

June 17, 2004

**WILD ROSE RANCH INC
HC 66 PO BOX 140
ISLAND PARK ID 83429**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 21-4130

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the beginning of water rights review in Basin 21, the Henry's Fork drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of JUN 30 1898, from SPRING.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit documentation supporting the priority date as soon as possible,
referencing all documents with the corresponding claim number.

Respectfully submitted,



for Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"

Jared's Wild Rose Ranch Resort
3778 Highway 87
Island Park, ID 83429
208-558-7201 Fax 208-558-7083

March 16, 2005

Idaho Dept. of Water Resources Adjudication Bureau
900 N. Skyline Dr.
Idaho Falls, ID 83402-1718
208-525-7161 208-327-7900 800-451-4129

To Whom It May Concern:

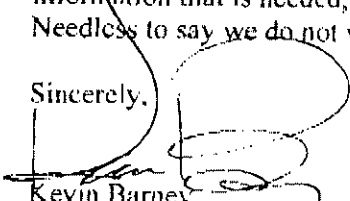
I have received notices from your office for evidence of priority for both my spring water usage (Claim #21-04130) and ground (well) water (Claim #21-10925). After speaking with several individuals from your organization as to what information I could provide, I am left more confused as to what it is exactly you are looking for. No one could give me any definitive answers and thus I am writing this letter to address our water rights as they are very valuable to us and I didn't want anything to happen to them.

We have a property description document dating the spring water rights back to 1898 when it was either established and/or used (officially). The spring water was diverted by the creation of a streambed and 2 pond areas. This allows for effective use as it channels the water through the middle of the Wild Rose property with 2 holding stations. The spring water was used for livestock, crops, drinking, fish cleaning, and multiple other uses and later the ground water was used for regular household use.

Currently the property is owned by Mc Lloyd Barney Properties, who has owned this land and used this water right since 1981. Since he is not currently raising crops, the spring water is being used to water all of the lawns and trees around the resort, continue to provide water to the fish cleaning station, and bring water to several other areas of the resort. I visited the ranch as a child and can personally attest to the water being used back in 1981 when I visited. Kent Jolley was the previous owner, and Dirk and Melissa Bueller managed the Wild Rose for him in the 70's. The Buellers still live within a few miles of the Wild Rose and can verify water usage during this time. Dirk Bueller also worked for two of the prior owners (one being Gil Day) and visited Wild Rose back into the 50's. Gil and May Day owned the Wild Rose from the early 50's to the mid 70's. Dirk Bueller can verify water usage back into the 50's from both the spring and the well. Gil and May's daughter, Patti (Day) Carkeek, is still living in Montana and worked extensively at the Wild Rose from childhood and can also verify both the usage of the ground and spring water into the early 50's.

Both of these rights are very valuable to us and thus I have written this letter. If there is other information that is needed, please let me know so that I can gather this information for you. Needless to say we do not wish to lose these rights as I continue to use them this very day.

Sincerely,



Kevin Barney

Manager: Jared's Wild Rose Ranch Resort (1996-Present)

Enclosed: Property description referencing spring water right and where County holds it

Signature verification: We did use water rights indicated herein for the above usages

Dirk Bueller

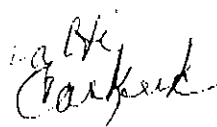
Melissa Bueller

Patti Carkeek

Date

4/6/05

Received Time Apr. 18. 4:09PM



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Island Park, ID 83429
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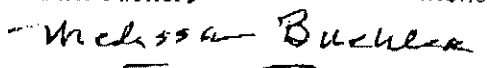
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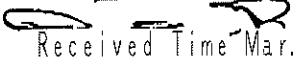
Dirk Bueller,

Melissa Bueller

Patti Carceck

Date

 3/31/05

 Received Time Mar. 31. - 3:10PM 3/ Mar 5

P.S. I have included signature verification to confirm contents of letter. Since Patti lives in Bozeman, I will fax her verification to you at a later date (when I have received it). I will also include other letters if needed as I receive them. Patti is familiar with many people of the era that can also give whatever verification that may be required. She remembers the outfit that installed the well was from the Ashton area and further information verifying this could also be tracked if needed.

EXHIBIT "A" - Real Property

Tract 1:

All that portion of the Northeast Quarter of Sec. 32, Twp. 16 N., R. 43 E., Boise Mer., Fremont County, Idaho, lying South of the State Highway No. 87 and North of the North boundary of the North Fork Reservoir as described in Book 31 of Deeds at page 40, LESS the following described parcels:

Parcel 1: All of the following described property lying North of the South line of the Northeast Quarter of said Sec. 32: Commencing at a point that is South 89°56' West 608.53 feet from the East Quarter corner of Sec. 32, Twp. 16 N., R. 43 E., Boise Meridian, Fremont County, Idaho, and running thence South 62°52'11" East 47.05 feet; thence South 31°52' West 379.50 feet to a point on the shoreline of Henry's Lake; thence North 71°51'59" West 428.49 feet along said shoreline; thence North 65°02' West 495.65 feet along said shoreline; thence North 53°23'55" West 21.01 feet along said shoreline; thence North 38°56' East 526.16 feet; thence South 58°25'17" East 75.00 feet; thence South 38°56' West 100.00 feet; thence South 58°25'17" East 150.00 feet; thence North 38°56' East 100.00 feet; thence South 58°25'17" East 229.51 feet; thence South 59°49'15" East 363.27 feet to the point of beginning.

Parcel 2: Commencing at a point that is South 89°56' West 1309.77 feet; and North 421.45 feet from the East Quarter corner of Sec. 32 afore-said, and running thence South 38°56' West 150.00 feet; thence North 51°04' West 140.0 feet; thence North 50°05'11" East 137.98 feet; thence South 58°25'17" East 114.25 feet to the point of beginning.

Parcel 3: Beginning at a point that is West 1951.47 feet and North 458.39 feet from the East Quarter corner of said Sec. 32, and running thence South 30°14'29" West 200.00 feet; thence North 59°45'31" West 120.00 feet; thence North 30°14'29" East 200.00 feet; thence South 59°45'31" East 120.00 feet to the point of beginning.

Tract 2:

All of the following described property lying North of the South line of the Northeast Quarter of said Sec. 32: Commencing at a point that is South 89°56' West 608.53 feet from the East Quarter corner of Sec. 32, Twp. 16 N., R. 43 E., Boise Mer., Fremont County, Idaho, and running thence South 62°52'11" East 47.05 feet; thence South 31°52' West 379.50 feet to a point on the shoreline of Henry's Lake; thence North 71°51'59" West 428.49 feet along said shoreline; thence North 65°02' West 495.65 feet along said shoreline; thence North 53°23'55" West 21.01 feet along said shoreline; thence North 38°56' East 526.16 feet; thence South 58°25'17" East 75.00 feet; thence South 38°56' West 100.00 feet; thence South 58°25'17" East 150.00 feet; thence North 38°56' East 100.00 feet; thence South 58°25'17" East 229.51 feet; thence South 59°49'15" East 363.27 feet to the point of beginning LESS the following: Beginning at a point on the Southerly right-of-way line of State Highway No. 87, that is North 89°48'43" West 605.75 feet along the North line of Lot 1, from the East Quarter corner of Section 32, Twp. 16 N., R. 43 E., Boise Mer., Fremont County, Idaho, and running thence North 89°48'43" West 113.68 feet along the North line of said Lot 1; thence North 40°45'20" East 53 feet more or less to said Southerly right-of-way line of State Highway No. 87; thence Southeasterly 89 feet more or less along said right-of-way line, to the point of beginning.

Received Time Mar. 31. 3:10PM

EXHIBIT "A" - Real Property (continued)

Tract 3:

Beginning at a point that is North 89°48'43" West 719.42 feet along the North line of Lot 1, from the East Quarter corner of Sec. 32, Twp. 16 N., R. 43 E., Boise Mer., Fremont County, Idaho, and running thence North 89°48'43" West 598.09 feet to the Northwest corner of said Lot 1; thence South 0°29'23" East 125 feet more or less, along the West line of said Lot 1, to the North Shore of the North Fork Reservoir; thence along the meanderings of said North Shore the following two courses, (1) South 51°23'06" East 162.74 feet and (2) South 77°13'29" East 105.58 feet; thence North 60°31'26" East 343.14 feet; thence North 40°45'20" East 104.42 feet to the point of beginning.

Together with the land's proportionate share of that certain water right appropriated by William R. Bowers by notice of use, notice thereof having been recorded June 30, 1898, in Book B of Water Rights, page 103, Records of Fremont County, Idaho, emanating from a spring situate to the North and West of the above-described premises, and which water flows from said spring to a natural water course to the reservoir adjacent to the premises, and all rights associated therewith and appurtenant thereto.

Subject to the provisions of that certain Declaration of Covenants of Wild Rose Ranch, Inc., dated May 26, 1978, and recorded May 26, 1978 as Instrument No. 354101 records of Fremont County, Idaho.