



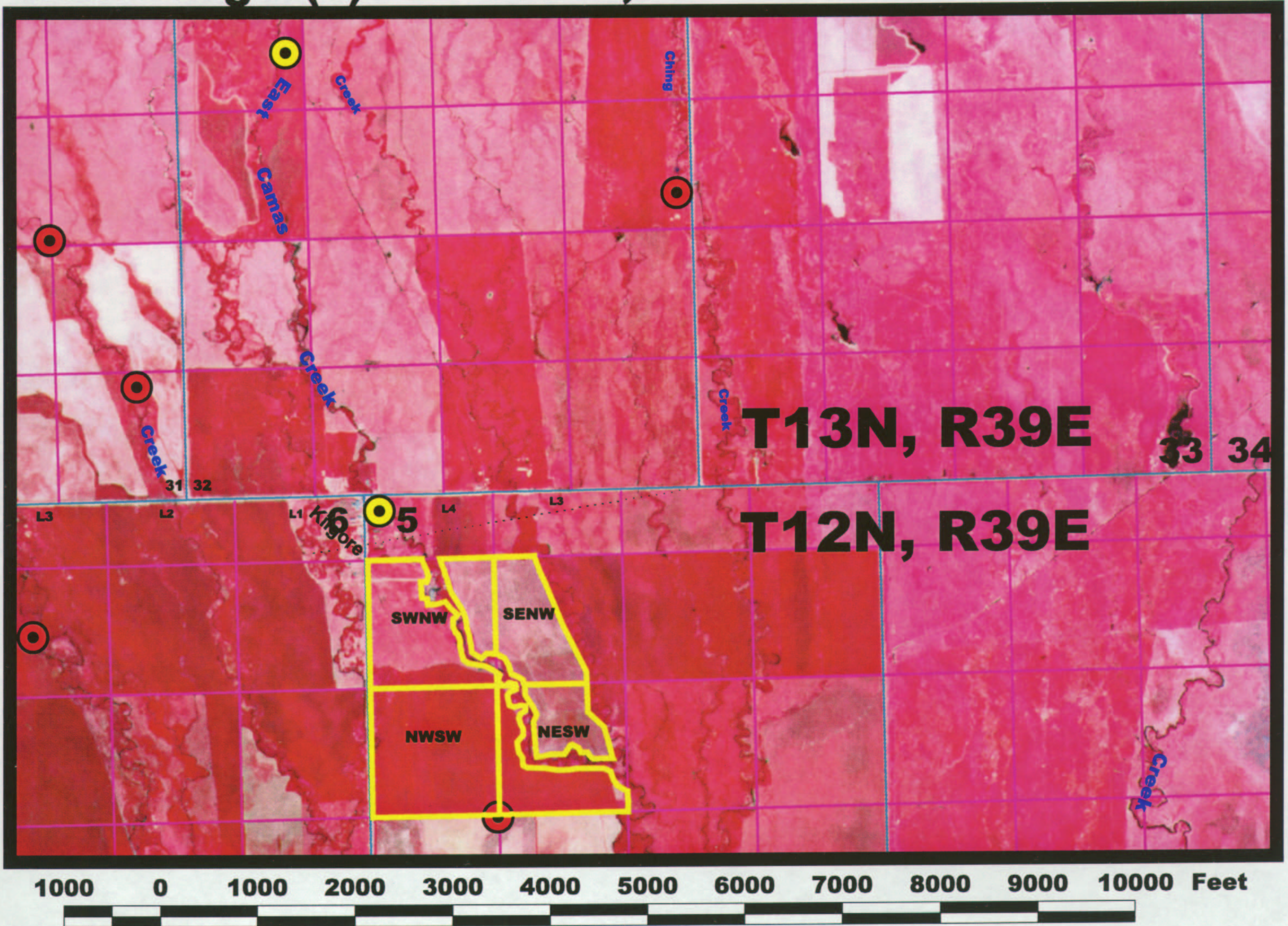
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: The Rocking Question

Water Right(s): 31-00022, 31-00023



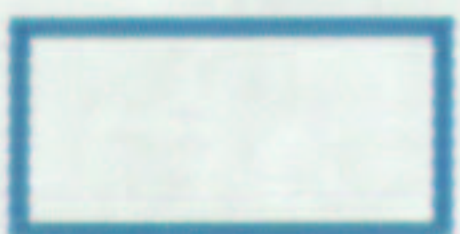
LEGEND



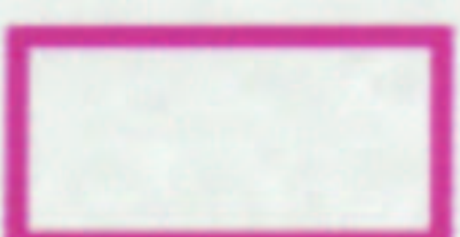
Point of Diversion

SESE

Place of Use



Section Line



Quarter-section line

**Legal Description: T12N, R39E
Sec. 5 (parts of) S2NW, N2SW**

**Point(s) of Diversion: T12N, R39E
Sec. 5 Lot 4 (NWNWNW),
T13N, R39E
Sec. 32 NENWNW**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: Oct. 2000

Rocking Question Ranch



31-00022
00023

East

30 29
31 32

29 28
32 33

East
Camas
Creek

Creek

Ching
Creek

Creek

Creek

T13N, R39E

T12N, R39E

The Rocking ?, LLC
31-00022,
31-00023

SWNW
34

SENW
20

NWSW
39

NESW
28

6 5
7 8

West

Creek

Ca

10/05/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-22

NAME AND ADDRESS: THE ROCKING QUESTION LLC
50 W BROADWAY 8TH FLOOR
SALT LAKE CITY, UT 84101

SOURCE: EAST CAMAS CREEK TRIBUTARY: Camas Creek

QUANTITY: 1.1 CFS

~~THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE~~
~~SHALL NOT EXCEED 13,000 GALLONS PER DAY.~~ DELETED 01/18/01 ABR
USE OF THIS RIGHT WITH RIGHT NO. 31-00023 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.42 CFS.

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION: T12N R39E S5 LOT 4 NWNWNW Within CLARK County
T13N R39E S32 NENWNW Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	05-01 10-31	0.03 CFS
IRRIGATION	05-01 10-31	1.10 CFS

PLACE OF USE:

IRRIGATION Within CLARK County					
T12N R39E S5	SENW	20	T12N R39E S5	SWNW	34
T12N R39E S5	NESW	28	T12N R39E S5	NWSW	39
121 ACRES TOTAL					

USE OF THIS RIGHT WITH RIGHT NO. 31-00023 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 121 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 55 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
STOCKWATER: 100 CATTLE

AJ0749NP
No. A31-00022

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/08/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THE ROCKING QUESTION LLC 50 W BROADWAY 8TH FLOOR SALT LAKE CITY UT 84101 (801) 531-7090	06/01/1891	IRRIGATION STOCKWATER	05-01 09-01 01-01 12-31	1.10 CFS 0.03 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					1.10 CFS	325.00 AFA

Water Source: EAST CAMAS CREEK

Tributary to: CAMAS CREEK

Stage: DECREED

Point(s) of Diversion: T12N R39E S05 Lot04(NWNWNW) Lot04(NWSENW)
T13N R39E S32 NESENW

CLARK County
CLARK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
12N	39E	5	:					:	03-08	04-17	38	03	:	36	34			:						:	
TOTAL ACRES																							143.0		

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

PQU County: CLARK

Non-Irrigation Uses: STOCK WATER

Other Rights: 31-0023.

Remarks: GEN THE SOUTHERN MOST DIVERSION POINT IS BY PUMP.
CHANGED OWNERSHIP PER REQUEST/JH/3-8-99

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 31 Field Inspection Flag:
Presumption Flag:

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: A31-00022
Date Received: 6/08/1988
Receipt No: MO00072
Received By: gjc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH L. BENNETT
Address: KILGORE ROUTE
DUBOIS, ID 83423

208-778-5345

2. Date of Priority: JUN 01, 1891

3. Source: EAST CAMAS CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	39E	5	NW	NW	NW	4	CLARK
			NW	SE	NW	4	CLARK
13N	39E	32	NE	SE	NW		CLARK

5. Description of diverting works:
WOOD HEADGATE IN CREEK, CENTAL GATE IN DITCH AND WEIR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	09/01	1.100		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is 325.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK WATER

A3100022



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	39E	5	NE	NW	3	IRR	8.0
			NW	NW	4	IRR	17.0
			SW	NW		IRR	38.0
			SE	NW		IRR	3.0 ³⁵
			NE	SW		IRR	36.0
			NW	SW		IRR	34.0
			NW	SE		IRR	7.0

Section Acres 143.0

Total Acres 143.0

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
31-0023.

14. Remarks:
THE SOUTHERN MOST DIVERSION POINT IS BY PUMP.

15. Basis of Claim: DECREED
Water Right Number:
Case Number:
Court :
Decree date:

ERNEST SAUVE

Decree Plaintiff

vs

W. H. ABBOTT.

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

Signature of Claimant(s): H. L. Bennett Date: 6-8-88
Ellen M. Bennett Date: 6/8/88

State of Idaho)
County of Clark) SS.

Subscribed and sworn (or affirmed) before me this 8th day

of Jun 19 88

Joe Dale Carlson
Notary Public

Seal

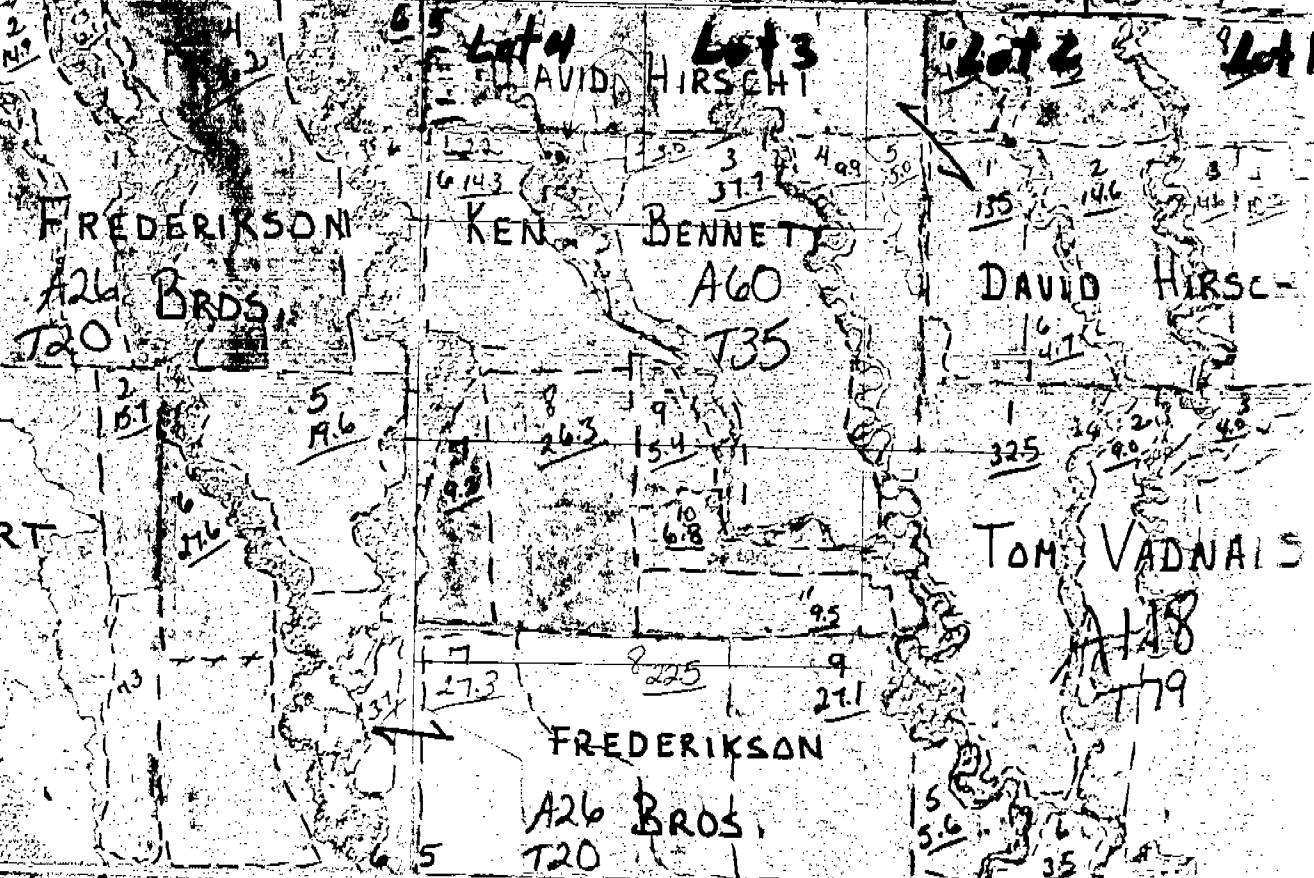
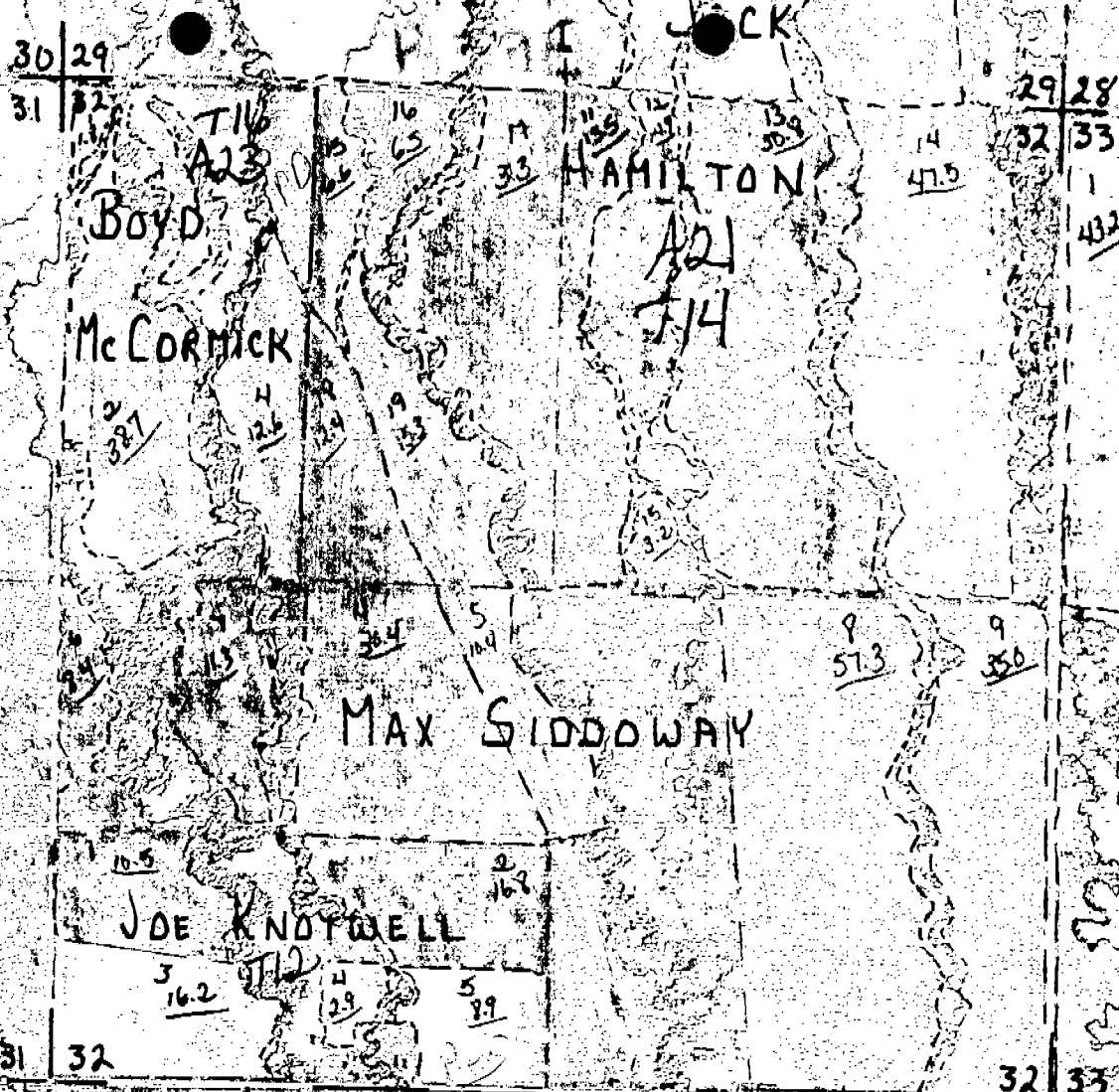
Residing at Boise Id.

My Commission Expires 6/2/94

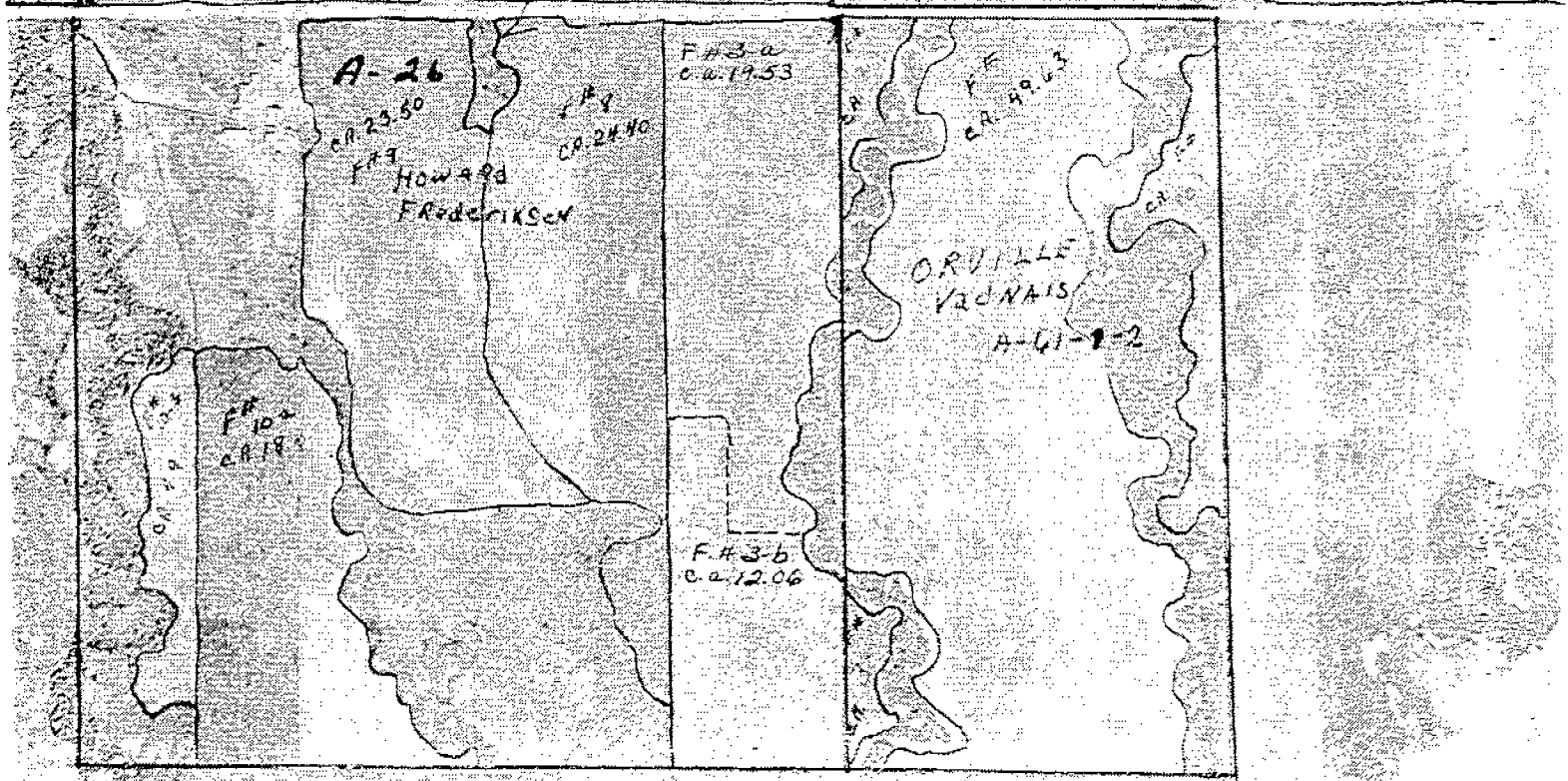
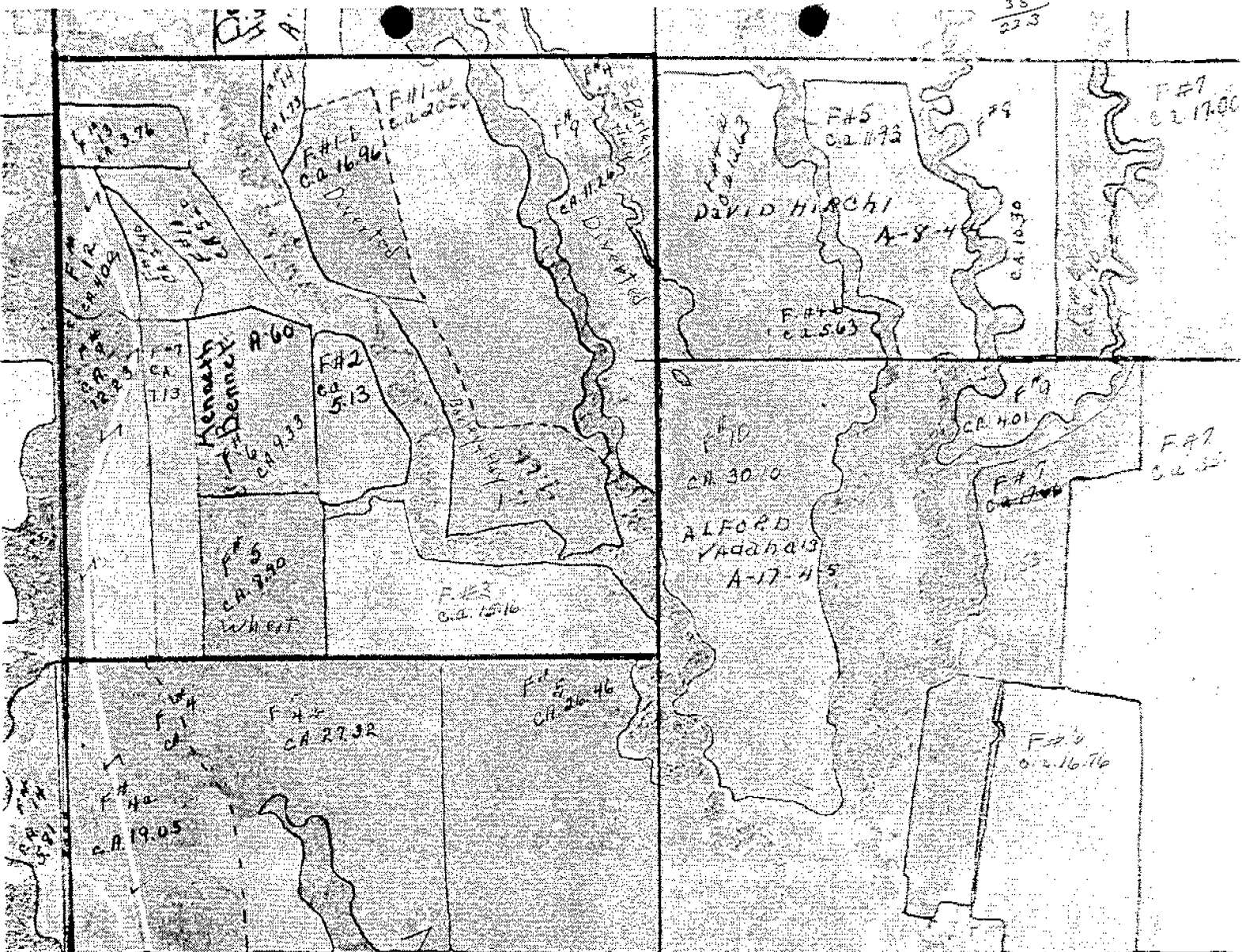
FIE PRICE
A22
T15

SANDERS
INC.
A78
T43

ITH SIEPERT
A75



5.2
38
223





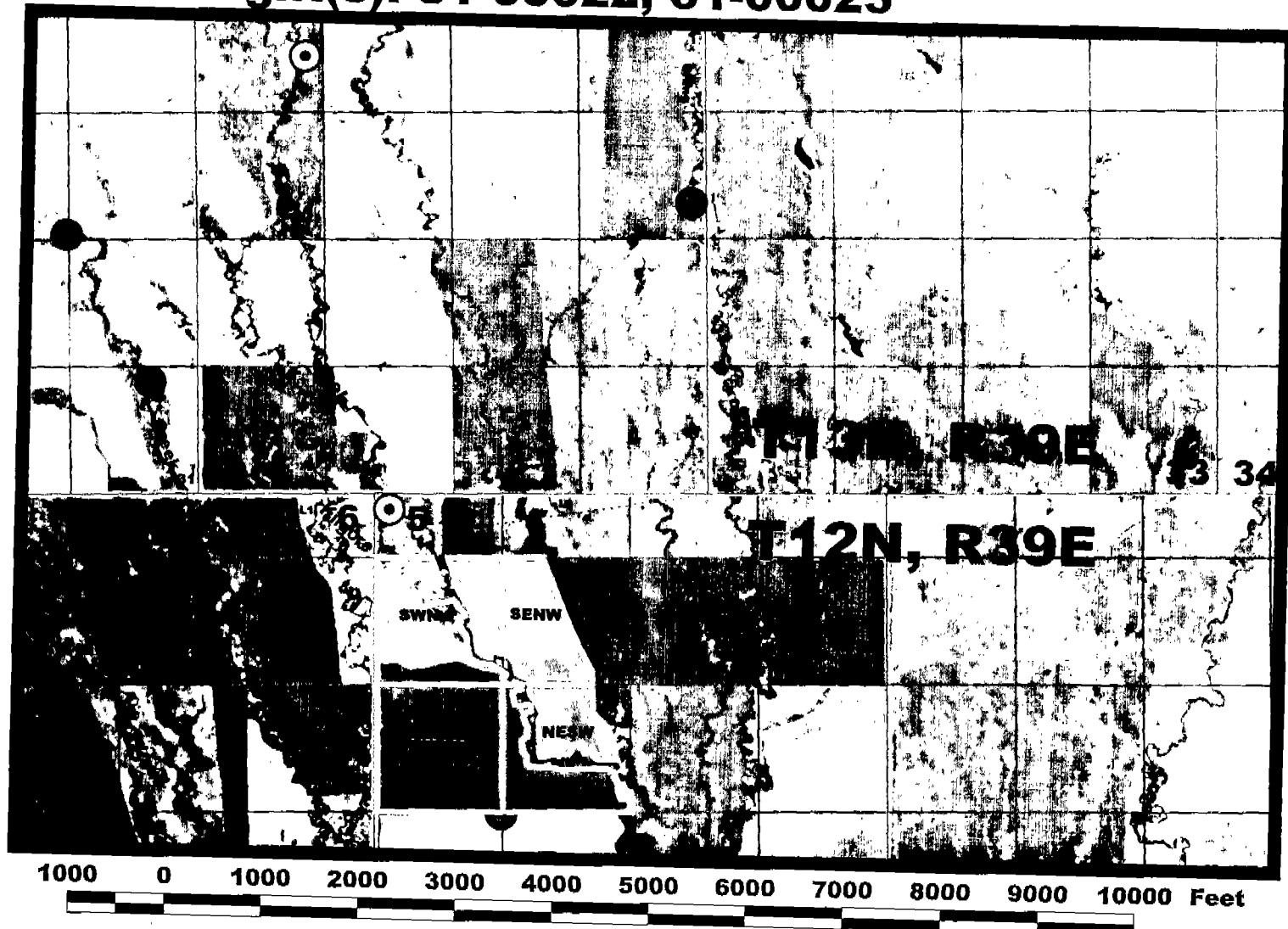
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: The Rocking Question

Water Right(s): 31-00022, 31-00023



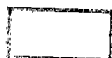
LEGEND



Point of Diversion

SESE

Place of Use



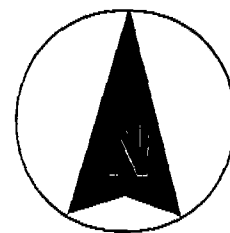
Section Line



Quarter-section line

Legal Description: T12N, R39E
Sec. 5 (parts of) S2NW, N2SW

Point(s) of Diversion: T12N, R39E
Sec. 5 Lot 4 (NWNWNW),
T13N, R39E
Sec. 32 NENWNW



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: Oct. 2000

SRBA

DIRECTORS REPORT 31-00022

[Return to SRBA Home Page](#)

IWT072

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 31-00022

Name and Address: THE ROCKING QUESTION LLC
50 W BROADWAY 8TH FLOOR
SALT LAKE CITY, UT 84101

Source: EAST CAMAS CREEK Tributary: CAMAS CREEK

Quantity: 1.10 CFS

USE OF THIS RIGHT WITH RIGHT NO. 31-00023 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.42 CFS.

Priority Date: 06-01-1891

Diversion Point: T12N R39E S05 LOT 4 (NWNWNW) Within Clark County
T13N R39E S32 NENWNW

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	05-01 TO 10-31	1.10 CFS
	Stockwater	05-01 TO 10-31	.03 CFS

Place of Use:	Irrigation	Within Clark County
	T12N R39E S05	SWNW 34 NESW 28
		SENW 20 NWSW 39
	121 Acres Total	

Stockwater
Same as Other Use

USE OF THIS RIGHT WITH RIGHT NO. 31-00023 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 121 ACRES IN A SINGLE
IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 55 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Other Provisions Necessary for Definition / Administration of this Water Right:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

Explanatory Material: Basis of Claim - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
STOCKWATER: 100 CATTLE

[Return to SRBA Home Page](#)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:27
03/11/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-00022

LAST: BENNETT
ADDRESS: GUS E. BRAUER, ADMINISTRATOR
CITY: KILGORE
PHONE NUMBER: 208-000-0000

FIRST: ESTATE OF ANNIE J.

STATE: ID ZIP: 83423

OWNER CODE: 0

LAST: BENNETT
ADDRESS: KILGORE ROUTE
CITY: IDHOIS
PHONE NUMBER: 208-778-5345

FIRST: KENNETH L.

STATE: ID ZIP: 83423

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: THE SOUTHERN MOST DIVERSION POINT IS BY PUMP.

*C/O TO: The Rocking Division LLC
50 W Broadway 8th Floor
Salt Lake City UT 84101
Ph: (801) 531-7090*

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

Met Sarah Dougherty 6/18/24. Discussed POD's & POW's. Visited POW, POD's.

See Comments in CVR 31-00023 (PRU w/ this PL.)

*6/22/24 Spoke to Jim Kruse^(?) (via TOLIS - HQ's in SLG). He has some Q's about POW claimant
AND THE OVERALL RECOMMEND. Discussed POW's as lots 3 & 4 belonging to David
Hirschi and Little Poles on NWSE BELONGING TO T. MONAIS. He's OK w/ changes.
Basically his POW will be adjusted but Q's OK.*



A. AJ CLAIM: # A31-00022 PRIORITY DATE: 06-01-1991 STAGE: D

B. WR RECORD: # 31-00022 PRIORITY DATE: 06-01-1991 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

NOTES: ACROSS MATTERS CLAIM

RECOMMENDED PRIORITY DATE: AND SO, IT IS!
06-01-1991

REVIEWED BY [Signature]

DATE 2/25/2K

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-00022	12N	39E	5	NW	NW	NW	4	CLARK
A31-00022	12N	39E	5	NW	SE	NW	X	CLARK
A31-00022	13N	39E	32	NE	SE	NW		CLARK

- ADDED WHEN? Removed (Yms Prop)

OTHER AJ CLAIMS WITH SAME AJ POD
 1 PREFIX R PREFIX
 A31-00023 NONE
 A31-00088
 A31-10051
 A31-10122

WR RECORDS IN SAME 40 ACRE TRACT

31-00023
 31-00088

SOURCE: EAST CANAS CREEK

TRIG: CANAS CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-00022	12N	39E	5	NW	NW		4	CLARK

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
 A PREFIX R PREFIX

31-00088

A31-00023
 A31-00088
 A31-10122

SOURCE: EAST CANAS CREEK

TRIG: CANAS CREEK

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	---
DUE TO SOURCE DISCREPANCY? (Y/N)	N	---

NOTES:

APPARENTLY POD'S HAVE BEEN ADDED - DISCREP CALLS "A POINT IN THE NW CORNER OF SECTION 32, T.13N., R. 39E." CLAIMS THREE POD'S - WHEN? Sec. 32 POD is DELETED FOR 31-00023 - OR AS PPL.

? CØ3

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
① 12N	39E	32	NE	NW	NW		CLARK	
② 12N	39E	5	NW	NW	NW	4	CLARK	

SOURCE: EAST CANAS CREEK 002

TRIP: CANAS CREEK

REVIEWED BY:

MR

DATE:

6/13/22

SYSTEM DESCRIPTION:

- ① WOODEN HEADGATE OFF MAIN CHANNEL E. CANAS CR.
SHARED w/ Knutson & Hersch
- ② WOODEN HEADGATE OFF MAIN CHANNEL E. CANAS CR.
SHARED w/ FREDERICKSON RANCHES.

} SEE Photos in CVR 31-00023

SEE Photo Page

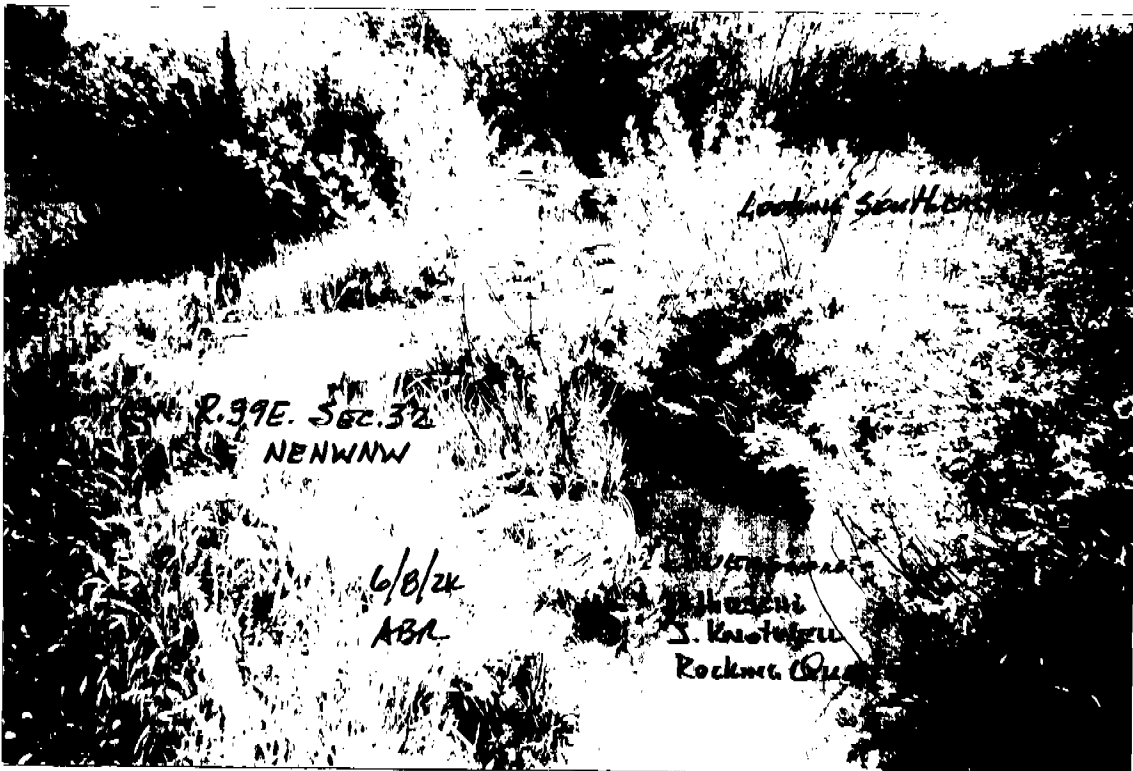
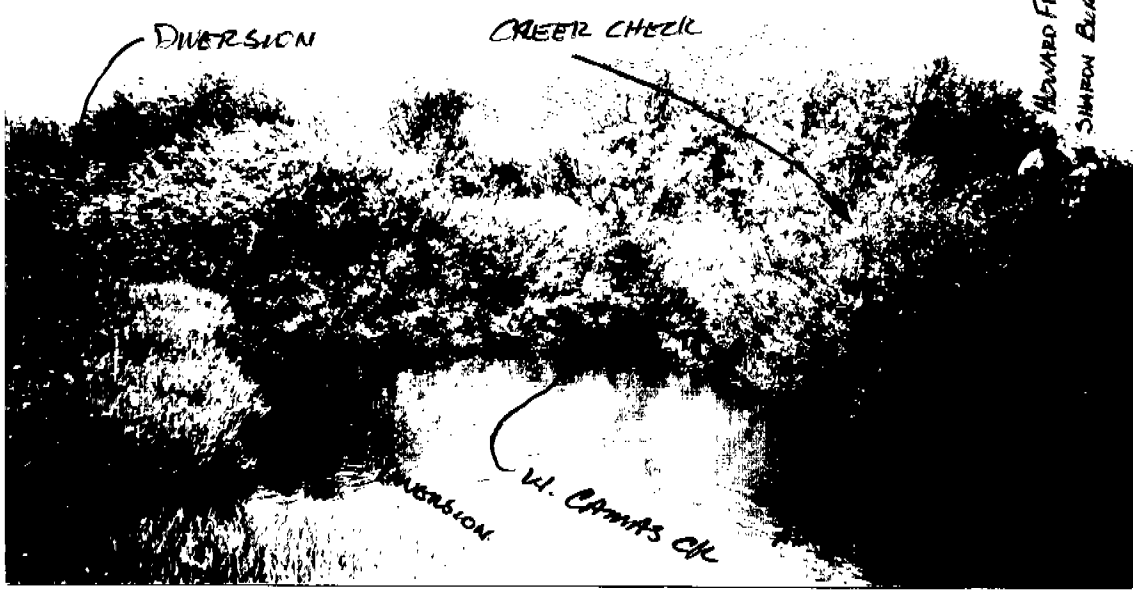
Rocking Question River

T.13N. R.39E. SEC.32
NENWNW

DIVERSION FOR:
D. HIRSCH
J. KNOTWELL
Rocking Question

Looking South

HOWARD FREDERICKSON
SIMON BURTON



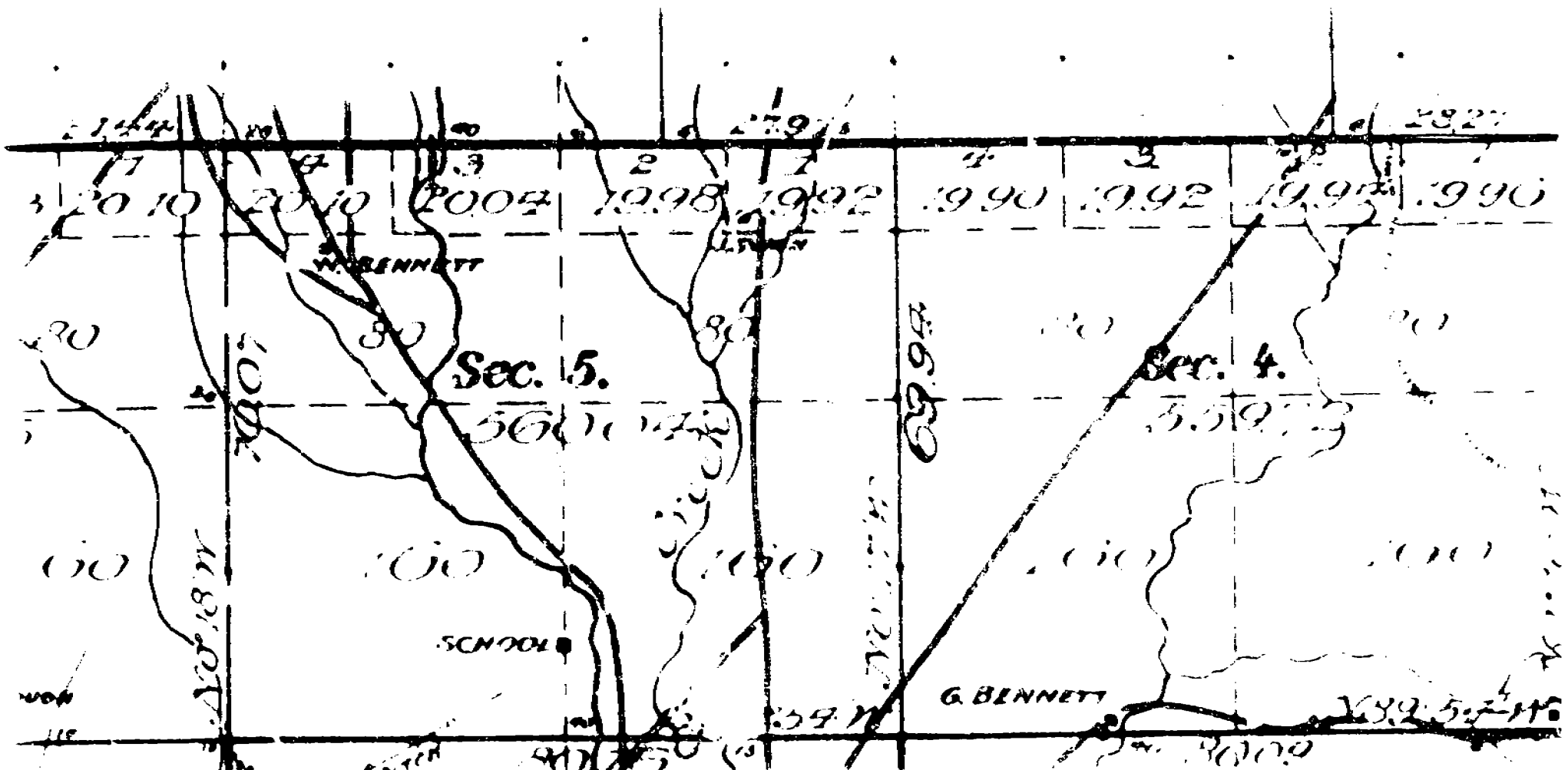
31-00002
00023

Nº 12 North, Range Nº 39 Etc

6



Sec. 3.3



East

30 29
31 32

29 28
32 33

T13N, R39E

T12N, R39E

SWNW
34

SENW
20

NESW
28

5

A. ROOT WATER RIGHT NUMBERS: A31-00022

B. POJ LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	JR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12N	39E	5	NE	NW	3	BENNETT, KENNET L.	A31-00022 / 8.0	-	/		18.0
			NE	NW	3	BENNETT, KENNET L.	A31-00023 / 9.0	-	/		
			NE	NW	3	HIRSCHI, DAVID JR.	A31-00088 / 10.0	31-00088	/		
											Gov't Lot 20104M
12N	39E	5	NW	NW	4	BENNETT, KENNET L.	A31-00022 / 17.0	-	/		19.0
			NW	NW	4	BENNETT, KENNET L.	A31-00023 / 17.0	-	/		
			NW	NW	4	HIRSCHI, DAVID JR.	A31-00088 / 11.0	31-00088	/		
			NW	NW	4	HIRSCHI, DAVID J.	A31-10122 /	-	/		
											Gov't Lot 20110M
12N	39E	5	SW	NW		BENNETT, KENNET L.	A31-00022 / 38.0	31-00022	/		35.0
			SW	NW		BENNETT, KENNET L.	A31-00023 / 38.0	31-00023	/		
12N	39E	5	SE	NW		BENNETT, KENNET L.	A31-00022 / 3.0	31-00022	/		40.0
			SE	NW		BENNETT, KENNET L.	A31-00023 / 3.0	31-00023	/		
			SE	NW		BENNETT, KENNET L.	A31-10051 /	-	/		
			SE	NW		BENNETT, KENNET L.	A31-10052 /	-	/		
12N	39E	5	NE	SW		BENNETT, KENNET L.	A31-00022 / 36.0	31-00022	/		16.0
			NE	SW		BENNETT, KENNET L.	A31-00023 / 36.0	31-00023	/		
12N	39E	5	NW	SW		BENNETT, KENNET L.	A31-00022 / 34.0	31-00022	/		14.0
			NW	SW		BENNETT, KENNET L.	A31-00023 / 34.0	31-00023	/		
12N	39E	5	NW	SE		BENNETT, KENNET L.	A31-00022 / 7.0	-	/		22.0
			NW	SE		BENNETT, KENNET L.	A31-00023 / 7.0	-	/		
			NW	SE		VADNAIS, THOMAS A.	A31-10216 / 1.0	31-10216	/		
			NW	SE		VADNAIS, THOMAS A.	A31-10171 /	-	/		
TOTAL ACRES							A31-00022	163.00		164.00	

OWNERSHIP TO
DAVID HIRSCHI

Rocking Division
ownership
only

2/28/2K Clark Co. Assessor - NO OWNERSHIP
SHOWN FOR BENNETT (3), ONLY 160M
TO VADNAIS

NOT DECREASED
TO 31-00022 & 23

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POJ DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POJ COUNTY: CLARK

PRESUMPTION FLAG:

NOTES:

ROLL DECREASED AS S²NW, N²SW SEC. 5 T. 12N. R. 39E.
THERE WAS AN OBVIOUS ERROR MADE AT CLAIMS TAKING - GIVING NO RETURN TO THE
GOVT LOTS IN N²NW (LOTS 3 & 4). ENTIRE SECTION WAS SENT TO 40 AC TRACTS - WRONGLY.
THEREFORE CLAIMANT OWN NO PART OF NW SE, LOTS 3 AND 4. % DEED DOES NOT
DESCRIBE THESE LANDS

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: ABR

DATE: 6/13/24

A. AJ CLAIMED USES:

PURPOSES
A31-00022 IRRIGATION
A31-00022 STOCKWATER

5/1 10/31
MONTH/DAY
FROM 05-01 TO 09-01
FROM 01-01 TO 12-31

DIVERSION QUANTITY
1.100 CFS
0.330 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.100 CFS

OK BY DECREE

B. WR RECORDED USES:

PURPOSES
31-00022 IRRIGATION
31-00022 STOCKWATER
31-00022 DOMESTIC

MONTH/DAY
FROM 05-01 TO 09-01
FROM TO
FROM TO

DIVERSION QUANTITY
1.100 CFS
1.100 CFS
1.100 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.100 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE FIELD
EXAMINER
Y
Y
Y

~~Decree, printed on May 1st~~
~~Stockwater is defined by decree.~~

Stockwater is defined by decree.

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() EXPLAIN IN NOTES, BELOW.

NOTES:

PERIOD OF USE NOT DESCRIBED BY DECREE - Recommend May 1 to Oct 31
per DEPT. Std.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.100 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.100 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***

** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **

** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

WM Berning

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 31-3023.

LIST ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A31-00022	EAST CANAS CREEK	BENNETT, KENNETH L.	1.100	0.007		
A31-00023	EAST CANAS CREEK	BENNETT, KENNETH L.	1.500	0.010		
A31-00038	EAST CANAS CREEK	HIRSCHI, DAVID JR.	0.700	0.033		
A31-00216	SPRING CR.	VADNAIS, THOMAS A.	3.200	0.039		

LIST ALL RIGHTS WITH SAME POB BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A31-00022	STOCKWATER	BENNETT, KENNETH L.	FROM 01-01 TO 12-31	.033 CFS	
A31-10122	STOCKWATER	HIRSCHI, DAVID J.	FROM 04-15 TO 10-15	.020 CFS	
A31-10051	DOMESTIC	BENNETT, KENNETH	FROM 01-01 TO 12-31	.040 CFS	
A31-10052	STOCKWATER	BENNETT, KENNETH L.	FROM 01-01 TO 12-31	.033 CFS	
A31-10171	STOCKWATER	VADNAIS, THOMAS A.	FROM 05-01 TO 11-01	.033 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES _____ X 0.02 CFS/ACRE = _____ CFS
(TAKEN FROM P/U REVIEW)

1B. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 325.0 AF/A

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV W3L. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
<u>Paris</u>	<u>5/1 10/31</u>	<u>1.10</u>	<u>-----</u>	<u>-----</u>
<u>Stock</u>	<u>5/1 10/31</u>	<u>0.03</u>	<u>-----</u>	<u>-----</u>
TOTAL FOR THIS RIGHT		<u>1.10</u>	<u>-----</u>	<u>-----</u>

REVIEWED BY:

DATE:

6/13/24

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-00022

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.100

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-00022	1.100	-		31-00022	1.100
TOTAL CFS		1.100				1.100

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
Y

FIELD
EXAMINER

NOTES:

DETERMINED AND CLAIMED AS 1.10 CFS NO APPARENT SPLITS OR TIE'S

AUTHENTICATION:

SIGNATURE: [Signature]

DATE: 6/13/00

NAME OF FIELD EXAMINER: Alison B. Pusey

TITLE: Sen. Asst.

Permitting Phase of
Use of 31-00022.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:27
03/11/93

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A31-30022

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE	Y							
BASES OF CLAIM								
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

04:49:58
03/11/93

PAGE: 14
PROFILE REPORT

CLAIM NUMBER: A31-00022

OWNER CJDE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KENNETH L. BENNETT KILGORE ROUTE DUBOIS ID 83423 (208) 773-5345	06/01/1991	IRRIGATION STOCKWATER	05-01 08-01 01-01 12-31 <i>5/1 10/81</i>	1.10 CFS 0.03 CFS	<i>OK</i>
TOTAL DIVERSION:					1.10 CFS	
CONSUMPTIVE USE:						~~125.0 APT~~

WATER SOURCE: EAST CAMAS CREEK

TRIBUTARY TO: CAMAS CREEK

STAGE: DECREED

POINT(S) OF DIVERSION: T12N R39E S05 L3TD4(NW1/4NW1/4) ~~20704~~(NW1/4SE1/4)
T13N R39E S32 NE1/4SE1/4

CLARK COUNTY
CLARK COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

		NE				NW				SW				SE				
T	R	S	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	SUM	
12N	39E	5			03-08		04-17		38		03		36		34			
																07		
																TOTAL ACRES		
																143.0		
																143.0		

PLACE OF USE LOCATION FOR STOCKWATER IS THE SAME LOCATION AS DESCRIBED FOR: IRRIGATION

POU COUNTY: CLARK

NON-IRRIGATION USES: STOCK WATER

OTHER RIGHTS: 51-0025.

REMARKS: THE SOUTHERN MOST DIVERSION POINT IS BY PUMP.

DATES: EXAM MADE DATE: VERIFIED DATE: 07/01/1985

MISC: WATER DISTRICT NUMBER: 51 FIELD INSPECTION FLAG:
PRESUMPTION FLAG:



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

March 30, 1999

THE ROCKING QUESTION LLC
50 W BROADWAY 8TH FLOOR
SALT LAKE CITY UT 84101

RE: AMENDED CLAIMS

Dear Sir:

Per your conversation with water agent Greg Taylor, please sign the enclosed amended claims in the presence of a notary public, make copies for your files and send the originals back to our office.

Sincerely,

Jennifer Hoagland
Technical Records Specialist

Enclosures



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

March 8, 1999

THE ROCKING QUESTION LLC
50 W BROADWAY, 8TH FLOOR
SALT LAKE CITY UT 84101

Re: Change in Ownership for A31-00022,00023,10051,10052.

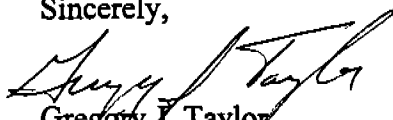
To Whom It May Concern:

Enclosed are copies of the Notices of Claim referenced above. As you can see we have made the necessary changes to show you as the current owner.

Although the changes to the name have been made, I believe when the original claims were filed by Mr. Bennett a mistake was made when the place of use was described in Item #10. The place of use for the property is as described in the warranty deed you submitted with your change in ownership but when the claims were filed originally, Mr. Bennett did not know that Section 5 had government lots in the N1/2 NW1/4 and therefore claimed those Quarter-Quarters. I believe Mr. Hirschi owns that property.

I understand that this may be confusing, but if you could contact me at (208)525-7161, I would be glad to explain in greater detail. (Hopefully the infrared photo I have enclosed will help.) A31-10051 & A31-10052 appear to be correct as claimed.

Sincerely,


Gregory J. Taylor
Sr. Water Agent

Enc. Copies of claims and copy of aerial photo

DELOG ET 3-4-99
DC 3-8-99STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 03 1999

Department of Water Resources
Eastern Region

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 No(s): 31-00022, 31-00023, 31-00051, 31-00052
 Adjudication Claim No(s): A31-0022^{OK}, A31-0023^{OK}, A31-10051^{OK} and A31-10052^{OK}
A+R A+R P.d. June 98 P.d. June 98
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 for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Kenneth and Eileen Bennett
Kilgore Route, Dubois, ID 83423
4. New Owner/Claimant(s) The Rocking Question, L.L.C.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 50 West Broadway, 8th Floor
 City, State and ZIP Code Salt Lake City, UT 84101
 New Telephone Number (801) 531-7090
5. Date you acquired the property July 1998
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 you irrigate N/A Number and type of stock N/A
 Diversion rate in CFS N/A Number of homes N/A Other uses N/A
 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 or Claimant(s) THE ROCKING QUESTION, L.L.C.
 By Mary Jo Smith Mary Jo Smith, 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..

WARRANTY DEED

Microfilm No. **47987**
11 Day August 19 98
At 1:10 O'Clock PM
JOANN S. TAVENNER
Clark Co. Recorder
Fee \$ 10.00
Carla K. [Signature] Deputy
Recorded at Request of
Alliance Title

For Value Received

EILEEN BENNETT, A SINGLE PERSON

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

THE ROCKING QUESTION L.L.C. , A UTAH LIMITED LIABILITY COMPANY

whose current address is

1346 SECOND AVENUE

SALT LAKE CITY, UT 84103

the grantee(s), the following described premises, in **CLARK** County **IDAHO**, to wit:

SEE ATTACHED "EXHIBIT A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee their , heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: **August 10, 1998**

Eileen Bennett
EILEEN BENNETT

STATE OF **IDAHO**, COUNTY OF **MADISON**
On this 11th day of August, 1998
before me, a Notary Public in and for said State, personally
appeared

EILEEN BENNETT

known to me to be the person(s) whose name(s)
subscribed to the within instruments and acknowledged to
me that they executed the same.

Kristy Johnson
Notary Public,

Residing at **RIGBY**
Comm. Expires 1/11/2002



"EXHIBIT A"

TOWNSHIP 12 NORTH RANGE 39 EAST OF THE BOISE MERIDIAN, CLARK COUNTY, IDAHO.
SECTION 5: THE SOUTH HALF OF THE NORTHWEST QUARTER (S1/2 NW1/4) AND THE NORTH
HALF OF THE SOUTHWEST QUARTER (N1/2 SW1/4)
EXCEPTING THEREFROM: THAT PORTION DEEDED TO CLARK COUNTY FOR A RIGHT OF
WAY AS SET OUT IN THAT QUITCLAIM DEED, RECORDED IN BOOK 14 AT PAGE 628.

TOGETHER WITH AND INCLUDING WATER RIGHT CLAIMS A31-00022, A31-00023, A31-1--51
AND A31-10052 AND WATER RIGHT NOS. 31-00022, 31-00023, 31-10051 AND 31-10052, AND ALL
WATER RIGHTS AND WATER SHARES USED IN CONJUNCTION WITH THE ABOVE DESCRIBED
PROPERTY APPURTENANT OR OTHERWISE.

TOGETHER WITH GRANTORS RIGHT TO ALL MINERAL, OIL AND GAS RIGHTS TO THE ABOVE
DESCRIBED PROPERTY.

GRANTOR RESERVES 50 PER CENT OF ALL MINERAL, OIL AND GAS RIGHTS TO THE ABOVE
DESCRIBED PROPERTY.

019074

I hereby certify that the foregoing has been filed
and approved on the 15th day of April 1997
in the office of this Division and hereby issue
this Certificate thereof.

Examiner



KORLA T. WOODS
Division Director

ARTICLES OF ORGANIZATION
OF
THE ROCKING QUESTION, L.L.C.

RECEIVED
APR 15 1997

Utah Div. of Corp. Comm. Code

The undersigned persons, desiring to form a limited liability company under the laws of the state of Utah, do hereby sign, verify, and deliver to the Division of Corporations and Commercial Code of the state of Utah these Articles of Organization for the above-named company (hereinafter referred to as the "Company"):

ARTICLE I
NAME

The name of the Company shall be: The Rocking Question, L.L.C.

ARTICLE II
PERIOD OF DURATION

The Company shall continue in existence through December 31, 2040, unless sooner dissolved according to law or the operating agreement.

ARTICLE III
PURPOSES AND POWERS

The Company is organized for the following purpose or purposes:

To acquire, hold, deal in, and dispose of tangible and intangible assets of any kind or nature.

To engage in any activity necessary or convenient with respect to the foregoing, including the acquisition and ownership of interests in real and personal property; and

To engage in any lawful act or activity for which a limited liability company may be organized under the laws of the state of Utah and to exercise all powers permitted thereby.

ARTICLE IV
TRANSACTIONS WITH MEMBERS AND MANAGERS

No contract or other transaction between the Company and any firm or corporation shall be affected by the fact that a member or manager of the Company has an interest in, or is a director or officer of, such other firm or corporation. Any member or manager, individually or with others, may be a party to, or may have an interest in, any transaction of the Company or any transaction in which the Company is a party or has an interest. Each person who is now or may become a member or manager of the Company is hereby relieved from liability that he might otherwise incur in the event such officer or director contracts

7105000042

with the Company, individually or in behalf of another corporation or entity, in which he may have an interest; provided, that such member or manager acts in good faith.

ARTICLE V LIMITATION ON LIABILITY

A manager of the Company shall have no personal liability to the Company or its members for monetary damages for breach of fiduciary duty, except (i) for any breach of a manager's duty of loyalty to the Company or its members, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, or (iii) for any transaction from which a manager derived an improper personal benefit.

ARTICLE VI INDEMNIFICATION OF MANAGERS, MEMBERS, AND OTHERS

The Company shall indemnify each manager, employee, or agent of the Company and their respective heirs, administrators, and executors against all liabilities and expenses reasonably incurred in connection with any action, suit, or proceeding to which he may be made a party by reason of his being or having been a manager, employee, or agent of the Company, to the full extent permitted by the laws of the state of Utah now existing or as such laws may hereafter be amended.

The Company shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action or suit by or in the right of the Company to procure a judgment in its favor by reason of the fact that he is or was a manager, employee, or agent of the Company, or is or was serving at the request of the Company as a manager, director, employee, or agent of another company, corporation, partnership, joint venture, trust, or other enterprise, against expenses, including attorneys' fees, judgments, fines, and amounts paid in settlement, actually and reasonably incurred by him in connection with the defense or settlement of the action, suit, or proceeding, if he acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the Company, except that no indemnification shall be made in respect of any claim, issue, or matter as to which such a person shall have been adjudged to be liable to the Company, unless and only to the extent that the court in which the action or suit was brought shall determine on application that, despite the adjudication of liability but in view of all circumstances of the case, the person is fairly and reasonably entitled to indemnity for such expenses as the court deems proper.

ARTICLE VII AMENDMENTS

The Company reserves the right to amend, alter, change, or repeal all or any portion of the provisions contained in its Articles of Organization from time to time in accordance with the laws of the state of Utah, and all rights conferred on members herein are granted subject to this reservation.

**ARTICLE VIII
ADOPTION OR AMENDMENT OF OPERATING AGREEMENT**

The initial operating agreement of the Company shall be adopted by its members. The power to alter, amend, or repeal the operating agreement or adopt a new operating agreement shall be vested in the members. The operating agreement may contain any provisions for the regulation and management of the affairs of the Company not inconsistent with the Utah Limited Liability Company Act, as now existing or as hereafter amended, or these Articles of Organization.

**ARTICLE IX
RESTRICTION ON TRANSFER OF OWNERSHIP**

No member shall sell, assign, hypothecate, or dispose of his interest or any part thereof in the Company without the written consent of the others except as may be set forth in the operating agreement.

**ARTICLE X
REGISTERED OFFICE AND REGISTERED AGENT**

The name of the initial registered agent of the Company at its registered office and the address of such registered office are as follows:

Initial registered agent:	Mary Jo Smith
Address of registered office:	50 West Broadway, 8th Floor Salt Lake City, Utah 84101-2034

Either the registered office or the registered agent may be changed in the manner provided for by law. In the event that the registered agent of the Company resigns, the agent's authority has been revoked, or the registered agent cannot be found or served with the exercise of reasonable diligence and a new registered agent has not been appointed by the Company, the director of the Division of Corporations and Commercial Code of the state of Utah shall be deemed appointed the agent of the Company for the purpose of service of process.

**ARTICLE XI
INITIAL MANAGER**

The governing body of the Company shall be known as the Manager. The number of managers of the Company shall be fixed by the Operating Agreement of the Company.

The name and address of the initial manager to serve as provided in the Operating Agreement and until her successors is elected and shall qualify is as follows:

<u>Name</u>	<u>Address</u>
Mary Jo Smith	50 West Broadway, 8th Floor Salt Lake City, Utah 84101-2034

**ARTICLE XII
MEMBERS**

The name and address of the Members of the Company are as follows:

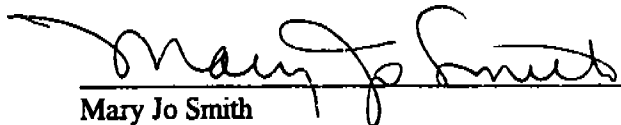
<u>Name</u>	<u>Address</u>
Mary Jo Smith	50 West Broadway, 8th Floor Salt Lake City, Utah 84101-2034
James R. Kruse	50 West Broadway, 8th Floor Salt Lake City, Utah 84101-2034
C. Greyson Smith	460 Truman Avenue Salt Lake City, Utah 84110
Nathalie Smith	1346 Second Avenue Salt Lake City, Utah 84103

The name and address of the Manager signing these Articles of Organization are as follows:

<u>Name</u>	<u>Address</u>
Mary Jo Smith	50 West Broadway, 8th Floor Salt Lake City, Utah 84101-2034

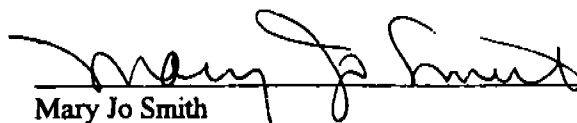
I, Mary Jo Smith, being the Manager of the Company, herein before named, do make and file these Articles of Organization, hereby declaring that the facts herein are true.

DATED this 15th day of April, 1997.



Mary Jo Smith

I, Mary Jo Smith, hereby accept appointment as registered agent for The Rocking Question, L.L.C., as named in the foregoing Articles of Organization.



Mary Jo Smith