

11/09/2005

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

RIGHT NUMBER: 21-12992

NAME AND ADDRESS: RLF I LLC RLF II LLC RLF III LLC RLF IV LLC
CO RICHARD D DIVINE
PO BOX 2601
CRESTED BUTTE CO 81224

SOURCE: SPRINGS

TRIBUTARY: SINKS

QUANTITY: 2.000 CFS

The rights listed below are limited to a total combined diversion rate of 8.44 cfs. Combined Right Nos.:21-93, 21-114, 21-145, 21-146, 21-12992

PRIORITY DATE: 07/25/1919

POINT OF DIVERSION:
T08N R42E S18 NESESE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.000 CFS
STOCKWATER	04/01 11/01	0.020 CFS

PLACE OF USE: IRRIGATION Within FREMONT County

T08N R42E S07 Lot 3 NWSW	13.0	T08N R42E S07 Lot 4 SWSW	28.0
T08N R42E S18 NWNE	6.9	T08N R42E S18 SWNE	13.0
T08N R42E S18 SENE	5.0	T08N R42E S18 NENW	34.0
T08N R42E S18 Lot 1 NWNW	25.0	T08N R42E S18 Lot 2 SWNW	25.0
T08N R42E S18 SENW	11.0	T08N R42E S18 NESW	35.0
T08N R42E S18 Lot 3 NWSW	20.0	T08N R42E S18 Lot 4 SWSW	13.0
T08N R42E S18 Lot 6 SESW	38.0	T08N R42E S18 NESE	17.0
T08N R42E S18 NWSE	23.0	T08N R42E S18 SWSE	40.0
T08N R42E S18 SESE	32.0	T08N R42E S19 Lot 8 NWNE	25.0
T08N R42E S19 Lot 7 SWNE	3.9	T08N R42E S19 Lot 9 NENW	14.0

STOCKWATER same as IRRIGATION

421.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 421.8 acres in a single irrigation season. Combined Right Nos.:21-93, 21-114, 21-145, 21-146, 21-12992

This right is limited to the irrigation of 100 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.

EXPLANATORY MATERIAL: 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 21-12992
Date Received: 10/17/2005
Receipt No: E031342
Received By: KMJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RLF I LLC RLF II LLC RLF III LLC RLF IV LLC Phone: (303)499-9964
CO RICHARD D DIVINE
PO BOX 2601
CRESTED BUTTE CO USA 81224

2. Date of Priority: 07/25/1919

3. Source: SPRINGS , SPRINGS Trib. to: SINKS , SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08N	42E	17	SW SW	FREMONT	
08N	42E	18	SE SE	FREMONT	

5. Description of diverting works:

DITCH FROM THE SPRING TO CANAL SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	2	
STOCKWATER	04/01	11/01	0.02	
GROUND WATER RECHARGE	11/02	03/31	1.5	

7. Total Quantity Appropriated is:
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
08N	42E	7	NW	SW	IRRIGATION	15
			SW	SW	IRRIGATION	15
					Section Acres	30
08N	42E	18	NW	NW	IRRIGATION	35
			NE	NW	IRRIGATION	35
			NW	NW	GROUND WATER RECHARGE	
			NE	NW	GROUND WATER RECHARGE	
					Section Acres	70
					Total Acres	100

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

14. Remarks:

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 2412992
Date Received _____
Receipt Number E031342

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

1. Name of Claimant(s) RLF I, LLC, RLF II, LLC, RLF III, LLC and RLF IV, LLC, c/o Richard D. Divine,
Phone (208) 523-0620

Mailing Address c/o Holden, Kidwell, Hahn & Crapo, PLLC, PO Box 50130, Idaho Falls, ID Zip 83402
2. Date of Priority (Only (1) per claim) July 25, 1919
3. Source of water supply (a) East Anderson Springs

which is tributary to (b) Sinks
- 4.a. Location of existing point of diversion is:
Township 8N Range 42E Section 17, ___ 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____,
Township 8N Range 42E Section 18, ___ 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____,
County of Fremont

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. Ditch from the spring to canal system.
6. Water is claimed for the following purposes: (Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/01 to 11/01 amount 2.00 or _____
For Stockwater purposes from 04/01 to 11/01 amount 0.02 or _____
For Groundwater Recharge purposes from 11/02 to 03/31 amount 1.5 or _____
7. Total quantity claimed (a) 2.0 (cfs) and/or (b) _____ (acre feet)
8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully Domestic. Give number of households served Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8N	42E	7									W 1/2, SW 1/4 - 30								30
		18					N 1/2, NW 1/4 - 70												70
8N	42E	18					GWR												

Total number of acres irrigated 100

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

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.

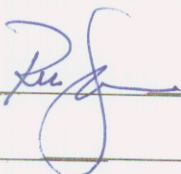
13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks:

15. Basis of Claim (Check one) Beneficial Use Posted Notice Permit Decree License
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature(s)

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 10/5/05

Date _____

For Organizations: I do solemnly swear or affirm that I am MANAGER of RLF I, RLF II, RLF III, RLF IV (Title)

_____, that I have signed the foregoing document in the space below as

(Organization)

RLF I

(Title)

of RLF I, RLF II, RLF III, RLF IV

(Organization)

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

Last Name RLF I, LLC, RLF II, LLC, RLF III, LLC and RLF IV, LLC Ident. Number _____

Signature of Authorized Agent

[Signature] MGR

Title and Organization

Date 10/5/05State of Colorado

)

County of Gunnison

) SS.

Subscribed and sworn (or affirmed) before me this 6 day of October, 2005.

Notary Public

Residing at

My Commission Expires

Diane Markowitz
Gunnison Colorado
6/3/08

My Commission Expires 06/03/2008

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 RLF I, LLC, RLF II, LLC, RLF III, LLC and RLF IV, LLC. Ident. Number _____