

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 37-21734
Date Received: 12/20/1988
Receipt No:
Received By:

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

1. Name of Claimant(s)

IDAHO RANCH LLC Phone: (714)479-1311
2296 CHANNEL RD
NEWPORT BEACH CA 92661

2. Date of Priority: 05/02/1884

3. Source: BROADFORD SLOUGH Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	35	NE NW	BLAINE	

5. Description of diverting works:

WRENCHER #39 HEADGATE IN BROADFORD SLOUGH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.02	

7. Total Quantity Appropriated is:
0.02 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
02N	18E	35	SW	NE	IRRIGATION	4
					Section Acres	4
					Total Acres	4

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

CONFORMED ATTORNEY MAILING ADDRESS DMS

This right is a split from former right 37-578C.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

April 14, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

Re: SRBA Claim(s) 37-578C and 37-688C / Idaho Ranch LLC

Dear Jim:

Pursuant to the change in ownership request you submitted to the Department on behalf of your client, we have split the above claims. Idaho Ranch's portions of the claims are now numbered 37-21734 and 37-21736 while the remaining portions of the Evans' rights are numbered 37-21733 and 37-21735. Please find the enclosed copies of the computer record of the water rights noting the change in owner. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

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

Trish Fawcett
Technical Records Specialist

Enc.

Form 42-248/42-1409(n) July, 2000

RECEIVED
NOV 17 2005
Department of Water Resources
Southern Region

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
37-8058					
37-8143		X			
	37-578C	X			
	37-688C	X			

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

- A. The appropriate **FILING FEE**. See Instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Bill Evans
4. New Owner/Claimant(s) 42 Fox Hollow Gulch, Bellevue ID 83313
- Idaho Ranch, LLC
Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address 2296 Channel Rd
- City, State and Zip Code Newport Beach, CA 92661-1513
- New Telephone Number (714) 479-1311
5. Date you acquired the property March 24, 2005

6.

Received by [Signature] Date 11/18/05 Fee \$50
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

§.

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 37-688C

Diversion Rate or Volume
(Cubic feet per second or acre-feet per annum)

Description
(acres, number and type of stock, homes, etc.)

0.06 cfs

4 acres

Domestic

Other

Total

0.06 cfs

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

Diversion Rate or Volume
(Cubic feet per second or acre-feet per annum)

Description
(acres, number and type of stock, homes, etc.)

Domestic

Other

Total

IDAHO RANCH, LLC

By:

Ed Label, Manager

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use only

Received by

Date _____

Feb

Received by

Date _____

Receipt No. _____

Processed by

AJ Date

WR

Date _____

BCT
BLAINE COUNTY TITLEINSTRUMENT # 617847
HALEY, BLAINE, IDAHO
2005-01-24 04:22:00 No. of Pages: 3
Recorded for: BLAINE COUNTY TITLE
SANTANA KUMMAN
Ex-Officio Recorder Deputy Fee: 8.00
Inmate: WYBACORP DEPT**WARRANTY DEED**

FOR VALUE RECEIVED

WILLIAM H. EVANS and HELEN EVANS, or their successors, trustees of The Evans
1992 Revocable Trust dated May 14, 1992,

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto

IDAHO RANCH LLC, an Idaho Limited Liability Company

GRANTEE(S), whose current address is: 2296 Channel Road Newport Beach, CA 92661

the following described premises, to wit:

See "Exhibit A" attached hereto

Specifically excepting and reserving any and all water rights appurtenant thereto. Certain
appurtenant water rights shall be conveyed through a separate Quitclaim Deed.

Parcel Number: 02N18035395DA

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with
the said Grantee, that it is the owner in fee simple of said premises, that said premises are free
from all encumbrances and that he will warrant and defend the same from all lawful claims
whatsoever.

Dated this 15th day of March, 2005.

By William H. Evans
William H. Evans, TrusteeBy Helen Evans
Helen Evans, TrusteeSTATE OF Idaho)
) ss.
COUNTY OF Blaine)

On this 24th day of MARCH, 2005, before me, the undersigned, a Notary
Public, in and for said State, personally appeared
known to me, and/or identified 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
he/she/they executed the same.
WITNESS MY HAND AND OFFICIAL SEAL.

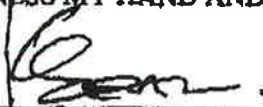
Notary Public
Residing at Ketchum
My commission expires: July 9, 2005

STATE OF Idaho)

COUNTY OF Blaine) s.

On this 24 day of March, 2004, before me, the undersigned, a Notary Public, in and for said State, personally appeared James R. Laski, known to me to be the person whose name is subscribed to the within instrument, as the Attorney-in-Fact of William H. Evans and Helen Evans, as Trustees of THE EVANS 1992 REVOCABLE TRUST dated May 14, 1992, and acknowledged to me that he/she subscribed the name of William H. Evans and Helen Evans, Trustees, thereto as principal, and his own name as attorney-in-fact.

WITNESS MY HAND AND OFFICIAL SEAL.



Notary Public:

Residing at: Ketchum

My commission expires 7/9/2005



EXHIBIT "A"

A Parcel of land located within the NW1/4NE1/4 and within the N1/2SW1/4NE1/4 of Section 35, Township 2 North, Range 18 East, Boise Meridian, Blaine County, Idaho being a portion of Parcel 2 as depicted within that Record of Survey recorded as Instrument No. 500507, records of Blaine County, Idaho, said parcel of land being more particularly described as follows:

Commencing at a 5/8" rebar which marks the N1/4 Corner of said Section 35; thence South 00°15'21" West along the West boundary of said NW1/4NE1/4, 1315.85 feet to a 5/8" rebar which marks the Southwest corner of said NW1/4NE1/4; thence North 89°34'07" East along the South boundary of said NW1/4NE1/4 709.00 feet, said point being the REAL POINT OF BEGINNING;

Thence North 00°25'53" West 62.57 feet to the centerline of a slough commonly known as Broadford slough;

Thence along said centerline the following courses and distances:

North 74°15'00" East 22.51 feet;

Thence North 17°15'02" East 89.17 feet;

Thence North 50°15'16" East 107.53 feet;

Thence North 82°14'47" East 107.65 feet;

Thence North 72°10'40" East 53.00 feet;

Thence North 43°54'11" East 138.02 feet;

Thence North 29°08'07" East 119.76 feet;

Thence North 61°03'12" East 204.81 feet to the East boundary of said NW1/4NE1/4;

Thence leaving said centerline South 00°11'06" West along said East boundary 551.86 feet to a 5/8" rebar with an aluminum cap which marks the Southeast corner of said NW1/4NE1/4;

Thence South 00°21'35" West, 410.36 feet along the East boundary of the N1/2SW1/4NE1/4 of said Section 35;

Thence leaving said East boundary South 86°49'26" West, 242.38 feet;

Thence North 41°46'03" West, 561.94 to the REAL POINT OF BEGINNING.

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the EVANS 1992 REVOCABLE TRUST, dated May 14, 1992, William H. Evans and Helen Evans, Trustees, does hereby bargain, sell, remise, release, convey and forever quitclaim to IDAHO RANCH, LLC, an Idaho limited liability company, whose address is 2296 Channel Road, Newport Beach, CA 92661 ("Grantee"), all right, title and interest in and to those water rights identified in the records of the Idaho Department of Water Resources as follows: Water Right No. 37-8058; an amount equal to 0.03 cfs of Water Right No. 37-8143; an amount equal to 0.02 cfs of Water Right No. 37-578C; and an amount equal to 0.06 cfs of Water Right No. 37-688C, and no others, for beneficial use upon the property conveyed to Grantee this same date by Warranty Deed recorded as Instrument No. _____, records of Blaine County, Idaho.

Dated this 24th day of March, 2005.

EVANS 1992 REVOCABLE TRUST, dated May 14, 1992

William H. Evans by J. R. Laski AIF
By: William H. Evans, Trustee

Helen Evans by J. R. Laski AIF
By: Helen Evans, Trustee

STATE OF Idaho)
COUNTY OF Blaine) ss.

On this 24th day of March, 2005, before me, the undersigned, a Notary Public, in and for said State, personally appeared JAMES R. LASKI, known to me to be the person whose name is subscribed to the within instrument, as the Attorney-in-Fact of WILLIAM H. EVANS, Trustee and HELEN EVANS, Trustee, and acknowledged to me that he subscribed the name of WILLIAM H. EVANS, Trustee and HELEN EVANS, Trustee, thereto as principal, and his own name as attorney-in-fact.

WITNESS MY HAND AND OFFICIAL SEAL.

Kathy Seal
Notary Public
Notary Res(dcs): Ketchum
My commission expires: July 9, 2005





Title:

Date: 04-14-2006

Scale: 1 inch = 2000 feet

File:

Tract 1: 8.690 Acres; 378548 Sq Feet; Closure = s49.2721e 0.00 Feet; Precision > 1/999999; Perimeter = 2672 Feet

001=n0.1516e 107.53

007=n50.1516e 107.53

013=s00.1106w 551.86

002=s00.1521w 1315.85

008=n82.1447e 107.63

014=s00.2135w 410.36

003=n89.3407e 709

009=n72.1040e 53

015=s86.4926w 242.38

004=n00.2553w 62.57

010=n43.5411e 138.02

016=n41.4603w 561.94

005=n74.1500e 22.51

011=n29.0807e 119.76

006=n17.1502e 89.17

012=n61.0312e 204.81

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

JAMES P. SPECK
jimspeck@cox-internet.com

DOUGLAS J. AANESTAD
aanestad@cox-internet.com

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

November 16, 2005

RECEIVED
NOV 17 2005

Department of Water Resources
Southern Region

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

**Re: Notice of Change of Water Right Ownership -
Water Right Nos. 37-8058, 37-8143
Adjudication Claim Nos. 37-578C, 37-688C
Our File No.: 1067/040141**

Dear Trish:

Enclosed you will find the original and one copy of a Notice of Change in Water Right Ownership for the water rights appurtenant to the above-referenced water rights together with our firm's check for \$50 for the fee due.

Please receipt date stamp the copy of the Notice and return it to me in the postage prepaid self-addressed envelope included for that purpose. Kindly call me if you have any questions.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal
Enclosures
cc: Client

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

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

December 6, 2005

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

RECEIVED
DEC 08 2005
Department of Water Resources
Southern Region

Re: *Idaho Ranch, LLC;*
Notice of Appearance - SRBA 37-578C and 37-688C

Dear Allen:

Enclosed you will find the original and one copy of the Notice of Appearance for my client, Idaho Ranch, LLC for SRBA Claim Nos. 37-578C, 37-688C and 37-4267. Please receipt date-stamp the copy and return it to me in the postage prepaid, self-addressed envelope included for that purpose.

Please call me right away if you have any questions or concerns. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS/jal

Enclosures

cc: Client (w/encl.)

F:\WPDATA\JIM\Idaho Ranch, LLC\Correspondence\Merritt 12-06.wpd

Claimants Names:
Idaho Ranch, LLC

Attorney Name & Address:
James P. Speck, ISB#2067
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 83340
(208) 726-4421
FAX: (208) 726-0752

RECEIVED
DEC 08 2005
Department of Water Resources
Southern Region

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

In Re SRBA

Case No. 39576

)
)
)
)
)
)
)

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

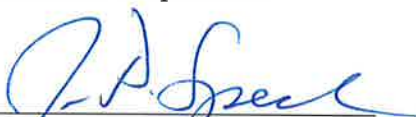
This is a notice of appearance by counsel on behalf of the new claimant and purchaser of the water rights identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, Idaho Ranch, LLC, for the following water rights which are not the subject of any subcases: 37-578C and 37-688C.

DATED this 6th day of December, 2005.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 6 day of December, 2005, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

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

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

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

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

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

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


JAMES P. SPECK

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 37-21734

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 17 2009

Clerk
Deputy Clerk

NAME AND ADDRESS:

IDAHO RANCH LLC
2296 CHANNEL RD
NEWPORT BEACH, CA 92661

SOURCE:

BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY:

0.02 CFS

PRIORITY DATE:

05/02/1884

POINT OF DIVERSION:

T02N R18E S35 NENW Within Blaine County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-15 TO 10-31

QUANTITY
0.02 CFS

PLACE OF USE:

Irrigation

T02N R18E S35

NWNE 2.7

Within Blaine County
SWNE 3.3

6.0 Acres Total

Right Nos. 37-21734 and 37-21736 are limited to the irrigation
of a combined total of 6 acres in a single irrigation season.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

**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

Subcase No.: 37-21734

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

COPY

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

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.

CLAIMANT / OBJECTOR:

RESPONDENTS:

James P. Speck
Attorney for Idaho Ranch LLC

Date

Craig D. Hobdey
Attorney for Big Wood Canal Company

Date

Albert P. Barker
Attorney for Tom O'Gara, John F.
Stevenson, Bill Molyneux, Pete Van Der
Meulen, Grace Eakin, Gerald Bashaw, and
Pepin Corso-Harris

Date

IDWR CONCURRENCE:

Kelly K. Christensen 12-9-08
Kelly K. Christensen Date
Sr. Water Resource Agent

IDWR CONCURRENCE:

John W. Homan Date
Deputy Attorney General
Attorney for IDWR

11/12/2008

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

RIGHT NUMBER: 37-21734

NAME AND ADDRESS: IDAHO RANCH LLC
2296 CHANNEL RD
NEWPORT BEACH CA 92661

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.020 CFS

PRIORITY DATE: 05/02/1884

POINT OF
DIVERSION:

T02N R18E S35 NENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.020 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T02N R18E S35

NWNE

~~1-9~~ 2.70

T02N R18E S35

SWNE

~~2-1~~ 3.30

4 6 ACRES TOTAL

Right Nos. 37-21734 and 37-21736 are limited to the irrigation of a combined total of 4 6 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 37-578C.

CERTIFICATE OF SERVICE

I certify that on _____, 2008, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

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

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

James P. Speck
Speck & AAnestad
P.O. Box 987
Ketchum, ID 83340

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Craig D. Hobdey
Hobdey & Hobdey
125 5th Ave
P.O. Box 176
Gooding, ID 83330

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Albert P. Barker
Shelley M. Davis
Barker, Rosholt & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21734 V1

WATER RIGHT NUMBER: 37-21734 V1

Wed Oct 15 4:30PM

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Original Owner	HELEN B EVANS 42 FOX HOLLOW GULCH RD BELLEVUE, ID 83313 (208)788-3208
Original Owner	WILLIAM H EVANS 42 FOX HOLLOW GULCH RD BELLEVUE, ID 83313 (208)788-2683
Current Owner	IDAHO RANCH LLC 2296 CHANNEL RD NEWPORT BEACH, CA 92661 (949)675-1590

Priority Date: 05/02/1884

Basis: Decreed

Status: Active

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Diversion Rate

0.020 CFS

Annual VolumeTotal Diversion:

0.020 CFS

Location of Point(s) of Diversion

BIG WOOD RIVER

NE1/4NW1/4

Sec. 35, Twp 02N, Rge 18E, 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	
02N	18E	35		1.9	2.1														4.0

Total Acres: 4

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21734 V1

1. E55 Right Nos. 37-21734 and 37-21736 are limited to the irrigation of a combined total of 4 acres in a single irrigation season.
2. This right is a split from former right 37-578C.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. 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.

Remarks:

Comments:

1. kwalker 1/23/2007 NOE

Comment: Mr. Speck requested we revisit the acres recommended under this right. The claim was filed for 4 acres and recommendation was for 4 acres so have not made any changed to recommendation. Cannot add additional acres without amended claim.

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>
Summary			12/16/2006	skeen	Active
Summary			12/16/2006	skeen	Active

SubCase:

SubCase Number: 37-21734

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent: Shelley Keen

Basis of Claim: Decreed

Date Filed: 1/15/2008 Objection Status: Active

Date Filed: 1/15/2008 Objection Status: Active

Date Filed: 1/15/2008 Objection Status: Active

Date Filed: 1/15/2008 Objection Status: Active

Date Filed: 1/15/2008 Objection Status: Active

Date Filed: 1/15/2008 Objection Status: Active

Date Filed: 1/15/2008 Objection Status: Active

Date Filed: 1/15/2008 Objection Status: Active

Date Filed: 11/6/2007 Objection Status: Active

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-21734

WATER RIGHT NUMBER: 37-21734

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Original Owner	HELEN B EVANS 42 FOX HOLLOW GULCH RD BELLEVUE, ID 83313 (208)788-3208
Original Owner	WILLIAM H EVANS 42 FOX HOLLOW GULCH RD BELLEVUE, ID 83313 (208)788-2683
Current Owner	IDAHO RANCH LLC 2296 CHANNEL RD NEWPORT BEACH, CA 92661 (949)675-1590

Priority Date: 05/02/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BROADFORD SLOUGH	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

BROADFORD SLOUGH	NE1/4NW1/4	Sec. 35, Twp 02N, Rge 18E, 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	
02N	18E	35			4.0														4.0

Total Acres: 4

Conditions of Approval:

1. CONFORMED ATTORNEY MAILING ADDRESS DMS
2. This right is a split from former right 37-578C.

Remarks:

RECEIVED
NOV 07 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 37-21734

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Idaho Ranch LLC
Address: 2296 Channel Rd.
Newport Beach, CA 92661
Daytime Phone: (949) 675-1590

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: Idaho Ranch LLC
Address: 2296 Channel Rd.
Newport Beach, CA 92661

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:

4. ☐ **Priority Date**

Should be:

5. ☐ **Point(s) of Diversion**

Should be:

6. ☐ **Instream Flow Description**

Should be:

7. ☐ **Purpose(s) of Use**

Should be:

8. ☐ **Period of Year**

Should be:

9. ☒ **Place of Use**

Should be: 6 acres with the same combined irrigated area limitation as in the recommendation.

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 approximate 2 acre area outlined in black on the attached map is part of the area historically irrigated by this right.

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.

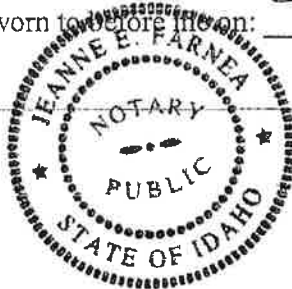
(Signature of person filing objection)

J.P. Speck

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

November 6, 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 6 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:

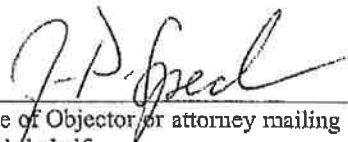
Name: Idaho Ranch LLC
Address: 2296 Channel Rd.
Newport Beach, CA 92661

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



Idaho Department of Water Resources

SRBA Recommendation:

37-21734

(Irrigation)

Legend

○ Point of Diversion
Place of Use



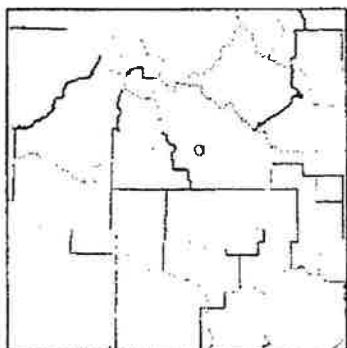
Townships



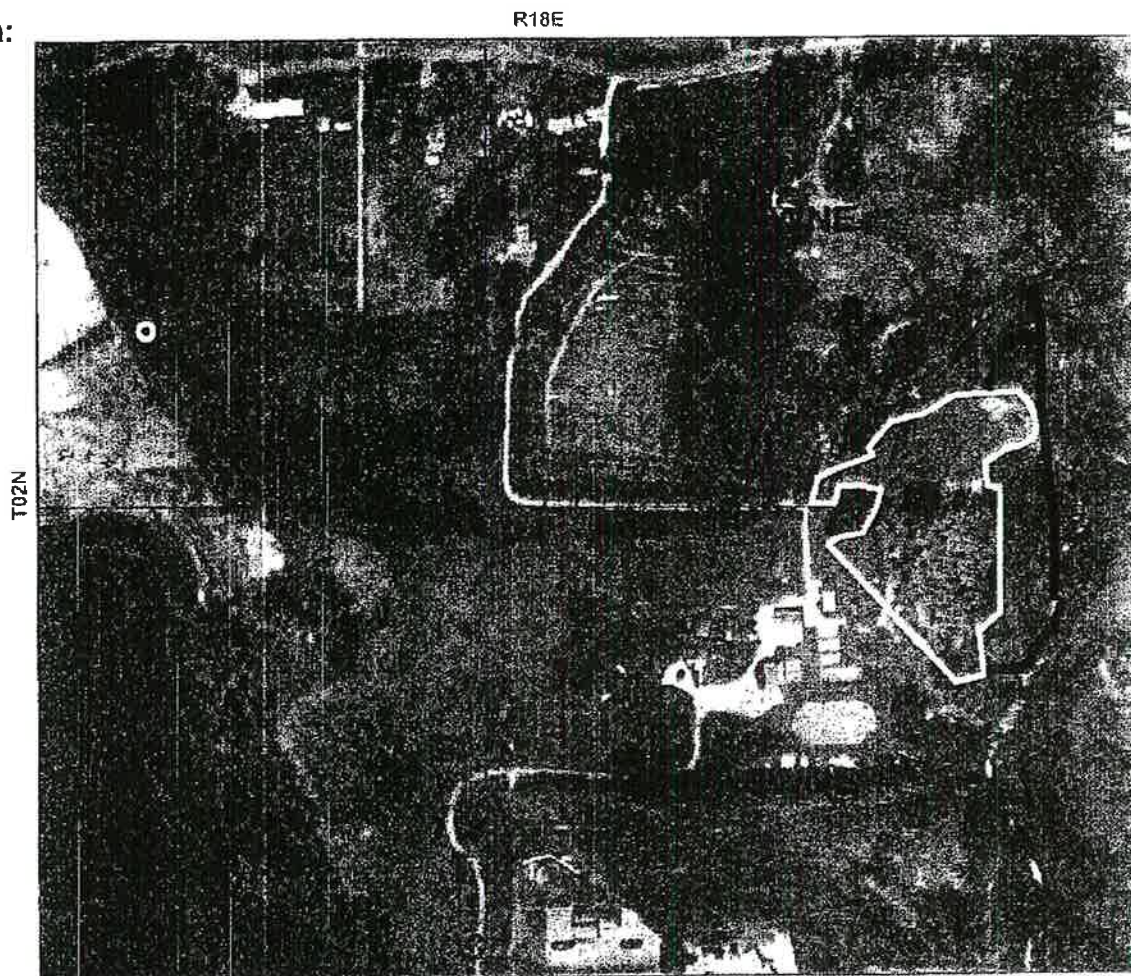
PLS Sections



Quarter Quarters



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles

Prepared by M. Ciscell
On Monday, December 18, 2006
2004 Aerial Photography

**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

Subcase No.: 37-21736

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

COPY

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

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.

CLAIMANT / OBJECTOR:

RESPONDENTS:

James P. Speck _____ Date
Attorney for Idaho Ranch LLC

Craig D. Hobdey _____ Date
Attorney for Big Wood Canal Company

Albert P. Barker _____ Date
Attorney for Tom O'Gara, John F.
Stevenson, Bill Molyneux, Pete Van Der
Meulen, Grace Eakin, Gerald Bashaw, and
Pepin Corso-Harris

IDWR CONCURRENCE:

Kelly K Christensen 12-9-08
Kelly K Christensen Date
Sr. Water Resource Agent

IDWR CONCURRENCE:

John W. Homan Date
Deputy Attorney General
Attorney for IDWR

11/12/2008

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

RIGHT NUMBER: 37-21736

NAME AND ADDRESS: IDAHO RANCH LLC
2296 CHANNEL RD
NEWPORT BEACH CA 92661

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 08/15/1902

POINT OF
DIVERSION:

T02N R18E S35 NENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.060 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T02N R18E S35

NWNE

~~1-9~~ 2.70

T02N R18E S35

SWNE

~~2-1~~ 3.30

4.6 ACRES TOTAL

Right Nos. 37-21734 and 37-21736 are limited to the irrigation of a combined total of 4.6 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 37-688C.

CERTIFICATE OF SERVICE

I certify that on _____, 2008, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

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

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

James P. Speck
Speck & AAnestad
P.O. Box 987
Ketchum, ID 83340

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Craig D. Hobdey
Hobdey & Hobdey
125 5th Ave
P.O. Box 176
Gooding, ID 83330

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Albert P. Barker
Shelley M. Davis
Barker, Rosholt & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person or attorney mailing the form

Christensen, Kelly

From: Christensen, Kelly
Sent: Wednesday, November 12, 2008 3:31 PM
To: 'hobdeycraig@hotmail.com'; 'apb@idahowaters.com'; Jim Speck
Cc: Bromley, Chris; Homan, John; Kelly, Vicki
Subject: 37-21734 and 37-21736 Idaho Ranch

Attachments: Tentative POU for 37-21734.doc

Attached is a clip of the 6 acre shape generated in response to the hearing held in Hailey for these two rights. I am routing the modified shape prior to the settlement documents for your review. I have drafted new recommendations that show the addition of 2 acres total to each right and have routed them to the State office for the preparation of the SF-5s. If you have any additional questions prior to receiving the SF-5 for signatures you can reach me by e-mail or at the number listed below.



Tentative POU for
37-21734.doc...

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

Tentative POU for 37-21734, 21736

2006 aerial photo



The shape shown above totals 6 acres. The original recommendation was 4 acres. The recommended point of diversion is the yellow dot in the upper left side of the clip.

11/12/2008

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

RIGHT NUMBER: 37-21734

NAME AND ADDRESS: IDAHO RANCH LLC
2296 CHANNEL RD
NEWPORT BEACH CA 92661

VERIFIED BY KKC
11-12-08

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.020 CFS

PRIORITY DATE: 05/02/1884

POINT OF
DIVERSION:

T02N R18E S35 NENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.020 CFS
PLACE OF USE: <u>IRRIGATION in BLAINE County</u>		
T02N R18E S35	NWNE ~~1.9~~ 2.70	T02N R18E S35 SWNE ~~2.1~~ 3.30
4 6 ACRES TOTAL		

Right Nos. 37-21734 and 37-21736 are limited to the irrigation of a combined total of 4 6 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 37-578C.

11/12/2008

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

RIGHT NUMBER: 37-21736

NAME AND ADDRESS: IDAHO RANCH LLC
2296 CHANNEL RD
NEWPORT BEACH CA 92661

VERIFIED BY *KKC*
11-12-08

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 08/15/1902

POINT OF
DIVERSION:

T02N R18E S35 NENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.060 CFS
PLACE OF USE: <u>IRRIGATION in BLAINE County</u>		
T02N R18E S35	NWNE ~~1.9~~ 2.70	T02N R18E S35 SWNE ~~2.1~~ 3.30
4 6 ACRES TOTAL		

Right Nos. 37-21734 and 37-21736 are limited to the irrigation of a combined total of 4 6 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 37-688C.

Christensen, Kelly

To: Jim Speck
Subject: 37-21734, 21736 Idaho Ranch
Attachments: Tentative POU for 37-21734.doc

Attached is a POU clip of the modified shape I generated for this recommendation. It comes up to 6 acres. I decided to run it by you and your client before sharing it with Craig Hobdey and Albert Barker. I am planning on sharing the final draft with them prior to routing a SF-5. If this shape is acceptable then let me know and I will forward it to Craig and Albert and start on the SF-5s at the same time.



Tentative POU for
37-21734.doc...

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

11-5-08
V-2 for 37-21734 generated for the new shape
still need to create a V-2 rec for 37-21736.

Wed 15th
4:30

Created Shape 21734 Idaho Ranch moved to Thumb Drive

GP2-4
Barrie
GP2-137-2639D issue Pou should be separate from other
Ground water POU. -Surface Right in - they want ground East of
in pasture in trees.

13371- 1938

Chg Priority Date 1938 4-1

They need to provide info

37-4133 Syringa

GP2-3

Syringe 110 ac

Begin in
Apr 1-1956

in/Ac.

Pod on QQline 490ft West

Go with Air Pow

37-21734

21736

GP2-4

split Jan 2007 old ranch Purchased all of Property
split was intending on transferring 2ac
share Shapes with
all 3 people Jim Speck
need copy of Maps. Craig Hobdy
Albert Barker
add $\approx$ 2ac

due Jan 7th

Wed Oct 15th 4:30 PM

37-21734 } ddato Ranch

21736 } Obj want 6 ac POU.

Claim & Rec is for 4 ac no wiggle room unless claim is amended. Alternatively 2

(other side of Split 21733 rec POU = 14 ac)

(orig claim = 20 ac) Possible Split should have given 2 added acts 21734 etc.

THURSDAY Oct 16th 9:30 AM Helios

37-2621

Forest Service Objector

Possible Split ownership Sec 11 SESE, S 1/2 SE 1/4
Response Quant POU. Concerned ~~with~~ ^{use} Sec 16 L66 'NSF Land'212A } SAME
POU2038 } SAME
POUHelios Obj POU should be 36.2 ac
claims amended.

4337

Obj by Helios to Rate. (Fish Prop)
diff system.

Just need to review/discuss issues.

Oct 16, 10:30 AM Spring Canyon Ranch LLC

37-4139 disallowed

4138 "

12396 "

} need ev priority?

548

Obj Quant; POU

decreed for all of Wm Sp Cr PCD 2000 Pg 28

549

Obj POU

decreed 2000 inches 4 cfs Crug Cr "

1222

Obj POU

Claimed 190 ac PPA re com 180 PPA

2142

Obj POD.

1987 aerial suggests flood irr system 2004
suggests ~~land~~ sprinkler system different POU Boundary.

Keen, Shelley

From: Jim Speck [jim@speckandaanestad.com]
Sent: Friday, December 22, 2006 1:47 PM
To: Keen, Shelley
Cc: coastal_eddy@yahoo.com; wevans1123@earthlink.net
Subject: Re: Evans and Idaho Ranch LLC

Shelley,

I have attached a file with your maps for the 4 different areas of the adjacent properties owned by Bill & Helen Evans and Idaho Ranch LLC on which we have marked additional lands we believe should be included in the places of use. We base these assertions on:

1. 37-21734 and 37-21736 - land to the east of the proposed place of use has been irrigated since the early 1980's and is currently irrigated.
2. 37-21733 and 37-21735 - the proposed place of use omits land in the southeast corner of the parcel that has always been irrigated. In addition, the riding arena and other hardscape improvements other than the original home were not added until 1985 and those areas were irrigated in 1984. Since the claims were filed in 1988 the irrigation use in 1984 should protect those areas from the forfeiture statute.
3. 37-4267 - the additional area in the northwest corner as well as the lands east and north of the house and barn are now and have always been irrigated and should be included in the place of use.
4. 37-2752B - (a) the southeast side of the property between the access road and the property line is now and always has been irrigated to our knowledge; (b) the same applies to the portion of the property extending north from the access road - this water right irrigates all of it while License 37-8143 irrigates the parcel to the east with ground water; (c) the northwest corner of the property on the other side of the grove of trees was historically irrigated by this water right and a new system has been put in since this photograph was taken to resume the irrigation of those lands; and (d) the well which is the source for this right is located immediately north of the access road on the property boundary - it is not the well over by the house.

Please call me with questions you may have and we can discuss what, if any, additional information you may need to make these changes. Thank you again.

MERRY CHRISTMAS!!!

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

12/26/2006

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.



Idaho Department of Water Resources

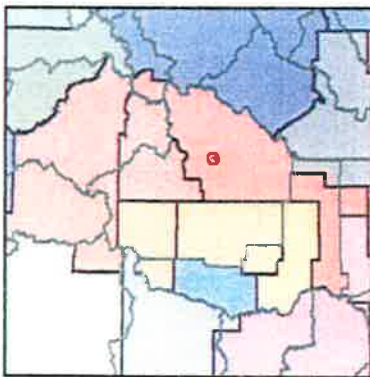
SRBA Recommendation:

37-21734

(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles

A scale bar showing distances in miles, with markings for 0, 0.2, and 0.4 miles.

Prepared by M. Ciscell
On Monday, December 18, 2006
2004 Aerial Photography

12/16/2006

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

RIGHT NUMBER: 37-21734

NAME AND ADDRESS: IDAHO RANCH LLC
2296 CHANNEL RD
NEWPORT BEACH CA 92661

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.020 CFS

PRIORITY DATE: 05/02/1884

POINT OF DIVERSION:

T02N R18E S35 NENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.020 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S35

NWNE

1.90

T02N R18E S35

SWNE

2.10

4 ACRES TOTAL

Right Nos. 37-21734 and 37-21736 are limited to the irrigation of a combined total of 4 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-578C.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

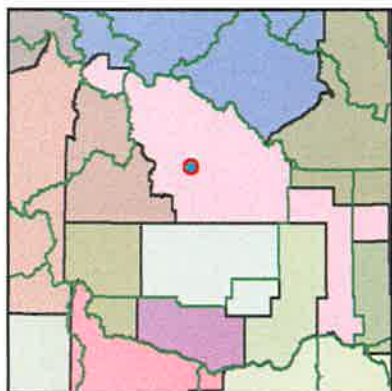
SRBA Recommendation:

37-21734

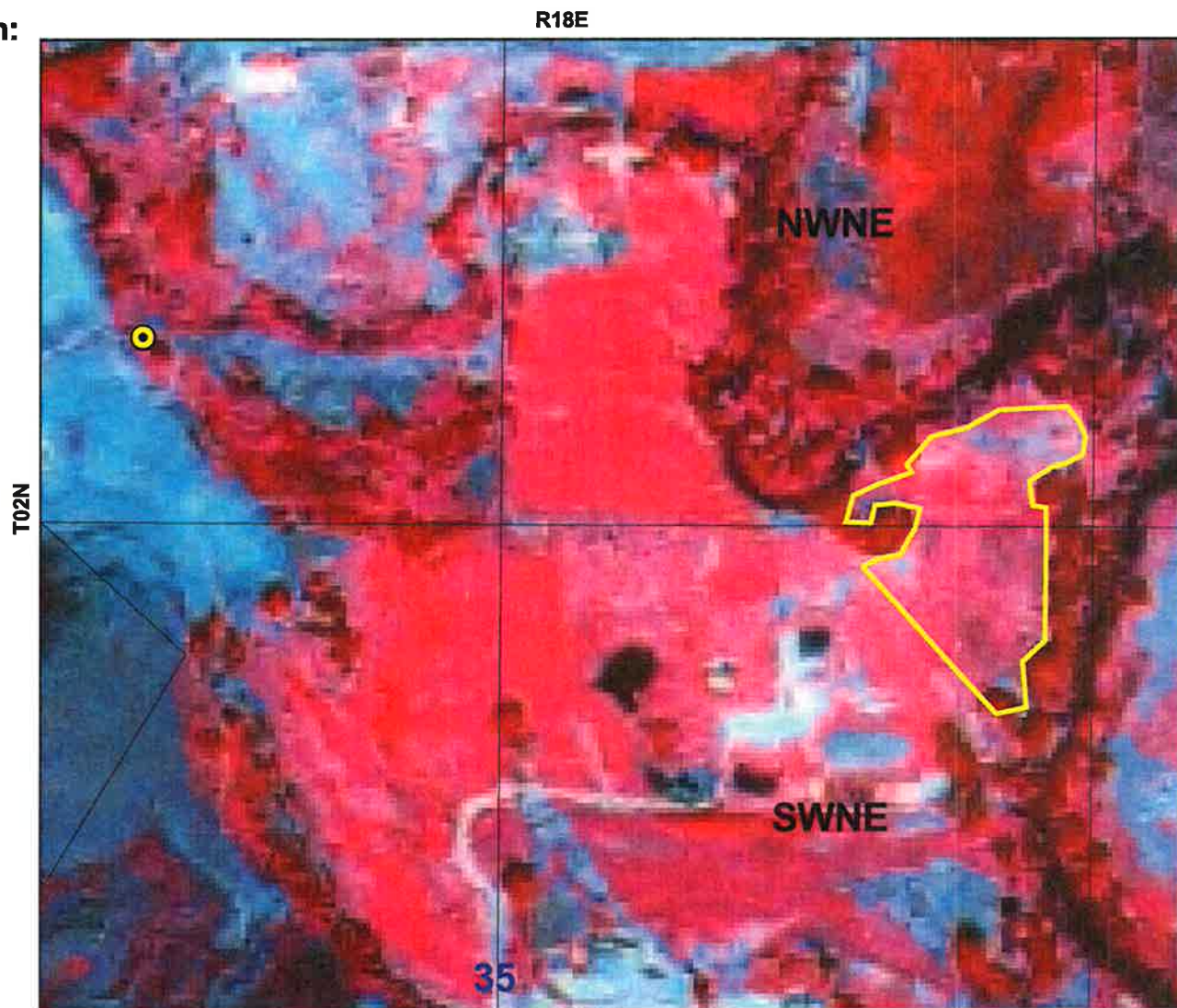
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles

Prepared by S. Keen
On Saturday, December 16, 2006
1987/88 Aerial Photography

Instrument # 517635

HAILEY, BLAINE, IDAHO

2005-03-21

01:23:48 No. of Pages: 1

Recorded for: BENCHMARK ASSOCIATES

MARSHA RIEMANN

Fee: 5.00

Ex-Officio Recorder Deputy

Index to: SURVEYS

KS

Tax Lots 7930 & 7931
Fr Section 35 T2N R18E

RECORD OF SURVEY

WHEREIN TAX LOTS 7930 & 7931 ARE RECONFIGURED CREATING PARCELS 1A & 2A.
(SEE RECORD OF SURVEY, INSTRUMENT NO. 500507.)

LOCATED WITHIN THE N1/2 SW1/4 NE1/4 AND
NW1/4 NE1/4, SECTION 35, T2N. R18E. BOISE MERIDIAN, BLAINE COUNTY, IDAHO

MARCH 2005

DESCRIPTIONS

PARCEL 1A

A Parcel of land located within the NW1/4NE1/4 and within the N1/2SW1/4NE1/4 of Section 35, Township 2 North, Range 18 East, Boise Meridian, Blaine County Idaho, being more particularly described as follows:
Commencing at a 5/8" rebar which marks the N1/4 Corner of said Section 35;
thence S 00°15'21" W along the west boundary of said NW1/4NE1/4 504.60' to the centerline of a slough commonly known as Broadford Slough, said point being the REAL POINT OF BEGINNING;
thence along the centerline of said slough the following courses and distances:
N 69°38'02" E 82.92;
thence N 80°19'49" E 83.61;
thence S 89°17'27" E 70.37;
thence N 73°36'10" E 34.07;
thence S 80°47'52" E 173.60;
thence S 77°33'33" E 72.98;
thence S 56°24'43" E 89.36;
thence S 13°59'04" W 59.66;
thence S 07°35'28" W 163.84;
thence S 04°13'42" E 167.65;
thence S 28°43'44" W 84.77;
thence S 16°06'48" W 123.28;
thence S 09°52'03" E 93.65;
thence S 42°04'15" E 57.05;
thence S 66°08'24" E 53.32;
thence N 74°15'00" E 137.72;
thence N 17°15'02" E 89.17;
thence N 50°15'16" E 107.53;
thence N 82°14'47" E 107.65;
thence N 72°10'40" E 53.00;
thence N 43°54'11" E 138.02;
thence N 29°08'07" E 119.76;
thence N 61°03'12" E 204.81' to the east boundary of said NW1/4NE1/4;
thence leaving said centerline, S 00°11'06" W along said east boundary 551.86'
to a 5/8" rebar with an aluminum cap which marks the southeast corner of said NW1/4NE1/4;
thence S 00°21'35" W, 410.36' along the east boundary of the N1/2SW1/4NE1/4 of said Section 35;
thence leaving said east boundary S 86°48'26" W, 242.38';
thence N 41°46'03" E, 561.94';
thence S 89°34'07" W 709.00' to a 5/8" rebar which marks the southwest corner of said NW1/4NE1/4;
thence N 00°15'21" E, 811.25' along the west boundary of said NW1/4NE1/4
to the REAL POINT OF BEGINNING.

Instrument # 517635

HALLEY, BLAINE, IDAHO
2005-03-21 01:23:48 No. of Pages: 1
Recorded for: BENCHMARK ASSOCIATES
MARSHA REEMAN Fee: \$300
Ex-Officio Recorder Deputy
Printed by: SWS/CPL

PARCEL 2A

A Parcel of land located within the N1/2SW1/4NE1/4 of Section 35, Township 2 North, Range 18 East, Boise Meridian, Blaine County Idaho, being more particularly described as follows:
Commencing at a 5/8" rebar which marks the N1/4 Corner of said Section 35;
thence S 00°15'21" W 1315.85' to a 5/8" rebar which marks the northwest corner of said N1/2SW1/4NE1/4; said point being the REAL POINT OF BEGINNING.
thence N 89°34'07" E 709.00';
thence S 41°46'03" E, 561.94';
thence N 86°49'26" E, 242.38' to the east boundary of said N1/2SW1/4NE1/4;
thence S 00°21'35" W, 253.04' along said east boundary to a 1/2" rebar which marks the southeast corner of said N1/2SW1/4NE1/4;
thence S 89°47'25" W 1326.57' to a 1/2" rebar which marks the southwest corner of said N1/2SW1/4NE1/4;
thence N 00°14'52" E 658.25' to the REAL POINT OF BEGINNING.

NOTES:

1. THE CENTERLINE OF BROADFORD SLOUGH AS SHOWN REPRESENTS A GOOD FAITH EFFORT TO LOCATE SAID CENTERLINE BASED ON ORTHOPHOTOGRAPHY OBTAINED IN 2002, SUPPLEMENTED BY FIELDWORK PERFORMED IN 2003 AND 2004.
2. BASIS OF BEARINGS IS THE EAST BOUNDARY OF THE NW1/4NE1/4 SEC. 35 AS SHOWN ON INST. #228533.
3. REFERENCE SURVEYS: INST. #228533, 340011, 360344, 200411, 500504 & 500507.
4. OTHER EASEMENTS MAY AFFECT THE PROPERTY SHOWN HEREON.

SURVEYOR'S CERTIFICATE

I hereby certify that I am a Registered Land Surveyor in the State of Idaho and that this map is a true and accurate map of the land surveyed under my direct supervision and that it is in conformance with the Idaho State Code.



STEVEN W. SCHWARZ

LS 8806

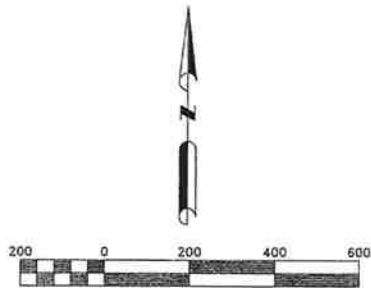


RECORD OF SURVEY FOR: TAX LOTS 7930 & 7931

LOCATED WITHIN:
SECTION 35, TOWNSHIP 2 NORTH, RANGE 18 EAST
BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

PREPARED FOR: BILL EVANS

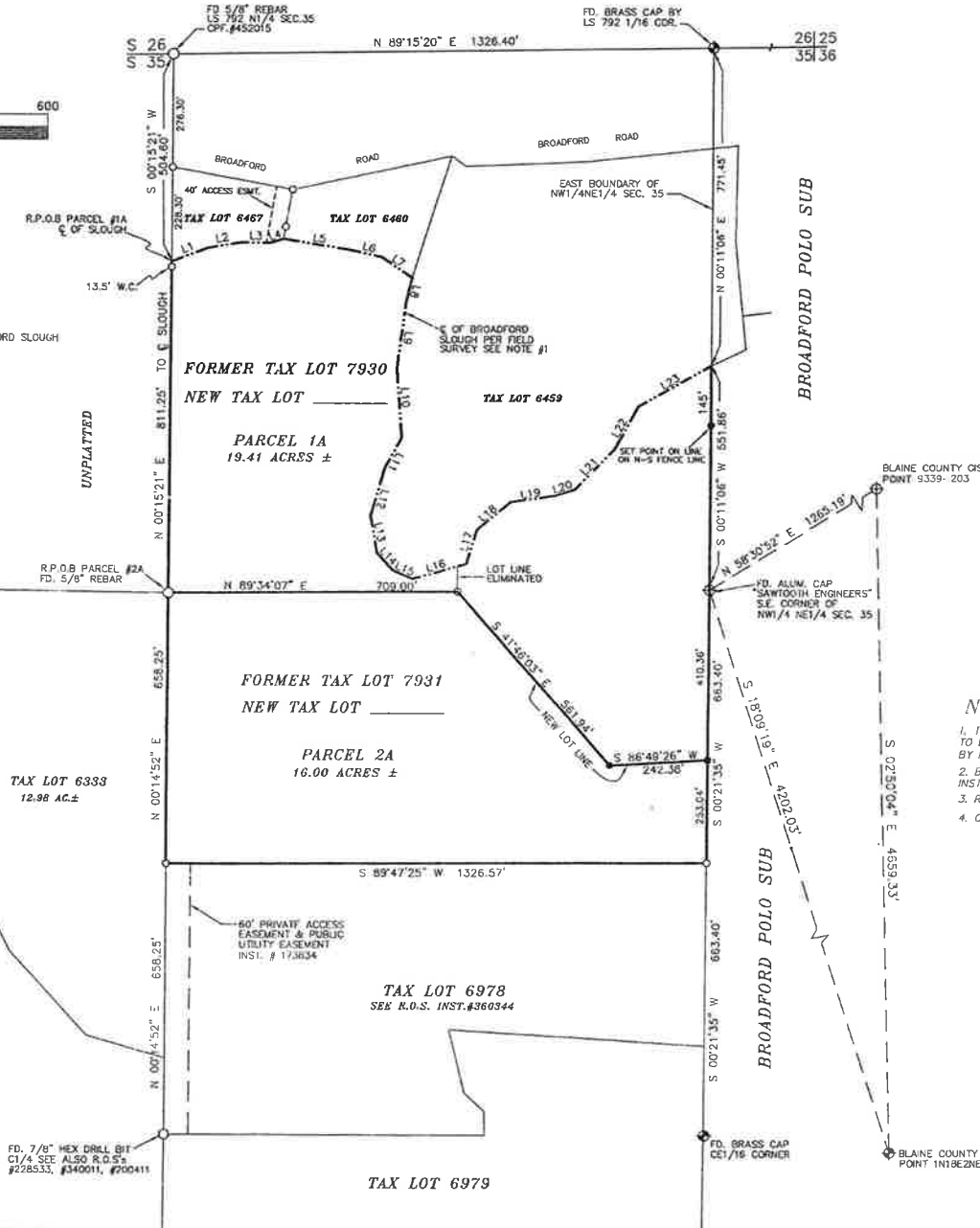
RECORD OF SURVEY	DRAWN BY: SWS/CPL	DATE: 03/11/05
PROJECT NO. 04134	PLOT FILE 04134ROS.DWG	SHEET 1 OF 1



SCALE 1"=200'

LEGEND

- SURVEYED CENTERLINE OF BROADFORD SLOUGH
- ◆ FND. BRASS CAP
- ⊕ FND. ALUMINUM CAP
- FND. 1/2" REBAR
- FND. 5/8" REBAR
- SET 5/8" REBAR



CENTERLINE OF SLOUGH BASED ON SURVEY

LINE	BEARING	DISTANCE
L1	N 69°38'02" E	92.92'
L2	N 80°19'49" E	83.61'
L3	S 89°17'27" E	70.37'
L4	N 73°36'10" E	34.07'
L5	S 80°47'52" E	173.60'
L6	S 77°33'33" E	72.98'
L7	S 56°24'43" E	89.36'
L8	S 13°59'04" W	59.66'
L9	S 07°35'28" W	163.84'
L10	S 04°13'42" E	167.65'
L11	S 28°43'44" W	84.77'
L12	S 16°06'48" W	123.28'
L13	S 09°52'03" E	93.65'
L14	S 42°04'15" E	57.05'
L15	S 66°08'24" E	53.32'
L16	N 74°15'00" E	137.72'
L17	N 17°15'02" E	89.17'
L18	N 50°15'16" E	107.53'
L19	N 82°14'47" E	107.65'
L20	N 72°10'40" E	53.00'
L21	N 43°54'11" E	138.02'
L22	N 29°08'07" E	119.76'
L23	N 61°03'12" E	204.81'