

COPY

1998 JUL 15 PM 2:24
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

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 45-10923

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

M and G Farms
Star Rt Box 84
Burley ID 83318

Phone: 678-2850

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

Waterstreet Farms
1496 S 500 W
Oakley ID 83346

Phone:

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: 6/11/98


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6-15, 1998, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
M & G Farms
Star Rt Box 84
Burley ID 83318
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Waterstreet Farms
1496 S 500 W
Oakley ID 83346
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

AJ5856NP

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

DATE: JUN-11-1998
PAGE: A-2

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 45-10923

NAME & ADDRESS: WATERSTREET FARMS
1496 S 500 W
OAKLEY ID 83346

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 05/01/1961

POINT OF DIVERSION: T12S R22E S10 NENENW Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T12S R22E S10 NENW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 12S22E102400



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

June 15, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WATERSTREET FARMS
1496 S 500 W
OAKLEY ID 83346

RE: SRBA Claim(s) 45-10923

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

/tf

cc: M and G Farms

AJ0749NP
No. 45-10923

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

DATE: 06/02/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WATERSTREET FARMS 1496 S 500 W OAKLEY ID 83346	05/01/1961	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

D M AND G FARMS
STAR RT BOX 84
BURLEY ID 83318
(208) 678-2850

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T12S R22E S10 NENENW

CASSIA County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
12S	22E	10	:																	:
				D																

POU County: CASSIA

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. 12S22E102400

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

ADDRESS SERVICE REQUESTED

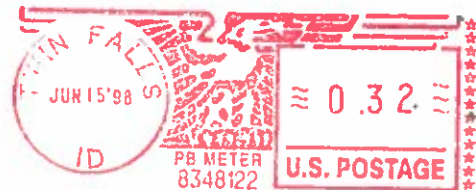
RECEIVED

JUN 17 1998

Department of Water Resources
Southern Region


☐ MOVED. LEFT NO ADDRESS
☐ NOT DELIVERABLE AS ADDRESSED
☐ UNABLE TO FORWARD
☐ ATTEMPTED NOT KNOWN
☐ UNCLAIMED ☐ REFUSED
☐ NO SUCH STREET - NUMBER
☐ DO NOT RE-MAIL IN THIS ENVELOPE
☐ INSUFFICIENT ADDRESS
☐ NO MAIL RECEIPTABLE
☐ BOX CLOSED NO ORDER

M & G FARMS
STAR RT BOX 84
BURLEY ID 83318





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

June 15, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WATERSTREET FARMS
1496 S 500 W
OAKLEY ID 83346

RE: SRBA Claim(s) 45-10923

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

/tf

cc: M and G Farms

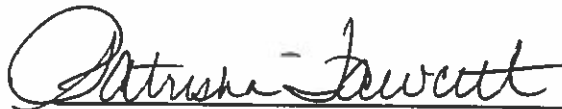
In Re SRBA

SUB CASE NO. 45-10923

CERTIFICATE OF MAILING

I certify that on 6-15, 1998, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
M & G Farms
Star Rt Box 84
Burley ID 83318
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Waterstreet Farms
1496 S 500 W
Oakley ID 83346
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

AJ5856NP

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

DATE: JUN-11-1998

PAGE: A-2

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 45-10923

NAME & ADDRESS: WATERSTREET FARMS
1496 S 500 W
OAKLEY ID 83346

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 05/01/1961

POINT OF DIVERSION: T12S R22E S10 NENENW Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T12S R22E S10 NENW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 12S22E102400

RECEIVED

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

APR 17 1998

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Southern Region

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

1. Water Right Number(s) A45-10923, A45-02586, A45-02680, A45-02595
Adjudication Claim Number(s) _____
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) M & G Farms
Star Route Box 84
Burley, Idaho 83318
4. New Owner/Claimant(s) Waterstreet Farms
Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR
New Mailing Address 1496 South 500 West
City, State and ZIP Code Oakley, Idaho 83346
New Telephone Number () -
5. Date you acquired the property April 7, 1998
6. 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 actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s)
By: Randall L. Robinson Date 4-7-98
By: Trent Robinson Date 4-7-98
WATERSTREET FARMS
Trent Robinson
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

CERTIFICATE OF ASSUMED BUSINESS NAME

(Please type or print legibly)

To the SECRETARY OF STATE, STATE OF IDAHO
Pursuant to Section 53-504, Idaho Code, the undersigned
gives notice of adoption of an Assumed Business Name.



1. The assumed business name which the undersigned use(s) in the transaction of business is:

Waterstreet Farms, a General Partnership

2. The true name(s) and business address(es) of the entity or individual(s) doing business under the assumed business name is/are:

<u>Name</u>	<u>Complete Address</u>
<u>Randall L. Robinson</u>	<u>1496 South 500 West, Oakley, ID 83346</u>
<u>Trent Robinson</u>	<u>1496 South 500 West, Oakley, ID 83346</u>

3. The general type of business transacted under the assumed business name is:
(mark only those that apply)

☐ Retail Trade	☐ Manufacturing	☐ Transportation and Public Utilities
☐ Wholesale Trade	☒ Agriculture	☐ Finance, Insurance, and Real Estate
☐ Services	☐ Construction	☐ Mining

4. The name and address to which future correspondence should be addressed:

Randall L. Robinson

1496 South 500 West

Oakley, Idaho 83346

5. Name and address for this acknowledgment copy is (if other than # 4 above):

Submit Certificate of
Assumed Business
Name and \$20.00 fee to:

Secretary of State
700 West Jefferson
Basement West
PO Box 83720
Boise ID 83720-0080
208 334-2301

Secretary of State use only

Signature: Randall L. Robinson

Printed Name: Randall L. Robinson

Capacity: general partner

(see instruction # 8 on back of form)

Revision 2/97 g:\corporate\idm\pm0

IDAHO SECRETARY OF STATE

04/24/1998 09:00
CK: 11119 CI: 2521 BH: 104308

1 @ 20.00 = 20.00 ASSUM NAME

#14555



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

April 22, 1998

Waterstreet Farms
1496 South 500 West
Oakley, Idaho 83346

RE: Snake River Basin Adjudication (SRBA)
Claim Numbers: A45-10923, A45-02586, A45-02680, A45-02595

Dear Claimants:

I am in receipt of your Notice of Change of Ownership and the supporting documents. Everything is order save for a list of the participants in Waterstreet Farms, indicating that Randall and Trent Robinson may sign on behalf of the partnership.

I will keep your file at my desk, and complete the ownership changes on the above claims as soon as I receive this information. If you have any questions, please feel free to contact me at this office. Enclosed is a self-addressed envelope for your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read 'V. Hancock'.

Vikie Hancock

encl.

cc: Nancy Garrett, Land Title and Escrow

For Value Received

M & G FARMS, an Idaho General Partnership, THE MAX & VIRGINIA MARTIN FAMILY TRUST, MAX W. MARTIN and VIRGINIA MARTIN, husband and wife, and GARY D. MARTIN and PATRICIA FREEMAN MARTIN, husband and wife

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

WATERSTREET FARMS, a General Partnership
Address: 1496 South 500 West
Oakley, Idaho 83346

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

PARCEL NO. 1:

TOWNSHIP 12 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 1: E $\frac{1}{2}$, EXCEPT a part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the NE corner of the said NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South along the East Section Line a distance of 440 feet; Thence on a Northwesterly direction to a point on the North Section Line, said point being 440 feet West of the Point of Beginning;
Thence East along the North Section Line a distance of 440 feet to the Point of Beginning.

Section 9: All that part of the S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ lying East of the Oakley Branch of the Oregon Short Line Railroad (now Union Pacific Railroad) right-of-way, and all that part of the SE $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$ lying East of the Oakley Branch of the Oregon Short Line Railroad (now Union Pacific Railroad) right-of-way, EXCEPTING THEREFROM the following described tracts:

TRACT NO. 1:

Beginning at the Southwest corner of the SW $\frac{1}{4}$ of said Section 9, Township 12 South, Range 22 East of the Boise Meridian; Thence South 89°35' East for 2209.12 feet along section line to a point on the Easterly right-of-way of the Oakley Branch of the Union Pacific Railroad right-of-way; Thence North 21°49' East along said right-of-way for 561.49 feet to the True Point of Beginning;
Thence continuing North 21°49' East along said right-of-way for 189.0 feet to a point;
Thence East for 229.76 feet to a point;
Thence South for 175.46 feet to a point;

Thence West for 300.0 feet to the True Point of Beginning.

TRACT NO. 2:

Beginning at the Southwest corner of the SW $\frac{1}{4}$ of said Section 9, Township 12 South, Range 22 East of the Boise Meridian; Thence South 89°35' East for 2209.12 feet to a point on the Easterly right-of-way of the Union Pacific Railroad, Oakley Branch, which shall be the True Point of Beginning;

Thence continuing South 89°35' East for 508.73 feet to a point;

Thence North for 525.0 feet to a point;

Thence West for 300.0 feet to a point on the Easterly right-of-way of the Union Pacific Railroad, Oakley Branch;

Thence South 21°49' West for 561.49 feet along said Easterly Railroad right-of-way to the True Point of Beginning.

Section 10: S $\frac{1}{2}$ and NW $\frac{1}{4}$, EXCEPTING THEREFROM the following described parcel:

Beginning at the Northwest corner of the SW $\frac{1}{4}$;

Thence South 400 feet; Thence Northeasterly 550 feet, more or less, to a point lying 400 feet East of the W $\frac{1}{4}$ corner of said Section 10;

Thence West 400 feet to the Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 12 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 16: ALL, EXCEPT the Oakley Branch of the Oregon Short Line Railroad (now Union Pacific Railroad) right-of-way.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1998 and subsequent years.

Assessments of the Southwest Irrigation District and the rights and powers of said District as by law provided.

Resolution and Easement recorded August 24, 1951 as Instrument No. 173307 in Book 14 of Miscellaneous, page 327, records of Cassia County, Idaho.

Power Line Easement from Charlotte P. Fawson, a widow, as Grantor, to Idaho Power Company, a corporation, Grantee, dated August 20, 1951, and recorded February 5, 1954 as Instrument No. 181248 in Book 15 of Miscellaneous, page 79, records of Cassia County, Idaho.

Power Line Easement from Phil S. Martin and Wilma P. Martin, his wife, to Idaho Power Company, a corporation, dated August 12, 1959, and recorded February 17, 1960 as Instrument No. 205199 in Book 16 of Miscellaneous, records of Cassia County, Idaho.

Power Line Easement from Willis Whittle and W. B. Whiteley (Partners) to Idaho Power Company, a corporation, dated March 17, 1961, and recorded May 10, 1961 as Instrument No. 1556 on Film No. 5, records of Cassia County, Idaho.

Power Line Easement from Willis Whittle and Rada Whittle and W. B. Whiteley and Dorothy Whiteley (Partners) to Idaho Power Company, a corporation, dated March 17, 1961, and recorded March 9, 1962 as Instrument No. 5666 on Film No. 11, records of Cassia County, Idaho.

Power Line Easement from Max W. Martin, Phil S. Martin and James G. Martin (Partners) to Idaho Power Company, a corporation, dated April 16, 1962, and recorded May 17, 1962 as Instrument No. 6981 on Film No 13, records of Cassia County, Idaho.

Power Line Easement from Max W. Martin, Phil S. Martin and James G. Martin (Partners) to Idaho Power Company, a corporation, dated April 3, 1962, and recorded August 17, 1962 as Instrument No. 8485 on Film No. 15, records of Cassia county, Idaho.

Power Line Easement from Phil S. Martin & Partners, to Idaho Power Company, a corporation, dated October 21, 1963, and recorded December 18, 1963 as Instrument No. 16083 on Film No. 24, records of Cassia County, Idaho.

Mineral Reservation contained in Warranty Deed executed by Helen V. Cherry, a widow to McMurray Land & Livestock Company, an Idaho corporation, dated May 17, 1960 and recorded June 1, 1964 as Instrument No. 18747 on Film No. 27, records of Cassia County, Idaho.

Power Line Easement from Martin Bros. to Idaho Power Company, a corporation, dated July 5, 1972, and recorded October 6, 1972 as Instrument No. 65555 on Film No. 78, records of Cassia County, Idaho.

State of Idaho Lease No. OG-0342 as evidenced by Assignment of Mineral, Oil and Gas, and/or Geothermal Resource Lease(s) from Steven W. Davis and Karen M. Davis, 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.

Effects, if any, of Disclaimer executed by Oregon Short Line Railroad and its lessee Union Pacific Railroad Company, dated December 30, 1986 and recorded December 31, 1986 as Instrument No. 184583 on Film No. 186, records of Cassia County, Idaho.

Easement in State of Idaho Deeds recorded February 23, 1993 as Instrument Nos. 223262 and 223263, records of Cassia County, Idaho.

Unrecorded Contract For Sale of Real Estate and Security Agreement between James G. Martin and Elaine Martin, husband and wife, as Seller and Gary D. Martin and Susan Martin, husband and wife, as Buyer, dated June 7, 1979. (Covers an undivided one-half interest)

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 7, 1998

M & G FARMS

By: Max W. Martin
Max W. Martin, Partner

By: Gary D. Martin
Gary D. Martin, Partner

Max W. Martin
Max W. Martin

Virginia Martin
Virginia Martin

THE MAX & VIRGINIA MARTIN FAMILY TRUST

By: Max W. Martin
Max W. Martin, Trustee

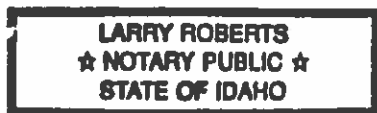
By: Virginia Martin
Virginia Martin, Trustee

Gary D. Martin
Gary D. Martin

Patricia Freeman Martin
Patricia Freeman Martin

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 7th day of April, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared GARY D. MARTIN, known or identified to me to be the partner or one of the partners in the Partnership of M & G Farms, and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said Partnership name.

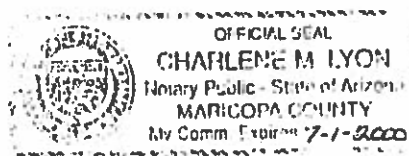


RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-30-03

Larry Roberts
Notary Public
Residing at: Burley, Idaho
My Commission expires: 6-30-03

STATE OF ARIZONA)
) ss.
COUNTY OF Maricopa)

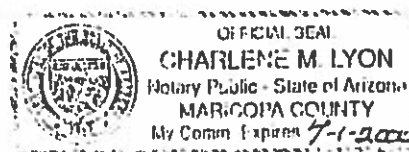
On this 10th day of April, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared MAX W. MARTIN, known or identified to me to be the partner or one of the partners in the Partnership of M & G Farms, and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said Partnership name.



Charlene M. Lyon
Notary Public
Residing at: Sun City, Arizona
My Commission expires: 7-1-2000

STATE OF ARIZONA)
) ss.
COUNTY OF Maricopa)

On this 10th day of April, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared MAX W. MARTIN and VIRGINIA, known or identified to me to be the person whose name is subscribed to the within instrument as Trustees of the The Max & Virginia Martin Family Trust, and acknowledged to me that they executed the same as such Trustee.



Charlene M. Lyon
Notary Public
Residing at: Sun City, Arizona
My Commission expires: 7-1-2000

STATE OF ARIZONA

COUNTY OF MARICOPA

) ss.

On this 10th day of April, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared MAX W. MARTIN and VIRGINIA MARTIN, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



OFFICIAL SEAL
CHARLENE M. LYON
Notary Public - State of Arizona
MARICOPA COUNTY
My Comm. Expires 7-1-2000

Charlene M. Lyon
Notary Public

Residing at: Sundby Arizona

My Commission expires: 7-1-2000

STATE OF IDAHO

COUNTY OF Cassia

) ss.

On this 7th day of April, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared GARY D. MARTIN and PATRICIA FREEMAN MARTIN, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



REMOVED AT BURLEY, ID
BY COMMISSION EXPIRES 6-30-03

Larry Roberts
Notary Public

Residing at: Burley, Idaho

My Commission expires: 6-30-03

LAND TITLE & ESCROW

RECEIVED AT THE REQUEST OF
CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER
FILED 2008-04-14

1998 APR 14 P 3:17

254957

FILM 298

RECEIVED AT THE REQUEST OF
LAND TITLE & ESCROW

See A45-02584
For map



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 27, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

45-10923

M AND G FARMS
STAR RT BOX 84
BURLEY ID 83318

RE: Domestic and/or Stockwater Rights in Basins 41, 43 and 45
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basins 41, 43 and 45. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in these basins will be recommended in a later process.

Note that you have 120 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the county courthouses in American Falls, Malad City, Burley and Twin Falls, and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed later this year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

AJ5855NP
1249

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: February 27, 1998
PAGE: 1

RIGHT NUMBER: 45-10923

NAME AND ADDRESS: M AND G FARMS
STAR RT BOX 84
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY-DATE: 05/01/1961

POINT OF DIVERSION T12S R22E S10 NENENW Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T12S R22E S10 NENW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 12S22E102400

AJ5856NP

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

DATE: SEP-9-1997
PAGE: A-625

RIGHT NUMBER: 45-10923

NAME & ADDRESS: M AND G FARMS
STAR RT BOX 84
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 05/01/1961

POINT OF DIVERSION: T12S R22E S10 NENENW Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T12S R22E S10 NENW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 12S22E102400

DJ

Claim proofread by: C.A.

Date: 9-22

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: A45-10923
Date Received: 5/31/1989
Receipt No: MOG 3767
Received By: J PC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: M. AND G. FARMS 208-678-2850
Address: STAR RT. BOX 84
BURLEY, ID 83318

2. Date of Priority: MAY 01, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	22E	10	NE	NE	NW		CASSIA

5. Description of diverting works:
WELL WITH PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12S	22E	10	NE	NW		DOMEST	

11. Place of use in counties: CASSIA

A45-10923

Page 1

Date: 05/31/89

MICROFILMED

MAR 08 1995

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): *Ray M. [Signature]* (partner) Date: 5/31/89
_____ Date: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of Coeur) SS.

Subscribed and sworn (or affirmed) before me this 31 day
of May 19 89

Seal

John Dal Lora
Notary Public

Residing at Bon Id

My Commission Expires 4/2/94

WATER RIGHT NUMBER - A45-10923

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
M. AND G. FARMS

1 - STAR RT. BOX 84
2 -
3 -
CITY- BURLEY
PHONE - 208-678-2850

STATE- ID ZIP- 83318

+ - - PRIORITY DATE - - +
05/01/1961

+ - - - REGION - - - +
ERROR IN REGION

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
GROUNDWATER

+ - - - - TRIBUTARY - - - - - +

+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

12S 22E 10 NE NE NW (31) CASSIA

+ - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC 01/01 12/31 0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040 0.0

+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

12S 22E 10 NE NW 43 DOMESTIC (31) CASSIA

+ - - DIVERSION MEANS - WELL WITH PUMP

+ - - NON-IRRIGATION USE - D/ 1 HOUSE

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - +
NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 05/31/89 CARLSON

MICROFILMED

OCT 20 1994

