

11/14/2006

NOTICE OF ERROR
REPLY

RECEIVED

DEC 08 2006

DEPARTMENT OF
WATER RESOURCES

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-2338

SAGEROCK RANCH LLC

C/O TOM STEPHENSON

1205 PRINGLE RD

WEISER ID 83672

Telephone Number: (208)549-3595

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

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

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

☒

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

DATE:

12-7-06

SIGNATURE:

Jeff L Widener

Please print your name:

Jeff Widener

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

SCANNED

DEC 11 2006

CONVERSATIONAL MEMORANDUM

Date: November 20, 2006

To: File 67-4165, 67-4171, 67-4451, (67-2338 and 67-7293)

From: Craig L. Saxton

Subject: Phone Call – Preliminary mailing

Spoke with Ida Homes regarding the preliminary mailing.

67-4165, 67-4171, 67-4451:

All were disallowed because they didn't send in EOP. I explained this to her. She said she would go to the assessors office and look at the tax notices and see if she can find something that shows the ground as irrigated ground before the mandatory permit statute. She will send in. We spoke about the meeting and I told her she didn't have to go and that it was mostly for information.

67-2338 and 67-7293:

Recommended as licensed. I told her I didn't see anything obvious that changed from the licenses. She seemed satisfied.

10/11/2006

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

RIGHT NUMBER: 67-2338

NAME AND ADDRESS: SAGEROCK RANCH LLC
C/O TOM STEPHENSON
1205 PRINGLE RD
WEISER ID 83672

SOURCE: SCOTT CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.000 CFS
792.000 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

The rights listed below are limited to a total combined annual diversion volume of 1309.5 af. Combined Right Nos.: 67-2266, 67-2285, 67-2338, 67-7784.

PRIORITY DATE: 12/16/1965

POINT OF DIVERSION:

T11N R06W S11 SESW Within WASHINGTON County
T11N R06W S11 SESW Within WASHINGTON County
T11N R06W S14 SENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	2.000 CFS 792.00 AFY

PLACE OF USE: IRRIGATION Within WASHINGTON County

T11N R06W S11	NWSW	38.00	T11N R06W S11	SWSW	36.00
T11N R06W S11	SESW	5.00	T11N R06W S11	SWSE	5.00
T11N R06W S11	SESE	1.00	T11N R06W S14	NENE	8.00
T11N R06W S14	NWNE	40.00	T11N R06W S14	SWNE	10.00
T11N R06W S14	SENE	3.00	T11N R06W S14	NENW	25.00
T11N R06W S14	SENW	5.00			

176 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 291 acres in a single irrigation season. Combined Right Nos.: 67-2266, 67-2285, 67-2338, 67-7293 and 67-7784.

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 No. 67-7293 is also diverted through point of diversion described above.

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 67-2338
Date Received: 10/5/1989
Receipt No: W006159
Received By:

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

1. Name of Claimant(s)

SAGEROCK RANCH LLC Phone: (208)549-3087

C/O JEFF WIDENER
1205 PRINGLE RD
WEISER ID USA 83672

2. Date of Priority: 12/16/1965

3. Source: SCOTT CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11N	06W	11	SE SW	WASHINGTON	
11N	06W	14	SE NW	WASHINGTON	
11N	06W	11	SE SW	WASHINGTON	

5. Description of diverting works:

DIVERSION DAM, DITCH & HEADGATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	2	792

7. Total Quantity Appropriated is:
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
11N	06W	11	NW	SW		IRRIGATION	38
			SW	SW		IRRIGATION	36
			SE	SW		IRRIGATION	5
			SW	SE		IRRIGATION	5
			SE	SE		IRRIGATION	1
						Section Acres	85
11N	06W	14	NE	NE		IRRIGATION	8
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	10
			SE	NE		IRRIGATION	3
			NE	NW		IRRIGATION	25
			SE	NW		IRRIGATION	5
						Section Acres	91
						Total Acres	176

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

DELETED STOCKWATER AND SOME ACREAGE.

License issued April 8, 2005. Basis of claim changed from permit to license (mvanbussum 06-09-05).

Claim amended to reflect approved license 67-02338. Claim filed based on permit in 1989 and license approved in 2005. Approval of license 67-02338 amends claim (mvanbussum 6-15-2005)"

15. Basis of Claim: License

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 67-2338
Date Received: 10/5/1989
Receipt No: W006159
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

H J H CO Phone: (208)549-3929

C/O CARL HENNINGS
1005 W 2ND ST
WEISER ID USA 83672

2. Date of Priority: 12/16/1965

3. Source: SCOTT CREEK , SCOTT CREEK , SCOTT CREEK Trib. to: SNAKE RIVER , SNAKE
RIVER , SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11N	06W	11	SE SW	WASHINGTON	
11N	06W	14	SE NW	WASHINGTON	
11N	06W	11	SE SW	WASHINGTON	

5. Description of diverting works:

DIVERSION DAM, DITCH & HEADGATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	2	792

7. Total Quantity Appropriated is:
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
11N	06W	11	NW	SW	IRRIGATION	38
			SW	SW	IRRIGATION	36
			SE	SW	IRRIGATION	5
			SW	SE	IRRIGATION	5
			SE	SE	IRRIGATION	1
					Section Acres	85
11N	06W	14	NE	NE	IRRIGATION	8
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	10
			SE	NE	IRRIGATION	3
			NE	NW	IRRIGATION	25
			SE	NW	IRRIGATION	5
					Section Acres	91
					Total Acres	176

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

DELETED STOCKWATER AND SOME ACREAGE.

License issued April 8, 2005. Basis of claim changed from permit to license (mvanbussum 06-09-05).

Claim amended to reflect approved license 67-02338. Claim filed based on permit in 1989 and license approved in 2005. Approval of license 67-02338 amends claim (mvanbussum 6-15-2005)"

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 _____ of
Title

_____, that I have signed the foregoing
Organization

document in the space below as _____ of
Title

_____, and that the statements contained in the
Organization
foregoing document are true and correct. _____

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

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: 39576

Ident. Number: A67-02338
Date Received: 10/04/1989
Receipt No: W0006159
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: H J H CO. 208-549-3929
Address: C/O CARL HENNINGS
1005 W. 2ND ST.
WEISER, ID 83672

2. Date of Priority: DEC 16, 1965

3. Source: SCOTTS CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	06W	2	NE	SW			WASHINGTON

5. Description of diverting works:
DIVERSION DAM, DITCH & HEADGATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11N	06W	11	NE	SW		IRR	10.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0

A67-02338

Page 1

Date: 10/04/89

SCANNED
MAY 10 2004
MICROFILMED
OCT 02 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11N	06W	11	SE		SW		IRR	25.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	275.0
							Total Acres	275.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
A67-07293, A67-02285, A67-02266

14. Remarks:
DELETED STOCKWATER AND SOME ACREAGE.

15. Basis of Claim: PERMIT
Water Right Number: 32644

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: 4

For Organizations:

I do solemnly swear or affirm that I am president of H-J-H Company , that I have signed the foregoing document in the space below as president of H-J-H Company and that the statements contained in the foregoing document are true and correct.

 Caulo Skrupny
Signature of Authorized Agent

 pres - H-J-H Co
Title and Organization

 10/4/89
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 4 day of October 19 89

 Linda A. Werner
Notary Public

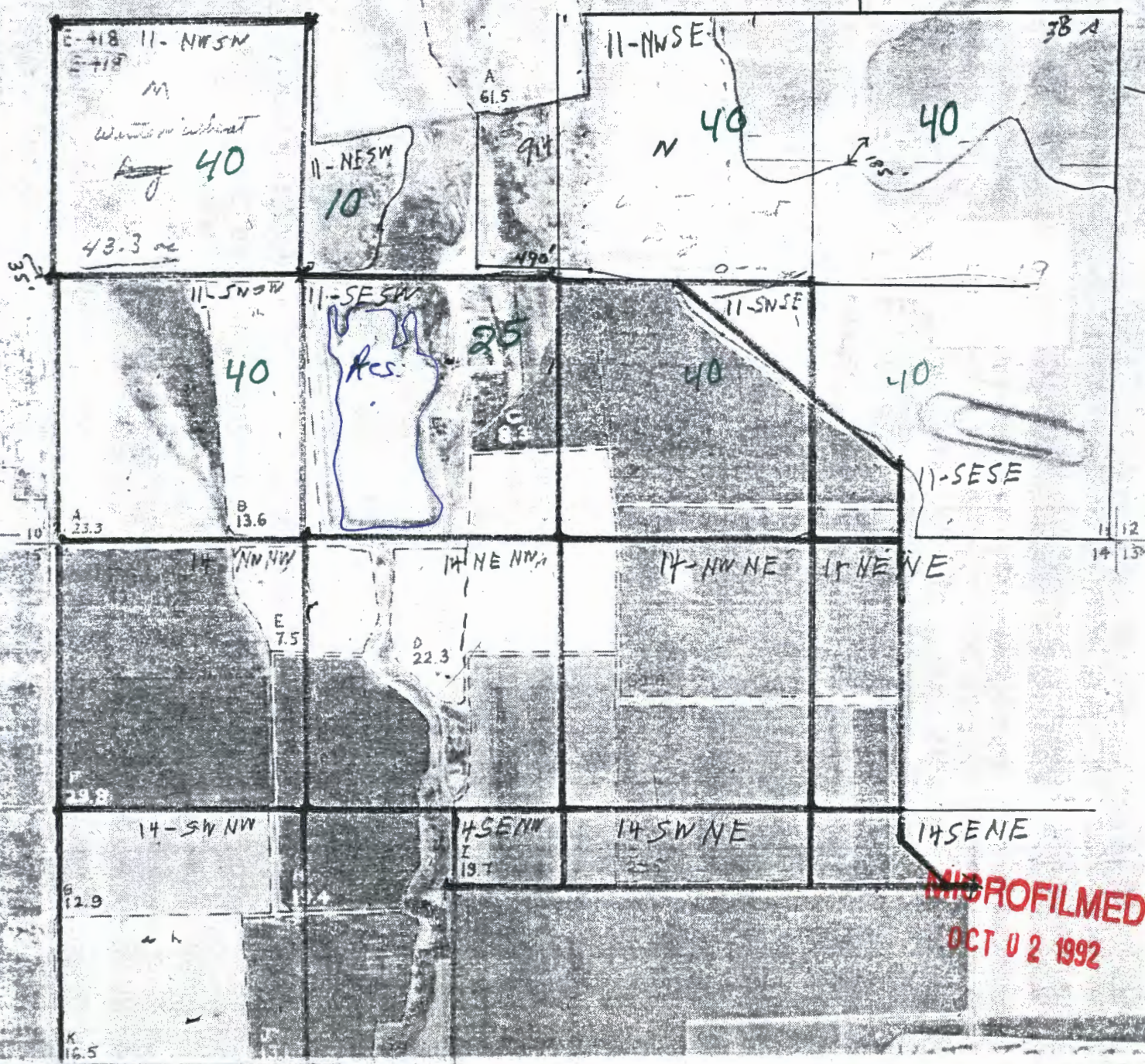
Seal

Residing at Linda A. Werner
 Residing at Boise, Idaho
My Commission Expires December 8, 1994

MICROFILMED
OCT 12 1992

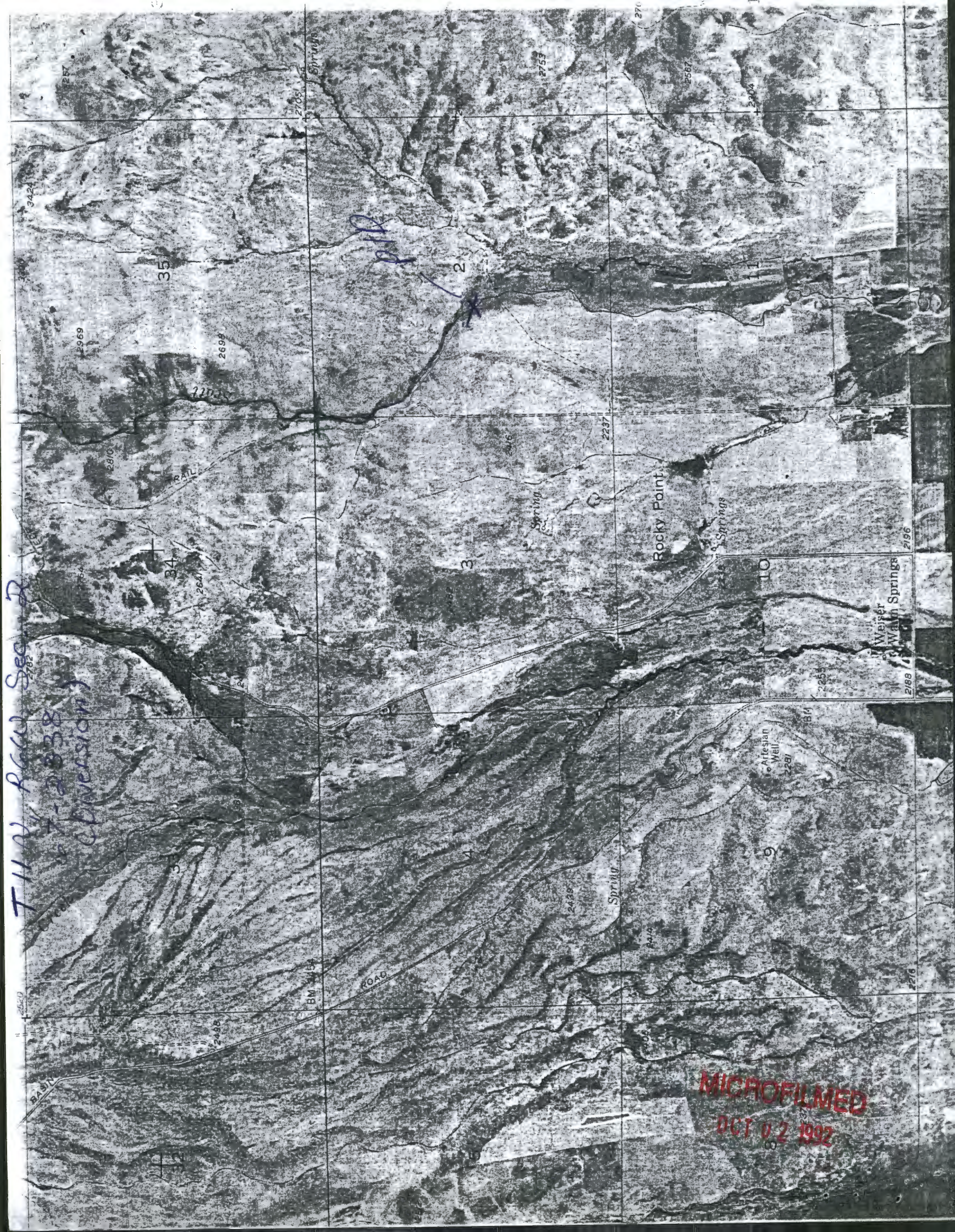
1112

H-J-H Co.



MICROFILMED
OCT 02 1992

T11N, R4W, Sec 27
7-2838
(diversion)



MICROFILMED
OCT 02 1992

Water Right Number - 67-02338

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 32644

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

H J H CO.

*to Carl Hennings
Box 269 1005 W. 2nd St.
549-3929*

1 - P.O. BOX 269

2 -

3 -

City- WEISER

State- ID Zip- 83672

Phone - 208-000-0000

*** O - ORIGINAL OWNER ***

CARSON

WILLIAM M.

1 -

2 -

3 -

City-

State- ID Zip-

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
12/16/1965 14 P - PERMIT

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
SCOTTS CREEK SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

11N 06W 2 NE SW (87) WASHINGTON

+ - - Code - - - Description - - - Period From - - - Period To - - - Diversion Rate - - - Diversion Volume - - - +

01 - IRRIGATION

6.400

~~04 - STOCKWATER~~

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
6.400

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

11N	06W	11	NE SW		20.0	01	IRRIGATION	(87)	WASHINGTON
11N	06W	11	NW SW		40.0	01	IRRIGATION	(87)	WASHINGTON
11N	06W	11	SW SW		40.0	01	IRRIGATION	(87)	WASHINGTON
11N	06W	11	SE SW		40.0	01	IRRIGATION	(87)	WASHINGTON
11N	06W	11	NE SE		40.0	01	IRRIGATION	(87)	WASHINGTON
11N	06W	11	NW SE		40.0	01	IRRIGATION	(87)	WASHINGTON
11N	06W	11	SW SE		40.0	01	IRRIGATION	(87)	WASHINGTON
11N	06W	11	SE SE		40.0	01	IRRIGATION	(87)	WASHINGTON

Total Acres:

300.0

*= 275 stock
Deleted some acreage*

Diversion Means - DIVERSION DAM, DITCH & HEADGATE.

MICROFILMED
OCT 02 1992

Proof Due Date	-	07/01/1977	Field Exam Made	-	08/02/1988	Field Exam Fee	-	R
Approved/Denied	-	12/17/1965	Protested Date	-	00/00/0000	Swan Falls	-	
Proof Made Date	-	01/01/1900	Hearing Date	-	00/00/0000	Temporary Right	-	P
Start Work Date	-	00/00/0000	Verified Date	-	02/26/1985	DLE/Carey Act	-	
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-	
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-	A
Decree Date	-	00/00/0000						

MICROFILMED
OCT 02 1992



PERMIT 67-2338/7293 INIT *gr*
T. R. S. Q/Q
P/D *11N 6W 11S14*
SCALE *1:24K*
PHOTO ID. *1152 1974*

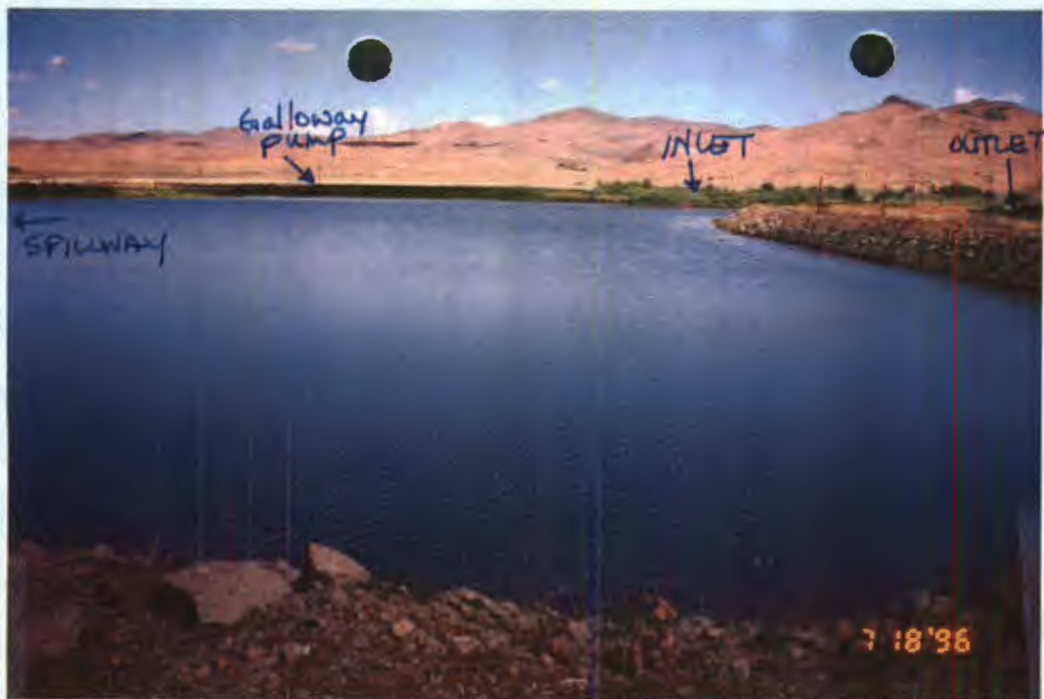


P/u South
of Reservoir



P/D #2 for
67.2338
Scott Cr pua
(sec 14)

67.2338
67.7293



Reservoir. View
N. from dam.



"galloway pump"



inlet pipe
ft. res. to
galloway pump

67-2338
67-7293 ign



P/W
- East of
Reservoir
/

67-2338
67-7293 gm

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 67-02338

Priority: December 16, 1965

Maximum Diversion Rate: 2.00 CFS
Maximum Diversion Volume: 792.0 AF

It is hereby certified that H J H CO
PO BOX 269
WEISER ID 83672 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated ; and has submitted Proof of
Beneficial Use on January 01, 1900. An examination indicates that the works have a diversion capacity
of 14.0 cfs of water from:

SOURCE

SCOTT CREEK

Tributary: SNAKE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/01 to 11/15	2.00 CFS	792.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SCOTT CREEK SE¼ SW¼ Sec. 11, Twp 11N, Rge 06W, B.M. WASHINGTON County
SCOTT CREEK SE¼ SW¼ Sec. 11, Twp 11N, Rge 06W, B.M. WASHINGTON County
SCOTT CREEK SE¼ NW¼ Sec. 14, Twp 11N, Rge 06W, B.M. WASHINGTON 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	
11N 06W 11									38.0	36.0	5.0				5.0	1.0	85.0
11N 06W 14	8.0	40.0	10.0	3.0	25.0			5.0									91.0

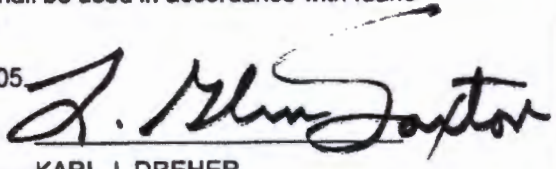
Total Acres: 176

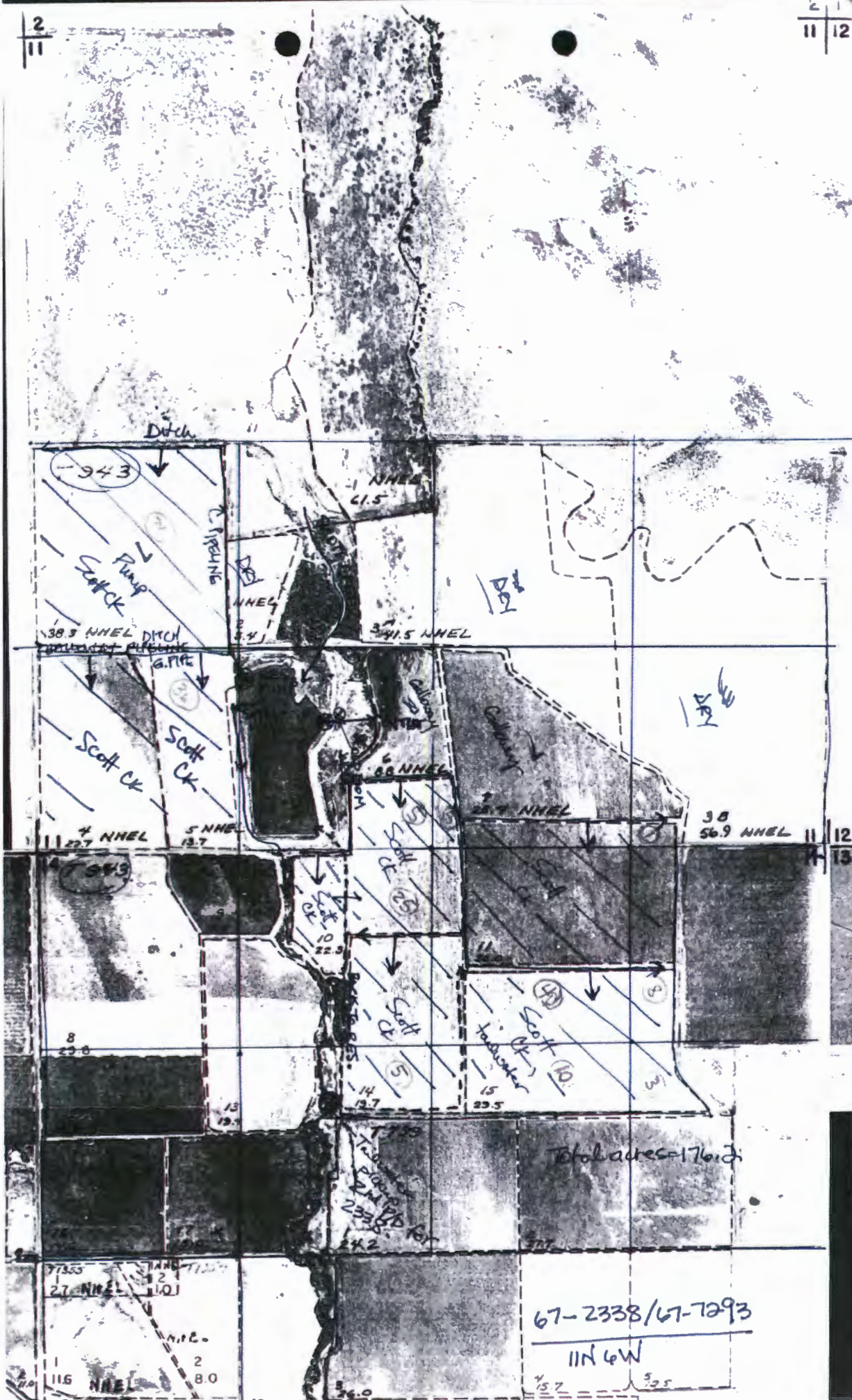
CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. Rights 67-2338, 67-7293 and 67-7784 when combined shall not exceed the irrigation of 185 acres.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 8th day of April, 2005


for **KARL J. DREHER**
Director





Idaho Department of Water Resources

Adjudication Claim Number: **67-2338** Irrigated Acres: 176

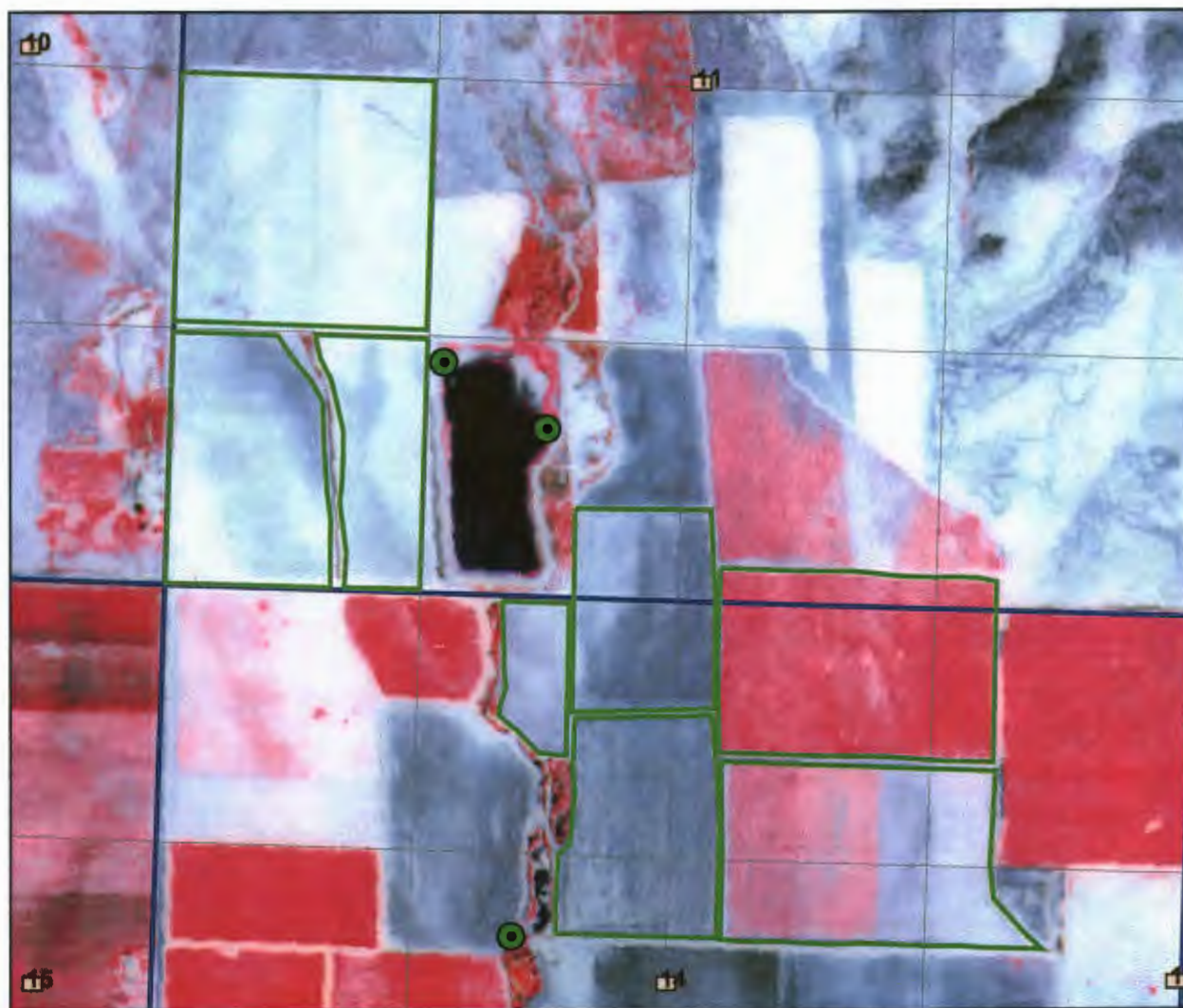
T11N R06W

Legend

- GCDB11N06W GCDB
- 2338 Recommendation POU
- PLSS Section LinesGcdb_sections.shp
- 2338 Recommendation PODs



Washington County
IDWR Basin 67



0 0.4 0.8 Miles

Prepared by M. Van Bussum
On Friday, July 1, 2005
1987/88 Aerial Photography

07/01/2005

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

RIGHT NUMBER: 67-2338

NAME AND ADDRESS: SAGEROCK RANCH LLC
C/O JEFF WIDENER
1205 PRINGLE RD
WEISER ID 83672

SOURCE: SCOTT CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY:

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 12/16/1965

POINT OF DIVERSION:

T11N R06W S11 SESW Within WASHINGTON County

T11N R06W S11 SESW Within WASHINGTON County

T11N R06W S14 SENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.000 CFS 792.00 AFY

PLACE OF USE: IRRIGATION Within WASHINGTON County

T11N R06W S11	NWSW	38.0	T11N R06W S11	SWSW	36.0
T11N R06W S11	SESW	5.0	T11N R06W S11	SWSE	5.0
T11N R06W S11	SESE	1.0	T11N R06W S14	NENE	8.0
T11N R06W S14	NWNE	40.0	T11N R06W S14	SWNE	10.0
T11N R06W S14	SENE	3.0	T11N R06W S14	NENW	25.0
T11N R06W S14	SENE	5.0			

176 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 185 acres in a single irrigation season. Combined Right Nos.: 67-2338, 67-7293 and 67-7784.

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: License

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2338 V1

WATER RIGHT NUMBER: 67-2338 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SAGEROCK RANCH LLC C/O JEFF WIDENER 1205 PRINGLE RD WEISER, ID 83672 (208)549-3087
Original Owner	H J H CO C/O CARL HENNINGS 1005 W 2ND ST WEISER, ID 83672 (208)549-3929
Original Owner	WILLIAM M CARSON 687 W BUTTERFIELD WEISER, ID 83672

Priority Date: 12/16/1965

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SCOTT CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	2.000 CFS	792.00 AF

Total Diversion:Location of Point(s) of Diversion

SCOTT CREEK	SE1/4SW1/4	Sec. 11, Twp 11N, Rge 06W, B.M.
WASHINGTON County		
SCOTT CREEK	SE1/4NW1/4	Sec. 14, Twp 11N, Rge 06W, B.M.
WASHINGTON County		
SCOTT CREEK	SE1/4SW1/4	Sec. 11, Twp 11N, Rge 06W, B.M.
WASHINGTON 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	
11N	06W	11																	85.0
11N	06W	14	8.0	40.0	10.0	3.0	25.0		5.0										91.0

Total Acres: 176

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2338 V1

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 185 acres in a single irrigation season. Combined Right Nos.: 67-2338, 67-7293 and 67-7784
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Remarks:Comments:Dates and Other Information:

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

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	6/30/2005 1:18:55 PM	mvanbussum			Active
Priority Date	6/30/2005 1:19:22 PM	mvanbussum			Active
POD	6/30/2005 1:19:40 PM	mvanbussum			Active
POU	6/30/2005 1:37:48 PM	mvanbussum			Active
Source	6/30/2005 1:37:49 PM	mvanbussum			Active
Use	6/30/2005 1:37:50 PM	mvanbussum			Active
Season	6/30/2005 1:37:51 PM	mvanbussum			Active
Quantity	6/30/2005 1:37:54 PM	mvanbussum			Active
Summary			07/01/2005	mvanbussum	Active
Priority Date	7/1/2005 10:40:03 AM	mvanbussum			Active
POD	7/1/2005 10:40:21 AM	mvanbussum			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2338 V1

Source	7/1/2005 10:40:30 AM	mvanbussum	Active
POU	7/1/2005 10:40:46 AM	mvanbussum	Active
Use	7/1/2005 10:41:04 AM	mvanbussum	Active
Season	7/1/2005 10:41:27 AM	mvanbussum	Active
Quantity	7/1/2005 10:47:22 AM	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	7/1/2005 8:15:23 AM	mvanbussum	Edited point location
POD	7/1/2005 8:18:00 AM	mvanbussum	Edited point location
POU	7/1/2005 10:00:14 AM	mvanbussum	Edited PLS
Source	6/30/2005 1:37:49 PM	mvanbussum	(Yes) 1. Is the basis of claim Decree or License?
Season	6/30/2005 1:37:52 PM	mvanbussum	(Yes) 1. Is the basis of claim Decree or License?
POD	7/1/2005 8:19:27 AM	mvanbussum	Edited point location
POU	7/1/2005 9:58:39 AM	mvanbussum	Edited shape boundary
POU	7/1/2005 9:59:30 AM	mvanbussum	Edited shape boundary
POD	7/1/2005 10:40:21 AM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POU	7/1/2005 10:40:46 AM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Quantity	7/1/2005 10:47:22 AM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - Diversion volume recommended as licensed.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2338 V1

Summary	7/1/2005 10:39:03 AM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (No) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
General	7/1/2005 10:40:04 AM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Source	7/1/2005 10:40:30 AM	mvanbussum	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
Use	7/1/2005 10:41:05 AM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	7/1/2005 10:41:27 AM	mvanbussum	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
POU	1/28/2004 1:55:21 PM	awarntje	Edited shape boundary

POU 2/26/2004 9:35:34 AM awarntje Edited shape boundary

Page 5 07/01/2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2338 V1

Contacts	6/30/2005 1:18:55 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
General	6/30/2005 1:19:22 PM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	6/30/2005 1:19:41 PM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POU	6/30/2005 1:37:48 PM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License?
Use	6/30/2005 1:37:51 PM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License?
Quantity	6/30/2005 1:37:55 PM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License?
POU	1/28/2004 2:00:41 PM	awarntje	Edited shape boundary

Water Supply Bank:

Priority Date Data Entry Form

Claim Number 67-2338

Claimed Priority Date: 12/16/1965

Claimed Basis: License

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date ____

Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

as licensed

Reviewer: M. VanBussumDate: 30 June 05

Point of Diversion and Source Data Entry Form

Claim Number 67-2338

Claimed Point of Diversion and Source

T11N R06W S11 SESW Within WASHINGTON County Source: SCOTT CREEK SNAKE RIVER

T11N R06W S11 SESW Within WASHINGTON County Source: SCOTT CREEK SNAKE RIVER

T11N R06W S14 SENW Within WASHINGTON County Source: SCOTT CREEK SNAKE RIVER

☒ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

as licensed, from claim maps & FE
maps in 2338 & 7293 back files

Reviewer: _____

MUB

Date: _____

06/30/05

Place Of Use Data Entry Form

Claim Number 67-2338

Claimed Place Of Use

T11N R06W S11	NWSW	38.0	T11N R06W S11	SWSW	36.0
T11N R06W S11	SESW	5.0	T11N R06W S11	SWSE	5.0
T11N R06W S11	SESE	1.0	T11N R06W S14	NENE	8.0
T11N R06W S14	NWNE	40.0	T11N R06W S14	SWNE	10.0
T11N R06W S14	SENE	3.0	T11N R06W S14	NENW	25.0
T11N R06W S14	SENW	5.0			

Total Acres 176

☒ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

____ See corrections to claimed POU above

TwP	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres ____

Document how the POU was verified:

as licensed, from claim + FE maps
in 2338 + 7293 Lock files

need comments E56 + R65

Reviewer: MVBDate: 06/30/05

Purpose of Use Data Entry Form

Claim Number 67-2338

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
-----------	-----------------	-----------------	------------

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

as licensed

Reviewer:

MVB

Date:

06/30/05

Period of Use and Quantity Data Entry Form

Claim Number 67-2338

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	03/01	11/15	2	792

Overall Diversion Rate 2 Overall Diversion Volume

 Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
-----------	-------	-----	------	--------

Overall Diversion Rate Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

as licensed - standard season of use.

Reviewer: MVBDate: 06/30/05

Contacts Data Entry Form

Claim Number: 67-2338

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	H J H CO	C/O CARL HENNINGS 1005 W 2ND ST	WEISER	ID	83672	(208)549-3929
Original Owner	WILLIAM M CARSON	687 W BUTTERFIELD	WEISER	ID	83672	
Current Owner	SAGEROCK RANCH LLC	C/O JEFF WIDENER 1205 PRINGLE RD	WEISER	ID	83672	(208)549-3087

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

Ownership change done 06/17/05
okay

Reviewer: M VBDate: 06/30/05

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 67-02338

Priority: December 16, 1965

Maximum Diversion Rate: 2.00 CFS
Maximum Diversion Volume: 792.0 AF

It is hereby certified that H J H CO
PO BOX 269
WEISER ID 83672 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated ; and has submitted Proof of
Beneficial Use on January 01, 1900. An examination indicates that the works have a diversion capacity
of 14.0 cfs of water from:

SOURCE

SCOTT CREEK

Tributary: SNAKE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/01 to 11/15	2.00 CFS	792.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SCOTT CREEK SE¼ SW¼ Sec. 11, Twp 11N, Rge 06W, B.M. WASHINGTON County
SCOTT CREEK SE¼ SW¼ Sec. 11, Twp 11N, Rge 06W, B.M. WASHINGTON County
SCOTT CREEK SE¼ NW¼ Sec. 14, Twp 11N, Rge 06W, B.M. WASHINGTON 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			
11N 06W 11										38.0	36.0	5.0	5.0	1.0	85.0
11N 06W 14	8.0	40.0	10.0	3.0	25.0			5.0							91.0

Total Acres: 176

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. Rights 67-2338, 67-7293 and 67-7784 when combined shall not exceed the irrigation of 185 acres.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 8th day of April, 2005.

[Signature]
for KARL J. DREHER
Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 17, 2005

SAGEROCK RANCH LLC
C/O JEFF WIDENER
1205 PRINGLE RD
WEISER ID 83672

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #67-2338 and 67-7293

Dear Claimant:

We have processed your change in ownership of the Notices of Claim referenced above.

Enclosed are copies of your Notices of Claim for your file. Please refer to these record numbers in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claims.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Technical Section

SS:region

Enclosures:

Copies of Notices of Claim Referenced Above

SCANNED
JUN 17 2005

No 2

RECEIVED
APR 05 2005
DEPARTMENT OF
WATER RESOURCES

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

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
67-02338	67-02338				
67-07293	67-07293				

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

A. The appropriate **FILING FEE**. See instructions for fee amounts. **No. see #8.**

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

HSH Company
1205 Pringle Rd

4. New Owner/Claimant(s)

Sage Rock Ranch

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

1205 Pringle Rd

City, State and ZIP Code

Wellsboro ID 83672

New Telephone Number

208 349-3087

5. Date you acquired the property

2/99

SCANNED

JUN 17 2005

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Jeff A. Wilson
Idaho Agent

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by *AS* AJ Date *6-17-05* WR _____ Date _____

Okay to change 06/08/05 mib

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Jeff A. Widener
(include title if applicable) Idaho Agent

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by AS AJ Date 6-17-05 WR _____ Date _____

Okay to change 06/08/05 mib

SCANNED
JUN 17 2005

Legal Description
Warranty Deed
H.J.H. Company / SageRock Ranch

IN WASHINGTON COUNTY, IDAHO:

TOWNSHIP 11 NORTH, RANGE 6 WEST OF THE BOISE MERIDIAN:

Section 11: S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;

Section 14: NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, that portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying westerly of the centerline of Scott Creek, that portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ lying westerly and northerly of the centerline of Scott Creek;

AND ALSO a parcel of land situated within the N $\frac{1}{2}$ of Section 14, Township 11 North, Range 6 West of the Boise Meridian, more particularly described as follows:

Beginning at the northwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 14;
Thence N 89° 47' 32" E a distance of 352.00 feet along the north line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence S 0° 03' 33" E, parallel to the west line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the west line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 14, a distance of 1755.51 feet to a point on a line 888.00 feet north of the south line of the N $\frac{1}{2}$ of said Section 14; thence S 89° 54' 05" W, parallel to the south line of said N $\frac{1}{2}$, a distance of 2453.40 feet through said SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 14 to a point on the centerline of Scott Creek;
Thence southerly along the centerline of Scott Creek to a point on the south line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence S 89° 54' 05" W along the south line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ to the southwest corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence N 0° 12' 09" W, a distance of 1318.92 feet along the west line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ to the northwest corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence N 89° 50' 48" E, a distance of 1309.68 feet along the north line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ to the northeast corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ (northwest corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$);
Thence N 89° 50' 48" E, a distance of 1309.68 feet along the north line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the northeast corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ (southwest corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$);
Thence N 0° 03' 33" W, a distance of 1321.42 feet along the west line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the point of beginning.

TOGETHER WITH an easement recorded January 21, 1977, as Instrument No. 109320, in Book 98 Deeds, Page 424 Official Records.

INSTRUMENT NO. 175543

STATE OF IDAHO, COUNTY OF WASHINGTON

Filed for record at the request of

WASHINGTON COUNTY TITLE

23 Min. past FIFTEEN o'clock P M

This 25TH day of FEBRUARY 1999

Index to: DEEDS

SHARON WIDNER, Recorder Fee: \$6.00

By [Signature] Deputy

WASHINGTON COUNTY TITLE

Comp. Index
Comp. Rel.
Film
Compare
Card Rel.
Etc. Rel.
Up-date
Return
Copy

SCANNED

JUN 17 2005

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED, H. J. H. COMPANY, an Idaho corporation, grantor, does hereby Grant, Bargain, Sell and Convey unto SAGEROCK RANCH, L.L.C., the grantee, the following described real estate, to-wit:

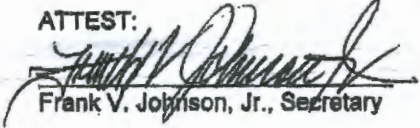
IN WASHINGTON COUNTY, IDAHO:

SEE LEGAL DESCRIPTION ATTACHED:

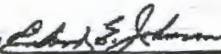
TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President this 22 day of February, 1999.

ATTEST:


Frank V. Johnson, Jr., Secretary

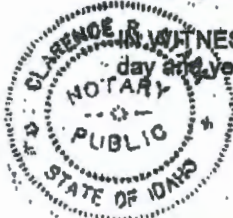
H. J. H. COMPANY

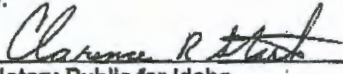
By 
Richard E. Johnson, President

STATE OF IDAHO)
(ss:
County of Washington)

On this 22 day of February, 1999, before me, a notary public in and for said State, personally appeared RICHARD E. JOHNSON, known to me to be the President of H. J. H. Company, and acknowledged to me that he executed the foregoing corporate warranty deed for and on behalf of such corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



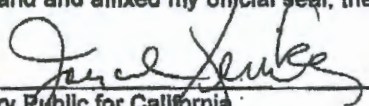

Notary Public for Idaho
Residing at Weiser Idaho
Commission expires: 9/1/99

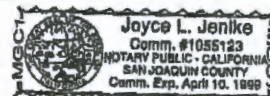
STATE OF CALIFORNIA)
(ss:
County of San Joaquin)

On this 24th day of February, 1999, before me, a notary public in and for said State, personally appeared FRANK V. JOHNSON, JR., known to me to be the Secretary of H. J. H. Company, and acknowledged to me that he executed the foregoing corporate warranty deed for and on behalf of such corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.




Notary Public for California
Residing at Lodi, Ca.
Commission expires: 4/10/99



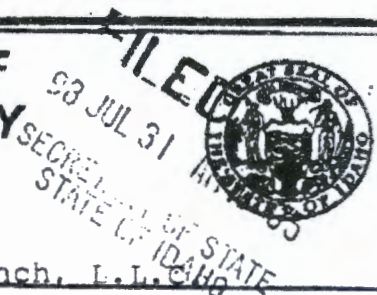
RECEIVED
MAR 30 2005

Department of Water Resource

SCANNED
JUN 17 2005

APPLICATION FOR REGISTRATION OF FOREIGN LIMITED LIABILITY COMPANY

To the Secretary of State of Idaho,



1. The name of the limited liability company is: SageRock Ranch, L.L.C.
2. If the name of the limited liability company is not permissible or is not available in Idaho, the name the foreign limited liability company will use in Idaho is: _____
3. The jurisdiction under whose laws the limited liability company is organized is Delaware, and the date of its formation was _____
4. The name and street address of the registered agent in Idaho is: Jeff Widener
1205 Pringle Road, Weiser, ID 83672
5. The address of the limited liability company's office in the jurisdiction under whose laws it is organized is: c/o The Corporation Trust Company, 1209 Orange St.
Wilmington, DE
6. The address of the limited liability company's principal office, if other than the address in #5 above, is: 1205 Pringle Road, Weiser, ID 83672
7. The address to which correspondence should be addressed is: _____
1205 Pringle Road, Weiser, ID 83672
8. Signature of a manager, if any, or a member if there are no managers.
9. Signature of the registered agent named in #4 above.

Thomas F. Stephenson

Thomas F. Stephenson

Typed or Printed Name

Manager ☐ Member ☒

Jeff L. Widener

Send completed form in duplicate, with an original certificate of existence from the jurisdiction under whose laws the limited liability company is organized (dated within the last 90 days) to:

Secretary of State
PO Box 83720
Boise, Idaho 83720-0080
(208) 334-2301

Secretary of State, Idaho
IDaho SECRETARY OF STATE CFLL
07/31/1998 09:00
CK: 283244 CT: 99600 BH: 132838
1 @ 100.00 = 100.00 REGFORGLLC

W 6667



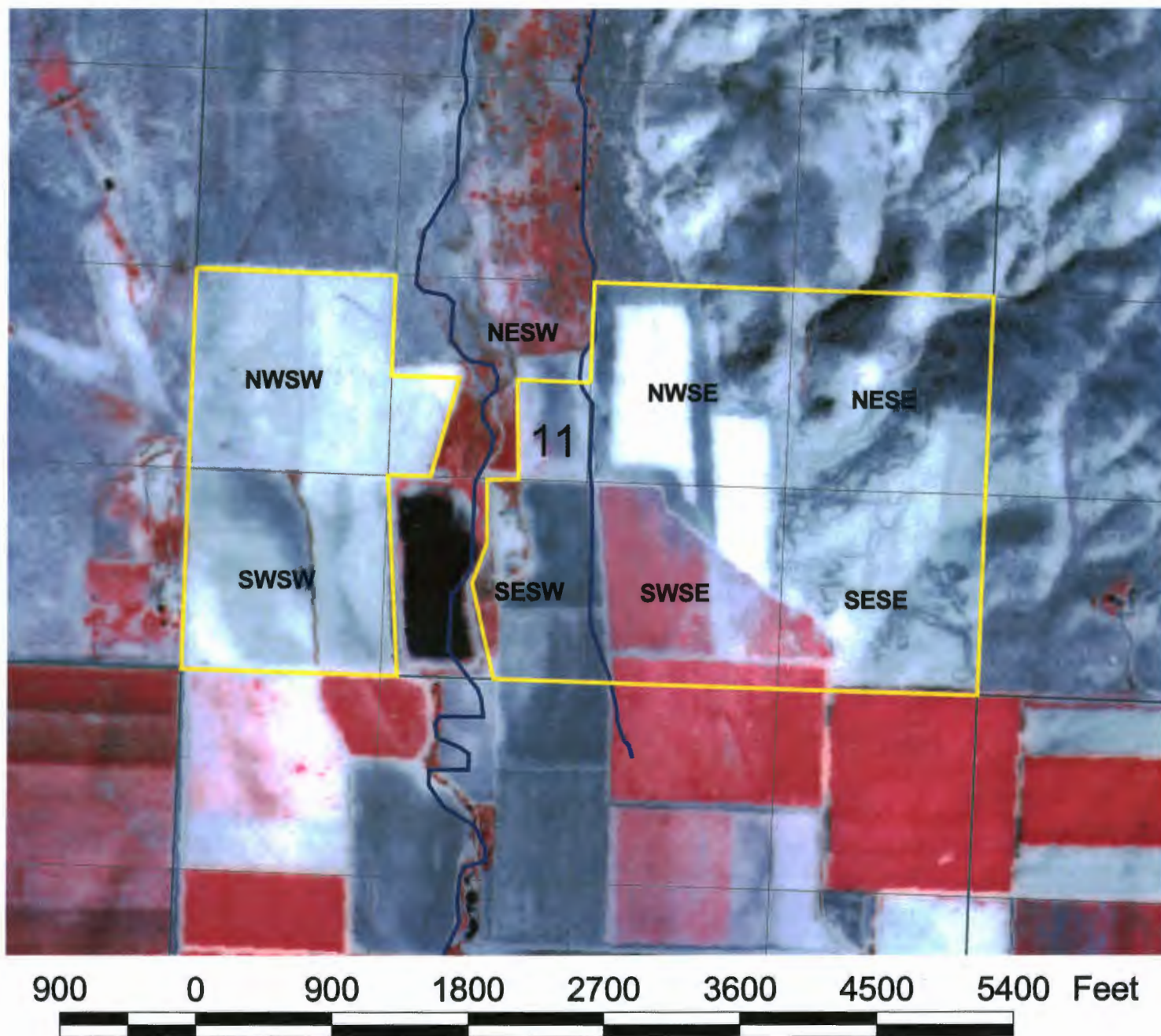
Sage Rock Ranch



SCANNED
JUN 17 2005

Idaho Department of Water Resources

67-2338



T11N, R06W, S11



Prepared by Anita L. Warntjes
January 28, 2004
1993/94 True Color Photo



Division of Hesston Corporation

**The name to remember
for performance and value!**

Weiser, Dole
10/4/89

Dear Linda:

Enclosed please find check.
I left a brown carrying case
in your office. If it is still there,
I would ask you to send it to me
along with the papers. I will pay
for the shipping. Thank you.

Sincerely,
Carl Hennings

P.S. I enjoyed working with you.

RECEIVED

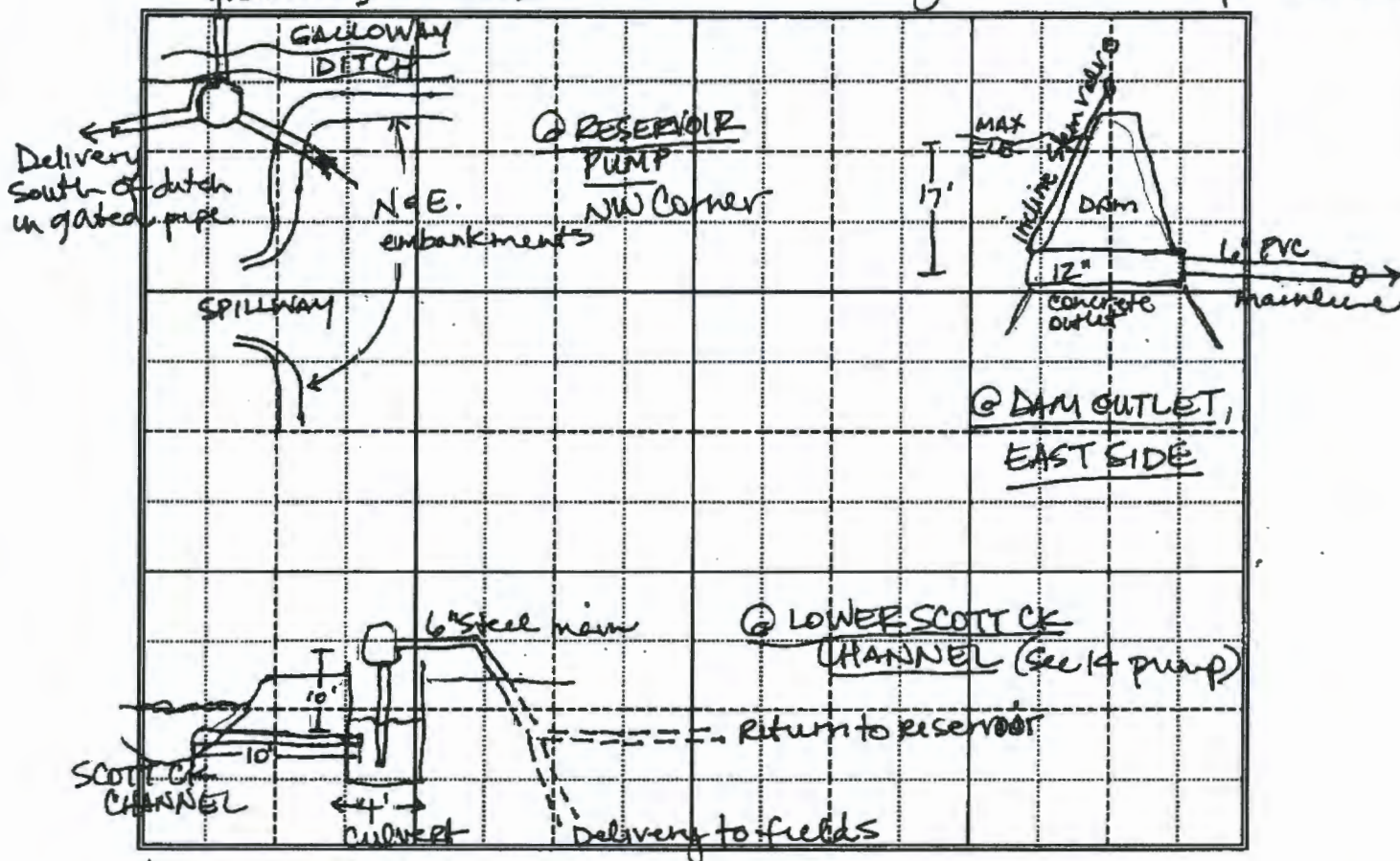
OCT 05 1989

Department of Water Resources
Western Regional Office

MICROFILMED
OCT 02 1992

Dick Wheeler
29960 Newsom Dr.
Grand Ronde, OR 97347
Ph: 503-879-5130

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable. See also reservoir diagram on dam inspection form.



Scale: 1" = N.T.S.

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
67-2338	Century	10		Berkley	5"
pump div. in Sec 14					

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: NONE. For storage capacity, see dam inspection form. Scot Creek not flowing @ exam. See theoretical rate for Sec 14 pump station and outlet discharge. No irrigation ~~exam~~ @ time of exam. fields being prepared for cutting.

E. NARRATIVE/REMARKS/COMMENTS

90 AF Reservoir System serves 176 acres with water from Scott Creek. This exam is for the 2 permits used to construct the system. 67.2338 is for live flow from Scott Creek. 67.7293 is for reservoir constructed in about 1976. ~~Acres~~ Dam outlet on east embankment is connected to a 6" line which discharges to cement & earth ditches east and south of the reservoir. A pump station on Galloway Ditch uses a water lifter to deliver water to field N & W of reservoir. This pump may operate from a reservoir inlet ^{line} or from a sump fed by Galloway Ditch (See overlap comments). The dam & outlet are considered a common P/D for both rights. The Galloway pump station is a relief site which should not be considered a unique P/D. Approx 1/3 mile south in the Scott Ck channel, a second pump site was established which can either return tailwater flows to the reservoir or directly to the south end fields. Although this pump does not operate during natural flow periods, it is located in the channel and therefore needs to be treated as a P/D rather than a relief, for 67.2338 only.

Acres under this project are part of a larger farm which may also be irrigated w/ Weiser River/Clane Creek water via Galloway Ditch. Acres W. of Scott Creek not irrigated under these permits have groundwater licenses also. A well developed under 67.2285 is located just east of the res. & may be discharge to the res. or mainline for a few acres ~~east of~~ in S 1/2 S11.

Scott Creek was not flowing @ exam but dam inspection in 4/96 noted Spillway flowing @ 15 cfs. A fee limitation @ proof filing (see 9/18/87 file correspondence) will limit licensed natural flows under 67.2338 to 2 cfs unless greater fees pd.

Have conditions of permit approval been met? ☒ yes ☐ no

No stockwater (67.2338) found.

Historical diversion for 67.2338 no longer used, washed out many years ago.

will S.O. solicit additional fee?

F. FLOW CALCULATIONS

Measured Method:

For Sec 14 Scott Creek pump: $\frac{10 \times 8.8 \times 7}{15 + (10 \times 2.31)} = 1.62 \text{ cfs}$

Rated discharge from Res. outlet (6" mainline @ ditch) = 3.0 cfs
w/ no mainline hookup = 9-10 cfs est (from dam file)

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

(67.2338)

$V_{L.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 176 \times 4.5 = 792$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.0 \times 246 \times 1.9835 = 975.8$

$V = \text{Smaller of } V_{L.R.} \text{ and } V_{D.R.} = 792$

2. Volume Calculations for Other Uses:

(67.7293)
RESERVOIR STORAGE = 90 AF
CAPACITY

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
(67.2338): IRRIGATION	3/15	11/15	2.0	792.0
(67.7293): IRRIGATION STORAGE	1/1	12/31		90
IRR FR. STORAGE	3/15	11/15		90
Totals:				

2. Recommended Amendments

(67.2338) (67.2338)
☒ Change P.D. as reflected above ☒ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other
 (both)

I. AUTHENTICATION

Field Examiner's Name Cindy J. Hodges Date 1/8/97

Reviewer _____ Date _____

SEAL