

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: 69-39576
Ident. Number 2002
Date Received 3-9-06
Receipt Number CG80536 SC80551

d.e. 20 3-10-06

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) 09/24/1904

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

4. a. Location of existing point of diversion is: Township 13N Range 7W Section 17,
NE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: 13N, 7W, S17, SWNE

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 is diverted (old rock diversion) from
Rock Creek and flows through ditch to irrigated pastures and corrals. In past have
wintered 300-400 head of range cattle here. See photo/map, Attachment 2. Water
also served out buildings. There was a dwelling, barn and other buildings serviced by
this diversion historically, now by a domestic well. Structures were recently destroyed
by fire but the well remains usable for use in corrals.

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 1.3 or _____

For Stock water purposes from Jan 1 to Dec 31 amount 1.3 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.3 (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.) House, barn, corrals - recently burned. Also is a domestic well serving those facilities, still usable. Domestic use from Creek has been abandoned.

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below. Stock water - 25 horses
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	
13N	7W	7				17									13			10	40
13N	7W	18	20			5													25
13N	7W	7				S									S			S	
13N	7W	18	S			S													

Total number of acres irrigated 65

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.

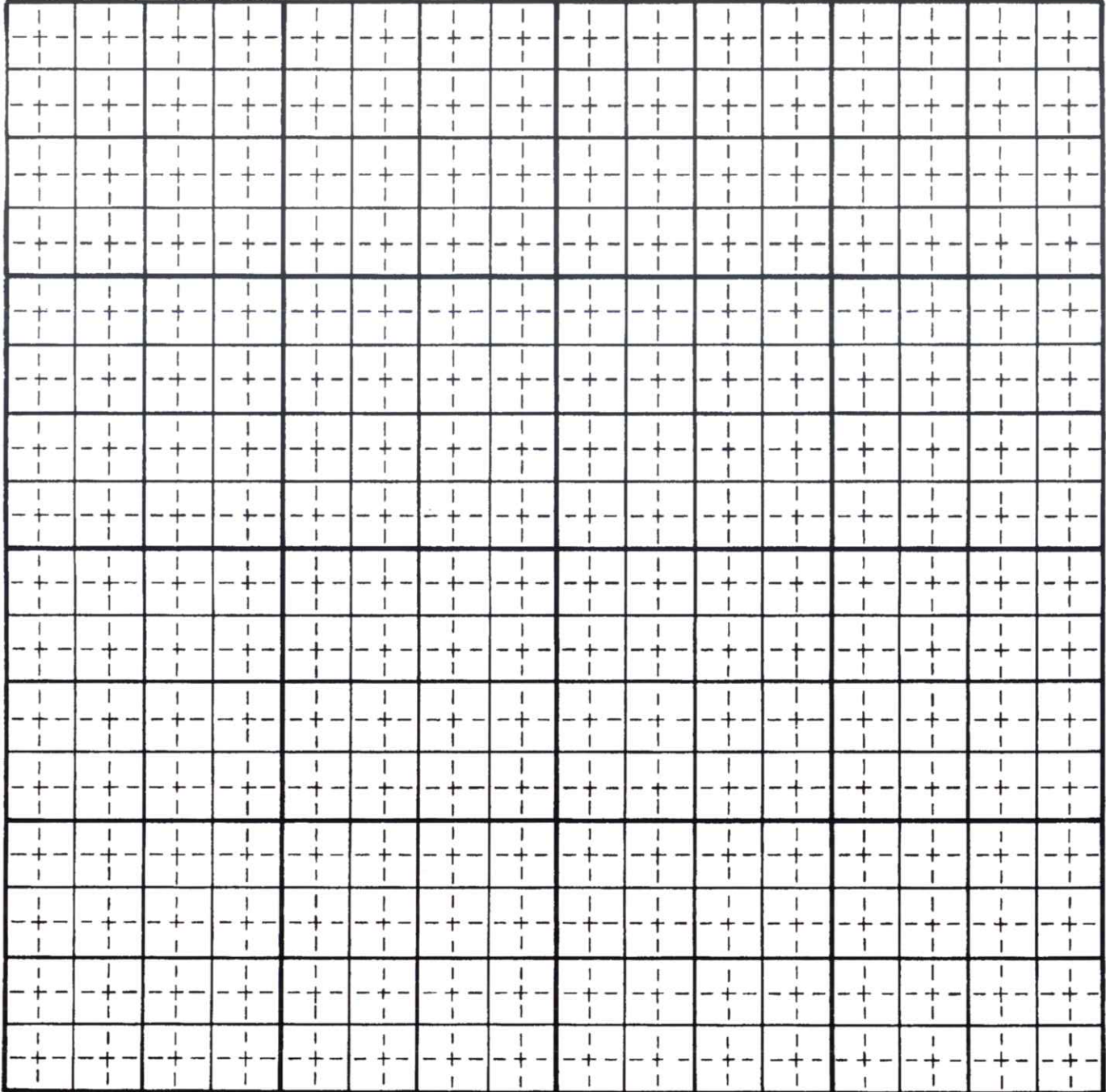
13. Describe any other water rights used at the same place and for the same purposes as described above.
Domestic well used for dwelling, barns, corrals (horses); or None ()

14. Remarks:
Attachment 1 = address page
Attachment 2 = photo/map
Attachment 3+4 = signature pages

Last Name Magness Racing Venture Inc. Rent No. 69-2002
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. 69-2002
Rocking M Cattle Co.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 69-2002
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 69-2002
Rockin 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

Water Right: 69-2002

area of old concrete & Barn &
 mobile home tunnels about 1990
 well located here also.

7 8 17 18

Magness Racing Ventures and
 Rocking M Cattle Co.

xxx = approximate ditch. I believe the diversion circle are springs but the water
 comes from rock creek into the ditch via a low rock diversion. Not now visible

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. _____ Title
 Organization _____, 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 Chaim 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 16 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. 69-2002 _____

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 _____

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 6th day of March 19 2006

Notary Public Nancy L. French

Residing at 11351 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.

692002 _____