

05/12/2010

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

RIGHT NUMBER: 73-2B

NAME AND ADDRESS: SULPHUR-CREEK-LIVESTOCK PO-BOX-151 MAY-ID-83253
BIG CREEK RANCH LLC
280 CRANBROOK DR
HAILEY ID 83333

SOURCE: SULPHUR CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 05/01/1884

POINT OF DIVERSION: T14N R21E S24 SENW Within CUSTER County
T14N R21E S24 SWSW Within CUSTER County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.600 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T14N R21E S13 SWSE 40.00	T14N R21E S24 NENE 18.00
T14N R21E S24 NWNE 40.00	T14N R21E S24 SWNE 39.00
T14N R21E S24 SENE 40.00	T14N R21E S24 NENW 38.00
T14N R21E S24 SENW 34.00	T14N R21E S24 NESW 36.00
T14N R21E S24 SWSW 4.10	T14N R21E S24 SESW 40.00
T14N R21E S24 NESE 40.00	T14N R21E S24 NWSE 40.00
T14N R21E S24 SWSE 40.00	T14N R21E S24 SESE 40.00
T14N R21E S25 NWNE 40.00	T14N R21E S25 NENW 40.00
T14N R21E S25 NWNW 22.00	T14N R21E S25 SWNW 3.60
T14N R21E S25 SENW 6.80	T14N R22E S18 Lot 4 SWSW 10.00
T14N R22E S18 SESW 38.00	T14N R22E S18 SWSE 40.00
T14N R22E S19 NWNE 40.00	T14N R22E S19 SWNE 40.00
T14N R22E S19 NENW 40.00	T14N R22E S19 Lot 1 NWNW 39.00
T14N R22E S19 Lot 2 SWNW 36.00	T14N R22E S19 SENW 40.00
T14N R22E S19 Lot 3 NWSW 37.00	

961.5 951.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 961.5 951.1 acres in a single irrigation season. Combined Right Nos.: 73-2B, 73-7A, 73-7B, 73-8B, 73-113, 73-140, 73-2164, 73-7000.

This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.

Right Nos. 73-2B and 73-113 are limited to the irrigation of a combined total of 160 acres in a single irrigation season.

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 42-412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

The following rights are diverted through points of diversion described above: 73-2B, 73-7A, 73-7B, 73-8B, 73-113 and 73-140.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

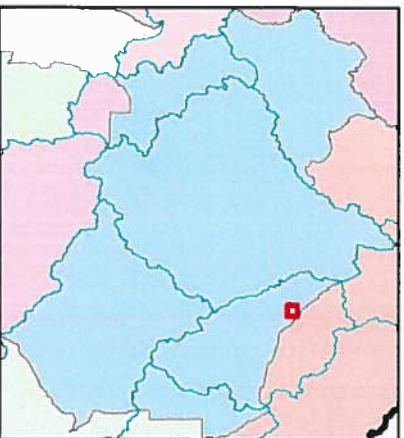
Idaho Department of Water Resources



Adjudication Recommendation 73-7A (IRRIGATION)

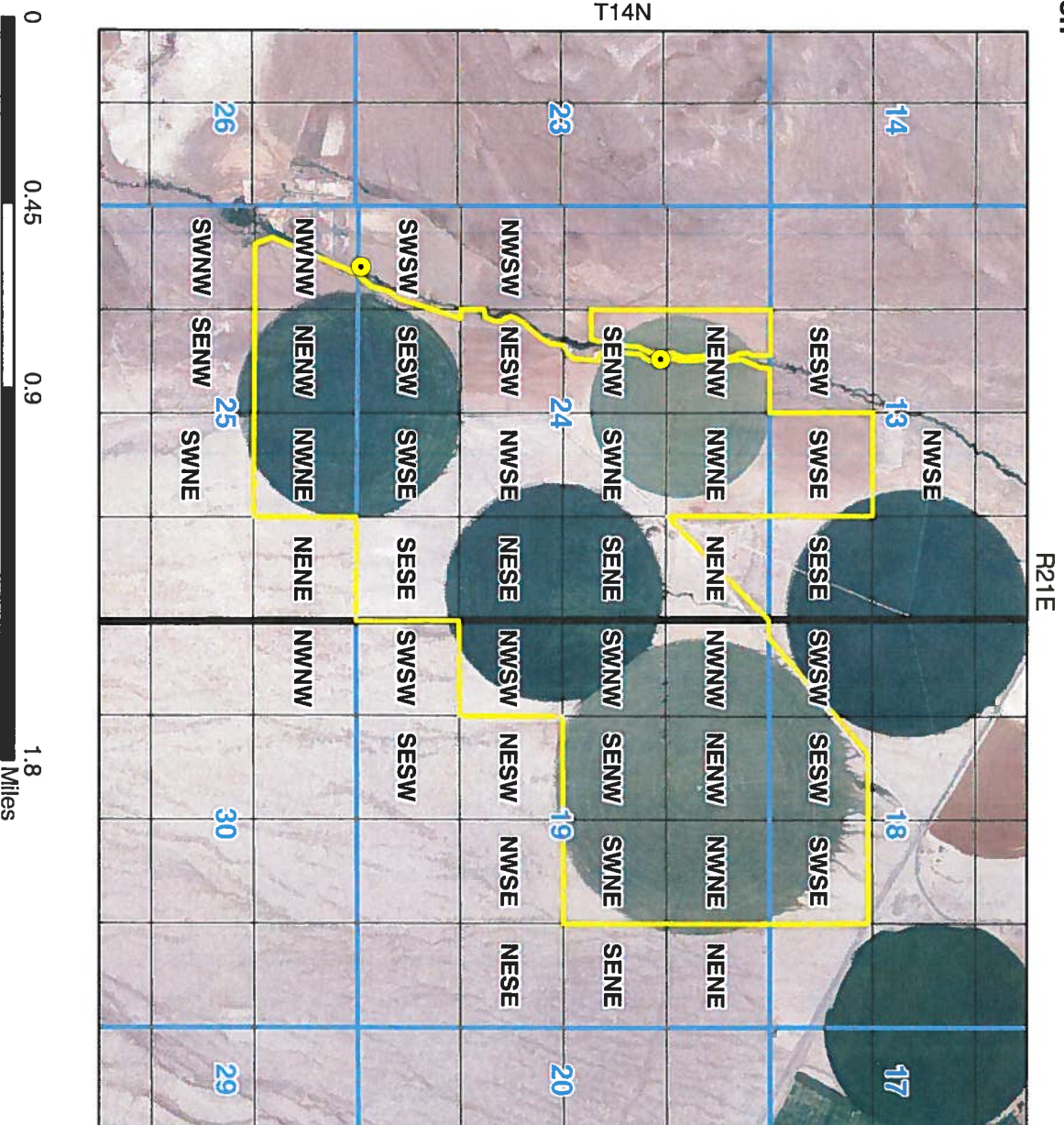
Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Custer County
IDWR Basin 73

Prepared by Craig Saxton
On May 14, 2010
2004 Aerial Photography





Explanation

 Sulphur Creek Ranch boundary

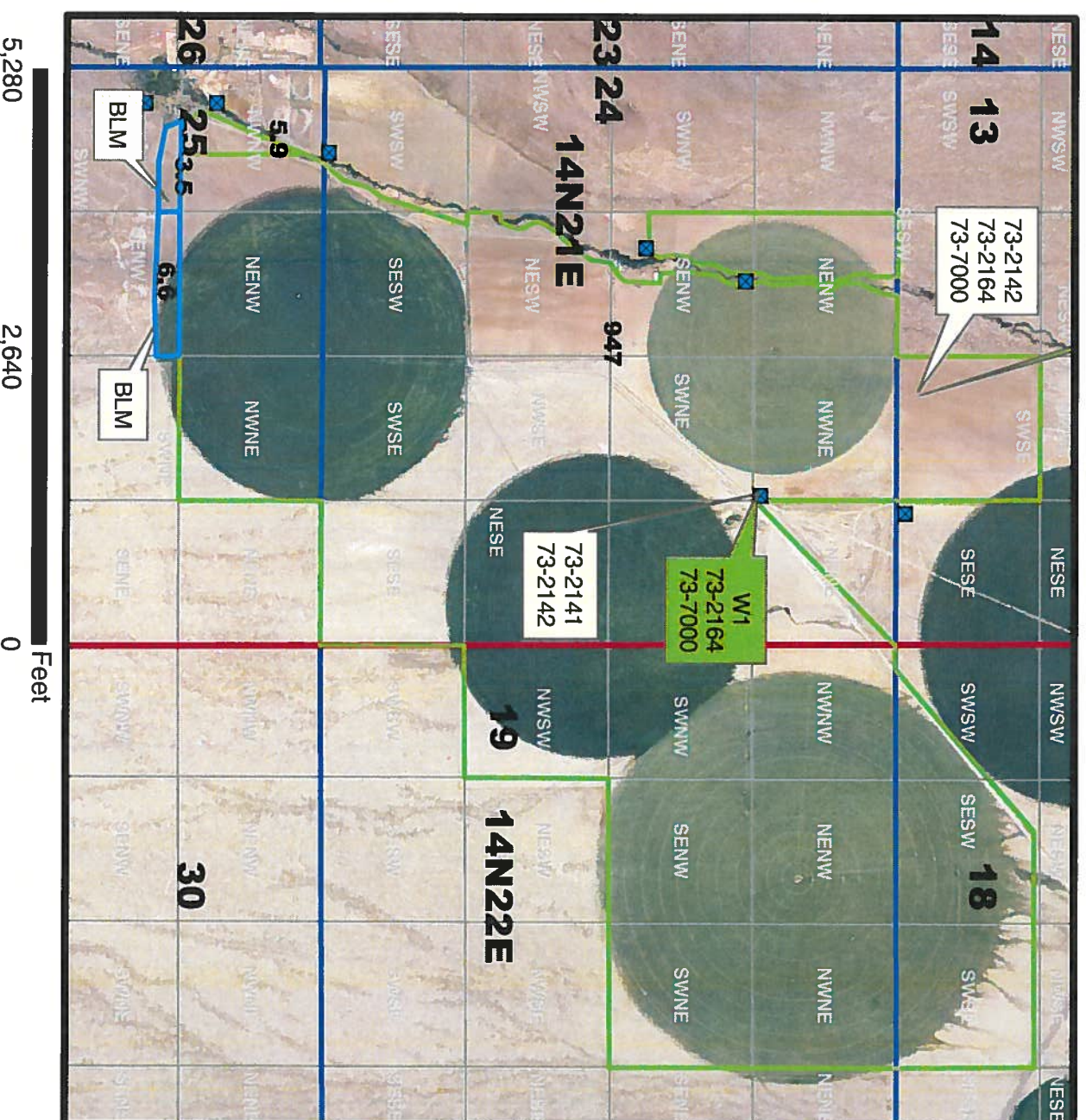
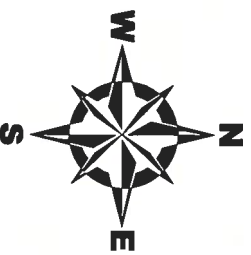
 Proposed Permissible Place of Use

Proposed Settlement - Subcase Nos. 73-2B,
73-7A, 73-7B, 73-8B, 73-113, 73-140
1988 True Color Photography



Legend

- | Recommendation | POD |
|----------------|---|
| 73-2B_et al |  |
| adminbas |  |
| Township/Range |  |
| Sections |  |
| QQ |  |



Saxton, Craig

From: Fredric_Price@blm.gov
Sent: Wednesday, May 12, 2010 4:03 PM
To: Roxanne Brown
Cc: Saxton, Craig; Sherman_Beazer@blm.gov
Subject: Re: proposed settlement - Subcase Nos. 73-00002B, et al.

Roxanne,

RE: Proposed Settlement:
73-00002B, 73-00007A, 73-00007B, 73-00008B, 73-00113, 73-00140, Big Creek Ranch, LLC
(formerly Old Corrals & Sagebrush, LLLP et al, and Sulphur Creek Livestock before that)

The ADRs you prepared are indeed acceptable. We would sign SF-5s containing these ADRs.

Fred

Roxanne Brown
<RBrown@spfwater.
com>

05/12/2010 02:39
PM

"Saxton, Craig"
<Craig.Saxton@idwr.idaho.gov>,
"Fredric Price@blm.gov"
<Fredric Price@blm.gov>

To

"Sherman Beazer@blm.gov"
<Sherman Beazer@blm.gov>

cc

Subject
proposed settlement - Subcase Nos.
73-2B, et al.

Attached please find a GIS figure and proposed ADRs for 73-2B, 73-7A, 73-7B, 73-8B, 73-113 and 73-140. In each case, the water right description now excludes BLM land in the SWNW (3.6 acres) and SENW (6.8 acres), T14N, R21E, S25. The acres were originally recommended in the PPU for these rights; the land is no longer irrigated. Removing the 10.4 acres from the recommendation shrinks the PPU, but does not affect the 460.0 acres these rights can be used to irrigate within the PPU.

If these ADRs are acceptable, we are ready to sign SF5s. Please call me if there are any questions.

Roxanne Brown

SPF Water Engineering LLC
300 E. Mallard Dr., Suite 350
Boise ID 83706
(208) 383-4140
rbrown@spfwater.com

[attachment "20100512153137.pdf" deleted by Fredric Price/IDSO/ID/BLM/DOI]

11/24/2009

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

RIGHT NUMBER: 73-2B

NAME AND ADDRESS: OLD CORRALS & SAGEBRUSH LLLP
453 S FITNESS PL
EAGLE ID 83616

HWHL LLC
1711 N CHERAPPLE DR
OREM UT 84097

NORMCO LLC
10424 S 2700 W
SUITE 200
SOUTH JORDAN UT 84095

RIO B LLC
3007 CAN-ADA RD
MELBA ID 83641

RIO CLARO INC
1819 E SOUTHERN AVE #B-10
MESA AZ 85204

CHARLESVIEW LLC
1819 E SOUTHERN AVE #B-10
MESA AZ 85204

SOURCE: SULPHUR CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 05/01/1884

POINT OF
DIVERSION:

T14N R21E S24 SENW Within CUSTER County
T14N R21E S24 SWSW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.600 CFS
PLACE OF USE:	<u>IRRIGATION in CUSTER County</u>		
	T14N R21E S13 SWSE 40.00	T14N R21E S24 NENE	18.00
	T14N R21E S24 NWNE 40.00	T14N R21E S24 SWNE	39.00
	T14N R21E S24 SENE 40.00	T14N R21E S24 NENW	38.00
	T14N R21E S24 SENW 34.00	T14N R21E S24 NESW	36.00
	T14N R21E S24 SWSW 4.10	T14N R21E S24 SESW	40.00
	T14N R21E S24 NESE 40.00	T14N R21E S24 NWSE	40.00
	T14N R21E S24 SWSE 40.00	T14N R21E S24 SESE	40.00
	T14N R21E S25 NWNE 40.00	T14N R21E S25 NENW	40.00
	T14N R21E S25 NWNW 22.00	T14N R21E S25 SWNW	3.60
	T14N R21E S25 SENW 6.80	T14N R22E S18 Lot 4 SWSW	10.00
	T14N R22E S18 SESW 38.00	T14N R22E S18 SWSE	40.00
	T14N R22E S19 NWNE 40.00	T14N R22E S19 SWNE	40.00
	T14N R22E S19 NENW 40.00	T14N R22E S19 Lot 1 NWNW	39.00

T14N R22E S19 Lot 2 SWNW 36.00 T14N R22E S19 SENW 40.00
T14N R22E S19 Lot 3 NWSW 37.00

961.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 961.5 acres in a single irrigation season. Combined Right Nos.: 73-2B, 73-7A, 73-7B, 73-8B, 73-113, 73-140, 73-2164, 73-7000

This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.

Right Nos. 73-2B and 73-113 are limited to the irrigation of a combined total of 160 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

The following rights are diverted through points of diversion described above: 73-2B, 73-7A, 73-7B, 73-8B, 73-113 and 73-140.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

RECEIVED

DEC 19 2007

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case No. 39576

A. Subcase 73-00002B

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of Land Management, Idaho State Office

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

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

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

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

Name: Old Corrals & Sagebrush, LLLP

Address: 435 S. Fitness Place; Eagle, Idaho 83616

Name: AIX Sponsa Company, General Partner; c/o Brett MacNeil, President

Address: 12324 W. Lanktree Gulch Road; Star, Idaho 83669-5170

Name: FOGO, L.L.C., General Partner; c/o Wilford R. Cardon, Agent

Address: 1819 E. Southern Ave., Ste B-10; Mesa, AZ 85204-5219

Name:

Address: ;

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

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

11. **I object because:**

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

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which a portion of the use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include federal public land.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of ADA)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

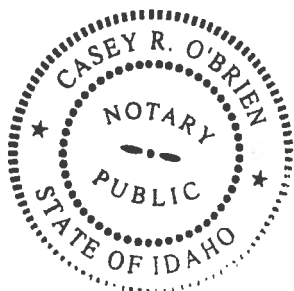
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Lang A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: December 17, 2007

Casey R. O'Brien
Casey R. O'Brien



Notary Public for State of Idaho

Residing at: Nampa, ID.

My Commission Expires: 10-31-2009

INSTRUCTIONS FOR MAILING

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

G.

CERTIFICATE OF MAILING

I certify that on December 18, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

Name: Old Corrals & Sagebrush, LLLP
Address: 435 S. Fitness Place; Eagle, Idaho 83616
Name: AIX Sponsa Company, General Partner; c/o Brett MacNeil, President
Address: 12324 W. Lanktree Gulch Road; Star, Idaho 83669-5170
Name: FOGO, L.L.C., General Partner; c/o Wilford R. Cardon, Agent
Address: 1819 E. Southern Ave., Ste B-10; Mesa, AZ 85204-5219
Name:
Address: ;

3. Copies to:

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

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

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



Signature of Objector or attorney mailing on Objector's behalf

POST DIRECTOR'S REPORT NCAP

08/14/2007

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

RIGHT NUMBER: 73-2B

NAME AND ADDRESS: OLD CORRALS & SAGEBRUSH LLLP
435 S FITNESS PL
EAGLE ID 83616

Unauthorized Use
- remove public land.

SOURCE: SULPHUR CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 05/01/1884

POINT OF
DIVERSION:

T14N R21E S24 SENW Within CUSTER County
T14N R21E S24 SWSW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>		<u>PERIOD OF USE</u>		<u>QUANTITY</u>	
	IRRIGATION		04/01 10/31		0.600 CFS	
PLACE OF USE:	<u>IRRIGATION in CUSTER County</u>					
	T14N R21E S13	SWSE	40.00	T14N R21E S24	NENE	18.00
	T14N R21E S24	NWNE	40.00	T14N R21E S24	SWNE	39.00
	T14N R21E S24	SENE	40.00	T14N R21E S24	NENW	38.00
	T14N R21E S24	SENW	34.00	T14N R21E S24	NESW	36.00
	T14N R21E S24	SWSW	4.10	T14N R21E S24	SESW	40.00
	T14N R21E S24	NESE	40.00	T14N R21E S24	NWSE	40.00
	T14N R21E S24	SWSE	40.00	T14N R21E S24	SESE	40.00
	T14N R21E S25	NWNE	40.00	T14N R21E S25	NENW	40.00
	T14N R21E S25	NWNW	22.00	T14N R21E S25	SWNW	3.60
BLM	T14N R21E S25	SENW	6.80	T14N R22E S18 Lot 4	SWSW	10.00
	T14N R22E S18	SESW	38.00	T14N R22E S18	SWSE	40.00
	T14N R22E S19	NWNE	40.00	T14N R22E S19	SWNE	40.00
	T14N R22E S19	NENW	40.00	T14N R22E S19 Lot 1	NWNW	39.00
	T14N R22E S19 Lot 2	SWNW	36.00	T14N R22E S19	SENW	40.00
	T14N R22E S19 Lot 3	NWSW	37.00			

BLM

961.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 961.5 acres in a single irrigation season. Combined Right Nos.: 73-2B, 73-7A, 73-7B, 73-8B, 73-113, 73-140, 73-2164, 73-7000

This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.

Right Nos. 73-2B and 73-113 are limited to the irrigation of a combined total of 160 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

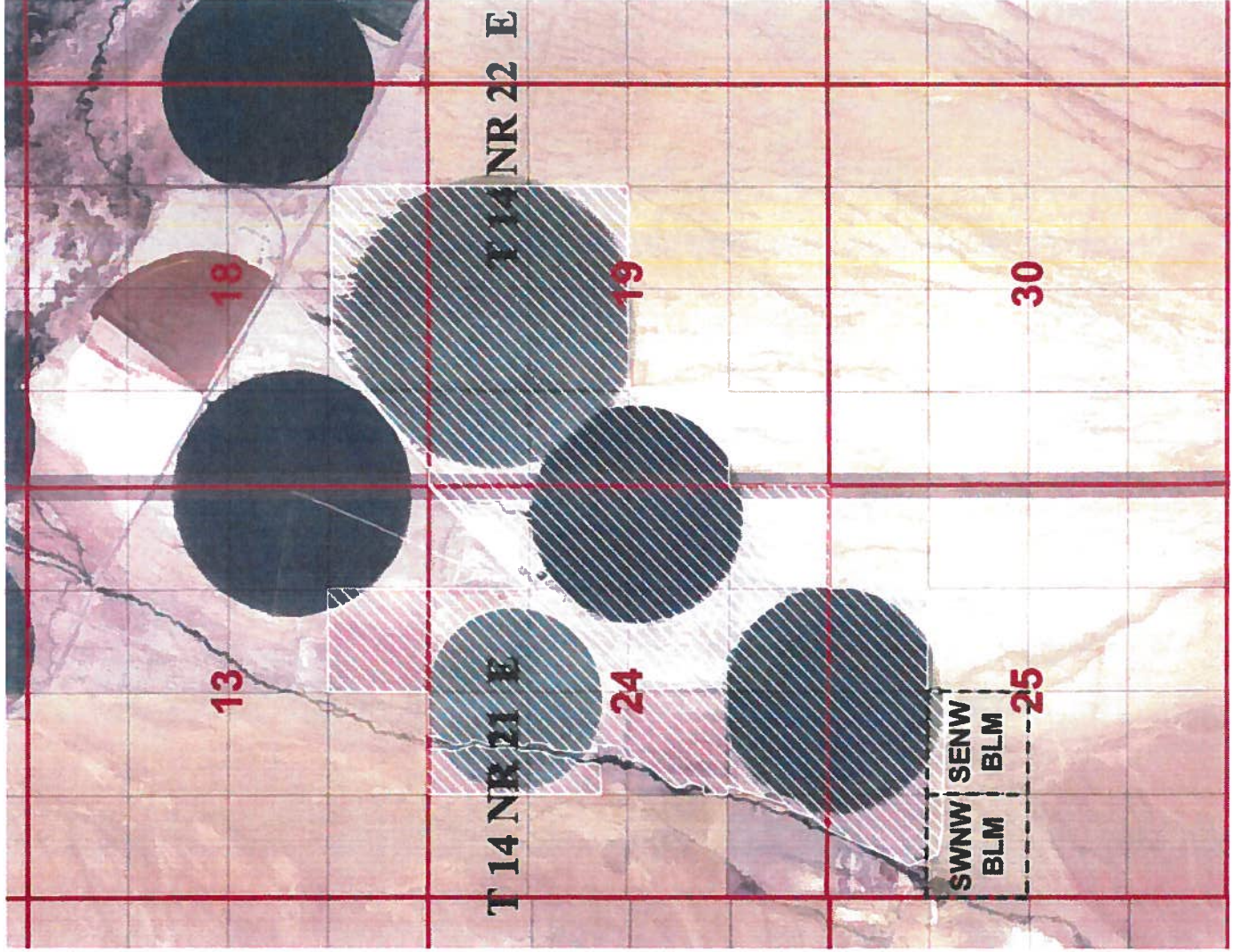
The following rights are diverted through points of diversion described above: 73-2B, 73-7A, 73-7B, 73-8B, 73-113 and 73-140.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

73-00002B, 73-00007A,
73-00007B, 73-00008B,
73-00113, 73-00140
Old Corrals & Sagebrush, LLLP

POUs on BLM:

- The places of use T14N R21E S25 SWNW and SENW are BLM land.
- Use is not authorized.
- Remove from recommendation and adjust shapefile accordingly.





IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Ysursa, Secretary of State

[[New Search](#)] [[Back to Summary](#)]
[[Get a certificate of existence for OLD CORRALS & SAGEBRUSH, LLLP](#)]

OLD CORRALS & SAGEBRUSH, LLLP

12324 W LANKTREE GULCH
STAR, ID 83669

Type of Business: LIMITED PARTNERSHIP

Status: CURRENT, ANREPT SENT 01 Jun 2007

State of Origin: ARIZONA

Date of 18 Aug 2006

Origination/Authorization:

Initial Registered Agent: BRETT MACNEIL
12324 W LANKTREE GULCH
STAR, ID 83669

File Number: L5704

Date of Last Annual Report: 29 Aug 2007

Amendments:

Amendment filed 18 Aug 2006 CERTIFICATE OF LP

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[View Image \(TIFF format\)](#)

Annual Reports:

Report for year 2007 ANNUAL REPORT

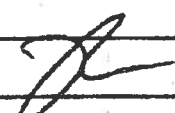
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[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@sos.idaho.gov

No. L 5704 Return to: SECRETARY OF STATE 450 NORTH FOURTH STREET PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	Due no later than August 31, 2007 Annual Report Form 1. Mailing Address - Correct in this box, if applicable OLD CORRALS & SAGEBRUSH, LLLP BRETT MACNEIL 12324 W LANKTREE GULCH STAR, ID 83869	2. Registered Agent and Office NO PO BOX BRETT MACNEIL 12324 W LANKTREE GULCH STAR, ID 83869 3. <u>New</u> Registered Agent Signature			
4. Limited Partnerships: Enter Names and Business Addresses of General Partners.					
Office held	Name	Street or P.O. Address	City	State	Zip
GP	Fogo LLC	1819 E. Southern Blvd	MSA	AZ	85204
GP	Air Spansa Inc	12324 W Lanktree Gulch	Star,	ID	83869
5. Organized Under the Laws of: ARIZONA L 5704		6. Signature  Name (Typed or Printed) <u>Brett MacNeil</u> Date <u>8/27/07</u> Title <u>Pres. Air Spansa</u>			

Issued 06/01/2007

Do Not Tape or Staple

200708004671

ORIGINAL DIRECTOR'S REPORT

01/23/2007

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

RIGHT NUMBER: 73-2B
NAME AND ADDRESS: SULPHUR CREEK LIVESTOCK
PO BOX 151
MAY ID 83253
SOURCE: SULPHUR CREEK TRIBUTARY: PAHSIMEROI RIVER
QUANTITY: 0.600 CFS
PRIORITY DATE: 05/01/1884
POINT OF DIVERSION: T14N R21E S24 SENW Within CUSTER County
T14N R21E S24 SWSW Within CUSTER County
PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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T14N R21E S24 SWSW	4.10	T14N R21E S24 SESW 40.00
T14N R21E S24 NESE	40.00	T14N R21E S24 NWSE 40.00
T14N R21E S24 SWSE	40.00	T14N R21E S24 SESE 40.00
T14N R21E S25 NWNE	40.00	T14N R21E S25 NENW 40.00
T14N R21E S25 NWNW	22.00	T14N R21E S25 SWNW 3.60
BLM T14N R21E S25 SENW	6.80	BLM T14N R22E S18 Lot 4 SWSW 10.00
T14N R22E S18 SESW	38.00	T14N R22E S18 SWSE 40.00
T14N R22E S19 NWNE	40.00	T14N R22E S19 SWNE 40.00
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Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

08/14/2007

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

RIGHT NUMBER: 73-2B
NAME AND ADDRESS: OLD CORRALS & SAGEBRUSH LLLP
435 S FITNESS PL
EAGLE ID 83616
SOURCE: SULPHUR CREEK TRIBUTARY: PAHSIMEROI RIVER
QUANTITY: 0.600 CFS
PRIORITY DATE: 05/01/1884

POINT OF
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T14N R21E S24 SENW Within CUSTER County
T14N R21E S24 SWSW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.600 CFS
PLACE OF USE:	<u>IRRIGATION in CUSTER County</u>		
	T14N R21E S13 SWSE 40.00	T14N R21E S24 NENE 18.00	
	T14N R21E S24 NWNE 40.00	T14N R21E S24 SWNE 39.00	
	T14N R21E S24 SENE 40.00	T14N R21E S24 NENW 38.00	
	T14N R21E S24 SENW 34.00	T14N R21E S24 NESW 36.00	
	T14N R21E S24 SWSW 4.10	T14N R21E S24 SESW 40.00	
	T14N R21E S24 NESE 40.00	T14N R21E S24 NWSE 40.00	
	T14N R21E S24 SWSE 40.00	T14N R21E S24 SESE 40.00	
	T14N R21E S25 NWNE 40.00	T14N R21E S25 NENW 40.00	
	T14N R21E S25 NWNW 22.00	T14N R21E S25 SWNW 3.60	
	T14N R21E S25 SENW 6.80	T14N R22E S18 Lot 4 SWSW 10.00	
	T14N R22E S18 SESW 38.00	T14N R22E S18 SWSE 40.00	
	T14N R22E S19 NWNE 40.00	T14N R22E S19 SWNE 40.00	
	T14N R22E S19 NENW 40.00	T14N R22E S19 Lot 1 NWNW 39.00	
	T14N R22E S19 Lot 2 SWNW 36.00	T14N R22E S19 SENW 40.00	
	T14N R22E S19 Lot 3 NWSW 37.00		

961.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 961.5 acres in a single irrigation season. Combined Right Nos.: 73-2B, 73-7A, 73-7B, 73-8B, 73-113, 73-140, 73-2164, 73-7000

This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.

Right Nos. 73-2B and 73-113 are limited to the irrigation of a combined total of 160 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

The following rights are diverted through points of diversion described above: 73-2B, 73-7A, 73-7B, 73-8B, 73-113 and 73-140.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

03/31/2006

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

RIGHT NUMBER: 73-2B
NAME AND ADDRESS: SULPHUR CREEK LIVESTOCK
PO BOX 151
MAY ID 83253
SOURCE: SULPHUR CREEK TRIBUTARY: PAHSIMEROI RIVER
QUANTITY: 0.600 CFS
PRIORITY DATE: 05/01/1884
POINT OF DIVERSION:

T14N R21E S24 SENW Within CUSTER County
T14N R21E S24 SWSW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.600 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

T14N R21E S13	SWSE	40.00	T14N R21E S24	NENE	18.00
T14N R21E S24	NWNE	40.00	T14N R21E S24	SWNE	39.00
T14N R21E S24	SENE	40.00	T14N R21E S24	NENW	38.00
T14N R21E S24	SENE	34.00	T14N R21E S24	NESW	36.00
T14N R21E S24	SWSW	4.10	T14N R21E S24	SESW	40.00
T14N R21E S24	NESE	40.00	T14N R21E S24	NWSE	40.00
T14N R21E S24	SWSE	40.00	T14N R21E S24	SESE	40.00
T14N R21E S25	NWNE	40.00	T14N R21E S25	NENW	40.00
T14N R21E S25	NWNW	22.00	T14N R21E S25	SWNW	3.60
T14N R21E S25	SENE	6.80	T14N R22E S18 Lot 4	SWSW	10.00
T14N R22E S18	SESW	38.00	T14N R22E S18	SWSE	40.00
T14N R22E S19	NWNE	40.00	T14N R22E S19	SWNE	40.00
T14N R22E S19	NENW	40.00	T14N R22E S19 Lot 1	NWNW	39.00
T14N R22E S19 Lot 2	SWNW	36.00	T14N R22E S19	SENE	40.00
T14N R22E S19 Lot 3	NWSW	37.00			

961.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 961.5 acres in a single irrigation season. Combined Right Nos.: 73-2B, 73-7A, 73-7B, 73-8B, 73-113, 73-140, 73-2164, 73-7000

This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.

Right Nos. 73-2B and 73-113 are limited to the irrigation of a combined total of 160 acres in a single irrigation season.

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

03/31/2006

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

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

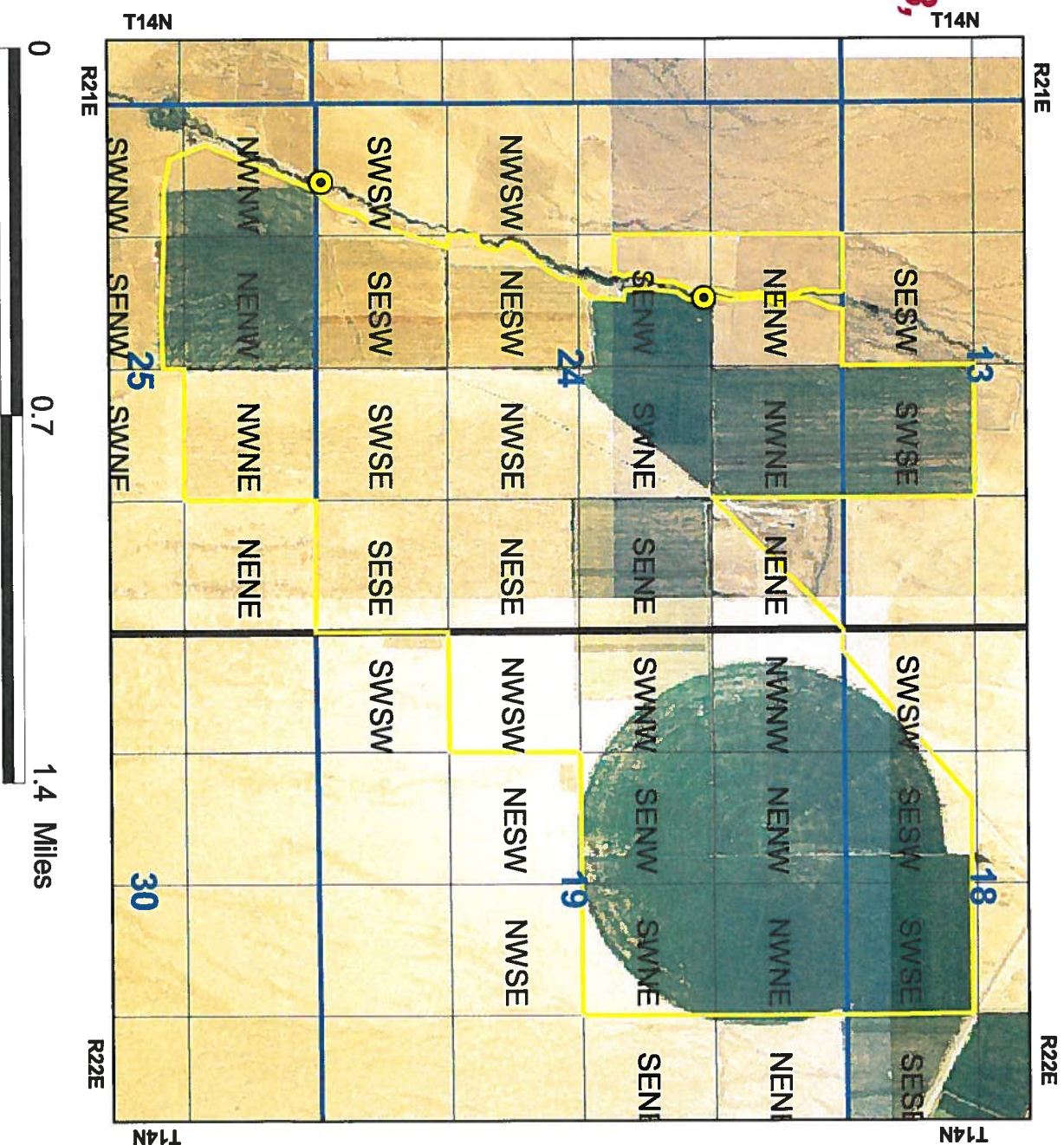
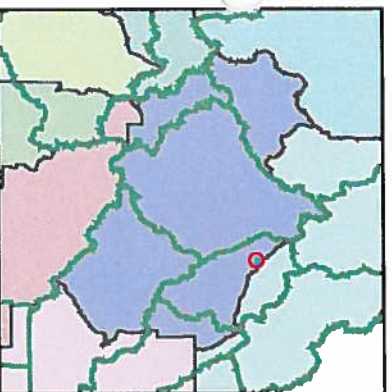
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

The following rights are diverted through points of diversion described above: 73-2B, 73-7A, 73-7B, 73-8B, 73-113 and 73-140.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

**73-2B, 73-7A,
73-7B, 73-8B, 73-113,
73-140**

- Point of Diversion
- ▢ Place of Use
- ▢ Townships
- ▢ PLS Sections
- ▢ Quarter Quarters



**Prepared by R. Brown
On Friday, March 31, 2006
1987/88 Aerial Photography**

Sulphur Creek

✓ 73-2B	5/1/1884	0.6 cfs	*
✓ 73-7A	7/20/1915	1.0 cfs	80 acres
✓ 73-7B	9/16/1912	1.0 cfs	X
✓ 73-8B	1/20/1910	1.2 cfs	60 acres
✓ 73-113	5/11/1911	2.8 cfs	160 acres*
73-140	12/15/1894	3.2 cfs	160 acres+
			460 acres

Groundwater

73-2164	10/6/1966	5.0 cfs	366	XX
73-7000	10/26/1967	3.0 cfs	$\frac{232}{598}$	XX

* trans. #1576 / 160 acres total

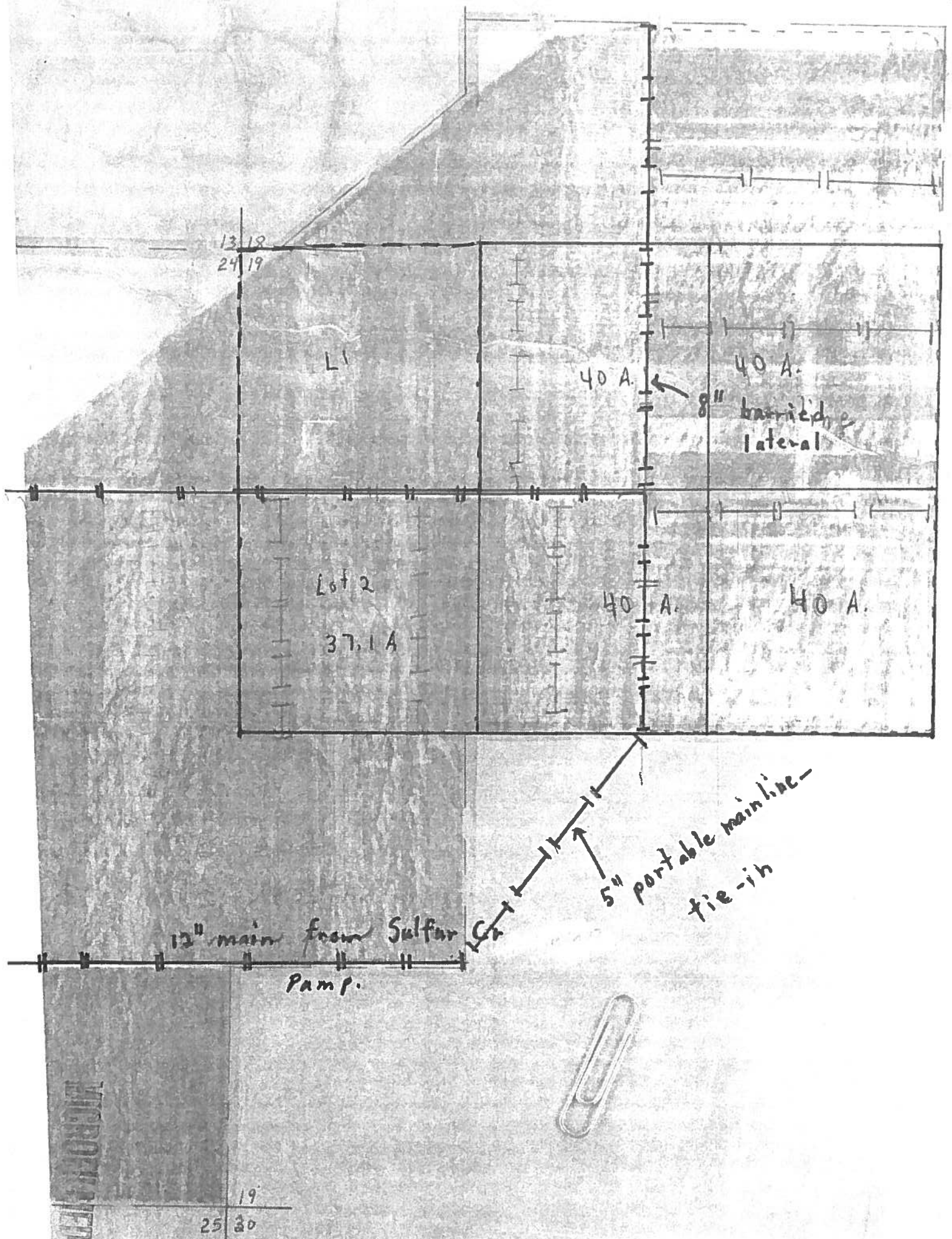
+ trans. #1577

X same POU as 73-7A, per decree

XX same POD as 73-7000

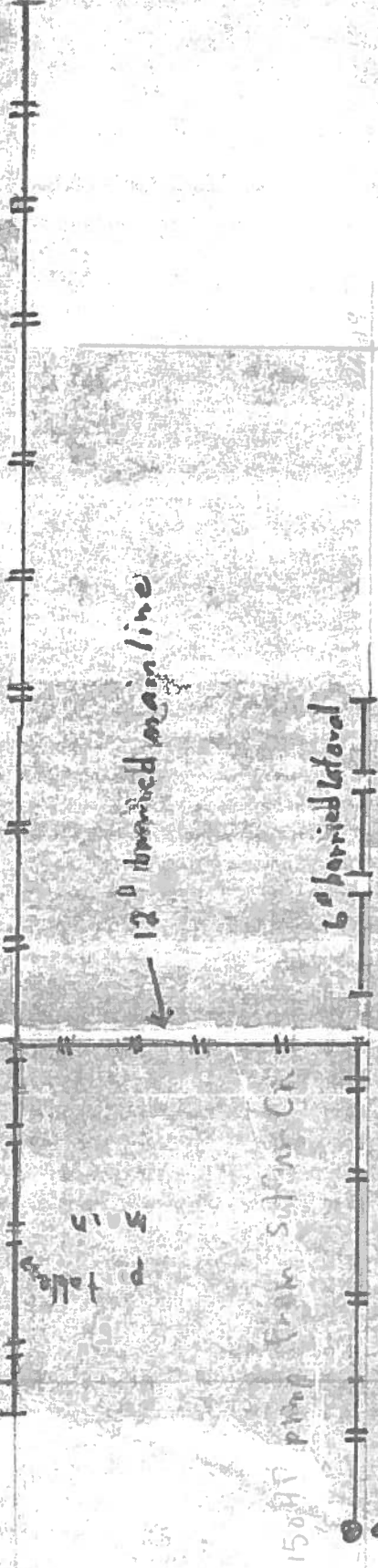
Total PPK = 961.5 acres

R Brown 3/31/06



WATER

4A
36A



150 HP pump from Sulfur Cr.

150 HP pump - diverts
water from Sulfur Cr.

6\"/>

25.30

12

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Maelzer, Julius	0.6		73-0002B 73-0001
1576	Uresti, Bolen	0.6	0	73-0002B 73-0001A

R

E

F

S

N

A

R

MICROFILMED

T

Receipt # 2106

Identification No. 73-0001

Transfer No. 1576

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

SEP 27 1968

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

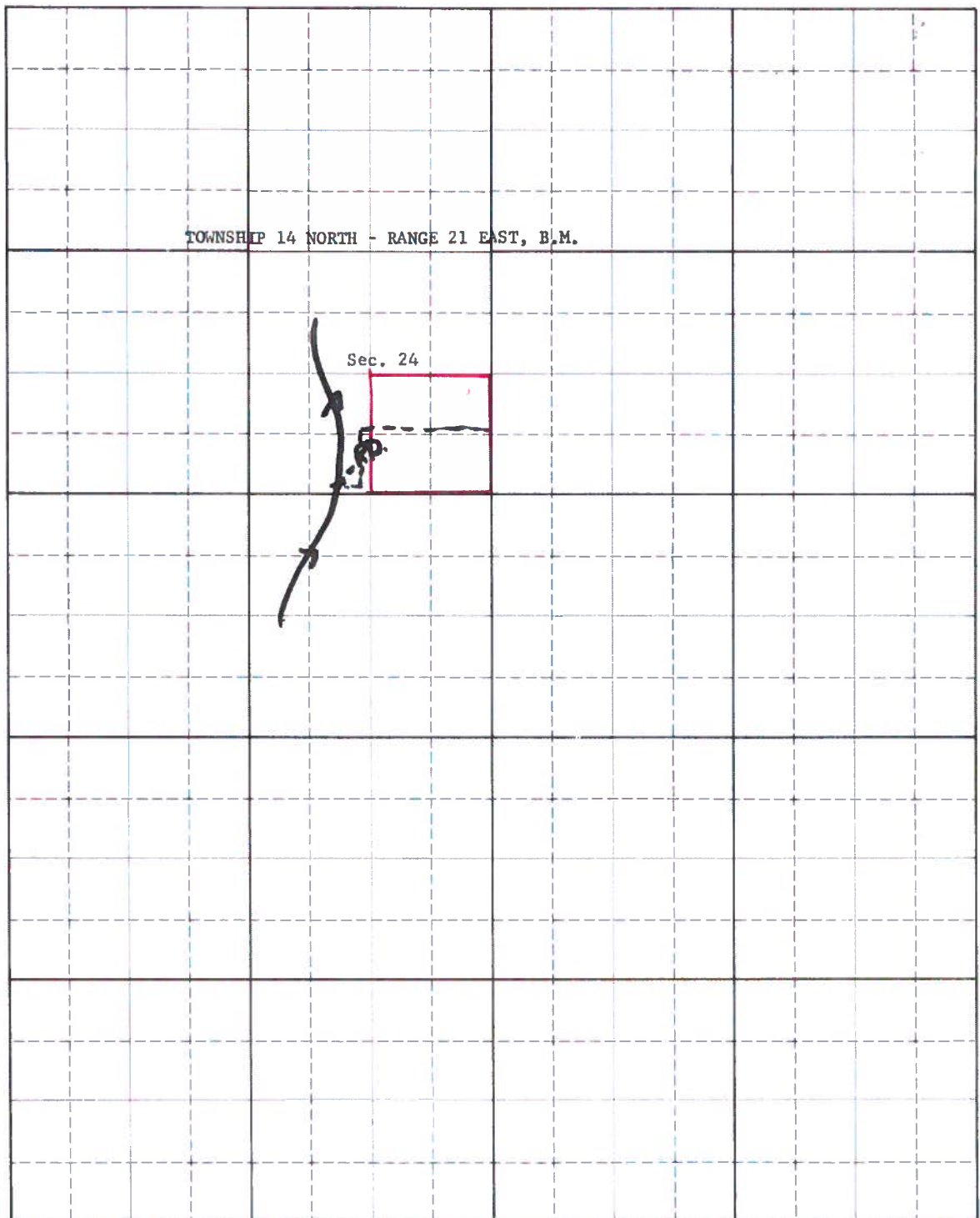
1. Name of Right Holder Bolen Uresti
Post office address Challis, Idaho 83226
2. Right obtained by:
a. Decree to Julius Maelzer in Case of Hamilton ~~no case~~ - filed by Judge Ralph W.
(Name) Adair 2/19/26 to Julius Maelzer
vs. Swendsen, Dated _____ in 6th Judicial Dist.
(Name of Court)
Court, County of Custer
- b. License No. _____ issued by the State of Idaho, Department of Reclamation.
3. Source of water Sulphur Creek tributary to Pahsamoroi River
(Name of stream or source)
4. Date of Priority 5/1/1884 ALSO 140 inches - priority 5/11/11
5. Amount of water a. 30 inches c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for irrigation from March 1 to October 31
(Month, Day) (Month, Day)
7. Original location of point of diversion is NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24,
Township 14 N, Range 21 E, B.M., in Custer County;
Additional points of diversion, if any _____
8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14 N	21 E	13															40		40
		24			40			40		40									120

Total number of acres presently irrigated 160

RECEIVED

12



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: by purchase
of the land

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 170 inches c.f.s. and/or _____ acre feet

b. New point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, Township 14 N
 _____, Range 21 E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: sump pump
for sprinkler system

d. Is water to be conveyed to the lands previously irrigated? Yes X No _____
 If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:
because of new irrigation design

f. Do you intend to make the transfer permanent? yes

g. Do you intend to abandon completely the old point of diversion? yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14 N	21 E	24													40	40	40	40	160

Total number of acres to be irrigated 160

b. Do you intend to make the transfer permanent? yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

I have a well in the NW 1/4 of Section 24, T14N, R21E, B.M. which I will
use to irrigate the lands I am transferring this water from.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: none

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Bolen Uresti
Bolen Uresti

(signature of applicant)

Subscribed and sworn to before me this 25th day of September, 1968

J. Russell Sharp
(notary public)

My commission expires March 17, 1971

ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER

APPROVED

This is to certify that I have examined Application for Transfer of Water Rights No. 1576,
and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

That headgate and measuring device be installed at points of
diversion.

2. Denial of said application is for the following reasons: _____

Witness my hand this 17 day of December, 19 68

R. Keith Higgins
State Reclamation Engineer

DELOG CS 5/10/00
JC 6/15/00

RECEIVED OK

MAY 11 2000

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

Department of Water Resources
Eastern Region

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

1. Water Right No(s): _____
 Adjudication Claim No(s): A73-02098 et al (see attached list)
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND**
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
3. Name and Address of Former Owner/Claimant AENTA LIFE
4. New Owner/Claimant(s) Sulphur Creek Livestock
 New Mailing Address P.O. Box 151
 City, State and ZIP Code May, ID 83253
 New Telephone Number (208) 876-4405
5. Date you acquired the property _____
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____
Other uses _____	
7. Signature of New Owner(s) or Claimant(s) Josh Whitworth, partner, MTW AGEN
- Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

A73-00002B ✓
A73-00007A ✓
A73-00007B ✓
A73-00008B ✓
A73-00042 ✓
A73-00113 ✓
A73-00140 ✓
A73-00157 ✓
A73-00158 ✓
A73-00165 ✓
A73-00168 ✓
A73-00173 ✓
A73-00178 ✓
A73-00179 ✓
A73-00187A ✓
A73-00188A ✓
A73-02038 ✓
A73-02091 ✓
A73-02098 ✓
A73-02102 ✓
A73-02114 ✓
A73-02115 ✓
A73-02122 ✓
A73-02137 ✓
A73-02141 ✓
A73-02142 ✓
A73-02153 ✓
A73-02155 ✓
A73-02164 ✓

A73-07000 ✓
A73-07022 ✓
A73-07038 ✓
A73-10047 ✓

Partial Decrees
Processed by
Allocation at
State Office

73-10046
73-10048
73-10050
73-10051
73-10052
73-10053

9/7/00

From: Jennifer Crabtree, Tech. Records Spec.

Note to File:

There are probable BLM Trespass issues in the following areas:

12N	13N
22E	22E
24	17
SWNE	SENE - 2 acres
NESE	
NWSE	
(Stockwater)	

14N	14N
21E	22E
25	18
SWNW - 2 acres	NWNE - 2 acres
SENW - 6 acres	

14N	Also claim
22E	A73-10048
20	Stockwater.
SWNE - 9 acres	
NESE - 11 acres	

These will be resolved when the BLM objects.
I OK'd all of Aenta Life - Sulfur Creek ^{owner} chang

195827

SPECIAL WARRANTY DEED

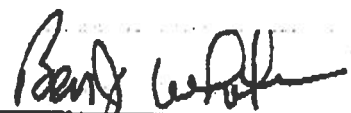
FOR VALUE RECEIVED, The Aetna Casualty and Surety Company, a corporation duly organized and existing under the laws of the State of Connecticut, Grantor, does hereby grant, bargain, sell, convey and assign unto SULPHUR CREEK LIVESTOCK CO., an Idaho general partnership, Grantee, whose current address is H. C. 62, May, Idaho 83253, the real estate described in Exhibit A attached hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances, including all water rights described in Exhibit B attached hereto and all grazing permits/range improvements and leases described in Exhibit D attached hereto, unto the said grantee and its assigns forever.

The Grantor for itself and for its successors in interest does by these presents expressly limit the covenants in this deed to those herein expressed, and excludes all covenants arising or to arise by statutory or other implication, and does hereby covenant that against all persons whomsoever lawfully claiming or to claim by, through or under said Grantor and not otherwise and will forever warrant the said described real estate.

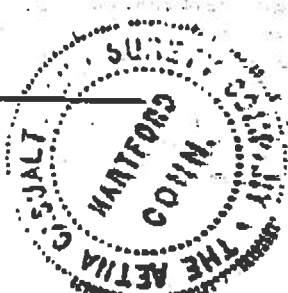
IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its Assistant Vice President this 11 day of December, 1989.

THE AETNA CASUALTY AND SURETY COMPANY

By: 

Ben J. White

Assistant Vice President



STATE OF CONNECTICUT)
) ss.
 County of Hartford)

On this 11th day of December, 1989, before me, the undersigned, a Notary Public in and for said County and State, personally appear Ben J. White known or identified to me to be the Assistant Vice President of THE AETNA CASUALTY AND SURETY COMPANY, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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


 Notary Public, State of Connecticut
 Residing at: Hartford, Ct.
 My Commission Expires: 2/3/1992

193877

EXHIBIT "A"

LEGAL DESCRIPTION

All the following described real property situated in Custer and Lemhi Counties, State of Idaho, to-wit:

Township 11 N., Range 23 E., B. M., Custer County, Idaho:

Section 14: Lots 1 and 2, W $\frac{1}{2}$ NW $\frac{1}{4}$

Township 12 N., Range 24 E., B. M., Custer County, Idaho:

Section 16: Entire Section;
Section 21: SE $\frac{1}{4}$
Section 22: Entire Section;
Section 23: W $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Section 28: NW $\frac{1}{4}$ NE $\frac{1}{4}$

Township 14 N., Range 22 E., B. M., Custer County Idaho:

Section 16: That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying South and West of the Pahsimeroi River;
Section 17: That part of the NW $\frac{1}{4}$, and the SW $\frac{1}{4}$ NE $\frac{1}{4}$, lying South and West of the Pahsimeroi River, the NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$, lying South and West of the Pahsimeroi River.
Section 18: E $\frac{1}{2}$ E $\frac{1}{2}$;
Section 20: SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Section 21: That part of the N $\frac{1}{2}$ NE $\frac{1}{4}$, the NW $\frac{1}{4}$ NE $\frac{1}{4}$, lying South and West of the Pahsimeroi River, the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$.

Township 14 N., Range 22 E., B. M. Lemhi County, Idaho:

Section 16: That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying North and East of the Pahsimeroi River, the NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Section 17: That part of the N $\frac{1}{2}$, the N $\frac{1}{2}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying North and East of the Pahsimeroi River;
Section 21: That part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying North and East of the Pahsimeroi River.

Township 12 N., Range 22 E., B. M., Custer County, Idaho:

Section 24: Lot 2

193877

Township 12 N., Range 23 E., B. M., Custer County, Idaho:

Section 19: Lot 2 ✓

Township 13 N., Range 22 E., B. M., Custer County, Idaho:

Section 8: E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$; ✓

Section 9: W $\frac{1}{2}$ NW $\frac{1}{4}$; ✓

Section 17: NE $\frac{1}{4}$ NE $\frac{1}{4}$; ✓

Township 14 N., Range 21 E., B. M., Custer County, Idaho:

Section 13: SW $\frac{1}{4}$ SE $\frac{1}{4}$; ✓

Section 24: ✓ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;

Section 25: ✓ NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$.

Township 14 N., Range 22 E., B. M., Custer County, Idaho:

Section 18: ✓ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 19: ✓ Lots 1, 2, and 3, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$;

Section 4: ✓ W $\frac{1}{2}$ SW $\frac{1}{4}$;

Section 8: ✓ W $\frac{1}{2}$ SE $\frac{1}{4}$;

Section 17: ✓ W $\frac{1}{2}$ NE $\frac{1}{4}$.

Township 14 N., Range 21 E., B. M., Custer County, Idaho:

Section 13: ✓ E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$

Township 14 N., Range 22 E., B. M., Custer County, Idaho:

Section 13: Lots 1, 2, 3, and 4, ✓ the E $\frac{1}{2}$ NW $\frac{1}{4}$, ✓ SW $\frac{1}{4}$ NE $\frac{1}{4}$, ✓ NE $\frac{1}{4}$ SW $\frac{1}{4}$, ✓ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ ✓

Grantor reserves unto itself, its successors and assigns from the foregoing real property described in this Exhibit A one-half (50%) of Grantor's interest in and to the mineral rights appurtenant to said real property and conveys said real property subject to the exceptions set forth in Exhibit C to this Special Warranty Deed.

STATE OF IDAHO
COUNTY OF CUSTER

193877

FILED FOR RECORD
IN THE OFFICE OF THE CLERK
OF THE COUNTY OF CUSTER
AT 4:12 P.M. 12-18-89
BY THE CLERK

ETHEL A. BUCKLE

GRANTOR

Barbara Buckle
12-18-89

State of Idaho
County of Custer

ss. No. 204632

This instrument was filed for record on
the request of American Land Title
at 2:25 o'clock P.M. 12-18-89
and duly filed and indexed in the
records of Custer County.

Alberta Stearns

Deputy Clerk

Lessie J. Norton
12-18-89

193877

EXHIBIT "B"

Pahsimeroi Valley Ranch — Cattle Unit

Water Rights

73-00421
Decree

OK

Amount: 10.0 cfs Priority: 2-20-1936
Acres: 720.0 Source: Big Spring or
O'Neill Creek

P/D: Private Ditch

P/U: T 14 N, R 22 E (Scoble)

✓ Section 16: SW $\frac{1}{4}$ SW $\frac{1}{4}$ ✓ Section 17: S $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$
NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$ ✓ Section 18: E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ 73-01571
Decree

OK

Amount: 4.4 cfs Priority: 5-1-1886
Acres: 680.0 Source: Pahsimeroi
River

P/D: Pahsimeroi River

P/U: T 14 N R 22 E (Scoble)

✓ Section 16: SW $\frac{1}{4}$ SW $\frac{1}{4}$ ✓ Section 17: S $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$
NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$ ✓ Section 18: E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ 73-01581
Decree
(Supplemental)

OK

Amount: 5.0 cfs Priority: 5-1-1888
Acres: 720.0 Source: Big Creek
P/D: Big Creek

P/U: T 14 N R 22 E (Scoble)

Section 16: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17: S $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$
NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18: E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Note: This water can only be used when the ranch
can not obtain 720 inches of water from the
Pahsimeroi River and Spring creek.

73-01651
Decree

OK

Amount: 3.2 cfs Priority: 1-4-1904
Acres: 160.0 Source: Pahsimeroi
River

P/D: T 12 N, R 24 E

Section 32: SW $\frac{1}{4}$ SW $\frac{1}{4}$

P/U: T 12 N, R 24 E (Scoble)

Section 22: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{4}$ NW $\frac{1}{4}$

193877

EXHIBIT "B"

Pahsimeroi Valley Ranch - Cattle Unit

Water Rights (cont.)

73-2098:
License

Amount: 2.4 cfs Priority: 11-9-1915
Acres: 160.0 Source: Mahogany Creek

P/D: T 10 N, R 23 E
Section 3: SE $\frac{1}{4}$ SE $\frac{1}{4}$

P/U: T 11 N, R 23 E (Goldburg)
Section 14: NW $\frac{1}{4}$ 160 ac

73-2102:
License

Amount: 2.4 cfs Priority: 7-19-1915
Acres: 120.0 Source: Big Creek

P/D: T 13 N, R 23 E
Section 13: NE $\frac{1}{4}$ NW $\frac{1}{4}$

P/U: T 14 N, R 22 E. (Scoble)
Section 21: NW $\frac{1}{4}$ NW $\frac{1}{4}$ 30, NE $\frac{1}{4}$ NW $\frac{1}{4}$ 20, NW $\frac{1}{4}$
NE $\frac{1}{4}$ 30, SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40

73-2145:
License

Amount: 6.4 cfs Priority: 8-1-1955
Acres: 480.0 Source: Groundwater

P/D: T 14 N, R 22 E
Section 21: NE $\frac{1}{4}$ SW $\frac{1}{4}$

P/U: T 14 N, R 22 E (Scoble)
Section 16: SW $\frac{1}{4}$ SW $\frac{1}{4}$ 5
Section 17: SW $\frac{1}{4}$ SE $\frac{1}{4}$ 30, SE $\frac{1}{4}$ SE $\frac{1}{4}$ 20
Section 20: NE $\frac{1}{4}$ 110, NE $\frac{1}{4}$ SE $\frac{1}{4}$ 15
Section 21: SW $\frac{1}{4}$ NE $\frac{1}{4}$ 30, NW $\frac{1}{4}$ 160, NE $\frac{1}{4}$ SW $\frac{1}{4}$
40, NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40, NW $\frac{1}{4}$ SE $\frac{1}{4}$ 30

73-2155:
License

Amount: 6.4 cfs Priority: 2-27-1963
Acres: 320.0 Source: Pahsimeroi

P/D: T 14 N, R 22 E
Section 27: SE $\frac{1}{4}$ NW $\frac{1}{4}$

P/U: T 14 N, R 20 E (Scoble)
Section 20: N $\frac{1}{4}$ NE $\frac{1}{4}$ 80, SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40, NE $\frac{1}{4}$ NW $\frac{1}{4}$
40
Section 21: SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40, N $\frac{1}{4}$ SW $\frac{1}{4}$ 80, NW $\frac{1}{4}$ SE $\frac{1}{4}$
40

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EXHIBIT "B"

Pahsimeroi Valley Ranch - Cattle Unit

Water Rights (cont.)

74-7021:
Permit
(Lapsed)

Amount: 4.8----cfs Priority: 2-28-1979
Acres: 240.0 Source: Groundwater

P/D: T 14 N, R 22 E
Section 16: SE $\frac{1}{4}$ NW $\frac{1}{4}$

P/U: T 14 N, R 22 E (Scoble)
Section 16: NW $\frac{1}{4}$ 160, N $\frac{1}{4}$ SW $\frac{1}{4}$ 80

73-7022: OK
License

Amount: 2.76 cfs Priority: 2-28-1973
Acres: 220.0 Source: Groundwater

P/D: T 14 N, R 22 E
Section 17: NW $\frac{1}{4}$ SW $\frac{1}{4}$

P/U: T 14 N, R 22 E (Scoble)
Section 17: SW $\frac{1}{4}$ 125
Section 18: NE $\frac{1}{4}$ NE $\frac{1}{4}$ 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40, NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40, SE $\frac{1}{4}$ SE $\frac{1}{4}$ 10

73-7034:
Permit
(Lapsed)

Amount: 4.80----cfs Priority: 7-9-1976
Acres: Source: Groundwater

P/D: T 14 N, R 22 E
Section 16: SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 21: NE $\frac{1}{4}$ NW $\frac{1}{4}$

73-7038: OK
Permit

Amount: 0.55 cfs Irrig. Priority: 1-18-1978
0.04 cfs Dom. Source: Groundwater
Acres: 32.0

P/D: T 14 N. R 22 E
Section 17: SW $\frac{1}{4}$ SW $\frac{1}{4}$

P/U: T 14 N, R 22 E (Scoble)
Section 17: SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3
Section 18: SE $\frac{1}{4}$ SE $\frac{1}{4}$ 29

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EXHIBIT "B"

Pahsimeroi Valley Ranch - Sheep Unit

Water Rights

Uresti and Grouse Creek³Idaho License, Permit or Application Number73-2114:
License

OK

Amount: 0.7 cfs Priority: 8-23-1916
 Acres: 15.0 Source: Grouse Creek

P/D: T 13 N, R 22 E
 Section 17: NE $\frac{1}{4}$ SW $\frac{1}{4}$

P/U: T 13 N, R 22 E (Grouse Creek)
 Section 8: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ 25, NE $\frac{1}{4}$ SE $\frac{1}{4}$ 5
 Section 17: NE $\frac{1}{4}$ NE $\frac{1}{4}$ 5

73-2115:
License

OK

Amount: 0.5 cfs Priority: 9-16-1916
 Acres: 25.0 Source: Grouse Creek

P/D: T 13 N, R 22 E
 Section 8: NE $\frac{1}{4}$ SE $\frac{1}{4}$

P/U: T 13 N, R 22 E (Grouse Creek)
 Section 9: NW $\frac{1}{4}$ NW $\frac{1}{4}$ 5, SW $\frac{1}{4}$ NW $\frac{1}{4}$ 20

73-2122:
License

NO

Amount: 0.75 cfs Priority: 10-6-1917
 Acres: 37.0 Source: Grouse Creek

P/D: T 13 N, R 22 E
 Section 17: NE $\frac{1}{4}$ SW $\frac{1}{4}$

P/U: T 13 N, R 22 E (Grouse Creek)
 Section 8: NW $\frac{1}{4}$ SE $\frac{1}{4}$ 10, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 20 NO not in West
 Section 17: NW $\frac{1}{4}$ NE $\frac{1}{4}$ 7, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NO NO

-02137

73-2117:
License

NO

Amount: 0.4 cfs Priority: 4-30-1947
 Acres: 20.0 Source: Grouse Creek

P/D: T 13 N, R 22 E
 Section 17: SW $\frac{1}{4}$ SW $\frac{1}{4}$ NO

P/U: T 13 N, R 22 E (Grouse Creek)
 Section 8: SE $\frac{1}{4}$ SE $\frac{1}{4}$ 5
 Section 17: SW $\frac{1}{4}$ NE $\frac{1}{4}$ 15 NO

3.) The flow of Grouse Creek was stopped during the earthquake and has not been re-established as of this date.

EXHIBIT "B"

Pahsimeroi Valley Ranch - Sheep Unit

Water Rights (cont.)

73-21641
License

OK

Amount: 5.0 cfs
 Acres: 368.0
 Priority: 10-2-1966
 Source: Groundwater

P/D: T 14 N, R 21 E
 Section 24: NW 1/4 NE 1/4

P/U: T 14 N, R 21 E (Uresti)
 Section 13: SW 1/4 SE 1/4 40
 Section 24: NE 1/4 177, NE 1/4 NW 1/4 38, SE 1/4 NW 1/4 34

T 14 N, R 22 E (Uresti)
 Section 18: SE 1/4 SW 1/4 38, SW 1/4 SE 1/4 40
 Section 19: NW 1/4 NW 1/4 (lot 1) 39

73-70991
License

OK

Amount: 3.0 cfs
 Acres: 232.0
 Priority: 10-26-1967
 Source: Groundwater

P/D: T 14 N, R 21 E
 Section 24: NW 1/4 NE 1/4

P/U: T 14 N, R 21 E (Uresti)
 Section 24: NE 1/4 SW 1/4 36

P/U: T 14 N, R 22 E (Uresti)
 Section 19: NW 1/4 NE 1/4 40, SW 1/4 NE 1/4 40, NE 1/4 NW 1/4 40, S 1/4 NW 1/4 76

Note: The maximum rate of diversion under this license when combined with License No. 73-2164 shall not exceed 7.6 cfs.

Bratten

Idaho License, Permit or Application Number73-70991
Permit
(Lapsed)

Amount: 2.56 cfs
 Acres: unknown
 Priority: 4-21-1975
 Source: Groundwater

P/D: T 13 N, R 22 E
 Section 18: NW 1/4 SE 1/4

P/U: T 13 N, R 22 E (Bratten)
 Section 13: SW 1/4 and SE 1/4
 Section 18: NE 1/4 NW 1/4 and SW 1/4

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EXHIBIT "C"

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or creating subdivisions up to the effective date hereof but prior to the date the proposed insured acquired of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. General taxes for the year 1989 and subsequent years, which are an accruing lien, not yet due and payable.
7. The effect of and conditions contained in License Agreement recorded October 13, 1983, as Instrument No. 169436, records of Lemhi County, Idaho, and recorded October 13, 1983, as Instrument No. 169260, records of Custer County, Idaho.
8. The effect of and conditions contained in that certain Oil and Gas Lease between Joe Scoble and Lillie Scoble, husband and wife, and Robert D. St. John, recorded May 24, 1978, as Instrument No. 146488, records of Custer County, Idaho, and recorded March 10, 1978, as Instrument No. 139418, records of Lemhi County, Idaho. Assigned to Amoco Production Company, by Assignment recorded October 24, 1979, as Instrument No. 152097 records of Custer County, Idaho, and recorded October 22, 1979, as Instrument No. 149273, records of Lemhi County, Idaho.
9. The effect of and conditions contained in that certain Oil and Gas Lease between Joe Scoble and Lillie D. Scoble, husband and wife, and Robert D. St. John, recorded March 27, 1978, as Instrument No. 139514; Assigned to Amoco Production Company, by Assignment recorded October 22, 1979, as Instrument No. 149273, records of Lemhi County, Idaho. (Affects the SW1/4 NW1/4 the NW1/4SW1/4 of Section 16, T. 14 N., R. 22 E., B.M., only.)
10. The effect of and conditions contained in that certain Oil and Gas Lease between the State of Idaho and Robert D. St. John, recorded March 9, 1979, as Instrument No. 145132; Assigned to Amoco Production Company by Assignment recorded October 3, 1979, as Instrument No. 148901, records of Lemhi County, Idaho, and Instrument No. 150061, records of Custer County, Idaho. (Affects the SW1/4SE1/4 and the SE1/4SW1/4 of Section 16, T. 14 N., R. 22 E., B.M., only.)
11. Subject to the provisions of Section 58-406, Idaho Code, as amended by Chapter 44, 1951 Session Laws: which grants over all lands belonging to the State a right of way for ditches constructed by authority of the United States; and to the provisions of Section 47-701, Idaho Code, reserving to the State all Mineral rights in lands sold subsequent to the 8th day of May, 1923, including sand and gravel, recorded October 11, 1937, in Book 34, at Page No. 136 and November 19, 1952, in Book 44, at Page No. 15, records of Lemhi County, Idaho and February 14, 1966, as Instrument No. 120825 and 120826, records of Custer County, Idaho.
12. Easement to the United States of America, Department of the Interior, Bureau of Land Management for right-of-way for pipeline and incidental purposes, recorded December 29, 1964, in Book 36, at Page No. 295, records of Custer County, Idaho.
13. The effect of and conditions contained in Assignment Affecting Record Title to Oil and Gas Lease, recorded September 11, 1981, as Instrument No. 160351, records of Custer County, Idaho.

EXHIBIT "C"

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14. The effect of and conditions contained in the certain oil and gas lease, recorded March 1, 1978, as instrument no. 1463641 Assigned to Amoco Production Company, by Assignment recorded March 13, 1979, as instrument no. 149743.

15. The right, title and interest of the public in and to those portions of the above described premises falling within the bounds of roads or highways, dedicated and or otherwise used by the public, and subject to all easements and restrictions attendant and pertinent to said highways.

16. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing issuance thereof; water rights, claims or title to water.

EXHIBIT "D"

CATTLE UNIT BLM PERMITS & STATE LEASES

Bozinger - BLM

	<u>BLM</u> <u>Record #</u>	<u>Use Dates</u>	<u># Cattle</u>	<u>AUM's</u>
Lower Goldburg	4512	5/15-6/15	196	196
* Lower Goldburg	4512	5/16-6/15	42	42
				<u>238</u>
Goldburg	4515	5/16-6/15	280	280
Goldburg	4515	6/16-7/05	196	131
Goldburg	4515	6/16-7/15	76	76
				<u>487</u>
Upper Pahsimeroi	4517	6/16-11/30	518	2,849
* Upper Pahsimeroi	4517	6/16-11/30	24	132
				<u>132</u>
		TOTAL AUM's		2,981

State Lease	Acres	AUM's
Goldburg	6,428.56	257
*Lower Goldburg	640.00	42
*Upper Pahsimeroi	<u>1,280.00</u>	<u>132</u>
TOTAL LEASE ACRES	8,348.56	

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EXHIBIT "D"

SHEEP UNIT
BLM, FOREST PERMITS & STATE LEASESPermits - BLM

	BLM Record #	Use Dates	# Sheep	AUM's
Grouse Creek	4507	4/26-6/15	2000	667
Grouse Creek	4507	7/16-9/30	212	106
*Grouse Creek	4507	7/16-9/30	268	134
Grouse Creek	4507	11/1-1/15	500	250
Grouse Creek	4507	11/16-1/15	2000	800
				1957
Pines Elkhorn	4514	10/1-11/15	1000	300
*Pines Elkhorn	4514	11/16-11/20	1000	33
				333
Dry Creek	4520	6/16-6/30	1000	100
Dry Creek	4520	7/01-7/15	2000	200
Dry Creek	4520	9/01-9/30	820	164
*Dry Creek	4520	9/01-9/30	1180	236
				700
TOTAL BLM AUM's				2900

Permits - Forest Service

Rock Springs	6/16-7/15	500	100
Dry Creek	7/16-8/31	1,000	300
Long Lost	7/16-8/31	960	288
TOTAL F.S. AUM's			688

TOTAL FEDERAL AUM's 3,588State Leases

	Acres
Grouse Creek	2,560.00
Pines Elkhorn	640.00
Dry Creek	1,129.80
TOTAL STATE LEASE ACRES	4,329.80

Exchange of use lands

They
Also own

T11N

R23E

14

Lots 1+2

W $\frac{1}{2}$ NW $\frac{1}{4}$

T12N

22E

24

Lot 2

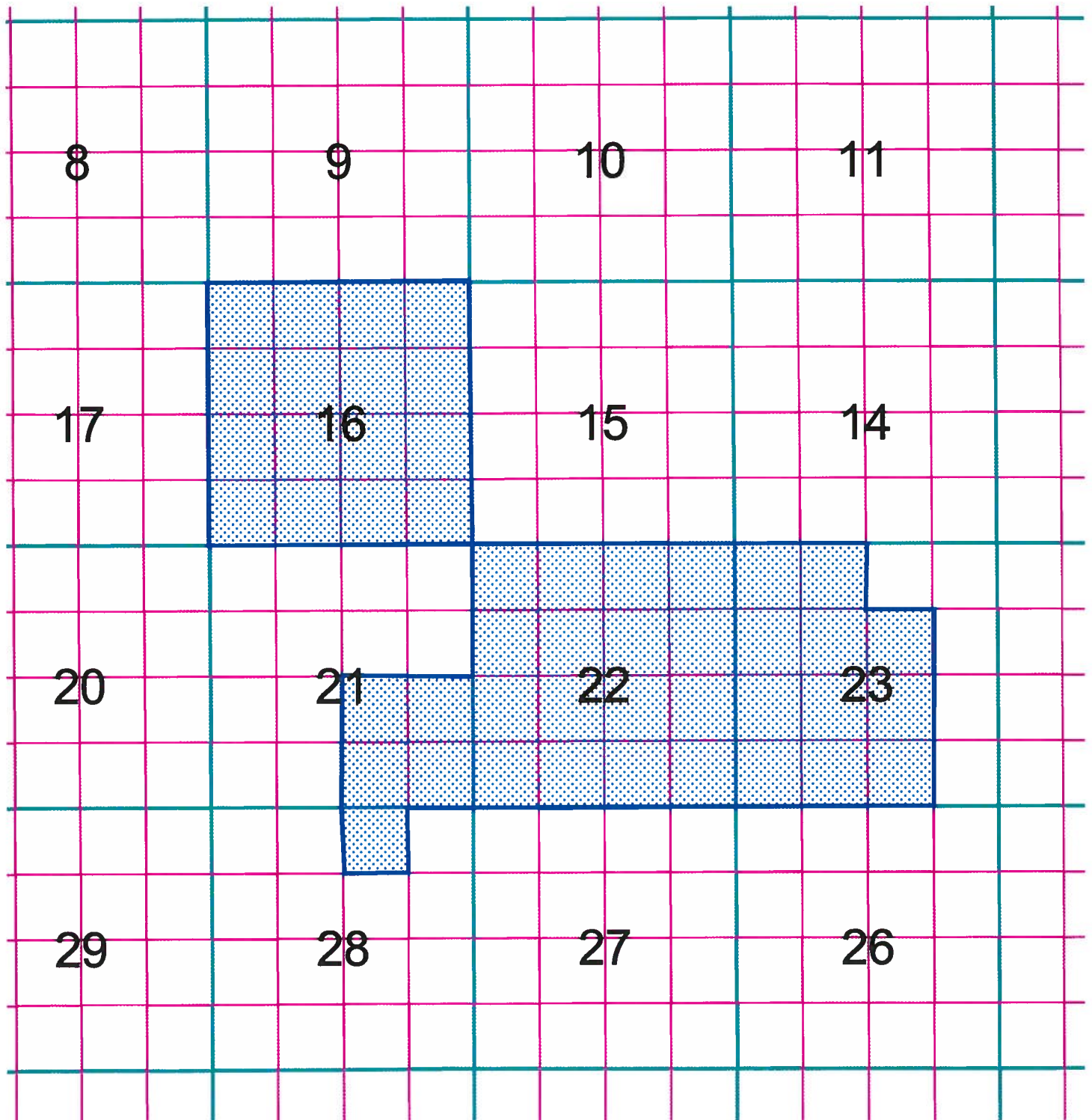
T12N

R23E

19

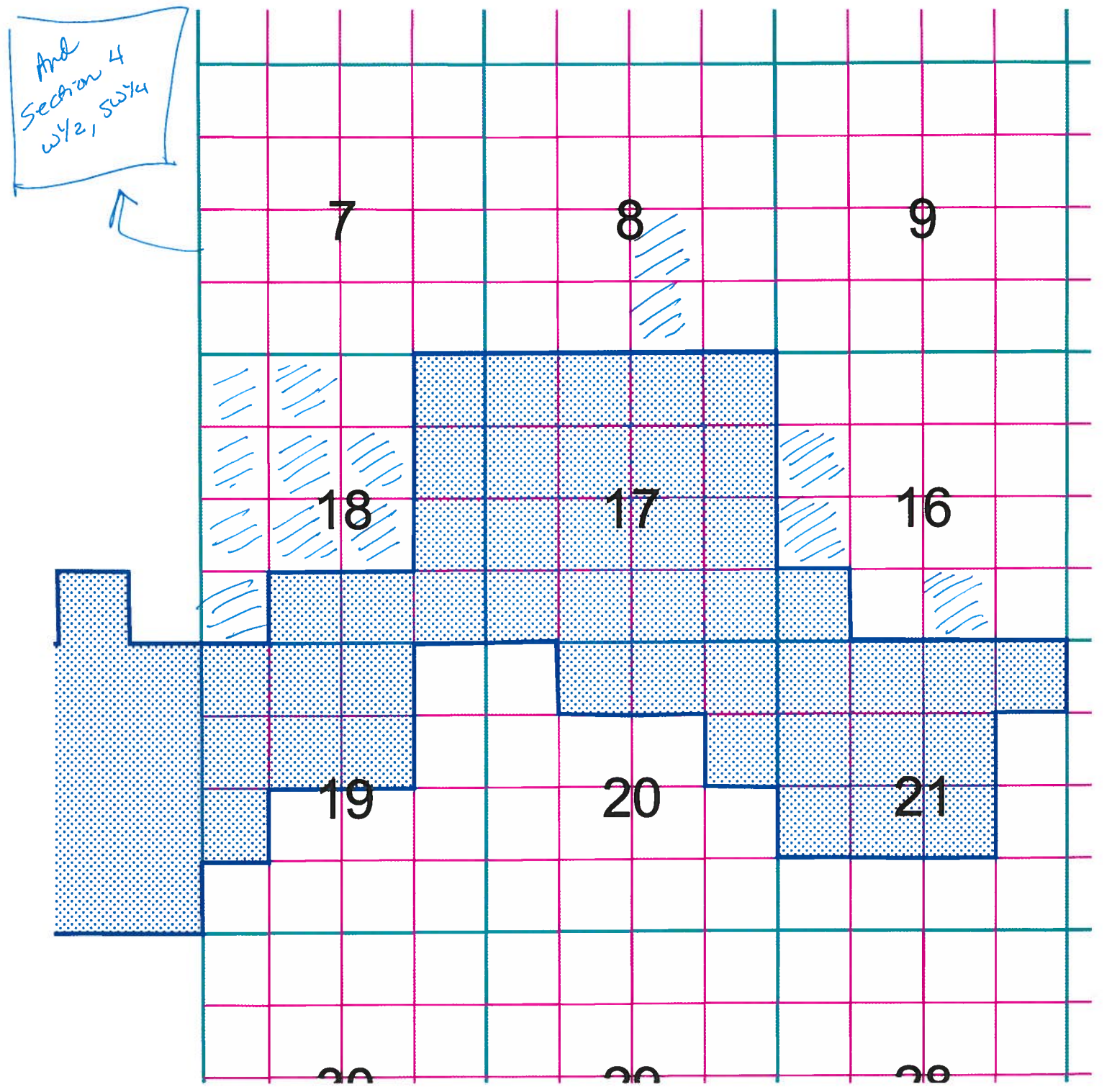
Lot 2

Property owned according to Legal provided.



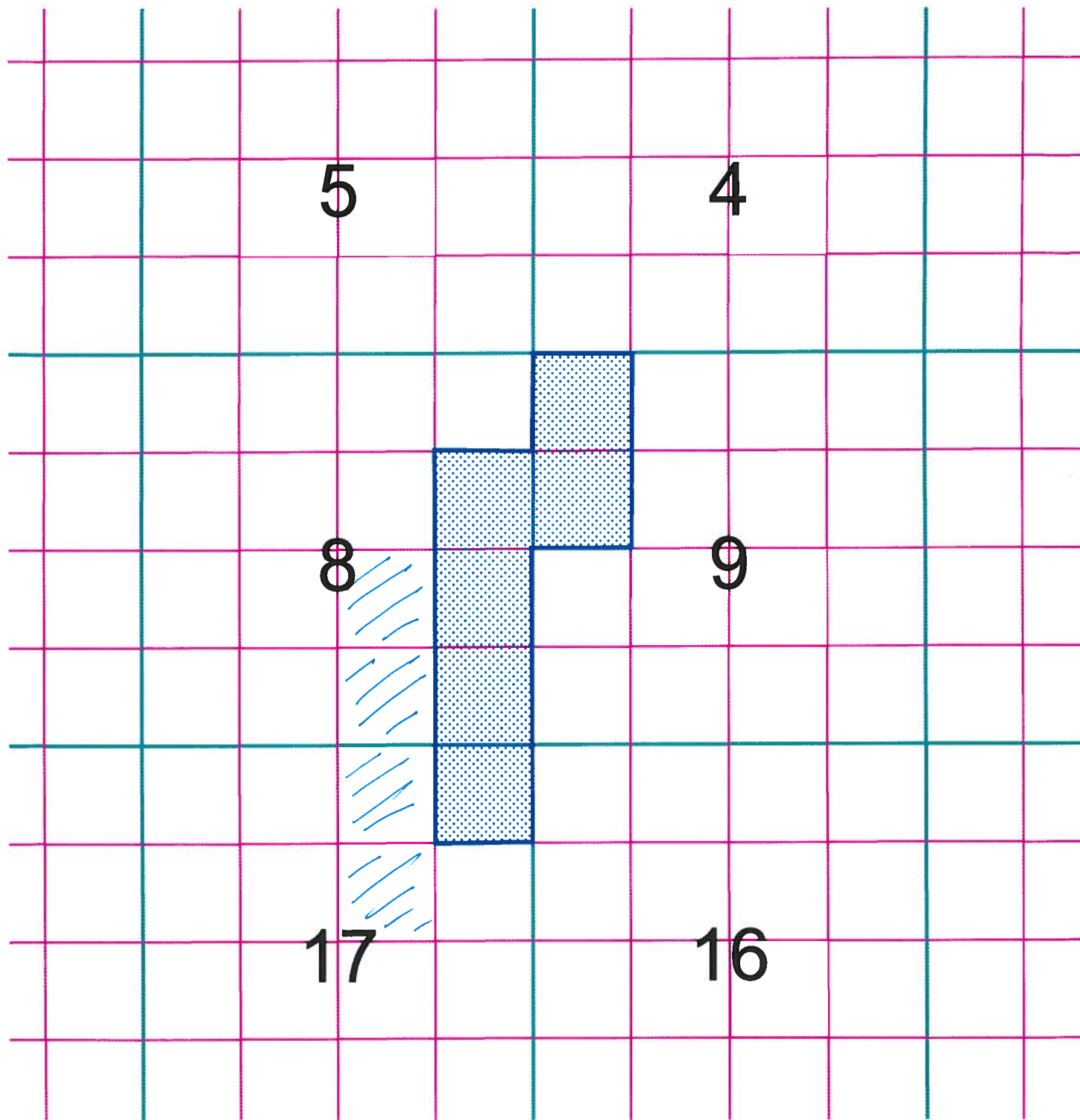
12N, 24E

Property owned according to Legal provided.



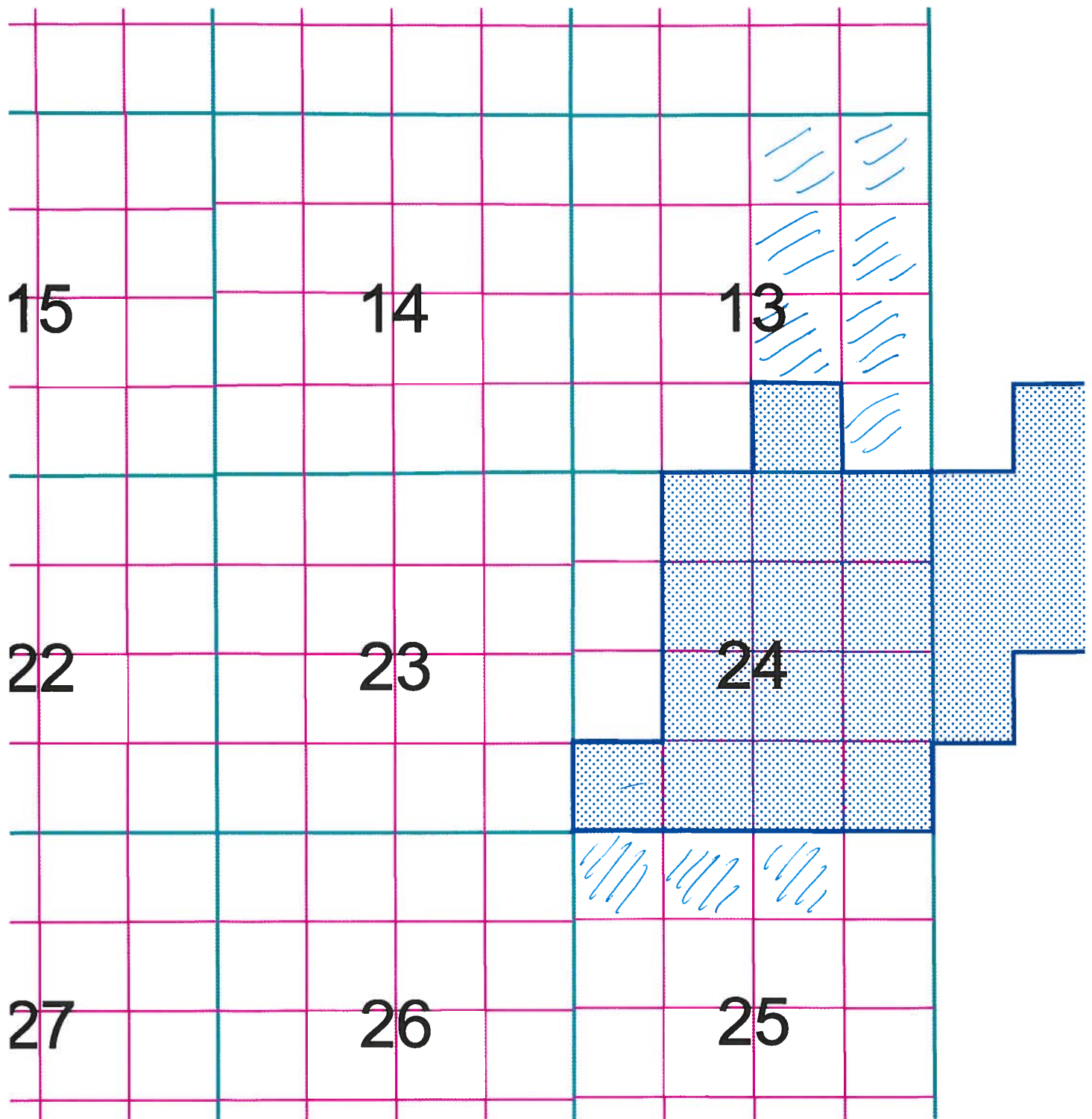
14N, 22E

Property owned according to Legal provided.



13N, 22E

Property owned according to Legal provided.



14N, 21E

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: A73-00002B
Date Received: 1/ 5/1990
Receipt No: E011506
Received By: DC

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

1. Name: THE AETNA CASUALTY & SURETY COMPANY 203-275-2094
Address: ATTN ED BUCKLEY
CITY PLACE
HARTFORD CT 06156

2. Date of Priority: MAY 1, 1884

3. Source: SULPHUR CREEK Trib. to: PAHSIMEROI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	21E	24	SW	NE	NW		CUSTER
			SE	SW	SW		CUSTER

5. Description of diverting works:
SUMP AND PUMP AT EACH DIVERSION POINT/SPRINKLER (SEE ORIG CLAIM)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.600		

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

8. Total consumptive use is 2407.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14N	21E	13	SW	SE		IRR	40.0



10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
						Section Acres	40.0
		24	NE	NE		IRR	18.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	38.0
			SE	NW		IRR	34.0
			NE	SW		IRR	36.0
			SW	SW		IRR	3.0
			SE	SW		IRR	38.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	447.0
		25	NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	22.0
			SW	NW		IRR	2.0
			SE	NW		IRR	6.0
						Section Acres	110.0
22E		18	SW	SW		IRR	9.0
			SE	SW		IRR	38.0
			SW	SE		IRR	40.0
						Section Acres	87.0
		19	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	39.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NW	SW		IRR	40.0
						Section Acres	279.0
						Total Acres	963.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

73-00113, 00007A, 00140, 00007B, 00008B, 07000, 02164

14. Remarks:

TRANS. 1576.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ROSCOE HAMILTON, ET AL.

Decree Plaintiff

W.G. SWENDSEN, ET AL.

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

52
 (COURT FILED IN)
 A73-00002B

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 A 73-00002B
 Date Received 1/5/90
 Receipt Number E 011506

NOTICE OF CLAIM
 TO A
 WATER RIGHT
 ACQUIRED UNDER STATE LAW

RECEIVED

JAN - 5 1990

Department of Water Resources
 Eastern District Office

Please type or print clearly

1. Name of Claimant (s) The Aetna Casualty & Surety Company Phone (203) 275-2094
 Mailing Address ATTN: Ed Buckley, City Place, Hartford, CT Zip 06156

2. Date of Priority (Only one (1) per claim) May 1, 1884

3. Source of water supply (a) Sulphur Creek
 which is tributary to (b) Pahsimeroi River

4. a. Location of existing point of diversion is: Township 14N Range 21E Section 24,
SE 1/4 of SW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Custer

Additional points of diversion if any: SW NE NW Sec. 24, T14N, R21E

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. Sump & pump at each diversion point,

water transported and applied to place of use by a sprinkler irrigation system.
First diversion point is near section line demarcating sections 24 & 25. A survey
would be required to pinpoint legal description.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 11/1 amount 0.6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.6 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2407.5 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	
14N	22E	18											9	38			40		87
14N	22E	19		40	40		40	39	40	40		40							279
14N	21E	13															40		40
14N	21E	24	18	40	40	40	38			34	36		3	38	40	40	40	40	447
14N	21E	25		40			40	22	2	6									110

Total number of acres irrigated 963

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

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.

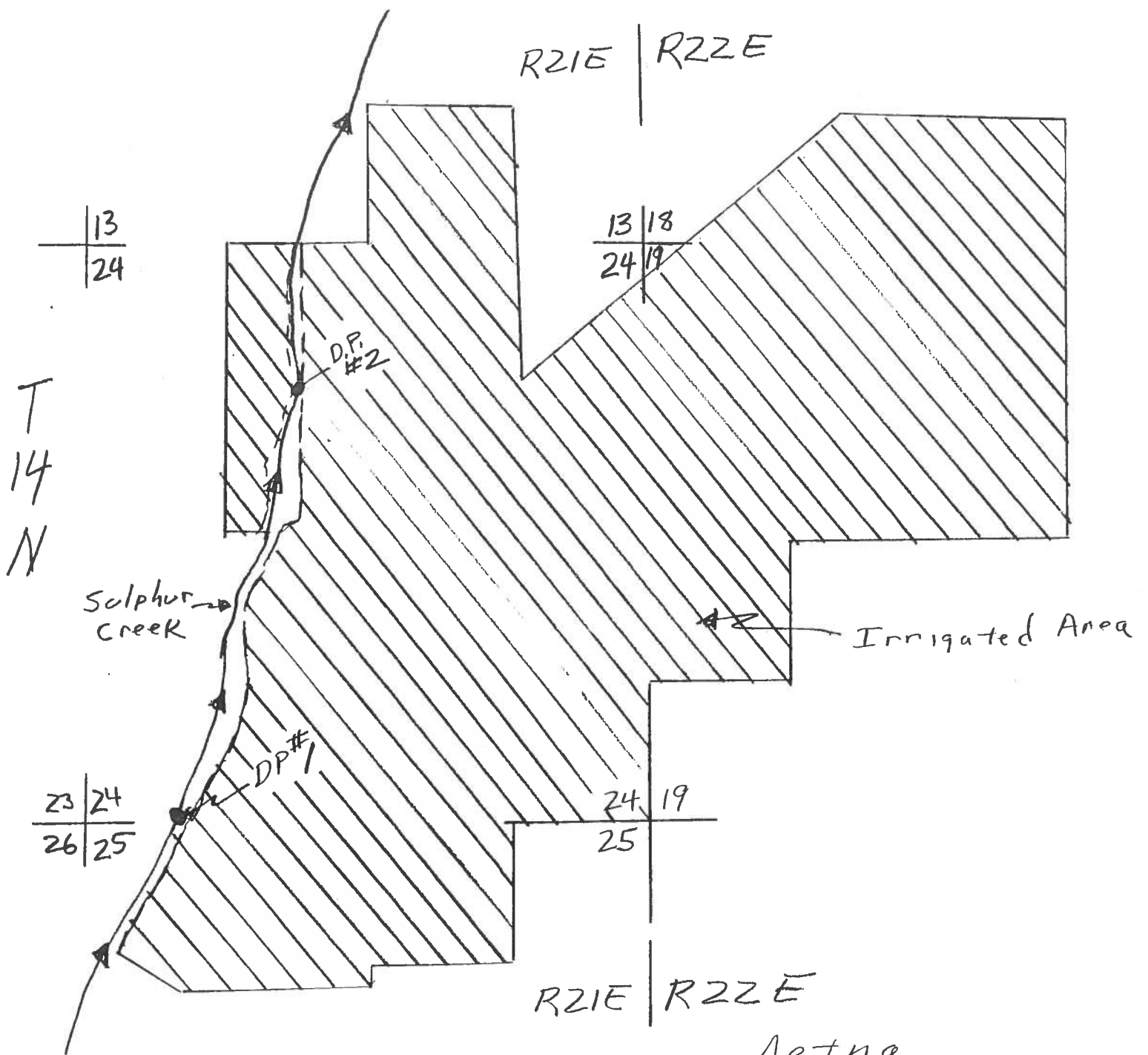
73-00113, 73-0007A, 73-000140, 73-00007B, 73-0008B, 73-7000, 73-2164 or None ()

14. Remarks:

Consumptive use includes water from all water rights shown in
Item 13.

Last Name Aetna Ident No. _____

Copies: White -State, Yellow-Claimant



Aetna
Claim #140,

Approx Scale - 4" = 1 Mil.

Scale: 2 inches equals 1 mile

[illegible]

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 73-0002B
Court Sixth Judicial District Case Number _____ Decree Date 2-17-1926
Plaintiff vs Defendant Hamilton v. Swendsen

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) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Edward Buckley, Vice-President
_____ Title

of Aetna Realty Investors, Inc. _____, that I have signed the foregoing
Organization

document in the space below as Attorney-in-Fact of The Aetna Casualty & Surety Co.
Title Organization

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

Signature of Authorized Agent Edward Buckley

Title and Organization Attorney-in-Fact, The Aetna Casualty & Surety Co. Date 12/18/89

State of Idaho/or Connecticut)
County of Hartford) SS.

Subscribed and sworn (or affirmed) before me this 18th day of December 19 89

SEAL

Notary Public Marianna Petrocelli

Residing at New Haven County

My Commission Expires March 31, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name The Aetna Casualty & Surety Co. Ident. Number _____

Copies White-State, Yellow-Claimant