

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: A45-02254A

Date Received: 6/6/1989

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 12, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL AND PUMP, SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.600		

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

A.F.A.

8. Total consumptive use is 696.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	23E	22	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			NE	SW		IRR	38.0
			NW	SW		IRR	38.0

A45-02254A

Page 1

Date: 03/26/91

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MAR 17 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: A45-02254A
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: APR 12, 1948
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 13S | 23E | 4 | NW | SW | | | CASSIA |
5. Description of diverting works:
WELL AND PUMP, SPRINKLERS.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 2.600 | | |
7. Total Quantity Appropriated is:
2.600 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 696.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:
- | Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 12S | 23E | 22 | NW | NW | | IRR | 40.0 |
| | | | SW | NW | | IRR | 40.0 |
| | | | NE | SW | | IRR | 38.0 |
| | | | NW | SW | | IRR | 38.0 |
- A45-02254A Page 1 Date: 07/20/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	23E	22	SW	SW		IRR	38.0
			SE	SW		IRR	38.0
Section Acres							232.0
Total Acres							232.0

516 125↑

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:
A45-00169, A45-00696

14. Remarks:

TRANS. 3134. AC. IRR. = 220.
CHANGE IN P/U WAS MADE PRIOR TO THE GENERAL ADJUDICATION
COMMENCEMENT ORDER. 45-2254A REPRESENTS 2.6 CFS OF 45-2254 WHICH
WAS A WR OWNED BY JACK ALLRED THEN TRANSFERED TO 1ST SECURITY
BANK THEN TRANSFERED TO LAMBERT UPON SALE OF THE REAL PROPERTY.
ORIGINAL P/D WAS NESW SEC. 4, T13S. R23E. (GOAT RANCH UNIT)
DWR NOTE
10 ACRE EXPANSION OF THIS LIC. MAY REQUIRE A SEPERATE CLAIM TO BE
VALID.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
_____ 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: ³⁹⁵⁷⁶
Ident. Number A45-02254A
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) 862-3346
Mailing Address Route #1, Box 44-A, Oakley, Id Zip 83346
2. Date of Priority (Only one (1) per claim) April 12 1948
3. Source of water supply (a) Groundwater
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 13S Range 23E Section 04,
NW 1/4 of SW 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.
Well - Depth APPROX 500 FT - Pipeline to Sprinkler System

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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 03-15 to 11-15 amount 2.60 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.60 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 696 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	
12S	23E	22						40	40		38	38	38	38					232

Total number of acres irrigated 232

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

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13. Describe any other water rights used at the same place and for the same purposes as described above. 45-0696 45-0169 **MAR 17 1993**

or None ()

14. Remarks:

CHANGES IN PLACE OF USE WAS
MADE PRIOR TO THE GENERAL ADJUDICATION COMMENCEMENT ORDER
45-2254A REPRESENTS 2.6 CFS OF 45-2254 WHICH WAS
A WATER RIGHT OWNED BY JACK ALBERT THEN TRANSFERRED TO
1ST SECURITY BANK THEN TRANSFERRED TO LAMBERT UPON SALE
OF THE RANCH PROPERTY. ORIGINAL PT OF DIVERSION WAS
NE SW 34 T13S R23E (GOAT RANCH UNIT)

Last Name Lambert

Ident No. _____

Copies: White -State, Yellow-Claimant

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.

APR 4 2005
SCANNED

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MAR 15 1988

Scale: 2 inches equals 1 mile

[illegible]

Last Name Lambert Ident No. _____

MAR 17 1993

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 45-2254A
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 Produce Inc Organization _____, that I have signed the foregoing
document in the space below as Farm Manager Title _____ of Lambert Produce Inc Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Cory Kiny
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, _____ 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 _____

Last Name Lambert Ident. Number _____

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MAR 17 1993

Copies White-State, Yellow-Claimant

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MAR 17 1993

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- p
Start Work Date	- 00/00/0000	Verified Date	- 08/05/1986	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 07/02/1971	Appl Received	- 00/00/0000	Transfer/Amended	- p
Decree Date	- 00/00/0000				

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MAR 17 1993

06/02/2004

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

RIGHT NUMBER: 45-2254A

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.600 CFS
880.000 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 28.09 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 10,983 AF. COMBINED RIGHT NOS.: 45-2254A,
45-2520, 45-2526, 45-2579, 45-2630, 45-2657, 45-4009A, 45-4011A,
45-4013A, 45-4048F, & 45-13777.

PRIORITY DATE: 04/12/1948

POINT OF DIVERSION:

T12S R22E S26 SWSWSW Within CASSIA County
T12S R22E S35 SWSWNW Within CASSIA County
T12S R23E S15 SESESW Within CASSIA County
T12S R23E S17 SWSWSW Within CASSIA County
T12S R23E S20 NENENW Within CASSIA County
T12S R23E S20 SWNNW Within CASSIA County
T12S R23E S20 SWSWNW Within CASSIA County
T12S R23E S20 SWSWNE Within CASSIA County
T12S R23E S22 SWSWNE Within CASSIA County
T13S R23E S4 NESW Within CASSIA County
T13S R23E S5 SESENE Within CASSIA County
T13S R23E S8 SESESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

2.600 CFS
880.00 AFY

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

Water Right 45-2254A

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

T12S R23E S16	SWNW	41.0	T12S R23E S16	SENE	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	SENE	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
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	SENE	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	SENE	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	SENE	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

06/02/2004

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

T12S R23E S28	SWNW	40.0	T12S R23E S28	SENE	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	SENE	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

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 220 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.

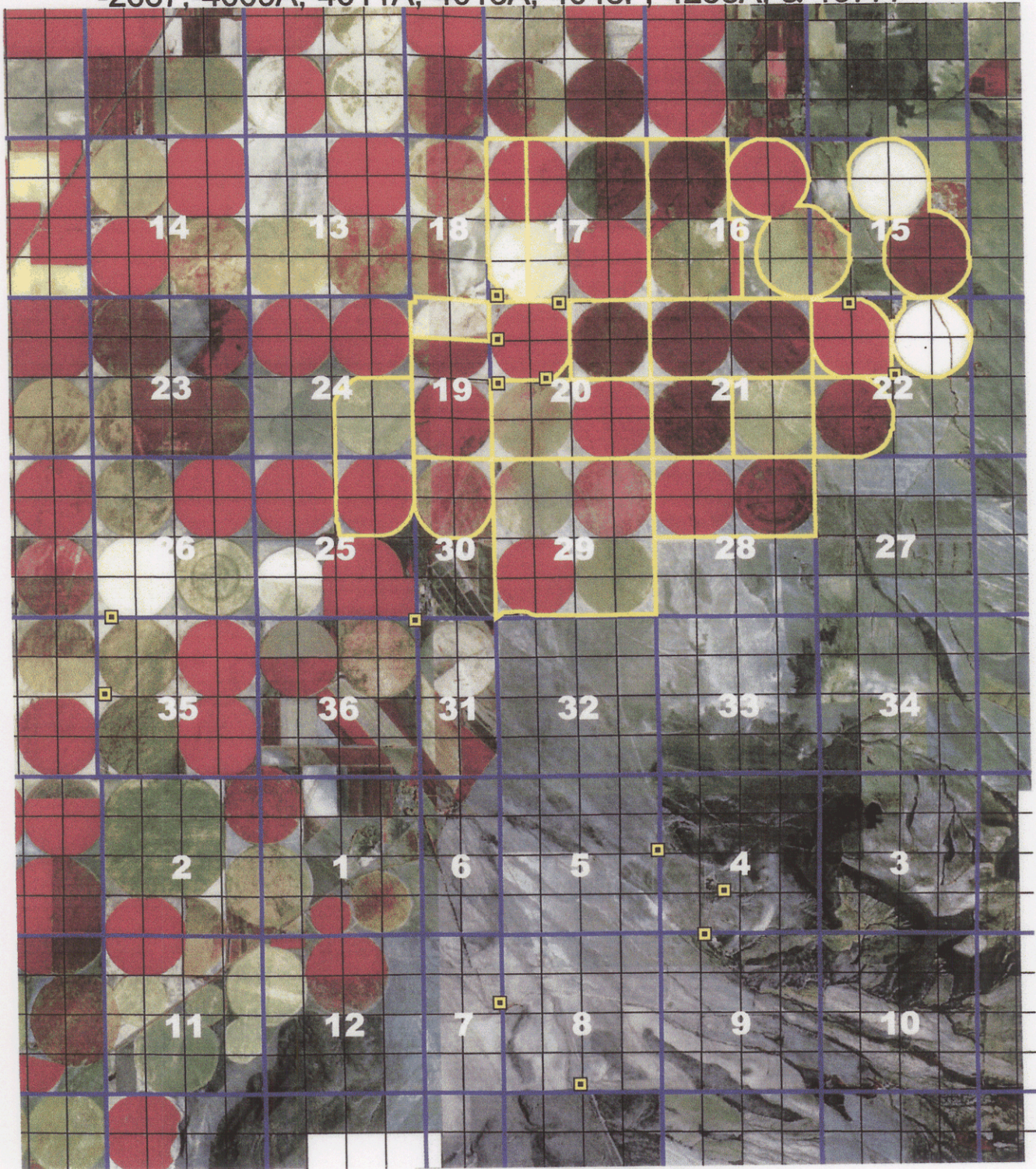
EXPLANATORY MATERIAL: License

RIGHT NO. 45-13777 IS AN EXPANSION OF THE FOLLOWING RIGHT NOS. PURSUANT TO SECTION 42-1416B, IDAHO CODE. COMBINED RIGHT NOS.: 45-2254A, 45-2520, 45-2526, 45-2579, 45-2630, 45-2657, 45-4009A, 45-4011A, 45-4013A, & 45-4048F.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-2254.

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 13243 13260 Feet



RECOMMENDED PLACE OF USE

DATA ENTRY ON JUNE 3, 2004

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

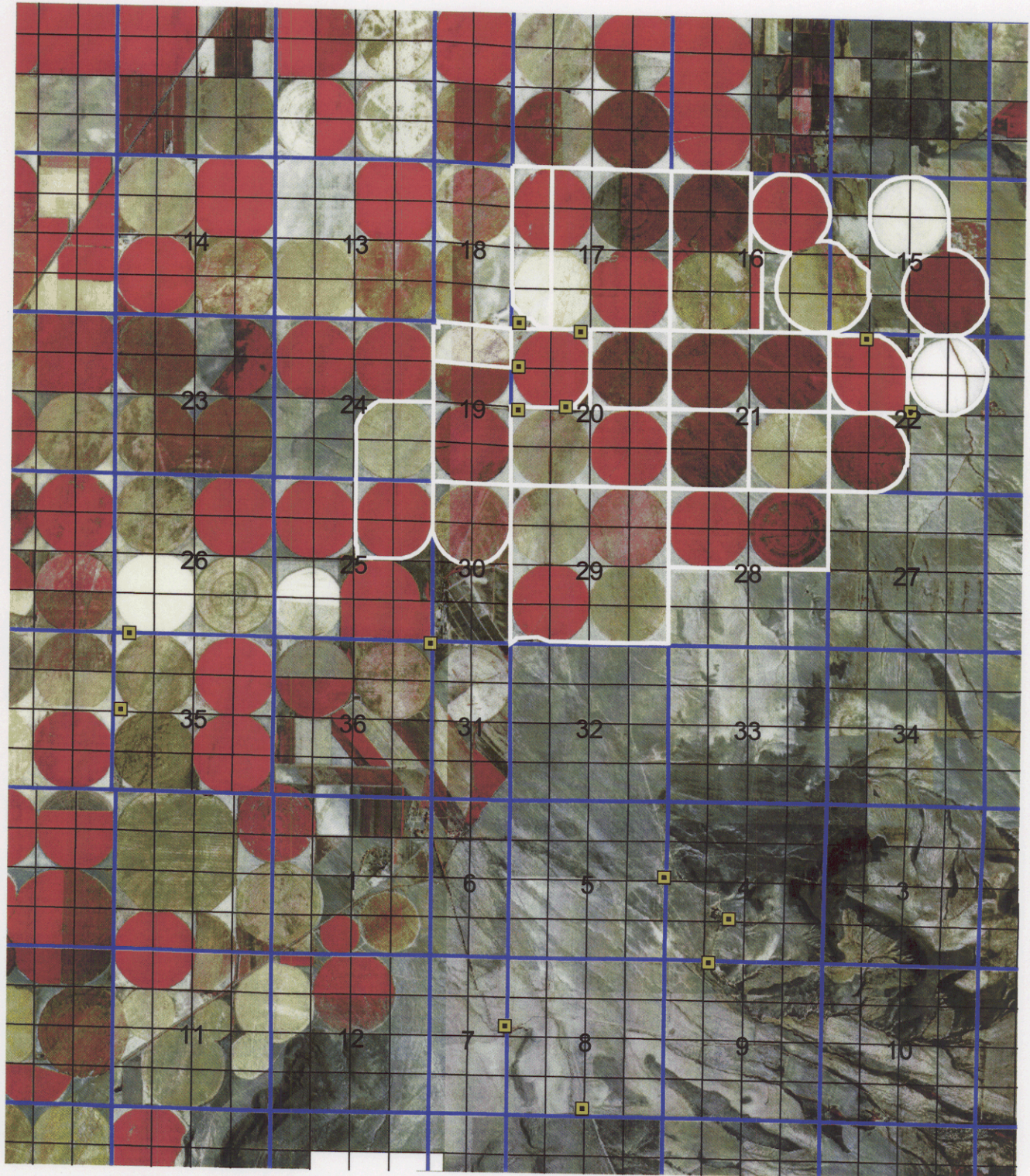
TWP 12S, RNG 23E, SEC. 15, 16, 17, 19, 20, 21, 22, 28, 29, & 30

- 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



13200 13264 13960 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 45-2254A V1

WATER RIGHT NUMBER: 45-2254A V1

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

Priority Date: 04/12/1948

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.600 CFS	880.00 AF
	<u>Total Diversion:</u>	2.600 CFS	880.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4NW1/4	Sec. 35, Twp 12S, Rge 22E, B.M.
CASSIA County		
GROUND WATER	SE1/4SE1/4SW1/4	Sec. 15, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SW1/4SW1/4NE1/4	Sec. 22, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SW1/4SW1/4SW1/4	Sec. 17, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	NE1/4NE1/4NW1/4	Sec. 20, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SW1/4NW1/4NW1/4	Sec. 20, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 20, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SW1/4SE1/4NW1/4	Sec. 20, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	NE1/4SW1/4	Sec. 4, Twp 13S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SE1/4SE1/4NE1/4	Sec. 5, Twp 13S, Rge 23E, B.M.
CASSIA County		

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-2254A V1

GROUND WATER

CASSIA County

SE1/4SE1/4SW1/4

Sec. 8, Twp 13S, Rge 23E, B.M.

GROUND WATER

CASSIA County

SW1/4SW1/4SW1/4

Sec. 26, Twp 12S, Rge 22E, B.M.

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
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	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:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-2254A V1

1. Place of Use - Irrigation 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.
2. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 28.09 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 10,983 AF. COMBINED RIGHT NOS.: 45-2254A, 45-2520, 45-2526, 45-2579, 45-2630, 45-2657, 45-4009A, 45-4011A, 45-4013A, 45-4048F, & 45-13777.
3. Explanatory RIGHT NO. 45-13777 IS AN EXPANSION OF THE FOLLOWING RIGHT NOS. PURSUANT TO SECTION 42-1416B, IDAHO CODE. COMBINED RIGHT NOS.: 45-2254A, 45-2520, 45-2526, 45-2579, 45-2630, 45-2657, 45-4009A, 45-4011A, 45-4013A, & 45-4048F.
4. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 220 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-2254.

Comments:

1. jroberts 5/29/2004 Basis of Recommendation

Comment: Recommended in a 4,983 ac ppu with many licenses, several beneficial use claims, surface water decrees, and an expansion claim of 1,991 acres. This right is limited to 220 acres. There are 12 interconnected wells and the legal descriptions of their locations have been clarified where possible with WMIS points. One of the claimed wells in the SESW of Section 8, T13S, R23E has been moved to the SESENE of Section 5, T13S, R23E per approved transfer #5038 in 1997. These two wells (Sections 5 & 8) and their diversion rates are also shared by Elquist Ranches. The well in Section 17 and two of the wells in Section 20 (SWNWNW and SWSWNW) are shared by Chris Drakos.



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,

Jeannie 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,

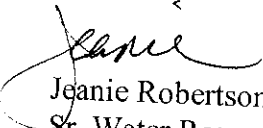
Enclosed are copies of claims 45-2520, 45-4000, & 45-4048F, which were purchased from C & T Farms by Lambert in 1998.

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

06/21/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-2254A

WATER RIGHT NUMBER: 45-2254A

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ALBERT ANDERSON & SONS INC
Current Owner	, ID LAMBERT PRODUCE CO RT 1 BOX 40D OAKLEY, ID 83346

Priority Date: 04/12/1948

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To
3/15 to 11/15

Diversion Rate
2.600 CFS

Annual Volume

Total Diversion: 2.600 CFS

Location of Point(s) of Diversion

GROUND WATER

CASSIA County

NW1/4SW1/4

Sec. 4, Twp 13S, Rge 23E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
12S	23E	30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	152.0
			38.0	38.0	38.0	38.0													
13S	23E	5																	
															40.0		30.0		70.0

Total Acres: 222

Conditions of Approval:Remarks:

- General TRANS. 3134. AC. IRR. = 220.

Comments:Dates and Other Information:

Log for claim A45-02254A

Spatial Dynamics LRR

4/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s23e	22	NWNW	40	39 38	
12s23e	22	SWNW	40	40 40	
12s23e	22	NESW	38	32 40	
12s23e	22	NWSW	38	40 40	
12s23e	22	SWSW	38	40 40	
→ 12s23e	22	SESW	38	33 35	
Totals:			232	224 233	

lic = 220 Ac

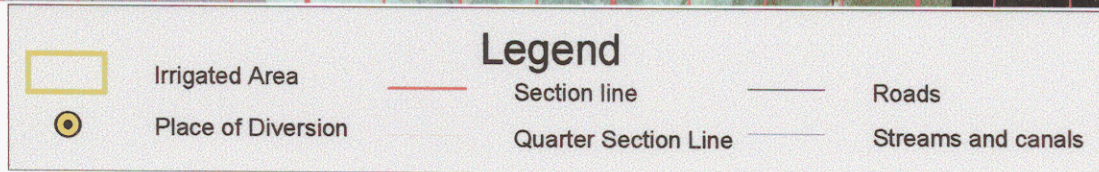
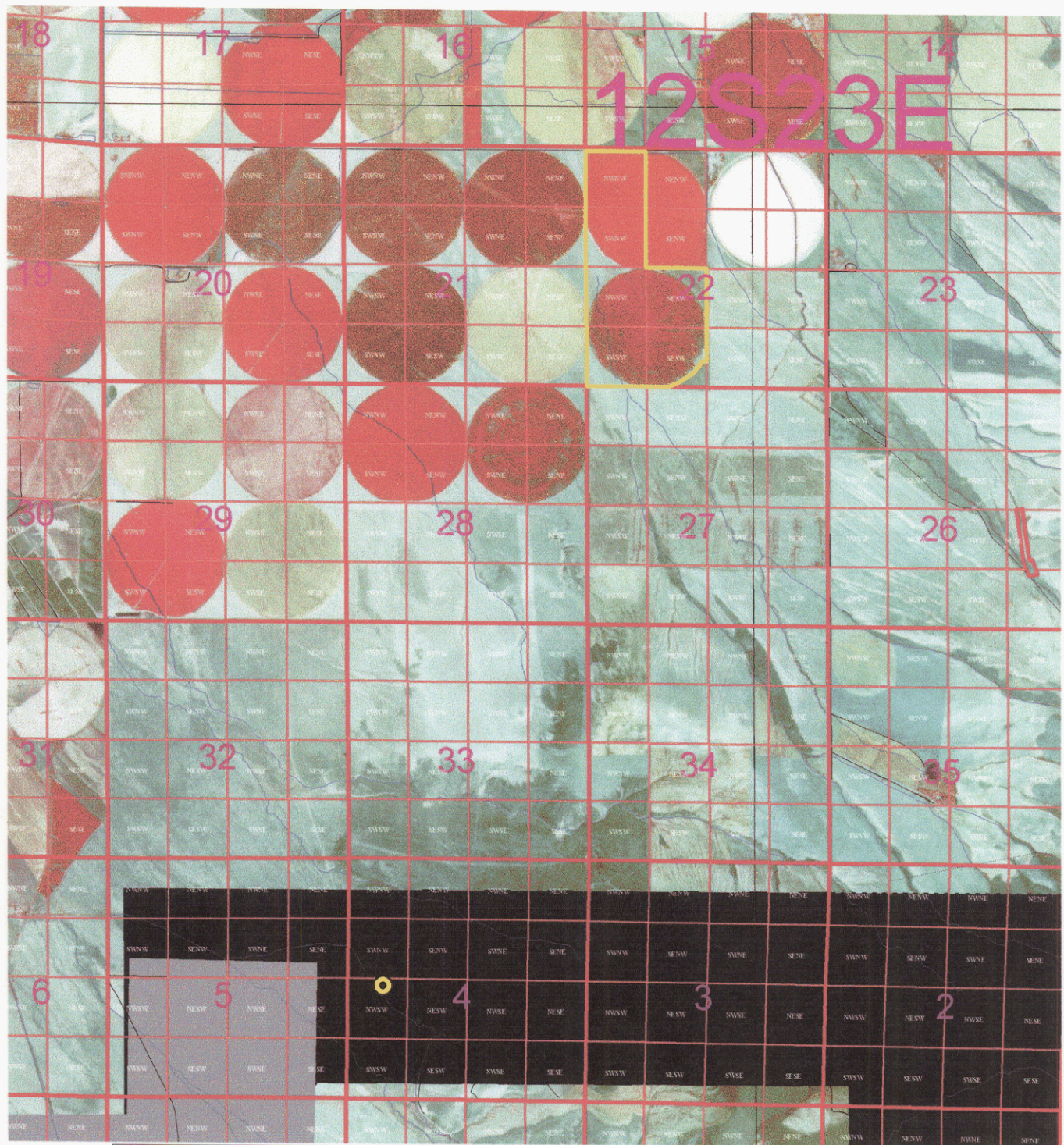
- prob. needs expansion claim for any additional acres
claimed diff. than licensed

- trans. in 1986 p.u.
diff. than claim

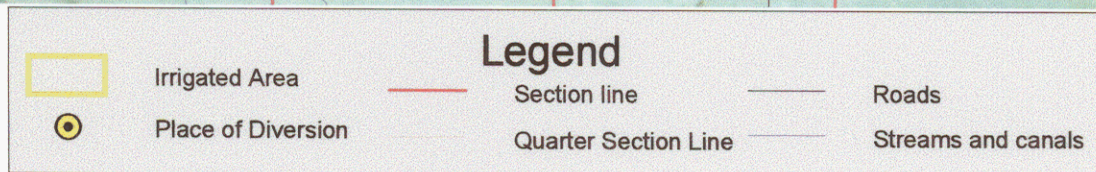
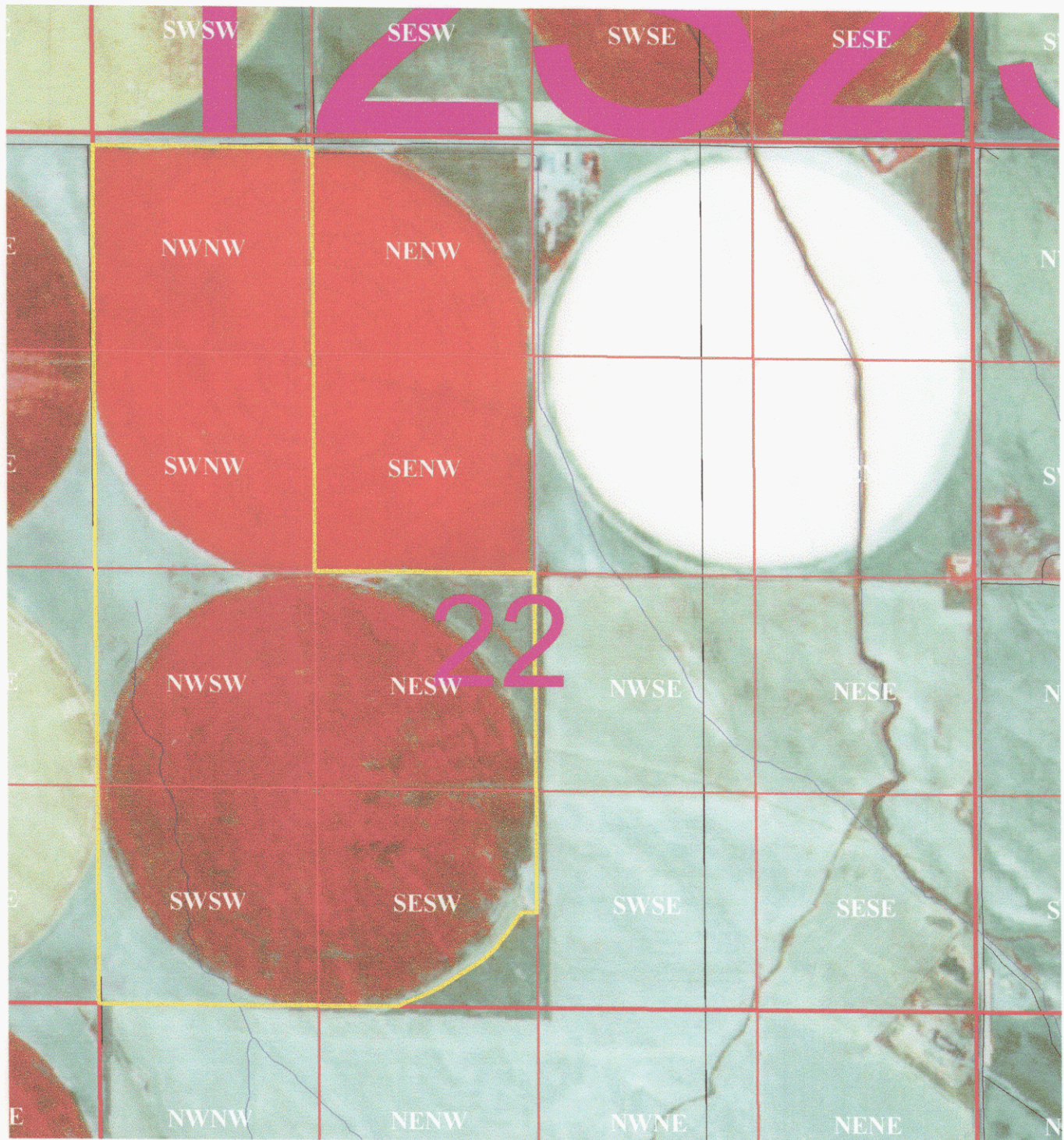
* - acres in SESW of Sec. 22 tie up with 45-2066
445-4014 (wastewater)

(limited to 220 Ac. in lg. PPU
Vol = 4,000 - 880 AF)

Township , 12S23E , 13S23E



Township , 12S23E , 13S23E



Township , 12S23E , 13S23E



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



I THINK THIS IS INCORRECT
135 23E SEC 22 SHOULD
Be 125 23E SEC 22
I HAVE MADE THIS
CHANGE

look BACK IN FILE

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 45-2254 Priority 4-12-48 Amount 4.31 c.f.s.

THIS IS TO CERTIFY, that Albert Anderson & Sons Company
of Oakley, Idaho, has complied with the terms and conditions of Permit
No. 45-2254 issued pursuant to Application for Permit dated 4-12-48
and has submitted proof to the Department of Water Administration on 8-12-50
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 4.31 c.f.s., and that the water has in fact been applied to a
beneficial use; a right to the use of water from a groundwater source
tributary of _____ is hereby confirmed in the following amounts:
Amount 4.31 c.f.s. for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 4.31 c.f.s. of water be diverted at
any one time, said waters to be diverted within the _____

NE 1/4 Sec. 4, Twp. 13 S., Rge. 23 E., B.M.

in the county of Cassia and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,480 acre feet per year or
4.0 acre feet per acre.

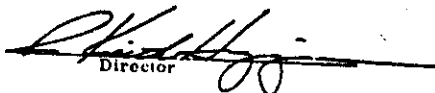
Description and location of place of use:

TWP	RANGE	SEC	NW 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NW 1/4	NW 1/4	SW 1/4	SE 1/4	NW 1/4	NW 1/4	SW 1/4	SE 1/4	NW 1/4	NW 1/4	SW 1/4	SE 1/4	NW 1/4	NW 1/4	SW 1/4	SE 1/4	
12 S	23 E	30	40	40	40	40	40	40	30	30									300
13 S	23 E	5													40			30	70

Total number of acres irrigated 370

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2nd day of
July, 1971.


Director

45-2254

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 20406

This proof is for Beneficial use In Water District No.

1. Name of applicant: Albert Anderson & Sons Co., Oakley, Idaho.
2. Source of water supply: Subterranean flow from a well.
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T. 13 S., R. 23 E., County of Cassia.
4. Describe works as they exist, giving dimensions and capacities of same: Well is 454' deep. There is 212' by 18" diameter, balance of well is 15" diameter. H. 3 years ago was 10'; 2 years ago - 36'; 1 year ago - 85'; this year - 114'. ^{Water} Bowl drawn down to 148'. Bowl sets down 200'. 4 stages, 14" bowl, 10" column. 125 h.p. U. S. Motor, 440 v., 151 amps, 3 phase, 60 cycle, 1800 r.p.m., Serial #664661. Pump is a Fairbanks Morse Pomona Turbin, Serial #PD6991. Well and pump are mounted on a concrete base approximately 6' x 7'. There is no pump house or other protection. (continued below)
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion:
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

All of Section 30, Township 12 South, Range 23 East, B. M.

S $\frac{1}{2}$ Section 5, and NE $\frac{1}{4}$ Section 8, Twp. 13 South, Range 23 East, B.M.

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

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

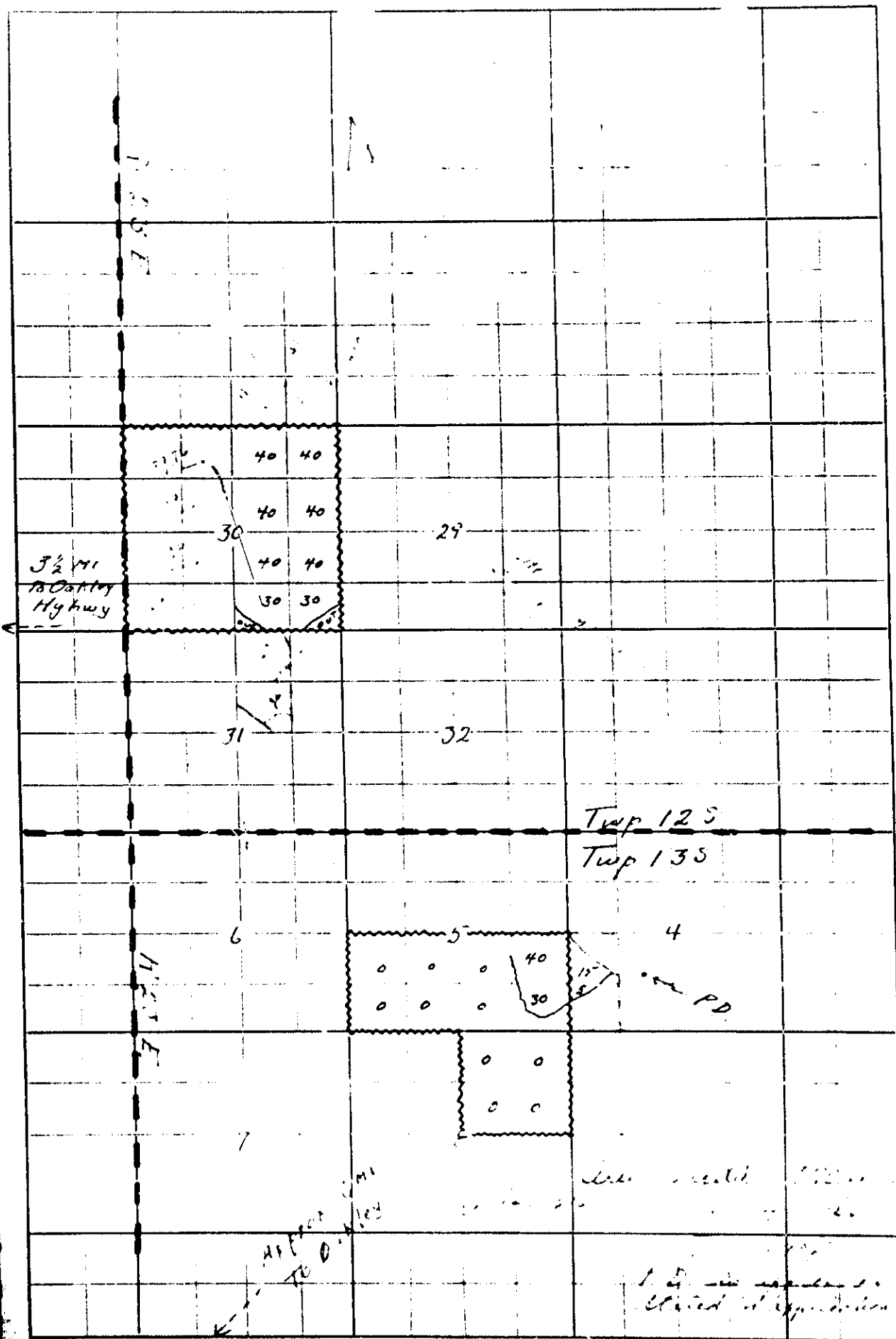
Remarks: Switches and controls are A.B. and Aestinghouse. Delivery is to the North-west through a pipe 80' long by 12" in diameter, into an open earth sump. Meter is 480 volts, G. E. #28163764. Demand is .66 kw. x 160. There is a pipe line leading to the house. It is 1 inch where it leaves the pump then to a 1 $\frac{1}{2}$ inch, then to a 2". Water T. equals 89° F. Water was measured over a 2' cippoletti weir, .74' deep. Delivery 4.31 c.f.s. or 432 inches. Crops are beans, hay and wheat.

This is supplemental water and is used on a rather large acreage. This water, plus the spring runoff, makes possible a very good farming enterprise that could not exist otherwise.

This examination was made on the 31st day of July, 1951

(Signed) *E. H. Humphrey* Examiner

20406



Scale: 2 Inches Equals 1 Mile. Draw Map in Ink.

20406