAN C 9 1997

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

May 6, 1996

CHARLES G BROCKWAY EIT
706 SUNRISE BLVD NORTH
TWIN FALLS ID 83301

Re: Application for Transfers-Rinker Co.

Transfer No.	4823	37-00577BR
Transfer No.	4824	37-00364G
Transfer No.	4825	37-02632
Transfer No.	4826	37-00577BS
Transfer No.	4827	37-00154C

Dear Mr. Brockway:

The Department of Water Resources acknowledges receipt of the above referenced Applications for Transfer filed on behalf of Rinker Company.

This office has scheduled advertising the applications in The Wood River Journal for 5/15 and 5/22/96. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

Stat of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

May 6, 1996

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

Re: Five (5) Applications for Transfer of Water Rights-Rinker Co.

Dear Mr. Peterson:

Enclosed are copies of Applications for Transfer of a Water Right within your District, and Watermaster's Recommendation Forms.

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation forms and return them to this office.

Processing of an application can be completed in 20 days, therefore, your prompt response to this request will be appreciated.

If you have any questions about the applications, please contact this office or the applicant.

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

Enclosures

MEMORANDUM

TO: Rinker/Golden Eagle Ranch Transfer File (right 37-02632)

FROM: Corey Skinner

DATE: April 17, 1996

SUBJECT: Staff Review

The enclosed application for transfer, filed by Harry Rinker, is part of the planned water development for the proposed Golden Eagle Ranch subdivision project located at the bottom of Greenhorn Gulch in the Wood River Valley (Section 18, Township 03N, Range 18E). A brief summary of the proposed development would be as follows...

The site of the proposed Golden Eagle Development is currently two fields (one south and one north of Greenhorn Road) in sections 7 and 18 (T03N, R18E). These two fields have been irrigated with groundwater out of a well in Section 18 (south of Greenhorn Road) and surface water out of the Big Wood River. The planned water development for the Golden Eagle project involves an application for permit (37-08854, sent to the state office 04/03/96) and the transferring of these existing irrigation rights. This particular transfer application seeks to transfer water right 37-02632, claimed in the SRBA as A37-02632.

Water right 37-02632, was ~~created~~ changed by transfer #3250 (approved 06/24/86) and is appurtenant to 115 acres in Section 18. This particular transfer application seeks to add two diversion points (the same diversion points in application 37-08854), change the place of use, and change the nature and period of use. A detailed explanation of these proposed changes is discussed in the narrative submitted by Brockway Engineers along with the transfer application. It appears that no expansion will occur as a result of this transfer.

A field check and aerial photos already revealed that the current place of use for this right was ~~irrigated~~. Therefore, it was concluded that this is a valid water right that may be transferred.

An overlap review of the new proposed place of use created by this transfer application reveals the following overlapping water rights and SRBA claims...

37-00154C (SRBA claim A37-00154C) a portion of which is proposed to be transferred off, and to, various parts of this ground in an accompanying Golden Eagle transfer.

MICROFILMED
JUN 0 3 1997

T #4825

37-00153C (SRBA claim A37-00153A) which is water out of Greenhorn Creek. The ownership of the claim has not been changed to Mr. Rinker and C.G. Brockway said that Greenhorn Creek water is not involved with this system. I suspect that this water right is no longer used.

37-08268 an application that was protested and held up due to the moratorium.

SRBA claims A37-14257 and A37-14258 which are attempts at expansion of claim A37-02632.

Application for permit 37-08854 for the domestic component of the subdivision for 44 homes = 22 irrigation acres.

Pending transfer #4242 which is an attempt at transferring a questionable portion of the W.T. Riley right to a groundwater diversion.

Overall, this particular transfer application is pretty straight forward. If this transfer is approved, the appropriate approval and limiting conditions should be implemented to insure that no expansion takes place.

RECEIVED
JAN 05 1998

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

RECEIVED
APR 0 1 1996
Department of Water Resources
Southern Region

March 28, 1996

Mr. Allen Merritt
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Re: H. Rinker water right transfers - Golden Eagle Ranch

Dear Allen:

Enclosed are the revised transfer applications for Mr. Rinker. As we discussed in our last meeting, the groundwater transfer has been changed to reflect both irrigation season and non-irrigation season pond evaporation. In addition, the two new wells were added as points of diversion to allow small amounts of water to be diverted for evaporation in the winter if necessary without running the main irrigation pump.

This should be the final iteration for these applications. Please call if you have any additional questions or concerns.

Sincerely,

Charles G. Brockway

enclosures

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D., E.I.T.

706 SUNRISE BOULEVARD NORTH

TWIN FALLS, IDAHO 83301

208•733•0938
208•734•2580

FAX: 736•1746

MICROFILMED
JAN 0 9 1997

RECEIVED
APR 0 1 1996
Department of Water Resources
Southern Region

WATER RIGHT TRANSFER AND PERMIT APPLICATIONS FOR THE GOLDEN EAGLE RANCH SUBDIVISION

BLAINE COUNTY, IDAHO

Brockway Engineering, P.L.L.C.

March 28, 1996

Introduction

This narrative will serve as supplementary information for two transfers and one permit application in connection with the Golden Eagle Ranch subdivision being developed by Mr. Harry Rinker. The land is located north of Hailey, Idaho near Gimlet on the west side of Highway 75. It is bordered on the south and west by Greenhorn Creek, on the north and west by Comstock Ditch, on the east by the Big Wood River and Highway 75, and is bisected by Greenhorn Road running east to west. Specifically, the land is located in sections 7 and 18, T3N R18E, Boise Meridian. Mr. Rinker is developing the land south of Greenhorn Road into a subdivision. The purpose of the enclosed transfer and permit applications is to enable this development.

MICROFILMED
JAN 0 9 1997

The land has been continuously irrigated with groundwater from a well located south of Greenhorn Road. The applicable license for this irrigation is 37-02632 for 2.30 cfs and 115 acres. A floodwater irrigation right for the Big Wood River is applicable to the parcel north of Greenhorn Road (37-00154). The parcel south of the road will be developed into 44 residential lots averaging approximately two acres each, plus landscaping and other greenspace. Four lined ponds with a total surface area of 16.8 acres and a volume of approximately 142 acre-feet will be constructed. The ponds will be filled with water from the well currently existing under 37-02632. They will serve an aesthetic and recreational purpose, and irrigation of the lots and greenspaces will take place by pumping from the downstream pond. Irrigation can also be accomplished by pumping directly from the well. Domestic potable water for the subdivison will be supplied by two new wells within the subdivision. The transfers and permit will be discussed below.

Discussion of submittals

The permit application requests domestic water for 44 residential lots being served by two wells. The amount of water on the permit for domestic uses (0.31 cfs) was found from IDWR guidelines for multiple domestic units. The permit also requests, as per I.C. Sec. 42-111, that 0.5 acres of irrigation associated with the domestic use be allowed for each lot, for a total of 22 acres of irrigation. This permit is therefore an alternative to drilling 44 individual wells for each lot. Irrigation of the 0.5 acre per lot under this permit would be accomplished via a common irrigation

RECEIVED
JAN 2 0 1997

system that supplies water to all irrigable areas within the subdivision. This system would be fed from the well currently under 37-02632. The two new wells would supply the domestic potable water in a separate system.

A transfer application is being submitted for 37-02632. This application requests the addition of uses to include recreation, aesthetics, storage, and fire protection, while maintaining the irrigation use. Also requested is a consumptive use portion to compensate for evaporation losses from the ponds. The ponds will be lined with 30 mil PVC liner to reduce seepage loss to about 0.01 ft/day. This loss is not included in consumptive use, since any seepage returns directly to the aquifer.

The net expected consumptive use from pond evaporation is estimated at 31.7 ac-ft per year. The maximum irrigation season diversion rate requirement is 0.16 cfs and the maximum non-irrigation season diversion requirement is 0.06 cfs (see the consumptive use discussion below). Therefore, at an allowable diversion of ~~4~~ 3.5 CEB ac-ft / acre, the number of acres irrigated under this right would be reduced by 31.7 / ~~4~~ 3.5 = ~~8.0~~ 9.0 CEB. acres to compensate for annual water lost. At 0.02 cfs / acre, the flow rate available for irrigation would be 2.30 - ~~8~~ 9.0(0.02) = 2.14 cfs. 2.12 CEB. The total irrigated area south of Greenhorn Road including lots and greenspaces is 90.8 acres (22 acres from the domestic permit and 68.8 acres from 37-02632). The remaining ~~38.2~~ 28.2 acres will continue to be irrigated north of Greenhorn Road -- this acreage is obtained by subtracting ~~8.0~~ 18 acres for net consumptive use compensation and the 68.8 acres of subdivision irrigation from the 115 acres on the license. During the non-irrigation season, any necessary diversion for pond evaporation compensation will be supplied

by the two new wells, both of which will have variable-speed pumps and are operational year-round. This will allow a small flow rate to be achieved efficiently without operating the constant-speed irrigation pump.

Transfer applications are being submitted for rights 37-00577BR, 37-00577BS, and 37-00364G. These are decreed surface water irrigation rights for the Big Wood River. They have recently been used to irrigate land north of Greenhorn Road by pumping from the Big Wood River. This pumping plant has been removed. A new pumping station is planned which will divert river water into the head of the pond system. The pond system would be used as a conveyance system, and water would be pumped from the last pond into a pressurized irrigation system for land north of Greenhorn Road. Toward this end, the transfer applications request a change of P/D and changes of P/U as necessary to clarify the actual irrigated area north of the road. For 37-00577BR, the P/U would be changed to include 15 acres in Timberview Subdivision, which Mr. Rinker owns. For 37-00577BS, the P/U would be moved from a parcel north of Timber Gulch Road, thereby leaving this parcel with no irrigation water. For 37-00364G, the P/U would remain the same; only the P/D would be changed.

A transfer application is being submitted for right 37-00154. This right is a decreed irrigation right from the Big Wood River via the Comstock Ditch with a priority date of 12/13/1887. This is a very large right, but because of the late priority the water is often unavailable; hence this right is essentially a flood water right. Even so, it is desired to make this right applicable to all of the irrigated area which will

normally be served by the well under 37-02632, so that if the well malfunctions and this right happens to be active, irrigation water will be available. Therefore, the application requests that the P/D be moved to the new Big Wood River pump station. The P/U would be changed to all irrigated area within the subdivision (90.8 acres) and all irrigated area north of the road (except for Timber Gulch) which is not served by the other river rights (75.9 acres), for a total of 166.7 acres. The other river rights all have priorities earlier than 37-00154, so if 37-00154 is active, the others will be active as well. Irrigation water would be transferred at a rate of 0.02 cfs/acre, even though the decree lists 9.34 cfs for 246 acre (0.038 cfs/acre). Thus, the 166.7 acres of irrigation require only 3.33 cfs. The remainder (6.01 cfs) would be converted to non-consumptive water and moved to Mr. Rinker's Riverview Ranch development near Hailey for use in lined ponds fed by the Purdum Slough. Thus, the application requests the addition of the Purdum Slough as a P/D and the Riverview Ranch ponds as a recreational and aesthetic P/U.

The transfer of the Comstock water would leave 9.34 cfs in the river from the Comstock diversion to the new Golden Eagle river pump station, and 6.01 cfs in the river from the pump station to the Purdum Slough diversion. Water which would no longer seep from the Comstock Ditch (estimated at 3.51 cfs) returns to the Big Wood River between the Golden Eagle Ranch and the Purdum Slough diversion. Therefore, no groundwater users would be injured by the transfer.

Consumptive use calculations

The consumptive use (CU) was evaluated for the Golden Eagle project. A comparison of the CU before and after the subdivision project was made. The procedure and data used for the analysis are given in Exhibit A. Computations for pond evaporation are given in Exhibit B. Evaporation is estimated at 43.2 ac-ft for the irrigation season and 11.2 ac-ft for the non-irrigation season, for a total of 54.4 ac-ft. ~~Average precipitation at the Hailey gauge is 16.2 inches per year. On 16.8 acres of ponds, this amounts to 22.7 ac-ft per year. Thus, the net consumptive use is 31.7 acre-feet annually.~~ In the transfer application for 32-02632, this water use is accounted for by eliminating the appropriate number of irrigated acres to ensure that the diversion volume will not increase.

CCB 7/31/96

The instantaneous diversion rate required to compensate for pond evaporation in the irrigation season is 7.26 miners inches or 0.145 cfs, rounded to 0.16 cfs to be consistent with one inch per acre for 8 acres. This evaporation is expected to occur in July. During the non-irrigation season, the maximum evaporation occurs in October, and is equal to 0.06 cfs. These amounts are specified on the transfer application for 37-02632. In Exhibit C, calculations are given to compare water use before and after the project. These calculations show that the project will not increase the depletion of the aquifer over the licensed irrigation.

EXHIBIT A

WATER REQUIRMENTS AND USE DATA

GOLDEN EAGLE RANCH SOUTH -- ASSUME NO RECIRCULATION OF POND WATER

ESTIMATED POND EVAPORATION AND SEEPAGE

C.E. BROCKWAY P.E 3-11-96

FOUR PONDS WITH INFLOW FROM IRRIGATION WELL

POND EVAPORATION DATA FROM J.L. WRIGHT AND MARVIN E. JENSEN 1975

1975 EVAPOTRANSPIRATION AND CLIMATIC DATA FOR THE SILVER CREEK-

CREEK TRIANGLE BLAINE COUNTY, IDAHO FEBRUARY 1976

LAKE OR POND EVAPORATION CALCULATED USING THE KOHLER-NORDENSON-FOX PROCEDURE

NUMBER OF LOTS= 44

MAX. IRRIG. DIV PER ACRE= 7 GPM USING SPRINKLERS IRRIG. EFFICIENCY= 90 PERCENT

DIVERSION FROM WELL 115 INCHES

RECIRCULATION 135 INCHES

OTHER DIVERSION 0 INCHES

TOTAL DIVERSION TO POND INFLOW= 250 INCHES OR 5.00 CFS

ALL DITCHES & PONDS HAVE 3 TO 1 SIDE SLOPES TOTAL POND AREA = 16.82 ACRES

ALL DITCHES AND PONDS LINED W/ MEMBRANE LINER OR CLAY LINER <<<

SEEPAGE RATES ESTIMATED FROM LOSS MEASUREMENTS AND SOILTYPES FOR EACH LAKE OR LINER TYPE

NUMBER OF PONDS = 4

	AVG EVAP AVG DAY MM	AVG EVAP AVG DAY IN	TOTAL MON. EVAP IN.	PRECIP HAILEY IN.	PROJECT AVG EVAP CFS	PROJECT AVG EVAP GPM	PROJECT AVG EVAP MIN.IN	EVAP-PRECIP IN/ DAY	PROJECT EVAP-PRECIP CFS	PROJECT EVAP-PRECIP GPM	PROJECT EVAP-PRECIP MIN. IN.
MO.											
JAN	0.56	0.022	0.68	2.67	0.016	7.04	0.78	0.00	0.000	0.00	0.00
FEB	0.91	0.036	1.00	1.83	0.025	11.44	1.27	0.00	0.000	0.00	0.00
MAR	1.43	0.056	1.75	1.22	0.040	17.98	2.00	0.02	0.012	5.41	0.60
APR	2.29	0.090	2.70	1.07	0.064	28.80	3.21	0.05	0.039	17.41	1.94
MAY	4.32	0.170	5.27	1.47	0.121	54.33	6.05	0.12	0.087	39.18	4.36
JUN	5.19	0.204	6.13	1.39	0.145	65.27	7.27	0.16	0.112	50.47	5.62
JUL	5.19	0.204	6.33	0.47	0.145	65.27	7.27	0.19	0.135	60.42	6.73
AUG	4.55	0.179	5.55	0.69	0.127	57.22	6.37	0.16	0.112	50.11	5.58
SEP	3.96	0.156	4.68	0.71	0.111	49.80	5.55	0.13	0.094	42.24	4.71
OCT	2.07	0.081	2.53	0.76	0.058	26.03	2.90	0.06	0.041	18.20	2.03
NOV	1.01	0.040	1.19	1.44	0.028	12.70	1.42	0.00	0.000	0.00	0.00
DEC	0.63	0.025	0.77	2.48	0.018	7.92	0.88	0.00	0.000	0.00	0.00
	MAX MON.		6.33	2.67	0.145	65.27	7.27	0.19	0.135	60.42	6.73
	ANNUAL TOT.		38.59	16.20							
	APR-SEP TOT.		30.67	5.80							

EXHIBIT B

POND AND IRRIGATION SYSTEM INFLOW AND OUTFLOW LOSS ESTIMATES(SUMMERTIME)

DITCH WIDTH= 25 FT
DITCH DEPTH= 1 FT

	L	WIDTH	AVG DEPTH	SURF. AREA	AREA	WET AREA	WET AREA	SEEP. RATE	VOL	IN-FLOW	SEEP-AGE	EVAP (MAX)	ACRES IRRIG.	IRRIG. DIV.	OUT-FLOW	TURN-OVER
	FT	FT	FT	FT^2	AC.	FT^2	AC.	FT/D	FT^3	CFS	CFS	CFS		CFS	CFS	HRS
POND 1	518	518	10.40	268464	6.16	270213	6.203	0.01	2792026	5.000	0.03127	0.05291	0.0	0.00	4.916	155.1
DITCH 1-2	50	25	1.00	1250	0.03	1266	0.029	0.01	1250	4.916	0.00015	0.00025	0.0	0.00	4.915	0.1
POND 2	404	404	8.60	163281	3.75	164409	3.774	0.01	1404217	4.915	0.01903	0.03218	0.0	0.00	4.864	79.4
DITCH 2-3	50	25	1.00	1250	0.03	1266	0.029	0.01	1250	4.864	0.00015	0.00025	0.0	0.00	4.864	0.1
POND 3	424	424	8.60	179407	4.12	180589	4.146	0.01	1542900	4.864	0.02090	0.03536	0.0	0.00	4.808	88.1
DITCH 3-4	50	25	1.00	1250	0.03	1266	0.029	0.01	1250	4.808	0.00015	0.00025	0.0	0.00	4.807	0.1
POND 4	349	349	7.00	121717	2.79	122510	2.812	0.01	852019	4.807	0.01418	0.02399	90.8	1.42	3.353	49.2
TOT. DITCH	150			3750	0.086	3799	0.087		3750		0.0004	0.0007				
TOT. PONDS				732869	16.82	737721	16.94		6591161		0.0854	0.1444				
TOTAL				736619	16.91	741519	17.02		6594911		0.0858	0.1452	90.8	1.42		372.0

SYSTEM SEEPAGE LOSS=	0.086	CFS=	4.29	MINERS IN.=	39 GPM
SYSTEM DESIGN EVAP LOSS=	0.145	CFS=	7.26	MINERS IN.=	65 GPM
SYSTEM IRRIG. REQ'T=	1.416	CFS=	70.8	MINERS IN.=	636 GPM
SYSTEM WATER REQ'T=	1.647	CFS=	82.4	MINERS IN.=	739 GPM
SYSTEM DIVERSION AVAILABLE=	5.000	CFS=	250.0	MINERS IN.=	2244 GPM
SYSTEM RETURN FLOW	3.353	CFS=	167.6	MINERS IN.=	1505 GPM

MAX POND TURNOVER TIME- ALL PONDS= 372.0 HOURS TOTAL WATER REPLACEMENT
MAX TURNOVER TIME WITHOUT IRRIGATION= 376.8 HOURS ASSUMES PUMPING FOR IRRIGATION OUT OF POND 4

SYSTEM IRRIGATION SEASON POND WATER USE ESTIMATE

IRRIGATION SEASON LENGTH	180:0 DAYS
AVERAGE PROJECT SEEPAGE	0.086 CFS
IRRIG SEASON PROJECT SEEPAGE	30.6 ACRE FEET
IRRIG. SEASON EVAP. (CONSUMPTIVE USE)	43.2 ACRE FEET

SYSTEM NON-IRRIGATION SEASON POND WATER USE ESTIMATE

NON-IRRIGATION SEASON LENGTH	185 DAYS
AVERAGE PROJECT SEEPAGE	0.086 CFS
NON-IRRIG SEASON PROJECT SEEPAGE	31.5 ACRE FEET
NON-IRRIG. SEASON EVAP. (CONSUMPTIVE USE)	11.2 ACRE FEET

SYSTEM IRRIGATION SEASON DISCHARGE REQ'T

POND SEEPAGE LOSS FOR 16.91 ACRES=	38.5 GPM
MAX. EVAPORATION LOSS	65.2 GPM
IRRIGATION OF 90.8 ACRES FROM PONDS	635.6 GPM
TOTAL IRRIGATION SEASON DISCHARGE REQ'T	739.3 GPM

SYSTEM NON-IRRIGATION SEASON DISCHARGE REQ'T(PONDS FULL)

SEEPAGE LOSS	38.5 GPM
MAX. EVAPORATION LOSS(OCTOBER)	26.9 GPM
TOTAL NON IRRIGATION SEASON DISCHARGE REQ'T	65.4 GPM

EXHIBIT C

CONSUMPTIVE USE COMPARISON

ESTIMATED MAXIMUM NET GROUNDWATER USE FOR RESIDENCES

IRRIGATION					**DOMESTIC C.U.**			
NUMBER OF LOTS	44	IRRIG EFF=	60	%	USE/HOUSHOLD	75	GPD	
ACRES IRR/LOT=	0.5	ACRES			FOR 44 LOTS	3300	GPD	MAXIMUM
TOTAL ACRES IRRIG.	22.00	ACRES			SEASONAL DOMESTIC USE	903375	GAL	
MAXIMUM DAILY ET=	0.25	INCHES			OR	2.77	ACRE FEET/YEAR	
MAX DAILY PR-ET	0.231	CFS=	103.9	GPM				
MAX DAILY DIV. REQT	0.386	CFS=	173.1	GPM				
SEASONAL ET	47.52	ACRE FT/YEAR						

MAX REF ET =	0.3028	INCHES/DAY=	7.69	MM/DAY(ALLEN & BROCKWAY,1983)
SEAS. REF ET=	49.84	INCHES/YEAR=	1266	MM/DAY(ALLEN & BROCKWAY,1983)

PROJECT IRRIGATION NON-DOMESTIC

SYSTEM IRRIGATED ACREAGE AND ESTIMATED MAXIMUM ET

VEGETATION EST	ACRES	CROP COEFF.	ET IN/DAY	MAX USE AF/DAY	MAX USE GPD
TURF	41.28	0.80	0.24	0.83	271475
SHRUBS	27.52	0.75	0.23	0.52	169672
TOTAL	68.80			1.35	441148

WEIGHTED MAX DAY CROP COEFF.	0.78	
SEASONAL AVG CROP COEFF	0.52	(ALLEN & BROCKWAY, 1983)
SEASONAL REFERENCE ET	49.84	INCHES
SEASONAL WEIGHTED ET=	25.92	INCHES
TOTAL SEASON ET	148.6	ACRE FEET

CURRENT CROPPING

TOTAL IRRIGATED ACREAGE	**97 ACRES**
CROP	ALFALFA
SEASONAL ALFALFA CROP COEFF	0.6
SEASONAL ALFALFA ET	29.91 INCHES
TOTAL SEASON ET(ALFALFA)	241.74 ACRE FEET

PRE PROJECT V PROJECT		PRE
IRRIGATION C.U. WATER BUDGET	PROJECT	PROJECT
CROP CONSUMPTIVE USE		242
POND CONSUMPTIVE USE	43	
LANDSCAPING CONSUMPTIVE USE	149	
RESIDENTIAL CONSUMPTIVE USE	50	
TOTAL	**242**	**242 AF**

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
PAUL W. SAMUELSON
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

RECEIVED
MAR 04 1996
Department of Water Resources
Southern Region

March 1, 1996

Corey Skinner
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: Rinker/Gould Family Partnership

Dear Corey:

In accordance with your request, I am providing you with copies of deeds by which Mr. Rinker received land and water conveyances from the Gould Family Partnership. If you need any additional information after reviewing these deeds, I would appreciate it if you would contact me.

Yours truly,

GARY D. SLETTE

GDS:jc
Enclosures
cc: Harry Rinker (w/o encs.)
03019601.gds

MICROFILMED
JAN 09 1997

Form 1-222
12-90

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Rinker Company and/or Harry S. Rinker, Trustee Phone (714) 929-8300

Post Office address P.O. Box 7250, Newport Beach, CA 92658-7250

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ✓ Add diversion point ✓ Change place of use
   ✓ Change nature of use ✓ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Property is being developed into a 44 lot subdivision including domestic use and ponds. Transfer is needed to add other uses for the subdivision and to clarify places of use.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
37-02632	3/29/1960	2.16 cfs	Irrigation	4/15 to 10/15
37-02632	3/29/1960	2.30 cfs	Diversion to storage	1/1 to 12/31
37-02632	3/29/1960	142 ac-ft	Storage for aes, rec, fire	1/1 to 12/31
37-02632	3/29/1960	2.79 cfs	Div. from storage for fire	1/1 to 12/31
37-02632	3/29/1960	0.14 cfs	Pond loss compensation	1/1 to 12/31

2. Total amount of water being transferred .50 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SE	SW	NE	18	03N	18E	Blaine	Existing well and pump

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
03N	18E	18	9.47	10.90	17.91	9.17				1.49					9.92	9.44	0.31	0.23	68.8[1]
03N	18E	18	6.96	17.06			13.85												37.9[2]
03N	18E	7																1.30	1.3[2]
03N	18E	18	R,J	R,J	R,J										R,J	R,J			(Ponds)

[1]Golden Eagle Ranch lots and landscape, [2]Remaining acres north of Greenhorn Rd.

Total acres 108.0

SUPERSEDED

Page _____ of _____ Transfer No. _____

PART 1

6. General Information:

a. Description of diversion system P/D #1: Existing pump and modified pipeline to head of pond system consisting of four (4) ponds; water can be pumped to irrigation system from last pond or directly from the well.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ___X___ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will continue to be irrigated in conjunction with domestic right for which a permit has been filed, except for house footprints, driveways, roads, paths, and ponds.

d. Remarks:
Ponds located in subdivision will be filled from groundwater (this right), and from surface water for which transfers have been filed. Ponds will be used to store water for irrigation and fire protection. Compensation for evaporation of pond water is included as a use. See narrative.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

_____

RECEIVED
JUL 0 9 '87

Form 1-222
12-90

Page _____ of _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. 37-02632 issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

   ☐ Tax notice ✓ Warranty Deed ☐ Other_____

3. Source of water Groundwater tributary to _____

4. Date of priority 3/29/1960

5. Water is used for the following purpose:

   amount 2.30 cfs (cfs/ac-ft) for Irrigation purposes from 4/1 to 11/1
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 2.30 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NE	18	03N	18E	Blaine	100 HP pump to sprinkler system

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
03N	18E	18	10		40	40				10						15			115

Total acres 115

9. Describe any other water rights used for the same purpose as described above 37-00154, 37-00153A

Page _____ of _____ **PART 2** Transfer No._____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

Page _____ of _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See attached diagram

SCALE: 2 inches equals one mile. Draw plan in ink.

Page _____ of _____ Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
Aesthetics, recreation	2.30 cfs / 142 ac-ft	24 hrs/day, 365 days/yr	1/1 to 12/31
Fire protection	2.79 cfs	When necessary	1/1 to 12/31

2. Quantity and quality of return flows and location of discharge:

Water will be recirculated in pond system. During irrigation season, water will be pumped from ponds, applied to land, and will percolate back to the aquifer. Occassional irrigation return flow to Big Wood River occurs via overflow from last pond into Greenhorn Gulch channel.

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

No effect -- well will continue to be used for irrigation.

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.

Chas E Bunday pwoa + attorney
(Signature of Applicant)

Subscribed and sworn to before me this 13th day of February, 19 96.

Sharon Hart Strickland
(Notary Public)

My commission expires 12-17-97

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by CS Date 02/14/96 Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by CS S018863 Date 02/20/96

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date

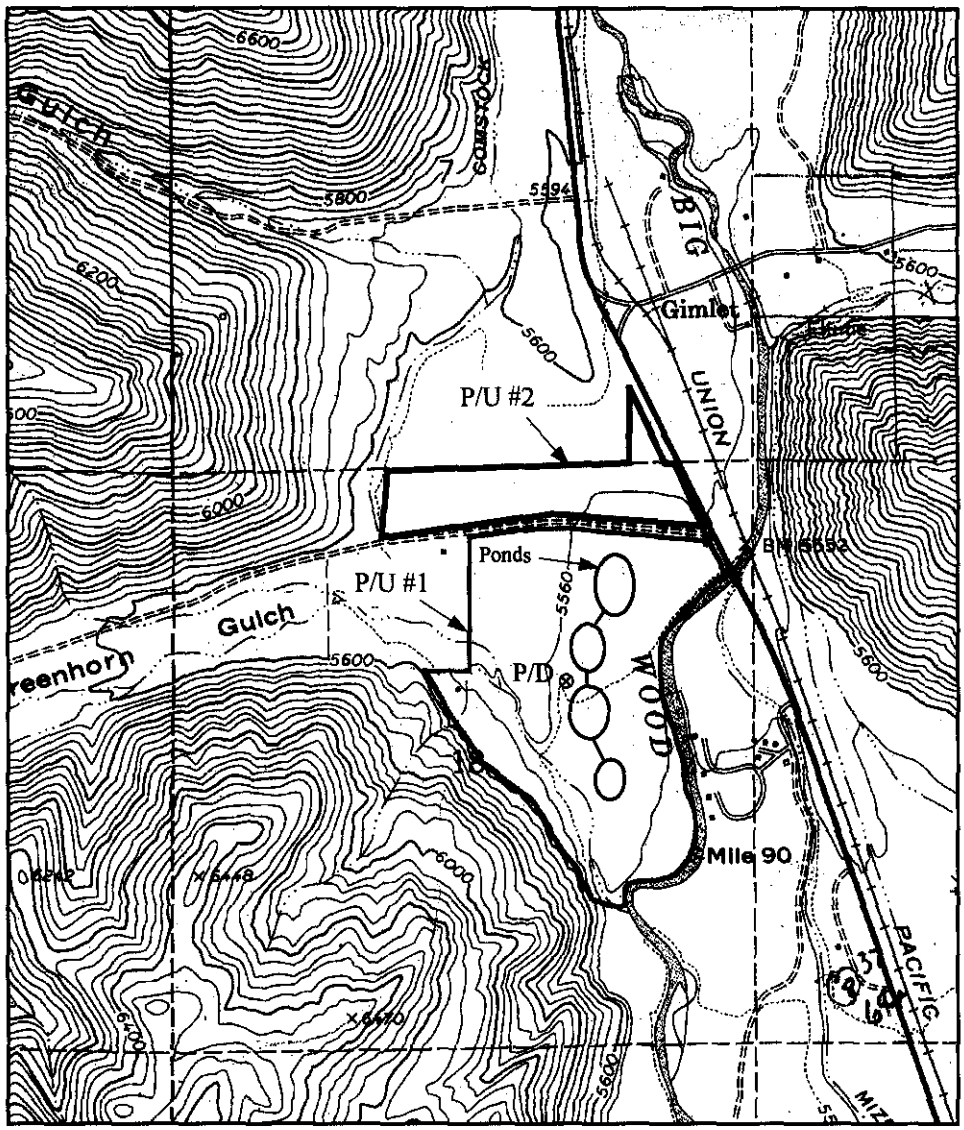
Watermaster recommendation requested on _____ Recommended for ☐ Approval ☐ Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RECEIVED
FEB 14 1996
Department of Water Resources
Southern Region

T3N R18E



Transfer application for 32-02632
Golden Eagle Ranch
Rinker Company

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

RECEIVED
FEB 14 1996
Department of Water Resources
Southern Region

February 13, 1996

Mr. Allen Merritt
Idaho Dept. of Water Resources
222 Shoshone St East
Twin Falls, ID 83301

Subject: H. Rinker Water Right Transfers-Golden Eagle Ranch

Dear Allen:

The proposed water right transfers for the Golden Eagle Ranch Subdivision in Blaine County are enclosed. As we discussed, these transfers and an application for permit are to provide domestic and irrigation water rights for the proposed 44 residential lots, continued crop irrigation on the remainder of the ranch, and water for irrigation, and recreation/aesthetic pond storage.

As I requested in our telephone conference, after you have reviewed the attached narrative, permit and applications for transfer, I would like to schedule a meeting with you to discuss the overall plan and objectives and concept for achieving the objectives. We can then discuss the individual transfers or the permit for completeness as necessary. I believe this would speed up the overall processing procedure.

If we could schedule the meeting next week it would expedite our submittal to the Blaine County P & Z. I am enclosing check #245 from Brockway Engineering for $600 in payment of fees for the permit application and applications for transfers as follows:

Application for Permit (domestic)	$100
Transfer 37-0577BR	$100
Transfer 37-0577BS	$100
Transfer 37-0364G	$100
Transfer 37-0154	$100
Transfer 37-02632	$100
Total	$600

RECEIPT # S016863

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D., E.I.T.

706 SUNRISE BOULEVARD NORTH

TWIN FALLS, IDAHO 83301

208•733•0938
208•734•2580

FAX: 736•1746

MICROFILMED
JAN 09 1997

Thank you for your help in processing these applications.

Sincerely,

C. E. Brockway, PE

cc Gary Slette w/ enclosures
Harry. Rinker w/o enclosures
Nick. Purdy w/o enclosures

MICROFILMED
JAN 0 9 1997

RECEIVED
FEB 14 1996
Department of Water Resources
Southern Region

WATER RIGHT TRANSFER AND PERMIT APPLICATIONS FOR THE GOLDEN EAGLE RANCH SUBDIVISION

BLAINE COUNTY, IDAHO

Brockway Engineering, P.L.L.C.

February 12, 1996

Introduction

This narrative will serve as supplementary information for two transfers and one permit application in connection with the Golden Eagle Ranch subdivision being developed by Mr. Harry Rinker. The land is located north of Hailey, Idaho near Gimlet on the west side of Highway 75. It is bordered on the south and west by Greenhorn Creek, on the north and west by Comstock Ditch, on the east by the Big Wood River and Highway 75, and is bisected by Greenhorn Road running east to west. Specifically, the land is located in sections 7 and 18, T3N R18E, Boise Meridian. Mr. Rinker is developing the land south of Greenhorn Road into a subdivision. The purpose of the enclosed transfer and permit applications is to enable this development.

MICROFILMED
JAN 09 1997

The land has been continuously irrigated with groundwater from a well located south of Greenhorn Road. The applicable license for this irrigation is 37-02632 for 2.30 cfs and 115 acres. A floodwater irrigation right for the Big Wood River is applicable to the parcel north of Greenhorn Road (37-00154). The parcel south of the road will be developed into 44 residential lots averaging approximately two acres each, plus landscaping and other greenspace. Four lined ponds with a total surface area of 15.6 acres and a volume of approximately 142 acre-feet will be constructed. The ponds will be filled with water from the well currently existing under 37-02632. They will serve an aesthetic and recreational purpose, and irrigation of the lots and greenspaces will also take place by pumping from the downstream pond. Irrigation can also be accomplished by pumping directly from the well. Domestic potable water for the subdivison will be supplied by two new wells within the subdivision. The transfers and permit will be discussed below.

Discussion of submittals

The permit application requests domestic water for 44 residential lots being served by two wells. The amount of water on the permit for domestic uses (0.31 cfs) was found from IDWR guidelines for multiple domestic units. The permit also requests, as per I.C. Sec. 42-111, that 0.5 acres of irrigation associated with the domestic use be allowed for each lot, for a total of 22 acres of irrigation. This permit is therefore an alternative to drilling 44 individual wells for each lot. Irrigation of the

MICROFILMED
JAN 03 1997

0.5 acre per lot under this permit would be accomplished via a common irrigation system that supplies water to all irrigable areas within the subdivision. This system would be fed from the well currently under 37-02632. The two new wells would supply the domestic potable water in a separate system.

A transfer application is being submitted for 37-02632. This application requests the addition of uses to include recreation, aesthetics, storage, and fire protection, while maintaining the irrigation use. Also requested is a consumptive use portion to compensate for evaporation losses from the ponds. The total consumptive use of the ponds is estimated at 0.14 cfs (see the consumptive use discussion below). Therefore, at a rate of 0.02 cfs/acre the number of acres irrigated under this right would be reduced by 7.0 acres and the flow rate available for irrigation would be 2.30 - 0.14 = 2.16 cfs. The total irrigated area south of Greenhorn Road including lots and greenspaces is 90.8 acres (22 acres from the domestic permit and 68.8 acres from 37-02632). The remaining 39.2 acres will continue to be irrigated north of Greenhorn Road -- this result is obtained by subtracting 7.0 acres (0.14 cfs) for pond loss compensation and the 68.8 acres of subdivision irrigation from the 115 acres on the license.

Transfer applications are being submitted for rights 37-00577BR, 37-00577BS, and 37-00364G. These are decreed surface water irrigation rights for the Big Wood River. They have recently been used to irrigate land north of Greenhorn Road by pumping from the Big Wood River. This pumping plant has been removed. A new

RECEIVED

pumping station is planned which will divert river water into the head of the pond system. Water would then be pumped from the last pond into a pressurized irrigation system for land north of Greenhorn Road. Toward this end, the transfer applications request a change of P/D and changes of P/U as necessary to clarify the actual irrigated area north of the road. For 37-00577BR, the P/U would be changed to include 15 acres in Timberview Subdivision, which Mr. Rinker owns. For 37-00577BS, the P/U would be moved from a parcel north of Timber Gulch Road, thereby leaving this parcel with no irrigation water. For 37-00364G, the P/U would remain the same; only the P/D would be changed. **Water uses for storage, recreation, and aesthetics are being added since the river water would now be diverted through the pond system first rather than directly into the irrigation system.**

Is it necessary to add uses?

A transfer application is being submitted for right 37-00154. This right is a decreed irrigation right from the Big Wood River via the Comstock Ditch with a priority date of 12/13/1887. This is a very large right, but because of the late priority the water is often unavailable; hence this right is essentially a flood water right. Even so, it is desired to make this right applicable to all of the irrigated area which will normally be served by the well under 37-02632, so that if the well malfunctions and this right happens to be active, irrigation water will be available. Therefore, the application requests that the P/D be moved to the new Big Wood River pump station and that storage for recreation and aesthetics be added as a use. The P/U would be changed to all irrigated area within the subdivision (90.8 acres) and all irrigated area

north of the road (except for Timber Gulch) which is not served by the other river rights (75.9 acres), for a total of 166.7 acres. The other river rights all have priorities earlier than 37-00154, so if 37-00154 is active, the others will be active as well. Irrigation water would be transferred at a rate of 0.02 cfs/acre, even though the decree lists 9.56 cfs for 246 acre (0.039 cfs/acre). Thus, the 166.7 acres of irrigation require only 3.33 cfs. The remainder (6.23 cfs) would be converted to non-consumptive water and moved to Mr. Rinker's Riverview Ranch development near Hailey for use in lined ponds fed by the Purdum Slough. Thus, the application requests the addition of the Purdum Slough as a P/D and the Riverview Ranch ponds as a recreational and aesthetic P/U.

Consumptive use calculations

The consumptive use (CU) was evaluated for the Golden Eagle project. A comparison of the CU before and after the subdivision project was made. The procedure and data used for the analysis are given in Exhibit A. As a worst-case scenario, it is assumed that no recirculation of the pond water is taking place. This would maximize the depletion of the aquifer. Computations for pond evaporation are given in Exhibit B. The total pond CU due to evaporation is 7.0 miners inches or 0.14 cfs. This amount is specified on the transfer application for 37-02632. In Exhibit C, calculations are given to compare water use before and after the project.

These calculations show that the project will not increase the depletion of the aquifer over the licensed irrigation.

EXHIBIT A

WATER REQUIRMENTS AND USE DATA

GOLDEN EAGLE RANCH SOUTH – ASSUME NO RECIRCULATION OF POND WATER

ESTIMATED POND EVAPORATION AND SEEPAGE

C.E. BROCKWAY P.E 1-30-96

FOUR PONDS WITH INFLOW FROM IRRIGATION WELL

POND EVAPORATION DATA FROM J.L. WRIGHT AND MARVIN E. JENSEN 1975

1975 EVAPOTRANSPIRATION AND CLIMATIC DATA FOR THE SILVER CREEK-

CREEK TRIANGLE BLAINE COUNTY, IDAHO FEBRUARY 1976

LAKE OR POND EVAPORATION CALCULATED USING THE KOHLER-NORDENSON-FOX PROCEDURE

NUMBER OF LOTS= 44

MAX. IRRIG. DIV PER ACRE= 7 GPM USING SPRINKLERS IRRIG. EFFICIENCY= 90 PERCENT

DIVERSION FROM WELL 115 INCHES

RECIRCULATION 0 INCHES

OTHER DIVERSION 0 INCHES

TOTAL DIVERSION TO POND INFLOW= 115 INCHES OR 2.30 CFS

ALL DITCHES & PONDS HAVE 3 TO 1 SIDE SLOPES TOTAL POND AREA = 15.63 ACRES

ALL DITCHES AND PONDS LINED W/ MEMBRANE LINER OR CLAY LINER <<<

SEEPAGE RATES ESTIMATED FROM LOSS MEASUREMENTS AND SOILTYPES FOR EACH LAKE OR LINER TYPE

NUMBER OF PONDS = 4

	AVG EVAP AVG DAY	AVG EVAP AVG DAY	TOTAL MON. EVAP	PRECIP HAILEY	PROJECT AVG EVAP	PROJECT AVG EVAP	PROJECT AVG EVAP	EVAP- PRECIP	EVAP- PRECIP	PROJECT EVAP- PRECIP	PROJECT EVAP- PRECIP
					EVAP	EVAP	EVAP	IN/		PRECIP	PRECIP
								DAY	CFS	GPM	MIN. IN.
MO.	MM	IN									
JAN	0.56	0.022	0.68	2.67	0.015	6.56	0.73	0.00	0.000	0.00	0.00
FEB	0.91	0.036	1.00	1.83	0.024	10.67	1.19	0.00	0.000	0.00	0.00
MAR	1.43	0.056	1.75	1.22	0.037	16.76	1.87	0.02	0.011	5.04	0.56
APR	2.29	0.090	2.70	1.07	0.060	26.84	2.99	0.05	0.036	16.22	1.81
MAY	4.32	0.170	5.27	1.47	0.113	50.64	5.64	0.12	0.081	36.52	4.07
JUN	5.19	0.204	6.13	1.39	0.136	60.84	6.78	0.16	0.105	47.04	5.24
JUL	5.19	0.204	6.33	0.47	0.136	60.84	6.78	0.19	0.125	56.32	6.27
AUG	4.55	0.179	5.55	0.69	0.119	53.33	5.94	0.16	0.104	46.71	5.20
SEP	3.96	0.156	4.68	0.71	0.103	46.42	5.17	0.13	0.088	39.37	4.39
OCT	2.07	0.081	2.53	0.76	0.054	24.26	2.70	0.06	0.038	16.96	1.89
NOV	1.01	0.040	1.19	1.44	0.026	11.84	1.32	0.00	0.000	0.00	0.00
DEC	0.63	0.025	0.77	2.48	0.016	7.38	0.82	0.00	0.000	0.00	0.00
	MAX MON.		6.33	2.67	0.136	60.84	6.78	0.19	0.125	56.32	6.27
	ANNUAL TOT.		38.59								
	APR-SEP TOT.		30.67								

EXHIBIT B

POND AND IRRIGATION SYSTEM INFLOW AND OUTFLOW LOSS ESTIMATES(SUMMERTIME)

DITCH WIDTH= 25 FT
DITCH DEPTH= 1 FT

	L	WIDTH	AVG DEPTH	SURF. AREA	AREA	WET AREA	WET AREA	SEEP. RATE	VOL	IN-FLOW	SEEP-AGE	EVAP (MAX)	ACRES IRRIG.	IRRIG. DIV.	OUT-FLOW	TURN-OVER
	FT	FT	FT	FT^2	AC.	FT^2	AC.	FT/D	FT^3	CFS	CFS	CFS		CFS	CFS	HRS
POND 1	502	502	10.40	251846	5.78	253540	5.820	0.02	2619198	2.300	0.05869	0.04963	0.0	0.00	2.192	316.3
DITCH 1-2	100	25	1.00	2500	0.06	2532	0.058	0.02	2500	2.192	0.00059	0.00049	0.0	0.00	2.191	0.3
POND 2	379	379	8.60	143867	3.30	144926	3.327	0.02	1237256	2.191	0.03355	0.02835	0.0	0.00	2.129	156.9
DITCH 2-3	75	25	1.00	1875	0.04	1899	0.044	0.02	1875	2.129	0.00044	0.00037	0.0	0.00	2.128	0.2
POND 3	401	401	8.60	161101	3.70	162221	3.724	0.02	1385469	2.128	0.03755	0.03175	0.0	0.00	2.059	180.9
DITCH 3-4	50	25	1.00	1250	0.03	1266	0.029	0.02	1250	2.059	0.00029	0.00025	0.0	0.00	2.058	0.2
POND 4	352	352	7.00	124164	2.85	124965	2.869	0.02	869148	2.058	0.02893	0.02447	92.5	1.44	0.562	117.3
TOT. DITCH	225			5625	0.129	5698	0.131		5625		0.0013	0.0011				
TOT. PONDS				680978	15.63	685651	15.74		6111071		0.1587	0.1342				
TOTAL				686603	15.76	691349	15.87		6116696		0.1600	0.1353	92.5	1.44		772.1

SYSTEM SEEPAGE LOSS=	0.160	CFS=	8.00	MINERS IN.= 72 GPM
SYSTEM DESIGN EVAP LOSS=	0.135	CFS=	6.77	MINERS IN.= 61 GPM
SYSTEM IRRIG. REQ'T=	1.443	CFS=	72.1	MINERS IN.= 648 GPM
SYSTEM WATER REQ'T=	1.738	CFS=	86.9	MINERS IN.= 780 GPM
SYSTEM DIVERSION AVAILABLE=	2.300	CFS=	115.0	MINERS IN.= 1032 GPM
SYSTEM RETURN FLOW	0.562	CFS=	28.1	MINERS IN.= 252 GPM

MAX POND TURNOVER TIME- ALL PONDS= 772.1 HOURS TOTAL WATER REPLACEMENT
MAX TURNOVER TIME WITHOUT IRRIGATION= 799.6 HOURS ASSUMES PUMPING FOR IRRIGATION OUT OF POND 4

SYSTEM IRRIGATION SEASON POND WATER USE ESTIMATE

IRRIGATION SEASON LENGTH	180.0 DAYS
AVERAGE PROJECT SEEPAGE	0.160 CFS
IRRIG SEASON PROJECT SEEPAGE	57.1 ACRE FEET
IRRIG. SEASON EVAP. (CONSUMPTIVE USE)	40.3 ACRE FEET

SYSTEM IRRIGATION SEASON DISCHARGE REQ'T

POND SEEPAGE LOSS FOR 15.76 ACRES=	71.8 GPM
MAX. EVAPORATION LOSS	60.7 GPM
IRRIGATION OF 92.5 ACRES FROM PONDS	647.5 GPM
TOTAL IRRIGATION SEASON DISCHARGE REQ'T	780.1 GPM

SYSTEM NON-IRRIGATION SEASON POND WATER USE ESTIMATE

NON-IRRIGATION SEASON LENGTH	185 DAYS
AVERAGE PROJECT SEEPAGE	0.160 CFS
NON-IRRIG SEASON PROJECT SEEPAGE	58.7 ACRE FEET
NON-IRRIG. SEASON EVAP. (CONSUMPTIVE USE)	10.4 ACRE FEET

SYSTEM NON-IRRIGATION SEASON DISCHARGE REQ'T(PONDS FULL)

SEEPAGE LOSS	71.8 GPM
MAX. EVAPORATION LOSS(OCTOBER)	25.1 GPM
TOTAL NON IRRIGATION SEASON DISCHARGE REQ'T	96.9 GPM

EXHIBIT C

CONSUMPTIVE USE COMPARISON

ESTIMATED MAXIMUM NET GROUNDWATER USE FOR RESIDENCES

IRRIGATION					**DOMESTIC C.U.**			
NUMBER OF LOTS	44	IRRIG EFF=	60	%	USE/HOUSHOLD		75	% OCCUPANCY
ACRES IRR/LOT=	0.5	ACRES			FOR	44 LOTS	75	GPD
TOTAL ACRES IRRIG.	22.00	ACRES					3300	GPD MAXIMUM
MAXIMUM DAILY ET=	0.25	INCHES			SEASONAL DOMESTIC USE		903375	GAL
MAX DAILY PR-ET	0.231	CFS=	103.9	GPM		OR	2.77	ACRE FEET/YEAR
MAX DAILY DIV. REQT	0.386	CFS=	173.1	GPM				
SEASONAL ET	47.52	ACRE FT/YEAR						

MAX REF ET =	0.3028	INCHES/DAY=	7.69	MM/DAY(ALLEN & BROCKWAY,1983)
SEAS. REF ET=	49.84	INCHES/YEAR=	1266	MM/DAY(ALLEN & BROCKWAY,1983)

PROJECT IRRIGATION NON-DOMESTIC

SYSTEM IRRIGATED ACREAGE AND ESTIMATED MAXIMUM ET

VEGETATION EST	ACRES	CROP COEFF.	ET IN/DAY	MAX USE AF/DAY	MAX USE GPD
TURF	42.30	0.80	0.24	0.85	278183
SHRUBS	28.20	0.75	0.23	0.53	173865
TOTAL	70.50			1.39	452048
WEIGHTED MAX DAY CROP COEFF.		0.78			
SEASONAL AVG CROP COEFF		0.52	(ALLEN & BROCKWAY, 1983)		
SEASONAL REFERENCE ET		49.84	INCHES		
SEASONAL WEIGHTED ET=		25.92	INCHES		
TOTAL SEASON ET		152.3	ACRE FEET		

CURRENT CROPPING

TOTAL IRRIGATED ACREAGE	97	ACRES
CROP	ALFALFA	
SEASONAL ALFALFA CROP COEFF	0.6	
SEASONAL ALFALFA ET	29.91	INCHES
TOTAL SEASON ET(ALFALFA)	241.74	ACRE FEET

PRE PROJECT V PROJECT		PRE
IRRIGATION C.U. WATER BUDGET	PROJECT	PROJECT
CROP CONSUMPTIVE USE		242
POND CONSUMPTIVE USE	40	
LANDSCAPING CONSUMPTIVE USE	152	
RESIDENTIAL CONSUMPTIVE USE	50	
TOTAL	**243**	**242 AF**

orm 222a
3/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

NITIAL REVIEW BY: _____

1. Right number 37-02632A 37-02632B Applicant Rinker Company
2. Type of right: ☐ Decree ☑ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☑ Add diversion point(s) ☑ Change place of use
   ☑ Other Change Period of use, Change nature of use Create PPU.
4. Check:
   a. ☑ Source ☑ Priority ☑ Amount ☑ Purpose ☑ Period of use
   b. ☑ Description of original point of diversion.
   c. ☑ Description of original place of use.
5. Amount of land &/or water transferred:
   a. ☒ All of right.
   b. ☐ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
   c. ☒ Check description of point(s) of diversion.
   d. ☑ Check description of place of use.
   e. ☑ Check map (shows p.d. and p.u. after transfer).
   f. ☑ Check for correct signature, notarization, and fee.
   g. ☐ Check proof of ownership of right &/or land from which water is transferred. Need.
   h. ☐ Check for expansion in use of right. Comments _____
   _____
   i. ☐ Check for existing water rights from same source, on land water is being transferred to.
   Right number(s) _____
   j. ☑ Is use within a Watermaster District? ☐ Yes ☑ No
   If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☐ Yes ☐ No
3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions* _____
   _____
   _____
4. By _____ Date _____

* *All uses within Watermaster Districts require special conditions.*

T #4588

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

September 5, 1995

GARY D SLETTE ESQ
ROSHOLT & ASSOCIATES
PO BOX 1906
TWIN FALLS ID 83303-1906

Re: Application for Permit No. 37-08841
Transfer No. 4588, (37-02632)
Transfer No. 4591, (37-00577 Part)
Un-numbered Application for Transfer (37-00153) filed on 2/10/95.
Un-numbered Application for Transfer (37-00154, 37-00364) filed on 2/10/95

Dear Mr. Slette:

This office acknowledges receipt of your request to withdraw the above referenced applications filed in the name of Rinker Company.

This action classifies the above numbered Applications as null, void and of no further consideration by the Idaho Department of Water Resources.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

James E. Stanton

James E. Stanton
Sr. Water Resource Agent

JS:MB

RECEIVED
SEP 14 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

* * * * * * * * * * * *

In re:	)
	)
Application for Permit No. 37-08841	)
	)
and	)
	)
Applications for Transfer of Water Right Nos. 37-00577; 37-02632A; 37-02632B; 37-00153; 37-00154; and 37-00364	)
	)
Applicant: Rinker Company and/or Harry S. Rinker Trustee U/D/T Dated May 10, 1966 as Amended and Restated 2/5/91	)

NOTICE OF WITHDRAWAL OF APPLICATION FOR PERMIT AND APPLICATIONS FOR TRANSFER

RECEIVED
AUG 31 1995
Department of Water Resources
Southern Region

The Applicant hereby withdraws its Application for Permit and Applications for Transfer of the above-numbered water rights.

DATED this 31 day of August, 1995.

ROSHOLT, ROBERTSON & TUCKER

By: _____
GARY D. SLETTE

SEP 14 1995

Form 42-1722 (1-85)

RECEIVED
FEB 10 1995
Department of Water Resources
Southern Region

Page 1 of 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4588

RECEIVED
SEP 07 1995
Department of Water Resources

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant RINKER COMPANY AND/OR HARRY S. RINKER TRUSTEE U/D/T DATED MAY 10, 1966 AS AMENDED AND RESTATED 2/5/91 Phone 208-734-7700

Post Office address C/O GARY SLETTE, P.O.BOX 1906, TWIN FALLS, ID 83303-1906

WITHDRAWN

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 SPLIT RIGHT
2. Describe the reason for the proposed changes PROPERTY BEING REDEVELOPED: PROPOSAL INCLUDES A 76-LOT SUBDIVISION AND GOLF COURSE OF 167 ACRES INCLUDING ASSOCIATED CLUBHOUSE, WORKERS' QUARTERS AND ASSOCIATED BUILDINGS AND FACILITIES

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use		
37-02632A	03-29-1960	2.22 CFS	IRRIGATION	04/15	to	10/15
		2.22 CFS	DIV.TO STORAGE	04/15	to	10/15
		34.50 AFA	* STORAGE AES/REC	04/15	to	10/15
37-02632B	03-29-1960	0.08 CFS	COMMERCIAL	01/01	to	12/31

2. Total amount of water being transferred 2.30 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water GROUNDWATER tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	SE	07	03N	18E	BLAINE	WELL & PUMP (COMMERCIAL - #1-D)
	SE	SW	NE	18	03N	18E	BLAINE	WELL & PUMP (COMMERCIAL - #2-D)
	NE	NW	SE	18	03N	18E	BLAINE	WELL & PUMP (IRRIGATION - #3-I)
	NE	SW	NE	18	03N	18E	BLAINE	WELL & PUMP (IRRIGATION - #4-I)(Existing)

5. Lands irrigated or place of use:

	Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
				NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
A	03N	18E	07									6.93	3.86	.45	17.58		5.27	12.98	2.55	48.62
A			18	11.90	28.49	21.62	.15	12.49			.21						8.23	.13	.03	90.78
B	03N	18E	07														C			
B			18		C															

WITHDRAWN
SEP 14 1995

* Recreation is a water hazard for the golf course

Total acres 139.40

PART 1

6. General Information:

a. Description of diversion system THE IRRIGATION PORTION OF THIS RIGHT FOR THE PERMISSIBLE PLACE OF USE WILL BE DIVERTED TO PONDS, WHERE PUMPING/PRESSURIZATION WILL OCCUR. THE COMMERCIAL PORTION WILL BE DIVERTED FROM TWO WELLS SERVING THE DOMESTIC SYSTEM THAT IS THE SUBJECT OF ANOTHER APPLICATION SUBMITTED CONTEMPORANEOUSLY WITH THIS APPLICATION.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NO Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
CERTAIN PORTIONS OF CURRENT POU WILL BE DRIED UP TO FACILITATE CONSTRUCTION OF THE GOLF COURSE. OF THOSE AREAS DRIED UP, PARTS OF THEM WILL BECOME LOTS IN THE PROPOSED RESIDENTIAL SUBDIVISION ADJACENT TO THE GOLF COURSE.

d. Remarks:
PONDS LOCATED ON GOLF COURSE WILL BE FILLED BY BOTH SURFACE AND GROUNDWATER TO BE USED FOR STORAGE OF IRRIGATION WATER AND ALSO AS GOLF COURSE HAZARDS. POND SURFACE AREA IS INCLUDED IN CONSUMPTIVE USE CALCULATION.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

WITHDRAWN

Witness my hand this _____ day of _____, 19____.

SEP 14 1995

Transfer No. 4588

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SEE ATTACHED MAP

RECEIVED
SEP 14 1995

SCALE: 2 inches equal 1 mile. Draw plan in ink.

Transfer No. 4588

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	SEE ATTACHMENTS			to
				to

2. Quantity and quality of return flows and location of discharge:

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

WITHDRAWN

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.

Harvey S. Rinker, by Gary D. Slette, (Signature of Applicant) his attorney-in-fact

Subscribed and sworn to before me this 9th day of February, 1995.

Leah D. Eck (Notary Public)

My commission expires 6-18-98

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 5 attachments

Received by MB Date 2/10/95 Protest filed by

Prelim. check by Fee 100.00 5017736

Receipted by MB Date 2/10/95

Published in Copies of protest forwarded by

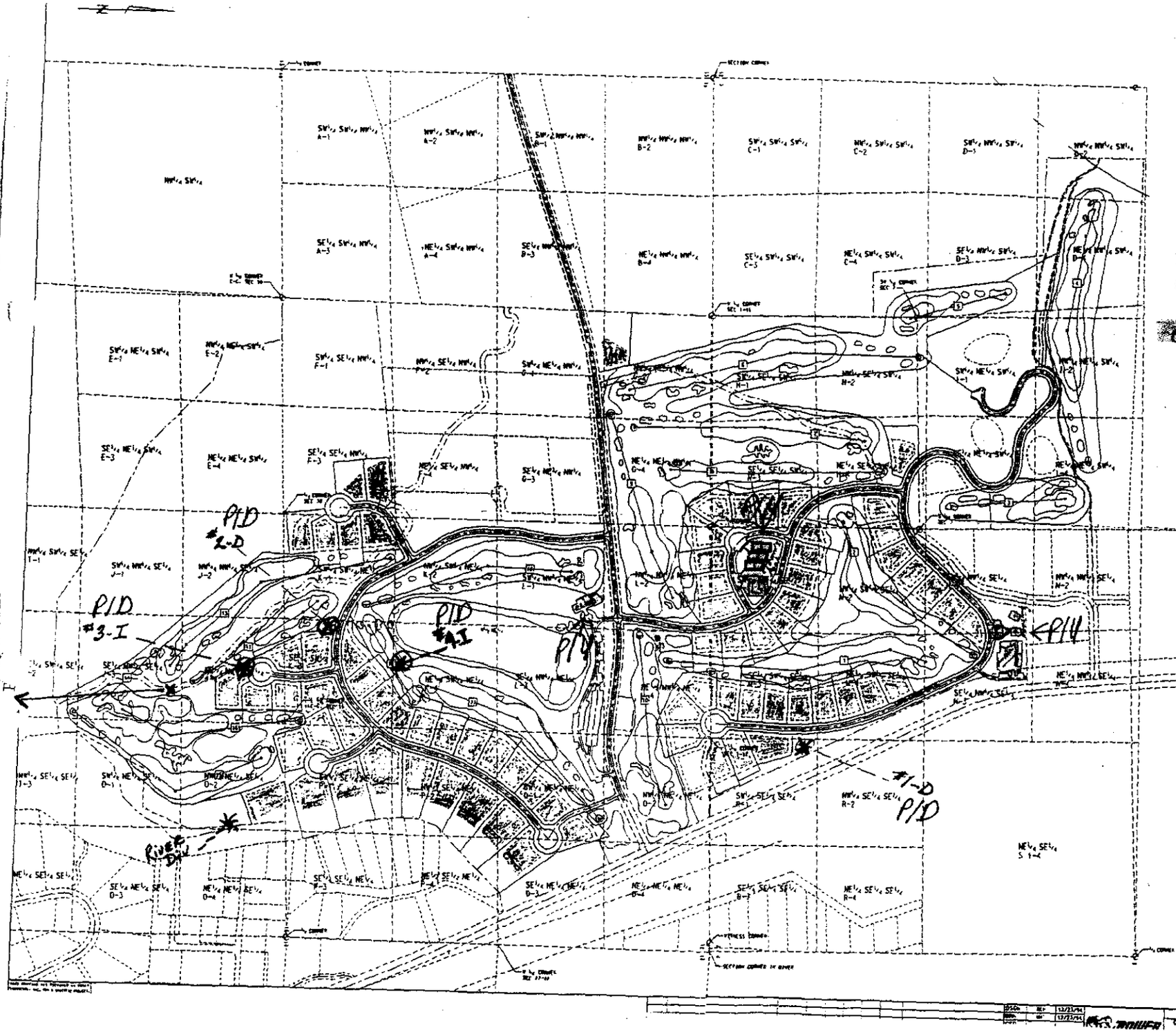
Pub. dates Hearing held by Date

Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

rec'd. by

Copy of transfer sent to lien holder

RECEIVED
SEP 14 1995



DOMESTIC WELLS
#1 - D
#2 - D

IRRIGATION WELLS
#3 - I (new well)
#4 - I (present P/D)

COMMERCIAL POU

SEP 14 1995

PRINTED FOR
JAN 18 1995
REFERENCE

GOLDEN EAGLE RANCH
GOLDEN EAGLE PLANNED UNIT DEVELOPMENT

T # 4588

Transfer No. 4588

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right

WITHDRAWN

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. 37-02632 issued by the Idaho Department of Water Resources.

   c. Claim No. A37-02632 on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority 03-29-1960

5. Water is used for the following purpose:

   amount 2.30 cfs for IRRIGATION purposes from 04/01 to 11/01
   (cfs/ac-ft)
   amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)
   amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)

6. Total amount of water under right 2.30 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	NE	18	3N	18E	BLAINE	100 HP PUMP TO SPRINKLER SYSTEM

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	18	22		32	18	12								16	15			115

RECEIVED SEP 14 1995

Total acres 115

9. Describe any other water rights used for the same purpose as described above 37-00154; 37-00153A

PART 2

Transfer No. 4588

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

SEP 14 1995

 Transfer No. 4588

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

WITHDRAWN

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. _____ Decreed to _____
      in case of _____ vs. _____
      dated _____ in _____ county of _____
   b. License No. _____ issued by the Idaho Department of Water Resources.
   c. Claim No. A37-02632 on file with the Idaho Department of Water Resources.
   d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water GROUNDWATER tributary to _____
4. Date or priority 03-29-1960
5. Water is used for the following purpose:
   amount 2.30 cfs (cfs/ac-ft) for IRRIGATION purposes from 04/01 to 11/01
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	NE	18	3N	18E	BLAINE	100 HP PUMP DELIVERS TO SPRINKLERS

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	18	22		32	18	12								16	15			115

SEP 14 1995

Total acres 115

9. Describe any other water rights used for the same purpose as described above _____

PART 2

Transfer No. 4588

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

RECEIVED
SEP 14 1995

Total acres _____

COMMERCIAL USE ADDENDUM

Listed below are the commercial uses and their water use demands calculated in accordance with Appendix IV of the IDWR Handbook. For uses not specifically mentioned in the Appendix, estimates were made based on comparable uses.

Clubhouse	
16,000 square feet total	
Restaurant w/toilets (10 gpd/patron)	
Bar/lounge (2 gpd/patron)	
250 patrons x 12 gpd	3,000 gpd
Lockers/showers/toilets	
100 patrons x 25 gpd	2,500 gpd
Laundry	
5 loads/day x 50 gpd/load	250 gpd
Starter Shack	
2 lavatories x 400 gpd	800 gpd
Maintenance Building	
1 lavatory x 400 gpd	400 gpd
Swim & Tennis Center	
Lockers/showers/toilets	
100 patrons x 25 gpd	2,500 gpd
Pool	
100 swimmers x 10 gpd	1,000 gpd
TOTAL AVERAGE FLOW	10,450 gpd

The average daily use indicated in this Addendum is 10,450 gpd, which is an average of 7.257 gpm. Estimated peak hourly demand at five times average daily use in the summertime equals 36.3 gpm. Average annual volume is calculated on the basis of 100 summertime days utilizing average daily use of 10,450 gpd, and 265 non-seasonal days utilizing average daily use of 3,250 gpd. The average annual volume equals 1,906,250 gpy, or 5.87 af/yr.

Water Right No. 37-2632, from which the commercial component will be transferred is for 2.3 cfs for the irrigation of 115 acres, or 1 miner's inch/acre. The annual volume for the Greenhorn Gulch area is 3.5 af/a, which yields a total of 402.5 af/yr for this right. 5.87 af/yr divided by the annual volume of 3.5 af/a would require 1.68 acres of this right to be used for the commercial use. However, the flow rate of 36.3 gpm is the limiting factor, which is the equivalent of .08 cfs, or 4 miner's inches used for the irrigation of 4 acres. Consequently, the irrigation component of this right has been reduced by 1.68 ac.

SEP 14 1995

T ~~77~~ 4588

¼ Section Designation[1]	¼¼	Irrigated Areas(ft²)[2]	
Section 7, SW¼, SW¼; C-4	NE¼	19583.1	.45
Section 7, NW¼, SW¼; D-2	NW¼	6574.8	3.86
D-3	SE¼	29908.9	
D-4	NE¼	131675.9	
Section 18, SE¼, NW¼ ;P-3	SE¼	9055.2	.21
Section 18, NE¼, NW¼; G-2	NW¼	198848.6	12.49
G-4	NE¼	345252.5	
Section 7, SE¼, SW¼; H-1	SW¼	200795.8	17.58
H-2	NW¼	59293.1	
H-3	SE¼	279724.0	
H-4	NE¼	225773.5	
Section 7, NE¼, SW¼; I-1	SW¼	1089.1	5.94
I-2	NW¼	102949.9	
I-3	SE¼	76105.5	
I-4	NE¼	78576.8	
Section 18, NW¼, SE¼; J-2	NW¼	82146.7	8.23
J-3	SE¼	121504.6	
J-4	NE¼	154709.8	
Section 18, SW¼, NE¼; K-1	SW¼	127092.6	21.62
K-2	NW¼	355020.9	
K-3	SE¼	91549.3	
K-4	NE¼	368081.9	
Section 18, NW¼, NE¼; L-1	SW¼	360330.5	28.49
L-2	NW¼	225181.8	
L-3	SE¼	384589.6	
L-4	NE¼	270805.5	
Section 7, SW¼, SE¼; M-1	SW¼	59334.0	12.98
M-2	NW¼	201311.1	
M-3	SE¼	135472.6	
M-4	NE¼	169304.7	
Section 7, NW¼, SE¼; N-1	SW¼	62875.0	5.28
N-3	SE¼	166912.7	
Section 18, NE¼, SE¼; O-1	SW¼	136176.6	7.53
O-2	NW¼	191532.0	
Section 18, SE¼, NE¼; P-1	SW¼	3765.4	.15
P-2	NW¼	2956	
Section 18, NE¼, NE¼; Q-1	SW¼	198275.1	11.9
Q-2	NW¼	187760.4	
Q-3	SE¼	116366.6	
Q-4	NE¼	15946.9	
Section 7, SE¼, SE¼; R-1	SW¼	79170.4	2.55 ac
R-2	NW¼	32149.2	
Section 18, SW¼, SE¼; T-2	NE¼	5630.5	.13 ac
Section 18, SE¼, SE¼; T-3	NW¼	1104.9	.03 ac
TOTAL (area in acres)		**139.40**	139.42

FOOT NOTES

1 Quarter Section Description, refer to the attached map.
2 Irrigated area within each 10 acre area, (¼¼¼ Section) based on Irrigation Area plan provided by Gage Davis & Associate and received January 6, 1995.
3 Total area in acres rounded to two places.

RECEIVED
SEP 14 1995

¼ Section Designation[1]	¼¼	Irrigated Areas(ft²)[2]
Section 7, SW¼, SW¼; C-4	NE¼	19583.1
Section 7, NW¼, SW¼; D-2	NW¼	6574.8
D-3	SE¼	29908.9
D-4	NE¼	131675.9
Section 18, SE¼, NW¼ ;P-3	SE¼	9055.2
Section 18, NE¼, NW¼; G-2	NW¼	198848.6
G-4	NE¼	345252.5
Section 7, SE¼, SW¼; H-1	SW¼	200795.8
H-2	NW¼	59293.1
H-3	SE¼	279724.0
H-4	NE¼	225773.5
Section 7, NE¼, SW¼; I-1	SW¼	1089.1
I-2	NW¼	102949.9
I-3	SE¼	76105.5
I-4	NE¼	78576.8
Section 18, NW¼, SE¼; J-2	NW¼	82146.7
J-3	SE¼	121504.6
J-4	NE¼	154709.8
Section 18, SW¼, NE¼; K-1	SW¼	127092.6
K-2	NW¼	355020.9
K-3	SE¼	91549.3
K-4	NE¼	368081.9
Section 18, NW¼, NE¼; L-1	SW¼	360330.5
L-2	NW¼	225181.8
L-3	SE¼	384589.6
L-4	NE¼	270805.5
Section 7, SW¼, SE¼; M-1	SW¼	59334.0
M-2	NW¼	201311.1
M-3	SE¼	135472.6
M-4	NE¼	169304.7
Section 7, NW¼, SE¼; N-1	SW¼	62875.0
N-3	SE¼	166912.7
Section 18, NE¼, SE¼; O-1	SW¼	136176.6
O-2	NW¼	191532.0
Section 18, SE¼, NE¼; P-1	SW¼	3765.4
P-2	NW¼	2956
Section 18, NE¼, NE¼; Q-1	SW¼	198275.1
Q-2	NW¼	187760.4
Q-3	SE¼	116366.6
Q-4	NE¼	15946.9
Section 7, SE¼, SE¼; R-1	SW¼	79170.4
R-2	NW¼	32149.2
Section 18, SW¼, SE¼; T-2	NE¼	5630.5
Section 18, SE¼, SE¼; T-3	NW¼	1104.9
TOTAL (area in acres)		**139.40**

FOOT NOTES

1 Quarter Section Description, refer to the attached map.
2 Irrigated area within each 10 acre area, (¼¼ Section) based on Irrigation Area plan provided by Gage Davis & Associate and received January 6, 1995.
3 Total area in acres rounded to two places.

PEI-HLY 32-026 (2/7/95) 527165-04 REV D

SEP 14 1995

T# 4588

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

I, Harry Rinker, dba Rinker Company, hereby nominate and appoint Gary D. Slette, of Twin Falls, Idaho, as my attorney-in-fact with full authority to act for and on my behalf to apply for and seek transfers of any and all water rights necessary or incidental to the Golden Eagle Ranch Golf Course in Blaine County, Idaho. Additionally, as Trustee of the Harry S. Rinker Trustee U/D/T dated May 10, 1966, as Amended and Restated 2/5/91, I hereby ratify and confirm all such water applications and transfers as contemplated herein.

My agent is hereby authorized to sign, seal, and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the applications and transfers above-mentioned. Further, I hereby declare that each and every application, transfer, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these presents.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 8th day of February, 1995.

Harry Rinker

STATE OF CALIFORNIA)
) ss.
County of Orange)

On the 8th day of February, 1995, before me, a Notary Public, in and for said County and State, personally appeared HARRY RINKER, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

VIRGINIA L. HALL
COMMISSION #1005362
Notary Public - California
ORANGE COUNTY
My Commission Expires
SEPT. 19, 1997

Virginia L. Hall
NOTARY PUBLIC FOR CALIFORNIA
Residing at: Laguna Niguel, Ca
My commission expires: 9/17

SEP 14 1995

T#4588

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
GARY L. QUIGLEY
JOHN K. SIMPSON
PATRICK D. MADIGAN
PAUL W. SAMUELSON
TIMOTHY J. STOVER
NORMAN M. SEMANKO
ERIK P. SMITH

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

February 10, 1995

VIA HAND DELIVERY

Jim Stanton
State of Idaho
Department of Water Resources
222 Shoshone Street E.
Twin Falls, Idaho 83301

Re: Golden Eagle Ranch Subdivision and Golf Course

Dear Jim:

Enclosed please find four (4) Applications for Transfer of Water Right, and one (1) Application for Water Right relative to the Golden Eagle Ranch Subdivision and Golf Course in Blaine County. I am also enclosing our firm's check in the amount of $560.00 as the combined fee for all of these applications. I would like to briefly explain these applications to afford ease of understanding for IDWR representatives, as well as individuals who are interested in the processing of these applications.

As you suggested, we have described an identical permissible place of use for all of the four water right transfers needed to serve the irrigation requirements of the golf course. The permissible place of use is 139.4 acres, and the primary rights serving that acreage will be Water Right No. 37-2632, and two parts of Water Right No. 37-0577, the 1883 W.T. Riley right. Water Right No. 37-2632 is appurtenant to 115 acres, but this right has been reduced by 4 acres due to our proposed transfer of .08 cfs for commercial uses to serve the clubhouse and other related facilities. That leaves 111 acres susceptible of irrigation under this right. Transfer No. 3487 related to one of the Riley rights, and was approved for 10 acres of irrigation. Because a portion of that right is the subject of another transfer, there now remains 4.4 acres amenable to transfer. Transfer No. 3548 allows the irrigation of 24 acres. Combining the residual 111 acres of Water Right No. 37-2632, the residual of 4.4 acres of Water Right No. 37-0577BP of the Riley right, and the 24 acres of the Riley right that is the subject of Transfer No. 3548 yields a total permissible place of use of 139.4 acres. Each of these primary rights will be diverted into ponds and utilized for irrigating the total acreage of the golf course.

SEP 14 1995

T # 4588

Water Right No. 37-0154A is a Big Wood River flood right, the residual of which after certain previous transfers is 9.34 cfs susceptible of irrigation use on 240.4 acres. Water Right No. 37-0364 which was the subject of Transfer No. 3539 is also a Big Wood River flood right for the irrigation of 16 acres. Water Right No. 37-0153A is a surface water right from Greenhorn Creek which, like the last two Big Wood rights, is generally available only as a flood right. Those three rights would also become appurtenant to the same permissible place of use. Because Water Right No. 37-0154A is appurtenant to substantially more acres than the permissible place of use, I believe that Mr. Rinker is contemplating abandoning to the Big Wood River the amount of water under this right that is attributable to the acreage over and above the 139.4 acres of permissible use, if these applications are all approved.

The Application for Water Right is necessary to serve the domestic needs of the Golden Eagle Ranch Subdivision. The domestic component is calculated by utilizing Appendix IV of the IDWR Handbook. There will be 76 residential lots in the subdivision, together with 4 units for employee housing. The irrigation component of this right is strictly for the 76 residential lots with a maximum irrigable area of one-half acre each, for a total of 38 irrigable acres under this right. The developers of the subdivision desire to construct a community system, rather than drilling 76 individual wells which would be permitted under Idaho Code §42-111. The total amount of the right sought appears high as a result of the inclusion of fire protection flows. Obviously, we would hope that the amount indicated for fire protection would never be used, but we wanted to make certain that our application evidenced all potential needs for the development.

I trust that the foregoing will assist you in the review of these applications. To the extent that you need additional information, please do not hesitate to contact me at anytime.

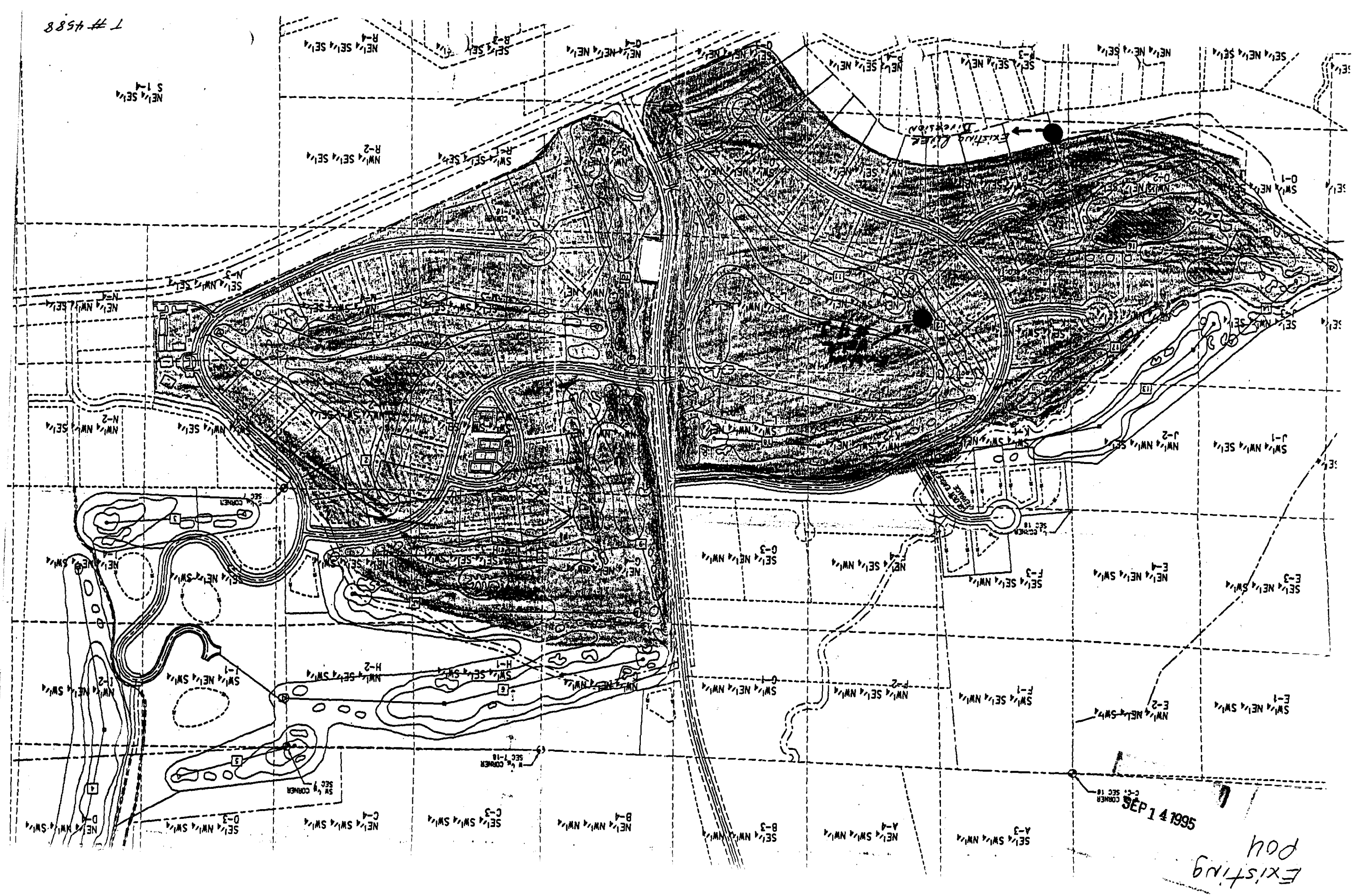
Yours truly,

GARY D. SLETTE

GDS:jc
Enclosures
cc: Harry Rinker
Bill Fruehling
Mike Warner
Chuck Brockway

RECEIVED
SEP 14 1995

T# 4588



Page 1 of 3

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

RECEIVED
APR 2 1986
Department of Water Resources
Southern District Office

RECEIVED
APR 24 1986
Department of Water Resources
Southern District Office

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1
PROPOSED CHANGE

APPROVED

Name of applicant Rinker Co. Phone (714) 999-8300

Post Office address P.O. Box 7250, Newport Beach, California, 92658-7250

1. Explain Fully purpose of transfer

☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

☐ Change in nature of use from _____ to _____ ☐ Other _____

Describe the reason for the proposed changes To correct apparent error in licensing and to change P/U due to sale of land.

DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

2.	Right Number	Priority	Amount	Nature of Use	Period of Use
a.	37-2632	3/29/1960	2.30 cfs	Irrig & Dom.	Not Listed on Lic. to
b.					to
c.					to
d.					to
e.					to

3. Total amount of water under right: a. 2.30 cubic feet per second and/or _____ acre feet per annum

4. Source of water Groundwater tributary to _____

5. Point(s) of Diversion

Twp.	Rge.	Sec.	1/4	1/4	1/4	County	Twp.	Rge.	Sec.	1/4	1/4	1/4	County
3N.	18E.	18	NE	SW	NE	Blaine							

6. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N.	18E.	18	22		37	18	12								16	15			115

RECEIVED
SEP 14 1995

Page _____ of _____

PART 1

7. General Information

a. Description of diverting works Existing well & 50 H.P. pump which will be modified to 100 H.P. pump with the addition of 131 acres under new application

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer Transfer is intended to correct description of land as licensed in error. Lands being deleted or dropped from P/U have not been capable of being irrigated. The New P/U more correctly show lands irrigated. This

d. Remarks transfer is being made in conjunction with an application for permit which will expand the P/U from 115 acres with the addition of 131 acres to a total of 246 acres.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-2632

And said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 24th day of June, 19 86.

SEP 14 1987

L. Glen Saxton

Chief, Operations Bureau

AP 2

Blaine Co.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
WATER RIGHT AS PRESENTLY RECORDED

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____

in case of _____ vs _____

dated in _____ in _____ county of _____

b. License No. 37-2632 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

d. Transfer No. _____ which produced this right

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attatchment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date of priority 3/29/1960

5. Water is used for the following purpose:

amount 2.30 cfs for Irrig & Dom, purposes from Not Listed to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right: a. 2.30 cubic feet per second

and/or

b. _____ acre feet per annum

7. Point(s) of Diversion

Twp.	Rge.	Sec.	1/4	1/4	1/4	County	Twp.	Rge.	Sec.	1/4	1/4	1/4	County
3N.	18E	18		SW	NE	Blaine							

8. Place(s) of Use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N.	18E	18	10		40	40				10						15			115

RECEIVED
SEP 14 1995

Total Acres 115

9. Describe any other water rights used for the same purpose as described abo Decreed surface water rights

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED
(if the entire right is to be changed by the applicant, omit part B.)

1. Amount of water: a. _____ cubic feet per second and/or b. _____ acre feet per annum

2. Point(s) of Diversion:

Twp.	Rge.	Sec.	1/4	1/4	1/4	County	Twp.	Rge.	Sec.	1/4	1/4	1/4	County

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is none) #_____

1. Amount of water: a. _____ cubic feet per second and/or b. _____ acre feet per annum

2. Point(s) of Diversion:

Twp.	Rge.	Sec.	1/4	1/4	1/4	County	Twp.	Rge.	Sec.	1/4	1/4	1/4	County

3. Place(s) of Use: (Attach additional list if required)

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

RECEIVED
SEP 14 2005

Total Acres _____

APP

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

ADDITIONAL INFORMATION & SIGNATURE

1. If transfer changes nature of use, answer FULLY the following items.

a. New Nature of Use | Amount | Hours/day | Period of Use

_____ _____ _____ _____ to _____

b. Quantity and quality of return flows and location of discharge.

_____

_____

c. Describe affects on other water uses resulting from the proposed change.

_____

_____

_____

_____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargementin use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

_____ X
(Signature of Applicant)

Subscribed and sworn to before me this 1st day of April, 19 86.

_____
(Notary Public)

My commission expires 5/1/91

FOR DEPARTMENT USE ONLY

Transfer contains 3 pages and 2 attachments Deed Aerial Photo

Received by [illegible] Date 3/24/86 Protest filed by None

Prelim. check by [illegible] Fee $50.00 MICROFILMED

Receipted by [illegible] Date 3/24/86 # 40050

Published in Wood River Journal SEP 14 1995

Pub. dates 4/17 + 4/24/86 Copies of protest forwarded by _____

Watermaster recommendation requested on N/A Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by Jim

Copy of transfer sent to lien holder _____



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

August 4, 1986

RE: Water Right No. 37-2632

Rinker Co.
Box 7250
Newport Beach, CA 92658-7250

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right.

You should be aware that approval of the transfer does not authorize irrigation of more than the 115 acres identified under Right 37-2632. Irrigation of the additional 131 acres cannot occur until the application for permit is approved by the Department.

If you have any questions, please let us know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

Form 222a
6/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: JG Stanton

1. Right number 37-2632 Applicant RINKER CO.
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
   ☐ Other _____
4. Check:
   - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
   - b. ☒ Description of original point of diversion.
   - c. ☒ Description of original place of use.

   OK
5. Amount of land &/or water transferred:
   - a. ☒ All of right.
   - b. ☒ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
   - c. ☒ Check description of point(s) of diversion.
   - d. ☒ Check description of place of use.
   - e. ☒ Check map (shows p.d. and p.u. after transfer).
   - f. ☒ Check for correct signature, notarization, and fee.
   - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
   - h. ☒ Check for expansion in use of right. Comments _____
     Appears not to be an expansion
   - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
     Right number(s) none
   - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
     If yes, what district? _____

FINAL PROCESSING REVIEW BY: ADM

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* ~~See~~
4. By ADM Date 5/13/86

6-24-86

MICROFILMED

RECEIVED
Department of Water Resources

** All uses within Watermaster Districts require special conditions.*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-2632

Notice is hereby given that Rinker Company of Newport Beach, California has applied to the Department of Water Resources for a change of place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 37-2632 and is recorded as follows:

Amount: 2.30 cfs

Priority: March 29, 1960

Point of Diversion: SWNE, Sec. 18, T3N, R18E, B.M., Blaine County

The water is used for irrigation of 115 acres within the NENE, S1/2NE1/4, SENW, NWSE, Sec. 18, T3N, R18E

TO BE CHANGED AS FOLLOWS:

Amount:2.30 cfs

Point of Diversion: NESWNE, Sec. 18, T3N, R18E, B.M., Blaine County

Place of Use: NENE, S1/2NE1/4, NENW, N1/2SE1/4, Sec. 18, T3N, R18Efor irrigation of 115 acres

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lake Blvd. North, Twin Falls, Idaho 83301, on or before May 5, 1986.

A. KENNETH DUNN
Director

Published in Wood River Journal on April 17 and 24, 1986.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

April 10, 1986

Wood River Journal
P. O. Box 988
Hailey, Idaho 83333

Gentlemen:

Enclosed you will find 2 legal notices which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary A. Newby
Sec/Office Coord.

Encl:

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

March 27, 1986

Rinker Company
% Nick Purdy
Box 748
Picabo, Idaho 83348

Re: Application for Transfer of Water right 37-2632

Dear Mr. Purdy:

Per our conversation of March 27, 1986, we are returning the above referenced transfer for notarization of Mr. Rinker's signature.

A receipt for the filing fee is enclosed.

Please return the notarized transfer to this office for further processing.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

LOH:JES:marya

Encl:

MICROFILMED

RINKER COMPANY

RECEIVED
MAR 24 1986
Department of Water Resources
Southern District Office

March 19, 1986

Department of Water Resources
Mr. Allen Merritt
Southern Region
1041 Blue Lakes Blvd. No.
Twin Falls, Idaho 83301

Re: Gould Water Rights

Dear Mr. Merrit:

Enclosed herewith are the following applications which I have executed:

Application for Transfer of Water Rights

Application for Permit

I have also enclosed my check payable to the Department of Water Resources in the amount of $135.00 ($50 and $85) relative to these applications.

Nick Purdy wrote me that you had assisted him in filling out these applications and I am most appreciative for your kind help and guidance. Please process these applications at your early convenience and, if you have any questions that I can answer, phone me collect or, if there are any unforeseen difficuties, please call Nick at his Picabo office.

Sincerely,

Harry S. Rinker

/lc

Encls.

cc: Nick Purdy
Harry LeMoyne

MAILING ADDRESS: P.O. BOX 7250 • NEWPORT BEACH, CALIFORNIA 92658-7250 • (714) 979-8300
PULLMAN AT REDHILL

MICROFILMED

August 25, 1964

Re: Permit No. G-28570

Glenn Dale Ranches
Buhl, Idaho

Attn: Glenn C. Gould, Pres.

Dear Mr. Gould:

Enclosed are Certificate of Completion of Works and License and Certificate of Water Right issued on Permit No. G-28570.

Also enclosed is departmental receipt No. G-8836 in the amount of $15.00 covering fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificates
receipt

28-570

500 - July 8, 1964

August 20, 1964

RE: Permit No. G-28570

Glenn C. Gould, Pres.
Glendale Ranches, Inc.
Route #4
Buhl, Idaho

Dear Mr. Gould:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-28570 shows the well is (~~XXXX~~) capable of conveying 115 miner's inches, or 2.3 c.f.s. of water for the irrigation of 115 acres.

Upon receipt of the statutory fees, totaling $ 15.00 , we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of March 29, 1960 , to the use of 2.3 second feet of subterranean water with the point of diversion in SW¼NE¼, Sec. 18, to irrigate 115 acres and for domestic use in E½NE¼, SW¼NE¼, SE¼NW¼, NW¼SE¼, Sec. 18, T. 3 N., R. 18 E., B. M.

Very truly yours,

CARL F. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

28570

Birkl Ida.
Aug. 24. 1964

Dept of Reclamation
Boise Idaho.

Dear Sirs:

Enclosed find Check for $5 statutory fee for Certificate of Completion of works and License of water Right.

Yours truly,
Glenn C Gould.
Glenndale Ranches.

28570

28570

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

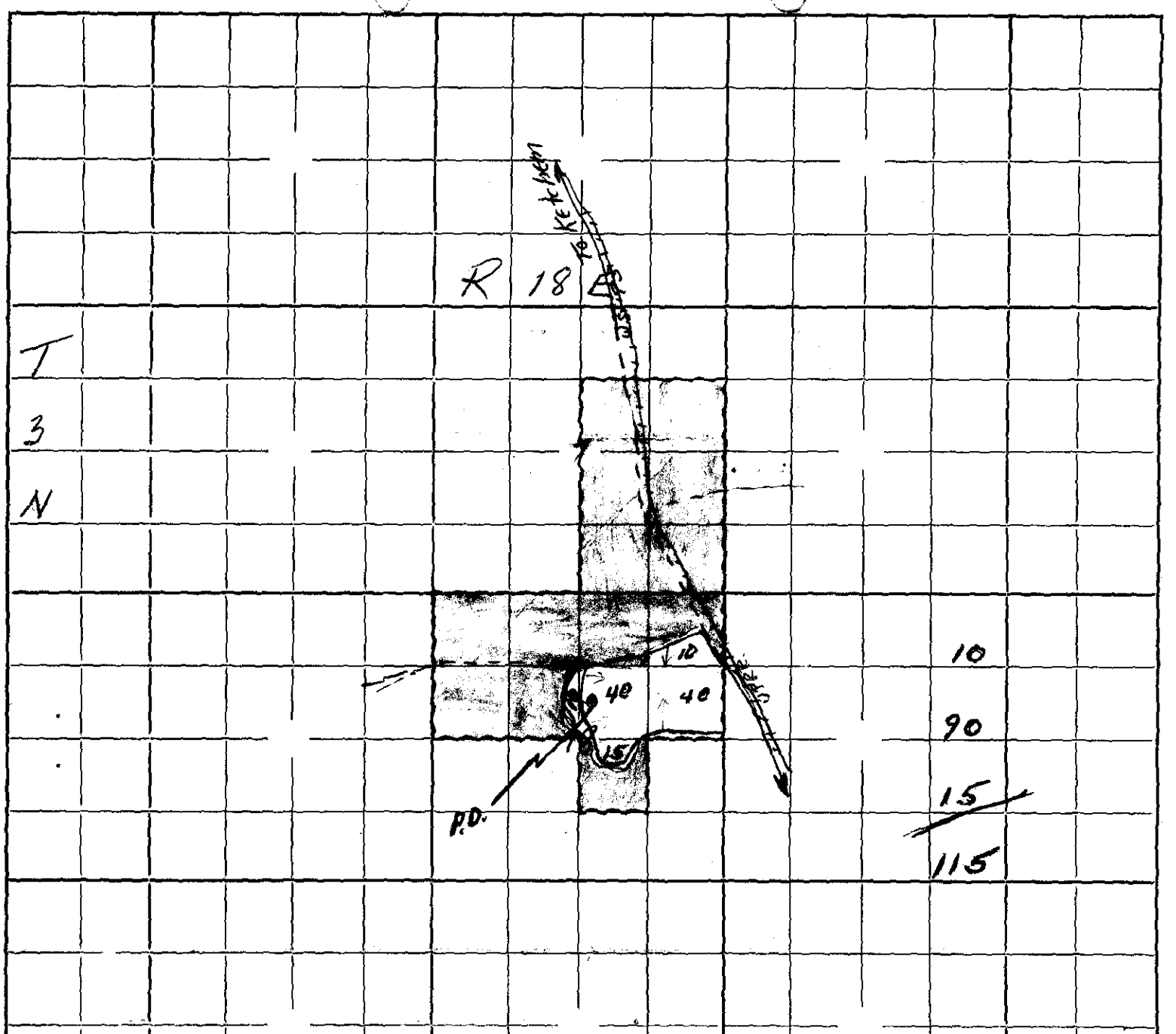
REPORT OF ENGINEER

PERMIT NO. G-28570

REPORT ON PROOF OF Completion of Works & Beneficial Use

Glenn C. Gould, President, Glendale Ranches, Inc.,
Route #4, Buhl, Idaho

28570



Subdivision 5

area 115 acres

c/w 4.04

Allow Q 2.30 cfs or 115 inches

total measurement

4.04 cfs

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

28570

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-28570

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Glenn Dale Ranches, Inc.,
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the SW¼NE¼ of Section 18
   T. 3 N. R. 18 E.B.M. County of Blaine
4. Describe works as they exist, giving dimensions and capacities of same: 50 H.P. U.S. Motor # 964620 U.S. pump # 18766 12" x 50' Column 16" x 50' Casing 7" O.D.? Well depth 12" x 200' discharge pipe to open ditch
5. Water is used for: irrigation and domestic
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

N½, NW¼SE¼ Sec. 18., S½NE¼, SE¼ Sec. 7., all in Twp. 3 N., Rge. 18 E.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Glenn Gould (owner) participated in the examination

Measurement was made with Cippoletti weir 71 over 2' weir or 202 inches

This examination was made on the 12th day of August, 1964

(Signed) Ron Velarde
Examiner.

28570

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
AUG 19 1964
Department of Reclamation

Glenn C. Gould, President
Glenn Dale Ranches, Inc.,
Rt. #4. Buhl, Idaho 11:00AM
Permit No. G-28570 54360

Examination for Completion of Works & Beneficial Use

County Blaine

Sec. 18 T. 3N R. 18 EBM

Quantity: 8.0 cfs

Source: Well

P.D.: SWNE, 18-3N-18E

Use: Irrigation & Domestic

Filed: 3-29-60

Due: 3-30-65

Extension:

Completion of Works:

Other Rights: ?

Drilled by Walker

G-28570

LAW OFFICES
HEPWORTH AND NUNGESTER
FARMERS NATIONAL BANK BUILDING
BUHL, IDAHO -- 83316

JOHN C. HEPWORTH
WM. L. NUNGESTER

AREA CODE 208
PHONE 543-4368

January 6, 1964

Carl E. Tappan
State Reclamation Engineer
107 State House
Boise, Idaho

Re: Permit No. G-28570
Glendale Ranches, Inc.

Dear Sir:

I just received in the mail an Affidavit of Publication from the Hailey Times on the above permit. Evidently they were cleaning out their files and sent it on to me. I believe I sent an Affidavit of Publication earlier, but if I did not you may use this Affidavit of Publication.

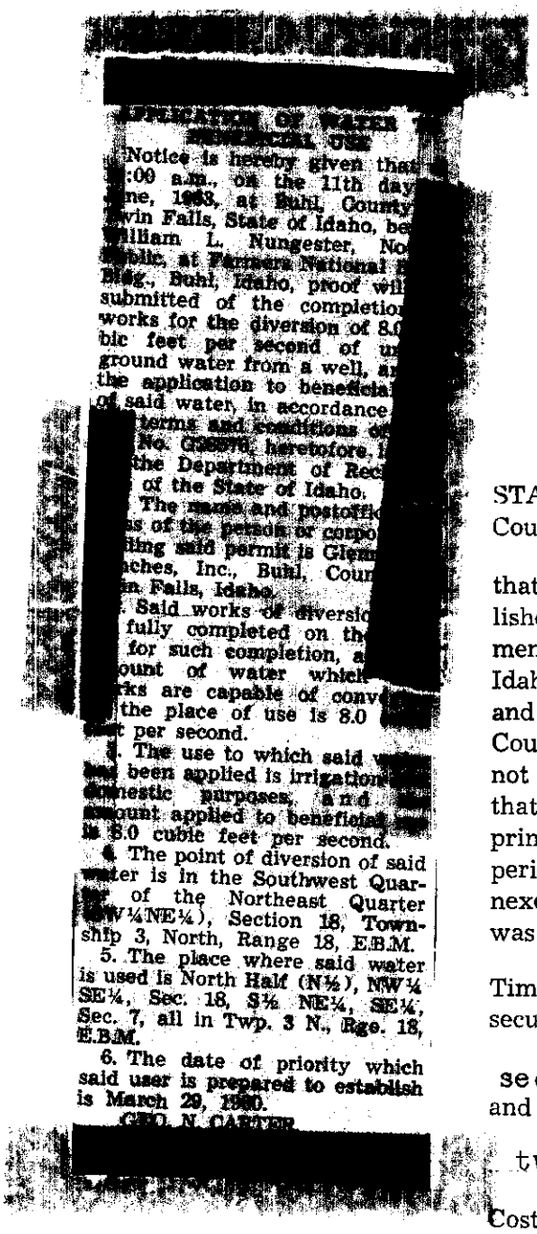
Very truly yours,

HEPWORTH & NUNGESTER

William L. Nungester

wln/im
enc.

28570



NOTICE OF WATER
MUNICIPAL USE

Notice is hereby given that
:00 a.m., on the 11th day
ne, 1963, at Buhl, County
win Falls, State of Idaho, be
illiam L. Nungester, No
blic, at Farmers National
Bldg., Buhl, Idaho, proof will
submitted of the completio
works for the diversion of 8.0
bic feet per second of u
ground water from a well, a
the application to beneficial
of said water, in accordance
terms and conditions o
No. G [illegible], heretofore,
the Department of Rec
of the State of Idaho.
The name and postoffi
s of the person or compo
ling said permit is Glen
ches, Inc., Buhl, Cou
n Falls, Idaho.
Said works of diversio
fully completed on th
for such completion, a
ount of water which
rks are capable of conv
the place of use is 8.0
t per second.
The use to which said w
been applied is irrigation
domestic purposes, and
amount applied to beneficial
is 8.0 cubic feet per second.
The point of diversion of said
ater is in the Southwest Quar-
of the Northeast Quarter
W¼NE¼), Section 18, Town-
ship 3, North, Range 18, E.B.M.
5. The place where said water
is used is North Half (N½), NW¼
SE¼, Sec. 18, S½ NE¼, SE¼,
Sec. 7, all in Twp. 3 N., Rge. 18,
E.B.M.
6. The date of priority which
said user is prepared to establish
is March 29, 1960.
GEO. N. CARTER

Affidavit of Publication

STATE OF IDAHO, }
County of Blaine, } ss.

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for four consecutive weeks commencing with the first publication thereof on the

second day of May, 1963
and ending with the last publication thereof on the

twenty-third day of May, 1963

Cost of this publication is $23.76

Berwyn Burke

BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 24th day

of May, 1963.

R. V. McCoy

Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

28570

Form 16.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G28570

Proof of Application of Water to Beneficial Use
and Completion of Works

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Glenn C. Gould, Rt. 4, Buhl, Idaho, Farmer

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Glenn Dale Ranches, Inc., Buhl, Idaho, President, by authority of office.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. G-28570, March 30, 1960-First water applied to land July 10, 1956 ~~and March 30, 1960~~.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. SW¼, Sec. 18, T. 3 N., R. 18 E.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. well, 50 H P turbine electric well is 50 feet deep all perforated casing (50 Ft.) 16 inch well varies from 7 feet to 25 feet in depth use ditches for gravity flood irrigation

use 300 miner's inches or 6.0 cu. ft. per sec. of water

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and stock water for approximately 200 head.

SW¼ NE¼, Sec. 18, T. 3 N., R. 18, E.B.M.

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. Gene Walker, Twin Falls, Idaho

28570

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. no

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 300 miner's inches or 6.0 cubic ft. per sec.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Permit issued to Glenn Dale Ranches Inc.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Irrigation and stock watering, since July 10, 1956

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Dry prior to this-early natural flow which ran out in June.

(Sign) Glenn L. Gould

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Buhl, County of Twin Falls, State of Idaho, on this 11th day of June, A. D. 19 63.

W. L. Youngblood

My commission expires 1/1/65

285570

Form 17A
1.5 M 7-31-62

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. ~~G28570~~

* * * * * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case

Ques. 1. State your name, age, residence, occupation and postoffice address:

~~Glenn B. Gould, 45.~~ Farmer and Rancher

Rt. 4, Buhl, Idaho

Ques. 2. Are you acquainted with Glenn Dale Ranches Incorporation, the holder of Permit No. G28570 ? How long have you known him and where does he reside:

since November 17, 1949 Glenn Dale Ranches, Rt. 4, Buhl, Idaho

Ques. 3. Have you read or heard said Permit No. G28570 read, and are you familiar with its provisions and conditions: Yes: yes No:

Ques. 4. State source of water supply: ~~Well~~

State place of diversion: ~~SW¼ NE¼, Sec. 18, T. 3 N., R. 18, E.B.M.~~

Describe works for conveying water to place of use: Well, Pipe, Pump, Ditches, Gates

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 8.0 S.F. How much water have you seen being so conveyed: ~~6.0 S.F. (300 miner's inches)~~

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

All of the following are located in Sec. 18, T 3 N., R. 18, E.B.M.

~~NW¼ NE¼ 40 acres;~~

NE¼ NE¼, 40 acres.

~~SW¼ NE¼, 40 acres,~~

SE¼ NE¼, &40 acres;

140 acres

28570

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

NO

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation:

3 inches to acre gravel sub base with some heavey soil, flat

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: Shareholder, Glenn Dale Ranches, Inc.

Ques. 10. When did you first see this water used: ~~July 10, 1956~~

Other times you have seen such use: every year since that time

(Signed) Glenn B. Gould

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Buhl, County of Twin Falls, State of Idaho, on this 11 day of June, A. D., 1962.

W. M. Dungan

Notary Public for State of Idaho

Residing: Buhl, Idaho

My commission expires: ~~1/1/65~~

28570

Form 17A
1.5 M 7-31-62

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G28570

* * * * * * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case

Ques. 1. State your name, age, residence, occupation and postoffice address:

J. Dale Gould , , Farmer and Rancher

Rt. 4, Buhl, Idaho

Ques. 2. Are you acquainted with Glenn Dale Ranches Inc., the holder of Permit No. G28570 ? How long have you known him and where does he reside:

since November 17, 1949, Glenn Dale Ranches, Rt.4, Buhl, Idaho

Ques. 3. Have you read or heard said Permit No. G28570 read, and are you familiar with its provisions and conditions: Yes: yes No: _____

Ques. 4. State source of water supply: Well

State place of diversion: SW¼ NE¼, Sec. 18, T. 3 N., R. 18, E.B.M.

Describe works for conveying water to place of use: Well, Pipe, Pump, Ditches, Gates.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 8.0 S.F. How much water have you seen being so conveyed: 6.0 S.F. (300 miner's inches)

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

NW¼ NE¼, 40 acres; All the following are located in Sec. 18,

NE¼ NE¼, 40 acres; T. 3 N., R. 18, E.B.M.

SW¼ SNE¼, 40 acres;

SE¼ NE¼, &40 acres;

140 acres

28570

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

cultivate hay and irrigate pasture , other than that no.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation:

3 inches to acre gravel sub base with some heavy soil, fair

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: Shareholder, Glenn Dale Ranches Inc.

Ques. 10. When did you first see this water used: July 10, 1956 ev

Other times you have seen such use: every year since that time

(Signed) J. Dale Gould

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Buhl, County of Twin Falls, State of Idaho, on this 11 day of June, A. D., 1962.

H. L. Vaughan

Notary Public for State of Idaho

Residing: Buhl, Idaho

My commission expires: 1/1/65

28570

LAW OFFICES
HEPWORTH AND NUNGESTER
FARMERS NATIONAL BANK BUILDING
BUHL, IDAHO

JOHN C. HEPWORTH
WM. L. NUNGESTER

PHONE 543-4368

June 20, 1963

State of Idaho
Department of Reclamation
Boise, Idaho

Dear Sirs:

Please find enclosed Proof of Application of Water to Beneficial Use and Deposition of Witness.

Very truly yours,

HEPWORTH & NUNGESTER

Tanya Hepworth

Tanya Hepworth

28570

LAW OFFICES
HEPWORTH AND NUNGESTER
FARMERS NATIONAL BANK BUILDING
BUHL, IDAHO

JOHN C. HEPWORTH
WM. L. NUNGESTER

June 20, 1963

PHONE 543-4368

State of Idaho
Department of Reclamation
Boise, Idaho

Dear Sirs:

Please find enclosed Proof of Application of Water to Beneficial Use and Deposition of Witness.

Very truly yours,

HEPWORTH & NUNGESTER

Tanya Hepworth

Tanya Hepworth

28370

LAW OFFICES
HEPWORTH AND NUNGESTER
FARMERS NATIONAL BANK BUILDING
BUHL, IDAHO

JOHN C. HEPWORTH
WM. L. NUNGESTER

PHONE 543-4368

June 20, 1963

State of Idaho
Department of Reclamation
Boise, Idaho

Dear Sirs:

Please find enclosed Proof of Application of Water to Beneficial Use and Deposition of Witness.

Very truly yours,

HEPWORTH & NUNGESTER

Tanya Hepworth

Tanya Hepworth,
Secretary

28570

Form No. 11

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 19, 1963

(P. O.) Buhl, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the HAILEY TIMES of Hailey, Idaho published in the county in which the works are situated.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

28670

No. 36

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 A.M., on the 11th day of June 1963, at Buhl, County of Twin Falls, State of Idaho, before William L. Nungester, Notary Public, at (address) Farmers National Bank Bldg., Buhl, Idaho, proof will be submitted of the completion of works for the diversion of 8.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 28570, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Glenn Dale Ranches, Inc., Buhl, County of Twin Falls, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 8.0 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 8.0 cubic feet per second.

4. The point of diversion of said water is in the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4}$ $NE\frac{1}{4}$), Section 18, Township 3, North, Range 18, E.B.M.

5. The place where said water is used is North Half ($N\frac{1}{2}$), $NW\frac{1}{4}$ $SE\frac{1}{4}$, Sec. 18; $S\frac{1}{2}$ $NE\frac{1}{4}$, $SE\frac{1}{4}$, Sec. 7, all in Tpw. 3 N., Rge. 18, E.B.M.

6. The date of priority which said user is prepared to establish is March 29, 1960.

Geo. H. Carter
State Reclamation Engineer

28570
RT

1200
6-28-61

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-28570
Glenn Dale Ranches, Inc.

Date: April 26, 1963

Hailey Times,
Hailey, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to June 11, 1963 the date set for proof; the expense of the publication is to be paid by the applicant's attorney William L. Nungester of Farmers National Bank Bldg., Buhl, Ida., to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,

Geo. N. Carter

GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

28570

April 26, 1963

Re: Permit No. G-28570
Glenn Dale Ranches, Inc.

Mr. William L. Nungester,
Attorney at Law,
Farmers National Bank Bldg.,
Buhl, Idaho.

Dear Mr. Nungester:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-28570, in the name of Glenn Dale Ranches, Inc. Final Proof is to be made before you, as Notary on the 11th day of June, 19 63, at 11:00 o'clock A.M., at Farmers National Bank Bldg., Buhl, Idaho.

As of this date we have mailed the Notice to the Hailey Times Hailey, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Enc.
cc: Applicant

-28570

LAW OFFICES
HEPWORTH AND NUNGESTER
FARMERS NATIONAL BANK BUILDING
BUHL, IDAHO

JOHN C. HEPWORTH
WM. L. NUNGESTER

PHONE 543-4368

April 25, 1963

Dept. of Reclamation
107 State House
Boise, Idaho

Atten: Ralph W. Thomas

Re: Glenn Dale Ranches
Permit No. G-28570

Dear Mr. Thomas:

Enclosed please find papers on the above captioned water permit. Please excuse my error on the legal. I have set the date of the hearing based upon four publications in the newspaper, said publications being upon the 16th, 23rd and 30th days of May, and the 6th day of June.

I hope everythings proves satisfactory this time.

Very truly yours,

HEPWORTH & NUNGESTER

William L. Nungester

WLN:bh

28570

April 24, 1963

Re: Permit No. G-28570
Glen Dale Ranches, Inc.

Hepworth & Nungester
Attorneys at Law
Buhl, Idaho

Attn: William L. Nungester

Dear Mr. Nungester:

Returned herewith are two Forms 36 and one Form 11 we received and blank forms 36.

The land list on Form 36 under 5 is not satisfactory. Why not show the land as N½, NW¼SE¼, Sec. 18; N½NE¼, SE¼, Sec. 7, all in Twp. 3 N., Rge. 18 E., B. M. The priority cannot be prior to date the application was filed in this office. Earlier priority must be obtained through action in the District Court.

The date for making the proofs will have to be advanced as our information shows that material has to be in the office of the Buhl Herald on Tuesday to be included in the Thursday paper.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Forms 36 - 11
blank forms 36

28-570

LAW OFFICES

HEPWORTH AND NUNGESTER

FARMERS NATIONAL BANK BUILDING

BUHL, IDAHO

JOHN C. HEPWORTH
WM. L. NUNGESTER

PHONE 543-4368

April 19, 1963

State of Idaho
Dept. of Reclamation
Statehouse
Boise, Idaho

Re: Permit for
Glenn Dale Ranches
Robert A. Montgomery

Gentlemen:

Enclosed please find Permit No. G28570 for Glenn Dale Ranches, and Permit No. G29834 for Robert A. Montgomery. I have set the date of the hearing for May 28, 1963, feeling that the notices can be run in the papers on May 2, 9, 16 and 23. You will also notice that in Item 6 on both permits, I have set out a priority date which predates the permit date. This is because the water from these respective wells were applied to a beneficial use as of these dates and I feel these people are, therefore, entitled to a priority date on the date of application to a beneficial use.

If there are any additional expenses, please let us hear from you immediately.

Very truly yours,

HEPWORTH & NUNGESTER

William L. Nungester

WLN:bh

Encl.

28570

1M April 1962

January 6, 1963

Re: Permit No.
G-28570

Glenn C. Gould, President
Glenn Dale Ranches, Inc.
Route #4
Buhl, Idaho

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Hailey Times _____, all submitted in proof of completion of works and beneficial use on Permit No. G-28570.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

: Tanya Hepworth
Hepworth and Nungester
Farmers National Bank Building
Buhl, Idaho

28370

January 27, 1961

Re: Permit No. G-28570
Glendale Ranches, Inc.

John S. Hepworth
Attorney at Law
Buhl, Idaho

Dear Mr. Hepworth

In reply to your letter of January 25th, in regard to Permit No. G-28570, our files show that the permit was sent to you on April 4, 1960, and there has been no further action.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

28570

FARMERS NATIONAL
BANK BUILDING

John C. Hepworth
ATTORNEY AT LAW
Buhl, Idaho

WILLIAM L. NUNGESTER

RECEIVED
JAN 26 1961
Department of Reclamation

January 25, 1961

State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Sir:

I am writing in regard to a permit No. G28870 concerning an application for Glendale Ranches Inc., to file on a well located in Section 18, Township 3 North, Range 18, E.B.M. Mr. Glenn Gould, president of Glendale Ranches has been in to inquire as to the status of this matter and I had in mind that the matter was completed but my files seem to be incomplete and I would appreciate your checking the status of this application and advise me as to what has been done or, if anything remains to be done, to complete proof of this matter. Your assistance will be greatly appreciated.

Very truly yours,

John C. Hepworth

JCH/vj

28870

April 4, 1960

Re: Permit No. G-28570
Glenn Dale Ranches, Inc.

Mr. John C. Hepworth,
Attorney at Law,
Buhl, Idaho.

Dear Mr. Hepworth:

We enclose Permit No. G-28570 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-4723 which was issued covering payment in the amount of $6.75 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pak
cc: Glenn Dale Ranches, Inc.
Buhl, Idaho

-28570

NAME OF APPLICANT..... G NN DALE RANCHES, INC. .....

Form No. 0

R 18 E

T 3 N

Well-Point of Diversion

SW¼ NE¼ 18

Permit Map No. 28570
As Approved
GEO. N. CARTER MAR 30 1960
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

28570

March 17, 1960

Re: Application for Permit
Glen Dale Ranches, Inc.

John C. Hepworth
Attorney at Law
Buhl, Idaho

Dear Mr. Hepworth:

Returned herewith is the application for permit, for which no fee was enclosed.

Enclosed is a copy of Regulations and Instructions with the fees marked. Fees must accompany the application before it can be accepted. The application is for 8.0 cubic feet per second, fee for first cubic foot per second is $5.00 plus $0.25 for each additional cubic foot per second; in your case $5.00 + 7 x $0.25 equals $6.75 fee.

The application under 4 shows point of diversion in SE¼NW¼, Sec. 18 whereas both maps show the SW¼NE¼, Sec. 18. Kindly correct the place in error.

The application will be processed upon return with the fee attached.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:ew

Enc. application for permit
regulations & instructions

28570

March 23, 1960

RE: Application for Permit
Glen Dale Ranches, Inc.

John C. Hepworth
Attorney at Law
Buhl, Idaho

Dear Mr. Hepworth:

The application was returned to you March 17, 1960 for correction of the point of diversion and the filing fee of $6.75 for 8.0 cubic feet per second of water claimed.

The application was received March 21, 1960 with the point of diversion corrected, however the check which was supposed to be enclosed could not be found. The check was expected in the next mail but it is still missing. Kindly get the fee here in order that the application can be assigned a priority and be in line for approval.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:mr

28571 RT

STATE OF NEVADA

DEPARTMENT OF RECLAMATION

NORRIS E. SMYLIE
Director

RECEIVED
MAR 29 1960
Department of Reclamation

28570

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

GEO. N. CARTER, STATE RECLAMATION ENGINEER

BOISE

ROBERT E. SMYLIE
Governor

March 17, 1960

Returned 3-21-60
No check

Re: Application for Permit
Glen Dale Ranches, Inc.

John C. Hepworth
Attorney at Law
Buhl, Idaho

Dear Mr. Hepworth:

Returned herewith is the application for permit, for which no fee was enclosed.

Enclosed is a copy of Regulations and Instructions with the fees marked. Fees must accompany the application before it can be accepted. The application is for 8.0 cubic feet per second, fee for first cubic foot per second is $5.00 plus $0.25 for each additional cubic foot per second; in your case $5.00 + 7 x $0.25 equals $6.75 fee.

The application under 4 shows point of diversion in $SE\frac{1}{4}NW\frac{1}{4}$, Sec. 18 whereas both maps show the $SW\frac{1}{4}NE\frac{1}{4}$, Sec. 18. Kindly correct the place in error.

The application will be processed upon return with the fee attached.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By: Edna P. Rule
(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:ew

Enc. application for permit
regulations & instructions

Please note the change in application to correct point of diversion. I am enclosing $6.75 for filing fees. Sorry for your trouble, and thank you very much for your assistance.

JCH by bg

23570

PHONE 333

FARMERS NATIONAL
BANK BUILDING

John C. Hepworth
ATTORNEY AT LAW
Buhl, Idaho

March 15, 1960

RECEIVED
MAR 17 1960
Department of Reclamation

Department of Reclamation
Room 107, State House
Boise, Idaho

Dear Sir:

Enclosed is Application for Permit in the matter of the Glenn Dale Ranches, Inc. If there are any filing fees, etc. to be paid, please advise me, and I will remit the same.

We would appreciate hearing from you on this matter at an early date, as we are very anxious to prove up on this well.

Very truly yours,

John C. Hepworth

JCH:bg
Enc.

-22570

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 a.m., on the 11th day of June, 1963, at Buhl, County of Twin Falls, State of Idaho, before William L. Nungester, Notary Public, at Farmers National Bank Bldg., Buhl, Idaho, proof will be submitted of the completion of works for the diversion of 8.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G28570, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Glenn Dale Ranches, Inc., Buhl, County of Twin Falls, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 8.0 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 8.0 cubic feet per second.

4. The point of diversion of said water is in the Southwest Quarter of the Northeast Quarter (SW¼NE¼), Section 18, Township 3, North, Range 18, E.B.M.

5. The place where said water is used is North Half (N½), NW¼ SE¼, Sec. 18, S½ NE¼, SE¼, Sec. 7, all in Twp. 3 N., Rge. 18, E.B.M.

6. The date of priority which said user is prepared to establish is March 29, 1960.

GEO. N. CARTER,
State Reclamation Engineer.

5/2-9-16-23

28570