

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 37-746
Date Received: 12/2/88
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LAVA LAKE LAND & LIVESTOCK LLC
3527 WASHINGTON ST
SAN FRANCISCO CA 94118

Phone: (415)922-5378

2. Date of Priority: 05/30/1911

3. Source: FISH CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
02N	22E	24	NW NW SE	BLAINE

5. Description of diverting works:

PUMP, PIPELINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.5	

7. Total Quantity Appropriated is:
0.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
02N	22E	24	SW	NE		IRRIGATION	30
			NW	SE		IRRIGATION	15
						Section Acres	45
						Total Acres	45

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

12/19/00 tf; ownership changed Biskay Land & Livestock to Lava Lake Land & Livestock per 1409(6) and warranty deed received 7/21/00.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

January 10, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LAVA LAKE LAND & LIVESTOCK LLC
3527 WASHINGTON ST
SAN FRANCISCO CA 94118

RE: SRBA Claim(s) A37-00745, A37-00746, A37-02123,
 A37-04392, A37-04393, A37-04394

Dear Claimants:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

enc.

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

RECEIVED
JUL 21 2000
Department of Water Resources
Southern Region

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

Incomplete forms will be returned.

37-00745, 37-00746, 37-02123, 37-04392, 37-04393, 37-04394,
A37-00745, A37-00746, A37-02123, A37-04392, A37-04393,

1. Water Right Number(s) A37-04394, together with all rights appurtenant to lands
described on attached deed.
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) Biskay Land & Livestock Co. Inc.

2400 Cherry Lane, Boise, ID 83705

4. New Owner/Claimant(s) Lava Lake Land & Livestock, L.L.C.

Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR

New Mailing Address 3527 Washington Street

City, State and ZIP Code San Francisco, CA 94118

New Telephone Number (415) 922 - 5378

5. Date you acquired the property May 31, 2000

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.

Lava Lake Land & Livestock, L.L.C., by:

7. Signature of New Owner/Claimant(s) X/ Dennis Bean, Trustee Date 6-2-2000

X/ Helen Bean, Trustee Date 6-2-2000

Trustees of the Bean-Tedrow Family Trust U/D/T Dated March 15, 1996,
as Managers
(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.



ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

FILED

99 JUN 10 AM 9:04
STATE OF IDAHO

- The name of the limited liability company is: LAVA LAKE LAND & LIVESTOCK, L.L.C.
- The address of the initial registered office is: 1231 Main Street
(not a PO Box)
Challis, Idaho 83226 and the name of the initial registered agent at that address is: James R. Bennetts
- Is management of the limited liability company vested in a manager or managers?
☒ Yes ☐ No (check appropriate box)
- If management is vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is vested in the members, list the name(s) and address(es) of at least one initial member.

Name:

Address:

Brian S. Bean and Kathleen T.

3527 Washington Street

Bean, Trustees of the Bean-

San Francisco CA 94118

Tedrow Family Trust U/D/T

dated March 15, 1996

- Signature of at least one person listed in #4 above:

Brian S. Bean
Kathleen T. Bean

IDAHO SECRETARY OF STATE
Secretary of State use only

06/10/1999 09:00
CR: 1949 CT: 116616 IN: 284373

1 0 100.00 - 100.00 ORGAN LLC # 2

W 8959

CORPORATE WARRANTY DEED

1. Conveyance of Real Property. For value received, **BISKAY LAND & LIVESTOCK CO.**, an Idaho corporation, by and through its President Pete T. Cenarrusa, with its principal office at 2400 Cherry Lane, Boise, Idaho ("Grantor") hereby **GRANTS, BARGAINS, SELLS, AND CONVEYS** to **LAVA LAKE LAND & LIVESTOCK, L.L.C.**, an Idaho limited liability company, with its principal office at 3527 Washington Street, San Francisco, California 94118 ("Grantee") the real property located in Blaine County, State of Idaho and further described on Exhibit A attached ("Real Property"), **TO HAVE AND TO HOLD** the Real Property and the appurtenances to the Real Property unto the Grantee and the Grantee's heirs and assigns forever.

2. Representations and Covenants of the Grantor. The Grantor represents to and covenants with the Grantee as follows:

- A. The Grantor is the owner in fee simple of the Real Property.
- B. The Real Property is free from all encumbrances, subject to and except for (i) the encumbrances described on Exhibit B attached, (ii) encumbrances made, suffered, or done by the Grantee, and (iii) general taxes and assessments (including irrigation and utility assessments, if any) for the current year which are not yet due and payable.
- C. The Grantor will warrant and defend the quiet enjoyment of the Real Property from all lawful claims, to the extent of the warranties contained in this Deed.
- D. The Grantor will give such assurances and perform such acts as may be necessary to perfect or confirm the title conveyed by this Deed.

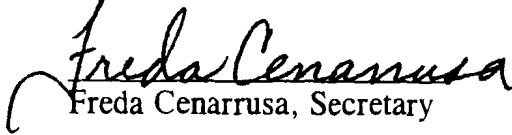
3. Certification of Authorization. The officer who signs this Deed certifies that the Deed and the transfer represented by the Deed were duly authorized by the Board of Directors in accordance with the Bylaws and Articles of the Grantor and the laws applicable to the Grantor.

GRANTOR

Dated: May 31, 2000

BISKAY LAND & LIVESTOCK CO.

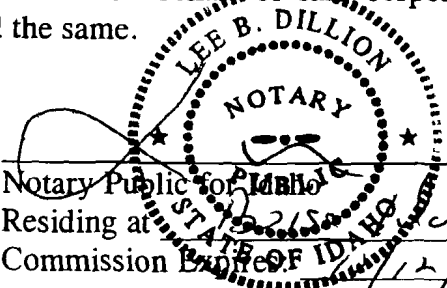
ATTEST:


Freda Cenarrusa, Secretary

By: 
Pete T. Cenarrusa, President

STATE OF IDAHO)
County of Adair) ss

On this 31st day of May, 2000, before me, a notary public in and for the State of Idaho, personally appeared Pete T. Cenarrusa and Freda Cenarrusa, known or identified to me to be the President and Secretary of Biskay Land & Livestock Co., the corporation that executed the instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.


Notary Public for Idaho
Residing at 22150
Commission Expires 12/03

SCHEDULE A

Order Number: 00009476

LEGAL DESCRIPTION

TOWNSHIP 2 NORTH, RANGE 22 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

SECTION 24: S1/2N1/2, N1/2S1/2, SW1/4SW1/4, SE1/4SE1/4

SECTION 25: NE1/4NE1/4

TOWNSHIP 2 NORTH, RANGE 23 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

SECTION 3: SE1/4, SE1/4SW1/4

SECTION 4: NW1/4NW1/4, S1/2NW1/4, SW1/4, W1/2SE1/4

SECTION 5: NE1/4NE1/4, W1/2E1/2, E1/2W1/2, W1/2SW1/4, NW1/4NW1/4

SECTION 6: E1/2SE1/4, NW1/4NE1/4, E1/2NE1/4, SW1/4NE1/4

EXCEPTING THEREFROM THE FOLLOWING TWO PARCELS:

PARCEL I:

TOWNSHIP 2 NORTH, RANGE 23 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

SECTIONS 5 & 6: A parcel of land lying within said sections, more particularly described as follows:

BEGINNING at the Northwest corner of said Section 5, thence S. 29°32'35" E., 739.27 feet to the REAL POINT OF BEGINNING, said point also lies S. 74°6'52" W., 2,363.72 feet from the North quarter corner of Section 5; thence S. 21°44'44" E., 595.45 feet; thence S. 81°51'10" W., 591.09 feet; thence S. 57°35'00" W., 322.18 feet; thence N. 3°42'29" W., 494.31 feet; thence N. 69°9'28" E., 156.51 feet; thence N. 58°46'7" E., 247.78 feet; thence N. 68°39'8" E., 264.18 feet; thence N. 60°46'38" E., 73.67 feet to the REAL POINT OF BEGINNING.

PARCEL II:

SECTION 6: A parcel of land lying within said section, more particularly described as follows:

BEGINNING at a point on the North and South centerline of Section 6, Township 2 North, Range 23 E.B.M., S. 0°05'W., 1996.6 feet from the North 1/4 Corner of said Section. Running thence N. 31°21' E., 379.9 feet; thence N. 70°40' E., 431.9 feet; thence N. 39°16' E., 248.3 feet; thence N. 32°46' E., 38.9 feet more or less to the intersection of the North line of the SE1/4NE1/4 of Section 6; thence S. 89°57' W., 791.9 feet along said line to the centerline of said Section; thence S. 0°05' W., 682.6 feet along said centerline to the POINT OF BEGINNING. (Shown as Tax Lot 1135 on the Blaine County Assessor's tax rolls.)

Continued on next page

EXHIBIT 'A'

(End of excepted property)

TOWNSHIP 2 NORTH RANGE 23 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

SECTIONS 5 & 6: A parcel of land lying within said sections, more particularly described as follows:

BEGINNING at the Northwest corner of said Section 5, thence S. 29°32'35" E., 739.27 feet to the REAL POINT OF BEGINNING, said point also lies S. 74°6'52" W., 2,363.72 feet from the North quarter corner of Section 5; thence S. 21°44'44" E., 595.45 feet; thence S. 81°51'10" W., 591.09 feet; thence S. 57°35'00" W., 322.18 feet; thence N. 3°42'29" W., 494.31 feet; thence N. 69°9'28" E., 156.51 feet; thence N. 58°46'7" E., 247.78 feet; thence N. 68°39'8" E., 264.18 feet; thence N. 60°46'38" E., 73.67 feet to the REAL POINT OF BEGINNING.

SECTION 9: N1/2NW1/4, W1/2NE1/4, NE1/4SE1/4

SECTION 10: NW1/4NE1/4, N1/2NW1/4, SE1/4NW1/4, SW1/4

SECTION 15: N1/2NW1/4

SECTION 17: W1/2W1/2

SECTION 18: S1/2SE1/4

SECTION 19: E1/2, NE1/4NW1/4, E1/2SW1/4, Lot 3, Lot 4

SECTION 20: NW1/4NW1/4, SW1/4, W1/2SE1/4

SECTION 28: N1/2SW1/4, SE1/4SW1/4

SECTION 29: N1/2NW1/4

SECTION 30: N1/2NE1/4, NE1/4NW1/4, Lot 1

SECTION 33: NE1/4NW1/4

TOWNSHIP 3 NORTH, RANGE 23 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

SECTION 27: SW1/4NW1/4, SW1/4

SECTION 28: S1/2N1/2, S1/2

SECTION 29: SW1/4, S1/2NW1/4, W1/2SE1/4, SW1/4NE1/4, SE1/4NE1/4, E1/2SE1/4

SECTION 30: SE1/4, SE1/4NE1/4

SECTION 31: ALL

Continued on next page

Continuation of Schedule A - Legal Description

Order Number: 00009476

SECTION 32: W1/2, W1/2SE1/4, NE1/4SE1/4, SE1/4NE1/4, NW1/4NE1/4, SE1/4SE1/4, NE1/4NE1/4

SECTION 33: SW1/4NW1/4, SW1/4SW1/4, NE1/4, E1/2NW1/4, NW1/4NW1/4

SECTION 34: NW1/4

TOWNSHIP 3 NORTH, RANGE 22 EAST, BOISE MERIDIAN, BUTTE COUNTY, IDAHO

SECTION 24: NW1/4SE1/4

TOWNSHIP 3 NORTH, RANGE 23 EAST, BOISE MERIDIAN, BUTTE COUNTY, IDAHO

SECTION 19: Lot 2, SE1/4NW1/4

TOWNSHIP 3 NORTH, RANGE 22 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO

SECTION 23: NW1/4SE1/4

13. Exceptions and reservations in that certain Patent Deed from the UNITED STATES to ROY EUGENE BRYAN, recorded April 20, 1922 as Instrument No. 50232 in Book 99 of Patents, page 423, records of Blaine County, Idaho which states: "Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 862)."
14. Exceptions and reservations in that certain Patent Deed from the UNITED STATES to LEVAUR P. COATES, recorded December 20, 1983 as Instrument No. 78147 in Book 129 of Patents, page 395, records of Blaine County, Idaho which states: "Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 862)."
15. Exceptions and reservations in that certain Patent Deed from the UNITED STATES to FRANK B. VENABLE, recorded November 17, 1949 as Instrument No. 96442 in Book 129 of Patents, page 605, records of Blaine County, Idaho which states: "Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to centerline of power transmission lines in new subdivisions", recorded March 5, 1996, as Instrument No. 387653, records of Blaine County, Idaho.

EXHIBIT B

035924

CORPORATE WARRANTY DEED

JUN 05 2000

12:00
BUTTE COUNTY RECORDER
Dayla Womack

1. Conveyance of Real Property. For value received, **BISKAY LAND & LIVESTOCK CO.**, an Idaho corporation, by and through its President Pete T. Cenarrusa, with its principal office at 2400 Cherry Lane, Boise, Idaho ("Grantor") hereby **GRANTS, BARGAINS, SELLS, AND CONVEYS** to **LAVA LAKE LAND & LIVESTOCK, L.L.C.**, an Idaho limited liability company, with its principal office at 3527 Washington Street, San Francisco, California 94118 ("Grantee") the real property located in Butte County, State of Idaho and further described on Exhibit A attached ("Real Property"), **TO HAVE AND TO HOLD** the Real Property and the appurtenances to the Real Property unto the Grantee and the Grantee's heirs and assigns forever.

2. Representations and Covenants of the Grantor. The Grantor represents to and covenants with the Grantee as follows:

- A. The Grantor is the owner in fee simple of the Real Property.
- B. The Real Property is free from all encumbrances, subject to and except for (i) the encumbrances described on Exhibit B attached, (ii) encumbrances made, suffered, or done by the Grantee, and (iii) general taxes and assessments (including irrigation and utility assessments, if any) for the current year which are not yet due and payable.
- C. The Grantor will warrant and defend the quiet enjoyment of the Real Property from all lawful claims, to the extent of the warranties contained in this Deed.
- D. The Grantor will give such assurances and perform such acts as may be necessary to perfect or confirm the title conveyed by this Deed.

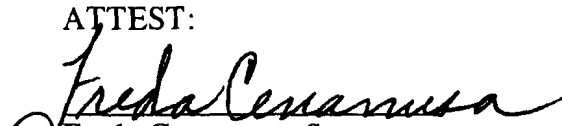
3. Certification of Authorization. The officer who signs this Deed certifies that the Deed and the transfer represented by the Deed were duly authorized by the Board of Directors in accordance with the Bylaws and Articles of the Grantor and the laws applicable to the Grantor.

GRANTOR

Dated: May 31, 2000

BISKAY LAND & LIVESTOCK CO.

ATTEST:

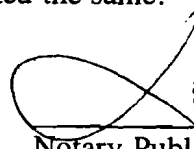

Freda Cenarrusa, Secretary

By: 
Pete T. Cenarrusa, President

STATE OF IDAHO)

County of Adair) ss

On this 31st day of May, 2000, before me, a notary public in and for the State of Idaho, personally appeared Pete T. Cenarrusa and Freda Cenarrusa, known or identified to me to be the President and Secretary of Biskay Land & Livestock Co., the corporation that executed the instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.


Notary Public for Idaho
Residing at 701 E. 1st St.
Commission Expires 12/12/03

LEE B. DILLION
NOTARY
PUBLIC
STATE OF IDAHO

CORPORATE WARRANTY DEED - 2

May 30, 2000

TOWNSHIP 3 NORTH, RANGE 22 EAST, BOISE MERIDIAN, BUTTE COUNTY, IDAHO

SECTION 24: NW1/4SE1/4

TOWNSHIP 3 NORTH, RANGE 23 EAST, BOISE MERIDIAN, BUTTE COUNTY, IDAHO

SECTION 19: Lot 2, SE1/4NW1/4

EXHIBIT A

CORPORATE WARRANTY DEED

1. Conveyance of Real Property. For value received, **BISKAY LAND & LIVESTOCK CO.**, an Idaho corporation, by and through its President Pete T. Cenarrusa, with its principal office at 2400 Cherry Lane, Boise, Idaho ("Grantor") hereby **GRANTS, BARGAINS, SELLS, AND CONVEYS** to **LAVA LAKE LAND & LIVESTOCK, L.L.C.**, an Idaho limited liability company, with its principal office at 3527 Washington Street, San Francisco, California 94118 ("Grantee") the real property located in Custer County, State of Idaho and further described on Exhibit A attached ("Real Property"), **TO HAVE AND TO HOLD** the Real Property and the appurtenances to the Real Property unto the Grantee and the Grantee's heirs and assigns forever.

2. Representations and Covenants of the Grantor. The Grantor represents to and covenants with the Grantee as follows:

A. The Grantor is the owner in fee simple of the Real Property.

B. The Real Property is free from all encumbrances, subject to and except for (i) the encumbrances described on Exhibit B attached, (ii) encumbrances made, suffered, or done by the Grantee, and (iii) general taxes and assessments (including irrigation and utility assessments, if any) for the current year which are not yet due and payable.

C. The Grantor will warrant and defend the quiet enjoyment of the Real Property from all lawful claims, to the extent of the warranties contained in this Deed.

D. The Grantor will give such assurances and perform such acts as may be necessary to perfect or confirm the title conveyed by this Deed.

3. Certification of Authorization. The officer who signs this Deed certifies that the Deed and the transfer represented by the Deed were duly authorized by the Board of Directors in accordance with the Bylaws and Articles of the Grantor and the laws applicable to the Grantor.

221094
Custer County Rec. of
Blaine County Title
Time 12:02 PM Date 6/5/00
Ethel M. Peck, Clerk
Janet Mangis 12:00
Deputy

GRANTOR

Dated: May 31, 2000

BISKAY LAND & LIVESTOCK CO.

ATTEST:

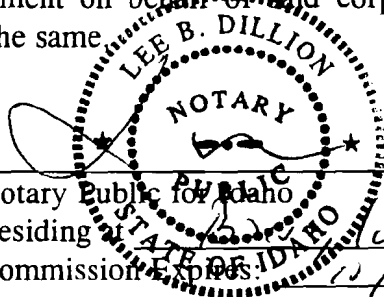

Freda Cenarrusa, Secretary

By: 
Pete T. Cenarrusa, President

STATE OF IDAHO)

County of Adair) ss

On this 31st day of May, 2000, before me, a notary public in and for the State of Idaho, personally appeared Pete T. Cenarrusa and Freda Cenarrusa, known or identified to me to be the President and Secretary of Biskay Land & Livestock Co., the corporation that executed the instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.


Notary Public for Idaho
Residing at 214 N. 1st St.
Commission Expires 12/12/03

CORPORATE WARRANTY DEED - 2

May 30, 2000

TOWNSHIP 3 NORTH, RANGE 22 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO

SECTION 23: NW1/4SE1/4

EXHIBIT A

EXHIBIT B
ENCUMBRANCES

None

BLAINE COUNTY TITLE

July 20, 2000

IDAHO DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED
JUL 21 2000
Department of Water Resources
Southern Region

Re: Order #00009476

Buyer: Lava Lake Land and Livestock
Seller: Biskay Land and Livestock

To Whom It May Concern:

Please find enclosed an ORIGINAL executed State of Idaho Department of Water Resources, Notice of Change of Water Right Ownership document.

You will also find attached a copy of the Articles of Organization for Lava Lake Land and Livestock as well as copies of all Warranty Deeds associated with the purchase and sale of this property. Three (3) deeds total were recorded in Custer, Butte and Blaine Counties.

An aerial photo will be provided under separate cover.

Should you have any questions or need assistance transferring these rights, please feel free to contact me.

Sincerely,

BLAINE COUNTY TITLE ASSOCIATES



Kathy Seal
Escrow Officer

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: A37-00746
Date Received: 12/02/1988
Receipt No: 6003731
Received By: SP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BISKAY LAND & LIVESTOCK CO. 208-344-2443
Address: 2400 CHERRY LANE
BOISE, ID 83705

2. Date of Priority: MAY 30, 1911

3. Source: FISH CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	22E	24	NW	NW	SE		BLAINE

5. Description of diverting works:
PUMP, PIPELINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

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

8. Total consumptive use is 112.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	22E	24	SW	NE		IRR	30.0
			NW	SE		IRR	15.0
Section Acres							45.0

A37-00746

Page

1

Date: 12/02/88

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Total Acres 45.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
37-00745, CAREY VALLEY RESERVOIR WATER

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

POTTER, ET. AL.

Decree Plaintiff

vs

PATTERSON, 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: 1

For Organizations:

I do solemnly swear or affirm that I am President of Title

Bishop Land & Livestock Co. that I have signed the foregoing Organization

document in the space below as President of Title

Bishop Land & Livestock Co. and that the statements contained in the Organization

foregoing document are true and correct.

J. St. Charles
Signature of Authorized Agent

President
Title and Organization

12-2-88
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 2ND day
of DECEMBER 19 88

Jeff Pappas
Notary Public

Seal

Residing at BOISE, IDAHO

My Commission Expires 11/8/1994

COPY

Y2

CROOKS 2 NE QUADRANGLE

IDAHO

7.5 MINUTE SERIES (ORTHOPHOTOQUAD)

273

274

47° 30"

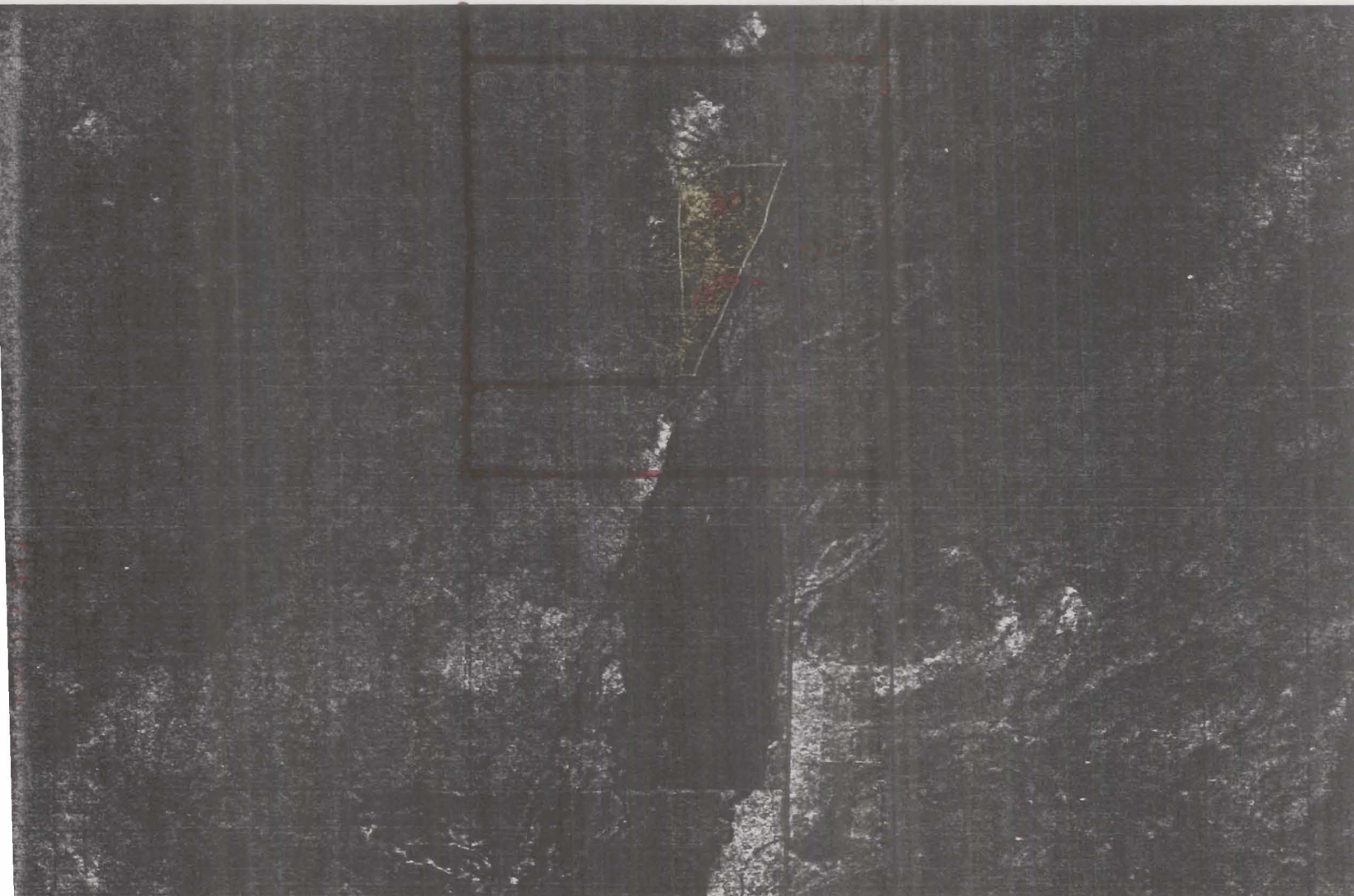
275

560 000 FEET 276

277

48° 45'

48° 30'



4819

4818

560 000
FEET

4817

11/24/2006

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

RIGHT NUMBER: 37-746

NAME AND ADDRESS: LAVA LAKE LAND & LIVESTOCK LLC
3527 WASHINGTON ST
SAN FRANCISCO CA 94118

SOURCE: FISH CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 05/30/1911

POINT OF DIVERSION:

T02N R22E S24 NENWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.500 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R22E S24	SWNE	13.00	T02N R22E S24	SENE	4.40
T02N R22E S24	NESW	1.20	T02N R22E S24	NESE	0.40
T02N R22E S24	NWSE	26.00			

45 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 45 acres in a single irrigation season. Combined Right Nos.: 37-745 and 37-746.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

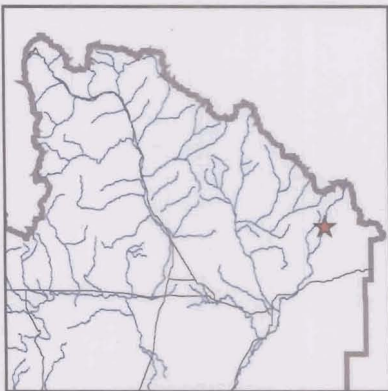
SRBA Recommendation:

37-745

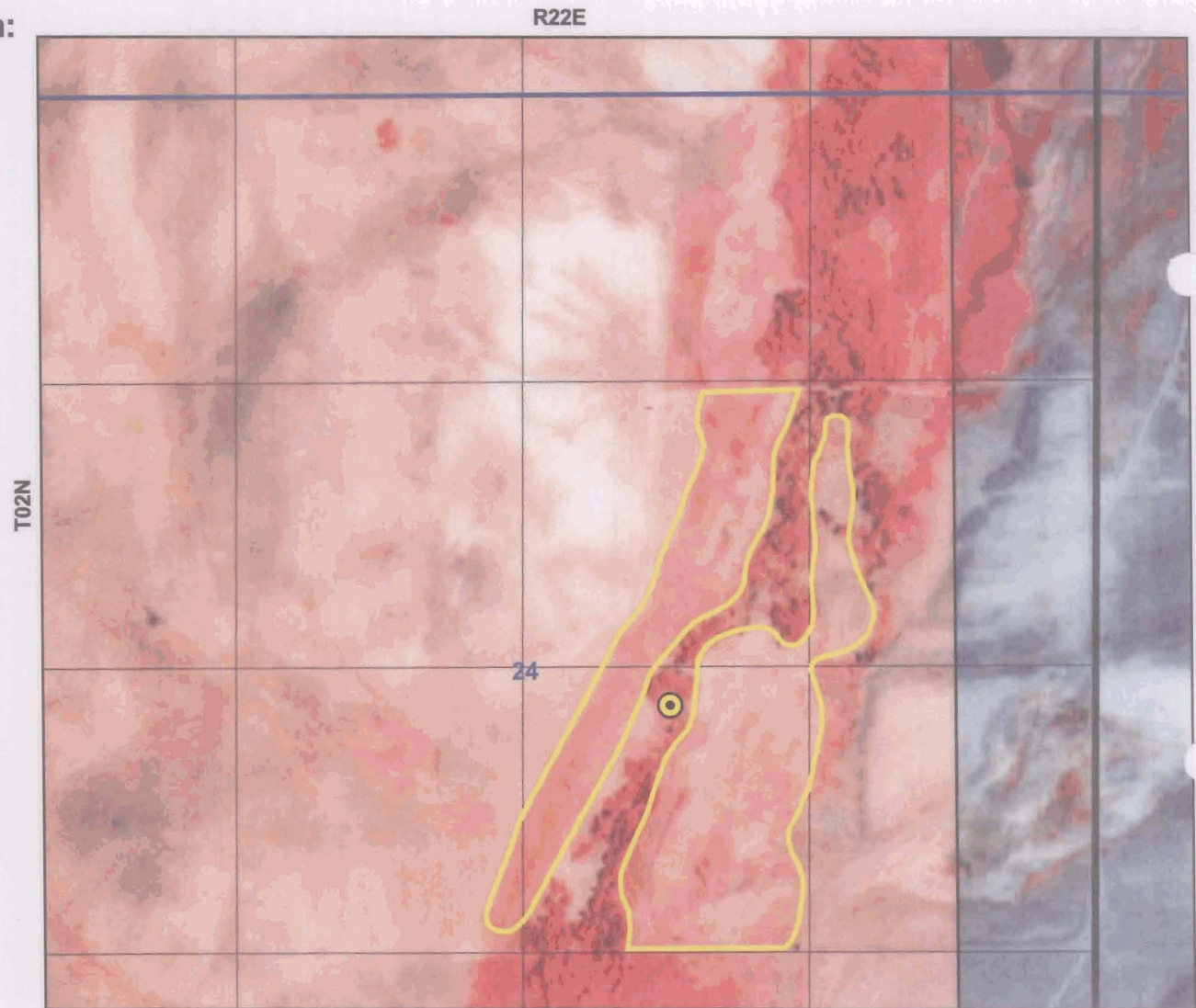
37-746

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



0 0.25 0.5 Miles



Prepared by M. Anders
On Friday, November 24, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-746

WATER RIGHT NUMBER: 37-746

Owner Type Name and Address

Current Owner AMY A DAVIS

, ZZ

Priority Date: 05/30/1911

Basis: Decreed

Status: Active

Source

FISH CREEK

Tributary

LITTLE WOOD RIVER

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

0.500 CFS

Annual VolumeTotal Diversion: 0.500 CFSLocation of Point(s) of Diversion

FISH CREEK

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	
02N	22E	24										X	X						

Conditions of Approval:

1. AC. IRRIG. NOT SPECIFIED. FARM = 80 AC.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-746

Licensed Date:
Decreed Date: 12/16/1914
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37U
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Joseph R Patterson, et al
Decree Plaintiff: Adelbert L Potter, et al
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank: