

CC

VICKI

05/14/2002

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

RIGHT NUMBER: 35-7138 MODIFIED PER TRANSFER 69365
NAME AND ADDRESS: CAPITAL LENDING INC
3905 STATE ST #7148
SANTA BARBARA CA 93105
SOURCE: GROUND WATER TRIBUTARY:
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM UNNAMED STREAM.
QUANTITY: 1.08 CFS
216.0 AFY
USE OF THIS RIGHT WITH RIGHT NO. 35-13323 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.62 CFS.
PRIORITY DATE: 04/08/1970
POINT OF DIVERSION:

T04S R32E S24 NESWNE Within BINGHAM County
T04S R32E S24 SWSENE Injection Within BINGHAM County
T04S R32E S24 SWSESW Rediversion Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	1.080 CFS 216.00 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T04S R32E S24	SWNE	4.0	T04S R32E S24	SENE	1.0
T04S R32E S24	NESW	24.0	T04S R32E S24	NWSW	1.0
T04S R32E S24	SESW	21.0	T04S R32E S24	NESE	1.0
T04S R32E S24	NWSE	23.0			

75 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 35-13323 IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 81 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 54 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: License

RIGHT NO. 35-08635 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

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

)

Water Rights: 35-7 SPLIT INTO
35-13323, 35-13324
& 35-7138

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☒ I.C. § 42-222 transfer **69365**
 - ☒ point of diversion ☒ place of use
 - ☒ period of use ☒ nature of use
 - ☒ split of water right ☐ change in ownership

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: May 16, 2002

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 17, 2002, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
CAPITAL LENDING INC
3905 STATE ST #7148
SANTA BARBARA CA 93105

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

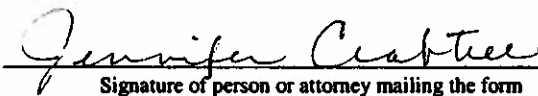
Each party in the subcase, or attorney of record
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

5. One copy each 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

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 17, 2002

CAPITAL LENDING INC
3905 STATE ST #7148
SANTA BARBARA CA 93105

RE: Transfer #69365 (water right 35-7, 35-7138, 35-13323, 35-13324) and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir or Madam:

On January 8, 2002, the Idaho Department of Water Resources (IDWR) approved Transfer #69365 modifying a portion of the above referenced water right(s). Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

WATER RIGHT NO. 35-7138
As Modified by Transfer No. 69365

In accordance with the approval of Transfer No. 69365, Water Right No. 35-7138 is now described as follows.

Right Holder: CAPITAL LENDING INC
1475 TERMINAL WAY STE E
RENO NV 89502

Priority Date: 04/08/1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	1.08 CFS	216.0 AF
		1.08 CFS	216.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESWNE Sec. 24 Twp 04S Rge 32E BINGHAM County
GROUND WATER (Injection)	SWSENE Sec. 24 Twp 04S Rge 32E BINGHAM County
GROUND WATER (Rediversion)	SWSESW Sec. 24 Twp 04S Rge 32E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	32E	24			4.0	1.0					24.0	1.0			21.0	1.0	23.0		75.0

Total Acres: 75.0

CONDITIONS OF APPROVAL

- Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
- Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
- Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- Right 35-8635 is also diverted through point of diversion described above.
- Point of injection into and point of rediversion from Unnamed Stream.
- Use of this right with Right 35-13323 is limited to a total combined diversion rate of 1.62 cfs.

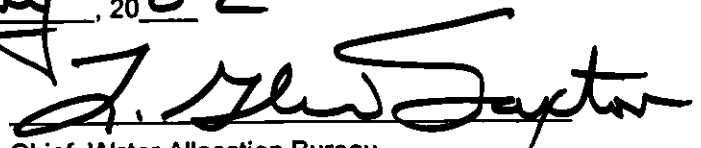
WATER RIGHT NO. 35-7138
As Modified by Transfer No. 69365

CONDITIONS OF APPROVAL

7. Use of this right with Right 35-13323 is limited to the irrigation of a combined total of 81.0 acres in a single irrigation season.
8. This right is limited to the irrigation of 54.0 acres within the place of use described above in a single irrigation season.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 8th day of January, 2002


Chief, Water Allocation Bureau

VICKI

02/25/2002

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

RIGHT NUMBER: 35-7138 MODIFIED PER TRANSFER 69365

NAME AND ADDRESS: CAPITAL LENDING INC
3905 STATE ST #7148
SANTA BARBARA CA 93105

CC

SOURCE: GROUND WATER TRIBUTARY:
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM UNNAMED STREAM.

QUANTITY: 1.080 CFS
216.00 AFY
USE OF THIS RIGHT WITH RIGHT NO. 35-13323 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.62 CFS.

PRIORITY DATE: 04/08/1970

POINT OF
DIVERSION: T04S R32E S24 NESWNE Within BINGHAM County
T04S R32E S24 SWSENE Injection Within BINGHAM County
T04S R32E S24 SWSESW Rediversion Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/01 10/31	1.080 CFS 216.00 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T04S R32E S24	SWNE	4.0	T04S R32E S24	SENE	1.0
T04S R32E S24	NESW	24.0	T04S R32E S24	NWSW	1.0
T04S R32E S24	SESW	21.0	T04S R32E S24	NESE	1.0
T04S R32E S24	NWSE	23.0			

75 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 35-13323 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 81 ACRES IN A SINGLE IRRIGATION SEASON.
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USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 - License

RIGHT NO. 35-08635 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO
SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 22, 2002

CAPITAL LENDING INC
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

RE: Transfer #69365 (water rights 35-7138 & 35-7) and Notice of
Completed Administrative Proceeding (NCAP)

Dear Mr. Foster:

On January 8, 2002, the Idaho Department of Water Resources (IDWR) approved Transfer #69365, modifying a portion of the above referenced water right(s). Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

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As Modified by Transfer No. 69365

In accordance with the approval of Transfer No. 69365, Water Right No. 35-7138 is now described as follows.

Right Holder: CAPITAL LENDING INC
 1475 TERMINAL WAY STE E
 RENO NV 89502

Priority Date: 04/08/1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	1.08 CFS	216.0 AF
		1.08 CFS	216.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESWNE Sec. 24 Twp 04S Rge 32E BINGHAM County
GROUND WATER (Injection)	SWSENE Sec. 24 Twp 04S Rge 32E BINGHAM County
GROUND WATER (Rediversion)	SWSESW Sec. 24 Twp 04S Rge 32E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	32E	24			4.0	1.0					24.0	1.0		21.0	1.0	23.0			75.0

Total Acres: 75.0

CONDITIONS OF APPROVAL

1. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
2. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Right 35-8635 is also diverted through point of diversion described above.
5. Point of injection into and point of rediversion from Unnamed Stream.
6. Use of this right with Right 35-13323 is limited to a total combined diversion rate of 1.62 cfs.

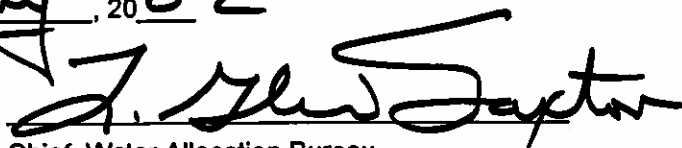
WATER RIGHT NO. 35-7138
As Modified by Transfer No. 69365

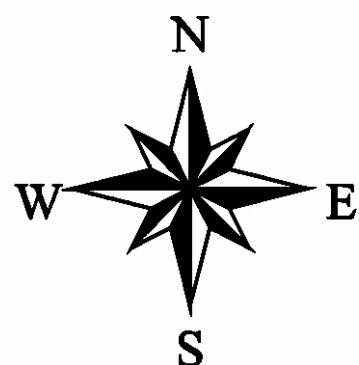
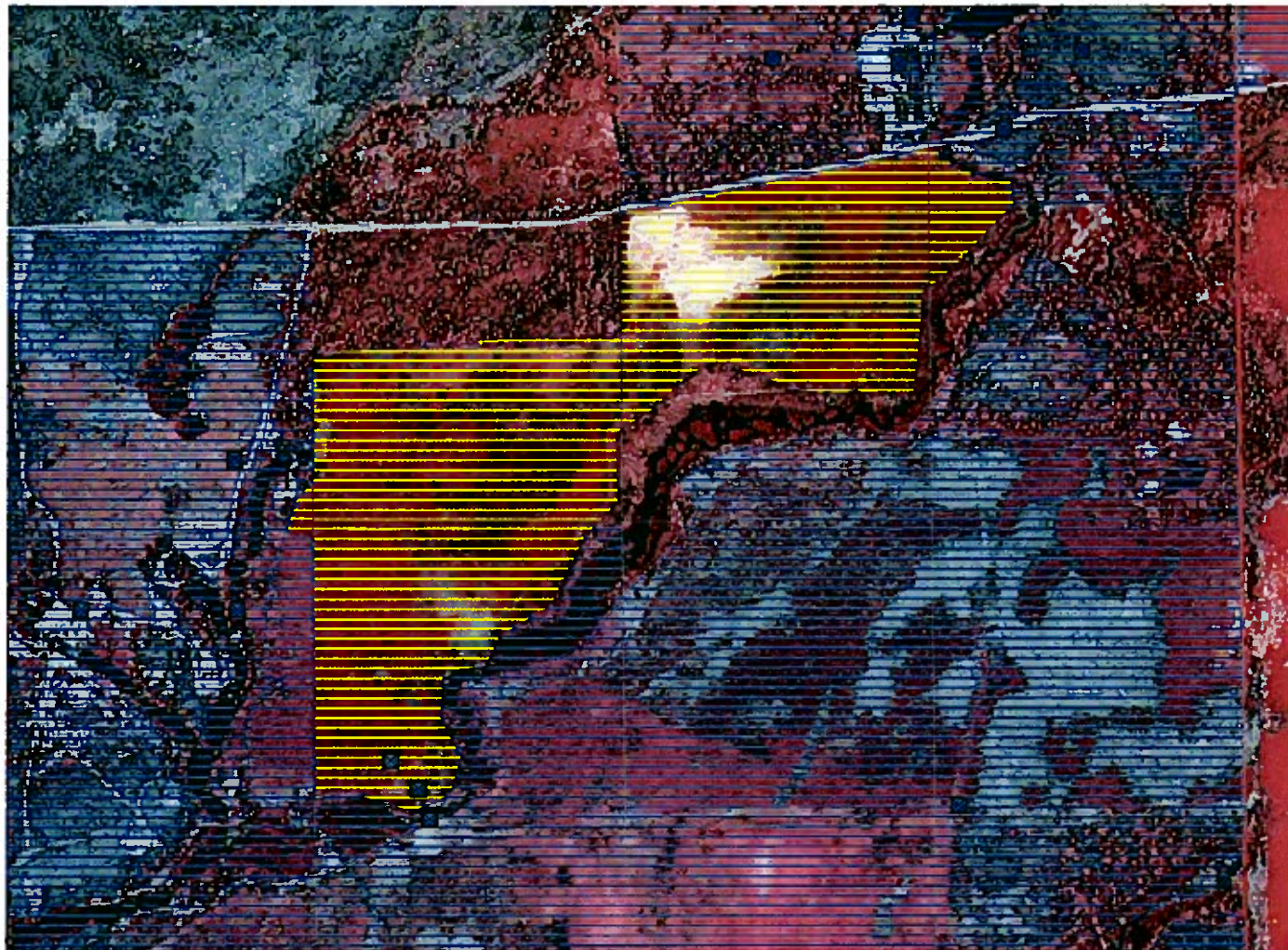
CONDITIONS OF APPROVAL

7. Use of this right with Right 35-13323 is limited to the irrigation of a combined total of 81.0 acres in a single irrigation season.
8. This right is limited to the irrigation of 54.0 acres within the place of use described above in a single irrigation season.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 8th day of January, 2002


Chief, Water Allocation Bureau



-  GCDBT04S32E.shp
-  POD - AJ RecRecommendation POD
-  POU-RecRecommendation POU
-  Townships

Stage: LICENSE

BINGHAM County
BINGHAM County
BINGHAM County

NE

Other Rights: 35-00007

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION

- | | | |
|-----|---|--------|
| C05 | - PURSUANT TO SECTION 42-1425, IDAHO CODE. | |
| | - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO | |
| | - SECTION 42-1425, IDAHO CODE. | |
| C12 | - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER | |
| | - IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER | |
| | - RIGHTS IN BASIN 35: | |
| | WATER RIGHT NO. | SOURCE |
| | NONE | NONE |
| | - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER | |
| | - IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER | |
| | - RIGHTS IN THE SNAKE RIVER BASIN: | |
| | WATER RIGHT NO. | SOURCE |
| | NONE | NONE |
| | - ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES | |
| | - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED | |
| | - CONJUNCTIVELY. | |

USE OF THIS RIGHT WITH RIGHT NO. 35-00007 IS LIMITED TO A

Remarks: TOTAL COMBINED DIVERSION RATE OF 2.06 CFS.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 35-00007 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 103 ACRES IN A SINGLE
IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 54 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
EXP RIGHT NO. 35-08635 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: 09/27/1993 Verified Date: Objection Filed Date:

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:40:46
10/24/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A35-07138

LAST: GOLDEN EAGLE RANCH FIRST:
ADDRESS: P.O. BOX 519
CITY: REXBURG STATE: ID ZIP: 83440
PHONE NUMBER: 208-355-3313

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: 2 P/D IN SAME, 324, T45, R32E.

DATE: 10/24/91
EXAMINER: FIELD

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

DATE OF FIELD EXAM: 8/23/93

APPOINTMENT MADE: Y () N (X)

ACCOMPANIED BY:

PHONE NUMBER: () - - -
TITLE: A () P ()
PHONE NUMBER: () - - -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

Final Review 9/27/93

M. AJ CLAIM: # A35-07138 PRIORITY DATE: 04-08-1970 STAGE: P License
U. MR RECORD: # 15-07138 PRIORITY DATE: 04-08-1970 STAGE: 1

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N DATABASE EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? (Y/N) NO X

REMARKS: As per license

4-08-1970

RECOMMENDED PRIORITY DATE:
34-08-1973

REVIEWED BY: DC DATE: 8/43

A. AD CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	T.P.	SEC.	1/4	1/4	1/4	LOT	CNTY
A35-07138	043	32E	24	SE	SW	VE	3INGHAM
OTHER AD CLAIMS WITH SAME 1/4 DOG							
A PREFIX R PREFIX NONE							
35-00907							
35-08535							
35-11394							

SOURCE: GROUNDWATER

TRIS:

4. WR POINT OF DIVERSION AND SOURCE:

RIGHT	T.P.	SEC.	1/4	1/4	1/4	LOT	CNTY
35-07138	043	32E	24	SE	NE		3INGHAM
OTHER WR RECORDS WITH SAME WR P00							
A PREFIX R PREFIX							
35-00907							
35-02014							
35-04271							
35-08377							

SOURCE: GROUNDWATER

TRIS:

C. FIELD EXAM REQUIRED?

DUE TO DOG DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	Y	

REMARKS:

(103)

G01- POINT OF INS. & REDIV. - ~~WAGGON~~ WAGGON STREAM

see 2456u NE - well (ART)) see map
INJECTION SW SE NE sec 24
REDIVERSION SW SE SW sec 24) F05-75-8635

RECOMMENDED POLICY(S) OF DIVERSION AND SOURCE: 1/4 431 COUNTY

TRF: RSE. SEC.

1/4 1/4

1/4

431

COUNTY

SOURCE: GROUNDWATER

TRF:

REVIEWED BY: DC

DATE:

9/27/93

A. ROOT WATER RIGHT NUMBER: A35-07138

3. POL LISTING

TRP	RNG	SEC	1/4	1/3	LOT	NAME	AJ #/ACRES	AR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
045	32E	26	NE	NE		GOLDEN EAGLE RANCH	A35-07138 / 36.0	-			36.0
045	32E	26	S4	NE		GOLDEN EAGLE RANCH	A35-07138 / 20.0	-			35.0
			S4	NE		RICH, DORA	35-00028 /				
			S4	NE		RICH, DORA	35-00029 /				
045	32E	28	S1	NE		GOLDEN EAGLE RANCH	A35-07138 / 37.0	-			39.0
			S2	NE		RICH, DORA	35-00028 /				
			S3	NE		RICH, DORA	35-00029 /				
045	32E	24	NE	SW		GOLDEN EAGLE RANCH	A35-07138 / 25.0	35-07138 / 22.0			40.0
045	32E	24	S4	SW		GOLDEN EAGLE RANCH	A35-07138 / 7.0	-			35.0
			S4	SW		GOLDEN EAGLE RANCH	A35-11390 /	-			
			S4	SW		GOLDEN EAGLE RANCH	A35-11392 /	-			
			S4	SW		GOLDEN EAGLE RANCH	A35-11393 /	-			
045	32E	24	S2	SW		GOLDEN EAGLE RANCH	A35-07138 / 20.0	35-07138 / 10.0			40.0
			S2	SW		GOLDEN EAGLE RANCH	A35-07144 / 8.0	-			
045	32E	24	N4	SE		GOLDEN EAGLE RANCH	A35-07138 / 23.0	35-07138 / 20.0			39.0
045	32E	25	N4	NW		GOLDEN EAGLE RANCH	A35-07138 / 30.0	-			35.0
045	32E	25	S4	NW		GOLDEN EAGLE RANCH	A35-07138 / 15.0	-			30.0
			S4	NW		LEACH, WILLIAM J.	35-00007 /				
TOTAL ACRES						A35-07138	190.00	52.00			323.00

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()

X

IF (ES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DOE TO POL DISCREPANCY? (Y/N)

DATEBASE FIELD EXAMINER
Y

PRESUMPTION PLAS:

REMARKS:

sec 24 NESE 1.0Ac NW SW 1Ac - per license exam
was it license for total acres irrigated need expansion claim?
70 acres total

RECOMMENDATIONS:

TOTAL ACRES: 54

REVIEWED BY: DC

DATE: 9/27/93

CMB WITH NEW CLAIM

35-00007- 103 acres

K06 limit $\Rightarrow$ 34

1. AD CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
435-07138 IRRIGATION	FROM 04-15 TO 10-01	3.800 CFS
<i>Drop</i>	FROM 01-31 TO 12-31	.020 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED 3.820 CFS

2. NR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
35-07138 IRRIGATION	FROM 04-31 TO 11-01	1.080 CFS
		189.00 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED 2.080 CFS 189.00 AF/A

3. RESUMPTION FLAG:

4. FIELD EXAM REQUIRED?

DOE TO WATER-USE DISCREPANCY? (Y/N)	DATEBASE	FIELD EXAMINER
DOE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	<u>4</u>
DOE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	

5. PERIOD OF USE:

RECOMMEND AS CLAIMED? ☐ Y ☒ N ☐ N()

RECOMMEND TO NR STANDARDS OR OTHER? ☐ Y ☒ N()

EXPLAIN IN REMARKS, BELOW.

REMARKS:

Drop domestic use

A. DOES DIVERSION RATE CLAIMED ABOVE WITH EXISTING RECORDS?

Y() N(X)

1. TOTAL CLAIMED DIVERSION RATE: 3.120 CFS
2. NET RESULT TOTAL DIVERSION RATE: 1.020 CFS

3. IF NO OR IF STATUTORY CLAIM OR GENERAL USE THEN FLOW MEASUREMENT REQUIRED. 4. IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS 5. 6. CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN REMARKS. 7.

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DIFFERENCE? (Y/N) Y FIELD DITCHES EXAMINER

B.

MEASUREMENT METHOD

FLOW MEASUREMENT

SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS JUDG? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE.

LIST ALL RIGHTS WITH A SAME POW AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
435-07133	GROUNDWATER	GOLDEN EAGLE RANCH	3.320	0.020	940.00	5.50
435-07141	GROUNDWATER	GOLDEN EAGLE RANCH	4.000	0.020		

LIST ALL RIGHTS WITH SAME POW BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSE	NAME	MONTH/DAY	RATE	VOLUME
435-07133	DOMESTIC	GOLDEN EAGLE RANCH	FROM 01-01 TO 12-31	.020 CFS	
435-07133	FISH PROPAGATION	GOLDEN EAGLE RANCH	FROM 01-01 TO 12-31	20.000 CFS	
435-07133	DOMESTIC	GOLDEN EAGLE RANCH	FROM 01-01 TO 12-31	.040 CFS	
435-07133	DOMESTIC	GOLDEN EAGLE RANCH	FROM 01-01 TO 12-31	.040 CFS	

1. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE
ACRES _____ X 0.02 CFS/ACRE = _____ CFS
(TAKEN FROM P/W ROUTE 4)

1B. CALCULATIONS

DYES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FROM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 570.0 AF/A
ACRES 54 X CONSUMPTIVE VOL. AF/A FOR AREA 3 =
TOTAL CONSUMPTIVE USE 162 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A
ACRES 54 X DIVERSION VOL. AF/A FOR AREA 4 =
TOTAL DIVERSION VOLUME 216 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PERIOD PURPOSES	REC. PERIOD FROM TO	REC. DEV RATE CFS	REC. DTJ VOL. AF/A	REC. CONS. USE
100	4/1 10/31	108	216	162
TOTAL FOR THIS PERIOD		108	216	162
REVIEWED BY: DC	DATE: 9/27/93			

4. CHECK ONLY THE FOLLOWING THAT APPLY:

MEMBERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT
ACCEPTED
AS CLAIMED
NEEDS
REVIEW
(X) () () () ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 35-07138
TOTAL DIVERSION RATE OF WR SPLITS 1.080
SPLITS:
OLD RIGHT CURRENT DIVERSION CURRENT "R" "R" DIV.
NUMBERS CLAIM NUMBERS RATE RATE RATE
- 435-07138 3.820 - 35-07138 1.090
TOTAL CFS 3.820 1.080

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

REMARKS:

AUTHENTICATED:
SIGNATURE: *Steve Cels* DATE: 9/22/93
NAME OF FIELD EXAMINER: Dave Carlson TITLE: WFR

WR ASSESSMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y		DC	yes				
SOURCE								
PLACE OF USE	Y			yes				
DIV. AMOUNT CFS/VOLUME	Y			yes				
CONSUMPTIVE USE	-							
PURPOSES	Y			yes				
PERIOD OF USE	Y			yes				
DWLS OF CLAIM	Y			yes				
REMARKS	Y		No					

VERIFIED BY: J0035

TOPS MAP/ORT 40-PQ = 1
ASCS MAP = 2
MASTERMASTER RECORDS = 3
APP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-07138

NAME & ADDRESS: JOHN L MILLER
PO BOX 2260
NAPA CA 94558

SOURCE: GROUNDWATER

POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM
UNNAMED STREAM.QUANTITY: 1.08 CFS
216.0 AFYUSE OF THIS RIGHT WITH RIGHT NO. 35-00007 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.06 CFS.

PRIORITY DATE: 04/08/1970

POINT OF DIVERSION: T04S R32E S24 NESWNE Within BINGHAM County
SWSENE (INJECTION)
SWSESW (REDIVERSION)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04-01 10-31	1.08 CFS
			216.0 AFY

PLACE OF USE:	IRRIGATION	Within BINGHAM County			
	T04S R32E S24	SWNE 4	SENE 1	NESW 24	NWSW 1
		SWSW 6	SESW 21	NESE 1	NWSE 23
	81 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NO. 35-00007 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 103 ACRES IN A SINGLE
IRRIGATION SEASON.THIS RIGHT IS LIMITED TO THE IRRIGATION OF 54 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-D7138 (CONT)

OTHER PROVISIONS: (CONT)

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 35:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

RIGHT NO. 35-08635 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

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)
)
)
)
)
SUB CASE NO. 35-00007, 35-00028,
35-00029, 35-02016, 35-07138, 35-07141, 35-11390

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

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

ATTN: GREG LANSBERRY
NORTH FORK ENERGY INC
4414 S GEKELER LN
BOISE ID 83705

Phone:

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

JOHN L MILLER
PO BOX 2260
NAPA CA 94558

Phone: (707) 224-6444

The Claimant has filed Objections or Responses to the following water rights:

NO OBJECTIONS

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: Feb, 19, 1999

Ernest Carlsen

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/19, 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
PO Box 2707
Twin Falls ID 83303-2707

2. One Copy to:

Claimant/Seller for Substitution of Party or attorney of record:
ATTN: GREG LANSBERRY
NORTH FORK ENERGY INC
4414 S GEKELER LN
BOISE ID 83705

3. One Copy to:

Claimant/Purchaser for Substitution of Party or attorney of record:
JOHN L MILLER
PO BOX 2260
NAPA CA 94558

4. One Copy to:

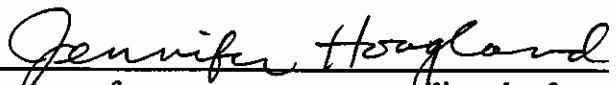
Each party in the subcase or attorney of record:
N/A

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

RECEIVED

JAN 13 1999

Department of Water Resources



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: December 23, 1998

LEGAL DESCRIPTION OF PROPERTY: Township 45 Range 32E
 Section 24, 25, 26 1/4 of 1/4 of 1/4 Govt. Lot , BM.
 Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s) 35-07138, 35-00007, 35-00028, 35-00029, 35-02016, 35-02014, 35-11392, 35-11393, 35-11394, 35-00047, 35-007142, 35-04271,
 Assigned by IDWR: 35-08635, 35-11390, 35-08782, 35-09068, and 35-08679 35-07141
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): North Fork Energy, Inc., Attn: Greg Lansberry
4414 S. Gekeler Lane
Boise, Idaho 83705
- ☐ New Owner/Claimant (Purchaser): John L. Miller
- ☐ New Mailing Address: P. O. Box 2260
Napa, California 94558
- ☐ New Telephone Number: (707) 224 - 6444
- ☒ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
WRN's 35-04271, 35-08635, 35-08782, 35-09068 and 35-08679 are
split pursuant to the attached Special Warranty Deed.

- ☒ Attach proof of ownership, describe proof attached: See attached Warranty Deed and Special Warranty Water Rights, Well Development and Maintenance Agreement and Well Development and Maintenance Easement
 (proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☒ Signature of New Owner/Claimant(s): John L. Miller Date Dec 28, '98
- ☒ Signature of Former Owner/Claimant(s): NORTH FORK ENERGY, INC. Date
- By: Its: Date

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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

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: A35-07138
Date Received: 5/23/1989
Receipt No: E007828
Received By: Asu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
AUG 09 1989
Department of Water Resources
Eastern Region

1. Name: NORTH FORK ENERGY INC
Address: ATTN RICHARD D HEATON
4414 S GEKELER LANE
BOISE ID

83705

2. Date of Priority: APR 8, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	32E	24		SW	NE		BINGHAM

5. Description of diverting works:
WELLS, PUMPS & PIPELINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/01	3.800		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 570.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	32E	24	NE	SW		IRR	25.0
			SW	SW		IRR	7.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
04S	32E	24	SE	SW	IRR	20.0	
			NW	SE	IRR	28.0	
		Section Acres					80.0
		25	NW	NW	IRR	30.0	
			SW	NW	IRR	15.0	
		Section Acres					45.0
		26	NE	NE	IRR	8.0	
			SW	NE	IRR	20.0	
			SE	NE	IRR	37.0	
		Section Acres					65.0
Total Acres					190.0		

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
NONE.

14. Remarks:

2 P/D IN SWNE, S24, T4S, R32E.

CHANGE OF OWNERSHIP FILED WITH DEED, FORM & MAP. (SCC 8/8/96)

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

Incomplete forms will be returned.

RECEIVED

1. Water Right Number(s) see Attached copy of listing JUL 31 1996
Adjudication Claim Number(s) " " " " " Department of Water Resources
Southern Region

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) WESTERN STAR FARMS, INC.
P.O. Box 34
TWIN FALLS, ID 83303

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

City, State and ZIP Code BOISE ID 83705

New Telephone Number () -

5. Date you acquired the property 4-25-1986 (BILL OF SALE)

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) North Fork Energy Inc. Date 7-31-96
C. D. Beymer Date _____

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

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

A35-07138

RECEIVED

JUL 31 1996

LIST OF WATER RIGHTS AS SHOWN IN
IDWR RECORDS

Department of Water Resources
Southern Region

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

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

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RECEIVED

JUL 31 1996

Department of Water Resources
Southern Region

RECEIVED

JUL 31 1996

LIST OF WATER RIGHTS AS SHOWN IN
SRBA CLAIMS

Department of Water Resources
Southern Region

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

BILL OF SALE RELATING TO WATER RIGHTS

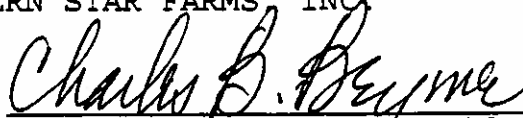
KNOW ALL MEN BY THESE PRESENTS, that **WESTERN STAR FARMS, INC.**, an Idaho corporation of P.O. Box 34, Twin Falls, Idaho 83303 ("Seller") for and in consideration of TEN DOLLARS (\$10) and other good and valuable consideration, received from **NORTH FORK ENERGY, INC.**, an Idaho corporation of 4414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

DATED: This 25th day of April, 1996.

SELLER

WESTERN STAR FARMS, INC.

By:


Charles B. Beymer, President

PURCHASER

NORTH FORK ENERGY, INC.

By:


Ronald C. Yanke, President



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 4-25-96

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

See attached copy of legal description (subject to Contract of Sale).

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)**

- [1] Water Right Number(s) Assigned by IDWR: See attached copy of Bill of Sale

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

- [1] New Owner/Claimant
(Purchaser): Western Star Farms, Inc.

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

- [] New Telephone Number: () -

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

- [] Attach proof of ownership, describe proof attached: See attached copy of Bill of Sale (original in escrow subject to Contract of Sale),
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

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

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 7-31-96 By: JCL

Further Action Needed:

DATA ENTRY & PROCESS
Further Action Taken

Further Action Taken

Date: _____ **By:** _____

Final Review and Data-Entry

Date: _____ **By:** _____

Claim Numbers of Split, if any:

RECEIVED

JUL 31 1996

Department of Water Resources

Southern Region

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

III

BILL OF SALE RELATING TO WATER RIGHTS

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

DATED this 25th day of April, 1996.

SELLERS

Roger Ferguson
Roger Ferguson

Sybil Ferguson
Sybil Ferguson

GOLDEN EAGLE RANCH

By *Roger Ferguson*
Roger Ferguson

PURCHASER

WESTERN STAR FARMS, INC.

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

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

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

G:\WPDATA\AKW\F1446\CIART.SRB:sjw

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

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

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

Plat Map

26

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

SURVEYORS CERTIFICATE

I, Ed M. Leavitt, a Registered Professional Land Surveyor in the State of Idaho, do hereby certify that this plat is an accurate representation of the survey completed under my supervision.

Ed M. Leavitt
Ed M. Leavitt, License #14292
Date

RECORDERS CERTIFICATE

Instrument No. 1181
Date of Rec. 11/81
Recorded in Singham County, Idaho

County Notarizer

LINE	BEARING	DISTANCE
1	N 89° 14' 30" W	1.00
2	N 89° 14' 30" W	1.00
3	N 89° 14' 30" W	1.00
4	N 89° 14' 30" W	1.00
5	N 89° 14' 30" W	1.00
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94	N 89° 14' 30" W	1.00
95	N 89° 14' 30" W	1.00
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98	N 89° 14' 30" W	1.00
99	N 89° 14' 30" W	1.00
100	N 89° 14' 30" W	1.00

LEGEND

Section corner corners

1/2" line 100 feet

1/2" line 100 feet

1/2" line 100 feet

HARPER - LEAVITT ENGINEERING, INC.
PROFESSIONAL ENGINEERS AND LAND SURVEYORS
1000 N. 10th St., Suite 100, Boise, Idaho 83702-1000

AS SHOWN
ON THIS PLAT
THESE ARE THE
CORNER MARKS
AND BENCH MARKS
FOR THE SURVEY

PLAT OF SURVEY

HOUGHLAND FARMS
07077-F
07090-F

ADJUDICATION CLAIMS

8-7-96

To: Steve Clelland

From: Bish Beymer

EXHIBIT A

THAT PORTION OF THE FOLLOWING LEGAL DESCRIPTION

PARCEL I:

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

PARCEL II:

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

PARCEL IIA:

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



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 4-25-96

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

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) Assigned by IDWR: See attached copy of Bill of Sale

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

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

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

☐ New Telephone Number: () -

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

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

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Western Star Farms, Inc. Date
By Charles D. Bryman Pres Date 4-25-96

☐ Signature of Former Owner/Claimant(s): Roger Ferguson / Sybil Ferguson Date 4-27-96
Golden Eagle Ranch - By Roger Ferguson Date 4-27-96

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 7-31-96 By: JCL

Further Action Needed:

DATA ENTRY & PROCESS

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

RECEIVED

JUL 31 1996

Department of Water Resources

Southern Region

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

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) SEE EXHIBIT "A"
Adjudication Claim Number(s) SEE EXHIBIT "A"
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) WESTERN STAR FARMS INC
PO BOX 34
TWIN FALLS ID 83303
4. New Owner/Claimant(s) NORTH FORK ENERGY INC ATTN: RICHARD D HEATON
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 4414 S GEKELER LN
City, State and ZIP Code BOISE ID 83705
New Telephone Number (208) 342 8901
5. Date you acquired the property 4-25-1996 (BILL OF SALE)
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) North Fork Energy, Inc. Date _____
By: Ronald L. Galt Date 9/24/96
President
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

*LIST OF WATER RIGHTS AS SHOWN IN
SRBA CLAIMS*

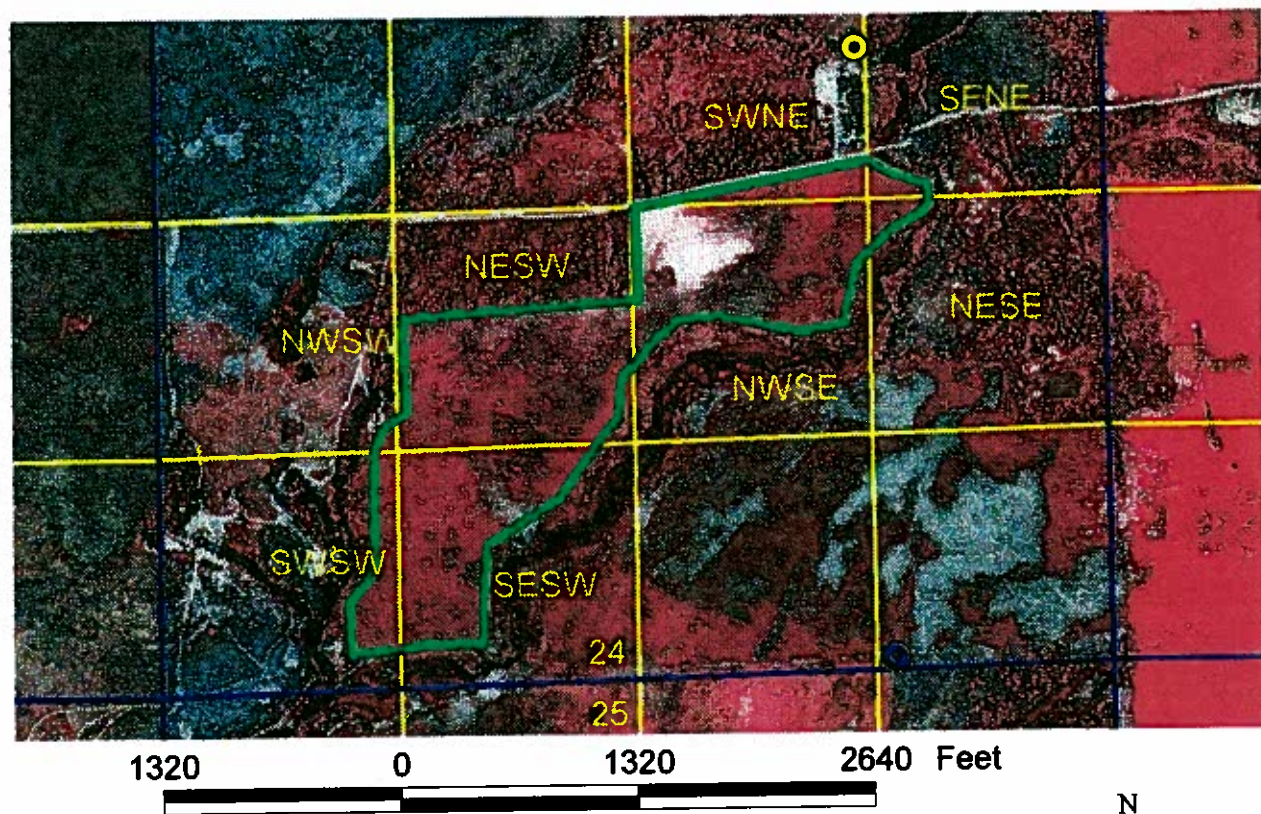
<u>Water Right ID Number</u>	<u>Source</u>	<u>Amount</u>	<u>Priority</u>	<u>Nature or Purpose of Use</u>	<u>Season of Use</u>	<u>Point of Diversion</u>	<u>Evidence</u>	<u>Acreage (if irrigation right)</u>
\A35-04271	Spring tributary to Boom Creek	.50cfs	06/01/1945	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: NWSNE	Statutory Claim	
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A35-11393	Groundwater	.04cfs	06/01/1945	Domestic	1-01 to 12-31	T4S, R32E, S24: SWSW	Beneficial Use	
A35-11394	Groundwater	.04cfs	06/01/1945	Domestic	1-01 to 12-31	T4S, R32E, S24: SWNE	Beneficial Use	

IDAHO DEPARTMENT OF WATER RESOURCES

NORTH FORK ENERGY INC

35-07138

TOWNSHIP 04S, RANGE 32E, SECTION 24



POINT OF DIVERSION



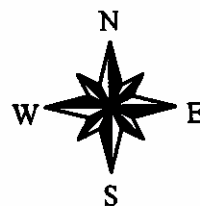
PLACE OF USE



SECTION LINE



QUARTER/QUARTER



ACRES IRRIGATED- 54

GIS PLACE OF USE ILLUSTRATION
1987/1988 NAPP PHOTOGRAPHY
PREPARED BY DAVE CARLSON
11/05/1998

J. Houghland

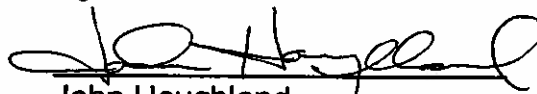
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE WATER RIGHTS FOR IRRIGATION) COMMENTS AND
ON THE CRYSTAL SPRINGS RANCH FROM THE) EVIDENCE OF
BOONE SPRINGS POND WATER RIGHT 35-00007) JOHN HOUGHLAND
NORTH FORK ENERGY INC)

COMES NOW, John Houghland, and provides the following comments and
evidence in this matter:

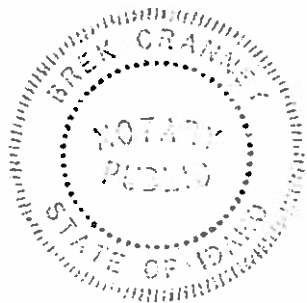
1. During the early 1960's my father, Porter Houghland was raising trout and irrigating with the spring waters from Boone Creek Pond. My earliest recollection of irrigation was in 1970
2. During that period, my father and I flood irrigated over 20 acres of the west pasture from a dirt ditch running from the big pond west. The ditch ran from the pond in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24 and picked up water from a small spring north of the hatchery in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24. The 20 acres were in the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 24.
3. Dad indicated that the water right was the best we had and was decreed.
4. Grandpa irrigated the west pasture from as early as I can remember until we sold the place to Ferguson in 1987. .

DATED this 4th day of ^{Feb. 1998}~~August, 1997~~


John Houghland

SUBSCRIBED and SWORN to before me this 4th day of ^{Feb. 1998}~~August, 1997~~


NOTARY PUBLIC
Residing at : Blackfoot
My Commission Expires: 5-28-2002



RECEIVED

FEB 11 1998

Department of Water Resources
Eastern Region

Identification No. 75-7152

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho
(TYPE OF PRINT IN I.R.A.)

APPROVED

1. Name of applicant Houghland Farms, Inc.
Post office address Springfield, Idaho
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SE 2 points of NE 1/4 of Section 24 Township 4S
Range 32E B.M. Bingham County: additional points of diversion if any _____
b. If water is not consumed, it will be discharged into _____ at a point in _____ of _____ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
(allow 3.80 cfs)
Amount 3752 for irrigation purpose from April 15 to Oct. 1 (both dates inclusive)
Amount .02 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated
a. 3.92 cubic feet per second and or
b. _____ acre feet per annum
6. Proposed diverting works
a. Description of ditches, flumes, pumps, headgates, etc. drilled wells, pumps, motors and pipe
b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet, total reservoir capacity _____ acre feet, materials used in storage dam _____
Period of year during which storage will occur _____ to _____ inclusive
c. Proposed well diameter is 6 inches; proposed depth of well is 80 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years
b. Estimated construction cost is \$ _____
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: SE 1/4 of NE 1/4 of Section 24 Township 4S
Range 32E B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____ or number of families to be supplied with domestic water 178
(5) If water is to be used for other purposes describe: _____

RECEIVED
OCT 17 1975

Department of Water Resources
Eastern District Office

Identification No. _____

Permit No. 35-7138

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

OCT 20 1975

Department of Water Resources

1. a) Name of Permit Holder Houghland Farms, Inc.
b) Post Office Address Springfield, Idaho
2. Permit Number 35-7138
3. Date of Priority that you are prepared to establish 4-8-1970
4. a) Source from which water was appropriated Groundwater
b) Location of the point of diversion: SE 1/4 NE 1/4, Section 24
Township 4 S Range 32 E Boise Meridian, Other points of diversion:
2 Points of Diversion within this 40
5. a) The amount of water and use to which the water has been applied:
amount 3.8 c.f.s. for Irrigation purposes from Apr 15 to Oct 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount .02 c.f.s. for Domestic purposes from Jan 1 to Dec 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 3.82 cfs and/or acre feet per annum
- c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Ag-Services, Inc., Blackfoot, Idaho
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Flowing Wells at Point of Diversion - Feed Stream - pumped from stream into mainlines by 2 75 H.P. pumps and motors.
b) Describe the type and size of measuring device which you have installed at your point of diversion: 2 Micrometer Flowmeters at pumps.
c) Give well drillers name and address and date the well was completed Richard Webb Drilling, Blackfoot, Idaho Sept. 1970
April 1971

Exam typed 10-21-75 by [signature]

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
E. S. HOLMES
IDAHO FALLS, IDAHO 83401

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

[illegible]

Total number of acres to be irrigated 190

c. Describe any other water rights used for the same purposes none

9. a. Who owns the property at the point of diversion. self

16. Who owns the land to be irrigated or place of use self

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07138

Priority: April 8, 1970

Maximum Diversion Rate:
Maximum Diversion Volume:

1.08 CFS
189.0 AF

This is to certify, that AETNA LIFE INSURANCE CO.
151 FARMINGTON AVE.
HARTFORD, CT 06156

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 8, 1970; and has submitted Proof of Beneficial Use on October 17, 1975. An examination indicates that the works have a diversion capacity of 1.740 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	1.08 CFS	189.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE, Sec. 24, Township 04S, Range 32E
BINGHAM 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>
04S	32E	24	NESW 22	NWSW 1	SESW 10	54
			NESE 1	NWSE 20		

Total number of acres irrigated;

54

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.



R. 32E

14/12
23/24

15/18
24/19

Traced from ASES
PHOTO 10/12/70 ENC
35-7138

T
4
S.

COUNTY ROAD

FISH POND

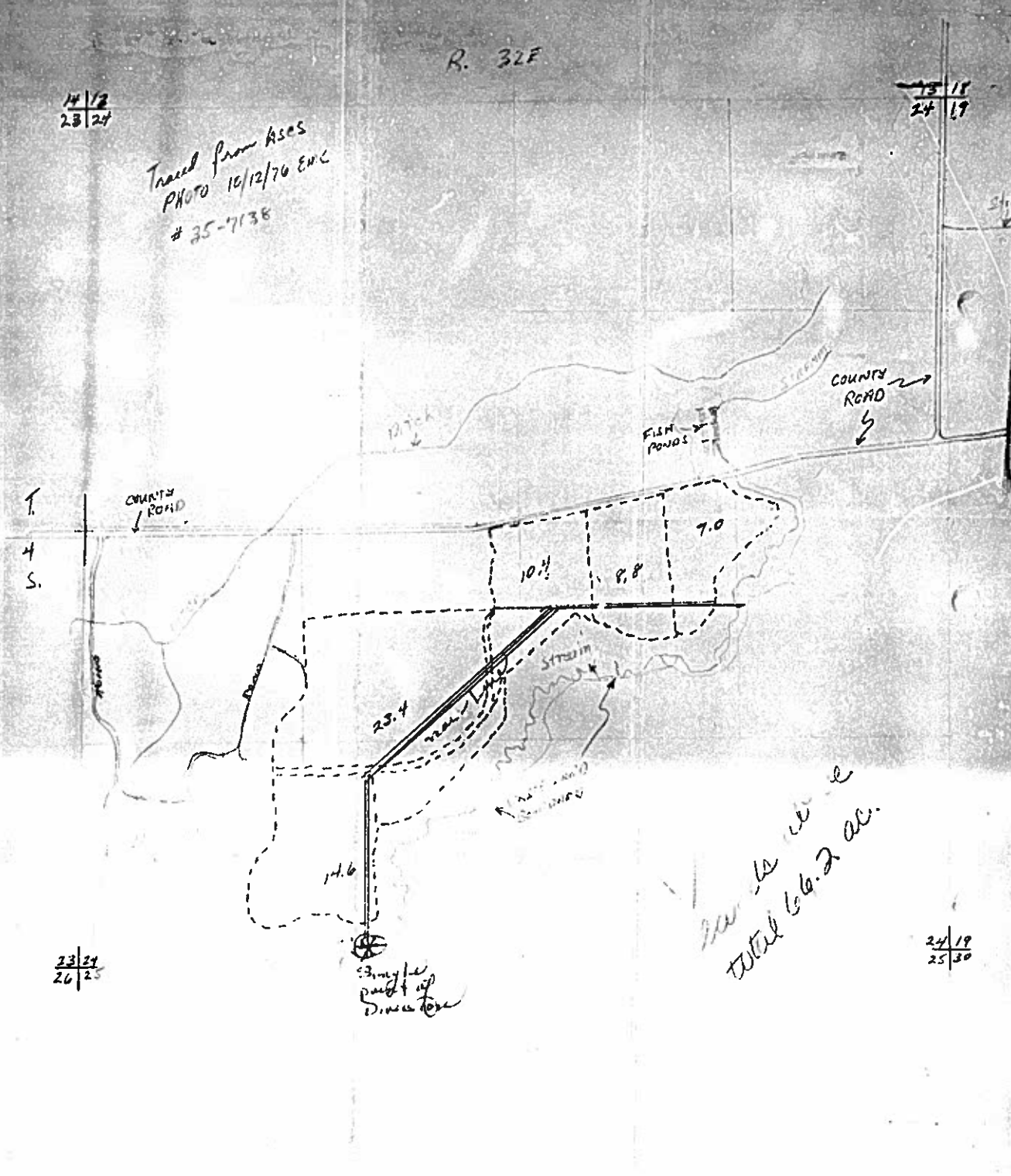
COUNTY ROAD

23/24
26/25

24/18
25/30

3 miles
put up
D. wire fence

sample the
total 66.2 ac.



TO, 35-7138 File

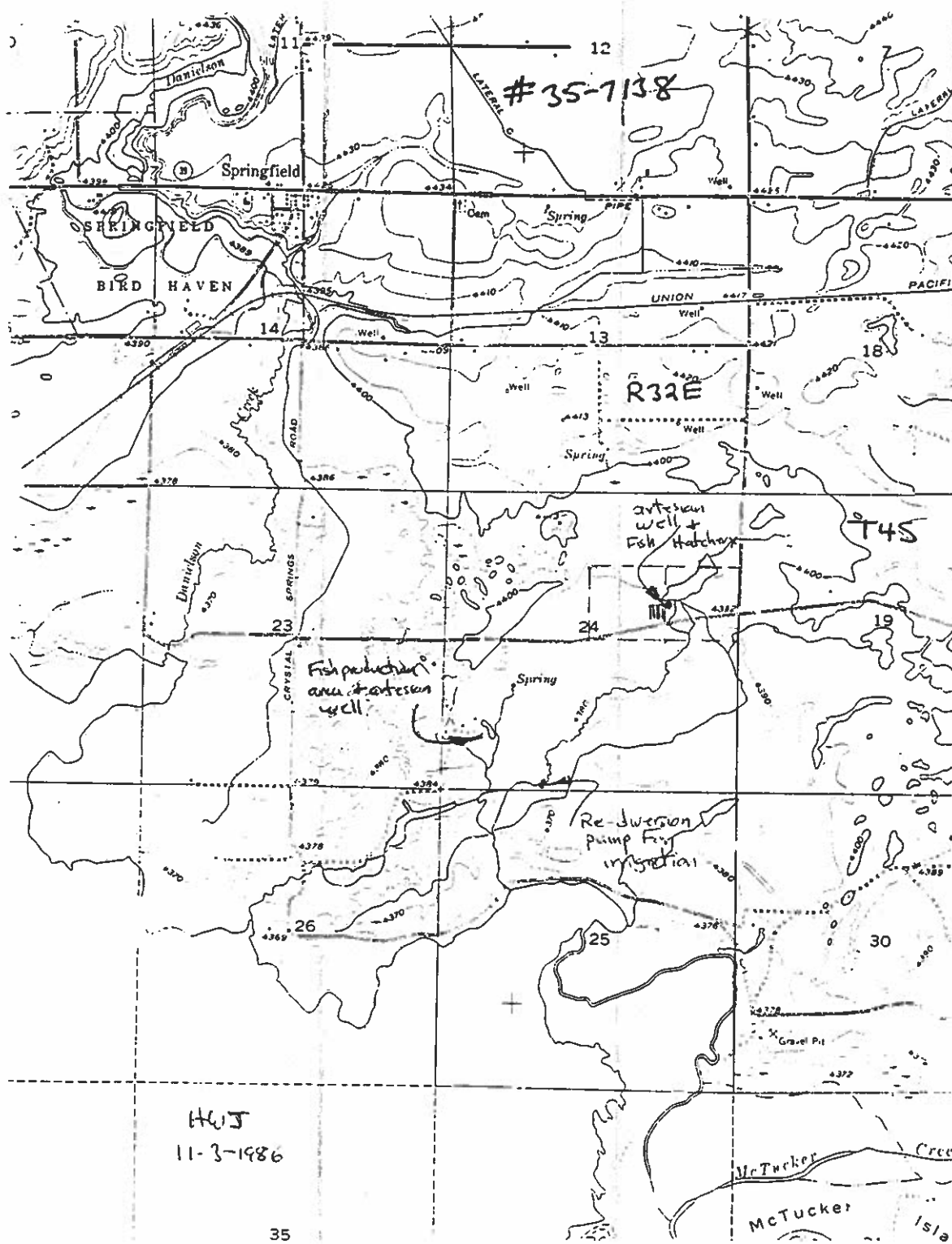
From, H.W. Jones

Date, Nov. 3, 1986

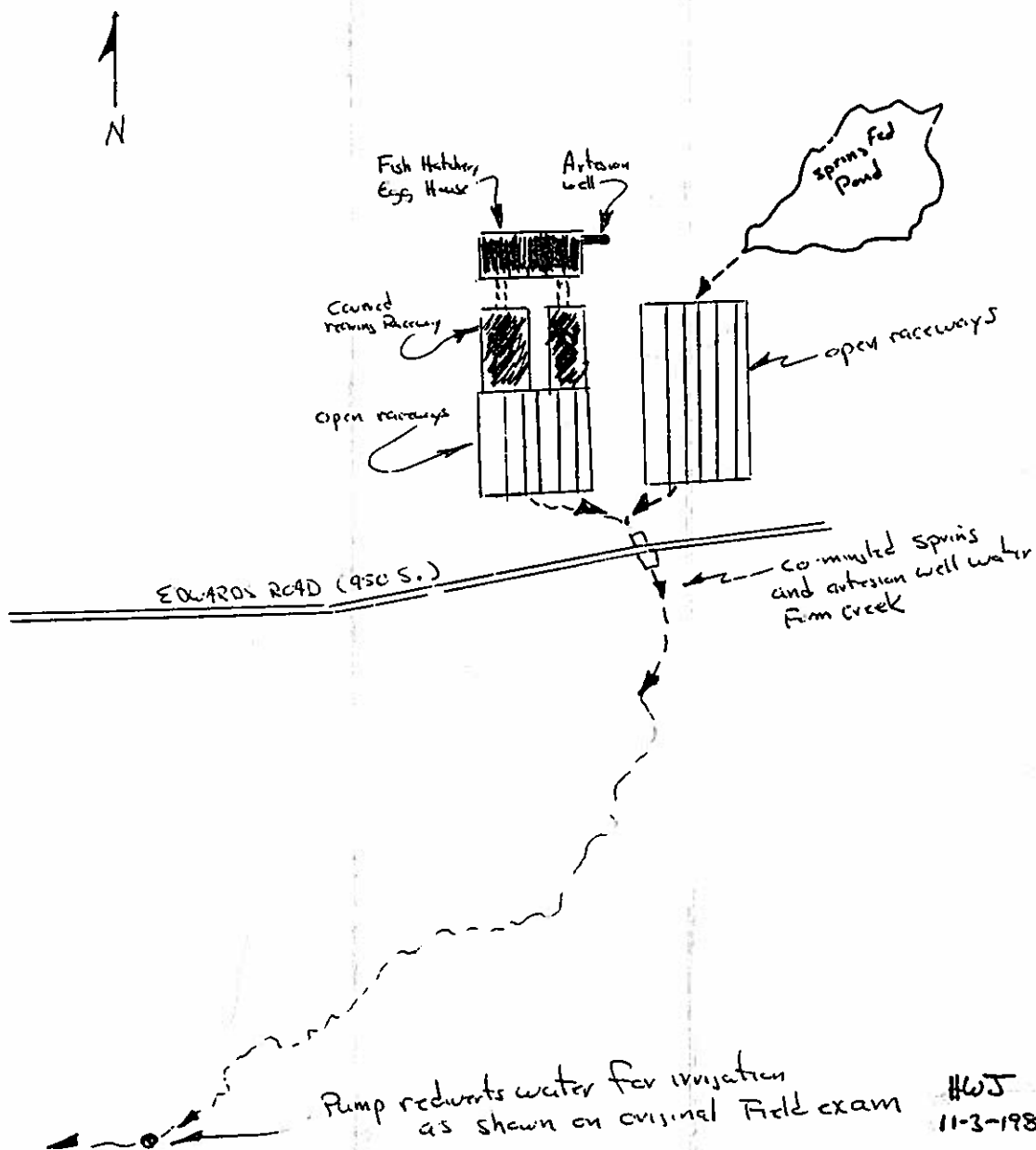
I visited the site of a Fish Hatchery owned by Porter Houghland & Houghland Farms located in the SW 1/4 NE 1/4 Sect. 24 T45 R32E. Mr Houghland showed me an artesian well which he said was drilled in the early 1970's by a driller named Webb. He stated that the well was approx 190' deep and cased to bottom. This well feeds an egg (trout) rearing house & then this water goes thru 12 covered raceways to 6 open raceways & flows out into a channel where water co-mingles with spring water from a nearby pond (to east) to form the creek which in turn has 1.32 cfs diverted for irrigation licensing on 66 acres. (See Anthony Kozlowski field exam of 1977)

It is then my opinion that the source of the water used on lands under permit 35-7138 is the artesian well (groundwater). No measurement of outflow of well was available & would have to be done with a pygmy meter.

H.W. Jones



#35-7138



8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Domestic water used for culinary supply and fish hatchery

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

[illegible]

Total number of acres irrigated 190

10. Remarks:

The above information is a true statement of the extent to which the above numbered permit has been developed.

10-14-75
(Date)

 (Signature)

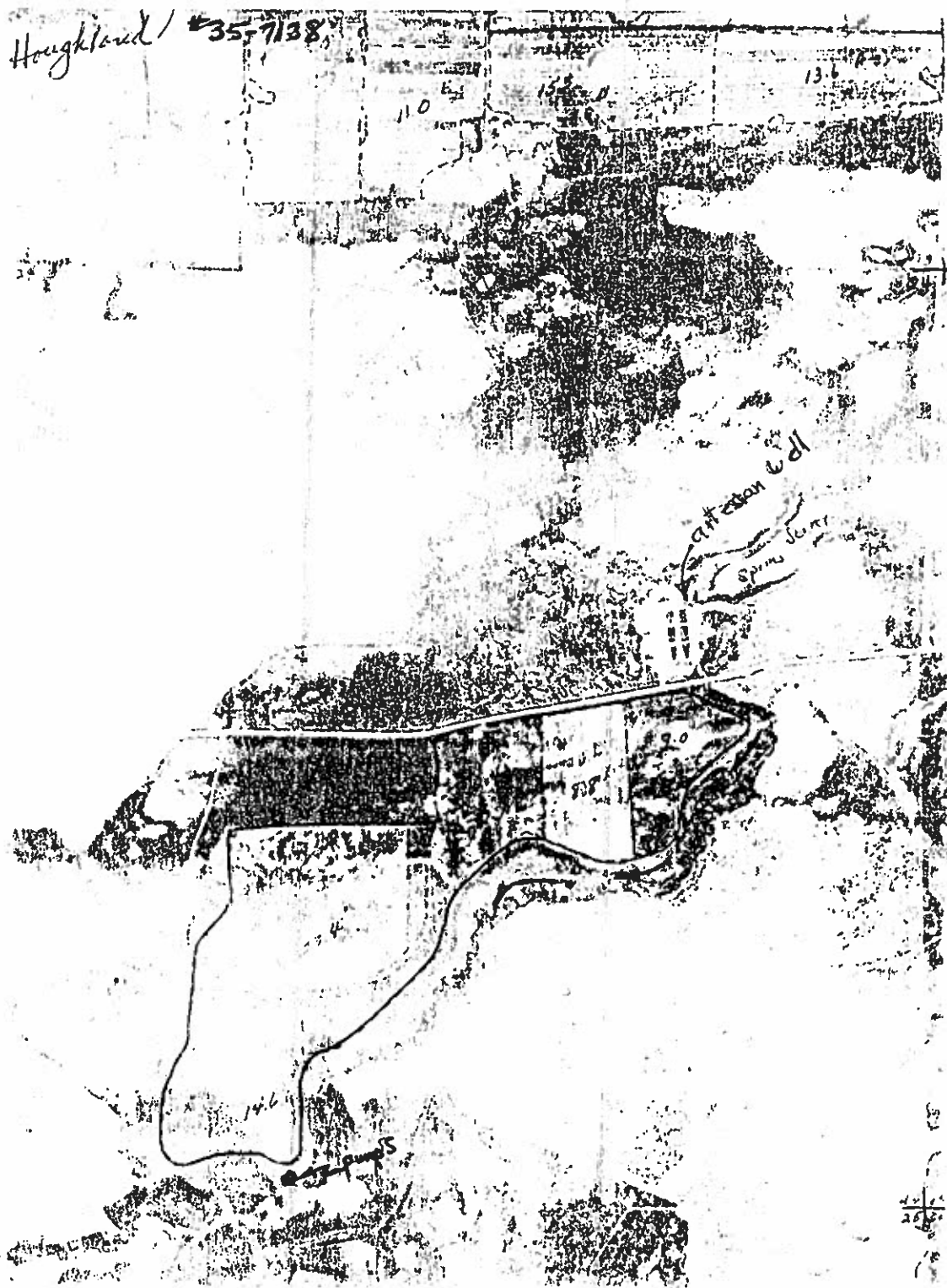
State of Idaho)
County of Bingham) ss.

On this 14th day of October, 1975, personally appeared before me the signor(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at Blackfoot, Id

My commission expires Life

Houghtland / #35-7138

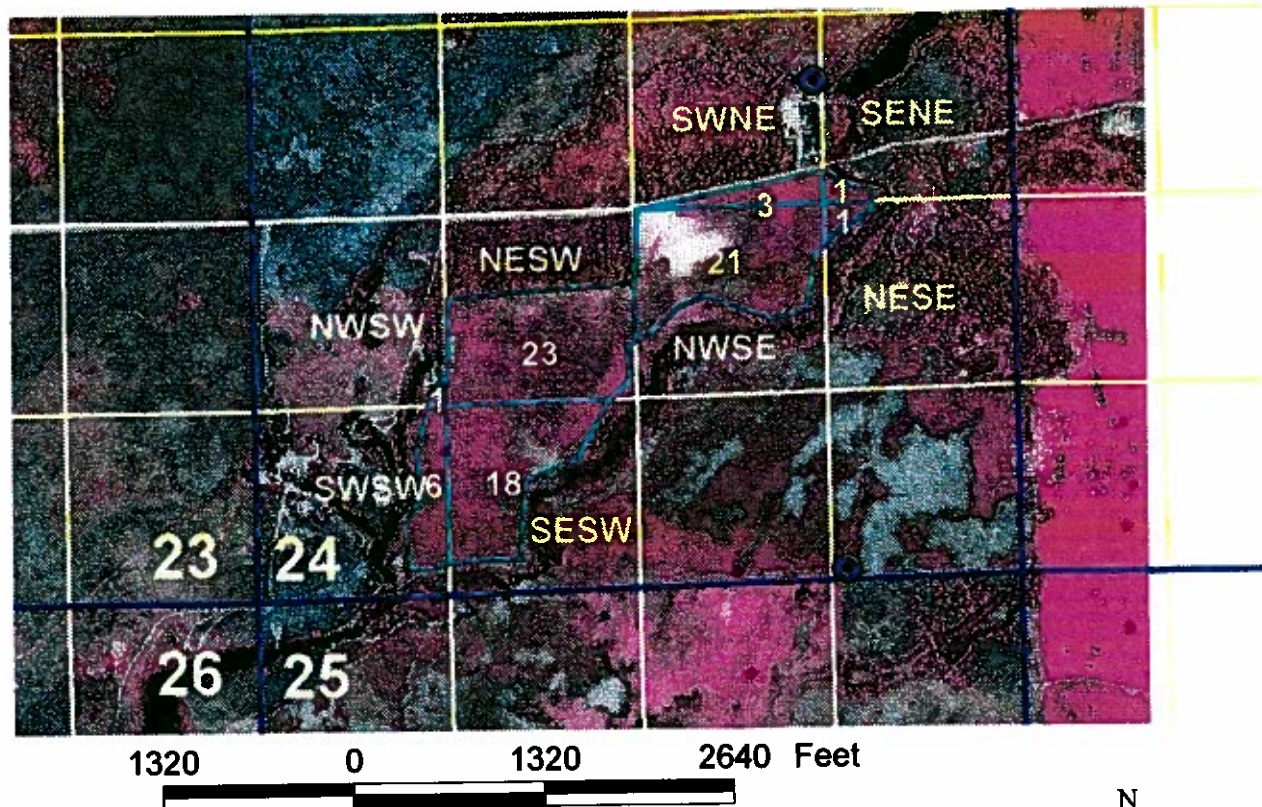


IDAHO DEPARTMENT OF WATER RESOURCES

NORTH FORK ENERGY

35-07138

TOWNSHIP 04S, RANGE 32E, SECTION 24



POINT OF DIVERSION



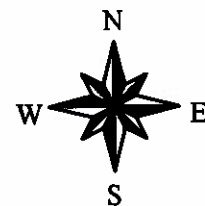
PLACE OF USE



SECTION LINE



QUARTER/QUARTER



ACRES IRRIGATED-

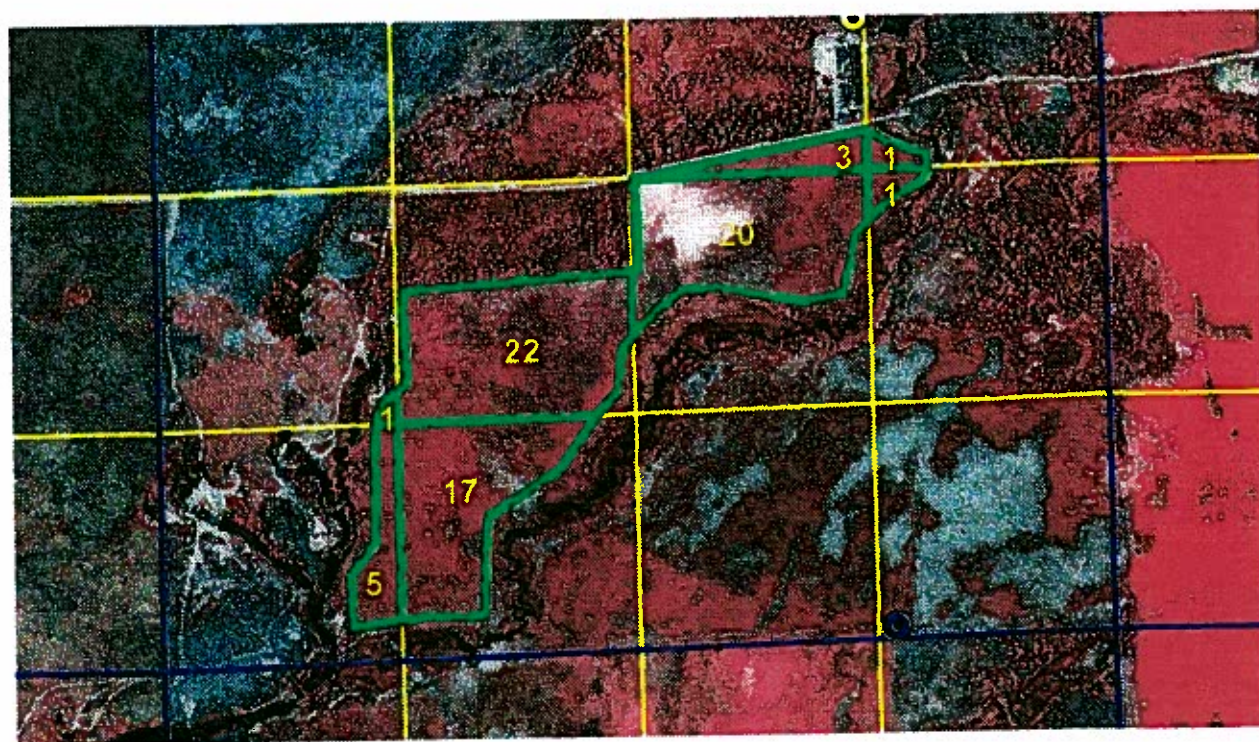
GIS PLACE OF USE ILLUSTRATION
1987/1988 NAPP PHOTOGRAPHY
PREPARED BY DAVE CARLSON
11/12/1998

IDAHO DEPARTMENT OF WATER RESOURCES

NORTH FORK ENERGY INC

35-07138

TOWNSHIP 04S, RANGE 32E, SECTION 24



1320 0 1320 2640 Feet



POINT OF DIVERSION



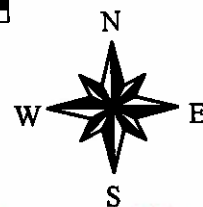
PLACE OF USE



SECTION LINE



QUARTER/QUARTER



ACRES IRRIGATED- 54

GIS PLACE OF USE ILLUSTRATION
1987/1988 NAPP PHOTOGRAPHY
PREPARED BY DAVE CARLSON
10/21/1998

240⁰⁰ X

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: A35-07138
Date Received: 4/18/1989
Receipt No: 8007828
Received By: ENC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GOLDEN EAGLE RANCH 208-356-3813
Address: P.O. BOX 519
REXBURG, ID 83440

2. Date of Priority: APR 08, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	32E	24	SW	NE			BINGHAM

5. Description of diverting works:
WELLS, PUMPS & PIPELINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/01	3.800		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 570.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	32E	24	NE	SW		IRR	25.0
			SW	SW		IRR	7.0

A35-07138

Page 1

Date: 05/23/89

MICROFILMED

DEC 10 1992

A3507138



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	32E	24	SE	SW		IRR	20.0
			NW	SE		IRR	28.0
						Section Acres	80.0
		25	NW	NW		IRR	30.0
			SW	NW		IRR	15.0
						Section Acres	45.0
		26	NE	NE		IRR	8.0
			SW	NE		IRR	20.0
			SE	NE		IRR	37.0
						Section Acres	65.0
						Total Acres	190.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
NONE.

14. Remarks:
2 P/D IN SWNE, S24, T4S, R32E.

15. Basis of Claim: PERMIT



H35-071-1

H35-0733

FALLS

UNCLASSIFIED
DATE 10/1997

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: 1

For Organizations:

I do solemnly swear or affirm that I am MANAGER of _____ Title

GOLDEN EAGLE RANCH, that I have signed the foregoing Organization

document in the space below as MANAGER of _____ Title

GOLDEN EAGLE RANCH and that the statements contained in the Organization

foregoing document are true and correct.

[Signature]

Signature of Authorized Agent

MANAGER GOLDEN EAGLE RANCH
Title and Organization

5-23-89

Date

State of Idaho)

County of Bonneville.)

SS.

Subscribed and sworn (or affirmed) before me this 23 day

of May 19 89

[Signature]

Notary Public

Seal

Residing at Alto Falls, ID.

My Commission Expires 6-14-1994



Notice of Proposed Transfer of Water Right

Notice is hereby given that William R. Leach of Springfield,
Idaho, has applied to the State Engineer of the State of Idaho for a certificate
 authorizing him to transfer the use of three hundred (300) inches of the water of
Springs at head of Boone creek
 from the land upon which it is now used, i. e. SW $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of
SE $\frac{1}{4}$, Sec. 24: NW $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 25, all
in T. 4 S., R. 32 E.B.M.
 to the following described tract: the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 25, T. 4 S., R. 32 E.B.M.

And that, on the 10th day of April, A. D.
1916, at 10 A.M., at Springfield, Idaho,
State Engineer
 before the ~~water right is transferred~~, or his authorized agent, the opportunity will be given
 to any and all persons to appear and present for his consideration any reason or reasons why a certifi-
 cate should not be issued authorizing such transfer.

~~Full details of the proposed transfer may be obtained from~~
~~XXXXXX~~

J. H. Smith,
 State Engineer.

01-00056



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

RECEIVED

AUG 13 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 2, 2001

Department of Water Resources

KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

RE: OWNERSHIP CHANGE FOR LDS CHURCH – CAPITAL LENDING INC
(35-7, 35-47, 35-2014, 35-2016, 35-4271, 35-7138, 35-7141, 35-7142, 35-8635,
35-8679, 35-8782, 35-9068, 35-11390, 35-11392, 35-11393)

Dear Mr. Foster:

I am returning the above referenced ownership change. Additional information and processing fees are required before our department can make these changes.

Our records show rights 35-11392 and 35-11393 are in the name of North Fork Energy and the rest are in the name of John Miller. Please provide a chain of title from these former owners to Capital Lending Inc. Send the appurtenant deeds and maps to the following offices:

35-7, 35-47, 35-2014, 35-7138, and 35-7141:
(no fees for claims and recommendations)

Idaho Dept. of Water Resources
Attn: Jennifer Crabtree
900 N. Skyline Dr. Ste A
Idaho Falls, ID 83402

35-2016, 35-4271B, 35-7142, 35-8635B,
35-8679, 35-8782, 35-11390, 35-11392,
35-11393:
(\$25 per partial decree & water right = \$225)

Idaho Dept. of Water Resources
Attn: Kari Lynn Townsend
1301 N. Orchard
Boise, ID 83706

35-9068-permit
(requires \$25 and the former owner, John
Miller must fill out the enclosed "Assignment
Of Permit"):

Idaho Dept. of Water Resources
Attn: Kari Lynn Townsend
1301 N. Orchard
Boise, ID 83706

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Crabtree".

Jennifer Crabtree
Technical Records Specialist

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN L MILLER
PO BOX 2260
NAPA CA 94558

RE: Notice of Change of Water Right Ownership (NCO) for 35-00007,
35-00028, 35-00029, 35-02016, 35-07138, 35-07141, 35-11390 and
Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Miller:

On January 13, 1999, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Hoagland
Technical Records Specialist

Enclosure

cc: North Fork Energy

OCT. 22, 1998

Dear claimant,

After reviewing the enclosed water right for the Snake River Basin Adjudication, it would appear that you may have an increase in the number of acres you now irrigate from what was originally found and/or licensed. If you wish to file on these extra acres, or to discuss this, please give me a call at the above address.

Dave Carlson
Water Agent



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

August 8, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

RECEIVED

AUG 09 1996

Department of Water Resources
Eastern Region

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

RE: CHANGE OF OWNERSHIP SRBA CLAIM NOS.

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

AND WATER RIGHT NOS.

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

DEAR SIR,

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

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

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

Sincerely,

STEVE CLELLAND
Water Resource Agent

ENC:

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

