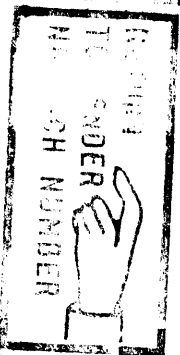


STATE OF IDAHO  
District Court  
Lake River Basin Adjudication  
P.O. Box 2707  
Twin Falls, ID 83303-2707

Bonneville Power  
PO Box 362  
Portland, OR 97232



RECEIVED

MAY - 9 2002

Department of Water Resources

2002 APR -5 PM 3: 54

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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

In Re SRBA

Case No. 39576

)  
)  
)  
)

**ORDER OF PARTIAL DECREE**

**For Water Right 35-07098**

On February 14, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 35-07098 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED 4/5/02



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

RECEIVED

MAY 15 2002

Department of Water Resources  
Eastern Region

In Re SRBA ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54 (b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 35-07098

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

PAGE 1  
Apr-05-2002

2002 APR 05 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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

In Re SRBA )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 35-07098

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 35-07098 was mailed  
on April 05, 2002, with sufficient first-class postage prepaid  
to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

US DEPT OF ENERGY  
BONNEVILLE POWER  
905 NE 11TH AVE MS/EWP  
PO BOX 362  
PORTLAND, OR 97232  
Phone: 503-230-5212

  
ROBBIN GLATZ  
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1  
04/05/02

RECEIVED

APR - 8 2002

Department of Water Resources

2002 APR -5 PM 3:54

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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

In Re SRBA

Case No. 39576

)  
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ORDER OF PARTIAL DECREE

For Water Right 35-07098

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Therefore, IT IS ORDERED that water right 35-07098 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED 4/5/02

  
\_\_\_\_\_  
ROGER S. BURDICK  
Presiding Judge  
Snake River Basin Adjudication

2002 APR 05 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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

In Re SRBA )

Case No. 39576 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 35-07098

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 35-07098 was mailed  
on April 05, 2002, with sufficient first-class postage prepaid  
to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

US DEPT OF ENERGY  
BONNEVILLE POWER  
905 NE 11TH AVE MS/EWP  
PO BOX 362  
PORTLAND, OR 97232  
Phone: 503-230-5212

  
ROBBIN GLATZ  
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1  
04/05/02







**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177**

**EASTERN REGION**

**PHILIP E. BATT**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

October 22, 1998

RON MORINAKA  
US DEPT OF ENERGY/BONNEVILLE POWER ADMINISTRATION  
905 NE 11TH AVE MS/EWP  
PO BOX 362  
PORTLAND OR 97232

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP  
NOTICE OF CLAIM TO A WATER RIGHT A35-07097,  
A35-07098

Dear Mr. Morinaka:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

**Please keep this report for your records.**

Respectfully yours,

Jennifer Hoagland  
Technical Records Specialist

Enclosure

DELOG DC 10/2/98  
OK DC 10/98

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

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) 35-7098; 35-7097 **RECEIVED**  
Adjudication Claim Number(s) A35-7098; A35-7097 R35-07097 **SEP 28 1998**  
R35-07098
2. The following **REQUIRED** information must be submitted with this form. Department of Water Resources  
Eastern Region
- 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) NORTH FORK ENERGY, INC., P.O. Box 5405 (83705), 4414 S.  
Gekeler Lane, Boise, ID 83716
4. New Owner/Claimant(s) U.S. Dept. of Energy/Bonneville Power Administration  
Name connector (Check one): ☐ AND, ☒ OR, ☐ AND/OR  
New Mailing Address PO Box 3621 / 905 NE 11th Ave. - MS/EWP  
City, State and ZIP Code Portland, OR 97232  
New Telephone Number (503) 230-5215 or 5365
5. Date you acquired the property 6/18/98
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 N/A Number and type of stock N/A  
Diversion rate in CFS 35-7098 20.00 CFS  
35-7097 4.00 CFS Number of homes \_\_\_\_\_ Other uses Fish Propagation; Domestic  
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. RON MORINAKA, Asst. Dir.
7. Signature of New Owner/Claimant(s) [Signature] Date 9/25/98  
Date \_\_\_\_\_
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.

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

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) SEE EXHIBIT "A"  
Adjudication Claim Number(s) SEE EXHIBIT "A"
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) WESTERN STAR FARMS INC  
PO BOX 34  
TWIN FALLS ID 83303
4. New Owner/Claimant(s) NORTH FORK ENERGY INC    ATTN: RICHARD D HEATON  
Name connector (Check one): [ ] AND, [ ] OR, [ ] AND/OR  
New Mailing Address 4414 S GEKELER LN  
City, State and ZIP Code BOISE ID 83705  
New Telephone Number (208 ) 342 8901
5. Date you acquired the property 4-25-1996 (BILL OF SALE)
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) North Fork Energy, Inc  
By: *Ronald J. Gade*  
President  

**MICROFILMED**  
Date NOV 15 1996  
Date 9/24/96
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.

# LIST OF WATER RIGHTS AS SHOWN IN SRBA CLAIMS

| Water Right<br>ID Number | Source                                                    | Amount   | Priority   | Nature or<br>Purpose of Use  | Season<br>of Use                     | Point of<br>Diversion              | Evidence        | Acreage<br>(if irrigation right) |
|--------------------------|-----------------------------------------------------------|----------|------------|------------------------------|--------------------------------------|------------------------------------|-----------------|----------------------------------|
| ✓ A35-04271              | Spring tributary<br>to Boom Creek                         | .50cfs   | 06/01/1945 | Fish Propagation             | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>NWSENE          | Statutory Claim |                                  |
| A35-07097                | Groundwater                                               | 4.00cfs  | 09/30/1969 | Fish Propagation<br>Domestic | 1-01 to<br>12-31                     | T4S, R33E, S30:<br>SWNW            | License         |                                  |
| ✓ A35-07098              | Spring tributary<br>to Snake River                        | 20.00cfs | 08/22/1969 | Fish Propagation             | 1-01 to<br>12-31                     | T4S, R33E, S30:<br>SWSWNW          | License         |                                  |
| ✓ A35-07138              | Groundwater                                               | 3.82cfs  | 04/08/1970 | Irrigation<br>Domestic       | 4-15 to<br>10-01<br>1-01 to<br>12-31 | T4S, R32E, S24:<br>SWNE            | Permit          | 190                              |
| ✓ A35-07141              | Groundwater                                               | 4.80cfs  | 04/08/1970 | Irrigation                   | 4-15 to<br>10-01                     | T4S, R32E, S24:<br>SESE            | License         | 240                              |
| ✓ A35-08635              | Groundwater<br>(artesian well)<br>tributary to Boom Creek | 5.00cfs  | 12/17/1986 | Fish Propagation             | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>SWNE            |                 |                                  |
| A35-11390                | Springs tributary<br>to Boom Creek                        | 20.00cfs | 06/01/1941 | Fish Propagation             | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>SENNWSW, NWSWSW | Beneficial Use  |                                  |
| A35-11399                | Groundwater                                               | .04cfs   | 06/01/1941 | Domestic                     | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>SWSW            | Beneficial Use  |                                  |
| A35-11393                | Groundwater                                               | .04cfs   | 06/01/1945 | Domestic                     | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>SWSW            | Beneficial Use  |                                  |
| A35-11394                | Groundwater                                               | .04cfs   | 06/01/1945 | Domestic                     | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>SWNEW           | Beneficial Use  |                                  |

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033  
Fax (208) 736-3037

August 8, 1996

PHILIP E. BATT  
Governor

RECEIVED

KARL J. DREHER  
Director

NORTH FORK ENERGY INC  
ATTN RICHARD D HEATON  
4414 S GEKELER LANE  
BOISE ID 83705

AUG 09 1996

Department of Water Resources  
Eastern Region

RE: CHANGE OF OWNERSHIP SRBA CLAIM NOS.

A35-04271, A35-07097, A35-07098, A35-07138, A35-07141  
A35-08635, A35-11390, A35-11392, A35-13393, A35-11394

AND WATER RIGHT NOS.

35-00007, 35-00028, 35-00029, 35-00047, 35-02014  
35-02016, 35-04271, 35-07097, 35-07098, 35-07138  
35-07141, 35-07142, 35-08635 & 35-08679

DEAR SIR,

Pursuant to your request for a change in ownership and/or the notification that you presently own the property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owners as you requested. Please find enclosed a copy of your adjudication claims, as they now appear in our records.

The water right numbers listed above will be changed at our state office in Boise. I have forwarded the documents and forms to them for completion.

If you have any further corrections or questions please contact any of our offices.

Sincerely,

STEVE CLELLAND  
Water Resource Agent

ENC:

CC: Eastern Region  
(208) 525-7161  
State Office  
(208) 327-7906

MICROFILMED

NOV 15 1996

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

RECEIVED

JUL 31 1996

Department of Water Resources  
Southern Region

1. Water Right Number(s) see Attached copy of listing  
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) WESTERN STAR FARMS, INC.  
P.O. Box 34  
TWIN FALLS, ID 83303

4. New Owner/Claimant(s) NORTH FORK ENERGY, INC., ATTN:  
Name connector (Check one): [ ] AND, [ ] OR, [ ] AND/OR RICHARD D. HEATON  
New Mailing Address 4414 S. GEKELER LANE

City, State and ZIP Code BOISE ID 83705

New Telephone Number ( ) - -

5. Date you acquired the property 4-25-1996 (BILL OF SALE)

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) North Fork Energy Inc. Date 7-31-96  
C.D. Beymer Date \_\_\_\_\_

(Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you wish to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

NOV 15 1996

A 35-07098

RECEIVED

JUL 31 1996

LIST OF WATER RIGHTS AS SHOWN IN  
IDWR RECORDS

Department of Water Resources  
Southern Region

| Water Right<br>ID Number | Source                                           | Amount   | Nature or<br>Priority | Purpose of Use                             | Season<br>of Use | Point of<br>Diversion                                    | Evidence        | Acreage<br>(if irrigation right) |
|--------------------------|--------------------------------------------------|----------|-----------------------|--------------------------------------------|------------------|----------------------------------------------------------|-----------------|----------------------------------|
| 35-00007                 | Springs tributary<br>to Boone Creek              | 6.00cfs  | 05/01/1887            | Irrigation                                 | ?                | T4S, R32E, S24:<br>SWNE, SENE                            | Decree          | ?                                |
| 35-00028                 | Boone Creek                                      | 1.20cfs  | 05/01/1888            | Irrigation                                 | ?                | ?                                                        | Decree          | ?                                |
| 35-00029                 | Rich's Spring                                    | .40cfs   | 05/01/1897            | Irrigation                                 | ?                | ?                                                        | Decree          | ?                                |
| 35-00047                 | Spring, Wastewater                               | .50cfs   | 09/01/1895            | Irrigation                                 | ?                | ?                                                        | Decree          | ?                                |
| 35-02014                 | Boone Spring                                     | 1.30cfs  | 11/21/1908            | Irrigation<br>Domestic                     | ?                | T4S, R32E, S24:<br>SENE                                  | License         | ?                                |
| 35-02016                 | Tanner Spring<br>Hull Spring                     | 4.00cfs  | 03/01/1909            | Irrigation<br>Fish Propagation<br>Domestic | ?                | T4S, R32E, S25:<br>NENE<br>T4S, R33E, S30:<br>SWNW, NWSW | License         | 90                               |
| 5-04271                  | Spring tributary to<br>Boom Creek                | 50.00cfs | 06/01/1945            | Fish Propagation                           | 1-01 to<br>12-31 | T4S, R32E, S24:<br>SENE                                  | Statutory Claim |                                  |
| 35-07097                 | Groundwater                                      | 4.00cfs  | 09/30/1969            | Fish Propagation<br>Domestic               | 1-01 to<br>12-31 | T4S, R33E, S30:<br>SWNW, NWSW                            | License         |                                  |
| 35-07098                 | Springs tributary to<br>American Falls Reservoir | 20.00cfs | 08/02/1969            | Fish Propagation                           | 1-01 to<br>12-31 | T4S, R33E, S30:<br>SWNW, NWSW                            | License         |                                  |
| 35-07098                 | Groundwater                                      | 1.08cfs  | 04/08/1970            | Irrigation                                 | 4-01 to<br>11-01 | T4S, R32E, S24:<br>SENE                                  | License         | 54                               |
| 35-07098                 | Groundwater                                      | 4.80cfs  | 04/08/1970            | Irrigation                                 | 4-15 to          | T4S, R32E, S24:                                          | License         | 240                              |

Exhibit A

NOV 1 5 11 1996  
MICROFILMED

|          |                                                           |         |            |                  |                                       |         |     |
|----------|-----------------------------------------------------------|---------|------------|------------------|---------------------------------------|---------|-----|
| 35-07142 | Unnamed stream                                            | 2.62cfs | 04/08/1970 | Irrigation       | 10-01 SESE                            | License | 162 |
| 35-08635 | Groundwater<br>(artesian well) tributary<br>to Boom Creek | 5.00cfs | 12/17/1986 | Fish Propagation | 4-01 to T4S, R33E, S30:<br>11-01 NWSW | Permit  |     |
| 35-08679 | Groundwater                                               | 1.00cfs | 12/26/1988 | Commercial       | 1-01 to T4S, R32E, S24:<br>12-31 SENE | License |     |

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JUL 31 1996

Department of Water Resources  
Southern Region

MICROFILMED  
NOV 15 1996

Exhibit A Cont.

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JUL 31 1996

LIST OF WATER RIGHTS AS SHOWN IN  
SRBA CLAIMS

Department of Water Resources  
Southern Region

| Water Right<br>ID Number | Source                                                    | Amount   | Priority   | Nature or<br>Purpose of Use  | Season<br>of Use                     | Point of<br>Diversion             | Evidence        | Acreage<br>(if irrigation right) |
|--------------------------|-----------------------------------------------------------|----------|------------|------------------------------|--------------------------------------|-----------------------------------|-----------------|----------------------------------|
| A35-04271                | Spring tributary<br>to Boom Creek                         | .50cfs   | 06/01/1945 | Fish Propagation             | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>NWSENE         | Statutory Claim |                                  |
| V35-07097                | Groundwater                                               | 4.00cfs  | 09/30/1969 | Fish Propagation<br>Domestic | 1-01 to<br>12-31                     | T4S, R33E, S30:<br>SWNW           | License         |                                  |
| A35-07098                | Spring tributary<br>to Snake River                        | 20.00cfs | 08/22/1969 | Fish Propagation             | 1-01 to<br>12-31                     | T4S, R33E, S30:<br>SWSWNW         | License         |                                  |
| A35-07138                | Groundwater                                               | 3.82cfs  | 04/08/1970 | Irrigation<br>Domestic       | 4-15 to<br>10-01<br>1-01 to<br>12-31 | T4S, R32E, S24:<br>SWNE           | Permit          | 190                              |
| A35-07141                | Groundwater                                               | 4.80cfs  | 04/08/1970 | Irrigation                   | 4-15 to<br>10-01                     | T4S, R32E, S24:<br>SESE           | License         | 240                              |
| A35-08635                | Groundwater<br>(artesian well)<br>tributary to Boom Creek | 5.00cfs  | 12/17/1986 | Fish Propagation             | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>SWNE           |                 |                                  |
| A35-11390                | Spring tributary<br>to Boom Creek                         | 20.00cfs | 06/01/1941 | Fish Propagation             | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>SENWSW, NWSWSW | Beneficial Use  |                                  |
| A35-11392                | Groundwater                                               | .04cfs   | 06/01/1941 | Domestic                     | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>SWSW           | Beneficial Use  |                                  |
| A35-11393                | Groundwater                                               | .04cfs   | 06/01/1945 | Domestic                     | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>SWSW           | Beneficial Use  |                                  |
| A35-11394                | Groundwater                                               | .04cfs   | 06/01/1945 | Domestic                     | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>SWNEW          | Beneficial Use  |                                  |

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BILL OF SALE RELATING TO WATER RIGHTS

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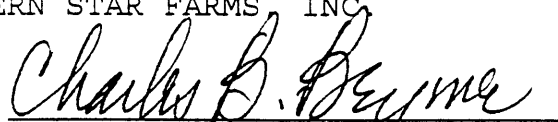
KNOW ALL MEN BY THESE PRESENTS, that **WESTERN STAR FARMS, INC.**, an Idaho corporation of P.O. Box 34, Twin Falls, Idaho 83303 ("Seller") for and in consideration of TEN DOLLARS (\$10) and other good and valuable consideration, received from **NORTH FORK ENERGY, INC.**, an Idaho corporation of 4414 S. Gekeler Lane, Boise, Idaho 83705 ("Purchaser"), the receipt whereof is hereby acknowledged, does by these presents, grant, bargain, sell and convey unto Purchaser whatever interest it may have, if any, in the water rights or claims to water rights, listed on the attached Exhibit "A". Seller makes no representations or warranties regarding such water rights or the interest being conveyed by this Bill of Sale. This Bill of Sale is being provided solely to assist Purchaser in seeking the transfer to it of such water rights or claims of water rights which may be transferable, and not as a guaranty or warranty of any kind of title to any such water rights or claims of water rights.

DATED: This 25th day of April, 1996.

**SELLER**

WESTERN STAR FARMS, INC.

By:

  
Charles B. Beymer, President

**PURCHASER**

NORTH FORK ENERGY, INC.

By:

  
Ronald C. Yanke, President

**MICROFILMED**

**NOV 15 1996**



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 4-25-96

LEGAL DESCRIPTION OF PROPERTY: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM. *See attached copy of legal description (subject to Contract of Sale).*  
Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_.  
If you have additional legal descriptions, please attach separate sheet.

[ ] 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: See attached copy of Bill of Sale

[ ] Name and Address of Former Owner/Claimant(s)(Seller): Golden Eagle Ranch / Roger and Sybil Ferguson  
P.O. Box 519

[ ] New Owner/Claimant (Purchaser): Rexburg, Idaho 83440  
Western Star Farms, Inc.

[ ] New Mailing Address: P.O. Box 34  
Twin Falls, Idaho 83303

[ ] New Telephone Number: ( ) \_\_\_\_\_ - \_\_\_\_\_

[ ] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[ ] Attach proof of ownership, describe proof attached: See attached copy of Bill of Sale (original in escrow subject to Contract of Sale).

(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): Western Star Farms, Inc. Date 4-25-96  
Charles B. Beggs  
[ ] Signature of Former Owner/Claimant(s): Roger Ferguson Date 4-27-96  
Sybil Ferguson Date 4-27-96  
Golden Eagle Ranch - By Roger Ferguson

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

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 7-31-96 By: JCC

Further Action Needed:

DATA ENTRY & PROCESS

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any:

RECEIVED

JUL 31 1996

MICROFILMED

Department of Water Resources

Southwest Region

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



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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(see instructions on back of page)

DATE OF CLOSING: 4-25-96

LEGAL DESCRIPTION OF PROPERTY: Township See attached copy of legal description (subject to Contract of Sale) Range                       
Section                     , 1/4 of                      1/4 of                      1/4, Govt. Lot                     , BM.  
Lot                     , Block,                     , Subdivision/Townsite                     .  
If you have additional legal descriptions, please attach separate sheet.

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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(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) Western Star Farms, Inc. Date                       
Charles B. Beggs Date 4-25-96  
☐ Signature of Former Owner/Claimant(s) Roger Ferguson Date 4-27-96  
Sybil Ferguson Date 4-27-96  
Golden Eagle Ranch - By Roger Ferguson Date 4-27-96

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

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 7-31-96 By: SCC

Further Action Needed:

DATA ENTRY & PROCESS

Further Action Taken

Date:                      By:                     

Final Review and Data-Entry

Date:                      By:                     

Claim Numbers of Split, if any:

RECEIVED

JUL 31 1996

Department of Water Resources

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

NOV 15 1996

III

BILL OF SALE RELATING TO WATER RIGHTS

KNOW ALL MEN BY THESE PRESENTS, that ROGER FERGUSON and SYBIL FERGUSON, husband and wife, of Rexburg, Idaho and Golden Eagle Ranch, also of Rexburg, Idaho ("Sellers") for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, received from WESTERN STAR FARMS, INC., an Idaho corporation, of Twin Falls, Idaho ("Purchaser"), the receipt whereof is hereby acknowledged, do by these presents, grant, bargain, sell and convey unto Purchaser whatever interest they may have, if any, in the water rights or claims to water rights listed on the attached Exhibit A. Sellers make no representations or warranties regarding such water rights or the interests being conveyed by this Bill of Sale. This Bill of Sale is being provided solely to assist Purchaser in seeking the transfer to it of such water rights or claims of water rights which may be transferable, and not as a guarantee or warranty of any kind of title to any such water rights or claims of water rights.

DATED this 25<sup>th</sup> day of April, 1996.

SELLERS

Roger Ferguson  
Roger Ferguson

Sybil Ferguson  
Sybil Ferguson

GOLDEN EAGLE RANCH

By Roger Ferguson  
Roger Ferguson

PURCHASER

WESTERN STAR FARMS, INC.

By Charles B. Beymer Pres.  
Charles B. Beymer, President

MICROFILMED

NOV 15 1996

**LIST OF WATER RIGHTS AS SHOWN IN  
SRBA CLAIMS**

| <u>Water Right<br/>ID Number</u> | <u>Source</u>                                             | <u>Amount</u> | <u>Priority</u> | <u>Nature or<br/>Purpose of Use</u> | <u>Season<br/>of Use</u>             | <u>Point of<br/>Diversion</u>     | <u>Evidence</u> | <u>Acreage<br/>(if irrigation right)</u> |
|----------------------------------|-----------------------------------------------------------|---------------|-----------------|-------------------------------------|--------------------------------------|-----------------------------------|-----------------|------------------------------------------|
| A35-04271                        | Spring tributary<br>to Boom Creek                         | .50cfs        | 06/01/1945      | Fish Propagation                    | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>NWSENE         | Statutory Claim |                                          |
| A35-07097                        | Groundwater                                               | 4.00cfs       | 09/30/1969      | Fish Propagation<br>Domestic        | 1-01 to<br>12-31                     | T4S, R33E, S30:<br>SWNW           | License         |                                          |
| A35-07098                        | Spring tributary<br>to Snake River                        | 20.00cfs      | 08/22/1969      | Fish Propagation                    | 1-01 to<br>12-31                     | T4S, R33E, S30:<br>SWSWNW         | License         |                                          |
| A35-07138                        | Groundwater                                               | 3.82cfs       | 04/08/1970      | Irrigation<br>Domestic              | 4-15 to<br>10-01<br>1-01 to<br>12-31 | T4S, R32E, S24:<br>SWNE           | Permit          | 190                                      |
| A35-07141                        | Groundwater                                               | 4.80cfs       | 04/08/1970      | Irrigation                          | 4-15 to<br>10-01                     | T4S, R32E, S24:<br>SESE           | License         | 240                                      |
| A35-08635                        | Groundwater<br>(artesian well)<br>tributary to Boom Creek | 5.00cfs       | 12/17/1986      | Fish Propagation                    | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>SWNE           |                 |                                          |
| A35-11390                        | Spring tributary<br>to Boom Creek                         | 20.00cfs      | 06/01/1941      | Fish Propagation                    | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>SENWSW, NWSWSW | Beneficial Use  |                                          |
| A35-11392                        | Groundwater                                               | .04cfs        | 06/01/1941      | Domestic                            | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>SWSW           | Beneficial Use  |                                          |
| A35-11393                        | Groundwater                                               | .04cfs        | 06/01/1945      | Domestic                            | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>SWSW           | Beneficial Use  |                                          |
| A35-11394                        | Groundwater                                               | .04cfs        | 06/01/1945      | Domestic                            | 1-01 to<br>12-31                     | T4S, R32E, S24:<br>SWNEW          | Beneficial Use  |                                          |

|          |                                                           |         |            | 10-01            | SESE             |                         |                    |
|----------|-----------------------------------------------------------|---------|------------|------------------|------------------|-------------------------|--------------------|
| 35-07142 | Unnamed stream                                            | 2.62cfs | 04/08/1970 | Irrigation       | 4-01 to<br>11-01 | T4S, R33E, S30:<br>NWSW | License<br><br>162 |
| 35-08635 | Groundwater<br>(artesian well) tributary<br>to Boom Creek | 5.00cfs | 12/17/1986 | Fish Propagation | 1-01 to<br>12-31 | T4S, R32E, S24:<br>SWNE | Permit             |
| 35-08679 | Groundwater                                               | 1.00cfs | 12/26/1988 | Commercial       | 1-01 to<br>12-31 | T4S, R32E, S24:<br>SENE | License            |

G:\WPDATA\KWF\6289\CHART.IDW.sjw

MICROFILMED  
NOV 15 1996

**LIST OF WATER RIGHTS AS SHOWN IN  
IDWR RECORDS**

| <u>Water Right<br/>ID Number</u> | <u>Source</u>                                    | <u>Amount</u> | <u>Nature or<br/>Priority</u> | <u>Purpose of Use</u>                      | <u>Season<br/>of Use</u> | <u>Point of<br/>Diversion</u>                            | <u>Evidence</u> | <u>Acreage<br/>(if irrigation right)</u> |
|----------------------------------|--------------------------------------------------|---------------|-------------------------------|--------------------------------------------|--------------------------|----------------------------------------------------------|-----------------|------------------------------------------|
| 35-00007                         | Springs tributary<br>to Boone Creek              | 6.00cfs       | 05/01/1887                    | Irrigation                                 | ?                        | T4S, R32E, S24;<br>SWNE, SENE                            | Decree          | ?                                        |
| 35-00028                         | Boone Creek                                      | 1.20cfs       | 05/01/1888                    | Irrigation                                 | ?                        | ?                                                        | Decree          | ?                                        |
| 35-00029                         | Rich's Spring                                    | .40cfs        | 05/01/1897                    | Irrigation                                 | ?                        | ?                                                        | Decree          | ?                                        |
| 35-00047                         | Spring, Wastewater                               | .50cfs        | 09/01/1895                    | Irrigation                                 | ?                        | ?                                                        | Decree          | ?                                        |
| 35-02014                         | Boone Spring                                     | 1.30cfs       | 11/21/1908                    | Irrigation<br>Domestic                     | ?                        | T4S, R32E, S24;<br>SENE                                  | License         | ?                                        |
| 35-02016                         | Tanner Spring<br>Hull Spring                     | 4.00cfs       | 03/01/1909                    | Irrigation<br>Fish Propagation<br>Domestic | ?                        | T4S, R32E, S25;<br>NENE<br>T4S, R33E, S30;<br>SWNW, NWSW | License         | 90                                       |
| 35-04271                         | Spring tributary to<br>Boom Creek                | 50.00cfs      | 06/01/1945                    | Fish Propagation                           | 1-01 to<br>12-31         | T4S, R32E, S24;<br>SENE                                  | Statutory Claim |                                          |
| 35-07097                         | Groundwater                                      | 4.00cfs       | 09/30/1969                    | Fish Propagation<br>Domestic               | 1-01 to<br>12-31         | T4S, R33E, S30;<br>SWNW, NWSW                            | License         |                                          |
| 35-07098                         | Springs tributary to<br>American Falls Reservoir | 20.00cfs      | 08/02/1969                    | Fish Propagation                           | 1-01 to<br>12-31         | T4S, R33E, S30;<br>SWNW, NWSW                            | License         |                                          |
| 35-07138                         | Groundwater                                      | 1.08cfs       | 04/08/1970                    | Irrigation                                 | 4-01 to<br>11-01         | T4S, R32E, S24;<br>SENE                                  | License         | 54                                       |
| 35-07141                         | Groundwater                                      | 4.80cfs       | 04/08/1970                    | Irrigation                                 | 4-15 to                  | T4S, R32E, S24;                                          | License         | 240                                      |

# Plat Map

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Part of  
SECTION 24, T.4 S., R.32 E.    B.M.  
SINGHAM COUNTY, IDAHO

## SURVEYORS CERTIFICATE

LEAVITT, a Registered Professional Land Surveyor in the State of Idaho, do hereby certify that this plat is a correct representation of the survey completed under my supervision.

*Harper - Leavitt*  
Date: 8/7/96  
Lic. No. 11392

## RECORDERS CERTIFICATE

Instrument No. 11392  
Book & Page 11392  
Recorded in Singham County, Idaho

County Recorder

| LINE | BEARING        | DISTANCE | CUMULATIVE DISTANCE |
|------|----------------|----------|---------------------|
| 1    | N 0° 00' 00" E | 1.00     | 1.00                |
| 2    | N 0° 00' 00" E | 1.00     | 2.00                |
| 3    | N 0° 00' 00" E | 1.00     | 3.00                |
| 4    | N 0° 00' 00" E | 1.00     | 4.00                |
| 5    | N 0° 00' 00" E | 1.00     | 5.00                |
| 6    | N 0° 00' 00" E | 1.00     | 6.00                |
| 7    | N 0° 00' 00" E | 1.00     | 7.00                |
| 8    | N 0° 00' 00" E | 1.00     | 8.00                |
| 9    | N 0° 00' 00" E | 1.00     | 9.00                |
| 10   | N 0° 00' 00" E | 1.00     | 10.00               |
| 11   | N 0° 00' 00" E | 1.00     | 11.00               |
| 12   | N 0° 00' 00" E | 1.00     | 12.00               |
| 13   | N 0° 00' 00" E | 1.00     | 13.00               |
| 14   | N 0° 00' 00" E | 1.00     | 14.00               |
| 15   | N 0° 00' 00" E | 1.00     | 15.00               |
| 16   | N 0° 00' 00" E | 1.00     | 16.00               |
| 17   | N 0° 00' 00" E | 1.00     | 17.00               |
| 18   | N 0° 00' 00" E | 1.00     | 18.00               |
| 19   | N 0° 00' 00" E | 1.00     | 19.00               |
| 20   | N 0° 00' 00" E | 1.00     | 20.00               |
| 21   | N 0° 00' 00" E | 1.00     | 21.00               |
| 22   | N 0° 00' 00" E | 1.00     | 22.00               |
| 23   | N 0° 00' 00" E | 1.00     | 23.00               |
| 24   | N 0° 00' 00" E | 1.00     | 24.00               |
| 25   | N 0° 00' 00" E | 1.00     | 25.00               |
| 26   | N 0° 00' 00" E | 1.00     | 26.00               |
| 27   | N 0° 00' 00" E | 1.00     | 27.00               |
| 28   | N 0° 00' 00" E | 1.00     | 28.00               |
| 29   | N 0° 00' 00" E | 1.00     | 29.00               |
| 30   | N 0° 00' 00" E | 1.00     | 30.00               |
| 31   | N 0° 00' 00" E | 1.00     | 31.00               |
| 32   | N 0° 00' 00" E | 1.00     | 32.00               |
| 33   | N 0° 00' 00" E | 1.00     | 33.00               |
| 34   | N 0° 00' 00" E | 1.00     | 34.00               |
| 35   | N 0° 00' 00" E | 1.00     | 35.00               |
| 36   | N 0° 00' 00" E | 1.00     | 36.00               |
| 37   | N 0° 00' 00" E | 1.00     | 37.00               |
| 38   | N 0° 00' 00" E | 1.00     | 38.00               |
| 39   | N 0° 00' 00" E | 1.00     | 39.00               |
| 40   | N 0° 00' 00" E | 1.00     | 40.00               |
| 41   | N 0° 00' 00" E | 1.00     | 41.00               |
| 42   | N 0° 00' 00" E | 1.00     | 42.00               |
| 43   | N 0° 00' 00" E | 1.00     | 43.00               |
| 44   | N 0° 00' 00" E | 1.00     | 44.00               |
| 45   | N 0° 00' 00" E | 1.00     | 45.00               |
| 46   | N 0° 00' 00" E | 1.00     | 46.00               |
| 47   | N 0° 00' 00" E | 1.00     | 47.00               |
| 48   | N 0° 00' 00" E | 1.00     | 48.00               |
| 49   | N 0° 00' 00" E | 1.00     | 49.00               |
| 50   | N 0° 00' 00" E | 1.00     | 50.00               |
| 51   | N 0° 00' 00" E | 1.00     | 51.00               |
| 52   | N 0° 00' 00" E | 1.00     | 52.00               |
| 53   | N 0° 00' 00" E | 1.00     | 53.00               |
| 54   | N 0° 00' 00" E | 1.00     | 54.00               |
| 55   | N 0° 00' 00" E | 1.00     | 55.00               |
| 56   | N 0° 00' 00" E | 1.00     | 56.00               |
| 57   | N 0° 00' 00" E | 1.00     | 57.00               |
| 58   | N 0° 00' 00" E | 1.00     | 58.00               |
| 59   | N 0° 00' 00" E | 1.00     | 59.00               |
| 60   | N 0° 00' 00" E | 1.00     | 60.00               |
| 61   | N 0° 00' 00" E | 1.00     | 61.00               |
| 62   | N 0° 00' 00" E | 1.00     | 62.00               |
| 63   | N 0° 00' 00" E | 1.00     | 63.00               |
| 64   | N 0° 00' 00" E | 1.00     | 64.00               |
| 65   | N 0° 00' 00" E | 1.00     | 65.00               |
| 66   | N 0° 00' 00" E | 1.00     | 66.00               |
| 67   | N 0° 00' 00" E | 1.00     | 67.00               |
| 68   | N 0° 00' 00" E | 1.00     | 68.00               |
| 69   | N 0° 00' 00" E | 1.00     | 69.00               |
| 70   | N 0° 00' 00" E | 1.00     | 70.00               |
| 71   | N 0° 00' 00" E | 1.00     | 71.00               |
| 72   | N 0° 00' 00" E | 1.00     | 72.00               |
| 73   | N 0° 00' 00" E | 1.00     | 73.00               |
| 74   | N 0° 00' 00" E | 1.00     | 74.00               |
| 75   | N 0° 00' 00" E | 1.00     | 75.00               |
| 76   | N 0° 00' 00" E | 1.00     | 76.00               |
| 77   | N 0° 00' 00" E | 1.00     | 77.00               |
| 78   | N 0° 00' 00" E | 1.00     | 78.00               |
| 79   | N 0° 00' 00" E | 1.00     | 79.00               |
| 80   | N 0° 00' 00" E | 1.00     | 80.00               |
| 81   | N 0° 00' 00" E | 1.00     | 81.00               |
| 82   | N 0° 00' 00" E | 1.00     | 82.00               |
| 83   | N 0° 00' 00" E | 1.00     | 83.00               |
| 84   | N 0° 00' 00" E | 1.00     | 84.00               |
| 85   | N 0° 00' 00" E | 1.00     | 85.00               |
| 86   | N 0° 00' 00" E | 1.00     | 86.00               |
| 87   | N 0° 00' 00" E | 1.00     | 87.00               |
| 88   | N 0° 00' 00" E | 1.00     | 88.00               |
| 89   | N 0° 00' 00" E | 1.00     | 89.00               |
| 90   | N 0° 00' 00" E | 1.00     | 90.00               |
| 91   | N 0° 00' 00" E | 1.00     | 91.00               |
| 92   | N 0° 00' 00" E | 1.00     | 92.00               |
| 93   | N 0° 00' 00" E | 1.00     | 93.00               |
| 94   | N 0° 00' 00" E | 1.00     | 94.00               |
| 95   | N 0° 00' 00" E | 1.00     | 95.00               |
| 96   | N 0° 00' 00" E | 1.00     | 96.00               |
| 97   | N 0° 00' 00" E | 1.00     | 97.00               |
| 98   | N 0° 00' 00" E | 1.00     | 98.00               |
| 99   | N 0° 00' 00" E | 1.00     | 99.00               |
| 100  | N 0° 00' 00" E | 1.00     | 100.00              |

## LEGEND

1. 1/4" = 100' (SEE ALSO MAP)

**HARPER - LEAVITT ENGINEERING, INC.**  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS  
1000 N. 10th St., Suite 100, Boise, Idaho 83702  
(208) 333-1111

PLAT OF SURVEY

HOUGHLAND FARMS  
07097-F  
07098-F

ADJUDICATION CLAIMS

8-7-96

To: Steve Clelland

From: Bish Beymer

MICROFILMED  
NOV 15 1996

EXHIBIT A

THAT PORTION OF THE FOLLOWING LEGAL DESCRIPTION

PARCEL I:

Part of the NE¼ of Section 24, Township 4 South, Range 32 East, Boise Meridian, Bingham County, Idaho, described as:  
Beginning at a point on the West line of a county road that is S 0°13'14" W 1001.26 feet along the section line and N 89°40'08" W 57.90 feet from the Northeast corner of said Section 24 and running thence S 1°11'42" W 1128.14 feet along said West line to the North line of a county road; thence S 80°53'08" W 813.33 feet along said North line; thence S 81°36'36" W 753.22 feet along said North line; thence N 2°55'53" W 1377.93 feet; thence S 89°40'08" E 1642.24 feet to the point of beginning.

PARCEL II:

Part of Section 24, 25 and 26, Township 4 South, Range 32 East, Boise Meridian, Bingham County, Idaho, described as:  
Beginning at a point on the south line of a county road that is S 0°13'14" W 2179.74 feet along the section line and West 83.95 feet from the Northeast corner of said Section 24 and running thence S 81°36'31" W 1192.27 feet along said South line; thence S 78°49'32" W 1368.55 feet; thence S 79°16'11" W 402.03 feet; thence S 89°24'11" W 198.67 feet; thence S 89°59'48" W 2075.55 feet along said South line to the West line of said Section 24; thence leaving said county road S 0°32'53" W 2618.34 feet along the section line to the Southwest corner of said Section 24; thence N 89°28'36" W 1325.23 feet along a fence line; thence S 1°04'04" W 1268.04 feet along said fence; thence S 55°28'37" W 90.03 feet; thence N 89°46'17" W 958.92 feet along said fence line to the East line of a county road; thence S 5°14'03" E 379.68 feet along said East line; thence S 16°10'45" W 198.21 feet; thence S 56°11'16" W 256.70 feet; thence S 0°11'21" W 546.83 feet; thence S 53°20'44" E 115.52 feet along said East line to the North line of said county road; thence S 88°50'14" E 561.72 feet along said North line; thence S 87°40'11" E 380.70 feet; thence S 84°18'14" E 186.12 feet; thence S 80°40'02" E 265.21 feet; thence N 80°18'38" E 732.64 feet; thence S 89°24'55" E 271.34 feet; thence N 84°41'36" E 213.19 feet; thence N 69°59'04" E 200.75 feet; thence N 59°36'35" E 521.39 feet; thence N 53°39'50" E 263.65 feet; thence N 31°17'57" E 502.46 feet; thence N 81°43'25" E 787.30 feet; thence S 89°36'24" E 702.19 feet; thence S 64°24'39" E 620.55 feet; thence S 69°30'02" E 233.65 feet; thence S 84°26'23" E 323.64 feet; thence S 74°29'47" E 1219.71 feet; thence S 75°50'39" E 443.76 feet along said North line; thence leaving said county road N 1°30'06" W 110.13 feet; thence N 1°26'14" W 2304.88 feet along a fence line; thence N 1°42'30" W 3088.94 feet along said fence line to the point of beginning.

PARCEL IIA:

Part of Section 25, Township 4 South, Range 32 East, Boise Meridian, Bingham County, Idaho, described as:  
Beginning at a point on the Southerly line of a county road that is S 88°51'23" W 104.34 feet from the East ¼ corner of said Section 25 and

MICROFILMED

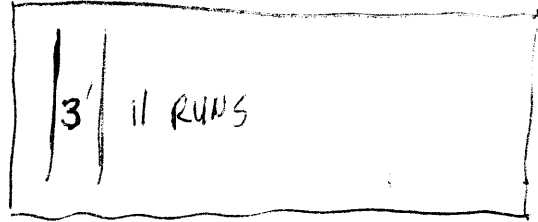
NOV 5 1996

Facility Volume — 2.6 AF

OLD HOUSE

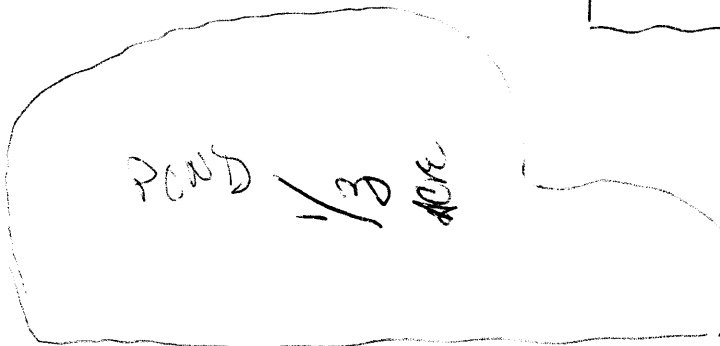
AK

BUILDING



2' DEEP

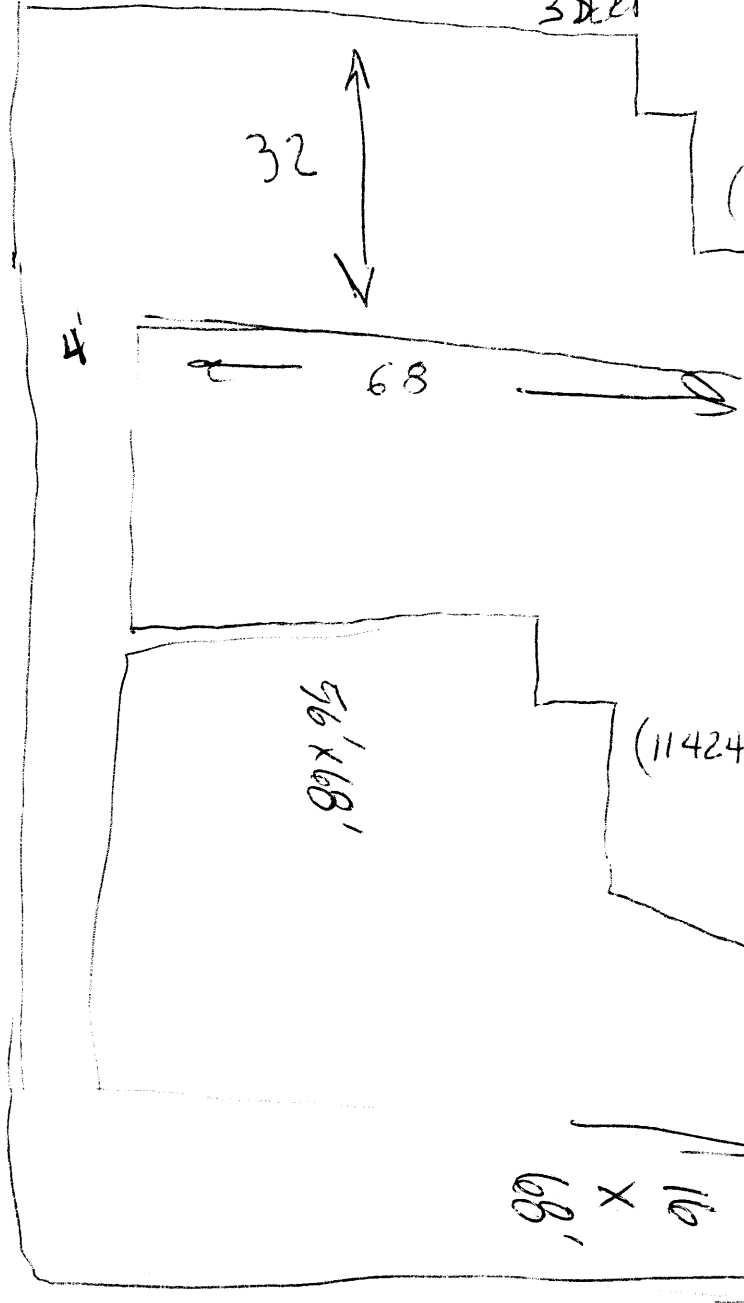
(1650 ft<sup>3</sup>)



(87120 ft<sup>3</sup>)

3' DEEP

(109986 ft<sup>3</sup>)



(6528 ft<sup>3</sup>)

2.5 af

(11424 ft<sup>3</sup>)

68' x 16'

3264



DATE OF EXAM 9/1/77

ACREAGE  
Found n/a  
Recommended n/a

Irrigation Requirement n/a Ac Ft/Ac

USE  
Irrigation Q =            c.f.s. V =            AF/Ann. from            to             
Domestic Q =            c.f.s. V =            AF/Ann. from            to             
Livestock Q =            c.f.s. V =            AF/Ann. from            to             
Field Propagation Q = 20.00 cfs V = non-consumptive  
from June 1 Dec 1 14,479.55 AF/yr

Is water co-mingled? yes            no X

Name source: n/a  
Twp.            N/S, Rge            E/W, B.M., Sec.           , Sub.            1/4            1/4            County           

Exchange? yes            no X County           

Name source exchanged with: n/a  
Twp.            N/S, Rge            E/W, B.M., Sec.           , Sub.            1/4            1/4            County           

Point of injection: n/a  
Twp.            N/S, Rge            E/W, B.M., Sec.           , Sub.            1/4            1/4            County           

Point of exchange: n/a  
Twp.            N/S, Rge            E/W, B.M., Sec.           , Sub.            1/4            1/4            County           

Total Q measured 26.67 cfs Method of measurement Weirs

Total Q recommended 20.00 cfs Meter No. n/a Type Notch Condition good - new

Total V recommended non-consumptive V = 14,479.55 AF/yr

Recommended Amendments:

Place of Use             
None

MEASUREMENT CALCULATION:

At two each of the three weirs was 1.67 ft or 20 inches.  
 $Q = 2.49 \text{ (ft)}^2 \times 2.48$ ,  $Q = 8.88 \text{ cfs} \times 3 = 26.67 \text{ cfs}$   
 $V = \text{non-consumptive } 20 \text{ cfs} \times 1.9535 \times 365 = 14,479.55$   
Att 9/1/77

SYSTEM DESCRIPTION:

Spring water is backed up by a 25' long 8' high concrete  
abutment to form a race and where the race is raised  
through 5 weirs positioned side by side on the  
top of the abutment.

REMARKS:

System shown & described by Peter Houghland.  
Race and weirs are raised.

Examiner's Signature Anthony R. Kyzanski Date 9/1/77

Checked by Ernest A. Carlson Date 11/8/77

Approved by            Date

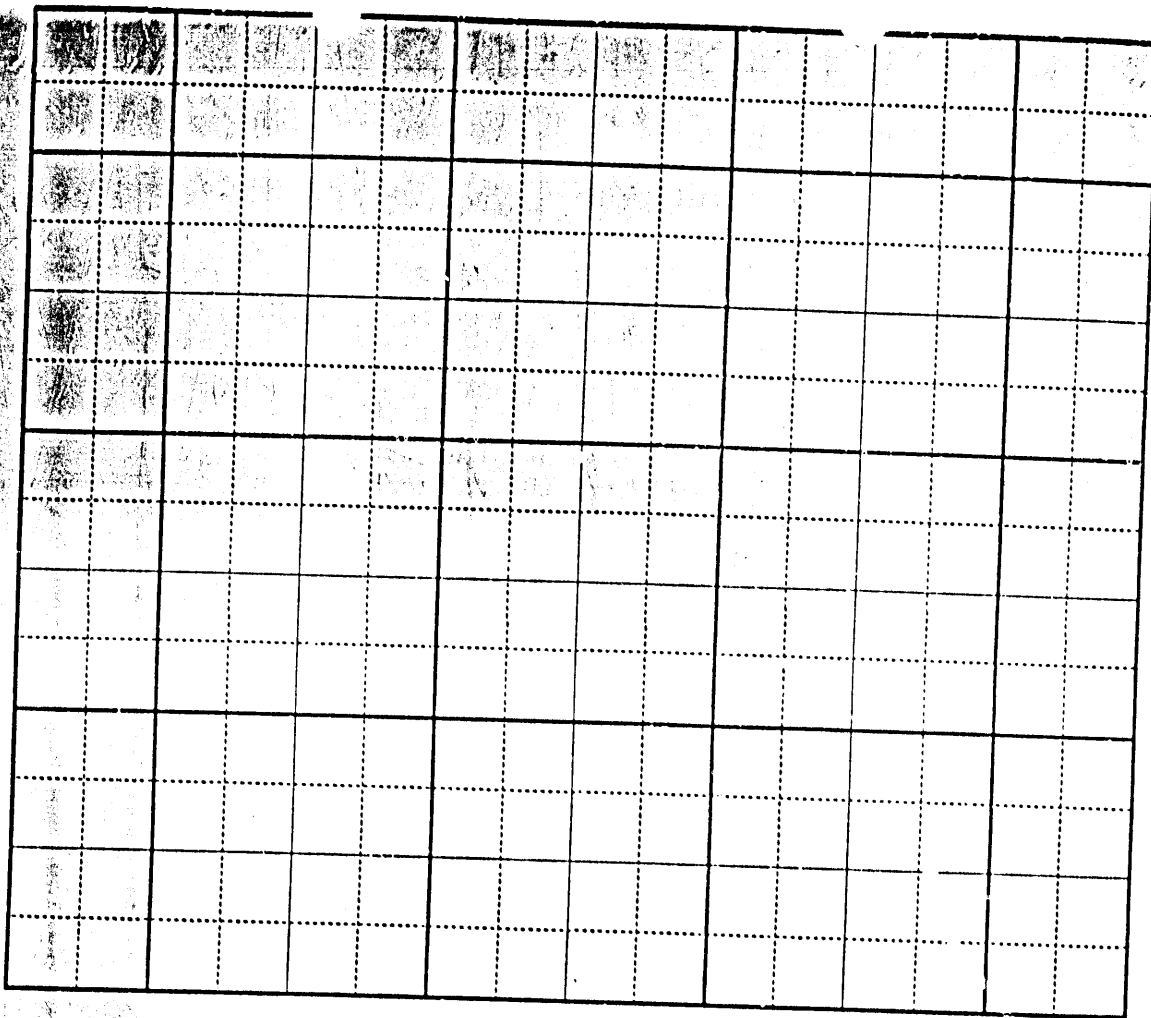
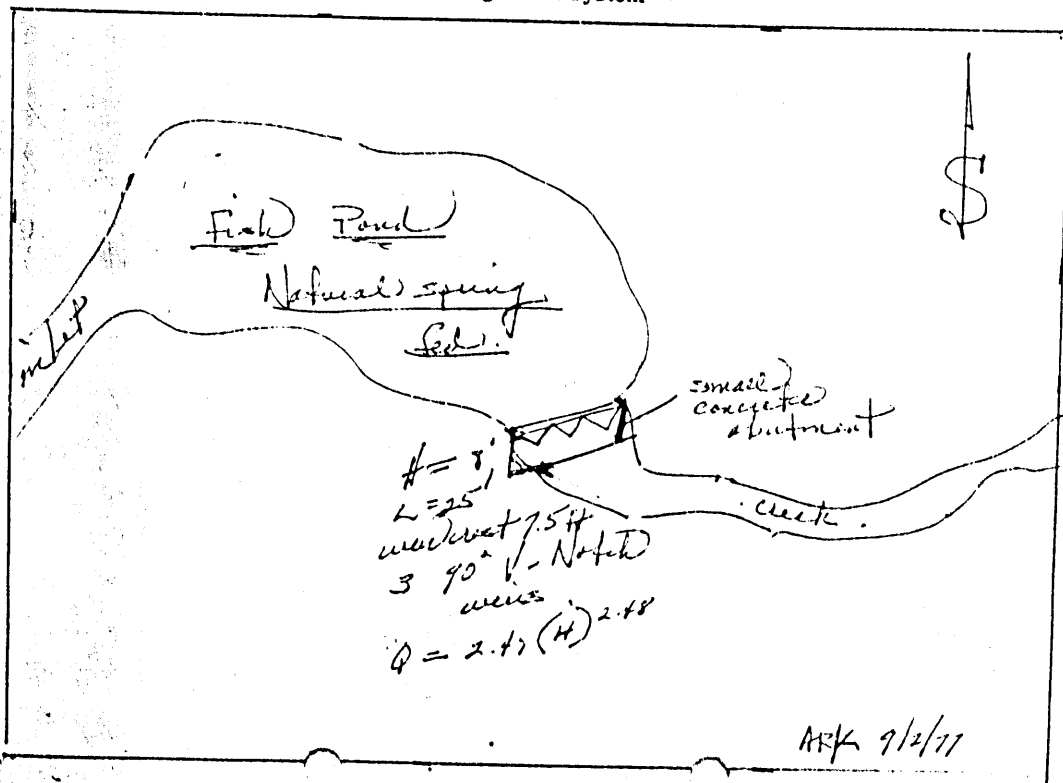


Diagram of System



WR0749NP  
No. 35-07098

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| OWNER<br>CODE    | NAME & ADDRESS                                                           | PRIORITY<br>DATE | WATER USE        | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|--------------------------------------------------------------------------|------------------|------------------|-----------------------|-------------------|---------------------|
| C                | NORTH FORK ENERGY INC<br>PO BOX 5405<br>BOISE ID 83705<br>(208) 328-2306 | 08/02/1969       | FISH PROPAGATION | 01/01 12/31           | 20.000 CFS        |                     |
| TOTAL DIVERSION: |                                                                          |                  |                  |                       | 20.000 CFS        |                     |

Water Source: GROUNDWATER  
SPRINGS

Tributary to:  
SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T04S R32E S25 SENE BINGHAM County  
R33E S30 SNNW SWSNNW NWSW NWNWSW BINGHAM County

Point of Diversion Name(s):

|               | Name             | Rate | Number |
|---------------|------------------|------|--------|
| T04S R32E S25 | SE NE 1 WELL     |      |        |
| R33E S30      | SW NW 4 WELLS    |      |        |
| S30           | SW SW NW SPRINGS |      |        |
| S30           | NW SW 2 WELLS    |      |        |
| S30           | NW NW SW SPRINGS |      |        |

Place of use Legal Description for: FISH PROPAGATION

|            | NE                                                                                      | NW                                                                                                      | SW | SE |  |
|------------|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|----|----|--|
| T R S      | NENE NWNE SWNE SENE : NENW NWNW SNNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE : | Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : |    |    |  |
| 04S 33E 30 | :                                                                                       | :                                                                                                       | F  | F  |  |

Pou County: BINGHAM

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN The total instantaneous diversion of water from all points of diversion under Transfer No. 5278 shall not exceed 24.00 cfs. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of the diversion that is acceptable to the watermaster and will provide suitable control of the diversions. Use of water under this approval shall comply with applicable

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Remarks: water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.  
Right Nos. 35-07097 and 35-07098 are limited to historic facility and diversion volumes as determined by the Snake River Basin Adjudication.  
Multiple springs are located within SWSWNW and NWNWSW of S30, T04S, R33E.  
Four wells are located within the SWNW and two wells are located within NWSW of S30, T04S, R33E.  
The right holder shall accomplish the change authorized by this transfer by April 30, 2002.

Dates: App. Received: Priority Date: 08/02/1969  
Proof Due Date: Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date: 08/07/1979

Misc: Water District Number: 01 Field Exam Fee: