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ATTORNEYS AT LAW
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P. O. BOX 396
RUPERT, IDAHO 83350-0396

AREA CODE 208
TELEPHONE 436-4717
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April 18, 2006

RECEIVED

APR 20 2006

DEPARTMENT OF
WATER RESOURCES

Karl J. Dreher, Director
Idaho Department of Water Resources
The Idaho Water Center
322 E. Front Street
P. O. Box 83720
Boise, ID 83720-0098

RE: **Flat Top Sheep Company claims to water rights;
Licensed Water Right Nos. 37-02260A and 37-02260B**

Dear Mr. Dreher:

Enclosed for filing with IDWR are two (2) *Notices of Claim to a Water Right* for the above-referenced licensed water rights. Also enclosed is our firm's check in the amount of \$100.00 representing \$50.00 for each claim. It is my understanding that, since a Director's Report has not been issued, a *Late Notice of Claim* is not required and that the documents and fees provided should be all that is necessary for filing. Thank you.

Sincerely,

LING, ROBINSON & WALKER



Michael P. Tribe

MPT/jb
encs
pc: Mr. Matt Anders

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APR 20 2006

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: 37-02260B

Date Received: _____

Receipt No.: _____

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s): Flat Top Sheep Company Phone: (208) 788-2850

Mailing Address: P.O. Box 88, Carey, Idaho Zip: 83320

2. Date of Priority (Only one (1) per claim): 02/13/1913

3. Source of water supply: South Fork Muldoon Creek which is tributary to Muldoon Creek

Friedman Creek which is tributary to South Fork Muldoon Creek

4. a. Location of existing point of diversion is: Township 02N Range 21E Section 12

SW1/4 of SE1/4, Govt. Lot, E.B.M., County of Blaine

Additional points of diversion if any: Township 02N Range 21E Section 14

NE1/4 of SE1/4, Govt. Lot, E.B.M., County of Blaine

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 _____

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. _____
Concrete check with headgates to distribution ditches

6. Water is claimed for the following purposes:
(both dates are inclusive) (cfs) (acre feet)
- For Irrigation purposes from 04/01 to 11/01 amount 0.6 cfs or _____
- For _____ purposes from _____ to _____ amount _____ or _____
- For _____ purposes from _____ to _____ amount _____ or _____
- For _____ purposes from _____ to _____ amount _____ or _____
7. Total quantity claimed: (a) .06 (cfs) and/or (b) _____ (acre feet)
8. Total consumptive use claimed is _____ acre feet per annum.
9. Non-irrigation uses – Describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) _____
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.

<u>T</u>	<u>Range</u>	<u>Sec.</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02N	21E	13		NWNE	10									
				NENW	30		NWNW	30		SWNW	35		SENE	30
				NESW	20		NWSW	30						
		14		SENE	30									
				NESW	10		SWSW	25		SESW	15			
				NESE	5		NWSE	20		SESE	5			
		22		NENE	20		NWNE	20		SWNE	30		SENE	30
				NENW	10		SENE	35						
				NESW	20		SWSW	30		SESW	20			
				NESE	20		NWSE	20		SWSE	30		SESE	30
		23		NENE	25		NWNE	10		SWNE	35		SENE	37
				NENW	5		NWNW	10		SWNW	5		SENE	25
				NESW	40		NWSW	15		SWSW	40		SESW	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
		24		SWNW	35		SENE	10						
				NESW	30		NWSW	40		SWSW	40		SESW	25
		25		SWNE	10									
				NENW	20		NWNW	40		SWNW	35		SENE	30
				NESW	30		NWSW	25		SWSW	25		SESW	25

Last Name: Flat Top Sheep Company

Ident. No. 37-02260B

<u>T</u>	<u>Range</u>	<u>Sec.</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
				NWSE	30		SWSE	20		SESE	20			
		26		NENE	40		NWNE	40		SWNE	40		SENE	40
				NENW	40		NWNW	38		SWNW	40		SENE	40
				NESW	40		NWSW	40		SWSW	30		SESW	25
				NESE	40		NWSE	40		SWSE	30		SESE	25
		27		NENE	35		NWNE	40		SWNE	15		SENE	40
				NENW	20		NWNW	20		SWNW	15		SENE	20
				NESW	30		NWSW	25		SESW	10			
				NESE	40		NWSE	35		SWSE	20		SESE	20
		28		NENE	30		SENE	15						
				NESE	10									
		35		NENE	10		NWNE	5		SWNE	20		SENE	25
				NENW	15		NWNW	10		SENE	10			

Total number of acres irrigated: 2670

11. In which county(ies) are lands listed above as place of use located? Blaine
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.
37-00390 through 37-00401 and 37-02092, 37-02234 and 37-02294 or None ()
14. Remarks: The point of diversion has been transferred through an accomplished transfer which was completed prior to November of 1987
15. Basis of Claim (check one): Beneficial Use ☐ Posted Notice ☐ License ☒ Permit ☐
Decree ☐
If applicable, provide IDWR Water Right Number.: _____
Court _____ Case No. _____ 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 ☒ 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 _____

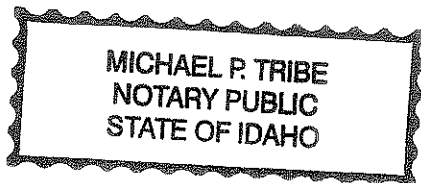
For Organizations: I do solemnly swear or affirm that I am John Peavy, President of Flat Top Sheep Company, that I have signed the foregoing document in the space below as President of Flat Top Sheep Company, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent John T. Peavy

Title and Organization President, Flat Top Sheep Company Date 4/17/2006

State of Idaho)
) ss.
County of Minidoka)

Subscribed and sworn (or affirmed) before me this 17 day of April, 2006.



Michael P. Tribe
Notary Public, State of Idaho
Residing at: Rupert, Idaho
My Commission expires: 4/15/11

17. Notice of Appearance:

Notice is hereby given that I, Roger D. Ling and Michael P. Tribe, will be acting as attorneys at law on behalf of the claimant signing the 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 Michael P. Tribe
Michael P. Tribe

Address LING, ROBINSON & WALKER
P.O. Box 396
Rupert, Idaho 83350

Date April 17, 2006