

02/16/2005

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

RIGHT NUMBER: 37-820B

NAME AND ADDRESS: SV RANCH LLC
PO BOX 1607
BELLEVUE WA 98009

SOURCE: CLOVER CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.400 CFS

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION:

T05S R12E S17 NENWNW Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.400 CFS

PLACE OF USE:

IRRIGATION Within GOODING County

T05S R12E S05	SESW	2.2	T05S R12E S05	NESE	0.8
T05S R12E S05	NWSE	26.0	T05S R12E S05	SWSE	27.0

56 ACRES TOTAL

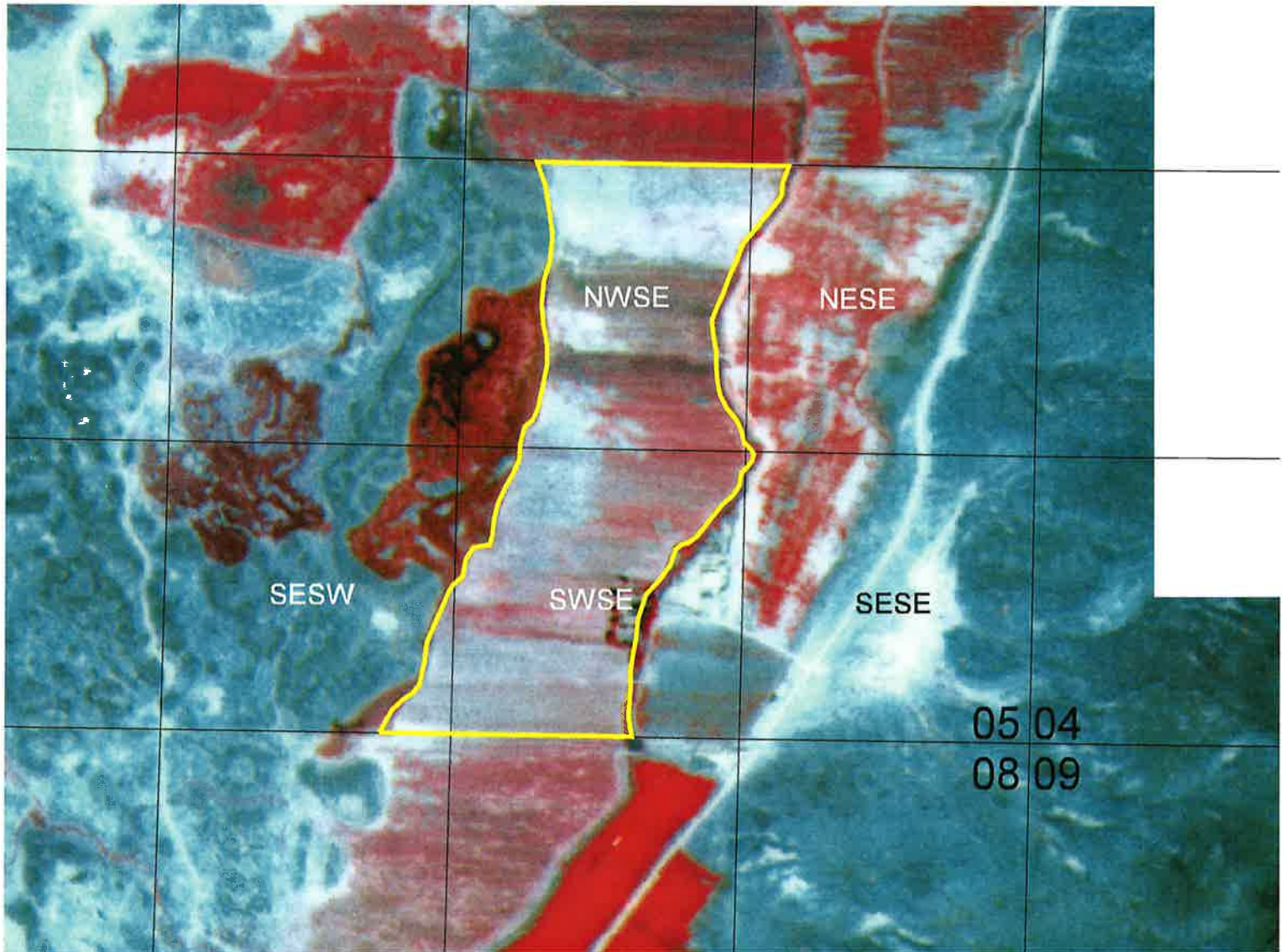
Right nos. 37-819B, 37-820B and 37-822B are limited to the irrigation of a combined total of 56 acres in a single irrigation season.

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: Decreed

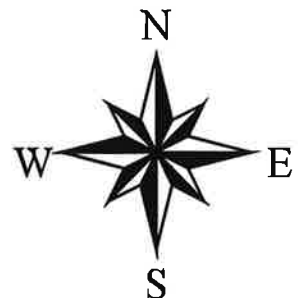
37-819B 37-820B & 37-822B



700 0 700 1400 2100 Feet

T05S R12E S05

Map prepared by: Carter Fritschle
Date prepared: 12/17/02
1987-1988 NAPP photography
Idaho Department of Water Resources



RECEIVED

APR 14 2003

Department of Water Resources

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-820B
Date Received: 8/29/1988
Receipt No: S001864
Received By:

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

1. Name of Claimant(s)

SV RANCH LLC Phone: (425) 688-9304
PO BOX 1607
BELLEVUE WA USA 98009

2. Date of Priority: 04/01/1887

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	12E	17	NE NW NW	GOODING	

5. Description of diverting works:

ROCK DAM WITH APPROX. 5 MI. OF DITCH, PIPES AND A FLUME.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/01	11/01	0.40	

7. Total Quantity Appropriated is:

0.40 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
05S	12E	5	SE	SW	IRRIGATION	2.2
			NE	SE	IRRIGATION	0.8
			NW	SE	IRRIGATION	26
			SW	SE	IRRIGATION	27
Section Acres						56
Total Acres						56

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

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 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 the president of SV Ranch, LLC, that I have signed the foregoing document in the space below as the president of SV Ranch, LLC and that the statements contained in the foregoing document are true and correct.

SV RANCH, LLC

By: [Signature]
Charles E. Hill, president

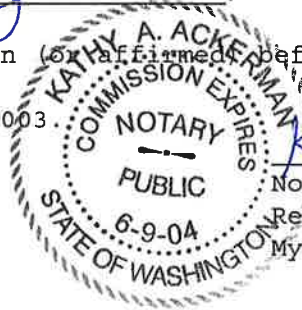
April 9, 2003
Date

State of Washington)

County of King) SS.

Subscribed and sworn (or affirmed) before me this 9th day of

April 2003. Kathy A. Ackerman
Notary Public Kathy A. Ackerman
Residing at Issaquah, WA
My commission Expires 6/9/04



17. Notice of Appearance:

Notice is hereby given that I, James P. Speck 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 [Signature]

SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340

Date 4.7.03

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00820B

Date Received: 8/29/1988

Receipt No: 5001864

Received By: TB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIS F. WEBB
Address: GEN. DELIVERY
BLISS, ID

208-352-4205

83314

2. Date of Priority: APR 01, 1887

3. Source: DRY CREEK

Trib. to: CLOVER CR.(SEE REMARKS)

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	12E	29	NW	SW	NW		GOODING

5. Description of diverting works:
ROCK DAM WITH APPROX. 5 MI. OF DITCH, PIPES AND A FLUME.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/01	0.400		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	12E	5	NE	SE		IRR	19.0
			NW	SE		IRR	2.0
			SW	SE		IRR	9.0
			SE	SE		IRR	10.0

Section Acres 40.0

SCANNED

JAN 29 2003

A37-00820B

Page 1

Date: 08/29/88

MICROFILMED

FEB 23 1993

10. Place of Use: Continued

Total Acres 40.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
37-0819, 37-0821, 37-0822

14. Remarks:

BRAY VS. FERGUSEN STATES THAT DRY CR. IS A DRY STREAM.

15. Basis of Claim: DECREED

Case Number:

Court : FOURTH

Decree date: 4/07/1920

BRAY

Decree Plaintiff

vs

FERGUSEN ET AL

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): x Willis F. Webb Date: 8/29/88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 29th day

of August 19 88

Mary A. Baldwin
Notary Public

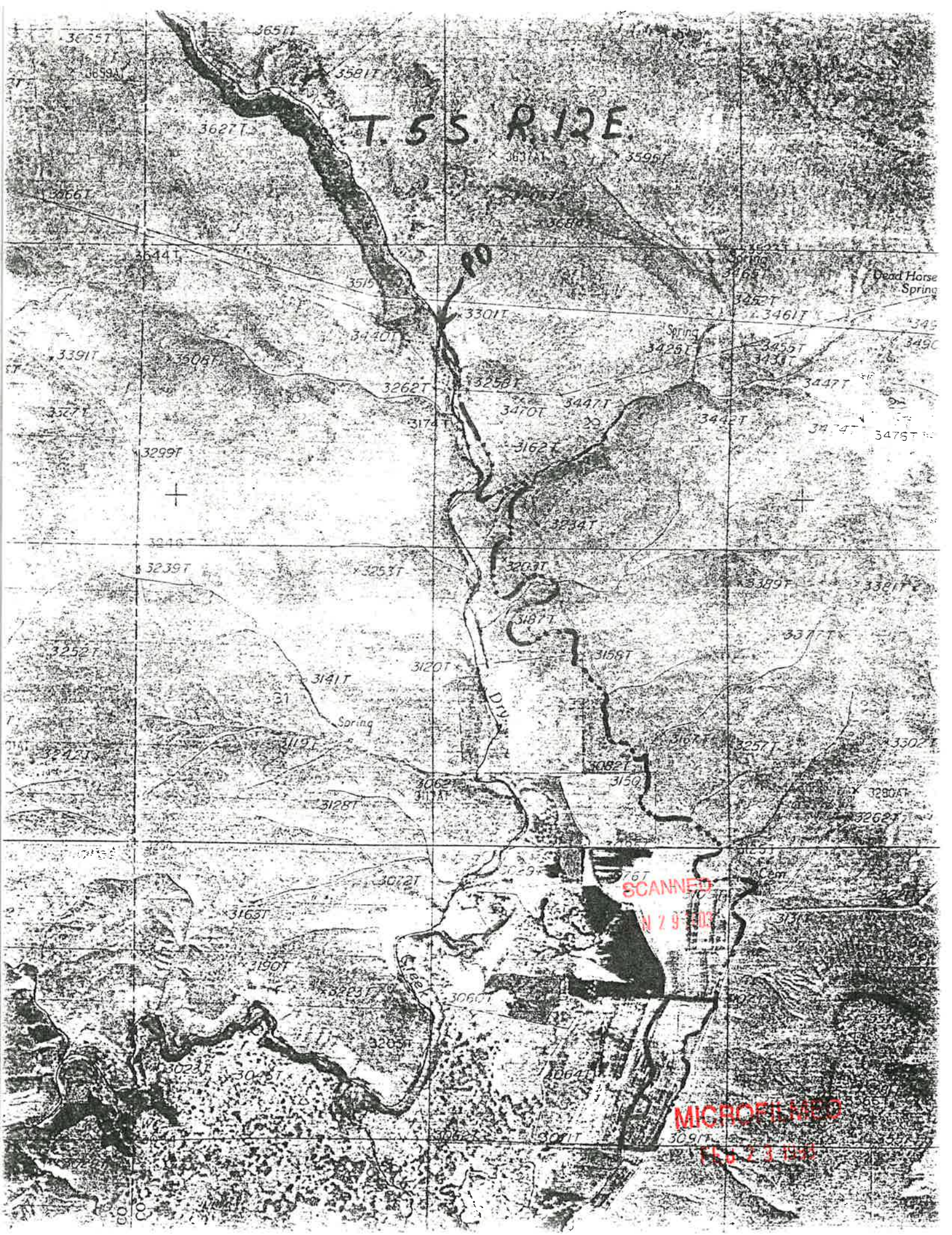
Seal

Residing at Gooding, Id
My Commission Expires 10/16/1992

SCANNED

JAN 29 2003

MICROFILMED
FEB 23 1993



CA
12-16-02

claimed	37- 819A	1.20	Clover Creek	Kast
claimed	37- 819B	1.20	Dry Creek	Carraway
Decreed	37- 819	2.40 cfs	2-21-1905	Clover Creek
claimed	37- 820A	0.80	Clover Creek	Kast
claimed	37- 820B	0.40	Dry Creek	Carraway
Decreed	37- 820	0.80 cfs	4-1-1887	Clover Creek
claimed	37- 821A	1.25	Dry Creek	Kast
claimed	37- 821B	2.50	Dry Creek	Kast
claimed	37- 821C	2.50	Dry Creek	Carraway
Decreed	37- 821	5.00 cfs	4-1-1907	Dry Creek
claimed	37- 822A	264 AF	Clover Creek	Kast
claimed	37- 822B	5.00 cfs	Clover Creek	Carraway
Decreed	37- 822	3/4 of the capacity of Pioneer Res. 3-2-1910 Clover Creek		

Decreed POU
for:

37-819
37-820
37-821
37-822

Lot 2 NWNE	Lot 1 NENE
SWNE	SENE
NWSE	NESE
SWSE	SESE

NE 1/4 owned by Kast

SE 1/4 owned by Carraway

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-820B
Date Received: 8/29/1988
Receipt No: S001864
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SV RANCH LLC Phone: (425)688-9304
PO BOX 1607
BELLEVUE WA 98009

2. Date of Priority: 04/01/1887

3. Source: DRY CREEK Trib. to: CLOVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	12E	29	NW SW NW	GOODING	

5. Description of diverting works:

ROCK DAM WITH APPROX. 5 MI. OF DITCH, PIPES AND A FLUME.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/01	11/01	0.4	

7. Total Quantity Appropriated is:
0.4 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
05S	12E	5	NE	SE	IRRIGATION	19
			NW	SE	IRRIGATION	2
			SW	SE	IRRIGATION	9
			SE	SE	IRRIGATION	10
					Section Acres	40
					Total Acres	40

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

BRAY VS. FERGUSEN STATES THAT DRY CR. IS A DRY STREAM.

***** 3/8/2000 tf;
OWNERSHIP CHANGED WEBB TO CARRAWAY/SHAW PER 1409(6) AND WARRANTY DEED REC'D 5/5/1999.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 20, 2003

SV RANCH LLC
PO BOX 1607
BELLEVUE WA 98009

Re: SRBA Claim(s) 37-819B, 37-820B, 37-821C, 37-822B
Decreed Water Right 37-11166

Dear Claimant:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

**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.

RECEIVED**MAR 17 2003**Department of Water Resources
Southern Region

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
<u>37-819B</u>	<u>37-819B</u>	☐	<u> </u>	<u> </u>	☐
<u>37-820B</u>	<u>37-820B</u>	☐	<u> </u>	<u> </u>	☐
<u>37-821C</u>	<u>37-821C</u>	☐	<u> </u>	<u> </u>	☐
<u>37-822B</u>	<u>37-822B</u>	☐	<u> </u>	<u> </u>	☐
<u>37-11166</u>	<u> </u>	☐	<u> </u>	<u> </u>	☐

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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) Eugene L. Shaw & Joyce Shaw & Darren E. Carraway
650 E. 370 S., Dietrich, ID 83324
4. New Owner/Claimant(s) SV Ranch, LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P. O. Box 1607
- City, State and ZIP Code Bellevue, WA 98009
- New Telephone Number ()
5. Date you acquired the property March 10, 2003

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) SV RANCH, LLC
(include title if applicable)



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 <u>[Signature]</u>	Date <u>3/17/03</u>	Fee <u>25.00</u>
Received by <u>[Signature]</u>	Date <u>3/17/03</u>	Receipt No. <u>5025573</u>
Processed by <u>[Signature]</u>	Date <u>3/19/03</u>	WR _____ Date _____

6030033

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

James P. Speck, Esq.
SPECK & AANESTAD
a Professional Corporation
P. O. Box 987
Ketchum, Idaho 83340

Instrument # 199551

GOODING, GOODING, IDAHO

2003-03-10

01:44:20

No. of Pages: 5

Recorded for : GOODING TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee 15.00

(Space above line for Recorder's use)

WARRANTY DEED

FOR VALUE RECEIVED, EUGENE L. SHAW and JOYCE SHAW, husband and wife, and DARREN E. CARRAWAY, a single man, whose current address is 12129 Clover Meadow Drive, Boise, ID 83713 ("Grantor" whether one or more), hereby grants, bargains, sells and conveys unto SV RANCH, LLC, an Idaho limited liability company, whose current address is c/o Mr. Chuck Hill, Box 1607, Bellevue WA 98009 ("Grantee", whether one or more), that certain real property situated in Gooding County and Camas County, Idaho and described in Exhibit 1 attached hereto and incorporated herein by this reference;

TOGETHER WITH the any and all water rights appurtenant thereto, including, but not limited to, Water Rights 37-819B, 37-820B, 37-821C, 37-822B and 37-11166;

SUBJECT TO the all easements and restrictions of record;

TO HAVE AND TO HOLD, the said real property, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said real property, that said real property is free from all encumbrances except as above-described, and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

This Warranty Deed may be executed in one or more counterparts, all of which together shall constitute one and the same Warranty Deed.

IN WITNESS WHEREOF, Grantor has executed this Warranty Deed as of the dates set forth below.

"GRANTOR"

Date: 3-10-03

Eugene L Shaw BOA
EUGENE L. SHAW
By Hubert Shaw BOA
HUBERT SHAW, ATTORNEY-IN-FACT

Date: 3-10-03

Joyce Shaw POA
JOYCE SHAW

By Hubert Shaw BoA
HUBERT SHAW, ATTORNEY-IN-FACT

Date: 3-10-03

Darren E. Carraway
DARREN E. CARRAWAY

STATE OF IDAHO)
) ss.
County of _____)

On this ____ day of March, 2003, before me, the undersigned notary public in and for said state, personally appeared JOYCE SHAW, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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

Notary Public for Idaho
Residing at: _____
Comm. Expires _____

STATE OF IDAHO)
) ss.
County of _____)

On this _____ day of March, 2003, before me, the undersigned notary public in and for said state, personally appeared EUGENE L. SHAW, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

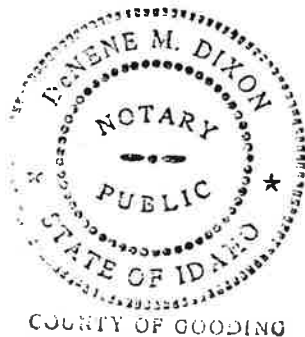
IN WITNESS WHEREOF, I have ~~hereunto set~~ my hand and affixed my official seal the day and year first above written.

Notary Public for Idaho
Residing at: _____
Comm. Expires _____

STATE OF IDAHO)
) ss.
County of Gooding)

On this 10th day of March, 2003, before me, the undersigned notary public in and for said state, personally appeared DARREN E. CARRAWAY, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



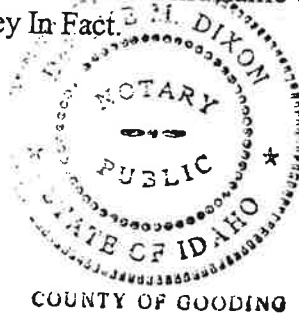
Eugene M. Dixon
Notary Public for Idaho
Residing at: Wendell, ID
Comm. Expires 3-13-2004

State of Idaho)
) ss.
County of Gooding)

On this 10th day of March, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared HUBERT SHAW, known or identified to me to be the person whose name is subscribed to the within instrument as the Attorney In Fact of EUGENE L. SHAW, and acknowledged to me that he subscribed the name of EUGENE L. SHAW, as principal, and his own name as Attorney In Fact.

Wendell M. Dixon

Notary Public For Idaho
Residing at: Wendell, ID
Commission Expires: 3-13-2004



State of Idaho)
) ss.
County of Gooding)

On this 10th day of March, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared HUBERT SHAW, known or identified to me to be the person whose name is subscribed to the within instrument as the Attorney In Fact of JOYCE SHAW, and acknowledged to me that he subscribed the name of JOYCE SHAW, as principal and his own name as Attorney-In-Fact.

Wendell M. Dixon

Notary Public For Idaho
Residing at: Wendell, ID
Commission Expires: 3-13-2004



EXHIBIT A
G030033

CAMAS COUNTY

Township 2 South, Range 12 East, Boise Meridian, Camas County, Idaho

Section 23: SW $\frac{1}{4}$; W $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 26: N $\frac{1}{2}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$

GOODING COUNTY

Township 5 South, Range 12 East, Boise Meridian, Gooding County, Idaho

Section 4: S $\frac{1}{2}$ N $\frac{1}{2}$; S $\frac{1}{2}$

Section 5: SE $\frac{1}{4}$ and a parcel of land in the E $\frac{1}{4}$ SW $\frac{1}{4}$, described as follows:

Beginning at the Northeast corner of said SW $\frac{1}{4}$; Thence South one-half mile to the Southeast corner of said SW $\frac{1}{4}$; Thence West 780 feet along the South boundary line of said SW $\frac{1}{4}$; Thence in a Northeasterly direction to the Point of Beginning.

Recorded at the Request of
Camas County Title
at 3:20 P.M.
March 10, 2003
in Book 33, Page 430
of Deeds
By Bobbie D. Walton
Fees \$ 15.00

075949

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

March 13, 2003

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

**RE: Notice of Change of Water Right Ownership - Shaw, Shaw and Carraway -
SV Ranch, LLC**

Dear Allen:

Enclosed you will find the original and a copy of the above-referenced Notice of Change of Water Right Ownership for certain water rights recently acquired by my client, SV Ranch, LLC from Eugene L. Shaw, Joyce Shaw and Darren E. Carraway. I have also included my firm's check payable to the Department in the sum of \$25.00 for the filing fee relating to the ownership change for Decreed Water Right 37-11166. Please have your secretary receipt date stamp the copies of these documents and return them to me in the postage prepaid, self addressed envelope I have included for that purpose.

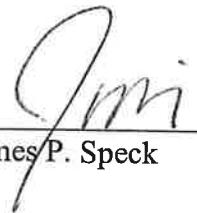
Kindly call me right away if you have any questions about this ownership change.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____


James P. Speck

JPS:sgg

enclosures

cc: Chuck Hill, w/encl.
Rod Gonsales, w/encl.