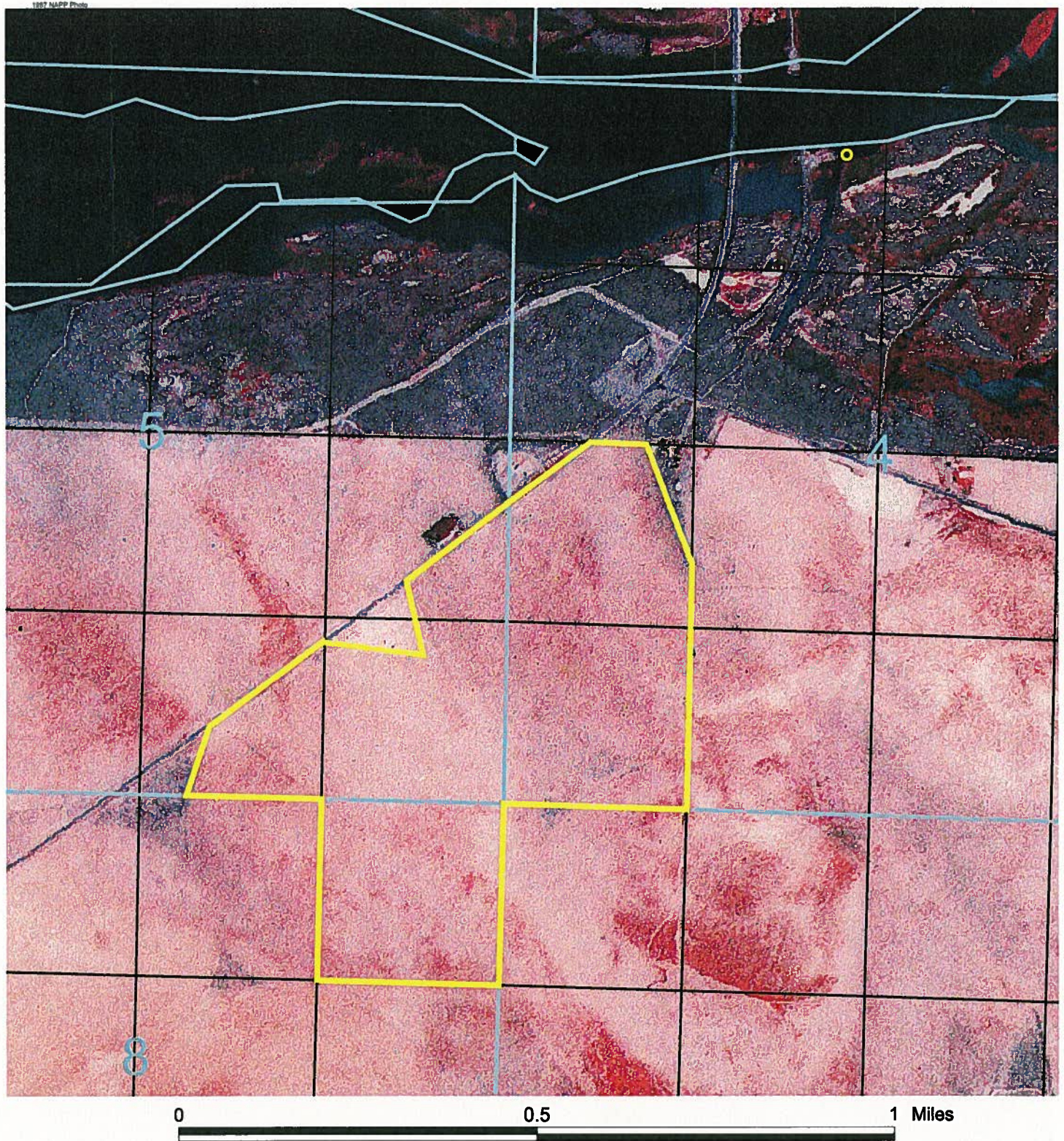
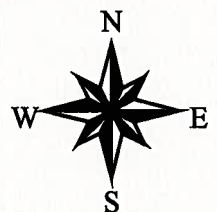


Idaho Department of Water Resources



Claim Number: 02-2094B
Legal: T06S, R06E, S4, 5 & 8
Reviewed By: SJR 4/11/05

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



04/13/2005

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

RIGHT NUMBER: 2-2094B

NAME AND ADDRESS: GINGERICH BROTHERS FARMING
HC 85 BOX 28
MOUNTAIN HOME ID 83647

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.510 CFS

PRIORITY DATE: 08/30/1955

POINT OF DIVERSION:

T06S R06E S4 NENENW Lot 3 Within OWYHEE County

Rights 2-2094A, 2-2181, 2-2182A, 2-2182B, 2-2183, 2-2375A, 2-2375B, 2-7273B, 2-7273C and 2-7273D are also diverted through the point of diversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
3.510 CFS

PLACE OF USE:

IRRIGATION Within OWYHEE County

T06S R06E S04	NWSW	35.0	T06S R06E S04	SWSW	42.0
T06S R06E S05	NESE	9.0	T06S R06E S05	SWSE	17.0
T06S R06E S05	SESE	38.0	T06S R06E S08	NENE	41.0

182 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

STATE OF IDAHO

License and Certificate of Water Right

Water License No. 22385

Amount 5.3 c.f.s.

Water District No. _____

Priority August 30, 1955

THIS IS TO CERTIFY that / GORDON R. MINNIX - Assignees - Jonathon L. Ellsworth & Cecelia K. Ellsworth, husband & wife, of Bruneau, Idaho, and William Ronald Ellsworth & Eugenia Winnifred Ellsworth, husband & wife, of Mountain Home, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 19, 1951; that Permit No. 22385 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 5.6 sec. feet, was issued thereunder on July 13, 1956, showing that said works were completed on the 12th day of July, 1956; and that on the 2nd day of September, 1966, Jonathon L. Ellsworth & Cecelia K. Ellsworth of Bruneau, Idaho, and William Ronald Ellsworth & Eugenia Winnifred Ellsworth of Mountain Home, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Snake River,

a tributary of Columbia River, for the purpose of irrigation, under Use Permit No. 22385 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 14 of Licenses at Page 8912, on the 16 day of November, 1967.

The right hereby confirmed dates from August 30, 1955.

The Point of Diversion is located in Lot 3 in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4, Twp. 6 S, Rge. 6 E, B.M., County of Owyhee.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 5.3 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S	6 E	4	NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	39
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
		5	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	38
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	38
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
		8	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			Total number of acres irrigated:		275

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 16th day of November, 1967.

s/ R. KEITH HIGGINSON

State Reclamation Engineer.

(SEAL)

93	1.77	✓	2-2094 A
182	3.51	✓	B
875 ✓	5.3 ✓	13 8/30/55	2-2181
5.8	301 ✓	5.8 13 ✓	1/4/63 ✓
171	2.32		2-2182 A
196	3.76		B
6.08	317	6.08 13	1/4/63 ✓
6.06	315 ✓	6.06 13 ✓	1/4 63
3/15-11/15	885	17.66	177 ✓
3/15-11/15	845	17.66	169 ✓
3/15-11/15	1270	17.66	192
			62
			254
3/15-11/15	1420	17.66	284 ✓
			80
			213
3/15-11/15	1465	27.01	293
			65
			580
			10
			655
			79
			7.09
			1.12
			8.0
			11/3/78
			3 P6D's
			2-2331
			2-2332
			2-2334 A
			B
			2-2335
			2-2375 A
			B
			2-7273 A
			B
			C
			D

2-7273 preliminary exam (7/1/85)

canal site 54 L3 (656E)

3 x 200 Ap 5K6278XHIA

1408810

5532442

these check w/ 2-2375; others different

— this exam $\Sigma 1000$ (w/ 200 off for earlier)

site #2 55 L4

400 DLT430024

400 DLT430023

350 T520804

350 D-7011435

125 C-9982-00-483

$\Sigma 1675 Ap$

?? same as 2-2385 site (56 L1, ? 1450 Ap) ??

map on 2-7273 claim file indicates

3 x 200 @ canal = 600

2 x 400, 2 x 350, 125 @ 55 L4 = 1625

$\Sigma 2225$

$\Sigma 2300$

canal (400, 200, 350, 200) = 1200

56 L1 (550, 550) = 1100

wt remaining capacity

$(9.39 \times \frac{2225}{2300}) = 9.08$

claim for 8

earlier remaining capacity

= 7.39

Canal site 065 06E 54 L3

claims	2-2074 B - 8/30/55	licenses	2-2074 (5.3)
	2-2181 - 1/4/63		2-2181 (5.3)
	2-2182 B - 1/4/63		2-2182 (6.08)
	2-2183 - 1/4/63		2-2183 (6.06)
	2-2384 B - 3/5/64 moved upstream		
	2-2375 B - 7/5/64		2-2375 (5.86)
	2-7273 B - 11/3/78		2-7273 (permit)?
	$\Sigma \dot{m} = 24.63 + ?$		$\Sigma \dot{m} = 39.1 + ?$

West site 065 06E 56 L1

	2-2074 A moved downstream		
	2-2182 A moved downstream		
	2-2281 - 3/4/64	licenses	2-2281 (3.54)
	2-2282 - 3/4/64		2-2282 (3.38)
claims	2-2284 A		2-2284 (5.08)
	2-2285 - 3/5/64		2-2285 (5.68)
	2-2375 A moved downstream		
	2-7273 C		2-7273 (permit)?
	2-7273 D		
	$\Sigma \dot{m} = 22.15 + ?$		$\Sigma \dot{m} = 17.68 + ?$

11/3/78 1625 hp west site, 1400 hp canal
- 2-7273 permit application

7/1/85 1625 hp @ west site, 600 hp @ canal (20.3 pumps match "old")
- 2-7273 preliminary exam

1/et $\Delta = 4.47$ cfs canal to west
- not counting distribution of 7273

2/10/89 Fingerich purchase from River Ranch Farms 5,3,4,5,7,8,9,10 (portions)

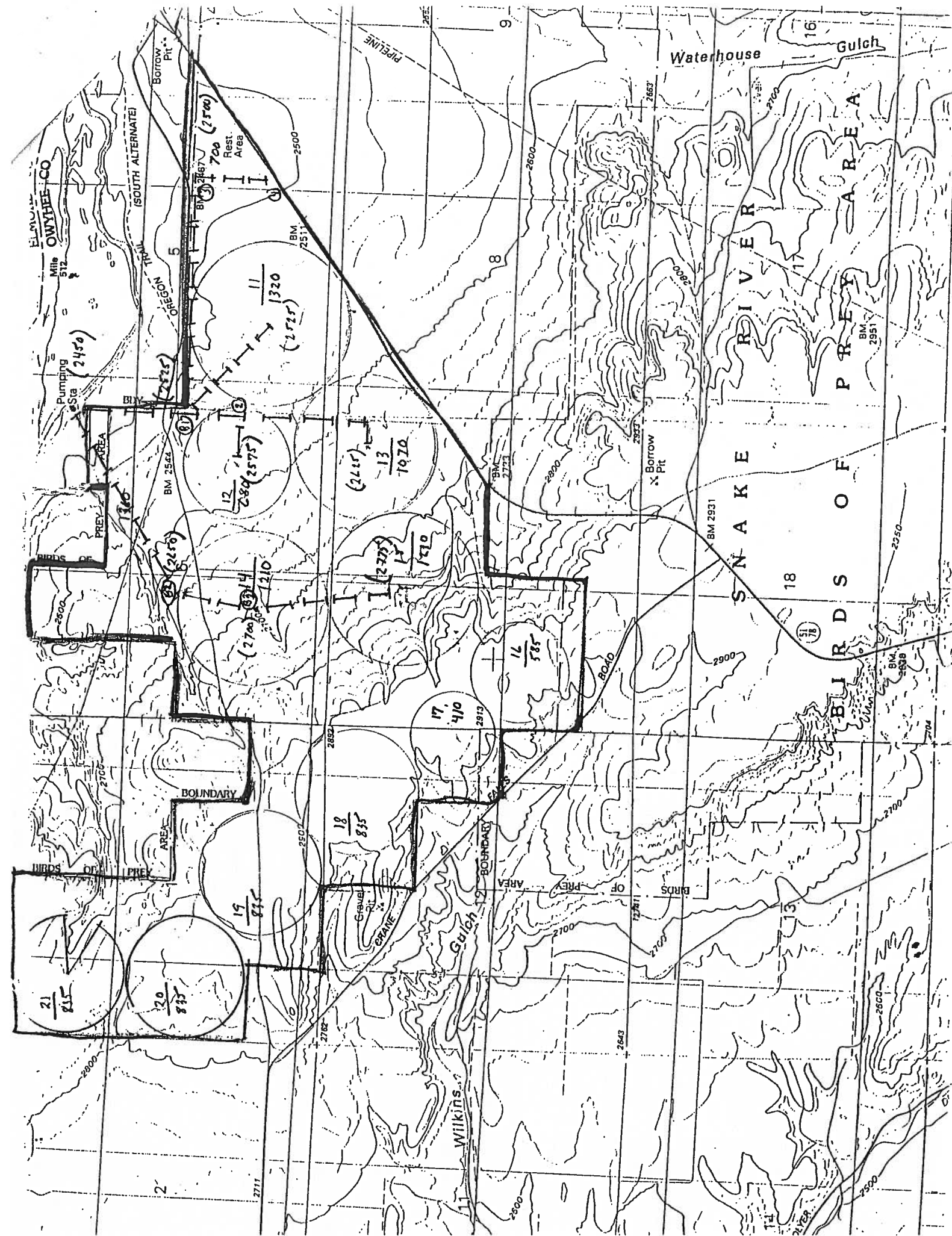
12/21/88 SRBA claim - 3 x pumps $\Sigma 600$ hp

- 2-2183 claim file

3/14/96 Meyers purchase from River Ranch Farms

Август 1904





02/03/2006

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

RIGHT NUMBER: 2-2094B

NAME AND ADDRESS: GINGERICH BROTHERS FARMING
HC 85 BOX 28
MOUNTAIN HOME ID 83647

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.510 CFS

Rights 02-2094A, 02-2094B, 02-2181, 02-2182A, 02-2182B, 02-2183, 02-2375A, 02-2375B, 02-10289 and 02-10291 when combined shall not exceed a total diversion rate of 19.83 cfs.

Rights 02-2181, 02-2094B, 02-2182B, 02-2183, 02-2284B, 02-2375B and 02-10291 when combined shall not exceed a total annual maximum diversion volume of 5260.0 af at the field headgate.

PRIORITY DATE: 08/30/1955

POINT OF DIVERSION:

T06S R06E S4 NENENW Lot 3 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	3.510 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T06S R06E S03	NWSW	3.00	T06S R06E S03	SWSW	40.00
T06S R06E S03	SESW	25.00	T06S R06E S04	SENW	1.90
T06S R06E S04	NESW	40.00	T06S R06E S04	NWSW	34.00
T06S R06E S04	SWSW	40.00	T06S R06E S04	SESW	40.00
T06S R06E S04	NESE	16.00	T06S R06E S04	NWSE	29.00
T06S R06E S04	SWSE	40.00	T06S R06E S04	SESE	40.00
T06S R06E S05	SESW	0.70	T06S R06E S05	NESE	11.00
T06S R06E S05	SWSE	22.00	T06S R06E S05	SESE	40.00
T06S R06E S07	SENE	11.00	T06S R06E S08	NENE	40.00
T06S R06E S08	NWNE	40.00	T06S R06E S08	SWNE	40.00
T06S R06E S08	SENE	40.00	T06S R06E S08	NENW	31.00
T06S R06E S08	NWNW	4.20	T06S R06E S08	SWNW	37.00
T06S R06E S08	SENW	40.00	T06S R06E S08	NESW	40.00
T06S R06E S08	NWSW	39.00	T06S R06E S08	NESE	40.00
T06S R06E S08	NWSE	40.00	T06S R06E S09	NENE	39.00
T06S R06E S09	NWNE	40.00	T06S R06E S09	SWNE	40.00
T06S R06E S09	SENE	29.00	T06S R06E S09	NENW	40.00
T06S R06E S09	NWNW	40.00	T06S R06E S09	SWNW	40.00
T06S R06E S09	SENW	40.00	T06S R06E S09	NESW	40.00
T06S R06E S09	NWSW	40.00	T06S R06E S09	SWSW	40.00

T06S R06E S10 NENW 3.20 T06S R06E S10 NWNW 19.00

1315 ACRES TOTAL

Rights 02-2181, 02-2094B, 02-2182B, 02-2183, 02-2284B, 02-2375B and 02-10291 when combined shall not exceed the irrigation of 1315 acres.

This right is limited to the irrigation of 182 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

Rights 02-2094A, 02-2094B, 02-2181, 02-2182A, 02-2182B, 02-2183, 02-2375A, 02-2375B, 02-10289 and 02-10291 are diverted at the point of diversion described above.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02094 B

Date: 8-28-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	65	6E	4									35	40							75
GIS												42	42							84
Claim			5													8		20	39	67
GIS																41		41	41	123
Claim			8	40																40
GIS				41																41
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 182

Overlapping FOU Claim #'s:

02-02094 A , 02-07273C

Total GIS Acres: 248

COMMENTS:

Per original water rights file claim map.

Idaho Department of Water Resources

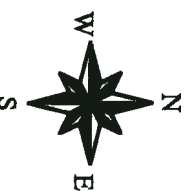
Claim Number: 02-02094B

Legal: T06S, R06E, S04, 05, 08

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines

1987 Napp Photo



Idaho Department of Water Resources

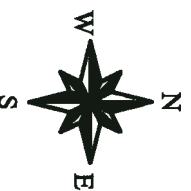
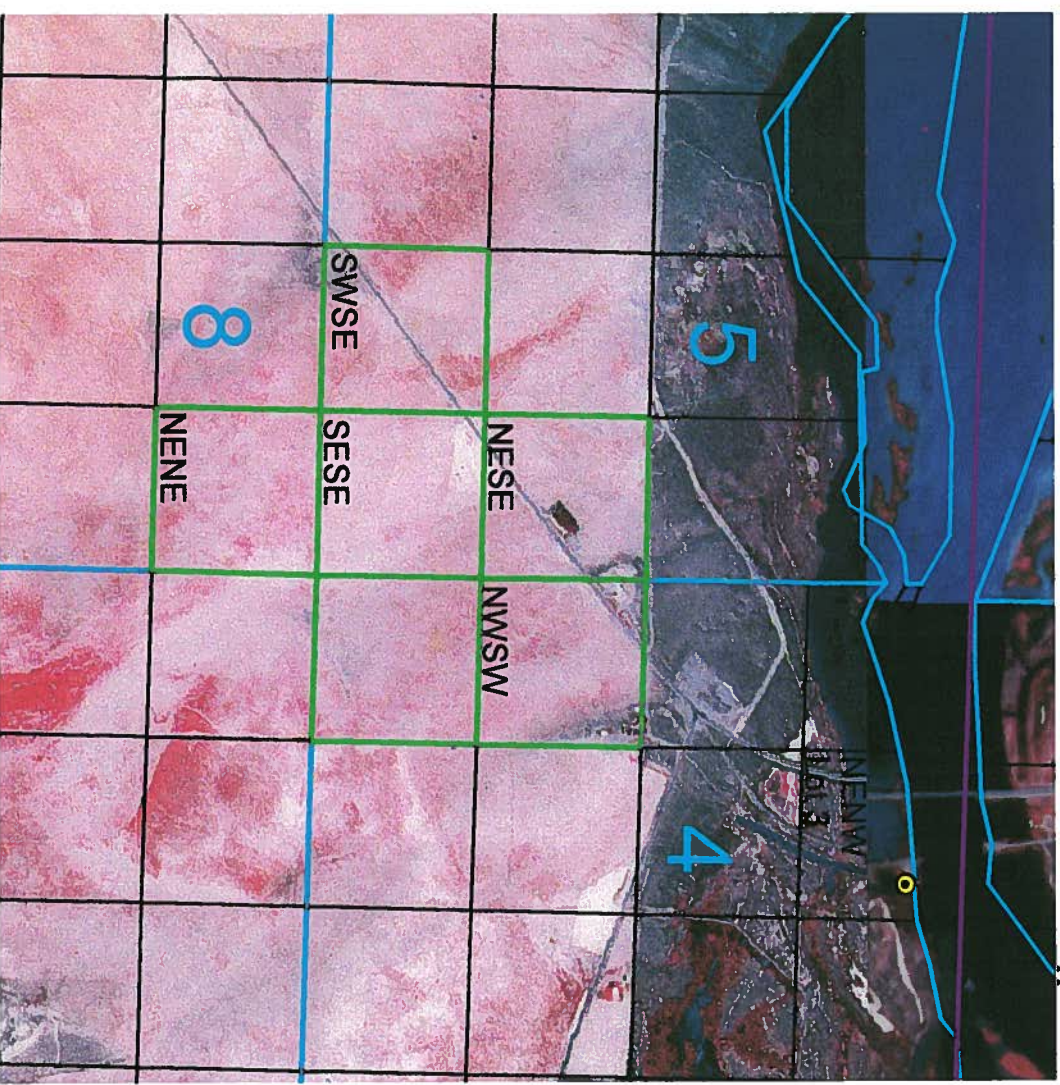
Claim Number: 02-02094B

Legal: T06S, R06E, S04, 05, 08

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines

1987 Napp Photo



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: A02-02094B

Date Received: 1/19/1989

Receipt No: X777777

Received By: FW 8/12/91

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GINGERICH BROTHERS FARMING 208-845-2868
Address: HC 85, BOX 28
MOUNTAIN HOME, ID 83647

2. Date of Priority: AUG 30, 1955

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	06E	4	NE	NE	NW	3	OWYHEE

5. Description of diverting works:
THREE PUMPS TOTALLING 600 HP W/MAINLINE PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.510		

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

8. Total consumptive use is 637.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	4	NW	SW		IRR	35.0
			SW	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	75.0
		5	NE	SE	IRR	8.0
			SW	SE	IRR	20.0
			SE	SE	IRR	39.0
					Section Acres	67.0
		8	NE	NE	IRR	40.0
					Section Acres	40.0
					Total Acres	182.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

OTHER WATER RIGHTS USED: 02-2281, 02-2282, 02-2284, 02-2285, 02-2183, 02-2375, 02-2182, 02-2181, 02-7273.

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A02-02094, FEE PAID UNDER RECEIPT NO. W002036.

NO ADDITIONAL FEE CHARGED AS PROPERTY WAS SPLIT AFTER ADJUDICATION CLAIMS FILED.

15. Basis of Claim: LICENSE

Water Right Number: 22385

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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.

MAR 09 1990

Department of Water Resources
Western Regional Office

CIVIL CASE NUMBER: 39576

Ident. Number: A02-02094B
Date Received: 1/19/1989
Receipt No: W002036
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: GINGERICH BROTHERS FARMING
Address: HC 85, BOX 28
MOUNTAIN HOME, ID 83647 208-845-2868

2. Date of Priority: AUG 30, 1955

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	06E	4	NE	NW		3	OWYHEE

5. Description of diverting works:
THREE PUMPS TOTALLING 600 HP W/MAINLINE PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.510		

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

8. Total consumptive use is 637.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	4	NW	SW		IRR	35.0
			SW	SW		IRR	40.0
Section Acres							75.0

A02-02094B

Page 1

Date: 12/21/89

MICROFILMED

AUG 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	5	NE	SE		IRR	8.0
			SW	SE		IRR	20.0
			SE	SE		IRR	39.0
						Section Acres	67.0
		8	NE	NE		IRR	40.0
						Section Acres	40.0
						Total Acres	182.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

OTHER WATER RIGHTS USED: 02-2281, 02-2282, 02-2284, 02-2285, 02-2183, 02-2375, 02-2182, 02-2181, 02-7273.

THIS WATER RIGHT HAS BEEN SPLIT TO A02-02094A AND B. THE A PORTION IS IN THE NAME OF RIVER RANCH FARMS FOR 1.79 CFS.

NO ADDITIONAL FEE CHARGED AS PROPERTY WAS SPLIT AFTER ADJUDICATION CLAIMS FILED.

15. Basis of Claim: LICENSE
Water Right Number: 22385

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
Gingerich Brothers Farming, that I have signed the foregoing
Organization
document in the space below as a Partner of
Title
Gingerich Brothers Farming and that the statements contained in the
Organization
foregoing document are true and correct.

Ruby Gingerich Partner
Signature of Authorized Agent

Gingerich Bros Farming
Title and Organization

3/5/90
Date

State of Idaho)
County of Oneida) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of March 19 90

Stanley Smith
Notary Public

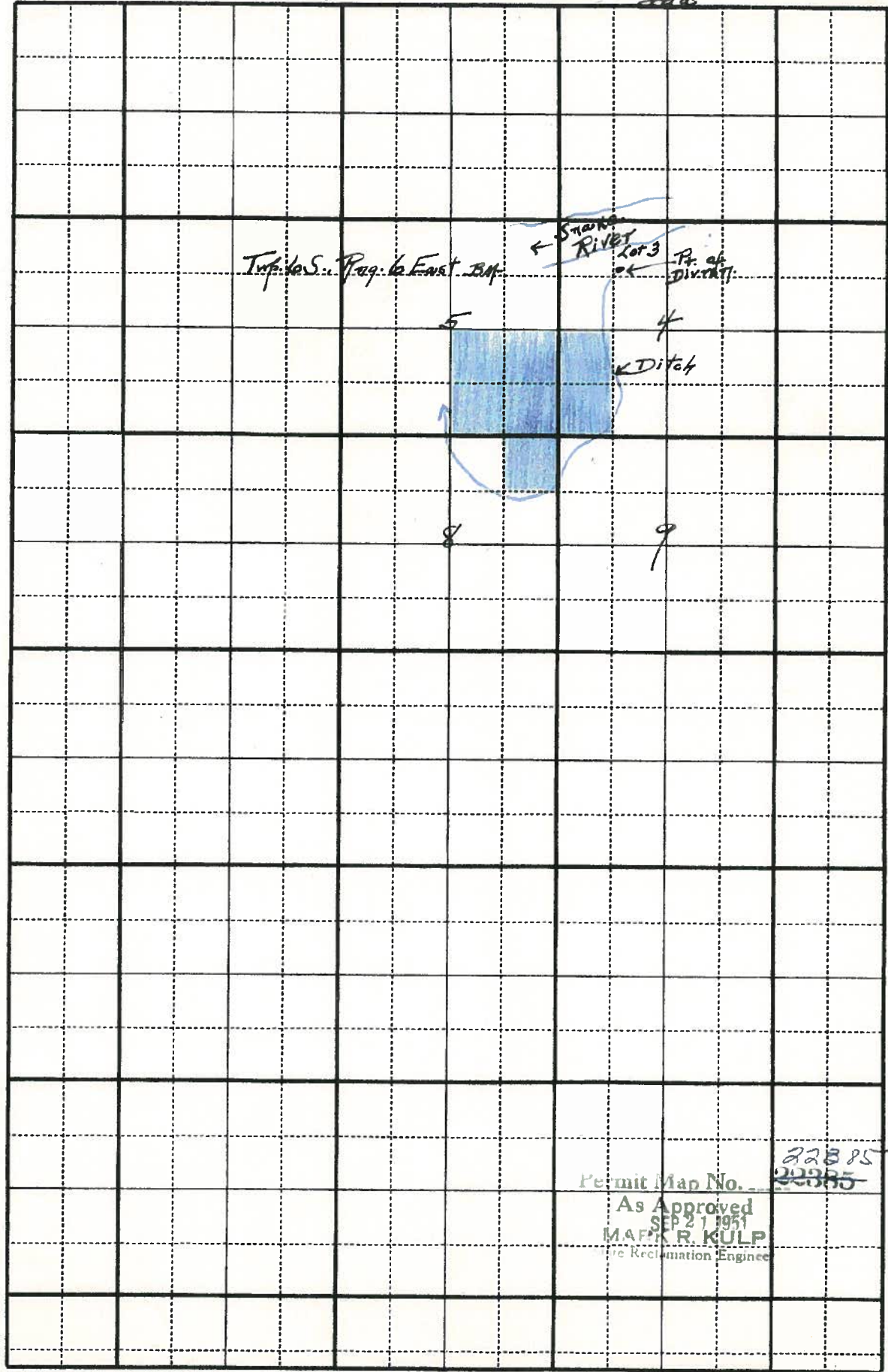
Seal

Residing at Wend

My Commission Expires 7-10-93

NAME OF APPLICANT Gordon F. Minnik 1111 1/2 Ave

Form No. 0



Permit Map No. 22385
As Approved
SEP 21 1951
MAF R. KULP
Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.