

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 37-30024D
Date Received: 9/4/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HUF N PUF TRUST Phone: (702)588-6676
C/O RON ALLING TRUSTEE
PO BOX 3390
LAKE TAHOE NV 89449-3390

2. Date of Priority: 03/24/1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	17E	1	SW NE	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.07	12.3

7. Total Quantity Appropriated is:
0.07 C.F.S. and/or 12.3 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	17E	1	SE	NW	IRRIGATION	3.5
					Section Acres	3.5
					Total Acres	3.5

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

Approval of Transfer 5143 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Place of use is located within Lots 6, 7 and 8, Flowers Mill Subdivision.

Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

15. Basis of Claim: Decreed

RECEIVED

FEB 20 1998

FEB 26 1998

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

Department of Water Resources
Southern Region

SPECK & AANESTAD

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 37-00577BM (renumbered as 37-30024D)
Adjudication Claim Number(s) A37-11654C
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE, POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimants Coyote Bluff Ranch, L.L.C.
P.O. Box 2063, Ketchum, ID 83340
4. New Owner/Claimant(s) Ron Alling, trustee of The Huf-N-Puf Trust
Name connector (check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address C/o Ron Alling, Esq., Scarpello & Alling, Kingsbury Square, P.O. Box 3390
City, State and ZIP Code Lake Tahoe, NV 89449-3390
New Telephone Number (702) 588-6676
5. Date you acquired the property January 15, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated 3.5 Number and type of stock _____
Diversion rate in CFS 0.07cfs cubic feet per second Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s)  Date 2-17-98
RON ALLING, TRUSTEE
(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

RECEIVED

FEB 20 1998

SPECK & AANESTAD
RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

RECEIVED

JAN 22 1998

SPECK & AANESTAD

RECEIVED

JAN 13 1998

SPECK & AANESTAD

James P. Speck, Esq.
HOGUE, SPECK & AANESTAD
P. O. Box 987
Ketchum, Idaho 83340

(space above line for Recorder's use)

Blaine Co. Request
of Speck & Aanestad
98 JAN 20 AM 11 38
MARY GREEN, CLERK
FEE \$ 6.00 YMP

Dead

409896

QUITCLAIM DEED

FOR VALUE RECEIVED, COYOTE BLUFF RANCH, L.L.C., an Idaho limited liability company, whose address is P. O. Box 2063, Ketchum, ID 83340 (hereinafter referred to as the "Grantor"), does hereby convey, release, remise and forever quitclaim unto RON ALLING, TRUSTEE OF THE HUF-N-PUF TRUST, whose address is C/O Ron Alling, Esq., Scarpello & Alling, Kingsbury Square, P.O. Box 3390, Lake Tahoe, NV 89449-3390 (hereinafter referred to as the "Grantee"), any and all interest Grantor may have in the following described water right, appurtenant to premises situated in Blaine County, Idaho, to wit:

0.07 cfs of the Big Wood River with a March 24, 1883 priority date pursuant to Idaho Water Right No. 37-00577BM and Claim No. A37-11654C in In Re the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System, Twin Falls District Court Case No. 39576.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anyway appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the Grantee, and to Grantee's heirs and assigns forever.

DATED this 21 day of JULY, 1997.

GRANTOR:

COYOTE BLUFF RANCH, L.L.C., an Idaho limited liability company

DATE: 21 JUL 97

By:

Rod Kegley, member

RECEIVED

FEB 26 1998

RECEIVED
FEB 20 1998
SPECK & AANESTAD

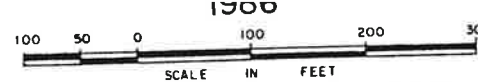
STATE OF IDAHO)
)
County of Blaine) ss.

On this 21st day of July, 1997, before me the undersigned notary public in and for said state, personally appeared ROD KEGLEY, known or identified to me to be one of the members of COYOTE BLUFF RANCH, L.L.C., an Idaho limited liability company, and the member who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company name.

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



Barry J. Luborski
Notary Public for Idaho
Residing at : Ketchum
Commission Expires: 11-97



R1V

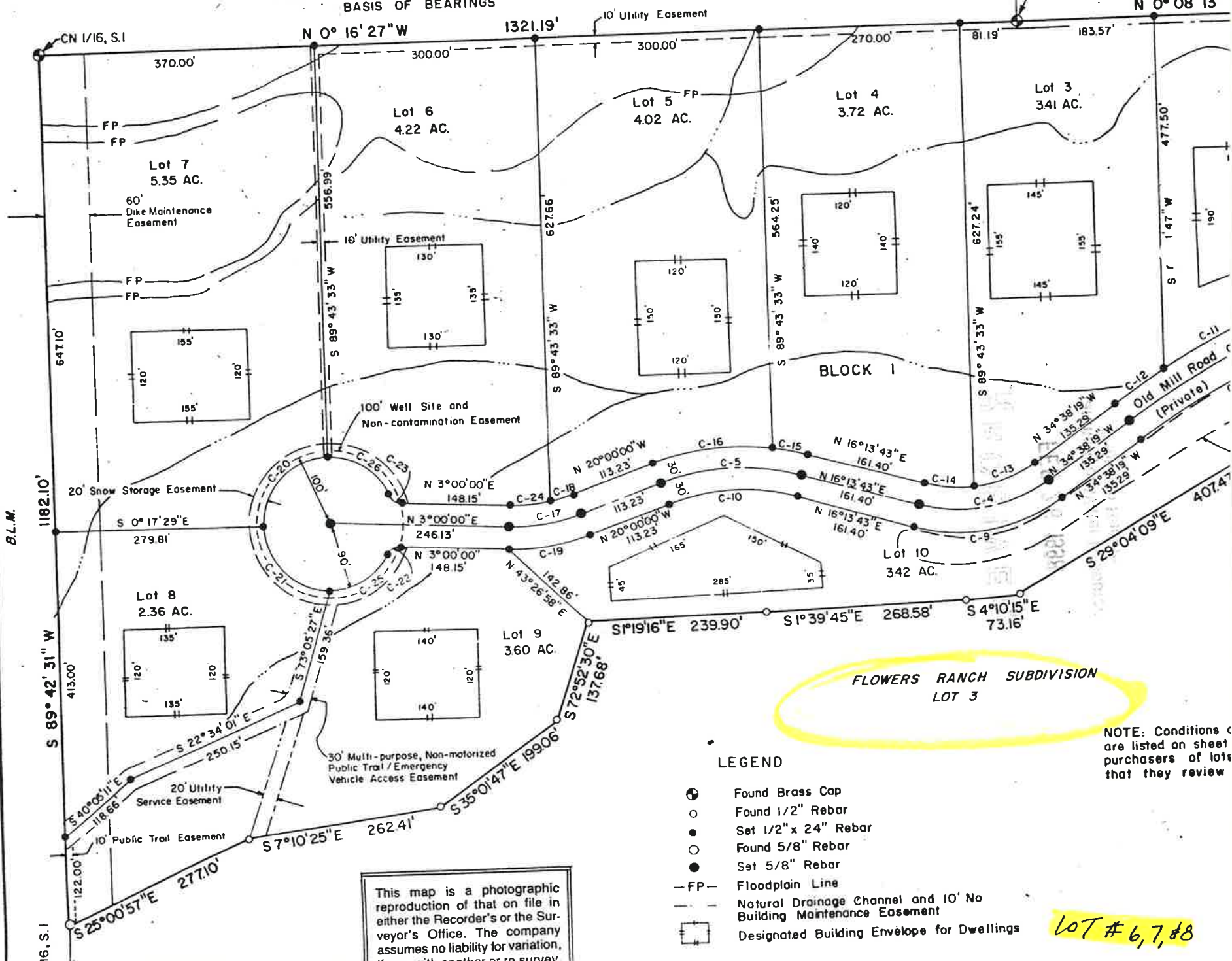
B.L.M.

BASIS OF BEARINGS

B.L.M.

TPOB, C.1/4, S.1, T.4N., R.17E., B.M.

N 0° 08' 13"



LEGEND

- Found Brass Cap
- Found 1/2" Rebar
- Set 1/2" x 24" Rebar
- Found 5/8" Rebar
- Set 5/8" Rebar
- FP- Floodplain Line
- - - Natural Drainage Channel and 10' No Building Maintenance Easement
- [] Designated Building Envelope for Dwellings

NOTE: Conditions are listed on sheet purchasers of lots that they review

LOT # 6, 7, & 8

Idaho Dept of Water Resources
Claims review notes and narrative

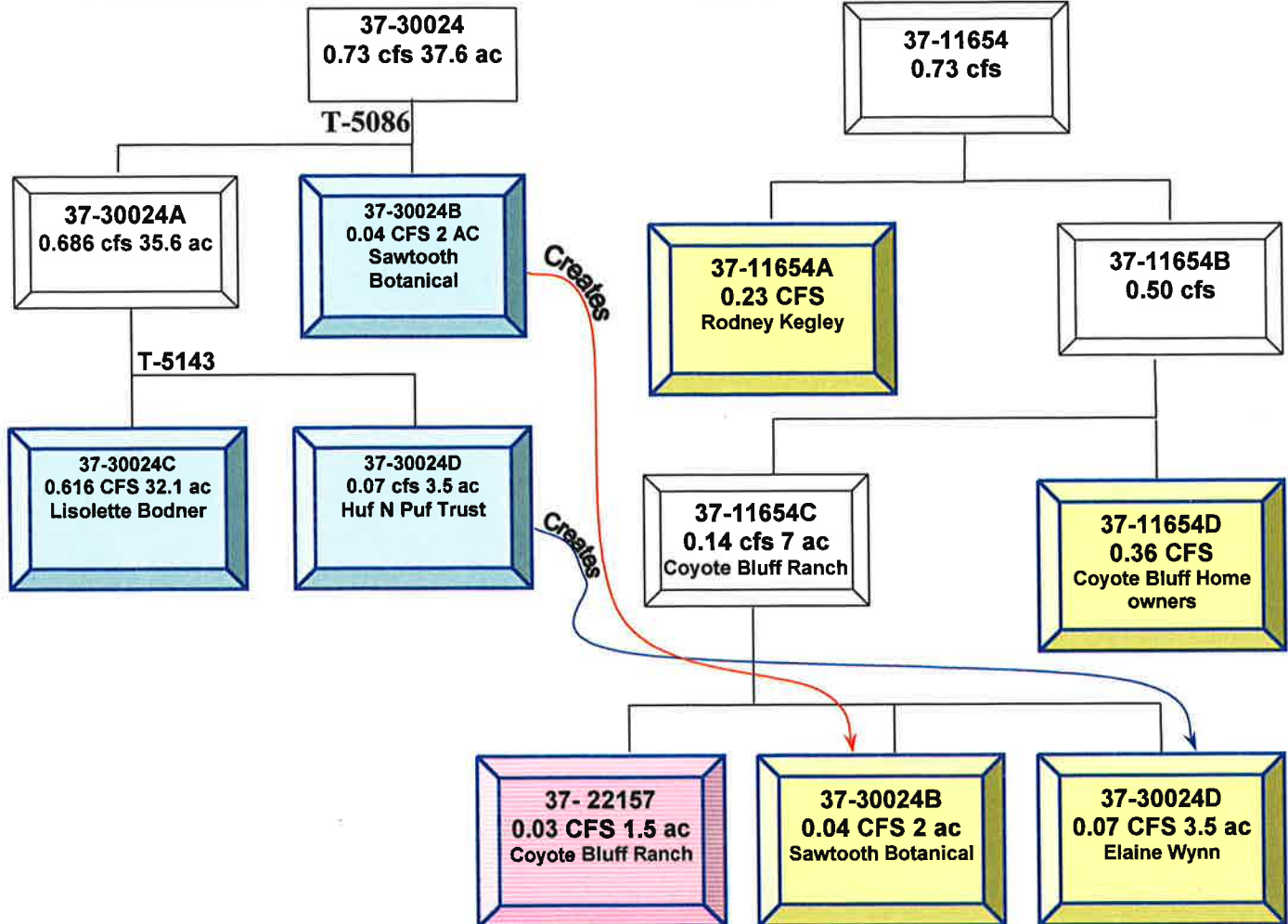
Date: 2-9-2007

File: 37-11654 split tree analysis

Prepared by Kelly K Christensen

ALLOCATIONS TREE

ADJUDICATION TREE



Clark, Cynthia (Bridge)

From: Jim Speck [jim@speckandaanestad.com]
Sent: Wednesday, January 03, 2007 4:46 PM
To: Clark, Cynthia (Bridge)
Subject: RE: RE: Huf-N-Puf/Water Rights - 37-30024D

Cynthia,

Thanks - the revised version of 37-30024D is approved!

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckandaanestad.com

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

From: Clark, Cynthia (Bridge)
Sent: Wednesday, January 03, 2007 10:29 AM
To: Jim Speck

Jim,

I have attached an updated version of the Preliminary Recommendation for this claim for your review. Additionally, claim files are being redistributed as according to work loads. You left a message regarding claim no. 37-539G. That file has been forwarded to staff at our Western Region for review. I will pass your message on as soon as it is assigned and will let you know who is working on it.

Thank you,
Cynthia

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

From: Jim Speck [mailto:jim@speckandaanestad.com]
Sent: Wednesday, November 29, 2006 4:40 PM
To: Clark, Cynthia (Bridge)
Cc: 'Klimek, Sean'
Subject: Re: Huf-N-Puf/Water Rights - 37-30024D

Cynthia,

Attached is the Notice of Error Reply for this preliminary

recommendation. Please call to discuss if you have the time. Thanks.

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckandaanestad.com

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--
No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.432 / Virus Database: 268.16.4/615 - Release Date: 1/3/2007
1:34 PM

Attachment(s): Recommendation 37-30024D.pdf; 37-30024d.jpg

12/29/2006

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

RIGHT NUMBER: 37-30024D
NAME AND ADDRESS: STEPHEN WYNN
C/O WYNN RESORTS
3131 LAS VEGAS BLVD S
LAS VEGAS NV 89109

ELAINE WYNN
C/O WYNN RESORTS
3131 LAS VEGAS BLVD S
LAS VEGAS NV 89109

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.070 CFS
12.300 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T04N R17E S1 SWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.070 CFS 12.30 AFY

The use of water for irrigation under this right may begin as early as April 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in BLAINE County

T04N R17E S01 SENW 3.50

3.5 ACRES TOTAL

Place of use is located within Lots 6, 7 and 8, Flowers Mill Subdivision.

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

Approval of Transfer 5143 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

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.

12/29/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.



Idaho Department of Water Resources

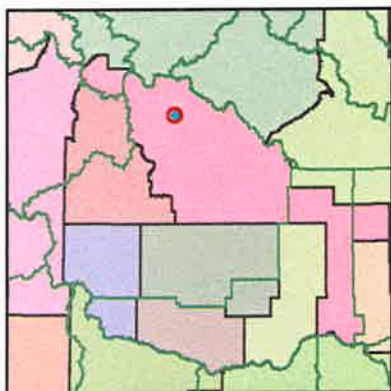
SRBA Recommendation:

37-30024D

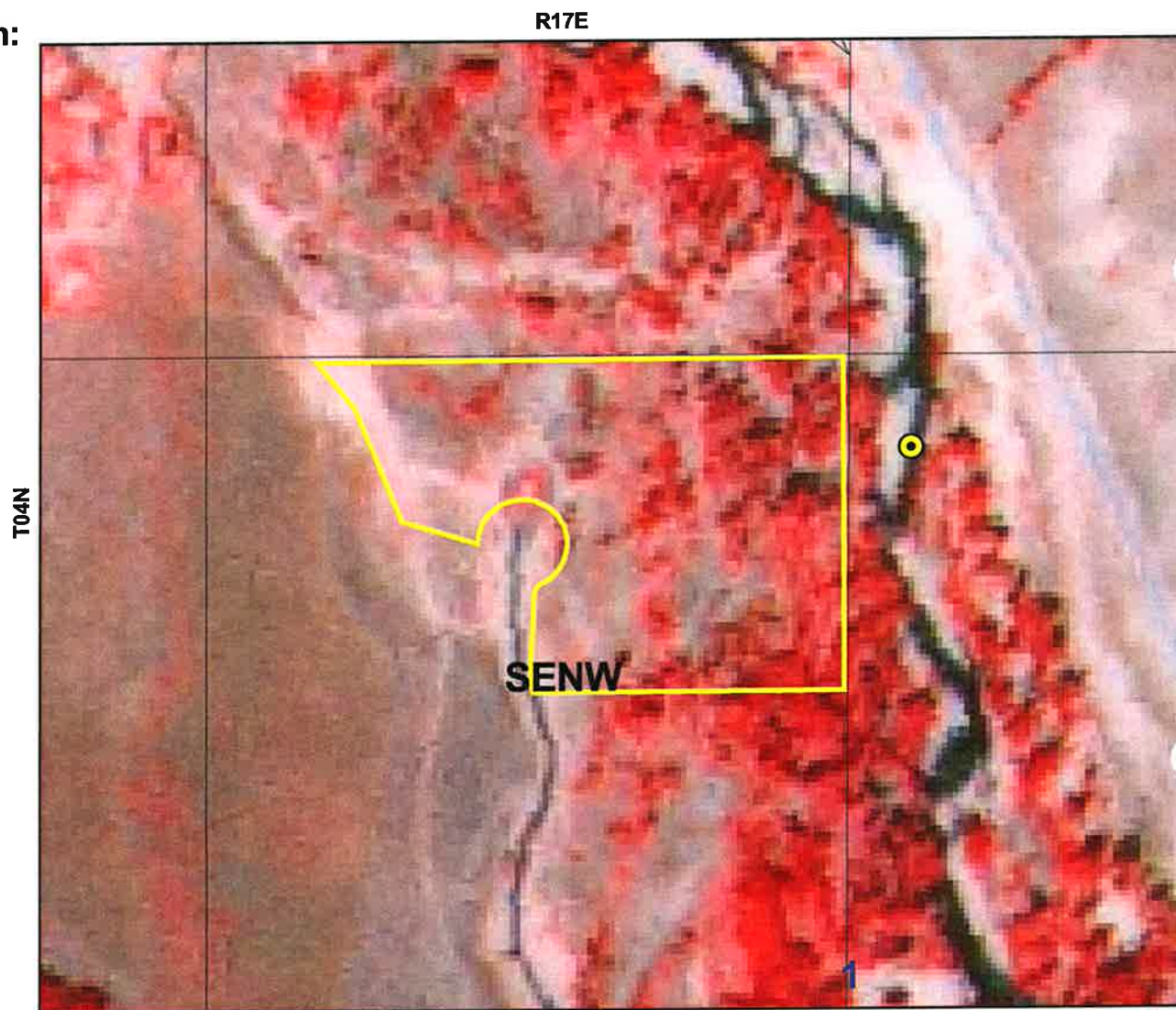
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by C. Clark
On Wednesday, January 3, 2007
1987/88 Aerial Photography



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

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 22, 2006

STEPHEN AND ELAINE WYNN
C/O WYNN RESORTS
2121 LAS VEGAS BLVD S
LAS VEGAS NV 89109

Re: SRBA Claim #37-30024D

Dear Claimants,

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 copy of the computer record of the claim noting the change in claimants. Review this record and if there is an error, or you have any questions, please contact this office.

Sincerely,

Carrie Hahn
Office Specialist

Enc.
Cc Jim Speck

RECEIVED
DEC 27 2006

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-30024D V1

WATER RIGHT NUMBER: 37-30024D V1

RECEIVED
DEC 26 2006
DEPARTMENT OF
WATER RESOURCES

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Original Owner	W T RILEY , ID
Previous Owner	HUF N PUF TRUST C/O RON ALLING TRUSTEE PO BOX 3390 LAKE TAHOE, NV 89449-3390 (702)588-6676
Current Owner	STEPHEN WYNN C/O WYNN RESORTS 3131 LAS VEGAS BLVD S LAS VEGAS, NV 89109 (702) 770-7740
Current Owner	ELAINE WYNN C/O WYNN RESORTS 3131 LAS VEGAS BLVD S LAS VEGAS, NV 89109 (702) 770-7740

SCANNED
Dec 17 2006

Priority Date: 03/24/1883
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/15	0.070 CFS	12.30 AF
	<u>Total Diversion:</u>	0.070 CFS	12.30 AF

Location of Point(s) of Diversion
BIG WOOD RIVER SW1/4NE1/4 Sec. 1, Twp 04N, Rge 17E, B.M.
BLAINE County

Place of Use
IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	17E	1	NE	NW	SW	SE	3.5

Total Acres: 3.5

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-30024D V1

Conditions of Approval:

1. E51 Right Nos. 37-30024 D and 37-8203 are limited to a total combined diversion rate of 0.46 cfs for irrigation purposes.
2. S37 The use of water for irrigation under this right may begin as early as April 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
4. Place of use is located within Lots 6, 7 and 8, Flowers Mill Subdivision.
5. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. E55 Right Nos. 37-30024 D and 37-8203 are limited to the irrigation of a combined total of 23 acres in a single irrigation season.
8. Approval of Transfer 5143 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
9. 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.
10. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Remarks:

Comments:

Water Supply Bank:

SCANNED
12.2.2015

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

RECEIVED
DEC 21 2006
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

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, if the change in ownership is limited to a portion of 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
	37-30024D				

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) are for ten or more acres of irrigation, you must submit 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 Ronald D. Alling, Trustee of the Huf N' Puf Trust u/i/d January 4, 1996
- Owner/Claimant(s) _____
4. New Owner/Claimant(s) Stephen Wynn and/or Elaine Wynn
Name Connector (Check one): [] and, [] or [x] and/or
- New Mailing Address C/o Wynn Resorts, 3131 Las Vegas Boulevard, South
- City, State and Zip Code Las Vegas, NV 89109
- New Telephone Number (702) 770-7740
5. Date you acquired the property March 20, 2006

SCANNED
DEC 27 2006

6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of 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)

Stephen Wynn

Elaine Wynn
Elaine Wynn

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 _____ AJ Date _____ WR _____ Date _____

SCANNED
JUL 7 2000

QUITCLAIM DEED

THIS INSTRUMENT FILED FOR RECORD
BY SUN VALLEY TITLE COMPANY AS AN
ACCOMMODATION ONLY. IT HAS NOT
BEEN EXAMINED AS TO ITS EXECUTION
OR AS TO ITS EFFECT UPON THE TITLE.

For Value Received

Ronald D. Alling, Trustee of the Huf N' Puf Trust u/d January 4, 1996

Do hereby convey, release, remise and forever quitclaim unto
STEPHEN WYNN AND ELAINE WYNN, HUSBAND AND WIFE

Whose current address is
c/o Wynn Resorts
3131 Las Vegas Boulevard, South
Las Vegas, NV 89109

Instrument # 533269

HAILEY, BLAINE, IDAHO

2006-03-20 03:23:00 No. of Pages: 1

Recorded for : SUN VALLEY TITLE

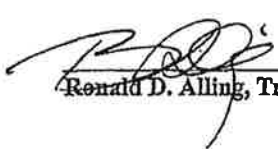
MARSHA RIEMANN Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

The following described premises, to-wit:
Lots 6, 7 & 8 of Flower Mill Subdivision, Blaine County, Idaho, according to the official plat
thereof, on file in the office of the County Recorder, recorded August 29, 1986, as Instrument No.
276174 records of Blaine County, Idaho.

Together with their appurtenances.
Huf N'Puf Trust


Ronald D. Alling, Trustee

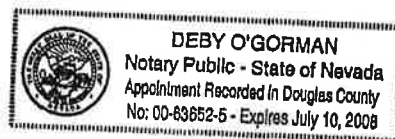
March 13, 2006
Date

State of Nevada
County of Douglas

On this 14th day of March, 2006, before me, a Notary Public in and for said State, personally
appeared Ronald D. Alling, Trustee of the Huf N'Puf Trust known or identified to me to be the person
whose name is subscribed to the within instrument as Trustee of said Trust, and acknowledged to me that
he has executed the same in his capacity as Trustee.


Notary Public

Residing at: Douglas County, NV
Comm. Expires: 07-10-08



SCANNED

DEC 27 2006

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

December 19, 2006

RECEIVED
DEC 21 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Ms. Trish Fawcett
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301

**Re: Stephen and/or Elaine Wynn;
Notice of Change of Water Right Ownership;
Water Right 37-30024D;
Our File No. 1349/030173**

Dear Trish:

Enclosed you will find the original and one copy of the above-referenced Notice of Change in Water Right Ownership for the above referenced water right. Please receipt date-stamp the copy and return it to me in the postage prepaid, self-addressed envelope enclosed for that purpose. Kindly call me right away if you have any questions about this Notice.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS/jef

Enclosures

cc: C. Clark, IDWR (w/encl.)
Client (w/encl.)

Clark, Cynthia (Bridge)

From: Jim Speck [jim@speckandaanestad.com]
Sent: Wednesday, November 29, 2006 4:40 PM
To: Clark, Cynthia (Bridge)
Cc: 'Klimek, Sean'
Subject: Re: Huf-N-Puf/Water Rights - 37-30024D

Cynthia,

Attached is the Notice of Error Reply for this preliminary recommendation. Please call to discuss if you have the time!! Thanks.

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckandaanestad.com

CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you.

11/30/2006

11/21/2006

**NOTICE OF ERROR
REPLY**

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: 12/13/2006

Water right number: 37-30024D

HUF N PUF TRUST
C/O RON ALLING TRUSTEE
PO BOX 3390
LAKE TAHOE NV 89449-3390
Telephone Number: (702)588-6676

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

Quantity and place of use.

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

The combined diversion rate and combined irrigated area limitations, and any other reference to Water Right 37-8203, should be deleted.

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

Water Right 37-30024D was transferred to Claimant's property to irrigate land that was not being irrigated by 37-8203, the water right owned by the subdivision homeowners' association.

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

DATE:

11/27/06

SIGNATURE:

J. P. Speck

Please print your name: James P. Speck

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

09/12/2006

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

RIGHT NUMBER: 37-30024D

NAME AND ADDRESS: HUF N PUF TRUST
C/O RON ALLING TRUSTEE
PO BOX 3390
LAKE TAHOE NV 89449-3390

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.070 CFS
12.300 AFY

Right Nos. 37-30024 D and 37-8203 are limited to a total combined diversion rate of 0.46 cfs for irrigation purposes.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T04N R17E S1 SWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.070 CFS 12.30 AFY

The use of water for irrigation under this right may begin as early as April 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within BLAINE County

T04N R17E S01 SENW 3.50

3.5 ACRES TOTAL

Place of use is located within Lots 6, 7 and 8, Flowers Mill Subdivision.

Right Nos. 37-30024 D and 37-8203 are limited to the irrigation of a combined total of 23 acres in a single irrigation season.

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

Approval of Transfer 5143 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

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.

09/12/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.



Idaho Department of Water Resources

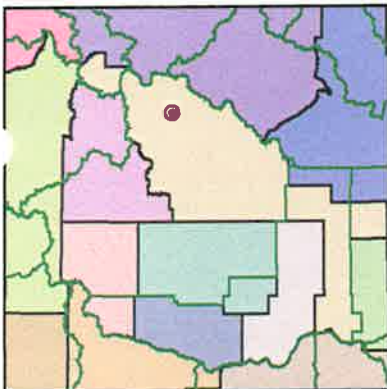
SRBA Recommendation:

37-30024D

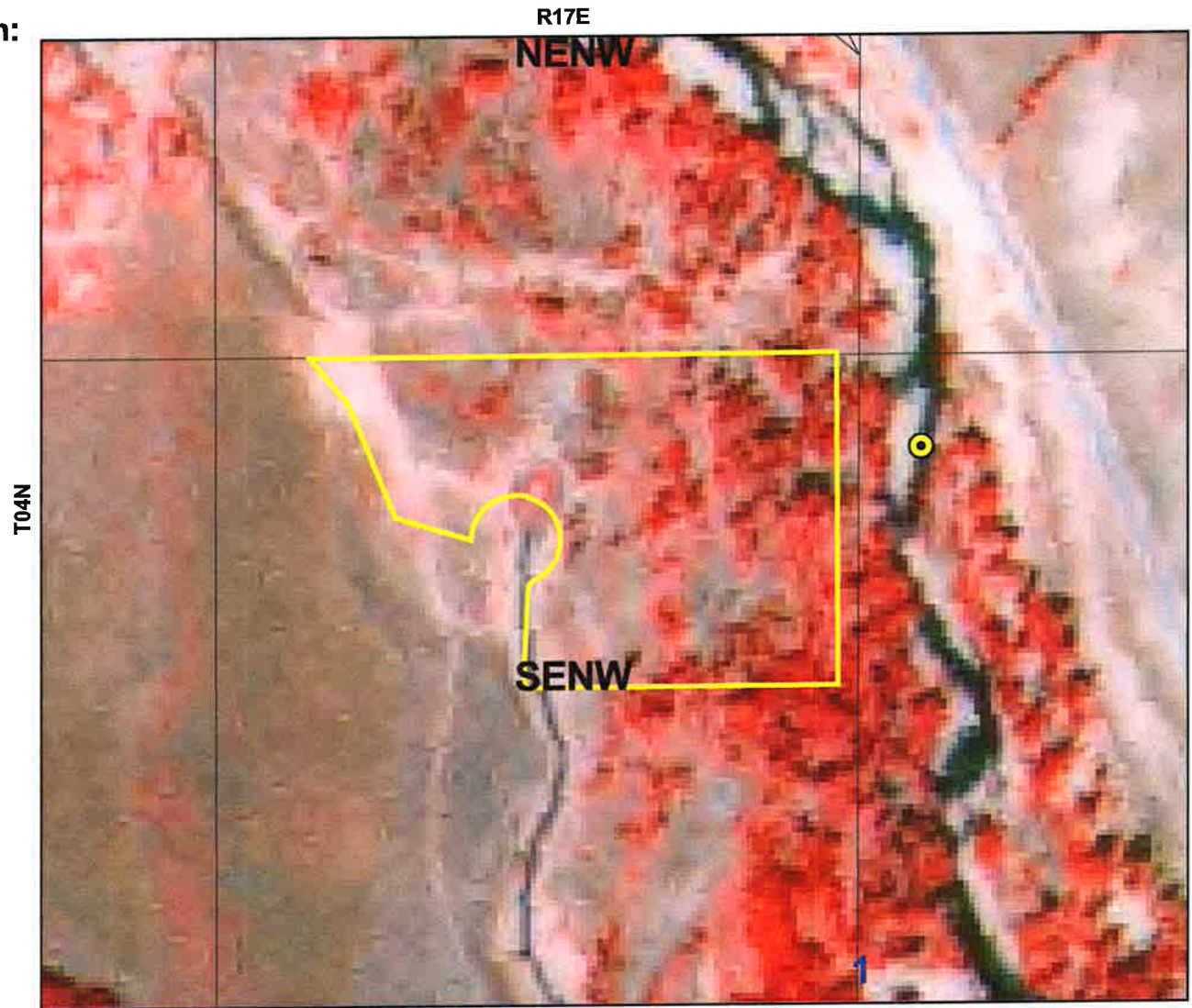
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by E. NORQUES
On Thursday, September 14, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

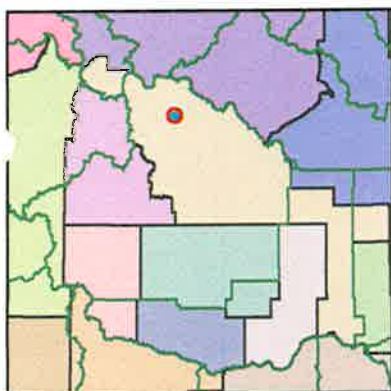
SRBA Recommendation:

37-30024D

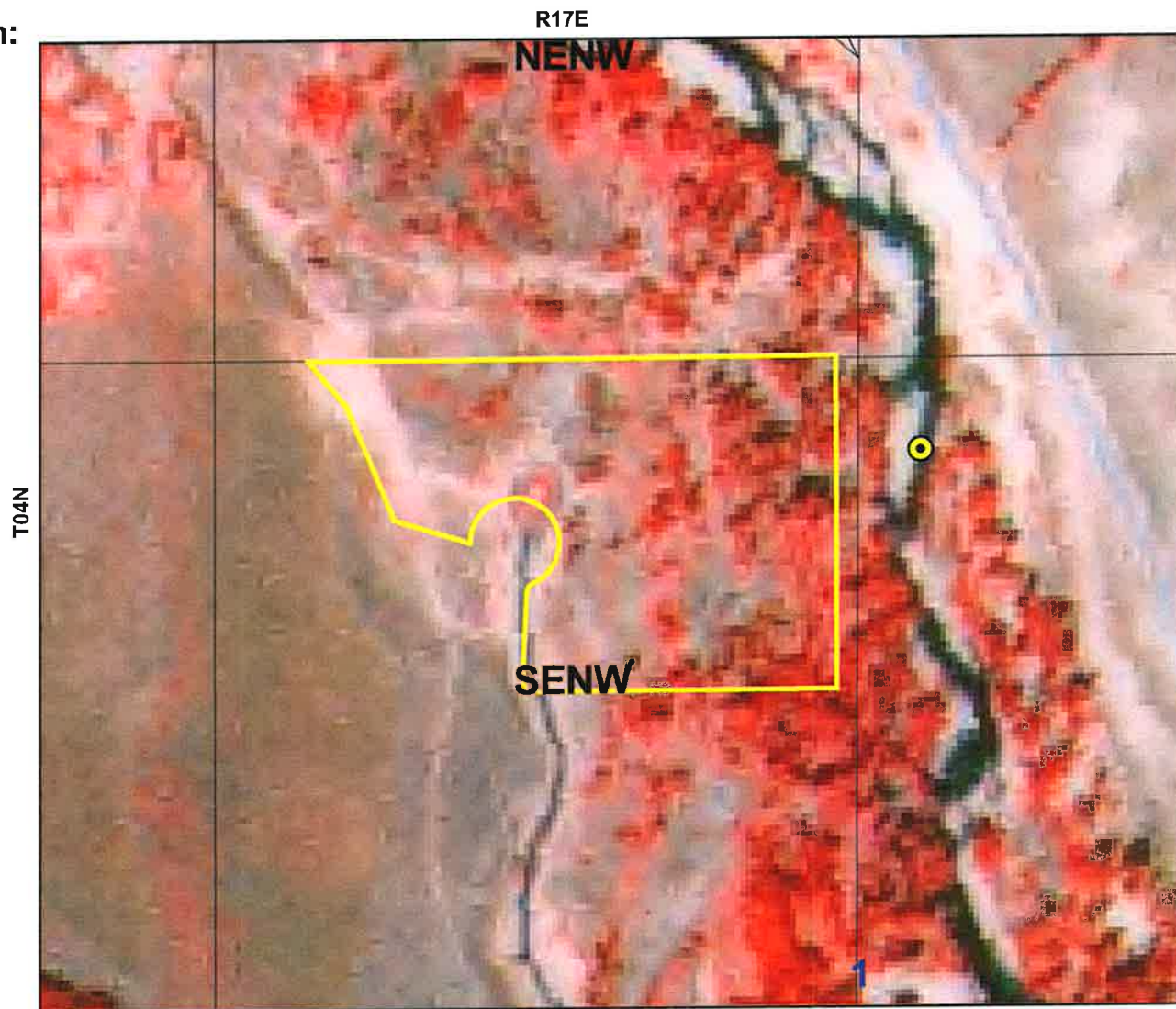
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles



Prepared by E. NORQUES
On Thursday, September 14, 2006
1987/88 Aerial Photography

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

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

February 24, 1998

RECEIVED

FEB 26 1998

Department of Water Resources
Southern Region

Mr. Alan Merritt
Idaho Department of Water Resources
222 Shoshone East
Twin Falls ID 83301

Re: *Ron Alling, Trustee of the Huf-N-Puf Trust*
Notice of Change of Water Right Ownership

Dear Alan:

Enclosed you will find a Notice of Change of Water Right Ownership and a Notice of Appearance by my firm for the Trust in the SRBA. The water right in question is a portion of the W.T. Riley Water Right acquired from Coyote Bluff Ranch, L.L.C. I have included copies of the Quitclaim Deed, approved Transfer of Water Right No. 5143 and applicable portions of the plat of Flowers Mills Subdivision (my client owns lots 6, 7 and 8). Once the Change of Ownership has been entered in the IDWR data base please send me a copy of the amended SRBA Notice of Claim. Please give me a call if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation



James P. Speck

JPS:rsd

enclosures

cc: Ron Alling, w/encl.
 Peter Smith, w/encl.

RECEIVED

FEB 26 1998

Department of Water Resources
Southern Region

Claimants Names:

Ron Alling, Trustee of the Huf-N-Puf Trust

Attorney Name & Address:

**James P. Speck
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 93340
(208) 726-4421
FAX: (208) 726-0752**

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

In Re SRBA

Case No. 39576

)
)
)
)
)
)

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

This is a notice of appearance by counsel on behalf of the new claimant and purchaser of the water rights identified below.

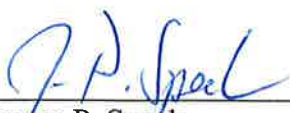
NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant Ron Alling, Trustee of the Huf-N-Puf Trust, for the following water right claim which is not the subject of any subcase: 0.07 cfs of A11654C.

DATED this 5-12 day of February, 1998.

**SPECK & AANESTAD
A Professional Corporation**

By


James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of February, 1998, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

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

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid



JAMES P. SPECK

37-11654C

Southern AS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5143
WATER RIGHT NO. 37-30024D

RECEIVED

DEC 23 1997

This is to certify that: **HUF N PUF TRUST**
RON ALLING TRUSTEE
C/O JAMES P SPECK
PO BOX 987
KETCHUM ID 83340

Resource

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.07 CFS	12.3 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG WOOD RIVER	MALAD RIVER

Priority: 03/24/1883

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 1, Township 04N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 17E 1	SENW 3.5			3.5
Total number of acres irrigated:				3.5

CONDITIONS OF APPROVAL AND REMARKS

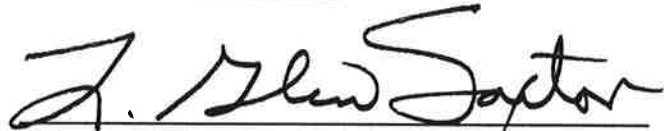
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

TRANSFER NO. 5143
WATER RIGHT NO. 37-30024D

CONDITIONS OF APPROVAL AND REMARKS

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Approval of Transfer 5143 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
8. Place of use is located within Lots 6, 7 and 8, Flowers Mill Subdivision.

Dated this 17th day of December, 1997.


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE 37-30024A

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER 5143

DATE: December 15, 1997

OK [Signature]

=====

Transfer 5143 changes the point of diversion and place of use under a portion of Right 37-30024A, splitting the right into Parts C and D. The applicant has purchased this portion of the right to cover irrigation in Flowers Mill Subdivision not covered by other rights.

Diversion volume was adjusted to current standards. Recommended conditions include watermaster control, measuring device/controlling works, irrigation overlap, right-of-way and standard transfer conditions.