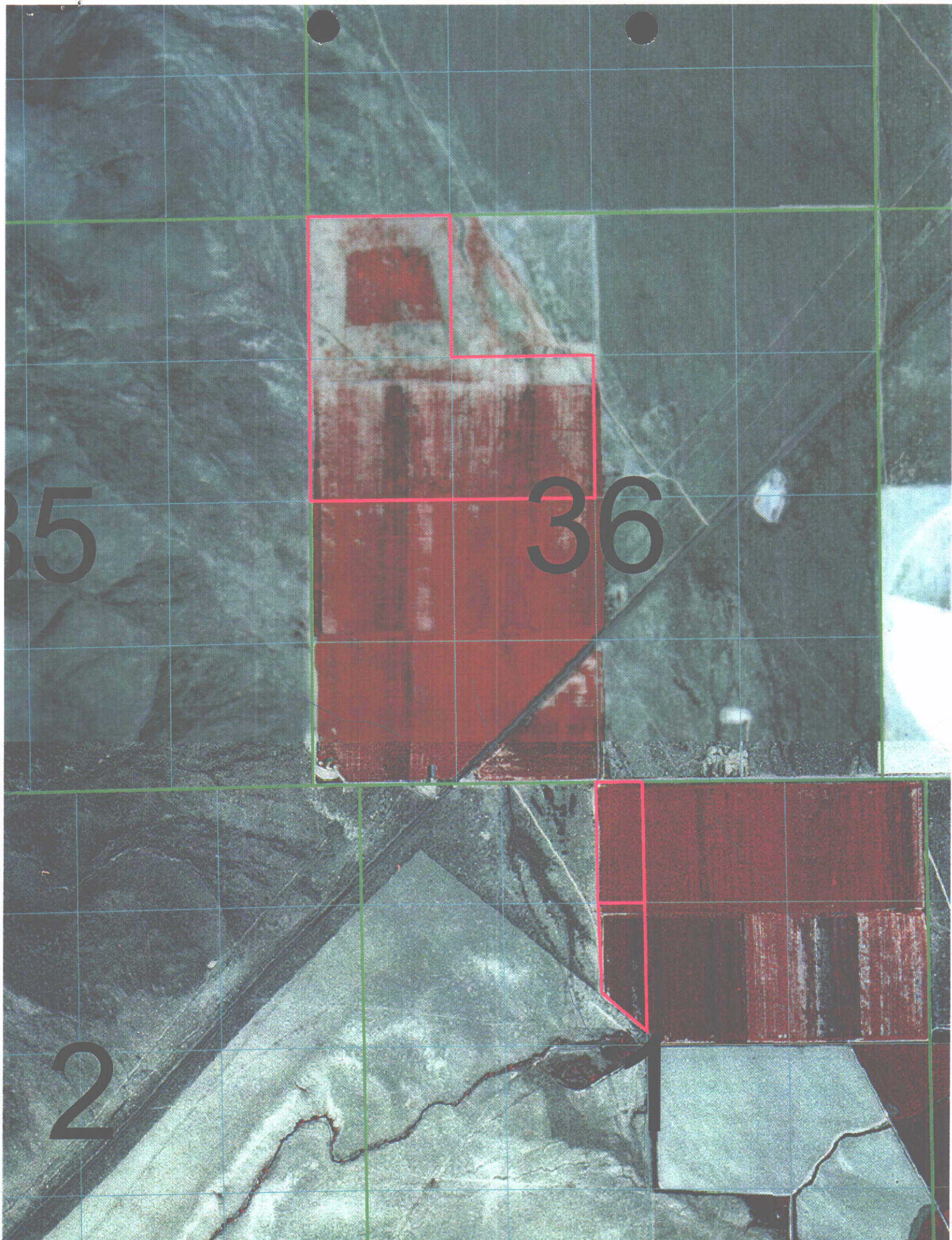
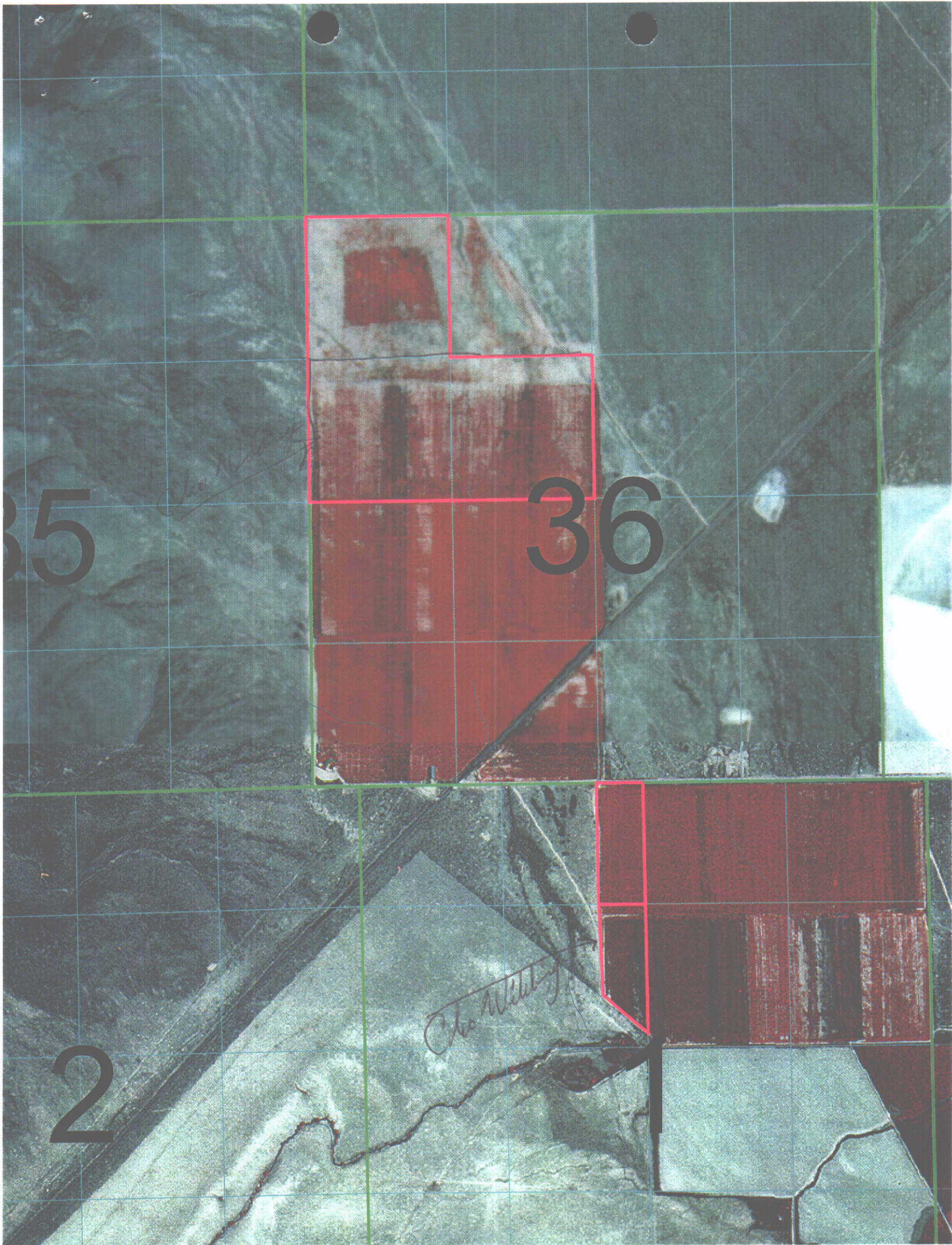
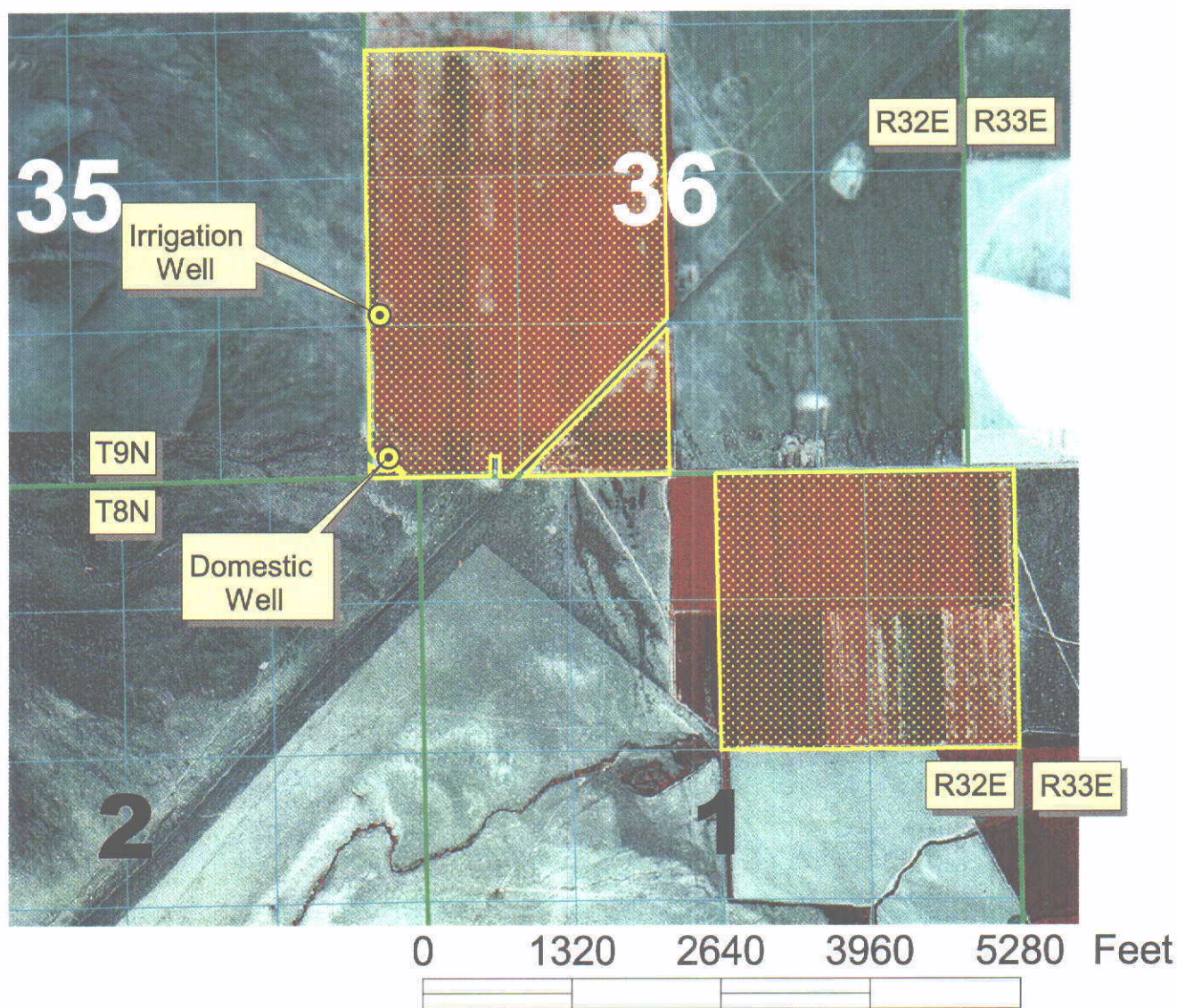






IDAHO DEPARTMENT OF WATER RESOURCES

Water Righth Nos. 32-07027 & 32-10127



Point of Diversion

Townships 8N & 9N, Range 32E



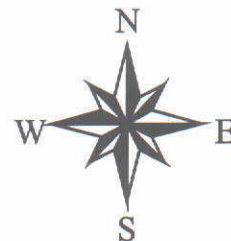
Place of Use
Boundary



Section Lines



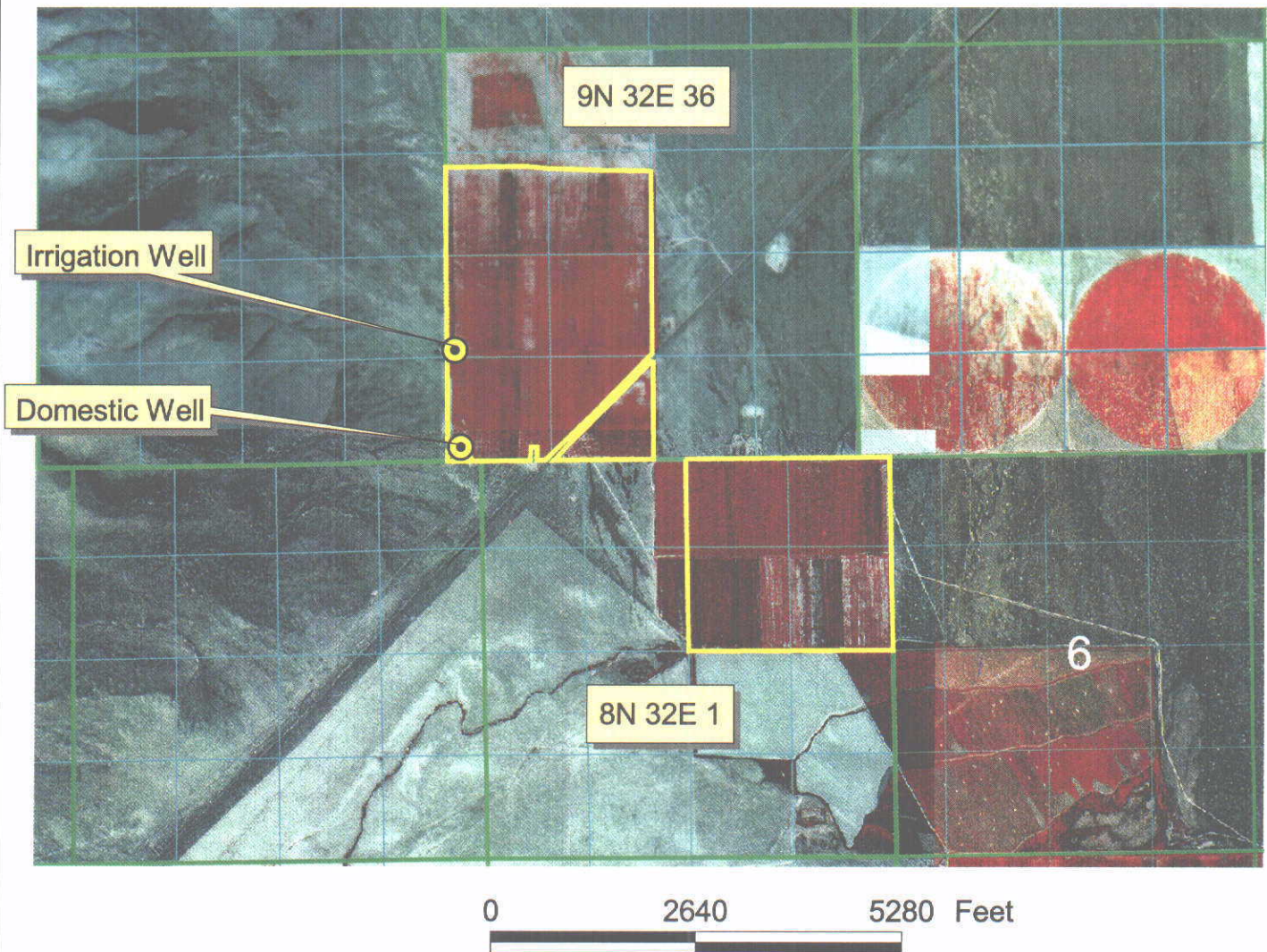
Quarter/Quarter Lines



GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Eric S. Verner
Date: June, 1999

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right No. 32-07025, 32-10127



Point of Diversion



1/4 1/4 Section Lines

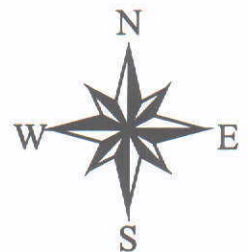


Section Lines



Place of Use Boundary

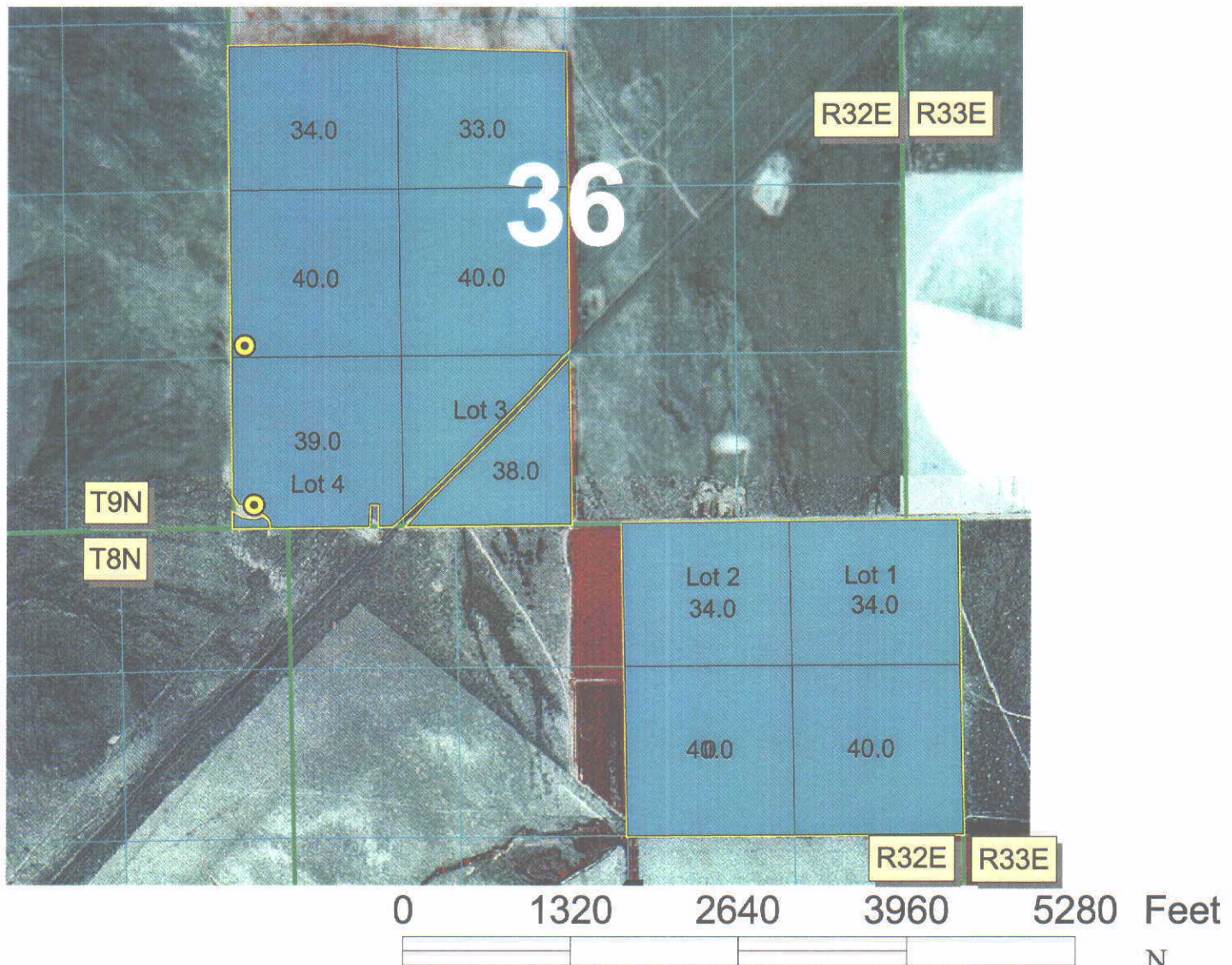
**Township 8N Range 32E
Section 1
Township 9N Range 32E
Section 36**



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

IDAHO DEPARTMENT OF WATER RESOURCES

Water Righth Nos. 32-07027 & 32-10127



Point of Diversion

Townships 8N & 9N, Range 32E



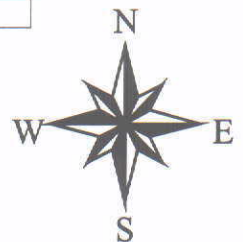
Place of Use
Boundary



Section Lines



Quarter/Quarter Lines



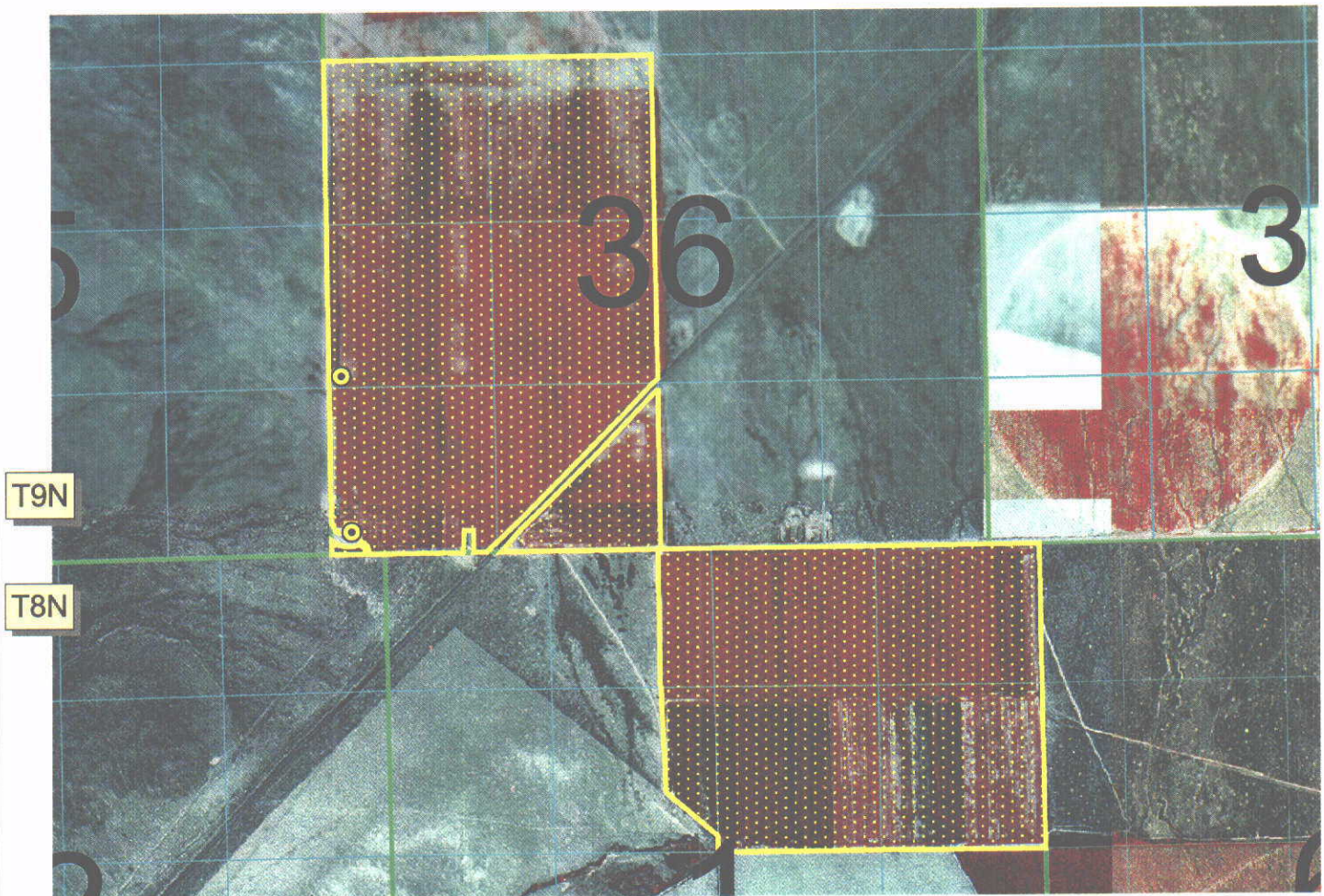
GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Eric S. Verner
Date: June, 1999

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 32-07025
and 32-10127

R32E

R33E



**Township 8N and 9N,
Range 32E and 33E**



Point of Diversion



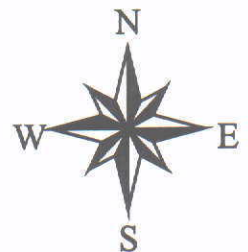
1/4 1/4 Section Lines



Section Lines



Place of Use Boundary



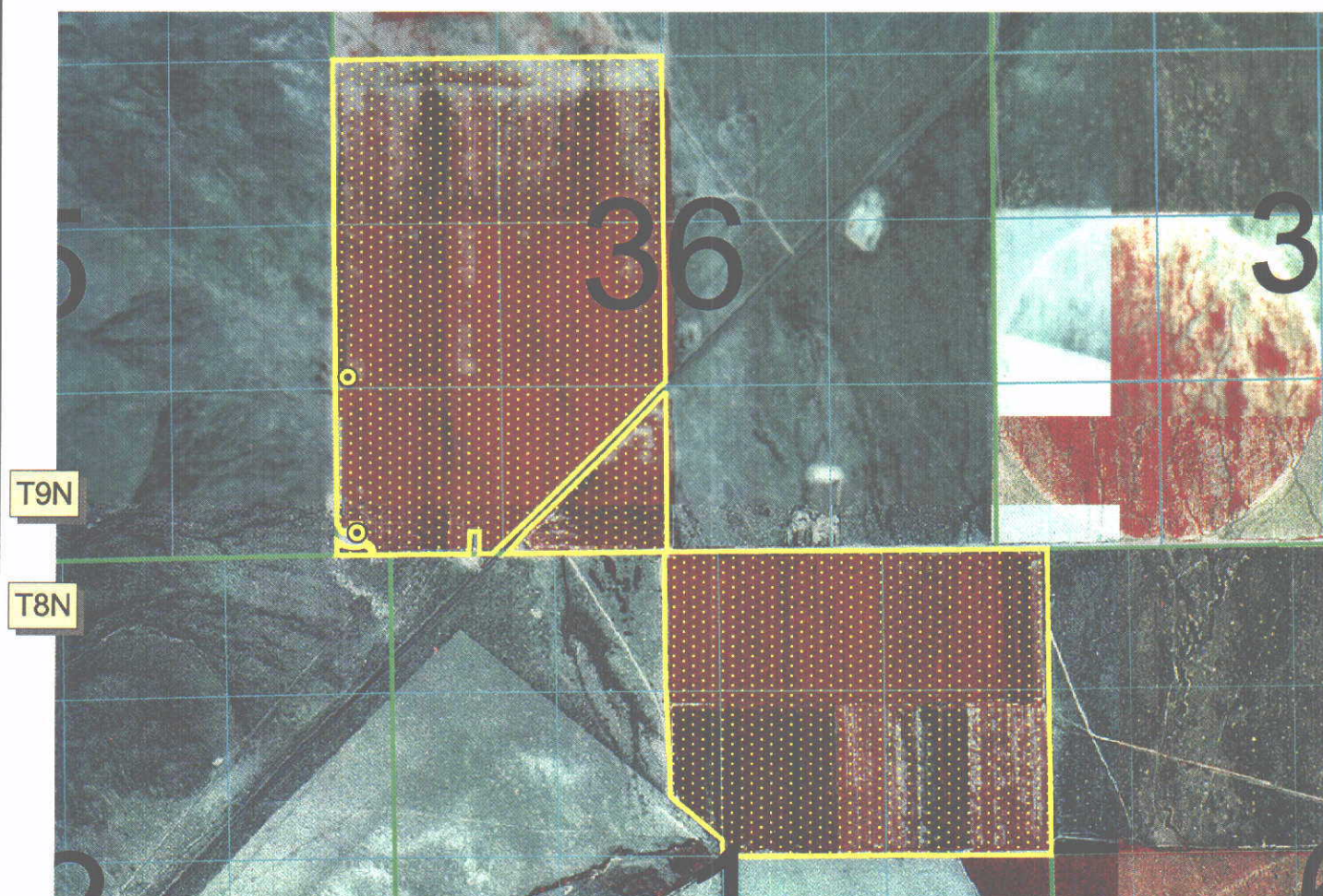
GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Bryce A. Contor
Date: October, 1999

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 32-07025
and 32-10127

R32E

R33E



**Township 8N and 9N,
Range 32E and 33E**



Point of Diversion



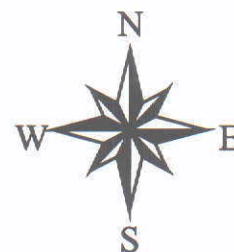
1/4 1/4 Section Lines



Section Lines



Place of Use Boundary



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

DATE: 07/01/99
PAGE: 1

USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
12/1/80 12/31/80	1.00	1.00
12/1/81 12/31/81	1.00	1.00
12/1/82 12/31/82	1.00	1.00
12/1/83 12/31/83	1.00	1.00
12/1/84 12/31/84	1.00	1.00
12/1/85 12/31/85	1.00	1.00
12/1/86 12/31/86	1.00	1.00
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12/1/60 12/31/60	1.00	1.00
12/1/61 12/31/61	1.00	1.00
12/1/62 12/31/		

04-15 10-15	0.68 CFS	199.50 AFA
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TOTAL DIVERSION:	0.68 CFS	199.50 AFA
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Stage: BENEFICIAL USE

CLARK County

T	R	S	NENE	NNNE	SNNE	SENE	NENN	NNNN	SNNN	SENN	NESS	NNSS	SNSS	SESS	NESE	NNSE	SNSE	SESE	SUM
08N	32E	1	01-34	02-34	40	40	:	:	:	:	:	:	:	:	:	:	:	:	148.0
09N	32E	36	:	:	:	:	:	:	34	33	:	40	40	04-39	03-38	:	:	:	224.0

Other Rights: 32-07025

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO

E26 - USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM

USE OF THIS RIGHT WITH RIGHT NO. 32-07025 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1302 AF.

USE OF THIS RIGHT WITH RIGHT NO. 32-07025 IS LIMITED TO THE

IRRIGATION OF A COMBINED TOTAL OF 372 ACRES IN A SINGLE IRRIGATION SEASON.

EXP RIGHT NO. 32-07025 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
THIS RIGHT IS FOR AN ENLARGEMENT OF 57 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Dates: Exam Made Date: 03/22/1995 Verified Date: Objection Filed Date:

Field Inspection Flag:
Presumption Flag: E

1/1/1998 Date

● **A 32-10127** ●

40 | 40

P/D
3

T9N

T8N

CLARK CO
JEFFERSON CO

R32E R33E

MICROFILMED

NOV 18 1992

21 MI TO INTERSTATE 15
DEBOIS 22 MI

2' 30"

NOTICE OF ENLARGEMENT OF WATER RIGHT

The following claims to water rights have been filed in the Snake River Basin Adjudication as enlargements to existing water rights under Idaho Code §42-1426. Note that the places of use in Clark County are shown to the nearest section - more specific locations are available upon request.

Water Right: 32-10127
NAME & ADDRESS:
BIRCH CREEK RANCHES LLC
52033 S 11TH E
IDAHO FALLS ID 83404
SOURCE: GROUNDWATER
PRIORITY DATE: 12/26/1973
POINT OF DIVERSION: T09N R32E 36 SWNWSW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T08N R32E 01 Lot 1 (NENE) Lot 2 (NWNE) SWNE SENE Lot 3 (NENW) SENW
T09N R32E 36 SWNW SENW NESW NWSW Lot 4 (SWSW) Lot 3 (SESW)
The right is for an enlargement of 90 acres within the total 405 acres recommended.

Water Right: 32-10146
NAME & ADDRESS:
REED RICKS
ROBERT R RICKS
PO BOX 2102
MONTEVIEW ID 83435
SOURCE: CROOKED CREEK
PRIORITY DATE: 04/01/1987
POINT OF DIVERSION: T10N R32E 03 SWNWSE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T10N R32E 02 SWSW
T10N R32E 11 NWNE SWNE NENW NWNW SWNW SENW NESW NESE NWSE SWSE SESE
T10N R32E 13 NWNW SWNW SENW NESW NWSW SESW
T10N R32E 14 NENE SENE
This right is for an enlargement of 71 acres within the total 406 acres recommended.

Water Right: 32-11219
NAME & ADDRESS:
WAHOO & BHA INC
3930 E 2000 N
SUGAR CITY ID 83448
SOURCE: INDIAN CREEK
PRIORITY DATE: 04/01/1987
POINT OF DIVERSION: T12N R34E 36 Lot 03 (SESW)
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T11N R34E 12 NENE NWNE SWNE SENE NENW SENW NESW SESW NESE NWSE SWSE SESE
T11N R34E 13 NENE NWNE SWNE SENE SESW NESE NWSE SWSE SESE
T11N R34E 24 NENW SENW NESW
T11N R35E 07 NENE NWNE SWNE SENE NENW Lot 1 (NWNW) Lot 2 (SWNW) SENW NESW Lot 3 (NWSW) Lot 4 (SWSW) SESW NESE NWSE SWSE SESE
T11N R35E 18 NENW Lot 1 (NWNW) Lot 2 (SWNW) SENW NESW Lot 3 (NWSW) Lot 4 (SWSW) SESW NESE NWSE SWSE SESE
T11N R 35E 19 NENE NWNE SWNE SENE
This right is for an enlargement of 1811 acres within the total 1935 acres recommended.

Water Right: 32-11241
NAME & ADDRESS:
SAUER FARMS INC
HC 63 BOX 2137
MONTEVIEW ID 83435
SOURCE: GROUNDWATER
PRIORITY DATE: 04/01/1986
POINT OF DIVERSION: T09N R33E S26 SENWSW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T09N R33E 26 NESW NWSW SWSW SESW NESE NWSE SWSE SESE
This right is for an enlargement of 50 acres within the total 306 acres recommended.

Water Right: 32-11242
NAME & ADDRESS:
SAUER FARMS INC
HC 63 BOX 2137
MONTEVIEW ID 83435
SOURCE: GROUNDWATER
PRIORITY DATE: 04/01/1986
POINT OF DIVERSION: T09N R33E 24 NWSESW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T09N R33E 24 NESW NWSW SWSW SESW
This right is for an enlargement of 22 acres within the total 150 acres recommended.

Water Right: 32-11243B
NAME & ADDRESS:
DAVID W & MAGDALENE SAUER
HC 63 BOX 2163
MONTEVIEW ID 83435
SOURCE: GROUNDWATER
PRIORITY DATE: 04/01/1986
POINT OF DIVERSION: T09N R34 20 NENWNW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T09N R34E 20 NENW NWNW SWNW SENW
This right is for an enlargement of 28 acres.

Water Right: 32-11243C
NAME & ADDRESS:
DAVID SAUER FARMS INC
HC 63 BOX 2163
MONTEVIEW ID 83435
SOURCE: GROUNDWATER
PRIORITY DATE: 04/01/1986
POINT OF DIVERSION: T09N R34E 20 NENWNW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T09N R34E 20 NWNW SWNW NESW
This right is for an enlargement of 21 acres.

Water Right: 32-11244
NAME & ADDRESS:
DAVID SAUER FARMS INC
HC 63 BOX 2163
MONTEVIEW ID 83435
SOURCE: GROUNDWATER

RECEIVED
MAR 13 2000

PRIORITY DATE: 04/01/1986
POINT OF DIVERSION: T09N R34E 21 NENWSW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T09N R34E 21 NENW NWNW SWNW SENW NESW NWSW SESW
This right is for an enlargement of 56 acres.

Water Right: 32-11245
NAME & ADDRESS:
DAVID W & MAGDALENE SAUER
HC 63 BOX 2163
MONTEVIEW ID 83435
SOURCE: GROUNDWATER
PRIORITY DATE: 04/01/1986
POINT OF DIVERSION: T09N R34E 20 SWSESE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T09N R34E 20 NENE NWNE SWNE SENE NESE NWSE
This right is for an enlargement of 42 acres.

Water Right: 32-11246
NAME & ADDRESS:
NEAL W SAUER
HC 63 BOX 2137
MONTEVIEW ID 83435
SOURCE: GROUNDWATER
PRIORITY DATE: 04/01/1987
POINT OF DIVERSION: T09N R34E 27 NWSESW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T09N R34E 21 NENE NWNE SWNE SENE
This right is for an enlargement of 24 acres within the total 157 acres recommended.

Water Right: 32-11247
NAME & ADDRESS:
NEAL W & MILDRED SAUER
HC 63 BOX 2137
MONTEVIEW ID 83435
SOURCE: GROUNDWATER
PRIORITY DATE: 04/01/1987
POINT OF DIVERSION: T09N R34E 27 NWSESW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T09N R34E 21 NESE NWSE SWSE SESE
T09N R34E 22 NESW NWSW SWSW
This right is for an enlargement of 45 acres within the total 280 acres recommended.

The water rights will be subject to all prior water rights. Those asserting injury from the enlargements may file petitions with the Director, Idaho Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402-3653 on or before June 29, 2000.
Published: February 24, March 2, 2000

RECEIVED

MAR 13 2000

Proof of Publication

The Post Register

State of Idaho
County of Bonneville

I, S. Bob Bright or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

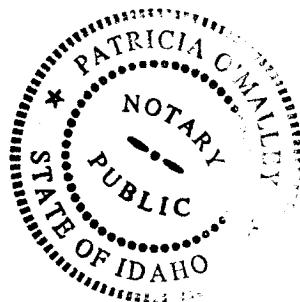
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for two consecutive (days) weeks, first publication having been made on the 24th day of February, 2000, last publication having been made on the 2nd day of March, 2000, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Robert Park

Subscribed and sworn to before me, this 3rd day of March, 2000

Patricia O'Malley
Notary Public

My commission expires January 3, 2003





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 16, 2000

Post Register
Attn: Cathy Von Borstel
PO Box 1800
Idaho Falls ID 83403

Dear Cathy:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We request the publication dates be February 24, 2000 and March 2, 2000. If you cannot publish the notice on the proposed dates, please contact me immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Yours truly,

A handwritten signature in cursive script that reads 'Danni M. Smith'.

Danni M. Smith
SRBA Sr. Secretary

Enclosure

ORIGINAL TO FOLLOW.

NOTICE OF ENLARGEMENT OF WATER RIGHT

The following claims to water rights have been filed in the Snake River Basin Adjudication as enlargements to existing water rights under Idaho Code §42-1426. Note that the places of use in Clark County are shown to the nearest section – more specific locations are available upon request.

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52033 S 11TH E
IDAHO FALLS ID 83404

SOURCE: GROUNDWATER

PRIORITY DATE: 12/26/1973

POINT OF DIVERSION: T09N R32E 36 SWNWSW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T08N R32E 01 Lot 1 (NENE) Lot 2 (NWNE) SWNE SENE
Lot 3 (NENW) SENW
T09N R32E 36 SWNW SENW NESW NWSW
Lot 4 (SWSW) Lot 3 (SESW)

This right is for an enlargement of 90 acres within the total 405 acres recommended.

Water Right: 32-10146

NAME & ADDRESS: REED RICKS
ROBERT R RICKS
PO BOX 2102
MONTEVIEW ID 83435

SOURCE: CROOKED CREEK

PRIORITY DATE: 04/01/1987

POINT OF DIVERSION: T10N R32E 03 SWNWSE

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T10N R32E 02 SWSW
T10N R32E 11 NWNE SWNE NENW NWNW
SWNW SENW NESW NESE
NWSE SWSE SESE
T10N R32E 13 NWNW SWNW SENW
NESW NWSW SESW
T10N R32E 14 NENE SENE

This right is for an enlargement of 71 acres within the total 406 acres recommended.

Contor, Bryce

To: Denniston, Sara; Carlsen, Ernie

Subject: Objection: 32-07025, 32-10127

10/26/1999

Bryce

Today Ted Sorensen called me re: 32-07025, 32-10127.

He had filed notice of error on these two recommendations, disagreeing with the diversion rate, which was based on what appears to be an erroneous 1970's field exam. He approached Shelley Keen about an amended license, Shelly offered instead a permit for the extra cfs. Sorensen is waiting for data from UP&L which Shelley required, but plans to apply for permit. If permit is approved he will be content.

To keep his options open, in case permit is not approved, Sorensen plans to file objection. If permit is approved he plans to withdraw objection.

A32-10127

10/1/99

See attached affidavit

Recommended PPU 405 acres

Parent right (license) 315 acres 3.92 cfs 9529 gfa

Enlargement 90 acres

3.76 imp/acre

R-record dta for license = 1102.5

$$3.76 / 405 = 0.0093 / \text{acre}$$

$$.0093 \times 90 = 0.84 \text{ cfs}$$

$$0.84 \times 214 \times 1.983 = 356 \text{ gfa}$$

$$90 \times 3.5 = 315 \text{ gfa}$$

$$952.9 + 315 = 1267.9$$

$$1102.5 + 315 = 1417.5$$

Priority given = priority of license in 1973 per
affidavit. = 12/26/1973

Cleo Wilding
HC 61 Box 1230
Dubois, ID 83423

September 30, 1999

Bryce Contor
Idaho Department of Water Resources
Idaho Falls, ID

Re: Irrigation of land on

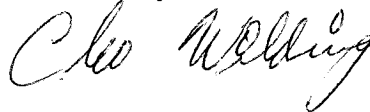
- 1) West $\frac{1}{2}$ Section 36, Township 9N Range 32 EBM
- 2) NE $\frac{1}{4}$ and NW $\frac{1}{4}$ Section 1, Township 8N Range 32 EBM

Dear Mr. Contor:

My father Ben Wilding and I operated this farm from 1973 until 1995 when we sold to Ted Sorenson.

- 1) W $\frac{1}{2}$ Section 36. The full eighty acres in the S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 36 was irrigated. Sometimes the northern border was not due to antelope depredation but the whole was irrigated when possible.
- 2) NE $\frac{1}{4}$ and NW $\frac{1}{4}$ Section 1 Township 8N range 32 EBM. The piece as shown on the attached map was rented from BLM after discovery of the trespass in about 1987. My dad and I farmed this piece from 1973 until we sold. We thought the ground was ours until BLM notified us in about 1987.

Sincerely,

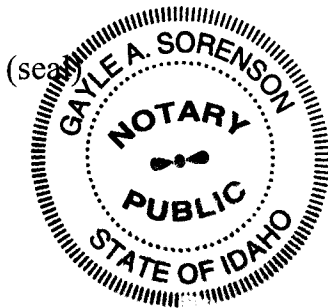


Cleo Wilding

STATE OF IDAHO)
)ss.
County of Bonneville)

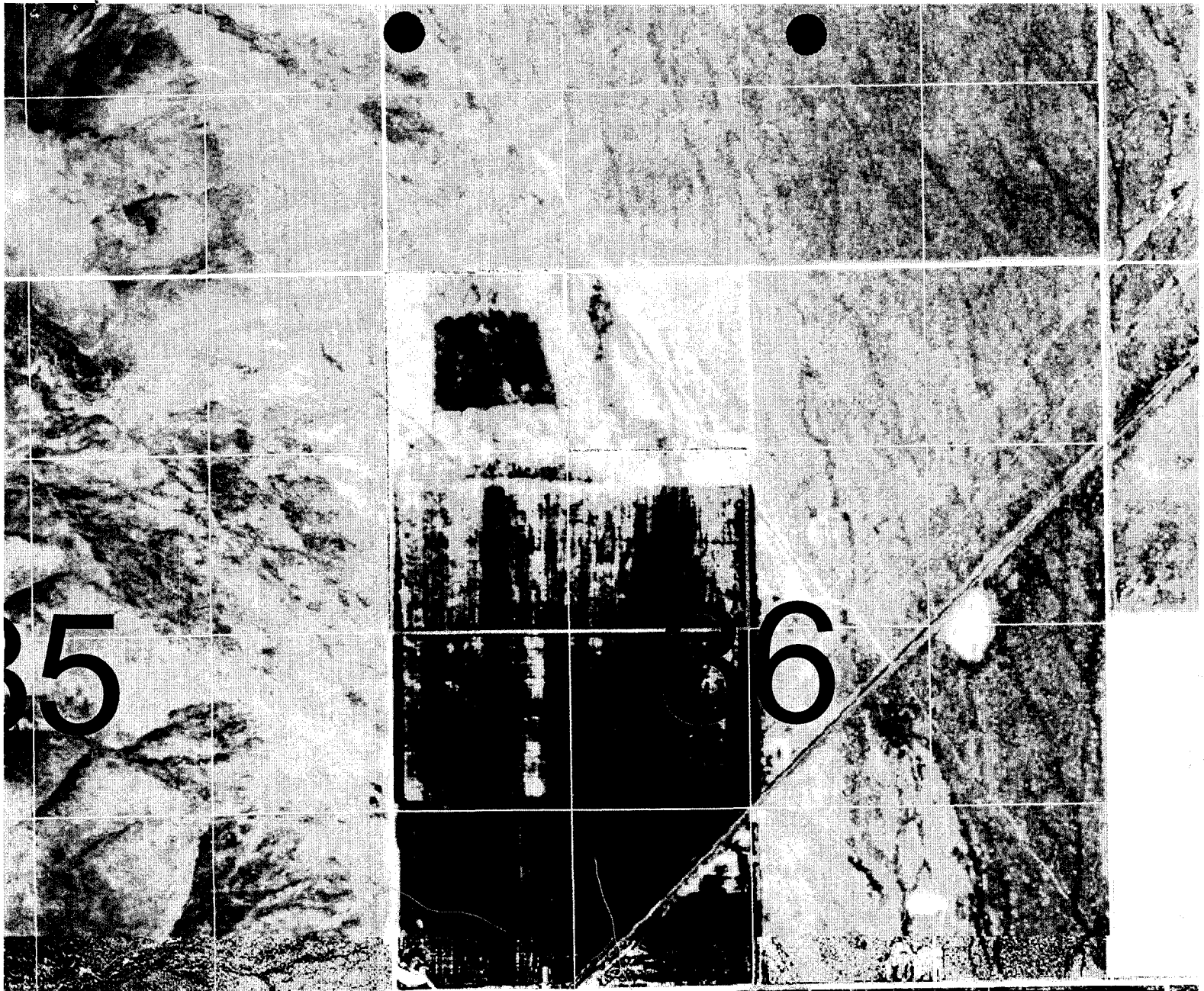
On the 30th day of September, in the year of 1999, before me, the undersigned, a notary public, in and for said State, personally appeared Cleo Wilding, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

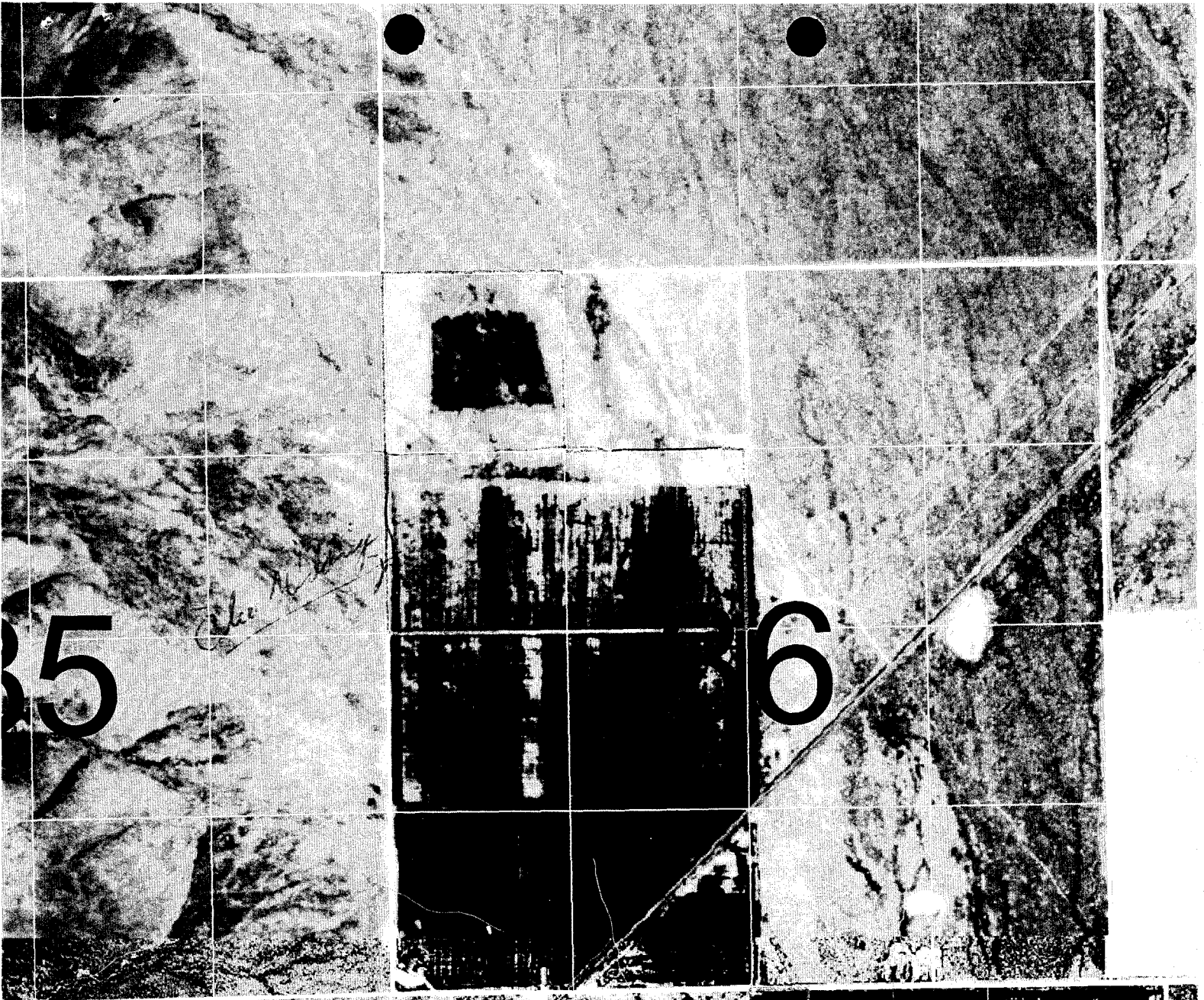
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



A handwritten signature in cursive script, appearing to read "Gayle A. Sorenson", written over a horizontal line.

Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 10-24-2000





9/29/99 Sara Lenniston 8:05

msg on machine

9/29/99 Ted Sorensen Re: A32-07025,
A32-10127

- 1) BLM Acres - Per Ernie we can recommend these acres because Sorensen worked out lease & then purchase of BLM Acres.
- 2) BLM Priority - If we give priority as of date of enlargement, NAPP photo documents 1975. If priority has to reflect "legal" use of land, we will use earliest lease documentation fr. Lease. Sorensen will send lease.
- 3) North end POU - ASCS couldn't give good documentation. Ted will try again to get documentation fr. Cleo Wilding. I told him I needed:

Acres

Sketch, or marks on GIS printout

Dates

Notarized Signature

Byron A. Connor



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709-1657

BCP

In Reply Refer To:

IDI-27766 (933)

APR 8 1998

CERTIFIED--RETURN RECEIPT REQUESTED

DECISION

Birch Creek Ranches, L.L.C.

Land Exchange IDI-27766

EXCHANGE AUTHORIZED
WARRANTY DEED, EVIDENCE OF TITLE, TAX INDEMNITY DEPOSIT, EQUALIZATION
PAYMENT, CORPORATE QUALIFICATIONS AND CITIZENSHIP
STATEMENTS REQUIRED

On November 19, 1997, a Notice of Decision for the proposed exchange of lands identified below, was issued by the Medicine Lodge Area Manager and duly published. The exchange is authorized by Section 206 of the Act of October 21, 1976 (90 Stat. 2756; 43 U.S.C. 1716). There was one protest filed but there was no appeal filed. The selected public lands and the offered private lands have been appraised and are of equal value with the proponent making an equalization payment of \$600.00 and further action can now proceed to consummate the exchange. The selected public lands are described as follows:

Boise Meridian, Idaho

T. 8 N., R. 32 E.,
sec. 1, lots 3 and 5, S $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
sec. 2, lots 8 and 9 and NE $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 8 N., R. 33 E.,
sec. 5, lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;
sec. 6, lots 1 to 5 inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$.

Containing 846.08 acres in Jefferson County.

The selected lands will be subject to the following reservations:

1. EXCEPTING AND RESERVING TO THE UNITED STATES a right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945.
2. Subject to those rights for road purposes granted to Jefferson County, its successors or assigns, by right-of-way No. IDI-20679, pursuant to the Act of October 21, 1996; 090 Stat. 2776; 43 U.S.C. 1761.

3. Subject to those rights for powerline purposes granted to Utah Power and Light Company, its successors or assigns, by right-of-way No. IDI-03666, pursuant to the Act of October 21, 1976, 090 Stat. 2776; U.S.C. 1761.
4. Subject to those rights for highway purposes granted to the Idaho Department of Transportation, its successors or assigns, by right-of-way No. IDI-08029, pursuant to the Act of November 9, 1921; 042 Stat. 0216.

The offered private lands to be conveyed to the United States are described as follows:

Boise Meridian, Idaho

T. 9 N., R. 25 E.,
 sec. 15, W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;
 sec. 22, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Containing 210.00 acres in Custer County.

The offered lands will be subject to the following reservations:

All minerals reserved to the United States.

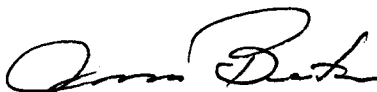
You are now required to furnish the following as required by 43 CFR Subpart 2201. However, before the warranty deed is signed and recorded and the title insurance policy is issued, a draft warranty deed and an unsigned final title insurance policy must be sent to our office for review by our attorneys. Once our attorneys have reviewed and approved these documents, we will notify you to proceed with the items below:

1. A warranty deed of conveyance of the offered private lands to the "United States of America and its assigns," properly recorded. It is required by 43 CFR 2201.5(b) that the deed to the United States should recite that it is made "for and in consideration of the exchange of certain land and interests as authorized by the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq)." Do not recite any monetary value in the deed. It must contain a reference to the name of the agency and address for which the lands are being acquired, "the land is being acquired by the Department of the Interior, Bureau of Land Management whose address is 1387 South Vinnell Way, Boise, Idaho 83709." Enclosed is a sample warranty deed for your use.
2. Evidence of Title. This may be submitted in the form of a policy of title insurance, a certificate of title or an abstract of title. If a policy of title insurance is filed, it must be on the form approved by the U.S. Attorney General, "American Land Title Association (ALTA), U.S. Policy - 9/28/91." The evidence of title must show that title to the offered private lands has vested in the United States. If a policy of title insurance is used, it should be issued in the amount of \$84,000, which is the appraised value of the land.

3. A tax indemnity deposit for the offered private lands in the form of a cash or a bond with qualified surety for an amount at least 20 percent in excess of the total taxes paid on the property for the previous year. If you wish to pay by using your credit card complete the enclosed form or call BLM at (208) 373-3892. We will accept Visa or Master Card. Refund of a cash deposit or release of a surety bond will be made when all taxes have been paid and evidence of such payment is submitted. This evidence can consist of copies of paid tax receipts or a statement from the County Treasurer.
4. Statements certifying as to United States citizenship (forms are enclosed for this purpose).
5. Evidence of corporate qualification. The Act under which this exchange is authorized requires that a corporation must be subject to the laws of any state. This evidence can consist of a copy of the Articles of Incorporation, the Corporation Charter, or a Certificate of Authority to business in the State as issued by the Idaho Secretary of State.
6. Appraised value of the selected public lands (\$84,600) exceeds the appraised value of the offered private lands (\$84,000) by \$600. The Act under which this exchange is authorized requires that the value of the public and private lands must be equal, but that in the case where they are not equal, cash payment can be made to equalize the values. Therefore, you must submit payment in the amount of the difference (\$600) to equalize the values.

All of the above requirements should be completed and filed in this office within 60 days from the date of receipt of this decision. Additional time for preparation of the title evidence may be granted if requested within the time allowed. Failure to take any action as herein outlined will result in cancellation of the exchange.

If you have any questions, please contact Larry Lievsay at (208) 373-3864.



Jimmie Buxton
Branch Chief, Lands and Minerals

Enclosures

cc:
DM, Upper Snake River District

August 1, 1999

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: September 10, 1999

Water right number: 32-10127

BIRCH CREEK RANCHES LLC
52033 S 11TH E
IDAHO FALLS ID 83404

Daytime Telephone Number:

Evening Telephone Number:

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

1. ~~Lisence~~ Lisence CFS may be in error;
CFS should be 5.2 to 5.3 CFS.

2. See amended claim; not enough acres are recommended. 3. Expansion occurred earlier 1987.

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. CFS calculation in exam indicates 9 head lines
+ 1 pivot @ 5.2 cfs. Pump curves indicate 5.3

2. cfs. See 1987 map photo - adjacent lands irrigated

3. Expansion may have occurred prior to 1987 - I will check

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

with previous owner
& ASES.

DATE: 9/2/99 SIGNATURE: Ted S. Sorenson

Please print your name: Ted S. Sorenson



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

APRIL 1, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BIRCH CREEK RANCHES LLC
52033 S 11TH E
IDAHO FALLS ID 83404

RE: CHANGE IN OWNERSHIP FOR A32-07025, A32-10127

Dear Mr. Sorensen:

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

Enclosed are copies of the Notice(s) of Claim, with your 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 these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

MICROFILMED
NOV 15 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 03/13/96

RECEIVED
MAR 21 1996

Department of Water Resources
Eastern District Office

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) _____
Assigned by IDWR: A32-07025 and ~~XXXXXXX~~ A32-10127
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Cleo B. Wilding, Personal Representative of Elda H. Wilding
HC61 Box 1230
Dubois, Idaho 83423
- ☐ New Owner/Claimant (Purchaser): Birch Creek Ranches, LLC
- ☐ New Mailing Address: 52033 South 11th East
Idaho Falls, Idaho 83404
- ☐ New Telephone Number: (208) 522 - 8069
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) [Signature] Date 3/20/96
- ☐ Signature of Former Owner/Claimant(s) Cleo B. Wilding Date 3/23/96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

NOV 15 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:52:05
06/29/99

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A32-10127

LAST: WILDING
ADDRESS: STAR RT
CITY: DUBOIS
PHONE NUMBER: 208-657-2577

FIRST: ELDA H
STATE: ID ZIP: 83423

OWNER CODE: 0

LAST: WILDING
ADDRESS:
CITY: MONTEVIEW
PHONE NUMBER: 208-657-2569

FIRST: CLEO B
STATE: ID ZIP: 83435

OWNER CODE: 0

LAST: WILDING
ADDRESS: STAR RT
CITY: DUBOIS
PHONE NUMBER: 208-657-2577

FIRST: ESTATE OF BEN R
STATE: ID ZIP: 83423

OWNER CODE: 0

LAST: BIRCH CREEK RANCHES LLC
ADDRESS: 52033 S 11TH E
CITY: IDAHO FALLS
PHONE NUMBER: 208-522-8069

FIRST:
STATE: ID ZIP: 83404

OWNER CODE: C

FIELD EXAM REQUIRED?

FIELD EXAMINER
Y() N()

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

CLAIM REMARKS: GEN

THIS RIGHT, WHEN USED IN CONJUNCTION WITH A32-07025, SHALL NOT
EXCEED 3.92 C.F.S. OR 952.9 A.F.A. CALCULATED TOTAL CONSUMPTIVE
IS 200.0 A.F.A. FOR THE P/U IN THIS CLAIM.

CHANGED OWNERSHIP 4/1/96/JT/GT

DELETED JERRY RIGBY 4/4/96/JT

CONTACT PERSON: _____

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 6/29/99

APPOINTMENT MADE: Y() N(X)

TIME: : A() P()

ACCOMPANIED BY: Officer Egan

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

In office Exam using license exam file and call at Photography

A. AJ CLAIM: # A32-10127 PRIORITY DATE: 05-01-1975 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y() N(☒)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y() N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)

Y() N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y() N()

FIELD EXAM COMPLETED

N/A(☒) Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y() N()

LICENSE ISSUED

N/A(☒) Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?

N/A() Y() N(☒)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N()

NOTES:

*No additional evidence was submitted with claim. 1987 NAPP
 Photography depicts claimed enlargement. Recommend priority dated
 beginning water record of 1987, - 4/15/87 for enlargement. No
 injury because it gives to all prior rights.*

RECOMMENDED PRIORITY DATE:

4 - 15 - 1987

REVIEWED BY

EG

DATE

8/25/89

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A32-10127	09N	32E	36	Sub	NW	SW		CLARK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX
R32-07025

WR RECORDS IN SAME 40 ACRE TRACT
32-07025

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A(☐) Y(☒) N(☐)E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N(☐)H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM 11/5/78)

AJ FIELD EXAM (DATE OF FIELD EXAM _____)

NAME OF EXAMINER _____

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

[illegible]

A. ROOT WATER RIGHT NUMBERS: A32-10127
R32-10127

B. POU LISTING

THP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09N	32E	36	SW	NW		BIRCH CREEK RANCHES LLC	A32-10127 / 40.0	- /	41.0		
			SW	NW		BIRCH CREEK RANCHES LLC	R32-07025 / 25.0	- /			
			SW	NW		BIRCH CREEK RANCHES LLC	R32-10127 / 25.0	- /			
			SW	NW		THE RENO DITCH COMPANY INC	R32-00058 / 40.0	- /			
			SW	NW		RENO DITCH COMPANY	T32-00058 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00059 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00060 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00102 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00061D / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00070A / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00062 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00070B / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00063 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00065 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00064 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00066 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00074 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00075 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00076 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00080 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00061C / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00068 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00069 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00073 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00077 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00078 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00079 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00085 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00086 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00087 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00089 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00090A / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00091 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00092 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00093 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-02043 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-02045 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00083 / 40.0				
			SW	NW		RENO DITCH COMPANY	T32-00101 / 40.0				
09N	32E	36	SE	NW		BIRCH CREEK RANCHES LLC	A32-10127 / 40.0	- /	30.0		
			SE	NW		BIRCH CREEK RANCHES LLC	R32-10127 / 25.0	- /			

34

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
SE	NW					BIRCH CREEK RANCHES LLC	R32-07025 / 25.0	/			
SE	NW					THE RENO DITCH COMPANY INC	R32-00058 / 40.0	/			
SE	NW					RENO DITCH COMPANY		T32-00058 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00059 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00060 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00102 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00061D / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00070A / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00062 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00070B / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00063 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00065 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00064 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00066 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00074 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00075 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00076 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00080 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00061C / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00068 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00069 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00073 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00077 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00078 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00079 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00085 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00086 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00087 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00089 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00090A / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00091 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00092 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00093 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-02043 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-02045 / 40.0			
SE	NW					GODDARD, ALFRED L		T32-00083 / 40.0			
SE	NW					RENO DITCH COMPANY		T32-00101 / 40.0			

33 33

ADDITIONAL POU FOUND
YES- Licensed for in 32-07025- Recommend / Permissible Page of
Use w/ 32-07025- See 32-07025 cvl For List-

TOTAL ACRES	A32-10127	80.00	71.00
-------------	-----------	-------	-------

372 acres 372 acres

POU COUNTY: CLARK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET (X)

Y(X) N()

→ CUR A32-02025

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A32-10127	GROUNDWATER	BIRCH CREEK RANCHES LLC	0.800	0.010		
R32-00058	BIRCH CREEK	THE RENO DITCH COMPANY INC	1.000		234.50	0.04
R32-07025	GROUNDWATER	BIRCH CREEK RANCHES LLC	3.920	0.011		
R32-10127	GROUNDWATER	BIRCH CREEK RANCHES LLC	0.375	0.001		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A32-07025

Y(X) N()

Reno Ditch Co.

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(X) Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(X) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(X)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(X)

20°

N O R

C121
BEN WILDING

1
54.1

25 25

2
74.2

122

40 40

39 3 36
58.1

STATE

8
158.9

SE

35 36 Dan.

LT2 LT1
CUO 80.1
WILDING 69.6
33.9 34.0

COUNTY

37

2
45.1

40

3
34.6
24.1

6.7

3.7

CLAIM NO(S) 34-07025, 32-10127
DATE: 6/29/99 TBN 32E
SOURCE OF DATA: ASCS, DATE UNKNOWN
SIGNATURE: *Edna*

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDNR NO. _____; () TOPOGRAPHIC QUAD, IDNR NO. _____

(X) NAPP, IDNR NO. 1987, 615; (b) ASCS PHOTO; () OTHER _____

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: 5 Acres ± 6/1 5/21. N/A()

REVIEWED BY:

DATE:

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A32-10127 IRRIGATION	FROM 01-01 TO 12-31	0.800 CFS	
TOTAL DIVERSION RATE/VOLUME			

License Rate/acre of

0.800 CFS

0.800 CFS

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☐) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☐) N(☒)

3.76 cfs/315 ac = 0.01193 cfs/acre
Recommend 57 ac x 0.01193 cfs/acre = 0.68 cfs

NOTES:

0.68 recommended.

AJ CLAIM TOTAL DIVERSION RATE: 0.800 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(X) Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N(X)

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(X)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(X)

FLOW MEASUREMENT

MEASUREMENT METHOD SEE Pg 10, SEE ATTACHED CALCULATIONS.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 57 x 0.02 CFS/ACRE = 1.14 CFS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 57 x DIVERSION VOL. AF/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 199.5 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 200.0 AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

[illegible]

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	4-15 10-15 -01-01 12-31	DATABASE EXAMINER 0.000 0.68	DATABASE EXAMINER 199.5	DATABASE EXAMINER 200.0
TOTAL FOR THIS RIGHT				

NON-IRRIGATION USES CLAIMED: None.

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: EG DATE: 6/29/99

FLAG: E E
STANDARD CONDITIONS (CODE):

C11
372
STANDARD REMARKS (CODE): BUL: E11; 32-07025, 3.76cfs, 116 AFA
QWT: E25; 32-07025, 3.76cfs, 1302 AFA
EXP: F05; 32-07025 / K09: 57 ACRES

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 32-10127

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A32-10127	0.800	R32-10127	<u>0.375</u>	-	-
				<u>0.68</u>		
				<u>0.375</u>		
	TOTAL CFS	0.800				

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

FIELD EXAMINER
Y () N ()

NOTES:

Revised use R-10

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

6/29/99

SWA

Eric S. Vorse

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>?</u> IDWR ID NO. <u>137</u>	Y(<u>P</u>) N(<u> </u>)
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y(<u> </u>) N(<u> </u>)
☒ NAPP	DATE OF PHOTO <u>1987, GIS</u> IDWR ID NO. _____	Y(<u>P</u>) N(<u> </u>)
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>?</u> IDWR ID NO. _____	Y(<u>P</u>) N(<u> </u>)
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y(<u> </u>) N(<u> </u>)
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y(<u> </u>) N(<u> </u>)
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y(<u> </u>) N(<u> </u>)
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y(<u> </u>) N(<u> </u>)
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y(<u> </u>) N(<u> </u>)
☐ OTHER _____	DATE _____	Y(<u> </u>) N(<u> </u>)
☐ OTHER _____	DATE _____	Y(<u> </u>) N(<u> </u>)
☐ OTHER _____	DATE _____	Y(<u> </u>) N(<u> </u>)

LIST OF ATTACHMENTS (CHECK IF ATTACHED) IF ATTACHED, SUPPLY APPROPRIATE INFORMATION PAGES

	NOTES
☒ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____
☐ SYSTEM DESCRIPTION	DATE DRAWN _____
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____
☒ OTHER <u>GIS Photo 6/95</u>	DATE _____
☐ OTHER _____	DATE _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:52:05
06/29/99

PAGE: 17
QUICKLOOK INFORMATION

17
CLAIM NUMBER: A32-10127

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		6/29/99	Y	6/29/99	6/29/99		
POINT OF DIV	Y			N				
SOURCE	Y			N				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME	Y			Y				
CONSUMPTIVE USE	-			N				
PURPOSES OF USE	Y			N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			Y				

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:53:07
06/29/99
18

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A32-10127

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BIRCH CREEK RANCHES LLC	05/01/1975	IRRIGATION	01-01 12-31	0.80 CFS	
TOTAL DIVERSION:					0.80 CFS	200.00 AFA
CONSUMPTIVE USE:						

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

T09N R32E S36

NWSW

Point(s) of Diversion:

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	
09N 32E 36		:	:	:	:	:	:	:	:	80.0
		:	:	:	:	:	:	:	:	80.0
		:	:	:	:	:	:	:	:	TOTAL ACRES

POU County: CLARK

Other Rights: A32-07025

Remarks: GEN THIS RIGHT, WHEN USED IN CONJUNCTION WITH A32-07025, SHALL NOT
EXCEED 3.92 C.F.S. OR 952.9 A.F.A. CALCULATED TOTAL CONSUMPTIVE
IS 200.0 A.F.A. FOR THE P/U IN THIS CLAIM.
CHANGED OWNERSHIP 4/1/96/JT/GT
DELETED JERRY RIGBY 4/4/96/JT

Objection Filed Date:

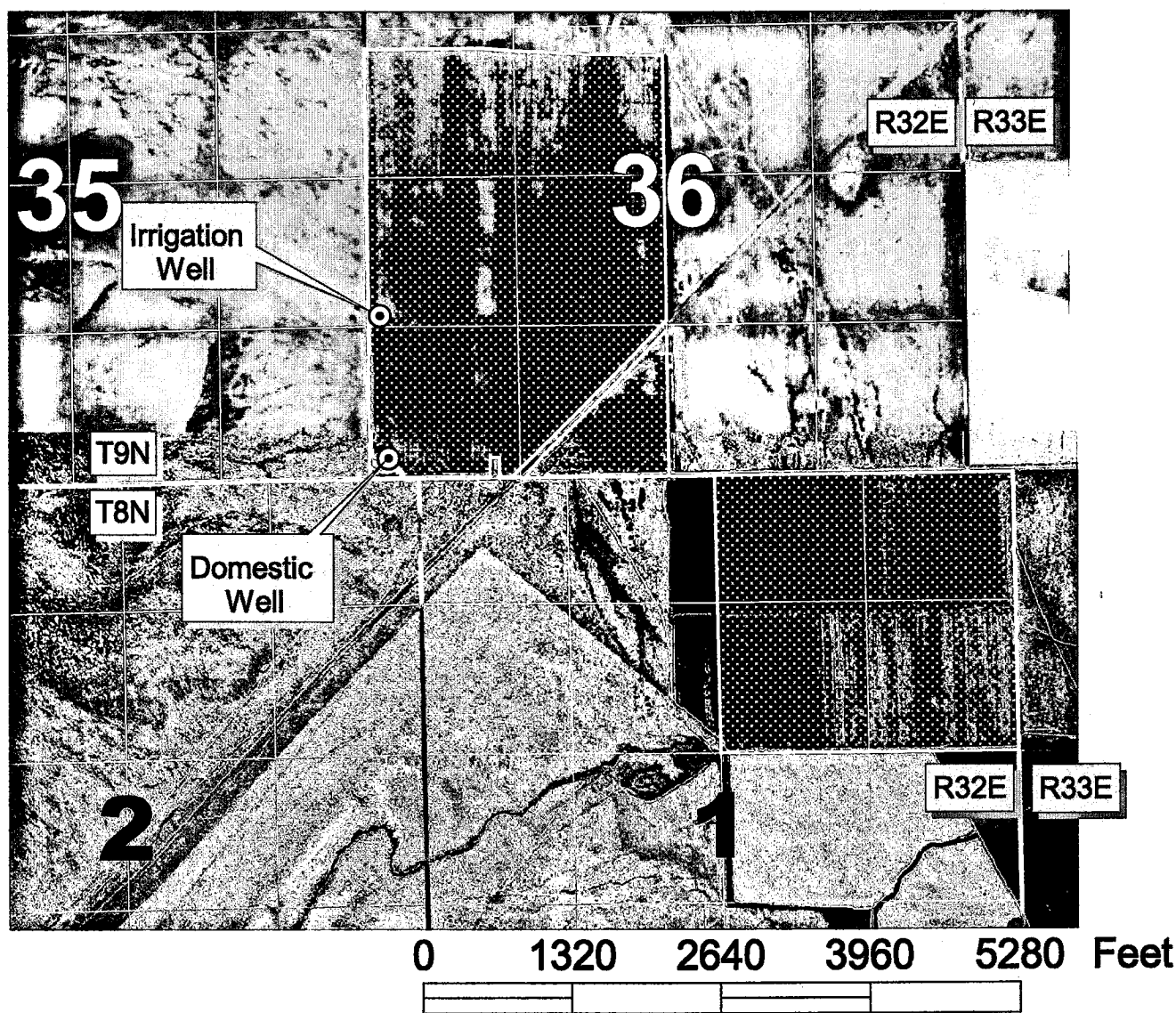
Verified Date:

Dates: Exam Made Date:

Misc: Water District Number: Field Inspection Flag: E
Presumption Flag:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Nos. 32-07027 & 32-10127



Point of Diversion

Townships 8N & 9N, Range 32E



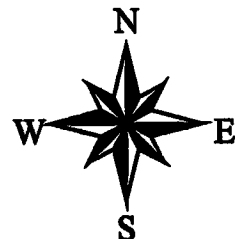
Place of Use
Boundary



Section Lines



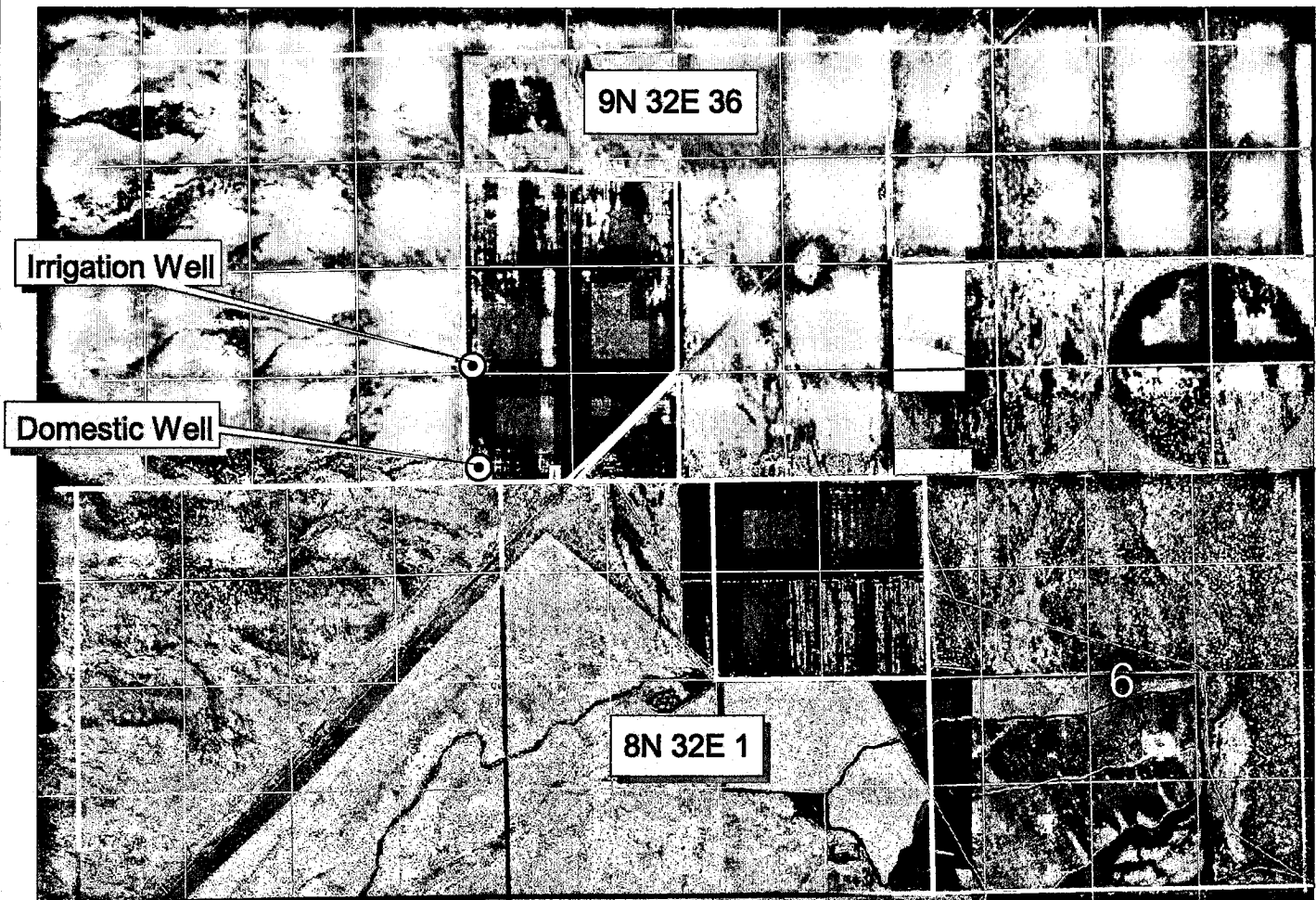
Quarter/Quarter Lines



GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Eric S. Verner
Date: June, 1999

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right No. 32-07025, 32-10127



0 2640 5280 Feet

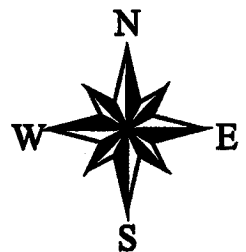
⊙ Point of Diversion

□ 1/4 1/4 Section Lines

□ Section Lines

— Place of Use Boundary

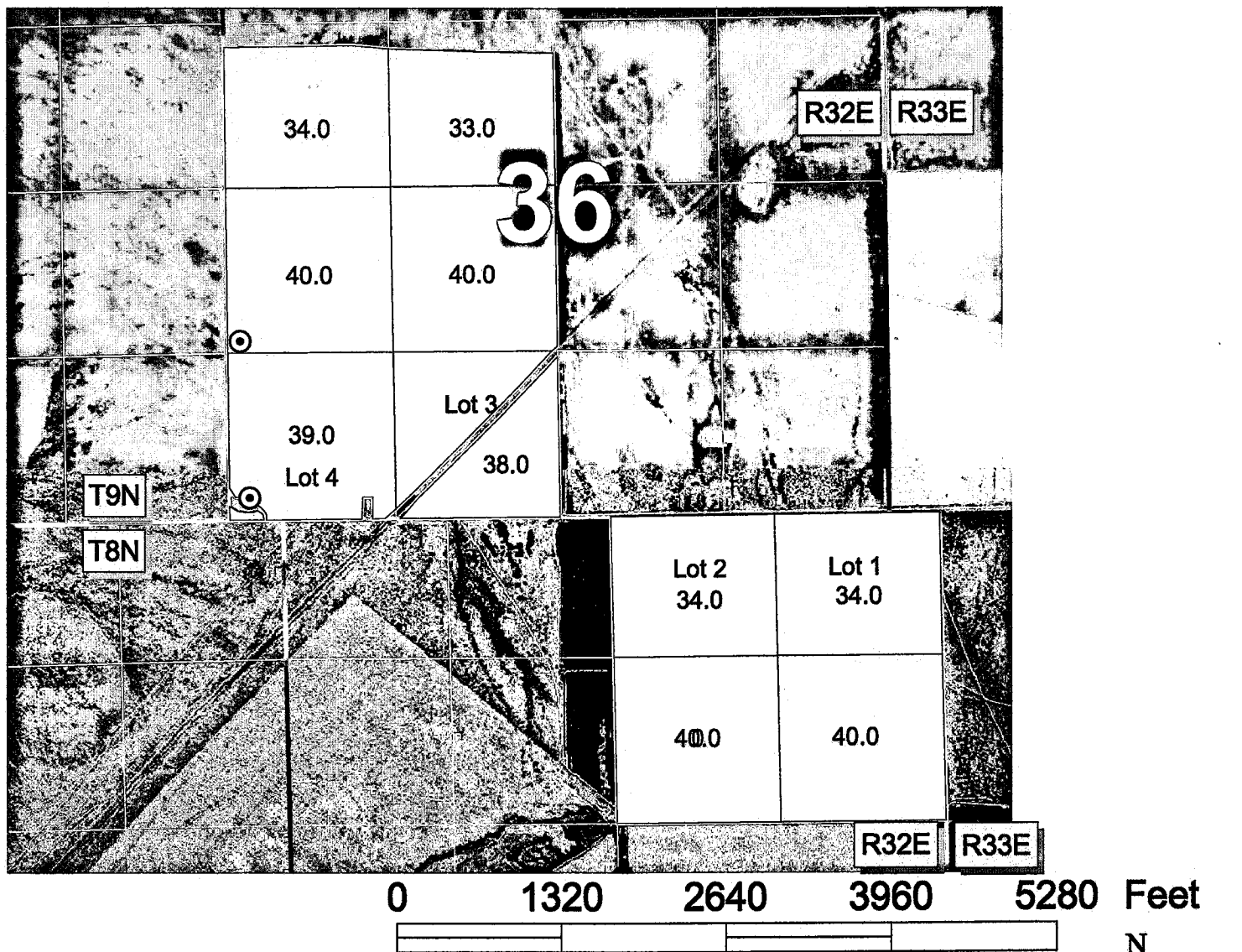
**Township 8N Range 32E
Section 1
Township 9N Range 32E
Section 36**



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

IDAHO DEPARTMENT OF WATER RESOURCES

Water Righth Nos. 32-07027 & 32-10127



⊙ Point of Diversion

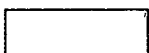
Townships 8N & 9N, Range 32E



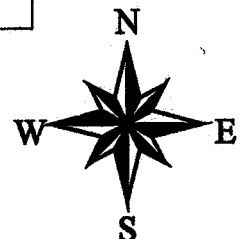
Place of Use
Boundary



Section Lines



Quarter/Quarter Lines



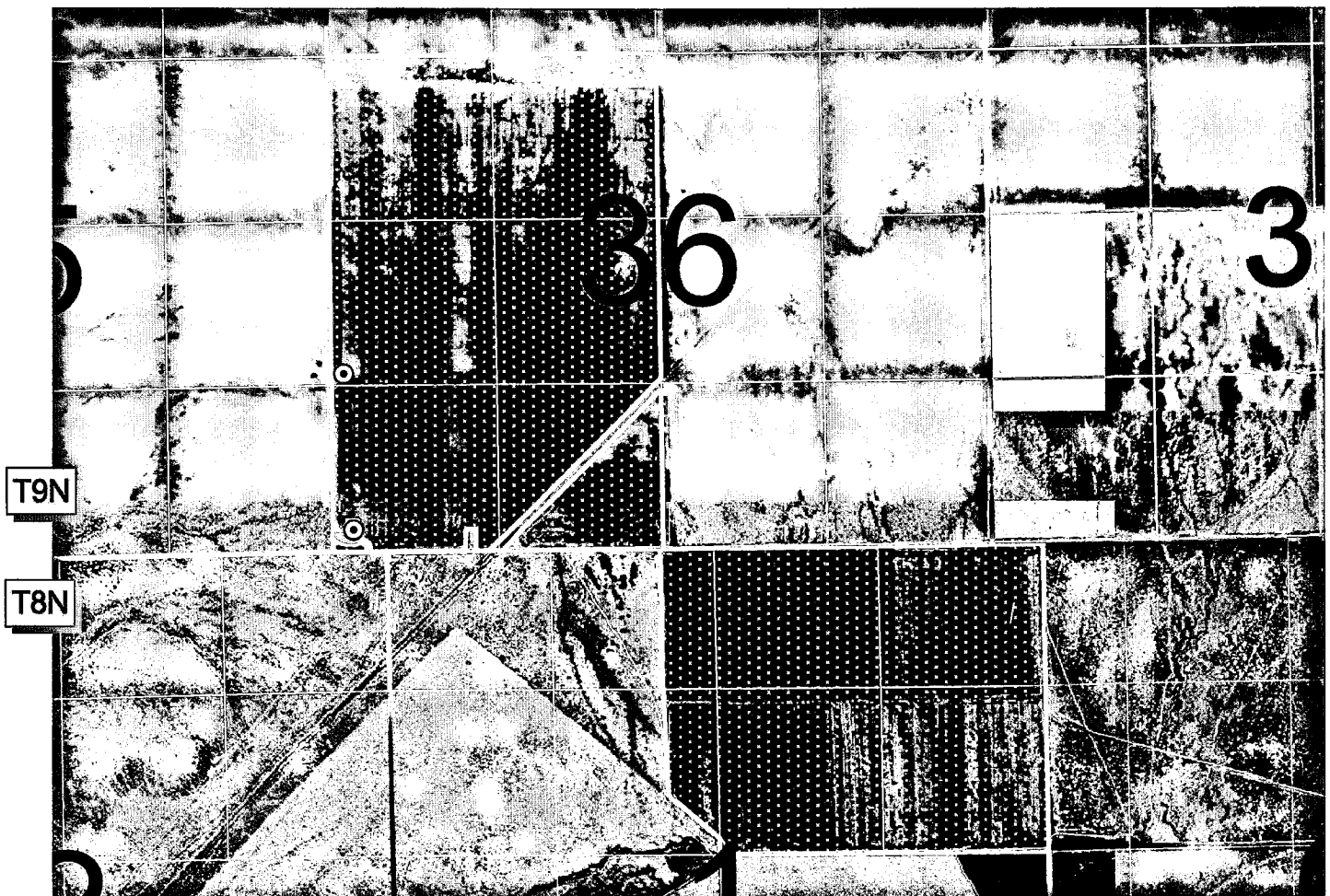
GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Eric S. Verner
Date: June, 1999

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 32-07025
and 32-10127

R32E

R33E



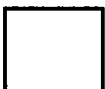
Township 8N and 9N,
Range 32E and 33E



Point of Diversion



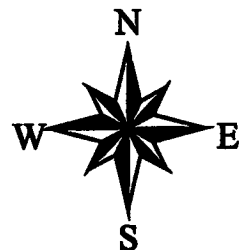
1/4 1/4 Section Lines



Section Lines



Place of Use Boundary



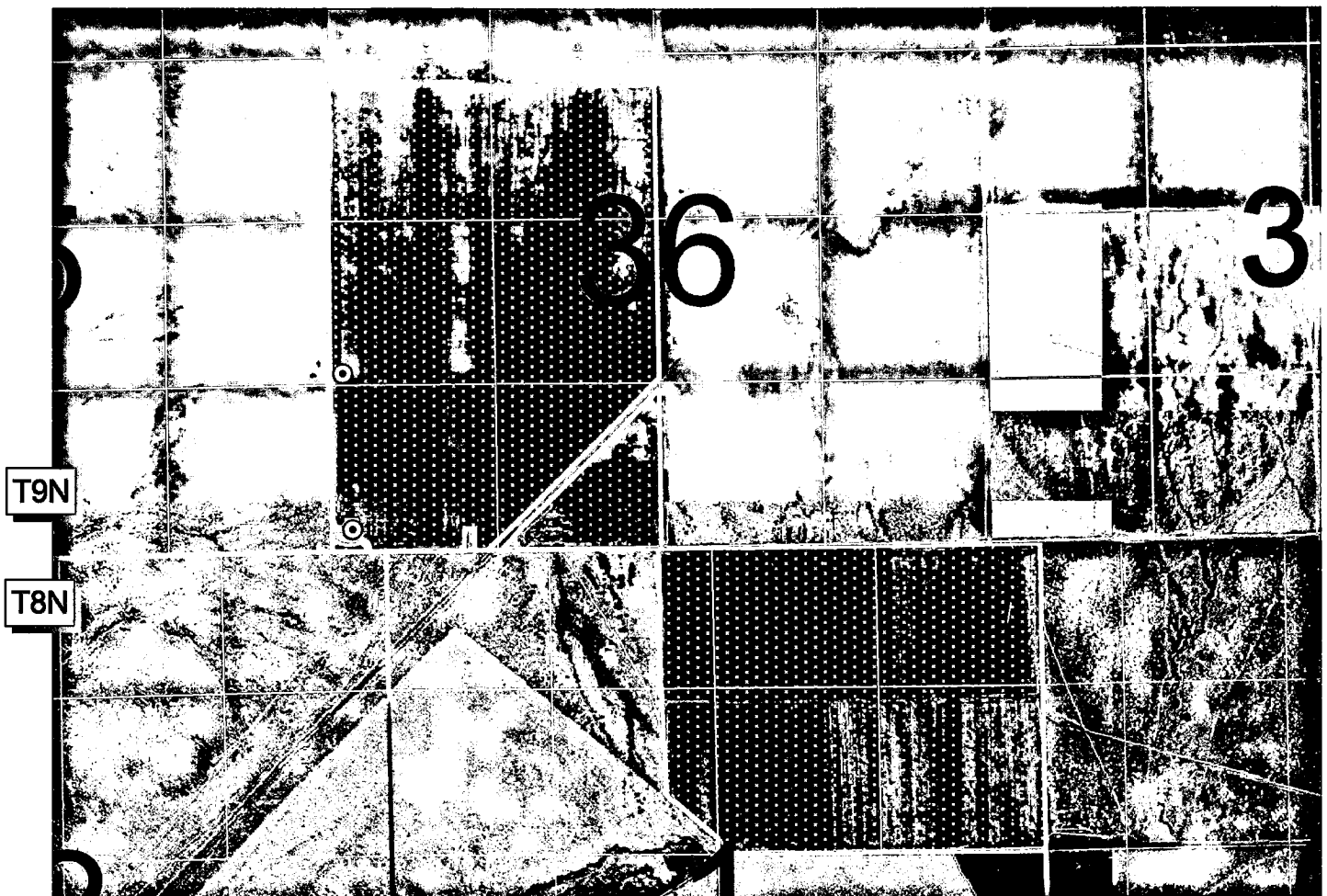
GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Bryce A. Contor
Date: October, 1999

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 32-07025
and 32-10127

R32E

R33E



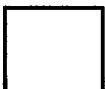
Township 8N and 9N,
Range 32E and 33E



Point of Diversion



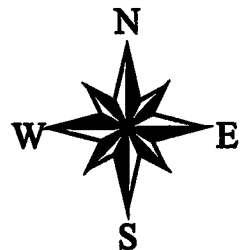
1/4 1/4 Section Lines



Section Lines



Place of Use Boundary



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

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)Water Right Number - R32-10127 Prefix Translation: RESEARCH Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +*** C - CURRENT OWNER ***
BIRCH CREEK RANCHES LLC1 - 52033 S 11TH E
2 -
3 -
City- IDAHO FALLS
Phone - 208-522-8069
State- ID Zip- 83404*** O - ORIGINAL OWNER ***
WILDING

CLEO B

1 -
2 -
3 -
City- MONTEVIEW
Phone - 208-657-2569
1 - STAR RT
2 -
3 -
State- ID Zip- 83435

WILDING

ELDA H

1 -
2 -
3 -
City- DUBOIS
Phone - 208-657-2577
1 - STAR RT
2 -
3 -
State- ID Zip- 83423

WILDING

ESTATE OF BEN R

1 -
2 -
3 -
City- DUBOIS
Phone - 208-657-2577
State- ID Zip- 83423+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/26/1973 ERROR IN REGION J - BENEFICIAL USE+ - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

09N 32E 36 SW NW SW (33) CLARK IRRIGATION WELL

+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.840 315.00+ - Total Div. Rate - - + + - Total Div. Volume - - + + - Total Consumptive Use - - + + - KW Usage - - +
0.840 315.00 0.0+ - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08N 32E 1 NE NE 1 34.0 01 IRRIGATION (51) JEFFERSON
08N 32E 1 NW NE 2 34.0 01 IRRIGATION (51) JEFFERSON
08N 32E 1 SW NE 40.0 01 IRRIGATION (51) JEFFERSON
08N 32E 1 SE NE 40.0 01 IRRIGATION (51) JEFFERSON
08N 32E 1 NE NW 11.0 01 IRRIGATION (51) JEFFERSON
08N 32E 1 SE NW 9.0 01 IRRIGATION (51) JEFFERSON
09N 32E 36 SW NW 40.0 01 IRRIGATION (33) CLARK

- THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
- USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM RENO DITCH COMPANY, INC.
- 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.

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|-----|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 03/22/1995 | Civil Case Number | - |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 09/07/1988 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - E002091 | Water District | - |
| | | POJ Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - OR | Presumption Flag | - E |
| | | | | Notice of Error 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: A32-10127
Date Received: 9/ 7/1988
Receipt No: E002091
Received By: BAC

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BIRCH CREEK RANCHES LLC 208-522-8069
Address: 5203 S 11TH E
IDAHO FALLS ID 83404

2. Date of Priority: MAY 1, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 09N | 32E | 36 | NW | SW | | | CLARK |

5. Description of diverting works:
WELL, PUMP AND HANDLINES.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 01/01 | 12/31 | 0.800 | | |

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

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 08N | 32E | 1 | NE | NW | | IRR | 11.0 |
| | | | SE | NW | | IRR | 9.8 |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| | | | | | Section Acres | 20.8 |
| 09N | 32E | 36 | NW | NW | IRR | 40.0 |
| | | | SW | NW | IRR | 40.0 |
| | | | SE | NW | IRR | 40.0 |
| | | | | | Section Acres | 120.0 |
| | | | | | Total Acres | 140.8 |

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:
A32-07025

14. Remarks:

THIS RIGHT, WHEN USED IN CONJUNCTION WITH A32-07025, SHALL NOT EXCEED 3.92 C.F.S. OR 952.9 A.F.A. CALCULATED TOTAL CONSUMPTIVE IS 200.0 A.F.A. FOR THE P/U IN THIS CLAIM.
CHANGED OWNERSHIP 4/1/96/JT/GT
DELETED JERRY RIGBY 4/4/96/JT
CLAIM AMENDED 9/2/1999 TO REFLECT ACRES DEVELOPED BUT NOT INCLUDED ON ORIGINAL CLAIM. ADDRESS CORRECTED. BAC.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Principal of _____
Title

Bunch Creek Ranches, LLC that I have signed the foregoing
Organization

Organization _____
document in the space below as Principal of _____
Title _____

Brown Creek Ranches LLC and that the statements contained in the
Organization

foregoing document are true and correct.

Signature of Authorized Agent

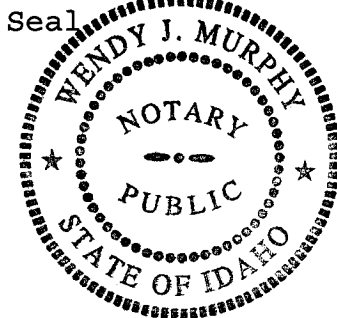
Principal Birch Creek Ranch CC
Title and Organization

9/2/95
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of September 19 99 Wendy J. M.

Wendy J. Murphy
Notary Public



Residing at Idaho Falls
My Commission Expires 6/23/2000

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: A32-10127
Date Received: 9/ 7/1988
Receipt No: E002091
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: BIRCH CREEK RANCHES LLC 208-522-8069
Address: 52033 S 11TH E
IDAHO FALLS ID 83404

2. Date of Priority: MAY 1, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 09N | 32E | 36 | NW | SW | | | CLARK |

5. Description of diverting works:
WELL, PUMP AND HANDLINES.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 01/01 | 12/31 | 0.800 | | |

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

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 09N | 32E | 36 | SW | NW | | IRR | 40.0 |
| | | | SE | NW | | IRR | 40.0 |

NOV 15 1990

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| | | | | | Section Acres | 80.0 |
| | | | | | Total Acres | 80.0 |

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:
A32-07025

14. Remarks:

THIS RIGHT, WHEN USED IN CONJUNCTION WITH A32-07025, SHALL NOT EXCEED 3.92 C.F.S. OR 952.9 A.F.A. CALCULATED TOTAL CONSUMPTIVE IS 200.0 A.F.A. FOR THE P/U IN THIS CLAIM.
CHANGED OWNERSHIP 4/1/96/JT/GT

15. Basis of Claim: BENEFICIAL USE

NOV 13 1996

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: A32-10127
Date Received: 8/03/1988
Receipt No: E002091
Received By: PEM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELDA H. WILDING 208-657-2577
Address: STAR RT.
DUBOIS, ID 83423

OR
Name: ESTATE OF BEN R. WILDING 208-657-2577
Address: STAR RT.
DUBOIS, ID 83423

2. Date of Priority: MAY 01, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 09N | 32E | 36 | NW | SW | | | CLARK |

5. Description of diverting works:
WELL, PUMP AND HANDLINES.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 01/01 | 12/31 | 0.800 | | |

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

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 09N | 32E | 36 | SW | NW | | IRR | 40.0 |
| | | | SE | NW | | IRR | 40.0 |
| | | | | | | Section Acres | 80.0 |
| | | | | | | Total Acres | 80.0 |

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:
A32-07025

14. Remarks:
THIS RIGHT, WHEN USED IN CONJUNCTION WITH A32-07025, SHALL NOT
EXCEED 3.92 C.F.S. OR 952.9 A.F.A. CALCULATED TOTAL CONSUMPTIVE
IS 200.0 A.F.A. FOR THE P/U IN THIS CLAIM.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____ Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____ Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

A32-10127

Page

My Commission Expires

3

Date: 09/07/88

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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: 39356
Ident. Number A32-10127
Date Received 2-7-1989
Receipt Number E002091

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

A3210127

Please type or print clearly

1. Name of Claimant (s) Elda H. Wilding and
Estate of Ben R. Wilding Phone (208) 657-2577
Mailing Address Star Route, Dubois, Idaho Zip 83423
2. Date of Priority (Only one (1) per claim) May 1, 1975..
3. Source of water supply (a) irrigation well/ground water
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 9N Range 32E Section 36,
NW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Clark
Additional points of diversion if any: SW1/4 of SW1/4 of Same Section, Township and Range
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
350 horsepower Johnston Pump into 12 inch mainline with approximately 15 hand
lines. ~~15-1988~~ enlarged usage to include the S1/2S1/2NE1/4

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NOV 18 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 1-1 to 12-31 amount 0.8 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) .08 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
| | | | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | |
| 9N | 32E | 36 | | | | | | | 40 | 40 | | | | | | | | | 80 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres irrigated 80

11. In which county (ies) are lands listed above as place of use located? Clark

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
License #32-7025 or None ()

14. Remarks:

MICROFILMED
NOV 18 1992

Last Name Wilding Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

RECEIVED

SEP 21 1988
Information Sheet No. 42-1400 a 2/88

Page 2

Scale: 2 inches equals 1 mile

T9N R32E

A 20x20 grid with handwritten notes and a shaded area. The grid is divided into four 10x10 quadrants by a vertical line at column 10 and a horizontal line at row 10. In the bottom-left quadrant, the text "Point of Div." is written in the 3rd row, 2nd column. In the bottom-right quadrant, the text "Clark" is written in the 3rd row, 12th column, and "Jeff" is written in the 4th row, 12th column. A shaded area with diagonal lines is located in the middle-left quadrant, covering the 11th and 12th rows and the 5th and 6th columns. The number "3/6" is written in the 11th row, 7th column.

NOV 18 1992

Last Name Wilding Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Elda H. Wilding Date 7/26/88

As Attorney in Fact for Elda H. Wilding Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 26th day of July 1988

SEAL

Notary Public Jerry R. Rigby

Residing at Rexburg, Idaho

My Commission Expires 11-9-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Jerry R. Rigby will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Jerry R. Rigby

Address P.O. Box 250, Rexburg, ID 83440

Date July 26, 1988

MICROFILMED

NOV 18 1992

Last Name Wilding Ident. Number _____

Copies White-State, Yellow-Claimant

● **A 32-10127** ●

40 40

P/D 3 → ⊗

T9N

T. 9 N.

T8N

T. 8 N.

CLARK CO
JEFFERSON CO

R32E R33E

MICROFILMED

NOV 18 1992

21 MI. TO INTERSTATE 15
DUBBOIS 22 MI.

2' 30"

