

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: A37-00027
Date Received: 1/25/1989
Receipt No: C005288
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J.R.J. DEVELOPMENT, INC. 208-423-5411
Address: P.O. BOX 1724
TWIN FALLS, ID 83301-0000
2. Date of Priority: JUN 15, 1886
3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 01S | 18E | 19 | NW | NE | NE | | BLAINE |
5. Description of diverting works:
MC DONALD PUMP STATION.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 2.000 | | |
7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 1067.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE.
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	17E	13	NE	SE		IRR	38.0
			NW	SE		IRR	14.0
			SW	SE		IRR	14.0
			SE	SE		IRR	40.0

A37-00027

Page 1

Date: 03/21/91

MICROFILMED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	106.0
		24	NE	NE	IRR	25.0
			NW	NE	IRR	5.0
					Section Acres	30.0
18E		18	NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	38.0
			SE	SW	IRR	38.0
			NW	SE	IRR	40.0
			SW	SE	IRR	38.0
					Section Acres	234.0
		19	NW	NE	IRR	10.0
			NE	NW	IRR	22.0
			NW	NW	IRR	25.0
					Section Acres	57.0
					Total Acres	427.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A3700026,A3707983.

14. Remarks:

TRANS. 2987. A 10% RIVER CHANNEL LOSS IS
ASSESSED TO THE RTS. IDENTIFIED HEREIN, & THE RATE OF FLOW
SHALL NOT EXCEED 5.85 AT THE P/D.
THIS RIGHT IS COMBINED WITH THE A3700026,AND A3707983.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST, ET. AL.
Decree Plaintiff

ALTURAS WATER COMPANY, 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 X do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Organizations:

I do solemnly swear or affirm that I am John A. McDonald of
Title
SRT, that I have signed the foregoing
Organization
document in the space below as John A. McDonald of
Title
SRT and that the statements contained in the
Organization
foregoing document are true and correct.

John A. McDonald
Signature of Authorized Agent

Position SRT
Title and Organization

4-23-91
Date

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of April 19 91

Linda Smith
Notary Public

Seal

Residing at Hailey

My Commission Expires 8-5-93

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-27

Owner Type **Name and Address**
 Current Owner MV PROPERTY LLC
 PO BOX 5
 KETCHUM, ID 83340
 (208)720-1003

Original Owner GEORGE ALLRED
 , ID

Previous J R J DEVELOPMENT CO
 Owner PO BOX 471
 TWIN FALLS, ID 83301
 (208)726-5161

Priority Date: 6/15/1886

Basis: Decreed

Status: Closed

Source
 BIG WOOD RIVER

Tributary
 MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	2.000 CFS	
	<u>Total Diversion</u>		2.000 CFS	

Source and Point(s) of Diversion

BIG WOOD RIVER NWNENE Sec. 19, Twp 01S, Rge 18E, BLAINE County

Place Of Use

IRRIGATION within BLAINE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	17E	13													38.0	14.0	14.0	40.0	106.0
01S	17E	24	25.0	5.0															30.0
01S	18E	18									40.0	40.0	38.0	38.0		40.0	38.0		234.0
01S	18E	19		10.0			22.0	25.0											57.0

POU Total Acres: 427.0

IDAHO DEPARTMENT OF WATER RESOURCES

Conditions of Approval:

- | | | | |
|----|-----|----------|---|
| 1. | 016 | General | See remarks for additional conditions of approval. |
| 2. | 01E | Quantity | A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works. |
| 3. | | General | TRANS. 2987.
A 10% RIVER CHANNEL LOSS IS ASSESSED TO THE RTS.
IDENTIFIED HEREIN, & THE RATE OF FLOW SHALL NOT EXCEED 5.85 AT THE P/D.
THIS RIGHT IS COMBINED WITH THE A3700026,AND A3707983. |

Comments:

Dates and Other Information

Claim Received Date: 1/25/1989
State or Federal: S
Owner Name Connector: AND
Water District Number: 37
Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

SOUTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

January 26, 2007

MV PROPERTY LLC
PO BOX 5
KETCHUM ID 83340

Re: SRBA Claim #37-20945, #37-26, #37-27

Dear Claimant,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Carrie Hahn
Office Specialist

Enc.

RECEIVED

JAN 26 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

12/18/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/05/2007

Water right number: 37-27

J R J DEVELOPMENT CO

PO BOX 471

TWIN FALLS ID 83301

Telephone Number: (208) 726-5161

720-1003

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

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

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

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

DATE: 01-17-07

SIGNATURE:

Please print your name:

John H. McDonald 720-1003

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

RECEIVED

JAN 26 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

12/18/2006

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

RIGHT NUMBER: 37-27

NAME AND ADDRESS: J R J DEVELOPMENT CO
PO BOX 471
TWIN FALLS ID 83301

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.000 CFS

Total rate of diversion includes 0.20 cfs charged for river channel loss. The right is limited to 1.80 cfs at the point of diversion.

PRIORITY DATE: 06/15/1886

POINT OF DIVERSION:
T01S R18E S19 NWNENE Within BLAINE CountyPURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MITIGATION	04/15 10/31	0.200 CFS
IRRIGATION	04/15 10/31	1.800 CFS

Mitigation use is water charged for river channel loss.

PLACE OF USE: IRRIGATION in BLAINE County

T01S R17E S13	SESE	38.00	T01S R17E S24	NENE	17.00
T01S R18E S18 Lot 4	SWSW	29.00	T01S R18E S18	SESW	26.00
T01S R18E S18	SWSE	17.00	T01S R18E S19	NENW	18.00
T01S R18E S19 Lot 1	NWNW	26.00			

MITIGATION same as IRRIGATION

171 ACRES TOTAL

Right Nos. 37-26 and 37-27 are limited to the irrigation of a combined total
of 171 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

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

This right is subject to regulation by the watermaster of Water District 37.

477⁰⁰

RECEIVED

JAN 26 2007

WY
NO

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

RECEIVED

OCT 27 1988

Ident. Number: A37-00027
Date Received: 10/20/1988
Receipt No: 6005288
Received By: RL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: J.R.J. DEVELOPMENT, INC.
Address: P.O. BOX 1724
TWIN FALLS, ID

208-423-5411

83301-0000

2. Date of Priority: JUN 15, 1886

3. Source: BIG WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	18E	19	NW	NE	NE		BLAINE

5. Description of diverting works:
MC DONALD PUMP STATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

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

A.F.A.

8. Total consumptive use is 1067.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	17E	13	NE	SE		IRR	38.0
			NW	SE		IRR	14.0
			SW	SE		IRR	14.0

A37-00027

Page 1

Date: 10/20/88

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	17E	13	SE	SE		IRR	40.0
			Section Acres				106.0
		24	NE	NE		IRR	25.0
			NW	NE		IRR	5.0
			Section Acres				30.0
	18E	18	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	38.0
			SE	SW		IRR	38.0
			NW	SE		IRR	40.0
			SW	SE		IRR	38.0
			Section Acres				234.0
		19	NW	NE		IRR	10.0
			NE	NW		IRR	22.0
			NW	NW		IRR	25.0
			Section Acres				57.0
			Total Acres				427.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A3700026,A3707983.

14. Remarks:

TRANS. 2987. A 10% RIVER CHANNEL LOSS IS
ASSESSED TO THE RTS. IDENTIFIED HEREIN, & THE RATE OF FLOW
SHALL NOT EXCEED 5.85 AT THE P/D.
THIS RIGHT IS COMBINED WITH THE A3700026,AND A3707983.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST, ET. AL.

Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.

Decree Defendant

A37-00027

Page

2

Date: 10/20/88

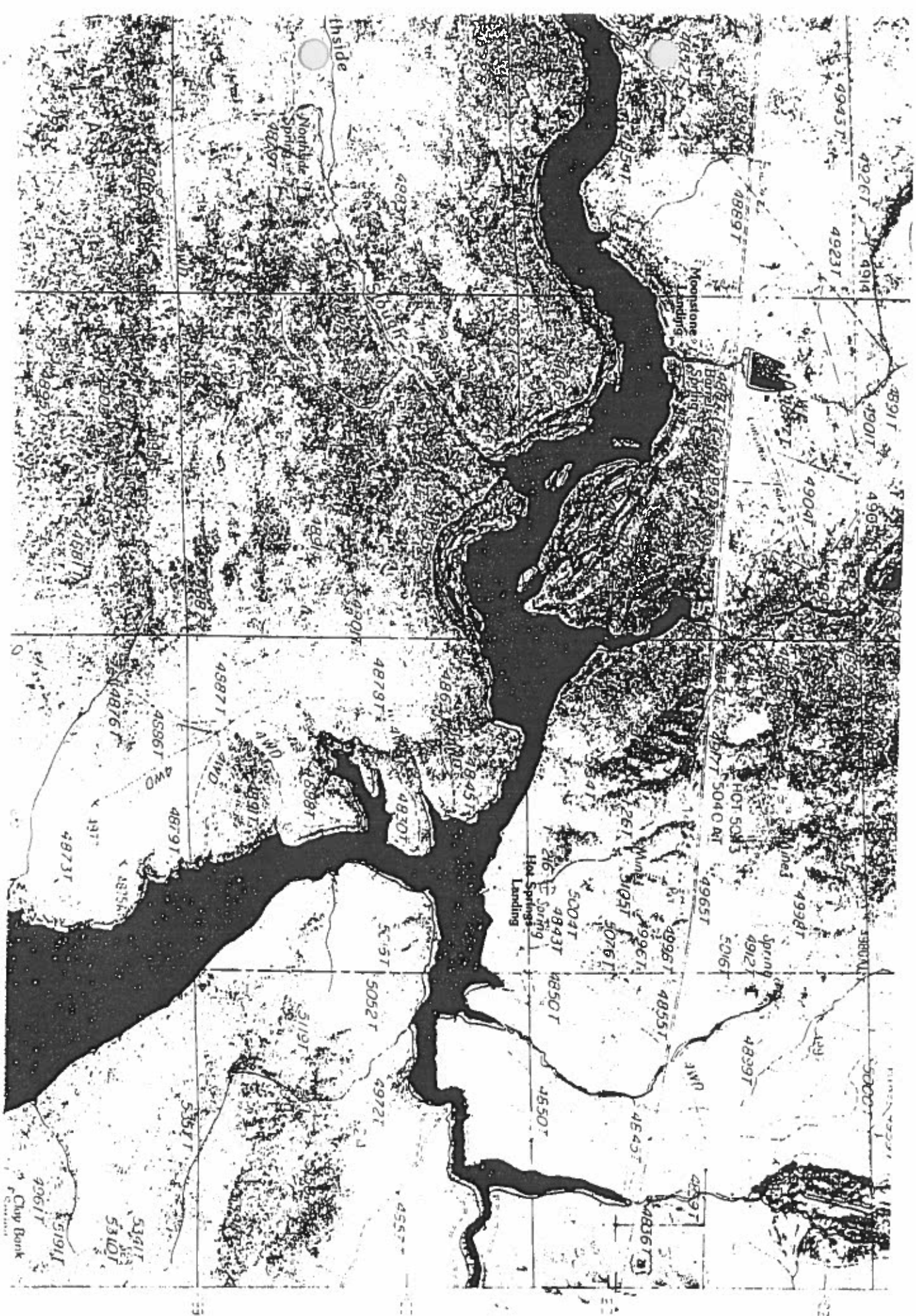
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

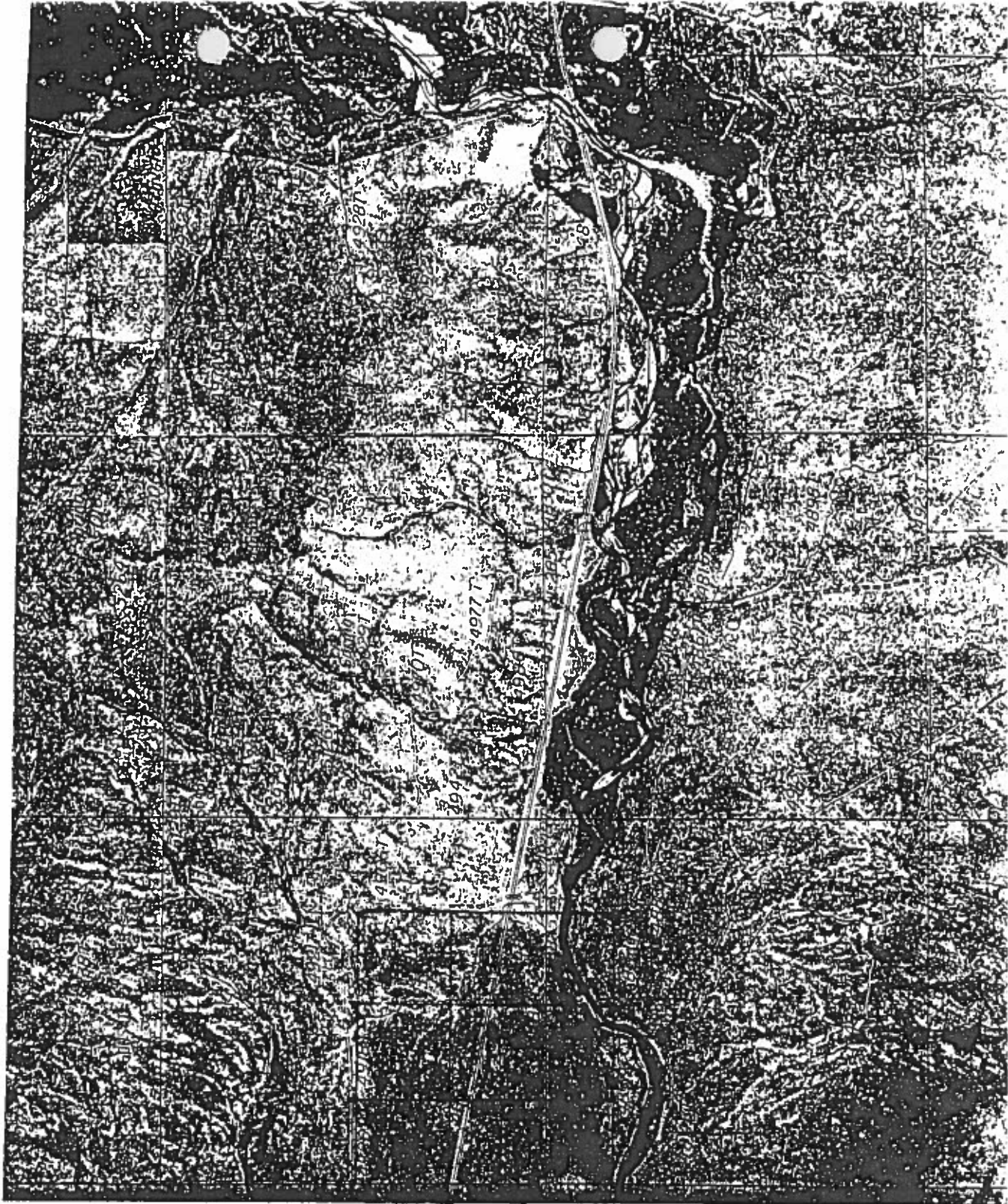
For Individuals:

Signature of Claimant(s): James H. Donald for J.R.T. Date: 10-20-88

Subscribed and sworn (or affirmed) before me this 20 day
of Oct 19 80 John Dal C.

Residing at Boon IL
My Commission Expires 6/2/94





202

201

200

199

Water right number - 37-00027

Adj. flag translation: Standard Water Right Number

AC. IRR. = 171. TRANS. 2987. A 10th RIVER CHANNEL LOSS IS
ASSESSED TO THE RTS. IDENTIFIED HEREIN, & THE RATE OF FLOW
SHALL NOT EXCEED 5.85 AT THE P/D.

OLE - A measuring device and lockable controlling works of a type
- acceptable to the Department shall be permanently installed and
- maintained as part of the diverting works.

+ - - - - Decree Plaintiff - - - +
S. C. PROST, ET. AL.

+ - - - - Decree Defendant - - - +
ALTURAS WATER COMPANY, ET. AL.

+ - - Decree Date - +
12/13/1909

+ - - Microfilm Rolls -

+ - - Audit Fields - 12/09/85

05/28/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 12/09/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/amended	- T
Decree Date	- 12/13/1909				

Water Right Number - 37-00027

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

*** C - CURRENT OWNER ***
J.R.J. DEVELOPMENT, INC.

*** O - ORIGINAL OWNER ***
ALLRED

GEORGE

1 - P.O. BOX 1724
2 -
3 -
City- TWIN FALLS
Phone -

State- ID Zip- 833010000

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - Priority Date - - - +
06/15/1986 17

+ - Stage - - - +
D - DECREED

+ - Status - - - +

SOURCE - - - - -
BIG WOOD RIVER

TRIBUTARY - - - - -
HALAD RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Index Code)
01S	18E	19	NE NE			(13) BLAINE		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION					2.000	

+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + - KW Usage - +

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
01S	17E	13	SE SE		33.0		01	IRRIGATION	(13) BLAINE
01S	17E	24	NE NE		17.0		01	IRRIGATION	(13) BLAINE
01S	18E	18	SW SW	4	34.0		01	IRRIGATION	(13) BLAINE
01S	18E	18	SE SW		26.0		01	IRRIGATION	(13) BLAINE
01S	18E	18	SW SE		17.0		01	IRRIGATION	(13) BLAINE
01S	18E	19	NE NW		18.0		01	IRRIGATION	(13) BLAINE
01S	18E	19	NW NW	1	26.0		01	IRRIGATION	(13) BLAINE

Total Acres: 171.0

+ - Diversion Means - VIA BYPASS CANAL; RE-DIVERSION FROM BROWN #57-F HEADGATE.
+ - Non-Irrigation Use -
+ - Other Rights for Same Use -

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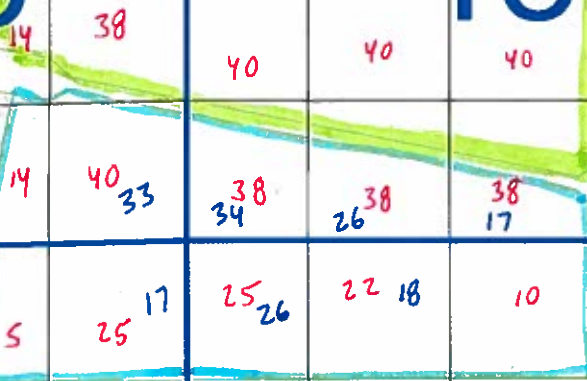
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RINKER

SABA CLAIMS
w/ R. Rounts
Per T# 2987

ID Fig

MV PROPERTY LLC



RECEIVED

JAN 26 2007

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

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
37-20945					
37-0027					
37-0026					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).

OR

- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **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(s)

JRS Development John H. Madonni
Box 491

4. New Owner/Claimant(s)

Twin Falls, ID 83303

New Mailing Address

MV PROPERTY LLC John H. Madonni
Box 5

City, State and ZIP Code

Ketchum, ID 83340

New Telephone Number

908-720-1003

RECEIVED

JAN 26 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

12/18/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/05/2007

Water right number: 37-27

J R J DEVELOPMENT CO

PO BOX 471

TWIN FALLS ID 83301

Telephone Number: (208) 726-5161

720-1003

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

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

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

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

DATE: 01-17-07

SIGNATURE:

John H. McDonald

Please print your name:

John H. McDonald 720-1003

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

Instrument # 515270

HAILEY, BLAINE, IDAHO

2005-01-18 03:45:00 No. of Pages: 4

Recorded for: AMERITITLE

MARSHA RIEMANN

Fee: 12.00

Ex-Office Recorder Deputy

Index to: WYOMING DEED

WARRANTY DEED

FOR VALUE RECEIVED

MATTHEW THORNTON, a single man as to an undivided 26% interest; NATE THORNTON and SHARMA THORNTON, husband and wife as to an undivided 4% interest; DAVID S. MCDONALD and RAINY S. MCDONALD, as husband and wife as to an undivided 40% interest and MY PROPERTY, LLC, an Idaho limited liability company as to an undivided 13.34% interest, and JOHN MCDONALD and LOIS MCDONALD, husband and wife as to an undivided 16.65% interest, all as tenants in common

GRANTOR(s), co(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

MV PROPERTY, LLC, an Idaho limited liability company

GRANTEE(s) whose address is: P.O. Box 5, Ketchum, ID 83340

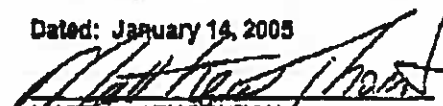
the following described real property in Blaine County, Idaho, to wit:

See Attached Schedule A, continued

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

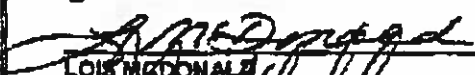
Dated: January 14, 2005


 MATTHEW THORNTON


 NATE THORNTON


 SHARMA THORNTON


 JOHN MCDONALD


 LOIS MCDONALD


 DAVID S. MCDONALD


 RAINY S. MCDONALD

MV PROPERTY, LLC


 DAVID S. MCDONALD, MANAGER

37-0026	5-23-1885	4.05 c/s
37-0027	6-15-1886	1.50 c/s

DECREE BK ✓
 PRIORITY BK ✓
 ANNUAL RPT ✓
 ACCESS
 BWCC CERT
 #327

COST REPORT
 MSO ADDRESS ✓
 CMS ADDRESS ✓
 ROLODEX ✓
 RIDER LIST ✓
 85-p

FEB-C2-2005 WED 01:13 PM AMERITITLE

FAX NO. 2087261062

P. 05

State of Idaho

County of Blaine

} ss.

On this 14th day of January, in the year 2005, before me, the undersigned, personally appeared MATTHEW THORNTON, NATE THORNTON, SHARMA THORNTON, DAVID S. MCDONALD, RAINY S. MCDONALD, JOHN MCDONALD AND LOIS MCDONALD known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public

Commission Expires: 02/12/2009

State of Idaho

County of Blaine

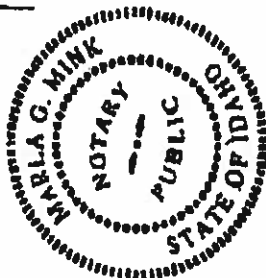
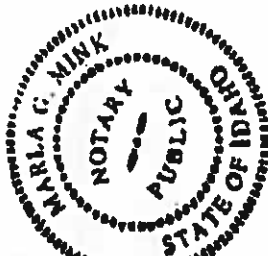
} ss.

On this 14th day of January in the year 2005, before me, the undersigned, personally appeared DAVID S. MCDONALD known or identified to me to be (the manager, the managers, a member, the members) of the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.

WITNESS my hand and official seal.


Notary Public

Commission Expires: 02/12/2009



SCHEDULE A, CONTINUED

A parcel of land located within Sections 13 and 24, Township 1 South, Range 17 East, Boise Meridian, Blaine County, Idaho and also within Sections 18 and 19, Township 1 South, Range 18 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the One Quarter Corner common to said Section 18 and 19, from which point the northwest corner of said Section 19 bears South $89^{\circ}35'52''$ West 2,478.84 feet;

Thence North $89^{\circ}38'46''$ East 1,331.67 feet along the north boundary of said Section 19 to an aluminum cap marking the northeast corner of the NW1/4 NE1/4, Section 19, which point is the REAL POINT OF BEGINNING;

Thence South $0^{\circ}11'50''$ East 1,311.76 feet along the east boundary said NW1/4 NE1/4, Section 19 to an aluminum cap marking the southeast corner of said NW1/4 NE1/4, Section 19;

Thence South $89^{\circ}29'31''$ West 1,325.15 feet along the south boundary said NW1/4 NE1/4, Section 19 to an aluminum cap marking the southwest corner of said NW1/4 NE1/4, Section 19;

Thence South $89^{\circ}28'02''$ West 2,473.88 feet along the south boundary of the N1/2 NW1/4 to an aluminum cap marking the southwest corner of said N1/2 NW1/4, Section 19;

Thence South $88^{\circ}33'38''$ West 2,227.48 feet along the south boundary of the N1/2 NE1/4, said Section 24;

Thence North $11^{\circ}07'50''$ East 324.91 feet;

Thence North $78^{\circ}52'10''$ West 100.00 feet;

Thence North $11^{\circ}07'50''$ East 250.00 feet;

Thence South $78^{\circ}52'10''$ East 100.00 feet;

Thence North $11^{\circ}07'50''$ East 2,225.80 feet to a point on the southerly boundary of Idaho State Highway No. 20;

FROM : WATER 37 37M

FAX NO. : 2088867930

Dec. 05 2006 08:59AM P7

0.0

.Feb-02-2005 WED 01:14 P. AMERITITLE

FAX NO. 2087261062

P. 07

Thence the following five courses and distances along the southerly boundary of said Idaho State Highway No. 20 to aluminum caps:

South 79°18'36" East 345.39 feet;

North 61°30'28" East 221.48 feet;

South 79°19'06" East 2,565.58 feet;

South 79°19'09" East 2,330.08 feet;

South 45°58'28" East 185.05 feet;

Thence South 0°24'42" East 351.20 feet along the east boundary of the SW1/4 SE1/4 said Section 18 to the point of beginning.

Order No. 54260

WARRANTY DEED

Instrument # 513351

HAILEY, BLAINE, IDAHO

2004-11-30

04:06:00 No. of Pages: 6

Recorded for: AMERITITLE

MARSHA RIEMANN

Fee: 12.00

Ex-Officio Recorder Deputy

Index to: WTTWC-COOP DEED

FOR VALUE RECEIVED

JOHN MCDONALD and LOIS MCDONALD, husband and wife and RON STANLEY and MARGARET STANLEY, husband and wife and JAMES HOWARD WEBB JR., as successor Trustee of The Webb Family Trust Dated January 27, 1989, and Amended April 18, 1994 and JAMES HOWARD WEBB, JR. and CAROL WEBB, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

MATTHEW THORNTON, a single man as to an undivided 26% interest; NATE THORNTON and SHARMA THORNTON, husband and wife as to an undivided 4% interest; DAVID S. MCDONALD and RAINY S. MCDONALD, husband and wife as to an undivided 40% interest and MV PROPERTY, LLC, an Idaho limited liability company as to an undivided 13.34% interest, and JOHN MCDONALD AND LOIS MCDONALD, husband and wife as to an undivided 16.66% interest, all as tenants in common

GRANTEE(s) whose address is: P.O. Box 5, Ketchum, ID 83340,

the following described real property in Blaine County, Idaho, to wit:

See Attached Schedule A, continued

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 29, 2004

SEE ATTACHED SIGNATURE PAGE AND NOTARIES

To: Trish

From Cyndi
WB 37

7 pages

SCHEDULE A, CONTINUED

A parcel of land located within Sections 13 and 24, Township 1 South, Range 17 East, Boise Meridian, Blaine County, Idaho and also within Sections 18 and 19, Township 1 South, Range 18 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

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Thence North $89^{\circ}38'46''$ East 1,331.67 feet along the north boundary of said Section 19 to an aluminum cap marking the northeast corner of the NW1/4 NE1/4, Section 19, which point is the **REAL POINT OF BEGINNING**;

Thence South $0^{\circ}11'50''$ East 1,311.76 feet along the east boundary said NW1/4 NE1/4, Section 19 to an aluminum cap marking the southeast corner of said NW1/4 NE1/4, Section 19;

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Thence South $89^{\circ}28'02''$ West 2,473.88 feet along the south boundary of the N1/2 NW1/4 to an aluminum cap marking the southwest corner of said N1/2 NW1/4, Section 19;

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FEB-02-2005 WED 01:12 PM AMERITITLE

FAX NO. 2087261052

P. 33

Thence the following five courses and distances along the southerly boundary of said Idaho State Highway No. 20 to aluminum caps:

South 79°18'56" East 345.39 feet;

North 61°30'28" East 221.48 feet;

South 79°19'06" East 2,563.58 feet;

South 79°19'09" East 2,330.08 feet;

South 45°58'28" East 185.05 feet;

Thence South 0°24'42" East 351.20 feet along the east boundary of the SW1/4 SE1/4 said Section 18 to the point of beginning.

Order No. 54260

RECEIVED
JAN 26 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Instrument # 513351

HAILEY, BLAINE, IDAHO

2004-11-30

04:06:00 No. of Pages: 6

Recorded for: AMERITITLE

MARSHA RIEMANN

Fee: 18.00

Ex-Officio Recorder Deputy

Index to: WTYDCICORP DEED

WARRANTY DEED

FOR VALUE RECEIVED

JOHN MCDONALD and LOIS MCDONALD, husband and wife and RON STANLEY and MARGARET STANLEY, husband and wife and JAMES HOWARD WEBB JR., as successor Trustee of The Webb Family Trust Dated January 27, 1989, and Amended April 18, 1994 and JAMES HOWARD WEBB, JR. and CAROL WEBB, husband and wife

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Dated: November 29, 2004

SEE ATTACHED SIGNATURE PAGE AND NOTARIES

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South 79°19'09" East 2,330.08 feet;
South 45°58'28" East 185.05 feet;**

Thence South 0°24'42" East 351.20 feet along the east boundary of the SW1/4 SE1/4 said Section 18 to the point of beginning.

5. **ITEMS INCLUDED & EXCLUDED IN THIS SALE:** All existing fixtures and fittings that are attached to the property are INCLUDED IN THE PURCHASE PRICE (unless excluded below), and shall be transferred free of liens. These include, but are not limited to, all attached floor coverings, attached television antennae, satellite dish and receiving equipment, attached plumbing, bathroom and lighting fixtures, window screens, screen doors, storm windows, storm doors, all window coverings, garage door opener(s) and transmitter(s), exterior trees, plants or shrubbery, water heating apparatus and fixtures, attached fireplace equipment, awnings, ventilating, cooling and heating systems, all ranges, ovens, built-in dishwashers, fuel tanks and irrigation fixtures and equipment, all water systems, wells, springs, water, water rights, ditches and ditch rights, if any, that are appurtenant thereto that are now on or used in connection with the premises and shall be included in the sale unless otherwise provided herein. BUYER should satisfy himself/herself that the condition of the included items is acceptable. It is agreed that any item included in this section is of nominal value less than \$100.

(A). **ADDITIONAL ITEMS SPECIFICALLY INCLUDED IN THIS SALE:** _____

(B). **ITEMS SPECIFICALLY EXCLUDED IN THIS SALE:** _____

6. **TITLE CONVEYANCE:** Title of SELLER is to be conveyed by warranty deed, unless otherwise provided, and is to be marketable and insurable except for rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit, and rights of way and easements established or of record. Liens, encumbrances or defects to be discharged by SELLER may be paid out of purchase money at date of closing. No liens, encumbrances or defects which are to be discharged or assumed by BUYER or to which title is taken subject to, exist unless otherwise specified in this Agreement.

7. **TITLE INSURANCE:** There may be types of title insurance coverages available other than those listed below and parties to this agreement are advised to talk to a title company about any other coverages available.

(A). **TITLE COMMITMENT:** Prior to closing the transaction ☐ SELLER or ☐ BUYER shall furnish to BUYER a commitment of a title insurance policy showing the condition of the title to said premises. BUYER shall have business day(s) from receipt of the commitment or not fewer than twenty-four (24) hours prior to closing, within which to object in writing to the condition of the title as set forth in the commitment. If BUYER does not so object, BUYER shall be deemed to have accepted the conditions of the title. It is agreed that if the title of said premises is not marketable, or cannot be made so within business day(s) after notice containing a written statement of defect is delivered to SELLER, BUYER'S Earnest Money deposit will be returned to BUYER and SELLER shall pay for the cost of title insurance cancellation fee, escrow and legal fees, if any.

(B). **TITLE COMPANY:** The parties agree that _____ Title Company located at _____ shall provide the title policy and preliminary report of commitment.

(C). **STANDARD COVERAGE OWNER'S POLICY:** SELLER shall within a reasonable time after closing furnish to BUYER a title insurance policy in the amount of the purchase price of the premises showing marketable and insurable title subject to the liens, encumbrances and defects elsewhere set out in this Agreement to be discharged or assumed by BUYER unless otherwise provided herein. The risk assumed by the title company in the standard coverage policy is limited to matters of public record. BUYER shall receive a ILTA/ALTA Homeowner's Policy of Title Insurance. A title company, at BUYER's request, can provide information about the availability, desirability, coverage and cost of various title insurance coverages and endorsements. If BUYER desires title coverage other than that required by this paragraph, BUYER shall instruct Escrow Holder in writing and pay any increase in cost unless otherwise provided herein.

(D). **EXTENDED COVERAGE LENDER'S POLICY (Mortgagee policy):** The lender may require that BUYER (Borrower) furnish an Extended Coverage Lender's Policy. This extended coverage lender's policy considers matters of public record and additionally insures against certain matters not shown in the public record. This extended coverage lender's policy is solely for the benefit of the lender and only protects the lender.

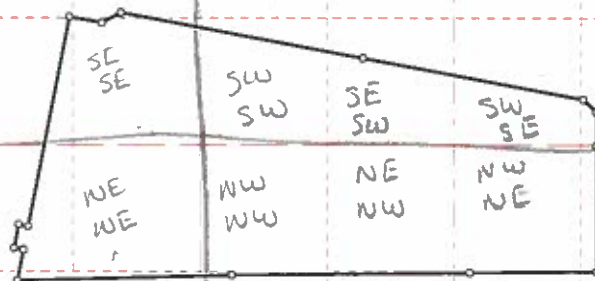
8. **MECHANIC'S LIENS - GENERAL CONTRACTOR DISCLOSURE STATEMENT NOTICE:** BUYER and SELLER are hereby notified that, subject to Idaho Code §45-525 et seq., a "General Contractor" must provide a Disclosure Statement to a homeowner that describes certain rights afforded to the homeowner (e.g. lien waivers, general liability insurance, extended policies of title insurance, surety bonds, and sub-contractor information). The Disclosure Statement must be given to a homeowner prior to the General Contractor entering into any contract in an amount exceeding \$2,000 with a homeowner for construction, alteration, repair, or other improvements to real property, or with a residential real property purchaser for the purchase and sale of newly constructed property. Such disclosure is the responsibility of the General Contractor and it is not the duty of your agent to obtain this information on your behalf. You are advised to consult with any General Contractor subject to Idaho Code §45-525 et seq. regarding the General Contractor Disclosure Statement.

BUYER'S Initials (_____) X (_____) Date _____ SELLER'S Initials (_____) X (_____) Date _____

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13

18



24

19

Title:

Date: 01-26-2007

Scale: 1 inch = 2000 feet

File:

Tract 1: 306.885 Acres: 13367928 Sq Feet: Closure = s60.0619w 0.00 Feet: Precision >1/999999: Perimeter = 16338 Feet

001=NW,NW,NW,19,01S,17E

008=N11.0750E 324.91

015=S79.1906E 2565.58

002=/S89.3552W 2478.84

009=N78.5210W 100

016=S79.1909E 2330.08

003=/N89.3846E 1334.67

010=N11.0750E 250

017=S45.5828E 185.05

004=S0.1150E 1311.76

011=S78.5210E 100

018=S0.2442E 351.20

005=S89.2931W 1325.15

012=N11.0750E 2225.80

006=S89.2802W 2473.88

013=S79.1856E 345.39

007=S88.3338W 2227.48

014=N61.3028E 221.48

12/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-27

WATER RIGHT NUMBER: 37-27

Owner Type Name and Address
 Original Owner GEORGE ALLRED
 ID
 Current Owner J R J DEVELOPMENT CO
 PO BOX 471
 TWIN FALLS, ID 83301
 (208)726-5161

Priority Date: 06/15/1886
 Basis: Decreed
 Status: Active

Source Tributary
 BIG WOOD RIVER MALAD RIVER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION ~~4/01~~ to 11/01 2,000 CFS 1.8
 4/15 to 11/31 Total Diversion: 2,000 CFS .20

Location of Point(s) of Diversion

BIG WOOD RIVER NW1/4NE1/4NE1/4 Sec. 19, Twp 01S, Rge 18E, B.M.
 BLAINE 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	
01S 17E 13													38.0	14.0	14.0	40.0	106.0
01S 17E 24	25.0	5.0															30.0
01S 18E 18									40.0	40.0	38.0	38.0		40.0	38.0		234.0
01S 18E 19		10.0			22.0	25.0											57.0

Total Acres: 427

Conditions of Approval:

1. 016 See remarks for additional conditions of approval.

no competing claims
 RLR-26 MV Properties 1.80 cfs
 Big Wood River .20 cfs

1.80 cfs @ 85P Brown
 MV properties

MV Property LLC (present owner)

171 acres
 Per
 T#2987

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-27

2. TRANS. 2987.
A 10% RIVER CHANNEL LOSS IS ASSESSED TO THE RTS. IDENTIFIED HEREIN, & THE RATE OF FLOW SHALL NOT EXCEED 5.85 AT THE P/D.
THIS RIGHT IS COMBINED WITH THE A3700026, AND A3707983.
3. 01E A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 1/25/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number: 37
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:Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-27

WATER RIGHT NUMBER: 37-27

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J R J DEVELOPMENT CO PO BOX 471 TWIN FALLS, ID 83301 (208)726-5161
Original Owner	GEORGE ALLRED

, ZZ

Priority Date: 06/15/1886

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	NE1/4NE1/4	Sec. 19, Twp 01S, Rge 18E, B.M.
BLAINE 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		
01S	17E	13																	33.0	33.0
01S	17E	24	17.0																	17.0
01S	18E	18									34.0	26.0					17.0			77.0
											L 4									
01S	18E	19					18.0	26.0												44.0
								L 1												

Total Acres: 171

Conditions of Approval:

1. AC. IRR. = 171. TRANS. 2987.
A 10% RIVER CHANNEL LOSS IS ASSESSED TO THE RTS. IDENTIFIED HEREIN, & THE RATE OF FLOW SHALL NOT EXCEED 5.85 AT THE P/D.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-27

2. 005 Use of water under this right is subject to control by the watermaster of State Water District No. &DISTRICT.
3. 016 See remarks for additional conditions of approval.
4. 01E A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

Remarks:Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Alturas Water Co, et al
Decree Plaintiff: S C Frost, et al
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

12/13/2006

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

RIGHT NUMBER: 37-27

NAME AND ADDRESS: MV PROPERTY LLC
PO BOX 5
KETCHUM ID 83340

J R J DEVELOPMENT CO
PO BOX 471
TWIN FALLS ID 83301

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.000 CFS

Total rate of diversion includes 0.20 cfs charged for river channel loss. The right is limited to 1.80 cfs at the point of diversion.

PRIORITY DATE: 06/15/1886

POINT OF DIVERSION:

T01S R18E S19 NWNENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MITIGATION	04/15 10/31	0.200 CFS
IRRIGATION	04/15 10/31	1.800 CFS

Mitigation use is water charged for river channel loss.

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R17E S13	SESE	38.00	T01S R17E S24	NENE	17.00
T01S R18E S18 Lot 4 SWSW		29.00	T01S R18E S18	SESW	26.00
T01S R18E S18	SWSE	17.00	T01S R18E S19	NENW	18.00
T01S R18E S19 Lot 1 NWNW		26.00			

MITIGATION same as IRRIGATION

171 ACRES TOTAL

Right Nos. 37-26 and 37-27 are limited to the irrigation of a combined total of 171 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

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

This right is subject to regulation by the watermaster of Water District 37.



Idaho Department of Water Resources

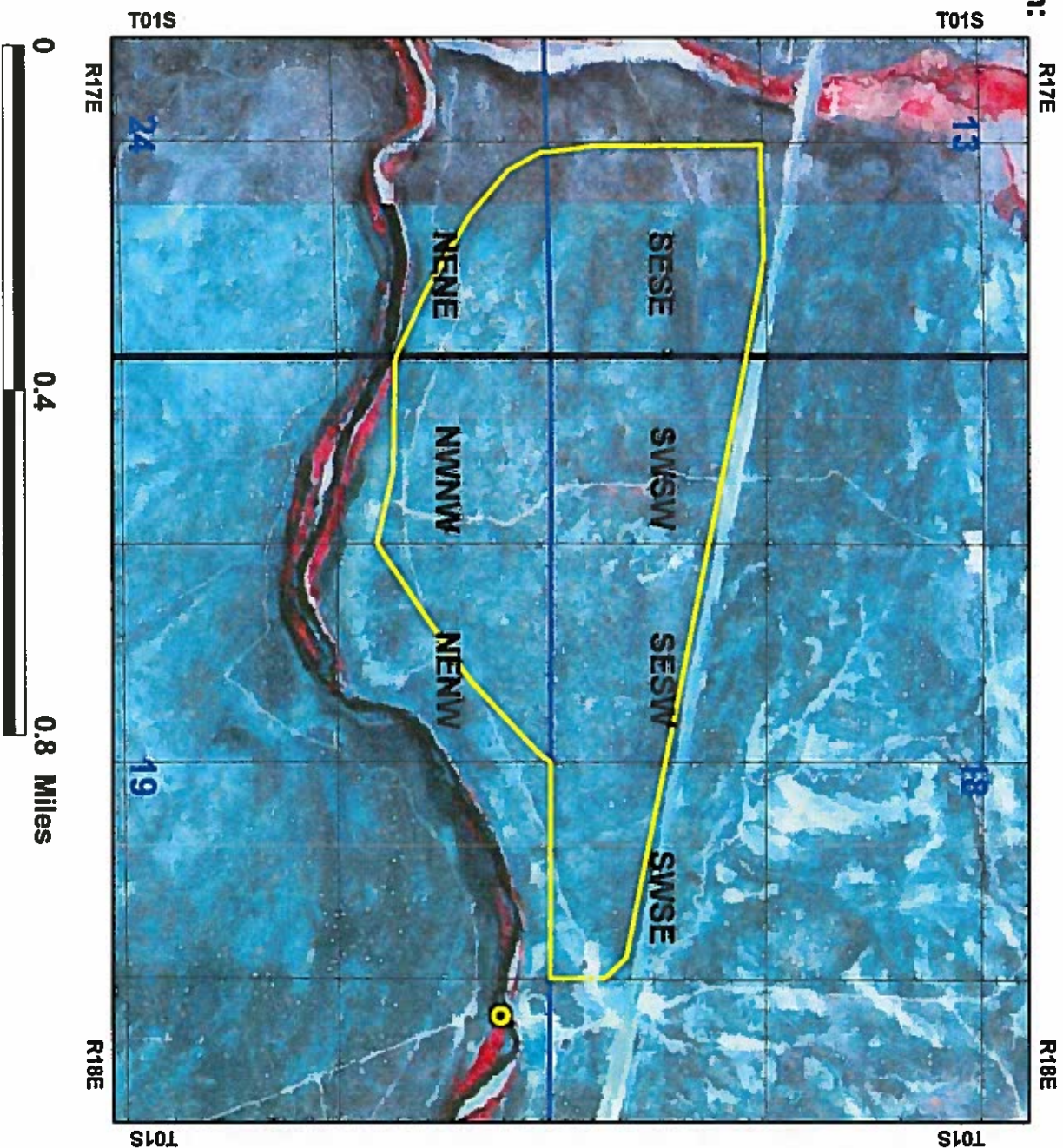
SRBA Recommendation:

37-27

(Irrigation)

Legend

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





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 5, 2006

MW PROPERTY LLC
PO BOX 5
KETCHUM ID 83340

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM #37-26, #37-27

Dear Claimant:

The Department has been notified that you are the current owner of the property to which the above adjudication claim is appurtenant. In order for our records to be changed, however, it is necessary for you to complete the enclosed Notice of Change of Water Right Ownership form. Please complete it per the instructions (pages 3 and 4), the required information listed under item 2 has been submitted to the Department. Once this packet is received, the changes will be made to our records, and you will be sent confirmation that the change has been completed.

Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

Carrie Hahn
Clerk



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 30, 1997

James P. Speck
HOGUE, SPECK & AANESTAD
120 East Ave
P.O. Box 987
Ketchum, ID 83340

RECEIVED

JUL 31 1997

Department of Water Resources
Southern Region

**RE: REQUEST FOR EXTENSION OF TIME TO AVOID FORFEITURE OF
WATER RIGHT NOS. 37-00026 AND 37-00027**

Dear Mr. Speck:

As requested in your July 29, 1997 letter, I have enclosed the originals of the above referenced applications filed in the name of J.R.J. Development. The request to withdraw the applications apparently was prompted within a meeting attended by your client John McDonald on behalf of J.R.J. Development, Karl J. Dreher, Norman C. Young and myself.

The meeting was held at the IDWR conference room on June 6, 1997, at the request of Mr. McDonald. During the meeting, the department advised that it could not approve the applications, since the applications had not been timely filed before the end of the five (5) year period of non-use as provided in Section 42-222(2), Idaho Code. Mr. McDonald asked for alternatives to which the department suggested the following:

1. Check with the watermaster of the Big Wood River to determine if water district records show that the water rights have been delivered at the original place of use subsequent to the department's approval of Transfer No. 2987 on October 17, 1985.
2. Withdraw the applications before the department denies them in order to avoid the precedent of the department having denied the applications. The lack of such precedent might provide a position in the Snake River Basin Adjudication that the rights have not been forfeited through non-use even though the rights have not been used since 1985 according to Mr. McDonald.

Please contact the department if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Glen Saxton". The signature is fluid and cursive, with the first name "L." being small and the last name "Saxton" being larger and more prominent.

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 2

c: IDWR - Regional Office
Adjudication Bureau
Doug Jones - IDWR



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 27, 1997

James P. Speck
HOGUE, SPECK & AANESTAD
120 E. Avenue
P.O. Box 987
Ketchum, ID 83340

RE: APPLICATIONS FOR EXTENSION OF TIME TO AVOID FORFEITURE -
RIGHTS 37-00026 AND 37-00027

Dear Mr. Speck:

I have received by FAX your letter dated June 26, 1997 in connection with the above referenced applications. I will withhold action on the pending applications until the end of July 1997 as you have requested. If I have not received either additional information in support of the applications or a withdrawal of the applications by 5:00 p.m. on July 31, 1997, the department will act on the applications with the information which is then available.

If you have questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, reading 'L. Glen Saxton', is written over the typed name.

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region
Allen Merritt

DKBA Files



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 6, 1997

JUN 09 1997

James P. Speck
HOGUE, SPECK & AANESTAD
120 E. Avenue
P.O. Box 987
Ketchum, ID 83340

Department of Water Resources
Southern Region

RE: APPLICATIONS FOR EXTENSION OF TIME TO AVOID FORFEITURE -
RIGHTS 37-00026 AND 37-00027

Dear Mr. Speck:

Our Twin Falls office has completed the advertising of the above referenced applications and has forwarded the applications to this office for final review and action.

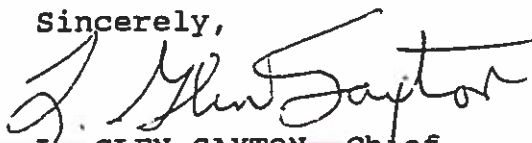
As you know, the applications were filed with the department on March 14, 1997, pursuant to Section 42-222(2), Idaho Code, showing that water was last diverted and applied to a beneficial use in 1985 (12 years ago).

My assessment of the applications is that they were not timely filed as required in the code and should be denied by the department, since a portion of Section 42-222(2), Idaho Code, provides in pertinent part as follows:

Application for an extension shall be made before the end of the five (5) year period upon forms furnished by the department of water resources

If you have additional information you would like the department to consider relative to action on the applications, please submit it within twenty (20) days. If you do not timely provide the requested information, the department will act on the applications with the information now available. Feel free to contact me if you have questions.

Sincerely,


L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region
Allen Merritt

A37-00027

RECEIVED

MAR 14 1997

Department of Water Resources
Southern Region

Water Right No. 37-00027

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

Section 42-222 of the Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee of \$100.00.

1. Name of water right holder: J.R.L. Development.
2. Post office address: c/o James P. Speck, Hogue, Speck & Aanestad, P.O. Box 987, Ketchum, Idaho, 83340.
3. The right was obtained or is evidenced by:
 - a. Decree No. 37-00027.
 - b. Snake River Basin Adjudication Claim No. A37-00027.
4. Source of water: Big Wood River.
Tributary to: Malad River.
5. Date of priority: June 15, 1886.
6. Amount of water: 2.0 cfs.
7. Water is used for: Irrigation

8. Location of point of diversion:

Township	Range	Section	¼	¼	¼	Lot	County
1S	18E	19		NE	NE		Blaine

9. Lands irrigated or place of use:

		NE				NW				SW				SE					
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	TOTALS
1S	17E	13																	32.8
1S	17E	24	16.9																16.9
1S	18E	18								34.2	26.3						17.2		77.7
1S	18E	19					17.5	26.1											43.6
TOTALS																			171.0

10. Give the last date when water was applied to beneficial use: 1985.

Length of extension of time requested: Until November 1, 1999.

11. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and the reasons for non-use: The water right was purchased by the applicant together with 37-00026 and Transfer No. 2987 approved in 1985 authorized the change of point of diversion and place of use for both rights to applicant's property as identified above. At that time and continuing through the present date, applicant was and has been negotiating with the Bureau of Land Management ("BLM") to sell the property to which these rights are appurtenant for wildlife habitat and to protect a crucial deer migration corridor. The BLM purchase is contingent upon Congressional appropriation of funds through the Land and Water Conversation Fund. This has not yet occurred. The conversion of the property to irrigated lands would defeat the purpose of the BLM acquisition. Therefore, applicant has deferred the implementation of the approved transfer and the conversion of the lands to irrigation pending the final outcome of such negotiations. Applicant formerly owned Permit 37-07893. IDWR granted applicant an extension of time to prove beneficial use for this Permit on the basis of the same negotiations with BLM. Applicant is confident the negotiations can be concluded within the time period requested for the extension.

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.

J.R.J. DEVELOPMENT

By: John McDonald
John McDonald Partner

SUBSCRIBED AND SWORN TO before me this 20th day of February, 1997.

Janet L. Latham
Notary public for Idaho
Residing at Blaine Co.
Commission expires 1.13.2001

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby _____ said application subject to the following conditions or reasons:

Witness my hand this _____ day of _____, 1997.

For Department Use Only

Received by J. Stanton Date 3-14-97 Time 9 am Preliminary check by GD
Fee \$ 100. Receipted by GD 5019925 Date 3-14-97 Publication prepared by ms
Published in Wood River Journal Dates 4/30 & 5/7/97
Publication approved by ms Date 5/13/97 Protests filed by _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for // Approval ☒ Denial ☐ by AD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by _____
Date 4-29-91
Receipt # _____

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use for a water right permit

Send orig. fms
to Rita Fleck
04-29-91. sf

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted
an additional period of time in which to complete development of a water right under the provisions of Section
42-204, Idaho Code.

Permit No. A37-07893

Name(s) of Permit Holder: J.R.S. Dev. Co.

Post Office Address: Box 1724 . Twin Falls, ID 83303

Telephone No. 208-746-5135 - 746-5161

Date Proof is Due: _____

Describe what work has been completed toward the development of this water right: _____
(This must be filled out! If no work has been completed, show "none".)

Have worked with Silver Creek Irrigation Co.
to Design + System.
Wks will be completed By 9-1-92

Costing \$?

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Swan Falls Integration

Permit holder(s) request an extension to 9-1-92, 19____. [Signature]
(1 yr. minimum) (Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

MICROFILMED
FEB 22 1993

Signed this _____ day of _____, 19____.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 21, 1991

John H. McDonald
J.R.J. Development, Inc.
Box 1
Ketchum, ID 83340

726 5161

RECEIVED

APR 26 1991

RE: Snake River Basin Adjudication (SRBA)
Blaine County - #A37-00026, A37-00027 & A37-07893

Department of Water Resources

Dear Mr. McDonald:

As we discussed this morning on the phone, enclosed are the three Notices of Claim referenced above. Please sign these claims in front of a Notary Public and return them to my attention immediately.

As I mentioned, if you still wish to be on the docket sheet subscription list, please enclose a check for \$7.50 payable to the Department of Water Resources.

Thank you for your prompt attention to this matter.

Sincerely,

Sally Frazee

Sally Frazee
Secretary, Adjudication Section

SF:state:tf

Enclosures:

(3) Notices of Claim Referenced Above

cc: John D. Carlson

MICROFILMED
FEB 22 1993

Idaho Department Of Water Resources
Detail Receipt Summary Screen

See from WR

Date: 01/10/91
Time: 11:05:08

Rec/No - C007178 AR/No -
From: - J.R.J. DEVELOPMENT *his*

Receipt Type - MO Doc/No - 757332
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 06/02/1989

Type Of Payment		Program	Acct	Class	Fee
TRUST WATER RE-AD FEE	(37-7893)	610199	1238	6490	20.00

*This # also shown on #C005288 pd by
Id 1st Nat'l Bank for J.R.J. Development.*

Total Due - 20.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
-------	--------	-------	--------	-------	--------

ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

*Not shown on dicker sheet
mailing list. 3-19-91/sf*

*1-10-91
any fee
originals w/ sign
of original returned
signed return to this
area trail to this
area receipt doesn't
also clarify
at 4*

MICROFILMED
FEB 22 1993

From: DWR03::FRAZEE 19-MAR-1991 14:40:48.09
To: DWR60::BEDKE
CC: FRAZEE
Subj: J.R.. DEVELOPMENT, INC./3 CLAIMS

HELLO AGAIN. I NEED TO KNOW IF YOU HAVE THE FOLLOWING 3 CLAIMS, PLS:

A37-00026, A37-00027 & A37-07893
J.R.J. DEVELOPMENT, INC.

I HAVE A 2/16/89 LETTER SENT TO JOHN H. MC DONALD RE THESE 3 CLAIMS. MR. MC DONALD WAS TO HAVE SIGNED THE ORGANIZATION SIGNATURE BLOCK AND RETURN THE CLAIMS TO US.

GUESS WHAT?! HE FAILED TO DO SO!!!! (OH NO, IS THIS SOMETHING NEW???!!!!)

WUD U PLS CHECK FOR ME WHEN U GET A SEC AND LET ME KNOW IF ALL IS IN ORDER. IF IT IS, I'LL SEND YOU THIS LETTER AND THE 3 CHECKLISTS FOR THE CLAIMS.

THANX AGAIN.....SAL

Brande Donna Has & 3-19-91

MICROFILMED
FEB 22 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

February 16, 1989

Ron Stanley is the "R" of JRS

Mr. John H. McDonald
J.R.J. Development, Inc.
P. O. Box 1724
Twin Falls, ID 83301

423-544 726-5135 726-5161 dayX

Blaine *John* *Box 1 Ketchum*
is the J of JRS 83340

RE: A37-00026, A37-00027, A37-07893

Dear Mr. McDonald:

You will find enclosed a receipt for the bank's check covering the filing fees for the above referenced claims and additional pages for use with the claims. Also enclosed are photocopies of the claims you submitted.

Inadvertently, I'm sure, the claims that were prepared for you had the individual's signature block, as opposed to the organization's signature block. For the protection of the corporation, I would encourage you to sign these pages, having a notary public verify your signature and return them to include with the claims you previously submitted. Upon completing them, please return them to this office.

One other item from the claims, you had checked that you wished to receive the docket sheet. This service for an annual subscription requires the advance payment of \$7.50. If you still wish to receive the docket sheet monthly, please remit your payment.

Thank you for your assistance in this matter.

Yours Truly,

[Signature]
Donald V. Shaff
Adjudication Section Supervisor

DVS:db

Enclosures

Rec. C005288

Signature Pages (3)

A37-00026, A37-00027, A37-07893

MICROFILMED
FEB 22 1993

Transfer No. 2987Water Right No. 37-0026, 0027

RECEIVED
OCT 28 1985

Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant J.R.J. Development, Inc. Phone 423-5411

Post Office address Box 1724 Twin Falls, Idaho 83301

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. A-37-0026 Decreed to George Allred
B-37-0027 (Name)
 In case of S. C. Ernst, et al vs Alturas Water Co., et al
 dated in 12/13/1909 in 4th District county of Lincoln
 (Name of court)
- b. License No. _____ Issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

Acquired through purchase (see attached warranty deed)

People named on deed are Principals in J.R.J. Development Inc.

3. Source of water Big Wood River tributary to Snake River

4. Date of priority A- 5/23/1885

5. Water is used for the following purposes:
B- 6/15 /1886

amount A 4.5 for irrigation purposes from _____ to _____
 amount B 2.0 for irrigation purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (month/day — both dates inclusive)

6. Total amount of water under right: a. A 4.5 cubic feet per second
B 2.0 &/or
 b. _____ acre feet per annum

7. Location of original point of diversion is SE % of SW % of Section 12

Township 1N Range 18E B.M., in Blaine County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	18E	1							Lt 4 20.5		*	*							100.5
		2													X				60.8
1N	18E	35															X	X	80

*acres not given in decree - assume 40 acres

Total number of acres to be irrigated 241.3

9. Describe any other water rights used for the same purpose as described above 37-7225

37-7616

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS.

T# 2987

37-0026

0027

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT *///* (the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
 b. _____ acre feet per annum
 ^{&/or}
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

[illegible]

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted $\frac{A - 4.5}{B - 2.0}$ c.f.s. &/or _____ acre feet
- b. Description of diverting works Lift pump from river to pond, pump to pressurize water into sprinkler system
- c. Describe the reasons for the proposed changes to make water right purchased by applicant apurtenant to land which they own

- ## 2. Change in point of diversion

Point of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 19 Township 15
Range 18E, B.M., Blaine County
Additional points _____

- ### 3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes DNA No If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer The land this water was originally decreed to is now partially irrigated by means of artesian wells

c. Describe the lands place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15	17E	13													20			20	32.8
		24	16.9																16.9
	18E	18								17.5	17.5	17.5	17.5	17.5	17.5	17.5	17.5	17.5	77.7
		19								17.5	17.5	17.5	17.5	17.5	17.5	17.5	17.5	17.5	43.6
										26.1									26.1

Total number of acres to be irrigated 171
241.3

4. Describe any other water rights used for the same purpose as described above. 37-7893
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



C REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

James J. Smith Partner
(Signature of Applicant)

Subscribed and sworn to before me this 20 day of January, 19 84

Loren O'Hallinan
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0026/0027 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. Use of water under these rights is subject to control by the watermaster of State Water District No. 37, Big Wood River.
2. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
3. A 10% river channel loss is assessed to the rights identified herein, and the rate of flow shall not exceed 5.85 cfs at the point of diversion.

Witness my hand this 17th day of October, 19 85

J. Glen Sayton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by ek Date 1/20/84 Protest filed by _____
Prelim. check by JP Fee \$50.00 _____
Received by mcg Date 1/20/84 # 32975 _____
Published in Wood River News _____ Copies of protest forwarded by _____
Pub. dates 1/2 + 2/9/84 - 2/9 + 2/10 _____ Hearing held by _____ Date _____
Watermaster recommendation requested on 1/24/84 Recommended for approval denial
_____ rec'd. 1/30/84 by JK Jim

WARRANTY DEED

Value Received

JOSEPH WILLIAM BEARD, an unmarried man

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto JOHN McDONALD and LOIS McDONALD, husband and wife; RON STANLEY and MARGARET STANLEY, husband and wife; JAMES HOWARD WEBB, SR., and BERNICE P. WEBB, husband and wife, AND JAMES HOWARD WEBB, JR., and CAROL WEBB, husband and wife, whose address is: P.O. Box 1, Ketchum, ID 83340

Hereinafter called the grantees, the following described premises, in Blaine County, Idaho, to-wit:

Township 1 South, Range 18 E., B.M., Blaine County, Idaho.
Section 18: Lot 3, Lot 4, EXCEPT Highway right of way (Tax Lots 2995 and 2996), SE $\frac{1}{4}$ SW $\frac{1}{4}$, EXCEPT Highway right of way (Tax Lots 2997 and 2998), SW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT Highway right of way (Tax Lots 2999 and 3000), NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 19: Lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

Township 1 South, Range 17 E., B.M., Blaine County, Idaho
Section 13: NW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT Highway right of way (Tax Lots 2990, and 2991), NE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT Highway right of way (Tax Lots 2992 and 2993), That portion of SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying South of State Highway 68, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Section 24: NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ NE $\frac{1}{4}$

TOGETHER with all water rights appurtenant thereto, including but not limited to 225 inches of decreed May 23, 1885; 100 inches decreed June 15, 1886, and 75 inches of Base Line By-Pass.

SUBJECT TO easements of record in the records of Blaine County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: December 28, 1979

Joseph William Beard
Joseph William Beard

316704

STATE OF Idaho, COUNTY OF Blaine
this 28th day of December, 1979,
I, the undersigned, a Notary Public in and for said State, personally appeared

Joseph William Beard, an unmarried man

known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he executed the same.

Oliver M. Rooney
Notary Public

Residing at _____
Comm. Expires _____

STATE OF IDAHO, COUNTY OF Blaine
I hereby certify that this instrument was filed for record at the request of Sawtooth Title Co., Inc.

at 31 minutes past 3 o'clock p.m.
this 22 day of February
19 79 in my office, and duly recorded in Book of Deeds at page

Mary H. Hines
Deputy Recorder

By *M. Pyne* Deputy.

Fees \$ 3.00
Mail to:

J.R.J. DEVELOPMENT COMPANYPARTNERSHIP AGREEMENT

THIS PARTNERSHIP AGREEMENT is made and entered into this 1 day of JAN, 1980, by and among John McDonald, Ron Stanley, and James Howard Webb, Sr.,/James Howard Webb, Jr., a joint venture, hereinafter called the "partners."

NOW, THEREFORE, it is agreed as follows:

1. Name and Business. The partners hereby form a general partnership under the name of J.R.J. Development Company, hereinafter called the "partnership." The partnership shall be authorized to acquire by purchase, lease, or otherwise, lands and interest in lands; to own, hold, lease, finance, improve, develop and manage real property so acquired; to erect, alter, or improve buildings or other structures situated on said real property; to make investments in all types of businesses; and to operate all legal forms of business enterprises.

2. Address. The address of the partnership business shall be P. O. Box 1724, Twin Falls, Idaho 83301.

3. Term. The partnership shall continue until terminated as hereinafter provided.

4. Books. The partnership books and business records shall be maintained at the office of Ron Standley Company, or at such other place as the partners may designate. Each partner shall have access to the partnership books and records at all times during normal business hours. The books shall be kept on a cash basis for each fiscal year, and shall be closed and balanced at the end of each such year.

5. Capital. The capital of the partnership has been contributed by the partners as follows:

John McDonald	33 1/3%
Ron Stanley	33-1/3%
Webb/Webb, a joint venture	33-1/3%
	<u>100%</u>

The foregoing capital represents undivided interests in the partnership assets, subject to liabilities. An individual capital account shall be maintained for each partner. The

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME RV D CLAIM NT. NO. A37-00027

DATE RECEIVED 10-27-88 CK # 3346 AMOUNT \$ 577-

- | | YES | NO |
|--|-------------------------------------|--------------------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ |
| 2. Is a priority date entered? | ☒ | ☐ |

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). **USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.**

- | | | |
|---|--|--------------------------|
| 3. (a) Is a source entered? | ☒ | ☐ |
| (b) Is a tributary to entered? (if required) | N/A ☒ | ☐ |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ |
| 5. Is there a description of the diverting works? | ☒ | ☐ |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ |
| Is the period of use included? | ☒ | ☐ |
| Is a quantity claimed for each use? | ☒ | ☐ |
| 7. Is a total quantity claimed entered? | ☒ | ☐ |
| 8. If required is a consumptive use entered? | N/A ☒ | ☐ |
| Is the consumptive use correct? | N/A ☒ | ☐ |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | N/A ☒ | ☐ |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | 427. Acres ☒ | ☐ |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | N/A ☒ | ☐ |
| 15. Is the basis of the claim indicated? | ☒ | ☐ |
| 16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) | ☒ | ☐ |
| Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ |
| Was this claim filed on time, or was an extension granted? | ☒ | ☐ |
| Is the fee enclosed correct? | 4.77. Exempt ☒ | ☐ |
| If this claim is based on an existing water right, has the identification number been entered? | N/A ☒ | ☐ |
| Should this claim be receipted and data entered? | ☒ | ☐ |

Claim checked by: [Signature]
FEB 22 1993

Comments: