

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 37-22012
Date Received: 9/20/1988
Receipt No:
Received By:

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

1. Name of Claimant(s)

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

Phone: (208)324-3117

2. Date of Priority: 05/12/1888

3. Source: SPRINGS Trib. to: MULDOON CREEK SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	21E	15	NE NE SW	BLAINE	

5. Description of diverting works:

Cattle drink out of springs and troughs.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.12	

7. Total Quantity Appropriated is:
0.12 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	21E	15	NE SW	STOCKWATER	

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:

This right was renumbered to right 37-22012 .

PORTION OF 37-0401 DECREE.

***** 2-23-98: CHANGE OF OWNERSHIP BEAN/TWOMBLY TO ABC AGRA PER
NOTICE 11-04-97 - VH

12/11/06 - This right is renumbered from former right 37-401A.

10/30/06 - claim amended. (M. Anders)

15. Basis of Claim: Decreed

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 37-401A
Date Received: 9/20/1988
Receipt No: S002325
Received By:

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

1. Name of Claimant(s)

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

Phone: (208)324-3117

2. Date of Priority: 05/12/1888

3. Source: SPRINGS Trib. to: MULDOON CREEK SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	21E	15	NE NE SW	BLAINE	

5. Description of diverting works:

Cattle drink out of springs and troughs.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.12	

7. Total Quantity Appropriated is:
0.12 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	21E	15	NE SW	STOCKWATER	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

PORTION OF 37-0401 DECREE.

***** 2-23-98: CHANGE OF OWNERSHIP BEAN/TWOMBLY TO ABC AGRA PER
NOTICE 11-04-97 - VH

10/30/06 - claim amended. (M. Anders)

15. Basis of Claim: Decreed

Amended Claim 37-401A

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) 05/12/1888

3. Source of water supply (a) Springs

which is tributary to (b) South Fork Muldoon Creek

4. a. Location of existing point of diversion is: Township 02N Range 21E Section 15,
NE 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Blaine

Additional points of diversion if any: _____

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. Cattle drink out of springs and troughs

6. Water is claimed for the following purposes:

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

For Stockwater purposes from 01/01 to 12/31 amount 0.12 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.12 (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.) Stockwater: cattle

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	21E	15									S								

Total number of acres irrigated _____

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.

N/A Or None ☐

14. Remarks:

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree XX

If applicable provide IDWR Water Right Number 37-401A

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

Last Name _____ Ident. No. _____

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 or affirm that I am _____ Owner _____

Of Muldoon Ranch Co LLC _____, that I have signed the foregoing
Organization Title

Document in the space below as Owner of Muldoon Ranch Co
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 14, 2006

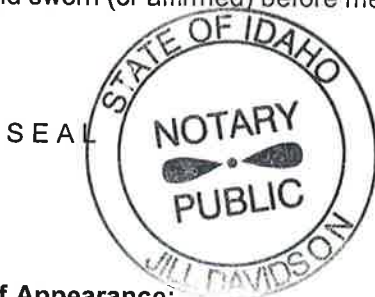
State of Idaho / or _____)
County of Twin Falls) ss.

Subscribed and sworn (or affirmed) before me this 10TH day of April, 20 06.

Notary Public [Signature]

Residing at Twin Falls

My Commission Expires November 18, 2010



Please Print Name

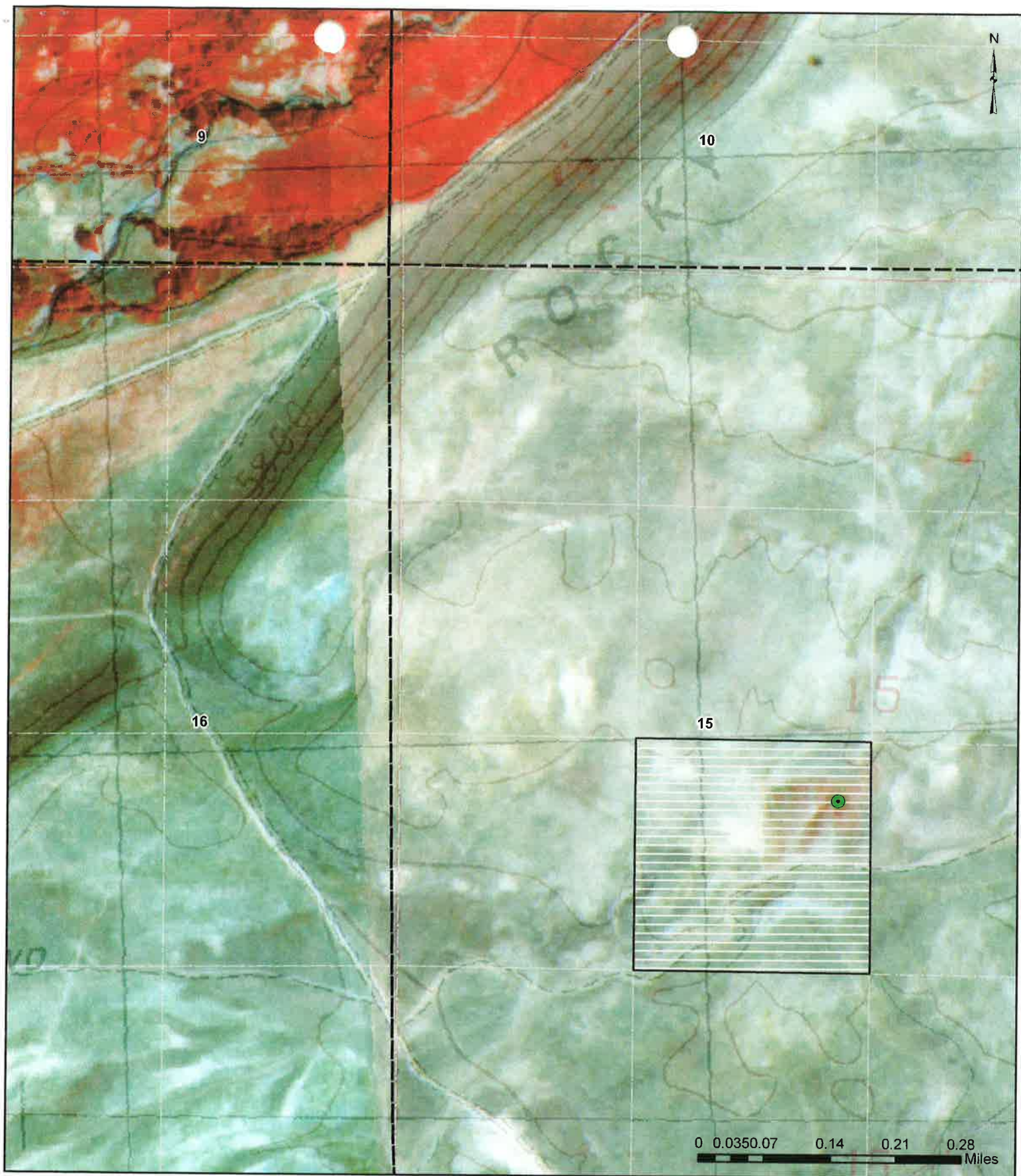
17. Notice of Appearance:

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: 37-401A Stockwater Claim

Township 02N, Range 21E
1987 Adjudication Aerial Photo

Brockway Engineering, PLLC
DTN - 03/30/2006

 PLS - Sections

PLS - quarter quarter

 Place of Use

 37-401A POD

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 37-401A
Date Received: 9/20/1988
Receipt No: S002325
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
AUG 09 2006
DEPARTMENT OF
WATER RESOURCES

1. Name of Claimant(s)

MULDOON RANCH CO LLC Phone: (208)324-3117
C/O ARLEN CROUCH
370 E 500 N
JEROME ID 83338

2. Date of Priority: 05/12/1888

3. Source: SPRINGS Trib. to: MULDOON CREEK SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	21E	17	SE	BLAINE	
02N	21E	22	SE SW	BLAINE	

5. Description of diverting works:

COLLECTION TANKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.12	

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

8. Total consumptive use:

9. Non-irrigation uses:

SCANNED
AUG - 2006

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
02N	21E	17	NE	SE		STOCKWATER	
			NW	SE		STOCKWATER	
			SW	SE		STOCKWATER	
			SE	SE		STOCKWATER	
02N	21E	22	SE	SW		STOCKWATER	

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:

PORTION OF 37-0401 DECREE.

***** 2-23-98: CHANGE OF OWNERSHIP BEAN/TWOMBLY TO ABC AGRA PER
NOTICE 11-04-97 - VH

15. Basis of Claim: Decreed

SCANNED
AUG 08 2006



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

August 8, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

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

Re: SRBA Claim(s) 37-401A, 37-1005, 37-1046, 37-1048A, 37-1051,
37-1139, 37-1142, 37-2007, 37-2243, 37-2247, 37-7006

Dear Mr. Crouch:

Pursuant to the change in ownership request that was submitted to the Department, we have changed the record of current ownership as requested. Please find the enclosed copies of the computer record of the water right(s) 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 Fawcett', with a horizontal line extending to the right.

Trish Fawcett
Technical Records Specialist

Enclosures

SCANNED
Aug 10 2006

Form 42-248/42-1409(6) July, 2000

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

RECEIVED
JAN 03 2006
Department of Water Resources
Southern Region

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 (under the "split" heading), if the change in ownership is limited to a portion of a 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
_____	<u>37-401A</u>	☐	_____	<u>37-2007</u>	☐
_____	<u>37-1005</u>	☐	_____	<u>37-2243</u>	☐
_____	<u>37-1046</u>	☐	_____	<u>37-2247</u>	☐
_____	<u>37-1048A</u>	☐	_____	<u>37-7006</u>	☐
_____	<u>37-1051</u>	☐	<u>37-11363</u>	_____	☐
_____	<u>37-1139</u>	☐	<u>37-11364</u>	_____	☐
_____	<u>37-1142</u>	☐	<u>37-11664</u>	_____	☐

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) in question, WITH ATTACHED LEGAL DESCRIPTION.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s):

ABC Agra, LLC c/o Steve Thorson

P.O. Box 378, Jerome, ID 83338

4. New Owner/Claimant(s):

The Muldoon Ranch Co., LLC c/o Arlen Crouch

New Mailing Address:

370 E 500 N

City, State, Zip Code:

Jerome, ID 83338

New Telephone Number:

(208) 324-3117

Date you acquired the property:

03/17/2005

SCANNED
JAN 10 2006

5. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in Item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

6. Signature of New Owner(s) or Claimant(s):
(Include title, if applicable)

_____ *Allen B. Brown* _____

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: *[Signature]*
Received by: _____
Processed by: _____ AJ

Date: *11/10/06*
Date: _____
Date: _____

Fee: *75.00*
Receipt No: _____
WR: _____ Date: _____

MAILED

NOV 13 2006

Order No. 23463

WARRANTY DEED

FOR VALUE RECEIVED

GRANT R. ELLSWORTH and FERN S. ELLSWORTH AS TRUSTEES UNDER THAT REVOCABLE LIVING TRUST AGREEMENT DATED MAY 22, 1984

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

ABC AGRA, L.L.C., an Idaho Limited Liability Company

GRANTEE(s) whose address is: P.O. Box 378, Jerome, ID 83338-0378

the following described real property in Blaine County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A", AND BY THIS REFERENCE INCORPORATED HEREIN, TOGETHER WITH ALL WATER RIGHTS, WATER SHARES AND WATER PERMITS APPURTENANT THERETO, INCLUDING, BUT NOT NECESSARILY LIMITED TO THOSE WATER RIGHTS DESCRIBED IN EXHIBIT "B", ATTACHED HERETO, AND BY THIS REFERENCE INCORPORATED HEREIN, AND ALSO TOGETHER WITH ANY AND ALL GRAZING RIGHTS OF WHATSOEVER KIND OR NATURE OWNED BY THE GRANTORS, INCLUDING, BUT NOT NECESSARILY LIMITED TO BUREAU OF LAND MANAGEMENT AUM'S AND/OR STATE LEASES DESCRIBED IN EXHIBIT "C", ATTACHED HERETO, AND BY THIS REFERENCE INCORPORATED HEREIN.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

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

Dated: December 24, 1997

Grant R. Ellsworth
GRANT R. ELLSWORTH, TRUSTEE

Fern S. Ellsworth
FERN S. ELLSWORTH, TRUSTEE

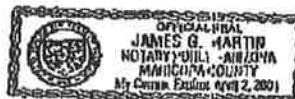
State of Arizona

County of Maricopa

On this 24th day of December, 1997, in the year 1997, before me, the undersigned, personally appeared Grant R. Ellsworth and Fern S. Ellsworth, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as trustee(s) of the Revocable Living Trust Agreement dated May 22, 1984, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal.

Notary Public
Commission Expires:



Lp1112 (Rev. 10-94)

SCANNED

All in 2005

445 974

INSTRUMENT # 445974

HAILEY, BLAINE, IDAHO

2000-12-14

83 45:00 No. of Pages: 11

Recorded for: SAWTOOTH TITLE

MARSHA RIEMANN

Fee: 33.00

Ex-Oldale Recorder Daily

Index to: WYNGOCORP OREG

Accommodation

QUITCLAIM DEED

FOR VALUE RECEIVED

A.B.C. AGRA, LLC, an Idaho limited liability company

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

THE MULDOON RANCH CO., LLC, an Idaho limited liability company

whose address is: 370 E 500 N, Jerome, Idaho 83330

the following described premises situated in Blaine County, Idaho, to wit:

SEE LEGAL DESCRIPTIONS ATTACHED HERETO AS EXHIBITS "A" AND "B" AND BY THIS REFERENCE INCORPORATED HEREM, TOGETHER WITH ALL WATER RIGHTS, WATER SHARES AND WATER PERMITS APPURTENANT THERETO, INCLUDING, BUT NOT NECESSARILY LIMITED TO THOSE WATER RIGHTS DESCRIBED HEREM, ATTACHED HERETO, AND BY THIS REFERENCE INCORPORATED HEREM, AND ALSO TOGETHER WITH ANY AND ALL GRAZING RIGHTS OF WHATSOEVER KIND OR NATURE OWNED BY THE GRANTORS, INCLUDING, BUT NOT NECESSARILY LIMITED TO BUREAU OF LAND MANAGEMENT AUM'S AND/OR STATE LEASES DESCRIBED IN EXHIBIT "C", ATTACHED HERETO, AND BY THIS REFERENCE INCORPORATED HEREM.

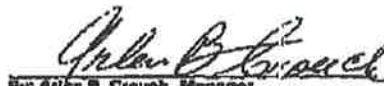
together with their appurtenances.

Dated: December 7, 2000

A.B.C. AGRA, LLC



By: Steven L. Thorson, Manager



By: Arlen B. Crouch, Manager



By: Daniel R. Crouch, Manager

State of Idaho

County of Jerome

On this 12th day of December, in the year 2000, before me, the undersigned, personally appeared STEVEN L. THORSON, Manager of A.B.C. AGRA, LLC, an Idaho limited liability company, known or identified to me to be one of the managers whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of the limited liability company.

WITNESS my hand and official seal.



Notary Public

Commission Expires: 03-17-05

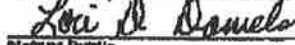
LORI D. DANIELS
NOTARY PUBLIC
STATE OF IDAHO

State of Idaho

County of Jerome

On this 12th day of December, in the year 2000, before me, the undersigned, personally appeared ARLEN B. CROUCH and DANIEL R. CROUCH, Managers of A.B.C. AGRA, LLC, an Idaho limited liability company, known or identified to me to be two of the managers whose names are subscribed to the within instrument, and acknowledged to me that they executed the same on behalf of the limited liability company.

WITNESS my hand and official seal.



Notary Public

Commission Expires: 03-17-05

LORI D. DANIELS
NOTARY PUBLIC
STATE OF IDAHO

SCANNED

NOV 19 2006

A.B.C. LLC/THE MULDOON RANCH CO., LLC

EXHIBIT "B"

PARCEL I:

Township 2 North, Range 21 East, Boise Meridian, Blaine County, Idaho.

Section 17: S1/2NE1/4, SE1/4, E1/2SW1/4
Section 20: NW1/4NE1/4, NE1/4NW1/4

PARCEL II:

Township 2 North, Range 21 East, Boise Meridian, Blaine County, Idaho.

Section 9: That portion of the SE1/4NE1/4, lying South of the Muldoon Road, known as Tax Lot 4868
Section 10: That portion of the NW1/4NE1/4, lying South of the Muldoon Road, known as Tax Lot 4867-A;
that portion of the S1/2NW1/4 lying South of the Muldoon Road, known as Tax Lot 4867; that portion
of the NE1/4NW1/4 lying South of the Muldoon Road, known as Tax Lot 4457; W1/2NE1/4,
SE1/4NE1/4, E1/2SE1/4, W1/2SE1/4, E1/2SW1/4, SE1/4NW1/4
Section 11: S1/2SW1/4
Section 14: W1/2NW1/4
Section 15: NW1/4, W1/2NE1/4, E1/2SW1/4, NW1/4SW1/4, NE1/4NE1/4, NW1/4SE1/4
Section 16: NW1/4
Section 18: SE1/4NE1/4
Section 20: S1/2SE1/4, SW1/4, NE1/4SE1/4
Section 21: N1/2, N1/2SW1/2, SE1/4SW1/4
Section 22: W1/2NW1/4, NW1/4SW1/4
Section 23: N1/2NW1/4, W1/2NE1/4

WATER RIGHTS:

LICENSE NUMBER - 37-00401-A
LICENSE NUMBER - 37-01142
LICENSE NUMBER - 37-02243
LICENSE NUMBER - 37-01046
LICENSE NUMBER - 37-11263
LICENSE NUMBER - 37-11344

SEMI-ANNUAL

PAID

A.B.C. AGRA, LLC/THE MULDOON RANCH CO., LLC

EXHIBIT "A"

PARCEL I:

Township 2 North, Range 21 East, Boise Meridian, Blaine County, Idaho.

Section 6: E1/2 SW1/4, SW1/4SE1/4, Lots 6 and 7
Section 7: NE1/4NW1/4, E1/2SW1/4, SE1/4, Lot 1, NW1/4NE1/4
Section 8: S1/2SE1/4, SW1/4
Section 9: SW1/4SW1/4
Section 17: N1/2NE1/4, NW1/4
Section 18: NE1/4, E1/2NW1/4, NE1/4SW1/4, NW1/4SE1/4, Lots 1, 2 and 3

Township 2 North, Range 28 East, Boise Meridian, Blaine County, Idaho.

Section 1: SE1/4SE1/4
Section 12: SE1/4SW1/4, NE1/4NE1/4
Section 13: NW1/4, S1/2NE1/4, N1/2S1/2, SW1/4SW1/4
Section 14: S1/2S1/2
Section 15: SE1/4SE1/4

PARCEL II:

Township 2 North, Range 21 East, Boise Meridian, Blaine County, Idaho.

Section 17: W1/2SW1/4
Section 18: E1/2SE1/4, SW1/4SE1/4
EXCEPT that portion of the E1/2SE1/4 described as follows:
COMMENCING at the East quarter corner of said Section 18;
thence South 35° 14' West, 777 feet to the TRUE POINT OF BEGINNING;
thence South 31° 20' East, 200 feet;
thence South 58° 48' West, 435.00 feet;
thence North 31° 20' West, 200 feet;
thence North 58° 40' East, 435.00 feet to the TRUE POINT OF BEGINNING.
Section 19: N1/2 NE1/4
Section 20: NW1/4NW1/4

WATER RIGHTS:

1. IDWR No. 37-1130 for 1.40 cfs with a priority date of 6/1/1919
2. IDWR No. 37-1851 for 2.00 cfs with a priority date of 4/1/1888
3. IDWR No. 37-1848A for 2.00 cfs with a priority date of 4/1/1884
4. IDWR No. 37-1130 for 7.80 cfs with a priority date of 6/1/1919
5. IDWR No. 37-2807 for .80 cfs with a priority date of 8/28/1904
6. IDWR No. 37-2247 for .90 cfs with a priority date of 8/22/1912
7. IDWR No. 37-7008 for 2.15 cfs with a priority date of 12/18/1987
8. IDWR No. 37-11884 for .10 cfs with a priority date of 8/30/1938

ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

May 6 2008
SECRETARY OF STATE
STATE OF IDAHO

(Instructions on back of application)



FILED

1. The name of the limited liability company is: The Muldoon Ranch Co., LLC.
2. The address of the initial registered office is: 370 East 500 North, Jerome, ID 83338
(not a PO Box)

agent at that address is: A. Blair Crouch and the name of the initial registered

Signature of registered agent: A. Blair Crouch

3. Is management of the limited liability company vested in a manager or managers?
☒ Yes ☐ No (check appropriate box)

4. If management is vested in one or more manager(s), list the name(s) and address(es) of 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:

Arlen B. Crouch Trust

2566 Barcelona Drive

Arlen B. Crouch, Trustee

Salt Lake City, UT 84093

Derrel R. Crouch Trust

2566 Barcelona Drive

Salt Lake City, UT 84093

5. Signature of at least one person listed in #4 above:

Arlen B. Crouch

Secretary of State use only

IDAHO SECRETARY OF STATE

05/06/1998 09:00
EX: 2173 CT: 44579 IN: 100132

1 @ 100.00 = 100.00 ORGAN LLC

W6138

TOTAL P.02

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00401A
Date Received: 9/20/1988
Receipt No: S002325
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ABC AGRA LLC
Address: C/O STEVE THORSON
PO BOX 378
JEROME ID

208-324-6644

83338

2. Date of Priority: MAY 12, 1888

3. Source: SPRINGS

Trib. to: MULDOON CREEK, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	21E	17				SE	BLAINE
		22		SE	SW		BLAINE

5. Description of diverting works:
COLLECTION TANKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.120		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/400 BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	21E	17	NE	SE		STOCK	
			NW	SE		STOCK	

A37-00401A

Page 1

Date: 02/23/98

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	21E	17	SW		SE		STOCK	
			SE		SE		STOCK	
		22	SE		SW		STOCK	

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:
A37-01046, A37-02243, A3701142

14. Remarks:
PORTION OF 37-0401 DECREE.

2-23-98: CHANGE OF OWNERSHIP BEAN/TWOMBLY TO ABC AGRA PER NOTICE
11-04-97 - VH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs Decree Defendant

RECEIVED

NOV 04 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 142
Adjudication Claim Number(s) 37-00401-A, 37-01142, 37-02243, 37-01046, 37-11363, 37-11364
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, 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 on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) BEAN/TWOMBLY LAND & CATTLE COMPANY, A Texas General Partnership
5711 Orchid Lane, Dallas TX 75230
4. New Owner/Claimant(s) A, B. C. AGRA, LLC Attn: Steve Thorson
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address PO Box 378
City, State and ZIP Code Jerome ID 83338
New Telephone Number (208-) 324 - 6644
5. Date you acquired the property 10/30/97
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 actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
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/Claimant(s) ABC Agra, LLC Date 10/20/97
by Steve Thorson, Gen. Mgr. Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

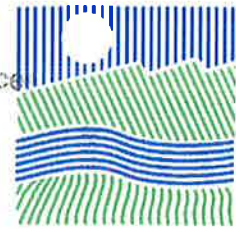
October 30, 1997

RECEIVED

NOV 04 1997

Department of Water Resources
Southern Region

Idaho Department of Water Resources
Southern Region Office
222 Shoshone St. East
Twin Falls ID 83301



SUN VALLEY
TITLE
COMPANY

Re: 97-14125
Bean/Twombly Land & Cattle
A.B.C. Agra LLC
T2N-R21E Misc. Sections Rocky Bar Ranch

Dear Sirs:

Regarding the above, I have enclosed the following:

- Notice of Change of Water Right Ownership
- Copy of the Warranty Deed

Sincerely,

Carolyn Baird

Carolyn Baird
Escrow Closing Agent

WARRANTY DEED

FOR VALUE RECEIVED

BEAN/TWOMBLY LAND & CATTLE COMPANY, a Texas Joint Venture, who acquired title as BEAN/TWOMBLY LAND & CATTLE COMPANY, a Texas General Partnership

the grantors, do hereby grant, bargain, sell and convey unto

A.B.C. Agra, LLC

the grantee, whose current address is P.O. Box 378
Jerome, ID 83338

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH ALL APPURTENANT WATER RIGHTS INCLUDING BUT NOT LIMITED TO THE FOLLOWING IDWR WATER RIGHTS:

LICENSE NUMBER - 37-00401-A

LICENSE NUMBER - 37-01142

LICENSE NUMBER - 37-02243

LICENSE NUMBER - 37-01046

LICENSE NUMBER - 37-11363

LICENSE NUMBER - 37-11364

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 28, 1997

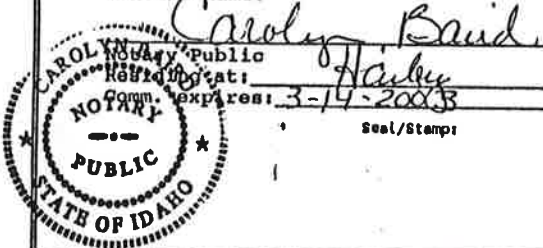
BEAN/TWOMBLY LAND & CATTLE COMPANY, a Texas Joint Venture

Jeff Bean

W. Bruce Twombly
W. Bruce Twombly

STATE OF: Idaho
COUNTY OF: Blaine

On this 30th day of October, 1997, before me a Notary Public in and for said State, personally appeared W. Bruce Twombly known or identified to me to be one of the members in the Joint Venture of Bean/Twombly Land & Cattle, Co, a Texas Joint Venture and the member who subscribed said membership name to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said Joint Venture name.



SVTC Order No. 97-14125

WARRANTY DEED

FOR VALUE RECEIVED

BEAN/TWOMBLY LAND & CATTLE COMPANY, a Texas Joint Venture, who acquired title as BEAN/TWOMBLY LAND & CATTLE COMPANY, a Texas General Partnership

the grantors, do hereby grant, bargain, sell and convey unto

A.B.C. Agra, LLC

the grantee, whose current address is P.O. Box 378
Jerome, ID 83338

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH ALL APPURTENANT WATER RIGHTS INCLUDING BUT NOT LIMITED TO THE FOLLOWING IDWR WATER RIGHTS:

LICENSE NUMBER - 37-00401-A

LICENSE NUMBER - 37-01142

LICENSE NUMBER - 37-02243

LICENSE NUMBER - 37-01046

LICENSE NUMBER - 37-11363

LICENSE NUMBER - 37-11364

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 28, 1997

BEAN/TWOMBLY LAND & CATTLE COMPANY, a Texas Joint Venture

Jeff Bean
Jeff Bean

W. Bruce Twombly

STATE OF:
COUNTY OF:

On this 29th day of October, 1997, before me a Notary Public in and for said State, personally appeared Jeff Bean known or identified to me to be one of the members in the Joint Venture of Bean/Twombly Land & Cattle, Co, a Texas Joint Venture and the member who subscribed said membership name to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said Joint Venture name.

Ceresa Schumann
Notary Public
Residing at: 9519 U.S. Hwy 42
Comm. expires: Nov. 21, 2000
My comm. does expire Nov. 21, 2000 Seal/Stamp:

EXHIBIT "A"

PARCEL I:

TOWNSHIP 2 NORTH, RANGE 21 EAST of the BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

SECTION 17: $S\frac{1}{2} NE\frac{1}{4}, SE\frac{1}{4}, E\frac{1}{2} SW\frac{1}{4};$

SECTION 20: $NW\frac{1}{4}NE\frac{1}{4}, NE\frac{1}{4}NW\frac{1}{4}.$

PARCEL II:

TOWNSHIP 2 NORTH, RANGE 21 EAST of the BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

SECTION 9: That portion of the $SE\frac{1}{4}NE\frac{1}{4}$, lying South of the Muldoon Road, known as Tax Lot 4896;

SECTION 10: That portion of the $NW\frac{1}{4}NW\frac{1}{4}$, lying South of the Muldoon Road, known as Tax Lot 4897-A; that portion of the $S\frac{1}{2}NW\frac{1}{4}$, lying South of the Muldoon Road, known as Tax Lot 4897; that portion of the $NE\frac{1}{4}NW\frac{1}{4}$, lying South of the Muldoon Road, known as Tax Lot 4457; $W\frac{1}{2}NE\frac{1}{4}, SE\frac{1}{4}NE\frac{1}{4}, E\frac{1}{2}SE\frac{1}{4}, W\frac{1}{2}SE\frac{1}{4}, E\frac{1}{2}SW\frac{1}{4}, SE\frac{1}{4}NW\frac{1}{4};$

SECTION 11: $S\frac{1}{2}SW\frac{1}{4};$

SECTION 14: $W\frac{1}{2}NW\frac{1}{4};$

SECTION 15: $NW\frac{1}{4}, W\frac{1}{2}NE\frac{1}{4}, E\frac{1}{2}SW\frac{1}{4}, NW\frac{1}{4}SW\frac{1}{4}, NE\frac{1}{4}NE\frac{1}{4}, NW\frac{1}{4}SE\frac{1}{4};$

SECTION 16: $NW\frac{1}{4};$

SECTION 19: $SE\frac{1}{4}NE\frac{1}{4};$

SECTION 20: $S\frac{1}{2}SE\frac{1}{4}, SW\frac{1}{4}, NE\frac{1}{4}SE\frac{1}{4};$

SECTION 21: $N\frac{1}{2}, N\frac{1}{2}S\frac{1}{2}, SE\frac{1}{4}SW\frac{1}{4};$

SECTION 22: $W\frac{1}{2}NW\frac{1}{4}, NW\frac{1}{4}SW\frac{1}{4};$

SECTION 28: $N\frac{1}{2}NW\frac{1}{4}, W\frac{1}{2}NE\frac{1}{4}.$

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00401A
Date Received: 9/20/1988
Receipt No: S002325
Received By: hw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BEAN/TWOMBLY LAND & CATTLE CO. 208-788-2152
Address: STE. 300, LB 17
4514 TRAVIS ST.
DALLIS, TX 75205
2. Date of Priority: MAY 12, 1888
3. Source: SPRINGS Trib. to: MULDOON CREEK, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	21E	17			SE		BLAINE
		22		SE	SW		BLAINE

5. Description of diverting works:
COLLECTION TANKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.120		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/400 BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	21E	17	NE	SE		STOCK	

A37-00401A

Page 1

Date: 09/20/88

MICROFILMED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	21E	17	NW	SE		STOCK	
			SW	SE		STOCK	
			SE	SE		STOCK	
		22	SE	SW		STOCK	

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:
A37-01046, A37-02243, A3701142

14. Remarks:
PORTION OF 37-0401 DECREE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

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

Signature of Claimant(s): Beau Twombly Land & Cattle Co.
By: W. Bruce Twombly, Ph Date: 9/20/88

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of Sept 19 88 For White
Notary Public

Seal

Residing at TF
My Commission Expires 5/95

12/14/2006

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

RIGHT NUMBER: 37-22012

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

SOURCE: SPRING TRIBUTARY: UNNAMED STREAM

QUANTITY: 0.120 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/12/1888

POINT OF DIVERSION:
T02N R21E S15 NENESW Within BLAINE County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.120 CFS

PLACE OF USE: STOCKWATER in BLAINE County
T02N R21E S15 NESW

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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

Date: 12/27/06

NOTICE OF ERROR
REPLY

RECEIVED
JAN 3 2007
DEPARTMENT OF
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: Date

Water right number 37-22012
Name Muldoon Ranch Co. LLC
Address c/o Arlen Crouch
Address Line 2 370 E 500 N
City, State Zip Jerome, ID 83338
Telephone Number (208) 324-3117

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source) :

This right should not be limited to 13,000 gallons per day.

2. Describe the changes you wish to make in the proposed recommendation:

The right was decreed prior to the adjudication with a flow rate of 0.12 cfs; therefore, the basis of this right should not be based on a beneficial use claim and should not be considered as a diminimis right.

3. Give a brief explanation as to why you disagree with these portions:

The right was decreed prior to the adjudication with a flow rate of 0.12 cfs; therefore, the basis of this right should not be based on a beneficial use claim and should not be considered as a diminimis right.

___ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12/27/06

SIGNATURE: Arlen B Crouch

Please print your name:

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

Due to the extremely short period for review and reply, and the considerable number of related preliminary recommendations currently under review by our firm, the undersigned must categorically object to, and disagree with, any and all portions of the recommendation which may be contrary to, or inconsistent with, the claim which has been filed for the above-referenced water right.

SCANNED
JAN 04 2007

Anders, Matthew

From: Anders, Matthew
Sent: Tuesday, January 16, 2007 8:44 AM
To: 'charles.g.brockway@brockwayeng.com'
Subject: 37-22012

Chuck,

Regarding your notice of error for claim 37-22012 for Muldoon Ranch, here was my thinking:

37-401A was originally claimed as Stockwater in Sections 17 and 22. Muldoon Ranch owns a portion of the decreed POU for 37-401 in Section 17 (See attached map). During the field exam and subsequent conversations, Muldoon Ranch indicates the POD and POU are in Section 15, rather than Section 17. It is unclear if the spring they are now claiming (amended claim) in Section 15 was one of the springs the water right was decreed from. Rather than disallow the claim, I recommended it as a Beneficial Use claim. If Muldoon Ranch can document that the spring in Section 15 is one of the decreed sources, we can take another look at the claim.

Matt

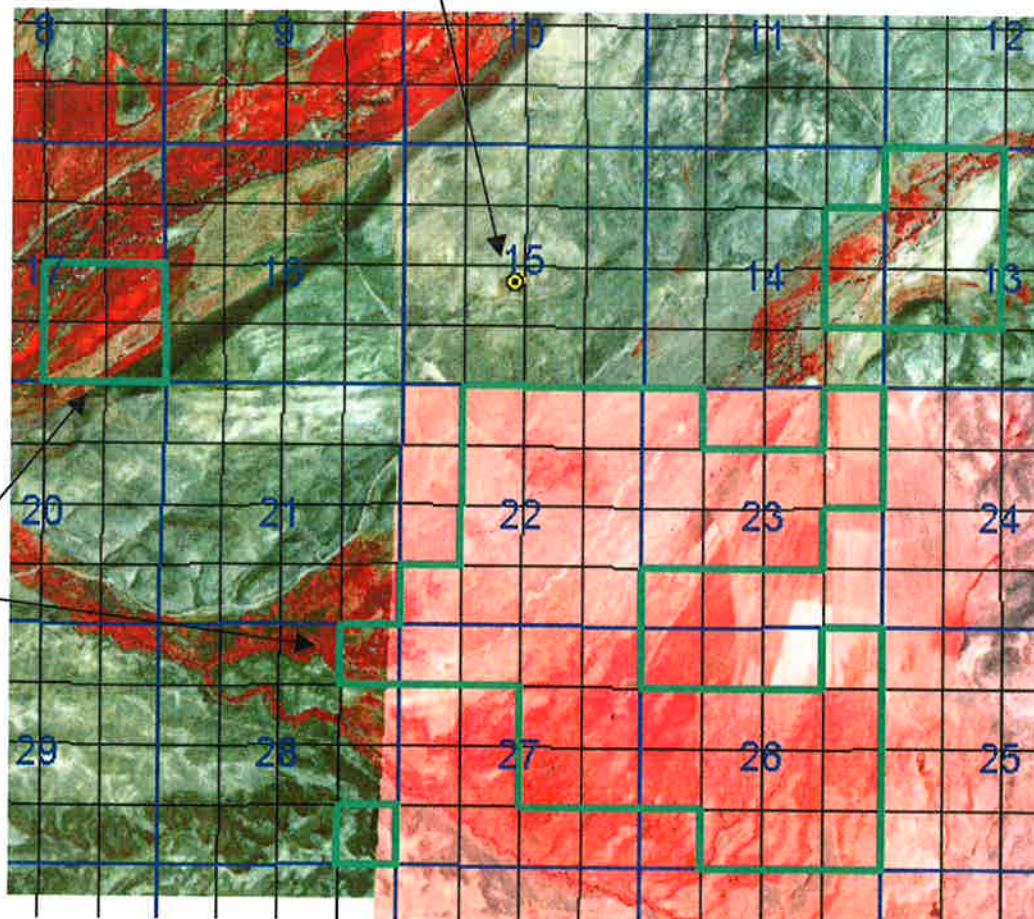


37-22012_map.doc

Matt Anders
GIS Specialist
Idaho Water Resources Research Institute
Idaho Department of Water Resources
322 East Front St.
PO Box 83720
Boise, ID 83720-0098

Ph. 208-287-4937

Claimed POD and POU
for 37-22012
(formerly 37-401A)



Decreed
POU for
37-401
(Green
Line)

Adjudication Claim Notes

Claim(s): 37-22012

Background Data

- Stockwater claim
- Source is Springs
- Did a search on the splits in the priority date search file and found:
 - 37-401 originally decreed for irrigation for entire flow of springs (no cfs listed)
 - 37-401 is claimed for 16 cfs
 - 37-401A is claimed for 0.12 cfs for stockwater

Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



Notes

➤ Competing claims:

- 37-401A
 - Claimant owns a portion of the decreed POU for 37-401 in Section 17.
 - 37-401A was claimed as Stockwater (no claim for Irrigation) in Section 17, but during the field exam and subsequent conversations, they indicate the POD and POU are in Section 15.
 - It is unclear if the spring indicated during field exam was the spring the water right was decreed from.
 - Conferred with Steve and decided to renumber 37-401A to 37-22012 and recommend it as a diminimus Beneficial Use claim.
 - Would have put 13,000 gal/day limit on stockwater portion of decreed right, so rather than take water from irrigation, it can be recommended as diminimus
 - 37-401
 - Decided to recommend 9.4 cfs for Irrigation of 1600 acres within PPU.

➤ Recommendations:

- 37-401A
 - Renumbered to 37-22012
 - Recommend it as a diminimus Beneficial Use claim.
- 37-401
 - 9.4 cfs for Irrigation of 1600 acres within PPU

Adjudication Claim Notes

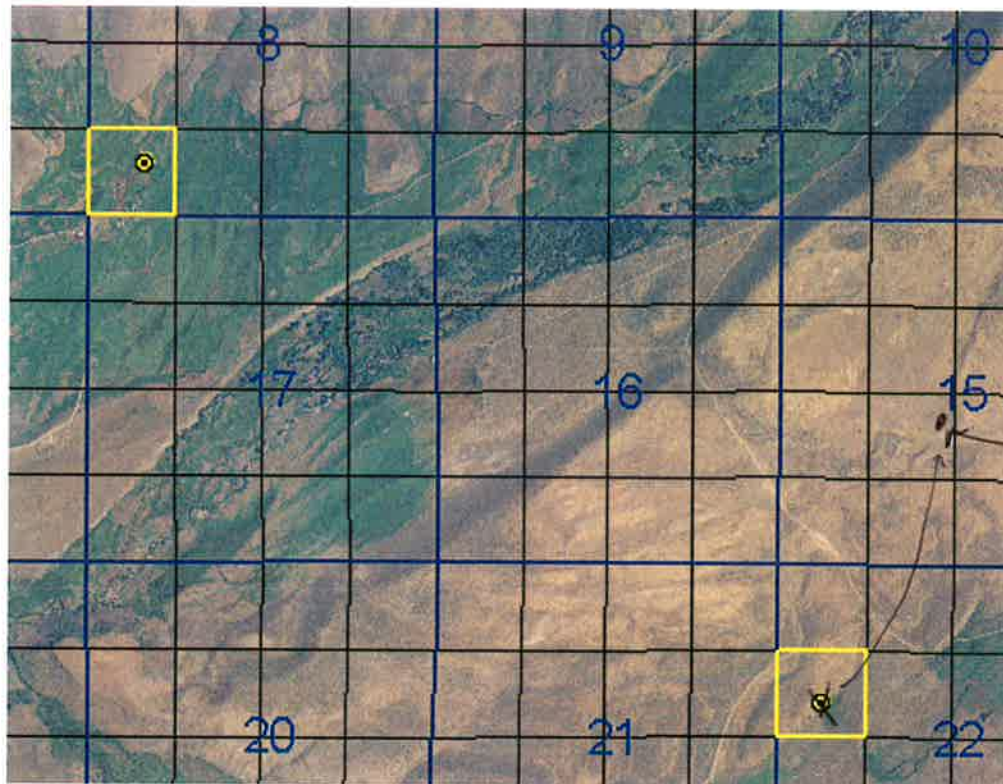
Claim(s): 37-401A

Background Data

- Stockwater claim
- Source is Springs
- Did a search on the splits in the priority date search file and found:
 - 37-401 originally decreed for irrigation for entire flow of springs (no cfs listed)
 - 37-401 is claimed for 16 cfs
 - 37-401A is claimed for 0.12 cfs for stockwater

Place Of Use Data

²⁰⁰⁴
~~1987~~ Aerial Photo



*moved based
on phone
conversation
11/17/05*

Notes

- **Status of parent right 37-401 is unclear.** Right not mentioned in Gile vs. Laidlaw 1931. Land list differs in Frost & Gile Decrees.
- Originally decreed for irrigation, now claimed for stockwater.
- 2 PODs digitized based on notes from field exam by Lee Peterson
- 2 nominal POUs created based on location of spring – these are much different than the claimed POU.
- There is a recommendation created for this right, but the basis is beneficial use. **Why?**
- **Confirm POUs and PODs with claimant.**

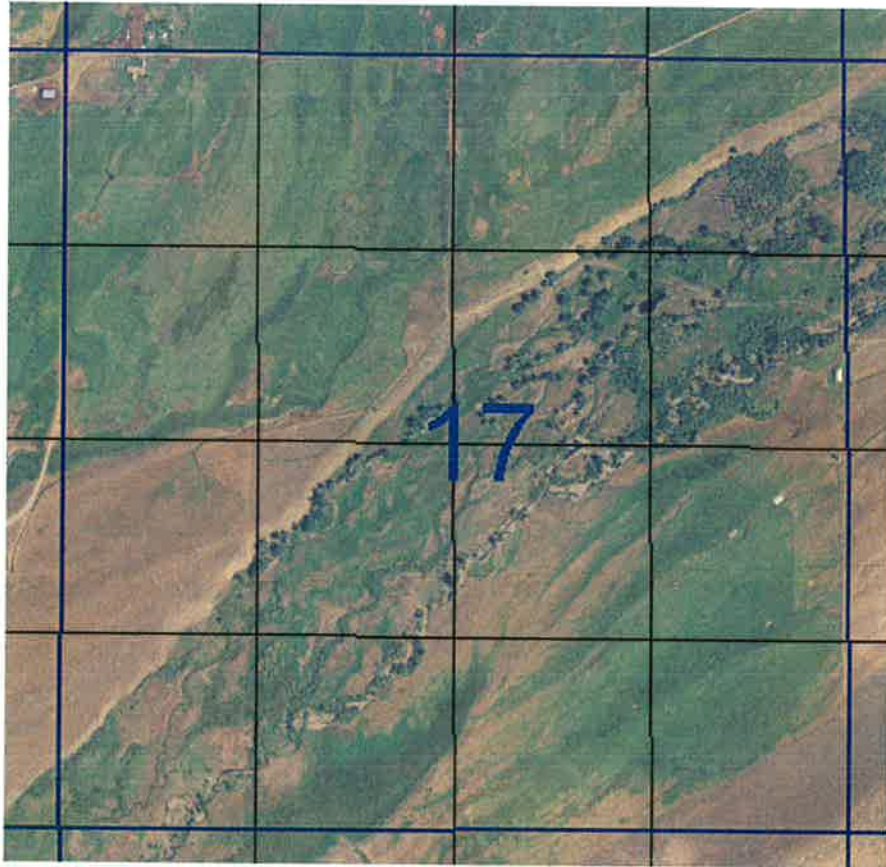
Background Data

- Stockwater claim
- Source is Springs
- Did a search on the splits in the priority date search file and found:
 - 37-401 originally decreed for irrigation for entire flow of springs (no cfs listed)
 - 37-401 is claimed for 16 cfs
 - 37-401A is claimed for 0.12 cfs for stockwater



Place Of Use Data

2004 Aerial Photo





Notes

- **Status of right is unclear.** Right not mentioned in Gile vs. Laidlaw 1931. Land list differs in Frost & Gile Decrees.
- Originally decreed for irrigation, now claimed for stockwater. ← why no aug just stock
- They claimed collection tanks, where are they located?
- Where are the PODs located?

—only used
for stockwater
according to Arlen Crouch

Do you use this
for same
who is it used

File No.

A37-01139=07006=01051=01005=01048a=01046=01142=02007=02243=02247=00401A20544=orphan

Owner
ABC AGRA LLC
P.O. Box 378
Jerome,

Date
6/27/05
6/29/05

I called Blair Crouch and made an apt. to see him and Arlin Monday June 27 to review the water right files on ABC Agra property at Muldoon . Blair , Arlin and I met at their office in Jerome , we managed to get started in the files and both men decided that we should meet at the ranch in Muldoon canyon on Wed. the 29th with Pete Peterson [partner] and complete this file review and go out in the field to observe where the question areas are within these files.

WR A37-01139 This water is from Muldoon Cr.[Main source]Spring Cr, Brown Cr. Chicken Cr. See attached photo page 3 of 7 which shows the creeks .

See photos for info about this right. They will be in to see Kelly about name change

WR 07006 main water source is muldoon cr. And the areas owned in yellow and irrigated in blue looks very close to actual , see notes on color photo with the POD's as Corey skinner GPS as attached. Arlin said the 190 acres is OK and Pod 1-3 look OK.

WR 01005 = 1048A= 1051 the source of water for all this property is Spring Cr. And Muldoon Cr. With the area marked in yellow is a good indication of the POU of these three rights. And the small corner area on page 4=4is not irrigated the portion green is natural when rains or flood . Arlin said the ground water on 1005 is spring water.

WR 1048 & 1048A are question with Muldoon Livestock which I believe the IDWR will have to research for answers..

WR 01046 Arlin and Pete both said this water source is from Muldoon Cr. And the marked in yellow looks OK, also the two small parcels look OK

WR 01142 source for water is muldoon Cr. The decreed and claimed looks OK and all this land is irrigated as per Pete and the boat looking area he thinks was plowed at the fate of photo which makes it look dry, it is all now irrigated pasture. The small area in question in sec 20 is irrigated.

WR 02007 Arlin and Pete said this water source is muldoon CR. And the decreed=claimed is OK and the area in yellow is irrigated, on the claim this water was designated domestic , both of these people said there is and they do not remember any house and the water is not used for domestic purposes.

WR 02243 water source is muldoon Cr. This property is very sandy soil and a lot of water is required to irrigate the lands properly . This upper land appears to be the same as WR 1046, needs to be looked into by IDWR for duplication and the two small parcels with arrows are irrigated during short water years they get less water due to the land type.

WR02247 the source for this water is Chicken Cr. During good water years ,this creek on dry years ceases to flow enough to do much irrigating then what is provided is natural. See Photos 1060628=629=630=631.

WR 00401A both of these designated waters are springs for stock purposes only there is no irrigation.

WR 20544 see red-green photo in file for many notes, this water source is from muldoon cr , brown's cr. and Spring CR.

Orphan Lands file this land is not irrigated it is brush-trees- grass
naturally

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
POD's 1-2-3 GPS by Corey Skinner Sept. 23,2004					
ABC Spring Cr	ABC	1	2501244	1368651	None
ABC Browns Cr.	"	2	2499876	1368910	1060626
WR 2247 ABC land photo's					627
			1060628-629-630-631		

Lee R. Peterson

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-401

WATER RIGHT NUMBER: 37-401

<u>Owner Type</u>	<u>Name and Address</u>
-------------------	-------------------------

Current Owner JAMES LAIDLAW

BELLEVUE, ID 83313

Priority Date: 05/12/1888

Basis: Decreed

Status: Active

Source

Tributary

SPRINGS

SOUTH FORK MULDOON CREEK

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

/ to /

Total Diversion:

Location of Point(s) of Diversion

SPRINGS

Place of Use

IRRIGATION

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-401

Conditions of Approval:

Remarks:

1. General RT. IS FOR ENTIRE FLOW OF SPRINGS.
STATUS OF RT. UNCLEAR; RT. NOT MENTIONED IN GILE VS LAIDLAW, 1931 P/U
UNCLEAR; LAND LIST DIFFERS IN FROST & GILE DECREES.

Comments:

Water Supply Bank:

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

02/21/99 14:33:16
Page 1

Water Right Number - R37-00401A

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
ABC AGRA LLC

1 - C/O STEVE THORSON
2 - PO BOX 378
3 -
City- JEROME State- ID Zip- 83338
Phone - 208-324-6644

*** O - ORIGINAL OWNER ***
BEAN/TWOMBLY LAND & CATTLE CO

1 - STE 300 LB 17
2 - 4514 TRAVIS ST
3 -
City- DALLIS State- TX Zip- 75205
Phone - 208-788-2152

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/12/1888 ERROR IN REGION J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
SPRINGS MULDOON CREEK, SOUTH FORK

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlq County Diversion Name

02N 21E 17 NE SE
22 SE SW

+ - - - - Code Description Diversion Rate Diversion Volume +
04 - STOCKWATER 0.120

+ - Total Div. Rate - + + - Total Div. ity - + + - Total Consumptive Use - + + - KW Usage - +
0.120 0.0

+ - - - - TwN Rng Sec Tract Lot Acres Code Description County +

02N 21E 17 NE SE 04 STOCKWATER (13) BLAINE
02N 21E 17 NW SE 04 STOCKWATER (13) BLAINE
02N 21E 17 SW SE 04 STOCKWATER (13) BLAINE
02N 21E 17 SE SE 04 STOCKWATER (13) BLAINE
02N 21E 22 SE SW 04 STOCKWATER (13) BLAINE

+ - - Diversion Means - COLLECTION TANKS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A37-01046, A37-02243, A3701142

+ - - - - - Remarks - - - - - +

EXP PARCEL NO. 02N21017452A, PART OF 02N210194590

Water right number - R37-00401A

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +
PROPERTY ALSO KNOWN AS SEC 17: 1945 MULDOON CANYON RD 8000
STOCKWATER, 400 BEEF CATTLE

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 11/01/93 DUNN1 03/30/95 POST-STD 02/23/98 VHANCOCK 02/05/99 CTIMM

+ - - - - - Comments - - - - - +
Date: 10/31/1993 User Id: DUNN1 Subject: COPIED FROM REMARKS
PORTION OF 37-0401 DECREE.
Date: 02/23/1998 User Id: VHANCOCK Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP BEAN/TWOMBLY TO ABC AGRA PER NOTICE REC'D 11-04-97
Date: 02/23/1998 User Id: VHANCOCK Subject: DISCREPANCY IN POU
THERE IS A DISCREPANCY BETWEEN THE LEGAL DESCRIPTION OF THE PROPERTY PURCHASED AND THE POU IN SECTION 22. SPECIFICALLY: POU
IS IN SESW, PROPERTY PURCHASED IN NWSW. SEE BASE RIGHT 37-00401

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/20/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S002325	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

February 23, 1998

NOTE TO FILE

FROM: V.Hancock

CLAIM NO: > A37-00401A

In investigating change of ownership from Bean/Twombly to ABC Agra I noticed a discrepancy in the legal description of the property purchased in Sec 22 and the place of use of the water right. Specifically, the property purchased is the W1/2 NW1/4, NW1/4 SW1/4. AJ claim lists pou as the SESW. Blaine County Assessor confirmed that the parcel number listed on our computer print out does correspond with the legal description in the Warranty Deed, not our place of use on the claim.

Claim was not changed as root water right 37-00401 does not include a place of use in the NWSW. Claimant was notified that there is a discrepancy that will be investigated at a later time.

WR5809NP
No. 37-00401

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/23/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD		DIVERSION RATE	DIVERSION VOLUME
				FROM	TO		
C	JAMES LAIDLAW	05/12/1888	IRRIGATION	00/00	00/00		
TOTAL DIVERSION:							

Water Source: SPRINGS

Tributary to: MULDOON CREEK, SOUTH FORK

Stage: DECREED

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				SUM
T	R	S	NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	
02N	21E	13					I	I	I	I	I	I							
02N	21E	14																	
02N	21E	17																	
02N	21E	22	I	I	I	I	I				I		I	I		I	I	I	
02N	21E	23	I		I	I		I	I	I	I					I	I	I	
02N	21E	26	I		I	I			I	I	I					I	I	I	
02N	21E	27	I	I	I	I	I	I								I	I	I	
02N	21E	28	I															I	

Pou County: BLAINE

Remarks: GEN RT. IS FOR ENTIRE FLOW OF SPRINGS.
STATUS OF RT. UNCLEAR; RT. NOT MENTIONED IN GILE VS LAIDLAW, 1931
P/U UNCLEAR; LAND LIST DIFFERS IN FROST & GILE DECREES.

Dates: App. Received: Priority Date: 05/12/1888
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 370 Field Exam Fee:



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

February 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ABC Agra, LLC
c/o Steve Thorson
PO Box 378
Jerome, Idaho 83338

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): A37-00401A, A37-01142, A37-02243, A37-01046,
A37-11363, A37-11364
Change of Ownership Notification

Dear Claimant(s):

We have been notified that you have purchased property with the above referenced Snake River Basin Adjudication claim(s), and our records have been changed, accordingly. **The enclosed copies are for your records**, please review these documents for accuracy in all respects.

Please note that while investigating the change of ownership for claim A37-00401A, I noticed a discrepancy between the legal description of the property purchased in section 22 and the place of use for the water right in section 22. Specifically, you purchased property in the NW1/4 of the SW1/4 of section 22, our records indicate the place of use in section 22 for claim number A37-00401A is in the SE1/4 of the SW1/4. I have placed a notation in the file so that in the future, when the Department is reviewing claims in your area, this claim will be investigated further and any changes made.

If you have any questions, please contact me at this office.

Sincerely,

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

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

WATER RIGHT NUMBER - A37-00401A

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - - LAST NAME - - - - - +

+ - FIRST NAME - - +

+ - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***

BEAN/TWOMBLY LAND & CATTLE CO.

1 - STE. 300, LB 17

2 - 4514 TRAVIS ST.

3 -

CITY- DALLIS

STATE- TX ZIP- 75205

PHONE - 208-788-2152

+ - - PRIORITY DATE - - +
05/12/1888

+ - - - REGION - - - +
ERROR IN REGION

+ - - - STAGE - - - +
D - DECREED

+ - - - STATUS - - - - +

+ - - - - - SOURCE - - - - - +
SPRINGS

+ - - - - - TRIBUTARY - - - - - +
MULDOON CREEK, SOUTH FORK

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	STREAM INDEX (BLANK IF NO INDEX CODE)
1	2	3	4	5	6	7	8	9

02N 21E 17 NE SE (13) BLAINE
02N 21E 22 SE SW (13) BLAINE

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME
1	1	1	1	1	1	1

04 - STOCKWATER	01/01	12/31	0.120
-----------------	-------	-------	-------

+	-	TOTAL DIV. RATE	-	+	-	TOTAL DIV. VOLUME	-	+	-	TOTAL DIV. CAPACITY	-	+	-	TOTAL CONSUMPTIVE USE	-	+	-	KW USAGE	-	+
		0.120												0.0						

TWN	RNG	SEC	TRACT	LDT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
-----	-----	-----	-------	-----	-------	----------------------	-------------	--------

02N	21E	17	NE SE	SE, SE, 1/2 NE, E, 1/2 SW	04	STOCKWATER	(13)	BLAINE
02N	21E	17	NW SE	02N21017452A	04	STOCKWATER	(13)	BLAINE
02N	21E	17	SW SE		04	STOCKWATER	(13)	BLAINE
02N	21E	17	SE SE		04	STOCKWATER	(13)	BLAINE
02N	21E	22	SE SW	W, 1/2 NW, NW, SW 02N21019459A	04	STOCKWATER	(13)	BLAINE

+ - - DIVERSION MEANS - COLLECTION TANKS

+ - - NON-IRRIGATION USE - S/400 BEEF CATTLE

+ - - OTHER RIGHTS FOR SAME USE - A37-01046, A37-02243, A3701142

Sec. 17: 1945 Muldoon Canyon Rd 8000

+	-----										REMARKS	-----										+
	PORTION OF 37-0401 DECREE.																					

+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

-----+-----
 NO CONDITIONS OF APPROVAL FOUND.
 -----+-----

MICROFILMED
NOV 22 1996

