

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

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 35-07098

2002 APR -5 PM 3:55

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS:

US DEPT OF ENERGY
BONNEVILLE POWER
905 NE 11TH AVE MS/EWP
PO BOX 362
PORTLAND, OR 97232

SOURCE:

GROUNDWATER
SPRINGS

TRIBUTARY: SNAKE RIVER

QUANTITY:

20.00 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-07097 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 24.0 CFS.

PRIORITY DATE:

08/02/1969

POINT OF DIVERSION:

T04S R32E S25
R33E S30

SENE
SWSWNW
SWNW
NWSW
NWNWSW

Within Bingham County

4 POINTS OF DIVERSION LOCATED IN T04S, R33E, S30, SWNW.
2 POINTS OF DIVERSION LOCATED IN T04S, R33E, S30, NWSW.

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Fish Propagation

PERIOD OF USE
01-01 TO 12-31

QUANTITY
20.00 CFS

FISH PROPAGATION, TROUT FARM.

PLACE OF USE:

Fish Propagation
T04S R33E S30

SWNW

Within Bingham County
NWSW

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

A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE
ACCEPTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED.
THIS RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY
TRANSFER NO. 5278 BY APRIL 30, 2002.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 01.

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. I.C. SECTION 42-1412(6).

FILED

SEP 01 2005

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

FILED

AJ0749NP
No. A35-07098

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

DATE: 10/22/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF ENERGY BONNEVILLE POWER 905 NE 11TH AVE MS/EWP PO BOX 362 PORTLAND OR 97232 (503) 230-5212	08/22/1969	FISH PROPAGATION	01-01 12-31	20.00 CFS	
TOTAL DIVERSION:					20.00 CFS	

Water Source: SPRING

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion:

T04S R33E S30

SWSWNW

BINGHAM County

Place of use Legal Description for: FISH PROPAGATION

				NE				NW				SW				SE													
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
04S	33E	30	:																										
			:																										

POU County: BINGHAM

Non-Irrigation Uses: H/ CRYSTAL SPRINGS TROUT RANCH, HATCHERY III.

Other Rights: A35-07097.

Remarks: GEN CHANGE OF OWNERSHIP FILED WITH DEED, FORM & MAP. (SCC 8/8/96)
ADDED PHONE # 10/3/96/JT
CHANGED OWNERSHIP PER REQUEST/JH/10-22-98

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 01

Field Inspection Flag:
Presumption Flag:

SCANNED
SEP 01 2005

PROFILED

DATE: 10/22/98
PAGE: 1

Misc: Water District Number: 01 Field Inspection Flag:

PROFIT

12:40:45
10/24/91

CLAIM NUMBER: A35-07098

STATE OF IOWA
DEPARTMENT OF WATER RESOURCES
SUBCIVILIZATION CLAIM VERIFICATION REPORT

GENERAL INFORMATION

LAST POLICE CASE NO.
ADDRESS: PO BOX 510
CITY: IOWA
PHONE NUMBER: 1-800-555-1234

CASE NO: 1

FIELD CASE NUMBER

VERIFICATION REQUIRED DUE TO REMARKS

NO REMARKS IN CLAIM

FIRST EXAMINATION INFORMATION

CLAIMANT PHONE:

2/18/92

ACCOMPANIED BY:

RELATIONSHIP TO CLAIMANT:

INSTRUCTIONS TO REPORTER / REMARKS:

Office Review

FIELD EXAMINER

DATE

STATE

CITY

DATE

PHONE NUMBER: ()

TIME: () P ()

APPOINTMENT MADE: Y () N ()

PHONE NUMBER: ()

DC

2/18/92

DATE

8-2-1969

XX

MAKE THESE CHANGES (ADD TO QUESTION TWO) PRIORITY DATE CLAIMED (Y/N) (Y/N)

DATE TO PRIORITY DATE (Y/N) (Y/N)

FIELD EXAMINER

FIELD EXAMINER

PRIORITY DATE: 03-02-1969
PRIORITY DATE: 03-02-1969
STAGE: 1
STAGE: 1

A. AU CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RANGE	SEC.	1/4	1/4	1/4	LOT	CNTY
A35-07393	040	030	30	SW	SW	NW		BINGHAM

OTHER AU CLAIMS WITH SAME AU POB
 A PREFIX NONE
 B PREFIX NONE

NR RECORDS IN SAME 40 ACRE TRACT

SS-02016
 SS-07097
 SS-08782

SOURCE: **UNNAMED SPRINGS**

TRIST: SNAKE RIVER

B. WA POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RANGE	SEC.	1/4	1/4	1/4	LOT	CNTY
SS-07096	040	030	30		NW	SW		BINGHAM
SS-07096	040	030	30		SW	NW		BINGHAM

**3
2**

OTHER WA RECORDS WITH SAME WA POB

AJ CLAIMS IN SAME 40 ACRE TRACT
 A PREFIX A PREFIX

SS-02016
 SS-07097
 SS-07142
 SS-08782

A35-07097 NONE

SOURCE: SPRINGS

TRIST: AMERICAN FALLS RESERVOIR

C. FIELD DATA REQUIRED?

DUE TO POB DISCREPANCY? (Y/N)
 DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
 Y
 Y

FIELD
 EXAMINER

REMARKS: **Add PD -**

2000

7127N 81E35D: 235-77098

12-00000 GUY NOTISBACH A. (S) 1/1/72 0000000000

• 222 • • 223 • • 224 •

475

274

475

207

224950

UNPAID SPRIDS

SNAKE RIVER

DATE:

26/8/2

A. UNCLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
435-07099 FISH PROPAGATION	FROM 01-31 TO 12-31	20,000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		20,000 CFS

B. RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
35-07095 FISH PROPAGATION	FROM 01-31 TO 12-31	20,000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		20,000 CFS

PRESCRIPTION FLAG:

C. FIELD DATA REVIEW:

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	N
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	N
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO NO STANDARD, OR OTHER?

Y(☐) N(☐) EXPLAIN IN REMARKS, BELOW.

REMARKS:

4. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AS TOTAL CLAIMED DIVERSION RATE: 20.000 CFS
NR RIGHT TOTAL DIVERSION RATE: 20.000 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
AS IF AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS: **
AS CLAIMED AND NR RASH IS NOT REQUIRED, EXPLAIN IN REMARKS. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

DOES STATE OR DIVERSION RATE DISCREPANCY? (Y/N)

5. FLOW MEASUREMENT

MEASUREMENT METHOD: SEE ATTACHED CALCULATIONS.

6. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A35-07098

LIST ALL RIGHTS WITH SAME POW AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A35-071434	UNNAMED STREAM	HOJERLAND FARMS, INC.	1.270	0.016		

LIST ALL RIGHTS WITH SAME POW BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSE	NAME	MONTH/DAY	RATE	VOLUME
A35-07098	FISH PROPAGATION	GOLDEN EAGLE RANCH	FROM 01-01 TO 12-31	20.000 CFS	
A35-07098	FISH PROPAGATION	GOLDEN EAGLE RANCH	FROM 01-01 TO 12-31	4.000 CFS	
A35-07098	DOMESTIC	GOLDEN EAGLE RANCH	FROM 01-01 TO 12-31	.040 CFS	1.20 AF/A

20. EXHIBIT 20-1 EXHIBIT 20-1 EXHIBIT 20-1 EXHIBIT 20-1 EXHIBIT 20-1

2011-2012 2013-2014 2014-2015 2015-2016 2016-2017 2017-2018 2018-2019 2019-2020 2020-2021 2021-2022 2022-2023 2023-2024 2024-2025 2025-2026 2026-2027 2027-2028 2028-2029 2029-2030 2030-2031 2031-2032 2032-2033 2033-2034 2034-2035 2035-2036 2036-2037 2037-2038 2038-2039 2039-2040 2040-2041 2041-2042 2042-2043 2043-2044 2044-2045 2045-2046 2046-2047 2047-2048 2048-2049 2049-2050 2050-2051 2051-2052 2052-2053 2053-2054 2054-2055 2055-2056 2056-2057 2057-2058 2058-2059 2059-2060 2060-2061 2061-2062 2062-2063 2063-2064 2064-2065 2065-2066 2066-2067 2067-2068 2068-2069 2069-2070 2070-2071 2071-2072 2072-2073 2073-2074 2074-2075 2075-2076 2076-2077 2077-2078 2078-2079 2079-2080 2080-2081 2081-2082 2082-2083 2083-2084 2084-2085 2085-2086 2086-2087 2087-2088 2088-2089 2089-2090 2090-2091 2091-2092 2092-2093 2093-2094 2094-2095 2095-2096 2096-2097 2097-2098 2098-2099 2099-2100 2100-2101 2101-2102 2102-2103 2103-2104 2104-2105 2105-2106 2106-2107 2107-2108 2108-2109 2109-2110 2110-2111 2111-2112 2112-2113 2113-2114 2114-2115 2115-2116 2116-2117 2117-2118 2118-2119 2119-2120 2120-2121 2121-2122 2122-2123 2123-2124 2124-2125 2125-2126 2126-2127 2127-2128 2128-2129 2129-2130 2130-2131 2131-2132 2132-2133 2133-2134 2134-2135 2135-2136 2136-2137 2137-2138 2138-2139 2139-2140 2140-2141 2141-2142 2142-2143 2143-2144 2144-2145 2145-2146 2146-2147 2147-2148 2148-2149 2149-2150 2150-2151 2151-2152 2152-2153 2153-2154 2154-2155 2155-2156 2156-2157 2157-2158 2158-2159 2159-2160 2160-2161 2161-2162 2162-2163 2163-2164 2164-2165 2165-2166 2166-2167 2167-2168 2168-2169 2169-2170 2170-2171 2171-2172 2172-2173 2173-2174 2174-2175 2175-2176 2176-2177 2177-2178 2178-2179 2179-2180 2180-2181 2181-2182 2182-2183 2183-2184 2184-2185 2185-2186 2186-2187 2187-2188 2188-2189 2189-2190 2190-2191 2191-2192 2192-2193 2193-2194 2194-2195 2195-2196 2196-2197 2197-2198 2198-2199 2199-2200 2200-2201 2201-2202 2202-2203 2203-2204 2204-2205 2205-2206 2206-2207 2207-2208 2208-2209 2209-2210 2210-2211 2211-2212 2212-2213 2213-2214 2214-2215 2215-2216 2216-2217 2217-2218 2218-2219 2219-2220 2220-2221 2221-2222 2222-2223 2223-2224 2224-2225 2225-2226 2226-2227 2227-2228 2228-2229 2229-2230 2230-2231 2231-2232 2232-2233 2233-2234 2234-2235 2235-2236 2236-2237 2237-2238 2238-2239 2239-2240 2240-2241 2241-2242 2242-2243 2243-2244 2244-2245 2245-2246 2246-2247 2247-2248 2248-2249 2249-2250 2250-2251 2251-2252 2252-2253 2253-2254 2254-2255 2255-2256 2256-2257 2257-2258 2258-2259 2259-2260 2260-2261 2261-2262 2262-2263 2263-2264 2264-2265 2265-2266 2266-2267 2267-2268 2268-2269 2269-2270 2270-2271 2271-2272 2272-2273 2273-2274 2274-2275 2275-2276 2276-2277 2277-2278 2278-2279 2279-2280 2280-2281 2281-2282 2282-2283 2283-2284 2284-2285 2285-2286 2286-2287 2287-2288 2288-2289 2289-2290 2290-2291 2291-2292 2292-2293 2293-2294 2294-2295 2295-2296 2296-2297 2297-2298 2298-2299 2299-2300 2300-2301 2301-2302 2302-2303 2303-2304 2304-2305 2305-2306 2306-2307 2307-2308 2308-2309 2309-2310 2310-2311 2311-2312 2312-2313 2313-2314 2314-2315 2315-2316 2316-2317 2317-2318 2318-2319 2319-2320 2320-2321 2321-2322 2322-2323 2323-2324 2324-2325 2325-2326 2326-2327 2327-2328 2328-2329 2329-2330 2330-2331 2331-2332 2332-2333 2333-2334 2334-2335 2335-2336 2336-2337 2337-2338 2338-2339 2339-2340 2340-2341 2341-2342 2342-2343 2343-2344 2344-2345 2345-2346 2346-2347 2347-2348 2348-2349 2349-2350 2350-2351 2351-2352 2352-2353 2353-2354 2354-2355 2355-2356 2356-2357 2357-2358 2358-2359 2359-2360 2360-2361 2361-2362 2362-2363 2363-2364 2364-2365 2365-2366 2366-2367 2367-2368 2368-2369 2369-2370 2370-2371 2371-2372 2372-2373 2373-2374 2374-2375 2375-2376 2376-2377 2377-2378 2378-2379 2379-2380 2380-2381 2381-2382 2382-2383 2383-2384 2384-2385 2385-2386 2386-2387 2387-2388 2388-2389 2389-2390 2390-2391 2391-2392 2392-2393 2393-2394 2394-2395 2395-2396 2396-2397 2397-2398 2398-2399 2399-2400 2400-2401 2401-2402 2402-2403 2403-2404 2404-2405 2405-2406 2406-2407 2407-2408 2408-2409 2409-2410 2410-2411 2411-2412 2412-2413 2413-2414 2414-2415 2415-2416 2416-2417 2417-2418 2418-2419 2419-2420 2420-2421 2421

[illegible][illegible]

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2010-11-15 14:14:14

THE CHAIRMAN: I have a question for you. I am not sure that I have asked you the question that I want to ask. I want to ask you whether you think that the fact that the government is not able to pay its bills is a reflection of the fact that the government is not able to raise the money that it needs to pay its bills. I am not sure that I have asked you the question that I want to ask. I want to ask you whether you think that the fact that the government is not able to pay its bills is a reflection of the fact that the government is not able to raise the money that it needs to pay its bills.

CLAIM NUMBER: 455-07098

4. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. REMOVE _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(X)	()
(X)	()
(X)	()

5. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 35-07098

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
20.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
	A35-07098	20.000	-		35-07098	20.000
TOTAL CFS		20.000				20.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATIONS:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

Dave Carlson
DAVE CARLSON

6/2/92

WR

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:40:46
10/24/91

Page: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A35-07098

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV								
SOURCE								
PLACE OF USE								
SIG. AROUND CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/DRT40-PQ = 1
 ADOB MAP = 2
 WATERMASTER RECORDS = 3
 NAAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

RECEIVED

MAY - 9 2002

Department of Water Resources

2002 APR -5 PM 3: 54

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right 35-07098

On February 14, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 35-07098 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED 4/5/02



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

PROFILED

RECEIVED

MAY 15 2002

Department of Water Resources
Eastern Region

SCANNED

SEP 01 2005

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

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 35-07098

2002 APR -5 PM 3:55

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: US DEPT OF ENERGY
BONNEVILLE POWER
905 NE 11TH AVE MS/EWP
PO BOX 362
PORTLAND, OR 97232

SOURCE: GROUNDWATER
SPRINGS
TRIBUTARY: SNAKE RIVER

QUANTITY: 20.00 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-07097 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 24.0 CFS.

PRIORITY DATE: 08/02/1969

POINT OF DIVERSION: T04S R32E S25 SENE Within Bingham County
R33E S30 SWSWNW
SNNW
NWSW
NWNWSW

4 POINTS OF DIVERSION LOCATED IN T04S, R33E, S30, SNNW.
2 POINTS OF DIVERSION LOCATED IN T04S, R33E, S30, NWSW.

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Fish Propagation 01-01 TO 12-31 20.00 CFS
FISH PROPAGATION, TROUT FARM.

PLACE OF USE: Fish Propagation Within Bingham County
T04S R33E S30 SNNW NWSW

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

A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE
ACCEPTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED.
THIS RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY
TRANSFER NO. 5278 BY APRIL 30, 2002.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 01.

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. I.C. SECTION 42-1412(6).

PROFILED

SCANNED

SEP 01 2005

2002 APR 05 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 35-07098

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 35-07098 was mailed
on April 05, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

US DEPT OF ENERGY
BONNEVILLE POWER
905 NE 11TH AVE MS/EWP
PO BOX 362
PORTLAND, OR 97232
Phone: 503-230-5212


ROBBIN GLATZ
Chief Deputy Clerk

PROFILE

CERTIFICATE OF MAILING

SCANNED
SEP 01 2005

PAGE 1
04/05/02

RECEIVED

APR - 8 2002

Department of Water Resources

2002 APR -5 PM 3: 54

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA

Case No. 39576

)
)
)
)
ORDER OF PARTIAL DECREE

For Water Right 35-07098

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Therefore, IT IS ORDERED that water right 35-07098 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED

4/5/02

Roger S. Burdick

ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

PROFILED

SCANNED

Page 1

SEP 01 2005

2002 APR 05 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 35-07098

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PO BOX 83720
BOISE, ID 83720-0098

US DEPT OF ENERGY
BONNEVILLE POWER
905 NE 11TH AVE MS/EWP
PO BOX 362
PORTLAND, OR 97232
Phone: 503-230-5212


ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

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SEP 01 2005

PAGE 1
04/05/02

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FOR
REVIEW



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SEP 01 2005

PROFIT





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 22, 1998

RON MORINAKA
US DEPT OF ENERGY/BONNEVILLE POWER ADMINISTRATION
905 NE 11TH AVE MS/EWP
PO BOX 362
PORTLAND OR 97232

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A35-07097,
A35-07098

Dear Mr. Morinaka:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure

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DEL OG DC 10/2/98
OK DC 10/98

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

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

1. Water Right Number(s) 35-7098; 35-7097 **RECEIVED**
SEP 28 1998
Adjudication Claim Number(s) A35-7098; A35-7097 R35-07097
R35-07098
2. The following **REQUIRED** information must be submitted with this form. Department of Water Resources
Eastern Region
- 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) NORTH FORK ENERGY, INC., P.O. Box 5405 (83705), 4414 S.
Gekeler Lane, Boise, ID 83716
4. New Owner/Claimant(s) U.S. Dept. of Energy/Bonneville Power Administration
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address PO Box 3621 / 905 NE 11th Ave - MS/EWP
City, State and ZIP Code Portland, OR 97232
New Telephone Number (503) 230-5215 or 5365
5. Date you acquired the property 6/18/98
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 N/A Number and type of stock N/A
Diversion rate in CFS 35-7098 20.00 CFS
35-7097 4.00 CFS Number of homes _____ Other uses Fish Propagation; Domestic
cubic feet per second
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance. Ron MORINAKA, Proj Mgr
7. Signature of New Owner/Claimant(s) [Signature] Date 9/25/98
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 correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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

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

1. Water Right Number(s) SEE EXHIBIT "A"
Adjudication Claim Number(s) SEE EXHIBIT "A"

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) WESTERN STAR FARMS INC
PO BOX 34
TWIN FALLS ID 83303

4. New Owner/Claimant(s) NORTH FORK ENERGY INC ATTN: RICHARD D HEATON
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 4414 S GEKELER LN

City, State and ZIP Code BOISE ID 83705

New Telephone Number (208) 342 8901

5. Date you acquired the property 4-25-1996 (BILL OF SALE)

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) North Fork Energy, Inc
By: Ronald L. Gault
President
Date SEP 01 1995
Date NOV 15 1996
Date 9/24/96

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

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

*LIST OF WATER RIGHTS AS SHOWN IN
SRBA CLAIMS*

<u>Water Right ID Number</u>	<u>Source</u>	<u>Amount</u>	<u>Priority</u>	<u>Nature or Purpose of Use</u>	<u>Season of Use</u>	<u>Point of Diversion</u>	<u>Evidence</u>	<u>Acreage (if irrigation right)</u>
\A35-04271	Spring tributary to Boom Creek	.50cfs	06/01/1945	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: NWSENE	Statutory Claim	
A35-07097	Groundwater	4.00cfs	09/30/1969	Fish Propagation Domestic	1-01 to 12-31	T4S, R33E, S30: SWNW	License	
\A35-07098	Spring tributary to Snake River	20.00cfs	08/22/1969	Fish Propagation	1-01 to 12-31	T4S, R33E, S30: SWSWNW	License	
\A35-07138	Groundwater	3.82cfs	04/08/1970	Irrigation Domestic	4-15 to 10-01 1-01 to 12-31	T4S, R32E, S24: SWNE	Permit	190
\A35-07141	Groundwater	4.80cfs	04/08/1970	Irrigation	4-15 to 10-01	T4S, R32E, S24: SESE	License	240
\A35-08635	Groundwater (artesian well) tributary to Boom Creek	5.00cfs	12/17/1986	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: SWNE		
A35-11390	Springs tributary to Boom Creek	20.00cfs	06/01/1941	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: SENWSW, NWSWSW	Beneficial Use	
A35-11392	Groundwater	.04cfs	06/01/1941	Domestic	1-01 to 12-31	T4S, R32E, S24: SWSW	Beneficial Use	
A35-11391	Groundwater	.04cfs	06/01/1945	Domestic	1-01 to 12-31	T4S, R32E, S24: SWSW	Beneficial Use	
A35-11394	Groundwater	.04cfs	06/01/1945	Domestic	1-01 to 12-31	T4S, R32E, S24: SWNEW	Beneficial Use	

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Exhibit A Cont.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

August 8, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

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AUG 09 1996

Department of Water Resources
Eastern Region

NORTH FORK ENERGY INC
ATTN RICHARD D HEATON
4414 S GEKELER LANE
BOISE ID 83705

RE: CHANGE OF OWNERSHIP SRBA CLAIM NOS.

A35-04271, A35-07097, A35-07098, A35-07138, A35-07141
A35-08635, A35-11390, A35-11392, A35-13393, A35-11394

AND WATER RIGHT NOS.

35-00007, 35-00028, 35-00029, 35-00047, 35-02014
35-02016, 35-04271, 35-07097, 35-07098, 35-07138
35-07141, 35-07142, 35-08635 & 35-08679

DEAR SIR,

Pursuant to your request for a change in ownership and/or the notification that you presently own the property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owners as you requested. Please find enclosed a copy of your adjudication claims, as they now appear in our records.

The water right numbers listed above will be changed at our state office in Boise. I have forwarded the documents and forms to them for completion.

If you have any further corrections or questions please contact any of our offices.

Sincerely,

STEVE CLELLAND
Water Resource Agent

ENC:

CC: Eastern Region
(208) 525-7161
State Office
(208) 327-7906

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SEP 01 2005

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NOV 15 1996

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

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

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JUL 31 1996

Department of Water Resources
Southern Region

1. Water Right Number(s) see Attached copy of listing
Adjudication Claim Number(s) " " " " "
2. The following **REQUIRED** information must be submitted with this form.
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) WESTERN STAR FARMS, INC.
P.O. Box 34
TWIN FALLS, ID 83303

4. New Owner/Claimant(s) NORTH FORK ENERGY, INC. ATTN:
New Mailing Address 4414 S. GEKELER LANE RICHARD D. HEATON
Name connector (Check one): [] AND, [] OR, [] AND/OR

City, State and ZIP Code BOISE ID 83705

New Telephone Number () - -

5. Date you acquired the property 4-25-1986 (BILL OF SALE)
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) North Fork Energy Inc. Date 7-31-96
C. D. Beymer Date _____

- (Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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A 35-07098

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LIST OF WATER RIGHTS AS SHOWN IN
IDWR RECORDS

Department of Water Resources
Southern Region

<u>Water Right ID Number</u>	<u>Source</u>	<u>Amount</u>	<u>Nature or Priority</u>	<u>Purpose of Use</u>	<u>Season of Use</u>	<u>Point of Diversion</u>	<u>Evidence</u>	<u>Acreage (if irrigation right)</u>
35-00007	Springs tributary to Boone Creek	6.00cfs	05/01/1887	Irrigation	?	T4S, R32E, S24: SWNE, SENE	Decree	?
35-00028	Boone Creek	1.20cfs	05/01/1888	Irrigation	?	?	Decree	?
35-00029	Rich's Spring	.40cfs	05/01/1897	Irrigation	?	?	Decree	?
35-00047	Spring, Wastewater	.50cfs	09/01/1895	Irrigation	?	?	Decree	?
35-02014	Boone Spring	1.30cfs	11/21/1908	Irrigation Domestic	?	T4S, R32E, S24: SENE	License	?
35-02016	Tanner Spring Hull Spring	4.00cfs	03/01/1909	Irrigation Fish Propagation Domestic	?	T4S, R32E, S25: NENE T4S, R33E, S30: SWNW, NWSW	License	90
5-04271	Spring tributary to Boom Creek	50.00cfs	06/01/1945	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: SENE	Statutory Claim	
35-07097	Groundwater	4.00cfs	09/30/1969	Fish Propagation Domestic	1-01 to 12-31	T4S, R33E, S30: SWNW, NWSW	License	
35-07098	Springs tributary to American Falls Reservoir	20.00cfs	08/02/1969	Fish Propagation	1-01 to 12-31	T4S, R33E, S30: SWNW, NWSW	License	
35-07138	Groundwater	1.08cfs	04/08/1970	Irrigation	4-01 to 11-01	T4S, R32E, S24: SENE	License	54
35-07141	Groundwater	4.80cfs	04/08/1970	Irrigation	4-15 to	T4S, R32E, S24:	License	240

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Exhibit A

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35-07142	Unnamed stream	2.62cfs	04/08/1970	Irrigation	10-01	SESE		
					4-01 to 11-01	T4S, R33E, S30: NWSW	License	162
35-08635	Groundwater (artesian well) tributary to Boom Creek	5.00cfs	12/17/1986	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: SWNE	Permit	
35-08679	Groundwater	1.00cfs	12/26/1988	Commercial	1-01 to 12-31	T4S, R32E, S24: SENE	License	

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Department of Water Resources
Southern Region

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Exhibit A Cont.

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Department of Water Resources
Southern Region

LIST OF WATER RIGHTS AS SHOWN IN
SRBA CLAIMS

Water Right ID Number	Source	Amount	Priority	Nature or Purpose of Use	Season of Use	Point of Diversion	Evidence	Acreage (if irrigation right)
A35-04271	Spring tributary to Boom Creek	.50cfs	06/01/1945	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: NWSENE	Statutory Claim	
A35-07097	Groundwater	4.00cfs	09/30/1969	Fish Propagation Domestic	1-01 to 12-31	T4S, R33E, S30: SWNW	License	
A35-07098	Spring tributary to Snake River	20.00cfs	08/22/1969	Fish Propagation	1-01 to 12-31	T4S, R33E, S30: SWSWNW	License	
A35-07138	Groundwater	3.82cfs	04/08/1970	Irrigation Domestic	4-15 to 10-01 1-01 to 12-31	T4S, R32E, S24: SWNE	Permit	190
A35-07141	Groundwater	4.80cfs	04/08/1970	Irrigation	4-15 to 10-01	T4S, R32E, S24: SESE	License	240
A35-08635	Groundwater (artesian well) tributary to Boom Creek	5.00cfs	12/17/1986	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: SWNE		
A35-11390	Springs tributary to Boom Creek	20.00cfs	06/01/1941	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: SENWSW, NWSWSW	Beneficial Use	
A35-11392	Groundwater	.04cfs	06/01/1941	Domestic	1-01 to 12-31	T4S, R32E, S24: SWSW	Beneficial Use	
A35-11393	Groundwater	.04cfs	06/01/1945	Domestic	1-01 to 12-31	T4S, R32E, S24: SWSW	Beneficial Use	
A35-11394	Groundwater	.04cfs	06/01/1945	Domestic	1-01 to 12-31	T4S, R32E, S24: SWNEW	Beneficial Use	

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Exhibit A Cont.

PROFILED
SEP 15 1999

BILL OF SALE RELATING TO WATER RIGHTS

KNOW ALL MEN BY THESE PRESENTS, that **WESTERN STAR FARMS, INC.**, an Idaho corporation of P.O. Box 34, Twin Falls, Idaho 83303 ("Seller") for and in consideration of TEN DOLLARS (\$10) and other good and valuable consideration, received from **NORTH FORK ENERGY, INC.**, an Idaho corporation of 4414 S. Gekeler Lane, Boise, Idaho 83705 ("Purchaser"), the receipt whereof is hereby acknowledged, does by these presents, grant, bargain, sell and convey unto Purchaser whatever interest it may have, if any, in the water rights or claims to water rights, listed on the attached Exhibit "A". Seller makes no representations or warranties regarding such water rights or the interest being conveyed by this Bill of Sale. This Bill of Sale is being provided solely to assist Purchaser in seeking the transfer to it of such water rights or claims of water rights which may be transferable, and not as a guaranty or warranty of any kind of title to any such water rights or claims of water rights.

DATED: This 25th day of April, 1996.

SELLER

WESTERN STAR FARMS, INC.

By:

Charles B. Beymer
Charles B. Beymer, President

PURCHASER

NORTH FORK ENERGY, INC.

By:

Ronald C. Yanke
Ronald C. Yanke, President

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NOV 15 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 4-25-96

LEGAL DESCRIPTION OF PROPERTY: Township See attached copy of legal description (subject to Contract of Sale) 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: See attached copy of Bill of Sale

☐ Name and Address of Former Owner/Claimant(s)(Seller): Golden Eagle Ranch / Roger and Sybil Ferguson
P.O. Box 519

☐ New Owner/Claimant (Purchaser): Rexburg, Idaho 83440
Western Star Farms, Inc.

☐ New Mailing Address: P.O. Box 34
Twin Falls, Idaho 83303

☐ 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: See attached copy of Bill of Sale (original in escrow subject to Contract of Sale)

(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) By Western Star Farms, Inc. Date
Charles B. Beggs Date 4-25-96

☐ Signature of Former Owner/Claimant(s): Roger Ferguson / Sybil Ferguson Date 4-27-96
Golden Eagle Ranch - By Roger Ferguson Date 4-27-96

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 7-31-96 By: JCC

Further Action Needed:

DATA ENTRY & PROCESS

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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Department of Water Resources

Southern Region

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

Please print or type

(see instructions on back of page)

LEGAL DESCRIPTION OF PROPERTY: Township See attached copy of legal description (subject to Contract of Sale). 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: See attached copy of Bill of Sale

[] Name and Address of Former Owner/Claimant(s)(Seller): Golden Eagle Ranch / Roger and Sybil Ferguson
P.O. Box 519

[] New Owner/Claimant
(Purchaser): Western Star Farms, Inc.

[] New Mailing Address: P.O. Box 34
Twin Falls, Idaho 83303

[[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: See attached copy of Bill of Sale (original in escrow subject to Contract of Sale).

(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) By Western Star Farms, Inc. Date 4-25-96
 [] Signature of Former Owner/Claimant(s): Roger Ferguson Date 4-27-96
Golden Eagle Ranch - By Roger Ferguson Date 4-27-96

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

Claim Numbers of Split, if any:

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JUL 31 1996

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SEP 01 2005

Department of Water Resources
Southern Region
Department of Water Resources

Original to be mailed to Idaho Department of Water Resources

Copies to Former Owner and New Owner

NOV 15 1996

Copies to Former Owners

III

BILL OF SALE RELATING TO WATER RIGHTS

KNOW ALL MEN BY THESE PRESENTS, that ROGER FERGUSON and SYBIL FERGUSON, husband and wife, of Rexburg, Idaho and Golden Eagle Ranch, also of Rexburg, Idaho ("Sellers") for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, received from WESTERN STAR FARMS, INC., an Idaho corporation, of Twin Falls, Idaho ("Purchaser"), the receipt whereof is hereby acknowledged, do by these presents, grant, bargain, sell and convey unto Purchaser whatever interest they may have, if any, in the water rights or claims to water rights listed on the attached Exhibit A. Sellers make no representations or warranties regarding such water rights or the interests being conveyed by this Bill of Sale. This Bill of Sale is being provided solely to assist Purchaser in seeking the transfer to it of such water rights or claims of water rights which may be transferable, and not as a guarantee or warranty of any kind of title to any such water rights or claims of water rights.

DATED this 23rd day of April, 1996.

SELLERS

Roger Ferguson
Roger Ferguson

Sybil Ferguson
Sybil Ferguson

GOLDEN EAGLE RANCH

By Roger Ferguson
Roger Ferguson

PURCHASER

WESTERN STAR FARMS, INC.

By Charles B. Beymer Pres.
Charles B. Beymer, President

PROFILE

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NOV 15 1996

**LIST OF WATER RIGHTS AS SHOWN IN
SRBA CLAIMS**

<u>Water Right ID Number</u>	<u>Source</u>	<u>Amount</u>	<u>Priority</u>	<u>Nature or Purpose of Use</u>	<u>Season of Use</u>	<u>Point of Diversion</u>	<u>Evidence</u>	<u>Acreage (if irrigation right)</u>
A35-04271	Spring tributary to Boom Creek	.50cfs	06/01/1945	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: NWSENE	Statutory Claim	
A35-07097	Groundwater	4.00cfs	09/30/1969	Fish Propagation Domestic	1-01 to 12-31	T4S, R33E, S30: SWNW	License	
A35-07098	Spring tributary to Snake River	20.00cfs	08/22/1969	Fish Propagation	1-01 to 12-31	T4S, R33E, S30: SWSWNW	License	
A35-07138	Groundwater	3.82cfs	04/08/1970	Irrigation Domestic	4-15 to 10-01 1-01 to 12-31	T4S, R32E, S24: SWNE	Permit	190
A35-07141	Groundwater	4.80cfs	04/08/1970	Irrigation	4-15 to 10-01	T4S, R32E, S24: SESE	License	240
A35-08635	Groundwater (artesian well) tributary to Boom Creek	5.00cfs	12/17/1986	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: SWNE		
A35-11390	Springs tributary to Boom Creek	20.00cfs	06/01/1941	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: SENWSW, NWSWSW	Beneficial Use	
A35-11392	Groundwater	.04cfs	06/01/1941	Domestic	1-01 to 12-31	T4S, R32E, S24: SWSW	Beneficial Use	
A35-11393	Groundwater	.04cfs	06/01/1945	Domestic	1-01 to 12-31	T4S, R32E, S24: SWSW	Beneficial Use	
A35-11394	Groundwater	.04cfs	06/01/1945	Domestic	1-01 to 12-31	T4S, R32E, S24: SWNEW	Beneficial Use	

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SCANNED
PROFILED
SEP 01 2005

					10-01	SESE		
35-07142	Unnamed stream	2.62cfs	04/08/1970	Irrigation	4-01 to 11-01	T4S, R33E, S30: NWSW	License	162
35-08635	Groundwater (artesian well) tributary to Boom Creek	5.00cfs	12/17/1986	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: SWNE	Permit	
35-08679	Groundwater	1.00cfs	12/26/1988	Commercial	1-01 to 12-31	T4S, R32E, S24: SENE	License	

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Exhibit A Cont.

**LIST OF WATER RIGHTS AS SHOWN IN
IDWR RECORDS**

<u>Water Right ID Number</u>	<u>Source</u>	<u>Amount</u>	<u>Nature or Priority</u>	<u>Purpose of Use</u>	<u>Season of Use</u>	<u>Point of Diversion</u>	<u>Evidence</u>	<u>Acreage (if irrigation right)</u>
35-00007	Springs tributary to Boone Creek	6.00cfs	05/01/1887	Irrigation	?	T4S, R32E, S24: SWNE, SENE	Decree	?
35-00028	Boone Creek	1.20cfs	05/01/1888	Irrigation	?	?	Decree	?
35-00029	Rich's Spring	.40cfs	05/01/1897	Irrigation	?	?	Decree	?
35-00047	Spring, Wastewater	.50cfs	09/01/1895	Irrigation	?	?	Decree	?
35-02014	Boone Spring	1.30cfs	11/21/1908	Irrigation Domestic	?	T4S, R32E, S24: SENE	License	?
35-02016	Tanner Spring Hull Spring	4.00cfs	03/01/1909	Irrigation Fish Propagation Domestic	?	T4S, R32E, S25: NENE T4S, R33E, S30: SWNW, NWSW	License	90
35-04271	Spring tributary to Boom Creek	50.00cfs	06/01/1945	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: SENE	Statutory Claim	
35-07097	Groundwater	4.00cfs	09/30/1969	Fish Propagation Domestic	1-01 to 12-31	T4S, R33E, S30: SWNW, NWSW	License	
35-07098	Springs tributary to American Falls Reservoir	20.00cfs	08/02/1969	Fish Propagation	1-01 to 12-31	T4S, R33E, S30: SWNW, NWSW	License	
35-07138	Groundwater	1.08cfs	04/08/1970	Irrigation	4-01 to 11-01	T4S, R32E, S24: SENE	License	54
35-07141	Groundwater	4.80cfs	04/08/1970	Irrigation	4-15 to	T4S, R32E, S24:	License	240

PROHIBITED

**SCANNED
SEP 01 2005**

Exhibit A

**MICROFILMED
NOV 1 1995**

Plat Map

26

Part of
SECTION 24, T.4 S. R.32 E. B.M.
SINGHAM COUNTY, IDAHO

SURVIVORS CERTIFICATE

1. and M. L. Loefer, a Registered Professional Land Surveyor in the State of Iowa on hereby certify that this plot is an accurate representation of the survey conducted under the authority.

Elliott L. Gault Date
Mr. M. J. Smith 7-17-62
Cocoa, Mass 01931

RECORDS CERTIFICATE

Instrument No. _____
 Book and Page _____
 Date Feb 19
 Recorded in Shirley County, Iowa

County of Los Angeles

SEP 01 2005

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333

Yates 1/32, tree cut with cup

HARPER - LEAVITT ENGINEERING, INC.
PROFESSIONAL ENGINEERS AND LAND SURVEYORS

THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION
100 N. 5TH ST. NEW YORK 17, N.Y.

PLAN OF SURVEY

HOUGHLAND FARMS 07087-F
07683-F

ADJUDICATION CLAIMS

8-7-96

To: Steve Clelland

From: Bish Beymer

MICROFILMED
NOV 15 1996

SCANNED
SEP 01 2005

PROFILED

EXHIBIT A

THAT PORTION OF THE FOLLOWING LEGAL DESCRIPTION

PARCEL I:

Part of the NE¼ of Section 24, Township 4 South, Range 32 East, Boise Meridian, Bingham County, Idaho, described as:
Beginning at a point on the West line of a county road that is S 0°13'14" W 1001.26 feet along the section line and N 89°40'08" W 57.90 feet from the Northeast corner of said Section 24 and running thence S 1°11'42" W 1128.14 feet along said West line to the North line of a county road; thence S 80°53'08" W 813.33 feet along said North line; thence S 81°36'36" W 753.22 feet along said North line; thence N 2°55'53" W 1377.93 feet; thence S 89°40'08" E 1642.24 feet to the point of beginning.

PARCEL II:

Part of Section 24, 25 and 26, Township 4 South, Range 32 East, Boise Meridian, Bingham County, Idaho, described as:
Beginning at a point on the south line of a county road that is S 0°13'14" W 2179.74 feet along the section line and West 83.95 feet from the Northeast corner of said Section 24 and running thence S 81°36'31" W 1192.27 feet along said South line; thence S 78°49'32" W 1368.55 feet; thence S 79°16'11" W 402.03 feet; thence S 89°24'11" W 198.67 feet; thence S 89°59'48" W 2075.55 feet along said South line to the West line of said Section 24; thence leaving said county road S 0°32'53" W 2618.34 feet along the section line to the Southwest corner of said Section 24; thence N 89°28'36" W 1325.23 feet along a fence line; thence S 1°04'04" W 1268.04 feet along said fence; thence S 55°28'37" W 90.03 feet; thence N 89°46'17" W 958.92 feet along said fence line to the East line of a county road; thence S 5°14'03" E 379.68 feet along said East line; thence S 16°10'45" W 198.21 feet; thence S 56°11'16" W 256.70 feet; thence S 0°11'21" W 546.83 feet; thence S 53°20'44" E 115.52 feet along said East line to the North line of said county road; thence S 88°50'14" E 561.72 feet along said North line; thence S 87°40'11" E 380.70 feet; thence S 84°18'14" E 186.12 feet; thence S 80°40'02" E 265.21 feet; thence N 80°18'38" E 732.64 feet; thence S 89°24'55" E 271.34 feet; thence N 84°41'36" E 213.19 feet; thence N 69°59'04" E 200.75 feet; thence N 59°36'35" E 521.39 feet; thence N 53°39'50" E 263.65 feet; thence N 31°17'57" E 502.46 feet; thence N 81°43'25" E 787.30 feet; thence S 89°36'24" E 702.19 feet; thence S 64°24'39" E 620.55 feet; thence S 69°30'02" E 233.65 feet; thence S 84°26'23" E 323.64 feet; thence S 74°29'47" E 1219.71 feet; thence S 75°50'39" E 443.76 feet along said North line; thence leaving said county road N 1°30'06" W 110.13 feet; thence N 1°26'14" W 2304.88 feet along a fence line; thence N 1°42'30" W 3088.94 feet along said fence line to the point of beginning.

PARCEL IIA:

Part of Section 25, Township 4 South, Range 32 East, Boise Meridian, Bingham County, Idaho, described as:
Beginning at a point on the Southerly line of a county road that is S 88°51'23" W 104.34 feet from the East ¼ corner of said Section 25 and

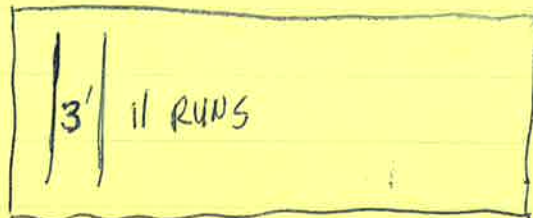
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NOV 15 1996
SEP 01 2005
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Facility Volume — 2.6 AF

OLD HOUSE

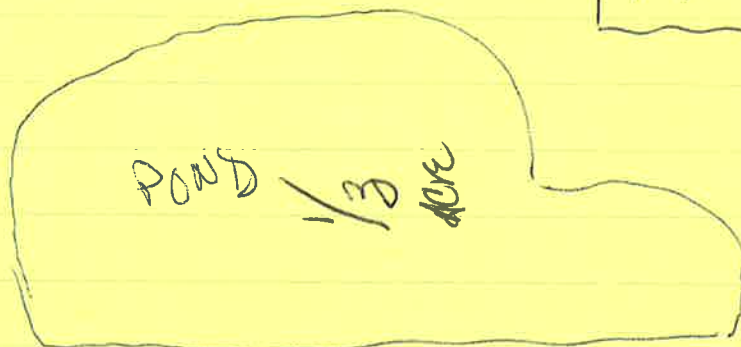
AK

BUILDING

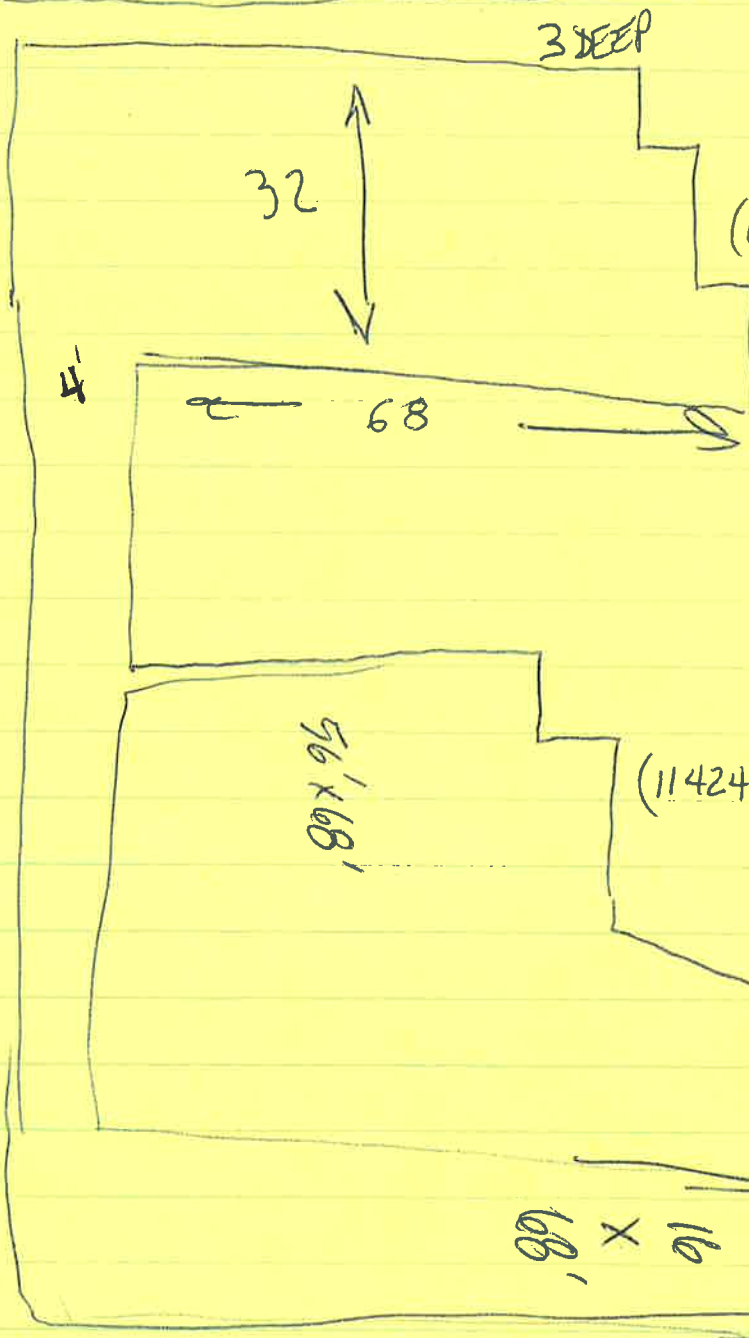


2' DEEP

(1650 ft³)



(87120 ft³)



(109986 ft³)

(6528 ft³)

2.5 af

(11424 ft³)

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3264



DATE OF EXAM 9/1/77

ACREAGE
Found n/a
Recommended n/a

Irrigation Requirement n/a Ac Ft/Ac

USE

Irrigation Q = c.f.s. V = AF/Ann. from to
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = c.f.s. V = AF/Ann. from to
Fish Propagation Q = 20.00 cfs V = non-consumptive
from Twp 1 Dad 1 14,478.55 Aft/Ac

Is water co-mingled? yes no X

Name source: n/a
Twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Exchange? yes no X

Name source exchanged with: n/a
Twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Point of injection: n/a
Twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Point of exchange: n/a
Twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Total Q measured 26.64 cfs Method of measurement Weirs

Total Q recommended 20.00 cfs Meter No. n/a Type Notch Condition good - new

Total V recommended non-consumptive V = 14,478.55 Aft/Ac

Recommended Amendments:

Place of Use

City

None

MEASUREMENT CALCULATION:

H for back of the three weirs was 1.67 ft or 20 inches.
 $Q = 2.49 [H]^{2.48}$, $Q = 8.81 cfs \times 3 = 26.64 cfs$
 $V = \text{non-consumptive } 20 cfs \times 7.9835 \times 305 = 14,478.55$
ARK 9/1/77

SYSTEM DESCRIPTION:

Spring water is backed up by a 25' long 8' high concrete
abutment to form a dam and when the are raised,
water is allowed to pass downstream
through 3 weirs positioned side by side in the
top of the dam.

REMARKS:

System shown & described by Peter Hugland.
weirs have been raised

Examiner's Signature Anthony R. Kisharske Date 9/1/77

Checked by Ernest A. Carlson Date 11/18/77

Approved by Date

SCANNED
SEP 01 2005

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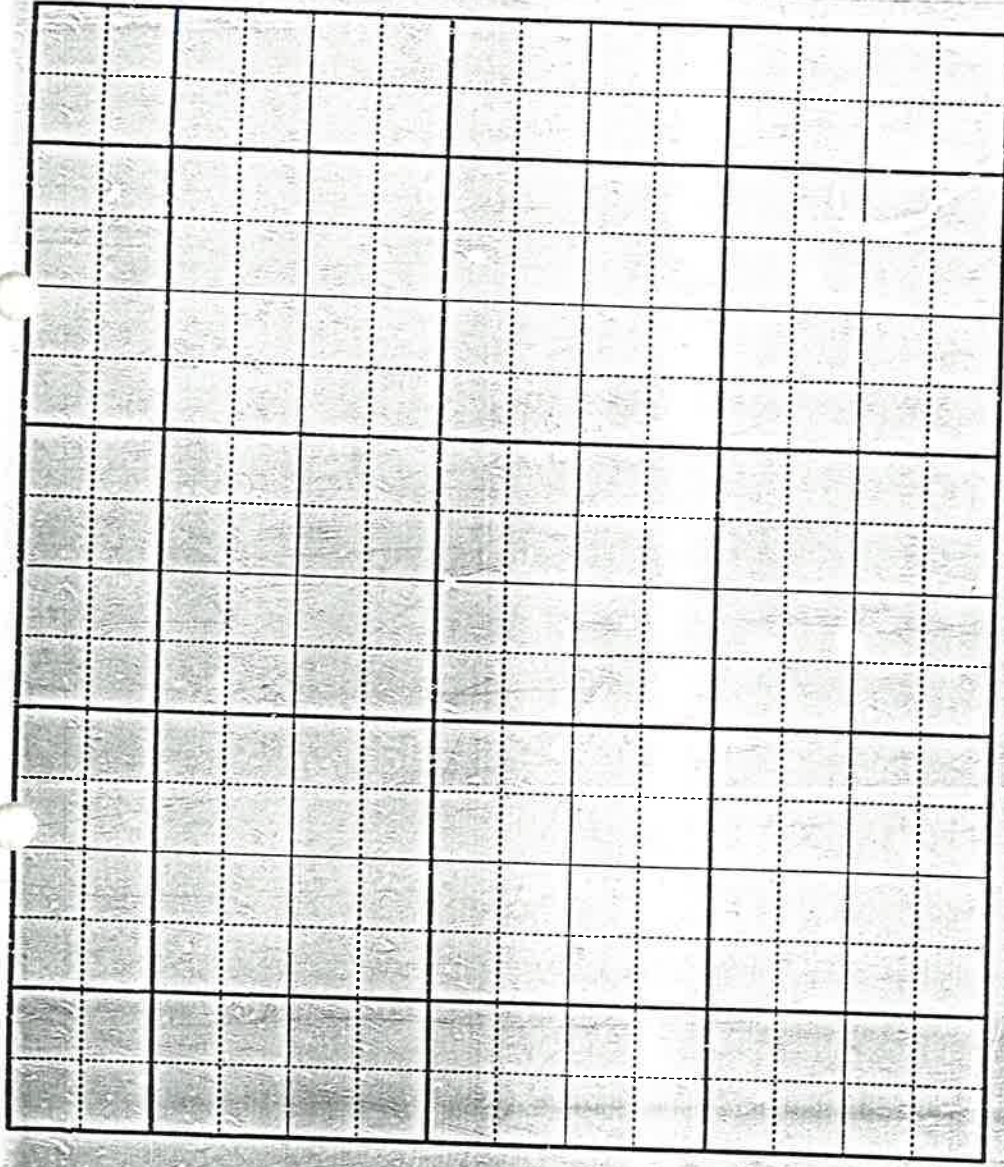
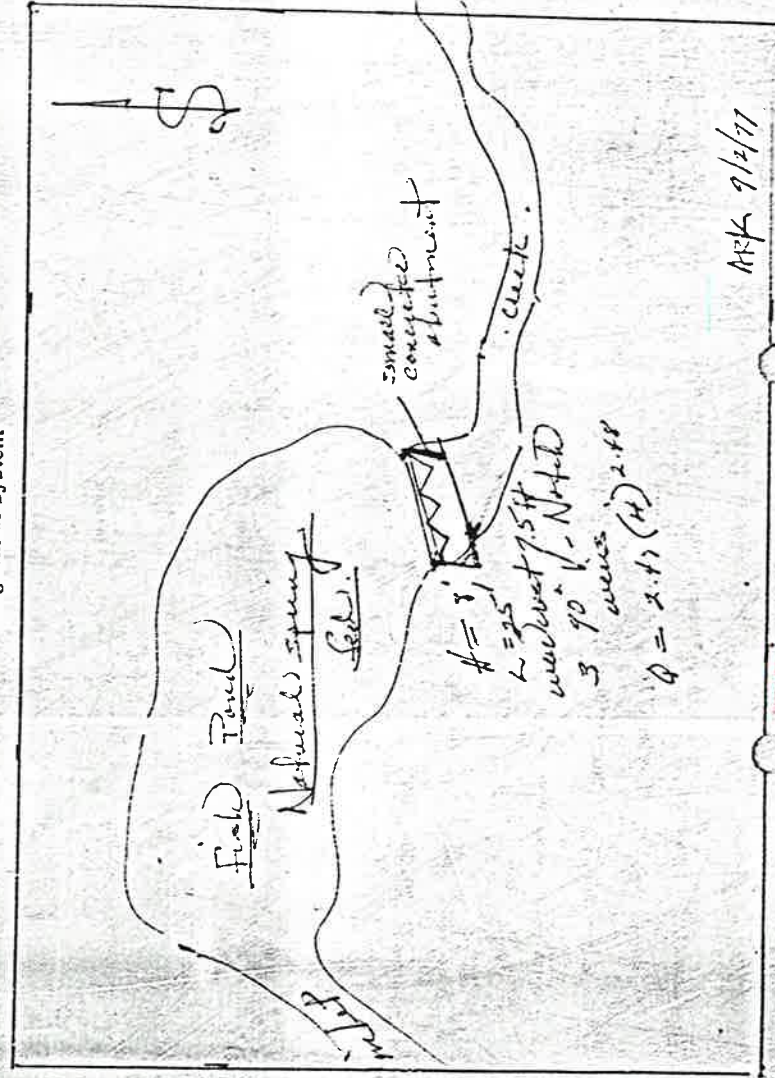


Diagram of System



NRK 9/12/77

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SCANNED

SEP 01 2005

I R 2

WR0749NP
No. 35-07098

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/08/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NORTH FORK ENERGY INC PO BOX 5405 BOISE ID 83705 (208) 328-2306	08/02/1969	FISH PROPAGATION	01/01 12/31	20.000 CFS	
TOTAL DIVERSION:					20.000 CFS	

Water Source: GROUNDWATER
SPRINGS

Tributary to:
SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion:	T04S R32E S25	SENE				BINGHAM County
	R33E S30	SWNW	SWSWNW	NWSW	NWNWSW	BINGHAM County

Point of Diversion Name(s):

	Name	Rate	Number
T04S R32E S25	SE NE 1 WELL		
R33E S30	SW NW 4 WELLS		
S30	SW SW NW SPRINGS		
S30	NW SW 2 WELLS		
S30	NW NW SW SPRINGS		

Place of use Legal Description for: FISH PROPAGATION

	NE	NW	SW	SE
T R S	NENE NWNE SWNE SENE	NENW NWNW SWNW SENW	NESW NWSW SWSW SESW	NESE NWSE SWSE SESE
	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
04S 33E 30	:	F	F	:

Pou County: BINGHAM

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN The total instantaneous diversion of water from all points of diversion under Transfer No. 5278 shall not exceed 24.00 cfs. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of the diversion that is acceptable to the watermaster and will provide suitable control of the diversions. Use of water under this approval shall comply with applicable

PROFILED

SCANNED
SEP 01 2005

WR0749NP
No. 35-07098

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/08/98
PAGE: 2

Remarks: water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
Right Nos. 35-07097 and 35-07098 are limited to historic facility and diversion volumes as determined by the Snake River Basin Adjudication.
Multiple springs are located within SWSWNW and NWNWSW of S30, T04S, R33E.
Four wells are located within the SWNW and two wells are located within NWSW of S30, T04S, R33E.
The right holder shall accomplish the change authorized by this transfer by April 30, 2002.

Dates:	App. Received:	Priority Date:	08/02/1969
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	08/07/1979	

Misc:	Water District Number: 01	Field Exam Fee:
-------	---------------------------	-----------------

PROFILED

SCANNED
SEP 01 2005

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: A35-07098
Date Received: 5/23/1989
Receipt No: E007828
Received By: A. S. W.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
AUG 09 1996

Department of Water Resources
Eastern Region

1. Name: NORTH FORK ENERGY INC
Address: ATTN RICHARD D HEATON
4414 S GEKELER LANE
BOISE ID

83705

2. Date of Priority: AUG 22, 1969

3. Source: SPRING Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	33E	30	SW	SW	NW		BINGHAM

5. Description of diverting works:
CONCRETE HEADGATE, OPEN CHANNEL TO RACEWAYS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
FISH PROPAGATION	01/01	12/31	20.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
H/ CRYSTAL SPRINGS TROUT RANCH, HATCHERY III.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04S	33E	30	SW	NW		FISH	
			NW	SW		FISH	

MICROFILMED

A35-07098

Page

1

SCANNED

Date: 08/08/96

SEP 01 2005

PROFILED

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

A35-07097.

14. Remarks:

CHANGE OF OWNERSHIP FILED WITH DEED, FORM & MAP. (SCC 8/8/96)

15. Basis of Claim: LICENSE

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
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

A35-07098

Page

2

SCANNED

Date: 08/08/96

PROFILED

SEP 01 2005

MICROFILMED

NOV 15 1996

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 _____

MICROFILMED

NOV 15 1996

A35-07098

Page

3

SCANNED Date: 08/08/96

PROFILED

SEP 01 2005

250% X

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: A35-07098
Date Received: 4/18/1989
Receipt No: EQ 7828
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GOLDEN EAGLE RANCH 208-356-3813
Address: P.O. BOX 519
REXBURG, ID 83440

2. Date of Priority: AUG 22, 1969

3. Source: SPRING Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	33E	30	SW	SW	NW		BINGHAM

5. Description of diverting works:
CONCRETE HEADGATE, OPEN CHANNEL TO RACEWAYS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
FISH PROPAGATION	01/01	12/31	20.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
H/ CRYSTAL SPRINGS TROUT RANCH, HATCHERY III.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	33E	30	SW	NW		FISH	
			NW	SW		FISH	

11. Place of use in counties: BINGHAM

A35-07098

Page 1

Date: 05/23/89

A3507098

PROFILED

SCANNED
SEP 01 2005

MICROFILMED
DEC 10 1992

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

13. Other Water Rights Used:
A35-07097.

14. Remarks:

15. Basis of Claim: LICENSE

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: 1

For Organizations:

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

RL Hubert
Signature of Authorized Agent

MANAGER Golden Eagle Ranch
Title and Organization

5-23-89
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of May 19 89

Ernest Carlson
Notary Public

Seal

Residing at Albion Falls, ID

My Commission Expires 6-14-1994
2 Date: 05/23/89

A35-07098

Page

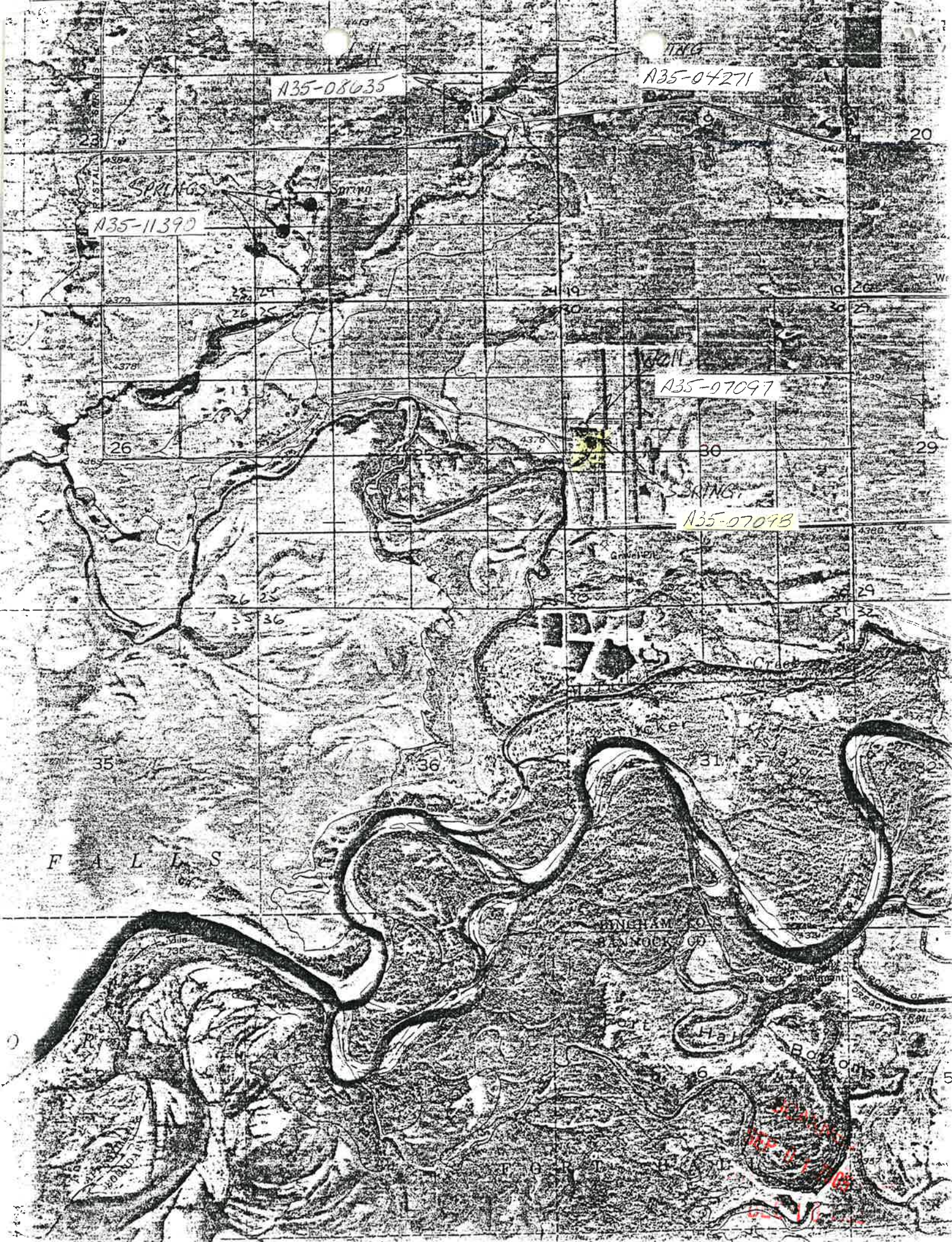
PROFILED

SCANNED

SEP 01 2005

MICROFILMED

DEC 10 1992



A35-08635

A35-04271

A35-11390

A35-07097

A35-07098

FALLS

BENHAM CO
BENNOCK CO

Half

Bo

T G R L

Handwritten red notes and markings in the bottom right corner.