

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 37-66A  
Date Received: 11/4/1988  
Receipt No: W001290  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SUN VALLEY RANCH LLC Phone: (208)726-1780  
PO BOX 40380  
KETCHUM ID USA 83340

**AMENDED**

2. Date of Priority: 12/19/1882

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 | Type |
|----------|-------|---------|-----------------------|----|--------|------|
| 01S      | 18E   | 11      | NW                    | NW | BLAINE |      |
| 01S      | 18E   | 2       | NW                    | SE | BLAINE |      |

5. Description of diverting works:

HEADGATES IN RIVER W/DITCHES TO CROPLANDS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/15 | 11/15 | 4.2    |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4 of 1/4 Lot |    | Use        | Acres |
|---------------|-------|---------|----------------|----|------------|-------|
| 01S           | 18E   | 10      | SE             | NE | IRRIGATION | 8     |
|               |       |         | NE             | SW | IRRIGATION | 25.6  |
|               |       |         | SW             | SW | IRRIGATION | 37    |
|               |       |         | SE             | SW | IRRIGATION | 34    |
|               |       |         | NE             | SE | IRRIGATION | 16.6  |
|               |       |         | NW             | SE | IRRIGATION | 40    |
|               |       |         | SW             | SE | IRRIGATION | 40    |
|               |       |         | SE             | SE | IRRIGATION | 11.6  |
| Section Acres |       |         |                |    |            | 212.8 |
| 01S           | 18E   | 11      | NE             | NE | IRRIGATION | 40    |

|     |     |    |    |    |               |        |
|-----|-----|----|----|----|---------------|--------|
|     |     |    | NW | NE | IRRIGATION    | 40     |
|     |     |    | SW | NE | IRRIGATION    | 40     |
|     |     |    | SE | NE | IRRIGATION    | 40     |
|     |     |    | NE | NW | IRRIGATION    | 40     |
|     |     |    | NW | NW | IRRIGATION    | 16.7   |
|     |     |    | SW | NW | IRRIGATION    | 37.3   |
|     |     |    | SE | NW | IRRIGATION    | 40     |
|     |     |    | NE | SW | IRRIGATION    | 40     |
|     |     |    | NW | SW | IRRIGATION    | 39     |
|     |     |    | SW | SW | IRRIGATION    | 38     |
|     |     |    | SE | SW | IRRIGATION    | 40     |
|     |     |    | NE | SE | IRRIGATION    | 38.5   |
|     |     |    | NW | SE | IRRIGATION    | 35.4   |
|     |     |    |    |    | Section Acres | 524.9  |
| 01S | 18E | 12 | NW | NW | IRRIGATION    | 29.4   |
|     |     |    | SW | NW | IRRIGATION    | 24     |
|     |     |    |    |    | Section Acres | 53.4   |
| 01S | 18E | 13 | NE | NW | IRRIGATION    | 40     |
|     |     |    | NW | NW | IRRIGATION    | 40     |
|     |     |    | SW | NW | IRRIGATION    | 28     |
|     |     |    | SE | NW | IRRIGATION    | 40     |
|     |     |    |    |    | Section Acres | 148    |
| 01S | 18E | 14 | NE | NE | IRRIGATION    | 36     |
|     |     |    | NW | NE | IRRIGATION    | 38.5   |
|     |     |    | SW | NE | IRRIGATION    | 40     |
|     |     |    | SE | NE | IRRIGATION    | 36     |
|     |     |    | NE | NW | IRRIGATION    | 38.7   |
|     |     |    | NW | NW | IRRIGATION    | 40     |
|     |     |    | SW | NW | IRRIGATION    | 40     |
|     |     |    | SE | NW | IRRIGATION    | 40     |
|     |     |    |    |    | Section Acres | 309.2  |
| 01S | 18E | 15 | NE | NE | IRRIGATION    | 40     |
|     |     |    | NW | NE | IRRIGATION    | 36.8   |
|     |     |    | SW | NE | IRRIGATION    | 39     |
|     |     |    | SE | NE | IRRIGATION    | 40     |
|     |     |    | NE | NW | IRRIGATION    | 25     |
|     |     |    | NW | NW | IRRIGATION    | 22     |
|     |     |    | SW | NW | IRRIGATION    | 17.6   |
|     |     |    | SE | NW | IRRIGATION    | 33.8   |
|     |     |    |    |    | Section Acres | 254.2  |
| 01S | 18E | 16 | NE | NE | IRRIGATION    | 22     |
|     |     |    | SE | NE | IRRIGATION    | 27     |
|     |     |    |    |    | Section Acres | 49     |
|     |     |    |    |    | Total Acres   | 1551.5 |

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

8-4-2005, DJ: CLAIM AMENDED. SEE CLAIM FOR ADDITIONAL REMARKS.

1-17-2007, AJK: claim amended to change diversion rate

15. Basis of Claim: Decreed

**AMENDED 37-66**

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 FORM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number \_\_\_\_\_

Date Received \_\_\_\_\_

Receipt Number \_\_\_\_\_

RECEIVED  
JAN 12 2007  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

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

Please type or print clearly

1. Name of Claimant (s) Sun Valley Ranch, LLC Phone (208) 726-1780  
Mailing Address P.O. Box 40380, Ketchum, Idaho Zip 83340
2. Date of Priority (Only one (1) per claim) 12/19/1882
3. Source of water supply (a) Big Wood River  
which is tributary to (b) Snake River
4. a. Location of existing point of diversion is: Township 01S Range 18E Section 02,  
NW 1/4 of SE 1/4 of 1/4, Govt. Lot, B.M., County of Blaine  
Additional points of diversion if any: 01S18E11NWNW  
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. Existing ditches and pipelines that are gravity fed into the system

COPY

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 03/15 to 11/15 amount 4.2 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 4.2 (cfs) and / or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: list number of households served; Stockwater: type and number of livestock, etc.) \_\_\_\_\_.

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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 |
|-----|-----|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |     |     | 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 |        |
| 01S | 18E | 10  |        |        |        | 8      |        |        |        |        | 25.6   |        | 37     | 34     | 16.6   | 40     | 40     | 11.6   | 212.8  |
|     |     | 11  | 40     | 40     | 40     | 40     | 40     | 16.7   | 37.3   | 40     | 40     | 39     | 38     | 40     | 38.5   | 35.4   |        |        | 524.9  |
|     |     | 12  |        |        |        |        |        | 29.4   | 24     |        |        |        |        |        |        |        |        |        | 53.4   |
|     |     | 13  |        |        |        |        | 40     | 40     | 28     | 40     |        |        |        |        |        |        |        |        | 148    |
|     |     | 14  | 36     | 38.5   | 40     | 36     | 38.7   | 40     | 40     | 40     |        |        |        |        |        |        |        |        | 309.2  |
|     |     | 15  | 40     | 36.8   | 39     | 40     | 25     | 22     | 17.6   | 33.8   |        |        |        |        |        |        |        |        | 254.2  |
|     |     | 16  | 22     |        |        | 27     |        |        |        |        |        |        |        |        |        |        |        |        | 49     |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of Irrigatable acres 1551.5

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

12. Do you own the property listed above as place of use? Yes \_\_\_\_\_ No XX  
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.

See attached Or None ☐

14. Remarks:

\*1: Total authorized irrigated acres shall not exceed 614 acres per irrigation season when used in conjunction with 37-63A, 37-64A, and 37-68A, and when used without the rest of the associated water rights of the PPU

\*2: Total authorized irrigated acres of the PPU shall not exceed 1551.5 acres per irrigation season

See attached Purchase Agreement regarding the ownership transactions for this water right and the appertenant property

COPY

Last Name \_\_\_\_\_ Ident. No. \_\_\_\_\_  
15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree XX

If applicable provide IDWR Water Right Number 37-66

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 wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments \_\_\_\_\_

**For Individuals:** I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am representative

Of Iron Valley Ranch LLC, that I have signed the foregoing  
Organization

Document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title Organization

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

Signature of Authorized Agent Chris E. Goring

Title and Organization Power Attorney Date 1/12/07

State of Idaho / or \_\_\_\_\_ )  
County of Twin Falls ) ss.

Subscribed and sworn (or affirmed) before me this 12<sup>th</sup> day of January, 20 07.

Notary Public Lilly K. Christensen

Residing at Twin Falls ID

My Commission Expires 4-2-2010

SEAL



Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf Of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

COPY

**AMENDED 37-66A**

**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 FORM  
THE SNAKE RIVER BASIN WATER SYSTEM**

**CIVIL CASE NUMBER: 39576**

Ident. Number \_\_\_\_\_

Date Received \_\_\_\_\_

Receipt Number \_\_\_\_\_

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

**RECEIVED  
JUL 18 2005  
Department of Water Resources  
Southern Region**

**AUG 01 2005**

Please type or print clearly

Department of Water Resources  
Southern Region

1. Name of Claimant (s) Sun Valley Ranch, LLC Phone (208) 726-1780  
Mailing Address P.O. Box 40380, Ketchum, Idaho Zip 83340
2. Date of Priority (Only one (1) per claim) 12/19/1882
3. Source of water supply (a) Big Wood River  
which is tributary to (b) Snake River
4. a. Location of existing point of diversion is: Township 01S Range 18E Section 02,  
NW 1/4 of SE 1/4 of 1/4, Govt. Lot, B.M., County of Blaine  
Additional points of diversion if any: 01S18E11NWNW  
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. Existing ditches and pipelines that are gravity fed into the system

*Merged w/ Ag claim  
file 7-19-2016*

**SCANNED**

**AUG 09 2005**

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 03/15 to 11/15 amount 2.46 or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 2.46 (cfs) and / or (b) (acre feet)

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

9. Non-irrigation uses; described fully (e.g. Domestic: list 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.

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|-----|-----|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |     |     | 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 |        |
| 01S | 18E | 10  |        |        |        | 8      |        |        |        |        | 25.6   |        | 37     | 34     | 16.6   | 40     | 40     | 11.6   | 212.8  |
|     |     | 11  | 40     | 40     | 40     | 40     | 40     | 16.7   | 37.3   | 40     | 40     | 39     | 38     | 40     | 38.5   | 35.4   |        |        | 524.9  |
|     |     | 12  |        |        |        |        |        | 29.4   | 24     |        |        |        |        |        |        |        |        |        | 53.4   |
|     |     | 13  |        |        |        |        | 40     | 40     | 28     | 40     |        |        |        |        |        |        |        |        | 148    |
|     |     | 14  | 36     | 38.5   | 40     | 36     | 38.7   | 40     | 40     | 40     |        |        |        |        |        |        |        |        | 309.2  |
|     |     | 15  | 40     | 36.8   | 39     | 40     | 25     | 22     | 17.6   | 33.8   |        |        |        |        |        |        |        |        | 254.2  |
|     |     | 16  | 22     |        |        | 27     |        |        |        |        |        |        |        |        |        |        |        |        | 49     |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of Irrigatable acres 1551.5

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

12. Do you own the property listed above as place of use? Yes No XX  
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See attached Or None ☐

14. Remarks:

\*1: Total authorized irrigated acres shall not exceed 614 acres per irrigation season when used in conjunction with 37-63A, 37-64A, and 37-68A, and when used without the rest of the associated water rights of the PPU

\*2: Total authorized irrigated acres of the PPU shall not exceed 1551.5 acres per irrigation season

See attached Purchase Agreement regarding the ownership transactions for this water right and the appertunant property

SCANNED

AUG 09 2005

Last Name \_\_\_\_\_ Ident. No. \_\_\_\_\_  
15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree XX

If applicable provide IDWR Water Right Number 37-66A

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 wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments \_\_\_\_\_

**For Individuals:** I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

**For Organizations:** I do solemnly swear of affirm that I am Authorized Agent Title

Of Sun Valley Ranch, LLC Organization

Document in the space below as Senior Member Title of Brockway Engineering PLLC Organization

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

Signature of Authorized Agent [Signature]

Title and Organization Senior Member / Brockway Engineering Date 7-13-05

State of Idaho / or \_\_\_\_\_ )

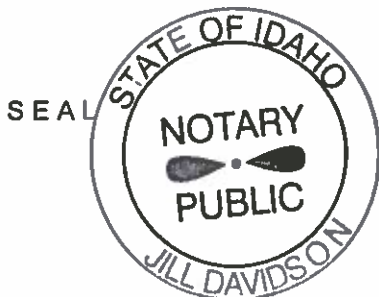
County of Twin Falls ) ss.

Subscribed and sworn (or affirmed) before me this 13<sup>th</sup> day of July, 20 05.

Notary Public [Signature]

Residing at Twin Falls

My Commission Expires November 18, 2010



Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf Of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

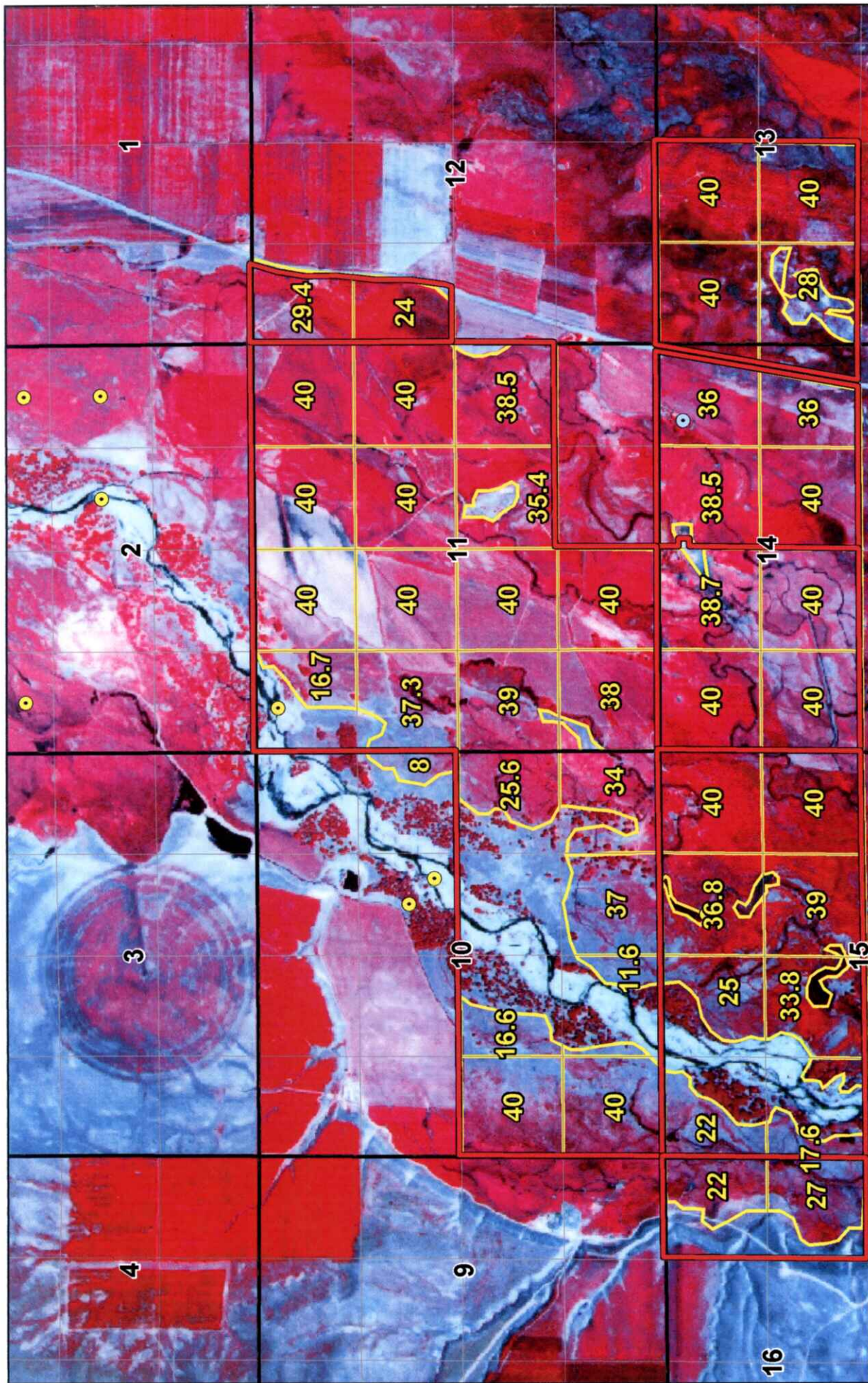
SCANNED

AUG 09 2005

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

**SCANNED**

AUG 09 2005



0 0.125 0.25 0.5 0.75 1 Miles



- Irrigated Acres
- Diamond Dragon Property
- PLS - quarter quarter
- PLS - Section

Total Irrigated Acres = 1551.5

## Irrigated Acres in 1987 - Diamond Dragon (PPU)

1987 Aerial Photo

Brockway Engineering, PLLC  
DTN - 07/13/2005

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: A37-00066A

Date Received: 10/19/1988

Receipt No: WQ 290 (50)

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: E. HADLEY STUART, JR. 208-788-4002  
Address: P.O. BOX 186  
BELLEVUE, ID 83313

2. Date of Priority: DEC 19, 1882

3. Source: BIG WOOD RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 01S      | 18E   | 2       | NW     | SE     |     |     | BLAINE |
|          |       | 11      | NW     | NW     |     |     | BLAINE |

5. Description of diverting works:  
HEADGATES IN RIVER W/DITCHES TO CROPLANDS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 2.460 |      |        |

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

8. Total consumptive use is 1535.0 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      | 18E   | 11      | NE     | NE  |     | IRR | 40.0  |
|          |       |         | NW     | NE  |     | IRR | 40.0  |

A37-00066A

Page 1

Date: 10/24/88

MICROFILMED  
FEB 22 1989

10. Place of Use: Continued

| Township | Range | Section | 1/4 of        | 1/4 | Lot | Use | Acres |
|----------|-------|---------|---------------|-----|-----|-----|-------|
| 01S      | 18E   | 11      | SW            | NE  |     | IRR | 40.0  |
|          |       |         | SE            | NE  |     | IRR | 40.0  |
|          |       |         | NE            | NW  |     | IRR | 40.0  |
|          |       |         | NW            | NW  |     | IRR | 40.0  |
|          |       |         | SW            | NW  |     | IRR | 40.0  |
|          |       |         | SE            | NW  |     | IRR | 40.0  |
|          |       |         | Section Acres |     |     |     | 320.0 |
|          |       | 12      | NW            | NW  |     | IRR | 30.0  |
|          |       |         | SW            | NW  |     | IRR | 24.0  |
|          |       |         | Section Acres |     |     |     | 54.0  |
|          |       | 14      | NE            | NW  |     | IRR | 40.0  |
|          |       |         | NW            | NW  |     | IRR | 40.0  |
|          |       |         | SW            | NW  |     | IRR | 40.0  |
|          |       |         | SE            | NW  |     | IRR | 40.0  |
|          |       |         | Section Acres |     |     |     | 160.0 |
|          |       | 15      | NE            | NE  |     | IRR | 40.0  |
|          |       |         | NW            | NE  |     | IRR | 40.0  |
|          |       |         | Section Acres |     |     |     | 80.0  |
|          |       |         | Total Acres   |     |     |     | 614.0 |

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:

A37-00063, A37-00064, A37-00068, A37-00070.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/06/1909

S. C. FROST

Decree Plaintiff

vs

ALTURAS WATER CO., ET AL

Decree Defendant

A37-00066A

Page

2

Date: 10/24/88

MICROFILMED  
FEB 22 1993

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

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

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

**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: 39356

Ident. Number

Date Received

Receipt Number

1037-000666A  
10-19-88  
W001890(58)

Should questions arise during  
the processing of this applica-  
tion please contact:

SHERL L. CHAPMAN  
410 S. Orchard, Suite 144  
Boise, ID 83705  
344-6690

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

Please type or print clearly

1. Name of Claimant (s) E. Hadley Stuart, Jr. Phone (208) 788-4002  
Mailing Address P. O. Box 186, Bellevue, Idaho Zip 83313

2. Date of Priority (Only one (1) per claim) December 19, 1882

3. Source of water supply (a) Big Wood River  
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 1S Range 18E Section 2,  
1/4 of NW 1/4 of SE 1/4, Govt. Lot, B.M., County of Blaine

Additional points of diversion if any: NW/4 NW/4, Sec. 11, T1S, R18E, Blaine County

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

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. Water is diverted through headgates on the  
Big Wood River and distributed by open ditch.

**MICROFILMED**  
**FEB 22 1993**

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 10/15 amount 2.46 or 2160

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 2.46 (cfs) and/or (b) 2160 (acre feet)

8. Total consumptive use claimed is 1543 acre feet per annum.

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

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 |        |
| 1S  | 18E | 11  | 40     | 40    | 40    | 40    | 40     | 40    | 40    | 40    |        |       |       |       |        |       |       |       | 320    |
| 1S  | 18E | 12  |        |       |       |       |        | 30    | 24    |       |        |       |       |       |        |       |       |       | 54     |
| 1S  | 18E | 14  |        |       |       |       | 40     | 40    | 40    | 40    |        |       |       |       |        |       |       |       | 160    |
| 1S  | 18E | 15  | 40     |       |       | 40    |        |       |       |       |        |       |       |       |        |       |       |       | 80     |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 614

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

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.  
37-0063; 37-0064; 37-0068; 37-0070 or None ( )

14. Remarks:

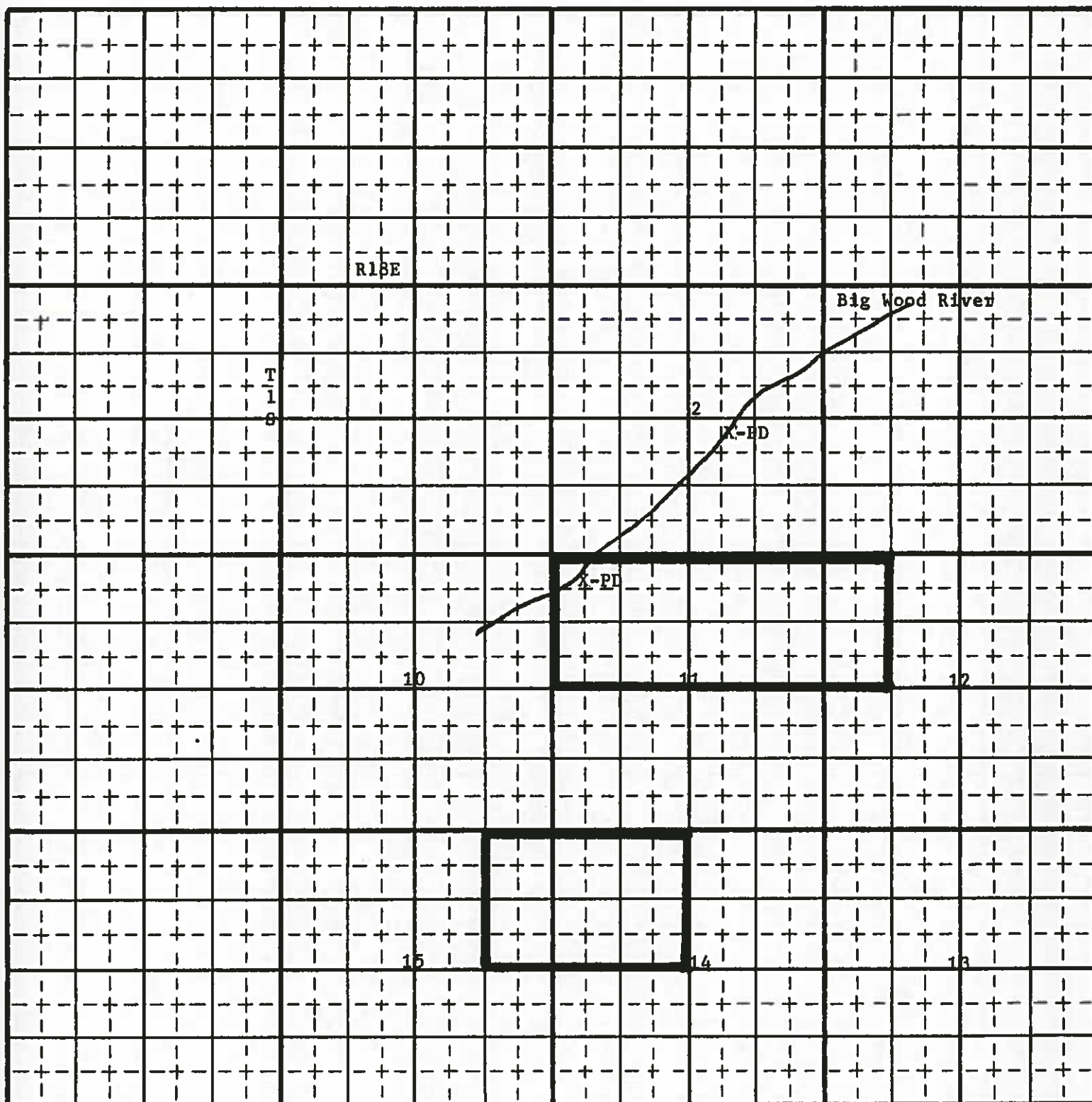
MICROFILMED  
FEB 22 1993

Last Name Stuart Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

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 Stuart Ident No. \_\_\_\_\_

MICROFILMED  
FEB 22 1992  
Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree X  
If applicable provide IDWR Water Right Number 37-0066  
Court Fourth District Case Number \_\_\_\_\_ Decree Date 10/6/09  
Plaintiff vs Defendant S C Frost v Alturas Water Co. et. al.

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 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true  
and correct.

Signature of Claimant (s) E. Hackley Stuart Jr. Date 10/11/88  
Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_ Title \_\_\_\_\_  
of \_\_\_\_\_, that I have signed the foregoing  
Organization  
document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title 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 \_\_\_\_\_ )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 11 day of October 19 88



Notary Public Sherl Chapman

Residing at 457 W. Willowbrook Mendocino St

My Commission Expires 6/14/94

Please Print Name

17. Notice of Appearance:  
Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf  
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above  
should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Last Name Stuart Ident. Number \_\_\_\_\_

MICROFILMED  
FEB 22 1993

Copies White-State, Yellow-Claimant

Dept. of Water Resources  
Adjudication Bureau  
P. O. Box 83720  
Boise, ID 83720-0098



RECEIVED  
MAR 12 2007  
DEPARTMENT OF  
WATER RESOURCES

Handwritten notes and stamps:

- 37-2205
- 37-60
- 37-61
- 37-62
- 37-63A
- 37-64A
- 37-65A
- 37-66A
- 37-67A
- 37-68A
- 37-69A
- 37-70
- 37-71B
- 37-72B
- 37-73B
- 37-74B
- 37-75B
- 37-76B
- 37-77B
- 37-78B
- 37-79B
- 37-80B
- 37-81B
- 37-82B
- 37-83B
- 37-84B
- 37-85B
- 37-86B
- 37-87B
- 37-88B
- 37-89B
- 37-90B
- 37-91B
- 37-92B
- 37-93B
- 37-94B
- 37-95B
- 37-96B
- 37-97B
- 37-98B
- 37-99B
- 37-100B

NO SUCH ADDRESS

SUN VALLEY RANCH LLC  
PO BOX 40380  
KETCHUM ID 83340

01/17/2007

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

RIGHT NUMBER: 37-66A

NAME AND ADDRESS: SUN VALLEY RANCH LLC  
PO BOX 40380  
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 4.200 CFS

PRIORITY DATE: 12/19/1882

POINT OF DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

T01S R18E S2 SENWSE Within BLAINE County

T01S R18E S2 NESWSE Rediversion Within BLAINE County

This right is measured and administered at the point of rediversion.

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/15 10/31          | 4.200 CFS       |

PLACE OF USE: IRRIGATION in BLAINE County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01S R18E S10 | SESW | 5.10  | T01S R18E S10 | NESE | 28.00 |
| T01S R18E S10 | SWSE | 34.00 | T01S R18E S10 | SESE | 34.00 |
| T01S R18E S11 | NENE | 40.00 | T01S R18E S11 | NWNE | 40.00 |
| T01S R18E S11 | SWNE | 40.00 | T01S R18E S11 | SENE | 40.00 |
| T01S R18E S11 | NENW | 39.00 | T01S R18E S11 | NWNW | 14.00 |
| T01S R18E S11 | SWNW | 28.00 | T01S R18E S11 | SENW | 40.00 |
| T01S R18E S11 | NESW | 40.00 | T01S R18E S11 | NWSW | 39.00 |
| T01S R18E S11 | SWSW | 39.00 | T01S R18E S11 | SESW | 40.00 |
| T01S R18E S11 | NESE | 41.00 | T01S R18E S11 | NWSE | 36.00 |
| T01S R18E S12 | NWNW | 27.00 | T01S R18E S12 | SWNW | 24.00 |
| T01S R18E S14 | NENE | 3.90  | T01S R18E S14 | NWNE | 34.00 |
| T01S R18E S14 | SWNE | 8.70  | T01S R18E S14 | NENW | 35.00 |
| T01S R18E S14 | NWNW | 40.00 | T01S R18E S14 | SWNW | 40.00 |
| T01S R18E S14 | SENW | 38.00 | T01S R18E S15 | NENE | 40.00 |
| T01S R18E S15 | NWNE | 40.00 | T01S R18E S15 | SWNE | 34.00 |
| T01S R18E S15 | SENE | 40.00 | T01S R18E S15 | NENW | 26.00 |
| T01S R18E S15 | SWNW | 3.40  | T01S R18E S15 | SENW | 33.00 |

1084.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 1084.1 acres in a single irrigation season. Combined Right Nos.: 37-60, 37-61, 37-62, 37-63A, 37-64A, 37-66A, 37-67B, 37-68A, 37-230, 37-231B, 37-232, 37-577AZ and 37-22050.

The rights listed below are limited to the irrigation of a combined total of 1168.5 acres in a single irrigation season. Combined Right Nos.: 37-60, 37-61, 37-62, 37-63A, 37-64A, 37-66A, 37-67B, 37-68A, 37-230, 37-231B, 37-232, 37-577AZ, 37-2492 and 37-22050.

01/17/2007

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

---

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

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

01/03/2007

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

RIGHT NUMBER: 37-66A

NAME AND ADDRESS: SUN VALLEY RANCH LLC  
PO BOX 40380  
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.460 CFS

PRIORITY DATE: 12/19/1882

POINT OF DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

T01S R18E S2 SENWSE Within BLAINE County

T01S R18E S2 NESWSE Rediversion Within BLAINE County

This right is measured and administered at the point of rediversion.

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/15 10/31

2.460 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01S R18E S10 | SESW | 5.10  | T01S R18E S10 | NESE | 28.00 |
| T01S R18E S10 | SWSE | 34.00 | T01S R18E S10 | SESE | 34.00 |
| T01S R18E S10 | NENE | 40.00 | T01S R18E S11 | NWNE | 40.00 |
| T01S R18E S11 | SWNE | 40.00 | T01S R18E S11 | SENE | 40.00 |
| T01S R18E S11 | NENW | 39.00 | T01S R18E S11 | NWNW | 14.00 |
| T01S R18E S11 | SWNW | 28.00 | T01S R18E S11 | SENW | 40.00 |
| T01S R18E S11 | NESW | 40.00 | T01S R18E S11 | NWSW | 39.00 |
| T01S R18E S11 | SWSW | 39.00 | T01S R18E S11 | SESW | 40.00 |
| T01S R18E S11 | NESE | 41.00 | T01S R18E S11 | NWSE | 36.00 |
| T01S R18E S12 | NWNW | 27.00 | T01S R18E S12 | SWNW | 24.00 |
| T01S R18E S14 | NENE | 3.90  | T01S R18E S14 | NWNE | 34.00 |
| T01S R18E S14 | SWNE | 8.70  | T01S R18E S14 | NENW | 35.00 |
| T01S R18E S14 | NWNW | 40.00 | T01S R18E S14 | SWNW | 40.00 |
| T01S R18E S14 | SENW | 38.00 | T01S R18E S15 | NENE | 40.00 |
| T01S R18E S15 | NWNE | 40.00 | T01S R18E S15 | SWNE | 34.00 |
| T01S R18E S15 | SENE | 40.00 | T01S R18E S15 | NENW | 26.00 |
| T01S R18E S15 | SWNW | 3.40  | T01S R18E S15 | SENW | 33.00 |

1084.1 ACRES TOTAL

Diversion Note changed per NOE

01/03/2007

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

The rights listed below are limited to the irrigation of a combined total of 1084.1 acres in a single irrigation season. Combined Right Nos.: 37-60, 37-61, 37-62, 37-63A, 37-64A, 37-66A, 37-67B, 37-68A, 37-230, 37-231B, 37-232, 37-577AZ and 37-22050.

The rights listed below are limited to the irrigation of a combined total of 1168.5 acres in a single irrigation season. Combined Right Nos.: 37-60, 37-61, 37-62, 37-63A, 37-64A, 37-66A, 37-67B, 37-68A, 37-230, 37-231B, 37-232, 37-577AZ, 37-2492 and 37-22050.

---

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

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



# Idaho Department of Water Resources

SRBA Recommendation:

**37-66A**

(Irrigation)

## Legend

● Point of Diversion

□ Place of Use

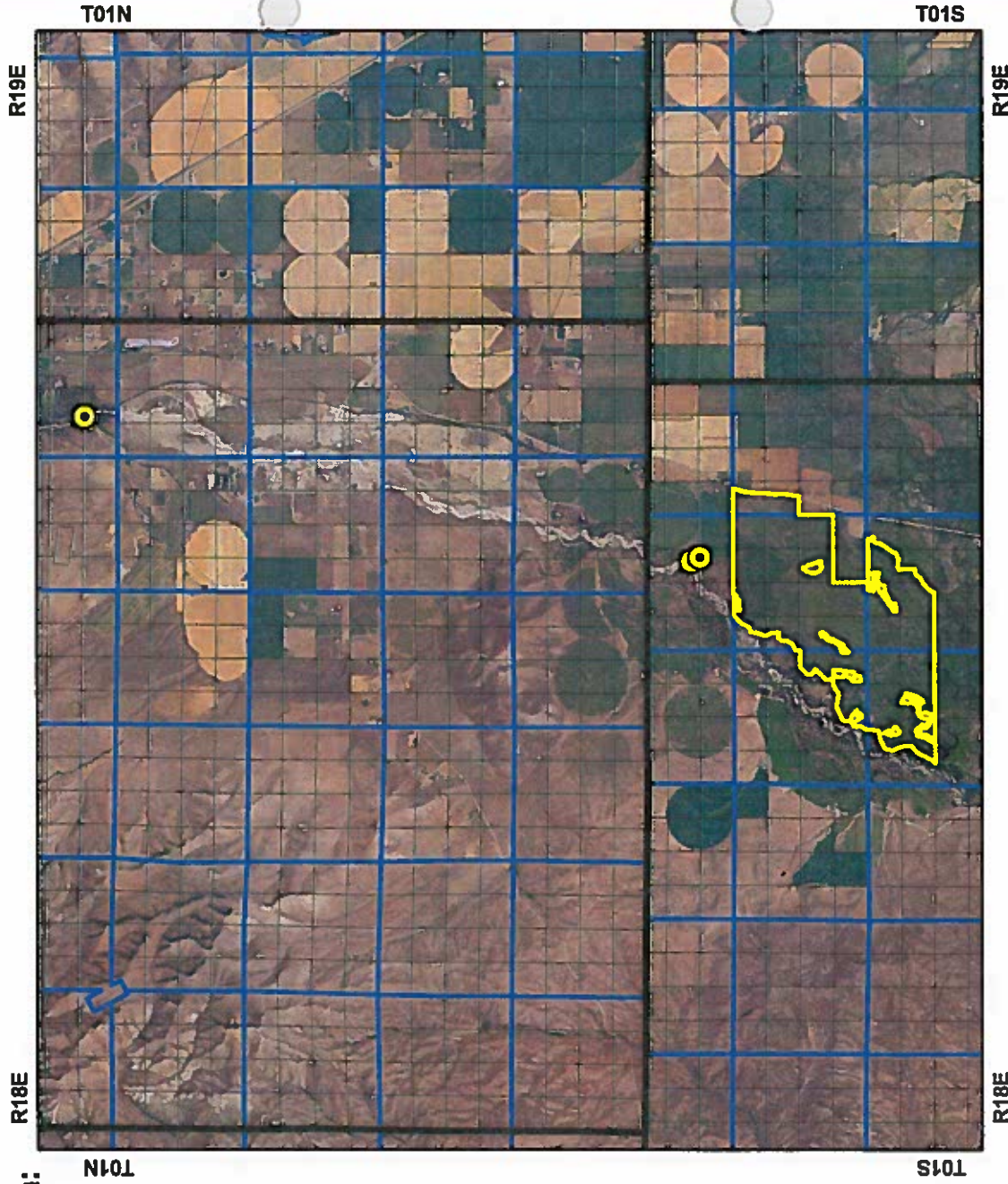
□ Townships

□ PLS Sections

□ Quarter Quarters



Blaine County  
IDWR Basin 37



0 3 6 Miles



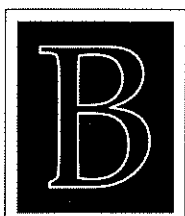
Prepared by A. Merritt  
On Tuesday, December 26, 2006  
2004 Aerial Photography

Owner: Sun Valley Ranch LLC

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

**N** 





**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

July 29, 2005

Douglas Jones  
Idaho Department of Water Resources  
Southern Region Office  
1341 Fillmore, Suite 200  
Twin Falls, ID 83301

RECEIVED

AUG 01 2005

Department of Water Resources  
Southern Region

Re: Sun Valley Ranch LLC: Amended Claims & Change of Ownership

Dear Doug:

I am resending the enclosed amended claims now that the warranty deed has been obtained from our client. We have not resubmitted the purchase agreement that was sent to you on July 14, 2005, since you stated that these documents were inadequate. In addition, I have included the original check for \$25.00 and an additional check for \$50.00 to cover the costs of the change of ownership forms appurtenant to the rights that have been partially decreed. As before stated if any other costs are needed during the processing of these documents please call our office and we will be glad to resolve the issue.

Just for your information our client will not receive the deed for the JD Spring Creek Ranch until August 12, 2005. Therefore, we will not be resubmitting these other amended claims until that point.

Our client wishes that these amendments be processed as soon as possible and if or any other agent have any questions regarding the enclosed documents, please feel free to give our office a call.

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

Sincerely,

Daren T. Nelson.

Attachments: Brockway Engineering Check # \_\_\_\_\_  
Warranty Deed

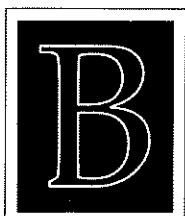
2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

cc: Robert Kantor



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

July 14, 2005

Douglas Jones  
Idaho Department of Water Resources  
Southern Region Office  
1341 Fillmore, Suite 200  
Twin Falls, ID 83301

RECEIVED  
JUL 18 2005  
Department of Water Resources  
Southern Region

Re: Sun Valley Ranch LLC: Amended Claims & Change of Ownership

Dear Doug:

Please find the enclosed amended claims for Sun Valley Ranch LLC. These claims are being amended as a result of your recommendations from our meeting on June 16, 2005 regarding SC Ranch LLC. The amended claims should create a permissible place of use appurtenant to the lands formerly known as Diamond Dragon Ranch (owned by E. Hadley Stuart Jr.). These claims are based on the use of the lands in 1987 and should correct the errors within in the current claims. In addition, it two more claims are being submitted (37-67A and 37-69A) since these rights were never claimed in the initial claiming process. However, these two rights have continually been delivered by the local Watermaster. In order to obtain the shapefiles for the PPU please contact me at my new email [daren.nelson@brockwayeng.com](mailto:daren.nelson@brockwayeng.com) and I will send them via email.

In order to change ownership of these rights two forms have been submitted (claimed rights and partially decreed rights). An attached purchase agreement for the property is also included. The final closing of these transactions will be completed shortly and the appropriate deeds will be submitted to IDWR as soon as the transaction is complete. In addition, a limited power attorney is attached that signifies Charles E. Brockway as the authorized agent for Sun Valley Ranch LLC.

I have included a check for a total of \$25.00 to cover the costs of the change of ownership forms appurtenant to the rights that have been partially decreed. If any other costs are needed during the processing of these documents please call our office to discuss the matter. Our client wishes that these amendments be processed as soon as possible and if or any other agent have any questions regarding the enclosed documents, please feel free to give our office a call.

Sincerely,

Daren T. Nelson.

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

Attachments: Limited Power of Attorney  
Two (2) change of ownership forms  
Purchase agreement and amendments  
Brockway Engineering Check # 6741

cc: Robert Kantor

RECEIVED

AUG 01 2005

Department of Water Resources  
Southern Region

## Supporting Narrative

### Sun Valley Ranch, LLC (Diamond Dragon Ranch): Amended Claims

Project #: 787-03-2005

Brockway Engineering is submitting the attached amended claims, in order to create a permissible place of use appurtenant to the property currently owned by E. Stuart Hadley Junior. It has been the recommendation of Douglas Jones at IDWR to amend these claimed rights so that they can be included in a PPU and allow flexibility in the management of these rights. These claimed rights are being amended based on how the rights were being used in 1987. In addition, two rights are being claimed that are appurtenant to the property that were not formerly claimed in the SRBA. SC Ranch, LLC has entered a purchase agreement with E. Stuart Hadley Jr. regarding the Diamond Dragon Ranch, and will close the transaction regarding the ownership of this property shortly. However, SC Ranch, LLC would like to proceed with the change of ownership of these rights and these amendments in order to update and fix errors that have occurred in the process of claiming many of these rights.

Based on our research of the IDWR water right database, eighteen (18) water rights are appurtenant to the E. Stuart Hadley Jr. (Diamond Dragon Ranch) property in Township 1S and Range 18E. According to the legal description acquired from the attached purchase agreement the ranch is ~ 1813 acres. In addition, according to aerial photos ~1551.5 of these acres were being irrigated in 1987. In the near future, when IDWR reviews these claims, the total allowed acreage of this property would probably equal the amount of acreage that was being irrigated in 1987. Therefore these claimed rights are being amended in order to reflect the 1551.5 acres that was being irrigated on the ranch in 1987.

To assist in the understanding of these rights, I have included a the following table that lists the priority date, source, status, diversion rate, allowed uses, etc. of each right owned by the ranch and used for irrigational purposes. In addition, see the attached current water right map to identify the claimed location of the POU's and POD's of each water right, and the boundaries of the properties. After these rights are amended the total claimed irrigatable area of the permissible place of use should be 1551.5 acres and the POU and POD's of the amended claims should reflect this.

Group #1 water rights are seven (7) water rights that have been claimed in the SRBA and have been decreed in the Frost Decree. All of these rights are being diverted from the Big Wood River and are being used for irrigation. The claimed diversion rate of these claims are higher than the standard allowed limit of 0.02 cfs/acre and all of the rights in this group have combined limits above this standard (0.035 (37-60, 37-61, and 37-62), 0.0375 (37-230, 37-231B, and 37-232), or 0.05 (37-577AZ) cfs/acre). However, within the remarks of 37-230, 37-231B, and 37-232 it states that the water applied to the POU exceeds the standard limit and are based on historical water master records that show that larger diversion rates are needed due to the extremely porous soils. The remarks also

state that the water that is applied in excess of the standard enters the ground water system and is returned to the Big Wood River. Thus, these higher diversion rates should be justified.

Table 3: Current Status of the Diamond Dragon Ranch Water Rights

| Water Right #                                                                     | Priority Date | Source         | Diversion (cfs/afa) | Beneficial Use | Status in SRBA       | Allowed Acreage |
|-----------------------------------------------------------------------------------|---------------|----------------|---------------------|----------------|----------------------|-----------------|
| <b>Group #1: Claimed Irrigation Rights that Exceed the Standard Rate</b>          |               |                |                     |                |                      |                 |
| 37-60                                                                             | 07/01/1880    | Big Wood River | 2.80/---            | Irrigation     | Claim                | 400             |
| 37-61                                                                             | 07/01/1880    | Big Wood River | 8.40/---            | Irrigation     | Claim                | 400             |
| 37-62                                                                             | 07/01/1881    | Big Wood River | 2.80/---            | Irrigation     | Claim                | 400             |
| 37-230                                                                            | 05/15/1883    | Big Wood River | 4.00/---            | Irrigation     | Claim                | 160             |
| 37-231B                                                                           | 05/15/1883    | Big Wood River | 0.40/---            | Irrigation     | Claim                | 160             |
| 37-232                                                                            | 05/15/1884    | Big Wood River | 1.60/---            | Irrigation     | Claim                | 160             |
| 37-577AZ                                                                          | 03/24/1883    | Big Wood River | 2.90/203            | Irrigation     | Claim                | 57.9            |
| <b>Group #2: Claimed Irrigation Rights that are Below or At the Standard Rate</b> |               |                |                     |                |                      |                 |
| 37-63A                                                                            | 07/01/1881    | Big Wood River | 1.23/---            | Irrigation     | Claim                | 614             |
| 37-64A                                                                            | 05/01/1883    | Big Wood River | 3.32/---            | Irrigation     | Claim                | 614             |
| 37-66A                                                                            | 12/19/1882    | Big Wood River | 2.46/---            | Irrigation     | Claim                | 614             |
| 37-68A                                                                            | 06/26/1883    | Big Wood River | 0.98/---            | Irrigation     | Claim                | 614             |
| 37-70                                                                             | 05/15/1887    | Big Wood River | 1.98/---            | Irrigation     | Claim                | 520             |
| 37-71B                                                                            | 05/01/1882    | Big Wood River | 0.50/---            | Irrigation     | Claim                | 40              |
| 37-2492                                                                           | 09/16/1948    | Big Wood River | 2.80/490            | Irrigation     | Claim                | 140             |
| 37-2538                                                                           | 06/20/1953    | Big Wood River | 1.86/326            | Irrigation     | Claim                | 93              |
| 37-4266                                                                           | 03/01/1910    | Big Wood River | 2.26/396            | Irrigation     | Beneficial Use Claim | 113             |
| <b>Group #3: Irrigation Rights Not Claimed in the SRBA</b>                        |               |                |                     |                |                      |                 |
| 37-67A (Portion)                                                                  | 06/26/1883    | Big Wood River | 2.80/---            | Irrigation     | Frost Decree         | ---             |
| 37-69A (Portion)                                                                  | 06/26/1883    | Big Wood River | 2.55/---            | Irrigation     | Frost Decree         | ---             |

Group #2 water rights are nine (9) water rights that have been claimed in the SRBA and have been decreed in the Frost Decree except 37-2492, 37-2538, and 37-4266. Both 37-2492 and 37-2538 have currently been licensed and 37-4266 is still a beneficial use claim. All of these rights are being diverted from the Big Wood River except 37-2492 and 37-2538, which are diverted from ground water sources. The claimed diversion rates of these rights are all either below or at the standard allowed limit of 0.02 cfs/acre.

Since 37-4266 is still a beneficial use claim the validity of this right still needs to be determined. It is our understanding that ERO Resources out of Boise is currently working with IDWR to regarding the priority of this right.

William M. Black owned all of the decreed rights at the time of these decrees. E. Stuart Hadley then acquired this property and the water rights associated with the property since the time of these former decrees. However, some of these rights were still in William M.

Blacks name when these claims were being made in 1987. The included area within the POU of these original rights included land that is not currently owned by Hadley. Thus, in 1987 when these rights were claimed the rights were divided to reflect the new ownership of the property. Group #3 water rights are two rights (37-67A and 37-69A) that were originally decreed in the Frost Decree and are appurtenant to a portion of the property, but were never claimed in the SRBA. Wood River Ranch owns a portion of the property that these rights POU describe and have claimed the corresponding portions of these rights. However, the remainder of the two rights have never been claimed by the ranch, even though the Watermaster for this region has continued to deliver these rights. Therefore, these two rights are now being claimed.

Thank you for your time and thorough review of these amended claims. We would appreciate if these transactions could be approved and processed as soon as possible. If you have any questions concerning this narrative or any of the amended claims, please do not hesitate to contact our office.

MEMO TO FILE

TEMPORARY TRANSFER APPLICATION  
PICABO LIVESTOCK CO./ HARRY RINKER  
RIGHT #A37-00066A

PICABO LIVESTOCK CO THROUGH ITS OFFICER NICK PURDY HAS FILED THE TRANSFER AS TENANT OF THE PROPERTY. THE ACTUAL OWNER IS HARRY RINKER.

THE APPLICATION PROPOSES TO TRANSFER 50" OF THE 123" OF 1882 PRIORITY WATER UNDER THE ABOVE REFERENCED RIGHT. ACCORDING TO MR. PURDY HIS PUMPING SYSTEM IN THE BIG WOOD RIVER WILL ONLY PUMP 50" AND DELIVERS WATER TO A SYSTEM THAT COMINGLES GROUNDWATER AND SURFACE WATER.

THE PLACE OF USE IN THE APPLICATION CONSISTS OF THE ACRES UNDER GROUNDWATER LICENSE 37-02632 AND THE PENDING TRANSFER FOR T37-00577X3. ALL OF THIS PROPERTY IS CURRENTLY IRRIGATED WITH A SPRINKLER SYSTEM. THIS SAME PARCEL IS INCLUDED IN WHOLE OR PART IN SEVERAL SRBA SURFACE AND GROUNDWATER CLAIMS.

WATERMASTER, LEE PETERSON CONCURS WITH THE TRANSFER. HE INDICATED THE 1882 WATER DELIVERABLE TO HADLEY STUART IS BASICALLY NO LONGER AVAILABLE AS FAR SOUTH AS HIS LOCATION. HE ALSO AGREED THAT SALVATION OF THE CURRENT HAY CROP ON HARRY RINKER'S PROPERTY IS DEPENDENT ON ADDITIONAL WATER AT THE PROPOSED PLACE OF USE.

IT APPEARS THAT THE ORIGINAL DECREED RIGHT 37-00066 HAS BEEN SPLIT BY UNRECORDED TRANSFERS AND THE ADJUDICATION CLAIM A37-00066A IS THE CLOSEST RECORD OF ACTUAL USE REMAINING FOR THE RIGHT.

A PROPOSED SPLIT OF A37-00066A WOULD BE AS FOLLOWS:

**A37-00066A**

DIV. RATE: 2.46 CFS

P/D: 1S, 18E, S2, NWSE  
S11, NWNW

P/U: 1S, 18E, S11, 320 ACRES IN THE NE 1/4 & NW 1/4  
S12, 54 " " " NWNW & SWNW  
S14, 160 " " " NW 1/4  
S15, 80 " " " NENE & NWNE

**A37-00066B**

DIV. RATE: 1.46 CFS

P/D: NO CHANGE FROM ORIGINAL P/D

P/U: 1S, 18E, S11, SWNW--30 ACRES  
SENW--40 "

S12, SAME AS ORIGINAL  
S14, " " "  
S15, " " "

PAID TO PURDY

JUG 04 1984

T# 4400

A37-00066C

DIV. RATE: 1.0 CFS

P/D: 3N, 18E, S18, SENE

P/U: 3N, 18E, S18, NENE--22 ACRES NWNE--18 ACRES

SWNE--32 " SENE--18 "

NESE--16 " NWSE--15 "

NENW--12 "

S7, SESW--16 ACRES

NWSE--10 " SWSE--38 ACRES

SESE--10 "

APPROVED

AUG 04 1994

T # 4400