



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

April 5, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

**CHANGE OF OWNERSHIP ANALYSIS FOR
A37-00521C, A37-00522B, AND A37-00523B**

Warranty deed 318773, dated April 20, 1990 and recorded April 23, 1990, states in EXHIBIT 1 in part;

"Together with all water rights appurtenant to the above described real property, specifically including, but not limited to 90.4% of the following itemized decreed surface water rights for irrigation from the Big Wood River and the ditch rights which are appurtenant to the property, to facilitate the delivery of the surface water through Headgate 22 and the Hiawatha Canal headgate 24 and the Osborn Ditch, and Headgate 25 and the Purdum Ditch:"

DECREED RIGHTS

<u>Priority</u>	<u>Purpose</u>	<u>SRBA Claim No.</u>
6/1/1886	Irrigation	37-00521C
5/4/1889	Irrigation	37-00522B
5/21/1890	Irrigation	37-00523B
11/12/1936	Irrigation	37-00833B
4/1/1940	Irrigation	37-00899

**PROPORTIONATE SPLIT BASED UPON PERCENTAGE
IDENTIFIED IN WARRANTY DEED**

	A37-00521C	A37-005222B	A37-00523B	A37-00833B	A37-00899
RATE	5.46 cfs	4.46 cfs	5.34 cfs	1.66 cfs	1.264 cfs
PERCENT	<u>.096</u>	<u>.096</u>	<u>.096</u>	<u>.096</u>	<u>.096</u>

PROPORTIONATE SPLIT OF DIVERSION RATES

CLAIM #	A37-00521L	A37-005222J	A37-00523G	A37-00833S	A37-00899A
CHAPMAN	0.52 cfs	0.43 cfs	0.51 cfs	0.16 cfs	0.12 cfs
CLAIM #	A37-00521M	A37-005222K	A37-00523H	A37-00833T	A37-00899B
RINKER	4.94 cfs	4.03 cfs	4.83 cfs	1.50 cfs	1.144 cfs

The place of use was split with the claimed acres that are appurtenant to the property described as Lot 2 Block 1 of Chapman's Cloverly Ranch subdivision and Lot 2 Block 1 of Chapman's East

WARRANTY DEED

THIS INDENTURE, made effective the 20th day of April, 1990,
between JOHN S. CHAPMAN, an unmarried man, the "Grantor," and
HARRY S. RINKER, Trustee under Restatement of Declaration of
Trust dated July 12, 1985 for the benefit of Harry S. Rinker, et
al., the "Grantee," whose mailing address for these purposes is
c/o Rinker Company, Post Office Box 7250, Newport Beach,
California 92658-7250;

WITNESSETH:

For valuable consideration the Grantor does hereby grant and
convey unto the Grantee the real property located in Sections 32
and 33, Township 3 North, Range 18 East, Boise Meridian, Blaine
County, Idaho, particularly described as follows:

Lot 1 of Block 1, Chapman's Cloverly Ranch, according
to the official plat of said subdivision recorded as
Instrument No. 318753, records of Blaine County,
Idaho; and

Lot 1 of Block 1, Chapman's East Cloverly Ranch,
according to the official plat of said subdivision
recorded as Instrument No. 318754, records of
Blaine County, Idaho.

ELMORE CO. REQUEST
Scripps Mile Co., Inc.
Clerk
90 APR 23 PM 3 12
WIT CO. CLERK
FEES \$21.00
mP

318773

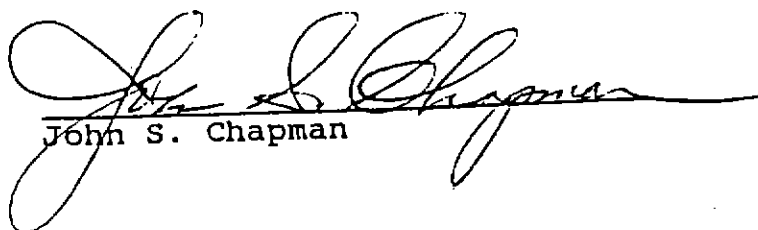
TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof (including water rights described and referred to on attached EXHIBIT 1);

SUBJECT TO the liens, encumbrances, reservations, covenants, restrictions and conditions described on attached EXHIBIT 2 attached hereto and made a part hereof.

TO HAVE AND TO HOLD said premises unto the Grantee, its successors and assigns, forever.

The Grantor covenants with the Grantee, its successors and assigns, that the Grantee shall enjoy the quiet and peaceful possession of said premises; that the Grantor is lawfully seized of said premises in fee simple; and the Grantor warrants that the title to said premises is merchantable and is free from all liens, encumbrances, reservations, covenants, restrictions and conditions excepting those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee.

IN WITNESS WHEREOF, this Warranty Deed has been executed by the Grantor the day and year herein first above written.


John S. Chapman

Cloverly Ranch, according to the official plats of said subdivisions on file and of record in the office of the Recorder of Blaine County, Idaho:

9.6% of the decreed rights referred to on EXHIBIT 1;

4.4%
91% of the groundwater represented by License No. 37-02640;

10.4%
89.6% of the groundwater represented by License No. 37-02507;

All of the spring water rights represented by Claim No. 37-01406; 04106

All of the domestic water rights represented by Claims Nos. 37-01999 and 37-12001;

11979
All of the water rights represented by Permit No. 37-08409; and

All other water rights appurtenant to Grantor's lands which are not conveyed by this deed.

NOTES:

16. Grantor hereby reserves unto himself and his heirs, devisees, personal representatives, successors and assigns, an undivided interest in and to each of the easements referred to in Exception No. 16, above, which shall be and remain appurtenant to and shall run with Grantor's lands described as Lot 2 in Block 1 of Chapman's East Cloverly Ranch.
18. Grantor hereby reserves unto himself and his heirs, devisees, personal representatives, successors and assigns, an undivided interest in and to each of the easements referred to in Exception No. 18, above, which shall be and remain appurtenant to and shall run with Grantor's lands described as Lot 2 in Block 1 of Chapman's Cloverly Ranch.

CORRECTED WARRANTY DEED

THIS CORRECTED WARRANTY DEED is made this 5th day of April, 1991, the same to be retroactive to and effective as of April 20, 1990, between JOHN S. CHAPMAN, an unmarried man, the "Grantor", and HARRY S. RINKER, Trustee under Restatement of Declaration of Trust dated July 12, 1985, for the benefit of Harry S. Rinker, et al., the "Grantee", whose mailing address for these purposes is c/o Rinker Company, Post Office Box 7250, Newport Beach, California, 92658-7250.

Grantor has previously executed that certain Warranty Deed, dated April 20, 1990, and recorded April 23, 1990, as Instrument No. 318773, records of Blaine County, Idaho, which Warranty Deed is incorporated herein by this reference thereto. The first paragraph under the heading "Licensed Rights", of Exhibit "1" to said Warranty Deed is hereby corrected to read, in its entirety, as follows:

"Together with 85.6% of groundwater represented by Groundwater License 37-02640 (Grantor retaining 16 inches of said right for irrigation appurtenant to 11 acres being retained by Grantor in the NW1/4 SE1/4, and 5 acres being retained by Grantor in the SW1/4 NE1/4, of Section 32, T. 3N., R. 18 E.B.M.); and".

Excepted as corrected hereby, said Warranty Deed shall remain in full force and effect.

IN WITNESS WHEREOF, this Corrected Warranty Deed has been executed by the Grantor the day and year herein first above written.

JOHN S. CHAPMAN

STATE OF Idaho)

County of Blaine)

ss.

On this 5th day of April, 1991, before me, the undersigned, a Notary Public in and for said county and state, personally appeared JOHN S. CHAPMAN, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

NOTARY PUBLIC
STATE OF IDAHO
blb\rinker.cha

WITNESS my hand and official seal

Notary Public for
Residing at Blaine

BLAINE CO. REQUEST

OF Brian Ballard

1991 APR 17 P 1:28

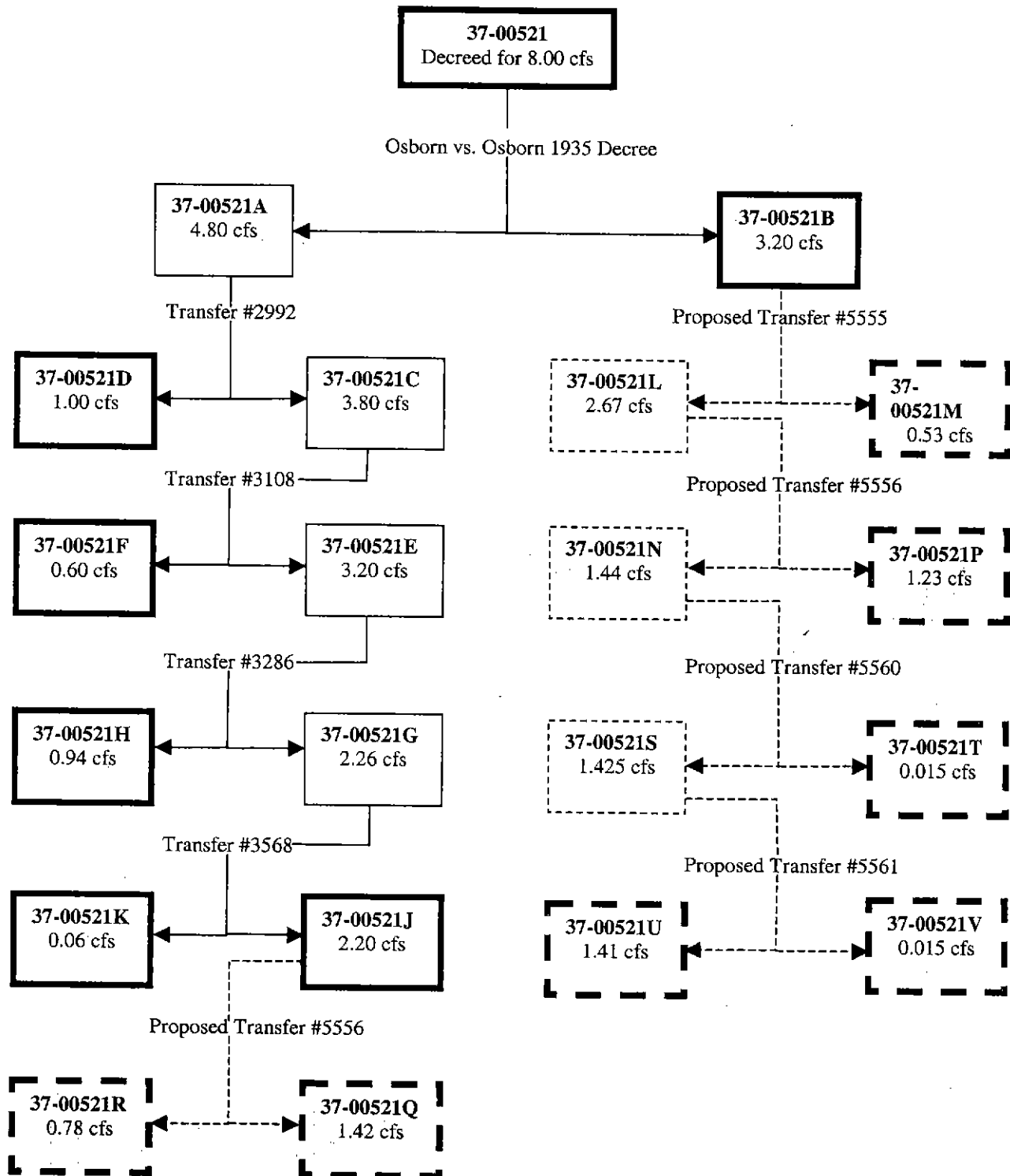
329289

HARRY GREEN, CLERK

300

MA

Split Tree for 37-00521
10/28/1999 by C. Skinner



SPLIT TREE FOR
37-00521
DECEED FOR
8.00 CFS *5.520 CFS*

PREPARED ON 3-18-1996
BY KKC

OK 06/01/99 CS

TRANSFER
OSBORN VS OSBORN
DECREE DATE - 1935

37-00521B
3.20 CFS

37-00521A
4.80 CFS

TRANSFER 2992
FILED BY
SWANER ON 4 - 84

37-00521D
1.00 CFS
MOVES 00521 WATER TO
POVERTY FLATS

37-00521C
3.80 CFS

TRANSFER 3108
FILED BY
POPPY IN 1985

37-00521F
0.60 CFS
CONSOLIDATES WATER TO
A PORTION OF THE SWSE

37-00521E
3.20 CFS

TRANSFER 3286
FILED BY
BODNER IN 1986

37-00521H
0.94 CFS
CONSOLIDATES WATER TO
A PORTION OF THE ORIG P/U

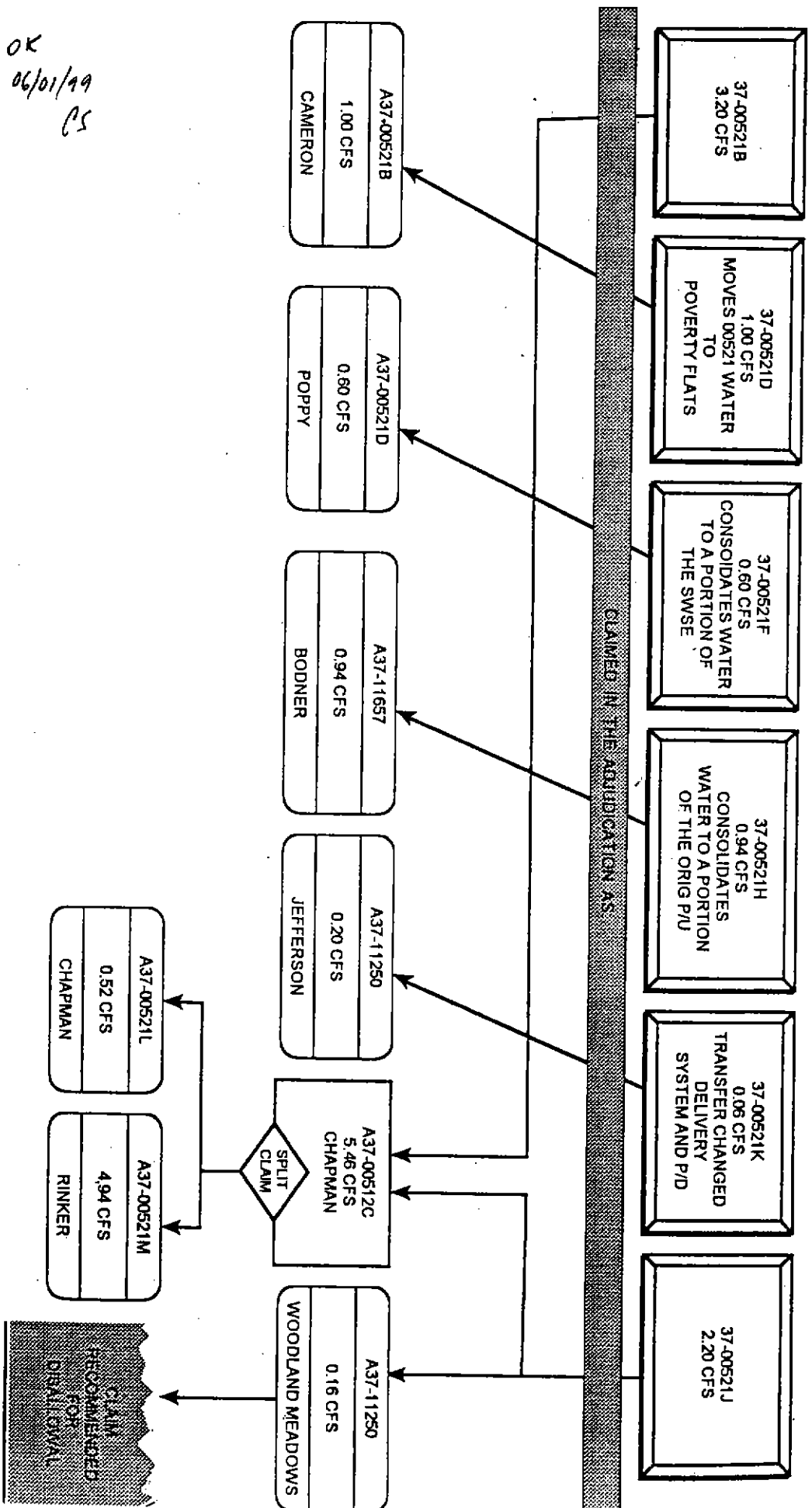
37-00521G
2.26 CFS

TRANSFER 3568
FILED BY
JEFFERSON IN 1989

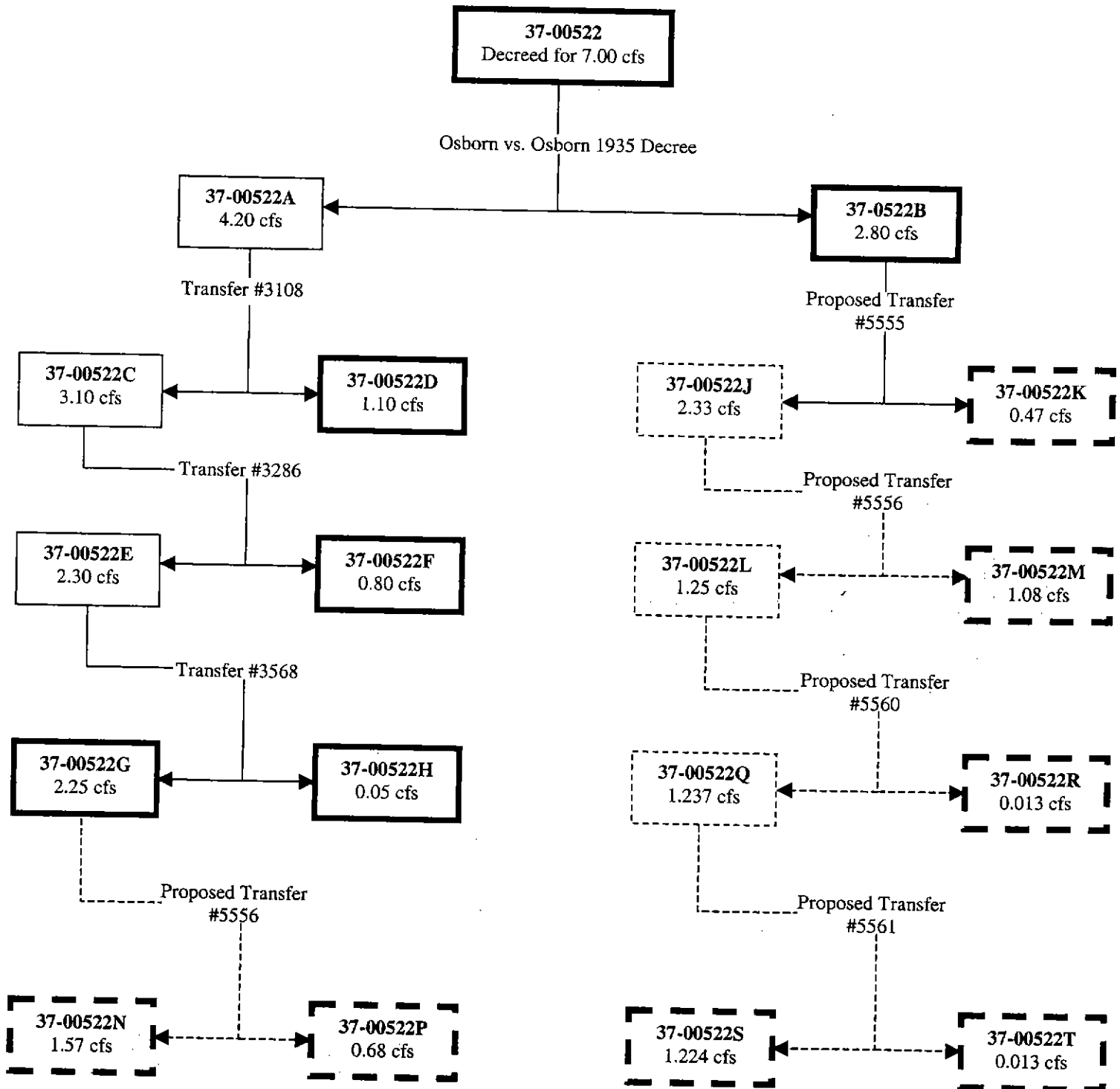
37-00521K
0.06 CFS
TRANSFER CHANGED DELIVERY
SYSTEM AND P/D

37-00521J
2.20 CFS

OK
06/01/99
CS

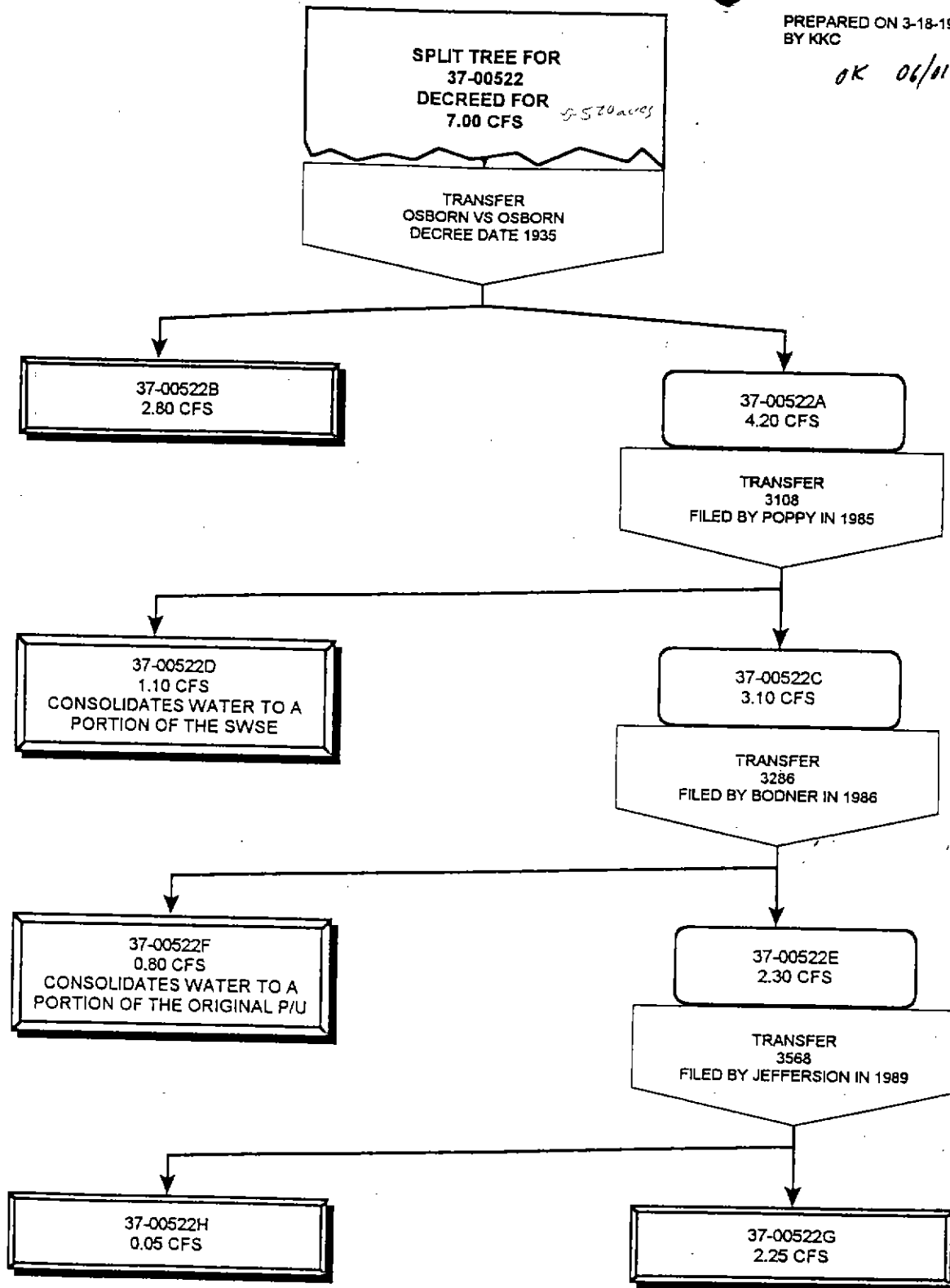


Split Tree for 37-00522
10/28/1999 by C. Skinner

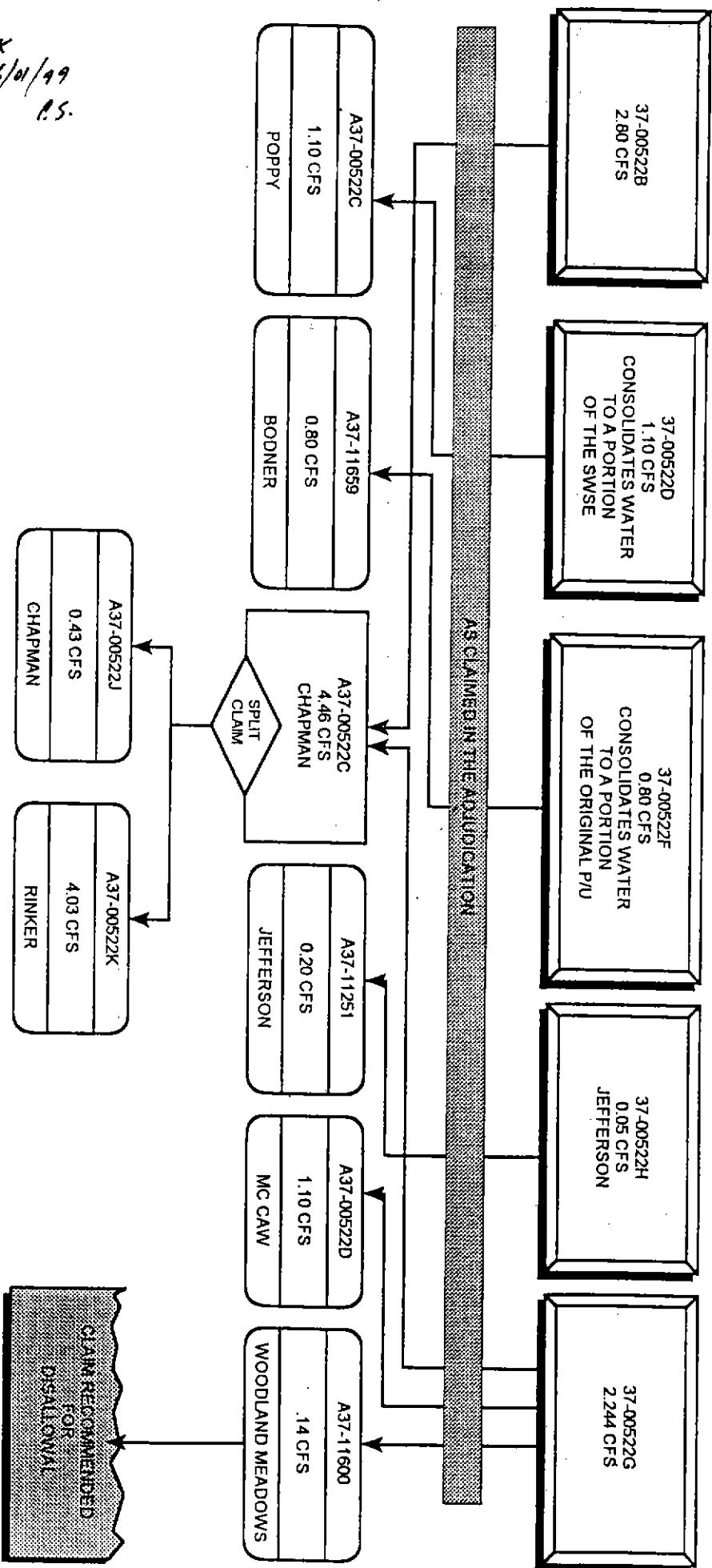


PREPARED ON 3-18-1996
BY KKC

OK 06/01/99 CS

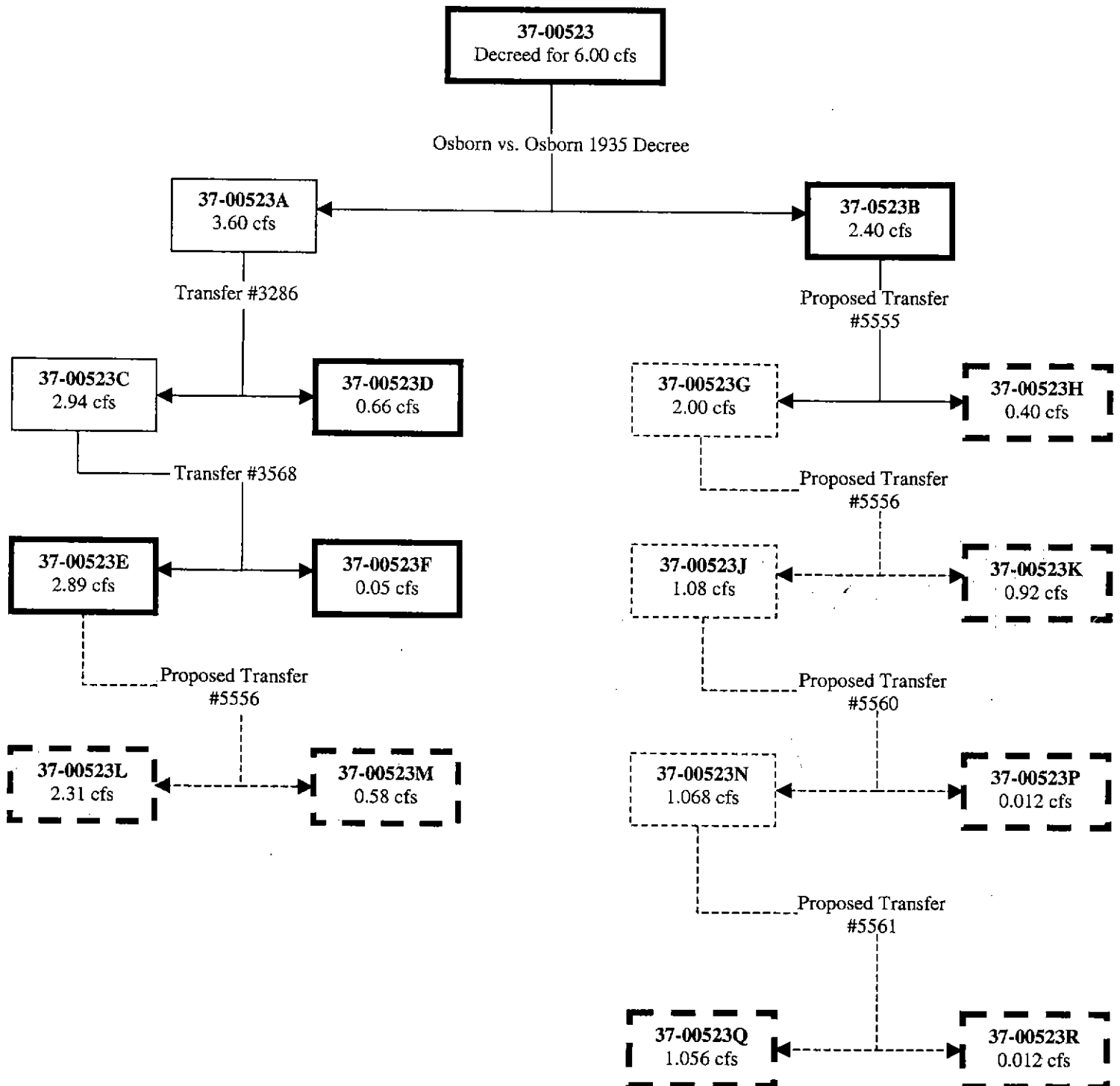


CLAIMS FILED AGAINST ALLOCATION RIGHTS



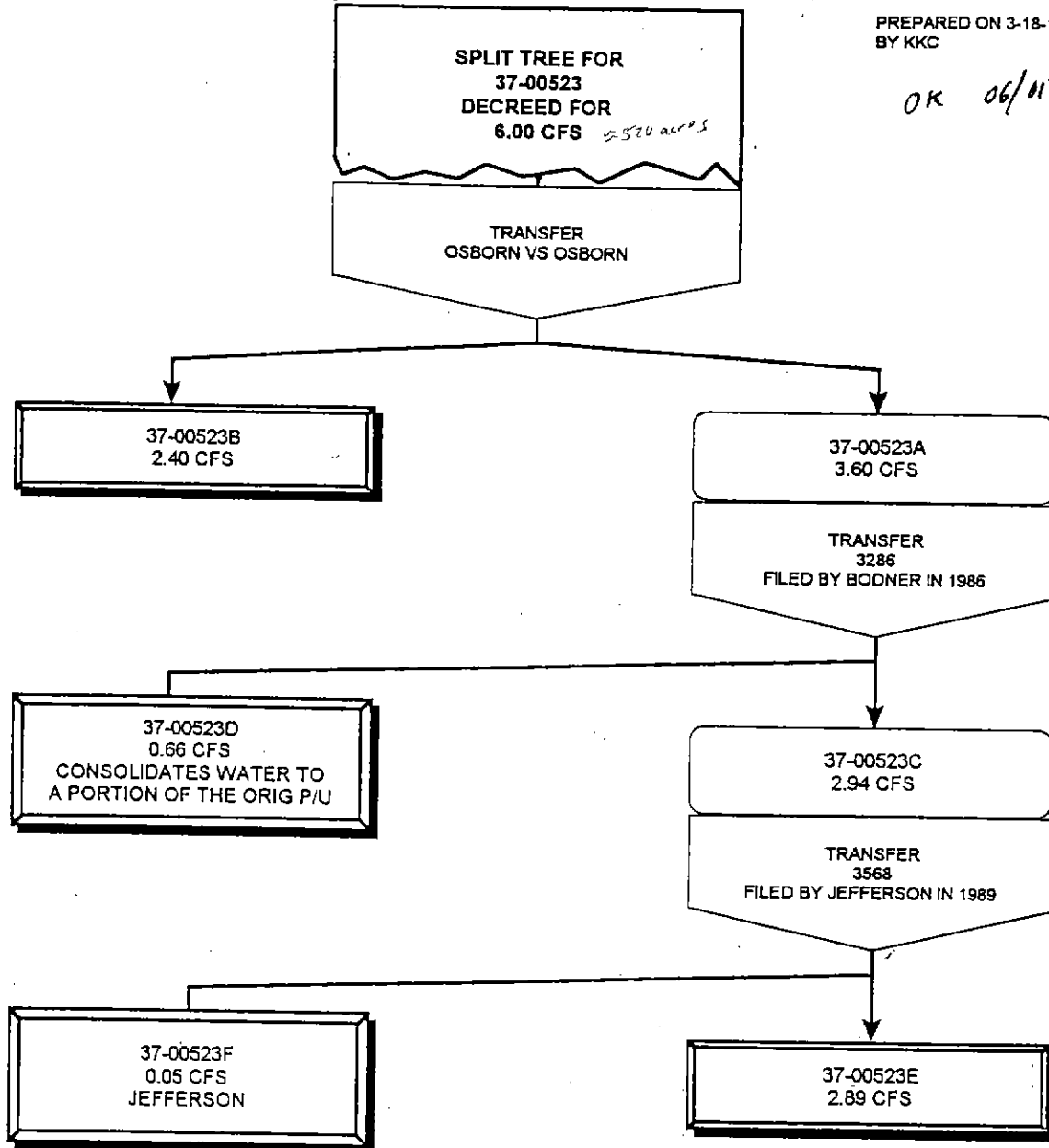
OK
16/01/99
P.S.

Split Tree for 37-00523
10/29/1999 by C. Skinner



PREPARED ON 3-18-1996
BY KKC

OK 06/11/99 CS



OK
06/11/99
P.S.

