

RECEIVED

JUL 10 2013

DEPARTMENT OF
WATER RESOURCES

Brooke B. Redmond [ISB No. 7274]
WRIGHT BROTHERS LAW OFFICE, PLLC
1166 Eastland Drive North, Suite A
P.O. Box 226
Twin Falls, ID 83303
Telephone No. (208) 733-3107
Facsimile No. (208) 733-1669
e-mail: BRedmond@WrightBrothersLaw.Com

Attorney for South Hills Cattle Co., LLC

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL - 8 2013	
By _____	Clerk
_____	Deputy Clerk

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. 38576)

**AFFIDAVIT OF JOHN HEPTON IN
SUPPORT OF MOTION TO SET ASIDE
PARTIAL DECREE I.R.C.P. 60(a) and
60(b)(6)**

Water Right 47-11558

STATE OF IDAHO)

)ss.

County of Canyon)

JOHN HEPTON, being first duly sworn upon oath, deposes and states:

1) My name is John Hepton. I am a member of South Hills Cattle Co., LLC ("South Hills").

2) This affidavit is made upon personal knowledge setting forth facts that I believe to be true and would be admissible in evidence.

3) On or about February 15, 2006, South Hills acquired certain real property in Twin Falls County (the "Property"). Attached hereto as Exhibit A is a true and correct copy of the warranty deed South Hills received at the time it purchased the Property.

SCANNED
JUL 10 2013

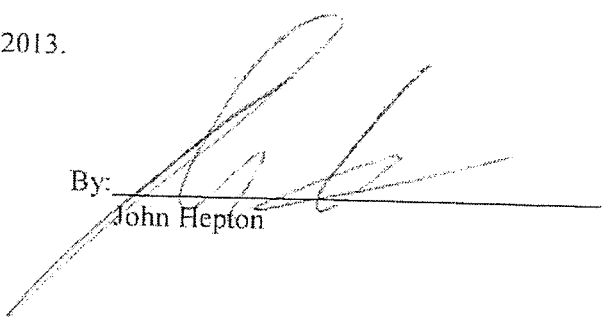
4) As part of this acquisition, South Hills acquired all water rights appurtenant to the Property, including without limitation, water right number 47-11558 (the "Water Right").

5) Shortly after purchasing the Property, South Hills attempted to file a Notice of Change in Ownership with the Idaho Department of Water Resources (the "IDWR"). Attached hereto as Exhibit B are true and correct copies of correspondence South Hills received relative to this request.

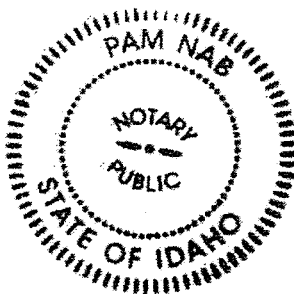
6) Attached hereto as Exhibit C is a true and correct copy of the adjudication file for the Water Right.

Further your affiant sayeth not.

DATED this 1 day of July, 2013.

By: 
John Hepton

SUBSCRIBED and SWORN to before me this 1 day of July, 2013.




NOTARY PUBLIC FOR IDAHO

Residing at Appleton, Idaho

My Commission Expires: 6-27-18

SCANNED

JUL 10 2013

TWIN FALLS COUNTY
RECORDED FOR:
TITLEFACT
4:12:34 pm 02-21-2006
2006-004219
NO. PAGES: 6 FEE: \$18.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: COUNBAR

540155111

WARRANTY DEED

FOR VALUE RECEIVED, CNOSSEN BROTHERS COMPANY, INC., the Grantor, does hereby grant, bargain, sell and convey unto SOUTH HILLS CATTLE COMPANY, LLC, an Idaho Limited Liability Company, the Grantee, whose address is 913 N. Robinson Blvd., Nampa, Idaho 83687, the following described premises, to-wit:

See Exhibit "A" attached hereto

Together with (i) any and all appurtenances belonging or appertaining thereto; (ii) any and all improvements located thereon; (iii) any and all appurtenant easements or rights of way affecting such real property and any of Grantor rights to use the same; (iv) any and all rights of ingress and egress to and from such real property and any of Grantor rights to use same; (v) any and all mineral rights and interests of Grantor relating to such real property (present or revisionary); (vi) any and all water rights to the present or future use of water, waste water, waste water capacity, drainage, water or other utility facilities to the extent such water rights pertain to or benefit such real property or the improvements located thereon, including without limitation, all reservations of or commitments or letters covering any such use in the future, whether now owned or hereafter acquired; (vii) any and all rights and interests of Grantor, if any, to any leases covering all or any portion of such real property; and (viii) all right, title and interest of Grantor, if any, in and to (a) any and all roads, streets, alleys and ways (open or proposed) affecting, crossing, fronting or bounding such real property, including any awards made or to be made relating thereto including, without limitation, any unpaid awards or damages payable by reason of damages thereto or by reason of a widening of or changing of the grade with respect to same, (b) any and all strips, gores or pieces of property abutting, bounding or which are adjacent or contiguous to such real property (whether owned or claimed by deed, limitations or otherwise), (c) any and all air rights relating to such real property and (d) any and all reversionary interests in and to such real property (such real property together with any and all of the related improvements, appurtenances, rights and interests referenced in items (i) through (viii) above are herein collectively referred to as the "Property").

WARRANTY DEED - 1

February 9, 2006

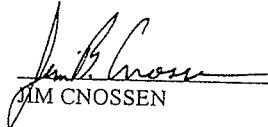
SCANNED
JUL 10 2013

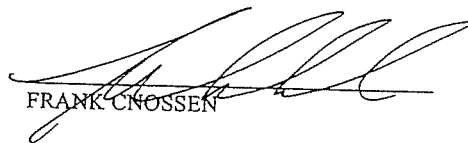
Exhibit
A

TO HAVE AND TO HOLD the said Property together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors and assigns forever, subject to the matters herein stated; and Grantor do hereby bind and successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, to the full extent such matters are valid and subsisting and affect the Property.

DATED this 15 day of Feb, 2006.

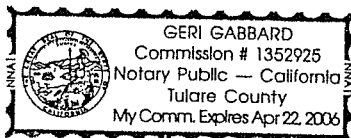
CNOSSEN BROTHERS COMPANY, INC.


JIM CNOSSEN


FRANK CNOSSEN

STATE OF CALIFORNIA
COUNTY OF TULARE : ss.

On this 15 day of FEBRUARY 2006, before me, the undersigned, a Notary Public for CALIFORNIA, personally appeared JIM CNOSSEN and FRANK CNOSSEN, known or identified to me to be the President and Secretary, respectively, of CNOSSEN BROTHERS COMPANY, INC., the corporation that executed the foregoing instrument, and acknowledged to me that they executed the same on behalf of said corporation.



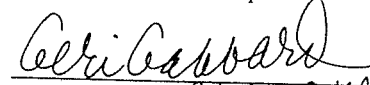

Notary Public for CALIFORNIA
My Commission Expires on APRIL 22, 2006

EXHIBIT 'A'

PARCEL NO. 1

Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 35: W $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPTING THEREFROM

Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 35: A parcel of land in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ being more particularly described as follows:
COMMENCING at the South quarter corner of Section 35;
THENCE along the South boundary of Section 35 North 89°58'04" East 421.35 feet to the REAL POINT
OF BEGINNING;
THENCE North 0°40'05" West 918.53 feet;
THENCE North 88°18'50" East 502.73 feet;
THENCE South 0°14'48" West 708.00 feet;
THENCE South 89°58'04" West 106.51 feet;
THENCE South 1°11'38" West 225.05 feet to the South boundary of said Section 35;
THENCE along the said South boundary of Section 35 South 89°58'04" West 377.56 feet to the REAL
POINT OF BEGINNING.

SUBJECT TO a right of way 25 feet-wide for the purpose of constructing and maintaining a public road
along the South boundary thereof.

AND EXCEPTING

Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 35: A parcel of land in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ being more particularly described as follows:
COMMENCING at the South quarter corner of Section 35;
THENCE along the South boundary of Section 35 North 89°58'04" East 798.91 feet to the TRUE POINT
OF BEGINNING;
THENCE North 1°11'38" East 225.05 feet;
THENCE North 89°58'04" East 106.51 feet;
THENCE South 0°14'48" West 225.05 feet, more or less, to the South boundary of Section 35;
THENCE South 89°58'04" West along the South boundary of Section 35 a distance of 106.51 feet, more
or less, to the TRUE POINT OF BEGINNING.

AND ALSO EXCEPTING

Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 35: A parcel of land being more particularly described as follows:
BEGINNING at the Southeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section;
THENCE West along the Section line 880 feet to the TRUE POINT OF BEGINNING;
THENCE North 800 feet;
THENCE West 440 feet;
THENCE South 800 feet;
THENCE East 440 feet to the POINT OF BEGINNING.
SUBJECT TO Highway District right of way.

PARCEL NO. 2

Township 11 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 2: A parcel of land in the E $\frac{1}{2}$, being more particularly described as follows:
COMMENCING at the North quarter corner of Section 2;
THENCE along the North boundary of said Section 2 North 89°58'04" East 1319.68 feet;
THENCE South 00°50'58" East 1298.31 feet to the TRUE POINT OF BEGINNING;
THENCE South 00°49'56" East 2206.58 feet;
THENCE North 89°46'02" West 814.61 feet to the approximate centerline of irrigation Lateral No. 7;
THENCE along the approximate centerline of irrigation Lateral No. 7 the following courses and
distances:
North 8°14'01" West 453.09 feet;
North 9°13'17" West 120.05 feet;
North 17°38'57" West 139.60 feet;
North 5°29'25" East 166.34 feet;
THENCE departing said irrigation Lateral No. 7 North 29°27'23" West 66.59 feet;
THENCE North 9°32'04" East 166.79 feet;
THENCE North 13°27'12" East 436.01 feet;
THENCE North 19°36'21" East 294.68 feet;
THENCE North 00°25'03" West 415.81 feet;
THENCE South 89°48'17" East 700.92 feet to the TRUE POINT OF BEGINNING.

SCANNED
JUL 10 2013

TOGETHER WITH: A non-exclusive 40-foot-wide access and utility easement on, over and across a 40-foot-wide strip of land that is located adjacent to and on the West side of the following described line: COMMENCING at a point on the North boundary of the NE¼ of said Section 2 that is located South 89°58'04" East 659.87 feet from the North one-quarter corner of said Section 2 and being the TRUE POINT OF BEGINNING;

THENCE South 00°00'00" East for a distance of 1295.48 feet to a point on the North boundary of the before-described parcel and the TERMINUS POINT OF SAID EASEMENT.

SUBJECT TO: An easement to the canal company for the use and maintenance of the irrigation Lateral No. 7 that is along a portion of the Westerly boundary of the before-described parcel.

AND

Township 11 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho

Section 2: A parcel of land being more particularly described as follows:

COMMENCING at the North one-quarter corner of said Section 2 from which the Northeast corner of said Section 2 bears North 89°58'04" East 2639.35 feet;

THENCE North 89°58'04" East along the North boundary of the NE¼ of said Section 2 for a distance of 560.56 feet to the TRUE POINT OF BEGINNING;

THENCE continuing North 89°58'04" East along the North boundary of the NE¼ of said Section 2 for a distance of 99.31 feet;

THENCE South 00°00'00" East for a distance of 620.00 feet;

THENCE South 89°58'04" West parallel with the North boundary of the NE¼ of said Section 2 for a distance of 87.48 feet;

THENCE North 03°19'53" West for a distance of 194.14 feet;

THENCE North 39°03'19" West for a distance of 97.20 feet;

THENCE North 00°00'00" East for a distance of 24.43 feet;

THENCE North 39°03'11" East for a distance of 90.11 feet;

THENCE North 00°00'00" East for a distance of 60.78 feet;

THENCE South 88°13'50" East for a distance of 30.66 feet;

THENCE North 00°30'59" East for a distance of 41.34 feet;

THENCE North 89°00'10" West for a distance of 27.01 feet;

THENCE North 00°01'56" West for a distance of 154.67 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH a 25.00-foot-wide easement for the use and maintenance of an existing septic system drain field; said easement being encompassed by the following-described boundary;

COMMENCING at a point that is located North 89°58'04" East 499.97 feet and South 00°00'00" East 25.00 feet from the North one-quarter corner of said Section 2; said point being the TRUE POINT OF BEGINNING;

THENCE North 89°58'04" East parallel with the North boundary of the NE¼ of said Section 2 for a distance of 60.71 feet;

THENCE South 00°01'56" East for a distance of 25.00 feet;

THENCE South 89°58'04" West parallel with the North boundary of the NE¼ of said Section 2 for a distance of 60.72 feet;

THENCE North 00°00'00" East for a distance of 25.00 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO:

1. A 25-foot-wide county road easement along the most Northerly boundary of the before-described parcel.
2. A 40-foot-wide access and utility easement along the East boundary of the before-described parcel.

PARCEL NO. 3

Township 11 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho

Section 2: A parcel of land being more particularly described as follows:

COMMENCING at the North one-quarter corner of said Section 2 from which the Northeast corner of said Section 2 bears North 89°58'04" East 2639.35 feet;

THENCE North 89°58'04" East along the North boundary of the NE¼ of said Section 2 for a distance of 637.31 feet;

THENCE South 00°01'56" East for a distance of 1295.39 feet to the Northwest corner of the before-described parcel;

THENCE along the Westerly boundary of the before-described Parcel No. 1 on the following courses:

THENCE South 00°25'03" East 415.81 feet;

THENCE South 19°36'21" West 294.68 feet;

THENCE South 13°27'12" West 436.01 feet;

SCANNED
JUL 10 2013

THENCE South 09°32'04" West 87.15 feet to the TRUE POINT OF BEGINNING;
THENCE continuing South 09°32'04" West along the Westerly boundary of the before-described parcel
for a distance of 79.64 feet;
THENCE South 29°27'23" East along the Westerly boundary of the before-described parcel for a
distance of 16.58 feet;
THENCE North 89°50'47" West for a distance of 368.74 feet;
THENCE North 00°48'49" West for a distance of 93.00 feet;
THENCE South 89°50'47" East for a distance of 375.10 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH: A 20-foot-wide access easement for the purpose of ingress and egress; said
easement being adjacent to and on the Southerly side of the South boundary of the before-described
parcel. The South boundary of the 20-foot-wide easement shall be extended to intersect the Westerly
boundary of the before-described parcel.

SUBJECT TO: A 10-foot-wide easement for the use and maintenance of a concrete irrigation ditch; said
easement being adjacent to and on the Westerly side of the Easterly boundary of the before-described
Parcel No. 3.

PARCEL NO. 4

Township 11 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 2: The SW¼SE¼ lying North of the Low Line Canal and the NW¼SE¼

EXCEPT:

A parcel of land in the E½ being more particularly described as follows:
COMMENCING at the North quarter corner of Section 2;
THENCE along the North boundary of said Section 2 North 89°58'04" East 1319.68 feet;
THENCE South 00°50'58" East 1298.31 feet to the TRUE POINT OF BEGINNING;
THENCE South 00°49'56" East 2206.58 feet;
THENCE North 89°46'02" West 814.61 feet to the approximate centerline of irrigation Lateral No. 7;
THENCE along the approximate centerline of irrigation Lateral No. 7 the following distances and
courses:
North 8°14'01" West 453.09 feet;
North 9°13'17" West 120.05 feet;
North 17°38'57" West 139.60 feet;
North 5°29'25" East 166.34 feet;
THENCE departing said irrigation Lateral No. 7 North 29°27'23" West 66.59 feet;
THENCE North 9°32'04" East 166.79 feet;
THENCE North 13°27'12" East 436.01 feet;
THENCE North 19°36'21" East 294.68 feet;
THENCE North 00°25'03" West 415.81 feet;
THENCE South 89°48'17" East 700.92 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH:

A non-exclusive 40-foot-wide access and utility easement on, over and across a 40-foot-wide strip of land
that is located adjacent to and on the West side of the following described line:
COMMENCING at a point on the North boundary of the NE¼ of said Section 2 that is located
South 89°58'04" East 659.87 feet from the North one quarter corner of said Section 2 and being the
TRUE POINT OF BEGINNING;
THENCE South 00°00'00" East for a distance of 1295.48 feet to the POINT OF TERMINUS.

TOGETHER WITH:

A 25-foot-wide access and utility easement for the purpose of ingress, egress and utilities; said easement
being across a 25.0-foot-wide strip of land that is centered on the following described line:
COMMENCING at the North one-quarter corner of said Section 2 from which the Northeast corner of
said Section 2 bears North 89°58'04" East 2639.35 feet;
THENCE North 89°58'04" East along the North boundary of the NE¼ of said Section 2 for a distance of
637.31 feet;
THENCE South 00°01'56" East for a distance of 1295.39 feet to the Northwest corner of parcel as
described in the Deed to Crossen Brothers Company, Inc., recorded January 27, 2000, as Instrument
No. 2000-001347;
THENCE South 89°48'15" East along the North boundary of the before-described parcel for a distance of
12.50 feet to the TRUE POINT OF BEGINNING;
THENCE South 00°25'03" East for a distance of 417.88 feet;
THENCE South 19°36'21" West for a distance of 296.22 feet;
THENCE South 13°27'12" West for a distance of 434.91 feet;

SCANNED
JUL 10 2013

THENCE South 07°50'19" West for a distance of 165.90 feet;
THENCE South 32°46'49" East for a distance of 48.50 feet;
THENCE South 66°04'29" East for a distance of 73.31 feet;
THENCE South 27°48'17" East for a distance of 91.22 feet;
THENCE South 19°22'00" East for a distance of 100.71 feet;
THENCE South 11°37'54" East for a distance of 91.04 feet;
THENCE South 02°57'20" West for a distance of 101.19 feet;
THENCE South 23°16'18" West for a distance of 115.96 feet;
THENCE South 02°50'09" East for a distance of 262.99 feet;
THENCE South 20°14'35" East for a distance of 82.47 feet;
THENCE South 58°47'04" East for a distance of 39.10 feet;
THENCE South 89°19'00" East for a distance of 728.96 feet to a point on the East boundary of the
before-described parcel and being the TERMINUS POINT OF SAID EASEMENT.

The sideline boundaries of the described easement shall be lengthened and/or shortened as necessary to intersect the boundaries of the before-described parcel.

SCANNED
JUL 10 2013



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

June 16, 2010

SOUTH HILLS CATTLE CO LLC
913 N ROBINSON BLVD
NAMPA ID 83687

RE: Notice of Change in Water Right Ownership

Dear Interested Party:

On March 8, 2006, the department received your notice of change in water right ownership. The department mailed you two letters in response to notice. One of the main issues was the fact that we could not process the ownership change for water right 47-11558 because your deed does not match the water right. It does appear that there is an error on the partial decree. The department cannot correct the court's decree. The other issue was the fact that insufficient fees were submitted with your notice. I am enclosing a copy of the letters sent to you on March 20, 2006 and March 22, 2006.

As of this date, I cannot see that any further fees have been submitted, or any evidence that the court has amended the partial decree. Since the notice was received with \$25, I did process the ownership change for the first water right listed on the notice (47-8147).

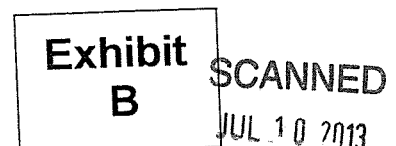
If you would like the ownership of water rights 47-11556 and 47-11557 to be updated, you will need to submit \$50.00. If you would like the ownership of water right 47-11558 to be updated, you will need to file a motion to set aside the partial decree. The ownership of water right 47-11558 can be updated through this process.

No further review of the notice of change in water right ownership will be made unless you respond to this letter. If you have any questions, please call me at 208-287-4952.

Sincerely,

Emalee Rushing
Office Services Supervisor

Enclosures



SUPPORT DATA
IN FILE # 47-8147

Smith, Danni

4-11-2006

To: cwright@wrightbrotherslaw.com
Subject: 47-11558

Even though the 10S is an error, because the claimants "Triple O Farms" were served a recommendation in August 1998 and the partial decree in May 1999 with no objections to the legals we cannot correct the error on the fast track. You or your client must send a letter to the SRBA Court, PO Box 2707, Twin Falls Id 83303-2707 requesting the Partial Decree dated May 26, 1999 be set aside. The documents (partial decree+) I sent you earlier can be the basis to correct the POU from 10S to 11S. If you have more questions, please call me at 208-287-4910.

SCANNED

JUL 10 2013



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

March 22, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SOUTH HILL CATTLE COMPANY LLC
913 N ROBINSON BLVD
NAMPA ID 83687

RE: Water Right No. 47-11558
Change in Ownership

Dear Interested Parties:

The Department of Water Resources acknowledges receipt of the additional information you submitted in support of your Notice of Change in Water Right Ownership filed on 03/08/2006 for the water right no(s) referenced above. The Snake River Basin Adjudication (SRBA) Court issued a partial decree describing the water right(s) with a place of use different than your property as described in the documentation you originally submitted. We have reviewed your additional information and found that it is not sufficient to resolve the place of use discrepancy.

In order to process your change in ownership, we need documentation to show that you own the water right(s) or the property described as the place of use for the water right(s). If you believe that the SRBA Court issued the partial decree(s) with an error in the description of the place of use, you may be able pursue one of the following options with the Court.

- 1) Motion to set-aside – a motion filed with the SRBA Court which, if granted, would provide a process to correct the partial decree. You would need to provide justification for the correction.
- 2) Motion to file late claim – a motion filed with the SRBA Court which, if granted, would allow you to file a new claim for your existing water use. A late claim would be investigated for validity and accuracy by the Department.

Please contact Danni Smith of this office at 287-4910 if you have questions related to the SRBA. Ms. Smith can assist you with the SRBA Court's processes.

SCANNED
JUL 10 2013

As additional alternatives, you could pursue one of the following options with the Department.

- 1) New Appropriation – an application for permit filed with the Department to develop a new water right. If a permit is approved, the priority date is the date that the application is filed. Some areas of the state are closed to new development. Please note that a water right permit is not required for certain domestic uses from a ground water source.
- 2) Water Right Transfer – an application filed with the Department to change an existing water right. In this case, the purpose of the transfer would be to change the place of use (and possibly the point of diversion) to your property description. You would need to provide evidence of ownership or authorization from the current owner of record before the Department could process the application.

If you choose to file an application for permit or transfer with the Department, you may be able to apply any fees submitted with your Notice of Change in Water Right Ownership to the application. Please contact staff from the Water Right Permits section of this office if you have additional questions related to the applications described above.

Please let us know within 30 days how you plan to proceed. If we do not hear from you within 30 days we will return your Notice of Change in Water Right Ownership and all attachments and refund any fees submitted with your notice.

Sincerely,



Kara Alder
Research Analyst

Enclosures

cc: WRIGHT BROTHERS LAW OFFICE

SCANNED
JUL 10 2013



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

March 20, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SOUTH HILLS CATTLE COMPANY
913 N ROBINSON BLVD
NAMPA, ID 83687

RE: Water Right Nos. 47-8147, 47-11556, 47-11557 & 47-11558

Dear Interested Parties:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

During our review of the documentation you submitted we found some discrepancies between that documentation and the legal description of the place of use for the water right(s) indicated in your notice. Water Right 47-11558 shows the place of use for stock water located in section 2, **township 10 south**, range 17 east, in the SW1/4NE1/4. Please provide proof of ownership. I have enclosed a copy of the water right(s) for your reference.

☒ **Filing Fee** of \$25 per water right

☒ **Evidence of Water Right Ownership:** copy of Warranty Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question. Please include legal description of property

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be **\$50.00** for Water Rights 47-11556 & 47-11557. If you are able to provide proof of ownership for Water Right 47-11558 then another \$25.00 fee will apply for that water right for a total of \$75.00.

SCANNED
JUL 10 2013

Because the Department cannot process the ownership change without proper documentation & fees, we will hold any action on your notice pending receipt of the necessary information & fees. If we do not receive the necessary information & fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter, please call Kara Alder at 208-287-4944.

Sincerely,

A handwritten signature in black ink that reads "Kara Alder". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Kara Alder
Research Analyst

Enclosure(s)

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 47-11558

NAME AND ADDRESS: TRIPLE O FARMS
3165 E 3500 N
TWIN FALLS, ID 83301

SOURCE: GROUNDWATER

QUANTITY: 0.23 CFS

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

PRIORITY DATE: 09/11/1968

POINT OF DIVERSION: T11S R17E S02 NWNWNE Within Twin Falls County
 NESWNE
 SESWNE
 NWNWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.23 CFS

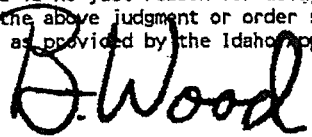
PLACE OF USE: Stockwater Within Twin Falls County
 T10S R17E S02 SWNE
 T11S R17E S02 NWSE

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.

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.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

Exhibit
C

SCANNED
JUL 10 2013

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: ~~A47-11558~~
Date Received: 11/15/1988
Receipt No: S003806
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: TRIPLE O FARMS
Address: 3165 E 3500 N
TWIN FALLS ID 83301

208-734-7285

2. Date of Priority: SEP 11, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	17E	2	NW	NW	NE		TWIN FALLS
			NE	SW	NE		TWIN FALLS
			SE	SW	NE		TWIN FALLS
			NW	NW	SE		TWIN FALLS

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.
STOCKWATER	01/01	12/31	0.230		

7. Total Quantity Appropriated is:
0.230 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
11S	17E	2	SW	NE		STOCK	
			NW	SE		STOCK	

SCANNED
JUL 10 2013

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
NONE

14. Remarks:

ADDRESS CHANGE 3/14/95 jr

CLAIM AMENDED TO CORRECT THE POINT OF DIVERSIONS AND THE PLACE OF
USE FOR STOCKWATER. AS THE DOMESTIC USES ARE OWNED BY OTHER
PARTIES THEY WERE DROPPED FROM THIS CLAIM. CLAIMANT INDICATED
THAT THE DOMESTIC USES EXISTED PRIOR TO THIS STOCKWATER
DEVELOPMENT. STOCKWATER IS FOR 900 HEAD BEEF FEEDLOT.

CLAIM AMENDED TO REMOVE PLACE OF USE IN SECTION 35. 4/17/98 jr

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
Triple O Farms, that I have signed the foregoing
Organization

document in the space below as Partner of
Title

Triple O Farms and that the statements contained in the
Organization
foregoing document are true and correct.

Brian Olstead
Signature of Authorized Agent

Partner, Triple O Farms
Title and Organization

4-17-98
Date

SCANNED
JUL 10 2013

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 17th day

of April 19 98

Kelly K Christensen
Notary Public

Seal

Residing at Kimberly del
My Commission Expires 3-11-04

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOUR
RECOMMENDED WATER RIGHTS ACQUIRED UNDER ST

RIGHT NUMBER: 47-11558

NAME & ADDRESS: TRIPLE O FARMS
3165 E 3500 N
TWIN FALLS ID 83301

SOURCE: GROUNDWATER

QUANTITY: 0.23 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL
GALLONS PER DAY.

PRIORITY DATE: 09/11/1968

POINT OF DIVERSION: T11S R17E S02 NWNWNE
NESWNE
SESWNE
NWNWSE

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
STOCKWATER

PLACE OF USE: STOCKWATER Within TWIN FALLS Cou
T10S R17E S02 SWNE
T11S R17E S02 NWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WA

THE QUANTITY OF WATER DECREED FOR THIS WATER
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
900 BEEF
RP 11S17E020600

SCANNED
JUL 10 2013

6/9/94

COMMUNICATION DOCUMENTATION

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 JEANIE M ROBERTSON

DATE

April 24, 1998 1:16pm

CUSTOMER

KATHLEEN OLMSTEAD, BRIAN OLMSTEAD

A47-11557, ~~A47-11558~~, A47-07010A,
A47-11559, A47-11567

SUBJECT: AMENDING CLAIMS

phone call (.) walk-in (X)

Kathleen and Brian Olmstead came into the office and met with Kelly and myself. After going over their claims and how the system is used now, they elected to amend claims A47-11557 and A47-11558 in order to agree with the amendment they are doing on Permit # 47-08147, where all four wells are tied together into a common system. They also amended the Place of Use as it is slightly different now. They amended A47-07010A to add a second well in case the other one can't supply enough water. They will return with affidavits from relatives that own other parcels covered by A47-11567 stating they have agreements with B&T Farming to water their land with B&T's well. I can then process the ownership changes for A47-11559 and A47-11567. They also want to amend A47-11567 to drop the 40 acres in the SWSW of Section 35 since water has never actually been used there.

SCANNED
JUL 10 2013

6/9/94

COMMUNICATION DOCUMENTATION

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 Kelly K Christensen

CUSTOMER:
OLMSTEAD

DATE: April 17, 1998 3:25 pm

SUBJECT: OWNERSHIP ISSUES AND AMENDMENTS TO RIGHTS
phone () walk-in(X)

Along with Jeanie R., we discussed their irrigation systems and stock rights. In the discussions we determined that the SWSW quarter of the system was not irrigated from the groundwater source. They amended the claim to delete that quarter quarter. They indicated that the actual property is owned by 3 separate individuals rather than one although the irrigation practice treats the place of use as one system. I contacted Don Shaff and he recommended that we solicit affidavits from the other parties and leave the claim in the current ownership. We discussed the stockwater - feedlot operation. The system appears to be 4 wells supplying a system of pens laying in two quarter quarters. They indicated that there is no stockwater/feedlot use in sec 35. They amended the claims to delete sec 35 uses. Where necessary, claims were also amended to reflect all 4 p/ds. Discussions indicated that there were two early developments of 500 head each for the feedlot and then a series of developments represented by a permit which is pending licensing. The total capacity including all rights is 3,000 head.

SCANNED

JUL 10 2013

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: A47-11558
Date Received: 11/15/1988
Receipt No: S003806
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: TRIPLE O FARMS
Address: 3165 E 3500 N
TWIN FALLS ID 83301
208-734-7285

2. Date of Priority: SEP 11, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	17E	2	NW	NW	NE		TWIN FALLS
				SW	NE		TWIN FALLS
			SE	SW	NE		TWIN FALLS
			NW	NW	SE		TWIN FALLS

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.
STOCKWATER	01/01	12/31	0.230		

7. Total Quantity Appropriated is:
0.230 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
10S	17E	35	SW	SE		STOCK	
11S	17E	2	SW	NE		STOCK	

SCANNED
JUL 10 2013

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	17E	2	NW SE		STOCK	

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
NONE

14. Remarks:

ADDRESS CHANGE 3/14/95 jr
CLAIM AMENDED TO CORRECT THE POINT OF DIVERSIONS AND THE PLACE OF
USE FOR STOCKWATER. AS THE DOMESTIC USES ARE OWNED BY OTHER
PARTIES THEY WERE DROPPED FROM THIS CLAIM. CLAIMANT INDICATED
THAT THE DOMESTIC USES EXISTED PRIOR TO THIS STOCKWATER
DEVELOPMENT. STOCKWATER IS FOR 900 HEAD BEEF FEEDLOT.

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
Triple "O" Farms, that I have signed the foregoing
Organization
document in the space below as Partner of
Title
Triple "O" Farms and that the statements contained in the
Organization
foregoing document are true and correct.

Brian Olmstead
Signature of Authorized Agent

Partner Triple "O" Farms
Title and Organization

8-20-97
Date

SCANNED
JUL 10 2013

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 20 day
of August 19 97

Kathleen Omoed
Notary Public

Seal

Residing at Twin Falls, Idaho
My Commission Expires 5-17-2002

SCANNED

JUL 10 2013

6/9/94

COMMUNICATION DOCUMENTATION

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 Kelly K Christensen

CUSTOMER:

BRIAN & KATHLEEN OLMSTEAD

DATE: August 21, 1997 2:25 pm

SUBJECT: AMENDING CLAIMS A47-11558 & A47-11559
phone () walk-in(X)

After a field exam conducted by Dan Nelson, they came in to correct their adjudication claims to be able to file a transfer.

The wells in that area are tied together and have multiple uses on each system. The north system covered by 11559 was amended to include his grandfather's home with the stockwater. As the originally claimed system actually includes another well, the second well was added to the claim. He stated that it was his intent to transfer the stockwater portion to a feedlot laying $\frac{1}{2}$ mile south of the P/D. He stated that the stockwater use had ceased in 1991 or 1992.

A47-11558 was amended to tie all four wells together and to correct the place of use for the south feedlot. He indicated that there was never a feedlot in the NWNE quarter of sec 2. Reference to domestic uses was dropped as he indicated that the previously mentioned domestic uses were for homes owned by relatives rather than by Triple "O" farms. I stated that the individuals could still claim their domestic uses independently. He stated that he intends on transferring the stockwater portion of this right also.

I gave them change of ownership forms to update the ownerships on the claims.

SCANNED

JUL 10 2013

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: ~~XXXXXXXXXX~~
Date Received: 11/15/1988
Receipt No: S003806
Received By: address change

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TRIPLE O FARMS 208-734-7285
Address: 3165 E 3500 N
TWIN FALLS ID 83301

2. Date of Priority: SEP 11, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	17E	2	NW	NW	NE		TWIN FALLS

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.
STOCKWATER	01/01	12/31	0.230		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/900 BEEF D/3 HOUSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	17E	35	SW	SE		STOCK	
11S	17E	2	NW	NE		STOCK	
			NW	NE		DOMEST	

SCANNED

JUL 10 2013

NOV 28 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. A47-11558

OWNER CODE: C
NAME & ADDRESS: TRIPLE O FARMS
RT. 2 BOX 5128
TWIN FALLS ID 83301
(208) 733-6779
PRIORITY DATE: 09/11/1968
WATER USE: STOCKWATER
USE PERIOD FROM TO: 01-01 12-31
DIVERSION RATE: 0.23 CFS
DIVERSION VOLUME: 0.23 CFS
TOTAL DIVERSION: 0.23 CFS

Water Source: GROUNDWATER
Point(s) of Diversion: T11S R17E S02
Tributary to: NWNWNE
Stage: BENEFICIAL USE
TWIN FALLS County

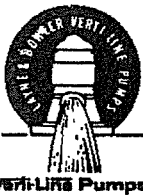
Place of use Legal Description for: STOCKWATER																	
		NE				NW				SW				SE			
		NE NE	NW NE	S NE	SE NE	NE NW	NW NW	S NW	SE NW	NE SW	NW SW	S SW	SE SW	NE SE	NW SE	S SE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
10S	17E	35	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
11S	17E	2	:	:	:	:	:	:	:	:	:	:	:	:	:	:	

POU County: TWIN FALLS
Non-Irrigation Uses: S/900 BEEF D/3 HOUSES
Other Rights: NONE

Dates: Exam Made Date: Verified Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

RECEIVED
MAR 14 1995
Department of Water Resources
Southern Region

SCANNED
JUL 10 2013
NOV 28 1996



LAYNE & BOWLER PUMP COMPANY

200 N. PUENTE AVENUE, CITY OF INDUSTRY, CALIF.

MAILING ADDRESS: P.O. BOX 1300, LA PUENTE, CALIF. 91747

SOLD TO . **Olmstead Brothers**
Rt. 2
Twin Falls, Idaho

SHIP TO . **Layne & Bowler Pump Co.**

TERMS: NET 30 DAYS

CUSTOMER ORDER NO.	JOB NAME	SHIP VIA	TERRITORY	INVOICE (SHIPPED) DATE	INVOICE NO.
			18	9/20/68	TP 8004
QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT		

1 Complete Little Layne Pump

1 L43D7 Head, col. and bowls	801.00
1 5HP 230V GE 2 Plc 3PH VHS Motor	273.00
1 5HP 230V 3PH Pumping plant	101.00
1 3" I.D. Foot valve	27.00
	1202.00

Price includes setting of pump but wiring to be in addition

Serial #

D-20722

RECEIVED

MAR 14 1995

Department of Water Resources
Southern Region

RETURN ONE COPY OF INVOICE WITH YOUR PAYMENT

#A47-11558

Triple "O" Farms

3165 E. 3500 N.

Twin Falls, ID 83301

(Well by office)
in 2/11/01

5Hp

on well house

SCANNED
JUL 10 2013

NOV 28 1996



LAYNE & BOWLER PUMP COMPANY

200 N. PUENTE AVENUE, CITY OF INDUSTRY, CALIF.

MAILING ADDRESS: P.O. BOX 1300, LA PUENTE, CALIF. 91747

SOLD TO . **Olmstead Brothers**
Rt. 2
Twin Falls, Idaho

SHIP TO . **Layne & Bowler Pump Co.**

CUSTOMER ORDER NO.		JOB NAME	SHIP VIA	TERRITORY	INVOICE (SHIPPED) DATE	INVOICE NO.	TERMS: NET 30 DAYS
				18	9/20/68	TP 8004	
QUANTITY		DESCRIPTION		UNIT PRICE		AMOUNT	

1 Complete Little Layne Pump

1	L43D7 Head, col. and bowls	801.00
1	5HP 230V GE 2 P1e 3PH VHS Motor	273.00
1	5HP 230V 3PH Pumping plant	101.00
1	3" I.D. Foot valve	27.00
		1202.00

Price includes setting of pump but wiring to be in addition

Serial #

D-20722

RECEIVED

MAR 14 1995

Department of Water Resources
Southern Region

RETURN ONE COPY OF INVOICE WITH YOUR PAYMENT

#A47-11558

Triple "O" Farms

3165 E. 3500 N.

Twin Falls, ID 83301

(Well by office)
in 23101

5Hp

on well house

SCANNED

JUL 10 2013

NOV 28 1996

6/9/94

A47-11556

A47-11557

COMMUNICATION DOCUMENTATION

~~A47-11558~~
A47-11559

Claim No. A47-11567

A47-07010A

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 Jeanie Robertson Date 3/14/95

Contact Person(s) Kathleen Olmstead

Nature of Contact office visit

Substance of Communication she brought in some Evidence of Priority on A47-11558 and A47-11567. She did address updates on all these claims. I also explained why she was only requested to prove priority on certain claims, and not others (domestics are exempt and licenses already have priority dates in our records)

SCANNED

JUL 10 2013

NOV 28 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

GOVERNOR PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-11558
TRIPLE O FARMS
RT. 2 BOX 5128
TWIN FALLS ID 83301

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided by the claimant supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

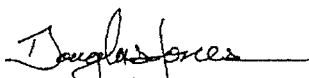
SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,


Douglas Jones, P.E.
Water Rights Supervisor

Enc.

SCANNED
JUL 10 2013

NOV 28 1996

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: A47-11558
Date Received: 11/15/1988
Receipt No: S003806
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TRIPLE O FARMS 208-733-6779
Address: RT. 2 BOX 5128
TWIN FALLS, ID 83301
2. Date of Priority: SEP 11, 1968
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|------------|
| 11S | 17E | 2 | NW | NW | NE | | TWIN FALLS |
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. |
|------------|-------|-------|--------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.230 | | |
7. Total Quantity Appropriated is:
0.230 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
S/900 BEEF D/3 HOUSES
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10S	17E	35	SW	SE		STOCK	
11S	17E	2	NW	NE		STOCK	
			NW	NE		DOMEST	

A47-11558

Page 1

Date: 11/15/88

SCANNED

MICROFILMED JUL 10 2013

MAR 12 1993

11. Place of use in counties: TWIN FALLS

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

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Partner of
Triple "O" Farms, that I have signed the foregoing
Organization Title
document in the space below as Partner of
Title
Triple "O" Farms and that the statements contained in the
Organization
foregoing document are true and correct.

Brian Olmstead
Signature of Authorized Agent

Partner, Triple "O" Farms
Title and Organization

11-15-88
Date

State of Idaho

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 15th day

of November 19 88

Roxanne Story
Notary Public

Seal

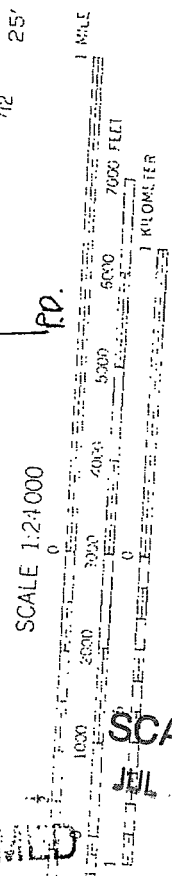
Residing at Buhl, Id

My Commission Expires 6-30-94



INTERIOR GEOLOGICAL SURVEY, RESTON, VIRGINIA 20192
PRINCIPAL NUMBERED HIGHWAYS
Interstate Route U.S. Route State R

NW NW NE



MICROFILMED
MAR 12 1993

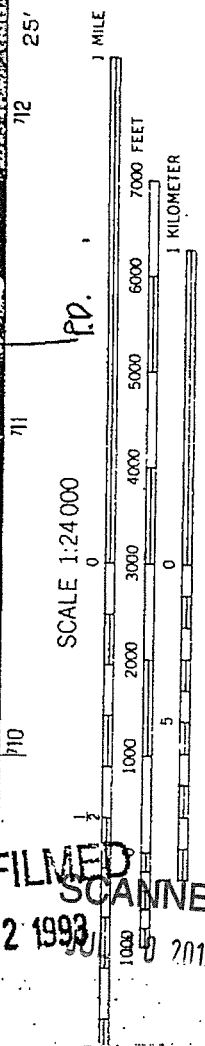
SCANNED
JUL 10 2013

This quadrangle area also covers



715000m E
714
INTERIOR—GEOLOGICAL SURVEY, RESTON, VIRGINIA—19
PRINCIPAL NUMBERED HIGHWAY:
○ Interstate Route □ U.S. Route ○ S

NW NW NE



REPRODUCED FROM
MAR 12 1993
2013

DATE: 01/10/95
PAGE: 48

DIVERSION
VOLUME

0.23 CFS

TOTAL DIVERSION:

Stage: BENEFICIAL USE

ANNEX

PM

: NENW NWNW SWNW SENW
 : Lt AC Lt AC Lt AC Lt AC

: NESW NWSW S
: Lt Ac Lt Ac Lt

```

NESE NWSE SESE SESE :
Lt AC Lt AC Lt AC Lt AC :

```

10S 17E 35 : :
11S 17E 2 : :
S

POU County: TWIN FALLS
Non-Irrigation Uses: S/900 BEEF D/3 HOUSES

Dates: **Exam Made Date:**

Verified Date:

Misc:

Field Inspection Flag:
Presumption Flag:

SCANNED
JUL 10 2013