

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: A36-02345
Date Received: 9/26/1989
Receipt No: S009363
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DUFF BROTHERS
Address: RT. 1 BOX 1101
PAUL, ID 83347 208-438-5392

2. Date of Priority: JAN 29, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	22E	32		SW	NW		MINIDOKA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.550		

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

8. Total consumptive use is 945.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	22E	32	NE	NW		IRR	35.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

A36-02345

Page 1

Date: 09/26/89

MICROFILMED
JAN 27 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	22E	32	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0

Section Acres 315.0

Total Acres 315.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
A36-02544

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 27219

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 Partner of
Title
Ruff Bros, that I have signed the foregoing
Organization
document in the space below as Partner of
Title
Ruff Bros and that the statements contained in the
Organization
foregoing document are true and correct.
Leonard Ruff
Signature of Authorized Agent
Partner
Title and Organization
9/26/1989
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of September 19 89
Shirley L. O.
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires December 7, 1994

COPY

1997 MAY 29 PM 1: 58

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

**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

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS**

**SUB CASE NO. 36-02345, 36-02516,
36-02544, 36-07398,
36-12643**

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

Costa Delis

Ruth Delis

PO Box 730

Paul ID 83347

Phone: 678-9624

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

Minidoka Lumber Co

PO Box 730

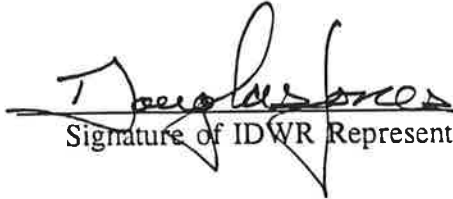
Paul ID 83347

Phone: 438-8059

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: 5/29/97


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5-29, 1997, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Costa Delis
Ruth Delis
PO Box 730
Paul ID 83347
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Minidoka Lumber Co
PO Box 730
Paul ID 83347
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy 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

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-02345

NAME & ADDRESS: MINIDOKA LUMBER CO
PO BOX 730
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 3.55 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02544 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.45 CFS AND A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1260 AF.

PRIORITY DATE: 01/29/1958

POINT OF DIVERSION: T08S R22E S32 SESWNW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	3.55 CFS

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T08S R22E S32	NENW 35.0	NWNW 40.0	SWNW 40.0	SENW 40.0
		NESW 40.0	NWSW 40.0	SWSW 40.0	SESW 40.0
	315.0 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NO. 36-02544 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 315 ACRES IN A SINGLE
IRRIGATION SEASON.

CONSUMPTIVE USE:

USE OF THIS RIGHT WITH RIGHT NO. 36-02544 IS LIMITED TO A TOTAL
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 945 AF.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT NO. 36-02544 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 29, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MINIDOKA LUMBER CO
PO BOX 730
PAUL ID 83347

RE: SRBA Claim(s) 36-02345, 36-02516, 36-02544, 36-07398,
36-12643
Water Right 36-12644

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Enclosed is also a profile report of water right 36-12644 showing you as the current owner. Once a right has been decreed it is no longer necessary for a Notice of Completed Administrative Proceeding to be filed with the SRBA Court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

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

RECEIVED

FEB 05 1997

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) A36-02516, A36-12643, A36-12644, A36-02345, A36-02544.
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) Costa P. Delis and Ruth M. Delis
a/k/a Costa Delis and Ruth Delis
Box 730, Paul, Idaho 83347

4. New Owner/Claimant(s) Minidoka Lumber Company, a Partnership
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address Box 730, Paul, Idaho 83347

City, State and ZIP Code _____

New Telephone Number (208) 438-8059

5. Date you acquired the property January 16, 1997

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) Minidoka Lumber Company, a partnership Date _____
By *Sandra Dickson* Date _____
General Partner

(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.

PARSONS, SMITH, STONE & FLETCHER, LLP

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0146

February 4, 1997

Tara L. Backlund
SRBA Records Clerk
Department of Water Resources
1341 Fillmore Street - Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED

FEB 05 1997

Department of Water Resources
Southern Region

RE: Delis - Duff Water Rights

Dear Tara:

I believe that the Delis family and their related partnerships are through with the judicial process of getting the various properties into the name of Minidoka Lumber Company. You and I have had previous correspondence about some of the water rights that are enclosed.

What I am enclosing here is the Notice of Change of Water Right Ownership, Quitclaim Deed - Delis to Minidoka Lumber, Notice of Change of Water Right and Sheriff's Deed - Duff Brothers - Minidoka Lumber. I am also enclosing an ASCS map that shows the outline of the properties where the water rights are. The red letters that are on the map correspond to the deed numbers.

If you need anything additional to get these water rights all in the name of Minidoka Lumber please let me know.

Very truly yours,



William A. Parsons

WAP:rt
Enc.

The following are partners of Minidoka Lumber Company:

Costa P. Delis

Tina Dickson

QUITCLAIM DEED

1 THIS INDENTURE, made this 21 day of January,
2 1997, between COSTA P. DELIS and RUTH M. DELIS, husband and wife,
3 of Box 730, Paul, Idaho 83347, herein called the "Grantor", and
4 MINIDOKA LUMBER COMPANY, a partnership, of Box 730, Paul, Idaho
5 83347, herein called the "Grantee".
6

W I T N E S S E T H:

7
8 The said Grantor, for and in consideration of the sum
9 of Ten Dollars (\$10.00), lawful money of the United States of
10 America, and other valuable consideration to Grantor in hand paid
11 by the Grantee, the receipt whereof is hereby acknowledged, does
12 by these presents remise, release and forever quitclaim unto the
13 Grantee and to the heirs and assigns of the Grantee, all of the
14 interest of the Grantor in that certain lot, piece or parcel of
15 land situated, lying and being in the County of Minidoka, State
16 of Idaho, bounded and particularly described as follows, to-wit:

17 That property more particularly described on
18 Exhibit A attached hereto and made a part
19 hereof by reference.

20 TOGETHER with all and singular the tenements,
21 hereditaments, and appurtenances thereunto belonging or in
22 anywise appertaining, the reversion and reversions, remainder and
23 remainders, rents, issues, and profits thereof, and Water Right
24 Identification Numbers A36-02516, A36-12643, A36-12644, A36-
25 02345, and A36-02544. To have and to hold all and singular the
26 said premises, together with the appurtenances, unto the Grantee,

and to the heirs and assigns of Grantee forever.

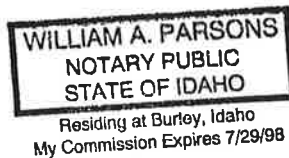
IN WITNESS WHEREOF, the Grantor has executed this
Quitclaim Deed.

Costa P. Delis
Ruth M. Delis

STATE OF IDAHO)
County of Cassia) ss

On this 21 day of January, in the year 1997, before
me, the undersigned, a Notary Public in and for said State,
personally appeared COSTA P. DELIS and RUTH M. DELIS, husband and
wife, known or identified to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

William A. Parsons
Notary Public for Idaho
Residing at _____
My Commission Expires: _____



PARSONS, SMITH, STONE & FLETCHER, LLP
LAWYERS
BURLEY, IDAHO

428025
RECORDED AT REQUEST OF
Parsons, Smith, Stone, et al.
FILM NO. _____
'97 JAN 24 10 39
JAN 24 1997
EDWARD SMITH, RECORDER
REC. 12 - DEPUTY
Box 910 Burley 83318

EXHIBIT A

REAL ESTATE:

TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE
MERIDIAN, MINIDOKA COUNTY, IDAHO

Section 32: West one-half ($W\frac{1}{2}$).
Section 33: West one-half ($W\frac{1}{2}$) and
Northeast one-fourth ($NE\frac{1}{4}$).

TOGETHER with all right, title and interest in and to
all Water Rights.

TOGETHER with all and singular the rights therein,
fixtures thereon and appurtenances thereunto
belonging or in anywise appertaining, whether now or
hereafter acquired, which shall include, without
limiting the generality of the foregoing, the
following:

- (a) All of the rents, issues and profits; all
easements and rights of way; all water, water
rights, whether riparian, appropriative or
otherwise and whether or not appurtenant, all
ditch rights, and any shares of stock evidencing
any such water or ditch right; and all rights of
homestead exemption, and
- (b) All leases, permits, allotments, licenses and
privileges, whether or not appurtenant, from the
United States or the State of Idaho, or any
Department or other agency of either for the
purpose of grazing pasturing or feeding
livestock on any of the public lands of the
United States or the State of Idaho, and
- (c) All buildings and the plumbing, heating,
ventilating and lighting systems and equipment
therein; all bar equipment; and all pumps,
pumping stations, motors, switch boxes and
transformers, engines, machinery, reservoirs,
pipes, flumes, and other equipment used for the
production of water on said Premises or for the
irrigation or drainage thereof.

TOGETHER WITH:

- (a) One (1) 200 HP, U.S. Electric Vertical Motor,

SN# 115154.

- (b) One (1) 75 HP, Horizontal Booster Pump, ID# R9426-03-420M.
- (c) One (1) Electrical Panel - A-B Quality - Allen Bradley.
- (d) One (1) Electrical Panel, Cutler Hammer.
- (e) One (1) Deep Well Turbine Pump.
- (f) Approximately 466 hand lines; broken or damaged.
- (g) Six (6) Wheel line sections; could only be used for parts.
- (h) Thirteen (13) 1/4 mile side-roll aluminum wheel lines.
- (i) One (1) 20 section, side-roll, aluminum wheel line.
- (j) Several risers.
- (k) Oil Drip Barrels.
- (l) Seven (7) Valves.

AND TOGETHER WITH:

- (a) One (1) 300 HP, U.S. Electric Vertical Motor, SN# 1271144.
- (b) One (1) 150 HP Horizontal Motor, ID# D83-06147-139.
- (c) One (1) Electrical Panel, no brand name.
- (d) One (1) Deep Well Turbine Pump.
- (e) One (1) Electrical Panel - Switchboard Company.
- (f) Approximately 256 3-inch hand lines stacked near the location of the pumps.

3334
43

T68

60.4

94.5

47.6

56.9

90.2

154.0

424123

424123

424123

T2006

3233

63.3

11.3

1.01

28.27

6.7

157.8

9

0.137

1

1

8.4

29

77

11

28

8.4



758

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

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☒ CONSENT TO SUBSTITUTION OF
PARTY

INSTRUCTIONS FOR USE

This form is to be used to provide notice of a change in address of a party or to substitute a party whose water right was recommended in a director's report. *The filing of Standard Form 3 cannot result in a contested matter and a hearing will not be scheduled.* If completed as directed, the form will be accepted by the court and no further orders will issue. Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) (1986) where a water right recommendation is not before the court.

This form has been adopted by the court in Re SRBA, Twin Falls County Case 39576, *SRBA Administrative Order 1 Rules of Procedure* (amended 6/21/93), Section 4Ac(3), which may be consulted for further information.

A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here. Follow the instructions on the form or it will not be accepted for filing. The Verification and the Certificate of Mailing must be completed.

Standard forms may be obtained from the Idaho Department of Water Resources or the SRBA Court.

CHANGE IN ADDRESS

You must use this form to advise the court and parties of any change in your address during the pendency of the SRBA.

You must provide a copy of the completed form to each party or if the party is represented by an attorney you must serve the attorney in every subcase in which you are a party.

No hearing will be held and no further order will issue from this court.

My name is _____

I am the claimant of _____
(Insert each water right number)

I have filed an objection/response to the following water right(s) _____

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

(Go to Page 4)

CONSENT TO SUBSTITUTION OF PARTY

This form may only be used if a water right number is included as a "recommendation" in a director's report. *This form cannot be used for water rights that are not in a director's report or when portions of a water right are involved (i.e. where a water right is split).* You must use this form to substitute a new party into the SRBA.

You are to provide a copy of the completed form to every party in each subcase in which the new party is to be substituted. If the party is represented by an attorney you must serve the attorney. Because this is a "consent" form, it is a stipulation that there is no disagreement between the prior claimant/seller and the new claimant/purchaser that the prior claimant/seller has transferred all interests in the water right. No hearing will be held and no further order will issue.

"Prior claimant/seller" means any person who, pursuant to I.C. §§ 42-1409(2), (3) and (6) (1986), filed a notice of claim asserting the right to the use of water or on whose behalf the

right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of the "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The Substitution shall be filed by the new claimant/purchaser.

I am the new claimant/purchaser of Claim Nos. 36-02516, 36-12643, 36-07398, 36-12644, 36-02345, 36-02544
759 (Insert each water right number) 761

My name is Costa and Ruth Delis

My address is P. O. Box 730, Paul, ID 83347

My phone number is: Work (208) 678-9624 Home

The name and address of the prior claimant/seller who I wish to be substituted for are:

The Travelers Insurance Co. ("Travelers"), Attn: AgriFinance, Attn: Ms.

Karen Micheli, Investment Administrator, 7070 N. Financial Drive, Suite 101,
Fresno, CA 93720-2900

Ramona S. Neal

Signature of prior claimant/seller

The Travelers Insurance Co.

By: Ramona S. Neal, Counsel

X Costa Delis

X Ruth Delis

Signature of new claimant/purchaser

If an attorney is filing this form on behalf of a water right claimant or party in the SRBA, the attorney must complete the following information, in addition to the information required above.

Attorney name

Attorney of record for
 (Identify party/claimant)

Attorney address and phone number:

- ☐ I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.
- ☐ A *Notice of Appearance* accompanies this form indicating which party and water rights I represent.

VERIFICATION

(To be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of CASSIA

COSTA DELIS & RUTH DELIS, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10) (1986); that the water right number I am asking the court to substitute a party on is a water right in a director's report filed with the court and that I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

x Costa Delis
x Ruth Delis
Signature of person filing form

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on

January 26, 1996
(Insert Date)

WILLIAM A. PARSONS
NOTARY PUBLIC
STATE OF IDAHO
Residing at Burley, Idaho
My Commission Expires 7/29/98

William A. Parsons
Notary Public for Idaho
Residing at: _____
My Commission expires: _____

INSTRUCTIONS FOR MAILING

Mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on _____, 199 6, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. A *Change of Address* was served on each party, or if they are represented by an attorney you must serve the attorney, in each subcase in which you are a party, at the following address(es):

3. A *Consent to Substitution of Party* was served on the prior claimant/seller, or if they are represented by an attorney you must serve the attorney, at the following address(es):

The Travelers Insurance Co. ("Travelers"). Attn: AgriFinance. Attn: Ms.
Karen Micheli, Investment Administrator, 7170 N. Financial Drive, Suite 101,
Fresno, CA 93720-2900

4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):

5. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

6. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724

Signature of person or attorney mailing the form

PARSONS, SMITH, STONE & FLETCHER, LLP

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0146

November 21, 1996

RECEIVED

NOV 22 1996

Department of Water Resources
222 Shoshone Avenue East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region

RE: 36-02516, 36-12643, 36-12644,
36-02345, 36-02544

Gentlemen:

I am enclosing a Sheriff's Deed on a foreclosure of certain in Minidoka County, Idaho. It is believed that the above referenced water right numbers apply to this property in the deed. The deed carries all water rights.

Would you please change the records indicating that Costa P. Delis and Ruth M. Delis, husband and wife, Box 730, Paul, Idaho 83347, are now the record water right holders under the above numbers.

If there are other water rights that are on record in your department with this land then the same would be applicable.

If we need anything else please let me know.

I recognize that you have in the past liked to have form 42-1409(7), however, I don't believe that form is applicable when the property transfers by judicial process and therefore I have not attempted to use the form because I don't think it is applicable.

Very truly yours,



William A. Parsons

WAP:rt
Enc.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DECEMBER 19, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WILLIAM PARSONS
PARSONS SMITH STONE & FLETCHER LLP
PO BOX 910
BURLEY ID 83318

RE: DUFF BROTHERS-DELIS WATER RIGHT CLAIMS

DEAR MR. PARSONS:

FIRST, I MUST APOLOGIZE FOR THE DELAY IN RESPONDING TO YOUR 11/22/96 LETTER. IN REVIEWING THE LETTER, I CAN TELL YOU THAT THIS OWNERSHIP CHANGE WAS COMPLETED EARLIER THIS YEAR. ALL WATER RIGHT CLAIMS APPURTENANT TO THIS PROPERTY WERE CHANGED INTO THE NAMES OF COSTA AND RUTH DELIS. I AM SENDING PROFILE REPORTS OF THE CLAIMS AFFECTED.

ALSO IN REVIEWING THE LETTER, YOU MENTIONED YOU DIDN'T THINK THE 42-1409(7) WAS APPLICABLE TO THIS CHANGE. GRANTED THE FORM ISN'T NECESSARY FOR THIS CHANGE, BUT WE DO NEED TO HAVE SOME DOCUMENTATION THAT HAS THE NEW OWNER'S SIGNATURE. I JUST MENTION THIS FOR FUTURE REFERENCE. IF YOU HAVE ANY QUESTIONS, PLEASE CALL THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SRBA RECORDS CLERK

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: A36-02345

Date Received: 9/26/1989

Receipt No: S009363

Received By: *JC RB*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: COSTA DELIS 208-678-9624
Address: BOX 730
PAUL ID 83347

AND

Name: RUTH DELIS 208-678-9624
Address: BOX 730
PAUL ID 83347

2. Date of Priority: JAN 29, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	22E	32	SW	SW	NW		MINIDOKA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.550		

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

8. Total consumptive use is 945.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	22E	32	NE	NW		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	22E	32	NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0

Section Acres 315.0

Total Acres 315.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
A36-02544

14. Remarks:
OWNERSHIP CHANGE MADE 1/12/96 BY TLB.
OWNERSHIP CHANGE MADE 4/22/96 BY TLB.

15. Basis of Claim: LICENSE

Water Right Number: 27219

Water Right Number - 36-02345

Prefix Translation: WATER RIGHT

Old (D) Number - 27219

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

*** C - CURRENT OWNER ***
DELIS

RUTH

1 - BOX 730

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-678-9624

DELIS

COSTA

1 - BOX 730

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-678-9624

*** D - DIR RPT OWNER ***
DUFF BROTHERS

1 - RT 1 BOX 1101

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-5392

*** O - ORIGINAL OWNER ***
TRAVELERS INSURANCE CO

THE

1 - C/O GIVENS PURSLEY & HUNTLEY

2 - LLP

3 - PO BOX 2720

City- BOISE

State- ID Zip- 83701

Phone - 208-342-6571

GIVENS PURSLEY & HUNTLEY LLP

1 - ATTEN R NEAL

2 -

3 - PO BOX 2720

City- BOISE

State- ID Zip- 83701

Phone - 208-342-6571

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
01/29/1958 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +

Twn Rng Sec Tract Lot RFlg County

08S 22E 32 SE SW NW (67) MINIDOKA

+ - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 3.550

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.550 0.0

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Water right number - 36-02345

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	22E	32	NE NW		35.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	32	NW NW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	32	SW NW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	32	SE NW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	32	NE SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	32	NW SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	32	SW SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	32	SE SW		40.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 315.0

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-02544

+ - - - - - Remarks - - - - - +

GEN USE OF THIS RIGHT WITH RIGHT NO. 36-02544 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.45 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1260 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 945 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 315 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-02544 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +

Date: 01/31/1991 User Id: BEDKE Subject: NB-STAFF REVIEW

Date: 01/31/1991 User Id: BEDKE Subject: NB-STAFF REVIEW

Date: 01/12/1996 User Id: TBACKLUN Subject: NAME CHANGE
OWNERSHIP CHANGE MADE WITH A 42-1409(7). SF3 WAS SENT TO NEW

CLAIMANT. SHERIFF'S CERTIFICATE OF SALE WAS INCLUDED.

Date: 04/22/1996 User Id: TBACKLUN Subject: NAME CHANGE
OWNERSHIP CHANGE MADE. SF3 WAS SENT TO THE COURT.+ - - Audit Fields - - +
00/00/00MICROFILMED
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Water right number - 36-02345

Prefix Translation: WATER RIGHT

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S009363	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-

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NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: January 26, 1996

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

PLEASE SEE ATTACHED SHEET MARKED
AS EXHIBIT "A"

- ☐ 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: Snake River Basin Adjudication Claim Nos. 36-02516, 36-12643, 36-02398, 36-12644, 36-02345, 36-02544
- ☒ Name and Address of Former Owner/Claimant(s)(Seller): The Travelers Insurance Co. ("Travelers")
c/o Givens Pursley & Huntley, Attn: Ramona S. Neal
P. O. Box 2720, Boise, ID 83701
- ☒ New Owner/Claimant (Purchaser): Costa and Ruth Delis
- ☒ New Mailing Address: Box 730
Paul, ID 83347
- ☒ New Telephone Number: (208) 678 - 9624
- ☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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: Assignment of Sheriff's Certificate of Sale on Execution
(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): Costa P. Delis Date 1/26/96
Ruth M. Delis Date 1/26/96
- ☒ Signature of Former Owner/Claimant(s): Ramona S. Neal Date 1/25/96
Ramona S. Neal - Counsel for Travelers Date _____

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

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date _____ By _____
Further Action Needed
Further Action Taken
Date _____ By _____
Final Review and Data-Entry
Date 4/22/96 By HB
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

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TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

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Section 32: West one-half

FEB 09 1996

Section 33: West one-half and Northeast one-fourth.

Department of Water Resources

TOGETHER WITH all the Mortgagors' rights, title and interest in and to all
Water Rights,

together with all and singular the rights therein, fixtures thereon and appurtenances
thereunto belonging or in anywise appertaining, whether now or hereafter acquired,
which shall include, without limiting the generality of the foregoing, the following:

- (a) All of the rents, issues and profits; all easements and rights of way; all water, water rights, whether riparian, appropriative or otherwise and whether or not appurtenant, all ditch rights, and any shares of stock evidencing any such water or ditch right; and all rights of homestead exemption, and
- (b) All leases, permits, allotments, licenses and privileges, whether or not appurtenant, from the United States or the State of Idaho, or any Department or other agency of either for the purpose of grazing, pasturing or feeding livestock on any of the public lands of the United States or the State of Idaho, and
- (c) All buildings and the plumbing, heating, ventilating and lighting systems and equipment therein; all barn equipment; and all pumps, pumping stations, motors, switch boxes and transformers, engines, machinery, reservoirs, pipes, flumes, and other equipment used for the production of water on said Premises or for the irrigation or drainage thereof.

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26874 mc.

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MEMORANDUM OF ASSIGNMENT

Department of Water Resources

The Travelers Insurance Company, 7170 North Financial Drive, Suite 101, Fresno, California 93720 ("Travelers"), has assigned, transferred and conveyed all of its title, right and interest in and to that certain Sheriff's Certificate of Sale on Execution dated November 15, 1995, executed by Paul E. Fries, Sr., Sheriff of Minidoka County, Idaho, and recorded as instrument 421253, records of Minidoka County, Idaho, on January 26, 1996, to Costa P. Delis and Ruth M. Delis, husband and wife, P. O. Box 730, Paul, Idaho 83347.

The Assignment is an assignment of all of Travelers right, title and interest in and to the Certificate, as well as any right, title and interest Travelers may possess in or to the real estate, water rights, irrigation equipment and the chattels described on Exhibit A, which is attached hereto.

DATED this 25th day of January, 1996.

THE TRAVELERS INSURANCE COMPANY

By David E. Dunlap
Its Vice President

422141

RECORDED AT REQUEST OF
Land Title-Burley

FILM NO. _____

'96 JAN 26 14 : 34

MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
FEE 18.00 DEPUTY Ba

Costa P. Delis
COSTA P. DELIS

Ruth M. Delis
RUTH M. DELIS



MEMORANDUM OF ASSIGNMENT - 1

MICROFILMED

DEC 04 1996

right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of the "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The Substitution shall be filed by the new claimant/purchaser.

I am the new claimant/purchaser of Claim Nos. 36-02516, 36-12643, 36-07398,
36-12644, 36-02345, 36-02544
(Insert each water right number)

My name is Costa and Ruth Delis

My address is P. O. Box 730, Paul, ID 83347

My phone number is: Work (208) 678-9624 Home

The name and address of the prior claimant/seller who I wish to be substituted for are:

The Travelers Insurance Co. ("Travelers"), Attn: AgriFinance, Attn: Ms.

Karen Micheli, Investment Administrator, 7770 N. Financial Drive, Suite 101,
Fresno, CA 93720-2900

Ramona S. Neal
Signature of prior claimant/seller

The Travelers Insurance Co.
By: Ramona S. Neal, Counsel

X Costa Delis
X Ruth Delis
Signature of new claimant/purchaser

If an attorney is filing this form on behalf of a water right claimant or party in the SRBA, the attorney must complete the following information, in addition to the information required above.

Attorney name

Attorney of record for
(Identify party/claimant)

Attorney address and phone number:

- ☐ I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.
- ☐ A *Notice of Appearance* accompanies this form indicating which party and water rights I represent.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5907

State of California

County of Fresno

On January 23, 1996 before me, Patricia S. Rossi, Notary

personally appeared David E. Dunlap

☐ 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), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Patricia S. Rossi
SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- ☐ INDIVIDUAL
☒ CORPORATE OFFICER

Vice President
TITLE(S)

- ☐ PARTNER(S) ☐ LIMITED
☐ ATTORNEY-IN-FACT ☐ GENERAL
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

DESCRIPTION OF ATTACHED DOCUMENT

MEMORANDUM OF ASSIGNMENT

TITLE OR TYPE OF DOCUMENT

One (1)

NUMBER OF PAGES

January 23, 1996

DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE

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DEC 24 1996

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Department of Water Resources

STATE OF CALIFORNIA)

County of Fresno)

:SS

On this 23rd day of January, 1996, before me, a Notary Public in and for said State, personally appeared David E. Dunlap known or identified to me to be the Vice President of THE TRAVELERS INSURANCE COMPANY, whose name is subscribed to the above and foregoing instrument, and who acknowledged to me that he executed the same on behalf of THE TRAVELERS INSURANCE COMPANY.

STATE OF IDAHO)

County of Cassia)

:SS

On this 25th day of January, 1996, before me, a Notary Public in and for said State, personally appeared COSTA P. DELIS and RUTH M. DELIS, husband and wife, known or identified to me to be the persons whose names are subscribed to the above and foregoing instrument, and who acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

LARRY ROBERTS
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-30-97

Larry Roberts
Notary Public for Idaho
Residing at Burley
Commission Expires 6-30-97

MEMORANDUM OF ASSIGNMENT - 2

JAN 23 '96 12:48

208 343 9492

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PAGE 207

TOWNSHIP 8 SOUTH. RANGE 22 EAST OF THE BOISE MERIDIAN.
MINIDOKA COUNTY, IDAHO

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Department of Water Resources

Section 32: West one-half

Section 33: West one-half and Northeast one-fourth.

TOGETHER WITH all the Mortgagors' rights, title and interest in and to all
Water Rights,

together with all and singular the rights therein, fixtures thereon and appurtenances
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whether or not appurtenant, all ditch rights, and any shares of stock
evidencing any such water or ditch right; and all rights of homestead
exemption, and
- (b) All leases, permits, allotments, licenses and privileges, whether or not
appurtenant, from the United States or the State of Idaho, or any
Department or other agency of either for the purpose of grazing,
pasturing or feeding livestock on any of the public lands of the United
States or the State of Idaho, and
- (c) All buildings and the plumbing, heating, ventilating and lighting
systems and equipment therein; all barn equipment; and all pumps,
pumping stations, motors, switch boxes and transformers, engines,
machinery, reservoirs, pipes, flumes, and other equipment used for the
production of water on said Premises or for the irrigation or drainage
thereof.

EXHIBIT

A

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Department of Water Resources

SCHEDULE "A"

Irrigation equipment and appurtenances and additions thereto and replacements thereof as described below:

- One (1) - 300 H.P. U.S. Electric Vertical Motor, S/N #1271144
- One (1) - 200 H.P. U.S. Electric Vertical Motor, S/N #1115154
- One (1) - 150 H.P. U.S. Electric Horizontal Motor, S/N #D83-06147-139
- Two (2) - Wintcoath Deep-Well Turbine Pump, S/N #10400 & #8933
- One (1) - Berkeley Horizontal Booster Pump, S/N #7370576
- Together with all wiring, switch panels, column, shafting, tubing, bowls, suction pipe cones, valves, etc., used in conjunction with or pertaining to the above listed pumps and motors.
- Twelve (12) - A & M 1/4 mile side-roll aluminum wheel lines, complete.
- Twenty-eight (28) - 1/4 mile portable aluminum handlines, complete.
- Approx. 15,840 of 12" to 8" buried steel mainline with risers.
- Together with all valves, reducers, sprinkler heads, end plugs, etc., used in conjunction with or pertaining to the above listed mainline, aluminum wheel lines, and aluminum handlines.

SCHEDULE "B"

DUFF BROTHERS, a partnership

Leonard H. Duff
Leonard H. Duff, Partner

Leon J. Duff
Leon J. Duff, Partner

Ruth Ann Duff
Ruth Ann Duff, Partner

Ellen Ruth Duff
Ellen Ruth Duff, Partner

Leonard H. Duff
Leonard H. Duff, Individually

Leon J. Duff
Leon J. Duff, Individually

Ruth Ann Duff
Ruth Ann Duff, Individually

Ellen Ruth Duff
Ellen Ruth Duff, Individually

POOR ORIGINAL

EXHIBIT
A

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DEC 04 1996

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POOR ORIGINAL

SCHEDULE "B"

DUFF BROTHERS, a partnership

Leonard H. Duff
Leonard H. Duff, Partner

Leon J. Duff
Leon J. Duff, Partner

Ruth Ann Duff
Ruth Ann Duff, Partner

Leonard H. Duff
Leonard H. Duff, Individually

Leon J. Duff
Leon J. Duff, Individually

Ruth Ann Duff
Ruth Ann Duff, Individually

EXHIBIT

A

Department of Water Resources

FEB 09 1996

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FEB 04 1996

RAMONA S. NEAL, ESQ.
GIVENS PURSLEY & HUNTLEY LLP
Suite 200, Park Place
277 No. 6th Street
Post Office Box 2720
Boise, Idaho 83701
Telephone 208/388-1200
Fax 208/388-1201

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APR 19 1996

Department of Water Resources
Southern RegionTELECOPIER COVER SHEET

DATE: April 19, 1996
TIME: 1:31 pm (Mountain Time)
TO: Tara L. Backlund/Idaho Department of Water Resources
FIRM: The Travelers Insurance Company
RE: Travelers v. Duff
FAX NUMBER: 208-736-3037
FROM: Ramona S. Neal
CLIENT NO: 3426-7
MESSAGES: Please see attached letters
cc: Karen Micheli - 208-447-5836

HARD COPY WILL ___ WILL NOT X FOLLOW

TOTAL PAGES (INCLUDING COVER SHEET): 6

If transmission is incomplete, please call Joanne at 208-388-1251.

***** CONFIDENTIALITY NOTICE *****

THIS FACSIMILE TRANSMISSION (INCLUDING ANY ATTACHED DOCUMENTS) CONTAINS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION. IT IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL(S) NAMED ABOVE. ANY OTHER PERSON IS PROHIBITED FROM DISCLOSING, COPYING, DISTRIBUTING, OR TAKING ANY ACTION IN RELIANCE ON THE INFORMATION, EXCEPT FOR ITS DIRECT DELIVERY TO THE INDIVIDUAL(S) NAMED ABOVE. IF YOU HAVE RECEIVED THIS FACSIMILE TRANSMISSION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE TO ARRANGE FOR THE RETURN OF THE TRANSMITTED DOCUMENTS TO US. THANK YOU.

3426\7CORRESP\MICHELI.F08

MICROFILMED
DEC 04 1996

LAW OFFICES

GIVENS PURSLEY & HUNTLEY, LLP

A LIMITED LIABILITY PARTNERSHIP

277 NO. 6TH STREET • SUITE 200

P.O. BOX 2720 • BOISE, IDAHO 83701

(208) 388-1200

FACSIMILE (208) 388-1201

April 19, 1996

GARY G. ALLEN
JOSEPH H. BAIRD
CHRISTOPHER J. BEESON
MICHAEL C. CREAMER
ROY L. EIGUREN
JEFFREY C. FEREGAY
JULIE KLEIN FISCHER
RAYMOND D. GIVENS
L. W. GRANT III
J. BART GREEN
ROBERT C. HUNTLEY, JR.
KARL T. KLEIN
DAVID R. LOMBARDI
KIMBERLY DAWN MALONEY
KENNETH R. MCCLURE
CHRISTOPHER H. MEYER

L. EDWARD MILLER
PATRICK J. MILLER
JUDSON B. MONTGOMERY
TERRY L. MYERS
RAMONA S. NEAL
STEVEN L. OLSEN
W. HUGH O'RiORDAN
ROBERT L. PHILLIPS
KENNETH L. PURSLEY
GREGORY J. VIETZ
CONLEY WARD
STEVEN R. WEEKS
STEPHANIE C. WESTERMEIER

JAMES A. MCCLURE
JUDITH K. HOLCOMBE
OF COUNSEL

Via Facsimile

Tara L. Backlund
SRBA Records Clerk
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301-6105

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**Department of Water Resources
Southern Region**

Re: Travelers v. Duff
Our File: 3426-7

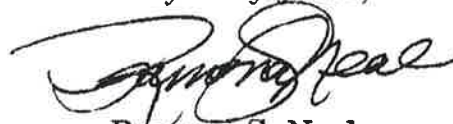
Dear Tara:

In my letter to you of today's date, which is enclosed with this letter, I indicate that I received an authorization from Bill Parsons to delete the reference of Water Right Claim No. 36-07398 from the Notice of Change of Water Right Ownership executed by me as counsel for The Travelers Insurance Company and Costa and Ruth Delis. For your convenience, I enclose a copy of that Notice of Change of Water Right Ownership. If you have any questions as you process the Notice of Change of Water Right Ownership, please do not hesitate to call me. I think it is sufficiently clear that the reference to Water Right No. 36-07398 should be marked out and form processed as usual with regards to the remaining water rights numbers.

Additionally, I believe that The Travelers Insurance Company should execute a transfer of Water Right Claim No. 36-07398 back to the former owners who, as I understand it, were the Duff Brothers Partnership. Please FAX to me at the above facsimile number the appropriate form to execute that retransfer.

If you have any questions, please do not hesitate to call me.

Very truly yours,



Ramona S. Neal

RSN:je
Enclosures
cc: Karen Micheli

MICROFILMED**DEC 04 1996**

LAW OFFICES

GIVENS PURSLEY & HUNTLEY, LLP

A LIMITED LIABILITY PARTNERSHIP

277 NO. 6TH STREET • SUITE 200

P.O. BOX 2720 • BOISE, IDAHO 83701

(208) 388-1200

FACSIMILE (208) 388-1201

April 19, 1996

GARY G. ALLEN
JOSEPH H. BAIRD
CHRISTOPHER J. BEESON
MICHAEL C. CREAMER
ROY L. EIGUREN
JEFFREY C. FEREDAY
JULIE KLEIN FISCHER
RAYMOND D. GIVENS
L. W. GRANT III
J. BART GREEN
ROBERT C. HUNTLEY, JR.
KARL T. KLEIN
DAVID R. LOMBARDI
KIMBERLY DAWN MALONEY
KENNETH R. MCCLURE
CHRISTOPHER H. MEYER

L. EDWARD MILLER
PATRICK J. MILLER
JUDSON B. MONTGOMERY
TERRY L. MYERS
RAMONA S. NEAL
STEVEN L. OLSEN
W. HUGH O'RIORDAN
ROBERT L. PHILLIPS
KENNETH L. PURSLEY
GREGORY J. VIETZ
CONLEY WARD
STEVEN R. WEEKS
STEPHANIE C. WESTERMEIER

JAMES A. MCCLURE
JUDITH K. HOLCOMBE
OF COUNSEL

Via Facsimile

Tara L. Backlund
SRBA Records Clerk
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301-6105

Re: Travelers v. Duff
Our File: 3426-7

RECEIVED

APR 19 1996

Department of Water Resources
Southern Region

Dear Tara:

Enclosed please find a copy of a letter which I received from Bill Parsons regarding Water Right Claim No. 36-07398. As you will note, the letter is signed by Bill Parsons and indicates that Water Right Claim No. 36-07398 is not appurtenant to the real property transferred to Costa and Ruth Delis by The Travelers Insurance Company.

Accordingly, please delete Water Right Claim No. 36-07398 from the transfer of water rights from The Travelers Insurance Company to Costa and Ruth Delis. Complete the transfer of the remaining water rights numbers listed on the Notice of Change of Water Right Ownership as appropriate. In so doing, please mark out the reference to 36-07398 so that there is no confusion that that water right is not being transferred to Costa and Ruth Delis.

If you have any questions, please feel free to call me.

Very truly yours,



Ramona S. Neal

RSN:je
Enclosure
cc: Karen Micheli
Bill Parsons

MICROFILMED
DEC 04 1996

LAW OFFICES

GIVENS PURSLEY & HUNTLEY, LLP

A LIMITED LIABILITY PARTNERSHIP

277 NO. 8TH STREET • SUITE 200

P.O. BOX 2720 • BOISE, IDAHO 83701

(208) 388-1200

FACSIMILE (208) 388-1201

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CHRISTOPHER H. MEYER

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PATRICK J. MILLER
JUDSON B. MONTGOMERY
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RAMONA S. NEAL
STEVEN L. OLSEN
W. HUGH O'RIOURDAN
ROBERT L. PHILLIPS
KENNETH L. PURSLEY
GREGORY J. VIETZ
CONLEY WARD
STEVEN R. WEEKS
STEPHANIE C. WESTERMEIER

JAMES A. MCCLURE
JUDITH K. HOLCOMBE
OF COUNSEL

RECEIVED

APR 03 1996

PARSONS, SMITH, STONE
& FLETCHER

April 2, 1996

Via Facsimile and U.S. Mail

William A. Parsons, Esq.
Parsons Smith Stone & Fletcher
137 West 13th Street
P.O. Box 910
Burley, Idaho 83318

RECEIVED

APR 13 1996

Department of Water Resources
Southern Region**RECEIVED**

APR 15 1996

Givens, Pursley & Huntley

Re: Travelers - Water Right A45-07380
Our File: 3426-7

Dear Bill:

This letter acknowledges and confirms our telephone conversation today where I relayed to you that one of the water right claims indicated on the Assignment between The Travelers Insurance Company ("Travelers") and your clients Costa and Ruth Delis was erroneously indicated by the Department of Water Resources to be appurtenant to the real property which Travelers assigned to your clients by virtue of the Assignment of the Sheriff's Certificate of Sale (the "Assignment").

The water right at issue is Water Right Claim Number 36-07398. By virtue of your signature below, you acknowledge and agree that such water right was not appurtenant to the real property which was transferred to Costa and Ruth Delis and so acknowledge and agree that Water Right Claim Number 36-07398 was not assigned to the Delises by virtue of the Assignment. I enclose for your reference a copy of the Idaho Department of Water Resources' Regional Claim Proof Reading Sheet regarding the water right.

As I indicated to you, once the Department of Water Resources receives confirmation that it may delete Water Right Claim Number 36-07398 from the assignment, it will complete transfer of the remaining water rights to Costa and Ruth Delis.

MICROFILMED

DEC 04 1996

William A. Parsons, Esq.
April 2, 1996
Page 2

Thank you very much for your courtesy and cooperation in regard to this matter.

Very truly yours,



Ramona S. Neal

RSN:va
Enclosure

cc: Karen Micheli

ACKNOWLEDGED AND AGREED TO this 12 day of April, 1996.

FLETCHER

PARSONS SMITH STONE &



William A. Parsons,
Counsel for Costa and Ruth Delis

NOT RECORDED
DEC 04, 1996



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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

APRIL 23, 1996

COSTA & RUTH DELIS
BOX 730
PAUL ID 83347

RE: SRBA CLAIM(S) A36-02516, A36-12643, A36-12644, A36-02345,
A36-02544
TRAVELER'S INSURANCE

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH
THE ABOVE-REFERENCED ADJUDICATION CLAIM(S). WE HAVE CHANGED THE
DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR
RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS
OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES

RECEIVED

MAR 21 1996
Department of Water Resources
Southern Region

RECEIVED

JAN 26 1996

Department of Water Resources
Adjudication Bureau

RECEIVED

JAN 25 1996

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

36-02345, 36-02516, 36-02544, 36-07398

36-12643 STANDARD FORM 3 36-12644

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS
OR

☒ CONSENT TO SUBSTITUTION OF
PARTY

*this document was accepted by
the SRBA court 1/10/96*

CM system not

INSTRUCTIONS FOR USE updated - no CM here

This form is to be used to provide notice of a change in address of a party or to substitute a party whose water right was recommended in a director's report. *The filing of Standard Form 3 cannot result in a contested matter and a hearing will not be scheduled.* If completed as directed, the form will be accepted by the court and no further orders will issue. Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) (1986) where a water right recommendation is not before the court.

This form has been adopted by the court in Re SRBA, Twin Falls County Case 39576, *SRBA Administrative Order I Rules of Procedure* (amended 6/21/93), Section 4Ac(3), which may be consulted for further information.

A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here. Follow the instructions on the form or it will not be accepted for filing. The Verification and the Certificate of Mailing must be completed.

Standard forms may be obtained from the Idaho Department of Water Resources or the SRBA Court.

CHANGE IN ADDRESS

You must use this form to advise the court and parties of any change in your address during the pendency of the SRBA.

You must provide a copy of the completed form to each party or if the party is represented by an attorney you must serve the attorney in every subcase in which you are a party.

No hearing will be held and no further order will issue from this court.

My name is _____

I am the claimant of _____
(Insert each water right number)

I have filed an objection/response to the following water right(s) _____

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

(Go to Page 4)

CONSENT TO SUBSTITUTION OF PARTY

This form may only be used if a water right number is included as a "recommendation" in a director's report. *This form cannot be used for water rights that are not in a director's report or when portions of a water right are involved (i.e. where a water right is split).* You must use this form to substitute a new party into the SRBA.

You are to provide a copy of the completed form to every party in each subcase in which the new party is to be substituted. If the party is represented by an attorney you must serve the attorney. Because this is a "consent" form, it is a stipulation that there is no disagreement between the prior claimant/seller and the new claimant/purchaser that the prior claimant/seller has transferred all interests in the water right. No hearing will be held and no further order will issue.

"Prior claimant/seller" means any person who, pursuant to I.C. §§ 42-1409(2), (3) and (6) (1986), filed a notice of claim asserting the right to the use of water or on whose behalf the

right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of the "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The Substitution shall be filed by the new claimant/purchaser.

I am the new claimant/purchaser of Claim Nos. 36-02516, 36-12643, 36-07398,
36-12644, 36-02345, 36-02544
 (Insert each water right number)

My name is The Travelers Insurance Company ("Travelers")
The Travelers Insurance Company, Attn: AgriFinance
 My address is Attn: Ms. Karen S. Micheli, Investment Administrator
7170 N. Financial Drive, Suite 101, Fresno, CA 93720-2900
 My phone number is: Work 209/447-2055 Home N/A

The name and address of the prior claimant/seller who I wish to be substituted for are:

Duff Brothers
Rt. 1, Box 1101
Paul, ID 83347

The Travelers Insurance Company

Signature of prior claimant/seller

Signature of new claimant/purchaser

Ramona S. Neal, Givens Pursley & Huntley
Attorney for Travelers

If an attorney is filing this form on behalf of a water right claimant or party in the SRBA, the attorney must complete the following information, in addition to the information required above.

Attorney name Ramona S. Neal and the firm Givens Pursley & Huntley

Attorney of record for Travelers
 (Identify party/claimant)

Attorney address and phone number: P.O. Box 2720, Boise, ID 83701

208/342-6571

- ☐ I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.
 will be forwarded to this court shortly.
- ☒ A *Notice of Appearance* accompanies this form indicating which party and water rights I represent.

VERIFICATION

(To be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of Ada

The Travelers Insurance
Company, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10) (1986); that the water right number I am asking the court to substitute a party on is a water right in a director's report filed with the court and that I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

The Travelers Insurance Company
Signature of person filing form

BY: Ramona S. Neal
Attorney signing in representative capacity
Ramona S. Neal, Givens Pursley & Huntley
Attorneys for Travelers Insurance Company

Subscribed and sworn to before me on January 8, 1996
(Insert Date)

Wm. J. [Signature]
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 11/27/96

POOR ORIGINAL

INSTRUCTIONS FOR MAILING

Mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on January 24, 1996, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. A *Change of Address* was served on each party, or if they are represented by an attorney you must serve the attorney, in each subcase in which you are a party, at the following address(es):

3. A *Consent to Substitution of Party* was served on the prior claimant/seller, or if they are represented by an attorney you must serve the attorney, at the following address(es):

Duff Brothers Partnership

Rt. 1, Box 1101

Paul, ID 83347

4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):

5. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

6. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724



Signature of person or attorney mailing the form

421253

COPY

Terry L. Myers
Ramona S. Neal
GIVENS PURSLEY & HUNTLEY
277 North 6th Street, Suite 200
Post Office Box 2720
Boise, Idaho 83701
(208) 342-6571

94.321

DUANE SMITH, CLERK
- *Carlene Hahnke* - DEPUTY

Attorneys for Plaintiff

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

THE TRAVELERS INSURANCE
COMPANY, a Connecticut Corporation,

Plaintiff

-vs-

DUFF BROTHERS PARTNERSHIP, an
Idaho partnership; LEONARD H. DUFF and
RUTH ANN DUFF, husband and wife;
LEON J. DUFF and ELLEN RUTH DUFF,
aka ELLEN R. DUFF, husband and wife;
UNITED STATES OF AMERICA acting by
and through the SMALL BUSINESS
ADMINISTRATION; UNITED STATES OF
AMERICA acting by and through the
UNITED STATES DEPARTMENT OF
AGRICULTURE, FARMERS HOME
ADMINISTRATION; WESTERN FARM
SERVICE, INC., a Delaware corporation,
and all unknown owners or claimants
or unknown heirs or unknown devisees
of any deceased person, claiming any
interest in the property which is
the subject of this action, referred to
for convenience by the fictitious designations
of DOES I THROUGH XX,

Defendants.

Case No. CV 94-00321D

SHERIFF'S CERTIFICATE OF SALE ON
EXECUTION

RECORDED AT REQUEST OF
Givens, Pursley & Huntley
FILMED
95 NOV 24 10 57
MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
OFF 30- DEPUTY *CH*

421253

State of Idaho) ss.

County of Minidoka)

I hereby certify the foregoing to be a full, true
and correct copy of the original on file in the
above entitled action.

Dated 11-24-1995

Duane Smith
Clerk of the District Court

By *Carlene Hahnke*

Deputy

SHERIFF'S CERTIFICATE OF SALE - 1

MICROFILMED

DEC 04 1996

I, PAUL E. FRIES SR, Sheriff of the Minidoka County, do hereby certify, that, by virtue of an Order for Sale in the above-entitled action, issued on the 10th day of October, 1995, to me directed, setting forth a judgment recovered in the amount of \$768,283.03, lawful money of the United States, with interest thereon, and costs, to be satisfied out of the real and personal property of Defendants DUFF BROTHERS PARTNERSHIP, an Idaho partnership; LEONARD H. DUFF and RUTH ANN DUFF, husband and wife; LEON J. DUFF and ELLEN RUTH DUFF aka ELLEN R. DUFF, husband and wife, described on Exhibit "A" which is attached hereto and incorporated by this reference as if set forth in full according to the writ of execution issued in such case, and the laws of the State of Idaho, I have levied on, and on Thursday, the 9th day of November, 1995, sold at public auction, the real and personal property described on Exhibit "A" to wit:

I. SALE PARCEL NUMBER ONE

TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 32: West one-half

TOGETHER WITH all the Mortgagors' rights, title and interest in and to all Water Rights,

together with all and singular the rights therein, fixtures thereon and appurtenances thereunto belonging or in anywise appertaining, whether now or hereafter acquired, which shall include, without limiting the generality of the foregoing, the following:

- (a) All of the rents, issues and profits; all easements and rights of way; all water, water rights, whether riparian, appropriative or otherwise and whether or not appurtenant, all ditch rights, and any shares of stock evidencing any such water or ditch right; and all rights of homestead exemption, and

- (b) All leases, permits, allotments, licenses and privileges, whether or not appurtenant, from the United States or the State of Idaho, or any Department or other agency of either for the purpose of grazing, pasturing or feeding livestock on any of the public lands of the United States or the State of Idaho, and
- (c) All buildings and the plumbing, heating, ventilating and lighting systems and equipment therein; all barn equipment; and all pumps, pumping stations, motors, switch boxes and transformers, engines, machinery, reservoirs, pipes, flumes, and other equipment used for the production of water on said Premises or for the irrigation or drainage thereof.

TOGETHER WITH:

- (a) One (1) 200 HP, U.S. Electric Vertical Motor, SN# 115154;
- (b) One (1) 75 HP, Horizontal Booster Pump, ID# R9426-03-420M;
- (c) One (1) Electrical Panel - A-B Quality - Allen Bradley;
- (d) One (1) Electrical Panel, Cutler Hammer;
- (e) One (1) Deep Well Turbine Pump;
- (f) Approximately 466 hand lines; broken or damaged;
- (g) Six (6) wheel line sections; could only be used for parts;
- (h) Thirteen (13) 1/4 mile side-roll aluminum wheel lines;
- (i) One (1) 20 section, side-roll, aluminum wheel line;
- (j) Several risers;
- (k) Oil Drip Barrel; and
- (l) Seven (7) valves

to Travelers Insurance, who was the highest bidder, for the sum of \$ 213,600.00, lawful money of the United States, which was the whole price paid by Travelers Insurance for the right, claim and interest of the within named Defendants, as aforesaid, in and to the real and personal property described above.

II. SALE PARCEL NUMBER TWO

TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 33: West one-half and Northeast one-fourth.

TOGETHER WITH all the Mortgagors' rights, title and interest in and to all Water Rights,

together with all and singular the rights therein, fixtures thereon and appurtenances thereunto belonging or in anywise appertaining, whether now or hereafter acquired, which shall include, without limiting the generality of the foregoing, the following:

- (a) All of the rents, issues and profits; all easements and rights of way; all water, water rights, whether riparian, appropriative or otherwise and whether or not appurtenant, all ditch rights, and any shares of stock evidencing any such water or ditch right; and all rights of homestead exemption, and
- (b) All leases, permits, allotments, licenses and privileges, whether or not appurtenant, from the United States or the State of Idaho, or any Department or other agency of either for the purpose of grazing, pasturing or feeding livestock on any of the public lands of the United States or the State of Idaho, and
- (c) All buildings and the plumbing, heating, ventilating and lighting systems and equipment therein; all barn equipment; and all pumps, pumping stations, motors, switch boxes and transformers, engines, machinery, reservoirs, pipes, flumes, and other equipment used for the production of water on said Premises or for the irrigation or drainage thereof,

TOGETHER WITH:

- (a) One (1) 300 HP, U.S. Electric Vertical Motor, SN# 1271144;
- (b) One (1) 150 HP Horizontal Motor, ID# D83-06147-139;
- (c) One (1) Electrical Panel, no brand name;
- (d) One (1) Deep Well Turbine Pump;
- (e) One (1) Electrical Panel - Switchboard Company; and
- (f) Approximately 256 3-inch hand lines stacked near the location of the pumps

to Travelers Insurance, who was the highest bidder, for the sum of

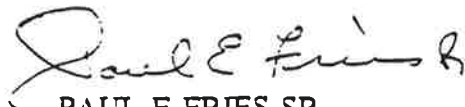
\$ 230,400.00, lawful money of the United States, which was the whole price paid by

Travelers Insurance for the right, claim and interest of the within named Defendants,

as aforesaid, in and to the real and personal property described above.

And that the said real estate is subject to redemption within one (1) year after the sale.

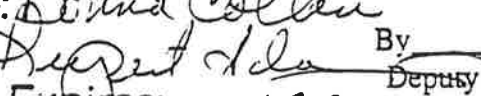
Given under my hand, this 15th day of MAY, 19 85.



PAUL E FRIES SR
Sheriff of Minidoka County

Subscribed and sworn

to before me: 

Residing at  By _____
Deputy

Commission Expires: 2-14-97

TOWNSHIP 3 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 32: West one-half

Section 33: West one-half and Northeast one-fourth.

TOGETHER WITH all the Mortgagors' rights, title and interest in and to all
Water Rights.

together with all and singular the rights therein, fixtures thereon and appurtenances
thereunto belonging or in anywise appertaining, whether now or hereafter acquired,
which shall include, without limiting the generality of the foregoing, the following:

- (a) All of the rents, issues and profits; all easements and rights of way; all
water, water rights, whether riparian, appropriative or otherwise and
whether or not appurtenant, all ditch rights, and any shares of stock
evidencing any such water or ditch right; and all rights of homestead
exemption, and
- (b) All leases, permits, allotments, licenses and privileges, whether or not
appurtenant, from the United States or the State of Idaho, or any
Department or other agency of either for the purpose of grazing,
pasturing or feeding livestock on any of the public lands of the United
States or the State of Idaho, and
- (c) All buildings and the plumbing, heating, ventilating and lighting
systems and equipment therein; all barn equipment; and all pumps,
pumping stations, motors, switch boxes and transformers, engines,
machinery, reservoirs, pipes, flumes, and other equipment used for the
production of water on said Premises or for the irrigation or drainage
thereof.

EXHIBIT

A

MICROFILMED

DEC 04 1996

19001118, a partnership
Leeland H. and Ruth Ann
Leon J. and Ellen Ruth
le 1, Box 1101
Idaho 83347

The Travelers Insurance Company
One Tower Square - 210
Hartford, CT 06183-2021
Attn: Investment Administration

100-1-11100
20-1-11100-1-11100
11100-11100-11100

465224

Loan #501890

Financing Statement covers the following types (or items) of property:
this space for filed property legal descriptions and name of record owner, if required.)

gation equipment and appliances and additions thereto and replacements thereof
described on the attached Schedule "A", located on the following described real pro-
p: Township 8 South, Range 22 East of the Boise Meridian, Minidoka County, Idaho.
T: 1/4; Section 33: 1/4 and NE1.

5 Assignee(s) of Secured Party(ies)
and address(es)

SEE ATT

Financing statement replaces original financing statement, #39674/338920, filed
5/83, Minidoka County, ID.

(F) IF COVERED (R) Products of collateral are also covered.

h ☒ Secretary of State County Recorder of

the following boxes is checked, the secured party may sign the financing statement. The following boxes are checked, the secured party may sign the financing statement.

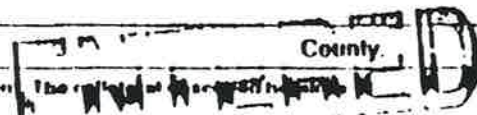
in this state already subject to a security interest in another jurisdiction

in a security interest in another jurisdiction, and the debtor's location has changed to this state.

of the original collateral described above in which a security interest was perfected

of a financing statement which has lapsed

in a security interest perfected under a prior name or identity of the debtor



The Travelers Insurance Company

BY

SIGNATURE(S) OF SECURED PARTY(IES) SUCH AS AGENT OF RECORD

STEPHEN HOLLIDAY
ASSISTANT DIRECTOR

Signature(s) of Debtor(s)

FILING OFFICE

CENAHUSA, SECRETARY OF STATE

POOR ORIGINAL

EXHIBIT C

MICROFILMED
DEC 04 1996

SCHEDULE "A"

Irrigation equipment and appurtenances and additions thereto and replacements thereof as described below:

- One (1) - 300 H.P. U.S. Electric Vertical Motor, S/N #1271144
- One (1) - 200 H.P. U.S. Electric Vertical Motor, S/N #1115154
- One (1) - 150 H.P. U.S. Electric Horizontal Motor, S/N #D83-06147-139
- Two (2) - Wintreath Deep-Well Turbine Pump, S/N #10400 & #8933
- One (1) - Berkeley Horizontal Booster Pump, S/N #7370576

Together with all wiring, switch panels, column, shafting, tubing, bowis, suction pipe cones, valves, etc., used in conjunction with or pertaining to the above listed pumps and motors.

- Twelve (12) - A & M 1/4 mile side-roll aluminum wheel lines, complete.
- Twenty-eight (28) - 1/4 mile portable aluminum handlines, complete.
- Approx. 15,840 of 12" to 8" buried steel mainline with risers.

Together with all valves, reducers, sprinkler heads, end plugs, etc., used in conjunction with or pertaining to the above listed mainline, aluminum wheel lines, and aluminum handlines.

SCHEDULE "B"

DUFF BROTHERS, a partnership

Leonard H. Duff
Leonard H. Duff, Partner

Leon J. Duff
Leon J. Duff, Partner

Ruth Ann Duff
Ruth Ann Duff, Partner

Ellen Ruth Duff
Ellen Ruth Duff, Partner

Leonard H. Duff
Leonard H. Duff, Individually

Leon J. Duff
Leon J. Duff, Individually

Ruth Ann Duff
Ruth Ann Duff, Individually

Ellen Ruth Duff
Ellen Ruth Duff, Individually

POOR ORIGINAL

EXHIBIT

A

MICROFILMED

DEC 11

Mr. and Mrs. Leonard H. and Ruth Ann
Hill, Leon J. and Ellen Ruth
Route 1, Box 1101
Paul, Idaho 83347

The Travelers Insurance Company
One Tower Square - 21P
Hartford, CT 06183-2021
Attn: Investment Administration

SECRETARY OF ST

REC-1 11.00

HH 2-01-0461665 HH

4/08/91 114:56 1147556

Loan #501890

The Financing Statement covers the following types (or items) of property:
(Use this space for Real Property legal description and name of record owner, if required.)

Irrigation equipment and appurtenances and additions thereto and replacements thereof
as described on the attached Schedule "A", located on the following described real prop-
erty: Township 8 South, Range 22 East of the Boise Meridian, Minidoka County, Idaho.
Section 32: W; Section 33: W and NE.

This financing statement replaces lapsed financing statement, #1801508, filed 11/28/83,
S.O.S.; ID.

5 Assignee(s) of Secured Party(ies)
and address(es)

SEE ATT

CHECK ☒ IF COVERED ☒ Products of collateral are also covered.

and with ☒ Secretary of State ☐ County Recorder of _____ County.

One of the following boxes is checked, the secured party may sign the financing statement. The collateral described herein is

- ☐ Brought into this state already subject to a security interest in another jurisdiction
- ☐ Subject to a security interest in another jurisdiction, and the debtor's location has changed to this state
- ☐ Proceeds of the original collateral described above in which a security interest was perfected
- ☐ The subject of a financing statement which has lapsed.
- ☐ Subject to a security interest perfected under a prior name or identity of the debtor.

ENTERED

EXHIBIT

The Travelers Insurance Company

BY:

Stephen Halli

STEPHEN HOLLIDAY
ASSISTANT DIRECTOR

SIGNATURE(S) OF SECURED PARTY(IES) OR ASSIGNEE OF THE CREDIT

Signature(s) of Debtor(s)

FILING OFFICER CC

ARY OF STATE

POOR ORIGINAL

MICROFILMED
DEC 04 1996

Irrigation equipment and appurtenances and additions thereto and replacements thereof as described below:

- One (1) - 300 H.P. U.S. Electric Vertical Motor, S/N #1271144
- One (1) - 200 H.P. U.S. Electric Vertical Motor, S/N #1115154
- One (1) - 150 H.P. U.S. Electric Horizontal Motor, S/N #D83-06147-139
- Two (2) - Wintroath Deep-Well Turbine Pump, S/N #10400 & #8933
- One (1) - Berkeley Horizontal Booster Pump, S/N #7370576

Together with all wiring, switch panels, column, shafting, tubing, bowls, suction pipe cones, valves, etc., used in conjunction with or pertaining to the above listed pumps and motors.

Twelve (12) - A & M 1/4 mile side-roll aluminum wheel lines, complete.

Twenty-eight (28) - 1/4 mile portable aluminum handlines, complete.

Approx. 15,840 of 12" to 8" buried steel mainline with risers.

Together with all valves, reducers, sprinkler heads, end plugs, etc., used in conjunction with or pertaining to the above listed mainline, aluminum wheel lines, and aluminum handlines.

SCHEDULE "B"

EXHIBIT

DUFF BROTHERS, a partnership

Leonard H. Duff
Leonard H. Duff, Partner

Leon J. Duff
Leon J. Duff, Partner

Ruth Ann Duff
Ruth Ann Duff, Partner

Leonard H. Duff
Leonard H. Duff, Individually

Leon J. Duff
Leon J. Duff, Individually

Ruth Ann Duff
Ruth Ann Duff, Individually

RECEIVED

MAR 20 1996

Department of Water Resources
Southern Region

RECEIVED

FEB 01 1996

Department of Water Resources
Adjudication Bureau

RECEIVED

JAN 01 1996

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

36-02516, 36-12643, 36-07398, 36-12644, 36-02345,
36-02544

In Re SRBA

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☒ CONSENT TO SUBSTITUTION OF
PARTY

Case No. 39576

this document was accepted by the SRBA
court 1/30/96 - CM system not updated
no CM record.

INSTRUCTIONS FOR USE

This form is to be used to provide notice of a change in address of a party or to substitute a party whose water right was recommended in a director's report. *The filing of Standard Form 3 cannot result in a contested matter and a hearing will not be scheduled.* If completed as directed, the form will be accepted by the court and no further orders will issue. Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) (1986) where a water right recommendation is not before the court.

This form has been adopted by the court in Re SRBA, Twin Falls County Case 39576, *SRBA Administrative Order 1 Rules of Procedure* (amended 6/21/93), Section 4Ac(3), which may be consulted for further information.

A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here. Follow the instructions on the form or it will not be accepted for filing. The Verification and the Certificate of Mailing must be completed.

Standard forms may be obtained from the Idaho Department of Water Resources or the SRBA Court.

MICROFILMED

DEC 04 1996

CHANGE IN ADDRESS

You must use this form to advise the court and parties of any change in your address during the pendency of the SRBA.

You must provide a copy of the completed form to each party or if the party is represented by an attorney you must serve the attorney in every subcase in which you are a party.

No hearing will be held and no further order will issue from this court.

My name is _____

I am the claimant of _____

(Insert each water right number)

I have filed an objection/response to the following water right(s) _____

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

(Go to Page 4)

CONSENT TO SUBSTITUTION OF PARTY

This form may only be used if a water right number is included as a "recommendation" in a director's report. *This form cannot be used for water rights that are not in a director's report or when portions of a water right are involved (i.e. where a water right is split).* You must use this form to substitute a new party into the SRBA.

You are to provide a copy of the completed form to every party in each subcase in which the new party is to be substituted. If the party is represented by an attorney you must serve the attorney. Because this is a "consent" form, it is a stipulation that there is no disagreement between the prior claimant/seller and the new claimant/purchaser that the prior claimant/seller has transferred all interests in the water right. No hearing will be held and no further order will issue.

"Prior claimant/seller" means any person who, pursuant to I.C. §§ 42-1409(2), (3) and (6) (1986), filed a notice of claim asserting the right to the use of water or on whose behalf the

VERIFICATION

(To be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of CASSIA

COSTA DELIS & RUTH DELIS, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10) (1986); that the water right number I am asking the court to substitute a party on is a water right in a director's report filed with the court and that I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

x Costa Delis
x Ruth Delis

Signature of person filing form

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on

Jan 26, 1996
(Insert Date)

WILLIAM A. PARSONS
NOTARY PUBLIC
STATE OF IDAHO

Residing at Burley, Idaho
My Commission Expires 7/29/98

William Parsons
Notary Public for Idaho

Residing at: _____

My Commission expires: _____

MICROFILMED

DEC 04 1996

INSTRUCTIONS FOR MAILING

Mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on _____, 199 6, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. A *Change of Address* was served on each party, or if they are represented by an attorney you must serve the attorney, in each subcase in which you are a party, at the following address(es):

3. A *Consent to Substitution of Party* was served on the prior claimant/seller, or if they are represented by an attorney you must serve the attorney, at the following address(es):

The Travelers Insurance Co. ("Travelers"), Attn: AgriFinance, Attn: Ms.
Karen Micheli, Investment Administrator, 7170 N. Financial Drive, Suite 101,
Fresno, CA 93720-2900

4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):

5. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

6. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724

Signature of person or attorney mailing the form

MICROFILMED
DEC 04 1996

PARSONS, SMITH, STONE & FLETCHER

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0146

January 29, 1996

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

RECEIVED

JAN 31 1996

OFFICE OF THE
ATTORNEY GENERAL

Dear Clerk:

Enclosed is the original of the Standard Form 3 which is
filed on behalf of Costa Delis.

Very truly yours,



William A. Parsons

WAP:rt

cc: The Travelers Ins. Co.
Chief, Natural Resources
United States Dept. of Justice

MICROFILMED

DEC 04 1996

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: A36-02345

Date Received: 9/26/1989

Receipt No: S009363

Received By: QC TAB

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: THE TRAVELERS INSURANCE CO
Address: C/O GIVENS PURSLEY & HUNTLEY
LLP
PO BOX 2720
BOISE ID 83701
208-342-6571

2. Date of Priority: JAN 29, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	22E	32	SW	SW	NW		MINIDOKA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.550		

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

8. Total consumptive use is 945.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	22E	32	NE	NW		IRR	35.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	22E	32	SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0

Section Acres 315.0

Total Acres 315.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
A36-02544

14. Remarks:
OWENRSHIP CHANGE MADE 1/12/96 BY TLB.

15. Basis of Claim: LICENSE

Water Right Number: 27219

Water Right Number - 36-02345

Prefix Translation: WATER RIGHT

Old (D) Number - 27219

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

*** C - CURRENT OWNER ***
TRAVELERS INSURANCE CO

THE

1 - C/O GIVENS PURSLEY & HUNTLEY
2 - LLP
3 - PO BOX 2720
City- BOISE State- ID Zip- 83701
Phone - 208-342-6571

*** D - DIR RPT OWNER ***
DUFF BROTHERS

1 - RT 1 BOX 1101
2 -
3 -
City- PAUL State- ID Zip- 83347
Phone - 208-438-5392

*** R - REPRESENTATIVE ***
GIVENS PURSLEY & HUNTLEY LLP

1 - ATTEN R NEAL
2 -
3 - PO BOX 2720
City- BOISE State- ID Zip- 83701
Phone - 208-342-6571

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/29/1958 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
08S 22E 32 SE SW NW (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 3.550

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.550 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
08S 22E 32 NE NW 35.0 01 IRRIGATION (67) MINIDOKA
08S 22E 32 NW NW 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 32 SW NW 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 32 SE NW 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 32 NE SW 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 32 NW SW 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 32 SW SW 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 32 SE SW 40.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 315.0

MICROFILMED
DEC 04 1996

Prefix Translation: WATER RIGHT

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-02544

+ Remarks

USE OF THIS RIGHT WITH RIGHT NO. 36-02544 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.45 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1260 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 945 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 315 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-02544 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

+-----Old Water Right Numbers-----+

No Old Water Right Numbers Found

+ Conditions of Approval

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

- Decree Date - +
00/00/0000

+ -Comments +

Date: 01/31/1991 User Id: BEDKE Subject: NB-STAFF REVIEW

Date: 01/31/1991 User Id: BEDKE Subject: NB-STAFF REVIEW

Date: 01/12/1996 User Id: TBACKLUN Subject: NAME CHANGE

OWNERSHIP CHANGE MADE WITH A 42-1409(7). SF3 WAS SENT TO NEW CLAIMANT. SHERIFF'S CERTIFICATE OF SALE WAS INCLUDED.

+ - - Audit Fields - - +

01/12/96 TBACKLUN

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S009363	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
DEC 04 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DATE OF CLOSING: 11/9/95

LEGAL DESCRIPTION OF PROPERTY: Township See Attached. Range

Section 1/4 of 1/4 of 1/4 Govt. Lot , 3M.

Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

JAN 09 1996
Department of Water Resources
Southern Region

- ☐ 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) Snake River Basin Adj. Claim Nos. 36-02516, 36-12643, 36-07398, 36-12644, 36-02345, 36-02544
Assigned by IDWR:
- ☒ Name and Address of Former Owner/Claimant(s)(Seller): Duff Brothers
Route 1, Box 1101, Paul, ID 83347
- ☒ New Owner/Claimant (Purchaser): The Travelers Insurance Co. ("Travelers")
- ☐ New Mailing Address: c/o Givens Pursley & Huntley LLP
Attn: R. Neal
P.O. Box 2720, Boise, ID 83701
- ☐ New Telephone Number: (208) 342 - 6571
- ☐ 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: Sheriff's Certificate of Sale on Execution

(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): Ramona S. Neal, Attorney for Travelers Date 1/8/96
- ☐ Signature of Former Owner/Claimant(s): Date

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Done By

Further Action Needed

Further Action Taken

Done By

Final Review and Data-Entry

Done 1/12/96 By AKB

Claim Numbers of Split, if any

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

MICROFILMED

DEC 04 1996

TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 32: West one-half

Section 33: West one-half and Northeast one-fourth.

TOGETHER WITH all the Mortgagors' rights, title and interest in and to all
Water Rights,

together with all and singular the rights therein, fixtures thereon and appurtenances
thereunto belonging or in anywise appertaining, whether now or hereafter acquired,
which shall include, without limiting the generality of the foregoing, the following:

- (a) All of the rents, issues and profits; all easements and rights of way; all water, water rights, whether riparian, appropriative or otherwise and whether or not appurtenant, all ditch rights, and any shares of stock evidencing any such water or ditch right; and all rights of homestead exemption, and
- (b) All leases, permits, allotments, licenses and privileges, whether or not appurtenant, from the United States or the State of Idaho, or any Department or other agency of either for the purpose of grazing, pasturing or feeding livestock on any of the public lands of the United States or the State of Idaho, and
- (c) All buildings and the plumbing, heating, ventilating and lighting systems and equipment therein; all barn equipment; and all pumps, pumping stations, motors, switch boxes and transformers, engines, machinery, reservoirs, pipes, flumes, and other equipment used for the production of water on said Premises or for the irrigation or drainage thereof.

MICROFILMED

DEC 04 1996

LAW OFFICES

GIVENS PURSLEY & HUNTLEY, LLP

A LIMITED LIABILITY PARTNERSHIP

277 NO. 6TH STREET • SUITE 200

P.O. BOX 2720 • BOISE, IDAHO 83701

(208) 388-1200

FACSIMILE (208) 388-1201

January 8, 1996

GARY G. ALLEN
JOSEPH H. BAIRD
CHRISTOPHER J. BEESON
MICHAEL C. CREAMER
ROY L. EIGUREN
JEFFREY C. FEREDAY
JULIE KLEIN FISCHER
RAYMOND D. GIVENS
L. W. GRANT III
J. BART GREEN
ROBERT C. HUNTLEY, JR.
KARL T. KLEIN
DAVID R. LOMBARDI
KIMBERLY DAWN MALONEY
KENNETH R. MCCLURE
CHRISTOPHER H. MEYER

L. EDWARD MILLER
PATRICK J. MILLER
JUDSON B. MONTGOMERY
TERRY L. MYERS
RAMONA S. NEAL
STEVEN L. OLSEN
W. HUGH O'RIORDAN
ROBERT L. PHILLIPS
KENNETH L. PURSLEY
GREGORY J. VIETZ
CONLEY WARD
STEVEN R. WEEKS
STEPHANIE C. WESTERMEIER

JAMES A. MCCLURE
JUDITH K. HOLCOMBE
OF COUNSEL

Idaho Department of Water Resources
Attention: Trish or Tara
222 Shoshone Street East
Twin Falls, ID 83301-6105

RECEIVED
JAN 12 1996
Department of Water Resources
Southern Region

Re: Travelers v. Duff
Our File: 3426-7

Dear Trish:

Enclosed please find a copy of the "Sheriff's Certificate of Sale on Execution".

Thank you.

Very truly yours,



Ramona S. Neal

RSN/kw
Enclosures

MICROFILMED

DEC 04 1996

LAW OFFICES

GIVENS PURSLEY & HUNTLEY, LLP

A LIMITED LIABILITY PARTNERSHIP

277 NO. 6TH STREET • SUITE 200

P.O. BOX 2720 • BOISE, IDAHO 83701

(208) 388-1200

FACSIMILE (208) 388-1201

January 8, 1996

GARY G. ALLEN
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L. EDWARD MILLER
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ROBERT L. PHILLIPS
KENNETH L. PURSLEY
GREGORY J. VIETZ
CONLEY WARD
STEVEN R. WEEKS
STEPHANIE C. WESTERMEIER

JAMES A. MCCLURE
JUDITH K. HOLCOMBE
OF COUNSEL

RECEIVED

JAN 09 1996

Department of Water Resources
Southern Region

Idaho Department of Water Resources
Attention: Trish
222 Shoshone Street East
Twin Falls, ID 83301-6105

Re: Travelers v. Duff
Our File: 3426-7

Dear Trish:

Enclosed please find a "New Property Owner Notice of Change of Water Right Ownership" together with with an attachment entitled "Sheriff's Certificate of Sale on Execution" indicating a change of ownership in regards to certain water rights delineated on the form enclosed.

I have spoken with Danni at the Department of Water Resources in Boise, who indicates that it is appropriate to forward this form to you for processing. We would appreciate it if you would process this form quickly and confirm with our office at the above phone number and address that the change in ownership has, in fact, been processed.

If you have any questions, or if I can be of any assistance, please do not hesitate to call me. I have, as of even date with this letter, informed the Snake River Basin Adjudication Court that the water rights set forth on the form enclosed have been transferred by operation of law to The Travelers Insurance Company.

Very truly yours,



Ramona S. Neal

RSN/kw
Enclosures
cc: Rudy C. Munoz

MICROFILMED
DEC 04 1996

421253

COPY

Terry L. Myers
Ramona S. Neal
GIVENS PURSLEY & HUNTLEY
277 North 6th Street, Suite 200
Post Office Box 2720
Boise, Idaho 83701
(208) 342-6571

RECEIVED

JAN 12 1996

Department of Water Resources
Southern Region

DUANE SMITH CLERK
- *Earlene H. Hunsaker* - DEPUTY

Attorneys for Plaintiff

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

THE TRAVELERS INSURANCE
COMPANY, a Connecticut Corporation,

Plaintiff

-vs-

DUFF BROTHERS PARTNERSHIP, an
Idaho partnership; LEONARD H. DUFF and
RUTH ANN DUFF, husband and wife;
LEON J. DUFF and ELLEN RUTH DUFF,
aka ELLEN R. DUFF, husband and wife;
UNITED STATES OF AMERICA acting by
and through the SMALL BUSINESS
ADMINISTRATION; UNITED STATES OF
AMERICA acting by and through the
UNITED STATES DEPARTMENT OF
AGRICULTURE, FARMERS HOME
ADMINISTRATION; WESTERN FARM
SERVICE, INC., a Delaware corporation,
and all unknown owners or claimants
or unknown heirs or unknown devisees
of any deceased person, claiming any
interest in the property which is
the subject of this action, referred to
for convenience by the fictitious designations
of DOES I THROUGH XX,

Defendants.

Case No. CV 94-00321D

SHERIFF'S CERTIFICATE OF SALE ON
EXECUTION

RECORDED AT REQUEST OF
Givens, Pursley & Huntley
FILED NO. 95 NOV 24 10 57
MINIDOKA COUNTY, IDAHO
COUNTY CLERK, RECORDED
OFF 30 - DEPUTY *Earlene H. Hunsaker*

421253

State of Idaho) ss.

County of Minidoka)

I hereby certify the foregoing to be a full, true
and correct copy of the original on file in the
above entitled action.

Dated 11-24 1995.

Duane Smith
Clerk of the District Court

By *Earlene H. Hunsaker*

Deputy

SHERIFF'S CERTIFICATE OF SALE - 1

MICROFILMED

DEC 04 1996

I, PAUL E. FRIES SR, Sheriff of the Minidoka County, do hereby certify, that, by virtue of an Order for Sale in the above-entitled action, issued on the 10th day of October, 1995, to me directed, setting forth a judgment recovered in the amount of \$768,283.03, lawful money of the United States, with interest thereon, and costs, to be satisfied out of the real and personal property of Defendants DUFF BROTHERS PARTNERSHIP, an Idaho partnership; LEONARD H. DUFF and RUTH ANN DUFF, husband and wife; LEON J. DUFF and ELLEN RUTH DUFF aka ELLEN R. DUFF, husband and wife, described on Exhibit "A" which is attached hereto and incorporated by this reference as if set forth in full according to the writ of execution issued in such case, and the laws of the State of Idaho, I have levied on, and on Thursday, the 9th day of November, 1995, sold at public auction, the real and personal property described on Exhibit "A" to wit:

I. SALE PARCEL NUMBER ONE

TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 32: West one-half

TOGETHER WITH all the Mortgagors' rights, title and interest in and to all Water Rights,

together with all and singular the rights therein, fixtures thereon and appurtenances thereunto belonging or in anywise appertaining, whether now or hereafter acquired, which shall include, without limiting the generality of the foregoing, the following:

- (a) All of the rents, issues and profits; all easements and rights of way; all water, water rights, whether riparian, appropriative or otherwise and whether or not appurtenant, all ditch rights, and any shares of stock evidencing any such water or ditch right; and all rights of homestead exemption, and

- (b) All leases, permits, allotments, licenses and privileges, whether or not appurtenant, from the United States or the State of Idaho, or any Department or other agency of either for the purpose of grazing, pasturing or feeding livestock on any of the public lands of the United States or the State of Idaho, and
- (c) All buildings and the plumbing, heating, ventilating and lighting systems and equipment therein; all barn equipment; and all pumps, pumping stations, motors, switch boxes and transformers, engines, machinery, reservoirs, pipes, flumes, and other equipment used for the production of water on said Premises or for the irrigation or drainage thereof.

TOGETHER WITH:

- (a) One (1) 200 HP, U.S. Electric Vertical Motor, SN# 115154;
- (b) One (1) 75 HP, Horizontal Booster Pump, ID# R9426-03-420M;
- (c) One (1) Electrical Panel - A-B Quality - Allen Bradley;
- (d) One (1) Electrical Panel, Cutler Hammer;
- (e) One (1) Deep Well Turbine Pump;
- (f) Approximately 466 hand lines; broken or damaged;
- (g) Six (6) wheel line sections; could only be used for parts;
- (h) Thirteen (13) 1/4 mile side-roll aluminum wheel lines;
- (i) One (1) 20 section, side-roll, aluminum wheel line;
- (j) Several risers;
- (k) Oil Drip Barrel; and
- (l) Seven (7) valves

to Travelers Insurance, who was the highest bidder, for the sum of \$ 213,600.00, lawful money of the United States, which was the whole price paid by Travelers Insurance for the right, claim and interest of the within named Defendants, as aforesaid, in and to the real and personal property described above.

II. SALE PARCEL NUMBER TWO

TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 33: West one-half and Northeast one-fourth.

TOGETHER WITH all the Mortgagors' rights, title and interest in and to all Water Rights,

together with all and singular the rights therein, fixtures thereon and appurtenances thereunto belonging or in anywise appertaining, whether now or hereafter acquired, which shall include, without limiting the generality of the foregoing, the following:

- (a) All of the rents, issues and profits; all easements and rights of way; all water, water rights, whether riparian, appropriative or otherwise and whether or not appurtenant, all ditch rights, and any shares of stock evidencing any such water or ditch right; and all rights of homestead exemption, and
- (b) All leases, permits, allotments, licenses and privileges, whether or not appurtenant, from the United States or the State of Idaho, or any Department or other agency of either for the purpose of grazing, pasturing or feeding livestock on any of the public lands of the United States or the State of Idaho, and
- (c) All buildings and the plumbing, heating, ventilating and lighting systems and equipment therein; all barn equipment; and all pumps, pumping stations, motors, switch boxes and transformers, engines, machinery, reservoirs, pipes, flumes, and other equipment used for the production of water on said Premises or for the irrigation or drainage thereof,

TOGETHER WITH:

- (a) One (1) 300 HP, U.S. Electric Vertical Motor, SN# 1271144;
- (b) One (1) 150 HP Horizontal Motor, ID# D83-06147-139;
- (c) One (1) Electrical Panel, no brand name;
- (d) One (1) Deep Well Turbine Pump;
- (e) One (1) Electrical Panel - Switchboard Company; and
- (f) Approximately 256 3-inch hand lines stacked near the location of the pumps

to Travelers Insurance, who was the highest bidder, for the sum of

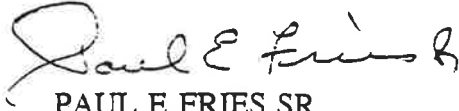
\$ 230,400.00, lawful money of the United States, which was the whole price paid by

Travelers Insurance for the right, claim and interest of the within named Defendants,

as aforesaid, in and to the real and personal property described above.

And that the said real estate is subject to redemption within one (1) year after the sale.

Given under my hand, this 15th day of NOV-, 19 95.



PAUL E FRIES SR
Sheriff of Minidoka County

Subscribed and sworn
to before me: Donna Colten
Residing at Deputy
Commission Expires: 2-14-97

By _____
Deputy

TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 32: West one-half

Section 33: West one-half and Northeast one-fourth.

TOGETHER WITH all the Mortgagors' rights, title and interest in and to all
Water Rights,

together with all and singular the rights therein, fixtures thereon and appurtenances
thereunto belonging or in anywise appertaining, whether now or hereafter acquired,
which shall include, without limiting the generality of the foregoing, the following:

- (a) All of the rents, issues and profits; all easements and rights of way; all
water, water rights, whether riparian, appropriative or otherwise and
whether or not appurtenant, all ditch rights, and any shares of stock
evidencing any such water or ditch right; and all rights of homestead
exemption, and
- (b) All leases, permits, allotments, licenses and privileges, whether or not
appurtenant, from the United States or the State of Idaho, or any
Department or other agency of either for the purpose of grazing,
pasturing or feeding livestock on any of the public lands of the United
States or the State of Idaho, and
- (c) All buildings and the plumbing, heating, ventilating and lighting
systems and equipment therein; all barn equipment; and all pumps,
pumping stations, motors, switch boxes and transformers, engines,
machinery, reservoirs, pipes, flumes, and other equipment used for the
production of water on said Premises or for the irrigation or drainage
thereof.

EXHIBIT

A

MICROFILMED

DEC 04 1996

BROTHERS, a partnership
Leonard H. and Ruth Ann
Leon J. and Ellen Ruth
Box 1101
Idaho 83347

The Travelers Insurance Company
One Tower Square - 200
Hartford, CT 06183-2001
Attn: Investment Administration

11/1/91 11/1/91
2001-01-01 11/1/91
2001-01-01 11/1/91 #01890

465224

Loan #501890

Financing Statement covers the following types (or items) of property:
this space for Real Property legal description and name of record owner, if required.)

gation equipment and appurtenances and additions thereto and replacements thereof
described on the attached Schedule "A", located on the following described real prop-
erty: Township 8 South, Range 22 East of the Boise Meridian, Minidoka County, Idaho.
132: 1/2; Section 33: 1/2 and NE1.

5 Assignee(s) of Secured Party(ies)
and address(es)

SEE ATT

Financing statement replaces original financing statement, #39674/338920, filed
5/83, Minidoka County, ID.

☒ IF COVERED ☐ Products of collateral are also covered.

th ☒ Secretary of State ☐ County Recorder of

County.

the following boxes is checked, the secured party may sign the financing statement: The collateral is located in this state already subject to a security interest in another jurisdiction
subject to a security interest in another jurisdiction, and the debtor's location has changed to this state.
subject of the original collateral described above in which a security interest was perfected
subject of a financing statement which has lapsed
subject to a security interest perfected under a prior name or identity of the debtor

EXHIBIT

The Travelers Insurance Company

BY:

Stephen Holliday

SIGNATURE(S) OF SECURED PARTY(IES) OR ASSIGNEE OF RECORD

STEPHEN HOLLIDAY
ASSISTANT DIRECTOR

Signature(s) of Debtor(s)

FILING OFFICE

CEANAPUSA, SECRETARY OF STATE

EXHIBIT C

MICROFILMED
DEC 04 1996

SCHEDULE "A"

Irrigation equipment and appurtenances and additions thereto and replacements thereof as described below:

- One (1) - 300 H.P. U.S. Electric Vertical Motor, S/N #1271144
- One (1) - 200 H.P. U.S. Electric Vertical Motor, S/N #1115154
- One (1) - 150 H.P. U.S. Electric Horizontal Motor, S/N #D83-06147-139
- Two (2) - Wintroath Deep-Well Turbine Pump, S/N #10400 & #8933
- One (1) - Berkeley Horizontal Booster Pump, S/N #7370576

Together with all wiring, switch panels, column, shafting, tubing, bowls, suction pipe cones, valves, etc., used in conjunction with or pertaining to the above listed pumps and motors.

- Twelve (12) - A & M 1/4 mile side-roll aluminum wheel lines, complete.
- Twenty-eight (28) - 1/4 mile portable aluminum handlines, complete.

Approx. 15,840 of 12" to 8" buried steel mainline with risers.

Together with all valves, reducers, sprinkler heads, end plugs, etc., used in conjunction with or pertaining to the above listed mainline, aluminum wheel lines, and aluminum handlines.

SCHEDULE "B"

DUFF BROTHERS, a partnership

Leonard H. Duff
Leonard H. Duff, Partner

Leon J. Duff
Leon J. Duff, Partner

Ruth Ann Duff
Ruth Ann Duff, Partner

Ellen Ruth Duff
Ellen Ruth Duff, Partner

Leonard H. Duff
Leonard H. Duff, Individually

Leon J. Duff
Leon J. Duff, Individually

Ruth Ann Duff
Ruth Ann Duff, Individually

Ellen Ruth Duff
Ellen Ruth Duff, Individually

EXHIBIT

A

MICROFILMED

DEC 04 1955

THE PROMIS, a partnership
DUE, Leonard H. and Ruth Ann
DUE, Leon J. and Ellen Ruth
Route 1, Box 1101
Paul, Idaho 83347

Loan #501890

The Travelers Insurance Company
One Tower Square - 20P
Hartford, CT 06183-2021
Attn: Investment Administration

SECRETARY OF ST

ICC-1 11.00

HN 2-01-0461665 HN

4/08/91 T14:56 H47556

4 This Financing Statement covers the following types (or items) of property:
(Use this space for Real Property legal description and name of record owner, if required.)

Irrigation equipment and appurtenances and additions thereto and replacements thereof
as described on the attached Schedule "A", located on the following described real prop-
erty: Township 8 South, Range 22 East of the Boise Meridian, Minidoka County, Idaho.
Section 32: W $\frac{1}{2}$; Section 33: W $\frac{1}{2}$ and NE $\frac{1}{4}$.

5 Assignee(s) of Secured Party(ies)
and address(es)

SEE ATT

EXHIBIT

A

CHECK ☒ IF COVERED ☒ Products of collateral are also covered.

Filed with ☒ Secretary of State ☐ County Recorder of

County.

If one of the following boxes is checked, the secured party may sign the financing statement. The collateral described herein is:

- ☐ Brought into this state already subject to a security interest in another jurisdiction
- ☐ Subject to a security interest in another jurisdiction, and the debtor's location has changed to this state
- ☐ Proceeds of the original collateral described above in which a security interest was perfected
- ☒ The subject of a financing statement which has lapsed.
- ☐ Subject to a security interest perfected under a prior name or identity of the debtor.

ENTERED

The Travelers Insurance Company

BY:

Stephen Halli

STEPHEN HOLLIS
ASSISTANT DIRECTOR

SIGNATURE(S) OF SECURED PARTY(IES) OR ASSIGNEE OF RECEIVED

Signature(s) of Debtor(s)

1) FILING OFFICER CC

ANY OF STATE

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DEC 04 1996

Irrigation equipment and appurtenances and additions thereto and replacements thereof as described below:

- One (1) - 300 H.P. U.S. Electric Vertical Motor, S/N #1271144
- One (1) - 200 H.P. U.S. Electric Vertical Motor, S/N #1115154
- One (1) - 150 H.P. U.S. Electric Horizontal Motor, S/N #D83-06147-139
- Two (2) - Wintroath Deep-Well Turbine Pump, S/N #10400 & #8933
- One (1) - Berkeley Horizontal Booster Pump, S/N #7370576

Together with all wiring, switch panels, column, shafting, tubing, bowls, suction pipe cones, valves, etc., used in conjunction with or pertaining to the above listed pumps and motors.

- Twelve (12) - A & M 1/4 mile side-roll aluminum wheel lines, complete.
- Twenty-eight (28) - 1/4 mile portable aluminum handlines, complete.
- Approx. 15,840 of 12" to 8" buried steel mainline with risers.

Together with all valves, reducers, sprinkler heads, end plugs, etc., used in conjunction with or pertaining to the above listed mainline, aluminum wheel lines, and aluminum handlines.

SCHEDULE "B"

DUFF BROTHERS, a partnership

Leonard H. Duff
Leonard H. Duff, Partner

Leon J. Duff
Leon J. Duff, Partner

Ruth Ann Duff
Ruth Ann Duff, Partner

Leonard H. Duff
Leonard H. Duff, Individually

Leon J. Duff
Leon J. Duff, Individually

Ruth Ann Duff
Ruth Ann Duff, Individually

EXHIBIT

DEC 04 1996

MICROFILMED



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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JANUARY 16, 1996

TRAVELERS INSURANCE CO
C/O GIVENS PURSLEY & HUNTLEY
ATTEN: RAMONA NEAL
PO BOX 2720
BOISE, ID 83701

RE: SRBA CLAIM 36-02544, 36-02345, 36-12644, 36-07398, 36-02516,
& 36-12643
DUFF BROTHERS

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION WITH A 42-1409(7) THAT YOU HAVE
PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S).
WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS
COPY IS FOR YOUR RECORDS. PLEASE REVIEW FOR ACCURACY.**

I AM ENCLOSING A STANDARD FORM THREE THAT IS TO BE FILLED OUT AND
SENT TO SRBA COURT FOR THE RECORDS. IF YOU ALREADY HAVE THIS FORM,
PLEASE DISREGARD IT. IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO
CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

MICROFILMED

DEC 04 1996

R PROOF



CVR



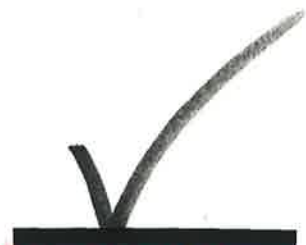
MAPS



PHOTOS



MISC



MICROFILMED

JAN 27 1993

Water Right Number - R36-02345 Prefix Translation: RESEARCH Old (D) Number - 27219

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

*** C - CURRENT OWNER ***
DUFF BROTHERS

1 - RT. 1 BOX 1101
2 -
3 -
City- PAUL
Phone - 208-438-5392

State- ID Zip- 83347

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/29/1958 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

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

08S 22E 32 SE SW NW (67) MINIDOKA

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

01 - IRRIGATION 03/15 11/15 3.550

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.550 0.0

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

08S	22E	32	NE NW	35.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	32	NW NW	40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	32	SW NW	40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	32	SE NW	40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	32	NE SW	40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	32	NW SW	40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	32	SW SW	40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	32	SE SW	40.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 315.0

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-02544

+ - - - - Remarks - - - - - +

USE OF THIS RIGHT WITH RIGHT NO. 36-02544 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.45 CFS, A TOTAL COMBINED

MICROFILMED

JAN 27 1993

Water right number - R36-02345

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

ANNUAL DIVERSION VOLUME OF 1260 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 945 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 315 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-02544 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

+ - - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +

Date: 01/31/1991 User Id: BEDKE Subject: NB-STAFF REVIEW

Date: 01/31/1991 User Id: BEDKE Subject: NB-STAFF REVIEW

+ - - Audit Fields - - +

09/12/91 WORSTELL

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 09/12/1991	Old Judicial District	-
Claim Received Date	- 09/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S009363	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED

JAN 27 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:43
12/11/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02345

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			NOB 1/28/91	N		GRV 8/29/91	DB	GRV 9/12/91
POINT OF DIV	Y			Y	1, 4, 6			
SOURCE				N				
PLACE OF USE	Y				1, 4, 6		N	
DIV. AMOUNT CFS/VOLUME				Y				
CONSUMPTIVE USE	-			N	5			
PURPOSES				N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM				N				
REMARKS				Y				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP 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
JAN 27 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00.00.10
12/11/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02345

LAST: DUFF BROTHERS
ADDRESS: RT. 1 BOX 1101
CITY: PAUL
PHONE NUMBER: 208-438-5392

FIRST:
STATE: ID ZIP: 83347

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
N

FIELD
EXAMINER
N

NO REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

DATE OF FIELD EXAM: 01/28/91

APPOINTMENT MADE: Y() N()

ACCOMPANIED BY: No one

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

PHONE NUMBER: () -

TIME: : A() P()

PHONE NUMBER: () -

MICROFILMED

JAN 27 1993

A. AJ CLAIM: # A36-02345 PRIORITY DATE: 01-29-1958 STAGE: L

B. WR RECORD: # 36-02345 PRIORITY DATE: 01-29-1958 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

N

FIELD
EXAMINERNARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(✓)
IF YES EXPLAIN.

REMARKS:

=====

RECOMMENDED PRIORITY DATE:

01-29-1958

REVIEWED BY

G. D. Brown

DATE

1/28/91

MICROFILMED

JAN 27 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02345	08S	22E	32	SE	SW	NW		MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
 A PREFIX R PREFIX
 A36-02544 NONE

WR RECORDS IN SAME 40 ACRE TRACT
 36-02544

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02345	08S	22E	32	SE	SW	NW		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD
 36-02544

AJ CLAIMS IN SAME 40 ACRE TRACT
 A PREFIX R PREFIX
 A36-02544 NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
	Y	N	Y	<u>N</u>

REMARKS:

Without a Survey on the ground it can't be Confirmed, yet
 POD is $\pm 10'$ in described a 10 acre tract. NAPP reveals
 Pump works as described above. Ortho shows it in
 SW, SE, NW $\frac{1}{4}$. Let record remain as above.

MICROFILMED

JAN 27 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
---	---	---	SE	SAME	---	---	---

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

N.B.

DATE:

1/28/91

MICROFILMED

JAN 27 1993

A. ROOT WATER RIGHT NUMBERS: A36-02345

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	22E	32	NE	NW		DUFF BROTHERS DUFF BROTHERS DUFF BROTHERS	A36-02345 /35.0 A36-02544 /35.0 A36-12644 /	36-02345 /35.0 36-02544 /35.0 -	34 40.0	33	35
08S	22E	32	NW	NW		DUFF BROTHERS DUFF BROTHERS	A36-02345 /40.0 A36-02544 /40.0	36-02345 /40.0 36-02544 /40.0	38 40.0	38	40.0
08S	22E	32	SW	NW		DUFF BROTHERS DUFF BROTHERS	A36-02345 /40.0 A36-02544 /40.0	36-02345 /40.0 36-02544 /40.0	39 40.0	40	40.0
08S	22E	32	SE	NW		DUFF BROTHERS DUFF BROTHERS	A36-02345 /40.0 A36-02544 /40.0	36-02345 /40.0 36-02544 /40.0	40 40.0	40	40.0
08S	22E	32	NE	SW		DUFF BROTHERS DUFF BROTHERS	A36-02345 /40.0 A36-02544 /40.0	36-02345 /40.0 36-02544 /40.0	40 39.0	39	40
08S	22E	32	NW	SW		DUFF BROTHERS DUFF BROTHERS	A36-02345 /40.0 A36-02544 /40.0	36-02345 /40.0 36-02544 /40.0	39 39.0	39	40
08S	22E	32	SW	SW		DUFF BROTHERS DUFF BROTHERS	A36-02345 /40.0 A36-02544 /40.0	36-02345 /40.0 36-02544 /40.0	38 39.0	38	40
08S	22E	32	SE	SW		DUFF BROTHERS DUFF BROTHERS	A36-02345 /40.0 A36-02544 /40.0	36-02345 /40.0 36-02544 /40.0	39 39.0	39	40
TOTAL ACRES						A36-02345	315.00	315.00	307 316.00	311	315

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(✓)
 IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

Acres Found NAPP
DFO

JAN 27 1993

RECEIVED

PRESUMPTION FLAG:

REMARKS:

a reduction for
Field exam acres reflect non irrigated lands utilized
for roads and building sites as visible on NAAPP and
Ortho photo quad.

RECOMMENDATIONS:

TOTAL ACRES:

315

REVIEWED BY:

N. D. Brown

DATE:

1/28/91

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-02345 IRRIGATION	FROM 03-15 TO 11-15	3.550 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.550 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02345 IRRIGATION	FROM TO	3.550 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.550 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	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)	Y	~~N~~

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐) Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 3.550 CFS
 WR ROOT RIGHT TOTAL DIVERSION RATE: 3.550 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
 ** If an amount smaller than the original diversion rate is **
 ** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
 DATABASE EXAMINER
 Y N

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B.

FLOW MEASUREMENT

MEASUREMENT METHOD None Reg'd., SEE ATTACHED CALCULATIONS.C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A36-02544

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02345	GROUNDWATER	DUFF BROTHERS	3.550	0.011		
A36-02544	GROUNDWATER	DUFF BROTHERS	0.900	0.002		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-12644	DOMESTIC	DUFF BROTHERS	FROM 01-01 TO 12-31	.040 CFS	
A36-12644	STOCKWATER	DUFF BROTHERS	FROM 01-01 TO 12-31	.040 CFS	

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 315 x 0.02 CFS/ACRE = 6.28 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 945.0 AF/A

ACRES 315 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =
TOTAL CONSUMPTIVE USE 945 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 315 x DIVERSION VOL. AF/A FOR AREA 4 =
TOTAL DIVERSION VOLUME 1260 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

This right is limited to 1" per acre when combined
with No. A36-02544.

licensed for 3.55 cfs

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=====

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER 3.550 3.550	DATABASE EXAMINER 1260 1260	DATABASE EXAMINER 945.0 945
TOTAL FOR THIS RIGHT		3.550 3.550	1260 1260	945.0 945
REVIEWED BY: <u>W. B. Brown</u>		DATE: <u>1/28/91</u>		

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(☒)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02345

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	3.550	<u>N/A</u>	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02345	3.550	-		36-02345	3.550
TOTAL CFS		3.550				3.550

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	FIELD EXAMINER
Y	<u>N/A</u>

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: 1/29/91

NAME OF FIELD EXAMINER: NO BROWN

TITLE: W.R. Agent

B.V.W 8/27/91

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SYSTEM CLAIM NUMBERS

36-02345

Data Entered R.V.W.

AGENT

INITIALS

R.V.W.

DATE

8/29/91

CLAIM NO.
OR ENTRY
ORDERREMARK
CODE

ENTRY DATA

CONDITION
CODESTAGE
OR
STATUSPRESUMPTION
CODE

E01

36-02544

4.45 3.55 cfs

1260 AF

945 AF

315 ac.

F05

36-02544

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JAN 27 1993

R 22 E

T
08
5

P/D

WPA

Storage Bin

ROAD

P/U

A36-D2345

6

4230

NORTH

ROAD

BM

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JAN 27 1993

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

36-D2345

Permit No. 3-27219

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant C. C. Kostenbauder, Route #2, Paul, Idaho

2. Source of water supply: Irrigation

3. Location of point of diversion: Is in the SW₁ NW₄ of Section 32

T. 8 N. S. R. 22 E. County of Minidoka

4. Describe works as they exist, giving dimensions and capacities of same: 200 H.P. 21.5 Meter
#1115154 Winthrop Pump #8933 12" discharge into 12" check valve
reduced to 10" buried main 10" x 240' column to 20" x 16' casing H. 324'
no drawdown well depth 362'

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than Irrigation):

W₁, Sec. 32, T. 8 S., R. 22 E., B. M.

Extra land irrigated not to be included

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. C. C. Kostenbauder along

Measurement made by taking pressure readings along
each line 6 lateral with a total of 258 1/2 heads

See 36-02544
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JAN 27 1933

This examination was made on the 24th day of May 1932

(Signed) Roy Helgeson Examiner

27219

R-22E

T. 8 S.

37

PD.

85

25

46

3

48

3

40

40

3

31-5

2/11/84

-Sub divisions 8

70 PAU2

AREA

315 ACRES

Allow

3.55 CFS CR 17 1/2 inches

~~Total pumped - 415~~
~~208~~
~~416~~
~~205~~
~~256~~
~~256~~
~~212~~ 26 pm
~~225~~
 450/2

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AN 27 1993