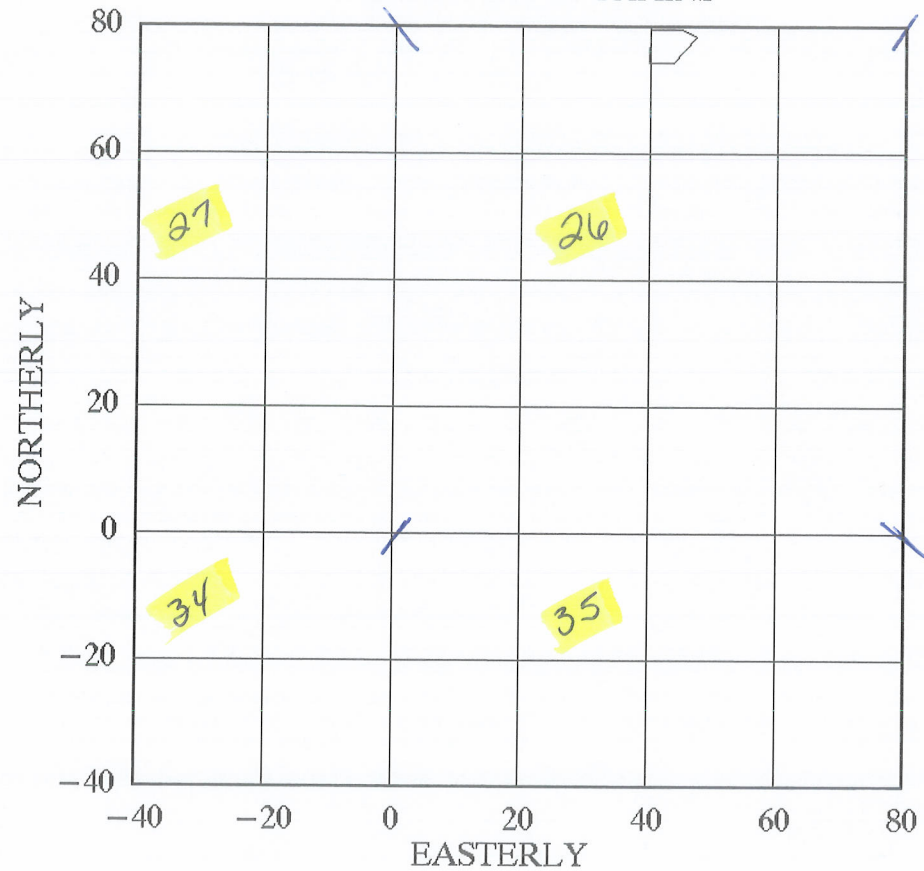


63-299-18

7N 5W S-26

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



Unable to
put curve into
Metes & bounds

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: **A63-29978**
Date Received: 4/19/1990
Receipt No: W012207
Received By: _____

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

1. Name: DARYL W ELDRED 208-278-5361
Address: 5770 CUSTER RD
NEW PLYMOUTH ID 83655

2. Date of Priority: OCT 20, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	05W	26	NW	NW	NE		PAYETTE

5. Description of diverting works:
SUBMERSIBLE PUMP AND PIPELINE. WELL DEPTH APPROX. 250 FEET.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, ONE HOUSEHOLD; STOCKWATER, 350 CATTLE AND HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07N	05W	26	NW	NE		DOMEST	
			NW	NE		STOCK	

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11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

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 _____

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMIdentification No. A63-29978Date Received 04/19/1990Receipt Number W012207NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

APR 19 1990

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Department of Water Resources
Western Regional Office

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Daryl W. Eldred Phone (208) 278-5361Mailing Address 5770 Custer Road, New Plymouth, ID Zip 836552. Date of Priority (Only one per claim) Oct. 20, 1977 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 7 N Range 5 WSection 26, NW 1/4 of NW 1/4 of NE 1/4, Govt. Lot _____, BM.,County of Payette

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Submersible pump + pipeline. well depth approx 250'

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount .04 (cfs)For Livestock purposes from 1-1 (Both dates are inclusive) to 12-31 amount .077. Total quantity claimed .11 (cfs)8. Total consumptive use claimed is de minimus

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9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1-Household + 350 hd Cows + Horses

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.

APR 20 1988

10. Place of use is: Township: 7N Range 5W
Section 26, NW 1/4 of NE 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

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.
() None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not X 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) [Signature] Date 4-18-90
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Payette) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 18th day of April 19 90

SEAL

Notary Public Cathy Kimbaur

Residing at Fruitland

My Commission Expires 5/31/95

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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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.

12-1-92

CLAIMANT'S NAME

Eldred, Daryl W

CLAIM IDENT. NO.

463-29978DATE RECEIVED 04/19/1990 RECEIPT # W012207 FEE PAID \$ 25 FEE REQ'D \$ 25

	YES	NO	Requi Info
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒ N/A	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒ N/A	☐	
Is the consumptive use correct?	☒ N/A	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	☒	☐	*
If multiple domestic, is single ownership indicated?	☐	☐	
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☒	
13. Are other water rights listed or "none" indicated?	☐	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒ N/A	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed?	☒ N/A	☐	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.			
If no, was water right no. found?	☐	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim?	☒ N/A	☐	
(If yes, attach a proof report & complete number change)			
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid?	☒ N/A	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time? (Check ML3 for date mailed-not all were mailed on the planned date) If no, was an extension of time filed & approved?	☒	☐	*
22. Is the fee enclosed correct?	☒	☐	*

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- | | YES | NO |
|---|--------------|--------------|
| 23. Is this claim being rejected and returned to claimant? | <u> / </u> | <u> X </u> |
| 24. Can this claim be data entered? | <u> X </u> | <u> / </u> |
| 25. Was claim modified? | <u> / </u> | <u> / </u> |
| If yes, do modifications require notification to claimant? | | |
| Note: Modifications made must be explained in comments stating where the information for any changes was found. | | |

Claim reviewed by: HTR Date 05/23/1994

Claim data entered by: HTR Date 05/23/1994

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: 05/23/1994 : Item 9: 350 head cows + horses not
 broken down.

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 63-29978

NAME & ADDRESS: RONALD MARK LITTLE
KATHY J LITTLE
2325 FAIRVIEW AVE
FRUITLAND ID 83619

SOURCE: GROUNDWATER

QUANTITY: 0.11 CFS

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

PRIORITY DATE: 10/20/1977

POINT OF DIVERSION: T07N R05W S26 NWNWNE Within PAYETTE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.07 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within PAYETTE County
T07N R05W S26 NWNEDOMESTIC Within PAYETTE County
T07N R05W S26 NWNE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 350 RANGE CATTLE AND HORSES
PARCEL NO. RP 07N05W260101

In Re SRBA	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	Water Right 63-29978
_____	)	

<u>1</u>	Change of Address
<u>X</u>	Substitution of Party
<u>1</u>	I.C. 42-222 Transfer

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

PAGE 1

From (Claimant/Seller):

Name of Claimant: DARYL W ELDRED
Address: 5770 CUSTER RD
NEW PLYMOUTH ID 83655
Phone: (208) 278-5361

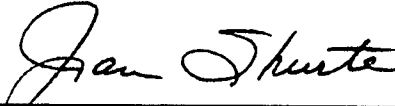
To (Claimant/Purchaser):

Name of Claimant: RONALD MARK LITTLE
KATHY J LITTLE
Address: 2325 FAIRVIEW AVE
FRUITLAND ID 83619
Phone: (208) 452-5216

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 Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: June 25, 1999



Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
6/25/1999

63-29978

PAGE 2

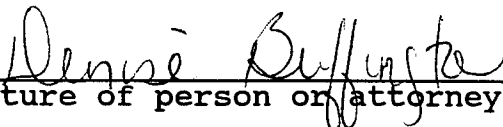
CERTIFICATE OF MAILING

I certify that on June 25, 1999 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
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

DARYL W ELDRED
5770 CUSTER RD
NEW PLYMOUTH ID 83655
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

RONALD MARK LITTLE
KATHY J LITTLE
2325 FAIRVIEW AVE
FRUITLAND ID 83619
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. 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

RECEIVED

DEC 02 1998

WATER RESOURCES
WESTERN REGION

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).: 63-29978
 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 for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Daryl W Eldred
5770 Custer Rd.

4. New Owner/Claimant(s) Ronald Mark, Kathy J Little
 Name Connector (Check one): ☐ and ☐ or ☒ and/or
 New Mailing Address 2325 Fairview Ave.
 City, State and ZIP Code Fruitland Idaho 83619
 New Telephone Number (208) 452-5216

5. Date you acquired the property Sept. 19 1996

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 you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____

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 or Claimant(s) R. Mark Gale
Kathy Little
 (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..

8021 1 1 000

1000000000

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

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

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

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

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

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

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

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

WELL AGREEMENT

This agreement is made and entered into this ____ day of September, 1996, by and between RONALD MARK LITTLE aka MARK LITTLE and KATHY J. LITTLE, husband and wife, of P. O. Box 886, Fruitland, Idaho 83619, First Party, and ELDRED FARMS, INC., an Idaho Corporation, of 5770 Custer Road, New Plymouth, Idaho 83655, Second Party.

In consideration of \$1.00, in hand paid, the purchase of certain real property from Second Party by First Party and other good and valuable consideration, receipt of which is hereby acknowledged, the First Party does hereby agree to allow the Second Party to continue to use that well which is located upon lands being transferred to First Party. First Party does hereby agree to allow Second Party to draw water from First Parties water well for the purpose of watering livestock.

The well which is the subject of this agreement is a domestic well located on the following described Real Property, which property is being transferred by the Second Party to the First Party. The well shall serve livestock located on land owned or used by the Second Party.

The real property upon which the well is located is more particularly described as :

Land in Twp. 7 N., R. 5 W., B.M., Payette
County, Idaho:

In Sec. 26: A parcel of land in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ more particularly described as follows:
Commencing at the $\frac{1}{4}$ corner common to said Sec. 26 and

BERT L. OSBORN, CHTD.
ATTORNEY AT LAW
P.O. BOX 158 • 26 SO. 9TH ST. • PAYETTE, ID 83661
TELEPHONE (208) 642-4458

Sec. 23;
thence Southerly along the North-South centerline of said Sec. 26, S. 00°35'41" W. 24.26 feet, to a point on the Southerly right-of-way of Fairview Avenue, and being the Point of Beginning;
thence Easterly along said right-of-way, N. 89°39'40" E. 329.35 feet, to a tangent curve to the right;
thence along said curve on said right-of-way 69.98 feet, having a central angle of 40°05'39", a radius of 100.00 feet, a tangent length of 36.49 feet, and being subtended by a chord which bears S. 70°17'30" E. 68.56 feet to a reversing curve to the left;
thence along said curve 112.61 feet having a central angle of 10°00'11", a radius of 645.00 feet, a tangent length of 56.45 feet, and being subtended by a chord which bears S. 55°14'46" E. 112.46 feet;
thence leaving said right-of-way S. 43°25'48" W. 354.96 feet;
thence N. 89°21'47" W. 245.81 feet to a point on the North-South center of said Sec. 26;
thence Northerly along said centerline N. 00°35'41" E. 340.35 feet to the Point of Beginning.

The Parties may attach exhibits to create, enhance or expand any property descriptions. Neither Party shall object to the sufficiency of the descriptions contained herein and in the event of a dispute, parole evidence may be used to locate the well, the affected realty, or may be used to expand, modify, explain or implement any necessary descriptions.

Second Party shall pay one-third of all expenses incurred in maintenance and upkeep of the well during the time both parties continue to share the same.

The Parties agree that the well is used for domestic and stock watering purposes, and shall continue to be used for those purposes.

First Party shall use best efforts to keep the supply of water flowing to the Second Party. In the event of an interruption in the supply of water, Second Party shall be allowed to

BERT L. OSBORN, CHTD.
ATTORNEY AT LAW
P.O. BOX 158 • 26 SO. 9TH ST. • PAYETTE, ID 83661
TELEPHONE (208) 642-4458

enter upon the premises of First Party to restore and repair the well.

Second Party shall be allowed to run a 1½ inch or smaller line, at his expense, from the existing well to a cattle watering area located upon property belonging to the Second Party.

Second Party shall be allowed to install, repair, maintain and replace this line as the need arises.

In the event any work is done on the line, Second Party shall use best efforts to restore the area to it's original condition.

This Agreement shall last until one of the following events occurs:

- (1) The Agreement is terminated in writing upon mutual agreement of the parties,
- (2) Second Party relinquishes any claim to the well,
- (3) Second Party sells the adjoining property where the cattle watering has occurred.

First Party shall not become liable to Second Party for any damages sustained by Second Party for any reason related to the well which is the subject of this agreement. First Party shall not be required to provide any set flow or discharge of water, any particular water quality and First Party shall not be responsible or liable to Second Party in the event of a well failure. First Party shall not be liable in any respect whatsoever for failure, suspension or diminution in water service or

pressure to be supplied by First Party hereunder.

Any pre-existing oral agreements pertaining to the well are merged into and made a part of this agreement.

This agreement shall be binding upon the heirs and assigns of the parties hereto.

R. Mark Little
RONALD MARK LITTLE aka MARK LITTLE

Kathy J. Little
KATHY J. LITTLE

First Party

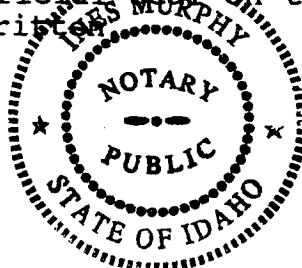
ELDRED FARMS, INC, an Idaho Corporation

By: [Signature]
DARVE W. ELDRED President
Second Party

STATE OF IDAHO)
County of Payette) ss.

On this 19th day of September, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared RONALD MARK LITTLE aka MARK LITTLE and KATHY J. LITTLE, husband and wife, known to me to be the persons whose names are subscribed to the foregoing Well Agreement, and acknowledged to me that they executed the same as First Party.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year in this certificate first above written.



Ines Murphy
Notary Public for Idaho
Residing at: Payette, Id.

My Commission expires: 9-9-2000

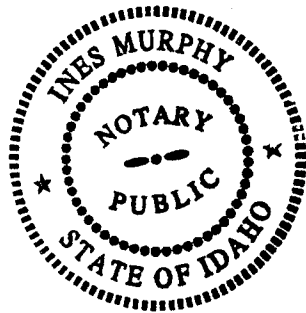
WELL AGREEMENT
gsb 96-177 wellagre

Comm. Exp. 9-9-2000

STATE OF IDAHO)
) ss.
County of Payette)

On this 19th day of September 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared DARYL W. ELDRED, known or identified to me to be the President of ELDRED FARMS, INC., an Idaho Corporation, and acknowledged to me that he executed the foregoing Well Agreement for and on behalf of said Corporation as the Second Party.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year in this certificate first above written.



Ines Murphy
Notary Public for Idaho
Residing at: Payette, Id.
Comm. Expires: 9-9-2000

WELL AGREEMENT
gsb 96-177 wellagre



[Handwritten signature]

Date: October 1 1997
Job Number: 2423-702

CORRECTED LEGAL DESCRIPTION
OF PARCEL 2 AS SHOWN ON
RECORD OF SURVEY NO. 261761
FOR
DARYL ELDRED

All of that certain parcel of real property being a portion of the NW1/4 of the NE1/4 of Section 26, Township 7 North, Range 5 West, Boise Meridian, Payette County, Idaho, being more particularly described as follows:

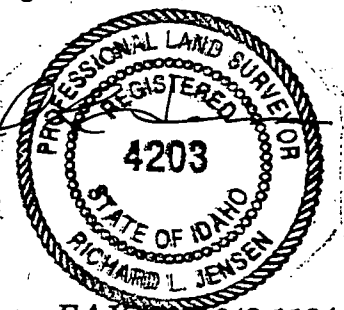
BEGINNING at the north 1/4 corner of said Section 26;
Thence along the north line of Section 26, North 89°40'00" East, 330.65 feet to a point of curvature on the centerline of Fairview Avenue;
Thence along said centerline of Fairview Avenue the following two courses:
Easterly along a curve to the right, concave southerly, having a radius of 125.00 feet, through a central angle of 39°58'32", an arc distance of 87.21 feet to a point of reverse curvature;
Thence southeasterly along a curve to the left, concave northeasterly, having a radius of 620.00 feet, through a central angle of 10°25'33", an arc distance of 112.82 feet;
Thence South 43°25'48" West, 26.20 feet to a 5/8" rebar with PLS cap 797 per Record of Survey No. 261761, referenced herein and made a part hereof;
Thence continuing South 43°25'48" West, 354.96 feet to a 5/8" rebar with PLS cap 797;
Thence North 89°21'47" West, 245.81 feet to a 5/8" rebar with PLS cap 797, on the west line of said NW1/4 of the NE1/4 of Section 26;
Thence along said west line North 00°35'41" East, 364.61 feet to the **POINT OF BEGINNING**.

Said parcel containing 3.291 acres gross and 2.996 acres net, more or less,
SUBJECT TO a 25 foot right-of-way for Fairview Avenue along the northerly boundary,
and **SUBJECT TO** all other existing easements and/or restrictions.

The Basis of Bearing for this description is the north line of Section 26 as shown on the U.S.G.L.O. Dependent Resurvey of Frac. Township 7 North, Range 5 West, Boise Meridian, ie: North 89°40'00" East.

COPY

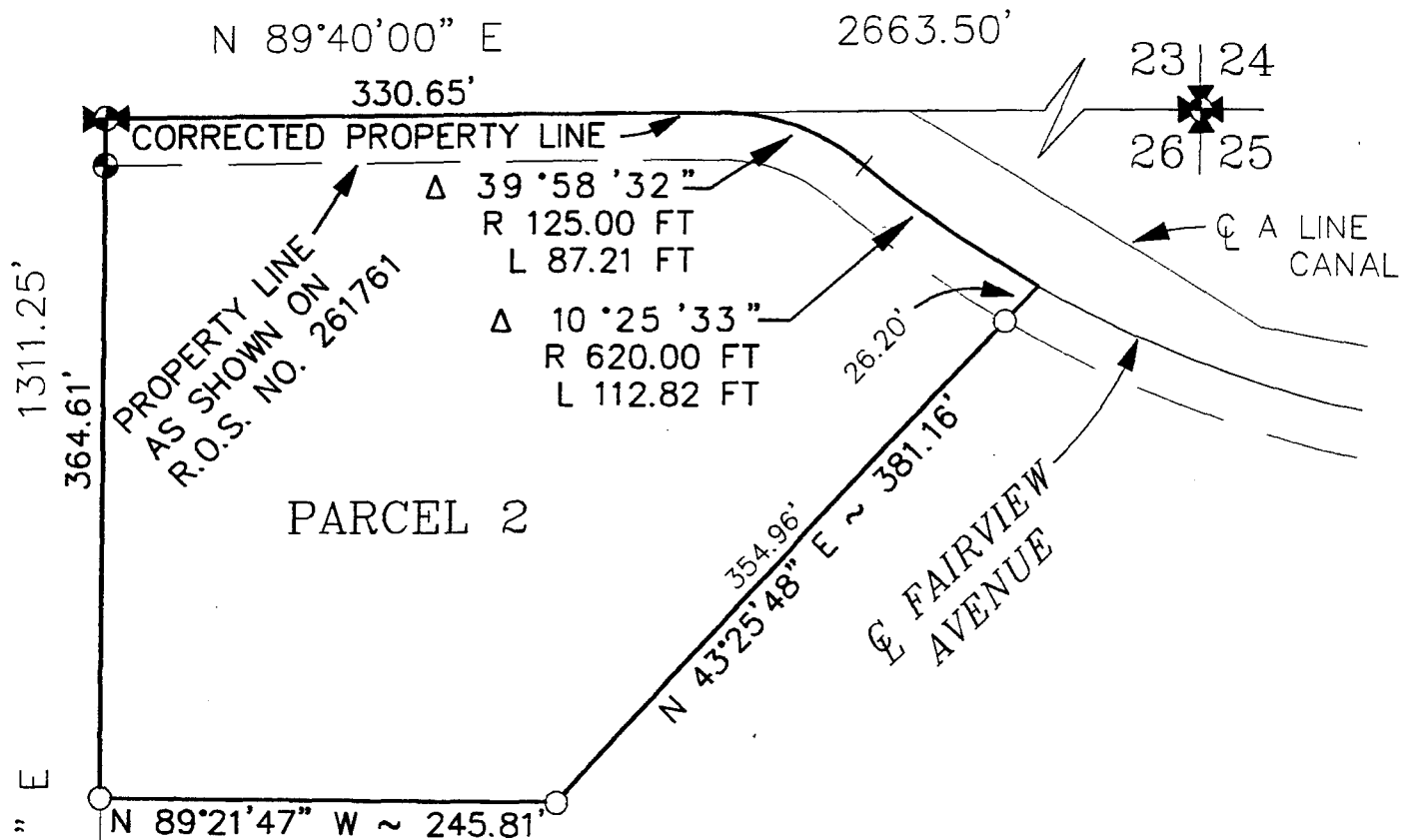
[Handwritten signature]
10/22/97



CORRECTED PARCEL 2 AS SHOWN ON RECORD OF SURVEY NO. 261761



NOT TO SCALE



LEGEND

- 5/8" REBAR W/PLS 797 CAP
- FOUND BRASS CAP MONUMENT
- ✕ FOUND BRASS CAP SECTION CORNER
- ✕ FOUND BRASS CAP 1/4 CORNER
- ◆ FOUND BRASS CAP 1/16 CORNER

COPY



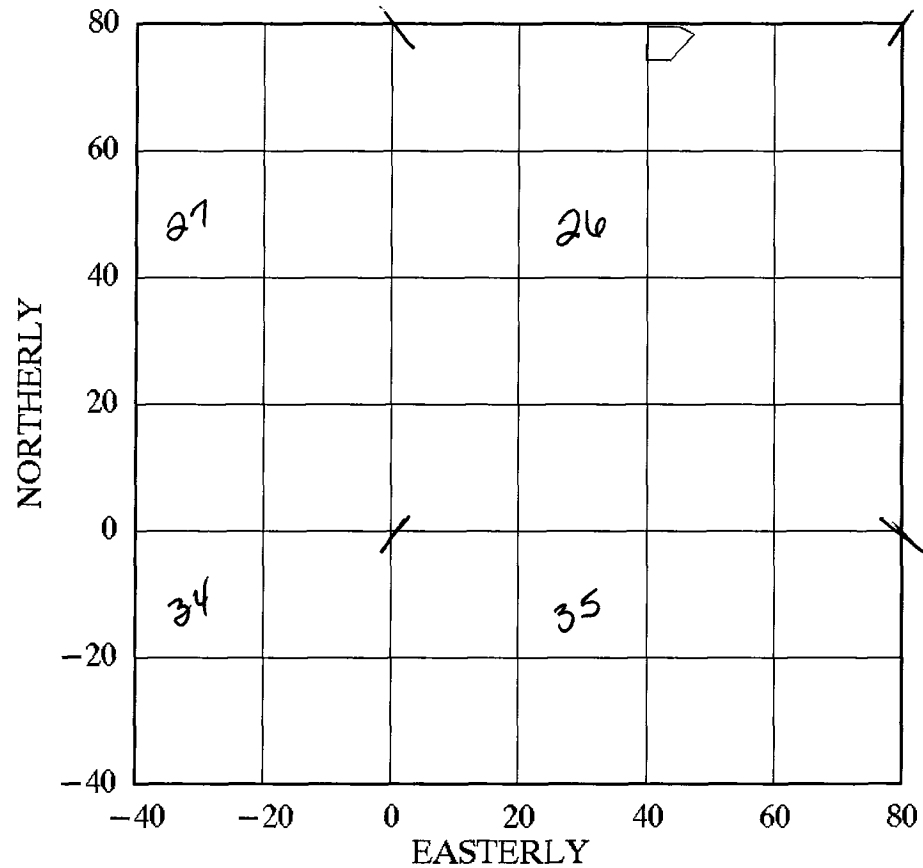
19 NORTH MAIN STREET
PAYETTE, IDAHO 83661
TEL. (208) 642-1100
FAX (208) 642-1184

EXHIBIT FOR
DARYL ELDRED
SITUATE IN THE NE1/4 NE1/4 NE1/4
SEC 26 T7N R5W BM PAYETTE COUNTY
SEPTEMBER 30, 1997 JOB NO. 2423-702

63-29978

7N 5W S-26

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



Unable to
put curve into
Metes & bounds

63-29978

X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
		DEGREES	MINUTES	SECONDS		
40.00	80.00					
40.00	79.63	0.00	35.00	41.00	SW	24.26
44.99	79.66	89.00	39.00	40.00	NE	329.35
45.96	79.31	70.00	17.00	30.00	SE	68.56
47.36	78.34	55.00	14.00	46.00	SE	112.46
43.67	74.43	43.00	25.00	48.00	SW	354.96
39.94	74.48	89.00	21.00	47.00	NW	245.81
40.00	79.63	0.00	35.00	41.00	NE	340.35
40.00	79.63					

AJ0749NP
No. 63-29978

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

DATE: 06/21/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RONALD MARK LITTLE	10/20/1977	STOCKWATER	01-01 12-31	0.07 CFS	
C	KATHY J LITTLE		DOMESTIC	01-01 12-31	0.04 CFS	
	2325 FAIRVIEW AVE					
	FRUITLAND ID 83619					
	(208) 452-5216			TOTAL DIVERSION:	0.11 CFS	

D DARYL W ELDRED
5770 CUSTER RD
NEW PLYMOUTH ID 83655
(208) 278-5361

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07N R05W S26

NWNWNE

PAYETTE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
07N	05W	26	:			S														:

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
07N	05W	26	:			D														:

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-29978

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP STOCKWATER, 350 RANGE CATTLE AND HORSES
PARCEL NO. RP 07N05W260101

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

AJ0749NP
No. 63-29978

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

DATE: 06/21/99
PAGE: 2

=====

Comments: Date: 06/21/1999 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 06/21/99 DBUFFING



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 25, 1999

DIRK KEMPTHORNE
GOVERNOR

RE: Water Right No. 63-29978

KARL J. DREHER
DIRECTOR

RONALD MARK LITTLE
KATHY J LITTLE
2325 FAIRVIEW AVE
FRUITLAND ID 83619

Dear Property Owners:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. 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.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Denise Buffington
Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

cc: Daryl W Eldred

AJ0749NP
No. R63-29978

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

DATE: 04/16/98
PAGE: 1

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=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM    TO    RATE    VOLUME
-----
C DARYL W ELDRED    10/20/1977    STOCKWATER    01-01 12-31    0.07 CFS
  5770 CUSTER RD    DOMESTIC      01-01 12-31    0.04 CFS
  NEW PLYMOUTH ID 83655
  (208) 278-5361
                                TOTAL DIVERSION:    0.11 CFS
=====
```

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07N R05W S26

NWNWNE

PAYETTE County

Place of use Legal Description for: STOCKWATER

```

      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  :
-----
07N 05W 26 :          S          :          :          :          :          :

```

Place of use Legal Description for: DOMESTIC

```

      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  :
-----
07N 05W 26 :          D          :          :          :          :

```

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP STOCKWATER, 350 RANGE CATTLE AND HORSES
PARCEL NO. RP 07N05W260101

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 04/16/98 LHARRIS

AJ0749NP
No. R63-29978

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

DATE: 02/26/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DARYL W ELDRED 5770 CUSTER RD NEW PLYMOUTH ID 83655 (208) 278-5361	10/20/1977	STOCKWATER DOMESTIC	01-01 12-31 01-01 12-31	0.07 CFS 0.04 CFS	
TOTAL DIVERSION:					0.11 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07N R05W S26

NWNWNE

PAYETTE County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	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	
07N	05W	26	:					:					:					:					:
				S																			

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	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	
07N	05W	26	:					:					:					:					:
				D																			

POU County: PAYETTE

Non-Irrigation Uses: ONE HOUSEHOLD

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP STOCKWATER, 350 CATTLE AND HORSES
PARCEL NO. RP 07N05W260101

Dates: Exam Made Date: Verified Date: 02/26/1998 Objection Filed Date:

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

Audit: 02/26/98 SEGBERT

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-26-1997
PAGE: A-50

RIGHT NUMBER: 63-29978

NAME & ADDRESS: DARYL W ELDRED
5770 CUSTER RD ✓
NEW PLYMOUTH ID 83655

SOURCE: GROUNDWATER

QUANTITY: 0.11 CFS

PRIORITY DATE: 10/20/1977

POINT OF DIVERSION: T07N R05W S26 NWNWNE ✓ Within PAYETTE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.07 CFS
	DOMESTIC DOMESTIC, ONE HOUSEHOLD;	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within PAYETTE County
T07N R05W S26 NWNWNE ✓

DOMESTIC Within PAYETTE County
T07N R05W S26 NWNWNE ✓

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP07N05W260101

Verified by *D. Smith* Date *10-21-97*
Verification Source: *Alpha Index*