

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: A45-02053
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: FEB 4, 1909

3. Source: LAND CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	22E	36		NE	NE		CASSIA

5. Description of diverting works:
DITCH TO PONDS, PUMP TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.200		

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

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
12S	22E	25	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0

A45-02053

Page 1

Date: 03/26/91

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MAR 08 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A45-02053
Date Received: 6/06/1989
Receipt No: S007604
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAMBERT PRODUCE, INC. 208-862-3346
Address: RT. 1 BOX 44-A
OAKLEY, ID 83346

2. Date of Priority: FEB 04, 1909

3. Source: LAND CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	22E	36	NE	NE			CASSIA

5. Description of diverting works:
DITCH TO PONDS, PUMP TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.200		

7. Total Quantity Appropriated is:
3.200 C.F.S. (and/or) 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
12S	22E	25	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0

Section Acres 160.0

A45-02053

Page 1

Date: 07/20/89

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10. Place of Use: Continued

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:
 NONE

14. Remarks:

 WATER AVAILABLE IN SPRING RUN-OFF & HIGH WATER YEARS.
 NO WATER CURRENTLY AVAILABLE FOR THIS P/D. THIS LICENSE MAY
 HAVE BEEN SUPERCEDED BY DANSIE v. ROBINSON DECREE.

15. Basis of Claim: LICENSE
 Water Right Number: 4334

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

A45-02053

Date Received

6-6-89

Receipt 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) FEBRUARY
19093. Source of water supply (a) LAND CREEK
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 125 Range 22E Section 36,
NE 1/4 of NE 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.

~~System / Ditch into Ponds - Pump into Sprinkler~~
~~System / Ditch into Ponds - Pump into Sprinkler~~
~~System / Ditch into Ponds - Pump into Sprinkler~~

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MAR 08 1993

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 purposes from 3-15 to 11-15 amount 3.20 or _____

For Domestic purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

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.) Domestic

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	
123	22E	25	40	40	40	40													160

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.

or None ()

14. Remarks:

- Stream Index: 272.0 430.0 000.8 000.0 000.0 00.0
00.0 00 00 00 007.1

- 45-2053 listed under name of JAMES H. Worthington
Buxley, Id - Should be listed under name of Lambert
Produce, Inc. / Water Available in Spring Run-off & High Water yrs.

No Water Currently Available For this Point of Diversion
This license may have been superseded by DAVIS U

Last Name Lambert Ident No. _____

Copies: White-State Yellow-Claimant

MAR 08 1993

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.

Scale: 2 inches equals 1 mile

T125 R22E

[illegible]

Ident No.

MAR 08 1993

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 45-2053
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) _____ Date _____
_____ Date _____

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

Signature of Authorized Agent Cathy King
Title and Organization Farm Manager Lambert Producers 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, Laird 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 Laird B. Stone

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

Date 5/25/89

Last Name Lambert Ident. Number _____

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MAR 08 1993

[illegible]

MAR 08 1993

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

07/13/89 00:07:54
Page 2

Water right number -	45-02053	Adj. flag translation:	Standard Water Right Number	
+ - - - -	- Decree Plaintiff	- - - - -	- Decree Defendant	- - - - -
				+ - Decree Date - + 00/00/0000
+ - - - -	Audit Fields - 03/26/85	05/28/88	CONVERT	
+ - - - -	- - - - -	- - - - -	Water Rights Dates and Flags Area	- - - - -
	Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000
	Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000
	Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000
	Start Work Date	- 00/00/0000	Verified Date	- 03/26/1985
	Order Show Cause	- 00/00/0000	Receipt Number	-
	Licensed Date	- 05/24/1979	Appl Received	- 00/00/0000
	Decree Date	- 00/00/0000		
			Field Exam Fee	-
			Swan Falls	-
			Temporary Right	- P
			DLE/Carey Act	-
			Water District	- 45F
			Transfer/Amended	-

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MAR 08 1993

9770312004 8.63/04

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

RIGHT NUMBER: 45-2053

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

SOURCE: LAND CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 3.200 CFS

PRIORITY DATE: 02/04/1909

POINT OF DIVERSION:

T12S R22E S36 NENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

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

06/03/2004

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	40.0
T12S R23E S20	SWNE	40.0	T12S R23E S20	SENE	40.0
T12S R23E S20	NENW	40.0	T12S R23E S20	NWNW	40.0
T12S R23E S20	SWNW	40.0	T12S R23E S20	SENW	35.0
T12S R23E S20	NESW	40.0	T12S R23E S20	NWSW	40.0
T12S R23E S20	SWSW	40.0	T12S R23E S20	SESW	40.0
T12S R23E S20	NESE	40.0	T12S R23E S20	NWSE	40.0
T12S R23E S20	SWSE	40.0	T12S R23E S20	SESE	40.0
T12S R23E S21	NENE	40.0	T12S R23E S21	NWNE	40.0
T12S R23E S21	SWNE	40.0	T12S R23E S21	SENE	40.0
T12S R23E S21	NENW	40.0	T12S R23E S21	NWNW	40.0
T12S R23E S21	SWNW	40.0	T12S R23E S21	SENW	40.0
T12S R23E S21	NESW	40.0	T12S R23E S21	NWSW	40.0
T12S R23E S21	SWSW	40.0	T12S R23E S21	SESW	40.0
T12S R23E S21	NESE	40.0	T12S R23E S21	NWSE	40.0
T12S R23E S21	SWSE	40.0	T12S R23E S21	SESE	40.0
T12S R23E S22	NENE	32.0	T12S R23E S22	NWNE	34.0
T12S R23E S22	SWNE	31.0	T12S R23E S22	SENE	32.0
T12S R23E S22	NENW	30.0	T12S R23E S22	NWNW	39.0
T12S R23E S22	SWNW	33.0	T12S R23E S22	SENW	39.0
T12S R23E S22	NESW	32.0	T12S R23E S22	NWSW	40.0
T12S R23E S22	SWSW	40.0	T12S R23E S22	SESW	33.0
T12S R23E S28	NENE	40.0	T12S R23E S28	NWNE	40.0
T12S R23E S28	SWNE	40.0	T12S R23E S28	SENE	40.0
T12S R23E S28	NENW	40.0	T12S R23E S28	NWNW	40.0
T12S R23E S28	SWNW	40.0	T12S R23E S28	SENW	40.0
T12S R23E S29	NENE	40.0	T12S R23E S29	NWNE	40.0
T12S R23E S29	SWNE	40.0	T12S R23E S29	SENE	40.0
T12S R23E S29	NENW	40.0	T12S R23E S29	NWNW	40.0
T12S R23E S29	SWNW	40.0	T12S R23E S29	SENW	40.0
T12S R23E S29	NESW	40.0	T12S R23E S29	NWSW	40.0
T12S R23E S29	SWSW	35.0	T12S R23E S29	SESW	38.0
T12S R23E S29	NESE	40.0	T12S R23E S29	NWSE	40.0
T12S R23E S29	SWSE	38.0	T12S R23E S29	SESE	38.0
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

06/03/2004

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.

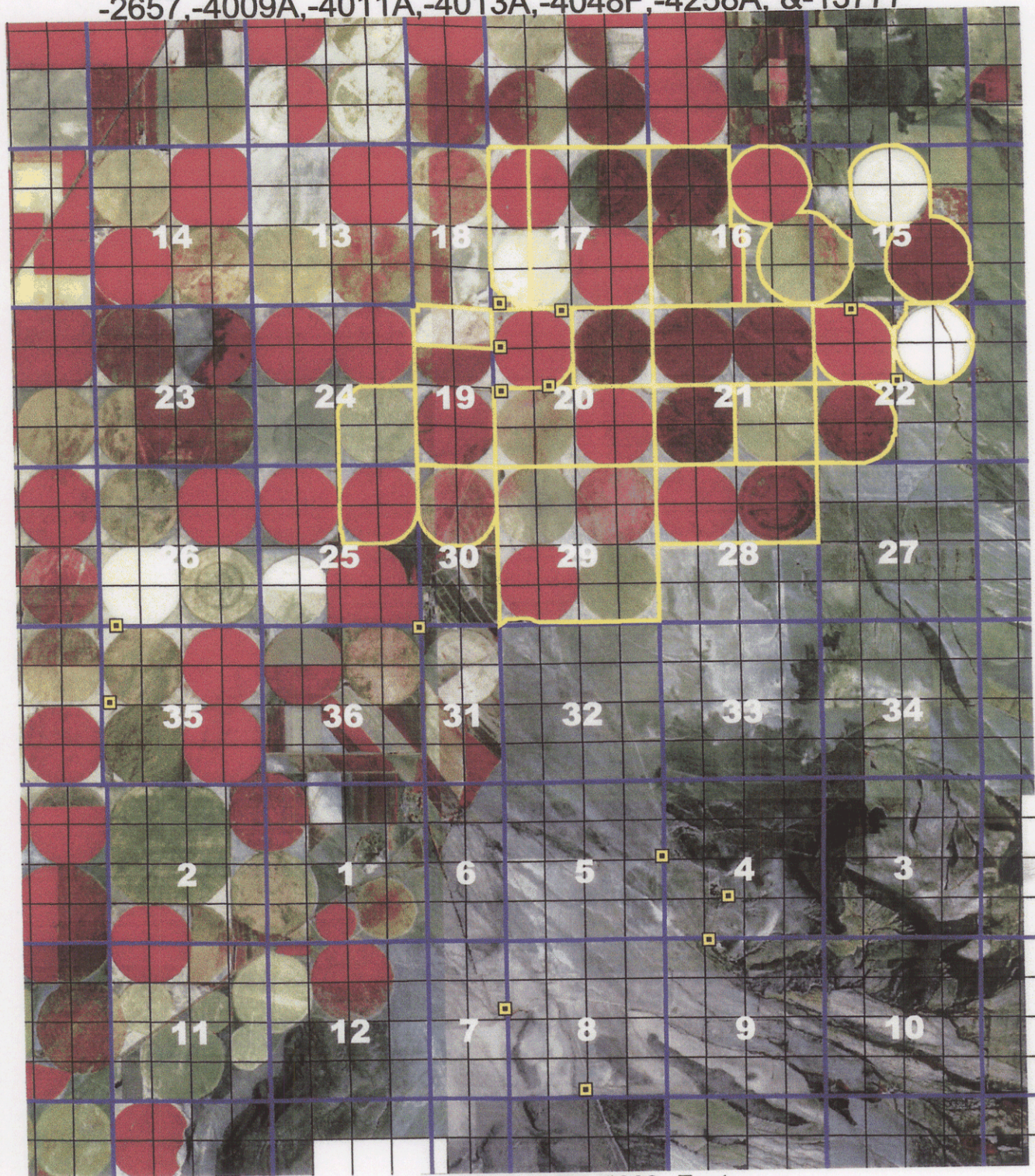
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: License

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 13226 48960 Feet



RECOMMENDED PLACE OF USE

DATA ENTRY ON JUNE 3, 2004

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

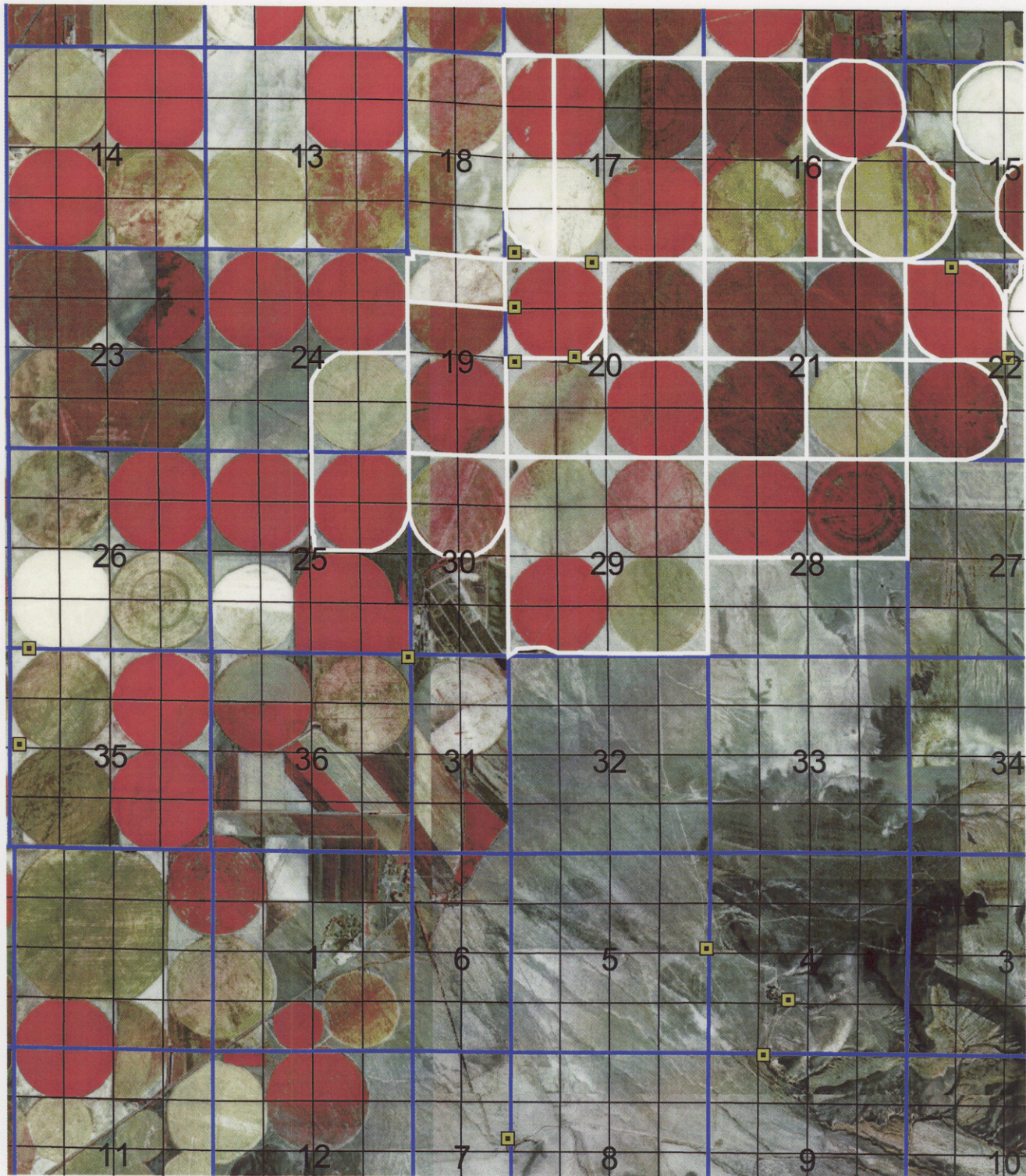
TWP 12S, RNG 23E, SEC. 15, 16, 17, 19, 20, 21, 22, 28, 29, & 30

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



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

LAMBERT PRODUCE



1320 0 13206403960 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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 45-2053 V1

WATER RIGHT NUMBER: 45-2053 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: 02/04/1909

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
LAND CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	3.200 CFS	
	<u>Total Diversion:</u>	3.200 CFS	

Location of Point(s) of Diversion

LAND CREEK	NE1/4NE1/4NE1/4	Sec. 36, Twp 12S, Rge 22E, 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



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 28, 2004

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

RE: Lambert Produce

Dear Mr. Stone,

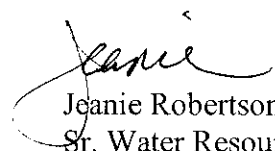
Enclosed are copies of claims 45-2520, 45-4000, & 45-4048F, which were purchased from C & T Farms by Lambert in 1998.

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

Log for claim A45-02053

Spatial Dynamics MWY

3/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s22e	25	NENE	40	36	POD PLACEMENT?
12s22e	25	NWNE	40	32	
12s22e	25	SWNE	40	30	
12s22e	25	SENE	40	32	
Totals:			160	130	

- surface water
- orig. l.e. slightly differently
overlaps w/ 2579

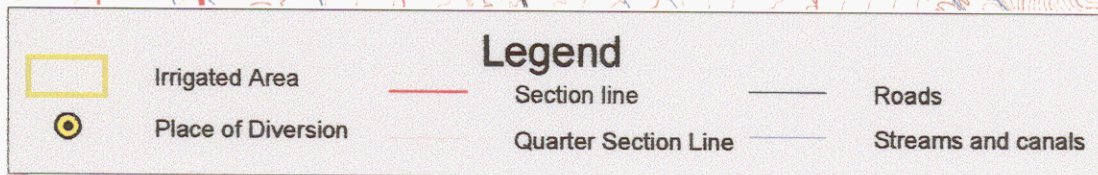
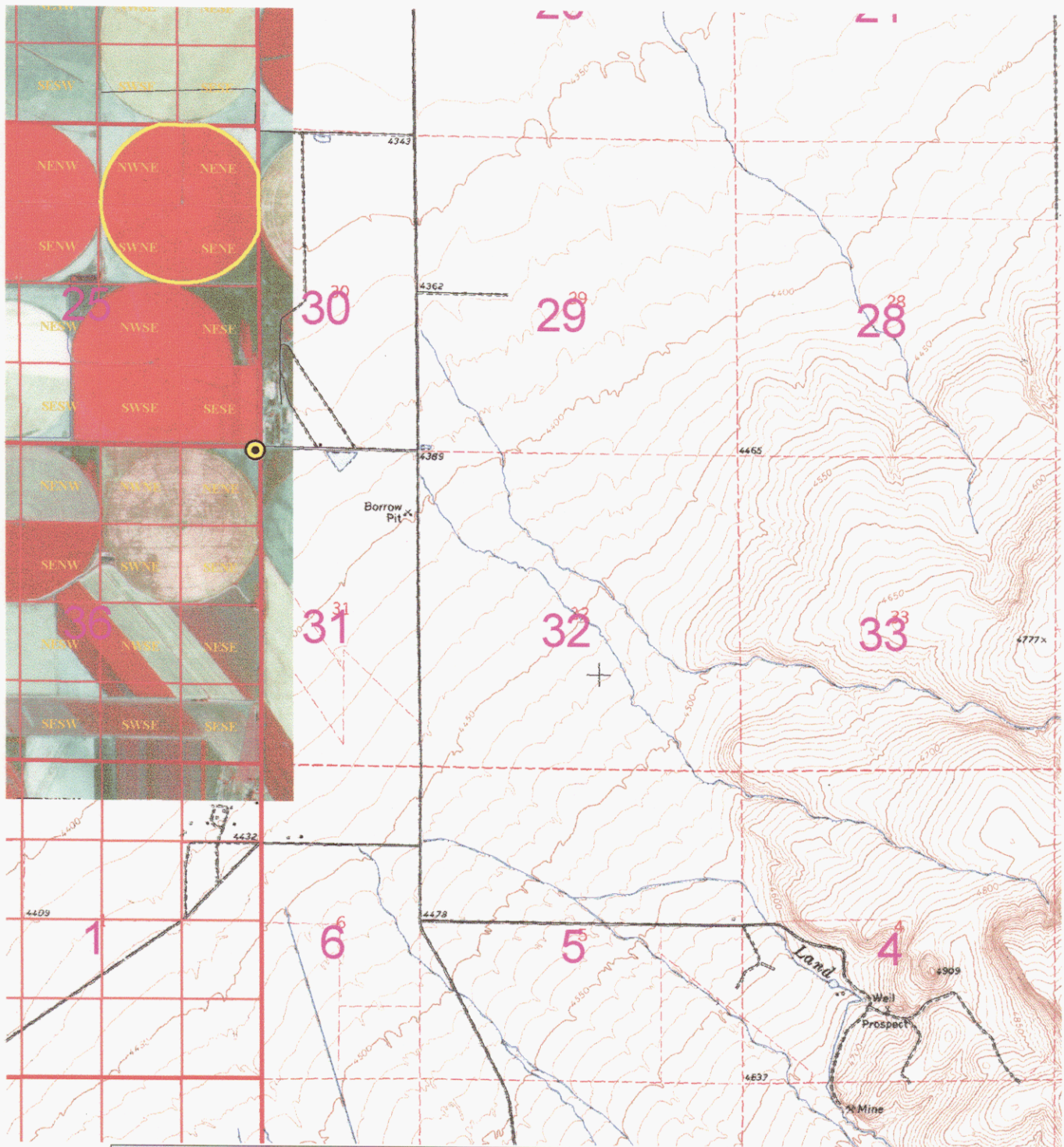
45F

? license may have been superseded?
Dunne vs Robinson?

(decree was signed 3/3/1926)

probably okay - not a party to the decree

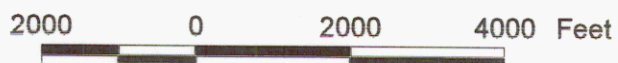
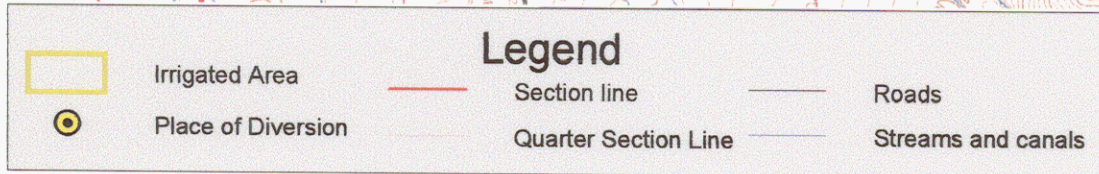
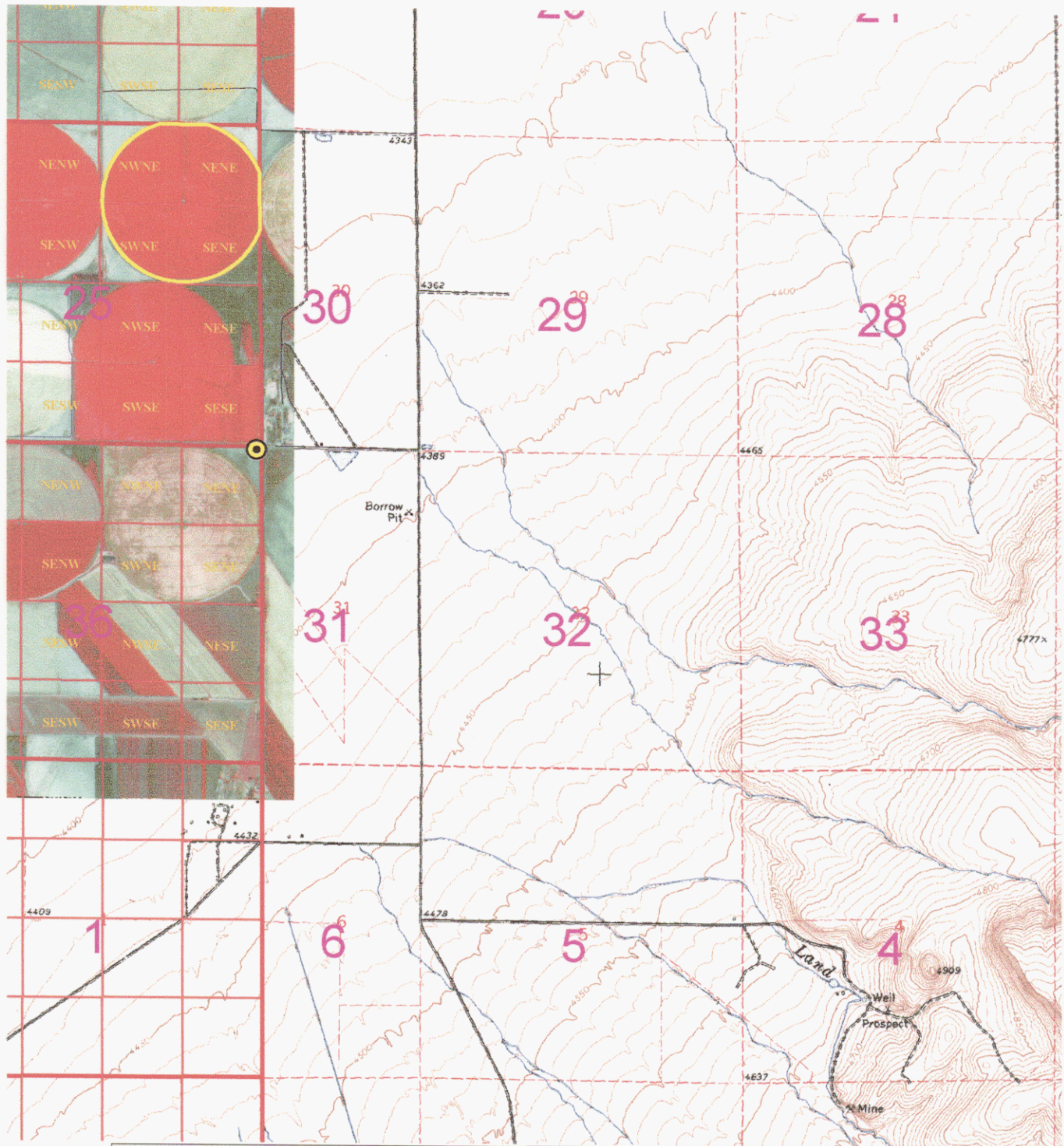
Townships , 12S22E, 12S23E



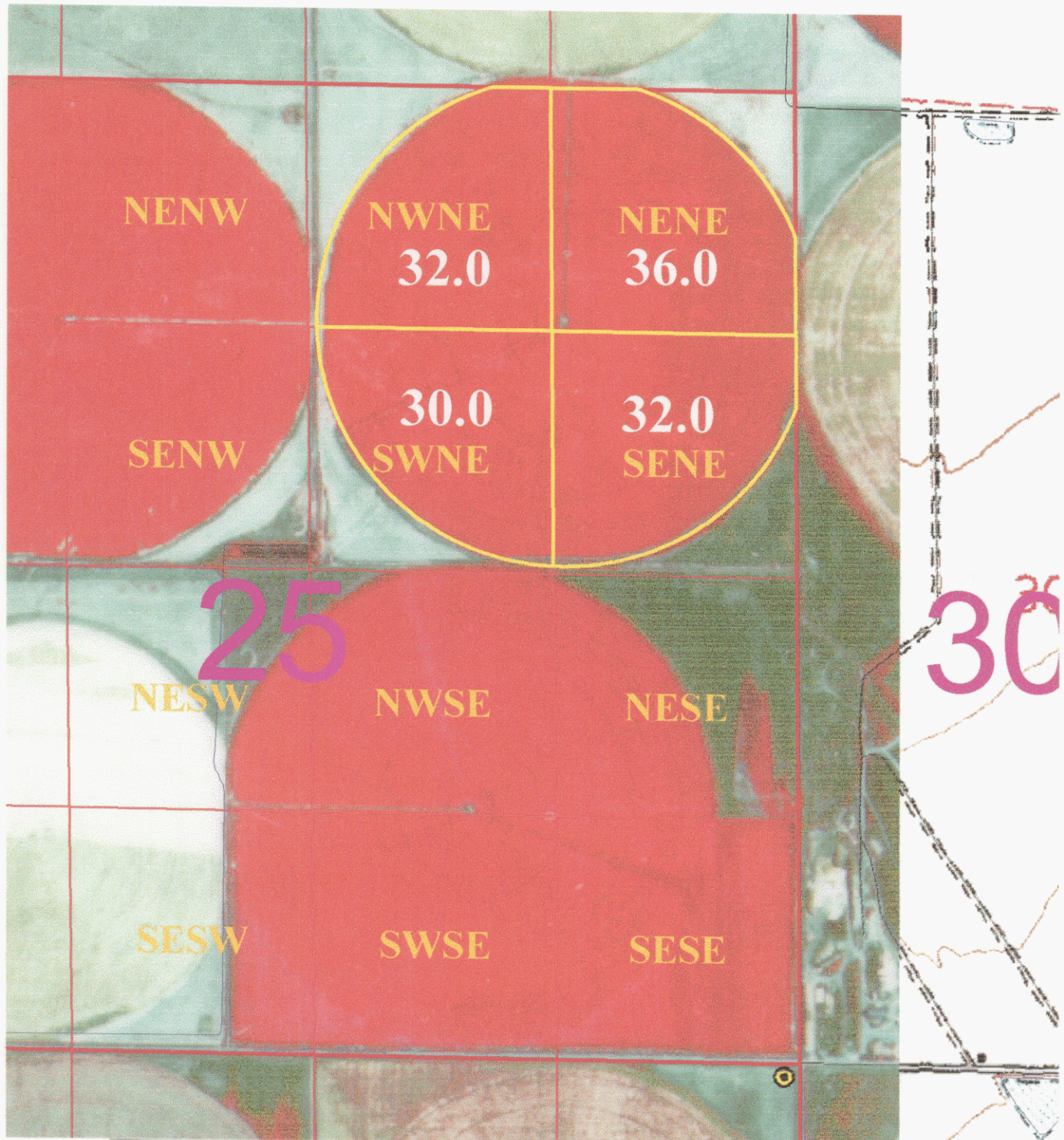
2000 0 2000 4000 Feet



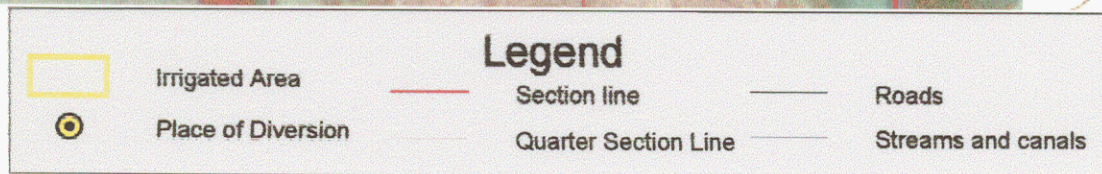
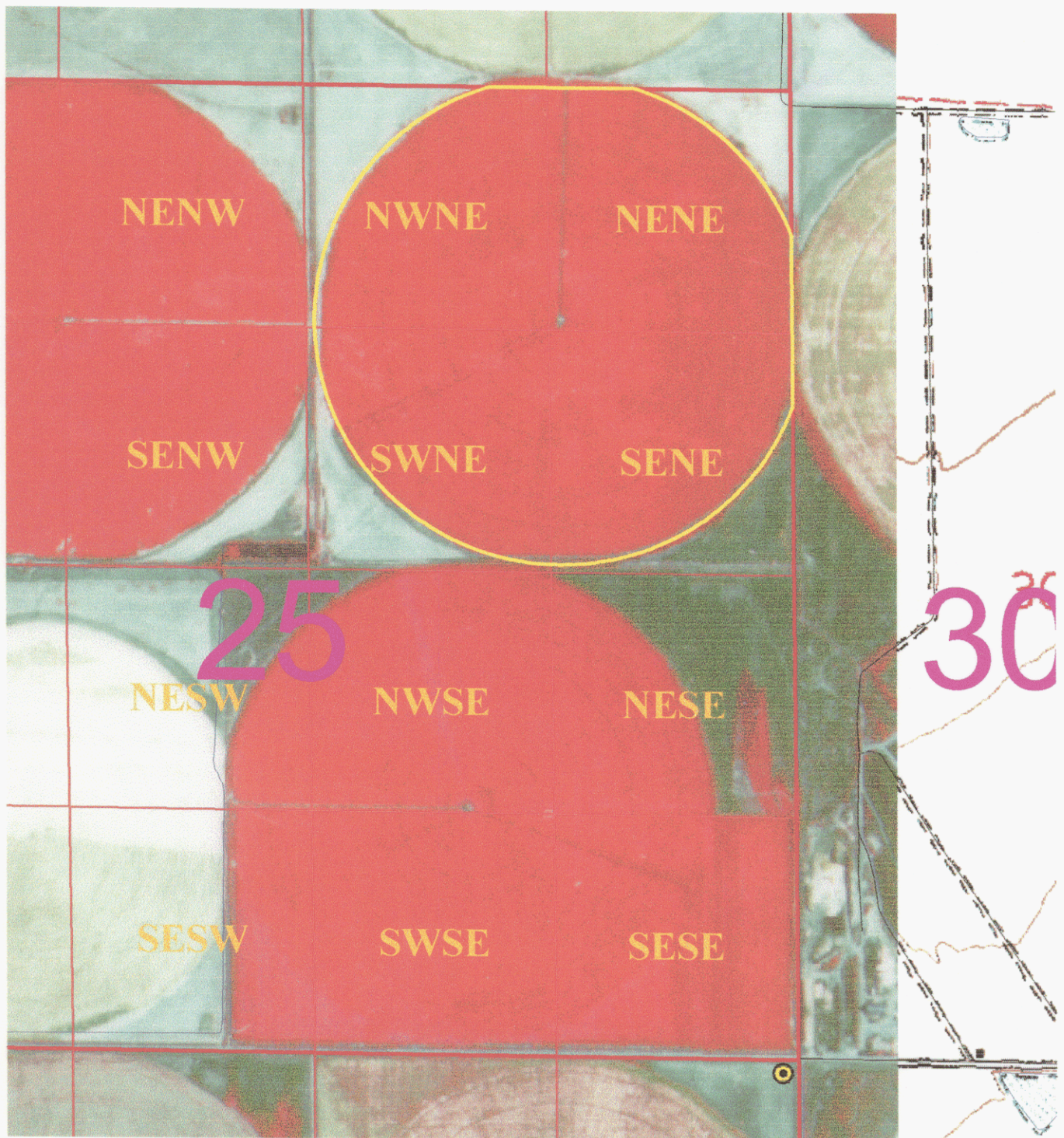
Townships , 12S22E, 12S23E



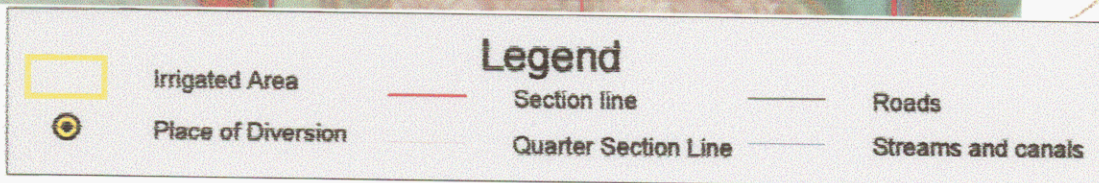
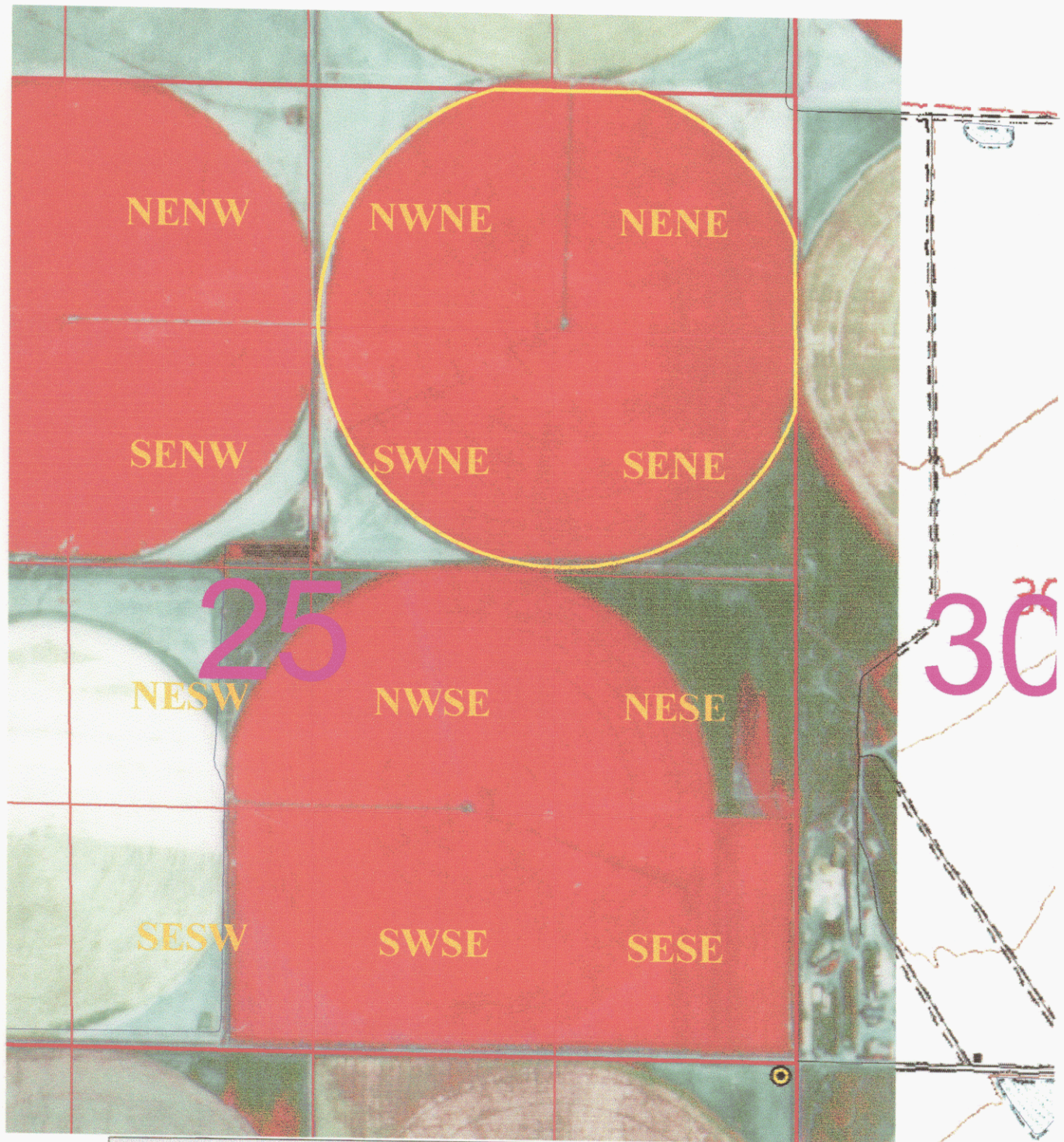
Townships , 12S22E, 12S23E



Townships , 12S22E, 12S23E



Townships , 12S22E, 12S23E



State of Idaho

License and Certificate of Water Right

Water License No. 4334 / 45-2053

Water District No. 10-A

Amount. 3.2 sec. ft.

Priority 2-4-09

THIS IS TO CERTIFY that **JAMES H. WORTHINGTON** of **Burley, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated February 4, 1909; that Permit No. 4334 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 6.4 second feet, was issued thereunder on November 11, 1915, showing that said works were completed on the 31st day of March, 1913; and that on the 4th day of February, 1919,

JAMES H. WORTHINGTON

of **Oakley**, State of **Idaho**, made proof to the satisfaction of the State Engineer of Idaho, of the right to use the waters of **Lane Creek**, a tributary of **Snake River**, for the purpose of irrigation & domestic use under Use Permit No. 4334 of the State Engineer and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 2981, on the 10th day of October, 1922; The right hereby confirmed dates from February 4, 1909;

The Point of Diversion is located on the east line of in-the NE 1/4 NE 1/4, Sec. 36, Tp. 12 S., R. 22 E., B. M. County of Cassia.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 3.	22 E.	25	SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	--
			SW 1/4 SW 1/4	40	--
			SE 1/4 SW 1/4	40	--

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 10th day of October, 1922.

W. G. SWENDSEN
Commissioner of Reclamation

45 2053

REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 164

1. State name of applicant and number of permit: Jas. H. Worthington- Permit 4334
2. State source of water supply: Land Creek
3. Location of point of diversion: N.E. Cor. Sec. 36, T.12 S., R. 22 E. B.M.

4. Describe works as they exist, giving dimensions and capacities of same: Ditches are constructed which are probably adequate for the irrigation of the land in question.

5. State whether or not water has been turned into works of diversion: Do not know.

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): Same as No. 3 Sec. 25, T.12 S., R. 22 E. B.M.

Land is all cleared and partly fenced. No crops is being raised this year and no evidence of crops in recent years. Land is all overgrown with mustard. Place apparently abandoned.

Beneficial use of water. None.

7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system?
9. Give names and amount of each right:

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

11. Describe the various tributaries en route from point of diversion to the principal drainage stream: Land Creek to Snake River.

Remarks:

This examination was made on the 13 day of July 1921

(Signed)

Geo. W. Carter
Examiner.

Yrs. H. Worthington and 7221

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SEC.

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SECRET

Pitch.

Land Creek

Point of Diversion

23

SEC. 7.12.8.223 PM. SEC.

SCALE: 2 INCHES = 1 MILE. DRAW PLAN INK.

AJ5809NP
No. A45-02053

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/25/00
PAGE: 130

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	02/04/1909	IRRIGATION	03-15 11-15	3.200 CFS	
TOTAL DIVERSION:					3.200 CFS	

Water Source: LAND CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T12S R22E S36

NENE

CASSIA 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	:	SUM	
12S	22E	25	:	40		40		40		40				:	160.0	
															TOTAL ACRES	160.0

POU County: CASSIA

Other Rights: NONE

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

A45-00448 A45-02579 A45-04008 A45-04009 A45-04009A A45-04011A A45-04013 R45-04009

Remarks: GEN WATER AVAILABLE IN SPRING RUN-OFF & HIGH WATER YEARS.
NO WATER CURRENTLY AVAILABLE FOR THIS P/D. THIS LICENSE MAY
HAVE BEEN SUPERCEDED BY DANSIE V. ROBINSON DECREE.

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

Misc: Water District Number: 45F Field Inspection Flag:
Presumption Flag: C

Audit: 07/20/89 CLELLAND 03/26/91 BEDKE 03/30/95 POST-STD

AJ5809NP
No. A45-02053

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/24/00
PAGE: 38

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LAMBERT PRODUCE INC	02/04/1909	IRRIGATION	03-15 11-15	3.200 CFS	
TOTAL DIVERSION:					3.200 CFS	

Water Source: LAND CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T12S R22E S36

NENE

CASSIA County

Place of use Legal Description for: IRRIGATION

	NE	NW	SE	SW	SUM
T R S	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac
12S 22E 25	: 40	: 40	: 40	: 40	: 160.0
TOTAL ACRES					160.0

POU County: CASSIA

Other Rights: NONE

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

A45-00448 A45-02579 A45-04008 A45-04009 A45-04009A A45-04011A A45-04013 R45-04009

Remarks: GEN WATER AVAILABLE IN SPRING RUN-OFF & HIGH WATER YEARS.
NO WATER CURRENTLY AVAILABLE FOR THIS P/D. THIS LICENSE MAY
HAVE BEEN SUPERCEDED BY DANSIE V. ROBINSON DECREE.

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

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Presumption Flag: C

Audit: 07/20/89 CLELLAND 03/26/91 BEDKE 03/30/95 POST-STD