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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

A. Subcase 32-00101

(Insert water right number)

Case No. 39576

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 Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; Paul F. Holleman, 202 305-0494

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

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

Name: Reno Ditch Company, Inc.

Address: P.O. Box 5, Rexburg, ID. 83440

Name:

Address: ,

Name:

Address: ,

Name:

Address: ,

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: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached

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):**

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

Fredric W. Price, Water Rights Specialist, 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.

Fredric W. Price
(Signature of person filing objection)

Larry C. Brown
(Attorney signing in representative capacity)

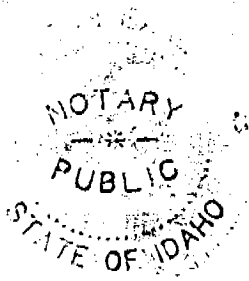
Subscribed and sworn to before me on: December 16, 1999

Jean Earl
Jean Earl

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 08-01-2002



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 December 17, 1999, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

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

Name: Reno Ditch Company, Inc.
Address: P.O. Box 5, Rexburg, ID. 83440

Name:
Address: ,

Name:
Address: ,

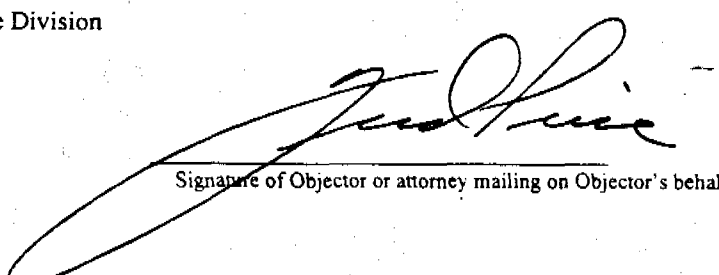
Name:
Address: ,

3. Copies to:

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

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

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


Signature of Objector or attorney mailing on Objector's behalf

 RIGHTS FROM: SOURCE: BIRCH CREEK TRIBUTARY: SINKS

 RIGHT NUMBER: 32-00101

NAME & ADDRESS: RENO DITCH COMPANY INC
 PO BOX 5
 REXBURG ID 83440

SOURCE: BIRCH CREEK TRIBUTARY: SINKS

QUANTITY: 2.9 CFS
 560.0 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
 TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL
 COMBINED ANNUAL DIVERSION VOLUME OF 11,579.2 AF. RIGHTS OF THE
 RENO DITCH COMPANY: 32-00058, 32-00059, 32-00060, 32-00061C,
 32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066,
 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074,
 32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080,
 32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A,
 32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043 &
 32-02045.

PRIORITY DATE: 06/04/1909

POINT OF DIVERSION: T09N R30E S34 SESESW Within CLARK County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE IRRIGATION	PERIOD OF USE 04-01 11-01	QUANTITY 2.9 CFS 560.0 AFY
-------------------------------	------------------------------	------------------------------	----------------------------------

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160.0 ACRES WITHIN
 THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS OF THE RENO DITCH COMPANY
 LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
 3,427 ACRES IN A SINGLE IRRIGATION SEASON.

PLACE OF USE WITHIN THE BOUNDARY OF THE RENO DITCH COMPANY.
 TOTAL IRRIGATED ACRES: 5,798.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

Issues:

Point of diversion on BLM

A review of the Idaho Department of Water Resources shape files
 for this claim indicates that the following places of use reside on
 public land administered by the Bureau of Land Management:

T.8N, R.31E, S.12 NESE
 T. 8N, R. 32E, S.02 SWSW
 T.8N, R.32E, S.10 SENE

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(Signature of person filing objection)

Larry C. Brown
(Attorney signing in representative capacity)

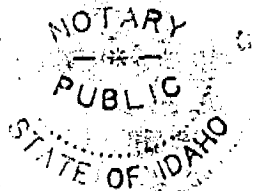
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Jean Earl

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 08-01-2002



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Name:

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Name:

Address: ,

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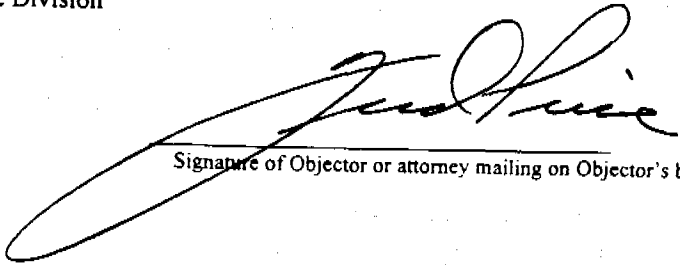
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United States Department of Justice
Environment and Natural Resource Division
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Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney mailing on Objector's behalf

RIGHTS FROM: SOURCE: BIRCH CREEK TRIBUTARY: SINKS

RIGHT NUMBER: 32-00101

NAME & ADDRESS: RENO DITCH COMPANY INC
PO BOX 5
REXBURG ID 83440

SOURCE: BIRCH CREEK

TRIBUTARY: SINKS

QUANTITY: 2.9 CFS
560.0 AFY

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PRIORITY DATE: 06/04/1909

POINT OF DIVERSION: T09N R30E S34

SESESW

Within CLARK County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 11-01

QUANTITY
2.9 CFS
560.0 AFY

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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Issues:

Point of diversion on BLM

A review of the Idaho Department of Water Resources shape files for this claim indicates that the following places of use reside on public land administered by the Bureau of Land Management:

T.8N, R.31E, S.12 NESE
T. 8N, R. 32E, S.02 SWSW
T.8N, R.32E, S.10 SENE

Easter

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5450

WATER RIGHT NO(S). 32-00058/32-00059/32-00060/32-00061C/32-00061D
32-00062/32-00063/32-00064/32-00065/32-00066/32-00068/32-00069
32-00070A/32-00070B/32-00073/32-00074/32-00075/32-00076/32-00077
32-00078/32-00079/32-00080/32-00083/32-00085/32-00086/32-00087
32-00089/32-00090A/32-00091/32-00092/32-00093/32-00101/32-00102
32-02043 & 32-02045

This is to certify that: **RENO DITCH COMPANY**
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

The requested changes have been reviewed in accordance with the provisions of Section 42-222, Idaho Code, and are hereby approved as hereafter set forth. The rights shall be used as herein described in accordance with the conditions of approval and applicable laws and rules.

	<u>PRIORITY</u>	<u>DIVERSION RATE</u>	<u>ACRES</u>	<u>ANNUAL VOLUME</u>
Right No. 32-00058 :	04/01/1910	1.00 CFS	67.0	234.5 AF
Right No. 32-00059 :	05/10/1884	6.40 CFS	320.0	1120.0 AF
Right No. 32-00060 :	05/10/1883	3.20 CFS	320.0	1120.0 AF
Right No. 32-00080 :	05/10/1886	3.20 CFS	320.0	1120.0 AF
Right No. 32-00061C :	05/10/1888	0.40 CFS	20.0	70.0 AF
Right No. 32-00068 :	05/10/1887	3.20 CFS	160.0	560.0 AF
Right No. 32-00069 :	05/10/1888	3.20 CFS	160.0	560.0 AF
Right No. 32-00073 :	05/15/1909	0.20 CFS	160.0	84.9 AF
Right No. 32-00077 :	05/15/1910	0.20 CFS	160.0	84.9 AF
Right No. 32-00078 :	05/15/1911	0.20 CFS	160.0	84.9 AF
Right No. 32-00079 :	05/15/1913	0.80 CFS	160.0	339.6 AF
Right No. 32-00085 :	05/10/1910	0.20 CFS	120.0	84.9 AF
Right No. 32-00086 :	05/01/1911	0.20 CFS	120.0	84.9 AF
Right No. 32-00087 :	05/01/1912	0.20 CFS	120.0	84.9 AF

TRANSFER NO. 5450

Right No. 32-00089	:	05/10/1888	2.50 CFS	160.0	560.0 AF
Right No. 32-00090A	:	05/10/1886	0.80 CFS	80.0	280.0 AF
Right No. 32-00091	:	05/01/1901	0.50 CFS	240.0	212.2 AF
Right No. 32-00092	:	05/10/1888	2.50 CFS	240.0	840.0 AF
Right No. 32-00093		05/10/1886	1.60 CFS	240.0	679.2 AF
Right No. 32-00102	:	05/10/1889	4.00 CFS	120.0	420.0 AF
Right No. 32-00061D	:	05/10/1888	2.80 CFS	140.0	490.0 AF
Right No. 32-00070A	:	08/19/1886	2.40 CFS	120.0	420.0 AF
Right No. 32-02043	:	09/19/1912	6.40 CFS	320.0	1120.0 AF
Right No. 32-00062	:	04/01/1904	3.20 CFS	160.0	560.0 AF
Right No. 32-00070B	:	09/19/1886	0.80 CFS	40.0	140.0 AF
Right No. 32-02045	:	11/16/1912	6.40 CFS	320.0	1120.0 AF
Right No. 32-00063	:	04/01/1904	3.20 CFS	159.2	557.2 AF
Right No. 32-00065	:	05/10/1884	3.20 CFS	160.0	560.0 AF
Right No. 32-00064	:	04/01/1907	3.20 CFS	160.0	560.0 AF
Right No. 32-00066	:	01/05/1910	6.40 CFS	320.0	1120.0 AF
Right No. 32-00074	:	10/01/1910	0.14 CFS	160.0	59.4 AF
Right No. 32-00075	:	05/15/1911	0.26 CFS	160.0	110.4 AF
Right No. 32-00076	:	05/15/1912	0.80 CFS	160.0	339.6 AF
Right No. 32-00083	:	05/15/1912	0.46 CFS	160.0	195.3 AF
Right No. 32-00101	:	06/04/1909	2.90 CFS	160.0	560.0 AF
TOTALS:			* 77.06 CFS	* 3427.0	* 11579.2 AF

BENEFICIAL USE
IRRIGATION

PERIOD OF USE
04/01 to 11/01

SOURCE
BIRCH CREEK

TRIBUTARY OF
SINKS

TRANSFER NO. 5450

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 34, Township 09N, Range 30E
CLARK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N	31E	12	SESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		200
		13	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	NESE 40	NWSE 40	480
		14	NENE 40	SENE 40		80
32E	1	Lot 1 (NENE)	34	Lot 2 (NWNE)	34	
			SENE 40	Lot 3 (NENW)	34	
			SWNW 40	SENW 40	Lot 4 (NWNW)	20
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			602
		2	Lot 1 (NENE)	2	SWNE 3	SENE 30
			NESW 3	SWSW 3	SESW 30	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			231
		10	SENE 15	NESW 40	Lot 3 (NWSW)	41
			Lot 4 (SWSW)	42	SESW 40	
			NWSE 40	SWSE 40	SESE 40	338
		11	NENE 40	NWNE 40	SENE 40	
			NENW 40	NWNW 20	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40		420
		12	NWNE 40	NENW 40	NWNW 40	
			SWNW 40			160
		14	NENW 40	NWNW 40		80
		15	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	Lot 1 (NWNW)	42
			Lot 2 (SWNW)	42	SENW 40	
33E	5	Lot 3 (NENW)	34	Lot 4 (NWNW)	34	
			SENW 40	NWSW 40	SWNW 40	
					SWSW 40	228
		6	Lot 1 (NENE)	34	SWNE 40	
			SENE 40	Lot 2 (NWNE)	34	
			Lot 5 (SWNW)	20	Lot 3 (NENW)	34
			Lot 6 (NWSW)	20	Lot 4 (NWNW)	17
			NESE 40	SENW 40	NESW 40	
			SESE 40	Lot 7 (SWSW)	20	
				NWSE 40	SWSE 40	
						539
		7	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	360
		8	NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40		320

TRANSFER NO. 5450

09N 31E 31	NESW 40	Lot 3 (NWSW) 40	Lot 4 (SWSW) 40	
	SESW 40	NESE 40	NWSE 40	
	SWSE 40	SESE 40		320
32	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NENW 40	NWNW 40	
	SWNW 40	SENE 40	NESW 40	
	NWSW 40	SWSW 40	SESW 40	480
32E 36	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NENW 40	NWNW 40	
	SWNW 40	SENE 40	NESW 40	
	NWSW 40	Lot 4 (SWSW) 35	Lot 3 (SESW) 41	
	NESE 40	NWSE 40	Lot 2 (SWSE) 40	
	Lot 1 (SESE) 40			636
				* 5798

Permissible Place of Use Acres:

* 5798

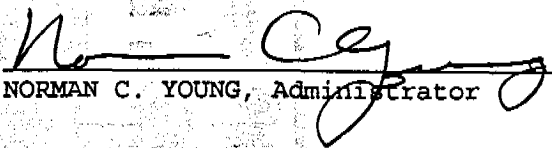
CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 32D.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Rights 32-00060 and 32-00080 when combined shall not exceed the total annual diversion volume of 1120.0 af and the irrigation of 320.0 acres.
8. Rights 32-00073, 32-00077, 32-00078 and 32-00079 when combined shall not exceed the total annual diversion volume of 560.0 af and the irrigation of 160.0 acres.
9. Rights 32-00085, 32-00086 and 32-00087 when combined shall not exceed the irrigation of 120.0 acres.
10. Rights 32-00089 and 32-00090A when combined shall not exceed the total annual diversion volume of 560.0 af and the irrigation of 160.0 acres.
11. Rights 32-00091, 32-00092 and 32-00093 when combined shall not exceed the total annual diversion volume of 840.0 af and the irrigation of 240.0 acres

TRANSFER NO. 5450

12. Rights 32-00061C, 32-00068, 32-00069, 32-00073, 32-00077, 32-00078, 32-00079, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00091, 32-00092, 32-00093 and 32-00102 when combined shall not exceed the total annual diversion volume of 3360.0 af and the irrigation of 960.0 acres.
13. Rights 32-00061D, 32-00070A and 32-02043 when combined shall not exceed the total annual diversion volume of 1120.0 af and the irrigation of 320.0 acres.
14. Rights 32-00062, 32-00070B and 32-02045 when combined shall not exceed the total annual diversion volume of 1120.0 af and the irrigation of 320.0 acres.
15. Rights 32-00063 and 32-00065 when combined shall not exceed the total annual diversion volume of 560.0 af and the irrigation of 160.0 acres.
16. Rights 32-00074, 32-00075, 32-00076 when combined shall not exceed the irrigation of 160.0 acres.
- * 17. All rights under Transfer 5450 when combined shall not exceed a total diversion rate of 77.06 cfs, a total annual maximum diversion volume of 11,579.2 af at the field headgates, and the irrigation of 3,427.0 acres in the place of use described above in a single irrigation season.
18. Approval of Transfer 5450 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 23RD day of July, 1999.


NORMAN C. YOUNG, Administrator

MEMORANDUM

TO: Files 32-00058/00059/00060/00061C/00061D/00062/00063/00064/00065/00066/
00068/00069/00070A/00070B/00073/00074/00075/00076/00077/00078/
00079/00080/00083/00085/00086/00087/00089/00090A/00091/00092/
00093/00101/00102/02043 & 02045.

FROM: Pam Skaggs^{JS}/State Office

SUBJECT: Transfer 5450

DATE: June 29, 1999

Transfer 5450 combines the above referenced rights from Birch Creek and creates a 5798-acre permissible place of use for the newly formed Reno Ditch Company. The rights will have a common diversion point and water will be distributed to shareholders within the service area. This transfer resolves previous disputes among the water users.

Region water right and adjudication staff reviewed these rights and provided initial recommendations. Review of the rights as originally decreed and licensed provided further detail to each right. The total combined use under these rights is limited to a diversion rate of 77.06 cfs, a total annual diversion volume of 11,579.2 af, and the irrigation of 3,427 total acres each season within in the permissible place of use.

Season of use was identified as 04-01 to 11-01 under these rights to be consistent with previous transfers. Recommended conditions include watermaster control, measuring device and lockable controlling works, irrigation overlap, permissible place of use limits, combined right limits, and standard transfer conditions.

RECEIVED

JUN 18 1999

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

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 32-00060B, 32-00059B, 32-00080B, 32-00070B, 32-00062, 32-02045, 32-00060A, 32-00059A, 32-00065, 32-00080A, 32-00070A, 32-00061D, 32-00063, 32-00064, 32-00058, 32-00066A&B, 32-00074, 32-00076, 32-00083, 32-02043, 32-00090A, 32-00093, 32-00068, 32-00061C, 32-00069, 32-00089, 32-00092, 32-00102, 32-00091, 32-00073, 32-00101, 32-00085, 32-00077, 32-00086, 32-00078, 32-00087, 32-00079, and 32-00075

Adjudication Claim Number(s) _____

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question. WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county).

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) L2 Limited Partnership, Lewis Newman, General Partner, and L3 Limited Partnership, Lane Newman, General Partner; D&D Enterprises, Inc.; and Birch Creek Ranches, L.L.C.

2941 North 800 East, Montevue, ID 83435; P.O. Box 5, Rexburg, Idaho 83440; and 5203 South 11th East, Idaho Falls, ID 83404

4. New Owner/Claimant(s) The Reno Ditch Company, Inc.

Name connector (check one): ☐ AND ☐ OR, ☐ AND/OR

New Mailing Address: P.O. Box 5,

City, State and ZIP Code: Rexburg, Idaho 83440

New Telephone Number: (208)

5. Date you acquired the property _____

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

Cubic Feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Jim D. McDonald, Secretary Date 6/15/99

(Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attached a Notice of Appearance completed by your attorney.

COPY

QUITCLAIM DEED
FOR
WATER RIGHTS

Microfilm No. 048238
30 Day March 19 99
 At 1:40 O'Clock PM
CONNIE OWEN
 Clark Co. Recorder
 Fee \$ 9.00
Marcia Belcher Deputy
 Recorded at Request of
H, K, H & Chap

THIS INDENTURE is made this 10 day of March, 1999, between Birch Creek Ranches, L.L.C., referred to herein as the "GRANTOR" and Reno Ditch Company, Inc., whose principle place of business is in Clark County, Idaho and whose mailing address is P.O. Box 5, Rexburg, Idaho 83440, herein referred to as the "GRANTEE",

WITNESSETH, that the GRANTOR, for an in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the GRANTEE, and to GRANTEE's successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all of the following described water rights or portions thereof used on lands in the Counties of Clark and Jefferson, State of Idaho, to-wit:

RIGHT NO.	PRIORITY	AMOUNT	NATURE OF USE	PERIOD OF USE
32-00090A	10 May, 1886	0.80	Irrigation	04/01 to 11/01
32-00093	10 May, 1886	1.60	Irrigation	04/01 to 11/01
32-00068	10 May, 1887	3.20	Irrigation	04/01 to 11/01
32-00061C	10 May, 1888	0.40	Irrigation	04/01 to 11/01
32-00069	10 May, 1888	3.20	Irrigation	04/01 to 11/01
32-00089	10 May, 1888	2.50	Irrigation	04/01 to 11/01
32-00092	10 May, 1888	2.50	Irrigation	04/01 to 11/01
32-00102	10 May, 1889	4.00	Irrigation	04/01 to 11/01

32-00091	1 May, 1901	0.50	Irrigation	04/01 to 11/01
32-00073	15 May, 1909	0.20	Irrigation	04/01 to 11/01
32-00101	4 June, 1909	2.90	Irrigation	04/01 to 11/01
32-00085	10 May, 1910	0.20	Irrigation	04/01 to 11/01
32-00077	15 May, 1910	0.20	Irrigation	04/01 to 11/01
32-00086	1 May, 1911	0.20	Irrigation	04/01 to 11/01
32-00078	15 May, 1911	0.20	Irrigation	04/01 to 11/01
32-00087	1 May, 1912	0.20	Irrigation	04/01 to 11/01
32-00079	15 May, 1913	0.80	Irrigation	04/01 to 11/01

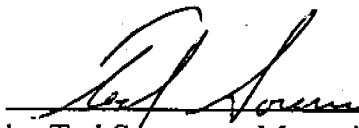
TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, or rents, issues and profits therefrom.

TO HAVE AND TO HOLD said water rights unto the GRANTEE, and to GRANTEE's successors and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the GRANTOR has executed the within instrument the day and year first above written.

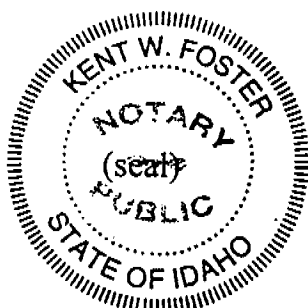
BIRCH CREEK RANCHES, L.L.C.


by Ted Sorenson, Managing Member

STATE OF IDAHO)
)ss.
 County of Bonneville)

On the 10th day of March, 1999, before me, the undersigned, a notary public in and for said State, personally appeared Ted Sorenson, known or identified to me to be the managing member of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

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



G:\WPDATA\KWF\5568\QUITCLAIM.BCR.kmc

Kent W. Foster
 Notary Public for Idaho
 Residing at Idaho Falls, Idaho
 My Commission Expires: 11/20/2004

AUGUST 16, 1991

KENT FOSTER
HOLDEN KIDWELL HAHN CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

RE: CHANGE IN OWNERSHIP FOR A32-00101

Dear Kent:

The request for Change in Ownership concerning your client's Notice of Claim in the above reference has been processed and the Notice modified to reflect your client as the new owner.

Enclosed is a typed Notice with your client's name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Dave Carlson
Water Rights Agent, Adjudication

DC:jt

Enclosure

cc: Birch Creek Ranches Inc

MICROFILMED

NOV 18 1992

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON
DONALD L. HARRIS
MARIE T. FEELEY
JOHN G. SIMMONS
ROBERT M. FOLLETT

WEST ONE BANK
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0820
TELEFAX (208) 523-9518

KEY FINANCIAL CENTER
702 W. IDAHO SUITE 610
BOISE, IDAHO 83702

TELEPHONE (208) 343-0820
TELEFAX (208) 343-8078

BOISE OFFICE

WM. LYMAN BELNAP, P.C.
RANDALL B. REED

ARTHUR W. HOLDEN
(1877-1967)
ROBERT B. HOLDEN
(1911-1971)
TERRY L. CRAPO
(1939-1982)
WILLIAM S. HOLDEN
(1907-1988)

August 13, 1991

AUG 13 1991

Idaho Department of Water Resources
150 Shoup Avenue, #15
Idaho Falls, Idaho 83401

RE: SRBA Claim No. A32-00101 -- Birch Creek Ranches, Inc.

Gentlemen:

As you are probably aware, Ted Sorenson recently acquired a water right claimed by Woodie Land & Livestock, Inc., on Birch Creek. As we understand it, Woodie Land & Livestock, Inc., had previously filed an SRBA claim which was given No. A32-00101. In connection with the acquisition of the water right from Woodie Land & Livestock, Inc., that entity assigned its rights in the SRBA claim to Birch Power Company, Ted and Gayle Sorenson d/b/a Sorenson Engineering. Recently those rights were assigned to Birch Creek Ranches, Inc. We are enclosing with this letter the Assignment of Notice of Claim No. A32-00101 from Woodie Land & Livestock, Inc., to Birch Power Company, Inc., Ted and Gayle Sorenson d/b/a Sorenson Engineering executed on July 13, 1990, and the most recent Assignment of Notice of Claim from Birch Power Company, Inc., and Ted and Gayle Sorenson d/b/a Sorenson Engineering to Birch Creek Ranches, Inc.

Yours very truly,



Kent W. Foster

#6936.00/srs

Enclosure

MICROFILMED

NOV 18 1992

AUG 13 1991

State of Idaho
Department of Water Resources
ASSIGNMENT OF NOTICE OF CLAIM(S)

Birch Power Company, Inc., and Ted and Gayle Sorenson d/b/a Sorenson Engineering hereby assign to Birch Creek Ranches, Inc.

of 2988 Tipperary Lane, Idaho Falls, Idaho 83404
Address

All my right, title, and interest in and to Notice of
Claim No(s). A32-00101

to a Water Right Acquired Under State Law.

The following described portion of my right, title, and
interest in and to Notice of Claim No(s). _____

to a Water Right Acquired Under State Law.

(If assigning a portion, describe that portion of the
claim being assigned by listing the acreage within each
40-acre tract, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or
acre feet for storage)

Made this 5 day of ^{August} ~~February~~, 1991.

BIRCH POWER COMPANY, INC.

Signature of Claimant(s)

Ted S. Sorenson
Ted S. Sorenson, President

Attest:

Gayle A. Sorenson
Gayle A. Sorenson, Secretary

SORENSEN ENGINEERING

By:

Ted S. Sorenson
Ted S. Sorenson

By:

Gayle A. Sorenson
Gayle A. Sorenson

MICROFILMED

NOV 18 1992

STATE OF IDAHO)
) ss.
County of Bonneville)

On the 5 day of ^{August}~~February~~, in the year of 1991, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared TED S. SORENSON and GAYLE A. SORENSON, known or identified to me to be the President and Secretary of BIRCH POWER COMPANY, INC., the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

Notary Public *Grant D. Hutto*
Residing at Idaho Falls
My Commission Expires 11/10/92

STATE OF IDAHO)
) ss.
County of Bonneville)

On the 5 day of ^{August}~~February~~, in the year of 1991, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared TED S. SORENSON and GAYLE A. SORENSON d/b/a SORENSON ENGINEERING, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

(seal)

Grant D. Hutto
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 11/10/92

5947i/srs

MICROFILMED

NOV 18 1992

State of Idaho

Department of Water Resources

ASSIGNMENT OF NOTICE OF CLAIM(S)

Woodie Land & Livestock, Inc., hereby assign to Birch Power Company, Inc.,
Ted and Gayle Sorenson
d/b/a Sorenson Engineering

of 2988 Tipperary Lane, Idaho Falls, Idaho 83404.

All my right, title, and interest in and to Notice of
Claim No(s). A32-00101.

to a Water Right Acquired Under State Law.

The following described portion of my right, title, and
interest in and to Notice of Claim No(s). _____

to a Water Right Acquired Under State Law.

(If assigning a portion, describe that portion of the
claim being assigned by listing the acreage within each
40-acre tract, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or
acre feet for storage)

Made this 13th day of July, 1990.

WOODIE LAND & LIVESTOCK, INC.

Signature of Claimant(s)

George Woodie
George Woodie, President

STATE OF IDAHO)

County of Bonneville)

ss.

On this 13 day of July, 1990, before me, the undersigned, a
Notary Public in and for said State of Idaho, personally appeared
GEORGE WOODIE, known or identified to me to be the President, of
WOODIE LAND & LIVESTOCK, INC., the corporation that executed the
instrument or the person who executed the instrument on behalf of
said corporation, and acknowledged to me that such corporation
executed the same.

Notary Public Anna Stenrich

Residing at Idaho Falls, Idaho

My Commission Expires 1-14-92

9875h/srr

MICROFILMED

NOV 18 1992

MAY 13 1991

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
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WEST ONE BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)

May 13, 1991

Idaho Department of Water Resources
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

Gentlemen:

In reviewing the description of the water right contained in the Corporation Quitclaim Deed from Woodie Land & Livestock Company to Birch Creek Ranches, we discovered that somehow the priority date had been incorrectly stated. We have, therefore, caused a Correction Corporation Quitclaim Deed to be issued and recorded, a copy of which is enclosed with this letter.

Yours very truly,



Kent W. Foster

#6936.00/srs

Enclosure

MICROFILMED

NOV 18 1992

PLEASE RETURN TO: KWF
R. L. HOWE, L. HAINES, CRAPO
P. O. Box 50130
Idaho Falls, ID 83405

COPY

CORRECTION CORPORATION QUITCLAIM DEED

THIS INDENTURE, made this 3rd day of May, 1991, between
WOODIE LAND & LIVESTOCK, INC., a corporation duly organized and
existing under the laws of the State of Idaho, and having its
principal office in Idaho at Howe, in Butte County, hereinafter
referred to as "FIRST PARTY", and BIRCH CREEK RANCHES, INC., a
corporation duly organized and existing under the laws of the
State of Idaho, hereinafter referred to as "SECOND PARTY", whose
principal office is in the State of Idaho and whose mailing
address is:

2988 Tipperary Lane
Idaho Falls, Idaho 83404

WITNESSETH:

THAT FIRST PARTY, having been hereunto duly authorized by
resolution of its Board of Directors, for and in consideration of
TEN DOLLARS (\$10.00) and other good and sufficient consideration,
receipt whereof is hereby acknowledged, does by these presents
hereby release, remise and forever quitclaim unto SECOND PARTY
and its assigns and successors in interest, all of FIRST PARTY's
right, title and interest now owned or hereafter acquired in and
to the following described water right:

MICROFILMED

NOV 18 1992

IDAHO DEPARTMENT
OF WATER RESOURCES
IDENTIFICATION NO.

AMOUNT
IN CFS

PRIORITY
DATE

SOURCE

A32-00101

2.9 cfs

06/04/1909

Birch Creek

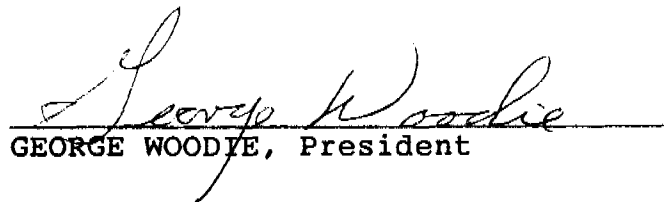
THIS DEED is intended to correct a mistake in the priority date of the water right described in that Corporation Quitclaim Deed heretofore recorded as Instrument No. 43683 of the records of Clark County, Idaho, on the 1st day of February, 1991.

TO HAVE AND TO HOLD said water right unto said SECOND PARTY, its assigns or successors in interest forever.

IN WITNESS WHEREOF, FIRST PARTY has hereunto set its hand and corporate seal by its duly authorized officer the day and year first above written.

WOODIE LAND & LIVESTOCK, INC.

By:


GEORGE WOODIE, President

(Corporate Seal)

STATE OF IDAHO)
)
County of Butte) ss.

On the 3rd day of May, in the year of 1991, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared GEORGE WOODIE, known or identified to me to be the President of WOODIE LAND & LIVESTOCK, INC., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

(seal)

Carol J. Weston
Notary Public for Idaho
Residing at Home
My Commission Expires: 1-4-96

#6936.00
192li/srr

43808

FILED FOR RECORD AT 07 MINUTES PAST 4 O'CLOCK P.M. THIS 8th
DAY OF May 1991 AND RECORDED AS MICROFILM NO. 43808
RECORDS OF CLARK COUNTY, IDAHO
FEE 9.00 FILED _____ MICROFMD _____ INDEXD _____ PLAT _____
BY [Signature] RECORDER
DEPUTY

3 - CORRECTION CORPORATION QUITCLAIM DEED

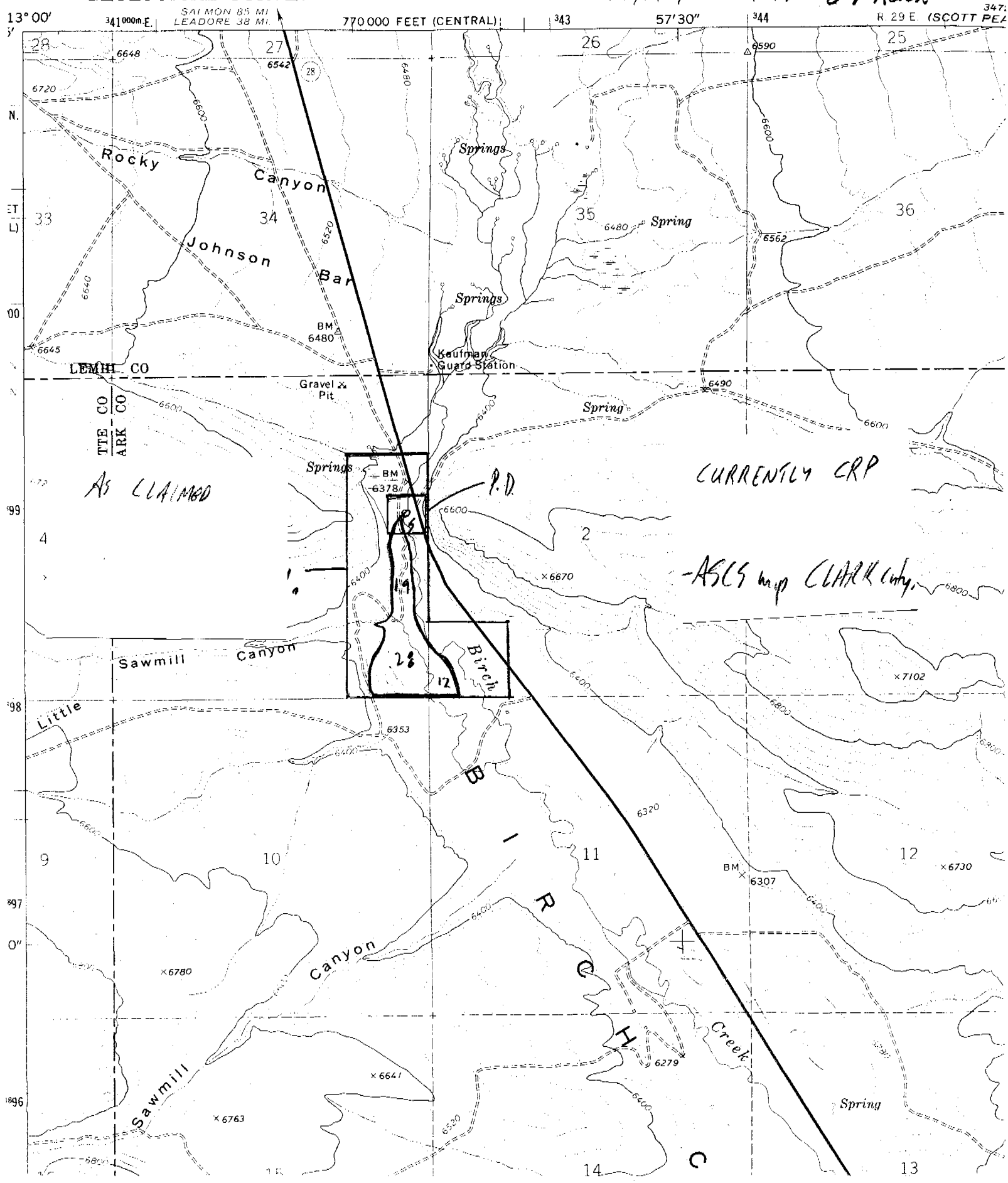
MICROFILMED

NOV 18 1992

A 32-00101

WOOD LK $\Rightarrow$ BIRCH CREEK RANCHES

6/4/1909 2.9 CPS 64 Acres.



R29



of Idaho, containing one hundred and sixty acres.

12 0071 That William Goddard have at all times the use of the waters of that certain spring situated about one-half of a mile above and northerly from Birch Creek Springs, and commonly known as "Goddard Springs", his right to the use of the same to be exclusive; to be used upon and become appurtenant to the following described lands:

The East Half of the North-east Quarter of Section Twenty-one (21), the North-west Quarter of the North-west Quarter of Section Twenty-two (22), and the South-west Quarter of the South-west Quarter of Section Fifteen (15), in Township Eleven (11), North of Range Thirty (30) East of the Boise Meridian, in Lemhi County, State of Idaho, containing one hundred and sixty acres;

12 0072 That Thomas J. Weimer have the exclusive use, at all times, of the waters of those certain springs situated in the South-east Quarter of the North-east quarter of Section Three (3), Township Ten (10) North of Range Twenty-nine (29), East of the Boise Meridian; and also have, at all times; the use of two and nine-tenths (2.9) cubic feet per second of time of the waters of said Birch Creek; his right to the use of the waters of said Birch Creek to date from the 4th day of June, 1909; all of the said waters of the said Springs and of said Birch Creek to be used upon and become appurtenant to the following described lands:

32-0121 The South-east Quarter of the North-east Quarter, the East Half of the South-east Quarter of Section Three (3), and the South-west Quarter of the South-west Quarter of Section Two (2), in Township Ten (10) North of Range Twenty-nine (29) East of the Boise Meridian, in Clark County, State of Idaho, containing one hundred and sixty acres; provided, however, that the said Thomas J. Weimer shall only be entitled to the use of one (1) Miners' inch per acre of the said waters for the irrigation of so much of said lands as are not in actual cultivation, until the whole thereof shall be placed in cultivation; and if the said defendant shall

02/9/2001

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

RIGHT NUMBER: 32-101

NAME AND ADDRESS: RENO DITCH COMPANY INC
PO BOX 5
REXBURG ID 83440

SOURCE: BIRCH CREEK

TRIBUTARY: SINKS

QUANTITY: 2.90 CFS
560.0 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF ~~44,579.2~~ 12,937.2 AF. RIGHTS OF THE RENO DITCH COMPANY: 32-00058, 32-00059, 32-00060, 32-00061C, 32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043, & 32-02045 & 32-11224.

PRIORITY DATE: 06/04/1909

POINT OF DIVERSION:

T09N R30E S34 SESESW Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	2.900 CFS 560.00 AFY

PLACE OF USE:

IRRIGATION Within CLARK County

<u>T08N R31E S12</u>	<u>SESW</u>	<u>40.0</u>	<u>T08N R31E S12</u>	<u>NWSE</u>	<u>40.0</u>
<u>T08N R31E S12</u>	<u>SWSE</u>	<u>40.0</u>	<u>T08N R31E S12</u>	<u>SESE</u>	<u>40.0</u>
<u>T08N R31E S13</u>	<u>NENE</u>	<u>40.0</u>	<u>T08N R31E S13</u>	<u>NWNE</u>	<u>40.0</u>
<u>T08N R31E S13</u>	<u>SWNE</u>	<u>40.0</u>	<u>T08N R31E S13</u>	<u>SENE</u>	<u>40.0</u>
<u>T08N R31E S13</u>	<u>NENW</u>	<u>40.0</u>	<u>T08N R31E S13</u>	<u>NWNW</u>	<u>40.0</u>
<u>T08N R31E S13</u>	<u>SWNW</u>	<u>40.0</u>	<u>T08N R31E S13</u>	<u>SENW</u>	<u>40.0</u>
<u>T08N R31E S13</u>	<u>NESW</u>	<u>40.0</u>	<u>T08N R31E S13</u>	<u>NWSW</u>	<u>40.0</u>
<u>T08N R31E S13</u>	<u>NESE</u>	<u>40.0</u>	<u>T08N R31E S13</u>	<u>NWSE</u>	<u>39.0</u>
<u>T08N R31E S14</u>	<u>NENE</u>	<u>39.0</u>	<u>T08N R31E S14</u>	<u>SENE</u>	<u>39.0</u>
<u>T08N R32E S10</u>	<u>NESW</u>	<u>40.0</u>	<u>T08N R32E S10 Lot 3</u>	<u>NWSW</u>	<u>41.0</u>
<u>T08N R32E S10 Lot 4</u>	<u>SWSW</u>	<u>41.0</u>	<u>T08N R32E S10</u>	<u>SESW</u>	<u>40.0</u>
<u>T08N R32E S10</u>	<u>NESE</u>	<u>40.0</u>	<u>T08N R32E S10</u>	<u>NWSE</u>	<u>40.0</u>
<u>T08N R32E S10</u>	<u>SWSE</u>	<u>40.0</u>	<u>T08N R32E S10</u>	<u>SESE</u>	<u>40.0</u>
<u>T08N R32E S01 Lot 1</u>	<u>NENE</u>	<u>34.0</u>	<u>T08N R32E S01 Lot 2</u>	<u>NWNE</u>	<u>34.0</u>
<u>T08N R32E S01</u>	<u>SWNE</u>	<u>40.0</u>	<u>T08N R32E S01</u>	<u>SENE</u>	<u>40.0</u>
<u>T08N R32E S01 Lot 3</u>	<u>NENW</u>	<u>34.0</u>	<u>T08N R32E S01 Lot 5</u>	<u>NWNW</u>	<u>22.0</u>
<u>T08N R32E S01</u>	<u>SWNW</u>	<u>40.0</u>	<u>T08N R32E S11</u>	<u>NENE</u>	<u>41.0</u>
<u>T08N R32E S11</u>	<u>NWNE</u>	<u>41.0</u>	<u>T08N R32E S11</u>	<u>SENE</u>	<u>41.0</u>

<u>T08N R32E S11</u>	<u>NENW</u>	<u>41.0</u>	<u>T08N R32E S11</u>	<u>NWNW</u>	<u>28.0</u>
<u>T08N R32E S01</u>	<u>SENW</u>	<u>40.0</u>	<u>T08N R32E S11</u>	<u>SWNW</u>	<u>41.0</u>
<u>T08N R32E S11</u>	<u>SENW</u>	<u>41.0</u>	<u>T08N R32E S11</u>	<u>NESW</u>	<u>41.0</u>
<u>T08N R32E S11</u>	<u>NWSW</u>	<u>41.0</u>	<u>T08N R32E S11</u>	<u>SWSW</u>	<u>41.0</u>
<u>T08N R32E S11</u>	<u>SESW</u>	<u>41.0</u>	<u>T08N R32E S01</u>	<u>NESW</u>	<u>40.0</u>
<u>T08N R32E S01</u>	<u>NWSW</u>	<u>40.0</u>	<u>T08N R32E S01</u>	<u>SWSW</u>	<u>40.0</u>
<u>T08N R32E S01</u>	<u>SESW</u>	<u>40.0</u>	<u>T08N R32E S01</u>	<u>NESE</u>	<u>40.0</u>
<u>T08N R32E S01</u>	<u>NWSE</u>	<u>40.0</u>	<u>T08N R32E S01</u>	<u>SWSE</u>	<u>40.0</u>
<u>T08N R32E S12</u>	<u>NWNE</u>	<u>40.0</u>	<u>T08N R32E S12</u>	<u>NENW</u>	<u>40.0</u>
<u>T08N R32E S12</u>	<u>NWNW</u>	<u>40.0</u>	<u>T08N R32E S01</u>	<u>SESE</u>	<u>40.0</u>
<u>T08N R32E S12</u>	<u>SWNW</u>	<u>40.0</u>	<u>T08N R32E S14</u>	<u>NENW</u>	<u>40.0</u>
<u>T08N R32E S14</u>	<u>NWNW</u>	<u>40.0</u>	<u>T08N R32E S15</u>	<u>NENE</u>	<u>40.0</u>
<u>T08N R32E S15</u>	<u>NWNE</u>	<u>40.0</u>	<u>T08N R32E S15</u>	<u>SWNE</u>	<u>40.0</u>
<u>T08N R32E S15</u>	<u>SENE</u>	<u>40.0</u>	<u>T08N R32E S15</u>	<u>NENW</u>	<u>40.0</u>
<u>T08N R32E S15 Lot 1</u>	<u>NWNW</u>	<u>42.0</u>	<u>T08N R32E S15 Lot 2</u>	<u>SWNW</u>	<u>42.0</u>
<u>T08N R32E S15</u>	<u>SENW</u>	<u>40.0</u>	<u>T08N R32E S02</u>	<u>SENE</u>	<u>24.0</u>
<u>T08N R32E S02</u>	<u>SESW</u>	<u>26.0</u>	<u>T08N R32E S02</u>	<u>NESE</u>	<u>40.0</u>
<u>T08N R32E S02</u>	<u>NWSE</u>	<u>24.0</u>	<u>T08N R32E S02</u>	<u>SWSE</u>	<u>40.0</u>
<u>T08N R32E S02</u>	<u>SESE</u>	<u>40.0</u>	<u>T08N R33E S05 Lot 3</u>	<u>NENW</u>	<u>34.0</u>
<u>T08N R33E S05 Lot 4</u>	<u>NWNW</u>	<u>34.0</u>	<u>T08N R33E S05</u>	<u>SWNW</u>	<u>40.0</u>
<u>T08N R33E S05</u>	<u>SENW</u>	<u>40.0</u>	<u>T08N R33E S05</u>	<u>NWSW</u>	<u>40.0</u>
<u>T08N R33E S05</u>	<u>SWSW</u>	<u>40.0</u>	<u>T08N R33E S06 Lot 1</u>	<u>NENE</u>	<u>34.0</u>
<u>T08N R33E S06 Lot 2</u>	<u>NWNE</u>	<u>34.0</u>	<u>T08N R33E S06</u>	<u>SWNE</u>	<u>40.0</u>
<u>T08N R33E S06</u>	<u>SENE</u>	<u>40.0</u>	<u>T08N R33E S06 Lot 3</u>	<u>NENW</u>	<u>34.0</u>
<u>T08N R33E S06 Lot 4</u>	<u>NWNW</u>	<u>17.0</u>	<u>T08N R33E S06 Lot 5</u>	<u>SWNW</u>	<u>20.0</u>
<u>T08N R33E S06</u>	<u>SENW</u>	<u>40.0</u>	<u>T08N R33E S06</u>	<u>NESW</u>	<u>40.0</u>
<u>T08N R33E S06 Lot 6</u>	<u>NWSW</u>	<u>20.0</u>	<u>T08N R33E S06 Lot 7</u>	<u>SWSW</u>	<u>20.0</u>
<u>T08N R33E S06</u>	<u>SESW</u>	<u>40.0</u>	<u>T08N R33E S06</u>	<u>NESE</u>	<u>40.0</u>
<u>T08N R33E S06</u>	<u>NWSE</u>	<u>40.0</u>	<u>T08N R33E S06</u>	<u>SWSE</u>	<u>40.0</u>
<u>T08N R33E S06</u>	<u>SESE</u>	<u>40.0</u>	<u>T08N R33E S07</u>	<u>NENE</u>	<u>40.0</u>
<u>T08N R33E S07</u>	<u>NWNE</u>	<u>40.0</u>	<u>T08N R33E S07</u>	<u>SWNE</u>	<u>40.0</u>
<u>T08N R33E S07</u>	<u>SENE</u>	<u>40.0</u>	<u>T08N R33E S07</u>	<u>NENW</u>	<u>40.0</u>
<u>T08N R33E S07</u>	<u>NESE</u>	<u>40.0</u>	<u>T08N R33E S07</u>	<u>NWSE</u>	<u>40.0</u>
<u>T08N R33E S07</u>	<u>SWSE</u>	<u>40.0</u>	<u>T08N R33E S07</u>	<u>SESE</u>	<u>40.0</u>
<u>T08N R33E S08</u>	<u>NENW</u>	<u>40.0</u>	<u>T08N R33E S08</u>	<u>NWNW</u>	<u>40.0</u>
<u>T08N R33E S08</u>	<u>SWNW</u>	<u>40.0</u>	<u>T08N R33E S08</u>	<u>SENW</u>	<u>40.0</u>
<u>T08N R33E S08</u>	<u>NESW</u>	<u>40.0</u>	<u>T08N R33E S08</u>	<u>NWSW</u>	<u>40.0</u>
<u>T08N R33E S08</u>	<u>SWSW</u>	<u>40.0</u>	<u>T08N R33E S08</u>	<u>SESW</u>	<u>40.0</u>
<u>T09N R32E S36</u>	<u>NENE</u>	<u>40.0</u>	<u>T09N R32E S36</u>	<u>NWNE</u>	<u>40.0</u>
<u>T09N R32E S36</u>	<u>SWNE</u>	<u>40.0</u>	<u>T09N R32E S36</u>	<u>SENE</u>	<u>40.0</u>
<u>T09N R32E S36</u>	<u>NENW</u>	<u>40.0</u>	<u>T09N R32E S36</u>	<u>NWNW</u>	<u>40.0</u>
<u>T09N R32E S36</u>	<u>SWNW</u>	<u>40.0</u>	<u>T09N R32E S36</u>	<u>SENW</u>	<u>40.0</u>
<u>T09N R32E S36</u>	<u>NESW</u>	<u>40.0</u>	<u>T09N R32E S36</u>	<u>NWSW</u>	<u>40.0</u>
<u>T09N R32E S36 Lot 4</u>	<u>SWSW</u>	<u>37.0</u>	<u>T09N R32E S36 Lot 3</u>	<u>SESW</u>	<u>40.0</u>

T09N R32E S36	NESE	40.0	T09N R32E S36	NWSE	40.0
T09N R32E S36 Lot 2	SWSE	40.0	T09N R32E S36 Lot 1	SESE	40.0
T09N R33E S31	NESW	40.0	T09N R33E S31 Lot 3	NWSW	40.0
T09N R33E S31 Lot 4	SWSW	40.0	T09N R33E S31	SESW	40.0
T09N R33E S31	NESE	40.0	T09N R33E S31	NWSE	40.0
T09N R33E S31	SWSE	40.0	T09N R33E S31	SESE	40.0
T09N R33E S32	NENE	40.0	T09N R33E S32	NWNE	40.0
T09N R33E S32	SWNE	40.0	T09N R33E S32	SENE	40.0
T09N R33E S32	NENW	40.0	T09N R33E S32	NWNW	40.0
T09N R33E S32	SWNW	40.0	T09N R33E S32	SENW	40.0
T09N R33E S32	NESW	40.0	T09N R33E S32	NWSW	40.0
T09N R33E S32	SWSW	40.0	T09N R33E S32	SESW	40.0

5723 ACRES TOTAL

USE OF THE RIGHTS OF THE RENO DITCH COMPANY LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~3,427~~ 3,815 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

~~PLACE OF USE WITHIN THE BOUNDARY OF THE RENO DITCH COMPANY. TOTAL IRRIGATED ACRES 5798.~~

THE USE OF WATER WITHIN T08NR32E S02 SESW, NWSE AND SENE, AND S11 NWNW DOES NOT INCLUDE ANY FEDERAL PUBLIC LANDS.

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

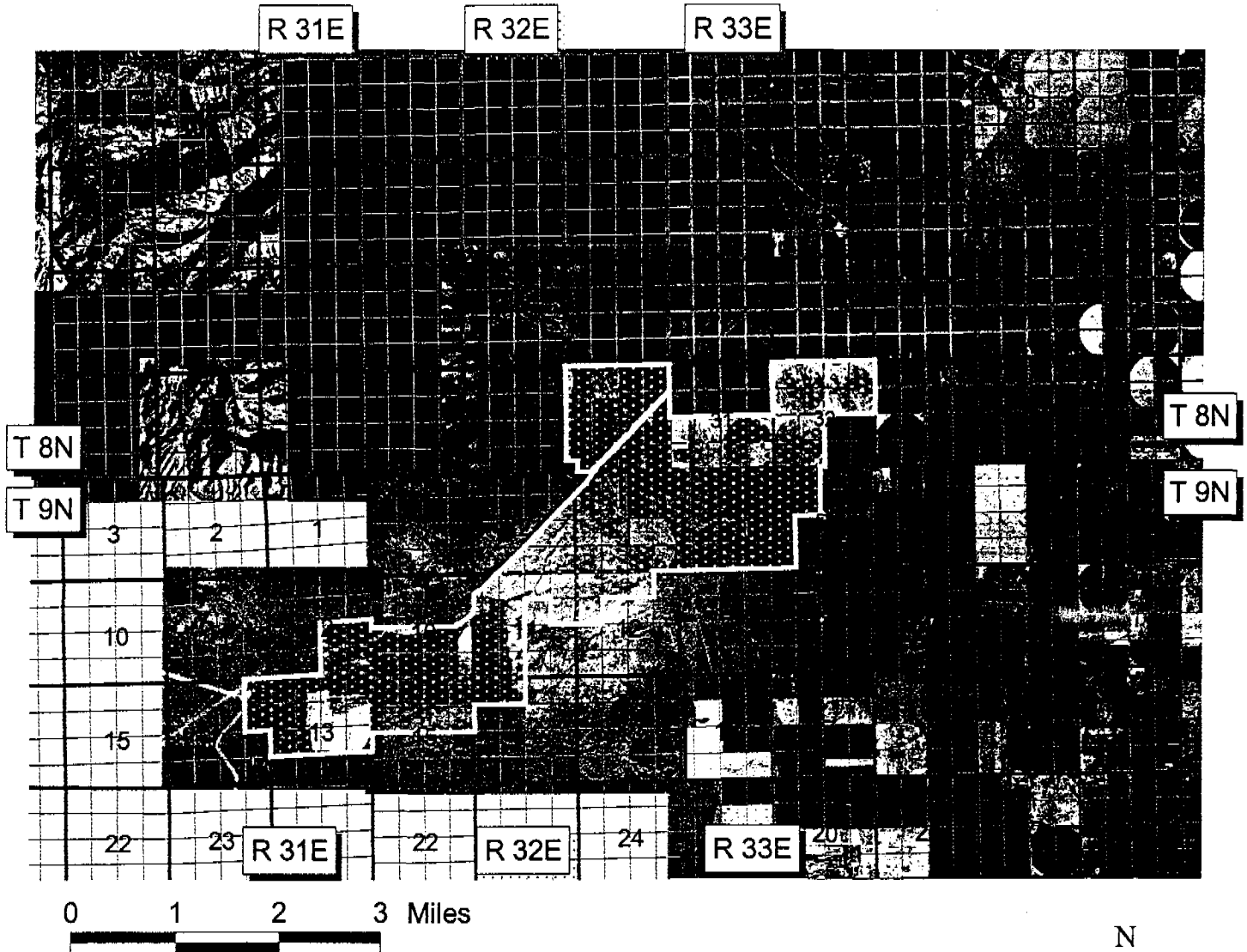
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

The Reno Ditch Company, Inc

Water Right Numbers: 32-00058, 32-00059, 32-00060, 32-00061C,
32-00061D, 32-00062, 32-00063, 32-00064, 32-00065,
32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073,
32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-00079,
32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-00089,
32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-00102,
32-02043, 32-02045

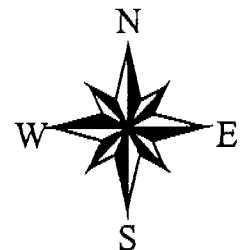


 1/4 1/4 Section Lines

 Section Lines

 Place of Use Boundary

Townships 8N and 9N
Ranges 31E, 32E and 33E



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Bryce A. Contor
Date: August, 1999

11/15/2000

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

RIGHT NUMBER: 32-101

NAME AND ADDRESS: RENO DITCH COMPANY INC
PO BOX 5
REXBURG, ID 83440

SOURCE: BIRCH CREEK TRIBUTARY: SINKS

QUANTITY: 2.9 CFS
560 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF ~~11,579.2~~ 12,937.2 AF.
RIGHTS OF THE RENO DITCH COMPANY: 32-00058, 32-00059, 32-
00060, 32-00061C, 32-00061D, 32-00062, 32-00063, 32-00064, 32-
00065, 32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-
00073, 32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-
00079, 32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-
00089, 32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-
00102, 32-02043, & 32-02045 & 32-11224.

PRIORITY DATE: 06/04/1909

POINT OF DIVERSION: T09N R30E S34 SESESW Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	2.90 CFS 560.0 AFY

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160.0 ACRES
WITHIN THE ~~PLACE OF USE DESCRIBED ABOVE~~ BOUNDARY OF THE RENO
DITCH COMPANY IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS OF THE RENO DITCH COMPANY LISTED ABOVE IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~3,427~~ 3,815
ACRES IN A SINGLE IRRIGATION SEASON.

PLACE OF USE WITHIN THE BOUNDARY OF THE RENO DITCH COMPANY.
TOTAL IRRIGATED ACRES: ~~5,798~~ 5,740.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RENO DITCH COMPANY INC PO BOX 5 REXBURG ID 83440	06/04/1909	IRRIGATION	04-01 11-01	2.900 CFS	560.00 AFA
TOTAL DIVERSION:					2.900 CFS	560.00 AFA

Water Source: BIRCH CREEK

Tributary to: SINKS

Stage: DECREED

Point(s) of Diversion: T09N R30E S34 SESESW CLARK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
08N	31E	12	:											:				40			40	40	40	40	:	200.0
08N	31E	13	:		40	40	40		40	40	40	40		:	40	40				40	40				:	480.0
08N	31E	14	:		40		40							:											:	80.0
08N	32E	1	:	01-34	02-34		40		40	03-34	04-20	40	40	:	40	40	40	40		40	40	40	40		:	602.0
08N	32E	2	:	01-02			03	30						:	03		03	30		40	40	40	40		:	231.0
08N	32E	10	:				15							:	40	03-41	04-42	40		40	40	40	40		:	338.0
08N	32E	11	:		40	40		40		40	20	40	40	:	40	40	40	40							:	420.0
08N	32E	12	:			40			40	40	40			:											:	160.0
08N	32E	14	:						40	40				:											:	80.0
08N	32E	15	:		40	40	40	40		40	42	42	40	:											:	324.0
08N	33E	5	:							03-34	04-34	40	40	:		40	40								:	228.0
08N	33E	6	:	01-34	02-34		40	40		03-34	04-17	05-20	40	:	40	06-20	07-20	40		40	40	40	40		:	539.0
08N	33E	7	:		40	40	40	40		40				:						40	40	40	40		:	360.0
08N	33E	8	:						40	40	40	40		:	40	40	40	40							:	320.0
09N	31E	31	:											:	40	03-40	04-40	40		40	40	40	40		:	320.0
09N	31E	32	:		40	40	40	40		40	40	40	40	:	40	40	40	40							:	480.0
09N	32E	36	:		40	40	40	40		40	40	40	40	:	40	40	03-35	04-41		40	40	02-40	01-40		:	636.0
TOTAL ACRES																							5798.0			

POU County: CLARK, JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: 32-0072.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 11,579.2 AF. RIGHTS OF THE RENO DITCH COMPANY: 32-00058, 32-00059, 32-00060, 32-00061C, 32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043 & 32-02045.

Remarks: POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160.0 ACRES WITHIN
 THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
 USE OF THIS RIGHT WITH THE RIGHTS OF THE RENO DITCH COMPANY
 LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
 3,427 ACRES IN A SINGLE IRRIGATION SEASON.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:

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: A32-00101
Date Received: 4/11/1988
Receipt No: E000085
Received By: _____

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

1. Name: BIRCH CREEK RANCHES INC
Address: 2988 TIPPERARY LANE
IDAHO FALLS, ID 83404

2. Date of Priority: JUN 4, 1909

3. Source: BIRCH CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	29E	3	SE	SE	NE		CLARK

5. Description of diverting works:
DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.900		

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

8. Total consumptive use is 160.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10N	29E	2	SW	SW		IRR	12.0

MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	12.0
		3	SE	NE	IRR	5.0
			NE	SE	IRR	19.0
			SE	SE	IRR	28.0
					Section Acres	52.0
					Total Acres	64.0

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
32-0072.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

AGNES B. RENO, ET. AL.
Decree Plaintiff

J. R. RICHARDS, ET. AL.
vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

MICROFILMED

NOV 18 1992

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
Print Name

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 _____

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NOV 18 1992

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: A32-00101
Date Received: 4/11/1988
Receipt No: E000085

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WOODIE LAND AND LIVESTOCK 208-767-3461
Address: HC 65 BOX 1018
HOWE, ID 83244

2. Date of Priority: JUN 04, 1909

3. Source: BIRCH CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	29E	3	SE	SE	NE		CLARK

5. Description of diverting works:
DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.900		

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

8. Total consumptive use is 160.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	29E	2	SW	SW		IRR	12.0
						Section Acres	12.0
		3	SE	NE		IRR	5.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	29E	3	NE	SE		IRR	19.0
			SE	SE		IRR	28.0
						Section Acres	52.0
						Total Acres	64.0

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
32-0072.

14. Remarks:

15. Basis of Claim: DECREED
Water Right Number:
Case Number: -
Court :
Decree date:

AGNES B. RENO, ET. AL.
Decree Plaintiff

vs

J. R. RICHARDS, ET. AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

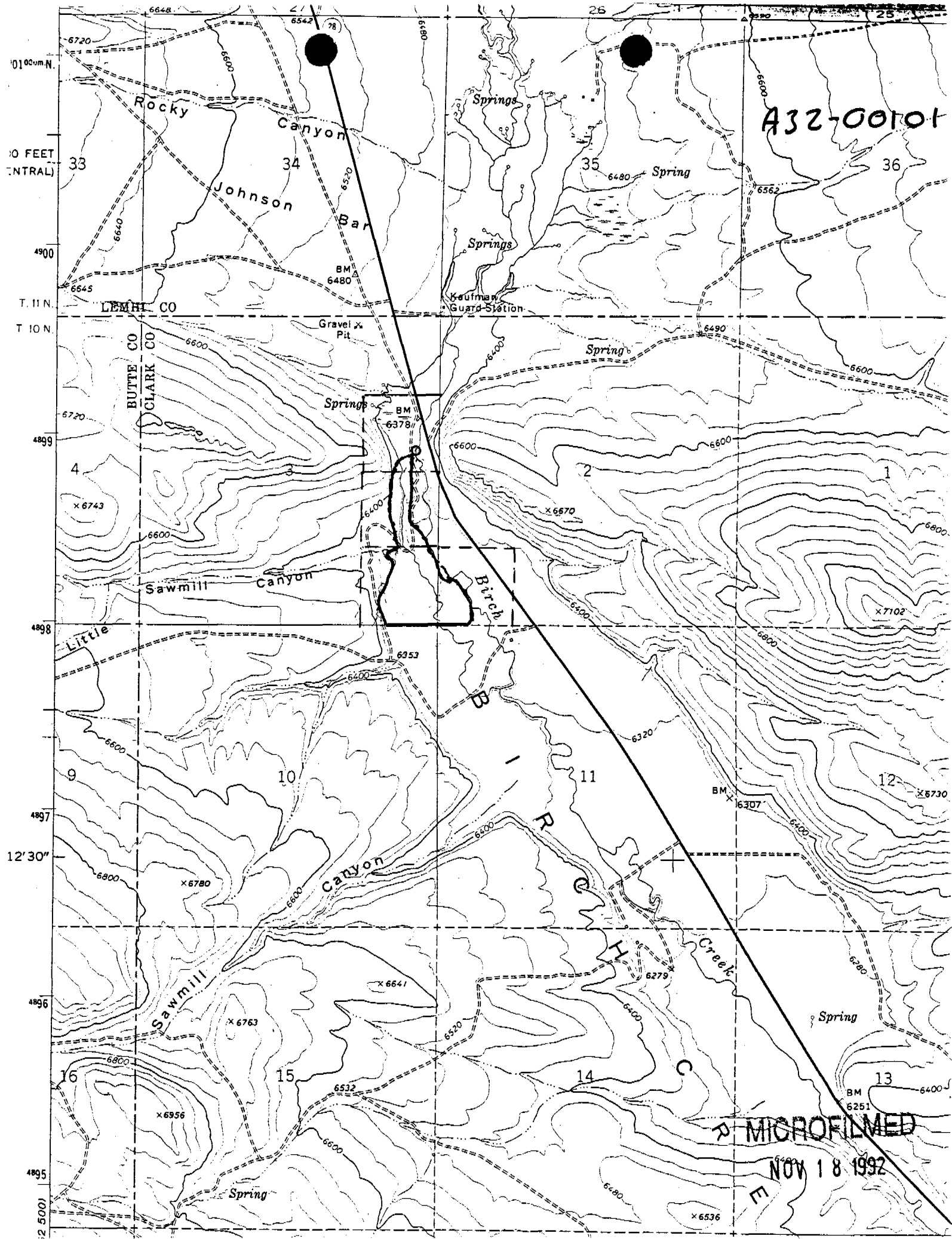
Signature of Claimant(s): Woodie Land Livestock
George Woodie (Pres) Date: 4/11/88
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of April 19 88 Valleen Wray
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 5/29/1991



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