

09/11/2006

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

RIGHT NUMBER: 24-4066

NAME AND ADDRESS: STUMP CREEK RANCH
C/O ROBERT RAMSEY
2890 LIVEOAK CIRCLE
SALT LAKE CITY UT 84117

SOURCE: STUMP CREEK

TRIBUTARY: SALT RIVER

QUANTITY: 0.020 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/20/1920

POINT OF DIVERSION:

T07S R46E S6 NWSWNW Lot 4 Within CARIBOU County

T07S R46E S6 SWNESE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

06/01 11/01

0.020 CFS

PLACE OF USE: STOCKWATER Within CARIBOU County

✓ T07S R46E S06 Lot 2 SWNE

T07S R46E S06 Lot 4 SWNW ✓

T07S R46E S06 Lot 3 SENW ✓

T07S R46E S06 NESW ✓

T07S R46E S06 NESE ✓

T07S R46E S06 NWSE ✓

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 140 range cattle.

SCANNED

AUG 05 2001

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: **A24-04066**
Date Received: 9/19/1989
Receipt No: E010686
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: STUMP CREEK RANCH 801-466-7036
Address: C/O BRAD T BARBER PARTNER
1151 ROOSEVELT AVE
SALT LAKE CITY UT 84105

2. Date of Priority: SEP 20, 1920

3. Source: STUMP CREEK Trib. to: SALT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	46E	6	NW	SW	NW	4	CARIBOU

5. Description of diverting works:
ROCK DIVERSION & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/01	1.680		
STOCKWATER	06/01	11/01	0.030		

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

8. Total consumptive use is 210.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/140 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	46E	6	SW	NE	2	IRR	6.0
			SW	NW	4	IRR	15.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	46E	6	SE	NW	3	IRR	25.0
			NE	SW		IRR	5.0
			NE	SE		IRR	3.0
			NW	SE		IRR	30.0

Section Acres 84.0

Total Acres 84.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
NONE

14. Remarks:
P/U FOR STOCKWATER THE SAME AS IRRIGATION.
CHANGED OWNERSHIP 11/2/94/JT/GT
CHANGED OWNERSHIP 3/25/96/JT AR

15. Basis of Claim: STATUTORY CLAIM

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: A24-04066
Date Received: 9/19/1989
Receipt No: E010686
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ROBERT L MITCHELL 307-733-5949
Address: PO BOX 718
WILSON WY 83014

AND/OR

Name: JANE G MITCHELL 307-733-5949
Address: PO BOX 718
WILSON WY 83014

2. Date of Priority: SEP 20, 1920

3. Source: STUMP CREEK Trib. to: SALT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	46E	6	NW	SW	NW	4	CARIBOU

5. Description of diverting works:
ROCK DIVERSION & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/01	1.680		
STOCKWATER	06/01	11/01	0.030		

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

8. Total consumptive use is 210.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/140 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	46E	6	SW		NE	2	IRR	6.0
			SW		NW	4	IRR	15.0
			SE		NW	3	IRR	25.0
			NE		SW		IRR	5.0
			NE		SE		IRR	3.0
			NW		SE		IRR	30.0
							Section Acres	84.0
							Total Acres	84.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
NONE

14. Remarks:
P/U FOR STOCKWATER THE SAME AS IRRIGATION.
CHANGED OWNERSHIP 11/2/94/JT/GT

15. Basis of Claim: STATUTORY CLAIM

OWNER NAME & ADDRESS
C TED C. FROME
P.O. BOX 968
AFTON WY 83110
(307) 886-5430

PRIORITY DATE WATER USE
09/20/1920 IRRIGATION STOCKWATER

USE PERIOD FROM TO
05-01 10-01
06-01 11-01

DIVERSION RATE
1.68 CFS
0.03 CFS

DIVERSION VOLUME
210.00 AFA

TOTAL DIVERSION:
CONSUMPTIVE USE: 1.71 CFS

Water Source: STUMP CREEK Tributary to: SALT RIVER Stage: STATUTORY CLAIM

Point(s) of Diversion: TOTS R46E S06 Lot04(NMSNMW) CARIBOU County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	
T R S : Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac					SUM
07S 46E 6 : 02-06					84.0
					TOTAL ACRES
					84.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: CARIBOU

Non-Irrigation Uses: S/140 RANGE CATTLE

Other Rights: NONE

Remarks: P/U FOR STOCKWATER THE SAME AS IRRIGATION.

Dates: Exam Made Date: 12/09/1985

Misc: Water District Number: Field Inspection Flag:

Presumption Flag:

NOV 07 1990
MICROFILMED

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: A24-04066
Date Received: 9/19/1989
Receipt No: ED10686
Received By: SW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TED C. FROME 307-886-5430
Address: P.O. BOX 968
AFTON, WY 83110

2. Date of Priority: SEP 20, 1920

3. Source: STUMP CREEK Trib. to: SALT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	46E	6	NW	SW	NW	4	CARIBOU

5. Description of diverting works:
ROCK DIVERSION & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/01	1.680		
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7. Total Quantity Appropriated is:
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8. Total consumptive use is 210.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/140 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	46E	6	SW	NE	2	IRR	6.0
			SW	NW	4	IRR	15.0

A24-04066

Page 1

Date: 09/19/89

A2404066



MICROFILMED
NOV 06 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	46E	6	SE	NW	3	IRR	25.0
			NE	SW		IRR	5.0
			NE	SE		IRR	3.0
			NW	SE		IRR	30.0
						Section Acres	84.0
						Total Acres	84.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
NONE

14. Remarks:
P/U FOR STOCKWATER THE SAME AS IRRIGATION.

15. Basis of Claim: STATUTORY CLAIM

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: 0

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): Feb C. From Date: 9/19/89

Date: _____

State of Idaho)
County of Bonneville) SS.

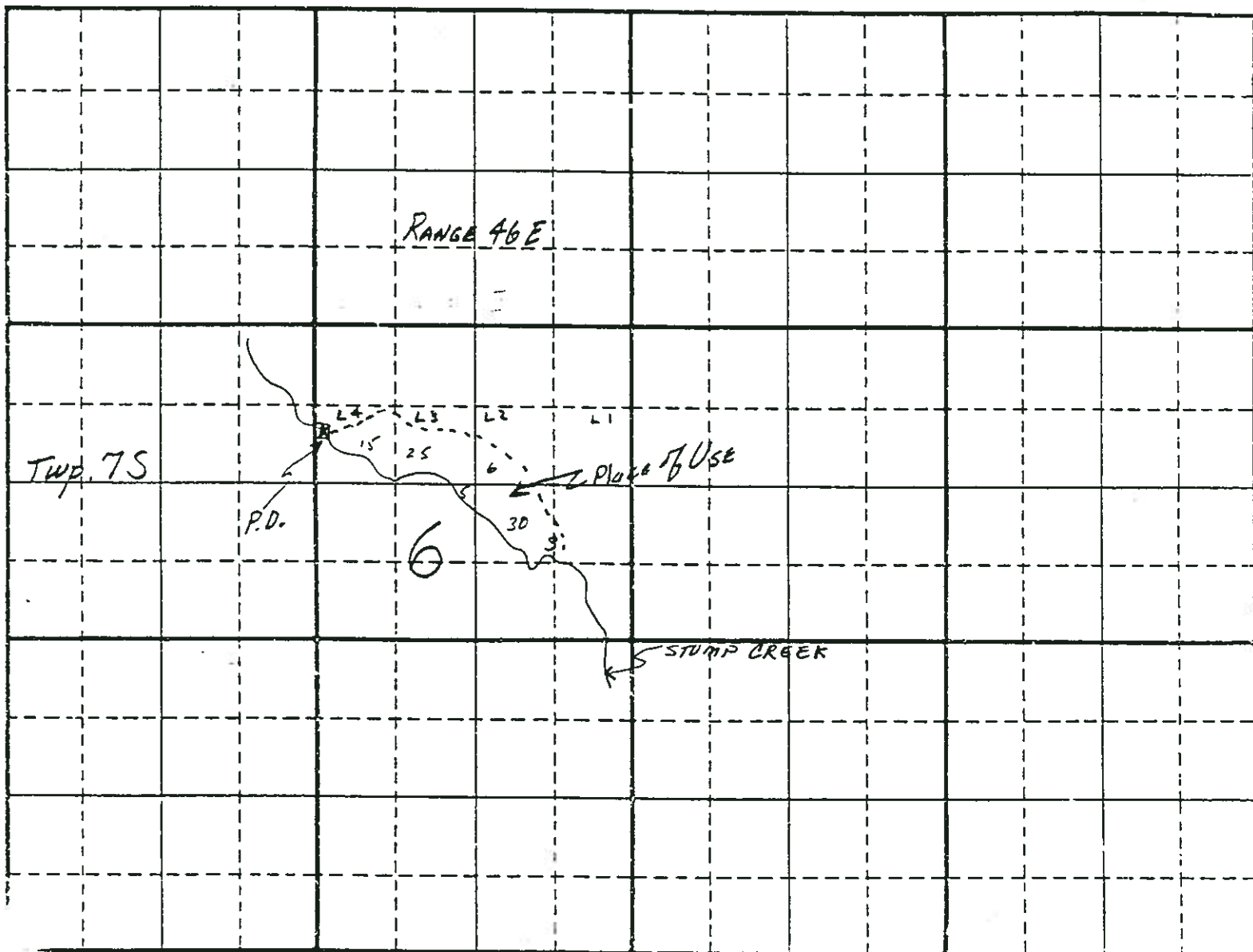
Subscribed and sworn (or affirmed) before me this 19 day
of September 19 89

E. J. Van
Notary Public



Residing at Solo Falls, Id.
My Commission Expires 22 Aug 1994

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Wyoming)
Lincoln) ss.
County of Lincoln)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Red C. Thomas
(Claimant)

Sworn to before me this 8th day of December, 1982.

09/12/2006

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:

Water right number: 24-4066

STUMP CREEK RANCH
C/O ROBERT RAMSEY
2890 LIVEOAK CIRCLE
SALT LAKE CITY UT 84117
Telephone Number: (801) 755-9730

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

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

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

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

DATE: 10 SIGNATURE: [Signature]

Please print your name: Robert H. Ramsey

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161



COMPLETED
KMT 10/25

Bird, Cindy

From: Carlsen, Ernie
Sent: Thursday, October 12, 2006 6:33 PM
To: Bird, Cindy
Subject: FW: 24-04066

Cindy please pull this file and call me on Monday to discuss it.
Ernie

-----Original Message-----

From: Steven M Spencer [mailto:sspencer@fs.fed.us]
Sent: Tuesday, October 10, 2006 2:41 PM
To: Carlsen, Ernie
Subject: 24-04066

This is an instream stockwater claim by Stump Creek Ranch on a pretty geometric block of private land inside the National Forest. The problem that I'm going to have with it is that four of the quarter-quarters (SWNE, SENW, SESW and SWSE) are half forest and half private and two of the quarter-quarters (NESE and SESE) are 75% forest and 25% private.

It would be very helpful on this one if it could be identified something to the effect that: "This water right does not include any National Forest System land". I would not have to object to it to take care of the ownership of the unusual parts of quarter-quarters identified above.

The map I can get on the IDWR site that was filed as part of the original statutory claims is pretty darn accurate as far as showing the location of Stump Creek as compared to my USGS map. Just for your information it would appear that, based on the investigation I did for this water right, that for "places of use" that Stump Creek does not flow through the SWNE (Lot 2) and that it does flow through the SWSE and SESE, these latter two do not appear on the preliminary recommendation, but according to the maps do have some creek and private land.

If you have any questions about this matter please contact me. I can provide the maps I used if you need to see them. Thank you.

Steve Spencer
Boise Adjudication Team
161 E. Mallard, Suite 110
Boise, ID 83706

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

10/16/06.

Ernie;

will get someone in I.F. to work on this
one

CB

add SWSE + SESE POU.
U42 Remark

add
U42

Quick Look	Contacts	Priority	POD	Source	POU	Water Use	Period of Use	Quantity
------------	----------	----------	-----	--------	-----	-----------	---------------	----------

Review/Verify Log

Status:

Claim Number: Version Number:

Check List

☒ Priority Date

☒ Contacts

☐ Point of Diversion

☒ Source

☐ Place of Use

☐ Purpose of Use

☒ Period of Use

☐ Quantity

☐ Summary

Contacts

No exam per
phone call w/
Cindy 21 July 05 -
Instream demin.
Stock only, see
11-30-04 notes,
B. Contor

Comments

Author: Text:

Subj:

Date: - -

- add SWSE + SESE
add U42.

Notes

10-28-04 Assessor's office: PB

Stump Creek Ranch, LLP

1151 Roosevelt Ave.

Salt Lake City, UT 84105

11-1-04 Letter to claremont re clarification, POD,

POU & evidence of priority. BP

11-29-04 Robert Ramsey collected evidence. See note in file. BP

11-30-04 I called Robert Ramsey back, I'm sending an address update form for them to update the file. Robert explained that they don't irrigate, the previous owners didn't irrigate and the 2 previous owners are dead so he doesn't know if he could prove irrigation but they do use it for in-stream stock. He will send me a map outlining the stock POU and pt 7 beginning and pt 7 ending. S14 91 - "11.

Recommending as in-stream stock only. CD.

1-12-05 Sent for acknowledging docs. BP

5-23-05 Put a copy of the plat, topo & ortho maps in the file. PB



View of POU facing northwest.



View of POU facing west.

29 November 2004
4:15 pm

Robert Ramsey
2890 Liveoak Circle
Salt Lake City, UT 84117
Cell: 801 755 9730

Robert called stating that he is in charge of the water for the Stump Creek Ranch partnership and that future correspondence should be addressed to him.

He said that it has not been irrigated for the last 8 to 10 years. I told him that since they have not irrigated it for 5 years, they have lost their chance of getting a right to irrigate.

The last time they leased the property to someone else for stock use was 6 or 7 years ago. Since they have used it to water the private stock of the Ranch.

What does he need to provide to prove stockwater use? Does it need to be continuous use in years for the period of the year that is claimed? What kind of proof is needed to prove stockwater use?

I told him that I would ask you and let him know with the information that we now have, what priority date we would recommend to the Court. If he wants an earlier priority date he is willing to search for additional proof, if available.

Barbara

[illegible]

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Date: 11/30/04

Priority Date Data Entry Form

Claim Number: 24-4066

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Reviewer: CB

Date:

Priority Date Data Entry Form

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (X)
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes () No (X)
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes () No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes () No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No (X)
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No (X)
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No (X)
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit.
Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes (X) No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes (X) No ()
B. U.
If Yes, go to 16
If No, Enter the appropriate basis of claim.
16. Is a Priority Date remark and/or condition required? Yes () No (X)
If Yes, Enter the appropriate basis of claim. Priority Date review is complete.
If No, Priority Date review is complete.

Priority Date

Claim No. AD4 - 4086

Point of Diversion and Source Data Entry Form

Claim Number: 24-4066

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	OOQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

Transfers Changing POD _____

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No ()

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No ()

3. Has the License been issued?

If Yes, go to 5
If No, recommend the POD as shown on the Permit. Go to 10

Yes () No ()

4. Does the parent right have a POD?

If Yes, go to 5
If No, go to 6

Yes () No ()

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7
If No, go to 9

Yes () No ()

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03. go to 9
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes () No ()

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9

Yes () No ()

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10
If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes () No ()

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete
If No, POD review is complete.

Yes () No ()

Point of Diversion

Claim No. A24 - 4066

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (X)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11

Yes () No ()

4. Does the parent right have a Source?

If Yes, go to 5
If No, go to 7

Yes () No ()

5. Can the claimed Source be verified using the water right file?

If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7

Yes () No ()

6. Is the basis of claim a Posted Notice?

If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7

Yes () No (X)

7. Is there evidence that there has been a change in the Source?

If Yes, go to 8
If No, go to 10

Yes () No (X)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C02, go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

Yes () No ()

9. Did the claimant file a transfer?

If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10

Yes () No ()

10. Does the file contain all of the necessary information to verify the Source?

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

Yes (X) No ()

11. Is a Source remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.

Yes () No (X)

Source

Claim No. A24 - 4066

Purpose of Use Data Entry Form

Claim Number: _____

_____ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Document how the Purpose of Use was verified:

Transfers Changing Purpose of Use _____

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (☒)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (☒)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

Yes () No ()

4. Does the parent right have a Purpose of Use?

If Yes, go to 5
If No, go to 6

Yes () No ()

5. Can the claimed Purpose of Use be verified using the water right file?

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the Purpose of Use?

If Yes, go to 7
If No, go to 11

Yes () No ()

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C04, go to 11
If No, go to 8

Yes () No ()

8. Does the change include an enlargement of the Purpose of Use?

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

Yes () No ()

9. Was an enlargement claim filed?

If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10

Yes () No ()

10. Did the claimant file an enlargement claim?

If Yes, go to 11
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

11. Does the file contain all of the necessary information to verify the Water Use?

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes () No ()

12. Did the claimant file a transfer?

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes () No ()

13. Is a Purpose of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.

Yes () No ()

Purpose of Use

Claim No. A24 - 4066

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

Transfers Changing POU _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 2a
If No, go to 2b

Yes () No (X)

2a. Is a POU required?

If Yes, go to 5
If No, go to 14

Yes () No ()

2b. Is a POU required?

If Yes, go to 3
If No, go to 14

Yes () No ()

3. Is the basis of claim a Permit or Application?

If Yes, go to 4
If No, go to 7

Yes () No ()

4. Has the License been issued?

If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14

Yes () No ()

5. Does the parent right have a POU?

If Yes, go to 6
If No, go to 7

Yes () No ()

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7

Yes () No ()

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8
If No, go to 13

Yes () No ()

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13
If No, go to 9

Yes () No ()

9. Does the change include an enlargement of the POU?

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

Yes () No ()

10. Was an enlargement claim filed?

If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11

Yes () No ()

11. Did the claimant file an enlargement claim?

If Yes, go to 13
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

12. Was a transfer filed?

If Yes, recommend the POU as shown on the approved transfer. Go to 14
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

13. Does the file contain all of the necessary information to verify the POU?

If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14

Yes () No ()

14. Is a POU remark and/or condition required?

If Yes, enter the appropriate remark and/ or condition. POU review is complete.
If No, POU review is complete.

Yes () No ()

Place of Use

Claim No. A24-4066

Period of Use and Quantity Data Entry Form

Claim Number: 24-4066☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
stockwater	5/1	11/1	0.02	

Overall Diversion Rate 0.02

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

diminimus in-stream stock.

Reviewer: CBDate: 11/30/04

1. Is the basis of claim a Decree or License? Yes () No (X)
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes () No (X)
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes () No ()
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
4. Does the parent right have a Period of Use? Yes () No ()
If Yes, go to 5
If No, go to 6
5. Can the claimed Period of Use be verified using the water right file? Yes () No ()
If Yes, go to 14
If No, go to 6
6. Is there evidence that there has been a change in the Period of Use? Yes (X) No ()
If Yes, go to 7
If No, go to 12
7. Does the change include an enlargement in the Period of Use? Yes () No (X)
If Yes, go to 9
If No, go to 8
8. Can the change be recommended as an accomplished transfer? Yes (X) No ()
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
9. Was an enlargement claim filed? Yes () No ()
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes () No ()
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
11. Was a transfer filed? Yes () No ()
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
12. Does the file contain all of the necessary information to verify the Period of Use? Yes (X) No ()
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined? Yes () No (X)
If Yes, go to 14
If No, go to 15
14. Is irrigation claimed as a purpose of use? Yes () No (X)
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
15. Is irrigation claimed as a purpose of use? Yes () No ()
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? Yes () No ()
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use? Yes () No ()
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
18. Is a Period of Use remark and/or condition required? Yes () No (X)
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
If No, Period of Use review is complete.

Period of Use

Claim No. A24 - 40166

1. Is the basis of claim a Decree or License? Yes () No ()
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes () No ()
If Yes, go to 5
If No, recommend the Quantity shown on the Permit. Go to 11
4. Does the parent right have a diversion rate and/or volume? Yes () No ()
If Yes, go to 5
If No, go to 7
5. Can the claimed diversion rate and/or volume be verified using the water right file? Yes () No ()
If Yes, go to 8
If No, go to 7
6. Is the basis of claim a posted notice? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 7
If No, go to 7
7. Is a flow measurement required? Yes () No ()
If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
If No, describe why a flow measurement is not required. Go to 9
8. Does the parent right have an annual diversion volume limit? Yes () No ()
If Yes, go to 10
If No, go to 9
9. Is the source Ground Water and does the purpose of use require a diversion volume limit? Yes () No ()
If Yes, go to 10
If No, go to 11
10. Is irrigation a purpose of use? Yes () No ()
If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
11. Has a diversion volume limit for this water use been established by a decree, license or transfer? Yes () No ()
If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, go to 12
12. Is a Quantity remark and/or condition required? Yes () No ()
If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.

Quantity

Claim No. A24 - 4066

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice? Yes () No ()
If Yes, go to 2
If No, go to 3
2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5
3. Is the water being used for all of the purposes claimed and to the extent claimed? Yes () No ()
If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4
4. Is any portion of the claim being recommended? Yes () No ()
If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5
5. Does this right have any combined used limits with other rights? Yes () No ()
If Yes, go to 6
If No, go to 6
6. Is an additional remark and/or condition required? Yes () No ()
If Yes, enter the appropriate remark and/or condition. Go to 7
If No, go to 7
7. Would you like to view the recommended right? Yes () No ()
If Yes, go to 8
If No, the review is incomplete. The recommendation must be viewed to complete the review.
8. Is this a "split" or "combined" right? Yes () No ()
If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 9
If No, go to 9
9. Do you have documents you would like to attach or link to the file? Yes () No ()
If Yes, go to PowerDOCS and profile the documents. Go to 10
If No, go to 10
10. Would you like to set the verification date? Yes () No ()
If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.

Summary

Claim No. A24 - 4066

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

C10 Gen Cond.

N11 Gen Cond.

N13 Qty Cond.

Split or Combined Right Analysis:

N/D

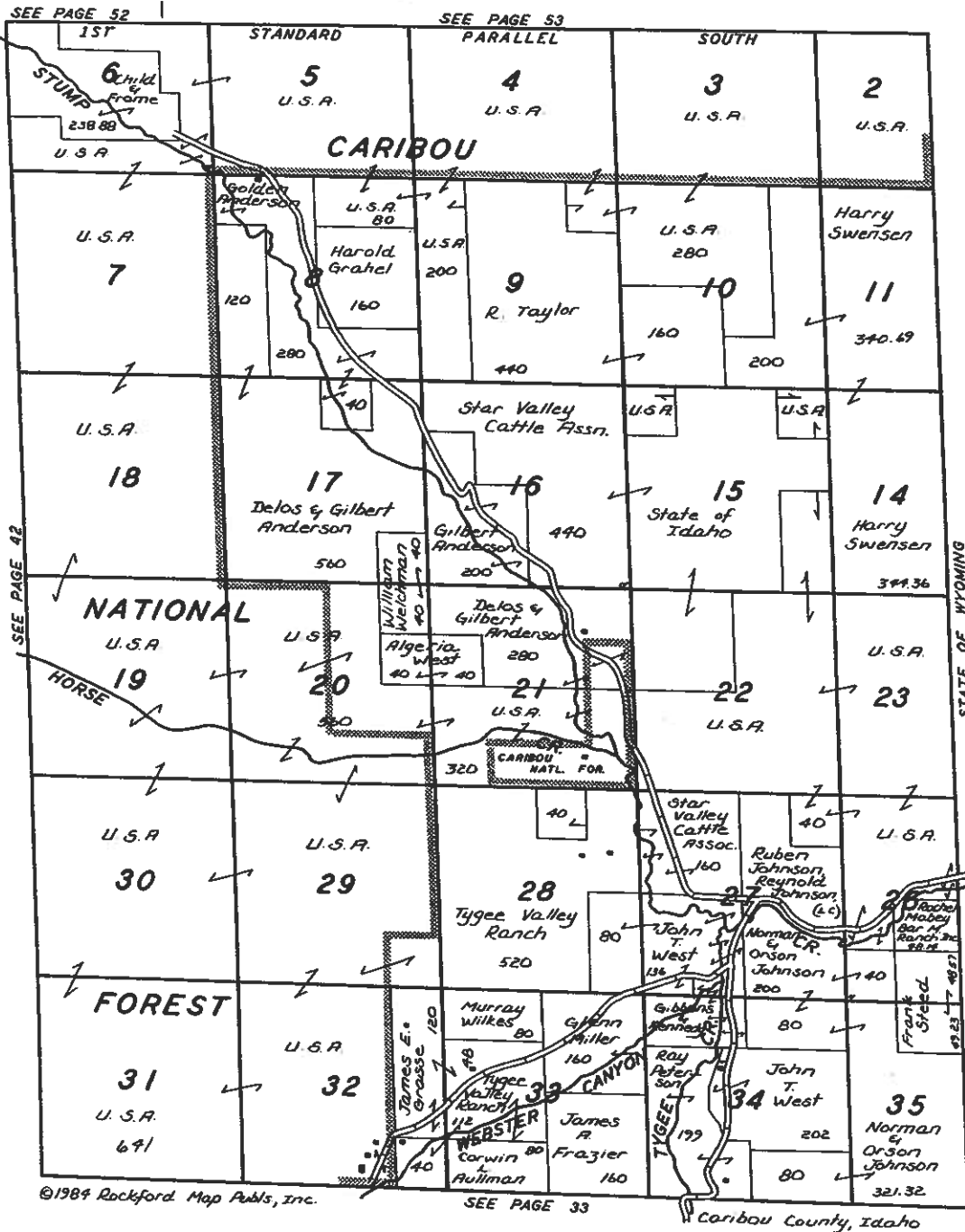
Attached Field Notes or Other Documents:

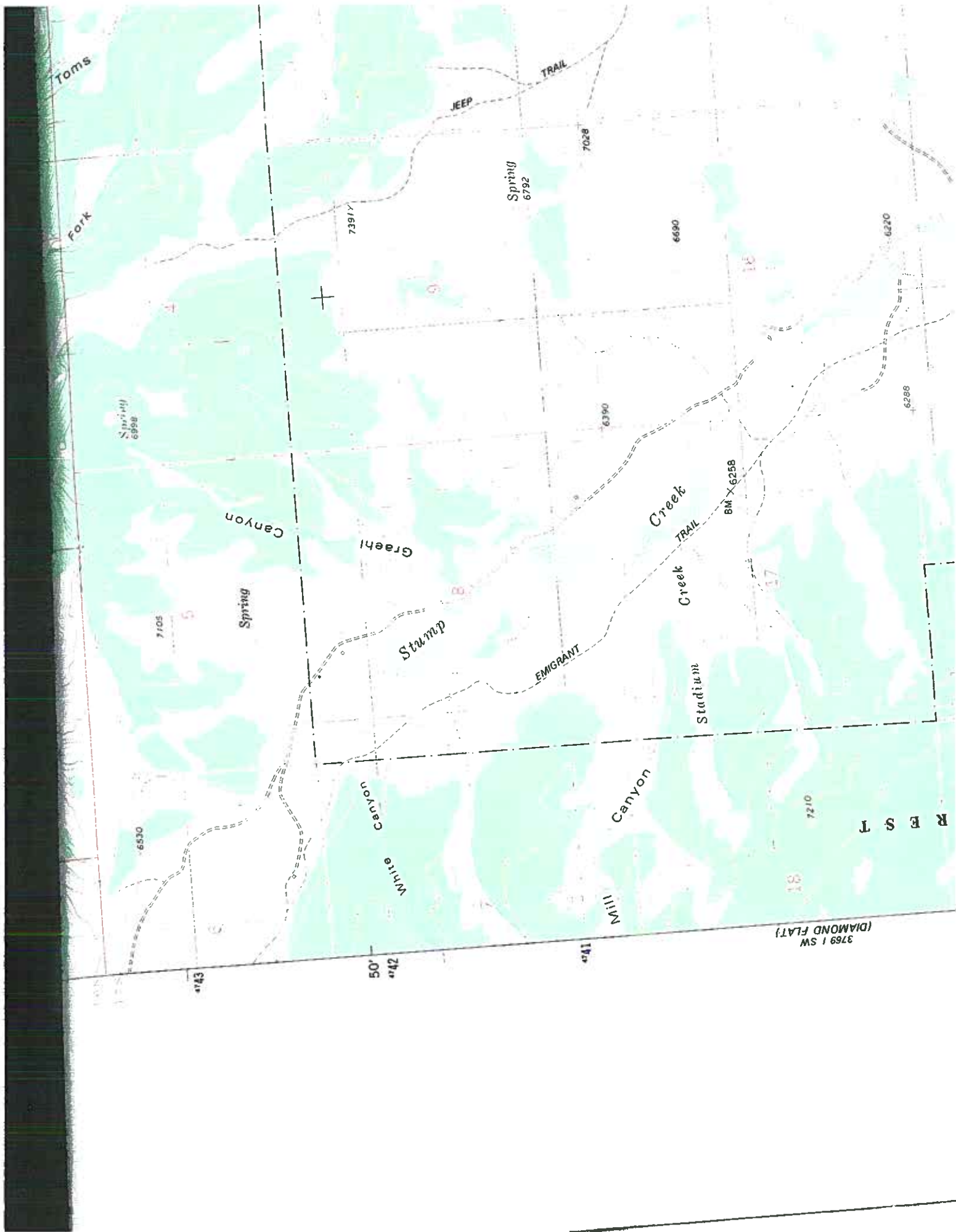
N/D

Claim No.: A24-4066

Reviewer CB

Date 11/30/04





T6S
T7S



15 West Center
Soda Springs, ID 83276
Phone (208) 547-3993
FAX (208) 547-3939

Idaho Department of Water Resources

Fax

To: Sheila Eddins

From: Barbara Payne

Fax: 307 885 6160

Pages: 1

Phone:

Date: 2/23/2005 1-12-05

Re: 24-4006-4066

CC:

Hi Sheila,

Thanks for sending the documents and drawing for the above referenced claim. These documents have been placed in your file and will be analyzed. If we need further information, we will be back in touch with you.

Barbara Payne



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

1 November 2004

Stump Creek Ranch, LLP
1151 Roosevelt Ave.
Salt Lake City, UT 84105

Re: Snake River Basin Adjudication (SRBA)
Claims 24-4066

Subject: CLARIFICATION IN THE POINT OF DIVERSION (POD),
PLACE OF USE (POU) & EVIDENCE OF PRIORITY

COPY

RESPONSE DATE: 30 NOVEMBER 2004

Dear Claimant(s):

The Idaho Department of Water Resources has begun its water right review in Basin 24. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The basis of the above referenced Notice of Claim is a "statutory claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

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

For your reference, I have enclosed the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

We do have on file two Warranty Deeds that transfer the property from Ted & Betty Frome to Robert & Jane Mitchell and then from the Mitchells to Stump Creek Ranch, LLP. We need

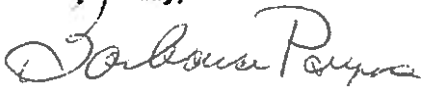
documentation supporting the transfer of property and water from the claimed priority date to when the Frome's first acquired the property. The file also contains a copy of an affidavit signed by Ted A. Hale concerning water usage. However, none of these documents provide clear evidence of how and when the 84 claimed acres of land were first irrigated and that the irrigation has taken place since the claimed priority date.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

I am enclosing a copy of the Notice of Claim to a Water Right together with an aerial map of the claimed township, range and section. Please indicate on this image where the POD is located and exactly which acres have been irrigated since the claimed priority date. Please describe how these acres have been irrigated. If there is more than one POD, please indicate all PODs and the acres irrigated from each POD.

Please submit the documentation supporting the priority date by the above noted response date referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

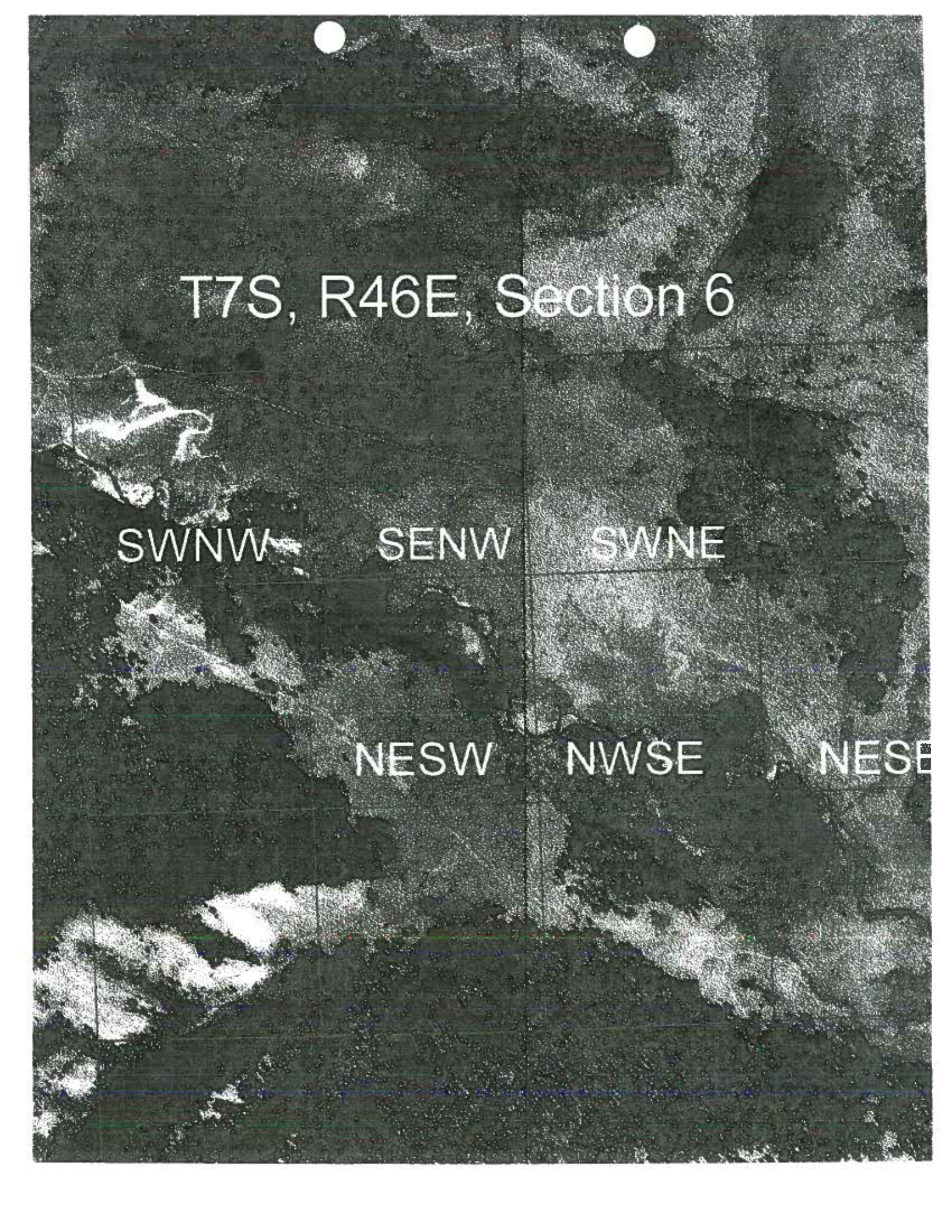
Respectfully,



Barbara Payne

Enclosures

Evidence of Priority Pamphlet
Notice of Claim to a Water Right
Image of T7S,R46E, Section 6

An aerial photograph of a landscape, possibly a field or forest, with a grid overlay. The grid is composed of thin white lines. The text "T7S, R46E, Section 6" is centered at the top. Below it, the labels "SWNW", "SENW", and "SWNE" are positioned along a horizontal line. Further down, the labels "NESW", "NWSE", and "NESE" are positioned along another horizontal line. The background is a dark, textured aerial view of the land.

T7S, R46E, Section 6

SWNW

SENW

SWNE

NESW

NWSE

NESE

7466

No contain 64 T7S, R46E

No AA100

find index for area

see what images we have that
show irrigation.

10.28.04

Timeline 24-4066

- 10/18/1990** **Warranty Deed, Ted & Betty Frome to Robert & Jane Mitchell**
T7S, R46E, Section 6, S1/2 of Lot 2
T7S, R46E, Section 6, S1/2 of Lot 3
T7S, R46E, Section 6, Lot 4
T7S, R46E, Section 6, Lot 5
T7S, R46E, Section 6, NESW
T7S, R46E, Section 6, NWSE
T7S, R46E, Section 6, N1/2SESW
T7S, R46E, Section 6, N1/2SWSE
T7S, R46E, Section 6, NWSESE
T7S, R46E, Section 6, SWNESE
All water rights
Recorded #140079??
- 10/13/1994** **Affidavit of Evidence of Priority by Ted A. Hale, establishing water usage to 1919.**
- 2/22/1996** **Warranty Deed, Robert & Jane Mitchell to Stump Creek Ranch LLP**
T7S, R46E, Section 6, S1/2 of Lot 2
T7S, R46E, Section 6, S1/2 of Lot 3
T7S, R46E, Section 6, Lot 4
T7S, R46E, Section 6, Lot 5
T7S, R46E, Section 6, NESW
T7S, R46E, Section 6, NWSE
T7S, R46E, Section 6, N1/2SESW
T7S, R46E, Section 6, N1/2SWSE
T7S, R46E, Section 6, NWSESE
T7S, R46E, Section 6, SWNESE
All water rights
Recorded #151688

Parcel Numbers:

~~+5390~~

15390

7, 46, 6

Lot 4, N $\frac{1}{2}$ SW, N $\frac{1}{2}$ SESW, dry grazing 259 ac.
S $\frac{1}{2}$ SWNE, S $\frac{1}{2}$ SENE, NWSESE
SWNESE.

SCANNED

AUG 05 2001

Log for claim 24-04066

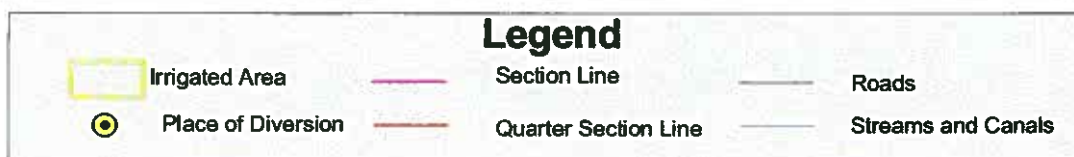
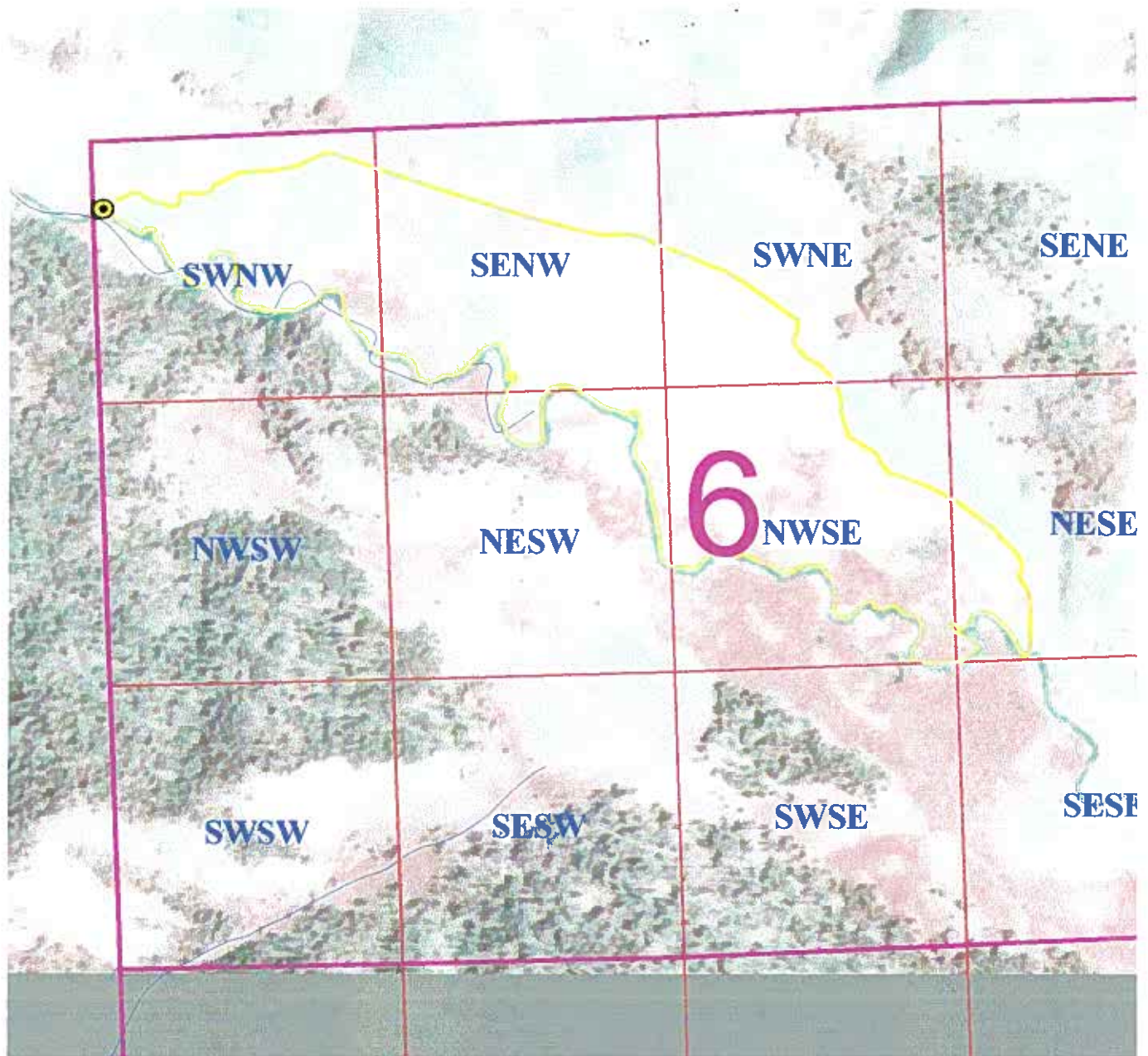
Spatial Dynamics LTD

4/11/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s46e	6	SWNE	6	7.5	
07s46e	6	SWNW	15	14	
07s46e	6	SENE	25	24	
07s46e	6	NESW	5	3.4	
07s46e	6	NESE	3	3.7	
07s46e	6	NWSE	30	24	
Totals:			84	76.6	

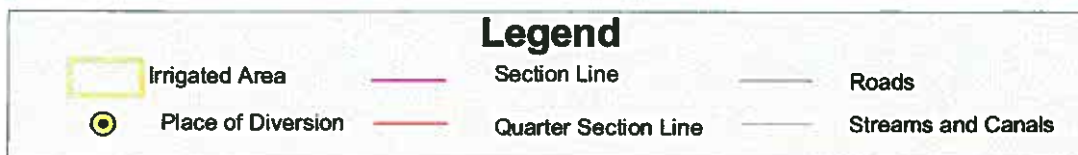
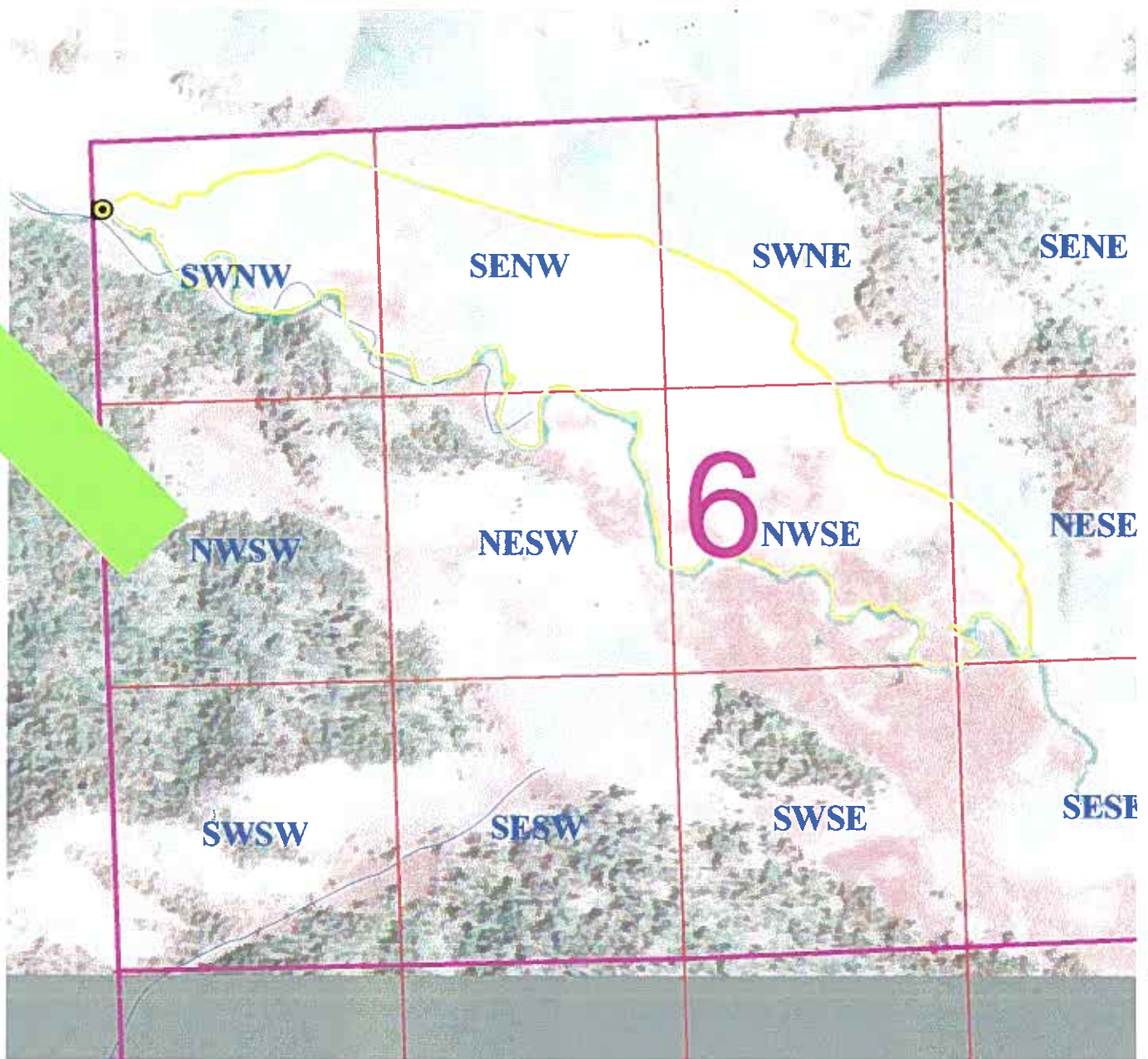
Water Right Claim Number 24-04066
Townships , 7S46E, 7S45E

04/11/2001



Water Right Claim Number 24-04066
Townships , 7S46E, 7S45E

04/11/2001

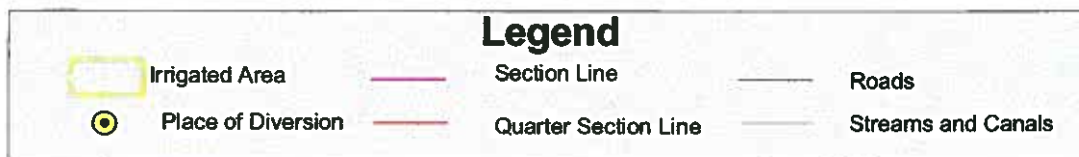
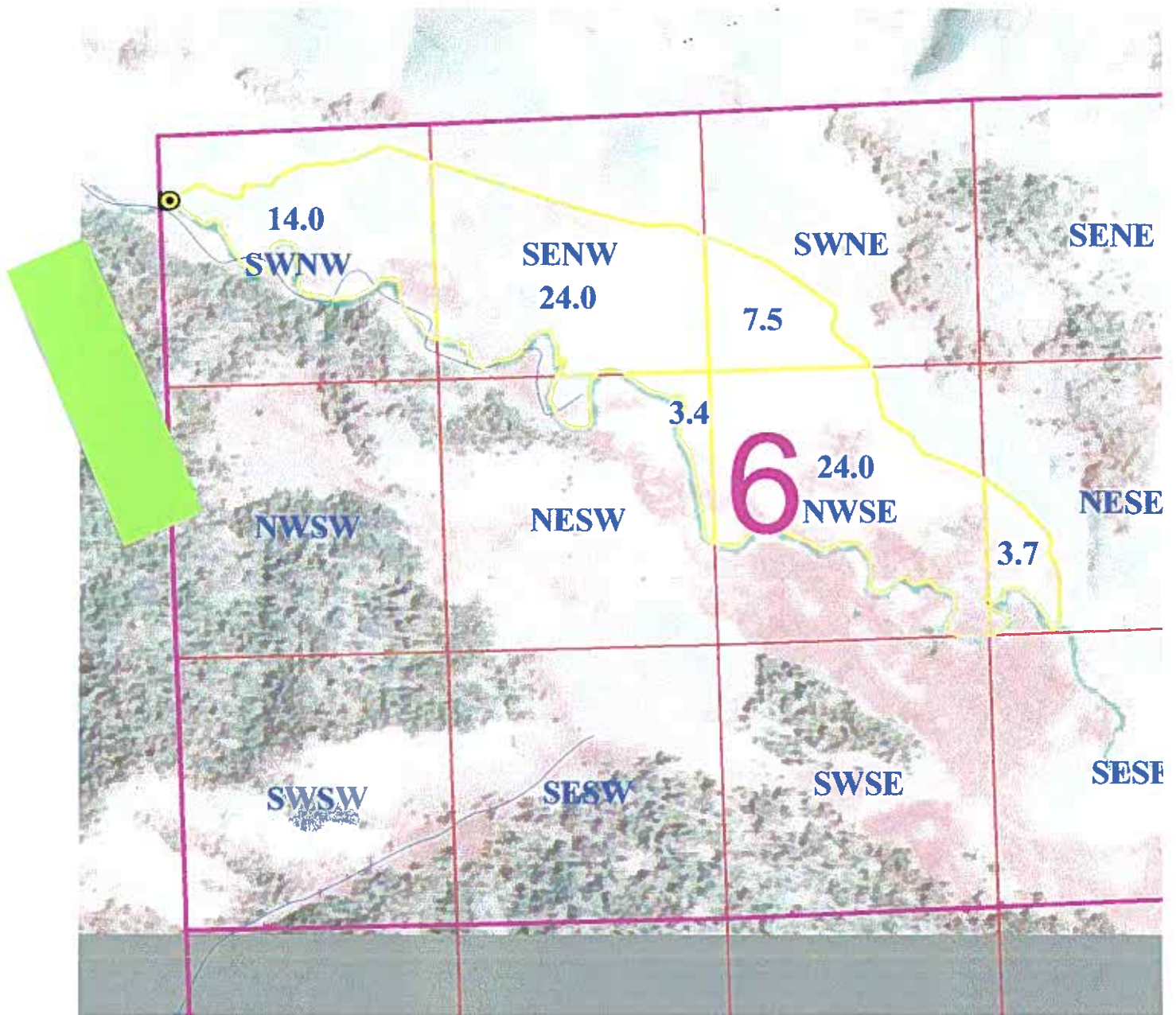


500 0 500 1000 Feet



Water Right Claim Number 24-04066
Townships , 7S46E, 7S45E

04/11/2001



500 0 500 1000 Feet



SPATIAL
DYNAMICS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Ted C. Frome
(Name of Claimant)
P. O. Box 968, Afton, WY 83110 Telephone No. (307) 886-5430
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) September 20, 1920

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Stump Creek tributary to Salt River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>1.68 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>May 1</u>	To <u>Oct. 1</u>
Quantity <u>0.03</u>	Use <u>Stockwater</u>	Period of Use From <u>June 1</u>	To <u>Nov. 1</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

- (4) 1.71 cfs TOTAL QUANTITY USED.

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
L #4 SW ¼ NW ¼, Sec. 6 Twp. 7 S Rge. 46 E B.M., County of Caribou
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Rock diversion structure, open ditch

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7 S	46 E	6			6				15	25	5				3	30			84
7 S	46 E	6			X				X	X					X	X			

No. of acres 84

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: 140 range
If you are claiming water as a member of an organization, list name of organization: _____



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

MARCH 25, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STUMP CREEK RANCH
C/O BRAD T BARBER PARTNER
1151 ROOSEVELT AVE
SALT LAKE CITY UT 84105

RE: CHANGE IN OWNERSHIP FOR A24-04066

Dear Mr. Barber:

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 is a copy 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 this Notice for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

MAR 11 1996

DATE OF CLOSING: 02/28/96

LEGAL DESCRIPTION OF PROPERTY: Township 7 Range 46 E Department of Water Resources
Section 6, NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot 4, BM.

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet. (See Attached)

☐ 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:

A 24-04066 NO-R-

MAR 14 1996

Department of Water Resources
Eastern District Office

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

Robert L. Mitchell

P.O. Box 718, Wilson, WY 83014

☒ New Owner/Claimant
(Purchaser):

Stump Creek Ranch c/o

Brad T. Barber, Partner

☐ New Mailing Address:

1151 Roosevelt Ave

SLC, UT 84105

☐ New Telephone Number:

(801) 466-7036

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ 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:

Warranty Deed

(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)

Bob J. Bard

Date 3/02/96

Date _____

☐ Signature of Former
Owner/Claimant(s):

Date _____

Date _____

(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:

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

Order No. 13844

RECEIVED

RECEIVED

MAR 11 1996

MAR 14 1996

Department of Water Resources

Department of Water Resources
Eastern District Office

WARRANTY DEED

STATE OF IDAHO } ss. 151688
County of Caribou }I hereby certify that this instrument was filed at the request
of Caribou Title
at 1:20 o'clock P m this 28 day of
February, 1996 in my office and duly
recorded in Microfilm Records
Recorder: Edie Izatt Jessie Stephens

FOR VALUE RECEIVED, ROBERT L. MITCHELL and JANE G. MITCHELL, husband and wife, ("Grantors"), do hereby grant, bargain, sell and convey unto STUMP CREEK RANCH, L.L.P., A Utah limited liability partnership, whose current address is 1151 Roosevelt Avenue, Salt Lake City, Utah 84105, ("Grantee"), the following described premises located in Caribou County, Idaho, to-wit:

Township 7 South, Range 46 East of the Boise Meridian
Section 6: S $\frac{1}{2}$ of Lot 2, S $\frac{1}{2}$ of Lot 3, Lot 4, Lot 5,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$

together with all minerals now owned by Grantors in, under, or upon the premises and all water rights now owned by Grantors appurtenant to the premises.

SUBJECT TO such rights, easements, covenants, restrictions, reservations and regulations as appear of record or by use upon the premises, including, but not limited to rights of the public in and to that portion or said premises within Stump Creek Road, rights or easements in favor of the public over that part of the premises covered by navigable streams, and Financing Statements, Seed and Farm Laborer's Liens against crops which are filed in the office of the Secretary of State of Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever. And the Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that the premises are free from all incumbrances except as provided in the "subject to" clause set forth above; and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: February 22, 1996.

Robert L. Mitchell
ROBERT L. MITCHELL

Jane G. Mitchell
JANE G. MITCHELL

State of Idaho
County of Caribou

ss. Notary

On this the 22nd day of February, 1996, before me, JAMES T. HOGG, a notary public for said State, personally appeared ROBERT L. MITCHELL and JANE G. MITCHELL, known or identified to me to be the persons who executed the instrument, and acknowledged to me that they executed the same.

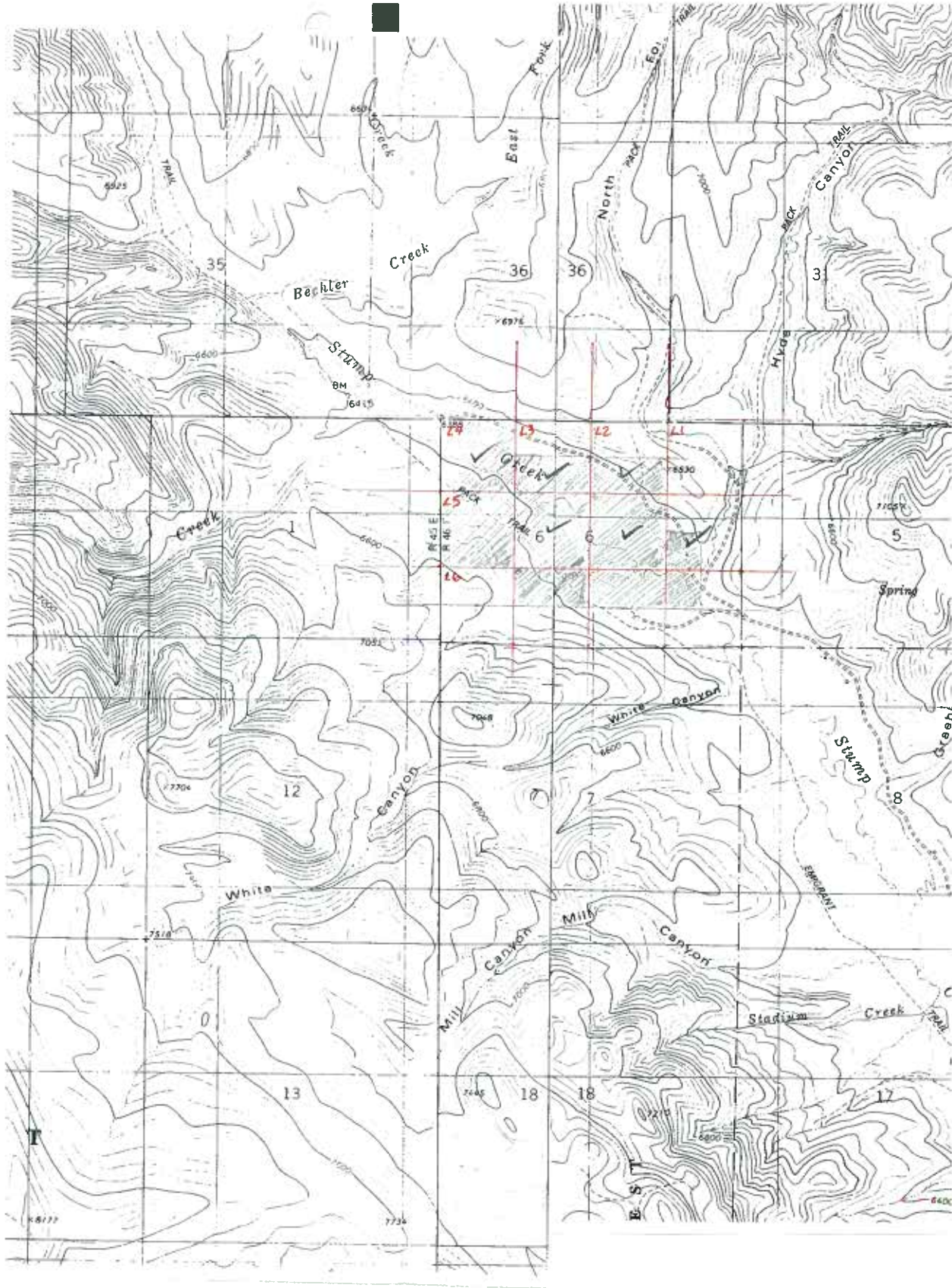
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

James T. Hogg
Notary Public

Residing at: 161 Old + New

My Commission Expires: Feb. 28, 2000

JAMES T. HOGG
NOTARY PUBLIC
My Commission Expires Feb. 28, 2000



NOVEMBER 3, 1994

ROBERT L MITCHELL
PO BOX 718
WILSON WY 83014

RE: CHANGE IN OWNERSHIP FOR A24-04066

Dear Mr. Mitchell:

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 is a typed Notice 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 this Notice for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

NOV 01 1994

Department of Water Resources
Eastern District Office

DATE OF CLOSING: October 20, 1990

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section 6, 1/4 of 1/4 of 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite Township 7. South
If you have additional legal descriptions, please attach separate sheet.

☐ See Attached 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) A24-04066 ^{OK} No R
Assigned by IDWR: No copy

☒ Name and Address of Former Owner/Claimant(s)(Seller): Ted C. and Betty B. Frome
P.O. Box 968
Afton, WY 83110

☒ New Owner/Claimant (Purchaser): Robert L. and Jane G. Mitchell

☒ New Mailing Address: P.O. Box 718
Wilson, WY 83014

☒ New Telephone Number: (307) 733-5949

☒ 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: Warranty Deed filed October 20, 1990

(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) Robert L. Mitchell Date 10/27/94

Jane G. Mitchell Date 10/27/94

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(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:

DEPARTMENT OF WATER RESOURCES
EASTERN REGION
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402-1718

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

140000

WARRANTY DEED

Warranty deed made this 11th day of October, 1990, between Ted C. Frome and Betty B. Frome, husband and wife, of P.O. Box 249, Afton, WY 83110, hereinafter referred to as grantors, and Robert L. Mitchell and Jane G. Mitchell, husband and wife, as joint tenants with right of survivorship, of 35 Salem Road, Weston, CT 06883, hereinafter referred to as grantees,

WITNESSETH:

That grantors, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt whereof is hereby acknowledged, have granted, bargained, and sold and do by these presents, grant, bargain, sell, convey, and confirm unto grantee and his heirs and assigns forever, all the following described real estate and associated improvements and described personal property, situated in the County of Caribou, State of Idaho:

Township 7 South, Range 46 East of the Boise Meridian:

Section 6: S1/4 of Lot 2, S1/2 of Lot 3, Lots 4 and 5, N1/4SW1/4, NW1/4SE1/4, N1/2SE1/4SW1/4, N1/2SW1/4SE1/4, NW1/4SE1/4SE1/4, SW1/4NE1/4SE1/4.

TOGETHER WITH any and all oil, gas and other mineral rights and water rights associated with the above described real property.

SUBJECT TO all easements, exceptions, restrictions, reservations and rights of way of right or record.

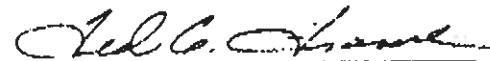
TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the property, as well in law as in equity.

TO HAVE AND TO HOLD all and singular the above-described premises together with the appurtenances unto grantees and their heirs and assigns forever.

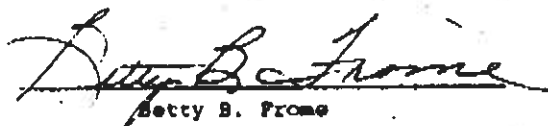
And grantors and their heirs shall and will WARRANT and by these presents

forever DEFEND the premises in the quiet and peaceable possession of grantees, their heirs and assigns against grantors and their heirs and against all and every person and persons whomever, lawfully claiming the same.

IN WITNESS WHEREOF, grantors have hereunto set their hands on the day and year first above written.



Ted C. Frome



Betty B. Frome

STATE OF WYOMING :

: ss.

COUNTY OF LINCOLN:

On this 18th day of October, in the year 1990, before me, Gerald L. Goulding, a Notary Public, personally appeared Ted C. Frome and Betty B. Frome, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same.



NOTARY PUBLIC

Notary Public, residing at Afton, Wyoming.

My commission expires: May 2, 1991

(Seal)

140074

STATE OF WYOMING } ss.
County of Lincoln }

That this instrument was filed at the request of

Caribou Title
on the 22nd day of
October, 1990 in my office and duly

recorded in Microfilm Records

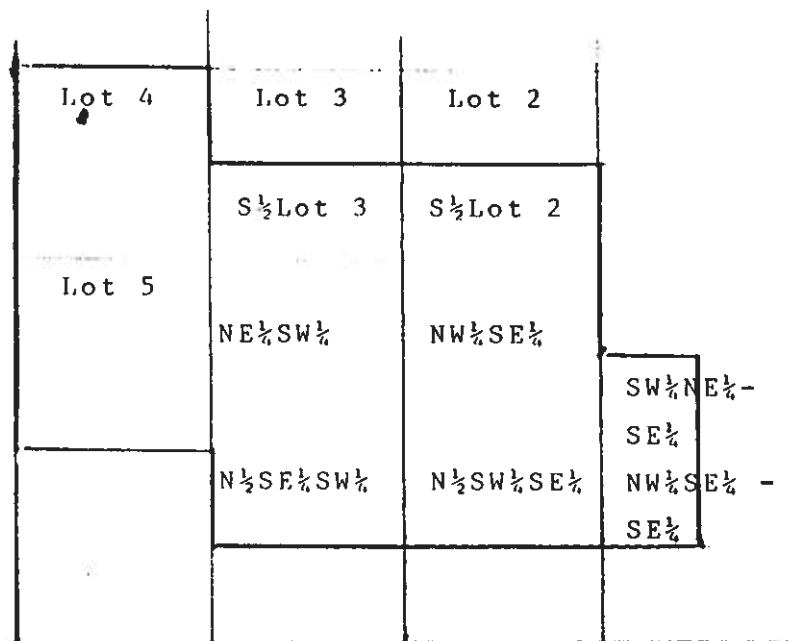
Frances A. Jenkins

Ex-Officio Recorder



County

TOWNSHIP 7 SOUTH
 RANGE 46 EAST
 SECTION 6



Mitchell Ranch
 Caribou County Idaho

ROBERT L. MITCHELL

P O Box 718

WILSON, WYOMING 83014

October 13, 1994

RECEIVED
OCT 17 1994

State of Idaho
Dept. of Water Resources
900 N. Skyline Drive
Idaho Falls, ID 83402-1718

Dear Sirs:

This letter is being sent in connection with
Claim Number A24-04066 filed in the Snake
River Basin Ajudication.

Your records indicate that the owner of
record is Ted C. Frome of Afton, Wy. I
purchased this property from him several
years ago. My address is as shown above and
correspondence related to this property may
be sent to me at that address.

Also enclosed is the affidavit of Ted Hale
estimating past usage of water.

Sincerely,



Robert L. Mitchell

MICROFILMED

NOV 07 1996

AFFIDAVIT / EVIDENCE OF PRIORITY

RECEIVED

OCT 17 1994

Department of Water Resources
Eastern District Office

STATE OF WYOMING :
Teton : ss.
COUNTY OF LINCOLN :

Ted A Hale, a resident of Lincoln County, Wyoming,
upon oath deposes and says:

1. This affidavit is given in connection with Claim Number A24-04066 filed in the Snake River Basin Adjudication.

2. I understand that the water usage on this property is based on beneficial use.

3. I am familiar with the property which is the subject of the claim referred to. I have been familiar with the property and the use of water on that property for many years in the past. In my observation, the water has been used on the property for irrigation of growing crops and also for stock water, mainly for cattle. I estimate that such usage has been continuous for a period of about 75 years.

DATED as of the 11th day of October, 1994.

Ted A. Hale

Subscribed and sworn to by TED A HALE, before me this
13th day of October, 1994.



[Signature] **MCROFILMED**
NOV 07 1994
NOTARY PUBLIC

My commission expires: 4-14-97.