

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 37-1142  
Date Received: 9/20/1988  
Receipt No: S002325  
Received By:

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

1. Name of Claimant(s)

MULDOON RANCH CO LLC Phone: (208)324-3117  
C/O ARLEN CROUCH  
370 E 500 N  
JEROME ID 83338

2. Date of Priority: 05/15/1910

3. Source: MULDOON CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 02N      | 21E   | 16      | NE NW                 | BLAINE |      |

5. Description of diverting works:

TEMPORARY WEIR, FLOOD IRRIG.

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 3/01 | 10/01 | 2      |            |

7. Total Quantity Appropriated is:

2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township    | Range | Section | 1/4 of 1/4    |    | Lot | Use        | Acres |
|-------------|-------|---------|---------------|----|-----|------------|-------|
| 02N         | 21E   | 17      | NE            | SW |     | IRRIGATION | 30    |
|             |       |         | SE            | SW |     | IRRIGATION | 40    |
|             |       |         | NE            | SE |     | IRRIGATION | 40    |
|             |       |         | NW            | SE |     | IRRIGATION | 5     |
|             |       |         | SW            | SE |     | IRRIGATION | 20    |
|             |       |         | SE            | SE |     | IRRIGATION | 15    |
|             |       |         | Section Acres |    |     |            |       |
| 02N         | 21E   | 20      | NW            | NE |     | IRRIGATION | 17    |
|             |       |         | NE            | NW |     | IRRIGATION | 20    |
|             |       |         | Section Acres |    |     |            |       |
| Total Acres |       |         |               |    |     | 187        |       |

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

SUPPLEMENTAL WATER FOR DECREE A37-01046. \_\_DECREED WATER & WASTE WATER USED ON IRRIG ACRES.

\*\*\*\*\* 2-23-98: CHANGE OF OWNERSHIP BEAN/TROMBLY TO ABC AGRA PER NOTICE REC'D 11-04-97 - VH

15. Basis of Claim: Decreed



State of Idaho

## DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

August 8, 2006

JAMES E. RISCH  
Governor

KARL J. DREHER  
Director

THE MULDOON RANCH CO LLC  
C/O ARLEN CROUCH  
370 E 500 N  
JEROME ID 83338

Re: SRBA Claim(s) 37-401A, 37-1005, 37-1046, 37-1048A, 37-1051,  
37-1139, 37-1142, 37-2007, 37-2243, 37-2247, 37-7006

Dear Mr. Crouch:

Pursuant to the change in ownership request that was submitted to the Department, we have changed the record of current ownership as requested. Please find the enclosed copies of the computer record of the water right(s) noting the change in owner. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, reading 'Trish Fawcett', with a horizontal line extending to the right.

Trish Fawcett  
Technical Records Specialist

Enclosures

Form 42-248/42-1408(6) July, 2000

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

**RECEIVED**  
**JAN 03 2006**  
Department of Water Resources  
Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No.(s) | Adjudication<br>Claim No.(s) | Split                    | Water<br>Right No.(s) | Adjudication<br>Claim No. (s) | Split                    |
|-----------------------|------------------------------|--------------------------|-----------------------|-------------------------------|--------------------------|
| _____                 | <u>37-401A</u>               | <input type="checkbox"/> | _____                 | <u>37-2007</u>                | <input type="checkbox"/> |
| _____                 | <u>37-1005</u>               | <input type="checkbox"/> | _____                 | <u>37-2243</u>                | <input type="checkbox"/> |
| _____                 | <u>37-1046</u>               | <input type="checkbox"/> | _____                 | <u>37-2247</u>                | <input type="checkbox"/> |
| _____                 | <u>37-1048A</u>              | <input type="checkbox"/> | _____                 | <u>37-7006</u>                | <input type="checkbox"/> |
| _____                 | <u>37-1051</u>               | <input type="checkbox"/> | <u>37-11363</u>       | _____                         | <input type="checkbox"/> |
| _____                 | <u>37-1139</u>               | <input type="checkbox"/> | <u>37-11364</u>       | _____                         | <input type="checkbox"/> |
| _____                 | <u>37-1142</u>               | <input type="checkbox"/> | <u>37-11664</u>       | _____                         | <input type="checkbox"/> |

2. The following REQUIRED information must be submitted with this form:

- A. The appropriate FILING FEE. See instructions for fee amounts.
- B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) in question, WITH ATTACHED LEGAL DESCRIPTION.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s): ABC Agra, LLC c/o Steve Thorson  
P.O. Box 378, Jerome, ID 83338
4. New Owner/Claimant(s): The Muldoon Ranch Co., LLC c/o Arlen Crouch  
New Mailing Address: 370 E 500 N  
City, State, Zip Code: Jerome, ID 83338  
New Telephone Number: (208) 324-3117  
Date you acquired the property: 03/17/2005

5. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in Item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

**DESCRIPTION OF YOUR PORTION OF WATER RIGHT**  
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: \_\_\_\_\_

| <u>Water Use</u> | <u>Diversion Rate or Volume</u><br>(cubic feet per second or acre-feet annum) | <u>Description</u><br>(acres, number and type of stock, homes, etc.) |
|------------------|-------------------------------------------------------------------------------|----------------------------------------------------------------------|
| Irrigation       | _____                                                                         | _____                                                                |
| Stock            | _____                                                                         | _____                                                                |
| Domestic         | _____                                                                         | _____                                                                |
| Other: _____     | _____                                                                         | _____                                                                |
| <b>TOTAL</b>     |                                                                               |                                                                      |

**DESCRIPTION OF YOUR PORTION OF WATER RIGHT**  
(If the right(s) will not be split, skip this area and proceed to Item 7)

Water Right and/or Adjudication Claim Number: \_\_\_\_\_

| <u>Water Use</u> | <u>Diversion Rate or Volume</u><br>(cubic feet per second or acre-feet annum) | <u>Description</u><br>(acres, number and type of stock, homes, etc.) |
|------------------|-------------------------------------------------------------------------------|----------------------------------------------------------------------|
| Irrigation       | _____                                                                         | _____                                                                |
| Stock            | _____                                                                         | _____                                                                |
| Domestic         | _____                                                                         | _____                                                                |
| Other: _____     | _____                                                                         | _____                                                                |
| <b>TOTAL</b>     |                                                                               |                                                                      |

- 6. Signature of New Owner(s) or Claimant(s):**  
(Include title, if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney. If you wish IDWR to correspond with him/her for all matters related to your claims.

**FOR OFFICE USE ONLY**

Received by: [Signature]  
Received by: [Signature]  
Processed by: [Signature] AJ

Date: 1/4/06  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_

Fee: 75.00  
Receipt No: \_\_\_\_\_  
WR: \_\_\_\_\_ Date: \_\_\_\_\_

Order No. 23463

## WARRANTY DEED

FOR VALUE RECEIVED

GRANT R. ELLSWORTH and FERN S. ELLSWORTH AS TRUSTEES UNDER THAT REVOCABLE LIVING TRUST AGREEMENT DATED MAY 22, 1984

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

ABC AGRA, LLC., an Idaho Limited Liability Company

GRANTEE(s) whose address is: P.O. Box 378, Juntura, ID 83338-0378

the following described real property in Blaine County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A", AND BY THIS REFERENCE INCORPORATED HEREIN, TOGETHER WITH ALL WATER RIGHTS, WATER SHARES AND WATER PERMITS APPURTENANT THERETO, INCLUDING, BUT NOT NECESSARILY LIMITED TO THOSE WATER RIGHTS DESCRIBED IN EXHIBIT "B", ATTACHED HERETO, AND BY THIS REFERENCE INCORPORATED HEREIN, AND ALSO TOGETHER WITH ANY AND ALL GRAZING RIGHTS OF WHATSOEVER KIND OR NATURE OWNED BY THE GRANTORS, INCLUDING, BUT NOT NECESSARILY LIMITED TO BUREAU OF LAND MANAGEMENT AUM'S AND/OR STATE LEASES DESCRIBED IN EXHIBIT "C", ATTACHED HERETO, AND BY THIS REFERENCE INCORPORATED HEREIN.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: December 24, 1997

Grant R. Ellsworth  
GRANT R. ELLSWORTH, TRUSTEE

Fern S. Ellsworth  
FERN S. ELLSWORTH, TRUSTEE

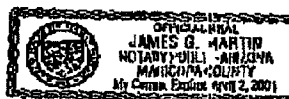
State of Arizona

County of Maricopa

On this 24th day of December, in the year 1997, before me, the undersigned, personally appeared Grant R. Ellsworth and Fern S. Ellsworth, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as trustee(s) of the Revocable Living Trust Agreement dated May 22, 1984, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal.

James H. Martin  
Notary Public  
Commission Expires:



Notary Public Seal

FEE \$ 87.00

JAN GREEN, CLERK

98 JAN 2 PM 11 12

BLAINE CO. REQUEST  
OF SAMPOOTH TITLE

409472

445 974

INSTRUMENT # 418974

HALEY, BLAINE, IDAHO

2000-12-14

#3 13:00 No. of Pages: 11

Recorded for : SAWTOOTH TITLE

MARSHA NIEMANN

Fee: 33.00

Ex-Office Recorder Daily  
Order to: WYDOCORP DESK

Accommodation

## QUITCLAIM DEED

FOR VALUE RECEIVED

A.B.C. AGRA, LLC, an Idaho limited liability company

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

THE MULLOON RANCH CO., LLC, an Idaho limited liability company

whose address is: 378 E 520 N, Jerome, Idaho 83326

the following described premises situated in Blaine County, Idaho, to wit:

SEE LEGAL DESCRIPTIONS ATTACHED HERETO AS EXHIBITS "A" AND "B" AND BY THIS REFERENCE INCORPORATED HEREIN, TOGETHER WITH ALL WATER RIGHTS, WATER SHARES AND WATER PERMITS APPURTENANT THERETO, INCLUDING, BUT NOT NECESSARILY LIMITED TO THESE WATER RIGHTS DESCRIBED HEREIN, ATTACHED HERETO, AND BY THIS REFERENCE INCORPORATED HEREIN, AND ALSO TOGETHER WITH ANY AND ALL GRAZING RIGHTS OF WHATSOEVER KIND OR NATURE OWNED BY THE GRANTORS, INCLUDING, BUT NOT NECESSARILY LIMITED TO BUREAU OF LAND MANAGEMENT AUMS AND/OR STATE LEASES DESCRIBED IN EXHIBIT "C", ATTACHED HERETO, AND BY THIS REFERENCE INCORPORATED HEREIN.

together with their appurtenances.

Dated: December 7, 2000

A.B.C. AGRA, LLC



By: Steven L. Thorson, Manager



By: Darrel B. Crouch, Manager



By: Arlen B. Crouch, Manager

State of Idaho

County of Jerome

On this 12th day of December, in the year 2000, before me, the undersigned, personally appeared STEVEN L. THORSON, Manager of A.B.C. AGRA, LLC, an Idaho limited liability company, known or identified to me to be one of the managers whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of the limited liability company.

WITNESS my hand and official seal.



Notary Public

Commission Expires: 03-17-05

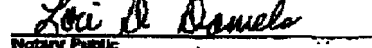
LORI D. DANIELS  
NOTARY PUBLIC  
STATE OF IDAHO

State of Idaho

County of Jerome

On this 12th day of December, in the year 2000, before me, the undersigned, personally appeared ARLEN B. CROUCH and DARREL B. CROUCH, Managers of A.B.C. AGRA, LLC, an Idaho limited liability company, known or identified to me to be two of the managers whose names are subscribed to the within instrument, and acknowledged to me that they executed the same on behalf of the limited liability company.

WITNESS my hand and official seal.



Notary Public

Commission Expires: 03-17-05

LORI D. DANIELS  
NOTARY PUBLIC  
STATE OF IDAHO

A.B.G. LLC/THE MULDOON RANCH CO., LLC

EXHIBIT "B"

PARCEL 1:

Township 3 North, Range 21 East, Boise Meridian, Blaine County, Idaho.

Section 17: S1/2NE1/4, SE1/4, E1/2SW1/4

Section 20: NW1/4NE1/4, NE1/4NW1/4

PARCEL 2:

Township 2 North, Range 21 East, Boise Meridian, Blaine County, Idaho.

Section 9: That portion of the SE1/4NE1/4, lying South of the Muldoon Road, known as Tax Lot 4868

Section 10: That portion of the NW1/4NW1/4, lying South of the Muldoon Road, known as Tax Lot 4887-A; that portion of the S1/2NW1/4 lying South of the Muldoon Road, known as Tax Lot 4897; that portion of the NE1/4SW1/4 lying South of the Muldoon Road, known as Tax Lot 4457; W1/2NE1/4, SE1/4NE1/4, E1/2SE1/4, W1/2SE1/4, E1/2SW1/4, SE1/4NW1/4

Section 11: S1/2SW1/4

Section 14: W1/2NW1/4

Section 15: NW1/4, W1/2NE1/4, E1/2SW1/4, NW1/4SW1/4, NE1/4NE1/4, NW1/4SE1/4

Section 18: NW1/4

Section 19: SE1/4NE1/4

Section 20: S1/2SE1/4, SW1/4, NE1/4SE1/4

Section 21: N1/2, N1/2SW1/2, SE1/4SW1/4

Section 22: W1/2NW1/4, NW1/4SW1/4

Section 23: N1/2NW1/4, W1/2NE1/4

WATER RIGHTS:

LICENSE NUMBER - 37-00401-A

LICENSE NUMBER - 37-01142

LICENSE NUMBER - 37-02243

LICENSE NUMBER - 37-01046

LICENSE NUMBER - 37-11863

LICENSE NUMBER - 37-11344

A.B.C. AGRA, LLC/THE MULDOON RANCH CO., LLC

## EXHIBIT "A"

## PARCEL I:

Township 2 North, Range 21 East, Boise Meridian, Blaine County, Idaho.

Section 6: E1/2 SW1/4, SW1/4SE1/4, Lots 6 and 7  
 Section 7: NE1/4NW1/4, E1/2SW1/4, SE1/4, Lot 1, NW1/4NE1/4  
 Section 8: S1/2SE1/4, SW1/4  
 Section 9: SW1/4SW1/4  
 Section 17: N1/2NE1/4, NW1/4  
 Section 18: NE1/4, E1/2NW1/4, NE1/4SW1/4, NW1/4SE1/4, Lots 1, 2 and 3

Township 2 North, Range 28 East, Boise Meridian, Blaine County, Idaho.

Section 1: SE1/4SE1/4  
 Section 12: SE1/4SW1/4, NE1/4NE1/4  
 Section 13: NW1/4, S1/2NE1/4, N1/2S1/2, SW1/4SW1/4  
 Section 14: S1/2S1/2  
 Section 15: SE1/4SE1/4

## PARCEL II:

Township 2 North, Range 21 East, Boise Meridian, Blaine County, Idaho.

Section 17: W1/2SW1/4  
 Section 18: E1/2SE1/4, SW1/4SE1/4  
 EXCEPT that portion of the E1/2SE1/4 described as follows:  
 COMMENCING at the East quarter corner of said Section 18;  
 thence South 35° 18' West, 777 feet to the TRUE POINT OF BEGINNING;  
 thence South 31° 28' East, 280 feet;  
 thence South 58° 48' West, 435.60 feet;  
 thence North 31° 20' West, 200 feet;  
 thence North 58° 40' East, 435.60 feet to the TRUE POINT OF BEGINNING.  
 Section 19: N1/2 NE1/4  
 Section 20: NW1/4NW1/4

## WATER RIGHTS:

1. IDWR No. 37-1139 for 1.40 cfs with a priority date of 6/1/1919
2. IDWR No. 37-1851 for 2.00 cfs with a priority date of 4/1/1888
3. IDWR No. 37-1848A for 2.00 cfs with a priority date of 4/1/1888
4. IDWR No. 37-1139 for 7.00 cfs with a priority date of 6/1/1919
5. IDWR No. 37-2807 for .80 cfs with a priority date of 8/23/1884
6. IDWR No. 37-2247 for .50 cfs with a priority date of 8/22/1912
7. IDWR No. 37-7008 for 2.18 cfs with a priority date of 12/18/1967
8. IDWR No. 37-11684 for .10 cfs with a priority date of 8/30/1930

# ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

May 6

SECRETARY OF STATE OF IDAHO

(Instructions on back of application)



FILED

1. The name of the limited liability company is: The Muldoon Ranch Co., LLC.

2. The address of the initial registered office is: 370 East 500 North, Jerome, ID 83338  
(not a PO Box)

and the name of the initial registered agent at that address is: A. Blair Crouch

Signature of registered agent:

A. Blair Crouch

3. Is management of the limited liability company vested in a manager or managers?

☒ Yes

☐ No

(check appropriate box)

4. If management is vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is vested in the members, list the name(s) and address(es) of at least one initial member.

Name:

Address:

Arlen B. Crouch Trust

2566 Barcelona Drive

Arlen B. Crouch

, Trustee

Salt Lake City, UT 84093

Derrel R. Crouch Trust

2566 Barcelona Drive

Salt Lake City, UT 84093

5. Signature of at least one person listed in #4 above:

Arlen B. Crouch

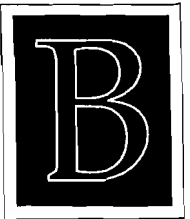
Secretary of State use only

LIMITED SECRETARY OF STATE

85/06/1998 89:00  
CL: 2173 CT: 44539 IN: 100132

1 @ 100.00 = 100.00 URGENT LLC

W6138



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

December 29, 2005

Allen Merritt  
Idaho Department of Water Resources  
Southern Region Office  
1341 Fillmore, Suite 200  
Twin Falls, ID 83301

RECEIVED  
JAN 03 2006  
Department of Water Resources  
Southern Region

Re: Change of Ownership: Muldoon Ranch

Dear Allen:

Brockway Engineering is submitting a Change of Ownership form for water rights associated with the Muldoon Ranch, in behalf of Arlen Crouch. Mr. Crouch recently changed the ownership of the property from the ABC Agra, LLC in which he was a partner to The Muldoon Ranch Co., LLC. The change of ownership was completed on March 17, 2005, but a change of ownership was never submitted to IDWR (see attached warranty deed).

A check for \$75.00 is also submitted to cover the fees for the three decreed rights. If you have any questions regarding the enclosed documents, please feel free to give me a call.

Sincerely,

Daren T. Nelson, Hydrologist

Attachments: Warranty Deed  
Figure: WR Map for The Muldoon Ranch Co., LLC  
Brockway Engineering Check # 6037

cc: Arlen Crouch

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506