

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: **A45-02520**
Date Received: 3/ 8/1989
Receipt No: S006474
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: LAMBERT PRODUCE INC
Address: PO BOX 793
BLACKFOOT ID 83221 208-785-4334

2. Date of Priority: MAR 28, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	23E	17	SW	SW	SW		CASSIA
		20	SW	NW	NW		CASSIA
			SW	SW	NW		CASSIA

5. Description of diverting works:
THREE WELLS AND PUMPS, CONCRETE DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/01	5.920		

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

8. Total consumptive use is 1440.0 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	17	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
12S	23E	17	SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0

Section Acres 480.0

Total Acres 480.0

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:

A45-04000, A45-04048F

14. Remarks:

P/D COMBINED 45-2526, 45-2519, 45-26543 & 45-2520 BY TRANS. 1849.
THAT TOTALIZING MEASURING DEVICES OF A TYPE APPROVED BY THE DEPT.
BE MAINTAINED AT EACH P/D.

THAT NO WATER SHALL BE DIVERTED DIRECTLY OR INDIRECTLY FROM THE
WELLS & USED FOR ANY PURPOSE OR TO IRRIGATE OTHER LANDS FOR WHICH
NO WATER RTS. EXIST FOR THE USE OF THESE WELLS.

WELLS ARE SHARED BY TWO WATER USERS.

4-16-98: OWNERSHIP CHANGE C & T RANCHES TO LAMBERT PER NOTICE
REC'D 4-09-98 - VH

15. Basis of Claim: LICENSE

Water Right Number: 26288



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 16, 1998

Lambert Produce, Inc.
PO Box 793
Blackfoot, Idaho 83221

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): **A45-02520, A45-04048F, A45-04000**
Change of Ownership Notification

Dear Claimant(s):

We are in receipt of documents which show that you have purchased property with the above referenced Snake River Basin Adjudication claims, and our records have been changed, accordingly. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. If you have any questions, please contact me at this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Vikie Hancock'.

Vikie Hancock
S.R.B.A. Records Clerk

ENCLOSURES

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
 APR 09 1998

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

1. **Water Right Number(s)** A45-02520, A45-04048F and A45-04000
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. **Name and Address of Former Owner/Claimant(s)** C & T Oakley Ranch, Inc.
175 W. Hwy. 30, Burley, Idaho 83318
4. **New Owner/Claimant(s)** Lambert Produce, Inc.
 Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR
New Mailing Address P. O. Box 793
City, State and ZIP Code Blackfoot, Idaho 83221
New Telephone Number () -
5. **Date you acquired the property** March 26, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. **Signature of New Owner/Claimant(s)** LAMBERT PRODUCE, INC. **Date** 3-26-98
 By: Chris Drakos **Date** _____
 Chris Drakos, President
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

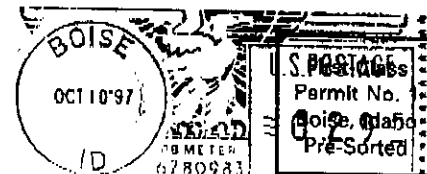
IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83407-1718 (208) 525-7161



STATE OF IDAHO RETURN SERVICE
 PETE T. CENARRUSA REQUESTED
 SECRETARY OF STATE
 700 WEST JEFFERSON
 PO BOX 83720
 BOISE, ID 83720-0080

PRESORTED
 FIRST CLASS



IDAHO ANNUAL REPORT FORM

PRESORTED FIRST - CLASS MAIL

ATTENTION:
 VICKIE HANCOCK

C 48218
 LAMBERT PRODUCE, INC.
 CHRIS DRAKOS
 BOX 793
 BLACKFOOT

ID 83221

RECEIVED

APR 16 1998

Department of Water Resource
 Southern Region

No. C 48218	Annual Report Form Due No Later Than November 30, 1997		2. Registered Agent and Office NOT A P.O. BOX CHRIS DRAKOS 405 N. E. MAIN BLACKFOOT ID 83221	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FEE REQUIRED	1. Mailing Address - Please Correct, If Not Correct LAMBERT PRODUCE, INC. CHRIS DRAKOS BOX 793 BLACKFOOT ID 83221		3. Organized Under the Laws of: ID C 48218	
** FINAL NOTICE **				
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors Limited Liability Companies: Enter Names and Addresses of ☐ Managers or ☒ Members (check one)				
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u> <u>Zip</u>
PRESIDENT	CHRIS DRAKOS	P O BOX 793	blackfoot	ID 83221
V. PRESIDENT	STEVE DRAKOS	625 NO 1200 WEST	SALT LAKE CITY	UT 84116
DIRECTOR				
SECRETARY	ROBERT MAXFIELD	1483 BECK STREET	SALT LAKE CITY,	UT 84116
5.		6.		
		Signature <u>Blayne D Bird</u> Date <u>10-14-97</u> Name (Typed or Printed) <u>BLAYNE D BIRD</u> Title <u>OFF. MGR</u>		

ISSUED: 10-04-1997

DO NOT TAPE OR STAPLE

758

Fold, seal and mail this portion.

254532

WARRANTY DEED

#29700

For Value Received

C & T OAKLEY RANCH, INC., an Idaho corporation

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

LAMBERT PRODUCE, INC., an Idaho corporation

Address: P. O. Box 793
Blackfoot, Idaho 83221

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
 FILM 297
 1998 MAR 26 P 3:55
 CASSIA COUNTY, IDAHO
 DARRELL M. ROSKELLEY
 RECORDER
 FEE 9.00 DEPUTY for

254532

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

PARCEL NO. 1:TOWNSHIP 12 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 16: W½

Section 17: All, EXCEPTING THEREFROM, the following described parcel:

Beginning at the Southwest corner of said Section 17 said corner marked by a 5/8" rebar which shall be the Point of Beginning.
 Thence North 0°10'19" East (Basis of Bearing) along section line for 803.14 feet to a P.K. Nail;
 Thence South 47°28'42" East for 661.65 feet to a ½" rebar;
 Thence South 56°38'15" East for 666.08 feet to a ½" rebar on section line;
 Thence North 89°27'00" West along said section line for 1046.42 feet to the Point of Beginning.

PARCEL NO. 2:

An irrigation well and ditch easement for the benefit of Parcel No. 1 as created by Quitclaim Deed dated August 4, 1988 and recorded August 12, 1988 as Instrument No. 197013 on Film No. 200, records of Cassia County, Idaho, more particularly described as follows:

Beginning at the Southwest corner of said Section 17, said corner marked by a 5/8" rebar which shall be the Point of Beginning.
 Thence North 0°10'18" East along section line for 803.14 feet to a P.K. Nail;
 Thence South 47°28'42" East for 59.54 feet to a point;
 Thence South 0°10'18" West for 632.13 feet to a point;
 Thence South 89°27'00" East for 178.09 feet to a point;
 Thence South 0°10'18" West for 81.19 feet to a point;
 Thence South 89°27'00" East for 746.64 feet to a point;
 Thence South 56°38'15" East for 92.83 feet to a ½" rebar on section line;

Thence North 89°27'00" West along said section line for 1046.42 feet to the Point of Beginning.

PARCEL NO. 3:

Non-exclusive right to install, repair, maintain, alter, and operate a water conveyance system for the benefit of Parcel No. 1 as created by Quitclaim Deed, dated August 4, 1988, and recorded August 12, 1988 as Instrument No. 197013 on Film No. 200, records of Cassia County, Idaho, in, into, upon, over, across, or under the following described land:

A strip of land not to exceed fifty-two (52) feet in width along the Western boundary of the NW¼ of Section 20, Township 12 South, Range 23 East of the Boise Meridian, Cassia County, Idaho.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but limited to the Grantor's interest in A45-02520, A45-04048F and A45-04000.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1998 and subsequent years.

Assessments of the Southwest Irrigation District and the rights and powers of said District as by law provided.

Reservation contained in Warranty Deed from Alan B. Blood and Kay H. Blood, his wife, to Anderson Brothers, a co-partnership consisting of Albert Anderson, Ray Anderson, and Vanness Anderson and Mac Martin, dated November 23, 1955, and recorded January 24, 1959, as Instrument No. 200098 in Book 62 of Deeds, records of Cassia County, Idaho.

Power Line Easement from Albert Anderson and Mac Martin, to Idaho Power Company, a corporation, dated March 28, 1962, recorded May 17, 1962, as Instrument No. 6977 on Film No. 13, records of Cassia County, Idaho.

Power Line Easement from Mac Martin and Ray Anderson and Vanness Anderson and Albert Anderson, Partners, to Idaho Power Company, a corporation, dated September 12, 1972, recorded November 30, 1972, as Instrument No. 66528 on Film No. 79, records of Cassia County, Idaho.

Power Line Easement from Martin-Anderson Farms, to Idaho Power Company, a corporation, dated September 9, 1974, recorded January 13, 1975, as Instrument No. 80590 on Film No. 93, records of Cassia County, Idaho.

Effects of Power Line Easement from Ora Anderson, Albert Anderson, Ray Anderson, Margene Anderson, Vanness Anderson, Verda Anderson, and Mac Martin, to Idaho Power Company, a corporation, dated April 14, 1976, and recorded November 8, 1976, as Instrument No. 94234 on Film No. 104, records of Cassia County, Idaho.

State of Idaho Lease No. 0G-03, notice of which given by Assignment of Mineral, Oil and Gas and/or Geothermal Resource Lease from Steven W. Davis and Karen M. Davis to Bridger Energy Associates, March 11, 1982, as Instrument No. 141700 on Film No. 148, records of Cassia County, Idaho.

Supplemental Agreement and Quitclaim of Water Rights between Lambert Produce Inc., and Raymond C. Anderson and Margene Anderson, husband and wife, dated October 21, 1985 and recorded October 24, 1985 as Instrument No. 173582 on Film No. 176, records of Cassia County, Idaho.

Easement Agreement, between C & T Oakley Ranch, Inc., an Idaho Corporation, as Grantor to R. Trent Anderson and Dee Ann Anderson, husband and wife, as Grantee, dated July 18, 1990 and recorded July 19, 1990 as Instrument No. 208628 on Film No. 217, records of Cassia County, Idaho.

Joint Use and Maintenance Agreement, between C & T Oakley Ranch, Inc., an Idaho Corporation to Trent Anderson and Dee Ann Anderson, husband and wife, dated July 18, 1990 and recorded July 19, 1990 as Instrument No. 208643 on Film No. 217, records of Cassia County, Idaho.

Power Line Easement executed by C & T Ranches, a partnership to Idaho Power Company, a corporation, its licensees, successors and assigns, dated August 22, 1994 and recorded March 27, 1995 as Instrument No. 235822 on Film No. 264, records of Cassia County, Idaho, over and across the NW¹/₄NW¹/₄ Section 17, Township 12 South Range 23 East of the Boise Meridian.

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

Dated: March 26, 1998

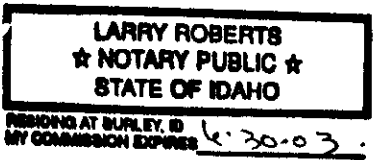
C & T OAKLEY RANCH, INC.

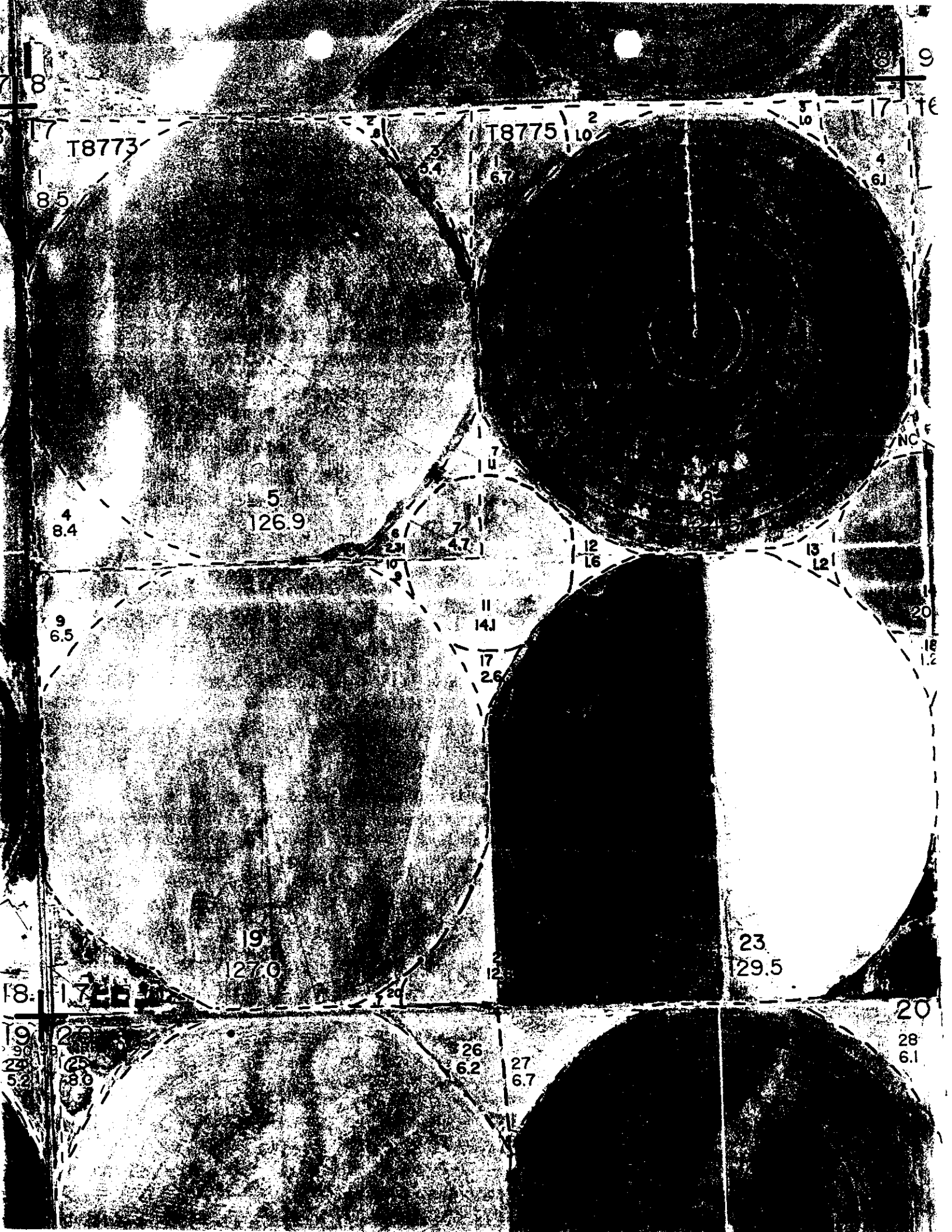
By Clifford L. Smith
Clifford L. Smith, President

STATE OF IDAHO)
COUNTY OF Cassia) ss.

On this 26th day of March, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared CLIFFORD L. SMITH, known or identified to me to be the President of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Larry Roberts
Notary Public
Residing at: Burley, Idaho
My Commission expires: 6-30-03





9

9

16 T8774

T8644

16

8.2

4.5

2
7.2

2
125.0

7
128.5

8
7.6

12
31.5

6
32.4

5
1.6

20 21

21

29
7.0

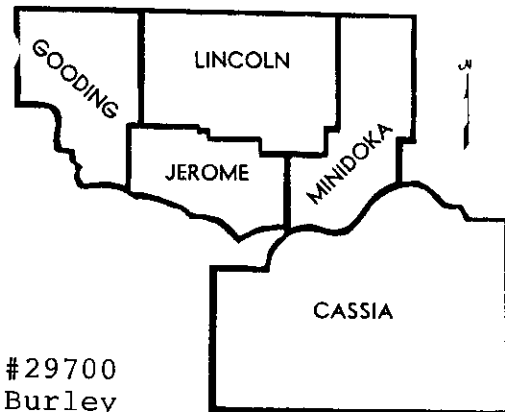
30
6.2

31
6.9

32
7.3

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #29700
OFFICE: Burley

April 8, 1998

Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, Idaho 83301-3380

RECEIVED

APR 09 1998

Department of Water Resource
Southern Region

Dear Sir or Madam:

Enclosed please find an original executed Notice of Change of Water Right Ownership on property located in Cassia County, Idaho.

Would you please make the necessary changes in the records to indicate the new owner as Lambert Produce, Inc. for future assessments.

Should you have any questions concerning this letter, please do not hesitate to contact this office.

Very truly yours,
LAND TITLE AND ESCROW, INC.

Nancy Garrett

Nancy Garrett
Reconveyance Department

/nrg
enc.

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 438-0608 - FAX 438-1199



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: A45-02520
Date Received: 3/08/1989
Receipt No: S006474
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C & T RANCHES 208-678-8864
Address: RT. 3 BOX 4003
BURLEY, ID 83318

2. Date of Priority: MAR 28, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	23E	17	SW	SW	SW		CASSIA
		20	SW	NW	NW		CASSIA
			SW	SW	NW		CASSIA

5. Description of diverting works:
THREE WELLS AND PUMPS, CONCRETE DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/01	5.920		

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

8. Total consumptive use is 1440.0 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	17	NE	NE		IRR	40.0
			NW	NE		IRR	40.0

A45-02520

Page 1

Date: 03/08/89

MICROFILMED

MAR 08 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	23E	17	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	480.0
						Total Acres	480.0

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:
A45-04000, A45-04048F

14. Remarks:

P/D COMBINED 45-2526, 45-2519, 45-26543 & 45-2520 BY TRANS. 1849.
THAT TOTALIZING MEASURING DEVICES OF A TYPE APPROVED BY THE DEPT.
BE MAINTAINED AT EACH P/D.
THAT NO WATER SHALL BE DIVERTED DIRECTLY OR INDIRECTLY FROM THE
WELLS & USED FOR ANY PURPOSE OR TO IRRIGATE OTHER LANDS FOR WHICH
NO WATER RTS. EXIST FOR THE USE OF THESE WELLS.
WELLS ARE SHARED BY TWO WATER USERS.

15. Basis of Claim: LICENSE
Water Right Number: 26288

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 President of East Ranches of Oakley that I have signed the foregoing document in the space below as President of East Ranches of Oakley and that the statements contained in the foregoing document are true and correct.

Robert L. Smith
Signature of Authorized Agent

East Ranches of Oakley
Title and Organization

March 8, 1989
Date

State of Idaho)
County of Twin Falls) SS.

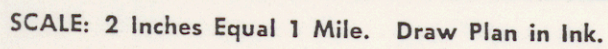
Subscribed and sworn (or affirmed) before me this 9th day
of March 19 89

Steve Call
Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994



4048E
2520
- 2519

28.8/1120A.
5.92/480A.
5.65/285A.
A45-

- 4000
 - 4001
 - 4002
 - 4005
 - 4006

MICROFILMED
 MAR 18 1993

VERIFIED BY *R* 6/2/04
06/02/2004

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

RIGHT NUMBER: 45-2520

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.920 CFS
1,920.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 45-4048F IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.92 CFS.

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: 03/28/1956

POINT OF DIVERSION:

T12S R22E S26 SWSWSW Within CASSIA County
T12S R22E S35 SWSWNW Within CASSIA County
T12S R23E S17 SWSWSW Within CASSIA County
T12S R23E S20 NENENW Within CASSIA County
T12S R23E S20 SWNWNW Within CASSIA County
T12S R23E S20 SWSSENW Within CASSIA County
T12S R23E S20 SWNWSW Within CASSIA County
T12S R23E S22 SWSWNE Within CASSIA County
T12S R23E S22 SESWSW 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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	5.920 CFS 1,920.00 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

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

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	SENE	40.0
T12S R23E S16	NESW	41.0	T12S R23E S16	NWSW	41.0
T12S R23E S16	SWSW	41.0	T12S R23E S16	SENE	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	SENE	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	SENE	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	SENE	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	SENE	33.0

06/02/2004

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

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

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 480 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

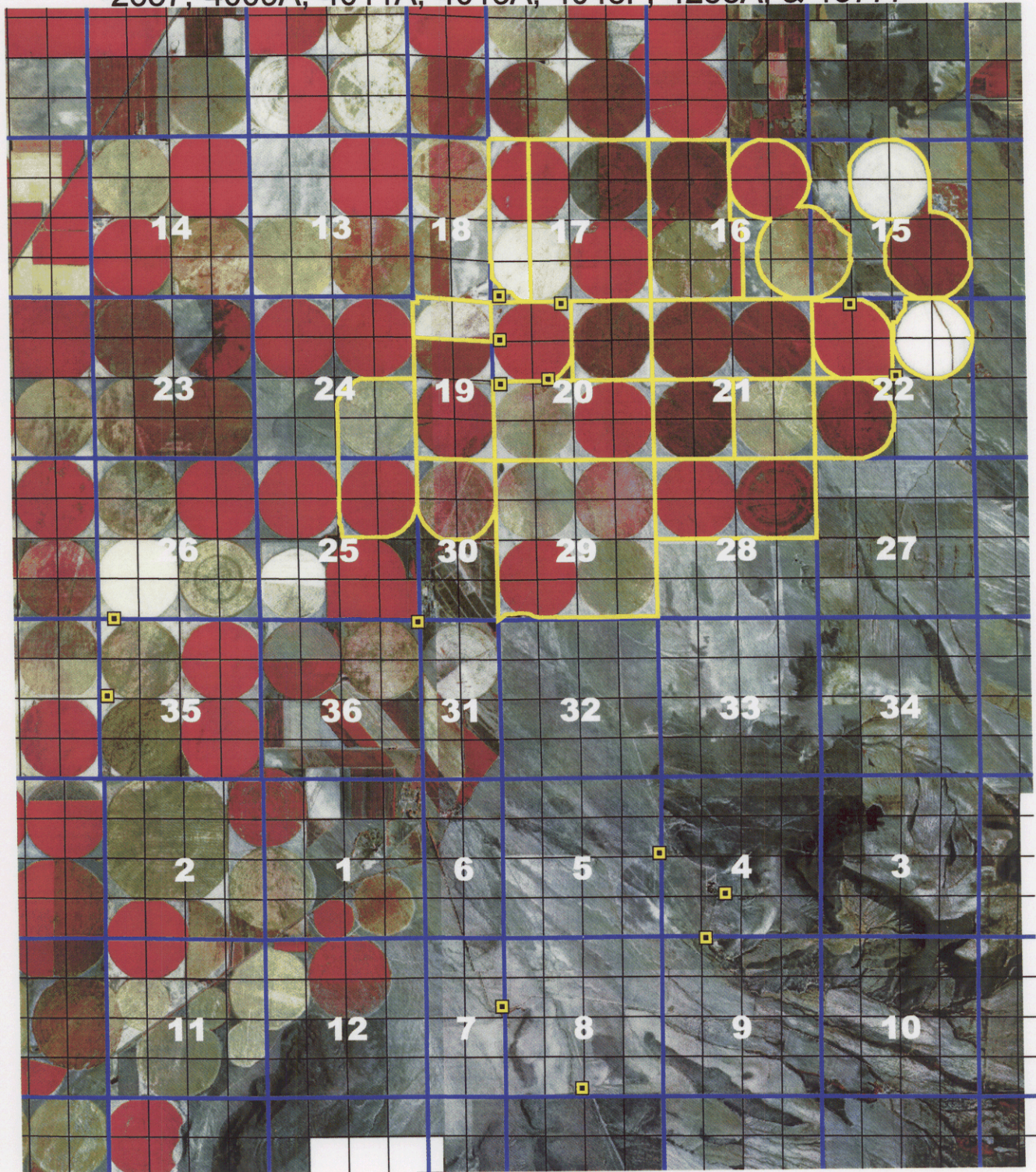
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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.

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 13200 13200 13200 Feet

RECOMMENDED PLACE OF USE

DATA ENTRY ON JUNE 3, 2004

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

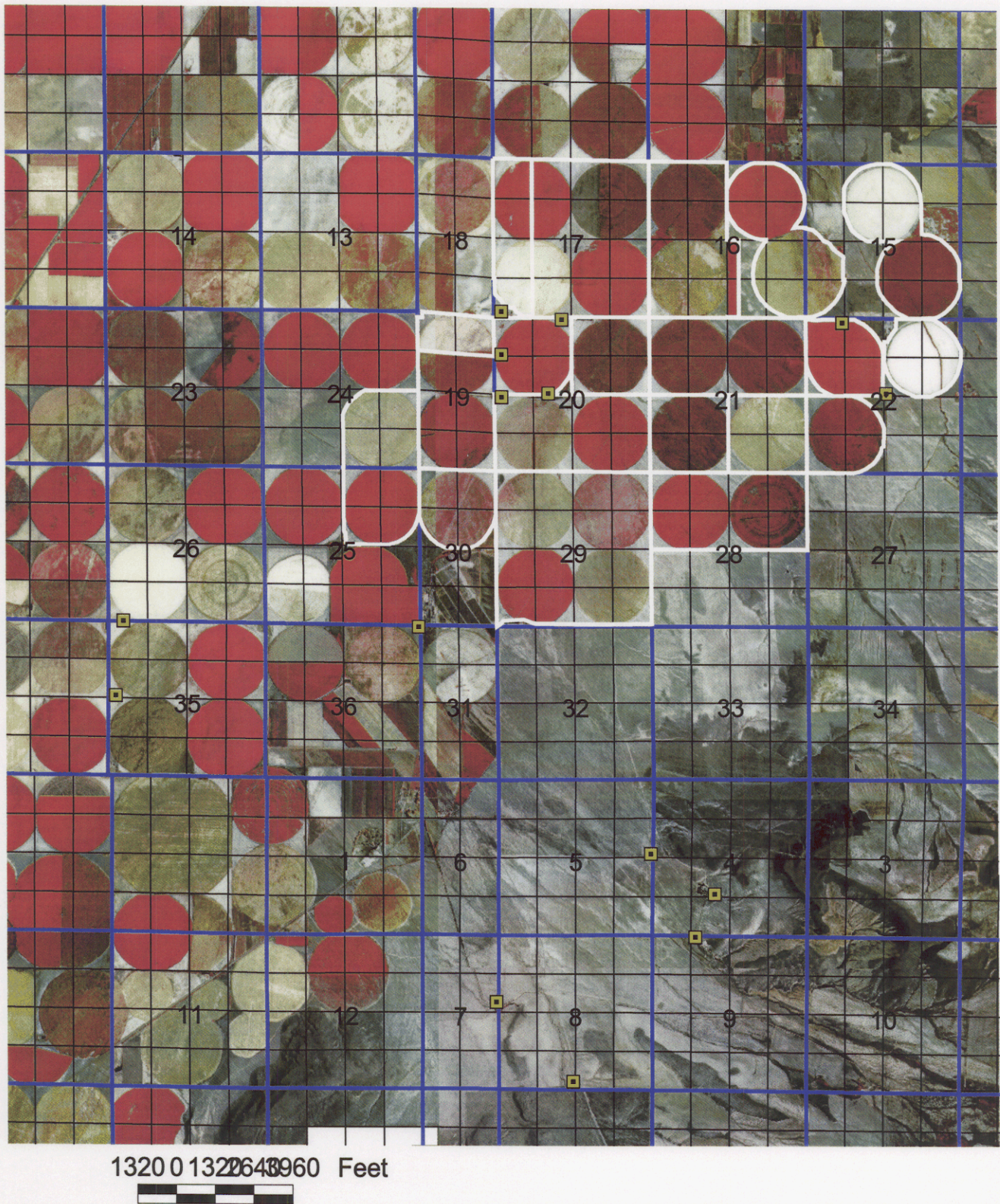
TWP 12S, RNG 23E, SEC. 15, 16, 17, 19, 20, 21, 22, 28, 29, & 30

- 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

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 45-2520 V1

WATER RIGHT NUMBER: 45-2520 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	C & T RANCHES 169 W HWY 30 BURLEY, ID 83318 (208)678-0207
Current Owner	LAMBERT PRODUCE CO INC C/O CORY KING 203 E 1100 S BURLEY, ID 83318 (208)678-2668
Attorney	STEPHAN, KVANVIG, STONE & TRAINOR PO BOX 83 TWIN FALLS, ID 83301 (208)862-3346

Priority Date: 03/28/1956

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	5.920 CFS	1,920.00 AF
	<u>Total Diversion:</u>	5.920 CFS	1,920.00 AF

Location of Point(s) of Diversion

GROUND WATER CASSIA County	SE1/4SE1/4SW1/4	Sec. 8, Twp 13S, Rge 23E, B.M.
GROUND WATER CASSIA County	SW1/4SW1/4NE1/4	Sec. 22, Twp 12S, Rge 23E, B.M.
GROUND WATER CASSIA County	SE1/4SW1/4SW1/4	Sec. 22, Twp 12S, Rge 23E, B.M.
GROUND WATER CASSIA County	SW1/4SE1/4NW1/4	Sec. 20, Twp 12S, Rge 23E, B.M.
GROUND WATER CASSIA County	NE1/4NE1/4NW1/4	Sec. 20, Twp 12S, Rge 23E, B.M.
GROUND WATER CASSIA County	SW1/4SW1/4SW1/4	Sec. 26, Twp 12S, Rge 22E, B.M.
GROUND WATER CASSIA County	SW1/4SW1/4NW1/4	Sec. 35, Twp 12S, Rge 22E, B.M.
GROUND WATER CASSIA County	SE1/4SE1/4NE1/4	Sec. 5, Twp 13S, Rge 23E, B.M.
GROUND WATER CASSIA County	NE1/4SW1/4	Sec. 4, Twp 13S, Rge 23E, B.M.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-2520 V1

GROUND WATER	SW1/4NW1/4NW1/4	Sec. 20, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SW1/4NW1/4SW1/4	Sec. 20, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SW1/4SW1/4SW1/4	Sec. 17, Twp 12S, 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
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:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-2520 V1

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. Quantity USE OF THIS RIGHT WITH RIGHT NO. 45-4048F IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.92 CFS.
2. 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.
3. 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.
4. 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.
5. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 480 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. jroberts 5/29/2004 Basis of Recommendation

Comment: Recommended in a 4,983 ac ppw with many licenses, several beneficial use claims, surface water decrees, and an expansion claim of 1,991 acres. This right is limited to 480 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 SWSWSW 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

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,

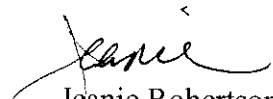
Enclosed are copies of claims 45-2520, 45-4000, & 45-4048F, which were purchased from C & T Farms by Lambert in 1998.

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

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

Water Right Report 45-2520

WATER RIGHT NUMBER: 45-2520

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARTIN & ANDERSON FARMS PO BOX 626 BURLEY, ID 83318
Original Owner	ANDERSON BROTHERS
	, ZZ
Present Owner	LAMBERT PRODUCE CO INC ATTN: CHRIS DRAKOS PO BOX 793 BLACKFOOT, ID 83221

Priority Date: 03/28/1956

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 11/01	5.920 CFS	
	<u>Total Diversion:</u>	5.920 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4	Sec. 20, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SW1/4SW1/4	Sec. 17, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SW1/4NW1/4	Sec. 20, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SE1/4NW1/4	Sec. 20, Twp 12S, Rge 23E, B.M.
CASSIA County		

Place of UseIRRIGATION Within CASSIA County

T12S R23E S17	NENE 40.0	T12S R23E S17	NWNE 40.0
T12S R23E S17	SWNE 40.0	T12S R23E S17	SENE 40.0
T12S R23E S17	NENW 40.0	T12S R23E S17	SENE 40.0
T12S R23E S17	NESW 40.0	T12S R23E S17	SESW 40.0
T12S R23E S17	NESE 40.0	T12S R23E S17	NWSE 40.0
T12S R23E S17	SWSE 40.0	T12S R23E S17	SESE 40.0

Total Acres: 480

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 45-2520

Conditions of Approval:

1. 016 See remarks for additional conditions of approval.

Remarks:

1. General P/D COMBINED 45-2526, 45-2519, 45-26543 & 45-2520 BY TRANS. 1849. THAT TOTALIZING MEASURING DEVICES OF A TYPE APPROVED BY THE DEPT. BE MAINTAINED AT EACH P/D.
THAT NO WATER SHALL BE DIVERTED DIRECTLY OR INDIRECTLY FROM THE WELLS & USED FOR ANY PURPOSE OR TO IRRIGATE OTHER LANDS FOR WHICH NO WATER RTS. EXIST FOR THE USE OF THESE WELLS.

Comments:

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s23e	17	NENE	40	41	
12s23e	17	NWNE	40	41	
12s23e	17	SWNE	40	41	
12s23e	17	SENE	40	41	
12s23e	17	NENW	40	41	
12s23e	17	SENW	40	41	
12s23e	17	NESW	40	41	
12s23e	17	SESW	40	41	
12s23e	17	NESE	40	41	
12s23e	17	NWSE	40	41	
12s23e	17	SWSE	40	40	
12s23e	17	SESE	40	40	
Totals:			480	490	

limited to 480 Ac. in large PPU

$$Vol = 480 \times 4 = 1920 AF$$

same 3 wells as lic. here are also claimed under 45-40-05

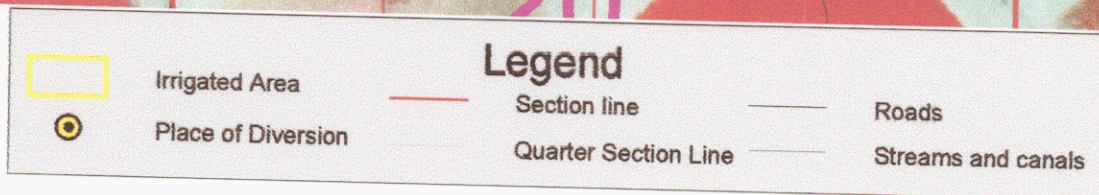
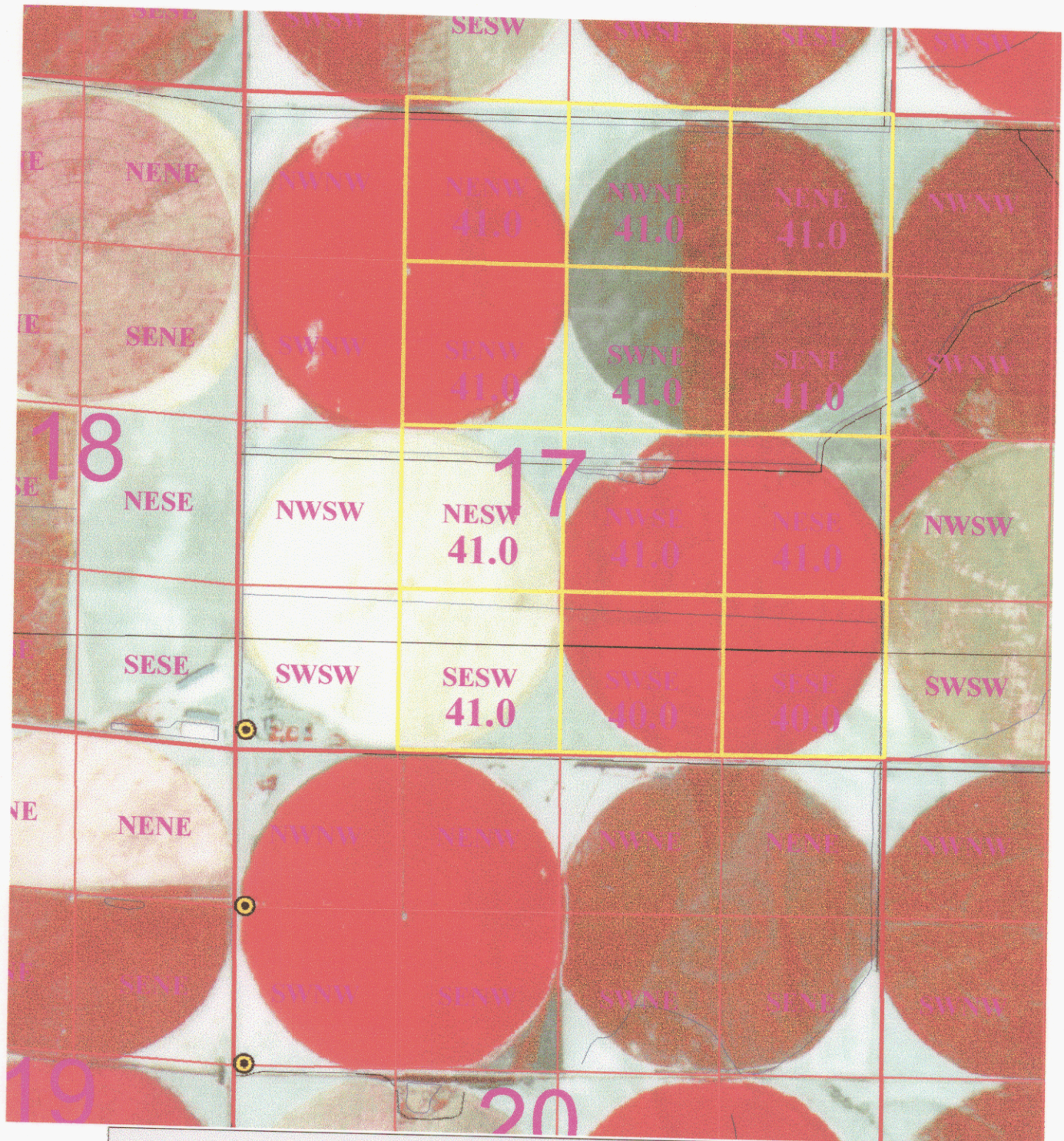
320 additional acres appeared to be irrigated by 1952

when area was closed

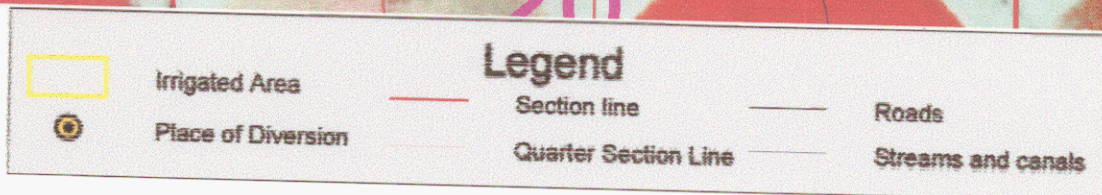
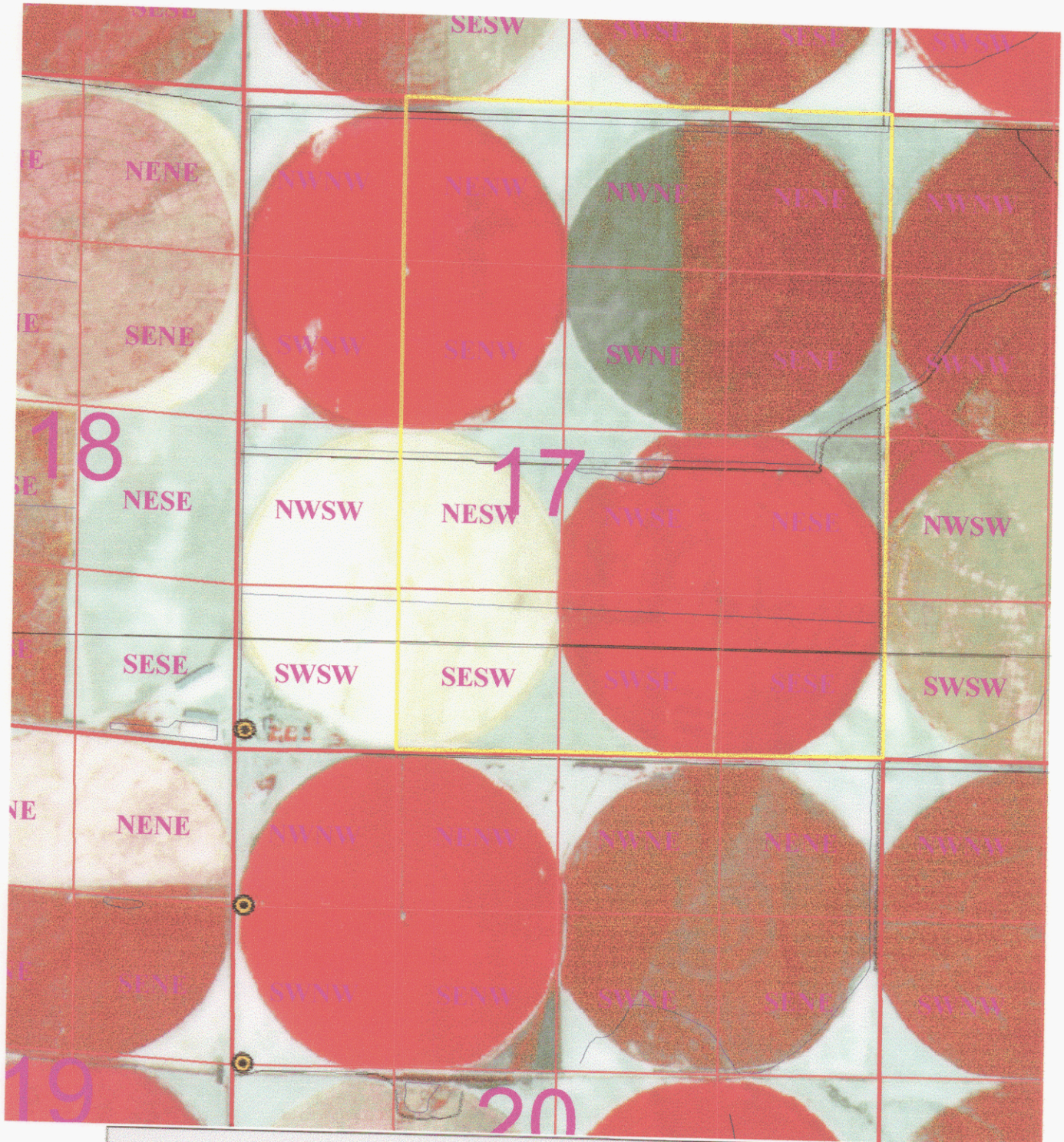
- limit both sts. to 5.92 cfs when combined

but allow additional volume

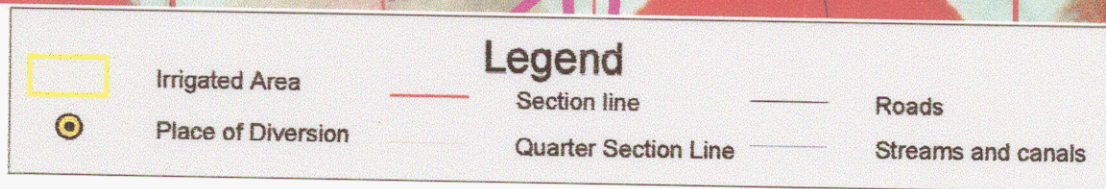
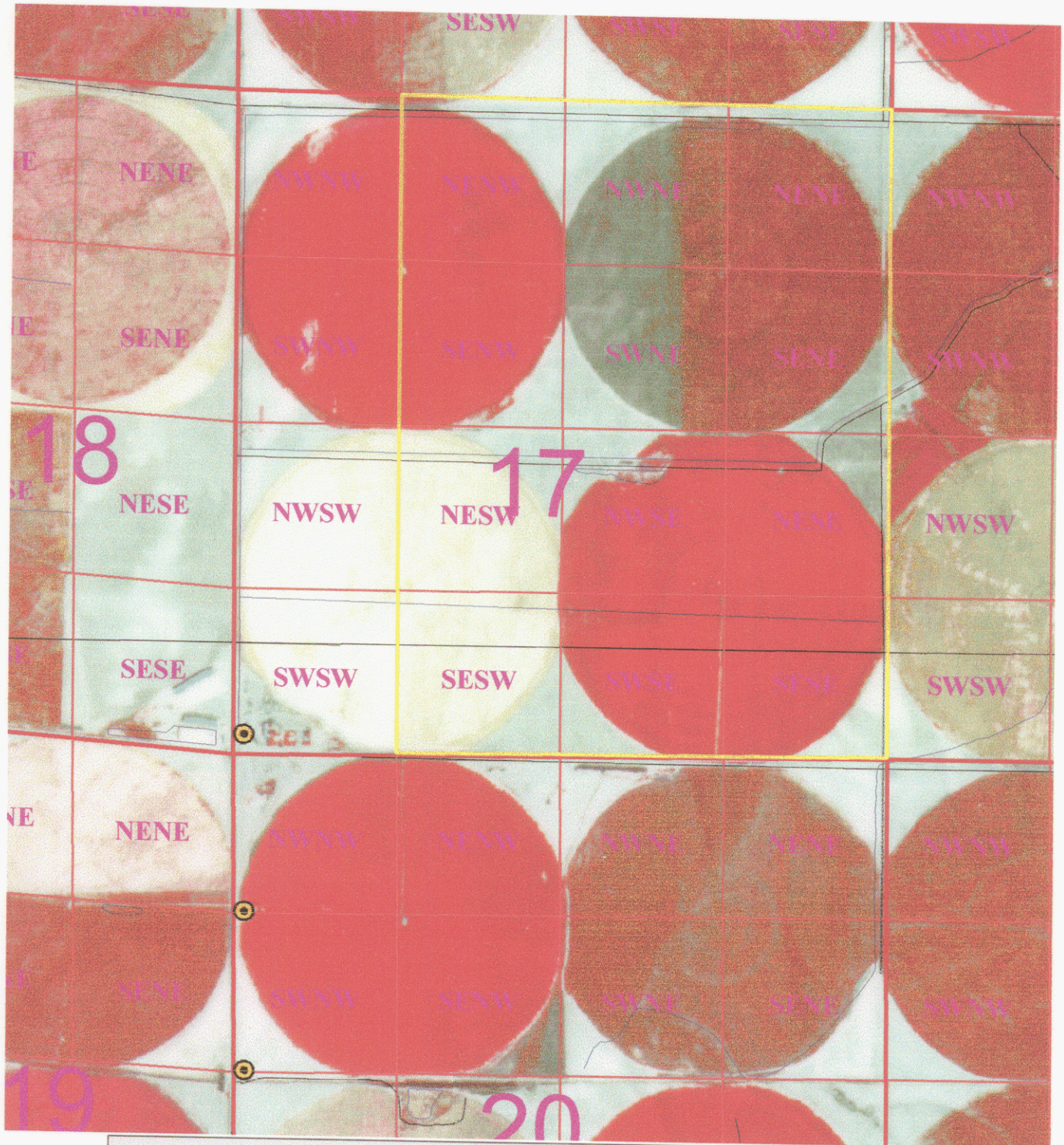
Township , 12S23E



Township , 12S23E



Township , 12S23E



DATE: 02/23/00
PAGE: 32

USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
01/01/2017 01/01/2018	0.0000	0.0000
01/01/2018 01/01/2019	0.0000	0.0000
01/01/2019 01/01/2020	0.0000	0.0000
01/01/2020 01/01/2021	0.0000	0.0000
01/01/2021 01/01/2022	0.0000	0.0000
01/01/2022 01/01/2023	0.0000	0.0000
01/01/2023 01/01/2024	0.0000	0.0000
01/01/2024 01/01/2025	0.0000	0.0000
01/01/2025 01/01/2026	0.0000	0.0000
01/01/2026 01/01/2027	0.0000	0.0000
01/01/2027 01/01/2028	0.0000	0.0000
01/01/2028 01/01/2029	0.0000	0.0000
01/01/2029 01/01/2030	0.0000	0.0000
01/01/2030 01/01/2031	0.0000	0.0000
01/01/2031 01/01/2032	0.0000	0.0000
01/01/2032 01/01/2033	0.0000	0.0000
01/01/2033 01/01/2034	0.0000	0.0000
01/01/2034 01/01/2035	0.0000	0.0000
01/01/2035 01/01/2036	0.0000	0.0000
01/01/2036 01/01/2037	0.0000	0.0000
01/01/2037 01/01/2038	0.0000	0.0000
01/01/2038 01/01/2039	0.0000	0.0000
01/01/2039 01/01/2040	0.0000	0.0000
01/01/2040 01/01/2041	0.0000	0.0000
01/01/2041 01/01/2042	0.0000	0.0000
01/01/2042 01/01/2043	0.0000	0.0000
01/01/2043 01/01/2044	0.0000	0.0000
01/01/2044 01/01/2045	0.0000	0.0000
01/01/2045 01/01/2046	0.0000	0.0000
01/01/2046 01/01/2047	0.0000	0.0000
01/01/2047 01/01/2048	0.0000	0.0000
01/01/2048 01/01/2049	0.0000	0.0000
01/01/2049 01/01/2050	0.0000	0.0000
01/01/2050 01/01/2051	0.0000	0.0000
01/01/2051 01/01/2052	0.0000	0.0000
01/01/2052 01/01/2053	0.0000	0.0000
01/01/2053 01/01/2054	0.0000	0.0000
01/01/2054 01/01/2055	0.0000	0.0000
01/01/2055 01/01/2056	0.0000	0.0000
01/01/2056 01/01/2057	0.0000	0.0000
01/01/2057 01/01/2058	0.0000	0.0000
01/01/2058 01/01/2059	0.0000	0.0000
01/01/2059 01/01/2060	0.0000	0.0000
01/01/2060 01/01/2061	0.0000	0.0000
01/01/2061 01/01/2062	0.0000	0.0000
01/01/2062 01/01/2063	0.0000	0.0000
01/01/2063 01/01/2064	0.0000	0.0000
01/01/2064 01/01/2065	0.0000	0.0000
01/01/2065 01/01/2066	0.0000	0.0000
01/01/2066 01/01/2067	0.0000	0.0000
01/01/2067 01/01/2068	0.0000	0.0000
01/01/2068 01/01/2069	0.0000	0.0000
01/01/2069 01/01/2070	0.0000	0.0000
01/01/2070 01/01/2071	0.0000	0.0000
01/01/2071 01/01/2072	0.0000	0.0000
01/01/2072 01/01/2073	0.0000	0.0000
01/01/2073 01/01/2074	0.0000	0.0000
01/01/2074 01/01/2075	0.0000	0.0000
01/01/2075 01/01/2076	0.0000	0.0000
01/01/2076 01/01/2077	0.0000	0.0000
01/01/2077 01/01/2078	0.0000	0.0000
01/01/2078 01/01/2079	0.0000	0.0000
01/01/2079 01/01/2080	0.0000	0.0000
01/01/2080 01/01/2081	0.0000	0.0000
01/01/2081 01/01/2082	0.0000	0.0000
01/01/2082 01/01/2083	0.0000	0.0000
01/01/2083 01/01/2084	0.0000	0.0000
01/01/2084 01/01/2085	0.0000	0.0000
01/01/2085 01/01/2086	0.0000	0.0000
01/01/2086 01/01/2087	0.0	

03-01 11-01 5.920 CFS

1440.00 AFA

Stage: LICENSE

CASSIA County
CASSIA County

NE

[illegible]

Other Rights: A45-04000, A45-04048F

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):			
45-11161	A45-02519	A45-04048F	A45-04048G A45-11161

Conditions of Approval:

Remarks: GEN P/D COMBINED 45-2526, 45-2519, 45-26543 & 45-2520 BY TRANS. 1849.
THAT TOTALIZING MEASURING DEVICES OF A TYPE APPROVED BY THE DEPT.
BE MAINTAINED AT EACH P/D.
THAT NO WATER SHALL BE DIVERTED DIRECTLY OR INDIRECTLY FROM THE
WELLS & USED FOR ANY PURPOSE OR TO IRRIGATE OTHER LANDS FOR WHICH
NO WATER RTS. EXIST FOR THE USE OF THESE WELLS.
WELLS ARE SHARED BY TWO WATER USERS.

4-16-98: OWNERSHIP CHANGE C & T RANCHES TO LAMBERT PER NOTICE
REC'D 4-09-98 - VH

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

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

Audit:	03/08/89 CLELLAND	03/30/95 POST-STD	04/16/98 VHANCOCK
--------	-------------------	-------------------	-------------------

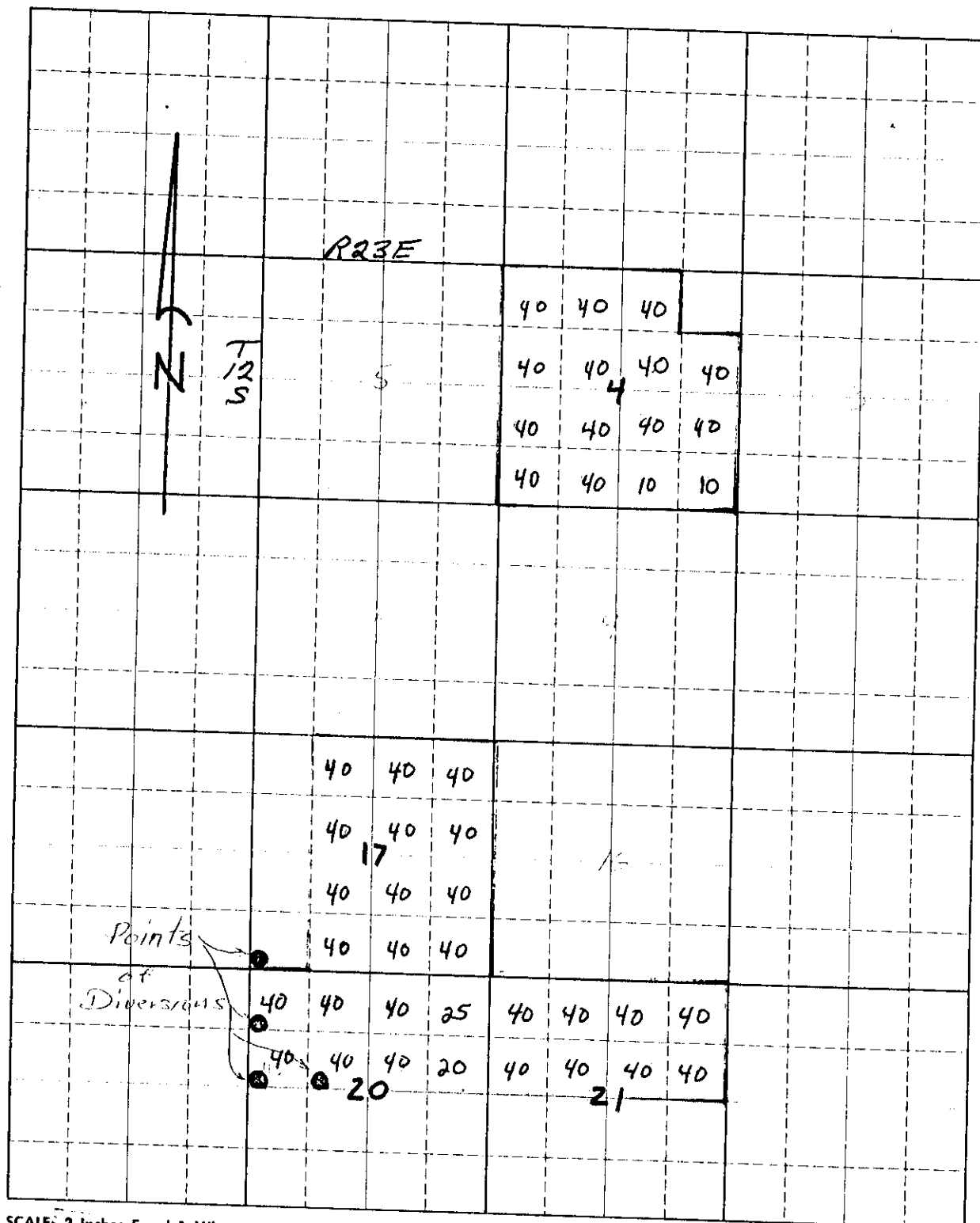
APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

- [illegible]

Total number of acres presently irrigated... 1,625



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

Total number of acres to be irrigated_____

b. Do you intend to make the transfer permanent?_____

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:_____

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Martin and Anderson
By Mac Martin (Partner)
(signature of applicant)

Subscribed and sworn to before me this 13 day of February, 1975

Robert G. Hughes
(notary public)

My commission expires 11-20-78

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 1849/ 45-2519, 45-2526
45-2520, 45-2653
and said application is hereby APPROVED

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

(1) That totalizing measuring devices of a type approved by the Department be maintained at each point of diversion.

(2) That no water shall be diverted directly or indirectly from the wells and used for any purpose or to irrigate other lands for which no water right exists for the use of these wells.

Witness my hand this 18 day of August, 19 75

R. Keith Higginson
R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

FOR DEPARTMENT USE ONLY

Received by GLF Date 2-13-75

Protest filed by: _____ Date _____

Prelim. check by KOF Date 2-14-75

Fee received by GLF Date 2-13-75 Fee \$ 30.00

Approved for publication by WLS

Published in So. Ida. Press Dates 2-25 & 3-4-75

Hearing held _____

Watermaster Recommendation sent _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-26288

This proof is for Completion of Works for Beneficial Use In Water District No. _____

1. Name of applicant. Anderson Brothers2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the SW¹/₄SW²/₄ of Section 17T. 12 S. R. 23 E. B.M. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: Drilled well 458' x 20"
Static water level _____ Water level with pump on 368'
Pump: Layne + Bowler #27427 Discharge 16" - Motor U.S. 978587, HP-300
Meter: Sealed - Demand 307 Break TP.

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: Yes

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 Sec. 17, Twp. 12 S., Rge. 23 E., B.M.247 x 78 x 55'368

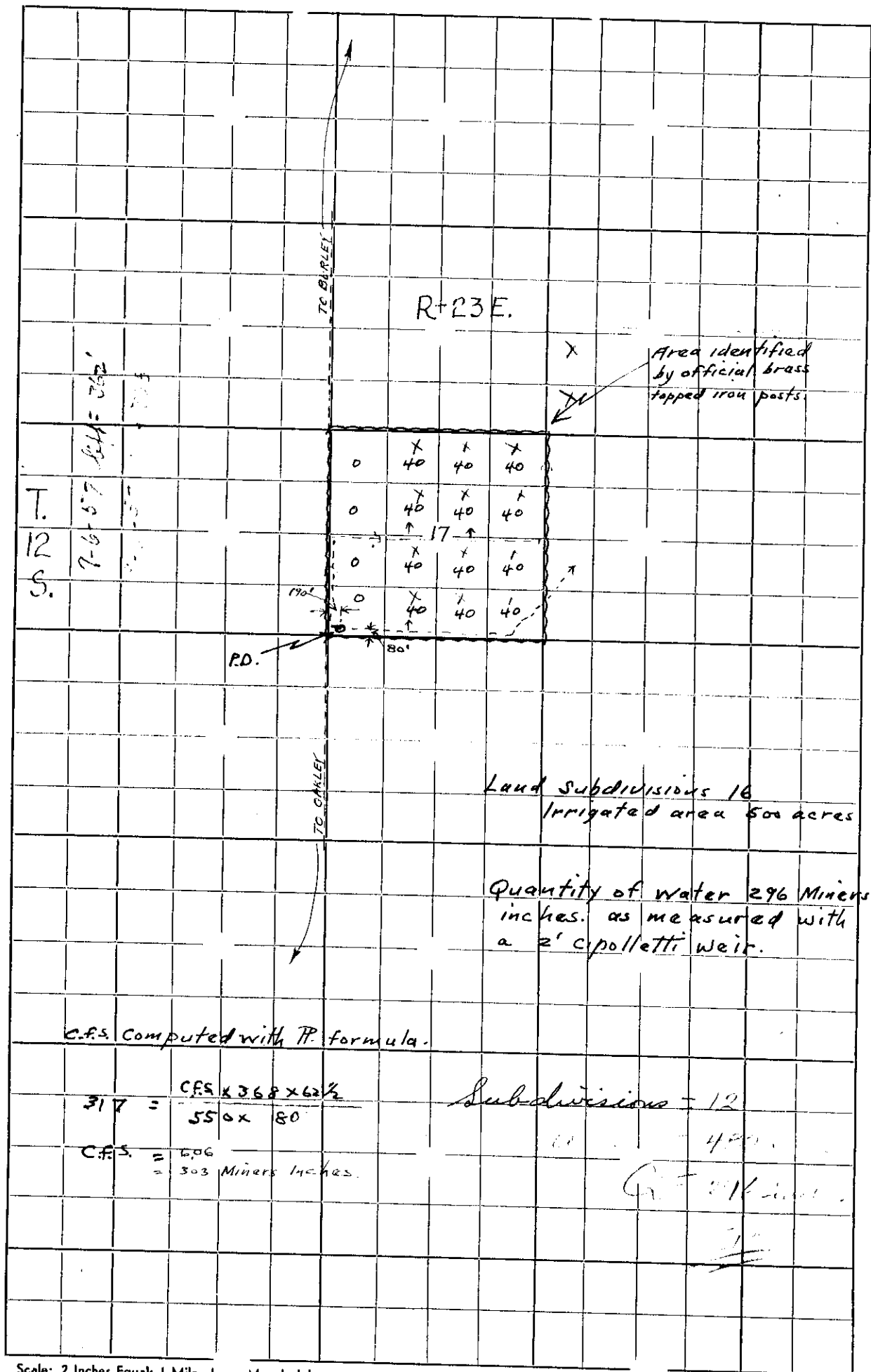
(Submit map on attached plat, showing location and details of above description.)

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

Remarks: Mr. Albert Anderson was present during the engineer's examination.All of This land classified as under irrigation has been accurately leveled for surface irrigation.This examination was made on the 23rd day of August, 1957(Signed) James H. Hare

Examiner.

G-26288



North well

362' + 55-13-57
372' - 7-6-57
372' - 8-6-57

62-7-1/2 11 3-13-57

300 X 100 X 70 X 55
380
510015 = 510015

510015 = 510015

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26288

REPORT ON PROOF OF Completion of Works & Beneficial Use

Anderson Bros., (a co-partnership composed of Albert Anderson, Varness Anderson, Ray Anderson and Mac C. Martin) Oakley and Burley, Idaho

26288

510015

app 8.00/2 2021 Benton Ave
12
480 Burley

Send license to
He will receive a license

Bros. 20317-742
20317-742

20317-742
20317-742
20317-742

20317-742

7-6-57 = 20317-742
8-6-57 = 20317-742