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IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

9/28/2016

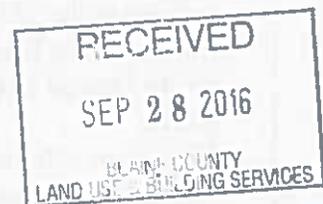
WATER RIGHT NO. 37-7319

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	YARD BIRD LLC PO BOX 41 KETCHUM, ID 83340
Original Owner	KENT S MC ATEE
Original Owner	WYATT V MC ATEE PO BOX 744 HAILEY, ID 83333-0744 (208)788-2229

Priority Date: 01/17/1974  
Basis: Decreed  
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	1.09 CFS	395.7 AFA
Total Diversion			1.09 CFS	



Location of Point(s) of Diversion:

GROUND WATER	NWNENE	Sec. 35	Township 02N	Range 17E	BLAINE County
GROUND WATER	SWNENE	Sec. 35	Township 02N	Range 17E	BLAINE County
GROUND WATER	SWNENE	Sec. 35	Township 02N	Range 17E	BLAINE County

A-11  
EXHIBIT  
(14 pages)

IRRIGATION Use:  
Acre Limit: 222

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

Township	Range	Section	Lot	Tract	Acres										
02N	17E	25		SWSW	39		SESW	20							
				NWSE	5		SWSE	27		SESE	4				
		26		SESE	39										
				NENE	40		SENE	37							
		35		NWNE	27		SWNE	39							
				NENW	40		NWNW	40		SWNW	39		SENE	38	
		36		NWSE	40										

Total Acres: 474

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. This right is limited to a specific 222 acres within the 474 acre place of use authorized through approval of Transfer 71652. The specific 222 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or map sufficient to allow creation of an electronic shape file to be associated with this right in the Department's Geographic Information System database. Prior to any material change to the 222 acres to be irrigated within the 474 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to IDWR. Notification of the change shall be accomplished prior to the irrigation season in which the change will occur.
3. X27 This right is limited to the irrigation of 222 acres within the place of use described above in a single irrigation season.
4. This right when combined with Rights 37-22065, 37-22067 and 37-22069 is limited to the irrigation of 319.9 acres within the place of use described above in a single irrigation season.
5. R63 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.
6. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the

- 7. 104 surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.  
If the surface water rights appurtenant to the place of use are sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
- 8. X61 The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated late irrigation use and a priority date earlier than the date of this approval.
- 9. 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.
- 10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- 11. T07 The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
- 12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Dates:

Licensed Date:

Decreed Date: 04/15/2010

Permit Proof Due Date: 12/1/1978

Permit Proof Made Date: 1/10/1979

Permit Approved Date: 12/28/1973

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 05/04/1992

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Cary Act Number:  
Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

9/28/2016

WATER RIGHT NO. 37-22065

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	YARD BIRD LLC PO BOX 41 KETCHUM, ID 83340
Original Owner	KENT S MC ATEE
Original Owner	WYATT V MC ATEE PO BOX 744 HAILEY, ID 83333-0744 (208)788-2229

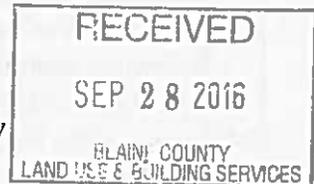
Priority Date: 06/01/1883  
Basis: Decreed  
Status: Active

<u>Source</u>	<u>Tributary</u>
CROY CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	6.8 CFS	
Total Diversion			6.8 CFS	

Location of Point(s) of Diversion:

CROY CREEK|SWNENE|Sec. 35|Township 02N|Range 17E|BLAINE County



IRRIGATION Use:

Acre Limit: 319.9

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	
02N	17E	25		SWSW	39		SESW	20							
				NWSE	5	SWSE	27	SESE	4						
		26		SESE	39										
				NENE	40	SENE	37								
		35		NWNE	27	SWNE	39								
				NENW	40	NWNW	40		SWNW	39		SENEW	38		
		36		NWSE	40										

Total Acres: 474

Conditions of Approval:

1. This right is a split from former right 37-253 .
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. This right is limited to a specific 319.9 acres within the 474 acre place of use authorized through approval of Transfer 73854. The specific 319.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or map sufficient to allow creation of an electronic shape file to be associated with this right in the Department's Geographic Information System database. Prior to any material change to the 319.9 acres to be irrigated within the 474 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to IDWR. Notification of the change shall be accomplished prior to the irrigation season in which the change will occur.
4. This right when combined with Rights 37-7319, 37-22067 and 37-22069 is limited to the irrigation of 319.9 acres within the place of use described above in a single irrigation season.
5. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. R43 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.
8. T07

- 9. T08 | The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
- 9. T08 | Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

**Dates:**

Licensed Date:

Decreed Date: 04/15/2010

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

**Other Information:**

State or Federal: S

Owner Name Connector:

Water District Number: 37

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

9/28/2016

WATER RIGHT NO. 37-22067

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	YARD BIRD LLC PO BOX 41 KETCHUM, ID 83340
Original Owner	KENT S MC ATEE
Original Owner	WYATT V MC ATEE PO BOX 744 HAILEY, ID 83333-0744 (208)788-2229

Priority Date: 06/01/1883  
Basis: Decreed  
Status: Active

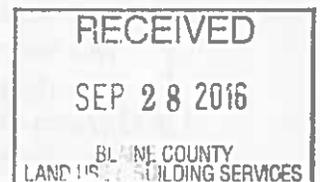
<u>Source</u>	<u>Tributary</u>
BULLION CREEK	CROY CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	1.94 CFS	
Total Diversion			1.94 CFS	

Location of Point(s) of Diversion:

BULLION CREEK|NESESW|Sec. 25|Township 02N|Range 17E|BLAINE County

IRRIGATION Use:



Acre Limit: 319.9

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

Township	Range	Section	Lot	Tract	Acres										
02N	17E	25		SWSW	39		SESW	20							
				NWSE	5		SWSE	27		SESE	4				
		26		SESE	39										
				NENE	40		SENE	37							
		35		NWNE	27		SWNE	39							
				NENW	40		NWNW	40		SWNW	39		SENW	38	
		36		NWSE	40										

Total Acres: 474

Conditions of Approval:

1. This right is a split from former right 37-254 .
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. This right is limited to a specific 319.9 acres within the 474 acre place of use authorized through approval of Transfer 73855. The specific 319.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or map sufficient to allow creation of an electronic shape file to be associated with this right in the Department's Geographic Information System database. Prior to any material change to the 319.9 acres to be irrigated within the 474 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to IDWR. Notification of the change shall be accomplished prior to the irrigation season in which the change will occur.
4. This right when combined with Rights 37-7319, 37-22065 and 37-22069 is limited to the irrigation of 319.9 acres within the place of use described above in a single irrigation season.
5. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. R43 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.
8. T07

- 9. T08 | The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
- 9. T08 | Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

**Dates:**

Licensed Date:

Decreed Date: 04/15/2010

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

**Other Information:**

State or Federal: S

Owner Name Connector:

Water District Number: 37

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

9/28/2016

WATER RIGHT NO. 37-22069

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	YARD BIRD LLC PO BOX 41 KETCHUM, ID 83340
Original Owner	KENT S MC ATEE
Original Owner	WYATT V MC ATEE PO BOX 744 HAILEY, ID 83333-0744 (208)788-2229

Priority Date: 06/01/1883  
Basis: Decreed  
Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	CROY CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.29 CFS	
STOCKWATER	01/01	12/31	0.02 CFS	
Total Diversion			0.29 CFS	

RECEIVED  
SEP 28 2016  
BLAINE COUNTY  
LAND USE & BUILDING SERVICES

Location of Point(s) of Diversion:

UNNAMED STREAM|SESENW|Sec. 36|Township 02N|Range 17E|BLAINE County

IRRIGATION Use:  
Acre Limit: 319.9

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	
02N	17E	25		SWSW	39		SESW	20							
				NWSE	5		SWSE	27		SESE	4				
		26		SESE	39										
				NENE	40		SENE	37							
		36		NWNE	27		SWNE	39							
				NENW	40		NWNW	40		SWNW	39		SENEW	38	
			NWSE	40											

Place of Use Legal Description: STOCKWATER BLAINE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	
02N	17E	25		SWSW			SESW								
				NWSE			SWSE			SESE					
		26		SESE											
				NENE		SENE									
		36		NWNE		SWNE									
				NENW		NWNW			SWNW			SENEW			
	NWSE														

Total Acres: 474

Conditions of Approval:

1. This right is a split from former right 37-255 .
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. This right is limited to a specific 319.9 acres within the 474 acre place of use authorized through approval of Transfer 73856. The specific 319.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or map sufficient to allow creation of an electronic shape file to be associated with this right in the Department's Geographic Information System database. Prior to any material change to the 319.9 acres to be irrigated within the 474 acre place of use, the

- right holder shall submit a new land list and representative electronic shape file or map to IDWR. Notification of the change shall be accomplished prior to the irrigation season in which the change will occur.
4. This right when combined with Rights 37-7319, 37-22065 and 37-22067 is limited to the irrigation of 319.9 acres within the place of use described above in a single irrigation season.
  5. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
  6. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
  7. R43 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.
  8. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
  9. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
  10. T07 The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
  11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

**Dates:**

Licensed Date:

Decreed Date: 04/15/2010

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

**Other Information:**

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:  
Mitigation Plan: False

Close