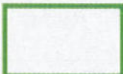


Claim No(s): 65-11213F

T10N, R04E, S 23

Prepared by: Sue Bock

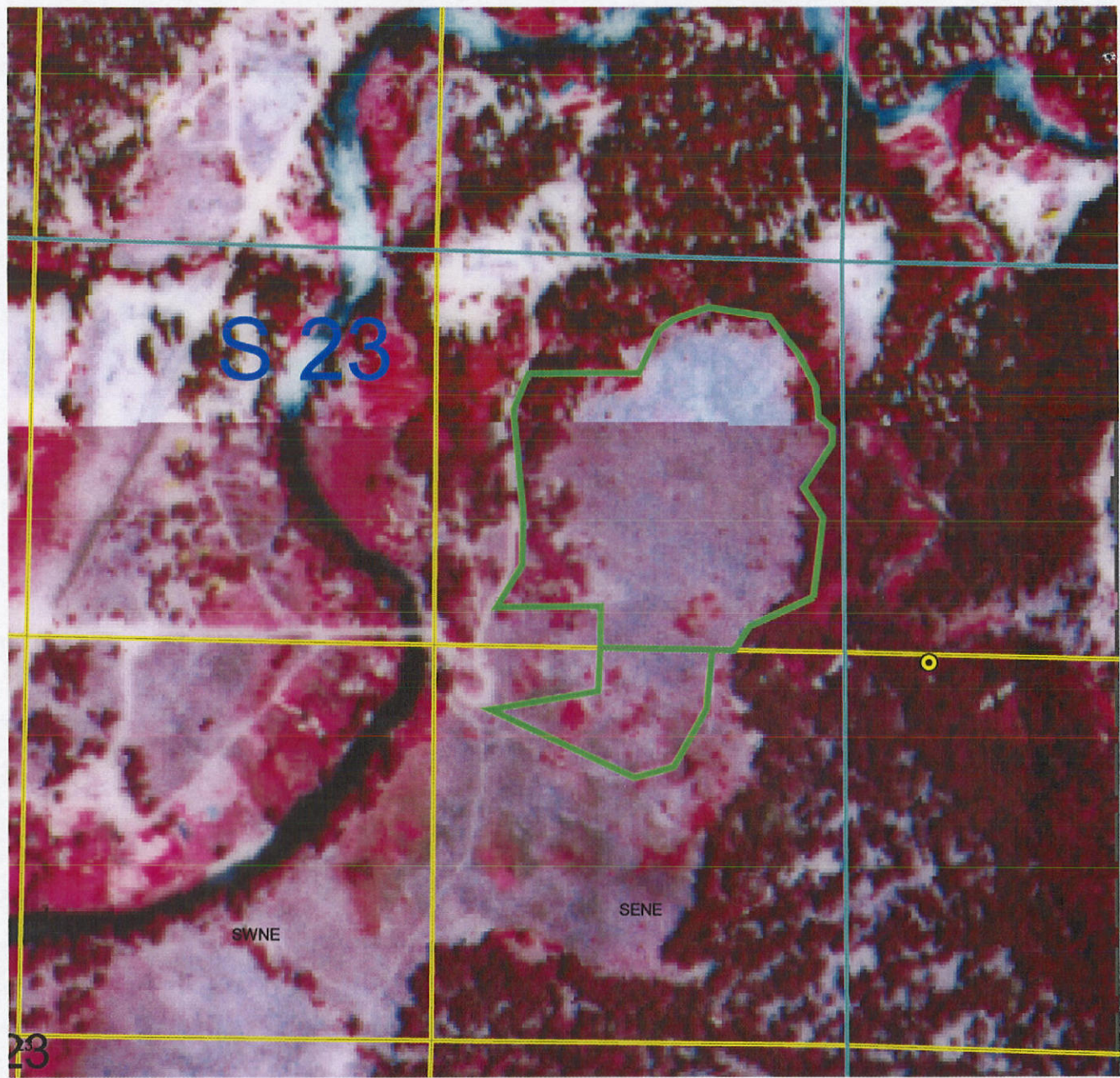
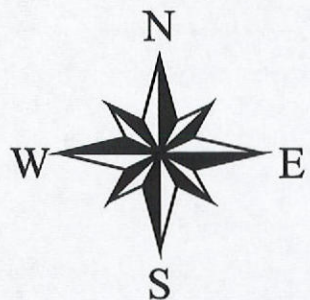
Date: 07/27/2001

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 0.1 0.2 Miles



1987 NAPP Photo

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: A65-11213D
Date Received: 3/27/1989
Receipt No: X999999
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: INNOVATIVE LAND MANAGEMENT 208-356-9511
Address: HC 76 BOX 2153
GARDEN VALLEY ID 83622
2. Date of Priority: JUN 1, 1887
3. Source: LIGHTNING CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 10N | 04E | 24 | SW | | NW | | BOISE |
5. Description of diverting works:
DITCH FROM CK.-150' TO HEADGATE W/PIPE 2400' TO DITCH W/GRAV. IRRIG
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.145 | | |
| STOCKWATER | 01/01 | 12/31 | 0.060 | | |
7. Total Quantity Appropriated is:
1.210 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
STOCKWATER, 40 HEAD
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	04E	23	NE	NE		IRR	21.0
			SW	NE		IRR	8.0
			SE	NE		IRR	15.5

10. Place of Use: Continued

Section Acres 44.5

Total Acres 44.5

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
 NONE

14. Remarks:

 THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
 OF CLAIM NO 65-11213A, NO FEE REQUIRED ON B65 DECREEED RIGHTS.
 SB 10/18/99

15. Basis of Claim: DECREEED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

RIGHTS FROM: SOURCE: LIGHTNING CREEK TRIBUTARY: PAYETTE RIVER, MIDDLE FORK

RIGHT NUMBER: 65-11213F

NAME & ADDRESS: INNOVATIVE LAND MANAGEMENT
HC 76 BOX 2153
GARDEN VALLEY ID 83622

SOURCE: LIGHTNING CREEK TRIBUTARY: PAYETTE RIVER, MIDDLE FORK

QUANTITY: 0.575 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION: T10N R04E S24 SWNW Within BOISE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 11-01	0.575 CFS
	STOCKWATER	01-01 12-31	0.06 CFS

PLACE OF USE: IRRIGATION Within BOISE County
T10N R04E S23 NENE 21 SENE 1.5
22.5 ACRES TOTAL

Place of use for STOCKWATER is same as IRRIGATION

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

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: BASIS OF CLAIM - DECREE
STOCKWATER, 40 RANGE CATTLE

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	)	SUBCASE NO. 65-11213D
	)	
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

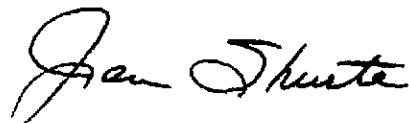
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☒Yes ☐No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: June 19, 2000



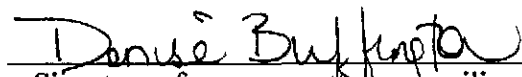
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 19, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Innovative Land Management
HC 76 Box 2153
Garden Valley ID 83622
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Innovative Land Management
HC 76 Box 2153
Garden Valley ID 83622

Richard J Andrews Family Trust
16080 N 59th Ave
Glendale AZ 85306
4. One Copy to:
Each party in the subcase or attorney of record:
N / A
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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 No(s).. 65-11213D
 Adjudication Claim No(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** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

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

3. Name and Address of Former Owner/Claimant

INNOVATIVE LAND MANAGEMENT
HC 76 Box 2153
Canyon Valley, ID 83622

4. New Owner/Claimant(s)

The Richard J. Andrus Family Trust
Name Connector (Check one): [] and [] or [] and/or

New Mailing Address

1400 N 59th Ave

City, State and ZIP Code

Glendale AZ 85306

New Telephone Number

(602) 979-8332

5. Date you acquired the property

01/30/99

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right approx 24.5 Number and type of stock 0

Diversion rate in CFS _____ Number of homes you acquired 0 Other uses _____

- 7.

Signature of New Owner(s)
 or Claimant(s)

Richard J. Andrus, Trustee

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

- 8.

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

Andrews Family Tract
 65-11213F
 225 acres
 Sene 1.5
 Sene 80
 Sene 14.0
 575 I / de Stock
 20/stock

Amounts in water uses

Innovative Land
 65-11213F
 225 acres
 Sene 1.5
 Sene 81.0
 575 I / de Stock
 Stock 7



CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

Innovative Land Management, Inc., an Idaho Corporation

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto

Richard J. Andrews and Suzanne H. Andrews, Trustees of The Richard J. Andrews Family Trust, dated December 1, 1988.

whose address is: 6830 W. Aston Road, Peiora, AZ 85381
grantee, the following described real estate, to-wit:

See Legal description attached hereto and made a part hereof.

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision restrictions and U.S. patent reservations.

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

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President this 28th day of January, 1998.

Innovative Land Management, Inc., an Idaho Corporation

BY: Linda K. Yearsley
Linda K. Yearsley, President

167455

Lydia Callaway
Lydia Callaway, Vice-Pres.

STATE OF IDAHO)
ss.
COUNTY OF Ada)

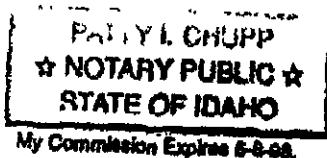
INST# 167455
REQUEST DATA VIEW

98 JAN 30 PM 3:03

BOISE COUNTY RECORDER

BY Laura C. Lappen
TYPE DEED FEE 6.00

On This 28th day of January, in the year 1998, before me, a Notary Public in and for said State, personally appeared Linda K. Yearsley, known or identified to me to be the President of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.



Phyllis Chupp
Notary Public of Idaho
Residing at Boise
Commission expires: 5/08/98

First American Title Company of Idaho

EXHIBIT A

Beginning at the East $\frac{1}{4}$ corner of Section 23, Township 10 North Range 4 East, Boise Meridian; Thence South $88^{\circ}47'55''$ West, 1322.09 feet to the center East $1/16$ corner of said Section 23; thence North $86^{\circ}59'48''$ West, 336.23 feet; thence South $84^{\circ}01'22''$ West 48.16 feet; thence South $88^{\circ}50'43''$ West, 909.43 feet to the Southeast corner of Lot 1 of Wooded River Subdivision; thence North $00^{\circ}42'00''$ West, 339.42 feet along the East line of said Lot 1, to the centerline of the Middle Fork of the Payette River; thence along said centerline North $86^{\circ}11'08''$ East, 149.09 feet to the beginning of a tangent 750.00 foot radius curve to the left; thence Northeasterly along the arc of said curve through a central angle of $21^{\circ}58'11''$ a distance of 287.58 feet; thence tangent to said curve North $64^{\circ}12'57''$ East, 184.37 feet to the beginning of a tangent 500.00 foot radius curve to the left; thence Northeasterly along the arc of said curve through a central angle of $26^{\circ}16'00''$ a distance of 229.22 feet; thence tangent to said curve North $37^{\circ}56'57''$ East, 559.21 feet to the beginning of a tangent 250.00 foot radius curve to the left; thence Northerly along the arc of said curve through a central angle of $46^{\circ}06'50''$ a distance of 201.21 feet; thence tangent to said curve North $08^{\circ}09'53''$ West, 56.99 feet; thence leaving the centerline of said river North $88^{\circ}58'51''$ East 215.41 feet to a point on the Westerly boundary of River Park Meadows Subdivision No. 1; thence along said boundary South $18^{\circ}14'16''$ West 73.29 feet to the beginning of a tangent 35.86 foot radius curve to the left; thence Southerly along the arc of said curve through a central angle of $53^{\circ}18'20''$ a distance of 33.36 feet; thence tangent to said curve South $35^{\circ}04'04''$ East, 59.29 feet to the beginning of a tangent 50.00 foot radius curve to the right; thence Southerly along the arc of said curve through a central angle of $104^{\circ}02'27''$ a distance of 90.79 feet; thence South $64^{\circ}37'36''$ East, 311.88 feet to the beginning of a tangent 350.00 foot radius curve to the right; thence Southeasterly along the arc of said curve through a central angle of $31^{\circ}53'27''$ a distance of 194.81 feet; thence tangent to said curve South $32^{\circ}44'09''$ East, 355.19 feet to the beginning of a tangent 90.00 foot radius curve to the left; thence Easterly along the arc of said curve through a central angle of $118^{\circ}04'21''$ a distance of 185.47 feet; thence tangent to said curve North $29^{\circ}11'30''$ East, 27.00 feet to the beginning of a tangent 232.41 foot radius curve to the left; thence Northeasterly along the arc of said curve through a central angle of $12^{\circ}16'46''$ a distance of 49.81 feet; thence tangent to said curve North $16^{\circ}54'44''$ East, 187.72 feet to the beginning of a tangent 188.47 foot radius curve to the left; thence Northerly along the arc of said curve through a central angle of $39^{\circ}41'23''$ a distance of 130.56 feet; thence tangent to said curve North $22^{\circ}46'39''$ West, 119.45 feet to the beginning of a tangent 77.61 foot radius curve to the left; thence Northwesterly along the arc of said curve through a central angle of $44^{\circ}18'04''$ a distance of 60.01 feet to the beginning of a tangent reversing 130.00 foot radius curve to the right; thence Northwesterly along the arc of said curve through a central angle of $78^{\circ}04'43''$ a distance of 177.15 feet; thence tangent to said curve North $11^{\circ}00'00''$ East, 43.97 feet; thence North $90^{\circ}00'00''$ East, 205.69 feet thence South $34^{\circ}00'00''$ East, 26.00 feet; thence South $23^{\circ}30'00''$ East, 51.00 feet; thence South $36^{\circ}00'00''$ East, 28.00 feet; thence South $53^{\circ}30'00''$ East, 76.00 feet; thence South $72^{\circ}00'00''$ East, 22.00 feet; thence North $43^{\circ}30'00''$ East, 32.00 feet; thence North $38^{\circ}00'00''$ East, 142.00 feet; thence North $59^{\circ}30'00''$ East, 14.00 feet; thence North $78^{\circ}00'00''$ East, 33.84 feet; thence North $84^{\circ}00'00''$ East, 56.97 feet to the East line of the Northeast $\frac{1}{4}$ of said Section 23; thence leaving the boundary of said River Park Meadows Subdivision No. 1, South $00^{\circ}21'59''$ East, 1249.35 feet, along the East line of said Northeast $\frac{1}{4}$, to the POINT OF BEGINNING.

WESTERN REGION

OWNER (S): 65-11213F

CLAIM NUMBERS: Innovative Land

AGENT: Sue Bock DATE _____

RIGHT NO	NE				NW				SW				SE						
	TSP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE

POLYGON CREATED ON 332

POLYGON # () () () () UPDATED BY sue

ATTRIBUTES OF B65-POU.SHP (1124) () () () ()

ATTRIBUTES OF B65-POD.SHP (1123) () () () ()

X B65-DBPOU.DBF UPDATED BY sue

X B65-DBPOD.DBF UPDATED BY sue

NOTES:

AJ0749NP
No. R65-11213F

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

DATE: 06/16/00
PAGE: 1

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM TO      RATE        VOLUME
-----
C  INNOVATIVE LAND MANAGEMENT    06/01/1887    IRRIGATION    04-01 11-01    0.575 CFS
   HC 76 BOX 2153                STOCKWATER     01-01 12-31    0.060 CFS
   GARDEN VALLEY ID 83622
   (208) 356-9511
                                     TOTAL DIVERSION:    0.575 CFS

Water Source: LIGHTNING CREEK      Tributary to: PAYETTE RIVER, MIDDLE FORK      Stage: DECREED

Point(s) of Diversion:      T10N R04E S24      SWNW      BOISE County

Place of use Legal Description for: IRRIGATION
      NE      NW      SW      SE
      NENE  NWNE  SWNE  SENE  :  NENW  NWNW  SWNW  SENW  :  NESW  NWSW  SWSW  SESW  :  NESE  NWSE  SWSE  SESE  :
T   R   S   :  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  :  SUM
-----
10N 04E 23 :    21          01 :          :          :          :          :          :          :          :          :  22.5
                                     TOTAL ACRES      22.5
=====
```

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: BOISE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-11213B 65-11213C 65-11213D 65-11213E A65-11213B A65-11213C A65-11213D A65-11213E

Other Water Rights Listing Overlapping Place(s) of Use:
65-07989 65-11213B 65-11213C 65-11213D 65-11213E A65-07989 A65-11213 A65-11213A A65-11213B A65-11213C
A65-11213D A65-11213E R65-11213A

Conditions of Approval:

- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.
- 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: EXP STOCKWATER, 40 RANGE CATTLE

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

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. R65-11213F

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

DATE: 06/16/00
PAGE: 2

=====

Comments: Date: 10/18/1999 User-ID: SBOCK Subject: COPIED FROM REMARKS
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM NO 65-11213A, NO FEE REQUIRED ON B65 DECREED RIGHTS.
SB 10/18/99

Date: 01/31/2000 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 06/16/00 DBUFFING



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 19, 2000

Innovative Land Management
HC 76 Box 2153
Garden Valley ID 83622

Re: Original Notice of Claim to a Water Right No. 65-11213D

Renumbered to Notice of Claim to a Water Right No. 65-11213F

Dear Claimants:

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by adding alpha suffixes to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new water right for your records. Please refer to your new claim number when corresponding with our office.

Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning this ownership change, or the enclosed information, please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region Office

DB:db

Enclosure

Claim No(s): 65-11213F

T10N, R04E, S 23

Prepared by: Sue Bock

Date: 07/27/2001



Place of Use



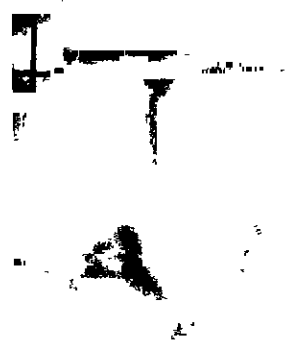
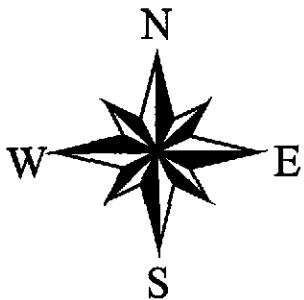
Point of Diversion



Section lines



1/4 1/4 lines



0 0.1 0.2 Miles



1987 NAPP Photo