



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

August 1, 2007

JLS CAPITAL GROUP LLC
JAKE G AND LINDSAY N MERRILL
25760 DUFF LN
MIDDLETON ID 83644

RE: Points of diversion for SRBA claims 67-99 and 67-14482

Dear Claimants:

As part of our objection review process, we have been examining the points of diversion for those water rights that utilize the unique delivery system in which water is diverted from an unnamed stream (tributary to Fall Creek) and injected into the North Fork of Grays Creek where it is carried to a downstream point of re-diversion. Because of this additional review, we believe we made an error in the recommendation of the points of diversion for your SRBA claim.

67-99

Currently, the recommended points of diversion are:

T15N R01E	Sec 36	SWNW (Injection)
	Sec 36	SWNW (Rediversion)
	Sec 35	NESE

We believe your points of diversion should be recommended as:

T15N R01E	Sec 36	NWNWSW - more accurate location and remove designations
	Sec 35	NWNESE (Injection) - more precise location and designation
	Sec 30	NWSWNW (Rediversion) - add point

67-14482

Currently, the recommended point of diversion is:

T15N R01E	Sec 36	SWNW
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We believe your points of diversion should be recommended as:

T15N R01E	Sec 36	NWNWSW	- more accurate location
	Sec 35	NESE (Injection)	- add point
	Sec 30	NWSWNW (Rediversion)	- add point

If you agree with these changes, please complete the enclosed objection form and follow the instructions for filing it. **The deadline for filing an objection is August 22, 2007**, so please file the objection before that date.

SCANNED
AUG 01 2007

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14482 V1

WATER RIGHT NUMBER: 67-14482 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JLS CAPITAL GROUP LLC JAKE G AND LINDSAY N MERRILL 25760 DUFF LN MIDDLETON, ID 83644 (208)939-9922
Original Owner	GRAYS CREEK RANCH 377 S NEVADA ST CARSON CITY, NV 89703 (702)882-2609
Original Owner	OSCAR GILBERT , ZZ
Directors Report Owner	OWEN THOMAS BARRY III 10100 SANTA MONICA BLVD LOS ANGELES, CA 90067 (310) 553-6577

Priority Date: 05/01/1899

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	FALL CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.740 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.760 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	SW1/4NW1/4	Sec. 36, Twp 15N, Rge 01E, B.M.
ADAMS 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	
15N	01E	30							5.5	2.0									7.5
									L 2										
15N	01W	25			10.0	2.5													12.5

Total Acres: 20

STOCKWATER

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14482 V1

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	01E	30							X	X									
									L 2										
15N	01W	25			X	X													

Conditions of Approval:

1. 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.
2. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
3. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

Remarks:Comments:

1. mvanbussum 10/27/2006 POU

Comment: It appears the decreed POU was in error. Review of the water right indicates all QQs in the decree for this right should be been in T15N and none in T16N.

2. mvanbussum 10/27/2006 Source

Comment: Per memo from Lori Graves at Western Office in July 2002, source should be described as an unnamed stream tributary to Fall Creek. POD updated to correspond with this information.

3. mvanbussum 10/27/2006 Stockwater

Comment: Stockwater claimed as use, but no POU claimed. Recommended stockwater in same QQs as recommended irrigated POU.

4. mvanbussum 10/27/2006 Copied from remarks

Comment: FALL CREEK WATER BROUGHT AROUND THE MOUNTAIN AND COMINGLED WITH GRAYS CREEK WATER AND REDIVERTED IN THE STEWARD DITCH EAST OF THE RANCH HOUSE. ADDITIONAL POINT OF DIVERSION: STEWARD DITCH - SW1/4 NW1/4 SEC. 30.

5. mvanbussum 10/27/2006 Copied from remarks

Comment: This claim is the result of a split due to change in ownership for a portion of 67-97. DB 8/13/2004

Water Supply Bank:

10/27/2006

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

RIGHT NUMBER: 67-14482

NAME AND ADDRESS: OWEN THOMAS BARRY III
10100 SANTA MONICA BLVD
LOS ANGELES CA 90067

SOURCE: UNNAMED STREAM

TRIBUTARY: FALL CREEK

QUANTITY: 0.760 CFS

PRIORITY DATE: 05/01/1899

POINT OF DIVERSION:

T15N R01E S36 SWNW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.740 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T15N R01E S30 Lot 2 SWNW	5.50	T15N R01E S30	SENW	2.00	
T15N R01W S25	SWNE	10.00	T15N R01W S25	SENE	2.50

STOCKWATER Within ADAMS County

T15N R01E S30 Lot 2 SWNW	T15N R01E S30	SENW	
T15N R01W S25	SWNE	T15N R01W S25	SENE

20 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

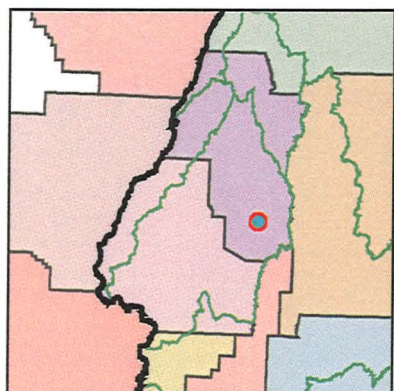
SRBA Recommendation:

67-14482

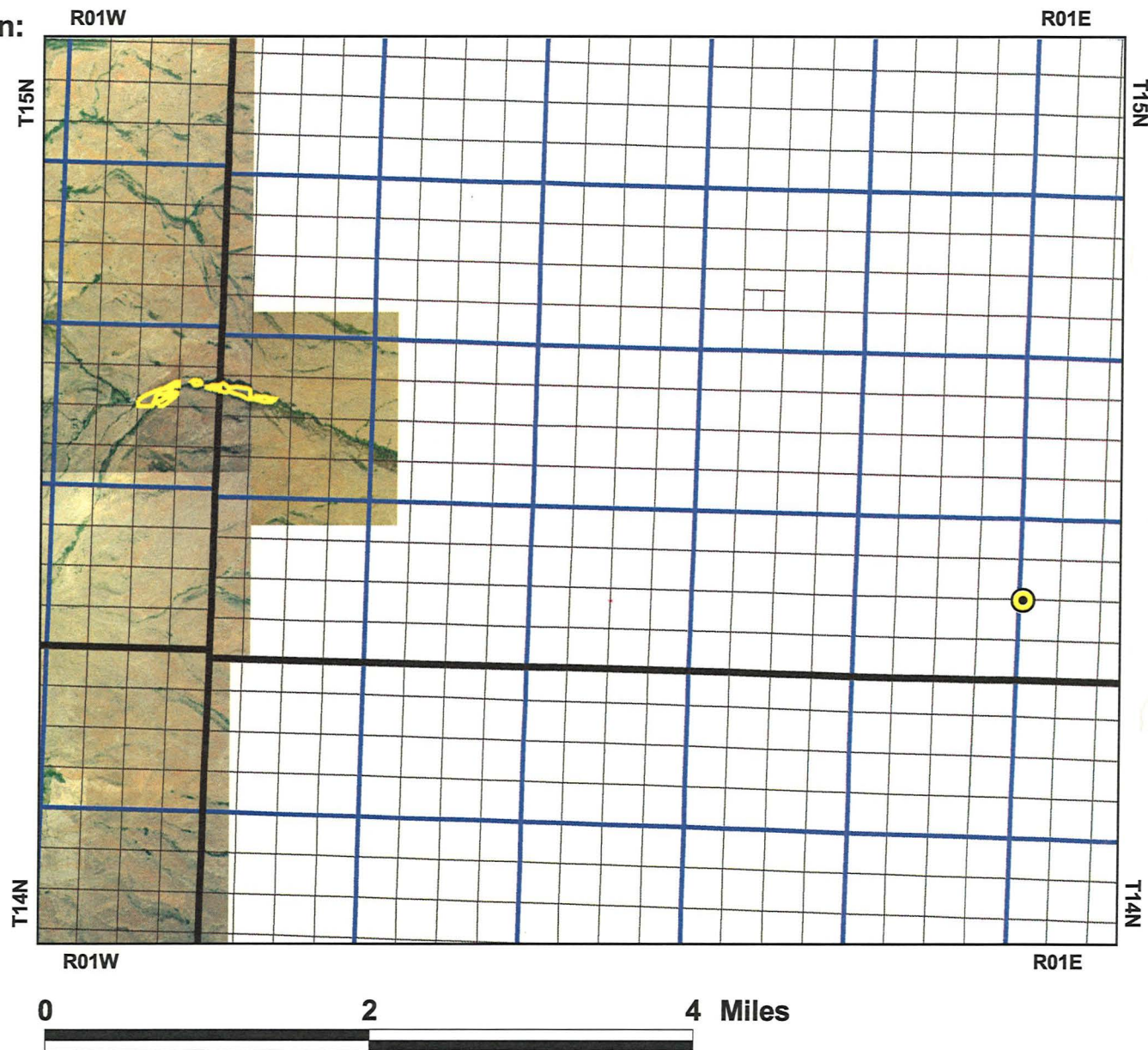
(Irrigation)

Legend

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

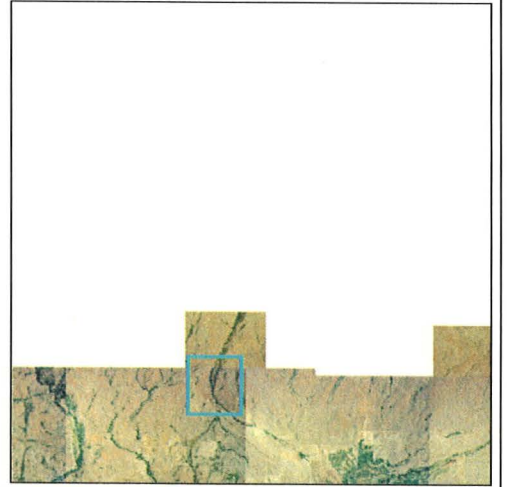
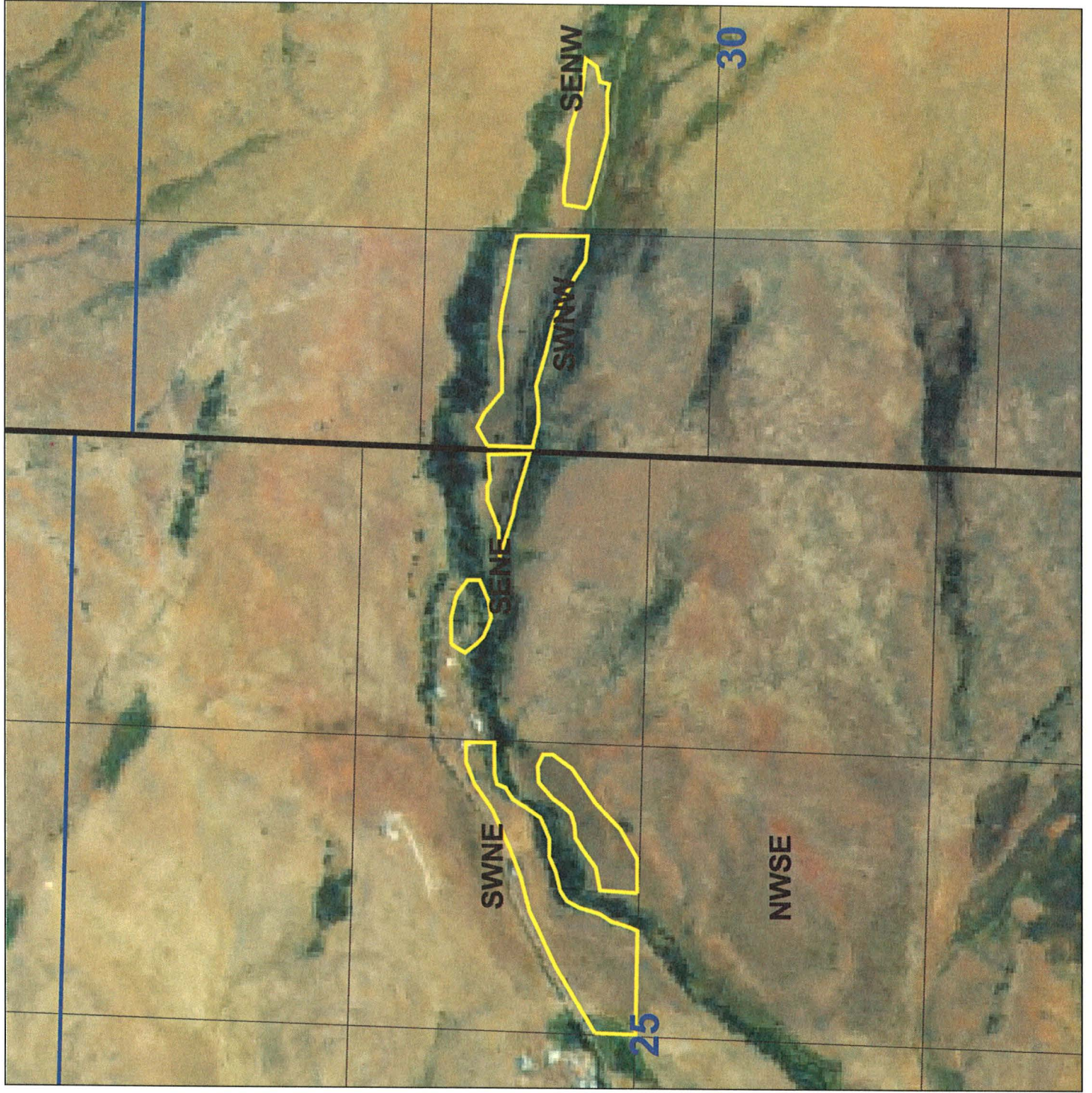


Adams County
IDWR Basin 67



Prepared by M. Van Bussum
On Friday, October 27, 2006
1987/88 Aerial Photography

67-14482



Adjudication Recommendation Report 67-14482 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GRAYS CREEK RANCH 377 S NEVADA ST CARSON CITY, NV 89703 (702)882-2609
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<u>Location of Point(s) of Diversion</u>		
UNNAMED STREAM	SW1/4NW1/4	Sec. 36, Twp 15N, Rge 01E, B.M.
ADAMS County		

IRRIGATION

[illegible]

STOCKWATER

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14482 V1

15N 01E 30					X	X					
					L 2						
15N 01W 25			X	X							

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Comment: This claim is the result of a split due to change in ownership for a portion of 67-97. DB 8/13/2004

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:

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 67-14482 V1

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	10/27/2006 1:15:28 PM	mvanbussum			Active
Priority Date	10/27/2006 1:15:40 PM	mvanbussum			Active
POD	10/27/2006 1:15:52 PM	mvanbussum			Active
Source	10/27/2006 1:26:01 PM	mvanbussum			Active
POU	10/27/2006 1:26:18 PM	mvanbussum			Active
POU	10/27/2006 1:34:04 PM	mvanbussum			Active
Use	10/27/2006 1:41:13 PM	mvanbussum			Active
Season	10/27/2006 1:46:10 PM	mvanbussum			Active
Quantity	10/27/2006 1:56:34 PM	mvanbussum			Active
Summary			10/27/2006	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	10/27/2006 1:24:34 PM	mvanbussum	Updated shape
Source	10/27/2006 1:26:01 PM	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?
Contacts	10/27/2006 1:15:28 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
General	10/27/2006 1:15:40 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	10/27/2006 1:15:52 PM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14482 V1

POU	10/27/2006 1:26:18 PM	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?
POU	10/27/2006 1:39:55 PM	mvanbussum	Updated shape for Active POU
POU	10/27/2006 1:40:32 PM	mvanbussum	Updated PLS for Active POU
Use	10/27/2006 1:41:13 PM	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?
POU	10/27/2006 1:44:59 PM	mvanbussum	Updated shape for Active POU
Season	10/27/2006 1:46:11 PM	mvanbussum	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POU	10/27/2006 1:34:05 PM	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?
POU	10/27/2006 1:44:11 PM	mvanbussum	Updated shape for Active POU
POU	10/27/2006 1:44:33 PM	mvanbussum	Updated shape for Active POU
POU	10/27/2006 1:45:09 PM	mvanbussum	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14482 V1

Quantity	10/27/2006 1:56:34 PM	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? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	10/27/2006 1:58:23 PM	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? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 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?
POD	10/27/2006 1:25:37 PM	mvanbussum	Updated shape

Water Supply Bank:

Notes 06/28 MUB
2006

67-14482

— result of a split from 67-97

Decree 67-97 Oscar Gilbert-Steward Ditch.
off of Fall Creek

May 1, 1899

SE NE

SW NE

NW SE

SE NW

Sec 25 T15 N R01 W

Sec 30, T16 N, R01 E

40" = 0.80 cfs

= 64 ac @ $\frac{5}{8}$ " to the acre

Claim 67-14481 — Grays Creek Ranch

05/01/1899

0.070 cfs

25 T16 N R01 W NW NE 3.0 ac
Fall Creek

} does not overlap decree
no evidence of transfer

Claim 67-14482 Owen Barry III

05/01/1899

0.076 cfs

15 N 01 E 30 SW NW 4

SE NW 2

15 N 01 W 25 SW NE 22

SE NE 7

37 ac.

Fall Creek



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

August 13, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

OWEN THOMAS BARRY III
10100 SANTA MONICA BLVD
LOS ANGELES CA 90067

Re: Original Notice of Claim to a Water Right No. 67-97

Renumbered Notice of Claim to a Water Right No. 67-14482

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim represents a split of the claim filed by a previous owner during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience, as we have had several water right changes to process. Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

DB: db

Enclosure

SCANNED
AUG 13 2004

MEMORANDUM

DATE: 7/27/2002

FROM: Lori Graves 

TO: Fall Creek SRBA Claim Files

RE: Source and Diversion Clarification

Fall Creek is actually tributary to the Weiser River drainage but has been historically diverted and decreed to lands in the Little Weiser River drainage.

The original ditch was built in 1883 and is still in use. A second ditch was attempted in the early 1900's but failed.

Bob Whitman once owned the majority of land that Fall Creek water is decreed to. He hired Bill Thomas many years ago to clean, maintain and regulate the original Fall Creek diversion dam and ditch. At 77 years old, Bill is still at it. On 7/25/02 Bill agreed to show Mike Bishop and myself the Fall Creek diversion and ditch site. From Bill's house, we drove up N Fk Grays Creek to the end of the road in the NESE S35 T15N R1EW. This is the beginning of N Fk Grays Creek and the end of the original man-made ditch used to divert Fall Creek water. From there, we hiked up the man-made ditch to the actual P/D, which consisted of a 4' rock dam used to block the water from flowing naturally into the Weiser River drainage. Instead, the water is diverted into the Little Weiser River drainage via the man-made ditch and N Fk Grays Creek.

The location of the P/D (beginning of the ditch) and end of the ditch were captured with a Garmin GPS unit and downloaded onto the King Hill Creek Topo map (T-58). Based on the GPS results, the actual source should be described as an unnamed stream tributary to Fall Creek. The unnamed stream is diverted into the ditch in the SWSWNW S36 T15N R1E. The ditch flows into the drainage for N Fk Grays Creek in the NESE S35 T15N R1E. Mystery solved.



Basin	Sequence	Suffix	Basis	Priority Date	Rate/cfs	Source	Water Use(s)	Owner(s)	Source To App ID
67	94		Decreed	1883-07-01	2.4	FALL CREEK	IRRIGATION	C & V HARRELL RANCH LLC (Current)	wrAdjudicationClaim
67	95		Decreed	1883-07-01	1.8	LITTLE FALL CREEK	IRRIGATION	WHITEMAN, ILENE C (Current); WHITEMAN, ROBERT W (Current)	wrAdjudicationClaim
67	97		Decreed	1899-05-01	0.8	FALL CREEK	IRRIGATION, STOCKWATER	GRAYS CREEK RANCH (Current)	wrAdjudicationClaim
67	98		Decreed	1895-06-01	0.52	FALL CREEK	IRRIGATION	VANZANDT, STEPHEN C (Current)	wrAdjudicationClaim
67	99		Decreed	12/30/1907	1.48	FALL CREEK	IRRIGATION, STOCKWATER	GRAYS CREEK RANCH (Current)	wrAdjudicationClaim
67	100	A	Decreed	12/30/1907	0.48	FALL CREEK	IRRIGATION	HOLMES, JOHN W (Current)	wrAdjudicationClaim
67	100	B	Decreed	12/30/1907	0.1	LITTLE FALL CREEK	IRRIGATION	THOMAS, ROBERTA L (Current); THOMAS, WILLIAM R (Current)	wrAdjudicationClaim
67	102	B	Decreed	1883-07-01	0.35	FALL CREEK	IRRIGATION, STOCKWATER	GRAYS CREEK RANCH (Current)	wrAdjudicationClaim
67	2022	B	License	12/30/1907	3.98	FALL CREEK , LITTLE FALL CREEK	IRRIGATION, STOCKWATER	GRAYS CREEK RANCH (Current)	wrAdjudicationClaim
67	4577		Statutory Claim	5/1/1940	0.2	FALL CREEK , UNNAMED STREAM , WEISER RIVER MIDDLE FORK	COMMERCIAL, FIRE PROTECTION, STOCKWATER	BOISE CASCADE CORP (Current)	wrAdjudicationClaim
67	12046		Beneficial Use	1883-06-01	0.03	FALL CREEK	STOCKWATER	UNITED STATES OF AMERICA ACTING THROUGH (Current)	wrAdjudicationClaim
67	12047		Beneficial Use	1883-06-01	0.03	FALL CREEK	STOCKWATER	UNITED STATES OF AMERICA ACTING THROUGH (Current)	wrAdjudicationClaim
67	12127		Beneficial Use	1883-06-01	0.03	FALL CREEK PONDS	STOCKWATER	UNITED STATES OF AMERICA ACTING THROUGH (Current)	wrAdjudicationClaim
67	14266		Decreed	1883-06-01	1.42	LITTLE FALL CREEK	IRRIGATION	W EUGENE FISHER FAMILY TRUST (Current)	wrAdjudicationClaim
67	14267		Decreed	1883-06-01	0.44	LITTLE FALL CREEK	IRRIGATION	DAVIS, KATHLEEN A (Current); DAVIS, LESLIE G (Current)	wrAdjudicationClaim

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate/ cfs	Source	Water Use(s)	Owner(s)	Source Table
67	96	A	Decreed	Active	12/30/1907	0.58	GRAYS CREEK NORTH FORK	IRRIGATION	BOTT, EDWARD T BUZZ (Current); SINDEN, CAROL ANN (Current)	wrAdjudicationClaim
67	101		Decreed	Active	12/30/1907	1.25	GRAYS CREEK NORTH FORK	IRRIGATION	BOTT, EDWARD T BUZZ (Current); SINDEN, CAROL ANN (Current)	wrAdjudicationClaim
67	102	A	Decreed	Active	1883-07-01	0.35	GRAYS CREEK NORTH FORK	IRRIGATION	BOTT, EDWARD T BUZZ (Current); SINDEN, CAROL ANN (Current)	wrAdjudicationClaim
67	11774		Beneficial Use	Active	1883-07-01	0.88	GRAYS CREEK	IRRIGATION, STOCKWATER	GRAYS CREEK RANCH (Current)	wrAdjudicationClaim
67	12074		Beneficial Use	Active	1883-06-01	0.03	GRAYS CREEK NORTH FORK	STOCKWATER	UNITED STATES OF AMERICA ACTING THROUGH (Current)	wrAdjudicationClaim
67	12495		Beneficial Use	Active	1877-01-01	0.04	GRAYS CREEK NORTH FORK	STOCKWATER, WILDLIFE	UNITED STATES OF AMERICA ACTING THROUGH (Current)	wrAdjudicationClaim
67	14252		Decreed	Active	1884-06-01	1.97	GRAYS CREEK NORTH FORK	IRRIGATION	W EUGENE FISHER FAMILY TRUST (Current)	wrAdjudicationClaim
67	14253		Decreed	Active	1884-06-01	0.53	GRAYS CREEK NORTH FORK	IRRIGATION	BANTA, ALLAN H (Current)	wrAdjudicationClaim



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

August 23, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Notice of Claim To A Water Right

RANDY MEAD
GRAYS CREEK RANCH
3550 PARQUE VERDE LN
RENO NV 89502

Dear Mr. Mead:

This office has received your letter dated August 12, 1999, regarding the status of additional water rights for Grays Creek Ranch. Our records indicate water rights in the name of Grays Creek Ranch, for Irrigation and Stockwater uses, as well as the recommended rights for Domestic and Stockwater uses. The Irrigation and Stockwater rights have not yet been recommended to the SRBA Court. Water rights for these and other uses will be recommended at a later time.

I have enclosed profile reports of these water rights for your reference. If you have further questions concerning these water rights, feel free to contact this office at (208) 334-2190.

Sincerely,

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

RECEIVED

AUG 16 1999

Department of Water Resources

467-00097

RECEIVED

AUG 20 1999

WATER RESOURCES
WESTERN REGION

August 12, 1999

Department of Water Resources
1301 North Orchard Street
PO Box 83720
Boise, Idaho 83720-0098

Dear SRBA Representative,

During March of this year, we received three letters from the State of Idaho, Department of Water Resources. Those letters recommended domestic and/or stockwater water rights in basin 67 specific to Grays Creek Ranch, located in Indian Valley, Idaho. We agree with those recommendations and look forward to their official and final designation.

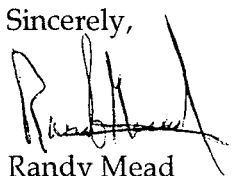
However, there are at least two sources of stockwater (spring water) that exist within Grays Creek Ranch property which were not included in those recommendations. Either they have been overlooked completely or have been allocated to a different entity. This letter is written to inquire how those sources of water have been allocated in the recommended domestic and/or stockwater water rights in basin 67.

According to the letter from the Department of Water Resources, any objections to the recommended allocation of water rights must be submitted by September 17, 1999. Therefore, please send to us information which specifies water right allocation with the property boundaries of Grays Creek Ranch. In addition, please send us the form and instructions necessary to file for objections.

The three existing Water Rights recommended for Grays Creek Ranch are: 67-11771, 67-11772, and 67-11773. Grays Creek Ranch general boundaries shown by the enclosed map. A legal description can be provided if you request.

Please contact me if you require any additional information. My mailing address is: 3550 Parque Verde Ln., Reno NV 89502. By phone: H(775) 827-3068, W(775) 448-1458.

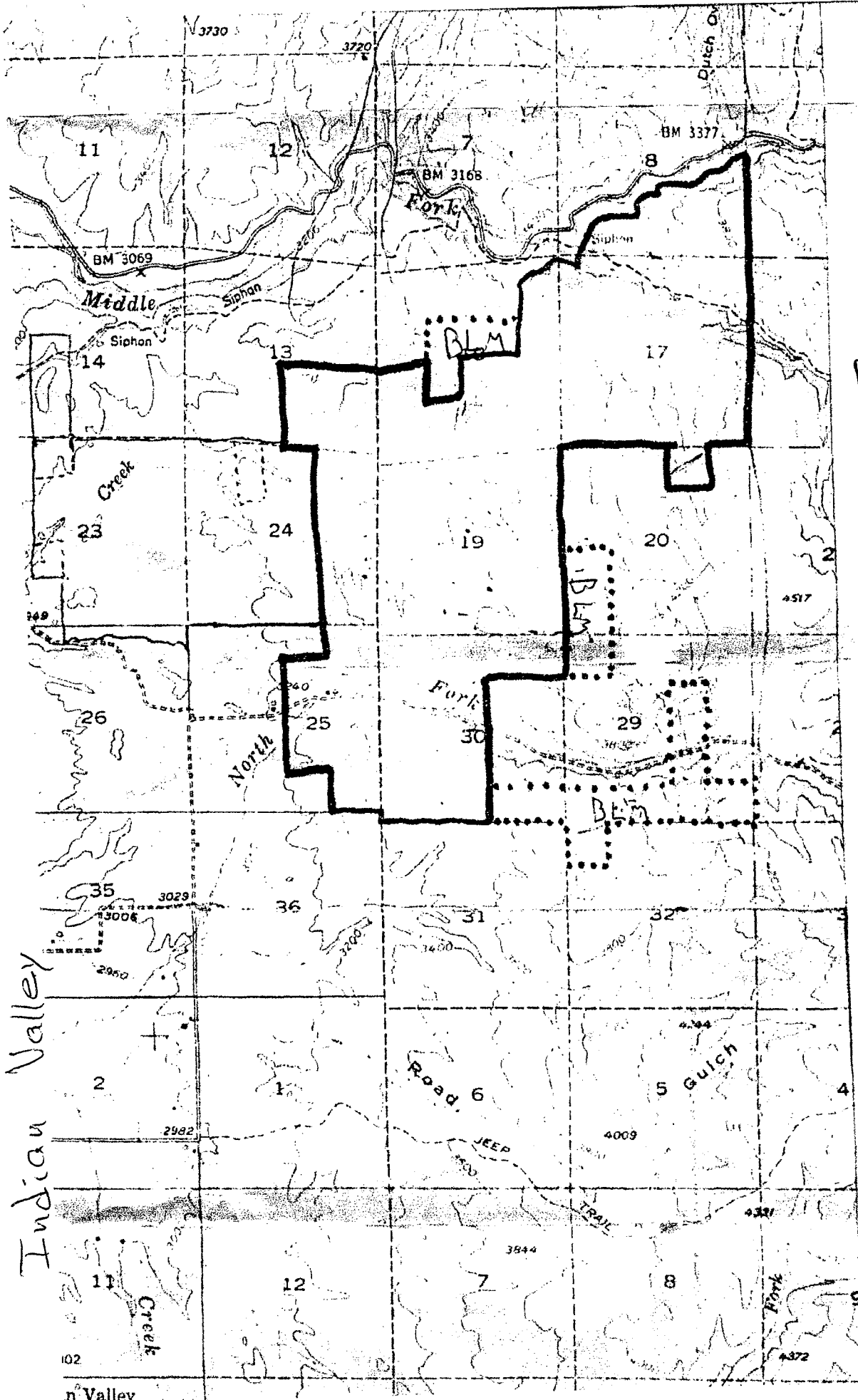
Sincerely,



Randy Mead
General Partner
Grays Creek Ranch

AUG 16 1993

Department of Water Resources



Fall creek

Grays Creek

Indian Valley

MEMORANDUM

TO: SHELLEY KEEN, WR SUPERVISOR
FROM: *MM* MARIA MINICUCCI, SRBA WR AGENT, W. REGION
DATE: APRIL 17, 1995
RE: 67-00097, 67-00099, 67-00102

There appear to be some data entry errors in IDWR's WR data base for the above water rights, as described below.

67-00097: The decree clearly lists one QQ in Twp. 16N; review of the water right as well as other water rights claimed in the SRBA indicate that the legals should be Twp. 15N for all QQ's. I assume that this will be an error to be corrected in the SRBA.

67-00099: The data entry put Gov't lot 2 in the NWNE of T15N, R01E, s. 30. Based on attached gov't lot map, lot 2 is in the SWNW.

67-00102: The data entry put the place of use in the SE 1/4 and SWSW of T15N, R01W, s. 25. The decree language has the place of use in the SW 1/4 and the SWSE of that same section.

I've attached copies of the Weiser River decree listing of these water rights (June 20, 1921). I could not locate any transfers on these rights.

Thanks for your help. Let me know if I should do anything about this other than notify the claimant (who got me into this mess in the first place) and document the file.

04/25/1995: S. Keen contacted W. Region to say that legals for 67-00097 ~~will be~~ should be corrected during SRBA review - ~~67-00~~ WR data base on other two rights will be corrected. TTT

cc: SRBA claim files A67-00097, A67-00099, A67-00102B

MICROFILMED

OCT 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

April 17, 1995

SCOTT RAWLINS
3080 FAIRWOOD DR
RENO NV 89502

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: Notices of claim to a water right nos. A67-00097, A67-00099, A67-00102B,
A67-02022B, A67-11774

Dear Mr. Rawlins:

Enclosed please find copies of documents from the file for license 67-02022, which is the basis of SRBA claim no. A67-02022B. The permit was issued to four different people for their respective properties; some $\frac{1}{4}$ $\frac{1}{4}$'s were added to the permit later. The IDWR correspondence of March 38 (sic), 1914, explains the twists and turns in the licensing for this particular water right. Eventually this license was split, as shown on the enclosed map, as 67-02022A and 67-02022B.

During our telephone conversation we discussed that this license was issued previous to the Weiser River decree. After reviewing our data base, and the decree itself, decreed rights from Fall Creek were found for all of the licensed lands. There is more than one decreed right involved, probably because the decreed rights were issued to the individual owners of the land rather than to all owners on the ditch (as occurred during licensing). It appears at this time that the license was superceded by decreed rights 67-00097, 67-00099, and 67-00100.

The following is a review of each decreed right.

67-00097

The place of use for this right appears to be accurate except for the one $\frac{1}{4}$ $\frac{1}{4}$ which is described as Twp. 16N, Rge. 01E, s.30, SE $\frac{1}{4}$ NW $\frac{1}{4}$. It appears that this is a clerical error in the decree, and that the place of use should be in Twp. 15N. This will be corrected, if appropriate, at the time of the SRBA review. Regardless, Gray's Creek Ranch claimed this water right differently than decreed. IDWR is required to obtain the date the changes in the place of use were made, and evidence to support that date.

67-00099

The place of use for this right was data entered into IDWR records incorrectly. Government lot 2 in Twp. 15N, Rge. 01E. s. 30 is the SW $\frac{1}{4}$ NW $\frac{1}{4}$, not the NW $\frac{1}{4}$ NE $\frac{1}{4}$. Please see the enclosed government lot plat map. This error will be corrected by IDWR. Regardless, Gray's Creek Ranch claimed this water right differently than it was decreed. IDWR is required to obtain the date the changes in the place of use were made, and evidence to support that date.

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OCT 22 1996

67-00100

Gray's Creek Ranch did not claim this water right, but it appears that it is at least partially appurtenant to their property. Please review the decree of this water right to determine if Gray's Creek Ranch would like to file a claim on the water right.

67-00102

Gray's Creek Ranch filed a claim on a portion of this water right. This filing may have been based on information from IDWR's data base, which is unfortunately inaccurate. Data entry errors recorded the place of use for this right in the SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Twp. 15N, Rge. 01W, s. 25, when in fact the decreed place of use is the SW $\frac{1}{4}$ of Twp. 15N, Rge. 01W, s. 25, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$.

The errors in IDWR's data base may have led your claimant to file the SRBA claims differently than they would have had the data base been correct. Please review the decree and the SRBA claims carefully to determine if the claims have been filed accurately. I have enclosed a map which shows the water rights as decreed and licensed, along with a profile report of 67-00100. Please contact this office if Gray's Creek Ranch would like to change their claims or file any additional claims.

One final note, on claim no. A67-11774. This claim was filed on water from Gray's Creek with an 1883 priority date. As we discussed on the telephone, IDWR will require additional information about this claim. First, evidence of priority must be submitted for this claim. IDWR will also require information about why this water right was not decreed in the Weiser River decree of 1921. I could not locate any rights in our records from Gray's Creek for the places of use claimed by Gray's Creek Ranch.

I hope the information in this letter and in the enclosed documents helps you to clarify the water rights for Gray's Creek Ranch. If I can be of any further assistance, please do not hesitate to contact this office.

Sincerely,



Maria Minicucci

Water Agent, Adjudication Bureau

MM:M

Encs: Color-coded map of rights as decreed
Gov't plat map T15N, R01E, s. 30
67-02022 licenses, field exams, corr.

Weiser River decree language and profile report for 67-00100

CC: Gray's Creek Ranch

See file
A67-02022B
for MAP

MICROFILMED

OCT 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

April 11, 1995

R. KEITH HIGGINSON
DIRECTOR

SCOTT RAWLINS
3080 FAIRWOOD DR
RENO NV 89502

RE: Notices of claim to water rights nos. A67-00097, A67-00099, A67-00102B
A67-02022B, A67-11771, A67-11772
A67-11773, A67-11774

Dear Mr. Rawlins:

This letter is in response to your request for information on the Snake River Basin Adjudication (SRBA) claims filed by Gray's Creek Ranch.

Enclosed is correspondence about the refund which was issued on the late fees paid for claim numbers A67-02022B and A67-11773. The late fees were paid by a separate check, consequently the receipt number for this check is different than the receipt numbers for the claims.

Also enclosed are computer-generated copies of the above-referenced claims. Included are profile reports for the original water rights for the three decreed rights (and copies of the pertinent decree language) and one license.

IDWR is not reviewing claims in Adams County at this time, and will not be working in that area for several years. However, based on a short review of the claims, several issues will be addressed when IDWR does review these claims for our recommendations to the court. Those issues are outlined below, but do not include all issues or requirements which may occur during IDWR's in-depth review of the claims.

Claim numbers A67-00097, A67-00099, and A67-00102B are based on water rights previously decreed in the Weiser River decree. Those rights, as decreed, are outlined in the attached profile reports. It appears that these water rights were claimed differently in the SRBA than as decreed. IDWR is required to get the date(s) changes were made and evidence of that date(s) from the claimant.

Claim no. A67-02022B is based on a license which may not have been decreed in the Weiser River decree. IDWR will be concerned with whether or not the water right should have been decreed, based on the dates involved in the processing the license and the decree. There is quite a bit of research which will go into determining the status of the licensed right; that research will be done when IDWR begins to investigate the claims in Adams county.

Claim numbers A67-11771 through A67-11774 are claims based on the beneficial use of the water right. A67-11774 is for irrigation from Gray's Creek; IDWR is

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OCT 22 1996

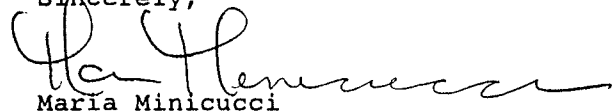
required to obtain evidence of the claimed priority date of this claim from the claimant. Enclosed is a pamphlet entitled "Evidence of Priority" which helps explain the requirement and what documents will meet the requirement. Another issue will be whether or not this right was or should have been decreed in the Weiser River decree.

At this time it appears that claim numbers A67-11771 through A67-11773 will not require evidence of priority documentation.

This letter describes some of the preliminary issues which will arise in the SRBA review of the referenced claims. IDWR will conduct an in-depth review of the claims at the time the other claims in the Weiser River drainage are reviewed. The more detailed review may uncover other aspects of the water rights which require additional information from the claimant or owner of the water right at the time of the review.

If you have any questions or need additional information, please do not hesitate to contact me at this office.

Sincerely,



Maria Minicucci
Water Agent, Adjudication Bureau

MM:m

Encs: Profile reports for decreed rights and license 67-02022B
 Decree language for A67-00097, A67-00099, A67-00102
 Computer-generated copies of referenced SRBA claims
 "Evidence of Priority" pamphlet
 "Idaho Water Rights - A primer" pamphlet
 IDWR corr. regarding refund of late fees

cc: Gray's Creek Ranch

MICROFILMED
OCT 22 1996

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 67-14482
Date Received: 9/27/1990
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE

1. Name of Claimant(s)

OWEN THOMAS BARRY III
10100 SANTA MONICA BLVD
LOS ANGELES CA USA 90067

Phone

2. Date of Priority: 05/01/1899

3. Source: FALL CREEK Trib. to: WEISER RIVER MIDDLE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
15N	01E	23		NE	SW	ADAMS	

5. Description of diverting works:

HEADGATES, DITCHES & LATERALS TO THE PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.74	111
STOCKWATER	03/15	11/15	0.02	1.3

7. Total Quantity Appropriated is:
0.76 C.F.S. and/or 112.3 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

Quantity needs to be
Verified. Entered
.03 for Parent # to
correspond w/ 1.4 af
- then split accordingly.

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15N	01E	30	SW	NW	IRRIGATION	6
			SE	NW	IRRIGATION	2
			Section Acres			
15N	01W	25	SW	NE	IRRIGATION	22
			SE	NE	IRRIGATION	7
			Section Acres			
Total Acres						37

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 67-97. DB 8/13/2004

FALL CREEK WATER BROUGHT AROUND THE MOUNTAIN AND COMINGLED WITH GRAYS CREEK WATER AND REDIVERTED IN THE STEWARD DITCH EAST OF THE RANCH HOUSE. ADDITIONAL POINT OF DIVERSION: STEWARD DITCH - SW1/4 NW1/4 SEC. 30.

15. Basis of Claim: Decreed

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

RECEIVED
JUL 15 2004
WATER RESOURCES
WESTERN REGION

Please print

included at the end of this form.

*Additional maps
in 67-99*

1. Please list the water right just the adjudication checking in the space right in which case

if any) for each water right to be changed. List record on file with the department. Indicate, by in ownership is limited to a portion of a water a record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split
67-11772	<u>NO</u>	67-97 <u>NO</u>
67-11773	<u>NO</u>	67-99 <u>NO</u>
67-11774	<u>NO</u>	
67-102B	<u>NO</u>	
67-2022B	<u>NO</u>	

RECEIVED

JUL 30 2004

WATER RESOURCES
WESTERN REGION

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) Grays Creek Ranch
1859 Joy Lake Rd., Reno, NV 89511
4. New Owner/Claimant(s) Owen Thomas Barry, III
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 10100 Santa Monica Blvd.,
- City, State and ZIP Code Los Angeles, CA 90067
- New Telephone Number (310) 553-6577
5. Date you acquired the property May 26, 2004

SCANNED
JUL 15 2004

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) Owen Thomas Barry III Trustee
(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>DB</u>	Date <u>1-15-04</u>	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____	AJ Date _____	WR _____ Date _____

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 67-97

WATER RIGHT NUMBER: 67-97

Owner Type Name and Address
Original Owner OSCAR GILBERT

Current Owner , ZZ
GRAYS CREEK RANCH
377 S NEVADA ST
CARSON CITY, NV 89703
(702)882-2609

67-14482

Owen Thomas Barry III

Priority Date: 05/01/1899
Basis: Decreed
Status: Active

Source Tributary
FALL CREEK MIDDLE FORK WEISER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15	11/15	0.800 CFS .74	120.00 AF 111 af.
STOCKWATER	3/15	11/15 .03	.02	1.40 AF 1.3
	<u>Total Diversion:</u>		0.800 CFS .76	121.40 AF 112.3 af.

total

Location of Point(s) of Diversion
FALL CREEK NE1/4SW1/4 Sec. 23, Twp 15N, Rge 01E, B.M. ADAMS 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	
15N	01E	30							6.0	2.0									8.0
15N	01W	25	3.0		22.0	7.0													32.0
																			29

Total Acres: 40 37 total

STOCKWATER same as IRRIGATIONConditions of Approval:

9/27/90

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 67-97

Remarks:

1. General FALL CREEK WATER BROUGHT AROUND THE MOUNTAIN AND COMINGLED WITH GRAY'S CREEK WATER AND REDIVERTED IN THE STEWARD DITCH EAST OF THE RANCH HOUSE. ADDITIONAL POINT OF DIVERSION: STEWARD DITCH - SW1/4 NW1/4 SEC. 30.

Comments:Dates and Other Information:

Claim Received Date: 9/27/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number: 67
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>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

INSTRUMENT NO. 106170
PAGE 1 OF 2

WARRANTY DEED

For Value Received, GRAYS CREEK RANCH, formerly known as NEVADA PARTNERS THREE, a general partnership

the grantor, does hereby grant, bargain, sell and convey unto
TOM BARRY LIVING TRUST, dated March 31, 1998

the grantee, whose current address is 10100 Santa Monica Blvd., Los Angeles, CA 90067

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: MAY 24, 2004

GRAYS CREEK RANCH, formerly known as
NEVADA PARTNERS, a general partnership

BY:

Randal Mead
RANDAL MEAD, Managing Partner

Instrument # 106170

COUNCIL, ADAMS, IDAHO

2004-05-27

04:01:58 No. of Pages: 2

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee: 6.00

Ex-Officio Recorder Deputy Shannon Windle

Index to: DEED

STATE OF Nevada

)

COUNTY OF Washoe

: ss

)

On this 24th day of May, in the year of 2004, before me, a Notary Public in and for said State, personally appeared RANDALL MEAD, known or identified to me to be the partner in the partnership GRAYS CREEK RANCH, formerly known as NEVADA PARTNERS THREE, a General Partnership, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

Shannon Windle
Notary Public

Residing at: Reno, NV

Commission expires: _____

SHANNON WINDLE

Notary Public - State of Nevada

Appointment Recorded in Washoe County

Reg. 04-21103 - Expires May 11, 2005

Township 15 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 13: SE1/4

Section 24: E1/2NE1/4, E1/2SE1/4

Section 25: NE1/4NE1/4, S1/2NE1/4, N1/2SE1/4, SE1/4SE1/4

Township 15 North, Range 1 East, Boise Meridian, Adams County, Idaho

Section 8: S1/2SE1/4

All that portion of the S1/2SW1/4 and of the N1/2SE1/4 lying South of the Mesa Flume leading from the Middle Fork of the Weiser River to Mesa Orchards, as the same was located and established over and across said lands of June 16, 1950

Section 17: All of said section

Section 18: Lots 3 and 4, SE1/4, SE1/4NE1/4, SE1/4SW1/4, all that portion of the NE1/4NE1/4 lying South of the Mesa Flume leading from the Middle Fork of the Weiser River to Mesa Orchards, as the same was located and established over and across said lands of June 16, 1950

Section 19: All of said section

Section 20: NW1/4NE1/4

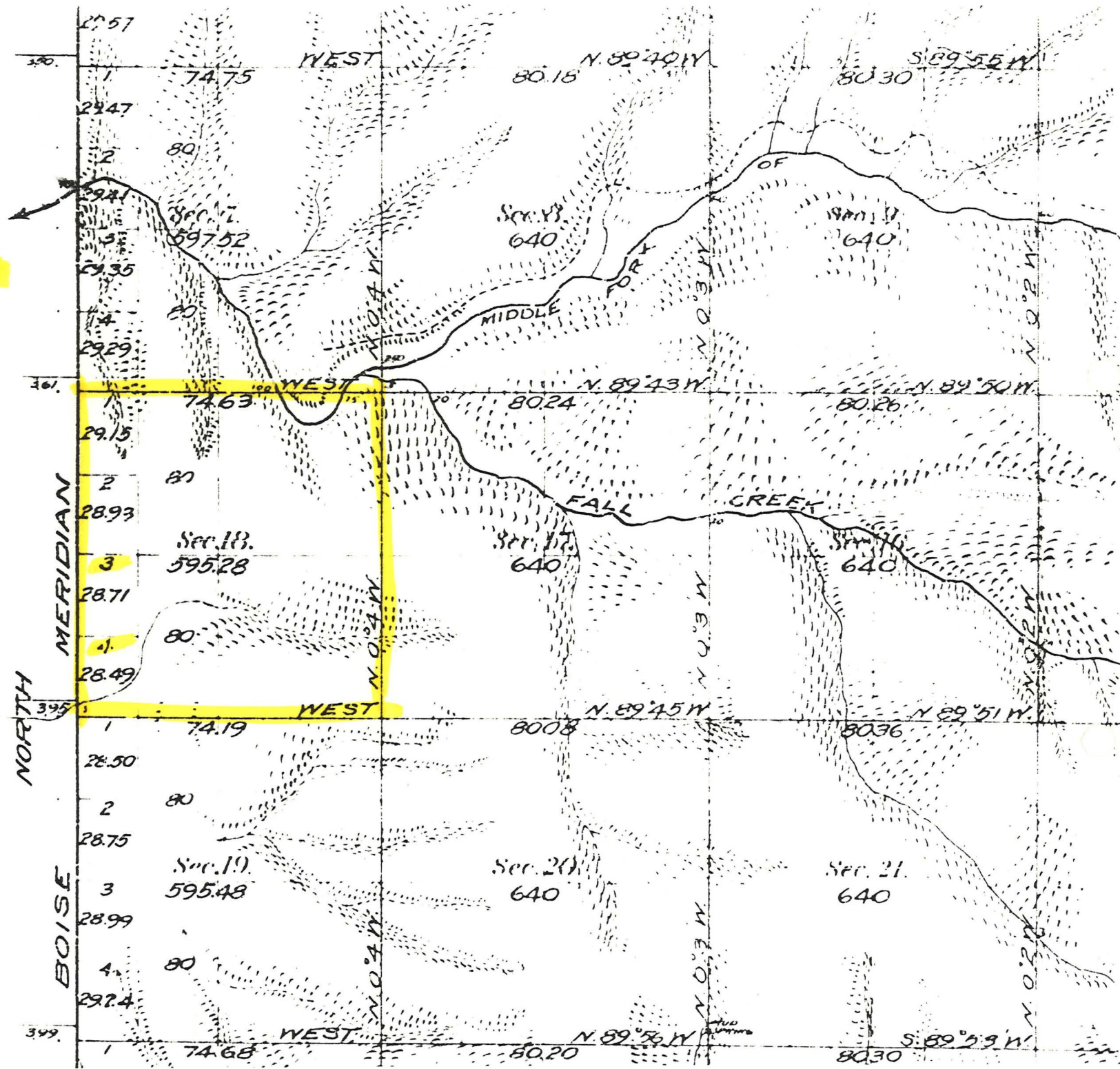
Section 30: SW1/4, S1/2NW1/4, N1/2NW1/4, N1/2NE1/4

EXCEPTING FROM ALL ABOVE PARCELS roads and rights-of-way as now established.

15N 1E

S-18

lots 3+4



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: A67-00097
Date Received: 11/20/1989
Receipt No: C018443
Received By: _____

APR 02 1991

Department of Water Resources
Western Regional Office

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: GRAY'S CREEK RANCH
Address: 377 S. NEVADA ST.
CARSON CITY, NV 89703
702-882-2609
2. Date of Priority: MAY 1, 1899
3. Source: FALL CREEK Trib. to: WEISER RIVER, MIDDLE FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	01E	23		NE	SW		ADAMS
5. Description of diverting works:
HEADGATES, DITCHES & LATERALS TO THE PLACE OF USE.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		120.00
STOCKWATER	03/15	11/15			1.40
7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) 121.40 A.F.A.
8. Total consumptive use is 121.4 Acre Feet Per Annum.
9. Non-irrigation uses:
STOCKWATER - 200 CATTLE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	01E	30	SW	NW		IRR	6.0
			SE	NW		IRR	2.0

A67-00097

Page 1

Date: 03/05/91

SCANNED
MAY 10 2004

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	8.0
	01W	25	NW	NE	IRR	3.0
			SW	NE	IRR	22.0
			SE	NE	IRR	7.0
					Section Acres	32.0
					Total Acres	40.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:
FALL CREEK WATER BROUGHT AROUND THE MOUNTAIN AND COMINGLED WITH
GRAY'S CREEK WATER AND REDIVERTED IN THE STEWARD DITCH EAST OF
THE RANCH HOUSE. ADDITIONAL POINT OF DIVERSION: STEWARD DITCH -
SW1/4 NW1/4 SEC. 30.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/20/1921

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

Decree Defendant

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

A07-00097

Date Received

Receipt Number

CO18443

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
NOV 20 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) GRAY'S CREEK RANCH Phone (702) 882-2609Mailing Address 377 SO. NEVADA ST., CARSON CITY, NV Zip 89703-46802. Date of Priority (Only one (1) per claim) 1 May 18993. Source of water supply (a) Fall Creek
which is tributary to (b) MIDDLE FORK WEISER R.4. a. Location of existing point of diversion is: Township 15N Range 1E Section 23,
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of AdamsAdditional points of diversion if any: Steward Ditch SW 1/4 NW 1/4 Sec 30

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. Headgates, ditches & laterals to theplace of use.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar. 15 to Nov. 15 amount 0.8 or 120

For Stock water purposes from Mar. 15 to Nov. 15 amount 116 or 1.4

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.8 (cfs) and/or (b) 121.4 (acre feet)

8. Total consumptive use claimed is 121.4 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 200 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	
15N	16W	25		3	22	7													32
15N	16	30							6	2									8

Total number of acres irrigated 40

11. In which county (ies) are lands listed above as place of use located? Adams/Washington

12. Do you own the property listed above as place of use? Yes X No SE

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: Fall Creek Water brought around the mountain
& combined with Gray's Creek water & redistributed
in the Steward Ditch east of the Ranch House

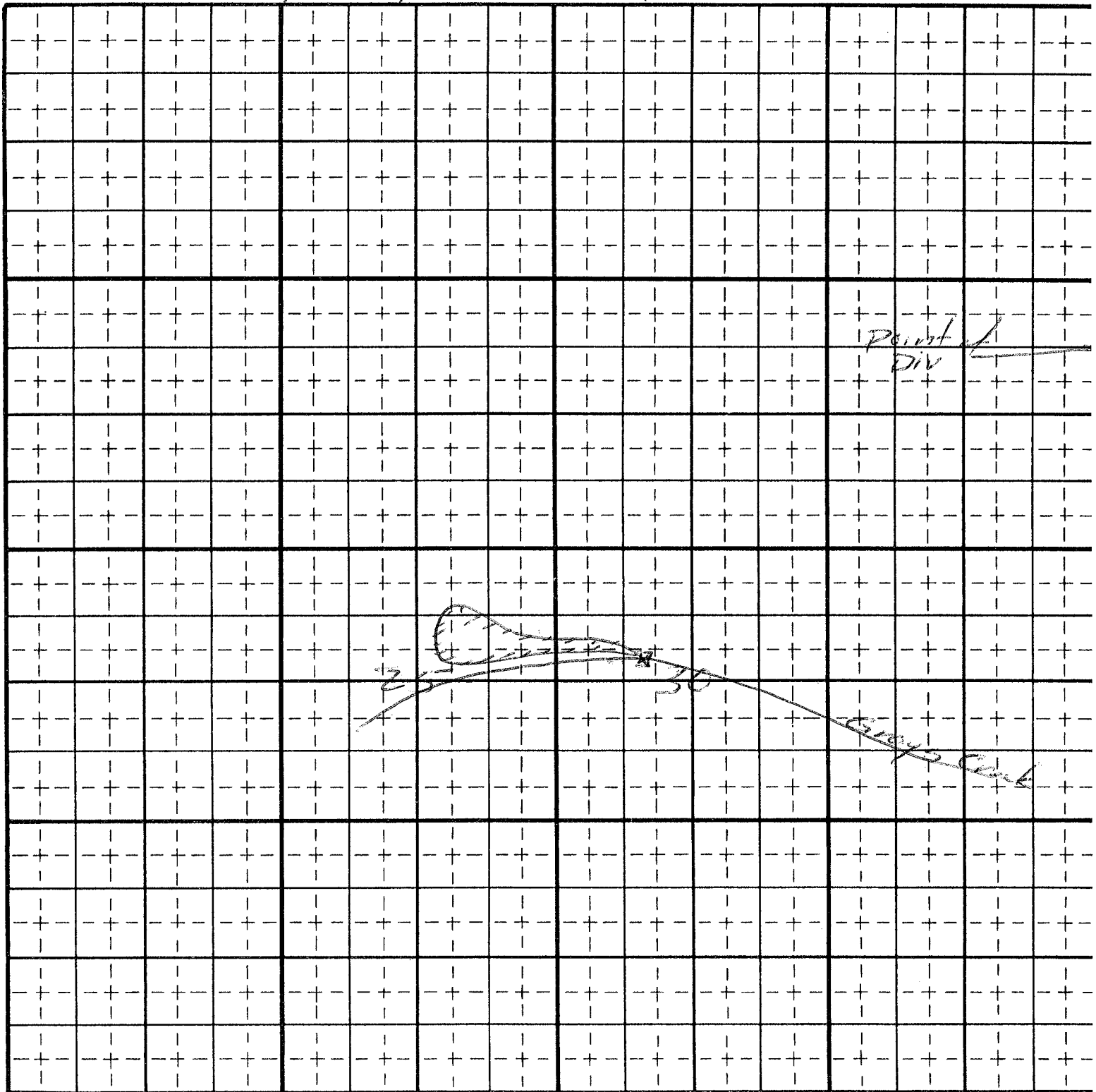
Last Name GRAYS CREEK RANCH Ident No. 88-0215963

Copies: White State Yellow Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T15N R1W 1 R1E



R1W 1 R1E

Last Name GRAYS CREEK RANCH

Ident No. 88-0215963

Copies: White-State, Yellow-Claimant

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OCT 01 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 67-0097
Court _____ Case Number _____ Decree Date 20 JUNE 1921
Plaintiff vs Defendant John T. Muir v. Wm. Allison

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.

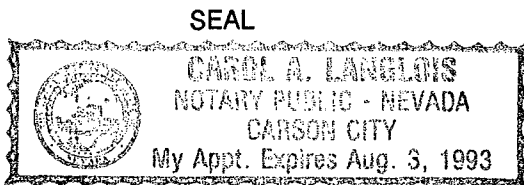
Signature of Claimant (s) _____ Date _____

For Organizations: I do solemnly swear or affirm that I am Glen L. Mead
Managing General Partner
of Grays Creek Ranch, that I have signed the foregoing
document in the space below as Managing Gen. Partner of Grays Creek Ranch
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]
Title and Organization Managing General Partner Date 11/16/89
Grays Creek Ranch

Nevada
State of Idaho/or _____)
County of Carson City) SS.

Subscribed and sworn (or affirmed) before me this 16th day of November 19 89



Notary Public Carol A. Langlois
Residing at 377 So. Nevada St.
Carson City, NV 89003
My Commission Expires Aug. 3, 1993

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 _____

Last Name GRAYS CREEK RANCH Ident. Number 88-0215963

Copies: White-State, Yellow-Claimant

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST 12

CLAIMANT'S NAME Grays Creek Ranch CLAIM IDENT. NO. 467-00097DATE RECEIVED 11-20-89 CK # C018443 AMOUNT \$ 565⁰⁰ YES NO Require Info

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ * Info
2. Is a priority date entered? ☒ YES ☐ NO ☐ *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ *
- Is the period of use included? ☒ YES ☐ NO ☐ *
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ *
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ *
- Is the consumptive use correct? ☒ YES ☐ NO ☐ *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO ☐ *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ *
20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☐ *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ *

Claim checked by: [Signature] Date: 2-08-90Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be notified of modifications: ☐ (Yes) ☒ (No)Receipt Prepared by: _____
Claim data entered by: _____
Sent to claimant by: _____Date: _____
Date: _____
Date: _____
Checked by: _____ Date: _____

Comments: _____

OCT 01 1992