

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

Identification No. 69-11588

Date Received 3-9-06

Receipt Number C080536 + C080551

d.e. p 3-10-06

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

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 per claim) 01/19/88 *Ag* Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other () (a) spring
Name or kind of source

which is tributary to (b) sinks

4. Location of point of diversion is: Township 14N Range 7W

Section 1, SE 1/4 of SE 1/4 of _____ 1/4, Govt. Lot _____, BM.,

County of _____

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Pipe system captures water from a spring and transports it to 2 dwellings and a shop. The spring house is enclosed with a 1000 gallon pressure tank and underground gravity pipeline.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For domestic purposes from Jan 1 ^{Month/Day} to Dec 31 ^{Month/Day} amount .04 ^(cfs)

For _____ purposes from _____ to _____ amount _____
(Both dates are inclusive)

7. Total quantity claimed .04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 2 dwellings and a shop.

10. Place of use is: Township: 14N Range 7W
Section 1, SE and 1/4 of SE 1/4, Govt. Lot _____, B.M.,
County of Washington SW SE for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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.
None for this purpose, but see 69-2012, 69-2 and related claim for stock water from different springs.

14. Remarks: See Attachment 2, See Attachments 3 and 4 (signature pages).

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

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

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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
document in the space below as _____ Organization _____ of _____ Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____
Title and Organization _____
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 _____

Last Name Magness Racing Ventures, Inc Ident No. 69-11508
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

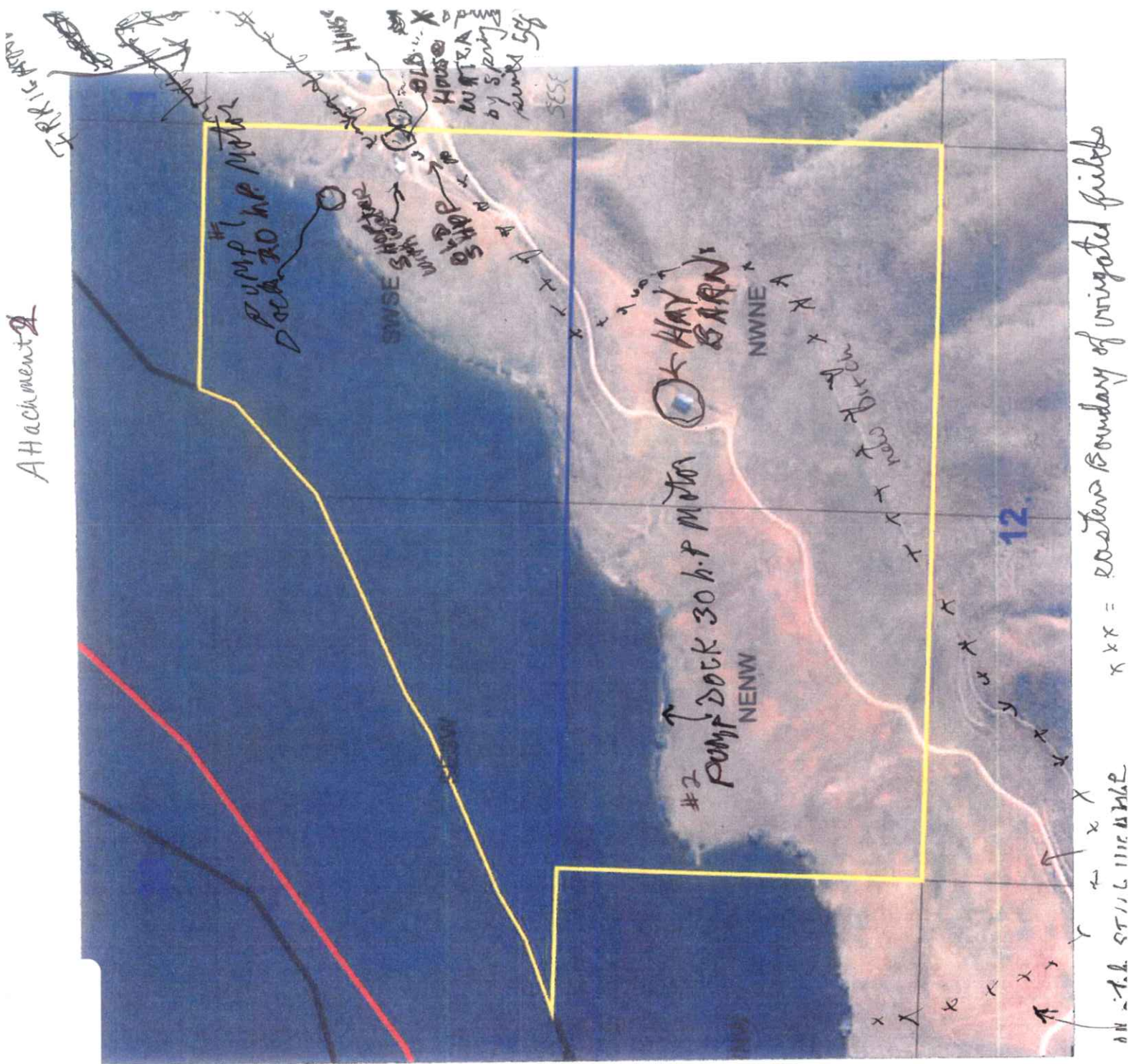
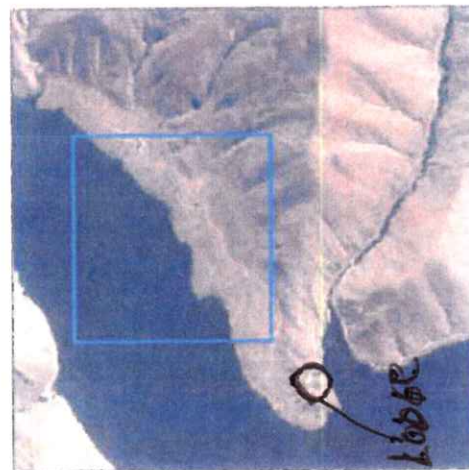
Rocking M Cattle Co., a limited partnership
5360 North Franklin Street
Denver, CO 80216

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

69-2012



69-11508



10. Place of use is: Township: _____ Range _____
 Section _____, _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M.,
 County of _____ for (Circle One) Domestic Stock Domestic and Stock
 Additional places of use, if any _____

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

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

14. Remarks: _____

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

16. Signature (s)
 (a.) By signing below, I/We acknowledge that I/We have received, read and understood 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
 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 Shaun Bagges Blake Date March 7, 2006

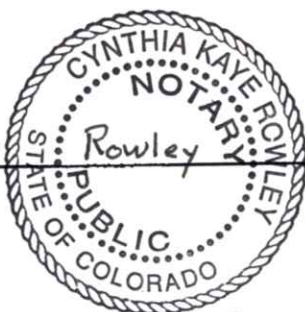
Title and Organization President, Magness Racing Ventures, Inc.

State of Idaho/or Colorado }
 County of Logan } SS.

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

SEAL

Notary Public Cynthia Kaye Rowley
 Residing at 2112 S. Fairplay St., Aurora, CO 80014
 My Commission Expires April 29, 2007
 Last Name _____ Ident No. GA-11508



10. Place of use is: Township: _____ Range _____
 Section _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M.,
 County of _____ for (Circle One) Domestic Stock Domestic and Stock
 Additional places of use, if any _____

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

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

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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. Moore Jr. Date 3/6/06

Title and Organization General Partner Rocking M Cattle Co.

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 French

Residing at 11351 E. 112th Ave, Henderson, CO 80640

My Commission Expires 7/27/2008

Last Name _____ Ident No. 69-11508

My Commission Expires 7/27/2008

Magness Racing Ventures and
 Rocking M Cattle Co.