

COPY

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A41-02016
Date Received: 6/26/1990
Receipt No: E014911
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: UDY BROTHERS
Address: 5111 SOUTH HWY 37
ROCKLAND ID

208-548-2636

83271

2. Date of Priority: SEP 4, 1940

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	31E	21	SE	NE			POWER

5. Description of diverting works:
WEEL AND PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.200		

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

A.F.A.

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	31E	21	NE	NE		IRR	25.0
			SE	NE		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	60.0
					Total Acres	60.0

11. Place of use in counties: POWER

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: LICENSE

Water Right Number: 19047

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s).: 41-2016 41-2021 41-2027
Adjudication Claim No(s).: Same

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

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

AND

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

OR

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

3. Name and Address of Former Owner/Claimant _____

4. New Owner/Claimant(s) Udy Bros
Name Connector (Check one): [] and, [] or, [] and/or
New Mailing Address 5111 So Hwy 37
City, State and ZIP Code Rockland Id 83271
New Telephone Number (208) 226-7857

5. Date you acquired the property April 7 1998

6. *no split* If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

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

7. Signature of New Owner or Claimant(s) Udy Bros by George Udy

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

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

8/10/99 sec. Data Entry ✓

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: A41-02016
Date Received: 5/30/1990
Receipt No: E04911
Received By: HWT

JUN 2 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: POVERTY FLATS RANCH
Address: C/O BOB KNUDSEN JR
2700 W. 2100 S.
ABERDEEN, ID

208-397-4300

83210

RECEIVED

2. Date of Priority: SEP 04, 1940

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

JUN 27 1990
Department of Water Resources
Southern Region Office

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	31E	21	SE	NE			POWER

5. Description of diverting works:
WHEEL AND PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.200		

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

A.F.A.

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	31E	21	NE	NE		IRR	25.0
			SE	NE		IRR	35.0

A41-02016

Page 1

Date: 05/30/90

MICROFILMEI

MAR 04 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	60.0
					Total Acres	60.0

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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: LICENSE

Water Right Number: 19047

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
Twisted Fork Ranch that I have signed the foregoing
Organization document in the space below as Partner of
Twisted Fork Ranch Title
Organization and that the statements contained in the
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Partner Twisted Fork Ranch
Title and Organization

30 May 1990
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 30th day

of May 19 90

Seal

Betty J. Thompson
Notary Public

Residing at BETTY J. THOMPSON, NOTARY PUBLIC

~~RESIDING AT 170 FAIRBANKS, IDAHO~~

My Commission Expires MY COMMISSION EXPIRES: 6-30-94

441-67221

N-222

B

Nelsons Hill

Branches

13

Big Canyon Road

504

Groom

T-505

20-30

16

21.2

162

17.0

11.8

28.8

10.3

36.4

21.00

209-316 168

#121

Harold Partley

R JIE

#162

Harold Partley

21.4

28.5

28.5

28.5

28.5

28.5

28.5

28.5

28.5

28.5

28.5

28.5

28.5

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28.5

21

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11

S

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37.5

338

NHEL

37.9

NHEL

28.2

NHEL

47.9

Ud: Br

47.9

NHEL

55.2

P.D.

Partley Canyon Road

MICROFILMED

MAR 04 1993

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
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3. Name and Address of Former Owner/Claimant _____

4. New Owner/Claimant(s) Zidy Bros
 Name Connector (Check one): [] and, [] or, [] and/or
 New Mailing Address 5111 So Hwy 37
 City, State and ZIP Code Rockland Id 83271
 New Telephone Number (208) 226-7857

5. Date you acquired the property April 7 1998

6. No split
 If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Zidy Bros by George Zidy
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..
8/10/99 sec: Data Entry ✓

WARRANTY DEED

For Value Received **DAN WILLIAMSON and CALLIE WILLIAMSON, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

UDY BROTHERS PARTNERSHIP

CONSISTING OF MERRILL G. UDY AND SHIRLEY UDY, HUSBAND AND WIFE AND RICHARD G. UDY AND LINDA J. UDY, HUSBAND AND WIFE

whose address is: _____

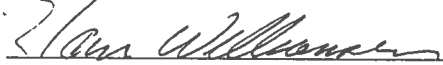
Hereinafter called the Grantee, the following described premises situated in POWER County, Idaho, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: April 7, 1998



DAN WILLIAMSON



CALLIE WILLIAMSON

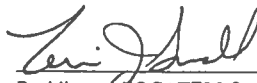


STATE OF IDAHO)

: ss

COUNTY OF BANNOCK)

On This 7TH day of APRIL, in the year 1998, before me, a Notary Public in and for said State, personally appeared DAN WILLIAMSON and CALLIE WILLIAMSON, known or identified to me to be the person(s) whose name(s) ARE subscribed to the within Instrument, and acknowledged to me that THEY executed the same.



Notary Public of Idaho
Residing at POCATELLO, ID.
Commission Expires: 4-28-99

EXHIBIT A

PARCEL I:

Township 11 South, Range 31 E.B.M., Power County, Idaho.

Section 15: SW1/4, SE1/4NW1/4 excepting a strip of land 70 feet wide, being 35 feet on each side of the following described centerline of Highway as surveyed and shown on the official plat of Oneida S- 169 (7) Highway survey on file in the office of the Department of Highways of the State of Idaho and lying over and across the E1/2SW1/4 and the NW1/4SW1/4 of Section 15, Township 11 South, Range 31 E.B.M.,

Section 15: W1/2NE1/4, N1/2NW1/4, SW1/4NW1/4 EXCEPTING: A strip of land 70 feet wide, being 35 feet on each side of the following described centerline of highway as surveyed and shown on the official plat of the Oneida S-169 (7) highway survey on file in the office of the Department of Highways of the State of Idaho and lying over and across the W1/2NW1/4 of Section 15 and the N1/2SE1/4NE1/4 of section 16, Township 11 South, Range 31 E.B.M.

Beginning at station 405+55 of the said highway survey, which station is a point on tangent approximately 690 feet east from the W1/4 corner of Section 15, Township 11 South, Range 31 E.B.M.; thence running N. 27°26' W. 1145 feet to station 417+00 of said survey, which station is a point of curvature; thence 392.0 feet with a 2°00' curve left, said curve having a central angle of 16°52' to station 420+92, which station is a point on curve approximately 1310 feet south and 30 feet west from the NE corner of Section 16, Township 11 South, Range 31 E.B.M.

Further save and except: That portion of the SW1/4NW1/4 of said Section 15 lying south and west of former Oneida S-169 (7) Highway now known as State Highway #37.

Section 21: E1/2SE1/4

Section 21: E1/2NE1/4: EXCEPTING: A strip of land 40 feet wide, the centerline of which is particularly described as follows: Beginning at a point 20.0 feet east of the SW corner of SE1/4NE1/4 of Section 21, Township 11 South, Range 31 E.B.M.; running thence N. 477.0 feet; thence N. 77°8' E., 2050.0 feet; thence N. 87°20' E., 610.0 feet to a point in the highway 687.0 feet north of the SE corner of the SW1/4NW1/4 of Section 22 in said Township and Range, which said tract is in the SE1/4NE1/4 of said Section 21, and the SW1/4NW1/4 of said Section 22.

DW
CW

Section 22:

N1/2S1/2, SW1/4SW1/4 EXCEPTING: An irregular strip of land being all that portion of the SW1/4SW1/4 of Section 22, Township 11 South, Range 31 E.B.M., lying situate east of a line 35 feet westedly from and parallel to the following described centerline of highway as surveyed and shown on the official plat of the Oneida S-169 (7) highway survey on file in the office of the Department of Highways of the State of Idaho.

Beginning at station 376+37 of the said highway survey, which station is a point of curve approximately 1404 feet east from the SW corner of Section 15, Township 11 South, Range 31 E.B.M.; thence 149.4 feet with a 4°00' curve right, said curve having a central angle of 18°11' to station 377+86.4 which station is a point on tangent; thence N. 18°17' E. on tangent 284.4 feet to station 380+70.8, which station is a point of curvature; thence 701.9 feet with a 6°00' curve left, said curve having a central angle of 45°43' to station 388+32.7 which station is a point on tangent; thence N. 21°26' W. on tangent 1722.3 feet to station 405+55, which station is a point on tangent approximately 690 feet east from the W1/4 corner of Section 15, Township 11 South, Range 31 E.B.M.

Section 22:

W1/2NW1/4, EXCEPTING: A parcel of land described as follows: Commencing on the west line of the Idaho State Highway 37 right-of-way at the NE corner of the NW1/4NW1/4 of Section 22, Township 11 South, Range 31 E.B.M.; thence south on the said west right-of-way line of said Highway 37 a distance of 1094 feet, more or less, to the place of beginning; thence continuing south on said last mentioned line 587 feet to the north right-of-way line of Hartley Canyon Lane; thence west along the north right-of-way line of Hartley Canyon Lane 128 feet; thence north at right angles to last described line 128 feet, to the place of beginning.

Section 23:

NW1/4SW1/4

DW
CW

For Value Received

Dan Williamson and Calle Williamson, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto Knudsen Poor Farms, Inc., an Idaho corporation,

whose current address is 2700 W. 2100 S., Aberdeen, ID 83210

the grantee, the following described premises, in Power

County Idaho, to wit:

All of Grantees' interest in and to
See attached Exhibit "A", attached hereto and incorporated herein by
this reference

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 10th day of June, 1993.

Dan Williamson
Dan Williamson

Calle Williamson
Calle Williamson

STATE OF IDAHO, COUNTY OF Power
On this 10th day of June, 1993
before me, a notary public in and for said State, personally appeared
Dan Williamson and Calle Williamson

known to me to be the person whose nameS are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Don Cameron
Notary Public

Residing at American Falls
Comm. Expires 11/19/97

159472

Instrument #	159472
Date	June 10, 1993
Time	3:21 PM
By	Dan Williamson + Calle Williamson
Notary	Don Cameron
County	Power
City	American Falls

EXHIBIT "A"

PARCEL 1:

TOWNSHIP 11 SOUTH, RANGE 31 E.B.M., POWER COUNTY, IDAHO,
[REDACTED]

SECTION 15: SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, EXCEPTING: A STRIP OF LAND 70 FEET WIDE, BEING 35 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE OF HIGHWAY AS SURVEYED AND SHOWN ON THE OFFICIAL PLAT OF THE ONEIDA S-169 (7) HIGHWAY SURVEY ON FILE IN THE OFFICE OF THE DEPARTMENT OF HIGHWAYS OF THE STATE OF IDAHO AND LYING OVER AND ACROSS THE E $\frac{1}{2}$ SW $\frac{1}{4}$ AND THE NW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 15, TOWNSHIP 11 SOUTH, RANGE 31 EAST, BOISE MERIDIAN.

SECTION 26: E $\frac{1}{2}$

SECTION 35: N $\frac{1}{2}$, SE $\frac{1}{4}$

SECTION 36: E $\frac{1}{2}$

TOWNSHIP 11 SOUTH, RANGE 32 E.B.M., POWER COUNTY, IDAHO,

SECTION 31: LOTS 2, 3 AND 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$

SECTION 32: SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

TOWNSHIP 12 SOUTH, RANGE 32 E.B.M., POWER COUNTY, IDAHO,

SECTION 6: LOTS 3, 4 AND 5, SE $\frac{1}{4}$ NW $\frac{1}{4}$

SECTION 18: LOTS 1 AND 2

TOWNSHIP 11 SOUTH, RANGE 31 E.B.M., POWER COUNTY, IDAHO,

SECTION 15: W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ EXCEPTING: A STRIP OF LAND 70 FEET WIDE, BEING 35 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE OF HIGHWAY AS SURVEYED AND SHOWN ON THE OFFICIAL PLAT OF THE ONEIDA S-169 (7) HIGHWAY SURVEY ON FILE IN THE OFFICE OF THE DEPARTMENT OF HIGHWAYS OF THE STATE OF IDAHO AND LYING OVER AND ACROSS THE W $\frac{1}{2}$ NW $\frac{1}{4}$ OF SECTION 15 AND THE N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 31 E.B.M.

BEGINNING AT STATION 405+55 OF THE SAID HIGHWAY SURVEY, WHICH STATION IS A POINT ON TANGENT APPROXIMATELY 690 FEET EAST FROM THE WEST QUARTER CORNER OF SECTION 15, TOWNSHIP 11 SOUTH, RANGE 31 E.B.M.; THENCE RUNNING NORTH 27°26' WEST, 1145 FEET TO STATION 417+00 OF SAID SURVEY, WHICH STATION IS A POINT OF CURVATURE; THENCE 392.0 FEET WITH A 2°00' CURVE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 16°52' TO STATION 420+92, WHICH STATION IS A POINT ON CURVE APPROXIMATELY 1310 FEET SOUTH AND 30 FEET WEST FROM THE NORTHEAST CORNER OF SECTION 15, TOWNSHIP 11 SOUTH, RANGE 31 E.B.M.

FURTHER SAVE AND EXCEPT: That portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 15 lying South and West of former Oneida S-169 (7) Highway now known as State Highway # 37.

TOWNSHIP 11 SOUTH, RANGE 31 E.B.M., POWER COUNTY, IDAHO,

SECTION 21: E $\frac{1}{2}$ SE $\frac{1}{4}$

SECTION 22: N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ EXCEPTING: AN IRREGULAR STRIP OF LAND BEING ALL THAT PORTION OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 31 E.B.M., LYING SITUATE EAST OF A LINE 35 FEET WESTERLY FROM AND PARALLEL TO THE FOLLOWING DESCRIBED CENTERLINE OF HIGHWAY AS SURVEYED AND SHOWN ON THE OFFICIAL PLAT OF THE ONEIDA S-169 (7) HIGHWAY SURVEY ON FILE IN THE OFFICE OF THE DEPARTMENT OF HIGHWAYS OF THE STATE OF IDAHO.

BEGINNING AT STATION 376+37 OF THE SAID HIGHWAY SURVEY, WHICH STATION IS A POINT ON CURVE APPROXIMATELY 1404 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 15, TOWNSHIP 11 SOUTH, RANGE 31 E.B.M.; THENCE 149.4 FEET WITH A 4°00' CURVE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 18°11' TO STATION 377+86.4 WHICH STATION IS A POINT ON TANGENT; THENCE NORTH 18°17' EAST ON TANGENT 284.4 FEET TO STATION 380+70.8, WHICH STATION IS A POINT OF CURVATURE; THENCE 701.9 FEET WITH A 6°00' CURVE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 45°43' TO STATION 388+32.7 WHICH STATION IS A POINT ON TANGENT; THENCE NORTH 21°26' WEST ON TANGENT 1722.3 FEET TO STATION 405+55, WHICH STATION IS A POINT ON TANGENT APPROXIMATELY 690 FEET EAST FROM THE WEST QUARTER CORNER OF SECTION 15, TOWNSHIP 11 SOUTH, RANGE 31 E.B.M.

SECTION 21: E½NE¼ EXCEPTING: A STRIP OF LAND 40 FEET WIDE, THE CENTER LINE OF WHICH IS PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 20.0 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE¼NE¼) OF SECTION 21, TOWNSHIP 11 SOUTH, RANGE 31 E.B.M. IN IDAHO, RUNNING THENCE NORTH 477.0 FEET; THENCE NORTH 77°8' EAST, 2050.0 FEET; THENCE NORTH 87°20' EAST, 610.0 FEET TO A POINT IN THE HIGHWAY 687.0 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW¼NW¼) OF SECTION 22 IN SAID TOWNSHIP AND RANGE, WHICH SAID TRACT IS IN THE SE¼NE¼ OF SAID SECTION 21, AND THE SW¼NW¼ OF SAID SECTION 22.

PROVIDED, THAT IF AT ANY TIME THE ABOVE DESCRIBED LAND IS NOT USED AS A PUBLIC HIGHWAY AND IF THE SAME IS CLOSED TO THE PUBLIC, THE OWNERSHIP SHALL REVERT TO THE GRANTORS HEREIN.

SECTION 22: W½NW¼, EXCEPTING A PARCEL OF LAND DESCRIBED AS FOLLOWS: COMMENCING ON THE WEST LINE OF THE IDAHO STATE HIGHWAY 37 RIGHT OF WAY AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW¼NW¼) OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 31 E.B.M.; THENCE SOUTH ON THE SAID WEST RIGHT OF WAY LINE OF SAID HIGHWAY 37, 1094 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH ON SAID LAST MENTIONED LINE, 587 FEET TO THE NORTH RIGHT OF WAY LINE OF HARTLEY CANYON LANE; THENCE WEST ALONG THE NORTH RIGHT OF WAY LINE OF HARTLEY CANYON LANE, 128 FEET; THENCE NORTH AT RIGHT ANGLES TO LAST DESCRIBED LINE 587 FEET; THENCE EAST AT RIGHT ANGLES TO LAST DESCRIBED LINE 128 FEET, TO THE PLACE OF BEGINNING.

SECTION 23: ~~SW¼SE¼~~ SW¼SE¼, SE¼SW¼ ALSO A PARCEL OF LAND DESCRIBED AS: BEGINNING AT THE SOUTHEAST CORNER OF SECTION 23; THENCE WEST 1320 FEET; THENCE NORTH 1320 FEET; THENCE EAST 1070 FEET; THENCE SOUTH 350 FEET; THENCE EAST 249 FEET; THENCE SOUTH 1070 FEET TO THE POINT OF BEGINNING.

SECTION 25: S½S½

BEGINNING AT STATION 323+61 OF THE SAID HIGHWAY SURVEY, WHICH STATION IS A POINT ON CURVE APPROXIMATELY 1347 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 31 E.B.M.; THENCE 2.6 FEET WITH A 1°00' CURVE RIGHT, SAID CURVE HAVING A CENTRAL ANGLES OF 3°53' TO STATION 323+63.6 WHICH STATION IS A POINT ON TANGENT; THENCE NORTH 0°06' EAST ON TANGENT 1317.4 FEET TO STATION 336+81, WHICH STATION IS A POINT ON TANGENT APPROXIMATELY 1353 FEET EAST AND 1320 FEET NORTH FROM THE SOUTHWEST CORNER OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 31 E.B.M.

ALSO EXCEPTING: A STRIP OF LAND 70 FEET WIDE, BEING 35 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE OF SAID HIGHWAY AND LYING OVER AND ACROSS THE N½SW¼ OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 31 E.B.M.

BEGINNING AT STATION 336+81 OF SAID HIGHWAY SURVEY, WHICH STATION IS A POINT OF TANGENT APPROXIMATELY 1353 FEET EAST AND 1320 FEET NORTH FROM THE SOUTHWEST CORNER OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 31 E.B.M.; THENCE RUNNING NORTH 00°06' EAST, 1300.0 FEET TO STATION 349+81 OF SAID SURVEY, WHICH STATION IS A POINT ON TANGENT APPROXIMATELY 1359 FEET EAST FROM THE WEST QUARTER CORNER OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 31 E.B.M.

SECTION 23: NW¼SW¼

TOWNSHIP 12 SOUTH, RANGE 31 E.B.M., POWER COUNTY, IDAHO,

SECTION 2: LOTS 1 AND 2, S½NE¼

SECTION 12: S½NE¼SE¼, E½W½SE¼SE¼, E½SE¼SE¼

SECTION 13: E½W½NE¼NE¼, E½NE¼NE¼

WARRANTY DEED

THIS INDENTURE, made this 1 day of February, 1996, between KNUDSEN POOR FARMS, INC., whose complete mailing address is 2700 W. 2100 S., City of Aberdeen, County of Bingham, State of Idaho herein designated as Grantor, and DAN WILLIAMSON and CALLIE WILLIAMSON, husband and wife, whose complete mailing address is 506 Yellowstone, City of Pocatello, County of Bannock, State of Idaho, herein designated as Grantee.

Grantor, for valuable consideration, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto Grantee and its heirs or assigns forever, the following described premises in the County of Power, State of Idaho, bounded and more particularly described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs or assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

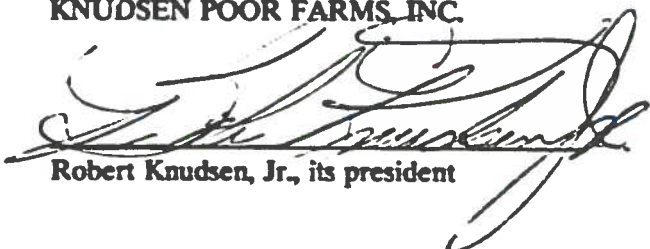
PROVIDED, HOWEVER, Grantor does not warrant or covenant with said Grantee with respect to the existence or nonexistence of any pollutants, contaminants or hazardous

waste prohibited by federal, state or local law or claims based thereon arising out of the actual or threatened discharge, release, disposal, seepage, migration or escape of such substances at, from or into the demised premises.

PROVIDED FURTHER that the Grantor hereby reserves unto itself all mineral rights of whatsoever nature appurtenant to the premises.

IN WITNESS WHEREOF, the said Grantor has hereunto set hand and seal the day and year first above written.

KNUDSEN POOR FARMS, INC.


Robert Knudsen, Jr., its president

STATE OF IDAHO)

ss

County of Bannock)

On this 1 day of February, 1996, before me, a Notary Public in and for said County and State, personally appeared Robert Knudsen, Jr, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same on behalf of Knudsen Poor Farms, Inc.

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

164981

(SEAL)


NOTARY PUBLIC for Idaho

Residing at: Franklin

Commission Expires: 11/1/97

WARRANTY DEED
Page 2
BANK OF AMERICA

8:30 am
Services Center
Karl

REC - 5 1005

Marian Schelke
11/15/96

Exhibit A attached to and made a part of Commitment No. P-2907

Township 11 South, Range 31 East, Boise Meridian, Power County, Idaho.

Section 15: SW1/4, SE1/4 NW1/4 excepting a strip of land 70 feet wide, being 35 feet on each side of the following described centerline of Highway as surveyed and shown on the official plat of the Oneida S-169 (7) Highway survey on file in the office of the Department of Highways of the State of Idaho and lying over and across the E1/2 SW1/4 and the NW1/4 SW1/4 of Section 15, Township 11 South, Range 31 East, Boise Meridian.

Section 26: E1/2

Section 35: N1/2, SE1/4

Section 36: E1/2; excepting therefrom all of that part of the E1/2 lying Southwesterly of the centerline of an existing private road near the Northeast corner of said section.

Township 12 South, Range 32 East, Boise Meridian, Power County, Idaho,

Section 6: Lots 3, 4 and 5, SE1/4 NW1/4

Section 18: Lots 1 and 2

Township 11 South, Range 31 East, Boise Meridian, Power County, Idaho,

Section 15: W1/2 NE1/4, N1/2 NW1/4, SW1/4 NW1/4 Excepting: A strip of land 70 feet wide, being 35 feet on each side of the following described centerline of highway as surveyed and shown on the official plat of the Oneida S-169 (7) highway survey on file in the office of the Department of Highways of the State of Idaho and lying over and across the W1/2 NW1/4 of Section 15 and the N1/2 SE1/4 NE1/4 of Section 16, Township 11 South, Range 31 East, Boise Meridian.

Beginning at station 405+55 of the said highway survey, which station is a point on tangent approximately 690 feet East from the West quarter corner of Section 15, Township 11 South, Range 31 East, Boise Meridian; thence running North 27°26' West 1145 feet to station 417+00 of said survey, which station is a point of curvature; thence 392.0 feet with a 2°00' curve left, said curve having a central angle of 16°52' to station 420+92, which station is a point on curve approximately 1310 feet South and 30 feet West from the Northeast corner of Section 16, Township 11 South, Range 31 East, Boise Meridian.

EXHIBIT

A

Exhibit A continued and made a part of Commitment No. P-2907

Further save and except: That portion of the SW1/4 NW1/4 of said Section 15 lying South and West of former Oneida S-169 (7) Highway now known as State Highway #37.

Township 11 South, Range 31 East, Boise, Meridian, Power County, Idaho;

Section 21: E1/2 SE1/4

Section 22: N1/2 S1/2, SW1/4 SW1/4 excepting: an irregular strip of land being all that portion of the SW1/4 SW1/4 of Section 22, Township 11 South, Range 31 East, Boise Meridian, lying situate East of a line 35 feet Westerly from and parallel to the following described centerline of highway as surveyed and shown on the official plat of the Oneida S-169 (7) highway survey on file in the office of the Department of Highways of the State of Idaho.

Beginning at station 376+37 of the said highway survey, which station is a point of curve approximately 1404 feet East from the Southwest corner of Section 15, Township 11 South, Range 31 East, Boise Meridian; thence 149.4 feet with a 4°00' curve right, said curve having a central angle of 18°11' to station 377+86.4 which station is a point on tangent; thence North 18°17' East on tangent 284.4 feet to station 380+70.8, which station is a point of curvature; thence 701.9 feet with a 6°00' curve left, said curve having a central angle of 45°43' to station 388+32.7 which station is a point on tangent; thence North 21°26' West on tangent 1722.3 feet to station 405+55, which station is a point on tangent approximately 690 feet East from the West quarter corner of Section 15, Township 11 South, Range 31 East, Boise Meridian.

Section 21: E1/2 NE1/4 excepting: A strip of land 40 feet wide, the centerline of which is particularly described as follows: Beginning at a point 20.0 feet East of the Southwest corner of SE1/4 NE1/4 of Section 21, Township 11 South, Range 31 East, Boise Meridian, running thence North 477.0 feet; thence North 77°8' East, 2050.0 feet; thence North 87°20' East, 610.0 feet to a point in the highway 687.0 feet North of the Southeast corner of the SW1/4 NW1/4 of Section 22 in said township and range, which said tract is in the SE1/4 NE1/4 of said Section 21, and the SW1/4 NW1/4 of said Section 22.

Provided that if at any time the above described land is not used as a public highway and if the same is closed to the public, the ownership shall revert to the grantors herein.

Exhibit A continued and made a part of Commitment No. P-2907

Section 22: W1/2 NW1/4, excepting a parcel of land described as follows: Commencing on the West line of the Idaho State Highway 37 right of way at the Northeast corner of the NW1/4 NW1/4 of Section 22, Township 11 South, Range 31 East, Boise Meridian; thence South on the said West right of way line of said Highway 37 a distance of 1094 feet, more or less, to the place of beginning; thence continuing South on said last mentioned line 587 feet to the North right of way line of Hartley Canyon Lane; thence West along the North right of way line of Hartley Canyon Lane 128 feet; thence North at right angles to last described line 587 feet; thence East at right angles to last described line 128 feet, to the place of beginning.

Section 23: SW1/4 SE1/4, SE1/4 SW1/4, also a parcel of land described as: Beginning at the Southeast corner of Section 23; thence West 1320 feet; thence North 1320 feet; thence East 1070 feet; thence South 350 feet; thence East 249 feet; thence South 1070 feet to the point of beginning.

Section 23: S1/2 S1/2; excepting therefrom all of that part of the S1/2 S1/2 lying South and Westerly of the centerline of an existing private road.

Excepting beginning at station 323+61 of the said highway survey, which station is a point on curve approximately 1347 feet East from the Southwest corner of Section 22, Township 11 South, Range 31 East, Boise Meridian; thence 2.6 feet with a 1°00' curve right, said curve having a central angle of 3°53' to station 323+63.6 which station is a point on tangent; thence North 0°06' East on tangent 1317.4 feet to station 336+81, which station is a point on tangent approximately 1353 feet East and 1320 feet North from the Southwest corner of Section 22, Township 11 South, Range 31 East, Boise Meridian, Power County, Idaho.

Also excepting: A strip of land 70 feet wide, being 35 feet on each side of the following described centerline of said highway and lying over and across the N1/2 SW1/4 of Section 22, Township 11 South, Range 31 East, Boise Meridian.

Beginning at station 336+81 of said highway survey, which station is a point of tangent approximately 1353 feet East and 1320 feet North from the Southwest corner of Section 22, Township 11 South, Range 31 East, Boise Meridian; thence running North 00°06' East 1300.0 feet to station 349+81 of said survey, which station is a point on tangent approximately 1359 feet East from the West quarter corner of Section 22, Township 11 South, Range 31 East, Boise Meridian.

Section 23: NW1/4 SW1/4

Township 12 South, Range 31 East, Boise Meridian, Power County, Idaho.

Section 2: Lots 1 and 2, S1/2 NE1/4

Section 12: S1/2 NE1/4 SE1/4, E1/2 W1/2 SE1/4 SE1/4, E1/2 SE1/4 SE1/4

Section 13: E1/2 W1/2 NE1/4 NE1/4, E1/2 NE1/4 NE1/4

For Value Received DAN WILLIAMSON and CALLIE WILLIAMSON, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

UDY BROTHERS PARTNERSHIP

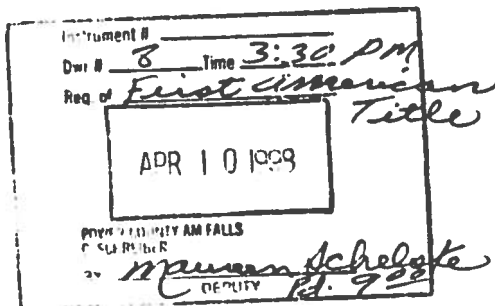
CONSISTING OF MERRILL G. UDY AND SHIRLEY UDY, HUSBAND AND WIFE AND RICHARD G. UDY AND LINDA J. UDY, HUSBAND AND WIFE

whose address is: 5111 S. Hwy. #37, Rockland, Idaho 83271

Hereinafter called the Grantee, the following described premises situated in POWER County, Idaho, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

169794



SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U S Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: April 7, 1998

Dan Williamson
DAN WILLIAMSON

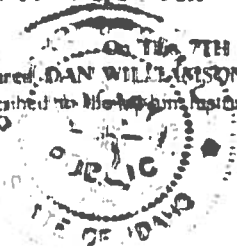
Callie Williamson
CALLIE WILLIAMSON

Callie Williamson

STATE OF IDAHO)

COUNTY OF BANNOCK)

On the 7TH day of APRIL, in the year 1998, before me, a Notary Public in and for said State, personally appeared DAN WILLIAMSON and CALLIE WILLIAMSON, known or identified to me to be the person(s) whose name(s) ARE subscribed to the foregoing instrument, and acknowledged to me that THEY executed the same.



Teri J. Hall Notary Public of Idaho
Residing at LOCATELLO, ID
Commission Expires: 4-28-99

EXHIBIT A

PARCEL I:

Township 11 South, Range 31 E.B.M., Power County, Idaho.

Section 15: SW1/4, SE1/4NW1/4 excepting a strip of land 70 feet wide, being 35 feet on each side of the following described centerline of Highway as surveyed and shown on the official plat of Oneida S- 169 (7) Highway survey on file in the office of the Department of Highways of the State of Idaho and lying over and across the E1/2SW1/4 and the NW1/4SW1/4 of Section 15, Township 11 South, Range 31 E.B.M.,

Section 15: W1/2NE1/4, N1/2NW1/4, SW1/4NW1/4 EXCEPTING: A strip of land 70 feet wide, being 35 feet on each side of the following described centerline of highway as surveyed and shown on the official plat of the Oneida S-169 (7) highway survey on file in the office of the Department of Highways of the State of Idaho and lying over and across the W1/2NW1/4 of Section 15 and the N1/2SE1/4NE1/4 of section 16, Township 11 South, Range 31 E.B.M.

Beginning at station 405+55 of the said highway survey, which station is a point on tangent approximately 690 feet east from the W1/4 corner of Section 15, Township 11 South, Range 31 E.B.M.; thence running N. 27°26' W. 1145 feet to station 417+00 of said survey, which station is a point of curvature; thence 392.0 feet with a 2°00' curve left, said curve having a central angle of 16°52' to station 420+92, which station is a point on curve approximately 1310 feet south and 30 feet west from the NE corner of Section 16, Township 11 South, Range 31 E.B.M.

Further save and except: That portion of the SW1/4NW1/4 of said Section 15 lying south and west of former Oneida S-169 (7) Highway now known as State Highway #37.

Section 21: E1/2SE1/4

Section 21: E1/2NE1/4: EXCEPTING: A strip of land 40 feet wide, the centerline of which is particularly described as follows: Beginning at a point 20.0 feet east of the SW corner of SE1/4NE1/4 of Section 21, Township 11 South, Range 31 E.B.M.; running thence N. 477.0 feet; thence N. 77°8' E., 2050.0 feet; thence N. 87°20' E., 610.0 feet to a point in the highway 687.0 feet north of the SE corner of the SW1/4NW1/4 of Section 22 in said Township and Range, which said tract is in the SE1/4NE1/4 of said Section 21, and the SW1/4NW1/4 of said Section 22.

DW
CD

Section 22: N1/2S1/2, SW1/4SW1/4 EXCEPTING: An irregular strip of land being all that portion of the SW1/4SW1/4 of Section 22, Township 11 South, Range 31 E.B.M., lying situate east of a line 35 feet westerly from and parallel to the following described centerline of highway as surveyed and shown on the official plat of the Oncida S-169 (7) highway survey on file in the office of the Department of Highways of the State of Idaho.

Beginning at station 376+37 of the said highway survey, which station is a point of curve approximately 1404 feet east from the SW corner of Section 15, Township 11 South, Range 31 E.B.M.; thence 149.4 feet with a 4°00' curve right, said curve having a central angle of 18°11' to station 377+86.4 which station is a point on tangent; thence N. 18°17' E. on tangent 284.4 feet to station 380+70.8, which station is a point of curvature; thence 701.9 feet with a 6°00' curve left, said curve having a central angle of 45°43' to station 388+32.7 which station is a point on tangent; thence N. 21°26' W. on tangent 1722.3 feet to station 405+55, which station is a point on tangent approximately 690 feet east from the W1/4 corner of Section 15, Township 11 South, Range 31 E.B.M.

Section 22: W1/2NW. EXCEPTING: A parcel of land described as follows: Commencing on the west line of the Idaho State Highway 37 right-of-way at the NE corner of the NW1/4NW1/4 of Section 22, Township 11 South, Range 31 E.B.M.; thence south on the said west right-of-way line of said Highway 37 a distance of 1094 feet, more or less, to the place of beginning; thence continuing south on said last mentioned line 587 feet to the north right-of-way line of Hartley Canyon Lane; thence west along the north right-of-way line of Hartley Canyon Lane 128 feet; thence north at right angles to last described line 128 feet, to the place of beginning.

Section 23: NW1/4SW1/4

DW
CW

11-1

Instrument # 152479
Dwr # 8 Time 10:00 AM
Req of R. Reed

RECEIVED
POWER COUNTY
SHERIFF'S DEPT.

FEB 15 1990

FEB 15 1990
7 8 9 10 11 12 1 2 3 4 5 6 PM

Randall B. Reed, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO
P.O. Box 50130
Idaho Falls, Idaho 83405
Telephone: (208) 523-0620

POWER COUNTY AND
M GLASCOW, IDAHO
BY W. M. Beck
DEPUTY
33.00

A

Attorneys for Plaintiff

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF POWER

THE EQUITABLE LIFE ASSURANCE)
SOCIETY OF THE UNITED STATES,)
)
Plaintiff,)
)
vs.)
)
JOHN RALPH HAYES and KATHLEEN G.)
HAYES, husband and wife; ANITA)
HAYES, an unmarried woman;)
NORWEST FINANCIAL IDAHO, INC.,)
a corporation; NORWEST)
AGRICULTURAL CREDIT, INC.,)
a Corporation; AMERICAN)
WESTERN BANKER, INC., a)
corporation; OLD STONE BANK,)
a Federal Savings Bank,)
STEVEN A. LANDE, as Trustee;)
FEDERAL DEPOSIT INSURANCE)
CORPORATION, receiver and)
successor in interest of)
First Bank and Trust of Idaho;)
BINGHAM COOPERATIVE, INC.,)
an Idaho corporation; and)
TAMI ANN HAYES,)
)
Defendants.)

Case No. 7216

SHERIFF'S DEED

THIS INDENTURE is made this 15th day of February, 1990,
between Howard A. Sprague, the duly qualified and elected

11-2

Sheriff of the County of Power, State of Idaho, Party of the First Part, and The Equitable Life Assurance Society of the United States, Party of the Second Part.

WHEREAS, by virtue of an execution issued out of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Power, in a proceeding entitled The Equitable Life Assurance Society of the United States, Plaintiff, v. John Ralph Hayes, et al., Defendants, Case No. 7216, which execution was issued on the 10th day of January, 1989, upon a judgment recovered in said court in favor of the plaintiffs, which Judgment, Decree of Foreclosure and Order of Sale was entered on the 8th day of June, 1987, in favor of The Equitable Life Assurance Society of the United States, as plaintiff, and against John Ralph Hayes, et al., as defendants. The Sheriff was directed and commanded to levy on, take and seize all of the estate, right of title and interest which said Judgment Debtors had in and to the lands, tenements, real estate and premises hereinafter particularly set forth and described, together with the appurtenances, and that the Sheriff did, on the 10th day of February, 1989, sell such premises at public auction at the courthouse door of the Power County Courthouse, in the City of American Falls, County of Power, State of Idaho, at 10:00 o'clock A.M. of said day; and between the hours of 9:00 o'clock in the morning and 5:00

2 - SHERIFF'S DEED

11-3

o'clock in the afternoon of such date, the Sheriff did, after first having given notice of the time and place of sale and by advertising the same according to law, at which sale the said premises were struck off and sold to The Equitable Life Assurance Society of the United States for the sum of Seven Hundred Ninety-Four Two Hundred Thirty-Eight Dollars and Twenty Cents (\$794,238.20), lawful money of the United States, being the highest bidder and that being the highest sum bid and the whole price paid for the same, and

WHEREAS, the undersigned as Sheriff did receive said money so bid as aforesaid and did make, execute and deliver to the said The Equitable Life Assurance Society of the United States, a Certificate of Sale of real property, which Certificate of Sale was duly recorded in the office of the Power County, Idaho, recorder, on the 10th day of February, 1989, as Instrument No. 149789, records of Power County, Idaho; and

WHEREAS, one (1) year has elapsed after such sale without any redemption of the premises having been made, and

WHEREAS, The Equitable Life Assurance Society of the United States, is now the legal owner and holder of such Certificate of Sale.

NOW THEREFORE, THIS INDENTURE WITNESSETH, that Howard A. Sprague, as Sheriff of Power County, Idaho, by virtue of said Writ and pursuant to the statutes in such case made and

11-4

provided and for and in consideration of the sum of monies above mentioned to him in hand paid as aforesaid by the Party of the Second Part, receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold, conveyed and confirmed, and by these presents does grant, bargain, sell, convey and confirm unto The Equitable Life Assurance Society of the United States, its successors and assigns, all of the right, estate, title and interest of John Ralph Hayes and Kathleen G. Hayes, husband and wife; Anita Hayes, an unmarried woman; Norwest Financial Idaho, Inc., a corporation; Norwest Agricultural Credit, Inc., a corporation; American Western, Banker, Inc., a corporation; Old Stone Bank, a Federal Savings Bank, Steven A. Lande, as Trustee; Federal Deposit Insurance Corporation, receiver and successor in interest of First Bank and Trust of Idaho; Bingham Cooperative, Inc., an Idaho corporation; and Tami Ann Hayes, which any of said defendants had on the 8th day of June, 1987, or which any of said parties did thereafter acquire in and to the following premises situate, lying and being in Power County, State of Idaho, and more particularly described as follows:

PARCEL 1:

Township 11 South, Range 31, E.B.M., Power County, Idaho

Section 13: SW1/4, W1/2 SE1/4, SE1/4 SE1/4

Section 14: S1/2 SE1/4

11-5

Section 15: SW1/4, SE1/4 NW1/4, Excepting:

A strip of land 70 feet wide, being 35 feet on each side of the following described center line of highway as surveyed and shown on the official plat of the Oneida S-169(7) highway survey on file in the Office of the Department of Highways of the State of Idaho and lying over and across the E1/2 SW1/4 and the NW1/4 SW1/4 of Section 15, Township 11 South, Range 31 East, Boise Meridian.

Beginning at Station 376+37 of the said highway survey, which station is a point on curve approximately 1404 feet East from the Southwest corner of Section 15, Township 11 South, Range 31 East, Boise Meridian; thence 149.4 feet with a 4°00' curve right, said curve having a central angle of 18°11' to station 377+86.4 which station is a point on tangent; thence North 18°17' East on tangent 284.4 feet to station 380+70.8, which station is a point of curvature; thence 701.9 feet with a 6°00' curve left, said curve having a central angle of 45°43' to station 388+32.7, which station is a point on tangent; thence North 21°26' West on tangent 1722.3 feet to station 405+55, which station is a point on tangent approximately 690 feet East from the West Quarter Corner of Section 15, Township 11 South, Range 31 East, Boise Meridian.

Section 21: E1/2 NE1/4, Excepting:

A strip of land 40 feet wide, the center line of which is particularly described as follows:

Beginning at a point 20.0 feet East of the Southwest corner of the Southeast quarter of the Northeast quarter (SE1/4 NE1/4) of Section 21, in Township 11 South of Range 31 East of the Boise Meridian, in Idaho, running thence North 477.0 feet; thence North 77°8' East 2050.0 feet, thence North 87°20' East, 610.0 feet to a point in the highway 687.0 feet North of the Southeast corner of the Southwest quarter of the Northwest quarter

11-6

(SW1/4 NW1/4) of Section 22 in said Township and Range, which said tract is in the SE1/4 NE1/4 of said Section 21, and the SW1/4 NW1/4 of said Section 22.

Provided, that if at any time the above described land is not used as a public highway, and if the same is closed to the public, the ownership shall revert to the original grantors of such land and their successors in interest.

Section 22: W1/2 NW1/4, Excepting a parcel of land described as:

Commencing on the West line of the Idaho State Highway 37 right of way at the Northeast corner of the Northwest quarter of the Northwest Quarter (NW1/4 NW1/4) of Section 22, Township 11 South, Range 31 East of the Boise Meridian; thence South on the said West right of way line of said Highway 37, 1094 feet, more or less, to the place of beginning; thence continuing South on said last mentioned line 587 feet, to the North right of way line of Hartley Canyon Lane; thence West along the North right of way line of Hartley Canyon Lane 128 feet; thence North at right angles to last described line 587 feet; thence East at right angles to last described line 128 feet, to the place of beginning.

Section 23: N1/2 NE1/4, SW1/4 SE1/4, SE1/4 SW1/4, Also a parcel of land described as:

Beginning at the Southeast corner of Section 23; thence West 1320 feet; thence North 1320 feet, thence East 1070 feet; thence South 350 feet; thence East 249 feet; thence South 1070 feet to the point of beginning.

Section 24: N1/2 NW1/4

Section 25: S1/2 S1/2

Section 26: E1/2

11-7

Section 35: N1/2, SE1/4

Section 36: E1/2

Township 11 South, Range 32 E.B.M., Power
County, Idaho.

Section 31: Lots 2, 3 and 4, S1/2 NE1/4,
SE1/4 SW1/4, SE1/4, SE1/4 NW1/4, NE1/4 SW1/4

Section 32: SW1/4 NW1/4, NW1/4 SW1/4

Township 12 South, Range 31 E.B.M., Power
County, Idaho

Section 2: Lots 1 and 2, S1/2 NE1/4

Section 10: E1/2

Section 11: N1/2, SW1/4

Section 12: SE1/4

Section 13: NE1/4 NE1/4, W1/2 NE1/4, NW1/4

Section 14: N1/2, SW1/4, S1/2 SE1/4

Section 15: NE1/4

Section 23: NE1/4

Township 12 South, Range 32 E.B.M., Power
County, Idaho

Section 5: Lots 3, 4 and 5, SE1/4 NW1/4

Section 18: Lots 1 and 2.

PARCEL 2:

Township 11 South, Range 31 E.B.M., Power
County, Idaho

Section 15: W1/2 NE1/4, N1/2 NW1/4, SW1/4
NW1/4. Excepting: A strip of land 70 feet
wide, being 35 feet on each side of the
following described center line of highway as
surveyed and shown on the official plat of

11-8

the Oneida S-169(7) highway survey on file in the Office of the Department of Highways of the State of Idaho and lying over and across the W1/2 NW1/4 of Section 15 and the N1/2 SE1/4 NE1/4 of Section 16, Township 11 South, Range 31 East, Boise Meridian.

Beginning at station 405+55 of the said highway survey, which station is a point on tangent approximately 690 feet East from the West quarter corner of Section 15, Township 11 South, Range 31 East, Boise Meridian; thence running North 27°26' West, 1145 feet to station 417+00 of said survey, which station is a point of curvature; thence 392.0 feet with a 2°00' curve left. Said curve having a central angle of 16°52' to station 420+92, which station is a point on curve approximately 1310 feet south and 30 feet West from the Northeast corner of Section 16, Township 11 South, Range 31 East, Boise Meridian.

Section 16: N1/2 SE1/4 NE1/4, SW1/4 NE1/4, E1/2 NW1/4

PARCEL 3:

Township 11 South, Range 31 E.B.M., Power County, Idaho

Section 21: E1/2 SE1/4

Section 22: N1/2 S1/2, SW1/4 SW1/4, Excepting: An irregular strip of land being all that portion of the SW1/4 SW1/4 of Section 22, Township 11 South, Range 31 East, Boise Meridian, lying situate East of a line 35 feet westerly from and parallel to the following described center line of highway as surveyed and shown on the official plat of the Oneida S-169(7) highway survey on file in the Office of the Department of Highways of the State of Idaho.

Beginning at station 323+61 of the said highway survey, which station is a point on curve approximately 1347 feet East from the

11-9

Southwest corner of Section 22, Township 11 South, Range 31 East, Boise Meridian; thence 2.6 feet with a 1°00' curve right, said curve having a central angle of 3°53' to station 323+63.6, which station is a point on tangent; thence North 0°06' East on tangent 1317.4 feet to station 336+81, which station is a point on tangent approximately 1353 feet East and 1320 feet North from the Southwest corner of Section 22, Township 11 South, Range 31 East, Boise Meridian.

And also excepting:

A strip of land 70 feet wide, being 35 feet on each side of the following described center line of said highway and lying over and across the N1/2 SW1/4 of Section 22, Township 11 South, Range 31 East, Boise Meridian.

Beginning at station 336+81 of said highway survey, which station is a point on tangent approximately 1353 feet East and 1320 feet North from the Southwest corner of Section 22, Township 11 South, Range 31 East, Boise Meridian; thence running North 00°06' East, 1300.0 feet to station 349+81 of said survey, which station is a point on tangent approximately 1359 feet East from the West quarter corner of Section 22, Township 11 South, Range 31 East, Boise Meridian.

Section 23: NW1/4 SW1/4

PARCEL 4:

Township 12 South, Range 31 E.B.M., Power County, Idaho

Section 14: N1/2 SE1/4

Excepting therefrom:

Township 12 South, Range 31 E.B.M.

Section 10: E1/2

11-10

Section 11: N1/2. SW1/4

Section 12: W1/2 SE1/4. W1/2 W1/2 SE1/4
SE1/4, N1/2 NE1/4 SE1/4

Section 13: W1/2 NE1/4. W1/2 W1/2 NE1/4
NE1/4, NW1/4

Section 14: N1/2. SW1/4. S1/2 SE1/4. N1/2
SE1/4

Section 15: NE1/4

Section 23: NE1/4

TOGETHER with the following sprinkler
equipment:

- 1 1320' Portable main
- 3 4" 1/4 mile handlines
- 1 U.S. Head Turbine Pump S#1271814 10" column
- 1 Layne & Bowler S#28401
- 1 8" Berkly Turbine Pump S#6206545
- 1 10" Johnson Turbine Pump S#37771
- 1 International UD 282 60 hp diesel Motor
S#8485
- 1 U.S. 20 hp electric motor

TOGETHER with rents, issues and profits
thereof, and together also with all and
singular the tenements, hereditaments and
appurtenances thereunto belonging, including
irrigation, drainage and water rights of
every kind and description and watering and
irrigation apparatus and fixtures.

TOGETHER WITH all and singular the tenements,
hereditaments and appurtenances thereunto belonging, or in any
wise appertaining, and the reversion and reversions, remainder
and remainders, rents, issues and profits thereof,

TO HAVE AND TO HOLD the above mentioned and described
premises with the appurtenances, unto The Equitable Life

Assurance Society of the United States, its successors and assigns forever, as fully and absolutely as he, the Sheriff aforesaid, can, or ought, by virtue of the said Writ and of the statutes made in such case and profit, to grant, bargain, sell, release, convey and confirm the same.

IN WITNESS WHEREOF, the said Sheriff, the Party of the First Part to these presents, has hereunto set his hand and seal the day and year first above written.


Howard A. Sprague
Sheriff of Power County, Idaho

STATE OF IDAHO)
)ss.
County of Power)

On the 15th day of February in the year of 1990, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared Howard A. Sprague, known or identified to me to be the Sheriff of Power County, Idaho, that executed the said instrument, and acknowledged to me that such Sheriff of Power County, Idaho, executed the same.

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




Notary Public for Idaho
Residing at
My Commission Expires: 1991

Instrument # 153073
Date 8 Time 9:20
Reg of Americanland

MAY 16 1990

CORPORATION SPECIAL WARRANTY DEED

POWER OF ATTORNEY
IN WITNESS WHEREOF
BY *Christina May* 2100
DEPUTY

THIS INDENTURE, made this 11th day of May, 1990, between THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, a corporation duly organized and existing under the laws of the State of New York, the party of the first part, and KNUDSEN POOR FARMS, INC. and DAN WILLIAMSON, whose mailing address is 2700 West 2100 South, Aberdeen, Idaho 83210, the party of the second part

WITNESSETH, that the party of the first part having been hereunto duly authorized by resolution of its Board of Directors, for an in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable considerations, to it in hand paid by the party of the second part hereby acknowledged, has granted, and by these presents does grant and confirm unto the party of the second part, and to party of the second part's heirs and assigns forever, all the following described real estate situated in County of Power, State of Idaho, to-wit:

Township 11 South, Range 31 E.B.M., Power County, Idaho

Section 13: SW1/4, W1/2 SE1/4, SE1/4 SE1/4

Section 14: S1/2 SE1/4

Section 15: SW1/4, SE1/4 NW1/4, Excepting:

A strip of land 70 feet wide, being 35 feet on each side of the following described centerline of highway as surveyed and shown on the official plat of the Oneida 3-169(7) highway survey on file in the Office of the Department of Highways of the State of Idaho and lying over and across the E1/2 SW1/4 and the NW1/4 SW1/4 of Section 15, Township 11 South, Range 31 East, Boise Meridian.

Beginning at station 376+37 of the said highway survey, which station is a point on curve approximately 1404 feet east from the Southwest corner of Section 15, Township 11 South, Range 31 E.B.M.; thence 149.4 feet with a 4°00' curve right, said curve having a central angel of 18°11' to station 377+86.4 which station is a point on tangent, thence north 18°17' East on tangent 284.4 feet to station 380+70.8, which station is a point of curvature; thence

701.9 feet with a 6°00' curve left, said curve having a central angle of 45°43' to station 388+32.7 which station is a point on tangent; thence North 21°26' West on tangent 1722.3 feet to station 405+55, which station is a point on tangent approximately 690 feet East from the West quarter corner of Section 15, Township 11 South, Range 31 E.B.M.

Section 21: E1/2 NE1/4 Excepting:

A strip of land 40 feet wide, the center line of which is particularly described as follows:

Beginning at a point 20.0 feet east of the Southwest corner of the Southeast quarter of the Northeast quarter (SE1/4NE1/4) of Section 21, Township 11 South, Range 31 E.B.M. in Idaho, running thence North 477.0 feet; thence North 77°8' east, 2050.0 feet; thence North 87°20' East, 610.0 feet to a point in the highway 687.0 feet North of the Southeast corner of the Southwest quarter of the Northwest quarter (SW1/4NW1/4) of Section 22 in said township and range, which said tract is in the SE1/4 NE1/4 of said Section 21, and the SW1/4 NW1/4 of said Section 22.

Provided, that if at any time the above described land is not used as a public highway and if the same is closed to the public, the ownership shall revert to the grantors herein.

Section 22: W1/2 NW 1/4, excepting a parcel of land described as follows:

Commencing on the west line of the Idaho State Highway 37 right of way at the Northeast corner of the Northwest quarter of the Northwest quarter (NW1/4 NW1/4) of Section 22, Township 11 South, Range 31 E.B.M.; thence South on the said west right of way line of said Highway 37, 1094 feet, more or less, to the place of beginning, thence continuing south on said last mentioned line, 587 feet to the North right of way line of Hartley Canyon Lane; thence West along the North right of way line of Hartley Canyon Lane, 128 feet; thence north at right angles to last described line 587 feet; thence east at right angles to last described line 128 feet, to the place of beginning.

Section 23: N1/2 NE1/4, SW1/4 SE1/4, SE1/4 SW1/4, Also a parcel of land described as:

Beginning at the Southeast corner of Section 23; thence West 1320 feet; thence North 1320 feet; thence East 1070 feet; thence South 350 feet; thence East 249 feet; thence South 1070 feet to the point of beginning.

Section 24: N1/2 NW1/4

Section 25: S1/2 S1/2

Section 26: E1/2

Section 35: N1/2, SE1/4

Section 36: E1/2

Township 11 South, Range 32 E.B.M., Power County, Idaho,

Section 31: Lots 2, 3 and 4, S1/2 NE1/4, SE1/4 SW1/4, SE1/4, SE1/4 NW1/4, NE1/4 SW1/4

Section 32: SW1/4 NW1/4, NW1/4 SW1/4

Township 12 South, Range 32 E.B.M., Power County, Idaho,

Section 6: Lots 3, 4 and 5, SE1/4 NW1/4

Section 18: Lots 1 and 2

Township 11 South, Range 31 E.B.M., Power County, Idaho,

Section 15: W1/2 NE1/4, N1/2 NW1/4, SW1/4 NW1/4 excepting: a strip of land 70 feet wide, being 35 feet on each side of the following described centerline of highway as surveyed and shown on the official plat of the Oneida S-169 (7) highway survey on file in the Office of the Department of Highways of the State of Idaho and lying over and across the W1/2 NW1/4 of Section 15 and the N1/2 SE1/4 NE1/4 of Section 16, Township 11 South, Range 31 E.B.M.

Beginning at station 405+55 of the said highway survey, which station is a point on tangent approximately 690 feet East from the West quarter corner of Section 15, Township 11 South, Range 31 E.B.M.; thence running North 27°26' West, 1145 feet to station 417+00 of said survey, which station is a point of curvature, thence 392.0 feet with a 2°00' curve left, said curve having a central angel of 16°52' to station 420+92, which station is a point on

curve approximately 1310 feet South and 30 feet West from the Northeast corner of Section 16, Township 11 South, Range 31 E.B.M.

Section 16: N1/2 SE1/4 NE1/4, SW1/4 NE1/4, E1/2 NW1/4

Township 11 South, Range 31 E.B.M., Power County, Idaho.

Section 21: E1/2 SE1/4

Section 22: N1/2 S1/2, SW1/4 SW1/4 Excepting: an irregular strip of land being all that portion of the SW1/4 SW1/4 of Section 22, Township 11 South, Range 31 E.B.M., lying situate East of a line 35 feet westerly from and parallel to the following described centerline of highway as surveyed and shown on the official plat of the Oneida S-169(7) highway survey on file in the office of the Department of Highways of the State of Idaho.

Beginning at station 323+61 of the said highway survey, which station is a point on curve approximately 1347 feet East from the Southwest corner of Section 22, Township 11 South, Range 31 E.B.M.; thence 2.6 feet with a 1°00' curve right, said curve having a central angles of 3°53' to station 323+63.6 which station is a point on tangent; thence North 0°06' East on tangent 1317.4 feet to station 336+81, which station is a point on tangent approximately 1353 feet East and 1320 feet North from the Southwest corner of Section 22, Township 11 South, Range 31 E.B.M.

Also excepting: a strip of land 70 feet wide, being 35 feet on each side of the following described centerline of said highway and lying over and across the N1/2 SW1/4 of Section 22, Township 11 South, Range 31 E.B.M.

Beginning at station 336+81 of said highway survey, which station is a point of tangent approximately 1353 feet East and 1320 feet North from the Southwest corner of Section 22, Township 11 South, Range 31 E.B.M.; thence running North 00°06' East, 1300.0 feet to station 349+81 of said survey, which station is a point on tangent approximately 1359 feet East from the west quarter corner of Section 22, Township 11 South, Range 31 E.B.M.

Section 23: NW1/4 SW1/4

Township 12 South, Range 31 E.B.M., Power County, Idaho.

Section 2: Lots 1 and 2, S1/2 NE1/4

Section 12: S1/2 NE1/4 SE1/4, E1/2 W1/2 SE1/4 SE1/4, E1/2 SE1/4 SE1/4

Section 13: E1/2 W1/2 NE1/4 NE1/4, E1/2 NE1/4 NE 1/4

Subject to the following:

1. All existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and othe matters which would be disclosed by an accurate survey or inspection of the premises.
2. Real property taxes and assessments for the year 1990 and subsequent years.
3. Easement to H.B. currier, recorded September 6, 1927, in Book 63, No. 160, Records of Power County, Idaho.
4. Easement to Idaho Power Company, recorded February 12, 1947, in Book 94, No. 85, records of Power County, Idaho.
5. Easement to Idaho Power Company, recorded February 12, 1947, in Book 94, No. 83, records of Power County, Idaho.
6. Easement to Idaho Power Company, recorded February 5, 1954, in Book 94, No. 72733, records of Power County, Idaho.
7. Easement to Idaho Power Company, recorded February 5, 1954, in Book 94, No. 72734, records of Power County, Idaho.
8. Easement to Power County Board of Commisisoners, recorded April 29, 1914, Book 17, Page 65.
9. The effect of and conditions contained in right of way deed, recorded September 18, 1950, in Book 99, Page 193, as follows:

There is also granted hereby an easement adjacent to the above described highway right of way for

relocation of all irrigation and drainage ditches and structures and such surface drain ditches as may be necessary to the proper construction of the highway.

Construction or relocation of right of way fencing shall be performed by grantors. State is to pay cost of labor, and grantors further agree that no advertising or other signs will be erected on said fence without the written consent of the Commissioner of Highways.

Reserving and excepting unto the party of the first part and its successors and assigns one-half of all oil, gas and minerals in, on or under the surface of said property and one-half of all rights of ownership therein.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate right, title and interest in and to the said property, as well in law as in equity, of the party of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the party of the second part, and to party of the second part's heirs and assigns forever.

The party of the first part covenants and warrants the premises to be free only of encumbrances suffered or created by party of the first part and is not giving any warranties or covenants pertaining to any other assessments, charges, liens or encumbrances which may have been suffered or created on the property by third parties.

IN WITNESS WHEREOF, the said party of the first part hereunto has set its corporate name by its duly authorized officer.

THE EQUITABLE LIFE ASSURANCE
SOCIETY OF THE UNITED STATES

By


Earl M. Pierson
Its Vice President



STATE OF CALIFORNIA)
)ss.
County of CONTRA COSTA)

On this 11th day of May, in the year 1990, before me, the undersigned, a Notary Public in and for said state, personally appeared EARL M. PIERSON, known or identified to me to be the Vice-President of the corporation that executed the foregoing instrument and the person who executed the same on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

(seal)



Tom Greeff
Notary Public for California
Residing at: San Jose, California
My Commission Expires: April 9, 1993

8429h

AJ0749NP
No. R41-02016

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/27/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UDY BROTHERS 5111 SOUTH HWY 37 ROCKLAND ID 83271 (208) 226-7857	09/04/1940	IRRIGATION	04-01 10-31	1.200 CFS	240.00 AFA
TOTAL DIVERSION:					1.200 CFS	240.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T11S R31E S21

S5ENE

POWER County

Place of use legal Description for: IRRIGATION

	NE	ENE	NENE	SENE	SE	ENE	SENE	SESE	SUM
T R S	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: SUM
11S 31E 21	: 25	:	:	:	:	:	:	:	: 60.0
TOTAL ACRES									: 60.0

POU County: POWER

Other Rights: NONE

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 41-10242 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.40 CFS.

Dates: Exam Made Date: 06/26/1995 Verified Date: 10/27/1999 Objection Filed Date:

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

CLAIM NUMBER

A41-02016

DATE

3/26/99

TRANSFER NUMBER

AGENT

SC

CLAIMED ACRE TOTAL

60

GIS ACRE TOTAL

60

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	11S	31E	21	25			35													60
GIS				26			34													60
RECOM																				
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B41-POU.SHP

SHAPE NOS.

5

GPS tag A0002532

Combined Use w/ 41-10242
limit QNT to 2.40 cfs

B41-POD.SHP

NOS. DESCRIPTION

10/27/99 SC

1 - S45E NE S21 T15 R31E

DBF TABLES UPDATED

B41-DBPOU.DBF

B41-DBPOD.DBF

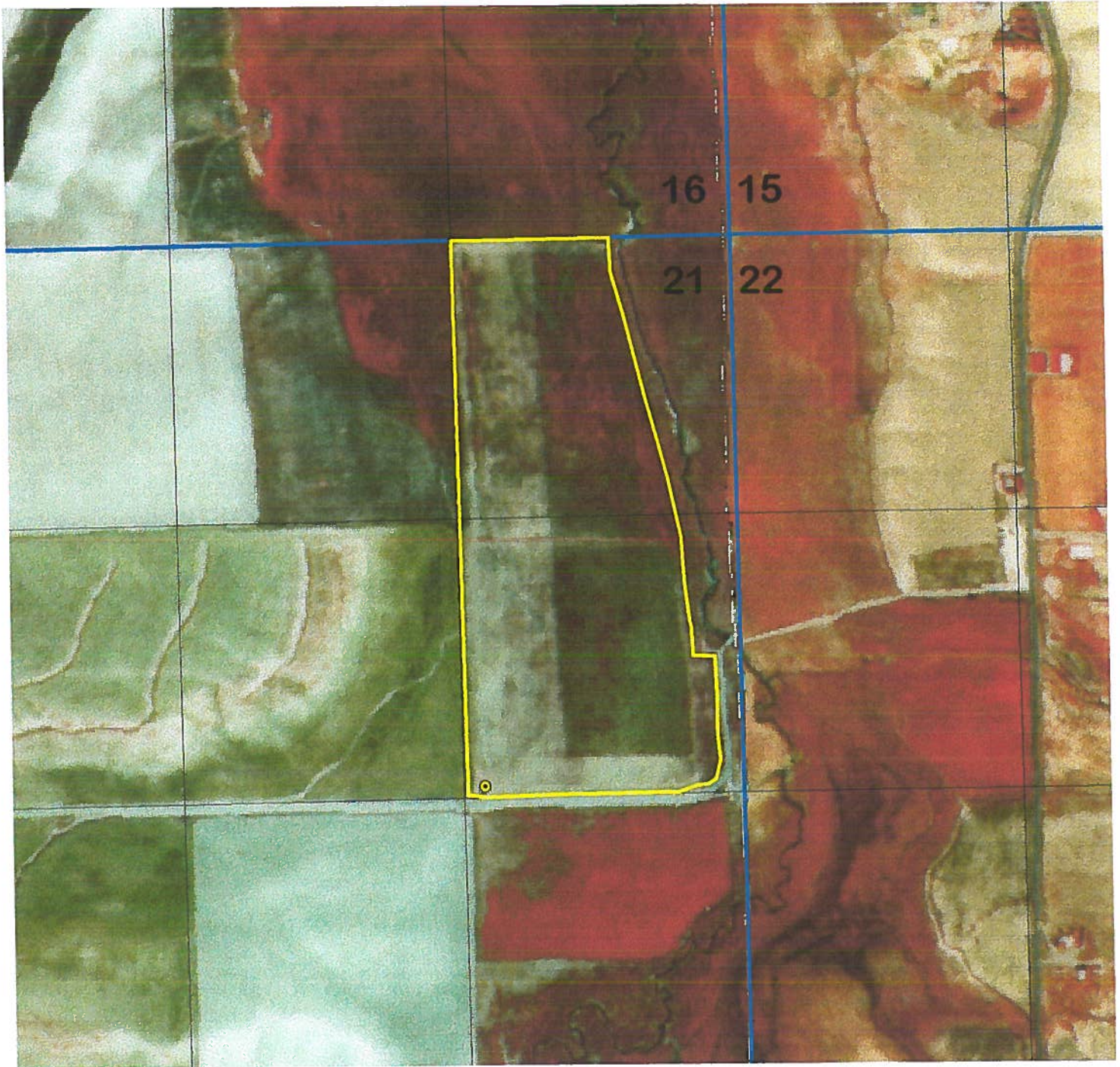
JPEG LAYOUT

✓

41-02016.jpg

IDAHO DEPT OF WATER RESOURCES

41-02016



660 0 660 Feet

T11S R31E SEC. 21



- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- SECTION LINES
- 1/4 - 1/4 LINES

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY

DATA ENTRY BY: STEVE CLELLAND
DATE: March 26, 1999

IDAHO DEPT OF WATER RESOURCES

41-02016



660 0 660 Feet

T11S R31E SEC. 21



- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- SECTION LINES
- 1/4 - 1/4 LINES

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY

DATA ENTRY BY: STEVE CLELLAND
DATE: March 26, 1999

IDAHO DEPT OF WATER RESOURCES

41-02016



660 0 660 Feet

T11S R31E SEC. 21



- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- SECTION LINES
- 1/4 - 1/4 LINES

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY

DATA ENTRY BY: STEVE CLELLAND
DATE: March 26, 1999



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

APRIL 4, 1996

ROGER LING
LING, NIELSEN, & ROBINSON
PO BOX 396
RUPERT ID 83350

RE: POVERTY FLATS CLAIMS

DEAR MR. LING:

I HAVE ENCLOSED COPIES OF ADJUDICATION CLAIMS A41-02016, A41-02027,
& A41-02021 (POVERTY FLATS). PLEASE SEND \$9.75 FOR COPIES AND
POSTAGE.

IF YOU HAVE ANY QUESTIONS, PLEASE CALL AT THIS OFFICE.

SINCERELY,

A handwritten signature in cursive script that reads "Tara L. Backlund".

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES

MEMO

TO: ALLEN MERRITT
FROM: STEVE CLELLAND
DATE: September 5, 1995

RE: BOB KNUDSEN WATER USE; A41-02016

=====

ON AUGUST 3, 1995 I VISITED THE KNUDSEN PLACE OF USE TO VERIFY COMPLIANCE WITH A REQUEST BY IDWR TO CURTAIL IRRIGATION USE BY JULY 14, 1995. THE SYSTEM WAS IN FULL OPERATION AND ALL THE WHEELINES AND HANDLINES WERE RUNNING AS I ORIGINALLY FOUND THEM ON 6-26-95.

I WAS ACCOMPANIED BY THE WATERMASTER OF BASIN 41, JAMES ROBINSON, WHO WITNESSED THE USES FOUND. NO PHOTOS WERE TAKEN.

ON AUGUST 30, 1995 I RETURNED TO THE AREA AND FOUND NO IRRIGATION AT THE PLACE OF USE OR FROM THE WELL. PLACE OF USE IS ALL COVERED BY GRAIN CROP AND WAS BEING PREPARED FOR HARVEST.

PLAN TO RETURN TO THE SITE AFTER THE CROP IS REMOVED TO DETERMINE POST-HARVEST IRRIGATION USES.

From: DWR60::AMERRITT 25-AUG-1995 09:02:30.62
To: SCLELLAN
CC: AMERRITT
Subj: CHECK ON KNUDSEN

I'M SETTING A COMPLIANCE CONFERENCE FOR SETTling THE NOTICE OF VIOLATION THAT WAS SENT OUT. ROGER LING, KNUDSEN'S ATTORNEY, CANNOT HAVE UNTIL THE LATTER PART OF SEPTEMBER. GLEN SAXTON WANTS US TO KEEP AN EYE ON IF KNUDSEN CONTINUES TO IRRIGATE. PLEASE CHECK ON HIM AN MAKE NOTES WHEN YOU ARE IN THE ROCKLAND AREA. WE MAY NEED TO MAKE A SPECIAL TRIP IF YOU DON'T HAVE OTHER BUSINESS.

THE COMPLIANCE CONFERENCE MAY BE SEPT 28 IN THIS OFFICE SO MIGHT WISH TO BEA ROUND.

ALLEN



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

August 28, 1995

Roger Ling
Ling Nielsen & Robinson
PO Box 396
Rupert, ID 83350

RE: Notice of Violation sent Bob Knudsen

Dear Mr. Ling:

Our office has received Boyd Baggett's August 15th letter in your behalf requesting a compliance conference into the matter of the Notice of Violation sent to Bob Knudsen August 2, 1995. Please be advised we have scheduled a compliance conference for **10:00 am on September 28, 1995 to be held in our Twin Falls Regional office at 222 Shoshone St. E., Twin Falls, Idaho.**

If you have questions please feel free to contact our office.

Sincerely,

Allen Merritt, PE
Southern Region Manager

CC: Bob Knudsen
Glen Saxton - IDWR
John Homan - IDWR
Steve Clelland - IDWR

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A41-02016 &
A41-02027

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 Steve Clelland

October 30, 1995 2:00pm

NAME: DAN WILLIAMSON RE: CAME IN AS PER ABOVE APPT. REQUEST

SHOWED HIM THE MAPS AND POINTED OUT THE AREAS THAT EXCEED THE LICENSED RATE OF ACRES ON CLAIMS A41-02016 & A41-02027. HE AGREED MORE ACRES HAVE BEEN UNDER IRRIGATION BUT THAT WAS THE BEST LAND ON THE FARM. HE WONDERED IF THE ADJUDICATION WOULD LIMIT HIM TO 60 ACRES AND 56 ACRES AS LIC. I TOLD HIM WE ALREADY HAD BY ISSUING A CEASE & DESIST ORDER TO STOP THE IRRIGATION ABOVE THOSE ACRES.

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 Steve Clelland

HE TALKED OF CLEANING OUT THE UPPER POND AND USING IT AGAIN AND I TOLD HIM I HAD COME TO BELIEVE THE POND WAS ABANDONED. HE SAID IT WAS FILLED WITH MUD FROM A FLASH FLOOD BUT NOT ABANDONED, NO ONE HAS HAD THE MONEY OR TIME TO CLEAN IT OUT PROPERLY.

MEMO

TO: ALLEN MERRITT

FROM: STEVE CLELLAND

DATE: September 5, 1995

RE: BOB KNUDSEN WATER USE; A41-02016

=====

ON AUGUST 3, 1995 I VISITED THE KNUDSEN PLACE OF USE TO VERIFY COMPLIANCE WITH A REQUEST BY IDWR TO CURTAIL IRRIGATION USE BY JULY 14, 1995. THE SYSTEM WAS IN FULL OPERATION AND ALL THE WHEELINES AND HANDLINES WERE RUNNING AS I ORIGINALLY FOUND THEM ON 6-26-95.

I WAS ACCOMPANIED BY THE WATERMASTER OF BASIN 41, JAMES ROBINSON, WHO WITNESSED THE USES FOUND. NO PHOTOS WERE TAKEN.

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PLAN TO RETURN TO THE SITE AFTER THE CROP IS REMOVED TO DETERMINE POST-HARVEST IRRIGATION USES.

MEMO

TO: ALLEN MERRITT

FROM: STEVE CLELLAND *Sc*

DATE: July 25, 1995

RE: BOB KNUDSEN WATER USE; A41-02016

=====

ON JULY 21, 1995 I VISITED THE KNUDSEN PLACE OF USE, PREVIOUSLY FOUND TO BE IRRIGATED WITHOUT A WATER RIGHT, TO VERIFY COMPLIANCE WITH A REQUEST BY IDWR TO CURTAIL IRRIGATION USE BY JULY 14, 1995. THE SYSTEM WAS IN FULL OPERATION AND ALL THE WHEELINES AND HANDLINES WERE RUNNING AS I ORIGINALLY FOUND THEM ON 6-26-95.

I HAVE PHOTOS OF THE SYSTEM AND PLACE OF USE IN OPERATION AS IT WAS ON 7-21-95 AND WILL FORWARD THEM TO YOU ASAP.

I HAVE NOT CONTACTED MR. KNUDSEN BUT I WILL BY WRITING TO HIM REGARDING THE OTHER WATER RIGHT EXPANSIONS THAT I HAVE DOCUMENTED ON HIS OTHER RIGHTS IN THE AREA.

AJ0749NP
No. R41-02016

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/30/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	POVERTY FLATS RANCH C/O BOB KNUDSEN JR 2700 W 2100 S ABERDEEN ID 83210 (208) 397-4300	09/04/1940	IRRIGATION	04-01 10-31	1.20 CFS	240.00 AFA
TOTAL DIVERSION:					1.20 CFS	240.00 AFA
CONSUMPTIVE USE:						180.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T11S R31E S21

SWSENE

POWER County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE										
T	R	S	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
11S	31E	21	:	25	:	35	:	:	:	:	:	:	:	:	:	60.0
TOTAL ACRES															60.0	

POU County: POWER

Other Rights: NONE

Dates: Exam Made Date: 06/26/1995

Verified Date: 06/30/1995

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/30/1995 User-ID: SCELLELLAN Subject: RECOMMENDATIONS
RECOMMEND AS LICENSED. FOUND EXPANSION OF DIVERSION AND OF ACRES
IRRIGATED UPON EXAM OF THIS SRBA CLAIM. EXPANSION USES HAVE NO
WATER RIGHT AT TIME OF REVIEW. SEE MEMO IN FILE TO ADM.

Audit: 06/30/95 SCELLELLAN

RECEIVED BY
SCELLELLAN



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

July 5, 1995

Bob Knudsen
Knudsen Poor Farms Inc
2700 W 2100 S
Aberdeen, ID 83210

RE: Cessation of use of groundwater on lands without a water right

Dear Mr. Knudsen:

Our office has recently observed the use of your well in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Twp.11S, Rge.31E, B.M. We find that you are irrigating approximately 89 acres at a rate of 1.24 cfs beyond that which is authorized under license 41-02016. (See enclosed memo dated July 3, 1995)

As you may recall, this matter of irrigating more land than authorized was discussed earlier with you several times this spring. My letter dated April 19th warns you of the need for a proper water right to use the well beyond that which is licensed. Additionally, on April 28th when the drilling permit No. 41-95-S-0005-000 was issued this matter was again discussed. At that time you were given options to explore to obtain more water rights to cover the expanded use. These options included:

- i) obtain a permit and amend it to cover the additional lands.
- ii) obtain a license or other valid right and transfer use to cover the additional lands.
- iii) successfully get one of John Hayes' lapsed permits re-instated to cover the additional lands

To my knowledge you have not proceeded in taking any of these actions.

The department requests that you identify the water right which allows you to continue pumping groundwater on the 89 acres located in the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 15; E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21; W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 22; all in Twp.11S, Rge.31E, B.M. by July 14th, 1995. Otherwise, you are requested to cease irrigation of these lands. Please note that if no valid right exists for irrigation of these lands, failure to cease irrigation of these lands from the well is cause for the department to issue a cease and desist order or notice of

A41-02016

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~

Page 2

violation with civil penalties up to \$100 per day.

In summary, your cooperation in reviewing the water rights for your lands is requested. If it is determined that no right exists for use on the 89 acres not covered by license 41-02016 you are requested to cooperate in ceasing irrigation of these land from your well. If you have questions about this matter please feel free to contact this office.

Sincerely,



Allen Merritt, PE
Southern Region Manager

CC: Norm Young
Glen Saxton

MEMO

TO: ALLEN MERRITT

FROM: STEVE CLELLAND

DATE: July 3, 1995

RE: BOB KNUDSEN WATER USE; A41-02016

=====

I WAS ABLE TO COMPLETE MY SRBA EXAM FOR THIS RIGHT ON 6-26-95 AND SINCE THE WELL HAS BEEN RE-DRILLED I AM FORWARDING MY FINDINGS TO YOU.

THE CLAIM AND LICENSE 41-02016 WERE CONFIRMED TO HAVE THE 60 ACRES IRRIGATION AND THE FLOW RATE OF 1.20 CFS. HOWEVER, THE WELL WAS MEASURED BY POLYSONIC METHOD AT 2.44 CFS AND THE PLACE OF USE UNDER IRRIGATION FROM THIS SYSTEM INCLUDED ANOTHER 89 ACRES, IN ADDITION TO THE LICENSED ACRES, FOR A TOTAL OF 149.0 ACRES.

THE REVIEW OF THIS FILE IS COMPLETE WITH THE INFORMATION NOW SUPPLIED. I CAN FIND NO CLAIM TO A WATER RIGHT OR OUTSTANDING PERMIT FOR THESE USES AS FOUND. IT APPEARS NO WATER RIGHT IS ON FILE FOR THIS ADDITIONAL USE OF 89 ACRES AND 1.24 CFS.

IN THE WATER RIGHTS SEARCH (WRQ4), THERE ARE IRRIGATION USES, FOR PORTIONS OF THE LANDS, UNDER 41-02027, A RESERVOIR RIGHT; 41-00043 & 41-00044, LANDING CREEK/DITCH RIGHTS; AND 41-00015, A SPRING SOURCE. OF THESE, ONLY 41-02027 HAS BEEN CLAIMED IN THE SRBA AND IT DOES NOT CLAIM LANDS FOUND WITHIN THIS SYSTEM AS DESCRIBED. RIGHTS 41-00015, 41-00043 & 41-00044 DO NOT APPEAR TO BE IN USE BY MR. KNUDSEN.

COMPLETE FIELD NOTES AND REVIEW DOCUMENTS ARE LOCATED IN THE SRBA CLAIM A41-02016. ATTACHED ARE COPIES OF TWO OF THE MAPS FROM THAT FILE AND THE R-RECORD FOR YOU REFERENCE.

AJ0749NP
No. R41-02016

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/19/95
PAGE: 1

VERIFIED BY

SW

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	POVERTY FLATS RANCH C/O BOB KNUDSEN JR 2700 W 2100 S ABERDEEN ID 83210 (208) 397-4300	09/04/1940	IRRIGATION	04-01 10-31	1.20 CFS	240.00 AFA
TOTAL DIVERSION:					1.20 CFS	240.00 AFA
CONSUMPTIVE USE:						180.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T11S R31E S21 SWSENE

POWER County

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE		
		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	SUM
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
11S	31E	21	:	25	:	35	:			
TOTAL ACRES										60.0

POU County: POWER

Other Rights: NONE

Dates: Exam Made Date: 06/26/1995 Verified Date: 07/19/1995

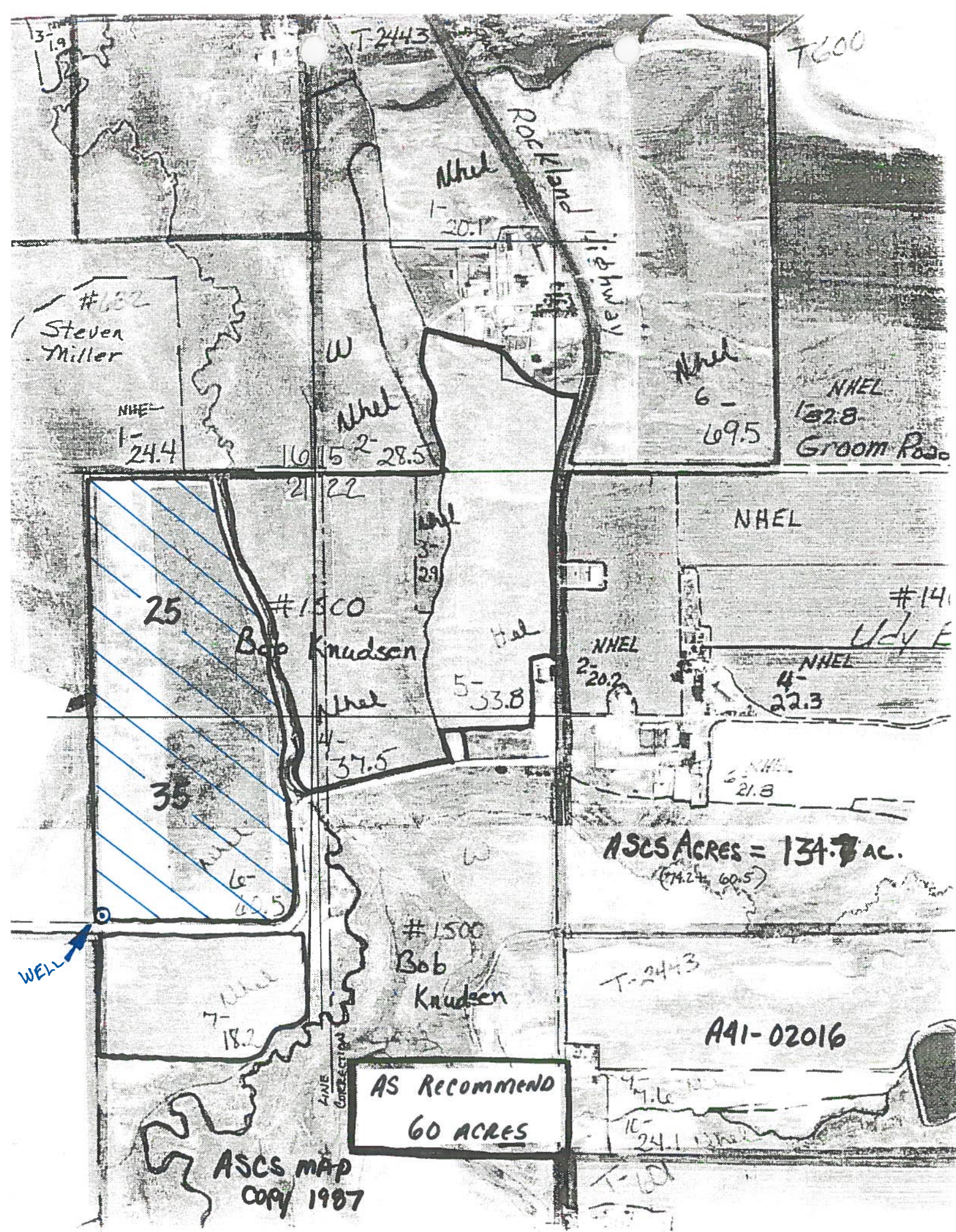
Misc: Water District Number: Field Inspection Flag: Presumption Flag:

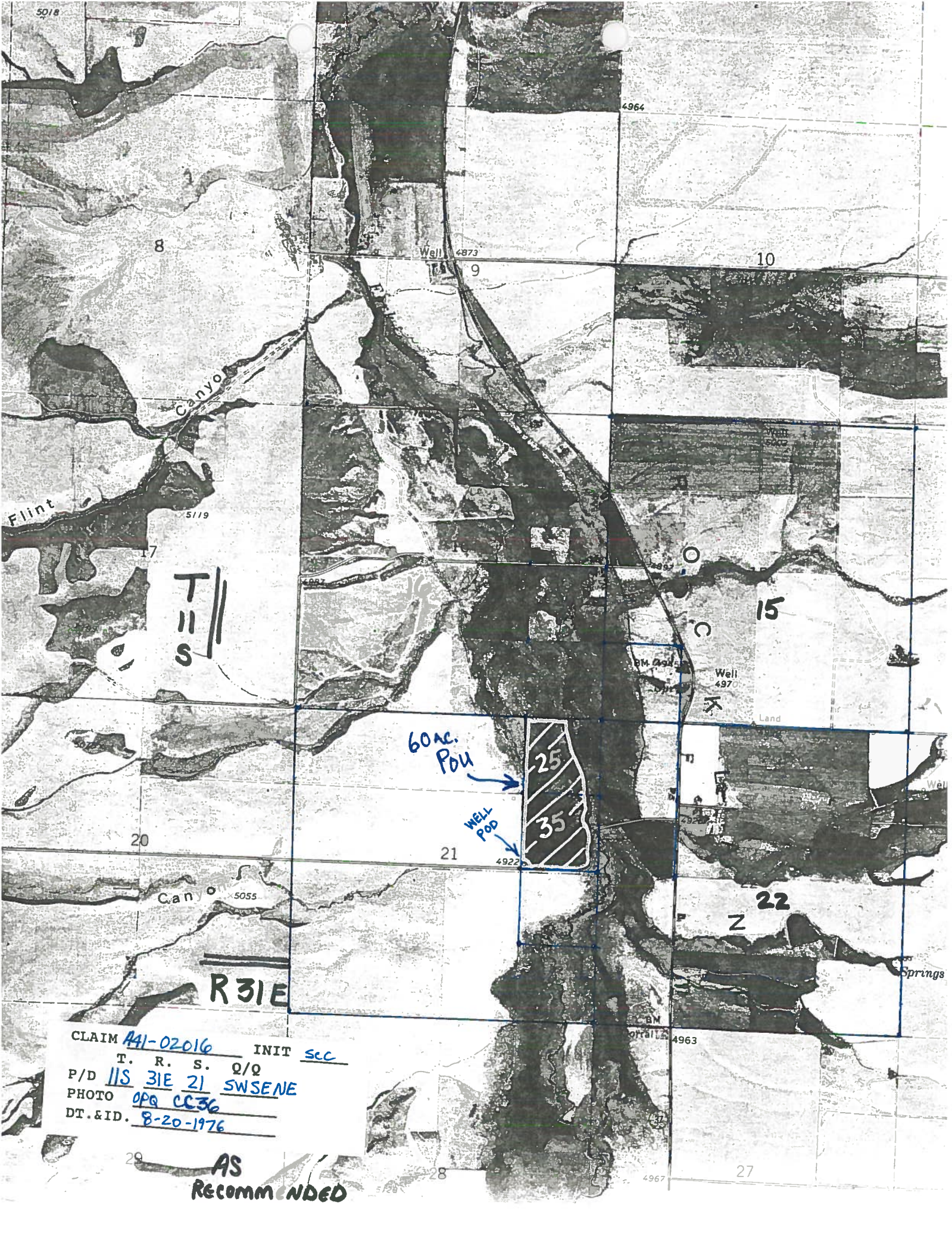
Comments: Date: 06/30/1995 User-ID: SCELLELLAN Subject: RECOMMENDATIONS
RECOMMEND AS LICENSED. FOUND EXPANSION OF DIVERSION AND OF ACRES
IRRIGATED UPON EXAM OF THIS SRBA CLAIM. EXPANSION USES HAVE NO
WATER RIGHT AT TIME OF REVIEW. SEE MEMO IN FILE TO ADM.

Date: 07/19/1995 User-ID: SCELLELLAN Subject: EXPANSION OF RIGHT
THIS USE HAS BEEN EXPANDED BY 89 ACRES AND THE FLOW RATE HAS
INCREASED ABOVE LICENSED LIMITS.

Date: 07/19/1995 User-ID: SCELLELLAN Subject: GPS SITE
GPS TAG NO. A0002532.

Audit: 07/19/95 SCELLELLAN





CLAIM 441-02016 INIT SEC
T. R. S. Q/Q
P/D 11S 31E 21 SWSENE
PHOTO OPQ CC36
DT. & ID. 8-20-1976

29 AS
RECOMMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:24:23
04/22/91

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A41-02016

MR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			5-15-95 5-31-95 6-14-95 6-26-95 SCC	N	6.	SCC 6-30-95	SCC 6-30-95	
POINT OF DIV	Y			(Y)	10Ac. Va			
SOURCE				N	5,6			
PLACE OF USE	Y			N	12456			
DIV. AMOUNT CFS/VOLUME			6-26-95 SCC	N				
CONSUMPTIVE USE	-			(Y)	6.			
PURPOSES				N				
PERIOD OF USE	Y			(Y)	6.			
BASIS OF CLAIM				N				
REMARKS				N				

"VERIFIED BY" CODES

- TOPO MAP/ORTHO-PQ = 1
- ASCS MAP = 2
- WATERMASTER RECORDS = 3
- NAPP PHOTOS = 4
- FIELD EXAM = 5
- OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

LAST: HADLEY
ADDRESS: ROCKLAND
CITY: ROCKLAND
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: JOHN E.
STATE: ID ZIP: XXXX
STATE: ID ZIP: 83210
LAST: POVERTY FLATS RANCH
ADDRESS: C/O BOB KNUDSEN JR
2700 W. 2100 S.
CITY: ABERDEEN
PHONE NUMBER: 208-397-4300

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE FIELD
N EXAMINER

CONTACT PERSON: Bob Knudsen

PHONE NUMBER: () - -

DATE OF FIELD EXAM: _/ _/ _

APPOINTMENT MADE: Y() N(☒)

TIME: : A() P()

ACCOMPANIED BY: None

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

5-15-95 replacement well under construction.

5-31-95 well under construction.

6-14-95 GPS Tag of well site: A0002532

6-26-95 review of POU under the system & measure well output w/ polymeric.

< See also: Field Audit Notes & Service Memo to ADM >

A. AJ CLAIM: # A41-02016 PRIORITY DATE: 09-04-1940 STAGE: L
B. WR RECORD: # 41-02016 PRIORITY DATE: 09-04-1940 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE EXAMINER FIELD EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)

REMARKS:

no per license

RECOMMENDED PRIORITY DATE:

09-04-1940

REVIEWED BY

sa

DATE 6-29-95

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A41-02016	11S	31E	21		SE	NE		POWER

OTHER AJ CLAIMS WITH SAME AJ POD
 A PREFIX R PREFIX
 NONE NONE

MR RECORDS IN SAME 40 ACRE TRACT
 NONE

SOURCE: GROUNDWATER

TRIB:

B. MR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
41-02016	11S	31E	21		SE	NE		POWER

OTHER MR RECORDS WITH SAME MR POD
 A PREFIX R PREFIX
 NONE NONE

MR RECORDS IN SAME 40 ACRE TRACT
 A PREFIX R PREFIX
 NONE NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	<u>JS</u>

REMARKS:

Source Confirmed POD w/ Stems, POD & Liner.

**add 10th tract*

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TWP. RGE. SEC.

TWP.	RGE.	SEC.	LOT	COUNTY
SW	SE	NE		

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: SW DATE: 6-29-95

See attached notes for system description.

A. ROOT WATER RIGHT NUMBERS: A41-02016

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	31E	21	NE	NE		POVERTY FLATS RANCH	A41-02016 / 25.0	41-02016 / 25.0	35.0	(37) 26	25
			NE	NE		HADLEY, J. E.	41-00043 /	41-00043 /			
			NE	NE		HADLEY, J. E.	41-00044 /	41-00044 /			
			NE	NE		HAYES, WALLACE	41-02027 / 7.0				
11S	31E	21	SE	NE		POVERTY FLATS RANCH	A41-02016 / 35.0	41-02016 / 35.0	25.0	(37) 34	35
			SE	NE		HADLEY, J. E.	41-00043 /	41-00043 /			
			SE	NE		HADLEY, J. E.	41-00044 /				
TOTAL ACRES							A41-02016	60.00	60.00	60.00	60

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, YES (X) NO ()
IF YES SEE ATTACHED SHEET: *see maps & below*

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y FIELD EXAMINER *yes*

PRESUMPTION FLAG:

REMARKS:

6-30-95 sec perimeter & secs map of area investigated. Scale @ 1" = 660', at 0.09699 w/ station. Confirmed previous base findings from 1993 grid. (May be some error in the 1955 map due to the 1/4-1/4 lines & section line N-5 between S. 21 & 22.)

RECOMMENDATIONS:

TOTAL ACRES: 60.0

REVIEWED BY: see

DATE: 6-30-95

other lands under irrigation from this system:

11S	R31E	S21	NENE	12.0
			SENE	2.0
		S22	NW NW	38.0
			SW NW	6.0
			SW SW	12.0
		S. 15	SE SW	1.0

*Expansion
TOTAL FOUND
= 80.0 Acres*

page: 5.12 NEST 18.0

A. AJ CLAIMED USES:

PURPOSES
A41-02016 IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

DIVERSION QUANTITY
1.200 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.200 CFS

B. WR RECORDED USES:

PURPOSES
41-02016 IRRIGATION

MONTH/DAY
FROM TO

DIVERSION QUANTITY
1.200 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.200 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	FIELD EXAM REQUIRED?	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY?	(Y/N)	N	
DUE TO DIVERSION RATE DISCREPANCY?	(Y/N)	N	
DUE TO PERIOD FROM/TO DISCREPANCY?	(Y/N)	Y	

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(X)

Y(X) N() Explain in remarks, below.

REMARKS:

old diversion 4-1 to 10-31

See 6-30-95

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.200 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.200 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y

FIELD EXAMINER

yes, system is larger than claimed or licensed.

*See
6-30-95*

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

Polysonic

, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 60 x 0.02 CFS/ACRE = 1.20 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N(X) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 150.0 AF/A

ACRES 60 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 180 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 60 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 240 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

no per license

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
	FROM	TO			
IRRIGATION	4-1 03-15	10-31 11-15	1.200 1.200	240 240	150.0 150.0
TOTAL FOR THIS RIGHT			1.200	240	180

REVIEWED BY: See

DATE: 6-30-95

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED
AS CLAIMED
()
()
()
NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 41-02016
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.200

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

A41-02016

1.200

-

41-02016

1.200

TOTAL CFS

1.200

1.200

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
If NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

N/A

AUTHENTICATION:
SIGNATURE: 

DATE: 6-30-95

NAME OF FIELD EXAMINER: _____ TITLE: _____

LISTING OF MAPS USED IN REVIEW OF THIS FILE

CLAIM NUMBER: A41-02016.

DESCRIPTION OF MAP	ID NUMBERS	MAP DATE	COPY IN FILE?
ORTHOPHOTOQUAD (OPQ)	<u>CC 36</u>	<u>8-20-76</u>	<u>YES</u> / NO
ASCS MAP	<u></u>	<u>1987</u>	<u>YES</u> / NO
NAPP PHOTO	<u>CC 36 NW #385-51</u>	<u>8-1-87</u>	YES / <u>NO</u>
BLM AERIAL	<u></u>	<u></u>	YES / NO
SUBDIVISION PLAT	<u></u>	<u></u>	YES / NO
TOPOGRAPHIC QUAD	<u></u>	<u></u>	YES / NO
GOVERNMENT LOT MAP	<u></u>	<u></u>	YES / NO
SCS SOILS MAP	<u></u>	<u></u>	YES / NO
OTHER:			
<u>License Exam</u>	<u>41-2016</u>	<u>7-22-1941</u>	<u>YES</u> / NO
<u></u>	<u></u>	<u></u>	YES / NO
<u></u>	<u></u>	<u></u>	YES / NO
<u></u>	<u></u>	<u></u>	YES / NO
<u></u>	<u></u>	<u></u>	YES / NO
<u></u>	<u></u>	<u></u>	YES / NO

=====

REMARKS:

Photo: RA1-20
by Sue
6-26-95



Knudsen well & motor
during Polysonic meas.

T11S, R31E, S21, SWSENE

GPS: A000 2532

A41-02016

POU under
water Right
RAI-2016



HARTLEY
CANYON
RD.

Place of use
Found @ Exam

POU
EXTENDS TO THE
BUILDINGS & TREES
IN MIDDLE OF PHOTO.

A41-02016

RAI-20
Photo: sec
6-2-2016

Photos: R41-23
by su

7-21-95



A41-2016

photos: R41-23
by sec

7-21-95



A41-2016

Photos: RA1-23
by sec

7-21-95



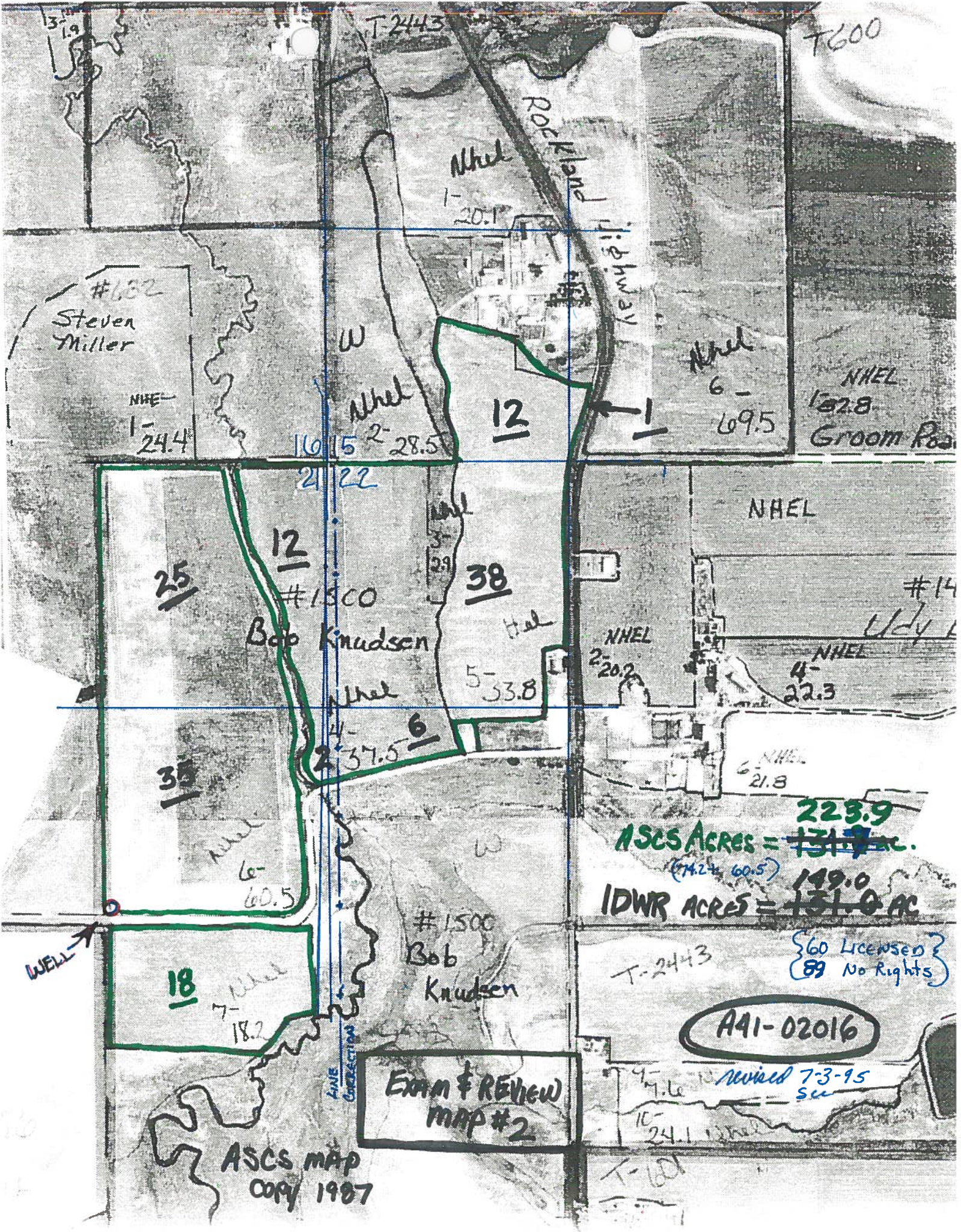
A41-2016

photos: R41-23
by sue

7-21-95



A41-2016



#152
Steven
Miller

NHE
1-24.4

NHE
1-28.5

NHE
6-69.5

NHE
1-82.8
Groom Road

#1500
Bob Knudsen

NHE
5-53.8

NHE
2-20.2

NHE
4-22.3

NHE
6-21.8

ASCS Acres = ~~131.7~~ 223.9 ac.
(74.24 60.5)

IDWR Acres = 149.0 ac

{60 Licenses
89 No Rights}

A41-02016

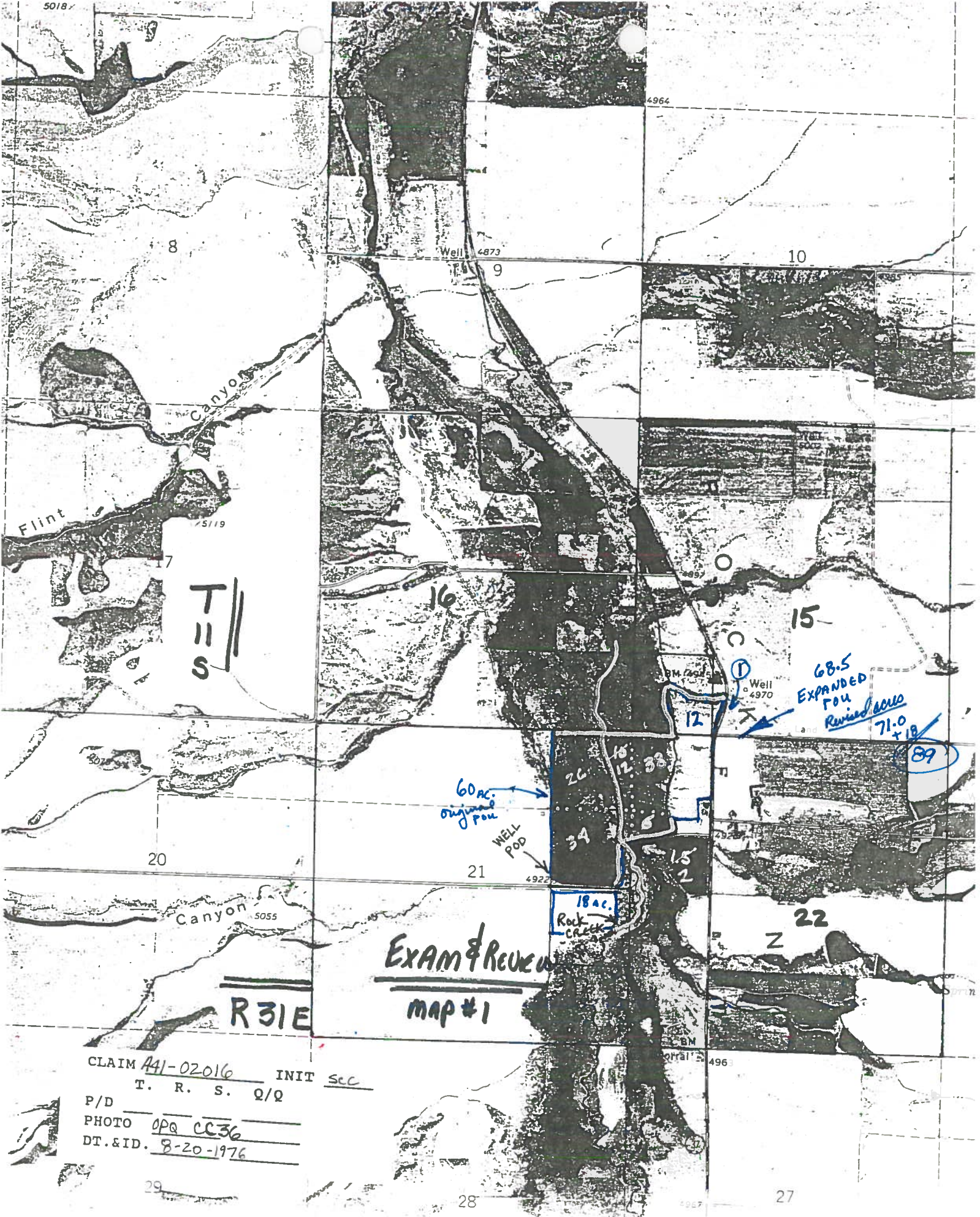
Exam & Review
map #2

ASCS map
COPY 1987

WELL

LINE
CONNECTION

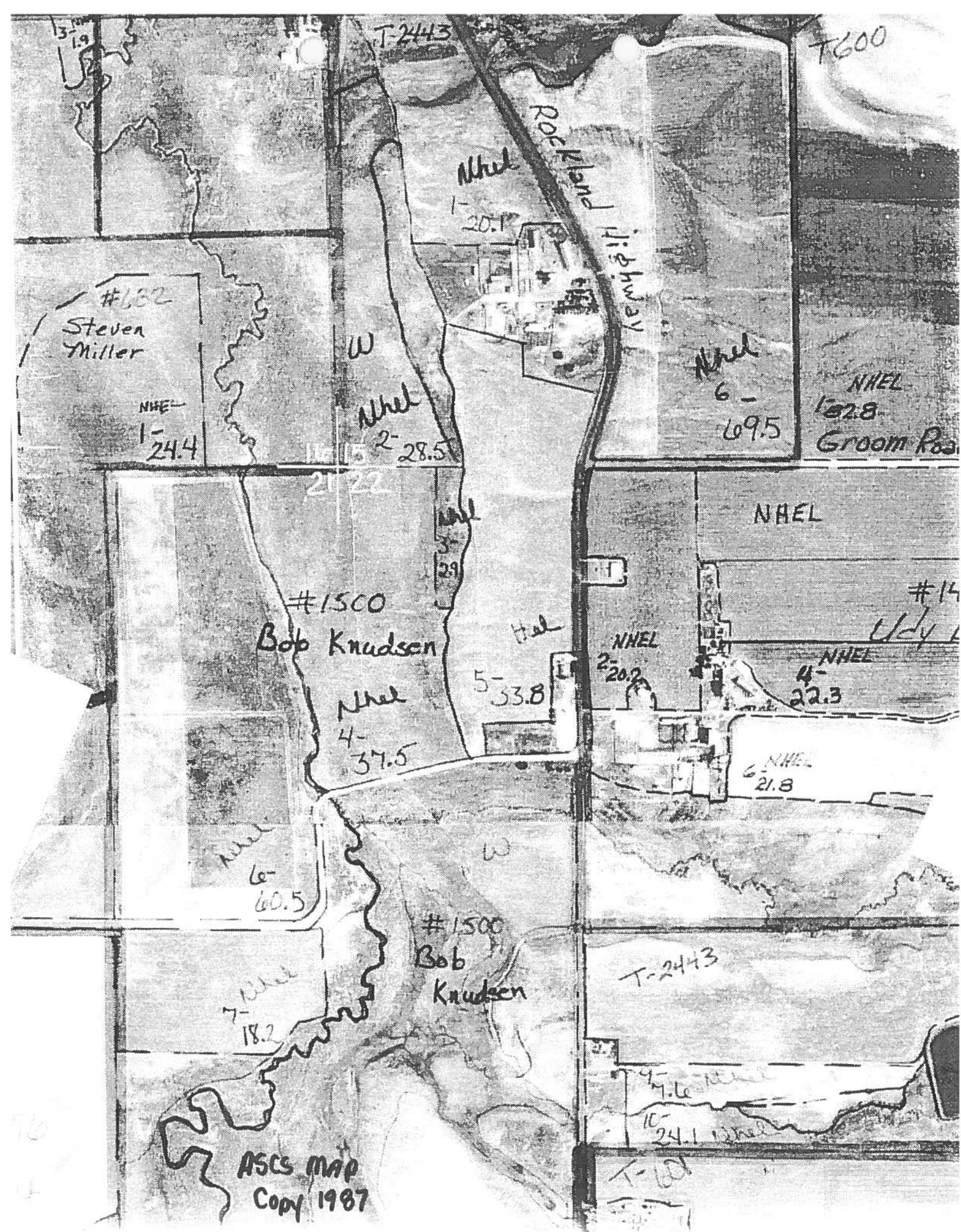
revised 7-3-95
see



Exam & Review
map #1

R 31 E

CLAIM 441-02016 INIT SEC
T. R. S. Q/Q
P/D
PHOTO OPQ CC36
DT.&ID. 8-20-1976



29 28 27



State 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

PRINTER USE
? YES
MODE SELECT
INPUT
OUTER DIAMETER
10.8224 IN
PIPE MATERIAL
? CS,SS
WALL THICKNESS
0.1750 IN
INNER LINING
? NO LING.
KIND OF FLUID
? WATER
SENSOR MOUNTING
? U
TYPE OF SENSOR
? SMALL
DATA CHANGE
? NO
SPACING
8.334 IN U
06-26 13:0300 *R
+ 1.090E 3GPM
MODE SELECT
T0 CHECK
0395.9 MMSEC
101.17 % T0
ZERO MODE
CLEAR

6-26-95 scc
poly sonic meas. @ Knudsen

Hartley Rd. well

ZERO MODE
AUT ZERO

06-26 13:0600 *R
+ 1.088E 3GPM

06-26 13:0700 *R
+002.70 % AI2

MODE SELECT
T0 CHECK

0395.9 MMSEC
101.17 % T0

DAMPING SET
10 SEC

06-26 13:0800 *R
+ 1.088E 3GPM

06-26 13:0900 *R
+ 1.105E 3GPM

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

06-26 13:1700 *R
+ 1.096E 3GPM

06-26 13:1900 *R
+ 1.094E 3GPM

POLYSONIC MEAS.

6-26-95
SCC

KNUDSEN

A41-2016

- new well drilled 6/95

< see also field notes of
6-26-95 scc >

$Q\bar{X} = 1095.75 \text{ gpm}$

-Q

$\bar{X}Q = \underline{\underline{2.44 \text{ cfs}}}$

-Q

-Q

-Q

[Licensed:
41-2016 @ 1.20 cfs]

* Copies of MFiach
of Licenses 41-2016
See 6-29-95

State of Idaho

License and Certificate of Water Right

Water License No. 19047

Water District No. _____

Amount 1.20 c.f.s.

Priority Sept. 4, 1940

THIS IS TO CERTIFY that JOHN E. HADLEY
of Beckland, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated Sept. 4, 1940, 19; that Permit No. 19047
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.4 second feet, was issued thereunder on Jan. 27, 1941, 19, showing that said works
were completed on the 24th day of Jan, 1941; and that on the 18th
day of March, 1941.

JOHN E. HADLEY

of Rockwell, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of a well
-a tributary of-, for the purpose of irrigation
under Use Permit No. 19047 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 4135, on the 2nd day of June, 1942.
The right hereby confirmed dates from Sept. 4, 1940, 19;

The Point of Diversion is located
in the SE $\frac{1}{4}$ $\frac{1}{4}$ NE $\frac{1}{4}$ $\frac{1}{4}$, Sec. 21, Tp. 11 S, R. 31 E, B.M. Power

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 1.20
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S	31 E	21	NE $\frac{1}{4}$ NE $\frac{1}{4}$	38	25
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	38	35
		22	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	0
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	4	0
				120	60

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 Commissioner of Reclamation, affixed at Boise, Idaho,
this 2nd day of June, 1942

E. V. BERG

Commissioner of Reclamation

(SEAL)

41 2016

A41-2016

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 1904 7

This proof is for **Beneficial Use**

In Water District No.

1. Name of applicant **John E. Hadley, Rockland, Idaho**

2. Source of water supply: **well**

3. Location of point of diversion: Is in the **SE 1/4** of Section 21

T. 11 S. R. 31 E. County of **Power**

4. Describe works as they exist, giving dimensions and capacities of same: **A Drilled Well 360ft. deep, cased 20 1/2 ft. with 12 inch casing; equipped with 10 inch Ponona Pump which is belt connected with a 28 H.P. International Engine. Ditches 1 1/2 ft. wide x 1 ft deep.**

5. Water is used for: **Irrigation**

6. State whether or not water has been turned into works of diversion: **Yes**

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): **ENE 1/4, Sec. 21; W 1/4, Sec. 22, 11 S., 31 E.**

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

8. What large stream would the water here appropriated finally reach? **None**

Remarks

Well has 32ft drawdown; present delivery approximately 0.8 Sec. Ft.

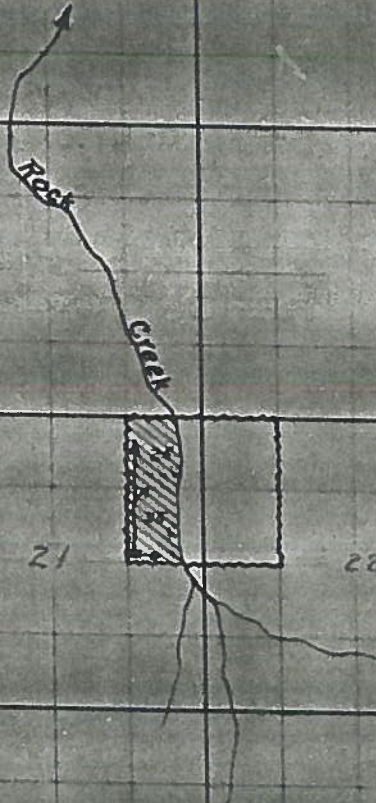
A41-2016

This examination was made on the **22nd** day of **July**, 194**1**

(Signed)

Fred H. Johnson
Examiner

19047



20

21

22

A41-2016

SCALE: 3 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

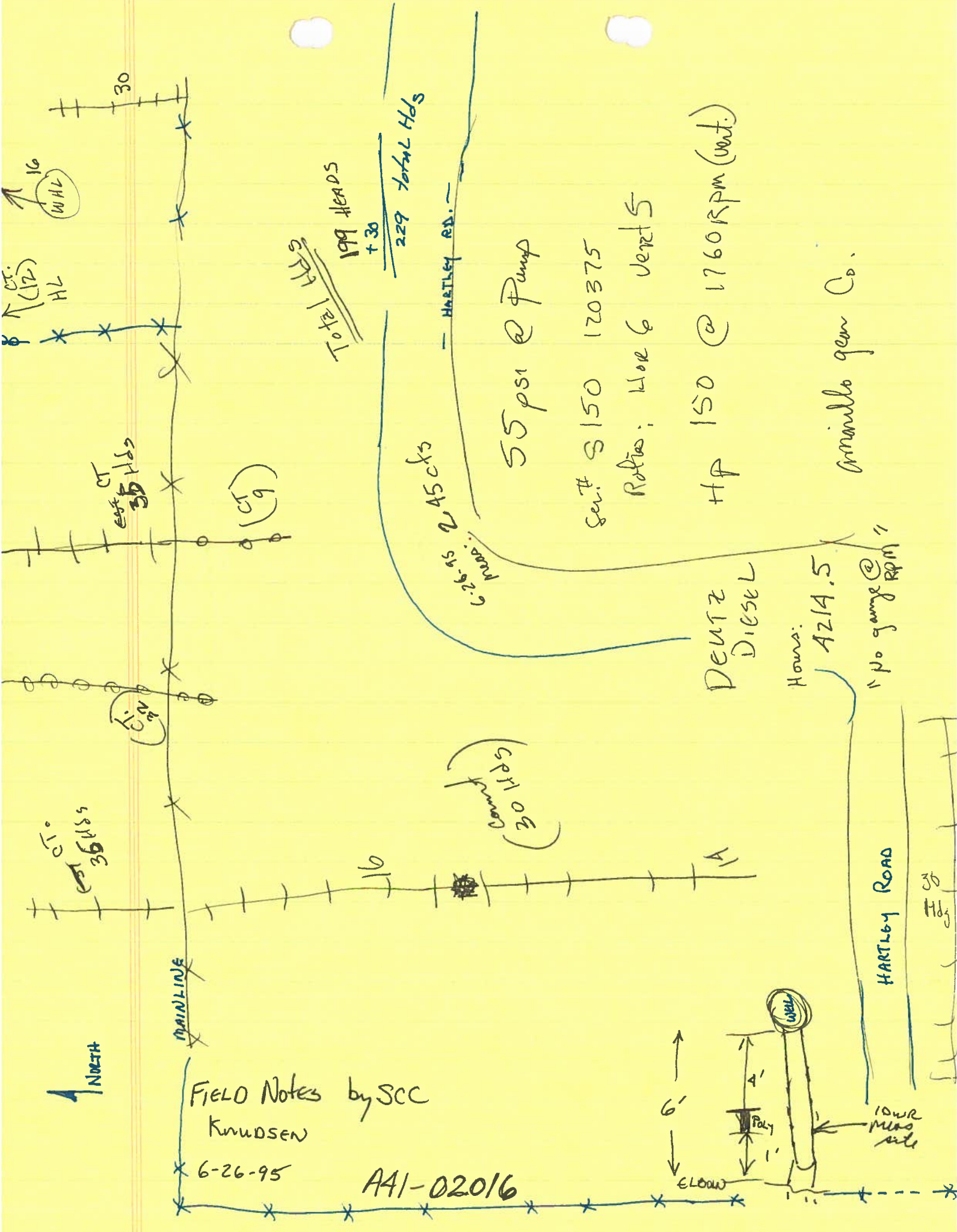
19047



FIELD Notes by SCC
Knudsen

6-26-95

A41-02016



199 HEADS
+ 30
229 total Hds

245 cfs

55 psi @ Pump

ser # S150 120375

Rates: 1400 6 Vert 5

HP 150 @ 1760 RPM (int.)

Amundson gear Co.

Hours: 4214.5
"No gauge @ 1760 RPM"

HARTLEY ROAD

30 Hds

KNADSEN

S21 well

A000 2532

6-14-95
Scc

- Pumpco Employee: Abraham
well $\approx$ 400+ feet
pump @ 200'
- installing same pump & motor
as previous used.

- came back & refasten GPS TAG
to well & pump.

* Done
6-26-95
Scc

A41-02016

A41-02016

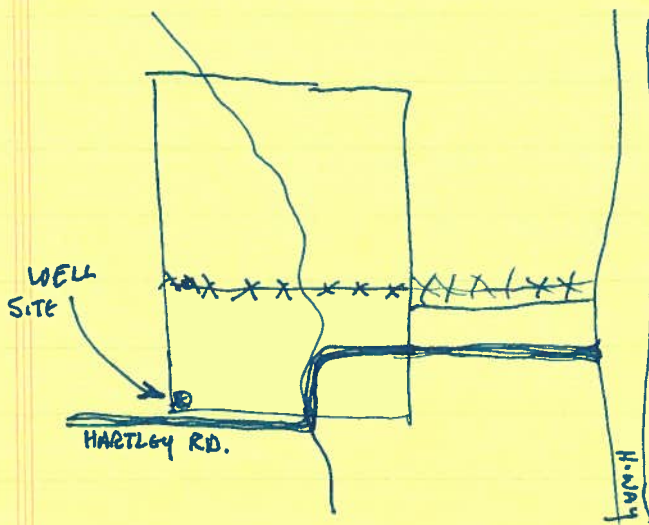
5-15-95

Field
Notes
by SCC

- well driller in progress @ 7' depth.
- replacement $\approx$ 15' west of original well.

5-31-95

Well drilling still under way w/ non-Retax rig
- wheel lines & hand lines used; not operating.



41-B

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO, WITHIN AND FOR POWER COUNTY.

J. E. Hedley, Samuel Hedley
and Elizabeth Hedley,

Plaintiffs,

DECEDE

-vs-

Isaac Thorne, water master,

Defendant.

41-00043

41-00044

(not part of 6-6-1903
decree.)

*No AJ CLAIMS
in SRBA 7-27-94
SCC

This cause coming on for hearing before the court on the 26th day of September, 1916, McDougall & Jones appearing for the plaintiff and no one appearing for the defendant, and it duly appearing to the court that the defendant in this action has been duly and regularly served with summons and the time for answer having expired and no answer or demurrer having been filed that the default of the defendant for failure to answer or appear has been duly entered according to law.

The court having heard the evidence thereof offered, on the part of the plaintiff, both oral and documentary, from which it appears that all of the material allegations of the complaint are true, and that the plaintiffs are and they and their predecessors have been the owners of and in the peaceable possession since April 1, 1884 of the East Half of the Northeast Quarter of Section Twenty-one, and the West Half of the Northwest Quarter of Section Twenty-two, Township Eleven, South Range Thirty-one, East of the Boise Meridian, together with 17 1/2 miner's inches of water from Landing Creek and 17 1/2 inches of water from the south fork of Rock Creek in Power County, Idaho, and a proportional amount of any surplus flowing in said streams, and also a proportional amount of any surplus water which arises and flows in the South fork of Rock Creek over said lands of the plaintiff;

That the said lands of the plaintiff are arid and dry and without the aid of irrigation will not raise an agricultural crop in paying quantities, and that on April, 1, 1884, the plaintiffs predecessors diverted, by means of a ditch, 17 1/2 miner's inches of water from Landing Creek to and upon said land and diverted from the south fork of Rock Creek by means of a tight dam across said south fork of Rock Creek the water therein flowing to the extent of 17 1/2 inches, to and upon the said land, and that the plaintiff and his predecessors in interest have each and every year continuously since said date used the same and a proportional interest of any surplus therefrom for the irrigation of the crops growing on said premises, and that said use has been open, notorious, continuous, and undisputed, except by the acts of this defendant, acting as water master; that the defendant Isaac Thorne, is the duly appointed, qualified, and acting water master for the said south fork of Rock Creek and Landing Creek, operating under a decree of this court under date of June 6, 1903, but in said decree the water rights of this plaintiff were not adjudicated and were not involved in the issues in said case, and the court had no jurisdiction to adjudicate the same; that the said defendant, so acting as water master on the 12th and 22nd days of June, 1916, turned the said water off the lands of the plaintiff and deprived him of the use thereof and threatened to prosecute him if he interfered therewith and gave as his reason therefore that the said decree did not decree water to the plaintiff's land, and it was, therefore, his duty, under the law, to prevent the use of any of the waters not decreed by the court.

That said interference with the plaintiff's right to the use of said water was unjustifiable and unwarranted and the plaintiff is entitled to have his rights to the use of the said water and to a proportional amount of the surplus thereof quieted, and the defendant and his successor in office enjoined from interfering with his right to the use thereof.

-0043
-0044

E $\frac{1}{2}$ NE S.21

W $\frac{1}{2}$ NW S.22

118

31E

HADLEY
PROPERTY FLATS

A41-2016

NOW, THEREFORE, by reason of the law and the premises, IT IS ORDERED, ADJUDGED AND DECREED:

That the right of the plaintiffs to the use of 30 inches of water as aforesaid from the water of Landing Creek and South Fork of Rock Creek be, and the same is hereby quieted and that the plaintiffs have the further right to at all times use his proportion of any surplus that may be running in said streams at the point of their diversion, and the defendant and his successor in interest are hereby perpetually enjoined and restrained from interfering with their use thereof upon the lands described as follows: E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 21, W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 22, Tp. 11, S. R. 31, E.B.M., the said water to be diverted 17 $\frac{1}{2}$ inches from Landing Creek at the point where the dam of the plaintiffs have been for many years last past been located, and 17 $\frac{1}{2}$ inches of the water of South fork of Rock Creek diverted by a tight dam where the same has been and now is located and maintained by the plaintiff.

Done in open court this the 26th day of September, 1916.

J. J. Guheen.
District Judge.

FROM: Allen Merritt

DATE: April 30, 1995

TO: FILE 41-95-0005, Steve Clelland

SUBJECT: Issuance of drilling permit

On 4/28/95 Bob Knudsen came into the office in response to my 4/19/95 letter. He indicated that the license 41-02016 was the proper water license for the well and that he had reviewed information that revealed that the well was modified in 1970 without permit to increase diversion rate and acres irrigated. I told him we would issue the replacement well but I specifically pointed to condition #10 and told him he assumes all risk in that the use of the well was only authorized for those uses under the license 41-02016. I told him that if it was to be used for more he would have to:

- i) obtain a permit and amend it to cover the other lands.
- ii) obtain a license and transfer use to cover the other lands.
- iii) successfully get one of the lapsed permits re-instated to cover the other lands.

Otherwise, to irrigate these other lands without such approvals was unauthorized as my 4/19/95 letter indicated.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor PHIL BATT

R. KEITH HIGGINSON
Director

April 19, 1995

Bob Knudsen
Knudsen Poor Farms Inc
2700 W 2100 S
Aberdeen, ID 83210

RE: Drilling Permit for Replacement Well

Dear Mr. Knudsen:

Please find enclosed your original drilling permit application and your two checks. (Check #008810 for \$35 and Check #009836 for \$165) As we discussed in our phone conversation yesterday our office is returning your application so that the legal description of the well and the water right for the well can be clarified. This must be done before we will issue drilling permit approval for replacement of the well.

As we discussed there appears to be several water right licenses which you have claimed in the Snake River Basin Adjudication. These licenses are 41-02016, 41-02021 and 41-02023 (Please find enclosed proof reports of these records). Based on the legal description you provided in your original drilling permit application it appears that license 41-02016 is for the well at issue. No other records have been found relating to this well. As we discussed Mr. Hayes, your predecessor, had several permits in the area which were allowed to lapse. I have enclosed copies of these records for these lapsed permits 41-07041, 41-07042, 41-07043 and 41-07044. None of these permits seem to be associated with the well at issue.

As you indicated the subject well had a capacity of 1300 gpm and served in the hundreds of acres. A review of license 41-02016 finds that the water right is limited to 540 gpm for no more than 60 acres of land. It appears from this that either there is an unrecorded beneficial use right which you should record or that no right exists for use beyond that which is evidenced by license 41-02016. To record an unrecorded beneficial use I suggest you contact Steve Clelland from our office to file a late "Notice of Claim" or that you consult your lawyer if you have legal questions.

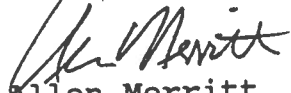
Please review the documents enclosed and re-submit your drilling permit application with the \$200.00 fee. If your returned application is consistent with a valid water right then I will approve the replacement well subject to the limitation of the validity of the water rights. If your intentions are to use the well

Page 2

beyond what the existing water rights allow please note that this is illegal pursuant to §42-351 of the Idaho Code and subject to appropriate civil penalties.

If you have questions please feel free to contact our office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Allen Merritt", is written over the typed name.

Allen Merritt, PE
Southern Region Manager

Enclosures:

CC: Gary Funderburg
Steve Clelland
Glen Saxton

Ident. No. 41-95-S-0005-000
Water Right No. 41-02016

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: KNUDSEN POOR FARMS A 208-397-4300
Address: 2700 W 2100S
ABERDEEN ID 83210

2. Proposed Well Location: Township 11S, Range 31E, Sec. 21, SENE
POWER County

3. Proposed Use of Well: Non-Domestic Irrigation

4. Well Construction Information:

- A. Replace
B. Proposed Surface Diameter 16 In. Proposed Maximum Depth 400 Ft.
C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)
(NOTE: Construction diagrams and/or other information may be requested for
monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 4/29/1995

6. Anticipated Well Driller: VOLLMER WELL DRILLING (No. 0383)
NOTE: The actual well driller must be identified prior to drilling.

7. Applicant's Signature

Date

Title

(Owner, Firm Representative, Other)

Fee \$ 200⁰⁰

Received by

No. 5018026

Date

4/28/95

(Continued)

AA1-02016

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is APPROVED

Date: 4/28/1995

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If the bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (Dig Line is a locator service) not less than 3 working days prior to the start of any excavation for this project. The "Dig Line " Number for your area is 1-800-342-1585.
9. As this is a replacement well, the well being replaced shall be abandoned by a plan approved by the Dept. which meets State minimum construction standards 3,12,1.
10. APPLICANT ACKNOWLEDGES THAT BY ACCEPTING A DRILLING PERMIT AND COMMENCING CONSTRUCTION HE ACCEPTS ALL RISK THAT THE USE OF THE WELL BEYOND THE USE DESCRIBED AND LIMITED BY LICENSE 41-02016 MAY NOT ULTIMATELY BE AUTHORIZED.


Signature of Authorized Dept. Representative

Southern Region Manager
Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____
Expires On: _____

Water Right Number - 41-02016

Prefix Translation:

WATER RIGHT

Old (D) Number - 19047

Last Name -

First Name -

Address -

*** C - CURRENT OWNER ***
HADLEY

JOHN E.

1 -
2 -
3 -
City- ROCKLAND
Phone -

State- ID Zip-

Priority Date - 09/04/1940

Region - 17 SOUTHERN

Stage - L - LICENSE

Status -

Source - GROUNDWATER

Tributary -

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Index Code)
11S	31E	21	SE NE			(77) POWER		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION						
1.200						

Total Div. Rate - 1.200

Total Div. Volume -

Total Div. Capacity -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
11S	31E	21	NE NE		25.0		01	IRRIGATION	(77) POWER
11S	31E	21	SE NE		35.0		01	IRRIGATION	(77) POWER
Total Acres:					60.0				

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

- - - Remarks -
No Remarks found.

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

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

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

WATER RIGHT

No Comments Found

ights Dates and Fla

Presumption Flag

- Field Exam Fee
- Swan Falls
- Temporary Right
- DLE/Carey Act
- Water District
- Transfer/Amended