

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-41
Date Received: 11/9/1988
Receipt No: C003264
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GLENDAL FARM LLC Phone: (208)788-4410
PO BOX 537
HAILEY ID 83333

2. Date of Priority: 06/01/1887

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	18E	12	SW NW	BLAINE	

5. Description of diverting works:

BANNON #49 HEADGATE, DITCH, FLOOD IRRIGATION AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.2	

7. Total Quantity Appropriated is:
1.2 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
01N	18E	10	NE	SE	IRRIGATION	15
			SW	SE	IRRIGATION	15
			SE	SE	IRRIGATION	40
Section Acres						70
01N	18E	11	NW	SW	IRRIGATION	20
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
Section Acres						100
01N	18E	14	NW	NE	IRRIGATION	7
			SW	NE	IRRIGATION	20
			NE	NW	IRRIGATION	35
			NW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	35
			SW	NW	IRRIGATION	30
Section Acres						167
01N	18E	15	NE	NE	IRRIGATION	40
			SE	NE	IRRIGATION	15
Section Acres						55
Total Acres						392

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

SOIL BELOW DITCH IS EXTREMELY POURIOUS - GRAVELLY, SANDY LOAM - LITTLE WOOD RIVER SERIES

15. Basis of Claim: Decreed

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

RECEIVED
FEB 11 2000
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) _____
Adjudication Claim Number(s) A37-00363BA37-00029, A37-00364B, A37-00040, A37-00041 and A37-00042
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 Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Glendale Farm Partnership
Owner/Claimants c/o Dennis Lallman, Lallman & Feltman, PO Box 989, Ketchum, ID 83340
4. New Owner/Claimant(s) Glendale Farm, LLC
Name connector (check one): [] AND, [] OR, [X] AND/OR

New Mailing Address PO Box 537

City, State and ZIP Code Hailey, ID 83333

New Telephone Number (208) 788-4410
5. Date you acquired the property 1-21-00
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(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.
Glendale Farm, LLC
7. Signature of New By: Peter Van Der Meulen Date 1/31/00
Owner/Claimant(s) Peter Van Der Meulen, Member

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. 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.

Order No. 26546

WARRANTY DEED

FOR VALUE RECEIVED

GLENDALE FARM PARTNERSHIP, a General Partnership

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL, and CONVEY unto

GLENDALE FARM, LLC, an Idaho limited liability company

GRANTEE(s) whose address is P.O. Box 537, Hailay, ID 83333

the following described real property in Blaine County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

STATE OF IDAHO

COUNTY OF BLAINE

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY

OFFICE AT THE REQUEST OF

AT 11:48 O'CLOCK A.M.

MARSHA RIEMANN

EX-OFFICIO RECORDER

BY 7 DEPUTY

FEES

1000

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit

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

Dated: January 20, 2000

GLENDALE FARM PARTNERSHIP

BY: RDM VENTURE, A GENERAL PARTNERSHIP

BY: DENNIS LALLMAN, GENERAL PARTNER

State of Idaho

County of Blaine

On this 20th day of January, in the year 2000, before me, the undersigned, personally appeared DENNIS LALLMAN, known or identified to me to be the General Partner of RDM Venture, a General Partnership, general partner of GLENDALE FARM PARTNERSHIP that executed the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

WITNESS my hand and official seal.

Notary Public

Commission Expires: 12/01/2000

J Notary Public

Order No. 26546
LEGAL DESCRIPTION

EXHIBIT "A"

PARCEL I:

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 10: $8\frac{1}{4}NW\frac{1}{4}$; $N\frac{1}{2}SW\frac{1}{4}$; $SW\frac{1}{4}NE\frac{1}{4}$; $N\frac{1}{2}SE\frac{1}{4}$; $SE\frac{1}{4}SE\frac{1}{4}$; $E\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$.

SECTION 11: Lot 2. $S\frac{1}{2}SW\frac{1}{4}$.

SECTION 15: $NE\frac{1}{4}NE\frac{1}{4}$, the East 10 acres of the $NW\frac{1}{4}NE\frac{1}{4}$, a portion of the East 20 acres of the $SE\frac{1}{4}NE\frac{1}{4}$;

More particularly described as follows:

BEGINNING at the brass cap marking the Northeast corner of the $NE\frac{1}{4}$ of the $SE\frac{1}{4}$ of Section 10, also said point being the REAL POINT OF BEGINNING; thence
N. $89^{\circ}16'54''$ W., 1,308.90 feet along the Northerly boundary of the $NE\frac{1}{4}$ of the $SE\frac{1}{4}$ of Section 10 to an iron pin marking the Southeast corner of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 10; thence
N. $00^{\circ}17'47''$ W., 1,325.41 feet along the Easterly boundary of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 10 to an iron pin marking the Northeast corner of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 10; thence
N. $88^{\circ}54'21''$ W., 1,309.33 feet along the Northerly boundary of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 10 to an iron pin marking the Northeast corner of the $S\frac{1}{2}$ of the $NW\frac{1}{4}$ of Section 10; thence
N. $89^{\circ}40'02''$ W., 2,842.43 feet along the Northerly boundary of the $S\frac{1}{2}$ of the $NW\frac{1}{4}$ of Section 10 to an iron pin marking the Northwest corner of the $S\frac{1}{2}$ of the $NW\frac{1}{4}$ of Section 10; thence
S. $00^{\circ}02'42''$ E., 1,316.13 feet along the Westerly boundary of the $S\frac{1}{2}$ of the $NW\frac{1}{4}$ of the Section 10 to a brass cap marking the Northwest corner of the $N\frac{1}{2}$ of the $SW\frac{1}{4}$ of Section 10; thence
S. $03^{\circ}26'56''$ E., 1,327.17 feet along the Westerly boundary of the $N\frac{1}{2}$ of the $SW\frac{1}{4}$ of Section 10 to an iron pin marking the Southwest corner of the $N\frac{1}{2}$ of the $SW\frac{1}{4}$ of Section 10; thence
S. $89^{\circ}16'29''$ E., 2,575.95 feet along the Southerly boundary of the $N\frac{1}{2}$ of the $SW\frac{1}{4}$ of Section 10 to an iron pin marking the Southwest corner of the $NW\frac{1}{4}$ of the $SE\frac{1}{4}$ of Section 10; thence
S. $89^{\circ}27'47''$ E., 653.52 feet along the Southerly boundary of the $NW\frac{1}{4}$ of the $SE\frac{1}{4}$ of Section 10 to an iron pin marking the Northwest corner of the $E\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $SE\frac{1}{4}$ of Section 10 to an iron pin marking the Southwest corner of the said $E\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $SE\frac{1}{4}$ of Section 10; thence
S. $89^{\circ}38'42''$ E., 323.48 feet along the Southerly boundary of the said $E\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $SE\frac{1}{4}$ of Section 10 to an iron pin marking the Northwest corner of the said East 10 acres of the $NW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 15; thence
S. $00^{\circ}13'40''$ W., 1,320.69 feet along the Westerly boundary of the said East 10 acres of the $NW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 15 to an iron pin marking the Southwest corner of the East 10 acres of the $NW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 15; thence
S. $89^{\circ}33'55''$ E., 983.35 feet along the Southerly boundary of the $N\frac{1}{2}$ of the $NE\frac{1}{4}$ of Section 15 to an iron pin marking the Northwest corner of the said East 20 acres of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 15; thence
S. $00^{\circ}03'30''$ W., 547.08 feet along the Westerly boundary of the said East 20 acres of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 15 to an iron pin; thence

CONTINUED

Order No. 26545
LEGAL DESCRIPTION

PARCEL I - CONTINUED:

S. 71°27'35" E., 694.77 feet to an iron pin on the Easterly boundary of the said East 20 acres of the SE¼ of the NE¼ of Section 15; thence
N. 00°10'16" W., 2,086.01 feet to a brass cap marking the Northwest corner of Section 14; thence
N. 89°47'53" E., 2,655.21 feet to a brass cap marking the Southeast corner of the SE¼ of the SW¼ of Section 11; thence
N. 00°29'45" W., 1,321.43 feet along the Easterly boundary of the SE¼ of the SW¼ of Section 11 to a brass cap marking the Northeast corner of the SE¼ of the SW¼ of Section 11; thence
S. 89°50'59" W., 1,323.47 feet along the Northerly boundary of the SE¼ of the SW¼ of Section 11 to an iron pin marking the Southeast corner of the said Lot 2 of Section 11; thence
N. 00°21'12" W., 568.06 feet along the Easterly boundary of the said Lot 2 of Section 11 to an iron pin on the Southerly boundary of the Lark Lode, Mineral Survey No. 793, lying in the N½ of the SW¼ of Section 11; thence
N. 82°28'00" W., 393.83 feet along the said Southerly boundary of the Lark Lode to an iron pin marking the Southwesterly corner of the said Lark Lode; thence
N. 07°32'00" E., 600.00 feet along the Westerly boundary of the said Lark Lode to an iron pin marking the Northwesterly corner of the said Lark Lode, said point bears S. 84°28'00" E., 1,015.00 feet (formerly described as S. 77°46' E., 1,072 feet) from the said Northeast corner of the SE¼ of Section 10; thence
S. 82°28'00" E., 310.71 feet along the Northerly boundary of the said Lark Lode to an iron pin marking said Easterly boundary of Lot 2 of Section 11; thence
N. 00°21'12" W., 140.90 feet along the said Easterly boundary of Lot 2 of Section 11, to an iron pin marking the Northeast corner of the said Lot 2 of Section 11; thence
S. 89°54'02" W., 1,317.44 feet along the Northerly boundary of the said Lot 2 of Section 11 to the POINT OF BEGINNING.

PARCEL II:

Lots 1 and 2, Block 1 of a REPLAT OF LOT 2A OF THE REPLAT OF LOT 2, BLOCK 1, COSTOFF SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 327118, records of Blaine County, Idaho.

AND

New Lot 1 of REPLAT OF LOT 3 OF REPLAT OF LOT 2A OF REPLAT OF LOT 2 AND LOT 2B OF THE REPLAT OF LOT 2, ALL IN BLOCK 1 COSTOFF SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 341229, records of Blaine County, Idaho.

TOGETHER WITH THE all mineral rights, ditch rights and water rights appurtenant thereto, including but not limited to the following described water rights:

STATE WATER RIGHT NO.	PRIORITY DATE	INCHES
37-0363	4/12/1883	81.50 163
37-0029	06/01/1883	94.00 188 ✓
37-0364	05/01/1887	56.43 113 ✓
37-0041	06/01/1887	60.00 12 ✓
37-0040	06/01/1891	15.00 3 ✓
37-0042	06/01/1887	130.00 2.4 ✓

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00041
Date Received: 10/27/1988
Receipt No: C003264
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLENDALE FARMS PARTNERSHIP 208-726-7500
Address: C/O DENNIS LALLMAN
LALLMAN & FELTMAN
P.O. BOX 989
KETCHUM, ID 83340

2. Date of Priority: JUN 01, 1887

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	18E	12	SW	NW			BLAINE

5. Description of diverting works:
BANNON #49 HEADGATE, DITCH, FLOOD IRRIGATION AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

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

8. Total consumptive use is 980.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	10	NE	SE		IRR	15.0
			SW	SE		IRR	15.0

A37-00041

Page 1

Date: 01/27/89

MICROFILMED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	10	SE	SE		IRR	40.0
Section Acres							70.0
		11	NW	SW		IRR	20.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
Section Acres							100.0
		14	NW	NE		IRR	7.0
			SW	NE		IRR	20.0
			NE	NW		IRR	35.0
			NW	NW		IRR	40.0
			SW	NW		IRR	30.0
			SE	NW		IRR	35.0
Section Acres							167.0
		15	NE	NE		IRR	40.0
			SE	NE		IRR	15.0
Section Acres							55.0
Total Acres							392.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

37-00364B, 37-00029, 37-00363B, 37-00040, 37-00042

14. Remarks:

SOIL BELOW DITCH IS EXTREMELY POURIOUS - GRAVELLY, SANDY LOAM -
LITTLE WOOD RIVER SERIES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

S. C. FROST, ET. AL.

Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.

Decree Defendant

A37-00041

Page

2

Date: 01/27/89

MICROFILMED
FEB 22 1993

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 39356
Ident Number A37-00041
Date Received 10-27-88
Receipt Number 0003264

RECEIVED

OCT 27 1988

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Southern Region Office

1. Name of Claimant(s): Glendale Farms Partnership
Phone: (208) 726-7500
Mailing Address: c/o Dennis Lallman
Lallman & Feltman
P. O. Box 989
Ketchum, ID 83340

2. Date of Priority: June 1, 1887

3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
1N	18E	12		SW	NW		Blaine

Additional points of diversion if any: None.

b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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5. Description of existing diversion works: Bannon #49 Headgate,
earthen ditch, flood irrigation on portion of ranch below ditch and
wheelines and handlines above the ditch.

REPROFILMED
FEB 22 1993

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	1.2 cfs

7. Total Quantity Claimed: 1.2 cfs

8. Total consumptive use claimed is 980 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
1N	18E	10	NE	SE	I	15
1N	18E	10	SW	SE	I	15
1N	18E	10	SE	SE	I	40
1N	18E	11	NW	SW	I	20
1N	18E	11	SW	SW	I	40
1N	18E	11	SE	SW	I	40
1N	18E	14	NW	NE	I	7
1N	18E	14	SW	NE	I	20
1N	18E	14	NE	NW	I	35
1N	18E	14	NW	NW	I	40
1N	18E	14	SW	NW	I	30
1N	18E	14	SE	NW	I	35
1N	18E	15	NE	NE	I	40
1N	18E	15	SE	NE	I	15

Total number of irrigated acres: 392

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? 37-0363B, 37-0029, 37-0364B, 37-0040, 37-0042.

14. Remarks: Claim is for right originally decreed to Miles F. Bannon in S.C. Frost et al. v. Alturus Water Co. et ux.. Place of use is claimed pursuant to Idaho Code §42-1416(1) to the extent it differs from the decree. Soil below ditch is extremely pourous - gravelly, sandy loam - Little Wood River Series.

Last Name: Glendale Ident No. _____

MICROFILMED
FEB 22 1993

Scale: 2 inches equals 1 mile

[illegible]

GLENDALE

Ident No.

Copies: White-Slave, Yellow-Caiman

MICROFILMED
 FEB 22

15. Basis of Claim: Decree
IDWR Water Right Number: 37-0041
Court: Lincoln County
Case Number:
Decree Date: December 13, 1909
Plaintiff v. Defendant:
S.C. Frost et al. v. Alturus Water Co. et ux.

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments -

[For Organizations] I do solemnly swear or affirm that I am a general partner of Glendale Farms Partnership, that I have signed the foregoing document in the space below as general partner of the partnership and that the statements contained in the foregoing document are true and correct.

ROM Ventures

Signature of General Partner: ROM VENTURES, A GENERAL PARTNERSHIP

BY Dennis L. Lohman, A GENERAL PARTNER

Title of Organization: Glendale Farms Partnership Date 10/24/88

State of Idaho)
County of Bonne) ss.

Subscribed and sworn before me this 24th day of October, 1988.

Notary Public Ruby M. Beck
Residing at Sun Valley
Commission Expires 1/17/93

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the address listed below.

Signature: James P. Speck

James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 10/25/88

Last Name: Glendale
a2:\gdale4.clm

Ident No.: _____

MICROFILMED
FEB 22 1993

11/30/2006

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

RIGHT NUMBER: 37-41

NAME AND ADDRESS: GLENDALE FARM LLC
PO BOX 537
HAILEY ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 1.200 CFS

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION:
T01N R18E S12 NENSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.200 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S10	NESE	13.00	T01N R18E S10	NWSE	1.40
T01N R18E S10	SWSE	13.00	T01N R18E S10	SESE	41.00
T01N R18E S11 Lot 2 NWSW		17.00	T01N R18E S11	SWSW	41.00
T01N R18E S11	SESW	40.00	T01N R18E S14	NWNE	8.20
T01N R18E S14	SWNE	20.00	T01N R18E S14	NENW	36.00
T01N R18E S14	NWNW	40.00	T01N R18E S14	SWNW	25.00
T01N R18E S14	SENW	39.00	T01N R18E S15	NENE	40.00
T01N R18E S15	NWNE	7.70	T01N R18E S15	SENE	9.70

392 ACRES TOTAL

Right Nos. 37-41 and 37-42 are limited to the irrigation of a combined total of 120 acres in a single irrigation season.

This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.

Right Nos. 37-29, 37-40, 37-41, 37-42, 37-363B, and 37-364B are limited to the irrigation of a combined total of 392 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

SRBA Recommendation:

37-41
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters

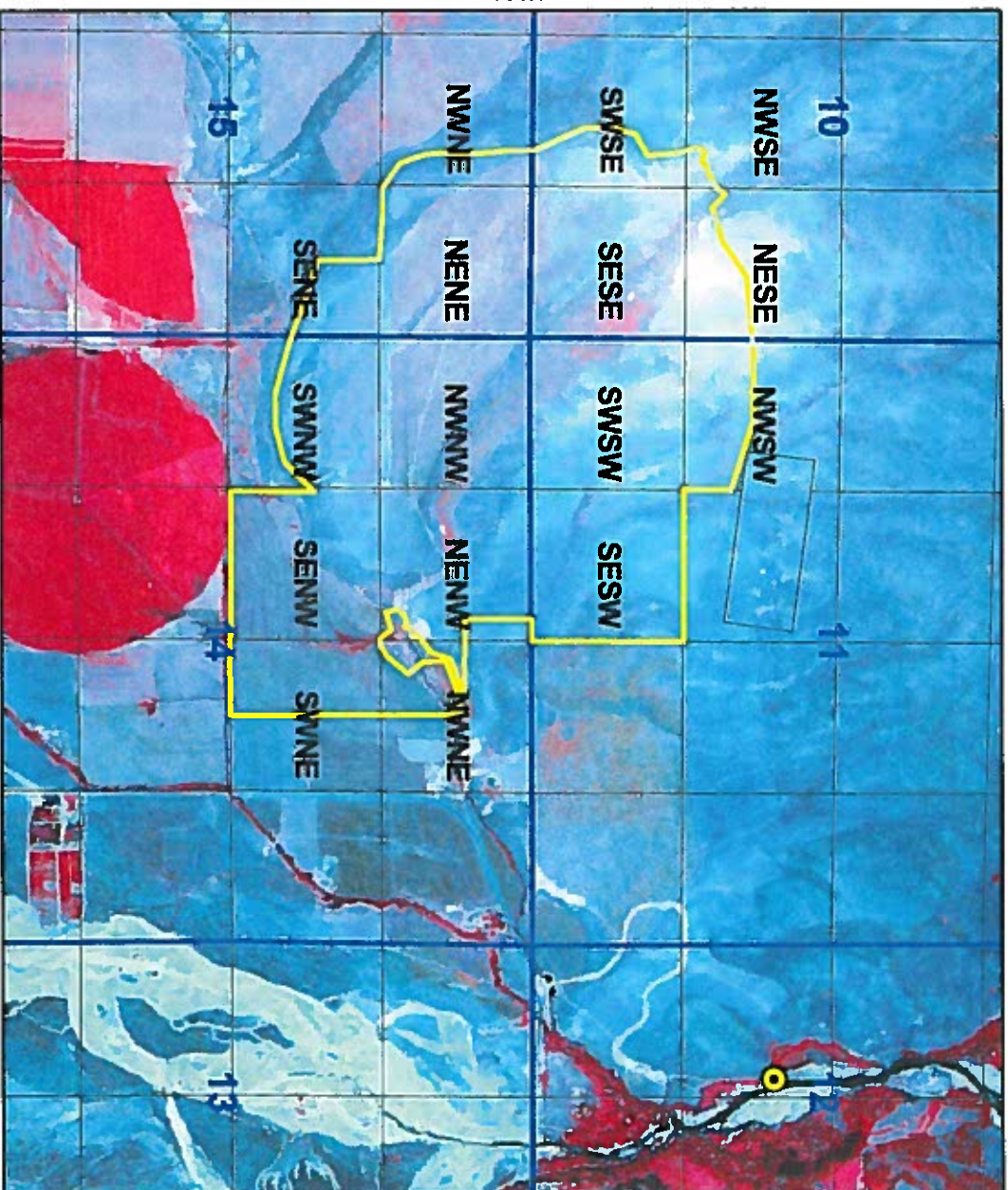


Blaine County
IDWR Basin 37



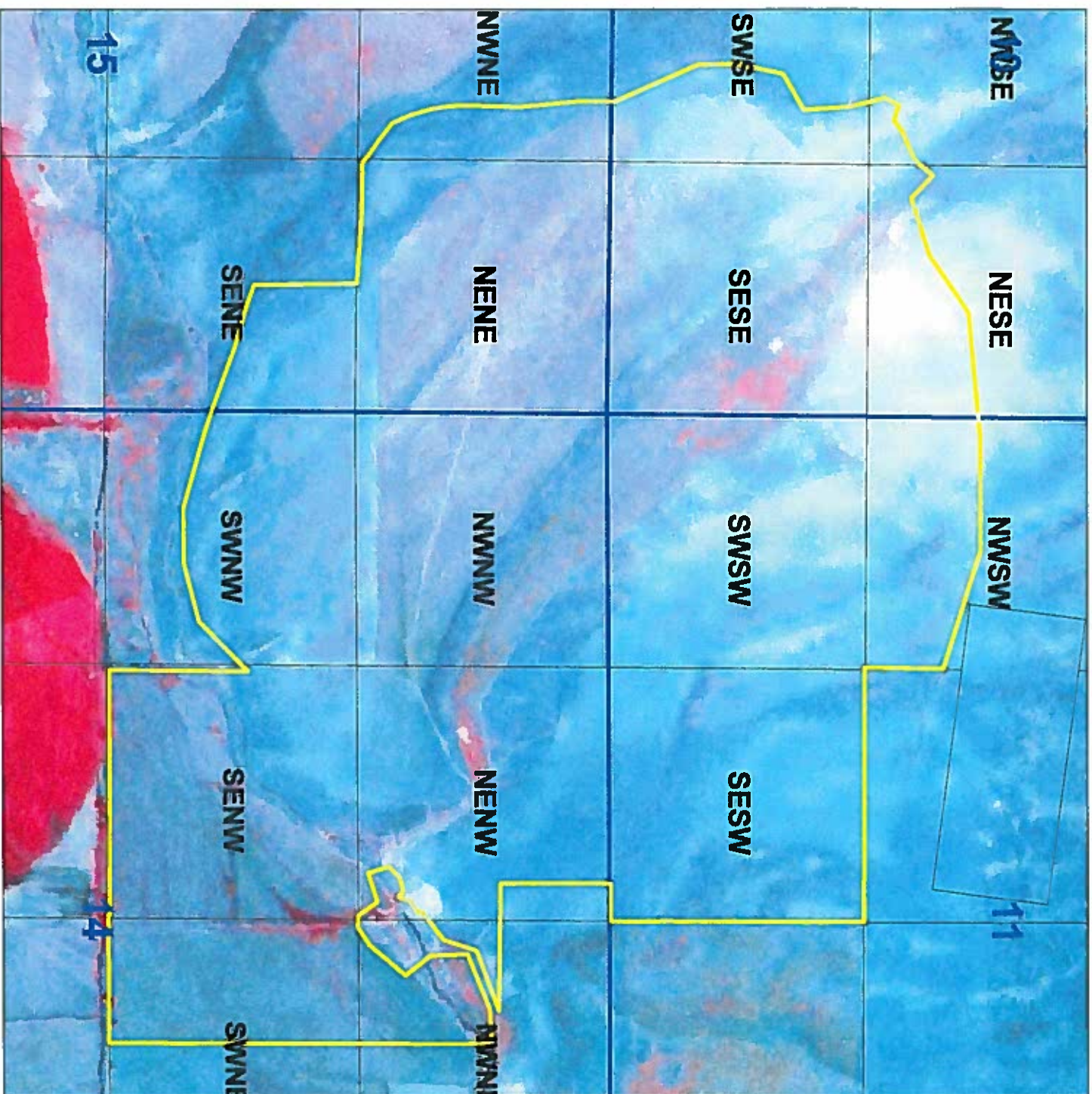
T01N

R18E



Prepared by C. Skinner
On Thursday, November 30, 2006
1987/88 Aerial Photography

37-41



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-41

WATER RIGHT NUMBER: 37-41

Owner Type Name and Address

Current Owner GLENDALE FARM LLC
PO BOX 537
HAILEY, ID 83333
(208)788-4410

Attorney JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM, ID 83340
(208)726-4421

Original Owner U S JUSTUS

Original Owner , ZZ
GLENDALE FARMS PARTNERSHIP
C/O DENNIS LALLMAN
LALLMAN & FELTMAN
PO BOX 989
KETCHUM, ID 83340
(208)726-7500

Original Owner CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS
HAILEY WARD
HAILEY, ID 83333

*no competing claims
watermaster records show 1.2 cfs
for Glendale Farm*

Priority Date: 06/01/1887

Basis: Decreed

Status: Active

Source Tributary

BIG WOOD RIVER MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01/17	11/01	1.200 CFS	
	4/15	10/31	<u>Total Diversion:</u>	1.200 CFS

Location of Point(s) of Diversion

BIG WOOD RIVER ~~SW 1/4 NW 1/4~~ Sec. 12, Twp 01N, Rge 18E, B.M.
BLAINE County *NE NW SW*

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	
01N	18E	10									15.0		15.0	40.0					70.0
01N	18E	11									20.0	40.0	40.0						100.0

*Per per
Acreage
Shape*

*limit to 120 acres
per original decree*

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-41

01N 18E 14	7.0	20.0	35.0	40.0	30.0	35.0	167.0
01N 18E 15	40.0	15.0					55.0

Total Acres: 392

Conditions of Approval:

1. SOIL BELOW DITCH IS EXTREMELY POURIOUS - GRAVELLY, SANDY LOAM - LITTLE WOOD RIVER SERIES.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 11/9/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 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

Combined Use Limits:Water Supply Bank:

Water Right Report 37-41

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MILES F BANNON
	ZZ

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/	to /	1.200 CFS	
		Total Diversion:	1.200 CFS	

BIG WOOD RIVER SW1/4NW1/4 Sec. 12, Twp 01N, Rge 18E, B.M.
BLAINE County

IRRIGATION

[illegible]

1. P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
P/U CORRECTED BY ORDER DATED 3-13-1919.

Remarks:

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-41

Licensed Date:
Decreed Date: 12/13/1909
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Alturas Water Co, et al
Decree Plaintiff: S C Frost, et al
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:



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

September 26, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

Re: SRBA Claim(s) A37-29, A37-40, A37-41, A37-42, A37-363B, A37-364B
Glendale Farm LLC

Dear Mr. Speck:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to your client. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

The deed submitted with the ownership change conveys water right 37-363 in the amount of 81.50 inches (1.63 cfs). Claim 37-363B is actually for 101.50 inches (2.03 cfs). Since no split was indicated on the owner change form and all the property was conveyed, I changed ownership of the entire claim to Glendale Farm LLC. If I made the change in error, please contact me with instructions on the disposition of the 20 inches in question.

Sincerely,

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

Trish Fawcett
Technical Records Specialist

Enc.

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

February 10, 2000

RECEIVED

FEB 11 2000

Department of Water Resources
Southern Region

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

Re: Glendale Farm, LLC - Water Rights

Dear Allen:

Enclosed you will find two Notices of Change of Water Right Ownership signed by my client, Glendale Farm, LLC together with the original of my firm's Notice of Appearance for the water right claims and a copy of my firm's Notice of Appearance for the two unobjected to water rights as recommended in the SRBA. The originals of the latter have been filed with the SRBA Court. Please return to me computer printouts of the SRBA claims reflecting the change of ownership.

Kindly call me if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS:jal

Enclosures

cc: Client (w/encls.)

SRBA Court (w/encls.)

Chief, Natural Resources Division

U.S. Dept. of Justice

Idaho Dept. of Water Resources

Claimants Names:
Glendale Farm, LLC

Attorney Name & Address:
James P. Speck ISB# 2067
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 83340
(208) 726-4421
FAX: (208) 726-0752

**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 APPEARANCE
	)	
	)	
_____	)	

DESCRIPTIVE SUMMARY

This is a notice of appearance by counsel on behalf of the new claimant and purchaser of the water rights identified below.

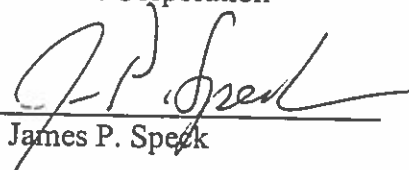
NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimants, Glendale Farm, LLC, for the following water rights claims which are not the subject of any subcases: A37-00363B, A37-00029, A37-00364B, A37-00040, A37-00041 and A37-00042.

DATED this 10 day of February, 2000.

SPECK & AANESTAD
A Professional Corporation

By


James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 10 day of February, 2000, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

Chief, Natural Resources Division
Office of the Attorney General, State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

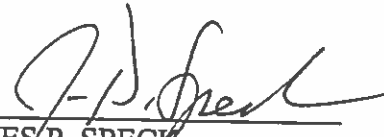
- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

Water Right Number - 37-00041 Adj. Flag Translation: Standard Water Right Number Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BANNON

MILES F.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1987 17 D - DECREED

+ - - Source - - - - - + + - - - - Tributary - - - - - +
BIG WOOD RIVER MALAD RIVER

+ - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +
TwN Rng Sec Tract Lot Rflg County

01N 18E 12 SW NW (13) BLAINE

+ - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume - - - - - +
Code Description Period From Period To

01 - IRRIGATION

+ - - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.200 1.200

+ - - - - - - - - - - - Place of Use - - - - - Description County - - - - - +
TwN Rng Sec Tract Lot Acres Code

01N 18E 14 NW NE 01 IRRIGATION (13) BLAINE
01N 18E 14 SW NE 01 IRRIGATION (13) BLAINE
01N 18E 14 SE NW 01 IRRIGATION (13) BLAINE

Total Acres:

+ - - Diversion Means - BANNON #49 DIVERSION

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - Remarks - - - - - +
P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
P/U CORRECTED BY ORDER DATED 3-13-1919.

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

+ - - Decree Plaintiff - - - + + - - Decree Defendant - - - + + - Decree Date - +
S. FROST, ET. AL. ALTURAS WATER COMPANY, ET. AL. 12/13/1909

MICROFILMED
FEB 2 2 1993

| Water right number - | 37-00041 | Adj. flag translation: | Standard Water Right Number |
|----------------------|----------|------------------------|-----------------------------|
| | | | |

+ - - Microfilm Rolls -

+ - - Audit Fields - 02/11/86

[illegible]

| | |
|------------------|--------------|
| Proof Due Date | - 00/00/0000 |
| Approved/Denied | - 00/00/0000 |
| Proof Made Date | - 00/00/0000 |
| Start Work Date | - 00/00/0000 |
| Order Show Cause | - 00/00/0000 |
| Licensed Date | - 00/00/0000 |
| Decree Date | - 12/13/1909 |

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

MICROFILMED
FEB 22 1993

RECEIVED
APR 07 1989

GENERAL PARTNERSHIP AGREEMENT

GLENDAL FARM PARTNERSHIP

Department of Water Resources

This Partnership Agreement is made and entered into as of this 4th day of November, 1986 by and between Peter VanDerMeulen, Post Office Box 537, Hailey, Idaho, 83333, Al Munio, Post Office Box 3040, Hailey, Idaho, 83333, Larry Henriksen, Post Office Box 2199, Hailey, Idaho, 83333, GRB Ventures, Post Office Box _____, Hailey, Idaho, 83333, RDM Venture, and Idaho Partnership, Post Office Box 989, Ketchum, Idaho, 83340, and John Henning, Post Office Box 2395, Hailey, Idaho, 83333, (hereinafter sometimes collectively referred to as "Partners").

WHEREAS, the Partners desire to execute this Agreement to set forth in writing their respective rights and obligations in the Partnership.

NOW, THEREFORE, in consideration of the mutual covenants, conditions and promises contained herein, it is agreed as follows:

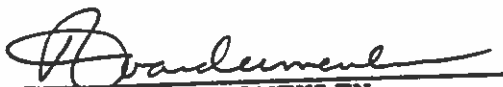
1. Name and Business. The parties hereby agree to the formation of a General Partnership pursuant to the laws of the State of Idaho, to hold, develop,

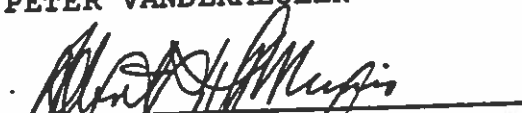
REPROFILMED
FEB 22 1993

21. Applicable Law. This Agreement and the rights of the parties thereunder shall be interpreted in accordance with the laws of the State of Idaho.

22. Attorney's Fees. In the event that either party hereto retains an attorney to enforce any right or duty arising out of this Contract, the prevailing party in such dispute shall be entitled to be paid reasonable attorney's fees by the non-prevailing party, whether or not litigation is actually instituted.

IN WITNESS WHEREOF, the undersigned have set their hands and seals as of the date first set forth above.


PETER VANDERMEULEN


AL MUNIO


LARRY HENRIKSEN

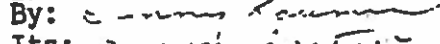
GRB VENTURES

GRB Ventures

Garland Bergdale
By: GARLAND BERGDALE
Its: General Partner


JOHN HENNING

RDM VENTURE, an Idaho Partnership


By: 
Its: 

MICROFILMED
FEB 22 1993

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Glendale Farm Partnership CLAIM IDENT. NO. A37-00041

DATE RECEIVED 10-27-88 CK # 151 AMOUNT \$ 742- 8 claims

1. Is the name and address complete with zip code? YES ☒ NO ☐
2. Is a priority date entered? YES ☒ NO ☐

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered? YES ☒ NO ☐
(b) Is a tributary to entered? (if required) N/A ☐
4. Is the legal description of the p.d. sufficient? YES ☒ NO ☐
5. Is there a description of the diverting works? YES ☒ NO ☐
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. YES ☒ NO ☐
Is the period of use included? YES ☒ NO ☐
Is a quantity claimed for each use? YES ☒ NO ☐
7. Is a total quantity claimed entered? YES ☒ NO ☐
8. If required is a consumptive use entered? N/A ☐
Is the consumptive use correct? N/A ☐
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☒
10. Is (are) the place(s) of use and purpose(s) indicated? YES ☒ NO ☐
11. Is (are) the county(ies) entered? YES ☒ NO ☐
12. Is the ownership of p.u. checked? YES ☒ NO ☐
13. Are other water rights listed or "none" indicated? YES ☒ NO ☐
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☐
15. Is the basis of the claim indicated? YES ☒ NO ☐
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) YES ☒ NO ☐
- Has the claim been signed, sealed, and dated by a notary? YES ☒ NO ☐
- Was this claim filed on time, or was an extension granted? YES ☒ NO ☐
- Is the fee enclosed correct? Exempt ☒
- If this claim is based on an existing water right, has the identification number been entered? N/A ☐
- Should this claim be receipted and data entered? YES ☒ NO ☐

Claim checked by: [Signature]

Comments: Need signature of G.P. of Glendale Farms

RECEIVED
FEB 2 1989