

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 45-2600B
Date Received: 5/16/1989
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LAMBERT PRODUCE Phone: (208)785-4334
PO BOX 793
BLACKFOOT ID 83221

2. Date of Priority: 01/21/1960

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
12S	22E	12	SW	NW		CASSIA	
12S	22E	11	SW	NE		CASSIA	

5. Description of diverting works:

2 WELLS & PUMPS, 1 DOMESTIC, 1 IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	3.11	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
3.15 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12S	22E	11	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	35
			SW	NE	IRRIGATION	38
			SE	NE	IRRIGATION	40
			SE	NE	DOMESTIC	
					Section Acres	153
					Total Acres	153

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:

14. Remarks:

CHANGE OF OWNERSHIP ON 12/31/1992; ORE-IDA FOODS, INC. TO CHRIS DRAKOS. COPY OF WARRANTY DEED ON FILE.

RVW, 1/25/1993 *****
CHANGE OF OWNERSHIP 5/11/93 CHRIS DRAKOS SOLD TO THOMAS E. & KATHLEEN GARRARD 4.96 CFS/318 ACRES. A45-02600B TO WILL E.

GARRARD 3.15 CFS/153 ACRES.

***** 03/11/99; CHANGED
ADDRESS AS PER REQUEST REC'D 03/09/99. CT

15. Basis of Claim: License



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

October 8, 2002

LAMBERT PRODUCE
PO BOX 793
BLACKFOOT ID 83221

Re: SRBA Claim(s) 45-2600B, 45-13470

Dear Claimants:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

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

#35907

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

RECEIVED
SEP 25 2002
Department of Water Resources
Boise, Idaho

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	A45-02600B				
	45-13470				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

Name and Address of Former Owner/Claimant(s) William E. Garrard
195 West 700 South
Burley, ID 83318

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, ID 83221

New Telephone Number (208) 785-4334

Date you acquired the property September 18, 2002

6.

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s) LAMBERT PRODUCE, INC.
(include title if applicable)

By: Chris Diakos

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by <u>[Signature]</u>	Date _____	Receipt No. _____
Processed by <u>[Signature]</u> AJ	Date <u>10/7/02</u>	WR _____ Date _____

283945

WARRANTY DEED

REC-1

#35907

SEP 2 1952

Prosser & Co. (Boise)

For Value Received

**WILLIAM E. GARRARD and SANDRA B. GARRARD, also known as Sandra Lee Garrard,
husband and wife**

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

LAMBERT PRODUCE, INC., a Utah corporation
Address: P. O. Box 793
Blackfoot, Idaho 83221

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

**TOWNSHIP 12 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 2: Beginning at the Southeast corner of said Section 2;
Thence West 1452 feet to the centerline of the Oakley-Burley Highway;
Thence Northeasterly along said centerline 2,619.3 feet to the East boundary
line of the SE $\frac{1}{4}$ of said Section 2;
Thence South 2,180 feet to the Point of Beginning.

EXCEPTING that portion deeded to the State of Idaho for highway purposes.

Section 11: NE $\frac{1}{4}$, EXCEPTING that portion deeded to the State of Idaho for highway
purposes.

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto
including but not limited to State of Idaho, Department of Water Resources Adjudication No. A45-02600B.**

SUBJECT TO:

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

Taxes for 2002 and subsequent years.

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

**Mineral Deed from Mrs. Gennie Buttars, a widow, to Fred Foss, dated May 15, 1952 and recorded June 6,
1952 as Instrument No. 175767 in Book 54 of Deeds, Page 546, records of Cassia County, Idaho.**

Statement Of Claim And Notice of Intent To Preserve executed by L 1 Petroleum Corporation, dated September 17, 1984 and recorded September 24, 1984 as Instrument No. 163826 on Film No. 167, records of Cassia County, Idaho.

Right of First Refusal from William E. Garrard and Sandra Garrard, husband and wife, Owners to Thomas E. Garrard and Kathleen H. Garrard, husband and wife and to Chris Drakos, dated April 15, 1993 and recorded April 16, 1993 as Instrument No. 224096 on Film No. 243, records of Cassia County, Idaho.

SUBORDINATION AGREEMENT executed by Chris Drakos, dated September 15, 1998 and recorded September 24, 1998 as Instrument No. 258068 on Film No. 303, records of Cassia County, Idaho.

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.

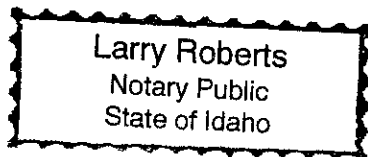
Dated: September 17, 2002

William E. Garrard
William E. Garrard

Sandra B. Garrard
Sandra B. Garrard, also known as
Sandra Lee Garrard

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 18th day of September, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared William E. Garrard and Sandra B. Garrard, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



[Signature]
Notary Public
Residing at Burley, ID
My Commission expires: 6-30-03

02 SEP 19 PM 4 08
RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

CASSIA COUNTY, IDAHO
DANIEL M. ROSKELLEY
RECORDER
FEE \$200 DEPUTY [Signature]

283945

34 35

35

3

2

T8336

2
7.7

7.8

5

8.4

6

131.8

7

7.4

NC

T9013

12
8

4
136.8

8

10.6

9

34.0

10

41

12

56.9

5.6

3

2

10

T8452

T8451

11

12

7.5

5

6.6

18

2

50.8

2

7.3

3

57.7

4

9.6

7

7.1

8

13

5

2.0

6

4.1

5.3

5.3

T551

7
58.0

8
80.7

9

2.5

10

142.1

11

2.4

12

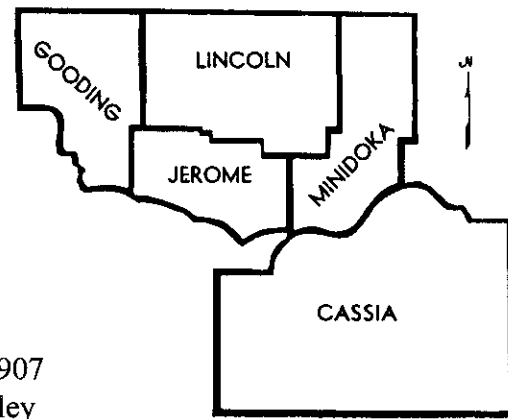
4.6

4

4.6

Land Title and Escrow, Inc.

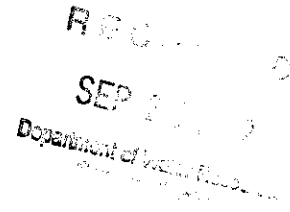
A FULL SERVICE TITLE COMPANY



REFER TO: #35907
OFFICE: Burley

September 24, 2002

Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380



Dear Sir/Madam:

Enclosed with this letter please find an original executed Notice of Change In Water Right Ownership, a copy of the recorded Warranty Deed and aerial photo on the transfer of water to Lambert Produce, Inc.

Would you please make the necessary changes in the records to indicate Lambert Produce, Inc. as the new owner for future water assessments and notices. Please send a receipted copy to this office.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,
Land Title and Escrow, Inc.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg
enc.

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: A45-02600B

Date Received: 5/16/1989

Receipt No: X777777

Received By: *Y. address change*

~~COPY FOR
YOUR FILES~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

~~COPY FOR
YOUR FILES~~

1. Name: WILLIAM E GARRARD
Address: 195 W 700 S
BURLEY ID

208-678-2772

83318

2. Date of Priority: JAN 21, 1960

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	22E	11	SW	NE			CASSIA
		12	SW	NW			CASSIA

5. Description of diverting works:

2 WELLS & PUMPS, 1 DOMESTIC, 1 IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.110		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:

3.150 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	22E	11	NE	NE		IRR	40.0
			NW	NE		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12S	22E	11	SW	NE	IRR	38.0
			SE	NE	IRR	40.0
			SE	NE	DOMEST	
					Section Acres	153.0
					Total Acres	153.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:

CHANGE OF OWNERSHIP ON 12/31/1992; ORE-IDA FOODS, INC. TO
CHRIS DRAKOS. COPY OF WARRANTY DEED ON FILE. RVW, 1/25/1993

CHANGE OF OWNERSHIP 5/11/93 CHRIS DRAKOS SOLD TO THOMAS E. &
KATHLEEN GARRARD 4.96 CFS/318 ACRES. A45-02600B TO WILL E.
GARRARD 3.15 CFS/153 ACRES.

03/11/99; CHANGED ADDRESS AS PER REQUEST REC'D 03/09/99. CT

15. Basis of Claim: LICENSE

Water Right Number: 28402

DATE: 03/11/99
PAGE: 1

Water Source: GROUNDWATER

"DO NOT FILM"



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

March 11, 1999

WILLIAM E GARRARD
SANDRA GARRARD
195 W 700 S
BURLEY ID 83318

RE: Snake River Basin Adjudication (SRBA)
Notice of Claims No. A45-02362D; A45-02362F; A45-02592B;
A45-02600B; A45-11143; A45-11144B; A45-12460B
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in Address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Cheryl Timm'.

Cheryl Timm
Records Clerk, SRBA

enc: Copy of Claim to a Water Rights referenced above.



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

RECEIVED

MAR 09 1999

Department of Water Resources
Southern Region

☐ Water Right Number(s): A45-02362D A45-12460B

A45-11144B A45-11143

A45-02600B A45-02592B A45-02362F

☐ Old Mailing Address: Rt #2 Box 2406

Burley Idaho

83318

☐ New Mailing Address: 195 W 700 S

Burley, Idaho

83318

☐ New Telephone Number: (208) 678-2772

☐ Signature of Claimant(s): William E. Farnum

Date: March 4, 1999

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: 3/11/99 By: CT

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

11



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: ~~208-678-2772~~ **A45-02600B**

Date Received: 5/16/1989

Receipt No: X777777

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM E. GARRARD 208-678-2772
Address: RT 2 BOX 225
BURLEY ID 83318

2. Date of Priority: JAN 21, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	22E	11		SW	NE		CASSIA
		12		SW	NW		CASSIA

5. Description of diverting works:
2 WELLS & PUMPS, 1 DOMESTIC, 1 IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.110		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12S	22E	11	NE	NE		IRR	40.0
			NW	NE		IRR	35.0

MICROFILMED

DEC 3 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	22E	11	SW	NE		IRR	38.0
			SE	NE		IRR	40.0
			SE	NE		DOMEST	
Section Acres							153.0
Total Acres							153.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:

CHANGE OF OWNERSHIP ON 12/31/1992; ORE-IDA FOODS, INC. TO
CHRIS DRAKOS. COPY OF WARRANTY DEED ON FILE. RVW, 1/25/1993

CHANGE OF OWNERSHIP 5/11/93 CHRIS DRAKOS SOLD TO THOMAS E. &
KATHLEEN GARRARD 4.96 CFS/318 ACRES. A45-02600B TO WILL E.
GARRARD 3.15 CFS/153 ACRES.

15. Basis of Claim: LICENSE

Water Right Number: 28402

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

MICROFILMED
DEC 3 1996

State of Idaho)
County of _____) SS.

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

Notary Public

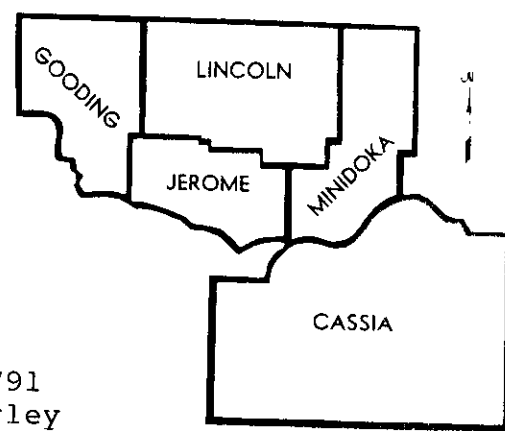
Seal

Residing at _____

My Commission Expires _____

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: 23791
OFFICE: Burley

May 10, 1993

Idaho Dept. of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

MAY 11 1993

Department of Water Resources
Southern Region Office

Dear Clerk:

Enclosed please find the original Change of Water Right Ownership executed by William E. Garrard on property located in Cassia County.

Would you please record this document into the proper records and send a receipted copy to this office.

Thank you.

Very truly yours,
LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg
enc.

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

BOX 349, 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 436-0606 - FAX 1199

MICROFILMED
DEC 3 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

DATE OF CLOSING: 23791

MAY 11 1993

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, Block _____, Subdivision/Townsite _____
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.
 See attached Exhibit "A" for legal description

Department of Water Resources
Southern Region Office

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A45-02600
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Chris Drakos
P. O. Box 793
Blackfoot, Idaho 83221
- ☐ New Owner/Claimant (Purchaser): William E. Garrard
- ☐ New Mailing Address: Route #2 Box 225
Burley, Idaho 83318
- ☐ New Telephone Number: (208) 678 - 2772
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
3.15 CFS of Water License A45-02600 priority date 1/21/1960
Property described in attached Exhibit "A"
- ☐ Attach proof of ownership, describe proof attached: recorded Warranty Deed
 (proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s): William E. Garrard Date 4-15-93
- ☐ Signature of Former Owner/Claimant(s): [Signature] Date 4/15/93

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY: A45-02600
 Initial Review and Data-Entry
 Date: 1/5/93 By: SC
 Further Action Needed:

Further Action Taken
 Date: _____ By: _____
 Final Review and Data-Entry
 Date: _____ By: _____
 Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

MICROFILMED
 DEC 3 1996

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

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 office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

COPIES OF FORMS
ARE AVAILABLE

EXHIBIT "A"

TOWNSHIP 12 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2: Beginning at the Southeast corner of said Section
 2;
 Thence West 1452 feet to the centerline of the
 Oakley-Burley Highway;
 Thence Northeasterly along said centerline 2,619.3
 feet to the East boundary line of the SE $\frac{1}{4}$ of said
 Section 2;
 Thence South 2,180 feet to the Point of Beginning.

EXCEPTING that portion deeded to the State of
Idaho for highway purposes.

Section 11: NE $\frac{1}{4}$, EXCEPTING that portion deeded to the State of
Idaho for highway purposes.

MICROFILMED
DEC 3 1996

224079

WARRANTY DEED

For Value Received

CHRIS DRAKOS, as his sole and separate property

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

WILLIAM E. GARRARD and SANDRA B. GARRARD, husband and wife

Address: Route #2 Box 225
Burley, Idaho 83318Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho,
to-wit:TOWNSHIP 12 SOUTH, RANGE 22 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

Section 2: Beginning at the Southeast corner of said Section 2;
Thence West 1452 feet to the centerline of the Oakley-
Burley Highway;
Thence Northeasterly along said centerline 2,619.3 feet
to the East boundary line of the SE $\frac{1}{4}$ of said Section 2;
Thence South 2,180 feet to the Point of Beginning.

EXCEPTING that portion deeded to the State of Idaho for
highway purposes.Section 11: NE $\frac{1}{4}$, EXCEPTING that portion deeded to the State of Idaho
for highway purposes.TOGETHER WITH all water and water rights, ditches and ditch rights
used thereon or appurtenant thereto including but not limited to
3.15 cfs of Water License A45-02600 priority date 1/21/1960.SUBJECT TO:

See attached Exhibit "A"

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: April 15, 1993



Chris Drakos

STATE OF IDAHO, COUNTY OF Cassia

On this 15th day of April, 1993
before me, a notary public in and for said State, per-
sonally appeared

Chris Drakos

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that he executed the same

LARRY ROBERTS
NOTARY PUBLIC
STATE OF IDAHO
Notary Public

Residing at Burley, Idaho, My Commission Expires 6-30-97

MICROFILMED
DEC 3 1996

Exhibit "A"

SUBJECT TO:

All reservations in Patents or Deeds in the chain of title.

Taxes for 1993 and subsequent years.

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

Mineral Deed from Mrs. Gennie Buttars, a widow, to Fred Foss, dated May 15, 1952 and recorded June 6, 1952 as Instrument No. 175767 in Book 54 of Deeds, Page 546, records of Cassia County, Idaho.

Notice of Intent to Preserve executed by Ladd Petroleum Corporation dated September 17, 1984 and recorded September 24, 1984 as Instrument No. 163826 on Film No. 167, records of Cassia County, Idaho.

Grant of Easement from Thomas E. Garrard and Kathleen H. Garrard, husband and wife, and William E. Garrard and Sandra B. Garrard, husband and wife, to Wade Baker and Afton Baker, husband and wife, dated July 8, 1986 and recorded September 11, 1986 as Instrument No. 181940 on Film No. 184, records of Cassia County, Idaho.

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM 243
R93 APR 15 P 1:37
CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER
FEE 600 DEPUTY KM
LAND TITLE & ESCROW

224079

MICROFILMED
DEC 3 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

AJ0749NP
No. R45-02600B

COWNER: CLE
CITY & ADDRESS: 0000000000
CITY: 0000000000
STATE: 0000000000
RT 2 BOX 215
BURLEY ID 83318
(208) 678-2772

WATER SOURCE: GROUNDWATER

Point(s) of Diversion: T12S R22E S11
S12

WATER USE: IRRIGATION
DOMESTIC

USE PERIOD: 03-15 11-15
01-01 12-31

DIVERSION RATE: 3.11 CFS
0.04 CFS
3.15 CFS

DIVERSION VOLUME: 153.0

STAGE: LICENSE

CASSIA County
CASSIA County

Tributary to:

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE		SUM	
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESE	NWSE
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
40	35	38	40						
TOTAL ACRES								153.0	153.0

Place of use Legal Description for: DOMESTIC

NE		NW		SW		SE	
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
40	35	38	40				
TOTAL ACRES				153.0	153.0		

POU County: CASSIA

Non-Irrigation Uses: DOMESTIC 1 HOME

Other Rights: NONE

Dates: Exam Made Date: Verified Date:

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

MICROFILMED
DEC 3 1996

Old (D) Number - 28402

RESEARCH

Prefix Translation=

Water Right Number - R45-02600B

Line	Page	Address
1	1	00000000
2	1	00000001
3	1	00000002
4	1	00000003
5	1	00000004
6	1	00000005
7	1	00000006
8	1	00000007
9	1	00000008
10	1	00000009
11	1	0000000A
12	1	0000000B
13	1	0000000C
14	1	0000000D
15	1	0000000E
16	1	0000000F
17	1	00000010
18	1	00000011
19	1	00000012
20	1	00000013
21	1	00000014
22	1	00000015
23	1	00000016
24	1	00000017
25	1	00000018
26	1	00000019
27	1	0000001A
28	1	0000001B
29	1	0000001C
30	1	0000001D
31	1	0000001E
32	1	0000001F
33	1	00000020
34	1	00000021
35	1	00000022
36	1	00000023
37	1	00000024
38	1	00000025
39	1	00000026
40	1	00000027
41	1	00000028
42	1	00000029
43	1	0000002A
44	1	0000002B
45	1	0000002C
46	1	0000002D
47	1	0000002E
48	1	0000002F
49	1	00000030
50	1	00000031
51	1	00000032
52	1	00000033
53	1	00000034
54	1	00000035
55	1	00000036
56	1	00000037
57	1	00000038
58	1	00000039
59	1	0000003A
60	1	0000003B
61	1	0000003C
62	1	0000003D
63	1	0000003E
64	1	0000003F
65	1	00000040
66	1	00000041
67	1	00000042
68	1	00000043
69	1	00000044
70	1	00000045
71	1	00000046
72	1	00000047
73	1	00000048
74	1	00000049
75	1	0000004A
76	1	0000004B
77	1	0000004C
78	1	0000004D
79	1	0000004E
80	1	0000004F
81	1	00000050
82	1	00000051
83	1	00000052
84	1	00000053
85	1	00000054
86	1	00000055
87	1	00000056
88	1	00000057
89	1	00000058
90	1	00000059
91	1	0000005A
92	1	0000005B
93	1	0000005C
94	1	0000005D
95	1	0000005E
96	1	0000005F
97	1	00000060
98	1	00000061
99	1	00000062
100	1	00000063
101	1	00000064
102	1	00000065
103	1	00000066
104	1	00000067
105	1	00000068
106	1	00000069
107	1	0000006A
108	1	0000006B
109	1	0000006C
110	1	0000006D
111	1	0000006E
112	1	0000006F
113	1</	

[illegible]

1 - 312 60X 225
2 -
3 -
City - BLUELEY
Phone - 208-678-2772

State- ID Zip- 83318

* * *

ORIG

51

1 - P O BOX 793

23

State- ID Zip- 83221

City- BLACKFOOT
Phone - 208-785-4334

[illegible]

Source +
+ Tributary +

..... Point of Diversion +

12S	22E	11	SW NE	(31)	CASSIA
12S	22E	11	SW NE	(31)	CASSIA
		12	SW NW	(31)	CASSIA

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
01 -	IRRIGATION	03/15	11/15	3.110	
43 -	DOMESTIC	01/01	12/31	0.040	

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
3.150		0.0	

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
12S	22E	11	NE NE		40.0		01 IRRIGATION	(31) CASSIA
12S	22E	11	NW NE		35.0		01 IRRIGATION	(31) CASSIA
12S	22E	11	SW NE		38.0		01 IRRIGATION	(31) CASSIA
12S	22E	11	SE NE		40.0		01 IRRIGATION	(31) CASSIA
12S	22E	11	SE NE				43 DOMESTIC	(31) CASSIA

Total Acres: 153.0

+ - - Diversion Means - 2 Wells & Pumps, 1 Domestic, 1 Irrigation

+ - - Non-Irrigation Use - DOMESTIC 1 HOME

MICROFILMED
DEC 3 1996

Water right number - R45-02600B

[illegible]

no remarks found.

Water Right Numbers

[illegible]

No Conditions of Approval found.

Decree Date - +
00/00/0000

Comments-

Subject: JGIVENS Subject: COPIED FROM REMARKS

CHRIS DRAKOS. COPY OF WARRANTY DEED ON FILE. RVW, 1/25/1993

SUBJECT: CRE-IDA FOODS, INC. TO CHRIS DRAKOS. COPY OF WARRANTY DEED ON FILE.

DATE: 06/08/99
TO: JUVENES
FROM: JUVENES
RE: CRE-IDA FOODS, INC. TO CHRIS DRAKOS. COPY OF WARRANTY DEED ON FILE.

SHIP ON 12/31/1992; CHANGE OF OWNERSHIP 5/11/93 CHRIS DRAKOS SOLD TO THOMAS E. &

RWN, 1/25/1993

KATHLEEN GARRARD 4.96 CFS/318 ACRES. A45-02600B TO WILL E.

+ - - Audit Fields - - +

01/04/95 JGIVENS

..... Adjudication Rights Dates and Flags Area+

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	-	39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-	
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-	
Claim Received Date	- 05/16/1989	Last Amended Date	- 00/00/0000	Temporary Right	-	P
		Receipt Number	- X77777	Water District	-	
		POU Ownership Flag	- Y	Federal/State Indicator	-	S
		Name Connector	-	Presumption Flag	-	
				Notice of Error Flag	-	

MICROFILMED
DEC 3 1996

OWNER
CODE C
NAME & ADDRESS
WILLIAM E. GARRARD
RT 2 BOX 225
BURLEY ID 83318
(208) 678-2772

PRIORITY
DATE 01/21/1960

WATER USE
IRRIGATION
DOMESTIC

USE PERIOD
FROM 03-15 11-15
TO 01-01 12-31

DIVERSION
RATE 3.11 CFS
0.04 CFS

DIVERSION
VOLUME

TOTAL DIVERSION:
3.15 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T12S R22E S11 S12

CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

NE		ENE		NENE		NW		NNW		NNWN		SW		SE		
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
12S	22E	11	:	40	35	38	40	:	:	:	:	:	:	:	:	:
SUM																
153.0																
TOTAL ACRES																
153.0																

Place of use Legal Description for: DOMESTIC

NE		ENE		NENE		NW		NNW		NNWN		SW		SE		
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
12S	22E	11	:	40	35	38	40	:	:	:	:	:	:	:	:	:
SUM																
153.0																
TOTAL ACRES																
153.0																

POU County: CASSIA

Non-Irrigation Uses: DOMESTIC 1 HOME

Other Rights: NONE

Remarks: CHANGE OF OWNERSHIP ON 12/31/1992; ORE-IDA FOODS, INC. TO
CHRIS DRAKOS. COPY OF WARRANTY DEED ON FILE. RV# 1/25/1993

CHANGE OF OWNERSHIP 5/11/93 CHRIS DRAKOS SOLD TO THOMAS E. &
KATHLEEN GARRARD 4.96 CFS/318 ACRES. A45-026008 TO WILL E.
GARRARD 3.15 CFS/153 ACRES.

Dates: Exam Made Date: Verified Date:

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

MICROFILMED
DEC 3 1996

+ - - Non-Irrigation Use - DOMESTIC 1 HOME

MICROFILMED
DEC 3 1996

Water right number - A45-026008

Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - NONE

Remarks
CHANGE OF OWNERSHIP ON 12/31/1992: ORE-IDA FOODS, INC. TO CHRIS DRAKOS. COPY OF WARRANTY DEED ON FILE. RVW, 1/25/1993 ***** CHANGE OF OWNERSHIP 5/11/93 CHRIS DRAKOS SOLD TO THOMAS E. & KATHLEEN GARRARD 4.96 CFS/318 ACRES. A45-02600B TO WILL E. GARRARD 3.15 CFS/153 ACRES.

	No Old Water Right Numbers Found	Old Water Right Numbers
+-----+-----+		

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

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

-Comments-
No Comments Found

- - - Audit Fields - - - + 01/04/95 JGIVENS

----- Adjudication Rights Dates and Flags Area -----+

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 05/16/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
DEC 3 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

Governor

R. KEITH HIGGINSON
Director

January 4, 1995

NANCY GARRETT
LAND TITLE & CO
PO BOX 177
BURLEY ID 83318

RE: OWNERSHIP CHANGES: A45-02600 - CHRIS DRAKOS
REFER TO:23790 - A45-02600A TO - THOMAS E. & KATHLEEN GARRARD
REFER TO:23791 - A45-02600B FOR WILLIAM E GARRARD

Dear Ms. Garrett:

Pursuant to the cover letters of May 10, 1993, that you are handling the Change of Name on the above-referenced Claim, I have changed the Department's records to the new owners. Please note the Claim has been split, see the enclosed computer copies.

Should you have any questions, please contact this office.

Sincerely,

Judy Givens
Technical Records Specialist

Enclosures - Copies of Claims
Copies of form 42-1409(7)

MICROFILMED
DEC 3 1996

09/17/2002

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

RIGHT NUMBER: 45-2600B

NAME AND ADDRESS: SANDRA GARRARD
195 W 700 S
BURLEY ID 83318

Lambert Produce

WILLIAM E GARRARD
195 W 700 S
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.99 CFS
720.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 45-13470 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.99 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 720 AF.

PRIORITY DATE: 01/21/1960

POINT OF DIVERSION:

T12S R22E S11 SWNE Within CASSIA County
T12S R22E S12 SWNW 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	2.990 CFS 720.00 AFY

PLACE OF USE:	T12S R22E S02	NESE	5.0	T12S R22E S02	SESE	28.0
	T12S R22E S11	NENE	40.0	T12S R22E S11	NWNE	37.0
	T12S R22E S11	SWNE	37.0	T12S R22E S11	SENE	39.0

186 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 45-13470 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 186 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 180 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.

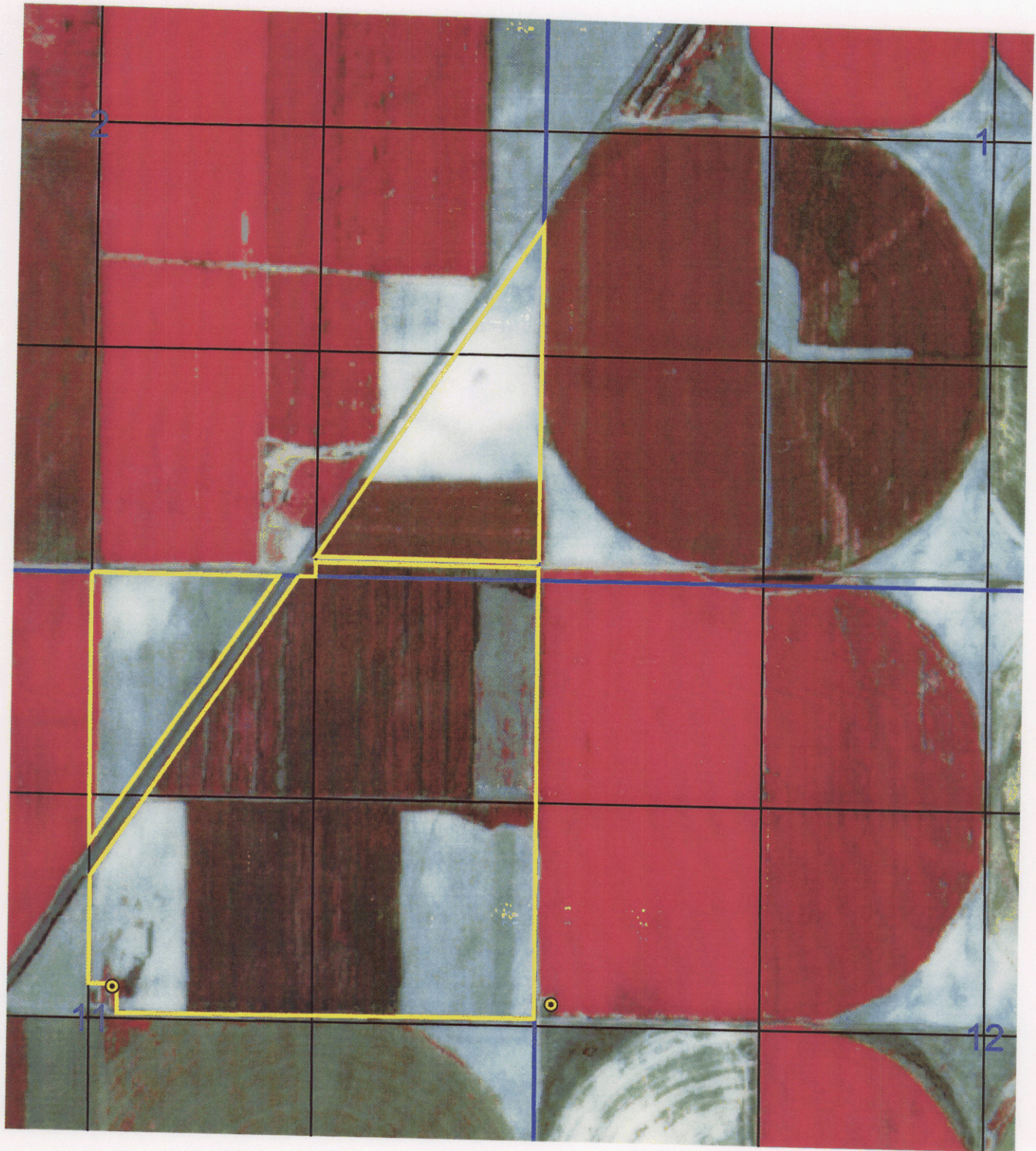
EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 45-2600A, 45-2600B, 45-13469, 45-13470.

RIGHT NO. 45-13470 IS AN EXPANSION OF THIS RIGHT PURSUANT TO
SECTION 42-1416B, IDAHO CODE.

45-2600B & 45-13470



1320 0 1320 Feet

-  Section Lines
-  Quarter/Quarter Lines
-  Place of Use
-  Point(s) of Diversion



GIS PLACE OF USE PRESENTATION
PHOTOGRAPHY: 1987 and/or 1988 NAPP
DATA ENTRY: 6/2002
DOUGLAS JONES

Log for claim A45-02600B

Spatial Dynamics MWY

3/9/00

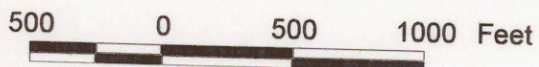
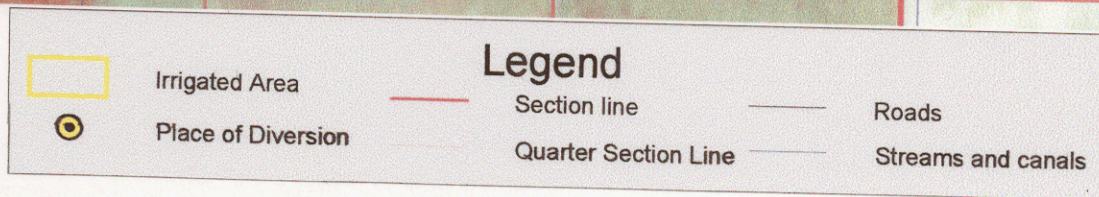
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12S22E	11	NENE	40	40	
12S22E	11	NWNE	35	37	
12S22E	11	SWNE	38	37	
12S22E	11	SENE	40	40	
Totals:			153	154	

Rights?

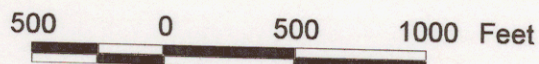
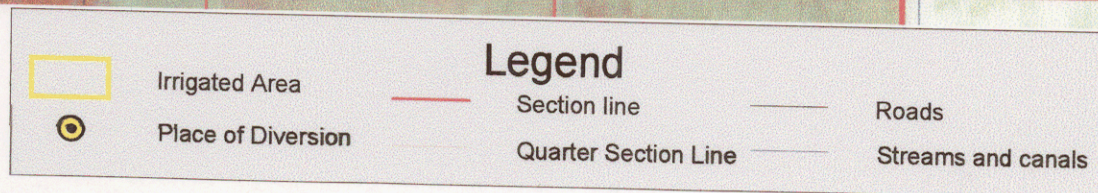
SZ NESE?
SESE?

45-12883 ExA Claim
45-4215 } Across Hwy: LDS Stake
-4216 } was Baker Farm

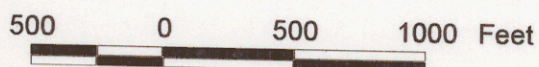
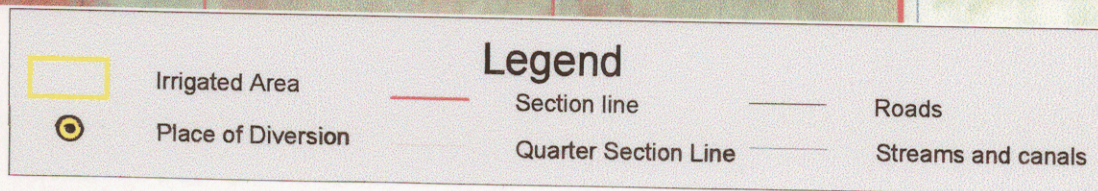
Township , 12S22E



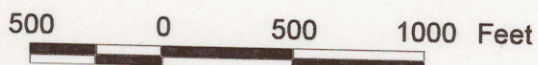
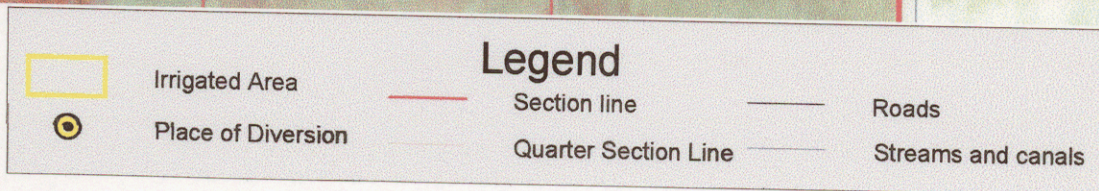
Township , 12S22E



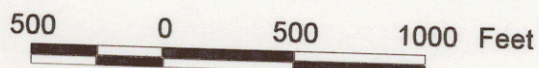
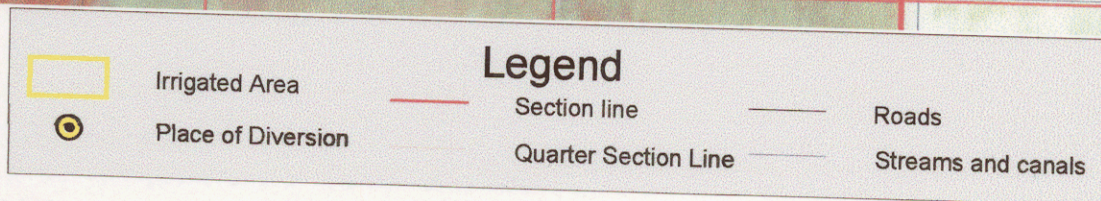
Township , 12S22E



Township , 12S22E



Township , 12S22E



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-28402

REPORT ON PROOF OF Completion of Works & Beneficial Use
Ore-Ida Foods, Inc.
Box 474
Burley, Idaho

State of Idaho

License and Certificate of Water Right

Water License No. G-28402

Amount 8.11 c.f.s.

Water District No. _____

Priority Jan. 21, 1960

THIS IS TO CERTIFY that GRIGG & ANDERSON FARMS - Assignee - ORE-IDA FOODS, Inc. of Burley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 21, 1960; that Permit No. G-28402 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 8.11 second feet, was issued thereunder on July 23, 1965, showing that said works were completed on the 5th day of January, 1962; and that on the 5th day of January, 1962, ORE-IDA FOODS, Inc.

of Burley, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of two wells, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-28402 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 13 of Licenses at page 8189, on the 23 day of July, 1965; The right hereby confirmed dates from January 21, 1960; The Point of Diversion is located SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12 in the $\frac{1}{4}$, $\frac{1}{4}$, Sec. 12 S. R. 22E, B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 8.11 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S	22E	1	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	38
			S $\frac{1}{2}$ SW $\frac{1}{4}$	80	80
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	35
		11	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	38
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$	160	160
			Total number of acres to be irrigated:		488
		12			

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 23rd day of July, 1965.

RAI.PH W. THOMAS

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

Permit No. G-28402

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

1. Name of applicant: Ore-Ida Foods, Inc.
2. Source of water supply: 2 wells
3. Location of point of diversion: Is in the SW¹/₄ NE¹/₄ of Section 11
T. 12S R. 22E County of Cassia 12
4. Describe works as they exist, giving dimensions and capacities of same: (SW¹/₄ NE¹/₄ Sec. 12) 450 HP
B-J Submersible Pump #378554 - 5 stages (350 GPM @ 420' @ 1775 RPM)
Column 400' x 12", Well #1 - 12" discharge with 1.3'
#2 (SW¹/₄ NE¹/₄ Sec. 11) 350 HP B-J Submersible Pump #368500 - 4 stages
3100 GPM @ 390' - Column 400' x 12" - 12" discharge reduced to 10" to
2' x 8' concrete tower distribution box to open ditches.
5. Water is used for: Irrigation
6. 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):
SW¹/₄, Sec. 1; NE¹/₄, Sec. 11; NW¹/₄, Sec. 12, T. 12 S., R. 22 E., B.M.
- Investment made by the applicant in the works of diversion: \$10,000.00

- (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. Jake Haxby along - Fortman*

(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. Jake Haxby, along - Foreman*

PD#2. SWATH Sec. 11 was measured within ice in May 1965.
 Today is first day of ice in 10 years - Lauren Davis drilled
 using 4 1/2 hp - diesel - 2 1/2"
 Measured by Current Meter

This examination was made on the 11th day of July, 1962.

(Signed) Loren Johnson Examiner

Ore-Ida Foods, Inc.
Box 474
Burley, Idaho
Permit No. G-28402

Examination for Completion of Works &
Beneficial Use

County Cassia

Quantity: ¹¹ Sec. 12 T. 12S R. 22E.

Source: H. C. C.

P.D.: 12/1/22

Use: Irrigation

Filed: 12/1/22

Due: 12/1/22

Extension: ---

Completion of Works: ---

Other Rights: none

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

DATE: 02/08/00
PAGE: 1

DIVERSION
VOLUME

TOTAL DIVERSION: 3.150 CFS

Stage: LICENSE

CASSIA County
CASSIA County

SE

TOTAL ACRES	153.0
-------------	-------

SE

...

CHANGE OF OWNERSHIP ON 12/31/1992: ORE-IDA FOODS, INC. TO

03/11/99; CHANGED ADDRESS AS PER REQUEST REC'D 03/09/99. CT

Objection Filed Date:

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. A45-026008

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/08/00
PAGE: 2

Audit: 01/04/95 JGIVENS 03/30/95 POST-STD 03/11/99 CTIMM