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DEC 20 1999

Department of Water Resources

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

A. Subcase 32-00083

(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; Paul F. Holleman, 202 305-0494

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Reno Ditch Company, Inc.

Address: P.O. Box 5, Rexburg, ID. 83440

Name:

Address: ,

Name:

Address: ,

Name:

Address: ,

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

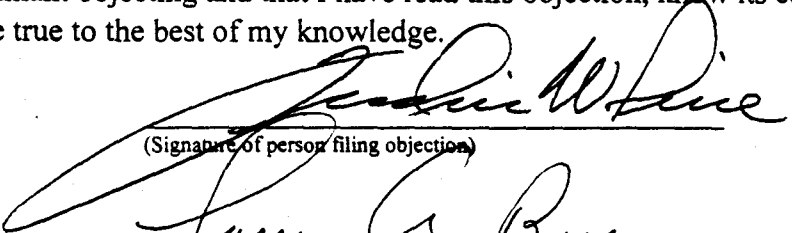
State of Idaho)

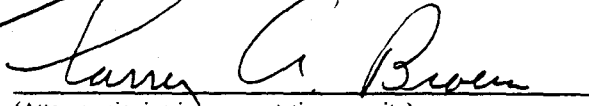
) ss.

County of Ada)

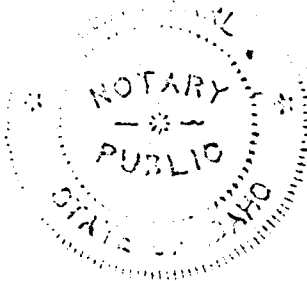
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

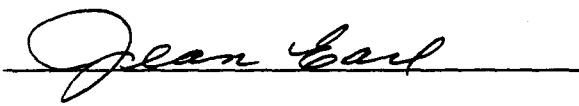
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: December 16, 1999




Jean Earl

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 08-01-2002

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on December 17, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Reno Ditch Company, Inc.
Address: P.O. Box 5, Rexburg, ID. 83440

Name:
Address: ,

Name:
Address: ,

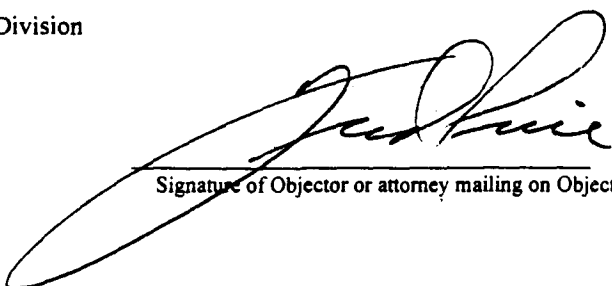
Name:
Address: ,

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

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

DATE: OCT-14-1999
PAGE: A-66

RIGHTS FROM : SOURCE: BIRCH CREEK TRIBUTARY: SINKS

RIGHT NUMBER : 32-00083
NAME & ADDRESS : RENO DITCH COMPANY INC
PO BOX 5
REXBURG ID 83440
SOURCE: BIRCH CREEK TRIBUTARY: SINKS
QUANTITY: 0.46 CFS
195.3 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 11,579.2 AF. RIGHTS OF THE
RENO DITCH COMPANY : 32-00058, 32-00059, 32-00060, 32-00061C,
32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066,
32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074,
32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080,
32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A,
32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043 &
32-02045.

PRIORITY DATE : 05/15/1912

POINT OF DIVERSION : T09N R30E S34

SESESW

BLM

Within CLARK County

PURPOSE AND
PERIOD OF USE : PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 11-01

QUANTITY
0.46 CFS
195.3 AFY

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS OF THE RENO DITCH COMPANY
LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
3,427 ACRES IN A SINGLE IRRIGATION SEASON.
PLACE OF USE WITHIN THE BOUNDARY OF THE RENO DITCH COMPANY.
TOTAL IRRIGATED ACRES: 5,798.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS.

EXPLANATORY MATERIAL : BASIS OF CLAIM - DECREE

Issues:

Point of diversion on BLM

A review of the Idaho Department of Water Resources shape files
for this claim indicates that the following places of use reside on
public land administered by the Bureau of Land Management :

T.8N, R.31E, S.12 NESE
T. 8N, R. 32E, S.02 SWSW
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AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
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PAGE: A-67

RIGHTS FROM: SOURCE: BIRCH CREEK TRIBUTARY: SINKS

RIGHT NUMBER: 32-00083 (CONT)

EXPLANATORY MATERIAL: (CONT)

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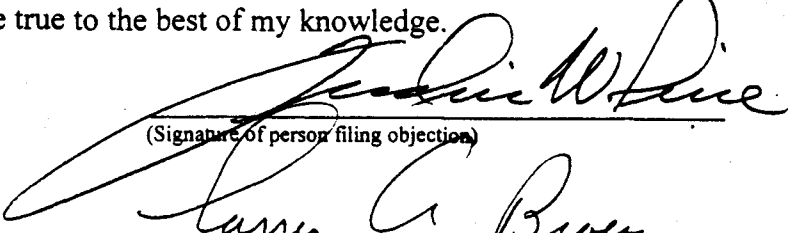
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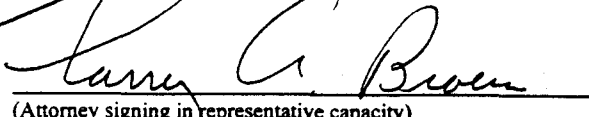
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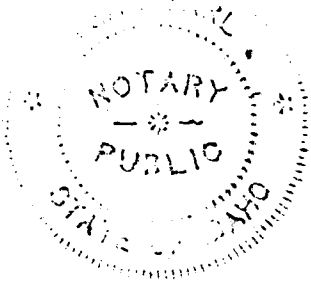
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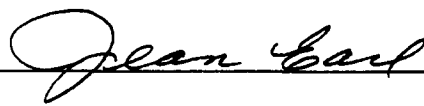
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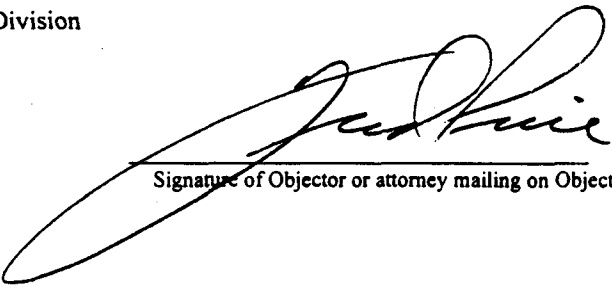
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Chief, Natural Resources Division
Office of the Attorney General
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PO Box 44449
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AJ5856NP

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RIGHT NUMBER : 32-00083

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PRIORITY DATE : 05/15/1912

POINT OF DIVERSION : T09N R30E S34

SESESW

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Within CLARK County

PURPOSE AND

PERIOD OF USE : PURPOSE OF USE
IRRIGATIONPERIOD OF USE
04-01 11-01QUANTITY
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AJ5856NP

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

DATE: OCT-14-1999
PAGE: A-67

RIGHTS FROM : SOURCE: BIRCH CREEK TRIBUTARY: SINKS

RIGHT NUMBER : 32-00083 (CONT)

EXPLANATORY MATERIAL: (CONT)

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5450

WATER RIGHT NO(S). 32-00058/32-00059/32-00060/32-00061C/32-00061D
32-00062/32-00063/32-00064/32-00065/32-00066/32-00068/32-00069
32-00070A/32-00070B/32-00073/32-00074/32-00075/32-00076/32-00077
32-00078/32-00079/32-00080/32-00083/32-00085/32-00086/32-00087
32-00089/32-00090A/32-00091/32-00092/32-00093/32-00101/32-00102
32-02043 & 32-02045

This is to certify that: **RENO DITCH COMPANY**
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

The requested changes have been reviewed in accordance with the provisions of Section 42-222, Idaho Code, and are hereby approved as hereafter set forth. The rights shall be used as herein described in accordance with the conditions of approval and applicable laws and rules.

	<u>PRIORITY</u>	<u>DIVERSION RATE</u>	<u>ACRES</u>	<u>ANNUAL VOLUME</u>
Right No. 32-00058 :	04/01/1910	1.00 CFS	67.0	234.5 AF
Right No. 32-00059 :	05/10/1884	6.40 CFS	320.0	1120.0 AF
Right No. 32-00060 :	05/10/1883	3.20 CFS	320.0	1120.0 AF
Right No. 32-00080 :	05/10/1886	3.20 CFS	320.0	1120.0 AF
Right No. 32-00061C :	05/10/1888	0.40 CFS	20.0	70.0 AF
Right No. 32-00068 :	05/10/1887	3.20 CFS	160.0	560.0 AF
Right No. 32-00069 :	05/10/1888	3.20 CFS	160.0	560.0 AF
Right No. 32-00073 :	05/15/1909	0.20 CFS	160.0	84.9 AF
Right No. 32-00077 :	05/15/1910	0.20 CFS	160.0	84.9 AF
Right No. 32-00078 :	05/15/1911	0.20 CFS	160.0	84.9 AF
Right No. 32-00079 :	05/15/1913	0.80 CFS	160.0	339.6 AF
Right No. 32-00085 :	05/10/1910	0.20 CFS	120.0	84.9 AF
Right No. 32-00086 :	05/01/1911	0.20 CFS	120.0	84.9 AF
Right No. 32-00087 :	05/01/1912	0.20 CFS	120.0	84.9 AF

TRANSFER NO. 5450

Right No. 32-00089	:	05/10/1888	2.50 CFS	160.0	560.0 AF
Right No. 32-00090A	:	05/10/1886	0.80 CFS	80.0	280.0 AF
Right No. 32-00091	:	05/01/1901	0.50 CFS	240.0	212.2 AF
Right No. 32-00092	:	05/10/1888	2.50 CFS	240.0	840.0 AF
Right No. 32-00093		05/10/1886	1.60 CFS	240.0	679.2 AF
Right No. 32-00102	:	05/10/1889	4.00 CFS	120.0	420.0 AF
Right No. 32-00061D	:	05/10/1888	2.80 CFS	140.0	490.0 AF
Right No. 32-00070A	:	08/19/1886	2.40 CFS	120.0	420.0 AF
Right No. 32-02043	:	09/19/1912	6.40 CFS	320.0	1120.0 AF
Right No. 32-00062	:	04/01/1904	3.20 CFS	160.0	560.0 AF
Right No. 32-00070B	:	09/19/1886	0.80 CFS	40.0	140.0 AF
Right No. 32-02045	:	11/16/1912	6.40 CFS	320.0	1120.0 AF
Right No. 32-00063	:	04/01/1904	3.20 CFS	159.2	557.2 AF
Right No. 32-00065	:	05/10/1884	3.20 CFS	160.0	560.0 AF
Right No. 32-00064	:	04/01/1907	3.20 CFS	160.0	560.0 AF
Right No. 32-00066	:	01/05/1910	6.40 CFS	320.0	1120.0 AF
Right No. 32-00074	:	10/01/1910	0.14 CFS	160.0	59.4 AF
Right No. 32-00075	:	05/15/1911	0.26 CFS	160.0	110.4 AF
Right No. 32-00076	:	05/15/1912	0.80 CFS	160.0	339.6 AF
Right No. 32-00083	:	05/15/1912	0.46 CFS	160.0	195.3 AF
Right No. 32-00101	:	06/04/1909	2.90 CFS	160.0	560.0 AF
TOTALS:			* 77.06 CFS	* 3427.0	* 11579.2 AF

BENEFICIAL USE
IRRIGATION

PERIOD OF USE
04/01 to 11/01

SOURCE
BIRCH CREEK

TRIBUTARY OF
SINKS

TRANSFER NO. 5450

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 34, Township 09N, Range 30E
CLARK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
08N	31E	12		SESW 40		NESE 40		NWSE 40	
				SWSE 40		SESE 40			200
		13		NENE 40		NWNE 40		SWNE 40	
				SENE 40		NENW 40		NWNW 40	
				SWNW 40		SESW 40		NESW 40	
				NWSW 40		NESE 40		NWSE 40	480
		14		NENE 40		SENE 40			80
32E	1	Lot 1	(NENE)	34	Lot 2	(NWNE)	34	SWNE 40	
				SENE 40	Lot 3	(NENW)	34	Lot 4 (NWNW)	20
				SWNW 40		SESW 40		NESW 40	
				NWSW 40		SWSW 40		SESW 40	
				NESE 40		NWSE 40		SWSE 40	
				SESE 40					602
		2	Lot 1 (NENE)	2		SWNE 3		SENE 30	
				NESW 3		SWSW 3		SESW 30	
				NESE 40		NWSE 40		SWSE 40	
				SESE 40					231
		10		SENE 15		NESW 40	Lot 3 (NWSW)	41	
			Lot 4 (SWSW)	42		SESW 40		NESE 40	
				NWSE 40		SWSE 40		SESE 40	338
		11		NENE 40		NWNE 40		SENE 40	
				NENW 40		NWNW 20		SWNW 40	
				SESW 40		NESW 40		NWSW 40	
				SWSW 40		SESW 40			420
		12		NWNE 40		NENW 40		NWNW 40	
				SWNW 40					160
		14		NENW 40		NWNW 40			80
		15		NENE 40		NWNE 40		SWNE 40	
				SENE 40		NENW 40	Lot 1 (NWNW)	42	
			Lot 2 (SWNW)	42		SESW 40			324
33E	5	Lot 3	(NENW)	34	Lot 4	(NWNW)	34	SWNW 40	
				SESW 40		NWSW 40		SWSW 40	228
		6	Lot 1 (NENE)	34	Lot 2	(NWNE)	34	SWNE 40	
				SENE 40	Lot 3	(NENW)	34	Lot 4 (NWNW)	17
			Lot 5 (SWNW)	20		SESW 40		NESW 40	
			Lot 6 (NWSW)	20	Lot 7	(SWSW)	20	SESW 40	
				NESE 40		NWSE 40		SWSE 40	
				SESE 40					539
		7		NENE 40		NWNE 40		SWNE 40	
				SENE 40		NENW 40		NESE 40	
				NWSE 40		SWSE 40		SESE 40	360
		8		NENW 40		NWNW 40		SWNW 40	
				SESW 40		NESW 40		NWSW 40	
				SWSW 40		SESW 40			320

TRANSFER NO. 5450

09N 31E 31	NESW 40	Lot 3 (NWSW) 40	Lot 4 (SWSW) 40	
	SESW 40	NESE 40	NWSE 40	
	SWSE 40	SESE 40		320
32	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NENW 40	NWNW 40	
	SWNW 40	SENE 40	NESW 40	
	NWSW 40	SWSW 40	SESW 40	480
32E 36	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NENW 40	NWNW 40	
	SWNW 40	SENE 40	NESW 40	
	NWSW 40	Lot 4 (SWSW) 35	Lot 3 (SESW) 41	
	NESE 40	NWSE 40	Lot 2 (SWSE) 40	
Lot 1 (SESE) 40				636

Permissible Place of Use Acres: * 5798

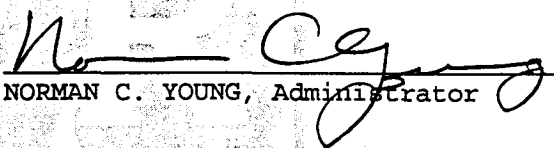
CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 32D.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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.
7. Rights 32-00060 and 32-00080 when combined shall not exceed the total annual diversion volume of 1120.0 af and the irrigation of 320.0 acres.
8. Rights 32-00073, 32-00077, 32-00078 and 32-00079 when combined shall not exceed the total annual diversion volume of 560.0 af and the irrigation of 160.0 acres.
9. Rights 32-00085, 32-00086 and 32-00087 when combined shall not exceed the irrigation of 120.0 acres.
10. Rights 32-00089 and 32-00090A when combined shall not exceed the total annual diversion volume of 560.0 af and the irrigation of 160.0 acres.
11. Rights 32-00091, 32-00092 and 32-00093 when combined shall not exceed the total annual diversion volume of 840.0 af and the irrigation of 240.0 acres

TRANSFER NO. 5450

12. Rights 32-00061C, 32-00068, 32-00069, 32-00073, 32-00077, 32-00078, 32-00079, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00091, 32-00092, 32-00093 and 32-00102 when combined shall not exceed the total annual diversion volume of 3360.0 af and the irrigation of 960.0 acres.
13. Rights 32-00061D, 32-00070A and 32-02043 when combined shall not exceed the total annual diversion volume of 1120.0 af and the irrigation of 320.0 acres.
14. Rights 32-00062, 32-00070B and 32-02045 when combined shall not exceed the total annual diversion volume of 1120.0 af and the irrigation of 320.0 acres.
15. Rights 32-00063 and 32-00065 when combined shall not exceed the total annual diversion volume of 560.0 af and the irrigation of 160.0 acres.
16. Rights 32-00074, 32-00075, 32-00076 when combined shall not exceed the irrigation of 160.0 acres.
- * 17. All rights under Transfer 5450 when combined shall not exceed a total diversion rate of 77.06 cfs, a total annual maximum diversion volume of 11,579.2 af at the field headgates, and the irrigation of 3,427.0 acres in the place of use described above in a single irrigation season.
18. Approval of Transfer 5450 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 23RD day of July, 19 79.


NORMAN C. YOUNG, Administrator

MEMORANDUM

TO: Files 32-00058/00059/00060/00061C/00061D/00062/00063/00064/00065/00066/
00068/00069/00070A/00070B/00073/00074/00075/00076/00077/00078/
00079/00080/00083/00085/00086/00087/00089/00090A/00091/00092/
00093/00101/00102/02043 & 02045.

FROM: Pam Skaggs²⁸/State Office

SUBJECT: Transfer 5450

DATE: June 29, 1999

Transfer 5450 combines the above referenced rights from Birch Creek and creates a 5798-acre permissible place of use for the newly formed Reno Ditch Company. The rights will have a common diversion point and water will be distributed to shareholders within the service area. This transfer resolves previous disputes among the water users.

Region water right and adjudication staff reviewed these rights and provided initial recommendations. Review of the rights as originally decreed and licensed provided further detail to each right. The total combined use under these rights is limited to a diversion rate of 77.06 cfs, a total annual diversion volume of 11,579.2 af, and the irrigation of 3,427 total acres each season within in the permissible place of use.

Season of use was identified as 04-01 to 11-01 under these rights to be consistent with previous transfers. Recommended conditions include watermaster control, measuring device and lockable controlling works, irrigation overlap, permissible place of use limits, combined right limits, and standard transfer conditions.

RECEIVED

JUN 18 1999

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

Department of Water Resources
Eastern Region

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) 32-00060B, 32-00059B, 32-00080B, 32-00070B, 32-00062, 32-02045, 32-00060A, 32-00059A, 32-00065, 32-00080A, 32-00070A, 32-00061D, 32-00063, 32-00064, 32-00058, 32-00066A&B, 32-00074, 32-00076, 32-00083, 32-02043, 32-00090A, 32-00093, 32-00068, 32-00061C, 32-00069, 32-00089, 32-00092, 32-00102, 32-00091, 32-00073, 32-00101, 32-00085, 32-00077, 32-00086, 32-00078, 32-00087, 32-00079, and 32-00075

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) L2 Limited Partnership, Lewis Newman, General Partner, and L3 Limited Partnership, Lane Newman, General Partner; D&D Enterprises, Inc.; and Birch Creek Ranches, L.L.C.

2941 North 800 East, Montevieu, ID 83435; P.O. Box 5, Rexburg, Idaho 83440; and 5203 South 11th East, Idaho Falls, ID 83404

4. New Owner/Claimant(s) The Reno Ditch Company, Inc.

Name connector (check one): [] AND [] OR, [] AND/OR

New Mailing Address: P.O. Box 5,

City, State and ZIP Code: Rexburg, Idaho 83440

New Telephone Number: (208)

5. Date you acquired the property _____

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) Jim D. McDonald Date 6/18/99

(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 want IDWR to correspond directly with your attorney for all matters related to your claims, please attached a Notice of Appearance completed by your attorney.

COPY

**QUITCLAIM DEED
FOR
WATER RIGHTS**

Microfilm No. 040261
30 Day March 19 99
At 1:37 O'Clock P M
CONNIS OWEN
Clark Co. Recorder
Fee \$ 9.00
Marcia Belcher Deputy
Recorded at Request of
H, K, H & Co

THIS INDENTURE is made this 12 day of March, 1999, between D&D Enterprises, Inc., referred to herein as the "GRANTOR" and Reno Ditch Company, Inc., whose principle place of business is in Clark County, Idaho and whose mailing address is P.O. Box 5, Rexburg, Idaho 83440, herein referred to as the "GRANTEE",

WITNESSETH, that the GRANTOR, for an in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the GRANTEE, and to GRANTEE's successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all of the following described water rights or portions thereof used on lands in the Counties of Clark and Jefferson, State of Idaho, to-wit:

RIGHT NO.	PRIORITY	AMOUNT	NATURE OF USE	PERIOD OF USE
32-00060A	10 May, 1883	1.60	Irrigation	04/01 to 11/01
32-00059A	10 May, 1884	0.88	Irrigation	04/01 to 11/01
32-00065	10 May, 1884	3.20	Irrigation	04/01 to 11/01
32-00080A	10 May, 1886	1.60	Irrigation	04/01 to 11/01
32-00070A	19 August, 1886	2.40	Irrigation	04/01 to 11/01
32-00061D	10 May, 1888	2.80	Irrigation	04/01 to 11/01
32-00063	1 April, 1904	3.20	Irrigation	04/01 to 11/01
32-00064	1 April, 1907	3.20	Irrigation	04/01 to 11/01

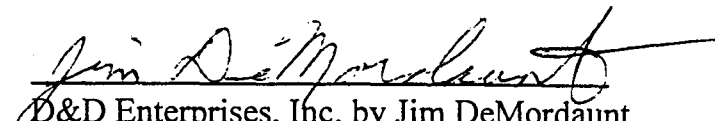
32-00058	1 April, 1910	1.00	Irrigation	04/01 to 11/01
32-00066A&B	5 January, 1910	6.40	Irrigation	04/01 to 11/01
32-00074	1 October, 1910	0.14	Irrigation	04/01 to 11/01
32-00076	15 May, 1912	0.80	Irrigation	04/01 to 11/01
32-00083	15 May, 1912	0.46	Irrigation	04/01 to 11/01
32-02043	19 September, 1912	6.40	Irrigation	04/01 to 11/01

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, or rents, issues and profits therefrom.

TO HAVE AND TO HOLD the said water rights unto the GRANTEE, and to GRANTEE's successors and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

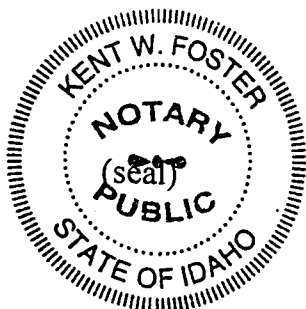
IN WITNESS WHEREOF, the GRANTOR has executed the within instrument the day and year first above written.


 D&D Enterprises, Inc. by Jim DeMordaunt,
 its President

STATE OF IDAHO)
)ss.
 County of Bonneville)

On the 10th day of March, 1999 before me, the undersigned, a notary public in and for said State, personally appeared Jim DeMordaunt, 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.

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



G:\WPDATA\KWF\5568\QUITCLAIM.D&D.kmc

Kent W. Foster
 Notary Public for Idaho
 Residing at Idaho Falls, Idaho
 My Commission Expires: 11/20/2004

02/9/2001

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

RIGHT NUMBER: 32-83

NAME AND ADDRESS: RENO DITCH COMPANY INC
PO BOX 5
REXBURG ID 83440

SOURCE: BIRCH CREEK

TRIBUTARY: SINKS

QUANTITY: 0.46 CFS
195.3 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF ~~41,579.2~~ 12,937.2 AF. RIGHTS OF THE RENO DITCH COMPANY:
32-00058, 32-00059, 32-00060, 32-00061C, 32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043, & 32-02045 & 32-11224.

PRIORITY DATE: 05/15/1912

POINT OF DIVERSION:

T09N R30E S34 SESESW Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/01 11/01	0.460 CFS 195.30 AFY

PLACE OF USE:

IRRIGATION Within CLARK County

T08N R31E S12	SESW	40.0	T08N R31E S12	NWSE	40.0
T08N R31E S12	SWSE	40.0	T08N R31E S12	SESE	40.0
T08N R31E S13	NENE	40.0	T08N R31E S13	NWNE	40.0
T08N R31E S13	SWNE	40.0	T08N R31E S13	SENE	40.0
T08N R31E S13	NENW	40.0	T08N R31E S13	NWNW	40.0
T08N R31E S13	SWNW	40.0	T08N R31E S13	SENE	40.0
T08N R31E S13	NESW	40.0	T08N R31E S13	NWSW	40.0
T08N R31E S13	NESE	40.0	T08N R31E S13	NWSE	39.0
T08N R31E S14	NENE	39.0	T08N R31E S14	SENE	39.0
T08N R32E S10	NESW	40.0	T08N R32E S10 Lot 3	NWSW	41.0
T08N R32E S10 Lot 4	SWSW	41.0	T08N R32E S10	SESW	40.0
T08N R32E S10	NESE	40.0	T08N R32E S10	NWSE	40.0
T08N R32E S10	SWSE	40.0	T08N R32E S10	SESE	40.0
T08N R32E S01 Lot 1	NENE	34.0	T08N R32E S01 Lot 2	NWNE	34.0
T08N R32E S01	SWNE	40.0	T08N R32E S01	SENE	40.0
T08N R32E S01 Lot 3	NENW	34.0	T08N R32E S01 Lot 5	NWNW	22.0
T08N R32E S01	SWNW	40.0	T08N R32E S11	NENE	41.0
T08N R32E S11	NWNE	41.0	T08N R32E S11	SENE	41.0

T08N R32E S11	NENW	41.0	T08N R32E S11	NWNW	28.0
T08N R32E S01	SENW	40.0	T08N R32E S11	SWNW	41.0
T08N R32E S11	SENW	41.0	T08N R32E S11	NESW	41.0
T08N R32E S11	NWSW	41.0	T08N R32E S11	SWSW	41.0
T08N R32E S11	SESW	41.0	T08N R32E S01	NESW	40.0
T08N R32E S01	NWSW	40.0	T08N R32E S01	SWSW	40.0
T08N R32E S01	SESW	40.0	T08N R32E S01	NESE	40.0
T08N R32E S01	NWSE	40.0	T08N R32E S01	SWSE	40.0
T08N R32E S12	NWNE	40.0	T08N R32E S12	NENW	40.0
T08N R32E S12	NWNW	40.0	T08N R32E S01	SESE	40.0
T08N R32E S12	SWNW	40.0	T08N R32E S14	NENW	40.0
T08N R32E S14	NWNW	40.0	T08N R32E S15	NENE	40.0
T08N R32E S15	NWNE	40.0	T08N R32E S15	SWNE	40.0
T08N R32E S15	SENE	40.0	T08N R32E S15	NENW	40.0
T08N R32E S15 Lot 1	NWNW	42.0	T08N R32E S15 Lot 2	SWNW	42.0
T08N R32E S15	SENW	40.0	T08N R32E S02	SENE	24.0
T08N R32E S02	SESW	26.0	T08N R32E S02	NESE	40.0
T08N R32E S02	NWSE	24.0	T08N R32E S02	SWSE	40.0
T08N R32E S02	SESE	40.0	T08N R33E S05 Lot 3	NENW	34.0
T08N R33E S05 Lot 4	NWNW	34.0	T08N R33E S05	SWNW	40.0
T08N R33E S05	SENW	40.0	T08N R33E S05	NWSW	40.0
T08N R33E S05	SWSW	40.0	T08N R33E S06 Lot 1	NENE	34.0
T08N R33E S06 Lot 2	NWNE	34.0	T08N R33E S06	SWNE	40.0
T08N R33E S06	SENE	40.0	T08N R33E S06 Lot 3	NENW	34.0
T08N R33E S06 Lot 4	NWNW	17.0	T08N R33E S06 Lot 5	SWNW	20.0
T08N R33E S06	SENW	40.0	T08N R33E S06	NESW	40.0
T08N R33E S06 Lot 6	NWSW	20.0	T08N R33E S06 Lot 7	SWSW	20.0
T08N R33E S06	SESW	40.0	T08N R33E S06	NESE	40.0
T08N R33E S06	NWSE	40.0	T08N R33E S06	SWSE	40.0
T08N R33E S06	SESE	40.0	T08N R33E S07	NENE	40.0
T08N R33E S07	NWNE	40.0	T08N R33E S07	SWNE	40.0
T08N R33E S07	SENE	40.0	T08N R33E S07	NENW	40.0
T08N R33E S07	NESE	40.0	T08N R33E S07	NWSE	40.0
T08N R33E S07	SWSE	40.0	T08N R33E S07	SESE	40.0
T08N R33E S08	NENW	40.0	T08N R33E S08	NWNW	40.0
T08N R33E S08	SWNW	40.0	T08N R33E S08	SENW	40.0
T08N R33E S08	NESW	40.0	T08N R33E S08	NWSW	40.0
T08N R33E S08	SWSW	40.0	T08N R33E S08	SESW	40.0
T09N R32E S36	NENE	40.0	T09N R32E S36	NWNE	40.0
T09N R32E S36	SWNE	40.0	T09N R32E S36	SENE	40.0
T09N R32E S36	NENW	40.0	T09N R32E S36	NWNW	40.0
T09N R32E S36	SWNW	40.0	T09N R32E S36	SENW	40.0
T09N R32E S36	NESW	40.0	T09N R32E S36	NWSW	40.0
T09N R32E S36 Lot 4	SWSW	37.0	T09N R32E S36 Lot 3	SESW	40.0

<u>T09N R32E S36 NESE 40.0</u>	<u>T09N R32E S36 NWSE 40.0</u>
<u>T09N R32E S36 Lot 2 SWSE 40.0</u>	<u>T09N R32E S36 Lot 1 SESE 40.0</u>
<u>T09N R33E S31 NESW 40.0</u>	<u>T09N R33E S31 Lot 3 NWSW 40.0</u>
<u>T09N R33E S31 Lot 4 SWSW 40.0</u>	<u>T09N R33E S31 SESW 40.0</u>
<u>T09N R33E S31 NESE 40.0</u>	<u>T09N R33E S31 NWSE 40.0</u>
<u>T09N R33E S31 SWSE 40.0</u>	<u>T09N R33E S31 SESE 40.0</u>
<u>T09N R33E S32 NENE 40.0</u>	<u>T09N R33E S32 NWNW 40.0</u>
<u>T09N R33E S32 SWNE 40.0</u>	<u>T09N R33E S32 SENE 40.0</u>
<u>T09N R33E S32 NENW 40.0</u>	<u>T09N R33E S32 NWNW 40.0</u>
<u>T09N R33E S32 SWNW 40.0</u>	<u>T09N R33E S32 SENW 40.0</u>
<u>T09N R33E S32 NESW 40.0</u>	<u>T09N R33E S32 NWSW 40.0</u>
<u>T09N R33E S32 SWSW 40.0</u>	<u>T09N R33E S32 SESW 40.0</u>

5723 ACRES TOTAL

USE OF THE RIGHTS OF THE RENO DITCH COMPANY LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~3,427~~ 3,815 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

~~PLACE OF USE WITHIN THE BOUNDARY OF THE RENO DITCH COMPANY. TOTAL IRRIGATED ACRES 5798.~~

THE USE OF WATER WITHIN T08NR32E S02 SESW, NWSE AND SENE, AND S11 NWNW DOES NOT INCLUDE ANY FEDERAL PUBLIC LANDS.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

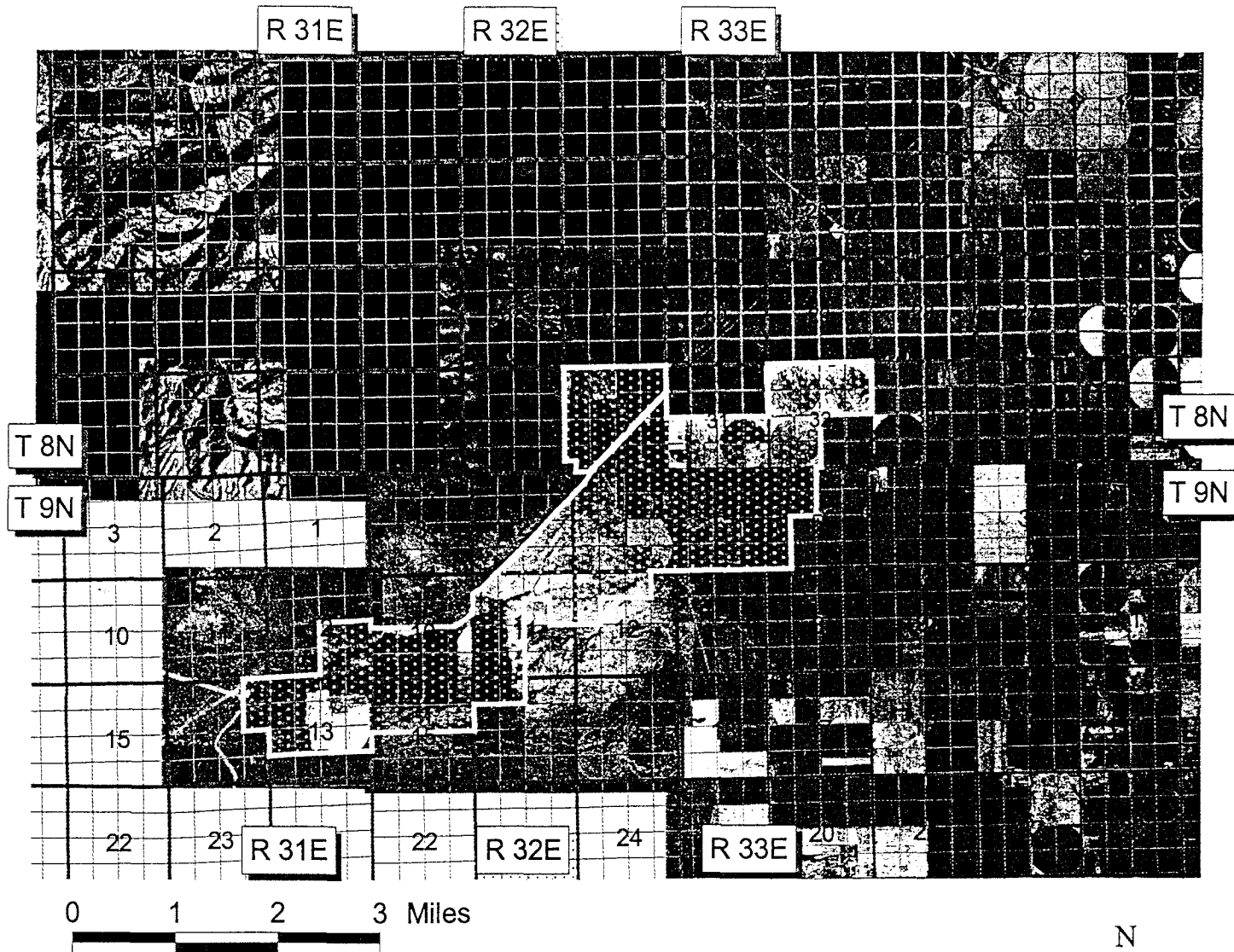
EXPLANATORY MATERIAL: Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

The Reno Ditch Company, Inc

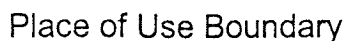
Water Right Numbers: 32-00058, 32-00059, 32-00060, 32-00061C, 32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043, 32-02045

*Originals
sent to
court.
12-17-99*

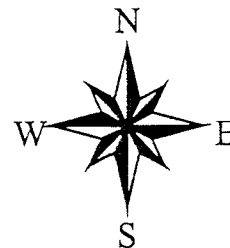


 1/4 1/4 Section Lines

 Section Lines

 Place of Use Boundary

Townships 8N and 9N
Ranges 31E, 32E and 33E



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Bryce A. Contor
Date: August, 1999

11/14/2000

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

RIGHT NUMBER: 32-83

NAME AND ADDRESS: RENO DITCH COMPANY INC
PO BOX 5
REXBURG, ID 83440

SOURCE: BIRCH CREEK TRIBUTARY: SINKS

QUANTITY: 0.46 CFS
195.3 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF ~~11,579.2~~ 12,937.2 AF.
RIGHTS OF THE RENO DITCH COMPANY: 32-00058, 32-00059, 32-
00060, 32-00061C, 32-00061D, 32-00062, 32-00063, 32-00064, 32-
00065, 32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-
00073, 32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-
00079, 32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-
00089, 32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-
00102, 32-02043, & 32-02045 & ~~32-11224~~.

PRIORITY DATE: 05/15/1912

POINT OF DIVERSION: T09N R30E S34 SESESW Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 11-01	0.46 CFS 195.3 AFY

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160.0 ACRES
WITHIN THE ~~PLACE OF USE DESCRIBED ABOVE~~ BOUNDARY OF THE RENO
DITCH COMPANY IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS OF THE RENO DITCH COMPANY LISTED ABOVE IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~3,427~~ 3,815
ACRES IN A SINGLE IRRIGATION SEASON.

PLACE OF USE WITHIN THE BOUNDARY OF THE RENO DITCH COMPANY.
TOTAL IRRIGATED ACRES: ~~5,798~~ 5,740.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RENO DITCH COMPANY INC PO BOX 5 REXBURG ID 83440	05/15/1912	IRRIGATION	04-01 11-01	0.460 CFS	195.30 AFA
					TOTAL DIVERSION:	0.460 CFS 195.30 AFA

Water Source: BIRCH CREEK

Tributary to: SINKS

Stage: DECREED

Point(s) of Diversion: T09N R30E S34 SESESW CLARK County

Place of use Legal Description for: IRRIGATION

NE										NW										SW										SE										
T		R		S		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		SUM		
																																		08N 31E 12 :						
																																		08N 31E 13 :	40 40 40 40 :	40 40 40 40 :	40 40 :	40 40 40 40 :	200.0	
																																		08N 31E 14 :	40 :	40 :	40 :	40 :	480.0	
																																		08N 32E 1 :	01-34 02-34 40 40 :	03-34 04-20 40 40 :	40 40 40 40 :	40 40 40 40 :	602.0	
																																		08N 32E 2 :	01-02 03 30 :	03 03 30 :	40 40 40 40 :	231.0		
																																		08N 32E 10 :	15 :	40 03-41 04-42 40 :	40 40 40 40 :	338.0		
																																		08N 32E 11 :	40 40 40 :	40 20 40 40 :	40 40 40 40 :	420.0		
																																		08N 32E 12 :	40 :	40 40 40 :	40 :	160.0		
																																		08N 32E 14 :	40 40 40 40 :	40 42 42 40 :	40 :	80.0		
																																		08N 32E 15 :	40 40 40 40 :	40 42 42 40 :	40 :	324.0		
																																		08N 33E 5 :	03-34 04-34 40 40 :	40 40 :	40 40 :	228.0		
																																		08N 33E 6 :	01-34 02-34 40 40 :	03-34 04-17 05-20 40 :	40 06-20 07-20 40 :	40 40 40 40 :	539.0	
																																		08N 33E 7 :	40 40 40 40 :	40 :	40 40 40 40 :	360.0		
																																		08N 33E 8 :	40 40 40 40 :	40 40 40 40 :	40 40 40 40 :	320.0		
																																		09N 31E 31 :	40 40 40 40 :	40 40 40 40 :	40 03-40 04-40 40 :	40 40 40 40 :	320.0	
																																		09N 31E 32 :	40 40 40 40 :	40 40 40 40 :	40 40 40 40 :	480.0		
																																		09N 32E 36 :	40 40 40 40 :	40 40 40 40 :	40 03-35 04-41 40 :	40 40 02-40 01-40 :	636.0	
																																		TOTAL ACRES	5798.0					

POU County: CLARK, JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: 32-0074, 0076, & 0084.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 11,579.2 AF. RIGHTS OF THE RENO DITCH COMPANY: 32-00058, 32-00059, 32-00060, 32-00061C, 32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043 & 32-02045.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 32D	Field Inspection Flag:	
		Presumption Flag:	C

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: A32-00083

Date Received: _____

Received By: _____

FIRST AMENDMENT TO NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: D & D ENTERPRISES, INC. 208-523-4650
Address: C/O PETERSEN, MOSS & OLSEN
485 "E" STREET
IDAHO FALLS, ID 83402

D & D Enterprises, Inc. ("Applicant") adopts in total as part of this First Amendment to Notice of Claim to a Water Right acquired under State Law ("First Amendment") those certain original paragraphs (1-9 both inclusive and 11-15 both inclusive) from the original Notice of Claim to a Water Right acquired under State Law, filed by Applicant in the above-entitled action on the 26th day of August, 1988 assigned identification number A32-00083, and by reference hereof, said original paragraphs (1-9 both inclusive and 11-15 both inclusive) are incorporated in total herein and made a part of this First Amendment as if set out verbatim herein. As to the original paragraph 10 to said original Notice of Claim, that is, paragraph 10 that reads as follows:

"10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	32E	1	SE SE		IRR	40.0
			NE SE		IRR	40.0
			NW SE		IRR	40.0
					Section Acres	120.0
					Total Acres	120.0"

Said above quoted paragraph is hereby cancelled in total and replaced by a new substituted paragraph 10 that reads as follows:

10. Place of Use:

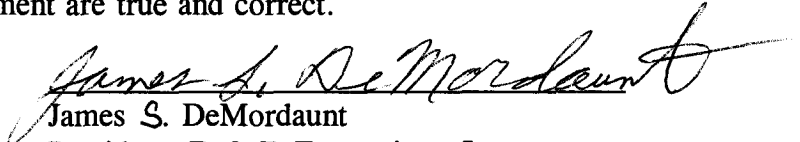
Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	32E	1	NE SE		IRR	40.0
			NW SE		IRR	40.0
			SE SE		IRR	40.0
			SW SE		IRR	40.0
			SE SW		IRR	40.0

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	32E	1	SW SW		IRR	40.0
			NE SW		IRR	40.0
					Section Acres	280.0
	33E	6	NE SW		IRR	40.0
			NW SW	6	IRR	20.0
			SW SW	7	IRR	20.0
			SE SW		IRR	40.0
			NW SE		IRR	40.0
			SW SE		IRR	40.0
					Section Acres	200.0
	33E	12	NW NE		IRR	40.0
			NW NW		IRR	40.0
			NE NW		IRR	40.0
			SW NW		IRR	40.0
					Section Acres	160.0
					Total Acres	640.0

THIS AMENDMENT IS NOT INTENDED TO MODIFY IN ANY MANNER WHATSOEVER ANY OF THOSE CERTAIN ORIGINAL REFERENCED PARAGRAPHS (1-9 BOTH INCLUSIVE AND 11-15 BOTH INCLUSIVE) THAT ARE ADOPTED IN TOTAL AND MADE A PART OF SAID THIS FIRST AMENDMENT; AND AS TO PARAGRAPH 10 QUOTED ABOVE, AND THE AMENDMENT THERETO, SAID AMENDMENT TO PARAGRAPH 10 TAKES THE PLACE OF AND BECOMES THE NEW PARAGRAPH 10 FOR SAID FIRST AMENDMENT; AND FURTHER ALL OF THE TERMS, CONDITIONS, AND PROVISIONS THEREOF, UNLESS SPECIFICALLY MODIFIED HEREIN, ARE TO APPLY HERETO AND ARE MADE A PART HEREOF, THE SAME AS THOUGH THEY WERE EXPRESSLY REWRITTEN, INCORPORATED AND INCLUDED IN TOTAL HEREIN.

(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 X do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments: 2

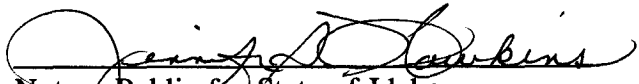
I do solemnly swear or affirm that I am President of D & D Enterprises, Inc., that I have signed the foregoing document in the space below as President of D & D Enterprises, Inc., and that the statements contained in the foregoing document are true and correct.


James S. DeMordaunt
President, D & D Enterprises, Inc.
Date: 12-18-96

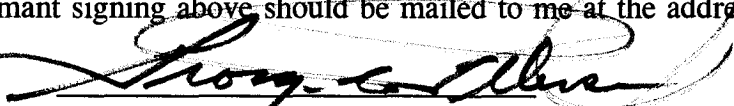
STATE OF IDAHO)
) ss.
County of Bonneville)

SUBSCRIBED AND SWORN (or affirmed) before me this 18th day of December, 1996.

(SEAL)


Notary Public for State of Idaho
Residing at: Shelley
My Commission Expires: 6-27-2000

Notice is hereby given that I, George C. Petersen, Jr., will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature: 

George C. Petersen, Jr.
485 "E" Street
Idaho Falls, ID 83402

Date: 12-18-96

2' 30"

860 000
FEET

POINT OF DIVERSION

T 9N
T 8N

DITCH TO
POWER
PLANT

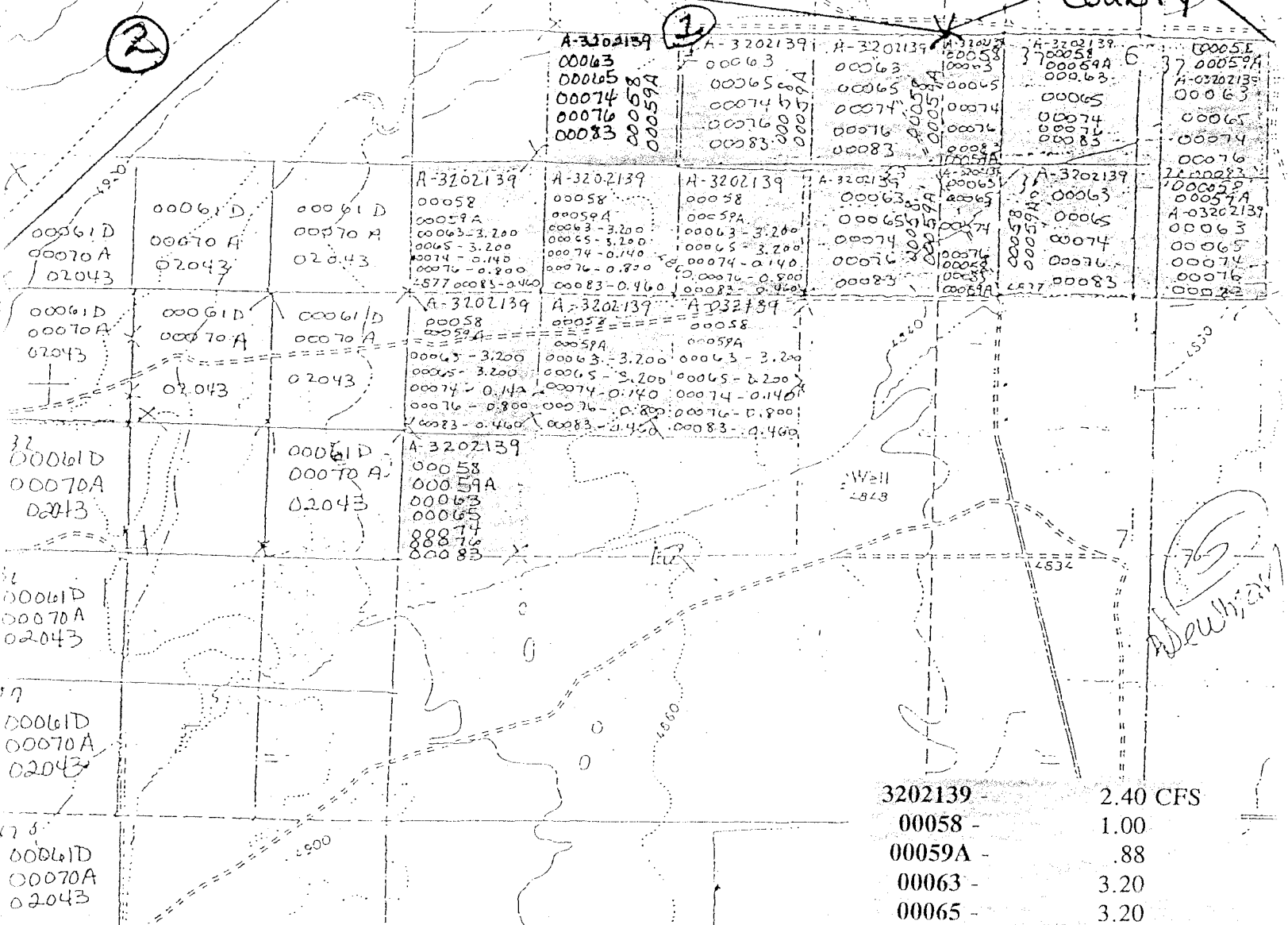
R 30E

A32-00083

2 EBM.
ON COUNTY

Tr. 8 N. R. 33 EBM

JEFFERSON
COUNTY



00061D -	2.80
00070A -	2.40
02043 -	6.40
	11.60
	x 50
	580 inches

15 x 40 = 600 Acres

inches
Acres
inches,

600
-580
20" short on above acreage

3202139 -	2.40 CFS
00058 -	1.00
00059A -	.88
00063 -	3.20
00065 -	3.20
00074 -	.14
00076 -	.80
00083 -	.46

12.08

x 50

604 inches

16 x 40 = 640 Acres

604

-640

36" short on above acreage

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: A32-00083
Date Received: 8/26/1988
Receipt No: 6002023
Received By: Sal

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: D & D ENTERPRISES, INC.
Address: C/O PETERSEN, MOSS & OLSEN
485 E STREET
IDAHO FALLS, ID

208-523-4650

83402

2. Date of Priority: MAY 15, 1912

3. Source: BIRCH CREEK

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	30E	3	NE	NE	NW		CLARK

5. Description of diverting works:
HEADWORKS OF SORENSON HYDRO-POWER PROJECT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.460		

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

8. Total consumptive use is 300.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

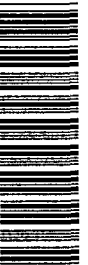
Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	32E	1	SE	SE		IRR	40.0
			NE	SE		IRR	40.0

A32-00083

Page 1

Date: 08/26/88

A3200083



MICROFILMED

NOV 18 1988

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	32E	1	NW SE		IRR	40.0
Section Acres						120.0
Total Acres						120.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
32-0074, 0076, & 0084.

14. Remarks:
CLAIMING WATER HAS BEEN TRANSFERED FROM ORIGINAL PLACE OF USE
TO PLACE OF USE CLAIMED UNDER THIS FILING.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

AGNES B. RENO, ET. AL.
Decree Plaintiff

vs

J. R. RICHARDS, ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

[Signature]
Signature of Authorized Agent
President, D & D ENTERPRISES, INC.
Title and Organization

August 30, 1988
Date

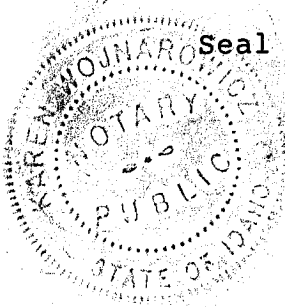
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of August, 19 88

[Signature]
Notary Public

Residing at Idaho Falls, Idaho

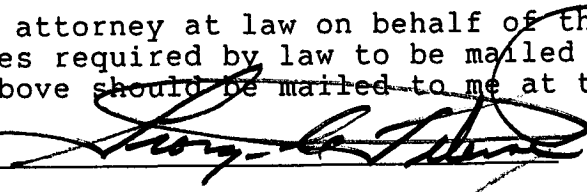
My Commission Expires 9-18-91



17. Notice of Appearance:

Notice is hereby given that I, George C. Petersen, Jr. will be
Print Name

acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature 

Address 485 "E" Street, Idaho Falls, ID 83402

Date August 30, 1988

T
9
N

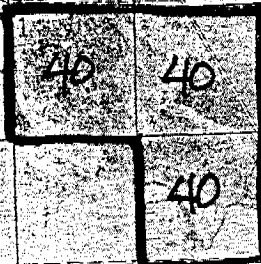
T
8
N

CLARK CO

JEFFERSON CO

T. 9 N.

T. 8 N.



A32-00083

R32E R33E

2' 30"

BOUNDARY

MICROFILMED

APR 13 1992

23

24

19

S T A T I O N

POINT OF DIVERSION

T9N

T8N

DITCH TO
POWER
PLANT

3

R30E

A32-00083
~~00058~~