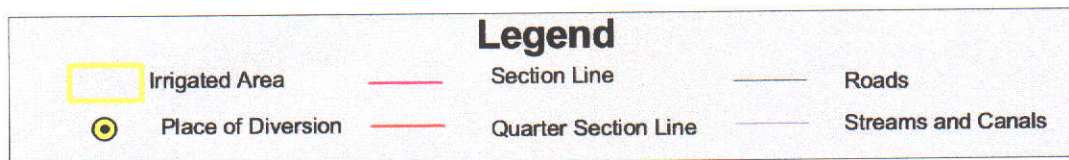
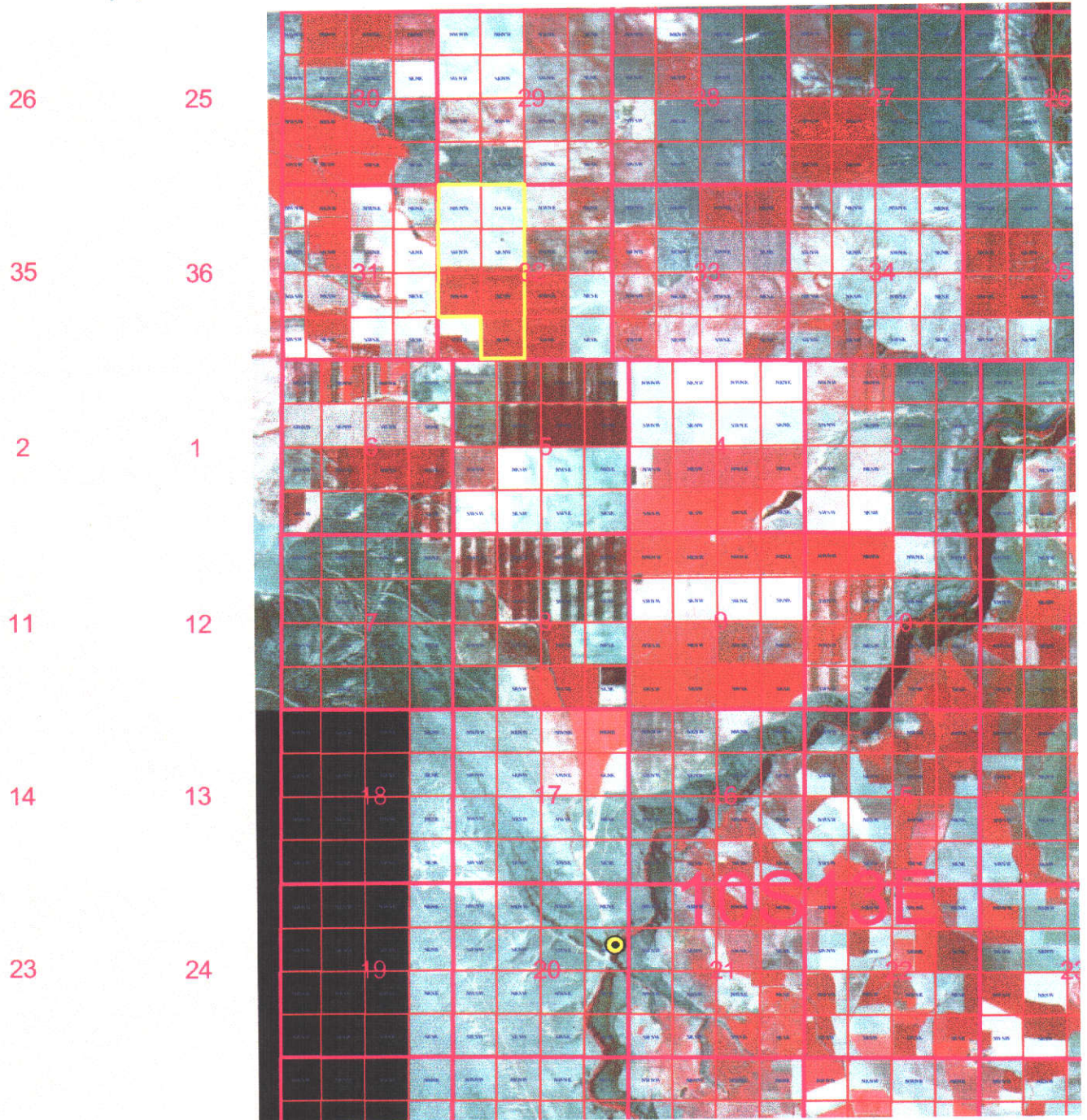


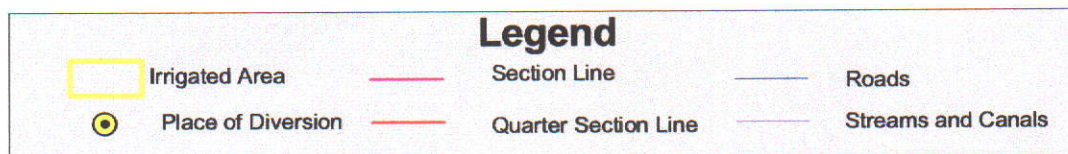
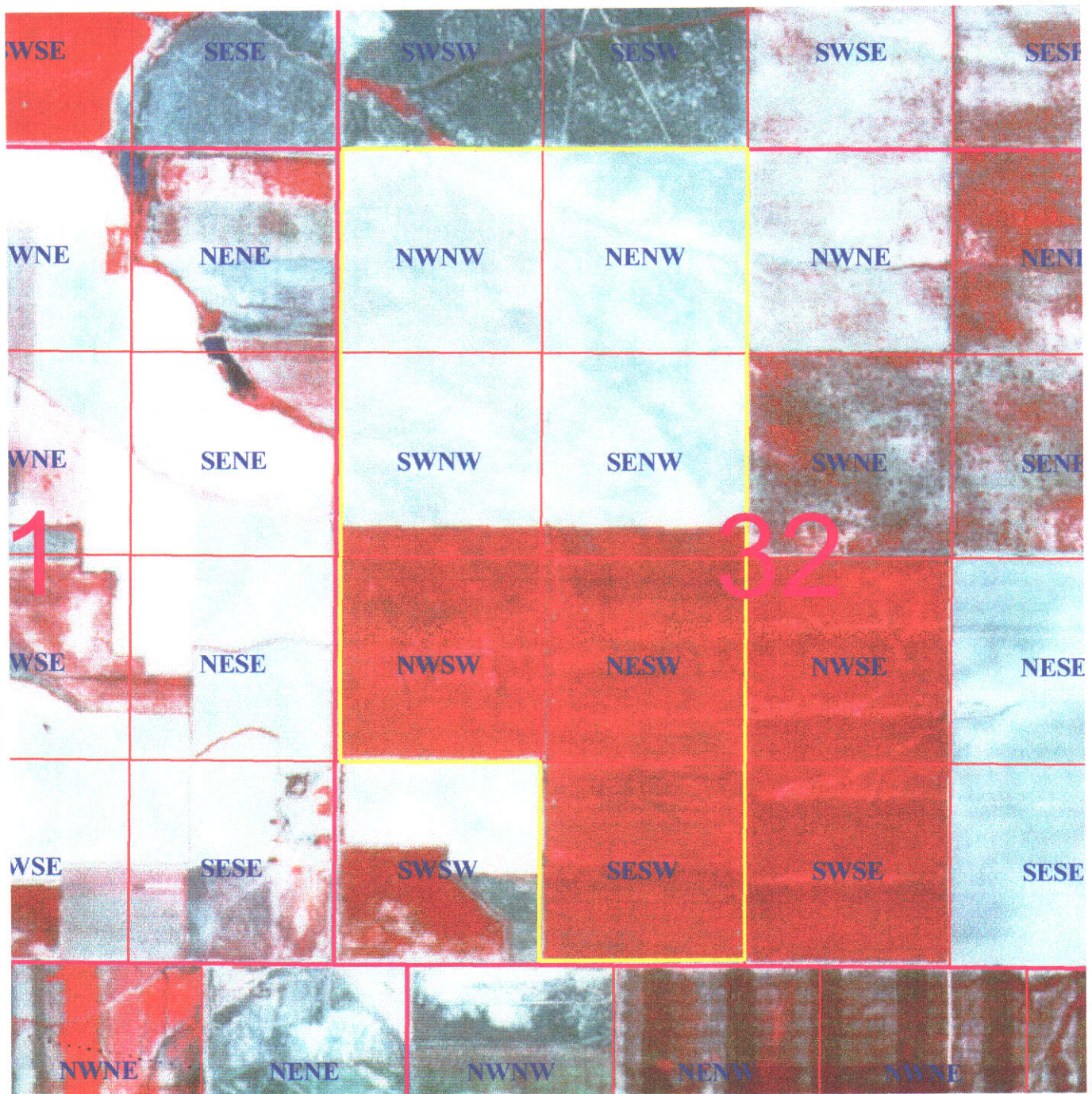
Water Right Claim Number 47-07569
Township , 9S13E

03/01/2001

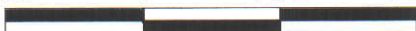


Water Right Claim Number 47-07569
Township , 9S13E

03/01/2001



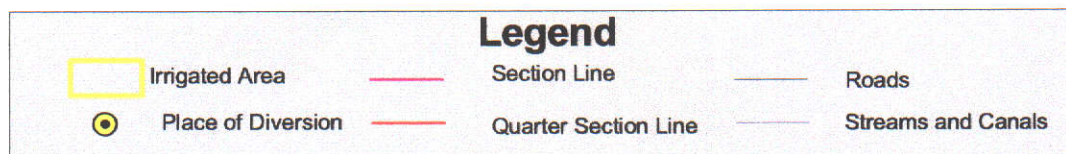
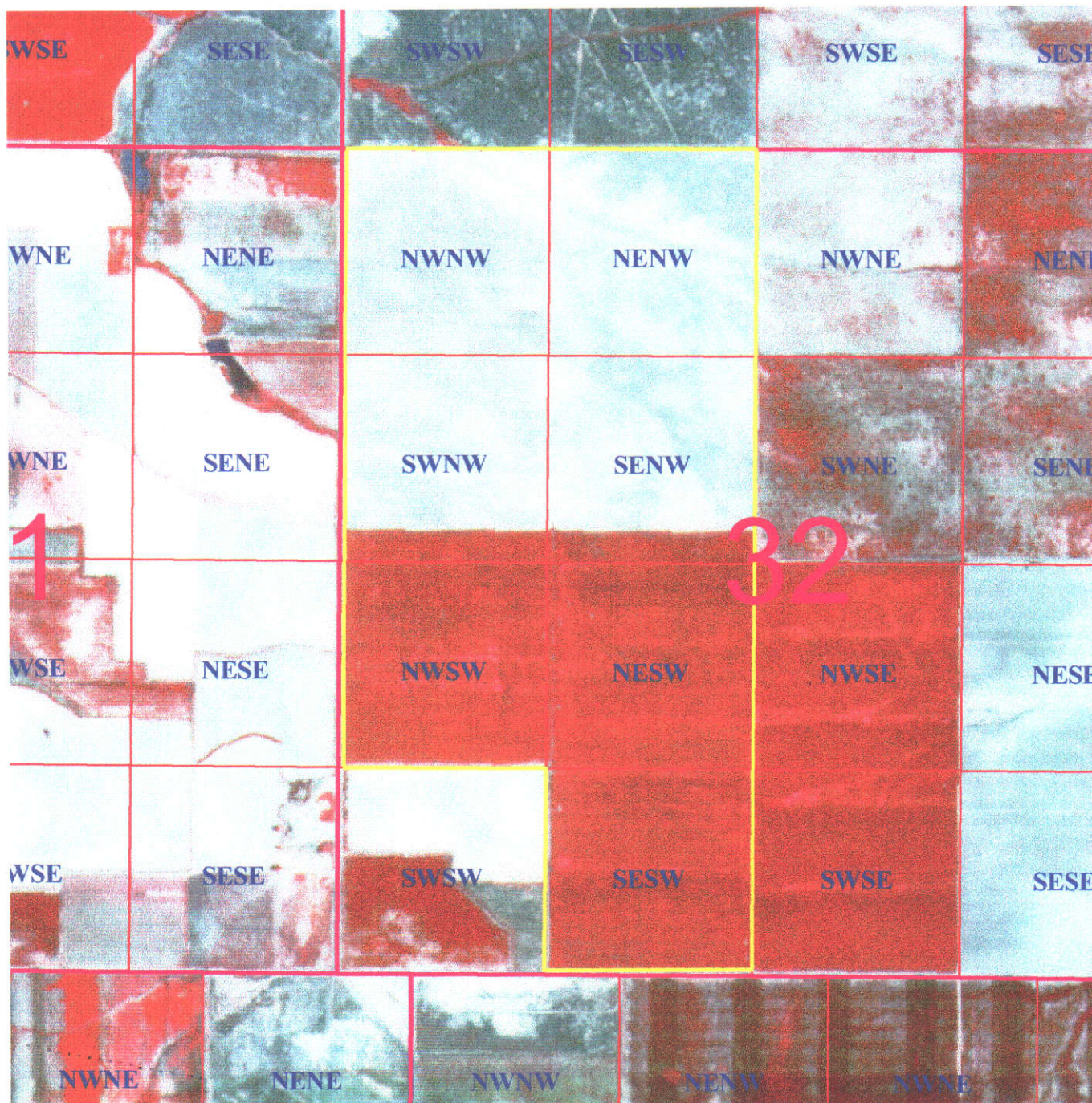
700 0 700 1400 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-07569
Township , 9S13E

03/01/2001



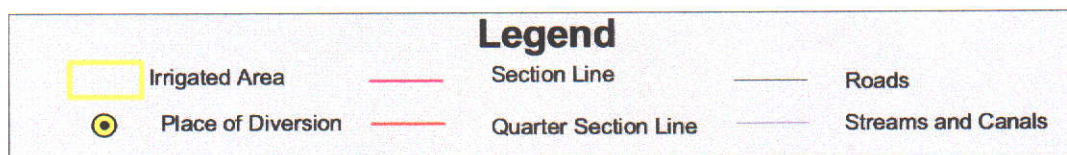
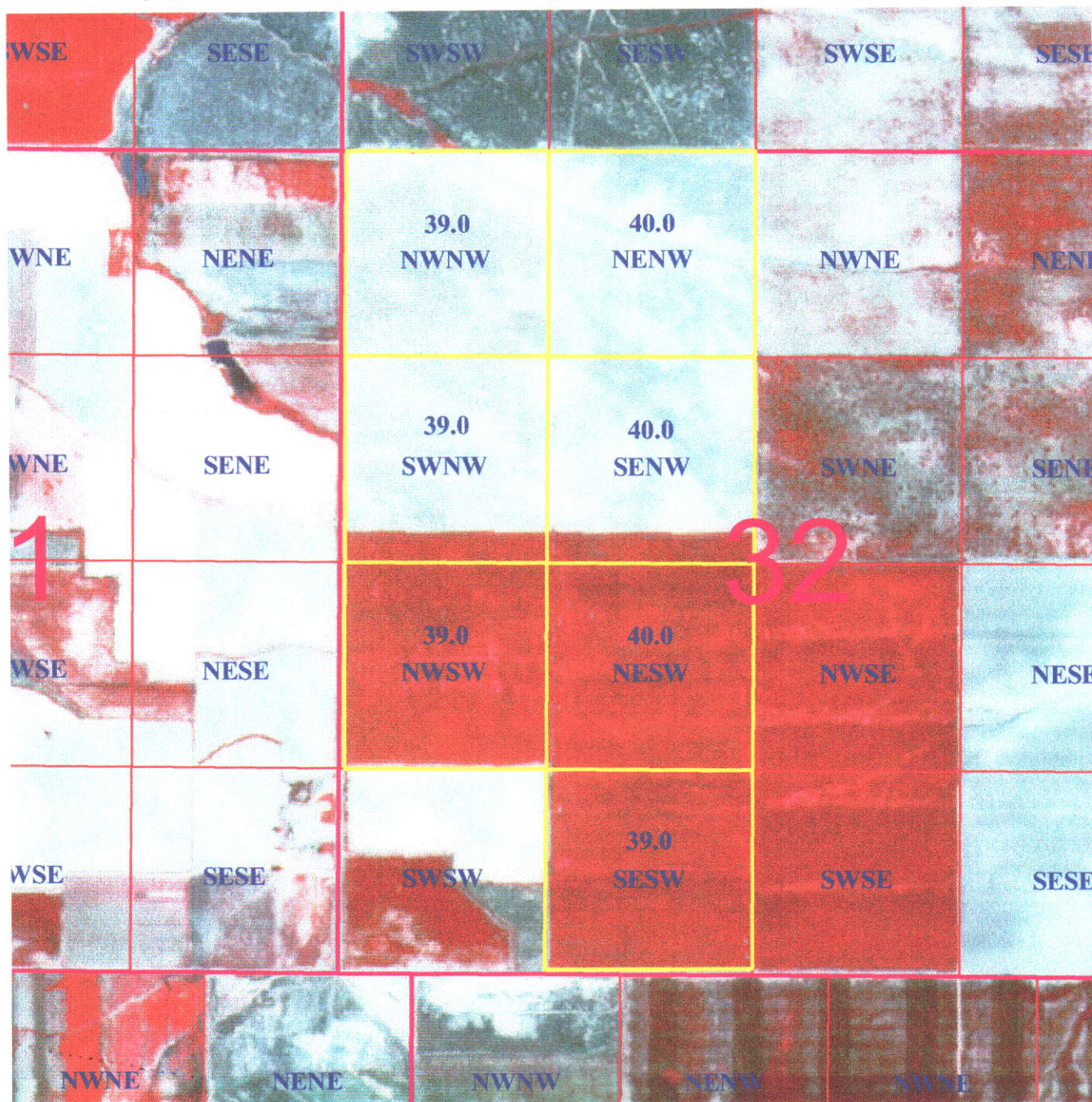
700 0 700 1400 Feet



 SPATIAL
DYNAMICS

Water Right Claim Number 47-07569
Township , 9S13E

03/01/2001



700 0 700 1400 Feet



SPATIAL
DYNAMICS

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: A47-07569
Date Received: 12/15/1988
Receipt No: S004499
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

2. Date of Priority: OCT 22, 1979

3. Source: SALMON FALLS CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	13E	20	SE	NE			TWIN FALLS

5. Description of diverting works:
PUMPS, PIPELINES AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	5.520		780.00

7. Total Quantity Appropriated is:
5.520 C.F.S. (and/or) 780.00 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	32	NE	NW		IRR	40.0
			NW	NW		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	13E	32	NW	SW		IRR	39.0
			SE	SW		IRR	39.0
Section Acres							276.0
Total Acres							276.0

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:
A47-07565

14. Remarks:

DLE NO. I-1995. RESERVOIR LOCATED IN W1/2 SW1/4, S17, T9S, R13E.
REINSTATED 3-27-1986.
ORIGINALLY FILED ON FOR STORAGE.
IDWR NOTE**
FIXED TOTAL QUANTITY APPROPRIATED TO AGREE WITH ORIGINAL CLAIM &
AFA WITH CONDITIONS OF PERMIT UPON WHICH IT WAS BASED. 4/25/96 jr

3/7/97 TF; OWNERSHIP CHANGED GIUFFRE TO DRISCOLL BROS.

3/4/98 TF; CLAIM AMENDED TO CONFORM TO LICENSE.

This right when combined with all other rights shall provide no
more than 0.02 cfs per acre nor exceed a combined annual
diversion volume of 1104.0 af for the lands above.
This right when combined with Rights 47-02316B, 47-02316C,
47-02402, 47-02417, 47-07565, 47-07615, 47-07618, and 47-07642
shall not exceed a combined rate of diversion of 24.71 cfs.
This right is appurtenant to land designated as DLE No.
I-331(943).

15. Basis of Claim: LICENSE

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.

1. Water Right Number(s) No. 47-07565, 47-07615, 47-0774, 47-07618, 47-07569
Adjudication Claim Number(s) _____

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 on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) JEAN L. GIUFFRÉ KEN MARSHALL
RE. 4 Box 150 185 BLAIR DRIVE
ASTIN, WA. 99402 TWIN FALLS, ID. 83301

4. New Owner/Claimant(s) DRISCOLL BROTHERS PARTNERSHIP

Name connector (Check one): [] AND, [] OR, [] AND/OR

New Mailing Address 2250 So. 3200 W.

City, State and ZIP Code ABERDEEN, ID. 83210

New Telephone Number (208) 226-2168

5. Date you acquired the property JUNE 3, 1996

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 actually irrigated 276 Number and type of stock _____

Diversion rate in CFS 4.47 Number of homes 0 Other uses _____
cubic feet per second

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/Claimant(s) Frank Driscoll

Date 11-6-96

Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

ORIGINAL

WARRANTY DEED

FOR VALUE RECEIVED, KENNETH W. MARSHALL and HELEN L. MARSHALL, husband and wife, and WAYNE R. MARSHALL and RISA MARSHALL, husband and wife, hereinafter called Grantor, hereby grants, bargains, sells and conveys unto DRISCOLL BROTHERS PARTNERSHIP, 2250 South 3200 West, Aberdeen, Idaho 83201, hereinafter called the Grantee, the following described premises situated in Twin Falls County, Idaho, to-wit:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section Twenty (20), Township ten (10) South, Range thirteen (13) East of the Boise Meridian, EXCEPTING that portion lying south of the center line of the Castleford Grade Road, subject to the right of way and easement of said Castleford Grade Road.

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

DATED this 6th day of June, 1996.

Kenneth W. Marshall
KENNETH W. MARSHALL

Helen L. Marshall
HELEN L. MARSHALL

Wayne R. Marshall
WAYNE R. MARSHALL

Risa Marshall
RISA MARSHALL

COPY

COPY



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

A47-07569



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
4/23/9/2000*

**OPTION TO PURCHASE REAL ESTATE
AND OPTION FOR OPTION TO PURCHASE REAL ESTATE**

This Option is given the 24th day of April, 1996, by Kenneth W. Marshall and Helen L. Marshall, husband and wife, Wayne R. Marshall and Risa Marshall, husband and wife, Douglas J. Marshall, a single man, Mary Thomas, a widow, Jean L. Giuffré and James V. Giuffré, wife and husband, and Jean L. Giuffré, as custodian for Jess Giuffré under the Idaho Uniform Transfers to Minors Act (the Optionors), to Driscoll Brothers Partnership, a partnership consisting of Brock Driscoll, Dirk Driscoll, Loraine Driscoll, and Thayne Driscoll (the Optionee).

1. Grant of Option. The Optionors, in consideration of the sum of \$1,000 received from the Optionee, give the Optionee the exclusive option to purchase, upon the following terms and conditions, that certain real estate and water rights in Twin Falls County, Idaho (the property) described in Exhibit "A."

2. Option Period. This Option shall run from the date hereof and shall terminate on May 15, 1996.

3. Exercise of Option. This Option may be exercised at any time during the aforementioned period by written notice to the Optionors, delivered or mailed by certified mail, return receipt requested, to the Optionors.

4. Price. The purchase price for the property is \$165,000.00, payable by the Optionee as follows:

(a) \$1,000, the sum paid for the Option, shall be credited against the purchase price.

(b) The balance of the purchase price, \$164,000, shall be deposited into escrow with the escrow agent in cash after the option is exercised and on or before the closing date.

COPY

5. Allocation of Purchase Price. The purchase price shall be allocated as follows: \$15,000.00 for the 29 acres, more or less, of the real estate hereinafter described in Exhibit "A;" \$150,000 for the irrigation well, ground water filings, surface water filings out of Salmon Falls Creek and State of Idaho Water License No. 47-07565, a ground water source, being a free-flowing Artesian well, having a diversion rate of 4.470 CFS, and an annual volume limited to 1,104.0 acre feet of irrigation water.

6. Failure to Exercise Option. If the Optionee does not exercise the option, the consideration paid for the Option shall be retained by the Optionor and neither party shall have any further rights or claims against the other party by reason of this Option Agreement.

7. Closing Date. The transaction shall be closed by Optionors within 30 days after receipt of written notice of the exercise of this option.

8. Deed; Title Insurance. (a) If Optionee exercises the option, Optionors shall convey title to the property to the Optionee by good and sufficient warranty deed, warranting title to be free of liens, charges, encumbrances and defects, whatsoever, except for restrictions, reservations, limitations, easements of record, taxes and assessments, which are a lien but not yet due and payable, and assignment of water rights. Such deed and assignment of water rights shall be deposited into escrow with the escrow agent on or before the closing date.

(b) The Optionors shall accompany the deed with a title insurance policy in the amount of the purchase price allocated to real estate issued by TitleFact, Inc., of Twin Falls, Idaho, in customary form, guaranteeing record title to the real property to be good in the Optionee subject only to exceptions to be contained in the deed and title policy as set forth in Section 12, Paragraph b.

COPY

If to the Optionors, to: Kenneth W. Marshall, 185 Blair Drive, Twin Falls,
Idaho 83301.

If to Optionee, to: Driscoll Brothers Partnership, 2250 South 3200 West,
Aberdeen, Idaho 83201.

17. Benefit. This Agreement shall be binding upon and inure to the benefit of
the parties, their heirs, executors, administrators and assigns.

IN WITNESS WHEREOF, the parties have signed this Agreement as of the date
first written above.

"Optionors":

"Optionee":

Driscoll Brothers Partnership

Kenneth W. Marshall
KENNETH W. MARSHALL

By: Brock Driscoll
BROCK DRISCOLL

Helen L. Marshall
HELEN L. MARSHALL

Wayne R. Marshall
WAYNE R. MARSHALL

Risa Marshall
RISA MARSHALL

Douglas Marshall
DOUGLAS MARSHALL

Mary Thomas
MARY THOMAS

Jean L. Giuffre
JEAN L. GIUFFRE

James V. Giuffre
JAMES V. GIUFFRE

Jean L. Giuffre
JEAN L. GIUFFRE, as custodian for Jess Giuffre
under the Idaho Uniform Transfers to Minors Act

COPY

EXHIBIT A

1. SE¼ NE¼ of Section Twenty (20), Township Ten (10) South, Range Thirteen (13) East of the Boise Meridian, EXCEPTING that portion lying south of the center line of the Castleford Grade road, subject to the right of way and Easement for said Castleford Grade road.

Containing 29 acres, more or less.

2. State of Idaho Water License No. 47-07565 for 4.7 CFS with diversion of 1,104.0 acre feet annually from a ground water source (Artesian well), other ground water filings and surface water filings out of Salmon Falls Creek, which water rights are appurtenant to the real estate described in Exhibit "B;" together with all easements and rights of way, rights of ingress and egress of record appurtenant to the transportation of irrigation water to the real estate described in Exhibit "B;" together with an Artesian well, pump base and pipe line which extends from the pump base to the top of the Salmon Falls Creek Canyon to a canal which extends to the real estate described in Exhibit "B;" and subject to all other easements of record.

COPY

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: A47-07569
Date Received: 12/15/1988
Receipt No: S004499
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JEAN L GIUFFRE' 509-243-4881
Address: RT 4 BOX 100
ASOTIN WA 99402

2. Date of Priority: OCT 22, 1979

3. Source: SALMON FALLS CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	13E	20	SE	NE			TWIN FALLS

5. Description of diverting works:
PUMPS, PIPLINES AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	06/01	5.600		
IRRIGATION	09/01	11/15	5.600		

7. Total Quantity Appropriated is:
5.600 C.F.S. (and/or) 780.00 A.F.A.

8. Total consumptive use is 780.0 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	32	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
09S	13E	32	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SE	SW		IRR	40.0

Section Acres 280.0

Total Acres 280.0

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:

A47-07565

14. Remarks:

DLE NO. I-1995. RESERVOIR LOCATED IN W1/2 SW1/4, S17, T9S, R13E.
REINSTATED 3-27-1986.

ORIGINALLY FILED ON FOR STORAGE.

IDWR NOTE**

FIXED TOTAL QUANTITY APPROPRIATED TO AGREE WITH ORIGINAL CLAIM &
AFA WITH CONDITIONS OF PERMIT UPON WHICH IT WAS BASED. 4/25/96 jr

15. Basis of Claim: PERMIT

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: _____

6/9/94

COMMUNICATION DOCUMENTATION

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 JEANIE M ROBERTSON

DATE April 25, 1996 4:01pm **CUSTOMER** CHRYSTAL - ROSHALT'S OFFICE A47-07569

SUBJECT: QUESTIONS ON ITEM #7, TOTAL QUANTITY APPROPRIATED?
phone call (X) walk-in (.)

Wondered why the Total Quantity Appropriated in Item #7 was 20 cfs and 5.6 cfs in Item #6? This claim was based on a Permit which is still waiting to be Licensed. There was some reference in the Water Right file about the application originally including storage and later amended, but according to the original claim here, this entry looks like a typo and probably should be changed...

NOV 28 1996

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-07565 ET AL

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 Frank Hitchcock

November 6, 1996 1:13pm

NAME:
BROCK DRISCOLL-DRISCOLL BROTHERS
PARTNERSHIP ABERDEEN, ID

RE:
OWNERSHIP CHANGE(S)

CAME IN AFTER TCW 11-05-96 THIS DATE TO CHANGE OWNERSHIP ON A47-07565. TODAY HE PRESENTED AN ASSIGNMENT FOR SEVERAL WATER RIGHTS IN ADDITION TO THE NUMBER QUOTED (AND RESEARCHED) YESTERDAY. SEE THE ATTACHED COPY OF THE ASSIGNMENT.

NO NUMBERS WERE SHOWN AS SRBA CLAIMS AND MR DRISCOLL DIDN'T HAVE ANY KNOWLEDGE AS TO THEIR STATUS IN THE SRBA.

RESEARCH TURNED UP THE FOLLOWING STATUS OF THE NUMBERS FROM THE ASSIGNMENT DOCUMENT:

47-07615 CLAIMED IN THE NAME OF EASTERDAY IN THE SRBA-NO PAPER EASTERDAY TO DRISCOLL.

47-07618 CLAIMED IN THE NAME OF EASTERDAY IN THE SRBA-1409(6) TO DRISCOLL DONE 11-06-1996.

47-07565 CLAIMED IN THE NAME OF GIUFFRE' IN THE SRBA-ASSIGNED TO DRISCOLL BY DOCUMENT.

✓ 47-07569 CLAIMED IN THE NAME OF GIUFFRE' IN THE SRBA-ASSIGNED TO DRISCOLL BY DOCUMENT.

47-0774 UNABLE TO LOCATE-DRISCOLL DOESN'T KNOW WHAT IT REPRESENTS.

WE DID A 1409(6) FOR 47-07565 AND 47-07569. DRISCOLL WILL FOLLOW UP ON PAPER FOR THE 47-07615 USAGE TO SHOW OWNERSHIP AND ATTEMPT TO

NOV 28 1996

FIND OUT WHAT THE 47-0774 NUMBER REPRESENTS IF POSSIBLE.

CC TO GEORGIA SATTERLEE IN ALLOCATIONS WHO HAS WORKED ON SEVERAL OF THESE RIGHTS FOR A TRANSFER AND BECAUSE DRISCOLL WANTS TO DO A FUTURE TRANSFER ONCE THE RIGHTS ARE CORRECTLY CHANGED OVER TO HIM.

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

Ident. Number: A47-07569
Date Received: 1/30/1989
Receipt No: S004499
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JEAN L GIUFFRE' 509-243-4881
Address: RT 4 BOX 100
ASOTIN, WA 99402

2. Date of Priority: OCT 22, 1979

3. Source: SALMON FALLS CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	13E	20	SE	NE			TWIN FALLS

5. Description of diverting works:
PUMPS, PIPELINES AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	06/01	5.600		
IRRIGATION	09/01	11/15	5.600		

7. Total Quantity Appropriated is:
20.000 C.F.S. (and/or) 1500.00 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	32	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0

A47-07569

Page 1

Date: 01/30/89

MICROFILMED

MAR 11 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	13E	32	SE	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SE	SW	IRR	40.0
					Section Acres	280.0
					Total Acres	280.0

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:
A47-07565

14. Remarks:
DLE NO. I-1995. RESERVOIR LOCATED IN W1/2 SW1/4, S17, T9S, R13E.
REINSTATED 3-27-1986.
ORIGINALLY FILED ON FOR STORAGE.

15. Basis of Claim: PERMIT

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 _____

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 A47-07569Date Received 12-15-88Receipt Number 5004499

RECEIVED

NOTICE OF CLAIM
TO A

DEC 15 1988

WATER RIGHT

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Jean L. Giuffrè Phone (509) 243-4881
Mailing Address Rt. 4, Box 100, Asotin, Wa. Zip 99402-9503

2. Date of Priority (Only one (1) per claim) October 22, 1979

3. Source of water supply (a) Salmon Falls Creek
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 10S Range 13E Section 20,
NE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Twin Falls

Additional points of diversion if any: _____

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

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

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

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

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

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

Salmon Falls Creek by an existing dam into a concrete
sump where it is pumped with a 450 horsepower pump
into a 26 inch diameter penstock from which it empties
into an earth canal. The water flows ~ 2 3/4 miles before
reaching a pond where it is pumped by a 75 horsepower
pressure pump into a 12 inch diameter steel mainline.
The water travels 3/4 mile to the farm where it reaches
handlines thru 10 inch diameter portable mainline.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-15 to 6-1 amount 5.60 or _____

For Irrigation purposes from 9-1 to 11-15 amount 5.60 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 5.60 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 840 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9S	13E	32					40	40	40	40	40	40		40					280

Total number of acres irrigated 280

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
#47-7565 or None ()

14. Remarks: Other pumps installed alongside my pumps may at some times be available to pump more water than is possible with my pumps. I own one-half interest in the 450 horsepower pump.

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Last Name Giuffré Ident No. _____

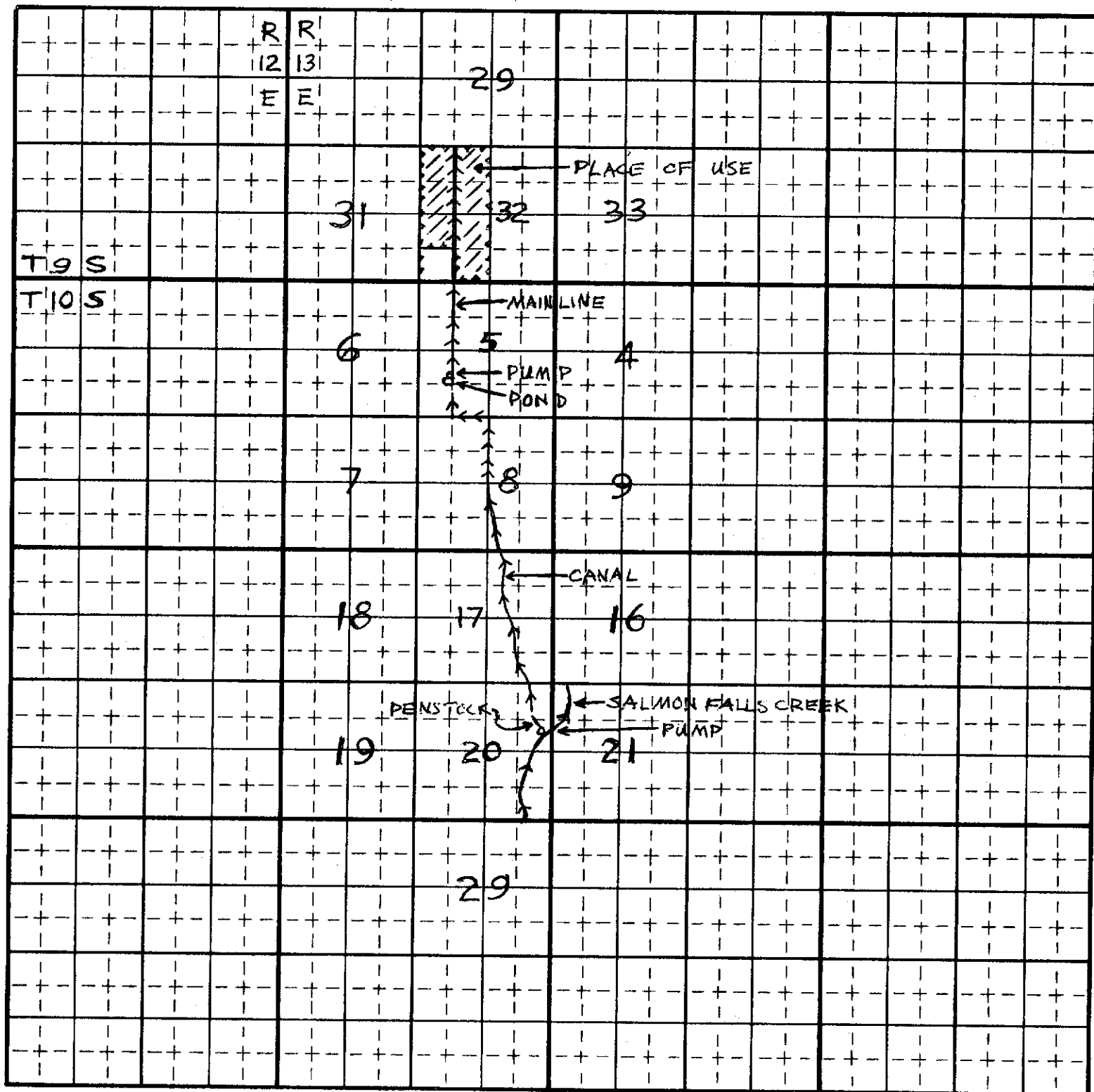
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Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

SCALE: 1 INCH EQUALS 1 MILE



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Last Name Giuffré

Ident No. _____

Copies: White-State, Yellow-Claimant
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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit ☒
 Decree _____
 If applicable provide IDWR Water Right Number 47-7569
 Court _____ Case Number _____ Decree Date _____
 Plaintiff vs Defendant _____

16. Signature (s)
 (a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.
 Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Jean L. Giuffré Date Dec 9, 1988
 _____ Date _____

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
 County of My Perce) SS.

Subscribed and sworn (or affirmed) before me this 9th day of December 19 88

SEAL

Notary Public Ethel A. Bardwell

Residing at 1811 Powers Drive

My Commission Expires 9-22-92 Lewiston

Please Print Name

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

Signature _____

Address _____

Date _____

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Last Name Giuffré Ident. Number _____

Copies White-State, Yellow-Claimant

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME GiuffreCLAIM IDENT. NO. A47-07569DATE RECEIVED 12-15-88CK # 459AMOUNT \$ 555 ^{2 claims}

1. Is the name and address complete with zip code? ✓ YES ✓ NO ✓
2. Is a priority date entered? ✓ YES ✓ NO ✓

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. ✓

3. (a) Is a source entered? ✓ YES ✓ NO ✓
- (b) Is a tributary to entered? (if required) N/A ✓
4. Is the legal description of the p.d. sufficient? ✓ YES ✓ NO ✓
5. Is there a description of the diverting works? ✓ YES ✓ NO ✓
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ✓
- Is the period of use included? ✓ YES ✓ NO ✓
- Is a quantity claimed for each use? ✓ YES ✓ NO ✓
7. Is a total quantity claimed entered? ✓ YES ✓ NO ✓
8. If required is a consumptive use entered? N/A ✓
- Is the consumptive use correct? N/A ✓
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ✓
10. Is (are) the place(s) of use and purpose(s) indicated? ✓ YES ✓ NO ✓
11. Is (are) the county(ies) entered? ✓ YES ✓ NO ✓
12. Is the ownership of p.u. checked? ✓ YES ✓ NO ✓
13. Are other water rights listed or "none" indicated? ✓ YES ✓ NO ✓
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ✓
15. Is the basis of the claim indicated? ✓ YES ✓ NO ✓
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ✓ YES ✓ NO ✓
- Has the claim been signed, sealed, and dated by a notary? ✓ YES ✓ NO ✓
- Was this claim filed on time, or was an extension granted? ✓ YES ✓ NO ✓
- Is the fee enclosed correct? Exempt ✓
- If this claim is based on an existing water right, has the identification number been entered? N/A ✓
- Should this claim be receipted and data entered? ✓ YES ✓ NO ✓

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MAR 14 1989

Claim checked by: CTComments: Paid by Kenneth Marshall (in person, has receipt)

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A47-07569

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*				N		at this time no action	6-18-92 no data entry in command
PT. OF DIV.				Permit		6-18-92 HNT	DATA ENTRY COMPLETED BY _____ DATE _____
SOURCE							
PL. OF USE							FINAL RECOMMENDATION
DIV. AMOUNT CFS/AF							BY _____ DATE _____
CONSUMPTIVE USE							
NATURE OF USE							
PERIOD OF USE							
BASIS OF CLAIM							
REMARKS				✓		✓	

MAK 11 13 92

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

6-18-92

COMMENTS: Pending field exam. The permit on which this is claimed is associated w/ 47-07565 and Terry Blau is familiar with the development and system. This land is currently in CRP. It is likely that Terry can complete BU exam based on his work on 47-07565.

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER(SEE COMMENTS) = 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:27:54
06/17/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A47-07569

LAST: GIUFFRE'
ADDRESS: RT 4 BOX 100
CITY: ASOTIN
PHONE NUMBER: 509-243-4881

FIRST: JEAN L
STATE: WA ZIP: 99402

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: DLE NO. 1-1995. RESERVOIR LOCATED IN W1/2 SW1/4, S17, T9S, R13E.
REINSTATED 3-27-1986.
ORIGINALLY FILED ON FOR STORAGE.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A47-07569 PRIORITY DATE: 10-22-1979 STAGE: P

B. WR RECORD: # 47-07569 PRIORITY DATE: 10-22-1979 STAGE: P

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
10-22-1979

REVIEWED BY _____

DATE _____

=====

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A47-07569	10S	13E	20		SE	NE		TWIN FALLS

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A47-02316B	NONE
A47-02402	
A47-02417	
A47-07642	

WR RECORDS IN SAME 40 ACRE TRACT

47-02316A
47-02316B
47-02316C
47-02402
47-02417
47-04099
47-07252
47-07565
47-07615
47-07618
47-07642
47-07708
47-07774
L47-07615

SOURCE: SALMON FALLS CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
47-07569	10S	13E	20		SE	NE		TWIN FALLS

OTHER WR RECORDS WITH SAME WR POD

47-02316A
47-02316B
47-02316C
47-02402
47-02417
47-04099
47-07252
47-07565
47-07615
47-07618
47-07642
47-07708
47-07774
L47-07615

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
NONE	NONE

SOURCE: SALMON FALLS CREEK

TRIB: SNAKE RIVER

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C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
___	___	___	___	___	___	___	___

SOURCE: SALMON FALLS CREEK

TRIB: SNAKE RIVER

REVIEWED BY: _____ DATE: _____

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A. ROOT WATER RIGHT NUMBERS: A47-07569

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	13E	32	NE	NW		GIUFFRE', JEAN L	A47-07569 /40.0	47-07569 /40.0	39.0		
			NE	NW		GIUFFRE', JEAN L.	A47-07565 /40.0	47-07565 /40.0			
09S	13E	32	NW	NW		GIUFFRE', JEAN L	A47-07569 /40.0	47-07569 /40.0	36.0		
			NW	NW		GIUFFRE', JEAN L.	A47-07565 /40.0	47-07565 /39.0			
09S	13E	32	SW	NW		GIUFFRE', JEAN L	A47-07569 /40.0	47-07569 /40.0	39.0		
			SW	NW		GIUFFRE', JEAN L.	A47-07565 /40.0	47-07565 /39.0			
09S	13E	32	SE	NW		GIUFFRE', JEAN L	A47-07569 /40.0	47-07569 /40.0	39.0		
			SE	NW		GIUFFRE', JEAN L.	A47-07565 /40.0	47-07565 /40.0			
09S	13E	32	NE	SW		GIUFFRE', JEAN L	A47-07569 /40.0	47-07569 /40.0	39.0		
			NE	SW		GIUFFRE', JEAN L.	A47-07565 /40.0	47-07565 /40.0			
09S	13E	32	NW	SW		GIUFFRE', JEAN L	A47-07569 /40.0	47-07569 /40.0	37.0		
			NW	SW		GIUFFRE', JEAN L.	A47-07565 /40.0	47-07565 /39.0			
09S	13E	32	SE	SW		GIUFFRE', JEAN L	A47-07569 /40.0	47-07569 /40.0	39.0		
			SE	SW		GIUFFRE', JEAN L.	A47-07565 /40.0	47-07565 /39.0			
TOTAL ACRES							A47-07569 280.00	47-07569 280.00	268.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE

Y

FIELD
EXAMINER

POU COUNTY: TWIN FALLS

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PRESUMPTION FLAG: C

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A47-07569 IRRIGATION	FROM 03-15 TO 06-01	5.600 CFS
A47-07569 IRRIGATION	FROM 09-01 TO 11-15	5.600 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		20.000 CFS 1500.00 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
47-07569 IRRIGATION	FROM 03-15 TO 06-01	5.600 CFS
47-07569 IRRIGATION	FROM 09-01 TO 11-15	5.600 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		5.600 CFS

PRESUMPTION FLAG: C

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y() N()

RECOMMEND TO WR STANDARDS OR OTHER? Y() N() Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 20.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 5.600 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A47-07565

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A47-07569	SALMON FALLS CREEK	GIUFFRE', JEAN L	20.000	0.071	1500.00	5.35
A47-07565	GROUNDWATER	GIUFFRE', JEAN L.	5.600	0.020		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 1500.00 AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
IRRIGATION	03-15 06-01	5.600		
IRRIGATION	09-01 11-15	5.600		0.0
TOTAL FOR THIS RIGHT		20.000	1500.00	

REVIEWED BY: _____ DATE: _____

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 47-07569

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
5.600

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A47-07569	20.000	-		47-07569	5.600
	TOTAL CFS	20.000				5.600

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

=====

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MICHO FILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:30:23
06/17/92

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A47-07569

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JEAN L GIUFFRE' RT 4 BOX 100 ASOTIN WA 99402 (509) 243-4881	10/22/1979	IRRIGATION IRRIGATION	03-15 06-01 09-01 11-15	5.60 CFS 5.60 CFS	
TOTAL DIVERSION:					20.00 CFS	1500.0 AFA

Water Source: SALMON FALLS CREEK

Tributary to: SNAKE RIVER

Stage: PERMIT

Point(s) of Diversion:

T10S R13E S20

SENE

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	32	:																	:	280.0
																			TOTAL ACRES	280.0	

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	32	:																	:	280.0

POU County: TWIN FALLS

Other Rights: A47-07565

Conditions of Approval:

Remarks: DLE NO. 1-1995. RESERVOIR LOCATED IN W1/2 SW1/4, S17, T9S, R13E.
REINSTATED 3-27-1986.
ORIGINALLY FILED ON FOR STORAGE.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number: 47G

Field Inspection Flag:
Presumption Flag: C

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Water Right Number - A47-07569

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
GIUFFRE'

JEAN L

1 - RT 4 BOX 100

2 -

3 -

City- ASOTIN

State- WA Zip- 99402

Phone - 509-243-4881

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
10/22/1979 17 SOUTHERN P - PERMIT+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
SALMON FALLS CREEK SNAKE RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

10S 13E 20 SE NE (83) TWIN FALLS

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 06/01 5.600

01 - IRRIGATION 09/01 11/15 5.600

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
20.000 1500.00 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

09S 13E 32 NE NW 40.0 01 IRRIGATION (83) TWIN FALLS

09S 13E 32 NW NW 40.0 01 IRRIGATION (83) TWIN FALLS

09S 13E 32 SW NW 40.0 01 IRRIGATION (83) TWIN FALLS

09S 13E 32 SE NW 40.0 01 IRRIGATION (83) TWIN FALLS

09S 13E 32 NE SW 40.0 01 IRRIGATION (83) TWIN FALLS

09S 13E 32 NW SW 40.0 01 IRRIGATION (83) TWIN FALLS

09S 13E 32 SE SW 40.0 01 IRRIGATION (83) TWIN FALLS

Total Acres: 280.0

+ - - Diversion Means - PUMPS, PIPELINES AND DITCHES

+ - - Non-Irrigation Use -

+ - Other Rights for Same Use - A47-07565

+ - - - - Remarks - - - - - +

DLE NO. 1-1995. RESERVOIR LOCATED IN W1/2 SW1/4, S17, T9S, R13E.
REINSTATED 3-27-1986.
ORIGINALLY FILED ON FOR STORAGE.MICROFILMED
MAR 11 1993

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/15/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 47G
Licensed Date	- 00/00/0000	Receipt Number	- S004499	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	- C
Fee Exempt Flag	-	Name Connector	-	Notice of Error Flag	-

MICROFILMED
MAR 11 1993

Water Right Number - 47-07569

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
GIUFFRE

JEAN L.

1 - 10945 JANIE RD.

2 -

3 -

City- BOISE

State- ID Zip- 83703

Phone -

*** O - ORIGINAL OWNER ***
MARSHALL

HOWARD D.

1 -

2 -

3 -

City-

State- Zip-

Phone -

+ - - Priority Date - - +
10/22/1979

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
P - PERMIT

+ - - Status - - - +

+ - - Source - - - - - +
SALMON FALLS CREEK

+ - - Tributary - - - - - +
SNAKE RIVER

+ - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

10S 13E 20 SE NE (83) TWIN FALLS

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	06/01		5.600	
01 - IRRIGATION		09/01	11/15		5.600	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
5.600

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	13E	32	NE NW		40.0	01	IRRIGATION	(83) TWIN FALLS
09S	13E	32	NW NW		40.0	01	IRRIGATION	(83) TWIN FALLS
09S	13E	32	SW NW		40.0	01	IRRIGATION	(83) TWIN FALLS
09S	13E	32	SE NW		40.0	01	IRRIGATION	(83) TWIN FALLS
09S	13E	32	NE SW		40.0	01	IRRIGATION	(83) TWIN FALLS
09S	13E	32	NW SW		40.0	01	IRRIGATION	(83) TWIN FALLS
09S	13E	32	SE SW		40.0	01	IRRIGATION	(83) TWIN FALLS

Total Acres: 280.0

+ - - Diversion Means - PUMPS, PIPELINES AND DITCHES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

MICROFILMED
MAR 11 1993

Water right number - 47-07569

Prefix Translation: WATER RIGHT

+ - - - - Remarks - - - - -
Total volume diverted under this permit shall not exceed
780 afa.

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - -
005 - Use of water under this right is subject to control by the
- watermaster of State Water District No. 47C.
001 - A measuring device of a type approved by the Department shall
- be permanently installed and maintained as part of the diverting
- works.
018 - The storage of water is contingent upon certification by the
- Department of Water Resources, of the applicant's dam under the
- dam safety provisions of the Idaho Code, authorizing storage.
004 - The issuance of this right in no way grants any right-of-way
- or easement across the land of another.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 10/30/87 05/28/88 CONVERT 07/02/90 WALKER 04/21/92 CURTIS

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 04/01/1985	Field Exam Made - 00/00/0000	Field Exam Fee - R
Approved/Denied - 04/21/1980	Protested Date - 00/00/0000	Swan Falls - S
Proof Made Date - 02/28/1986	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act - D
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 47C
Licensed Date - 00/00/0000	Appl Received - 05/24/1985	Transfer/Amended -
Decree Date - 00/00/0000	Presumption Flag -	

MICROFILMED
MAR 11 1993

Log for claim 47-07569

Spatial Dynamics LTD

3/1/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s13e	32	NENW	40	40	
09s13e	32	NWNW	39	39	
09s13e	32	SWNW	39	39	
09s13e	32	SEnw	40	40	
09s13e	32	NESW	40	40	
09s13e	32	NWSW	39	39	
09s13e	32	SESW	39	39	
Totals:			276	276	

Water Right Claim Number 47-07569

Township , 9S13E

03/01/2001

26

25

35

36

2

1

11

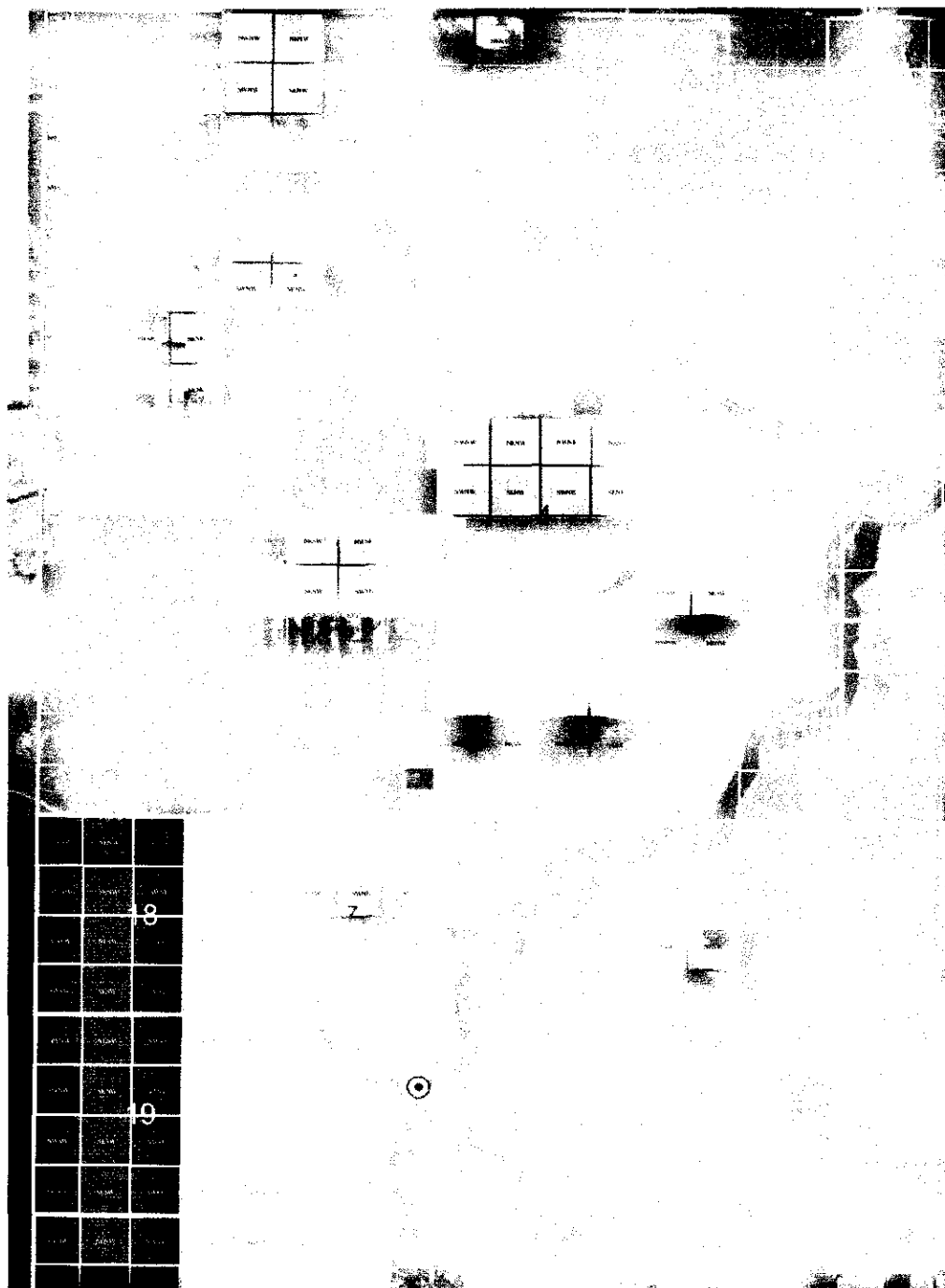
12

14

13

23

24



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

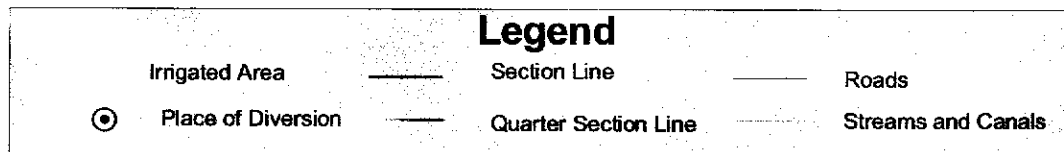
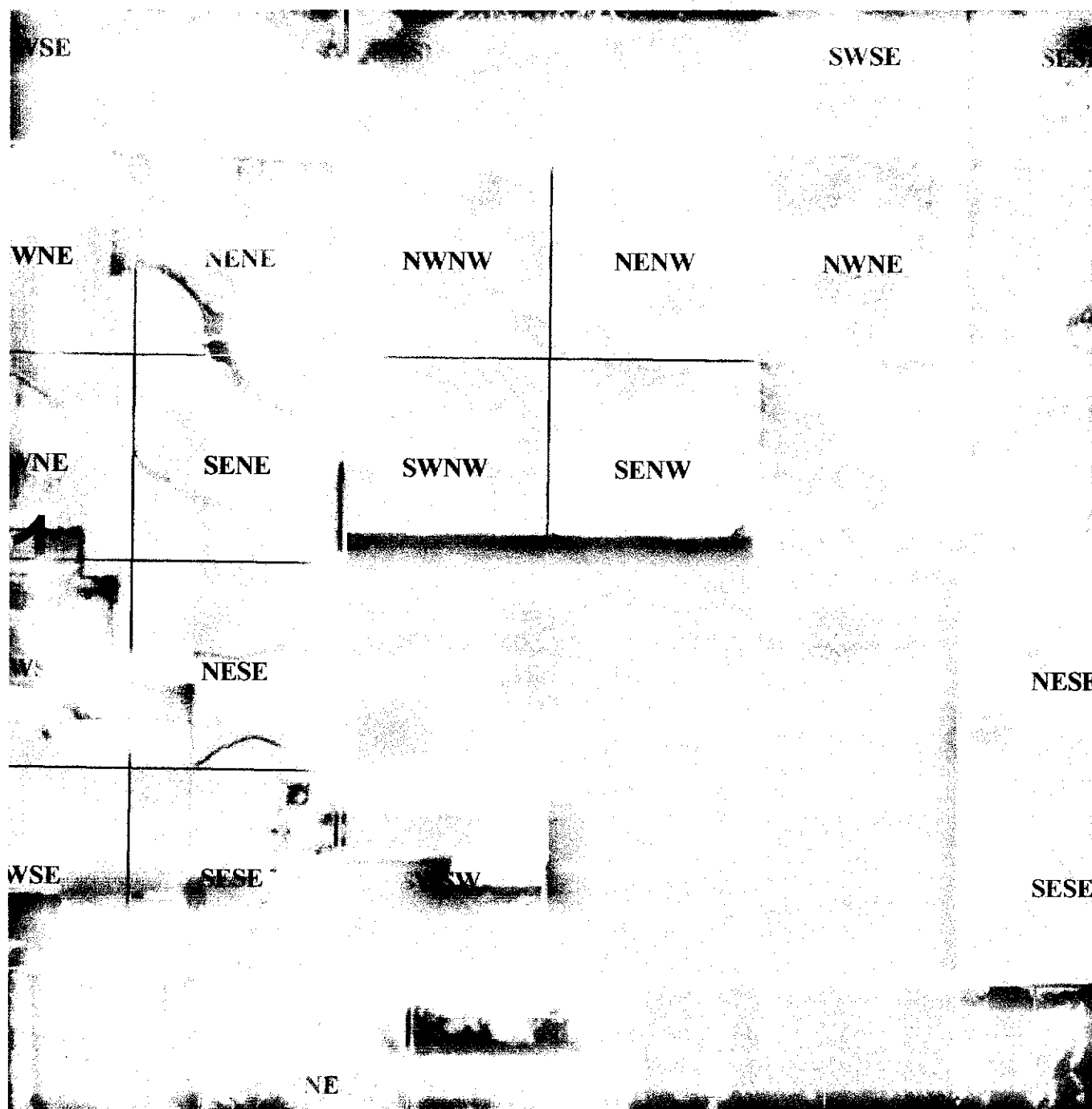
3500 0 3500 7000 Feet



SPATIAL DYNAMICS

Water Right Claim Number 47-07569
Township , 9S13E

03/01/2001



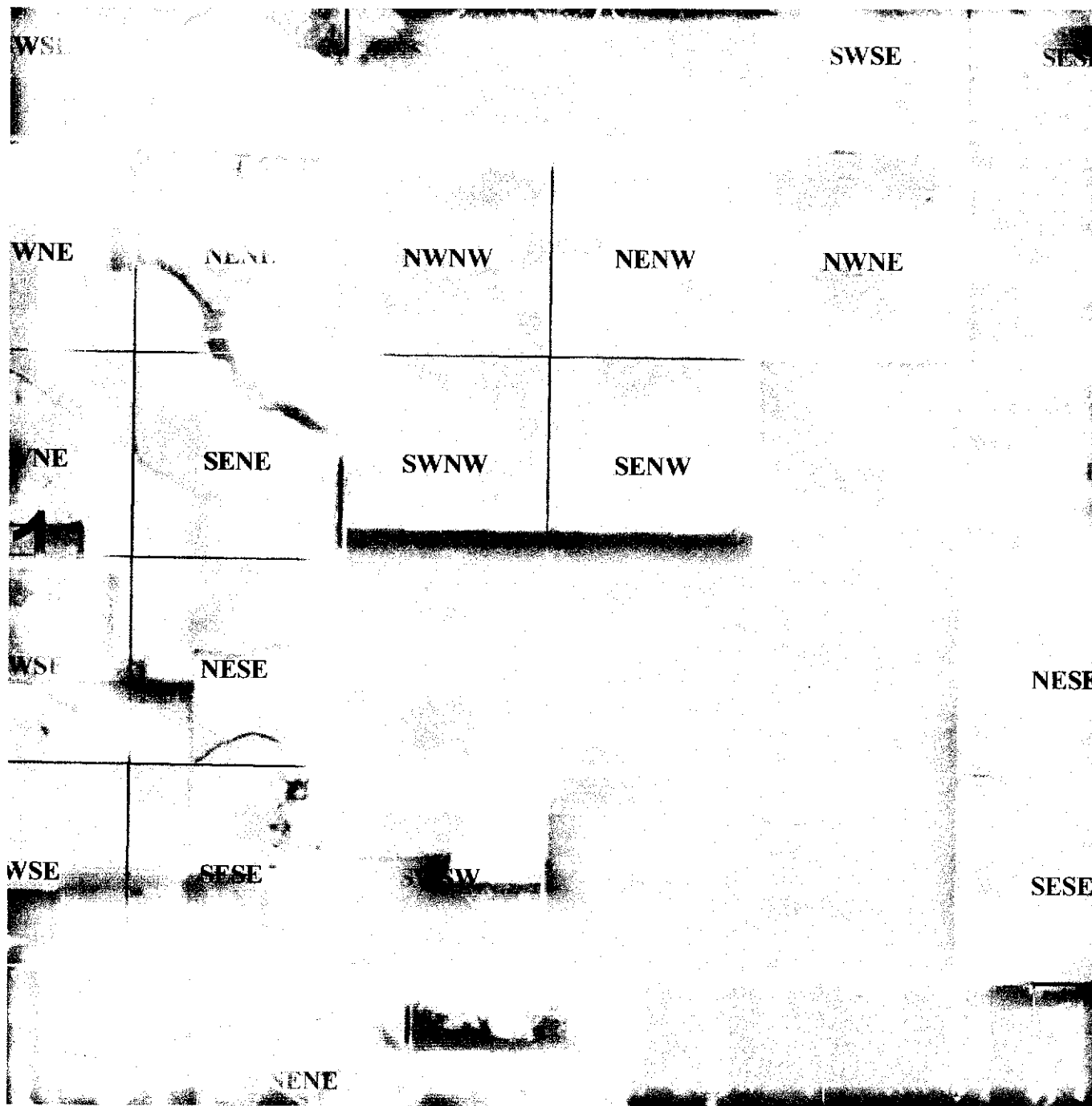
700 0 700 1400 Feet



**SPATIAL
DYNAMICS**

Water Right Claim Number 47-07569
 Township , 9S13E

03/01/2001



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

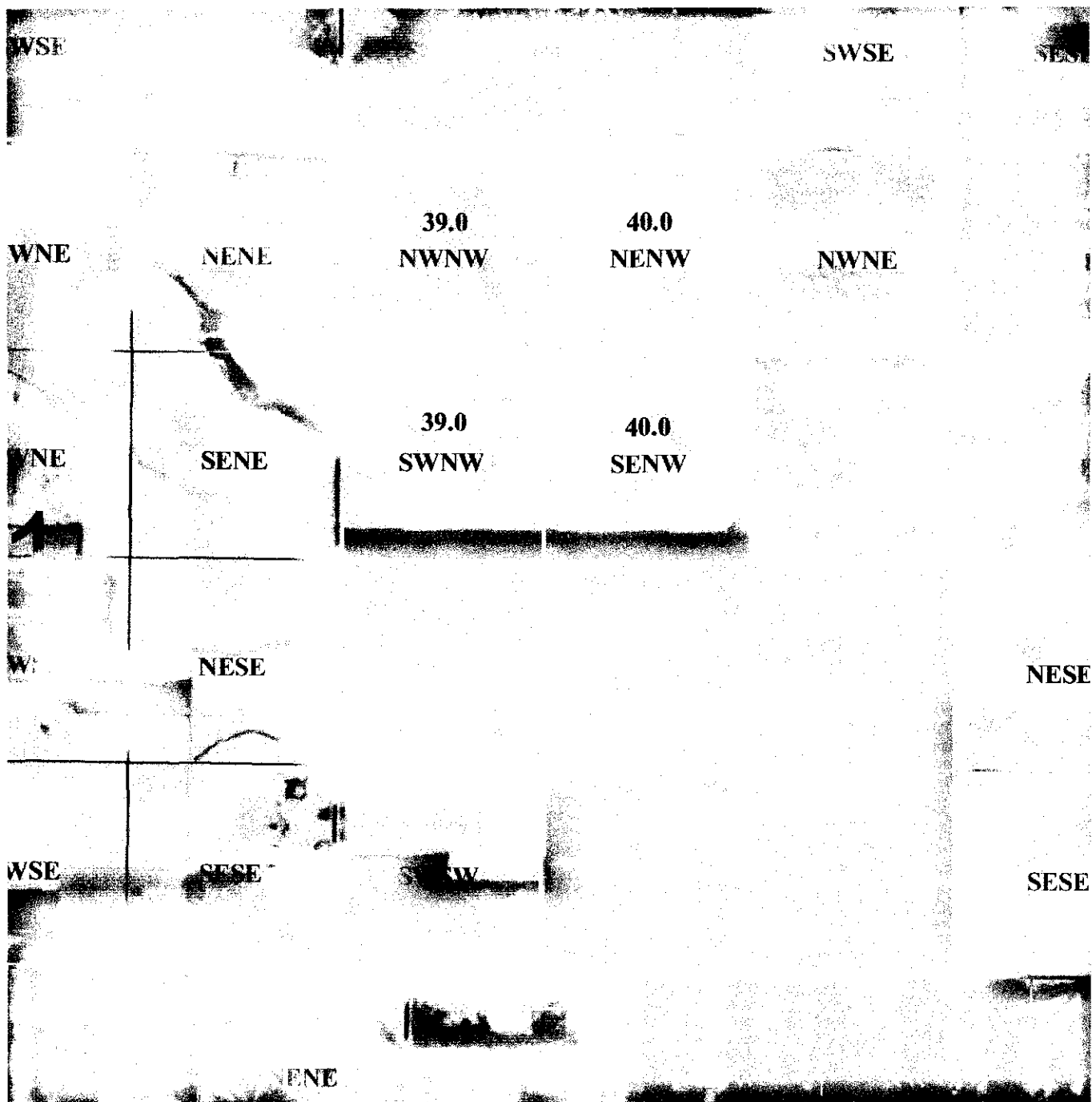
700 0 700 1400 Feet



SPATIAL DYNAMICS

Water Right Claim Number 47-07569
Township , 9S13E

03/01/2001



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

700 0 700 1400 Feet

SPATIAL
DYNAMICS

AJ5809NP
No. A47-07569

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/30/01
PAGE: 220

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	10/22/1979	IRRIGATION	04-01 10-31	5.520 CFS	780.00 AFA
TOTAL DIVERSION:					5.520 CFS	780.00 AFA

Water Source: SALMON FALLS CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion:

T10S R13E S20

SENE

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	:	SUM	
09S	13E	32	:					40	39	39	40			40	39	39		:	276.0	
TOTAL ACRES																			276.0	

POU County: TWIN FALLS

Other Rights: A47-07565

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A47-02316A A47-02402 A47-02417 A47-04099 A47-07252 A47-07565 A47-07615 A47-07618 A47-07642 A47-16773
R47-07252 R47-07565 R47-07569 R47-07615

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

A47-07565 R47-07565 R47-07569

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 47G.
- R19 - The right holder shall maintain a totalizing measuring device of
- a type approved by the Department as a part of the diverting
- works.
- R43 - The right holder shall maintain a measuring device and lockable
- controlling works of a type approved by the Department in a
- manner that will provide the watermaster suitable control of the
- diversion.

Remarks: GEN DLE NO. 1-1995. RESERVOIR LOCATED IN W1/2 SW1/4, S17, T9S, R13E.
REINSTATED 3-27-1986.

ORIGINALLY FILED ON FOR STORAGE.

IDWR NOTE**

FIXED TOTAL QUANTITY APPROPRIATED TO AGREE WITH ORIGINAL CLAIM &
AFA WITH CONDITIONS OF PERMIT UPON WHICH IT WAS BASED. 4/25/96 jr

3/7/97 TF; OWNERSHIP CHANGED GIUFFRE TO DRISCOLL BROS.

AJ5809NP
No. A47-07569

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/30/01
PAGE: 221

Remarks:

3/4/98 TF; CLAIM AMENDED TO CONFORM TO LICENSE.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual diversion volume of 1104.0 af for the lands above.

This right when combined with Rights 47-02316B, 47-02316C, 47-02402, 47-02417, 47-07565, 47-07615, 47-07618, and 47-07642 shall not exceed a combined rate of diversion of 24.71 cfs.

This right is appurtenant to land designated as DLE No. I-331(943).

2/25/2000 TF; ADDED IDAHO AGRICULTURAL CREDIT ASSN AS LIENHOLDER.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number: 47G

Field Inspection Flag:

Presumption Flag: C

Audit:

01/30/89 WHITE 03/18/91 GIVENS 03/30/95 POST-STD 04/25/96 JROBERTS

03/07/97 TFAWCETT 03/04/98 TFAWCETT 02/25/00 TFAWCETT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5407
WATER RIGHT NO. 47-07569

This is to certify that: DRISCOLL BROTHERS PARTNERSHIP
C/O BROCK DRISCOLL
2250 S 3200 W
ABERDEEN ID 83210

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	* 5.52 CFS	** 780.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SALMON FALLS CREEK	SNAKE RIVER

Priority: 10/22/1979

LOCATION OF POINT(S) OF DIVERSION: SENE, Sec. 20, Township 10S, Range 13E
TWIN FALLS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	13E	34	NENE 39	NWNE 40	SWNE 40	
			SENE 39	NESE 39	NWSE 40	
			SESE 39			276

Total number of acres irrigated: ** 276

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 47G.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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APR 28 2000

TRANSFER NO. 5407
WATER RIGHT NO. 47-07569

CONDITIONS OF APPROVAL AND REMARKS

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 7. Rights 47-02316B, 47-02402, 47-02417, 47-07565, 47-07569, 47-07615, 47-07618 and 47-07642 when combined shall not exceed a total diversion rate of 24.71 cfs.
- ** 8. Rights 47-07565 and 47-07569 when combined shall not exceed a total annual maximum diversion volume of 1104.0 af at the field headgate and the irrigation of 276 acres.

Dated this 21st day of March, 2000.

J. Glen Saylor
Chief, Water Allocation Bureau

MICROFILMED

APR 28 2000

Page 1 of 5STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5407

RECEIVED

JUN 17 1999

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

DEC 14 1998

Department of Water Resources
Southern Region

Department of Water Resources

Name of applicant DRISCOLL BROTHERS PARTNERSHIP % Brock Driscoll Phone 208-226-2168Post Office address 2250 S. 3200W. ABERDEEN, ID. 83210

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes TO MOVE WATER RIGHT TO
ANOTHER PART OF OUR FARM THAT DOES NOT CURRENTLY
HAVE A WATER RIGHT ON IT.

3. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>47-07569</u>	<u>10/22/1979</u>	<u>5.52 cfs</u>	<u>IRRIGATION</u>	<u>04/01</u> to <u>10/31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred _____ cubic feet per second and/or _____ acre-feet per annum.

3. Source of water SALMON FALLS CREEK tributary to SNAKE RIVER

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	20	10S	13E	TWIN FALLS	

5. Lands irrigated or place of use:

Twp.	Rge.	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	
09S	13E	34	39	40	40	39									39	40		39	276

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APR 23 1999

Total acres 276

PART 1

6. General Information:

- a. Description of diversion system PUMP FROM SALMON FALLS CREEK WITH
DITCH & PIPELINE(S) TO PLACE OF USE
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
CURRENT PLACE OF USE, WEST 1/2 SECTION 32 (T09S, R13E), WILL
NO LONGER BE IRRIGATED WITH THIS RIGHT. A COMPANION
TRANSFER IS BEING FILED TO MOVE WATER RIGHT 47-02369
TO THE WEST 1/2 OF SECTION 32 (T09S, R13E).
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

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APR 28 2006

PART 2

TRANS NO. 5407

RECEIVED

DEC 14 1998

Department of Water Resources
Southern Region

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 47-07569

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	5.52 CFS	780.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SALMON FALLS CREEK	SNAKE RIVER

Priority: 10/22/1979

LOCATION OF POINT(S) OF DIVERSION:SENE , Sec. 20, Township 10S, Range 13E
TWIN FALLS CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S 13E 32	NENW 40	NWNW 39	SWNW 39	
	SENW 40	NESW 40	NWSW 39	
	SESW 39			276

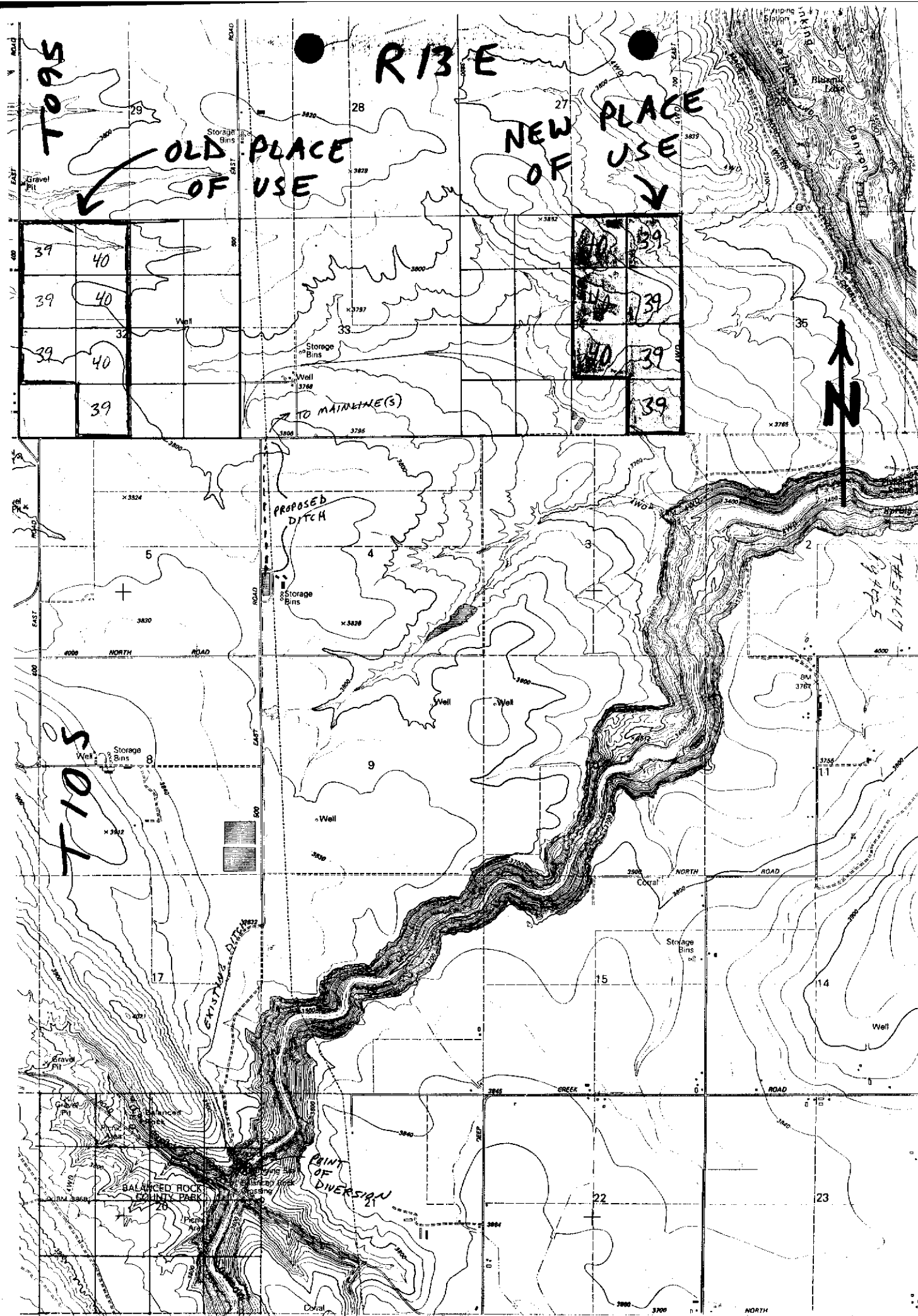
Total number of acres irrigated: 276

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 47G.
2. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual diversion volume of 1104.0 af for the lands above.
5. This right when combined with Rights 47-02316B, 47-02316C, 47-02402, 47-02417, 47-07565, 47-07615, 47-07618, and 47-07642 shall not exceed a combined rate of diversion of 24.71 cfs.
6. This right is appurtenant to land designated as DLE No.
7. I-331(943).

MICROFILMED

APR 28 2000



RECEIVED

Transfer No. 5407

DEC 14 1998

PART 3

Department of Water Resources
Southern Region

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

DRISCOLL BROTHERS by Bruce T. Driscoll
(Signature of Applicant)

Subscribed and sworn to before me this 11th day of December, 19 98.

Steve Ollie
(Notary Public)

My commission expires 12/7/2000

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 2 attachmentsReceived by A. SKINNER Date 12/14/1998 Protest filed by NonePrelim. check by A. SKINNER Fee \$100.00 \$021676Receipted by A. SKINNER Date 12/14/1998Published in Buhl Herald, Times News Copies of protest forwarded byPub. dates March 10 & 17; 3/11 & 3/18/99 Hearing held by DateWatermaster recommendation requested on 2/24/99 Recommended for ☒ approval ☐ denialrec'd. by AD

Copy of transfer sent to lien holder

MICROFILMED

APR 28 2000

EXHIBIT B

OPTION TO PURCHASE REAL ESTATE

This Option is given the 5th day of June, 1996, by Jean L. Giuffré and James V. Giuffré, wife and husband (the Optionors), to Driscoll Brothers Partnership, a partnership consisting of Brock Driscoll, Dirk Driscoll, Loraine Driscoll, and Thayne Driscoll (the Optionee).

1. Grant of Option. The Optionors, in consideration of the sum of \$20,000 received from the Optionee, give the Optionee the exclusive option to purchase, upon the following terms and conditions, that certain real estate and appurtenant water rights in Twin Falls County, Idaho (the real property) described in Exhibit "A."

2. Option Period. This Option shall run from the date hereof and shall terminate on November 1, 1997.

3. Exercise of Option. This Option may be exercised at any time during the aforementioned period by written notice to the Optionors, delivered or mailed by certified mail, return receipt requested, to the Optionors.

4. Price. The purchase price for the property is \$112,000.00, payable by the Optionee as follows:

(a) \$20,000, the sum paid for the Option, shall be credited against the purchase price. *Payment of \$20,000 Acknowledged.*

Kenneth W. Marshall
(b) The balance of the purchase price, \$92,000, shall be deposited into escrow with the escrow agent in cash after the option is exercised and on or before the closing date.

5. Additional Consideration - CRP Program. The parties understand that the real estate described in Exhibit A is presently in the CRP program, under a contract running through 1997. *\$13,750 paid to Jean L. Giuffré under the CRP contract for*

T# 5407
COPY

EXHIBIT A

NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Section 32, Township 9 South, Range 13 East of
the Boise Meridian, Twin Falls, County, Idaho.

ON 12/28/1918
I CONTACTED THE
TWIN FALLS COUNTY
ASSESSOR'S OFFICE
AND VERIFIED THAT
DRISCOLL BROTHERS
OWNS THE WEST $\frac{1}{2}$
OF SECTION 32 (T09S, R13E)
Cony [Signature]

MICROFILMED

APR 28 2000

COPY

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-07569

Priority: October 22, 1979

Maximum Diversion Rate:

5.52 CFS

Maximum Diversion Volume:

780.0 AF

This is to certify, that JEAN L GIUFFRE

4027 SANDBAR LN

EAGLE ID 83616

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 30, 1979; and has submitted Proof of Beneficial Use on February 28, 1986. An examination indicates that the works have a diversion capacity of 24.710 cfs of water from:

SALMON FALLS CREEK

tributary to SNAKE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	5.52 CFS	780.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 20, Township 10S, Range 13E
TWIN FALLS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	13E	32	NENW 40	NWNW 39	SWNW 39	
			SEnw 40	NESW 40	NWSW 39	
			SESW 39			276

Total number of acres irrigated: 276

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 47G.
6. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

MICROFILMED
NOV 29 1986

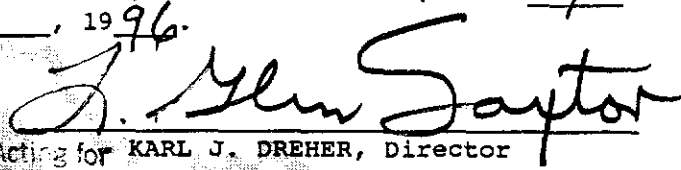
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 47-07569

CONDITIONS OF APPROVAL AND REMARKS

7. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual diversion volume of 1104.0 af for the lands above.
9. This right when combined with Rights 47-02316B, 47-02316C, 47-02402, 47-02417, 47-07565, 47-07615, 47-07618, and 47-07642 shall not exceed a combined rate of diversion of 24.71 cfs.
10. This right is appurtenant to land designated as DLE No. I-331(943).

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 7th
day of November, 1996.


Acting for KARL J. DREHER, Director



MICROFILMED
NOV 29 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho **APPROVED**
Southern District Office

1. Name of applicant Howard D. Marshall Phone 733-3983

Post office address 185 Blair Drive, Twin Falls, Idaho 83301

2. Source of water supply Salmon Falls Creek which is a tributary of Snake River

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20 Township 10S

Range 13E B.M. Twin Falls County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 20 for Diversion to storage purposes from Sept 1 to June 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 1500 af for Storage for irrigation purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 780 af for Irrig from storage purposes from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 20 cubic feet per second and/or b. 1500 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing pumps, pipelines and ditches
and new buried pipeline

b. Height of storage dam 15 feet, active reservoir capacity 780 acre-feet; total reservoir capacity 780 acre-feet, materials used in storage dam: earth and plastic

Period of year when water will be diverted to storage Sept 1 to June 1 inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

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: _____ horsepower 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.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	13E	17					40	40	40	40	40		20	40			40		300

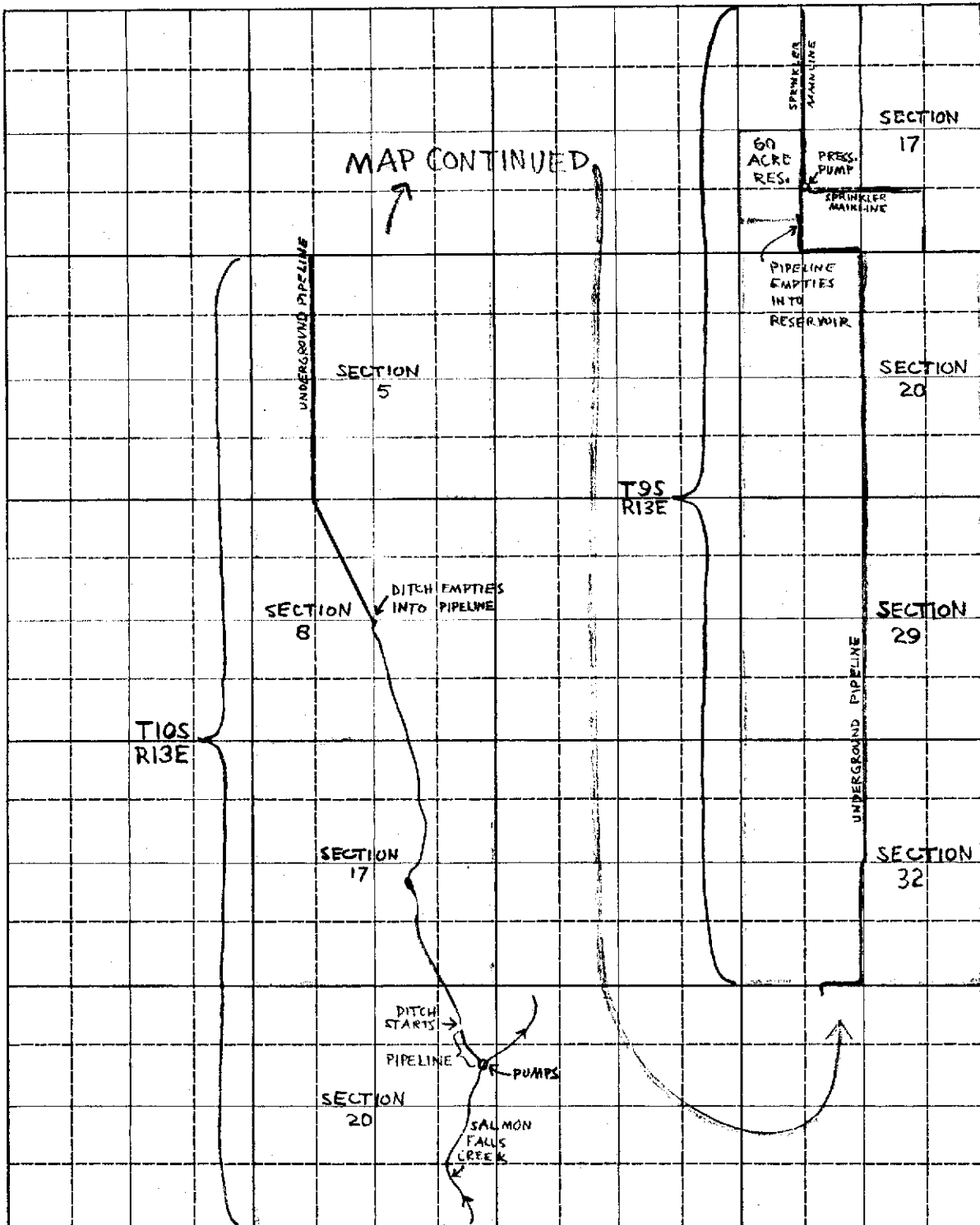
Total number of acres to be irrigated 300

c. Describe any other water rights used for the same purposes as described above. Filed under Canyon
View Irrigation Co. 320 shares

9. a. Who owns the property at the point of diversion Ken Marshall and Wayne Marshall
 b. Who owns the land to be irrigated or place of use U. S. Govt. (280 acres), Ken Marshall (20 acres)
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing The subject 320 acres is an allowed Desert Entry filing No. I-1995 in the name of Howard D. Marshall.

10. Remarks This application is made on the basis of "off season" pumping through existing pumps in Salmon Falls Creek along with storage reservoir on the subject property.
Existing water rights will have priority. The water is being applied for is not being used and is excess water during the off-season for irrigation

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Howard D. Marshall
(Applicant)

Received by TGB Date 8-30-79 time 5:00
Preliminary check by JH Fee \$ 225⁰⁰/₁₀₀
Receipted by TGB Date 8-30-79 # 13312
Publication prepared by marya Date 9/5/79
Published in times news
Publication dates 8/20 & 9/27/79 & 10/4/79
Publication approved marya Date 11/3/79
Protests filed by: magie water co. 9-24-79

Copies of protests forwarded by LH 10-16-79
Hearing held by BDF Date Nov 27, 1979
Recommended for approval denial by LH

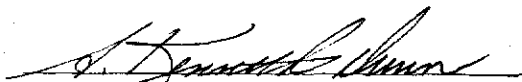
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7569, and said application is hereby APPROVED.

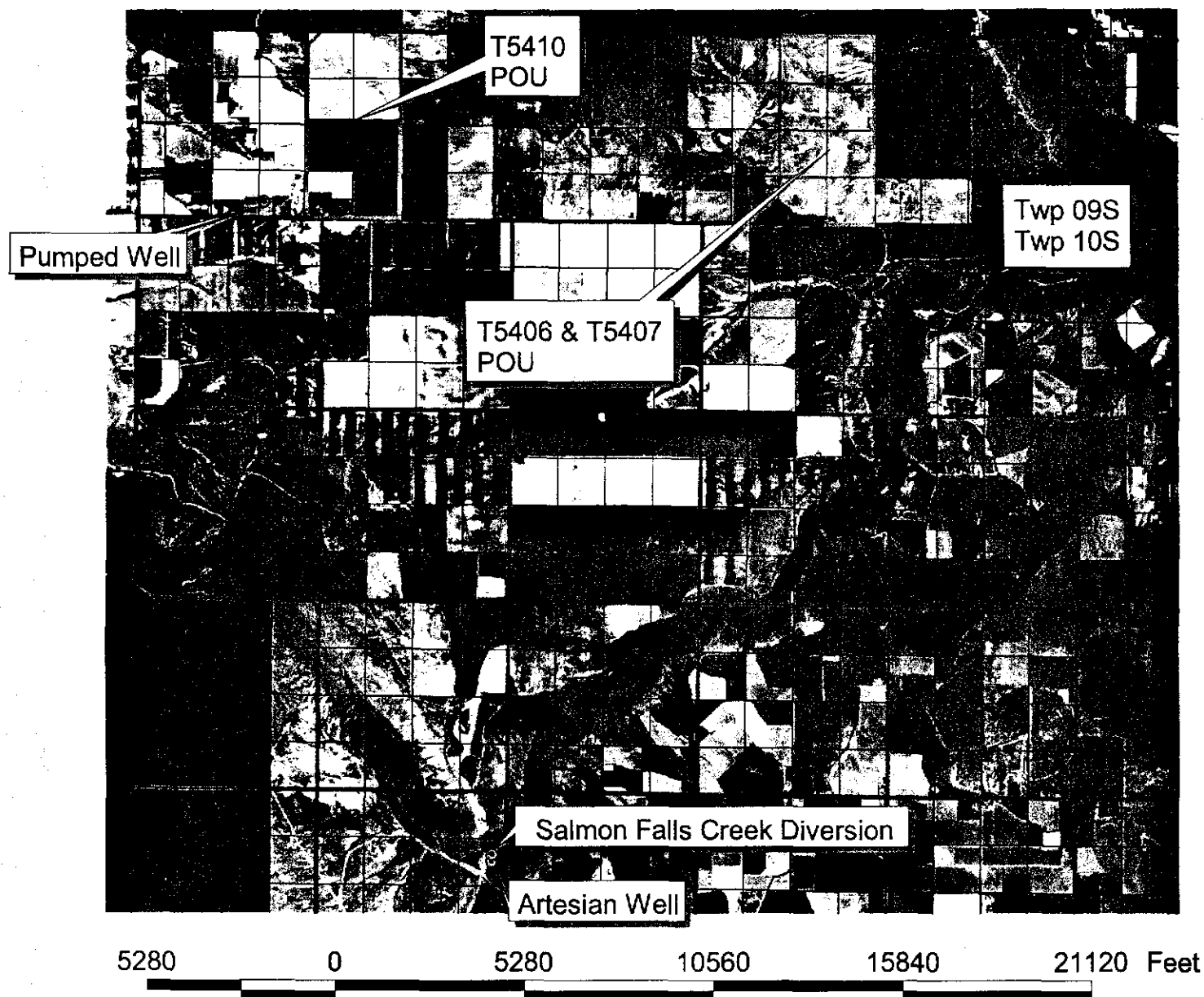
1. Approval of said application is subject to the following limitations and conditions:

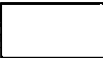
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 85.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: PURSUANT TO MEMORANDUM DECISION AND ORDER

Witness my hand this 21 day of April, 19 80.


Deputy Director

IDAHO DEPARTMENT OF WATER RESOURCES
TRANSFER NO. 5406, 5407 & 5410
IN THE NAME OF : Driscoll



-  PLACE OF USE
-  POINT OF DIVERSION
-  SECTION LINES
-  QUARTER LINES

CREATED BY : ADM
May 25, 1999

NAPP PHOTO CIRCA 1987 & 1988