

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 2-10212
Date Received: 11/28/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROCKIN S RANCH INC
C/O DENNIS SMITH
PO BOX 939
GLENN'S FERRY ID USA 83623

Phone:

2. Date of Priority: 07/22/1912

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
06S	09E	1	SE	NW	3	ELMORE	
05S	09E	36	SW	SW		ELMORE	

5. Description of diverting works:

2 PUMPS, 60 AND 40 HP, GRAVITY FLOW AND PRESSURIZED SYSTEMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.2	

7. Total Quantity Appropriated is:
0.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	09E	35	SE	SE 1	IRRIGATION	10
Section Acres						10
Total Acres						10

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 02-10022. DH 8/21/2002

15. Basis of Claim: Beneficial Use

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

RECEIVED

DEC 29 1998

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) 02-7226, 02-4032, 2-10312, 2-7295
Adjudication Claim Number(s) 02-2041, 2-19221, 2-10022
N/A N/A

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

A. A copy of the mo
ownership of the

legal document indicating your
LEGAL DESCRIPTION.

B. PLAT OF PROF

usually on file with the county.)

C. For water rights
ASCS) AERIAL

Farm Service Agency (formerly
ly marked.

3. Name and Address of
Owner/Claimant(s)

Per Agent review -
Only one of the #'s

4. New Owner/Claimant

listed is associated

New Mailing Address

with an Ag claim.

City, State and ZIP Co

New Telephone Num

Forwarded to Allocations

5. Date you acquired the

6. If you have acquired
adjudication claim(s).
below. If necessary, at

for review.

to split the water right(s) or
adjudication claim in the spaces

Number of acres actual

Diversion rate in CFS

If a water right or adju
claim, please contact tl

portion of the original right or

7. Signature of New
Owner/Claimant(s)

John W. Whitby

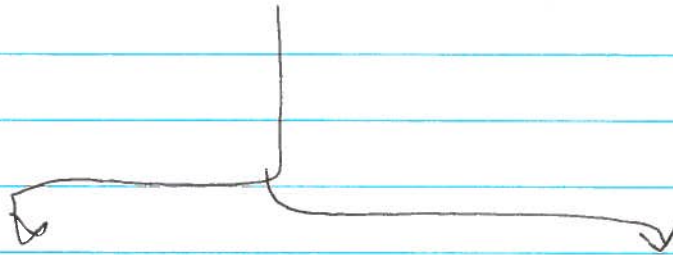
Date 12-10-98

Date _____

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

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

02-10022 40 acres .865 = .02



Rockin S 02-10212

USA. 02-10213

55,98,35 SESE 10 ACRES
=

65,98,321 SWNE 20
(4)
(5)
SENE 10
30
=

.265
=

0.665
=

11/28/89

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-10022

WATER RIGHT NUMBER: 2-10022

Owner Type Name and Address
 Current Owner ROCKIN S RANCH INC
 C/O DENNIS SMITH
 GLENN'S FERRY, ID 83623
 (208)366-2156

Priority Date: 07/22/1912

Basis: Beneficial Use

Status: Active

Source Tributary
 SNAKE RIVER COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	L3 SE1/4NW1/4	Sec. 1, Twp 06S, Rge 09E, B.M.
ELMORE County		
SNAKE RIVER	SW1/4SW1/4	Sec. 36, Twp 05S, Rge 09E, B.M.
ELMORE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	09E	35																10.0	10.0
																		L 1	
06S	09E	1			20.0	10.0													30.0
					L 4	L 5													

Total Acres: 40

Conditions of Approval:Remarks:

1. General THIS IS A COMBINATION OF WATER RIGHTS A02-04019 AND A02-02016.
 ADDED THE POINT OF DIVERSION IN SECTION 36 SOMETIME IN 1948.

Comments:

ELMORE COUNTY, IDAHO ss
Request of

312216

GUARANTY TITLE, INC.

Time 3:12 P M

Date December 10, 1998

Book Page

DOLORES ROBISON

Recorder

By [Signature]

Deputy

Fee \$16.00

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

WARRANTY DEED

IDI-32750

For the true and actual consideration of \$373,200.00,

THE NATURE CONSERVANCY, a District of Columbia non-profit corporation,

hereinafter called Grantor, whether one or more, does hereby grant, bargain, sell, and convey to the UNITED STATES OF AMERICA and its assigns, the following described real property situated in the County of Elmore, State of Idaho, to wit:

Parcel "B" of U.S. Govt. Lot 4 and Parcel "B" of U.S. Govt. Lot 5, Section 1, Township 6 South, Range 9 East and U.S. Govt. Lots 3 and 5, Section 6, Township 6 South, Range 10 East, Boise Meridian.

The parcel of land to which the above description applies contains 146.36 acres, more or less.

TO HAVE AND TO HOLD unto the UNITED STATES OF AMERICA and its assigns forever.

Grantor covenants and warrants that he is lawfully seized and possessed of the real property aforesaid and has the full right, power and authority to execute this conveyance, and that said real property is free and clear of liens, claims or encumbrances, except as shown of record, and that he will defend the title to the real property conveyed herein and quiet enjoyment thereof against the lawful claims and demands of all persons.

Accepted subject to approval of
title by Department of Justice:

Dated this 20th day of November, 1998
Effective as of

[Signature]
(Signature of Authorized Officer)

THE NATURE CONSERVANCY

By Andrew S. Hunsman

Title Assistant Secretary

Chief Branch of Lands & Minerals
(Title)

By Patrick Kumar

Title Assistant Secretary

IDI-32750

Page 1 of 2

Acknowledgement on Page 2

CORPORATE ACKNOWLEDGMENT

STATE OF COLORADO

)

COUNTY OF Boulder

)ss:

)

On this 20th day of Nov., 1998, before me personally appeared Andrew S. Hamano and Patrick Ramos to me known to be the Asst. Sec. and Asst. Sec. of the corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated they are authorized to execute said instrument on behalf of the corporation.

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

CATHERINE CARPENTER
(SEAL) NOTARY PUBLIC
STATE OF COLORADO

Catherine Carpenter
Notary Public in and for the
State of COLORADO
Residing at Boulder, CO
My commission expires: _____

My Commission Expires 8/30/99

TRUSTEE DEED

FOR VALUE RECEIVED in the amount of four hundred forty eight thousand, two hundred dollars (\$448,200.00), RONALD D. SCHOEN, as duly appointed, qualified and acting Standing Chapter 12 Trustee in Bankruptcy Case No. 96-02117, in the United States Bankruptcy Court for the District of Idaho, wherein Rockin S Ranch, Inc. appears as Debtor, Grantor therein, does hereby grant, sell and convey unto

**THE NATURE CONSERVANCY
2404 BANK DRIVE, SUITE 314
BOISE, ID 83705**

the Grantee, all right, title and interest to the said Estate, in and to a parcel of land located in Elmore County, Idaho, more particularly described as follows:

312208

Township 6 South, Range 9 East,
Boise Meridian, Elmore County, Idaho

Section 1: Parcel "B" of U.S. Govt Lot 4
Parcel "B" of U.S. Govt Lot 5 ✓
U.S. Govt Lot 6 (Island) ✓ no Rights
U.S. Govt Lot 7 (Island) ✓

Township 6 South, Range 10 East,
Boise Meridian, Elmore County, Idaho

Section 6: U.S. Govt Lot 3 ✓
U.S. Govt Lot 5 ✓

ELMORE COUNTY, IDAHO ss
Request of

GUARANTY TITLE, INC.

Time 3:02 P M

Date December 10, 1998

Book _____ Page _____

DOLORES ROBISON

Recorder

By _____

Deputy

Fee \$9.00

THE SALE OF THE DESCRIBED PROPERTY IS SUBJECT TO:

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession, or claiming to be in possession thereof.
2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.
3. Discrepancies conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey of the land would disclose, and which are not shown by public records.

4. Any lien, or right to a lien, imposed by law for services, labor or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.
6. Taxes or assessments which are not now payable or which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
7. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.
8. Defects, lien, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
9. Right of Way Deed granted by Joaquin Solosabal and Filomena Solosabal, husband and wife, to the public, recorded July 26, 1939, in Book 2 of Deeds to Public Highways at page 39, records of Elmore County, Idaho, on, over and across Lots 2 and 3, SW1/4NW1/4 and NW1/4SW1/4 Section 1, T6S, R9E, Boise Meridian, Elmore County, Idaho.
10. Power Line Easement granted by Joaquin Solosabal and Filomena Solosabal, husband and wife, to Idaho Power Company; recorded April 17, 1944, in Book 39 of Miscellaneous records at page 359, records of Elmore County, Idaho, on, over and across Lot 1, Section 35, T5S, R9E, and Lot 2, Section 1, T6S, R9E.
11. Power Line Easement granted by Louis Solosabal and Ruth Solosabal, husband and wife, to Idaho Power Company, a corporation; recorded February 8, 1965 as Instrument No. 123923, records of Elmore County, Idaho, on, over, and across Lot 1, Section 35, T5S, R9E, Boise Meridian, Elmore County, Idaho.
12. Power Line Easement granted by J. L. Solosabal and Ruth Solosabal, husband and wife, to Idaho Power Company; recorded October 22, 1973, as Instrument No. 155772, records of Elmore County, Idaho, on, over and across Lot 2, Section 1, T6S, R9E, Boise Meridian, Elmore County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantee, their heirs and assigns forever. And Grantor does hereby covenant to and with the Grantee that the property is free from all encumbrances except as set forth hereinabove.

DATED This 10TH day of December, 1998.

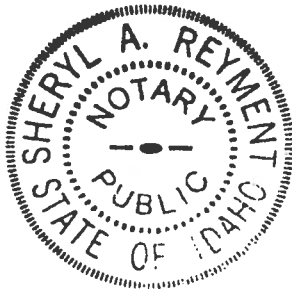

Ronald D. Schoen, Trustee

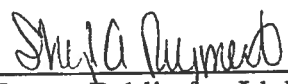
STATE OF IDAHO)

County of Elmore)

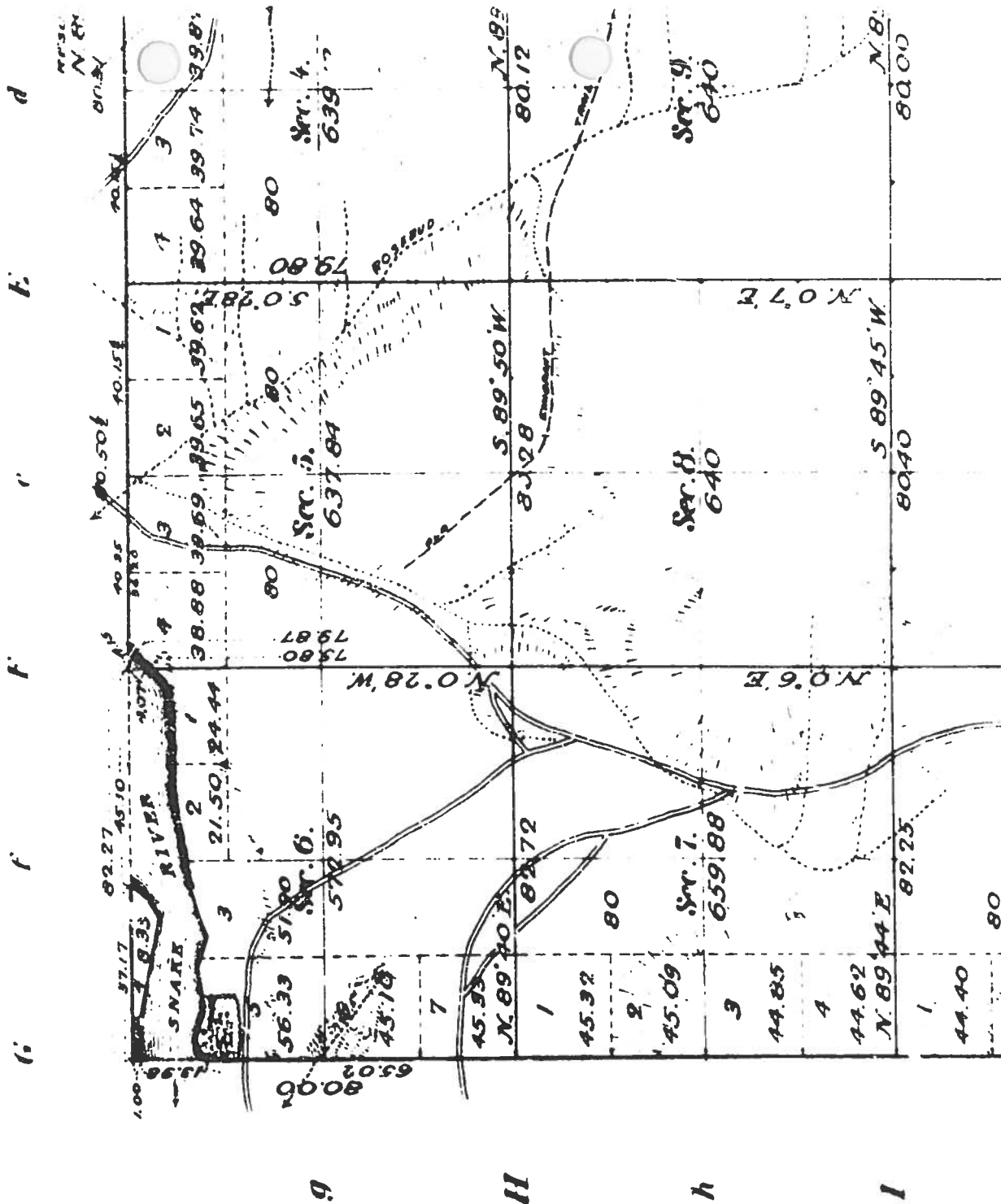
On this 10TH day of December, 1998, before me, the undersigned, a Notary Public in and for subject State, personally appeared RONALD D. SCHOEN, known to me to be the person whose name is subscribed to the foregoing Trustee Deed, and acknowledged to me that he executed the same as the Trustee of the Estate of Rockin S Ranch, Inc., and that he executed the same as the Grantor.

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




Notary Public for Idaho
Residing at Mountain Home Idaho
My Commission Expires 7-21-99

Township No 6 South, Range No 10



9°33'W. 21.95

20.155

PARCEL "A" OF LOT 2 45.79

PARCEL "B" OF LOT 2 9.92

PARCEL "C" OF LOT 2 1.96

"SEE ENLARGEMENT"

2

1971 M.C. (80° 4' 3" W. 1909 M.C. 1968 M.C. 1968

N. 89° 24' W. (18.03)

T. 5 S.

43.92 (25.89)

80.22

31.46

6

8

7

1909

ADJUSTED

MEANDER

LINE

OF

AM.C.

AP.1 LEFT

PARCEL "A" OF LOT 5 3.79

5

PARCEL "B" OF LOT 5 35.83

AP.2

AP.3

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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: A02-10022
Date Received: 11/07/1989
Receipt No: WG 812
Received By: EW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROCKIN S RANCH, INC. 208-366-2156
Address: C/O DENNIS SMITH
GLENN'S FERRY, ID 83623

2. Date of Priority: JUL 22, 1912

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	09E	36	SW	SW	SW	3	ELMORE
06S	09E	1	SE	NW	NW		ELMORE

5. Description of diverting works:
2 PUMPS, 60 AND 40 HP, GRAVITY FLOW AND PRESSURIZED SYSTEMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

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

8. Total consumptive use is 90.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	09E	35	SE	SE	1	IRR	10.0
Section Acres							10.0

A02-10022

Page 1

Date: 11/07/89

Microfilm copy

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	09E	1	SW NE	4	IRR	20.0
			SE NE	5	IRR	10.0
Section Acres						30.0
Total Acres						40.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
A0204019, A0202016

14. Remarks:
THIS IS A COMBINATION OF WATER RIGHTS A02-04019 AND A02-02016.
ADDED THE POINT OF DIVERSION IN SECTION 36 SOMETIME IN 1948.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: 3

For Organizations:

I do solemnly swear or affirm that I am Vice Pres of
Rockin S Ranch Inc, that I have signed the foregoing
document in the space below as Vice Pres of
Rockin S Ranch Inc and that the statements contained in the
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

VP Rockin S Ranch Inc
Title and Organization

Nov 28 89
Date

State of Idaho)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 28 day
of Nov. 19 89

[Signature]
Notary Public

Seal

Residing at Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994