

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: A47-07040
Date Received: 1/10/1989
Receipt No: S005807
Received By: CF: OWNER CHANGE

~~NOTICE FOR~~
~~RECORDING~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

~~NOTICE FOR~~
~~RECORDING~~

1. Name: DRISCOLL BROTHERS PARTNERSHIP 208-226-2168
Address: 2250 S 3200 W
ABERDEEN ID 83210

2. Date of Priority: JUL 22, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	13E	33		NW	SW		TWIN FALLS

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.400		480.00

7. Total Quantity Appropriated is:
2.400 C.F.S. (and/or) 480.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	13E	28	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SE	NW		IRR	40.0

Section Acres 120.0

10. Place of Use: Continued

Total Acres 120.0

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:

14. Remarks:

2 P/D NWSW, S33, T9S, R13E.

06/28/99, CHANGED OWNERSHIP FROM R&L FARMS TO DRISCOLL BROTHERS
PARTNERSHIP AS PER WARRANTY DEED AND FORM 1409(6) RECEIVED

06/11/98. C.T.

15. Basis of Claim: LICENSE

 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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

March 9, 2000

KARL J. DREHER
DIRECTOR

ATTN DEANNA L CURRY
IDAHO AGRICULTURAL CREDIT ASSOCIATION
AMERICAN FALLS BRANCH
PO BOX 300
AMERICAN FALLS ID 83211

RE: SRBA Claim(s) 47-02316A, 47-02353, 47-02369,
47-02374, 47-02376, 47-02377, 47-02379, 47-02419,
47-04015, 47-04099, 47-04174, 47-04205, 47-07040,
47-07252, 47-07565, 47-07569, 47-07615, 47-07618

Dear Deanna,

This letter is confirmation that Idaho Agricultural Credit Association has been added to our records as 'lienholder' on the Driscoll Brothers Partnership adjudication claims listed above. Should you have any questions or need further assistance, please feel free to contact this office.

Sincerely,



Trish Fawcett
Technical Records Specialist

Enc.

cc: Driscoll Brothers Partnership

47-07040



Idaho Agricultural Credit Association

American Falls Branch
127 Idaho
P.O. Box 300
American Falls, ID 83211
Bus: 208/226-5251
Toll Free: 1-800-831-5143
Fax: 208/226-5063

RECEIVED

FEB 22 2000

Department of Water Resources
Southern Region

February 16, 2000

Idaho Dept. of Water Resources – Southern Region
1341 Fillmore, Suite 200
Twin Falls, ID 83301-3380

Dear Trish,

Please find enclosed a copy of the recorded Real Estate Mortgage between Driscoll Brothers, A Partnership and Idaho Agricultural Credit Association f.k.a. Eastern Idaho Agricultural Credit Association. We are providing a copy of the mortgage as proof of security interest in the following Water License #'s: 47-02353, 47-02369, 47-02374, 47-02376, 47-02377, 47-02379, 47-02419, 47-04205, 47-04174, 47-07040, 47-07565, 47-07615, 47-07618, 47-02316A, 47-04015, 47-04099, 47-07252, and 47-07569. Please acknowledge Idaho Agricultural Credit Association, f.k.a. Eastern Idaho Agricultural Credit Association, at the address shown above, as lender or co-owner of the referenced water licenses. Please send confirmation of the assignment to the above address as well. If you have any questions please call 1-800-831-5143. Thank you for your attention to this matter.

Sincerely,
Idaho Agricultural Credit Association

Deanna L. Curry

Deanna L. Curry
Operations Assistant

Encl.

*See 47-02316A for copy of
real estate mortgage
4/3/9/2000*



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

SOUTHERN REGION

July 29, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DRISCOLL BROTHERS PARTNERSHIP
2250 S 3200 W
ABERDEEN ID 83210

RE: SRBA Claim(s) A47-02379; A47-02419; A47-02374; A47-07040;
A47-02376; A47-02377; A47-04205; A47-04015; A47-04174

Dear Claimant:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership of the above referenced claim to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Cheryl Timm
Clerical Specialist, SRBA

Enc.: Claim to a Water Right(S) referenced above

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
DEC 11 1998
Department of Water Resources
Southern Region

1. Water Right No(s):
A47-02379, A47-02419, A47-02374, A47-07040, A47-02376, A47-02377
Adjudication Claim No(s): 47-13176, 47-13173, A47-04205, A47-04015, A47-04174
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: R&L Farms 3874 N 1300 E. Buhl, ID 83316
AND OR KAREN & JANET EASTERDAY
4. New Owner/Claimant(s): Driscoll Brothers Partnership
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address: 2250 S. 3200 W.
City, State and ZIP Code: Aberdeen, ID 83210
New Telephone Number: (208) 226-2168
5. Date you acquired the property: JULY 2, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s): Driscoll Brothers by: *[Signature]*
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..
[Signature] data entered 6/28/99 cf

Idaho Falls, Idaho
02:00 PM 02/11/1998
1000-0000-0000
No. of Pages 15.00
02:00 PM 02/11/1998

40869
TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

***** SPACE ABOVE FOR RECORDER *****

WARRANTY DEED

FOR VALUE RECEIVED LENARD D. EASTERDAY AND LORENE I. EASTERDAY, husband and wife; LARAY EASTERDAY AND JANET EASTERDAY, husband and wife; RONALD D. EASTERDAY AND MARY EASTERDAY, husband and wife; R & L FARMS, a general partnership hereinafter called the grantor, hereby grants, bargains, sells and conveys unto DRISCOLL BROTHERS PARTNERSHIP, an Idaho General Partnership, BY Wallace B. Driscoll and Martin D. Driscoll, General Partners hereinafter called grantee, whose address is: 22505 3200 W. Aberdeen, ID 83210, the following described premises, in Twin Falls County, Idaho, to-wit:

.See Attached Exhibit "A" attached hereto and made a part thereof.

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: July 2, 1998

Lenard D. Easterday
LENARD D. EASTERDAY

Laray L. Easterday
LARAY L. EASTERDAY

Ronald D. Easterday
RONALD D. EASTERDAY

Lorene I. Easterday
LORENE I. EASTERDAY

Janet Easterday
JANET EASTERDAY

Mary Easterday
MARY EASTERDAY

R & L FARMS, a general partnership

Laray L. Easterday
LARAY L. EASTERDAY, partner

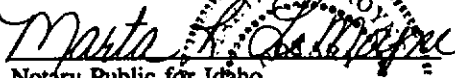
Ronald D. Easterday
RONALD D. EASTERDAY, partner

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 2nd day of July, 1998, before me, a Notary Public in and for said State, personally appeared **LENARD D. EASTERDAY AND LORENE I. EASTERDAY, husband and wife; LARAY EASTERDAY AND JANET EASTERDAY, husband and wife; RONALD D. EASTERDAY AND MARY EASTERDAY, husband and wife,** known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they 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 at: Buhl
Commission Expires 9-8-99



STATE OF IDAHO
County of Twin Falls

On this 2nd day of July, 1998, before me, a Notary Public, personally appeared **LARAY L. EASTERDAY AND RONALD D. EASTERDAY,** known or identified to me to be the General Partner or partners in **R & L FARMS,** a general 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.

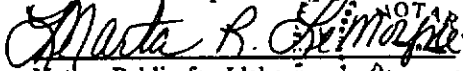

Notary Public for Idaho
Residing in Buhl
Commission Expires 9-8-99



EXHIBIT "A"

PARCEL NO. 1

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 28: NW $\frac{1}{4}$ NW $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

EXCEPT a parcel of land 250 feet by 400 feet located in the Northwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, more particularly described as follows:

BEGINNING at the Northwest corner of said Section 28 and which is the TRUE POINT OF BEGINNING;

THENCE South 89°55' East 400 feet;

THENCE South 00°03' East 250 feet;

THENCE North 89°55' West 400 feet;

THENCE North 00°03' West 250 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 2

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 20: SE $\frac{1}{4}$

Section 21: W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 29: N $\frac{1}{2}$ NE $\frac{1}{4}$

Section 33: SW $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 3

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 33: E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 4

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 34: E $\frac{1}{2}$ SW $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

Township 10 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 3: Lots 3 and 4; S $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 5

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 34: S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 35: S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 6

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 33: NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 34: W $\frac{1}{2}$ NW $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 7

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 34: NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 8

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 28: E $\frac{1}{2}$ NW $\frac{1}{4}$

AND the following described easement:

A 30 foot strip of land as it affects the following described parcels of ground

in Section 28, Township 9 South, Range 13 E., B.M., the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$; in Section 33, the NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

BEGINNING at a point that lies North 40°19' East 940.1 feet and North 39°51'30" East 1,096.7 feet of the Southwest corner of Section 33;

THENCE describing a 30 foot strip of land being 15 feet left and right of the following described easement centerline due North 825.2 feet;

THENCE North 00°13'30" West 1,585.6 feet;

THENCE North 00°03'30" West 1,795.3 feet;

THENCE North 00°10'30" East 8.3 feet;

THENCE North 00°10'30" East 3,500.7 feet to a point that lies approximately South 3°37' East 131.4 feet and South 47°12'30" East 1,760.0 feet of the Northwest corner of said Section 28.

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 28: NW $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPT that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ being more particularly described as follows:

BEGINNING at the Northwest corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE East along the North line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ for 210 feet;

THENCE South and parallel to the West line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ for 225 feet;

THENCE West parallel to the North line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ for 210 feet to the West line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE North along said West line for 225 feet to the POINT OF BEGINNING.

Section 29: S $\frac{1}{2}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 28: SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 29: S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 32: NE $\frac{1}{4}$

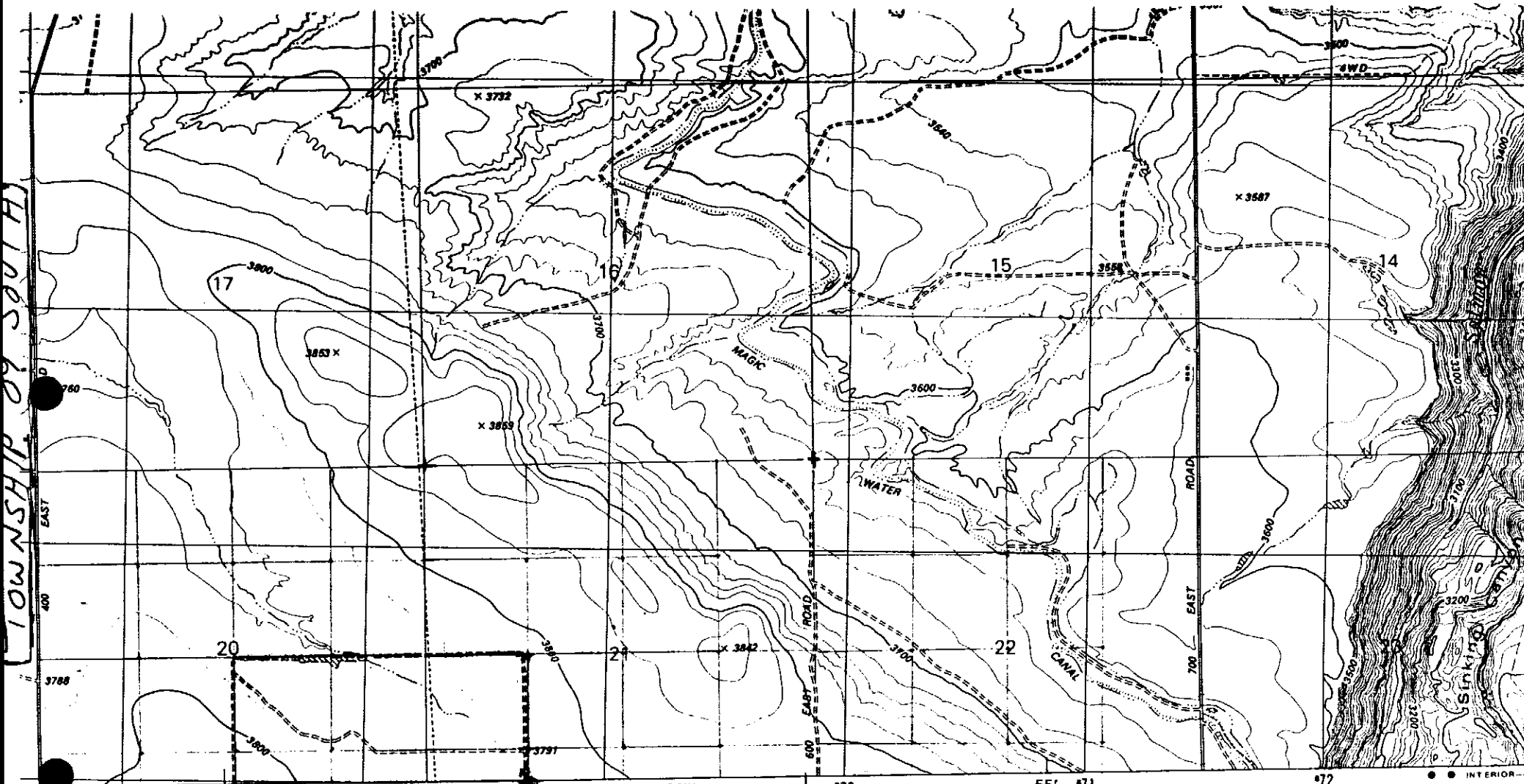
Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 28: That part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ being more particularly described as follows:
BEGINNING at the Northwest corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;
THENCE East along the North line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ for 210 feet;
THENCE South and parallel to the West line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ for 225 feet;
THENCE West parallel to the North line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ for 210 feet to the West line of
said NW $\frac{1}{4}$ SW $\frac{1}{4}$;
THENCE North along said West line for 225 feet to the POINT OF BEGINNING.

SUBJECT TO: Twin Falls Highway District right of way

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 34: NW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$

SUBJECT TO: Twin Falls Highway District right of way —

ALPES 68 PHSNWO 1

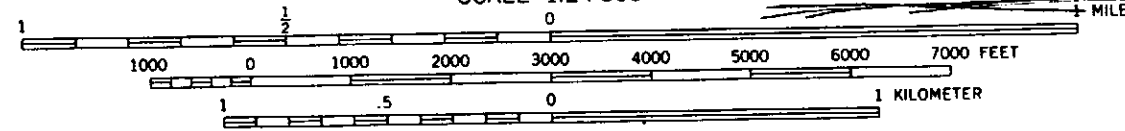


240 000 FEET 57'30" 68

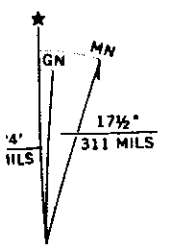
(BALANCED ROCK)
3069 M SW

RANGE 13 EAST

SCALE 1:24 000



CONTOUR INTERVAL 20 FEET
SUPPLEMENTARY CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929



1980 MAGNETIC NORTH
AT CENTER OF SHEET

- Primary highway, hard surface
- Secondary highway, hard surface
- Interstate Route

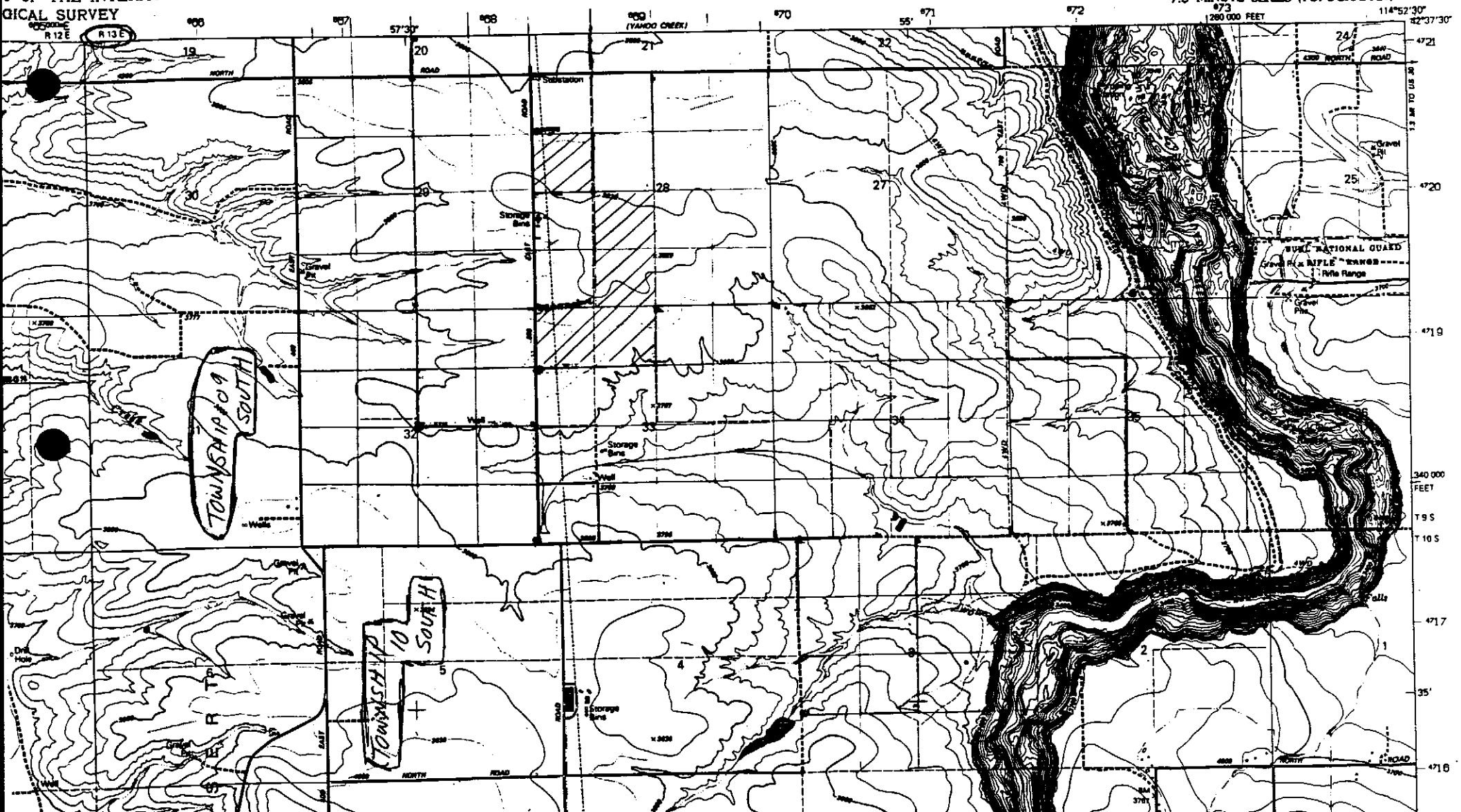


QUADRANGLE LOCATION

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

BALANCED ROCK QUADRANGLE
IDAHO-TWIN FALLS CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



AJ0749NP
No. A47-07040

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/28/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DRISCOLL BROTHERS PARTNERSHIP 2250 S 3200 W ABERDEEN ID 83210 (208) 226-2168	07/22/1968	IRRIGATION	03-15 11-15	2.40 CFS	480.00 AFA
TOTAL DIVERSION:					2.40 CFS	480.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T09S R13E S33 NWSW

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
09S	13E	28	:					:	40	40		40	:					:						120.0
TOTAL ACRES																							120.0	

POU County: TWIN FALLS

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

Remarks: GEN 2 P/D NWSW, S33, T9S, R13E.

06/28/99, CHANGED OWNERSHIP FROM R&L FARMS TO DRISCOLL BROTHERS
PARTNERSHIP AS PER WARRANTY DEED AND FORM 1409(6) RECEIVED
06/11/98. C.T.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. A47-07040

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/28/99
PAGE: 9

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	R & L FARMS RT 2 BOX 107D BUHL ID 83316 (208) 326-5736	07/22/1968	IRRIGATION	03-15 11-15	2.40 CFS	480.00 AFA
TOTAL DIVERSION:					2.40 CFS	480.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T09S R13E S33 NWSW

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

Parcel 8
↓

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
09S	13E	28	:					:	40		40		:					:					:	120.0
TOTAL ACRES																							120.0	

POU County: TWIN FALLS

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

Remarks: GEN 2 P/D NWSW, S33, T9S, R13E.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 12/22/88 WHITE 04/04/91 SHAFF 03/31/92 FRAZEE 12/16/93 FRAZEE
03/30/95 POST-STD

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: A47-07040
Date Received: 12/22/1988
Receipt No: 5095807
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R & L FARMS 208-326-5736
Address: RT 2, BOX 107D
BUHL, ID 83316

2. Date of Priority: JUL 22, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	13E	33	NW	SW			TWIN FALLS

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.400		480.00

7. Total Quantity Appropriated is:
2.400 C.F.S. (and/or) 480.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	13E	28	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SE	NW		IRR	40.0

Section Acres 120.0

A47-07040

Page 1

Date: 12/22/88

MICROFILMED

MAR 11 1993

10. Place of Use: Continued

Total Acres 120.0

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:

14. Remarks:

2 P/D NSW, S33, T9S, R13E.

15. Basis of Claim: LICENSE

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 Partner of
R & L Farms Title
Organization, that I have signed the foregoing
document in the space below as Partner of
R & L Farms Title
Organization and that the statements contained in the
foregoing document are true and correct.

Lafay S. Tresterday
Signature of Authorized Agent

Partner R & L Farms
Title and Organization

1/10/89
Date

State of Idaho)
County of FF) SS.

Subscribed and sworn (or affirmed) before me this 10th day

of Jan 19 89

Toni White
Notary Public

Seal

Residing at FF

My Commission Expires 5/94

A47-02419
A47-02374
A47-02377
A47-02379
A47-04015
A47-07040
A47-07618
A47-07615

MICROFILMED
MAR 11 1983





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

Sent to Eastern

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 5, 1991

LaRay & Janet Easterday
R & L Farms
Rt. 2, Box 107D
Buhl, ID 83316

RECEIVED

APR 8 1991

RE: Snake River Basin Adjudication (SRBA)
County - ~~A47-02374~~, A47-02376, A47-02377,
A47-02379, A47-02419, A47-04205, A47-07040,
A47-13173, A47-13176, A47-04174 & A47-04015

Department of Water Resources
Eastern District Office

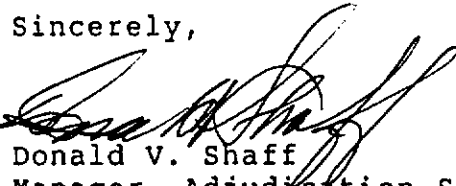
Dear Mr. & Mrs. Easterday:

Payment has not been received as directed in the certified letter you received on February 19, 1991. Rather than returning the claims to you, the record of the claims will go into a rejected status and remain in that category until payment is received from you. The account will continue to accrue interest, and any fees will not be returned whether the claims are investigated or not.

This will be your last notice until such time as the findings of the Director are included in his report to the Court of the water right claims in that area. Without further payment on the claim fee account, the findings of these claims will be that the claims were rejected for insufficient fees.

If your payment and this letter pass in the mail, I apologize for this letter.

Sincerely,


Donald V. Shaff
Manager, Adjudication Section

DVS:sf:AR:east

RECEIVED

APR 10 1991

Department of Water Resources
Southern Region Office

MICROFILMED

MAR 11 1993

From: DWR03::FRAZEE 31-MAR-1992 10:52:30.03
To: DWR60::MERRITT
CC: FRAZEE
Subj: REJECTED CLAIMS AR #S000018/LA RAY EASTERDAY

MORNIN' ALLEN. AT DON'S INSTRUCTION, I'VE GONE INTO EACH OF THE FOLLOWING CLAIMS AND CORRECTED HIS DATA ENTRY OF 4/4/91 WHEN HE REJECTED THE CLAIMS FOR INSUFFICIENT FEES.

I ADDED "REJECTED" IN SOURCE AND "DVS 4/4/91" AFTER HIS REMARK OF INSUFFICIENT FEES. I ALSO CORRECTED DATA ENTRY OF ADDRESS FOR CURRENT OWNER(S) WHERE NECESSARY. THIS IS ALL I'VE DONE TO THESE CLAIMS.

A47-04174	A47-04205	A47-02376	A47-02419	A47-02374
A47-02377	A47-02379	A47-04015	A47-07040	A47-07618
A47-07615	A47-13173	A47-13176	A47-13178	

SO AGENT(S) DON'T GET UPSET WHEN THEY SEE MY NAME AS THE LAST ON THE AUDIT TRAIL, YOU MIGHT HAVE JEANE PUT A COPY OF THIS MAIL MESSAGE IN EACH OF THE ABOVE FILES.

MICROFILMED

MAR 11 1993

From: DWR60::MERRITT 16-DEC-1993 10:05:34.75
To: ROBERTSON
CC: MERRITT
Subj: FYI

From: DWR03::FRAZEE 16-DEC-1993 10:04:03.19
To: DWR60::MERRITT
CC: FRAZEE
Subj: UN-REJECTED CLAIMS OF AR #S000018/LA RAY EASTERDAY

MORNING, ALLEN. I JUST UN-REJECTED EASTERDAY'S CLAIMS PER
PAYMENT YESTERDAY TO JIM STANTON. PLEASE GIVE JUDY OR JEANE A
COPY OF THIS E-MAIL TO INSERT IN EASTERDAY'S CLAIM FILES.

A47-04174 A47-04205 A47-02376 A47-02419 A47-02374
A47-02377 A47-02379 A47-04015 A47-07040 A47-07618
A47-07615 A47-13173 A47-13176 A47-13178

THANX, ALLEN!

Log for claim 47-07040

Spatial Dynamics LTD

2/27/01

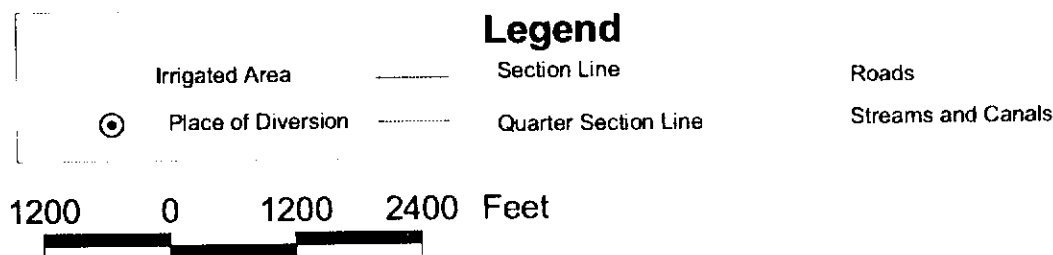
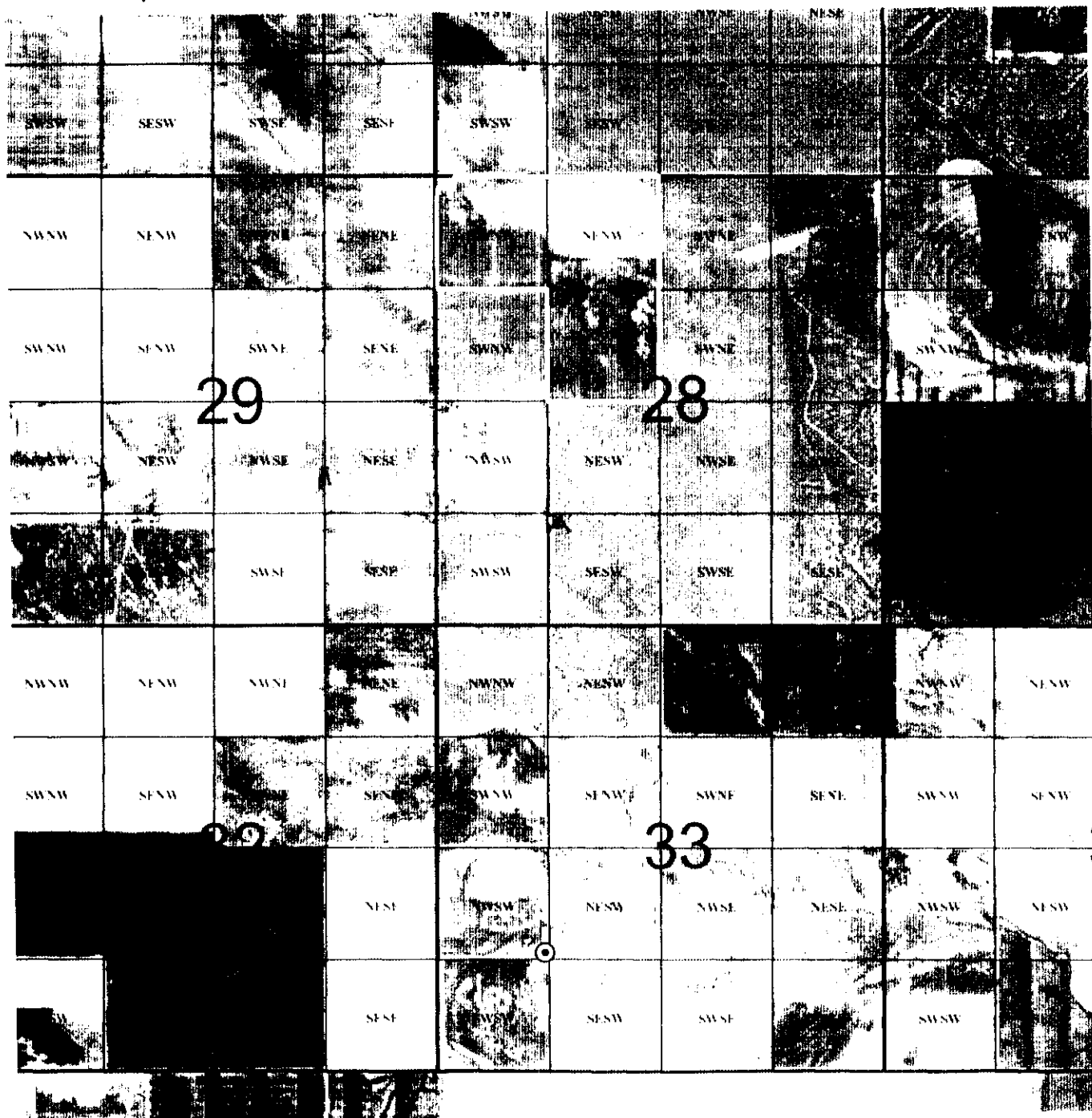
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s13e	28	NENW	40	40	
09s13e	28	NWNW	40	39	
09s13e	28	SENW	40	40	
Totals:			120	119	

 SPATIAL
DYNAMICS

Water Right Claim Number 47-07040

Township , 9S13E

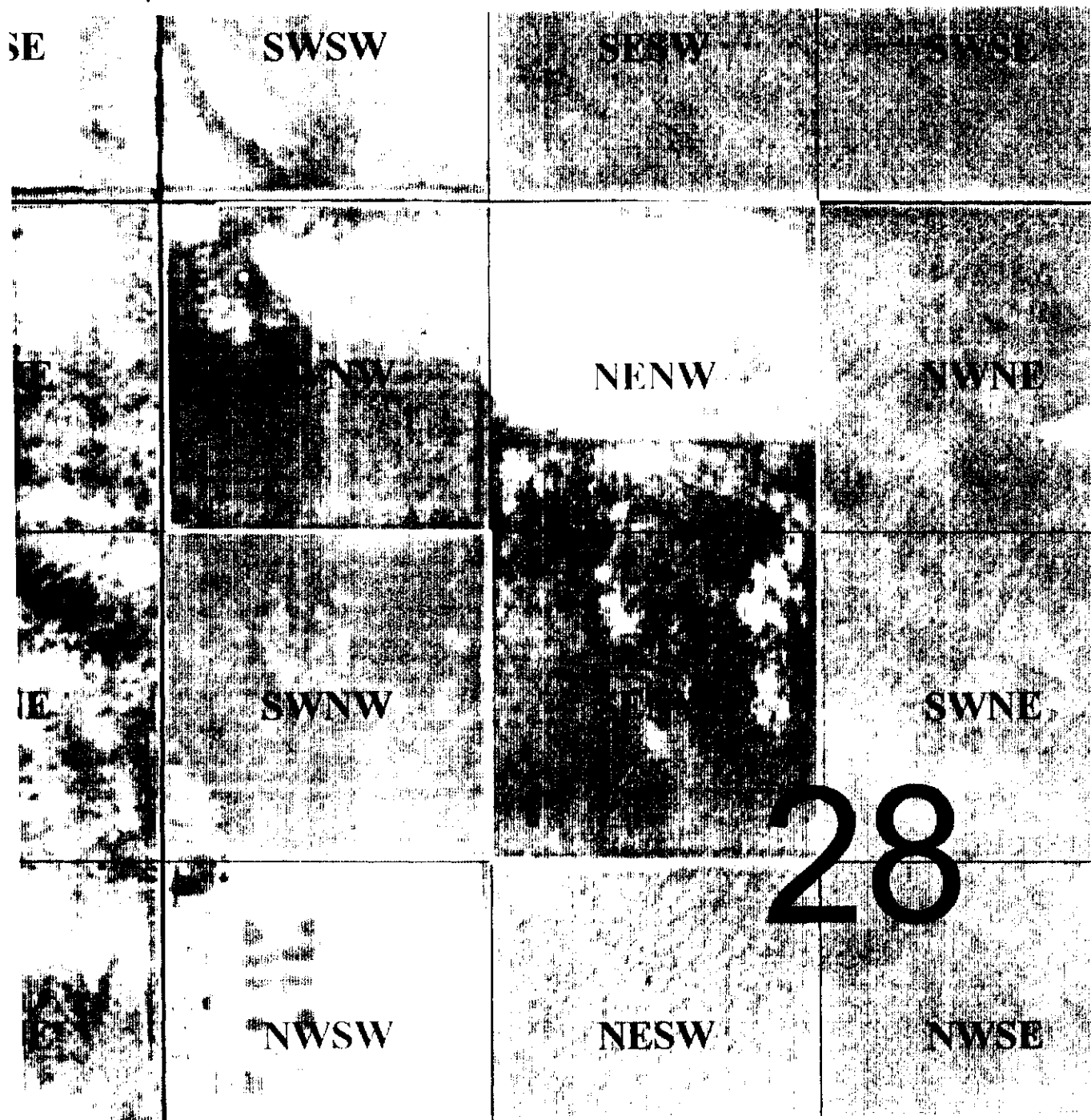
02/27/2001



SPATIAL
DYNAMICS

Water Right Claim Number 47-07040
Township , 9S13E

02/27/2001



Legend

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

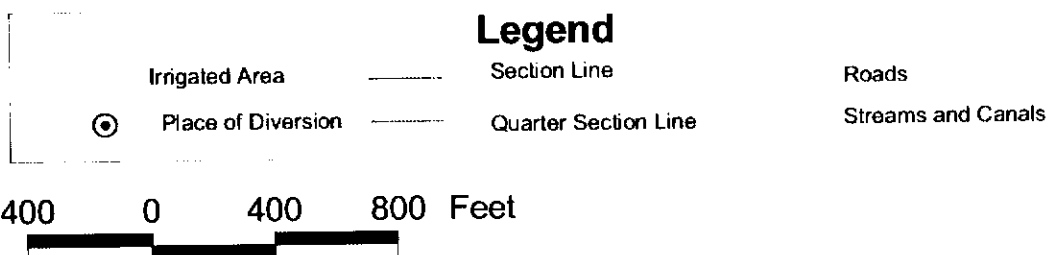
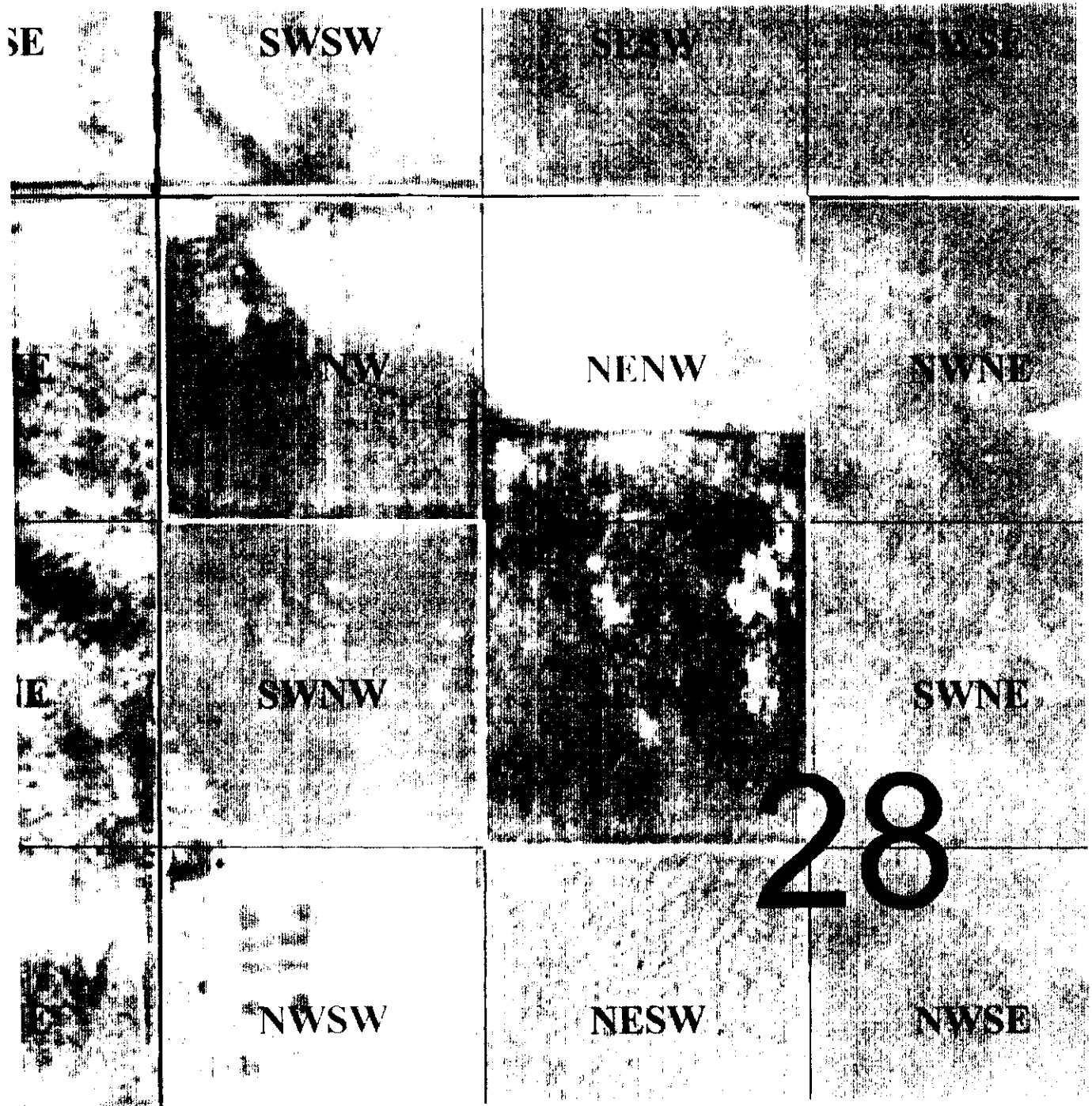


400 0 400 800 Feet

SPATIAL
DYNAMICS

Water Right Claim Number 47-07040
Township , 9S13E

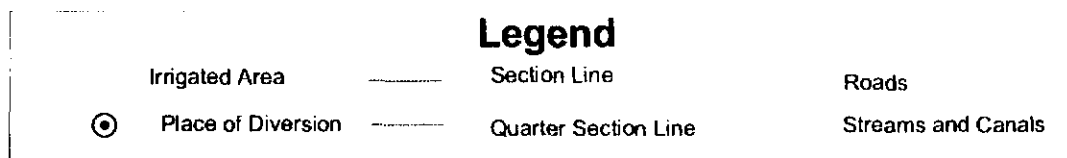
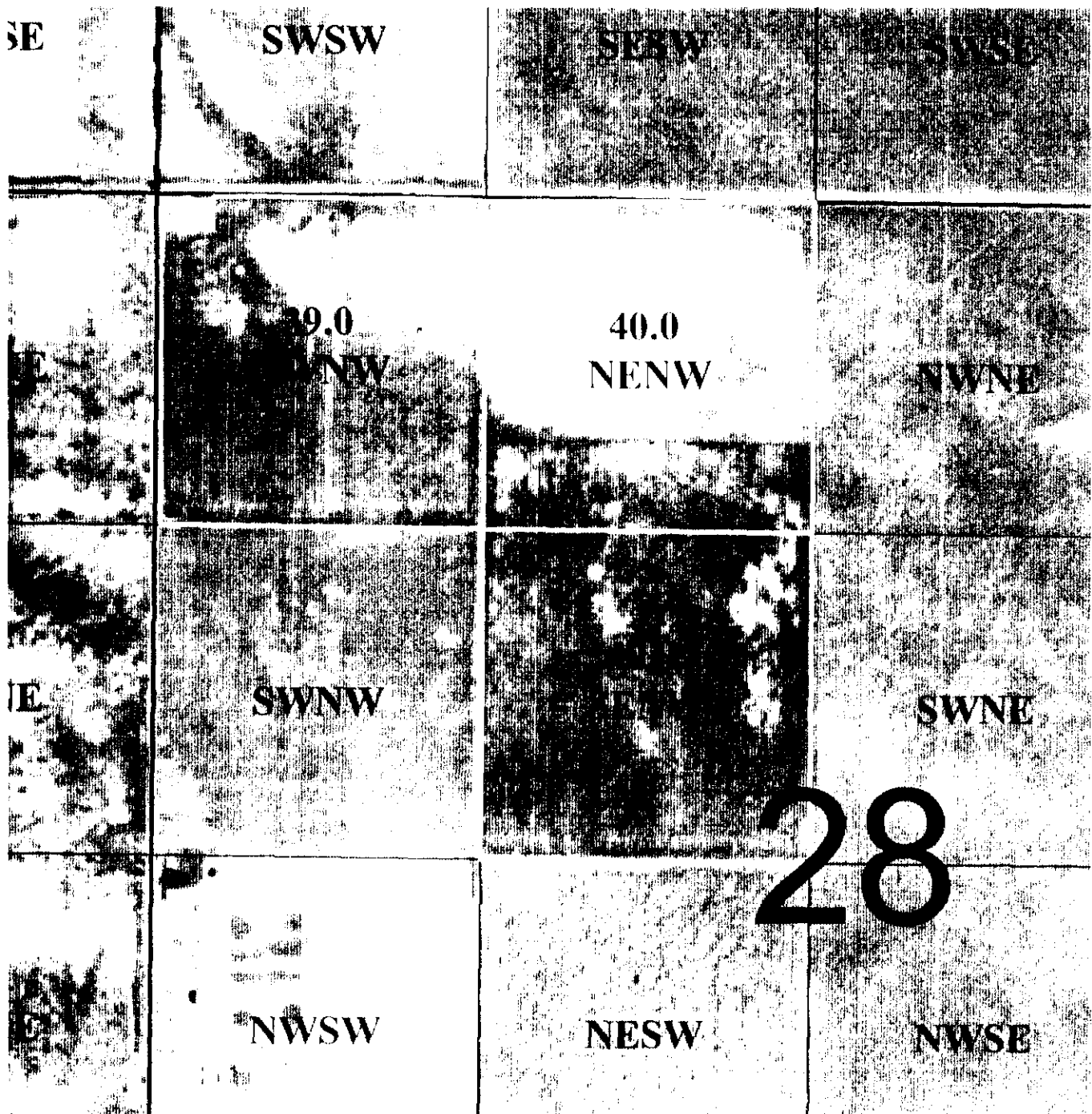
02/27/2001



SPATIAL
DYNAMICS

Water Right Claim Number 47-07040
Township , 9S13E

02/27/2001



400 0 400 800 Feet



SEATTLE
DYNAMICS

AJ5809NP
No. A47-07040

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/30/01
PAGE: 170

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DRISCOLL BROTHERS PARTNERSHIP 2250 S 3200 W ABERDEEN ID 83210 (208) 226-2168	07/22/1968	IRRIGATION	03-15 11-15	2.400 CFS	480.00 AFA
TOTAL DIVERSION:					2.400 CFS	480.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T09S R13E S33 NWSW

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	:	SUM																				
09S	13E	28	:																	:	120.0																				
																				:	40	40	40	:						:	120.0										
																				:	TOTAL ACRES																			:	120.0

POU County: TWIN FALLS

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
47-13176 A47-02376 A47-02377 A47-02379 A47-02419 A47-04174 A47-13176

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

Remarks: GEN 2 P/D NWSW, S33, T9S, R13E.

06/28/99, CHANGED OWNERSHIP FROM R&L FARMS TO DRISCOLL BROTHERS
PARTNERSHIP AS PER WARRANTY DEED AND FORM 1409(6) RECEIVED
06/11/98. C.T.

2/24/2000 TF; ADDED IDAHO AGRICULTURAL CREDIT ASSN AS LIENHOLDER.

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

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

Audit: 12/22/88 WHITE 04/04/91 SHAFF 03/31/92 FRAZEE 12/16/93 FRAZEE
03/30/95 POST-STD 06/28/99 CTIMM 02/24/00 TFAWCETT

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. [REDACTED] Priority July 22, 1968 Amount 2.40 cfs

THIS IS TO CERTIFY, that John Peterson &/or Farrell Peterson
of Filer, Idaho, has complied with the terms and conditions of Permit
No. 47-7040 issued pursuant to Application for Permit dated July 22, 1968
and has submitted proof to the Department of Water Resources on August 28, 1974
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 5.79 cfs of water from a ground water source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>2.40</u> cfs and	<u>480 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>4.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 2.40 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
480 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points) of
Sec. 33, Twp. 9 S, Rge. 13 E, B. M. in the County of Twin Falls

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 S	13 E	28					40	40		40									120

Total number of acres irrigated 120

Measuring devices of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of
March, 19 75.

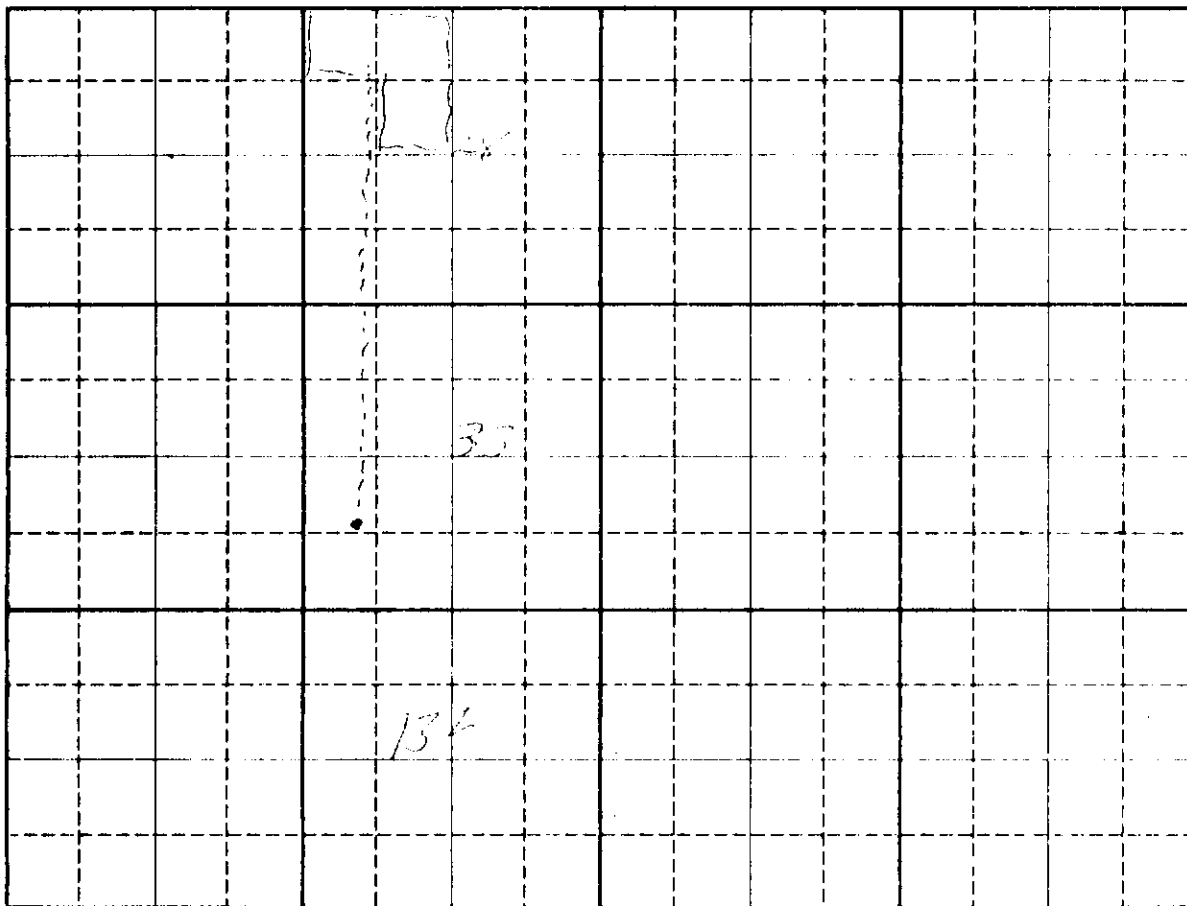
SEAL

Director

[Signature]

17 7040 120

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Prize, this 22 day of Feb., 1972
John G. Brown and J. Keith Higginson
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, Director, Dept. of Water Admin.
~~State Reclamation Engineer~~ of the State of Idaho,

hereby approve the above application for amendment for Permit No. 47-7040.

Witness my hand this 16 day of JUNE, 19 72

R. Keith Higginson
Director

LICENSE ISSUED FOR 27000 C. F.
LICENSE PAG NO.

Identification No.

Application No.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

ASSIGNED TO:

Farrell &/or John Peterson
Route # 1
Filer, Idaho 83328

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Lorene I. Easterday
post office address Route #2, Buhl, Idaho 83316
2. Source of water supply underground which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34 Township 9 South
Range 13 E. B.M. Twin 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 Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 6.4 cfs for irrigation purpose from April 1 to October 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 6.4 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
Electric turbine pump, sprinkler system mainline, and portable irrigation
laterals - all irrigated by sprinklers.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ (Mo. Day) inclusive.
(Mo. Day)
c. Proposed well diameter is 20 inches; proposed depth of well is 600 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 7000
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number 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 in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
(9 So.)	13 EBM	34	40	40	40	40	40			40					40	40			320

Total number of acres to be irrigated 320

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

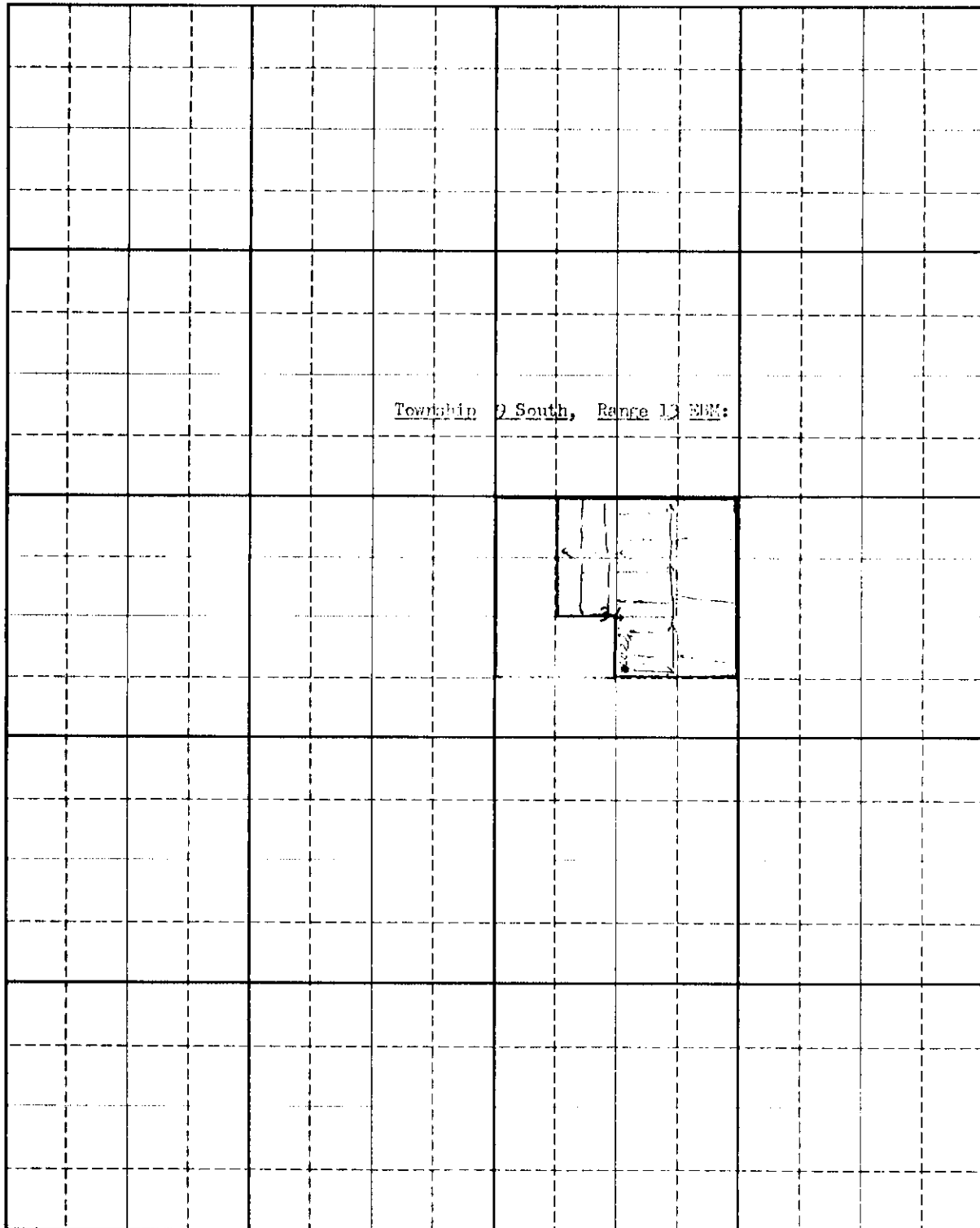
9. a. Who owns the property at the point of diversion U. S. Gov't.

b. Who owns the land to be irrigated or place of use U. S. Gov't.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Subject 320 acres is under Desert Entry application 1-2012, Through the Bureau of Land Management. It is with their approval that this application for Water Permit is made.

10. Remarks A copy of this Permit is to be submitted to the BLM office, for which \$1.00 fee is enclosed.

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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.

Loren L. Eastday
(Applicant)

17 1010

Received by ef Date 7-22-68 Time 8:00 AM

Preliminary check by DW Fee \$ 50.00 7-24-68

Received by cf Date 7-25-68

Publication prepared by cf Date 8-1-68

Published in Boise Herald

Publication dates 8-8, 8-15-68

Publication approved cf Date 8-6-68

Priority reduced to _____ Reason _____

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by cf DW

AMENDMENT:
Times News: 2-25-72
3-2 & 3-9-72

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7040, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 73.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 16th day of September, 19 68.

Jack A. Bennett
Deputy State Reclamation Engineer

Dec. 9-10 1927

Phone 326-4985

(name spring, stream, etc.)

120

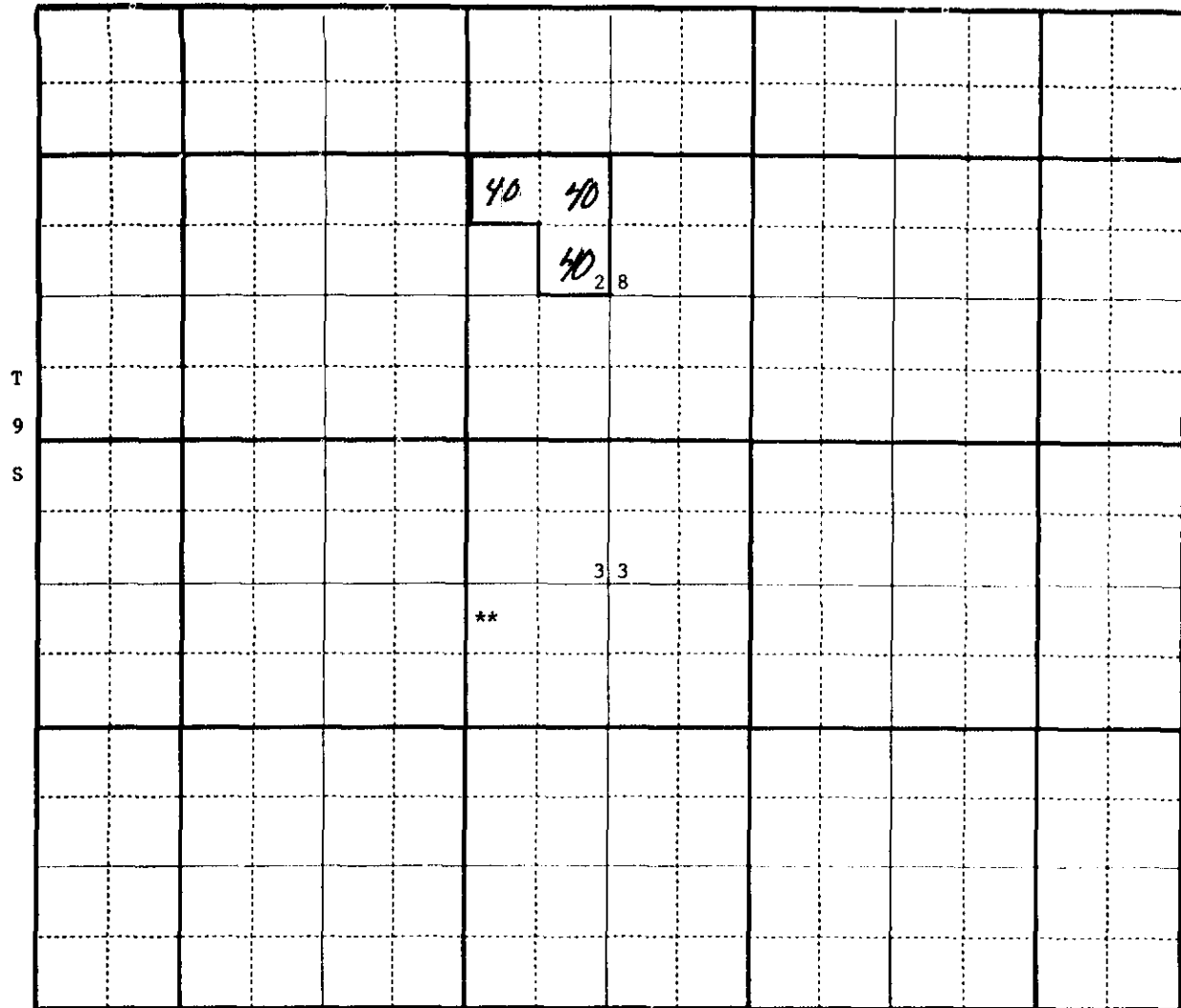
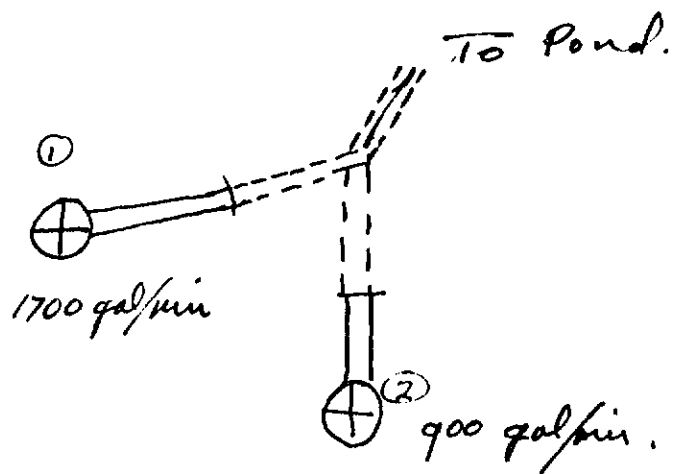


Diagram of System



DATE OF EXAM 9-23-74

ACREAGE
Found 120
Recommended 120

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 2.4 c.f.s. V = 480 AF/Ann. from March-15 to Nov-15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured 5.79 c.f.s. Method of measurement Badger Meter's

Total Q recommended 2.4 c.f.s. Meter No. N0588516 type 10" Condition New
N0588369 type 12"

Total V recommended 480 Ac Ft/ANN.

Recommended Amendments:

P.D. ☒
Place of Use ☒
Other ☒
None ☒

MEASUREMENT CALCULATION:

$Q = 5.79 \text{ c.f.s.} @ 1700 \text{ gal/min} @ 900 \text{ gal/min} = 5.79 \text{ c.f.s.}$

$V = 480 \text{ Ac Ft/ANN. (Irr Req) (Acres Irr)}$

SYSTEM DESCRIPTION:

G.E. Motor 300 Hp # BBJ209002 Layne & Bowler Pump
Hollow shaft 200 Hp # HC1000220 Layne & Bowler Pump.
The Two Wells pump into gether at pond
which from this pond system is Irrigated From.

REMARKS:

Mr. Peterson accompany Exam.
GARY Peterson

Examiner's Signature

Gary Sunderburg

Date

9-23-74

Checked by

Bob Hughes

Date

10-30-74

Approved by

Date