

No Color
Documents
In File

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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
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
- 5 Date you acquired the property 6/23/99

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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 (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
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)** _____
(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. Thorne</u>	Date <u>AUG 26 2002</u>	Fee <u>\$125.00</u>
Receipted by <u>J. Thorne</u>	Date <u>AUG 26 2002</u>	Receipt No. <u>2064185</u>
Processed by _____	AJ Date _____	WR _____ Date _____

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When Recorded Return To:

Brian J. Barsotti
215 Picabo Street, Suite 304
Ketchum, ID 83340
208-726-3030

WARRANTY DEED

FOR VALUE RECEIVED, 6X Ranch, LLC, an Idaho limited liability company, whose current address is P.O. Box 12625, Fresno, CA 93778, the GRANTOR, does hereby GRANT, BARGAIN, SELL and CONVEY unto Idaho Cowboy, Inc., an Idaho corporation, whose current address is P.O. Box 2713, Sun Valley, Idaho 83353, the GRANTEE, the real property in Custer County, State of Idaho, more particularly described on Exhibit A, attached hereto.

This conveyance hereby made is subject to the lien for real property taxes for the year 1999, and all years thereafter and also the matters described on the attached Exhibit B, which exhibit is made a part hereof. All as contained in the records of Custer County, Idaho.

TO HAVE AND TO HOLD said premises together with its appurtenances, including but not limited to: 1) all water and water rights and all other entitlements to receive water for beneficial use upon the premises including, without limitation, all rights represented by any decree, license, permit, claim, permit application or storage entitlement; 2) all ditch and canal company and irrigation district shares and entitlements to receive water from any such company, association, district or other water delivery entity; 3) all ditch rights, easements and rights of way associated with any irrigation or other water delivery ditch, canal, lateral or pipeline, and 4) those water rights designated by the numbers 34-00703B, 34-00704B, 34-00699B, 34-00583B, 34-00584D, 34-00573B and 34-00702B in the records of the Idaho Department of Water Resources, unto the said Grantee, and Grantee's heirs and assigns forever

And the said Grantor, for itself and its assigns, does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of the Property; that the Property is free from all encumbrances, except those described herein; that Grantee, its heirs and assigns shall be entitled to the quiet and peaceable possession of the Property; and that Grantor will warrant and defend the same forever from all claims whatsoever, except those described herein.

Attachment A to Idaho Cowboy, Inc. Application for Transfer of Water Right

WARRANTY DEED - 1

S:\Clients\4567\Documents\Warranty Deed - Stacey Place.wpd

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SEP 13 2002

Dated effective the 27th day of July, 1999.

"GRANTOR"

6X RANCH, LLC, an Idaho limited liability company

By:



Blake Quinn, Manager
P.O. Box 12625
Fresno, CA 93778

STATE OF Idaho)
) ss.
County of Blaine)

On this 23 day of July, 1999, before me, a Notary Public in and for the State of Idaho, personally appeared Blake R. Quinn, known or identified to me to be the Manager of 6X RANCH, LLC., an Idaho limited liability company, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Notary Public for Idaho

Residing at: Blaine

My commission expires: 7/1/2000

Stacey Place Legal Description

A parcel of land situated in the East Half of Section 35 and the Northwest Quarter of Section 36, Township 8 North, Range 22 East, Boise Meridian, Custer County, Idaho, being more particularly described as follows:

Commencing at the South Quarter corner of said Section 35, Township 8 North, Range 22 East, Boise Meridian; thence North $00^{\circ}34'58''$ West a distance of 2639.83 feet along the west line of the Southeast Quarter of said Section 35 to the center of said Section 35; thence North $00^{\circ}34'26''$ West a distance of 929.03 feet along the west line of the Northeast Quarter of said Section 35; thence North $73^{\circ}46'55''$ East a distance of 920.42 feet; thence North $03^{\circ}53'42''$ East a distance of 143.99 feet to a point on the north line of the south half of the Northeast Quarter of said Section 35; thence North $89^{\circ}43'47''$ East a distance of 1749.88 feet along the north line of the south half of the Northeast Quarter of said Section 35; thence North $83^{\circ}07'08''$ East a distance of 1241.38 feet; thence South $00^{\circ}25'28''$ East a distance of 136.50 feet; thence North $89^{\circ}25'55''$ East a distance of 80.51 feet along the north line of the Southwest Quarter of the Northwest Quarter of said Section 36; thence South $00^{\circ}54'42''$ East a distance of 1315.02 feet along the east line of the Southwest Quarter of the Northwest Quarter of said Section 36; thence South $89^{\circ}21'08''$ West a distance of 1309.06 feet south line of the Southwest Quarter of the Northwest Quarter of said Section 36 to the west quarter corner of said Section 36; thence South $00^{\circ}10'53''$ East a distance of 2637.45 feet along the east line of Southeast Quarter of said Section 35 to the Southeast corner of Section 35; thence South $89^{\circ}29'25''$ West a distance of 2641.70 feet along the south line of the Southeast Quarter of said Section 35 to the Point of Beginning.

S:\Clients\4562\5\Documents\Closing\Stacey Place Legal Description.wpd

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1 2002

2002 FEB 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 34-00573B
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, NUNC PRO TUNC

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:

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2002

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

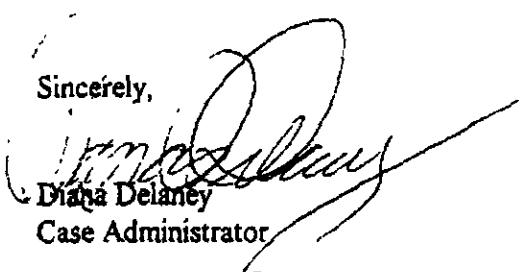
Dear Water Right Claimant(s):

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 34-00573B. 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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SEP 19 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 34-005738

1997 DEC 29 PM 4:36

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

4
4
)

NAME & ADDRESS: GODDARDS 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: 2.4 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.: 34-00699B, 34-00583B, 34-00584D, 34-00702B,
34-00703B AND 34-00704B.

PRIORITY DATE: 05/13/1912

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

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.4 CFS
	STOCKWATER	01-01 12-31	0.02 CFS

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

USE OF THIS RIGHT WITH RIGHT NOS. 34-00699B, 34-00702B,
34-00583B AND 34-00584D IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 109.2 ACRES IN A SINGLE IRRIGATION SEASON.

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

COMBINED RIGHT NOS.: 34-00699B, 34-00583B, 34-00584D, 34-00702B,
34-00703B AND 34-00704B.

STOCKWATER	Within CUSTER County
T08N R22E S35	SWNE 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 34-005738

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

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SEP 19 2002



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

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, 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

REC-10

AUG 15 2002

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

Department Water Resources

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

August 22, 2002

Ms. Kari Lynn Townsend
Idaho State Department of Water Resources
PO Box 83720
Boise, Idaho 83720-0098

**Re: *Change of Ownership for Water Rights 34-699B; 34-583B, 34-584D, 34-573B
and 37-702B***

Dear Kari:

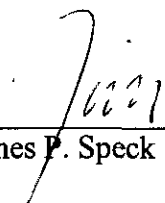
Pursuant to your April 15, 2002 letter to me on behalf of Idaho Cowboy, Inc. we have prepared, signed and enclosed the original and one copy of a Notice of Change in Water Right Ownership for the above-referenced water rights so that the records may be changed to reflect ownership of these rights by Idaho Cowboy, Inc.

Please have your office receipt date stamp the enclosed copy and return it to me in the postage prepaid, self-addressed envelope included for that purpose. Kindly call me right away if you have any questions.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:sgg
cc: Client (w/encl.)

UNRECORDED
AUG 23 2002