

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: A45-00695
Date Received: 6/7/1989
Receipt No: S007604
Received By: _____

Address change DB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAMBERT PRODUCE, INC.
Address: RT. 2 BOX 2430
BURLEY, ID

83318

2. Date of Priority: APR 1, 1890

3. Source: LAND CREEK

Trib. to: GOOSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	23E	9	NE	NW			CASSIA

5. Description of diverting works:
PONDS, PUMPS, PIPELINES TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	12/15	3.200		
STOCKWATER STORAGE	12/15	03/01			6.00
STOCKWATER	12/15	03/01	0.230		
IRRIGATION STORAGE	01/01	12/31			6.00
IRRIGATION FROM STORAGE	03/01	12/15			6.00

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

6.00 A.F.A.

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/1000 CATTLE, LEASED TO SCHENK FEEDLOT.

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: A45-00695
Date Received: 7/14/1989
Receipt No: S007604
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAMBERT PRODUCE, INC.
Address: RT. 1 BOX 44-A
OAKLEY, ID

208-862-3346

83346

2. Date of Priority: APR 01, 1890

3. Source: LAND CREEK

Trib. to: GOOSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
13S	23E	9	NE NW		CASSIA

5. Description of diverting works:
PONDS, PUMPS, PIPELINES TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	12/15	3.200		
STOCKWATER STORAGE	12/15	03/01			6.00
STOCKWATER	12/15	03/01	0.230		
IRRIGATION STORAGE	01/01	12/31			6.00
IRRIGATION FROM STORAGE	03/01	12/15			6.00

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

6.00 A.F.A.

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/1000 CATTLE, LEASED TO SCHENK FEEDLOT.

A45-00695

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Date: 07/14/89

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
12S	23E	21	NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0

Section Acres 160.0

Total Acres 160.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A45-04009A, A45-04013A, A45-00698B, A45-00701

14. Remarks:

CHANGE IN P/U WAS MADE PRIOR TO THE ORDER COMMENCING THE GENERAL
ADJUDICATION.
STORAGE AND DIVERSION FOR IRRIGATION UNDER SAME RIGHT. IRRIGATION
MADE FROM STORAGE AND NATURAL FLOW.
P/U GIVEN FOR STOCKWATER T12S. R23E. SEC. 30.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/03/1926

B. W. DANSIE ET AL

Decree Plaintiff

vs

L. J. ROBINSON SR. & MARY ROBI
Decree 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 Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 39356

Ident. Number 445-00695Date Received 6-6-89Receipt Number 5007604

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Lambert Produce, Inc. Phone (208) 862-3346Mailing Address Route #1, Box 44-A, Oakley, ID Zip 833462. Date of Priority (Only one (1) per claim) April - 01-18903. Source of water supply (a) LAND CREEK
which is tributary to (b) GOOSE CREEK4. a. Location of existing point of diversion is: Township 135 Range 23E Section 09,
NE 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of CASSIA

Additional points of diversion if any: _____

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

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

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

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

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

From Creek to Pond into Pipeline
Overflow from Diversion into Natural Creek into
Stockyard & into Storage Pond - Pump into Sprinkler
System

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Copies: White-State, Yellow-Claimant

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION ~~STORAGE~~ purposes from 03-01 to 12-15 amount 3.20 or 3

For STORAGE FOR STOCKWATER ~~STORAGE~~ purposes from 12-15 to 3-01 amount 0.23 or 6

For STORAGE FOR IRRIGATION purposes from 1-1 to 12-31 amount or 6

For IRRIGATION FROM STORAGE purposes from 03-01 to 12-15 amount or 6

7. Total quantity claimed (a) 3.20 (cfs) and/or (b) (acre feet)

8. Total consumptive use claimed is 480 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater - Schenk - T125 R23E S30 ~~125 R23E S30~~

Approx 3 head
2,400
11,000

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>125</u>	<u>23E</u>	<u>21</u>													<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>160</u>

Total number of acres irrigated 160

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

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.
45-4009 45-4013 ~~45-4013~~ 45-00698 45-00701 or None ()

14. Remarks:
THE CHANGE OF PLACE OF USE WAS MADE PRIOR TO
THE ORDER COMMENCING THE GENERAL ADJUDICATION
STORAGE AND DIVERSION FOR IRRIGATION UNDER SAME
RIGHT. IRRIGATION MADE FROM STORAGE AND NATURAL FLOW

Last Name Lambert Ident No.

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It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

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

Scale: 2 inches equals 1 mile

																21	
																40	40
																40	40
T12S R23E																	
				S 26 1/2 N													
				E 22													
				30'				29'				28'					
				S 60' 1/2 W													
												33'					
								T13S R23E									
												4'					
												9'					

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Last Name Lambert

Ident No. _____

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Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number 45-0695

Court 11th Dist. CASSIA County Case Number _____

Plaintiff vs Defendant B.W. DAVIS, et al v L.J. Robinson

Decree Date MAR. 4, 1926

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 1

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

Signature of Claimant (s) _____

Date _____

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Farm Manager

Title

of Lambert Produce Inc.

Organization

, that I have signed the foregoing

document in the space below as _____

Farm Manager

of

Lambert Produce Inc.

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Cecil King

Title and Organization Farm Manager Lambert Produce Inc.

Date 6-6-89

State of Idaho/or _____)

County of Twin Falls)

SS.

Subscribed and sworn (or affirmed) before me this 6th

day of June

19 89

SEAL

Notary Public Denise Green

Residing at Twin Falls

My Commission Expires 1-2-91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Leland B. Stone 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 Leland B. Stone

Address P.O. Box 83 Twin Falls, Id 83301

Date 5/26/89

Last Name Lambert

Ident. Number _____

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Copies White Paper Yellow Claimant
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IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA.

B.W. Damsie, Rachel S. Clark,
Alpha Elquist, Vern C. Wooley and
Glenn C. Wooley,

Plaintiffs.

vs

D E C R E E

L.J. Robinson, Sr. and Mary Robinson,
Defendants.

This cause came regularly on for hearing before the Court without a jury on the 18th day of May, 1925, on the complaint of the plaintiff filed herein and the answer and cross complaint of the defendants and the answer of the plaintiffs and cross defendants to the cross complaint of the defendants and cross complainants. The plaintiffs appeared in person and by their attorney, S.T. Lowe, and the defendants appeared in person and by their attorneys, Sweely and Sweely. Thereupon witnesses on behalf of the plaintiffs and cross defendants were duly sworn, examined and cross examined, and documentary evidence introduced and the plaintiffs and cross defendants rested. Witnesses on behalf of the defendants and cross complainants were duly sworn, examined and cross examined and documentary evidence introduced and the defendants and cross complainants then asked leave of court to file an amended cross complaint and were by the Court granted ten days in which to file an amended cross complaint and the defendants having filed in said Cause an amended cross complaint and the plaintiffs having answered the said amended cross complaint, the said cause was thereafter, to-wit; on the 17th day of July, 1925, duly called for further pro-

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...and thereafter with... on behalf of the defendants and cross complainants were called, sworn, examined and cross examined and documentary evidence introduced and the defendants and cross complainants rested; thereupon witnesses on behalf of the plaintiffs and defendants were called, sworn, examined and cross examined and documentary evidence of the defendants and cross complainants were sworn and examined in sur-rebuttal and the defendants and cross complainants rested, and the evidence being closed the cause was submitted to the Court and counsel for the respective parties given time in which to file written briefs. The Court having fully considered all of the evidence and being fully advised in the premises and having made and filed herein his Findings of Fact and Conclusions of Law and concluded that the plaintiffs are entitled to a decree of this Court as prayed for in their complaint.

NOW THEREFORE, by virtue of the law and by reason of the premises, it is hereby ORDERED, ADJUDGED AND DECREED:

I.

That the plaintiff, B.W. Damsie, be and he is hereby given and granted the use and the right to use of 3.2 cubic feet per second or 160 miners inches of the flow of the waters of Land Creek with date of priority of April 1, 1890, and the use and the right to the use of 1.6 cubic feet per second or 80 inches of the flow of the waters of Land Creek with date of priority of April 1, 1907, for irrigation, stock and domestic purposes, during the irrigation season from March first to December fifteenth of each year, upon the lands of the said plaintiff, as hereinafter described. Said waters to be diverted from Land Creek near the Southwest corner of the Southeast quarter of the Southwest quarter (SW¹/₄) of Section four (4), Township thirteen (13) South, Range twenty-three (23) East Boise Meridian.

II.

The lands to which the above described water is hereby decreed and made appurtenant are situated in the County of Cassia, State of Idaho, and particularly described as follows, to-wit: Southwest quarter (SW¹/₄) of Section four (4) in Township thirteen (13) South, Range Twenty-three (23) East Boise Meridian; East half of the Southwest quarter (E¹/₂SW¹/₄) of Section five (5), Township thirteen (13) South, Range Twenty-three (23) East Boise Meridian.

III.

That the plaintiff, Rachael S. Clark be and she is hereby given and granted the use and the right to the use of 3.2 cubic feet per second or 160 inches of the flow of the waters of Land Creek with date of priority of April 1, 1890, and the use and the right to the use of 2.35 cubic feet per second or 117 1/2 inches of the flow of the waters of Land, Warm or Thorn Spring, with date of priority of April 1, 1870, to be used during the irrigation season from March first to December fifteenth of each year, upon the lands hereinafter described, for irrigation, stock and domestic purposes; and the use and the right to the use of one-half of one cubic foot per second or 25 inches of the flow of the waters of Land, Warm or Thorn Spring for stock and domestic purposes during the entire year. That the waters of Land Creek are to be diverted at a point near the Southwest corner of the Northwest quarter of the Northwest quarter (NW¹/₄) of Section 5, Township 13 South, Range 23 East Boise Meridian, and the waters of Land, Warm or Thorn Spring to be diverted in the Southwest quarter of the Northwest quarter (SW¹/₄) of Section 6, township 13 South, Range 23 East Boise Meridian.

IV.

That the lands to which the waters herein given and granted to the plaintiff, Rachael S. Clark, and to which the same are hereby made appurtenant are situated in the County of Cassia, State of Idaho, and particularly described as follows, to-wit: Beginning at the Southeast corner of Section thirty-six (36) Township twelve (12) South, Range Twenty-two (22) East Boise Meridian, running thence West 374.46 feet, thence North 14 degrees 40 minutes East 1041.96 feet, thence West 5169.41 feet, thence North 1632 feet, thence East one mile thence South one-half mile to the place of beginning; also a further tract of land described as follows, beginning at the Southeast corner of Lot One (1), Section One (1), Township thirteen (13) South, Range twenty-two (22) East Boise Meridian, thence West 660 feet, thence North 229 feet, thence North 14 degrees 40 minutes East 1127.74 feet, thence East 374.46 feet, thence South one-quarter of a mile to the place of beginning; also Lots three (3), Four (4) and Five (5) in Section six (6), and Lots One (1) and two (2) in Section seven (7), all in township thirteen (13) South, Range twenty-three (23) East Boise Meridian.

V.

That the plaintiff, Alpha Elquist be and she is hereby given and granted the use and the right to the use of 1.06 cubic feet per second or 53 1/3 inches of the flow of the waters of Land Creek with date of priority of April 1, 1890, and the use and the right to the use of 1.785 cubic feet or 89 1/6 inches of the flow of the waters of Land, Warm or Thorn Spring with date of priority of April 1, 1870, to be used during the irrigation season from March first to December fifteenth of each year upon the lands hereinafter described, for irrigation, stock and domestic purposes; and the use and the right to the use of one-half cubic foot per second or 25 inches of the flow of the waters of Land, Warm or Thorn Spring, for stock and domestic purposes during the entire year. That the waters of Land Creek are to be diverted at a point near the Southwest corner of the Northwest quarter of the Northwest quarter (NW¹/₄) of Section 5, Township 13 South, Range 23 East Boise Meridian, and the waters of Land, Warm or Thorn Spring to be diverted in the Southwest quarter of the Northwest quarter (SW¹/₄) of Section 6, Township 13 South, Range 23 East Boise Meridian.

VI.

That the lands to which the waters herein given and granted to the plaintiff, Alpha Elquist, and to which the same are hereby made appurtenant are situated in the County of Cassia, State of Idaho and particularly described as follows, to-wit: Southeast quarter of the Northwest quarter (SE¹/₄NW¹/₄) and the Northwest quarter of the Southeast quarter (NW¹/₄SE¹/₄) of Section six (6), Township thirteen (13) South, Range twenty-three (23) East Boise Meridian, also a tract of land described as follows, to-wit: Beginning 660 feet West from the Southeast corner of Lot one (1) Section one (1) Township thirteen (13) South, Range twenty-two (22) East Boise Meridian, thence North 229 feet, thence Northeasterly 1127.74 feet, thence West 264 feet, thence Southeasterly 1364 feet, more or less, thence East 324 feet to

45-0696
45-0695
change plan
of use
for goat
run
see
45-4013
(ground water)

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the place of beginning; also a further tract of land, described as follows, to-wit: beginning at the Northeast corner of Lot One (1) Section (13) South Range Twenty-two (22) East Boise Meridian, thence Northeasterly 1041.96 feet, thence West 5165.4 feet to the East Line of Section 36, Township 12 South, Range 22 East Boise Meridian, thence South 607 feet, thence East 4746.5 feet; thence Southeasterly 414.51 feet, thence East 264 feet to the place of beginning.

VII.

That the plaintiffs, Vern C. Woolley and Glenn C. Woolley, be and they are hereby given and granted the use and the right to the use of 2.13 1/3 cubic feet per second or 106 2/3 inches of the flow of the waters of Land Creek with date of priority of April 1, 1890, and the use and the right to the use of 1.568 cubic feet per second or 78 1/3 inches of the flow of the waters of Land, Warm or Thorn Spring, with date of priority of April 1, 1870, to be used during the irrigation season from March, first to December fifteenth of each year upon the lands hereinafter described, for irrigation, stock and domestic purposes; and the use and the right to the use of one-half of one cubic foot per second or 25 inches of the flow of the waters of Land, Warm or Thorn Spring for stock and domestic purposes during the entire year. That the waters of Land Creek are to be diverted at a point near the Southwest corner of the Northwest quarter of the Northwest quarter (NW 1/4) of Section 5, Township 13 South, Range 23 East Boise Meridian, and the waters of Land, Warm or Thorn Spring to be diverted in the Southwest quarter of the Northwest quarter (SW 1/4) of Section 6, Township 13 South, Range 23 East Boise Meridian.

VIII.

That the lands to which the waters herein given and granted to the plaintiffs, Vern C. Woolley and Glenn C. Woolley, and to which the same are hereby made appurtenant are situated in the County of Cassia, State of Idaho, and particularly described as follows, to-wit: Northeast quarter of the Northwest quarter (NE 1/4) of Section six (6) Northeast quarter of the Northeast quarter (NE 1/4) of Section seven (7) all in township thirteen (13) South, Range twenty-three (23) East Boise Meridian, also a tract of land described as follows, to-wit: beginning at a point 638.4 feet West of the Southeast corner of Section 36, Township 12 South Range 22 East Boise Meridian, thence North 14 degrees 40 minutes East 414.51 feet, thence West 4746.50 feet, thence South 401 feet, thence East 4641.51 feet, thence West 4746.50 feet, thence South 401 feet, thence East 4641.51 feet to the place of beginning; also a further tract of land, described as follows, to-wit: beginning at a point 660 feet West of the Northeast corner of Section one (1) township thirteen (13) South, Range twenty-two (22) East Boise Meridian, thence South 82.29 feet, thence North 14 degrees 40 minutes East 85.07 feet; thence West 21.54 feet, to the place of beginning.

IX.

That the defendant and cross complainant, L.J. Robinson, Sr. be and he is hereby given and granted the use and the right to the use of 3.2 cubic feet per second or 160 inches of the flood or flush waters of Land Creek with date of priority of April 1, 1912, for irrigation, stock and domestic purposes, during the irrigation season from March first to December fifteenth of each year, upon the lands hereinafter described, the same to be diverted from Land Creek in the Northeast quarter of the Northeast quarter (NE 1/4) of Section 6, Township 13 South, Range 23 East Boise Meridian.

X.

That the lands to which the waters herein given and granted to the defendants, L.J. Robinson, Sr., and to which the same are hereby made appurtenant are situated in the County of Cassia, State of Idaho, and particularly described as follows, to-wit: Northeast quarter (NE 1/4) of Section thirty-six (36), Township twelve (12) South, Range twenty-two (22) East Boise Meridian.

XI.

That each party hereto be perpetually enjoined and restrained from in any manner interfering with the flow of the waters to which the other parties are entitled.

XII.

That the defendants, L.J. Robinson, Sr., and Mary Robinson be perpetually enjoined and estopped from interfering with the water rights of the plaintiffs or either or any of them, or any of the ditches owned by the plaintiffs or any of them, and that the temporary injunction heretofore granted in favor of the plaintiffs and against the defendants is hereby made permanent and perpetual.

XIII.

That any water that shall be flowing from Land, Warm or Thorn Spring, during the period of the year from the Fifteenth day of December and the first day of March of each year, not herein specifically decreed for stock and domestic purposes shall be turned into the old channel of said Spring and permitted to flow down the same without any interruption by any of the plaintiffs, their successors or assigns.

XIV.

That the plaintiffs have and recover from the defendants, all their costs and disbursements of suit, to be taxed at the sum of \$_____, together with interest thereon from the date of this judgment until paid at the rate of seven per cent per annum, and that they have execution for the collection of such costs.

DATED this 3rd day of March, 1926.

T. Bailey Lee
District Judge.

Filed for record at request of S.T. Lowe at 4:35 P.M., March, 4th, 1926.

S.F. Wilson County Recorder.

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Water Right Number	45-00695	Adj. Flag Translation:	Standard	Water Right Number	Old (D) Number
+ - - - -	- - - - -	+ - First Name	- - - - -	Address	- - - - -

*** C - CURRENT OWNER ***
DANSIE

B. W.

1 - -
2 - -
3 - -
City
Phone

State- Zip-

Phone - -

Phone -
1 - ATTN: CHRIS DRAKOS
2 - P.O. BOX 793

3 -
City- BLACKFOOT
Phone -
State- ID Zip- 832210000

	+ - -	Priority Date	- - +	+ - - - Region	- - +	+ - - Stage	- - +	+ - - Status	- - -
		04/01/1890		17		D - DECEED			

```
+ - - - - Source - - - - +
- - - - - LAND CREEK - - - -
```

Twn	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
13S	23E	9	NE NW			(31)	CASSIA	

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
01 -	IRRIGATION	03/01	12/15	3.200	
43 -	DOMESTIC				
04 -	STOCKWATER				

[illegible]

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
13S	23E	4	NE SW			01	IRRIGATION	(31) CASSIA
13S	23E	4	NW SW			01	IRRIGATION	(31) CASSIA
13S	23E	4	SW SW			01	IRRIGATION	(31) CASSIA
13S	23E	4	SE SW			01	IRRIGATION	(31) CASSIA

Total Acres:

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

MICROFILMED

MAR 08 1992

Water right number -	45-00695	Adj. flag translation:	Standard Water Right Number
----------------------	----------	------------------------	-----------------------------

- - Remarks - -
No Remarks found.

- - Conditions of Approval - -
No Conditions of Approval found.

+ - - - Decree Plaintiff - - +
B. W. DANSIE ET AL

+ - - - Decree Defendant - - - +
L. J. ROBINSON SR. & MARY ROBINSON

+ - - Audit Fields - 02/12/86

05/28/88 CONVERT

Water Rights Dates and Flags Area

Proof Due Date
Approved/Denied
Proof Made Date
Start Work Date
Order Show Cause
Licensed Date
Decree Date

-	00/00/0000	Field Exam Made	-	00/00/0000
-	00/00/0000	Protested Date	-	00/00/0000
-	00/00/0000	Hearing Date	-	00/00/0000
-	00/00/0000	Verified Date	-	00/00/0000
-	00/00/0000	Receipt Number	-	00/00/0000
-	00/00/0000	Appl Received	-	00/00/0000
-	03/03/1026			

Field Exam Fee	-
Swan Falls	-
Temporary Right	-
DLE/Carey Act	-
Water District	-
Transfer/Amended	-

MICROFILMED

MAR 08 1993

VERIFIED BY R. 4/2/04
07/12/2004

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

RIGHT NUMBER: 45-695

NAME AND ADDRESS: LAMBERT PRODUCE CO INC
C/O CORY KING
203 E 1100 S
BURLEY ID 83318

SOURCE: LAND CREEK

TRIBUTARY: GOOSE CREEK

QUANTITY: 3.200 CFS

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION:

T13S R23E S9 NWNENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 12/15

QUANTITY
3.200 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T12S R22E S24	NESE	40.0	T12S R22E S24	NWSE	32.0
T12S R22E S24	SWSE	39.0	T12S R22E S24	SESE	41.0
T12S R22E S25	NENE	41.0	T12S R22E S25	NWNE	39.0
T12S R22E S25	SWNE	36.0	T12S R22E S25	SENE	31.0
T12S R23E S15	NWNE	32.0	T12S R23E S15	SWNE	40.0
T12S R23E S15	SENE	3.0	T12S R23E S15	NENW	34.0
T12S R23E S15	SWNW	4.0	T12S R23E S15	SENW	34.0
T12S R23E S15	NESW	3.0	T12S R23E S15	NWSW	35.0
T12S R23E S15	SWSW	30.0	T12S R23E S15	SESW	2.0
T12S R23E S15	NESE	36.0	T12S R23E S15	NWSE	38.0
T12S R23E S15	SWSE	34.0	T12S R23E S15	SESE	32.0
T12S R23E S16	NENE	32.0	T12S R23E S16	NWNE	34.0
T12S R23E S16	SWNE	32.0	T12S R23E S16	SENE	38.0
T12S R23E S16	NENW	41.0	T12S R23E S16	NWNW	41.0
T12S R23E S16	SWNW	41.0	T12S R23E S16	SENW	40.0
T12S R23E S16	NESW	41.0	T12S R23E S16	NWSW	41.0
T12S R23E S16	SWSW	41.0	T12S R23E S16	SESW	41.0
T12S R23E S16	NESE	40.0	T12S R23E S16	NWSE	22.0
T12S R23E S16	SWSE	18.0	T12S R23E S16	SESE	37.0
T12S R23E S17	NENE	41.0	T12S R23E S17	NWNE	41.0
T12S R23E S17	SWNE	41.0	T12S R23E S17	SENE	41.0
T12S R23E S17	NENW	41.0	T12S R23E S17	NWNW	41.0
T12S R23E S17	SWNW	41.0	T12S R23E S17	SENW	41.0
T12S R23E S17	NESW	41.0	T12S R23E S17	NWSW	41.0
T12S R23E S17	SWSW	31.0	T12S R23E S17	SESW	41.0
T12S R23E S17	NESE	41.0	T12S R23E S17	NWSE	41.0
T12S R23E S17	SWSE	41.0	T12S R23E S17	SESE	41.0
T12S R23E S19	NENE	39.0	T12S R23E S19 Lot 1	NWNE	39.0

07/12/2004

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

T12S R23E S19 Lot 2 SWNE	40.0	T12S R23E S19	SENE	39.0
T12S R23E S19	NESE	40.0	T12S R23E S19 Lot 3 NWSE	40.0
T12S R23E S19 Lot 4 SWSE	40.0	T12S R23E S19	SESE	40.0
T12S R23E S20	NENE	40.0	T12S R23E S20	NWNE
T12S R23E S20	SWNE	40.0	T12S R23E S20	SENE
T12S R23E S20	NENW	40.0	T12S R23E S20	NWNW
T12S R23E S20	SWNW	40.0	T12S R23E S20	SENW
T12S R23E S20	NESW	40.0	T12S R23E S20	NWSW
T12S R23E S20	SWSW	40.0	T12S R23E S20	SESW
T12S R23E S20	NESE	40.0	T12S R23E S20	NWSE
T12S R23E S20	SWSE	40.0	T12S R23E S20	SESE
T12S R23E S21	NENE	40.0	T12S R23E S21	NWNE
T12S R23E S21	SWNE	40.0	T12S R23E S21	SENE
T12S R23E S21	NENW	40.0	T12S R23E S21	NWNW
T12S R23E S21	SWNW	40.0	T12S R23E S21	SENW
T12S R23E S21	NESW	40.0	T12S R23E S21	NWSW
T12S R23E S21	SWSW	40.0	T12S R23E S21	SESW
T12S R23E S21	NESE	40.0	T12S R23E S21	NWSE
T12S R23E S21	SWSE	40.0	T12S R23E S21	SESE
T12S R23E S22	NENE	32.0	T12S R23E S22	NWNE
T12S R23E S22	SWNE	31.0	T12S R23E S22	SENE
T12S R23E S22	NENW	30.0	T12S R23E S22	NWNW
T12S R23E S22	SWNW	33.0	T12S R23E S22	SENW
T12S R23E S22	NESW	32.0	T12S R23E S22	NWSW
T12S R23E S22	SWSW	40.0	T12S R23E S22	SESW
T12S R23E S28	NENE	40.0	T12S R23E S28	NWNE
T12S R23E S28	SWNE	40.0	T12S R23E S28	SENE
T12S R23E S28	NENW	40.0	T12S R23E S28	NWNW
T12S R23E S28	SWNW	40.0	T12S R23E S28	SENW
T12S R23E S29	NENE	40.0	T12S R23E S29	NWNE
T12S R23E S29	SWNE	40.0	T12S R23E S29	SENE
T12S R23E S29	NENW	40.0	T12S R23E S29	NWNW
T12S R23E S29	SWNW	40.0	T12S R23E S29	SENW
T12S R23E S29	NESW	40.0	T12S R23E S29	NWSW
T12S R23E S29	SWSW	35.0	T12S R23E S29	SESW
T12S R23E S29	NESE	40.0	T12S R23E S29	NWSE
T12S R23E S29	SWSE	38.0	T12S R23E S29	SESE
T12S R23E S30	NENE	40.0	T12S R23E S30 Lot 1 NWNE	40.0
T12S R23E S30 Lot 2 SWNE	33.0	T12S R23E S30	SENE	32.0

4983 ACRES TOTAL

07/12/2004

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

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 4983 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-168, 45-169, 45-695, 45-696, 45-701, 45-2053,
45-2254A, 45-2520, 45-2526, 45-2579, 45-2630, 45-2657, 45-4009A,
45-4011A, 45-4013A, 45-4048F, 45-4258A, & 45-13777.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

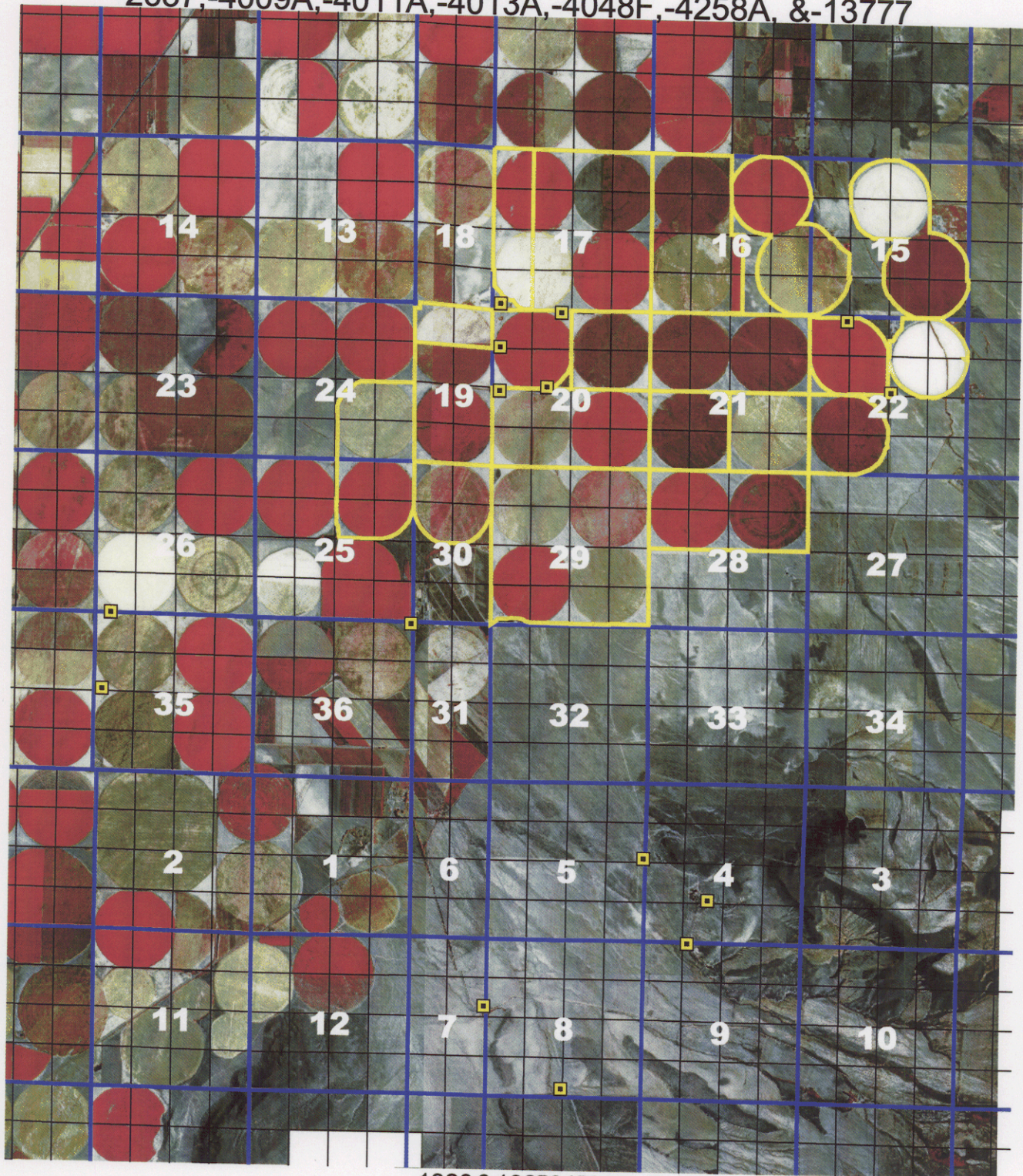
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Decreed

Idaho Department of Water Resources

45-168,-169,-695,-696,-701,-2053,-2254A,-2520,-2526,-2579,-2630,
-2657,-4009A,-4011A,-4013A,-4048F,-4258A, &-13777



13200 13206 13212 13218 13224 Feet



RECOMMENDED PLACE OF USE

DATA ENTRY ON JUNE 3, 2004

TWP 12S, RNG 22E, SEC. 24 & 25

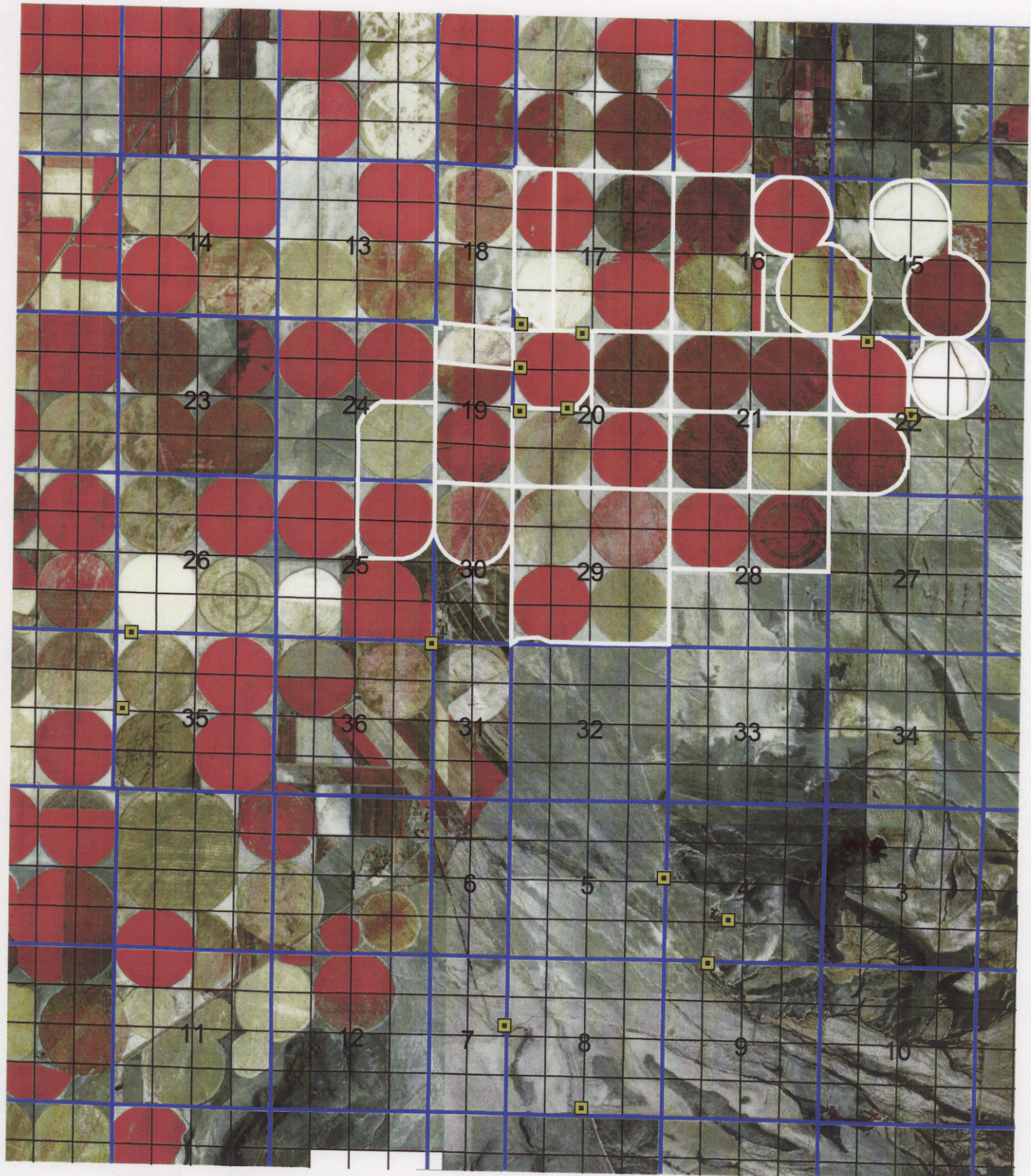
TWP 12S, RNG 23E, SEC. 15, 16, 17, 19, 20, 21, 22, 28, 29, & 30

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines



Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

Idaho Department of Water Resources
LAMBERT PRODUCE



1320 0 1326 48 960 Feet



**RECOMMENDED PLACE OF USE
 DATA ENTRY ON JULY 13, 2004**

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines



Gis Place of Use Presentation
 1987/1988 Napp Photography
 Prepared by Jeanie Robertson



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

KARL J. DREHER
Director

June 4, 2004

LAIRD B STONE
STEPHAN, KVANVIG, STONE & TRAINOR
PO BOX 83
TWIN FALLS ID 83303-0083

RE: Lambert Produce Preliminary Recommendations

Dear Mr. Stone,

I am enclosing preliminary recommendations for you to review for all of the Lambert rights. I doubt if there will be time to fix things during Notice of Error at this point, but at least you can see what the Director's Report will be at this point.

The receipt for the new expansion claim is also enclosed along with a colored map showing the place of use and points of diversion.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent



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

April 28, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LAIRD B STONE
STEPHAN KVANVIG STONE & TRAINOR
PO BOX 83
TWIN FALLS ID 83303-0083

RE: Lambert Produce

Dear Mr. Stone,

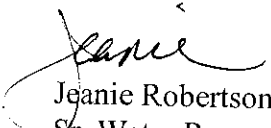
Enclosed are copies of claims 45-2520, 45-4000, & 45-4048F, which were purchased from C & T Farms by Lambert in 1998.

I have also researched right 45-166 and found that it was originally **decreed incorrectly** to part of **Section 19**, T12S, R23E to Thomas Poulton for $\frac{1}{4}$ of the flow of Willow Creek. In 1983, Robert and Ruth Moncur filed transfer #2852 to correct this apparent error and changed the place of use to **Section 9**. The quitclaim from the Batemans to First Security Bank, which Lambert used as the basis for its claim, was probably for land in Section 19, although it doesn't say, and was dated 1985. I believe this right is now correctly claimed and recommended to parts A & B for lands in Section 9 and that Lambert's claim should be disallowed.

As I mentioned in my letter of April 12, 2004, an expansion claim for 1,992 acres is needed to cover acres not irrigated by 1962. These acres are basically located in the SWNE and the SE $\frac{1}{4}$ of Section 15, the NE $\frac{1}{4}$ and East $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 22, the NE $\frac{1}{4}$ of Section 20, the South $\frac{1}{2}$ of Section 21, the North $\frac{1}{2}$ of Section 28, and the entire Section 29, all in T12S, R23E. (I usually file these types of claims as covering the entire place of use, in this case 4,984 acres, and limit the expansion to the 1,992 acres within.) Of these 1,992 acres there are 304 acres, which I found irrigated but not previously claimed. These acres are 40 in the SWNE of Section 15, 64 in the East $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 22, and 200 in the NE $\frac{1}{4}$ of the SENW of Section 28, all T 12S, R23E. The fee for the expansion claim is \$50.00 filing fee plus \$304.00 acre fee or \$354.00.

My deadline for completing recommendations for the Director's Report is fast approaching, so if you wish all of the irrigated acres to be recommended, I must have this claim by May 14, 2004, sooner if possible. Please call for another appointment if necessary or send the claim to my attention.

Sincerely,


Jeanie Robertson
Sr. Water Resource Agent



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

KARL J. DREHER
Director

April 12, 2004

Laird B Stone
Stephan, Kvanig, Stone & Trainor
PO BOX 83
TWIN FALLS ID 83303-0083

RE: Lambert Produce

Dear Mr. Stone,

I have completed my initial review of the Lambert Produce Adjudication Claims and have drawn some conclusions. There are 4,984 irrigated acres, of which 1,996 are covered by licenses and another 996 acres recognized as beneficial use acres, leaving 1,992 expansion acres. (There were 304 acres that were not previously claimed.) An expansion claim will be needed with a \$50.00 filing fee plus \$304.00 for the unclaimed acres.

Groundwater rights:

Licenses

45-2254A	4/12/1948	2.6 cfs	880 AF	220 acres
45-2520	3/28/1956	5.92 cfs	1920 AF	480 acres
45-2526	10/15/1956	4.55 cfs	1280 AF	320 acres
45-2579	5/20/1958	2.58 cfs	1148 AF	287 acres
45-2630	10/7/1960	2.4 cfs	1280 AF	320 acres
45-2657	6/14/1961	2.96 cfs	1476 AF	369 acres

Totals:	21.01 cfs	7984 AF	1996 acres
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Beneficial Use:

45-4009A	5/9/1953	3.16 cfs	2554 AF	636 acres
45-4011A	4/14/1953	1 cfs	-----	(same as -4009A)
45-4013A	4/10/1948	2.92 cfs	-----	(same as -2630)
45-4048F	9/1/1959	0	1440 AF	360 acres

Totals:	7.08 cfs	3984 AF	996 acres
----------------	-----------------	----------------	------------------

A grand total of groundwater diversion rates will be limited to 28.09 cfs and a total combined volume of 11,968 AF.

I am not recognizing any additional diversion rate for 45-4048D and F because the wells of the original statutory claim (45-4048) were field examined for licenses in 1957 and 1962. Any additional diversion rate for these wells would need proof that system upgrades were completed before the area was closed in January of 1962. (I will allow volume of 1440 AF for the 360 acres irrigated by 1962 under part F.)

Besides the rights we discussed previously regarding disallowal (45-166C, 45-2066, 45-2109, and 45-4256), I also intend to disallow the wastewater claims 45-4000, 45-4007, 45-4008, and 45-4014. More information would be needed as to whether these rights are still used and if wastewater is still available.

45-4258A will need to be reduced to reflect the Quitclaim of .6 cfs of 45-4258 for Land Creek to Robert and Fredona Schenk executed in 1986 and now claimed as 45-4258B.

Please give me a call as soon as possible so we can schedule another meeting to file the expansion claim and I can proceed with the recommendations for the rest of the claims.

Sincerely,



Jeanie Robertson
Sr. Water Resource Agent

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-695 V1

WATER RIGHT NUMBER: 45-695 V1

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	STEPHAN, KVANVIG, STONE & TRAINOR PO BOX 83 TWIN FALLS, ID 83301 (208)862-3346
Current Owner	LAMBERT PRODUCE CO INC C/O CORY KING 203 E 1100 S BURLEY, ID 83318 (208)678-2668

Priority Date: 04/01/1890

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LAND CREEK	GOOSE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01	12/15	3.200 CFS	
	<u>Total Diversion:</u>		3.200 CFS	

Location of Point(s) of Diversion

LAND CREEK	NW1/4NE1/4NW1/4	Sec. 9,	Twp 13S,	Rge 23E, B.M.
CASSIA County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	22E	24													40.0	32.0	39.0	41.0	152.0
12S	22E	25	41.0	39.0	36.0	31.0													147.0
12S	23E	15		32.0	40.0	3.0	34.0		4.0	34.0	3.0	35.0	30.0	2.0	36.0	38.0	34.0	32.0	357.0
12S	23E	16	32.0	34.0	32.0	38.0	41.0	41.0	41.0	40.0	41.0	41.0	41.0	41.0	40.0	22.0	18.0	37.0	580.0
12S	23E	17	41.0	41.0	41.0	41.0	41.0	41.0	41.0	41.0	41.0	41.0	31.0	41.0	41.0	41.0	41.0	41.0	646.0
12S	23E	19	39.0	39.0	40.0	39.0									40.0	40.0	40.0	40.0	317.0
				L 1	L 2											L 3	L 4		
12S	23E	20	40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	635.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-695 V1

12S 23E 21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
12S 23E 22	32.0	34.0	31.0	32.0	30.0	39.0	33.0	39.0	32.0	40.0	40.0	33.0						415.0
12S 23E 28	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0										320.0
12S 23E 29	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0	38.0	40.0	40.0	38.0	38.0		629.0
12S 23E 30	40.0	40.0	33.0	32.0														145.0
		L 1	L 2															

Total Acres: 4983

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. Place of Use USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
- Irrigation TOTAL OF 4983 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:
45-168, 45-169, 45-695, 45-696, 45-701, 45-2053, 45-2254A, 45-2520, 45-2526, 45-2579,
45-2630, 45-2657, 45-4009A, 45-4011A, 45-4013A, 45-4048F, 45-4258A, & 45-13777.
2. Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE
- Irrigation DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. jroberts 5/29/2004 Basis of Recommendation

Comment: Recommended for irrigation of 160 acres in a 4,983 ac ppu with many licenses, several beneficial use claims, surface water decrees, and an expansion claim of 1,991 acres.

Water Right Report 45-695

<u>Owner Type</u>	<u>Name and Address</u>
Present Owner	LAMBERT PRODUCE CO INC ATTN: CHRIS DRAKOS PO BOX 793 BLACKFOOT, ID 83221
Current Owner	B W DANSIE ID

Status: Active

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/	to /		
IRRIGATION	3/01	to 12/15	3.200 CFS	
STOCKWATER	/	to /		
	<u>Total Diversion:</u>		3.200 CFS	

Location of Point(s) of Diversion
LAND CREEK NE1/4NW1/4 Sec. 9, Twp 13S, Rge 23E, B.M.
CASSIA County

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
13S	23E	4									X	X	X	X					

DOMESTIC same as IRRIGATION
STOCKWATER same as IRRIGATION

Conditions of Approval:

Remarks:

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-695

Dates and Other Information:

Licensed Date:

Decreed Date: 3/3/1926

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number: 45C

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Log for claim A45-00695

Spatial Dynamics LRR

3/17/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s23e	9	NENW	0	0	Uncertain that tributary is accurate
12s23e	21	NWSW	NWSE 40	40	
12s23e	21	SWSW	SWSE 40	40	
12s23e	21	SESW	SESE 40	40	
12s23e	21	NESE	40	40	
Totals:			160	160	

- Orig. paper claim shows entire SE $\frac{1}{4}$ claimed, not SW $\frac{1}{4}$!
(decreed to SW $\frac{1}{4}$) typo?

- no storage on decree

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ADJUDICATION CLAIM PROFILE REPORT

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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LAMBERT PRODUCE INC RT 2 BOX 2430 BURLEY ID 83318	04/01/1890	IRRIGATION	03-01 12-15	3.200 CFS	
			IRRIGATION STORAGE	01-01 12-31		6.00 AFA
			IRRIGATION FROM STORAGE	03-01 12-15		6.00 AFA
			STOCKWATER	12-15 03-01	0.230 CFS	
			STOCKWATER STORAGE	12-15 03-01		6.00 AFA
TOTAL DIVERSION:					3.200 CFS	6.00 AFA
CONSUMPTIVE USE:						480.00 AFA

Water Source: LAND CREEK

Tributary to: GOOSE CREEK

Stage: DECREED

Point(s) of Diversion:

T13S R23E S09

NENW

CASSIA 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		
12S	23E	21	:					:					:					:					:	
														40	40	40	40		40					160.0
TOTAL ACRES																							160.0	

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

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

POU County: CASSIA

Non-Irrigation Uses: S/1000 CATTLE, LEASED TO SCHENK FEEDLOT.

Other Rights: A45-04009A, A45-04013A, A45-00698B, A45-00701

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A45-00696 A45-04258A A45-12894Other Water Rights Listing Overlapping Place(s) of Use:
A45-04007 A45-04013A

Remarks: GEN CHANGE IN P/U WAS MADE PRIOR TO THE ORDER COMMENCING THE GENERAL ADJUDICATION.
STORAGE AND DIVERSION FOR IRRIGATION UNDER SAME RIGHT. IRRIGATION MADE FROM STORAGE AND NATURAL FLOW.
P/U GIVEN FOR STOCKWATER T12S. R23E. SEC. 30.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 45C

Field Inspection Flag:

Presumption Flag: D

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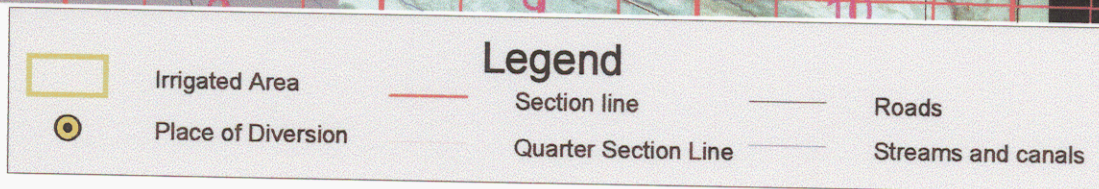
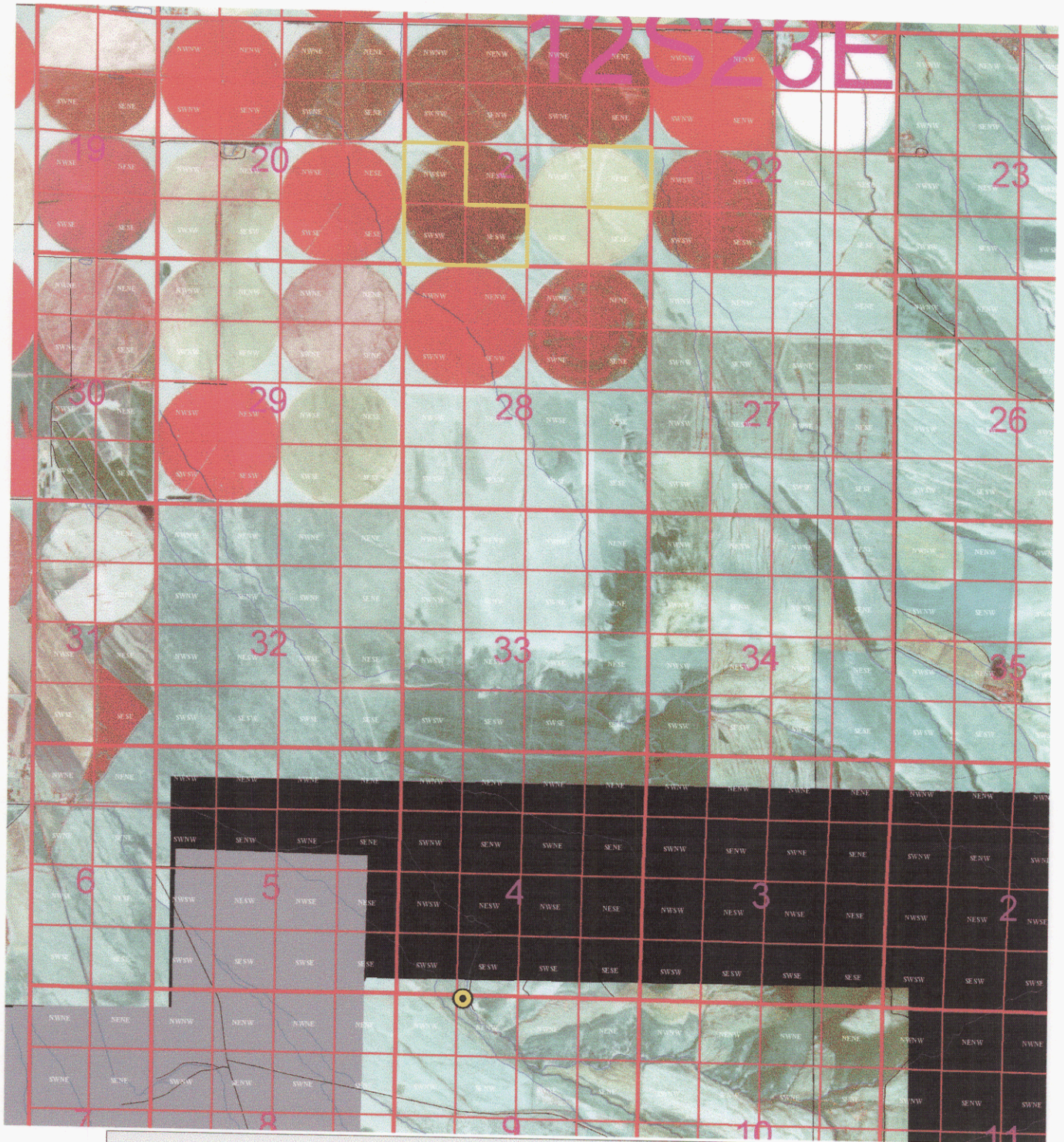
DATE: 01/25/00

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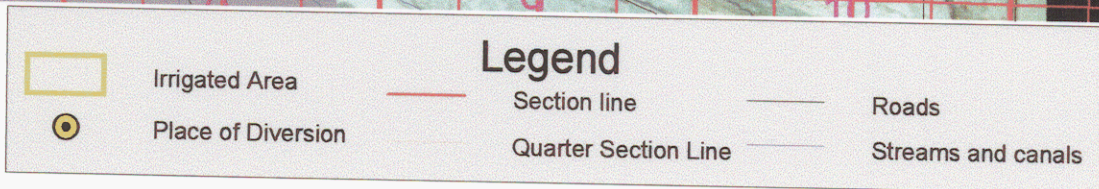
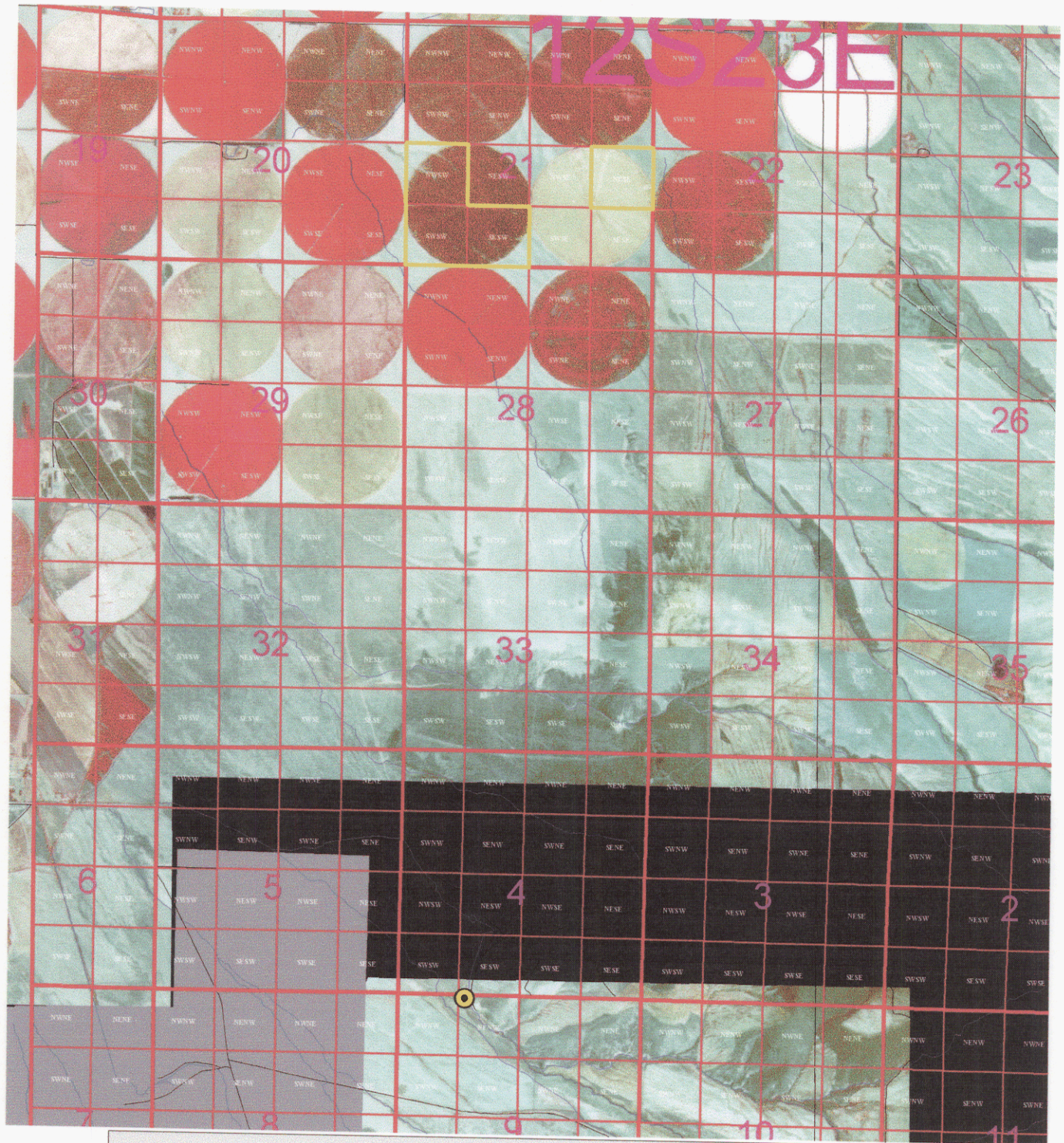
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Township , 12S23E



Township , 12S23E



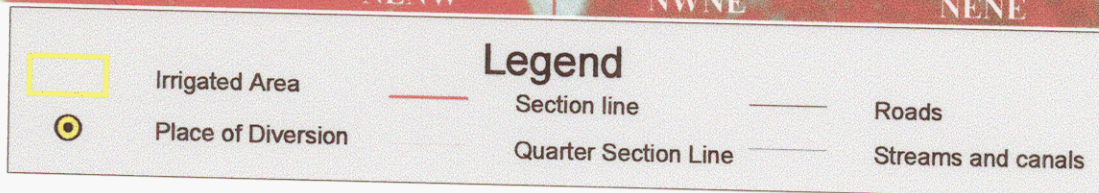
Township , 12S23E



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



Township , 12S23E



Township , 12S23E



Irrigated Area

Place of Diversion

Legend

— Section line

— Quarter Section Line

— Roads

— Streams and canals



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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LAMBERT PRODUCE INC	04/01/1890	IRRIGATION	03-01 12-15	3.200 CFS	6.00 AFA
			IRRIGATION STORAGE	01-01 12-31		6.00 AFA
			IRRIGATION FROM STORAGE	03-01 12-15		6.00 AFA
			STOCKWATER	12-15 03-01	0.230 CFS	
			STOCKWATER STORAGE	12-15 03-01		6.00 AFA
TOTAL DIVERSION:					3.200 CFS	6.00 AFA
CONSUMPTIVE USE:						480.00 AFA

Water Source: LAND CREEK
Tributary to: GOOSE CREEK
Points(s) of Diversion: T13S R23E S09 NEW
Stage: DECREED
CASSIA County

Place of use Legal Description for: IRRIGATION									
		NE		NW		SW		SE	
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW
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