

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: A43-07046

Date Received: 4/ 8/1993

Receipt No: S015590

Received By: 8 O/C

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WEBB BASIN REAL ESTATE LLC 208-349-5757
Address: HC 76 BOX 1050
AMERICAN FALLS ID 83211

2. Date of Priority: SEP 17, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	28E	29	SE	SW	SW		CASSIA
			SE	NW	SE		CASSIA
		30	NW	SE	SE		CASSIA
		31	NE	SW	NW	2	CASSIA

5. Description of diverting works:
FIVE WELLS AND PUMPS INTO COMMON PIPELINE NETWORK

6. Water is used for the following purposes:

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

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	27E	25	SE	SE		IRR	21.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
						Section Acres	21.0
		36	NE	NE		IRR	12.0
			SE	NE		IRR	1.0
						Section Acres	13.0
	28E	19	SE	SW		IRR	39.0
						Section Acres	39.0
		28	SW	NW		IRR	40.0
			SE	NW		IRR	36.0
			NE	SW		IRR	36.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NW	SE		IRR	39.0
			SW	SE		IRR	40.0
			SE	SE		IRR	35.0
						Section Acres	346.0
		29	NE	NE		IRR	40.0
			NW	NE		IRR	35.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	37.0
			NW	NW		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	39.0
			SW	SW		IRR	39.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	628.0
		30	NE	NE		IRR	39.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	28E	30	NE		NW		IRR	37.0
			NW		NW	1	IRR	46.0
			SW		NW	2	IRR	46.0
			SE		NW		IRR	34.0
			NE		SW		IRR	40.0
			NW		SW	3	IRR	43.0
			SW		SW	4	IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	38.0
			NW		SE		IRR	39.0
			SW		SE		IRR	40.0
			SE		SE		IRR	37.0
							Section Acres	638.0
		31	NE		NE		IRR	30.0
			NW		NE		IRR	33.0
			NE		NW		IRR	39.0
			NW		NW	1	IRR	42.0
			SW		NW	2	IRR	16.0
							Section Acres	160.0
		32	NE		NE		IRR	7.0
			NW		NE		IRR	11.0
			NE		NW		IRR	13.0
			NW		NW		IRR	24.0
							Section Acres	55.0
		33	NW		NE		IRR	2.0
			NE		NW		IRR	5.0
			NW		NW		IRR	6.0
							Section Acres	13.0
							Total Acres	1913.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
SEE REMARKS A43-07052

14. Remarks:

TRANS. 2144.

SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL NOT EXCEED 19.74 CFS WHEN COMBINED WITH LIC. 43-2567, 43-2568, 43-2579, 43-7047 & 43-7052.

NOT EXCEED 19.74 CFS WHEN COMBINED WITH LIC. 43-2567, 43-2568, 43-2579, 43-7047 & 43-7052.

2 P/D IN NWSESE, S30, T9S, R28E.

OTHER RIGHTS: THE FOLLOWING LICENSES HAVE BEEN COMBINED INTO A PERMISSIBLE PLACE OF USE.

43-07046	190 ACRES	
43-07052	1543 ACRES	
43-02597	40 ACRES	(SPRING)
43-07047	160 ACRES	
43-02481	218 ACRES	
A43-10841	130 ACRES	(EXPANSION)

2281 ACRES IRRIGATED UNDER SYSTEM.

43-02567 COVERED BY 43-07052
43-02568 COVERED BY 43-07052
43-02579 COVERED BY 43-07052
43-07088A COVERED BY 43-07052 & 43-07046

OWNERSHIP CHANGE MADE 7/21/97 BY TLB.

SYSTEM SPLIT BY OWNERSHIP CHANGE FROM POE INVESTMENTS TO WEBB BASIN REAL ESTATE LLC OF 1913 ACRES AND 5 CFS OF A43-02567 (B) & A43-02568, A43-02579, A43-07046, A43-07047, A43-07052, A43-07088A AND A43-10841. 5/4/99 jr

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____



State of Idaho

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

May 5, 1999

WEBB BASIN REAL ESTATE LLC
HC 76 BOX 1050
AMERICAN FALLS ID 83211

RE: Ownership Change A43-02567 (part B), A43-02568, A43-02579, A43-07046,
A43-07047, A43-07052, A43-07088A, and A43-10841
POE INVESTMENTS/ WEBB BASIN REAL ESTATE LLC

Dear Claimants,

I have completed the ownership change on the above mentioned claims and enclosed copies for your records.

I noticed that the NWNW ¼ of Section 28, Township 09S, Range 28E, has never been claimed. Several original licenses for 35 acres were appurtenant to that area, yet apparently were missed when the original claims were filed. If you are irrigating this area, you may wish to claim these acres and amend the Place of Use for all of your claims. There would be a charge of \$1.00 per irrigated acre claimed, payable once and then applicable to all of your claims.

If you do wish to amend your claims or have any questions, feel free to contact me at the office.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

COMMUNICATION DOCUMENTATION

IDWR Employee/Agent Georgia Satterlee

DATE

April 29, 1999 12:13pm

CUSTOMERS

Webb Basin & POE (1997)

1998 POE sold their portion to:
Evans Grain & Elevator Co.

SUBJECT: Change of Ownership and WR Splits
phone call (.) walk-in (.)

In 1997, POE retained A43-02481,-02597, and 1 cfs from A43-02567. Tara (I guess it was her) shows POE under A43-02481,-02567,-02567A,-02567B,-02597, all claims have the same acreage 2281 acres. Webb Basin Real Estate LLC are current owners of A43-02568,-02579,-07047,-07046,-07052.-07088A,-10841; with the same 2281 acres.

Dan GPS'd all the wells and his map shows the approximate boundary line splitting POE/Webb, I'm not sure about all wells being measured, however, documentation is in Arnie's files.

Looks like the ducks are almost in a row, we just have to push them in the water...

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

MAY 21 1997

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

1. Water Right Number(s) A43-02568, A43-02579, A43-07046,
Adjudication Claim Number(s) A43-07047, A43-07052, A43-10841, A43-02567, A43-7088A

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

** See P. 7 of Exhibit A for split
of this right 1.0 cfs*

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

AND

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

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

3. Name and Address of Former Owner/Claimant(s) P.O.E. Investments
Box 3765
Ogden, Utah 84409

4. New Owner/Claimant(s) WEBB BASIN REAL ESTATE, LLC
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address HC76 Box 1050,
American Falls, Idaho 83211
City, State and ZIP Code
New Telephone Number (208) 349 - 5757

5. Date you acquired the property March, 26, 1997

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

Number of acres actually irrigated 1921 Number and type of stock N/A

Diversion rate in CFS 24.53 Number of homes 3 Other uses Shops
cubic feet per second

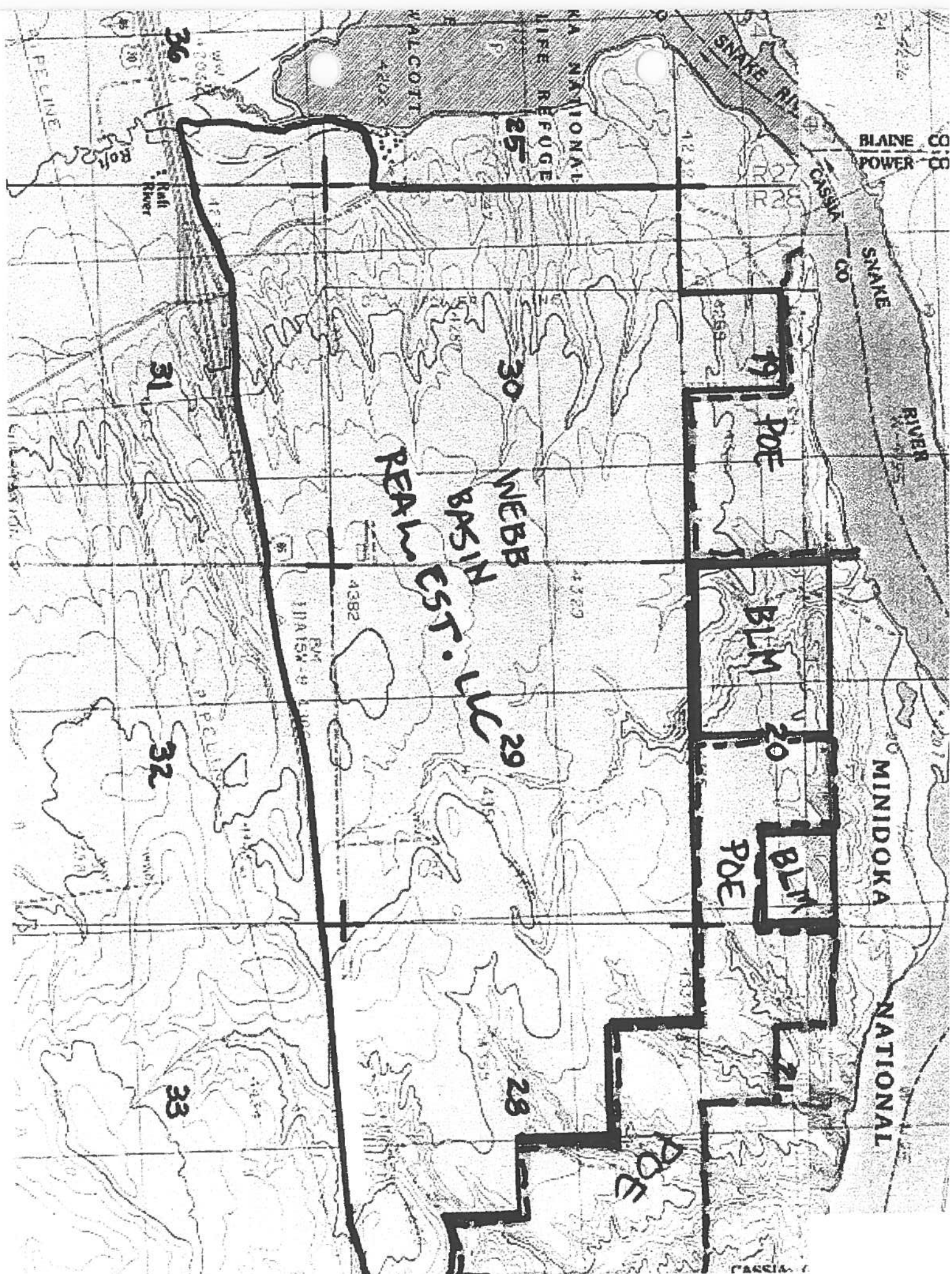
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance. (See Agreement attached)

WEBB BASIN REAL ESTATE, LLC.

7. Signature of New Owner/Claimant(s) By: Douglas C. Webb Date 3-19-97
Douglas C. Webb, Member
P.O.E. INVESTMENTS
By: Robert P. Evans Date 3-21-97
Robert P. Evans, Partner

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

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



248098

WARRANTY DEED

1 THIS INDENTURE, made this 19th day of March, 1997,
2
3 between P.O.E. INVESTMENTS, a partnership, consisting of WARREN
4 P. POWERS, DUANE L. OTTENSTROER and ROBERT P. EVANS, of Box
5 3765, Ogden, Utah 84409, ("Grantor"), and WEBB BASIN REAL
6 ESTATE, LLC, whose address is an Idaho Limited Liability
7 Company, HC76-Box 1050, American Falls, Idaho 83211,
8 ("Grantee").

W I T N E S S E T H:

9 The Grantor for and in consideration of the sum of
10 Ten Dollars (\$10.00), lawful money of the United States of
11 America, and other good and valuable consideration, to the
12 Grantor in hand paid by the Grantee, the receipt whereof is
13 hereby acknowledged, has granted, bargained, and sold and by
14 these presents does grant, bargain and sell, convey and confirm
15 unto the Grantee, and to the successors and assigns of Grantee
16 forever, all of the following described real estate situated in
17 the County of Cassia, State of Idaho, to-wit:
18

19 That real estate described on Exhibit A attached
20 hereto and made a part hereof by reference,
21 which Exhibit A also includes reserved easements
22 and such Exhibit A includes water rights
23 conveyed with said real property.

24 SUBJECT TO: To those exceptions listed on
25 Exhibit B attached hereto and made a part
26 hereof by reference.

 TOGETHER with all and singular the tenements,
hereditaments, and water rights as described on Exhibit A, and

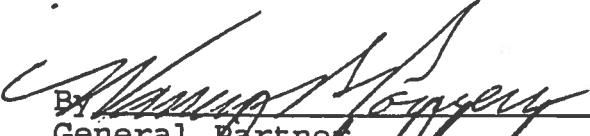
1 appurtenances thereunto belonging or in anywise appertaining,
2 the reversion and reversions, remainder and remainders, rents,
3 issues and profits thereof, and all estate, right, title and
4 interest in and to said property as well in law as in equity of
5 the Grantor.

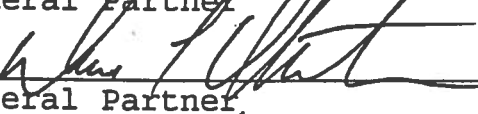
6 TO HAVE AND TO HOLD, all and singular the above-
7 mentioned and described premises, together with appurtenances
8 unto the Grantee and to the successors and assigns of Grantee
9 forever.

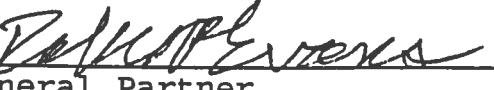
10 The Grantor shall and will warrant and by these
11 presents will forever defend the said premises in the quiet and
12 peaceable possession of the Grantee, and the successors and
13 assigns of Grantee against all and every person and persons
14 whomsoever lawfully claiming the same, except as aforesaid.

15 IN WITNESS WHEREOF, the Grantor has executed this
16 Deed the day and year first above written.

17 P.O.E. INVESTMENTS

18 By 
19 General Partner

20 By 
21 General Partner

22 By 
23 General Partner
24
25
26

STATE OF FLORIDA)
County of Duval) ss

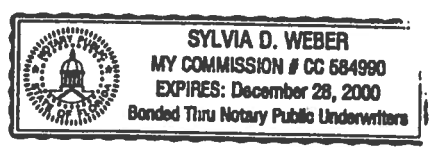
On this 25 day of March, in the year 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared WARREN P. POWERS, known or identified to me to be the partner or partners of the partnership of P.O.E. INVESTMENTS and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

CINDY L. PARSLEY
Notary Public, State of Florida
My Comm. expires Oct. 2, 1999
Comm. No. CC 499033

Cindy L. Parsley
Notary Public for Florida
Residing at Jacksonville
My Commission Expires: 10/2/99

STATE OF FLORIDA)
County of Duval) ss

On this 25 day of March, in the year 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared DUANE L. OTTENSTROER, known or identified to me to be the partner or partners of the partnership of P.O.E. INVESTMENTS and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.



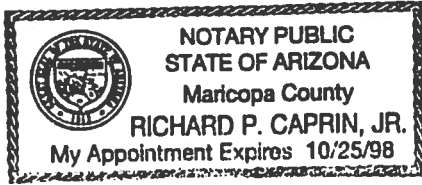
Sylvia D. Weber
Notary Public for Florida
Residing at Jacksonville
My Commission Expires: 12/28/00

STATE OF ARIZONA)
County of Maricopa) ss

On this 21 day of March, in the year 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT P. EVANS, known or identified to me to be the partner or partners of the partnership of P.O.E. INVESTMENTS and the partner or one of the partners who subscribed said partnership name to the foregoing instrument,

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and acknowledged to me that he executed the same in said partnership name.



Richard P. Caprin, Jr.
Notary Public for Arizona
Residing at Carefree, AZ 85377
My Commission Expires: 10/25/98

EXHIBIT A

PARCEL NO. 1:

TOWNSHIP 9 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 25: A portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:
Beginning at the Southeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 25;
Thence West 791.4 feet;
Thence North 9°35' West 360 feet;
Thence North 10°26' East 561.3 feet;
Thence North 7°25' East 276.7 feet;
Thence North 36°49' West 184 feet to a point in the North line of the
said SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 25; Thence East 824.23 feet to the East
line of said Section 25;
Thence South 1320 feet to the Point of Beginning.

EXCEPTING THEREFROM the following described tract:

Beginning at a point on the South 1/16th line of Section 25, which bears
North 89°41' West, a distance of 819.7 feet from the Northeast corner
of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25. Said point also being on the meander
line of the east bank of Raft River;
Thence South 89°41' East 110.0 feet;
Thence South 08°15' East, 400.1 feet;
Thence South 05°34' West 920.2 feet;
Thence South 28°14' East, 1583.3 feet;
Thence South 00°31' West, 612.7 feet to a concrete monument on the
North right-of-way line of Interstate Highway 15W;
Thence South 79°51' West, along the North right-of-way line of
Interstate 15W, 590.0 feet to the intersection of the meander line on
the East bank of Raft River;
Thence North 02°25' West, along the meander line on the East bank of
Raft River, 73.7 feet;
Thence North 46°52' East, 348.7 feet;
Thence North 09°13' East, 403.5 feet;
Thence North 09°35' West, 315.0 feet;
Thence North 22°12' West, 405.0 feet;
Thence North 22°06' West, 330.0 feet;
Thence North 25°15' West, 450.0 feet to a meander corner between
Sections 25 and 36;
Thence North 09°35' West, 360.0 feet;
Thence North 10°26' East, 561.3 feet;
Thence North 07°25' East, 276.7 feet;
Thence North 36°49' West, 184.0 feet to the Place of Beginning.

Section 36:

That part of the E $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 36, more particularly described as follows:

Beginning at a point 1,200 feet North of the East quarter corner of said Section 36;

Thence North 32° West 1,000 feet;

Thence North 22°06' West 170 feet;

Thence North 25°15' West 450 feet to the North line of said Section 36;

Thence East along the said North line 791.4 feet to the Northeast corner of said Section 36;

Thence South along said East line 1,440 feet, more or less, to the Point of Beginning.

EXCEPTING THEREFROM the following described tract:

Beginning at a point on the South 1/16th line of Section 25, which bears North 89°41' West, a distance of 819.7 feet from the Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25. Said point also being on the meander line of the east bank of Raft River;

Thence South 89°41' East 110.0 feet;

Thence South 08°15' East, 400.1 feet;

Thence South 05°34' West 920.2 feet;

Thence South 28°14' East, 1583.3 feet;

Thence South 00°31' West, 612.7 feet to a concrete monument on the North right-of-way line of Interstate Highway 15W;

Thence South 79°51' West, along the North right-of-way line of Interstate 15W, 590.0 feet to the intersection of the meander line on the East bank of Raft River;

Thence North 02°25' West, along the meander line on the East bank of Raft River, 73.7 feet;

Thence North 46°52' East, 348.7 feet;

Thence North 09°13' East, 403.5 feet;

Thence North 09°35' West, 315.0 feet;

Thence North 22°12' West, 405.0 feet;

Thence North 22°06' West, 330.0 feet;

Thence North 25°15' West, 450.0 feet to a meander corner between Sections 25 and 36;

Thence North 09°35' West, 360.0 feet;

Thence North 10°26' East, 561.3 feet;

Thence North 07°25' East, 276.7 feet;

Thence North 36°49' West, 184.0 feet to the Place of Beginning.

TOWNSHIP 9 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 28: W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and that portion of the S $\frac{1}{2}$ SE $\frac{1}{4}$ lying North of U.S. Highway No. 30 N.

EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes.

ALSO EXCEPTING the following described parcel:

Beginning at the E $\frac{1}{4}$ section corner of said Section 28, said corner marked by a U.S. GLO iron pipe with brass cap which shall be the Point of Beginning;

Thence South 00°32'23" West along the East line of Section 28 for a distance of 2091.98 feet;

Thence along a non-tangent curve to the right for a distance of 2803.04 feet to the East line of Section 28, said curve having a radius of 1124.51 feet with a central angle of 142°49'10" with a long chord bearing of North 00°32'25" East for a distance of 2131.68 feet;

Thence South 00°33'53" West along the East line of Section 28 for a distance of 39.70 feet to the Point of Beginning.

Section 29: W $\frac{1}{2}$, NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes.

Section 30: All

Section 31: All that part of said Section lying North of Interstate 15-W and U.S. Highway 30 N.

EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes.

Section 32: All that portion of said Section lying North of U.S. Highway No. 30 N.

EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes.

Section 33: All that portion of said Section lying North of U.S. Highway No. 30 N.
EXCEPTING THEREFROM that portion deeded to the State of Idaho
for highway purposes.

PARCEL NO. 2:

TOWNSHIP 9 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 28: W $\frac{1}{4}$ SW $\frac{1}{4}$

Section 29: E $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPTING FROM the above described parcel all right-of-ways for
Public roads.

PARCEL NO. 3:

TOWNSHIP 9 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 25: Beginning at the South 1/16 corner between Section 25, Township 9
South, Range 27 East of the Boise Meridian, and Section 30, Township
9 South, Range 28 East of the Boise Meridian;
Thence North 89°41' West, along the South 1/16th line of Section 25,
a distance of 786.7 feet;
Thence North 20°24' West, 170.7 feet;
Thence North 09°45' West, 236.3 feet;
Thence North 00°18' East, 102.7 feet;
Thence South 89°41' East, 393.2 feet;
Thence South 00°18' West, 165.0 feet;
Thence South 89°41' East, 495.0 feet to the East line of Section 25;
Thence South 330.0 feet to the Place of Beginning.

PARCEL NO. 4:

An Easement to construct, operate, and maintain one irrigation pump and one 8-inch irrigation water pipeline as created by Quitclaim Deed dated May 29, 1980 and recorded June 10, 1980 as Instrument No. 126669 on Film No. 135, records of Cassia County, Idaho, over and across a portion of the NE¼ of Section 36, Township 9 South, Range 27 East of the Boise Meridian, Cassia County, Idaho, and described as follows:

Beginning at the intersection of the North right-of-way line of Interstate Highway 15W and meander line on the East side of Raft River, from which point of beginning the Northeast corner of Section 36 bears North 15°02' East, a distance of 2159.4 feet;
Thence South 79°51' West along North right-of-way line of Interstate Highway 15W, 258.5 feet;
Thence North 10°09' West 50.0 feet;
Thence North 79°51' East, 263.5 feet to the meander line of Raft River;
Thence along said meander line South 02°25' East, 50.2 feet to the Place of Beginning.

EXCEPTING AND RESERVING UNTO THE GRANTOR AND THE SUCCESSORS AND ASSIGNS OF THE GRANTOR THE FOLLOWING EASEMENTS:

(Easements appear on Pages 6 and 7 of Exhibit A)

EASEMENT NO. 1:

A perpetual non-exclusive twenty (20) foot wide easement for the installation, replacement, and repair of an underground irrigation pipeline for the delivery of water from a well located in the Southwest Quarter Southwest Quarter Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 21, Township 9 South, Range 28 E., B.M. to the Southeast Quarter (SE $\frac{1}{4}$) of Section 19, Township 9 South, Range 28 E., B.M., which easement is particularly described as:

Beginning at the Northwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of Section 29, Township 9 South, Range 28 East, Boise Meridian, thence East 100 feet along the section line of said Section 29 to the True Point of Beginning; Thence South 20 feet; thence West 100 feet to the East boundary of the Northwest Quarter (NW $\frac{1}{4}$) of Section 29, Township 9 South, Range 28 East, Boise Meridian; thence continuing West 2,640 feet, more or less to the West boundary of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 29; thence continuing West 100 feet in the Northeast Quarter (NE $\frac{1}{4}$) of Section 30, Township 9 South, Range 28 East, Boise Meridian; thence North 20 feet to the North section line of said Section 30; thence East along the North boundaries of the section lines of said Sections 29 and 30, 2,840 feet, more or less to the Point of Beginning.

EASEMENT NO. 2:

A perpetual non-exclusive easement for roadway purposes from the County road to a roadway in the Southeast Quarter (SE $\frac{1}{4}$) of Section 19, Township 9 South, Range 28 East, Boise Meridian, Cassia County, Idaho, and such easement particularly described as follows:

A thirty foot (30') wide strip of ground having a center line described as beginning at the Southeast corner of Section 19, Township 9 South, Range 28 East, Boise Meridian, said corner marked by a 5/8 inch rebar with cap dated 1996; thence South 00°05'48" West for a distance of 133.03 feet to the Point of Beginning; thence North 25°51'15" West for a distance of 79.93 feet; thence North 51°40'38" West for a distance of 75.40 feet; thence North 69°53'51" West to the South section line of said Section 19, Township 9 South, Range 28 East Boise Meridian, begin the terminus point of the center line of the easement.

WATER RIGHTS

The following water rights evidenced by the designated numbers:

A43-02568, A43-02579, A43-07046, A43-07047,
A43-07052, A43-10841, A43-02567, A43-07088A.

Except one (1) cfs from the well located in the Northwest Quarter Southeast Quarter Southeast Quarter (NW¼SE¼SE¼) in Section 30, Township 9 South, Range 28 East, Boise Meridian, for use on the Southeast Quarter (SE¼) of Section 19, Township 9 South, Range 28 East, Boise Meridian.

The following water rights evidenced by the following numbers are expressly excluded from this conveyance:

A43-02481 and A43-02597 and the foregoing one (1) cfs from A43-02567.

EXHIBIT B

1. Taxes for 1997 and subsequent years.
2. Building restrictions and access limitations contained in Right of Way Deed to the State of Idaho, dated June 26, 1952 and recorded July 19, 1952 as Instrument No. 176302 in Book 54 of Deed on Page 625, records of Cassia County, Idaho, granting said State, a right of way over and across a strip of land approximately 300 feet wide lying over a portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 9 South, Range 27 East of the Boise Meridian; and Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 31, Township 9 South, Range 28 East of the Boise Meridian, for highway purposes. (Part of Parcel No. 1)
3. Building restrictions and access limitations contained in Right of Way Deed to the State of Idaho, dated June 26, 1952 and recorded July 19, 1952 as Instrument No. 176303 in Book 54 of Deeds on Page 626, records of Cassia County, Idaho, granting said State, a right of way over a strip of land approximately 300 feet in width, lying over and across the NW $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 31, the N $\frac{1}{2}$ N $\frac{1}{2}$ of Section 32, the N $\frac{1}{2}$ N $\frac{1}{2}$ of Section 33, and the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 28, all in Township 9 South, Range 28 East of the Boise Meridian, and over a strip of land approximately 60 feet wide lying over and across the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 9 South, Range 28 East of the Boise Meridian, for highway purposes. (Part of Parcel No. 1)
4. Building restrictions and access limitations contained in Quitclaim Deed to the State of Idaho, dated April 29, 1952 and recorded July 19, 1952 as Instrument No. 176304 in Book 54 of Deeds, Page 627, records of Cassia County, Idaho, quitclaiming unto the said State of Idaho, a strip of land approximately 300 feet wide, lying over and across a portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 9 South, Range 27 East of the Boise Meridian, and Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 31, Township 9 South, Range 28 East of the Boise Meridian, for highway purposes. (Part of Parcel No. 1)
5. Building restrictions and access limitations contained in Quitclaim Deed to the State of Idaho, dated April 29, 1952 and recorded July 19, 1952 as Instrument No. 176305 in Book 54 of Deeds, Page 629, records of Cassia County, Idaho, quitclaiming to the said State of Idaho, a strip of land approximately 300 feet in width lying over and across the NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 31, the N $\frac{1}{2}$ N $\frac{1}{2}$ of Section 32, the N $\frac{1}{2}$ N $\frac{1}{2}$ of Section 33 and the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 28, all in Township 9 South, Range 28 East of the Boise Meridian, and a strip of land approximately 60 feet wide lying over and across the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, in Township 9 South, Range 28 East of the Boise Meridian, for highway purposes. (Part of Parcel No. 1)

6. Right of Way Contract to Pacific Northwest Pipeline Corporation, a Delaware corporation, dated July 19, 1955 and recorded October 12, 1955 as Instrument No. 187664 in Book 9 of Bills of Sale and Agreements, Page 237, records of Cassia County, Idaho, granting said corporation, the right to construct, operate and maintain a pipeline over and across Sections 31, 32 and 33 in Township 9 South, Range 28 East of the Boise Meridian, and the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 36, Township 9 South, Range 27 East of the Boise Meridian. (Part of Parcel No. 1)
7. Building restrictions and access limitations contained in Warranty Deed to the State of Idaho, dated March 24, 1958 and recorded May 14, 1958 as Instrument No. 197226 in Book 59 of Deeds, records of Cassia County, Idaho, granting said State of Idaho, a strip of land approximately 400 feet wide lying over and across the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 9 South, Range 28 East of the Boise Meridian, and a strip of land approximately 60 feet in width lying over and across the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, Township 9 South, Range 28 East of the Boise Meridian, for highway purposes. (Part of Parcel No. 1)
8. Building restrictions and access limitations contained in Warranty Deed to the State of Idaho, dated March 24, 1958 and recorded May 23, 1958 as Instrument No. 197386 in Book 59 of Deeds, records of Cassia County, Idaho, granting said State of Idaho, a strip of land and varying from approximately 330 feet to 70 feet in width lying over and across Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 31, Township 9 South, Range 28 East of the Boise Meridian, and a strip of land lying over and across the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 9 South, Range 28 East of the Boise Meridian for highway purposes. (Part of Parcel No. 1)
9. Reservations in Warranty Deed from John B. Nash and Doree L. Nash, husband and wife, to Aaron V. Barson and Rudger J. Barson, which was dated July 6, 1959 and recorded December 22, 1959 as Instrument No. 204361 in Book 62 of Deeds, records of Cassia County, Idaho, which recites as follows: "There is reserved and excepted from this conveyance all the interest in and to the oil, gas, and other minerals, except sand and gravel, on, in, and under the above described premises, together with the right of ingress and egress for the purposes of mining for and producing them." (Covers the W $\frac{1}{2}$ E $\frac{1}{2}$ of Section 29, Township 9 South, Range 28 East of the Boise Meridian.) (Part of Parcel No. 1)
10. Right of Way Easement executed by Riviera Farms, Inc., to Raft River Rural Electric Cooperative, Inc., a corporation, dated April 3, 1974 and recorded May 23, 1974 as Instrument No. 76912 on Film No. 89, records of Cassia County, Idaho, over and across a portion of Parcel No. 1.

11. Easement for ingress and egress in favor of Raft River Rural Electric Cooperative, Inc., an Idaho Corporation, covering a portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 9 South, Range 28 East of Boise Meridian, as granted in Warranty Deed from Riviera Farms, Inc., a corporation, dated March 4, 1975 and recorded September 16, 1975 as Instrument No. 85729 on Film No. 97, records of Cassia County, Idaho. (Part of Parcel No. 1)
12. Agreement For Purchase of Power between Raft River Rural Electric Cooperative, Inc., as Seller, and Riviera Farms, as Consumer, dated November 7 1973 and recorded May 7, 1976 as Instrument No. 90430 on Film No. 101, records of Cassia County, Idaho, covering the SE $\frac{1}{4}$ of Section 29, Township 9 South, Range 28 East of the Boise Meridian. (Part of Parcel No. 1 and part of Parcel No. 2)
13. A perpetual right-of-way and easement to construct, operate, and maintain a public thoroughfare over and across a portion of Section 31, Township 9 South, Range 28 East of the Boise Meridian, as contained in Warranty Deed from Riviera Farms, Inc, to the United States of America, and its assigns, dated July 11, 1977 and recorded July 14, 1977 as Instrument No. 100203 on Film No. 110, records of Cassia County, Idaho. (Part of Parcel No. 1)
14. Reservations contained in Quitclaim Deeds from the United States of America to Riviera Farms, Inc., dated September 15, 1977 and recorded September 29, 1977 as Instrument No. 101870 on Film No. 112, records of Cassia County, Idaho, and from the United States of America to Riviera Farms, Inc., an Idaho corporation, dated May 29, 1980 and recorded June 10, 1980 as Instrument No. 126669 on Film No. 135, records of Cassia County, Idaho, which read as follows:
 - (a) The reservation of presently used right-of-way for canals, ditches, flumes, pipelines, railroads, highways, roads, telephone, telegraph, and power transmission lines created in favor of the public or public utilities.
 - (b) The reservation of a right-of-way for ditches or canals constructed or to be constructed by the authority of the United States, this reservation being of the same character and scope as that created with respect to certain public lands by the Act of August 30, 1890 (26 Stat. 371, 391), as it has been or may hereafter be amended. (Parcels No. 3 and 4)
15. Agreement For Purchase of Power between Raft River Rural Electric Cooperative, Inc., the Seller, and Riviera Farms, Paul Spanbauer, Pres./Janice Spanbauer, Sec., as Consumer, dated April 1, 1971 and recorded March 17, 1980 as Instrument No. 124423 on Film No. 133, records of Cassia County, Idaho, covering Section 29, Township 9 South, Range 28 East of the Boise Meridian.

16. Agreement For Purchase of Power between Raft River Rural Electric Cooperative, Inc., the Seller, and Riviera Farms, Paul Spanbauer, Pres./Janice Spanbauer, Sec., as Consumer, dated April 1, 1971 and recorded March 17, 1980 as Instrument No. 124424 on Film No. 133, records of Cassia County, Idaho, covering the W½ of Section 29, Township 9 South, Range 28 East of the Boise Meridian. (Part of Parcel No. 1)
17. Agreement For Purchase of Power between Raft River Rural Electric Cooperative, Inc., the Seller, and Riviera Farms, Paul Spanbauer, Pres./Janice Spanbauer, Sec., as Consumer, dated April 1, 1971 and recorded March 17, 1980 as Instrument No. 124425 on Film No. 133, records of Cassia County, Idaho, covering Section 30, Township 9 South, Range 28 East of the Boise Meridian. (Part of Parcel No. 1)
18. Agreement For Purchase of Power between Raft River Rural Electric Cooperative, Inc., the Seller, and Riviera Farms, Paul Spanbauer, Pres./Janice Spanbauer, Sec., as Consumer, dated April 5, 1976 and recorded March 17, 1980 as Instrument No. 124426 on Film No. 133, records of Cassia County, Idaho, covering the NW¼ of Section 31, Township 9 South, Range 28 East of the Boise Meridian. (Part of Parcel No. 1)

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM 285
1997 MAR 26 P 1:47
CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER
FEE 450 DEPUTY W
LAND TITLE & ESCROW

248098

WATER USE AND WATER RIGHTS AGREEMENT

1 AGREEMENT, made this 19th day of March, 1997, by and
2 between P.O.E. INVESTMENTS, a partnership consisting of Warren
3 P. Powers, Duane L. Ottenstroer and Robert P. Evans, Box 3765,
4 Ogden, Utah 84409, ("POE") and WEBB BASIN REAL ESTATE, LLC, an
5 Idaho Limited Liability Company, HC 76, Box 1050, American
6 Falls, Idaho 83211 ("Webb").

7 1. RECITALS: The parties recite:

8 1.1. POE sold to Webb certain real estate in Cassia
9 County, Idaho, more particularly described on Exhibit A
10 attached hereto and made a part hereof by reference (the
11 "Property").

12 1.2. POE has simultaneously with the sale to Webb
13 leased certain adjacent and contiguous real estate to the
14 Property and which adjacent and contiguous property is
15 described on Exhibit B attached hereto and made a part hereof
16 by reference. The lease from POE was to a related company
17 known as Webb Basin Dairy, a general partnership.

18 1.3. The parties desire to make this agreement
19 relative to certain water rights in connection with the sale
20 and with the lease.

21 1.4. The water rights on the Property and the
22 adjacent real estate to the Property have been combined in the
23 water rights adjudication known as the SNRBA. The parties
24 desire to now separate the water rights because of the change
25
26

1 in ownership of some of the appurtenant lands to which the
2 water rights are allocated.

3 1.5. The parties recognize that the administration
4 of water rights is within the jurisdiction of the Idaho
5 Department of Water Resources and the court in the SNRBA and
6 accordingly different procedures may need to be followed and
7 different documents executed by the parties with said agency
8 and court in order to accomplish the intent of the parties.

9 NOW, THEREFORE, in consideration of the recitals, the
10 consideration of the purchase by Webb from POE, the lease by
11 Webb Basin Dairy and other good and valuable consideration
12 herein receipted for but not recited the parties agree:

13 2. EASEMENT: POE shall reserve an easement across a
14 portion of the Property for the purpose of a pipeline should
15 the same become necessary. The easement is described on
16 Exhibit C attached hereto and made a part hereof by reference.
17 The parties agree that appropriate reservation language shall
18 be inserted in the conveyance by POE to Webb.

19 3. WATER RIGHTS RESERVATION: POE shall reserve the
20 following identified water rights, to-wit: A43-02597, A43-
21 02481, and 1 cfs from A43-02567 as to the Point of Diversion in
22 the Northwest Quarter Southeast Quarter Southeast Quarter
23 (NW¼SE¼SE¼), Section 30, Township 9 South, Range 28 East, Boise
24 Meridian. The reserved water rights shall be for the benefit
25 and use of the real estate in Cassia County described on
26

1 Exhibit B attached hereto and made a part hereof by reference.
2 The parties agree to execute such documents as may be required
3 by the Idaho Department of Water Resources and the SNRBA court
4 to accomplish the water right division.

5 P.O.E. and Webb shall execute such documents as may
6 be required by I.D.W.R. and the Court in SNRBA to have the
7 water rights conveyed to Webb made appurtenant to the total
8 lands conveyed by Deed, dated March 19, 1997, to have
9 appurtenant water equal on said lands to 24.53 cfs.

10 4. CONDITION PRECEDENT: Webb is financing the
11 purchase of the Property from POE with the Farm Credit of
12 Burley, Idaho. This contract shall not be effective unless the
13 water right division is approved by Farm Credit. Farm Credit
14 may evidence its approval by a separate instrument in writing
15 as Farm Credit is not a party signatory to this agreement. The
16 recording of this agreement shall be conclusive evidence that
17 Farm Credit has given its approval of the division.

18 5. CONTINUATION: If Webb Basin Dairy or a related
19 entity to Webb Basin Dairy or Webb cease to be a tenant of the
20 real estate described on Exhibit B, Webb shall nevertheless
21 furnish one cubic foot per second of water from the well
22 located in the Northwest Quarter Southeast Quarter Southeast
23 Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 30, Township 9 South, Range 28
24 East, Boise Meridian to the Southeast Quarter of Section 19,
25 Township 9 South, Range 28 East, Boise Meridian. The
26

1 furnishing of such water shall be for a period of time not to
2 exceed five (5) years from the time Webb or the related company
3 do not lease the Property described on Exhibit B attached
4 hereto. The furnishing of such water shall be upon the express
5 condition that during such five (5) year period of time POE,
6 its successors or assigns, shall provide a flow meter or other
7 suitable measuring device for such well and shall compensate
8 Webb for the costs of delivery of the water including
9 electricity, a pro-rata share of repairs and maintenance on the
10 well in proportion to the amount of water from the well as the
11 same relates to the amount of water delivered to POE. POE may,
12 at its option, advise Webb that it has made other arrangements
13 for the delivery of the one (1) cfs to its Property in the form
14 of another well, a change in place of use and/or a different
15 point of diversion. Upon such notice the obligation of Webb to
16 furnish such one (1) cfs of water shall cease. This transfer
17 of the water shall in all events be subject to appropriate
18 agency and court approval.

19 6. BINDING EFFECT: This agreement shall be binding
20 upon the parties, their successors and assigns of the
21 respective real estate described on the exhibits attached
22 hereto and made a part hereof by reference.

23 7. ATTORNEY FEES: The prevailing party in any
24 action arising under this agreement shall be entitled to
25 reasonable attorney fees in addition to all other relief
26

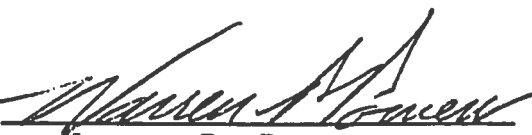
afforded by the court.

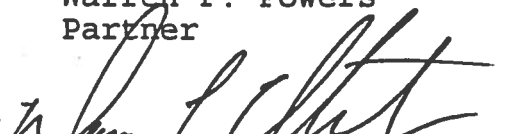
1
2 8. COOPERATION: The parties agree to cooperate each
3 with the other in carrying out the terms and conditions of this
4 agreement in the division of the water as heretofore provided.
5 The parties recognize that the transaction is complicated in
6 view of fact that the number of water rights have been combined
7 for the place of use and that the division requires various
8 procedural steps and involves person or entities not party
9 signatory to this agreement. As such the parties may be
10 required to execute such other documents as shall be necessary
11 to fully implement this agreement.

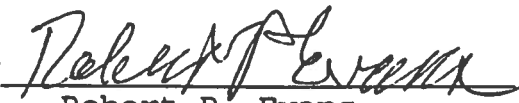
12 9. ENTIRE AGREEMENT: This agreement constitutes the
13 entire understanding of the parties as to the division of the
14 water from the lands designated as the place of use.

15 IN WITNESS WHEREOF, the parties have executed this
16 agreement the day and year first above written.

17 P.O.E. INVESTMENTS

18
19 BY 
20 Warren P. Powers
21 Partner

22 BY 
23 Duane L. Ottenstroer
24 Partner

25 BY 
26 Robert P. Evans
 Partner

WEBB BASIN REAL ESTATE, LLC

BY

Douglas E. Webb
Member

STATE OF Florida)

County of Duval)

SS

On this 25 day of March, in the year 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared WARREN P. POWERS, known or identified to me to be the partner or partners of the partnership of P.O.E. INVESTMENTS and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

CINDY L. PARSLEY
Notary Public, State of Florida
My Comm. expires Oct. 2, 1999
Comm. No. CC 499033

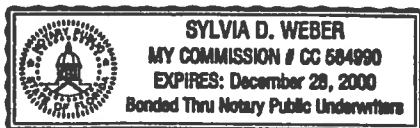
Cindy L. Parsley
Notary Public for Florida
Residing at Jacksonville
My Commission Expires: 10/2/99

STATE OF Florida)

County of Duval)

SS

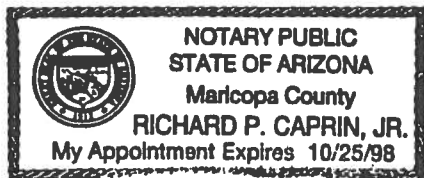
On this 25 day of March, in the year 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared DUANE L. OTTENSTROER, known or identified to me to be the partner or partners of the partnership of P.O.E. INVESTMENTS and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.



Sylvia D. Weber
Notary Public for Florida
Residing at Jacksonville
My Commission Expires: 12/28/00

STATE OF ARIZONA)
County of Maricopa) ss

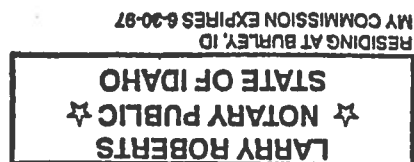
On this 21 day of March, in the year 1997,
before me, the undersigned, a Notary Public in and for said
State, personally appeared ROBERT P. EVANS, known or identified
to me to be the partner or partners of the partnership of
P.O.E. INVESTMENTS and the partner or one of the partners who
subscribed said partnership name to the foregoing instrument,
and acknowledged to me that he executed the same in said
partnership name.



Richard P. Caprin, Jr.
Notary Public for Arizona
Residing at Cavepet, AZ 85377
My Commission Expires: 10/25/98

STATE OF IDAHO)
County of Cassia) ss

On this 19th day of March, in the year
1997, before me, the undersigned, a Notary Public in and for
said State, personally appeared Douglas C. Webb,
known or identified to me to be the Member or Members of the
Limited Liability Company of WEBB BASIN REAL ESTATE, L.L.C. and
the Member or one of the Members who subscribed said Limited
Liability Company's name to the foregoing instrument, and
acknowledged to me that he executed the same in said Limited
Liability Company name.



Larry Roberts
Notary Public for Idaho
Residing at Burley, Idaho
My Commission Expires: 6.30.97

PARCEL NO. 1:

TOWNSHIP 9 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 25: A portion of the SE¼SE¼, more particularly described as follows:

Beginning at the Southeast corner of the SE¼SE¼ of said Section 25;

Thence West 791.4 feet;

Thence North 9°35' West 360 feet;

Thence North 10°26' East 561.3 feet;

Thence North 7°25' East 276.7 feet;

Thence North 36°49' West 184 feet to a point in the North line of the said SE¼SE¼ of said Section 25; Thence East 824.23 feet to the East line of said Section 25;

Thence South 1320 feet to the Point of Beginning.

EXCEPTING THEREFROM the following described tract:

Beginning at a point on the South 1/16th line of Section 25, which bears North 89°41' West, a distance of 819.7 feet from the Northeast corner of the SE¼SE¼ of Section 25. Said point also being on the meander line of the east bank of Raft River;

Thence South 89°41' East 110.0 feet;

Thence South 08°15' East, 400.1 feet;

Thence South 05°34' West 920.2 feet;

Thence South 28°14' East, 1583.3 feet;

Thence South 00°31' West, 612.7 feet to a concrete monument on the North right-of-way line of Interstate Highway 15W;

Thence South 79°51' West, along the North right-of-way line of Interstate 15W, 590.0 feet to the intersection of the meander line on the East bank of Raft River;

Thence North 02°25' West, along the meander line on the East bank of Raft River, 73.7 feet;

Thence North 46°52' East, 348.7 feet;

Thence North 09°13' East, 403.5 feet;

Thence North 09°35' West, 315.0 feet;

Thence North 22°12' West, 405.0 feet;

Thence North 22°06' West, 330.0 feet;

Thence North 25°15' West, 450.0 feet to a meander corner between Sections 25 and 36;

Thence North 09°35' West, 360.0 feet;

Thence North 10°26' East, 561.3 feet;

Thence North 07°25' East, 276.7 feet;

Thence North 36°49' West, 184.0 feet to the Place of Beginning.

Section 36:

That part of the E $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 36, more particularly described as follows:

Beginning at a point 1,200 feet North of the East quarter corner of said Section 36;

Thence North 32° West 1,000 feet;

Thence North 22°06' West 170 feet;

Thence North 25°15' West 450 feet to the North line of said Section 36;

Thence East along the said North line 791.4 feet to the Northeast corner of said Section 36;

Thence South along said East line 1,440 feet, more or less, to the Point of Beginning.

EXCEPTING THEREFROM the following described tract:

Beginning at a point on the South 1/16th line of Section 25, which bears North 89°41' West, a distance of 819.7 feet from the Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25. Said point also being on the meander line of the east bank of Raft River;

Thence South 89°41' East 110.0 feet;

Thence South 08°15' East, 400.1 feet;

Thence South 05°34' West 920.2 feet;

Thence South 28°14' East, 1583.3 feet;

Thence South 00°31' West, 612.7 feet to a concrete monument on the North right-of-way line of Interstate Highway 15W;

Thence South 79°51' West, along the North right-of-way line of Interstate 15W, 590.0 feet to the intersection of the meander line on the East bank of Raft River;

Thence North 02°25' West, along the meander line on the East bank of Raft River, 73.7 feet;

Thence North 46°52' East, 348.7 feet;

Thence North 09°13' East, 403.5 feet;

Thence North 09°35' West, 315.0 feet;

Thence North 22°12' West, 405.0 feet;

Thence North 22°06' West, 330.0 feet;

Thence North 25°15' West, 450.0 feet to a meander corner between Sections 25 and 36;

Thence North 09°35' West, 360.0 feet;

Thence North 10°26' East, 561.3 feet;

Thence North 07°25' East, 276.7 feet;

Thence North 36°49' West, 184.0 feet to the Place of Beginning.

TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE COISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ ✓

Section 28:

W $\frac{1}{2}$ NW $\frac{1}{4}$ ✓, SE $\frac{1}{4}$ NW $\frac{1}{4}$ ✓, E $\frac{1}{2}$ SW $\frac{1}{4}$ ✓, NW $\frac{1}{4}$ SE $\frac{1}{4}$ ✓ and that portion of the
✓S $\frac{1}{2}$ SE $\frac{1}{4}$ lying North of U.S. Highway No. 30 N.

EXCEPTING THEREFROM that portion deeded to the State of Idaho
for highway purposes.

ALSO EXCEPTING the following described parcel:

Beginning at the E $\frac{1}{4}$ section corner of said Section 28, said corner marked
by a U.S. GLO iron pipe with brass cap which shall be the Point of
Beginning;

Thence South 00°32'23" West along the East line of Section 28 for a
distance of 2091.98 feet;

Thence along a non-tangent curve to the right for a distance of 2803.04
feet to the East line of Section 28, said curve having a radius of 1124.51
feet with a central angle of 142°49'10" with a long chord bearing of
North 00°32'25" East for a distance of 2131.68 feet;

Thence South 00°33'53" West along the East line of Section 28 for a
distance of 39.70 feet to the Point of Beginning.

Section 29:

W $\frac{1}{2}$ ✓, NE $\frac{1}{4}$ ✓, W $\frac{1}{2}$ SE $\frac{1}{4}$ ✓

EXCEPTING THEREFROM that portion deeded to the State of Idaho
for highway purposes.

Section 30:

All ✓

Section 31:

✓ All that part of said Section lying North ✓ of Interstate 15-W and U.S.
Highway 30 N.

EXCEPTING THEREFROM that portion deeded to the State of Idaho
for highway purposes.

Section 32:

✓ All that portion of said Section lying North of U.S. Highway No. 30 N.

EXCEPTING THEREFROM that portion deeded to the State of Idaho
for highway purposes.

Section 33:

✓ All that portion of said Section lying North of U.S. Highway No. 30 N.

EXCEPTING THEREFROM that portion deeded to the State of Idaho
for highway purposes.

PARCEL NO. 2:

TOWNSHIP 9 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 28: W $\frac{1}{2}$ SW $\frac{1}{4}$ ✓

Section 29: E $\frac{1}{2}$ SE $\frac{1}{4}$ ✓

✓ EXCEPTING FROM the above described parcel all right-of-ways for
Public roads.

PARCEL NO. 3:

TOWNSHIP 9 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 25: Beginning at the South 1/16 corner between Section 25, Township 9
South, Range 27 East of the Boise Meridian, and Section 30, Township
9 South, Range 28 East of the Boise Meridian;
Thence North 89°41' West, along the South 1/16th line of Section 25,
a distance of 786.7 feet;
Thence North 20°24' West, 170.7 feet;
Thence North 09°45' West, 236.3 feet;
Thence North 00°18' East, 102.7 feet;
Thence South 89°41' East, 393.2 feet;
Thence South 00°18' West, 165.0 feet;
Thence South 89°41' East, 495.0 feet to the East line of Section 25;
Thence South 330.0 feet to the Place of Beginning.

PARCEL NO. 4:

An Easement to construct, operate, and maintain one irrigation pump and one 8-inch
irrigation water pipeline as created by Quitclaim Deed dated May 29, 1980 and recorded June
10, 1980 as Instrument No. 126669 on Film No. 135, records of Cassia County, Idaho, over
and across a portion of the NE $\frac{1}{4}$ of Section 36, Township 9 South, Range 27 East of the Boise
Meridian, Cassia County, Idaho, and described as follows:

Beginning at the intersection of the North right-of-way line of Interstate
Highway 15W and meander line on the East side of Raft River, from
which point of beginning the Northeast corner of Section 36 bears
North 15°02' East, a distance of 2159.4 feet;
Thence South 79°51' West along North right-of-way line of Interstate
Highway 15W, 258.5 feet;
Thence North 10°09' West 50.0 feet;
Thence North 79°51' East, 263.5 feet to the meander line of Raft River;
Thence along said meander line South 02°25' East, 50.2 feet to the Place
of Beginning.

EXHIBIT B

TOWNSHIP 9 SOUTH, RANGE 28 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

Section 19: Lots 2, 3 and the SE $\frac{1}{4}$ ✓

Section 20: W $\frac{1}{2}$ SE $\frac{1}{4}$ ✓ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ ✓

Section 21: W $\frac{1}{2}$ SW $\frac{1}{4}$ ✓ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ ✓

Section 28: NE $\frac{1}{4}$ NW $\frac{1}{4}$ ✓, NE $\frac{1}{4}$ ✓ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ ✓, EXCEPTING
THEREFROM the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the
NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, AND ALSO EXCEPTING:

Part of the east $\frac{1}{2}$ of Section 28 of Township 9 South,
Range 28 East of the Boise Meridian, Cassia County,
State of Idaho.

Beginning at the East $\frac{1}{4}$ section corner of Section 28 of
T.9 S., R.28 E., B.M. said corner marked by a U.S. GLO
iron pipe with brass cap which shall be the Point of
Beginning;

THENCE South 00 degrees 32 minutes 23 seconds
West along the east line of Section 28 for a
distance of 2091.98 feet;

THENCE along a non-tangent curve to the right
for a distance of 2803.04 feet to the east
line of Section 28, said curve having a
radius of 1124.51 feet with a central angle
of 142°49'10" with a long chord bearing of
North 00 degrees 32 minutes 25 seconds East
for a distance of 2131.68 feet;

THENCE South 00 degrees 33 minutes 53 seconds
West along the east line of Section 28 for a
distance of 39.70 feet to the Point of
Beginning.

EASEMENT LANGUAGE

EXCEPTING AND RESERVING UNTO the Grantor and the successors and assigns of the Grantor a perpetual non-exclusive twenty (20) foot wide easement for the installation, replacement, and repair of an underground irrigation pipeline for the delivery of water from a well located in the Southwest Quarter Southwest Quarter Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 21, Township 9 South, Range 28 E., B.M. to the Southeast Quarter (SE $\frac{1}{4}$) of Section 19, Township 9 South, Range 28 E., B.M., which easement is particularly described as:

Beginning at the Northwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of Section 29, Township 9 South, Range 28 East, Boise Meridian, thence East 100 feet along the section line of said Section 29 to the True Point of Beginning; Thence South 20 feet; thence West 100 feet to the East boundary of the Northwest Quarter (NW $\frac{1}{4}$) of Section 29, Township 9 South, Range 28 East, Boise Meridian; thence continuing West 2,640 feet, more or less to the West boundary of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 29; thence continuing West 100 feet in the Northeast Quarter (NE $\frac{1}{4}$) of Section 30, Township 9 South, Range 28 East, Boise Meridian; thence North 20 feet to the North section line of said Section 30; thence East along the North boundaries of the section lines of said Sections 29 and 30, 2,840 feet, more or less to the Point of Beginning.

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

FILE 285

1997 MAR 26 P 1:49

248099

CASSIA COUNTY, IDAHO
GARRELL M. ROSKELLEY
RECORDER

FEES 39.00 DEPUTY llm

LAND TITLE & ESCROW

5769S31 V4R3M0 980729

S103LDFM

04/05/99 15:44:30

Display Device : WO
 User : GAYLE

TAX MASTER INQUIRY

PMPKEY: RP 09S27E360000 A	YEAR 1998	BILL#	7373
TXPKEY: RP09S27E360000A	BILLED TO: WEBB BASIN REAL ESTATE LLC		
NAME WEBB BASIN REAL ESTATE LLC	CODE AREA 4600	ACCOUNT TYPE	
	BANK FLB	OWNER	PUP
ADDRESS HC 76 BOX 1050		MARKET VALUE	4,097
		HARDSHIP	
		HOMEOWNER	
AMERICAN FALLS	ID 83211	NET MARKET	4,097
LEGAL T 6392 (NE)		TAX AMOUNT	46.80
S 36 T 9 R 27		LESS: CIRCUIT	
		PLUS: SPECIALS	
		NET TAX BILLED	46.80
		TAX PAYMENTS	23.40
		TAX CANCELLED	
		SPEC CANCELLED	
		REMAINING TAX DUE	23.40

NEXT PARCEL# RP A OR NEXT BILL# RP 1998
 F3=EXIT F14=OTHER TAXES F5=PAYMNT ACTIVITY F6=TRANS ACTIVITY F24=MORE

Tax 6392

The following is compiled for assessment purposes only.
 Bearings & distances may not be actual. A complete
 survey has not been recorded as of 03/25/94.

TOWNSHIP 9 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
 CASSIA COUNTY, IDAHO, Section 36: Part of the NE $\frac{1}{4}$ of
 said Section 36, described as follows: Beginning at the
 Northeast corner of said Section 36, which shall be the
Point of Beginning;

Thence South 00°08'39" West (South rec.) along
 section line for 1394.94 feet (1,440 feet, more or
 less, rec.) to a point;

Thence North 28°14' West for 1583.3 feet to a
 point on the North line of said Section 36;

Thence East along the North line of Section 36 for
 752.51 feet to the Point of Beginning.

Reference WD198101. tdm 03/25/94.

12.05 A

Display Device WO
 User : GAYLE

TAX MASTER INQUIRY

PMPKEY: RP 09S27E259001 A YEAR 1998 BILL# 7367
 TXPKY: RP09S27E259001A
 NAME WEBB BASIN REAL ESTATE LLC CODE AREA 4600 ACCOUNT TYPE
 BANK FLB OWNER PUP

ADDRESS HC 72 BOX 1050 MARKET VALUE 200,272
 AMERICAN FALLS ID 83211 HARDSHIP
 HOMEOWNER
 NET MARKET 200,272
 TAX AMOUNT 2,289.04
 LEGAL T 4141A, T 6394 (SE) LESS: CIRCUIT
 S 25 T 9 R 27 PLUS: SPECIALS 240.00
 NET TAX BILLED 2,529.04
 TAX PAYMENTS 1,264.52
 TAX CANCELLED
 SPEC CANCELLED
 REMAINING TAX DUE 1,264.52

Tax 6394

The following is compiled for assessment purposes only.
 Bearings and distances may not be actual. A complete
 survey has not been recorded as of 03/25/94.

TOWNSHIP 9 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
 CASSIA COUNTY, IDAHO, Section 25: Part of the SE $\frac{1}{4}$ of
 said Section 25, described as follows: Beginning at the
 Southeast corner of said Section 25, which shall be the
Point of Beginning;

Thence West along section line for 752.51 feet;
 Thence North 05°34' East for 920.2 feet;
 Thence North 08°15' West for 400.1 feet;
 Thence South 89°41' East (East rec.) for 709.7
 feet to the East line of said Section 25;
 Thence South 00°28'50" East (South rec.) along the
 East section line for 1307.94 feet (1320 feet rec.) to
 the Point of Beginning.

Reference WD198101 and QC126616. tdm 03/25/94.

20.98 A

Tax 4141A
 Corrects
 Tax 4141.

TOWNSHIP 9 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
 CASSIA COUNTY, IDAHO, Section 25: Beginning at the South
 1/16th corner between Section 25, Township 9 South,
 Range 27 East of the Boise Meridian and Section 30,
 Township 9 South, Range 28 East of the Boise Meridian;
 Thence North 89°41' West, along the South 1/16th
 line of Section 25, a distance 786.7 feet;
 Thence North 20°24' West, 170.7 feet;
 Thence North 09°45' West, 236.3 feet;
 Thence North 00°18' East, 102.7 feet;
 Thence South 89°41' East, 393.2 feet;
 Thence South 00°18' West, 165.0 feet;
 Thence South 89°41' East, 495.0 feet to the East
 line of Section 25;
 Thence South 330.0 feet to the Place of Beginning.

Reference 248090 WD. tdm 07/31/97.

7.85 A

Print Key Output

Page 1

5769SS1 V4R3M0 980729

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04/05/99 15:44:33

Display Device : WO

User : GAYLE

TAX MASTER INQUIRY

PMPKEY: RP 09S28E196600 A	YEAR 1998	BILL#	7379
TXPKEY: RP09S28E196600A	BILLED TO: WEBB BASIN REAL ESTATE LLC		
NAME	WEBB BASIN REAL ESTATE LLC	CODE AREA	4600
		BANK	FLB
		ACCOUNT TYPE	OWNER PUP
ADDRESS HC 76 BOX 1050		MARKET VALUE	10,520
		HARDSHIP	
		HOMEOWNER	
AMERICAN FALLS ID 83211		NET MARKET	10,520
		TAX AMOUNT	120.24
LEGAL SESW		LESS: CIRCUIT	
S 19 T 9 R 28✓		PLUS: SPECIALS	
		• NET TAX BILLED	120.24
		TAX PAYMENTS	60.12
		TAX CANCELLED	
		SPEC CANCELLED	
		REMAINING TAX DUE	60.12

NEXT PARCEL# RP A OR NEXT BILL# RP 1998
 F3=EXIT F14=OTHER TAXES F5=PAYMNT ACTIVITY F6=TRANS ACTIVITY F24=MORE

Print Key Output

5769SS1 V4R3M0 980729

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Page 1
04/05/99 15:44:53

Display Device : WO
User : GAYLE

TAX MASTER INQUIRY

PMPKEY: RP 09S28E300000 A	YEAR 1998	BILL#	7390
TXPKY: RP09S28E300000A	BILLED TO: WEBB BASIN REAL ESTATE LLC		
NAME	WEBB BASIN REAL ESTATE LLC	CODE AREA	4600
	BANK	FLB	OWNER PUP
ADDRESS HC 76 BOX 1050		MARKET VALUE	396,706
		HARDSHIP	
		HOMEOWNER	
AMERICAN FALLS	ID 83211	NET MARKET	396,706
LEGAL	ALL	TAX AMOUNT	4,534.26
	S 30 T 9 R 28	LESS: CIRCUIT	
		PLUS: SPECIALS	
		NET TAX BILLED	4,534.26
		TAX PAYMENTS	2,267.13
		TAX CANCELLED	
		SPEC CANCELLED	
		REMAINING TAX DUE	2,267.13

NEXT PARCEL# RP A OR NEXT BILL# RP 1998
F3=EXIT F14=OTHER TAXES F5=PAYMNT ACTIVITY F6=TRANS ACTIVITY F24=MORE

Print Key Output

5769SS1 V4R3M0 980729

S103LDFM

Page 1
04/05/99 15:44:56

Display Device : WO
User : GAYLE

TAX MASTER INQUIRY

PMPKEY: RP 09S28E310000 A	YEAR 1998	BILL#	7391
TXPKEY: RP09S28E310000A	BILLED TO: WEBB BASIN REAL ESTATE LLC		
NAME	WEBB BASIN REAL ESTATE LLC	CODE AREA	4600
		BANK	FLB
		ACCOUNT TYPE	PUP
ADDRESS HC 76 BOX 1050		MARKET VALUE	35,687
		HARDSHIP	
		HOMEOWNER	
AMERICAN FALLS ID 83211		NET MARKET	35,687
		TAX AMOUNT	407.86
LEGAL T 7545		LESS: CIRCUIT	
S 31 T 9 R 28		PLUS: SPECIALS	
		NET TAX BILLED	407.86
		TAX PAYMENTS	203.93
		TAX CANCELLED	
		SPEC CANCELLED	
		REMAINING TAX DUE	203.93

NEXT PARCEL# RP A OR NEXT BILL# RP 1998
F3=EXIT F14=OTHER TAXES F5=PAYMNT ACTIVITY F6=TRANS ACTIVITY F24=MORE

TOWNSHIP 9 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO, Section 31: All that part of said
Section lying North of Interstate 15-W.

EXCEPTING THEREFROM that portion of the following which
lays North of said Interstate 15-W and inside of said
Section 31:

TOWNSHIP 9 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO,

A strip of land 60 feet wide, being 30 feet on each side
of the following described center line of an approach
road as surveyed and shown on said official plat of the
Old Oregon Trail FI 2023(6) Highway Survey and lying in
a portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of
Section 32, described as follows:

Commencing at a point being the intersection of the
section line between said Sections 31 and 32 and the Old
Oregon Trail FI 2023(6) Highway Survey line
approximately 1065 feet South from the Northeast corner
of said Section 31 and which point is approximately
coincident with Station 72+71 of said Highway Survey and
being equal to Station 0+00 of the Approach Road Survey
and which station is a point on tangent; thence North
0°26' East on tangent coincident with the Section line
between said Sections 31 and 32 a distance of 101.8 feet
to Station 1+01.8 of said Approach Road Survey, which
station is a point on tangent on the Northwesterly
right-of-way of said Old Oregon Trail FI 2023(6) Highway
Survey and which station is the REAL POINT OF BEGINNING;
thence continuing North 0°26' East on tangent coincident
with the Section line between Sections 31 and 32 a
distance of 913.2 feet to Station 10+15 which station is
a point on tangent on the Southwesterly right-of-way
line of the present Old Oregon Trail Highway and which
point is approximately 50.0 feet South from the
Northeast corner of said Section 31. Reference Quitclaim
Deed #176305 recorded July 19, 1952 in Book 54 of Deeds
on page 629.

Reference WD248098. tdm 08/14/97.

174.96± A

5769SS1 V4R3M0 980729

S103LDFM

04/05/99 15:44:59

Display Device : WO
User : GAYLE

TAX MASTER INQUIRY

PMPKEY: RP 09S28E320000 A YEAR 1998 BILL# 7400
TXPKY: RP09S28E320000A BILLED TO: WEBB BASIN REAL ESTATE LLC
NAME WEBB BASIN REAL ESTATE LLC CODE AREA 4600 ACCOUNT TYPE
BANK FLB OWNER PUP

ADDRESS HC 76 BOX 1050 MARKET VALUE 21,760
HARDSHIP
HOMEOWNER
AMERICAN FALLS ID 83211 NET MARKET 21,760
TAX AMOUNT 248.70
LEGAL T 7546 LESS: CIRCUIT
S 32 T 9 R 28 PLUS: SPECIALS
NET TAX BILLED 248.70
TAX PAYMENTS 124.35
TAX CANCELLED
SPEC CANCELLED
REMAINING TAX DUE 124.35

NEXT PARCEL# RP A OR NEXT BILL# RP 1998
F3=EXIT F14=OTHER TAXES F5=PAYMNT ACTIVITY F6=TRANS ACTIVITY F24=MORE

TOWNSHIP 9 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO, Section 32: All that part of said
Section lying North of Interstate 15-W.

EXCEPTING THEREFROM that portion of the following which
lays North of said Interstate 15-W and inside of said
Section 32:

TOWNSHIP 9 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO,

A strip of land 60 feet wide, being 30 feet on each side
of the following described center line of an approach
road as surveyed and shown on said official plat of the
Old Oregon Trail FI 2023(6) Highway Survey and lying in
a portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of
Section 32, described as follows:

Commencing at a point being the intersection of the
section line between said Sections 31 and 32 and the Old
Oregon Trail FI 2023(6) Highway Survey line
approximately 1065 feet South from the Northeast corner
of said Section 31 and which point is approximately
coincident with Station 72+71 of said Highway Survey and
being equal to Station 0+00 of the Approach Road Survey
and which station is a point on tangent; thence North
0°26' East on tangent coincident with the Section line
between said Sections 31 and 32 a distance of 101.8 feet
to Station 1+01.8 of said Approach Road Survey, which
station is a point on tangent on the Northwesterly
right-of-way of said Old Oregon Trail FI 2023(6) Highway
Survey and which station is the REAL POINT OF BEGINNING;
thence continuing North 0°26' East on tangent coincident
with the Section line between Sections 31 and 32 a
distance of 913.2 feet to Station 10+15 which station is
a point on tangent on the Southwesterly right-of-way
line of the present Old Oregon Trail Highway and which
point is approximately 50.0 feet South from the
Northeast corner of said Section 31. Reference Quitclaim
Deed #176305 recorded July 19, 1952 in Book 54 of Deeds
on page 629.

Reference WD248098. tdm 08/15/97.

64.00± A

Print Key Output
5769SS1 V4R3M0 980729

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Page 1
04/05/99 15:44:43

Display Device : WO
User : GAYLE

TAX MASTER INQUIRY

PMPKEY: RP 09S28E290000 A	YEAR 1998	BILL#	7387
TXPKEY: RP09S28E290000A	BILLED TO: WEBB BASIN REAL ESTATE LLC		
NAME	WEBB BASIN REAL ESTATE LLC	CODE AREA	4600
		BANK	FLB
		ACCOUNT TYPE	OWNER PUP
ADDRESS HC 76 BOX 1050		MARKET VALUE	27,200
		HARDSHIP	
		HOMEOWNER	
AMERICAN FALLS	ID 83211	NET MARKET	27,200
		TAX AMOUNT	310.88
LEGAL	E1/2NE	LESS: CIRCUIT	
	S 29 T 9 R 28	PLUS: SPECIALS	
		NET TAX BILLED	310.88
		TAX PAYMENTS	155.44
		TAX CANCELLED	
		SPEC CANCELLED	
		REMAINING TAX DUE	155.44

NEXT PARCEL# RP A OR NEXT BILL# RP 1998
F3=EXIT F14=OTHER TAXES F5=PAYMNT ACTIVITY F6=TRANS ACTIVITY F24=MORE

Print Key Output

Page 1

5769SS1 V4R3M0 980729

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04/05/99 15:44:47

Display Device : WO
User : GAYLE

TAX MASTER INQUIRY

PMPKEY: RP 09S28E290600 A	YEAR 1998	BILL#	7388
TXPKEY: RP09S28E290600A	BILLED TO: WEBB BASIN REAL ESTATE LLC		
NAME	WEBB BASIN REAL ESTATE LLC	CODE AREA	4600
		ACCOUNT TYPE	
		BANK	FLB
		OWNER	PJP
ADDRESS HC 76 BOX 1050		MARKET VALUE	156,020
		HARDSHIP	
		HOMEOWNER	
AMERICAN FALLS	ID 83211	NET MARKET	156,020
		TAX AMOUNT	1,783.28
LEGAL	W1/2E1/2, W1/2	LESS: CIRCUIT	
	S 29 T 9 R 28	PLUS: SPECIALS	
		NET TAX BILLED	1,783.28
		TAX PAYMENTS	891.64
		TAX CANCELLED	
		SPEC CANCELLED	
		REMAINING TAX DUE	891.64

NEXT PARCEL# RP A OR NEXT BILL# RP 1998
F3=EXIT F14=OTHER TAXES F5=PAYMNT ACTIVITY F6=TRANS ACTIVITY F24=MORE

Print Key Output

Page 1

5769SS1 V4R3M0 980729

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04/05/99 15:44:50

Display Device : WO
User : GAYLE

TAX MASTER INQUIRY

PMPKEY: RP 09S28E297200 A	YEAR 1998	BILL#	7389
TXPKEY: RP09S28E297200A	BILLED TO: WEBB BASIN REAL ESTATE LLC		
NAME	WEBB BASIN REAL ESTATE LLC	CODE AREA	4600
		BANK	FLB
		ACCOUNT TYPE	OWNER
			FUP
ADDRESS HC 76 BOX 1050		MARKET VALUE	25,660
		HARDSHIP	
		HOMEOWNER	
AMERICAN FALLS	ID 83211	NET MARKET	25,660
		TAX AMOUNT	293.28
LEGAL	E1/2SE	LESS: CIRCUIT	
	S 29 T 9 R 28	PLUS: SPECIALS	
		NET TAX BILLED	293.28
		TAX PAYMENTS	146.64
		TAX CANCELLED	
		SPEC CANCELLED	
		REMAINING TAX DUE	146.64

NEXT PARCEL# RP A OR NEXT BILL# RP 1998
F3=EXIT F14=OTHER TAXES F5=PAYMNT ACTIVITY F6=TRANS ACTIVITY F24=MORE

Display Device WO
 User : GAYLE

TAX MASTER INQUIRY

PMPKEY: RP 09S28E283001 A	YEAR 1998	BILL#	7384
TXPKEY: RP09S28E283001A	BILLED TO: WEBB BASIN REAL ESTATE LLC		
NAME	WEBB BASIN REAL ESTATE LLC	CODE AREA	4600
		ACCOUNT TYPE	
		BANK	FLB
		OWNER	PUP
ADDRESS HC 76 BOX 1050		MARKET VALUE	80,601
		HARDSHIP	
		HOMEOWNER	
AMERICAN FALLS	ID 83211	NET MARKET	80,601
		TAX AMOUNT	921.24
LEGAL	S1/2NW, NWNW, E1/2SW, NWSE, S1/2SE N/INTERSTATE HWY PROJ LESS T 7544 S 28 T 9 R 28	LESS: CIRCUIT	
		PLUS: SPECIALS	
		NET TAX BILLED	921.24
		TAX PAYMENTS	460.62
		TAX CANCELLED	
		SPEC CANCELLED	
		REMAINING TAX DUE	460.62

Tax 7544

TOWNSHIP 9 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
 CASSIA COUNTY, IDAHO, Section 28: Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$
 described as follows:

Beginning at the E $\frac{1}{4}$ section corner of said Section 28,
 said corner marked by a U.S. GLO iron pipe with brass
 cap; Thence South 00°32'23" West along the East line of
 Section 28 for a distance of 1335.08 feet to the NE
 corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 28 which shall be
 the POINT OF BEGINNING;

Thence South 00°32'23" West along the East line of
 Section 28 for a distance of 756.90 feet;

Thence along a non-tangent curve to the right for
 a distance of 1079.81 feet to a point on the North line
 of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, said curve having a radius of 1124.51
 feet with a central angle of 55°01'05" with a long chord
 bearing of North 43°21'37" West for a distance of
 1038.80 feet;

Thence North 89°52'19" East along said North line
 for a distance of 720.35 feet to the POINT OF BEGINNING.

Compiled for assessment purposes only. Reference the
 EXCEPTION on Page 3 of Exhibit A to Warranty Deed
 recorded as Instrument Number 248098 and R08246122.
 tdm 08/13/97.

only T7544

8.30 A

Print Key Output

Page 1

5769SS1 V4R3M0 980729

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Display Device : WO

User : GAYLE

TAX MASTER INQUIRY

PMPKEY: RP 09S28E285400 A	YEAR 1998	BILL#	7385
TXPKEY: RP09S28E285400A	BILLED TO: WEBB BASIN REAL ESTATE LLC		
NAME	WEBB BASIN REAL ESTATE LLC	CODE AREA	4600
		BANK	FLB
		ACCOUNT TYPE	OWNER PUP
ADDRESS HC 72 BOX 1050		MARKET VALUE	22,580
		HARDSHIP	
		HOMEOWNER	
AMERICAN FALLS	ID 83211	NET MARKET	22,580
		TAX AMOUNT	258.08
LEGAL	W1/2SW	LESS: CIRCUIT	
	S 28 T 9 R 28	PLUS: SPECIALS	
		NET TAX BILLED	258.08
		TAX PAYMENTS	129.04
		TAX CANCELLED	
		SPEC CANCELLED	
		REMAINING TAX DUE	129.04

NEXT PARCEL# RP A OR NEXT BILL# RP 1998
 F3=EXIT F14=OTHER TAXES F5=PAYMNT ACTIVITY F6=TRANS ACTIVITY F24=MORE

Print Key Output

Page 1

5769SS1 V4R3M0 980729

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Display Device : WO
User : GAYLE

TAX MASTER INQUIRY

PMPKEY: RP 09S28E333150 A	YEAR 1998	BILL#	7404
TXPKEY: RP09S28E333150A	BILLED TO: WEBB BASIN REAL ESTATE LLC		
NAME	WEBB BASIN REAL ESTATE LLC	CODE AREA	4600 ACCOUNT TYPE
		BANK	FLB OWNER PUP
ADDRESS HC 76 BOX 1050		MARKET VALUE	1,768
		HARDSHIP	
		HOMEOWNER	
AMERICAN FALLS	ID 83211	NET MARKET	1,768
		TAX AMOUNT	20.20
LEGAL	N1/2 N/INTST	LESS: CIRCUIT	
	S 33 T 9 R 28	PLUS: SPECIALS	
		NET TAX BILLED	20.20
		TAX PAYMENTS	10.10
		TAX CANCELLED	
		SPEC CANCELLED	
		REMAINING TAX DUE	10.10

NEXT PARCEL# RP A OR NEXT BILL# RP 1998
F3=EXIT F14=OTHER TAXES F5=PAYMNT ACTIVITY F6=TRANS ACTIVITY F24=MORE

AJ5809NP
No. A43-07046

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	P O E INVESTMENTS 2300 OVERLAND BURLLEY ID 83318 (208) 678-1116	09/17/1973	IRRIGATION	04-01 10-31	3.80 CFS	3.80 CFS
					TOTAL DIVERSION:	6843.00 AFA
					CONSUMPTIVE USE:	3.80 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T09S R28E S21	SUSMSW	SENHSE	CASSIA County
S29	SESMSW		CASSIA County
S3D	NHSESE		CASSIA County
S31 Lot02(NESMNW)			CASSIA County

Place of use Legal Description for: IRRIGATION

T	R	S	NE			NW			SW			SE			SUM
			NAME	NAME	SENE	NAME	NAME	NAME	NAME	NAME	SESW	NAME	NAME	SESE	
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
09S 27E 25:															21
09S 27E 36:	12				01										21.0
09S 28E 19:										03-03				30	13.0
09S 28E 20:										12				15	167.0
09S 28E 21:											30			28	137.0
09S 28E 28:			09				20							08	66.0
09S 28E 29:			40		40		37		40		40			40	383.0
09S 28E 30:			39		40		37		39		40			40	628.0
09S 28E 31:			30		33		39		01-46		40			38	638.0
09S 28E 32:			07		11		13		02-16						160.0
09S 28E 33:					02		05		06						55.0
TOTAL ACRES															2281.0

POU County: CASSIA

Other Rights: SEE REMARKS A43-07052

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A43-02481 A43-02567 A43-02568 A43-02579 A43-07047 A43-07052 A43-07088A A43-10841

Other Water Rights Listing Overlapping Place(s) of Use:
A43-00429 A43-02481 A43-02567 A43-02568 A43-02578 A43-02579 A43-02597 A43-07044B A43-07044C A43-07047
A43-07052 A43-07088A A43-07131 A43-10227 A43-10228 A43-10229 A43-10230 A43-10802 A43-10841 R43-02578
R43-07044C R43-10802

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.
- 016 - See remarks for additional conditions of approval.

Remarks: GEN TRANS. 2144.

Remarks:

SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL NOT EXCEED 19.74 CFS WHEN COMBINED WITH LIC. 43-2567, 43-2568, 43-2579, 43-7047 & 43-7052.
NOT EXCEED 19.74 CFS WHEN COMBINED WITH LIC. 43-2567, 43-2568, 43-2579, 43-7047 & 43-7052.
2 P/D IN NWSESE, S30, 19S, R28E.
OTHER RIGHTS: THE FOLLOWING LICENSES HAVE BEEN COMBINED INTO A PERMISSIBLE PLACE OF USE.

43-07046 190 ACRES
43-07052 1543 ACRES
43-02597 40 ACRES (SPRING)
43-07047 160 ACRES
43-02481 218 ACRES
A43-10841 130 ACRES (EXPANSION)

2281 ACRES IRRIGATED UNDER SYSTEM.
43-02567 COVERED BY 43-07052
43-02568 COVERED BY 43-07052
43-02579 COVERED BY 43-07052
43-07088A COVERED BY 43-07052 & 43-07046

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag: C
Presumption Flag:

Audit:

02/08/91 WHITE 04/08/93 MERRITT 03/30/95 POST-STD

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A43-02481 ET AL

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

March 13, 1997 3:44pm

NAME:

POE INVESTMENTS TO WEBB

RE:

MEETING AT 1 PM WITH WEBB
AND GLEN JENSEN, RE/MAX.

REVIEW THE CLAIMS OF POE TO DECIDE HOW TO DO A CHANGE OF OWNERSHIP THAT WOULD ALLOW RETENTION OF THE "OLD" KUWANA PLACE AND MOVEMENT OF 1 CFS TO THAT GROUND FROM THE WATER RIGHTS APURTENANT TO THE SRBA CLAIMS PERMITTED PLACE OF USE.

ASKED FOR AND GOT A COPY OF THE GROUND AS DESCRIBED IN THE TITLE INSURANCE POLICY. MADE A COPY EACH FOR MYSELF AND GEORGIA. IN THE INTERIM GEORGIA AND MR JENSEN BEGAN TO OUTLINE THE POU BEING PURCHASED BY WEBB AND I JOINED THEM AFTER ABOUT 15 MINUTES DUE TO NO SECRETARIAL SUPPORT FOR COPYING AND COPIER JAMMING.

MR WEBB ARRIVED AND WE DISCUSSED THE WATER RIGHT, THEIR DIVERSION AMOUNTS AND THE SITUATION THEY WANTED TO CREATE AS A RESULT OF THE SALE. WE COULDN'T ARRIVE AT THE SAME FIGURE FOR THE TOTAL AMOUNT OF THE DIVERIONS AND WHAT THE DIFFERENCES MEANT SO GEORGIA GOT ALLEN MERRITT TO COME IN.

HE STATED THAT THE WELLS DIVERSION RATES AS A TOTAL OF CLAIMED DIVERSION RATES WAS NOT RELIABLE SINCE NO ANALYSIS OF THE CAPACITY OF THE WELL TO DELIVER MULTIPLE RIGHTS WAS ON THE RECORD. AFTER SOME DISCUSSION WE MOVED TO HOW BEST TO DO THE CHANGE OF OWNERSHIP AND THE CHANGING OF THE CLAIMS TO MOVE 1 CFS TO THE KUWANA PLACE.

ALLEN SAID THAT THE PARTIES WOULD HAVE TO TELL US WHAT THEY WANTED TO DO. JENSEN SAID THAT HE WANTED THE DEPARTMENT TO TELL THEM HOW TO DO THE CHANGE SO THAT THEY COULD GET THE WATER ON THE PROPERTY. WEBB WAS CONCERNED THAT THE WATER WASN'T GOING TO BE THERE IN THE FUTURE MUCH LESS NOW FOR THE CONDITIONS OF THE APPRAISAL.

WE DECIDED TO CALL BILL PARSONS ON A CONFERENCE CALL WHICH I DID. HE ASKED IF THEY COULD AVOID A TRANSFER. I SUGGESTED MOVING ALL THE SRBA CLAIMS OVER INTO THE WEBB NAME AND RESERVE THE KUWANA LAND. PARSONS SAID WHY NOT DO THAT AND ALSO RESERVE A CFS FROM ANOTHER WELL. I SAID SINCE ITS AN INTERTIED SYSTEM RESERVE THE WATER THAT YOU NEED FROM THE SYSTEM FOR THE KUWANA LAND AND DO A SIDEBAR OR INSERT LAGUAGE THAT ADDRESSES THE DESIRED SETUP IF THE LENDER WOULD GO WITH IT. PARSONS SAID THAT FCS HAD ALREADY SAID THAT THEY WOULD.

JENSEN WILL GET WITH PARSONS TO FINALIZE AN OWNERSHIP CHANGE IN SOME, FORM ALONG THE LINES OF WHAT WE ALL DISCUSSED. I ENCOURAGED BOTH JENSEN AND WEBB TO CALL ME IF THEY HAD ADDITIONAL QUESTIONS OR THOUGHT OF DETAILS ON THE RIDE BACK HOME. WE DISCUSSED BRIEFLY THE FUTURE FIELD EXAMS AND WHEN THEY MIGHT HAPPEN AS WELL AS HOW THE WELL MEASUREMENTS WOULD BE DONE AND THE BASIS FOR RECCOMENDATIONS.

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

RECEIVED

APR 08 1993

Ident. Number: A43-07046

Date Received: 2/ 7/1991

Receipt No: S012997 4/30/55

Received By: AD

Department of Water Resources

AMENDED
Southern Region Office

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

AMENDED

1. Name: P. O. E. INVESTMENTS 208-678-1116
Address: 2300 OVERLAND
BURLEY ID 83318

2. Date of Priority: SEP 17, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	28E	21	SW	SW	SW		CASSIA
		29	SE	SW	SW		CASSIA
			SE	NW	SE		CASSIA
		30	NW	SE	SE		CASSIA
		31	NE	SW	NW	2	CASSIA

5. Description of diverting works:

SIX WELLS AND PUMPS INTO COMMON PIPELINE NETWORK

6. Water is used for the following purposes:

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

7. Total Quantity Appropriated is:

3.800 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 6843.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	27E	25	SE	SE		IRR	21.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
						Section Acres	21.0
		36	NE	NE		IRR	12.0
			SE	NE		IRR	1.0
						Section Acres	13.0
28E		19	NE	SW	3	IRR	3.0
			SE	SW		IRR	39.0
			NE	SE		IRR	30.0
			NW	SE		IRR	20.0
			SW	SE		IRR	40.0
			SE	SE		IRR	35.0
						Section Acres	167.0
		20	NE	SW		IRR	12.0
			SE	SW		IRR	4.0
			NE	SE		IRR	15.0
			NW	SE		IRR	28.0
			SW	SE		IRR	40.0
			SE	SE		IRR	38.0
						Section Acres	137.0
		21	NW	SW		IRR	30.0
			SW	SW		IRR	22.0
			SE	SW		IRR	14.0
						Section Acres	66.0
		28	NW	NE		IRR	9.0
			NE	NW		IRR	20.0
			SW	NW		IRR	40.0
			SE	NW		IRR	36.0
			NE	SW		IRR	36.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	8.0
			NW	SE		IRR	39.0
			SW	SE		IRR	40.0
			SE	SE		IRR	35.0
						Section Acres	383.0
		29	NE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	28E	29	NW		NE		IRR	35.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	37.0
			NW		NW		IRR	39.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	39.0
			SW		SW		IRR	39.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	628.0
		30	NE		NE		IRR	39.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			NE		NW		IRR	37.0
			NW		NW	1	IRR	46.0
			SW		NW	2	IRR	46.0
			SE		NW		IRR	34.0
			NE		SW		IRR	40.0
			NW		SW	3	IRR	43.0
			SW		SW	4	IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	38.0
			NW		SE		IRR	39.0
			SW		SE		IRR	40.0
			SE		SE		IRR	37.0
							Section Acres	638.0
		31	NE		NE		IRR	30.0
			NW		NE		IRR	33.0
			NE		NW		IRR	39.0
			NW		NW	1	IRR	42.0
			SW		NW	2	IRR	16.0
							Section Acres	160.0
		32	NE		NE		IRR	7.0
			NW		NE		IRR	11.0
			NE		NW		IRR	13.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	28E	32	NW	NW		IRR	24.0
						Section Acres	55.0
		33	NW	NE		IRR	2.0
			NE	NW		IRR	5.0
			NW	NW		IRR	6.0
						Section Acres	13.0
						Total Acres	2281.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
SEE REMARKS A43-07052

14. Remarks:

TRANS. 2144.
SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL NOT EXCEED 19.74 CFS WHEN COMBINED WITH LIC. 43-2567, 43-2568, 43-2579, 43-7047 & 43-7052.
NOT EXCEED 19.74 CFS WHEN COMBINED WITH LIC. 43-2567, 43-2568, 43-2579, 43-7047 & 43-7052.
2 P/D IN NWSESE, S30, T9S, R28E.
OTHER RIGHTS: THE FOLLOWING LICENSES HAVE BEEN COMBINED INTO A PERMISSIBLE PLACE OF USE.

43-07046	190 ACRES
43-07052	1543 ACRES
43-02597	40 ACRES (SPRING)
43-07047	160 ACRES
43-02481	218 ACRES
A43-10841	130 ACRES (EXPANSION)

2281 ACRES IRRIGATED UNDER SYSTEM.

43-02567	COVERED BY 43-07052
43-02568	COVERED BY 43-07052
43-02579	COVERED BY 43-07052

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am A Partner of _____ Title

P.O.E. INVESTMENTS, that I have signed the foregoing Organization

document in the space below as Managing Partner of Title

P.O.E. INVESTMENTS and that the statements contained in the Organization

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Managing Partner
Title and Organization

April 1, 1993
Date

State of Idaho)
County of Cassia) SS.

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

of April 19 93

[Signature]
Notary Public

Seal

Residing at Burley
My Commission Expires 4-2-95

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

RECEIVED

Ident. Number: A43-07046
Date Received: 1/7/1991
Receipt No: 5012997
Received By: LW

FEB -7 1991

Department of Water Resources
Southern Region Office
**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: P. O. E. INVESTMENTS
Address: 2300 OVERLAND
BURLEY, ID 83318 208-678-1116

2. Date of Priority: SEP 17, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	28E	29		SW	SW		CASSIA
				NW	SE		CASSIA
		30		SE	SE		CASSIA
		31		SW	NW		CASSIA

5. Description of diverting works:
WELLS & PUMP.

6. Water is used for the following purposes:

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

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	27E	25	SE	SE		IRR	20.0

A43-07046

Page 1

Date: 01/07/91

MICROFILMED
MAR U 4 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	20.0
		36	NE	NE	IRR	20.0
			SE	NE	IRR	15.0
					Section Acres	35.0
	28E	28	NW	NW	IRR	35.0
			SW	SE	IRR	34.0
					Section Acres	69.0
		30	NW	NW	IRR	40.0
			SW	NW	IRR	10.0
					Section Acres	50.0
		31	SW	NW	IRR	16.0
					Section Acres	16.0
					Total Acres	190.0

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:

LIC. 43-2567, 43-2568, 43-2579, 43-7047 & 43-7052.

14. Remarks:

2 P/D IN SESE, S30, T9S, R28E.
TRANS. 2144.

SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL
NOT EXCEED 19.74 CFS WHEN COMBINED WITH LIC. 43-2567, 43-2568,
43-2579, 43-7047 & 43-7052.

NOT EXCEED 19.74 CFS WHEN COMBINED WITH LIC. 43-2567, 43-2568,
43-2579, 43-7047 & 43-7052.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am a Partner Title _____ of P.O.E. INVESTMENTS Organization, that I have signed the foregoing document in the space below as A Partner Title _____ of P.O.E. Investments Organization and that the statements contained in the foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Partner, P.O.E. Investments
Title and Organization

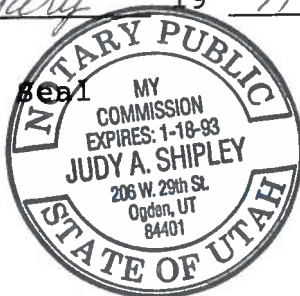
1/29/91

Date

State of ~~Idaho~~ UTAH)
County of Wasatch) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of January 19 91

[Signature]
Notary Public



Residing at Ogden, Utah

My Commission Expires 1/18/93

1 - P.O. BOX 789
2 -
3 -
City- BURLEY
Phone -
State- ID Zip- 83318

+ - - - St
L - LICENSE- - Source
GROUNDWATER

Stream Index (Blank if no Index Code)

(31) CASSIA
(31) CASSIA
(31) CASSIA

Water Use	Period From	Period To	Diversion Rate	Diversion Volume
Period From	Period To	Diversion Rate	Diversion Volume	

3-800

iv. Ra
3.800

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
09S	27E	25	SE SE		20.0	01	IRRIGATION	(31) CASSIA
09S	27E	36	NE NE		20.0	01	IRRIGATION	(31) CASSIA
09S	27E	36	SE NE		15.0	01	IRRIGATION	(31) CASSIA
09S	28E	28	NW NW		35.0	01	IRRIGATION	(31) CASSIA
09S	28E	28	SW SE		34.0	01	IRRIGATION	(31) CASSIA
09S	28E	30	NW NW		40.0	01	IRRIGATION	(31) CASSIA
09S	28E	30	SW NW		10.0	01	IRRIGATION	(31) CASSIA
09S	28E	31	SW NW		16.0	01	IRRIGATION	(31) CASSIA

190.0

MIP

1

Other Rights for Same Use - LIC. 43-2567, 43-2568, 43-2579, 43-7047 & 43-7052.

MICROFILMED
MAR 6 4 1993

Water right number - 43-07046

Prefix Translation:

WATER RIGHT

2 P/D IN SESE, S30, T9S, R28E.
TRANS. 2144.

SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL
NOT EXCEED 19.74 CFS WHEN COMBINED WITH LIC. 43-2567, 43-2568,
43-2579, 43-7047 & 43-7052.
NOT EXCEED 19.74 CFS WHEN COMBINED WITH LIC. 43-2567, 43-2568,
43-2579, 43-7047 & 43-7052.

Old Water Right Numbers -
No Old Water Right Numbers found.

Conditions of Approval -
R01 - A measuring device of a type approved by this Department shall be
maintained as a part of the diverting works.
016 - See remarks for additional conditions of approval.

Decree Plaintiff -

Decree Defendant -

Decree Date -
00/00/0000

Comments -
No Comments Found

Audit Fields - 02/11/86 05/28/88 CONVERT

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 01/28/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 07/03/1979	Appl Received	- 00/00/0000	Transfer/Amended	- T
Decree Date	- 00/00/0000	Presumption Flag	-		

MICROFILMED

MAR 04 1993

HR5809NP
No. 43-07046

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/22/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RIVIERA FARMS INC. P.O. BOX 789 BURLEY ID 83318	09/17/1973	IRRIGATION	04/01 10/31	3.800 CFS	
TOTAL DIVERSION:					3.800 CFS	

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T09S R28E S29 S30 S31 SMSW SESE SWNW NMSE

CASSIA County
CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION															
NE				NW				SW				SE			
T	R	S		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
09S	27E	25	:	:	:	:	:	:	:	:	:	:	:	:	:
09S	27E	36	:	:	:	:	:	:	:	:	:	:	:	:	:
09S	28E	28	:	:	:	:	:	:	:	:	:	:	:	:	:
09S	28E	30	:	:	:	:	:	:	:	:	:	:	:	:	:
09S	28E	31	:	:	:	:	:	:	:	:	:	:	:	:	:
TOTAL ACRES													20	34	20
													20.0	35.0	20.0
													69.0	50.0	16.0
													16.0	16.0	190.0

Pou County: CASSIA

Other Rights: LIC. 43-2567, 43-2568, 43-2579, 43-7047 & 43-7052.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
43-02567 43-02568 43-02579 43-07047 43-07052 43-07088

Other Water Rights Listing Overlapping Place(s) of use:
43-00162 43-00163 43-00223 43-00224 43-00225 43-00226 43-00420 43-02567 43-02568 43-02579
43-07052 43-07088

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.
016 - See remarks for additional conditions of approval.

Remarks:

2 P/D IN SESE, S30, T9S, R28E.
TRANS. 2144.
SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL
NOT EXCEED 19.74 CFS WHEN COMBINED WITH LIC. 43-2567, 43-2568,
43-2579, 43-7047 & 43-7052.
NOT EXCEED 19.74 CFS WHEN COMBINED WITH LIC. 43-2567, 43-2568,
43-2579, 43-7047 & 43-7052.

Dates: App. Received: 09/17/1973
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 07/03/1979

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/22/97
PAGE: 2

strict Number:

field Exam Fee:

6 05/28/88 CONVERT

RECEIVED

1992 JUL 31

Department of Water Resources
Tribal Affairs Bureau

1992 JUL 31 AM 10:19

DISTRICT COURT-SRBA

LEWIS & CLARK COUNTY, 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 SRBA	)	Subcases 43-02567B, 43-02568, 43-02579,
	)	43-07046, 43-07047, 43-07052 and 43-07088A
Case No. 39576	)	(Webb Basin Real Estate, LLC)
	)	
	)	SPECIAL MASTER REPORT

Findings of Fact

P.O.E. Investments filed a *Notice of Claim to a Water Right* under 43-07088A on January 16, 1992, claiming 1.32 cfs from groundwater to irrigate 2,281 acres in Cassia County from April 1 to October 31 with a priority date of June 15, 1977, based on a license. The Director of the Idaho Department of Water Resources filed his *Director's Reports for Irrigation and Other, Reporting Area 7, IDWR Basin 43, Part I* on September 28, 2001. The Director recommended claim 43-07088A as filed, but to Webb Basin Real Estate, LLC, HC 76, Box 1050, American Falls, Idaho 83211, for irrigation of 66 acres within a 1,832.8 acre place of use. The Director also recommended claim 43-07088A be limited to a total combined diversion rate of 20.06 cfs in combination with overlapping claims 43-02567B, 43-02568, 43-02579, 43-07046, 43-07047 and 43-07052.

Douglas C. Webb (Webb Basin Real Estate) filed an *Objection* to claim 43-07088A on March 21, 2002, objecting to points of diversion. On July 15, 2002, Mr. Webb and IDWR filed a *Standard Form 5* deleting a point of diversion.

Conclusions of Law

Webb Basin Real Estate, LLC, is entitled to partial decrees adjudicating water rights under claims 43-02567B, 43-02568, 43-02579, 43-07046, 43-07047, 43-07052 and 43-07088A as described in the *Standard Form 5* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 43-02567B, 43-02568, 43-02579, 43-07046, 43-07047, 43-07052 and 43-07088A*.

DATED July 31, 2002.



TERRENCE A. DOLAN
Special Master
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 SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 43-07046

2002 JUL 31 AM 10:19
DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED *[Signature]*

NAME AND ADDRESS: WEBB BASIN REAL ESTATE LLC
HC 76 BOX 1050
AMERICAN FALLS, ID 83211

SOURCE: GROUND WATER

QUANTITY: 3.80 CFS
760.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 20.06 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 7331 AF. COMBINED RIGHT NOS.: 43-02567B,
43-02568, 43-02579, 43-07046, 43-07047, 43-07052, & 43-07088A.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 18.74 CFS. COMBINED RIGHT NOS.: 43-02567B,
43-02568, 43-02579, 43-07046, 43-07047, & 43-07052.

PRIORITY DATE: 09/17/1973

POINT OF DIVERSION: T09S R28E S29 NESWSW Within Cassia County
SENWSE
S30 SWESE
SWESE
S31 LOT 2 (NESWNW)

TWO POINTS OF DIVERSION LOCATED IN T09S, R28E, S30, SWESE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.80 CFS 760.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Cassia County
T09S R27E S25	SESE 15.0	
S36	NENE 15.0	SENE 1.6
R28E S19	SESW 32.0	
S28	NWNW 37.0	SWNW 40.0
	SESW 34.0	NESW 34.0
	NWSW 33.0	SWSW 35.0
	SESW 33.0	NWSE 40.0
	SWESE 31.0	SESE 30.0
S29	NENE 40.0	NWNE 21.0
	SWNE 40.0	SENE 40.0
	NENW 37.0	NWNW 31.0
	SWNW 41.0	SENE 40.0
	NESW 41.0	NWSW 41.0
	SWSW 41.0	SESW 41.0
	NESE 40.0	NWSE 41.0
	SWESE 41.0	SESE 38.0
S30	NENE 34.0	NWNE 40.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	SWNE 41.0		SENE 41.0
	NENW 41.0	LOT 1	(NWNW) 45.0
LOT 2	(SWNW) 45.0		SESW 40.0
	NESW 40.0	LOT 3	(NWSW) 46.0
LOT 4	(SWSW) 36.0		SESW 39.0
	NESE 41.0		NWSE 41.0
	SWSE 41.0		SESE 41.0
S31	NENE 29.0		NWNE 19.0
	NENW 12.0	LOT 1	(NWNW) 24.0
LOT 2	(SWNW) 12.0		
S32	NENE 4.3		NWNE 11.0
	NENW 17.0		NWNW 24.0
S33	NWNW 3.9		
1832.8 Acres Total			

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1832.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2567B, 43-02568, 43-02579, 43-07046, 43-07047, 43-07052, & 43-07088A.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 190 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

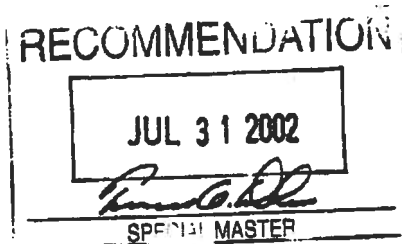
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication



7/31/02 12:12

DISTRICT COURT - SRBA
TWIN FALLS, 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 SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 43-02567B
43-02568 43-02579 43-07046
43-07047 43-07052 43-07088A

On July 31, 2002, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED July 31, 2002.


LETTIE MESSICK
Deputy Clerk

2002 JUL 31 AM 10:19

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED *DM*

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

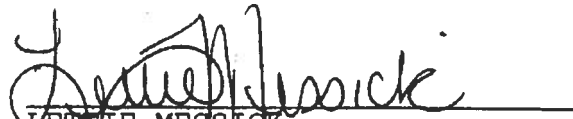
Water Right(s): 43-02567B
43-02568 43-02579 43-07046
43-07047 43-07052 43-07088A

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on July 31, 2002, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

DOUGLAS C. WEBB
WEBB BASIN REAL ESTATE LLC
HC 76 BOX 1050
AMERICAN FALLS, ID 83211
Phone: 208-349-5757


LETTIE MESSICK
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
07/31/02

SEP 12 11:10

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Rights 43-2567B, 43-2568, 43-2579,
43-7046, 43-7047, 43-7052 and 43-7088A

On July 31, 2002, a *Special Master's Report and Recommendation* was filed for the above water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water rights 43-2567B, 43-2568, 43-2579, 43-7046, 43-7047, 43-7052 and 43-7088A are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED

9/12/02

Roger S. Burdick

ROGER S. BURDICK

Presiding Judge

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 SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 43-07046

SEP 12 11:10

RECEIVED
CLERK OF DISTRICT COURT
TWIN FALLS, IDAHO

NAME AND ADDRESS: WEBB BASIN REAL ESTATE LLC
HC 76 BOX 1050
AMERICAN FALLS, ID 83211

SOURCE: GROUND WATER

QUANTITY: 3.80 CFS
760.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 20.06 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 7331 AF. COMBINED RIGHT NOS.: 43-02567B,
43-02568, 43-02579, 43-07046, 43-07047, 43-07052, & 43-07088A.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 18.74 CFS. COMBINED RIGHT NOS.: 43-02567B,
43-02568, 43-02579, 43-07046, 43-07047, & 43-07052.

PRIORITY DATE: 09/17/1973

POINT OF DIVERSION: T09S R28E S29 NESWSW Within Cassia County
SENWSE
S30 SWESE
SWESE
S31 LOT 2 (NESWNW)

TWO POINTS OF DIVERSION LOCATED IN T09S, R28E, S30, SWESE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.80 CFS 760.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Cassia County
T09S R27E S25	SESE 15.0	
S36	NENE 15.0	SENE 1.6
R28E S19	SESW 32.0	
S28	NWNW 37.0	SWNW 40.0
	SESW 33.0	NESW 34.0
	SESW 33.0	SWSW 35.0
	SESW 33.0	NWSE 40.0
	SWSE 31.0	SESE 30.0
S29	NENE 40.0	NWNE 21.0
	SWNE 40.0	SENE 40.0
	NENW 37.0	NWNW 31.0
	SWNW 41.0	SENE 40.0
	NESW 41.0	NWSW 41.0
	SWSW 41.0	SESW 41.0
	NESE 40.0	NWSE 41.0
	SWSE 41.0	SESE 38.0
S30	NENE 34.0	NWNE 40.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	SWNE 41.0		SENE 41.0
	NENW 41.0	LOT 1	(NWNW) 45.0
LOT 2	(SWNW) 45.0		SENE 40.0
	NESW 40.0	LOT 3	(NWSW) 46.0
LOT 4	(SWSW) 36.0		SESW 39.0
	NESE 41.0		NWSE 41.0
	SWSE 41.0		SESE 41.0
S31	NENE 29.0		NWNE 19.0
	NENW 12.0	LOT 1	(NWNW) 24.0
LOT 2	(SWNW) 12.0		
S32	NENE 4.3		NWNE 11.0
	NENW 17.0		NWNW 24.0
S33	NWNW 3.9		
1832.8 Acres Total			

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1832.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2567B, 43-02568, 43-02579, 43-07046, 43-07047, 43-07052, & 43-07088A.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 190 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE FOR WATER RIGHTS IN BASIN 43 was mailed on September 12, 2002, with sufficient first-class postage to the following:

DOUGLAS C. WEBB
WEBB BASIN REAL ESTATE LLC
HC 76 BOX 1050
AMERICAN FALLS, ID 83211
Phone: 208-349-5757

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Adjudication Recommendation Report 43-7046 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RIVIERA FARMS INC PO BOX 789 BURLEY, ID 83318
Current Owner	WEBB BASIN REAL ESTATE LLC HC 76 BOX 1050 AMERICAN FALLS, ID 83211 (208)349-5757
Original Owner	P O E INVESTMENTS 2300 OVERLAND BURLEY, ID 83318 (208)678-1116

Status: Active

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	3.800 CFS	760.00 AF
	Total Diversion:	3.800 CFS	760.00 AF

GROUND WATER CASSIA County	NE1/4SW1/4SW1/4	Sec. 29,	Twp 09S,	Rge 28E, B.M.
GROUND WATER CASSIA County	L2 NE1/4SW1/4NW1/4	Sec. 31,	Twp 09S,	Rge 28E, B.M.
GROUND WATER CASSIA County	SE1/4NW1/4SE1/4	Sec. 29,	Twp 09S,	Rge 28E, B.M.
GROUND WATER CASSIA County	SW1/4SE1/4SE1/4	Sec. 30,	Twp 09S,	Rge 28E, B.M.
GROUND WATER CASSIA County	SW1/4SE1/4SE1/4	Sec. 30,	Twp 09S,	Rge 28E, B.M.

IRRIGATION

[illegible]

Adjudication Recommendation Report 43-7046 V1

[illegible]

Total Acres: 1832.8

1. 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.

1.	Quantity	USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 18.74 CFS. COMBINED RIGHT NOS.: 43-02567B, 43-02568, 43-02579, 43-07046, 43-07047, & 43-07052.
2.	Place of Use - Irrigation	USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1832.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2567B, 43-02568, 43-02579, 43-07046, 43-07047, 43-07052, & 43-07088A.
3.	Quantity	USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 20.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 7331 AF. COMBINED RIGHT NOS.: 43-02567B, 43-02568, 43-02579, 43-07046, 43-07047, 43-07052, & 43-07088A.
4.	Point of Diversion	TWO POINTS OF DIVERSION LOCATED IN T09S, R28E, S30, SWSESE.
5.	Place of Use - Irrigation	THIS RIGHT IS LIMITED TO THE IRRIGATION OF 190 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
6.	Purpose of Use	THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

VERIFIED BY

11/06/2000

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

RIGHT NUMBER: 43-7046

NAME AND ADDRESS: WEBB BASIN REAL ESTATE LLC
HC 76 BOX 1050
AMERICAN FALLS, ID 83211

SOURCE: GROUND WATER

QUANTITY: 3.8 CFS
760 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 20.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 7331 AF. COMBINED RIGHT NOS.: 43-02567B, 43-02568, 43-02579, 43-07046, 43-07047, 43-07052, & 43-07088A.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 18.74 CFS. COMBINED RIGHT NOS.: 43-02567B, 43-02568, 43-02579, 43-07046, 43-07047, & 43-07052.

PRIORITY DATE: 09/17/1973

POINT OF DIVERSION:	T09S R28E S29	NESWSW	Within CASSIA County
	T09S R28E S29	SENWSE	Within CASSIA County
	T09S R28E S30	SWESE	Within CASSIA County
	T09S R28E S30	SWESE	Within CASSIA County
	T09S R28E S31 LOT 2	NESWNW	Within CASSIA County

TWO POINTS OF DIVERSION LOCATED IN T09S, R28E, S30, SWESE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	3.80 CFS
		760.0 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION Within CASSIA County

T09S R27E S25	SESE	15	T09S R27E S36	NENE	15
T09S R27E S36	SENE	1.6	T09S R28E S19	SESW	32
T09S R28E S28	NWNW	37	T09S R28E S28	SWNW	40
T09S R28E S28	SESW	34	T09S R28E S28	NESW	34
T09S R28E S28	NWSW	33	T09S R28E S28	SWSW	35
T09S R28E S28	SESW	33	T09S R28E S28	NWSE	40
T09S R28E S28	SWSE	31	T09S R28E S28	SESE	30
T09S R28E S29	NENE	40	T09S R28E S29	NWNE	21
T09S R28E S29	SWNE	40	T09S R28E S29	SENE	40
T09S R28E S29	NENW	37	T09S R28E S29	NWNW	31
T09S R28E S29	SWNW	41	T09S R28E S29	SENE	40
T09S R28E S29	NESW	41	T09S R28E S29	NWSW	41
T09S R28E S29	SWSW	41	T09S R28E S29	SESW	41
T09S R28E S29	NESE	40	T09S R28E S29	NWSE	41
T09S R28E S29	SWSE	41	T09S R28E S29	SESE	38
T09S R28E S30	NENE	34	T09S R28E S30	NWNE	40
T09S R28E S30	SWNE	41	T09S R28E S30	SENE	41
T09S R28E S30	NENW	41	T09S R28E S30	NWNW	45
T09S R28E S30	SWNW	45	T09S R28E S30	SENE	40
T09S R28E S30	NESW	40	T09S R28E S30	NWSW	46
T09S R28E S30	SWSW	36	T09S R28E S30	SESW	39
T09S R28E S30	NESE	41	T09S R28E S30	NWSE	41
T09S R28E S30	SWSE	41	T09S R28E S30	SESE	41
T09S R28E S31	NENE	29	T09S R28E S31	NWNE	19
T09S R28E S31	NENW	12	T09S R28E S31	NWNW	24
T09S R28E S31	SWNW	12	T09S R28E S32	NENE	4.3
T09S R28E S32	NWNE	11	T09S R28E S32	NENW	17
T09S R28E S32	NWNW	24	T09S R28E S33	NWNW	3.9

1832.8 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1832.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2567B, 43-02568, 43-02579, 43-07046, 43-07047, 43-07052, & 43-07088A.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 190 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

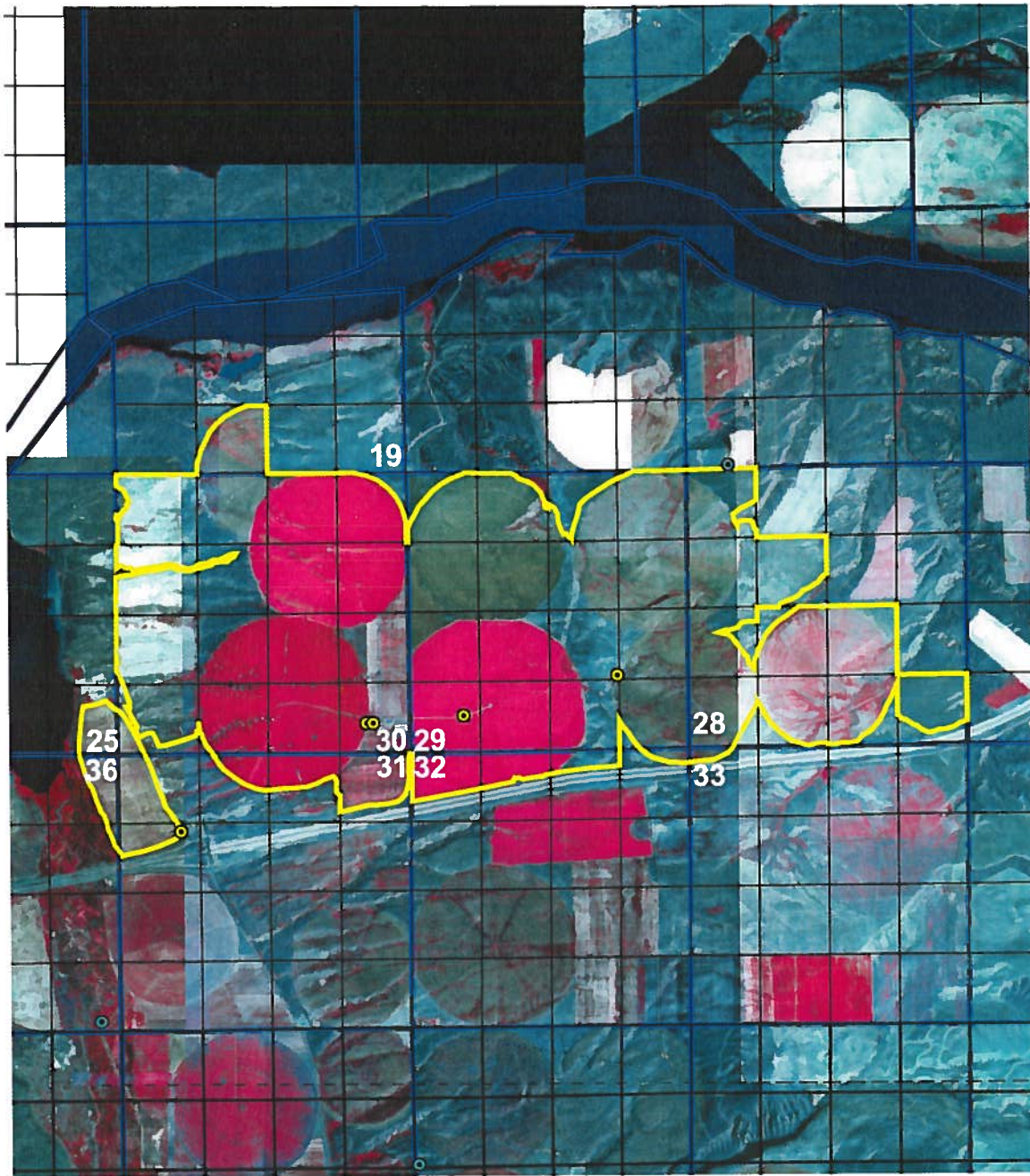
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Idaho Department of Water Resources

43-02567B, 43-02568, 43-02579, 43-07046,
□□43-07047, 43-07052 & 43-07088A



0 1320 2640 Feet



RECOMMENDED PLACE OF USE
DATA ENTRY ON NOV. 6, 2000
TWP 09S, RNG 27E, SEC. 25 & 36
TWP 09S, RNG 28E, SEC. 19,28,29,30,31,32,33



- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

①

The land under these claims is covered by 7 licenses and one expansion claim. There were a series of transfers in the 70's (2142 - 2147) which tied the wells together. A total of 2165 acres were claimed originally but part of the land was sold and the claims were amended to 1913 acres. GIS showed 1832.8 acres

43-02567 8/26/63 6 cfs 1583 Ac.

transfer #5558 was approved in July 2000 and it split this right into A & B, giving 1 cfs and 368 Ac. to the A portion and leaving 5 cfs and 1215 Ac. for the B

43-07052 7/2/73 5.37 cfs 1583 Ac.
(same acres as 43-02567)

43-02568 8/26/63 6 cfs 1544 Ac.

43-02579 10/1/64 2.37 cfs 1544 Ac.

(these acres overlapped the 1583 acres of 43-02567 & 43-07052, and added an additional 39 acres in the SE SW of Section 19)

43-07046 9/17/73 3.8 cfs 190 Ac.

(some new acres + some overlapping above Poll's)

43-07047 9/17/73 3.2 cfs 160 Ac.

(all new acres)

* - the above 2 licenses had the condition that when they were combined with -2567, -2568, -2579, and -7052, the diversion rate shall not exceed 19.74 cfs

②

Since the previous 6 licenses were limited to 19.74 cfs when combined, and Transfer #5558 removed 1 cfs, they are now limited to 18.74 cfs when combined.

43-07088 6/15/77 1.32 cfs 66 Ac.

- these were new, not overlapping acres
- Steadman Bros. made a claim for a portion of the license under 43-10230 for 8 acres and 0.16 cfs, so this claim was filed with an A suffix
- I believe by the maps in the licensing exam that all of the acres under the license were on the North side of the freeway and should all go to the A portion and none to Steadman Bros.

43-10841 4/1/75 2.6 cfs 130 Ac.

- this was an expansion claim for the above licenses
- since the licensed acres are enough to cover the entire Poll shown by GIS, this right is not needed and will be disallowed

Total diversion rate for all = 20.06 cfs (18.74 + 1.32)

$20.06 \text{ cfs} \div 1832.8 \text{ (GIS acres)} = 0.01 \text{ cfs / Ac.}$

$1832.8 \times 4 = 7331 \text{ AF}$

RECEIVED

OCT 20 1977

Department of Water Resources
Southern District OfficeSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 2144
Application No. 43-7046

APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

To Change the Point of Diversion and/or the Place of Use

Name of applicant Riviera Farms, Inc. Phone _____
Post office address Box 789, Burley, Ida 83318

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ VS _____
dated _____ in _____ county of _____
(Name of court)b. License No. 43-7046 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Thru purchase of the property3. Source of water groundwater tributary to _____4. Date of priority Sept 17, 1973

5. Water is used for the following purposes:

amount 3.8 for Irrigation purposes from 4-1 to 10-31
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day -- both dates inclusive)6. Total amount of water under right: a. 3.8 cubic feet per second
&/or
b. 760 acre feet per annum7. Location of original point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 29
Township 9S Range 28E, B.M., in Cassia County
Additional points of diversion, if any NWSE, Sec. 29; (2 points)
SESE, Sec. 30 T9S-R28E

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9S	28E	28						35									34		69
		30						40	10										50
		31							16										16
9S	27E	25															20		20
		26	20			15													35

Total number of acres to be irrigated 170

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. 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	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

- a. Amount of water to be diverted 3.8 _____ &/or _____ acre feet
- b. Point(s) of diversion SW 1/4 SW 1/4, Section 29 Township 9S
Range 28E, B.M., Cassia County _____
Additional points NWSE, 29; (2pts) SESE, sec. 30 7S-28E;
SWNW, Sec. 31 T9S-28E.
- c. Description of diverting works well, motor & Sprinkler
System.
- d. Describe the reasons for applying for a change in the point(s) of diversion _____

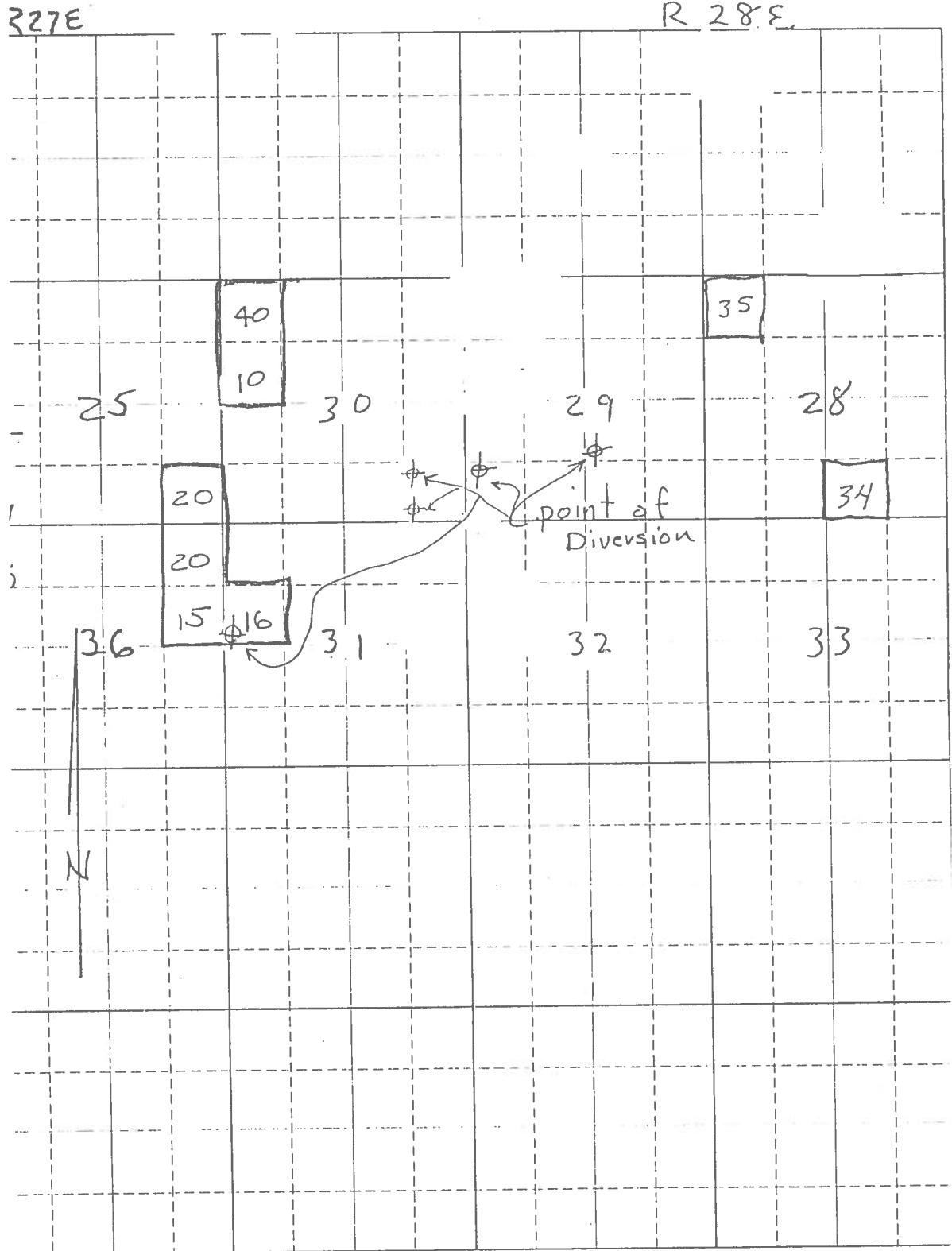
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

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	
9S	28E	28						35									34		69
		30						40	10										50
		31							16										16
9S	27E	25															20		20
		36	20			15													35

Total number of acres to be irrigated 190

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



ALE: 2 inches equal 1 mile. Draw plan in ink.

Remarks

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

Oliver Farnsworth
State Engineer
(Signature of applicant)

Subscribed and sworn to before me this 5th day of July, 19 77

Robert Michael
(Notary public)

My commission expires 7-15-77

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-7046, 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 11 day of October, 19 77

Donald L. Stule
Deputy Director

FOR DEPARTMENT USE ONLY

Received by DS Date 7-12-77
Elim. check by ADM Fee \$30.00 # 8638
Receipted by dm Date 7/18/77
Published in South Idaho Press
Pub. dates 8/9 + 8/16/77
Watermaster recommendation requested on _____
rec'd. _____

Protest filed by _____
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by Michael L. Stule

JAN 25 1977

State of Idaho

Department of Water Resources

Department of Water Resources
Southern District Office

WATER RIGHT LICENSE

License of Water Right No. 43-7046 Priority Sept. 17, 1973 Amount 3.80 cfs

THIS IS TO CERTIFY, that Connecticut General Life Insurance Company
of Dallas, Texas, has complied with the terms and conditions of Permit
No. 43-7046 issued pursuant to Application for Permit dated September 17, 1973,
and has submitted proof to the Department of Water Resources on August 18, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 19.74 cfs of water from a ground water source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Oct. 31</u>	at <u>3.80</u> cfs and	<u>760 acre feet or</u>
			<u>4.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than * 3.80 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
760 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29;
SE $\frac{1}{4}$ SE $\frac{1}{4}$ (2 points), Sec. 30; Twp. 9 S, Rge. 28 E, BM in the County of Cassia

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 S	28 E	28						35									34		69
		30						40	10										50
		31						16											16
9 S	27 E	25															20		20
		36	20			15													35

Total number of acres irrigated 190

* Subject to the condition that the maximum rate of diversion shall not exceed
19.74 cfs when combined with Licenses No. 43-2567, 43-2568, 43-2579,
43-7047 and 43-7052.

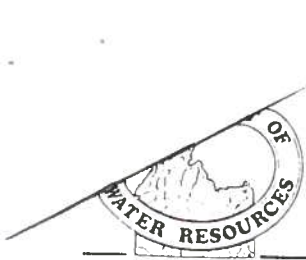
A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 22 day of
January, 19 77.


Director



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

December 30, 1976

RECEIVED

Statehouse
Boise, Idaho 83720
(208) 384-2215

JAN 3 1977

Department of Water Resources
Southern District Office

Re: Permits No. 43-7046, 43-7047 & 43-7052
(Loan No. 7604500)

Connecticut General Life Insurance Company
910 Stemmons Tower North
Dallas, Texas 75207

Gentlemen:

A representative of this Department has made an examination of the wells covered by the above referenced permits and found the system producing 19.74 cfs.

There are four wells located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29; SE $\frac{1}{4}$ SE $\frac{1}{4}$ (2 points), Sec. 30; Twp. 9 S, Rge. 28 E, B.M. irrigating 1933 acres and the Department is prepared to issue licenses under said permits as follows:

Permit 43-7052

Amount of water that can be recognized as beneficially used under Idaho law: 5.37 cfs

The maximum quantity diverted shall not exceed 2,265 acre feet, or *4.0 acre feet per acre, per year.

Beneficial use: Irrigation of 1583 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19; S $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; N $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29; NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 30; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 31; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 32; NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 33; all in Twp. 9 S, Rge. 28 E, B.M.

Priority date established: July 2, 1973

* Subject to the condition that the maximum volume per year shall not exceed 4.0 acre feet per acre when combined with Licenses No. 43-2567, 43-2568 and 43-2579.

General Life Ins. Co.
7046, 7047, 7052
September 30, 1976

Permit 43-7046

Amount of water that can be recognized as beneficially used under Idaho law: * 3.80 cfs

The maximum quantity diverted shall not exceed 760 acre feet, or 4.0 acre feet per acre, per year.

Beneficial use: Irrigation of 190 acres within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 30; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31; Twp. 9 S, Rge. 28 E, B.M. and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 36; Twp. 9 S, Rge. 27 E, B.M.

Priority date established: September 17, 1973

* Subject to the condition that the maximum rate of diversion shall not exceed 19.74 cfs when combined with Licenses No. 43-2567, 43-2568, 43-2579, 43-7047 and 43-7052.

Permit 43-7047

Amount of water that can be recognized as beneficially used under Idaho law: * 3.20 cfs

The maximum quantity diverted shall not exceed 640 acre feet, or 4.0 acre feet per acre, per year.

Beneficial use: Irrigation of 160 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 28 and E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29; Twp. 9 S, Rge. 28 E, B.M.

Priority date established: September 17, 1973

* Subject to the condition that the maximum rate of diversion shall not exceed 19.74 cfs when combined with Licenses No. 43-2567, 43-2568, 43-2579, 43-7046 and 43-7052.

If you do not concur with these findings please contact us within 20 days, otherwise water licenses will be issued as set forth in this letter.

Sincerely,



BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR

cc: Riviera Farms, Inc.
P.O. Box 789, Burley, ID 83318

Hawley, Troxell, Ennis & Hawley
P.O. Box 1617, Boise, ID 83701

RECEIVED

RECEIVED
Department of Water Administration
Southern District Office

JAN 7 1974

Department of Water Administration
Southern District Office

January 3, 1974

Re: Permit No. 43-7046

Riviera Farms, Inc.
P. O. Box 789
Burley, Idaho 83318

Gentlemen:

Enclosed is a copy of the approved application for amendment submitted in connection with the above referenced permit.

Also enclosed is Receipt No. 13494 covering the amendment filing fee.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JU
Enc: Copy of amendment
Receipt No. 13494

cc: Thomas A. Miller
Attorney

bc: Southern District Office ✓

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR AMENDMENT

RECEIVED

DEC 31 1973

Department of Water Administration

Permit No. 43-7046

Comes now RIVIERA FARMS, INC. (an Idaho corp.) of (address) _____

P. O. Box 789, Burley, Idaho 83318, and represents to the Director of the Idaho Department of Water Administration:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 43-7046, and requests that the permit and permit map be changed as follows:

1. Point of diversion: _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Sec. _____ Twp. _____
Rge. _____, B. M., County of _____. Other points of diversion:

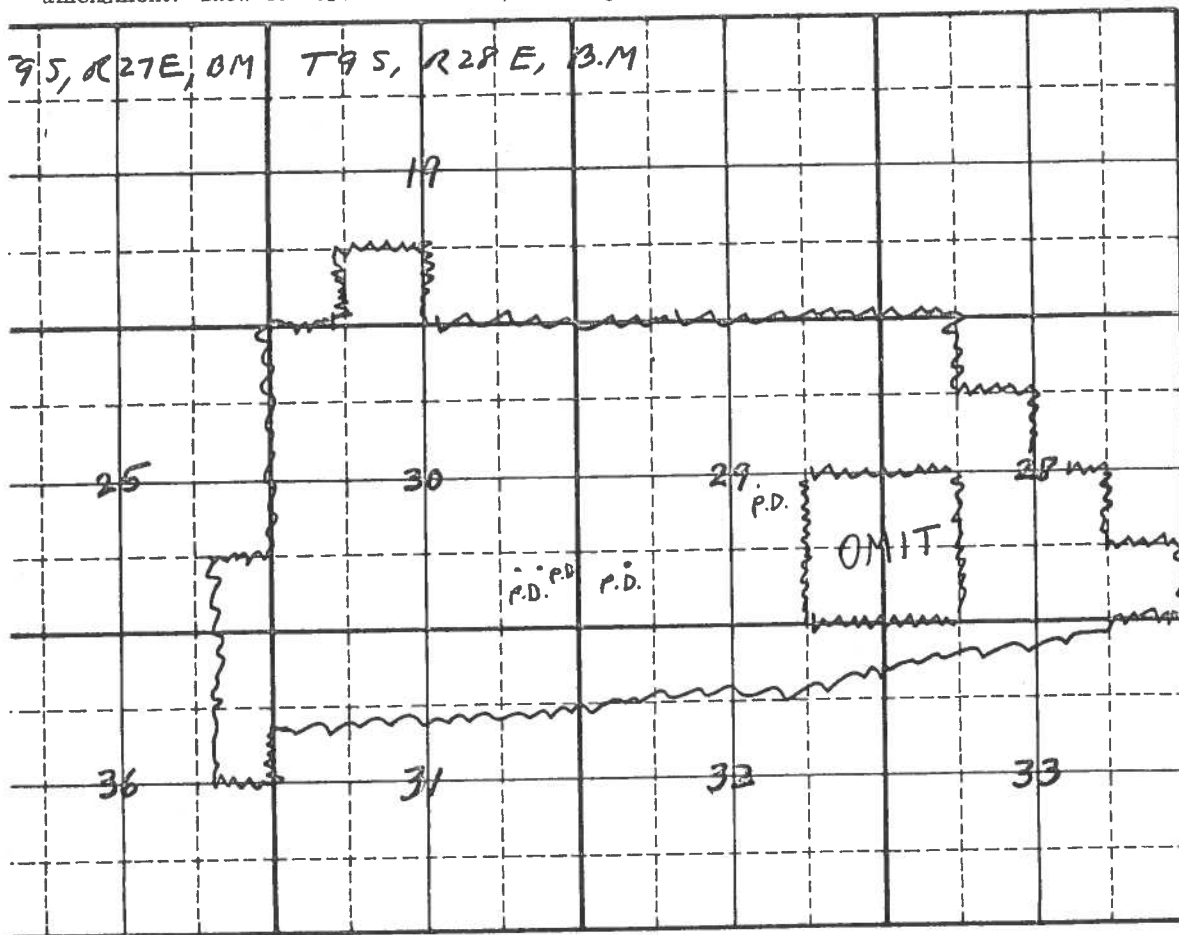
2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

RANGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
		NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
28 E	19												39					39*
	28						35	40	36	36			40		39	6		232*
	29	40	29	40	40	33	39	39	40	40	39	39	40		40	40		538*
	30	39	39	40	39	37		30	34	40	39	35	40	38	39	40	37	566*
	31	30	33			39	38											140*
	32	7	11			13	24											55*
	33		2			5	6											13*
27 E	25																20	20**
	36	20			15													35**
28 E	28						40	10								34		34**
	30																	50**
	31			4				16	10									30**

Total number of acres to be irrigated *1,583
) cfs add'l water; Licenses 43-2567, 43-2568, 43-2579 & ** 169
Application 45-7143) 1,752
) cfs new water)

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Burley, Idaho, this 27th day of November, 19 73.
RIVIERA FARMS, INC.

By Holden T. Higgins
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration,
hereby approve the above application for amendment for Permit No. 43-7046.

Witness my hand this 3 day of January, 19 74.

R. Keith Higgins
Director

RECEIVED

OCT 29 1973

Water Conservation
District Office

Id. Location No. _____

Application No. 43-7046

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Riviera Farms Inc.
post office address P.O. Box 709 Burley, Idaho
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 29 Township 9S
Range 28E B.M. Conia County; additional points of diversion if any: _____
Two points in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 30 and 1 point NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 29; all points
in T. 9S Rg 28E
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 14.67 for Irrigation purpose from April 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 14.67 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Wells & pumps

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Wells are newly dug
Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ 20,000.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered: _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

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

WP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS	APPLICANT'S #
			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		
15	28E	19												39					39	
		28						35	40	36	36			40		39	6		232	Regent
		29	40	29	40	40	33	39	39	40	40	39	39	40		40	40		538	11.29
		30	39	39	40	39	37		30	34	40	39	35	40	38	39	40	37	566	Regent
		31	30	33			39	38											140	addn
		32	7	11			13	24											55	wa
		33		2			5	6											13	
15	27E	25	20			20									15				55	Regent
45	28E	28															34		34	338
		30						40	10										50	new w
		31			4				16	10									30	to these

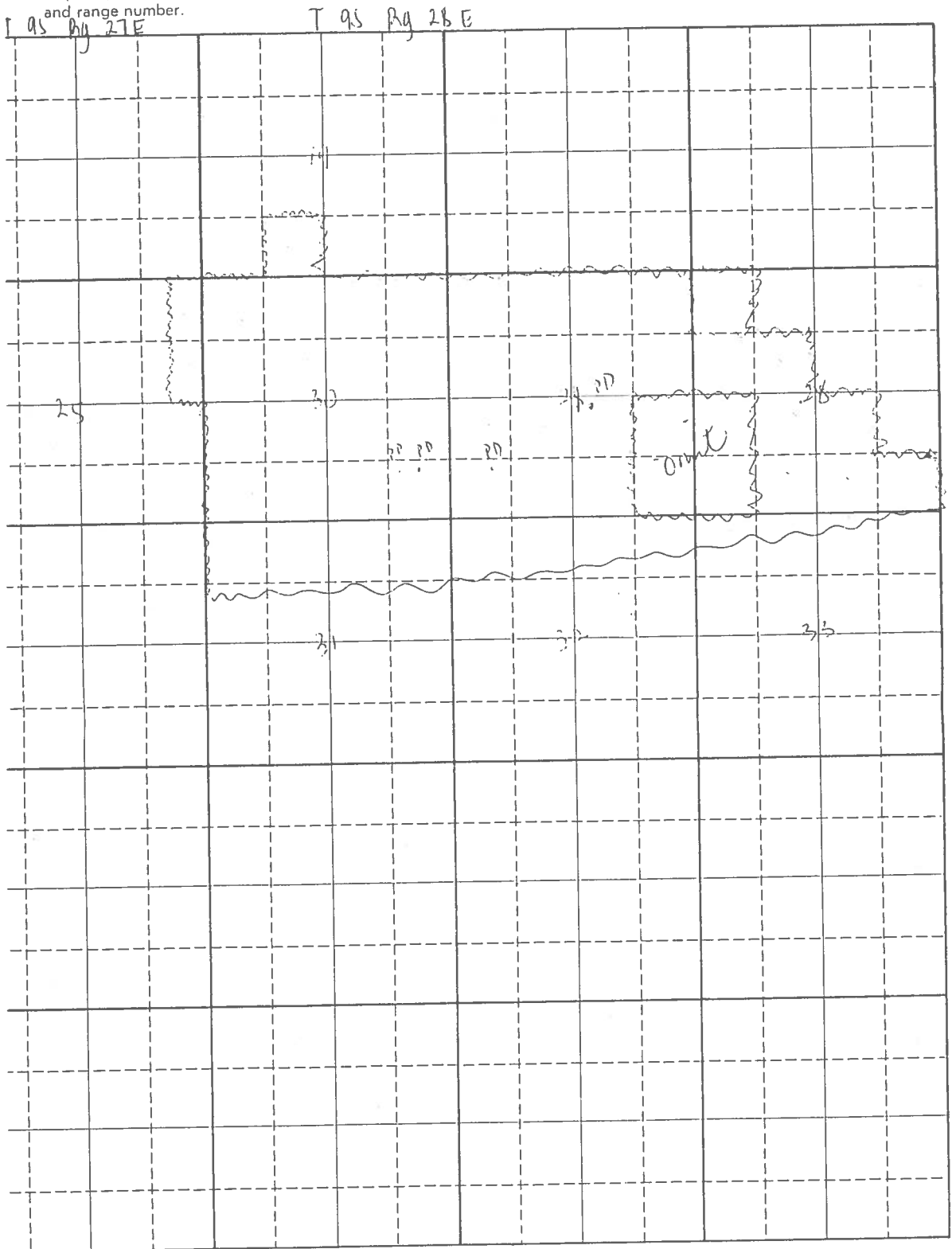
Total number of acres to be irrigated 1583 & 164

c. Describe any other water rights used for the same purposes as described above.

- Who owns the property at the point of diversion Applicant
- Who owns the land to be irrigated or place of use Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Oliver L. Tomlinson
(Applicant)
Oliver L. Tomlinson
VICE-PRESIDENT

Project Priority 9-17-1973

Received by LF Date 9-17-73 Time 10:30 A

Preliminary check by LF Fee \$ 165.00

Received by J Date 9-18-73 # 12171

RAN

Publication prepared by jmm Date 9-21-73

Published in South Idaho Press

Publication dates 9-2 & 9-9-73

Publication approved jmm Date 10-15-73

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial. by JHJ

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 43-7046, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1974.
- c. Other: A measuring device of a type approved by this department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 23rd day of October, 19 73.

R. Karl Higin
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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11/02/00
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PROFILE REPORT

CLAIM NUMBER: A43-07046

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WEBB BASIN REAL ESTATE LLC	09/17/1973	IRRIGATION	04-01 10-31 <i>SP3</i>	3.800 CFS	<i>760 AF</i>
TOTAL DIVERSION:					3.800 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T09S R28E S29
S30
S31 Lot02(NESWNW)

NE
SESWSW
SW
NWSESE
(2 pod's)

CASSIA County
CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
09S	27E	25	:																						21	21.0
09S	27E	36	:	12																						13.0
09S	28E	19	:																							39.0
09S	28E	28	:							40	36			36	40	40	40					39	40	35		346.0
09S	28E	29	:	40	35	40	40			37	39	39	40	40	39	39	40			40	40	40	40	40		628.0
09S	28E	30	:	39	40	40	39			37	01-46	02-46	34	40	03-43	04-40	40			38	39	40	37			638.0
09S	28E	31	:	30	33					39	01-42	02-16														160.0
09S	28E	32	:	07	11					13	24															55.0
09S	28E	33	:		02					05	06															13.0
																							TOTAL ACRES	1913.0		

POU County: CASSIA

Other Rights: SEE REMARKS A43-07052

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
- 016 - See remarks for additional conditions of approval.

Remarks: GEN

TRANS. 2144.

SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL NOT EXCEED 19.74 CFS WHEN COMBINED WITH LIC. 43-2567, 43-2568, 43-2579, 43-7047 & 43-7052.

NOT EXCEED 19.74 CFS WHEN COMBINED WITH LIC. 43-2567, 43-2568, 43-2579, 43-7047 & 43-7052.

2 P/D IN NWSESE, S30, T9S, R28E.

OTHER RIGHTS: THE FOLLOWING LICENSES HAVE BEEN COMBINED INTO A PERMISSIBLE PLACE OF USE.

43-07046 190 ACRES
43-07052 1543 ACRES

Cond. Code C18
Remarks: POD F02 (2 in NWSESE)
POU 1 E14 (1832.8 w/all)
K06 (190 Ac.)
QNT E27 20.06 CFS
7331 AF
E04 18.74 CFS
USE SP3 4/1 → 10/31

1832.8 x 4 = 7331 AF (E27)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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PROFILE REPORT CONTINUED

CLAIM NUMBER: A43-07046

Remarks: 43-02597 40 ACRES (SPRING)
43-07047 160 ACRES
43-02481 218 ACRES
A43-10841 130 ACRES (EXPANSION)

2281 ACRES IRRIGATED UNDER SYSTEM.

43-02567 COVERED BY 43-07052
43-02568 COVERED BY 43-07052
43-02579 COVERED BY 43-07052
43-07088A COVERED BY 43-07052 & 43-07046

OWNERSHIP CHANGE MADE 7/21/97 BY TLB.

SYSTEM SPLIT BY OWNERSHIP CHANGE FROM POE INVESTMENTS TO WEBB
BASIN REAL ESTATE LLC OF 1913 ACRES AND 5 CFS OF A43-02567 (B) &
A43-02568, A43-02579, A43-07046, A43-07047, A43-07052, A43-07088A
AND A43-10841. 5/4/99 jr

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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11/02/00

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QUICKLOOK INFORMATION

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CLAIM NUMBER: A43-07046

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	-N							
POINT OF DIV	Y-							
SOURCE	-N							
PLACE OF USE	Y-							
DIV. AMOUNT CFS/VOLUME	Y-							
CONSUMPTIVE USE	/							
PURPOSES OF USE	-N							
PERIOD OF USE	-N							
BASIS OF CLAIM	-N							
REMARKS	Y-							

BARCODE UPDATED
WHOM/DATE