

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2004 MAR 30 AM 9 39

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) Subcase 43-02519
Case No. 39576) (Sun Valley Agribusiness Partnership,
) LLC)
)
) AMENDED SPECIAL MASTER
) REPORT

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report for Late Claims, Domestic and Stockwater and Irrigation and Other Water Rights, Reporting Areas 1, 2, 3, 5, 6, 7, 8, & 15, IDWR Basins 31, 34, 35, 36, 41, 43, 57, 61, 65, Part I* on February 18, 2003. The Director recommended 43-02519 to Sun Valley Agribusiness Partnership, LLC, P.O. Box 2169, Sun Valley, Idaho, 83353, for 4.2 cfs from groundwater to irrigate 295.7 acres in Cassia County from March 15 to November 15 with a priority date of March 28, 1961, based on a license.

The claimant filed an *Objection* on April 18, 2003, objecting to quantity and place of use. On March 9, 2004, the claimant, with IDWR's concurrence, filed a *Standard Form 5* agreeing to irrigation of 304 acres and amendments under quantity, point of diversion and place of use.

A *Special Master Report and Recommendation* was entered on March 22, 2004, but counsel for the claimant notified the Court of an error in the spelling of the word "volume" under the quantity element. The attached *Amended Special Master Recommendation* corrects the error.

Conclusions of Law

Sun Valley Agribusiness Partnership, LLC, is entitled to a partial decree adjudicating a water right as described in the *SF-5* and the attached *Amended Special Master Recommendation for Partial Decree for Water Right 43-02519*.

DATED March 30, 2004.

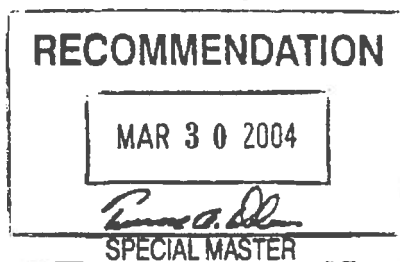


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

AMENDED



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 43-2519
Date Received: 7/13/1989
Receipt No: C008236
Received By:

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

1. Name of Claimant(s)

SUN VALLEY AGRIBUSINESS PARTNERS LLC Phone: 208-725-0888
PO BOX 2169
SUN VALLEY ID USA 83353

2. Date of Priority: 03/28/1961

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11S	27E	4	SW NW SE	CASSIA	
11S	27E	6	NW NW NE 2	CASSIA	
11S	27E	5	NW SE NE	CASSIA	
11S	27E	5	NW NE NW 3	CASSIA	
10S	27E	32	SW NW SE	CASSIA	
11S	27E	8	SW NE SE	CASSIA	
11S	27E	8	SW NW NW	CASSIA	
11S	27E	5	NE SW NE	CASSIA	
11S	27E	4	SW SE SE	CASSIA	

5. Description of diverting works:

9 WELLS, PUMPS AND COMMON MAINLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	4.2	1216

7. Total Quantity Appropriated is:
4.2 C.F.S. and/or 1216 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
11S	27E	4	SE SE	IRRIGATION	9
			NE NW 3	IRRIGATION	40
			NE SW	IRRIGATION	40

NW	SW	IRRIGATION	40)
SW	SW	IRRIGATION	34
SE	SW	IRRIGATION	22
SE	NW	IRRIGATION	40
SW	NW	IRRIGATION	40
SW	SE	IRRIGATION	39
Section Acres			304
Total Acres			304

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:

14. Remarks:

SIMPLOT INDUSTRIES WAS RUBY CO.TRANS. 1586.

AMENDED CLAIM

CLAIM AMENDED TO CORRECT PLACE OF USE 15 ACRES IN SECTION 6, T10S R27E TO T11S, R27E. 2/8/98 jr

5/2/2000 TF; OWNERSHIP CHANGED SIMPLOT TO ACHS/BOSEN PER 1409(6) AND WARRANTY DEEDS RECD 3/13/2000.

Claim amended to change points of diversion and p/u 9-7-01 kkc

15. Basis of Claim License

COPY

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 43-2519

Date Received

Receipt Number

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

Please type or print clearly

1. Name of Claimant(s) Sun Valley Agribusiness Partners, L.L.C. Phone (800) 397-1712
Mailing Address P.O. Box 2169, Sun Valley, Idaho Zip 83353

2. Date of Priority (Only one (1) per claim) 3/28/1961

3. Source of water supply (a) Ground water

Which is tributary to (b) _____

4. a. Location of point of diversion is: Township 10S Range 27E Sec. 32 SW NW SE
Township 11S Range 27E Sec. 4 SW NW SE
Sec. 5 SW SE SE
NE SW NE
NW SE NE
Lot 3 (NW NE NW)
Sec. 6 Lot 2 (NW NW NE)
Sec. 8 SW NW NW
SW NE SE

Additional points of diversion if any: Govt. Lot _____, B.M., County of Cassia

b. If instream flow, beginning point of claimed instream flow is: _____

township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Wells, pumps & pipeline.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 4.20 or 1,216.0

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.20 (cfs) and/or (b) 1,216.0 (acre feet)

8. Total consumptive use claimed is 912.0 acre feet per annum.

9. Non-irrigation uses; describe fully. (Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) None

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	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	27E	4					Lt3 40		40	40	40	40	34	22			39	9	304

Total number of acres irrigated 304

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

12. Do you own the property listed above as place of use? Yes XX No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

43-2473 _____ or None (_____)

14. Remarks:

15. Basis of Claim (Check One) Beneficial Use _____ Posted Notice _____ License XX Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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." I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____ Date 9-4-07
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am PRINCIPAL _____
of _____, that I have signed the foregoing
document in the space below as PRINCIPAL _____ 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/or _____)
County of Blaine) SS.

Subscribed and sworn to (or affirmed) before me this 4th day of September 2007



Notary Public Margaret Simpson
Residing at Ketchikan
My Commission Expires 4-6-2008

17. Notice of Appearance:

Please Print Name

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

Signature _____
Address _____
Date _____

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

RECEIVED

JUL - 3 2001

Department of Water Resources
Spartan Center

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>43-02471</u>	<u>A43-02471</u>		<u>43-02519</u>	<u>A43-02519</u>	
<u>43-02472</u>	<u>A43-02472</u>		<u>43-02569</u>	<u>A43-02569</u>	
<u>43-02473</u>	<u>A43-02473</u>		<u>43-02575</u>	<u>A43-02575</u>	
<u>43-02475</u>	<u>A43-02475</u>		<u>43-04194</u>	<u>A43-04194</u>	
<u>43-02488</u>	<u>A43-02488</u>		<u>43-04199</u>	<u>A43-04199</u>	
<u>43-02489</u>	<u>A43-02489</u>		<u>43-07056</u>	<u>A43-07056</u>	
<u>43-02504</u>	<u>A43-02504</u>		<u>43-07068</u>	<u>A43-07068</u>	
<u>43-02505</u>	<u>A43-02505</u>		<u>43-07145</u>	<u>A43-07145</u>	
<u>43-02516</u>	<u>A43-02516</u>			<u>A43-10578</u>	
<u>43-02517</u>	<u>A43-02517</u>			<u>A43-10579</u>	

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. None
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT** or other legal document indicating your ownership of the property **WITH ATTACHED LEGAL DESCRIPTION**. or other legal document in question,
- C. Either of the following (if necessary to clarify division of property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** showing point(s) of diversion and place of use of your water right usually attached to your deed or on file with the county). location of the water claim(s) (these are

*Ownership
Updated
7-5-01
KKC*

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**. IDWR Analysis

3. Name and Address of Former Owner/Claimant(s) Ronald A. Achs and/or Amy E. Achs and/or Clair D. Bosen and/or Viola L. Bosen
P.O. Box 2169
Sun Valley, ID 83353
4. New Owner/Claimant(s) Sun Valley Agribusiness Partners, L.L.C.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
P.O. Box 2169
 New Mailing Address Sun Valley, ID 83353
 City, State and ZIP Code
 New Telephone Number (208) 725-0888
5. Date you acquired the property November 2000

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total _____		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total _____		

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Snake River Basin Adjudication Claims, LLC By
Matthew Mendenhall RAIA

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

43-02519

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

RECEIVED

WATER RESOURCES
WESTERN REGION

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

RECEIVED
MAR 13 2000
Department of Water Resources
Southern Region

1. Water Right Number(s) See Attachment A
Adjudication Claim Number(s) See Attachment 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.

Name and Address of Former Owner/Claimant(s) J.R. Simplot Company, a Nevada corporation (successor by merger to Simplot Industries, Inc., a Utah corporation)
P.O. Box 27, Boise, Idaho 83707

New Owner/Claimant(s) Ronald A. Achs and Amy E. Achs, husband and wife, and Claire D. Bosen

New Mailing Address P.O. Box 2169 Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR and Viola L. Bosen, husband and wife, as Tenants-in-Common

City, State and ZIP Code Sun Valley, Idaho 83353

New Telephone Number (800) 397-1712

Date you acquired the property February 11, 2000

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 cubic feet per second _____ Number of homes _____ Other uses _____

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

Signature of New Owner/Claimant(s)
Ronald A. Achs Amy E. Achs Date 2/25/2000
Claire D. Bosen Viola L. Bosen Date 2/29/2000

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

ATTACHMENT A

Water Right Numbers	Snake River Basin Adjudication Claim Numbers
43-02471	A43-02471
43-02472	A43-02472
43-02473	A43-02473
43-02475	A43-02475
43-02488	A43-02488
43-02489	A43-02489
43-02504	A43-02504
43-02505	A43-02505
43-02516	A43-02516
43-02517	A43-02517
43-02519	A43-02519
43-02569	A43-02569
43-02575	A43-02575
43-04194	A43-04194
43-04199	A43-04199
43-07056	A43-07056

2673

WARRANTY DEED

FOR VALUE RECEIVED, J. R. SIMPLOT COMPANY, a Nevada corporation, of 999 Main Street, Suite 1300, Boise, Idaho, 83702, successor by merger to SIMPLOT INDUSTRIES, INC., a Utah corporation, the Grantor, does hereby grant, bargain, sell, and convey unto SUN VALLEY AGRIBUSINESS PARTNERS, L.L.C., the Grantee, whose current address is P. O. Box 2169, Sun Valley, Idaho 83353 the following described premises to-wit:

See attached EXHIBIT A

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Except for and subject to those matters listed on EXHIBIT B and attached hereto and incorporated herein by this reference, and such rights, easements, restrictions, zoning restrictions, land use regulations and other applicable rules and regulations as appear of record or by use upon the premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that it will warrant and defend the same from all lawful claims whatsoever.

DATED: January 26, 2000.

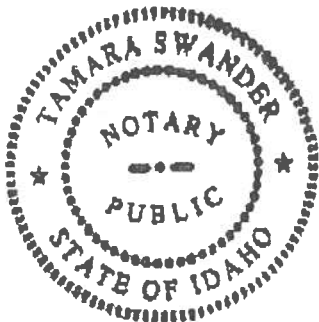
J. R. SIMPLOT COMPANY,
successor by merger to
SIMPLOT INDUSTRIES, INC.

By Stephen A. Beebe
Stephen A. Beebe, President & CEO

By Ronald N. Graves
Ronald N. Graves, Secretary

STATE OF IDAHO)
County of Adm) ss.

On this 26th day of January, 2000, before me a Notary Public for said State, personally appeared STEPHEN A. BEEBE and RONALD N. GRAVES, known or identified to me to be the President & CEO and Secretary of the corporation who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Tamara Swander
Notary Public for Idaho
Residing at Emmett
My Commission Expires: 4/4/00

267356

SPECIAL WARRANTY DEED

This indenture made this 11th day of February, 2000, between Sun Valley Agribusiness Partners, LLC, an Idaho limited liability company, the "Grantor" and Ronald A. Achs and Amy E. Achs, husband and wife, and Clair D. Bosen and Viola L. Bosen, husband and wife, collectively as Tenants in Common, the "Grantee" whose complete mailing address is P.O. Box 2169, Sun Valley, Idaho 83353.

WITNESSETH:

For valuable consideration the Grantor does hereby sell, transfer and convey to the Grantee the following described real property situate in the County of Cassia, State of Idaho, to-wit:

Described on attached Exhibit A, attached hereto and incorporated herein by this reference;

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining (collectively the "Premises")

TO HAVE AND TO HOLD said Premises unto the Grantee its successors and assigns forever.

The Grantor hereby covenants with the Grantee that the Premises are free from all encumbrances made by the Grantor and that it will warrant and defend said Premises against the lawful claims of all persons claiming by, through and under the Grantor.

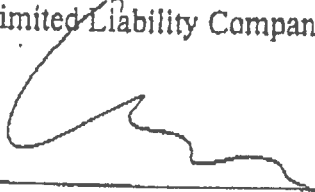
RECORDED AND INDEXED REQUEST OF
CASSIA COUNTY ABSTRACT
00 FEB 11 PM 4 20

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER
FEE \$4.00 DEPUTY *DM*

267356

IN WITNESS WHEREOF, this Special Warranty Deed has been duly executed by the Grantor as of the day and year herein first above written.

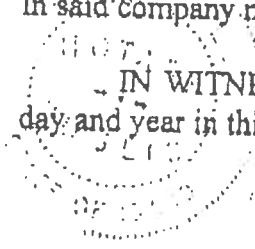
SUN VALLEY AGRIBUSINESS PARTNERS, LLC,
an Idaho limited Liability Company

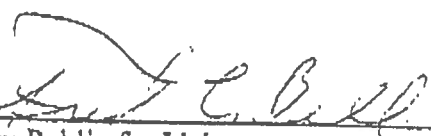
By 
Ronald A. Achs
-Managing Member

STATE OF IDAHO)
) ss.
County of Cassia)

On this 11th day of February, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Ronald A. Achs, known or identified to me to be the managing member of the limited liability company of Sun Valley Agribusiness Partners, LLC, an Idaho limited liability company, and the member who subscribed said company name to the foregoing instrument, and acknowledged to me that he executed the same in said company name.

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




Notary Public for Idaho

Residing at Burley, Idaho

My commission expires 8/2/00

EXHIBIT "A" - LEGAL DESCRIPTION
Real Estate Purchase and Sale Agreement dated January 11, 2000
Sun Valley Agri Business Partners, LLC, as Buyer
Simplot Agriculture Group, as Seller

Township 10 South, Range 27 East of the Boise Meridian

Section 30: Lots 2, 3 & Part of Lot 4; SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ E $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$	311.49 Acres
Section 31: Lots 1 & 2 less Tract 3770; NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$	446.56 Acres
Section 32: All	635.47 Acres
Section 33: N $\frac{1}{2}$ N $\frac{1}{2}$; SW $\frac{1}{4}$	316.21 Acres

Township 11 South, Range 26 East of the Boise Meridian

Section 1: All	630.74 Acres
Section 12: Part of the NW $\frac{1}{4}$	155.76 Acres

Township 11 South, Range 27 East of the Boise Meridian

Section 4: All	637.52 Acres
Section 5: All	635.58 Acres
Section 6: All	682.81 Acres
Section 8: All	637.00 Acres

Approximate Total from Tax Notices	<u>5,089.14</u> Acres
---	------------------------------

NOTE: The actual Legal Description shall be determined by Cassia County Abstract Company.

	<u>1-11-2000</u>
Buyer's Initials	Date

	<u>1-11-2000</u>
Seller's Initials	Date

RECEIVED

APR 13 1999

Department of Water Resources
Boise, Idaho

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: A43-02519
Date Received: 7/13/1989
Receipt No: C008236
Received By: X

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: J R SIMPLOT COMPANY
Address: PO BOX 27
BOISE ID

83707

2. Date of Priority: MAR 28, 1961

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	31		NE	SE		CASSIA
		32		NW	SE		CASSIA
11S	26E	1		NW	SW		CASSIA
				NW	SE		CASSIA
		12		SE	NW		CASSIA
	27E	4		NW	SE		CASSIA
				SE	SE		CASSIA
		5		SW	NE		CASSIA
				SE	NE		CASSIA
				NE	NW		CASSIA
		6		NW	NE		CASSIA
				SW	NW		CASSIA
		8		NW	NW		CASSIA
				NE	SE		CASSIA

5. Description of diverting works:
14 WELLS, PUMPS AND COMMON MAINLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.200		

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

8. Total consumptive use is 912.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	27E	4	SW		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	32.0
			SE		SW		IRR	32.0
			SW		SE		IRR	40.0
							Section Acres	224.0
		5	NE		NE		IRR	20.0
			NW		SW		IRR	40.0
							Section Acres	60.0
		6	NE		NE		IRR	5.0
			SE		SE		IRR	15.0
							Section Acres	20.0
							Total Acres	304.0

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:
NONE

14. Remarks:

SIMPLOT INDUSTRIES WAS RUBY CO.
TRANS. 1586.

*****AMENDED CLAIM*****
CLAIM AMENDED TO CORRECT PLACE OF USE 15 ACRES IN SECTION 6, T10S
R27E TO T11S, R27E. 2/8/98 jr

15. Basis of Claim: LICENSE

Water Right Number: 29596

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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: None

For Organizations:

I do solemnly swear or affirm that I am Secretary of J. R. Simplot Company Title

J. R. Simplot Company, that I have signed the foregoing Organization document in the space below as Secretary of Title

J. R. Simplot Company and that the statements contained in the Organization foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Secretary, J. R. Simplot Company
Title and Organization

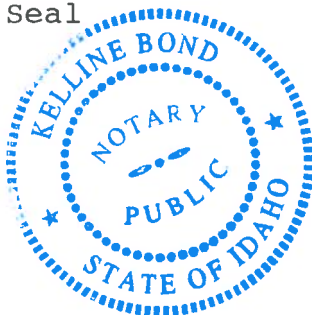
April 16, 1999
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of April 19 99

[Signature]
Notary Public

Seal



Residing at Boise, Idaho
My Commission Expires 10-13-04



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

RECEIVED

APR 19 1999

Department of Water Resources
Southern Region

April 16, 1999

Jeannie Robertson
State of Idaho
Department of Water Resources
Southern Region
1341 Fillmore Street
Suite 200
Twin Falls, ID 83301-3380

Re: SRBA Claim No. A43-02519.

Dear Ms. Robertson:

Enclosed for filing is the amendment of the above claim to correct the place of use that was formerly identified in Section 6 T. 10S R. 27E. The correct place of use is in Section 6 T. 11S R. 27E.

Sincerely,

Vic Conrad
Simplot Land and Development

Enclosures

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: A43-02519
Date Received: 7/13/89
Receipt No: C008234
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. R. SIMPLOT COMPANY
Address: P.O. BOX 27
BOISE, ID

83707

2. Date of Priority: MAR 28, 1961

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	31		NE	SE		CASSIA
		32		NW	SE		CASSIA
11S	26E	1		NW	SW		CASSIA
				NW	SE		CASSIA
		12		SE	NW		CASSIA
	27E	4		NW	SE		CASSIA
				SE	SE		CASSIA
		5		SW	NE		CASSIA
				SE	NE		CASSIA
				NE	NW		CASSIA
		6		NW	NE		CASSIA
				SW	NW		CASSIA
		8		NW	NW		CASSIA
				NE	SE		CASSIA

5. Description of diverting works:
14 WELLS, PUMPS AND COMMON MAINLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.200		

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

A.F.A.

A43-02519

Page 1

Date: 07/06/89

*possible
wrong legal
description!
(see next
page)*

MICROFILMED
MAR 03 1993

8. Total consumptive use is 912.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10S	27E	6	NE		NE		IRR	5.0
			SE		SE		IRR	15.0
							Section Acres	20.0
11S	27E	4	SW		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	32.0
			SE		SW		IRR	32.0
			SW		SE		IRR	40.0
							Section Acres	224.0
		5	NE		NE		IRR	20.0
			NW		SW		IRR	40.0
							Section Acres	60.0
							Total Acres	304.0

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:
NONE

14. Remarks:
SIMPLOT INDUSTRIES WAS RUBY CO.
TRANS. 1586.

15. Basis of Claim: LICENSE
Water Right Number: 29596

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: One Map

For Organizations:

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

J. R. Simplot Company, that I have signed the foregoing
Organization
document in the space below as Secretary of

J. R. Simplot Company and that the statements contained in the
Organization
foregoing document are true and correct.

Russell W. Hansen
Signature of Authorized Agent

Secretary, J. R. Simplot Company
Title and Organization

July 10, 1989
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of July 19 89

Vicki A. Lower
Notary Public

Seal

Residing at _____ Meridian

My Commission Expires 11-06-91

C & Y FARMS WELLS

<u>Well #</u>	<u>Location</u>
2	T 11 S, R 27 E, Sec 4, NW 1/4 SE 1/4
10	T 11 S, R 27 E, Sec 4, SE 1/4 SE 1/4
6	T 11 S, R 27 E, Sec 5, NE 1/4 NW 1/4
7	T 11 S, R 27 E, Sec 5, SW 1/4 NE 1/4
9	T 11 S, R 27 E, Sec 5, SE 1/4 NE 1/4
1	T 11 S, R 27 E, Sec 6, NW 1/4 NE 1/4
11	T 11 S, R 27 E, Sec 6, SW 1/4 NW 1/4
12	T 11 S, R 27 E, Sec 8, NW 1/4 NW 1/4
13	T 11 S, R 27 E, Sec 8, NE 1/4 SE 1/4
5	T 10 S, R 27 E, Sec 31, NE 1/4 SE 1/4
8	T 10 S, R 27 E, Sec 32, NW 1/4 SE 1/4
3	T 11 S, R 26 E, Sec 1, NW 1/4 SW 1/4
4	T 11 S, R 26 E, Sec 1, NW 1/4 SE 1/4
14	T 11 S, R 26 E, Sec 12, SE 1/4 NW 1/4

0535R

MICROFILMED
MAR 03 1993

6

100

PIPELINE

place = place of use

7

4E 7 15 14E
 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 10

(Faint handwritten notes at bottom)

Date _____

30

~~MICROFILMED~~

~~MAR 03 1993~~

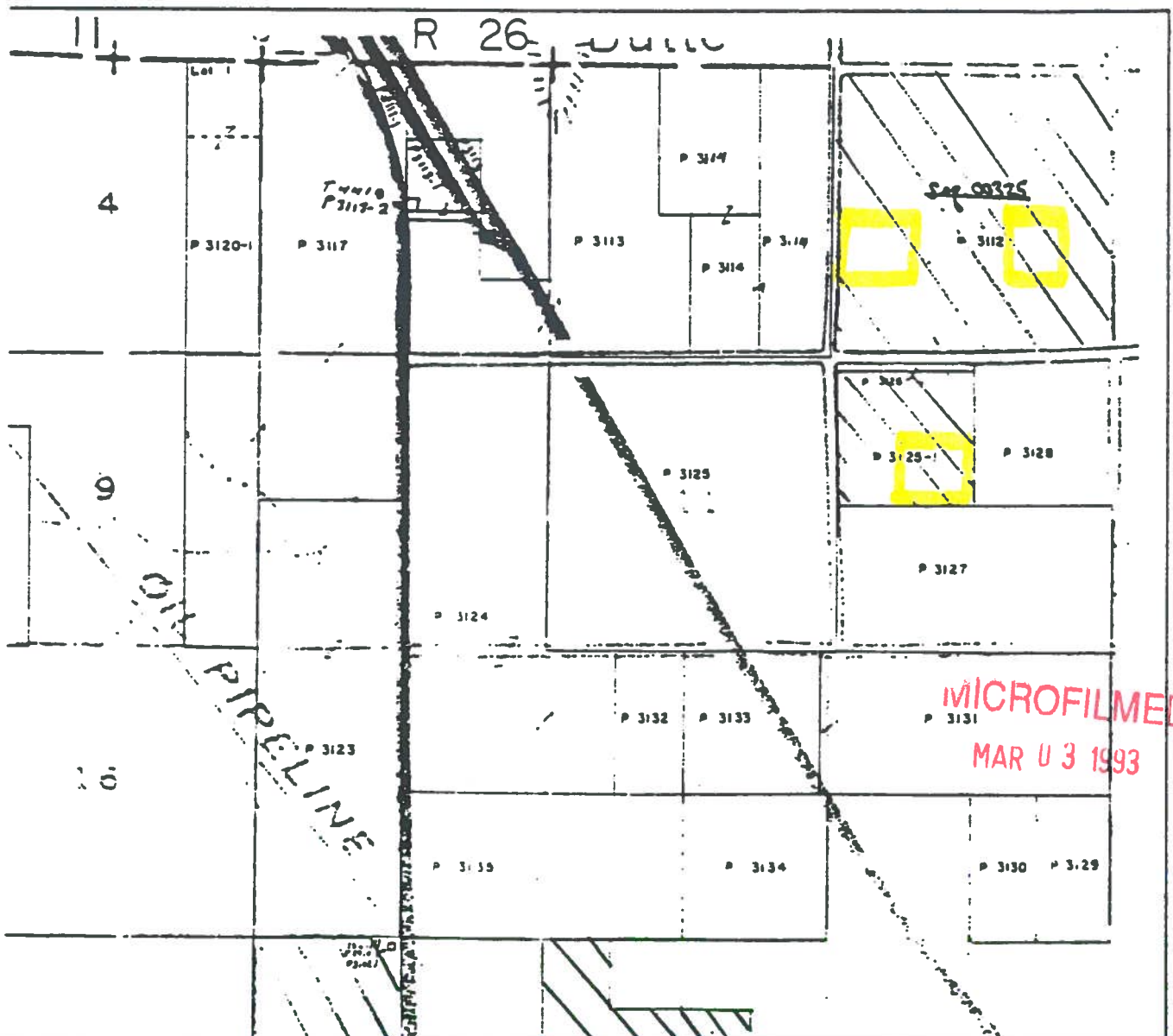
31

37

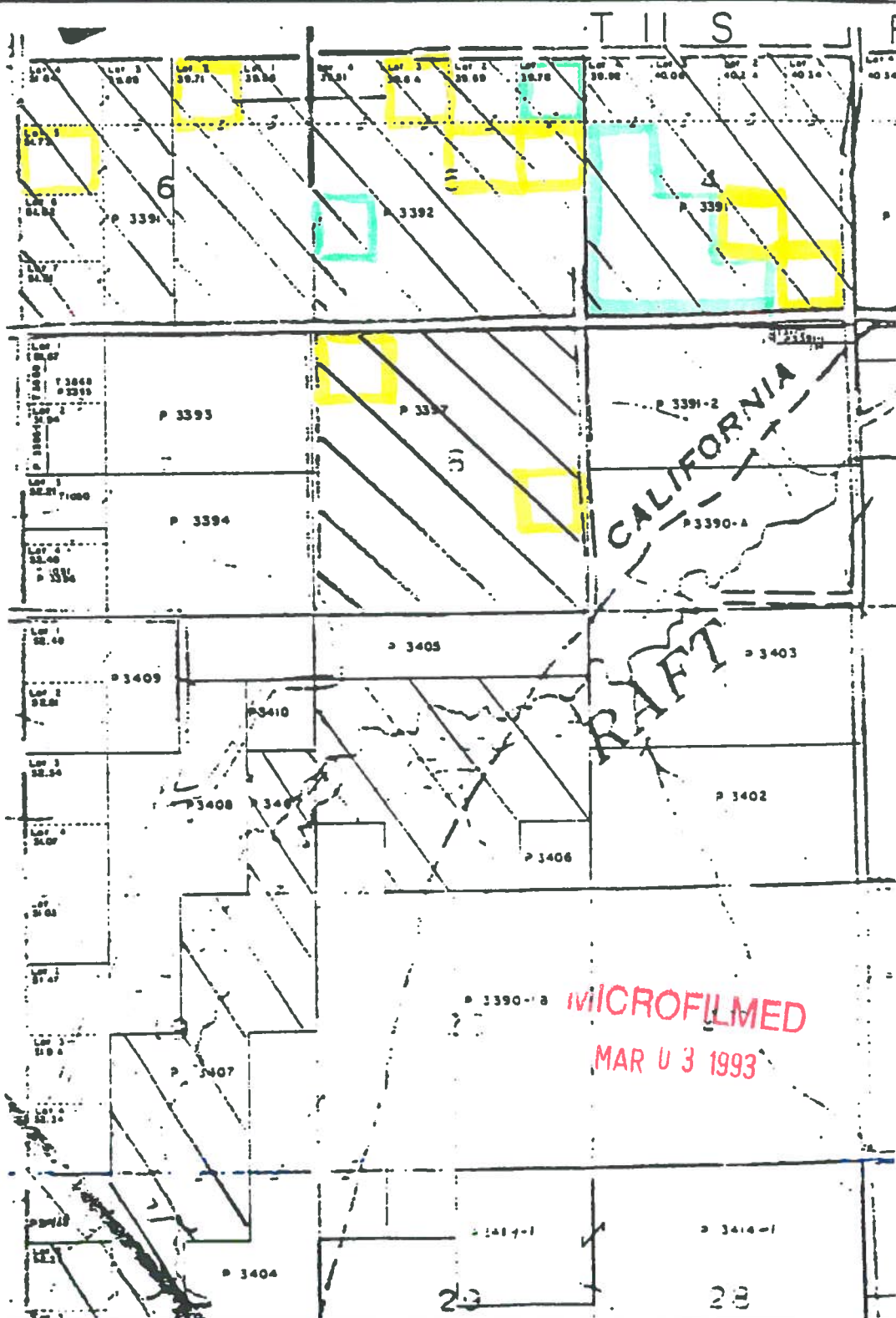
2 3381-2

2.489

T. 11 S. R. 26 E



T.115 E.27E



TOWNSHIP						
6	9	4	3	2	1	
7	8	9	10	11	12	
10	7	6	19	4	3	
9	20	21	22	23	24	
30	26	28	27	26	25	
34	32	33	34	35	36	

CASSIA COUNTY,
IDAHO

LEGEND

1. REASON - YES
 2. REASON - YES
 3. REASON - YES
 4. REASON - YES
 5. REASON - YES
 6. REASON - YES
 7. REASON - YES
 8. REASON - YES
 9. REASON - YES
 10. REASON - YES
 11. REASON - YES
 12. REASON - YES
 13. REASON - YES
 14. REASON - YES
 15. REASON - YES
 16. REASON - YES
 17. REASON - YES
 18. REASON - YES
 19. REASON - YES
 20. REASON - YES
 21. REASON - YES
 22. REASON - YES
 23. REASON - YES
 24. REASON - YES
 25. REASON - YES
 26. REASON - YES
 27. REASON - YES
 28. REASON - YES
 29. REASON - YES
 30. REASON - YES
 31. REASON - YES
 32. REASON - YES
 33. REASON - YES
 34. REASON - YES
 35. REASON - YES
 36. REASON - YES
 37. REASON - YES
 38. REASON - YES
 39. REASON - YES
 40. REASON - YES
 41. REASON - YES
 42. REASON - YES
 43. REASON - YES
 44. REASON - YES
 45. REASON - YES
 46. REASON - YES
 47. REASON - YES
 48. REASON - YES
 49. REASON - YES
 50. REASON - YES
 51. REASON - YES
 52. REASON - YES
 53. REASON - YES
 54. REASON - YES
 55. REASON - YES
 56. REASON - YES
 57. REASON - YES
 58. REASON - YES
 59. REASON - YES
 60. REASON - YES
 61. REASON - YES
 62. REASON - YES
 63. REASON - YES
 64. REASON - YES
 65. REASON - YES
 66. REASON - YES
 67. REASON - YES
 68. REASON - YES
 69. REASON - YES
 70. REASON - YES
 71. REASON - YES
 72. REASON - YES
 73. REASON - YES
 74. REASON - YES
 75. REASON - YES
 76. REASON - YES
 77. REASON - YES
 78. REASON - YES
 79. REASON - YES
 80. REASON - YES
 81. REASON - YES
 82. REASON - YES
 83. REASON - YES
 84. REASON - YES
 85. REASON - YES
 86. REASON - YES
 87. REASON - YES
 88. REASON - YES
 89. REASON - YES
 90. REASON - YES
 91. REASON - YES
 92. REASON - YES
 93. REASON - YES
 94. REASON - YES
 95. REASON - YES
 96. REASON - YES
 97. REASON - YES
 98. REASON - YES
 99. REASON - YES
 100. REASON - YES

SECTION 1900 - 8	WATER 1700 - 8	LOGS 1600 - 8	SUBVISED 1500 - 8	RECEIVED 1400 - 8	LAST IN 1300 - 8	OUTSTANDING 1200 - 8
---------------------	-------------------	------------------	----------------------	----------------------	---------------------	-------------------------

AJ514NP

INPUT: AJ_SELECTION:FRAZEE-NAME-SIMPLET.SET.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION ATTORNEY NAME ADD/UPDATE

DATE: 01-09-00
TIME: 04:13:00
PAGE: 1

TYPE OF ACTION: ADD
MODIFY ALL FIELDS FLAG:

LAST NAME: YOUNG, GRAY OR BRUCE DELZER
ADDRESS LINE 1: J R SIMPLOT CO LEGAL DEPT
ADDRESS LINE 3: PO BOX 27
CITY: BOISE

STATE: ID ZIP: 837070027

FIRST NAME:
ADDRESS LINE 2: 999 MAIN ST STE 1000
PHONE NUMBER: (208) 389-7318

A43-02485	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-02488	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-02489	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-02504	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-02505	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-02516	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-02517	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-02519	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-02522	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-02536	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-02547	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
-3-02548	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
-02569	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
-3-02575	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-04021A	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-04021B	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-04194	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-04195	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-04197	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-04199	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-04202	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-07056	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-07068	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-07145	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-10397	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-10398	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-10399	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-10400	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-10401	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-10402	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-10403	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-10404	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-10405	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-10406	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
-10407	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
-10408	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-10426	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-10578	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-10579	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-10590	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-10591	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A43-10592	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A45-02179	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A45-02719	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A45-02746	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A45-11847	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A47-04312	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A51-02140	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE
A57-02202	ATTORNEY NAME	SUCCESSFULLY	ADDED	TO NAME	FILE

GRAY YOUNG
BRUCE BELZER
Attorneys at Law
J. R. Simplot Company Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707
(208) 389-7318
(208) 389-7515 Telefacsimile

Attorneys for J. R. Simplot Company

RECEIVED
JAN 21 1992

Department of Water Resources

RECEIVED

APR 06 1993

Department of Water Resources
Southern Region Office

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF CASSIA

In Re the General Adjudication
of Rights to the Use of Water
From the Snake River Drainage
Basin Water System.

Twin Falls County
Civil Case No. 39576

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

and
Cassia County
Civil Case No. 13770-12-83

Petitioner,

NOTICE OF APPEARANCE

vs.

The United States;
The State of Idaho;
and All Claimants to the Use
of Water from the Snake River
Basin Water System,

Respondents.

*Don modified thru
C.A.N. program.*

*4-1-93
- 2/*

ALICE FOSHA, HELEN FLINT, and
BEVERLY ADAMS, individuals,

Plaintiffs,

vs.

A. KENNETH DUNN, Director of the
Department of Water Resources
of the State of Idaho,

Defendants.)

IN THE MATTER OF THE GENERAL)
DETERMINATION OF RIGHTS TO THE)
USE OF GROUNDWATER DIVERTED)
FROM SECTIONS 19, 20, 21, 28, 29,)
30, 31, 32, AND 33, T. 11 S.,)
R. 27 E., B.M.)

A. KENNETH DUNN, Director of the)
Department of Water Resources)
of the State of Idaho,)

Counterplaintiff,)

vs.)

ALICE FOSHA, HELEN FLINT, and)
BEVERLY ADAMS, individuals,)

Counterdefendants.)

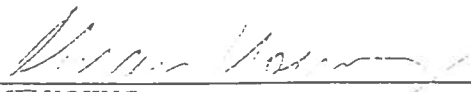
TO ALL PARTIES:

GRAY YOUNG, Assistant General Counsel, J. R. Simplot
Company, hereby enters his appearance as co-counsel on behalf
of J. R. Simplot Company in this action. All notices to
J. R. Simplot Company should be delivered to the following
address:

Gray Young
Bruce Belzer
J. R. Simplot Company
Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707

DATED this 20th day of January, 1992.

By


GRAY YOUNG
Assistant General Counsel

4507vrl-20-92,142

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a true and correct copy of the foregoing NOTICE OF APPEARANCE was mailed this 20th day of January, 1992, in an envelope with sufficient first-class postage prepaid thereon to the following:

Idahome Farms, Inc.
1925 Oakley Avenue
Burley, ID 83318

Dennis Jay Harper
Star Route
Declo, ID 83323

Roland Allen Land &
Livestock
Star Route
Malta, ID 83342

Mark J. Taylor
Strong & Hanni
5th Floor, Boston Building
Salt Lake City, UT 84111
Attorney for Fosha, et al.

Leo A. Jardine
Jardine, Linebaugh,
Brown & Dunn
Suite 400
370 East South Temple
Salt Lake City, UT 84111
Attorney for Raft River Ranches, Inc.

A. Lynne Krogh-Hampe
Deputy Attorney General
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706-2237


VICKI SPANGLER

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-2519 V2

WATER RIGHT NUMBER: 43-2519 V2

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	J R SIMPLOT CO C/O RON GRAVES 999 MAIN ST STE 1300 PO BOX 27 BOISE, ID 83707 (208)336-2110
Directors Report Owner	SUN VALLEY AGRIBUSINESS PARTNERS LLC PO BOX 2169 SUN VALLEY, ID 83353 (208)725-0888
Current Owner	CASSIA CREEK FARMS LLC PO BOX 580 DANVILLE, CA 94526 (925)837-1450

Priority Date: 03/28/1961

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	4.200 CFS	1,216.00 AF
	<u>Total Diversion:</u>	4.200 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4NE1/4	Sec. 5, Twp 11S, Rge 27E, B.M.
CASSIA 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	
11S	27E	4	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	32.0	21.0	40.0	40.0	11.0	304.0		
			L 3	L 4															

Total Acres: 304

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 43-2519 V2

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 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.

Remarks:

1. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 624 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-2473, AND 43-2519.
2. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 564 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-2488, AND 43-2519.
3. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2496 AF. COMBINED RIGHT NOS. 4 3-2473 and 43-2519
4. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2256 AF. COMBINED RIGHT NOS. 4 3-2488 and 43-2519

Comments:



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 2, 2004

CASSIA CREEK FARMS LLC
PO BOX 580
DANVILLE CA 94526

RE: Decreed Water Right 43-2471, 43-2472, 43-2473,
43-2475, 43-2488, 43-2489, 43-2504, 43-2505, 43-2516,
43-2517, 43-2519, 43-2569, 43-2575, 43-4199, 43-13351,
43-13352

Gentlemen:

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 water right(s) noting the change in owner. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

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

RECEIVED
AUG 23 2004

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
43-13351	_____	___	43-02504	_____	___
43-13352	_____	___	43-02489	_____	___
43-04199	_____	___	43-02488	_____	___
43-02569	_____	___	43-02475	_____	___
43-02519	_____	___	43-02473	_____	___

See Attached →

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Sun Valley Agribusiness Partners LLC
Ronald Aches PO Box 2169 Sun Valley ID 83351

4. New Owner/Claimant(s)

Wood River Investments LLC DBA Cassia Creek Farms, LLC

Name Connector (Check one): [] and, [] or, ☒ and/or

New Mailing Address

PO Box 580

City, State and ZIP Code

Danville CA 94526

New Telephone Number

925 837-1450

5. Date you acquired the property

April 30, 2004

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
43-02472	_____	___	43-02575	_____	___
43-02471	_____	___	_____	_____	___
43-02505	_____	___	_____	_____	___
43-02516	_____	___	_____	_____	___
43-02517	_____	___	_____	_____	___

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) _____

4. New Owner/Claimant(s) _____
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address _____
 City, State and ZIP Code _____
 New Telephone Number () _____
5. Date you acquired the property _____

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) *Chris Keefe*
Manager

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by THORNTON Date 8/23/04 Fee 400.00
 Received by THORNTON Date 8/23/04 Receipt No. 5026959
 Processed by _____ AJ Date _____ WR _____ Date _____

205421

WARRANTY DEED

For Value Received, Sun Valley Agribusiness Partners, LLC, the grantor, does hereby grant, bargain, sell and convey unto Wood River Investments, LLC, the grantee, whose current address is 3237 Danville Blvd., Alamo, CA, 94507, the premises located in Cassia County, Idaho, and described on Exhibit A together with all appurtenances thereto, all water rights, and all fixtures, equipment, tools, and intangibles associated with and/or used in connection with the operation of the real property and all other property, if any, identified in the Mortgage described below.

This deed is an absolute conveyance of title, in effect as well as in form and is not intended as a mortgage, trust conveyance, or security of any kind. The consideration therefor is the full release of all debts and obligations heretofore existing on account of the mortgage on said land, dated November 7, 2000, and recorded as Instrument No. 272118, records of said county and any Modification thereof. This deed completely satisfies said mortgage and the note secured thereby and any effect thereof in all respects.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and its successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that they are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

DATED this 6th day of September, 2002.

Sun Valley Agribusiness Partners, LLC

By

Ronald A. Achs, Manager

STATE OF IDAHO)
) ss.
County of BLAINE)

On this 9th day of September, 2002, before me, the undersigned, a notary public in and for said county and state, personally appeared Ronald Achs, known or identified to me (or proved to me on his/her oath) to be the sole managing member of Sun Valley Agribusiness Partners, LLC, the limited liability company that executed the above instrument, or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

Notary Public in and for the State of Idaho
Residing at Blaine Co.
My Commission Expires: 10-11-2002



295422

ESTOPPEL AFFIDAVIT

STATE OF IDAHO)
) ss.
County of BLAINE)

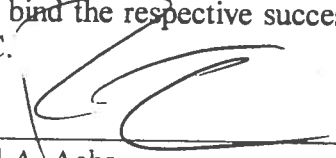
Ronald Achs, being first duly sworn, deposes and says:

That I am the sole managing member of Sun Valley Agribusiness Partners, LLC and the person who made, executed and delivered that certain warranty deed to Wood River Investments, LLC dated September 9, 2002, conveying the property described on Exhibit A.

That the aforesaid deed was an absolute conveyance of the title to said land to the grantee named therein in effect as well as in form, and was not and is not now intended as a Mortgage or security of any kind; that the consideration is the full cancellation of all debts, obligations, costs and charges heretofore existing under and by virtue of the terms of a Mortgage heretofore existing on the property therein, dated November 7, 2000, and recorded as Instrument No. 272118, of the records of Cassia County, State of Idaho, as modified, and the cancellation of record by said grantee of said mortgage.

The aforesaid deed and conveyance were made by me as the result of my request that the grantee accept such deed and was my free and voluntary act; that at the time of making said deed I felt and still feel that the mortgage indebtedness above mentioned exceeds the fair value of the property so deeded; and that in offering to execute the aforesaid deed to the grantee therein, and in executing same, I am not acting under any misapprehension as to the effect thereof, nor under any duress, undue influence, or misrepresentation by the grantee or the agent or attorney of the grantee in said deed, and it is my intention as grantor to convey and by said deed do convey to the grantee therein all of the grantor's right, title and interest absolutely in and to the land described in said Mortgage.

This affidavit is made for the protection and benefit of the aforesaid grantee in said deed, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property described therein, and shall bind the respective successors and assigns of the grantor - Sun Valley Agribusiness Partners, LLC.


Ronald A. Achs

SUBSCRIBED AND SWORN to before me this 9th day of September, 2002.




Notary Public in and for the State of Idaho
Residing at Blaine Co
My Commission Expires: 10-11-2002

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
2001 APR 30 PM 1 39

#3872
CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE
DEPUTY JB

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 30: Lots 2, 3, and 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$, EXCEPTING Part of Lot 4 of Section 30, described as follows:

Beginning at the Southwest corner of Lot 4 of said Section 30, which shall be the True Point of Beginning;

Thence North 0°01' West for 208.71 feet along the Section line to a point;

Thence South 89°55' East for 208.71 feet to a point;

Thence South 0°01' East for 208.71 feet to a point on the Section line;

Thence North 89°55' West for 208.71 feet to the True Point of Beginning.

ALSO EXCEPTING THEREFROM the following described tract:

Beginning at the Southwest corner of said Section 30, Station 61+67.712, 1.990 meters (6.53 feet) right of said Project center line; thence North 89°37'26" East along the South boundary of said Section 30 for a distance of 63.505 meters (208.35 feet), Station 62+31.217, 2.108 meters (6.92 feet) right of said Project centerline and being the True Point of Beginning;

Thence North 89°37'26" East along the South boundary of said Section 30 for a distance of 862.684 meters (2830.32 feet) to the S $\frac{1}{4}$ corner of said Section 30, Station 70+93.909, 3.699 meters (12.14 feet) right of said Project centerline;

Thence North 89°35'47" East along the South boundary of said Section 30 for a distance of 807.070 meters (2647.86 feet) to the Southeast corner of said Section 30, Station 79+00.978, 2.754 meters (9.04 feet) right of said Project centerline;

Thence North 00°28'50" West along the East boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 30 for a distance of 14.946 meters (49.04 feet), Station 79+00.941, 12.192 meters (40.00 feet) left of said Project centerline;

Thence South 89°39'48" West and being parallel with the centerline of said Project for a distance of 807.063 meters (2647.84 feet) to a point on the West boundary of the SE $\frac{1}{4}$ of said Section 30, Station 70+93.910, 12.192 (40.00 feet) left of said Project centerline;

Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 553.910 meters (1817.29 feet), Station 65+40.000, 12.192 (40.00 feet) left of said Project centerline;

Thence North 00°28'55" West for a distance of 1.524 meters (5.00 feet), Station 65+40.000, 13.716 (45.00 feet) left of said Project centerline;

Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 308.773 meters (1013.03 feet), Station 62+31.227, 13.716 (45.00 feet) left of said Project centerline;

Thence South 00°26'47" East for a distance of 15.824 meters (51.92 feet) to the True Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: NE¼, NE¼NW¼, Lots 1 and 2

LESS, part of Lot 1 and Lot 2 of said Section 31, described as follows:

Beginning at the Southwest corner of Lot 2 of said Section 31, which shall be the True Point of Beginning;
Thence North 0°01' West along section line for 1617.50 feet to a point;
Thence South 89°54' East for 1394.28 feet to a point;
Thence South 0°01'30" East for 1617.50 feet to a point on the South line of Lot 2;
Thence North 89°54'30" West along said South line for 1395.0 feet to the True Point of Beginning.

ALSO EXCEPTING THEREFROM the following described tract:

Beginning at the Northwest corner of said Section 31, Station 61+67.712, 1.990 meters (6.53 feet) right of said Project centerline;
Thence North 89°37'26" East along the North boundary of said Section 31 for a distance of 926.189 meters (3038.67 feet) to the N¼ corner of said Section 31, Station 70+93.909, 3.699 meters (12.14 feet) right of said Project centerline;
Thence North 89°35'47" East along the North boundary of said Section 31 for a distance of 807.070 meters (2647.86 feet) to the Northeast corner of said Section 31, Station 79+00.978, 2.754 meters (9.04 feet) right of said Project centerline;
Thence South 00°32'10" East along the East boundary of the NE¼ of said Section for a distance of 9.438 meters (30.97 feet), Station 79+01.011, 12.192 meters (40.00 feet) right of said Project centerline;
Thence South 89°39'48" West and being parallel with the centerline of said Project for a distance of 807.105 meters (2647.98 feet) to a point on the West boundary of the NE¼ of said Section 31, Station 70+93.876, 12.192 (40.00 feet) right of said Project centerline;
Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 553.876 meters (1817.17 feet), Station 65+40.000, 12.192 (40.00 feet) right of said Project centerline;
Thence South 00°28'55" East for a distance of 1.524 meters (5.00 feet), Station 65+40.000, 13.716 (45.00 feet) right of said Project centerline;
Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 280.000 meters (918.63 feet), Station 62+60.000, 13.716 (45.00 feet) right of said Project centerline;
Thence North 00°28'55" West for a distance of 1.524 meters (5.00 feet), Station 62+60.000, 12.192 (40.00 feet) right of said Project centerline;
Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 92.290 meters (302.79 feet) to a point on the West boundary of Government Lot 1 of said Section 31, Station

61+67.714, 12.192 (40.00 feet) right of said Project centerline;
Thence North 00°28'14" West along the West boundary of Government Lot 1 for
a distance of 10.202 meters (33.47 feet) to the Northwest corner of said
Section 31 and being the Point of Beginning.

PARCEL NO. 3:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: SE¼

PARCEL NO. 4:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: SE¼NW¼

PARCEL NO. 5:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 32: N½

EXCEPTING THEREFROM the following described tract:

Beginning at the Northwest corner of said Section 32, Station 79+00.978, 2.754
meters (9.04 feet) right of said Project centerline;
Thence North 89°45'08" East along the North boundary of said Section 32 for a
distance of 808.396 meters (2652.22 feet) to the N¼ corner of said
Section 32, Station 87+09.374, 4.006 meters (13.14 feet) right of said
Project centerline;
Thence North 89°37'03" East along the North boundary of said Section 32 for a
distance of 493.668 meters (1619.64 feet), Station 92+03.095, 0.628
meters (2.06 feet) left of said Project centerline;
Thence South 00°20'12" East for a distance of 13.201 meters (43.31 feet),
Station 92+03.095, 12.573 (41.25 feet) right of said Project centerline;
Thence South 89°39'48" West for a distance of 163.383 meters (536.03 feet),
Station 90+40.000, 16.165 (53.03 feet) right of said Project centerline;
Thence North 00°51'22" East for a distance of 4.620 meters (15.16 feet), Station
90+40.00, 11.545 (37.88 feet) right of said Project centerline;
Thence South 89°39'48" West for a distance of 330.355 meters (1083.84 feet) to
a point on the West boundary of the NE¼ of said Section 32, Station
87+09.400, 12.192 (40.00 feet) right of said Project centerline;
Thence South 89°39'48" West and being parallel with the centerline of said
Project for a distance of 808.389 meters (2652.19 feet) to a point on the
West boundary of the NW¼ of said Section 32, Station 79+01.011,
12.192 (40.00 feet) right of said Project centerline;

Thence North 00°32'10" West along the West boundary of NW¼ of said Section 32 for a distance of 9.438 meters (30.97 feet) to the Northwest corner of said Section 32 and being the Point of Beginning.

PARCEL NO. 6:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 32: S½

PARCEL NO. 7:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: N½N½

PARCEL NO. 8:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: SW¼

PARCEL NO. 9:

TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 1: ALL

PARCEL NO. 10:

TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: NW¼

LESS, commencing at the Northwest corner of said Section 12, running
Thence South 50 feet;

Thence East on a line parallel with the North boundary line of the said Section 12 and 50 feet South therefrom to the East boundary line of the NW¼ of said Section 12;

Thence North 50 feet to the North boundary line of said Section 12;

Thence West 2640 feet along the North boundary line of said Section 12 to the Point of Beginning.

PARCEL NO. 11:

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 4: ALL

PARCEL NO. 12:

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 5: ALL

PARCEL NO. 13:

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: E½

PARCEL NO. 14:

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: W½

PARCEL NO. 15:

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 8: ALL

29542.1

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN

FEE 18.25 RECORDER
DEPUTY JB

2001 APR 30 PM 1 36

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

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

RIGHT NUMBER: 43-2519

NAME AND ADDRESS:

SUN VALLEY AGRIBUSINESS PARTNERS
LLC
PO BOX 2169
SUN VALLEY ID 83353

VERSION 2

SOURCE:

Source:
GROUND WATER

Tributary:

QUANTITY:

4.200 CFS

0.000 AFY

1,182.800 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 2496 AF. COMBINED RIGHT NOS. 43-2473 and
43-2519

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 2256 AF. COMBINED RIGHT NOS. 43-2488 and
43-2519

PRIORITY DATE:

03/28/1961

POINT OF DIVERSION:

T11S R27E S4 SWSESE
Within CASSIA County

T11S R27E S5 NWSENE
Within CASSIA County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/15 11/15

4.200 CFS 1,216.00 AFY

4.200 CFS 1,182.80 AFY

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

PLACE OF USE:	IRRIGATION	within CASSIA County
	T11S R27E S04 NENW Lot 3	40.0
	<u>T11S R27E S04 NWNW Lot 4</u>	<u>40.0</u>
	T11S R27E S04 SWNW	40.0
	T11S R27E S04 SENW	40.0
	T11S R27E S04 NESW	40.0
	T11S R27E S04 NWSW	40.0
	<u>T11S R27E S04 SWSW</u>	<u>32.0</u>
		~~T11S R27E S04 SWSW 30.0~~
	T11S R27E S04 SESW	21.0
	<u>T11S R27E S04 SWSE</u>	<u>11.0</u>
		~~T11S R27E S04 SWSE 39.0~~
		~~T11S R27E S04 SESE 5.7~~

304 ACRES TOTAL

~~295.7 ACRES TOTAL~~

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 624 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS. 43-2473, AND 43-2519.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 564 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS. 43-2488, AND 43-2519.

~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 597.7 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 43-2473, AND 43-2519~~

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

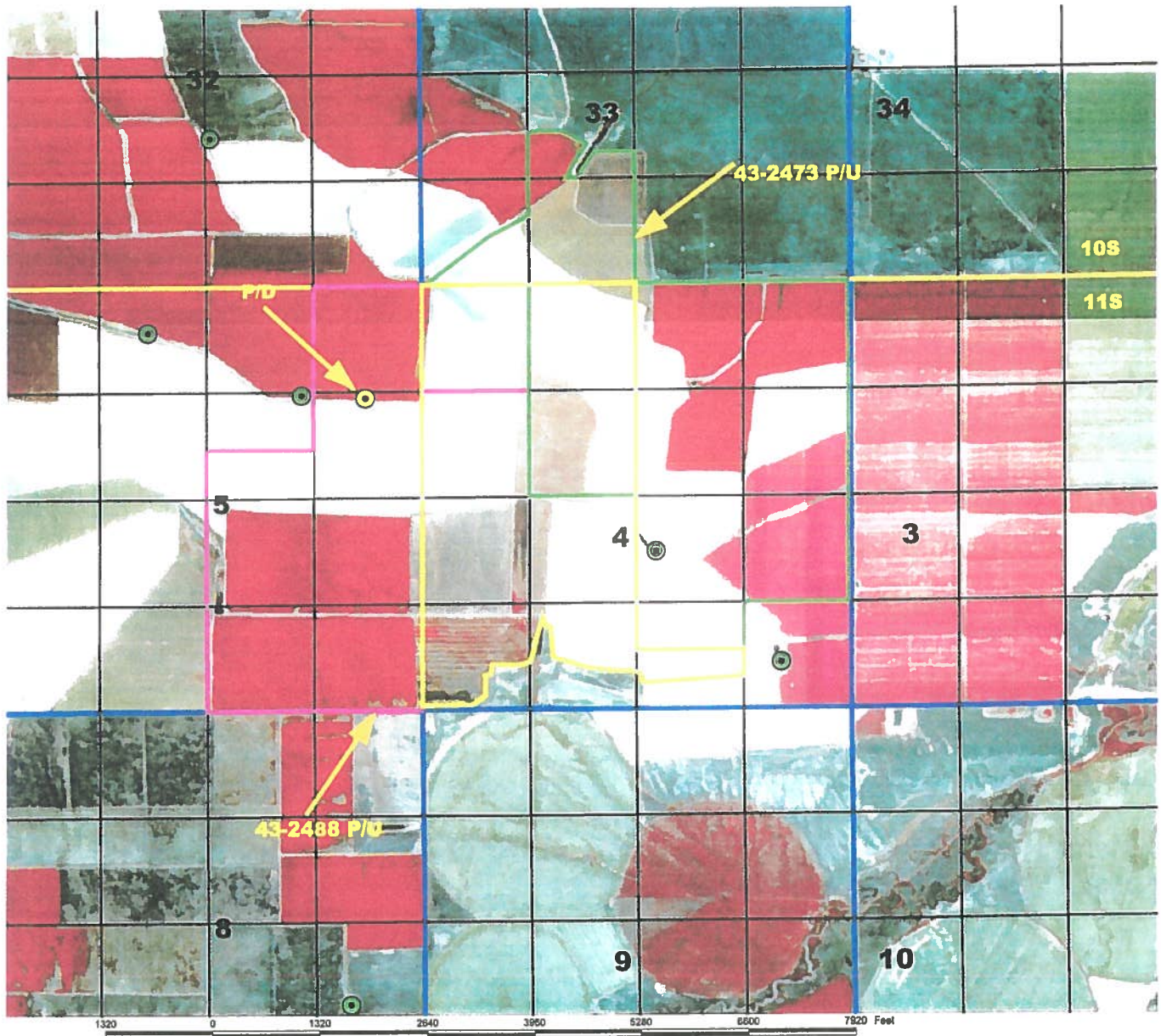
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Idaho Department of Water Resources

RECOMMENDED PLACE OF USE FOR 43-2519



PLACE OF USE
TWP 11S, RNG 27E, SEC 4
Data entry on February 3, 2004

- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- TOWNSHIP LINES
- SECTION LINES
- QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

CASSIA CO



02/06/2003

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

RIGHT NUMBER: 43-2519

NAME AND ADDRESS: SUN VALLEY AGRIBUSINESS PARTNERS LLC
PO BOX 2169
SUN VALLEY ID 83353

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.200 CFS
1,182.800 AFY

VERIFIED BY KKC

PRIORITY DATE: 03/28/1961

POINT OF DIVERSION:

T11S R27E S4 SWSEB Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
4.200 CFS
1,182.80 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T11S R27E S04 Lot 3 NENW	40.0	T11S R27E S04	SWNW	40.0	
T11S R27E S04	SENW	40.0	T11S R27E S04	NESW	40.0
T11S R27E S04	NWSW	40.0	T11S R27E S04	SWSW	30.0
T11S R27E S04	SESW	21.0	T11S R27E S04	SWSE	39.0
T11S R27E S04	SESE	5.7			

295.7 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 597.7 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 43-2473, AND 43-2519

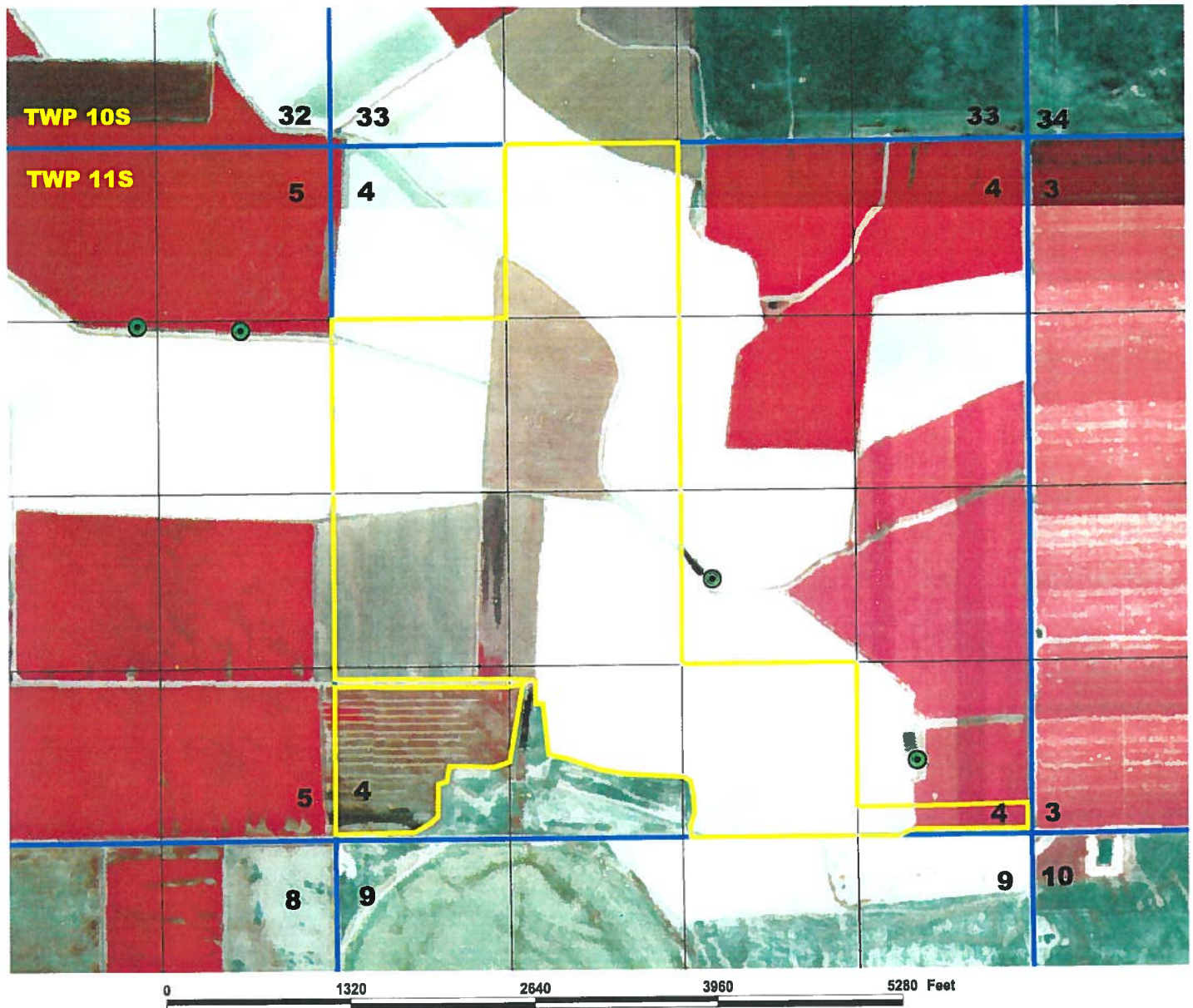
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

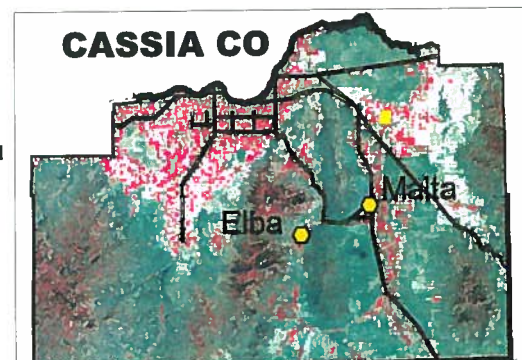
Idaho Department of Water Resources
RECOMMENDED PLACE OF USE FOR
43-2519



PLACE OF USE
TWP 11S, RNG 27E, SEC 4
Data entry on February 6, 2003

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

- RECOMMENDED POINT OF DIVERSION**
- RECOMMENDED PLACE OF USE**
- SECTION LINES**
- QUARTER/QUARTER LINES**



05/07/2001

NOTICE OF ERROR
REPLY

RECEIVED

SEP 05 2001

Department of Water Resource
Southern Region

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: 43-2519

VIOLA L BOSEN
PO BOX 2169
SUN VALLEY ID 83353
Telephone Number: (800) 397-1712

AMY E ACHS
PO BOX 2169
SUN VALLEY ID 83353
Telephone Number: (800) 397-1712

CLAIR D BOSEN
PO BOX 2169
SUN VALLEY ID 83353
Telephone Number: (800) 397-1712

RONALD A ACHS
PO BOX 2169
SUN VALLEY ID 83353
Telephone Number: (800) 397-1712

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

Place of use

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

As described in the attached Amended Notice of Claim

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

The attached claim is a more accurate description of the place of use for this water right.

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

DATE: 9-4-01

SIGNATURE: [Signature]

Please print your name: RONALD ACHS

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

02/28/2001

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

RIGHT NUMBER: 43-2519

NAME AND ADDRESS: AMY E ACHS
RONALD A ACHS
CLAIR D BOSEN
VIOLA L BOSEN
PO BOX 2169
SUN VALLEY, ID 83353

SOURCE: GROUND WATER

QUANTITY: 4.2 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 3540 AF. COMBINED RIGHT
NOS.: 43-2473, 43-2488, AND 43-2519

PRIORITY DATE: 03/28/1961

POINT OF DIVERSION:	T10S R27E S32		SWNWSE		Within CASSIA County
	T11S R27E S4		SWNWSE		Within CASSIA County
	T11S R27E S4		SWSESE		Within CASSIA County
	T11S R27E S5		NESWNE		Within CASSIA County
	T11S R27E S5		NWSENE		Within CASSIA County
	T11S R27E S5	LOT 3	NWNENW		Within CASSIA County
	T11S R27E S6	LOT 2	NWNWNE		Within CASSIA County
	T11S R27E S8		SWNWNW		Within CASSIA County
	T11S R27E S8		SWNESE		Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	4.20 CFS
		1,216.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>							
T11S R27E S4	LOT 3	NENW	40	T11S R27E S4	LOT 4	NWNW	40
T11S R27E S4		SWNW	40	T11S R27E S4		SENW	40
T11S R27E S4		NESW	40	T11S R27E S4		NWSW	40
T11S R27E S4		SWSW	32	T11S R27E S4		SESW	32

304 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 885 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT
NOS. 43-2473, 43-2488, AND 43-2519

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

This preliminary recommendation is based upon inadequate
information and does not reflect the expected final
recommendation for this right and any other overlapping
rights. Communication between the claimant and the department
is required to resolve the outstanding issues.

02/15/2001

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

RIGHT NUMBER: 43-2519

NAME AND ADDRESS: AMY E ACHS
RONALD A ACHS
CLAIR D BOSEN
VIOLA L BOSEN
PO BOX 2169
SUN VALLEY, ID 83353

ROUGH RECOM

VERIFIED BY: KKC

SOURCE: GROUND WATER

QUANTITY: 4.2 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3540 AF. COMBINED RIGHT NOS.: 43-2473, 43-2488, AND 43-2519

PRIORITY DATE: 03/28/1961

POINT OF DIVERSION:	T10S R27E S31	NENESE	Within CASSIA County
	T10S R27E S32	SWNWSE	Within CASSIA County
	T11S R26E S1	SENWSW	Within CASSIA County
	T11S R26E S1	SWNESE	Within CASSIA County
	T11S R26E S12	NWSENW	Within CASSIA County
	T11S R27E S4	SWNWSE	Within CASSIA County
	T11S R27E S4	SWSESE	Within CASSIA County
	T11S R27E S5	NESWNE	Within CASSIA County
	T11S R27E S5	NWSENE	Within CASSIA County
	T11S R27E S5 LOT 3	NWNENW	Within CASSIA County
	T11S R27E S6 LOT 2	NWNWNE	Within CASSIA County
	T11S R27E S6 LOT 5	SWSWNW	Within CASSIA County
	T11S R27E S8	SWNNWN	Within CASSIA County
	T11S R27E S8	SWNESE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	4.20 CFS 1,216.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>							
T11S R27E S4	LOT 3	NENW	40	T11S R27E S4	LOT 4	NWNW	40
T11S R27E S4		SWNW	40	T11S R27E S4		SENW	40
T11S R27E S4		NESW	40	T11S R27E S4		NWSW	40
T11S R27E S4		SWSW	32	T11S R27E S4		SESW	32

304 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 885 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-2473,
43-2488, AND 43-2519

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

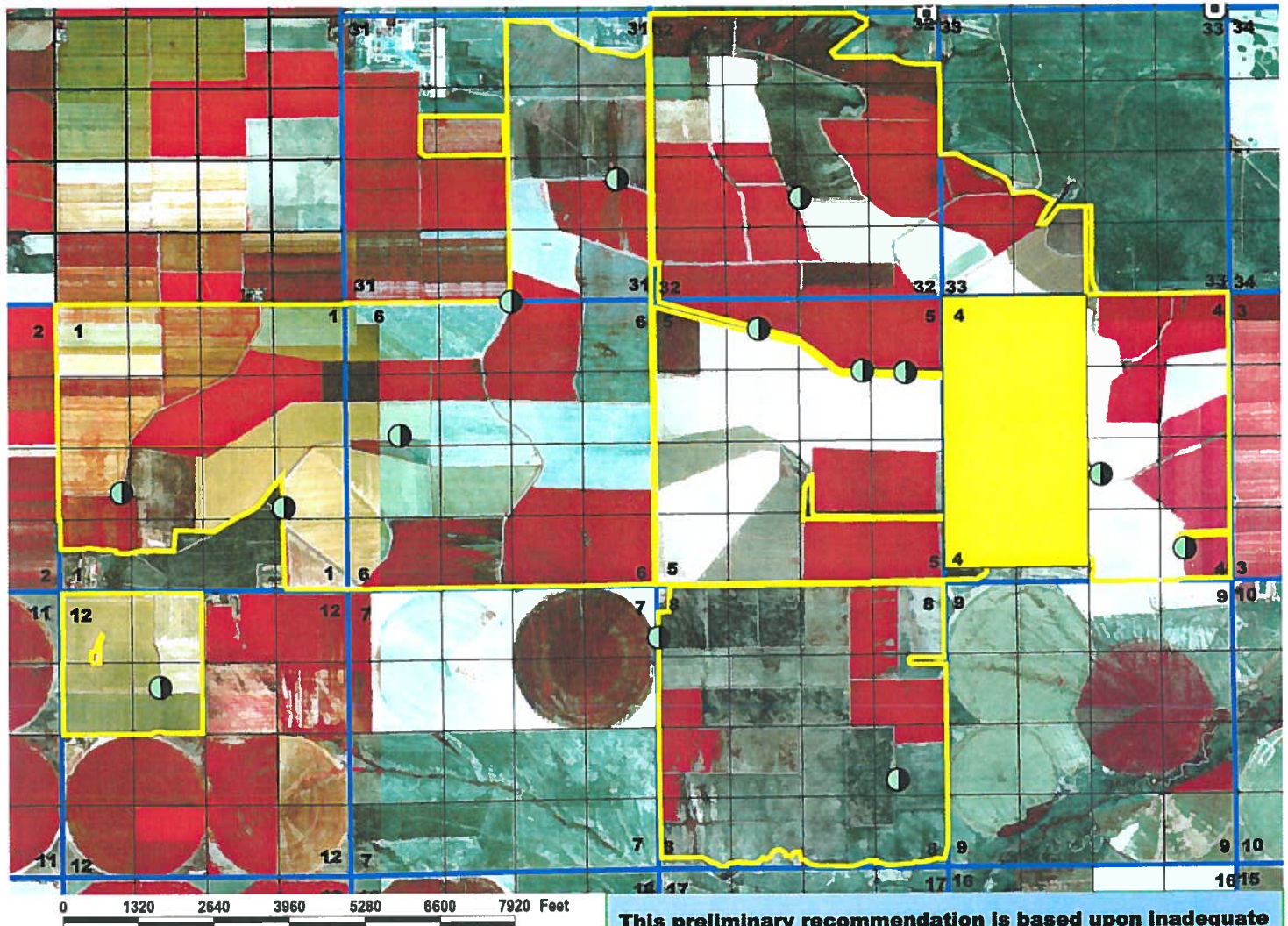
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE
DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS
AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN
THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This preliminary recommendation is based upon inadequate information and does
not reflect the expected final recommendation for this right and any other
overlapping rights. Communication between the claimant and the department is
required to resolve the outstanding issues.

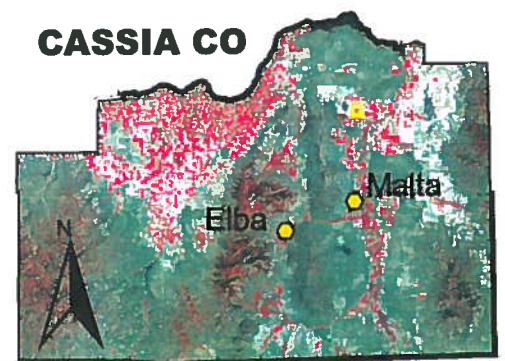
Idaho Department of Water Resources

RECOMMENDED PLACE OF USE FOR 43-2519



This preliminary recommendation is based upon inadequate information and does not reflect the expected final recommendation for this right and any other overlapping rights. Communication between the claimant and the department is required to resolve the outstanding issues.

CASSIA CO



Identification No. 43-2519 / 29596

Transfer No. 1586

RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

DEC 2 1968

Department of Reclamation
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

1. Name of Right Holder YALE FARMS CO. - Assignee - RUBY COMPANY (now known as Simplot Industries, Inc.)
Post office address P. O. Box 2777, Boise, Idaho 83701

2. Right obtained by:

a. Decree to _____ in Case of _____
(Name)
vs. _____ Dated _____ in _____
Court County of _____ (Name of Court)

b. License No. 6-29596 issued by the State of Idaho, Department of Reclamation.

3. Source of water Well tributary to Ground Water
(Name of stream or source)

4. Date of Priority March 28, '961

5. Amount of water a. 4.20 c.f.s. and/or
b. _____ acre feet/annum

6. Water is used for Irrigation from _____ to _____
(Month, Day) (Month, Day)

7. Original location of point of diversion is SW 1/4 NW 1/4 of Section 4
Township 11 South, Range 27 East, B.M. in Cassia County;

Additional points of diversion, if any _____

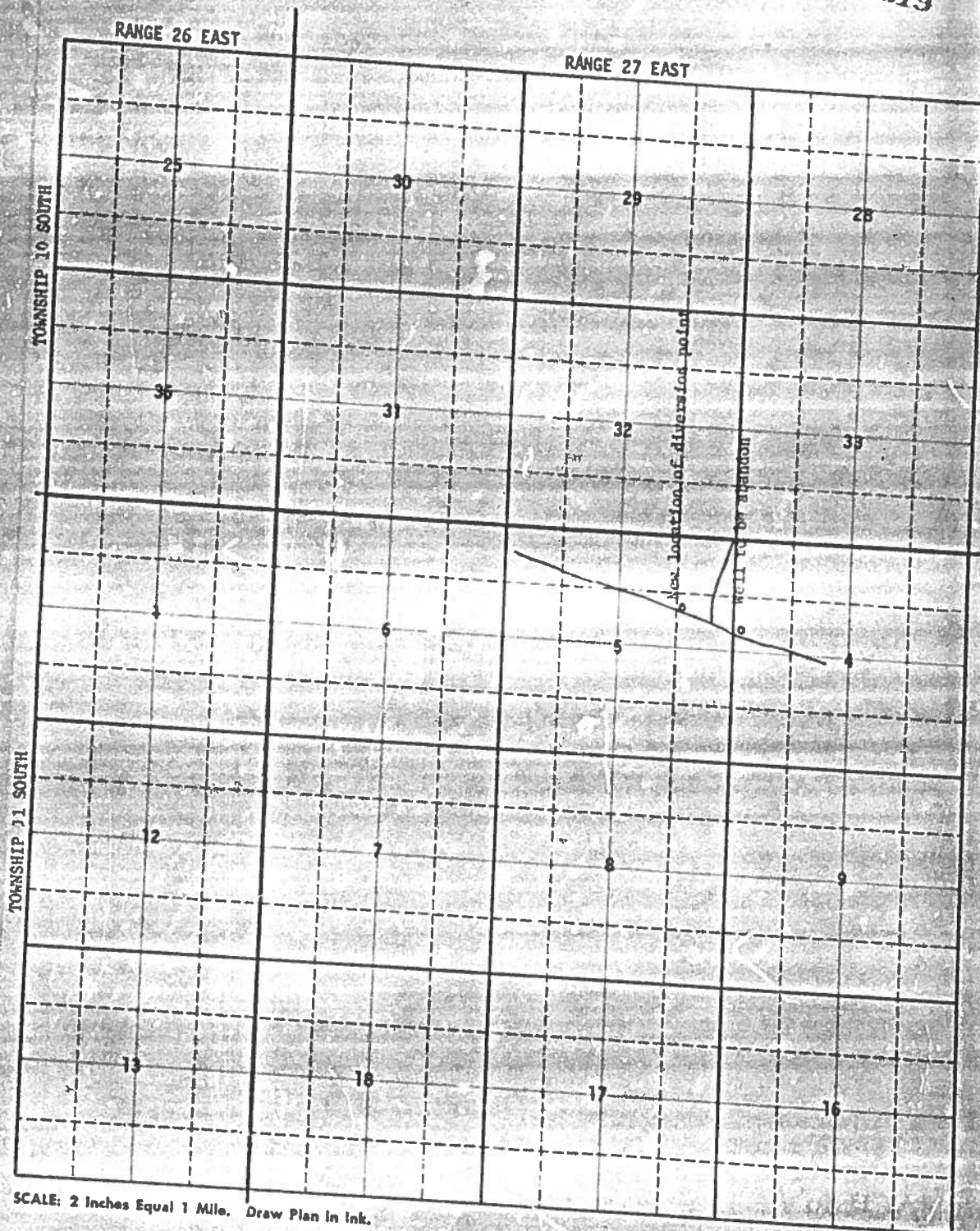
8. Lands presently irrigated or place of use:

TWP	RANGE	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	27E	4					40	40	40	40									160
11S	27E	4									40	40							80
11S	27E	4											32						32
11S	27E	4										32							32

Total number of acres presently irrigated 304

T-1586 43 2519 11 27 11 40 27 11 40

43 2519



This water license was acquired by assignment which accompanied the purchase of this property.

a. Quantity to be diverted at new point: 4.20 c.f.s. and/or acre feet

c. Description of method of diversion and conveyance from new points of diversion: Ditch and drill new well

e. Describe the reasons for applying for a change in the point of diversion:

f. Do you intend to make the transfer permanent? Yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

8. Describe the new lands on which you wish to use your right.

Total number of acres to be irrigated

b. Do you intend to make the transfer permanent? _____
c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans: _____

43 2519

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: _____

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

SIMPLOT INDUSTRIES, INC.

Subscribed and sworn to before me this 27th day of November, 1968
E. J. [Signature] (signature of applicant) Vice President

Ronald N. Graves (notary public)

My commission expires October 10, 1972

ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER

APPROVED

This is to certify that I have examined Application for Transfer of Water Rights No. 1586
and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 14 day of January, 1969

R. Keith [Signature]
State Reclamation Engineer

State of Idaho License and Certificate of Water Right

Trans # 1586
1586

Water License No. G-29596

Amount 4.20 c.f.s.

Water District No.

Priority March 28, 1961

THIS IS TO CERTIFY that YALE FARMS CO. - Assignee - RUBY COMPANY
of Malta, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 29, 1961; that Permit No. G-29596
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.2 second feet, was issued thereunder on September 16, 1964, showing that said works
were completed on the 12th day of September, 1963; and that on the 12th
day of September, 1963,

YALE FARMS CO - Assignee - RUBY COMPANY
of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
a tributary of subterranean flow, for the purpose of irrigation & domestic
under Use Permit No. G-29596 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
13 of Licenses at page 7995, on the 16 day of September, 1964;

The right hereby confirmed dates from March 28, 1961;

The Point of Diversion is located **New well sec 5 SENE**
in the SW 1/4 NW 1/4, Sec. 4, Tp. 11 S., R. 27 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 4.20 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S	27 E	4	NW 1/4	160	160
			N 1/2 SW 1/4	80	80
			SE 1/4 SW 1/4	40	32
			SW 1/4 SW 1/4	40	32
			Total number of acres to be irrigated:		304

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
16th day of September, 1964.

(SEAL)

RALPH W. THOMAS
Deputy State Reclamation Engineer.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 9-29596

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant: Ruby Company
2. Source of water supply: a well
3. Location of point of diversion: Is in the SW 1/4 of Section 14
T. 11 S. R. 27 E. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: 200 HP G.E. Motor
"N.V.T. 127005" Layne & Boerger pump" (also Serial Number) 12" x 10"
discharge line 16" x 40' G.P. line 35' steel settling pond to aqueduct

5. Water is used for: Irrigation and domestic purposes
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Wt. Sec. 4, T. 11 S., R. 27 E., B.M.

Pack 4000 to be irrigated with all pump & motor
left hand pipe

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

Pump still producing a lot of sand. water leaves settling pond
very muddy.

This examination was made on the 22nd day of June, 1964

(Signed) Longfellow E. Williams
Engineer

29596

R27E

PD

A 4x4 grid with the following numbers:

40	40		
40	40		
40	40		
32	32		

A drawing of a snake is positioned at the bottom of the grid, with its head near the 32s and its body extending to the right. The word "Snake" is written below the drawing.

20

54

64

304

40

40

64

184

551

2. 24 K56
1.33 p 4

— 22 —

205 29556

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

20

114

10

Subdivisions = 5

21 supplemental to 100
AREA = 1842.1 ^{sq} ft

$Q = 4.20 \text{ cfs or } 2.1 \text{ inches}$

Scale: 2 inches equals 1 mile. Draw Map in ink.



Paul Husted, Son
J.B. Husted Company
Box 181, Burley, Idaho
Permit No. 9-25586

Examination for Completion of Water & Beneficial Use

County: Cassia

Sec. 4, T. 11S, R. 27 E

Quantity: 5.6 c.f.s.

Source: Subterranean flow

P.D.: SWNW Sec. 4 T11S, R27E

Use: Irrigation & domestic

Filed: March 28, 1961

Due: March 31, 1966

Extension: ---

Completion of Works: ---

Other Rights: none

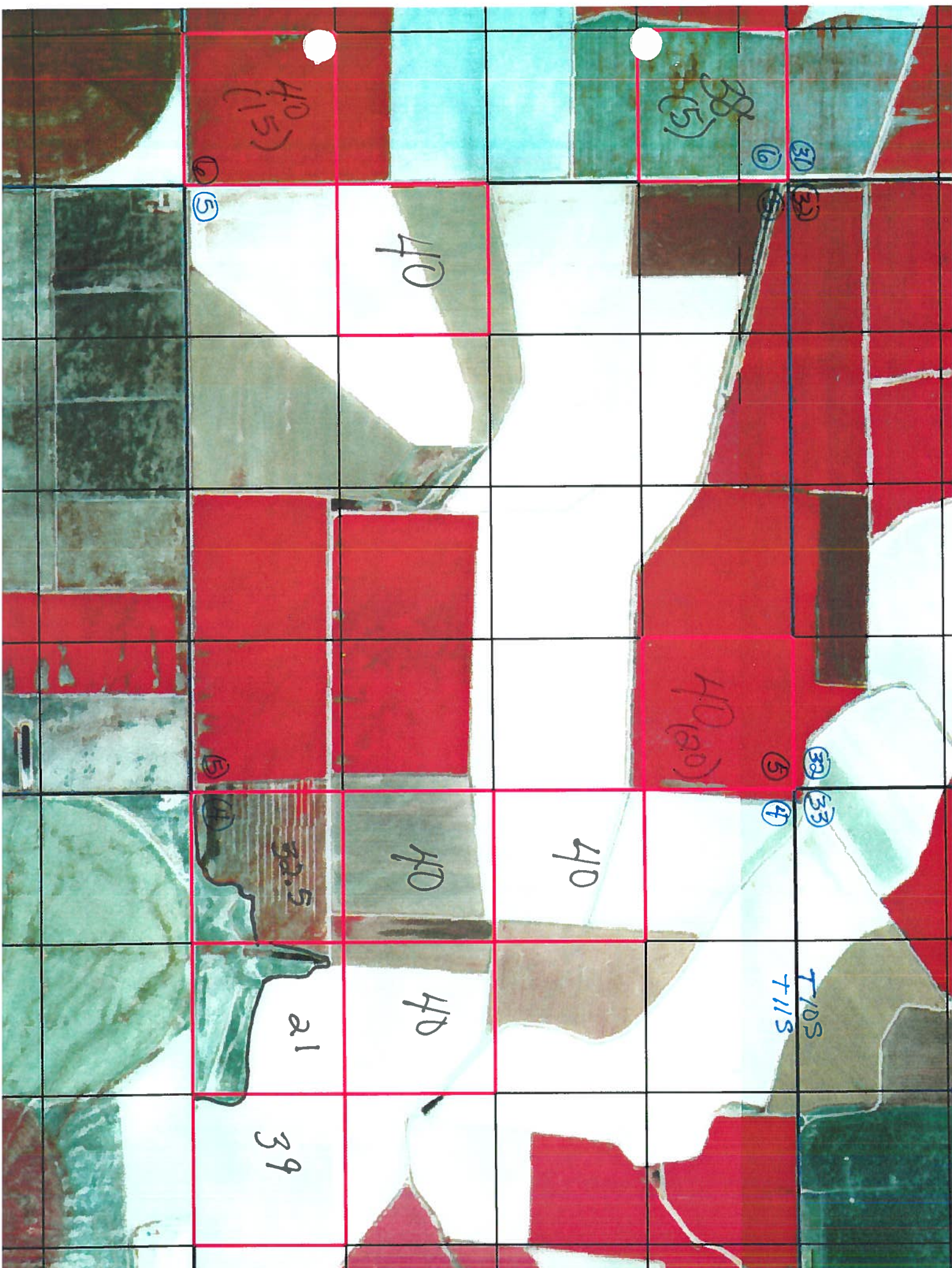
INSTRUCTIONS TO EXAMINERS

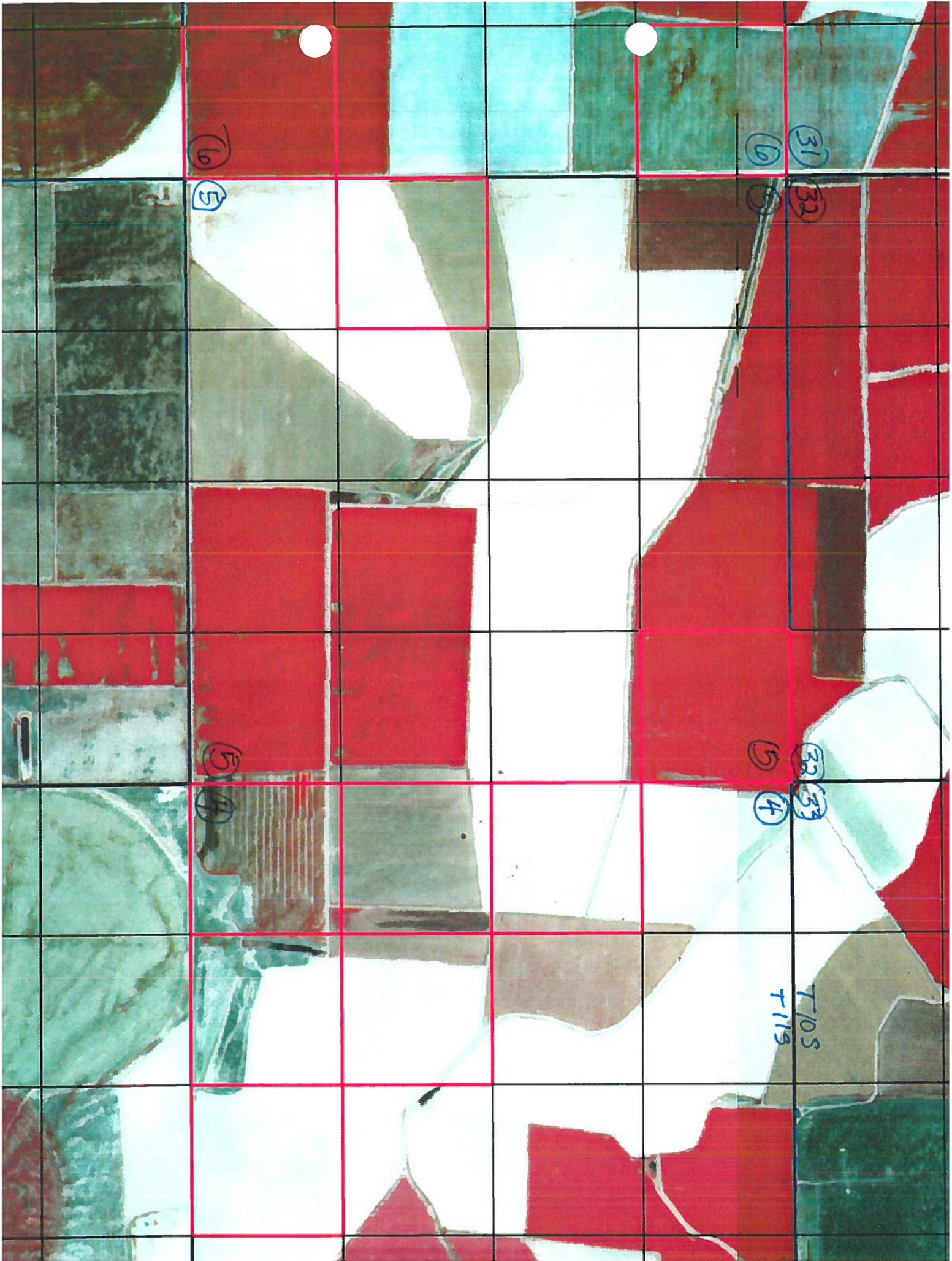
1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED

JUL 16 1964

Department of Reclamation





16

5

16

31

5

32

5

4

5

32

4

33

T/105
T/119

LAIM NUMBER A43-02519 DATE _____

_____ AGENT _____

TRANSFER NUMBER _____

CLAIMED ACRE TOTAL 304

GIS ACRE TOTAL 292.5

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
LAIM	11S	27E	04							40		40	40	32	32			40	2
GIS	11S	27E	04							40		40	40	32.6	20.9			39.3	
ECOM	11S	27E	04							40		40	40	32.5	21			39	21
LAIM	11S	27E	05	20									40						6
GIS	11S	27E	05	40									40						
ECOM	11S	27E	05	20									40						6
LAIM	11S	27E	06	5														15	2
GIS	11S	27E	06	38														40	
ECOM	11S	27E	06	5														15	2

343-POU.SHP _____

SHAPE NOS. _____

343-POD.SHP _____

NOS. DESCRIPTION _____

DBF TABLES UPDATED _____

343-DBPOU.DBF _____

343-DBPOD.DBF _____

PEG LAYOUT _____

COMMUNICATION DOCUMENTATION

February 2, 1999

Regarding:

A43-02519

Customer:

Vic Conrad, J.R. Simplot

From: Vikie Hancock

[illegible]

Mr. Conrad called and requested a profile report of the above claim. He was on the phone with BLM. They feel there was an error in filing the claim. Specifically, they should have claimed all sections of 11S 27E. They realize they will have to amend their claim, and want to know what all they are going to have to change. Faxed profile rept this date to 208-389-7333.

TRANSMITTAL COVER SHEET

OMNIFAX G66

TO: Vic Conrad

Simplot

208-389-7833

TOTAL PAGES SENT: 2

DOCUMENT DESCRIPTION: A43-02519

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

PHONE: 736-3033

FAX: 736-3037

SENDER: Vikie Hawcock

CHARGES:

One (1) free copy per request, cover sheet not counted. Two (2) or more copies per request will cost \$0.25 per page. (\$0.50 minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: X
Please remit to the above address.

COMMENTS: The agent who has this file is Jeanie
Robertson. She is also questioning the legal for
Section 6. Should it be Turp 10 South? If you
wish to amend, pls contact Jeanie at this
office.
Vikie