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AUG 26 2002

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

Department of Water Resources

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 |
|----------------------|-----------------------------|-------|----------------------|-----------------------------|-------|
| 34-699B              |                             |       |                      |                             |       |
| 34-583B              |                             |       |                      |                             |       |
| 34-584D              |                             |       |                      |                             |       |
| 34-573B              |                             |       |                      |                             |       |
| 34-702B              |                             |       |                      |                             |       |

- 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) 6X RANCH, LLC  
P.O. BOX 12625, FRESNO, CA 93778

4 New Owner/Claimant(s) IDAHO COWBOY, INC.  
 Name Connector (Check one). ☐ and, ☐ or, ☐ and/or

New Mailing Address P.O. BOX 2713

City, State and ZIP Code SUN VALLEY, ID 83353

New Telephone Number (208) 726-5191 **MICROFILMED**

5 Date you acquired the property 6/23/99 **1999**

*Please see WR 34-00573B for support documentation*

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<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> | _____                                                                      | _____                                                        |

**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<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) \_\_\_\_\_  
(include title if applicable)

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 <u>J. Mason</u> | Date <u>AUG 26 2002</u> | Fee <u>\$125.00</u>        |
| Received by <u>J. Mason</u> | Date <u>AUG 26 2002</u> | Receipt No. <u>2064185</u> |
| Processed by <u>AJ</u>      | Date _____              | WR _____ Date _____        |

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SEP 19 2002

2002 SEP 13 AM 11:33  
DISTRICT COURT - SRBA  
TWIN FALLS, IDAHO  
FILED

**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     | ) | Water Right 34-00583B                          |
|                | ) |                                                |
| Case No. 39576 | ) | <b>ORDER AMENDING IRRIGATION PERIOD OF USE</b> |
|                | ) | <b>ELEMENT IN PARTIAL DECREE and</b>           |
|                | ) | <b>INCORPORATING INTO PARTIAL DECREES AN</b>   |
|                | ) | <b>EXPRESS STATEMENT REGARDING GENERAL</b>     |
|                | ) | <b>PROVISIONS, NUNC PRO TUNC</b>               |

A *Partial Decree* was entered for the above-captioned irrigation water right on December 29, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 1, IDWR Basin 34, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 05-01 to 10-15

The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director.

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following.

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 a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

#### RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated: 2-11-02

  
ROGER BURDICK  
Presiding Judge  
Snake River Basin Adjudication

District Court  
Snake River Basin Adjudication  
PO Box 2707  
Twin Falls, ID 83303-2707

## Important Information About Your Water Right

February 8, 2002

6X Ranch LLC  
PO Box 12625  
Fresno, CA 93778

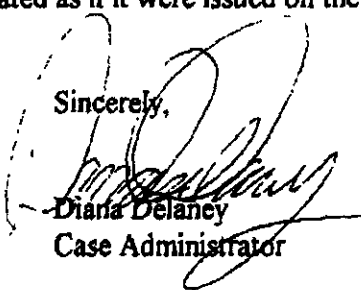
Dear Water Right Claimant(s):

Attached to this letter is a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 34-00583B. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources  
1301 North Orchard  
Boise, ID 83706  
800-451-4129

The purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order*, in combination with the *Partial Decree* that was issued for this water right on December 29, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of this water right. The original of this *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued on the same date that the *Partial Decree* was originally issued.

Sincerely,



Diana Delaney

Case Administrator

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FEB 9 2002

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 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 34-005838

1997 DEC 29 PM 4:36

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

NAME & ADDRESS: GOODARDS BAR 13 RANCH LTD  
STAR ROUTE  
MACKAY ID 83251

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM WARM  
SPRINGS CREEK.

QUANTITY: 0.8 CFS

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER  
DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT  
WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE  
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 4.37 CFS.  
COMBINED RIGHT NOS.: 34-005738, 34-005840, 34-006998, 34-007028,  
34-007038 AND 34-007048.

PRIORITY DATE: 06/01/1899

POINT OF DIVERSION: T08N R21E S15 NESWNW Within CUSTER County  
R22E S27 SWSNW (INJECTION)  
S26 SESESW (REDIVERSION)

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE     | QUANTITY |
|----------------------------|----------------|-------------------|----------|
|                            | IRRIGATION     | Irrigation Season | 0.8 CFS  |
|                            | STOCKWATER     | 01-01 12-31       | 0.02 CFS |

PLACE OF USE: IRRIGATION Within CUSTER County  
T08N R22E S35 SUNE 22 SENE 39 NESE 9.2  
S36 SWNW 39  
109.2 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 34-005738, 34-005840,  
34-006998 AND 34-007028 IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 109.2 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO  
TO THE IRRIGATION OF A COMBINED TOTAL OF 116.2 ACRES IN A SINGLE  
IRRIGATION SEASON.

COMBINED RIGHT NOS.: 34-005738, 34-005840, 34-006998, 34-007028,  
34-007038 AND 34-007048.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

STOCKWATER Within CUSTER County  
T08N R22E S35 SUNE SENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR  
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL  
USE.

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)  
Water Right 34-005838

PAGE 1  
DEC-18-1997

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SEP 19 2002

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.  
PRESIDING JUDGE  
Snake River Basin Adjudication



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

August 30, 2002

IDAHO COWBOY INC  
PO BOX 2713  
SUN VALLEY ID 83353

RE: Change of Ownership for Water Rights 34-699B, 34-583B, 36-584D, 34-573B  
34-702B

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

*for Jeff Peppersack*  
Jeff Peppersack, Manager  
Water Right Permits Section

JP:klt

Enclosure

cc: SPECK & AANESTAD (w/enclosure of receipt # C064185 for \$125.00 filing fee)  
PO BOX 987  
KETCHUM ID 83340

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SEP 19 2002