

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 37-22092

Date Received: 1-8-2007

Receipt No: CO 82976

Received By: d.e. 1-11-07 SH

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

1. Name of Claimant(s) Lava Lake Land & Livestock, LLC Phone () 208 788-1710

Mailing Address P.O. Box 2249 Huley, Idaho Zip 83333

2. Date of Priority: (Only one per claim) 7/1/1885 Month/Day/Year

3. Source of water supply (Check one) Ground Water () or Other () (a) Pole Creek Canyon
which is tributary to (b) Fish Creek

4. Location of Point of Diversion is: Township 2N, Range 23E, Section 19,
1/4 of _____, 1/4 of _____, 1/4 Govt. Lot _____, BM., County of _____

Additional points of diversion if any: _____

5. Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, 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.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)

For Stockwater purposes from 1/1 to 12/31 amount 0.02 (cfs)

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed 0.02 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) Stockwater for up to 1,000 cattle or 6,500 sheep or a combination of sheep and cattle with use not to exceed 13,000 gallons/day

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10. Location of Place of Use is: Township 2N, Range 23E, Section 19, 18, 17, 20,
 _____, 1/4 of _____, 1/4, Govt. Lot _____, BM. T 2N R 22E Sec 24

for (Circle One) Domestic Stock Domestic and Stock
 Additional places of use, if any _____

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

12. Do you own the property listed above as place of use? Yes (☒) No ()

If the 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.

None () _____

14. Remarks: See map "LB- Free Canyon"

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
 Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

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: 1

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

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm that I am President

of Lava Lake Land & Livestock, LLC that I have signed the foregoing document in the space below as
President Title of Lava Lake Land & Livestock, LLC
 Organization Organization

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

Signature of Authorized Agent Michael S. Smith Date 1/5/2007

Title and Organization President, Lava Lake Land & Livestock, LLC

State of Idaho)

County of Blaine) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 5 day of Jan 20 07

Notary Public Kelley Karst

Residing at 314 N. Main Hailey

My commission Expires 5/24/2010

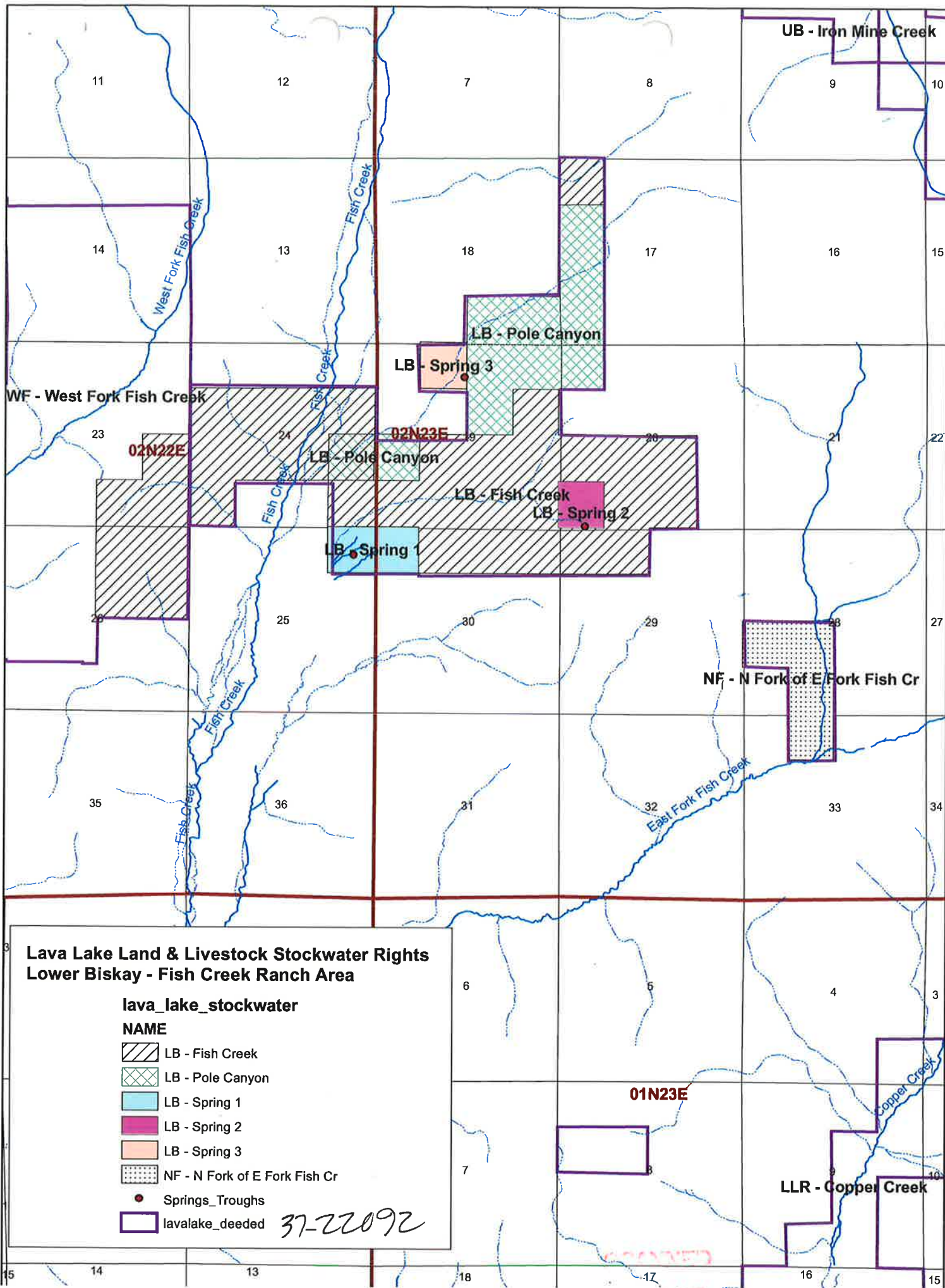
Seal



Last Name Lava Lake Identification No. 37-22092

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01/23/2007

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

RIGHT NUMBER: 37-22092

NAME AND ADDRESS: LAVA LAKE LAND & LIVESTOCK LLC
3527 WASHINGTON ST
SAN FRANCISCO CA 94118

SOURCE: POLE CANYON CREEK

TRIBUTARY: FISH CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 07/01/1885

POINT OF DIVERSION:

T02N R22E S24 NWNESE End of Stream Flow Within BLAINE County
T02N R23E S17 SESWNW Begin of Stream Flow Within BLAINE County
T02N R23E S17 SESWNW End of Stream Flow Within BLAINE County
T02N R23E S17 NENWSW Begin of Stream Flow Within BLAINE County
T02N R23E S17 SWNWSW End of Stream Flow Within BLAINE County
T02N R23E S18 NWSESE Begin of Stream Flow Within BLAINE County
T02N R23E S19 SWNENW End of Stream Flow Within BLAINE County
T02N R23E S19 NWNWSW Lot 3 Begin of Stream Flow 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	0.020 CFS

PLACE OF USE:

STOCKWATER in BLAINE County

T02N R22E S24	NESE	T02N R23E S17	SWNW
T02N R23E S17	NWSW	T02N R23E S18	SWSE
T02N R23E S18	SESE	T02N R23E S19	NENW

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use