

06/18/2007

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

RIGHT NUMBER: 35-13631

NAME AND ADDRESS: CHARLES O KLASSEN  
1948 S 2900 W  
ABERDEEN ID 83210

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.220 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 0.53 CFS AND TO A TOTAL COMBINED  
ANNUAL DIVERSION VOLUME OF 172 AF. COMBINED RIGHT NOS.:  
35-13629 AND 35-13633.

PRIORITY DATE: 11/07/1968

POINT OF

DIVERSION: T06S R31E S7 SENWNW Lot 1 Within BINGHAM County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/15 10/31          | 0.220 CFS       |

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS  
EARLY AS APRIL 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT  
EXCEEDED. THE USE OF WATER BEFORE APRIL 15 UNDER THIS REMARK  
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED  
EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE  
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION in BINGHAM County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T06S R31E S07 | NENE | 11.00 | T06S R31E S07 | NWNE | 31.00 |
| T06S R31E S07 | SWNE | 1.00  |               |      |       |

43 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 43 ACRES IN A SINGLE IRRIGATION  
SEASON. COMBINED RIGHT NOS.: 35-13629 AND 35-13633. THIS RIGHT IS  
LIMITED TO THE IRRIGATION OF 10.90 ACRES WITHIN THE PLACE OF USE  
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE  
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE  
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO  
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION  
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM ABERDEEN  
SPRINGFIELD CANAL CO.

This right is a split from former right 35-7061 .

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE: 35-13629 AND 35-13633. RIGHT NO.  
35-13633 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION  
42-1426, IDAHO CODE.

SCANNED

JUN 25 2007



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

EASTERN REGION

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

June 15, 2007

CHARLES O KLASSEN  
1948 S 2900 W  
ABERDEEN ID 83210

RE: Notice of Change of Water Right Ownership (NCO) for  
35-2347, 35-7061, and 35-13264 and Notice of Completed  
Administrative Proceeding (NCAP)

Dear Mr. Klassen:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree  
Technical Records Specialist

Enclosure

cc: OK Inc.

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

In Re SRBA )

Water Rights:

35-2347 split into 35-13629 & 35-13630

35-7061 split into 35-13631 & 35-13632

35-13264 split into 35-13633 & 35-13634

Case No. 39576 )

NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party (SPLIT) KLASSEN – KLASSEN & OK INC

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

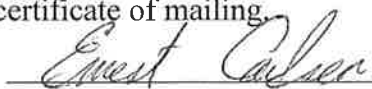
☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 21 June 2007



Signature of IDWR Representative

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JUN 25 2007

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING

35-2347 SPLIT INTO 35-13629 & 35-13630; 35-7061 SPLIT INTO 35-13631 & 35-13632; 35-13264 SPLIT INTO 35-13633 & 35-13634

### CERTIFICATE OF MAILING

I certify that on June 25, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
PO Box 2707  
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:  
EUNICE & OTTO KLAUSEN  
281 W BOISE  
ABERDEEN ID 83210-1943

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:  
CHARLES O KLASSEN      OK INC  
1948 S 2900 W              1948 S 2900 W  
ABERDEEN ID 83210      ABERDEEN ID 83210

4. One copy to:

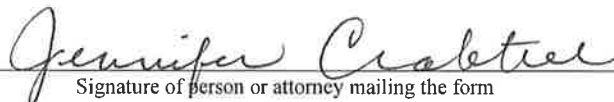
Each party in the subcase, or attorney of record  
ROGER LING  
LING NIELSEN & ROBINSON  
PO BOX 396  
RUPERT ID 83350

5. One copy each to:

Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

  
Signature of person or attorney mailing the form

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JUN 25 2007

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING

35-2347 SPLIT INTO 35-13629 & 35-13630; 35-7061 SPLIT INTO 35-13631 & 35-13632; 35-13264 SPLIT INTO 35-13633 & 35-13634

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

**RECEIVED****JAN 05 2007**Department of Water Resources  
Eastern 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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 35-2347               |                              |       |                       |                              |       |
| 35-7061               |                              |       |                       |                              |       |
| 35-13264              |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

ADJ  
needs  
NCAP

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

- 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) Enice Klassen  
281 W. Boise Aberdeen, ID 83210-1943
4. New Owner/Claimant(s) O.K. Inc.  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1948 S. 2900 W.
- City, State and ZIP Code Aberdeen, ID 83210
- New Telephone Number (208) 397-4524
5. Date you acquired the property January 18, 2002

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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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s) OK Inc. by [Signature]  
(include title if applicable)

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 \_\_\_\_\_ Fee \_\_\_\_\_  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

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JUN 25 2007

550383

BINGHAM COUNTY RECORDER  
BLACKFOOT, IDAHO

FEE 6<sup>00</sup> DEP 7W

2005 FEB 11 AM 10:08

**QUITCLAIM DEED**

RECORDED AT THE REQUEST OF

*KEVIN KLASSEN*

*P.O. Box 52*

*ABERDEEN 83210*

**THIS QUITCLAIM DEED**, Executed this 18th day of January, 2002 by first party, Grantor, **Eunice Klassen**, whose post office address is 281 West Boise, **Aberdeen, Idaho**, to second party, Grantee, **OK, Inc.**, an Idaho Corporation, whose post office address is 1948 South 2900 West, **Aberdeen, Idaho**.

**WITNESSETH**, that the said first party, for good consideration and for the sum of \$100 paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Bingham, State of Idaho to wit:

PARCEL 1: Township 6 South, Range 31, E.B.M. Bingham County, Idaho. SECTION 7: S1/2NE1/4 except all that portion of the S1/2NE1/4 lying East of the East line of the Aberdeen-Springfield Canal.

PARCEL II: Township 6 South, Range 31, E.B.M., Bingham County, Idaho. SECTION 7: Also beginning at a point which is S 0 49' W 400.7 feet from the North quarter of Section 7, thence S 0 49' W 2261.8 feet, more or less, to the South line of the NW1/4, thence S 89 32' W along said South line 2447 feet to the West quarter corner of said Section, thence N 0 20'E along the West line of said Section 7, 1899 feet, thence N 81 11'E 2497.7 feet to the place of beginning.

~~PARCEL III: Township 6 South, Range 31, East of the Boise Meridian. SECTION 7: All that portion of the S1/2 NE1/4, lying East of the East line of Aberdeen-Springfield Canal.~~ *Colr*

~~EXCEPT: A portion of the SE1/4NE1/4 described as Beginning at the Northeast corner of said SE1/4NE1/4, thence South 510 feet, thence West 650 feet to the East~~ *Colr*

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line of the Aberdeen-Springfield Canal Company right-of-way, thence Northerly along the East line of said Aberdeen-Springfield Canal 510 feet, more or less, to the North line of said SE1/4NE1/4, thence East 680 feet more or less, to the point of beginning.

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written.

Eunice Klassen  
Grantor's Signature  
Eunice Klassen

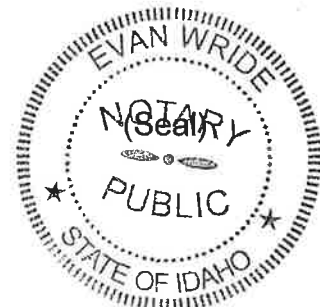
STATE OF Idaho  
COUNTY OF Bingham

On January 18th, 2002 before me, Evan Wride, personally appeared Eunice Klassen, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Evan Wride

My Commission Expires: 4-7-15



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JUN 25 2007

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FEB 07 2007

Department of Water Resources  
Eastern RegionBINGHAM COUNTY, IDAHO  
BLACKFOOT, IDAHOFEE 90 DEP 170

2005 FEB 11 AM 10:08

RECORDED AT THE REQUEST OF

KEVIN KLASSEN  
P.O. Box 52  
ABERDEEN 83210**QUITCLAIM DEED**

THIS QUITCLAIM DEED, Executed this 21st day of May, 2002, by first party, Grantors, WALLACE N. KLASSEN and SUSAN K. KLASSEN, and THEODORE R. and RUTH A. KLASSEN, whose official mail address is 1928 SO. 2900 WEST, ABERDEEN, IDAHO 83210, to second party, Grantees, CHARLES O. KLASSEN and SALLYE S. KLASSEN, whose official mail address is 1948 SO. 2900 WEST, ABERDEEN, IDAHO 83210.

WITNESSETH, That the said first party, for good and valuable consideration presented by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of BINGHAM, State of IDAHO to wit:

NE1/2NE1/4 of Section 7, Township 6 South, Range 31, E.B.M. Bingham County, Idaho, EXCEPTING THEREFROM a portion of the N1/2NE1/4 of said Section 7 described as: Beginning at the N1/4 corner of said Section 7; and running thence N. 89°49' E. a distance of 1,531.7 feet along the North Section line of said Section 7; and running thence on a meander line S. 0° 11' E. 227.4 feet to a point which lies 161.0 feet due W. of the Center line of the High Line Canal of the Aberdeen-Springfield Canal Company; thence S. 89°37' W. a distance of 486.0 feet; thence S. 81°11' W. 1,072.0 feet to a point on the West line of said N1/2NE1/4 of said Section 7; thence N. 1° 54' E. along said West line of said N1/2NE1/4 of said Section 7, 390.2 feet, more or less, to the point of beginning. Also excepting therefrom a tract of land in the NE1/4NE1/4 of said Section 7, described as: Beginning at the NE corner of said Section 7; thence S. 1°56'42" W. along the East line of said Section 7, 458.20 feet; thence S. 89°37'42" W. 869.18 feet to the centerline of the Aberdeen-Springfield Canal Company Highland Canal; thence from a tangent bearing N. 2°02'24" W. along a curve to the right, along the centerline of said canal, said curve having a radius of 954.93

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JUN 25 2007

feet, through a centerline angle of 28°27'40", for an arc length of 474.35 feet; thence N. 89°39'33" E. along said North line, 785.59 feet to the point of beginning, together with all water rights appertaining thereto.

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Wallace N. Klassen  
1st Party Grantor's Signature

Susan K. Klassen  
1st Party Grantor's Signature

WALLACE N. KLASSEN

SUSAN K. KLASSEN

Theodore R. Klassen  
1st Party Grantor's Signature

Ruth A. Klassen  
1st Party Grantor's Signature

THEODORE R. KLASSEN

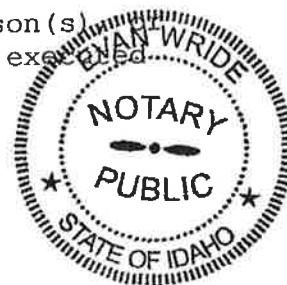
RUTH A. KLASSEN

STATE OF Idaho  
COUNTY OF Bingham

On May 21, 2002 before me, Evan Wride, personally appeared Wallace N. & Susan K. Klassen, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s) the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Evan Wride



My Commission Expires: April 22, 2005

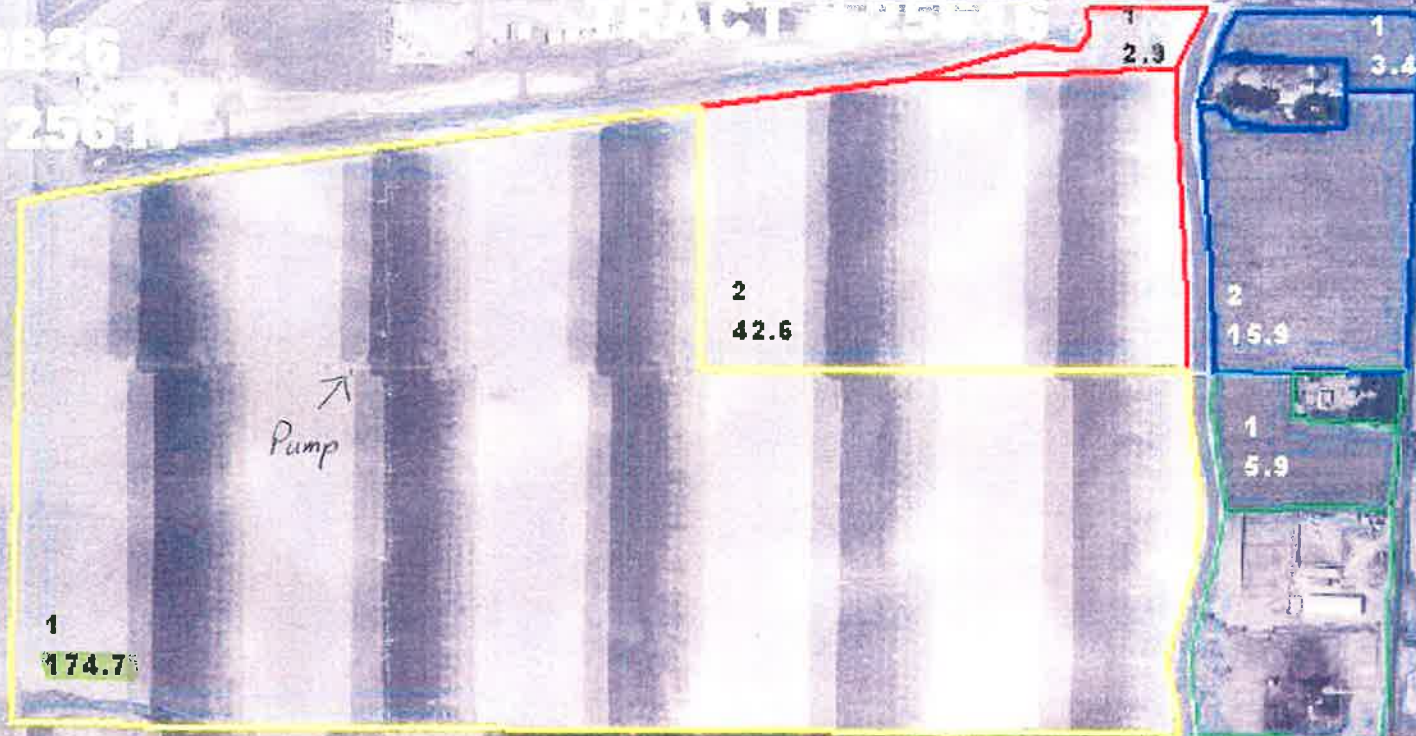
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JUN 25 2007

FARM # 3826

FARM # 3826  
TRACT # 25618

FARM # 3826  
TRACT # 25618



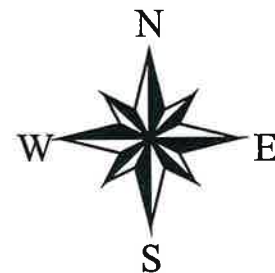
FARM # 3826  
TRACT # 25619

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JUN 25 2007



0.4 0 0.4 0.8 Miles

- Klausen-ok.shp
- Sections
- Bingham taxlots
- GCDB06S31E GCDB
- GCDB06S30E GCDB
- Recommendation POD



Wallace  
+  
Charles  
Klassen

Charles  
bought  
out  
Wallace  
+  
will  
send  
a  
seed



# Idaho Department of Water Resources

SRBA Recommendation:

**35-13630**

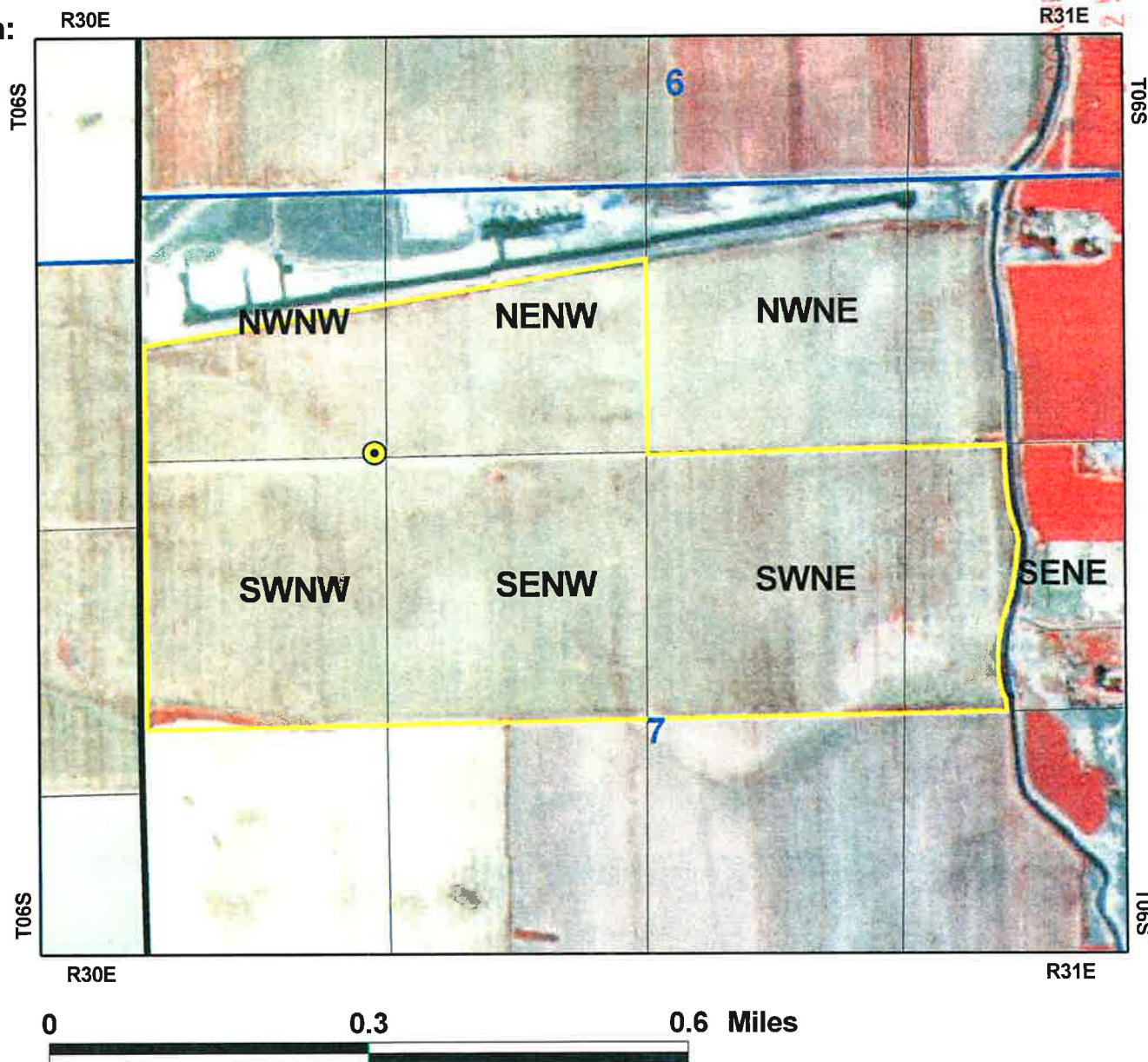
(Irrigation)

## Legend

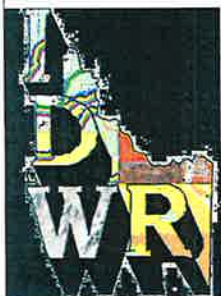
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Bingham County  
IDWR Basin 35



Prepared by J. Crabtre  
On Tuesday, June 12, 2007  
1987/88 Aerial Photography



# Idaho Department of Water Resources

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JUN 25 2007

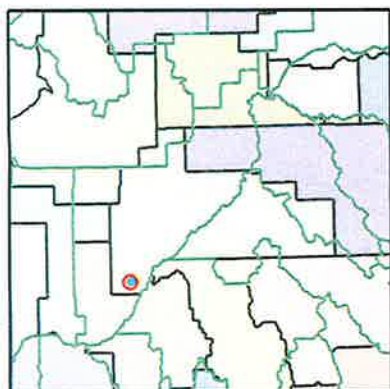
SRBA Recommendation:

**35-13631**

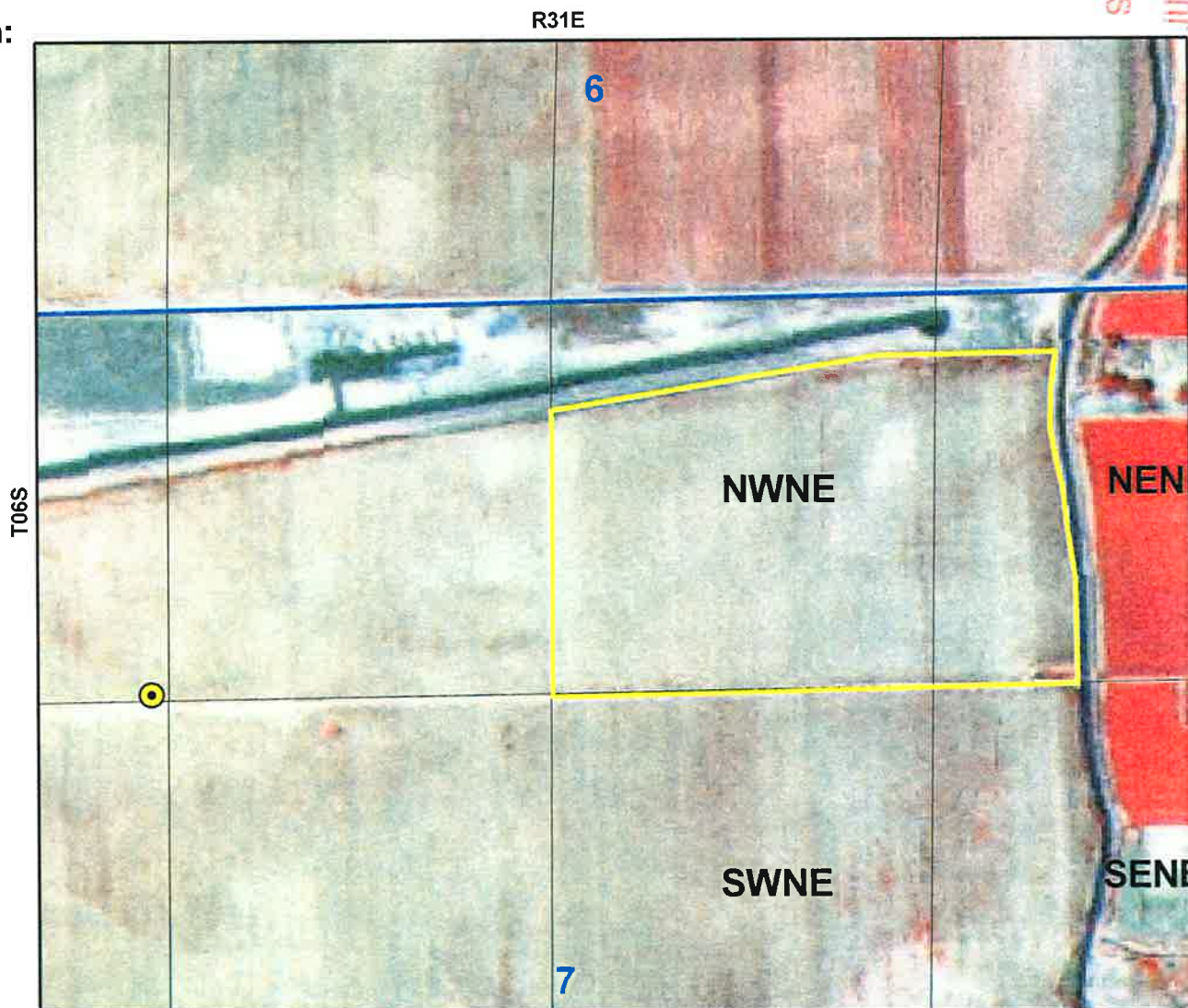
(Irrigation)

## Legend

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



Bingham County  
IDWR Basin 35



0 0.2 0.4 Miles

Prepared by J. Crabtre  
On Tuesday, June 12, 2007  
1987/88 Aerial Photography



# Idaho Department of Water Resources

SCA-UNITED  
JUN 2 5 2007

SRBA Recommendation:

**35-13632**

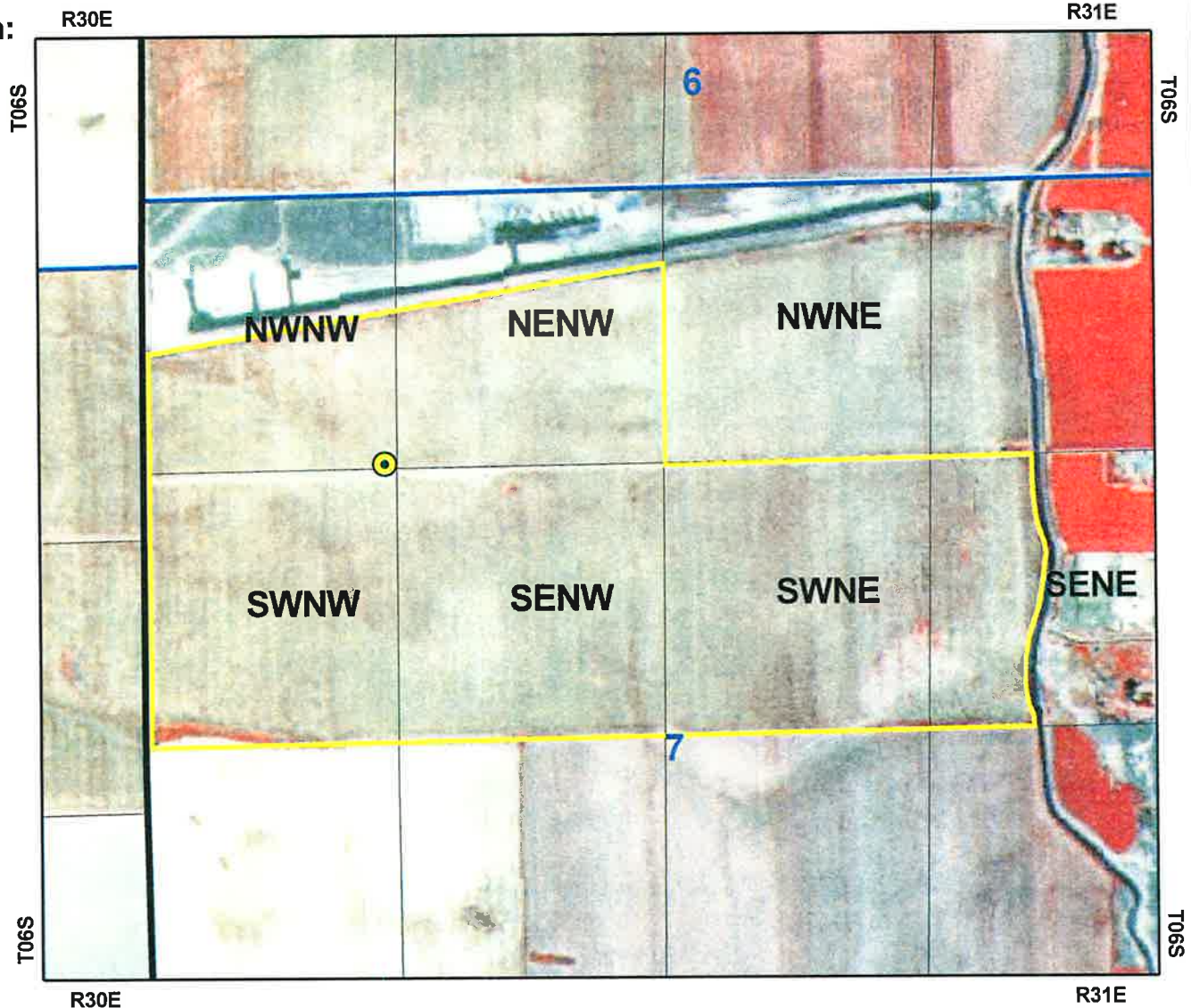
(Irrigation)

## Legend

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



Bingham County  
IDWR Basin 35



0 0.3 0.6 Miles

Prepared by J. Crabtre  
On Tuesday, June 12, 2007  
1987/88 Aerial Photography