

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 37-2157
Date Received: 2/15/1990
Receipt No: S011216
Received By:

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

1. Name of Claimant(s)

DIAMOND/SOLDIER PROPERTIES LLC
C/O CHARLES E HILL
PO BOX 1607
BELLEVUE WA USA 98009

Phone: (425)460-2504

2. Date of Priority: 10/14/1909

3. Source: UNNAMED STREAM Trib. to: MC MAHAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
01N	13E	15	SE	SE	SE	CAMAS	

5. Description of diverting works:

DAMS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.8	
STOCKWATER	1/01	12/31	0.14	

7. Total Quantity Appropriated is:
0.8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01N	13E	22	NE	NE		STOCKWATER	
			SE	NE		STOCKWATER	
			NE	NE		IRRIGATION	10
			SE	NE		IRRIGATION	30
Section Acres							40
Total Acres							40

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

SOURCE KNOWN LOCALLY AS LITTLE SHEEP CK.
 TRIBUTARY IS ACTUALLY MC MAHAN CREEK PER USGS MAP.
 DOMESTIC USE ON THE LICENSE IS ACTUALLY STOCKWATER USES AS LISTED ON THIS CLAIM.
 OWNERSHIP CHANGE PER FORM 42-1409(7). CLF 6-23-95

15. Basis of Claim: License

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-02157**
Date Received: 2/15/1990
Receipt No: S011216
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: VM DIAMOND RANCH LLC
Address: PO BOX 190690
BOISE ID

208-887-6028

83719

2. Date of Priority: OCT 14, 1909

3. Source: UNNAMED STREAM

Trib. to: MC MAHAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	13E	15	SE	SE	SE		CAMAS

5. Description of diverting works:
DAMS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		
STOCKWATER	01/01	12/31	0.140		

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

A.F.A.

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/500 RANGE

MICROFILMED

NOV 22 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	13E	22	NE	NE		IRR	10.0
			NE	NE		STOCK	
			SE	NE		IRR	30.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	13E	22	SE NE		STOCK	

Section Acres 40.0

Total Acres 40.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

A37-02455

14. Remarks:

SOURCE KNOWN LOCALLY AS LITTLE SHEEP CK.

TRIBUTARY IS ACTUALLY MC MAHAN CREEK PER USGS MAP.

DOMESTIC USE ON THE LICENSE IS ACTUALLY STOCKWATER USES AS LISTED ON THIS CLAIM.

OWNERSHIP CHANGE PER FORM 42-1409(7). CLF 6-23-95

15. Basis of Claim: LICENSE

Water Right Number: 5324

MICROFILMED
NOV 22 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

FEB 21 1996

DATE OF CLOSING: MARCH 11, 1994

Idaho Department of Water Resources
Southern Region

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet. SEE ATTACHED WARRANTY DEED

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR:

37-07779, 37-00368, 37-02048, 37-02076, 37-00409
37-02157, 37-02455

[] Name and Address of Former
Owner/Claimant(s)(Seller):

CAMAS PROPERTIES, INC
7878 LUSTICK RD, BOISE ID 83704

[] New Owner/Claimant
(Purchaser):

VM DIAMOND RANCH, LLC

[] New Mailing Address:

P.O. BOX 190690
BOISE, ID 83719

[] New Telephone Number:

(208) 887-6028

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of
ownership, describe
proof attached:

SEE ATTACHED WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New
Owner/Claimant(s)

Virginia Underpool
Jenny Malley

Date 10/20/95

Date 10/20/95

[] Signature of Former
Owner/Claimant(s):

Date

Date

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 6-23-95 By: CA

Further Action Needed:

Need corrected legal description

Further Action Taken

Date: 6-28-95 By: CA

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

(Signature of former claimant(s) is not required if proof of ownership is attached.)

New owner will furnish map to resolve
conflict in the SW 1/4 of Sec. 23.
Correction of warranty deed to show
W 1/2 SW 1/4 Sec 23 T1N R1E received

12-6-95 CA 12-19-95

MICROFILMED

NOV 22 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED, CAMAS PROPERTIES, INC., an Idaho corporation (hereinafter the "GRANTOR"), hereby grants, bargains, sells, conveys and confirms unto VM DIAMOND RANCH, L.L.C., an Idaho limited liability company (hereinafter the "GRANTEE"), its successors and assigns forever, the property located in the County of Camas, State of Idaho more particularly described on Exhibit "1" attached hereto, and by this reference made a part hereof (hereinafter the "Property");

TOGETHER WITH all and singular the buildings, structures, improvements, tenements, hereditaments, easements, covenants and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof; and

SUBJECT TO the Exceptions to Title described on Exhibit "2" attached hereto, and by this reference made a part hereof, and rights-of-way and easements visible on inspection of the Property.

Subject to those exceptions to title to which this conveyance is expressly made subject and those made, suffered or done by the GRANTEE, the GRANTOR covenants to the GRANTEE, its successors and assigns, that the GRANTEE shall enjoy the quiet and peaceful possession of the Property, and GRANTOR warrants to the GRANTEE, its successors and assigns, that GRANTOR is the owner of the Property in fee simple and has the right and authority to convey the same to GRANTEE, and it will defend the same from all lawful claims arising by, through and under the GRANTOR whatsoever.

The current address of the GRANTEE is:

VM DIAMOND RANCH, L.L.C.
3000 East Lake Hazel Road
Meridian, Idaho 83642

IN WITNESS WHEREOF, this WARRANTY DEED has been duly executed,

by and on behalf of GRANTOR by its President whose signature is attested to by its Secretary, who have been duly authorized to sign on behalf of GRANTOR by its Board of directors, effective the 11 day of March, 1994.

GRANTOR
CAMAS PROPERTIES, INC.

by William N. Carter
President

ATTEST:

William F. Martin
Secretary

STATE OF IDAHO)
) ss:
County of ADA)

On this 11 day of March, 1994, before me, M. Neal Newhouse, a Notary Public in and for the State of Idaho, personally appeared William N. Carter and William F. Martin, known or identified to me to be the President and the Secretary, respectively, of the Corporation that executed this instrument or the persons who executed this instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.

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

M. Neal Newhouse
Notary Public for the State of Idaho
Residing at Fairfield, Idaho
My Commission Expires on 12/1/1998

March 7, 1994

LEGAL DESCRIPTION

WORKING RANCH

Parcels of land situated in Township 1 North, Range 13 East, Boise Meridian, County of Camas, State of Idaho. More particularly described as follows:

Section 22

E 1/2

Section 23

NW 1/4, NE 1/4 SW 1/4, N 1/2 N 1/2 SE 1/4 SW 1/4,, S 1/2 SE 1/4 SW 1/4 excepting that portion lying East of the existing County Road which runs northerly and southerly.

E 1/2 SW 1/4

S 1/2 N 1/2 SE 1/4 SW 1/4

S 1/2 N 1/2 SW 1/4 SE 1/4 excepting that portion lying South of the existing County Road which runs easterly and westerly.

S 1/2 SW 1/4 SE 1/4 excepting that portion lying South of the existing County Road which runs easterly and westerly.

SE 1/4 SE 1/4 excepting that portion lying South of the existing County Road which runs easterly and westerly.

Section 24

S 1/2 SW 1/4

SE 1/4

Section 25

ALL

Section 26

NW 1/4 excepting that portion lying East of the existing County Road which runs northerly and southerly.

NE 1/4 NE 1/4 excepting that portion lying South of the existing County Road which runs easterly and westerly.

SE 1/4 NE 1/4

NE 1/4 SE 1/4

Continued on Page 2

ARMY DESO. pg 3

MICROFILMED
NOV 22 1996

LEGAL DESCRIPTION
WORKING RANCH

Section 27

NE 1/4

Parcels of real property situated in Township 1 North, Range 14 East,
Base Meridian, County of Camas, State of Idaho, more particularly
described as follows:

Section 19

E 1/2 W 1/2

Lots 1, 2, 3 and 4

Section 30

SE 1/4

E 1/2 SW 1/4

Lots 3 and 4

MICROFILMED

NOV 22 1996

ACQUANTY RECD. 04/8 4

CORRECTION WARRANTY DEED

THIS CORRECTION WARRANTY DEED, dated effective March 11, 1994, is intended to, and does hereby, correct the legal description of the Property described on Exhibit "1" of the Warranty Deed dated March 11, 1994, recorded March 11, 1994 in Book 28 of Deeds at page 758 as instrument number 68358, records of Camas County, Idaho, executed by CAMAS PROPERTIES, INC., an Idaho corporation, as the "GRANTOR", granting, bargaining, selling, conveying and confirming unto VM DIAMOND RANCH, L.L.C., an Idaho limited liability company, as the "GRANTEE", its successors and assigns forever, the property located in the County of Camas, State of Idaho more particularly described on Exhibit "1" attached thereto, which exhibit "1" inadvertently neglected to include the following described parcel of property as granted and conveyed to GRANTEE, to wit:

Parcel of land situated in Township 1 North, Range 13 East, Boise Meridian, County of Camas, State of Idaho, more particularly described as follows:

Section 23
W1/2 SW1/4

(hereinafter referred to as the "Additional Property".)

FOR VALUABLE CONSIDERATION RECEIVED, GRANTOR hereby grants, bargains, sells, conveys and confirms unto GRANTEE, its successors and assigns forever, the above described parcel of Additional Property.

TOGETHER WITH all and singular the buildings, structures, improvements, tenements, hereditaments, easements, covenants and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof; and

SUBJECT TO the Exceptions to Title described on Exhibit "2" attached to the above referenced Warranty Deed dated March 11, 1994, and by this reference made a part hereof, and rights-of-way and easements visible on inspection of the Additional Property.

WARRANTY DEED, page 1

MICROFILMED
NOV 22 1995

March 7, 1994

E SW 1/4 Sec. 23
appears to be
an error.
W 1/2 SW 1/4 Sec. 23
is not described
CA 6-22-95

LEGAL DESCRIPTION

WORKING RANCH

Parcels of land situated in Township 1 North, Range 13 East, Boise Meridian, County of Camas, State of Idaho. More particularly described as follows:

Section 22

E 1/2

Section 23

NW 1/4, NE 1/4 SW 1/4, N 1/2 N 1/2 SE 1/4 SW 1/4,, S 1/2
SE 1/4 SW 1/4 excepting that portion lying East of the existing
County Road which runs northerly and southerly.

E 1/2 SW 1/4

S 1/2 N 1/2 SE 1/4 SW 1/4

S 1/2 N 1/2 SW 1/4 SE 1/4 excepting that portion lying South
of the existing County Road which runs easterly and westerly.

S 1/2 SW 1/4 SE 1/4 excepting that portion lying South of the
existing County Road which runs easterly and westerly.

SE 1/4 SE 1/4 excepting that portion lying South of the existing
County Road which runs easterly and westerly.

Section 24

S 1/2 SW 1/4

SE 1/4

Section 25

ALL

Section 26

NW 1/4 excepting that portion lying East of the existing County
Road which runs northerly and southerly.

NE 1/4 NE 1/4 excepting that portion lying South of the existing
County Road which runs easterly and westerly.

SE 1/4 NE 1/4

NE 1/4 SE 1/4

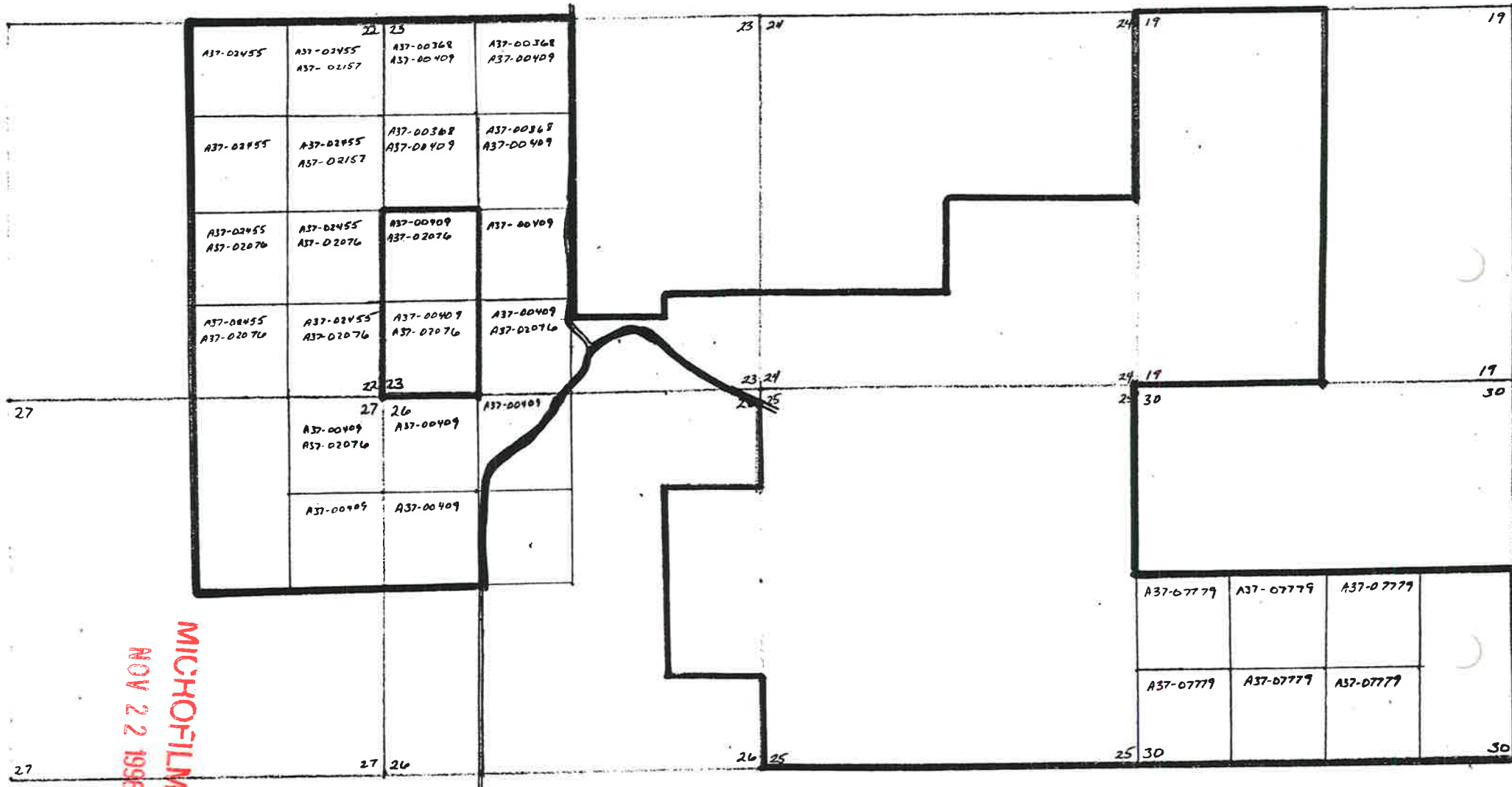
Continued on Page 2

APPENDIX 4 1990. p. 3

MICROFILMED

NOV 22 1996

cross-hatched area not included in legal description



MICHOFILMED
NOV 22 1996

VM DIAMOND RANCH

Drawn from legal description
supplied with change of ownership
w/1/2 SW1/4 Sec. 23 was not included
in the legal description.

TIN

R 13E

TIN

R 14E

27

27



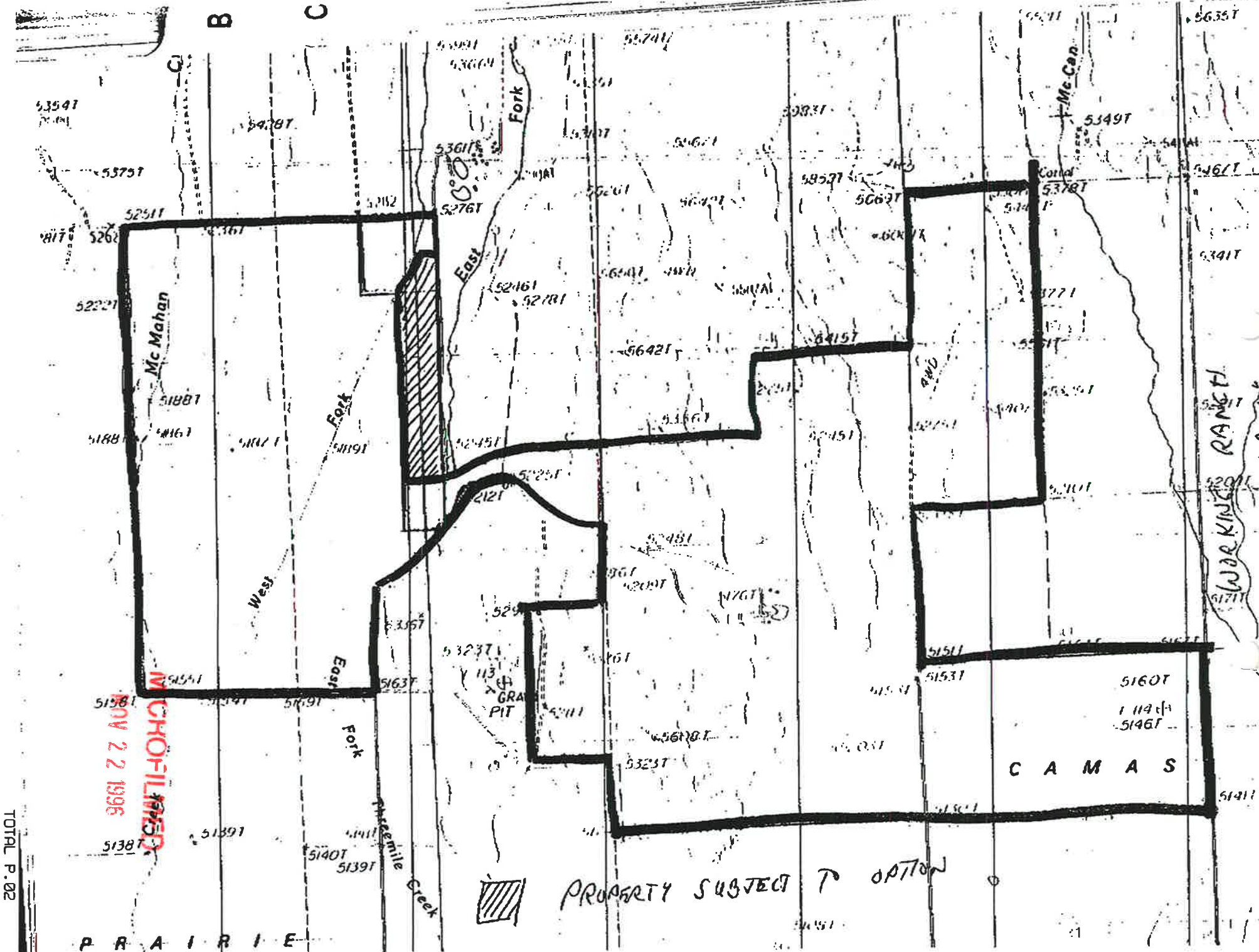
TIN

T/N

R 14 E

Drawn from legal description
supplied with change of ownership
w/1/2 SW1/4 Sec. 23 was not included
in the legal description.

11 - 77-95



TOTAL P.02

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-02157
Date Received: 2/15/1990
Receipt No: S011216
Received By: S.C.C.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HIDDEN PARADISE RANCH OWNERS ASSN. 208-764-2506
Address: P.O. BOX 279
FAIRFIELD, ID 83327

2. Date of Priority: OCT 14, 1909

3. Source: UNNAMED STREAM Trib. to: MC MAHAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	13E	15	SE	SE	SE		CAMAS

5. Description of diverting works:
DAMS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		
STOCKWATER	01/01	12/31	0.140		

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

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/500 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	13E	22	NE	NE		IRR	10.0
			NE	NE		STOCK	

A37-02157

Page 1

Date: 02/15/90

SCANNED

APR 17 2007

MICROFILMED

FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	13E	22	SE	NE		IRR	30.0
			SE	NE		STOCK	
						Section Acres	40.0
						Total Acres	40.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
A37-02455

14. Remarks:
SOURCE KNOWN LOCALLY AS LITTLE SHEEP CK.
TRIBUTARY IS ACTUALLY MC MAHAN CREEK PER USGS MAP.
DOMESTIC USE ON THE LICENSE IS ACTUALLY STOCKWATER USES AS LISTED
ON THIS CLAIM.

15. Basis of Claim: LICENSE
Water Right Number: 5324

16. Signature(s)

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

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am Vice Pres of
Heldem Paradise Ranch Title
Organization, that I have signed the foregoing
document in the space below as Vice Pres of
Heldem Paradise Ranch Title
Organization and that the statements contained in the
foregoing document are true and correct.

David L. Burkard
Signature of Authorized Agent

V.P. Heldem Paradise Ranch
Title and Organization

2/15/90
Date

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of Feb 19 90

Lon White
Notary Public

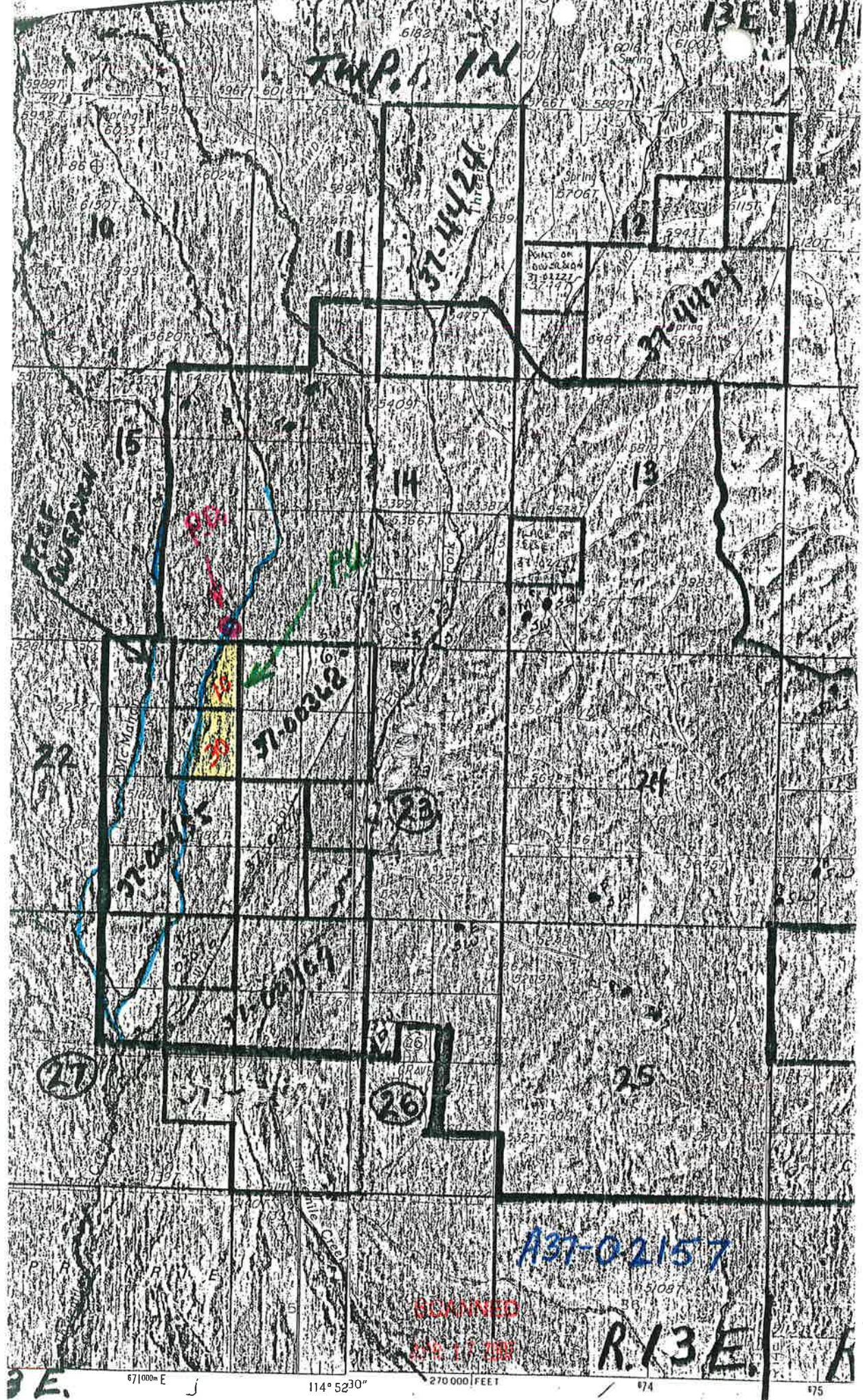
Seal

Residing at TF

My Commission Expires 5/94

TWP. 14N

R. 13E



671000m E

114° 52' 30"

270 000 FEET

674

675

FEB 8 - 1990

Date Received 1-18-1990

JAN 18 1990

Department of Water Resources

Southern Region
State of Idaho

Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED

JAN 19 1990

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

Hidden Paradise Property Owners' Assn. () 764-2506
Name of Claimant Phone Number

P. O. Box 279 Fairfield ID 83327
Mailing Address City State Zip

Camas 1-19-1990 (per approved extension)
County(s) where place of use is located Date claim originally due

37-2227, 2048, 0368, 0409, 2076, 2455, 2157, 4424 & possibly others
Identify water right(s) for which extension is requested

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

The person who was responsible for getting the necessary documentation together so
that the claims could be filed did not do her job. We only recently became aware of
this, so do not have enough time before the deadline to complete the paperwork. We
are working as fast we can, but this is a large ranch with many water rights.

Claimant requests an extension to February 19, 19 90

Donnell L. Kuschard 1-18-, 19 90
Signature Date of request

Vice Pres.
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

and if granted the filing deadline is extended to February 19, 19 90

Signed this 5 day of February, 19 90

DAVID B. SHAW
Director or his designated agent

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

SCANNED

FEB 17 2007

MICROFILMED

FEB 23 1990

6 FEBRUARY 1990

HIDDEN PARADISE RANCH HOME OWNERS ASSOCIATION.

BOARD OF DIRECTORS:

PRESIDENT:	GLEN ROMIG 8811 San Marino Dr. Boise, Idaho, 83705 -----375-4874
Vice Pres.	DARRELL L. BURCHARD P.O.BOX 279 Fairfield, Idaho 83327-----764-2506
Vice Pres.	WILLIAM MARTIN 5950 Fairview Ave. Boise, Idaho 83705-----322-5950
Secretary.	MILTON KLEIN 2275 Sunny Lane Star, idaho -----286-7451
Treasure	Ken AGENBROAD 10800 W. Hollandale Dr. Boise, Idaho -----375-9540

SCANNED

APR 17 2007

MICROFILMED

FEB 23 1993

01/08/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2157

NAME AND ADDRESS: DIAMOND/SOLDIER PROPERTIES LLC
C/O GREGORY VIK C/O CHARLES E HILL
PO BOX 1607
BELLEVUE WA 98009

SOURCE: UNNAMED STREAM

TRIBUTARY: MC MAHAN CREEK

QUANTITY: 0.800 CFS

PRIORITY DATE: 10/14/1909

POINT OF
DIVERSION:

T01N R13E S15 SESESE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.120 CFS
IRRIGATION	04/15 10/31	0.800 CFS

PLACE OF USE:

IRRIGATION in CAMAS County

T01N R13E S22	NENE	~~11.00~~ 14.00	T01N R13E S22	NWNE	9.40
T01N R13E S22	SWNE	22.00	T01N R13E S22	SENE	~~29.00~~ 40.00
T01N R13E S22	NESE	40.00	T01N R13E S22	NWSE	12.00
T01N R13E S22	SESE	37.00	T01N R13E S23	NENW	22.00
T01N R13E S23	NWNW	10.00	T01N R13E S23	SWNW	40.00
T01N R13E S23	SENW	20.00	T01N R13E S23	NESW	20.00
T01N R13E S23	NWSW	40.00	T01N R13E S23	SWSW	40.00
T01N R13E S23	SESW	28.00	T01N R13E S26	NENW	4.20
T01N R13E S26	NWNW	33.00	T01N R13E S26	SWNW	17.00
T01N R13E S27	NENE	37.00	T01N R13E S27	SENE	30.00

STOCKWATER in CAMAS County

T01N R13E S22	NENE	T01N R13E S22	NWNE
T01N R13E S22	SWNE	T01N R13E S22	SENE
T01N R13E S22	NESE	T01N R13E S22	NWSE
T01N R13E S22	SESE	T01N R13E S23	NENW
T01N R13E S23	NWNW	T01N R13E S23	SWNW
T01N R13E S23	SENW	T01N R13E S23	NESW
T01N R13E S23	NWSW	T01N R13E S23	SWSW
T01N R13E S23	SESW	T01N R13E S26	NENW
T01N R13E S26	NWNW	T01N R13E S26	SWNW
T01N R13E S27	NENE	T01N R13E S27	SENE

40 515.6 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 515.6 acres in a single irrigation season. Combined Right Nos.: 37-368A, 37-409A, 37-2076A, 37-2455 & 37-2157.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

SOURCE KNOWN LOCALLY AS LITTLE SHEEP CK.

SCC

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

1/8/09
SFS

RIGHT NUMBER: 37-2157

NAME AND ADDRESS:

DIAMOND/SOLDIER PROPERTIES LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE WA 98009

SOURCE:

Source:

UNNAMED STREAM

Tributary:

MC MAHAN CREEK

QUANTITY:

0.800 CFS

0.000 AFY

PRIORITY DATE:

10/14/1909

POINT OF DIVERSION:

T01N R13E S15 SESESE
Within CAMAS County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/15 10/31

0.800 CFS

STOCKWATER

01/01 12/31

0.120 CFS

PLACE OF USE:

IRRIGATION

within CAMAS County

T01N R13E S22 NENE 14.0

~~T01N R13E S22 NENE 11.0~~

T01N R13E S22 NWNE 9.4

T01N R13E S22 SWNE 22.0

T01N R13E S22 SENE 40.0

~~T01N R13E S22 SENE 29.0~~

T01N R13E S22 NESE 40.0

T01N R13E S22 NWSE 12.0

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

T01N R13E S22 SESE 37.0
T01N R13E S23 NENW 22.0
T01N R13E S23 NWNW 10.0
T01N R13E S23 SWNW 40.0
T01N R13E S23 SENW 20.0
T01N R13E S23 NESW 20.0
T01N R13E S23 NWSW 40.0
T01N R13E S23 SWSW 40.0
T01N R13E S23 SESW 28.0
T01N R13E S26 NENW 4.2
T01N R13E S26 NWNW 33.0
T01N R13E S26 SWNW 17.0
T01N R13E S27 NENE 37.0
T01N R13E S27 SENE 30.0

STOCKWATER within CAMAS County

T01N R13E S22 NENE
T01N R13E S22 NWNE
T01N R13E S22 SWNE
T01N R13E S22 SENE
T01N R13E S22 NESE
T01N R13E S22 NWSE
T01N R13E S22 SESE
T01N R13E S23 NENW
T01N R13E S23 NWNW
T01N R13E S23 SWNW
T01N R13E S23 SENW
T01N R13E S23 NESW
T01N R13E S23 NWSW
T01N R13E S23 SWSW
T01N R13E S23 SESW
T01N R13E S26 NENW
T01N R13E S26 NWNW
T01N R13E S26 SWNW
T01N R13E S27 NENE
T01N R13E S27 SENE

515.6 ACRES TOTAL

40 ACRES TOTAL

This right is limited to the irrigation of 40 acres within the place of use described above a single irrigation season.
The rights listed below are limited to the irrigation of a combined total of 515.6 acres single irrigation season. Combined Right Nos.: 37-368A, 37-409A, 37-2076A, 37-2455 & 37-2157.

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License
SOURCE KNOWN LOCALLY AS LITTLE SHEEP CK.

Rec'd
update:
2/3/09 scc

DIAMOND/SOLDIER REVIEW:

1/2/08
scc

PFS

2.7 cfs

37-368A ✓

Rate:

CLAIM

2.7

0.02/ac

Rec'd

2.24

0.02/ac

WR

3.2

0.02/ac

2.85 cfs

37-409A ✓

Rate:

2.85

0.0069/ac

~~<PIS>~~

—

3.2

0.0067/ac

6.1 cfs

37-2076A ✓

Rate:

6.1

0.019/ac

4.48

0.02/ac

6.2

0.019/ac

3.0 cfs

37-2455 ✓

Rate:

3.0

0.02/ac

0.90

0.019/ac

3.0

0.02/ac

(No OBS)

37-2157

0.80

0.02/ac

0.80

0.02/ac

0.80

0.02/ac

15.45 cfs

8.42 cfs

16.40

(split)

7/1/08
SCC

DIAMOND/Soldier Review:

	<u>#</u>	<u>CLAIMS</u>	<u>Rec'd</u>	<u>WR</u>	<u>GIS</u>
Acres >	37-368A	135	112	160	112.6
	37-409A	408	-DIS-	480	94.3
	37-2076A	315	224	320	225
	37-2455	150	45.3	150	45.4
(NO OBJ)	37-2157	<u>40</u>	<u>40</u>	<u>40</u>	<u>39.6</u>

1048 Ac 421.3 1150 516.9
 (w/overlaps) (No overlaps) (splits) (.SHP)

Speck email Acres = 536.3 Ac.
 2005 B/W map-MOBLEY AFF. = 740.6 Ac

Rec'd Pou w/ Disallowed -409A: $421.3 + 94.3 = 515.6$

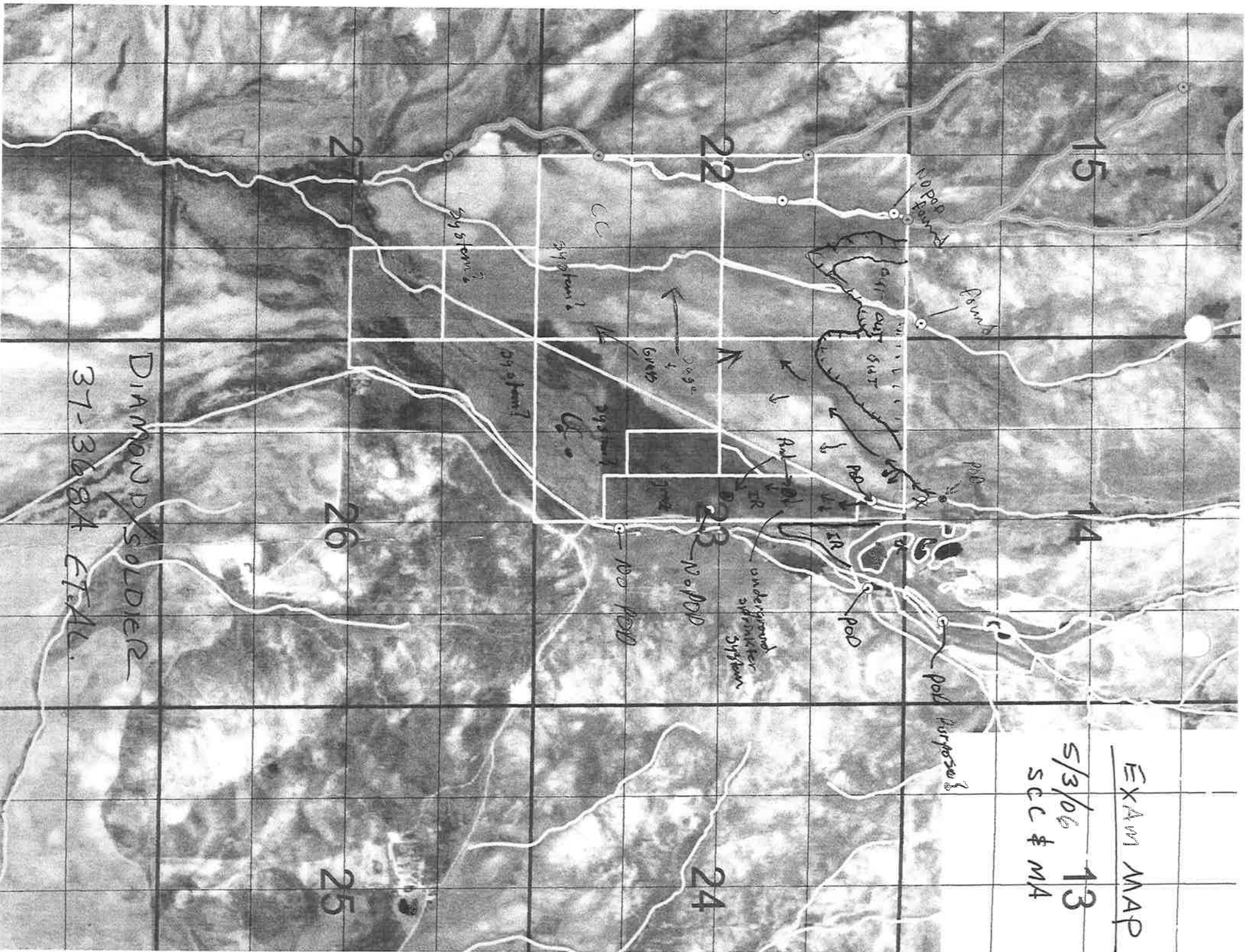
$$\left[94.3 \text{ Ac} * \underset{\text{(claim)}}{0.0069 \text{ cfs/Ac}} = \underline{0.65 \text{ cfs}} \right]$$

9/8/08 SCC Conversion to PPU for All Rights
 Combined shape files = 515.6 Ac
 as per GIS selection

EXAM MAP

$$\frac{5}{3} \div \frac{1}{10} = 13$$

SCC & MA



Clelland, Steve

From: Jim Speck [jim@speckandaanestad.com]
Sent: Tuesday, June 24, 2008 3:46 PM
To: Bromley, Chris
Cc: 'Rodney Ray Gonsales'; 'Greg Vik'; nancy@pistolcreek.com; Clelland, Steve
Subject: Smokey Dome LLC et al - Status Conferences Tomorrow

Attachments: Charles Lee Barron Affidavit.pdf



Charles Lee Barron
Affidavit.p...

Chris,

37-368A ETAL

Status Conf
6-25-08

Here is where I think we stand:

SCC

1:30

1. Smokey Dome LLC - 37-38 & 404A: attached is a copy of an Affidavit that will be filed with the court tomorrow. I believe this supports the number of irrigated acres we claimed 86A v. 36A recommended).

J.S.

2. Smokey Dome LLC - 37-19832: I have not yet had a chance to put together the affidavit for Doug Hollowell, a prior owner of the land, that we believe will support our objection.

SCC

1:30

3. Diamond/Soldier Properties LLC - 37-368A, 409A, 2076A & 2455: I still do not have a reply from Steve Clelland to my October 19, 2007 e-mail, the body of which reads:

Steve,

I have attached a map of the ranch with the boundary of the relevant portion drawn in black and the outlines of the recommended places of use in yellow with the water right number labels. Here are my comments and questions:

1. The area labeled "A" should be part of the place of use for 368A - it probably will add about 5 acres.

Not IRRIGATED By IRR. System

2. The area labeled "B" should be the place of use for 409A - I estimate this is about 110 acres.

3. The total place of use of the 4 recommended rights is 421.3 acres. Adding 115 acres would make this 536.3 acres.

= 94.3 AC.

4. The total amounts claimed for all 5 rights is 15.45 cfs or 772.5 inches. This is a little less than 1 1/2 inches per acre for the 536.3 acres.

ASK CHRIS Re: Exceeding Lic. Rate of 1" Ac

5. Is it possible to make the 536.3 acres a permissible place of use for all 5 rights, and then limit each right to the irrigation of a certain number of acres determined by the inches per acre (e.g. 368A would be 536.3 acres X 2.7 cfs/15.45 cfs = 93.7 acres??) Huh?

SCC

1:30

4. Black Butte Hills LLC - 37-11989 & 12000: Per your February 20, 2008 e-mail to me, Steve apparently did not need to do a field exam for 37-11989 after all and he was going to write up his report. I haven't seen anything yet. I believe this may also cover this quantity dispute for 37-12000 - I can't find anything that formed the basis for the 14 AFA in the recommendation v. 145 AFA claimed for stockwater and 85 AFA for recreation.

?

5. SV Ranch LLC - 37-13118: I hope to resolve this stockwater

1:30

Clelland, Steve

DIA-SOL

-368A

From: Kelly, Vicki
Sent: Wednesday, January 14, 2009 8:14 AM
To: Jim Speck; Bromley, Chris; Clelland, Steve
Cc: 'Mr. Rod Gonsales'; 'Greg Vik'; 'Nancy Lukacs'
Subject: RE: Diamond Soldier Properties 37-368A, 37-409A, 37-2076A & 37-2455

Good morning Mr. Speck

Thanks for reviewing our draft recommendations and providing the feedback. * Steve will revisit these and will contact you should he require more information. Thanks again.
Vicki Kelly, Paralegal - IDWR

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

From: Jim Speck [mailto:jim@speckkandaanestad.com]
Sent: Tuesday, January 13, 2009 4:10 PM
To: Kelly, Vicki; Bromley, Chris; Clelland, Steve
Cc: 'Mr. Rod Gonsales'; 'Greg Vik'; 'Nancy Lukacs'
Subject: RE: Diamond Soldier Properties 37-368A, 37-409A, 37-2076A & 37-2455

Vicki, Chris & Steve,

Although the total size of the permissible place of use (515.6 acres) is acceptable, the reduction in the amounts for each right is not. The total claimed is 15.45 cfs whereas the total in these draft recommendations is only 9.07 cfs. I had understood the claimed amount was acceptable since the previous owner had provided an affidavit on the flood irrigation practices used during his ownership. If not, please explain why not and what you do need from us to support that amount. At a little over 1.5 in/acre it seems quite reasonable for flood irrigation, especially in that area.

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@speckkandaanestad.com

15.45 cfs
515.6 AC
= 0.03 cfs
AC

2/2/09 ok to do
OCC w/ Hollowell
Aff.

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.

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

From: Kelly, Vicki
Sent: Wednesday, January 07, 2009 8:51 AM
To: Jim Speck

<<DOC001.PDF>>

Hello Mr. Speck--

Attached are updated recommendations for the Diamond Soldier Properties subcases for your review, prepared by Steve Clelland. He is currently working on an updated recommendation for an uncontested overlapping right 37-2157. I will forward that recommendation to you when Steve has it completed. If you have any questions about these recommendations, please contact Steve at 208-287-4913. If you feel that these subcases are ready for SF5, please let me know and we'll get them out the door. The next hearing on these rights is set for 1/21/09. Thanks! Vicki Paralegal - IDWR

Attachment(s) : DOC001.PDF

10/14/2006

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

RIGHT NUMBER: 37-2157

NAME AND ADDRESS: DIAMOND/SOLDIER PROPERTIES LLC
C/O CHARLES E HILL
PO BOX 1607
BELLEVUE WA 98009

SOURCE: UNNAMED STREAM

TRIBUTARY: MC MAHAN CREEK

QUANTITY: 0.800 CFS

PRIORITY DATE: 10/14/1909

POINT OF DIVERSION:

T01N R13E S15 SESESE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.120 CFS
IRRIGATION	04/15 10/31	0.800 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T01N R13E S22	NENE	11.00	T01N R13E S22	SENE	29.00
---------------	------	-------	---------------	------	-------

STOCKWATER Within CAMAS County

T01N R13E S22	NENE	T01N R13E S22	SENE
---------------	------	---------------	------

40 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 - License
SOURCE KNOWN LOCALLY AS LITTLE SHEEP CK.

No OBJ.
No Δ's
9/8/08

1/8/09
Revised to PPU.
w/ 37-368A
ET.AL.



Idaho Department of Water Resources

SRBA Recommendation:

37-2157

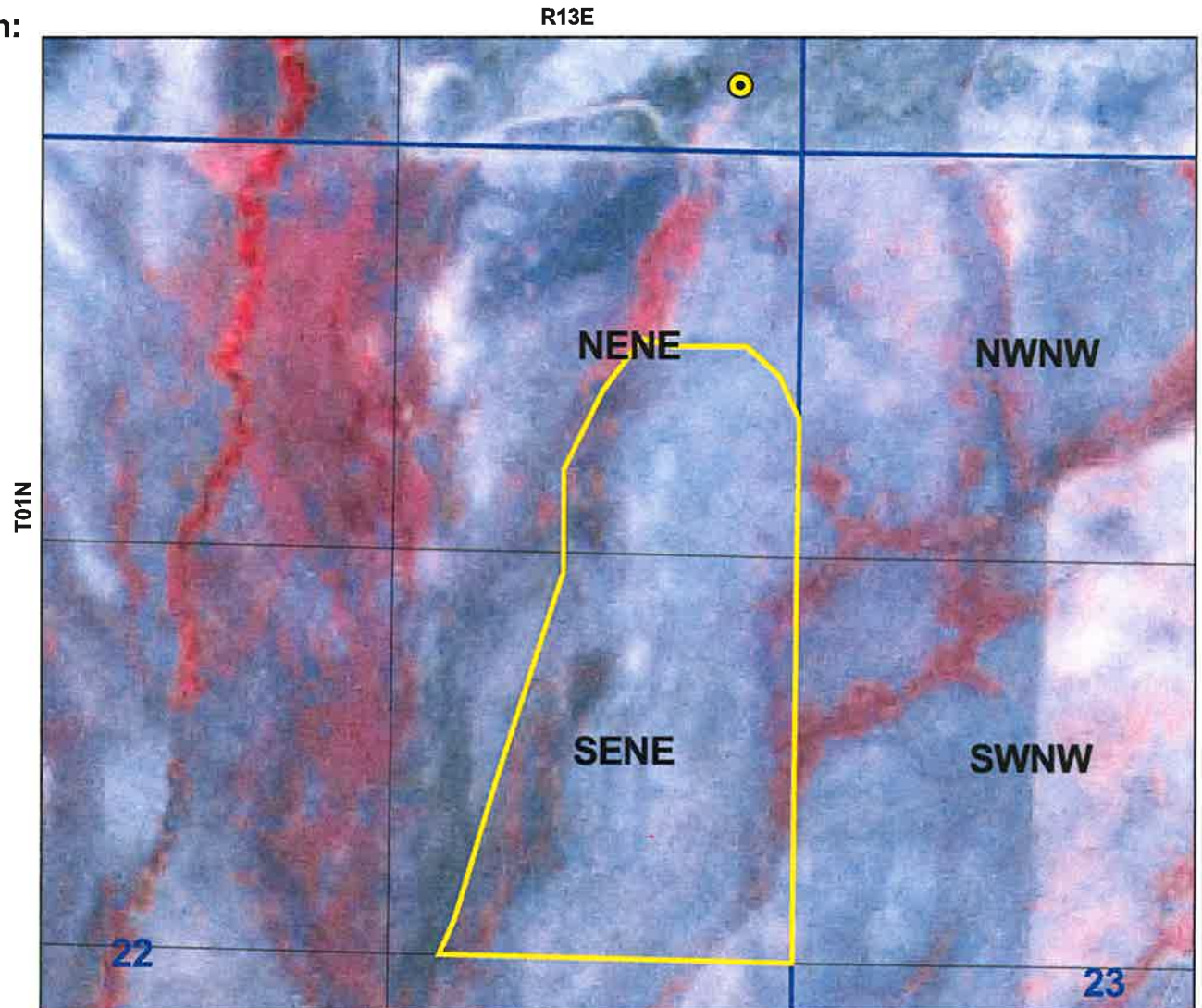
(Irrigation)

Legend

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



Camas County
IDWR Basin 37



0 0.2 0.4 Miles

Prepared by S. Clelland
On Saturday, October 14, 2006
1987/88 Aerial Photography

37-2157

10/14/06

Source: ~~should be "McMAHON" + RB~~
~~not~~ McMAHAN is correct to USGS.

POU: 40 Acres found as licensed.

TIN
RISE

14

23

22 23

27 26

37-2157



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

Water Right Report 37-2157

WATER RIGHT NUMBER: 37-2157

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Owner Type Name and Address
Current Owner HUGH MC MAHON

CORRAL, ID 83322

Priority Date: 10/14/1909

Basis: License

Status: Active

Source Tributary
UNNAMED STREAM MC MAHAN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	0.800 CFS	
<u>Total Diversion:</u>		0.800 CFS	

Location of Point(s) of Diversion
UNNAMED STREAM SE1/4SE1/4 Sec. 15, Twp 01N, Rge 13E, B.M.
BLAINE 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	
01N	13E	22	10.0			30.0													40.0

Total Acres: 40

DOMESTIC same as IRRIGATION

Conditions of Approval:

1. SOURCE KNOWN LOCALLY AS LITTLE SHEEP CK.

Remarks:

Comments: