

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 37-22015
Date Received: 12/13/2006
Receipt No:
Received By:

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

1. Name of Claimant(s)

THE MULDOON RANCH CO LLC
370 E 500 N
C/O ARLEN CROUCH
JEROME ID USA 83338

Phone: (208)324-3117

2. Date of Priority: 06/01/1919

3. Source: SPRING CREEK , UNNAMED STREAM , UNNAMED STREAM , UNNAMED STREAM , UNNAMED
STREAM , BROWN CREEK , UNNAMED STREAM , UNNAMED STREAM , UNNAMED STREAM Trib. to:
MULDOON CREEK , MULDOON CREEK , MULDOON CREEK , MULDOON CREEK , MULDOON CREEK ,
MULDOON CREEK , MULDOON CREEK , MULDOON CREEK , MULDOON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	21E	8	NW NE SW	BLAINE	
02N	21E	9	NE NE SW	BLAINE	
02N	21E	9	SW NE SW	BLAINE	
02N	21E	8	NW NE SW	BLAINE	
02N	21E	8	SW SW NW	BLAINE	
02N	21E	7	SE SE NW	BLAINE	
02N	21E	10	NW NE NW	BLAINE	
02N	21E	10	NW NW NW	BLAINE	
02N	20E	13	NW NE NW	BLAINE	

5. Description of diverting works:

Muldoon Creek is diverted into a ditch that intersects and diverts the flow from Spring Creek, Brown Creek and all other small drainages north of the Muldoon Ranch. This water flows through the irrigation system, is intercepted by existing ditches, and terminates on the property.

6. Water is used for the following purposes:

Purpose
IRRIGATION

From To C.F.S.
04/01 11/01 26.3

(or) A.F.A

7. Total Quantity Appropriated is:
26.3 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	20E	13	SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
				Section Acres	280	
02N	21E	7	NE	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
				Section Acres	240	
02N	21E	8	NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			SW	SE	IRRIGATION	40
				Section Acres	240	
02N	21E	9	SW	SW	IRRIGATION	40
				Section Acres	40	
02N	21E	17	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
						Section Acres

02N	21E	18	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	560
02N	21E	19	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
					Section Acres	80
02N	21E	20	NW	NW	IRRIGATION	40
					Section Acres	40
					Total Acres	1880

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:

Other water rights used: 37-1005, 37-1048, 37-1051, 37-1139, 37-2007, 37-2247, 37-7006, & 37-20544.

2: This right will be limited to 0.02 cfs per acre & 4 afa per acre once combined with other rights relevant to the PPU.

1: Total authorized irrigated acres of the rights in the PPU shall not exceed 1316.4 acres per irrigation season (based on 1987 aerial photo interpretation).

3: All water that intercepts the existing irrigation system including water that is not diverted from the listed point of diversions is used on the property. If it is not all utilized it then is discharged into Muldoon Creek.

15. Basis of Claim: Beneficial Use

Beneficial Use Claim

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 FORM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

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

Please type or print clearly

1. Name of Claimant (s) The Muldoon Ranch Co., LLC c/o Arlen Crouch Phone (208) 324-3117
Mailing Address 370 E 500 N, Jerome, Idaho Zip 83338
2. Date of Priority (Only one (1) per claim) 06/01/1919
3. Source of water supply (a) Spring Creek, Brown Creek, & Many Small Unnamed Streams
which is tributary to (b) Little Wood River
4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____ Blaine
Additional points of diversion if any: See attached Figure*
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),
Including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. Muldoon Creek is diverted into a ditch that intersects and diverts the
flow from Spring Creek, Brown Creek, and all other small drainages north of the Muldoon Ranch. This water
flows through the irrigation system, is intercepted by existing ditches, and terminates on the property.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/01 to 11/01 amount 26.30 or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 26.30* (cfs) and / or (b) (acre feet)

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

9. Non-irrigation uses; described fully (e.g. Domestic: list number of households served; Stockwater: type and number of livestock, etc.)

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02N	20E	13			8 40	35 40			2 40	20 40	20 40				40	40			280 165
02N	21E	07									15 40			31 40	27 40	26 40	40	25 40	240 164
02N	21E	08									18 40	22 40	40	40			40	26 40	240 164
02N	21E	09										40							40
02N	21E	17	40	40	40		40	40	40	40	40	40	40						400 320
02N	21E	18	40	40	40	40	40	40	40	40	40	40			40	40	40	40	560
02N	21E	19	40	40															80
02N	21E	20						40											40

Total number of acres irrigated 1880*

11. In which county (ies) are lands listed above as place of use located? Blaine County

12. Do you own the property listed above as place of use? Yes XX No
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

37-1005, 37-1048, 37-1051, 37-1139, 37-2007, 37-2247, 37-7006, & 37-20544 Or None ☐

14. Remarks:

*1: Total authorized irrigated acres of the rights in the PPU shall not exceed 1316.4 acres per irrigation season (based on 1987 aerial photo interpretation).

*2: This right will be limited to 0.02 cfs per acre & 4 afa per acre once combined with other rights relevant to the PPU.

*3: All water that intercepts the existing irrigation system including water that is not diverted from the listed point of diversions is used on the property. If it is not all utilized it then is discharged into Muldoon Creek.

Last Name _____ Ident. No. _____
15. Basis of Claim (check one) Beneficial Use XX Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

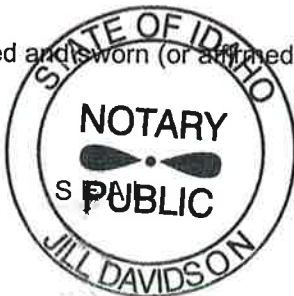
For Organizations: I do solemnly swear of affirm that I am OWNER
Of MULDOON RANCH CO LLC Title _____
that I have signed the foregoing
Document in the space below as OWNER of MULDOON RANCH CO LLC
Title _____ Organization _____

And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]
Title and Organization OWNER Date April 17, 2006

State of Idaho / or _____)
County of Twin Falls) ss.

Subscribed and sworn (or affirmed) before me this 10TH day of April, 2006.



Notary Public [Signature]
Residing at Twin Falls
My Commission Expires November 18, 2010

Please Print Name

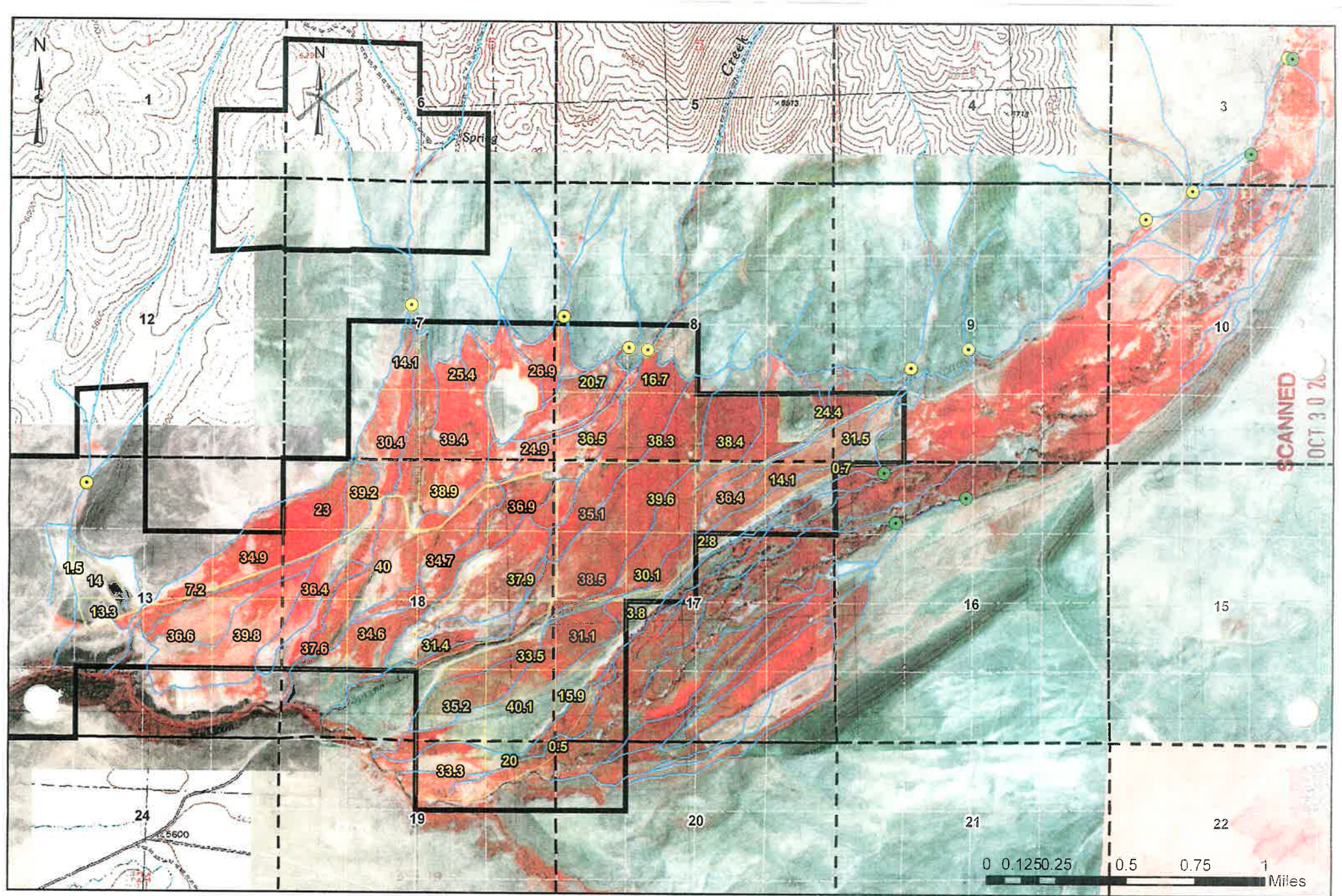
17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
Of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing
above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____



The Muldoon Ranch Co., LLC: 1987 Estimated Irrigation

Township 02N, Range 21E
1987 Adjudication Aerial Photo

Brockway Engineering, PLLC
DTN - 03/30/2006

PLS - Sections

PLS - quarter quarter

Peterson Property

Ditches

Peterson POD's

Laidlaw POD's

Peterson Irrigated Acres 1987

1316.4 total estimated acres

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 37-22015

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho FEB - 5 2010 By _____ Clerk Deputy Clerk

RECEIVED

FEB 08 2010

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: THE MULDOON RANCH CO LLC
C/O ARLEN CROUCH
370 E 500 N
JEROME, ID 83338

SOURCE: BROWN CREEK TRIBUTARY: MULDOON CREEK
SPRING CREEK TRIBUTARY: MULDOON CREEK
UNNAMED STREAM TRIBUTARY: MULDOON CREEK

QUANTITY: 12.50 CFS

PRIORITY DATE: 02/16/1927

Pursuant to a call in times of scarcity, this right is junior to
Water Right No. 37-2751 and 37-7006.

POINT OF DIVERSION:	T02N R20E S13	NESWNW	Within Blaine County
	R21E S03	SWSESW	
	S07	SWSEWNW	
	S08	SWSWNW	
		NWNESW	
		NWNESW	
	S09	NENESW	
		SWNESW	
	S10	NENWNW	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	12.50 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T02N R20E S13	SWNE 9.2 SENE 35.0
		SWNW 1.5 SENW 13.0
		NESW 13.0 NESE 40.0
		NWSE 37.0
	S14	SWSW 16.0 SESW 3.4
	S15	SESE 23.0
	R21E S07	NESW 14.0 SESW 30.0
		NESE 32.0 NWSE 25.0
		SWSE 39.0 SESE 26.0
	S08	NESW 17.0 NWSW 21.0
		SWSW 37.0 SESW 38.0
		SWSE 38.0 SESE 24.0
	S09	SWSW 31.0
	S16	NWNW 0.5
	S17	NENE 36.0 NWNE 38.0
		SWNE 2.8 NENW 40.0
		NWNW 35.0 SWNW 38.0
		SESW 30.0 NESW 3.8
		NWSW 36.0 SWSW 33.0
	S18	NENE 37.0 NWNE 39.0
		SWNE 37.0 SENE 38.0
		NENW 39.0 LOT 1 (NWNW) 23.0
	LOT 2	(SWNW) 36.0 SENW 40.0
		NESW 35.0 LOT 3 (NWSW) 38.0
		NESE 34.0 NWSE 35.0
		SWSE 35.0 SESE 39.0
	S19	NENE 20.0 NWNE 33.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

S20 NWNW 4.8
1419.0 Acres Total

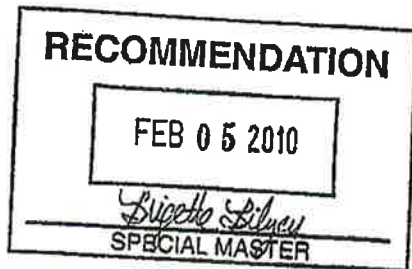
The rights listed below are limited to the irrigation of a combined total of 1,419 acres in a single irrigation season. Combined Right Nos.: 37-1005, 37-1048A, 37-1051, 37-1139, 37-2007, 37-2247, 37-7006, 37-22014, and 37-22015.

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.



Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

01/17/2007

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

RIGHT NUMBER: 37-22015

NAME AND ADDRESS: THE MULDOON RANCH CO LLC
370 E 500 N
C/O ARLEN CROUCH
JEROME ID 83338

SOURCE: BROWN CREEK
SPRING CREEK
UNNAMED STREAM

TRIBUTARY: MULDOON CREEK
TRIBUTARY: MULDOON CREEK
TRIBUTARY: MULDOON CREEK

QUANTITY: 12.500 CFS

PRIORITY DATE: 02/16/1927

Pursuant to a call in times of scarcity, this right is junior to Water Right
No. 37-2751 and 37-7006.

POINT OF DIVERSION:

T02N R20E S13 NESWNW Within BLAINE County
T02N R21E S3 SWSESW Within BLAINE County
T02N R21E S7 SWSSENW Within BLAINE County
T02N R21E S8 SWSWNW Within BLAINE County
T02N R21E S8 NWNESW Within BLAINE County
T02N R21E S8 NWNESW Within BLAINE County
T02N R21E S9 NENESW Within BLAINE County
T02N R21E S9 SWNESW Within BLAINE County
T02N R21E S10 NENWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
12.500 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T02N R20E S13	SWNE	9.20	T02N R20E S13	SENE	35.00
T02N R20E S13	SWNW	1.50	T02N R20E S13	SENW	13.00
T02N R20E S13	NESW	13.00	T02N R20E S13	NESE	40.00
T02N R20E S13	NWSE	37.00	T02N R20E S14	SWSW	16.00
T02N R20E S14	SESW	3.40	T02N R20E S15	SESE	23.00
T02N R21E S07	NESW	14.00	T02N R21E S07	SESW	30.00
T02N R21E S07	NESE	32.00	T02N R21E S07	NWSE	25.00
T02N R21E S07	SWSE	39.00	T02N R21E S07	SESE	26.00
T02N R21E S08	NESW	17.00	T02N R21E S08	NWSW	21.00
T02N R21E S08	SWSW	37.00	T02N R21E S08	SESW	38.00
T02N R21E S08	SWSE	38.00	T02N R21E S08	SESE	24.00
T02N R21E S09	SWSW	31.00	T02N R21E S16	NWNW	0.50
T02N R21E S17	NENE	36.00	T02N R21E S17	NWNE	38.00
T02N R21E S17	SWNE	2.80	T02N R21E S17	NENW	40.00
T02N R21E S17	NWNW	35.00	T02N R21E S17	SWNW	38.00
T02N R21E S17	SENW	30.00	T02N R21E S17	NESW	3.80
T02N R21E S17	NWSW	36.00	T02N R21E S17	SWSW	33.00
T02N R21E S18	NENE	37.00	T02N R21E S18	NWNE	39.00

01/17/2007

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

T02N R21E S18	SWNE	37.00	T02N R21E S18	SENE	38.00
T02N R21E S18	NENW	39.00	T02N R21E S18 Lot 1	NWNW	23.00
T02N R21E S18 Lot 2	SWNW	36.00	T02N R21E S18	SENE	40.00
T02N R21E S18	NESW	35.00	T02N R21E S18 Lot 3	NWSW	38.00
T02N R21E S18	NESE	34.00	T02N R21E S18	NWSE	35.00
T02N R21E S18	SWSE	35.00	T02N R21E S18	SESE	39.00
T02N R21E S19	NENE	20.00	T02N R21E S19	NWNE	33.00
T02N R21E S20	NWNW	4.80			

1419 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 1,419 acres in a single irrigation season. Combined Right Nos.: 37-1005, 37-1048A, 37-1051, 37-1139, 37-2007, 37-2247, 37-7006, 37-22014, and 37-22015.

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 - Beneficial Use