

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 45-2405
Date Received: 5/26/89
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ANDERSON FARMS INC Phone: (208) 678-4314

961 S 50 W
BURLEY ID 83318

2. Date of Priority: 02/11/1952

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14S	23E	3	NW SE	CASSIA	

5. Description of diverting works:

WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.87	

7. Total Quantity Appropriated is:
1.87 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
14S	23E	3	NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	23
			SW	NW	IRRIGATION	20
			SE	NW	IRRIGATION	40
					Section Acres	123
					Total Acres	123

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

8/24/98 TF; OWNERSHIP CHANGED WYATT TO ANDERSON FARMS PER 1409(6) AND TITLE INS
POLICY

15. Basis of Claim: License

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ANDERSON FARMS INC Phone: (208) 678-4314

961 S 50 W
BURLEY ID 83318

2. Date of Priority: 02/11/1952

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14S	23E	3	NW SE	CASSIA	

5. Description of diverting works:

WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
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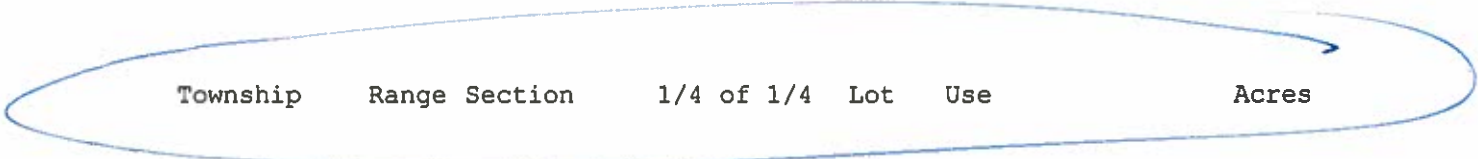
7. Total Quantity Appropriated is:
1.87 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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11. Place of use in counties:

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

13. Other Water Rights Used:

14. Remarks:

8/24/98 TF; OWNERSHIP CHANGED WYATT TO ANDERSON FARMS PER 1409(6) AND TITLE INS
POLICY

15. Basis of Claim: License

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: A45-02405
Date Received: 5/26/1989
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ANDERSON FARMS INC 208-678-4314
Address: 961 S 50 W
BURLEY ID 83318

2. Date of Priority: FEB 11, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	23E	3		NW	SE		CASSIA

5. Description of diverting works:
WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.870		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14S	23E	3	NE	NW		IRR	40.0
			NW	NW		IRR	23.0
			SW	NW		IRR	20.0
			SE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	123.0
					Total Acres	123.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

A45-00577A&B, 00578A&B, 00579A&B, 00580A&B, 00600

14. Remarks:

8/24/98 TF; OWNERSHIP CHANGED WYATT TO ANDERSON FARMS PER 1409(6)
AND TITLE INS POLICY.

15. Basis of Claim: LICENSE

Water Right Number: 22603



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

August 24, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GUY E ARNELL
ALPHA REALTY & EXCHANGE
218 W 13TH
BURLEY ID 83318

RE: SRBA Claim(s) A45-00577A, A45-00577B, A45-00578A,
A45-00578B, A45-00579A, A45-00579B, A45-00580A,
A45-00580B, A45-00600, A45-02405, A45-00586,
A45-00587, A45-00588, A45-00534

Dear Mr Arnell:

Pursuant to the change in ownership request you submitted to the Department, we have changed the record of current ownership to Anderson Farms Inc. on all the above listed claims except A45-00586. I will hold this one until the ownership of the parcel in Township 13S, Range 23E, Section 29, NWSW is resolved.

Enclosed you will find copies of the computer record of the remainder of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 12, 1998

Tina Pos
J.W. Dunford & Associates
745 Fairway Drive
Pocatello, ID 83201

Dear Ms. Pos:

I have researched the department's records relating to the land located in parts of Sections 33 and 34 (T13S, R23E) and parts of Sections 2, 3, and 4 (T14S, R23E) that you recently inquired about. I was able to find some water right records and some Snake River Basin Adjudication Claim records that appear to be appurtenant to parts of the property that you inquired about. Please find enclosed the following proof reports for your reference:

Water Right Records

45-00577A	45-00577B
45-00578A	45-00578B
45-00579A	45-00579B
45-00580A	45-00580B
45-00600	45-02405

SNAKE RIVER BASIN ADJUDICATION CLAIM RECORDS

A45-00577A	A45-00577B
A45-00578A	A45-00578B
A45-00579A	A45-00579B
A45-00580A	A45-00580B
A45-00600	A45-02405

A search through our records revealed that we have no well log records for the lands that you inquired about. If you have any questions, feel free to contact our office at your convenience.

Sincerely,

Corey Skinner, EIT
Dam Safety Section

Enclosures

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A45-02405
Date Received: 5/26/1989
Receipt No: X999999
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GRANT WYATT 208-678-2856
Address: RT 2 BOX 2174
BURLEY, ID 83318

Name: RALPH GORRINGE
Address: OAKLEY, ID 83346-0000

2. Date of Priority: FEB 11, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	23E	3	NW	SE			CASSIA

5. Description of diverting works:
WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.870		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14S	23E	3	NE		NW		IRR	40.0
			NW		NW		IRR	23.0
			SW		NW		IRR	20.0
			SE		NW		IRR	40.0
							Section Acres	123.0
							Total Acres	123.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

A45-00577A&B, 00578A&B, 00579A&B, 00580A&B, 00600

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 22603

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): Drew Hyatt Date: 5-26-89
_____ Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of May 19 89 Lois White
Notary Public

Seal

Residing at TF
My Commission Expires 5/94

MICROFILMED
MAR 08 1993



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: A45-02405
Date Received: 5/26/1989
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ANDERSON FARMS INC
Address: 961 S 50 W
BURLEY ID

208-678-4314

83318

2. Date of Priority: FEB 11, 1952

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	23E	3		NW	SE		CASSIA

5. Description of diverting works:
WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.870		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	23E	3	NE	NW		IRR	40.0
			NW	NW		IRR	23.0
			SW	NW		IRR	20.0
			SE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	123.0
					Total Acres	123.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

A45-00577A&B, 00578A&B, 00579A&B, 00580A&B, 00600

14. Remarks:

8/24/98 TF; OWNERSHIP CHANGED WYATT TO ANDERSON FARMS PER 1409(6)
AND TITLE INS POLICY.

15. Basis of Claim: LICENSE

Water Right Number: 22603

RECEIVED

AUG 20 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Southern Region

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.

- Water Right No(s): A45-00577A, A45-00577B, A45-00578A, A45-00578B } Gw
 Adjudication Claim No(s): A45-00579A, A45-00579B, A45-00580A, A45-00580B } H&E, Inc.
A45-00600, A45-02405
A45-00586, A45-00587, A45-00588, A45-00534 } H&E, Inc.
- The following REQUIRED information must be submitted with this form:
 - 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
 - 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
 - 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.
- Name and Address of Former Owner/Claimant
GRANT WYATT RT2 BOX 2174 BURLEY, ID 83318
H&E, INC. 187250 SO EAST OAKLEY, ID. 83346
- New Owner/Claimant(s)
ANDERSON FARMS, INC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address RT 2 BOX 2451 961 SO. 50 WEST
 City, State and ZIP Code BURLEY, ID 83318 678-4314
 New Telephone Number (208) 678-4314 431-4433
- Date you acquired the property April 1942 for H&E, Inc AND 5/96 for GRANT WYATT PREC.
- 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 N/A Number and type of stock N/A
 Diversion rate in CFS N/A Number of homes NONE Other uses NONE
 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.
- Signature of New Owner or Claimant(s)
ANDERSON FARMS, INC
J. R. L. A. -
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
- 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..

Anderson Farms, Inc

R. Trent Anderson – President

Dee Anderson – Secretary

The two persons listed above constitute the entire list of officers and directors of Anderson Farms, Inc.

R. Trent Anderson has the authority to sign for any corporation business.

COMMONWEALTH LAND TITLE INSURANCE COMPANY

ALTA LOAN POLICY

SCHEDULE A

FILE NO.	POLICY NO.	DATE OF POLICY	AMOUNT	PREMIUM
27028	554-956698	May 30, 1996 at 11:28 A.M.	~~0.00~~	~~0.00~~

1. Name of Insured:

FIRST TRUST NATIONAL ASSOCIATION, AS CUSTODIAN/TRUSTEE

2. The estate or interest in the land which is encumbered by the insured MORTGAGE is:

FEE SIMPLE: PARCELS 1, 2, 3, 8 & 9
EASEMENT PARCEL: PARCELS 4, 5, 6 & 7

3. Title to the estate or interest in the land is vested in:

ANDERSON FARMS, INC., an Idaho Corporation

4. The insured MORTGAGE and assignments thereof, if any, are described as follows:

A Mortgage to secure payment of a note for ~~\$1,000,000.00~~, and any other amounts as therein provided, together with interest and any other obligations secured thereby:

Recorded: May 29, 1996 as Instrument No. 243050 on Film No. 277, records of Cassia County, Idaho.

Dated: May 2, 1996

Mortgagor: Anderson Farms, Inc., an Idaho corporation

Mortgagee: North Cascades National Bank, a national banking association, and its successors and assigns

ASSIGNED TO: First Trust National Association, as Custodian Trustee by an Assignment of Mortgage from North Cascades National Bank, dated May 9, 1996 and recorded May 29, 1996 as Instrument No. 243051 on Film No. 277, records of Cassia County, Idaho.

5. The land referred to in this Policy is described as set forth in the insured MORTGAGE, is situated in the County of CASSIA, State of Idaho, and is identified as follows:

SEE SCHEDULE A, PAGES 2, 3, 4 & 5

LAND TITLE AND ESCROW, INC.

Countersigned: _____

Authorized Officer or Agent

This Policy is valid only if Schedule B is attached.

CONTINUATION

SCHEDULE A

Policy Number: 554-956698

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

- Section 19: Lot 1 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and the SE $\frac{1}{4}$ NE $\frac{1}{4}$
- Section 20: SE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 21: SW $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$
- Section 28: W $\frac{1}{2}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ EXCEPT the following described parcel:

Beginning at the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 28, said point marked by a 5/8 inch rebar; thence South 0°02' East (Basis of Bearing) along section line for 10.70 feet to a 1/2 inch rebar which shall be the Point of Beginning;

Thence South 88°40'47" East for 490.61 feet to a 1/2 inch rebar on centerline of a county road;

Thence South 54°52'09" West along said county road centerline for 599.47 feet to a 1/2 inch rebar on section line;

Thence North 0°02' West along said section line for 356.36 feet to the Point of Beginning.

EXCEPTING THEREFROM the following described parcel of land:

Beginning at the Southwest corner of said Section 28, said corner marked by a 5/8" rebar; Thence North 0°02'00" West along section line for 1316.56 feet to a 1/2" rebar, said rebar lying South 0°02'00" East for 10.70 feet from the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$; Thence South 88°40'07" East for 313.96 feet to a 1/2" rebar which shall be the Point of Beginning;

Thence North 00°37'13" East for a distance of 1348.96 feet to a 1/2" rebar; Thence South 89°27'28" East for a distance of 183.99 feet to a 1/2" rebar on the approximate centerline of a county road;

Thence South 21°47'38" East along the approximate centerline of said county road for a distance of 324.41 feet to a 1/2" rebar;

Thence South 11°13'53" East along the approximate centerline of said county road for a distance of 217.58 feet to a 1/2" rebar;

Thence South 01°32'50" East along the approximate centerline of said county road for a distance of 123.16 feet to a 1/2" rebar;

-Continued-

CONTINUATION

SCHEDULE A

Policy Number: 554-956698

Thence South 13°07'24" West along the approximate centerline of said county road for a distance of 614.48 feet to a ½" rebar;
Thence South 22°54'21" West along the approximate centerline of said county road for a distance of 124.91 feet to a ½" rebar;
Thence North 88°40'07" West for a distance of 176.65 feet to the Point of Beginning.

Section 29: NE¼, N½SE¼, E½NW¼ and the NE¼SW¼

PARCEL NO. 2:

TOWNSHIP 13 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 28: SE¼SW¼

PARCEL NO. 3:

TOWNSHIP 13 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: W½NW¼

Section 28: E½NE¼

PARCEL NO. 4:

Easement for the benefit of Parcel No. 1 for Well, Ditch, and/or Pipeline as created by Instrument between Howard McIntosh and Alta McIntosh, husband and wife, and H & E, Inc., an Idaho corporation, dated July 17, 1983 and recorded July 20, 1983 as Instrument No. 153543 on Film No. 158, records of Cassia County, Idaho, on, under and across the following lands:

TOWNSHIP 13 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 28: A parcel of land formed with a radius of 20 feet with the center thereof being the well owned by H & E and together with a strip of land 30 feet in width from said well North to the North boundary line of the SW¼SE¼ of said Section 28, and extending South to the South boundary line of said Section 28.

-Continued-

CONTINUATION

SCHEDULE A

Policy Number: 554-956698

PARCEL NO. 5:

An Easement for the benefit of Parcel No. 1 for the purpose of conveying water from a well located in Section 3, Township 14 South, Range 23 East of the Boise Meridian, as created by Instrument entitled Joint Use, Operation and Maintenance Agreement, between Tommy C. Gorringer, Carl Gorringer & Sons, a partnership and H & E, Inc., an Idaho corporation, dated July 12, 1983 and recorded July 20, 1983 as Instrument No. 153544 on Film No. 158, records of Cassia County, Idaho, on, under and across the following lands:

TOWNSHIP 13 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 14 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 3: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 4: NE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 6:

An easement and right of way for the benefit of Parcel No. 1 to construct, reconstruct, operate, remove, repair and maintain an underground irrigation pipeline, as created by Instrument entitled Easement from Oakley Highway District, to H & E, Inc., an Idaho corporation, dated July 17, 1983 and recorded July 20, 1983 as Instrument No. 153545 on Film No. 158, records of Cassia County, Idaho, in, over, across and through the following described property:

(a) A thirty (30) foot strip of ground extending East and West across the public road that exists or that may exist between the Northeast Quarter Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 29, Township 13 South, Range 23 East, Boise Meridian, and the Northwest Quarter Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 28, Township 13 South, Range 23 East, Boise Meridian.

(b) A Thirty (30) foot strip of ground extending North and South across the public road that exists or may exist in the Southwest Quarter Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 33, Township 13 South, Range 23 East, Boise Meridian.

-Continued-

CONTINUATION
SCHEDULE A

Policy Number: 554-956698

PARCEL NO. 7:

Easement for the benefit of Parcel No. 1 for the purpose of installing, maintaining, repairing and/or replacing a pipeline for the purpose of conveying water, as created by Instrument entitled Easement for Pipeline, between LeRoy Fairchild, a single man, Ruth Fairchild, a widow, and H & E Inc., an Idaho corporation, dated July 12, 1983 and recorded July 20, 1983 as Instrument No. 153546 on Film No. 158, records of Cassia County, Idaho, on, under and across the following lands:

TOWNSHIP 13 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 28: SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 33: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL NO. 8:

TOWNSHIP 13 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 34: SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$

TOWNSHIP 14 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2: SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 3: Lots 2, 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$

Section 4: Lot 1

PARCEL NO. 9:

TOWNSHIP 13 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 28: E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$

ALTA LOAN POLICY

SCHEDULE B

EXCEPTIONS FROM COVERAGE

Policy Number: 554-956698

This Policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

GENERAL (STANDARD) EXCEPTIONS:

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession, or claiming to be in possession, thereof.
2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey of the land would disclose, and which are not shown by the public records.
4. Any lien, or right to a lien, imposed by law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.
5. Taxes or assessments which are not now payable or which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
6. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.

SPECIAL EXCEPTIONS

8. Taxes for 1996 and subsequent years, a lien, but not yet due or payable.

CONTINUATION

SCHEDULE B

Policy Number: 554-956698

9. Power Line Easement from Edward V. Gorringer and Marian Gorringer, husband and wife, to Idaho Power Company, an Idaho corporation, dated June 25, 1952 and recorded February 5, 1954 as Instrument No. 181259 in Book 15 of Miscellaneous, Page 85, records of Cassia County, Idaho, over and across the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Township 14 South, Range 23 East of the Boise Meridian.
10. Power Line Easement from Herschel Bedke and Ethel Bedke, his wife, to Idaho Power Company, a corporation, dated May 24, 1961, recorded July 5, 1961, as Instrument No. 2378 on Film No. 7, records of Cassia County, Idaho, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, Township 13 South, Range 23, East Boise Meridian.
11. Water Pipeline Easement from Carl Gorringer and Mildred Gorringer, husband and wife, and Ralph Gorringer and Lorraine Gorringer, husband and wife, to H & E Inc., an Idaho Corporation, dated July 27, 1968 and recorded July 31, 1968 as Instrument No. 42136 on Film No. 57, records of Cassia County, Idaho, over and across the S $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 14 South Range 23 East of the Boise Meridian, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 14 South, Range 23 East of the Boise Meridian.
12. Power Line Easement from Mac Martin, Ray Anderson and Margene Anderson, his wife, to Idaho Power Company, a corporation, dated February 7, 1974 recorded April 25, 1974 as Instrument No. 76319 on Film No. 88, records of Cassia County, Idaho, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the North 50 feet of the SW $\frac{1}{4}$ of Section 8, Township 12 South, Range 23, East Boise Meridian.
13. Power Line Easement from H & E. Inc., to Idaho Power Company, a corporation, dated October 19, 1977, recorded January 20, 1978, as Instrument No. 104348 on Film No. 114, records of Cassia County, Idaho, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, Township 13 South, Range 23, East Boise Meridian.
14. Effect, if any, of State of Idaho Lease No. OG-0357, notice of which given by Assignment of Mineral, Oil and Gas, and/or Geothermal Resource Lease(s) from Steven W. Davis and Karen M. Davis, spouse, to Bridger Energy Associates, dated November 24, 1981 and recorded March 11, 1982 as Instrument No. 141700 on Film No. 148, records of Cassia County, Idaho. (Affects the NE $\frac{1}{4}$ & E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 28, Township 13 South, Range 23 E.B.M.)

-Continued-

CONTINUATION

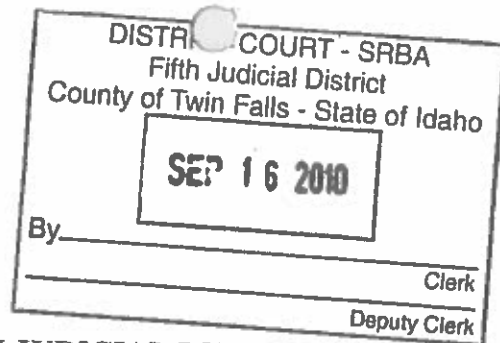
SCHEDULE B

Policy Number: 554-956698

15. Terms and Conditions contained in Easement for Well, Ditch and/or Pipeline between Howard McIntosh, contracting as and with his sole and separate property, and H & E, Inc., an Idaho corporation, dated July 17, 1983, and recorded July 20, 1983, as Instrument No. 153543, on Film No. 158, records of Cassia County, Idaho. (Parcel No. 1)
16. Terms and Conditions contained in Joint Use, Operation and Maintenance Agreement between Tommy C. Gorringer, a married man, contracting with his sole and separate property, and Carl Gorringer & Sons, a partnership, and H & E, Inc., an Idaho corporation, dated July 12, 1983, and recorded July 20, 1983, as Instrument No. 153544 on Film No. 158, records of Cassia County, Idaho. (Parcel No. 1 & SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33 Township 13, Range 23 E.B.M.)
17. Terms and Conditions contained in Easement between Oakley Highway District, and H & E, Inc., an Idaho corporation, dated July 17, 1983, and recorded July 20, 1983, as Instrument No. 153545 on Film No. 158, records of Cassia County, Idaho. (Parcel No. 1)
18. Terms and Conditions contained in Easement for Pipeline between LeRoy Fairchild, a single man, and Ruth Fairchild, a widow, and H & E, Inc., an Idaho corporation, dated July 12, 1983, and recorded July 20, 1983, as Instrument No. 153546 on Film No. 158, records of Cassia County, Idaho. (Parcels No. 1 & 2)
19. Power Line Easement from Robert L. Bedke, dba H & E Inc. to Idaho Power Company, a corporation, its licensees, successors and assigns, recorded October 20, 1994, as Instrument No. 233514 on Film No. 260, records of Cassia County, Idaho, over and across NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Township 13 South, Range 23, East Boise Meridian.
20. Underground Power Line Easement from R. Trent Anderson - Anderson Farms, Inc. to Idaho Power Company, a corporation, recorded March 27, 1995, as Instrument No. 235819 on Film No. 264, records of Cassia County, Idaho, over and across NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Township 13 South, Range 23, East Boise Meridian.

END OF SCHEDULE B

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 SRBA

Case No. 39576

Subcase No: 45-2405 45-2406,
45-2661, 45-12928, 45-12930

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒ Change in Ownership

☒ Point of Diversion

☐ Period of Use

☐ Split of Water Right

☒ Place of Use

☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 9/14/10

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 9-16, 2010, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724

E Eugene Matthews
Heidi Matthews
1249 S Hwy 27
Oakley ID 83346

Anderson Farms
271 W Hwy 30
Burley ID 83318



Signature of person or attorney mailing the form

09/09/2010

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

RIGHT NUMBER: 45-2405

NAME AND ADDRESS: HEIDI F MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

E EUGENE MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

SOURCE:

TRIBUTARY:

QUANTITY: 1.870 CFS
492.00 AFY

Rights 45-2405 and 45-12928 when combined shall not exceed a total diversion rate of 1.87 cfs, a total annual maximum diversion volume of 492.0 af at the field headgate.

PRIORITY DATE: 02/11/1952

POINT OF
DIVERSION:

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

PLACE OF USE:

1.870 CFS
492.00 AFY

This right is limited to the irrigation of 123.0 acres within the place of use described above in a single irrigation season.

Rights 45-2405 and 45-12928 when combined shall not exceed the irrigation of 238 acres.

Rights 45-2405, 45-12928, 45-577A, 45-577B, 45-578A, 45-578B, 45-579A, 45-579B, 45-580A, 45-580B, 45-600, and 45-12927 when combined shall not exceed the irrigation of 238.0 acres.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right 45-12928 is an expansion of Right 45-2405 pursuant to Sec. 42-1416B, Idaho Code.

09/15/2010

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

The following are the same for all water rights included in this notice and are in addition to the water right elements and conditions shown on the previous page.

RIGHT NUMBER:

NAME AND ADDRESS: HEIDI F MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

E EUGENE MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

QUANTITY:

Prior to the diversion and use of water under Transfer approval 66132, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.

Rights 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed a total diversion rate of 4.56 cfs, a total annual maximum diversion volume of 1212.0 af at the field headgate.

PRIORITY DATE:

POINT OF
DIVERSION:

T13S R23E S28 SENESW Within CASSIA County
T14S R23E S3 SWNWSE Within CASSIA County

Rights 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 are diverted through the point(s) of diversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	

PLACE OF USE:

IRRIGATION in CASSIA County						
T13S R23E S20	SENE	32.00	T13S R23E S20	SESW	35.00	
T13S R23E S20	NESE	32.00	T13S R23E S20	NWSE	35.00	
T13S R23E S20	SWSE	32.00	T13S R23E S21	SWNW	40.00	
T13S R23E S21	NWSW	40.00	T13S R23E S21	SWSW	40.00	

T13S R23E S28	NWNE	34.00	T13S R23E S28	SWNE	33.00
T13S R23E S28	NENW	33.00	T13S R23E S28	NWNW	11.00
T13S R23E S28	SWNW	5.50	T13S R23E S28	SENE	34.00
T13S R23E S28	NESW	38.00	T13S R23E S28	NWSW	29.00
T13S R23E S28	SWSW	35.00	T13S R23E S28	SESW	35.00
T13S R23E S28	NWSE	36.00	T13S R23E S29	NENE	4.40
T13S R23E S29	NWNE	35.00	T13S R23E S29	SWNE	39.00
T13S R23E S29	SENE	38.00	T13S R23E S29	NENW	34.00
T13S R23E S29	SENE	35.00	T13S R23E S29	NESW	35.00
T13S R23E S29	NESE	40.00	T13S R23E S29	NWSE	36.00

905.9 ACRES TOTAL

Rights 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed the irrigation of 527.2 acres.

Rights 45-14216, 45-586, 45-587, 45-588, 45-12929, 45-577A, 45-577B, 45-578A, 45-578B, 45-579A, 45-579B, 45-580A, 45-580B, 45-600, 45-12927, 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed the irrigation of 527.2 acres within the place of use in a single irrigation season. The specific 527.2 acres to be irrigated by the right holder shall be identified prior to each irrigation season by submitting to IDWR a land list and a representative electronic shape file or a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights.

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

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.

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.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

The use of this right is subject to the Amended Order Amending Transfer Approval dated July 20, 2010 with additional conditions as follows:

1. The use of water is subject to the attached IRRIGATION PLAN.
 - 1.1 Prior to August 31, 2010 the applicant shall report directly to the Department and the watermaster of Water District 140 the location of the 527.2 acres initially irrigated from March 15, 2010 to August 31, 2010. The applicant shall also report that portion of the 527.2 acres intended to be dried up (defined as A acres under the plan) in exchange for irrigation of other lands between September 1 and November 15 of 2010 (defined as B acres under the plan) necessary to prepare soil for tilling, for application of chemicals, or for establishing fall planting.
 - 1.2 Beginning in 2011 and for each successive year, the applicant shall report directly to the Department and the watermaster of Water District 140 prior to May 1, the location of the 527.2 acres of crops that will be irrigated between March 15 and August 31. The applicant shall also report prior to August 31, the location and number of the A acres (that portion of the 527.2 acres to be dried up on or before August 31), and the number and location of the B acres (the acres to be irrigated in the fall between September 1 and November 15).
 - 1.3 Identification or reporting to the Department and the Water District 140 watermaster of the 527.2 cropped acres, the A acres, and the B acres shall be in the form of a land list and a map sufficiently detailed to allow creation of an electronic shape file.
 - 1.4 The total number of B acres shall not exceed the number of A acres in any irrigation season.
 - 1.5 Application of water to B acres in the fall is limited to water necessary to prepare soil for tilling, for application of chemicals, or for establishing fall planting. Application of water to B acres shall not

provide water to irrigate crops for harvest in the same fall. Application of water to B acres in the fall shall not exceed two applications or sets of water.

1.6 The B acres identified for fall irrigation in any year shall be included in the 527.2 cropped acres for the subsequent season.

1.7 The watermaster of Water District 140 shall monitor the place of use and regulate the use of water under the approved transfers pursuant to these conditions of approval. The watermaster of Water District 140 shall coordinate delivery and regulation with the watermaster of Water District 45-A of the surface water rights covered by transfer No. 66133.

1.8 Original conditions of approval associated with transfer No. 66132 and transfer No. 66133 that are in the standard form of: This right is limited to the irrigation of ### acres within the place of use described above in a single irrigation season. shall be amended to the form of: This right is limited to the irrigation of ### acres within the place of use described above in accordance with the attached Irrigation Plan.

2. Failure to adhere to the conditions of use and timelines set forth on the IRRIGATION PLAN shall be cause for this amended approval to be revoked with prejudice and the transfers to revert back to the approval established in the orders dated December 2, 2009.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

09/09/2010

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

RIGHT NUMBER: 45-2406
NAME AND ADDRESS: E EUGENE MATTHEWS
1249 S HWY 27
OAKLEY ID 83346
HEIDI F MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

SOURCE:

TRIBUTARY:

QUANTITY: 1.870 CFS
480.00 AFY

Rights 45-2406, 45-2661 and 45-12930 when combined shall not exceed a total diversion rate of 2.69 cfs and a total annual maximum diversion volume of 720.0 af at the field headgate.

PRIORITY DATE: 02/11/1952

POINT OF
DIVERSION:

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

PLACE OF USE:

1.870 CFS
480.00 AFY

Rights 45-2406, 45-2661 and 45-12930 when combined shall not exceed the irrigation of 289.2 acres.

Rights 45-2406 and 45-2661 when combined shall not exceed the irrigation of 180 acres.

Rights 45-2406, 45-2661, 45-12930, 45-14216, 45-586, 45-587, 45-588, and 45-12929 when combined shall not exceed the irrigation of 289.2 acres.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right 45-12930 is an expansion of Rights 45-2406 and 45-2661 pursuant to Sec. 42-1416B, Idaho Code.

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

The following are the same for all water rights included in this notice and are in addition to the water right elements and conditions shown on the previous page.

RIGHT NUMBER:

NAME AND ADDRESS: HEIDI F MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

E EUGENE MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

SOURCE:

GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

QUANTITY:

Prior to the diversion and use of water under Transfer approval 66132, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.

Rights 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed a total diversion rate of 4.56 cfs, a total annual maximum diversion volume of 1212.0 af at the field headgate.

PRIORITY DATE:

POINT OF
DIVERSION:

T13S R23E S28 SENESW Within CASSIA County
T14S R23E S3 SWNWSE Within CASSIA County

Rights 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 are diverted through the point(s) of diversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

PLACE OF USE:

IRRIGATION in CASSIA County

T13S R23E S20	SENE	32.00	T13S R23E S20	SESW	35.00
T13S R23E S20	NESE	32.00	T13S R23E S20	NWSE	35.00
T13S R23E S20	SWSE	32.00	T13S R23E S21	SWNW	40.00
T13S R23E S21	NWSW	40.00	T13S R23E S21	SWSW	40.00

T13S R23E S28	NWNE	34.00	T13S R23E S28	SWNE	33.00
T13S R23E S28	NENW	33.00	T13S R23E S28	NWNW	11.00
T13S R23E S28	SWNW	5.50	T13S R23E S28	SENW	34.00
T13S R23E S28	NESW	38.00	T13S R23E S28	NWSW	29.00
T13S R23E S28	SWSW	35.00	T13S R23E S28	SESW	35.00
T13S R23E S28	NWSE	36.00	T13S R23E S29	NENE	4.40
T13S R23E S29	NWNE	35.00	T13S R23E S29	SWNE	39.00
T13S R23E S29	SENE	38.00	T13S R23E S29	NENW	34.00
T13S R23E S29	SENW	35.00	T13S R23E S29	NESW	35.00
T13S R23E S29	NESE	40.00	T13S R23E S29	NWSE	36.00

905.9 ACRES TOTAL

Rights 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed the irrigation of 527.2 acres.

Rights 45-14216, 45-586, 45-587, 45-588, 45-12929, 45-577A, 45-577B, 45-578A, 45-578B, 45-579A, 45-579B, 45-580A, 45-580B, 45-600, 45-12927, 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed the irrigation of 527.2 acres within the place of use in a single irrigation season. The specific 527.2 acres to be irrigated by the right holder shall be identified prior to each irrigation season by submitting to IDWR a land list and a representative electronic shape file or a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights.

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

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.

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.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

The use of this right is subject to the Amended Order Amending Transfer Approval dated July 20, 2010 with additional conditions as follows:

1. The use of water is subject to the attached IRRIGATION PLAN.
 - 1.1 Prior to August 31, 2010 the applicant shall report directly to the Department and the watermaster of Water District 140 the location of the 527.2 acres initially irrigated from March 15, 2010 to August 31, 2010. The applicant shall also report that portion of the 527.2 acres intended to be dried up (defined as A acres under the plan) in exchange for irrigation of other lands between September 1 and November 15 of 2010 (defined as B acres under the plan) necessary to prepare soil for tilling, for application of chemicals, or for establishing fall planting.
 - 1.2 Beginning in 2011 and for each successive year, the applicant shall report directly to the Department and the watermaster of Water District 140 prior to May 1, the location of the 527.2 acres of crops that will be irrigated between March 15 and August 31. The applicant shall also report prior to August 31, the location and number of the A acres (that portion of the 527.2 acres to be dried up on or before August 31), and the number and location of the B acres (the acres to be irrigated in the fall between September 1 and November 15).
 - 1.3 Identification or reporting to the Department and the Water District 140 watermaster of the 527.2 cropped acres, the A acres, and the B acres shall be in the form of a land list and a map sufficiently detailed to allow creation of an electronic shape file.
 - 1.4 The total number of B acres shall not exceed the number of A acres in any irrigation season.
 - 1.5 Application of water to B acres in the fall is limited to water necessary to prepare soil for tilling, for application of chemicals, or for establishing fall planting. Application of water to B acres shall not

provide water to irrigate crops for harvest in the same fall. Application of water to B acres in the fall shall not exceed two applications or sets of water.

1.6 The B acres identified for fall irrigation in any year shall be included in the 527.2 cropped acres for the subsequent season.

1.7 The watermaster of Water District 140 shall monitor the place of use and regulate the use of water under the approved transfers pursuant to these conditions of approval. The watermaster of Water District 140 shall coordinate delivery and regulation with the watermaster of Water District 45-A of the surface water rights covered by transfer No. 66133.

1.8 Original conditions of approval associated with transfer No. 66132 and transfer No. 66133 that are in the standard form of: This right is limited to the irrigation of ### acres within the place of use described above in a single irrigation season, shall be amended to the form of: This right is limited to the irrigation of ### acres within the place of use described above in accordance with the attached Irrigation Plan.

2. Failure to adhere to the conditions of use and timelines set forth on the IRRIGATION PLAN shall be cause for this amended approval to be revoked with prejudice and the transfers to revert back to the approval established in the orders dated December 2, 2009.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

09/09/2010

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

RIGHT NUMBER: 45-2661
NAME AND ADDRESS: E EUGENE MATTHEWS
1249 S HWY 27
OAKLEY ID 83346
HEIDI F MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

SOURCE:

TRIBUTARY:

QUANTITY: 0.820 CFS
276.00 AFY

Rights 45-2406, 45-2661 and 45-12930 when combined shall not exceed a total diversion rate of 2.69 cfs and a total annual maximum diversion volume of 720.0 af at the field headgate.

PRIORITY DATE: 07/11/1961

POINT OF
DIVERSION:

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

PLACE OF USE:

0.820 CFS
276.00 AFY

Rights 45-2406, 45-2661 and 45-12930 when combined shall not exceed the irrigation of 289.2 acres.

This right is limited to the irrigation of 69.0 acres within the place of use described above in a single irrigation season.

Rights 45-2406, 45-2661, 45-12930, 45-14216, 45-586, 45-587, 45-588, and 45-12929 when combined shall not exceed the irrigation of 289.2 acres.

Rights 45-2406 and 45-2661 when combined shall not exceed the irrigation of 180 acres.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right 45-12930 is an expansion of Rights 45-2406 and 45-2661 pursuant to Sec. 42-1416B, Idaho Code.

09/15/2010

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

The following are the same for all water rights included in this notice and are in addition to the water right elements and conditions shown on the previous page.

RIGHT NUMBER:

NAME AND ADDRESS: HEIDI F MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

E EUGENE MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

SOURCE:

GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

QUANTITY:

Prior to the diversion and use of water under Transfer approval 66132, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.

Rights 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed a total diversion rate of 4.56 cfs, a total annual maximum diversion volume of 1212.0 af at the field headgate.

PRIORITY DATE:

POINT OF
DIVERSION:

T13S R23E S28 SENESW Within CASSIA County
T14S R23E S3 SNNWSE Within CASSIA County

Rights 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 are diverted through the point(s) of diversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	

PLACE OF USE:

<u>IRRIGATION in CASSIA County</u>					
T13S R23E S20	SENE	32.00	T13S R23E S20	SESW	35.00
T13S R23E S20	NESE	32.00	T13S R23E S20	NWSE	35.00
T13S R23E S20	SWSE	32.00	T13S R23E S21	SNNW	40.00
T13S R23E S21	NWSW	40.00	T13S R23E S21	SWSW	40.00

T13S R23E S28	NWNE	34.00	T13S R23E S28	SWNE	33.00
T13S R23E S28	NENW	33.00	T13S R23E S28	NWNW	11.00
T13S R23E S28	SWNW	5.50	T13S R23E S28	SENE	34.00
T13S R23E S28	NESW	38.00	T13S R23E S28	NWSW	29.00
T13S R23E S28	SWSW	35.00	T13S R23E S28	SESW	35.00
T13S R23E S28	NWSE	36.00	T13S R23E S29	NENE	4.40
T13S R23E S29	NWNE	35.00	T13S R23E S29	SWNE	39.00
T13S R23E S29	SENE	38.00	T13S R23E S29	NENW	34.00
T13S R23E S29	SENE	35.00	T13S R23E S29	NESW	35.00
T13S R23E S29	NESE	40.00	T13S R23E S29	NWSE	36.00

905.9 ACRES TOTAL

Rights 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed the irrigation of 527.2 acres.

Rights 45-14216, 45-586, 45-587, 45-588, 45-12929, 45-577A, 45-577B, 45-578A, 45-578B, 45-579A, 45-579B, 45-580A, 45-580B, 45-600, 45-12927, 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed the irrigation of 527.2 acres within the place of use in a single irrigation season. The specific 527.2 acres to be irrigated by the right holder shall be identified prior to each irrigation season by submitting to IDWR a land list and a representative electronic shape file or a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights.

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

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.

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.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

The use of this right is subject to the Amended Order Amending Transfer Approval dated July 20, 2010 with additional conditions as follows:

1. The use of water is subject to the attached IRRIGATION PLAN.
- 1.1 Prior to August 31, 2010 the applicant shall report directly to the Department and the watermaster of Water District 140 the location of the 527.2 acres initially irrigated from March 15, 2010 to August 31, 2010. The applicant shall also report that portion of the 527.2 acres intended to be dried up (defined as A acres under the plan) in exchange for irrigation of other lands between September 1 and November 15 of 2010 (defined as B acres under the plan) necessary to prepare soil for tilling, for application of chemicals, or for establishing fall planting.
- 1.2 Beginning in 2011 and for each successive year, the applicant shall report directly to the Department and the watermaster of Water District 140 prior to May 1, the location of the 527.2 acres of crops that will be irrigated between March 15 and August 31. The applicant shall also report prior to August 31, the location and number of the A acres (that portion of the 527.2 acres to be dried up on or before August 31), and the number and location of the B acres (the acres to be irrigated in the fall between September 1 and November 15).
- 1.3 Identification or reporting to the Department and the Water District 140 watermaster of the 527.2 cropped acres, the A acres, and the B acres shall be in the form of a land list and a map sufficiently detailed to allow creation of an electronic shape file.
- 1.4 The total number of B acres shall not exceed the number of A acres in any irrigation season.
- 1.5 Application of water to B acres in the fall is limited to water necessary to prepare soil for tilling, for application of chemicals, or for establishing fall planting. Application of water to B acres shall not

provide water to irrigate crops for harvest in the same fall. Application of water to 8 acres in the fall shall not exceed two applications or sets of water.

1.6 The 8 acres identified for fall irrigation in any year shall be included in the 527.2 cropped acres for the subsequent season.

1.7 The watermaster of Water District 140 shall monitor the place of use and regulate the use of water under the approved transfers pursuant to these conditions of approval. The watermaster of Water District 140 shall coordinate delivery and regulation with the watermaster of Water District 45-A of the surface water rights covered by transfer No. 66133.

1.8 Original conditions of approval associated with transfer No. 66132 and transfer No. 66133 that are in the standard form of: This right is limited to the irrigation of ### acres within the place of use described above in a single irrigation season. shall be amended to the form of: This right is limited to the irrigation of ### acres within the place of use described above in accordance with the attached Irrigation Plan.

2. Failure to adhere to the conditions of use and timelines set forth on the IRRIGATION PLAN shall be cause for this amended approval to be revoked with prejudice and the transfers to revert back to the approval established in the orders dated December 2, 2009.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

09/09/2010

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

RIGHT NUMBER: 45-12928

NAME AND ADDRESS: E EUGENE MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

HEIDI F MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

SOURCE:

TRIBUTARY:

QUANTITY: 0.900 CFS

Rights 45-2405 and 45-12928 when combined shall not exceed a total diversion rate of 1.87 cfs and a total annual maximum diversion volume of 492.0 af at the field headgate.

PRIORITY DATE: 06/30/1985

POINT OF
DIVERSION:

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

0.900 CFS

PLACE OF USE:

This right is limited to the irrigation of 115.0 acres within the place of use described above in a single irrigation season.

Rights 45-2405 and 45-12928 when combined shall not exceed the irrigation of 238 acres.

Rights 45-2405, 45-12928, 45-577A, 45-577B, 45-578A, 45-578B, 45-579A, 45-579B, 45-580A, 45-580B, 45-600, and 45-12927 when combined shall not exceed the irrigation of 238.0 acres.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right 45-12928 is an expansion of Right 45-2405 pursuant to Sec. 42-1416B, Idaho Code.

09/15/2010

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

The following are the same for all water rights included in this notice and are in addition to the water right elements and conditions shown on the previous page.

RIGHT NUMBER:

NAME AND ADDRESS: HEIDI F MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

E EUGENE MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

SOURCE:

GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

QUANTITY:

Prior to the diversion and use of water under Transfer approval 66132, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.

Rights 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed a total diversion rate of 4.56 cfs, a total annual maximum diversion volume of 1212.0 af at the field headgate.

PRIORITY DATE:

POINT OF
DIVERSION:

T13S R23E S28 SENESW Within CASSIA County

T14S R23E S3 SWNWSE Within CASSIA County

Rights 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 are diverted through the point(s) of diversion described above.

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

03/15 11/15

PLACE OF USE:

IRRIGATION in CASSIA County

T13S R23E S20	SENE	32.00	T13S R23E S20	SESW	35.00
T13S R23E S20	NESE	32.00	T13S R23E S20	NWSE	35.00
T13S R23E S20	SWSE	32.00	T13S R23E S21	SWNW	40.00
T13S R23E S21	NWSW	40.00	T13S R23E S21	SWSW	40.00

T13S R23E S28	NWNE	34.00	T13S R23E S28	SWNE	33.00
T13S R23E S28	NENW	33.00	T13S R23E S28	NWNW	11.00
T13S R23E S28	SWNW	5.50	T13S R23E S28	SENW	34.00
T13S R23E S28	NESW	38.00	T13S R23E S28	NWSW	29.00
T13S R23E S28	SWSW	35.00	T13S R23E S28	SESW	35.00
T13S R23E S28	NWSE	36.00	T13S R23E S29	NENE	4.40
T13S R23E S29	NWNE	35.00	T13S R23E S29	SWNE	39.00
T13S R23E S29	SENE	38.00	T13S R23E S29	NENW	34.00
T13S R23E S29	SENW	35.00	T13S R23E S29	NESW	35.00
T13S R23E S29	NESE	40.00	T13S R23E S29	NWSE	36.00

905.9 ACRES TOTAL

Rights 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed the irrigation of 527.2 acres.

Rights 45-14216, 45-586, 45-587, 45-588, 45-12929, 45-577A, 45-577B, 45-578A, 45-578B, 45-579A, 45-579B, 45-580A, 45-580B, 45-600, 45-12927, 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed the irrigation of 527.2 acres within the place of use in a single irrigation season. The specific 527.2 acres to be irrigated by the right holder shall be identified prior to each irrigation season by submitting to IDWR a land list and a representative electronic shape file or a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights.

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

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.

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.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

The use of this right is subject to the Amended Order Amending Transfer Approval dated July 20, 2010 with additional conditions as follows:

1. The use of water is subject to the attached IRRIGATION PLAN.
 - 1.1 Prior to August 31, 2010 the applicant shall report directly to the Department and the watermaster of Water District 140 the location of the 527.2 acres initially irrigated from March 15, 2010 to August 31, 2010. The applicant shall also report that portion of the 527.2 acres intended to be dried up (defined as A acres under the plan) in exchange for irrigation of other lands between September 1 and November 15 of 2010 (defined as B acres under the plan) necessary to prepare soil for tilling, for application of chemicals, or for establishing fall planting.
 - 1.2 Beginning in 2011 and for each successive year, the applicant shall report directly to the Department and the watermaster of Water District 140 prior to May 1, the location of the 527.2 acres of crops that will be irrigated between March 15 and August 31. The applicant shall also report prior to August 31, the location and number of the A acres (that portion of the 527.2 acres to be dried up on or before August 31), and the number and location of the B acres (the acres to be irrigated in the fall between September 1 and November 15).
 - 1.3 Identification or reporting to the Department and the Water District 140 watermaster of the 527.2 cropped acres, the A acres, and the B acres shall be in the form of a land list and a map sufficiently detailed to allow creation of an electronic shape file.
 - 1.4 The total number of B acres shall not exceed the number of A acres in any irrigation season.
 - 1.5 Application of water to B acres in the fall is limited to water necessary to prepare soil for tilling, for application of chemicals, or for establishing fall planting. Application of water to B acres shall not

provide water to irrigate crops for harvest in the same fall. Application of water to B acres in the fall shall not exceed two applications or sets of water.

1.6 The B acres identified for fall irrigation in any year shall be included in the 527.2 cropped acres for the subsequent season.

1.7 The watermaster of Water District 140 shall monitor the place of use and regulate the use of water under the approved transfers pursuant to these conditions of approval. The watermaster of Water District 140 shall coordinate delivery and regulation with the watermaster of Water District 45-A of the surface water rights covered by transfer No. 66133.

1.8 Original conditions of approval associated with transfer No. 66132 and transfer No. 66133 that are in the standard form of: This right is limited to the irrigation of ### acres within the place of use described above in a single irrigation season. shall be amended to the form of: This right is limited to the irrigation of ### acres within the place of use described above in accordance with the attached Irrigation Plan.

2. Failure to adhere to the conditions of use and timelines set forth on the IRRIGATION PLAN shall be cause for this amended approval to be revoked with prejudice and the transfers to revert back to the approval established in the orders dated December 2, 2009.

EXPLANATORY MATERIAL: BASIS OF CLAIM

09/09/2010

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

RIGHT NUMBER: 45-12930

NAME AND ADDRESS: E EUGENE MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

HEIDI F MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

SOURCE:

TRIBUTARY:

QUANTITY: 1.000 CFS

Rights 45-2406, 45-2661 and 45-12930 when combined shall not exceed a total diversion rate of 2.69 cfs and a total annual maximum diversion volume of 720.0 af at the field headgate.

PRIORITY DATE: 06/30/1985

POINT OF
DIVERSION:

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

PLACE OF USE:

1.000 CFS

Rights 45-2406, 45-2661, 45-12930, 45-14216, 45-586, 45-587, 45-588, and 45-12929 when combined shall not exceed the irrigation of 289.2 acres.

Rights 45-2406, 45-2661 and 45-12930 when combined shall not exceed the irrigation of 289.2 acres.

This right is limited to the irrigation of 109.2 acres within the place of use described above in a single irrigation season.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

Right 45-12930 is an expansion of Rights 45-2406 and 45-2661 pursuant to Sec. 42-1416B, Idaho Code.

09/15/2010

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

The following are the same for all water rights included in this notice and are in addition to the water right elements and conditions shown on the previous page.

RIGHT NUMBER:

NAME AND ADDRESS: HEIDI F MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

E EUGENE MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

SOURCE:

GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

QUANTITY:

Prior to the diversion and use of water under Transfer approval 66132, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.

Rights 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed a total diversion rate of 4.56 cfs, a total annual maximum diversion volume of 1212.0 af at the field headgate.

PRIORITY DATE:

POINT OF
DIVERSION:

T13S R23E S28 SENESW Within CASSIA County
T14S R23E S3 SWNWSE Within CASSIA County

Rights 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 are diverted through the point(s) of diversion described above.

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

03/15 11/15

PLACE OF USE:

IRRIGATION in CASSIA County

T13S R23E S20	SENE	32.00	T13S R23E S20	SESW	35.00
T13S R23E S20	NESE	32.00	T13S R23E S20	NWSE	35.00
T13S R23E S20	SWSE	32.00	T13S R23E S21	SWNW	40.00
T13S R23E S21	NWSW	40.00	T13S R23E S21	SWSW	40.00

T13S R23E S28	NWNE	34.00	T13S R23E S28	SWNE	33.00
T13S R23E S28	NENW	33.00	T13S R23E S28	NWNW	11.00
T13S R23E S28	SWNW	5.50	T13S R23E S28	SENW	34.00
T13S R23E S28	NESW	38.00	T13S R23E S28	NWSW	29.00
T13S R23E S28	SWSW	35.00	T13S R23E S28	SESW	35.00
T13S R23E S28	NWSE	36.00	T13S R23E S29	NENE	4.40
T13S R23E S29	NWNE	35.00	T13S R23E S29	SWNE	39.00
T13S R23E S29	SENE	38.00	T13S R23E S29	NENW	34.00
T13S R23E S29	SENW	35.00	T13S R23E S29	NESW	35.00
T13S R23E S29	NESE	40.00	T13S R23E S29	NWSE	36.00

905.9 ACRES TOTAL

Rights 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed the irrigation of 527.2 acres.

Rights 45-14216, 45-586, 45-587, 45-588, 45-12929, 45-577A, 45-577B, 45-578A, 45-578B, 45-579A, 45-579B, 45-580A, 45-580B, 45-600, 45-12927, 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed the irrigation of 527.2 acres within the place of use in a single irrigation season. The specific 527.2 acres to be irrigated by the right holder shall be identified prior to each irrigation season by submitting to IDWR a land list and a representative electronic shape file or a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights.

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

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.

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.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

The use of this right is subject to the Amended Order Amending Transfer Approval dated July 20, 2010 with additional conditions as follows:

1. The use of water is subject to the attached IRRIGATION PLAN.
 - 1.1 Prior to August 31, 2010 the applicant shall report directly to the Department and the watermaster of Water District 140 the location of the 527.2 acres initially irrigated from March 15, 2010 to August 31, 2010. The applicant shall also report that portion of the 527.2 acres intended to be dried up (defined as A acres under the plan) in exchange for irrigation of other lands between September 1 and November 15 of 2010 (defined as B acres under the plan) necessary to prepare soil for tilling, for application of chemicals, or for establishing fall planting.
 - 1.2 Beginning in 2011 and for each successive year, the applicant shall report directly to the Department and the watermaster of Water District 140 prior to May 1, the location of the 527.2 acres of crops that will be irrigated between March 15 and August 31. The applicant shall also report prior to August 31, the location and number of the A acres (that portion of the 527.2 acres to be dried up on or before August 31), and the number and location of the B acres (the acres to be irrigated in the fall between September 1 and November 15).
 - 1.3 Identification or reporting to the Department and the Water District 140 watermaster of the 527.2 cropped acres, the A acres, and the B acres shall be in the form of a land list and a map sufficiently detailed to allow creation of an electronic shape file.
 - 1.4 The total number of B acres shall not exceed the number of A acres in any irrigation season.
 - 1.5 Application of water to B acres in the fall is limited to water necessary to prepare soil for tilling, for application of chemicals, or for establishing fall planting. Application of water to B acres shall not

provide water to irrigate crops for harvest in the same fall. Application of water to B acres in the fall shall not exceed two applications or sets of water.

1.6 The B acres identified for fall irrigation in any year shall be included in the 527.2 cropped acres for the subsequent season.

1.7 The watermaster of Water District 140 shall monitor the place of use and regulate the use of water under the approved transfers pursuant to these conditions of approval. The watermaster of Water District 140 shall coordinate delivery and regulation with the watermaster of Water District 45-A of the surface water rights covered by transfer No. 66133.

1.8 Original conditions of approval associated with transfer No. 66132 and transfer No. 66133 that are in the standard form of: This right is limited to the irrigation of ### acres within the place of use described above in a single irrigation season. shall be amended to the form of: This right is limited to the irrigation of ### acres within the place of use described above in accordance with the attached Irrigation Plan.

2. Failure to adhere to the conditions of use and timelines set forth on the IRRIGATION PLAN shall be cause for this amended approval to be revoked with prejudice and the transfers to revert back to the approval established in the orders dated December 2, 2009.

EXPLANATORY MATERIAL: BASIS OF CLAIM -



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

September 16, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

E EUGENE MATTHEWS
HEIDI MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

RE: SRBA Claim(s) 45-534, 45-577A, 45-577B, 45-578A, 45-578B,
45-579A, 45-579B, 45-580A, 45-580B, 45-586,
45-587, 45-588, 45-600, 45-12927, 45-12929,
45-2405, 45-2406, 45-2661, 45-12928,
45-12930

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,


Trish Fawcett
Technical Records Specialist

cc: Anderson Farms, 271 W Hwy 27, Burley ID 83318
Robert & Carol Bedke, 1872 S 50 E, Oakley ID 83346

COPY

2005 APR 20 AM 11:18

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)

Case No. 39576)

Water Rights: 45-2405, 45-2046,
45-2661, 45-12928, 45-12930

**NOTICE OF ADMINISTRATIVE
PROCEEDING**

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

☒ I.C. § 42-222 transfer 66132

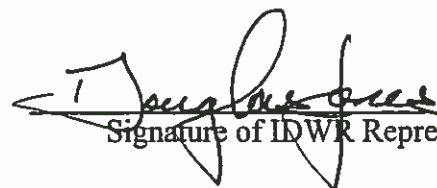
☒ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than: April 7, 2006.

Dated

4/19/05


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4/20, 2005, I mailed the original and copies of this form to the following persons, postage prepaid, and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Eugene Matthews
Heidi Matthews
1249 S Hwy 27
Oakley ID 83346

Anderson Farms Inc
271 W Hwy 30
Burley ID 83318



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 20, 2005

EUGENE MATTHEWS
HEIDI MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

RE: SRBA Claim(s) 45-534, 45-577A, 45-577B, 45-578A,
45-578B, 45-579A, 45-579B, 45-580A, 45-580B, 45-586,
45-587, 45-588, 45-600, 45-12927, 45-12929
45-2405, 45-2406, 45-2661, 45-12928, 45-12930

Dear Claimant:

Please find the enclosed copy of the Notice of Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

cc: Anderson Farms Inc

01/15/2003

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

RIGHT NUMBER: 45-2405

NAME AND ADDRESS: ANDERSON FARMS INC
961 S 50 W
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.870 CFS
492.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 45-12928 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.87 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 492 AF.

PRIORITY DATE: 02/11/1952

POINT OF DIVERSION:

T14S R23E S3 NWSE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
1.870 CFS
492.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R23E S33	SESE	33.0	T13S R23E S34	SWSW	32.0
T13S R23E S34	SESW	19.0	T14S R23E S03 Lot 2	NWNE	2.0
T14S R23E S03	SWNE	18.0	T14S R23E S03 Lot 3	NENW	33.0
T14S R23E S03 Lot 4	NWNW	39.0	T14S R23E S03	SWNW	16.0
T14S R23E S03	SENW	29.0	T14S R23E S04 Lot 1	NENE	16.0
T14S R23E S04	SENE	1.0			

238 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 238 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-577A, 45-577B, 45-578A, 45-578B, 45-579A,
45-579B, 45-580A, 45-580B, 45-600, 45-2405, 45-12927, & 45-12928.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 123 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

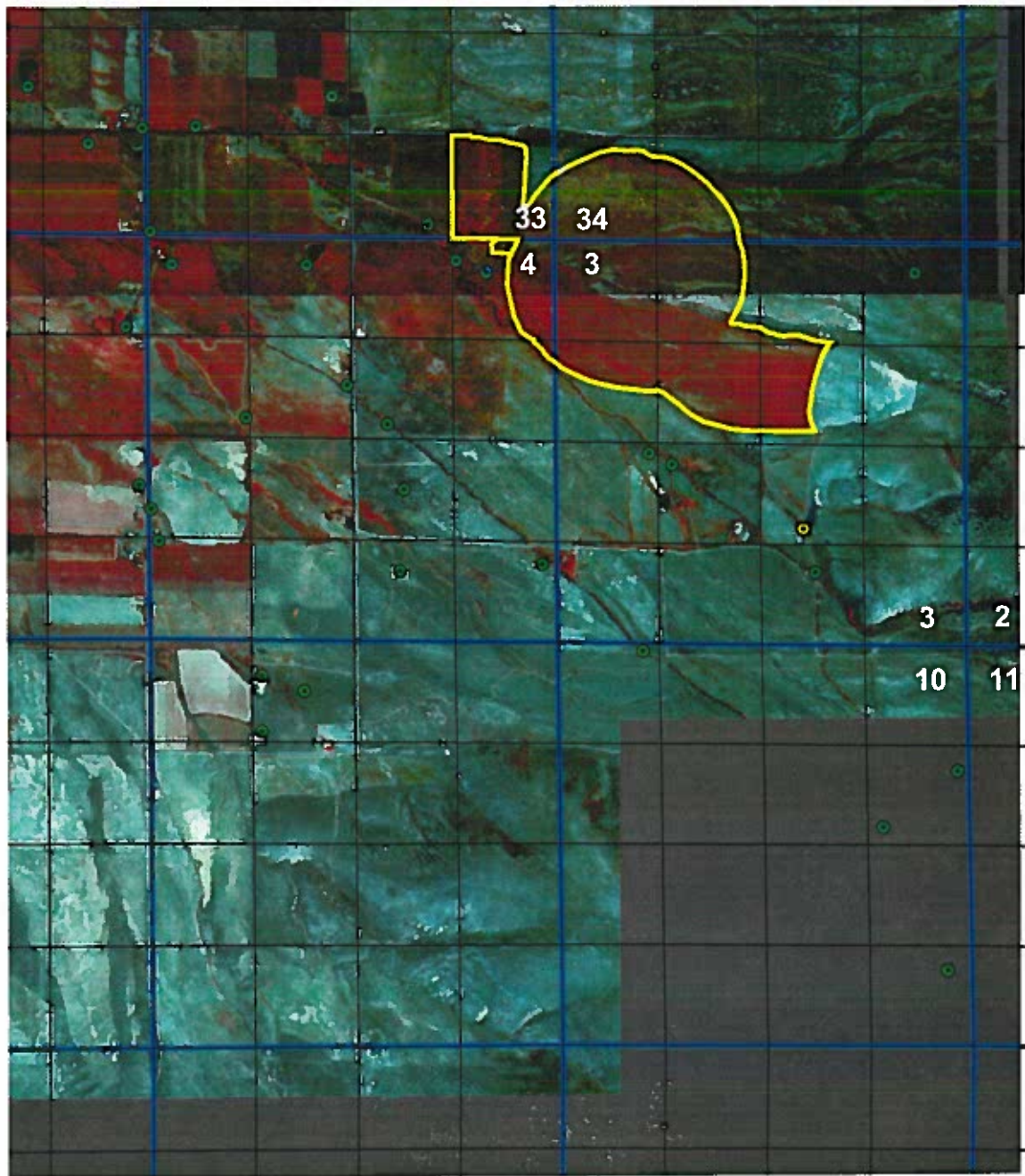
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: License

RIGHT NO. 45-12928 IS AN EXPANSION OF THIS RIGHT PURSUANT TO
SECTION 42-1416B, IDAHO CODE.

45-2405 & 45-12928



0 1320 2640 3960 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON JAN. 15, 2003
TWP 13S, RNG 23E, SEC. 33 & 34
TWP 14S, RNG 23E, SEC. 3 & 4



- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-2405 V1

WATER RIGHT NUMBER: 45-2405 V1

<u>Owner Type</u>	<u>Name and Address</u>
Security Interest	KEYBANK NATIONAL 702 W IDAHO ST BOISE, ID 83702 (208)334-7943
Original Owner	GRANT M WYATT 327 S 400 W BURLEY, ID 83318 (208)678-2856
Original Owner	RALPH GORRINGE OAKLEY, ID 83346
Current Owner	ANDERSON FARMS INC 961 S 50 W BURLEY, ID 83318 (208)678-4314

Priority Date: 02/11/1952

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.870 CFS	492.00 AF
	<u>Total Diversion:</u>	1.870 CFS	492.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 3, Twp 14S, Rge 23E, B.M.
CASSIA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	23E	33																33.0	33.0
13S	23E	34											32.0	19.0					51.0
14S	23E	3		2.0	18.0		33.0	39.0	16.0	29.0									137.0
				L 2				L 3	L 4										
14S	23E	4	16.0			1.0													17.0
			L 1																

Total Acres: 238

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 45-2405 V1

Conditions of Approval:

1. C18 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.

Remarks:

1. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 238 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-577A, 45-577B, 45-578A, 45-578B, 45-579A, 45-579B, 45-580A, 45-580B, 45-600, 45-2405, 45-12927, & 45-12928.
2. Quantity USE OF THIS RIGHT WITH RIGHT NO. 45-12928 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.87 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 492 AF.
3. Explanatory RIGHT NO. 45-12928 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1416B, IDAHO CODE.
4. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 123 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. jroberts 1/15/2003 Basis of Recommendation
Comment: This right is recommended in a ppu of 238 ac (limited to the licensed 123 ac) with expansion claim 45-12928.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	1/15/2003 7:52:31 AM	jroberts			Active
POD	1/15/2003 7:53:13 AM	jroberts			Active
Source	1/15/2003 7:56:49 AM	jroberts			Active
POU	1/15/2003 8:37:22 AM	jroberts			Active
Use	1/15/2003 8:38:18 AM	jroberts			Active
Season	1/15/2003 8:39:32 AM	jroberts			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-2405 V1

Quantity	1/15/2003 8:41:38 AM	jroberts	Active
Summary	01/15/2003	jroberts	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Priority Date	1/15/2003 7:52:30 AM	jroberts	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	1/15/2003 7:53:12 AM	jroberts	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	1/15/2003 7:56:07 AM	jroberts	Edited point location
POD	1/15/2003 7:56:16 AM	jroberts	Edited PLS
Source	1/15/2003 7:56:48 AM	jroberts	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	1/15/2003 8:37:21 AM	jroberts	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (No) 8. Can the claim be verified as an accomplished transfer? (Yes) 9. Does the claim include an enlargement in the POU? (Yes) 10. Was an enlargement claim filed? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 9 - Description for Question 13 - True
POU	1/15/2003 8:37:37 AM	jroberts	Edited shape boundary
POU	1/15/2003 8:37:55 AM	jroberts	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-2405 V1

Use	1/15/2003 8:38:17 AM	jroberts	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	1/15/2003 8:39:31 AM	jroberts	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	1/15/2003 8:41:37 AM	jroberts	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - 123 ac X 4 AF/ac = 492 AFA
Summary	1/15/2003 8:45:59 AM	jroberts	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?

AUG 30, 1979

LISTING OF RIGHTS - BASIN CREEK

PAGE 25

INDICATES TOTAL

SOURCE: GROUNDWATER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
45-0637	MC INTOSH, ALBERT M. & MC INTOSH, MAURETTA OAKLEY, IDAHO 83346 REMARKS: POINT OF INJECTION INTO WARM SPRINGS: NENW, S.9, T.14S & R.23E. POINT OF RE-DIVERSION BY EXCHANGE FROM MILL CREEK: SWSW, S.32, T.13S & R.23E.	4/ 1/1912	IRRIGATION	3/15 11/15	--- AFA .02 CFS	NENW S 9 T14S R23E	SENE(7) NESE(10) LOT 2(6) LOT 3(12) S31 T13S R23E *35*	BENEFICIAL USE
-0650	STEVENSON, MILDRED OAKLEY, IDAHO 83346	4/ 1/1934	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSW S 3 T14S R23E	SWSW S 3 T14S R23E	BENEFICIAL USE
45-0669	HARPER, MAYO & HARPER, MARY E. OAKLEY, IDAHO 83346	4/ 1/1945	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SENE S 4 T14S R23E	SENE S 4 T14S R23E	BENEFICIAL USE
45-0630	BEDKE, NELLIE B. OAKLEY, IDAHO 83346	2/28/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWSE S32 T13S R23E	NWSE S32 T13S R23E	BENEFICIAL USE
45-0609	WELLS, CLAUDE & WELLS, MARGARET OAKLEY, IDAHO 83346	2/19/1949	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESE S 5 T14S R23E	NESE S 5 T14S R23E	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	2.70 AFA .05 CFS *3.90*AFA *.05*CFS		SAME AS OTHER USE	
45-2405	GORRINGE, CARL & GORRINGE, MILDRED S. OAKLEY, IDAHO 83346	2/11/1952	IRRIGATION	3/15 11/15	--- AFA 1.87 CFS	NWSE S 3 T14S R23E	SWNE(22) SWNW(40) SENE(33) LOT 2(2) LOT 3(8) LOT 4(18) S 3 T14S R23E *123*	LICENSE
45-2406	H. & E., INC. OAKLEY, IDAHO 83346	2/11/1952	IRRIGATION	3/15 11/15	--- AFA 1.87 CFS	NWSE S 3 T14S R23E	SWNW(4) NESW(5) NWSW(37) S28 T13S R23E SENE(20) NESE(39) NWSE(15) S29 T13S R23E *120*	LICENSE
45-0627	BEDKE, NELLIE B. OAKLEY, IDAHO 83346	7/28/1955	STOCKWATER	1/ 1 12/31	4.10 AFA .07 CFS	NWSE S32 T13S R23E	NWSW S29 T13S R23E NWSE SWSE S32 T13S R23E NWSE S32 T13S R23E NWSW S29 T13S R23E	BENEFICIAL USE
			STOCKWATER STORAGE	1/ 1 12/31	10.00 AFA --- CFS *4.10*AFA *.07*CFS			

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-2405

WATER RIGHT NUMBER: 45-2405

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CARL GORRINGE
	OAKLEY, ID 83346
Current Owner	MILDRED S GORRINGE
	OAKLEY, ID 83346
Original Owner	E V GORRINGE
	, ID

Priority Date: 02/11/1952

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15	to 11/15	1.870 CFS	
	<u>Total Diversion:</u>		1.870 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 3,	Twp 14S,	Rge 23E, B.M.
CASSIA County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	23E	3		2	22.0		8	18	40.0	33.0									95.0

Total Acres: 123

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-2405

Dates and Other Information:

Licensed Date:
Decreed Date: 3/27/1987
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 45A
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Log for claim A45-02405

Spatial Dynamics LRR

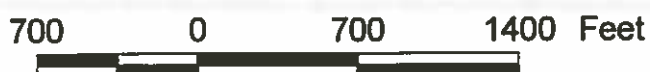
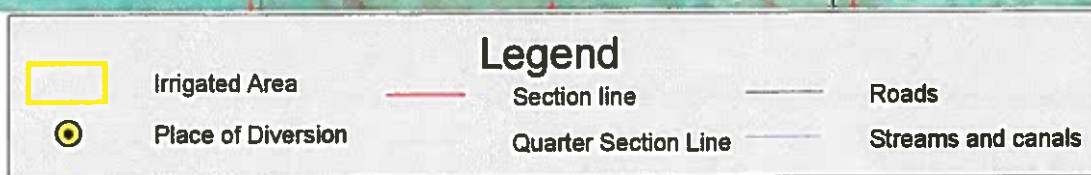
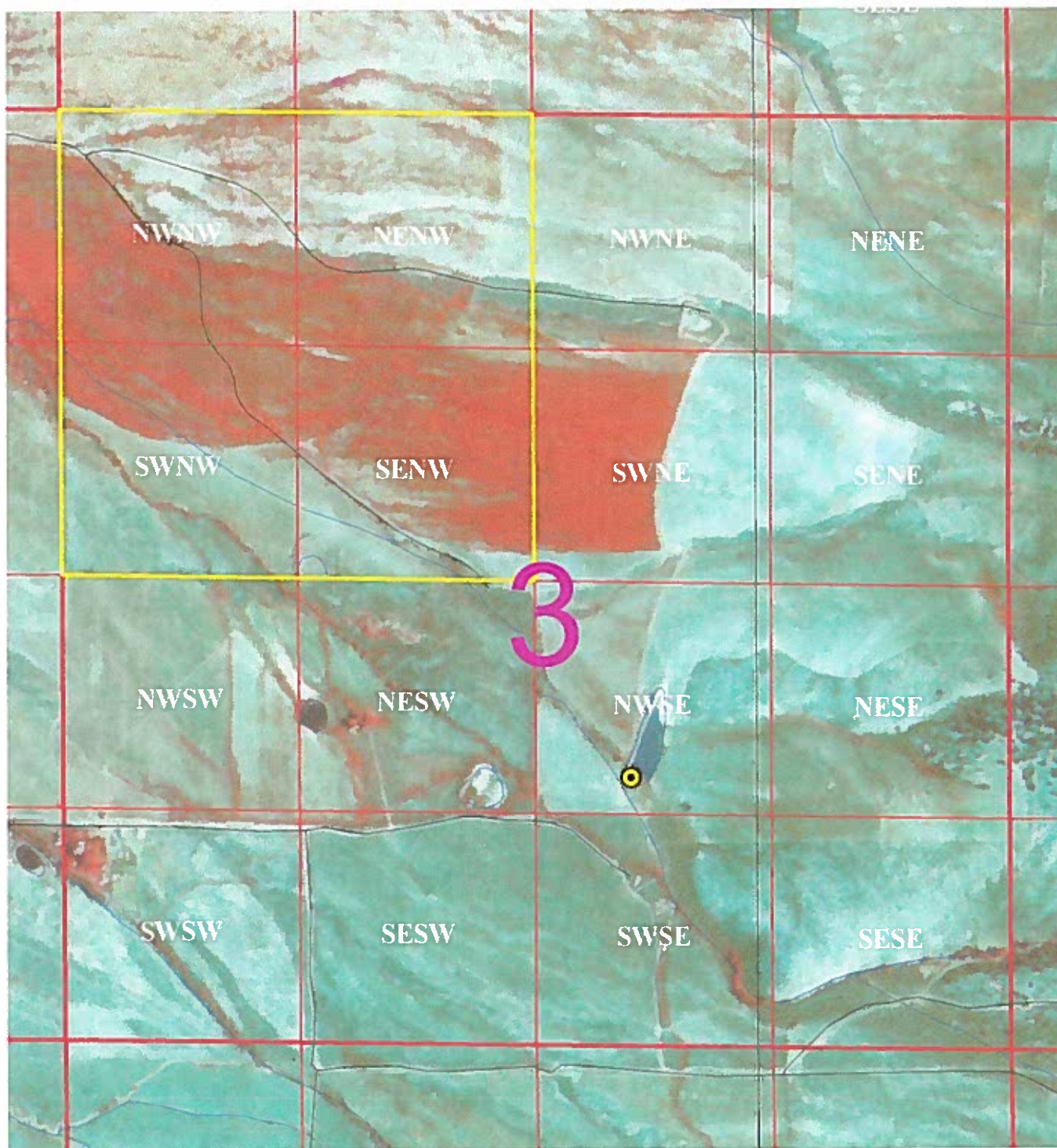
2/22/00

T	R	SEC	QQ	Acres Claimed	Acres Found	COMMENT
14	23	3	NENW	40	39	
14	23	3	NWNW	23	39	Indiscernible
14	23	3	SWNW	20	39	Indiscernible
14	23	3	SENW	40	39	
Totals:				123	156	

Water Right Claim Number A45-02405

02/22/2000

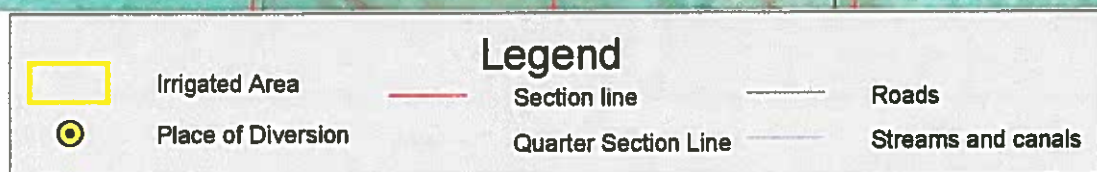
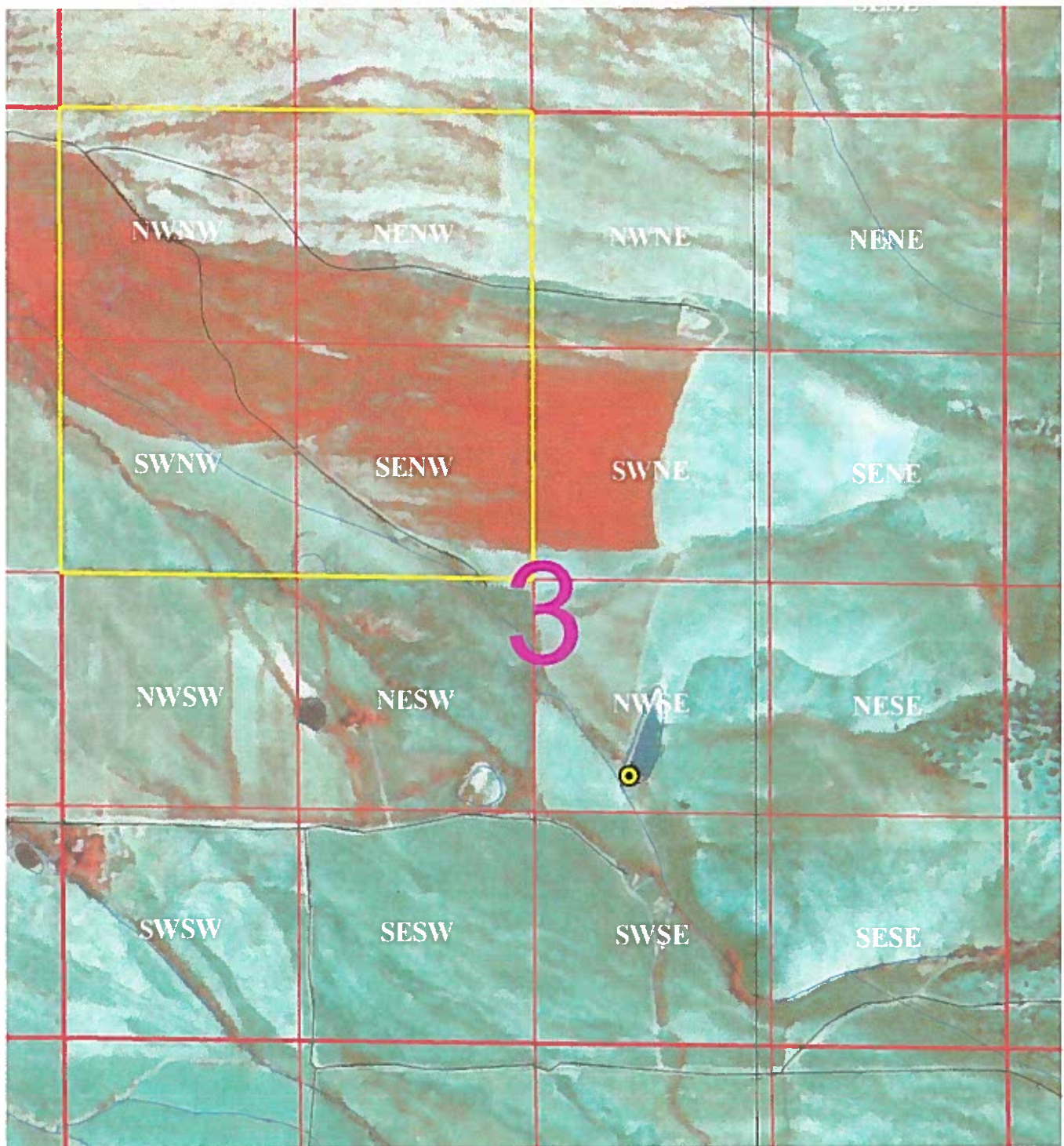
Township , 14S23E



Water Right Claim Number A45-02405

02/22/2000

Township , 14S23E



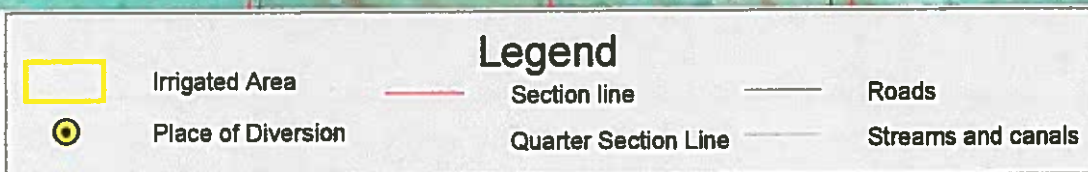
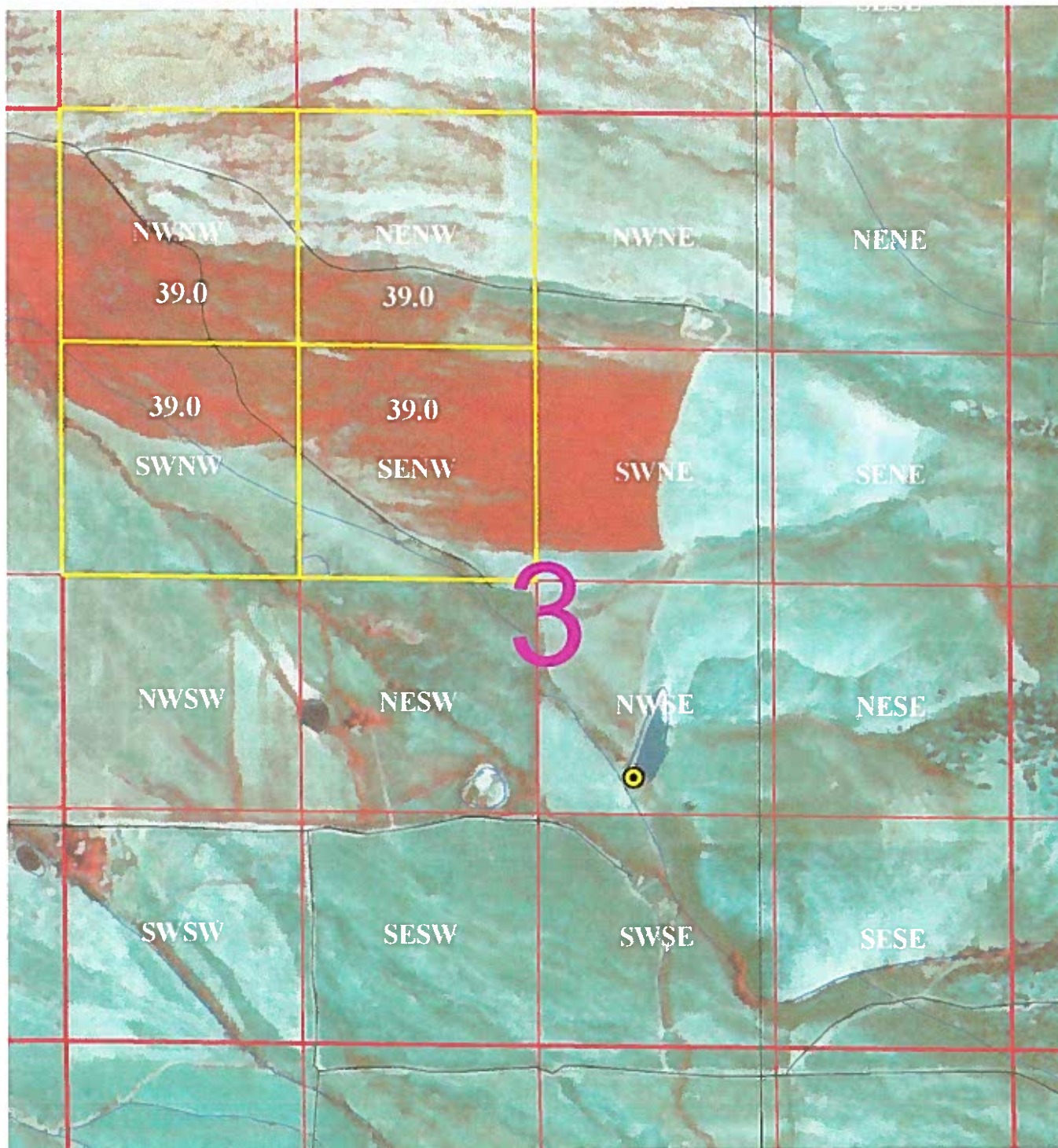
700 0 700 1400 Feet



Water Right Claim Number A45-02405

02/22/2000

Township , 14S23E



700 0 700 1400 Feet



AJ5809NP
No. A45-02405

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/19/00
PAGE: 97

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANDERSON FARMS INC 961 S 50 W BURLEY ID 83318 (208) 678-4314	02/11/1952	IRRIGATION	03-15 11-15	1.870 CFS	
TOTAL DIVERSION:					1.870 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T14S R23E S03 NWSE CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																					
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
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WR5809NP
No. 45-02405

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/19/00
PAGE: 65

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CARL GORRINGE	02/11/1952	IRRIGATION	03/15 11/15	1.870 CFS	
C	MILDRED S GORRINGE					
	OAKLEY ID 83346					
TOTAL DIVERSION:					1.870 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T14S R23E S03 NWSE CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
14S	23E	3	:				22	:				40	33	:			:						:								95.0	
TOTAL ACRES																												123.0				

Lots Without 1/4 1/4 Description: IRRIGATION
14S 23E 3 02-02 03-08 04-18

SUM
28.0

Pou County: CASSIA

Other Water Rights Listing Overlapping Place(s) of use:
45-00577B 45-00578B 45-00579B 45-00580B

Dates:	App. Received:	Priority Date:	02/11/1952
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 45A Field Exam Fee:

Audit: 03/28/88 05/28/88 CONVERT 08/17/98 SCURTIS

4302405

State of Idaho License and Certificate of Water Right

Water License No. G-22603

Amount 1.87 c.f.s.

Water District No. _____

Priority February 11, 1952

THIS IS TO CERTIFY that E. V. CORRINCE - CARL CORRINCE and RALPH CORRINCE
Assignees
of Oakley, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 11, 19 52; that Permit No. G-22603
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.87 second feet, was issued thereunder on November 12, 19 57, showing that said works
were completed on the 13th day of February, 19 57; and that on the 13th
day of February, 19 57, RALPH CORRINCE

of Oakley, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean, for the purpose of Irrigation and
domestic, under Use Permit No. G-22603 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6196, on the 12th day of November, 19 57;
The right hereby confirmed dates from February 11, 19 52;

The Point of Diversion is located
in the NW 1/4 SE 1/4 Sec. 3, Tp. 14 S., R. 23 E., B. M. County Cassia

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 1.87 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 S.	23 E.	3	NE 1/4 NW 1/4	20	40
			NW 1/4 NW 1/4	40	23
			SW 1/4 NW 1/4	40	20
			SE 1/4 NW 1/4	30	40
			Total number of acres irrigated - - -		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
12th day of November, 19 57.

/s/ Mark E. Kulp
State Reclamation Engineer.

(SEAL)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO

IN AND FOR THE COUNTY OF CASSIA

IN THE MATTER OF THE GENERAL)
 DETERMINATION OF THE RIGHTS)
 TO THE USE OF THE SURFACE AND)
 GROUNDWATERS OF MILL CREEK,)
 WARM SPRINGS, SPRING CREEK AND)
 THEIR TRIBUTARIES, COMMONLY)
 CALLED BASIN CREEK DRAINAGE)
 BASIN)

CIVIL NO. 11125
 PROPOSED FINDING OF WATER
 RIGHTS

The above-entitled cause was initiated under provisions of Section 42-1406, Idaho Code, by the submission of a petition from seventeen [17] water users in the Basin Creek Drainage Basin, requesting that the Department of Water Resources [formerly the Department of Water Administration, and hereinafter called Department] obtain authority from the Court to prepare a proposed finding of water rights in the Basin Creek Drainage Basin.

Pursuant to Section 42-1407, Idaho Code, R. Keith Higginson, former Director of the Department, petitioned the Court on January 15, 1974, for an order of authorization for the commencement of an adjudication of water rights in the Basin Creek Drainage Basin.

An order was signed on March 18, 1974, by District Judge Sherman J. Bellwood, authorizing the Department to commence an investigation and determination of the various rights to the use of surface and groundwaters of Basin Creek Drainage Basin, such waters lying or being used within Cassia County, Idaho.

An order of joinder signed on November 22, 1974, made approximately 57 land owners and possible water users party to the adjudication. About 184 claims to water rights were submitted to the Department.

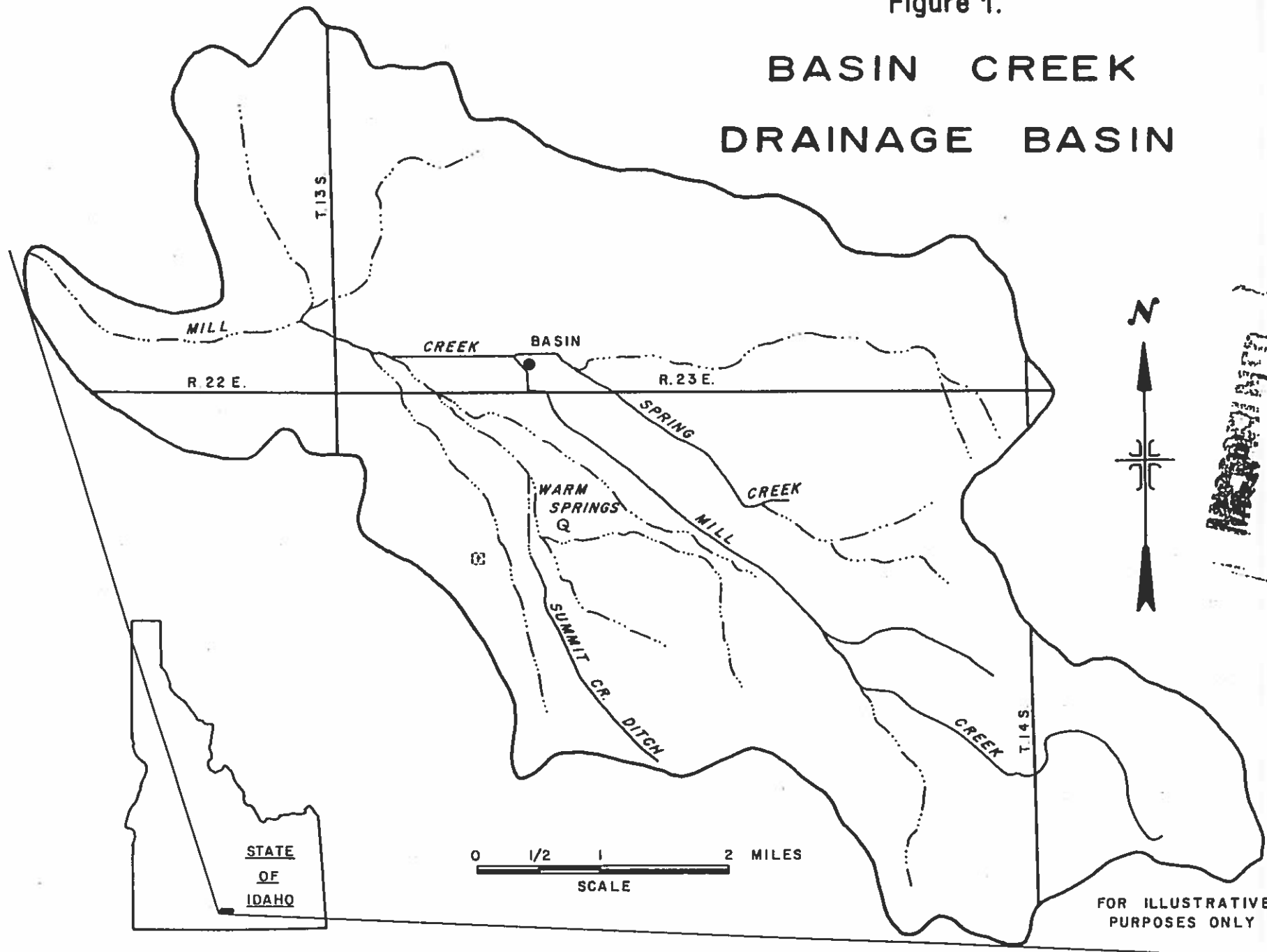
Based upon the claims submitted, the files and records of the Department and the Court, and examination of the ditches, lands irrigated and other uses of water within Basin Creek Drainage Basin, the Department of Water Resources submits these findings of fact, conclusions of law, and Listing of Water Rights, in which the following definitions apply:

- a. "Department" means the Idaho Department of Water Resources [formerly the Department of Water Administration].

JUN 19 1976

Figure 1.

BASIN CREEK DRAINAGE BASIN



JUN 19 1996

AUG 30, 1979

LISTING OF RIGHTS - BASIN CREEK

PAGE 25

INDICATES TOTAL

SOURCE: GROUNDWATER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
45-0637	MC INTOSH, ALBERT M. & MC INTOSH, MAURETTA OAKLEY, IDAHO 83346 REMARKS: POINT OF INJECTION INTO WARM SPRINGS: NENW, S.9, T.14S & R.23E. POINT OF RE-DIVERSION BY EXCHANGE FROM MILL CREEK: SWSW, S.32, T.13S & R.23E.	4/ 1/1912	IRRIGATION	3/15 11/15	--- AFA .02 CFS	NENW S 9 T14S R23E	SENE(7) NESE(10) LOT 2(6) LOT 3(12) S31 T13S R23E *35*	BENEFICIAL USE
45-0650	STEVENSON, MILDRED OAKLEY, IDAHO 83346	4/ 1/1934	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSW S 3 T14S R23E	SWSW S 3 T14S R23E	BENEFICIAL USE
45-0669	HARPER, MAYO & HARPER, MARY E. OAKLEY, IDAHO 83346	4/ 1/1945	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SENE S 4 T14S R23E	SENE S 4 T14S R23E	BENEFICIAL USE
45-0630	BEDKE, NELLIE B. OAKLEY, IDAHO 83346	2/28/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWSE S32 T13S R23E	NWSE S32 T13S R23E	BENEFICIAL USE
45-0609	WELLS, CLAUDE & WELLS, MARGARET OAKLEY, IDAHO 83346	2/19/1949	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESE S 5 T14S R23E	NESE S 5 T14S R23E	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	2.70 AFA .05 CFS *3.90*AFA *.05*CFS		SAME AS OTHER USE	
45-2405	GORRINGE, CARL & GORRINGE, MILDRED S. OAKLEY, IDAHO 83346	2/11/1952	IRRIGATION	3/15 11/15	--- AFA 1.87 CFS	NWSE S 3 T14S R23E	SWNE(22) SWNW(40) SENE(33) LOT 2(2) LOT 3(8) LOT 4(18) S 3 T14S R23E *123*	LICENSE
45-2406	H. & E., INC. OAKLEY, IDAHO 83346	2/11/1952	IRRIGATION	3/15 11/15	--- AFA 1.87 CFS	NWSE S 3 T14S R23E	SWNW(4) NESW(5) NWSW(37) S28 T13S R23E SENE(20) NESE(39) NWSE(15) S29 T13S R23E *120*	LICENSE
45-0627	BEDKE, NELLIE B. OAKLEY, IDAHO 83346	7/28/1955	STOCKWATER	1/ 1 12/31	4.10 AFA .07 CFS	NWSE S32 T13S R23E	NWSW S29 T13S R23E NWSE SWSW S32 T13S R23E NWSE S32 T13S R23E NWSW S29 T13S R23E	BENEFICIAL USE
			STOCKWATER STORAGE	1/ 1 12/31	10.00 AFA --- CFS *4.10*AFA *.07*CFS			

JUN 1 0 10 00

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 0-22603

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant..... Ralph Gorringer
2. Source of water supply:..... Subterranean flow from a well
3. Location of point of diversion: Is in the..... NW¹SE¹..... of Section 3
- T. 14 S..... R. 23 E., B.M. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: Drainage
Pump Peerless #154025, 8" discharge, Pumping lift 125' (50'
 average for season) Note: G.E. - RJJ 407025, IP 75-4701, 75 HP
 RRM 1170 - Motor G.E. 30014873 - Demand 30 x 20
 House iv concrete pump base

5. Water is used for:.....Irrigation.....
6. State whether or not water has been turned into works of diversion:

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 other than irrigation):

40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 20 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ all of Sec. 3,
30 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 4., all in Twp. 14 S., Rge. 23 E., B.M.
40 acres in S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 34., 30 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 33., all in Twp. 13 S.,
Rge. 23 E., B.M.

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

8. What large stream would the water here appropriated finally reach?

Remarks:

Mr. Perrota owner says 1/2 of water goes to
#6-22604

This examination was made on the 3rd day of July, 1957

(Signed)

day of July, 1957
James H. Moore
 Examiner.

✓ 32103

Ralph Gorrings
Oakley, Idaho

Permit No. G-22603

Examination for Completion of Works & Beneficial Use

County Cassia

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
AUG 22 1957

Department of Reclamation

Permit No. 154855

Motor * RJL 459025 RT
453 U
93 4
R 170

unit 50
Permit 50
S. 1000 2.0-2.0

Home 1000 2.0-2.0

Q 2 500 1000
= 3.7 1000
117.5

Form 23

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-22603

REPORT ON PROOF OF Completion of Works & Beneficial Use

Ralph Gorrings, Oakley, Idaho

18701

app. 4.0
Sub 14
O.C.M. - 123

R-23 E

33

34

T. 13 S.

T. 14 S.

23a

40a

20a

40a

PP

Land Subdivisions

NW 1/4 Sec 3-T13S R23E-123 ac.

Quantity of water 187.5
meters inches as measured
with spring meter. - 1/2 of
which belongs to permit
G 2204

Subdivisions = 4

Area = 120 acres.

Q = 187 cfs.