

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

Date Received

Receipt Number

69-11512  
3-9-06  
CO 80536 + CO 80551  
d.e. no 3-13-06

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly Magness Racing Ventures and

1. Name of Claimant (s) Rocking M Cattle Co. Phone (970 ) 262-2325

Mailing Address See Attachment 1 Zip \_\_\_\_\_

2. Date of Priority (Only one (1) per claim) 1/1900 LG

3. Source of water supply (a) Raft Creek and all tributaries and feeder springs  
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_,  
\_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of \_\_\_\_\_

Additional points of diversion if any: \_\_\_\_\_

b. If instream flow, beginning point of claimed instream flow is: (See also Attachment 4)

27, 28, 29, 32, 33, 34

Township 15N Range 6W 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. See Attachment 4. Stock water in stream  
and at springs all along Raft Creek on owned land.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stock water purposes from Jan 1 to Dec 31 amount .02 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .02 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Range cattle (500 currently, up to 3000 in past); up to 25 horses

10. Description of place of use:

a. If water is for Irrigation, indicate acreage in each subdivision in the tabulation below. See Attachment 4.

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 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 |        |
| 15N | 6W  | 27  |        | S     | S     | S     | S      | S     | S     | S     | S      | S     | S     | S     | S      | S     | S     | S     |        |
| 15N | 6W  | 28  |        | S     | S     | S     | -      | S     | S     | S     | S      | S     | S     | S     | S      | S     | S     | S     |        |
| 15N | 6W  | 29  | S      | S     |       |       |        |       |       |       |        |       |       |       | S      | S     | S     | S     |        |
| 15N | 6W  | 31  |        |       |       |       |        |       |       |       |        |       |       |       | S      |       |       |       |        |
| 15N | 6W  | 32  | S      | S     |       | S     | S      |       | S     | S     |        |       | S     | S     | S      | S     | S     | S     |        |
| 15N | 6W  | 33  | S      | S     |       |       |        | S     |       |       | S      |       | S     | S     | S      | S     | S     | S     |        |
| 15N | 6W  | 34  | S      | S     | S     | S     | S      | S     |       |       | S      | S     | S     | S     | S      | S     | S     | S     |        |

14N 6W 4 S S Total number of acres irrigated \_\_\_\_\_

14N 6W 5 S S S S S S S S

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

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.

Instream stock water on adjacent federal grazing allotments, or None ( )

14. Remarks:

Attachment 1 = addresses of owners

Attachment 2 = signature of Magness/Ventures, Inc.

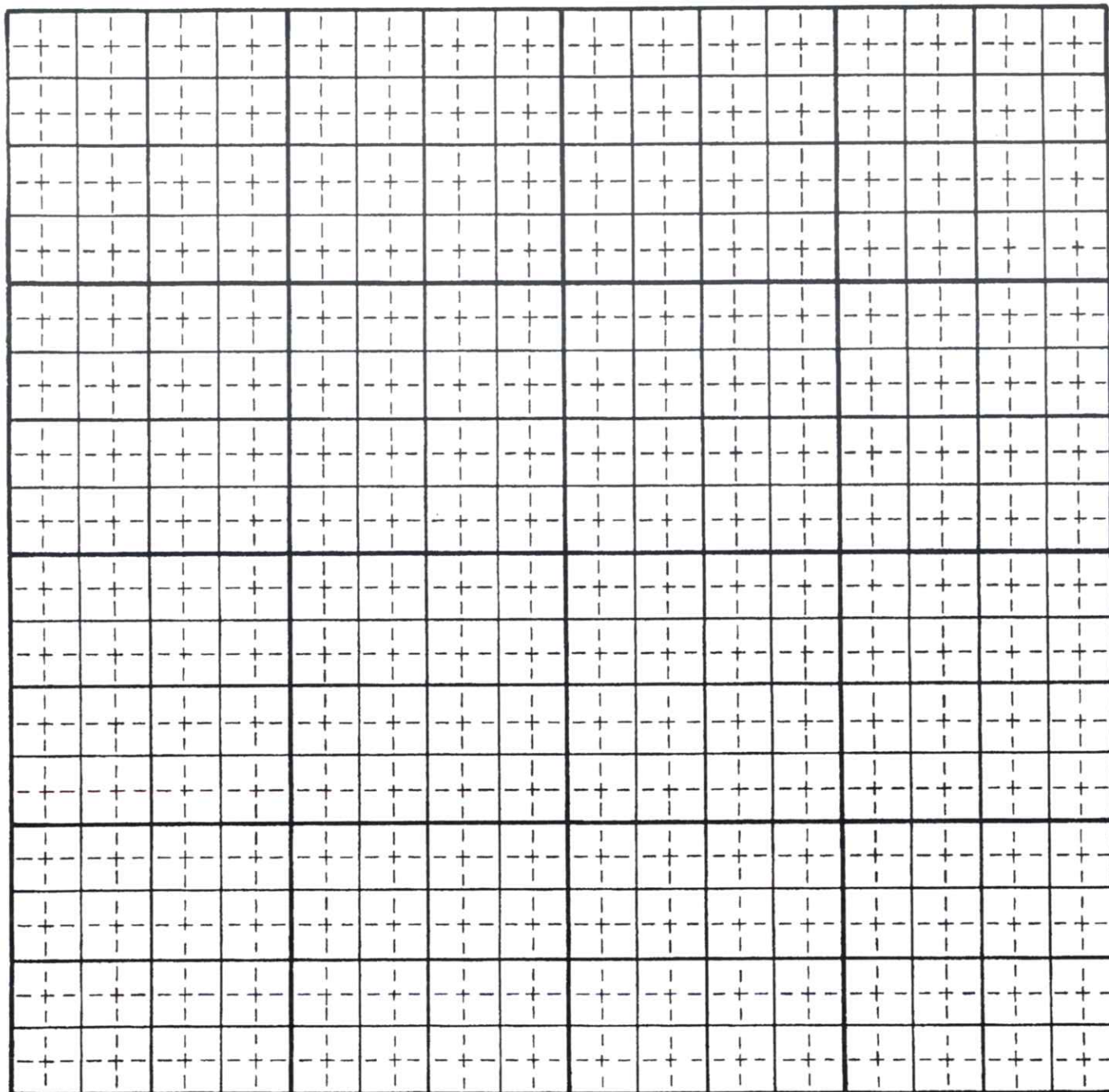
Attachment 3 = signature of Rocking M Cattle Co.

Attachment 4 = aerial photo/map showing location of water use

Last Name Magness Racing Ventures Ident No. 69-11512  
Rocking M Cattle Co.

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

Scale: 2 inches equals 1 mile See Attachment 4.



Last Name Magness Racing Ventures Ident No. 69-11512  
Rocking M Cattle Co.

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

16. Signature (s) See Attachments 2 and 3.

(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 4

~~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 \_\_\_\_\_ Title \_\_\_\_\_  
of \_\_\_\_\_, that I have signed the foregoing  
Organization  
document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title Organization  
and that the statements contained in the foregoing document are true and correct.

~~Signature of Authorized Agent \_\_\_\_\_  
Title and Organization \_\_\_\_\_ Date \_\_\_\_\_~~

State of Idaho/or \_\_\_\_\_ )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

SEAL

Notary Public \_\_\_\_\_

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Linda B. Jones 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 Linda Jones

Address Holland & Hart, LLP, P.O. Box 2527, Boise, Idaho 83701-2527

Date March 9, 2006

Last Name Magness Racing Ventures IDWR Number 69-11512  
Rocking M Cattle Co.

The two owners of the ranch property and water rights are:

Magness Racing Ventures, Inc.  
4343 S. Holly Street  
Englewood, CO 80111

Attn: Sharon Magness Blake, President  
970-262-2325

Rocking M Cattle Co., a limited partnership  
5360 North Franklin Street  
Denver, CO 80216

Attn: Roy M. Moore, General Partner  
303-294-0146

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

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 \_\_\_\_\_ President \_\_\_\_\_

Title

of Magness Racing Ventures, Inc. \_\_\_\_\_, that I have signed the foregoing

Organization

document in the space below as \_\_\_\_\_ President \_\_\_\_\_ of Magness Racing Ventures, Inc.

Title

Organization

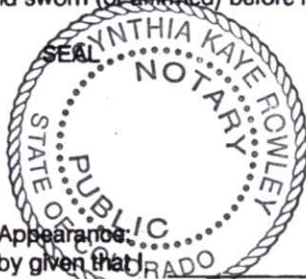
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_ President, Magness Racing Ventures, Inc. Date \_\_\_\_\_ March 7, 2006

State of Idaho/or Colorado )  
County of Arapahoe ) SS.

Subscribed and sworn (or affirmed) before me this 7<sup>th</sup> day of March 16, 2006



Notary Public \_\_\_\_\_

Residing at 2112 S. Fairplay St., Aurora, CO 80014

My Commission Expires April 29, 2007

Please Print Name

17. Notice of Appearance

Notice is hereby given that \_\_\_\_\_ 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 \_\_\_\_\_ Ident. Number \_\_\_\_\_

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐  
 Decree ☐  
 If applicable provide IDWR Water Right Number \_\_\_\_\_  
 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 General Partner  
 of Rocking M. Cattle Co, that I have signed the foregoing  
 Organization \_\_\_\_\_ Title \_\_\_\_\_  
 document in the space below as General Partner of Rocking M Cattle Co  
 Title \_\_\_\_\_ Organization \_\_\_\_\_  
 and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Roy R. Moorhead

Title and Organization General Partner Rocking M Cattle Co Date 03/06/06

State of Idaho/or Colorado )  
 County of Henderson ) SS.

Subscribed and sworn (or affirmed) before me this 6<sup>th</sup> day of March -19 2006



Notary Public Nancy Street

Residing at 11351 E. 112<sup>th</sup> Ave, Henderson, CO 80640

My Commission Expires 7/27/2008

My Commission Expires 7/27/2008

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 \_\_\_\_\_

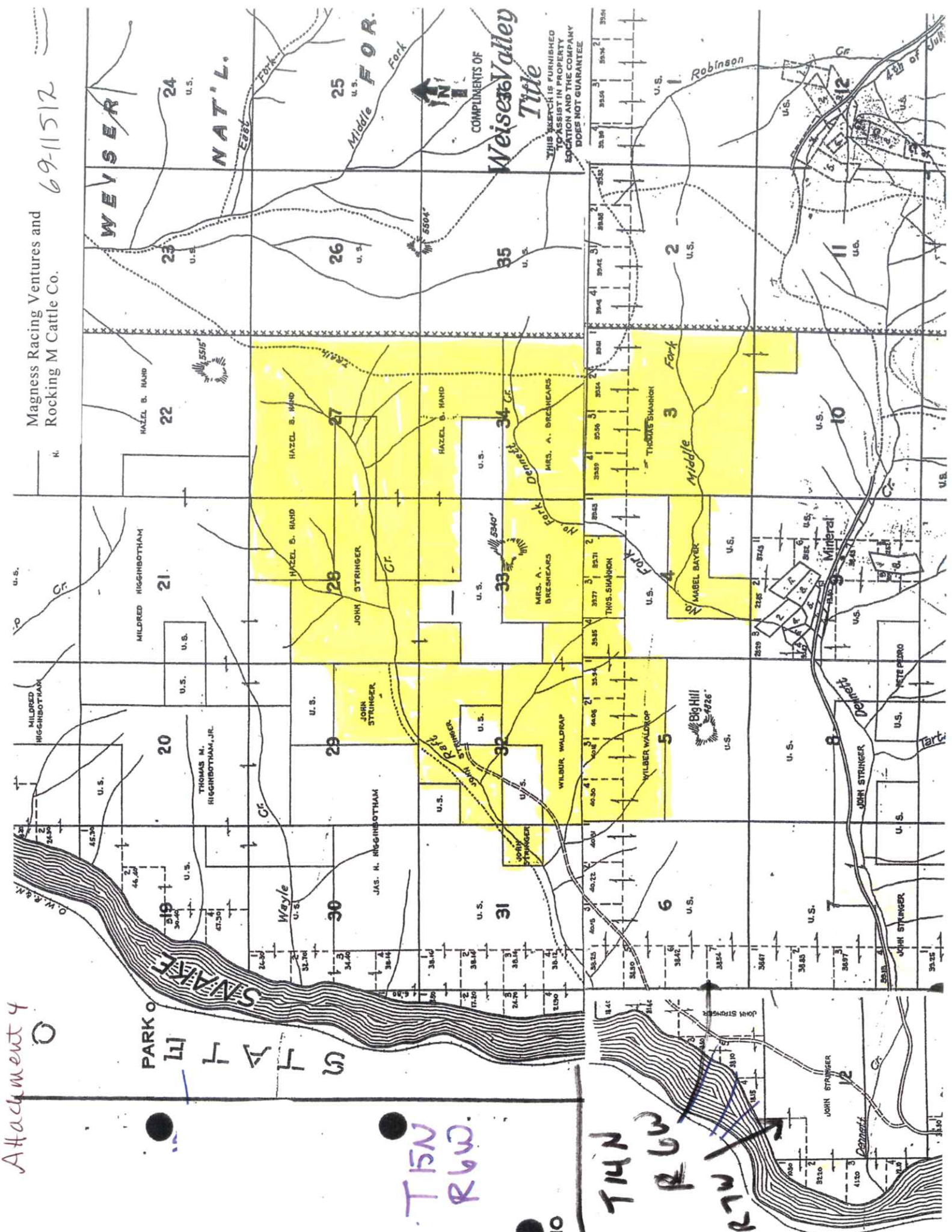
Date \_\_\_\_\_

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

Attachment 4

69-11512

Magness Racing Ventures and  
Rocking M Cattle Co.



T15N  
R6W

T14N  
R6W  
R2W

PARK 0  
111  
T A T W