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MAR 09 2006

DEPARTMENT OF
WATER RESOURCES

Form No. 42-1409 (2) a 1/88 (Internet)

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:

Ident. Number

Date Received

Receipt Number

39576
69-2008 B
3-8-06
C080551 v C080536

d.c. p 3.10-06

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly Magness Racing Ventures, Inc.

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) 8/17/1907

3. Source of water supply (a) Trail Creek
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 14N Range 7W Section 34,
SW 1/4 of NE 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:

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. Water historically diverted to irrigate
flat pastures along Creek. The noted PODs look misplaced. Domestic use abandoned.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar 1 to Octo 31 amount .18 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .18 (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.) none

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 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	
14N	7W	34					9			9									9

Total number of acres irrigated 9

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.

or None (X)

14. Remarks:

Attachment 1 = addresses

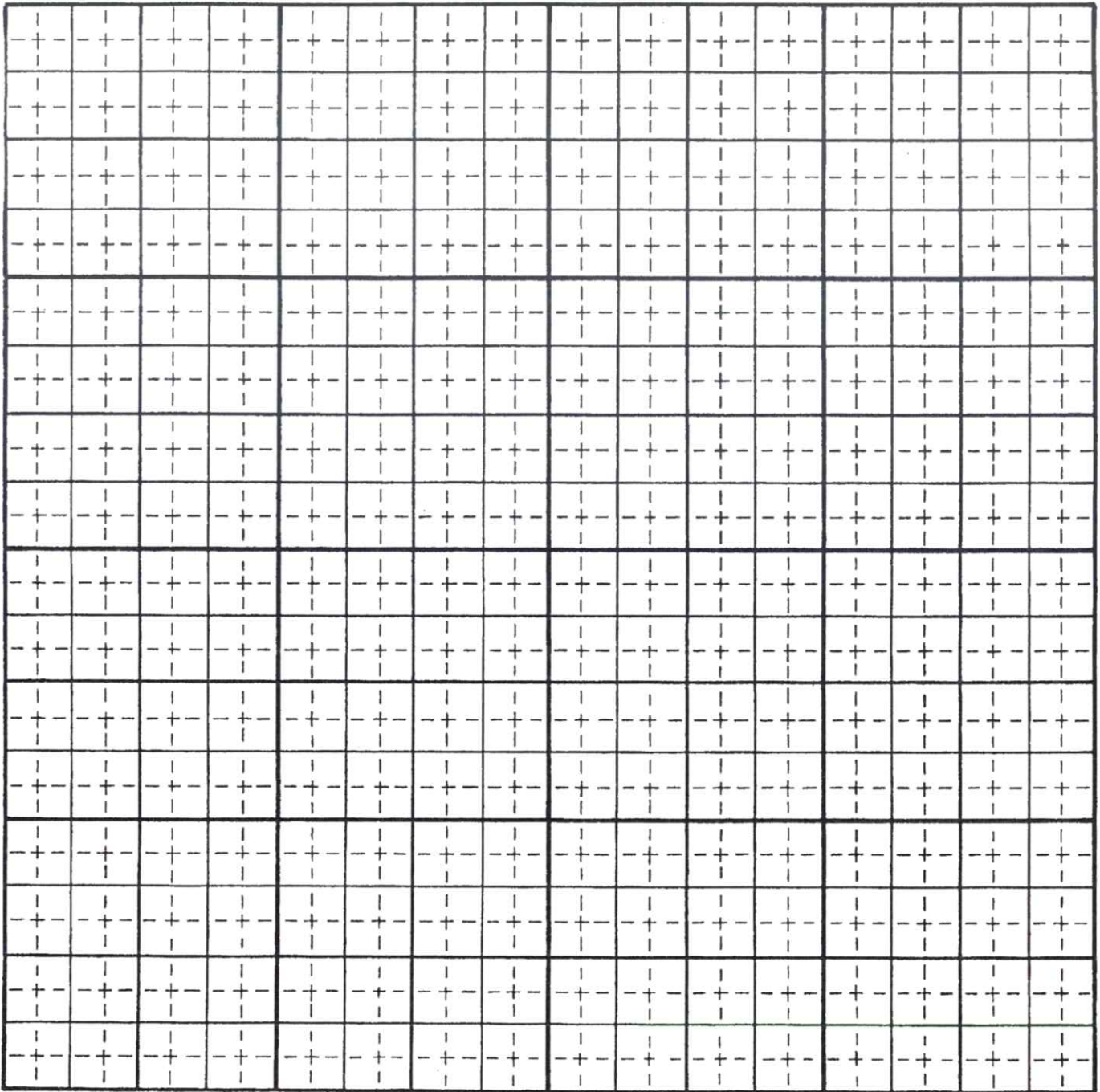
Attachment 2 = aerial photo

Attachments 3 and 4 = signature pages

Last Name Magness Racing Ventures, Inc. Ident No. 6A-2008B
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 2.



Last Name Magness Racing Ventures, Inc. Ident No: 69-2008B
Rocking M Cattle Co.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permt _____
Decree _____
If applicable provide IDWR Water Right Number 69-2008B
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s) See Attachments 3 and 4.

(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 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, ID 83701-2527

Date March 9, 2006

Last Name Magness Racing Ventures, Inc. Ident. Number 69-2008B
Rocking M Cattle Co.

Attachment 1

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

Magness Racing Ventures and
Rocking M Cattle Co.

69-2008B



Idaho Department of Water Resources

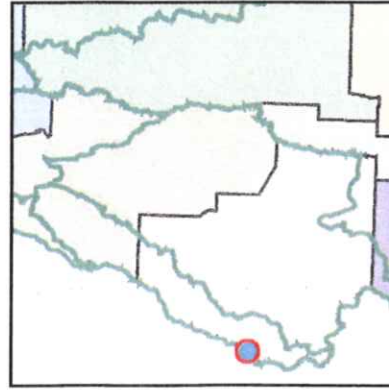
Water Right:
69-2008B

R07W



Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Washington County
IDWR Basin 69



0 0.1 0.2 Miles

Prepared by M. Ciscell
On Thursday, March 2, 2006
2004 Aerial Photography

Magness Racing Ventures and
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)

(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

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

Sharon Magness Blake

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 7th day of March 46 2006



Notary Public

Cynthia Kaye Rowley

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 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 _____

Magness Racing Ventures and
 Rocking M Cattle Co.

69-2008 B

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.

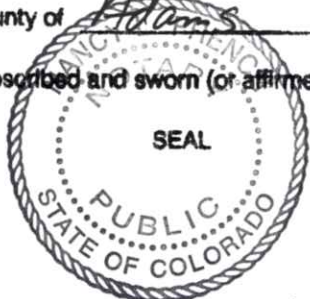
Signature of Claimant (s) _____ Date _____
 _____ Date _____

For Organizations: I do solemnly swear or affirm that I am General Partner
 Title
 of Rocking M Cattle Co that I have signed the foregoing
 Organization
 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 Ray R Moore Jr.
 Title and Organization General Partner of Rocking M Cattle Co Date 03/06/06

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

Subscribed and sworn (or affirmed) before me this 6th day of March 19 2006



Notary Public Nancy L Paul
 Residing at 11351 E. 112th Ave, Henderson, CO 80640
 My Commission Expires 7/27/2008

17. Notice of Appearance: 7/27/2008 Please Print Name
 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 _____