

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 23 2021

Department of Water Resources
Eastern Region

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-7106 AOK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: USA Through BLM
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Big Lost Ranch LLC
New Owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or
- 700 Emerson St Palo Alto CA 94301-2410
Mailing address City State Zip
- 208-588-2447 Mark Gates 09@gmail.com
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 7/21/21

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
- o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☒ Filing fee (see instructions for further explanation):
- o \$25 per *undivided* water right.
- o \$100 per *split* water right.
- o No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Mark T. Gates Ranch Manager of Big Lost Ranch LLC 8-30-21
Signature of new owner/claimant Title, if applicable Date
- Mark T. Gates
Print name

Signature: _____
Signature of new owner/claimant Title, if applicable Date

Print name

For IDWR Office Use Only:

Received by Cylin Date 9/23/21 Receipt No. E047380 Receipt Amt. \$25.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by JB Processed by JB Date 9/28/2021

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

8/20/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-7106A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE, ID 83709-1657 2083734000
Directors Report Owner	THOMAS DEAN PENCE 303 SE 126TH AVE #14 PORTLAND, OR 97233 5032576805

Priority Date: 03/18/1975

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15	10/15	0.22 CFS	63 AFA
Total Diversion			0.22 CFS	63 AFA

Location of Point(s) of Diversion:

GROUND WATER | NESW Lt 21 | Sec. 29 | Township 08N | Range 23E | CUSTER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER 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>
08N	23E	29	16	SWNW	6									

State of Idaho
Department of Water Resources

Water Right

34-7106A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 8/20/2021



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



Custer County Reg. of
Custer County Title
Time *10:15 A* M Date *7/21, 2021*
Lura H. Baker, Clerk
Jina Hawkins \$16.00
Deputy

The United States of America
To all to whom these presents shall come, Greeting:

WHEREAS

Big Lost Ranch, LLC

is entitled to a land patent pursuant to Section 206, Act of October 21, 1976, as amended (43 U.S.C. 1716) for the following described land:

Boise Meridian, Idaho
T. 7 N., R. 23 E.;
sec. 5, lot 6;
sec. 6, lots 9, 12, 19, and 22.

T. 8 N., R. 23 E.;
sec. 29, lots 16, 19, 21, 22, and 25;
sec. 32, lot 2;
sec. 33, lots 2 and 3.

The areas described total 208.42 acres.

TOGETHER WITH:

1. Water Right No. 34-07106A (3-18-1975) granted to the United States of America, Bureau of Land Management, for irrigation from groundwater. Affects lot 21, sec. 29, T. 8 N., R. 23 E., Boise Meridian, Idaho.

NOW KNOW YE, that there is, therefore, granted by the **UNITED STATES**, unto **Big Lost Ranch, LLC**, the land described above; **TO HAVE AND TO HOLD** the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto **Big Lost Ranch, LLC**, and to its assigns, forever; and

EXCEPTING AND RESERVING TO THE UNITED STATES a right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890 (43 U.S.C. 945).

Subject to:

1. Water Right No. 34-00870 (6-01-1893) decreed to Mark T. Gates Trustee, Elizabeth W. Gates Trustee, Ward W. Woods, and Priscilla B. Woods for irrigation and stockwater use from Warm Springs Creek. Affects lot 12, sec. 6, T. 7 N., R. 23 E., Boise Meridian, Idaho.

IDI-37845

2. Those rights for road purposes granted to Idaho Department of Transportation, its successors and assigns, by right-of-way no. IDBL-0-047669, pursuant to Section 17 of the Federal Aid Highway Act of November 9, 1921 (42 Stat. 0216). Affects lots 16, 19, 21, 22, and 25, sec. 29; lot 2, sec. 32; and lots 2 and 3, sec. 33, T. 8 N., R. 23 E., Boise Meridian, Idaho.
3. Those rights to a perpetual easement for electric distribution line purposes granted to Lost River Electric Cooperative, its successors and assigns, by right-of-way no. IDI-039367, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761). Affects lots 16, 21, and 22, sec. 29; lot 2, sec. 32; and lot 2, sec. 33, T. 8 N., R. 23 E., Boise Meridian, Idaho.
4. Those perpetual rights for buried telephone line purposes granted to ATC Communication, Inc., its successors and assigns, by right-of-way no. IDI-039369, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761). Affects lot 16, sec. 29, T. 8 N., R. 23 E.; and lots 9 and 12, sec. 6, T. 7 N. R. 23 E., Boise Meridian, Idaho.
5. Those perpetual rights for buried fiber-optic line purposes granted to ATC Communications, Inc., its successors and assigns, by right-of-way no. IDI-039370, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761). Affects lots 16, 19, 21, 22, and 25, sec. 29; lot 2, sec. 32; and lots 2 and 3, sec. 33, T. 8 N., R. 23 E., Boise Meridian, Idaho.
6. Those rights for road purposes granted to Idaho Department of Transportation, its successors and assigns, by right-of-way no. IDBL-0-047790, pursuant to Section 17 of the Federal Aid Highway Act of November 9, 1921 (42 Stat. 0216). Affects lot 16, sec. 29, T. 8 N., R. 23 E., Boise Meridian, Idaho.
7. Those rights for road purposes granted to Mark Gates, his successors and assigns, by right-of-way no. IDI-31815, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761). Affects lots 9 and 19, sec. 6, T. 7 N., R. 23 E., Boise Meridian, Idaho.
8. Those rights to a perpetual easement for electric distribution line purposes granted to Lost River Electric Cooperative, its successors and assigns, by right-of-way no. IDI-039368, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761). Affects lot 12, sec. 6, T. 7 N., R. 23 E., Boise Meridian, Idaho.
9. Those rights for electric distribution line purposes granted to Bonneville Power Administration (BPA), its successors and assigns, by right-of-way no. IDI-22582, pursuant to the Act of October 21, 1976 (43 U.S.C. 1767). Affects lots 19 and 21, sec. 29, T. 8 N., R. 23 E., Boise Meridian, Idaho.
10. Those rights for buried fiber-optic line purposes granted to Qwest Corp DBA Century Link QC, its successors and assigns, by right-of-way no. IDI-29672, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761). Affects lots 22 and 25, sec. 29; lot 2, sec. 32; and lots 2 and 3, sec. 33, T. 8 N., R. 23 E., Boise Meridian, Idaho.

260901

IDI-37845

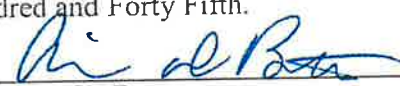
11. Those rights for a waterway granted to Robert Unger, his successors and assigns, under Revised Statute 2339 (43 U.S.C. 661) and noted under BLM serial no. IDI-32041. Affects lot 21, sec. 29, T. 8 N., R. 23 E., Boise Meridian, Idaho.
12. Those rights for electric distribution line purposes granted to Salmon River Electric Coop, its successors and assigns, by right-of-way no. IDI-0-008308, pursuant to the Act of February 15, 1901 (43 U.S.C. 959). Affects lots 16, 22, and 25, sec. 29; and lot 2, sec. 33, T. 8 N., R. 23 E., Boise Meridian, Idaho.
13. Those rights for road purposes granted to Mark Gates, his successors and assigns, by right-of-way no. IDI-32726, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761). Affects lot 2, sec. 32, T. 8 N., R. 23 E., Boise Meridian, Idaho.



IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Boise, Idaho, the thirtieth day of June in the year of our Lord two thousand and twenty one and of the Independence of the United States the two hundred and Forty Fifth.

By


Aimee D. K. Betts

Acting Chief, Branch of Lands, Minerals, Water Rights



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 28, 2021

BIG LOST RANCH LLC
700 EMERSON ST
POLO ALTO CA 94301-2410

Re: Change in Ownership for Water Right No(s): 34-7106A

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 34
BIG LOST RIVER GROUND WATER DISTRICT