

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-2024

NAME AND ADDRESS: EAGLE RIDGE RANCH LLC
2880 N 55 W
IDAHO FALLS ID 83402

SOURCE: SHEEP CREEK

TRIBUTARY: ISLAND PARK RESERVOIR

QUANTITY: 0.230 CFS

PRIORITY DATE: 10/10/1906

POINT OF
DIVERSION:

T13N R42E S14 SENWSW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

05/01 10/31

0.230 CFS

DOMESTIC

PLACE OF USE: IRRIGATION in FREMONT County

T13N R42E S14

NESW

1.20

T13N R42E S14

NWSW

10.00

DOMESTIC same as IRRIGATION

11.2 ACRES TOTAL

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 - License

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

Point of Diversion is known as Jacob's Dam.



Idaho Department of Water Resources

MEMORANDUM

File: 21-4140, 21-2024, 21-13064 Eagle Ridge Ranch
Date: March 4, 2009
Subject: Objection Resolution

Meet with Rob Harris to discuss the above listed subcases. Joe Larsen had been working with Rob regarding the development of new ponds and an increase of 21-4140. From the meeting on March 4, 2008, this is what I understood.

21-4140 is currently for 75 AFY but needs to be amended to 100 AFY based on the increase of storage in 1994. They will file to set aside the partial decree issued on 4/8/09.

21-13064 will be withdrawn if 21-2024 can be changed to 10 acres @ 0.02 CFS/acre from 50 acres.

From the desk of Denise Kidman



Idaho Department of Water Resources

MEMORANDUM

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Date: March 4, 2009
Subject: Objection Resolution

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21-13064 will be withdrawn if 21-2024 can be changed to 10 acres @ 0.02 CFS/acre from 50 acres.

May 20, 2009

Meet with Rob Harris again. Amended claim for 21-4140 will bring volume up to 100 AFY. An enlargement water right will be filed to cover the additional volume from the increase of the dam in 1994. ADR was created and sent to Boise 4/21/2009.

If late claim 21-2024 was recommended at 10 acres, Rob Harris will withdraw late claim 21-13064. An application for permit will be filed to cover the three additional ponds.

I discussed with Ernie about what would be the best way to file the permits. Depending on the source of the ponds, an application might need to be filed for each pond.

Pond 1.176 Source: Blue Creek Tributary: Sheep Creek

Pond 0.420 Source: Dry Creek and Sheep Creek Tributary: Sheep Creek or Blue Creek

Pond 1.155 Source: Dry Creek, Blue Creek, and Sheep Creek Trib: Island Park Reservoir

Need to talk to Rob Harris on Ponds.

From the desk of Denise Kidman

Sheep Creek *
1 second foot *
Fremont County *
Irrigation and domestic *
Priority 10-10-1906 *

S T A T E O F I D A H O

Water License No. 2342

WHEREAS, On the 10th day of October A.D. 1906, WILLIAM A. McCREA, of Rea, County of Fremont, State of Idaho, duly made application (No.3279) to me for a permit to use three and two-tenths (3.2) cubic feet per second of the waters of Sheep Creek, County of Fremont, State of Idaho, for irrigation and domestic purposes; and

WHEREAS, On the 23rd day of October A.D. 1906, Permit No. 2342 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 23rd day of October A.D. 1909, and for the application to beneficial use of said water on or before the 23rd day of October A.D. 1910, and

WHEREAS, On the 22nd day of October A.D. 1909, WILLIAM S. McCREA, the holder of said permit duly made proof of the completion of adequate works for the diversion of three and two-tenths (3.2) cubic feet per second of said waters, as evidenced by my Certificate No. 2342, dated April 25, 1910, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use three and two-tenths (3.2) cubic feet per second of water, with date of priority of October 10, 1906, and

WHEREAS, On the 22nd day of October A.D. 1909, WILLIAM S. McCREA, the holder of said permit duly made proof of the application to beneficial use of one (1) cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to WILLIAM S. McCREA of Rea, County of Fremont, State of Idaho, the holder and owner of said Permit No. 2342, a perpetual right, dating from October 10, 1906, to the use of one (1) cubic foot per second of the waters of Sheep Creek, in the County of Fremont, and State of Idaho or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point near center of west line of the Northwest quarter of southeast quarter of section 15, township 13 North, Range 42 East of Boise Meridian, and conducted to and upon 20 acres in the Northwest quarter of the southwest quarter and 30 acres in the northeast quarter of the southwest quarter Section 14, township 13 north, Range 42 East of Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State. and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 25th day of April A.D.

Nineteen hundred and ten.

(SEAL)

Recorded April 25, 1910

D.G.Martin

State Engineer

21 2024

Kidman, Denise

From: Rob Harris [rharris@holdenlegal.com]
Sent: Thursday, May 28, 2009 9:00 AM
To: Kidman, Denise
Subject: RE: 21-2024

Denise:

Thanks for the email. The point of diversion should be at Jacob's Dam. When the water right was initially claimed, I based it on the old water right description, and there has been a change since then (I discovered on my field exam). What has now happened is that there is a small pump near the actual dam where water was pumped for irrigation where I've depicted on the map I left you. So, the POD should be Jacob's Dam. I should have thought about amending the claim, but I didn't. Let me know if you think I'd need to file an amended claim, or if it is close enough to since recommend it as it should be. Before the dam was put in, it is my understanding (from visiting with one of the ranch hands) that the ditch heading was above the reservoir in the quarter-quarter claimed. Today, it taken from the dam.

On the source, I believe it should be Sheep Creek. There is a small tributary that also goes into Sheep Creek just before the western edge of the reservoir, but my understanding is that the diversion heading had been on Sheep Creek previously.

Thanks for your thorough review. Let me know if you want to discuss further. I called your office today, and understand you are not in, so perhaps we can touch base tomorrow.

Thanks,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, PLLC
1000 Riverwalk Drive, Suite 200
P.O. Box 50130
Idaho Falls, ID 83405-0130
Phone: (208) 523-0620
Fax: (208) 523-9518
E-Mail: rharris@holdenlegal.com

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From: Kidman, Denise [mailto:Denise.Kidman@idwr.idaho.gov]
Sent: Wednesday, May 27, 2009 9:30 AM
To: Rob Harris
Subject: 21-2024

Rob,

The claim has the POD at T13N R42E Sec 15 NWSE but on ArcMap it is at T13N R42E Sec 14 NWSW (Jacob's Dam). Where is the POD? How is it delivered? I thought you said that it flows into "pond 1" (your map from July

5/29/2009

11, 2007) and dispersed from there.

The DRG map shows a possible source could be Blue Creek, Dry Creek, and Sheep Creek depending on how the delivery system has been designed.

Could you please look into this and let me know? Once I get that information, I can get a recommendation completed.

Thanks,

Denise Kidman

Water Resource Agent

Department of Water Resources

(208) 525-7161

(208) 525-7177 fax

!DSPAM:1090,4a1d5d3a89891804284693!

Kidman, Denise

From: Rob Harris [rharris@holdenlegal.com]
Sent: Friday, May 29, 2009 10:46 AM
To: Kidman, Denise
Subject: RE: 21-2024

It was when the dam was put in in 1935.

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, PLLC
1000 Riverwalk Drive, Suite 200
P.O. Box 50130
Idaho Falls, ID 83405-0130
Phone: (208) 523-0620
Fax: (208) 523-9518
E-Mail: rharris@holdenlegal.com

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From: Kidman, Denise [mailto:Denise.Kidman@idwr.idaho.gov]
Sent: Friday, May 29, 2009 10:22 AM
To: Rob Harris
Subject: RE: 21-2024

Rob,

When was the POD changed from the old water right description to Jacob's Dam? That will determine if the claim needs to be amended. Let me know.

Thanks,

Denise Kidman

From: Rob Harris [mailto:rharris@holdenlegal.com]
Sent: Thursday, May 28, 2009 9:00 AM
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6/2/2009

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The DRG map shows a possible source could be Blue Creek, Dry Creek, and Sheep Creek depending on how the delivery system has been designed.

Could you please look into this and let me know? Once I get that information, I can get a recommendation completed.

Thanks,

Denise Kidman

Water Resource Agent

Department of Water Resources

6/2/2009

Hearing 10-16-2007

RECEIVED
JUL 17 2007
DEPARTMENT OF
WATER RESOURCES

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 SRBA

Case No. 39576

A. Subcase 21-2024
(Insert water right number
From the Objection Form)

STANDARD FORM 4

MOTION TO FILE:

☒ LATE NOTICE OF CLAIM

☐ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

√ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is _____

My address is _____

My phone number is: Work _____ Home _____

I am an attorney representing Eagle Ridge Ranch, LLC

My name is Kent W. Foster; Holden, Kidwell, Hahn & Crapo, PLLC

My address is PO Box 50130, Idaho Falls, ID 83405-0130

My phone number is 208-523-0620

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

√ I did not file a Notice of Claim to the use of water in the SRBA because:

The need to file this claim was only recently discovered in connection with negotiations with IDWR to resolve an objection to another claim.

- ☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.
- ☐ I am providing a legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of you Notice of Claim.)
- _____

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 150.00.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on October 16, 2007 at 1:30 p.m.
(Insert Date and Time)
at the SRBA Court courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

- √ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

See enclosed aerial photograph

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION

State of Idaho

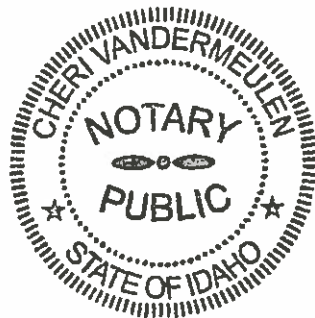
County of Bonneville

Kent W. Foster, being first duly sworn, upon oath, deposes and says:

That I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.


Kent W. Foster, Attorney

Subscribed and sworn to before me this 13th day of July, 2007.




Notary Public for Idaho
Residing at: Idaho Falls, ID
My Commission expires: July 7, 2009

CERTIFICATE OF MAILING

I certify that on this 15th day of July, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amend Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.



Kent W. Foster, Attorney

G:\WPDATA\KWF\11129 Eagle Ridge ranch, LLC\Motion to File Late Claim, 21-2024 wpd

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 21-2024
Date Received: 7/10/2007
Receipt No:
Received By: TG

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

EAGLE RIDGE RANCH LLC Phone: (208)552-1162
2880 N 55 W
IDAHO FALLS ID USA 83402

2. Date of Priority: 10/10/1906

3. Source: SHEEP CREEK Trib. to: ISLAND PARK RESERVOIR

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13N	42E	15	NW SE	FREMONT	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/31	1	

7. Total Quantity Appropriated is:
1 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
13N	42E	14	NW SW	IRRIGATION	20
			NE SW	IRRIGATION	30
				Section Acres	50
				Total Acres	50

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

14. Remarks:

This claim will remain in temporary status until approved by the court.

15. Basis of Claim: License

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 Organizations:

I do solemnly swear or affirm that I am Managing member of
Title
Eagle Ridge Ranch LLC, that I have signed the foregoing
Organization
document in the space below as Managing member of
Title
Eagle Ridge Ranch LLC and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Managing member, Eagle Ridge Ranch
Title and Organization

7/12/07
Date

State of Idaho)
County of Bonnerille) SS.

Subscribed and sworn (or affirmed) before me this 12th day of July 2007

[Signature]

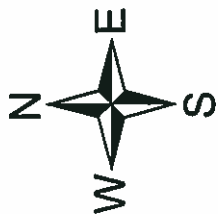
Notary Public

Residing at Idaho Falls, Idaho

My commission Expires 11/20/2007



EAGLE RIDGE RANCH PROPERTY

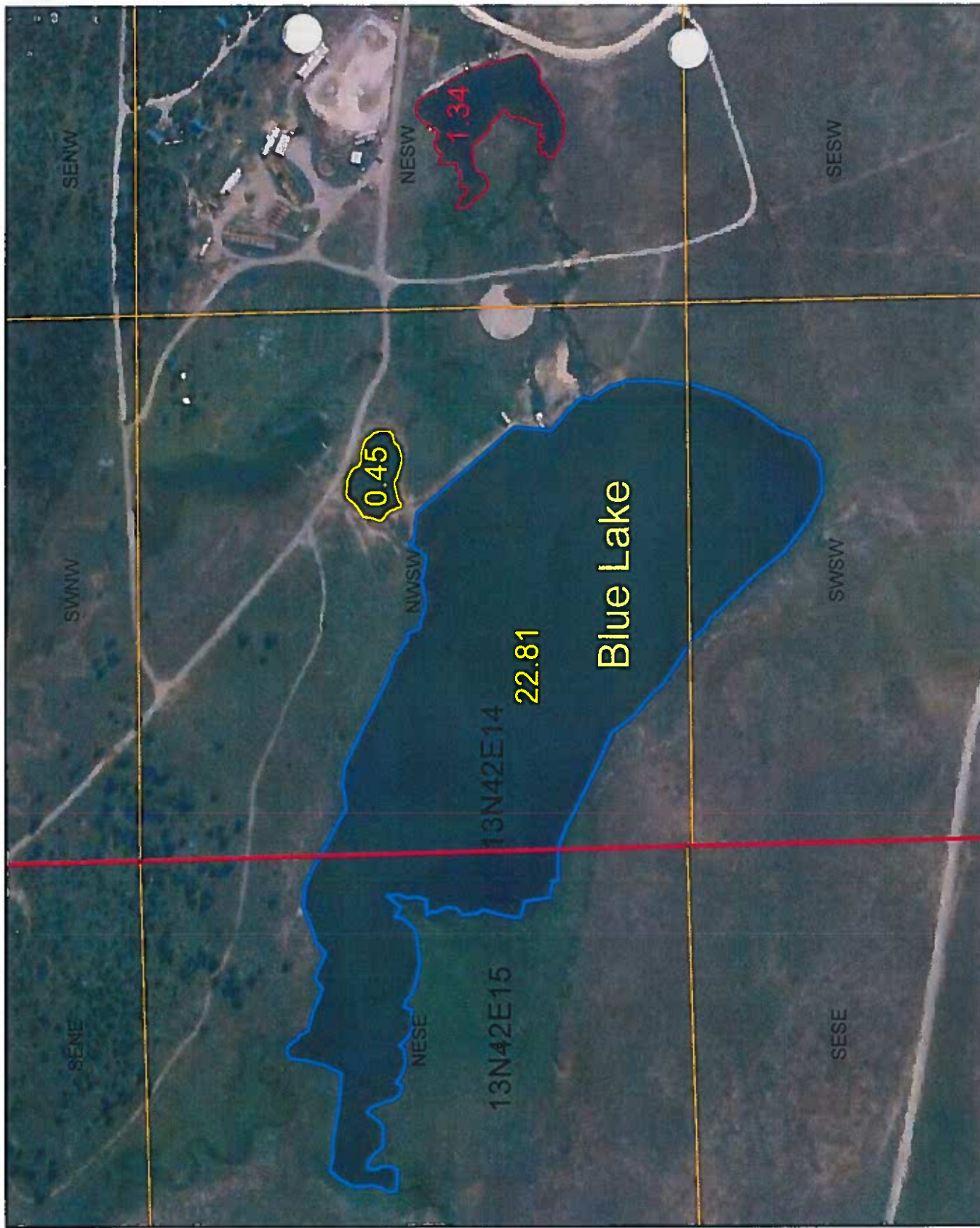


Legend

- Pond_1
- Pond_2
- Section_Lines
- Quarter-quarters
- Blue_Lake

SCANNED
JUL 17 2007

Prepared by:
Robert L. Harris
2004 NAIP Aerial Photo
July 11, 2007



21-2024 License

¹⁹⁹²
*no pre-~~1998~~ imagery

10/10/1906

Sheep Creek

1 cfs

Irrigation * domestic

POD: near center line of NWSE Sec 15 T13N R42E
20ac NWSW Sec 14 T13N R42E
30ac NESW Sec 14 T13N R42E
50ac

21-2024 Claim

10/10/1906

Sheep Creek

POD: 13N 42E 15 NWSE

Irrigation - 1 cfs

13N 42E 14 NWSW 20 ac
NESW 30 ac
50ac

map shows Blue Lake, which they've claimed
under 21-4140 - contested recommendation
* is up for trial in 2008

* Call Trent Galbraith

Blue Lake inquad

When was Blue Lake constructed? (looks like part of right forfeited
after construction of homes)
Are they actually irrigating? Why were they encouraged
to file this?

* Then call claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 1, 2007

KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right - #21-2024 and 21-13064
Your Client: Eagle Ridge Ranch, LLC

Dear Mr. Foster:

There was an overpayment of fees on these late claims. The refund process has been initiated with the State Auditor's Office. You should receive a check in the near future.

Sincerely,

Carter Fritschle
Section Manager
Adjudication Bureau

CLF:ss:region:ref

SCANNED
NOV - 1 2007

REFUND REQUEST

TO: S. Sherman to Log In
 FOR: C. Fritschle/D. Allen
 FROM: S. Sherman Date: 10-29-07
 SUBJ: Receipt No. CO85176 +177 (Please attach ARQ2 Receipt copy immediately behind blue form)

RE: PayOR Holden Kidwell Hahn + Grap, LLC
 Address PO Box 50130
Idaho Falls ID 83405

Claimant(s) if NOT Payor Eagle Ridge Ranch LLC

Refund Amount \$ 248.89 Claim Location (Region/Claimant) (state afc)

Extension Filed? Y/N NA Copy Attached? Y/N NA

Late Fees Paid? Y/N NA Late Fee Receipt #

S.O. Verified Ext. by on D.B. Query by

Refund Generated By (☒) Agent () Claimant

Refund Category:

insufficient fees / claim incomplete / withdrawn / (o-pmt)

Date of Last Correspondence (copy attached)

Claim No.	Use*	Fees Paid	Correct Fee	Rec't #
<u>21-2024</u>	<u>81</u>	<u>\$150.-</u>	<u>300.00</u>	<u>CO85176</u>
<u>21-13064</u>	<u>47</u>	<u>\$100.-</u>	<u>201.29</u>	<u>CO85177</u>
<u> </u>	<u> </u>	<u>\$ </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u>\$ </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u>\$ </u>	<u> </u>	<u> </u>
Total		<u>\$750.-</u>	<u>\$501.29</u>	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached (Y/N)

Region AJ Spvsr. Approval S.O. AJ Spvsr. Approval CS
 C. Fritschle Approval C. Fritschle Hold To Fiscal 11-1-07
 Data Base Modified? Y/N (NA) A &/or R Records By on 10-29-07

SCANNED

NOV - 1 2007

Sherman, Sally

From: Shaff, Don
Sent: Friday, October 26, 2007 10:59 AM
To: Saxton, Craig
Cc: Sherman, Sally
Subject: RE: Filing fees for 21-2024 and 21-13064

Thanks for crunching the numbers. Make the notes for the files to show how the money was divided for the claims between the two receipts, and refund the balance only from the receipt(s), in my opinion.

Don Shaff
 (208)287-4921
 don.shaff@idwr.idaho.gov

-----Original Message-----

From: Saxton, Craig
Sent: Friday, October 26, 2007 10:50 AM
To: Shaff, Don
Cc: Sherman, Sally
Subject: Filing fees for 21-2024 and 21-13064

Hey Don,

I was looking through the motions for late claims that you put some notes on and found that Kent Foster submitted incorrect filing fees for two claims. He paid \$398.80 too much for one of the claims and was short \$150.00 for the other. The overall result is that we need to refund them \$248.80. Can we do this? Or should we refund the \$398.80 and ask for a separate \$150.00?

The details are described below.

Craig

21-2024:

The filing fee submitted for 21-2024 was \$150.00

The fee should be calculated as follows:

\$100.00	Late Fee
\$100.00	Claim Fee
<u>\$100.00</u>	variable fee: \$2.00 per acre @ 50 acres
\$300.00	

It would appear that the filing fees submitted were based on the old fee schedule.

The claimant needs to submit an additional \$150.00 filing fee.

SCANNED
 OCT 29 2007

10/29/2007

21-13064:

The filing fee submitted for 21-13064 was \$600.00

The fee should be calculated as follows:

\$100.00	Late Fee
\$100.00	Claim Fee
<u>\$1.20</u>	variable fee: See calculation below:
\$201.20	

$$(cfs) = \frac{4.28 \text{ af}}{(1.9835)(365 \text{ days})} = 0.006 \text{ cfs} = (0.006 \text{ cfs})(\$200) = \$1.20 \text{ variable fee}$$

Filing fees submitted for 21-2024 were \$150.00

The claimant should be refunded \$398.80

Over all, IDWR should refund \$248.80 to Holden, Kidwell, Hahn and Crapo PLLC

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 21-2024
Date Received: 7/10/2007
Receipt No:
Received By: TG

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

DISTRICT COURT - 5th JUDICIAL DISTRICT
TWIN FALLS CO., IDAHO
FILED
2007 JUL 16 AM 10 39

1. Name of Claimant(s)

EAGLE RIDGE RANCH LLC Phone: (208)552-1162
2880 N 55 W
IDAHO FALLS ID USA 83402

2. Date of Priority: 10/10/1906

3. Source: SHEEP CREEK Trib. to: ISLAND PARK RESERVOIR

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13N	42E	15	NW SE	FREMONT	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/31	1	

7. Total Quantity Appropriated is:
1 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
13N	42E	14	NW SW	IRRIGATION	20
			NE SW	IRRIGATION	30
Section Acres					50
Total Acres					50

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

14. Remarks:

This claim will remain in temporary status until approved by the court.

15. Basis of Claim: License

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 Organizations:

I do solemnly swear or affirm that I am Managing Member of
Eagle Ridge Ranch LLC, that I have signed the foregoing
document in the space below as Managing Member of
Eagle Ridge Ranch LLC and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Managing Member, Eagle Ridge Ranch
Title and Organization

7/12/07

Date

State of Idaho)

County of Bonneville) SS.

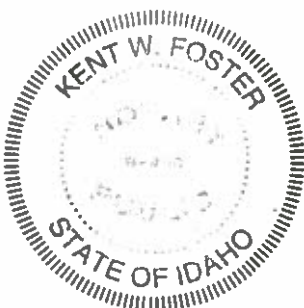
Subscribed and sworn (or affirmed) before me this 2nd day of July 2007

Kent W. Foster

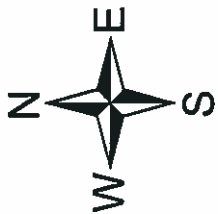
Notary Public

Residing at Idaho Falls, Idaho

My commission Expires 11/20/2007



EAGLE RIDGE RANCH PROPERTY



Legend

-  Pond_1
-  Pond_2
-  Section_Lines
-  Quarter-quarters
-  Blue_Lake

SCANNED
OCT 24 2007

Prepared by:
Robert L. Harris
2004 NAIP Aerial Photo
July 11, 2007



0 0.05 0.1 0.2 Miles

RECEIVED
OCT 23 2007
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

OCT 19 2007

By _____ Clerk
Deputy Clerk

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

In Re SRBA

Subcases: 21-02024 & 21-13064

Case No. 39576

ORDER GRANTING MOTIONS TO FILE
LATE NOTICES OF CLAIM

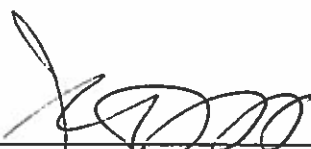
On July 16, 2007, Eagle Ridge Ranch, LLC, by and through counsel, Kent W. Foster, filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on October 16, 2007. These *Motions* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for each of the above-captioned water rights is **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claims will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated OCT 18, 2007.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTIONS TO FILE LATE NOTICE OF CLAIM was mailed on October 19, 2007, with sufficient first-class postage to the following:

EAGLE RIDGE RANCH LLC

Represented by:

KENT W FOSTER

1000 RIVERWALK DR, STE 200

PO BOX 50130

IDAHO FALLS, ID 83405

Phone: 208-523-0620

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

ORDER

Page 1 10/19/07

FILE COPY FOR 00474

Depu  SCANNED

OCT 24 2007



Idaho Department of Water Resources

Adjudication Recommendation

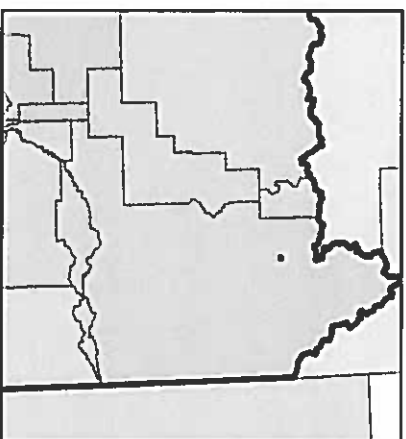
21-2024

(IRRIGATION)

R42E

Legend

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



Fremont County
IDWR Basin 21

Prepared by Denise Kidman
On June 04, 2009
2004 Aerial Photography



T13N



EAGLE RIDGE RANCH PROPERTY



Legend

-  OriginalPOU_21-2024
-  21-2024_Irr_Acres
-  Section_Lines
-  Quarter-quarters



Prepared by:
Robert L. Harris
2004 NAIP Aerial Photo

0 0.04 0.08 0.16 Miles



STAFF TIME LOG

LATE CLAIMS

Claim No(s). 21-2024

[illegible]