

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: **A37-07284**
Date Received: 10/18/1988
Receipt No: S003032
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CHANEY CREEK RANCH LLC
Address: C/O ELIZABETH K GRAY
PO BOX 4630
KETCHUM ID

83340

2. Date of Priority: SEP 25, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	22	NE	NW	NE		BLAINE

5. Description of diverting works:
WELL, PUMP & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.980		429.00

7. Total Quantity Appropriated is:
1.980 C.F.S. (and/or) 429.00 A.F.A.

8. Total consumptive use is 218.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	19E	22	NE	NE		IRR	39.0
			NW	NE		IRR	10.0
			SW	NE		IRR	36.0
			SE	NE		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	22	SE	NW		IRR	23.0
Section Acres							143.0
Total Acres							143.0

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:
A37-02685

14. Remarks:

PT. OF INJECTION LOCATED IN NWNE, S22, T1S, R19E, MUD CREEK.
PT. OF REDIVERSION LOCATED IN SWNE, S22, T1S, R19E, MUD CREEK.
A MEASURING DEVICE OF A TYPE APPROVED BY THE DEPT. SHALL BE
MAINTAINED AT THE PT. OF INJECTION & PT. OF REDIVERSION.

1-21-98: CHANGE OF OWNERSHIP STINSON TO CHANEY AND ADDED ATTY
SEMANKO PER NOTICE REC'D 9-16-97 - VH

15. Basis of Claim: LICENSE



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

January 21, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Norman Semanko
ROSHOLT, ROBERTSON & TUCKER
PO Box 1906
Twin Falls, Idaho 83303-1906

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): A37-02607, A37-02608, A37-02609A, A37-02685,
A37-07284, and A37-11717
Change of Ownership Notification

Dear Mr Semanko:

Pursuant to the notification that your client(s) have purchased property with the above-mentioned Snake River Basin Adjudication claim(s), I have modified our records. The enclosed copies are for your records, please review them for accuracy in all respects.

Sincerely,

A handwritten signature in cursive script, appearing to read 'V. Hancock'.

Vikie Hancock
S.R.B.A. Records Clerk

ENCLOSURES

RECEIVED

SEP 16 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Southern RegionPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 37-02608; 37-02607; 37-02609A; 37-02685; 37-07284
Adjudication Claim No(s).: A37-02608; A37-02607; A37-02609A; A37-02685; A37-07284; A37-11717
2. The following REQUIRED information must be submitted with this form:
 - * A. A copy of the most recent ~~DEED, TITLE POLICY, CONTRACT OF SALE~~ ^{WARRANTY, QUITCLAIM DEED, AND ARTICLES OF ORGANIZATION OF L.L.C.} 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 attached to your deed or on file with the county.)
OR
 - * C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant RALF H STINSON or HARRIET H STINSON
249 BRIDGE RD
HILLSBOROUGH CA 94010
4. New Owner/Claimant(s) CHANEY CREEK RANCH, L.L.C c/o ELIZABETH K GRAY
New Mailing Address Name Connector (Check one): [] and, [] or, [] and/or
PO BOX 4630
City, State and ZIP Code KETCHUM ID 83340
New Telephone Number () _____
5. Date you acquired the property AUGUST 6, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(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 you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ 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 or Claimant(s) Elizabeth K Gray
REGISTERED AGENT, CHANEY CREEK RANCH, L.L.C.
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

Claimant Acknowledgement of Change in Attorney in Snake River Basin Adjudication (SRBA)

Name(s) of Claimant (please print):

RECEIVED

CHANNEY CREEK RANCH, L.L.C. c/o ELIZABETH K. GRAY

SEP 16 1997

I/we acknowledge (check one):

Department of Water Resources
Southern Region☐ The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.☒ I/we are now represented by the attorney at the address below.NORMAN SEMANKOROSHOLT, ROBERTSON & TUCKERP.O. BOX 1906TWIN FALLS ID 83303-1906Attorney's Phone 208/734-0700

The SRBA water right claim notice(s) affected by this change are listed below or on the attached sheet(s).

A37-02607 A37-02608 A37-02609A _____A37-02685 A37-07284 A37-11717 _____**For Individuals:**

Authorized signature(s) Date _____

For Organizations:I am the REGISTERED AGENT of CHANNEY CREEK RANCH, L.L.C., and I

Title

Organization

have signed the foregoing document in the space below as

the REGISTERED AGENT of CHANNEY CREEK RANCH, L.L.C.

Title

Organization

Signature of Authorized Agent Elizabeth K. GrayTitle REGISTERED AGENTDate 7/12/97Organization CHANNEY CREEK RANCH, L.L.C.

IDWR Use:

Date Received _____

Data Entry _____

2087262922

JUN-30-97 TUE 1:31 PM BRIAN BARSOTTI

FAX NO. 2087262922

P. 2

97 JUL 31 AM 8:52
STATE OF IDAHO**ARTICLES OF ORGANIZATION
LIMITED LIABILITY COMPANY**To the Secretary of State of Idaho,
Statehouse, Boise, Idaho 83720ORIGINAL
COPY

1. The name of the limited liability company is: Chaney Creek Ranch, LLC
2. The address of the initial registered office is: 591 East Avenue, N.
(not a PO Box)
Ketchum, ID 83340 and the name of the initial registered agent at that address is: Elizabeth K. Gray
- Signature of registered agent: X Elizabeth K. Gray
3. The latest date certain on which the limited liability company will dissolve: July 8, 2027
4. Is management of the limited liability company vested in a manager or managers?
☒ Yes ☐ No (check appropriate box)
5. If management is vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is vested in the members, list the name(s) and address(es) of at least one initial member.
- | Name: | Address: |
|--------------------------|--------------------------|
| <u>Elizabeth K. Gray</u> | <u>P.O. Box 4630</u> |
| <u></u> | <u>Ketchum, ID 83340</u> |
| <u></u> | <u></u> |
| <u></u> | <u></u> |
6. Signature of at least one person listed in #5 above:

X Elizabeth K. Gray

Secretary of State use only

IDAHO SECRETARY OF STATE

07/31/1997 09:00
CK: 1288 CT: 21422 BH: 25988W 4446
1 @100.00 = 100.00 ORGAN LLC

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

ORIGINAL

Brian Barsotti, Esq.
P O Box 10013
Ketchum, Idaho 83340

(Space above this line for Recorder's use)

QUITCLAIM DEED

COPY

FOR VALUE RECEIVED, PLAZA PLACE CORPORATION, a Colorado corporation, whose address is c/o Kemmerer Resources, P O Box 9, Chatham, New Jersey, 07928, does hereby convey, remise, release and forever quitclaim unto CHANEY CREEK RANCH, L.L.C., an Idaho limited liability company, whose address is c/o Elizabeth K. Gray, P O Box 4630, Ketchum, Idaho, 83340, all its right, title and interest in and to the real property situated in Blaine County, Idaho, described as follows:

See Exhibit "A" attached hereto and made a part hereof,

to have and to hold said real property, with its improvements, appurtenances, tenements and hereditaments unto CHANEY CREEK RANCH, L.L.C., and to its successors and assigns forever.

DATED this 6th day of August, 1997.

PLAZA PLACE CORPORATION, a
Colorado corporation

404650

Deed

BLAINE CO. REQUEST

OF: Brian Barsotti

By

Jeffrey S. Hall,
Its President

'97 AUG 6 PM 1 25

MARY GREEN, CLERK *ms*

FEES \$ 9⁰⁰

STATE OF NEW JERSEY)
) ss.:
County of Morris)

On this 6th day of August, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared **JEFFREY S. HALL**, known or identified to me to be the President of the corporation that executed the instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and seal the day and year in this certificate first above written.

Anne P. Gosnell

Notary Public for New Jersey

Residing at Plainfield

Commission expires: 2000

realest\plaza.qcd



Legal Description
Order No. 20205

Exhibit "A"

A parcel of land encompassing a portion of the N1/2, Section 22, Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

Commencing at an aluminum cap by L.S. 792 marking the west one-quarter corner of said Section 22, which point is the Real Point of Beginning: thence North 0° 18' 59" West 2640.83 feet along the west boundary of said Section 22 to a point on the south boundary of Idaho State Highway No. 20 fifty (50) feet south of Highway centerline station 233 + 53.91; thence North 89° 49' 17" East 2246.89 feet along said highway south boundary fifty (50) feet south of said centerline to a Highway R.O.W. Monument at Highway centerline station 256 + 00; thence South 87° 18' 56" East 200.26 feet to a Highway R.O.W. Monument sixty (60) feet south of said Highway to centerline station 258 + 00; thence North 89° 49' 16" East 2838.55 feet along said Highway south boundary to a point sixty (60) feet south of said Highway centerline station 286 + 40.68 on the east boundary of said Section 22; thence South 0° 13' 46" East 2626.14 feet along said east boundary of Section 22 to the east one-quarter corner of Section 22; thence South 89° 46' 14" West 5281.42 feet along the south boundary of said N1/2, Section 22 to the point of beginning. Also subject to a possible prescriptive use easement by Blaine County covering the west one-half of Punkin Center Lane on the east boundary of said parcel and being approximately twenty-five (25) feet in width.

and

Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho.

Section 22: E1/2SW1/4 and the SE1/4.

ACCEPTED & APPROVED BY:

J. H. Kemmerer

WARRANTY DEED

COPY

This indenture made this 8th day of July, 1997, by and among (i) HARRIETT HILLS STINSON, as Trustee of Trust A under that certain Trust Agreement dated February 15, 1989 between Ralf H. Stinson and Harriett Hills Stinson, as Trustors, and Ralf H. Stinson as (initial) Trustee (the "Trust Agreement"), as to a thirty-five percent (35%) undivided interest, (ii) HARRIETT HILLS STINSON, as Trustee of Trust B Qualified Non-Exempt Marital Trust (Trust B-1) under said Trust Agreement, as to a thirty-five percent (35%) undivided interest, (iii) RALF HALE STINSON II, as his sole and separate property, as to an undivided thirty percent (30%) interest, collectively referred to as "Grantors," and (iv) PLAZA PLACE CORPORATION, a Colorado corporation, the "Grantee," whose complete mailing address is c/o Kemmerer Resources, P.O. Box 9, Chatham, New Jersey 07928.

WITNESSETH:

For valuable consideration the Grantors do hereby grant and convey to the Grantee the following described real property situate in the County of Blaine, State of Idaho, to wit:

Described on attached EXHIBIT A.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

SUBJECT TO:

The matters described or referred to on attached EXHIBIT B

TO HAVE AND TO HOLD the said premises unto the Grantee and its successors and assigns forever.

The Grantors covenant with the Grantee and its successors and assigns, that Grantee shall enjoy the quiet and peaceful possession of said premises; that the Grantors are lawfully seized of said premises in fee simple; and the Grantors warrant that the title to said premises is merchantable and is free from all liens and encumbrances, excepting those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee, and that the Grantors will warrant and defend the same from all other lawful claims whatsoever.

IN WITNESS WHEREOF, this Warranty Deed has been duly executed by the Grantors as of the day and year herein first above written.


HARRIETT HILLS STINSON, Trustee of
Trust A aforesaid


HARRIETT HILLS STINSON, Trustee of
Trust B-1 aforesaid


RALF HALE STINSON II

State of California)

County of SAN MATEO)

On 7/8/1997 before me, C.G. WILSON - Notary Public
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Harriett Hills Stinson
NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~she/he~~ executed the same in ~~his/her~~ authorized capacity(ies), and that by ~~his/her~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

C.G. Wilson
SIGNATURE OF NOTARY



OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☐ INDIVIDUAL
☐ CORPORATE OFFICER(S)

TITLE(S)
☐ PARTNER(S) ☐ LIMITED
☐ GENERAL
☐ ATTORNEY-IN-FACT

☒ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)
Trust A and Trust B-1 of Trust Agreement dated 2/15/89 (see Deed)

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

TITLE OR TYPE OF DOCUMENT WARRANTY DEED

NUMBER OF PAGES 6 DATE OF DOCUMENT 7-8-97

SIGNER(S) OTHER THAN NAMED ABOVE Ralf Hale Stinson II

State of California)

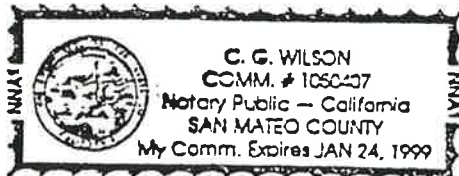
County of SAN MATEO)

On 7-8-1997 before me, C.G. WILSON - Notary Public
DATE NAME, TITLE OF OFFICER - E.G. "JANE DOE, NOTARY PUBLIC"

personally appeared Ralf Hale Stinson II
NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒

proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



WITNESS my hand and official seal.

C. G. Wilson

SIGNATURE OF NOTARY

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☒ INDIVIDUAL

☐ CORPORATE OFFICER(S)

TITLE(S)

☐ PARTNER(S)

☐ LIMITED

☐ GENERAL

☐ ATTORNEY-IN-FACT

☐ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

Self

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

TITLE OR TYPE OF DOCUMENT BILL OF SALE

NUMBER OF PAGES 6 DATE OF DOCUMENT July 8, 1997

SIGNER(S) OTHER THAN NAMED ABOVE Harriett Hills Stinson, Trustee

Legal Description
Order No. 20205

Exhibit "A"

A parcel of land encompassing a portion of the N1/2, Section 22, Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

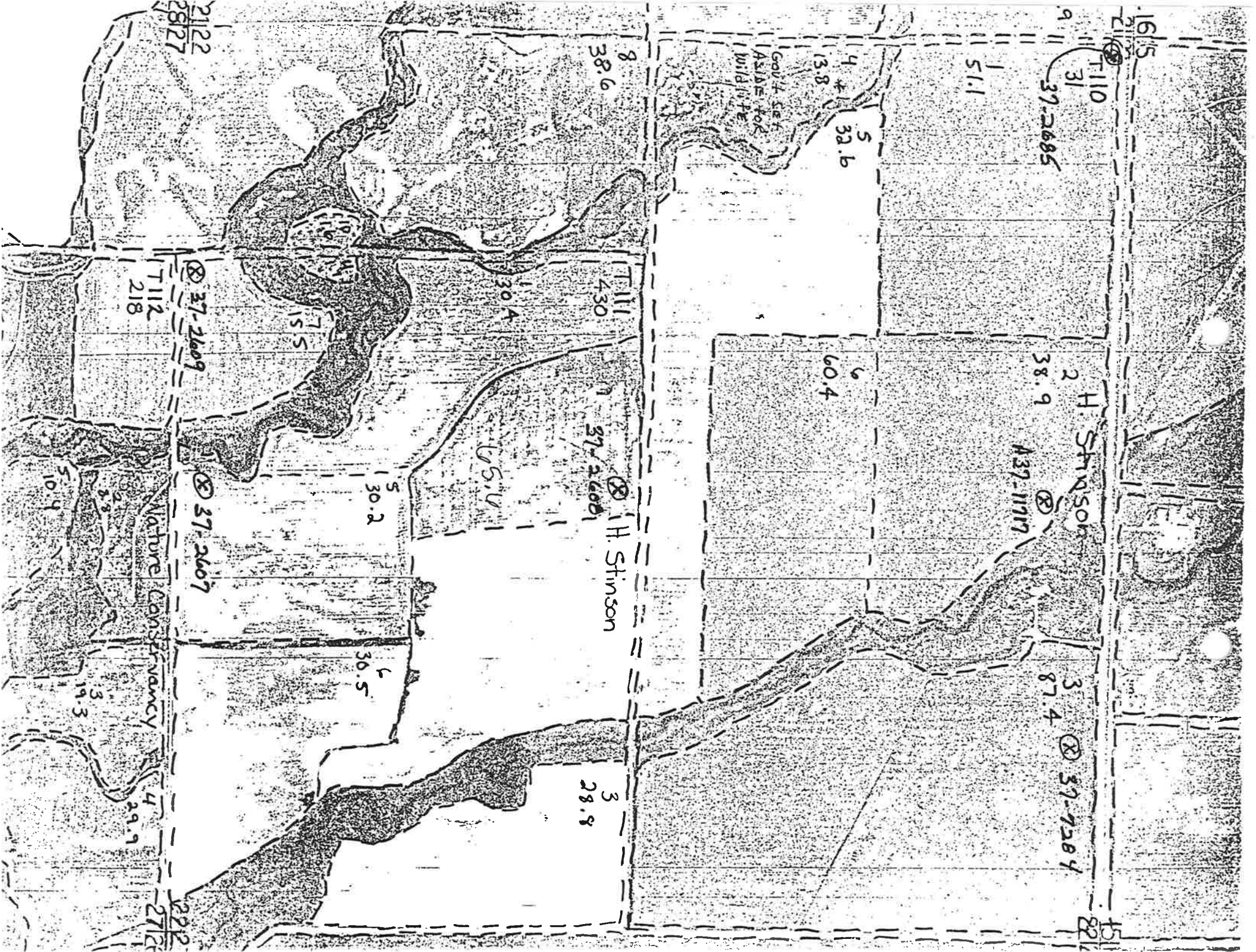
Commencing at an aluminum cap by L.S. 792 marking the west one-quarter corner of said Section 22, which point is the Real Point of Beginning: thence North 0° 18' 59" West 2640.83 feet along the west boundary of said Section 22 to a point on the south boundary of Idaho State Highway No. 20 fifty (50) feet south of Highway centerline station 233 + 53.91; thence North 89° 49' 17" East 2246.89 feet along said highway south boundary fifty (50) feet south of said centerline to a Highway R.O.W. Monument at Highway centerline station 256 + 00; thence South 87° 18' 56" East 200.26 feet to a Highway R.O.W. Monument sixty (60) feet south of said Highway to centerline station 258 + 00; thence North 89° 49' 16" East 2838.55 feet along said Highway south boundary to a point sixty (60) feet south of said Highway centerline station 286 + 40.68 on the east boundary of said Section 22; thence South 0° 13' 46" East 2626.14 feet along said east boundary of Section 22 to the east one-quarter corner of Section 22; thence South 89° 46' 14" West 5281.42 feet along the south boundary of said N1/2, Section 22 to the point of beginning. Also subject to a possible prescriptive use easement by Blaine County covering the west one-half of Punkin Center Lane on the east boundary of said parcel and being approximately twenty-five (25) feet in width.

and

Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho.

Section 22: E1/2SW1/4 and the SE1/4.

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims, or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Other matters of record in the public records of Blaine County, Idaho.
8. General taxes for the year 1997, a lien, not yet due or payable (to be prorated).
9. Reservations and Exceptions as set forth in that certain Warranty Deed recorded January 28, 1970, as Instrument No. 134900, records of Blaine County, Idaho.
10. Easements, Restrictions, Rights-of Way, conditions and Exceptions as set forth in that certain Deed recorded April 30, 1981, as Instrument No. 214435 and Amendment recorded as Instrument No. 242427, records of Blaine County, Idaho.
11. Baseline Biological Study recorded October 29, 1982, as Instrument No. 232066, records of Blaine County, Idaho.
12. Road and Fence encroachment as shown on that certain Survey recorded December 18, 1990, as Instrument No. 326339, records of Blaine County, Idaho.
13. Matters as shown on that certain survey, recorded August 28, 1996, as Instrument No. 393752, records of Blaine County, Idaho.
14. Rights of others in and to the Pumpkin Center Road.



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: A37-07284
Date Received: 10/18/1988
Receipt No: S003032
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RALF H. STINSON 415-343-3177
Address: 249 BRIDGE RD.
HILLSBOROUGH, CA 94010

OR
Name: HARRIET H. STINSON 415-343-3177
Address: 249 BRIDGE RD.
HILLSBOROUGH, CA 94010

2. Date of Priority: SEP 25, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
01S	19E	22	NE		NW		NE		BLAINE

5. Description of diverting works:
WELL, PUMP & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.980		429.00

7. Total Quantity Appropriated is:
1.980 C.F.S. (and/or) 429.00 A.F.A.

8. Total consumptive use is 218.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-07284

Page 1

Date: 10/18/88

COPY

MICROFILMED
FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	19E	22	NE		NE		IRR	39.0
			NW		NE		IRR	10.0
			SW		NE		IRR	36.0
			SE		NE		IRR	35.0
			SE		NW		IRR	23.0
							Section Acres	143.0
							Total Acres	143.0

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:
A37-02685

14. Remarks:

PT. OF INJECTION LOCATED IN NWNE, S22, T1S, R19E, MUD CREEK.
PT. OF REDIVERSION LOCATED IN SWNE, S22, T1S, R19E, MUD CREEK.
A MEASURING DEVICE OF A TYPE APPROVED BY THE DEPT. SHALL BE
MAINTAINED AT THE PT. OF INJECTION & PT. OF REDIVERSION.

15. Basis of Claim: LICENSE

COPY

MICROFILMED
FEB 24 1993

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Ralf H. Stinson Date: 18 October 1988
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of October 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94

COPY

MICROFILMED
FEB 24 1993

04/09/2010

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

RIGHT NUMBER: 37-7284

NAME AND ADDRESS: CHANEY CREEK RANCH LLC
C/O ELIZABETH K GRAY
PO BOX 3175
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.980 CFS
429.00 AFY

The rights listed below are limited to a total combined annual diversion volume of 1,487.5 ~~1,317.75~~ af. Combined Right Nos.: 37-7284, 37-2685, and 37-2608.

PRIORITY DATE: 09/25/1973

POINT OF
DIVERSION:

T01S R19E S22 NENWNE Within BLAINE County
T01S R19E S22 SENWNE Injection Within BLAINE County
T01S R19E S22 SWSENE Rediversion Within BLAINE County
T01S R19E S22 NWNWNW Within BLAINE County
T01S R19E S22 NENESW Within BLAINE County

AKC

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	~~04/15~~ ~~10/31~~ 04/01 11/01	1.980 CFS 429.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S22	NENE	<u>38.00</u> ~~39~~	T01S R19E S22	NWNE	<u>23.00</u> ~~16~~
T01S R19E S22	SWNE	<u>37.00</u> ~~29~~	T01S R19E S22	SENE	<u>37.00</u> ~~33~~
T01S R19E S22	NENW	38.00	T01S R19E S22	NWNW	<u>38.00</u> ~~35~~
T01S R19E S22	SWNW	<u>19.00</u> ~~11~~	T01S R19E S22	SENW	40.00
T01S R19E S22	NESW	<u>38.00</u> ~~31~~	T01S R19E S22	SESW	<u>8.00</u> ~~2-5~~
T01S R19E S22	NESE	<u>32.00</u> ~~23~~	T01S R19E S22	NWSE	<u>40.00</u> ~~37~~
T01S R19E S22	SWSE	<u>39.00</u> ~~22~~	T01S R19E S22	SESE	<u>27.00</u> ~~20~~

454 376.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 425 acres in a single irrigation season. Combined Right Nos.: 37-7284, 37-2685, and 37-2608.

The rights listed below are limited to the irrigation of a combined total of 431 ~~376.5~~ acres in a single irrigation season. Combined Right Nos.: 37-2607, 37-7284, 37-2685, and 37-2608.

This right is limited to the irrigation of 143 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Standard Form 5

37-7284

04/09/2010

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

RIGHT NUMBER: 37-7284

NAME AND ADDRESS: CHANEY CREEK RANCH LLC
C/O ELIZABETH K GRAY
PO BOX 3175
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.980 CFS
429.00 AFY

The rights listed below are limited to a total combined annual diversion volume of 1,487.5 ~~1,317.75~~ af. Combined Right Nos.: 37-7284, 37-2685, and 37-2608.

PRIORITY DATE: 09/25/1973

POINT OF
DIVERSION:

T01S R19E S22 NENWNE Within BLAINE County
T01S R19E S22 SENWNE Injection Within BLAINE County
T01S R19E S22 SWSENE Rediversion Within BLAINE County
T01S R19E S22 NWNWNW Within BLAINE County
T01S R19E S22 NENESW Within BLAINE County

KKC

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	~~04/15 - 10/31~~ 04/01 11/01	1.980 CFS 429.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S22	NENE	38.00 ~~39~~	T01S R19E S22	NWNE	23.00 ~~16~~
T01S R19E S22	SWNE	37.00 ~~29~~	T01S R19E S22	SENE	37.00 ~~33~~
T01S R19E S22	NENW	38.00	T01S R19E S22	NWNW	38.00 ~~35~~
T01S R19E S22	SWNW	19.00 ~~11~~	T01S R19E S22	SENE	40.00
T01S R19E S22	NESW	38.00 ~~31~~	T01S R19E S22	SESW	8.00 ~~2.5~~
T01S R19E S22	NESE	32.00 ~~23~~	T01S R19E S22	NWSE	40.00 ~~37~~
T01S R19E S22	SWSE	39.00 ~~22~~	T01S R19E S22	SESE	27.00 ~~20~~

454 376.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 425 acres in a single irrigation season. Combined Right Nos.: 37-7284, 37-2685, and 37-2608.

The rights listed below are limited to the irrigation of a combined total of 431 ~~376.5~~ acres in a single irrigation season. Combined Right Nos.: 37-2607, 37-7284, 37-2685, and 37-2608.

This right is limited to the irrigation of 143 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Standard Form 5

37-7284

In Re SRBA	)	Subcase No.: 37-7284
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

RESPONDENT:

Craig D. Hobdey Date
Attorney for Big Wood Canal Company

IDWR CONCURRENCE:

Christopher M. Bromley Deputy Attorney General Attorney for IDWR	Date
--	------

04/09/2010

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

RIGHT NUMBER: 37-7284

NAME AND ADDRESS: CHANEY CREEK RANCH LLC
C/O ELIZABETH K GRAY
PO BOX 3175
KETCHUM ID 83340

SF-5
4-12-10

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.980 CFS
429.00 AFY

The rights listed below are limited to a total combined annual diversion volume of 1,487.5 ~~1,317.75~~ af. Combined Right Nos.: 37-7284, 37-2685, and 37-2608.

PRIORITY DATE: 09/25/1973

POINT OF
DIVERSION:

T01S R19E S22 NENWNE Within BLAINE County
T01S R19E S22 SENWNE Injection Within BLAINE County
T01S R19E S22 SWSENE Rediversion Within BLAINE County
T01S R19E S22 NWNWNW Within BLAINE County
T01S R19E S22 NENESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	<u>04/15</u> ~~10/31~~ <u>04/01</u> <u>11/01</u>	1.980 CFS 429.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S22	NENE	<u>38.00</u> ~~39~~	T01S R19E S22	NWNE	<u>23.00</u> ~~16~~
T01S R19E S22	SWNE	<u>37.00</u> ~~29~~	T01S R19E S22	SENE	<u>37.00</u> ~~33~~
T01S R19E S22	NENW	38.00	T01S R19E S22	NWNW	<u>38.00</u> ~~35~~
T01S R19E S22	SWNW	<u>19.00</u> ~~11~~	T01S R19E S22	SENW	40.00
T01S R19E S22	NESW	<u>38.00</u> ~~31~~	T01S R19E S22	SESW	<u>8.00</u> ~~2-5~~
T01S R19E S22	NESE	<u>32.00</u> ~~23~~	T01S R19E S22	NWSE	<u>40.00</u> ~~37~~
T01S R19E S22	SWSE	<u>39.00</u> ~~22~~	T01S R19E S22	SESE	<u>27.00</u> ~~20~~

454 ~~376.5~~ ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 425 acres in a single irrigation season. Combined Right Nos.: 37-7284, 37-2685, and 37-2608.

The rights listed below are limited to the irrigation of a combined total of 431 ~~376.5~~ acres in a single irrigation season. Combined Right Nos.: 37-2607, 37-7284, 37-2685, and 37-2608.

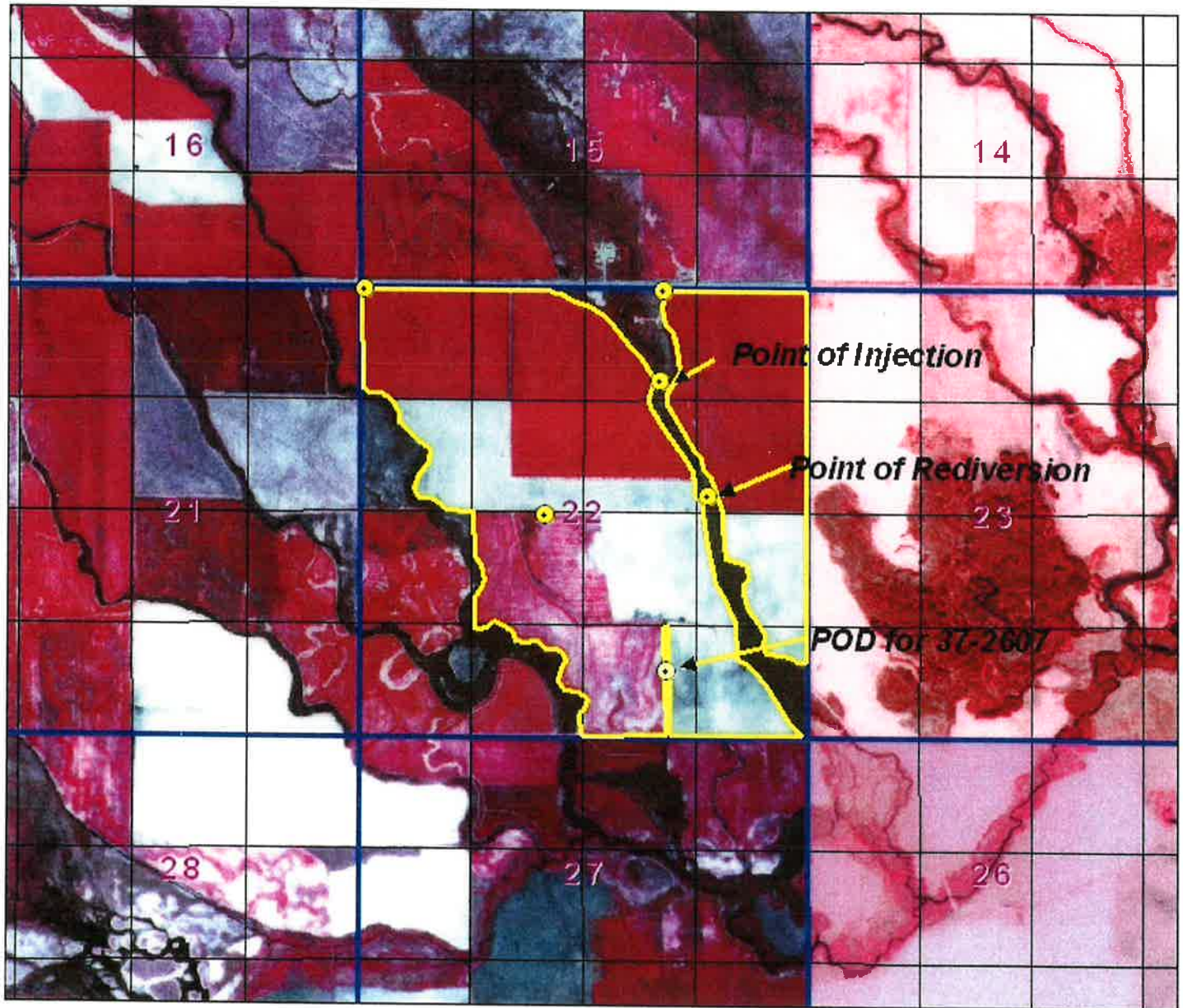
This right is limited to the irrigation of 143 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RECOMMENDED PLACE OF USE FOR 37-2607, 37-2608, 37-2685, and 37-7284



PLACE OF USE
TWP 01S, RNG 19E, SEC 22
Data Entry on April 9, 2010

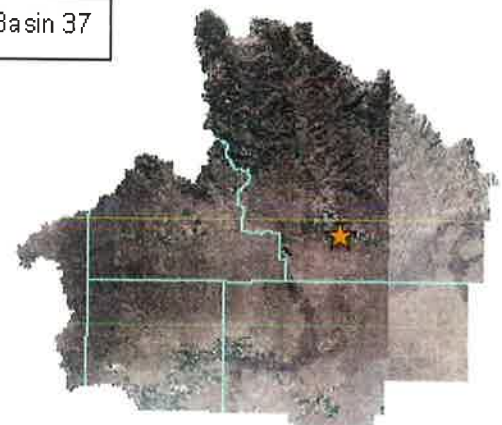
★ LOCATION IN BASIN

- Recommended point of diversion
- Recommended place of use
- Township lines
- Section lines
- Quarter/quarter lines

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP PHOTOGRAPHY
BY KELLY K CHRISTENSEN



Basin 37



CHANEY CREEK RANCH

Unnamed Drain
37-2607 lic 6 ac

Ground Water
37-2685 lic 233 ac claimed 183 ac
37-2608 lic 100 ac claimed 100 ac
37-7284 lic 143 ac claimed 143 ac

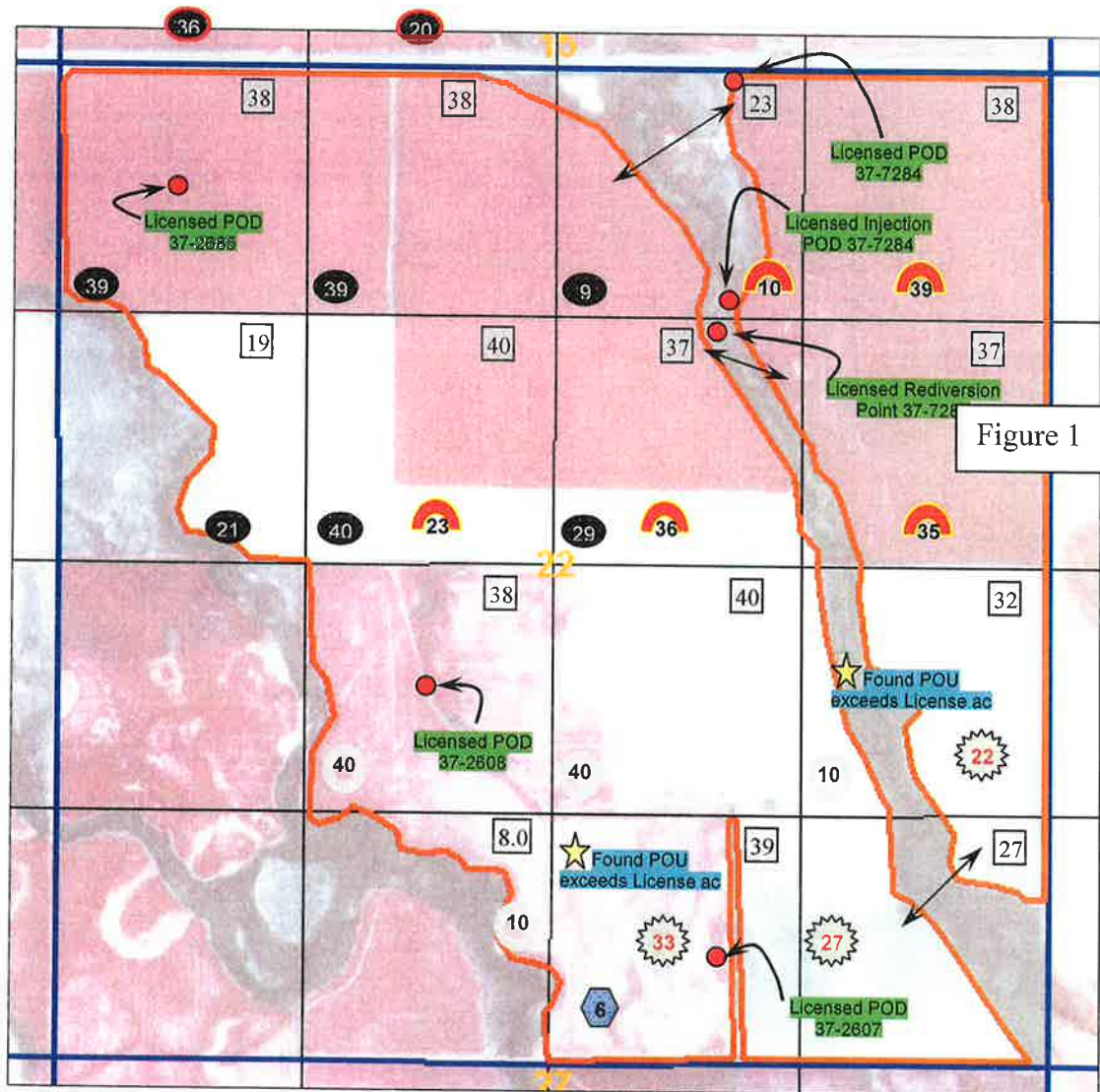


Figure 1

40	Found POU	454 acres	
6	37-2607 licensed POU	Source = Unnamed Drain	License Ac = 6
40	37-2608 licensed POU	Source = Ground Water	License Ac = 100
38	37-2685 licensed POU	Source = Ground Water	License Ac = 233
36	37-2685 licensed POU		56 ac not claimed
39	37-7284 licensed POU	Source = Ground Water	License Ac = 143
32	Irrigated ground without appurtenant water right		Total 82 acres, 88 ac for GW

In reviewing the licensed POU for the 3 ground water rights, I found that overlapping licensed acres exist in 3 different 40-acre tracts. 37-2685 and 37-7284 have three 40-acre tracts in common. For the SWNE they are limited to 40 ac combined. For the SENW I found 37 acres irrigated and am recognizing that when they are combined on this 40-acre tract that they are limited to the 37 acres. The third tract, the NWNW I found 23 irrigated acres. 37-2685 was licensed for 9 acres and 37-7284 was licensed for 10 acres for a combined total of 19 acres. The total irrigated acreage from ground water sources totals 369 acres. An additional licensed 6 acres by 37-2607 (source unnamed drain) are not being considered in the 369 acre total.

Acreage differences between the found acres vs. the licensed acres vary with respect to most of the 40-acre tracts. When considering the differences for the NE $\frac{1}{4}$, NW $\frac{1}{4}$, and the SW $\frac{1}{4}$ I found that cumulatively there were 3 more licensed acres than I found being irrigated.

ISSUES ASSOCIATED WITH 1S, 19E SEC 22 SE $\frac{1}{4}$

The majority of discrepancies occur in the SE $\frac{1}{4}$. No ground water right was associated with the S $\frac{1}{2}$ SE $\frac{1}{4}$ and only 10 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$. 37-2607 (unnamed drain source) was licensed for 6 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$.

When considering the differences between the licensed acres vs. the found acres (cumulatively and including recognition of the 1 acre previously discussed) as well as the 2 acre difference in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ I found 85 acres without an associated ground water right. In figure 1 the ground water acreage unlicensed is identified as 88 acres the difference being that I am recognizing an unrecorded transfer of the 3 acres to the previously non-irrigated acreage.

SUMMARY

GROUNDWATER SYSTEM

After considering any minor acre differences within various 40-acre tracts I am recognizing each right for its licensed acreage total as merely POU correction or as an unrecorded transfer except for 37-2685. This would include the 3 acres previously discussed in the Issues RE: Sec 22 SE $\frac{1}{4}$.

Regarding **37-2685**, there were 56 acres licensed in Sec 15 S $\frac{1}{2}$ SW $\frac{1}{4}$ that were not claimed although the entire licensed diversion rate of 2.46 cfs was claimed. In reviewing the adjudication claim file I did not see any documentation addressing an unrecorded transfer of the proportionate share of that right from the ground in Sec 15 S $\frac{1}{2}$ SW $\frac{1}{4}$ to the remainder of the licensed POU as claimed. The rate per acre is not an issue as the claim is for 183 acres and the 2.46 cfs or ≈ 0.013 cfs/ac.

Regarding **37-2608**, the licensed POU by 40-acre tracts vs. the found irrigated acres within the same tracts the license exceeds the found acreage in the E $\frac{1}{2}$ SW $\frac{1}{4}$ by 4 acres. In the NE $\frac{1}{4}$ SE $\frac{1}{4}$ the ground irrigated west of the stream channel is also smaller than the licensed acreage. However, I am recognizing the license in its entirety as previously discussed.

Regarding **37-7284** there are minor acre variations in most all of the licensed 40-acre tracts and again I am recognizing the license in its entirety as previously discussed. That right was licensed with one point of diversion in Sec 22 NENWNE with a point of injection in Sec 22

SEWNNE into Mud Creek with a point of redirection in Sec 22 NESWNE. The recommendation does not address the original system, rather identifies the three existing wells as an unrecorded change in the PODs.

OBJECTION ISSUES

When the 3 ground water rights are combined they are to be limited to
 The combined diversion volume for the three rights is 369 ac * 3.5 afa =
 When all four rights are combined they are limited to
 Of the four rights only 37-7284 was licensed with a season of use which was

369 ac
1291.5 af
375 ac.
4/1 - 11/1

As the remaining rights have no season of use, the department's policy is to recommend those rights with the current department standard which for this area is 4/15 -- 10/31. There is a possibility of recommending those rights with the "shoulder language" identifying 4/1 - 11/1.

4/15 - 10/31

UNNAMED DRAIN SYSTEM

Regarding **37-2607**, this right was licensed and recommended for 6 acres in Sec 22, SWSE. This right is the only right associated with the drain and historically the system was a dug drain running virtually the entire length (north to south) of Sec 22 SWSE. The drain was then dammed up at various points raising the water table to sub irrigate approximately 100 ft on either side of the drain for the ¼ mile run of that drain. This right was recommended with a point of diversion in Sec 22 SESW with Chaney Creek as the source. For this to be valid the department would have to recognize either a change of source or an exchange of water.

Table 1

				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Found ac	1S	19E	22	38	23	37	37	38	38	19	40	38			8	32	40	39	27	454
Recommend POU				39	16	29	33	38	35	11	40	31			2.5	23	37	22	20	376.5
37-2607	1S	19E	22															6		6
License 37-2607			22															6		6
37-2608			22									40			10	10	40			100
License 37-2608			22									40			10	10	40			100
37-2685			22		10	33		40	40	20	40									183
License 37-2685			22		9	29		39	39	21	40									177
			15											36	19.8					55.8
37-7284			22	39	10	36	35				23									143
License 37-7284			22	39	10	36	35				23									
Cumulative licensed POU by Q/Q (GW only)				39	19	37	35	39	39	21	40	40			10	10	40			369

Found acreage	= 454 ac	
Lic cumulative ac	<u>= 369 ac</u>	(Ground water combined POU acreage limit)
Difference	85 ac	(not covered by an existing right)

37-2607 is being recognized for 6 acres in addition to the 369 acres identified above.

The licensed cumulative acreage is based upon the licensed POU acreage. Where there are differences I am recognizing acre shifting as a correction to the POU based upon mapping differences and/or an unrecorded transfer. Those acres are NOT considered either forfeited or as additional acreage up to the total combined POU licensed acreage limit.

Christensen, Kelly

From: Christensen, Kelly
Sent: Wednesday, November 18, 2009 12:09 PM
To: 'Jim Speck'; Bromley, Chris; Kelly, Vicki
Subject: RE: 37-2607, 2608, 2685, and 7284 Chaney Creek Ranch

The issue is enlargement vs. an unrecorded transfer of a portion of 37-2685 prior to the development of 37-7284. Where two rights are "stacked" on common acreage, if they were to be later un-stacked more acreage is irrigated then the overall consumptive use would increase thus enlargement.

I have reviewed the water right back files for 37-2685 and 37-7284 and have found the following.

37-2685 has a 1961 priority date but proof was submitted in 1968 and the licensing field examination was conducted in 1970 with the license ultimately being issued in 1972. All available evidence suggests that there was no change in POU prior to 1972 for this right.

37-7284 has a 1973 priority date and the licensing field exam was done in July of 1980. Neither the licensing field exam or license specifically addresses any overlap, but on page 23 of the back file the field exam includes the following statement. " Mr. Bickett said that he generally only uses the water from well for one or two irrigations on (an???) average year." This statement appears to address the overlapping acreage.

To be able to recognize those acres independently you would have to establish that, water from 37-2685 was moved off the overlapping ground and to the unlicensed acreage prior to the development of 37-7284.

I do not have definitive information clearly establishing that they were used conjunctively on that ground and it does not appear logical that they would route water around the overlapping acreage to the ground to the southeast.

The only aerial photos available within the time frame in question is the 1969 flight, and the licensing field exam maps included in the respective files listed above. The licensing field exam maps are not dated and are of poor quality. The aerial photo in 37-7284 does appear to suggest a pasture but does not really show any irrigation pattern as is shown in other parts of the property. If it is actually irrigated, there is no way to determine the source of the water from the aerial photo.

If you can document that the overlapping acreage covered by 37-2685 was actually moved southeast I would consider recognizing a larger POU. This may require an amendment to the claim for 37-2685 but we can address this at a future date.

Kelly

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

From: Jim Speck [mailto:jim@speckandaanestad.com]
Sent: Wednesday, November 11, 2009 5:49 PM
To: Bromley, Chris; Kelly, Vicki; hobdeycraig@hotmail.com; Christensen, Kelly; 'Peter Gray'
Subject: RE: 37-2607, 2608, 2685, and 7284 Chaney Creek Ranch

Kelly,

Thanks for the work up which I think I understand. Here is how I see it. There are a total of 420 acres of licensed ground water rights on the Ranch. However, you found that there are 51 acres shared by 2685 & 7284, so that reduces your total to 369 acres. Why can't you recognize accomplished transfers of the 51 acres (including transfers to add the 7284 p/d's to 2685) so that would bring the total back to 420 acres?? With the 6 acres under 2607 we are then at 426 acres, which is only 28 acres less than the total irrigated area you found.

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.

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

From: Christensen, Kelly
Sent: Wednesday, November 04, 2009 1:18 PM
To: Jim Speck; Bromley, Chris; Kelly, Vicki; hobdeycraig@hotmail.com

After a more exhaustive review I have found that the 4 claims identified the licensed POU as the claimed POU. The objection indicates that the PPU should be 456 acres. I found that the combined POU for all four licenses totals 375 acres. As 456 acres are not claimed, I cannot recommend beyond the claimed POU. It is not clear when the additional acreage was first irrigated but it appears to be some time after 1963.

I have attached a narrative that hopefully addresses a majority of the issues covered in the objections and the basis for my tentative decisions.

37-2609A is associated with Chaney Creek Ranch but I have not looked into this one yet other than to note that the Responses have been withdrawn.

<<37-2607 etal analysis Chaney Cr Ranch.docx>>

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

Charney Cr Ranch

37-2607 Obj C.C. Ranch Source should be unnamed drain
POD should be Sec 22 SWSE
Period. " " 4-1 / Oct 31
POU " " 456.5ac

comb rts 2607, 2608, 2685, 7284

456.5ac includes 80ac CRP gnd.

37-2607 Response by BW canal - no comments included

37-2608 Obj C.C. Ranch Quantity - annual vol should be 1597.75 ^{AF}
with rts - 2608, 2685, 7284 - 1597.75 af
Period - should be 4-1 / 10-31
POU - all 4 rts comb. limit to 356.5ac

$$1597.7 / 356.5ac = \underline{4.48 AF}$$

$$1597.7 / 456 = \underline{3.5 AF}$$

37-2685 Obj C.C. Ranch Quantity into comb. limit = 1597.75
POU all 4 Rts Comb limit to 356.5ac

Reason states ASCS map ac add to 455.9ac

37-7284 C.C. Ranch Obj - Quantity = 1597.75 af

P/D Sec 22 ^{P/D} NENE; ^{INS} SENE; ^{REDIV} SWSE

^{lie} NWNE NWNE SWNE

Period of yr Should be 4-1 / 10-31

POU comb = 356.5ac

37-2607 orig source = drain now Charney Cr?

P/D now needs to discussed. P/U needs a second look. Combined rt language needs to be reviewed

Want to a 456ac POU?

Thurs Apr 23, 09
KHC / Chris

37-2607 Cheyney Cr Ranch

Hobby needs to be kept in the loop

Need to establish 2685 extra acres
evaluate OL acres

PPU = $\approx 456ac^{\pm}$

Status Conf Dec 2 9:30

RECEIVED
NOV 08 2007
DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case No. 39576

A. Subcase 37-7284

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Chaney Creek Ranch LLC

Address: c/o Elizabeth Gray
PO Box 3175
Ketchum, ID 83340

Daytime Phone: (208) 726-5997

Name & Address of Attorney, if any:
James P. Speck
SPECK & AANESTAD
A Professional Corporation
PO Box 987
Ketchum, ID 83340

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Chaney Creek Ranch LLC

Address: c/o Elizabeth Gray
PO Box 3175
Ketchum, ID 83340

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be:

2. ☐ **Source**

Should be:

3. ☒ **Quantity**

Should be: The combined annual diversion volume for 37-2608, 37-2685 and 37-7284 should be 1597.75 acre-feet.

4. ☐ **Priority Date**

Should be:

5. ☒ **Point(s) of Diversion**

Should be: NENWNE, Section 22, T.1S., R.19E., B.M., Blaine County; point of injection into Mud Creek is SENWNE, Section 22, T.1S., R.19E., B.M., Blaine County; point of rediversion from Mud Creek is SWSENE, Section 22.

6. ☐ **Instream Flow Description**

Should be:

7. ☐ **Purpose(s) of Use**

Should be:

8. ☒ **Period of Year**

Should be: April 1 to October 31

9. ☒ **Place of Use**

Should be: the place of use and the combined irrigated acre limit for 37-2607, 37-2608, 37-2685 and 37-7284 should be 356.5 acres

10. **I object because:**

☐ This water should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): The season of use for all of the irrigation rights in this part of Blaine County should begin April 1. This right is diverted from only one of

7284

the wells, injected into Mud Creek and rediverted from Mud Creek as shown on attached map. 80 acres of land currently in CRP programs was left out of the place of use. The fields highlighted in yellow on the attached ASCS field map add up to 455.9 acres and include the CRP lands.

F.

VERIFICATION (Must be completed)

State of Idaho)
) ss.
County of Blaine)

James P. Speck, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6), or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

J. P. Speck
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 7, 2007



Jeanne Farnea
Notary Public for Idaho
Residing at Shoshone, Idaho
My Commission expires 05/05/09

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all of the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on November 7, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the claimant of the water right at the following address:

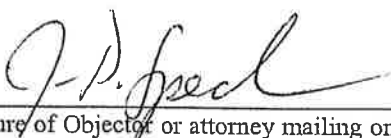
Name: Chaney Creek Ranch LLC
Address: c/o Elizabeth Gray
PO Box 3175
Ketchum, ID 83340

3. Copies to:

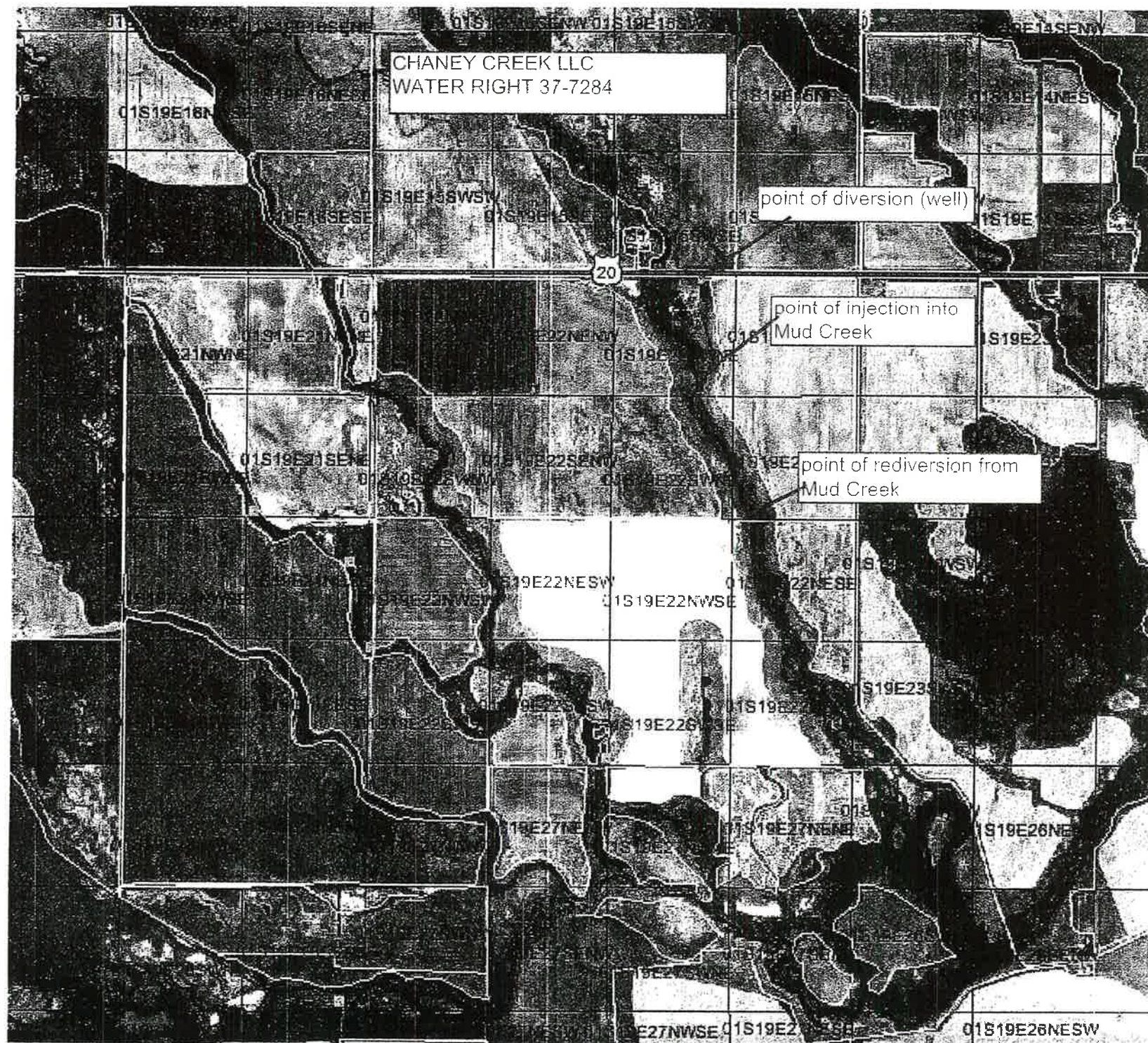
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

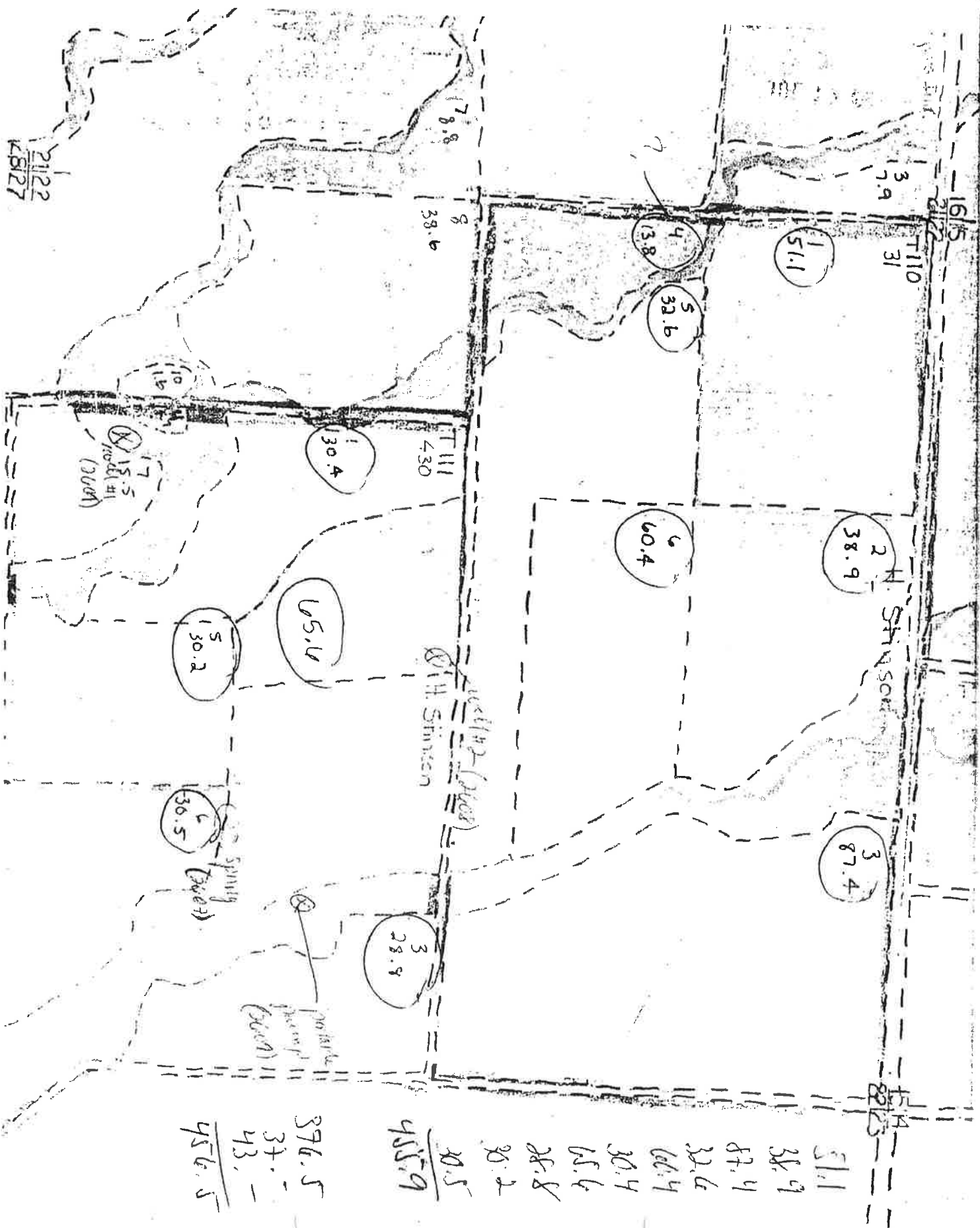
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource
Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney mailing on
Objector's behalf





State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7284 Priority September 25, 1973 Amount 1.98 cfs

THIS IS TO CERTIFY, that Ralf H. Stinson
of Bellevue, Idaho, has complied with the terms and conditions of Permit
No. 37-7284 issued pursuant to Application for Permit dated September 25, 1973,
and has submitted proof to the Department of Water Resources on November 3, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.98 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>1.98</u> cfs and	<u>429.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.98 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
429.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, Twp.
1S, Rge. 19E, See Remarks Below in the County of Blaine

Description and location of place of use:

Twp.	Range	Sec. 22				Sec. 23				Sec. 24				Sec. 25				Totals
		NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	
1S	19E	22	39	36	35				23									143

Total number of acres irrigated 143

Use of water under this license is subject to control by the watermaster of
State Water District No. 37, Big Wood River.
A measuring device of a type approved by the Department shall be maintained at
the point of injection and point of rediversion.
REMARKS: Point of injection located in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22. Point of Rediversion
located in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, Twp. 1S, Rge. 19E, Mud Creek.

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
December, 19 81.

Director

State of Idaho
Department of Water Resources

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Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>1.98</u> cfs and	<u>429.0</u> acre feet
	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.98 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 429.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, Twp. 1S, Rge. 19E. See Remarks Below in the County of Blaine

Description and location of place of use:

Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals			
		SE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
1S	19E	22	39	36	35				23								143

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of December, 19 81.

Director

Pc Doc Pg 7

12/13/2006

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

RIGHT NUMBER: 37-7284

NAME AND ADDRESS: CHANEY CREEK RANCH LLC
C/O ELIZABETH K GRAY
PO BOX 3175
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.980 CFS
429.000 AFY

The rights listed below are limited to a total combined annual diversion volume of 1,317.75 af. Combined Right Nos.: 37-7284, 37-2685, and 37-2608.

PRIORITY DATE: 09/25/1973

POINT OF DIVERSION:

T01S R19E S22 NENWNE Within BLAINE County *P/D*
T01S R19E S22 NWNWNW Within BLAINE County *well 2685*
T01S R19E S22 NENESW Within BLAINE County *well 2608*

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.980 CFS 429.00 AFY

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R19E S22	NENE	39.00	T01S R19E S22	NWNE	16.00
T01S R19E S22	SWNE	29.00	T01S R19E S22	SENE	33.00
T01S R19E S22	NENW	38.00	T01S R19E S22	NWNW	35.00
T01S R19E S22	SWNW	11.00	T01S R19E S22	SENW	40.00
T01S R19E S22	NESW	31.00	T01S R19E S22	SESW	2.50
T01S R19E S22	NESE	23.00	T01S R19E S22	NWSE	37.00
T01S R19E S22	SWSE	22.00	T01S R19E S22	SESE	20.00

376.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 376.5 acres in a single irrigation season. Combined Right Nos.: 37-2607, 37-7284, 37-2685, and 37-2608.

This right is limited to the irrigation of 143 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



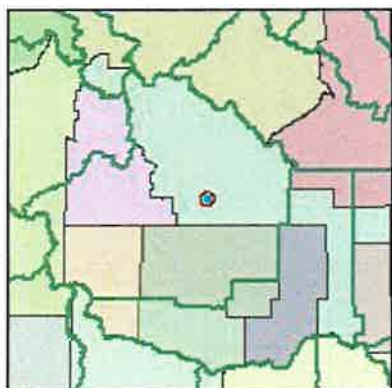
Idaho Department of Water Resources

SRBA Recommendation:

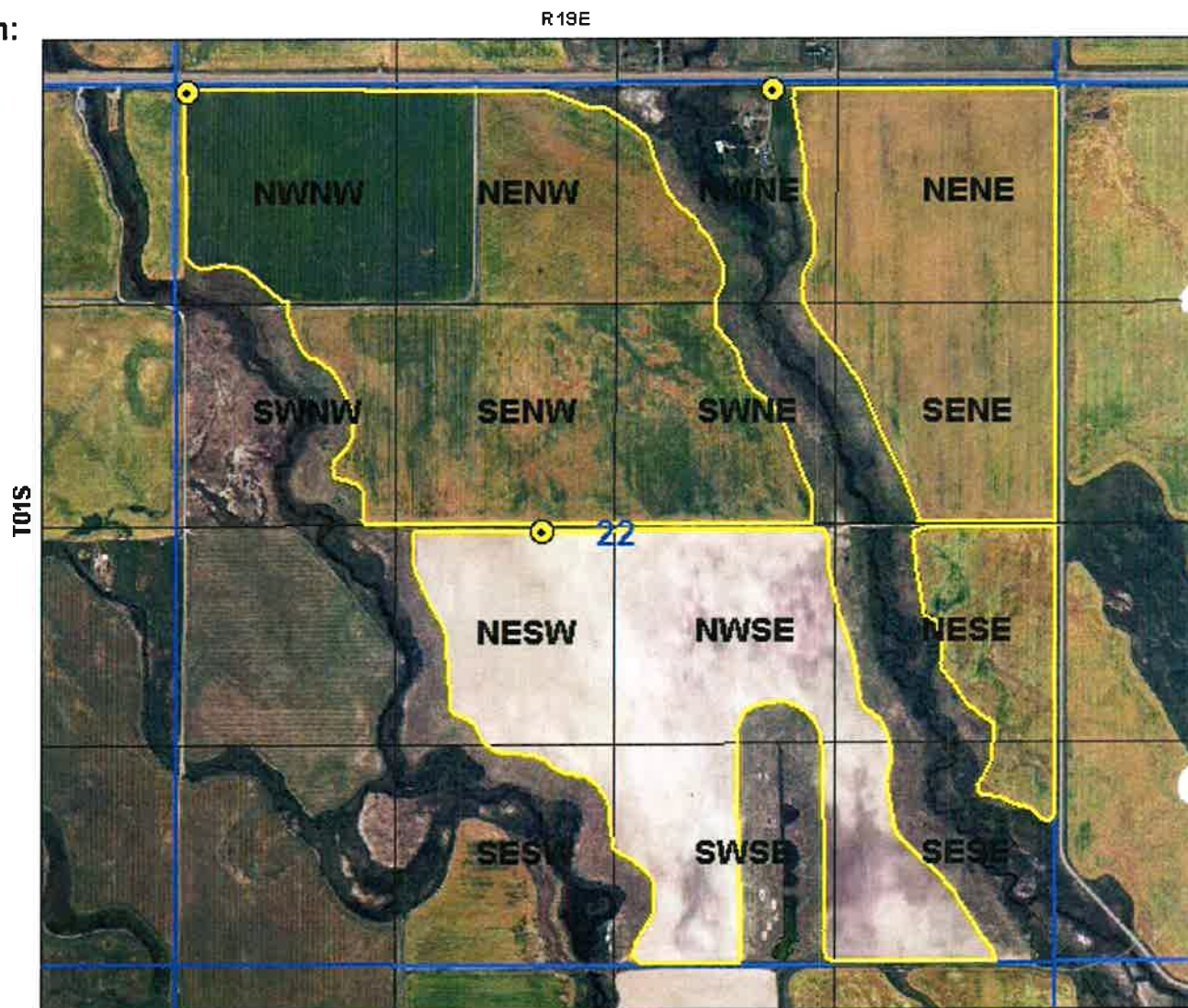
**37-7284, 37-2685,
37-2608**

Legend

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



Blaine County
IDWR Basin 37



0 0.4 0.8 Miles

Prepared by N. Erickson
On Wednesday, December 13, 2006
2004 Aerial Photography