

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: **A43-02418E**

Date Received: 1/17/1989

Receipt No: X777777

Received By: _____

address change

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

1. Name: CLEFT OF THE ROCK FARMS 208-349-5716
Address: 735 CALDER AVE
AMERICAN FALLS ID 83211

2. Date of Priority: JAN 31, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	27E	36	NE	SE	NW		CASSIA
			SE	NW	SE		CASSIA
11S	27E	1	SE	SE	SE		CASSIA
		12	SE	SE	NE		CASSIA
			SE	SE	SE		CASSIA
	28E	6	SE	NW	NW		CASSIA

5. Description of diverting works:
WELLS AND PUMPS TO PIVOTS AND HANDLINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.243		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

As soon as you know your new address, mail this card to all of the people, businesses, and publications who send you mail.

For publications, tape an old address label over name and old address sections and complete new address.

JUN 29 1993

Your Name (Print or type. Last name, first name, middle initial.)					
CLEFT OF THE ROCK FARMS % Delmar L. Woodworth					
Old Address	No. & Street	Apt./Suite No.	PO Box	RR No.	Rural Box No.
	P.O. BOX 429				
New Address	City	State	ZIP + 4		
	AMERICAN FALLS	Id.	83211-		
New Address	No. & Street	Apt./Suite No.	PO Box	RR No.	Rural Box No.
	735 CALDER AVE.				
New Address	City	State	ZIP + 4		
	AMERICAN FALLS	Id.	83211-		
Sign Here.		Date new address in effect		Keyline No. (If any)	
		30 June 93			

PS Form 3576, November 1990

RECEIVER: Be sure to record the above new address.

SD-0601-2 Last Name: CLEFT OF THE ROCK FARMS

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
CLEFT OF THE ROCK FARMS							
		C	A43-04060E	04/01/1954	GROUNDWATER	0.083	01 IRR
		C	A43-04060G	04/01/1954	GROUNDWATER	0.249	01 IRR
		O	A43-04063B	05/01/1955	GROUNDWATER	0.636	01 IRR
					RENUMBERED		
					SPLIT RIGHT		
		C	A43-04063G	05/01/1955	GROUNDWATER	0.636	01 IRR
		C	A43-02417E	01/31/1955	GROUNDWATER	0.243	01 IRR
		C	A43-02418E	01/31/1955	GROUNDWATER	0.243	01 IRR
		C	A43-04061E	05/01/1957	GROUNDWATER	0.155	01 IRR
		C	A43-04062E	05/01/1957	GROUNDWATER	0.142	01 IRR
		O	A43-04064D	05/01/1957	GROUNDWATER	5.820	01 IRR
					RENUMBERED		
		C	A43-04064E	05/01/1957	GROUNDWATER	0.348	01 IRR
		C	A43-10642	01/31/1955	GROUNDWATER	1.460	01 IRR
		C	A43-10643	05/01/1957	GROUNDWATER	3.506	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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: **A43-02418E**
Date Received: 1/17/1989
Receipt No: Z777777
Received By: _____

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

1. Name: CLEFT OF THE ROCK FARMS 208-349-5716
Address: PO BOX 429
AMERICAN FALLS ID 83211

2. Date of Priority: JAN 31, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	27E	36	NE	SE	NW		CASSIA
			SE	NW	SE		CASSIA
11S	27E	1	SE	SE	SE		CASSIA
		12	SE	SE	NE		CASSIA
			SE	SE	SE		CASSIA
	28E	6	SE	NW	NW		CASSIA

5. Description of diverting works:
WELLS AND PUMPS TO PIVOTS AND HANDLINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.243		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	28E	18	NE	NW		IRR	31.0
			NW	NW		IRR	31.0
			SW	NW		IRR	31.0
			SE	NW		IRR	31.0

Section Acres 124.0

Total Acres 124.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

OTHER WR'S: A43-02417C, -04060C, -04061C, -04062C, -04063C, -04064C. THIS IS A PORTION OF THE WR# 43-02418B FOR 4.52 CFS. BASED ON AN ACREAGE PROPORTION OF IRRIGATED LANDS THIS CLAIM SHOWS 2.82 CFS, WHILE THE REMAINING PORTION IS 1.70 CFS. FULL AMOUNT FOR STOCK IS CLAIMED SINCE FEEDLOT AND RANGE LAND ARE INCLUDED IN THIS P/U. SEE ALSO TRANS. #3315.

right split from part C into parts E and F. The ratio of acres used is 124 acres for part E and 1317 for part F. The base acres from part C is 1441 acres. Part E is for all remaining acres in sec 18, T-11S, R-28E.

15. Basis of Claim: LICENSE

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: _____

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For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

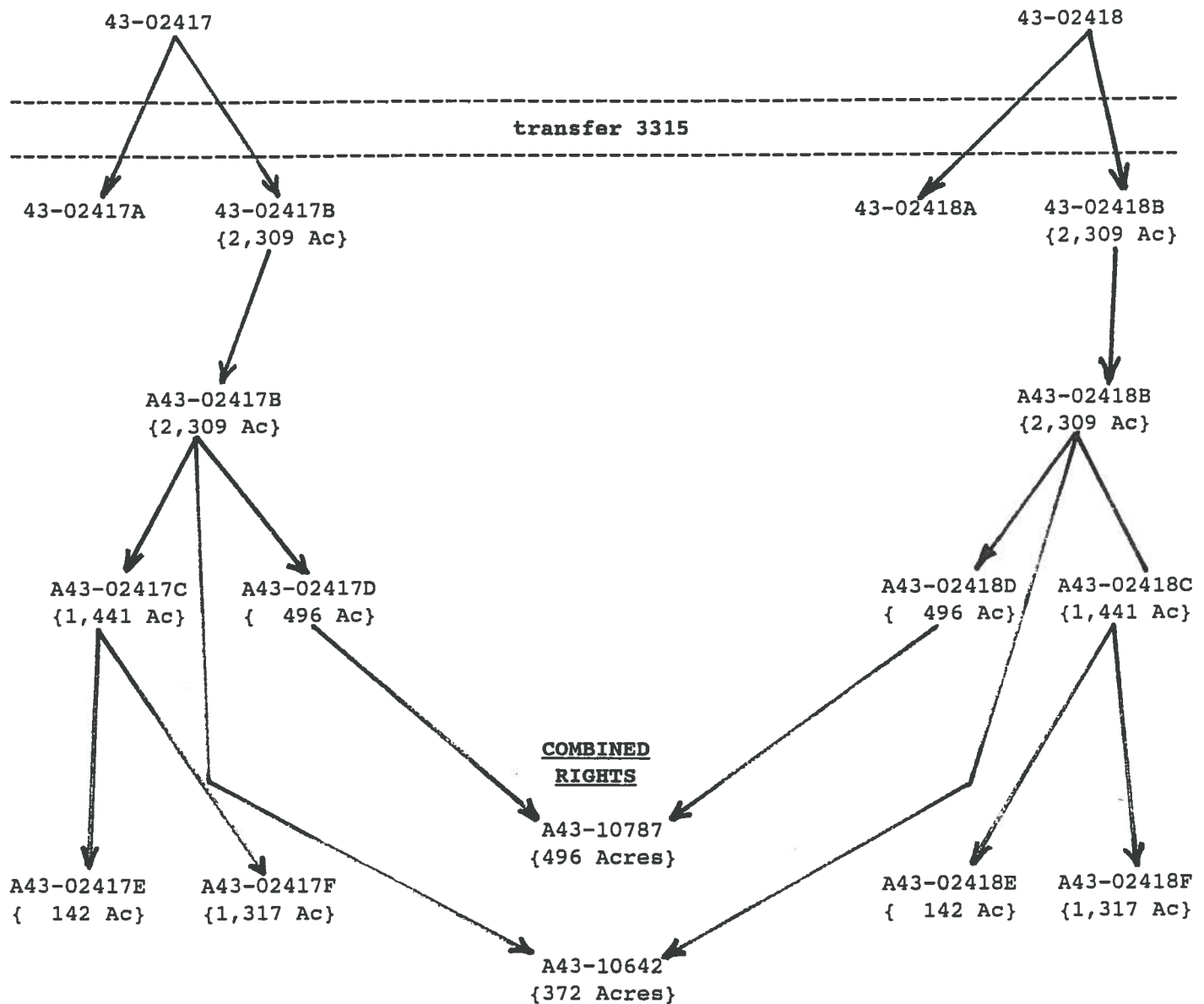
Seal

Residing at _____

My Commission Expires _____

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WATER LICENSES SPLIT FLOW CHART
for
LICENSES 43-02417 AND 43-02418



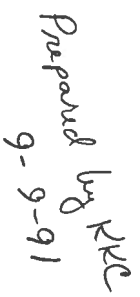
RELATED TRANSFERS

TRANSFER NUMBER	DATE APPROVED
2030	1976
2267	1978
3315	1987

*Prepared by KKC
9-9-91*

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2030	1976
2267	1978
3315	1987

SPLIT RIGHT CALCULATIONS

All claims are based upon the identical 1441 irrigated acres included in each of the "C" extension claims.

All splits are for the same 124 acres from each claim. Only the diversion rates vary from one claim to another, therefore one base proportional calculation will apply to all claims.

All original claims have the same "C" extension and as another owner of a different system (originally split from the water right "B" extension rights) has claimed his portion under some of the "D" extension.

This split will separate all "C" extension claims into two parts, one with an "E" extension to be owned by Cleft of Rock Farms and the other with a "F" extension to be owned by Neibaur.

(note: there will be some of the claim numbers with no "D" extension claims filed)

PROPORTIONATE SHARE CALCULATIONS

Acres to be split = 124
Base acres = 1,441

for "E" extension claims $\frac{124}{1,441} = 0.08605$

for "F" extension claims $\frac{1,317}{1,441} = 0.9139$

A43-02417E -- OWNER -- CLEFT OF ROCK FARMS

"C" extension

RECOMMENDED
DIVERSION RATE

diversion rate = 2.82 cfs * 0.08605 = 0.243 CFS

A43-02417F -- OWNER -- NEIBAUR

"C" extension

RECOMMENDED
DIVERSION RATE

diversion rate = 2.82 cfs * 0.9139 = 2.577 CFS

A43-02418E -- OWNER -- CLEFT OF ROCK FARMS

"C" extension

RECOMMENDED
DIVERSION RATE

diversion rate = 2.82 cfs * 0.08605 = 0.243 CFS

A43-02418F -- OWNER -- NEIBAUR

"C" extension

RECOMMENDED
DIVERSION RATE

diversion rate = 2.82 cfs * 0.9139 = 2.577 CFS

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A43-04060E -- OWNER -- CLEFT OF ROCK FARMS

"C" extension

RECOMMENDED
DIVERSION RATE

diversion rate = 0.967 cfs * 0.08605 = 0.0832 CFS

A43-04060F -- OWNER --NEIBAUR

"C" extension

RECOMMENDED
DIVERSION RATE

diversion rate = 0.967 cfs * 0.9139 = 0.8837 CFS

A43-04061E -- OWNER -- CLEFT OF ROCK FARMS

"C" extension

RECOMMENDED
DIVERSION RATE

diversion rate = 1.797 cfs * 0.08605 = 0.1546 CFS

A43-04061F -- OWNER --NEIBAUR

"C" extension

RECOMMENDED
DIVERSION RATE

diversion rate = 1.797 cfs * 0.9139 = 1.6422 CFS

A43-04062E -- OWNER -- CLEFT OF ROCK FARMS

"C" extension

RECOMMENDED
DIVERSION RATE

diversion rate = 1.65 cfs * 0.08605 = 0.1420 CFS

A43-04062F -- OWNER --NEIBAUR

"C" extension

RECOMMENDED
DIVERSION RATE

diversion rate = 1.65 cfs * 0.9139 = 1.508 CFS

A43-04063E -- OWNER -- CLEFT OF ROCK FARMS

"C" extension

RECOMMENDED
DIVERSION RATE

diversion rate = 2.465 cfs * 0.08605 = 0.2121 CFS

A43-04063F -- OWNER --NEIBAUR

"C" extension

RECOMMENDED
DIVERSION RATE

diversion rate = 2.465 cfs * 0.9139 = 2.2528 CFS

A43-04064E -- OWNER -- CLEFT OF ROCK FARMS

"C" extension

RECOMMENDED
DIVERSION RATE

diversion rate = 4.05 cfs * 0.08605 = 0.3485 CFS

A43-04064F -- OWNER --NEIBAUR

"C" extension

RECOMMENDED
DIVERSION RATE

diversion rate = 4.05 cfs * 0.9139 = 3.701 CFS

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 6-7-1991

LEGAL DESCRIPTION OF PROPERTY: Township 11S Range 28E
Section 18, 1/4 of 1/4 of NW 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) 43
Assigned by IDWR: A43-02417E, A43-02418E, A43-04060E, A43-04061E
A43-04062E, A43-04063E, AND A43-04064E

☐ Name and Address of Former Owner/Claimant(s)(Seller): BRAD NEIBAUER

RT 5 Box 16

☐ New Owner/Claimant (Purchaser): RUPERT ID 83350

CLEFT OF THE ROCK FARMS

☐ New Mailing Address: PO Box 429
AMERICAN FALLS ID
83211

☐ New Telephone Number: (208) 349-5716

☐ Does the change in ownership result in a splitting of the water right?
If yes, then describe the portion of the water right being split:

SEE ABOVE

☐ Attach proof of ownership, describe proof attached: POLIC

(proof of ownership must describe the portion of ownership is not required if)

☐ Signature of New Owner/Claimant(s): [Signature]

☐ Signature of Former Owner/Claimant(s): [Signature]



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: SEE ATTACHED

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MAR 03 1993

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

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 6-7-1991

LEGAL DESCRIPTION OF PROPERTY: Township 11S Range 28E
Section 18, 1/4 of 1/4 of NW 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) 43
Assigned by IDWR: A43-02417E, A43-02418E, A43-04060E, A43-04061E
A43-04062E, A43-04063E, AND A43-04064E

☐ Name and Address of Former Owner/Claimant(s)(Seller): BRAD NEIBAUER

RT 5 Box 16
RUPERT ID 83350

☐ New Owner/Claimant (Purchaser): CLEFT OF THE ROCK FARMS

☐ New Mailing Address: PO Box 429
AMERICAN FALLS ID
83211

☐ New Telephone Number: (208) 349-5716

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

☐ Attach proof of ownership, describe proof attached: POLICY OF TITLE INSURANCE

(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) Smith & Wards Date 9/11/91
Cleft of the Rock Farms PTR Date

☐ Signature of Former Owner/Claimant(s) Date
 Date

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry By: KKC

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any: SEE ATTACHED

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

MICROFILMED
MAR 03 1993

POLICY OF TITLE INSURANCE

13 0028 61 000078

SECURITY UNION TITLE INSURANCE COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, SECURITY UNION TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land;
5. The invalidity or unenforceability of the lien of the insured mortgage upon the title;
6. The priority of any lien or encumbrance over the lien of the insured mortgage;
7. Lack of priority of the lien of the insured mortgage over any statutory lien for services, labor or material:
 - (a) arising from an improvement or work related to the land which is contracted for or commenced prior to Date of Policy; or
 - (b) arising from an improvement or work related to the land which is contracted for or commenced subsequent to Date of Policy and which is financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance;
8. The invalidity or unenforceability of any assignment of the insured mortgage, provided the assignment is shown in Schedule A, or the failure of the assignment shown in Schedule A to vest title to the insured mortgage in the named insured assignee free and clear of all liens.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title or the lien of the insured mortgage, as insured, but only to the extent provided in the Conditions and Stipulations.

Issued by:
LAND TITLE AND ESCROW, INC.
211 West 13th Street
P. O. Box 177
Burley, Idaho 83318
(208) 678-3524

SECURITY UNION TITLE INSURANCE COMPANY

By:

Richard M. L. Polla
President



By:

Richard M. L. Polla
Secretary

Joni Harris
Authorized Signature

ALTA LOAN POLICY (4-6-90)

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MAR 03 1993

LOAN
SCHEDULE A

Issued by:
LAND TITLE AND ESCROW INC.
211 West 13th Street
P.O. Box 177
Burley, Idaho 83318
(208)678-3524

FILE NO.	POLICY NO.	DATE OF POLICY	AMOUNT	PREMIUM
2084	13-0028-61-000078	June 7, 1991 at 1:17 P.M.	\$247,000.00	\$944.25

. NAME OF INSURED: NORTHWEST FARM CREDIT SERVICES, ACA

. The estate or interest in the land which is encumbered by the insured mortgage is:

FEE SIMPLE

. Title to the estate or interest in the land is vested in:

CLEFT OF THE ROCK FARMS, a partnership

. The insured mortgage and assignments thereof, if any, are described as follows:

Mortgage from Cleft of the Rock Farms, a partnership composed of Delmar L. Woodworth, Kenneth D. Woodworth; Delmar L. Woodworth and Marlene L. Woodworth, husband and wife; Kenneth D. Woodworth and Cinda S. Woodworth, husband and wife, as Mortgagors, to Northwest Farm Credit Services, ACA, as Mortgagee, dated April 22, 1991 and recorded June 5, 1991 as Instrument No. 213755 on Film No. 226, records of Cassia County, Idaho.
TO SECURE: \$247,000.00

. The land referred to in this Policy is described as follows:

PARCEL NO. 1:

TOWNSHIP 11 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 18: Lots 3 and 4, E $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$

PARCEL NO. 2:

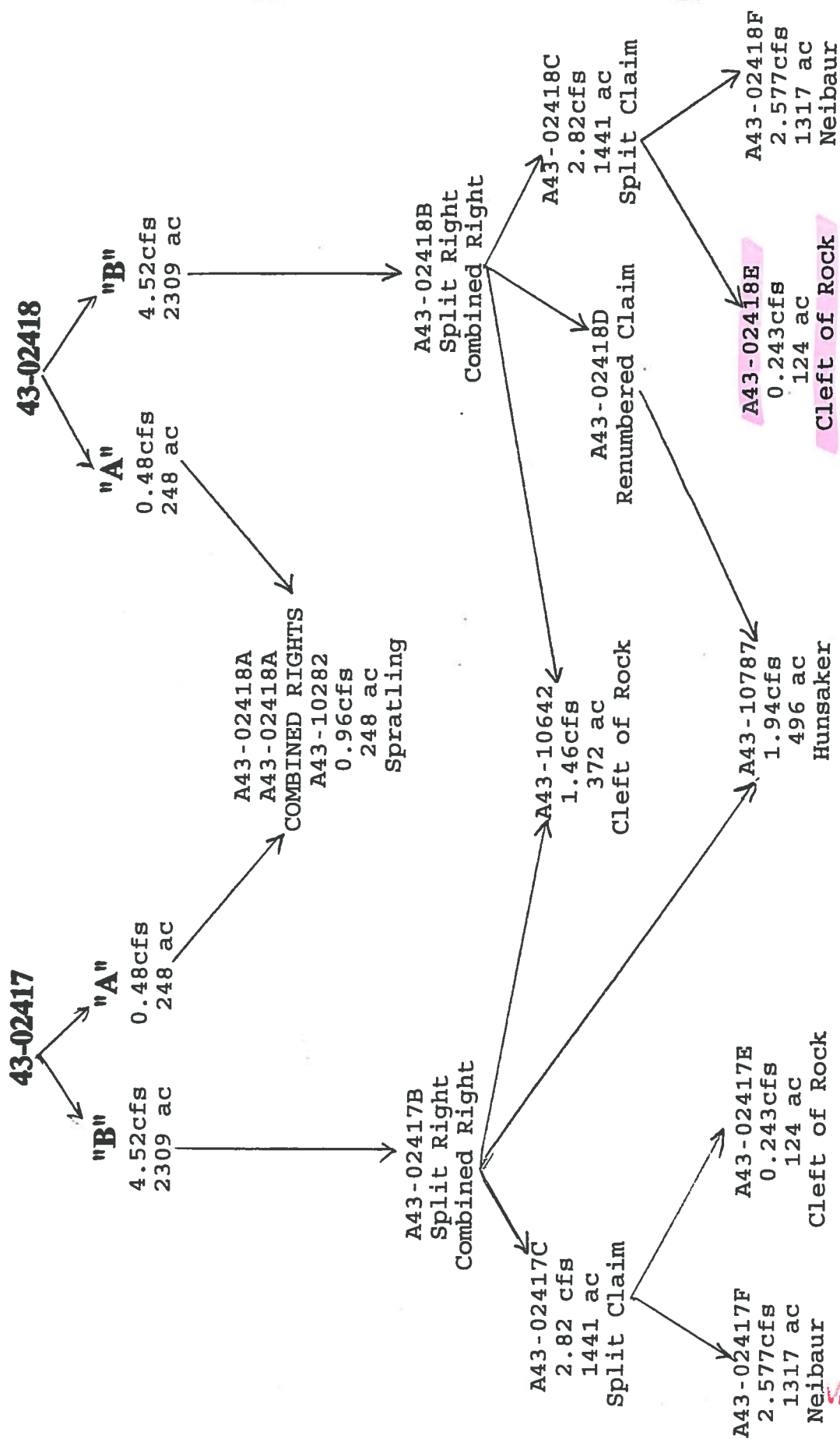
TOWNSHIP 11 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 18: Lots 1 and 2, E $\frac{1}{4}$ NW $\frac{1}{4}$ (NW $\frac{1}{4}$)

This policy is valid only if Schedule B is attached.

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43-02417 AND 43-02418 CLAIM SPLIT FLOW CHART



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MAR 03 1993

05/09/2001

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-2418E

CLEFT OF THE ROCK FARMS

735 CALDER AVE

AMERICAN FALLS ID 83211

Telephone Number: (208)349-5716

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

See Attachment A1 for corrections.

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 5-21-01 SIGNATURE: *Ken Woodward*
Please print your name: Ken Woodward

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

No changes, 6/12/01 DJ

Attachment: A1

5-21-01

Water right numbers

43-02417E
43-02418E
43-04060E
43-04061E
43-04062E
43-04063E
43-04064E
43-04060G
43-04063G
43-10642

1: Place of use

2: Acres under Place of use should be 528 rather than 512
Need to add one acre to each of the 16 tracts listed
To correct this.

3: It is my understanding that these rights when combined with 43-10645
Allowed for 528 acres under transfers # 3839 # 3892 and #4050
See copy enclosed.

If you need to contact me please call 349-5542 or 431-1210

Ken Woodworth

Ken Woodworth
Cleft of the Rock Farms

See 43-2417E for attachments

01/03/2001

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

RIGHT NUMBER: 43-2418E

NAME AND ADDRESS: CLEFT OF THE ROCK FARMS
735 CALDER AVE
AMERICAN FALLS, ID 83211

SOURCE: GROUND WATER

QUANTITY: 0.243 CFS
103 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 496 AF. COMBINED RIGHT
NOS.: 43-2417E, 43-2418E, 43-4060E, 43-4061E, 43-4062E, 43-
4063E, 43-4064E.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1984 AF. COMBINED
RIGHT NOS.: 43-10642, 43-10643, 43-4060G, 43-4063G, 43-2417E,
43-2418E, 43-4060E, 43-4061E, 43-4062E, 43-4063E, 43-4064E.

PRIORITY DATE: 01/31/1955

POINT OF DIVERSION:	T11S R28E S18	SESWNE	Within CASSIA County
	T11S R28E S18	SESESE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.24 CFS
		103.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T11S R28E S18		NENE	31	T11S R28E S18	NWNE 33
T11S R28E S18		SWNE	33	T11S R28E S18	SENE 28
T11S R28E S18		NENW	31	T11S R28E S18	LOT 1 NWNW 34
T11S R28E S18	LOT 2	SWNW	34	T11S R28E S18	SENE 30
T11S R28E S18		NESW	32	T11S R28E S18	LOT 3 NWSW 35
T11S R28E S18	LOT 4	SWSW	33	T11S R28E S18	SESW 29
T11S R28E S18		NESE	32	T11S R28E S18	NWSE 36

T11S R28E S18

SWSE

33

T11S R28E S18

SESE

28

512 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 124 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2417E, 43-2418E, 43-4060E, 43-4061E, 43-4062E, 43-4063E, 43-4064E.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 496 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2417E, 43-2418E, 43-4060E, 43-4061E, 43-4062E, 43-4063E, 43-4064E, 43-4060G, 43-4063G, 43-10642, AND 43-10643.

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

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 43-2417E, 43-2418E, 43-4060E, 43-4061E, 43-4062E, 43-4063E, 43-4064E, 43-4060G, 43-4063G, 43-10642, 43-10643 AND 43-10645.

RIGHT NO. 43-10645 IS AN EXPANSION OF THIS RIGHT, AND OTHER RIGHTS DIVERTED FROM THE WELLS DESCRIBED IN THIS RIGHT, PURSUANT TO SECTION 42-1416B, IDAHO CODE.

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

MAR 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Cleft of the Rock Farms Phone 349-5716
Post Office address P.O. Box 429 American Falls, ID 83211

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Fluctuating water levels damage
The Pump in the existing well due to sand. An additional
well is needed to reduce the pumping rate per well

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|---------------------|------------------|-----------------------|-------------------|----------------------------|
| <u>43-2417 Part</u> | <u>1/31/1955</u> | <u>.73</u> | <u>irrigation</u> | <u>4/1</u> to <u>10/31</u> |
| <u>43-2418 Part</u> | <u>1/31/1955</u> | <u>.73</u> | <u>irrigation</u> | <u>4/1</u> to <u>10/31</u> |
| <u>A43-10642</u> | <u>1-31-1955</u> | <u>1.46</u> | <u>"</u> | <u>"</u> to <u>"</u> |
2. Total amount of water being transferred 1.46 cubic feet per second and/or 1488 acre-feet per annum
3. Source of water Ground water tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE	SE	18	11S	28E	Cassia	
		SW	NE	18	11S	28E	"	

5. Lands irrigated or place of use: No change

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11S	28E	18	31	31	31	31					31	31	31	31	31	31	31	31	372

MICROFILMED
MAR 03 1993Total acres 372

PART 1**6. General Information:**

a. Description of diversion system Existing well & Pump, New well & Pump to be added.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NO change -

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

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MAR 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 43-24178 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3315 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☒ Other Sale agreement3. Source of water Groundwater tributary to _____4. Date or priority 1/31/1955

5. Water is used for the following purpose:

amount 4.52 for Irrigation purposes from 4/1 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 4.52 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Twp.	Rge.	Sec.	1/4	1/4	1/4	County	Twp.	Rge.	Sec.	1/4	1/4	1/4	County
10S	27E	36		SE	NW		11S	27E	12		SE	SE	
		36		NW	SE				13		NW	SE	
							11S	28E	18		SE	SE	
11S	27E	1		SE	SE		11S	28E	6		NW	NW	
		12		SE	NE								

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10S	27E	36			31		31	31	31	39	26		4	16	39	35	39		322
10S	28E	31										25							25
11S	27E	1	17	15			31	31	31	30	31	31	31	31	31	31	31	31	403
		12	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	496
		13	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	496
11S	28E	6					12	32		26.5									70.5
		18	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	496

Total acres 2308.59. Describe any other water rights used for the same purpose as described above 43-2418, -4060, -4061, -4062, -4063, -4065

our system capital corp. 1-7-331-43-241-

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.23 for Irrigation purposes from 4/1 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	18	11S	28E	Cassia	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11S	28E	18	31	31	31	31					31	31	31	31	31	31	31	31	372

Total acres 372

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 3.79 for Irrigation purposes from 4/1 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County			Local name for diversion			
10S	27E	36			SE	NW		11S	27E	12		SE	SE
		36			NW	SE				13		NW	SE
								11S	27E	12		SE	NE
11S	27E	1			SE	SE		11S	28E	6		NW	NW

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10S	27E	36			31		31	31	31	39	26		4	16	39	35	39	39	428
10S	28E	31									25								25
11S	27E	1	17	15			31	31	31	30	31	31	31	31	31	31	31	31	403
		12	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	496
		13	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	496
11S	28E	6					12	32		26.5									70.5
		18					31	31	31	31									124

Total acres 1936.5

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 MAR 10 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 43-2418B issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 33/5 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☒ Other Sale agreement3. Source of water Groundwater tributary to _____4. Date or priority 1/31/1955

5. Water is used for the following purpose:

amount 4.52 for Irrigation purposes from 4/1 to 10/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 4.52 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Twp.	Rge.	Sec.	1/4	1/4	1/4	County	Twp.	Rge.	Sec.	1/4	1/4	1/4	County
10S	27E	36		SE	NW		11S	27E	12		SE	SE	
		36		NW	SE				13		NW	SE	
11S	27E	1		SE	SE		11S	28E	18		SE	SE	
		12		SE	NE		11S	28E	6		NW	NW	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10S	27E	36			31		31	31	31	39	26			4	16	39	35	39	322
10S	28E	31											25						25
11S	27E	1	17	15			31	31	31	30	31	31	31	31	31	31	31	31	403
		12	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	496
		13	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	496
11S	28E	6					12	32		26.5									70.5
		18	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	496

Total acres 2308.59. Describe any other water rights used for the same purpose as described above 43-2417, -4060, -4061, -4062, -4063, -4065
 dit System Capital Corp. 1-8-331
 43-2417

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MAR 13 1993

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.73 for Irrigation purposes from 4/1 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	18	11S	28E	Cassia	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11S	28E	18	31	31	31	31					31	31	31	31	31	31	31	31	372

Total acres 372

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 3.79 for Irrigation purposes from 4/1 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
10S	27E	36			SE	NW		
		36			NW	SE		
11S	27E	1			SE	SE		
11S	28E	6			NW	NW		

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10S	27E	36			31		31	31	31	39	26			4	16	39	35	39	322
10S	28E	31											25						25
11S	27E	1	17	15			31	31	31	30	31	31	31	31	31	31	31	31	403
		12	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	496
		13	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	496
11S	28E	6					12	32		26.5									70.5
		18					31	31	31	31									124

Total acres 1936.5

MICROFILMED
 MAR 13 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right).

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A43-10642 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:☐ Tax Notice☐ Warranty Deed☒ Other Purchase Agreement

3. Source of water Groundwater tributary to _____

4. Date or priority 1-31-1955

5. Water is used for the following purpose:

amount 1.46 cfs for Irrig. purposes from 4-1 to 10-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.46 cubic feet per second and/or 1488 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE	SE	18	11S	28E	Cassia	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11S	28E	18	31	31	31	31					31	31	31	31	31	31	31	31	372

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MAR 11 3 1993

Total acres 372

9. Describe any other water rights used for the same purpose as described above 43-4060-4064

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 446 cfs for Irrig. purposes from 4-1 to 10-31
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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MAR 03 1993

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Delmar L. Woodworth, Jr.
(Signature of Applicant)

Subscribed and sworn to before me this 6 day of November, 1990.

Loren O. Halbur
(Notary Public)

My commission expires 3/21/93

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 1 attachments

Received by IRS Date 11/6/90 Protest filed by _____

Prelim. check by J. B. Stanton Fee \$50 5012804

Receipted by LOH Date 11/6/90

Published in So. ID. Press Copies of protest forwarded by _____

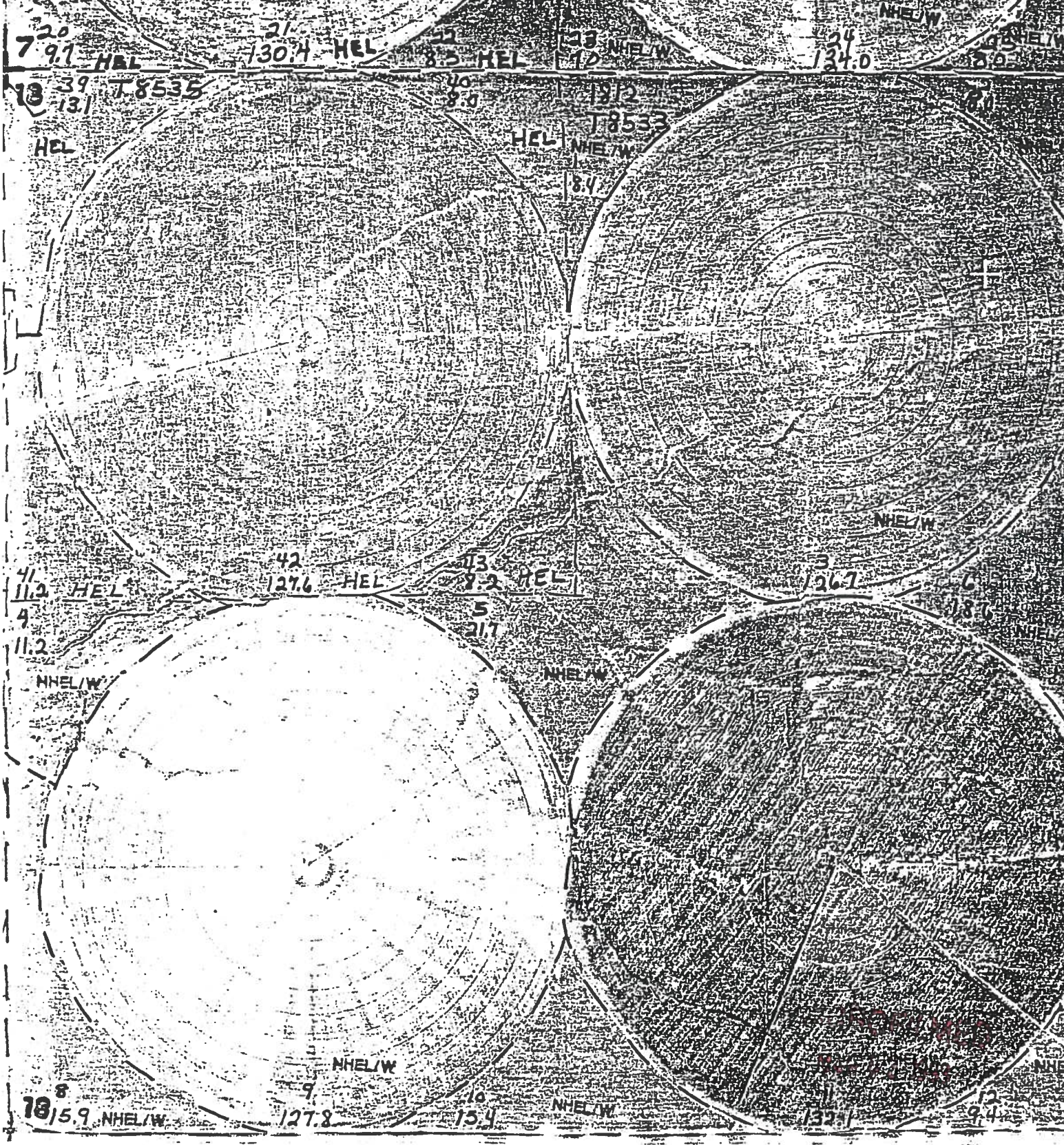
Pub. dates 12/28/90 & 1/4/91 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by JH

Copy of transfer sent to lien holder _____

MICROFILMED
MAR 03 1993



AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE

THIS AGREEMENT is made and entered into this 19
day of January, 1988, by and between CLEFT OF THE ROCK
FARMS, a limited partnership, with its principal place of
business at American Falls, Idaho, herein called "Buyer",
FARM CREDIT SYSTEM ASSISTANCE BOARD, succedor of the dissolved
and /FARM CREDIT SYSTEM CAPITAL CORPORATION, herein called
"Seller".

W I T N E S S E T H:

1. That for and in consideration of the mutual
promises and covenants herein contained and the conveyance
of real property and the sums of money herein agreed to be
paid by the Buyer and of the covenants and agreement of the
Buyer herein contained, well and truly by it to be
performed, the Seller hereby agrees to sell and convey by a
good and sufficient Warranty Deed and Buyer hereby agrees to
purchase of and from the Seller, according to the terms and
conditions hereinafter set forth, the real property situated
in Cassia County, State of Idaho, described as follows:

Section 18, Township 11 South, Range 28 East,
Boise Meridian, Lots 3 and 4, the E 1/2 SW 1/4 and
the E 1/2, comprising 374 irrigated acres and 122
dry acres.

TOGETHER WITH all water rights appurtenant to the
374 irrigated acres conveyed hereunder, including
but not necessarily limited to the applicable
portion or portions of the water rights
represented by License Nos. 43-2417 and 43-2418;
Claim Nos. 43-4060, 43-4061, 43-4062, 43-4063,
and 43-4064.

2. Buyer, in consideration of the promises,
covenants and agreements herein contained, agrees to pay to

IN WITNESS WHEREOF, the parties hereunto set their hands the day and year first above written.

FARM CREDIT SYSTEM ASSISTANCE BOARD,
succesor of the dissolved FARM
CREDIT SYSTEM CAPITAL CORPORATION
by the FEDERAL INTERMEDIATE CREDIT
BANK OF SPOKANE

By *Ray Riscus*
Ray Riscus
Its Vice President and Liquidating
Agent and Attorney-in-Fact
"Seller"

~~FARM CREDIT SYSTEM CAPITAL
CORPORATION
By _____
Its _____
"Seller"~~

CLEFT OF THE ROCK FARM,
a limited partnership,

By *Kenneth D. Woodworth*
Its *Delmer L. Woodworth*
"Buyer"

STATE OF WASHINGTON)
County of Spokane): ss.

On this 28th day of April, 1988, before me, the undersigned, a Notary Public in and for said State personally appeared RAY FISCUS known or identified to me to be the Vice-President of the Federal Intermediate Credit Bank of Spokane that executed the instrument as the attorney in fact of the Farm Credit System Assistance Board and acknowledged to me that he subscribed the name of the Farm Credit System Assistance Board thereto as principal and acknowledged to me that such corporation executed the same as attorney in fact.

Annette S. Codd
Notary Public for Washington
Residing at: Spokane, Wash.

STATE OF IDAHO

County of Power

)
)ss.
)

On this 19 day of January, 1988, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Kenneth & Delmar Woodworth, known or identified to me to be ~~one of~~ the partners in the partnership of Cleft of the Rock Farms, and one of the partner who subscribed said partnership name to the foregoing instrument and acknowledged to me that he executed the same in said partnership name.

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

Walter J. Wells
NOTARY PUBLIC FOR IDAHO
Residing at Ball Lake
My commission expires 2-20-93

WARRANTY DEED

GRANTOR, FARM CREDIT SYSTEM CAPITAL CORPORATION, a corporation, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto CLEFT OF THE ROCK FARMS, a limited partnership, American Falls, Idaho as GRANTEE, and to Grantee's successors and assigns forever, all of the following described real estate located in Cassia County, Idaho.

Section 18, Township 11 South, Range 28 East, Boise Meridian, Lots 3 and 4, the E 1/2 SW 1/4 and the E 1/2, comprising 374 irrigated acres and 122 dry acres.

TOGETHER WITH all water rights appurtenant to the 374 irrigated acres conveyed hereunder, including but not necessarily limited to the applicable portion or portions of the water rights represented by License Nos. 43-2417 and 43-2418; Claim Nos. 43-4060, 43-4061, 43-4062, 43-4063, and 43-4064.

Grantor, for itself, its successors and assigns do hereby covenants, warrants and shall defend the quiet peaceable possession of said premises by the Grantee, its successors and assigns forever against the lawful claims of all persons.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

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MAR 03 1993
EXHIBIT A

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument this 28th day of April, 1988.

FARM CREDIT SYSTEM ASSISTANCE BOARD,
succedor of the dissolved FARM CREDIT
SYSTEM CAPITAL CORPORATION by the
FEDERAL INTERMEDIATE CREDIT BANK OF
SPOKANE

By *Ray Fiscus*
Ray Fiscus
Its Vice President and Liquidating
Agent and Attorney-in-Fact

STATE OF WASHINGTON)

County of Spokane)

:ss.

On this 28th day of April, 1988, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Ray Fiscus, known or identified to me to be the Vice President and Liquidating Agent and Attorney-in-Fact of the Farm Credit System Assistance Board, the corporation that executed the instrument and acknowledged to me that such corporation executed the same.

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

Annette S. Codd
NOTARY PUBLIC FOR WASHINGTON
Residing at Spokane, Wash.
My commission expires 12-19-91

WR ELEMENT	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	Y				6	12-14-90		
POINT OF DIV	Y				6	"		
SOURCE	Y				6	"		
PLACE OF USE	Y				6	"		
DIV. AMOUNT CFS/VOLUME	Y			Y-volume	6	"		
CONSUMPTIVE USE	-					"		
PURPOSES	Y				6	"		
PERIOD OF USE	Y				6	"		
BASIS OF CLAIM	Y				6	"		
REMARKS	Y				6	"		

"VERIFIED BY" CODES

- TOPO MAP/ORTHO-PQ = 1
- ASCS MAP = 2
- WATERMASTER RECORDS = 3
- NAPP 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.

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LAST: CLEFT OF THE ROCK FARMS
ADDRESS: P. O. BOX 429
CITY: AMERICAN FALLS
PHONE NUMBER: 208-349-5716

FIRST: STATE: ID ZIP: 83211

OWNER CODE: C
FIELD EXAM REQUIRED? N
VERIFICATION REQUIRED DUE TO REMARKS? Y

FIELD EXAMINER N

CLAIM REMARKS: PORTION OF RTS. 43-02417 & 02418, BOTH WITH COMMON PRIORITY DATES. THE SYSTEM HAS CHANGED THROUGH SEVERAL TRANSFERS TO TIE 5 CLAIMS, 2 LICENSES AND SEVERAL WELLS TOGETHER IN 1 LARGE FARM. CLAIMANT BOUGHT PART OF FARM AND WELL APPURTENANT TO THE PROPERTY. THE SYSTEM CAPACITY IS 800 GPM PER PIVOT AND 75 GPM PER END GUN.
SEE TRANSFER #3315.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Delmar Woodworth
DATE OF FIELD EXAM: / / APPOINTMENT MADE: Y () N ()
ACCOMPANIED BY: TIME: : A () P ()
RELATIONSHIP TO CLAIMANT: PHONE NUMBER: () - -
DIRECTIONS TO PROPERTY / REMARKS:

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MAR 03 1993

STAGE: L

PRIORITY DATE: 01-31-1955

A43-10642

A. AJ CLAIM:

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

FIELD
EXAMINER

DATABASE

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:

1-31-1955

REVIEWED BY

J. P. Stanton

DATE

12-14-90

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A43-10642	11S	28E	18	SE	SE	SE		CASSIA

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

A43-04063B NONE

A43-04064D

A43-10643

A43-04060B

A43-10645

WR RECORDS IN SAME 40 ACRE TRACT

43-02417B

43-02418B

43-04060B

43-04061B

43-04062B

43-04063B

43-04064B

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

FIELD EXAMINER

DATABASE

DUE TO POD DISCREPANCY? (Y/N)

DUE TO SOURCE DISCREPANCY? (Y/N)

N

REMARKS:

MICROFILMED
MAR 03 1993

same as lained

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC.

1/4

1/4

1/4

LOT

COUNTRY

SOURCE:

REVIEWED BY:

De K. K. K.

TRIB: _____

DATE:

12-14-90

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MAR 03 1993

A. ROOT WATER RIGHT NUMBERS: A43-10642

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	28E	18	NE	NE		CLEFT OF THE ROCK FARMS	A43-10642 /31.0	- /31.0	40.0		31
						CLEFT OF THE ROCK FARMS	A43-10643 /31.0	- /			
						CLEFT OF THE ROCK FARMS	A43-04060B /31.0	43-04060B /31.0			
						CLEFT OF THE ROCK FARMS	A43-04063B /31.0	43-04063B /31.0			
						CLEFT OF THE ROCK FARMS	A43-10645 / 2.0	- /			
						FARM CREDIT SYSTEM CAPITAL COR		43-02417B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-02418B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-04061B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-04062B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-04064B /31.0			
11S	28E	18	NW	NE		CLEFT OF THE ROCK FARMS	A43-10642 /31.0	- /31.0	40.0		31
						CLEFT OF THE ROCK FARMS	A43-10643 /31.0	- /			
						CLEFT OF THE ROCK FARMS	A43-04060B /31.0	43-04060B /31.0			
						CLEFT OF THE ROCK FARMS	A43-04063B /31.0	43-04063B /31.0			
						CLEFT OF THE ROCK FARMS	A43-10645 / 2.0	- /			
						FARM CREDIT SYSTEM CAPITAL COR		43-02417B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-02418B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-04061B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-04062B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-04064B /31.0			
11S	28E	18	SW	NE		CLEFT OF THE ROCK FARMS	A43-10642 /31.0	- /31.0	41.0		31
						CLEFT OF THE ROCK FARMS	A43-10643 /31.0	- /			
						CLEFT OF THE ROCK FARMS	A43-04060B /31.0	43-04060B /31.0			
						CLEFT OF THE ROCK FARMS	A43-04063B /31.0	43-04063B /31.0			
						CLEFT OF THE ROCK FARMS	A43-10645 / 2.0	- /			
						FARM CREDIT SYSTEM CAPITAL COR		43-02417B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-02418B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-04061B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-04062B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-04064B /31.0			
11S	28E	18	SE	NE		CLEFT OF THE ROCK FARMS	A43-10642 /31.0	- /31.0	41.0		31
						CLEFT OF THE ROCK FARMS	A43-10643 /31.0	- /			
						CLEFT OF THE ROCK FARMS	A43-04060B /31.0	43-04060B /31.0			
						CLEFT OF THE ROCK FARMS	A43-04063B /31.0	43-04063B /31.0			
						CLEFT OF THE ROCK FARMS	A43-10645 / 2.0	- /			
						FARM CREDIT SYSTEM CAPITAL COR		43-02417B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-02418B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-04061B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-04062B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-04064B /31.0			
11S	28E	18	NE	SW		CLEFT OF THE ROCK FARMS	A43-10642 /31.0	- /31.0	40.0		31
						CLEFT OF THE ROCK FARMS	A43-10643 /31.0	- /			
						CLEFT OF THE ROCK FARMS	A43-04060B /31.0	43-04060B /31.0			
						CLEFT OF THE ROCK FARMS	A43-04063B /31.0	43-04063B /31.0			
						CLEFT OF THE ROCK FARMS	A43-10645 / 2.0	- /			
						FARM CREDIT SYSTEM CAPITAL COR		43-02417B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-02418B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-04061B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-04062B /31.0			
						FARM CREDIT SYSTEM CAPITAL COR		43-04064B /31.0			

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MAR 03 1993

FARM CREDIT SYSTEM CAPITAL COR
FARM CREDIT SYSTEM CAPITAL COR
FARM CREDIT SYSTEM CAPITAL COR
FARM CREDIT SYSTEM CAPITAL COR

11S 28E 18 NW SW 3 CLEFT OF THE ROCK FARMS A43-10642 /31.0 51.0 31

CLEFT OF THE ROCK FARMS A43-10643 /
CLEFT OF THE ROCK FARMS A43-04060B /31.0
CLEFT OF THE ROCK FARMS A43-04063B /31.0
CLEFT OF THE ROCK FARMS A43-10645 / 2.0

11S 28E 18 SW SW 4 CLEFT OF THE ROCK FARMS A43-10642 /31.0 51.0 31

CLEFT OF THE ROCK FARMS A43-10643 /
CLEFT OF THE ROCK FARMS A43-04060B /31.0
CLEFT OF THE ROCK FARMS A43-04063B /31.0
CLEFT OF THE ROCK FARMS A43-10645 / 2.0

11S 28E 18 SE SE CLEFT OF THE ROCK FARMS A43-10642 /31.0 38.0 31

CLEFT OF THE ROCK FARMS A43-10643 /
CLEFT OF THE ROCK FARMS A43-04060B /31.0
CLEFT OF THE ROCK FARMS A43-04063B /31.0
CLEFT OF THE ROCK FARMS A43-10645 / 2.0
FARM CREDIT SYSTEM CAPITAL COR
FARM CREDIT SYSTEM CAPITAL COR
FARM CREDIT SYSTEM CAPITAL COR
FARM CREDIT SYSTEM CAPITAL COR

11S 28E 18 NE SE CLEFT OF THE ROCK FARMS A43-10642 /31.0 37.0 31

CLEFT OF THE ROCK FARMS A43-10643 /
CLEFT OF THE ROCK FARMS A43-04060B /31.0
CLEFT OF THE ROCK FARMS A43-04063B /31.0
CLEFT OF THE ROCK FARMS A43-10645 / 2.0
FARM CREDIT SYSTEM CAPITAL COR
FARM CREDIT SYSTEM CAPITAL COR
FARM CREDIT SYSTEM CAPITAL COR
FARM CREDIT SYSTEM CAPITAL COR

11S 28E 18 NW SE CLEFT OF THE ROCK FARMS A43-10642 /31.0 39.0 31

CLEFT OF THE ROCK FARMS A43-10643 /
CLEFT OF THE ROCK FARMS A43-04060B /31.0
CLEFT OF THE ROCK FARMS A43-04063B /31.0
CLEFT OF THE ROCK FARMS A43-10645 / 2.0
FARM CREDIT SYSTEM CAPITAL COR
FARM CREDIT SYSTEM CAPITAL COR
FARM CREDIT SYSTEM CAPITAL COR
FARM CREDIT SYSTEM CAPITAL COR

11S 28E 18 SW SE CLEFT OF THE ROCK FARMS A43-10642 /31.0 39.0 31

CLEFT OF THE ROCK FARMS A43-10643 /
CLEFT OF THE ROCK FARMS A43-04060B /31.0
CLEFT OF THE ROCK FARMS A43-04063B /31.0
CLEFT OF THE ROCK FARMS A43-10645 / 2.0
FARM CREDIT SYSTEM CAPITAL COR
FARM CREDIT SYSTEM CAPITAL COR
FARM CREDIT SYSTEM CAPITAL COR
FARM CREDIT SYSTEM CAPITAL COR

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MAR 03 1993

FARM CREDIT SYSTEM CAPITAL COR
FARM CREDIT SYSTEM CAPITAL COR

11S 28E 18 SE SE	A43-10642	/31.0	-	/31.0	35.0	31
CLEFT OF THE ROCK FARMS	A43-10643	/31.0	-			
CLEFT OF THE ROCK FARMS	A43-10643	/31.0	-			
CLEFT OF THE ROCK FARMS	A43-04060B	/31.0	43-04060B	/31.0		
CLEFT OF THE ROCK FARMS	A43-04063B	/31.0	43-04063B	/31.0		
CLEFT OF THE ROCK FARMS	A43-10645	/2.0	-			
FARM CREDIT SYSTEM CAPITAL COR			43-02417B	/31.0		
FARM CREDIT SYSTEM CAPITAL COR			43-02418B	/31.0		
FARM CREDIT SYSTEM CAPITAL COR			43-04061B	/31.0		
FARM CREDIT SYSTEM CAPITAL COR			43-04062B	/31.0		
FARM CREDIT SYSTEM CAPITAL COR			43-04064B	/31.0		

TOTAL ACRES A43-10642 372.00 372.00 492.00 372

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

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DATABASE Y FIELD EXAMINER N

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG:

REMARKS:

P/U is limited to 31 acres/tract due to previous approved transfers. More ground than this is actually irrigated - see expansion claims.

RECOMMENDATIONS:

TOTAL ACRES: 372

REVIEWED BY: J.P. Stanton

DATE: 12-14-90

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A. AJ CLAIMED USES:

PURPOSES
A43-10642 IRRIGATION

MONTH/DAY
FROM 04-01 TO 10-31

DIVERSION QUANTITY
1.460 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.460 CFS 1488.00 AF/A

B. WR RECORDED USES:

PURPOSES
irrigation

MONTH/DAY

4/1 to 10-31

DIVERSION QUANTITY
1.46 cfs

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

FIELD EXAMINER
DATABASE EXAMINER
Y Y Y
N N N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐)

Y(☐) N(☐)

Explain in remarks, below.

REMARKS:

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MAR 03 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(✓) N()

AJ TOTAL CLAIMED DIVERSION RATE: 1.460 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.950 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD DATABASE EXAMINER
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y N

B. FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A43-10643, 04060B, 04063B

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A43-4060B	Groundwater	59ml	0.249			
A43-10642	GROUNDWATER	CLEFT OF THE ROCK FARMS	1.460	0.003	1488.00	4.00
A43-10643	GROUNDWATER	CLEFT OF THE ROCK FARMS	3.506	0.009	1492.50	4.01
A43-04063B	GROUNDWATER	CLEFT OF THE ROCK FARMS	0.636	0.001	1488.00	4.00
A43-10645	GROUNDWATER	CLEFT OF THE ROCK FARMS	0.480	0.020	96.00	4.00

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A43-10643	STOCKWATER Irrigation	CLEFT OF THE ROCK FARMS	FROM 10-31 TO 04-01	.190 CFS	3506 cfs

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 372 x 0.02 CFS/ACRE = 7.44 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 1116.0 AF/A

ACRES 372 x CONSUMPTIVE VOL. AF/A FOR AREA 440 =

TOTAL CONSUMPTIVE USE 1488 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 1488.00 AF/A

ACRES 372 x DIVERSION VOL. AF/A FOR AREA 4,0 =

TOTAL DIVERSION VOLUME 1488 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

1492.5 (incl. 4.5 AFA for stockwater)

1.46 cfs x 213 days/ann x 1,9835 =

616.8 AFA system capacity

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
<i>orig.</i>	4-1 10- ~~15~~	31	1.46	616.8

TOTAL FOR THIS RIGHT

REVIEWED BY:

G. E. Stanton

DATE:

12-14-90

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MAR 03 1993

FORM 1
BASIS OF CLAIM REVIEW SHEET

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP

FORFEIT/ABANDON

ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
(☒)
()
()
()

NEEDS
REVIEW
()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-10642

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

A43-10642

1.460

TOTAL CFS

1.460

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

DIVERSION RATE REVIEW

DATABASE

FIELD
EXAMINER

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)

N

REMARKS:

Claim covers parts of 43-24178 & 43-24188 owned by claimant. Amount claimed is proportional share of license
based on acres owned.
verified

AUTHENTICATION:

SIGNATURE:

J. E. Stanton

DATE: 12-14-90

NAME OF FIELD EXAMINER:

J. E. Stanton

TITLE:

Dr. Legant

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MAR 03 1993