

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 37-20970
Date Received: 5/28/2003
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: 07/10/1884

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	36	NE SW NW	BLAINE	

5. Description of diverting works:

HEADGATE #45, DISTRICT CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.09	

7. Total Quantity Appropriated is:

0.09 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	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 A SPLIT FROM FORMER RIGHT 37-665Q.

15. Basis of Claim: Decreed

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication 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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 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 (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>See Attached Spreadsheet</u>	
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

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.

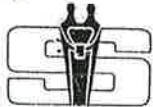
For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

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**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

BLAINE COUNTY TITLE

1999 OCT -2 3:04 434136

MAILED 3-10-04

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
CARL G. BONTRAGER

Kathleen K. Lynn
KATHLEEN K. LYNN

State of IDAHO

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.

Melody A. Mattson
Notary Public
Residing at: KETCHUM, ID
Commission Expires: September 24, 2002



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Department of Water Resources
Southern Region

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JAN 17 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

ORIGINAL IN RED

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**

**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.

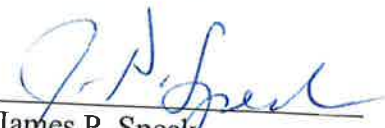
NOTICE OF APPEARANCE

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: 37-20970.

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



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:

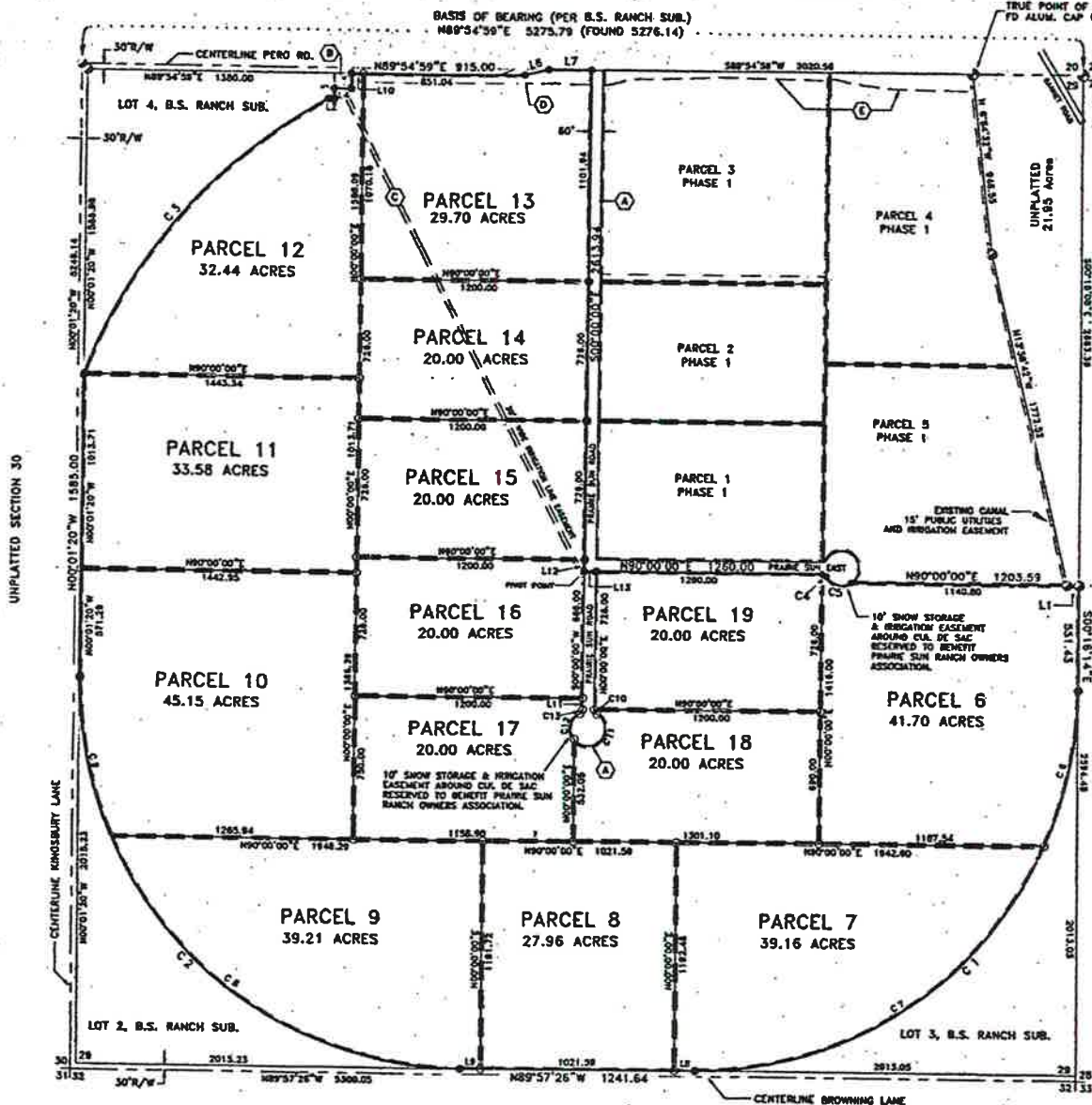
Pursuant to the notification that you purchased a portion of the property to which the above referenced adjudication claims are appurtenant, the department has split the original claims as requested.

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.



LEGEND

- (A) PARCEL "A" IS A PRIVATE ROAD, THAT SHALL BE OWNED AND MAINTAINED BY PRAIRIE SUN RANCH OWNERS ASSOCIATION.
- (B) PARCEL "B" : TO BE OWNED AND MAINTAINED BY PRAIRIE SUN RANCH OWNERS ASSOCIATION FOR IRRIGATION PURPOSES. (7,200 SQ. FEET)
- (C) 20' WIDE UNDERGROUND IRRIGATION PIPE EASEMENT RESERVED FOR USE BY PRAIRIE SUN RANCH OWNERS ASSOCIATION.
- (D) IRRIGATION EASEMENT RESERVED FOR USE BY PRAIRIE SUN RANCH OWNERS ASSOCIATION AND POWER LINE EASEMENT.
- (E) 80' WIDE IRRIGATION EASEMENT CENTERED ON CANAL TO BENEFIT DISTRICT AS CANAL COMPANY.
- (F) FOUND BRASS CAP - SECTION COR.
- (G) SET 1/2" REBAR
- (H) FOUND 5/8" REBAR
- (I) FOUND 1/2" REBAR

- SECTION LINE / ROAD CENTERLINE
- IRRIGATION/UTILITY EASEMENTS
- PROPERTY LINES
- EXISTING SUBDIVISION BOUNDARY

CURVE TABLE

No.	Delta	Radius	Arc Length	Tangent	Chord
1	90°18'40"	2002.07	3155.80	2013.05	3539.09 S44°35'10"W
2	89°54'00"	2917.52	3158.80	2015.33	3551.58 S44°30'33"W
3	38°36'16"	2814.72	1983.67	1023.66	1924.08 S40°26'07"E
4	80°33'33"	26.00	26.59	16.35	28.24 S56°43'14"E
5	92°35'33"	80.00	147.55	86.40	131.57 S70°14'24"E
6	24°07'11"	2002.07	842.82	427.74	856.61 S11°47'22"W
7	89°11'34"	2002.07	2312.98	1504.97	2186.48 S38°34'48"W
8	87°41'34"	2917.52	2116.72	1305.01	2191.52 S57°05'38"W
9	24°08'31"	2017.82	858.10	431.45	843.82 N1°20'34"W
10	80°35'31"	26.00	26.59	16.35	28.24 S30°14'48"E
11	307°44'29"	80.00	218.47	-447.53	176.47 S40°16'42"W
12	98°22'36"	80.00	154.53	104.22	136.24 N1°22'15"E
13	80°35'33"	26.00	26.59	16.35	28.24 N30°16'48"E

LINE TABLE

No.	Direction	Length
1	S89°35'00"E	62.80
2	N89°54'58"E	27.92
3	N00°01'20"W	35.00
4	N89°54'58"E	80.00
5	N00°01'20"W	80.00
6	N78°25'28"E	128.56
7	N89°54'58"E	223.97
8	N89°57'26"W	109.89
9	N89°57'38"W	110.08
10	N89°54'58"E	65.88
11	S00°00'00"E	60.00
12	S00°00'00"E	60.00
13	N90°00'00"E	60.00

SCALE: 1"= 400'

UNPLATTED SECTION 32

HEALTH CERTIFICATE

Sonitary restrictions as required by Idaho Code Title 50, Chapter 13, have been satisfied. Sonitary 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. Wilson
South Central District Health Dept., LHS

PREPARED BY : BENCHMARK ASSOCIATES
P.O. BOX 733, KETCHUM, IDAHO 83340
(208) 726-9512 : FAX 726-9514



PRAIRIE SUN RANCH

PHASE 2

WHEREIN PARCEL 9 IS SUBDIVIDED,
CREATING PARCELS 6-19.

T1N, R19E, SECTION 20, S.W.M., BLAINE COUNTY, ID.

A SUBDIVISION PLAT PLOT BY : CPL/EE PLOT FILE 97103PG1.DWG
PROJECT NO. 97103 DATE : 11/30/00 CO-ORD FILE 9501G.CRD

Parcel 1 Prairie Sun Ranch					
d/e	av	Claim No	cfs	Parent	Remarks
✓	✓	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	PRORATION BY PARCEL: PARCEL # / SIZE:																			TOTAL NEW CLAIMS
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
		ACRES	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
A37-11526A	03/24/1883	CFS	0.99	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	0.99
		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	557
A37-00664F	07/10/1884	CFS	1.77	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	1.77
		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	557
A37-00665Q	10/15/1884	CFS	2.46	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	2.46
		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	557
A37-00114E	05/01/1886	CFS	2.24	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	2.24
		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	557
A37-00666N	06/12/1886	CFS	4.20	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	4.20
		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	557
A37-00667S	06/15/1891	CFS	8.40	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	8.40
		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	557
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	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	55
=====																						
37- 2559A	Licensed 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	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	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	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	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	545
=====																						

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

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Department of Water Resources
Southern Region