

AJ5856NP

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

DATE: OCT-24-1997
PAGE: A-772

RIGHT NUMBER:

37-11363

NAME & ADDRESS:

BEAN/TWOMBLY LAND & CATTLE CO
STE 300 LB 17
4514 TRAVIS ST
DALLAS TX 75205

o/c v ct

SOURCE:

GROUNDWATER

QUANTITY:

0.04 CFS

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

PRIORITY DATE:

07/01/1986

POINT OF DIVERSION:

T02N R21E S17

SESENE

Within BLAINE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE:

DOMESTIC
T02N R21E S17

Within BLAINE County
SENE

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. 02N21017452A

D
7-29-98

Claim proofread by: KT

Date: 11-04

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: A37-11363
Date Received: 9/20/1988
Receipt No: S002325
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ABC AGRA LLC
Address: C/O STEVE THORSON
PO BOX 378
JEROME ID

208-324-6644

83338

2. Date of Priority: JUL 1, 1986

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	21E	17	SE	SE	NE		BLAINE

5. Description of diverting works:
WELL & 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	Lot	Use	Acres
02N	21E	17	SE	NE		DOMEST	

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:
NONE

14. Remarks:

2-23-98: CHANGE OF OWNERSHIP BEAN/TWOMBLY TO ABC AGRA PER NOTICE
REC'D 11-04-97 - VH

15. Basis of Claim: BENEFICIAL USE



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

February 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ABC Agra, LLC
c/o Steve Thorson
PO Box 378
Jerome, Idaho 83338

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): A37-00401A, A37-01142, A37-02243, A37-01046,
A37-11363, A37-11364
Change of Ownership Notification

Dear Claimant(s):

We have been notified that you have purchased property with the above referenced Snake River Basin Adjudication claim(s), and our records have been changed, accordingly. The enclosed copies are for your records, please review these documents for accuracy in all respects.

Please note that while investigating the change of ownership for claim A37-00401A, I noticed a discrepancy between the legal description of the property purchased in section 22 and the place of use for the water right in section 22. Specifically, you purchased property in the NW1/4 of the SW1/4 of section 22, our records indicate the place of use in section 22 for claim number A37-00401A is in the SE1/4 of the SW1/4. I have placed a notation in the file so that in the future, when the Department is reviewing claims in your area, this claim will be investigated further and any changes made.

If you have any questions, please contact me at this office.

Sincerely,

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

Vikie Hancock
S.R.B.A. Records Clerk

RECEIVED
NOTED

NOV 04 1997

Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) 37-00401-A, 37-01142, 37-02243, 37-01046, 37-11363, 37-11364
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) BEAN/TWOMBLY LAND & CATTLE COMPANY, A Texas General Partnership
5711 Orchid Lane, Dallas TX 75230
4. New Owner/Claimant(s) A.B.C. AGRA, LLC Attn: Steve Thorson
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address PO Box 378
City, State and ZIP Code Jerome ID 83338
New Telephone Number (208-) 324 - 6644
5. Date you acquired the property 10/30/97
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 _____ cubic feet per second Number of homes _____ Other uses _____
- 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) ABC Agri, LLC Date 10/20/97
by Steve Thorson, Gen. Mgr. Date _____
- (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 communicate directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

October 30, 1997

RECEIVED

NOV 04 1997

Department of Water Resources
Southern Region

Idaho Department of Water Resources
Southern Region Office
222 Shoshone St. East
Twin Falls ID 83301



Re: 97-14125
Bean/Twombly Land & Cattle
A.B.C. Agra LLC
T2N-R21E Misc. Sections Rocky Bar Ranch

Dear Sirs:

Regarding the above, I have enclosed the following:

- Notice of Change of Water Right Ownership
- Copy of the Warranty Deed

Sincerely,

Carolyn Baird

Carolyn Baird
Escrow Closing Agent

WARRANTY DEED

FOR VALUE RECEIVED

BEAN/TWOMBLY LAND & CATTLE COMPANY, a Texas Joint Venture, who acquired title as BEAN/TWOMBLY LAND & CATTLE COMPANY, a Texas General Partnership

the grantors, do hereby grant, bargain, sell and convey unto

A.B.C. Agra, LLC

the grantee, whose current address is P.O. Box 378
Jerome, ID 83338

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH ALL APPURTENANT WATER RIGHTS INCLUDING BUT NOT LIMITED TO THE FOLLOWING IDWR WATER RIGHTS:

LICENSE NUMBER - 37-00401-A
LICENSE NUMBER - 37-01142
LICENSE NUMBER - 37-02243
LICENSE NUMBER - 37-01046
LICENSE NUMBER - 37-11363
LICENSE NUMBER - 37-11364

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

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 incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 28, 1997

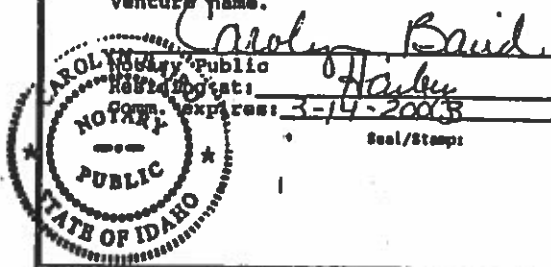
BEAN/TWOMBLY LAND & CATTLE COMPANY, a Texas Joint Venture

Jeff Bean

W. Bruce Twombly
W. Bruce Twombly

STATE OF: Idaho
COUNTY OF: Blaine

On this 30th day of October, 1997, before me a Notary Public in and for said State, personally appeared W. Bruce Twombly known or identified to me to be one of the members in the Joint Venture of Bean/Twombly Land & Cattle, Co, a Texas Joint Venture and the member who subscribed said membership name to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said Joint Venture name.



WARRANTY DEED

FOR VALUE RECEIVED

BEAN/TWOMBLY LAND & CATTLE COMPANY, a Texas Joint Venture, who acquired title as BEAN/TWOMBLY LAND & CATTLE COMPANY, a Texas General Partnership

the grantors, do hereby grant, bargain, sell and convey unto

A.B.C. Agra, LLC

the grantee, whose current address is P.O. Box 378
Jerome, ID 83338

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH ALL APPURTENANT WATER RIGHTS INCLUDING BUT NOT LIMITED TO THE FOLLOWING IDWR WATER RIGHTS:

LICENSE NUMBER - 37-00401-A
LICENSE NUMBER - 37-01142
LICENSE NUMBER - 37-02243
LICENSE NUMBER - 37-01046
LICENSE NUMBER - 37-11363
LICENSE NUMBER - 37-11364

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

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 incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 28, 1997

BEAN/TWOMBLY LAND & CATTLE COMPANY, a Texas Joint Venture

Jeff Bean
Jeff Bean

W. Bruce Twombly
W. Bruce Twombly

STATE OF:
COUNTY OF:

On this 29th day of October, 1997, before me a Notary Public in and for said State, personally appeared Jeff Bean known or identified to me to be one of the members in the Joint Venture of Bean/Twombly Land & Cattle, Co, a Texas Joint Venture and the member who subscribed said membership name to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said Joint Venture name.

Cheresa Schumann
Notary Public

Residing at: 4519 U.S. Hwy 42
Comm. expires: 11/21/2000
My comm. expires 11/21/2000 Seal/Stamp

EXHIBIT "A"

PARCEL I:

TOWNSHIP 2 NORTH, RANGE 21 EAST of the BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

SECTION 17: S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;

SECTION 20: NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

PARCEL II:

TOWNSHIP 2 NORTH, RANGE 21 EAST of the BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

SECTION 9: That portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, lying South of the Muldoon Road, known as Tax Lot 4896;

SECTION 10: That portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, lying South of the Muldoon Road, known as Tax Lot 4897-A; that portion of the S $\frac{1}{2}$ NW $\frac{1}{4}$, lying South of the Muldoon Road, known as Tax Lot 4897; that portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, lying South of the Muldoon Road, known as Tax Lot 4457; W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;

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

SECTION 14: W $\frac{1}{2}$ NW $\frac{1}{4}$;

SECTION 15: NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;

SECTION 16: NW $\frac{1}{4}$;

SECTION 19: SE $\frac{1}{4}$ NE $\frac{1}{4}$;

SECTION 20: S $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;

SECTION 21: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;

SECTION 22: W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;

SECTION 28: N $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$.

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: A37-11363
Date Received: 9/20/1988
Receipt No: S002325
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BEAN/TWOMBLY LAND & CATTLE CO
Address: STE 300, LB 17
4514 TRAVIS ST
DALLAS, TX 75205
208-788-2122

2. Date of Priority: JUL 01, 1986

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	21E	17	SE	SE	NE		BLAINE

5. Description of diverting works:
WELL & 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	Lot	Use	Acres
02N	21E	17	SE	NE		DOMEST	

11. Place of use in counties: BLAINE

A37-11363

Page 1

Date: 09/20/88

MICROFILMED
FEB 25 1993

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): Bear/Twombley Land + Cattle Co. Date: 9/20/88
By: W. Bruce Twombley, Jr. Date: _____

State of Idaho)
County of FF) SS.

Subscribed and sworn (or affirmed) before me this 20 day
of Sept 19 88 Lois White
Notary Public

Seal

Residing at FF

My Commission Expires 5/95

WATER RIGHT NUMBER - A37-11363

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

+ - FIRST NAME - - +

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

*** C - CURRENT OWNER ***
BEAN/THOMBLY LAND & CATTLE CO

1 - STE 300, LB 17
2 - 4514 TRAVIS ST
3 -
CITY- DALLAS
PHONE - 208-788-2122

STATE- TX ZIP- 75205

+ - - PRIORITY DATE - - +
07/01/1986

+ - - - 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)

02N 21E 17 SE SE NE (13) BLAINE

+ - - - - 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

02N 21E 17 SE NE 43 DOMESTIC (13) BLAINE

+ - - DIVERSION MEANS - WELL & PUMP

+ - - NON-IRRIGATION USE - D/I 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 - 09/20/88 WHITE 10/03/89 REFUNDML

MICROFILMED
NOV 27 1996

CERTIFIED
MAR 25 1992
WATER EXAMINER