

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 73-02091
Date Received: 1/6/90
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SULPHUR CREEK LIVESTOCK Phone: (208)876-4405

PO BOX 151
MAY ID 83253

2. Date of Priority: 05/25/1914

3. Source: BEAR CREEK , DITCH CREEK Trib. to: Pahsimeroi River , Pahsimeroi River

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
12N	24E	9	SE SW SE	CUSTER

5. Description of diverting works:

DIVERSION BY HEADGATE INTO DITCH/FLOOD IRR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.2	

7. Total Quantity Appropriated is:
1.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12N	24E	16	SW	SE	IRRIGATION	8
			SW	NW	IRRIGATION	16
			NE	SW	IRRIGATION	9
			NW	SW	IRRIGATION	8
			SE	SW	IRRIGATION	17
Section Acres						58
12N	24E	21	NE	SE	IRRIGATION	26
						Section Acres
12N	24E	22	NE	NE	IRRIGATION	21
			NW	NE	IRRIGATION	8
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	38
			SE	SE	IRRIGATION	38
			NE	NW	IRRIGATION	11
			NW	NW	IRRIGATION	14
			SW	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	35
			Section Acres			
12N	24E	23	SW	NE	IRRIGATION	3
			NE	NW	IRRIGATION	22
			NW	NW	IRRIGATION	36
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	37
			NE	SW	IRRIGATION	34
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	34
			SE	SW	IRRIGATION	3
			NW	SE	IRRIGATION	15
Section Acres						264
Total Acres						793

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

14. Remarks:

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION
42-1425, IDAHO CODE.
CHANGED OWNERSHIP PER REQUEST/CV/09-11-00

15. Basis of Claim: License

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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: A73-02091
Date Received: 1/ 5/1990
Receipt No: E011506
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THE AETNA CASUALTY & SURETY COMPANY 203-275-2094
Address: ATTN ED BUCKLEY
CITY PLACE
HARTFORD CT 06156

2. Date of Priority: MAY 25, 1914

3. Source: BEAR CREEK Trib. to: PAHSIMEROI RIVER
DITCH CREEK PAHSIMEROI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	24E	9	SE	SW	SE		CUSTER

5. Description of diverting works:
DIVERSION BY HEADGATE INTO DITCH/FLOOD IRR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

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

8. Total consumptive use is 1983.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER; 600 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12N	24E	16	SW	NW		IRR	16.0
			NE	SW		IRR	9.0



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	24E	16	NW	SW		IRR	8.0
			SE	SW		IRR	17.0
			SW	SE		IRR	8.0
						Section Acres	58.0
		21	NE	SE		IRR	26.0
						Section Acres	26.0
		22	NE	NE		IRR	21.0
			NW	NE		IRR	8.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	11.0
			NW	NW		IRR	14.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	35.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	38.0
			SE	SE		IRR	38.0
						Section Acres	445.0
		23	SW	NE		IRR	3.0
			NE	NW		IRR	22.0
			NW	NW		IRR	36.0
			SW	NW		IRR	40.0
			SE	NW		IRR	37.0
			NE	SW		IRR	34.0
			NW	SW		IRR	40.0
			SW	SW		IRR	34.0
			SE	SW		IRR	3.0
			NW	SE		IRR	15.0
						Section Acres	264.0
						Total Acres	793.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

73-00188A, 00187A, 00165, 02038, 00168, 00178, 00179

14. Remarks:

*** CONSUMPTIVE USE INCLUDES WATER FROM ALL RIGHTS SHOWN UNDER ITEM #13. TOTAL QUANTITY OF WATER PURSUANT TO ALL RIGHTS EXCEEDS ONE MINERS INCH TO THE ACRE. HOWEVER ALL RIGHTS ARE RELATIVELY JUNIOR SUCH THAT HIGH DIVERSION RATES ARE WARRANTED TO GET SOIL MOISTURE PROFILE FILLED DURING SPRING MONTHS.

15. Basis of Claim: LICENSE

Water Right Number: 10281

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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IN RE THE GENERAL ADJUDICATION
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CIVIL CASE NUMBER: 39576

Ident. Number

A73-02091

Date Received

1/5/90

Receipt Number

E011506

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JAN - 5 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) The Aetna Casualty & Surety Company Phone () _____Mailing Address ATTN: Ed Buckley, City Place, Hartford CT Zip 061562. Date of Priority (Only one (1) per claim) May 25, 19143. Source of water supply (a) Bear Creek or Ditch Creek
which is tributary to (b) Pahsimeroi4. a. Location of existing point of diversion is: Township 12N Range 24E Section 9,
SE 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Custer

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Diversion by headgate into ditch,
and thence to place of use by flood irrigation.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 1.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1983 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Incidental stockwater use - 600 pair cows/calves from 4-1 through 11-1.

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
12N	24E	22	21	8	40	40	11	14	40	40	40	35			40	40	38	38	445
12N	24E	23			3		22	36	40	37	34	40	34	3		15			264
12N	24E	21													26				26
12N	24E	16							16		9	8		17			8		58

Total number of acres irrigated 793

11. In which county (ies) are lands listed above as place of use located? Custer

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
73-00188A; 73-00187A; 73-00165; 73-02038; 73-00168; 73-00178; or None ()
73-00179.

14. Remarks: Consumptive use includes water from all rights shown under
Item #13. Total quantity of water pursuant to all rights
exceeds one (1) miner's inch to the acre. However, all
rights are relatively junior such that high diversion rates
are warranted to get soil moisture profile filled during
spring months.

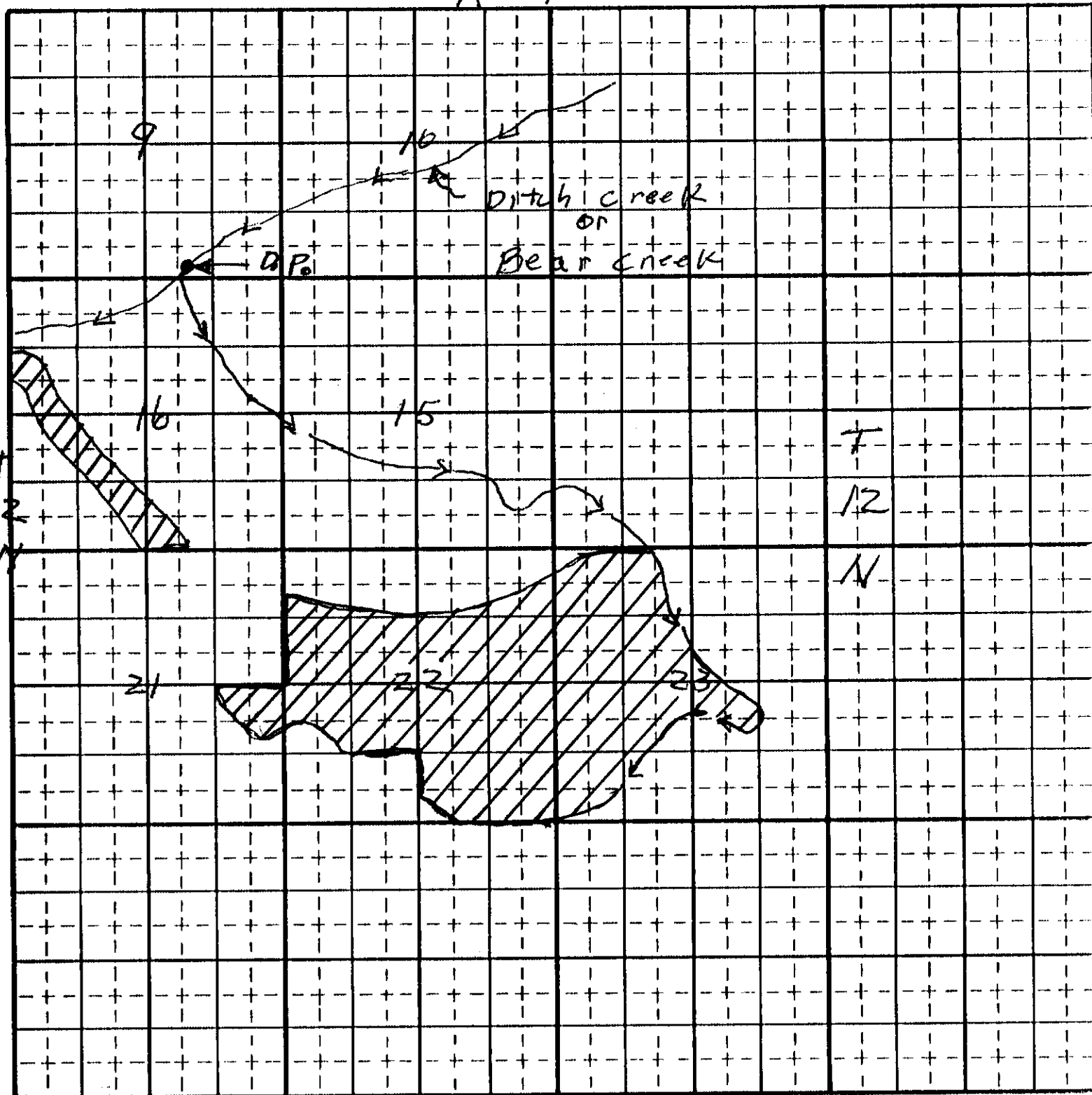
Last Name Aetna Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

R 24 E



Last Name

Aetna

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____

Decree _____

If applicable provide IDWR Water Right Number 73-02091

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Edward Buckley, Vice President

Title

of Aetna Realty Investors, Inc., that I have signed the foregoing

Organization

document in the space below as Attorney-in-Fact of The Aetna Casualty & Surety Co.

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Edward L. Buckley

Title and Organization Attorney-in-Fact, The Aetna Casualty & Surety Company Date 12/18/89

State of Idaho/or Connecticut)

County of Hartford) SS.

Subscribed and sworn (or affirmed) before me this 18th day of December 19 89

SEAL

Notary Public

Marianna Petrocelli

Residing at

New Haven County

My Commission Expires

March 31, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Aetna Ident. Number _____

Copies White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 11, 2000

SULPHUR CREEK LIVESTOCK
PO BOX 151
MAY ID 83253

RE: CHANGE IN OWNERSHIP FOR A73-00002B, A73-00007A,
A73-00007B, A73-00008B, A73-00042, A73-00113, A73-
00140, A73-00157, A73-00158, A73-00165, A73-00168, A73-
00173, A73-00178, A73-00179, A73-00187A, A73-00188A,
A73-02038, A73-02091, A73-02098, A73-02102, A73-02114,
A73-02115, A73-02122, A73-02137, A73-02141, A73-02142,
A73-02153, A73-02155, A73-02164, A73-07000, A73-07022,
A73-07038, A73-10047.

Dear Claimant:

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(s).

Enclosed is a copy 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.

Water right numbers A73-100046, A73-10048, A73-10050, A73-10051, A73-10052, A73-10053 are being processed by our state office.

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

Respectfully submitted,

Cheri Vandermeulen
Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

DELOG *es 5/10/00*
JC 6/5/00
 RECEIVED *OK*

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

MAY 11 2000

Department of Water Resources
 Eastern Region

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 No(s): _____
 Adjudication Claim No(s): A73-02098 et al (see attached list)
2. The following REQUIRED information must be submitted with this form:
 - 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 showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.
3. Name and Address of Former Owner/Claimant AGENTA LIFE
4. New Owner/Claimant(s) Sulphur Creek Livestock
 New Mailing Address P.O. Box 151
 City, State and ZIP Code May, ID 83253
 New Telephone Number (208) 876-4405
5. Date you acquired the property _____
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____
Other uses _____	
7. Signature of New Owner(s) or Claimant(s) John Whitworth, partner, MANAGER
 Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

A73-00002B ✓
A73-00007A ✓
A73-00007B ✓
A73-00008B ✓
A73-00042 ✓
A73-00113 ✓
A73-00140 ✓
A73-00157 ✓
A73-00158 ✓
A73-00165 ✓
A73-00168 ✓
A73-00173 ✓
A73-00178 ✓
A73-00179 ✓
A73-00187A ✓
A73-00188A ✓
A73-02038 ✓
A73-02091 ✓
A73-02098 ✓
A73-02102 ✓
A73-02114 ✓
A73-02115 ✓
A73-02122 ✓
A73-02137 ✓
A73-02141 ✓
A73-02142 ✓
A73-02153 ✓
A73-02155 ✓
A73-02164 ✓

A73-07000 ✓
A73-07022 ✓
A73-07038 ✓
A73-10047 ✓

Partial Decrees
Processed by
Allocation at
State Office

73-10046
73-10048
73-10050
73-10051
73-10052
73-10053