



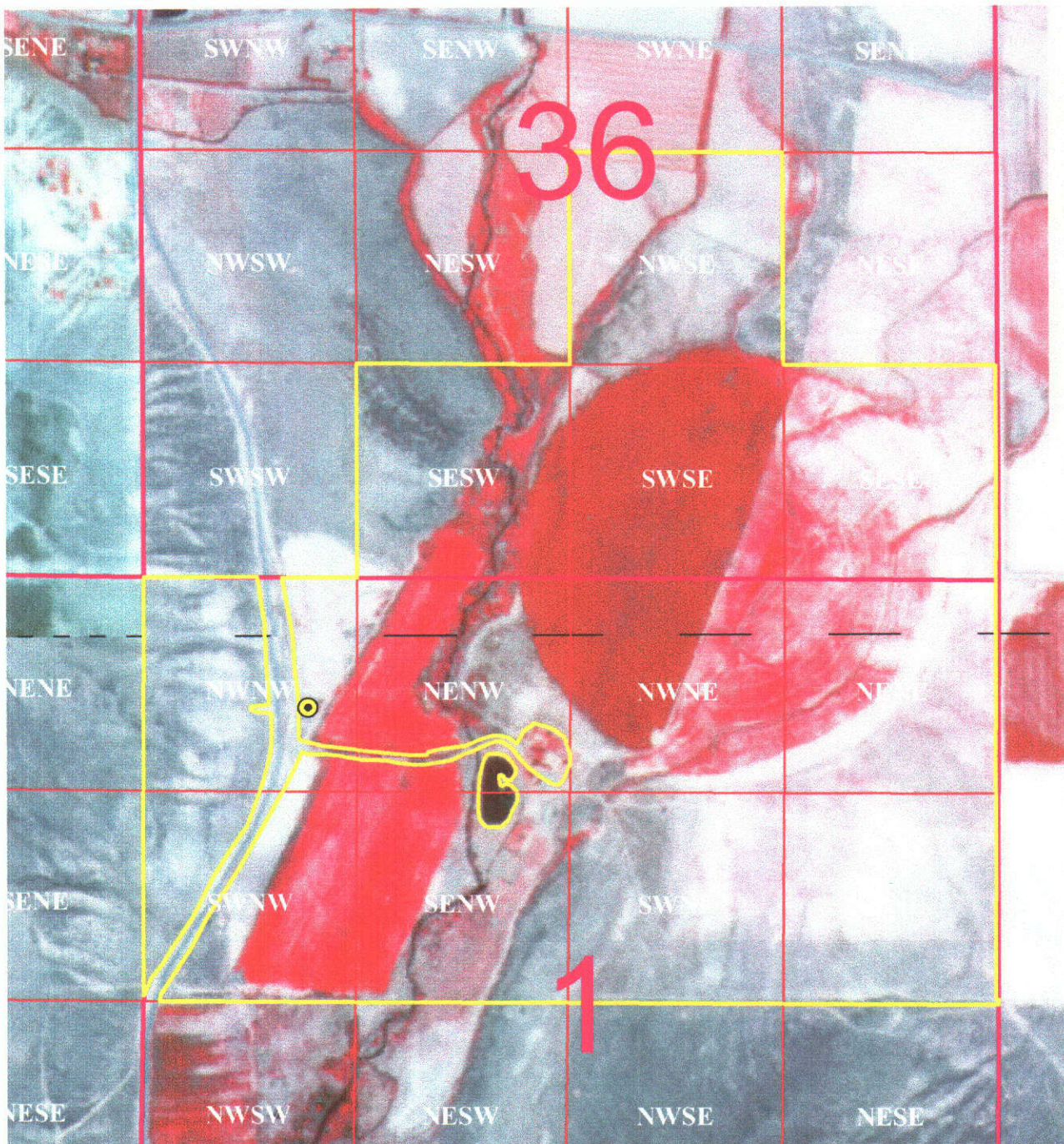
Kevin Guthrie  
Well NW/NW S.1



1-11-96 JES  
47-02491

Water Right Claim Number A47-02491  
Townships , 11S18E, 12S18E

10/05/2000

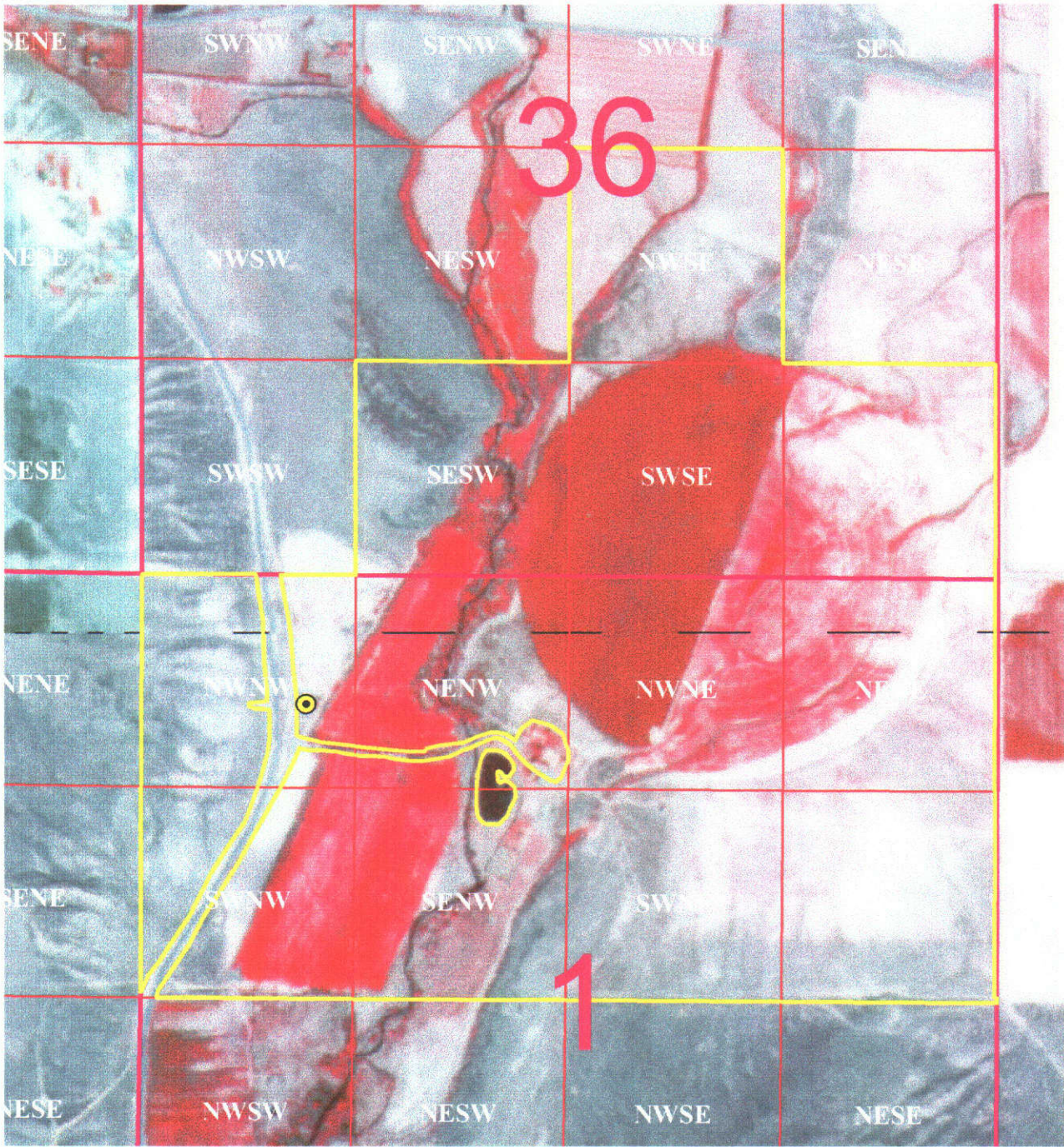


700 0 700 1400 Feet



Water Right Claim Number A47-02491  
Townships , 11S18E, 12S18E

10/05/2000



Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

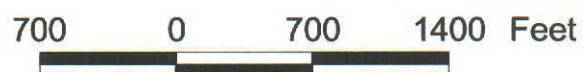
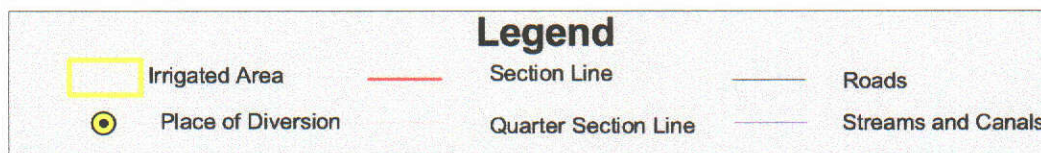
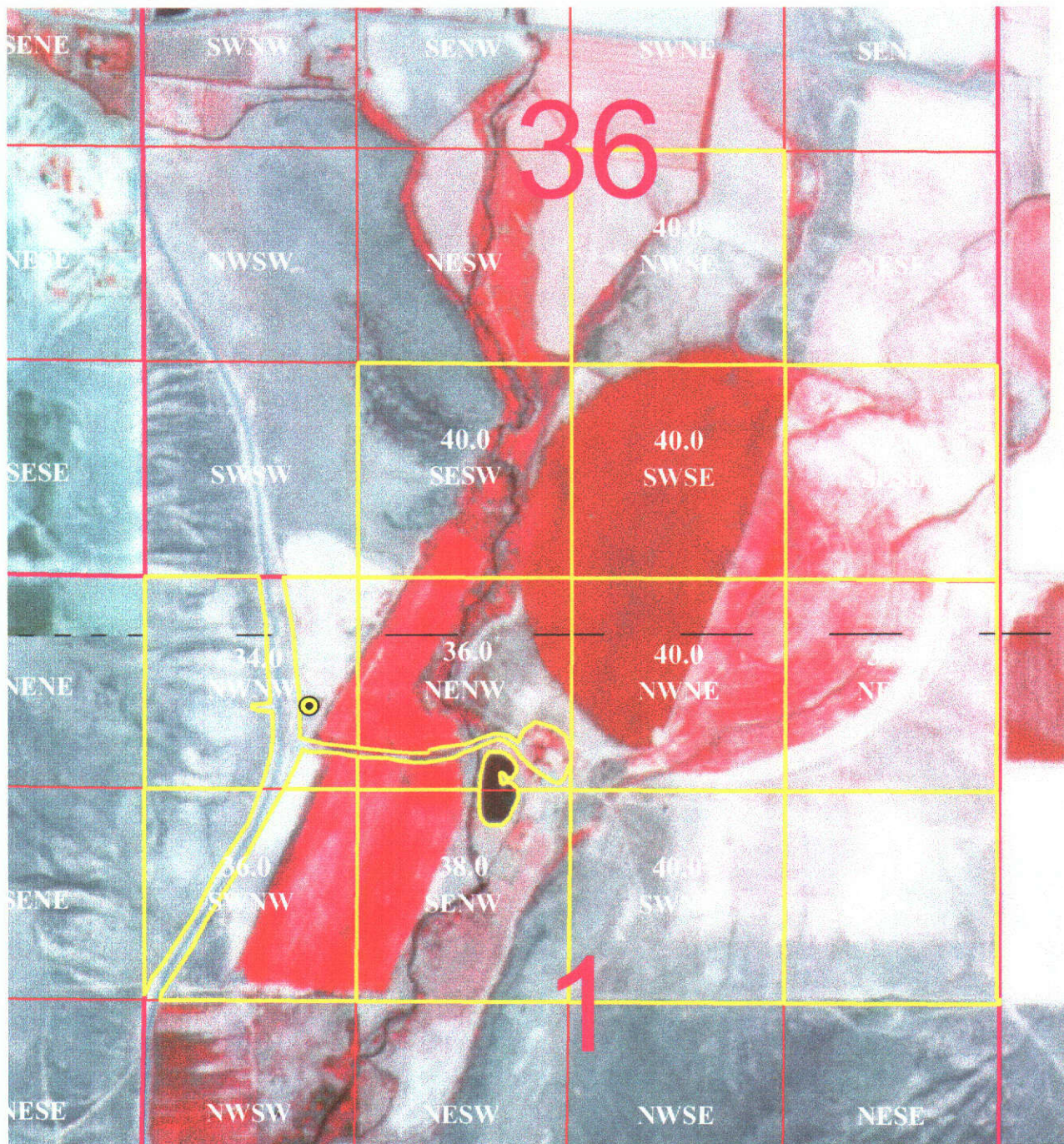
Streams and Canals

N



Water Right Claim Number A47-02491  
Townships , 11S18E, 12S18E

10/05/2000



TO: File

DATE: April 14, 1997

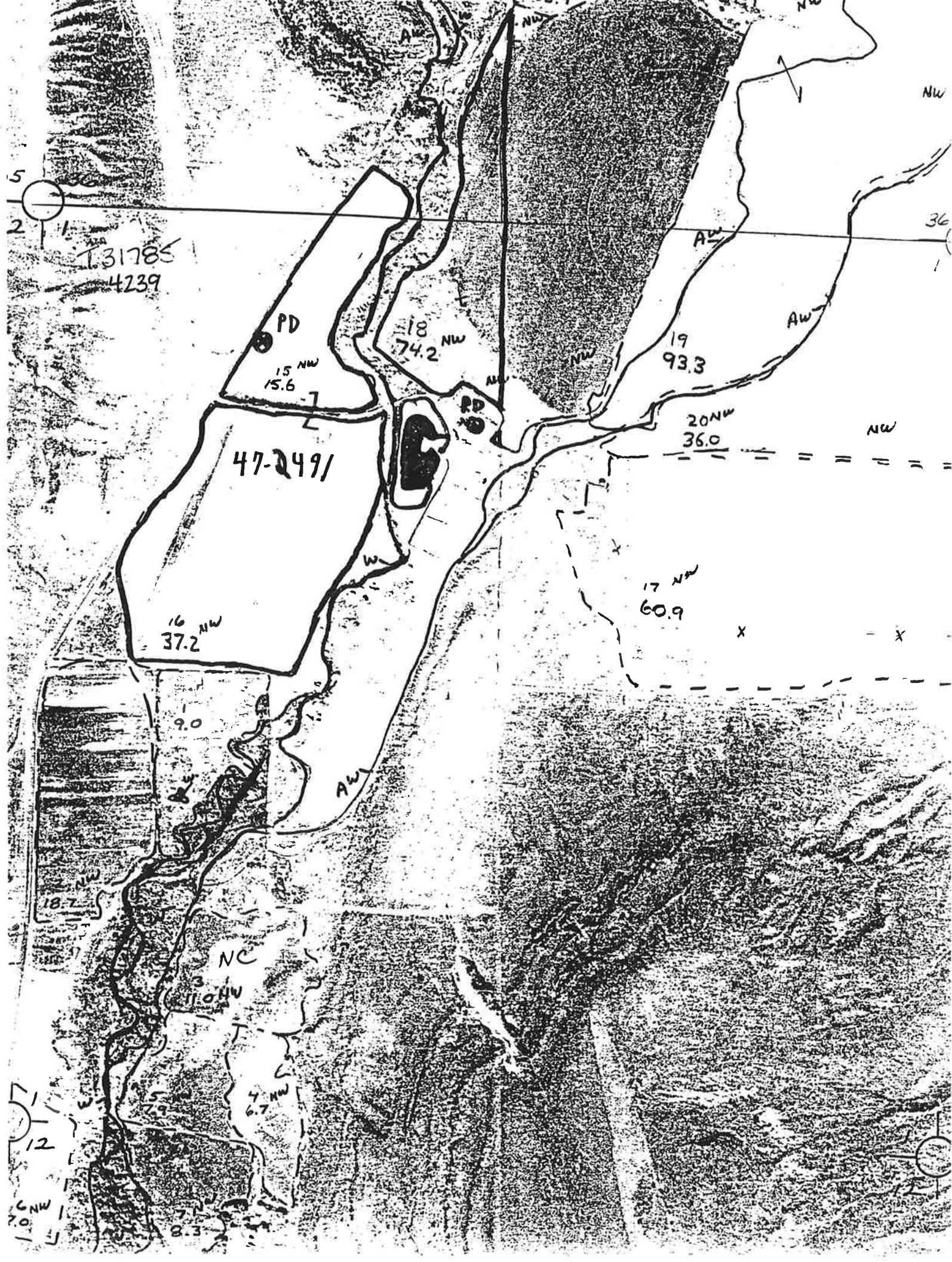
FROM: Jim Stanton

SUBJECT: Lic. 47-02491, Claim A47-02491

At some unknown date in the past, the use of this right changed considerably. I inspected the property last year in relation to a proposed transfer that was recently withdrawn, and discovered the discrepancy between the license and the present use. There is now one well along the west boundary of a 16-acre field between Rock Creek and the Rock Creek Road. There is a small artesian flow (a few gpm) from this well that runs via buried pipeline straight east into Rock Creek, but the 30 hp pump on the well runs sprinklers to two field west of Rock Creek. Based on the ASCS photos, 52.8 acres are now irrigated from this well (see attached land list & photo). No other rights are used on this property.

This land was purchased in February of 1995 by Kevin Guthrie, 2872 Rock Creek Rd., Hansen, ID, 83334. I have tried to contact Mr. Guthrie on this matter, but have received no response. Maybe SRBA will have more luck. I have obtained copies of all the pertinent deeds and assignments, which are attached. Winding Brook Corp. owns the vast majority of the Rock Creek Ranch, but never owned the portion bought by Guthrie. He bought directly from B & H Farming (Randy Bauscher at Mountain Grain, Rupert, 436-0292). I was never able to find out from B & H when the present use of the well began, but it may have been before 1987. I think there was also a well in the south field, but Bauscher said that it dried up and was removed some time in the past; no evidence of this well remains, but apparently it was artesian flow instead of pumped water.

47-2491



1. Name of Applicant Kevin L. & Anne Guthrie  
Address 2872 Rock Creek Rd, Hansen, ID 83334 Phone: 423-6878
2. Source of water supply Groundwater tributary of \_\_\_\_\_
3. a. Location of point of diversion is <sup>SE</sup> NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ , Sec. 1 T. 12S  
R. 18E B.M., Jurin Falls County; additional points of diversion  
if any: \_\_\_\_\_
- b. If water is not consumed, it will be discharged into \_\_\_\_\_  
at a point in \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Sec. \_\_\_\_\_ T. \_\_\_\_\_ R. \_\_\_\_\_, B.M.
4. Amount 1.10 c.f.s. for dring purposes from 4-1 to 10-31  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_
5. Total quantity to be appropriated: 1.10 c.f.s. and/or \_\_\_\_\_, acre ft.
6. Proposed diverting works: a. Well, 30 hp motor, 15 hp booster, mainline, handline
- b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre feet:  
total reservoir capacity \_\_\_\_\_ acre feet, materials used in dam: \_\_\_\_\_  
Period of year during which storage will occur \_\_\_\_\_
- c. Proposed well dia. is \_\_\_\_\_ inches, proposed depth of well is \_\_\_\_\_ ft.
7. a. Time required for the completion of works and application of the water to the  
proposed beneficial use is \_\_\_\_\_ years. b. Estimated cost is \$ \_\_\_\_\_.
8. a. If water is NOT for irrigation:  
(1) Place of use: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$ , Sec. \_\_\_\_\_ T. \_\_\_\_\_ R. \_\_\_\_\_ B.M.  
(2) Amount of power to be generated: \_\_\_\_\_ hp under \_\_\_\_\_ feet of head.  
(3) Number of each kind of livestock to be watered: \_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or  
no. of families to be supplied with domestic water \_\_\_\_\_  
(5) If water is to be used for other purposes, describe: \_\_\_\_\_
- b. If water is for irrigation, indicate acreage in each subdivision below:

| T.  | R.  | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTAL |
|-----|-----|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
|     |     |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |       |
| 11S | 18E | 36   |        |        |        |        |        |        |        |        |        |        |        | 1.8    |        |        |        |        | 1.8   |
| 12S | 18E | 1    |        |        |        |        | 13.8   | 3.2    | 20.2   | 14.2   |        |        |        |        |        |        |        |        | 51.0  |

TOTAL NO. OF ACRES 52.8

- c. Describe any other water rights used for the same purposes \_\_\_\_\_
9. a. Who owns the property at the point of diversion \_\_\_\_\_  
b. Who owns the land to be irrigated or place of use \_\_\_\_\_  
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing \_\_\_\_\_
10. Remarks: \_\_\_\_\_

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: A47-02491  
Date Received: 1/19/1989  
Receipt No: S006099  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: WINDING BROOK CORPORATION 208-466-0419  
Address: C/O RODNEY MOORE  
PO BOX 53  
NAMPA ID 83653
2. Date of Priority: MAY 25, 1920
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:  

|          |       |         |        |        |     |     |            |
|----------|-------|---------|--------|--------|-----|-----|------------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County     |
| 12S      | 18E   | 1       | NW     | NW     |     |     | TWIN FALLS |
5. Description of diverting works:  
WELLS, PUMPS, SPRINKLERS
6. Water is used for the following purposes:  

|            |       |       |        |      |        |
|------------|-------|-------|--------|------|--------|
| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
| IRRIGATION | 03/15 | 11/15 | 1.100  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.450  |      |        |
7. Total Quantity Appropriated is:  
1.100 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:  
S/2000 BEEF STOCK
10. Place of Use:

|          |       |         |        |     |     |     |       |
|----------|-------|---------|--------|-----|-----|-----|-------|
| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
| 11S      | 18E   | 36      | SE     | SW  |     | IRR | 40.0  |
|          |       |         | NW     | SE  |     | IRR | 36.0  |

10. Place of Use: Continued

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 11S           | 18E   | 36      | SW     | SE  |     | IRR | 40.0  |
|               |       |         | SE     | SE  |     | IRR | 40.0  |
| Section Acres |       |         |        |     |     |     | 156.0 |
| 12S           | 18E   | 1       | NE     | NE  |     | IRR | 40.0  |
|               |       |         | NW     | NE  |     | IRR | 40.0  |
|               |       |         | SW     | NE  |     | IRR | 40.0  |
|               |       |         | SE     | NE  |     | IRR | 40.0  |
|               |       |         | NE     | NW  |     | IRR | 40.0  |
|               |       |         | NW     | NW  |     | IRR | 33.0  |
|               |       |         | SW     | NW  |     | IRR | 33.0  |
|               |       |         | SE     | NW  |     | IRR | 33.0  |
| Section Acres |       |         |        |     |     |     | 299.0 |
| Total Acres   |       |         |        |     |     |     | 455.0 |

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

A47-02566, 02511, 00140, 00142, 00143, 02546, 00141, 00157A

14. Remarks:

6.16CFS GROUNDWATER, 2.94CFS DECREED ROCK CREEK WATER, & 4.25CFS  
 DECREED ROCK CREEK FLOOD RIGHT USED ON 455 ACRES.  
 TRANSFER #768.  
 CATTLE DRINK WATER FROM 3 SEPERATE WELLS AND ROCK CREEK.

15. Basis of Claim: LICENSE

Water Right Number: 14735

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 \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Organizations:**

I do solemnly swear or affirm that I am \_\_\_\_\_ of  
\_\_\_\_\_  
Title  
\_\_\_\_\_, that I have signed the foregoing  
Organization  
document in the space below as \_\_\_\_\_ of  
Title  
\_\_\_\_\_ and that the statements contained in the  
Organization  
foregoing document are true and correct.

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Title and Organization

\_\_\_\_\_  
Date

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
\*\*\*\*\*  
Governor PHIL BATT

R. KEITH HIGGINSON  
Director

March 15, 1995

WINDING BROOK CORPORATION  
C/O RODNEY MOORE  
PO BOX 53  
NAMPA ID 83653

RE: RENUMBER & CHANGE OF OWNERSHIP SRBA CLAIM NOS.:

(A45-02306) Renumbered A47-08379  
(A47-02515) Renumbered A47-16390  
(A45-10283) Renumbered A47-16379  
(A47-00163) Renumbered A47-16392

|           |           |           |
|-----------|-----------|-----------|
| A47-02566 | A47-07526 | A47-14468 |
| A47-14469 | A47-02491 | A47-02511 |
| A47-02526 | A47-02544 | A47-02546 |
| A47-02534 | A47-02557 | A47-02554 |
| A47-02556 | A47-02552 | A47-02536 |
| A47-14470 | A47-00140 | A47-00141 |
| A47-00142 | A47-00143 |           |

DEAR CLAIMANTS,

Pursuant to your request for a change in ownership and/or the notification that you presently own the property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owners as you requested. Please find enclosed a copy of your adjudication claims, as they now appear in our records.

If you have any further corrections or questions please contact our office.

Sincerely,

STEVE CLELLAND  
Water Resource Agent

ENC:

NOV 28 1996

RECEIVED

NEW PROPERTY OWNER  
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP JAN 30 1995Department of Water Resources  
Southern RegionPlease print or type  
(see instructions on back of page)

DATE OF CLOSING: 8-15-94

LEGAL DESCRIPTION OF PROPERTY: Township \_\_\_\_\_ Range \_\_\_\_\_  
 Section \_\_\_\_\_, 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM.  
 Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_  
 If you have additional legal descriptions, please attach separate sheet. See Warranty Deed.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s) A47-00140; A47-00141; A47-00142;  
 Assigned by IDWR: A47-00143; A47-00163 Rock Creek Rights
- ☒ Name and Address of Former Owner/Claimant(s)(Seller): B & H Farming, an Idaho partnership  
P. O. Box 123  
Rupert, Idaho, 83350
- ☒ New Owner/Claimant (Purchaser): Winding Brook Corporation
- ☒ New Mailing Address: c/o Rodney Moore  
P. O. Box 53  
Nampa, Idaho, 83653
- ☒ New Telephone Number: (208) 466 - 0419
- ☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no  
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- ☒ Attach proof of ownership, describe proof attached: Warranty Deeds \*
- (proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☒ Signature of New Owner/Claimant(s) WINDING BROOK CORP. Date 1-25-95  
by Rodney H. Moore, V.P. Date \_\_\_\_\_
- ☐ Signature of Former Owner/Claimant(s): \_\_\_\_\_ Date \_\_\_\_\_

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1-30-95 By: SC

Further Action Needed:

Further Action Taken

Date: 3-10-95 By: SC

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any:

(Hand del. John Kitchie) CLAIM A47-00163 renumbered TO: A47-16392  
 Based on these same deeds.  
 Claims ALSO APPURTENANT TO the Place of Use  
 ALL DOCUMENTS FILED w/ A47-00140  
 Original to be mailed to Idaho Department of Water Resources  
 Copies to Former Owner and New Owner change in 16392 3-10-95  
 A47-02511, A47-02491,  
 A47-14469 + A47-14400

ownership:  
 VAN DIEST to UNLIG to B.H. to WINDING BROOK



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP JAN 30 1995

Please print or type  
(see instructions on back of page)

Department of Water Resources  
Southern Region

DATE OF CLOSING: 8-15-94

**LEGAL DESCRIPTION OF PROPERTY:** Township \_\_\_\_\_ Range \_\_\_\_\_  
 Section \_\_\_\_\_, 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM.  
 Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_  
 If you have additional legal descriptions, please attach separate sheet. See Warranty Deed.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s) A47-02515; A47-02526; A47-02536; A47-02544; A47-02546;  
 Assigned by IDWR: A47-02552; A47-02556; A47-02566; A47-07526; A47-02557;  
A47-02554; A45-02306; A47-02534; A47-00127A

GROUND WATER  
RIGHTS

- ☒ Name and Address of Former Owner/Claimant(s)(Seller): B & H Farming, an Idaho partnership  
P. O. Box 123  
Rupert, Idaho, 83350
- ☒ New Owner/Claimant (Purchaser): Winding Brook Corporation
- ☒ New Mailing Address: c/o Rodney Moore  
P. O. Box 53  
Nampa, Idaho, 83653
- ☒ New Telephone Number: (208) 466 - 0419

- ☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no  
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

- ☒ Attach proof of ownership, describe proof attached: Warranty Deeds \*

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☒ Signature of New Owner/Claimant(s) WINDING BROOK CORP. Date 1-25-95  
by Rodney H. Moore, V.P. Date \_\_\_\_\_
- ☐ Signature of Former Owner/Claimant(s): \_\_\_\_\_ Date \_\_\_\_\_  
 \_\_\_\_\_ Date \_\_\_\_\_

(Signature of former claimant(s) is not required if proof of ownership is attached.)

**FOR IDWR USE ONLY:**

Initial Review and Data-Entry

Date: 1-30-95 By: SC

Further Action Needed:

Further Action Taken

Date: 3-10-95 By: SC

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any:

*Place of Use Deeds*  
*Hand del. John Ritchie include these claims:*  
 → A47-02511, A47-02491

\* ALL DOCUMENTS FILED w/ A47-16390  
A47-2515 unnumbered  
 Original to be mailed to Idaho Department of Water Resources  
 Copies to Former Owner and New Owner

→ A47-14468 & A47-14469.

NOV 28 1996

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

*Change of Ownership*

Ident. Number: A47-02491

Date Received: 1/19/1989

Receipt No: S006099

Received By: \_\_\_\_\_

*Warranty Deed & Bill of Sale*

NOTICE OF CLAIM TO A WATER RIGHT *attached to A47-0045*  
ACQUIRED UNDER STATE LAW

1. Name: VAN DIEST FAMILY PARTNERSHIP 208-423-4211  
Address: ROCK CREEK RANCH  
2872 ROCK CREEK ROAD  
HANSEN, ID 83334

2. Date of Priority: MAY 25, 1920

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County     |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 12S      | 18E   | 1       | NW     | NW     | NW  |     | TWIN FALLS |

5. Description of diverting works:  
WELLS, PUMPS, SPRINKLERS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.100  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.450  |      |        |

7. Total Quantity Appropriated is:  
1.100 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
S/2000 BEEF STOCK

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 11S      | 18E   | 36      | SE     | SW  |     | IRR | 40.0  |

A47-02491

Page 1

Date: 03/02/90

MICROFILMED

MAR 11 1993

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 11S      | 18E   | 36      | NW     | SE  |     | IRR           | 36.0  |
|          |       |         | SW     | SE  |     | IRR           | 40.0  |
|          |       |         | SE     | SE  |     | IRR           | 40.0  |
|          |       |         |        |     |     | Section Acres | 156.0 |
| 12S      | 18E   | 1       | NE     | NE  |     | IRR           | 40.0  |
|          |       |         | NW     | NE  |     | IRR           | 40.0  |
|          |       |         | SW     | NE  |     | IRR           | 40.0  |
|          |       |         | SE     | NE  |     | IRR           | 40.0  |
|          |       |         | NE     | NW  |     | IRR           | 40.0  |
|          |       |         | NW     | NW  |     | IRR           | 33.0  |
|          |       |         | SW     | NW  |     | IRR           | 33.0  |
|          |       |         | SE     | NW  |     | IRR           | 33.0  |
|          |       |         |        |     |     | Section Acres | 299.0 |
|          |       |         |        |     |     | Total Acres   | 455.0 |

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

A47-02566,02511,00140,00142,00143,02546,00141,00157A

14. Remarks:

6.16CFS GROUNDWATER, 2.94CFS DECREED ROCK CREEK WATER, & 4.25CFS  
DECREED ROCK CREEK FLOOD RIGHT USED ON 455 ACRES.

TRANSFER #768.

CATTLE DRINK WATER FROM 3 SEPERATE WELLS AND ROCK CREEK.

15. Basis of Claim: LICENSE

Water Right Number: 14735

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 \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day

of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[ ] Water Right Number(s): A47-02491

[ ] Name and Address of  
Former Claimant: Rock Creek Farms  
c/o McCall & Dunford  
P. O. Box 1598  
Twin Falls, Idaho 83303

[ ] New Claimant(s): Van Diest Family Partnership RECEIVED

[ ] New Mailing Address: Rock Creek Ranch FEB 27 1990  
2872 Rock Creek Road Department of Water Resources  
Hansen, Idaho 83334 Southern Region Office

New Telephone Number: (208) 423-4211

[ ] Does the change in ownership result in a splitting of the  
water right claimed? yes X no

If yes, then describe the portion of the water right that is  
now claimed by the new owner:

[X] Attach proof of ownership Refer to Special Warranty Deed and Bill  
Describe proof attached: A47-00140 of Sale attached to Water Right No.

[ ] Signature of New Claimant(s): [Signature]  
Managing Partner of Van Diest  
Family Partnership  
Martin E. Van Diest  
Date: February 23, 1990

FOR IDWR USE ONLY:

Initial Review and Data-Entry  
Date: 3/1/90 By: [Signature]

Further Action Needed:  
Further Action Taken

Date: By:  
Final Review and Data-Entry

Date: By:  
Claim Numbers of Split, if any:

UNRECORDED

MAR 11 1993

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: A47-02491  
Date Received: 1/16/1989  
Receipt No: 5006099  
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: ROCK CREEK FARMS  
Address: %MCCALL & DUNFORD  
P.O. BOX 1598  
TWIN FALLS, ID 83303  
208-734-6622
2. Date of Priority: MAY 25, 1920
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:  

|          |       |         |        |        |     |     |            |
|----------|-------|---------|--------|--------|-----|-----|------------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County     |
| 12S      | 18E   | 1       | NW     | NW     |     |     | TWIN FALLS |
5. Description of diverting works:  
WELLS, PUMPS, SPRINKLERS
6. Water is used for the following purposes:  

|            |       |       |        |      |        |
|------------|-------|-------|--------|------|--------|
| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
| IRRIGATION | 03/15 | 11/15 | 1.100  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.450  |      |        |
7. Total Quantity Appropriated is:  
1.100 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:  
S/2000 BEEF STOCK
10. Place of Use:

|          |       |         |        |     |     |     |       |
|----------|-------|---------|--------|-----|-----|-----|-------|
| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
| 11S      | 18E   | 36      | SE     | SW  |     | IRR | 40.0  |

A47-02491

Page 1

Date: 01/19/89

MICROFILMED

MAR 11 1993

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 11S      | 18E   | 36      | NW     | SE  |     | IRR           | 36.0  |
|          |       |         | SW     | SE  |     | IRR           | 40.0  |
|          |       |         | SE     | SE  |     | IRR           | 40.0  |
|          |       |         |        |     |     | Section Acres | 156.0 |
| 12S      | 18E   | 1       | NE     | NE  |     | IRR           | 40.0  |
|          |       |         | NW     | NE  |     | IRR           | 40.0  |
|          |       |         | SW     | NE  |     | IRR           | 40.0  |
|          |       |         | SE     | NE  |     | IRR           | 40.0  |
|          |       |         | NE     | NW  |     | IRR           | 40.0  |
|          |       |         | NW     | NW  |     | IRR           | 33.0  |
|          |       |         | SW     | NW  |     | IRR           | 33.0  |
|          |       |         | SE     | NW  |     | IRR           | 33.0  |
|          |       |         |        |     |     | Section Acres | 299.0 |
|          |       |         |        |     |     | Total Acres   | 455.0 |

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

A47-02566,02511,00140,00142,00143,02546,00141,00157A

14. Remarks:

6.16CFS GROUNDWATER, 2.94CFS DECREED ROCK CREEK WATER, & 4.25CFS  
DECREED ROCK CREEK FLOOD RIGHT USED ON 455 ACRES.

TRANSFER #768.

CATTLE DRINK WATER FROM 3 SEPERATE WELLS AND ROCK CREEK.

15. Basis of Claim: LICENSE

Water Right Number: 14735

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 Organizations:

I do solemnly swear or affirm that I am Owner of  
Rock Creek Farms, that I have signed the foregoing  
document in the space below as Owner of  
Rock Creek Farms and that the statements contained in the  
foregoing document are true and correct.

Jack C McCall  
Signature of Authorized Agent  
Pantner  
Title and Organization  
1/17/89  
Date

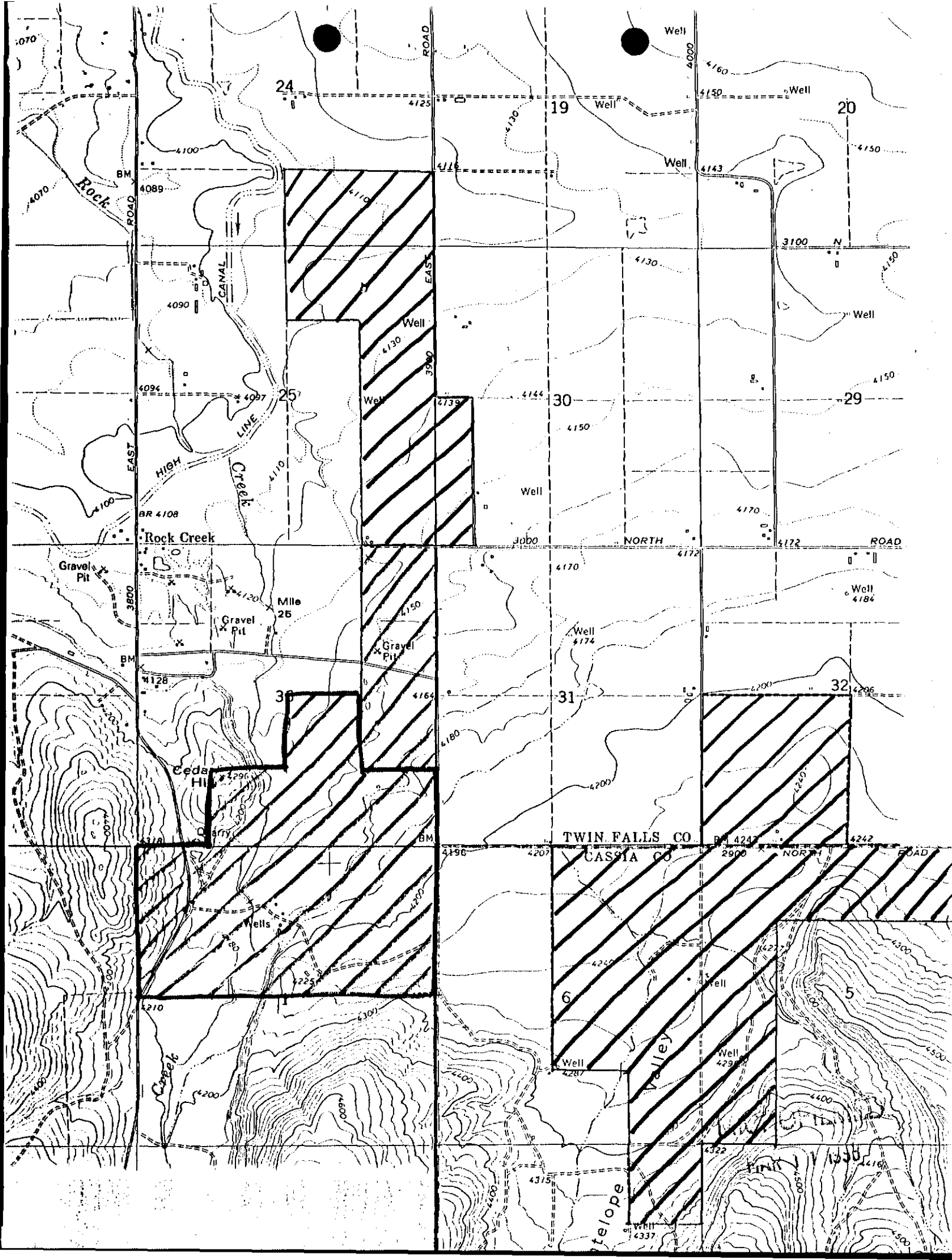
State of Idaho )  
County of Swain Falls ) SS.

Subscribed and sworn (or affirmed) before me this 17<sup>th</sup> day  
of January 19 89

Seal

Christine L. Henton  
Notary Public

Residing at 1115 11<sup>th</sup> Ave E  
Swain Falls, Idaho  
My Commission Expires 1-3-95



Date Received 01/11/1989

State of Idaho  
Department of Water Resources

REQUEST FOR EXTENSION OF TIME  
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

ROCK CREEK FARMS

Name of Claimant

P.O. BOX 1598

Post Office Address

TWIN FALLS, ID 83303

City, State, Zip Code

TWIN FALLS

County(s) where Place of Use is located

JANUARY 11, 1989

Date Claim Originally Due

A47-02515, 07526, 02526, 14470, 14469, 14468,

A47-02536, 02556, 00163, 02566, 02546, 00141, 00142, 00143, 02511, 02491, 00140, 00157A, 02544,  
Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

CLAIMANT ATTEMPTED TO FILE CLAIMS ON DAY OF DEADLINE BUT WATER AGENT (LORI

WHITE) DID NOT HAVE ENOUGH TIME TO ENTER AND MAP OUT ALL THEIR CLAIMS.

EXTENSION OF TIME REQUESTED BY DEPARTMENT

Claimant requests an extension to \_\_\_\_\_, 19\_\_.

Rock Creek Farms By Jack McGill  
Signature

Partner & Owner  
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

granted denied,  
and the filing deadline extended to 1/17, 1989.

Signed this 17 day of January, 1989

David B Shaw  
Director or his designated agent

David B Shaw MAR 11 1993

TO: File

DATE: April 14, 1997

FROM: Jim Stanton

SUBJECT: Lic. 47-02491, Claim A47-02491

At some unknown date in the past, the use of this right changed considerably. I inspected the property last year in relation to a proposed transfer that was recently withdrawn, and discovered the discrepancy between the license and the present use. There is now one well along the west boundary of a 16-acre field between Rock Creek and the Rock Creek Road. There is a small artesian flow (a few gpm) from this well that runs via buried pipeline straight east into Rock Creek, but the 30 hp pump on the well runs sprinklers to two field west of Rock Creek. Based on the ASCS photos, 52.8 acres are now irrigated from this well (see attached land list & photo). No other rights are used on this property.

This land was purchased in February of 1995 by Kevin Guthrie, 2872 Rock Creek Rd., Hansen, ID, 83334. I have tried to contact Mr. Guthrie on this matter, but have received no response. Maybe SRBA will have more luck. I have obtained copies of all the pertinent deeds and assignments, which are attached. Winding Brook Corp. owns the vast majority of the Rock Creek Ranch, but never owned the portion bought by Guthrie. He bought directly from B & H Farming (Randy Bauscher at Mountain Grain, Rupert, 436-0292). I was never able to find out from B & H when the present use of the well began, but it may have been before 1987. I think there was also a well in the south field, but Bauscher said that it dried up and was removed some time in the past; no evidence of this well remains, but apparently it was artesian flow instead of pumped water.

1. Name of Applicant Kevin L. & Anne Guthrie  
Address 2872 Rock Creek Rd, Hansen, Id 83834 Phone: 423-6878
2. Source of water supply Groundwater tributary of \_\_\_\_\_
3. a. Location of point of diversion is <sup>SE</sup> NW 1/4 of NW 1/4, Sec. 1 T. 12S  
R. 18E B.M., Jurin Falls County; additional points of diversion  
if any: \_\_\_\_\_
- b. If water is not consumed, it will be discharged into \_\_\_\_\_  
at a point in \_\_\_\_\_ of \_\_\_\_\_ of Sec. \_\_\_\_\_ T. \_\_\_\_\_ R. \_\_\_\_\_ B.M.
4. Amount 1.10 c.f.s. for drain purposes from 4-1 to 10-31  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_
5. Total quantity to be appropriated: 1.10 c.f.s. and/or \_\_\_\_\_, acre ft.
6. Proposed diverting works: a. Well, 30 hp motor, 15 hp booster, mainline,  
headlines
- b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre feet:  
total reservoir capacity \_\_\_\_\_ acre feet, materials used in dam: \_\_\_\_\_  
Period of year during which storage will occur \_\_\_\_\_
- c. Proposed well dia. is \_\_\_\_\_ inches, proposed depth of well is \_\_\_\_\_ ft.
7. a. Time required for the completion of works and application of the water to the  
proposed beneficial use is \_\_\_\_\_ years. b. Estimated cost is \$ \_\_\_\_\_.
8. a. If water is NOT for irrigation:  
(1) Place of use: \_\_\_\_\_ of \_\_\_\_\_, Sec. \_\_\_\_\_ T. \_\_\_\_\_ R. \_\_\_\_\_ B.M.  
(2) Amount of power to be generated: \_\_\_\_\_ hp under \_\_\_\_\_ feet of head.  
(3) Number of each kind of livestock to be watered: \_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or  
no. of families to be supplied with domestic water \_\_\_\_\_  
(5) If water is to be used for other purposes, describe: \_\_\_\_\_

b. If water is for irrigation, indicate acreage in each subdivision below:

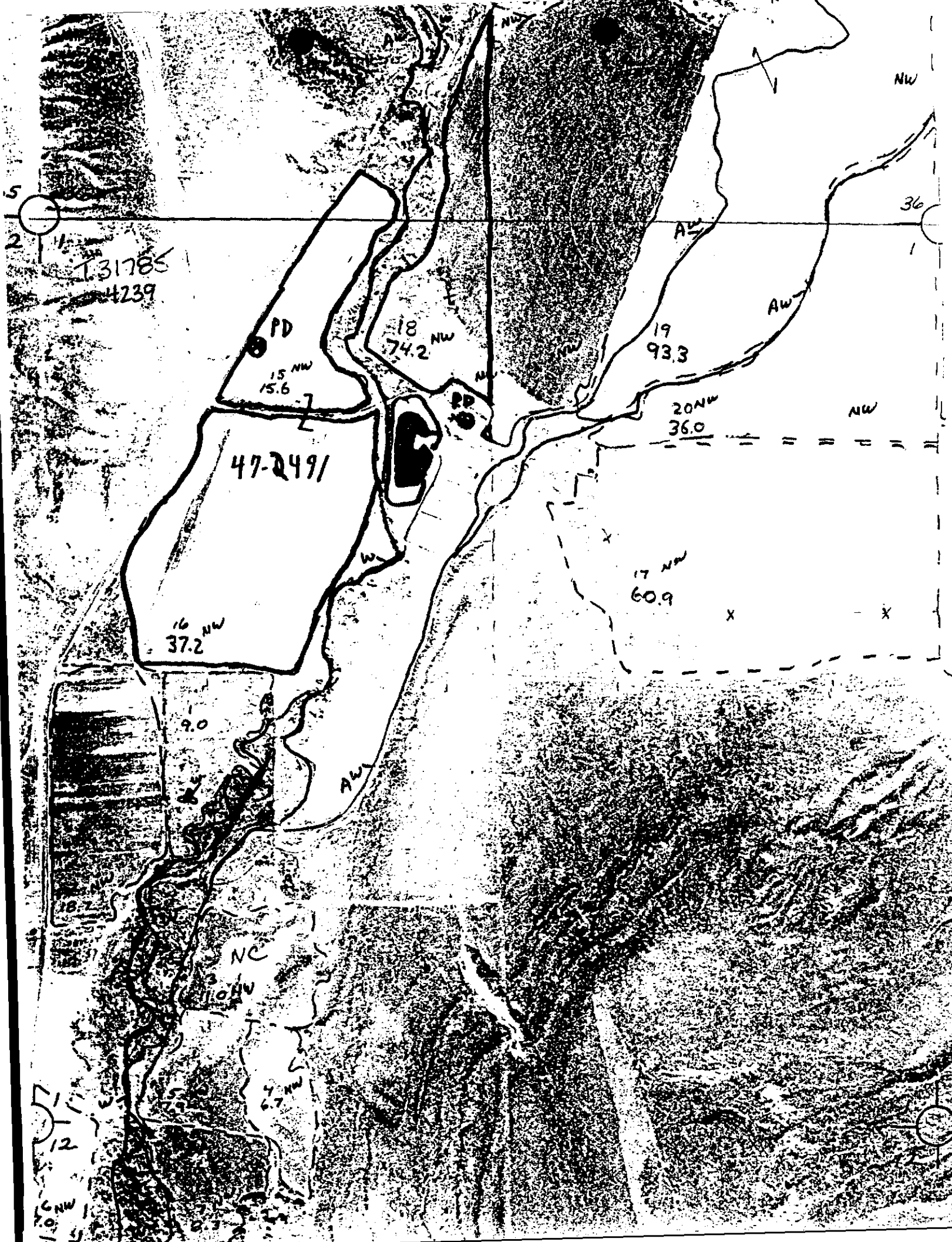
| T.  | R.  | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTAL |
|-----|-----|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
|     |     |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |       |
| 11S | 18E | 36   |        |        |        |        |        |        |        |        |        |        |        | 1.8    |        |        |        |        | 1.8   |
| 12S | 18E | 1    |        |        |        |        | 13.8   | 3.2    | 20.2   | 14.3   |        |        |        |        |        |        |        |        | 51.0  |

TOTAL NO. OF ACRES 59.8

c. Describe any other water rights used for the same purposes \_\_\_\_\_

9. a. Who owns the property at the point of diversion \_\_\_\_\_  
b. Who owns the land to be irrigated or place of use \_\_\_\_\_  
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing \_\_\_\_\_

10. Remarks: \_\_\_\_\_





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

February 3, 1997

Kevin Guthrie  
2872 Rock Creek Rd  
Hansen, ID  
83334

RE: Water Licenses 47-02491, 02511, Corresponding SRBA Claims

Dear Mr. Guthrie;

I am still trying to straighten out the pending water transfer for the Winding Brook Corporation. In order to do that, the water rights that you got from them need to be dealt with. In order to accomplish this, the rights and claims need to be put in your name. I already have a deed to show which groundwater rights you bought, but I do not have anything to show which Rock Creek rights you got. Since all the Winding Brook surface rights co-mingle in the big pond, you should have gotten a portion of each of their Rock Creek rights.

I have prepared the enclosed change of ownership form to cover the two groundwater rights. If this form is satisfactory, please sign it and return it to me. Once this is done, the two SRBA claims need to be changed to reflect how the wells are presently used. I have copies of all the pertinent deeds, so no additional proof of ownership is needed. Please contact me on this matter at your earliest convenience.

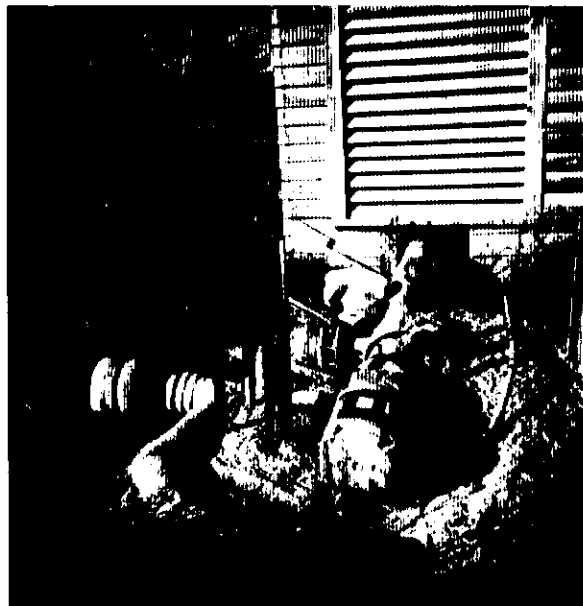
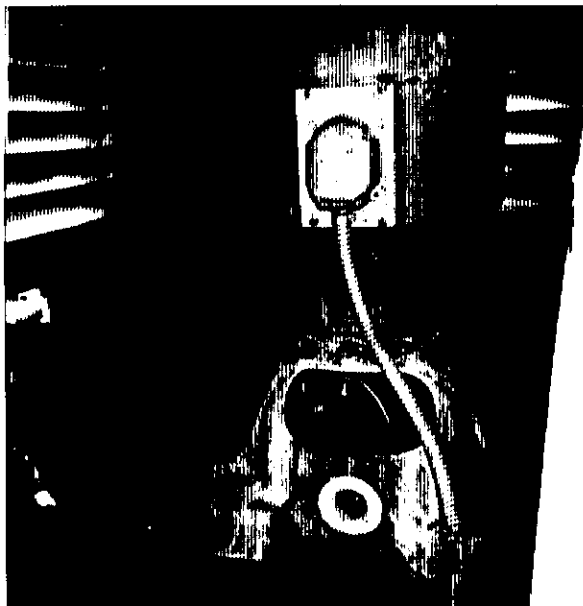
Regards,

James E. Stanton  
Sr. Water Resource Agent

cc: Letter Dated 1-3-1997

US Motors 30 hp unable to read tag  
Peorbas pump

a few gpm running artesian into Rock G via buried line under booster  
GE 15 hp booster #25BC02XP  
no pump info



Kevin Guthrie  
Well NW/NW S.1



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

January 3, 1997

John S. Ritchie  
Coleman, Ritchie & Robertson  
PO Box 525  
Twin Falls, ID  
83303-0525

RE: Water Licenses 47-02491 & 47-02511, App. for Transfer  
In the Name of Winding Brook Corp.

Dear Mr. Ritchie;

As it has been some time since either of us has been involved with the above-referenced items, I will start by recounting the history of this problem. The various water rights on the Rock Creek Ranch, including the above licenses, were claimed by Rock Creek Farms. The claims were assigned to the Van Diest Family Partnership in 1990. In 1993, Van Diest sold all the property to Phillip C. Uhlig. Later in 1993, Uhlig sold all of the property to B & H Farming. In 1994, B & H sold most of the property to Winding Brook Corporation. Certain lands on the west side of the property were retained by B & H, who then sold this property to Kevin L. Guthrie in 1995. The above licensed were quitclaimed to Mr. Guthrie. Deeds for the various sales are on file at this office.

All the SRBA claims for the Rock Creek Ranch are in the name of Winding Brook, but they do not own the two licenses or the land where they are used. Also, some of the land irrigated by the main Ranch water system is owned by Guthrie. His property line actually goes through one side of a pivot, but I have been told that the pivot may be removed in two or three years.

I have visited the two wells, and have determined that the licenses have been claimed incorrectly with regard to the place of use. I inspected the Ranch water system in 1982 in relation to a pending transfer, and did not find the 47-02491 well to be part of the main system. The 47-02511 well did supplement the main system back then, but now only irrigates a couple acres around the pond. Winding Brook land needs to be removed from the claimed place of use for these wells, so this should be done by the Corporation



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

before the claims are put into Mr. Guthrie's name.

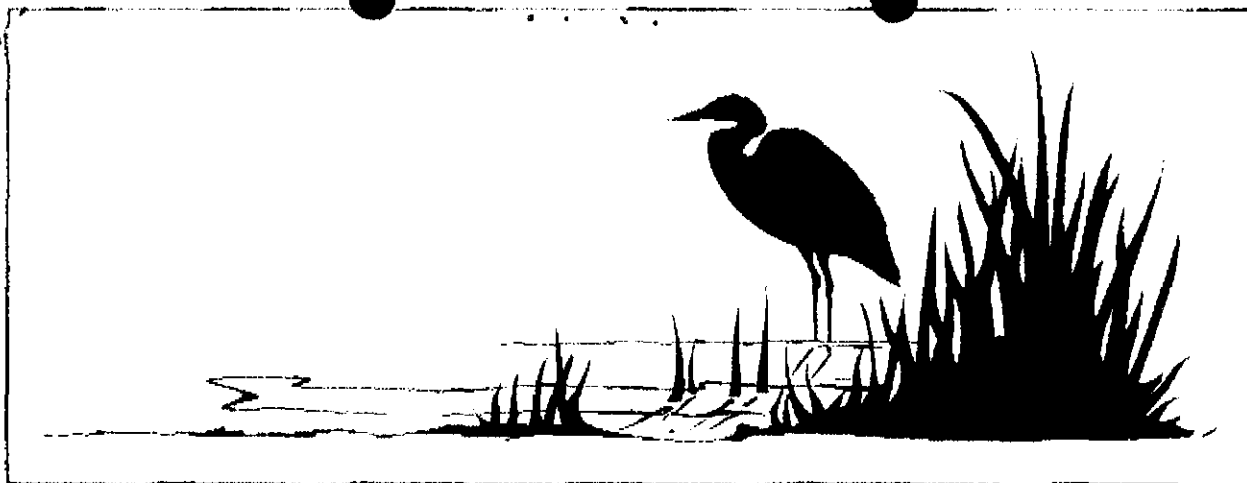
This problem needs to be cleared up before we can proceed with processing of the above-referenced application for transfer. Although these rights are not part of the actual transfer, they do cause confusion here. Until such time as the Guthrie land east of Rock Creek is split off of the main Ranch system, I will continue to include it under the Ranch water rights. Approval of the pending transfer will, in addition to allowing another well to be drilled on the Ranch, also make portions of all the Ranch water rights appurtenant to this portion of the Guthrie property.

Please contact me on this matter at your earliest convenience. This thing has already been hanging around way too long without resolution.

Regards,

James E. Stanton  
Sr. Water Resource Agent

cc: Kevin Guthrie  
B & H Farming



FAX TO: Idaho Department of Water Resources - Southern Region  
ATTN: Jim Statten  
RE: Kevan Guthrie  
PHONE #: (208) 736-3033  
FAX #: (208) 736-3037

FAX FROM: Jack McCall  
COMPANY: Clear Creek Land & Mortgage  
PHONE #: 734-6622  
FAX #: 734-0745

DATE: 12/5/95

Jim: Here is the unsigned copy from the Quitclaim Deed. Kevan Guthrie can get you a signed copy if you need it.

NUMBER OF PAGES (INCLUDING COVER) 4

IF YOU DO NOT RECEIVE DESIGNATED NUMBER OF PAGES, PLEASE CONTACT  
OUR OFFICE FOR RE-TRANSMITTAL.

*The information transmitted herewith may be confidential and protected from disclosure by law as proprietary information, attorney-client communications, attorney-work product or otherwise. It is intended for the exclusive use of the named recipient. If you are not the named recipient, disclosure or distribution of the information transmitted herewith may be subject to legal restriction or sanction, and you are requested to notify us by telephone to arrange for return or destruction of the information and all copies.*

QUITCLAIM DEED

FOR VALUE RECEIVED, B & H FARMING, an Idaho General Partnership, consisting of RANDY A. BAUSCHER and THOMAS R. HAYES, hereby conveys, releases, remises and forever quitclaims all their right, title and interest unto KEVIN L. GUTHRIE and ANNE GUTHRIE, Husband and Wife, whose address is \_\_\_\_\_, in and to those water rights as described on Exhibit "1" attached hereto and incorporated herein by reference.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

B & H FARMING, an Idaho General Partnership

By \_\_\_\_\_  
Randy A. Bauscher - A General Partner

By \_\_\_\_\_  
Thomas R. Haynes - A General Partner

STATE OF IDAHO )  
County of Twin Falls ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned, a Notary Public in and for said State, personally appeared RANDY A. BAUSCHER known to me to be a general partner of B & M FARMING, the partnership whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as a general partner of B & H Farming.

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

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

WATER RIGHTS LIST

**B & H FARMING TO GUTHRIE**

**LICENSE #47-02491 (A47-02491) FOR 1.10 CFS OF IRRIGATION WATER; PRIORITY  
DATE OF 5/25/1920.**

**LICENSE #47-02511 (A47-02511) FOR .80 CFS OF IRRIGATION WATER; PRIORITY  
DATE OF 9/03/1947.**

EXHIBIT 1

County of \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared THOMAS R. HAYNES known to me to be a general partner whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as a general partner of B & H Farming.

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

\_\_\_\_\_  
NOTARY PUBLIC

Residing at: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**WARRANTY DEED**

36521

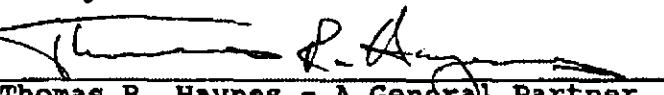
FOR VALUE RECEIVED, B & H Farming, an Idaho General Partnership, consisting of Randy A. Bauscher and Thomas R. Hayes, P.O. Box 123, Rupert, Idaho 83350, hereinafter called "Grantor" hereby grants, bargains, sells and conveys unto Kevin L. Guthrie and Anne Guthrie, Husband and Wife, 525 Condy Dr. Twin Falls ID, hereinafter referred to as "Grantee" the property described on Exhibit "A" hereto, hereinafter called the "Premises."

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor, respectfully, does hereby covenant to and with said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from encumbrances excepting existing easements and rights of way of record, a mortgage to Phillip C. Uhlig dated August 12, 1994, recorded August 15, 1994 in Twin Falls County, Idaho, as Instrument No. 1994014587 and that Grantors will warrant and defend the Premises from all lawful claims whatsoever.

DATED this 17<sup>th</sup> day of February, 1995.

B & H FARMING, an Idaho General Partnership

By   
Randy A. Bauscher - A General Partner

By   
Thomas R. Hayes - A General Partner

WARRANTY DEED - 1  
(U-9)(Warranty Deed. 1)(kb/ka)

423-6878

STATE OF IDAHO

County of Twin Falls

) ss.

On this 17<sup>th</sup> day of February, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared RANDY A. BAUSCHER known to me to be a general partner of B & M FARMING, the partnership whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as a general partner of B & H Farming.

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

Susie Moore  
NOTARY PUBLIC

Residing at: Twin Falls

My Commission Expires: 11-28-96

STATE OF IDAHO

County of Twin Falls

) ss.

On this 17<sup>th</sup> day of February, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared THOMAS R. HAYNES known to me to be a general partner whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as a general partner of B & H Farming.

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

Susie Moore  
NOTARY PUBLIC

Residing at: Twin Falls

My Commission Expires: 11-28-96

IDAHO COUNTY, IDAHO

TITLEFACT, Inc.

1995 FEB 17 P 3:57

1995002479

IDAHO COUNTY, IDAHO

1500

WARRANTY DEED - 2

(U-9)(Warranty Deed)(1)(b)(1)(a)

**PARCEL A**

Township 11 South, Range 18 E., B.M., Twin Falls County, Idaho  
Section 36: SE½SW½

**PARCEL B**

Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho  
Section 1: Lots 3, 4, S½NW½; NE½SW½

**EXCEPT:**

A parcel of land located in the SW½NW½ and also located in Lot 4, of Section 1, Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho, as shown on the plans of the Lower Rock Creek Road Federal Aid Secondary Project RS 2739(4), more particularly described as follows:

BEGINNING at a point on the Northerly boundary of said Lot 4, said point also being on said highway centerline station 32+34.36;

THENCE along the Northerly boundary of said Lot 4 South 89°30'56" East 40.19 feet;

THENCE along a line 40.00 feet Easterly of and parallel to said highway centerline South 5°06'26" East 733.09 feet, more or less, to a point 40.00 feet Easterly of and at right angles to said highway centerline Station P.C. 39+71.37;

THENCE along a line perpendicular to said highway centerline South 84°53'34" West 5.00 feet;

THENCE Southwesterly for 962.07 feet on the arc of a curve to the right having a delta angle of 35°16'11", radius of 1,562.89 feet, and a chord which bears South 12°31'40" West 946.95 feet to a point 35.00 feet Easterly of and at right angles to said highway centerline station P.T. 49+11.89;

THENCE along a line 35.00 feet Easterly of and parallel to said highway centerline South 30°09'45" West 887.05 feet to a point 35.00 feet Easterly of and at right angles to said highway centerline station P.C. 57+98.94;

THENCE Southwesterly for 230.34 feet on the arc of a curve to the left having a delta angle of 11°52'48", radius of 1,110.92 feet, and a chord which bears South 24°13'21" West 229.83 feet, more or less, to a point 35.00 feet Easterly of and at right angles to said highway centerline station 60+36.54, said point also lying on the Southerly boundary of said SW½NW½;

THENCE along the Southerly boundary of SW½NW½ North 89°25'24" West 72.10 feet, more or less, to a point lying 33.89 feet Westerly of and at right angles to said highway centerline station 60+57.84, said point also being the Southwest corner of said SW½NW½;

THENCE along the Westerly boundary of said SW½NW½ North 0°21'04" East 20.50 feet, more or less, to a point 40.00 feet Westerly of and at right angles to said highway centerline station 60+38.88;

THENCE Northeasterly 248.31 feet along the arc of a curve to the right having a delta angle of 11°59'49", radius of 1,185.92 feet, and a chord which bears North 24°09'50" East 247.86 feet, more or less, to a point 40.00 feet Westerly of and at right angles to said highway centerline station P.C. 57+98.94;

THENCE North 27°48'20" East 599.46 feet to a point 65.00 feet Westerly of and at right angles to said highway centerline station 52+00;

THENCE North 34°08'01" East 288.80 feet to a point 45.00 feet Westerly of and at right angles to said highway centerline station P.T. 49+11.89;

THENCE Northeasterly 912.83 feet along the arc of a curve to the left having a delta angle of 35°16'11", radius of 1,562.89 feet, and a chord which bears North 12°31'40" East 898.48 feet to a point 45.00 feet Westerly of and at right angles to said highway centerline station P.C. 39+71.37;

THENCE along a line 45.00 feet Westerly of and parallel to said highway centerline North 5°06'26" West 741.42 feet, more or less, to a point on the Northerly boundary of said Lot 4;

THENCE along the Northerly boundary of said Lot 4 South 89°30'56" East 45.22 feet, more or less, to the REAL POINT OF BEGINNING.

**TOGETHER WITH:**

A parcel of land located in the S½NE½ of said Section 1 and more particularly described as follows:

COMMENCING at the North quarter corner of said Section 1;

THENCE South 00°44'15" West along the West boundary of the NE½ of Section 1 for a distance of 1305.55 feet to the TRUE POINT OF BEGINNING;

THENCE South 72°10'26" East for a distance of 123.29 feet;

THENCE South 55°37'00" East for a distance of 92.15 feet;

THENCE South 12°33'39" East for a distance of 583.59 feet;

THENCE North 89°14'29" West for a distance of 328.80 feet to a point on the West boundary of the NE½ of Section 1;

THENCE North 00°44'15" East along the West boundary of the NE½ of Section 1 for a distance of 655.11 feet to the TRUE POINT OF BEGINNING.

**EXCEPT**

(WATER STORAGE POND) A parcel of land located in the E½NW½ of Section 1, Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho, more particularly described as follows:

COMMENCING at the North quarter corner of said Section 1;

EXHIBIT A

THENCE South 00°44'15" West along the East boundary of the NW¼ of Section 1 for a distance of 1374.90 feet;

THENCE North 89°15'45" West for a distance of 349.45 feet to the TRUE POINT OF BEGINNING;

THENCE South 19°57'04" West for a distance of 52.24 feet;

THENCE South 29°05'48" West for a distance of 37.58 feet;

THENCE South 17°17'43" West for a distance of 52.62 feet;

THENCE South 47°56'55" West for a distance of 44.97 feet;

THENCE South 67°51'39" West for a distance of 31.12 feet;

THENCE South 89°38'58" West for a distance of 90.27 feet;

THENCE North 56°41'08" West for a distance of 30.93 feet;

THENCE North 18°43'43" West for a distance of 38.36 feet;

THENCE North 03°30'35" West for a distance of 112.03 feet;

THENCE North 00°30'55" East for a distance of 80.37 feet;

THENCE North 08°17'39" East for a distance of 155.56 feet;

THENCE North 30°25'03" West for a distance of 106.73 feet;

THENCE South 46°28'49" East for a distance of 93.13 feet;

THENCE North 55°47'25" East for a distance of 45.91 feet;

THENCE North 86°23'15" East for a distance of 47.44 feet;

THENCE South 68°51'58" East for a distance of 45.73 feet;

THENCE South 44°05'37" East for a distance of 49.56 feet;

THENCE South 26°44'31" East for a distance of 71.71 feet;

THENCE South 06°18'09" West for a distance of 38.53 feet;

THENCE South 48°28'31" West for a distance of 26.90 feet;

THENCE South 05°27'54" West for a distance of 24.41 feet;

THENCE South 37°34'15" East for a distance of 57.00 feet;

THENCE South 13°48'41" East for a distance of 41.02 feet to the TRUE POINT OF BEGINNING.

**EXCEPT**

(NORTH WELL SITE) A parcel of land located in the SE¼NW¼ of Section 1, Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho, more particularly described as follows:

A circular parcel of land with a 10.0 foot radius and being more particularly described as follows:

COMMENCING at the North quarter corner of said Section 1;

THENCE South 00°44'15" West along the East boundary of the NW¼ of Section 1 for a distance of 1502.75 feet;

THENCE North 89°15'45" West for a distance of 315.60 feet to the radius point of the circular parcel of land, said parcel includes the well and all the land that lies within the 10.0 foot radius which has a delta angle of 360 degrees.

**EXCEPT**

(SOUTH WELL SITE) A parcel of land located in the SE¼NW¼ of Section 1, Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho, more particularly described as follows:

A circular parcel of land with a 10.0 foot radius and being more particularly described as follows:

COMMENCING at the North quarter corner of said Section 1;

THENCE South 00°44'15" West along the East boundary of the NW¼ of Section 1 for a distance of 2581.71 feet;

THENCE North 89°14'45" West for a distance of 859.33 feet to the radius point of the circular parcel of land, said parcel includes the well and all the land that lies within the 10.0 foot radius which has a delta angle of 360 degrees.

**EXCEPT**

(PIPELINE RIGHT OF WAY) A parcel of land located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 1, Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho, more particularly described as follows:

A strip of land 20.0 feet wide and being 10.0 feet on each side of the following described line:

COMMENCING at a point that is located South 00°44'15" West, 1478.19 feet;

THENCE North 89°14'45" West, 390.70 feet from the North quarter corner of said Section 1 and being the TRUE POINT OF BEGINNING;

THENCE South 61°11'40" East for a distance of 138.43 feet;

THENCE South 56°30'31" East for a distance of 51.69 feet;

THENCE South 63°00'12" East for a distance of 111.58 feet;

THENCE North 81°00'18" East for a distance of 89.21 feet;

THENCE North 80°29'12" East for a distance of 55.16 feet;

THENCE North 80°11'44" East for a distance of 99.72 feet;

THENCE North 80°01'25" East for a distance of 119.80 feet to the East boundary of Parcel No. 42 of Rock Creek Ranches and being the terminus of said Deeded right of way.

SUBJECT TO: Access easement as shown on the recorded Miscellaneous Plat of Rock Creek Ranches.

SUBJECT TO: A permanent easement over and across a parcel of land located in the E $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 1, Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho and more particularly described as follows:

A 20.0 foot wide permanent easement for the purpose of ingress and egress and for the use and maintenance of a buried irrigation pipeline and ditch and/or their associated hardware, said easement location being centered on the following describe line:

COMMENCING at a point that is located South 00°44'15" West, 2581.71 feet;

THENCE North 89°15'45" West, 859.33 feet;

THENCE North 25°34'48" East, 10.0 feet from the North quarter corner of said Section 1 and being the TRUE POINT OF BEGINNING on the Northerly boundary of the South Well parcel:

THENCE continuing North 25°34'48" East for a distance of 965.90 feet;

THENCE North 24°47'46" East for a distance of 112.41 feet;

THENCE North 29°57'04" East for a distance of 109.83 feet;

THENCE North 21°41'23" East for a distance of 68.15 feet;

THENCE North 09°48'48" East for a distance of 51.58 feet;

THENCE North 24°33'31" West for a distance of 28.24 feet;

THENCE North 29°55'15" West for a distance of 112.65 feet to the intersection with the Easterly boundary of the pond Parcel and being the Terminus of said Easement.

SUBJECT TO: A permanent easement over and across a parcel of land located in the E $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 1, Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho, and more particularly described as follows:

A 20.0 foot wide permanent easement for the purpose of ingress and egress and for the use and maintenance of a buried irrigation pipeline and/or its associated hardware, said easement location being centered on the following described line:

COMMENCING at a point on the East boundary of the NW $\frac{1}{4}$  of Section 1 that is located South 00°44'15" West, 1180.43 feet from the North quarter corner of said Section 1 and being the TRUE POINT OF BEGINNING;

THENCE South 57°41'38" West for a distance of 209.34 feet;

THENCE South 32°41'19" West for a distance of 240.68 feet;

THENCE South 73°30'51" West for a distance of 3.35 feet to the intersection with the Easterly boundary of the North Well Parcel and being the TERMINUS OF SAID EASEMENT.

ALL SUBJECT TO: Twin Falls County Highway Right of Way

Recorded at the request of  
Benoit, Alexander, Sinclair,  
Harwood & High  
126 2nd Avenue North, P.O. Box 388  
Twin Falls, Idaho 83303-0388

Mail original to Benoit, Alexander,  
Sinclair, Harwood & High

Mail tax notices to:

Phillip C. Uhlig  
4434 East 3500 North  
Murtaugh, ID 83344

TWIN FALLS COUNTY, IDAHO

RECORDED FOR:

TITLEFACT, INC.

1993 JUL 13 P 247

1993009823

ROBERT S. FORT

#33519-FC

FEE: WARRANTY DEED

FOR VALUE RECEIVED, Van Diest Family Partnership, an Idaho general partnership, hereinafter called "Grantor" hereby grants, bargains, sells and conveys unto Phillip C. Uhlig, whose mailing address is 4434 East 3500 North, Murtaugh, Idaho 83344, hereinafter called "Grantee," the property described on Exhibit "A: hereto, hereinafter called the "premises",

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor, respectively, does hereby covenant to and with the said Grantee, that the Grantor is the owners in fee simple of said premises; that they are free from encumbrances except existing easements and rights of way of record, a \$1,536,000.00 amount (as of June 1, 1993) of the mortgage to Mutual of New York dated 15 April 1991, recorded April 18, 1991, being Instrument No. 212987, and that Grantors will warrant and defend the premises from all lawful claims whatsoever.

DATED this 13 day of July, 1993.

VAN DIEST FAMILY PARTNERSHIP

By Ernest Van Diest  
Ernest Van Diest  
General Partner

By Martin E. Van Diest  
Martin E. Van Diest  
General Partner

By Ernest William Van Diest  
Ernest William Van Diest  
General Partner

STATE OF IDAHO )

County of Twin Falls )

ss.

On this 2 day of July, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared Ernest Van Diest, Martin E. Van Diest and Ernest William Van Diest, known to me to be the General Partners of Van Diest Family Partnership, the partnership whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same on behalf of the partnership.

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



Ernest E. Christensen  
NOTARY PUBLIC  
Residence: Boise, Idaho  
My commission expires: 1-50-98

POOR ORIGINAL

EXHIBIT A

Parcel A: Township Eleven (11) South, Range Eighteen (18) East, B.M., Twin Falls County, Idaho

Section Thirty-six (36): The Southeast Quarter of the Southwest Quarter; the Northeast Quarter of the Southeast Quarter; the South Half of the Southeast Quarter; the East Half of the Northeast Quarter and that part of the Northwest Quarter of the Southeast Quarter described as: beginning at the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section and extending North 219 feet; THENCE North 39 degrees 39' East a distance of 848 feet; THENCE South 68 degrees 21' East 826 feet; thence3 Southerly along the Eastern border 573 feet; THENCE Westerly along the Southern border 1,316 feet to the place of beginning.

Parcel B: Township Twelve (12) South, Range Eighteen (18) East, B.M., Twin Falls County, Idaho

Section One (1): Lots 1, 2, 3, 4, the South Half of the Northeast Quarter; the South Half of the Northwest Quarter; the Northeast Quarter of the Southwest Quarter EXCEPT a parcel of land located in the Southwest Quarter of the Northwest Quarter and also located in Lot 4, of Section One (1), Township Twelve (12) South, Range Eighteen (18) East, B.M., Twin Falls County, Idaho, as shown on the plans of the Lower Rock Creek Road Federal Aid Secondary Project RS 2739(4), more particularly described as follows: Beginning at a point on the Northerly boundary of said Lot 4, said point also being on said highway centerline station 32+34.36; THENCE along the Northerly boundary of said Lot 4 South 89 degrees 30' 36" East 40.19 feet; THENCE along a line 40.00 feet Easterly of and parallel to said highway centerline South 3 degrees 06' 26" East 733.09 feet, more or less, to a point 40.00 feet Easterly of and at right angles to said highway centerline Station P.C. 39+71.37; THENCE along a line perpendicular to said highway centerline South 84 degrees 33' 34" West 5.00 feet; THENCE Southwesterly for 962.07 feet on the arc of a curve to the right having a delta angle of 35 degrees 16' 11", radius of 1,562.89 feet, and a chord which bears South 12 degrees 31' 40" West 946.95 feet to a point 35.00 feet Easterly of and at right angles to said highway centerline station P.T. 49+11.89; THENCE along a line 35.00 feet Easterly of and parallel to said highway centerline South 30 degrees 09' 45" West 887.05 feet to a point 35.00 feet Easterly of and at right angles to said highway centerline station P.C. 57+98.94; THENCE Southwesterly for 230.34 feet on the arc of a curve to the left having a delta angle of 11 degrees 52' 48", radius of 1,110.92 feet, and a chord which bears South 24 degrees 13' 21" West 229.93 feet, more or less, to a point 35.00 feet Easterly of and at right angles to said highway centerline station 60+36.54, said point also lying on the Southerly boundary of said Southwest Quarter of the Northwest Quarter; THENCE along the southerly boundary of the Southwest Quarter of the Northwest Quarter North 39 degrees 25' 24" West 72.10 feet, more or less, to a point lying 33.89 feet Westerly of and at right angles to said highway centerline station 60+57.84, said point also being the Southwest corner of said Southwest Quarter of the Northwest Quarter; THENCE along the Westerly boundary of said Southwest Quarter of the Northwest Quarter North 0 degrees 21' 04" East 20.50 feet, more or less to a point 40.00 feet Westerly of and at right angles to said highway centerline station 60+38.88; THENCE Northeasterly 248.31 feet along the arc of a curve to the right having a delta angle of 11 degrees 59' 49", radius of 1,185.92 feet, and a chord which bears North 24 degrees 09' 50" East 247.86 feet, more or less, to a point 40.00 feet Westerly of and at right angles to said highway centerline station P.C. 57+98.94; THENCE North 27 degrees 46' 25" East 592.46 feet to a point 65.00 feet Westerly of and at right angles to said

POOR ORIGINAL

highway centerline station 52+00; THENCE North 34 degrees 08' 01" East 288.80 feet to a point 45.00 feet Westerly of and at right angles to said highway centerline station P.T. 49+11.89; THENCE Northeasterly 912.83 feet along the arc of a curve to the left having a delta angle of 35 degrees 16' 11", radius of 1,562.89 feet, and a chord which bears North 12 degrees 31' 40" East 898.48 feet to a point 45.00 feet Westerly of and at right angles to said highway centerline station P.C. 39+71.37; THENCE along a line 45.00 feet Westerly of and parallel to said highway centerline North 5 degrees 06' 26" West 741.42 feet, more or less, to a point on the Northerly boundary of said Lot 4; THENCE along the Northerly boundary of said Lot 4 South 89 degrees 30' 56" East 45.22 feet, more or less, to the real point of beginning.

Parcel C: Township Eleven (11) South, Range Eighteen (18) East, B.M., Twin Falls County, Idaho  
Section Twenty-five (25): The East Half of the Southeast Quarter; the North Half of the Northeast Quarter; the Southeast Quarter of the Northeast Quarter

Parcel D: Township Eleven (11) South, Range Eighteen (18) East, B.M., Twin Falls County, Idaho  
Section Twenty-four (24): The South Half of the Southeast Quarter

Parcel E: Township Eleven (11) South, Range Nineteen (19) East, B.M., Twin Falls County, Idaho  
Section Thirty (30): Lots 3 and 4

Parcel F: Township Eleven (11) South, Range Nineteen (19) East, B.M., Twin Falls County, Idaho  
Section Thirty-two (32): Southwest Quarter.

EXCEPT all minerals in or under Parcels A through F including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easement rights or other matters relating thereto whether expressed or implied.

Parcel G: Township Eleven (11) South, Range Eighteen (18) East, B.M., Twin Falls County, Idaho  
Section Twenty-five (25): The Southwest Quarter of the Northeast Quarter.

ALL SUBJECT TO: Twin Falls County Highway Right-of-way

Parcel No. 1: Township Twelve (12) South, Range Nineteen (19) East of the Boise Meridian, Cassia County, Idaho  
Section Five (5): Lots 1, 2, 3, 4, and the Southwest Quarter of the Northwest Quarter and the West Half of the Southwest Quarter  
Section Six (6): Lots 1, 2, the South Half of the Northeast Quarter, the North Half of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter  
Section Seven (7): the Northeast Quarter of the Northeast Quarter

Parcel No. 2: Township Twelve (12) South, Range Nineteen (19) East of the Boise Meridian, Cassia County, Idaho  
Section Six (6): The Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter  
Section Seven (7): The West Half of the Northeast Quarter, the East Half of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter

Parcel No. 3: Township Twelve (12) South, Range Nineteen (19) East of the Boise Meridian, Cassia County, Idaho  
Section Six (6): Lots 3, 4 and 5, the Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter

Parcel No. 4: A well site located in the Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section Six (6), Township Twelve (12) South, Range Nineteen (19) East of the Boise Meridian, Cassia County, Idaho and easement for ingress and egress more fully described in Warranty Deed dated September 15, 1975 and recorded October 20, 1975 as Instrument No. 86300 on Film No. 98, records of Cassia County, Idaho.

TWIN FALLS COUNTY, IDAHO

RECORDED FOR

TITLEFACT, Inc.

WARRANTY DEED  
1994 AUG 15 10 25

1994014585

FOR VALUE RECEIVED <sup>ROBERT S. FORT</sup> ~~Philip C. Uhlig~~, hereinafter called "Grantor" hereby grants, bargains, sells and conveys unto B & H FARMING, an Idaho general partnership, consisting of Randy A. Bauscher and Thomas R. Haynes, P.O. Box 123, Rupert, Idaho 83350, hereinafter called "Grantee," the property described on Exhibit "A" hereto, hereinafter called the "premises",

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor, respectively, does hereby covenant to and with the said Grantee, that the Grantor is the owners in fee simple of said premises; that they are free from encumbrances except existing easements and rights of way of record, a mortgage to Mutual of New York dated 15 April 1991, recorded April 18, 1991 in Cassia County, Idaho as Instrument No. 212987 and recorded April 18, 1991 in Twin Falls, County, Idaho as Instrument No. 91-001076 and that Grantors will warrant and defend the premises from all lawful claims whatsoever.

DATED this 10 day of July, 1993.

Philip C. Uhlig  
Philip C. Uhlig

STATE OF IDAHO

County of Twin Falls

} ss.

On this 13 day of July, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared Phillip C. Uhlig, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

Francis E. Cuyler  
NOTARY PUBLIC  
Residence Summit  
My Commission Expires: 1-20-98

(s-f\warranty.ash)

WARRANTY DEED\2

EXHIBIT A

Parcel A: Township Eleven (11) South, Range Eighteen (18) East, B.M., Twin Falls County, Idaho

Section Thirty-six (36): The Southeast Quarter of the Southwest Quarter; the Northeast Quarter of the Southeast Quarter; the South Half of the Southeast Quarter; the East Half of the Northeast Quarter and that part of the Northwest Quarter of the Southeast Quarter described as: beginning at the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section and extending North 219 feet; THENCE North 39 degrees 39' East a distance of 848 feet; THENCE South 68 degrees 21' East 826 feet; thence Southerly along the Eastern border 573 feet; THENCE Westerly along the Southern border 1,316 feet to the place of beginning.

Parcel B: Township Twelve (12) South, Range Eighteen (18) East, B.M., Twin Falls County, Idaho

Section One (1): Lots 1, 2, 3, 4, the South Half of the Northeast Quarter; the South Half of the Northwest Quarter; the Northeast Quarter of the Southwest Quarter EXCEPT a parcel of land located in the Southwest Quarter of the Northwest Quarter and also located in Lot 4, of Section One (1), Township Twelve (12) South, Range Eighteen (18) East, B.M., Twin Falls County, Idaho, as shown on the plans of the Lower Rock Creek Road Federal Aid Secondary Project RS 2739(4), more particularly described as follows: Beginning at a point on the Northerly boundary of said Lot 4, said point also being on said highway centerline station 32+34.36; THENCE along the Northerly boundary of said Lot 4 South 89 degrees 30' 56" East 40.19 feet; THENCE along a line 40.00 feet Easterly of and parallel to said highway centerline South 5 degrees 06' 26" East 733.09 feet, more or less, to a point 40.00 feet Easterly of and at right angles to said highway centerline Station P.C. 39+71.37; THENCE along a line perpendicular to said highway centerline South 84 degrees 33' 34" West 5.00 feet; THENCE Southwesterly for 962.07 feet on the arc of a curve to the right having a delta angle of 35 degrees 16' 11", radius of 1,562.89 feet, and a chord which bears South 12 degrees 31' 40" West 946.95 feet to a point 35.00 feet Easterly of and at right angles to said highway centerline station P.T. 49+11.89; THENCE along a line 35.00 feet Easterly of and parallel to said highway centerline South 30 degrees 09' 45" West 887.05 feet to a point 35.00 feet Easterly of and at right angles to said highway centerline station P.C. 57+98.94; THENCE Southwesterly for 230.34 feet on the arc of a curve to the left having a delta angle of 11 degrees 52' 48", radius of 1,110.92 feet, and a chord which bears South 24 degrees 13' 21" West 229.93 feet, more or less, to a point 35.00 feet Easterly of and at right angles to said highway centerline station 60+36.54, said point also lying on the Southerly boundary of said Southwest Quarter of the Northwest Quarter; THENCE along the southerly boundary of the Southwest Quarter of the Northwest Quarter North 89 degrees 25' 24" West 72.10 feet, more or less, to a point lying 33.89 feet Westerly of and at right angles to said highway centerline station 60+57.84, said point also being the Southwest corner of said Southwest Quarter of the Northwest Quarter; THENCE along the Westerly boundary of said Southwest Quarter of the Northwest Quarter North 0 degrees 21' 04" East 20.30 feet, more or less to a point 40.00 feet Westerly of and at right angles to said highway centerline station 60+38.88; THENCE Northeasterly 248.31 feet along the arc of a curve to the right having a delta angle of 11 degrees 59' 49", radius of 1,183.92 feet, and a chord which bears North 24 degrees 09' 30" East 247.86 feet, more or less, to a point 40.00 feet Westerly of and at right angles to said highway centerline station P.C. 57+98.94; THENCE North 27 degrees 46' 28" East 599.46 feet to a point 65.00 feet Westerly of and at right angles to said

highway centerline station 52+00; THENCE North 34 degrees 08' 01" East 288.80 feet to a point 45.00 feet Westerly of and at right angles to said highway centerline station P.T. 49+11.89; THENCE Northeasterly 912.83 feet along the arc of a curve to the left having a delta angle of 35 degrees 16' 11", radius of 1,562.89 feet, and a chord which bears North 12 degrees 31' 40" East 898.48 feet to a point 45.00 feet Westerly of and at right angles to said highway centerline station P.C. 39+71.37; THENCE along a line 45.00 feet Westerly of and parallel to said highway centerline North 5 degrees 06' 26" West 741.42 feet, more or less, to a point on the Northerly boundary of said Lot 4; THENCE along the Northerly boundary of said Lot 4 South 89 degrees 30' 56" East 45.22 feet, more or less, to the real point of beginning.

Parcel C: Township Eleven (11) South, Range Eighteen (18) East, B.M., Twin Falls County, Idaho  
Section Twenty-five (25): The East Half of the Southeast Quarter; the North Half of the Northeast Quarter; the Southeast Quarter of the Northeast Quarter

Parcel D: Township Eleven (11) South, Range Eighteen (18) East, B.M., Twin Falls County, Idaho  
Section Twenty-four (24): The South Half of the Southeast Quarter

Parcel E: Township Eleven (11) South, Range Nineteen (19) East, B.M., Twin Falls County, Idaho  
Section Thirty (30): Lots 3 and 4

Parcel F: Township Eleven (11) South, Range Nineteen (19) East, B.M., Twin Falls County, Idaho  
Section Thirty-two (32): Southwest Quarter

EXCEPT all minerals in or under Parcels A through F including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easement rights or other matters relating thereto whether expressed or implied.

Parcel G: Township Eleven (11) South, Range Eighteen (18) East, B.M., Twin Falls County, Idaho  
Section Twenty-five (25): The Southwest Quarter of the Northeast Quarter.

ALL SUBJECT TO: Twin Falls County Highway Right-of-way

Parcel No. 1: Township Twelve (12) South, Range Nineteen (19) East of the Boise Meridian, Cassia County, Idaho  
Section Five (5): Lots 1, 2, 3, 4, and the Southwest Quarter of the Northwest Quarter and the West Half of the Southwest Quarter  
Section Six (6): Lots 1, 2, the South Half of the Northeast Quarter, the North Half of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter  
Section Seven (7): the Northeast Quarter of the Northeast Quarter

Parcel No. 2: Township Twelve (12) South, Range Nineteen (19) East of the Boise Meridian, Cassia County, Idaho  
Section Six (6): The Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter  
Section Seven (7): The West Half of the Northeast Quarter, the East Half of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter

Parcel No. 2: Township Twelve (12) South, Range Nineteen (19) East of the Boise Meridian, Cassia County, Idaho  
Section Six (6): The Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter  
Section Seven (7): The West Half of the Northeast Quarter, the East Half of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter

Page 2 of 3 Pages

Parcel No. 3: Township Twelve (12) South, Range Nineteen (19) East of the Boise Meridian, Cassia County, Idaho  
Section Six (6): Lots 3, 4 and 5, the Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter

Parcel No. 4: A well site located in the Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section Six (6), Township Twelve (12) South, Range Nineteen (19) East of the Boise Meridian, Cassia County, Idaho and easement for ingress and egress more fully described in Warranty Deed dated September 15, 1975 and recorded October 20, 1975 as Instrument No. 86300 on Film No. 98, records of Cassia County, Idaho.

Page 3 of 3 Pages

TWIN FALLS COUNTY, IDAHO  
RECORDED FOR

TITLEFACT, Inc.

1994 AUG 15 P 2 33

1994014586

TitleFact, Inc.  
163 Fourth Avenue North  
P.O. Box 486  
Twin Falls, Idaho 83303

ROBERT S. FORT  
EX-OFFICIO RECORDER

FEE: *4.00* DEPUTY *SW*

\*\*\*\* SPACE ABOVE FOR RECORDER \*\*\*\*  
35791A-mi&sm

## QUITCLAIM DEED

For Value Received PHILLIP C. UHLIG, does hereby convey, remise and forever quit claim unto B & H FARMING, whose address is: P.O. BOX 123, RUPERT, IDAHO, 83350, the following described premises, to-wit:

Any and all mineral rights of the Grantors in or under the following described parcels including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easement rights or other matters relating thereto whether expressed or implied.

### PARCEL A

Township 11 South, Range 18 E., B.M., Twin Falls County, Idaho  
Section 36: SE4SW4; NE4SE4; S4SE4; E4N4W4 and that part of the NW4SE4; described as:  
BEGINNING at the Southwest corner of the NW4SE4 of said Section and extending North 219 feet;  
THENCE North 39°39' East a distance of 848 feet;  
THENCE South 68°21' East 826 feet;  
THENCE Southerly along the eastern border 573 feet;  
THENCE Westerly along the southern border 1316 feet to the PLACE OF BEGINNING.

### PARCEL B

Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho  
Section 1: Lots 1, 2, 3, 4, S4N4W4; S4N4W4; NE4SW4

EXCEPT: A parcel of land located in the SW4N4W4 and also located in Lot 4, of Section 1, Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho, as shown on the plans of the Lower Rock Creek Road Federal Aid Secondary Project R8 2739(4), more particularly described as follows:

BEGINNING at a point on the Northerly boundary of said Lot 4, said point also being on said highway centerline station 32+34.36;  
THENCE along the Northerly boundary of said Lot 4 South 89°30'56" East 40.19 feet;  
THENCE along a line 40.00 feet Easterly of and parallel to said highway centerline South 5°06'26" East 733.09 feet, more or less, to a point 40.00 feet Easterly of and at right angles to said highway centerline Station P.C. 39+71.37;  
THENCE along a line perpendicular to said highway centerline South 84°53'34" West 5.00 feet;  
THENCE Southwesterly for 962.07 feet on the arc of a curve to the right having a delta angle of 35°16'11", radius of 1,562.89 feet, and a chord which bears South 12°31'40" West 946.95 feet to a point 35.00 feet Easterly of and at right angles to said highway centerline station P.T. 49+11.89;  
THENCE along a line 35.00 feet Easterly of and parallel to said highway centerline South 30°09'45" West 887.05 feet to a point 35.00 feet Easterly of and at right angles to said highway centerline station P.C. 57+98.94;  
THENCE Southwesterly for 250.34 feet on the arc of a curve to the left having a delta angle of 11°52'48", radius of 1,110.92 feet, and a chord which bears South 24°13'21" West 229.93 feet, more or less, to a point 35.00 feet Easterly of and at right angles to said highway centerline station 60+36.54, said point also lying on the Southerly boundary of said SW4N4W4;  
THENCE along the Southerly boundary of SW4N4W4 North 89°23'24" West 72.10 feet, more or less, to a point lying 33.89 feet Westerly of and at right angles to said highway centerline station 60+37.84, said point also being the Southwest corner of said SW4N4W4;  
THENCE along the Westerly boundary of said SW4N4W4 North 0°21'04" East 20.50 feet, more or less to a point 40.00 feet Westerly of and at right angles to said highway centerline station 60+38.88;  
THENCE Northeasterly 248.31 feet along the arc of a curve to the right having a delta angle of 11°59'49", radius of 1,183.92 feet, and a chord which bears North 24°09'50" East 247.86 feet, more or less, to a point 40.00 feet Westerly of and at right angles to said highway centerline station P.C. 37+98.94;  
THENCE North 27°44'20" East 899.46 feet to a point 65.00 feet Westerly of and at right angles to said highway centerline station 32+00;  
THENCE North 34°08'01" East 288.80 feet to a point 45.00 feet Westerly of and at right angles to said highway centerline station P.T. 49+11.89;  
THENCE Northeasterly 912.83 feet along the arc of a curve to the left having a delta angle of 35°16'11", radius of 1,562.89 feet, and a chord which bears North 12°31'40" East 946.95 feet to a point 45.00 feet Westerly of and at right angles to said highway centerline station P.C. 39+71.37;

THENCE along a line 45.00 feet Westerly of and parallel to said highway centerline North 5°06'26" West  
741.42 feet, more or less, to a point on the Northerly boundary of said Lot 4;  
THENCE along the Northerly boundary of said Lot 4 South 99°20'56" East 45.22 feet, more or less, to the  
REAL POINT OF BEGINNING.

**PARCEL C**

Township 11 South, Range 18 E., B.M., Twin Falls County, Idaho  
Section 25: E/4SE/4; N/4NE/4; SE/4NE/4

**PARCEL D**

Township 11 South, Range 18 E., B.M., Twin Falls County, Idaho  
Section 24: S/4SE/4

**PARCEL E**

Township 11 South, Range 19 E., B.M., Twin Falls County, Idaho  
Section 30: Lots 3 and 4

**PARCEL F**

Township 11 South, Range 19 E., B.M., Twin Falls County, Idaho  
Section 32: SW/4

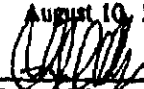
**PARCEL G**

Township 11 South, Range 18 E., B.M., Twin Falls County, Idaho  
Section 25: SW/4NE/4

ALL SUBJECT TO: Twin Falls County Highway Right of Way

together with their appurtenances.

Dated: August 10, 1994

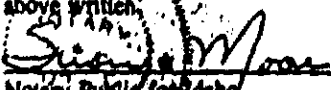
  
\_\_\_\_\_  
PHILLIP C. UHLIG

\* \* \* \* \*

STATE OF IDAHO  
County of Twin Falls

On this 12<sup>th</sup> day of AUGUST, 1994, before me, a Notary Public in and for said State,  
personally appeared PHILLIP C. UHLIG, known to me to be the person whose name is  
subscribed to the foregoing instrument and acknowledged to me that he executed the same.

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

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing in: TWIN FALLS  
Commission Expires: 11-28-96

TitleFact, Inc.  
163 Fourth Avenue North  
P.O. Box 486  
Twin Falls, Idaho 83303

TWIN FALLS COUNTY, IDAHO  
RECORDED FOR

1994 AUG 15 P 2 34

TITLEFACT, Inc.

19940145901

ROBERT S. FORT  
EX-OFFICIO RECORDER

DEPUTY

\*\*\*\*\* SPACE ABOVE FOR RECORDER \*\*\*\*\*  
35791-ml/sm

### WARRANTY DEED

FOR VALUE RECEIVED B & H FARMING, AN IDAHO GENERAL PARTNERSHIP, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto WINDING BROOK CORPORATION, a Massachusetts corporation, hereinafter called grantee, whose address is: P.O. Box 53, Nampa ID 83653 the following described premises, in Twin Falls County, Idaho, and Cassia County, Idaho to-wit:

#### PARCEL A

Township 11 South, Range 18 E., B.M., Twin Falls County, Idaho  
Section 36: NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; S $\frac{1}{2}$ SE $\frac{1}{4}$ ; E $\frac{1}{2}$ NW $\frac{1}{4}$  and that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; described as: BEGINNING at the Southwest corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section and extending North 219 feet;  
THENCE North 39°39' East a distance of 848 feet;  
THENCE South 68°21' East 826 feet;  
THENCE Southerly along the eastern border 573 feet;  
THENCE Westerly along the southern border 1316 feet to the PLACE OF BEGINNING.

#### PARCEL B

Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho  
Section 1: Lots 1, 2, S $\frac{1}{2}$ NW $\frac{1}{4}$

#### EXCEPT

A parcel of land located in the S $\frac{1}{2}$ NW $\frac{1}{4}$  of said Section 1 and more particularly described as follows:

COMMENCING at the North quarter corner of said Section 1;  
THENCE South 00°44'15" West along the West boundary of the NE $\frac{1}{4}$  of Section 1 for a distance of 1305.55 feet to the TRUE POINT OF BEGINNING;  
THENCE South 72°10'26" East for a distance of 123.29 feet;  
THENCE South 55°37'00" East for a distance of 92.15 feet;  
THENCE South 12°33'39" East for a distance of 583.59 feet;  
THENCE North 89°14'29" West for a distance of 328.80 feet to a point on the West boundary of the NE $\frac{1}{4}$  of Section 1;  
THENCE North 00°44'15" East along the West boundary of the NE $\frac{1}{4}$  of Section 1 for a distance of 655.11 feet to the TRUE POINT OF BEGINNING.

#### AND

(WATER STORAGE POND) A parcel of land located in the E $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 1, Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho, more particularly described as follows:

COMMENCING at the North quarter corner of said Section 1;  
THENCE South 00°44'15" West along the East boundary of the NW $\frac{1}{4}$  of Section 1 for a distance of 1374.90 feet;  
THENCE North 89°15'45" West for a distance of 349.45 feet to the TRUE POINT OF BEGINNING;  
THENCE South 19°57'04" West for a distance of 52.24 feet;  
THENCE South 29°05'48" West for a distance of 37.58 feet;  
THENCE South 17°17'43" West for a distance of 52.62 feet;  
THENCE South 47°56'55" West for a distance of 44.97 feet;  
THENCE South 67°51'39" West for a distance of 31.12 feet;  
THENCE South 89°38'58" West for a distance of 90.27 feet;  
THENCE North 56°41'08" West for a distance of 30.93 feet;  
THENCE North 18°43'43" West for a distance of 38.36 feet;  
THENCE North 03°30'35" West for a distance of 112.03 feet;  
THENCE North 00°30'55" East for a distance of 80.37 feet;

THENCE North 08°17'39" East for a distance of 155.56 feet;  
THENCE North 30°25'03" West for a distance of 106.73 feet;  
THENCE South 46°28'49" East for a distance of 93.13 feet;  
THENCE North 55°47'25" East for a distance of 45.91 feet;  
THENCE North 86°23'15" East for a distance of 47.44 feet;  
THENCE South 68°51'58" East for a distance of 45.73 feet;  
THENCE South 44°05'37" East for a distance of 49.56 feet;  
THENCE South 26°44'31" East for a distance of 71.71 feet;  
THENCE South 06°18'09" West for a distance of 38.53 feet;  
THENCE South 48°28'31" West for a distance of 26.90 feet;  
THENCE South 05°27'54" West for a distance of 24.41 feet;  
THENCE South 37°34'15" East for a distance of 57.00 feet;  
THENCE South 13°48'41" East for a distance of 41.02 feet to the TRUE POINT OF BEGINNING.

AND

(NORTH WELL SITE) A parcel of land located in the SE¼NW¼ of Section 1, Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho, more particularly described as follows:

A circular parcel of land with a 10.0 foot radius and being more particularly described as follows:

COMMENCING at the North quarter corner of said Section 1;

THENCE South 00°44'15" West along the East boundary of the NW¼ of Section 1 for a distance of 1502.75 feet;

THENCE North 89°15'45" West for a distance of 315.60 feet to the radius point of the circular parcel of land, said parcel includes the well and all the land that lies within the 10.0 foot radius which has a delta angle of 360 degrees.

AND

(SOUTH WELL SITE) A parcel of land located in the SE¼NW¼ of Section 1, Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho, more particularly described as follows:

A circular parcel of land with a 10.0 foot radius and being more particularly described as follows:

COMMENCING at the North quarter corner of said Section 1;

THENCE South 00°44'15" West along the East boundary of the NW¼ of Section 1 for a distance of 2581.71 feet;

THENCE North 89°14'45" West for a distance of 859.33 feet to the radius point of the circular parcel of land, said parcel includes the well and all the land that lies within the 10.0 foot radius which has a delta angle of 360 degrees.

AND

(PIPELINE RIGHT OF WAY) A parcel of land located in the SE¼NW¼ of Section 1, Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho, more particularly described as follows:

A strip of land 20.0 feet wide and being 10.0 feet on each side of the following described line:

COMMENCING at a point that is located South 00°44'15" West, 1478.19 feet;

THENCE North 89°14'45" West, 390.70 feet from the North quarter corner of said Section 1 and being the TRUE POINT OF BEGINNING;

THENCE South 61°11'40" East for a distance of 138.43 feet;

THENCE South 56°30'31" East for a distance of 51.69 feet;

THENCE South 63°00'12" East for a distance of 111.58 feet;

THENCE North 51°00'18" East for a distance of 89.21 feet;

THENCE North 80°29'12" East for a distance of 55.16 feet;

THENCE North 80°11'44" East for a distance of 99.72 feet;

THENCE North 80°01'25" East for a distance of 119.80 feet to the East boundary of Parcel

No. 42 of Rock Creek Ranches and being the terminus of said Deeded right of way.

SUBJECT TO: Access easement as shown on the recorded Miscellaneous Plat of Rock Creek Ranches.

TOGETHER WITH: A permanent easement over and across a parcel of land located in the E1/4NW1/4 of Section 1, Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho and more particularly described as follows:

A 20.0 foot wide permanent easement for the purpose of ingress and egress and for the use and maintenance of a buried irrigation pipeline and ditch and/or their associated hardware, said easement location being centered on the following describe line:

COMMENCING at a point that is located South 00°44'15" West, 2581.71 feet;

THENCE North 89°15'45" West, 859.33 feet;

THENCE North 25°34'48" East, 10.0 feet from the North quarter corner of said Section 1 and being the TRUE POINT OF BEGINNING on the Northerly boundary of the South Well parcel:

THENCE continuing North 25°34'48" East for a distance of 965.90 feet;

THENCE North 24°47'46" East for a distance of 112.41 feet;

THENCE North 29°57'04" East for a distance of 109.83 feet;

THENCE North 21°41'23" East for a distance of 68.15 feet;

THENCE North 09°48'48" East for a distance of 51.58 feet;

THENCE North 24°33'31" West for a distance of 28.24 feet;

THENCE North 29°55'15" West for a distance of 112.65 feet to the intersection with the Easterly boundary of the pond Parcel and being the Terminus of said Easement.

AND TOGETHER WITH: A permanent easement over and across a parcel of land located in the E1/4SW1/4 of Section 1, Township 12 South, Range 18 E., B.M., Twin Falls County, Idaho, and more particularly described as follows:

A 20.0 foot wide permanent easement for the purpose of ingress and egress and for the use and maintenance of a buried irrigation pipeline and/or its associated hardware, said easement location being centered on the following described line:

COMMENCING at a point on the East boundary of the NW1/4 of Section 1 that is located South 00°44'15" West, 1180.43 feet from the North quarter corner of said Section 1 and being the TRUE POINT OF BEGINNING;

THENCE South 57°41'38" West for a distance of 209.34 feet;

THENCE South 32°41'19" West for a distance of 240.68 feet;

THENCE South 73°30'51" West for a distance of 3.35 feet to the intersection with the Easterly boundary of the North Well Parcel and being the TERMINUS OF SAID EASEMENT.

**PARCEL C**

Township 11 South, Range 18 E., B.M., Twin Falls County, Idaho  
Section 25: E1/4SE1/4; NE1/4

**PARCEL D**

Township 11 South, Range 18 E., B.M., Twin Falls County, Idaho  
Section 24: S1/4SE1/4

**PARCEL E**

Township 11 South, Range 19 E., B.M., Twin Falls County, Idaho  
Section 30: Lots 3 and 4

**PARCEL F**

Township 11 South, Range 19 E., B.M., Twin Falls County, Idaho  
Section 32: SW1/4

EXCEPT: All minerals in or under Parcels A through F including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easement rights or other matters relating thereto whether expressed or implied.

ALL SUBJECT TO: Twin Falls County Highway Right of Way

**PARCEL NO. 1:**

TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, CASSIA  
COUNTY, IDAHO

Section 5: Lots 1,2,3,4, and SW1/4NW1/4 and W1/2SW1/4

Section 6: Lots 1,2, S1/2NE1/4,N1/2SE1/4 and S1/4SE1/4

Section 7: NE1/4NE1/4

**PARCEL NO. 2:**

**TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO**

Section 6: SE1/4SW1/4,SW1/4SE1/4

Section 7: W1/2NE1/4,E1/2NW1/4,NE1/4SW1/4,NW1/4SE1/4

**PARCEL NO. 3:**

**TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY IDAHO**

Section 6: Lots 3,4, & 5, SE1/4NW1/4 and NE1/4SW1/4

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: August 11, 1994

B & H FARMING

BY: RANDY A. BAUSCHER

BY: THOMAS R. HAYNES

STATE OF IDAHO  
County of Twin Falls

On this 11th day of August, 1994, before me, a Notary Public, personally appeared RANDY A. BAUSCHER AND THOMAS R. HAYNES, known or identified to me to be the General Partner or partners in B & H FARMING, a partnership, and the partners who subscribed said partnership name to the foregoing instrument and acknowledged to me that they executed the same in said partnership name.

Susan Moore  
Notary Public for Idaho  
Residing in TWIN FALLS  
Commission Expires 11-28-96

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

RECEIVED

[ ] Water Right Number(s): A47-02511 FEB 27 1990

[ ] Name and Address of Former Claimant: Rock Creek Farms c/o McCall & Dunford P. O. Box 1598

Department of Water Resources  
Southern Region Office

Twin Falls, Idaho 83303

[ ] New Claimant(s): Van Diest Family Partnership

[ ] New Mailing Address: Rock Creek Ranch

2872 Rock Creek Road

Hansen, Idaho 83334

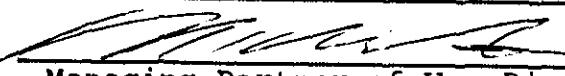
New Telephone Number: (208) 423-4211

[ ] Does the change in ownership result in a splitting of the water right claimed? yes X no

If yes, then describe the portion of the water right that is now claimed by the new owner:

\_\_\_\_\_  
\_\_\_\_\_

[X] Attach proof of ownership Refer to Special Warranty Deed and Bill of Sale attached to Water Right No. A47-00140  
Describe proof attached: A47-00140

[ ] Signature of New Claimant(s):   
Managing Partner of Van Diest Family Partnership  
Martin E. Van Diest

Date: February 23, 1990

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 3/1/90 By: R.V.J.

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

100-1-100

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[ ] Water Right Number(s): A47-02491

[ ] Name and Address of  
Former Claimant: Rock Creek Farms  
c/o McCall & Dunford  
P. O. Box 1598  
Twin Falls, Idaho 83303

[ ] New Claimant(s): Van Diest Family Partnership

RECEIVED

[ ] New Mailing Address: Rock Creek Ranch

FEB 27 1990

2872 Rock Creek Road

Department of Water Resources  
Southern Region Office

Hansen, Idaho 83334

New Telephone Number: ( 208 ) 423-4211

[ ] Does the change in ownership result in a splitting of the  
water right claimed?        yes   X   no

If yes, then describe the portion of the water right that is  
now claimed by the new owner:

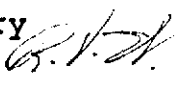
[x] Attach proof of ownership Refer to Special Warranty Deed and Bill  
Describe proof attached: of Sale attached to Water Right No.  
A47-00140

[ ] Signature of New Claimant(s):   
Managing Partner of Van Diest  
Family Partnership  
Martin E. Van Diest  
Date: February 23, 1990

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 3/1/90

By: 

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

FEB 11 1990

6/9/94

## COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

October 2, 1997 1145am

NAME:  
JIM KIENLEN

CAME IN

RE:  
NEEDED PROFILE REPORTS

HE ASKED FOR A QUERY ON 'GUTHRIE' FOR THE LEGAL T12S, R18E, S01, NW1/4. NO CLAIMS BY THAT NAME FOUND... PRINTED OUT COPIES FOR THE RIGHTS LISTED IN THAT LEGAL, MOST IN THE NAME OF WINDING BROOK CORP.

CLAIMS: A47-02491, A47-02546, A47-02566, A47-02511, A47-00157A, A47-00127A, A47-00140, A47-00141, A47-00142, A47-00143, A47-14630 & A47-14468



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP JAN 30 1995

Please print or type  
(see instructions on back of page)

Department of Water Resources  
Southern Region

DATE OF CLOSING: 8-15-94

LEGAL DESCRIPTION OF PROPERTY: Township \_\_\_\_\_ Range \_\_\_\_\_  
Section \_\_\_\_\_, 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM.  
Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_.  
If you have additional legal descriptions, please attach separate sheet. See Warranty Deed.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s) A47-02515; A47-02526; A47-02536; A47-02544; A47-02546;  
Assigned by IDWR: A47-02552; A47-02556; A47-02566; A47-07526; A47-02557;  
A47-02554; A45-02306; A47-02534; A47-00127A

☒ Name and Address of Former Owner/Claimant(s)(Seller): B & H Farming, an Idaho partnership

P. O. Box 123

Rupert, Idaho, 83350

☒ New Owner/Claimant (Purchaser):

Winding Brook Corporation

☒ New Mailing Address:

c/o Rodney Moore

P. O. Box 53

Nampa, Idaho, 83653

☒ New Telephone Number:

(208) 466 - 0419

☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☒ Attach proof of ownership, describe proof attached: Warranty Deeds

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) WINDING BROOK CORP.  
by Rodney Moore, V.P.

Date 1-25-95

Date \_\_\_\_\_

☐ Signature of Former Owner/Claimant(s):

Date \_\_\_\_\_

Date \_\_\_\_\_

(Signature of former claimant(s) is not required if proof of ownership is attached.)

*Hand del. John Ritchie*

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1-30-95 By: SCC

Further Action Needed:

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any:

*\* ALL DOCUMENTS FILED w/ A47-16390  
A47-2515 unnumbered*  
Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

NOV 28 1995

A47-02491



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

## RECEIVED

Please print or type

(see instructions on back of page)

DATE OF CLOSING: 7/12/93

JUN 14 1994

LEGAL DESCRIPTION OF PROPERTY: Township \_\_\_\_\_ Range \_\_\_\_\_ Department of Water Res.

Section \_\_\_\_\_, 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 Govt. Lot \_\_\_\_\_, BM. or Offi

Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_.

If you have additional legal descriptions, please attach separate sheet.

*Attache*

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) A47-02566, A47-07526, A47-14466, A47-14469  
Assigned by IDWR: A47-02491, A47-02511, A47-02515  
A47-02526, A47-02544, A47-2574, A47-02546
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Van Diest Family Partnership  
Box 179  
Murtaugh, Idaho 83344
- ☐ New Owner/Claimant (Purchaser): Phillip C. Ullig
- ☐ New Mailing Address: 4434 E 3500 N  
Murtaugh, Idaho 83344
- ☐ New Telephone Number: (208) 432-5574
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Yes Attached

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) [Signature] Date 6/14/1994
- ☐ Signature of Former Owner/Claimant(s) \_\_\_\_\_ Date \_\_\_\_\_

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Further Action Needed:

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

NOV 28 1996

## COMMUNICATION DOCUMENTATION

Claim No. A47-00157  
A47-02491  
A47-02511

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Jennie RobertsonDate 2/15/95Contact Person(s) Jack McCallNature of Contact phone callSubstance of Communication he requested proof reports  
(AJ and WR) on these numbers. He also  
indicated the property is likely to be  
sold soon and requested an ownership  
change for it also.

6/9/94

## COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

**IDWR Employee/Agent** Steve Clelland

March 15, 1995 10:34am

**NAME:**  
**JOHN RITCIE**

**CALLIN**

RE:  
WINDING BROOK QUESTIONS

HE CALLED BACK RE: THE 6 CLAIMS NOT LISTED, BUT THAT APPEAR TO BE OWNED BY WINDING BROOK CORP. AS PER THE DEEDS SUBMITTED W/ THE CHANGE OF OWNERSHIP FORMS. I TOLD HIM I CHANGED THE CLAIMS TO WBC OWNERSHIP BASED ON THE DEEDS AND IF THAT LATER IS INCORRECT THEN WBC CAN SIGN THEM OVER TO THE CORRECT OWNER, WHEN WE IDENTIFY WHOMEVER THAT MAY BE. CLAIMS: A47-16379, A47-14468, A47-14469, A47-02491, A47-02511 & A47-14470.

P.S. prepared copies of AJ proofs & WR proof  
for pickup by RITCHIE.

Gu

NOV 28 1936

Log for claim A47-02491

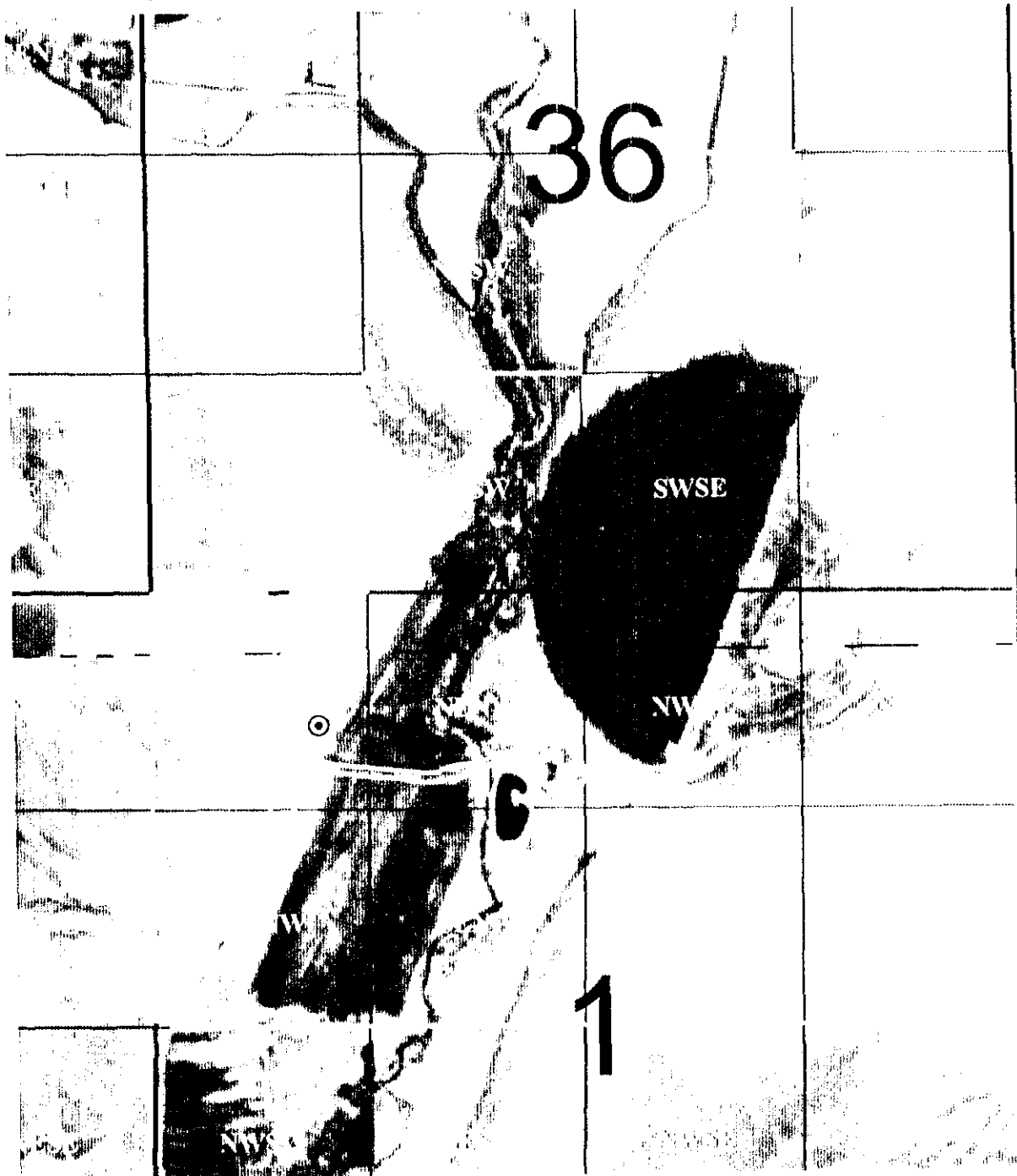
Spatial Dynamics BTD

10/5/00

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT        |
|----------------|-----|------|------------------|----------------|----------------|
| 11s18e         | 36  | SESW | 40               | 40             |                |
| 11s18e         | 36  | NWSE | 36               | 40             |                |
| 11s18e         | 36  | SWSE | 40               | 40             |                |
| 11s18e         | 36  | SESE | 40               | 39             |                |
| 12s18e         | 1   | NENE | 40               | 39             |                |
| 12s18e         | 1   | NWNE | 40               | 40             |                |
| 12s18e         | 1   | SWNE | 40               | 40             |                |
| 12s18e         | 1   | SENE | 40               | 39             |                |
| 12s18e         | 1   | NENW | 40               | 36             |                |
| 12s18e         | 1   | NWNW | 33               | 34             | POD placement? |
| 12s18e         | 1   | SWNW | 33               | 36             |                |
| 12s18e         | 1   | SENW | 33               | 38             |                |
| <b>Totals:</b> |     |      | 455              | 461            |                |

Water Right Claim Number A47-02491  
Townships , 11S18E, 12S18E

10/05/2000



### Legend

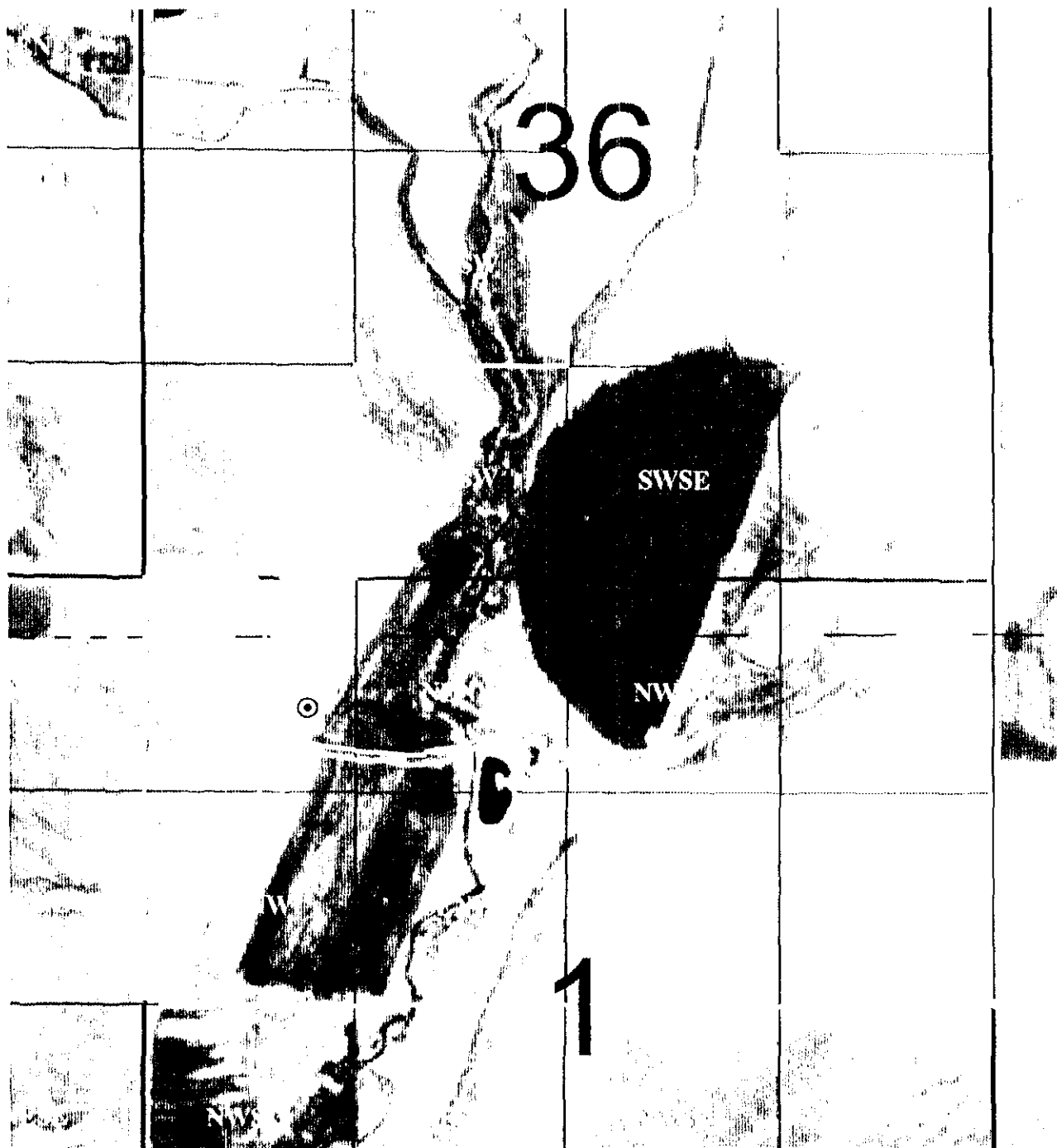
- |                                                                                                        |                                                                                                          |                                                                                                          |
|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
|  Irrigated Area     |  Section Line         |  Roads              |
|  Place of Diversion |  Quarter Section Line |  Streams and Canals |

700 0 700 1400 Feet



Water Right Claim Number A47-02491  
Townships , 11S18E, 12S18E

10/05/2000



**Legend**

Irrigated Area

Section Line

Roads

Place of Diversion

Quarter Section Line

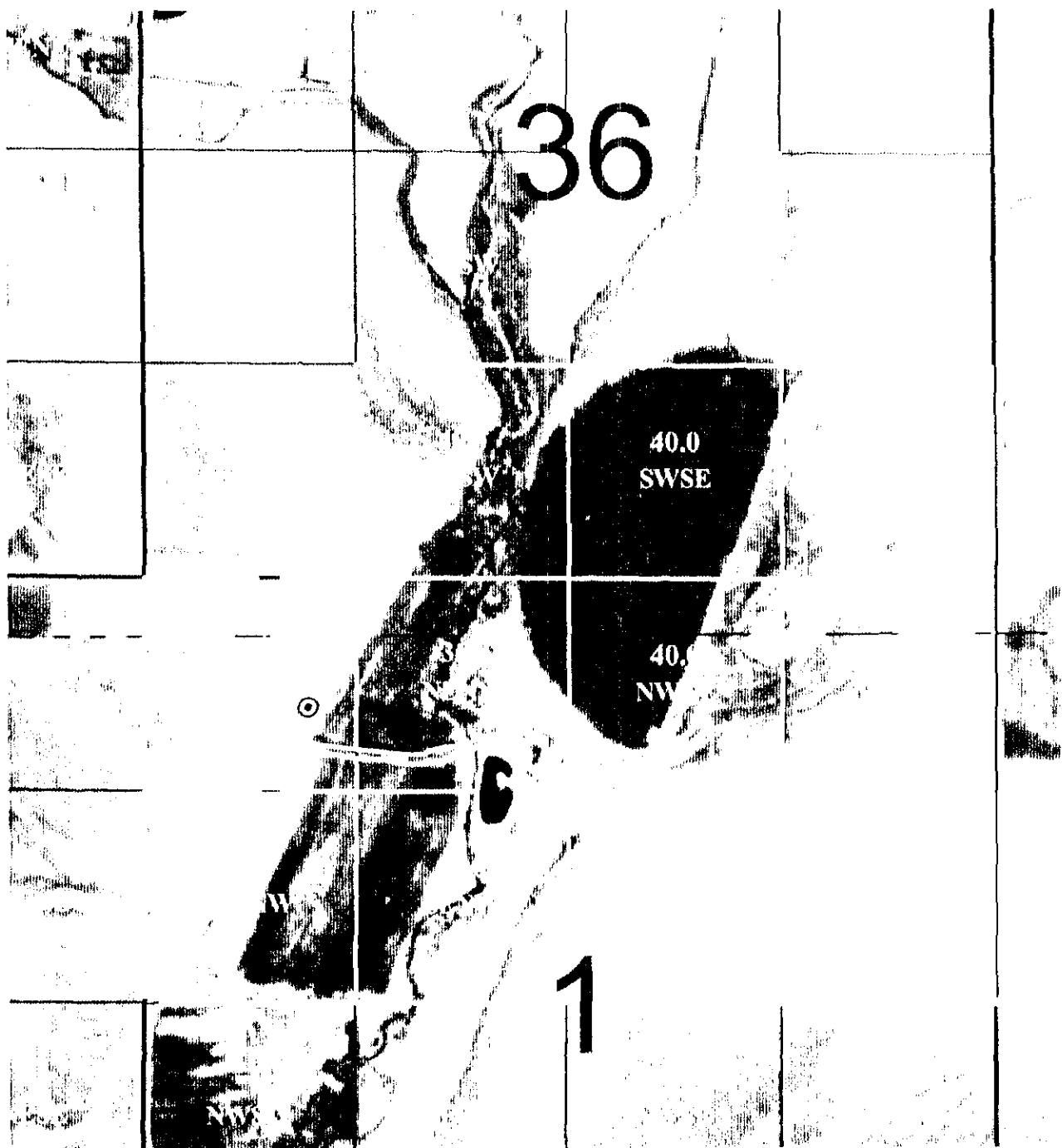
Streams and Canals



700 0 700 1400 Feet

Water Right Claim Number A47-02491  
Townships , 11S18E, 12S18E

10/05/2000



**Legend**

Irrigated Area



Place of Diversion

Section Line

Quarter Section Line

Roads

Streams and Canals



700 0 700 1400 Feet

AJ5809NP  
No. A47-02491

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/03/00  
PAGE: 236

| OWNER<br>CODE    | NAME & ADDRESS                                                                          | PRIORITY<br>DATE | WATER USE                | USE PERIOD<br>FROM TO      | DIVERSION<br>RATE      | DIVERSION<br>VOLUME |
|------------------|-----------------------------------------------------------------------------------------|------------------|--------------------------|----------------------------|------------------------|---------------------|
| C                | WINDING BROOK CORP<br>C/O RODNEY MOORE<br>PO BOX 53<br>NAMPA ID 83653<br>(208) 466-0419 | 05/25/1920       | IRRIGATION<br>STOCKWATER | 03-15 11-15<br>01-01 12-31 | 1.100 CFS<br>0.450 CFS |                     |
| TOTAL DIVERSION: |                                                                                         |                  |                          |                            | 1.100 CFS              |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T12S R18E S01 NWNW

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

|             |        | NE      |       |       |       | NW      |       |       |       | SW      |       |       |       | SE      |       |       |       |       |
|-------------|--------|---------|-------|-------|-------|---------|-------|-------|-------|---------|-------|-------|-------|---------|-------|-------|-------|-------|
| T           | R S    | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | SUM   |
| 11S         | 18E 36 | :       |       |       |       | :       |       |       |       | :       |       |       |       | :       |       |       |       | 156.0 |
| 12S         | 18E 1  | :       | 40    | 40    | 40    | 40      | :     | 40    | 33    | 33      | 33    | :     |       | :       | 36    | 40    | 40    | 299.0 |
| TOTAL ACRES |        |         |       |       |       |         |       |       |       |         |       |       |       |         |       |       | 455.0 |       |

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: TWIN FALLS

Non-Irrigation Uses: S/2000 BEEF STOCK

Other Rights: A47-02566,02511,00140,00142,00143,02546,00141,00157A

Other Water Rights Listing Overlapping Place(s) of Use:

|            |           |            |            |           |           |           |           |           |           |
|------------|-----------|------------|------------|-----------|-----------|-----------|-----------|-----------|-----------|
| A47-00121  | A47-00122 | A47-00124B | A47-00127A | A47-00138 | A47-00140 | A47-00141 | A47-00142 | A47-00143 | A47-00157 |
| A47-00157A | A47-00158 | A47-02511  | A47-02546  | A47-02551 | A47-02566 | A47-10693 |           |           |           |

Remarks: GEN 6.16CFS GROUNDWATER, 2.94CFS DECREED ROCK CREEK WATER, & 4.25CFS  
DECREED ROCK CREEK FLOOD RIGHT USED ON 455 ACRES.  
TRANSFER #768.  
CATTLE DRINK WATER FROM 3 SEPERATE WELLS AND ROCK CREEK.  
ADDRESSES 3/29/95 DMS

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:  
Presumption Flag: E

Audit: 01/19/89 WHITE 03/02/90 WORSTELL 03/10/95 SCLELLAN 03/29/95 DSMITH  
03/30/95 POST-STD

# State of Idaho

## License and Certificate of Water Right

Water License No. 14735  
 Water District No. 30

Amount 2.5 sec. ft.  
 Priority 5-25-1920

THIS IS TO CERTIFY that THE UTAH CONSTRUCTION COMPANY  
 of Ogden, Utah, made application for a permit to appropriate the  
 public waters of the State of Idaho, dated May 25, 1920; that Permit No. 14735  
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
 2.5 second feet, was issued thereunder on November 5, 1923, showing that said works  
 were completed on the 1st day of September, 1923; and that on the 28th  
 day of May, 1925,

THE UTAH CONSTRUCTION COMPANY  
 of Ogden, State of Utah, made proof to the satisfaction of the  
 Commissioner of Reclamation of Idaho, of the right to use the waters of artesian wells  
 a tributary of no stream, for the purpose of Irrigation and domestic  
 use, under Use Permit No. 14735 of the Commissioner of Reclamation  
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is  
 hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6  
 of Licenses, at page 5295, on the 20th day of August, 1925;

The right hereby confirmed dates from May 25, 1920;

The Point of Diversion is located  
 in the NW 1/4 of NW 1/4, Sec. 1, Tp. 12 S., R. 18 E., B.M. Twin Falls County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,  
 is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.5  
 cubic feet per second.

Description and location of use:

| Twp.  | Range | Sec. | Forty-acre Tract | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|-------|-------|------|------------------|----------------------------------|---------------------------------|
| 11 S. | 18 E. | 26   | NE 1/4 SW 1/4 ✓  | 40                               | 35.17                           |
|       |       |      | SE 1/4 NW 1/4 ✓  | 40                               | 40                              |
|       |       |      | SW 1/4 NW 1/4 ✓  | 40                               | 40                              |
|       |       |      | NE 1/4 NW 1/4 ✓  | 40                               | 40                              |
|       |       |      | NW 1/4 NW 1/4 ✓  | 40                               | 40                              |
|       |       |      | NW 1/4 NE 1/4 ✓  | 40                               | 40                              |
|       |       |      | NE 1/4 NE 1/4 ✓  | 40                               | 33                              |
|       |       |      | SW 1/4 SE 1/4 ✓  | 40                               | 40                              |
|       |       | 23   | SE 1/4 SW 1/4 ✓  | 40                               | 40                              |
|       |       |      | NE 1/4 SW 1/4 ✓  | 40                               | 40                              |
|       |       |      | NW 1/4 SW 1/4 ✓  | 40                               | 40                              |
|       |       |      |                  |                                  |                                 |
|       |       |      |                  |                                  |                                 |
|       |       |      |                  |                                  |                                 |
| Total |       |      |                  | ---                              | 428.17 acres                    |

Trans # 768

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use  
 herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,  
 this 20th day of August, 1925

W. O. SWENDSEN  
 Commissioner of Reclamation

(SEAL)

45-216

See Transfer 768

# APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 20955  
Permit No. 14735  
District No. 30

1. Name of Applicant: The Utah Construction Co.

Postoffice address: Ogden County: Weber State: Utah.

I. If applicant is a corporation, give:

(a) Date and place of incorporation: Jan. 1900.. Utah.

(b) Amount of capital stock: \$2,500,000.00

(c) Amount paid in: \$2,438,100.00

(d) Names and addresses of directors: W.H. Wattis, Pres. W. L. Wattis, Secy. E. O. Wattis and

II. The financial resources of the applicant are: (a) Cash on hand: \$97,476.11 M. S. Browning V.P. Jos. Sooworoft, C. H. Nibley, A. H. Christensen, R.B. Porter,

(b) Treasury stock: \$61,900.00 (c) Bonds to be issued: none.

(d) Other resources: Land, livestock, machinery, etc.

L.R. Eccles,  
Address at Ogden,  
Utah, c/o Utah  
Const. Co.

2. Quantity of water claimed: 12.8 cubic feet per second.

3. Source of water supply: Artesian wells which is a tributary of none.

4. Location of point of diversion: without radius of 1500 feet distant from the NW corner of Section 1, T12 S., R.18 E., B. M., and is in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 1, T. 12 S., R. 18 E., B. M., County of Twin Falls.

5. Water is to be used for: Domestic and irrigation purposes.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T., R., B. M., in the of Section, T., R., B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section, T., R., B. M., in the

of Section, T., R., B. M.

7. Estimated cost of works: \$10,000.00

8. Kind of works: Artesian wells and ditch.

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom 6 feet; width at water line 9 feet; depth of water 2 feet; dimensions of flume

Diameter of pipe inches; length of conduit 32 feet; miles.

Average grade per mile 25 feet.

12. The time required for the completion of such work is 3 years.

13. The time required for the complete application of the water to the proposed use is 2 additional years.

14. The land to be irrigated is described in the following tabulation: See Remarks.

15. (a) Is reservoir to be used? No. If so, fill in (b) and (c) below.  
 (b) Name of reservoir and number of Storage Permit:  
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE, IT KNOWN THAT the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

The Utah Construction Co. Applicant.

By L. S. Corey, Agent.  
Asst. Secy. tres.

Commissioner of Reclamation

Date of first receipt at office of State Engineer 9 A. M. May 25, 1920.

Returned to applicant for correction

**Corrected application received**

APPROVAL OF STATE ENGINEER

The number of this permit is 14735

Recorded in Book 52 Page 14735 Approved June 2, 1920.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ \_\_\_\_\_ to be filed on or before \_\_\_\_\_

Work to begin on or before **August 1, 1920** and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **December 2, 1921.**

The whole of said work to be completed on or before June 2, 1923.

Beneficial use of water appropriated in accordance herewith, to be made on or before June 2, 1925.

Witness my hand this 2nd day of June, 1920.

W. G. Swendsen,  
~~State Engineer~~  
Commissioner of Reclamation.

Remarks:

| 14 Twp | Range | Sec. | NE¼                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | Totals |
|--------|-------|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|        |       |      | NE¼                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 118.   | 18 E. | 23   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |     |     |     |     |     |     |     | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 320    |
| "      | "     | 26   | 40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 40  |     |     | 40  | 40  | 40  | 40  | 40  | 40  |     |     |     |     |     |     | 320    |
|        |       |      | <p>Total number of acres to be irrigated.....640</p> <p>The above land belongs to the Utah Construction Co.<br/> The land on which wells will be drilled is unentered Government land.</p> <p>-----</p> <p>Upon proper request of the holder of the above numbered Permit (14735) I have this 2nd day of June, 1923, extended the time for completion of works to the 3d day of September, 1923.</p> <p>W. G. SWENDSEN,<br/> Commissioner of Reclamation</p> <p>By: Geo. N. Carter,<br/> Assistant</p> <p>-----</p> <p>Proof of Completion of Works made September 1, 1923.<br/> Certificate of Completion of Works issued November 5, 1923.</p> <p>-----</p> |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Permit No. 14735

## CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that The Utah Construction Company of Ogden, County of Weber, and State of Utah, the holder of Permit No. 14735, issued upon Application No. 20955, bearing date of priority of May 25, 1920, authorizing the diversion of 12.8 second feet of the waters of artesian wells, County of Twin Falls, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.5 second feet of the waters of artesian wells; that the point of diversion of said waters is in the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1, Township 12 South, Range 18 East, Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: N $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$  Section 26; N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; W $\frac{1}{2}$ SE $\frac{1}{4}$ ; SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 23, all in Township 11 South, Range 18 East, Boise Meridian.

Witness my hand this 5th day of November, A. D. 1923.

W. G. SWENDSEN,  
Commissioner of Reclamation

LICENSE ISSUED FOR 2.5 SEC. FT.  
By 5295

By: Geo. N. Carter,  
Assistant

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. 14735

This proof is for Beneficial Use

In Water District No. 30

1. Name of applicant: Utah Construction Company

2. Source of water supply: Artesian Wells

3. Location of point of diversion: Is in the NW1/4 of Section 1

T. 12 S R. 16 E.B.M. County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: Diversion from creek by dam 60 ft. long x 2 ft. high built of rocks & earths. Head Gate 10 ft. long x 4 ft. wide x 4 ft. high. Litch 1 1/2 miles long, 3 ft. wide x 1 ft. deep. Water is from artesian wells numbered 1, 2 & 3, of 10" 6" & 8" diameter respectively and of 800' 700' & 100' deep respectively.

5. Water is used for: Irrigation and domestic

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): N1/4SW1/4, NW1/4, N1/4NE1/4, Sec. 26; N1/4SW1/4, SE1/4SW1/4, W1/4SE1/4, SE1/4SE1/4, Sec. 25.

T. 11 S., R. 16 E.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Snake River

Remarks: Well #1 flowed about 6 Sec. Ft. at time of visit

" #2 " " 6 " " " "

" #3 " " 2 " " " "

Total 14 Sec. Ft.

Ranch Foreman said their flow is decreasing

This examination was made on the 23rd day of July, 1925

(Signed) Edw. J. Johnson Examiner.

14-405 R14 12 for

14735

Utah Construction Co

Permit No. 14735

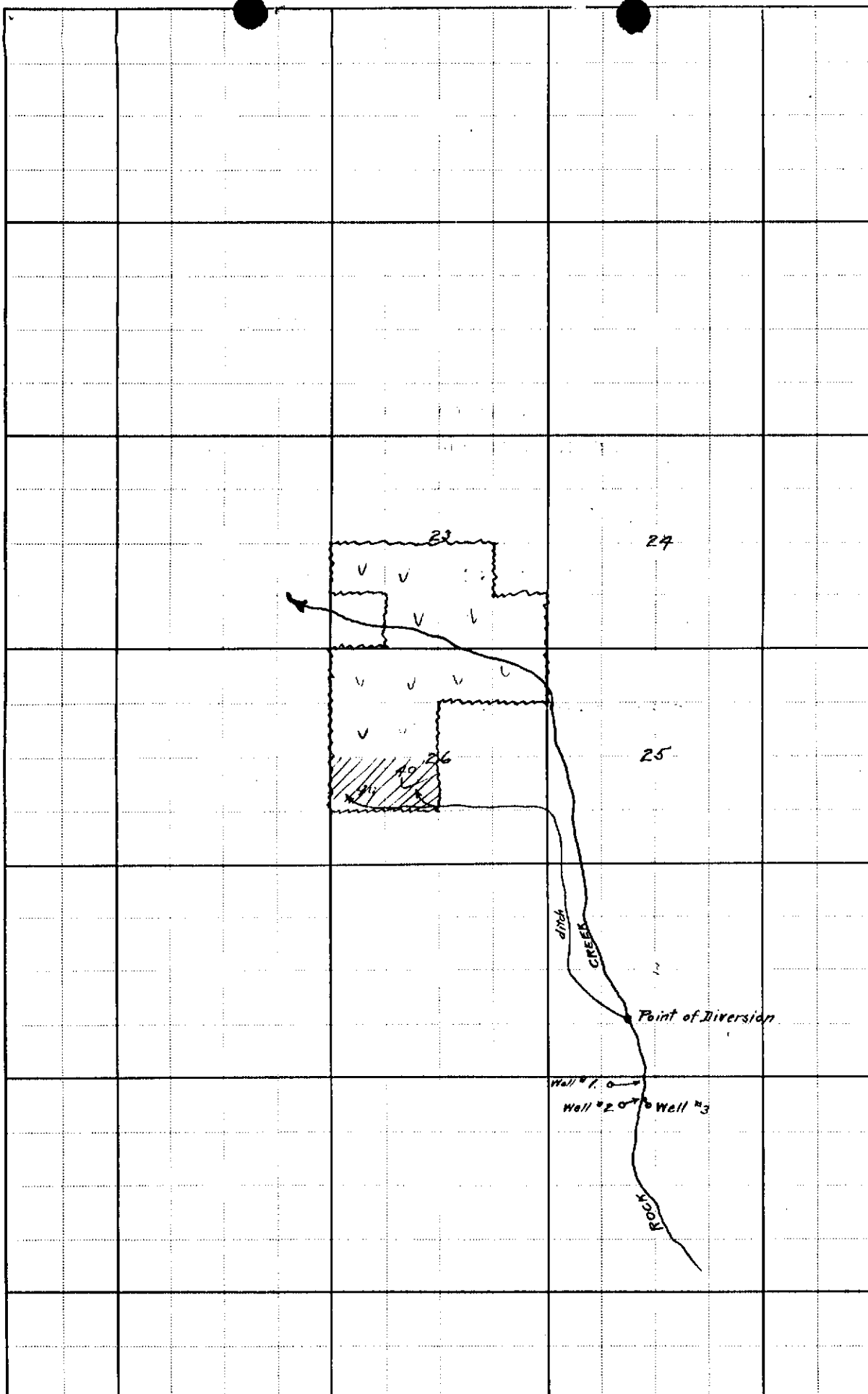
Examination for BEN. USE

County TWIN FALLS

---

#### INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion, and accurately plat same.
  2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
  3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
  4. If any unusual conditions are discovered, make a plain statement of them under remarks.
  5. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.
-



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

14735

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. ....

REPORT ON PROOF OF\_ .....