

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 37-21084  
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: 04/15/1985

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, 100 HP PUMP, 200 HP RELIFT PUMP TO PIVOT AND CORNERS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 0.86   | 259.1      |

7. Total Quantity Appropriated is:  
0.86 C.F.S. and/or 259.1 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    |
|               |       |         | SW  | NE     |     | IRRIGATION | 39    |
|               |       |         | SE  | NE     |     | IRRIGATION | 4     |
|               |       |         | 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 | 38    |
|               |       |         | NW  | SE     |     | IRRIGATION | 40    |
|               |       |         | SW  | SE     |     | IRRIGATION | 39    |
|               |       |         | SE  | SE     |     | IRRIGATION | 20    |
| 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:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-20736.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 37-21046 PURSUANT TO SECTION 42-1426, IDAHO CODE.

15. Basis of Claim: Beneficial Use

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 37-20736  
Date Received: 7/3/2002  
Receipt No:  
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: 04/15/1985

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, 100 HP PUMP, 200 HP RELIFT PUMP TO PIVOT AND CORNERS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 0.91   | 274.2      |

7. Total Quantity Appropriated is:  
0.91 C.F.S. and/or 274.2 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    |
|               |       |         | SW  | NE     |     | IRRIGATION | 40    |
|               |       |         | SE  | NE     |     | IRRIGATION | 32    |
|               |       |         | NE  | 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    |
|               |       |         | NW  | SE     |     | IRRIGATION | 40    |
|               |       |         | SW  | SE     |     | IRRIGATION | 39    |
|               |       |         | SE  | SE     |     | IRRIGATION | 20    |
|               |       |         | NW  | NW     |     | IRRIGATION | 18    |
|               |       |         | SW  | NW     |     | IRRIGATION | 38    |
| 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

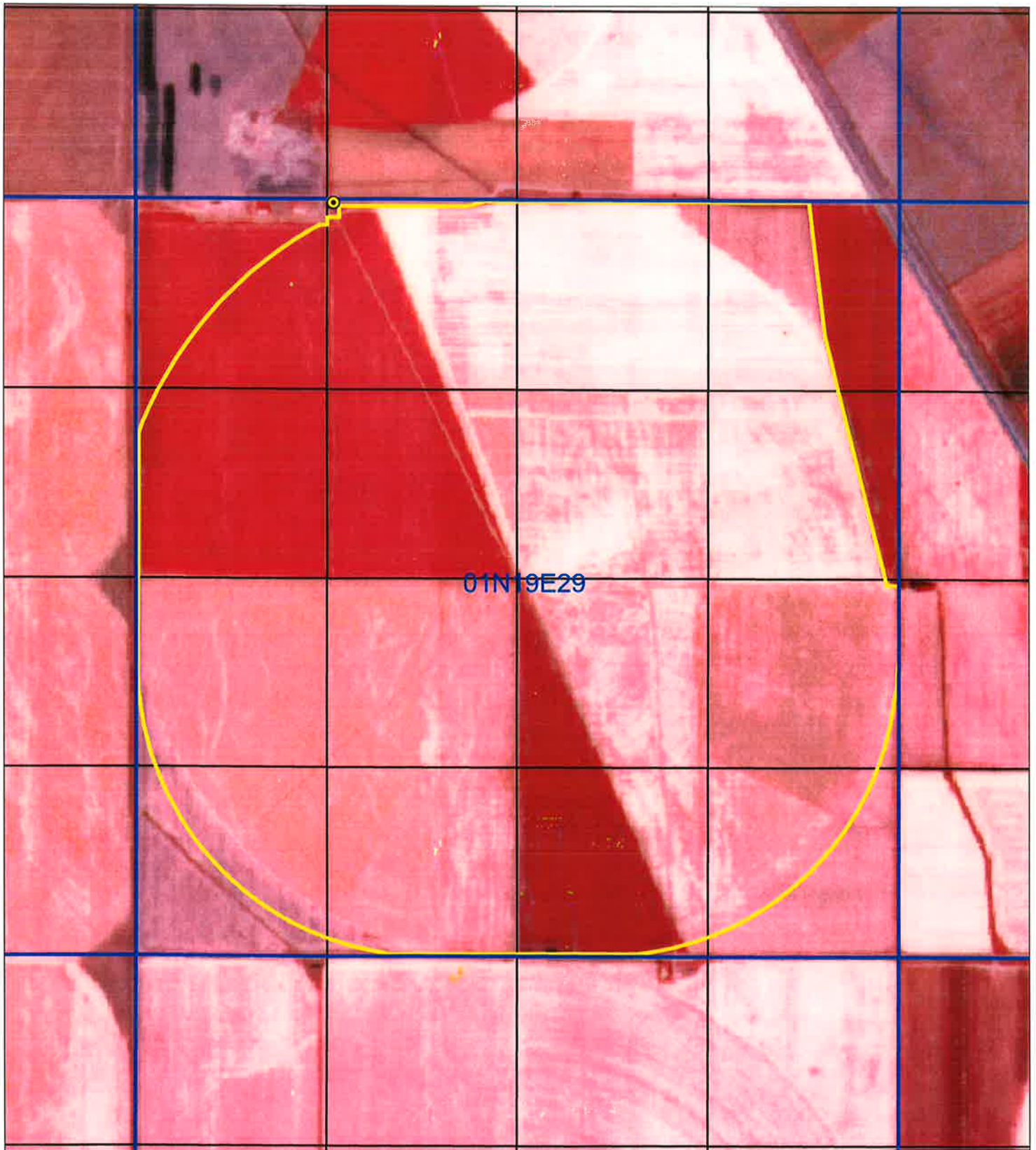
13. Other Water Rights Used:

14. Remarks:

THIS ENLARGEMENT RIGHT (PURSUANT TO IC 42-1426) WAS FORMERLY PART OF 37-2559 AND RECENTLY CLAIMED SEPARATELY AND SPLIT BY PREVIOUS OWNER CHANGE. THIS RIGHT WHEN COMBINED WITH 37-2559A IS LIMITED TO THE DIVERSION OF 6.34 CFS AND A VOLUME OF 1907.5 AF. PLACE OF USE AKA PRAIRIE SUN SUBDIVISION.

15. Basis of Claim: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES



01N19E29

37-2559A & 37-20736



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 37-21084  
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)

LYNN BONTRAGER LLC Phone: (208) 788-3690  
PO BOX 2092  
KETCHUM ID 83340

2. Date of Priority: 04/15/1985

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, 100 HP PUMP, 200 HP RELIFT PUMP TO PIVOT AND CORNERS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 0.03   | 10.1       |

7. Total Quantity Appropriated is:  
0.03 C.F.S. and/or 10.1 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      | SW         | NE  | IRRIGATION    | 20    |
|          |       |         |            |     | Section Acres | 20    |
|          |       |         |            |     | Total Acres   | 20    |

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:

PROPERTY IS ALSO KNOWN AS PARCEL 1, PRAIRIE SUN RANCH.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 37-21046 PURSUANT TO SECTION 42-1426, IDAHO CODE.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-20736.

15. Basis of Claim: Beneficial Use

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

P#1

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| A37-11526A            | A37-11526A                   | ✓     | A37-00667S            | A37-00667S                   | ✓     |
| A37-00664F            | A37-00664F                   | ✓     | 37-2559A              | 37-2559A                     | ✓     |
| A37-00665Q            | A37-00665Q                   | ✓     | 37-20736              | 37-20736                     | ✓     |
| A37-00114E            | A37-00114E                   | ✓     |                       |                              |       |
| A37-00666N            | A37-00666N                   | ✓     |                       |                              |       |

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

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

**OR**

If your water right(s) and/or adjudication claim(s) 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 OF PROPERTY** or **SURVEY MAP**.

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

HG2 Limited Partnership  
855 Victoria Falls Drive Redmond Or 97756

4. New Owner/Claimant(s)

Lynn-Bontrager LLC

Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address

PO Box 2092

City, State and ZIP Code

Ketchum, Idaho 83340

New Telephone Number

(208) 788-3690

5. Date you acquired the property

Oct 22, 1999

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**APR -7 2003**  
 Department of Water Resources  
 Southern Region

6. 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 a 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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | <u>See Attached Spreadsheet</u>                                            |                                                              |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other                                                                                                                   | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      |                                                              |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other                                                                                                                   | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      |                                                              |

7. Signature of New Owner(s) or Claimant(s) LYNN-BONTRAGER, LLC  
(include title if applicable) Kathleen Lynny, member  
Paul A Bontrager, member

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

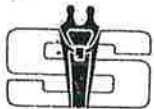
**For Office Use Only**

Received by \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

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**APR -7 2003**

Department of Water Resources  
Southern Region



THIS INSTRUMENT WAS FILED FOR  
RECORD BY BLAINE COUNTY  
TITLE, AS AN ACCOMMODATION  
ONLY. IT HAS NOT BEEN EXAMINED  
AS TO ITS EXECUTION OR AS TO  
ITS EFFECT UPON THE TITLE.

Order No. 97007957  
This form furnished by  
Blaine County Title Associates

THIS DEED IS BEING RE-RECORDED TO CORRECT THE SEQUENCE IN WHICH IT WAS ORIGINALLY RECORDED  
**QUITCLAIM DEED**

THIS INDENTURE, Made this 15th day of October

in the year of our Lord one thousand nine hundred and ninety-nine  
CARL G. BONTRAGER and KATHLEEN K. LYNN, husband and wife

between

as Grantor and

LYNN-BONTRAGER, LLC, an Idaho Limited Liability Company

as Grantee

whose current address is P.O. BOX 2092, KETCHUM, ID 83340

WITNESSETH That said Grantor for and in consideration in lawful money of the United States of America, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these premises remise, release and forever QUITCLAIM, unto the said Grantee and to its heirs and assigns all that certain lot, piece or parcel of land, situate, lying and being in, County of Blaine, State of Idaho, bounded and particularly described as follows, to-wit:

PARCEL 1 OF PRAIRIE SUN RANCH PHASE 1, according to the official plat thereof, recorded February 1, 1996, as Instrument No. 386711, records of Blaine County, Idaho.

# 432795

BLAINE CO. REQUEST

OF BLAINE COUNTY TITLE

1999 OCT -2 3:04

434136

RECORDED BY CLERK

2 to 3-

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, The said Grantor has hereunto set its hand and seal the day and year first above written.

CARL G. BONTRAGER

KATHLEEN K. LYNN

State of IDAHO

SS.

County of BLAINE

On this 22 day of October 1999, before me, the undersigned, a Notary Public, in and for said State, personally appeared CARL G. BONTRAGER and KATHLEEN K. LYNN

known to me, and or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public  
Residing at: KETCHUM, ID  
Commission Expires: September 24, 2002



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Department of Water Resources  
Southern Region

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-20626  
Date Received: 1/21/2002  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

B S RANCH Phone: (208)788-4613

388 GANNETT RD  
BELLEVUE ID USA 83313

2. Date of Priority: 04/15/1985

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, 100 HP PUMP, 200 HP RELIFT PUMP TO PIVOT AND CORNERS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 0.94   | 282        |

7. Total Quantity Appropriated is:

0.94 C.F.S. and/or 282 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

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JUL 03  
Department of Water  
Southern Region

10. Place of use:

| Township      | Range | Section | 1/4 | of 1/4 | Lot | Use        | Acres |
|---------------|-------|---------|-----|--------|-----|------------|-------|
| 01N           | 19E   | 29      | SE  | NE     |     | IRRIGATION | 32    |
|               |       |         | NE  | SW     |     | IRRIGATION | 40    |
|               |       |         | SE  | SW     |     | IRRIGATION | 39    |
|               |       |         | NW  | NE     |     | IRRIGATION | 39    |
|               |       |         | SW  | NE     |     | IRRIGATION | 40    |
|               |       |         | NE  | NW     |     | IRRIGATION | 38    |
|               |       |         | SE  | NW     |     | IRRIGATION | 40    |
|               |       |         | NE  | SE     |     | IRRIGATION | 39    |
|               |       |         | NW  | SE     |     | IRRIGATION | 40    |
|               |       |         | SW  | SE     |     | IRRIGATION | 39    |
|               |       |         | SE  | SE     |     | IRRIGATION | 20    |
|               |       |         | NW  | NW     |     | IRRIGATION | 33    |
|               |       |         | SW  | NW     |     | IRRIGATION | 38.5  |
|               |       |         | SW  | SW     |     | IRRIGATION | 21    |
|               |       |         | NW  | SW     |     | IRRIGATION | 39    |
|               |       |         | NE  | NE     |     | IRRIGATION | 23    |
| Section Acres |       |         |     |        |     |            | 560.5 |
| Total Acres   |       |         |     |        |     |            | 560.5 |

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 IS LIMITED TO THE IRRIGATION OF 80.5 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

THIS RIGHT IS AN ENLARGEMENT OF 37-2559 PURSUANT 42-1426, IDAHO CODE.

15. Basis of Claim: Beneficial Use

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 X do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3 PAGES TOTAL

For Organizations:

I do solemnly swear or affirm that I am Gen. Partner of  
Title  
B. S. Ranch, that I have signed the foregoing  
Organization

document in the space below as Gen. Partner of  
Title  
B. S. Ranch and that the statements contained in the  
Organization

foregoing document are true and correct.

Robie J. Jones  
Signature of Authorized Agent

Gen. Partner BS Ranch  
Title and Organization

6-26-02

Date

State of Idaho

County of BLAINE )  
SS.

Subscribed and sworn (or affirmed) before me this

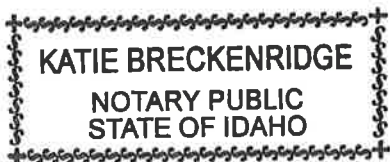
of 26<sup>TH</sup> June 2002

Katie Breckenridge

Notary Public

Residing at BLAINE COUNTY PICABO, IDAHO

My commission Expires 1/11/05



**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**

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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: 37-21084.

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: 37-21084

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.860 CFS

PRIORITY DATE: 04/15/1985

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          | 0.860 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 68.9 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 RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 37-21046 PURSUANT TO SECTION 42-1426, IDAHO CODE.

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.

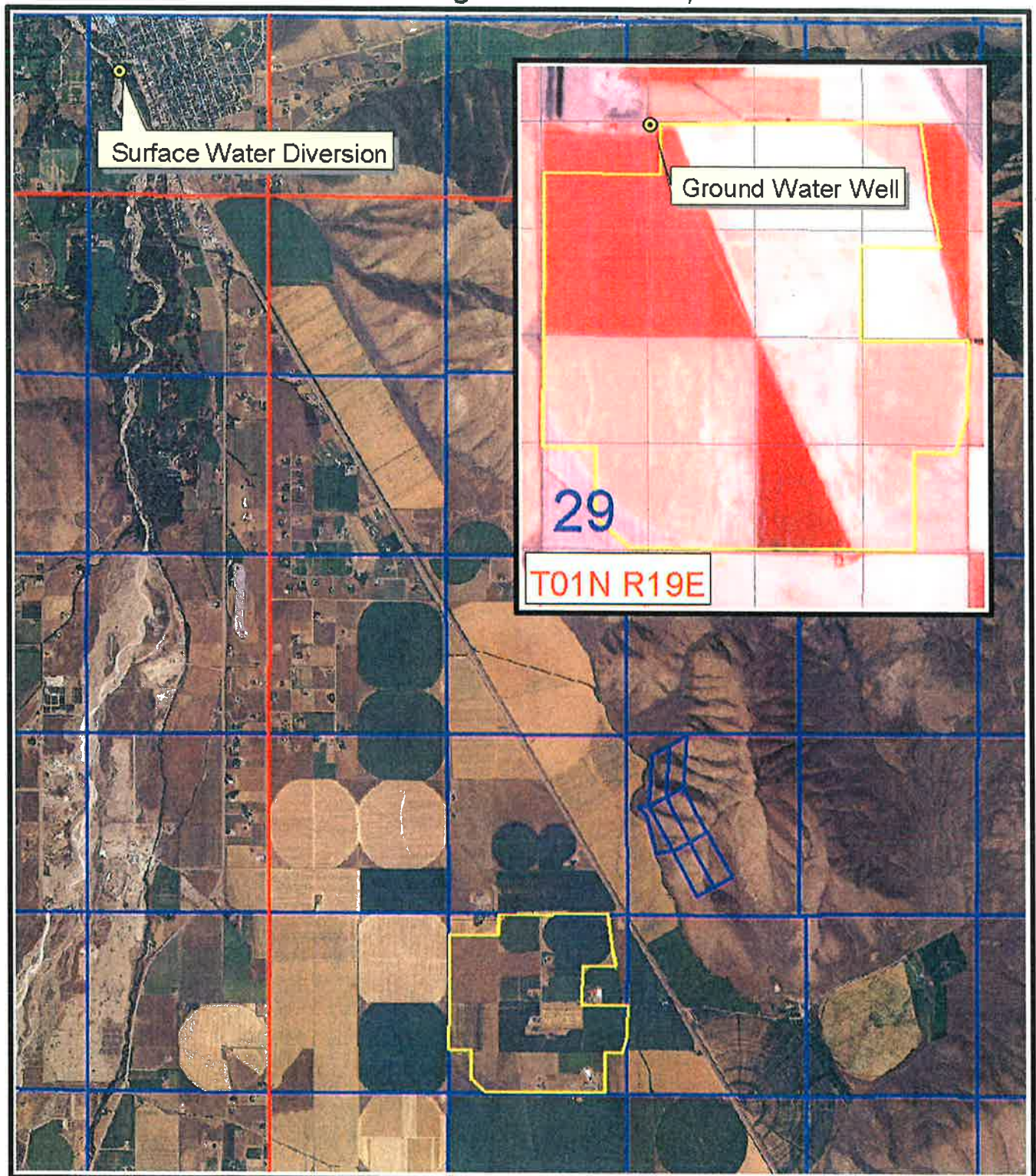
EXPLANATORY MATERIAL: BASIS OF CLAIM -

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-20736.

# 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
-  GCDB

3960 0 3960 Feet



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

12/18/2006

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

RIGHT NUMBER: 37-21084

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.860 CFS

PRIORITY DATE: 04/15/1985

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          | 0.860 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

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PURSUANT TO SECTION 42-1426, IDAHO CODE.

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EXPLANATORY MATERIAL: BASIS OF CLAIM -

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-20736.

12/18/2006

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

RIGHT NUMBER: 37-21084

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.860 CFS

PRIORITY DATE: 04/15/1985

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          | 0.860 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 |

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EXPLANATORY MATERIAL: BASIS OF CLAIM -

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-20736.



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

April 15, 2005

X  
X  
X  
X

Re: Evidence of Priority

**RESPONSE DEADLINE**  
**JUNE 17, 2005**

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

**PLEASE NOTE:** The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-\_\_\_\_). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.  
Water Rights Supervisor

Enclosures



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

June 26, 2003

LYNN BONTRAGER LLC  
PO BOX 2092  
KETCHUM ID 83340

RE: SRBA Claim(s)      37-114E, 37-664F, 37-665Q, 37-666N,  
                                 37-667S, 37-2559A, 37-11526A,  
                                 37-20736

Dear Claimants:

Pursuant to the notification that you purchased a portion of the property to which the above referenced adjudication claims are appurtenant, the department has split the original claims as requested.

Enclosed please find your copies of the computer-generated claims. Review these documents and should you have any questions or corrections, please contact this office.

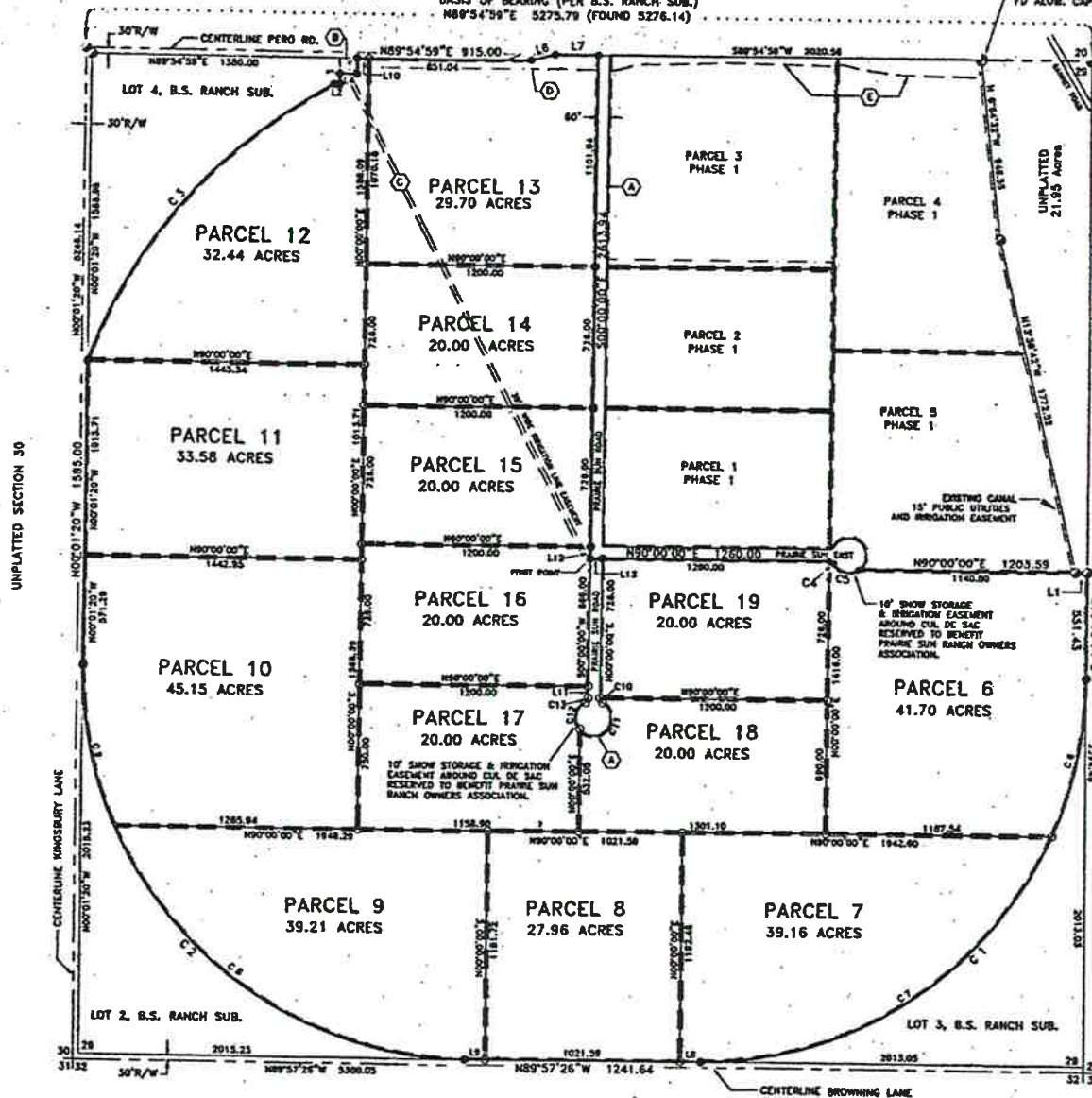
Sincerely,

Trish Fawcett  
Technical Records Specialist

Enc.

BASIS OF BEARING (PER B.S. RANCH SUB.)  
N89°54'59"E 5275.79 (FOUND 5276.14)

TRUE POINT OF BEGINNING  
FD ALUM. CAP OVER FD 5/8" NB



UNPLATTED SECTION 28

UNPLATTED SECTION 32

## HEALTH CERTIFICATE

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: 12-22-00

Robert W. Williams  
South Central District Health Dept., LHS



PREPARED BY : BENCHMARK ASSOCIATES  
P.O. BOX 735, KETCHUM, IDAHO 83340  
(208) 726-9512 : FAX 726-9514

|                                                |                                        |                        |
|------------------------------------------------|----------------------------------------|------------------------|
|                                                | <b>PRAIRIE SUN RANCH</b>               |                        |
|                                                | <b>PHASE 2</b>                         |                        |
|                                                | <b>WHEREIN PARCEL G IS SUBDIVIDED,</b> |                        |
|                                                | <b>CREATING PARCELS 6-19</b>           |                        |
| T1N, R1E, SECTION 28, B.M., BLAINE COUNTY, ID. |                                        |                        |
| A SUBDIVISION PLAT                             | PLAT BY : CPL/EE                       | PLAT FILE 97103PG1.DWG |
| PROJECT NO. 97103                              | DATE : 11/30/00                        | CD-ORD FILE 95010.CRD  |

**Parcel 1 Prairie Sun Ranch**

| <b>d/e</b> | <b>av</b> | <b>Claim No</b> | <b>cfs</b> | <b>Parent</b> | <b>Remarks</b> |
|------------|-----------|-----------------|------------|---------------|----------------|
| ✓          | ✓         | 37-20989        | 0.08       | -114E         |                |
| ✓          | ✓         | 37-20951        | 0.07       | -664F         |                |
| ✓          | ✓         | 37-20970        | 0.09       | -665Q         |                |
| ✓          | ✓         | 37-21008        | 0.16       | -666N         |                |
| ✓          | ✓         | 37-21027        | 0.31       | -667S         |                |
| ✓          | ✓         | 37-21046        | 0.24       | -2559A        | 17.1 ac limit  |
| ✓          | ✓         | 37-21065        | 0.04       | -11526A       |                |
| ✓          | ✓         | 37-21084        | 0.03       | -20736        | 2.9 ac limit   |

**PROJECTED WATER RIGHT SPLIT PRORATION - SRBA CLAIMS**

| SRBA CLAIM #         | DECREED PRIORITY       | EXISTING HG2LP CLAIM | ACRES | PRORATION BY PARCEL:<br>PARCEL # / SIZE: |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      | TOTAL NEW CLAIMS |
|----------------------|------------------------|----------------------|-------|------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------------------|
|                      |                        |                      |       | 1                                        | 2    | 3    | 4    | 5    | 6    | 7    | 8    | 9    | 10   | 11   | 12   | 13   | 14   | 15   | 16   | 17   | 18   | 19   |                  |
| A37-11526A           | 03/24/1883             | CFS                  | 0.99  | 20                                       | 20   | 30.4 | 30.2 | 29.7 | 41.7 | 39.2 | 28   | 39.2 | 45.1 | 33.6 | 32.6 | 29.8 | 20   | 20   | 20   | 20   | 20   | 20   | 539.0            |
|                      |                        | ACRES                | 557   | 0.04                                     | 0.04 | 0.06 | 0.06 | 0.05 | 0.08 | 0.07 | 0.05 | 0.07 | 0.08 | 0.06 | 0.06 | 0.05 | 0.04 | 0.04 | 0.04 | 0.04 | 0.04 | 0.04 | 0.99             |
| A37-00664F           | 07/10/1884             | CFS                  | 1.77  | 20.6                                     | 20.6 | 31.4 | 31.2 | 30.7 | 43.1 | 40.5 | 28.9 | 40.5 | 46.6 | 34.7 | 33.7 | 30.8 | 20.6 | 20.6 | 20.6 | 20.6 | 20.6 | 20.6 | 557              |
|                      |                        | ACRES                | 557   | 0.07                                     | 0.07 | 0.10 | 0.10 | 0.10 | 0.14 | 0.13 | 0.09 | 0.13 | 0.15 | 0.11 | 0.11 | 0.10 | 0.07 | 0.07 | 0.07 | 0.07 | 0.07 | 0.07 | 1.77             |
| A37-00665Q           | 10/15/1884             | CFS                  | 2.46  | 20.6                                     | 20.6 | 31.4 | 31.2 | 30.7 | 43.1 | 40.5 | 28.9 | 40.5 | 46.6 | 34.7 | 33.7 | 30.8 | 20.6 | 20.6 | 20.6 | 20.6 | 20.6 | 20.6 | 557              |
|                      |                        | ACRES                | 557   | 0.09                                     | 0.09 | 0.14 | 0.14 | 0.14 | 0.19 | 0.18 | 0.13 | 0.18 | 0.21 | 0.15 | 0.15 | 0.14 | 0.09 | 0.09 | 0.09 | 0.09 | 0.09 | 0.09 | 2.46             |
| A37-00114E           | 05/01/1886             | CFS                  | 2.24  | 20.6                                     | 20.6 | 31.4 | 31.2 | 30.7 | 43.1 | 40.5 | 28.9 | 40.5 | 46.6 | 34.7 | 33.7 | 30.8 | 20.6 | 20.6 | 20.6 | 20.6 | 20.6 | 20.6 | 557              |
|                      |                        | ACRES                | 557   | 0.08                                     | 0.08 | 0.13 | 0.13 | 0.12 | 0.17 | 0.16 | 0.12 | 0.16 | 0.19 | 0.14 | 0.14 | 0.12 | 0.08 | 0.08 | 0.08 | 0.08 | 0.08 | 0.08 | 2.24             |
| A37-00666N           | 06/12/1886             | CFS                  | 4.20  | 20.6                                     | 20.6 | 31.4 | 31.2 | 30.7 | 43.1 | 40.5 | 28.9 | 40.5 | 46.6 | 34.7 | 33.7 | 30.8 | 20.6 | 20.6 | 20.6 | 20.6 | 20.6 | 20.6 | 557              |
|                      |                        | ACRES                | 557   | 0.16                                     | 0.16 | 0.24 | 0.24 | 0.23 | 0.32 | 0.31 | 0.22 | 0.31 | 0.35 | 0.26 | 0.25 | 0.23 | 0.16 | 0.16 | 0.16 | 0.16 | 0.16 | 0.16 | 4.20             |
| A37-00667S           | 06/15/1891             | CFS                  | 8.40  | 20.6                                     | 20.6 | 31.4 | 31.2 | 30.7 | 43.1 | 40.5 | 28.9 | 40.5 | 46.6 | 34.7 | 33.7 | 30.8 | 20.6 | 20.6 | 20.6 | 20.6 | 20.6 | 20.6 | 557              |
|                      |                        | ACRES                | 557   | 0.31                                     | 0.31 | 0.47 | 0.47 | 0.46 | 0.65 | 0.61 | 0.44 | 0.61 | 0.70 | 0.52 | 0.51 | 0.46 | 0.31 | 0.31 | 0.31 | 0.31 | 0.31 | 0.31 | 8.40             |
| TOTAL SURFACE RIGHTS |                        | CFS                  | 20.06 | 0.74                                     | 0.74 | 1.13 | 1.12 | 1.10 | 1.55 | 1.46 | 1.04 | 1.46 | 1.68 | 1.25 | 1.21 | 1.11 | 0.74 | 0.74 | 0.74 | 0.74 | 0.74 | 0.74 | 20.06            |
|                      |                        | ACRES                | 557   | 20.6                                     | 20.6 | 31.4 | 31.2 | 30.7 | 43.1 | 40.5 | 28.9 | 40.5 | 46.6 | 34.7 | 33.7 | 30.8 | 20.6 | 20.6 | 20.6 | 20.6 | 20.6 | 20.6 | 55               |
|                      |                        |                      |       |                                          |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |                  |
| 37- 2559A            | Licensed<br>10/04/1954 | CFS                  | 6.34  | 0.24                                     | 0.24 | 0.36 | 0.35 | 0.35 | 0.49 | 0.46 | 0.33 | 0.46 | 0.53 | 0.39 | 0.38 | 0.35 | 0.24 | 0.24 | 0.24 | 0.24 | 0.24 | 0.24 | 6.34             |
|                      |                        | ACRES                | 545   | 20.2                                     | 20.2 | 30.7 | 30.5 | 30.0 | 42.1 | 39.6 | 28.3 | 39.6 | 45.6 | 33.9 | 32.9 | 30.1 | 20.2 | 20.2 | 20.2 | 20.2 | 20.2 | 20.2 | 545              |
| 37-20736             | 4/15/1985              | CFS                  | 0.91  | 0.03                                     | 0.03 | 0.05 | 0.05 | 0.05 | 0.07 | 0.07 | 0.05 | 0.07 | 0.08 | 0.06 | 0.05 | 0.05 | 0.03 | 0.03 | 0.03 | 0.03 | 0.03 | 0.91 |                  |
|                      |                        | ACRES                | 545   | 20.2                                     | 20.2 | 30.7 | 30.5 | 30.0 | 42.1 | 39.6 | 28.3 | 39.6 | 45.6 | 33.9 | 32.9 | 30.1 | 20.2 | 20.2 | 20.2 | 20.2 | 20.2 | 20.2 | 545              |
| TOTAL G/WATER RIGHTS |                        | CFS                  | 6.34  | 0.24                                     | 0.24 | 0.36 | 0.35 | 0.35 | 0.49 | 0.46 | 0.33 | 0.46 | 0.53 | 0.39 | 0.38 | 0.35 | 0.24 | 0.24 | 0.24 | 0.24 | 0.24 | 0.24 | 6.34             |
|                      |                        | ACRES                | 545   | 20.2                                     | 20.2 | 30.7 | 30.5 | 30.0 | 42.1 | 39.6 | 28.3 | 39.6 | 45.6 | 33.9 | 32.9 | 30.1 | 20.2 | 20.2 | 20.2 | 20.2 | 20.2 | 20.2 | 545              |
|                      |                        |                      |       |                                          |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |                  |

SNK 12/14/02 IDWR Split Calc 02-12

**RECEIVED**

**APR - 7 2003**

Department of Water Resources  
Southern Region