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SRBA Form No.42-1409-1 (Internet 2/09)

DEPARTMENT OF
WATER RESOURCES

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 75-14638

Date Received: _____

Receipt No: _____

Received By: _____

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Beverhood Peaks Ranch LLC Phone (208) 756-6972

Mailing Address Box 242 Carmen ID ZIP 83462
Street or Box City State

2. Date of Priority (Only one (1) per claim) 5-1-1875
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (X) (a) Golway Gulch Creek;
which is tributary to (b) Freeman Creek; which is tributary to (c) Carmen Creek

4. a. Location of Point of Diversion is: Township 23 N, Range 23 E, Section 32,
NE, 1/4 of SE, 1/4 Govt. Lot SW, BM., County of Lemhi

Parcel (PIN) no. _____

Additional points of diversion if any: T23N R23E S32 SWSESW + T23N R23E S32 SWNW SE

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., 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. _____

Ditches with headgates.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 11/1 amount .29 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .29 cfs (cfs) and/or (b) _____ (acre feet)

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

9. 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.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
22N	23E	05		26				8.3											34.3
22N	23E	06	2.4																2.4
23N	23E	31																12	12.0
23N	23E	32										6.3				6.1			12.4

Parcel (PIN) no(s). _____

Total number of acres irrigated 61.1

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

11. 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.

12. Describe any other water rights used at the same place and for the same purposes as described above.

75-100628; -04206; -00078; -14202 or None ()

13. Remarks: This claim is for transfer water rights from the Carmen Creek People (users) - Big Flat People (users) agreement (see attachment). The described property recieved 1/2 share or .45 cfs (22.5 miners inches) of combined 1875 and 1882 water from this agreement. A 1/2 share of 1875 water is .29 cfs. This is supported by ① abstracts of Carmen Creek water, ② The agreement between the Carmen Creek Users and the Big Flat Users, and ③ old Carmen Creek water master records. After research it is un-clear which decree number was originally attached to this water.

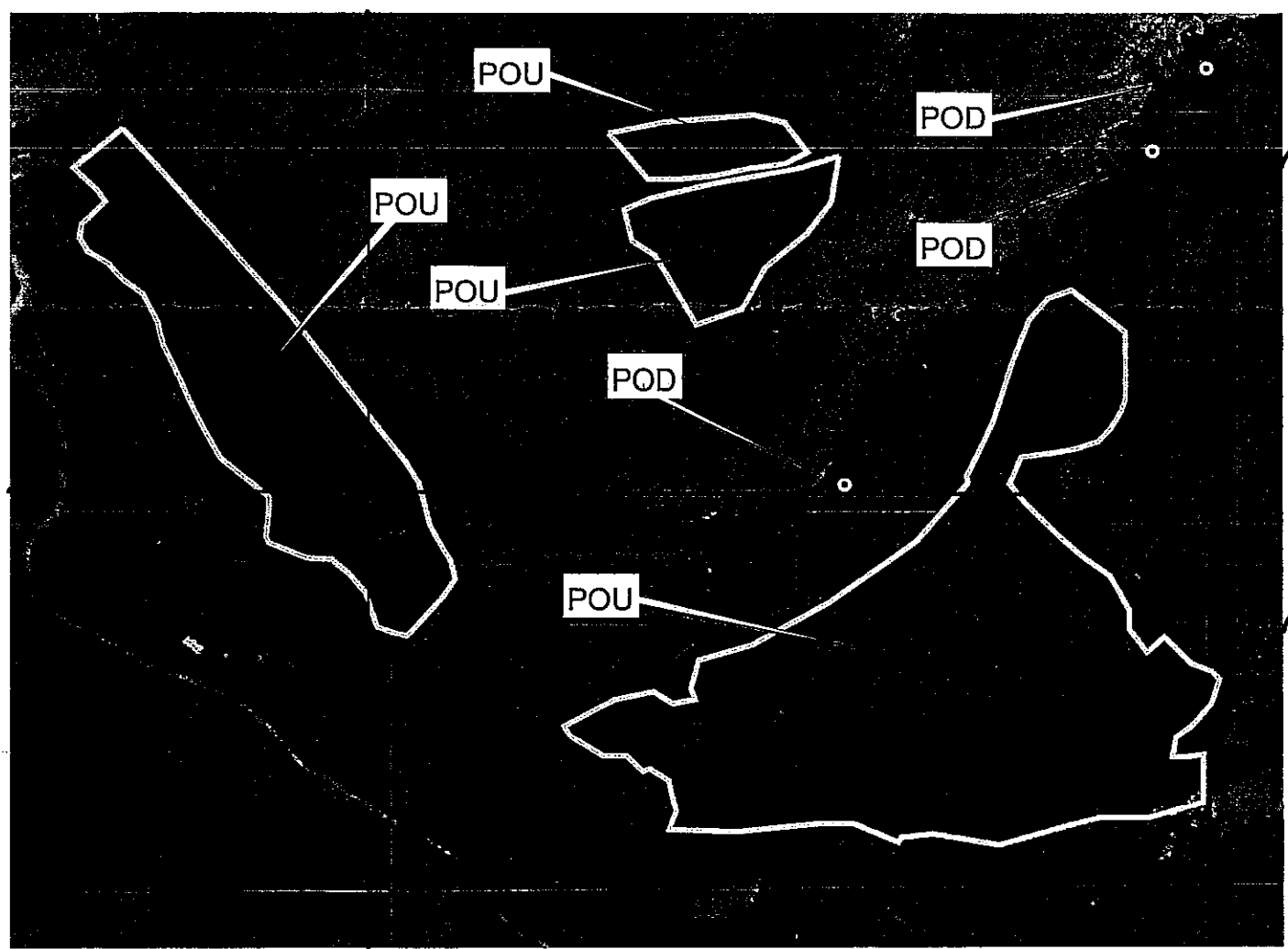
Last Name Ellis

Identification No. 75-14638

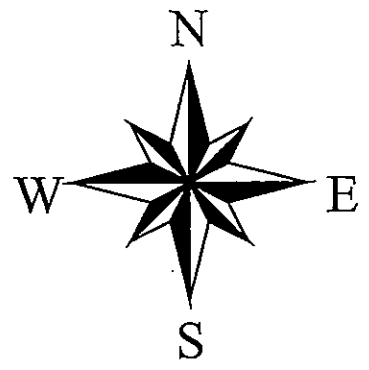
See. This map all points describes all points of diversion and points of use listed in the Notice of Claim.

75-100628
75-00078
75-14202

75-4206

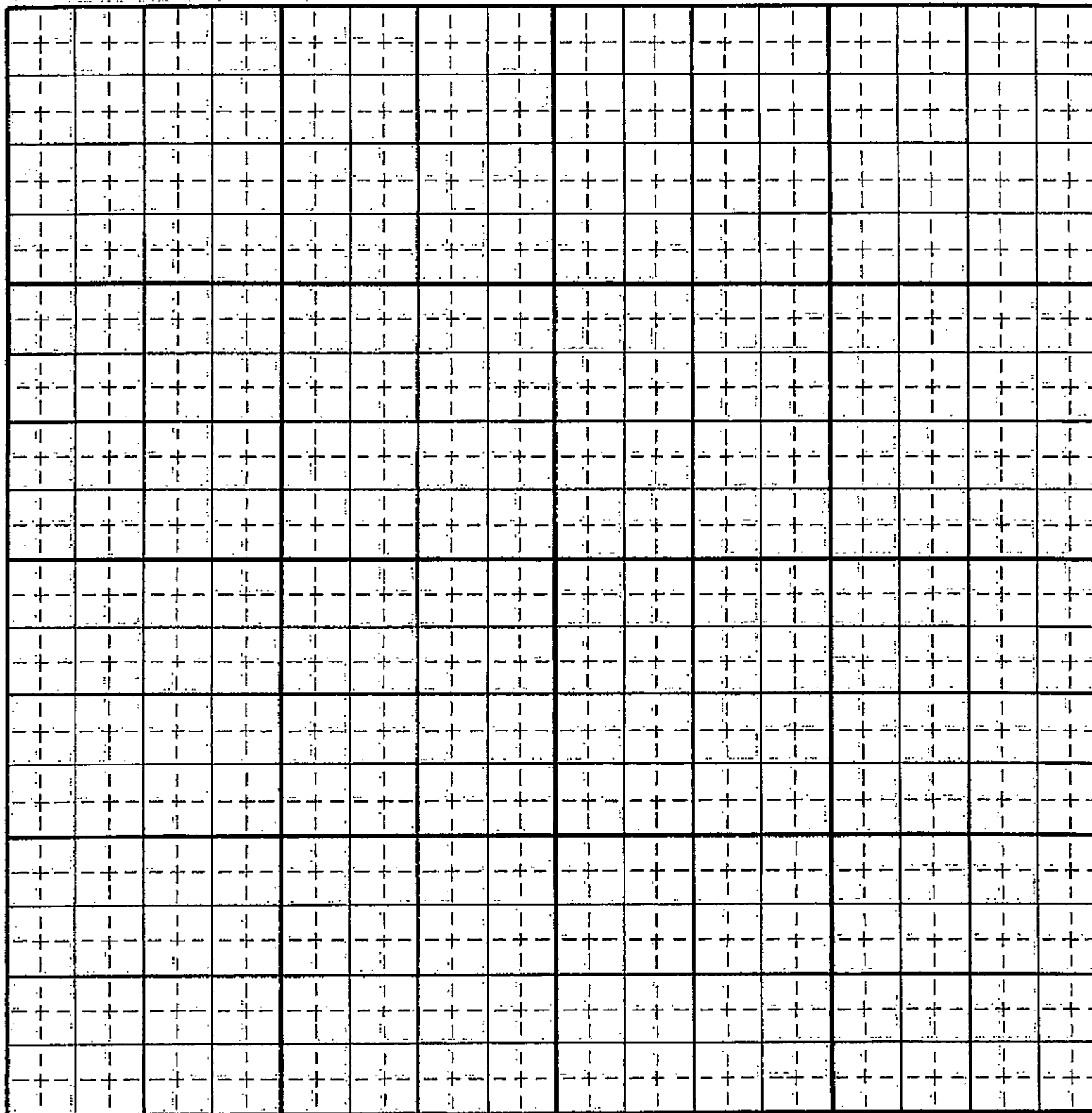


- Theme14.shp
- Lemhi taxlots
- GCDB23N23E GCDB
- GCDB22N23E GCDB
- Pou.shp
- Pod.shp
- Administrative BasinsAdminbas.shp



Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 Inches equals 1 mile



Last Name

Ellis

Identification No.

75-14638

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License () Permit () Decree (X)

Court 5th Judicial Decree Date 1901 Plaintiff v. Defendant McNutt et al vs. Palmer et al

If applicable provide IDWR Water Right Number 75-00056

Plus agreement document of
McKinney et al
Birdseye et al

15. Signature(s)

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

Number of attachments: _____

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) David W. Ellis for: Date: 3-31-2010

Beaverhead Peaks Ranch LLC Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Registered agent of Beaverhead Peaks Ranch LLC
Title Organization

that I have signed the foregoing document in the space below as

Registered agent, owner, & manager of Beaverhead Peaks Ranch LLC
Title Organization

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

Signature of Authorized Agent David W. Ellis owner Date 3-31-2010

Title and Organization Registered agent; Beaverhead Peaks Ranch LLC

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of 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 _____ Date _____

Address _____

Last Name Ellis Identification No. 75-14638