

06/18/2007

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

RIGHT NUMBER: 35-13634

NAME AND ADDRESS: OK INC
1948 S 2900 W
ABERDEEN ID 83210

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.670 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.14 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 696 AF. COMBINED RIGHT NOS.:
35-13630 and 35-13632.

PRIORITY DATE: 05/15/1984

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT
DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO
CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS
PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY
RIGHT IS THE SUPERIOR RIGHT.

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	04/01 10/31	0.670 CFS

PLACE OF USE:

IRRIGATION in BINGHAM County

T06S R31E S07	SWNE	40.00	T06S R31E S07	SENE	15.00
T06S R31E S07	NENW	25.00	T06S R31E S07 Lot 1	NWNW	18.00
T06S R31E S07 Lot 2	SWNW	36.00	T06S R31E S07	SENW	40.00

174 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 174 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-13630 AND 35-13632.

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

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS.
35-13630 AND 35-13632 PURSUANT TO SECTION 42-1426, IDAHO
CODE.

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 - Beneficial Use

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 35-13630 AND 35-13632. THIS RIGHT IS
FOR AN ENLARGEMENT OF 33.6 ACRES WITHIN THE PLACE OF USE
DESCRIBED FOR THIS RIGHT.

This right is a split from former right 35-13264 .

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

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

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**

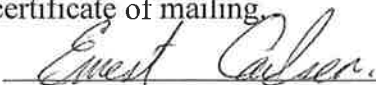
IDWR has completed the following Administrative proceeding:

- ☐ 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

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:

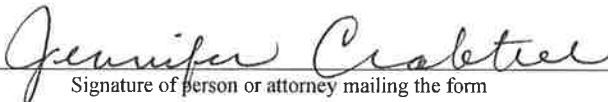
Each party in the subcase, or attorney of record
ROGER LING
LING NIELSEN & ROBINSON
PO BOX 396
RUPERT ID 83350

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

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>35-2347</u>	_____	___	_____	_____	___
<u>35-7061</u>	_____	___	_____	_____	___
<u>35-13264</u>	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

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) Farice 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 (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) 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 6⁰⁰ DEP 7⁰⁰

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 N81 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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JUN 25 2007

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. *me*

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: 4-72-15



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JUN 25 2007

550383

550384

RECEIVED
FEB 07 2007Department of Water Resources
Eastern RegionBINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 90 DEP 120

2005 FEB 11 AM 10:08

RECORDED AT THE REQUEST OF

QUITCLAIM DEEDKEVIN KLASSEN
P.O. Box 52
ABERDEEN 83210

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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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

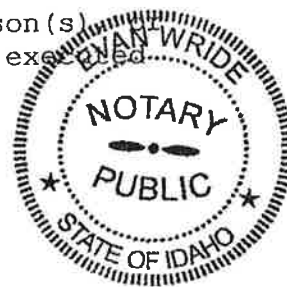
RUTH A. KLASSEN

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

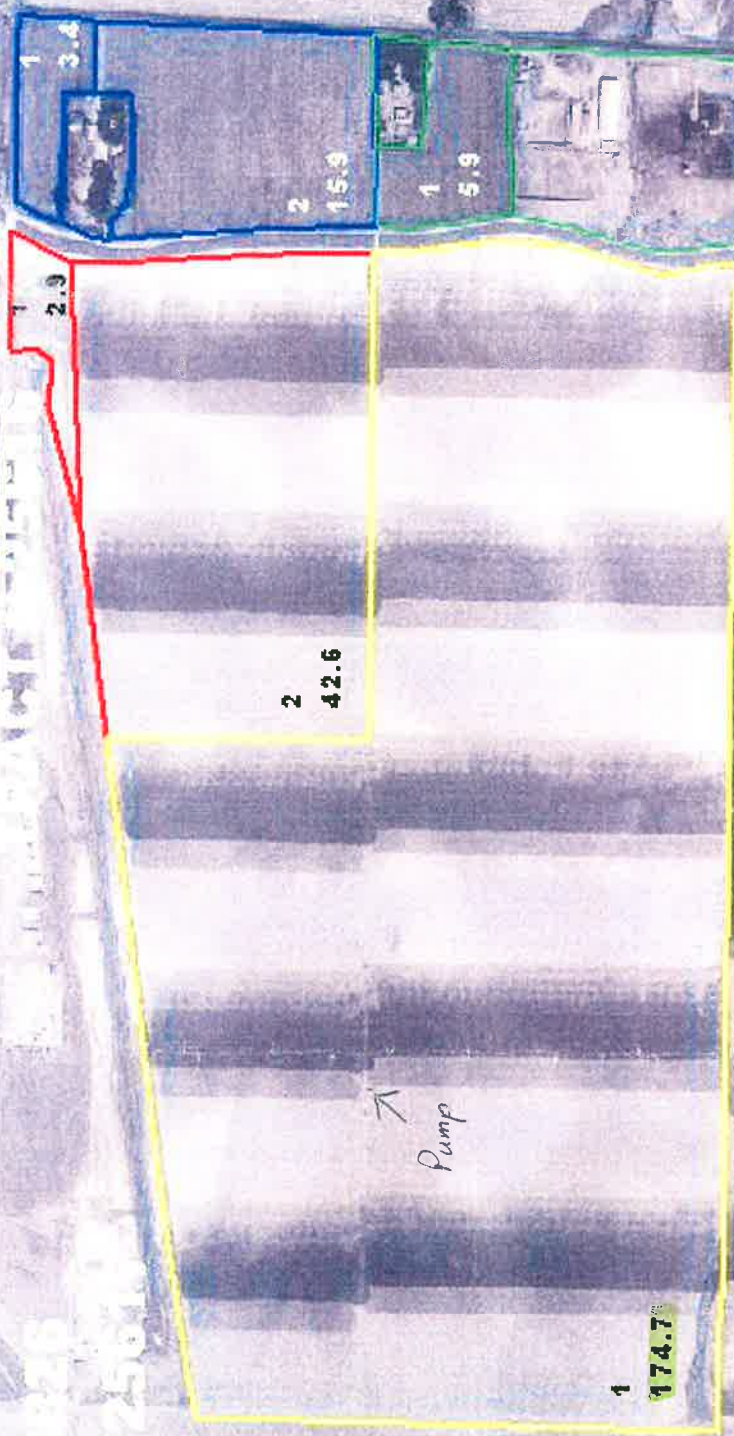
FARM # 3826
TRACT # 25618

FARM # 3826

FARM # 3826

TRACT # 25618

FARM # 3826
TRACT # 25619

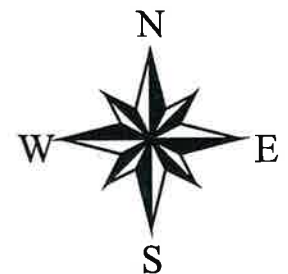


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JUN 25 2007



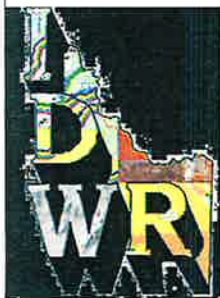
0.4 0 0.4 0.8 Miles

- 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

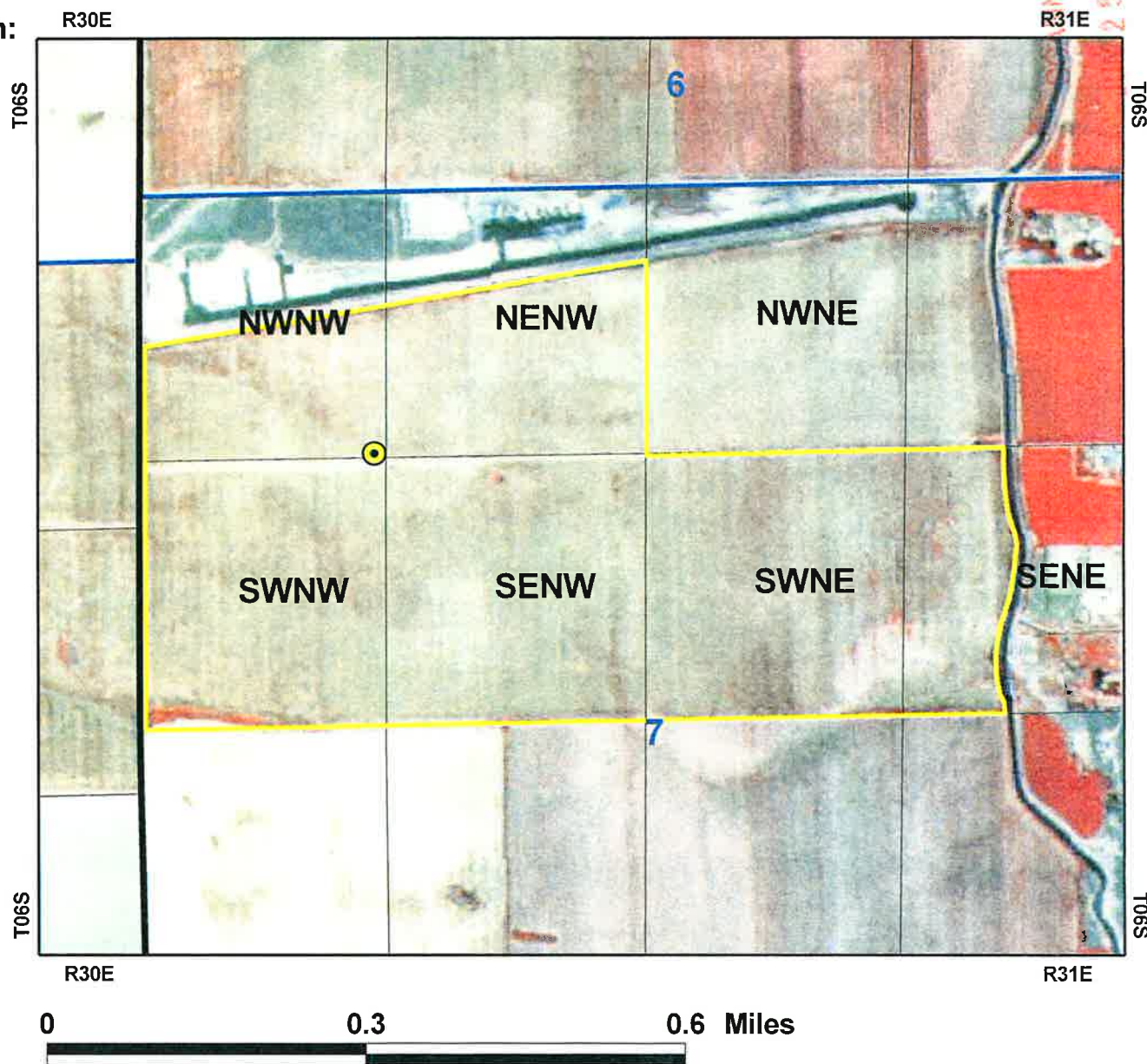
(Irrigation)

Legend

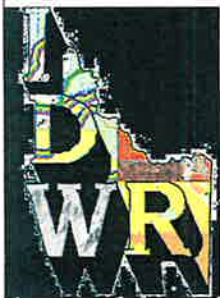
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



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 28 2007

SRBA Recommendation:

35-13631

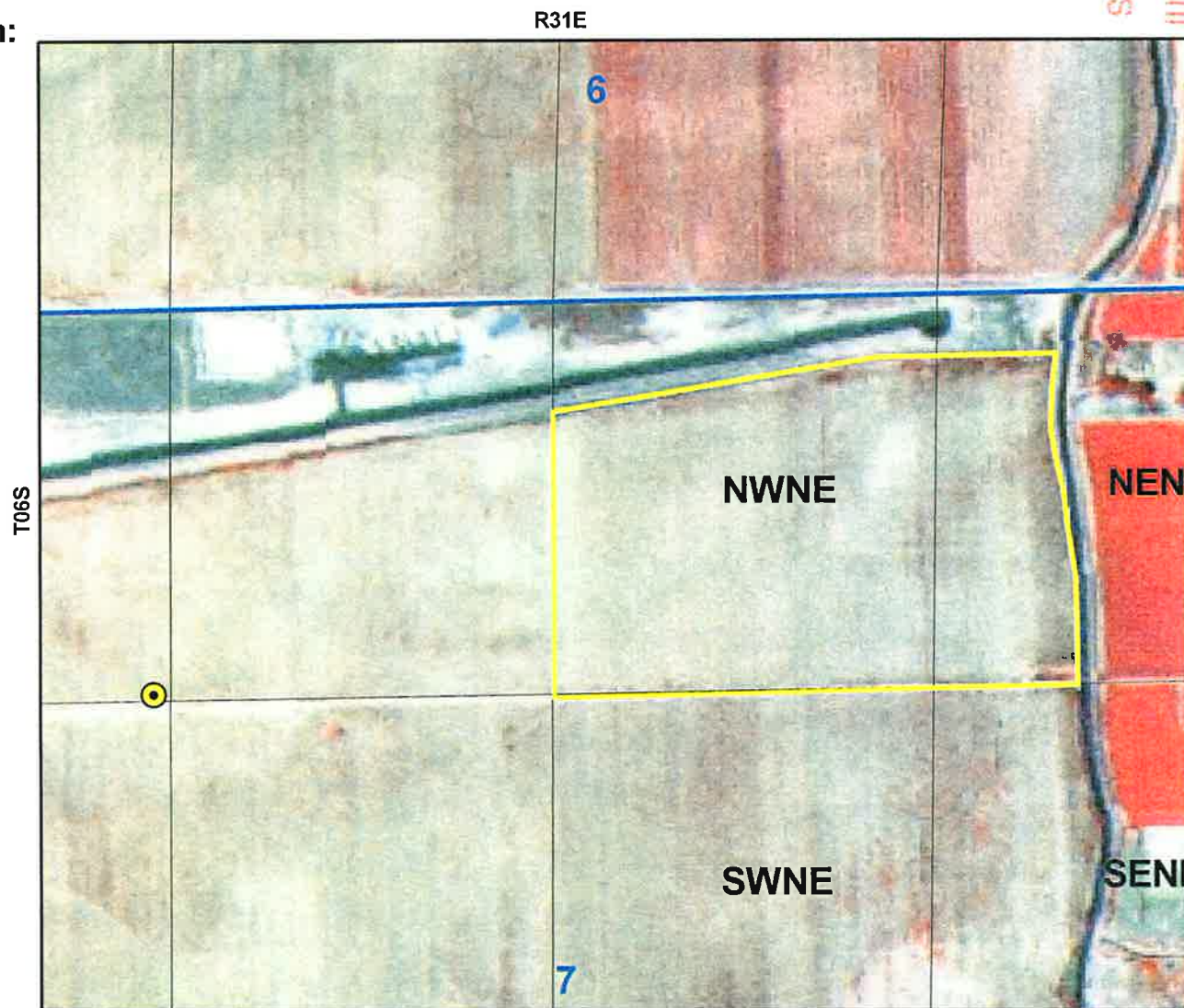
(Irrigation)

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 1000
JUN 25 2007

SRBA Recommendation:

35-13632

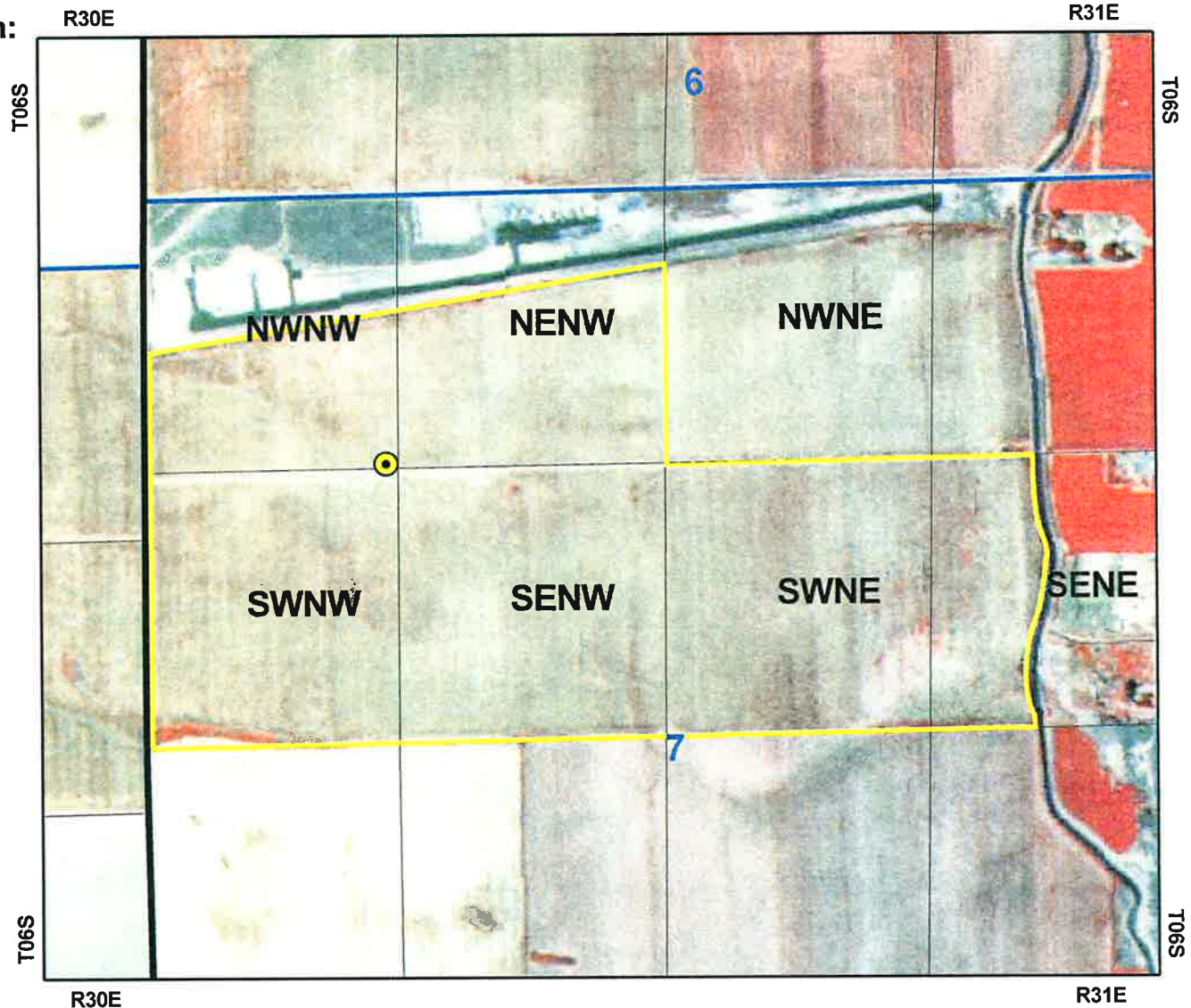
(Irrigation)

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