

09/18/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 34-13551
NAME AND ADDRESS: SIX FLAGS INC
500 BERGESON DR
BLACKFOOT ID 83221

SOURCE: PASS CREEK TRIBUTARY: BIG LOST RIVER

QUANTITY: 0.170 CFS

PRIORITY DATE: 09/13/1965

POINT OF DIVERSION:
T07N R25E S23 SWNE Within BUTTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	10/16 04/30	0.170 CFS

PLACE OF USE: STOCKWATER Within BUTTE County
T06N R25E S01 SENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

05/01/00 11:57:12
Page 1

Water Right Number - 34-024668

Prefix Translation: WATER RIGHT

Old (D) Number - 32520

*** C - CURRENT OWNER ***
SIX FLAGS INC

1 - 500 BERGESON

2 -

3 -

City- BLACKFOOT
Phone - 208-785-4722

State- ID Zip- 83221

Priority Date - 09/13/1965

Region - 15 EASTERN

Stage - D - DECREED

Status -

Source - PASS CREEK

Tributary - BIG LOST RIVER

Twn Rng Sec Tract Lot Rflg County Point of Diversion
07N 25E 23 SW NE (23) BUTTE

Diversion Name

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	-----------	----------------	------------------

01 - IRRIGATION

05/01

10/15

0.500

Total Div. Rate - 0.500 + Total Div. Volume - 0.500 + Total Div. Capacity - 0.0 + Total Consumptive Use - 0.0 + KW Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06N	25E	1	SE NE	25.0	01	IRRIGATION	(23) BUTTE	

Total Acres: 25.0

- - - Diversion Means - DITCH & HEADGATE

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - 34-023908

Remarks -

GNT

USE OF THIS RIGHT WITH RIGHT NO. 34-023908 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.65 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 114.0 AF.

POU1

USE OF THIS RIGHT WITH RIGHT NO. 34-023908 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 25 ACRES IN A SINGLE
IRRIGATION SEASON.

Water right number - 34-024668

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - -
+ - - - - Old Water Right Numbers - - - - -
34024668

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +
STATE OF IDAHO UNITED STATES ET AL + - - - - Decree Date - +
11/24/1997

+ - - Audit Fields - 04/14/97 CFRIITSC 07/02/97 DSHAF 01/13/98 PD-DSHAF

+ - - - - Comments - - - - -
Date: 05/10/1992 User Id: WHITE Subject: ADDED REMARKS AND ADDED M01 CONDITION CODE
ADDED " A TOTAL COMBINED...VOLUME OF 114 AF" ADDED M01 CONDION CODE.
Date: 07/02/1997 User Id: DSHAF Subject: COND. CODE M01
THE SPEC. MASTER IN THE RECOMM. STRUCK THIS REQUIREMENT FROM OTHER PROVISIONS.

+ - - - - Adjudication Rights Dates and Flags Area - - - - -
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 01/11/1990 Last Amended Date - 00/00/0000 Temporary Right - P
Proof Due Date - 00/00/0000 Proof Made Date - 00/00/0000 Water District - 34
Licensed Date - 00/00/0000 Receipt Number - E011603 Federal/State Indicator - S
POU Ownership Flag - Y Presumption Flag -
Name Connector - Notice of Error Flag - B

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: **A34-13551**
Date Received: 6/15/1995
Receipt No: C032878
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: SIX FLAGS INC
Address: 500 BERGESON DR
BLACKFOOT ID 83221
208-785-4722
2. Date of Priority: SEP 13, 1965
3. Source: PASS CREEK Trib. to: BIG LOST RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 07N | 25E | 23 | SW | NE | | | BUTTE |
5. Description of diverting works:
HEADGATE AND DITCH
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| STOCKWATER | 10/16 | 04/30 | 1.500 | | |
7. Total Quantity Appropriated is:
1.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
STOCKWATER, 1000 SHEEP AND/OR 500 CATTLE
10. Place of Use:
- | Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 07N | 25E | 1 | SE | NE | | STOCK | |
11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THE DISTANCE BETWEEN THE POINT OF DIVERSION AND PLACE OF USE
REQUIRES 1.50 CFS BE DIVERTED TO COMPENSATE FOR TRANSMISSION
LOSSES AND STILL MAKE ADEQUATE FLOWS FOR THE STOCK TO DRINK.
ATTACKMENT: COPY OF WATER RIGHT LICENSE 34-02466.

15. Basis of Claim: BENEFICIAL USE

Claim fee - 50⁰⁰
 Variable fee - 150⁰⁰
 Late fee - 50⁰⁰
 \$250⁰⁰

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

A34-13551

Date Received

6-15-95

Receipt Number

C032878

NOTICE OF CLAIM
 TO A
 WATER RIGHT
 ACQUIRED UNDER STATE LAW

RECEIVED

JUN 15 1995

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) SIX FLAGS, INC Phone (208) 785-4722

Mailing Address 500 BERGESON DR BLACKFOOT ID Zip 83221

2. Date of Priority (Only one (1) per claim) SEPT 13, 1965

3. Source of water supply (a) PASS CREEK
 which is tributary to (b) BIG LOST RIVER

4. a. Location of existing point of diversion is: Township 07N Range 25E Section 23,
1/4 of SW 1/4 of NE 1/4, Govt. Lot, B.M., County of BUTTE

Additional points of diversion if any: _____

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. HEADGATE, & DITCH

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs) Department (acre feet)

For STOCKWATER purposes from 10/16 to 04/30 amount 1.50 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.50 (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.) Stockwater, 1000 SHEEP and/or ~~500~~ CATTLE

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.

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	
<u>07N</u>	<u>25E</u>	<u>01</u>				<u>S</u>													

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? BUTTE12. 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.
_____ or None (X)14. Remarks: THE DISTANCE BETWEEN THE POINT OF DIVERSION AND PLACE OF USE REQUIRES 1.50 CFS BE DIVERTED TO COMPENSATE FOR TRANSMISSION LOSSES AND STILL HAVE ADEQUATE FLOWS FOR THE STOCK TO DRINK.MICROFILMED
NOV 18 1996Last Name _____ Ident No. A34-13557

Copies: White -State, Yellow-Claimant

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

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JUN 15 1995

Department of Water Resources

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 Secretary Title _____
of Six Flags, Inc Organization _____, that I have signed the foregoing
document in the space below as Secretary Title _____ of Six Flags, Inc Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Judith Lindholm
Title and Organization Sec. of Six Flags, Inc. Date 2-21-95

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 21 day of February, 1995

SEAL

Notary Public Ernest Carlson

Residing at Idaho Falls, ID

My Commission Expires 6-14-2000

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 _____

MICROFILMED
NOV 18 1996

1st Name _____ Ident. Number A34-13557

Copies White-State, Yellow-Claimant