

43-10497

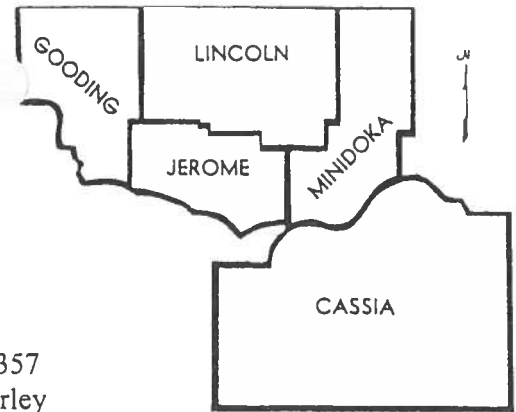
Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY

RECEIVED

MAY 24 2000

REFER TO: 32357
OFFICE: Burley



April 27, 2000

Department of Water Resources

State of Idaho
Department of Water Resources
P. O. Box 83720
Boise, Idaho 83720
Attention: Reclamation Engineer

RE: C. McGee Harris et al water rights in Cassia County, Idaho

Gentlemen:

Please find enclosed the following documents:

1. The original and one executed copy of a Notice of Pledge signed by the Harris. Please execute one copy of this Notice of Pledge and forward it to Lannette C. Wilson in the enclosed self-addressed stamped envelope.
2. A copy of a letter to the Idaho Department of Water Resources, Southern Region where the Notice of Change of Water Right Ownership was submitted for Water Right Nos. A43-02436, 43-02438, 43-04028A, 43-04029, 43-04030, 43-04027A, 43-04031, 43-07223 and 43-02371 along with copies of the executed deeds.

Should you have any questions concerning this matter, please don't hesitate to contact me.

Very truly yours
Land Title and Escrow, Inc.

A handwritten signature in black ink, appearing to read "Larry Roberts".

Larry Roberts
President and General Manager

LR/nrg

enc.

Certified Mail

cc: Lannette C. Wilson -
Scott J. Poulsen

Federal Land Bank
PO BOX 95850
SOUTH JORDAN UT 84095-0850

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

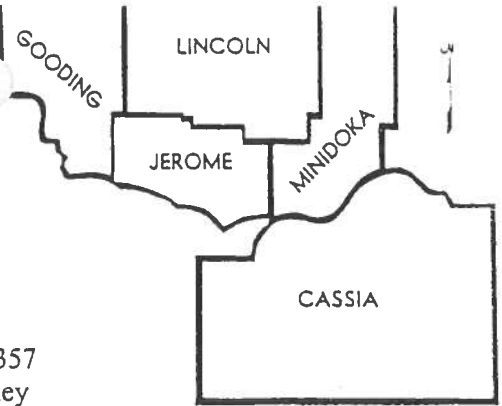
BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #32357
OFFICE: Burley

April 27, 2000

Idaho Dept. of Water Resources
Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RE: C. McGee Harris, et al

Dear Sir/Madam:

Please find enclosed the following:

1. An executed Notice of Change of Water Right Ownership for Water Right No. 43-02371 along with a copy of the plat map and the recorded deeds in the chain of title from Eldon H. Chandler through to C. McGee Harris and Janet Harris, husband and wife, Wade G. Harris and Renee Harris, husband and wife, Todd D. Harris and Cindy Harris, husband and wife, and Kurt Harris and Jackie Harris, husband and wife.
2. An executed Notice of Change of Water Right Ownership for Water Right Nos. 43-07223 along with a plat map and a copy of the recorded deeds in the chain of title from Norman Brothers to C. McGee Harris, et al.
3. An executed Notice of Change of Water Right Ownership for Water Right Nos. A43-02436, 43-02438, 43-04028A, 43-04029, 43-04030, 43-04027A and 43-04031 executed by C. McGee Harris as new Owner/Claimant for the above water rights including copies of the deeds in the chain of title from Benchmark Ranches through C. McGee Harris et al.

Would you please make the necessary changes in your records to indicate the water rights listed in paragraphs 1, 2 and 3 in the name of C. McGee Harris, et al.

Should you have any questions concerning this matter, or need additional information, please do not hesitate to contact me.

Very truly yours
Land Title and Escrow, Inc.

Larry Roberts
President and General Manager

BOX 177, BURLEY, IDAHO 83318
PHONE 878-3524 • FAX 878-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 • FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 • FAX 934-5880

BOX 111, RUPERT, IDAHO 83350
PHONE 438-0606 • FAX 438-1199

LR/nrg
enc.
Certified Mail

NOTICE OF PLEDGE

STATE OF IDAHO
Department of Water Resources
Statehouse
Boise, Idaho 83720

Loan No. 3064069101/3064069201

Attention: Reclamation Engineer

Please be notified that the undersigned have this date executed a Mortgage in favor of the Federal Land Bank Association of Utah, FLCA, covering certain land in Cassia, State of Idaho, together with all of the Mortgagor's right to use the following:

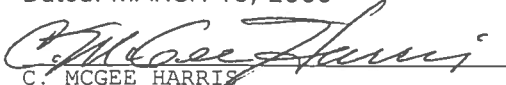
<u>Claim No.</u>	<u>Source</u>	<u>Flow</u>	<u>Uses</u>	<u>Acres/head</u>	<u>Status</u>
A43-02368	Groundwater	4.53 cfs	Irrigation	2773 Ac	License
A43-02436	Groundwater	4.27 cfs	Irrigation	2751 Ac	License
A43-02438	Groundwater	4.27 cfs	Irrigation	2716 Ac	License
A43-02438B	Groundwater	8.54 cfs	Irrigation	2745 Ac	License
43-04028A	Groundwater	5.40 cfs	Irrigation	1141 Ac	Stat. Claim
A43-04032	Waste water	4.63 cfs	Irrigation	1037 Ac	Stat. Claim
A43-10811	Groundwater	9.06 cfs	Irrigation	1735 Ac	Stat. Claim
43-04029	Groundwater	4.53 cfs	Irrigation	1631 Ac	Stat. Claim
43-04030	Groundwater	4.53 cfs	Irrigation	1143 Ac	Stat. Claim
43-04027A	Groundwater	3.96 cfs	Irrigation	1127 Ac	Stat. Claim
43-04031	Groundwater	4.42 cfs	Irrigation	1137 Ac	Stat. Claim
A43-10812	Groundwater	8.38 cfs	Irrigation	1500 Ac	Stat. Claim
A43-10490	Groundwater	24.04 cfs	Irrigation	404 Ac	Ben. Use
43-07223	Groundwater	5.00 cfs	Irrigation	339 Ac	Application
A43-02371	Groundwater	4.00 cfs	Irrigation	196 Ac	License
A43-02438C	Groundwater	4.04 cfs	Stockwater/Commercial		License
A43-10499	Groundwater	.04 cfs	Domestic	House	Ben. Use
A43-10498	Groundwater	.04 cfs	Domestic	House	Ben. Use
A43-10497	Groundwater	.06 cfs	Domestic	2 Houses	Ben. Use
A43-10496	Groundwater	.12 cfs	Stockwater	500 Beef	Ben. Use

The said Mortgage, given to secure a promissory note of even date, was recorded

March 31, 2000, in the office of the County Recorder of the above referenced County, as
Instrument No. 268428.

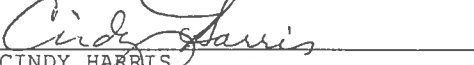
Please file this notice with your records of the above referenced and direct notice of any intended change of the place of use or other change which materially affects the beneficiary's security interest in the said rights to the Federal Land Bank Association of Utah, FLCA, 406 West South Jordan Parkway (Suite 500), South Jordan, Utah 84095.

Dated: MARCH 15, 2000


C. MCGEE HARRIS


RENEE HARRIS


JANET G. HARRIS


CINDY HARRIS


WADE G. MCGEE HARRIS


JACKIE HARRIS

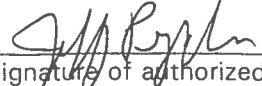

TODD D. HARRIS


KURT M. HARRIS

ACKNOWLEDGEMENT FROM STATE DEPARTMENT OF WATER RESOURCES

Receipt of the Notice of Pledge, of which this is a duplicate original, is acknowledged. One original of this notice will be filed with the records of the subject water rights in this Office.

6/15/00
Date


Signature of authorized person representing
the Department of Water Resources

Water Right Permits Section Mgr.

AJ5856NP

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

DATE: AUG-18-1997

PAGE: A-229

RIGHT NUMBER: 43-10497

NAME & ADDRESS: HARRIS AG
BOX 1024
2655 E 1400 S
MALTA ID 83342

NAME CHANGE MADE 3/4/96 BY TLB.

to comments ✓ 9/24/97

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1963

POINT OF DIVERSION: T13S R27E S03 NENENE Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 2 HOMES	01-01 12-31	0.06 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T13S R27E S03 NENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 13S27E030000A

Claim proofread by: KT
Date: 9-5

AJ5856NP

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

DATE: AUG-8-1997
PAGE: A-235

RIGHT NUMBER: 43-10497

NAME & ADDRESS: HARRIS AG
BOX 1024
2655 E 1400 S
MALTA ID 83342

NAME CHANGE MADE 3/4/96 BY TLB.

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

PRIORITY DATE: 01/01/1963

POINT OF DIVERSION: T13S R27E S03 NENENE Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC DOMESTIC, 2 HOMES	01-01 12-31	0.06 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T13S R27E S03 NENE

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

PARCEL NO. 13S27E030000A

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Claim data entry by: KST
Date: 8/14/97
Data entry verified by: TM
Date: 8/15

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: A43-10497

Date Received: 6/14/1989

Receipt No: S008227

Received By: *OK ALB*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: HARRIS AG
Address: BOX 1024
2655 E 1400 S
MALTA ID

83342

2. Date of Priority: JAN 1, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	27E	3	NE	NE	NE		CASSIA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 HOUSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	27E	3	NE	NE		DOMEST	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

NONE

14. Remarks:

NAME CHANGE MADE 3/4/96 BY TLB.

15. Basis of Claim: BENEFICIAL USE

AJ0743NP
(0D-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

03/05/96 11:44:30
Page 1

Water Right Number - R43-10497

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - - + Address - - - - -

*** C - CURRENT OWNER ***
HARRIS AG

1 - BOX 1024
2 -
3 - 2655 E 1400 S
City- MALTA
Phone - 208-000-0000
State- ID Zip- 83342

*** O - ORIGINAL OWNER ***
C MC GEE HARRIS & SONS

1 - HC70 BOX 1024
2 -
3 -
City- MALTA
Phone - 208-645-2382
State- ID Zip- 83342

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/01/1963 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
13S 27E 3 NE NE NE (31) CASSIA

+ - - - - Description Period From Period To Water Use Diversion Rate Diversion Volume
Code 43 - DOMESTIC 01/01 12/31 0.060

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.060 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
13S 27E 3 NE NE 43 DOMESTIC (31) CASSIA
Total Acres:

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use - DOMESTIC, 2 HOMES

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +

NAME NAME CHANGE MADE 3/4/96 BY TLB.
GEN PARCEL NO. 13S27E030000A

Water right number - R43-10497

Prefix Translation: RESEARCH

+ - - - - - Old Water Right Numbers - - - - - +
+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - - Decree Plaintiff - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - - +
00/00/00

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-	
Claim Received Date	-	06/14/1989	Last Amended Date	-	00/00/0000	Temporary Right	-	P
			Receipt Number	-	S008227	Water District	-	
			POU Ownership Flag	-	Y	Federal/State Indicator	-	S
			Name Connector	-		Presumption Flag	-	
						Notice of Error Flag	-	



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JAN 26 1996

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ Southern Region
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR: See Attached

[] Name and Address of Former Owner/Claimant(s)(Seller): CMCoe Harris & Sons

[] New Owner/Claimant (Purchaser): Harris Ag

[] New Mailing Address: Box 1024 2635E 1400S
Malta Id 83342

[] New Telephone Number: () _____ - _____

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

[] Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s) Todd Harris Partner for Date 1-26-96

[] Signature of Former Owner/Claimant(s) Todd Harris Partner for Date 1-26-96
McCoe Harris & Sons Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____

Further Action Needed: _____

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: 3/4/96 By: HB

Claim Numbers of Split, if any: _____

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

SD-0601-2 Last Name: C MC GEE

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	C MC GEE HARRIS & SONS						
-		C	A43-10496	01/01/1975	GROUNDWATER	0.120	04 STOCK
-		C	A43-10497	01/01/1963	GROUNDWATER	0.060	43 DOMEST
-		C	A43-10498	01/01/1976	GROUNDWATER	0.040	43 DOMEST
-		C	A43-02371	12/04/1951	GROUNDWATER	4.000	01 IRR
-		C	A43-02438B	01/05/1957	GROUNDWATER	8.540	01 IRR
-		C	A43-04028A	04/01/1960	GROUNDWATER	5.400	01 IRR
-		C	A43-04032	04/01/1961	WASTE WATER	4.630	01 IRR
-		C	A43-02368	10/17/1951	GROUNDWATER	4.530	01 IRR
-		C	A43-02438C	01/05/1957	GROUNDWATER	4.040	04 STOCK 10 COMMER
-		C	A43-02444	05/10/1956	GROUNDWATER	4.920	01 IRR
-		C	A43-10499	05/20/1961	GROUNDWATER	0.040	43 DOMEST
-		C	A43-10490	03/15/1974	GROUNDWATER	24.040	01 IRR
-		C	R43-10497	01/01/1963	GROUNDWATER	0.060	43 DOMEST
-		C	R43-10498	01/01/1976	GROUNDWATER	0.040	43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

MARCH 5, 1996

HARRIS AG
BOX 1024
2655 EAST 1400 SOUTH
MALTA, ID 83342

RE: SRBA CLAIM(S) FOR C MC GEE HARRIS

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S). WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A43-10497
Date Received: 6/14/1989
Receipt No: S008227
Received By: Sc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. MC GEE HARRIS & SONS
Address: HC 70 BOX 1024
MALTA, ID 83342
208-645-2382
2. Date of Priority: JAN 01, 1963
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	27E	3	NE	NE	NE		CASSIA
5. Description of diverting works:
WELL AND PUMP
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/2 HOUSES
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	27E	3	NE	NE		DOMEST	
11. Place of use in counties: CASSIA

A43-10497

Page 1

Date: 06/14/89

MICROFILMED
MAR 05 1993

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 Partner of _____ Title

C. McLean Harris & Son, Inc. that I have signed the foregoing Organization
document in the space below as Partner of Title

C. McLean Harris & Son, Inc. and that the statements contained in the Organization
foregoing document are true and correct.

C. McLean Harris
Signature of Authorized Agent

C. McLean Harris & Son, Inc.
Title and Organization

6 14 89
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 14th day

of June 19 89

Seal

Steve C. [Signature]
Notary Public

Residing at Twin Falls

My Commission Expires Dec 7, 1994
2 Date: 06/14/89

MICROFILMED
MAR 05 1993

