

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A24-04016**  
Date Received: 12/ 5/1989  
Receipt No: E011253  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

**COPY FOR  
YOUR FILES**

1. Name: HARTMAN RANCH LLC 307-739-2224  
Address: PO BOX 25117  
JACKSON WY 83001

2. Date of Priority: JAN 26, 1903

3. Source: ROCK CREEK Trib. to: CROW CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 09S      | 46E   | 28      |        | NE     | NW  |     | CARIBOU |

5. Description of diverting works:  
DAM, HEADGATE, DITCHES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 4.720 |      | 578.90 |
| RECREATION | 04/15 | 10/15 | 0.280 |      | 44.10  |

7. Total Quantity Appropriated is:  
5.000 C.F.S. (and/or) 623.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 09S      | 46E   | 21      | NE     | SW  |     | IRR | 29.0  |
|          |       |         | NE     | SW  |     | REC |       |
|          |       |         | SE     | SW  |     | IRR | 30.0  |
|          |       |         | NE     | SE  |     | IRR | 38.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 09S      | 46E   | 21      | NW     | SE  |     | IRR           | 32.0  |
|          |       |         |        |     |     | Section Acres | 129.0 |
|          |       | 22      | SW     | NE  |     | IRR           | 2.0   |
|          |       |         | SW     | NW  |     | IRR           | 3.4   |
|          |       |         | SW     | NW  |     | REC           |       |
|          |       |         | SE     | NW  |     | IRR           | 31.0  |
|          |       |         |        |     |     | Section Acres | 36.4  |
|          |       |         |        |     |     | Total Acres   | 165.4 |

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

2 DIVERSION POINTS WITHIN NENW SEC 28 T 09S R 46E  
CHANGE IN OWNERSHIP 10-25-94 GJT.  
SOURCE ALSO KNOWN AS HORSE CREEK. 2-25-97 HWJ.  
\*\*OWNERSHIP SAME; PARTNERSHIP NAME CHANGED 3-24-97/HWJ/DC/JT\*\*  
Approval of Transfer No. 5040 does not confirm Claimed Right  
No. 24-04016.  
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.

15. Basis of Claim: BENEFICIAL USE

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A24-04016**  
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NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

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YOUR FILES

1. Name: HARTMAN RANCH LLC 307-739-2224  
Address: PO BOX 25117  
JACKSON WY 83001

2. Date of Priority: JAN 26, 1903

3. Source: ROCK CREEK Trib. to: CROW CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 09S      | 46E   | 28      | SE     | NE     | NW     |     | CARIBOU |

5. Description of diverting works:  
DAM, HEADGATE, DITCHES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 5.000 |      |        |

7. Total Quantity Appropriated is:  
5.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 572.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 09S      | 46E   | 21      | NE     | SW     |     | IRR | 38.0  |
|          |       |         | SE     | SW     |     | IRR | 30.0  |
|          |       |         | NE     | SE     |     | IRR | 38.0  |
|          |       |         | NW     | SE     |     | IRR | 32.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 138.0 |
|          |       | 22      | SW         | NE  | IRR           | 2.0   |
|          |       |         | SW         | NW  | IRR           | 7.0   |
|          |       |         | SE         | NW  | IRR           | 31.0  |
|          |       |         |            |     | Section Acres | 40.0  |
|          |       |         |            |     | Total Acres   | 178.0 |

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
NONE

14. Remarks:

2 DIVERSION POINTS WITHIN NENW SEC 28 T 09S R 46E

CHANGE IN OWNERSHIP 10-25-94 GJT.

SOURCE ALSO KNOWN AS HORSE CREEK. 2-25-97 HWJ.

\*\*OWNERSHIP SAME; PARTNERSHIP NAME CHANGED 3-24-97/HWJ/DC/JT\*\*

15. Basis of Claim: STATUTORY CLAIM

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

RECEIVED

MAR 12 1997

Ident. Number: A24-04016  
Date Received: 12/ 5/1989  
Receipt No: E011253  
Received By: \_\_\_\_\_

AMENDED

Department of Water Resources  
**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

AMENDED

1. Name: HARTMAN RANCH 307-739-2224  
Address: PO BOX 25117  
JACKSON WY 83001

2. Date of Priority: JAN 26, 1903

3. Source: ROCK CREEK Trib. to: CROW CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 09S      | 46E   | 28      | SE     | NE     | NW  |     | CARIBOU |

5. Description of diverting works:  
DAM, HEADGATE, DITCHES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 5.000 |      |        |

7. Total Quantity Appropriated is:  
5.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 572.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 09S      | 46E   | 21      | NE     | SW  |     | IRR | 38.0  |
|          |       |         | SE     | SW  |     | IRR | 30.0  |
|          |       |         | NE     | SE  |     | IRR | 38.0  |
|          |       |         | NW     | SE  |     | IRR | 32.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 138.0 |
|          |       | 22      | SW         | NE  | IRR           | 2.0   |
|          |       |         | SW         | NW  | IRR           | 7.0   |
|          |       |         | SE         | NW  | IRR           | 31.0  |
|          |       |         |            |     | Section Acres | 40.0  |
|          |       |         |            |     | Total Acres   | 178.0 |

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
NONE

14. Remarks:

2 DIVERSION POINTS WITHIN NENW SEC 28 T 09S R 46E  
CHANGE IN OWNERSHIP 10-25-94 GJT.  
SOURCE ALSO KNOWN AS HORSE CREEK. 2-25-97 HWJ.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Organizations:**

I do solemnly swear or affirm that I am G.P. of  
Hartman Ranch LLC Title  
Box Ranch Partnership, that I have signed the foregoing  
Organization  
document in the space below as G.P. of  
Title  
and that the statements contained in the  
Organization  
foregoing document are true and correct.

[Signature]  
Signature of Authorized Agent  
G.P. Hartman Ranch LLC  
Box Ranch Partnership  
Title and Organization

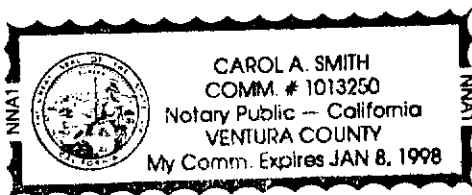
3-11-97  
Date

State of California )  
County of Ventura ) SS.

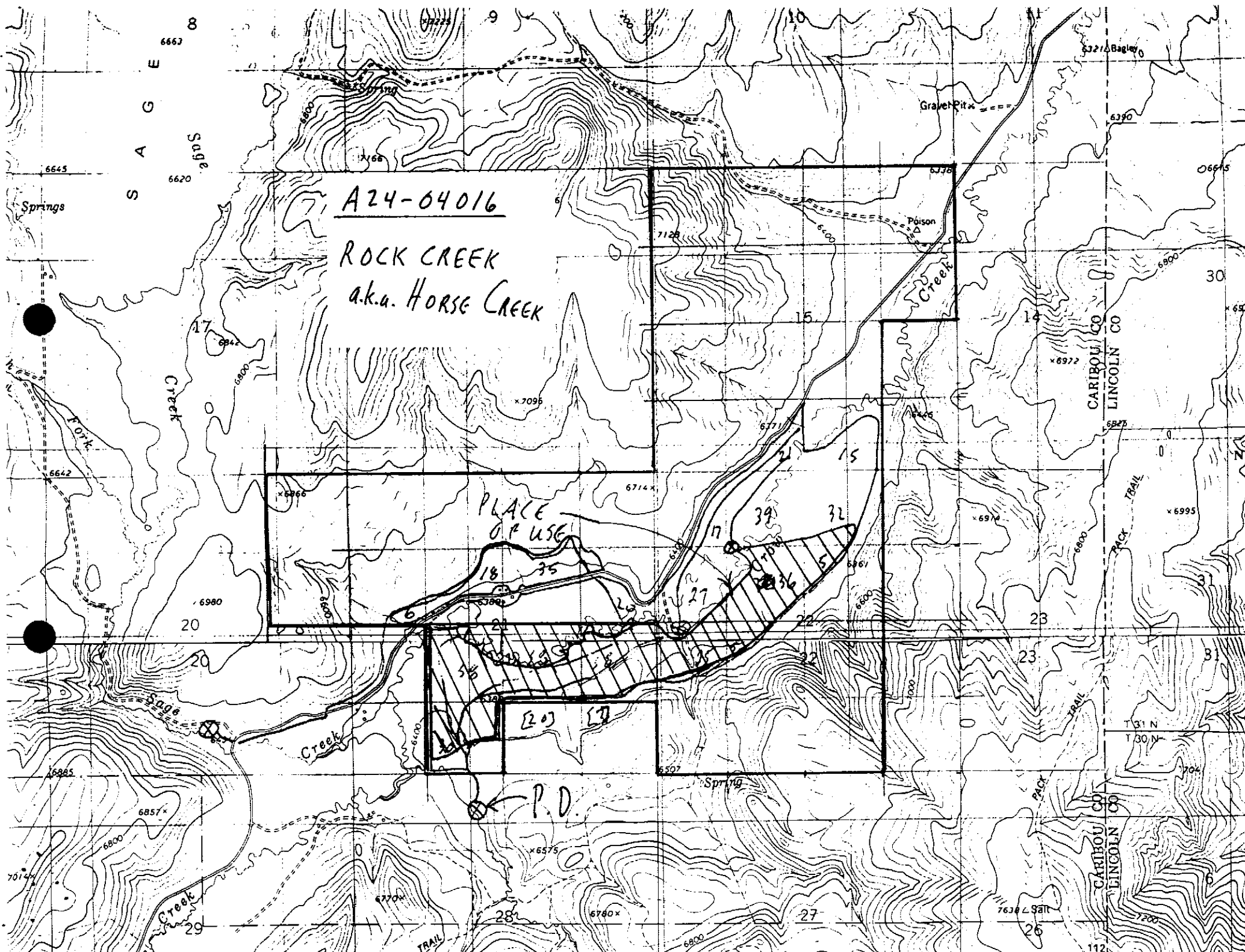
Subscribed and sworn (or affirmed) before me this 11 day  
of March 19 97

[Signature]  
Notary Public

Seal



Residing at Ventura, CA  
My Commission Expires 1-8-98



A24-04016  
ROCK CREEK  
a.k.a. HORSE CREEK

PLACE  
OF USE

P.D.

CARIBOU CO  
LINCOLN CO

CARIBOU CO  
LINCOLN CO

T 31 N  
T 30 N

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A24-04016  
Date Received: 12/ 5/1989  
Receipt No: E011253  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: BOX RANCH PARTNERSHIP  
Address: C/O W E HARTMAN  
PO BOX 3416  
1694 EASTMAN AVE  
VENTURA CA 93006 805-642-0121

2. Date of Priority: JAN 26, 1903

3. Source: HORSE CREEK Trib. to: CROW CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 09S      | 46E   | 28      | SE     | NE     | NW     |     | CARIBOU |

5. Description of diverting works:  
DAM, HEADGATE, DITCHES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 5.000  |      |        |

7. Total Quantity Appropriated is:  
5.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 572.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 09S      | 46E   | 21      | NE     | SW     |     | IRR | 38.0  |
|          |       |         | SE     | SW     |     | IRR | 30.0  |

RECORDED  
NOV 07 1990

10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 09S      | 46E   | 21      | NE  |    | SE  |     | IRR           | 38.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 38.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 20.0  |
|          |       |         | SE  |    | SE  |     | IRR           | 7.0   |
|          |       |         |     |    |     |     | Section Acres | 171.0 |
|          |       | 22      | SW  |    | NE  |     | IRR           | 5.0   |
|          |       |         | SW  |    | NW  |     | IRR           | 17.0  |
|          |       |         | SE  |    | NW  |     | IRR           | 36.0  |
|          |       |         |     |    |     |     | Section Acres | 58.0  |
|          |       |         |     |    |     |     | Total Acres   | 229.0 |

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
NONE

14. Remarks:  
2 DIVERSION POINTS WITHIN NENW SEC 28 T 09S R 46E  
CHANGE IN OWNERSHIP 10-25-94 GJT.

15. Basis of Claim: STATUTORY CLAIM

RECEIVED  
NOV 07 1994

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, .  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A24-04016  
Date Received: 12/05/1989  
Receipt No: 6011253  
Received By: JD

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: BOX RANCH, INC. 307-886-5286  
Address: P.O. BOX 454  
AFTON, WY 83110

2. Date of Priority: JAN 26, 1903

3. Source: HORSE CREEK Trib. to: CROW CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 09S      | 46E   | 28      | SE     | NE     | NW     |     | CARIBOU |

5. Description of diverting works:  
DAM, HEADGATE, DITCHES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 5.000  |      |        |

7. Total Quantity Appropriated is:  
5.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 572.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 09S      | 46E   | 21      | NE     | SW     |     | IRR | 38.0  |
|          |       |         | SE     | SW     |     | IRR | 30.0  |
|          |       |         | NE     | SE     |     | IRR | 38.0  |

A24-04016

Page 1

Date: 12/05/89

A2404016



MICROFILMED

NOV 06 1992

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 09S      | 46E   | 21      | NW     | SE  |     | IRR           | 38.0  |
|          |       |         | SW     | SE  |     | IRR           | 20.0  |
|          |       |         | SE     | SE  |     | IRR           | 7.0   |
|          |       |         |        |     |     | Section Acres | 171.0 |
|          |       | 22      | SW     | NE  |     | IRR           | 5.0   |
|          |       |         | SW     | NW  |     | IRR           | 17.0  |
|          |       |         | SE     | NW  |     | IRR           | 36.0  |
|          |       |         |        |     |     | Section Acres | 58.0  |
|          |       |         |        |     |     | Total Acres   | 229.0 |

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? YES

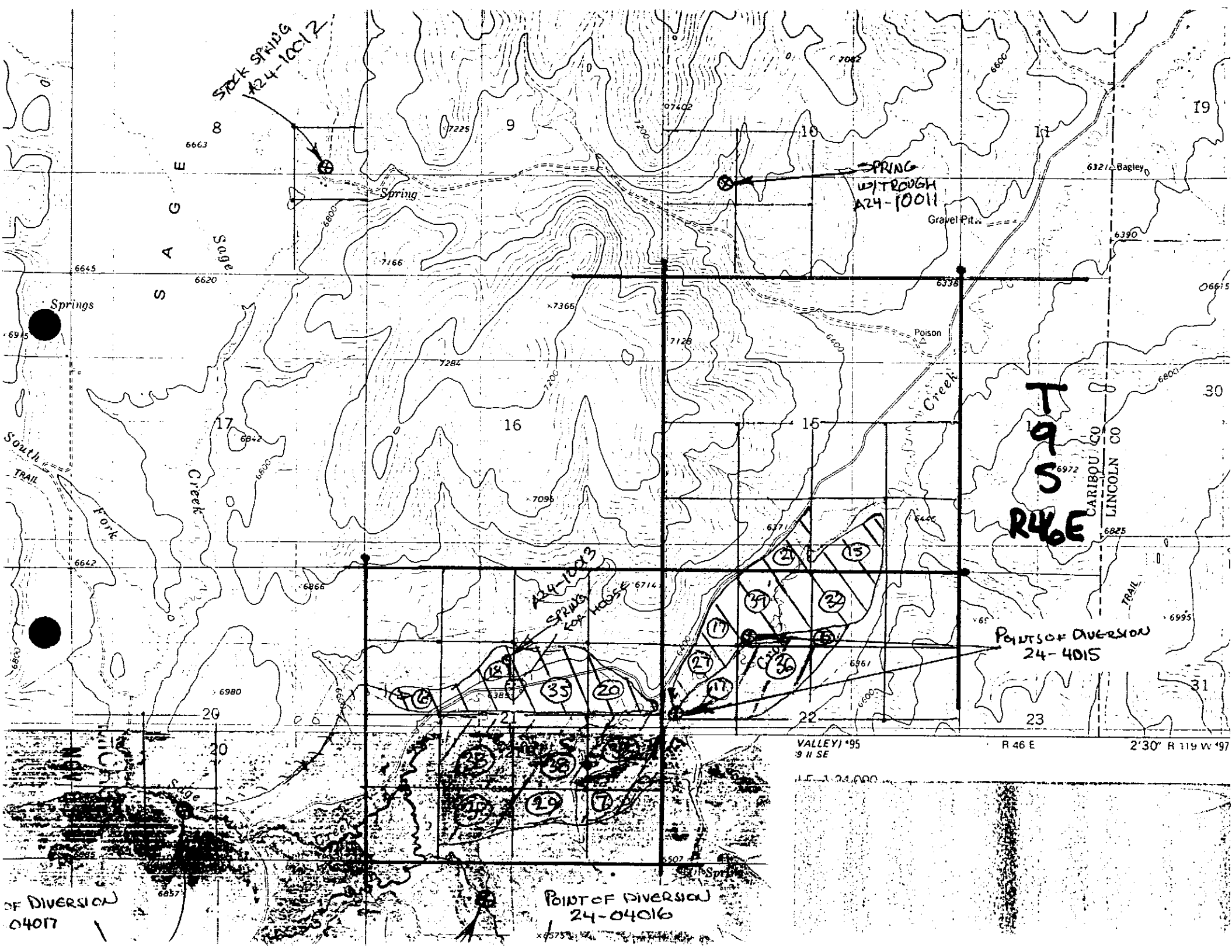
13. Other Water Rights Used:  
NONE

14. Remarks:  
2 DIVERSION POINTS WITHIN NENW SEC 28 T 09S R 46E

15. Basis of Claim: STATUTORY CLAIM

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

NOV 06 1992



Log for claim 24-04016

Spatial Dynamics LTD

4/6/01

| TR      | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT       |
|---------|-----|------|------------------|----------------|---------------|
| 09s46e  | 21  | NESW | 29               | 37             |               |
| 09s46e  | 21  | SESW | 30               | 31             |               |
| 09s46e  | 21  | NESE | 38               | 36             |               |
| 09s46e  | 21  | NWSE | 32               | 37             |               |
| 09s46e  | 22  | SWNW | 3.4              | 32             | Indiscernible |
| 09s46e  | 22  | SWNE | 2                | 9.1            |               |
| 09s46e  | 22  | SENW | 31               | 36             |               |
| Totals: |     |      | 165.4            | 218.1          |               |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**TRANSFER OF WATER RIGHT**

TRANSFER NO. 5040  
WATER RIGHT NO. ~~24-04016~~

This is to certify that: **HARTMAN RANCH LLC**  
**PO BOX 25177**  
**JACKSON WY 83001**

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.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION            | 04/15 to 10/15       | 4.72 CFS              | 578.9 AF             |
| RECREATION            | 04/15 to 10/15       | 0.28 CFS              | 44.1 AF              |
| Totals                |                      | 5.00 CFS              | 623.0 AF             |

| <u>SOURCE</u> | <u>TRIBUTARY OF</u> |
|---------------|---------------------|
| ROCK CREEK    | CROW CREEK          |

Priority: 01/26/1903

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 28, Township 09S, Range 46E  
CARIBOU County

PLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 09S                              | 46E        | 21         | NESW 29.0    | SESW 30.0    | NESE 38.0    |              |
|                                  |            |            | NWSE 32.0    |              |              | 129.0        |
|                                  |            | 22         | SWNE 2.0     | SWNW 3.4     | SENW 31.0    | 36.4         |
| Total number of acres irrigated: |            |            |              |              |              | 165.4        |

PLACE OF USE: RECREATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> |
|------------|------------|------------|
| 09S        | 46E        | 21         |
|            |            | 22         |
|            |            | NESW       |
|            |            | SWNW       |

CONDITIONS OF APPROVAL AND REMARKS

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

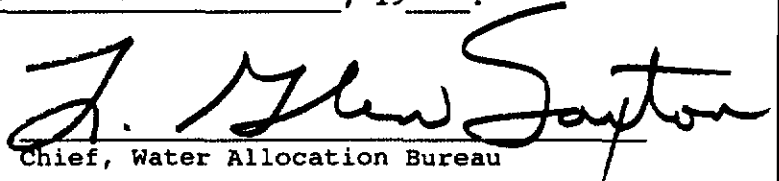
MICROFILMED  
OCT 22 1987

TRANSFER NO. 5040  
WATER RIGHT NO. 24-04016

CONDITIONS OF APPROVAL AND REMARKS

3. 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.
4. 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.
5. Approval of Transfer No. 5040 does not confirm Claimed Right No. 24-04016.

Dated this 10<sup>th</sup> day of October, 1997.

  
Chief, Water Allocation Bureau

MICROFILMED

OCT 22 1997

Page 1 of 5STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 5040

## APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

JAN 12 1997

Name of applicant Hartman Ranch LLC Phone (307) 739-2224  
Post Office address PO BOX 25177 Jackson WY 83001 Eastern Region

## 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 \_\_\_\_\_
2. Describe the reason for the proposed changes We wish to make 2 wildlife habitat ponds. This is in conjunction with the HIP program with ID Fish & Game. We will give up portions of the irrigation rights and change the nature of use to recreation.

## 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                |
|-----|------------------|------------------|--------------------|-------------------|------------------------------|
| *B* | <u>24-04016B</u> | <u>1/26/1903</u> | <u>0.28 cfs</u>    | <u>Recreation</u> | <u>04-01</u> to <u>10-31</u> |
|     |                  |                  |                    |                   | to _____                     |
| *A* | <u>24-04016A</u> | <u>1/26/1903</u> | <u>4.72 cfs</u>    | <u>Irrigation</u> | <u>04-01</u> to <u>10-31</u> |
|     |                  |                  |                    |                   | to _____                     |

2. Total amount of water being transferred 5.00 cfs cubic feet per second and/or 44.1 acre-feet per annum.3. Source of water Rock Creek (AKA Horse Creek) tributary to Crow Creek

4. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. | County  | Local name for diversion |
|-----|----|----|----|------|------|------|---------|--------------------------|
|     | SE | NE | NW | 28   | 9S   | 46E  | Caribou |                          |
|     |    |    |    |      |      |      |         |                          |
|     |    |    |    |      |      |      |         |                          |
|     |    |    |    |      |      |      |         |                          |

RECEIVED  
JUN 06 1997

Department of Water Resources

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 |        |
| B | 9S   | 46E  | 21   |      |      |      |      |      |      |      |      | R    |      |      |      |      |      |      |      |        |
|   |      |      | 22   |      |      |      |      |      |      | R    |      |      |      |      |      |      |      |      |      |        |
|   |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
| A | 9S   | 46E  | 21   |      |      |      |      |      |      |      |      | 29   |      |      | 30   | 38   | 32   |      |      | 129    |
|   |      |      | 22   |      |      | 2    |      |      |      | 3.4  | 31   |      |      |      |      |      |      |      |      | 36.4   |
|   |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|   |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

TOTAL 165.4

## PART 1

## 6. General Information:

a. Description of diversion system Diversion ditch to ponds + overflow into  
Creek.

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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:  
12.6 acres of irrigated ground will be excavated and used as wildlife habitat ponds.

d. Remarks:

**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 \_\_\_\_\_.

MICROFILMED  
OCT 22 1997

## PART 2

## A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 24-04016

STAGE: STATUTORY CLAIM

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> |
|-----------------------|----------------------|-----------------------|
| IRRIGATION            | 05/01 to 08/01       | 5.00 CFS              |

| <u>SOURCE</u> | <u>TRIBUTARY OF</u> |
|---------------|---------------------|
| HORSE CREEK   | CROW CREEK          |

Priority: 01/26/1903

LOCATION OF POINT(S) OF DIVERSION:NENW , Sec. 28, Township 09S, Range 46E  
CARIBOU CountyPLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 09S                              | 46E        | 21         | NESW 38      | SESW 30      | NESE 38      |              |
|                                  |            |            | NWSE 38      | SWSE 20      | SESE 7       | 171          |
|                                  |            | 22         | SWNE 5       | SWNW 17      | SENE 36      | 58           |
| Total number of acres irrigated: |            |            |              |              |              | 229          |

CONDITIONS/REMARKS:

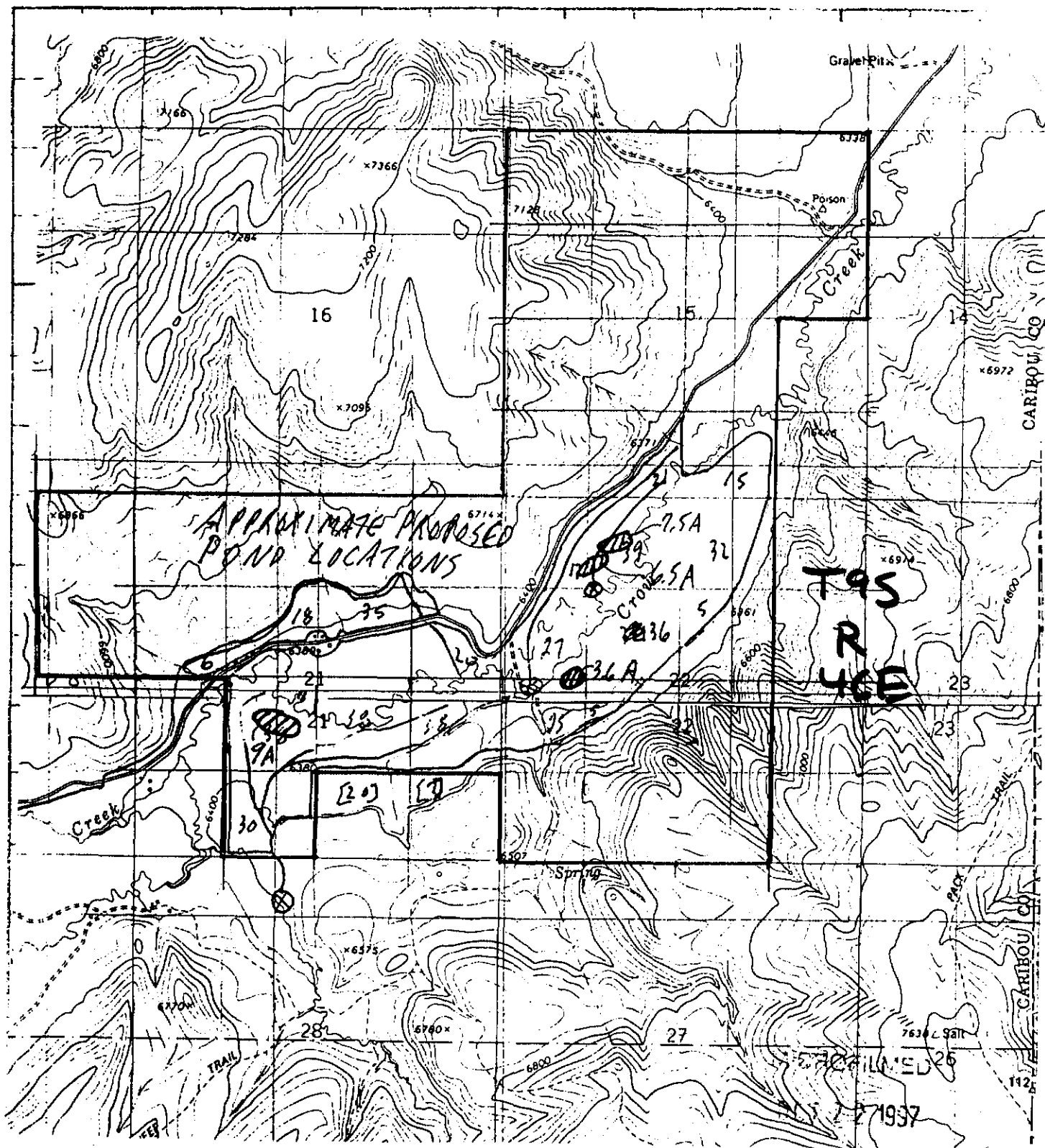
1. 2 DIVERSION POINTS WITHIN NENW SEC 28 T 09S R 46E

MICROFILMED

OCT 22 1987

**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.**



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

**PART 3****B. CHANGES IN NATURE OF USE**

| 1 | New Nature of Use | Amount<br>(cfs/ac-ft) | Hours/days/year | Period of Use  |
|---|-------------------|-----------------------|-----------------|----------------|
| 8 | Recreation        | 0.28 cfs              | 24 hrs/day      | 04-01 to 10-31 |
|   |                   |                       |                 | to             |

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

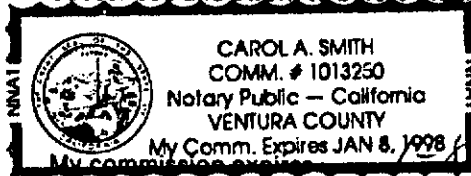
3. Describe effects on other water uses resulting from the proposed change:

The total amount of irrigated acres will be reduced by 12.6 acres

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.

W. E. Hentman General Partner  
(Signature of Applicant)

Subscribed and sworn to before me this 11 day of March, 19 97.

Carol A. Smith  
(Notary Public)

**FOR DEPARTMENT USE ONLY**Transfer contains 5 pages and \_\_\_\_\_ attachmentsReceived by HWT Date 3-12-97

Protest filed by \_\_\_\_\_

Prelim. check by KW Fee \$100<sup>xx</sup>Received by HWT # E023009 Date 3-12-97Published in Carleton County Sun

Copies of protest forwarded by \_\_\_\_\_

Pub. dates April 17 & 24, 1997

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_

Recommended for ☒ approval ☐ denial

\_\_\_\_\_ rec'd.

by RDC

Copy of transfer sent to lien holder \_\_\_\_\_

MICROFILMED

OCT 22 1997



INTER-DEPARTMENT MEMO

TO: HARTMAN Ranch Transf

SUBJECT: Land ownership

FROM: H.W. Jones

DATE: 3-27-97

The Carbon Co. assessors office confirms that Hartman Ranch LLC is the owners of Sect 15 - W<sup>1</sup>/<sub>2</sub>, NE<sup>1</sup>/<sub>4</sub> and W<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>4</sub>; Sect. 21 N<sup>1</sup>/<sub>2</sub>, N<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>4</sub> + E<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>4</sub>; Sect. 22 W<sup>1</sup>/<sub>2</sub>, W<sup>1</sup>/<sub>2</sub> E<sup>1</sup>/<sub>2</sub>

☒ For your information

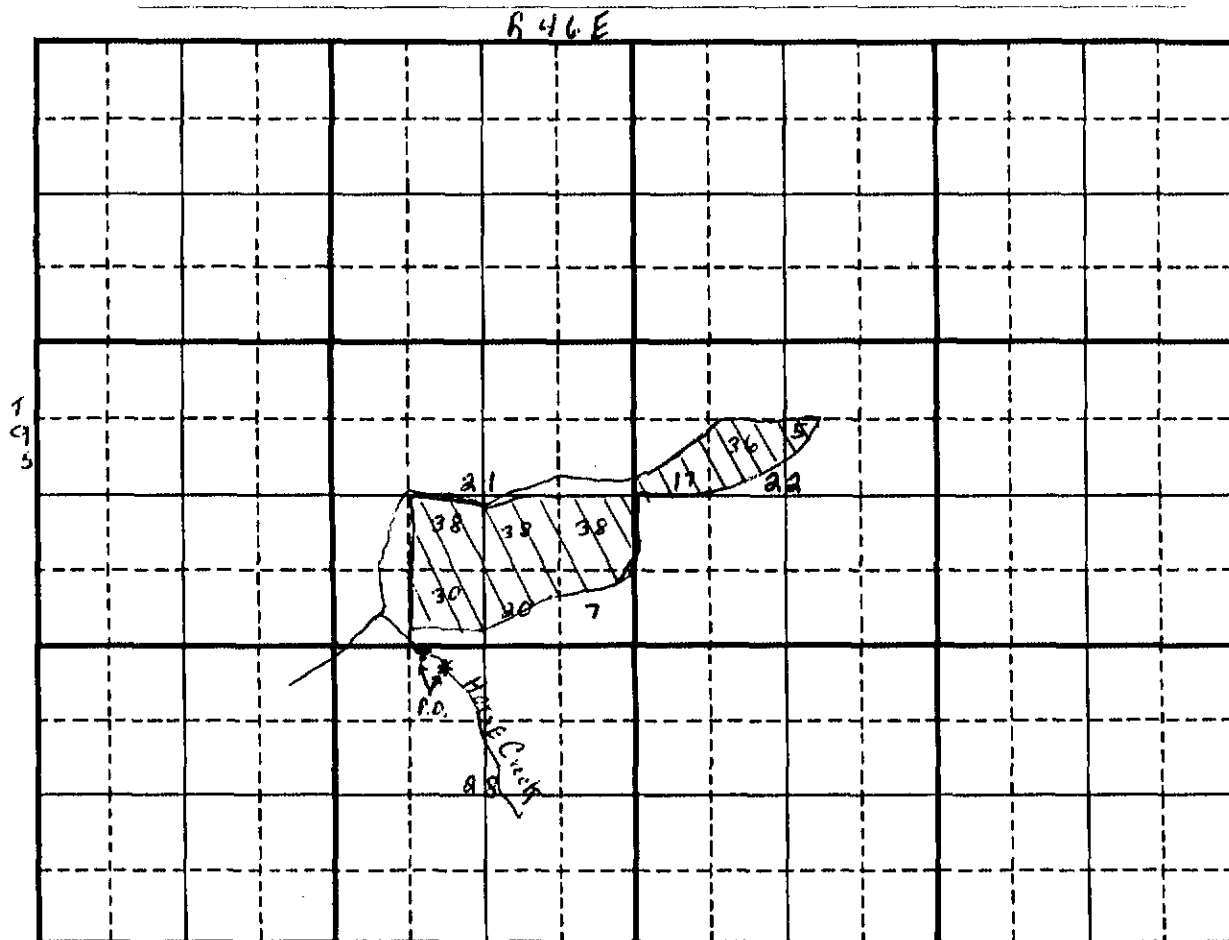
☐ Response required

H.W. Jones  
signature

MICROFILMED  
OCT 22 1997



(8) Remarks \_\_\_\_\_



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )  
County of Bonneville ) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 13th day of March

Alfred E. Sorenson  
(Claimant) President

19 79

William Wray  
Notary Public  
Residing at Idaho Falls, Idaho

My commission expires 6/15/81

FOR DEPARTMENT USE ONLY

|                                        |              |                           |                    |            |
|----------------------------------------|--------------|---------------------------|--------------------|------------|
| Received by _____ dh _____             | Date 3-20-79 | Exception filed by: _____ | Forwarded to _____ | Date _____ |
| Prelim. check by _____ dh _____        | Date 3-20-79 | #12965                    | claimant by: _____ |            |
| \$20.00 fee received by _____ dh _____ |              |                           |                    |            |
| Published in Caribou County Sun        |              |                           |                    |            |
| Dates March 29 & April 5, 1979         |              |                           |                    |            |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**

TRANSFER NO. 5040  
WATER RIGHT NO. 24-04016

RECEIVED  
OCT 16 1997

Department of Water Resources  
Eastern Region

This is to certify that: **HARTMAN RANCH LLC**  
**PO BOX 25177**  
**JACKSON WY 83001**

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.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION            | 04/15 to 10/15       | 4.72 CFS              | 578.9 AF             |
| RECREATION            | 04/15 to 10/15       | 0.28 CFS              | 44.1 AF              |
| Totals                |                      | 5.00 CFS              | 623.0 AF             |

SOURCE

ROCK CREEK

TRIBUTARY OF

CROW CREEK

Priority: 01/26/1903

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 28, Township 09S, Range 46E  
CARIBOU County

PLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 09S                              | 46E        | 21         | NESW 29.0    | SESW 30.0    | NESE 38.0    | 129.0        |
|                                  |            |            | NWSE 32.0    |              |              |              |
|                                  |            | 22         | SWNE 2.0     | SWNW 3.4     | SENW 31.0    | 36.4         |
| Total number of acres irrigated: |            |            |              |              |              | 165.4        |

PLACE OF USE: RECREATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> |
|------------|------------|------------|
| 09S        | 46E        | 21         |
|            |            | 22         |
|            |            | NESW       |
|            |            | SWNW       |

CONDITIONS OF APPROVAL AND REMARKS

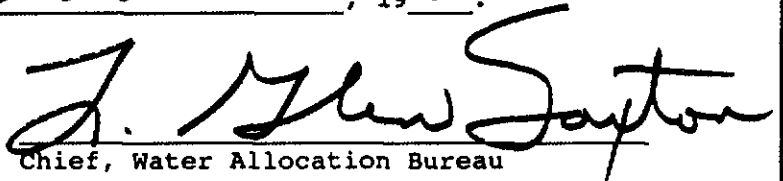
1. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

TRANSFER NO. 5040  
WATER RIGHT NO. 24-04016

CONDITIONS OF APPROVAL AND REMARKS

3. 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.
4. 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.
5. Approval of Transfer No. 5040 does not confirm Claimed Right No. 24-04016.

Dated this 10<sup>th</sup> day of October, 1997.

  
Chief, Water Allocation Bureau

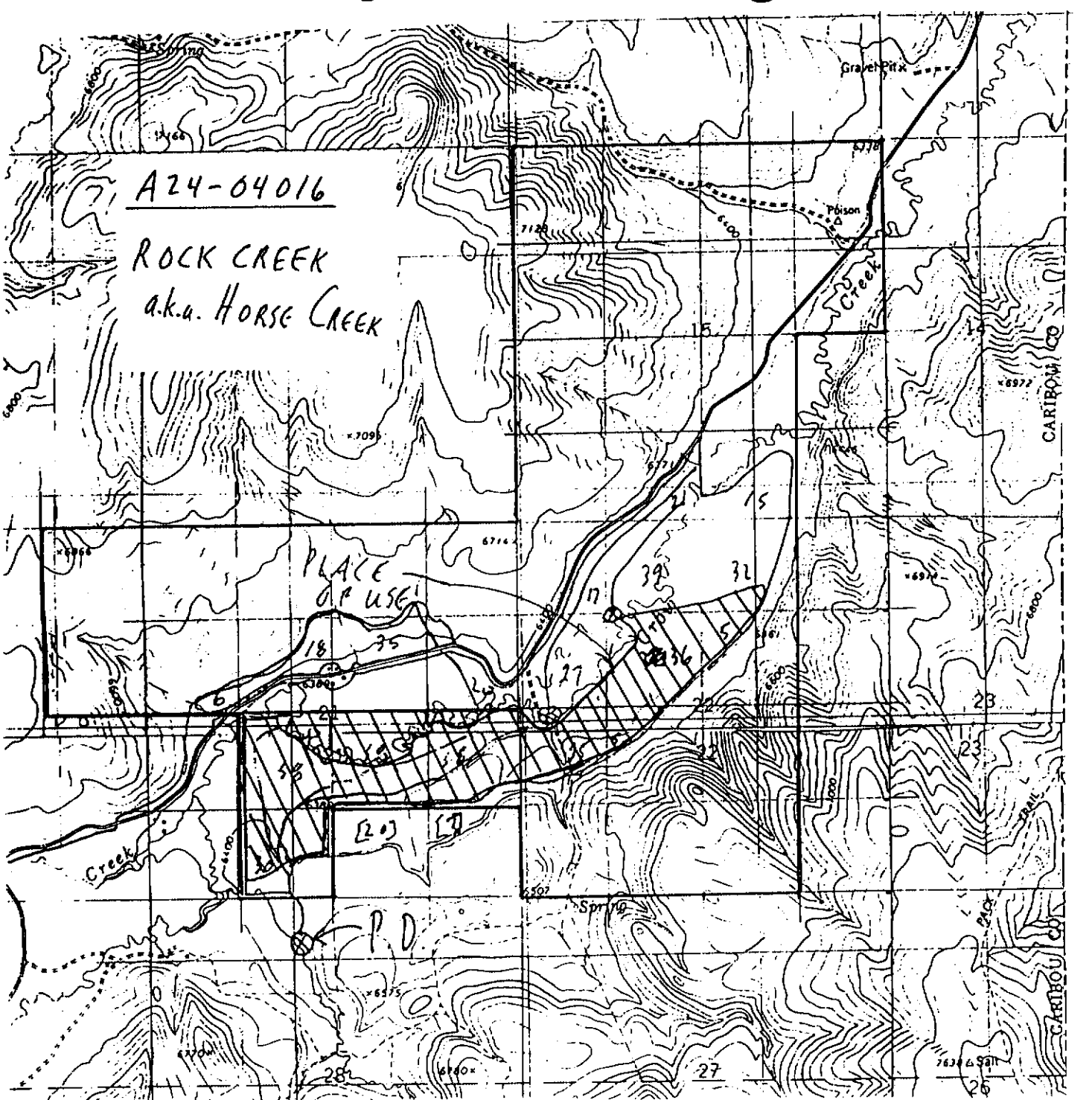
7, A24-04016

ROCK CREEK  
a.k.a. HORSE CREEK

PLACE  
OF USE

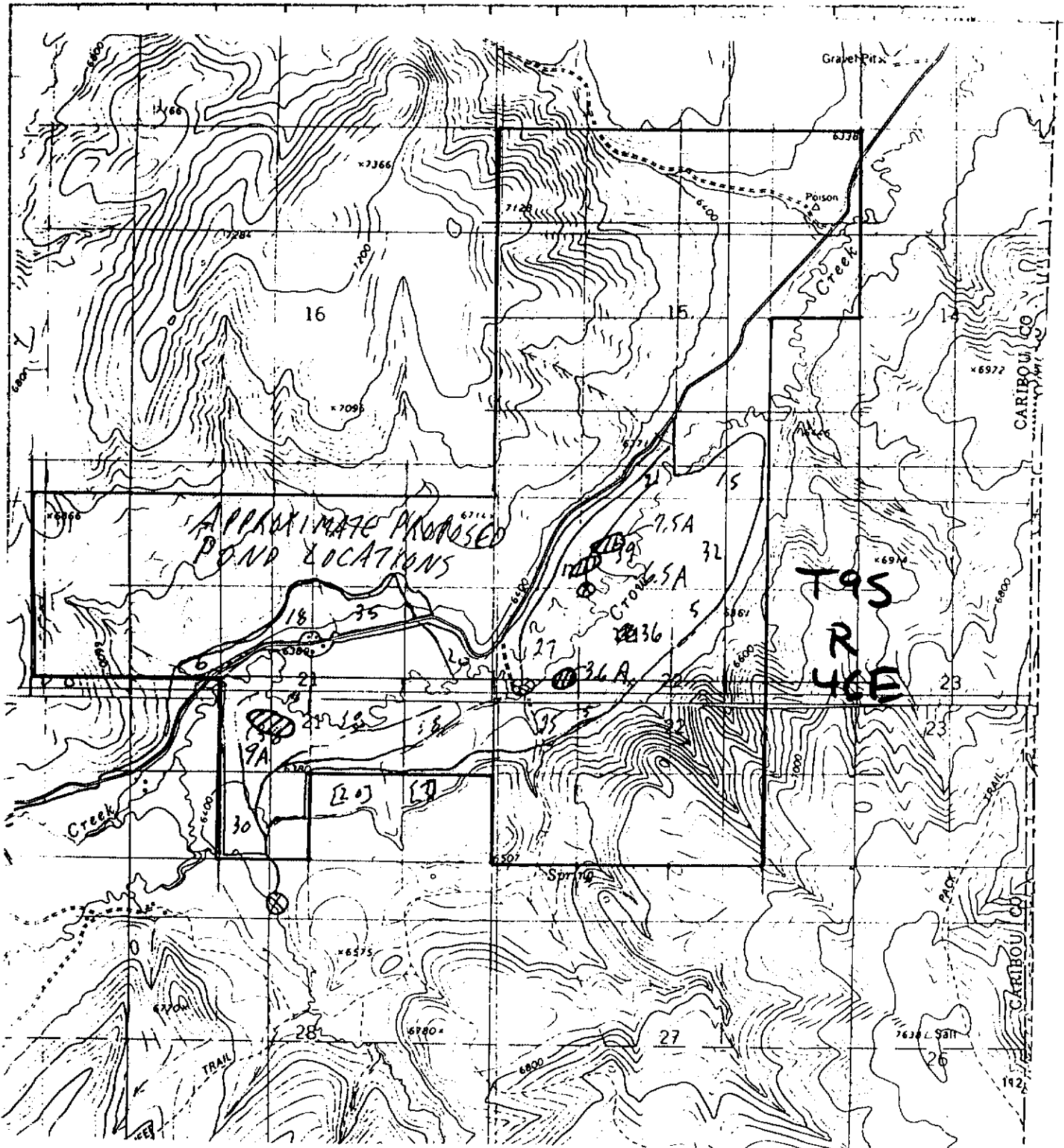
[20] [27]

P.D.



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.



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

# MEMORANDUM

TO: FILE NO. 24-04016

FROM: PAM SKAGGS<sup>PS</sup>/STATE OFFICE

SUBJECT: TRANSFER NO. 5040

DATE: September 17, 1997

=====

Transfer No. 5040 changes the place and nature of use under Right No. 24-04015. The irrigated acres are shifted slightly to reflect the acres confirmed through SRBA investigation. Two QQs (S1/2SE, S21) were apparently claimed in error and never irrigated under this system. 12.6 acres will cease irrigation to compensate for the new recreation use through 2 ponds.

This right is a statutory claim with a high rate of diversion. The rate is split disproportionately between the remaining irrigation and the recreation use. Season of use and diversion volume were identified at current standards. The recreation use is limited to the diversion volume available from the 12.6 acres taken out of production.

Recommended conditions include non-confirmation of claim, irrigation overlap and standard transfer conditions.

| <u>Change in Nature of Use Evaluation</u> |          |     |             |             |
|-------------------------------------------|----------|-----|-------------|-------------|
| Original                                  |          |     |             |             |
| 24-04016                                  | 5.00 cfs | IRR | 229 acres   | (801.5 afa) |
| Per Field Exam                            | 5.00 cfs | IRR | 178.0 "     | (623.0 " )  |
| After Transfer                            |          |     |             |             |
| 24-04016                                  | 4.72 "   | IRR | 165.4 "     | 578.9 "     |
|                                           | 0.28 "   | REC | (12.6 " )   | 44.1 "      |
| Totals                                    | 5.00 cfs |     | 165.4 acres | 623.0 afa   |

$$\frac{5.0}{178} = 0.028 \text{ cfs/Ac}$$

$$\frac{4.72}{165} = 0.028 \text{ cfs/Ac}$$



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

**EASTERN REGION**

MARCH 24, 1997

**PHILIP E. BATT**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

HARTMAN RANCH LLC  
PO BOX 25117  
JACKSON WY 83001

RE: CHANGE IN OWNERSHIP FOR A24-04015, -04016, -04017

Dear Mr. Hartman:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson  
Adjudication Secretary

Enclosure: Notices of Claim

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES  
**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
Incomplete forms will be returned.

1. Water Right Number(s) \_\_\_\_\_  
Adjudication Claim Number(s) A24-0401C
2. The following **REQUIRED** information must be submitted with this form. *title remains same except for partnership name change*
  - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND
  - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)  
OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Box Ranch Partnership c/o W.E. Hartman  
P.O. Box 3416 Ventura CA 93006
4. **New Owner/Claimant(s)** W.E. Hartman  
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR  
**New Mailing Address** P.O. Box 25177  
**City, State and ZIP Code** Jackson WY 83001  
**New Telephone Number** (307) 739-2224
5. **Date you acquired the property** Ownership is the same - Partnership has just changed name
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.  
  
Number of acres actually irrigated \_\_\_\_\_ Number and type of stock \_\_\_\_\_  
  
Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
cubic feet per second  
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. **Signature of New Owner/Claimant(s)** W.E. Hartman **Date** 3-11-97  
HARTMAN RANCH L.L.C. **Date** \_\_\_\_\_  
D.B.A. Box Ranch part.
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)  
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

## INTER-DEPARTMENT MEMO

TO: Hartman Ranch

RECEIVED

SUBJECT: Transfers, Amended claims + change of ownership formsFROM: H.W. Jones -IDWR

MAR 20 1997

DATE: 2-28-97Department of Water Resources  
Eastern Region

I've enclosed the two transfer forms which need a notarized signature and \$100 fee for each. Also sign & notarize each amended claim. You need to complete all red highlighted areas on the change of ownership forms and the transfer applications.

Please return all documents & fees to the Idaho Falls office.

3-12-97

Thanks!

~~Transfers, fees, & amended claims received today. Receipt enclosed.~~

~~Please "see" change in ownership form for Compline. Return.~~

( ) For your information

*Need documents to my attention*

signature

(X) Response required

*Jo Thompson  
Water Resources*

*Dave C. says  
do it! I  
concur!*

12 Dec 96.

Steve - for the documentation on the field exam you did I suggest the following:

① Map illustrating the boundaries of irrigated land, the water distribution system (ditches), the location of the points of diversion if on the map, and irrigated areas per  $\frac{1}{4}$   $\frac{1}{4}$ .

② Acreage tabulation sheet listing the irrigated acres in each  $\frac{1}{4}$   $\frac{1}{4}$ .

③ Memo summarizing findings.

\* NOTE: sign & date each document so we know who & when generated them and when.

④ Generate 'R' record. update elements verified by field inspection. Include ~~an~~ a narrative in Remarks about the who what where when and that the findings are attached to the claim.

By following this procedure I we should be able to process your work when we do Basin 24 claims reviews.

If you have some suggestions that may improve the above lets talk them ~~over~~ over.

# SCHEDULE "A"

## BOX RANCH LEGAL DESCRIPTION

State of Idaho, to-wit: Township 9 South, Range 46 East, Boise Meridian:

Section 8: SE1/4 SE1/4;  
 Section 9: SW1/4, S1/2 NW1/4, SW1/4 NE1/4, NW1/4 SE1/4;  
 Section 10: SW1/4, S1/2 NW1/4, W1/2 SE1/4, SE1/4 SE1/4;  
 Section 15: W1/2, NE1/4, W1/2 SE1/4;  
 Section 17: E1/2;  
 Section 20: E1/2 NE1/4;  
 Section 21: N1/2, N1/2 SE1/4, E1/2 SW1/4;  
 Section 22: W1/2, W1/2 E1/2.

Together with water rights as adjudicated to the Box Ranch, by the Fifth Judicial District Court in Twin Falls, Idaho, in 1989.

\*\*\*\*\*

| Type of Use | Identification Number   | Water Source       | Priority Date | Period of Use  | Total Appropriation             | Acres        |
|-------------|-------------------------|--------------------|---------------|----------------|---------------------------------|--------------|
| Irrigation  | A24-04015 <sup>OK</sup> | Crow Creek         | Jan 26 1903   | 04-01 to 11-01 | 5.00 CFS<br>371.50 Acre-Feet    | 115.00 Acres |
| Irrigation  | A24-04016 <sup>OK</sup> | Horse (Rock) Creek | Jan 26 1903   | 04-01 to 11-01 | 5.00 CFS<br>572.50 Acre-Feet    | 229.00 Acres |
| Irrigation  | A24-04017 <sup>OK</sup> | Sage Canyon Creek  | Sept 18 1888  | 04-01 to 11-01 | 1.40 CFS<br>197.50 Acre-Feet    | 79.00 Acres  |
|             |                         |                    |               |                | 11.40 CFS<br>1,147.50 Acre-Feet | 423.00 Acres |
| Stockwater  | A24-10011               | Spring             | May 1 1903    | 04-01 to 11-01 | 0.030 CFS<br>100 Head of Cattle |              |
| Stockwater  | A24-10012               | Spring             | May 1 1903    | 04-01 to 11-01 | 0.030 CFS<br>100 Head of Cattle |              |
| Domestic    | A24-10013               | Spring             | May 1 1903    | Year Round     | 2 Horses                        |              |

344 AL.

\*\*\*\*\*

## GRAZING LEASES AND ALLOTMENTS TO BE TRANSFERRED TO PURCHASER

1. Idaho State Grazing Lease No. 3253 "Headquarters"  
 Section 16, T9S, R46E, BM

2. BLM Buck Mountain Grazing Allotment No. 04145

# HARTMAN RANCH

T 9 S 46 E

SEC 21

|            | CLAIMED<br>ACREAGE | PROPOSED<br>RECOMMENDED<br>ACREAGE | ACRES<br>ACREAGE |
|------------|--------------------|------------------------------------|------------------|
| NE & SE NE | 20                 | 15                                 | 4.0              |
| SW NE      | 35                 | 23                                 | 8.9              |
| NW & SE NW | 18                 | 10                                 | 9.8              |
| SW NW      | 6                  | 6                                  | 41.7             |
| SW : NE SW | 38                 | 38                                 | 9.3              |
| SE SW      | 30                 | 30                                 | 4.3              |
| SE : NE SE | 38                 | 38                                 | 3.9              |
| NW SE      | 38                 | 32                                 | 19.2             |
| SW SE      | 20                 | -                                  | 9.0              |
| SE SE      | 7                  | -                                  | 24.4             |

SEC 22

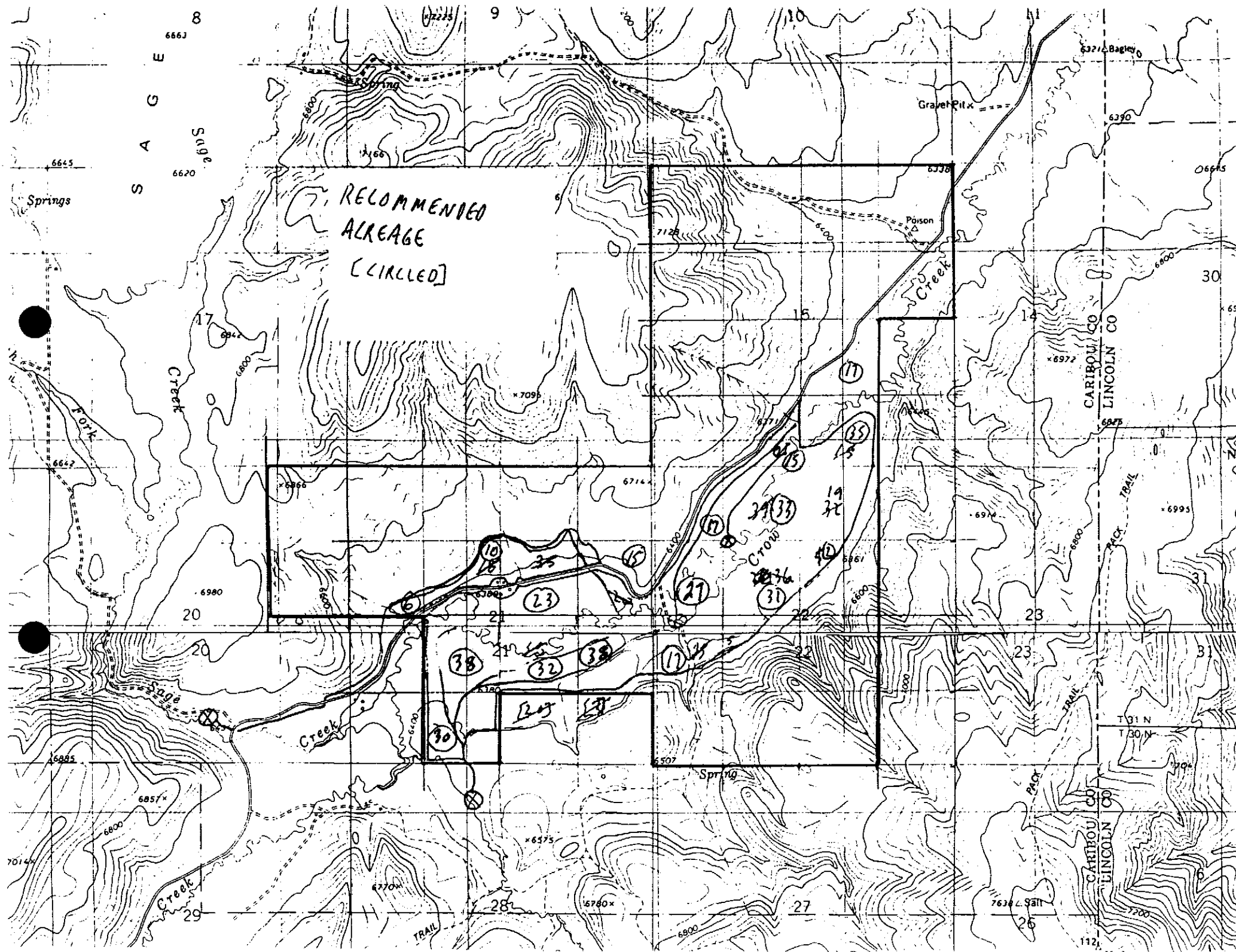
|            |    |    |      |
|------------|----|----|------|
| NE : NW NE | 32 | 19 | 3.9  |
| SW NE      | 5  | 2  | 5.6  |
| NW : NE NW | 39 | 33 | 5.7  |
| NW NW      | 17 | 17 | 8.4  |
| SW NW      | 27 | 27 | 52.4 |
| SE NW      | 36 | 31 | 1.9  |
| SW : NW SW | 25 | 17 | 23.2 |
| : NE SW    | -  | 5  | 36.1 |

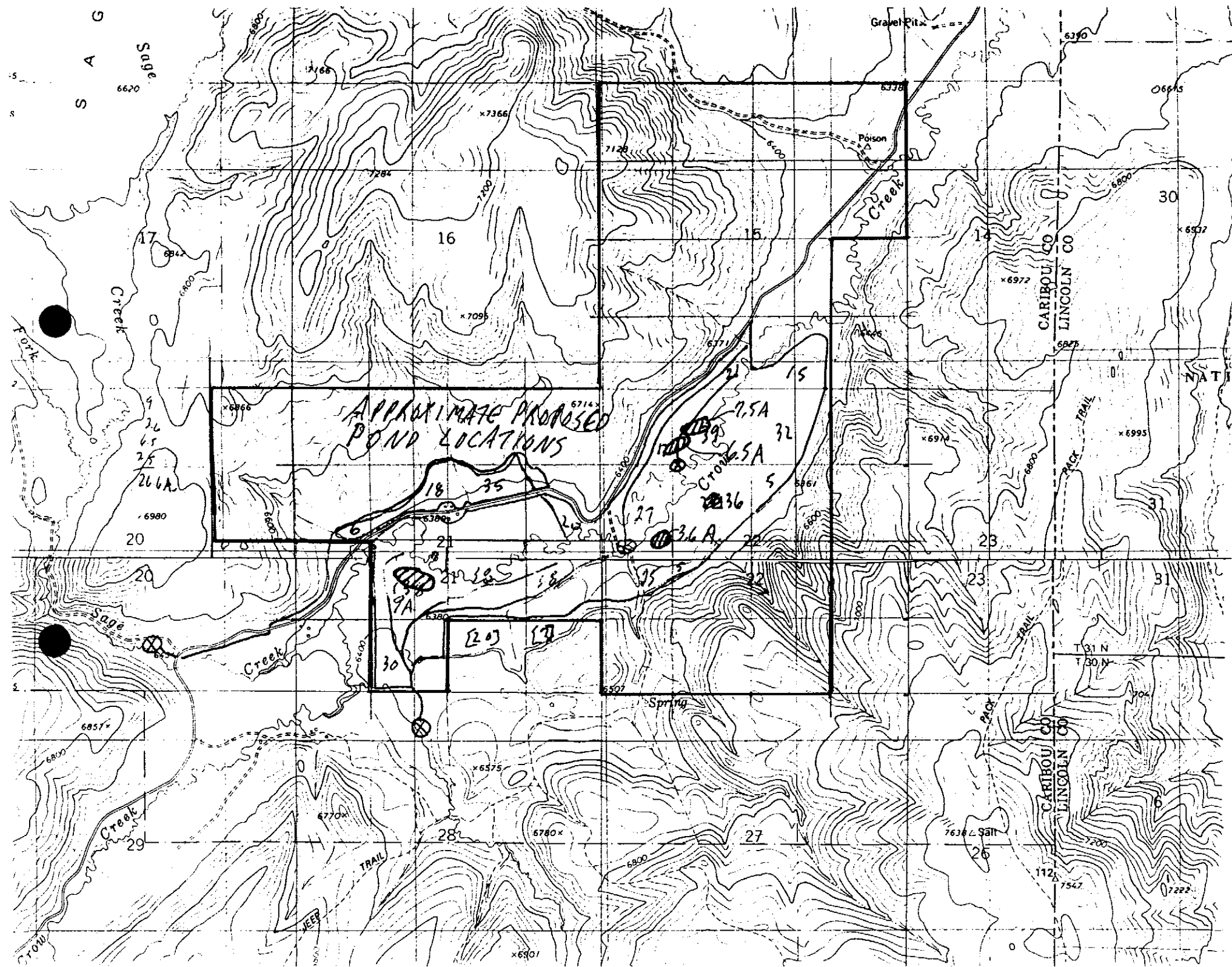
SEC 15

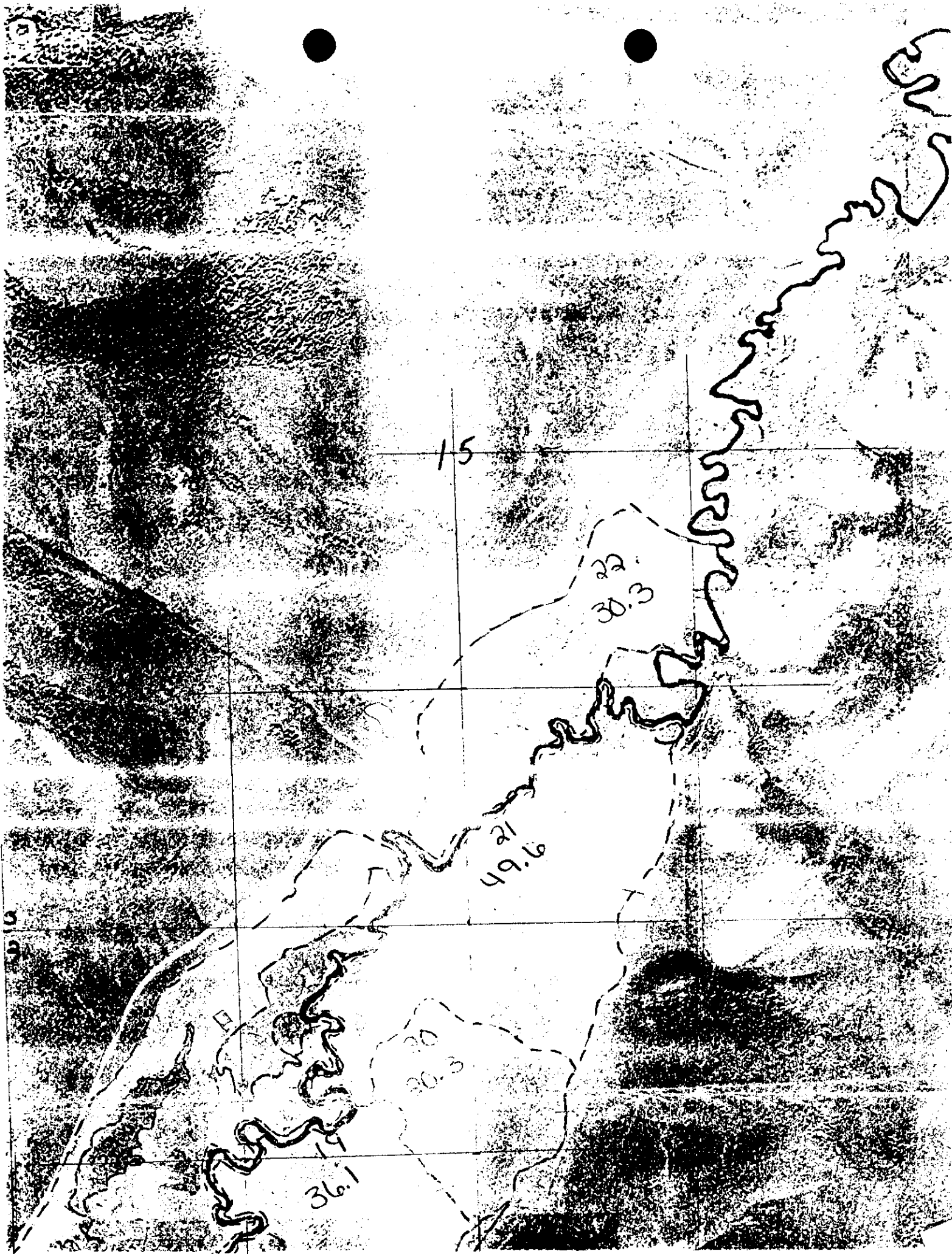
|            |         |         |       |
|------------|---------|---------|-------|
| SE : NW SE | -       | 17      | 20.3  |
| SW SE      | 15      | 35      | 49.6  |
| SW : SE SW | 21      | 15      | 30.3  |
|            | 442 Ac. | 410 Ac. | 404.2 |

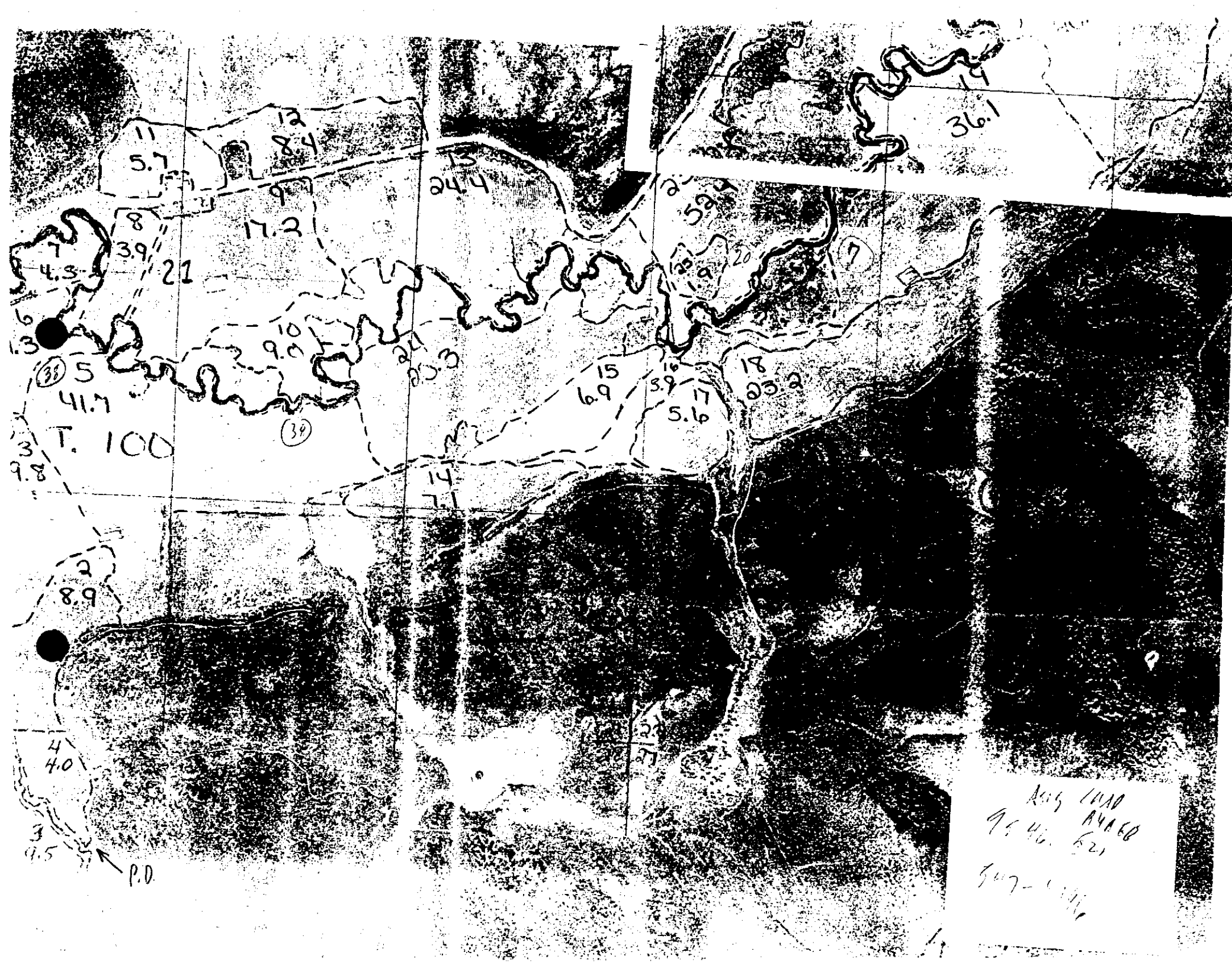
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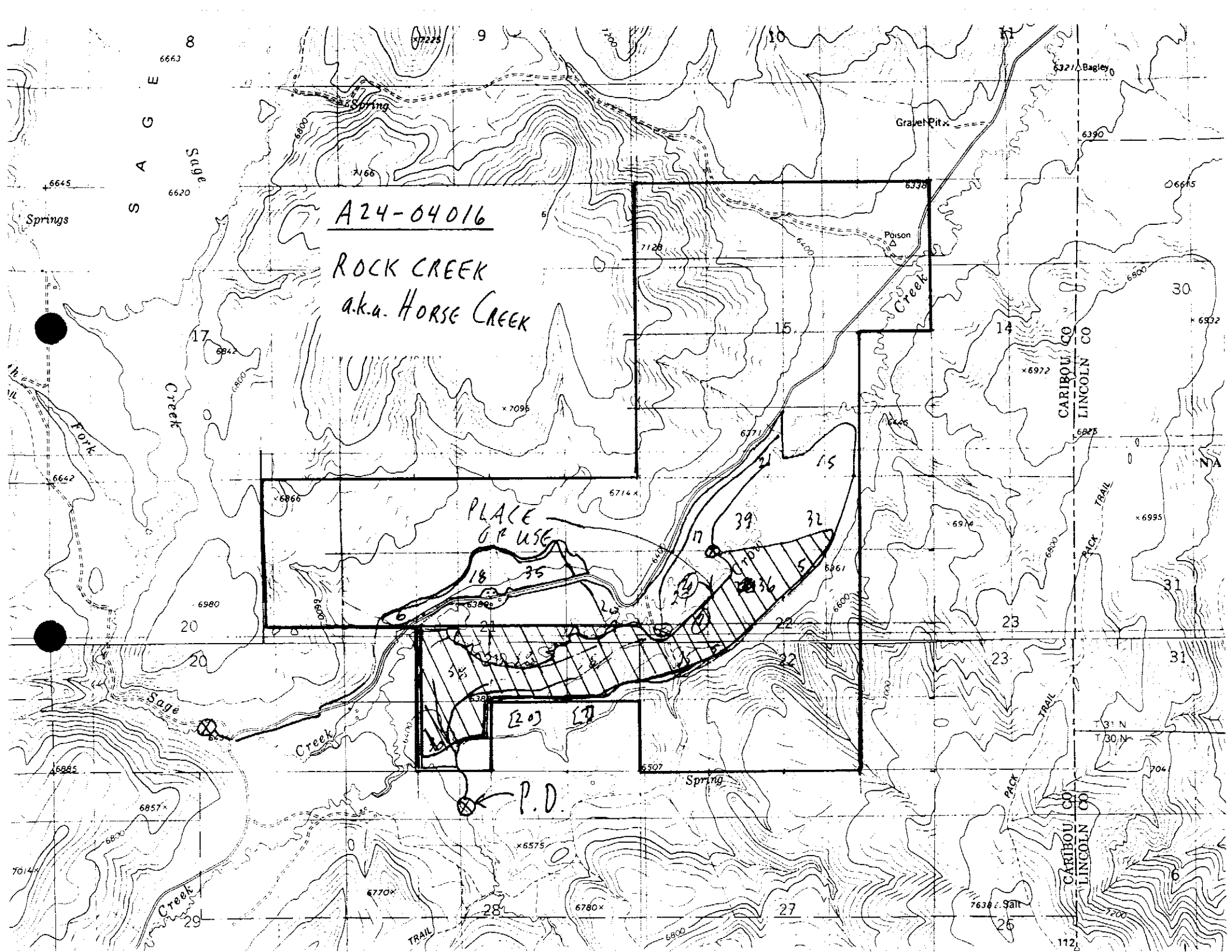








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a.k.a. HORSE CREEK

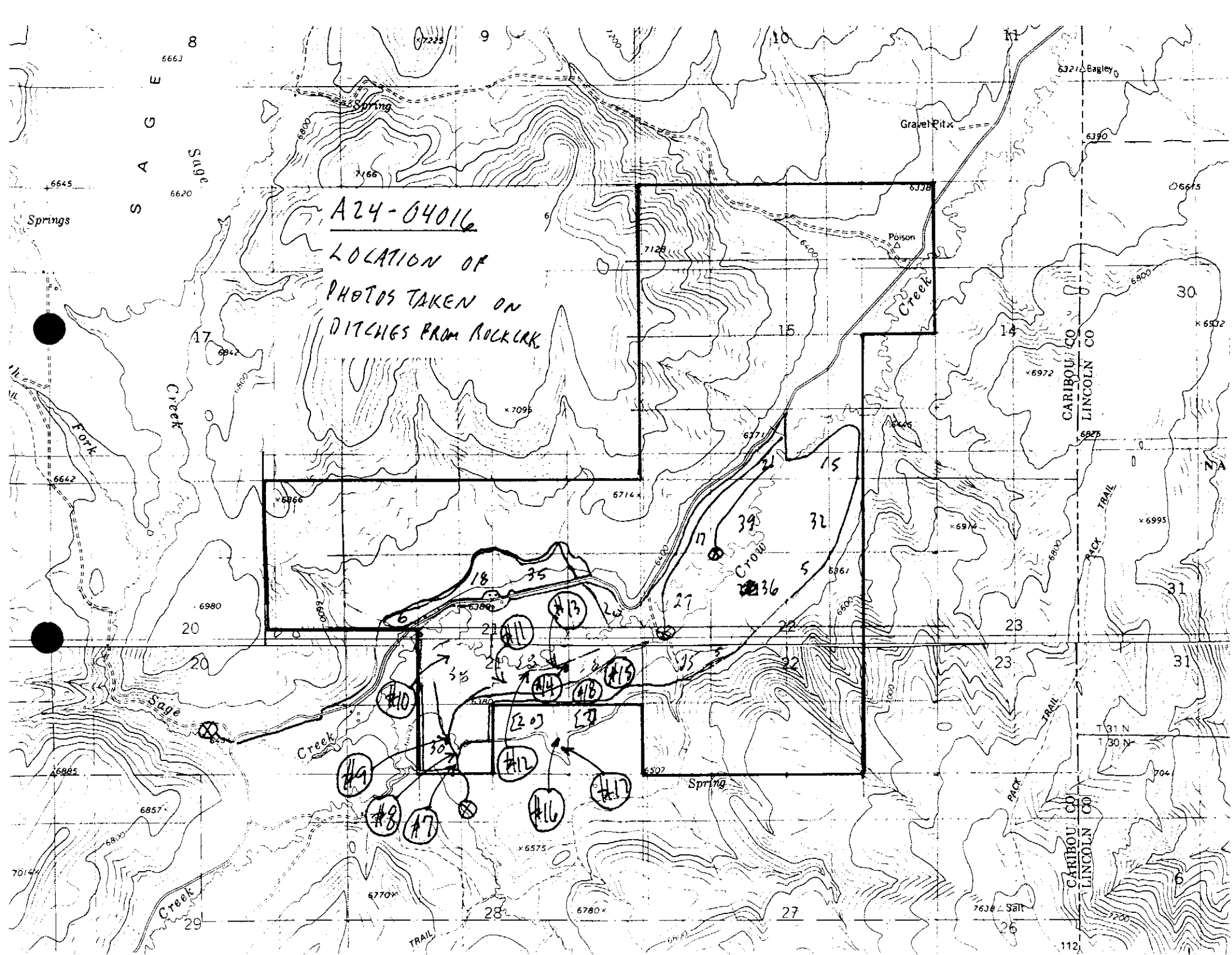
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State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

OCTOBER 25, 1994

BOX RANCH PARTNERSHIP  
C/O W E HARTMAN  
PO BOX 3416  
1694 EASTMAN AVE  
VENTURA CA 93006

RE: CHANGE IN OWNERSHIP FOR A24-04015, -04016, -04017,  
-10011, -10012, & -10013

Dear Mr. Hartman:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson  
Adjudication Secretary

Enclosure: Notice of Claim

*Handwritten signature*

NOV 9 1994

Notice of Water Right.

at of Idaho, County of Bear Lake.) To all concerned Notice is Hereby Given:  
1st. That we, William Bagley and Cyrenus J. Bagley of Fairview in the State of Wyoming hereby claim the use of all the waters of what is commonly known as "Rock Creek" to the extent of 280 miners inches. And. It is intended to divert said water at or near the Point at or near the point where a copy of this notice is posted and more definitely described as follows, to-wit: At a point about forty rods South from the North East corner of the North West Quarter of Section 28 in Township 9 South of Range 46 East of the Boise Meridian, in the State of Idaho. 3rd. The purpose for which said water is intended to be used is irrigation and domestic. The place of intended use is the irrigation of the following described lands, to-wit: SE.1/4 N.W.1/4 E.1/2 S.W.1/4 N.W.1/4 S.E.1/4 Sec. 21 in Twp 9 S.R. 46 E.B.M. The S.1/2 N.E.1/4 N.E.1/4 S.E.1/4 Sec. 21 S.W.1/4 N.W.1/4 of Sec. 22 in Township 9 South of Range 46 E.B.M. 4th. It is intended to divert said water by means of one main ditch three feet wide and two feet deep and other smaller and lateral ditches to convey the water on various parts of the land. The general course of the ditch is in a North Westerly direction The length of the ditch will be about forty rods. The said ditch has been completed and in actual use each and every season since the year 1894. Witness our hands at Paris, Idaho, this 26th day of January A. D. 1903.

William Bagley,  
Cyrenus J. Bagley.

STATE OF WYOMING, COUNTY OF UINTA.) William Bagley and Cyrenus J. Bagley each for himself being first duly sworn deposes and says that he is of lawful age and the claimants of the water right mentioned in the foregoing notice and whose names are subscribed there-

STATE OF WYOMING, COUNTY OF UINTA.) William Bagley and Cyrenus J. Bagley each for himself being first duly sworn deposes and says that he is of lawful age and the claimants of the water right mentioned in the foregoing notice and whose names are subscribed thereto. That the statements in said notice are true and that the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the place of intended diversion on the 29th day of January 1903, at 11 o'clock A. M.

in Presence of William J. Jensen.)

William Bagley  
Cyrenus J. Bagley.

Subscribed to before me this 29th day of Jan. 1903. William J. Jensen, Notary

Public. (Seal) My Comm. expires Dec. 26, 1904.

Recorded at request of J. E. Hart, at 9.41 o'clock A. M. Feb. 5th, 1903. E.C. Cal-  
let, Recorder Fee 60¢  
Transcribed from Bannock County Records, Water Location Record No. 2, page 201

Entry No. 3

Sheet No. 4

William Bagley and Cyrenus J. Bagley,

NOTICE OF WATER RIGHT.

Dated: January 26, 1903.

Claimants,

To:

Recorded: Book 1 of Water Locations, page 135. Transcribed from Book 2 of Water Locations, page 201, records of Bannock County, Idaho.

Whom It May Concern.

State of Idaho,

SS.

County of Bear Lake,

To all concerned Notice is Hereby Given:

1st. That we, William Bagley and Cyrenus J. Bagley of Fairview in the State of Wyoming hereby claim the use of all the waters of what is commonly known as "Rock Creek" to the extent of 250 miners inches.

2nd. That it is intended to divert said water at or near the Point at or near the point where a copy of this notice is posted and more definitely described as follows, to-wit: At a point about forty rods South from the North East corner of the North West Quarter of Section 28 in Township 9 South of Range 46 East of the Boise Meridian, in the State of Idaho.

3rd. That the purpose for which said water is intended to be used is irrigation and domestic. The place of intended use is the irrigation of the following described lands, to-wit: SE. 1/4 N.W. 1/4 E. 1/4 S.W. 1/4 NW. 1/4 S.E. 1/4 Sec. 21 in Twp. 9 S.R. 46 E.B.M. The S. 1/2 N.E. 1/4 N.E. 1/4 S.E. 1/4 Sec. 21 S.W. 1/4 N.W. 1/4 of Sec. 22 in Township 9 South of Range 46 E. B. M.

4th. It is intended to divert said water by means of one main ditch three feet wide and two feet deep and other smaller and lateral ditches to convey the water on various parts of the land. The general course of the ditch is in a North Westerly direction. The length of the ditch will be about 40 rods. The said ditch has been completed and in actual use each and every season since the year 1894.

Witness our hands at Paris, Idaho, this 26th day of January, A.D. 1903.

Witness: William J. Jensen.

William Bagley  
Cyrenus J. Bagley.

ACKNOWLEDGED: In the State of Wyoming, County of Uinta on the 29th day of January 1903 by William Bagley and Cyrenus J. Bagley before William J. Jensen, a Notary Public. Commission expires December 26, 1904. SEAL.

CARIBOU COUNTY ABSTRACT COMPANY

SODA SPRINGS, IDAHO

NOTICE OF EXISTING REAL ESTATEPURCHASE AGREEMENT

TO WHOM IT MAY CONCERN:

It is hereby made of public record that a Real Estate Purchase Agreement, dated December 10, 1991, by and between BOX RANCH, INC., a Wyoming Corporation, ALFRED E. SORENSON, President, and COLLEEN H. SORENSON, Secretary of P.O. Box 454, Afton, Lincoln County, Wyoming 83110, Sellers and JOHN TAFT CORPORATION, of 2158 Baldwin Road, Ojai, California 93023, and JOHN E. TAFT and MELODY TAFT, husband and wife, of 2158 Baldwin Road, Ojaie, California 93023, and THE HARTMAN FAMILY TRUST, dated July 8, 1986; WALTER E. HARTMAN JR., Trustee, of 3498 Pacific Coast Highway, Ventura, California 93003, Purchasers, exists for the purchase of the following described real property situate in the County of Caribou, State of Idaho, to-wit:

Township 9 South, Range 46 East, Boise Meridian:

Section 8: SE $\frac{1}{4}$  SE $\frac{1}{4}$ ;

Section 9: SW $\frac{1}{4}$ , S $\frac{1}{2}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$ ;

Section 10: SW $\frac{1}{4}$ , S $\frac{1}{2}$  NW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SE $\frac{1}{4}$ ;

Section 15: W $\frac{1}{2}$ , NE $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$ ;

Section 17: E $\frac{1}{2}$ ;

Section 20: E $\frac{1}{2}$  NE $\frac{1}{4}$ ;

Section 21: N $\frac{1}{2}$ , N $\frac{1}{2}$  SE $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$ ;

Section 22: W $\frac{1}{2}$ , W $\frac{1}{2}$  E $\frac{1}{2}$ .

Together with all water rights, minor or mineral reservations of sight or record, legally acquired.

Said Real Estate Purchase Agreement is being held in escrow by the Star Valley State Bank, Afton, Wyoming.

DATED this 10<sup>th</sup> day of December, 1991.

(SEAL)

BOX RANCH, INC.

BY: Alfred E. Sorenson  
ALFRED E. SORENSON, Pres.

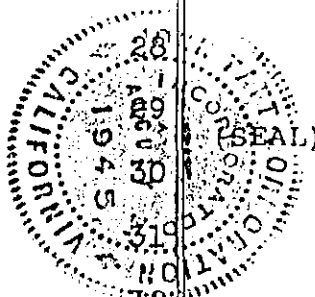
SELLERS: ATTEST: Colleen H. Sorenson  
COLLEEN H. SORENSON, Sec.

JOHN TAFT CORPORATION

BY: John E. Taft  
JOHN E. TAFT

ATTEST: Brenda Miller

John E. Taft  
JOHN E. TAFT



PURCHASERS:

Melody Taft  
MELODY TAFT

THE HARTMAN FAMILY TRUST  
Dated July 8, 1986

BY:

Walter E. Hartman Jr.  
WALTER E. HARTMAN JR.,  
Trustee

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS.

The foregoing instrument was acknowledged before me by  
Alfred E. Sorenson, and Colleen H. Sorenson of Box Ranch, Inc.  
this \_\_\_\_\_ day of December, 1991.

WITNESS my hand and official seal.

NOTARY PUBLIC

My Commission Expires:

STATE OF California )  
COUNTY OF Ventura ) SS.

The foregoing instrument was acknowledged before me by  
John E. Taft of John E. Taft Corporation this 9th day of  
December, 1991.

WITNESS my hand and official seal.

Brenda D. Miller  
NOTARY PUBLIC

My Commission Expires:

11-22-93

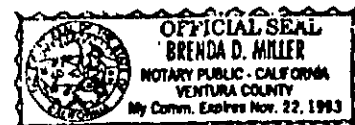
STATE OF California )  
COUNTY OF Ventura ) SS.

The foregoing instrument was acknowledged before me by  
John E. Taft and Melody Taft, husband and wife, this 9th day of  
December, 1991.

WITNESS my hand and official seal.

Brenda D. Miller  
NOTARY PUBLIC

My Commission Expires:

11-22-93

# SCHEDULE "A"

## BOX RANCH LEGAL DESCRIPTION

State of Idaho, to-wit: Township 9 South, Range 46 East, Boise Meridian:

Section 8: SE1/4 SE1/4;  
 Section 9: SW1/4, S1/2 NW1/4, SW1/4 NE1/4, NW1/4 SE1/4;  
 Section 10: SW1/4, S1/2 NW1/4, W1/2 SE1/4, SE1/4 SE1/4;  
 Section 15: W1/2, NE1/4, W1/2 SE1/4;  
 Section 17: E1/2;  
 Section 20: E1/2 NE1/4;  
 Section 21: N1/2, N1/2 SE1/4, E1/2 SW1/4;  
 Section 22: W1/2, W1/2 E1/2.

Together with water rights as adjudicated to the Box Ranch, by the Fifth Judicial District Court in Twin Falls, Idaho, in 1989.

\*\*\*\*\*

| Type of Use | Identification Number   | Water Source       | Priority Date | Period of Use  | Total Appropriation             | Acres        |
|-------------|-------------------------|--------------------|---------------|----------------|---------------------------------|--------------|
| Irrigation  | A24-04015 <sup>OK</sup> | Crow Creek         | Jan 26 1903   | 04-01 to 11-01 | 5.00 CFS<br>371.50 Acre-Feet    | 115.00 Acres |
| Irrigation  | A24-04016 <sup>OK</sup> | Horse (Rock) Creek | Jan 26 1903   | 04-01 to 11-01 | 5.00 CFS<br>572.50 Acre-Feet    | 229.00 Acres |
| Irrigation  | A24-04017 <sup>OK</sup> | Sage Canyon Creek  | Sept 18 1888  | 04-01 to 11-01 | 1.40 CFS<br>197.50 Acre-Feet    | 79.00 Acres  |
|             |                         |                    |               |                | 11.40 CFS<br>1,147.50 Acre-Feet | 423.00 Acres |
| Stockwater  | A24-10011               | Spring             | May 1 1903    | 04-01 to 11-01 | 0.030 CFS<br>100 Head of Cattle |              |
| Stockwater  | A24-10012               | Spring             | May 1 1903    | 04-01 to 11-01 | 0.030 CFS<br>100 Head of Cattle |              |
| Domestic    | A24-10013               | Spring             | May 1 1903    | Year Round     | 2 Hmes                          |              |

\*\*\*\*\*

## GRAZING LEASES AND ALLOTMENTS TO BE TRANSFERRED TO PURCHASER

- Idaho State Grazing Lease No. 3253 "Headquarters"  
Section 16, T9S, R46E, BM
- BLM Buck Mountain Grazing Allotment No. 04145  
"Headquarters"
- U.S.F.S. Montpelier-Elk Valley Allotment No. 30014
- U.S.F.S. Stump Creek Allotment No. 20107
- Plus all of Sellers right, title, and interest in the Star Valley Cattle Association.

DATE: 12-10-91

INITIAL: WJ

INITIAL: JP

INITIAL: AE4

INITIAL: Ma

C.H.S.

STATE OF California )  
COUNTY OF Ventura ) SS.

The foregoing instrument was acknowledged before me by  
The Hartman Family Trust dated July 8, 1986, by Walter E. Hartman  
Jr., Trustee, this 9th day of December, 1991.

WITNESS my hand and official seal.

Brenda D. Miller  
NOTARY PUBLIC

My Commission Expires:

11-22-93



STATE OF IDAHO )  
County of Caribou ) : ss.

On this 10th day of December, 1991, before me, the undersigned, a Notary  
Public in and for said County and State, personally Alfred E. Sorenson and  
Colleen H. Sorenson, known or identified to me to be the President and  
the Secretary of Box Ranch, Inc., the corporation that executed the same  
on behalf of said corporation, and acknowledged to me that such corporation  
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official  
Notary Seal, this 10th day and year in this certificate first above written.

Rebecca A. Jenkins  
NOTARY PUBLIC FOR THE STATE OF IDAHO.  
Residing at: Soda Springs, ID  
My commission expires: 8/15/97

142644

STATE OF IDAHO )  
County of Caribou ) ss.  
I hereby certify that this instrument was filed at the request  
of Caribou Title  
at 4 o'clock P on this 10 day of  
December, 1991 to my office and duty  
recorded in Microfilm Records  
Rebecca A. Jenkins  
Stephanie Lansberry  
Ex-Officio Recorder Deputy

9.00 chg.