

09/18/2003

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

RIGHT NUMBER: 34-13551

NAME AND ADDRESS: SIX FLAGS INC
500 BERGESON DR
BLACKFOOT ID 83221

SOURCE: PASS CREEK TRIBUTARY: BIG LOST RIVER

QUANTITY: 0.170 CFS

PRIORITY DATE: 09/13/1965

POINT OF DIVERSION:
T07N R25E S23 SWNE Within BUTTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	10/16 04/30	0.170 CFS

PLACE OF USE: STOCKWATER Within BUTTE County
T06N R25E S01 SENE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

RECEIVED
FEB 06 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:01:06
05/01/00
15

PAGE: 15
PROFILE REPORT

CLAIM NUMBER: A34-13551

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SIX FLAGS INC ✓	09/13/1965	STOCKWATER	10-16 04-30	1.500 CFS	
TOTAL DIVERSION:					1.500 CFS	

Water Source: PASS CREEK ✓

Tributary to: BIG LOST RIVER ✓

Stage: BENEFICIAL USE

Point(s) of Diversion: T07N R25E S23

SWNE ✓

BUTTE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
07N	25E	1	:				S	:					:					:					:

POU County: BUTTE

Non-Irrigation Uses: STOCKWATER, 1000 SHEEP AND/OR 500 CATTLE

Other Rights: NONE

Remarks: GEN THE DISTANCE BETWEEN THE POINT OF DIVERSION AND PLACE OF USE
REQUIRES ^{.15} ~~1.50~~ CFS BE DIVERTED TO COMPENSATE FOR TRANSMISSION
LOSSES AND STILL MAKE ADEQUATE FLOWS FOR THE STOCK TO DRINK.
ATTACHMENT: COPY OF WATER RIGHT LICENSE 34-02466.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Not de minimus

SCANNED
FEB 06 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:00:57
05/01/00

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A34-13551

LAST: SIX FLAGS INC
ADDRESS: 500 BERGESON DR
CITY: BLACKFOOT
PHONE NUMBER: 208-785-4722

FIRST:
STATE: ID ZIP: 83221

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y(✓) N()

CLAIM REMARKS: GEN THE DISTANCE BETWEEN THE POINT OF DIVERSION AND PLACE OF USE
REQUIRES 1.50 CFS BE DIVERTED TO COMPENSATE FOR TRANSMISSION
LOSSES AND STILL MAKE ADEQUATE FLOWS FOR THE STOCK TO DRINK.
ATTACKMENT: COPY OF WATER RIGHT LICENSE 34-02466.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: () -

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y() N()

TIME: __:__ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

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FEB 06 2003

A. AJ CLAIM: # A34-13551 PRIORITY DATE: 09-13-1965 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N(☒)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y() N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y() N()

FIELD EXAM COMPLETED N/A(☒) Y() N()

FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y() N()

LICENSE ISSUED N/A(☒) Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A() Y() N(☒)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N()

NOTES: *priority date claimed matches right 34-02466B
previously decreed in the FRBA for irrigation; this
claim is for previously unrecorded stockwater use in
conjunction with that right*

RECOMMENDED PRIORITY DATE:

9 - 13 - 1965
REVIEWED BY *RB*

DATE *5-1-00*

SCANNED
FEB 06 2003

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A34-13551	07N	25E	23		SW	NE			BUTTE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
* **

WR RECORDS IN SAME 40 ACRE TRACT

34-00016
34-00550
34-00551
34-00726
34-00727B
34-00731
34-02466
34-04045

* 17 A PREFIX CLAIMS WITH THIS POD
** 19 R PREFIX CLAIMS WITH THIS POD

SOURCE: PASS CREEK

TRIB: BIG LOST RIVER

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A(☒) Y(☐) N(☐)

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☐) N(☒)

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y(☐) N(☒)

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y(☐) N(☒)

OTHER (DESCRIBE IN NOTES BELOW)

SCANNED
FEB 06 2007

NOTES:

Source & POD match SRBA decreed right 36-02466
which represents irrigation in conjunction with
this stockwater claim.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

TWP. 07N	RGE. 25E	SEC. 23	1/4	1/4 SW	1/4 NE	LOT	POD FLAG	COUNTY BUTTE	DIVERSION NAME	DIVERSION NBR
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

SOURCE: _____ TRIB: _____

REVIEWED BY: RA

DATE: 5-1-00

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

SEARCHED
FEB 06 2004

A. ROOT WATER RIGHT NUMBERS: A34-13551

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	25E	1	SE	NE		SIX FLAGS INC	A34-13551 /	- /			
ADDITIONAL POU FOUND											

stockwater only

TOTAL ACRES A34-13551

POU COUNTY: BUTTE

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A(☒) Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

SCANNED
FEB 05 2003

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

*POU verified as identical to FOBA decreed right
34-02466*

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A (☒)

REVIEWED BY: *RB*

DATE: *5-1-00*

RECEIVED
FEB 09 2001

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A34-13551 STOCKWATER	FROM 10-16 TO 04-30	1.500 CFS	
TOTAL DIVERSION RATE/VOLUME		1.500 CFS	

*outside irrigation
season decrred
4/11-11/11*

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
----------------	---------------------------	------------------------	------------------------

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☐) N(☒)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☐) N(☒)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☒) Y(☐) N(☐)

SCANNED
FEB 06 2003

NOTES: Irrigation rights 34-02466B & 34-02390B have combined limit of
0.65 cfs for ~~the~~ 25 ACs. - Subtracting 0.50 cfs. ($0.02 \text{ cfs} \times 25 \text{ AC}$).
leaves 0.15 cfs for transmission of irrigation right. - Adding
0.15 cfs to 0.02 cfs for consumption by stock totals 0.17 cfs.
Recommend diversion rate of 0.17 cfs for stock water.

SCANNED
FEB 06 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 28, 1995

SIX FLAGS INC
500 BERGESON DR
BLACKFOOT ID 83221

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A34-13551

Dear Claimant:

Your Notice of Claim to a Water Right was received from the SRBA Court recently. We have enclosed your copy of the Request for Extension of Time and receipt #C032878 for the filing fee and late fee. Please retain these documents for your records.

Your Notice of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/327-7932 if you have any questions.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:ss:region

Enclosure:

Receipt #C032878

Copy of Request for Extension of Time

SCANNED

FEB 05 2003

MICROFILMED

NOV 18 1996

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO

RECEIVED

JUN 15 1995

Department of Water Resources



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

June 14, 1995

David B. Shaw, Chief
Adjudication Bureau - IDWR
1301 North Orchard
PO Box 83720
Boise, ID 83720-0098

RE: Late Notice of Claim to Water Right 34-13551

Dear Dave:

Enclosed I am sending you a copy of the *Order Granting Motion to File a Late Notice of Claim*. I am also enclosing Six Flag's check in the amount of \$250 and the Notice of Claim to this Water Rights.

Sincerely,

A handwritten signature in cursive script, appearing to read "Diana R. Delaney".

Diana R. Delaney
Chief Deputy Clerk

DRD
Enclosures

cc: Six Flags Inc.

SCANNED

FEB 06 2008

MICROFILMED

NOV 18 1996

9661 8 1 AON
MICROFILMED

RECEIVED
JUN 15 1995
Department of Water Resources

1995 JUN 14 PM 02:19
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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) ORDER GRANTING MOTION TO FILE
Case No. 39576) LATE NOTICE OF CLAIM
)
)
) SUBCASE NO: 34-13551

On February 28, 1995 a Motion to File a Late Notice of Claim was filed by Six Flags, Inc. The State of Idaho, Chief Natural Resource Division, and the United States Department of Justice received actual notice of this Standard Form 4, Motion to File a Late Notice of Claim. No opposition or response was filed within the time frame required by the General Docket Sheet Procedure. The Motion to File a Late Notice of Claim is GRANTED.

The clerk of the court shall immediately forward the original Notices of Claim and the claim filing fees to the Idaho Department of Water Resources.

IT IS SO ORDERED.

Dated: JUNE 14, 1995

/S/ DANIEL C. HURLBUTT
Presiding Judge
Snake River Basin Adjudication

SCANNED
FEB 06 2003

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720

MICROFILMED

NOV 18 1996

6/14/95

COPY

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED
JUN 15 1995
Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

SIX FLAGS INC. () 208-785-4722
Name of Claimant Phone Number

500 BERGSON DR. Blackfoot ID 83221
Mailing Address City State Zip

BUTTE 1-12-1990
County(s) where place of use is located Date claim originally due

A34-13551
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

~~It was thought~~ I thought claim 02466 B covered it. I claimed it as a claim & they recommended it as a license.

Claimant requests an extension to May 15, 1995 UNTIL COURT ACCEPTS CLAIM 19 95

Signature 2-27-95, 19 95
Date of request

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [] granted [] denied for the following reasons:

The court on June 14, 1995 granted the motion to file a late claim. Administrative order 1 requires payment of the late filing fee for a non-domestic and non-stockwater claim or a claim for stockwater that does not meet the definition of 42-1401A(2), Idaho Code. Signed this 21 day of June, 19 95

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

SCANNED

FEB 06 1996

MICROFILMED

NOV 18 1995

State of Idaho
Department of Water Resources

AMENDED

WATER RIGHT LICENSE

AMENDED

License of Water Right No. 34-2466 Priority September 13, 1965 Amount 4.2 cfs

THIS IS TO CERTIFY, that N. MERLE HONE
of Darlington, Idaho, has complied with the terms and conditions of Permit
No. 34-2466 issued pursuant to Application for Permit dated September 13, 1965,
and has submitted proof to the Department of Water Resources on September 12, 1966,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.91 cfs of water from Pass Creek,
tributary to Big Lost River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>May 1*</u> to <u>November 1</u>	at <u>4.2 cfs</u> and	<u>630 acre feet</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 4.2 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
630 acre feet per year, said waters to be diverted within the SW 1/4, Sec. 23, Twp. 7N,
Rge. 25E, B.M. in the County of Butte

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	25E	1			40	25	35		40	35									175
		2				35													35

Total number of acres irrigated 210

The maximum volume of water diverted under this license when combined with License
No. 34-2390 shall not exceed 960 acre feet per annum.
A measuring device of a type approved by the Department and an adequate headgate
shall be maintained as part of the diverting works.
* or earlier date necessary for irrigation purposes, but in no event earlier than
April 20th. (Per Utah Construction Co. vs. John F. Abbott et al, Decree).

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25th day of
June, 19 81.

Director

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

05/01/00 11:57:12
Page 1

Water Right Number - 34-02466B

Prefix Translation: WATER RIGHT

Old (D) Number - 32520

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

*** C - CURRENT OWNER ***
SIX FLAGS INC

1 - 500 BERGESON
2 -
3 -
City- BLACKFOOT
Phone - 208-785-4722

State- ID Zip- 83221

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
09/13/1965 15 EASTERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
PASS CREEK BIG LOST RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
07N 25E 23 SW NE (23) BUTTE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION ~~05/01~~ ~~10/15~~ 0.500
04/01 11/01
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.500 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
06N 25E 1 SE NE 25.0 01 IRRIGATION (23) BUTTE
Total Acres: 25.0

+ - - Diversion Means - DITCH & HEADGATE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 34-02390B

+ - - - - Remarks - - - - - +

QNT USE OF THIS RIGHT WITH RIGHT NO. 34-02390B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.65 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 114.0 AF.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 34-02390B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 25 ACRES IN A SINGLE
IRRIGATION SEASON.

SCANNED
FEB 06 2000

Water right number - 34-02466B

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

3402466

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

STATE OF IDAHO

+ - - - - Decree Defendant - - - +

UNITED STATES ET AL

+ - Decree Date - +

11/24/1997

+ - - Audit Fields - 04/14/97 CFRITSCH 07/02/97 DSHAFF 01/13/98 PD-DSHAF

+ - - - - Comments - - - - - +

Date: 05/10/1992 User Id: WHITE Subject: ADDED REMARKS AND ADDED M01 CONDITION CODE
ADDED " A TOTAL COMBINED....VOLUME OF 114 AF" ADDED M01 CONDION CODE.

Date: 07/02/1997 User Id: DSHAFF Subject: COND. CODE M01
THE SPEC. MASTER IN THE RECOMM. STRUCK THIS REQUIREMENT FROM OTHER PROVISIONS.

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/11/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 34
Licensed Date	- 00/00/0000	Receipt Number	- E011603	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	- B

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: **A34-13551**
Date Received: 6/15/1995
Receipt No: C032878
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: SIX FLAGS INC
Address: 500 BERGESON DR
BLACKFOOT ID

208-785-4722

83221

2. Date of Priority: SEP 13, 1965

3. Source: PASS CREEK

Trib. to: BIG LOST RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	25E	23	SW	NE			BUTTE

5. Description of diverting works:
HEADGATE AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	10/16	04/30	1.500		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 1000 SHEEP AND/OR 500 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	25E	1	SE	NE		STOCK	

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THE DISTANCE BETWEEN THE POINT OF DIVERSION AND PLACE OF USE
REQUIRES 1.50 CFS BE DIVERTED TO COMPENSATE FOR TRANSMISSION
LOSSES AND STILL MAKE ADEQUATE FLOWS FOR THE STOCK TO DRINK.
ATTACKMENT: COPY OF WATER RIGHT LICENSE 34-02466.

15. Basis of Claim: BENEFICIAL USE

Claim fee - 50⁰⁰
 Variable fee - 150⁰⁰
 late fee - 50⁰⁰
 250⁰⁰

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 A34-13551
 Date Received 6-15-95
 Receipt Number C032878

NOTICE OF CLAIM
 TO A
 WATER RIGHT
 ACQUIRED UNDER STATE LAW

RECEIVED
 JUN 15 1995
 Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) SIX FLAGS, INC Phone (208) 785-4722

Mailing Address 500 BERGESON DR BLACKFOOT ID Zip 83221

2. Date of Priority (Only one (1) per claim) SEPT 13, 1965

3. Source of water supply (a) PASS CREEK
 which is tributary to (b) BIG LOST RIVER

4. a. Location of existing point of diversion is: Township 07N Range 25E Section 23,
1/4 of SW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of BUTTE

Additional points of diversion if any: _____

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. HEADGATE, & DITCH

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs) Department (acre feet)For STOCKWATER purposes from 10/16 to 04/30 amount 1.50 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.50 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater, 1000 SHEEP and/or 500 CATTLE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>07N</u>	<u>25E</u>	<u>01</u>				<u>S</u>													

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? BUTTE12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (X)

14. Remarks:

THE DISTANCE BETWEEN THE POINT OF DIVERSION AND
PLACE OF USE REQUIRES 1.50 CFS BE DIVERTED TO
COMPENSATE FOR TRANSMISSION LOSSES AND STILL HAVE
ADEQUATE FLOWS FOR THE STOCK TO DRINK.

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15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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Department of State

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 Secretary Title _____
of Six Flags, Inc Organization _____, that I have signed the foregoing
document in the space below as Secretary Title _____ of Six Flags, Inc Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]
Title and Organization Sec. of Six Flags, Inc. Date 2-21-95

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 21 day of February 19 95

SEAL Notary Public [Signature]
Residing at Adabo Falls, ID
My Commission Expires 6-14-2000

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 _____

1st Name _____ Ident. Number A34-1353

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