

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 37-67B
Date Received: 8/3/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

AMENDED

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

2. Date of Priority: 06/26/1883

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:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	10/15	3.3	

7. Total Quantity Appropriated is:
3.3 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
			SW SE	IRRIGATION	40
			SE SE	IRRIGATION	11.6
			NE SE	IRRIGATION	16.6
			NW SE	IRRIGATION	40
				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? Yes

13. Other Water Rights Used:

14. Remarks:

P/D INCORRECT IN TRANS. 104; CORRECT P/D VERIFIED BY WATERMASTER.

8-3-2005, DJ: PREVIOUSLY UNCLAIMED, ADDED TO SYSTEM IN PPU WITH OTHER CLAIMS .
OTHER CLAIMS AMENDED AT SAME TIME.

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

15. Basis of Claim: Decreed

AMENDED 37-67IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN 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) 06/26/1883
3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad 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 10/15 amount 3.3 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.3 (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.

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 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.

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 37-67

Court _____ Case Number _____ Decree Date 12/13/1909

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 _____ Title _____

Of Sea 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. Burdick _____

Title and Organization town & attorney Date 1/14/07

State of Idaho / or _____)

County of Twin Falls) ss.

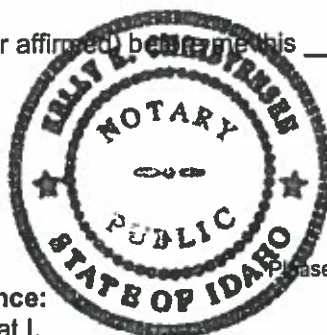
Subscribed and sworn (or affirmed) before me this 12th day of January, 20 07

Notary Public Kelly K. Christensen

Residing at Twin Falls, ID

My Commission Expires 4-2-2010

SEAL



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

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 37-67B
Date Received: 8/3/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SUN VALLEY RANCH LLC Phone:

PO BOX 40380
KETCHUM ID USA 83340

2. Date of Priority: 06/26/1883

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:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	10/15	2.8	

7. Total Quantity Appropriated is:
2.8 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
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			SW SW	IRRIGATION	37

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			NW	NW	IRRIGATION	16.7
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			NE	SW	IRRIGATION	40
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					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? Yes

13. Other Water Rights Used:

14. Remarks:

P/D INCORRECT IN TRANS. 104; CORRECT P/D VERIFIED BY WATERMASTER.

8-3-2005, DJ: PREVIOUSLY UNCLAIMED, ADDED TO SYSTEM IN PPU WITH OTHER CLAIMS .
OTHER CLAIMS AMENDED AT SAME TIME.

15. Basis of Claim: Decreed

37-67A (Portion)

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

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

32-67 B

5027882

RECEIVED

AUG 01 2005

Department of Water Resources
RECEIVED
Southern Division

RECEIVED

JUL 18 2005

**Department 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
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which is tributary to (b) Malad River
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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

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 03/15 to 10/15 amount 2.8 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.8 (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.

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

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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 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

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 37-67A (portion)
Court _____ Case Number _____ Decree Date 12/13/1909
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 that I have signed the foregoing
Organization
Document in the space below as Senior Member of Brockway Engineering P.C.C.
Title Organization

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

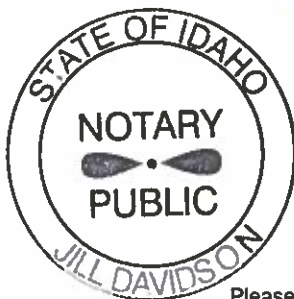
Signature of Authorized Agent [Signature]
Title and Organization Senior Member / Brockway Engineering Date 7-13-05

State of Idaho / or _____)
County of Twin Falls) ss.

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

Notary Public [Signature]
Residing at Twin Falls
My Commission Expires November 18, 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 _____



FIRST CLASS

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

RECEIVED
MAR 12 2007
DEPARTMENT OF
WATER RESOURCES

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B

Al
B
A

$$\begin{array}{r} 3.3 \\ 2.7 = 11826 \\ \hline 60 \end{array}$$

SUN VALLEY RANCH LLC
PO BOX 40380
KETCHUM ID 83340

NO SUCH ADDRESS

01/17/2007

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

RIGHT NUMBER: 37-67B

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

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3.300 CFS

PRIORITY DATE: 06/26/1883

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	3.300 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 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.

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.

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: 37-67B

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

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.800 CFS

PRIORITY DATE: 06/26/1883

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	2.800 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R18E S10	SESW	5.15	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

DO NOT FILM

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 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.

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.

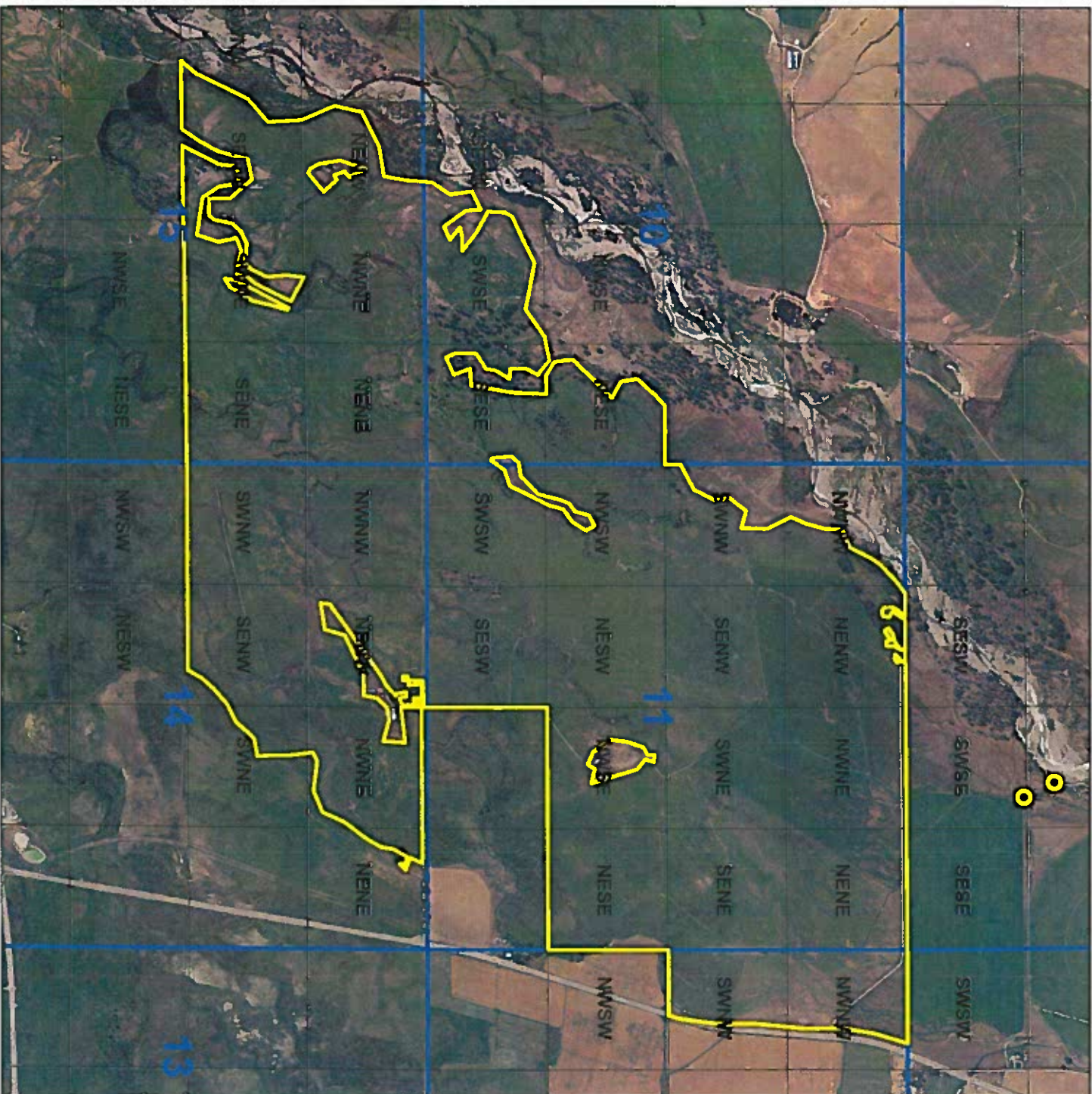
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

37-67B





Idaho Department of Water Resources

SRBA Recommendation:

37-67B

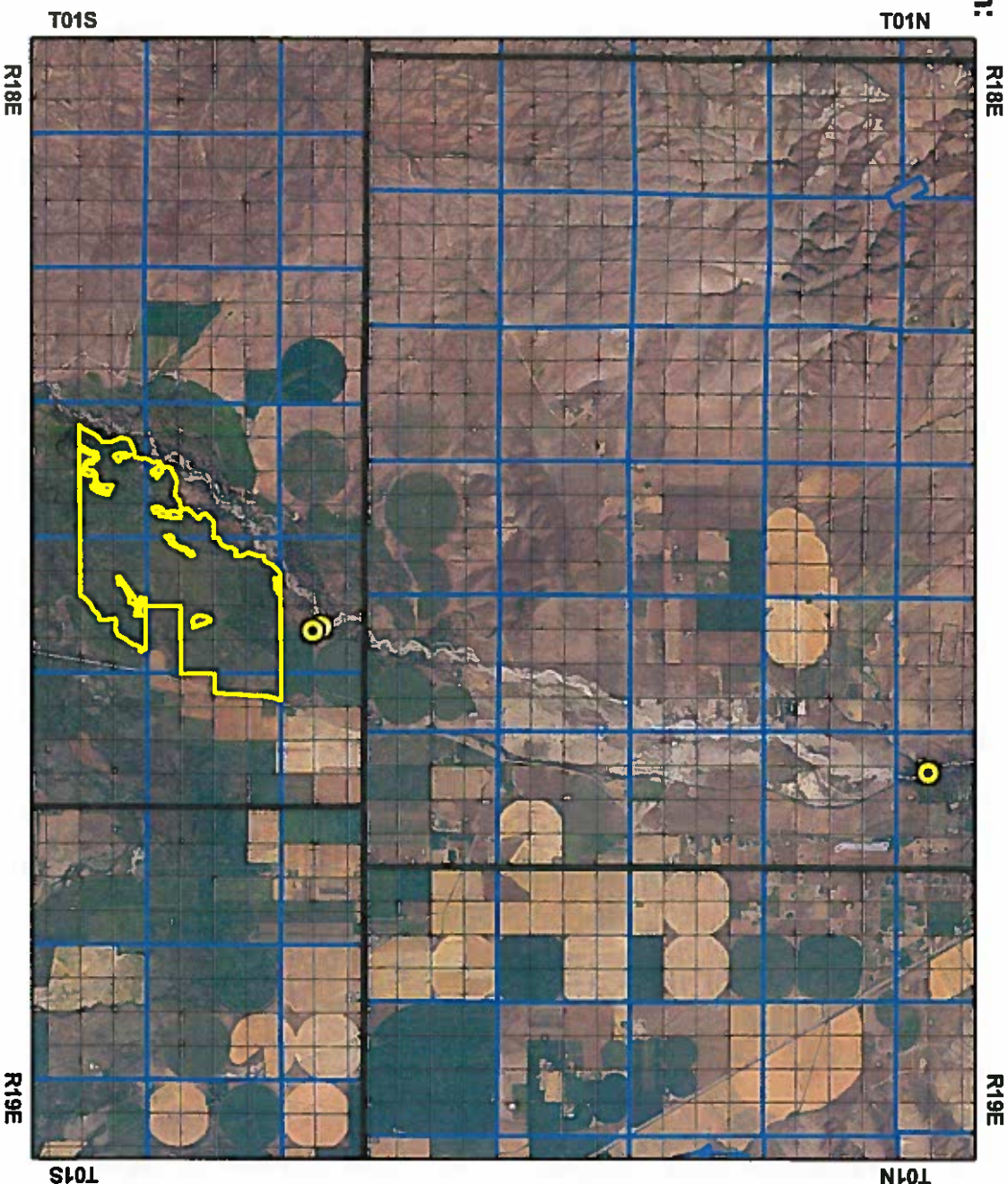
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by A. Merritt
On Wednesday, December 27, 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.

Water Right Report 37-67B

WATER RIGHT NUMBER: 37-67B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRANKLIN GRAF TOMOWAUK, IL
Original Owner	WILLIAM M BLACK BELLEVUE, ID 83313
Current Owner	WILLIS J BANZET , ZZ
Current Owner	HARRISON F GRAF TOMOWAUK, IL

Priority Date: 06/26/1883

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 /	2.700 CFS	
	Total Diversion:	2.700 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER **NE1/4SE1/4** **Sec. 35, Twp 01N, 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		
01N	18E	34										X	X			X	X	X	X	
01N	18E	35											X							
01S	18E	2			X L 2			X L 4	X L 3	X	X									
01S	18E	3			X L 2	X L 1									X	X			X	

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-67B

Conditions of Approval:

1. P/D INCORRECT IN TRANS. 104; CORRECT P/D VERIFIED BY WATERMASTER.

Remarks:Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
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

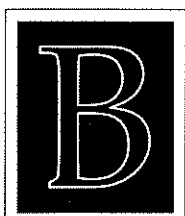
Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank:



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

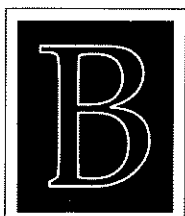
2016 NORTH
WASHINGTON
STREET • SUITE 4

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 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
Group #1: Claimed Irrigation Rights that Exceed the Standard Rate						
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
Group #2: Claimed Irrigation Rights that are Below or At the Standard Rate						
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
Group #3: Irrigation Rights Not Claimed in the SRBA						
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.

STATE OF IDAHO

-----OFFICE OF STATE ENGINEER-----

CERTIFICATE NO. 104, AUTHORIZING TRANSFER OF WATER RIGHT.

File 2-6 37-0065
37-0067
39-0069

Permission is hereby granted Harrison P. Graf, Franklin Graf and Willis J. Samsel, of Tomonah, State of Illinois, to transfer the use of six hundred (600) inches of the waters of Big Lost River, in the County of Blaine, State of Idaho, from the lands upon which it is now used, *i.e.*, Southwest quarter of Southwest quarter (SW4 SW4) and North half (N2) Section 11, part of Northwest quarter (NW4) Section 12, Northwest quarter (NW4) Section 14 and East half of Northeast quarter (NE NE4) Section 15, Lots 2, 3 & 4 and North half of Southwest quarter (N2 SW4) Section 2, East half of Southeast quarter (SE SE4), Northwest quarter of Southeast quarter (NW4 SE4) and Lots 1 & 2, Section 3, all in Township 1 South, Range 16 East of Boise Meridian, the North half of Southeast quarter (N2 SE4) and Southwest quarter of Southeast quarter (SW4 SE4) Section 34, in Township 1 North, Range 18 East of Boise Meridian, to the following described tract: North half of Southwest quarter (N2 SW4) and Southeast quarter (SE4) Section 34, Southwest quarter of Southwest quarter (SW4 SW4) Section 35, in Township 1 North, Range 18 East of Boise Meridian, Lots 2, 3 & 4 and North half of Southwest quarter (N2 SW4) Section 2, Lots 1 & 2 North half of Southeast quarter (N2 SE4) and Southeast quarter of Southeast quarter (SE4 SE4) Section 3, Township 1 North, Range 18 East of Boise Meridian, said water to be diverted from Big Lost River in the southwesterly part of the northeast quarter of Section 35, Township 1 North, Range 1 East of Boise Meridian.

The water rights appurtenant to the above described lands were adjudged by decree, dated December 15, 1909, of Alfred Budge, Acting Judge of the Fourth Judicial District of the State of Idaho, in and for the County of Blaine, in the matter of S. C. Frost, et al, plaintiffs, vs. Alturas Water Company, et al, defendants, in the following words:

"It is ordered, adjudged and decreed, that the several parties, plaintiffs and defendants herein named, do have judgment respectively for a right to use, for irrigation and other purposes, the following number of inches of water from the waters of the said or its head river and its tributaries, situated in the counties of Blaine and Lincoln, State of Idaho, their priorities to date from the times hereinafter named, to-wit:

"William J. Black,	685 inches,	date June 15, 1883"
" " "	300 "	June 26, 1883"
" " "	250 "	Oct. 25, 1885"

William Black transferred six hundred (600) inches of the above water rights to W. F. Graf, by deed dated October 24, 1910.

W. F. Graf transferred said six hundred (600) inches of water to Harrison P. Graf, Franklin Graf and Willis J. Samsel, by deed dated October 25, 1911.

Witness my hand and the seal of my office at Boise, Idaho, this sixth day of September, 1912.

A. E. Robinson,

State Engineer.

(SEAL)

100

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
--------------	------	------------------	-------------------	--------------

	Black, Wm.	6.0		37-0067
104	Graf, Harrison F.	~~3.92~~ 3.93	~~3.08~~ 2.07	37-0067A

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MICROFILMED