

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: 69-2023
Ident. Number 3-9-06
Date Received C688536 + C680551
Receipt Number d.e. 00 3-10-06

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly Magness Racing Ventures, Inc. 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) 03/5/1916 AD

3. Source of water supply (a) Cow Camp Spring
which is tributary to (b) Wolf Creek

4. a. Location of existing point of diversion is: Township 14N Range 6W Section 34,
NW 1/4 of SW 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. Spring was diverted for pond and pasture
irrigation. Now just water pasture land.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar 1 to Oct 31 amount 02^{mc}.2 or _____

For STOCKWATER^{mc} purposes from JAN 1 to DEC 31 amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 02^{mc}.2 (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 - in-stream stock

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	6W	33				10													10
~~14N~~	~~6W~~	~~33~~				~~S~~													

Total number of acres irrigated 10

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.

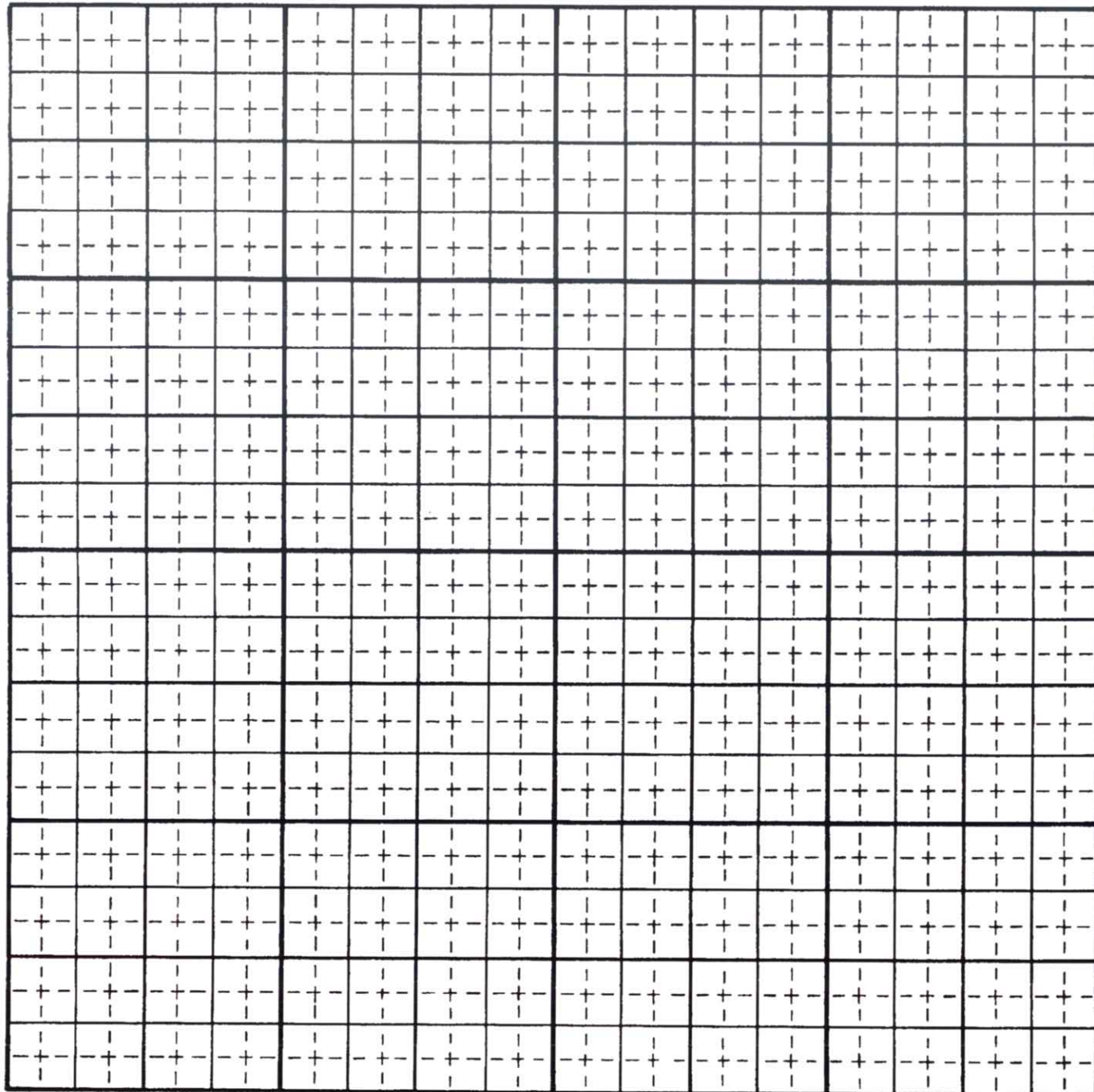
13. Describe any other water rights used at the same place and for the same purposes as described above.
stock water or None ()

14. Remarks:
Attachment 1 = addresses
Attachment 2 = aerial photo
Attachments 3 and 4 = signature pages

Last Name Magness Racing Ventures, Inc. Ident No. 69-2023
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. 69-2023
Rocking M Cattle Co.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____

Decree _____

If applicable provide IDWR Water Right Number 69-2023

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 X 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 69-2023
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

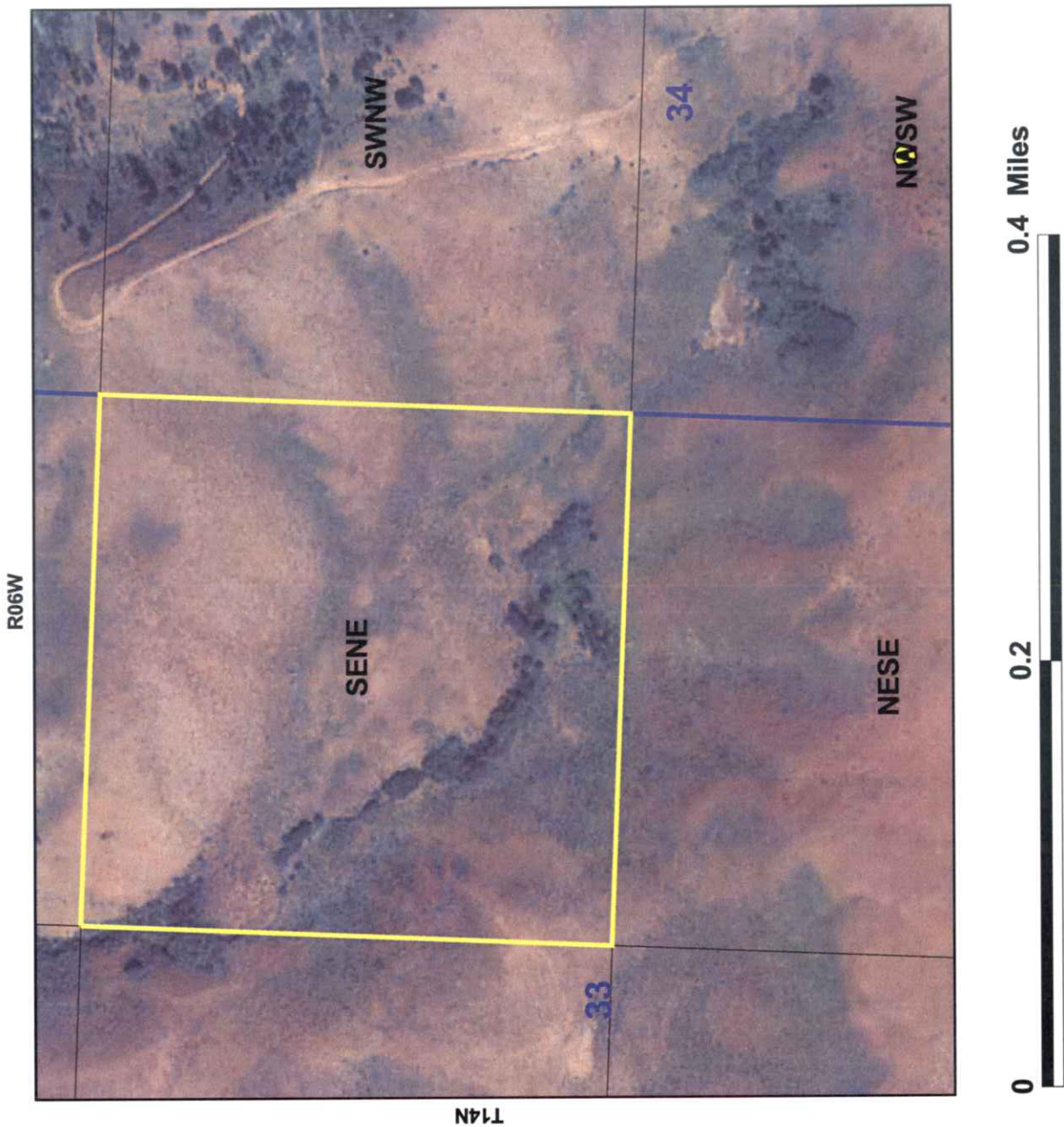
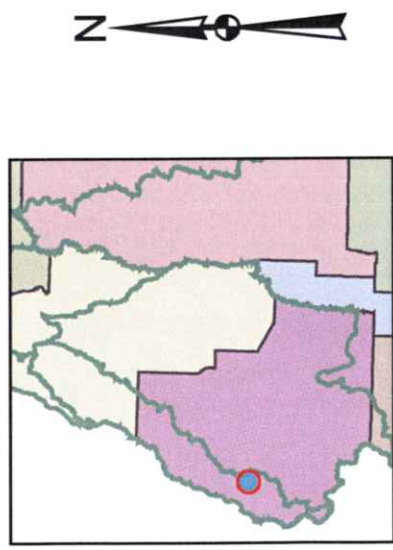


Idaho Department of Water Resources

Water Right:
69-2023

Legend

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



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

Magness Racing Ventures and
Rocking M Cattle Co.

69-2023

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 X Chaim Magness Blake

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

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

Subscribed and sworn (or affirmed) before me this 7th day of March 19 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 _____ 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.

Last Name _____ Ident. Number 69-2023

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.

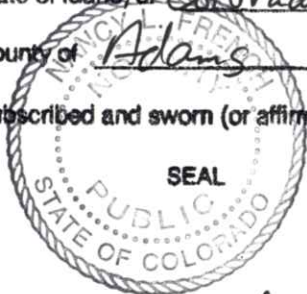
Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am General Partner
of Rocking M Cattle Co that I have signed the foregoing
document in the space below as General Partner of Rocking M Cattle Co
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Roy R. Moore Jr.
Title and Organization General Partner Rocking M Cattle Co Date 03/06/06

State of 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 1131 E. 112th 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 _____

Magness Racing Ventures and
Rocking M Cattle Co.

Last Name _____ Ident. Number 69-2023