

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 22-13258
Date Received: 7/24/2002
Receipt No:
Received By:

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

1. Name of Claimant(s)

WILDHORSE INC Phone: (208)354-2244
PO BOX 533
DRIGGS ID USA 83422

2. Date of Priority: 01/18/1905

3. Source: SOUTH LEIGH CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	46E	31	SW NW	TETON	
06N	46E	31	NE SE	TETON	

5. Description of diverting works:

TWO DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	12/01	1.37	

7. Total Quantity Appropriated is:
1.37 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
06N	45E	35	SE SE	IRRIGATION	34.7

A2213258



					Section Acres	34.7
06N	45E	36	SW	SW	IRRIGATION	34.8
					Section Acres	34.8
					Total Acres	69.5

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

14. Remarks:

PROPERTY IS ALSO KNOWN AS LOTS 1-9, 11, 13-14 OF WILDHORSE SUBDIVISION
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 22-208D

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 24, 2002

WILDHORSE INC
PO BOX 533
DRIGGS ID 83422

RE: CHANGE IN WATER RIGHT OWNERSHIP FOR 22-208D

Dear Sir or Madam:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

22-208D:

0.21 cfs, 10.5 acres, Redhawk

1.37 cfs, 69.5 acres, Wildhorse

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree

Technical Records Specialist

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	22-208	☒			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are 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(s)	REDHAWK INVESTMENTS, LLC PO Box 568 Alta, WY 83422
4. New Owner/Claimant(s)	WILD HORSE, INC.
	Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	PO Box 533
City, State and ZIP Code	Driggs, ID 83422
New Telephone Number	(208) 354-2244
5. Date you acquired the property	June 3, 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

President Wild Horse, Inc.

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____

Received by _____ Date _____ Receipt No. _____

Processed by _____ AJ Date _____ WR _____ Date _____

RECEIVED

149222

JUL 19 2002

Corrected Warranty Deed

TETON CO., ID
CLERK RECORDER

Red Hawk Investments, Limited Liability Company, an Idaho Limited Liability Company, GRANTOR, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, in hand paid, receipt of which is hereby acknowledged, CONVEY AND WARRANT to Wild Horse, Inc., GRANTEE, whose address is P.O. Box 533, Driggs, ID 83422, the following described real estate, situate in the County of Teton, State of Idaho, together with all rights and privileges appurtenant thereto, to wit:

TOWNSHIP 6 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

Section 35: SE ¼ SE ¼

Section 36: SW ¼ SW ¼

Less Lots 10 and 12 of Wild Horse Subdivision, as the same appears on the official plat thereof, recorded February 12, 2002 as Instruments No. 146744.

Subject to all taxes and other assessments, reservations in patents and all easements, right of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of records, the Grantor warrants the title against all persons whomsoever.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances except: Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

WITNESS MY HAND this 9th day of July, 2002.

Red Hawk Investments, Limited Liability Company

Cody Runyan, Managing Member

STATE OF IDAHO)

)SS

COUNTY OF TETON)

Instrument # 149222

DRIGGS, TETON, IDAHO

2002-07-19

02:46:53 No. of Pages: 1

Recorded for: RUNYAN & WOELK

NOLAN G. BOYLE

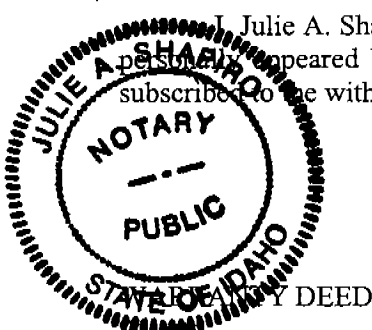
Fee: 3.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

C. Smith

I, Julie A. Shapiro, a notary public, do hereby certify that on this 9th day of July, 2002, Cody Runyan appeared before me Cody Runyan, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Julie A. Shapiro
Notary Public

My Commission Expires: 11/23/07

1
149222

RECEIVED

JUN 03 2002

TETON CO. ID
CLERK RECORDER

148420

Warranty Deed

Red Hawk Investments, Limited Liability Company, an Idaho Limited Liability Company, GRANTOR, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, in hand paid, receipt of which is hereby acknowledged, CONVEY AND WARRANT to Wild Horse, Inc., GRANTEE, whose address is P.O. Box 533, Driggs, ID 83422, the following described real estate, situate in the County of Teton, State of Idaho, together with all rights and privileges appurtenant thereto, to wit:

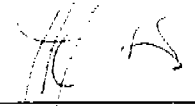
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 13 and 14 of the Wild Horse Subdivision, located in Teton County, Idaho as more thoroughly described in the Plat on file.

Subject to all taxes and other assessments, reservations in patents and all easements, right of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of records, the Grantor warrants the title against all persons whomsoever.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances except: Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

WITNESS MY HAND this 3rd day of June, 2002.

Red Hawk Investments, Limited Liability Company



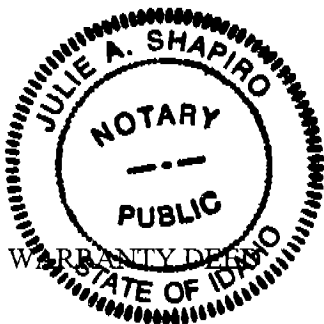
Cody Runyan, Managing Member

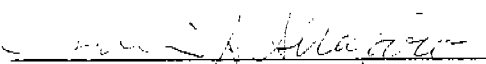
STATE OF IDAHO)
)SS
COUNTY OF TETON)

Instrument # 148420

DRIGGS, TETON, IDAHO
2002-06-03 09:37:50 No. of Pages: 1
Recorded for : CODY RUNYAN
NOLAN G. BOYLE Fee: 3.00
Ex-Officio Recorder Deputy E. Smith
Index to: DEED, WARRANTY

I, Julie A. Shapiro, a notary public, do hereby certify that on this 3rd day of June, 2002, personally appeared before me and Cody Runyan, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.





Notary Public
My Commission Expires: 11/23/07

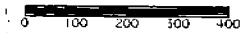
C 1/4 CORNER SECTION 35
FOUND 1/2" IRON PIN WITH CAP
C.P.F.R. INDEX X-19
INSTRUMENT #91788

SETBACKS	
COUNTY STANDARD SETBACKS:	
FRONT	30'
SIDE	30'
REAR	40'

E 1/4 CORNER SECTION 35
FOUND 5/8" IRON PIN WITH CAP
C.P.F.R. INDEX X-21
INSTRUMENT #116322

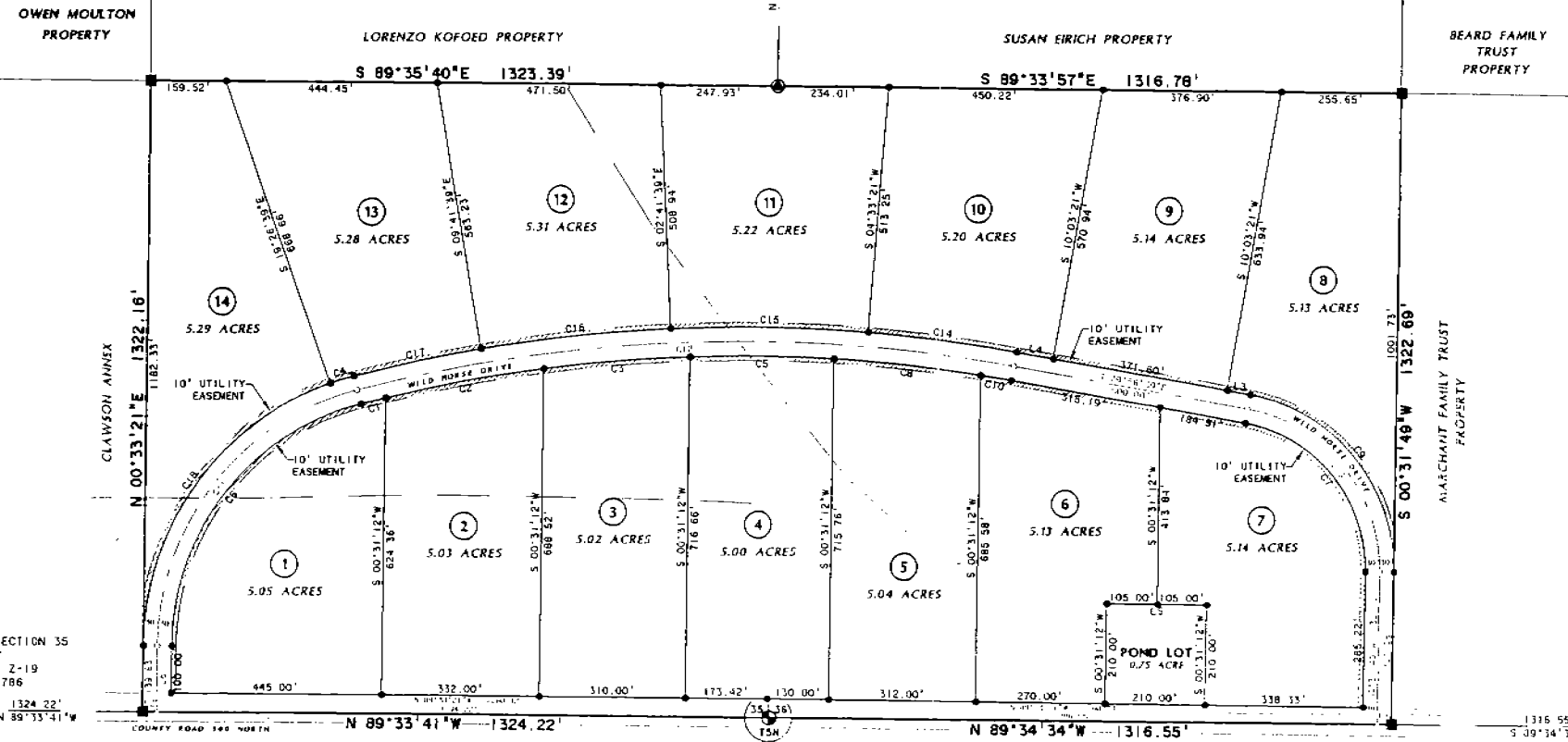
LINE DATA TABLE		
LINE	BEARING	DISTANCE
L 1	N 89°34'34"W	30.00'
L 2	N 89°33'41"W	30.00'
L 3	N 79°56'39"W	50.00'
L 4	N 79°56'39"W	78.40'
L 5	S 89°23'21"E	210.00'
L 6	N 00°33'21"E	139.77'

C 1/4 CORNER SECTION 36
CALCULATED BY 1/4 LINE
INTERSECTION
SET 3/4" IRON PIN WITH 2"
CAP INSCRIBED: AM ENG 2860
FILED NEW C.P.F.R.



BASIS OF BEARING
WAS ESTABLISHED BY THE PROPRIETARY
NGS84 COORDINATES OF THE SECTION
CORNERS SHOWN ON THIS PLAT, AND
A TRANSVERSE MERCATOR MAP
PROJECTION WITH A CENTRAL
MERIDIAN LOCATED AT THE N 1/4
CORNER OF SECTION 35, TWP. 3N,
RNG. 45E., B.M., IDAHO
(SCALE FACTOR: 1.00029345)

S 1/4 CORNER SECTION 36
FOUND IRON PIN WITH CAP
FILED NEW C.P.F.R.



S 1/4 CORNER SECTION 35
FOUND R.R. PIN
C.P.F.R. INDEX Z-19
INSTRUMENT #91786

LEGEND	
	SECTION CORNER FOUND AS NOTED
	SECTION CORNER SET AS NOTED
	SET SUBDIVISION P.O.B. - 2 1/2" ALUMINUM PIPE WITH CAP INSCRIBED: AM ENG 2860
	SET SUBDIVISION CORNER - 5/8" IRON PIN WITH 2" ALUM. CAP INSCRIBED: AM ENG 2860
	SET LOT CORNER - 1/2" IRON PIN WITH CAP INSCRIBED: AM ENG 2860
	ROAD POINT - SET 5/8" IRON PIN WITH CAP INSCRIBED: AM ENG 2860
	SECTIONAL BREAKDOWN LINE
	EXISTING DITCH OR CANAL
	EASEMENT - TYPE AND WIDTH AS NOTED

SE CORNER SECTION 35
FOUND IRON PIN WITH CAP
C.P.F.R. INDEX Z-21
INSTRUMENT #91785

CURVE DATA TABLE						
CURVE	DELTA ANGLE	RADIUS	TANGENT	ARC LENGTH	CHORD	CHORD BEARING
C 1	00°56'45"	3240.00'	26.75'	53.49'	53.49'	N 76°01'44"E
C 2	05°59'03"	3240.00'	169.35'	338.40'	338.24'	N 79°29'38"E
C 3	05°30'27"	3240.00'	155.34'	311.44'	311.52'	N 85°14'23"E
C 4	05°00'00"	590.00'	25.76'	51.49'	51.47'	S 73°03'21"W
C 5	05°22'03"	3240.00'	151.87'	303.53'	303.42'	S 89°19'22"E
C 6	75°00'00"	530.00'	406.68'	693.77'	645.29'	N 38°03'21"E
C 7	30°28'28"	312.98'	264.83'	439.59'	404.33'	S 39°42'25"E
C 8	05°32'46"	3240.00'	165.94'	313.53'	313.50'	S 85°51'57"E
C 9	30°28'28"	312.98'	315.50'	523.98'	481.85'	N 38°42'25"W
C 10	01°08'55"	3240.00'	32.40'	64.96'	64.96'	S 90°31'07"E
C 11	75°00'00"	560.00'	429.70'	733.04'	681.81'	N 38°03'21"E
C 12	24°30'00"	3270.00'	709.99'	1398.27'	1387.64'	S 87°48'21"E
C 13	80°28'38"	342.98'	290.22'	481.72'	443.09'	S 39°42'25"E
C 14	05°30'00"	3300.00'	158.51'	316.78'	316.66'	N 82°41'59"W
C 15	07°15'00"	3300.00'	209.06'	417.57'	417.29'	N 89°04'09"W
C 16	07°00'00"	3300.00'	201.34'	403.17'	402.92'	S 83°48'21"W
C 17	04°45'00"	3300.00'	136.97'	273.58'	273.50'	S 77°55'51"W
C 18	70°00'00"	590.00'	413.12'	720.82'	676.32'	S 35°33'21"W

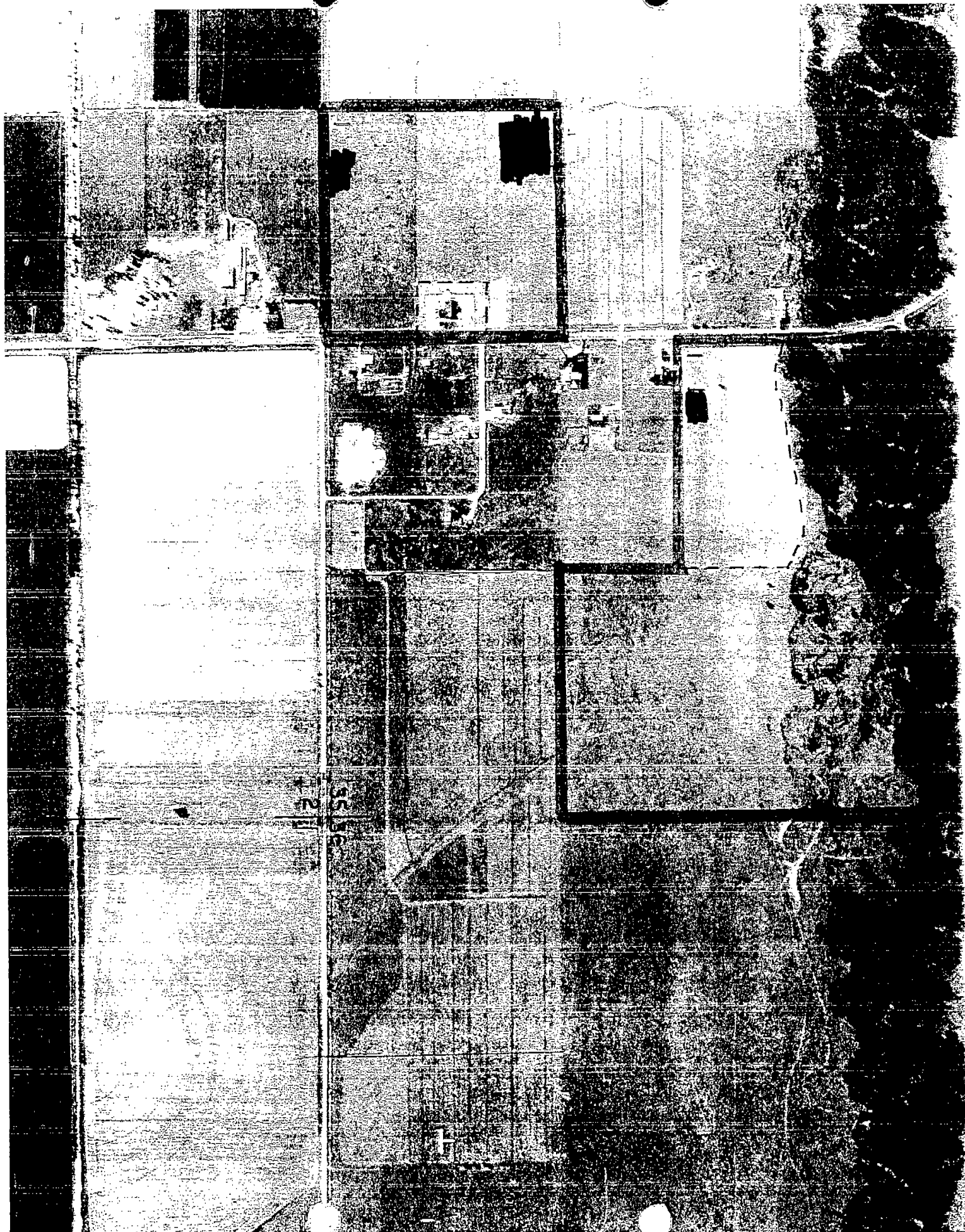
FINAL PLAT FOR:

WILD HORSE SUBDIVISION

THE SE 1/4 SE 1/4 SECTION 35, AND THE SW 1/4 SW 1/4 SECTION 36, TWP. 3N., RNG. 45E., B.M., TETON COUNTY, IDAHO

OWNER/DEVELOPER: RED HARK INVESTMENTS, LLC 91 EAST LITTLE AVENUE ORIGGS, ID 83422	AW ENGINEERING P.O. BOX 139 VICTOR, IDAHO 83455 (208) 787-2952
---	--

DRAWN: NLC	10/31/01	PROJECT: 2001 - 072	SHEET: 1 OF 2
SURVEYED: CLC (GPS)	04/04/01	6-453536.DAT CPSMALL.DCD	SECTION 10



RUNYAN
AND
WOELK, P.C.
Attorneys at Law

Cody Runyan **
Galen B. Woelk **

** Admitted in
Idaho and Wyoming

July 12, 2002

IDWR Eastern Region
900 N. Skyline Sr., Suite A
Idaho Falls, ID 83402-1718

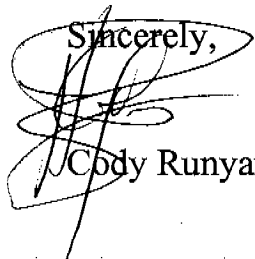
Re: Change Ownership

Dear Sir or Madam:

Enclosed please find the necessary form to change ownership of the water right pertaining to Water Right/Adjudication No. 22-2080. In talking with your office I was advised that no filing fee was necessary. Further I was informed that owners other than Red Hawk Investments was listed and your office was going to delete them because they were the previous owners.

Simply, prior to this request, Red Hawk Investments, LLC should have been the only owner. Please refer to the November 19th, 2001 letter from your office. After this application Wild Horse, Inc. should be the sole owner.

Sincerely,



Cody Runyan

RECEIVED
JUL 15 2002

Department of Water Resources
Eastern Region