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: **A63-31091**
Date Received: 3/ 9/2000
Receipt No: W026198
Received By: _____

COPY FOR YOUR FILES | **NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW** | **COPY FOR YOUR FILES**

1. Name: LITTLE LAND & LIVESTOCK 208-365-4611
   Address: PO BOX 205
   EMMETT ID 83617

2. Date of Priority: JAN 1, 1930

3. Source: MUD LAKE Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
05N	02W	3	NW SE SE		CANYON

5. Description of diverting works:
   NATURAL LAKE USED FOR STOCKWATER/WILDLIFE PURPOSES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
WILDLIFE	01/01	12/31	0.600		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   WILDLIFE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	02W	3	SE SE		WILDLF	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
63-21129

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

Form No. 42-1409 (2) a 1/88

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 AL3-31091
Date Received 319100
Receipt Number W0716198

RECEIVED
MAR 14 2000
WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAR 09 2000
WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) Little Land & Livestock Phone (208) 365-4611

   Mailing Address P.O. Box 205, Emmett, ID Zip 83617

2. Date of Priority (Only one (1) per claim) 01/01/1930

3. Source of water supply (a) Mud Lake
   which is tributary to (b) Sinks

4. a. Location of existing point of diversion is: Township 5n Range 2w Section 03,
   nw 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Canyon

   Additional points of diversion if any: _____

   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

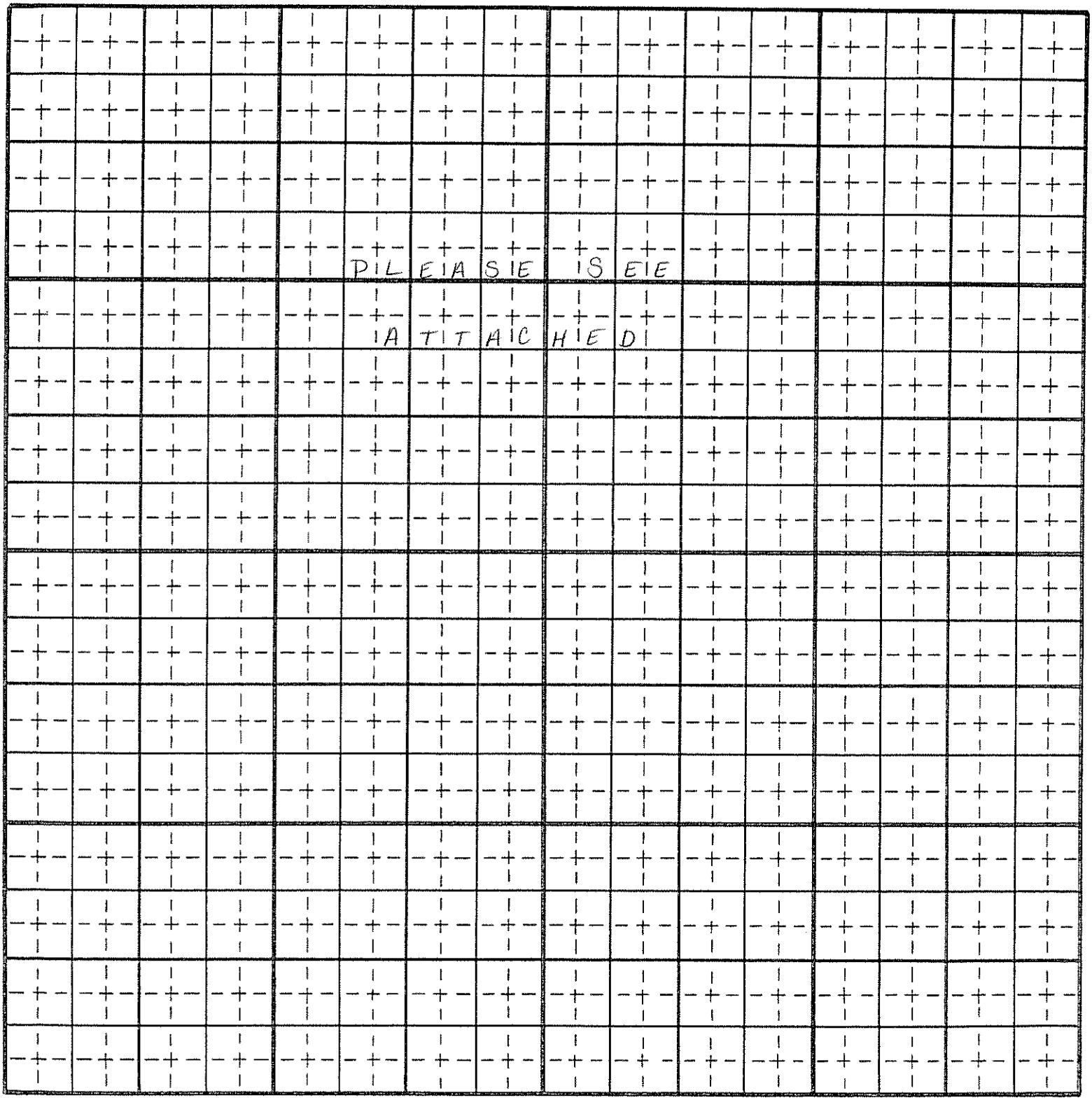
   _____ 1/4, Govt. Lot _____ B.M., County of _____

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.

   Natural lake used for stock watering/wildlife purposes

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____ *Copies: White-State, Yellow-Claimant*

6. Water is claimed for the following purposes:

		(both dates are inclusive)		(cfs)		(acre feet)
For wildlife	purposes from 1/01	to 12/31	amount	or	0.60	
For	purposes from	to	amount	or		
For	purposes from	to	amount	or		
For	purposes from	to	amount	or		

7. Total quantity claimed (a) _____ (cfs) and/or (b) 0.60 (acre feet)

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

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

10. Description of place of use:
    a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
    b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5N	2W	03																W	

Total number of acres irrigated _____

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

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.
    Stock water right # 63-21129 or None ( )

14. Remarks:

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 1

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 3/3/00

_____ Date _____

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 3rd day of March ~~19~~ 2000

BRENDA L. HINNENKAMP NOTARY PUBLIC STATE OF IDAHO SEAL

Notary Public Brenda L Hinnenkamp

Residing at Boise

My Commission Expires 9/2004

Please Print Name

17. Notice of Appearance
Notice is hereby given that I, John K. Simpson 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.

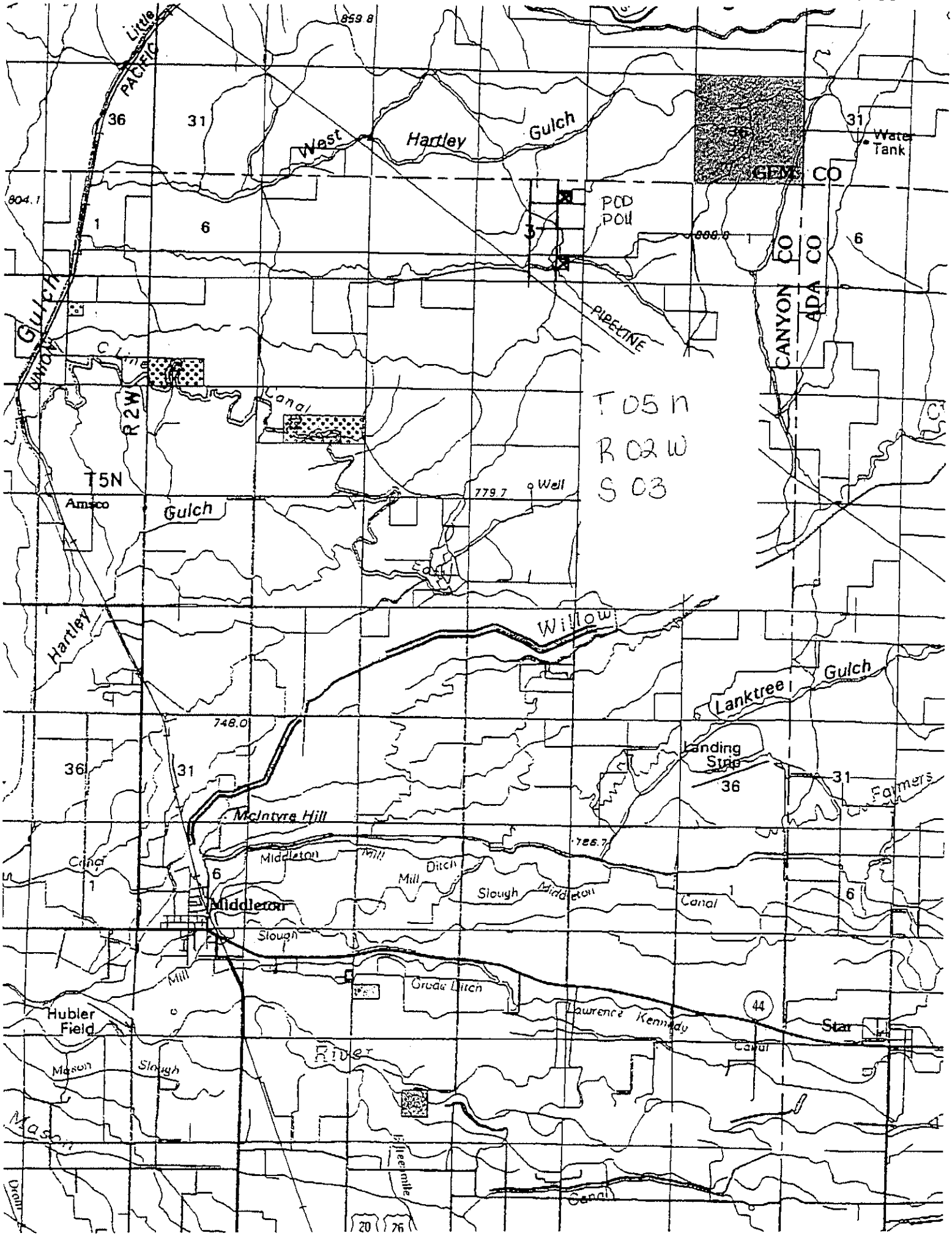
Signature _____

Address P.O. Box 2139, Boise, ID 83701-2139

Date 3/3/00

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



Little
PACIFIC
859.8
36
31
West
Hartley
Gulch
31
Water Tank
GEM CO
804.1
1
6
POD
POU
888.8
1
6
CANYON CO
ADA CO
PIPELINE
Gulch
UNION
C Line
Canal
R2W
T05n
R02W
S03
T5N
Amsco
Gulch
779.7
Well
Hartley
Willow
Lanktree
Gulch
748.0
Landing Strip
36
31
36
31
Farmers
McIntyre Hill
786.7
Canal
Middleton
Mill
Ditch
Mill
Slough
Middleton
Canal
1
6
1
6
Middleton
Slough
Mill
Grade Ditch
Hubler Field
Lawrence Kennedy
44
Star
Canal
River
Mason
Slough
Mason
Fifteenmile
Canal
Drain
20
26

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 15, 2000

John K. Simpson
Rosholt Robertson & Tucker
PO Box 2139
Boise ID 83701-2139

Dear Mr. Simpson:

Enclosed, for your records, are data entered copies of the Notices of Claim to Water Rights for Little Land & Livestock that you recently submitted to our office. Also enclosed is the receipt for the filing fees that were paid for these claims.

If you have any questions regarding these claims, please feel free to contact our office.

Sincerely,

Lori Harris

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

LH:l
Enclosures

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 9, 2000

John K Simpson
Rosholt Robertson & Tucker
PO Box 2139
Boise ID 83701-2139

Dear Mr. Simpson:

Enclosed is one of the Notices of Claim to a Water Right that you submitted to our office on behalf of Little Land & Livestock. During the review of this claim, it was found to be incomplete and could not be processed without the additional required information. Please complete the **Date of Priority** and **Source of Water Supply** and return to our office for processing.

If you have any questions regarding this claim, please feel free to contact our office.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

LH:l
Enclosure

Form No. 42-1409 (2) a 1/88

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 _____
Date Received 3/9/00
Receipt Number W0076198

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

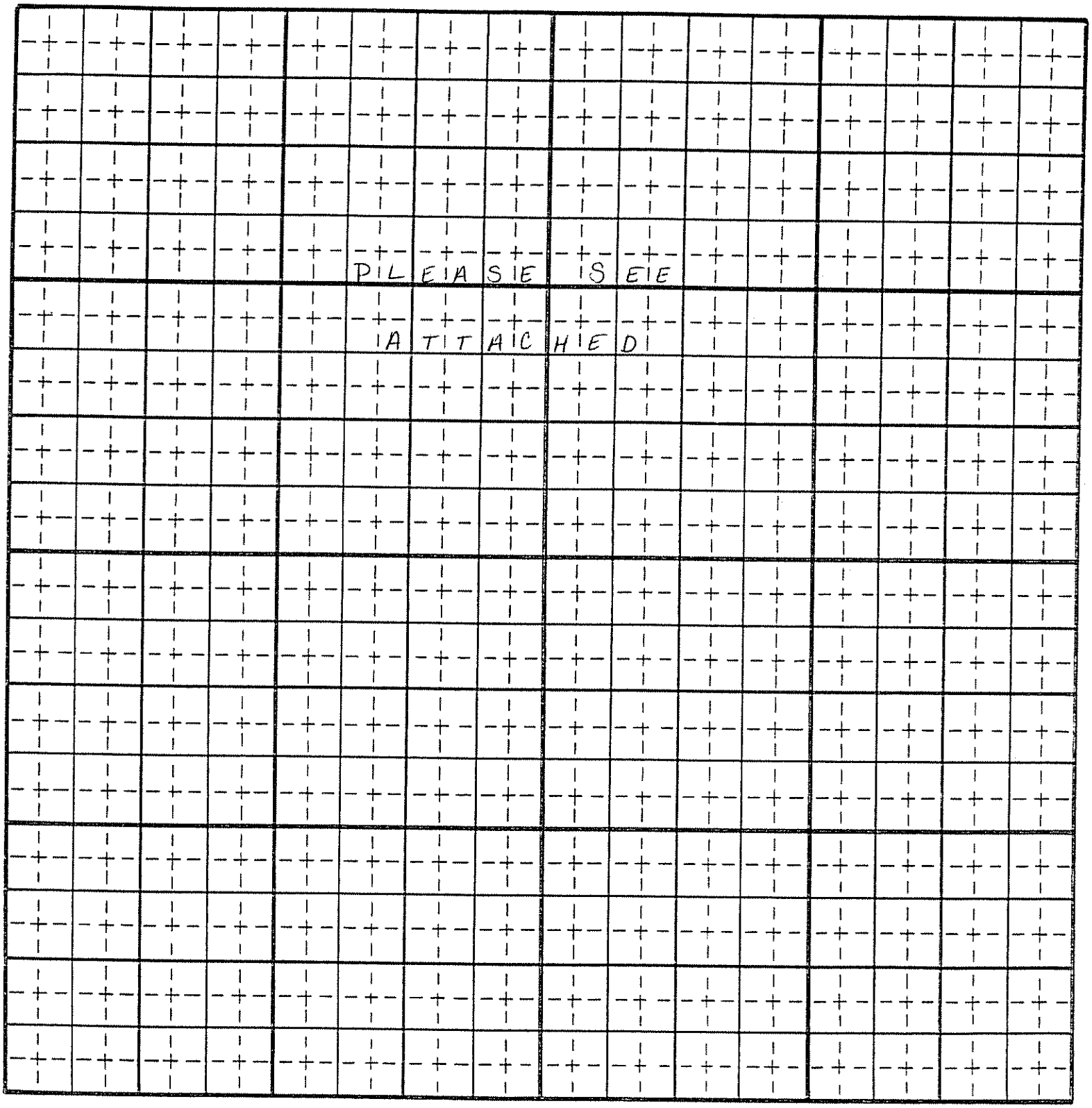
RECEIVED
MAR 09 2000
WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) Little Land & Livestock Phone (208) 365-4611
   Mailing Address P.O. Box 205, Emmett, ID Zip 83617
2. Date of Priority (Only one (1) per claim) _____
3. Source of water supply (a) _____
   which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 5N Range 2W Section 03,
   NW 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Canyon
   Additional points of diversion if any: _____
   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.
   Natural lake used for stock watering/wildlife purposes

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____ *Copies: White-State, Yellow-Claimant*

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For wildlife purposes from 1/01 to 12/31 amount _____ or 0.60

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 0.60 (acre feet)

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

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

10. Description of place of use:
    a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
    b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5N	2W	03																W	

Total number of acres irrigated _____

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

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.
    Stock water right # 63-21129 or None ( )

14. Remarks:

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 1

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 3/3/00

_____ Date _____

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 3rd day of March ~~19~~ 2000

BRENDA L. HINNENKAMP NOTARY PUBLIC STATE OF IDAHO

Notary Public Brenda L Hinnenkamp

Residing at Boise

My Commission Expires 9/2004

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, John K. Simpson 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.

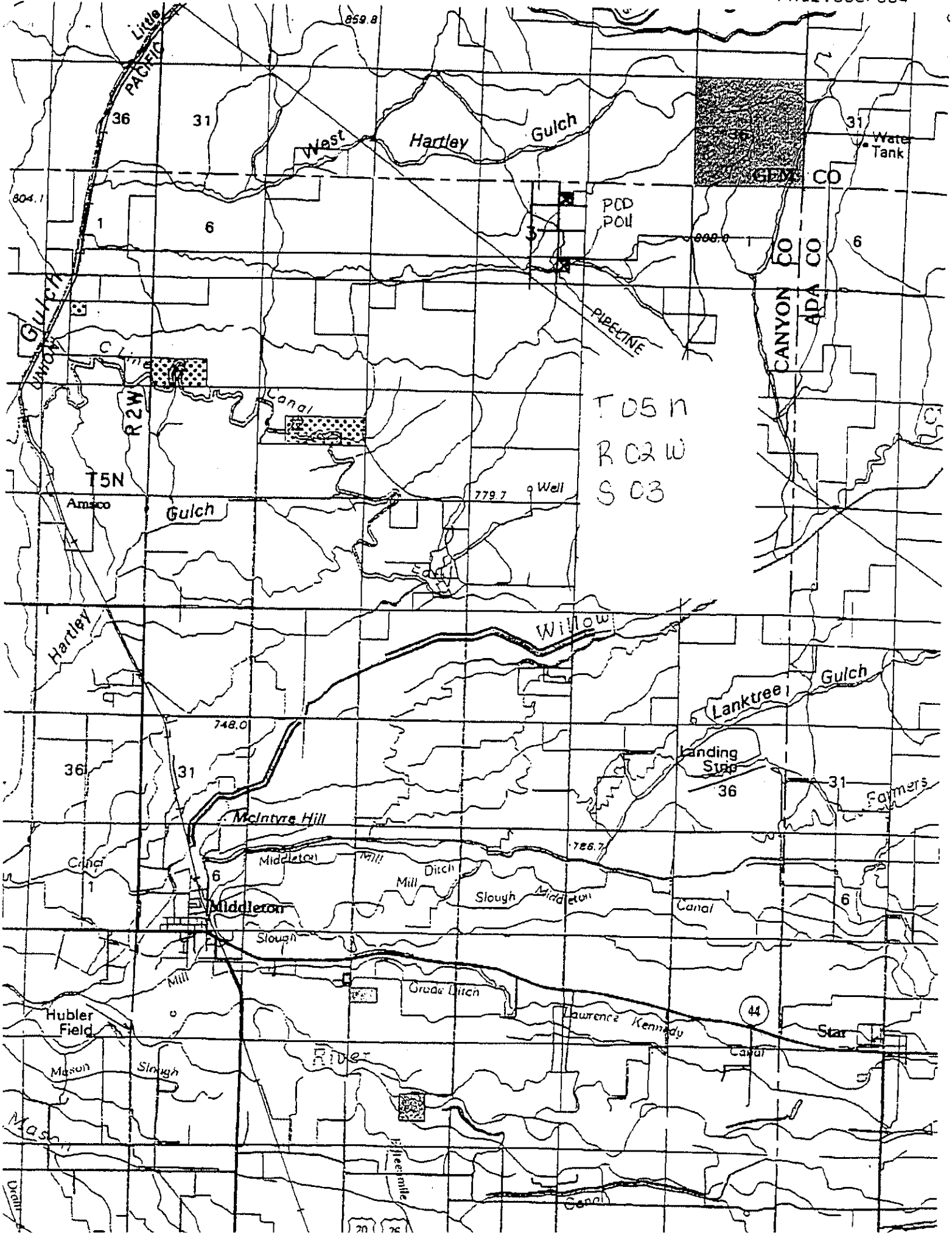
Signature _____

Address P.O. Box 2139, Boise, ID 83701-2139

Date 3/3/00

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



859.8
Little
PACIFIC
36
31
West
Hartley
Gulch
36
31
Water Tank
GEM CO
804.1
1
6
PCD
POU
3
808.0
1
6
CANYON CO
ADA CO
PIPELINE
Gulch
UNION
C Line
Canal
R2W
T05n
R02W
S03
T5N
Amsco
Gulch
779.7
Well
Hartley
Willow
Lanktree
Gulch
748.0
Landing Strip
36
31
36
31
Farmers
McIntyre Hill
786.7
Canal
Middleton
Mill
Ditch
Mill
Slough
Middleton
Canal
1
6
1
6
Middleton
Slough
Mill
Grade Ditch
Hubler Field
Lawrence Kennedy
44
Star
Canal
River
Mason
Slough
Mason
Canal
20
26

09/21/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-31091

NAME AND ADDRESS: LITTLE LAND & LIVESTOCK CO
PO BOX 205
EMMETT ID 83617

SOURCE: MUD LAKE TRIBUTARY: SINKS

QUANTITY: 0.600 AFY

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

PRIORITY DATE: 01/01/1930

POINT OF DIVERSION:

T05N R02W S3 NWSESE Within CANYON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
WILDLIFE FROM STORAGE	01/01 12/31	0.60 AFY
WILDLIFE STORAGE	01/01 12/31	0.60 AFY

PLACE OF USE: WILDLIFE STORAGE Within CANYON County

T05N R02W S03 SESE

WILDLIFE FROM STORAGE Within CANYON County

T05N R02W S03 SESE

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

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

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 - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31091 V1

WATER RIGHT NUMBER: 63-31091 V1

Owner Type	Name and Address
Current Owner	LITTLE LAND & LIVESTOCK CO PO BOX 205 EMMETT, ID 83617 (208)365-4611
Attorney	BARKER ROSHOLT & SIMPSON LLP 205 N 10TH ST STE 520 PO BOX 2139 BOISE, ID 83701-2139 (208)336-0700

Priority Date: 01/01/1930

Basis: Beneficial Use

Status: Active

Source	Tributary
MUD LAKE	SINKS

Beneficial Use	From	To	Diversion Rate	Annual Volume
WILDLIFE FROM STORAGE	01/01	12/31		0.60 AF
WILDLIFE STORAGE	01/01	12/31		0.60 AF
		Total Diversion:		0.60 AF

Location of Point(s) of Diversion

MUD LAKE NW1/4SE1/4SE1/4 Sec. 3, Twp 05N, Rge 02W, B.M.

CANYON County

Place of Use

WILDLIFE FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	02W	3																X	

WILDLIFE STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	02W	3																X	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31091 V1

Conditions of Approval:

1. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. C18 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.

Remarks:

Comments:

1. dnelson 9/21/2006 Claim Review
Comment: This claim is a beneficial use claim. The main issue with this claim was whether or not this use was constructed in 1930 with wildlife use in mind. Claim 63-21129 was filed for all of the stockwater uses. In order to maintain water in this facility when the stockwater were not in the pasture, the owner had to file a right for wildlife use. The owner claims that the water was maintained in this instance for wild horses, and later was used for upland game birds and ducks. This claim will be recommended as claimed.

The purpose of use was only claimed as wildlife, but this is basically the same use as water right 63-21129. The claim was filed for 0.6 afa, but was recorded in the department database as 0.6 cfs. This should be corrected. The use should be changed to wildlife storage, and wildlife from storage for a total of 0.6 afa and no diversion rate.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Summary			04/18/2006	scurtis	Active
Contacts	9/21/2006 1:34:02 PM	dnelson			Active
Priority Date	9/21/2006 1:43:03 PM	dnelson			Active
POD	9/21/2006 1:46:36 PM	dnelson			Active
Source	9/21/2006 1:47:12 PM	dnelson			Active
POU	9/21/2006 1:53:40 PM	dnelson			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31091 V1

Use	9/21/2006 1:55:17 PM	dnelson			Active
Season	9/21/2006 1:57:13 PM	dnelson			Active
Quantity	9/21/2006 2:00:35 PM	dnelson			Active
Summary			09/21/2006	dnelson	Active
Summary			09/21/2006	dnelson	Active

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
POD	9/21/2006 1:45:58 PM	dnelson	Updated shape
POU	9/21/2006 1:52:46 PM	dnelson	Updated shape for Active POU
Summary	4/18/2006 7:05:35 AM	scurtis	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?
POD	9/21/2006 1:46:37 PM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Contacts	9/21/2006 1:34:02 PM	dnelson	(No) 1. Do you want to schedule an appointment? Comment for 1: Minimal use below the threshold requiring a field exam.
POU	9/21/2006 1:53:26 PM	dnelson	Updated shape for Active POU
POU	9/21/2006 1:53:40 PM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Maps from claim file.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31091 V1

Use	9/21/2006 1:55:17 PM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - The purpose of use was changed to wildlife storage and wildlife from storage to correspond with the volume amount claimed. No diversion rate was claimed for this fight, so wildlife use is not compatable.
Season	9/21/2006 1:57:13 PM	dnelson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (No) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required? Description for Question 15 - Used standard year round season for wildlife uses.
Quantity	9/21/2006 2:00:36 PM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - This is below the threshold requiring a field exam.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31091 V1

General	9/21/2006 1:43:04 PM	dnelson	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Letter from owner.
Source	9/21/2006 1:47:13 PM	dnelson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Maps from claim file.
Summary	9/21/2006 2:05:19 PM	dnelson	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right?
Summary	9/21/2006 2:05:26 PM	dnelson	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31091

WATER RIGHT NUMBER: 63-31091

Owner Type	Name and Address
Current Owner	LITTLE LAND & LIVESTOCK CO PO BOX 205 EMMETT, ID 83617 (208)365-4611
Attorney	BARKER ROSHOLT & SIMPSON LLP 205 N 10TH ST STE 520 PO BOX 2139 BOISE, ID 83701-2139 (208)336-0700

Priority Date: 01/01/1930 — OK PER LETTER

Basis: Beneficial Use

Status: Active

Source	Tributary
MUD LAKE	SINKS

PER WATER RIGHT 63-21

Beneficial Use	From	To	Diversion Rate	Annual Volume
WILDLIFE — STORAGE	1/01 to	12/31	~~0.600 CFS~~	~~[illegible]~~ .6AFA
WILDLIFE STORAGE	1-1	2012-31		.6AFA
		Total Diversion:	~~0.600 CFS~~	.6AFA

Location of Point(s) of Diversion

MUD LAKE NW1/4SE1/4SE1/4 Sec. 3, Twp 05N, Rge 02W, B.M.

CANYON County

Place of Use

WILDLIFE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 02W 3																X	

Dates and Other Information:

Claim Received Date: 3/9/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Little Enterprises Limited Partnership
Brad Little
Box 488
Emmett, Idaho 83617 0488
Telephone: 208-365-4611
Fax: 208-365-4615
Email: little_brad@msn.com

RECEIVED
JUL 25 2006
WATER RESOURCES
WESTERN REGION

June 27, 2006

Daniel Nelson
Western Region IDWR
2735 Airport Way
Boise, ID 83705-5082

Dear Mr. Nelson:

RE A-63-31091 (Pond @ Mud Lake)

If one looks on a map this area is called Mud Lake. Historically wild horse watered here. Our operation watered our sheep and then cattle and we fenced out stray livestock to be certain there was a longer season of water for wildlife. We have had livestock in the area (since the 1920's). This was the only source of water for miles.

There has not been water in this pond for several years, but we leave water in our troughs licensed under right 63-21127 to replace the water historically in the pond.

Sincerely,

Brad Little

05/03/2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21127

WATER RIGHT NUMBER: 63-21127

Owner Type	Name and Address
Current Owner	LITTLE LAND & LIVESTOCK CO PO BOX 205 EMMETT, ID 83617 (208)365-4611

Priority Date: 01/01/1961

Basis: Beneficial Use

Status: Active

Source: GROUND WATER

Tributary:

Beneficial Use	From	To	Diversion Rate	Annual Volume
STOCKWATER	1/01	12/31	0.230 CFS	
DOMESTIC	1/01	12/31	0.040 CFS	

Total Diversion: 0.230 CFS

Location of Point(s) of Diversion

GROUND WATER NW1/4SE1/4SE1/4 Sec. 3, Twp 05N, Rge 02W, B.M.

CANYON County

Place of Use

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 02W 2												X					
05N 02W 3		X										X				X	
05N 02W 4										X		X					
05N 02W 8	X			X						X						X	
05N 02W 10	X												X				
06N 02W 31																X	
06N 02W 32											X			X			
06N 02W 34													X				
06N 02W 35							X										

DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 02W 3																X	

Conditions of Approval:

1. AKA MUD LAKE COW CAMP.

Nelson, Dan

From: Nelson, Dan
Sent: Wednesday, May 24, 2006 1:06 PM
To: 'David Shaw'
Subject: RE: Letter of May 2, 2006 to Little Land and Livestock and Little Cattle Company

Dave,

I willing to extend the time to provide proof of priority for the Little Land Livestock adjudication claims until June 9,2006. I am not sure if I can extended it any further than that date, but if you need additional time I am willing to give you as much time as possible.

Thank you for correspondence, and I look forward to hearing from you on these claims.

Daniel A. Nelson
Senior Agent
Western Region
Idaho Department of Water Resources

-----Original Message-----
From: David Shaw [mailto:dshaw@eroresources.com]
Sent: Wednesday, May 24, 2006 12:24 PM
To: Nelson, Dan
Cc: Brad Little
Subject: Letter of May 2, 2006 to Little Land and Livestock and Little Cattle Company

Dan,

Your letter of May 2, 2006 regarding evidence of priority for SRBA claims 63-21120, 63-21123, 63-21127, 63-31090 and 63-31091 included a deadline of May 26, 2996 to provide the requested information. We are in the process of researching for the necessary evidence of priority but do not have the information complete. I know you are under a short deadline but ask that we have until June 9 to complete our research and get the information to you.

Thanks for your consideration Dan. Please let me know if you have any questions or if the additional time is not possible.

David Shaw
ERO Resources Corp
3314 Grace Street
Boise, ID 83703-5836
(208) 373-7983
(208) 373-7985 FAX

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

May 2, 2006

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

LITTLE LAND AND LIVESTOCK,
AND LITTLE CATTLE COMPANY
PO BOX 205
EMMETT ID 83617

RE: EVIDENCE OF PRIORITY
Snake River Basin Adjudication Claim No(s): A63-21120, A63-21123, A63-21127, A63-31090, and A63-31091

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated printout of the claim(s) for your reference only, it is not necessary to return this printout. You indicated, when this claim was filed, that the water right(s) was based on a "Statutory Claim" or "Beneficial Use" of the water.

Water rights of this type are established by historical beneficial use of the water, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources, since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to 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."**

It is important that each element of the Notice of Claim 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.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, I will need some additional information on a couple of the rights to ensure they are recommended correctly. Could you please supply the following:

63-31090 – wildlife use from a manmade pond – We need evidence that the pond associated with this right was built with the intention to supply water for both livestock under water right 63-21123 and wildlife use under this right. We may not be able to allow this water right, if you cannot show that the intent at the time the pond was constructed was for both purposes.

63-31091 – wildlife use from a natural pond. We need evidence that the pond associated with this right was enhanced or improved in some way to provide additional water for wildlife purposes. Our office generally doesn't allow a wildlife use on a natural waterway unless it has been enhanced to provide better conditions for the wildlife using it.

The information requested above on water rights 63-31090 and 63-31091 and the required evidence supporting the priority date(s) requested on all of the water rights referred to in this letter needs to be returned to me by May 26, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

If you have any questions or concerns, please contact me at the above address.

Respectfully,

Daniel A. Nelson
Senior Agent
Western Region Office - IDWR

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-21120, A63-21123, A63-21127, A63-31090, and A63-31091

SRBA
PARTIAL DECREE 63-21129

Issued on 02-28-2000.

This is not an official copy.

Contact IDWR or the Court for a Certified Copy.

Choose Landscape Orientation when printing.

NAME AND ADDRESS: LITTLE LAND & LIVESTOCK CO
PO BOX 205
EMMETT, ID 83617

SOURCE: MUD LAKE TRIBUTARY: SINKS

QUANTITY: 0.60 AFY
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED GALLONS PER DAY.

PRIORITY DATE: 01/01/1930

POINT OF DIVERSION: T05N R02W S03 NWSESE Within Canyon County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTIT
Stockwater Storage	01-01 TO 12-31	0.60 A
Stockwater from Storage	01-01 TO 12-31	0.60 A

PLACE OF USE: Stockwater Storage Within Canyon
T05N R02W S03 SESE
Stockwater from Storage Within Canyon
T05N R02W S03 SESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NO DETERMINATION OF HISTORICAL BENEFICIAL USE.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIO NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFI ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN T ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

Return to SRBA Home Page

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-21129 V2

WATER RIGHT NUMBER: 63-21129 V2

Owner Type	Name and Address
Current Owner	LITTLE LAND & LIVESTOCK CO PO BOX 205 EMMETT, ID 83617 (208)365-4611

Priority Date: 01/01/1930

Basis: Beneficial Use

Status: Active

Source	Tributary
MUD LAKE	SINKS

Beneficial Use	From To	Diversion Rate	Annual Volume
STOCKWATER STORAGE	1/01 to 12/31		0.60 AF
STOCKWATER FROM STORAGE	1/01 to 12/31		0.60 AF
	Total Diversion:		0.60 AF

Location of Point(s) of Diversion

MUD LAKE SW1/4NE1/4NE1/4 Sec. 3, Twp 05N, Rge 02W, B.M.

CANYON County

Place of Use

STOCKWATER STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	02W	3	X																

STOCKWATER FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	02W	3	X																

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-21129 V2

2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. STOCKWATER, 500 RANGE CATTLE PARCEL NO. 3R 05N02W031200

Remarks:

Comments:

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status

Verification Log:

Element	Date Time Stamp	Reviewer	Log text

SubCase:

SubCase Number: 63-21129
Class: 1
SF5 Filed Date: 11/29/1999
Special Master Recom Signed Date:
Attorney Assigned: SUSAN E HAMLIN-NYGARD
Adjudication Agent:
Basis of Claim:
Date Filed: 5/28/1999 Objection Status: Active
Date Filed: 5/7/1999 Objection Status: Active

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-21129 V1

WATER RIGHT NUMBER: 63-21129 V1

Owner Type	Name and Address
Current Owner	LITTLE LAND & LIVESTOCK CO PO BOX 205 EMMETT, ID 83617 (208)365-4611

Priority Date: 01/01/1930

Basis: Beneficial Use

Status: Closed

Source	Tributary
MUD LAKE	SINKS

Beneficial Use	From To	Diversion Rate	Annual Volume
STOCKWATER FROM STORAGE	1/01 to 12/31		0.60 AF
STOCKWATER STORAGE	1/01 to 12/31		0.60 AF
	Total Diversion:		0.60 AF

Location of Point(s) of Diversion

MUD LAKE SW1/4NE1/4NE1/4 Sec. 3, Twp 05N, Rge 02W, B.M.

CANYON County

Place of Use

STOCKWATER FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	02W	3	X																

STOCKWATER STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	02W	3	X																

Conditions of Approval:

1. STOCKWATER, 500 RANGE CATTLE PARCEL NO. 3R 05N02W031200

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-21129 V1

2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

Comments:

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status

Verification Log:

Element	Date Time Stamp	Reviewer	Log text

SubCase:

SubCase Number: 63-21129
Class: 1
SF5 Filed Date: 11/29/1999
Special Master Recom Signed Date:
Attorney Assigned: SUSAN E HAMLIN-NYGARD
Adjudication Agent:
Basis of Claim:
Date Filed: 5/28/1999 Objection Status: Active
Date Filed: 5/7/1999 Objection Status: Active

Water Supply Bank:

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 21127	LITTLE LAND & LIVESTOCK CO,	GROUND WATER	05N02W3		X										X				X	0
Claim	63 21127	LITTLE LAND & LIVESTOCK CO,	GROUND WATER	05N02W3																X	0
Rec	63 21127	LITTLE LAND & LIVESTOCK CO,	GROUND WATER	05N02W3		X										X				X	0
Rec	63 21127	LITTLE LAND & LIVESTOCK CO,	GROUND WATER	05N02W3																X	0
Claim	63 21129	LITTLE LAND & LIVESTOCK CO,	MUD LAKE	05N02W3	X																0
Claim	63 21129	LITTLE LAND & LIVESTOCK CO,	MUD LAKE	05N02W3																	0
Claim	63 31091	LITTLE LAND & LIVESTOCK CO,	MUD LAKE	05N02W3																X	0
Rec	63 21129	LITTLE LAND & LIVESTOCK CO,	MUD LAKE	05N02W3	X																0
Rec	63 21129	LITTLE LAND & LIVESTOCK CO,	MUD LAKE	05N02W3	X																0
Rec	63 31091	LITTLE LAND & LIVESTOCK CO,	MUD LAKE	05N02W3																X	0

Receipt Details for ID W026198

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/9/2000 10:10:44 AM	3/9/2000	Western	$75.00	Check
Payer	ROSHOLT ROBERTSON			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
6894			
Card Expiration Date	Credit Card Transaction #		

Comment 3 NOTICE OF CLAIM TO A WATER RIGHT

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
$75.00	3 NOTICE OF CLAIM TO A WATER RIGHT	41503	337	0	0	1155

Refund(s):

Amount	Payee	Date	Document Number

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	31089		$25.00	Claim
63	31090		$25.00	Claim
63	31091		$25.00	Claim

Print Report