

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: A45-02630
Date Received: 6/ 6/1989
Receipt No: S007604
Received By: _____

Address change
DB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

83318

2. Date of Priority: OCT 7, 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	26	SW	SW	SW		CASSIA

5. Description of diverting works:
WELL AND PUMP. (WELL #112)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/01	2.400		

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

A.F.A.

8. Total consumptive use is 960.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12S	23E	20	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0

A45-02630

Page 1

Date: 03/26/91

MICROFILMED

MAR 08 1993

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A45-02630
Date Received: 6/06/1989
Receipt No: S007604
Received By: See

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

208-862-3346

83346

2. Date of Priority: OCT 07, 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	26	SW	SW	SW		CASSIA

5. Description of diverting works:
WELL AND PUMP. (WELL #112)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/01	2.400		

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

A.F.A.

8. Total consumptive use is 960.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12S	23E	20	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0

A45-02630

Page 1

Date: 07/20/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	23E	20	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	320.0
						Total Acres	320.0

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:
A45-04007, A45-040013A

14. Remarks:
TRANS. 3141.

15. Basis of Claim: LICENSE
Water Right Number: 29091

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39356
Ident. Number A45-02630
Date Received 6-6-89
Receipt Number 5007604

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Lambert Produce, Inc. Phone (208) 862-3346
Mailing Address Route #1, Box 44-A, Oakley, ID Zip 83346

2. Date of Priority (Only one (1) per claim) October
10-07-1960

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 125 Range 22E Section 26,
SW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of CASSIA

Additional points of diversion if any: _____

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

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

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

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

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

Well approx. 500 Ft. in depth
Well # 112

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MAR 08 1993

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

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

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

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

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

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 03-01 to 11-01 amount 2.40 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.40 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 960 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>125</u>	<u>R23E</u>	<u>20</u>									<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>320</u>

Total number of acres irrigated 320

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
45-4007 45-4003 or None ()

14. Remarks:

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MAR 08 1993

Last Name Lambert Ident No. _____

Copies: White -State, Yellow-Claimant

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

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

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

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

Scale: 2 inches equals 1 mile

MICROFILMED

Ident No. _____

Copies: **MAR 0 1980** Stille, Verleumder, Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 45-2630
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

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

Signature of Claimant (s) _____ Date _____
_____ Date _____

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

Signature of Authorized Agent Cecy K. King
Title and Organization Farm Manager Lambert Produce Inc Date 6-6-89

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 6th day of June 19 89

SEAL

Notary Public Denise Green

Residing at Twin Falls, Idaho

My Commission Expires 1-2-91

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, Laird B. Stone will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Laird B. Stone

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

Date 5/25/89

Last Name Lambert Ident. Number _____

MICROFILMED

MAR 18 1993
Copies White-State, Yellow-Claimant

06/02/2004

6/2/04

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

RIGHT NUMBER: 45-2630

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.400 CFS
1,280.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 45-4013A IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1280 AF.

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: 10/07/1960

POINT OF DIVERSION:

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

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
2.400 CFS
1,280.00 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

Water Right 45-2630

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	SENW	40.0
T12S R23E S16	NESW	41.0	T12S R23E S16	NWSW	41.0
T12S R23E S16	SWSW	41.0	T12S R23E S16	SESW	41.0
T12S R23E S16	NESE	40.0	T12S R23E S16	NWSE	22.0
T12S R23E S16	SWSE	18.0	T12S R23E S16	SESE	37.0
T12S R23E S17	NENE	41.0	T12S R23E S17	NWNE	41.0
T12S R23E S17	SWNE	41.0	T12S R23E S17	SENE	41.0
T12S R23E S17	NENW	41.0	T12S R23E S17	NWNW	41.0
T12S R23E S17	SWNW	41.0	T12S R23E S17	SENW	41.0
T12S R23E S17	NESW	41.0	T12S R23E S17	NWSW	41.0
T12S R23E S17	SWSW	31.0	T12S R23E S17	SESW	41.0
T12S R23E S17	NESE	41.0	T12S R23E S17	NWSE	41.0
T12S R23E S17	SWSE	41.0	T12S R23E S17	SESE	41.0
T12S R23E S19	NENE	39.0	T12S R23E S19 Lot 1	NWNE	39.0
T12S R23E S19 Lot 2	SWNE	40.0	T12S R23E S19	SENE	39.0
T12S R23E S19	NESE	40.0	T12S R23E S19 Lot 3	NWSE	40.0
T12S R23E S19 Lot 4	SWSE	40.0	T12S R23E S19	SESE	40.0
T12S R23E S20	NENE	40.0	T12S R23E S20	NWNE	40.0
T12S R23E S20	SWNE	40.0	T12S R23E S20	SENE	40.0
T12S R23E S20	NENW	40.0	T12S R23E S20	NWNW	40.0
T12S R23E S20	SWNW	40.0	T12S R23E S20	SENW	35.0
T12S R23E S20	NESW	40.0	T12S R23E S20	NWSW	40.0
T12S R23E S20	SWSW	40.0	T12S R23E S20	SESW	40.0
T12S R23E S20	NESE	40.0	T12S R23E S20	NWSE	40.0
T12S R23E S20	SWSE	40.0	T12S R23E S20	SESE	40.0
T12S R23E S21	NENE	40.0	T12S R23E S21	NWNE	40.0
T12S R23E S21	SWNE	40.0	T12S R23E S21	SENE	40.0
T12S R23E S21	NENW	40.0	T12S R23E S21	NWNW	40.0
T12S R23E S21	SWNW	40.0	T12S R23E S21	SENW	40.0
T12S R23E S21	NESW	40.0	T12S R23E S21	NWSW	40.0
T12S R23E S21	SWSW	40.0	T12S R23E S21	SESW	40.0
T12S R23E S21	NESE	40.0	T12S R23E S21	NWSE	40.0
T12S R23E S21	SWSE	40.0	T12S R23E S21	SESE	40.0
T12S R23E S22	NENE	32.0	T12S R23E S22	NWNE	34.0
T12S R23E S22	SWNE	31.0	T12S R23E S22	SENE	32.0
T12S R23E S22	NENW	30.0	T12S R23E S22	NWNW	39.0
T12S R23E S22	SWNW	33.0	T12S R23E S22	SENW	39.0
T12S R23E S22	NESW	32.0	T12S R23E S22	NWSW	40.0
T12S R23E S22	SWSW	40.0	T12S R23E S22	SESW	33.0

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 THIS RIGHT WITH RIGHT NO. 45-4013A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 320 ACRES IN A SINGLE IRRIGATION SEASON.

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.

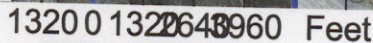
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

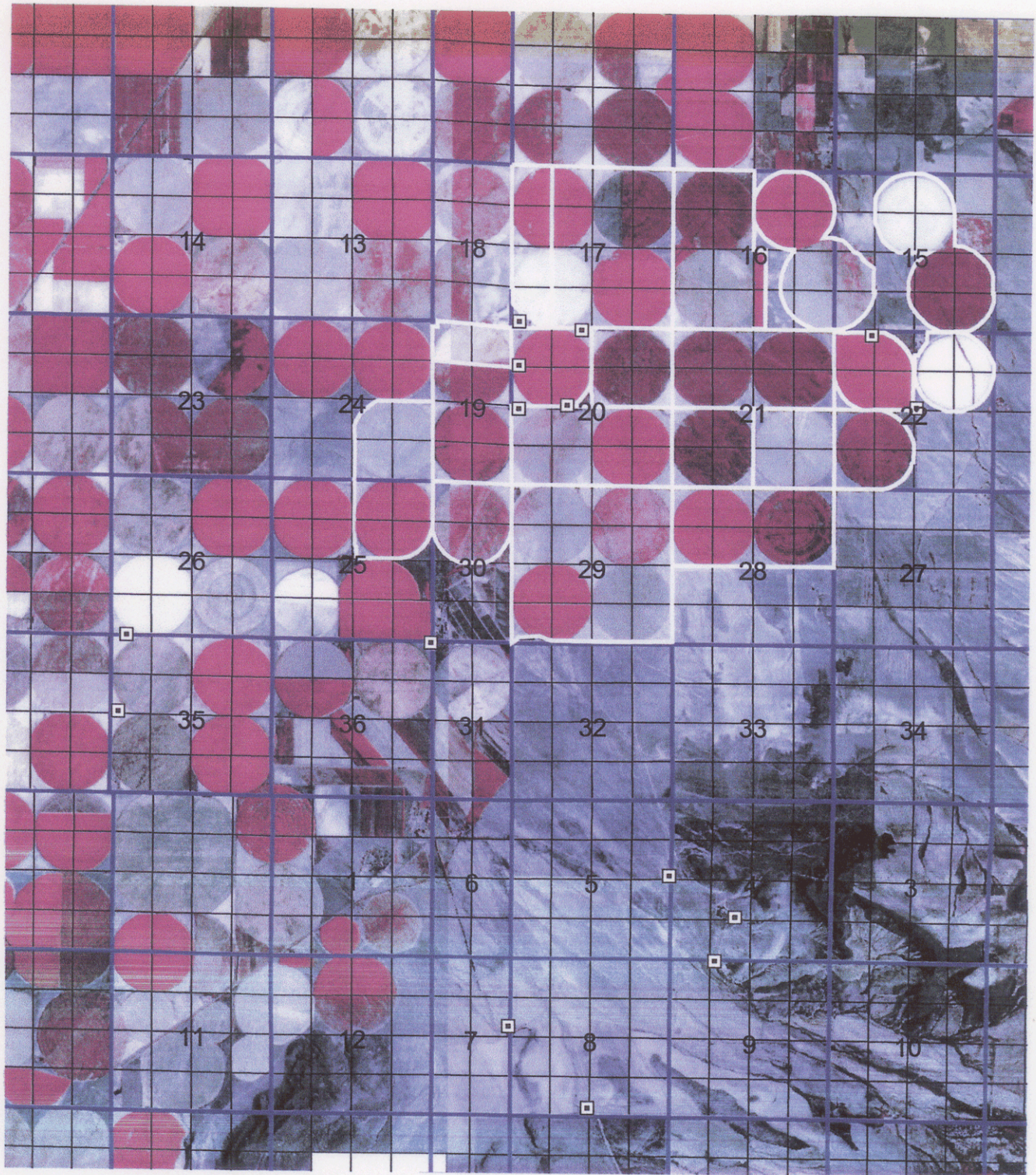


TWP 12S, RNG 23E, SEC. 15, 16, 17, 19, 20, 21, 22, 28, 29, & 30

-

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

LAMBERT PRODUCE



13200 13264 13960 Feet



RECOMMENDED PLACE OF USE
DATA ENTRY ON JULY 13, 2004



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

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-2630 V1

WATER RIGHT NUMBER: 45-2630 V1

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

Priority Date: 10/07/1960

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.400 CFS	1,280.00 AF
	<u>Total Diversion:</u>	2.400 CFS	1,280.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4NW1/4	Sec. 35, Twp 12S, Rge 22E, B.M.
CASSIA County		
GROUND WATER	SE1/4SE1/4SW1/4	Sec. 8, Twp 13S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	NE1/4SW1/4	Sec. 4, Twp 13S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SE1/4SE1/4NE1/4	Sec. 5, Twp 13S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SW1/4SW1/4NE1/4	Sec. 22, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SE1/4SW1/4SW1/4	Sec. 15, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SW1/4SW1/4SW1/4	Sec. 17, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	NE1/4NE1/4NW1/4	Sec. 20, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SW1/4SE1/4NW1/4	Sec. 20, Twp 12S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 20, Twp 12S, Rge 23E, B.M.
CASSIA County		

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-2630 V1

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

GROUND WATER SW1/4SW1/4SW1/4 Sec. 26, Twp 12S, Rge 22E, B.M.
CASSIA County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	22E	24													40.0	32.0	39.0	41.0	152.0
12S	22E	25	41.0	39.0	36.0	31.0													147.0
12S	23E	15		32.0	40.0	3.0	34.0		4.0	34.0	3.0	35.0	30.0	2.0	36.0	38.0	34.0	32.0	357.0
12S	23E	16	32.0	34.0	32.0	38.0	41.0	41.0	41.0	40.0	41.0	41.0	41.0	41.0	40.0	22.0	18.0	37.0	580.0
12S	23E	17	41.0	41.0	41.0	41.0	41.0	41.0	41.0	41.0	41.0	41.0	31.0	41.0	41.0	41.0	41.0	41.0	646.0
12S	23E	19	39.0	39.0	40.0	39.0									40.0	40.0	40.0	40.0	317.0
				L 1	L 2											L 3	L 4		
12S	23E	20	40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	635.0
12S	23E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
12S	23E	22	32.0	34.0	31.0	32.0	30.0	39.0	33.0	39.0	32.0	40.0	40.0	33.0					415.0
12S	23E	28	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0									320.0
12S	23E	29	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0	38.0	40.0	40.0	38.0	38.0	629.0
12S	23E	30	40.0	40.0	33.0	32.0													145.0
				L 1	L 2														

Total Acres: 4983

Conditions of Approval:

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

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-2630 V1

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 45-4013A IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1280 AF.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 45-4013A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 320 ACRES IN A SINGLE IRRIGATION SEASON.
3. 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.
4. 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.
5. 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.

Comments:

1. jroberts 5/29/2004 Basis of Recommendation

Comment: Recommended in a 4,983 ac ppu with many licenses, several beneficial use claims, surface water decrees, and an expansion claim of 1,991 acres. This right is limited to 320 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,

Jeanie Robertson
Sr. Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 12, 2004

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

RE: Lambert Produce

Dear Mr. Stone,

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

Groundwater rights:

Licenses

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

Totals:	21.01 cfs	7984 AF	1996 acres
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Beneficial Use:

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

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

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

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

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

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

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

Sincerely,



Jeanie Robertson
Sr. Water Resource Agent

Log for claim A45-02630

Spatial Dynamics LRR

5/2/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s23e	20	NESW	40	36	
12s23e	20	NWSW	40	37	
12s23e	20	SWSW	40	39	
12s23e	20	SESW	40	40	
12s23e	20	NESE	40	40	
12s23e	20	NWSE	40	40	
12s23e	20	SWSE	40	40	
12s23e	20	SESE	40	40	
Totals:			320	312	

overlap w/ -4013A
2-500A

limit to 320 acres in large PPU
(same 320 acres as under -4013A)
limit total volume to 1280AF
 $4 \times 320 = 1280AF$

RECEIVED

APR 26 1985

Transfer No. 3141

Water Right No. 45-2630

Department of Water Resources
Southern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 25 1985

APPLICATION FOR TRANSFER OF WATER RIGHT

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

Name of applicant First Security Bank of Idaho, N.A. Phone 338-2125
Post Office address Attn: Mr. LaMar Giles, P. O. Box 7069, Boise, Idaho 83730

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
In case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 45-2630 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant by purchase; deeds have previously been supplied to the Department.

3. Source of water groundwater tributary to _____

4. Date of priority October 7, 1960

5. Water is used for the following purposes:

amount 2.4CFS for irrigation purposes from March 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.4 CFS cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SW 1/4 of SW 1/4 of Section 26
Township 12S Range 22E B.M. in Cassia County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	22E	26									40	40	40	40	40	40	40	40	320

Total number of acres to be irrigated 320

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years No

MICROFILMED

1. Amount of water: a. _____ cubic feet per second
 &/or
 b. _____ acre feet per annum

2. Point of diversion _____ S., Section _____ Township _____
 Range _____, B.M. _____ County _____

Additional points _____

3. Place of use: _____

[illegible]

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
The underlying property will be sold without water. The new owner will use
Oakley Canal shares on the property.

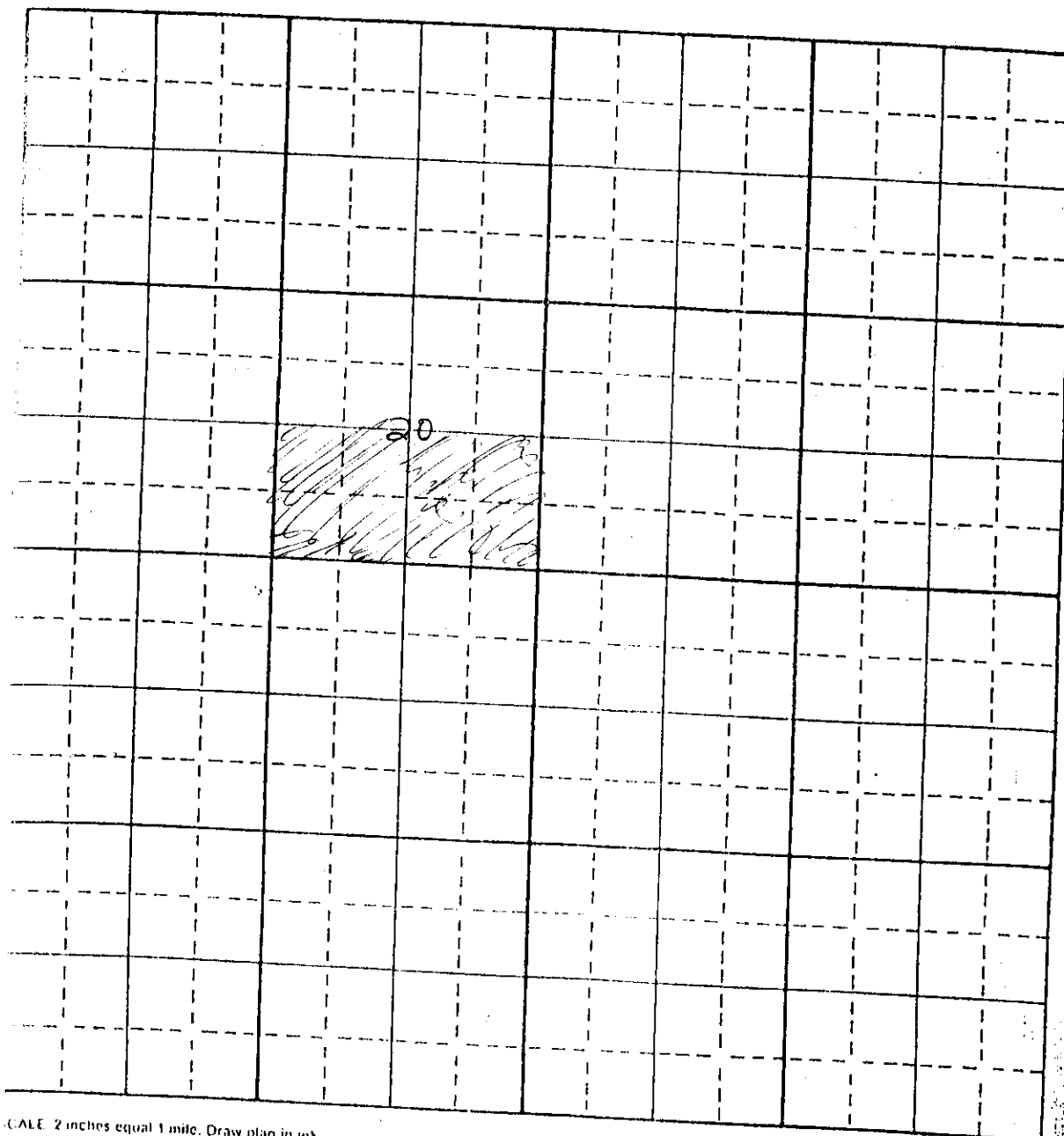
MICROFILMED

c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	23E	20									X	X	X	X	X	X	X	X	320

Total number of acres to be irrigated 320

- Describe any other water rights used for the same purpose as described above. None
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willfull misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this 13th day of March

Marga W. Riebard
(Signature of Applicant)
Attorney for First Security Bank of Idaho
19 85

Joanne Jackson
(Notary Public)

My commission expires September 13, 1987

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-2630 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 13th day of August, 19 85

J. M. Saxton
Chief, Operations Bureau

marga 4/26/85 FOR DEPARTMENT USE ONLY

Received by LF Date 4/25/85 9:15am Protest filed by None

Prelim. check by JP Fee 50.00 35336

Receipted by marga Date 4/26/85

Published in South id press

Pub. dates 5/9 + 5/16/85

Watermaster recommendation requested on N/A

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial

by AD

MICROFILMED

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

Permit No. G-29091This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Ore-Ida Foss, Inc.2. Source of water supply: Subterranean3. Location of point of diversion: Is in the SW 1/4 SW 1/4 of Section 26T. 12S R. 22 EBM County of Cassia4. Describe works as they exist, giving dimensions and capacities of same: 200 HP U.S. Motor
#122289, Layne Pump (No Nameplate) 10" x 35' discharge pipe cast
into open ditch5. 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):

S 1/2 Sec. 26., Twp. 12 S., Rge. 22 E.B.M.

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

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

Remarks: Mr. Jake Haxby, ownerTemp. 63 1/2° FMeasured by Spinning Meter 5 Rev. 3 min 24 sec. 240 cfs.This examination was made on the 9th day of June, 1965(Signed) Layne Johnson
Examiner.

29091

Ore-Ida Foods, Inc.,
Box 474
Burley, Idaho
Permit No. G-29091

Examination for Completion of Works & Beneficial Use

County Cassia Sec 26 T12S R.22 E2M
Quantity 4.5 acres

Source: Well

P. D.: 2009.11.26

Use: Irrigation

Filled: Oct 1909

Due: Oct 23 1909

Extension: —

Protest: —

Completion of Works: —

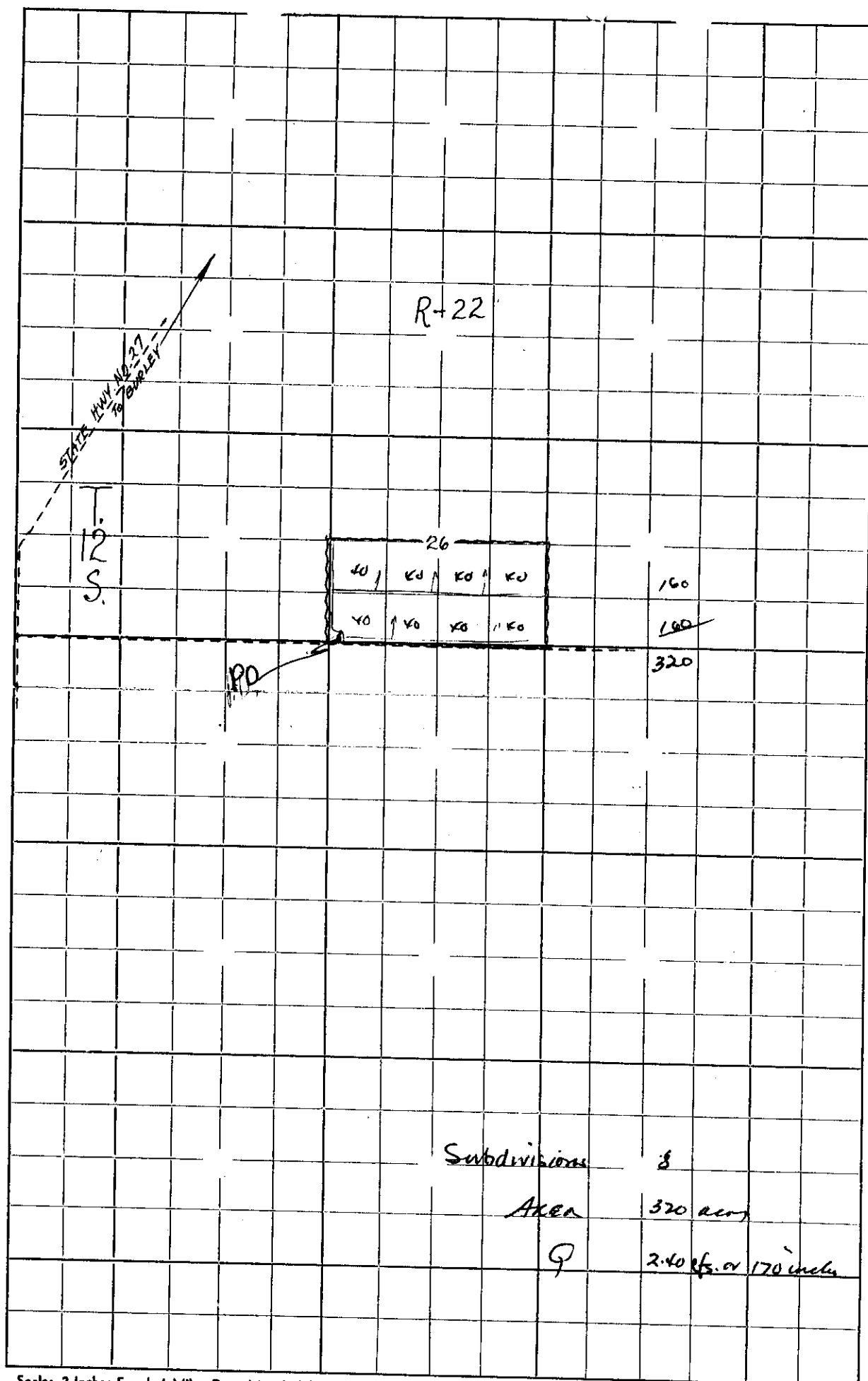
Other Rights: none

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.

RECEIVED

Department of Reclamation



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

29091

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

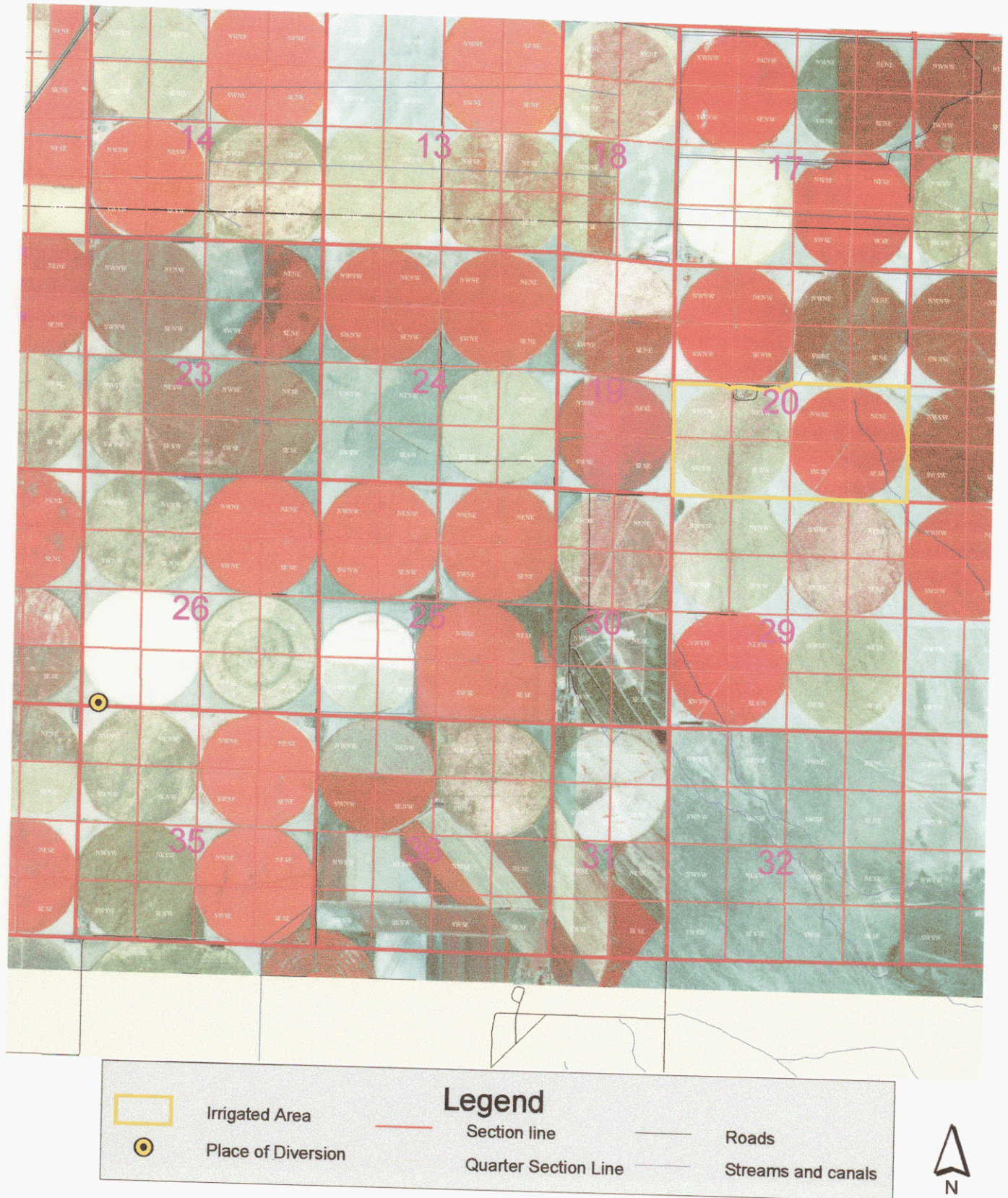
REPORT OF ENGINEER

PERMIT NO. Q-29091

REPORT ON PROOF OF Completion of Works & Beneficial Use

Ore-Ida Foods, Inc., Box 474, Burley, Idaho

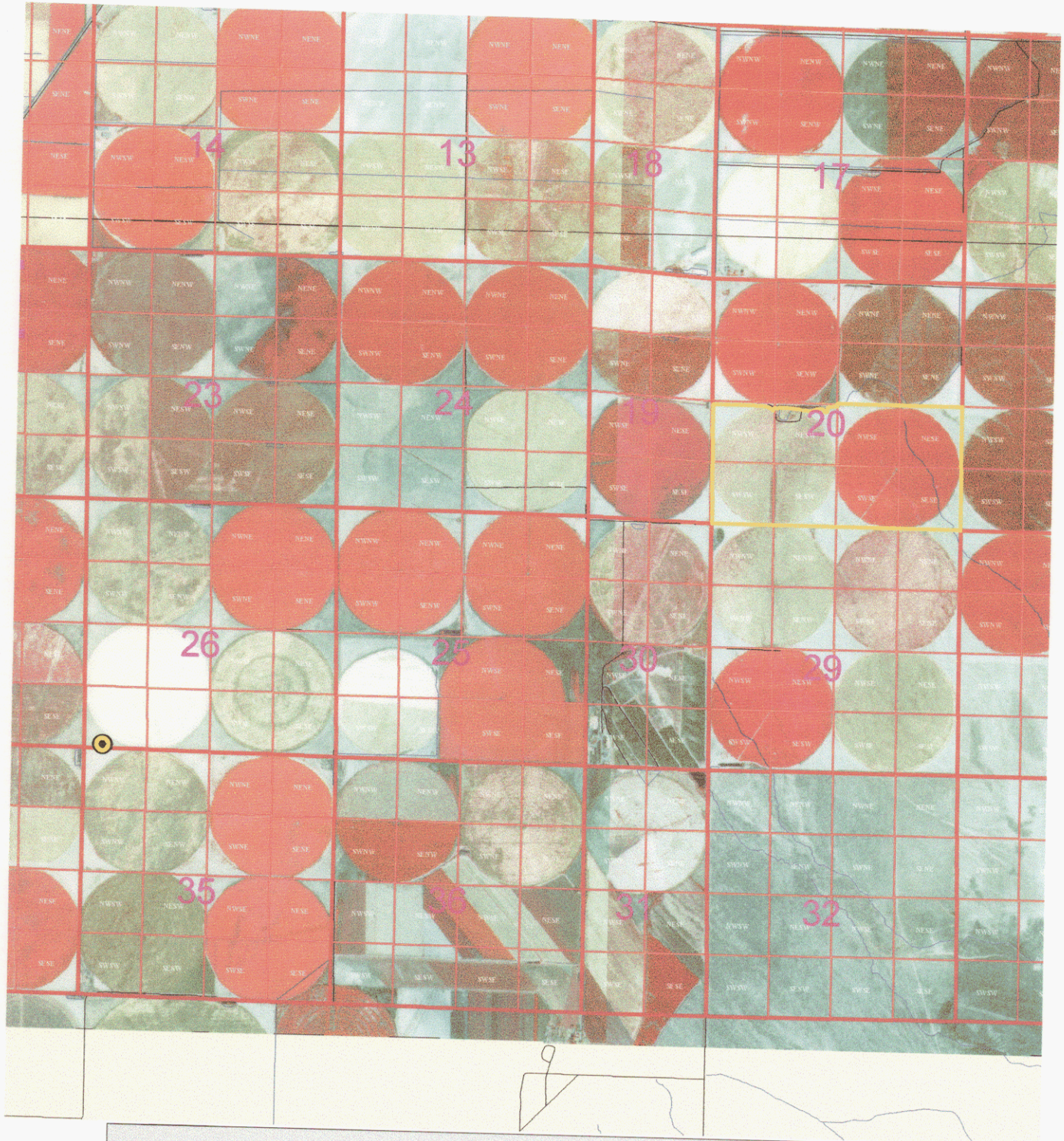
Township , 12S23E



2000 0 2000 4000 Feet



Township , 12S23E



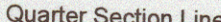
Legend			
	Irrigated Area		Section line
	Place of Diversion		Quarter Section Line
			Roads
			Streams and canals



Township, 12S23E

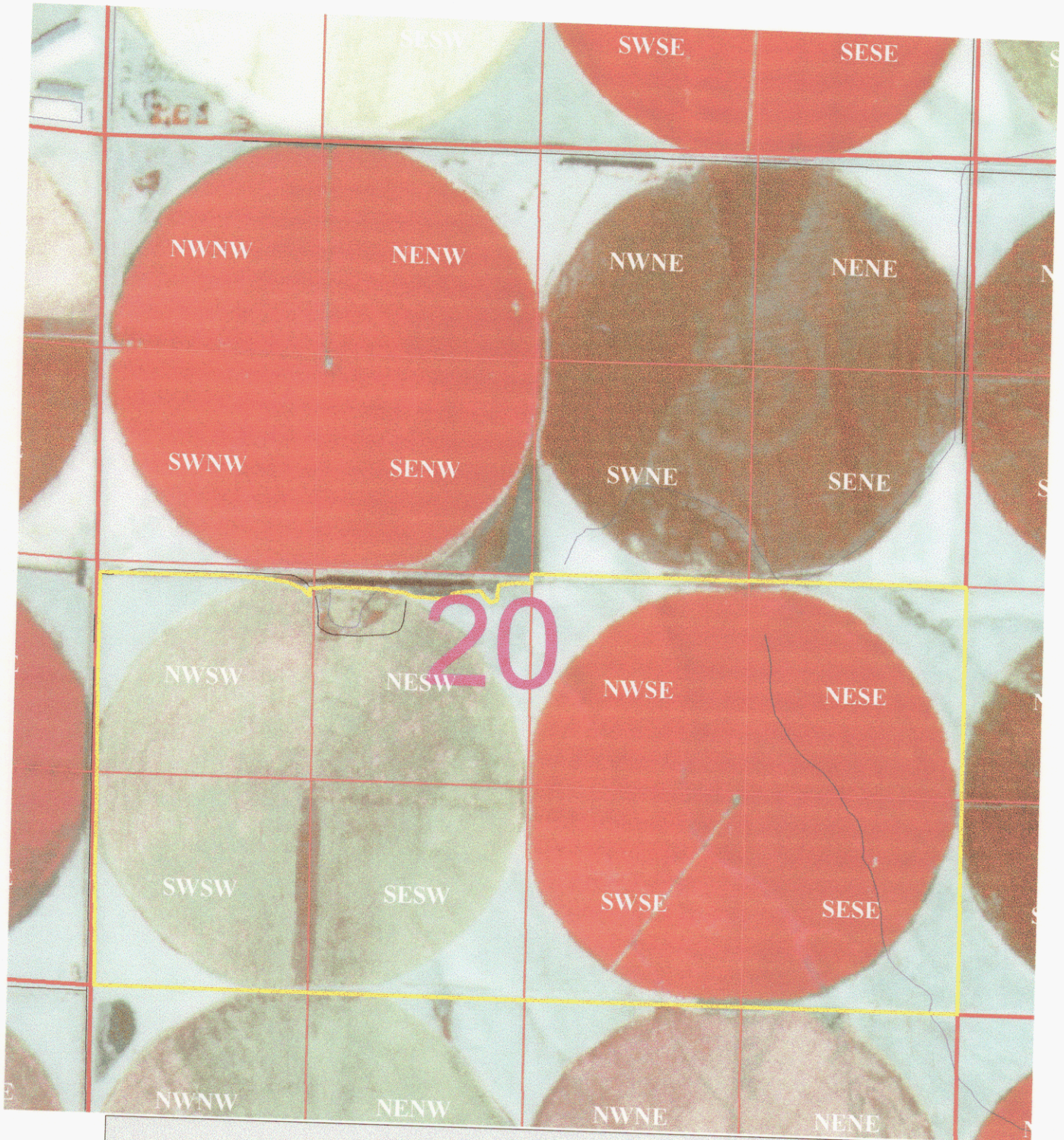


Legend

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



Township , 12S23E



Legend

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



Township , 12S23E



Irrigated Area

Place of Diversion

Legend

— Section line

— Quarter Section Line

— Roads

— Streams and canals



DATE: 02/08/00
PAGE: 13

DIVERSION
VOLUME

960.00 AFA

Stage: LICENSE

CASSIA County

SE

320.0

Other Water Rights Listing Overlapping Place(s) of Use:
A45-04007 A45-04009A A45-04013A

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

Audit:	07/13/89 CLELLAND	07/20/89 CLELLAND	03/26/91 BEDKE	03/30/95 POST-STD
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