

02/15/2005

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

RIGHT NUMBER: 37-828

NAME AND ADDRESS: CASA DEL NORTE LP
18196 SE WILSON RD
GLENN'S FERRY ID 83623

SOURCE: CLOVER CREEK TRIBUTARY: SNAKE RIVER
Point of redirection from Clover Creek.

QUANTITY: 486.700 AFY

PRIORITY DATE: 03/02/1910

POINT OF DIVERSION:

T05S R12E S17 NENWNW Rediversion Within GOODING County
T05S R12E S17 NENWNW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	486.70 AFY
IRRIGATION FROM STORAGE	03/15 11/15	486.70 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within GOODING County

T05S R12E S08	NWNE	28.0	T05S R12E S08	SWNE	9.6
T05S R12E S08	NENW	13.0	T05S R12E S08	SENW	16.0
T05S R12E S08	NESW	24.0	T05S R12E S08	NWSW	1.5
T05S R12E S08	SESW	22.0	T05S R12E S08	NWSE	8.6
T05S R12E S08	SWSE	0.3	T05S R12E S17	NWNE	0.9
T05S R12E S17	NENW	24.0			

147.9 ACRES TOTAL

Right nos. 37-819A, 37-820A, 37-823, 37-824, 37-826, 37-827, 37-828, 37-7081, 37-19825 and 37-21291 are limited to the irrigation of a combined total of 269.3 acres in a single irrigation season.

Right nos. 37-819A, 37-820A, 37-821B, 37-823, 37-824, 37-826, 37-827, 37-828, 37-7081, 37-19825 and 37-21291 are limited to the irrigation of a combined total of 401.2 acres in a single irrigation season.

Right nos. 37-826, 37-827, 37-828 and 37-7081 are limited to the irrigation of a combined total of 147.9 acres in a single irrigation season.

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

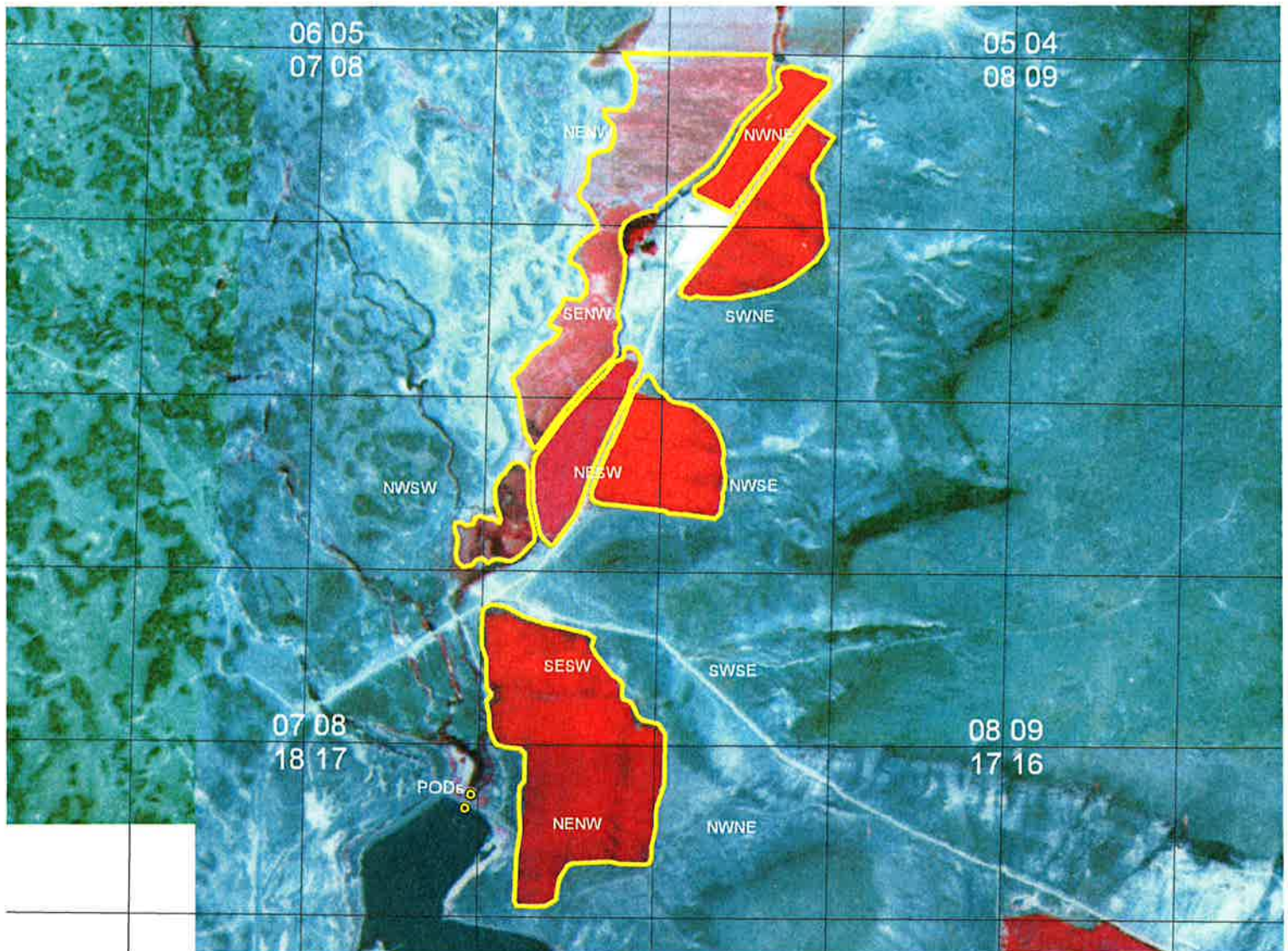
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Water is stored in Pioneer Reservoir.

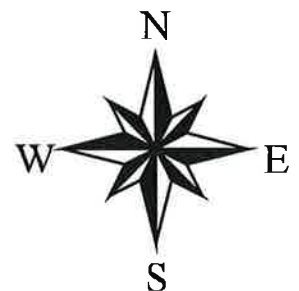
37-828



1000 0 1000 2000 3000 4000 5000 Feet

T05S R12E S08 & S17

Map prepared by: Carter Fritschle
Date prepared: 02/14/05
1987-1988 NAPP photography
Idaho Department of Water Resources



DAM SUMMARY INVENTORY SHEET

PIONEER

Printed: Jun 03, 2002

37 - 0828

Updated: Jun 03, 2002

STATUS	A		OUTLET CONDITION		
BASIN	37		OUTLET GATE CONDITION		
DAM_NUMBER	0828		OUTLET VIDEO		
FEDERAL ID NUMBER	ID00038		OUTLET INSP INTERVAL		
DAM NAME	PIONEER		IDF	Q500	
COUNTY	GOODING		IDF MAGNITUDE	21000	Cfs
STREAM	CLOVER CREEK		RELEASE CAPACITY	3100	Cfs
REGION	S		OVERALL COND	FR	
PURPOSE	I		MAINTENANCE	ROUTINE	
RISK CATEGORY	2		INSPECTION DATE	5/3/2002	Mo/Yr
SIZE CATEGORY	2		CERT ISSUE DATE	5/24/2002	Mo/dd/yr
Q_Q_SECTION	NWNW		CERT EXP DATE	1102	Mo/dd/yr
SECTION	17		SURVEY DATE	9/6/2000	Mo/dd/yr
TOWNSHIP	05S		CALL UP DATE		Mo/dd/yr
RANGE	12E		INSP INTERVAL	2	Yr
LATITUDE DEC	42.9948		PHASE 1 INSP DATE		
LONGITUDE DEC	115.0618		OPERATION PLAN	N	
DAM TYPE	EARTH		STATIC STABILITY		
STORAGE CAPACITY	844	AcFT	SEISMIC STABILITY	N	
HEIGHT	8.6	Ft	RESTRICTED	Y	
DRAINAGE AREA	162	SqMi	BOND	NA	
RESERVOIR AREA	220	Ac	JOINT INSPECTION		
YEAR COMPLETED	1910		QUAD NUMBER	AA18	
CREST ELEVATION	3090	Msl	QUAD NAME	TICESKA	
CREST LENGTH	2520	Ft	DAM OWNER	KAST C K CATTLE COMPANY	
SPILLWAY TYPE	RKCHAN		ADDRESS-1	C/O K LYN BENNETT	
SPILLWAY DEPTH	6	Ft	ADDRESS-2	P O BOX 63	
SPILLWAY CAPACITY	3080	Cfs	CITY	BLISS	
SPILLWAY CONDITION			STATE	ID	
SPILLWAY GATE COND			ZIP CODE	83314	
OUTLET TYPE	MPENCN		ZIP SUFFIX		
OUTLET SIZE	20	In	PHONE	3521157	
OUTLET CAPACITY	21	Cfs	AREA CODE	208	

GEN_REMARK DAM REHABILITATED IN 1962 INCLUDING REPAIRING OUTLET PIPE. ALL INFO IS WITH FLASHBOARDS REMOVED. MAXIMUM FLASHBOARD HT = 2.8'.

TEC_REMARK SPILLWAY & RELEASE CAPACITY ARE WITH 3.0' FB AND FLASHBOARDS REMOVED. LOW AREA ON SOUTHWEST END OF DAM WILL ACT AS FUSE PLUG & ALLOW DIKE TO BE OVERTOPPED & FAIL DURING AN EXTREME RUNOFF EVENT.

RESTRICT FLASHBOARDS SHALL BE REMOVED ON OR BEFORE NOVEMBER 1, AND SHALL NOT BE RE-INSTALLED UNTIL ON OR AFTER MAY 1. A MINIMUM FREEBOARD OF 3.0 FEET SHALL BE PROVIDED AT ALL TIMES.

ALT_CONT

BOND_SUM

37-828 decreed for 1/3 capacity of Pioneer Reservoir
 844 AF = Capacity without flashboards
 220 acre surface area x 2.8 ft flashboard height = 616 AF
 844 AF + 616 AF = 1460 AF
 1460 AF x 1/3 = 486.7 AF
 400 AF claimed

DAM SUMMARY INVENTORY SHEET

PIONEER

37 - 0828

Printed: Jun 03, 2002

Updated: Jun 03, 2002

STATUS	A	
BASIN	37	
DAM_NUMBER	0828	
FEDERAL ID NUMBER	ID00038	
DAM NAME	PIONEER	
COUNTY	GOODING	
STREAM	CLOVER CREEK	
REGION	S	
PURPOSE	I	
RISK CATEGORY	2	
SIZE CATEGORY	2	
Q_Q_SECTION	NWNW	
SECTION	17	
TOWNSHIP	05S	
RANGE	12E	
LATITUDE DEC	42.9948	
LONGITUDE DEC	115.0618	
DAM TYPE	EARTH	
STORAGE CAPACITY	844	AcFT
HEIGHT	8.6	Ft
DRAINAGE AREA	162	SqMi
RESERVOIR AREA	220	Ac
YEAR COMPLETED	1910	
CREST ELEVATION	3090	Msl
CREST LENGTH	2520	Ft
SPILLWAY TYPE	RKCHAN	
SPILLWAY DEPTH	6	Ft
SPILLWAY CAPACITY	3080	Cfs
SPILLWAY CONDITION		
SPILLWAY GATE COND		
OUTLET TYPE	MPENCN	
OUTLET SIZE	20	In
OUTLET CAPACITY	21	Cfs

OUTLET CONDITION		
OUTLET GATE CONDITION		
OUTLET VIDEO		
OUTLET INSP INTERVAL		
IDF	Q500	
IDF MAGNITUDE	21000	Cfs
RELEASE CAPACITY	3100	Cfs
OVERALL COND	FR	
MAINTENANCE	ROUTINE	
INSPECTION DATE	5/3/2002	Mo/Yr
CERT ISSUE DATE	5/24/2002	Mo/dd/yr
CERT EXP DATE	1102	Mo/dd/yr
SURVEY DATE	9/6/2000	Mo/dd/yr
CALL UP DATE		Mo/dd/yr
INSP INTERVAL	2	Yr
PHASE 1 INSP DATE		
OPERATION PLAN	N	
STATIC STABILITY		
SEISMIC STABILITY	N	
RESTRICTED	Y	
BOND	NA	
JOINT INSPECTION		
QUAD NUMBER	AA18	
QUAD NAME	TICESKA	
DAM OWNER	KAST C K CATTLE COMPANY	
ADDRESS-1	C/O K LYN BENNETT	
ADDRESS-2	P O BOX 63	
CITY	BLISS	
STATE	ID	
ZIP CODE	83314	
ZIP SUFFIX		
PHONE	3521157	
AREA CODE	208	

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ALT_CONT

BOND_SUM

Storage Capacity = 844 AF

37-822 = 2/9 of capacity

37-822A = 1/9 of capacity

37-822B = 1/9 of capacity

37-822A = 93.8 AF

37-822B = 93.8 AF

844 AF = 93.8 AF

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 37-828
Date Received: 8/15/1988
Receipt No: S001450
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CASA DEL NORTE LP Phone: (208)366-7931
18196 SE WILSON RD
GLENNS FERRY ID 83623

2. Date of Priority: 03/02/1910

3. Source: CLOVER CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	12E	17	NE NW NW	GOODING	

5. Description of diverting works:

EARTH DAM AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01		400

7. Total Quantity Appropriated is:
400 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	12E	8	SW	NE	IRRIGATION	8
			NE	NW	IRRIGATION	12.5
			SE	NW	IRRIGATION	19
			NE	SW	IRRIGATION	22.1
			NW	SW	IRRIGATION	3
			SE	SW	IRRIGATION	21
			NW	SE	IRRIGATION	8
					Section Acres	93.6
05S	12E	17	NE	NW	IRRIGATION	22
					Section Acres	22
					Total Acres	115.6

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

TOTAL DIVERSION RATE IS 1/3 CAPACITY OF PIONEER RESERVOIR.
P/D NOT GIVEN IN DECREE. USE NOT SPECIFIED IN DECREE.
ACRES WERE ADDED UNDER THIS WR THAT ORIGINALLY WER CLAIMED IN WR #37-07081, A WELL
THAT IS NO LONGER USED FOR IRRIGATION.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 2, 2004

CASA DEL NORTE LP
18196 SE WILSON RD
GLENN'S FERRY ID 83623

Re: SRBA Claim(s) 37-819A, 37-820A, 37-821A, 37-821B, 37-822A, 37-823,
37-825, 37-826, 37-827, 37-828, 37-2169, 37-11135,
37-19825

Dear Mr. McCallum:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership as requested. 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.

Water Right 37-2099 has not been claimed in the SRBA. If you wish to file a claim, it would be best to do so as soon as possible since claims review in this area is currently underway. Claim forms are available from any IDWR office or from the Department's website.

Sincerely,

Trish Fawcett

Technical Records Specialist

Enc.

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

RECEIVED
 FEB 24 2004
 Department of Water Resources
 Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>37-08588</u>	_____	___	<u>37-02099</u>	_____	___
<u>37-07081</u>	_____	___	<u>37-00825</u>	_____	___
<u>37-00828</u>	_____	___	<u>37-00823</u>	_____	___
<u>37-00827</u>	_____	___	<u>37-00822</u>	_____	___
<u>37-02169</u>	_____	___	<u>37-00821</u>	_____	___

2. The following **REQUIRED** information must be submitted with this form:

- ☒ *n/a* The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Kast CK Cattle Co.
Rt. 1 Box 143, King Hill, ID 83633
4. New Owner/Claimant(s) Casa Del Norte, LP
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 18196 SE Wilson Rd.
- City, State and ZIP Code Glenns Ferry, ID 83623
- New Telephone Number (208) 366-7931
5. Date you acquired the property April 1, 2002

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>37-00820</u>	_____	___	<u>37-00826</u>	_____	___
<u>37-00819</u>	_____	___	<u>37-19825</u>	_____	___
<u>37-11135</u>	_____	___	<u>37-11003</u>	_____	___
<u>37-11000</u>	_____	___	<u>37-11001</u>	_____	___
<u>37-10999</u>	_____	___	_____	_____	___

2. The following **REQUIRED** information must be submitted with this form:

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B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

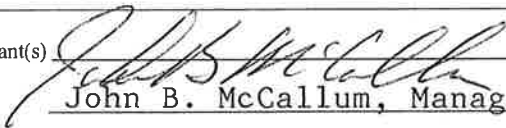
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Rt. 1 Box 143, King Hill, ID 83633
4. New Owner/Claimant(s) Casa Del Norte, LP
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 18196 SE Wilson Rd
- City, State and ZIP Code Glenns Ferry, Idaho 83623
- New Telephone Number 208) 366-7931
5. Date you acquired the property April 1, 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

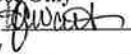
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)


John B. McCallum, Managing Member

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by  Date 2/24/04 Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

Kast C. K. Cattle Company, Inc., an Idaho Corporation

organized and existing under the laws of the State of Idaho, with its principal office at _____, a corporation
of County of Gooding _____, State of Idaho

GRANTOR, hereby GRANT, BARGAIN, SELL and CONVEY unto
Casa Del Norte, L. P., a Delaware limited partnership

Grantee(S), whose current address is: Rt. 1 Box 451
the following described real property in Elmore
more particularly described as follows, to wit:
(See Attached)

Glenns Ferry, Idaho 83623
County, State of Idaho,

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name to be hereunto affixed by its duly authorized officers this
1st day of April, in the year of 2002.

Kast C. K. Cattle Company, Inc
Corporate Name

By K. Lynn Bennett PRESIDENT

Attest: Virginia Mari Muffley
VP

ACKNOWLEDGEMENT-Corporate

STATE OF Idaho, County of Elmore, ss.

On this 1st day of April

in the year of 2002, before me, the undersigned, a Notary Public in

and for said State, personally appeared K. Lynn Bennett

Virginia Mari Muffley

known or identified to me to be the Pres / Vice President of the

corporation that executed the instrument or the person (S) who executed

the instrument on behalf of said corporation, and acknowledged to me that

such corporation executed the same.

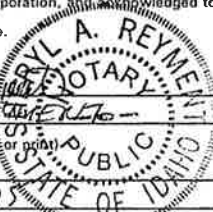
Signature: Shane A. Reymen

Name: SHANE A. REYMENT

(type or print)

Residing at: Mountain Home

My commission expires: 12-27-05



LEGAL DESCRIPTION

TRACT I:

Township 5 South, Range 11 East, Boise Meridian, Elmore County, Idaho

A parcel of land located in a portion of the SE1/4, Section 1; the NE1/4SE1/4 and a portion of the N1/2, Section 12; a portion of the N1/2SW1/4, Section 11, all in Township 5 South, Range 11 East, Boise Meridian, Elmore County, Idaho, and being more specifically described as follows:

Commencing at the East Quarter Corner of Section 12, T5S, R11E, B.M., said point being the REAL POINT OF BEGINNING; thence South 0°04'01" East 1,317.65 feet along the Easterly boundary of the NE1/4SE1/4 of said Section 12 to the Southeast corner thereof; thence South 89°51'59" West 1,322.05 feet along the Southerly boundary of said NE1/4SE1/4 to the Southwest corner thereof; thence North 0°00'37" West 1,319.22 feet along the Westerly boundary of said NE1/4SE1/4 to the Northwest corner thereof; thence South 89°56'04" West 1,320.74 feet to the Northwest corner of the SE1/4 of said Section 12; thence South 89°19'30" West 2,668.65 feet to the Quarter Corner common to said Sections 11 and 12; thence North 88°59'48" West 2,622.14 feet to the Northeast corner of the N1/2SW1/4 of said Section 11; thence South 0°14'12" East 1,314.50 feet along the Easterly boundary of said N1/2SW1/4 to the Southeast corner thereof; thence North 89°40'28" West 2,629.66 feet along the Southerly boundary of the said N1/2SW1/4 to the Southwest corner thereof; thence North 1°23'07" East 589.51 feet; thence South 77°09'38" East 166.67 feet; thence South 85°48'29" East 292.55 feet; thence North 44°42'48" East 984.27 feet; thence North 25°35'41" East 101.02 feet; thence North 74°05'50" East 2,594.96 feet; thence North 15°44'19" West 230.42 feet; thence North 64°32'58" East 635.11 feet; thence North 88°49'30" East 975.39 feet; thence South 1°58'14" East 294.21 feet; thence North 86°57'45" East 428.24 feet; thence South 84°19'55" East 731.21 feet; thence North 80°46'26" East 536.31 feet; thence North 8°14'05" West 810.59 feet; thence North 79°58'23" East 443.77 feet; thence North 86°28'33" East 1,104.13 feet; thence North 89°31'01" East 529.37 feet; thence North 37°25'32" East 65.39 feet to a point on the rim of the Clover Creek Canyon; thence along the canyon rim the following courses and distances:

North 1°16'27" East 261.93 feet;
North 32°00'23" East 84.50 feet;
North 57°09'00" East 667.69 feet;
South 76°22'13" East 113.32 feet;
South 9°24'19" East 569.74 feet;
North 82°04'42" East 228.31 feet;
South 53°26'24" East 355.97 feet to the Southerly boundary of said Section 12; thence South 0°22'24" East 2,376.43 feet along the Easterly boundary of said Section 12 to the REAL POINT OF BEGINNING.

SAVE AND EXCEPT those portions deeded to the State of Idaho for Highway purposes.

SAVE AND EXCEPT any portion deeded to Glenns Ferry Highway District.

LEGAL DESCRIPTION

TRACT II:

Township 5 South, Range 11 East, Boise Meridian, Elmore County,
Idaho

Section 12: SW1/4; NW1/4SE1/4

Section 13: NW1/4

Section 25: N1/2NW1/4

Section 26: N1/2NW1/4; NE1/4NE1/4 and SW1/4NW1/4, SAVE AND
EXCEPT that portion

of said SW1/4NW1/4, lying South of the Highway.

Section 27: S1/2SE1/4

Township 6 South, Range 11 East, Boise Meridian, Elmore County,
Idaho

Section 1: S1/2SE1/4

Section 3: U.S. Government Lot 4; SW1/4NE1/4 and SE1/4NW1/4

Section 4: SW1/4SE1/4 and the Easterly 20 Acres of U.S.

Government Lot 6 and

U.S. Government Lots 5 and 2 SAVE AND EXCEPT the
following

described parcel:

Commencing at the Southeast corner of said U.S. Government Lot
5, thence

West along the South line of said U.S. Government Lot 5 660.0
feet, more or less to the POINT OF BEGINNING; thence

North 21°30' West 750.0 feet, more or less; thence

North 12°30' West 2100.0 feet, more or less, to the North line
of said U.S. Government Lot 2; thence

West along the North line of said U.S. Government Lot 2 to the
East bank of Snake River; thence

Southerly along the East bank of Snake River to the South line
of said U.S. Government Lot 5; thence

East along the South line of said U.S. Government Lot 5 to the
POINT OF BEGINNING.

Section 9: U.S. Government Lots 1, 4, 5, 8 and E1/2

Section 12: NE1/4NE1/4

Section 15: U.S. Government Lots 2, 5, 6, 7, W1/2NW1/4,

SE1/4NW1/4 and SW1/4NE1/4

Section 16: U.S. Government Lots 1, 4, 5, 6 and E1/2NE1/4

G010349

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED.

Kast C. K. Cattle Company, Inc., an Idaho Corporation

, a corporation

organized and existing under the laws of the State of Idaho, with its principal office at

PO Box 63 Bliss, Id 83314

of County of Gooding;

State of Idaho

GRANTOR, hereby GRANT, BARGAIN, SELL and CONVEY unto

Casa Del Norte, L.P., a Delaware limited partnership

Grantee(S), whose current address is: Rt. 1 Box 451

Glenns Ferry, Idaho 83625

the following described real property in

Gooding

County, State of Idaho,

more particularly described as follows, to wit:

"Subject to that certain Mortgage executed by Grantors; recorded September 11, 1992, as Instrument No. 150011, records of Blaine County, Idaho; which Grantees herein assume and agree to pay according to the terms thereof.



Casa Del Norte, L.P. by its general partner, ARD Trading, Inc.
(See Attached) John B. McCallum, president

Instrument # 194606

GOODING, GOODING, IDAHO

2002-04-02 12:14:18 No. of Pages: 3

Recorded for GOODING TITLE

HELEN EDWARDS

Ex Officio Recorder Deputy Penny Whitson

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is(are) the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name to be hereunto affixed by its duly authorized officers this
1st day of April, in the year of 2002.

Kast C. K. Cattle Company, Inc.

Corporate Name

By K. Lynn Bennett PresidentAttest: Virginia M. Maffey Secretary

ACKNOWLEDGEMENT (Corporate)

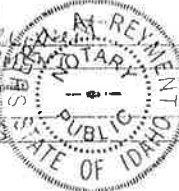
STATE OF Idaho County of ElmoreOn this 1st day of Aprilin the year of 2002, before me, the undersigned, a Notary Public inand for said State, personally appeared K. Lynn BennettVirginia M. Maffeyknown or identified to me to be the Pres/Sec-Des of thecorporation that executed the instrument or the person is and represents

the instrument on behalf of said Corporation, and acknowledged to me that

such corporation executed the same.

Signature: SHERYL A. REYNOLDSName: SHERYL A. REYNOLDS

(type or print)

Residing at: Mountain HomeMy commission expires 12-27-05STATE OF IDAHO
COUNTY OF ElmoreOn this 1st day of April
In the year 2002, before me, a Notary Public, personally appearedBy ARD Trading, Glenns FerryJohn B. McCallumKnown or identified to me to be the President of the partnership ofCasa Del Norte, L.P.

And the partner(s) who subscribed said partnership name to the foregoing

instrument, and acknowledged to me that they executed the same in said

partnership name.

Signature: Sheryl A. ReynoldsName: Sheryl A. ReynoldsResiding at: Mountain HomeCommission Expires: 12-27-05

PARCEL 1

Township 4 South, Range 12 East, Boise Meridian, Gooding County, Idaho

Section 32: S $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$

PARCEL 2

Township 4 South, Range 12 East, Boise Meridian, Gooding County, Idaho

Section 32: SW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$

Township 5 South, Range 12 East, Boise Meridian, Gooding County, Idaho

Section 5: Lots 3 and 4; S $\frac{1}{2}$ NW $\frac{1}{4}$

Section 6: SE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL 3

Township 5 South, Range 12 East, Boise Meridian, Gooding County, Idaho

Section 5: SW $\frac{1}{4}$, EXCEPTING THEREFROM the following described parcel of land:

COMMENCING at the Northeast corner of said Southwest Quarter of Section 5, Township 5 South, Range 12 East, Boise Meridian;

THENCE South one-half mile to the Southeast corner of said Southwest Quarter;

THENCE West 780 feet along the South boundary line of said Southwest Quarter;

THENCE in a Northeasterly direction to the POINT OF BEGINNING.

PARCEL 4

Township 5 South, Range 12 East, Boise Meridian, Gooding County, Idaho

Section 5: Lots 1 and 2; S $\frac{1}{2}$ NE $\frac{1}{4}$

Section 8: E $\frac{1}{4}$; NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$; E $\frac{1}{4}$ SW $\frac{1}{4}$

Section 9: W $\frac{1}{2}$

Section 17: NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL 5

Township 5 South, Range 12 East, Boise Meridian, Gooding County, Idaho

Section 20: SW $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

Township 6 South, Range 12 East, Boise Meridian, Gooding County, Idaho

Section 6: Lot 7

Section 7: Lot 1

Section 8: Lots 1, 2, 3 and 4; SE $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPTING THEREFROM the following described parcel of land located in Government Lots 3 and 4 described as follows:

COMMENCING at the East Quarter corner of Section 8;
THENCE South 89°43'31" West 5,255.67 feet to the West Quarter corner of Section 8, and being the REAL POINT OF BEGINNING;
THENCE North 89°43'31" East, 722.00 feet along the North boundary of Government Lot 3, Section 8;
THENCE South 46°17'52" East 243.74 feet;
THENCE South 47°13'22" East 495.10 feet;
THENCE North 84°09'07" East 96.83 feet;
THENCE South 20°05'45" East 207.97 feet to a point on the Northerly bank of the Snake River;
THENCE along the mean high water line on the Northerly bank of the Snake River, along the following courses and distances:

THENCE South 57°09'39" West 79.88 feet;
THENCE South 19°12'00" West 8.19 feet;
THENCE South 69°38'48" West 15.05 feet;
THENCE North 78°00'05" West 9.40 feet;
THENCE South 71°12'02" West 38.16 feet;
THENCE South 73°48'44" West 22.00 feet;
THENCE South 24°20'58" West 84.89 feet;
THENCE South 49°52'48" West 58.95 feet;
THENCE South 77°55'46" West 33.74 feet;
THENCE South 63°02'23" West 60.97 feet;
THENCE South 55°05'46" West 49.00 feet;
THENCE South 64°26'31" West 64.82 feet;
THENCE South 64°14'49" West 37.56 feet;
THENCE South 75°27'12" West 26.61 feet;
THENCE South 69°44'05" West 27.80 feet;
THENCE South 69°54'18" West 37.11 feet;
THENCE South 36°31'27" West 34.30 feet;
THENCE South 67°20'06" West 28.44 feet;
THENCE South 64°09'11" West 22.17 feet;
THENCE North 71°06'07" West 40.50 feet;
THENCE North 75°39'43" West 78.83 feet;
THENCE North 84°38'42" West 51.32 feet;
THENCE North 84°39'01" West 142.41 feet;
THENCE North 75°27'30" West 69.40 feet;
THENCE North 75°31'06" West 152.48 feet;
THENCE North 76°44'38" West 108.61 feet;
THENCE North 77°35'35" West 132.30 feet;
THENCE South 78°03'45" West 29.40 feet;
THENCE North 84°38'40" West 88.32 feet;
THENCE North 44°02'51" West 8.33 feet to a point on the West boundary of Section 8;
THENCE North 00°02'41" West 178.87 feet along the West boundary of Section 8 to the witness corner to the right bank meander corner;
THENCE North 00°07'28" East 612.70 feet along the West boundary of Section 8 to the REAL POINT OF BEGINNING.

Section 9: Lots 1 and 2; SE $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ N $\frac{1}{2}$

Section 10: Lots 2 and 3

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: **A37-00828**
Date Received: 8/15/1988
Receipt No: S001450
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: KAST CK CATTLE CO INC
Address: RT 1 BOX 143
KING HILL ID

208-366-2034

83633

2. Date of Priority: MAR 2, 1910

3. Source: CLOVER CREEK

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	12E	17	NE	NW	NW		GOODING

5. Description of diverting works:
EARTH DAM AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01			400.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 400.00 A.F.A.

8. Total consumptive use is 444.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	12E	8	SW	NE		IRR	8.0
			NE	NW		IRR	12.5
			SE	NW		IRR	19.0
			NE	SW		IRR	22.1
			NW	SW		IRR	3.0

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OCT 24 1984

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	12E	8	SE	SW		IRR	21.0
			NW	SE		IRR	8.0
						Section Acres	93.6
		17	NE	NW		IRR	22.0
						Section Acres	22.0
						Total Acres	115.6

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A37-00826, A37-00827

14. Remarks:

TOTAL DIVERSION RATE IS 1/3 CAPACITY OF PIONEER RESERVOIR.

P/D NOT GIVEN IN DECREE. USE NOT SPECIFIED IN DECREE.

ACRES WERE ADDED UNDER THIS WR THAT ORIGINALLY WER CLAIMED IN WR #37-07081, A WELL THAT IS NO LONGER USED FOR IRRIGATION.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

BRAY, ET. AL.

Decree Plaintiff

FERGUSON, ET. AL.

vs

Decree Defendant

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OCT 24 1994

RECEIVED



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

SEP 15 1992

Department of Water Resources
Southern Region Office

DATE OF CLOSING: 9/11/92

LEGAL DESCRIPTION OF PROPERTY: Township SEE ATTACHED LEGAL DESCRIPTION Range SEE ATTACHED LEGAL DESCRIPTION
Section , 1/4 of 1/4 of 1/4, Govt. Lot , BM.
Lot , Block, , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s)
Assigned by IDWR: A37-00819A; A37-00820A; A-37-00823; A-37-00824;
A-37-00825; A-37-00826; A37-00827; A37-00828; A37-10999;
A37-11000; A37-11001; A37-11003.
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):
- ☐ New Owner/Claimant (Purchaser): KAST CK CATTLE CO. INC., an Idaho Corporation
By: Charles C. Kast President
- ☐ New Mailing Address: Rte. #1, Box 143
King Hill, Idaho 83633
- ☐ New Telephone Number: () -
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s): KAST CK CATTLE CO. INC.
Charles C. Kast President Date 9-11-92
- ☐ Signature of Former Owner/Claimant(s): C. Michael Kast Date 9-11-92
Sherry L. Helas Date 9-11-92

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED
OCT 24 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

09-Mar-1993

Mr. Charles C. Kast. President
Kast CK Cattle Co Inc
Rt 1 Box 143
King Hill, ID 83633

RE: Ownership Change for Adjudication Claims A37-00819A, -00820A,
 -00823, -00824, -00825, -00826, -00827, -00828, -10999, -11000,
 -11001, -11003, -00821A, -00821B, -00822A, and -02169.

Dear Mr Kast:

Pursuant to the notification that you presently own the property in which the above-referenced Adjudication Claims are appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed copies of the computer record of the claims noting the change in claimant.

The review of the parcels in the transaction turned up places of use that caused four more water rights to be changed and added to your original list. The claim numbers of the additional rights are A37-00821A, -00821B, -00822A, and -02169. Copies are included.

If you have any questions please contact this office.

Sincerely,

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

Francis G. Hitchcock
Water Resource Agent, Sr.

FH/abh

Enclosures
cc: Penny Watson, Land Title

MICROFILMED
OCT 24 1994

Water Right Number - R37-00828 Prefix Translation: RESEARCH Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
KAST CK CATTLE CO INC

*** 0 - ORIGINAL OWNER ***
KAST

SHERRY L.

1 - RT 1 BOX 143
2 -
3 -
City- KING HILL
Phone - 208-366-2034
State- ID Zip- 83633

1 - P.O. BOX 124
2 -
3 -
City- BLISS
Phone - 208-352-4252
State- ID Zip- 83314

1 - P.O. BOX 124
2 -
3 -
City- BLISS
Phone - 208-352-4252
State- ID Zip- 83314

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/02/1910 17 SOUTHERN D - DECREED

+ - - - - Source - - - - + + - - - - Tributary - - - - - +
CLOVER CREEK SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

05S 12E 17 NE NW NW (47) GOODING

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

01 - IRRIGATION 04/01 11/01 400.00

+ - - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
400.00 400.00 444.0

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

05S 12E 8 SW NE 8.0 01 IRRIGATION (47) GOODING

05S 12E 8 NE NW 12.5 01 IRRIGATION (47) GOODING

05S 12E 8 SE NW 19.0 01 IRRIGATION (47) GOODING

05S 12E 8 NE SW 22.1 01 IRRIGATION (47) GOODING

05S 12E 8 NW SW 3.0 01 IRRIGATION (47) GOODING

05S 12E 8 SE SW 21.0 01 IRRIGATION (47) GOODING

05S 12E 8 NW SE 8.0 01 IRRIGATION (47) GOODING

05S 12E 17 NE NW 22.0 01 IRRIGATION (47) GOODING

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OCT 24 1994

Prefix Translation: RESEARCH

Total Acres: 115.6

+ - - Other Rights for Same Use - A37-00826, A37-00827

No Old Water Right Numbers Found

Date	User Id	HITCHCOC Subject	COPIED FROM REMARKS	-Comments-
			TOTAL DIVERSION RATE IS 1/3 CAPACITY OF PIONEER RESERVOIR.	
			P/D NOT GIVEN IN DECREE. USE NOT SPECIFIED IN DECREE.	
			ACRES WERE ADDED UNDER THIS WR THAT ORIGINALLY WER CLAIMED IN WR #37-07081, A WELL THAT IS NO LONGER USED FOR IRRIGATION.	
			OWNERSHIP CHANGE 03-09-1993 BY FH.	

03/09/93 HITCHCOC

Court Report Filing		Adjudication Rights Dates and Flags Area			
Objection Filed Date	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Response Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Claim Received Date	- 00/00/0000	Verified Date	-	Old Judicial District	-
	- 08/15/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S001450	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	- D
				Notice of Error Flag	-

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OCT 24 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

09-Mar-1993

Mr. Charles C. Kast. President
Kast CK Cattle Co Inc
Rt 1 Box 143
King Hill, ID 83633

RE: Ownership Change for Adjudication Claims A37-00819A, -00820A, -00823, -00824, -00825, -00826, -00827, -00828, -10999, -11000, -11001, -11003, -00821A, -00821B, -00822A, and -02169.

Dear Mr Kast:

Pursuant to the notification that you presently own the property in which the above-referenced Adjudication Claims are appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed copies of the computer record of the claims noting the change in claimant.

The review of the parcels in the transaction turned up places of use that caused four more water rights to be changed and added to your original list. The claim numbers of the additional rights are A37-00821A, -00821B, -00822A, and -02169. Copies are included.

If you have any questions please contact this office.

Sincerely,

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

Francis G. Hitchcock
Water Resource Agent, Sr.

FH/abh

Enclosures

cc: Penny Watson, Land Title

MICROFILMED

OCT 24 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

SEP 15 1992

DATE OF CLOSING: 9/11/92

Department of Water Resources
Southern Region Office

LEGAL DESCRIPTION OF PROPERTY: SEE ATTACHED LEGAL DESCRIPTION
Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s)
Assigned by IDWR: A37-00819A; A37-00820A; A-37-00823; A-37-00824;
A-37-00825; A-37-00826; A37-00827; A37-00828; A37-10999;
A37-11000; A37-11001; A37-11003.

☐ Name and Address of Former Owner/Claimant(s)(Seller): _____

☐ New Owner/Claimant (Purchaser): KAST CK CATTLE CO. INC., an Idaho Corporation
By: Charles C Kast President

☐ New Mailing Address: Rte. #1, Box 143
King Hill, Idaho 83633

☐ New Telephone Number: () _____ - _____

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): Charles C Kast Date 9-11-92
President

☐ Signature of Former Owner/Claimant(s): C Michael Kast Date 9-11-92
Sherry L Helms Date 9-11-92

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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OCT 24 1994

DIVERSION
VOLUME

TOTAL DIVERSION:
CONSUMPTIVE USE:

Stage: DECEED

GOODING County

5

TOTAL ACRES

Other Rights: A37-00826, A37-00827

MICROFILMED
OCT 24 1994

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: A37-00828
Date Received: 9/09/1988
Receipt No: S001450
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. MICHAEL KAST 208-352-4252
Address: P.O. BOX 124
BLISS, ID 83314

OR

Name: SHERRY L. KAST 208-352-4252
Address: P.O. BOX 124
BLISS, ID 83314

2. Date of Priority: MAR 02, 1910

3. Source: CLOVER CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	12E	17	NE	NW	NW		GOODING

5. Description of diverting works:
EARTH DAM AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01			400.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 400.00 A.F.A.

8. Total consumptive use is 444.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	12E	8	SW	NE		IRR	8.0
			NE	NW		IRR	12.5
			SE	NW		IRR	19.0
			NE	SW		IRR	22.1
			NW	SW		IRR	3.0
			SE	SW		IRR	21.0
			NW	SE		IRR	8.0
						Section Acres	93.6
		17	NE	NW		IRR	22.0
						Section Acres	22.0
						Total Acres	115.6

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A37-00826, A37-00827

14. Remarks:
TOTAL DIVERSION RATE IS 1/3 CAPACITY OF PIONEER RESERVOIR.
P/D NOT GIVEN IN DECREE. USE NOT SPECIFIED IN DECREE.
ACRES WERE ADDED UNDER THIS WR THAT ORIGINALLY WER CLAIMED IN WR
#37-07081, A WELL THAT IS NO LONGER USED FOR IRRIGATION.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

BRAY, ET. AL.

Decree Plaintiff

vs

FERGUSON, 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 Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ 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: 39576

Ident. Number: A37-00828
Date Received: 8/15/1988
Receipt No: S001450
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. MICHAEL KAST 208-352-4252
Address: P.O. BOX 124
BLISS, ID 83314
OR
Name: SHERRY L. KAST 208-352-4252
Address: P.O. BOX 124
BLISS, ID 83314
2. Date of Priority: MAR 02, 1910
3. Source: CLOVER CREEK Trib. to: SNAKE RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 05S | 12E | 17 | NE | NW | NW | | GOODING |
5. Description of diverting works:
EARTH DAM AND DITCHES
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | | | 400.00 |
7. Total Quantity Appropriated is:
C.F.S. (and/or) 400.00 A.F.A.
8. Total consumptive use is 444.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	12E	8	NW	NE		IRR	32.3

A37-00828

Page 1

Date: 08/15/88

MICROFILMED
FEB 23 1989

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	12E	8	SW	NE		IRR	8.0
			NE	NW		IRR	12.5
			SE	NW		IRR	19.0
			NE	SW		IRR	22.1
			NW	SW		IRR	3.0
			SE	SW		IRR	21.0
			NW	SE		IRR	8.0
						Section Acres	125.9
		17	NE	NW		IRR	22.0
						Section Acres	22.0
						Total Acres	147.9

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A37-00826, A37-00827

14. Remarks:
TOTAL DIVERSION RATE IS 1/3 CAPACITY OF PIONEER RESERVOIR.
P/D NOT GIVEN IN DECREE. USE NOT SPECIFIED IN DECREE.
ACRES WERE ADDED UNDER THIS WR THAT ORIGINALLY WERE CLAIMED
IN WR #37-07081, A WELL THAT IS NO LONGER USED FOR IRRIGATION.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 4/07/1920

BRAY, ET. AL.

Decree Plaintiff

vs

FERGUSON, 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): C Michael Kuest Date: 8/15/88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 15th day

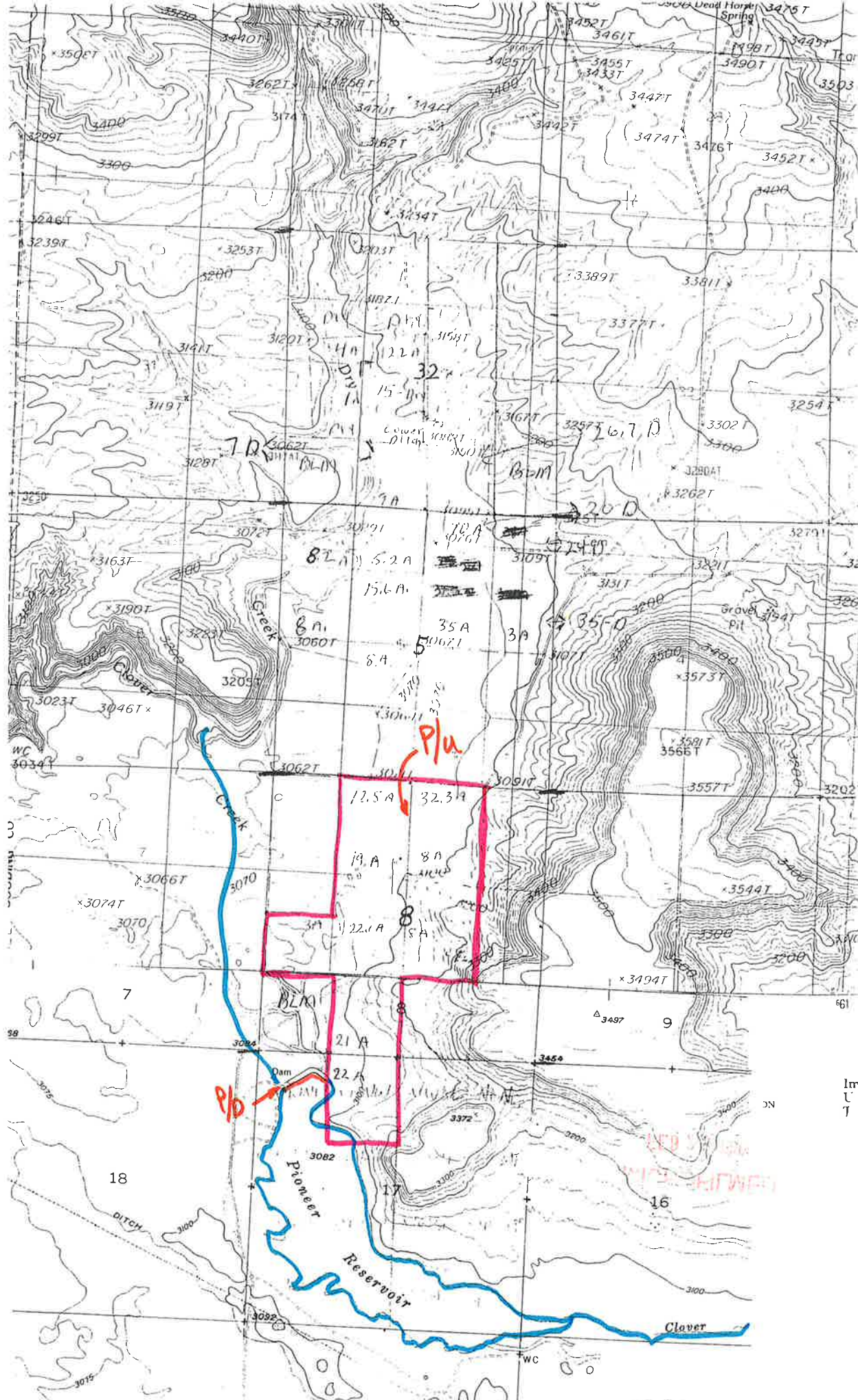
of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94



A37-00 R2R

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