

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: A37-00132
Date Received: 8/01/1988
Receipt No: S001194
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IDAHO LAND & LIVESTOCK, INC. 208-377-3000
Address: P.O. BOX 67
BOISE, ID 83707

2. Date of Priority: MAY 15, 1888

3. Source: SOLDIER CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	14E	21	SW		NE		CAMAS

5. Description of diverting works:
VIA ABBOTT CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

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

8. Total consumptive use is 387.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE, STOCKWATER INCEDENTAL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	14E	29	NE	SE		IRR	35.0
			NW	SE		IRR	40.0
			SW	SE		IRR	30.0

A37-00132

Page 1

Date: 08/18/89

MICROFILMED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	14E	29	SE SE		IRR	24.0

Section Acres 129.0

Total Acres 129.0

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:
STOCKWATER WELL

14. Remarks:
ORIGINALLY DECREED TO HERBERT CARPENTER IN THE FROST DECREE.

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

CLIFFORD HALLOWELL
Decree Plaintiff

vs

MILO W. BAKER, ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, 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 _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

WARRANTY DEED

also known as Dwight Osborne

FOR VALUE RECEIVED, DWIGHT L. OSBORNE and ELLA JEAN OSBORNE, husband and wife, LAYNE OSBORNE and JUDY OSBORNE, husband and wife, doing business as OSBORNE RANCHES and OSBORNE CATTLE CO., LYNDEN OSBORNE and LORI OSBORNE, husband and wife, LEANNE COLE and LUCINDA FISHER, the Grantors, do hereby grant, bargain, sell and convey unto IDAHO LAND & LIVESTOCK, INC., an Idaho corporation, the Grantee, whose current address is P.O. Box 67, Boise, ID - 83707, the premises situated in the counties of Gooding and Camas, State of Idaho, more particularly described on Exhibit "A" attached hereto and made a part hereof by reference.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that they are free from all encumbrances except current taxes and assessments, easements, restrictions and reservations of record, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 26th day of June, 1989.

Dwight L. Osborne
Dwight L. Osborne

Ella Jean Osborne
Ella Jean Osborne

Layne Osborne
Layne Osborne

Judy Osborne
Judy Osborne

137194

STATE OF IDAHO
COUNTY OF GOODING, S.S.
RECORDED AT REQUEST
Land Title & Survey Div.
JUL 5 AM 9 36
JOHN A. MYERS, REC.
DEP. 11/27 FEE 27.00

WARRANTY DEED - 1

MICROFILMED
FEB 22 1993

65061

Lynden Osborne
Lynden Osborne

and for Record at the Request of

LAND TITLE ESCROW

STATE OF IDAHO }
County of Camas, }

I hereby certify that this Instrument
was filed for record in my office at
11:15 o'clock AM
7-5, 1989, and
 duly recorded in Book 27 of
DEEDS Page 163
Flannery
County Recorder

Lori Osborne
Lori Osborne

Leanne Cole
Leanne Cole

by Dwight Osborne att. in fact

Leanne Cole
Leanne Cole

Lucinda Fisher
Lucinda Fisher

by Dwight Osborne att. in fact
Lucinda Fisher

By _____ Page 6

Page 27

STATE OF IDAHO)
County of Gooding) ss.

On this 26th day of June, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared DWIGHT L. OSBORNE and ELLA JEAN OSBORNE, 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.

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



Janet A. Gorrell
Notary Public for Idaho
Residing at: Gooding, Idaho
My commission expires: 2-28-1993

MICROFILMED
FEB 22 1993

STATE OF IDAHO)
) ss.
County of Gooding)

On this 26th day of June, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared LAYNE OSBORNE and JUDY OSBORNE, 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.

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

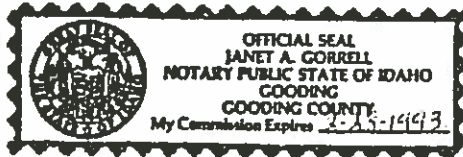


Janet A. Gorrell
Notary Public for Idaho
Residing at: Gooding, Idaho
My commission expires: 2-28-1993

STATE OF IDAHO)
) ss.
County of Gooding)

On this 26th day of June, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared LYNDEN OSBORNE and LORI OSBORNE, 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.

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



Janet A. Gorrell
Notary Public for Idaho
Residing at: Gooding, Idaho
My commission expires: 2-28-1993

STATE OF IDAHO)
) ss.
County of Gooding)

On this _____ day of June, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared LEANNE COLE, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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

Notary Public for Idaho
Residing at:
My commission expires:

MICROFILMED
FEB 22 1990

~~STATE OF IDAHO)
County of Gooding) ss.~~

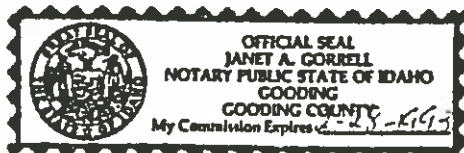
~~On this _____ day of June, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared LUCINDA FISHER, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.~~

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

~~Notary Public for Idaho
Residing at:
My commission expires:~~

STATE OF IDAHO)
COUNTY OF GOODING) ss.

On this 26th day of June, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Dwight L. Osborne known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Leanne Cole and Lucinda Fisher and acknowledged to me that he subscribed the names of Leanne Cole and Lucinda Fisher thereto as principals, and his own name as attorney in fact.



Janet A. Gorrell
Notary Public for Idaho
Residing at: Gooding, Idaho
My commission expires: 2-28-1993

EXHIBIT "A"

TOWNSHIP 7 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 9: All of said Section 9 lying West of State Highway
No. 25, EXCEPTING THEREFROM the following described
tract of land:

Beginning at a point 80 feet North of the South
quarter corner of Section 9;
Thence along the Northwesterly and Westerly bank of
Canal No. 18, North 83°24' East, 490.5 feet;
Thence North 55°34' East, 220.8 feet;
Thence North 36°9' East, 305.7 feet;
Thence East 2°27' South, 310 feet;
Thence North 75°12' East, 108.7 feet;
Thence North 51°05' East, 56.8 feet;
Thence North 09°04' West, 941 feet;
Thence North 44°19' West, 452.2 feet;
Thence North 11°37' West, 127.3 feet;
Thence North 34°25' East, 202.2 feet;
Thence North 67°5' East, 429.8 feet;
Thence East 32°10' South, 296.2 feet;
Thence North 37°35' East, 482.1 feet;
Thence North 64°15' East, 204.4 feet;
Thence North 8°35' East, 293.1 feet;
Thence along the Northerly bank of said Canal No.
18, North 61°48' West, 1336.2 feet;
Thence West 22°53' South, 976.5 feet;
Thence due West 300 feet, more or less, to inter-
sect the North-South 7/16 line East from West
Section boundary;
Thence South along the latter 7/16 line to the
Southeast corner of the W½E½SE½NW½ of said
Section 9;
Thence West to the Southeast corner of the W½SE½NW½
of said Section 9;
Thence South parallel to the West line of said
Section 9, 2560 feet;
Thence East to THE POINT OF BEGINNING.

EXCEPTING THEREFROM A PARCEL OF LAND being
described as the North 400.00 feet of the West
800.00 feet of NW½NW½, Section 9, Township 7 South,
Range 14, East Boise Meridian, Gooding County,
Idaho.

Section 10: SE½SW½; W½SW½;

Section 14: SW½NW½; NW½SW½;

Section 15: NW½; N½SW½; S½NE½; NW½NE½; N½SE½;

EXCEPTING THEREFROM Railroad right of way of North
Side Branch of Union Pacific Railroad and State
Highway from lands described in Sections 10, 14 and
15.

EXCEPTING THEREFROM a parcel of land being on both
sides of the centerline of Interstate 80N Project
Nos. I-80N3(23)142 and I-80N3(21)150 Highway
Surveys as shown on the plans thereof now on file
in the office of the Department of Highways of the
State of Idaho, and being a portion of the NE½NW½,

and W½N½E½, the SE½N½E½ and the NE½SE½ of Section 9, the W½SW½ and the SE½SW½ of Section 10, the NW½N½E½ and the SE½N½E½ of Section 15, the SW½NW½ and the NW½SW½ of Section 14, all in Township 7 South, Range 14, East of the Boise Meridian, as described in Second Judgment and Decree of Condemnation in the case of The State of Idaho, ex rel C. Ed Flandro, Howard B. Thomason and Lloyd F. Barron, Idaho Board of Highway Directors, Plaintiff, vs. Kenneth Bradshaw and Eleanor Bradshaw, husband and wife, Gary Bradshaw and Carol Bradshaw, husband and wife, and Connecticut General Life Insurance Company, a Connecticut corporation, Defendants, dated September 24, 1971, recorded September 24, 1971 as Instrument Number 37140, Gooding County records.

SUBJECT TO THE FOLLOWING:

Taxes for 1989 and subsequent years, which are not yet due and payable.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

Power Line Easement given by Dick Reed and Estella Reed, husband and wife, to Idaho Power Company, a corporation, dated August 4, 1941, recorded November 12, 1941 in Book 4 Page 627 as Instrument Number 81944, Gooding County records, affecting the SE½SE½ of Section 4, Township 7 South, Range 14, East Boise Meridian, and the N½N½E½ of Section 9, Township 7 South, Range 14, East Boise Meridian.

Power Line Easement given by J. H. Watts and Cecil L. Watts, husband and wife, to Idaho Power Company, a corporation, dated August 11, 1941, recorded November 12, 1941 in Book 4 Page 628 as Instrument Number 81945, Gooding County records, affecting the SW½N½E½ of Section 9, Township 7 South, Range 14, East Boise Meridian.

Power Line Easement given by Dick Reed and Estella Reed, husband and wife, to Idaho Power Company, a corporation, dated December 8, 1948, recorded April 30, 1949 in Book 5 Page 430 as Instrument Number 108734, Gooding County records, affecting the NW½N½E½ and the NE½N½E½ of Section 9, Township 7 South, Range 14, East Boise Meridian.

Reservation contained in Warranty Deed given by Harry G. Behrhorst and Mildred I. Behrhorst, husband and wife, to Leo Rice and May H. Rice, husband and wife, dated December 17, 1951, recorded April 21, 1952 in Book 44 Page 437 as Instrument Number 118074, Gooding County records, reserving and excepting a roadway 40 feet in width and right of ingress and egress over the same extending from the approximate West quarter corner of said Section 9, Township 7 South, Range 14, East Boise Meridian, Easterly to the West boundary of the excepted portion.

Power Line Easement given by Leo Rice and May H. Rice, husband and wife, to Idaho Power Company, a corporation, dated September 26, 1951, recorded October 17, 1952 in Book 7 Page 160 as Instrument Number 119433, Gooding County records, affecting that portion of the SE~~X~~NE~~X~~ lying South of the railroad right of way of Section 9, Township 7 South, Range 14, East Boise Meridian.

Reservations contained in Patent from The United States of America, to John Leo Rice, dated May 9, 1957, recorded May 21, 1957 in Book 1 Page 400 as Instrument Number 132563, Gooding County records, reserving a right of way for a Federal Aid Highway under the Act of November 9, 1921 (42 Stat. 212) and subject to such rights for transmission line purposes as the Idaho Power Company may have under the Act of March 4, 1911 (36 Stat. 1253) as amended (43 U.S.C. Sec. 961), pertaining to the NW~~X~~SW~~X~~ of Section 14 and the NE~~X~~SE~~X~~ of Section 15, Township 7 South, Range 14, East Boise Meridian.

Power Line Easement given by Leo Rice and May Rice, husband and wife, to Idaho Power Company, a corporation, dated March 28, 1956, recorded January 24, 1958 in Book 7 Page 602 as Instrument Number 134142, Gooding County records, affecting the SW~~X~~NW~~X~~ of Section 14, Township 7 South, Range 14, East Boise Meridian.

Power Line Easement given by Leo Rice and May H. Rice, husband and wife, to Idaho Power Company, a corporation, dated December 12, 1955, recorded January 24, 1958 in Book 7 Page 603 as Instrument Number 134143, Gooding County records, affecting the W~~X~~SW~~X~~ of Section 10 and the SE~~X~~SE~~X~~ of Section 9, Township 7 South, Range 14, East Boise Meridian.

Power Line Easement given by Leo Rice, Owner, and Orle Leavel, Contract Purchaser, to Idaho Power Company, a corporation, dated February 5, 1963, recorded July 10, 1963 as Instrument Number 8516, Gooding County records, affecting the S~~X~~SW~~X~~ and the SW~~X~~SE~~X~~ of Section 9, Township 7 South, Range 14, East Boise Meridian.

Power Line Easement given by Bradshaw Cattle Co., a Partnership, Kenneth Bradshaw and Gary Bradshaw, to Idaho Power Company, a corporation, dated October 5, 1966, recorded July 12, 1967 as Instrument Number 22388, Gooding County records, affecting the NW~~X~~ of Section 9, Township 7 South, Range 14, East Boise Meridian.

A permanent easement to go upon, occupy, and use a strip of land 60.0 feet wide in the SE~~X~~NE~~X~~ and the NE~~X~~SE~~X~~ of Section 9, Township 7 South, Range 14, East Boise Meridian, adjacent and contiguous to and on the Southwesterly side of a parcel of land (Parcel No. 1) and lying between the East line of the tract of land as described by the exception in the Warranty Deed from Orle S. Leavell and Cletis Leavell, husband and wife, to Kenneth Bradshaw and Eleanor Bradshaw, husband and wife, and Gary Bradshaw, dated April 16, 1964, recorded April 23, 1964 as Instrument Number 11207, Gooding County records, and Station 125+50 of said Interstate 80N, Project No. I-80N-3(23)142 Highway Survey and containing approximately 0.11 acres for the purpose of constructing and thereafter maintaining thereon a channel change and a small ditch together with the right and privilege of ingress and egress to and from said property for the purpose, and also such rights of access, if any there be, to the said Highway right of way for the remaining property of defendants be extinguished and prohibited, except for access to Frontage Road No. 6 and Access Road No. 1, as contained in Second Judgment and Decree of Condemnation in the case of The State of Idaho, ex rel C. Ed Flandro, Howard B. Thomason and Lloyd F. Barron, Idaho Board of Highway Directors, Plaintiff, vs. Kenneth

Bradshaw and Eleanor Bradshaw, husband and wife, Gary Bradshaw and Carol Bradshaw, husband and wife, and Connecticut General Life Insurance Company, a Connecticut corporation, Defendants, dated September 24, 1971, recorded September 24, 1971 as Instrument Number 37140, Gooding County records.

Terms and conditions of a Materials Lease by and between Bradshaw Cattle Co., as Lessor, and The Idaho Department of Highways, as Lessee, dated _____, recorded March 13, 1972 as Instrument Number 39464, Gooding County records, pertaining to a portion of the NW¼ of Section 15, Township 7 South, Range 14, East Boise Meridian.

Power Line Easement given by Gary Bradshaw, Carol Bradshaw, Ken Bradshaw and Eleanor Bradshaw, to Idaho Power Company, a corporation, dated December 22, 1971, recorded April 11, 1972 as Instrument Number 39923, Gooding County records, affecting the SE¼NE¼SW¼ of Section 9, Township 7 South, Range 14, East Boise Meridian.

Easement given by Kenneth Bradshaw and Gary Bradshaw and Carol Bradshaw, husband and wife, to the State of Idaho by and through the Idaho Transportation Board, Division of Highways, dated October 4, 1974, recorded November 7, 1974 as Instrument Number 52287, Gooding County records, granting the right to go upon, occupy and use a portion of the NE¼SE¼ of Section 9, Township 7 South, Range 14, East Boise Meridian, for the purpose of constructing or installing thereon a channel change for X-18 Lateral and a school bus turnaround by the State of Idaho or its agents or contractors.

Right of Way Option given by Kerr Land & Livestock Co. to Pacific Power & Light Company, a corporation, dated June 4, 19____, recorded June 11, 1975 as Instrument Number 55136, Gooding County records. Agreement to Extend Option dated March 16, 1976, recorded April 8, 1976 as Instrument Number 58963, Gooding County records. Agreement to Extend Option dated February 3, 1977, recorded February 9, 1977 as Instrument Number 63200, Gooding County records.

Right of Way Easement given by Kerr Land & Livestock Co., to Pacific Power & Light Company, a corporation, dated May 31, 1978, recorded July 28, 1978 as Instrument Number 71631, Gooding County records, affecting a portion of the NW¼NW¼ and a portion of the E¼NE¼ of Section 9, Township 7 South, Range 14, East Boise Meridian.

Reservation contained in Corporation Warranty Deed given by Kerr Land & Livestock Co., an Idaho corporation, to States Investment Corporation, dated October 15, 1977, recorded February 6, 1979 as Instrument Number 74709, Gooding County records, subject to an undivided 50% of the mineral rights underlying the premises which are retained by the party of the first part.

Right of Way Easement given by Dwight and Ella Jean Osborne to The Mountain States Telephone and Telegraph Company, dated September 27, 1984, recorded October 10, 1984 as Instrument Number 110949, Gooding County records, affecting a 14' foot wide strip of land located in the NW¼ of Section 14, Township 7 South, Range 14, East Boise Meridian.

Right of Way Easement given by Dwight and Ella Jean Osborne, to The Mountain States Telephone and Telegraph Company, dated September 27, 1984, recorded October 10, 1984 as Instrument Number 110950, Gooding County records, affecting a 14' foot wide strip of land located in the SW¼ of Section 10, Township 7 South, Range 14, East Boise Meridian.

Right of Way Easement given by Dwight and Ella Jean Osborne to The Mountain States Telephone and Telegraph Company, dated November 4, 1985, recorded January 30, 1986 as Instrument Number 119422, Gooding County records, affecting a 25 foot wide easement located in the SW $\frac{1}{4}$ of Section 10, Township 7 South, Range 14, East Boise Meridian.

Right of Way Easement given by Dwight and Ella Jeane Osborne to The Mountain States Telephone and Telegraph Company, dated November 4, 1985, recorded January 30, 1986 as Instrument Number 119424, Gooding County records, affecting a 14 foot wide strip of land located in the NE $\frac{1}{4}$ of Section 15, Township 7 South, Range 14, East Boise Meridian.

TOGETHER WITH all oil, gas and mineral rights pertaining thereto.

CAMAS COUNTY:

Tract 1:

TOWNSHIP 1 NORTH, RANGE 14, EAST BOISE MERIDIAN, CAMAS COUNTY, IDAHO:
Section 29: SW $\frac{1}{4}$

TOWNSHIP 1 NORTH, RANGE 14, EAST BOISE MERIDIAN, CAMAS COUNTY, IDAHO:
Section 29: SE $\frac{1}{4}$

TOGETHER WITH all oil, gas and mineral rights pertaining thereto.

RANDOLPH

Willmore Ranches
Targfield
TIN RIVER
Cassidy County

338

A-121

C 1319

AK 88

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ISE

Hydric

T16

Dubois

A 447

ALF

A-29

A-188

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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: A37-00132
Date Received: 8/01/1988
Receipt No: S001194
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: OSBORNE RANCHES 208-837-6362
Address: RT 1 BOX 293
HAGERMAN, ID 83332

2. Date of Priority: MAY 15, 1888

3. Source: SOLDIER CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	14E	21	SW	NE			CAMAS

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VIA ABBOTT CREEK

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Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

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A37-00132

Page 1

Date: 07/21/89

REPROFILMED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	14E	29	SE	SE		IRR	24.0

Section Acres 129.0

Total Acres 129.0

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STOCKWATER WELL

14. Remarks:
ORIGINALLY DECREED TO HERBERT CARPENTER IN THE FROST DECREE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

CLIFFORD HALLOWELL
Decree Plaintiff

vs

MILO W. BAKER, ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am *Donna R. [Signature]* of Title

Sharon [Signature], that I have signed the foregoing

Organization document in the space below as *Owner* of Title

Sharon [Signature] and that the statements contained in the

Organization foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Title and Organization

July 21-88
Date

State of Idaho

County of *Twin Falls*) SS.

Subscribed and sworn (or affirmed) before me this *21st* day

of *July* 19 *88*

[Signature]
Notary Public

Seal

Residing at *Ketchikan, Id*

My Commission Expires *6/30/94*

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: A37-00132
Date Received: 8/01/1988
Receipt No: S001194
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: OSBORNE RANCHES 208-837-6362
Address: RT 1 BOX 293
HAGERMAN, ID 83332

2. Date of Priority: MAY 15, 1888

3. Source: SOLDIER CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	14E	21	SW	NE			CAMAS

5. Description of diverting works:
VIA ABBOTT CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			3.200		

7. Total Quantity Appropriated is:
3.200 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
01N	14E	29	NE	SE		IRR	35.0
			NW	SE		IRR	40.0
			SW	SE		IRR	30.0
			SE	SE		IRR	24.0

Section Acres 129.0

A37-00132

Page 1

Date: 08/01/88

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FEB 22 1993

10. Place of Use: Continued

Total Acres 129.0

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:

ORIGINALLY DECREED TO HERBERT CARPENTER IN THE FROST DECREE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

CLIFFORD HALLOWELL
Decree Plaintiff

vs

MILO W. BAKER, ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Elaine J. Oshone
Signature of Authorized Agent

Oshone Ranch
Title and Organization

Aug 1 1988
Date

State of Idaho)
County of T.F.) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of August 19 88

Lon White
Notary Public

Seal

Residing at T.F.

My Commission Expires 5/95

11/22/2006

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

RIGHT NUMBER: 37-132

NAME AND ADDRESS: BLACK BUTTE HILLS LLC
PO BOX 1607
BELLEVUE WA 98009

SOURCE: SOLDIER CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 3.200 CFS

PRIORITY DATE: 05/15/1888

POINT OF DIVERSION:

T01N R14E S21 NWSWNE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

3.200 CFS

PLACE OF USE:

IRRIGATION in CAMAS County

T01N R14E S29	NESE	31.00	T01N R14E S29	NWSE	40.00
T01N R14E S29	SWSE	37.00	T01N R14E S29	SESE	21.00

129 ACRES TOTAL

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



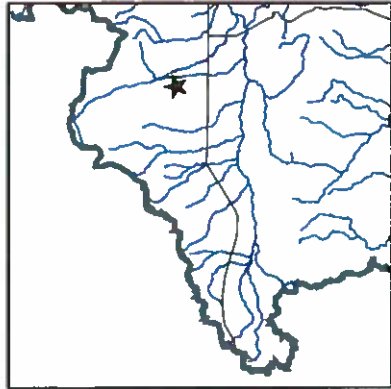
Idaho Department of Water Resources

SRBA Recommendation:

37-132

Legend

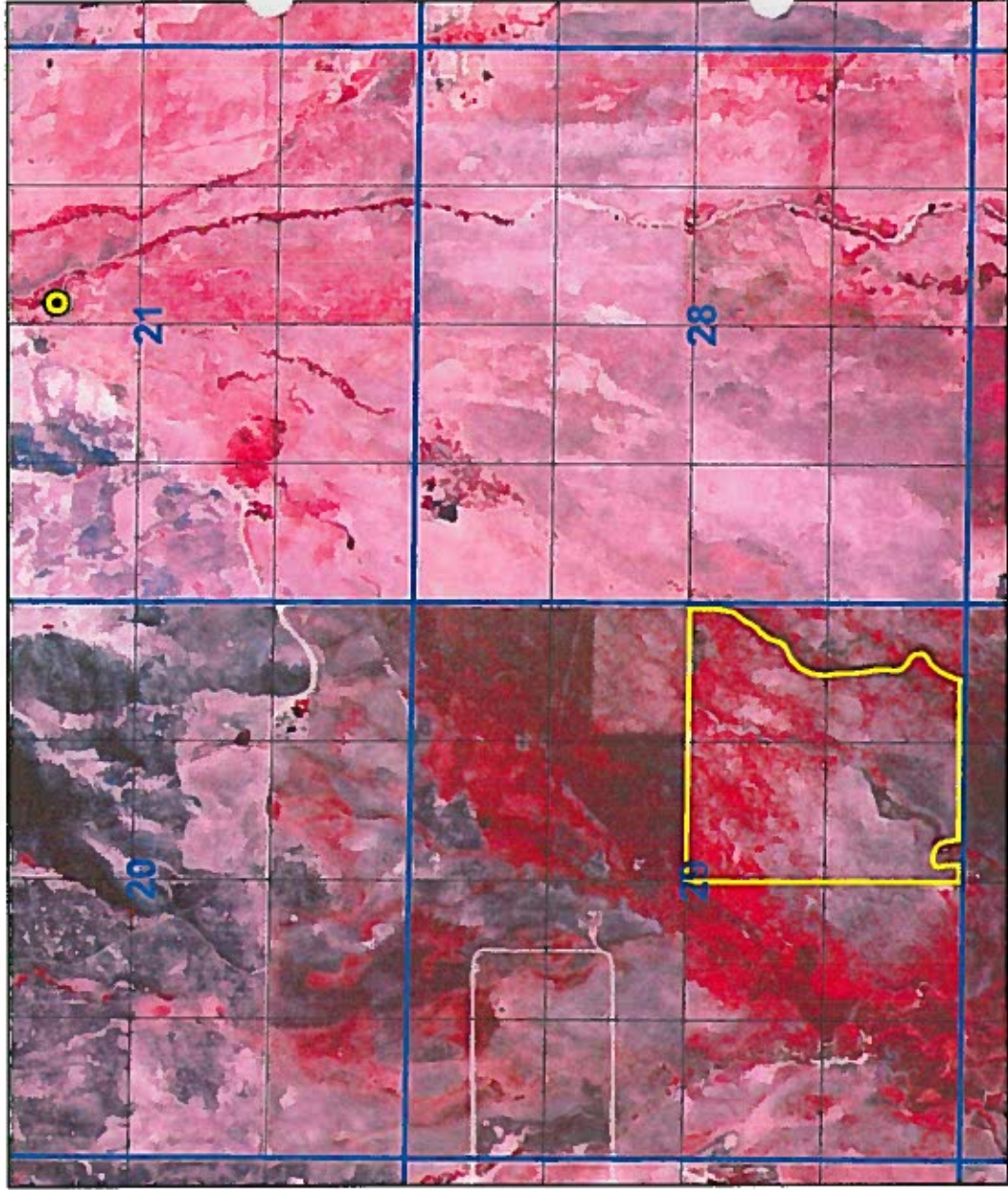
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Camas County
IDWR Basin 37



R14E



T01N

0 0.25 0.5 Miles



Prepared by M. Anders
On Wednesday, May 24, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-132

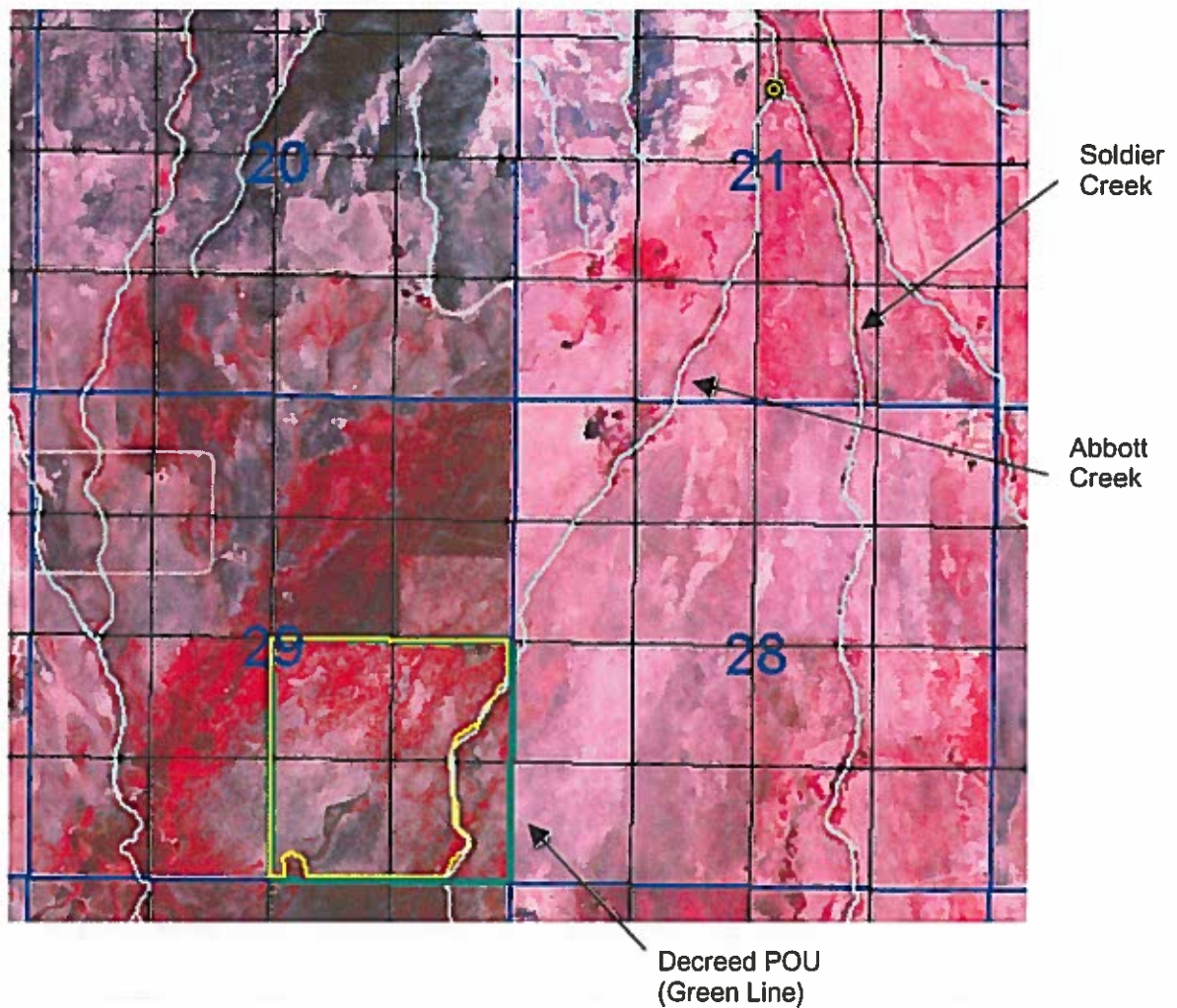
Background Data

- Source is Soldier Creek tributary to Camas Creek
- Decreed for 3.2 cfs on 4 QQ
- Claimed 3.2 cfs for Irrigation of 129 acres

Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.
Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.
Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



Notes

T1N R14E Section 29

- Found 129 acres
- SRBA review:
 - The original decree is for 3.2 cfs on 160 acres (roughly 0.02 cfs).
 - Claim is for 3.2 cfs for Irrigation of 129 acres.
 - Aerial photos indicate that land east and west of Abbott Creek is being used for an agricultural purpose.
 - During field exam ditches were observed near the NE corner of the property leading from Abbott Creek to land west of Abbott Creek. There were no ditches observed east of Abbott Creek.
 - Decision: The land east of Abbott Creek is in the decreed POU, could be irrigated, and appears to be used for agriculture, so the entire decreed diversion rate will not be recommended on the claimed 129 acres. The land west of Abbott Creek is the recommended POU and the recommended duty of water of 0.02 cfs (same as original decree) for 129 acres, for a diversion rate of 2.58 cfs.
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

11/22/06 Steve decided to recommend entire decreed diversion rate of 3.2 cfs on POU

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-132

WATER RIGHT NUMBER: 37-132

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHARLES O PACKHAM PO BOX 39 BLACKFOOT, ID 83221 (208)785-2525

Priority Date: 05/15/1888

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SOLDIER CREEK	CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	3.200 CFS	
	<u>Total Diversion:</u>	3.200 CFS	

Location of Point(s) of Diversion

SOLDIER CREEK	SW1/4NE1/4	Sec. 21, Twp 01N, Rge 14E, B.M.
CAMAS 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	
01N	14E	29													X	X	X	X	

Conditions of Approval:

1. ORIGINALLY DECREEED TO HERBERT CARPENTER IN THE FROST DECREE.

Remarks:Comments:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 22, 1989

Mr. Marvin H. Almond, General Manager
Idaho Land and Livestock, Incorporated
P. O. Box 67
Boise, Idaho 83707

Re: Snake River Basin Adjudication SRBA
Claims #A36-10296/#36-10297/#A36-02304/
#A37-00132/#A37-10747 - Gooding County

Dear Mr. Almond:

The enclosed claims for your files will acknowledge receipt and the action to change the ownership of the claimed water rights. If you have further documents for these claim files, please send them to:

Southern Region Office
2148 Fourth Avenue East
Twin Falls, Idaho 83301
(208) 734-3578

If I can be of further assistance, please feel free to contact me.

Yours Truly,

Carter Fritchler
for Donald V. Shaff

Manager, Adjudication Section

DVS:mcc:south

Enclosures:

Claims #A36-10296/#A36-10297/#A36-02304/
#A37-00132/#A37-10747

MICROFILMED
FEB 22 1993



IDAHO LAND & LIVESTOCK, INC.

5401 Kendall Street
P.O. Box 67
Boise, Idaho 83707
(208) 377-3000

RECEIVED
AUG 17 1989

Department of Water Resources

August 16, 1989

Idaho Department of Water Resources
Adjudication Bureau
Statehouse
Boise, ID 83702

Re: Notification of transfer of property and water rights

Idaho Land & Livestock, Inc. has aquired property, inclusive of water rights, located in Gooding and Camas Counties, Idaho, as shown on the enclosed copy of the recorded deed. Would you please see that the name and address of the ownership of the water rights are changed to Idaho Land & Livestock, Inc., P.O.Box 67, Boise, Idaho 83707. If we need to provide additional forms or information to complete the transfer, please notify me at once.

The water rights associated with the above mentioned property are as follows:

<u>Water Right No.</u>	<u>County</u>	<u>Stage</u>
A36 - 02304	Gooding	License
A36 - 10296	Gooding	Beneficial Use
A36 - 10297	Gooding	Beneficial Use
A37 - 00132	Camas	Decreed
A37 - 10747	Camas	Beneficial Use

We would appreciate your sending any future notices and correspondence concerning these matters to the above mentioned address.

Please feel free to contact me if there are any questions, or in my absence, you can contact Jack Adkins, Secretary/Treasurer.

Sincerely,

Marvin H. Almond

Marvin H. Almond
General Manager

cc: Jack Adkins
enclosure

RECORDED
FEB 22 1993