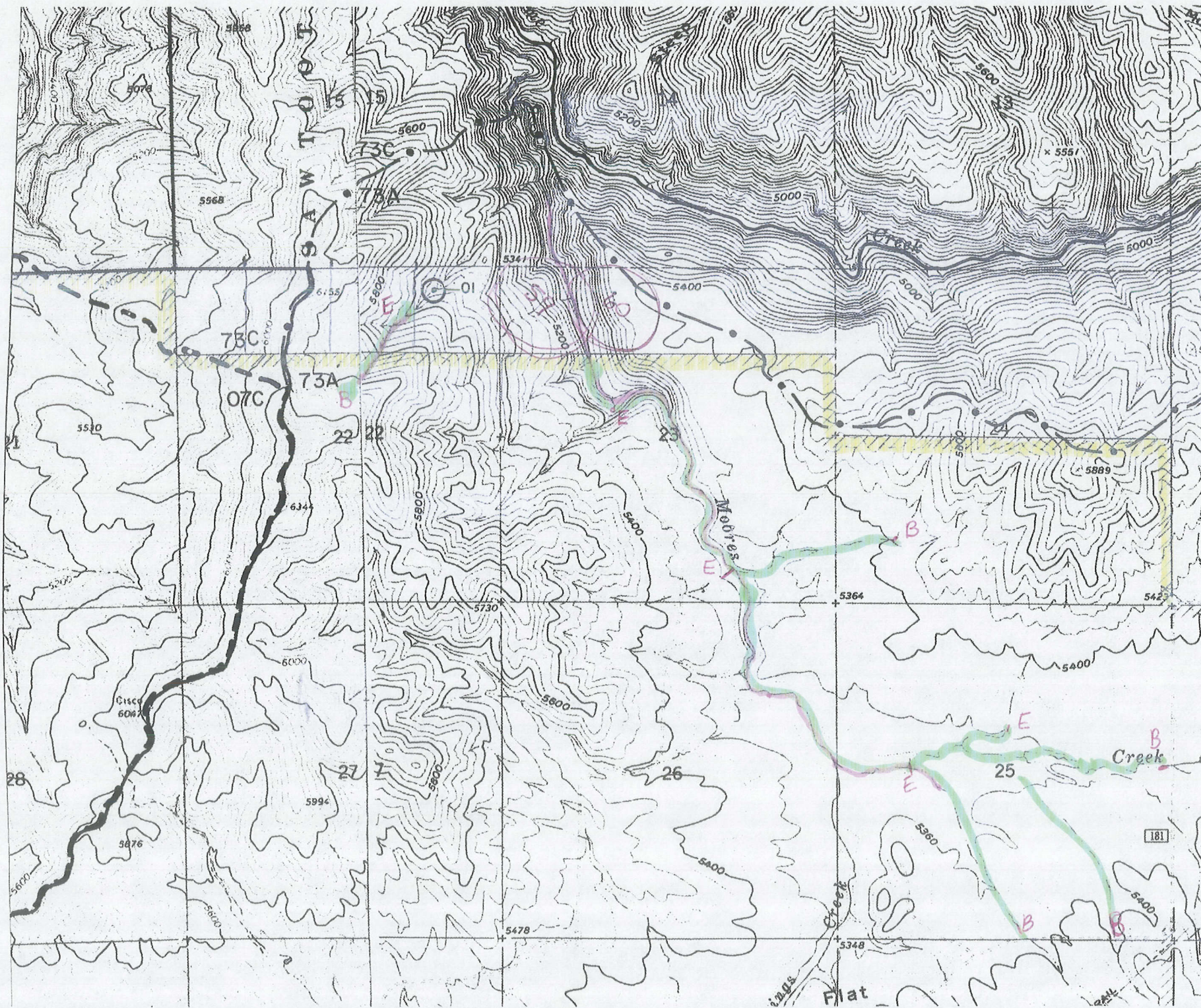




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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 63-31031
Date Received: 3/3/99
Receipt No: W024851
Received By:

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

1. Name of Claimant(s): MC GREW RANCH LLC Phone: (208) 580-2996
RT 1, BOX 463
GLENN'S FERRY ID USA 83623

2. Date of Priority: 06/13/1911

3. Source: UNNAMED STREAMS Trib. to: MOORES CREEK
MOORES CREEK LIME CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	10E	23	NW SE NW	ELMORE	Ending Point
01N	10E	23	SE SW SE	ELMORE	Ending Point
01N	10E	25	SW SE SE	ELMORE	Beginning Point
01N	10E	25	NE NW SW	ELMORE	Ending Point
01N	10E	22	NE NW NE	ELMORE	Ending Point
01N	10E	22	SW SW NE	ELMORE	Beginning Point
01N	10E	25	SW SW NE	ELMORE	Ending Point
01N	10E	25	SE SE NE	ELMORE	Beginning Point
01N	10E	24	NE SW SW	ELMORE	Beginning Point
01N	10E	25	SW SW SE	ELMORE	Beginning Point

5. Description of diverting works:

INSTREAM STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:

0.02 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
01N	10E	22	SW NE NW NE		STOCKWATER STOCKWATER	
01N	10E	23	SW SE SW NE SE NW NW SE SE SE		STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER	
01N	10E	24	SW SW		STOCKWATER	
01N	10E	25	NE SW SW NE SE SE SE NW NW SW NW SE SE NE NE SE SW SE SE SW SW NW		STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER	
01N	10E	26	SE NE SW NE NW NE		STOCKWATER STOCKWATER STOCKWATER	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

SEE MAP IN A63-31030
Name change by DB 6/21/2001

15. Basis of Claim: Beneficial Use

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: A63-31031
Date Received: 3/3/1999
Receipt No: 11024851
Received By: MS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN MC GREW 208-587-1125
Address: PO BOX 463
GLENN'S FERRY ID 83623
2. Date of Priority: JUN 13, 1911
3. Source: UNNAMED STREAMS Trib. to: MOORES CREEK
MOORES CREEK LIME CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
----------	-------	---------	--------	--------	-----	-----	--------

Beginning Point of Instream Flow

01N	10E	22	SW	SW	NE	ELMORE
01N	10E	24	NE	SW	SW	ELMORE
01N	10E	25	SE	SE	NE	ELMORE
01N	10E	25	SW	SW	SE	ELMORE
01N	10E	25	SW	SE	SE	ELMORE

Ending Point of Instream Flow

01N	10E	22	NE	NW	NE	ELMORE
01N	10E	23	NW	SE	NW	ELMORE
01N	10E	23	SE	SW	SE	ELMORE
01N	10E	25	SW	SW	NE	ELMORE
01N	10E	25	NE	NW	SW	ELMORE

5. Description of diverting works:
INSTREAM STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 700 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	10E	22	NW	NE		STOCK	
			SW	NE		STOCK	
		23	SW	NE		STOCK	
			SE	NW		STOCK	
			NW	SE		STOCK	
			SW	SE		STOCK	
			SE	SE		STOCK	
		24	SW	SW		STOCK	
		25	SW	NE		STOCK	
			SE	NE		STOCK	
			SW	NW		STOCK	
			SE	NW		STOCK	
			NE	SW		STOCK	
			NW	SW		STOCK	
			SE	SW		STOCK	
			NE	SE		STOCK	
			NW	SE		STOCK	
			SW	SE		STOCK	
			SE	SE		STOCK	
		26	NW	NE		STOCK	
			SW	NE		STOCK	
			SE	NE		STOCK	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

*Map in
A63-31030*

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: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): John P. McGraw Date: 3-3-99

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of March 19 99 Melvin D. Ahlert
Notary Public

Seal

Residing at Boise, Idaho
My Commission Expires 7-24-2001

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

RECEIVED
JUN 13 2001

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

WATER RESOURCES
 WESTERN REGION

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. 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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>61-10364</u>	<u>A61-11915</u>	☐		<u>A63-31030</u>	☐
<u>61-10365</u>	<u>A61-11916</u>	☐		<u>A63-31031</u>	☐
	<u>A61-11917</u>	☐		<u>A63-31065</u>	☐
	<u>A61-11918</u>	☐		<u>A63-31067</u>	☐
	<u>A63-31029</u>	☐		<u>A63-31068</u>	☐
				<u>A63-31070</u>	☐

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) or claim(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 OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

JOHN WILLIAM MCGREW
RR1 BOX 463

4. New Owner/Claimant(s)

GLENNS FERRY ID 83623

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

MCGREW RANCH, L.L.C.

City, State and ZIP Code

ROUTE 1, BOX 463, GLENNS FERRY, ID

New Telephone Number

208 580-2996

83623

5. Date you acquired the property

3-5-2001

6. 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 a 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 _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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 _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

John L. McFadden

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 _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

RECEIVED

JUN 15 2001

Department of Water Resources

Quitclaim Deed

For Value Received JOHN W. McGREW, a single man, Grantor, does hereby convey, release, remise and forever quit claim unto McGREW RANCH, L.L.C., Grantee, whose address is Route 1, Box 463, Glens Ferry, County of Elmore, State of Idaho, the following real property more particularly described as follows:

Township 3 South, Range 8 East, Boise
Meridian, Elmore County, Idaho

Section 16: SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 17: SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 21: N $\frac{1}{2}$ NW $\frac{1}{4}$
Section 22: SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27: N $\frac{1}{2}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$;
E $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$

TOGETHER with and including all grazing, water, mineral, ditch and other rights appurtenant thereto.

DATED this 10 day of January, 2001.


JOHN W. McGREW

RECEIVED

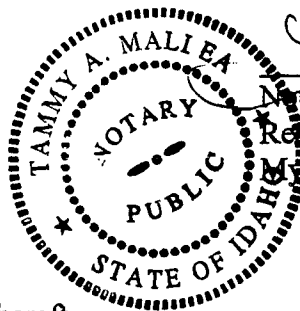
JUN 20 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO)
: ss.
County of Elmore)

On this 10th day of January, 2001, before me, a Notary Public in and for said State, personally appeared **JOHN W. McGREW**, proven to me upon satisfactory evidence to be the person who signed his name to the within and foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year herein first above written.



Tammy A. Mallick
Notary Public for Idaho
Residing at: Mountain Home
My Commission Expires: 6-18-2003

Mail to: Larry C. Ashcraft
P.O. Box 506
Mountain Home, Idaho 83647

326503

STATE OF IDAHO)
County of Elmore)

I hereby certify that this instrument was filed for record at the request of JOHN W. McGREW at 35 minutes past 10 O'clock A. m., this 23 day of January, 2001, in my office, and duly recorded in Book _____ of Deeds at page _____.

GAIL L. BEST

Ex-Officio Recorder

By

Theda M. Lyle
Deputy

Fees \$ 6.00.

Quitclaim Deed

RECEIVED
JUN 13 2001
WATER RESOURCES
WESTERN REGION

For Value Received JOHN W. McGREW, a single man, Grantor, does hereby convey, release, remise and forever quit claim unto McGREW RANCH, L.L.C., Grantee, whose address is Route 1, Box 463, Glenns Ferry, County of Elmore, State of Idaho, the following real property more particularly described as follows:

Township 1 South, Range 6 East, Boise Meridian, Elmore
County, Idaho

Section 21: N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 401-11918

Section 22: NW $\frac{1}{4}$ SW $\frac{1}{4}$ None

Township 2 South, Range 5 East, Boise Meridian, Elmore
County, Idaho

Section 12: Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) None
Lot 2 (SE $\frac{1}{4}$ NE $\frac{1}{4}$) "

Township 2 South, Range 6 East, Boise Meridian, Elmore
County, Idaho

Section 8: S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ 401-11918

Township 2 South, Range 7 East, Boise Meridian, Elmore
County, Idaho

Section 10: S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ 401-11916 11916

Section 12: N $\frac{1}{2}$ SE $\frac{1}{4}$ 11916

Section 15: N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ 11916

Township 2 South, Range 8 East, Boise Meridian, Elmore
County, Idaho

Section 7: U.S. Government Lots 2 and 3,
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 401-11917
SW $\frac{1}{4}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$

Township 1 South, Range 8 East, Boise Meridian, Elmore
County, Idaho

Section 20: SE $\frac{1}{4}$ SE $\frac{1}{4}$ None

Section 21: SW $\frac{1}{4}$ SW $\frac{1}{4}$ "

RECEIVED
JUN 13 2001
WATER RESOURCES
WESTERN REGION

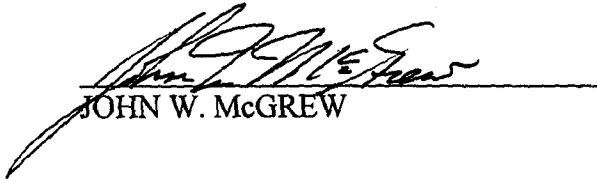
⁶¹
Section 28: All - 401-11915
Section 29: E 1/2 NE 1/4; NE 1/4 SE 1/4, S 1/2 SE 1/4 11915
Section 32: NE 1/4, N 1/2 SE 1/4 *None*
Section 33: N 1/2 NW 1/4, SE 1/4 NW 1/4 *None*

⁶³
Township 1 North, Range 10 East, Boise, Meridian Elmore
County, Idaho

Section 21: E 1/2, E 1/2 W 1/2, NW 1/4 NW 1/4 63-31029, 31070 - *Per. 63-12566*
Section 22: S 1/2 N 1/2, S 1/2 403-31031
Section 23: S 1/2 NE 1/4, E 1/2 SW 1/4, SE 1/4, S 1/2 NW 1/4, 31031, 463-31067
W 1/2 SW 1/4
Section 24: S 1/2 - 403-31030, 31065
Section 25: All - *Permit 63-12548*
Section 26: E 1/2, E 1/2 W 1/2, W 1/2 W 1/2 - *same as above*
Section 27: All *same*
Section 28: NE 1/4 NW 1/4, N 1/2 NE 1/4 *same*
Section 33: NE 1/4 NE 1/4 *same*
Section 34: All 463-31068, *Permit 63-12565*
Section 35: All *same*
Section 36: W 1/2 *same*

TOGETHER with and including all grazing, water, mineral, ditch and other rights appurtenant thereto.

DATED this 5 day of March, 2001.

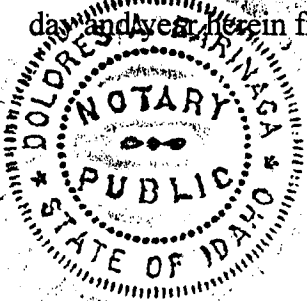

JOHN W. MCGREW

RECEIVED
JUN 13 2001
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO)
: ss.
County of Elmore)

On this 5th day of March, 2001, before me, a Notary Public in and for said State, personally appeared **JOHN W. McGREW**, proven to me upon satisfactory evidence to be the person who signed his name to the within and foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year herein first above written.



Dolores A. Bairager
Notary Public for Idaho
Residing at: Grand View
My Commission Expires: April 18, 2002

Mail to: Larry C. Ashcraft
P.O. Box 506
Mountain Home, Idaho 83647

STATE OF IDAHO) **327166**
County of Elmore)

I hereby certify that this instrument was filed for record at the request of JOHN W. McGREW at 16 minutes past 4 O'clock P.m., this 5th day of March, 2001, in my office, and duly recorded in Book _____ of Deeds at page _____.

GAIL L. BEST
Ex-Officio Recorder

By Cheda M. Lyle
Deputy

Fees \$ 9.00

BARCODE
TO SHELF
REVIEW
COMPLETE

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 63-31031

2005 JAN 12 PM 3:21
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: MC GREW RANCH LLC
15600 NE HOT CREEK RD
GLENN'S FERRY, ID 83623

SOURCE: MOORES CREEK TRIBUTARY: LIME CREEK
UNNAMED STREAM TRIBUTARY: MOORES CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/13/1911

POINT OF DIVERSION: T01N R10E S22 NWSWNE (Instream Ending Point) Within Elmore County
S23 SWSWNE (Instream Beginning Point)
NWSWSE (Instream Ending Point)
S24 SESWSE (Instream Beginning Point)
S25 NESWSW (Instream Ending Point)
SWSWNE (Instream Beginning Point)
SESENE (Instream Ending Point)
NENWSW (Instream Beginning Point)
SWSWSE (Instream Ending Point)
SWSWSE (Instream Beginning Point)

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Stockwater 01-01 TO 12-31 0.02 CFS

PLACE OF USE: Stockwater Within Elmore County
T01N R10E S22 SWNE
S23 SWNE SENW
NWSE SWSE
SESE
S24 SWSW
S25 SWNE SENE
SWNW SENW
NESW NWSW
SESW NESE
NWSE SWSE
SESE
S26 NENE NWNE
SENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).

RECEIVED

NOV 16 2004

DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase No. 63-31031

Case No. 39576

Standard Form 5

AMENDED CLAIM
FOR DOMESTIC & STOCKWATER RIGHTS

This form is used to report the stipulated elements of one "domestic and/or stockwater" right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

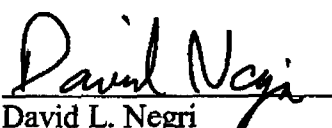
The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

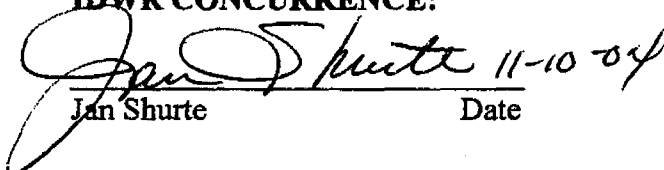
CLAIMANT:

McGrew Ranch LLC

OBJECTOR:

United States on behalf of the
USDA Forest Service
John McGrew11-3-04
Date
David L. Negri11-15-04
Date

IDWR CONCURRENCE:


Jan Shurte11-10-04
Date

ATTORNEY FOR IDWR:

Date

CERTIFICATE OF MAILING

I certify that on November 15, 2004, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copy to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase (insert names and addresses here):

McGrew Ranch LLC
C/O Charles L. Honsinger
Ringert Clark, Chtd
P.O. Box 2773
Boise, ID 83701-2773



Signature of person mailing documents

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

RIGHT NUMBER: 63-31031

NAME AND ADDRESS: MC GREW RANCH LLC
15600 NE HOT CREEK RD
GLENN'S FERRY ID 83623

SOURCE: MOORES CREEK
UNNAMED STREAM

TRIBUTARY: LIME CREEK
TRIBUTARY: MOORES CREEK

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/13/1911

POINT OF DIVERSION:

~~T01N R10E S22 NENWNE End of Stream Flow Within ELMORE County~~
T01N R10E S22 NWSWNE End of Stream Flow Within ELMORE County
 T01N R10E S22 SWSWNE Begin of Stream Flow Within ELMORE County
 T01N R10E S23 NWSWNE End of Stream Flow Within ELMORE County
 T01N R10E S23 SESWSE End of Stream Flow Within ELMORE County
 T01N R10E S24 NESWSW Begin of Stream Flow Within ELMORE County
 T01N R10E S25 SWSWNE End of Stream Flow Within ELMORE County
 T01N R10E S25 SESENE Begin of Stream Flow Within ELMORE County
 T01N R10E S25 NENWSW End of Stream Flow Within ELMORE County
 T01N R10E S25 SWSWSE Begin of Stream Flow Within ELMORE County
 T01N R10E S25 SWSWSE Begin of Stream Flow Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	1/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within ELMORE County

~~T01N R10E S22~~	~~NWNE~~		
T01N R10E S22	SWNE	T01N R10E S23	SWNE
T01N R10E S23	SENE	T01N R10E S23	NWSE
T01N R10E S23	SWSE	T01N R10E S23	SESE
T01N R10E S24	SWSW	T01N R10E S25	SWNE
T01N R10E S25	SENE	T01N R10E S25	SNNW
T01N R10E S25	SENE	T01N R10E S25	NESW
T01N R10E S25	NWSW	T01N R10E S25	SESW
T01N R10E S25	NESE	T01N R10E S25	NWSE
T01N R10E S25	SWSE	T01N R10E S25	SESE
T01N R10E S26	NENE	T01N R10E S26	NWNE
T01N R10E S26	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

STOCKWATER USE IS FOR 700 RANGE CATTLE.

Wm
JP
DN

RECEIVED

NOV 16 2004

Instrument # 360953
Elmore County, Idaho
11:28am Oct. 19, 2004
For: US FOREST SERVICE
No. of Pages: 8 Fee: \$24.00
GAIL L. BEST, Recorder
Deputy: DLE

WATER RESOURCES
WESTERN REGION

2004 OCT 14 AM 10:48

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

Names of Parties Serving Document:

UNITED STATES OF AMERICA

McGREW RANCH LLC

Attorneys' Names and Addresses:

THOMAS L. SANSONETTI
United States Department of Justice
Assistant Attorney General
Environment and Natural Resources Division

DAVID L. NEGRI (ISB #6697)
United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724
Telephone: (208) 331-5942
Facsimile: (208) 387-0842

DANIEL V. STEENSON (ISB #4332)
CHARLES L. HONSINGER (ISB #5240)
Ringert Clark Chartered
455 S. Third Street, P.O. Box 2773
Boise, ID 83701-2773
Telephone: (208) 342-4591
Facsimile: (208) 342-4657

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

) Subcase Numbers: 63-31031, 63-31459
) (Split #'s 63-31989 and 63-31990), 63-
) 31460 (Split #'s 63-31991 and 63-31992)
)
) **STIPULATION TO RESOLVE**
) **SUBCASES**
)

DESCRIPTIVE SUMMARY

This document is the Stipulation to Resolve Subcases, filed by McGrew Ranch LLC
("McGrew") and the United States of America ("United States").

STIPULATION

McGrew and the United States (Collectively "Parties") by and through their respective undersigned counsel, hereby stipulate and agree as follows as to the above captioned water right numbers.

1. WITHDRAWAL OF OBJECTIONS BY UNITED STATES. The United States agrees to dismiss with prejudice its objections to water right numbers 63-31031, 63-31459 and 63-31460. The Parties agree and stipulate that the elements of each water right listed should be decreed as described below.

2. WATER RIGHT DESCRIPTIONS. The Parties agree and stipulate that water right claim numbers 63-31031, 63-31459 and 63-31460 shall be decreed consistent with the following provision, as well as all remaining provisions in this Stipulation:

Claim number 63-31031. The point of diversion and place of use in the NWNE of Section 22, T1N, R10E shall be deleted from the water right description. The resulting water right is wholly on private land and should be decreed to McGrew.

Claim numbers 63-31459 and 63-31460. These water rights shall be split between McGrew and the United States. Claim number 63-31459 shall be split and renumbered as 63-31989 to McGrew and 63-31990 to the United States. Claim number 63-31460 shall be split and renumbered as 63-31991 to McGrew and 63-31992 to the United States. As a result of the splits, 63-31459 and 63-31460 should be disallowed.

Purpose and Place of Use of Water Rights. The Parties agree that the purpose of use of water right numbers 63-31989, 63-31990, 63-31991 and 63-31992 is only for the

watering of livestock lawfully within a permitted federal grazing allotment and that the number of livestock within the allotment shall not exceed the amount authorized by a federal grazing permit. The Parties further agree that the place of use of water right numbers 63-31989, 63-31990, 63-31991 and 63-31992 shall remain *in situ*.

3. CONFORMING DOCUMENTS. The Parties agree that they will execute and file any necessary documents with the SRBA Court and IDWR to conform the elements of water right claim numbers 63-31031, 63-31989, 63-31990, 63-31991 and 63-31992 to the provisions described in this Stipulation.

4. GRAZING PERMITS AND MANAGEMENT OF FEDERAL LANDS. The Parties agree that water right numbers 63-31989, 63-31990, 63-31991 and 63-31992 shall not alter the rights of a permittee under a valid grazing permit nor impede the authority of the United States to manage federal lands.

5. UNITED STATES' PERMITTING ACTION. McGrew agrees that the imposition of terms and conditions by any federal authority on any grazing permit, or any action by any federal authority to limit, modify, revoke, or terminate any grazing permit, and any consequent limitation or elimination of the ability of McGrew or any successor thereto to divert, store, or use water, shall not be construed to be a taking, in whole or in part, of any water right.

6. NO FURTHER CLAIMS. McGrew agrees that they will not file additional claims in the SRBA for water rights where the place of use or point of diversion is located on federal lands and the United States agrees that it will not file additional claims in the SRBA for water rights where the place of use or point of diversion is located on federal lands underlying the federal Grazing Allotments on which McGrew is the grazing permittee, except by agreement between the

United States and McGrew. This paragraph shall not affect or apply to any claims already filed in the SRBA by any Party as of the effective date of this Stipulation.

7. ISSUANCE OF PARTIAL AND FINAL DECREES BY THE COURT. If for any reason the Court does not issue partial and final decrees for any of water rights numbers 63-31031, 63-31989, 63-31990, 63-31991 and 63-31992 pursuant to the terms of this Stipulation, this Stipulation is null and void and shall have no effect, and the Parties shall proceed with a determination of their water rights and/or objections under applicable law.

8. STIPULATION NOT TO BE USED AGAINST THE PARTIES. The Parties agree that this Stipulation has been entered into based upon good faith negotiations for the purpose of resolving legal disputes, including pending litigation, by compromise and settlement and that nothing in this Stipulation, or any offers or compromises made in the course of negotiating this Stipulation, shall be construed as admissions against interest or tendered or used as evidence to show the validity or invalidity of any water right claims made by the Parties, or as an admission or concession of wrongdoing or liability, or shall be used in any manner by any party in the SRBA in any future proceedings in the SRBA, in any appellate proceedings concerning the SRBA, or in any other proceeding, other than those seeking approval of this Stipulation by the SRBA Court, for interpretation or enforcement of this Stipulation, or for a purpose contemplated by Idaho Rule of Evidence 408.

9. RESERVATIONS. The Parties agree that this Stipulation has been entered into based upon good faith negotiations for the purpose of resolving legal disputes, including pending litigation, by compromise and settlement and that nothing herein shall be construed as precedent in any other proceeding or context. Nothing in this Stipulation shall be construed to deprive any

federal official of authority to revise, amend, or promulgate regulations. Nothing in this Stipulation shall be construed to commit any federal official to expend funds not appropriated by Congress.

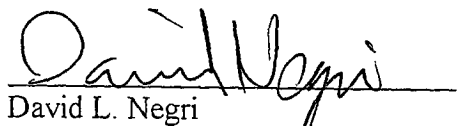
10. VOLUNTARY EXECUTION. This Stipulation was entered into and executed voluntarily by the Parties in good faith, and without any fraud, misunderstanding, overreaching, misrepresentation, duress, or undue influence.

11. BINDING EFFECT. This Stipulation shall be binding on any and all successors, assigns, heirs, executors, and administrators of each of the Parties.

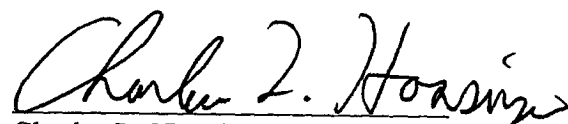
12. COSTS AND ATTORNEY FEES. Each Party shall bear their own costs and attorney fees.

13. EFFECTIVE DATE. This Stipulation shall become effective upon execution by all of the Parties.

DATED this 13th day of October, 2004.


David L. Negri
United States Department of Justice

Attorney for the United States of America

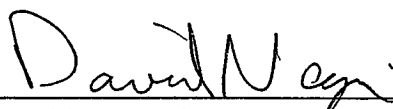

Charles L. Honsinger
Ringert Clark Chartered

Attorney for McGrew Ranch LLC

State of Idaho)
) ss.
County of Ada)

DAVID L. NEGRI, duly sworn, upon oath, deposes and says:

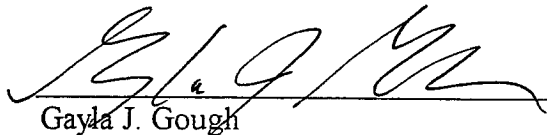
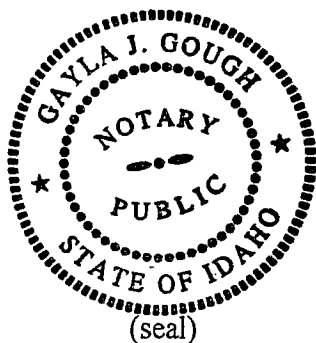
That I am the party filing this Stipulation, and/or that I am the attorney for the party, and that I have read this Stipulation, know its contents and believe that the statements are true to the best of my knowledge.



David L. Negri
United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724
(208) 331-5943

Counsel for the United States of America

Subscribed and sworn before me on: Oct 13, 2004



Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission expires: 11-17-2004

State of Idaho)
) ss.
County of Ada)

CHARLES L. HONSINGER [and/or McGrew Ranch], duly sworn, upon oath, deposes and says:

That I am the party filing this Stipulation, and/or that I am the attorney for the party, and that I have read this Stipulation, know its contents and believe that the statements are true to the best of my knowledge.

Dated 10/11/04

Charles L. Honsinger

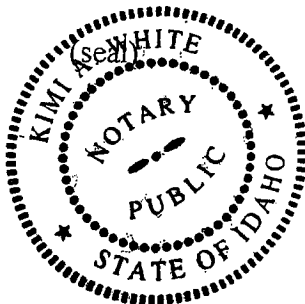
Charles L. Honsinger
Ringert Clark Chartered
455 S. Third Street, P.O. Box 2773
Boise, ID 83701-2773
(208) 342-4591

Subscribed and sworn before me on: October 11, 2004

Kimi A. White

(name of notary)

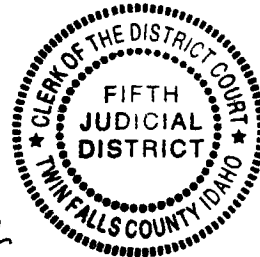
Notary Public for: Idaho
Residing at: Boise Idaho
Commission expires: 04/04/10



State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full, true and correct copy of the original on file in the above entitled action.

KRISTINA GLASCOCK
CLERK OF THE DISTRICT
COURT

By Julie Murphy
Deputy Clerk



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13 day of October, 2004, I served a true and correct copy of the foregoing **STIPULATION AND JOINT MOTION FOR ORDER APPROVING STIPULATION**, by depositing a copy thereof in the U.S. mail, postage prepaid, or by other service where indicated, upon the following:

Original to:

Clerk of the Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

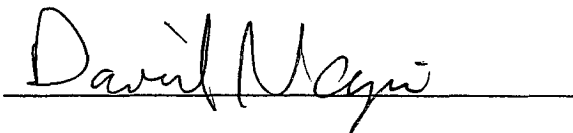
Copies to:

U.S. Department of Justice
General Litigation Section
Environment and Natural Resource Division State of Idaho
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Charles L. Honsinger
Ringert Clark Chartered
455 S. Third Street, P.O. Box 2773
Boise, ID 83701-2773

A handwritten signature in black ink, appearing to read "David Negri", is written over a horizontal line.

David Negri

Harris, Lori

From: Steven M Spencer [sspencer@fs.fed.us]
Sent: Tuesday, October 19, 2004 2:33 PM
To: lharris@idwr.state.id.us
Cc: bharvey@idwr.state.id.us; david.negri@usdoj.gov; Jamie Gough; jshurte@idwr.state.id.us
Subject: McGrew



McGrew 63-31989
split.doc



USFS 63-31990
split.doc



McGrew 63-31991
split.doc



USFS 63-31992
split.doc

I recorded the Settlement Stipulation in Mountain Home this morning. As we had previously finished up the water right descriptions for the "split" water rights there was a blank for the date and a blank for the instrument number the needed to be filled in on them. The information for each water right is the same. The date of recording is October 19, 2004 and the instrument number is 360953. The descriptions as I received them the last time from the Department are attached. I've also filled in the two blanks.

We've been sharing information with Charlie Honsinger. The last information we received is that McGrew Ranch LLC's address has been changed by the Post Office from the old rural route to a rural street address that is more conducive for local fire, ambulance and law enforcement locating. I remember this happening throughout Lost River when I was in Mackay. The old address of Rt 1, Box 463 needs to be changed to 15600 NE Hot Creek Road, if it is at all possible at this stage. I did not make this address change on the attachments for 63-31989 and 63-31991 because that would be your decision. If you determine to allow this address change, then the water right description for 63-31031 should also be changed accordingly.

When you get this information entered into your computer system for each water right description, would you please e-mail them back to me? Then I'll print them so they can be included with the individual SF5's and begin circulating final documents for signature and filing with the court. Thank you. If you have any questions about this matter please contact me.

(See attached file: McGrew 63-31989 split.doc) (See attached file: USFS 63-31990 split.doc) (See attached file: McGrew 63-31991 split.doc) (See attached file: USFS 63-31992 split.doc)

Steve Spencer
Boise Adjudication Team
161 E. Mallard, Suite A
Boise, ID 83706

(208) 331-5944
(208) 387-0842 FAX
e-mail: sspencer@fs.fed.us

Draft

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase No. <u>63-31031</u>
	)	
Case No. 39576	)	Standard Form 5
	)	
	)	AMENDED CLAIM
	)	FOR DOMESTIC & STOCKWATER RIGHTS
	)	

This form is used to report the stipulated elements of one "domestic and/or stockwater" right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

McGrew Ranch LLC

OBJECTOR:

United States on behalf of the
USDA Forest Service

Date

David L. Negri Date

IDWR CONCURRENCE:

ATTORNEY FOR IDWR:

Jan Shurte Date

Date

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on October __, 2004, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copy to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase (insert names and addresses here):

McGrew Ranch LLC
C/O Charles L. Honsinger
Ringert Clark, Chtd
P.O. Box 2773
Boise, ID 83701-2773

Signature of person mailing documents

CERTIFICATE OF MAILING

I certify that on October ____, 2004, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copy to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase (insert names and addresses here):

Charles L. Honsinger
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701-2773

David L. Negri

Draft

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 63-31031

Name and Address: MC GREW RANCH LLC
RT 1 BOX 463
GLENNS FERRY, ID 83623

Source: MOORES CREEK Tributary: LIME CREEK
UNNAMED STREAM Tributary: MOORES CREEK

Quantity: .02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Priority Date: 06-13-1911

Diversion Point: T01N R10E S22 ~~NENWNE~~ (Instream EndingElmore
NWSWNE (Instream EndingElmore
SWSWNE (Instream BeginnElmore
S23 NWSWNE (Instream EndingElmore
SESWSE (Instream EndingElmore
S24 NESWSW (Instream BeginnElmore
S25 SWSWNE (Instream EndingElmore
SESENE (Instream BeginnElmore
NENWSW (Instream EndingElmore
SWSWSE (Instream BeginnElmore
SWSESE (Instream BeginnElmore

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	01-01 TO 12-31	.02 CFS

Place of Use:	Stockwater	Within Elmore County
T01N R10E S22	~~NWNE~~	SWNE
S23	SWNE	SENW
	NWSE	SWSE
	SESE	
S24	SWSW	
S25	SWNE	SENE
	SWNW	SENW
	NESW	NWSW
	SESW	NESE
	NWSE	SWSE
	SESE	
S26	NENE	NWNE
	SENE	

Other Provisions Necessary for Definition / Administration of this Water Right:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A

C18 needed

DETERMINATION OF HISTORICAL BENEFICIAL USE.

Explanatory Material: Basis of Claim - Beneficial Use

STOCKWATER USE IS FOR 700 RANGE CATTLE.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 63-31031

Name and Address: MC GREW RANCH LLC
RT 1 BOX 463
GLENN'S FERRY, ID 83623

Source: MOORES CREEK Tributary: LIME CREEK
UNNAMED STREAM Tributary: MOORES CREEK

Quantity: .02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

Priority Date: 06-13-1911

Diversion Point:	T01N R10E S22	~~NENWNE~~	~~(Instream EndingElmore~~
		~~NWSWNE~~	~~(Instream EndingElmore~~
		SWSWNE	(Instream BeginnElmore
	S23	NWSENW	(Instream EndingElmore
		SESWSE	(Instream EndingElmore
	S24	NESWSW	(Instream BeginnElmore
	S25	SWSWNE	(Instream EndingElmore
		SESENE	(Instream BeginnElmore
		NENWSW	(Instream EndingElmore
		SWSWSE	(Instream BeginnElmore
		SWSESE	(Instream BeginnElmore

Purpose and

Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	01-01 TO 12-31	.02 CFS

Place of Use:	Stockwater	Within Elmore County	
	T01N R10E S22	NWNE	SWNE
	S23	SWNE	SENE
		NWSE	SWSE
		SESE	
	S24	SWSW	
	S25	SWNE	SENE
		SWNW	SENE
		NESW	NWSW
		SESW	NESE
		NWSE	SWSE
		SESE	
	S26	NENE	NWNE
		SENE	

Other Provisions Necessary for Definition / Administration of this
Water Right:

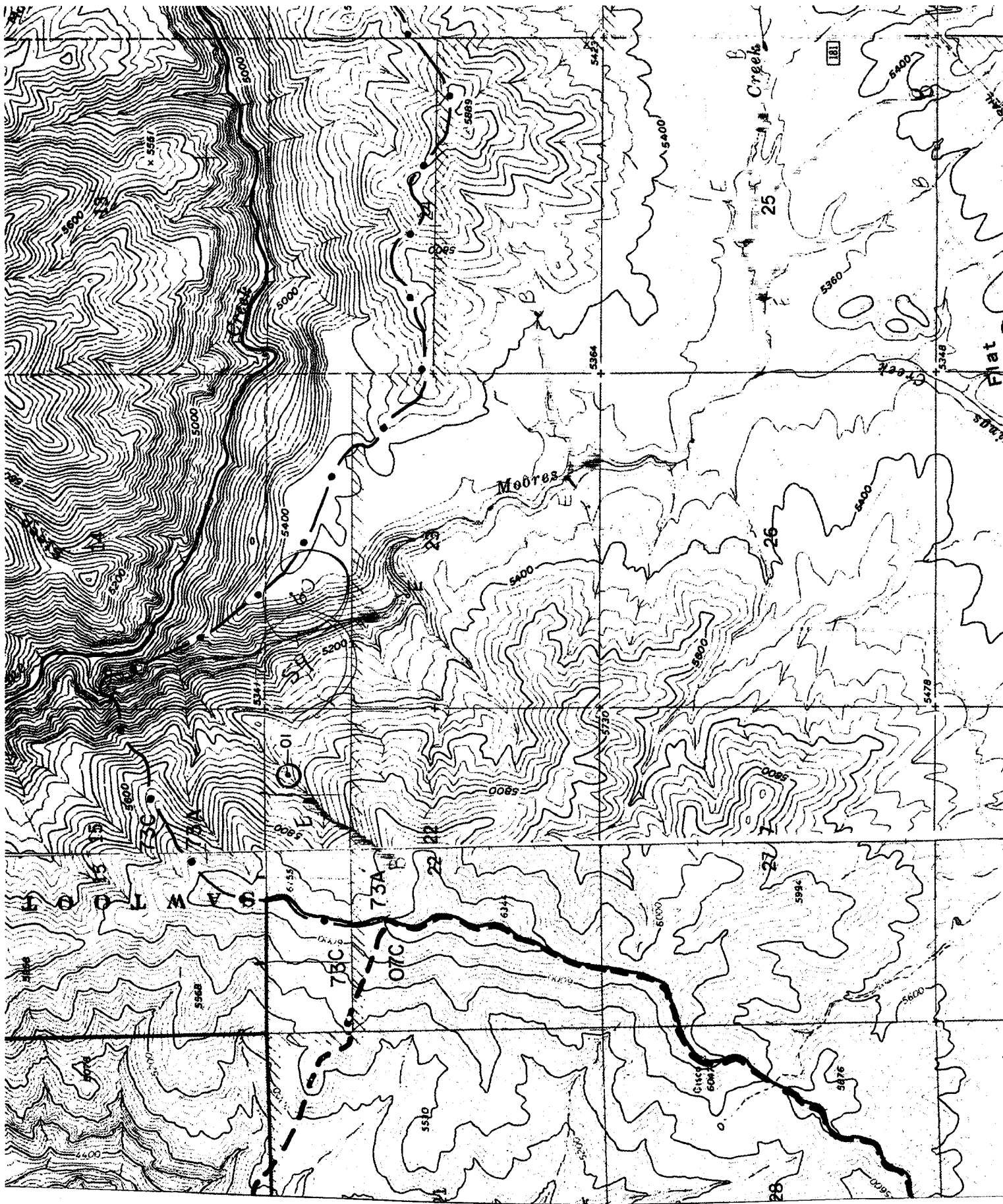
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A

018

DETERMINATION OF HISTORICAL BENEFICIAL USE.

Explanatory Material: Basis of Claim - Beneficial Use

STOCKWATER USE IS FOR 700 RANGE CATTLE.



RECEIVED

JAN 31 2003

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase: _63-31031 _

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service

Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724

Daytime Phone: (208) 331-5943

Name and Address of Attorney, if any:

David L. Negri
550 West Fort Street
MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN THE DIRECTOR'S REPORT

Name: McGrew Ranch LLC

Address: Rt 1 Box 463
Glenns Ferry, ID 83623

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☒ **Point(s) of Diversion**
Should be: See E below.
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Places of Use**
Should be: See E below.

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

One point of diversion and place of use recommended in the Directors Report, the NENWE and NWE of Section 22, T1N, R10E respectively, is on National Forest System (NFS) land.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

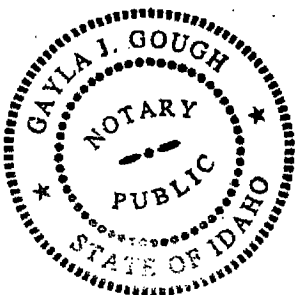
Steven M. Spencer , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Steven M. Spencer
(Signature of person filing objections)

Daniel Meyer
(Attorney signing in representative capacity)

Subscribed and sworn before me on: January 30, 2003



Gayla J. Gough
Gayla J. Gough

Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission Expires: 11/17/2004

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 1/30/03, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

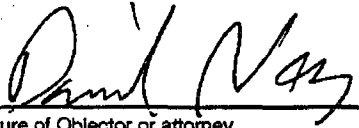
Name: McGrew Ranch LLC
Address: Rt 1 Box 463
Glenns Ferry, ID 83623

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource
Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

02/28/2002

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 5, 2002

Water right number: 63-31031

MC GREW RANCH LLC

RT 1, BOX 463

GLENN'S FERRY ID 83623

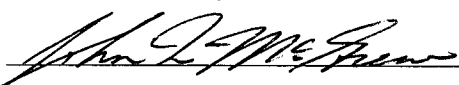
1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

1 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3-28-02

SIGNATURE: 

Please print your name: John W McGrew

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

02/20/2002

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

RIGHT NUMBER: 63-31031
NAME AND ADDRESS: MC GREW RANCH LLC
RT 1, BOX 463
GLENN'S FERRY ID 83623
SOURCE: MOORES CREEK
UNNAMED STREAM
TRIBUTARY: LIME CREEK
TRIBUTARY: MOORES CREEK
QUANTITY: 0.02 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.
PRIORITY DATE: 06/13/1911
POINT OF DIVERSION:

T01N R10E S22 NENWNE End of Stream Flow Within ELMORE County
T01N R10E S22 SWSWNE Begin of Stream Flow Within ELMORE County
T01N R10E S23 NWSNW End of Stream Flow Within ELMORE County
T01N R10E S23 SESWSE End of Stream Flow Within ELMORE County
T01N R10E S24 NESWSW Begin of Stream Flow Within ELMORE County
T01N R10E S25 SWSWNE End of Stream Flow Within ELMORE County
T01N R10E S25 SESENE Begin of Stream Flow Within ELMORE County
T01N R10E S25 NENWSW End of Stream Flow Within ELMORE County
T01N R10E S25 SWSWSE Begin of Stream Flow Within ELMORE County
T01N R10E S25 SWSWSE Begin of Stream Flow Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	1/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within ELMORE County

T01N R10E S22	NWNE	T01N R10E S22	SWNE
T01N R10E S23	SWNE	T01N R10E S23	SENW
T01N R10E S23	NWSE	T01N R10E S23	SWSE
T01N R10E S23	SESE	T01N R10E S24	SWSW
T01N R10E S25	SWNE	T01N R10E S25	SENE
T01N R10E S25	SWNW	T01N R10E S25	SENW
T01N R10E S25	NESW	T01N R10E S25	NWSW
T01N R10E S25	SESW	T01N R10E S25	NESE
T01N R10E S25	NWSE	T01N R10E S25	SWSE
T01N R10E S25	SESE	T01N R10E S26	NENE
T01N R10E S26	NWNE	T01N R10E S26	SENE

WFFS land

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

STOCKWATER USE IS FOR 700 RANGE CATTLE.

AJ5809NP
No. A63-31031

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/01
PAGE: 67

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN MC GREW ROUTE 1, BOX 463 GLENN'S FERRY ID 83623 (208) 587-1125	06/13/1911	STOCKWATER	01-01 12-31	0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	

Water Source: UNNAMED STREAMS
MOORES CREEK

Tributary to: MOORES CREEK
LIME CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T01N R10E S22 S24 S25
Point(s) of Ending Stream Reach: T01N R10E S22 S23 S25

SWSWNE U.S.
NESWSW U.S.
SESENE - more SWSWSE U.S. SWSSESE U.S.
NENWNE U.S.
NWSSENW U.S. SESWSE U.S.
SWSWNE U.S. NENWSW U.S.

ELMORE County
ELMORE County
ELMORE County
ELMORE County
ELMORE County
ELMORE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
01N	10E	22	:			S														:
01N	10E	23	:			S														:
01N	10E	24	:			S														:
01N	10E	25	:			S														:
01N	10E	26	:			S														:

POU County: ELMORE

Non-Irrigation Uses: STOCKWATER, 700 RANGE CATTLE

Other Rights: NONE

Remarks: GEN SEE MAP IN A63-31030

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 21, 2001

MC GREW RANCH LLC
RT 1 BOX 463
GLENN'S FERRY ID 83623

Re: Notice of Claim to a Water Right No. 63-31029, 63-31030, 63-31031, 63-31065, 63-31067,
63-31068, 63-31070

Dear Claimant(s):

Enclosed are copies of the above referenced claims, which reflect the necessary name change for the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB:db

Enclosure