

07/11/2005

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

RIGHT NUMBER: 37-326

NAME AND ADDRESS: JOHN F VARIN
PO BOX 190
FAIRFIELD ID 83327

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.400 CFS

PRIORITY DATE: 11/01/1882

POINT OF DIVERSION:

T05S R16E S28 NWNE Within LINCOLN County

T05S R16E S28 NWSW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.400 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R16E S28	SWNE	24.0	T05S R16E S28	NESW	39.0
T05S R16E S28	NWSW	34.0	T05S R16E S28	SWSW	11.0
T05S R16E S28	SESW	7.5	T05S R16E S28	NWSE	38.0
T05S R16E S28	SWSE	3.8			

157.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 157.3 acres in a single irrigation season.
Combined Right Nos.: 37-326, 37-328, 37-1127 and 37-21485

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

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

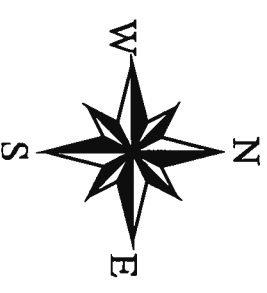
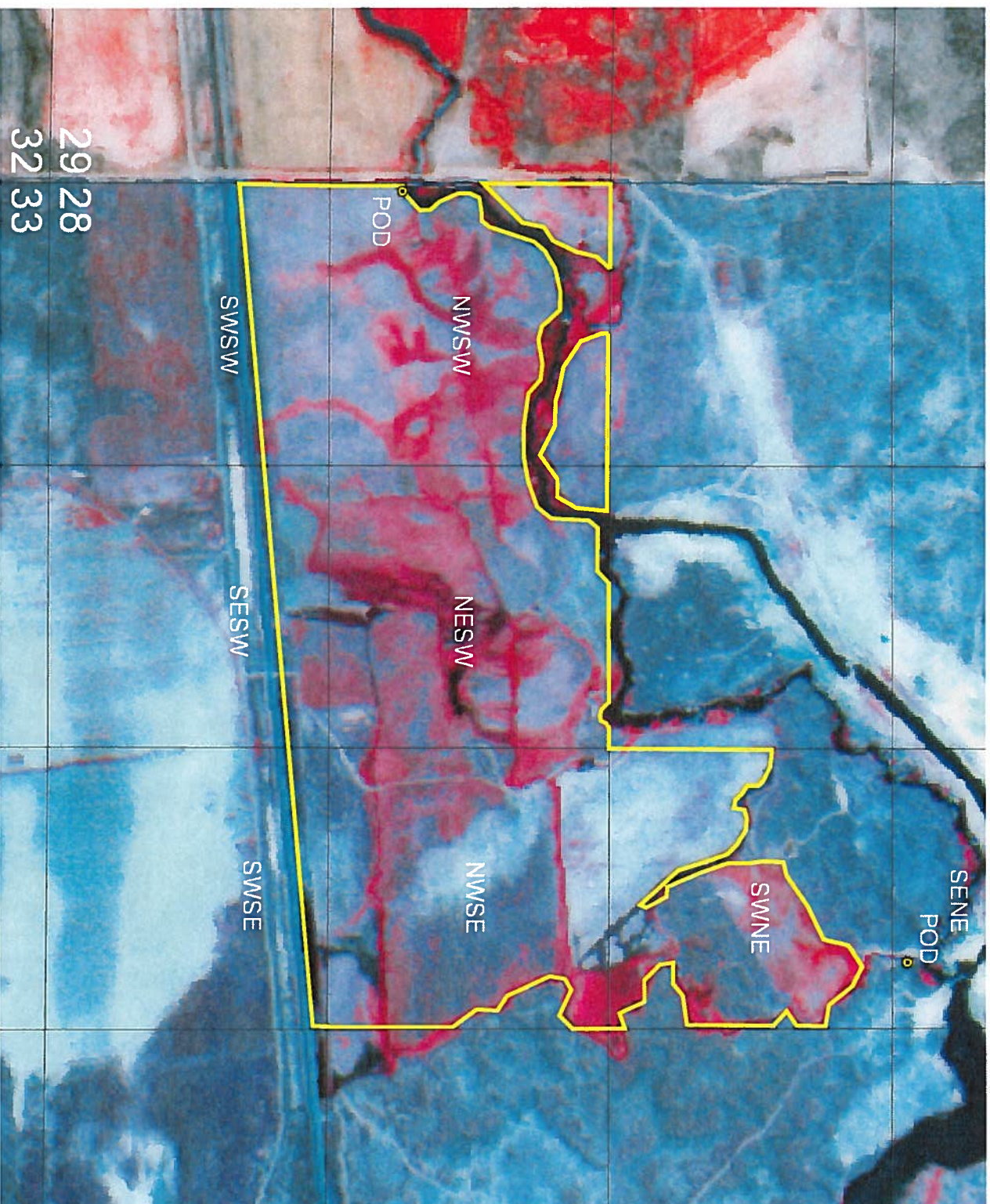
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of this right is combined with water from American Falls Reservoir Dist. No. 2.

Water is delivered through the Winters Ditch or the Winters Ditch Pump.

37-326 37-328 37-1127 & 37-21485

**T05S R16E
S28**



1000 0 1000 2000 3000 Feet

Map prepared by: Carter Fritschle
Date prepared: 02/17/05 - Revised 07/11/05
1987-1988 NAP photograph
Idaho Department of Water Resources

RECEIVED

JUL 07 2005

Department of Water Resources

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 37-326
Date Received: 5/26/1989
Receipt No: S007361
Received By:

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

1. Name of Claimant(s)

JOHN F VARIN Phone: (208)764-2285
PO BOX 190
FAIRFIELD ID 83327

2. Date of Priority: 11/01/1882

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	16E	28	NW NE	LINCOLN	
05S	16E	28	NW SW	LINCOLN	

5. Description of diverting works:

WINTERS DIVERSION NO. 80 AND WINTERS PUMP DIVERSION NO. 80-P

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.4	

7. Total Quantity Appropriated is:
0.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05S	16E	28	SW NE	IRRIGATION	24
			NE SW	IRRIGATION	39
			NW SW	IRRIGATION	34
			SW SW	IRRIGATION	11
			SE SW	IRRIGATION	7.5
			NW SE	IRRIGATION	38
			SW SE	IRRIGATION	3.8
			Section Acres		
Total Acres				157.3	

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

37-328, 37-1127, 37-21485 and American Falls Reservoir District No. 2

14. Remarks:

15. Basis of Claim: Decreed

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: 2/5/11
_____ Date: _____

State of Idaho)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of July 2005 Larna Ward

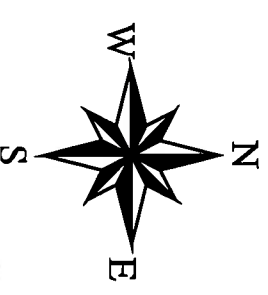
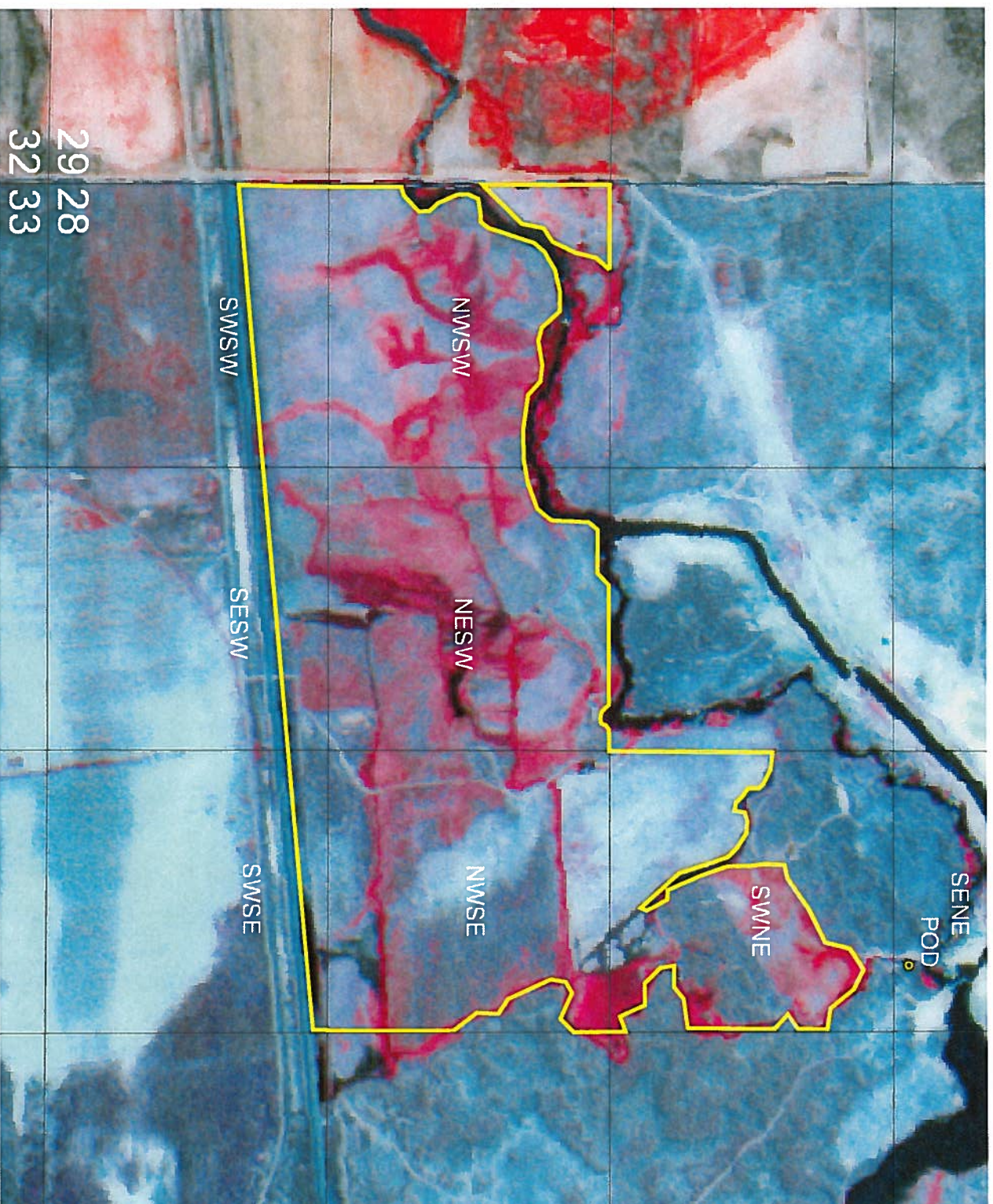
Notary Public

Residing at Hagerman Idaho
My commission Expires 2-28-2011



37-326 37-328 & 37-1127

**T05S R16E
S28**



Map prepared by: Carter Fritschle
Date prepared: 02/17/05
1987-1988 NAPP photography
Idaho Department of Water Resources

02/17/2005

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

RIGHT NUMBER: 37-326

NAME AND ADDRESS: JOHN F VARIN
PO BOX 190
FAIRFIELD ID 83327

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.400 CFS

PRIORITY DATE: 11/01/1882

POINT OF DIVERSION:
T05S R16E S28 NWNE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.400 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R16E S28	SWNE	24.0	T05S R16E S28	NESW	38.0
T05S R16E S28	NWSW	31.0	T05S R16E S28	SWSW	11.0
T05S R16E S28	SESW	7.5	T05S R16E S28	NWSE	38.0
T05S R16E S28	SWSE	3.8			

153.3 ACRES TOTAL

Right nos. 37-326 37-328 and 37-1127 are limited to the irrigation of a combined total of 153.3 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: Decreed

Water is delivered through the Winters Ditch.

Use of this right is combined with water from American Falls Reservoir Dist. No. 2.

IDAHO DEPARTMENT OF WATER RESOURCES

06/27/2005

ADJUDICATION CLAIM POU REVIEW REPORT

ADJUDICATION CLAIM NUMBER: 37-326

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
37-326	Claim	05S	16E	28	SW	NE		IRRIGATION	24/153.3	JOHN F VARIN
37-328	Claim	05S	16E	28	SW	NE		IRRIGATION	24/153.3	JOHN F VARIN
37-1127	Claim	05S	16E	28	SW	NE		IRRIGATION	24/153.3	JOHN F VARIN
37-326	Water Right	05S	16E	28	SW	NE		IRRIGATION		JOHN W HUNTER
37-327	Water Right	05S	16E	28	SW	NE		IRRIGATION		JOHN W HUNTER
37-328	Water Right	05S	16E	28	SW	NE		IRRIGATION		JOHN W HUNTER
37-329	Water Right	05S	16E	28	SW	NE		IRRIGATION	40/440	JOHN W HUNTER
37-326	Claim	05S	16E	28	NE	SW		IRRIGATION	38/153.3	JOHN F VARIN
37-328	Claim	05S	16E	28	NE	SW		IRRIGATION	38/153.3	JOHN F VARIN
37-1127	Claim	05S	16E	28	NE	SW		IRRIGATION	38/153.3	JOHN F VARIN
37-326	Water Right	05S	16E	28	NE	SW		IRRIGATION		JOHN W HUNTER
37-327	Water Right	05S	16E	28	NE	SW		IRRIGATION		JOHN W HUNTER
37-328	Water Right	05S	16E	28	NE	SW		IRRIGATION		JOHN W HUNTER
37-329	Water Right	05S	16E	28	NE	SW		IRRIGATION	40/440	JOHN W HUNTER
1-6	Claim	05S	16E	28	NW	SW		IRRIGATION	21.1/27301.2	AMERICAN FALLS RESERVOIR DIST #2
37-326	Claim	05S	16E	28	NW	SW		IRRIGATION	31/153.3	JOHN F VARIN
37-328	Claim	05S	16E	28	NW	SW		IRRIGATION	31/153.3	JOHN F VARIN
37-1127	Claim	05S	16E	28	NW	SW		IRRIGATION	31/153.3	JOHN F VARIN
37-1127	Water Right	05S	16E	28	NW	SW		IRRIGATION	40/80	JOHN M VARIN
37-2136	Water Right	05S	16E	28	NW	SW		IRRIGATION	18/30	WILLIAM H WINTER
1-6	Claim	05S	16E	28	SW	SW		IRRIGATION	21.1/27301.2	AMERICAN FALLS RESERVOIR DIST #2
37-326	Claim	05S	16E	28	SW	SW		IRRIGATION	11/153.3	JOHN F VARIN

IDAHO DEPARTMENT OF WATER RESOURCES

06/27/2005

ADJUDICATION CLAIM POU REVIEW REPORT

ADJUDICATION CLAIM NUMBER: 37-326

2

Water Right #	Type	Twp	Rge	Sec	QA	Q	Lot	Purpose of Use	Acres/Total	Name
37-328	Claim	05S	16E	28	SW	SW		IRRIGATION	11/153.3	JOHN F VARIN
37-1127	Claim	05S	16E	28	SW	SW		IRRIGATION	11/153.3	JOHN F VARIN
37-1127	Water Right	05S	16E	28	SW	SW		IRRIGATION	40/80	JOHN M VARIN
37-2136	Water Right	05S	16E	28	SW	SW		IRRIGATION	12/30	WILLIAM H WINTER
37-7357	Water Right	05S	16E	28	SW	SW		IRRIGATION	13/170	PATTERSON LAND & LIVESTOCK INC
37-326	Claim	05S	16E	28	SE	SW		IRRIGATION	7.5/153.3	JOHN F VARIN
37-328	Claim	05S	16E	28	SE	SW		IRRIGATION	7.5/153.3	JOHN F VARIN
37-1127	Claim	05S	16E	28	SE	SW		IRRIGATION	7.5/153.3	JOHN F VARIN
37-7357	Water Right	05S	16E	28	SE	SW		IRRIGATION	20/170	PATTERSON LAND & LIVESTOCK INC
37-326	Claim	05S	16E	28	NW	SE		IRRIGATION	38/153.3	JOHN F VARIN
37-328	Claim	05S	16E	28	NW	SE		IRRIGATION	38/153.3	JOHN F VARIN
37-1127	Claim	05S	16E	28	NW	SE		IRRIGATION	38/153.3	JOHN F VARIN
37-326	Water Right	05S	16E	28	NW	SE		IRRIGATION		JOHN W HUNTER
37-327	Water Right	05S	16E	28	NW	SE		IRRIGATION		JOHN W HUNTER
37-328	Water Right	05S	16E	28	NW	SE		IRRIGATION		JOHN W HUNTER
37-329	Water Right	05S	16E	28	NW	SE		IRRIGATION	40/440	JOHN W HUNTER
37-326	Claim	05S	16E	28	SW	SE		IRRIGATION	3.8/153.3	JOHN F VARIN
37-328	Claim	05S	16E	28	SW	SE		IRRIGATION	3.8/153.3	JOHN F VARIN
37-1127	Claim	05S	16E	28	SW	SE		IRRIGATION	3.8/153.3	JOHN F VARIN
37-326	Water Right	05S	16E	28	SW	SE		IRRIGATION		JOHN W HUNTER
37-327	Water Right	05S	16E	28	SW	SE		IRRIGATION		JOHN W HUNTER
37-328	Water Right	05S	16E	28	SW	SE		IRRIGATION		JOHN W HUNTER
37-328	Water Right	05S	16E	28	SW	SE		IRRIGATION		JOHN W HUNTER

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 37-326

06/27/2005

3

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
37-329	Water Right	05S	16E	28	SW	SE		IRRIGATION	40/440	JOHN W HUNTER
37-7357	Water Right	05S	16E	28	SW	SE		IRRIGATION	30/170	PATTERSON LAND & LIVESTOCK INC

JOHN F. VARIN
P.O. BOX 190
FAIRFIELD, IDAHO 83327

January 27, 2005

Carter Fritchle
IDWR
P.O. Box 83720
Boise, Idaho 83720-0098

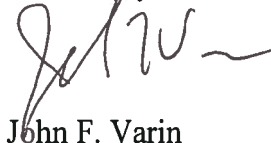
Re: Adjudication Claim No. 37-326, 37-328 and 37-1127

Dear Mr. Fritchle:

Enclosed are the recorded deeds I mentioned in my Jan. 10, 2005 letter. Hopefully, this will provide the needed information to make the ownership and amended changes I have requested.

If there is any additionally information or concerns that need to be addressed I would be happy to respond. I am assuming I will receive some sort of response concerning these requests. Thank you very much for your efforts.

Sincerely yours,



John F. Varin

JAN 31 2005
RECEIVED
JAN 31 2005
DEPARTMENT OF
WATER RESOURCES

SCANNED
JAN 31 2005

RECEIVED

JAN 11 2005

Department of Water Resources

JOHN F. VARIN
P.O. BOX 190
FAIRFIELD, IDAHO 83327

January 10, 2005

Carter Fritchle
IDWR
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Adjudication Claim No. 37-326, 37-328 and 37-1127

Dear Mr. Fritchle:

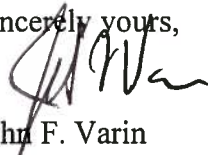
Enclosed are a Notice of Change in Water Right Ownership, and documents relating to the above claim numbers regarding my interest as the owner and some amendments. Also enclosed are copies of this years property tax notice showing my ownership.

I was told to include the deeds, however, upon investigation I found the property descriptions were in error. I received this real property and water through my parents, John and Susan Varin Estates. Deeds of Distribution were duly granted, executed and recorded. These are the deeds I now found were in error. I am having Amended deeds executed, which should not take much time, but I wanted to forward to you this information so you could be aware of this situation.

I will forward recorded copies of the deeds referred to hopefully, within the next several weeks.

If I can provide any other information please do not hesitate to contact me. My home phone is 208-764-2285. My email is camasflr@northrim.net. Thank you for your time.

Sincerely yours,


John F. Varin

SCANNED

JAN 11 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	37-326	—			
	37-328	—			
	37-1127	—			
		—			
		—			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Jerry & Charvella Varin
1842 E 1400 S, Gooding, ID 83330
4. New Owner/Claimant(s) John E. Varin
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address PO Box 190
- City, State and ZIP Code Fairfield, ID 83327
- New Telephone Number (208) 764-2285
5. Date you acquired the property 10-5-1992

SCANNED

JAN 11 2005

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) _____

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

For Office Use Only
 Received by g E. [signature] Date 12-17-04 Fee -
 Received by - Date - Receipt No. -
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED

IAN 1 1 2005

MAKE CHECK PAYABLE TO:

2004 TAX BILL/RECEIPT

LINCOLN COUNTY TAX COLLECTOR

CATHY GILBERT

111 WEST B STREET, SUITE T

SHOSHONE, ID 83352

BILL#

2577

CODE AREA

7-0000

L

PARCEL NUMBER
RP05816E281202

22,00

1ST HALF DUE

TAX 138.80

LATE

INT

COST

TOT

2ND HALF DUE

TAX 138.80

LATE

INT

COST

TOT

FULL DUE

TAX 277.60

LATE

INT

COST

TOT

TOT MV

22,20

TOT ACS

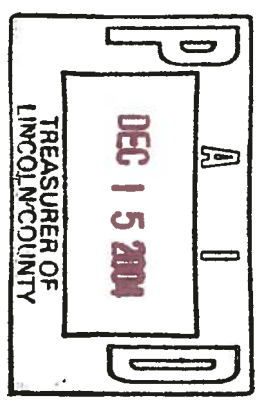
98.74

VARIN JOHN F
PO BOX 190
FAIRFIELD

ID 83327

TAXING DISTRICT	RATE	AMOUN
STATE	.000000000	
LINCOLN COUNTY	.003315108	73.6
S SCHDOL #312	.007414889	164.6
SHOSHONE HWY 2	.001142539	25.3
LIN CEMETERY	.000234621	5.2
RECREATION DIST	.000398151	8.8
AMOUNT DUE	.012505308	277.6

N1/2SW AND THAT PART OF THE
S1/2SW LYING NORTH OF THE RR
28-5-16



*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

TH/F DATE BY CK/CS
DATE BY CK/CS

SCANNED

MAKE CHECK PAYABLE TO:

2004 TAX BILL/RECEIPT

LINCOLN COUNTY TAX COLLECTOR

CATHY GILBERT

111 WEST B STREET, SUITE T

SHOSHONE, ID 83352

BILL#

2578

CODE AREA

7-0000

L

PARCEL NUMBER
2P05815E235400
16, 01

TAX 100.08
LATE
INT
COST
TOT

TAX 100.08
LATE
INT
COST
TOT

TAX 200.16
LATE
INT
COST
TOT

TOT 16.01
TOT 16.01
TOT 16.01

VARIN JOHN F
PO BOX 190
FAIRFIELD

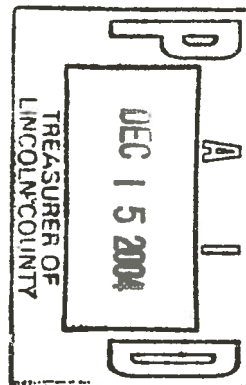
ID 83327

TAXING DISTRICT RATE
STATE .00000000
LINCOLN COUNTY .003815108 53.0
S SCHOOL #312 .007414839 118.7
SHOSHONE HWY 2 .001142539 18.2
LIN CEMETERY .000234621 3.7
RECREATION DIST .000378131 6.3
AMOUNT DUE .012505308 200.1

NWSE, SWNE AND THAT PART OF
THE N1/2 SWSE LYING NORTH OF
THE RR
28-5-16

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.



FH/F DATE BY CK/CS
SH DATE BY CK/CS

SCANNED
JAN 11 2005

Craig D. Hobdey
HOBDEY & HOBDEY
P.O. Box 176
Gooding, Idaho 83303-0176
Telephone (208) 934-4429
I.S.B. #3199
Attorney for Co-Personal Representatives

STATE OF IDAHO 178169
COUNTY OF LINCOLN
Recorded at the request of
John F. Varin
JAN 26 2005
at 28 minutes past 2 P.M.
recorded by *John F. Varin*
Fee: 10.00 Return to *Alone*
By hand

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

IN THE MATTER OF THE ESTATE OF:) Case No. 20564
)
SUSAN VARIN,) **AMENDED**
) **DEED OF DISTRIBUTION**
)
Deceased.)
_____)

THIS INDENTURE made this 19 day of January, 2005, by JOHN F. VARIN and JERRY A. VARIN, co-Personal Representatives of the Estate of SUSAN VARIN, deceased, hereinafter referred to as Grantors and JOHN F. VARIN, a married man as his sole and separate property, hereinafter referred to as Grantee:

WITNESSETH:

NOW, THEREFORE, pursuant to the law in such cases made and provided, and particularly pursuant to the provisions of §15-3-907 Idaho Code, Grantors do hereby convey, transfer, distribute and set-over unto Grantee and to his successors in interest, heirs and assigns, the following described real property:

TOWNSHIP 5 SOUTH, RANGE 16 E.B.M.
Lincoln County, Idaho
Section 28: NWSE; SWNE; and that part of the N1/2SWSE
lying North of the Union Pacific Railroad right of way.

Section 28: N1/2SW and that part of the S1/2SW
lying North of the Union Pacific Railroad right of way,
together with all water and water rights appurtenant thereto.

This Deed amends that certain Deed of Distribution dated October 5, 1992 and recorded as Instrument No. 156402 on October 7, 1992 records of Lincoln County, Idaho.

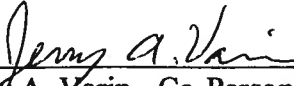
AMENDED DEED OF DISTRIBUTION

Page 1 of 2

SCANNED

JAN 31 2005

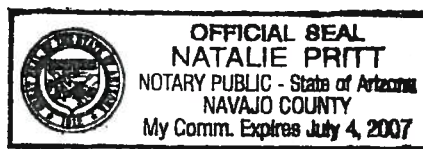

John F. Varin - Co-Personal Representative
of the Susan Varin Estate


Jerry A. Varin - Co-Personal Representative
of the Susan Varin Estate

STATE OF ARIZONA)
) SS.
County of Navajo)

On this 19th day of January, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared JERRY A. VARIN, known to me to be the person whose name is subscribed to the with instrument as the Co-Personal Representative of the Estate of SUSAN VARIN, deceased and acknowledged to me that he executed the same as such Co-Personal Representative.

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

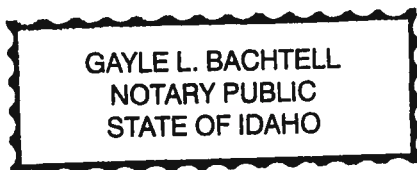



NOTARY PUBLIC FOR ARIZONA
Residing at: Shovv - IDV
Commission Expires: 7-4-07

STATE OF IDAHO)
) SS.
County of Gooding)

On this 24th day of January, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN F. VARIN, known to me to be the person whose name is subscribed to the with instrument as the Co-Personal Representative of the Estate of SUSAN VARIN, deceased and acknowledged to me that he executed the same as such Co-Personal Representative.

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

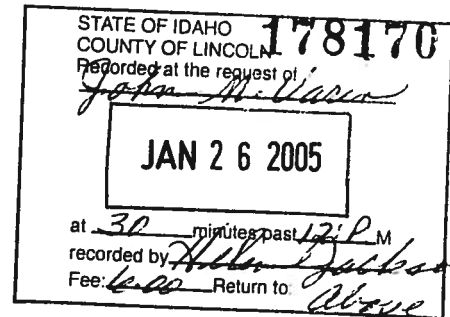



NOTARY PUBLIC FOR IDAHO
Residing at: Fairfield
Commission Expires: 10-15-05

Tax Notice to:

John F. Varin
P.O. Box 190
Fairfield, ID 83327

Craig D. Hobdey
HOBDEY & HOBDEY
P.O. Box 176
Gooding, Idaho 83303-0176
Telephone (208) 934-4429
I.S.B. #3199
Attorney for Co-Personal Representatives



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

IN THE MATTER OF THE ESTATE OF:) Case No. 21802
JOHN M. VARIN,)
Deceased.)
AMENDED
DEED OF DISTRIBUTION

THIS INDENTURE made this 19 day of January, 2005, by JOHN F. VARIN and JERRY A. VARIN, Co-Personal Representatives of the Estate of JOHN M. VARIN, deceased, hereinafter referred to as Grantors and JOHN F. VARIN, a married man as his sole and separate property, hereinafter referred to as Grantee:

WITNESSETH:

NOW, THEREFORE, pursuant to the law in such cases made and provided, and particularly pursuant to the provisions of §15-3-907 Idaho Code, Grantors do hereby convey, transfer, distribute and set-over unto Grantee and to his successors in interest, heirs and assigns, the following described real property:

TOWNSHIP 5 SOUTH, RANGE 16 E.B.M.
Lincoln County, Idaho
Section 28: NWSE; SWNE; and that part of the N1/2SWSE
lying North of the Union Pacific Railroad right of way.

Section 28: N1/2SW and that part of the S1/2SW
lying North of the Union Pacific Railroad right of way,
together with all water and water rights appurtenant thereto.

This Deed amends that certain Deed of Distribution dated October 5, 1992 and recorded as Instrument No. 156403 on October 7, 1992 records of Lincoln County, Idaho.

AMENDED DEED OF DISTRIBUTION

SCANNED
JAN 31 2005

Page 1 of 2

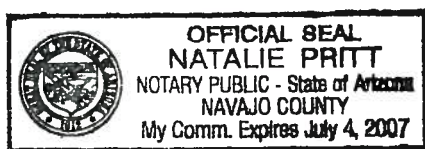
[Signature]
John F. Varin - Co-Personal Representative
of the John M. Varin Estate

[Signature]
Jerry A. Varin - Co-Personal Representative
of the John M. Varin Estate

STATE OF ARIZONA)
) SS.
County of Navajo)

On this 19th day of January, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared JERRY A. VARIN, known to me to be the person whose name is subscribed to the with instrument as the Co-Personal Representative of the Estate of JOHN M. VARIN, deceased and acknowledged to me that he executed the same as such Co-Personal Representative.

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

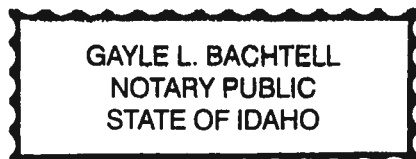


[Signature]
NOTARY PUBLIC FOR ARIZONA
Residing at: Shonw Low
Commission Expires: 7-4-07

STATE OF IDAHO)
) SS.
County of Gooding)

On this 24th day of January, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN F. VARIN, known to me to be the person whose name is subscribed to the with instrument as the Co-Personal Representative of the Estate of JOHN M. VARIN, deceased and acknowledged to me that he executed the same as such Co-Personal Representative.

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



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: Fairfield
Commission Expires: 10-15-05

Tax Notice to:

John F. Varin
P.O. Box 190
Fairfield, ID 83327

AMENDED DEED OF DISTRIBUTION

Page 2 of 2

SCANNED

JAN 31 2005

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 37-326
Date Received: 5/26/1989
Receipt No: S007361
Received By:

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

1. Name of Claimant(s)

JERRY A VARIN Phone: (208)934-5883
1842 E 1400 S
GOODING ID USA 83330

CHARVELLA VARIN Phone: (208)934-5883
1842 E 1400 S
GOODING ID USA 83330

JOHN F VARIN Phone: (208)764-2285
PO BOX 190
FAIRFIELD ID USA 83327

2. Date of Priority: 11/01/1882

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	16E	28	NW NE	LINCOLN	

5. Description of diverting works:

WINTERS #80 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.4	

7. Total Quantity Appropriated is:
0.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	16E	28	SW	NE	IRRIGATION	24
			NE	SW	IRRIGATION	38
			NW	SW	IRRIGATION	31
			SW	SW	IRRIGATION	11
			SE	SW	IRRIGATION	7.5
			NW	SE	IRRIGATION	38
			SW	SE	IRRIGATION	3.8
Section Acres						153.3
Total Acres						153.3

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

12-17-2004: AMENDED CLAIM TO ADD ACRES NORTH OF RR RIGHT OF WAY. ADDED OWNER PER TAXLOT INFORMATION. -VH

P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
ALL 3 CLAIMS IRRIG 125 ACRES WITH A TOTAL OF 2.6 CFS.

15. Basis of Claim: Decreed

16. Signature(s)

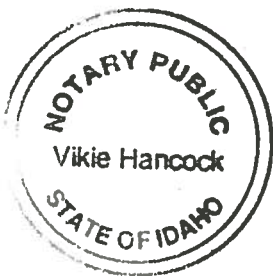
For Individuals:

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

Signature of Claimant(s): [Signature] Date: 12/17/04
_____ Date: _____

State of Idaho)
County of Adair) SS.

Subscribed and sworn (or affirmed) before me this 17th of Dec 2004
[Signature]



Notary Public
Residing at Buhl, ID
My commission Expires 5-7-2009

RECEIVED

MAR 20 1989

Department of Water Resources

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: A37-00326
Date Received: 9/27/1988
Receipt No: 5007361
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JERRY A. VARIN 208-934-5883
Address: 1842E 1400S
RT 1
GOODING, ID 83330
AND/OR
Name: CHARVELLA VARIN 208-934-5883
Address: 1842E 1400S
RT 1
GOODING, ID 83330

2. Date of Priority: NOV 01, 1882

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	16E	28	NW	NE			LINCOLN

5. Description of diverting works:
WINTERS #80 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A37-00326

Page 1

Date: 01/27/89

MICROFILMED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	7	SW	NE		IRR	24.0
			NE	SW		IRR	40.0
			NW	SW		IRR	37.0
			NW	SE		IRR	24.0
Section Acres							125.0
Total Acres							125.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
A37-00328, A37-01127

14. Remarks:
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
ALL 3 CLAIMS IRRIG 125 ACRES WITH A TOTAL OF 2.6 CFS.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

S. C. FROST, ET. AL.
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): X Jerry A. Vain Date: May 15 89
_____ Date: _____

State of Idaho)
County of JK) ss.

Subscribed and sworn (or affirmed) before me this 15th day
of March 19 89 Loni White
Notary Public

Seal

Residing at JK
My Commission Expires 5/94