

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 37-21046
Date Received: 5/29/2003
Receipt No:
Received By:

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

1. Name of Claimant(s)

PRAIRIE SUN RANCH OWNERS ASSN INC Phone: (208)726-4421
PO BOX 1151
BELLEVUE ID 83313

2. Date of Priority: 10/04/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	19E	29	NW NE NW	BLAINE	

5. Description of diverting works:

WELL AND 100 HP PUMP TO 200 HP PRESSURE PUMP TO PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	5.99	1540

7. Total Quantity Appropriated is:
5.99 C.F.S. and/or 1540 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01N	19E	29	NE	NE		IRRIGATION	23
			NW	NE		IRRIGATION	39
			NE	NW		IRRIGATION	38
			NW	NW		IRRIGATION	18
			SW	NW		IRRIGATION	38
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	39
			SW	SW		IRRIGATION	21
			SE	SW		IRRIGATION	39
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	39
			SE	SE		IRRIGATION	20
			SW	NE		IRRIGATION	39
			SE	NE		IRRIGATION	4
			NE	SE		IRRIGATION	38
Section Acres							515
Total Acres							515

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:

RIGHT NO. 37-21084 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

This right is a split from former right 37-2559A.

15. Basis of Claim: License

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 37-2559A
Date Received: 10/5/1988
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HG2 LIMITED PARTNERSHIP Phone: (541)504-5234

855 VICTORIA FALLS DR
REDMOND OR USA 97756

2. Date of Priority: 10/04/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	19E	29	NW NE NW	BLAINE	

5. Description of diverting works:

WELL AND 100 HP PUMP TO 200 HP PRESSURE PUMP TO PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	6.34	1633.4

7. Total Quantity Appropriated is:
6.34 C.F.S. and/or 1633.4 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01N	19E	29	SE	SE		IRRIGATION	20
			NE	NE		IRRIGATION	23
			NW	NE		IRRIGATION	39
			SE	NE		IRRIGATION	32
			SW	NE		IRRIGATION	40
			NW	SE		IRRIGATION	40
			NE	NW		IRRIGATION	38
			NW	NW		IRRIGATION	18
			SW	NW		IRRIGATION	38
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	39
			SW	SW		IRRIGATION	21
			SE	SW		IRRIGATION	39
			NE	SE		IRRIGATION	39
			SW	SE		IRRIGATION	39
Section Acres							545
Total Acres							545

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:

BASE RIGHT WAS RECENTLY AMENDED TO MAKE CORRECTIONS AND A PREVIOUS OWNER CHANGE SPLIT REDONE. THIS RIGHT WHEN COMBINED WITH 37-20736 IS LIMITED TO THE DIVERSION OF 6.34 CFS AND A VOLUME OF 1907.5 AF. PLACE OF USE ALSO KNOWN AS PRAIRIE SUN SUBDIVISION.

OTHER WR NUMBERS: A37-00114A A37-00664A A37-00665E A37-00666C A37-00667G A37-11526. CHANGE IN OWNERSHIP DID NOT CHANGE P/U ON THIS CLAIM BUT HAS CHANGED THE ABOVE LISTED RIGHTS; SOME SPLITS HAVE OCCURRED. OWNERSHIP CHANGE MADE 10/12/95 BY TLB.

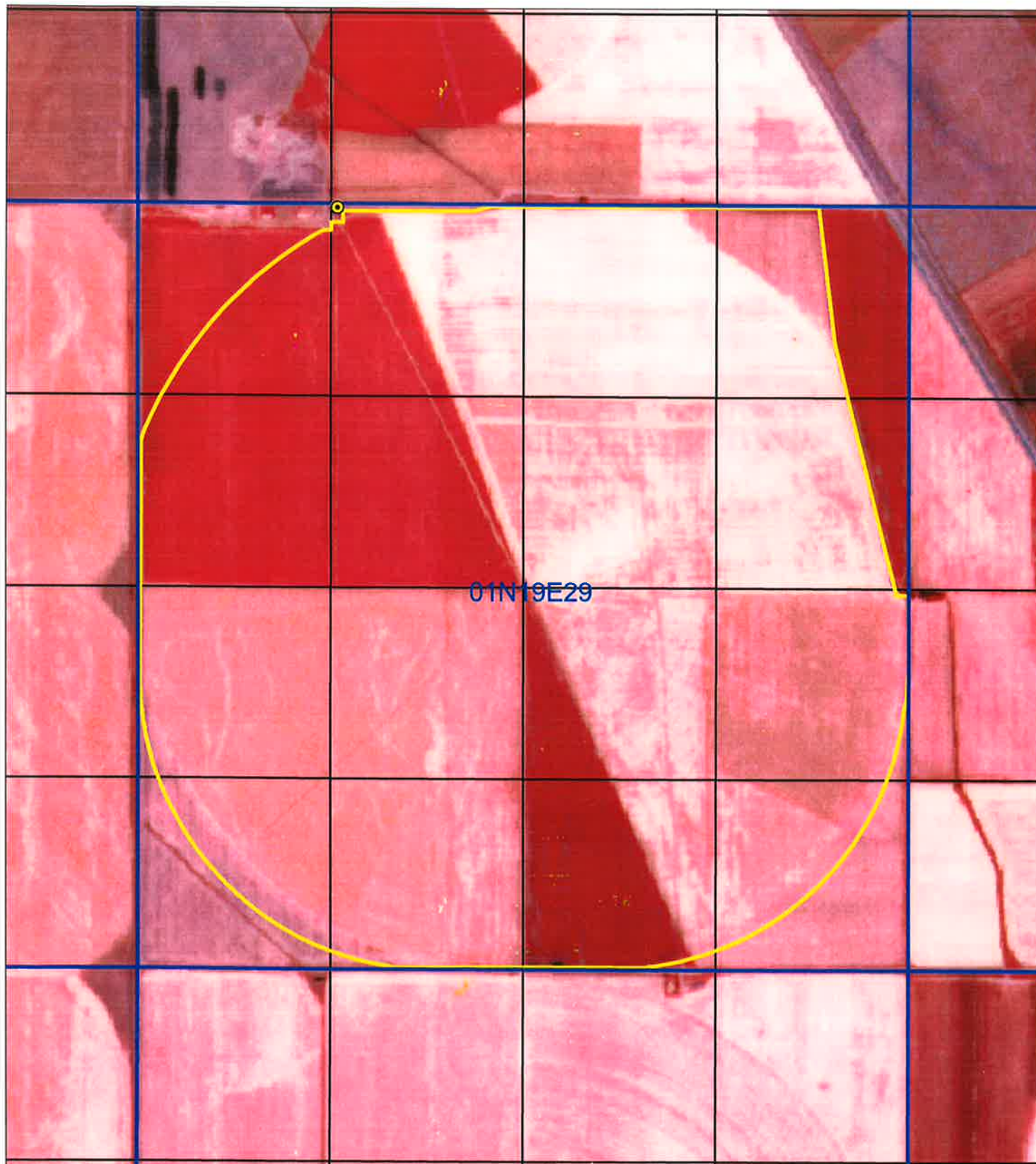
OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-02559.
HG2 OWNS "A" PORTION AND BROWNING'S OWNS "B" PORTION. TLB 7/1/97.

8/5/98 TF; ADDRESS CHANGED PER REQUEST FROM S.N. KESSLER GENERAL PARTNER HG2 LTD PARTNERSHIP.

12/20/00 tf; address changed per request received 12/20/00.

15. Basis of Claim: License

IDAHO DEPARTMENT OF WATER RESOURCES



01N19E29

37-2559A & 37-20736



1320 0 1320 2640 Feet



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

7/9/02

Mr. S. N. Kessler
855 VICTORIA FALLS DR
REDMOND OR 97756

RE: HG2 LIMITED PARTNERSHIP CLAIMS

Dear Mr. Kessler,

At long last the amendment and split of the ground water rights is completed, copies are enclosed. I am forwarding a set to Tim Stover, as well. Please look them over and let me know if there is a problem with them – typos, etc.

In the event that plans are being made to further modify the rights I recommend that you or your representative coordinate with IDWR. This is suggested due to complexity of the system of rights, i.e. surface water and ground water sources with several users involved. Our goal is to provide a more timely and satisfactory service to your organization.

Referencing back to your 1997 letter to IDWR, you have correctly pointed out that priority dates for three rights are incorrect (37-665M, 37-666K, 37-667P). I have noted this discrepancy in the files – and several other affected files. During future claim verification review IDWR will correct the priorities to correlate with the original decreed priority dates. Alternatively, amended claims can be filed with IDWR. Claim forms are available on our website (www.idwr.state.id.us).

Thank you for your patience and assistance through this matter.

Sincerely,

Douglas Jones, PE
Water Rights Supervisor
Southern Adjudication Unit

Cc Tim Stover

Enc.

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 37-2559A
Date Received: 10/5/88
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HG2 LIMITED PARTNERSHIP
855 VICTORIA FALLS DR
REDMOND OR USA 97756

Phone: (541)504-5234

2. Date of Priority: 10/04/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
01N	19E	29	NW NE NW	BLAINE

5. Description of diverting works:

WELL AND 100 HP PUMP TO 200 HP PRESSURE PUMP TO PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	6.34	

7. Total Quantity Appropriated is:
6.34 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
01N	19E	29	NE	NE		IRRIGATION	20
			NW	NE		IRRIGATION	36
			NE	NW		IRRIGATION	40
			SE	NW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			NW	SE		IRRIGATION	40
			SW	NW		IRRIGATION	40
			SW	SW		IRRIGATION	20
			SW	NE		IRRIGATION	40
			NE	SE		IRRIGATION	36
			SW	SE		IRRIGATION	36
			SE	SE		IRRIGATION	20
			NW	NW		IRRIGATION	17
			NE	SW		IRRIGATION	36
			SE	NE		IRRIGATION	36
			SE	SW		IRRIGATION	36
						Section Acres	533
						Total Acres	533

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 WR NUMBERS: A37-00114A A37-00664A A37-00665E A37-00666C A37-00667G
A37-11526 | CHANGE IN OWNERSHIP DID NOT CHANGE P/U ON THIS CLAIM BUT HAS CHANGED THE
ABOVE LISTED RIGHTS; SOME SPLITS HAVE OCCURRED

OWNERSHIP CHANGE MADE 10/12/95 BY TLB

OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-02559

HG2 OWNS "A" PORTION AND BROWNING'S OWNS "B" PORTION. TLB 7/1/97

8/5/98 TF; ADDRESS CHANGED PER REQUEST FROM S.N. KESSLER GENERAL PARTNER HG2 LTD
PARTNERSHIP

12/20/00 tf; address changed per request received 12/20/00.

15. Basis of Claim: License



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

December 20, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

HG2 LIMITED PARTNERSHIP
855 VICTORIA FALLS DR
REDMOND OR 97756

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim Nos. A37-00114E, A37-00664F,
A37-00665Q, A37-00666N, A37-00667S, A37-02559A,
A37-11526A
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in
Address on the water right claim(s) referenced above.
Our records have been updated accordingly.

If you have any questions, please feel free to
contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

DEC-20-00 WED 10:28 AM KESSLER INC
(541) 504-5234

1 541 504 5237 P.01
HG2 LIMITED PARTNERSHIP
855 VICTORIA FALLS DRIVE
REDMOND, OR 97756

Fax (541) 504-5237

12/20/00

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

BY FAX: 208-736-3037

RECEIVED
DEC 20 2000
Department of Water Resources
Southern Region

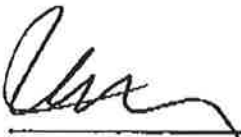
Re: Change of Address

A37-11526A
A37-00664F
A37-00665Q
A37-00114E
A37-00666N
A37-00667S
A37-02559A

Please change the address and telephone number for HG2 Limited Partnership in your records regarding the above Water Right Ownerships from PO Box 3650, Hailey, ID 83333, (208) 725-5533, to:

855 Victoria Falls Drive
Redmond, OR 97756
(541) 504-5234

Thank you -



S. N. Kessler, General Partner
HG2 Limited Partnership

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: A37-02559A
Date Received: 10/ 5/1988
Receipt No: X777777
Received By: _____

COPY FOR YOUR FILES **NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW** **COPY FOR YOUR FILES**

1. Name: HG2 LIMITED PARTNERSHIP 208-725-5533
Address: PO BOX 3650
HAILEY ID 83333-3650

2. Date of Priority: OCT 4, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	19E	29	NW	NE	NW		BLAINE

5. Description of diverting works:
WELL AND 100 HP PUMP TO 200 HP PRESSURE PUMP TO PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.340		

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

8. Total consumptive use is 1370.6 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	19E	29	NE	NE		IRR	20.0
			NW	NE		IRR	36.0
			SW	NE		IRR	40.0
			SE	NE		IRR	36.0
			NE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	19E	29	NW		NW		IRR	17.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	36.0
			NW		SW		IRR	40.0
			SW		SW		IRR	20.0
			SE		SW		IRR	36.0
			NE		SE		IRR	36.0
			NW		SE		IRR	40.0
			SW		SE		IRR	36.0
			SE		SE		IRR	20.0

Section Acres 533.0

Total Acres 533.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

OTHER WR NUMBERS:

A37-00114A A37-00664A A37-00665E
A37-00666C A37-00667G A37-11526

CHANGE IN OWNERSHIP DID NOT CHANGE P/U ON THIS CLAIM BUT HAS
CHANGED THE ABOVE LISTED RIGHTS; SOME SPLITS HAVE OCCURRED.

OWNERSHIP CHANGE MADE 10/12/95 BY TLB.

OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-02559.

HG2 OWNS "A" PORTION AND BROWINGS OWNS "B" PORTION. TLB 7/1/97

8/5/98 TF; ADDRESS CHANGED PER REQUEST FROM S.N. KESSLER GENERAL
PARTNER HG2 LTD PARTNERSHIP.

15. Basis of Claim: LICENSE

Water Right Number: 25212



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

August 12, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

HG2 LIMITED PARTNERSHIP
PO BOX 3650
HAILEY ID 83333-3650

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. A37-11526A, A37-00664F, A37-00665Q,
A37-00114E, A37-00666N, A37-00667S, A37-02559A
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in Address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

(208) 725-5533

HG2 LIMITED PARTNERSHIP
PO BOX 3650
HAILEY, IDAHO 83333

Fax (208) 725-5534

7/31/98

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

BY FAX: 208-736-3037Re: Change of Address

A37-11526A✓
A37-00064F - 00664F✓
A37-00665Q✓
A37-00114E✓
A37-00666N✓
A37-00667S
A37-02559A

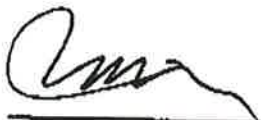
JUL 31 1998

Department of Water Resources
Southern Region

Please change the address and telephone number for HG2 Limited Partnership in your records regarding the above Water Right Ownerships from PO Box 6250, Sun Valley / (208) 622-7119, to:

PO Box 3650
Hailey, ID 83333-3650
(208) 725-5533

Thank you -



S. N. Kessler, General Partner
HG2 Limited Partnership

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: A37-02559A

Date Received: 10/ 5/1988

Receipt No: X777777

Received By: *Q. RB*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: HG2 LIMITED PARTNERSHIP 208-622-7119
Address: PO BOX 6250
SUN VALLEY ID 83354

2. Date of Priority: OCT 4, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	19E	29	NW	NE	NW		BLAINE

5. Description of diverting works:
WELL AND 100 HP PUMP TO 200 HP PRESSURE PUMP TO PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.340		

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

8. Total consumptive use is 1370.6 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	19E	29	NE	NE		IRR	20.0
			NW	NE		IRR	36.0
			SW	NE		IRR	40.0
			SE	NE		IRR	36.0
			NE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	29	NW	NW		IRR	17.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	36.0
			NW	SW		IRR	40.0
			SW	SW		IRR	20.0
			SE	SW		IRR	36.0
			NE	SE		IRR	36.0
			NW	SE		IRR	40.0
			SW	SE		IRR	36.0
			SE	SE		IRR	20.0

Section Acres 533.0

Total Acres 533.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

OTHER WR NUMBERS:

A37-00114A A37-00664A A37-00665E

A37-00666C A37-00667G A37-11526

CHANGE IN OWNERSHIP DID NOT CHANGE P/U ON THIS CLAIM BUT HAS
CHANGED THE ABOVE LISTED RIGHTS; SOME SPLITS HAVE OCCURRED.

OWNERSHIP CHANGE MADE 10/12/95 BY TLB.

OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-02559.

HG2 OWNS "A" PORTION AND BROWNING'S OWNS "B" PORTION. TLB 7/1/97

15. Basis of Claim: LICENSE

Water Right Number: 25212



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

JUL 9, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

HG2 LIMITED PARTNERSHIP
PO BOX 6250
SUN VALLEY ID 83354

RE: SRBA CLAIM(S): SEE ENCLOSED (CORRECTED SPLIT CLAIMS)
HG2, B.S. RANCH, BROWNING

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THESE COPIES ARE FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE.

SINCERELY,

TARA L. BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES

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

REC

FILED

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

APR 01 1997

Department of Water Resources
Southern Region

1. Water Right Number(s) _____

Adjudication Claim Number(s) A37-025592. 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) B. S. RANCH388 GANNETT ROAD, BELLEVUE, ID 833134. New Owner/Claimant(s) BROWNING, CARL OR BARBARAName connector (Check one): ☐ AND, ☐ OR, ☐ AND/ORNew Mailing Address PO BOX 259City, State and ZIP Code BELLEVUE, ID 83313New Telephone Number (208) 788-96735. Date you acquired the property 3-30-95

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 15 Number and type of stock 0Diversion rate in CFS PRORATA Number of homes 0 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) Carl Browning Date 3-31-97

Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. 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.

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

APR 01 1997

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) _____
Adjudication Claim Number(s) A37-02559

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) B. S. RANCH
388 GANNETT ROAD, BELLEVUE, ID 83313

4 New Owner/Claimant(s) HG2 LIMITED PARTNERSHIP
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address PO BOX 6250

City, State and ZIP Code SUN VALLEY, ID 83354
New Telephone Number (208) 622-7119

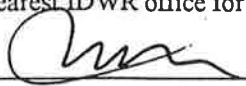
5 Date you acquired the property 3-30-95

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 538 Number and type of stock 0

Diversion rate in CFS PRORATA Number of homes 0 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.

Signature of New Owner/Claimant(s)  Date 3/28/97
HG2 Limited Partnership
S. N. Kessler, General Partner Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8 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.

(208) 622-7119

HG2 LIMITED PARTNERSHIP
PO BOX 6250
SUN VALLEY, IDAHO 83354

Fax (208) 622-8910

3/28/97

REG

W E D

APR 01 1997

Department of Water Resources
Southern Region

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

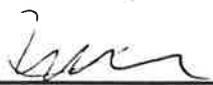
Re: Change of Water Right Ownership

This letter is to clarify and amend a Notice of Change of Water Right Ownership prepared and submitted to IDWR 3/30/95. At that time, HG2 Limited Partnership (HG2LP) purchased Lot 1 of BS Ranch Subdivision from BS Ranch Partnership (BSRP). The Notice, in error, transferred all of the water rights associated with the BS Ranch Subdivision to HG2LP, rather than a prorata share. In addition, IDWR has informed Rob Struthers, a general partner of BSRP, that the decreed priority dates of some of the claims may be incorrect. The following are herein submitted to be substituted for the incorrect submission of 3/30/95:

1. Notice of Change for the transfer of surface water rights from BSRP to HG2LP.
2. Notice of Change for the transfer of surface water rights from BSRP to Carl or Barbara Browning.
3. Notice of Change for the transfer of ground water rights from BSRP to HG2LP.
4. Notice of Change for the transfer of ground water rights from BSRP to Carl or Barbara Browning.
5. A copy of the warrantee deed from BSRP to HG2LP.
6. A copy of the warrantee deed from BSRP to Carl and Barbara Browning.
7. An attachment displaying the understanding of all parties as to the prorata split of the rights.

The priority dates of the following SRBA claims should be corrected as indicated:

- | | |
|-----------------------------------|-------------------------------|
| A. Adjudication claim A37-00665M: | from 7/10/1884 to 10/15/1884 |
| B. Adjudication claim A37-00666K: | from 7/10/1884 to 06/12/1886 |
| C. Adjudication claim A37-00667P: | from 7/10/1884 to 06/15/1891. |


S. N. Kessler, General Partner
HG2 Limited Partnership

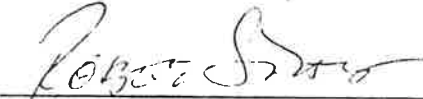

Robert Struthers, General Partner
BS Ranch Partnership

PROJECTED WATER RIGHT SPLIT - SRBA CLAIMS - IN INCHES

<u>SRBA CLAIM #</u>	<u>DECREED PRIORITY</u>		<u>OLD BS RANCH CLAIM</u>	<u>NEW HG2LP CLAIM</u>	<u>NEW BROWNING CLAIM</u>	<u>NEW BS RANCH CLAIM (1)</u>	<u>TOTAL NEW CLAIMS</u>
A37-11526	03/24/1883	CFS	1.10	0.99	0.04	0.07	1.10
		AC	617	557	20	40	617
A37-00664C	07/10/1884	CFS	1.96	1.77	0.06	0.13	1.96
		AC	617	557	20	40	617
A37-00665A	10/15/1884	CFS	2.72	2.46	0.09	0.18	2.72
		AC	617	557	20	40	617
A37-00114A	05/01/1886	CFS	2.48	2.24	0.08	0.16	2.48
		AC	617	557	20	40	617
A37-00666K	06/12/1886	CFS	4.65	4.20	0.15	0.30	4.65
		AC	617	557	20	40	617
A37-00667P	06/15/1891	CFS	9.30	8.40	0.30	0.60	9.30
		AC	617	557	20	40	617
TOTAL SURFACE RIGHTS		CFS	22.21	20.05	0.72	1.44	22.21
		AC	617	557	20	40	617
A37- 02559	Licensed 10/04/1954	CFS	6.52	6.34	0.18	0.00	6.52
		AC	553	538	15	0	553

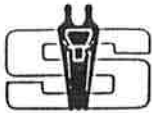
(1) 20 acres Lot 3 in SE/SE, 20 acres Lot 4 in SW/SW.


S. N. KESSLER, G/PARTNER
HG2 LIMITED PARTNERSHIP


ROBERT STRUTHERS, G/PARTNER
BS RANCH PARTNERSHIP


CARL BROWNING

C.U.
1033
20.00
3.3%



WARRANTY DEED

For Value Received **B S RANCH, A PARTNERSHIP CONSISTING OF ROBERT J. STRUTHERS, AND LAURIE ADAMSON FORMERLY KNOWN AS LAURIE STRUTHERS AND CARL BROWNING AND BARBARA BROWNING**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **HQ2 LIMITED PARTNERSHIP, AN IDAHO LIMITED PARTNERSHIP**

the Grantee whose current address is: **P.O. BOX 6250, SUN VALLEY, IDAHO 83354**

the following described premises, to-wit:

Lot 1 of B.S. RANCH SUBDIVISION, according to the official plat thereof recorded March 31, 1995 as Instrument No. _____, records of Blaine County, Idaho.

TOGETHER WITH any and all appurtenant water rights, including but not necessarily limited to, those portions of the following water rights, based on pro-rata acreage, which are appurtenant to the above described real property, identified by Idaho Department of Water Resources permit, claim and/or license numbers:

37-00577
37-00664
37-00665
37-00114
37-00666
37-00667
37-02559

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

Dated: **March 28, 1995**

B S RANCH, A PARTNERSHIP

(Partnership Name)

BY Carl W Browning
Carl Browning
BY Barbara Browning
Barbara Browning
State of **IDAHO**

By Robert J. Struthers
Robert J. Struthers
By Laurie Adamson
Laurie Adamson

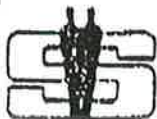
County of **BLAINE**

On this 30th day of March, 1995, before me, the undersigned, a Notary Public, in and for said State, personally appeared Robert J. Struthers, Carl Browning & Barbara Browning, known to me, or identified to me on the basis of satisfactory evidence, to be the partners of the Partnership that executed the within instrument and acknowledged to me that such partnership executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Marla G. Mink
Notary Public
Residing at: **BELLEVUE**
Commission Expires: **12/01/98-2000**





Order No. 94-06471
This form furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received B B RANCH, A PARTNERSHIP CONSISTING OF ROBERT J. STRUTHERS, AND LAURIE ADAMSON FORMERLY KNOWN AS LAURIE STRUTHERS AND CARL BROWNING AND BARBARA BROWNING

the Grantor hereby grants, bargains, sells, conveys and warrants unto CARL BROWNING AND BARBARA BROWNING, HUSBAND AND WIFE

the Grantee whose current address is: P.O. BOX 259, BELLEVUE, IDAHO 83313

the following described premises, to-wit:

Lot 4 of B.B. RANCH SUBDIVISION, according to the official plat thereof recorded March 31, 1995 as Instrument No. 376473, records of Blaine County, Idaho.

376932

Recd.

BLAINE CO. REQUEST
OF BLAINE COUNTY TITLE

'95 MAR 31 PM 2 55

MARY GREEN CLERK *mpp*

FEES \$ *3*

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

Dated: MARCH 28, 1995

B B RANCH, A PARTNERSHIP

(Partnership Name)

BY *Carl Browning*
Carl Browning

By *Robert J. Struthers*
Robert J. Struthers

BY *Barbara Browning*
Barbara Browning

By *Laurie Adamson*
Laurie Adamson

State of IDAHO

County of BLAINE

On this 30th day of March, 1995, before me, the

undersigned, a Notary Public, in and for said State, personally appeared *Robert J. Struthers, Carl Browning & Barbara Browning*

known to me, or identified to me on the basis of satisfactory

evidence, to be *The Partners* of the Partnership that executed

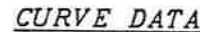
the within instrument and acknowledged to me that such partnership executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Maria J. Munk
Notary Public

(SEAL)

- ⊗ found brass cap
- found 5/8" iron pin
- set 5/8" iron pin
- found 1 1/2" iron pin
- set 1 1/2" iron pin



CURVE	DELTA	RADIUS	ARC	CH	CH BEARING
C-1	39° 58' 19"	2814.72'	1983.67'	1924.09'	S 44° 58' 60" W
C-2	89° 56' 05"	2017.52'	3166.82'	2851.58'	S 44° 59' 23" E
C-3	90° 18' 48"	2002.07'	3155.80'	2839.09'	N 44° 53' 10" E

Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Idaho Code Title 50, Chapter 13, Section 50-1326, by the issuance of a certificate of disapproval.

Date _____

South Central District Health Dept. EMS

NOTES

1. Fire Protection requirements of the Wood River Rural Fire District and Blaine County including road way access and water supply shall be met prior to issuance of a building permit.
2. All proposed utility lines shall be underground.
3. Maintenance and weed control pursuant to State regulations for all lots are the responsibility of the subdivider until the lots are sold, and thereafter the responsibility of the owners of the individual lots.
4. Fences within this subdivision shall not exceed 42 inches in height with the bottom rail a minimum of 18 inches from the ground to allow passage of wildlife.
5. This property is surrounded by active productive agricultural land. Residents and purchasers should be aware that agricultural practices such as operations occurring day and night are allowed and may result in dust, odors, use and application of agricultural chemicals, spraying, ground preparation, harvesting, etc. In addition, the roads accessing this property are used by agricultural vehicles. Such practices and uses are normal functions on agricultural lands and are not considered nuisances.
6. The decreed surface water appurtenant to this subdivision will be apportioned to each lot on a pro-rata basis.
7. An easement across property adjacent to Lot 1 on the east for the pivot is recorded under Instrument No. 240 Bb/1. Records of Blaine County, Idaho.



SAWTOOTH ENGINEERING
Civil Engineers and Land Surveyors

Boily

(208) 788-9060

Idaho

7047.DWG 8-31-94

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent TARA BACKLUND

DATE

February 28, 1997 10:32am

CUSTOMER

ROB STRUTHERS

SUBJECT: B.S. RANCH, HG2 ADJ CLAIMS
phone call (X) walk-in (.)

HE CALLED TODAY TO SEE HOW THE PROGRESS WAS GOING ON THE OWNERSHIP CHANGES/SPLIT. I TOLD HIM I WAS STILL WAITING ON DOCUMENTATION FROM THE ALL THE OWNERS. HE ASKED WHAT KIND OF DESCRIPTION WAS NEEDED. I TOLD HIM NEEDED, AS SPECIFIC AS POSSIBLE, WHICH PORTIONS OF PROPERTY WENT WITH WHICH OWNER. HE ASKED HOW TO SPLIT THE WATER. I TOLD HIM THAT WAS UP TO HIM. HE SAID HE WOULD DO IT "PRO RATA". HE SAID HE WOULD GET ME THE INFORMATION AS SOON AS POSSIBLE.



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 FAX (208) 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 15, 1996

FAX LETTER 208-788-5435

ROBERT STRUTHERS
B.S. RANCH
HAILEY ID 83333

RE: SRBA OWNERSHIP CHANGE (B.S. RANCH, BROWNING, HG2)

DEAR MR. STRUTHERS:

I HAVE BEEN REVIEWING THE PAPERWORK REGARDING THE OWNERSHIP CHANGE BETWEEN B.S. RANCH AND HG2 LIMITED PARTNERSHIP. THERE ARE SEVERAL ISSUES THAT NEED TO BE ADDRESSED.

YOU STATED IN OUR TELEPHONE CONVERSATION THAT THERE ARE THREE SEPARATE OWNERS OF THE FOUR LOTS. THIS CLAIM NEEDS TO NOW BE SPLIT THREE WAYS. A SEPARATE DEED IS NEEDED TO STATE THAT BROWNING OWNS LOT 4 SEPARATE OF B.S. RANCH.

IN STUDYING AND MAPPING OUT EXHIBIT "A", I HAVE FOUND PROBLEMS. THE LEGAL DESCRIPTION ONLY EXCLUDES LAND UNPLATTED BY THE CANAL AND 5 ACRES IN LOT 4. THE REST OF SECTION INCLUDING ALL OF LOT 2 AND 3 AND PART OF LOT 4 IS GIVEN TO HG2. THE GROUND WATER WELL (A37-02559) IS NOT ADDRESSED IN EXHIBIT "A". THE WARRANTY DEED STATES THAT IT BELONGS SOLELY TO HG2. THIS NEEDS TO BE CLARIFIED. ALSO THE AMOUNT OF WATER ON THE CLAIMS IS DIFFERENT THAN EXHIBIT "A". THERE IS APPROXIMATELY 1330 INCHES ON CLAIMS AND ONLY 1119 INCHES ON EXHIBIT "A".

I NEED TO KNOW EXACTLY HOW MANY IRRIGATED ACRES ARE OWNED BY THE PARTIES, AND EXACTLY HOW YOU WANT THE WATER SPLIT BETWEEN THE PARTIES. PLUS, IT WAS ALSO BROUGHT TO MY ATTENTION THAT THE PRIORITY DATES NEED TO BE AMENDED. MOST OF THE CLAIMS STATE A 7/10/1884 PRIORITY DATE WHEN EXHIBIT "A" STATES DIFFERENT DATES.

I AM FAXING A NEW OWNERSHIP CHANGE FORM, PLEASE REVIEW THIS AND CALL IF YOU HAVE ANY QUESTIONS ON WHAT IS NEEDED. MY HOURS ARE FROM 10:00 AM TO 5:00 PM, MONDAY-FRIDAY. PLEASE CALL ME AND WE WILL GET THESE CLAIMS IN THE CORRECT FORM. THANKS FOR YOUR COOPERATION.

Claimants Names:

Prairie Sun Ranch Owners Assn. Inc.

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
JAN 17 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

ORIGINAL IN RED

**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, Prairie Sun Ranch Owners Assn. Inc. for the following water right which is not the subject of a subcase: 37-21046.

DATED this 16 day of January, 2007.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 16 day of January, 2007, 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

12/18/2006

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

RIGHT NUMBER: 37-21046

NAME AND ADDRESS: PRAIRIE SUN RANCH OWNERS ASSN INC
PO BOX 1151
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.990 CFS

PRIORITY DATE: 10/04/1954

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T01N R19E S29 NWNENW 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	5.990 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R19E S29	NENE	25.00	T01N R19E S29	NWNE	40.00
T01N R19E S29	SWNE	38.00	T01N R19E S29	SENE	4.00
T01N R19E S29	NENW	37.00	T01N R19E S29	NWNW	19.00
T01N R19E S29	SWNW	38.00	T01N R19E S29	SENW	40.00
T01N R19E S29	NESW	40.00	T01N R19E S29	NWSW	39.00
T01N R19E S29	SWSW	18.00	T01N R19E S29	SESW	38.00
T01N R19E S29	NESE	37.00	T01N R19E S29	NWSE	40.00
T01N R19E S29	SWSE	39.00	T01N R19E S29	SESE	19.00

511 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 511 acres in a single irrigation season. Combined Right Nos.: 37-20951, 37-20970, 37-20989, 37-21008, 37-21027, 37-21065, 37-21046, and 37-21084.

This right is limited to the irrigation of 441.9 acres within the place of use described above in a single irrigation season.

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

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

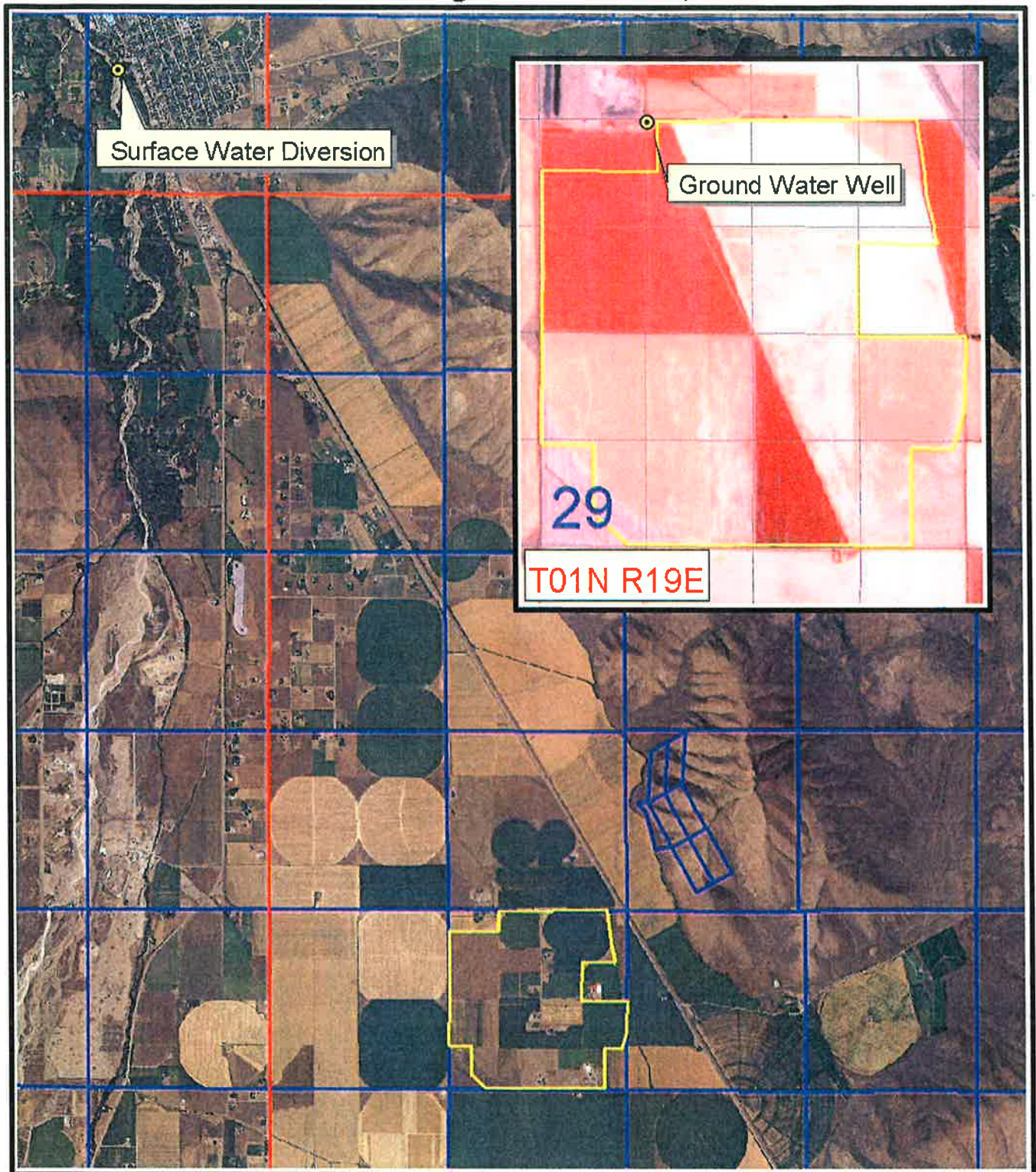
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NO. 37-21084 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-2559A.

IDAHO DEPARTMENT OF WATER RESOURCES

Surface Water Rights: 37-20951, 37-20970,
37-20989, 37-21008, 37-21027, 37-21065
Ground Water Rights: 37-21046, 37-21084



LEGEND

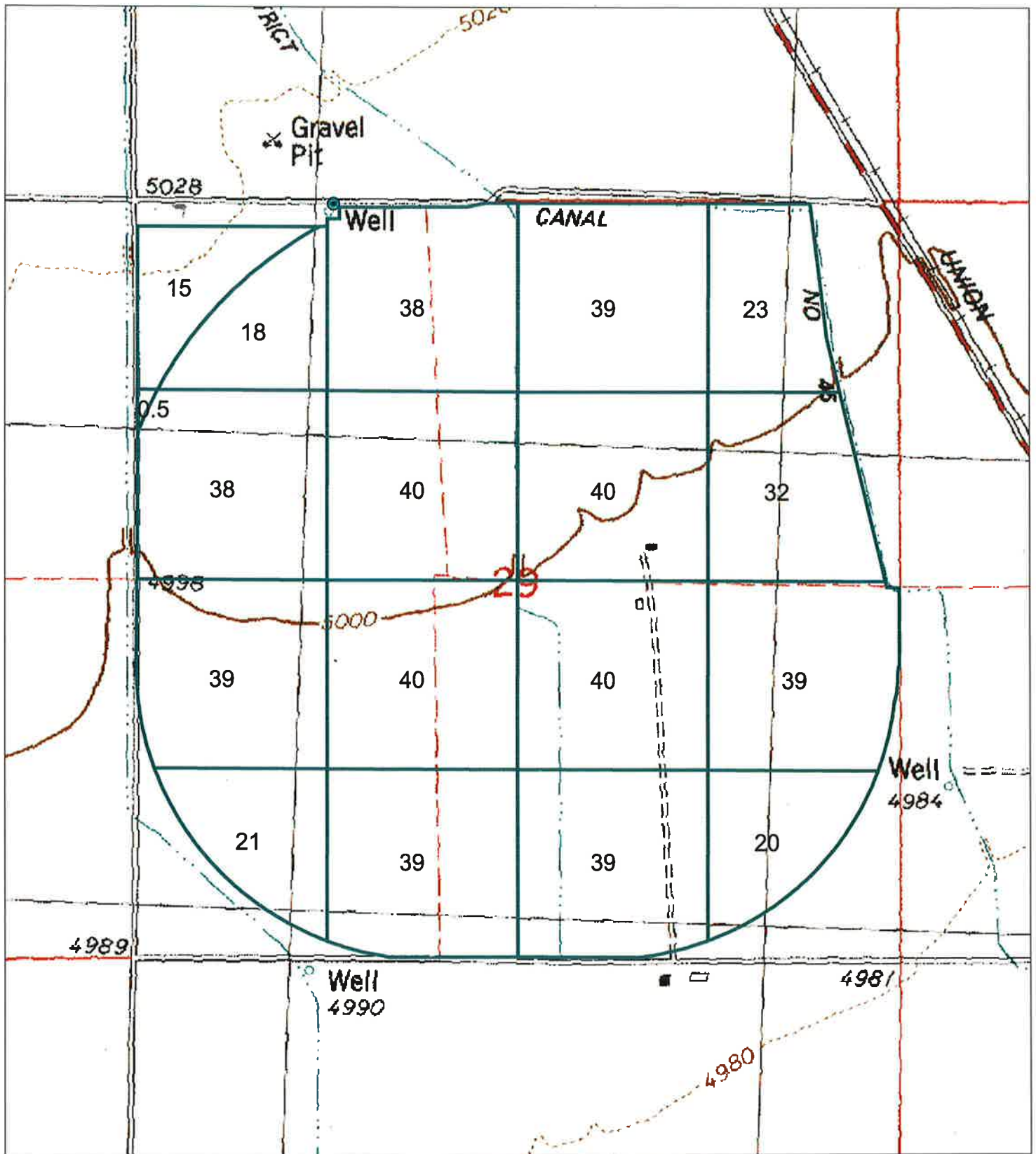
-  POU
-  POD
-  Township Boundaries
-  Sections
-  GCD

3960 0 3960 Feet



GIS PLACE OF USE PRESENTATION
PHOTOGRAPHY: 2004 NAIP
DATA ENTRY: 12/11/2006
TARA D BAKER

IDAHO DEPARTMENT OF WATER RESOURCES



660 0 660 1320 Feet



Prairie Sun, BS Ranches, Browning

**ROBERTSON, HEPWORTH, SLETTE,
WORST & STOVER,
P.L.L.C.**

ATTORNEYS AT LAW

303 Shoshone Street North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

J. EVAN ROBERTSON
JEFFREY J. HEPWORTH
GARY D. SLETTE
RICHARD J. "TUG" WORST
TIMOTHY J. STOVER



TIMOTHY J. STOVER
Tstover@idalawyer.com

RECEIVED

MAY 03 2002

Department of Water Resources
Southern Region

May 2, 2002

Doug Jones
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

**RE: HG2 Limited Partnership/Prairie Sun Ranch Water Rights
Water Right Nos.: 37-2559 and 37-20626**

Dear Doug:

When we last spoke regarding the proposed changes to the above referenced rights, you indicated that you needed to meet with Rob Struthers to get things finalized and would invite me to that meeting. I wanted to follow up that conversation to determine if you have set up an appointment so that I can make sure my calendar is clear for that date. Please let me know where we are at in this process.

Thank you for your attention to this matter. Should you have any questions or comment, please contact me.

Yours truly,

TIMOTHY J. STOVER

TJS:jl

cc: Steve Kessler

!jll\ts\letter\IDWR-Jones

(541) 504-5234

HG2 LIMITED PARTNERSHIP

Fax (541) 504-5237

855 Victoria Falls Drive
Redmond, OR 97756
4/3/2001

John Freitag (By Fax: 208-736-3037)
IDWR Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: Splits of Water Right Ownership

Confirming our phone conversation, this letter is to:

(A) Request a clarification of IDWR's documentation of our 3/28/97 request (copy attached) to amend a Notice of Change of Water Right Ownership which had been prepared and submitted to IDWR 3/30/95. The IDWR "Change of Ownership" forms attached to the letter of 3/28/97, along with a "Projected Water Right Split" array signed by all parties, provided for a split of claim A37-02559 CFS and acres as agreed to between the parties. The IDWR Notice of Claim for A37-02559A (Lot 1 / HG2's portion of the split) has allocated the CFS as requested, but has allocated the irrigated acres differently: 533 to Lot 1 (HG2) and 20 to Lot 4 of BS Ranch, rather than the requested 538 to Lot 1 and 15 to Lot 4 of BS Ranch.

(B) Request a clarification of the proper method of splitting water rights at the time of a subdivision of property. Lot 1 of BS Ranch Subdivision is being subdivided into nineteen (19) smaller farms, as shown on the attached Final Plat. A piped irrigation distribution system has been installed, so the point of diversion will be unchanged. Given the number of "Change of Ownership" forms to eventually be submitted, it will help HG2, IDWR, and the new owners to submit the forms with the correct prorations from day 1.

1) The Big Wood River water rights held by HG2 for Lot 1 of BS Ranch apply to "place of use" totaling 557 acres. After platting roads, the total acreage of the 19 parcels remaining is 539.18 acres. Is it correct to prorate the total Lot 1 CFS and consumptive use over the 539.18 acres, thereby slightly increasing the CFS and consumptive use per acre?

2) The groundwater rights held by HG2 for Lot 1 of BS Ranch apply to "place of use" totaling 538 (533?) acres. After platting roads, the total acreage of the 19 parcels remaining is 539.18 acres. Is it correct to prorate the total Lot 1 CFS and consumptive use over the 539.18 acres, thereby slightly decreasing the CFS and consumptive use per acre?

Thank you for your attention to these questions. Please call me at 1-541-504-5234 once you have had a chance to review the situation.



S. N. Kessler, General Partner
HG2 Limited Partnership
Attachments: (A) 3/97 Submission, (B) New Plat



COPY

(A)

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

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) _____
 Adjudication Claim Number(s) A37-02559

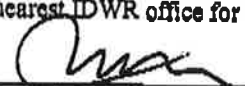
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT 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) B. S. RANCH
388 GANNETT ROAD, BELLEVUE, ID 83313

4. New Owner/Claimant(s) HG2 LIMITED PARTNERSHIP
 New Mailing Address PO BOX 6250 Name connector (Check one): [] AND, [] OR, [] AND/OR
 City, State and ZIP Code SUN VALLEY, ID 83354
 New Telephone Number (208) 622-7119

5. Date you acquired the property 3-30-95

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 538 Number and type of stock 0
 Diversion rate in CFS PRORATA cubic feet per second Number of homes 0 Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)  Date 3/25/97
HG2 Limited Partnership
S. N. Kessler, General Partner 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.

COPY

(A)

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

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) _____
 Adjudication Claim Number(s) A37-02559

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) B. S. RANCH
388 GANNETT ROAD, BELLEVUE, ID 83313

4. New Owner/Claimant(s) BROWNING, CARL OR BARBARA
Name connector (Check one): () AND, () OR, () AND/OR
 New Mailing Address PO BOX 259
 City, State and ZIP Code BELLEVUE, ID 83313
 New Telephone Number (208) 788-9673

5. Date you acquired the property 3-30-95

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 15 Number and type of stock 0
 Diversion rate in CFS PRORATA cubic feet per second Number of homes 0 Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) _____ Date _____
 _____ 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.

(A)

(208) 622-7119

HG2 LIMITED PARTNERSHIP

Fax (208) 622-8910

PO BOX 6250

SUN VALLEY, IDAHO 83354

3/28/97

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

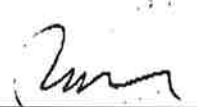
COPY**Re: Change of Water Right Ownership**

This letter is to clarify and amend a Notice of Change of Water Right Ownership prepared and submitted to IDWR 3/30/95. At that time, HG2 Limited Partnership (HG2LP) purchased Lot 1 of BS Ranch Subdivision from BS Ranch Partnership (BSRP). The Notice, in error, transferred all of the water rights associated with the BS Ranch Subdivision to HG2LP, rather than a prorata share. In addition, IDWR has informed Rob Struthers, a general partner of BSRP, that the decreed priority dates of some of the claims may be incorrect. The following are herein submitted to be substituted for the incorrect submission of 3/30/95:

1. Notice of Change for the transfer of surface water rights from BSRP to HG2LP.
2. Notice of Change for the transfer of surface water rights from BSRP to Carl or Barbara Browning.
3. Notice of Change for the transfer of ground water rights from BSRP to HG2LP.
4. Notice of Change for the transfer of ground water rights from BSRP to Carl or Barbara Browning.
5. A copy of the warrantee deed from BSRP to HG2LP.
6. A copy of the warrantee deed from BSRP to Carl and Barbara Browning.
7. An attachment displaying the understanding of all parties as to the prorata split of the rights.

The priority dates of the following SRBA claims should be corrected as indicated:

- | | |
|-----------------------------------|-------------------------------|
| A. Adjudication claim A37-00665M: | from 7/10/1884 to 10/15/1884 |
| B. Adjudication claim A37-00666K: | from 7/10/1884 to 06/12/1886 |
| C. Adjudication claim A37-00667P: | from 7/10/1884 to 06/15/1891. |


S. N. Kessler, General Partner
HG2 Limited Partnership


Robert Struthers, General Partner
BS Ranch Partnership

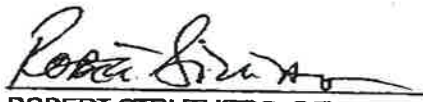
PROJECTED WATER RIGHT SPLIT - SRBA CLAIMS - IN INCHES

COPY

<u>SRBA CLAIM #</u>	<u>DECREED PRIORITY</u>		<u>OLD BS RANCH CLAIM</u>	<u>NEW HG2LP CLAIM</u>	<u>NEW BROWNING CLAIM</u>	<u>NEW BS RANCH CLAIM (1)</u>	<u>TOTAL NEW CLAIMS</u>
A37-11526	03/24/1883	CFS	1.10	0.99	0.04	0.07	1.10
		AC	617	557	20	40	617
A37-00664C	07/10/1884	CFS	1.96	1.77	0.06	0.13	1.96
		AC	617	557	20	40	617
A37-00665A	10/15/1884	CFS	2.72	2.46	0.09	0.18	2.72
		AC	617	557	20	40	617
A37-00114A	05/01/1886	CFS	2.48	2.24	0.08	0.16	2.48
		AC	617	557	20	40	617
A37-00666K	06/12/1886	CFS	4.65	4.20	0.15	0.30	4.65
		AC	617	557	20	40	617
A37-00667P	06/15/1891	CFS	9.30	8.40	0.30	0.60	9.30
		AC	617	557	20	40	617
TOTAL SURFACE RIGHTS		CFS	22.21	20.05	0.72	1.44	22.21
		AC	617	557	20	40	617
A37- 02559	<u>Licensed</u> 10/04/1954	CFS	6.52	6.34	0.18	0.00	6.52
		AC	553	538	15	0	553

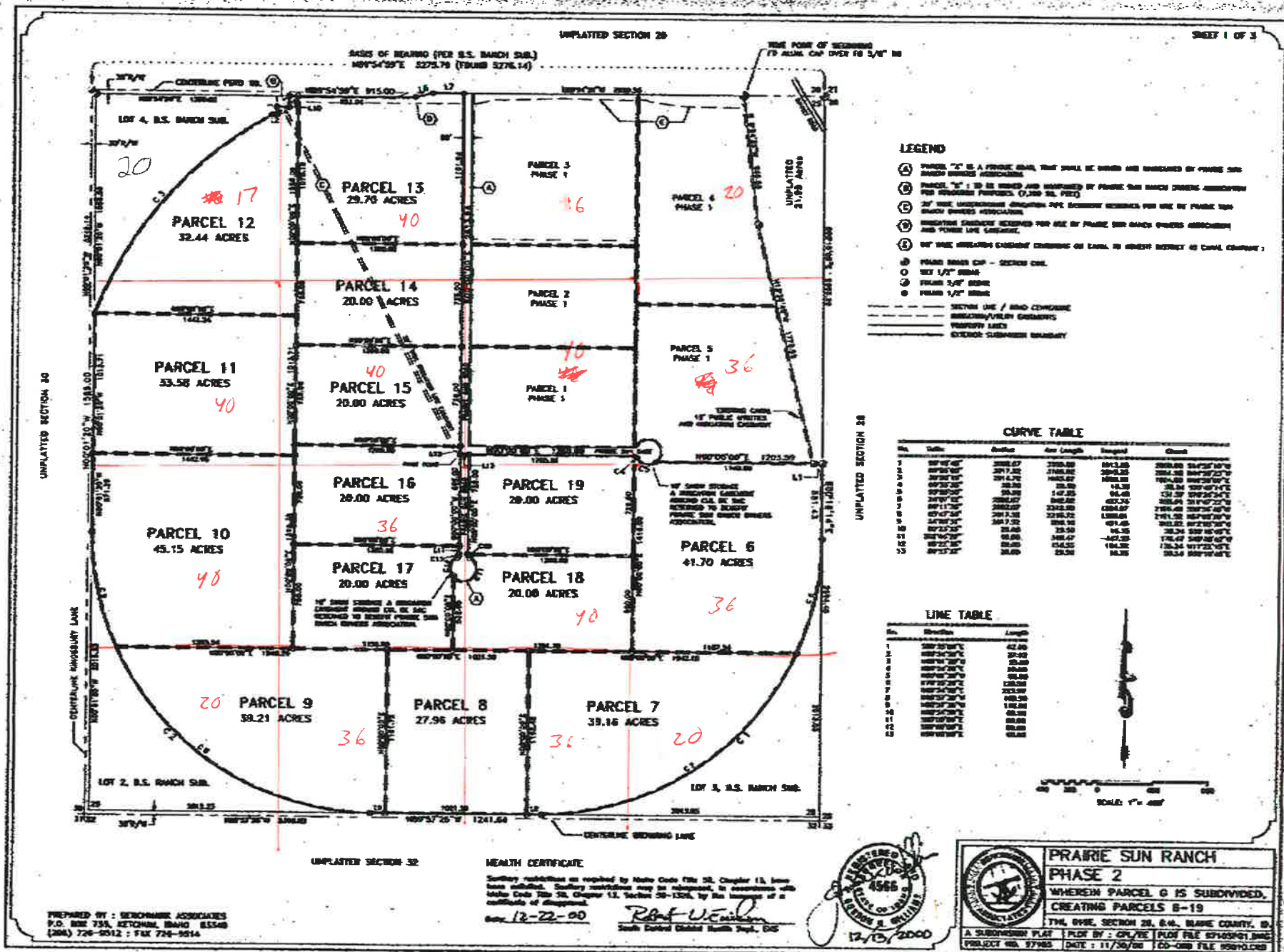
(1) 20 acres Lot 3 in SE/SE, 20 acres Lot 4 in SW/SW.


S. N. KESSLER, G/PARTNER
HG2 LIMITED PARTNERSHIP


ROBERT STRUTHERS, G/PARTNER
BS RANCH PARTNERSHIP

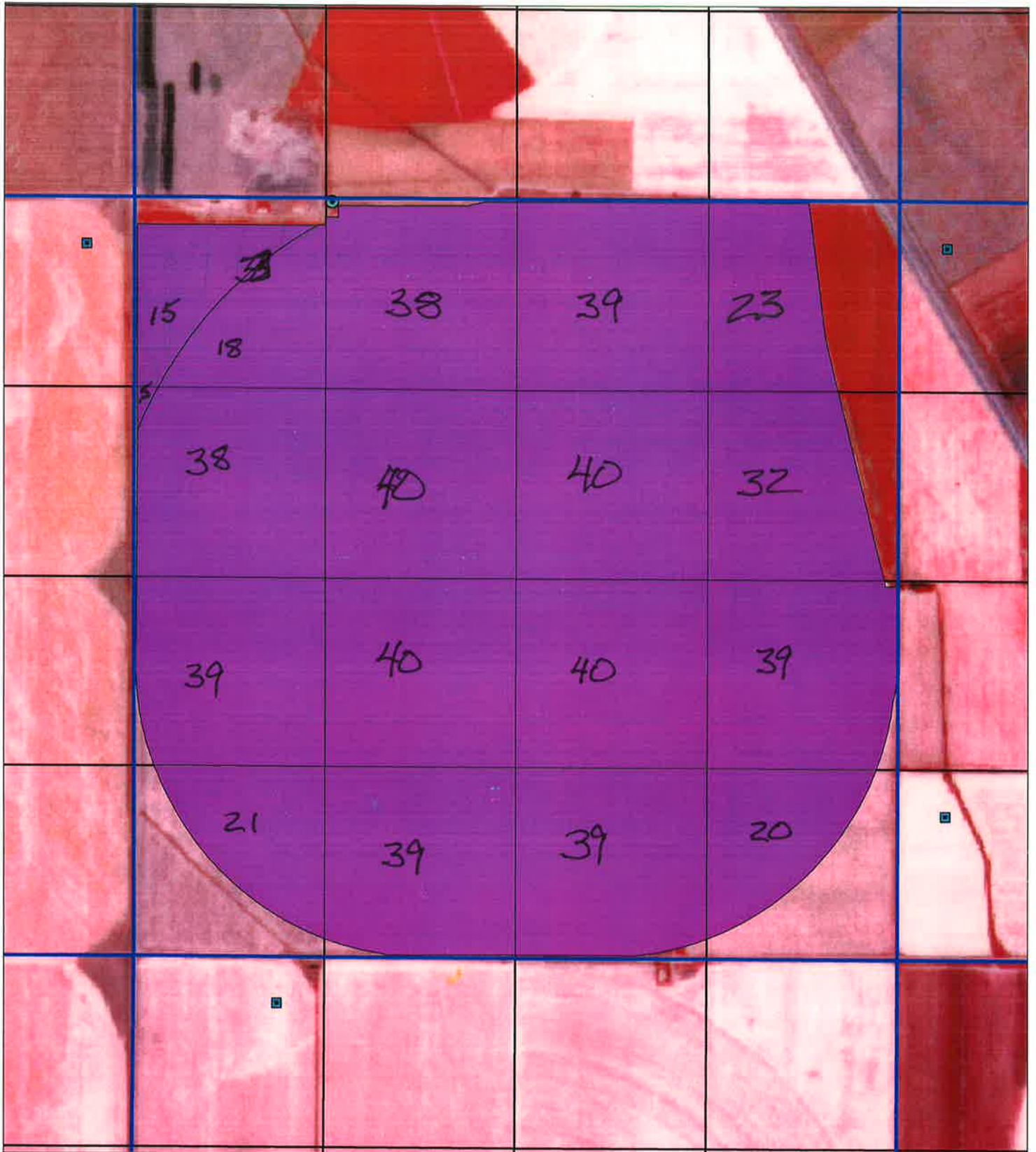

CARL BROWNING

(A)



<u>Basin</u>	<u>Sequenc</u>	<u>Split</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Da</u>	<u>Diversi</u>	<u>Source List</u>	<u>Water Use Li</u>	<u>Owner List</u>			
37	664		Decreed	Active	1884-07-10	4.4	BIG WOOD RI	IRRIGATION	UTAH & IDAHO IMPROVEMENT CO (Current)			
37	665	C	Decreed	Active	1884-10-15	24.64	BIG WOOD RI	IRRIGATION	UTAH & IDAHO IMPROVEMENT CO (Current)			
37	666	A	Decreed	Active	1886-06-12	17.66	BIG WOOD RI	IRRIGATION	UTAH & IDAHO IMPROVEMENT CO (Current)			
37	667	E	Decreed	Active	1891-06-15	20.9	BIG WOOD RI	IRRIGATION	UTAH & IDAHO IMPROVEMENT CO (Current)			
37	2559		License	Active	10/4/1954	6.52	GROUND WA	IRRIGATION	BROWNING, CHARLIE (Current)			

Basin	Sequencer	Split	Basis	Status	Priority Date	Diversified	Source List	Water Owner List	Version Number				
37	114	A		See Rema	1886-05-01	2.48	BIG WOOD RIVER	IRRIGATION					
37	114	D	Decree	Active	1886-05-01	0.16	BIG WOOD RIVER	IRRIGATION	B S RANCH (Current)				
37	114	E	Decree	Active	1886-05-01	2.24	BIG WOOD RIVER	IRRIGATION	HG2 LIMITED PARTNERSHIP (Current)				
37	114	F	Decree	Active	1886-05-01	0.08	BIG WOOD RIVER	IRRIGATION	BROWNING, BARBARA (Current); BROWNING, CARL (Current)				
37	577	BK		See Rema	1881-07-01	1.1	BIG WOOD RIVER	IRRIGATION					
37	664	A		See Rema	1884-07-10	2	BIG WOOD RIVER	IRRIGATION					
37	664	C		See Rema	1884-07-10	1.96	BIG WOOD RIVER	IRRIGATION					
37	664	D	Decree	Active	1884-07-10	0.06	BIG WOOD RIVER	IRRIGATION	DOUTHIT, ELLEN (Current); DUDLEY, SHARON (Current)				
37	664	E	Decree	Active	1884-07-10	0.13	BIG WOOD RIVER	IRRIGATION	B S RANCH (Current)				
37	664	F	Decree	Active	1884-07-10	1.77	BIG WOOD RIVER	IRRIGATION	HG2 LIMITED PARTNERSHIP (Current)				
37	664	G	Decree	Active	1884-07-10	0.06	BIG WOOD RIVER	IRRIGATION	BROWNING, BARBARA (Current); BROWNING, CARL (Current)				
37	665	C	Decree	Temporary	1884-10-15	24.64	BIG WOOD RIVER	IRRIGATION	UTAH & IDAHO IMPROVEMENT CO (Current)				
37	665	E		See Rema	1884-10-15	2.8	BIG WOOD RIVER	IRRIGATION					
37	665	M		See Rema	1884-07-10	2.72	BIG WOOD RIVER	IRRIGATION					
37	665	N	Decree	Active	1884-07-10	0.08	BIG WOOD RIVER	IRRIGATION	DOUTHIT, ELLEN (Current); DUDLEY, SHARON (Current)				
37	665	P	Decree	Active	1884-07-10	0.18	BIG WOOD RIVER	IRRIGATION	B S RANCH (Current)				
37	665	Q	Decree	Active	1884-07-10	2.46	BIG WOOD RIVER	IRRIGATION	HG2 LIMITED PARTNERSHIP (Current)				
37	665	R	Decree	Active	1884-07-10	0.09	BIG WOOD RIVER	IRRIGATION	BROWNING, BARBARA (Current); BROWNING, CARL (Current)				
37	666	K		See Rema	1884-07-10	4.65	BIG WOOD RIVER	IRRIGATION					
37	666	L	Decree	Active	1884-07-10	0.15	BIG WOOD RIVER	IRRIGATION	DOUTHIT, ELLEN (Current); DUDLEY, SHARON (Current)				
37	666	M	Decree	Active	1884-07-10	0.3	BIG WOOD RIVER	IRRIGATION	B S RANCH (Current)				
37	666	N	Decree	Active	1884-07-10	4.2	BIG WOOD RIVER	IRRIGATION	HG2 LIMITED PARTNERSHIP (Current)				
37	666	P	Decree	Active	1884-07-10	0.15	BIG WOOD RIVER	IRRIGATION	BROWNING, BARBARA (Current); BROWNING, CARL (Current)				
37	667	E		See Rema	1891-06-15	20.9	BIG WOOD RIVER	IRRIGATION					
37	667	G		See Rema	1891-06-15	9.6	BIG WOOD RIVER	IRRIGATION					
37	667	P		See Rema	1884-07-10	9.3	BIG WOOD RIVER	IRRIGATION					
37	667	Q	Decree	Active	1884-07-10	0.3	BIG WOOD RIVER	IRRIGATION	DOUTHIT, ELLEN (Current); DUDLEY, SHARON (Current)				
37	667	R	Decree	Active	1884-07-10	0.6	BIG WOOD RIVER	IRRIGATION	B S RANCH (Current)				
37	667	S	Decree	Active	1884-07-10	8.4	BIG WOOD RIVER	IRRIGATION	HG2 LIMITED PARTNERSHIP (Current)				
37	667	T	Decree	Active	1884-07-10	0.3	BIG WOOD RIVER	IRRIGATION	BROWNING, BARBARA (Current); BROWNING, CARL (Current)				
37	2559			See Rema	10/4/1954	6.52	GROUND WATER	IRRIGATION					
37	2559	A	Licenses	Active	10/4/1954	6.34	GROUND WATER	IRRIGATION	HG2 LIMITED PARTNERSHIP (Current)				
37	2559	B	Licenses	Active	10/4/1954	0.18	GROUND WATER	IRRIGATION	BROWNING, BARBARA (Current); BROWNING, CARL (Current)				
37	2559	C		See Rema	10/4/1954	6.52	GROUND WATER	IRRIGATION					
37	11353		Beneficial	Active	9/1/1981	0.06	GROUND WATER	IRRIGATION	BROWNING, BARBARA (Current); BROWNING, CARL (Current)				
37	11526			See Rema	1883-03-24	1.1	BIG WOOD RIVER	IRRIGATION					
37	11526	A	Decree	Active	1883-03-24	0.99	BIG WOOD RIVER	IRRIGATION	HG2 LIMITED PARTNERSHIP (Current)				
37	11526	B	Decree	Active	1883-03-24	0.04	BIG WOOD RIVER	IRRIGATION	BROWNING, BARBARA (Current); BROWNING, CARL (Current)				
37	11526	C	Decree	Active	1883-03-24	0.07	BIG WOOD RIVER	IRRIGATION	B S RANCH (Current)				



1320 0 1320 2640 Feet

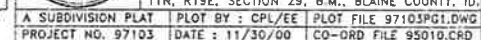
This show, Subd per plat & represents pivot with end gun

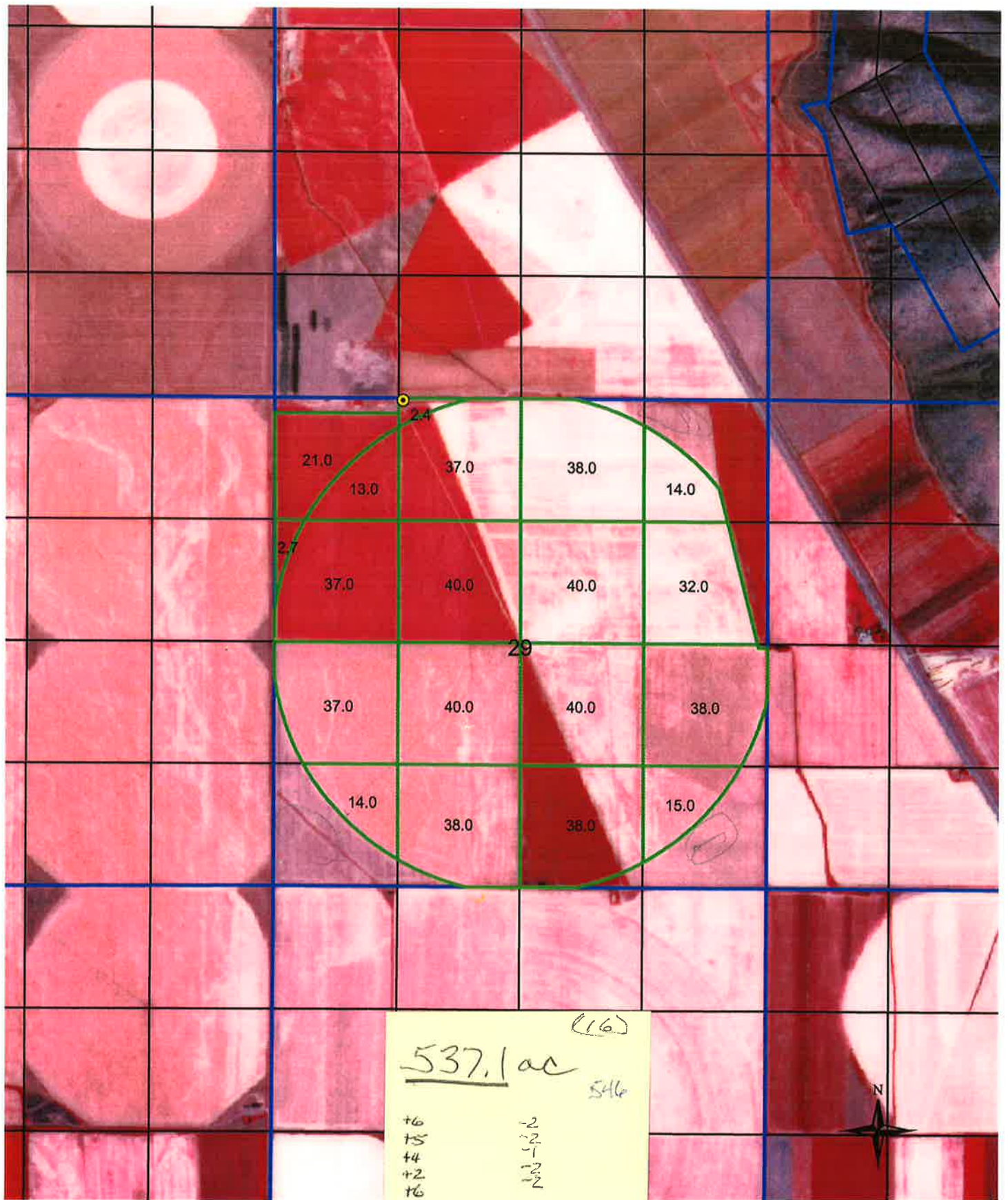
560.5



Prairie Sun, BS Ranches, Browning

1/18/02, D Jones





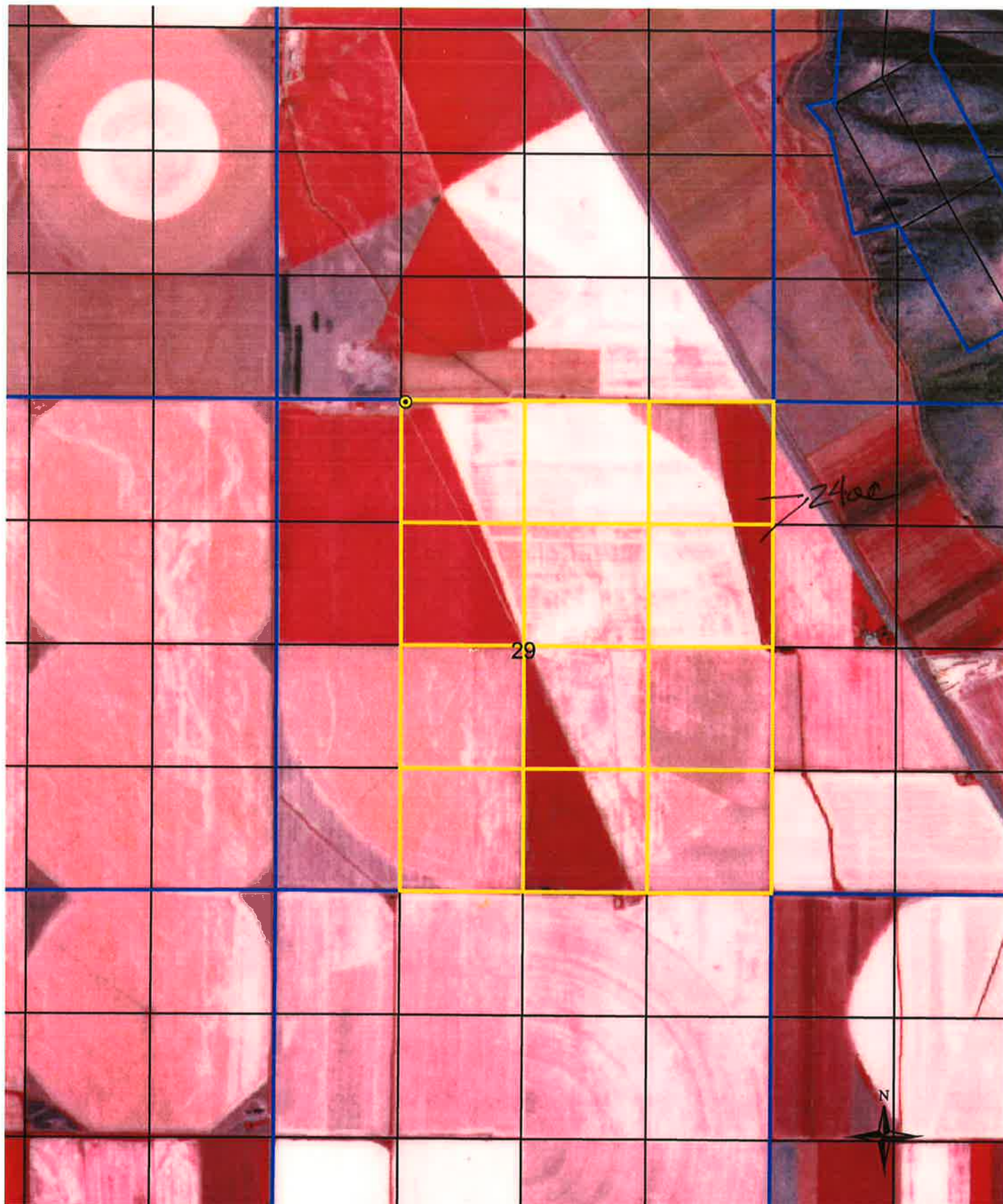
SRBA Claimed
Place of Use
37-2559A

T1N R19E S29

*This shows pivot
without end gun*

1320 0 1320 2640 Feet

10/2001
D. Jones

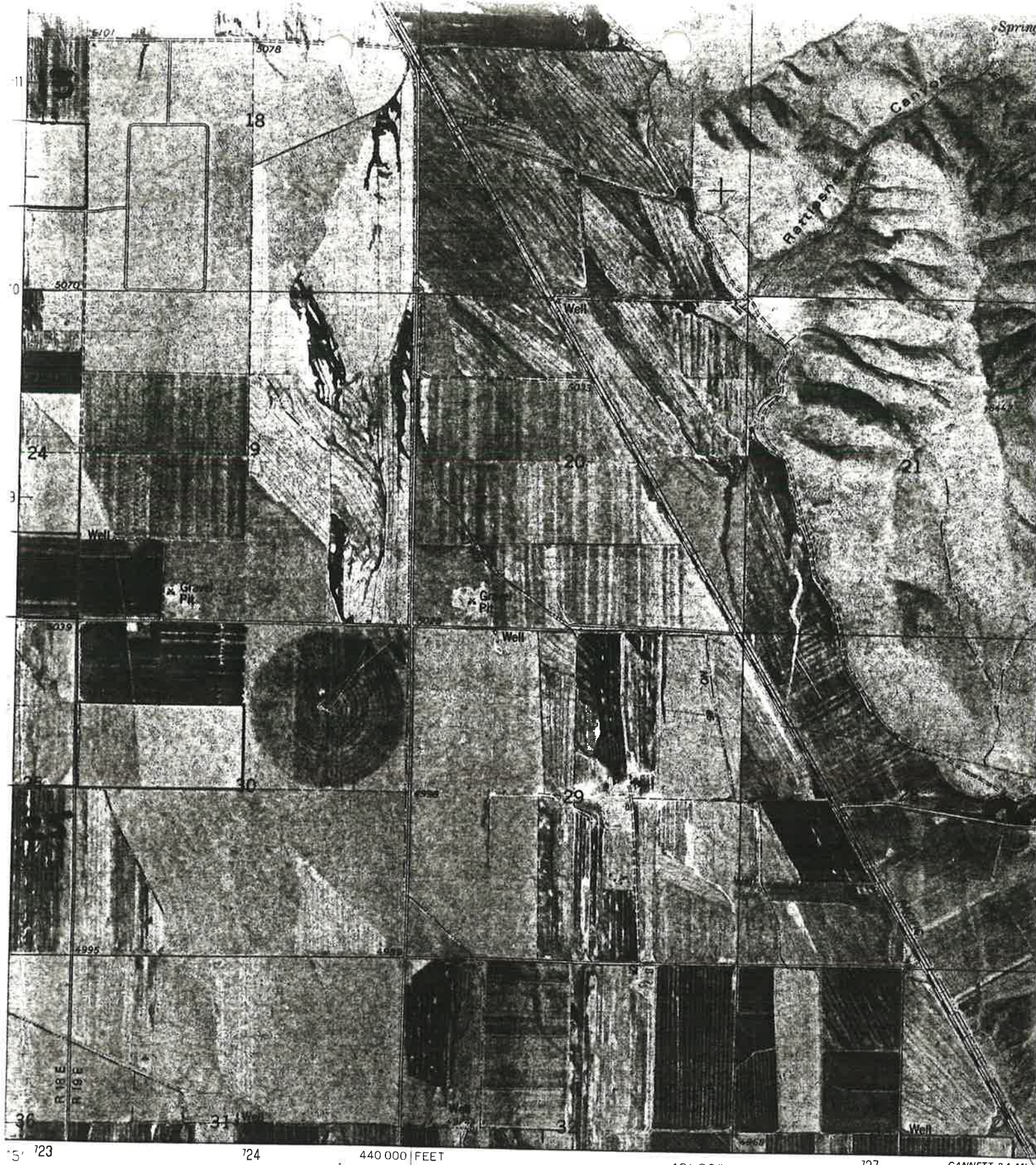


Original License
Place of Use
37-2559

T1N R19E S29

1320 0 1320 2640 Feet

10/2001
D. Jones

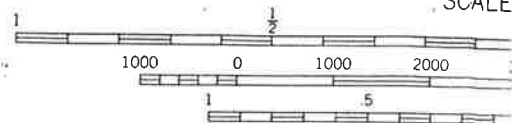


Produced by the Geological Survey
in cooperation with the Soil Conservation Service

Orthophotograph prepared from 1:80,000-scale
aerial photographs taken July 24, 1974

Projection and 10,000-foot grid ticks
Idaho coordinate system, central zone
(transverse Mercator)

1,000-meter Universal Transverse Mercator grid ticks,
zone 11. 1927 North American datum



GANNETT 2.1 MI.
CAREY 16 MI.



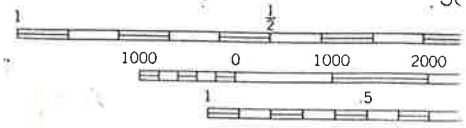
15° 723 724 440 000 FEET 12' 30" 727

GANNETT 2.
CAREY 11

Produced by the Geological Survey
in cooperation with the Soil Conservation Service

Orthophotograph prepared from 1:80,000-scale
aerial photographs taken July 24, 1974

Projection and 10,000-foot grid ticks
Idaho coordinate system, central zone
(transverse Mercator)
1000-meter Universal Transverse Mercator grid ticks,



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 37-2559A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HG2 LIMITED PARTNERSHIP 855 VICTORIA FALLS DR REDMOND, OR 97756 (541)504-5234
Original Owner	CHARLIE BROWNING INC C/O BS RANCH BOX 610 HAILEY, ID 83333 (208)788-4613
Original Owner	BS RANCH PO BOX 610 HAILEY, ID 83333 (208)788-4613

Priority Date: 10/04/1954
Basis: License
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	6.34 CFS		
Total Diversion			6.34 CFS		

Location of Point(s) of Diversion:

GROUND WATER NWNENW Sec. 29 Township 01N Range 19E BLAINE County

IRRIGATION Use:
Acre Limit: 533

Place(s) of use:

Place of Use Legal Description: IRRIGATION

BLAINE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01N	19E	29		NENE	20		NWNE	36		SWNE	40		SENE	36
				NENW	40		NWNW	17		SWNW	40		SENW	40
				NESW	36		NWSW	40		SWSW	20		SESW	36
				NESE	36		NWSE	40		SWSE	36		SESE	20

Total Acres: 533

Remarks:

1. OTHER WR NUMBERS: A37-00114A A37-00664A A37-00665E A37-00666C A37-00667G A37-11526|
CHANGE IN OWNERSHIP DID NOT CHANGE P/U ON THIS CLAIM BUT HAS CHANGED THE ABOVE
LISTED RIGHTS; SOME SPLITS HAVE OCCURRED.

OWNERSHIP CHANGE MADE 10/12/95 BY TLB.

OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-02559.
HG2 OWNS "A" PORTION AND BROWNINGS OWNS "B" PORTION. TLB 7/1/97
8/5/98 TF; ADDRESS CHANGED PER REQUEST FROM S.N. KESSLER GENERAL PARTNER HG2 LTD
PARTNERSHIP.

12/20/00 tf; address changed per request received 12/20/00.

Dates:

Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): X777777
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

State of Idaho License and Certificate of Water Right

Water License No. 0-25212

Amount 6.52 c.f.s.

Water District No. _____

Priority October 4, 1954

THIS IS TO CERTIFY that CHARLIE BROWNING
of Gannett, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 4, 19 54; that Permit No. 0-25212
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
6.52 second feet, was issued thereunder on November 19, 19 58, showing that said works
were completed on the 11th day of October, 19 57; and that on the 11th
day of October, 19 57, CHARLIE BROWNING

of Gannett, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
a tributary of subterranean, for the purpose of Irrigation
under Use Permit No. 0-25212 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6536, on the 19th day of November, 19 58;
The right hereby confirmed dates from October 4, 19 54;

The Point of Diversion is located
in the NE 1/4 NW 1/4, Sec. 29, Tp. 1 N., R. 19 E., B. M. County Blaine
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 6.52 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	19 E.	29	NE NE	25	40
			NW NE	40	40
			SW NE	40	40
			SE NE	40	40
			NE SE	40	40
			NW SE	40	40
			SW SE	40	40
			SE SE	40	40
			NE NW	40	40
			SE NW	40	40
			NE SW	40	40
			SE SW	40	40
			Total number of acres irrigated - - -		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
19th day of November, 19 58.

/s/ Geo. N. Carter

State Reclamation Engineer.

(SEAL)