

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 63-31290B
Date Received: 10/20/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DANSKIN CATTLE LLC Phone:
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID USA 83647

2. Date of Priority: 04/01/1974

3. Source: ROCK CREEK Trib. to: SOUTH FORK BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
01N	07E	14	NE	NW		ELMORE	
01N	07E	15	SE	NE	5	ELMORE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.056	

7. Total Quantity Appropriated is:
0.056 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	07E	9	NE	SE	IRRIGATION	0.8	
			SE	SE	IRRIGATION	0.5	
			Section Acres				1.3
01N	07E	14	NW	SW	1	IRRIGATION	4
			SW	SW	2	IRRIGATION	0.5
			Section Acres				4.5
01N	07E	15	NW	NW	6	IRRIGATION	1.2
			NE	SE		IRRIGATION	4.4
			Section Acres				5.6
Total Acres						11.4	

11. Place of use in counties: ELMORE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM THE ORIGINAL RIGHT NO. 63-31290.

THIS RIGHT IS FOR AN ENLARGEMENT OF 11.4 ACRES.

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.

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.

USE OF THIS RIGHT WITH RIGHT NOS. 63-115 & 63-31290A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.0 CFS.

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 63-31290
Date Received: 9/5/2001
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s): DANSKIN CATTLE LLC Phone: (208)587-3617
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID USA 83647

2. Date of Priority: 04/01/1974

3. Source: ROCK CREEK Trib. to: BOISE RIVER SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	07E	14	NE NW	ELMORE	

5. Description of diverting works:

Pipeline - risers - sprinklers.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.574	

7. Total Quantity Appropriated is:
0.574 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	07E	9	NE	SE		IRRIGATION	0.8
			SE	SE		IRRIGATION	0.5
			Section Acres				
01N	07E	10	NW	SW		IRRIGATION	11.2
			SW	SW		IRRIGATION	26.6
			SE	SW		IRRIGATION	16
Section Acres						53.8	
01N	07E	15	NE	NW		IRRIGATION	11
			NW	NW		IRRIGATION	1.2
			Section Acres				
Total Acres						67.3	

11. Place of use in counties: ELMORE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Private lands and Forest Service. Has lease agreement with Forest Service. This claim is an enlargement based upon decreed right 63-00115.

15. Basis of Claim: Beneficial Use

— ENLARGEMENT CLAIM —

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

63-31290

Date Received

9-5-01

Receipt Number

NO FEE REQUIRED
X777777NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

SEP 05 2001

WATER RESOURCES
WESTERN REGIONPlease type or print clearly DANSKIN CATTLE CO LLC1. Name of Claimant (s) C/O ROBERT C BAKER Phone (208) 587-3617Mailing Address PO Box 488 Mountain Home ID Zip 836472. Date of Priority (Only one (1) per claim) 4-1-19743. Source of water supply (a) Rock Creek
which is tributary to (b) BOISE RIVER, SOUTH FORK4. a. Location of existing point of diversion is: Township 01N Range 07E Section 14,
1/4 of NE 1/4 of NW 1/4, Govt. Lot, ELMORE B.M., County of

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. PIPELINE-RIISERS-SPRINKLERS.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 04-01 to 11-01 amount 574 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 574 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>1N</u>	<u>7E</u>	<u>9</u>													<u>.8</u>			<u>.5</u>	<u>1.3</u>
		<u>10</u>										<u>11.2</u>	<u>26.6</u>	<u>16</u>					<u>53.8</u>
		<u>15</u>					<u>11</u>	<u>1.2</u>											<u>12.2</u>

Total number of acres irrigated 67.3

11. In which county (ies) are lands listed above as place of use located? ELMORE

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
63-00 or None X

14. Remarks: PRIVATE LANDS & FOREST SERVICE HAS
LEASE AGREEMENT WITH FOREST SERVICE.

THIS CLAIM IS AN ENLARGEMENT BASED UPON
DECREED RIGHT 63-00115.

Last Name _____ Ident No. 63-31290

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

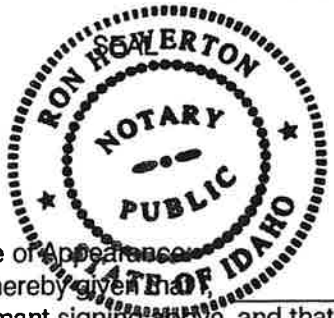
Number of attachments _____
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.
Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am MANAGING MEMBER Title _____
of DANSKIN CATTLE LLC Organization _____, that I have signed the foregoing
document in the space below as MANAGING MEMBER Title _____ of DANSKIN CATTLE LLC Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]
Title and Organization MANAGING MEMBER DANKIN CATTLE LLC Date 9/5/01

State of Idaho/or _____)
County of ADA) SS.
Subscribed and sworn (or affirmed) before me this 5 day of SEPT 2001



Notary Public [Signature]
Residing at Ron Howerton
My Commission Expires Residing at Boise, Idaho
Please Print Name _____ My Commission Expires December 8, 2006

17. Notice of Appearance
Notice is hereby given that _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____
Address _____
Date _____

Shurte, Jan

From: Steven M Spencer [sspencer@fs.fed.us]
Sent: Tuesday, October 02, 2007 3:13 PM
To: Lester, Steve; Shurte, Jan
Cc: Laurie Fink
Subject: Danskin/Bob Baker

I've had a question come from the Boise National Forest about water right nos. 63-05069 and 63-31290. With the change in my office situation all my files that are not active have been shipped to Ogden. I've tried to get some information off the IDWR site, but some of the information like the partial decrees are in 'tif' files that resist enlargement or seeing anything but the first page.

Laurie Fink of the Boise National Forest, is in need of and could easily pick up from your office because she is just east of you in the BLM building, copies of:

1. A copy of the water right decree for 63-05069A, 63-05069B, 63-31290A and 63-31290B.
2. A copy of the Stipulation to Resolve Subcases 63-05069B, 63-31290B.
3. A copy of the layout maps you may have for these water rights.

If it is possible for her to obtain this information from you, please reply back. If there are any questions about this request, please contact me.
Thank you.

Steve Spencer
Water Use Specialist
161 E. Mallard, Suite 110
Boise, ID 83706

(208) 342-7741
(208) 387-0842 FAX
e-mail: sspencer@fs.fed.us

Done
11-1-07

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 134.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED NOS. 1
~~63-115 & 63-10756.~~

S5F Right No. 63-31290B

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

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 63-115 PURSUANT TO SECTION 42-1426, IDAHO CODE.

THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION TO RESOLVE SUBCASES ENTERED INTO ON MARCH 10, 2004 BETWEEN THE UNITED STATES OF AMERICA AND THE DANSKIN CATTLE LLC FILED IN THE OFFICE OF THE ELMORE COUNTY RECORDER AND RECORDED ON MARCH 11, 2004 AS INSTRUMENT NO. 354793; THE PROVISIONS OF SUCH STIPULATION TO APPLY FULLY TO THIS WATER RIGHT.

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS A SPLIT FROM THE ORIGINAL RIGHT NO. 63-31290.

THIS RIGHT IS FOR AN ENLARGEMENT OF 11.4 ~~67.3~~ ACRES ~~WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.~~

Shurte, Jan

From: Shurte, Jan
Sent: Wednesday, March 17, 2004 4:32 PM
To: Spencer, Nick; Harvey, Becky; Steve Spencer (E-mail); Dana Hofstetter (E-mail)
Subject: Danskin Cattle LLC - One more time

Here we go again. I received an email from Steve pointing out that the side stipulation remark should be on 63-5069B and 63-31290B rather than 63-5069A & B. So, I have fixed that problem and am emailing the corrected SF5's. I'll keep my fingers crossed.

Jan



Danskin Cattle Co
63-31290A SF...



Danskin Cattle Co
63-31290B SF...



Danskin Cattle Co
63-5069A SF5...



Danskin Cattle Co
63-5069B SF5...



Danskin Overlap
Review Memo.do...

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-31290B

NAME AND ADDRESS: DANSKIN CATTLE LLC
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID 83647

SOURCE: ROCK CREEK

TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.056 0.574 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 63-115 & 63-31290A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.0 CFS.

~~USE OF THIS RIGHT WITH RIGHT NO. 63-19756 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF .0094 CFS.~~

PRIORITY DATE: 04/01/1974

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 R07E S14 NENW Within ELMORE County

T01N R07E S15 SENE Lot 5 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.056 0.574 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T01N R07E S09	NESE	0.8	T01N R07E S09	SESE	0.5
~~T01N R07E S10 Lot 4 NWSW~~	~~11.2~~		~~T01N R07E S10 Lot 8 SWSW~~	~~26.6~~	
~~T01N R07E S10 Lot 7 SESE~~	~~16.0~~		T01N R07E S14 Lot 1 NWSW	4.0	
T01N R07E S14 Lot 2 SWSW	0.5		~~T01N R07E S15 Lot 1 NENE~~	~~28.5~~	
~~T01N R07E S15 Lot 4 SWNE~~	~~3.0~~		~~T01N R07E S15 Lot 5 SENE~~	~~9.0~~	
~~T01N R07E S15 Lot 1 NENW~~	~~0.6~~		~~T01N R07E S15 Lot 2 NENW~~	~~11.0~~	
T01N R07E S15	NWNW	1.2	T01N R07E S15 Lot 6 NESE	4.4	

11.4 117.3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-115 AND 63-31290A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 117.3 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 134.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED NOS.
63-115 & 63-19756.~~

*Add strip
side remark*

S5F Right No. 63-31290B

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

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 63-115 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS A SPLIT FROM THE ORIGINAL RIGHT NO. 63-31290.

THIS RIGHT IS FOR AN ENLARGEMENT OF 11.4 ~~67.3~~ ACRES. ~~WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.~~

Shurte, Jan

From: Shurte, Jan
Sent: Wednesday, March 17, 2004 12:25 PM
To: Spencer, Nick; Harvey, Becky; Steve Spencer (E-mail); Dana Hofstetter (E-mail)
Subject: Danskin Cattle LLC SF5s & Overlap Analysis Memo for 63-31290A&B

Attached are the SF5's for 63-31290A, 31290B, 5069A and 5069B for Danskin Cattle LLC. I did an overlap analysis for 63-31290A per request from Dana which did have to involve all the overlapping rights. So, attached is my overlap analysis memo to explain the changes in the overlap remarks on 63-31290A and 63-31290B. I also added the side stipulation remark for 63-5069A and 63-5069B. We will need an official copy of that recorded stipulation for our files also. If you have any questions, just give me a call.

Jan



Danskin Cattle Co
63-31290A SF...



Danskin Cattle Co
63-31290B SF...



Danskin Overlap
Review Memo.do...



Danskin Cattle Co
63-5069A SF5...



Danskin Cattle Co
63-5069B SF5...

OVERLAP ANALYSIS FOR 63-31290A AND 63-31290B – DANSKIN CATTLE CO.

3-16-04

63-31290A –

Ok to have the combined use as 1.0 cfs with 63-115 and 63-31290B since 63-31290A is a portion of the original enlargement right for 63-115 and no additional water can be added with this right from Rock Creek. 63-31290B is the other portion of the original enlargement right and overlaps with 63-115 which overlaps with this right.

This right and Right No. 63-19756 do have a 27.1 acre place of use overlap in the NWNE, SWNE, NENW, S. 15 – ok to have the .894 cfs overlap condition between the two since both are surface water rights and 63-31290A is a portion of the original enlargement claim and no additional water can be added with this right.

All of the acres on 63-31290A overlap with 63-115 – need to add in 63-31290B due to the overlap of it with 63-115 where all three together cannot exceed the 117.3 acres that is the total of 63-115. Note that 63-115 was previously decreed in the SRBA with the additional 11.4 acres as shown in 63-31290B.

Since this right does have a place of use overlap with both 63-115 and 63-19756 as mentioned above and 63-31290B overlaps with 63-115 – the overlap condition should have the total combined acre limitation of 134.9 when all four are combined. This includes the 117.3 acres from 63-115 plus the additional 17.6 acres under 63-19756 that do not overlap with this right or 63-115 in Sec. 10 as explained below. This totals the 134.9 acre limitation. Note: The 11.4 acres in 63-31290B are included in the 117.3 acre total for 63-115.

No overlap with 63-31296 in Sec. 10. All of 63-31296 acres are in addition to those in 63-31290A. Therefore, no overlap conditions needed between this right and 63-31296.

Note: 63-19756 and 63-31296 do overlap between each other in Sec. 10, thus the acre overlap conditions between those two rights were appropriate. Only the additional acres listed in Sec. 15 under 63-19756 overlap with 63-31290A.

63-31290B –

Ok to have the combined use as 1.0 cfs with 63-115 and 63-31290A since 63-31290B is a portion of the original enlargement right for 63-115 and no additional water can be added with this right from Rock Creek. 63-31290A is the other portion of the original enlargement right and overlaps with 63-115 which overlaps with this right. This right does not overlap with 63-19756 or 63-31296.

This right only overlaps on place of use with 63-115. The 11.4 acres split to this right are all included in the place of use for 63-115. Since 63-31290A is the other portion of the original enlargement right and overlaps with 63-115 it should be included in the total acre limitation of 117.3 acres.

AGENT

DATE

3-16-04

63 - 31296

63 - 31290A+B

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
ROCK CK	115	IN	7E	10									1.4	1.2	2.6	1.0					53.8	53.8
"	31290A	"	"	"									1.4	1.2	2.6	1.0					53.8	
"	31296	"	"	"					1.2				1.5		1.6					3.7	17.6	17.6
SPRINGS & UNK. STREAMS	19756	"	"	"					1.2				1.5		1.6					3.7	17.6	

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
ROCK CK	115	IN	7E	15	1.1	1.4	1.5	1.2									1.6				57.7	57.7
	31290A	"	"	"	1.1	1.4	1.5	1.2									1.6				52.1	
SPRINGS & UNK. STREAM	19756	"	"	"	1.1	1.4	1.5	1.2									1.6				27.1	
ROCK CK	31290B	"	"	"					1.2								1.6				5.6	

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
115		IN	7E	9													.8		.5		1.3	1.3
31290B		"	"	"													.8		.5		1.3	
TOTAL		"	"	"																		1.3

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
115		IN	7E	14									1.1	1.2							4.5	4.5
31290B		"	"	"									1.1	1.2							4.5	
TOTAL		"	"	"																		4.5

TOTAL - 115 - 117.3

+ 31290B when complete

See memo for analysis - dated 3-16-04

TOTAL ALL - 134.9

S5F Right No. 63-31290B

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

RIGHT NUMBER: 63-31290B

NAME AND ADDRESS: DANSKIN CATTLE LLC
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID 83647

SOURCE: ROCK CREEK

TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.056 ~~0.574~~ CFS

USE OF THIS RIGHT WITH RIGHT NOS. 63-115 & 63-31290A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.0 CFS.

~~USE OF THIS RIGHT WITH RIGHT NO. 63-19756 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .0094 CFS.~~

PRIORITY DATE: 04/01/1974

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 R07E S14 NENW Within ELMORE County

T01N R07E S15 SENE Lot 5 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	<u>0.056</u> ~~0.574~~ CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T01N R07E S09	NESE	0.8	T01N R07E S09	SESE	0.5
~~T01N R07E S10 Lot 4 NWSW~~	~~11.2~~		~~T01N R07E S10 Lot 8 SWSW~~	~~26.6~~	
~~T01N R07E S10 Lot 7 SESW~~	~~16.0~~		T01N R07E S14 Lot 1	NWSW	4.0
T01N R07E S14 Lot 2	SWSW	0.5	~~T01N R07E S15 Lot 1~~	~~NWNE~~	~~28.5~~
~~T01N R07E S15 Lot 4~~	~~SWNE~~	~~3.0~~	~~T01N R07E S15 Lot 5~~	~~SENE~~	~~9.0~~
~~T01N R07E S15 Lot 1~~	~~NENW~~	~~0.6~~	~~T01N R07E S15 Lot 2~~	~~NENW~~	~~11.0~~
T01N R07E S15	NWNW	1.2	T01N R07E S15 Lot 6	NESE	4.4

11.4 ~~117.3~~ ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-115 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 117.3 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 134.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED NOS. 63-115 & 63-19756.~~

S5F Right No. 63-31290B

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

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 63-115 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS A SPLIT FROM THE ORIGINAL RIGHT NO. 63-31290.

THIS RIGHT IS FOR AN ENLARGEMENT OF 11.4 ~~67.3~~ ACRES ~~WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.~~

IDAHO DEPARTMENT OF WATER
RECOMMENDATION OF WATER RIGHTS ACQ

RIGHT NUMBER: 63-31290B
 NAME AND ADDRESS: DANSKIN CATTLE LLC
 C/O ROBERT C BAKER
 PO BOX 488
 MOUNTAIN HOME ID 83647

SOURCE: ROCK CREEK

QUANTITY: 0.056 ~~0.574~~ CFS

USE OF THIS RIGHT WITH RIGHT NOS. 63-115 & 63-31290A IS LIMITED TO A
 TOTAL COMBINED DIVERSION RATE OF 1.0 CFS.

~~USE OF THIS RIGHT WITH RIGHT NO. 63-19756 IS LIMITED TO A TOTAL COMBINED
 DIVERSION RATE OF .0094 CFS.~~

PRIORITY DATE: 04/01/1974

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 R07E S14 NENW Within ELMORE County
 T01N R07E S15 SENE Lot 5 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.056 ~~0.574~~ CFS

PLACE OF USE:

IRRIGATION Within ELMORE County

T01N R07E S09 NESE 0.8	T01N R07E S09 SESE 0.5
~~T01N R07E S10 Lot 4 NWSW 11.2~~	~~T01N R07E S10 Lot 8 SWSW 26.6~~
~~T01N R07E S10 Lot 7 SESW 16.0~~	T01N R07E S14 Lot 1 NWSW 4.0
T01N R07E S14 Lot 2 SWSW 0.5	~~T01N R07E S15 Lot 1 NWNW 20.5~~
~~T01N R07E S15 Lot 4 SWNE 3.0~~	~~T01N R07E S15 Lot 5 SENE 9.0~~
~~T01N R07E S15 Lot 1 NENW 0.6~~	~~T01N R07E S15 Lot 2 NENW 11.0~~
T01N R07E S15 NWNW 1.2	T01N R07E S15 Lot 6 NESE 4.4

11.4 ~~117.3~~ ACRES TOTAL

~~USE OF THIS RIGHT WITH RIGHT NO. 63-115 IS LIMITED TO THE IRRIGATION OF A
 COMBINED TOTAL OF 117.3 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 134.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED NOS.
 63-115 & 63-19756.~~

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR

2-6-04
 PER PHONE CALL
 FROM DANA

HOFSTETTER FIXED
 LOT # IN SWSW, S10,
 T1N R2E TO LOT 8
 RATHER THAN LOT 7.
 NOT IN DATABASE YET.

MAKE TO COME FROM USFS.

OK
 no

see
 memo of
 3-16-04

OK to delete - no overlap w/19756

S5F Right No. 63-31290B

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 63-115 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS A SPLIT FROM THE ORIGINAL RIGHT NO. 63-31290.

THIS RIGHT IS FOR AN ENLARGEMENT OF 11.4 ~~67.3~~ ACRES. ~~WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.~~

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

RIGHT NUMBER: 63-31290B

NAME AND ADDRESS: DANSKIN CATTLE LLC
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID 83647

SOURCE: ROCK CREEK

TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.056 ~~0.574~~ CFS

USE OF THIS RIGHT WITH RIGHT NOS. 63-115 & 63-31290A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.0 CFS.

~~USE OF THIS RIGHT WITH RIGHT NO. 63-19756 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF .0894 CFS.~~

PRIORITY DATE: 04/01/1974

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 R07E S14 NENW Within ELMORE County

T01N R07E S15 SENE Lot 5 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	<u>0.056</u> ~~0.574~~ CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T01N R07E S09	NESE	0.8	T01N R07E S09	SESE	0.5
~~T01N R07E S10 Lot 4 NWSW~~	~~11.2~~		~~T01N R07E S10 Lot 7 SWSW~~	~~26.6~~	
~~T01N R07E S10 Lot 7 SESW~~	~~16.0~~		T01N R07E S14 Lot 1	NWSW	4.0
T01N R07E S14 Lot 2	SWSW	0.5	~~T01N R07E S15 Lot 1 NWNW~~	~~28.5~~	
~~T01N R07E S15 Lot 4 SWNE~~	~~3.0~~		~~T01N R07E S15 Lot 5 SENE~~	~~9.0~~	
~~T01N R07E S15 Lot 1 NENW~~	~~0.6~~		~~T01N R07E S15 Lot 2 NENW~~	~~11.0~~	
T01N R07E S15	NWNW	1.2	T01N R07E S15 Lot 6	NESE	4.4

11.4 ~~117.3~~ ACRES TOTAL

~~USE OF THIS RIGHT WITH RIGHT NO. 63-115 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 117.3 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 134.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED NOS. 63-115 & 63-19756.~~

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR

S5F Right No. 63-31290B

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 63-115 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS A SPLIT FROM THE ORIGINAL RIGHT NO. 63-31290.

THIS RIGHT IS FOR AN ENLARGEMENT OF 11.4 ~~67.3~~ ACRES. ~~WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.~~

Shurte, Jan

From: Harvey, Becky
Sent: Monday, December 15, 2003 11:38 AM
To: Shurte, Jan
Cc: Spencer, Nick
Subject: Danskin Cattle

Hi Jan,

I talked to Nick, then pulled the files. I think I see what the problem is...on 63-31290A take a look at T1N, R07E, S10, Lot 7 SWSW - 26.6 acres. Then on 63-31290B- that quarter-quarter is of course crossed out - however, there is no lot number beside it. On the original Director's Report - this quarter-quarter was not identified as Lot 7; the lot number was blank. ????. Could you double check this ? Per Nick, there was another small item that Dana questioned so she is going to have to call you directly.

Thanks.

Becky

Corrected

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank you.



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

December 4, 2003

Dana L. Hofstetter
608 West Franklin Street
Boise, ID 83702

Re: Danskin Cattle LLC SF 5's
Subcase Nos.: 63-5069 & 63-31290

Dear Dana:

Pursuant to the settlement discussions, enclosed please find Standard Forms 5 for the following water right recommendations: 63-5069A, 63-5069B, 63-31290A & 63-31290B. Through great effort Jan was able to split the rights retaining the original water right numbers and adding letter suffixes rather than assigning four new numbers.

Please review the SF 5's and attached recommendations. If all meets with your approval, sign where indicated, **initial the recommendations**, then please forward the originals to Steve Spencer at the US Forest Service to obtain David Negri's signature. By copy of this letter, it is requested that the Forest Service return the original documents to me so that IDWR may sign them. I will then file the documents with the SRBA Court.

If you have any questions, please feel free to call Nick Spencer at: 327-7930 or me at: 327-7881.

Sincerely,
Becky J. Harvey
Becky J. Harvey
Paralegal

/bh
Enclosures

cc: Steve Spencer, USFS

[Handwritten signature]

S5F Right No. 63-31290B

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

RIGHT NUMBER: 63-31290B
NAME AND ADDRESS: DANSKIN CATTLE LLC
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID 83647

SOURCE: ROCK CREEK TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.056 ~~0-574~~ CFS
USE OF THIS RIGHT WITH RIGHT NOS. 63-115 & 63-31290A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.0 CFS.

~~USE OF THIS RIGHT WITH RIGHT NO. 63-19756 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF .0894 CFS.~~

PRIORITY DATE: 04/01/1974
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 R07E S14 NENW Within ELMORE County
T01N R07E S15 SENE Lot 5 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	<u>0.056</u> ~~0-574~~ CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T01N R07E S09	NESE	0.8	T01N R07E S09	SESE	0.5
~~T01N R07E S10 Lot 4 NWSW~~	~~11.2~~		~~T01N R07E S10~~	~~SWSW~~	~~26.6~~
~~T01N R07E S10 Lot 7 SESW~~	~~16.0~~		T01N R07E S14 Lot 1	NWSW	4.0
T01N R07E S14 Lot 2	SWSW	0.5	~~T01N R07E S15 Lot 1 NWNW~~	~~28.5~~	
~~T01N R07E S15 Lot 4 SWNE~~	~~3.0~~		~~T01N R07E S15 Lot 5 SENE~~	~~9.0~~	
~~T01N R07E S15 Lot 1 NENW~~	~~0.6~~		~~T01N R07E S15 Lot 2 NENW~~	~~11.0~~	
T01N R07E S15	NWNW	1.2	T01N R07E S15 Lot 6	NESE	4.4

11.4 ~~117.3~~ ACRES TOTAL

~~USE OF THIS RIGHT WITH RIGHT NO. 63-115 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 117.3 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 134.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED NOS. 63-115 & 63-19756.~~

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

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.

SF5 Right No. 63-31290B

S5F Right No. 63-31290B

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 63-115 PURSUANT TO
SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS A SPLIT FROM THE ORIGINAL RIGHT NO. 63-31290.

THIS RIGHT IS FOR AN ENLARGEMENT OF 11.4 ~~67.3~~ ACRES. ~~WITHIN THE PLACE OF USE
DESCRIBED FOR THIS RIGHT.~~

09/09/03

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

RIGHT NUMBER: 63-31290B

NAME AND ADDRESS: DANSKIN CATTLE LLC
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID 83647

SOURCE: ROCK CREEK

TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.056 ~~0.574~~ CFS

USE OF THIS RIGHT WITH RIGHT NOS. 63-115 & 63-32190A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.0 CFS.

~~USE OF THIS RIGHT WITH RIGHT NO. 63-19756 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.894 CFS.~~

PRIORITY DATE: 04/01/1974

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 R07E S14 NENW Within ELMORE County

DRAFT

T01N R07E S15 SENE Lot 5 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.056 ~~0.574~~ CFS

PLACE OF USE:

IRRIGATION Within ELMORE County

T01N R07E S09 NESE 0.8

T01N R07E S09 SESE 0.5

~~T01N R07E S10 Lot 4 NWSW 11.2~~~~T01N R07E S10 SWSW 26.6~~~~T01N R07E S10 Lot 7 SESW 16.0~~

T01N R07E S14 Lot 1 NWSW 4.0

T01N R07E S14 Lot 2 SWSW 0.5

~~T01N R07E S15 Lot 1 NENE 28.5~~~~T01N R07E S15 Lot 4 SWNE 3.0~~~~T01N R07E S15 Lot 5 SENE 9.0~~~~T01N R07E S15 Lot 1 NENW 0.6~~~~T01N R07E S15 Lot 2 NENW 11.0~~

T01N R07E S15 NWNW 1.2

T01N R07E S15 Lot 6 NESE 4.4

11.4 ~~117.3~~ ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-115 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 117.3 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 134.9 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 63-115 & ~~63-19756~~.

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

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

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.

~~THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 63-115 PURSUANT TO SECTION 42-1426, IDAHO CODE.~~

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 11.4 ~~67.3~~ ACRES. ~~WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.~~

THIS RIGHT IS A SPLIT FROM THE ORIGINAL RIGHT NO. 63-31290.

APR 12 2004

WATER RESOURCES
WESTERN 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 SRBA	)	Subcase No. 63-31290B
	)	(Split from 63-31290)
	)	
Case No. 39576	)	Standard Form 5
	)	
	)	STIPULATED ELEMENTS
	)	OF A WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

This water right, along with water right 63-31290A, are split from water right 63-31290. The original water right is now superseded by this water right and water right 63-31290A.

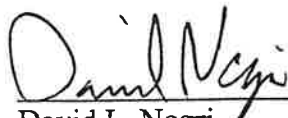
Pursuant to the terms of the *Stipulation to Resolve Subcases* entered into on March 10, 2004, such stipulation being incorporated into this *Standard Form 5*, the parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Danskin Cattle LLC

OBJECTOR:United States on behalf of the
USDA Forest Service

 4/9/04
Dana L. Hofstetter Date

 3/18/04
David L. Negri Date

IDWR CONCURRENCE:

Jan Shurte 4-9-04
Jan Shurte Date
Adjudication Supervisor

ATTORNEY FOR IDWR:

Nick Spencer 4-9-04
Nicholas B. Spencer Date
Deputy Attorney General

CERTIFICATE OF SERVICE

I certify that on April 9, 2004, I mailed the original and copies of this form, including all attachments, postage pre-paid and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Copy to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Jan Shurte
Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

A handwritten signature in dark ink, appearing to read 'Dana L. Hofstetter', is written over a horizontal line.

Dana L. Hofstetter

S5F Right No. 63-31290B

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

RIGHT NUMBER: 63-31290B

NAME AND ADDRESS: DANSKIN CATTLE LLC
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID 83647

SOURCE: ROCK CREEK

TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.056 0-574 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 63-115 & 63-31290A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.0 CFS.

~~USE OF THIS RIGHT WITH RIGHT NO. 63-19756 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .0894 CFS.~~

PRIORITY DATE: 04/01/1974

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 R07E S14 NENW Within ELMORE County

T01N R07E S15 SENE Lot 5 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.056 0-574 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T01N R07E S09	NESE	0.8	T01N R07E S09	SESE	0.5
~~T01N R07E S10 Lot 4~~	~~NWSW~~	~~11.2~~	~~T01N R07E S10 Lot 3~~	~~SWSW~~	~~26.6~~
~~T01N R07E S10 Lot 7~~	~~SESW~~	~~16.0~~	T01N R07E S14 Lot 1	NWSW	4.0
T01N R07E S14 Lot 2	SWSW	0.5	~~T01N R07E S15 Lot 1~~	~~NWNE~~	~~28.5~~
~~T01N R07E S15 Lot 4~~	~~SWNE~~	~~3.0~~	~~T01N R07E S15 Lot 5~~	~~SENE~~	~~9.0~~
~~T01N R07E S15 Lot 1~~	~~NENW~~	~~0.6~~	~~T01N R07E S15 Lot 2~~	~~NENW~~	~~11.0~~
T01N R07E S15	NWNW	1.2	T01N R07E S15 Lot 6	NESE	4.4

11.4 ~~117.3~~ ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-115 AND 63-31290A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 117.3 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 134.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED NOS. 63-115 & 63-19756.~~

SF5 Right No. 63-31290B

S5F Right No. 63-31290B

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

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 63-115 PURSUANT TO SECTION 42-1426, IDAHO CODE.

THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION TO RESOLVE SUBCASES ENTERED INTO ON MARCH 10, 2004 BETWEEN THE UNITED STATES OF AMERICA AND THE DANSKIN CATTLE LLC FILED IN THE OFFICE OF THE ELMORE COUNTY RECORDER AND RECORDED ON MARCH 11, 2004 AS INSTRUMENT NO. 354793; THE PROVISIONS OF SUCH STIPULATION TO APPLY FULLY TO THIS WATER RIGHT.

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS A SPLIT FROM THE ORIGINAL RIGHT NO. 63-31290.

THIS RIGHT IS FOR AN ENLARGEMENT OF 11.4 ~~67.3~~ ACRES. ~~WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.~~

PN
NBS



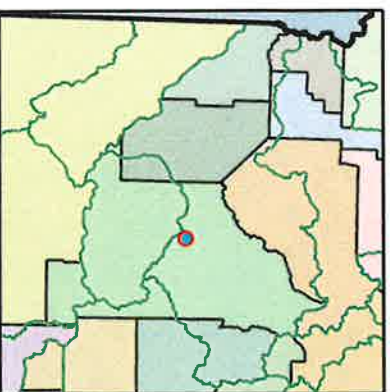
Idaho Department of Water Resources

SRBA Recommendation:

63-31290B
(Irrigation)

Legend

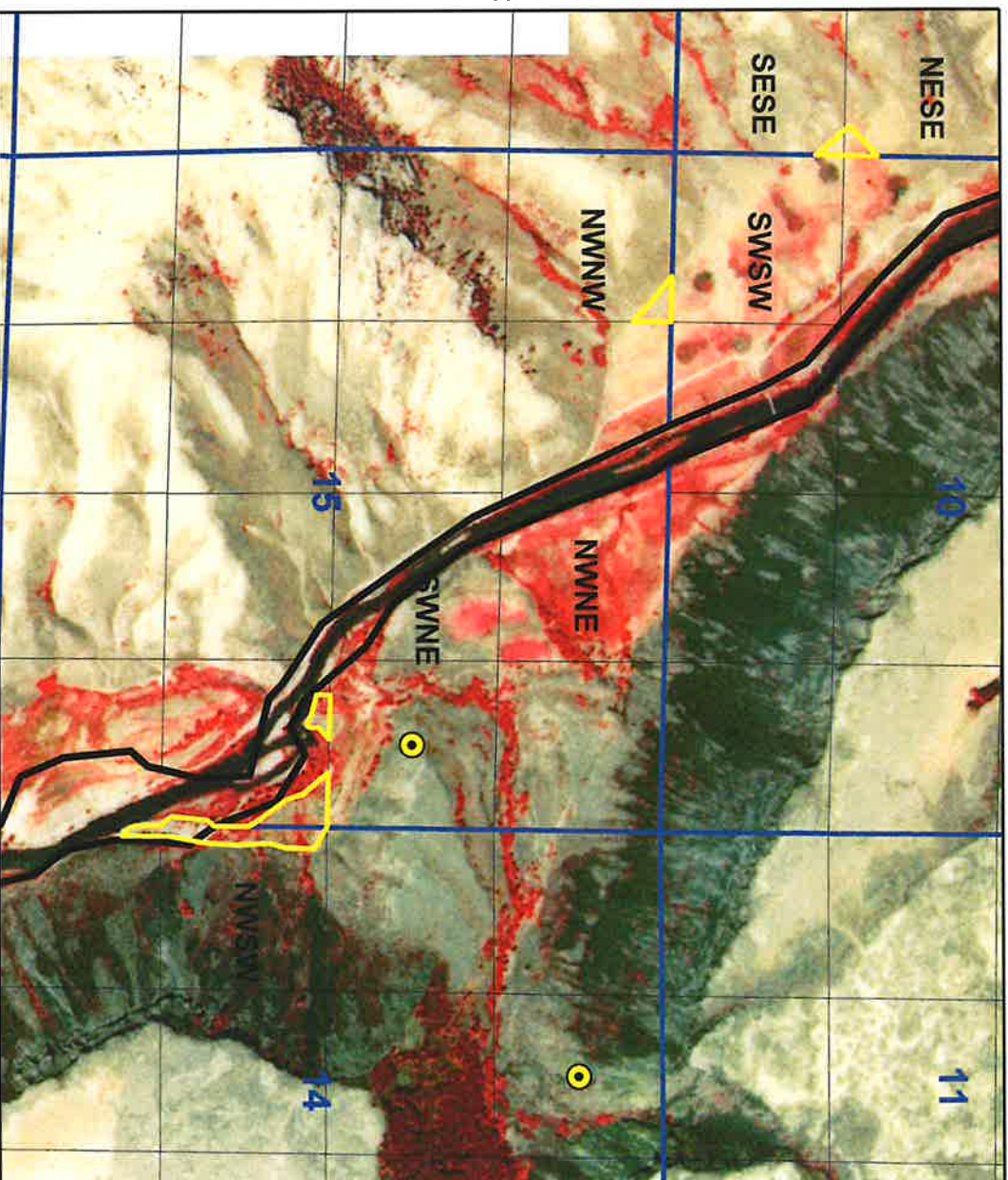
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Elmore County
IDWR Basin 63



T01N



Prepared by S. Egbert
On Friday, October 12, 2007
1987/88 Aerial Photography

RECEIVED

APR 12 2004

WATER RESOURCES
WESTERN 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 SRBA	)	Subcase No. 63-31290A
	)	(Split from 63-31290)
	)	
Case No. 39576	)	Standard Form 5
	)	
	)	STIPULATED ELEMENTS
	)	OF A WATER RIGHT
	)	

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

This water right, along with water right 63-31290B, are split from water right 63-31290. The original water right is now superseded by this water right and water right 63-31290B.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Danskin Cattle LLC

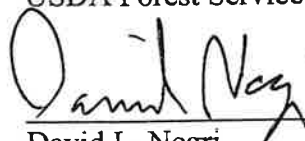
OBJECTOR:

United States on behalf of the
USDA Forest Service


Dana L. Hofstetter

Date

4/9/04


David L. Negri

Date

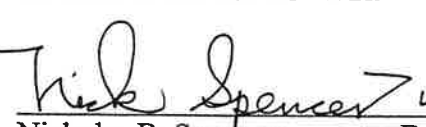
3/18/04

IDWR CONCURRENCE:


Jan Shurte
Adjudication Supervisor

Date

ATTORNEY FOR IDWR:


Nicholas B. Spencer
Deputy Attorney General

Date

CERTIFICATE OF SERVICE

I certify that on April 9, 2004, I mailed the original and copies of this form, including all attachments, postage pre-paid and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Copy to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Jan Shurte
Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705


Dana L. Hofstetter

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

RIGHT NUMBER: 63-31290A

NAME AND ADDRESS: DANSKIN CATTLE LLC
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID 83647

SOURCE: ROCK CREEK

TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.518 0.574 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 63-115 & 63-31290B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.0 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 63-19756 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .894 CFS.

PRIORITY DATE: 04/01/1974

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 R07E S14 NENW Within ELMORE County

T01N R07E S15 SENE Lot 5 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.518 0.574 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T01N R07E S09	NESE	.8	T01N R07E S09	SESE	.5
T01N R07E S10 Lot 4 NWSW		11.2	T01N R07E S10 Lot 8 SWSW		26.6
T01N R07E S10 Lot 7 SESW		16.0	T01N R07E S14 Lot 1 NWSW		4.0
T01N R07E S14 Lot 2 SWSW		.5	T01N R07E S15 Lot 1 NWNE		28.5
T01N R07E S15 Lot 4 SWNE		3.0	T01N R07E S15 Lot 5 SENE		9.0
T01N R07E S15 Lot 2 NENW		11.8	T01N R07E S15	NWNW	1.2
Lot 1		0.6			
T01N R07E S15 Lot 6 NESE		4.4			

105.9 117.3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-115 AND 63-31290B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 117.3 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 134.9 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 63-115, 63-19756 & 63-31290B.

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

SF5 Right No. 63-31290A

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 63-115 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 55.9 ~~67.3~~ ^R ACES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

THIS RIGHT IS A SPLIT FROM THE ORIGINAL RIGHT NO. 63-31290.

DN
NBS



Idaho Department of Water Resources

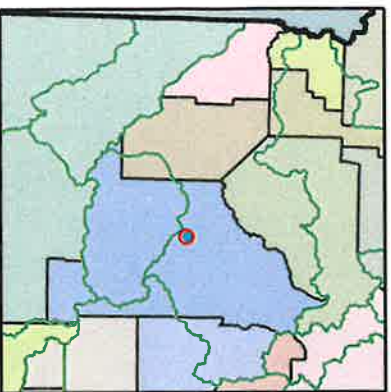
SRBA Recommendation:

63-31290A

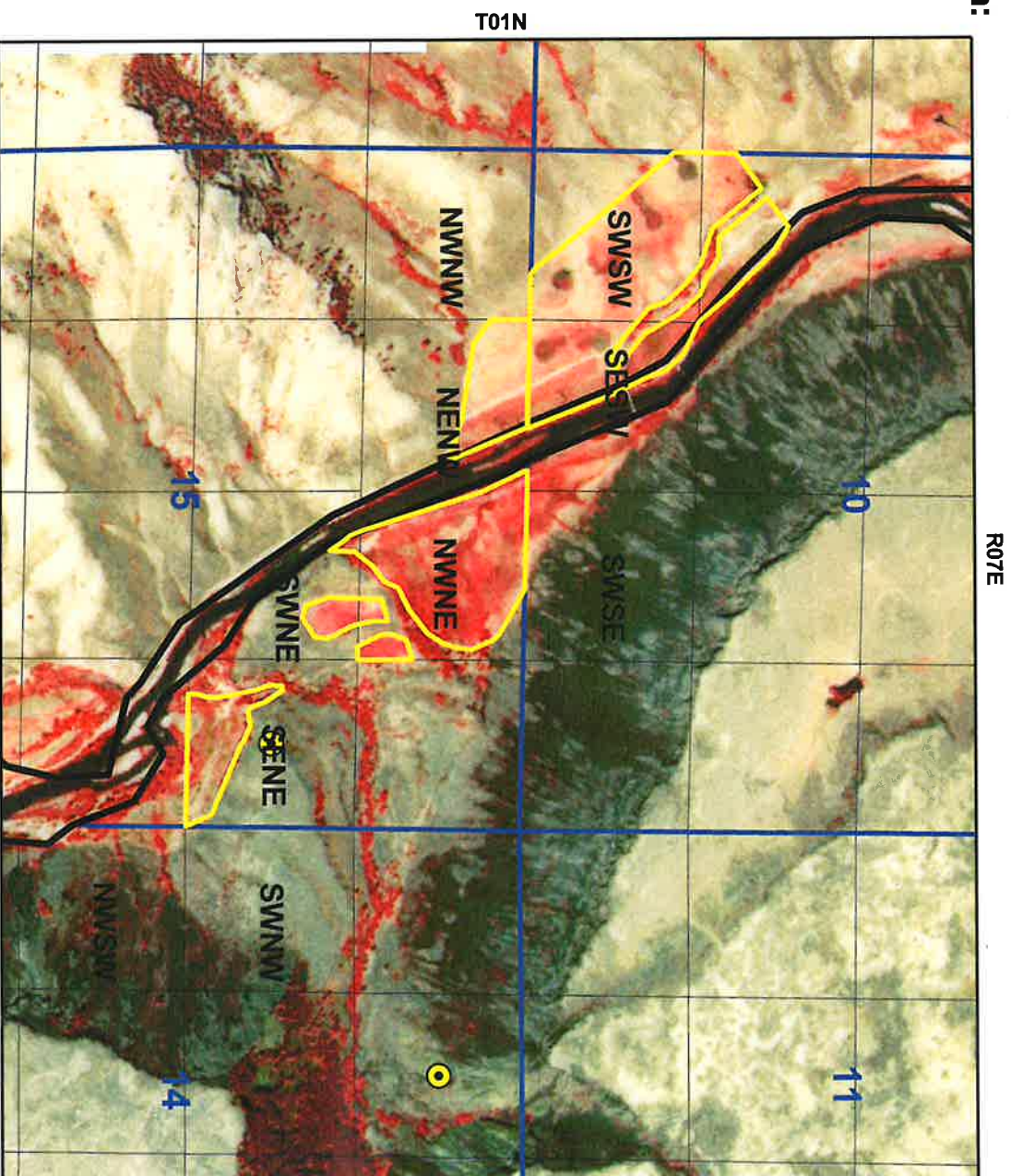
(Irrigation)

Legend

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



Elmore County
IDWR Basin 63



Prepared by S. Egbert
On Friday, October 12, 2007
1987/88 Aerial Photography

RECEIVED

APR 12 2004

WATER RESOURCES
WESTERN 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 SRBA	)	Subcase No. 63-05069B
	)	(Split from 63-05069)
	)	
Case No. 39576	)	Standard Form 5
	)	
	)	STIPULATED ELEMENTS
	)	OF A WATER RIGHT
	)	

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

This water right, along with water right 63-05069A, are split water right 63-05069. The original water right is now superseded by this water right and water right 63-05069A.

Pursuant to the terms of the *Stipulation to Resolve Subcases* entered into on March 10, 2004, such stipulation being incorporated into this *Standard Form 5*, the parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

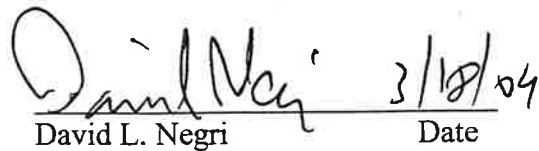
Danskin Cattle LLC

OBJECTOR:

United States on behalf of the
USDA Forest Service


Dana L. Hofstetter Date

4/9/04


David L. Negri Date

3/18/04

IDWR CONCURRENCE:

Jan Shurte 4-9-04
Jan Shurte Date
Adjudication Supervisor

ATTORNEY FOR IDWR:

Nicholas B. Spencer 4-9-04
Nicholas B. Spencer Date
Deputy Attorney General

CERTIFICATE OF SERVICE

I certify that on April 9, 2004, I mailed the original and copies of this form, including all attachments, postage pre-paid and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Copy to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Jan Shurte
Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705



Dana L. Hofstetter

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

RIGHT NUMBER: 63-5069B

NAME AND ADDRESS: DANSKIN CATTLE LLC
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID 83647

SOURCE: BOCK CREEK
UNNAMED STREAM

TRIBUTARY: SOUTH FORK BOISE RIVER
TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.240 ~~1.2~~ CFS

THE QUANTITY OF WATER UNDER THIS RIGHT AND RIGHT NO. 63-5069A FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1892

POINT OF DIVERSION:

T01N R07E S15 SWESE Within ELMORE County
T01N R07E S22 NENENE Within ELMORE County
T01N R07E S22 SWNE Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.220 ~~1.13~~ CFS
STOCKWATER	01/01 12/31	0.020 ~~0.07~~ CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T01N R07E S15 Lot 7 NESE	11.0	T01N R07E S15 Lot 9 SESE	26.0
T01N R07E S22 NENE	4.5	T01N R07E S23 Lot 2 NWNW	9.7
T01N R07E S23 Lot 3 SWNW	5.5		

STOCKWATER same as IRRIGATION11 ~~56.7~~ ACRES TOTAL

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

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.

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

THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION TO RESOLVE SUBCASES ENTERED INTO ON MARCH 10, 2004 BETWEEN THE UNITED STATES OF AMERICA AND THE DANSKIN CATTLE LLC FILED IN THE OFFICE OF THE ELMORE COUNTY RECORDER AND RECORDED ON MARCH 11, 2004 AS INSTRUMENT NO. 354793; THE PROVISIONS OF SUCH STIPULATION TO APPLY FULLY TO THIS WATER RIGHT.

PN [Signature]
[Signature]
NBS

SF5 Right No. 63-5069B

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER USE IS FOR 50 ~~250~~ RANGE CATTLE.

THIS RIGHT IS A SPLIT FROM THE ORIGINAL RIGHT NO. 63-5069.

[Handwritten signature]
DN
[Handwritten signature]
NBS

SF5 Right No. 63-5069B

Idaho Department of Water Resources

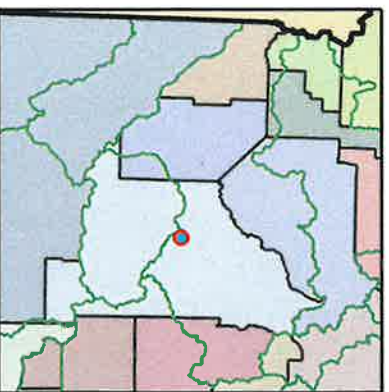


Water Right:

63-5069B
(Irrigation)

Legend

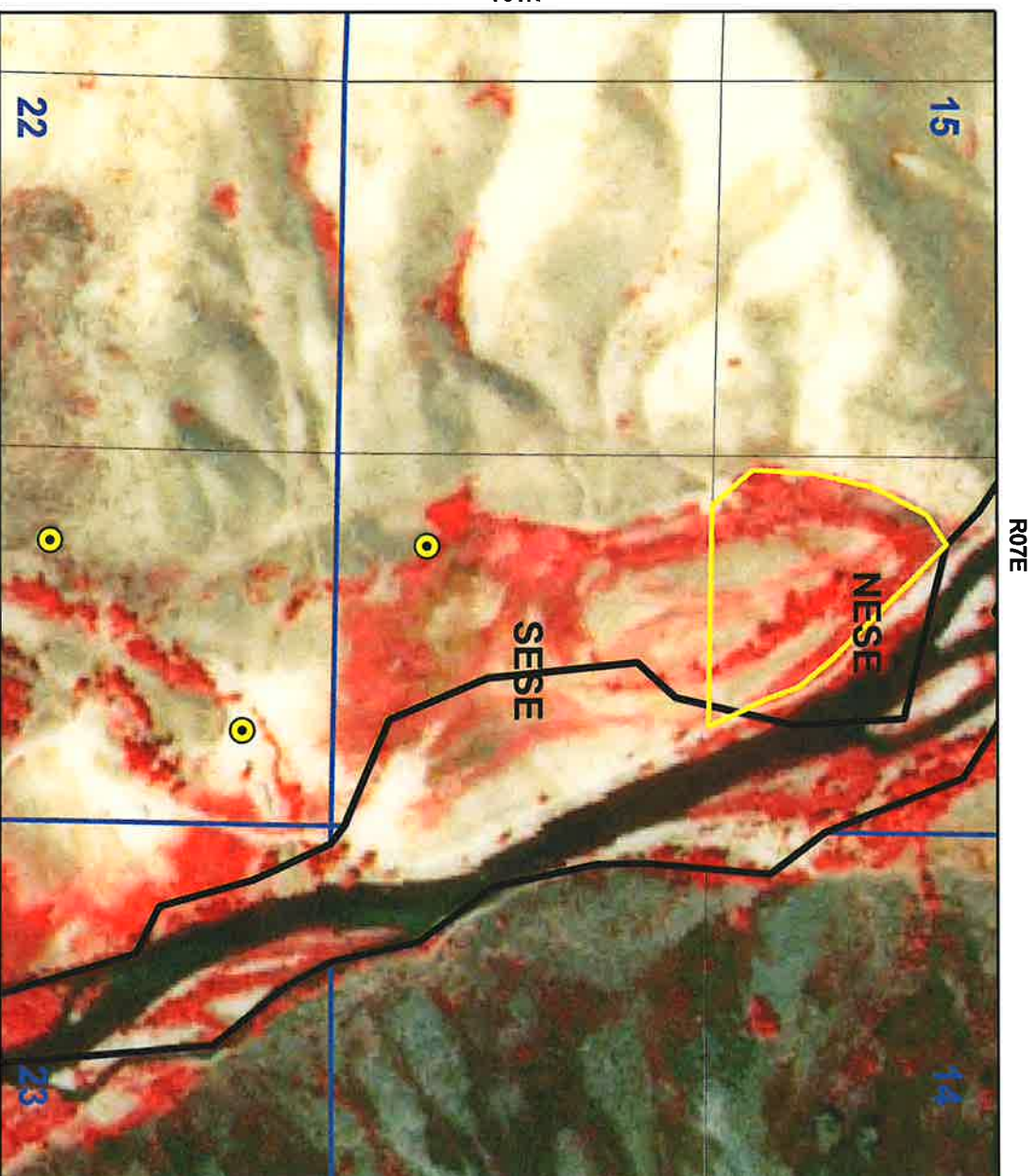
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Elmore County
IDWR Basin 63



T01N



Prepared by S. Egbert
On Friday, October 12, 2007
1987/88 Aerial Photography

RECEIVED

APR 12 2004

WATER RESOURCES
WESTERN 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 SRBA	)	Subcase No. 63-05069A
	)	(Split from 63-05069)
	)	
Case No. 39576	)	Standard Form 5
	)	
	)	STIPULATED ELEMENTS
	)	OF A WATER RIGHT
	)	

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

This water right, along with water right 63-05069B, are split from water right 63-05069. The original water right is now superseded by this water right and water right 63-05069B.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

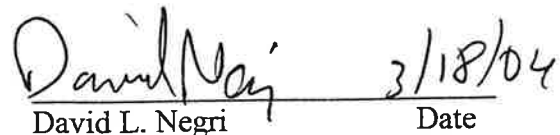
CLAIMANT:

Danskin Cattle LLC

OBJECTOR:

United States on behalf of the
USDA Forest Service


Dana L. Hofstetter Date


David L. Negri Date

Jan Shurte Date
Adjudication Supervisor

Nicholas B. Spencer 4-9-04
Deputy Attorney General Date

CERTIFICATE OF SERVICE

I certify that on April 9, 2004, I mailed the original and copies of this form, including all attachments, postage pre-paid and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Copy to:

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P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Jan Shurte
Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705


Dana L. Hofstetter

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

RIGHT NUMBER: 63-5069A

NAME AND ADDRESS: DANSKIN CATTLE LLC
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID 83647SOURCE: BOCK CREEK
UNNAMED STREAMTRIBUTARY: SOUTH FORK BOISE RIVER
TRIBUTARY: SOUTH FORK BOISE RIVERQUANTITY: 0.960 ~~1.2~~ CFSTHE QUANTITY OF WATER UNDER THIS RIGHT AND RIGHT NO. 63-5069B FOR STOCKWATER
USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1892

POINT OF DIVERSION:

T01N R07E S15 SWESE Within ELMORE County
T01N R07E S22 NENENE Within ELMORE County
T01N R07E S22 SWNEE Within ELMORE CountyPURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.910 ~~1.13~~ CFS
STOCKWATER	01/01 12/31	0.050 ~~0.07~~ CFS

PLACE OF USE: IRRIGATION Within ELMORE County~~T01N R07E S15 Lot 7 NESE 11.0~~

T01N R07E S15 Lot 9 SESE	26.0	T01N R07E S22 NENE	4.5
T01N R07E S23 Lot 2 NWNW	9.7	T01N R07E S23 Lot 3 SWNW	5.5

STOCKWATER same as IRRIGATION45.7 ~~56.7~~ ACRES TOTAL

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

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

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER USE IS FOR 200 ~~250~~ RANGE CATTLE.THIS RIGHT IS A SPLIT FROM THE ORIGINAL RIGHT NO. 63-5069.



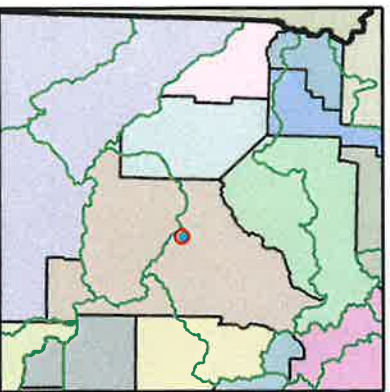
Idaho Department of Water Resources

Water Right:

63-5069A
(Irrigation)

Legend

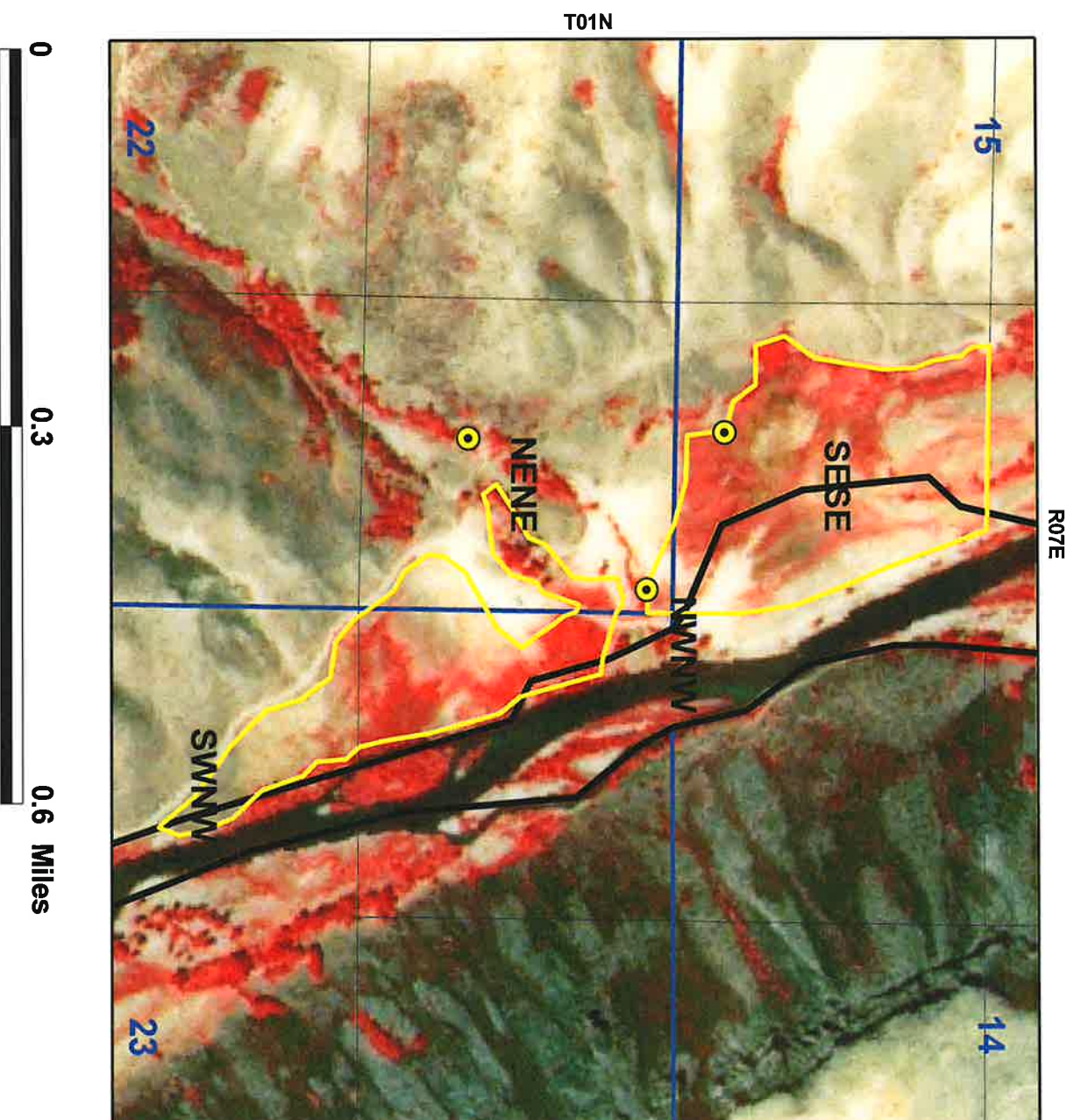
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Elmore County
IDWR Basin 63



Prepared by S. Egbert
On Friday, October 12, 2007
1987/88 Aerial Photography



CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of July, 2003, I caused to be served copies of the foregoing **Notice of Appearance** by the postage pre-paid methods indicated below:

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724
✕ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

Idaho Department of Water Resources
Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098
✕ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449
✕ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

Danskin Cattle LLC
c/o Robert C. Baker
P.O. Box 488
Mountain Home, ID 83647
✕ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax


Dana L. Hofstetter

E:\4020.1\5627

RECEIVED

JAN 31 2003

Department of Water Resources

**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

A. Subcase: 63-31290

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service
Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724
Daytime Phone: (208) 331-5943

Name and Address of Attorney, if any:

David L. Negri
550 West Fort Street
MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN THE DIRECTOR'S REPORT

Name: Danskin Cattle LLC
Address: C/O Robert C Baker
P.O. Box 488
Mountain Home, ID 83647

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Places of Use**
Should be: See E below.

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

Places of use shown in the Directors Report recommendation in the NESE and SESE of Section 9, Lot 1 NWSW and Lot 2 SWSW of Section 14, and NWNW and NESE of Section 15, all in T1N, R7E are on National Forest System land. The claimant is not authorized to occupy and use the National Forest for this purpose.

State of Idaho)
) ss.
County of Ada)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Michael Collette
(Signature of person filing objections)

Daniel May
(Attorney signing in representative capacity)

Subscribed and sworn before me on:

January 30, 2023
 Gayla J. Gough



Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission Expires: 11/17/2004

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 11/30/03, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

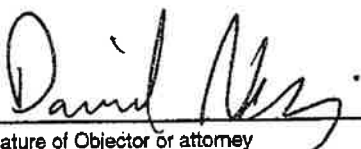
Name: Danskin Cattle LLC
Address: C/O Robert C Baker
P.O. Box 488
Mountain Home, ID 83647

3. Copies to:

IDWR Document Depository
PO Box 83720
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Chief, Natural Resource
Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf



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

November 7, 2002

MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME ID 83647

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We request the publication dates be November 13, 2002 and November 20, 2002. If you cannot publish the notice on the proposed dates, please contact me immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Yours truly,

A handwritten signature in cursive script that reads "Danni M. Smith".

Danni M. Smith
SRBA Sr. Secretary

Enclosure

Post-it® Fax Not		7671	Date 11-7-2	# of pages 2
To	Danni M. Smith		From	Danni M. Smith
Co. Dept.			Co.	
Phone #			Phone #	
Fax #			Fax #	

NOTICE OF ENLARGEMENT OF WATER RIGHT

The following claims to water rights have been filed in the Snake River Basin Adjudication as enlargements to existing water rights under Idaho Code §42-1426. Note that the places of use in Elmore County are shown to the nearest section — more specific locations are available upon request.

Water Right: 63-31290

NAME & ADDRESS: DANSKIN CATTLE LLC
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID 83647

SOURCE: ROCK CREEK TRIBUTARY TO: SOUTH FORK BOISE RIVER

PRIORITY DATE: 04/01/1974

POINT OF DIVERSION: T01N R07E S14 NENW
S15 SENE

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T01N R07E S09 NESE SESW
S10 Lot 4(NWSW) SWSW Lot 7(ESW)
S14 Lot 1(NWSW) Lot 2(SWSW)
S15 Lot 1(NWNE) Lot 4(SWNE) Lot 5(ENE)
Lot 1(NENW) Lot 2(NENW) Lot 6(ENE)
NWNW

This right is for an enlargement of 67.3 acres irrigation
Within the place of use described for this right.

The water rights will be subject to all prior water rights. Those asserting injury from the enlargements may file petitions with the Director, Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082 on or before December 20, 2002.

Howerton, Ron

From: Howerton, Ron
Sent: Monday, October 28, 2002 1:15 PM
To: Smith, Danni
Cc: Shurte, Jan
Subject: R6331290.doc Attachment



R6331290.doc

Danni,

This is an enlargement recommendation that needs to be advertised.

It is basin 63 Part 1.

Danskin Cattle LLC

63-31290 Objection - FOREST SERVICE

(ALSO should apply to OVERLAPPING Right 63-115)

(ALSO total acres on

Objected to Following lands on FS Ground.

509 NE SE .8 Ac (Enlarged Side)

SE SE .5 Ac (Enlarged Side)

514 NWSW 4 Ac (DECREED Side)

SW SW .5 Ac (DECREED Side)

515 NE SE 4.4 Ac (DECREED Side)

NWNW 1.2 Ac (Enlarged Side)

A) Enlarged Acres

.8

.5

1.2

2.5 Acres (FOREST SERV)

B) DECREED SIDE ACRES

4

.5

4.4

8.9 (FOREST SERV)

A) 2.5 + B) 8.9 = 11.4 ACRES

PPOW ACRES = 117.3 - 11.4 FOREST SERV. AC =
105.9 (PRIVATE)

1

07/29/2002

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

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

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 63-115 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 67.3 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 5, 2002

Water right number: 63-31290

DANSKIN CATTLE LLC

C/O ROBERT C BAKER

PO BOX 488

MOUNTAIN HOME ID 83647

Telephone Number: (208)587-3617

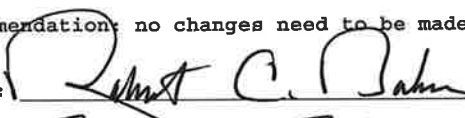
1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3/18/02

SIGNATURE: 

Please print your name: Robert C. Baker

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

ENLARGEMENT CLAIM OF 63-115

(DECREE RIGHT)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 63-31290

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☐ No Change ADDRESS
☐ NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

POD OVERLAP
with 63-115
§ 63-31290

4. ☒ No Change — POINT OF DIVERSION ✓ GPS LOCATION
☐ Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

PIPE LINE with 14" steel pipe, then into 10" PVC
then piped across south Fork of Boise River then to
risers and sprinklers.

Idaho Department of Water Resources

CLAIM VERIFICATION NARRATIVE SHEET

Updated: February 28, 2002

Date of Exam: August 8 & 20, 2001

Field examiner:

**Ron Howerton
Senior Water Right Agent**

**Water Right Nos.: 63-115 & 63-31290
Also references to: 63-19756 & 63-31296**

Contacts: Robert C. Baker

Narrative:

All Rock Creek water historically came down in the "Joy Ditches" at time of decreed right 63-115. A pipeline with risers replaced most of the historical ditches later from only the upper point of diversion. Additional land also was added for the enlargement beneficial use claim 63-31290 in 1974 when the historical "Joy Ditches" washed out. See affidavit by Robert Baker dated September 5, 2001. An additional beneficial use claim was filed on Rock Creek and is not considered an enlargement because the use began after the decree & prior to 1971, claim # 63-31296.

The affidavits for all beneficial use claims were all filled out by Bob Baker at Western Region September 5, 2001.

DATE OF PRIORITY: Ambiguous decree 63-115 stated superior to all others, not giving a date of priority, claimant submitted evidence of 04/01/1897, recommended.

DIVERTING WORKS & POD: The upper point of diversion consists of a screw head gate, plastic with rock dam. The water is diverted into a 14 inch steel pipe underground, then into 10 inch PVC, combination risers for sprinklers and gravity flow into historical ditches on the East side, then piped over the South Fork of the Boise River to where the enlargement acres are. He then uses risers for sprinkler irrigation. The decree was ambiguous in describing points of diversion.

SEASON OF USE: The decree was ambiguous by not listing the season of use, I'm recommending the standard season for this area and it matches the claimed season of use.

PLACE OF USE: Bob was made aware again at time of filing his affidavits for proof of historical beneficial use and during the field exams, that several of his claims overlapped Forest Serve Lands. He still wanted me to recommend their lands that irrigation is on, because he leases the lands. I have recommended them and expect an objection from the Forest Service. Recommendations of 117.3 acres are combined for the decreed right 63-115 and the 63-31290-enlargement claim.

I used BLM maps and Arc View information to verify Forest Service lands. See file copy. Also, questionable tract of BLM land. I questioned Bob about this; he said his contact with BLM said it wasn't BLM and thus, I recommended it.

I will also list 63-115 as an accomplished transfer for the place of use; some land changed from decreed area and the other reason is because of the change in the place of use of the enlargement in 1974. Evidence of change is shown on the 1987 NAPP photo. No injury found.

THE DECREE: Did not specify the duty of water. After plotting lands not included in the enlargement, it comes to 0.02 CFS per acre. The enlargement claim was prorated based upon the enlarged acres, see CFS prorate table in 63-31290.

OVERLAP REVIEW: The enlargement is 67.3 acres and the decree for 50-acre total of 117.3 acres is being recommended as a permissible place of use. Other overlaps are with 63-19756 with total acres of 134.9. See file for attached overlap review sheet. No places of use overlap with 63-31296, except with the point of diversion in section 14.

MEASUREMENTS: Manning measurements were made on historical ditches to verify differences in spring sources flows and Rock Creek flows. Also to verify more than 1 CFS had been diverted after the decreed Rock Creek 63-115 beneficial use claim for 63-31296 Rock Creek. The amount measured all provided historical flows in addition to 1 CFS and proved additional CFS had been diverted for spring source claim 63-19756. See Manning's equation data in file.

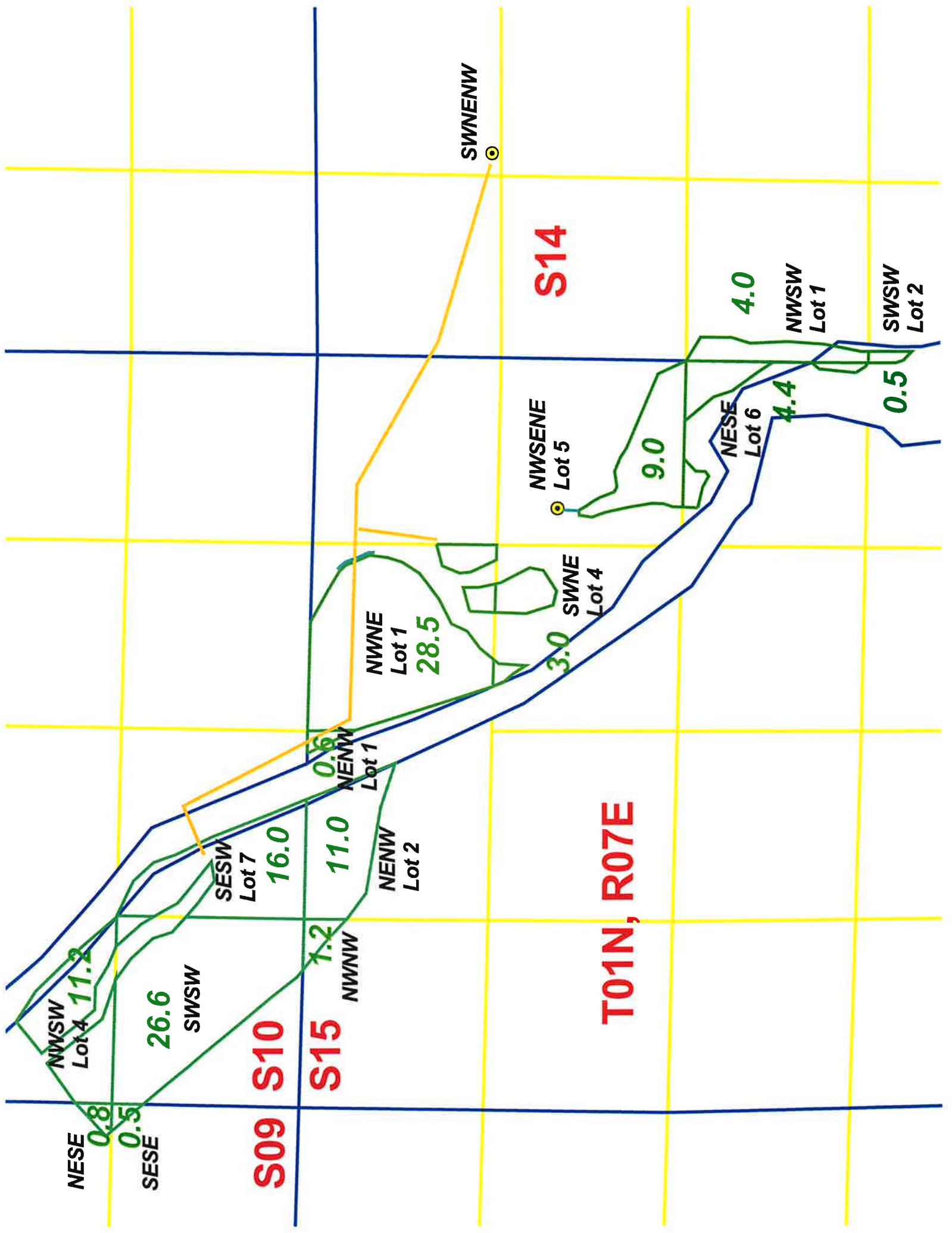
**IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))**

_____)

County of Ada)

Residing at _____, Residing at Boise, Idaho
My Commission Expires December 8, 2006
My Commission Expires _____.





S09 S10

S15

S14

T01N, R07E

NWSW
Lot 4

NESE

SESE

SWSW

SESW
Lot 7

NWNW

NENW
Lot 2

NENW
Lot 1

NWNE
Lot 1

SWNE
Lot 4

NWSENE
Lot 5

NESE
Lot 6

NWSW
Lot 1

SWSW
Lot 2

SWNENW

0.8

0.5

11.2

26.6

16.0

11.0

1.2

0.6

28.5

3.0

9.0

4.4

4.0

0.5

**T01N R07E
SEC 10**

NW¹SW
Lot 4

NESE

**T01N R07E
SEC 09**

SESE

SEC 09

SESW
Lot 6

SWSW

SESW
Lot 7

NENW
Lot 1

NWNE
Lot 1

**T01N R07E
SEC 15**

NENW
Lot 2

NWNW

0.8

0.5

4.7

6.5

0.6

26.0

16.0

1.2

11.0

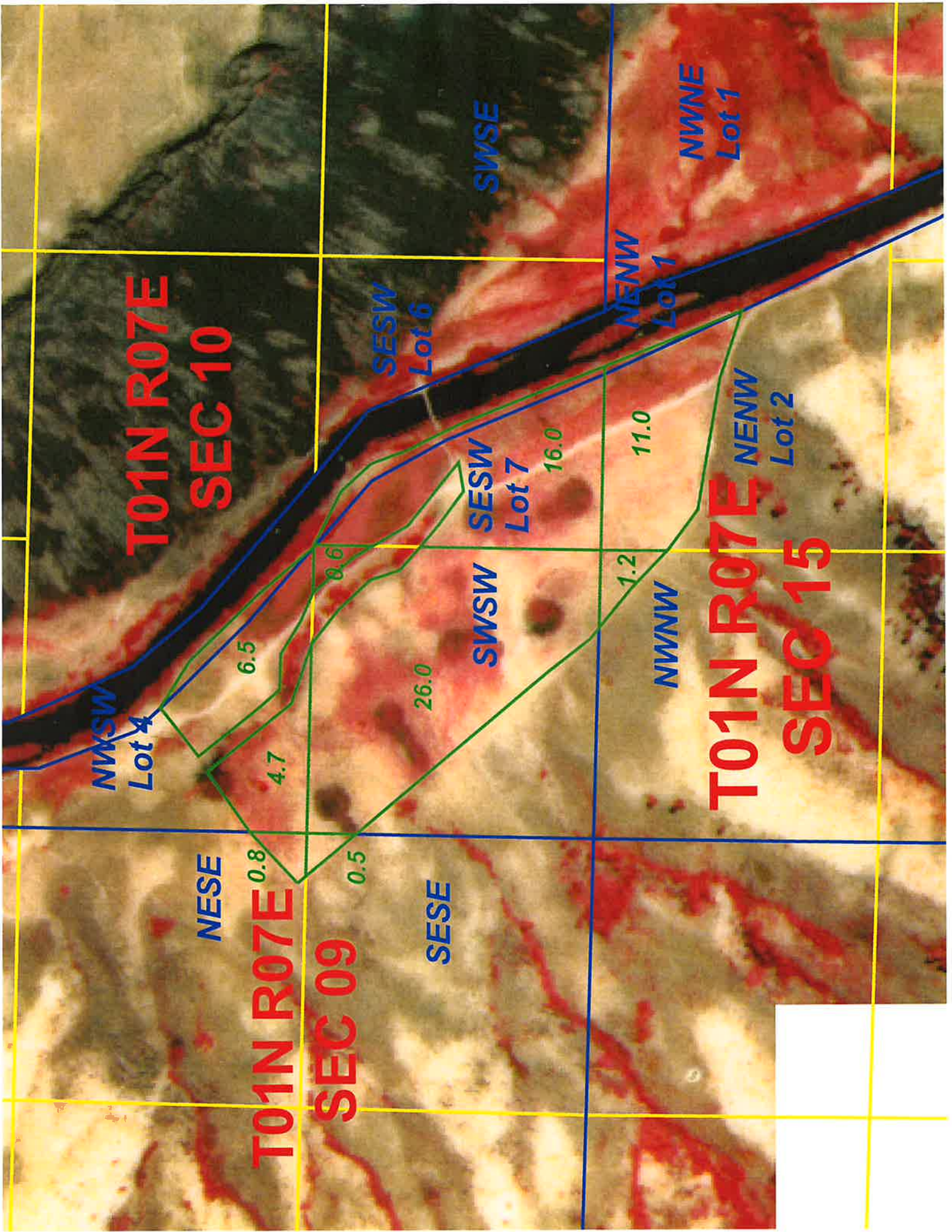


Photo 1. FX Aug. 20, 2001. Photos by RDH. 63-31290-enlargement claim. POD photo taken earlier. Aug. 8, 2001. POD overlap with 63-115 & 63-31296, T01N, R07E, S14, SWNENW.



System consists of screw head gate, plastic, rock dam, diverted into 14" steel pipe underground, then into 10" PVC, then is piped across the South Fork of the Boise River with risers for sprinkler irrigation on the West side of river. The place of use was looked at on Aug. 8, 2001. Size and type of underground pipe was given information by owner Bob Baker.

(ENLARGEMENT OF 115)
63 - 71290

63 - 19756

63 - 31291

(A)

(B)

OVERLAP
~~TOTALS~~

(c)

Rock CP

NO (A) overlaps

(B) & (C) overlap

[illegible]

- COMBINED CFS & ACRES
SEE ALSO OVERLAP REVIEW SHEET

- 63-115 Rock CR

COMBINED WITH ENLARGEMENT: 63-31290 Rock CR

CFS = 1.0 CFS + ENLARGEMENT = 1.0 CFS COMBINED

ACRES = 50 + 67.3 = 117.3 ACRES COMBINED

- 63-19756 SPRINGS & UNNAMED STREAMS

COMBINED WITH 63-115 Rock CR

CFS 1.0 CFS + .894 = 1.894 CFS COMBINED

PPOU ACRES = 117.3 + 44.7 = 134.9 COMBINED

- COMBINED WITH 63-31296 Rock CR

CFS .352 CFS (TOTAL OVERLAP) AT 0.02/ACRE = .894 CFS COMBINED

ACRES 17.6 ACRES (TOTAL OVERLAP) = 44.7 ACRES

- 63-31290 ENLARGEMENT Rock CR

COMBINED WITH SPRINGS & UNNAMED STREAMS (63-19756)

CFS ENLARGEMENT (NONE) + .894 = CFS COMBINED = .894
63-19756

PPOU ACRES = 117.3 + 44.7 = 134.9 COMBINED ACRES

Type	WR #	Owner	Source	TRs	NENE	NWNE	SWNE	SENE	NENW	SWNW	SESW	NESW	NWSW	SESE	Total
Rec	63 5069	DANSKIN CATTLE LLC.	ROCK CREEK, UNNAMED STREAM	01N07E15										28	37
Rec	63 115	DANSKIN CATTLE LLC.	ROCK CREEK	01N07E15	28.5	3	9	0.6	1.2						46.7
Rec	63 31280	DANSKIN CATTLE LLC.	ROCK CREEK	01N07E15	28.5	3	9	0.6	1.2						46.7
Rec	63 13756	DANSKIN CATTLE LLC.	SPRINGS, UNNAMED STREAMS	01N07E15	28	0.5		0.6							27.1

CFS PRORATE SHEET FOR ENLARGEMENTS

BASE RIGHT NO. 63-115

ACRES CFS
50 1

ENLARGEMENT NO. 63-31290

ACRES
67.3

COMBINED TOTAL ACRES = ----- 117.3

PRORATED CFS PER ACRE = ----- 0.008525

ENLARGEMENT PRORATED CFS =

((BASE CFS / (BASE + ENLARGEMENT ACRES)) X
(ENLARGEMENT ACRES) =

CFS AVAILABLE FOR ENLARGEMENT = -----

CFS
0.574

ANALYSIS OF DANSHIN CATTLE CO. CLAIMS

LAND USES

BLM / FOREST / PRIVATE

IN

SECTIONS 9, 10, 15, 22 & 23

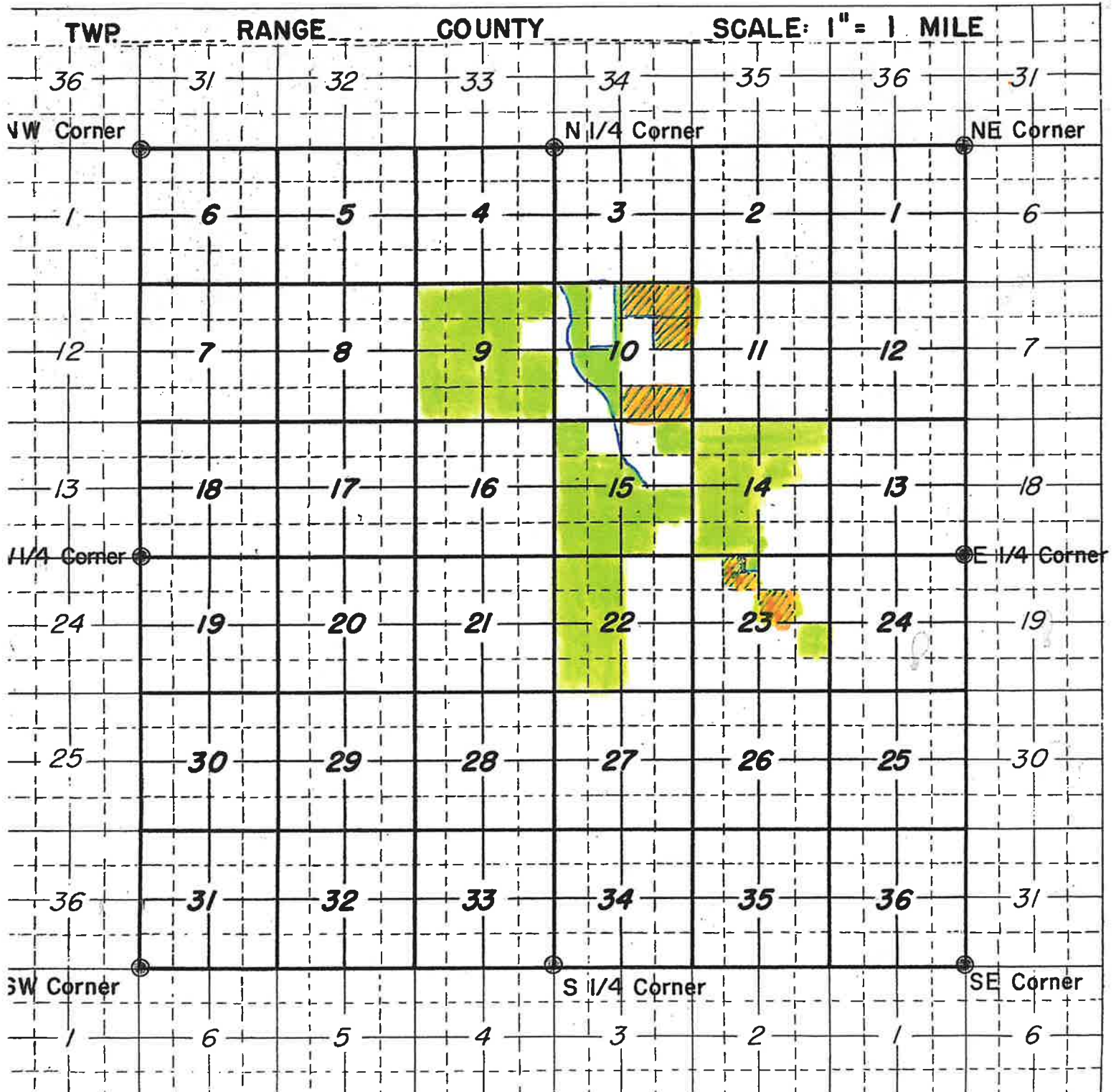
14

TIN RTE

□ = DAN PRIVATE LANDS

▨ = BLM cross hatch w you

■ = SOLID GREEN (FOREST)





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 13, 2001

DANSKIN CATTLE LLC
% ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID 83647

Re: Notice of Claim to a Water Right No. 63-115, 63-4225, 63-4859, 63-5069, 63-19755,
63-19756, 63-19757, 63-31290 & 63-31296

Dear Claimant(s):

Enclosed are copies of the above referenced *amended* claims, which reflect the necessary changes for the land and appurtenant water rights covered under the original filing. Also enclosed are the new claim filings, and copies for your records.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure