

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: **A36-02480**
Date Received: 8/16/1988
Receipt No: S001498
Received By: _____

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

1. Name: RUSTIC AG. INC. 208-438-8764
Address: P.O. BOX 539
PAUL ID 83347

2. Date of Priority: JUL 19, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	22E	9	NE	NW	NE		MINIDOKA
			NW	NW	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	04/01	10/31	12.500		

7. Total Quantity Appropriated is:
12.500 C.F.S. (and/or) 3384.00 A.F.A.

8. Total consumptive use is 2880.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	22E	8	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0

MICROFILMED
JAN 28 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	160.0
		9	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			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
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	640.0
		17	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
					Section Acres	160.0
					Total Acres	960.0

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:
A36-02479A, A36-07476B.

14. Remarks:
NOT TO EXCEED 12.5 CFS.
FARMABLE ACREAGE=846.0
LIC. AMENDED.

15. Basis of Claim: LICENSE
Water Right Number: 29646

MICROFILMED
JAN 28 1993

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
JAN 28 1993

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

SEP 04 1992

DATE OF CLOSING: January 1992

Department of Water Resources
Southern Region Office

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.

☐ 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: A36-02477A, 2480, 7476B, 15234

☐ Name and Address of Former
Owner/Claimant(s)(Seller): C 9 B Farms Inc.

213 Pleasant Way

Rupert, ID 83350

☐ New Owner/Claimant
(Purchaser): Rustic Ag. Inc.

☐ New Mailing Address: P.O. Box 539

Paul, ID

83347

☐ New Telephone Number: () 428 - 8764

☐ 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: Sale Contract

(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) Rustic Ag. Inc. Date 9-2-92
Byron Patterson President Date 9-2-92

☐ Signature of Former
Owner/Claimant(s): _____ Date _____
_____ 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: 9/21/92 By: SC

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

JAN 28 1993

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

CONTRACT OF SALE OF REAL AND PERSONAL PROPERTY

RECEIVED

SEP 04 1992

Department of Water
Southern Region

THIS AGREEMENT, made and entered into this 2nd day

of November, 1990, between C & B FARMS, INC., an Idaho Corporation, hereinafter designated as SELLER and KEN PATTERSON and BONNIE PATTERSON, husband and wife, hereinafter designated as BUYER:

WITNESSETH:

That the Seller in consideration of the covenants and agreements on the part of the Buyer hereinafter contained, agrees to sell the following described real and personal property situated in Minidoka County, State of Idaho, to-wit:

Real Property:

Township 8 South, Range 22 E., B. M., Minidoka County, Idaho.

Section 3: SW $\frac{1}{4}$
Section 8: SE $\frac{1}{4}$
Section 9: All
Section 17: NE $\frac{1}{4}$

Section 3: That part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said Section 3; thence North 89°50'00" West along the South section line of said Section 3 for 1820.00 feet to a point, which point shall be known as the True Point of Beginning;

Thence North 00°10'00" East for 245.00 feet;
Thence North 89°50'00" West for 780.00 feet;
Thence South 00°10'00" West for 245.00 feet to a point on the South section line of said Section 3; Thence South 89°50'00" East along said South section line for 780.00 feet to the True Point of Beginning. (Basis of Bearings U. S. Government Plat date 1894)

All being subject to easements and county road right-of-ways of record, together with all water rights, licenses and permits used in connection with and/or appurtenant to said real property.

Personal Property:

All irrigation equipment including pumps, panels, mainline and surface irrigation equipment including but not limited to all that is described on Exhibit A, attached hereto. Together with appurtenances.

MICROFILMED

JAN 28 1993

It is agreed that the foregoing personal and real property sale is a joint and not a several sale.

PURCHASE PRICE: The Buyer in consideration of the covenants and agreements contained herein, agrees to pay to the Seller as a total purchase price of the property hereinabove described, the sum of NINE HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS (\$980,000.00) plus accrued interest from date at the rates hereinafter set forth. Said sum shall be paid as follows:

A. The sum of \$200,000.00 which shall bear interest at the rate of Four Percent (4%) per annum and shall be payable as follows:

\$15,000.00 upon the execution of the agreement;
\$35,000.00 plus accrued interest on \$185,000.00 on or before January 15, 1991, \$50,000.00 plus accrued interest on or before January 15, 1992, and \$50,000.00 plus accrued interest on April 15, 1992, and \$50,000 plus accrued interest on July 15, 1992.

B. Approximately \$219,500.00 by assumption of the Seller's notes and mortgages to SBA commencing with the balance after the 1990 payment is made by the Seller.

C. Approximately \$136,000.00 by assumption of the Seller's notes and mortgages to R. J. Strasser Drilling Company after Seller makes the 1990 payment plus an additional \$30,000.00 on principal to be paid in February of 1991.

D. Approximately \$296,000.00 by assumption of the Seller's debt with Federal Land Bank of Spokane.

E. The remaining balance shall bear interest at the rate of Nine and One-Half Percent (9.5%) and shall be payable in six equal, annual installments, the first installment of which shall be due on the 1st day of May, 1993, with like payment on the 1st day of May of each year thereafter until said sum is paid in full.

The parties agree to meet prior to June 15, 1991 and to fill in on Exhibit B attached hereto the exact amounts assumed by Buyer on the loan to S. B. A., R. J. Strasser Drilling Company and Federal Land Bank of Spokane and the balance to be paid to the Seller as set forth in Exhibit B attached.

IMPROVEMENTS AND ALTERATIONS: It is understood and agreed that the Buyer will not make any alterations to improvements located on the above described premises that will in any manner decrease the value of said improvements and that improvements, if any made upon the above described premises shall be paid for by the Buyer at the time said improvements are made; and that the Buyer will not permit or allow any mechanics' and materialmen's liens to be filed on the premises.

TAXES: The Seller promises and agrees to pay all taxes and assessments levied or assessed against the above described premises up to and including the 1st day of January, 1990, and all of the current year's taxes and all prior years. The Buyer promises and agrees to pay, before the same become delinquent, all taxes and assessments levied or assessed against the above described premises from the first day of January, 1991 and none of the current year's taxes and to pay all taxes and assessments subsequent to said date to be assumed as part of the purchase price by the Buyer, which amount and amounts said parties agree to pay when due and payable.

POSSESSION: It is understood and agreed that the Buyer shall have possession of the above described premises at the termination of the annual lease, i.e. approximately December 15, 1991 except for the potato storage located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3 which the Seller and its lessee shall be entitled to the possession of until June 15, 1991 or until the potatoes currently stored there have all been removed, whichever occurs first, and the rentals from the farm which has been leased to Patterson Farms of Idaho, Inc., until December 15, 1991. The Buyer shall be entitled to remain in possession so long as the Buyer complies with the terms and conditions of this agreement.

PROPERTY USE RETAINED BY SELLER: The Seller does retain all rights to the rentals of the potato storage which has

been leased to Sun Valley Potatoes, Inc. to June 15, 1991. The Seller shall be entitled to all rentals for the premises for rentals prior to the possession dates. The Seller and its Lessee shall be responsible to maintain said storage and pay all utility bills in connection therewith until the lease expires on or before June 15, 1991. Any risk for damage to said storage shall be born by the Seller until June 15, 1991 except the Buyer shall keep the same insured against casualty loss.

FORFEITURE FOR NON-PAYMENT OF JANUARY 15, 1991 PAYMENT:

The parties hereto agree that in consideration of the Seller agreeing to allow the Buyer until January 15, 1991 to pay the first \$50,000.00 principal on the contract that in the event the Buyer fails to pay said \$35,000.00 plus interest that is due on January 15, 1991 that the Seller on non-payment shall upon 5 days written notice of default to the Buyer have the right to declare the contract forfeit and null and void and to forfeit the \$15,000.00 paid to Sellers upon the execution of this agreement. Said \$15,000.00 shall be retained by the Seller for compensation for removing the premises from the sale market. If the Buyer fails to make said payment within said 5 day period. In the event of forfeiture the Buyer shall lease the premises under the lease between the seller and Patterson Farms of Idaho, Inc. which has been assigned to the Buyer by the Lessee, for the 1991 crop year and the Seller shall be free to sell said property to any third party and all rights and obligation of the parties under the terms of this agreement shall not be of further force and effect.

PERSONAL PROPERTY: It is understood and agreed that the title to all of the said personal property shall remain in the Seller until payment in full by the Buyer is made. The Buyer agrees during the term of this contract pertaining to said personal property to maintain the quantity and quality of said

RECEIVED

SEP 02 1993
Department of Water
Southern Region

CONTRACT OF SALE OF REAL AND PERSONAL PROPERTY

THIS AGREEMENT, made and entered into this 2nd day
of November, 1990, between C & B FARMS, INC., an
Idaho Corporation, hereinafter designated as SELLER and KEN
PATTERSON and BONNIE PATTERSON, husband and wife, hereinafter
designated as BUYER:

WITNESSETH:

That the Seller in consideration of the covenants and
agreements on the part of the Buyer hereinafter contained, agrees
to sell the following described real and personal property
situated in Minidoka County, State of Idaho, to-wit:

Real Property:

Township 8 South, Range 22 E., B. M., Minidoka
County, Idaho.

Section 3: SW $\frac{1}{4}$
Section 8: SE $\frac{1}{4}$
Section 9: All
Section 17: NE $\frac{1}{4}$

Section 3: That part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, more
particularly described as follows:

Beginning at the Southeast corner of said
Section 3; thence North 89°50'00" West along the
South section line of said Section 3 for 1820.00
feet to a point, which point shall be known as
the True Point of Beginning;

Thence North 00°10'00" East for 245.00 feet;
Thence North 89°50'00" West for 780.00 feet;
Thence South 00°10'00" West for 245.00 feet to a
point on the South section line of said Section
3; Thence South 89°50'00" East along said South
section line for 780.00 feet to the True Point
of Beginning. (Basis of Bearings U. S. Govern-
ment Plat date 1894)

All being subject to easements and county road
right-of-ways of record, together with all water
rights, licenseS and permits used in connection
with and/or appurtenant to said real property.

Personal Property:

All irrigation equipment including pumps,
panels, mainline and surface irrigation equip-
ment including but not limited to all that is
described on Exhibit A, attached hereto.
Together with appurtenances.

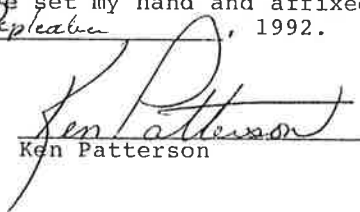
JAN 28 1993

ASSIGNMENT OF CONTRACT OF SALE

KNOW ALL MEN by these presents that KEN PATTERSON, for and in consideration of the sum of \$10.00, lawful money of the United States, and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby sell, transfer, assign and convey unto RUSTIC AG, INC., an Idaho Corporation, all of his right, title and interest to that certain Contract of Sale, dated the 2nd day of November, 1990, wherein C & B Farms, Inc., an Idaho Corporation, is the seller, and Ken Patterson and Bonnie Patterson, husband and wife, are the buyers, including all interest in said Contract acquired from Bonnie Patterson, by the undersigned, by virtue of the divorce settlement between them, and the Quitclaim Deed executed by her to the undersigned.

The undersigned does hereby nominate and appoint the said Rustic Ag, Inc. as its attorney in fact, irrevocable, in its name, place, and stead, to have and receive all of the terms, covenants, and conditions of said Contract of Sale on the condition that Rustic Ag, Inc. assume all of the payments due under said Contract.

IN WITNESS WHEREOF, I have set my hand and affixed my signature this 3rd day of September, 1992.


Ken Patterson

STATE OF IDAHO)

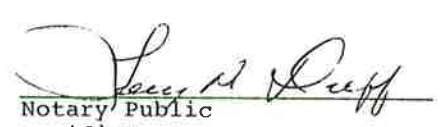
County of Minidoka)

) ss.

On this 3rd day of September, 1992, before me the undersigned Notary Public in and for said State personally appeared Ken Patterson, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)


Notary Public
Residing at Rupert, Idaho
My Commission Expires 9-1-97

MICROFILMED

JAN 28 1993

It is agreed that the foregoing personal and real property sale is a joint and not a several sale.

PURCHASE PRICE: The Buyer in consideration of the covenants and agreements contained herein, agrees to pay to the Seller as a total purchase price of the property hereinabove described, the sum of NINE HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS (\$980,000.00) plus accrued interest from date at the rates hereinafter set forth. Said sum shall be paid as follows:

A. The sum of \$200,000.00 which shall bear interest at the rate of Four Percent (4%) per annum and shall be payable as follows:

\$15,000.00 upon the execution of the agreement; \$35,000.00 plus accrued interest on \$185,000.00 on or before January 15, 1991, \$50,000.00 plus accrued interest on or before January 15, 1992, and \$50,000.00 plus accrued interest on April 15, 1992, and \$50,000 plus accrued interest on July 15, 1992.

B. Approximately \$219,500.00 by assumption of the Seller's notes and mortgages to SBA commencing with the balance after the 1990 payment is made by the Seller.

C. Approximately \$136,000.00 by assumption of the Seller's notes and mortgages to R. J. Strasser Drilling Company after Seller makes the 1990 payment plus an additional \$30,000.00 on principal to be paid in February of 1991.

D. Approximately \$296,000.00 by assumption of the Seller's debt with Federal Land Bank of Spokane.

E. The remaining balance shall bear interest at the rate of Nine and One-Half Percent (9.5%) and shall be payable in six equal, annual installments, the first installment of which shall be due on the 1st day of May, 1993, with like payment on the 1st day of May of each year thereafter until said sum is paid in full.

The parties agree to meet prior to June 15, 1991 and to fill in on Exhibit B attached hereto the exact amounts assumed by Buyer on the loan to S. B. A., R. J. Strasser Drilling Company and Federal Land Bank of Spokane and the balance to be paid to the Seller as set forth in Exhibit B attached.

MICROFILMED

JAN 28 1993

IMPROVEMENTS AND ALTERATIONS: It is understood and agreed that the Buyer will not make any alterations to improvements located on the above described premises that will in any manner decrease the value of said improvements and that improvements, if any made upon the above described premises shall be paid for by the Buyer at the time said improvements are made; and that the Buyer will not permit or allow any mechanics' and materialmen's liens to be filed on the premises.

TAXES: The Seller promises and agrees to pay all taxes and assessments levied or assessed against the above described premises up to and including the 1st day of January, 1990, and all of the current year's taxes and all prior years. The Buyer promises and agrees to pay, before the same become delinquent, all taxes and assessments levied or assessed against the above described premises from the first day of January, 1991 and none of the current year's taxes and to pay all taxes and assessments subsequent to said date to be assumed as part of the purchase price by the Buyer, which amount and amounts said parties agree to pay when due and payable.

POSSESSION: It is understood and agreed that the Buyer shall have possession of the above described premises at the termination of the annual lease, i.e. approximately December 15, 1991 except for the potato storage located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3 which the Seller and its lessee shall be entitled to the possession of until June 15, 1991 or until the potatoes currently stored there have all been removed, whichever occurs first, and the rentals from the farm which has been leased to Patterson Farms of Idaho, Inc., until December 15, 1991. The Buyer shall be entitled to remain in possession so long as the Buyer complies with the terms and conditions of this agreement.

PROPERTY USE RETAINED BY SELLER: The Seller does retain all rights to the rentals of the potato storage which has

MICROFILMED

JAN 28 1993

been leased to Sun Valley Potatoes, Inc. to June 15, 1991. The Seller shall be entitled to all rentals for the premises for rentals prior to the possession dates. The Seller and its Lessee shall be responsible to maintain said storage and pay all utility bills in connection therewith until the lease expires on or before June 15, 1991. Any risk for damage to said storage shall be born by the Seller until June 15, 1991 except the Buyer shall keep the same insured against casualty loss.

FORFEITURE FOR NON-PAYMENT OF JANUARY 15, 1991 PAYMENT:

The parties hereto agree that in consideration of the Seller agreeing to allow the Buyer until January 15, 1991 to pay the first \$50,000.00 principal on the contract that in the event the Buyer fails to pay said \$35,000.00 plus interest that is due on January 15, 1991 that the Seller on non-payment shall upon 5 days written notice of default to the Buyer have the right to declare the contract forfeit and null and void and to forfeit the \$15,000.00 paid to Sellers upon the execution of this agreement. Said \$15,000.00 shall be retained by the Seller for compensation for removing the premises from the sale market. If the Buyer fails to make said payment within said 5 day period. In the event of forfeiture the Buyer shall lease the premises under the lease between the seller and Patterson Farms of Idaho, Inc. which has been assigned to the Buyer by the Lessee, for the 1991 crop year and the Seller shall be free to sell said property to any third party and all rights and obligation of the parties under the terms of this agreement shall not be of further force and effect.

PERSONAL PROPERTY: It is understood and agreed that the title to all of the said personal property shall remain in the Seller until payment in full by the Buyer is made. The Buyer agrees during the term of this contract pertaining to said personal property to maintain the quantity and quality of said

JAN 28 1993

property as it exists this date and agrees to replace any loss with a like quality and that title to said replacements shall be vested in the Seller pending the performance of this contract as to said personal property by the Buyer.

It is further understood and agreed that a portion of the value of the property transferred hereunder is personal property, which will have to be replaced from time to time during the contract. The Buyer does hereby agree to maintain said personal property and to keep the same in good and "First Class" condition at all times, and that replacement personal property shall be of as good or better quality and valued at a sum not less than the present value of the personal property being so replaced.

REPRESENTATIONS AND WARRANTIES: It is understood and agreed by and between the parties hereto that with reference to the character and quality of the above described real property and improvements thereon, the Buyer has made its own personal investigation of the same and, in contracting for the purchase of said property, has relied and is relying upon the information acquired by the Buyer.

CARE OF THE PREMISES: It is understood and agreed that the Buyer will operate the personal property on the above described premises in a good and business-like manner and in such a manner as not to deplete its value and will not commit any waste or strip upon said premises.

TRANSFER OF TITLE: The Seller agrees to make and execute a good and sufficient warranty deed to the real property and deliver the same to the escrowholder, hereinafter named, to convey said real property to the Buyer free and clear of any and all encumbrances, except as herein otherwise provided and except such other encumbrances as may be attached thereto by acts of the parties of the Buyer. Said documents together with a copy of

JAN 28 1993

this agreement shall be filed with the escrow agent hereinafter named within 30 days after the execution of Exhibit B attached hereto.

FIRE INSURANCE: It is understood and agreed that the Buyer will take out a fire insurance policy in the amount of not less than \$180,000.00 on the potato storage, \$30,000.00 on the shop buildings and replacement cost on the pumps, panels and above ground irrigation equipment covering the improvements with a good and reliable insurance company with a standard loss payable clause attached thereto in favor of the Seller, Federal Land Bank of Spokane, S.B.A and R. J. Strasser Drilling Company.

It is further agreed that the Buyer may take out such additional fire insurance covering the improvements located upon the above described premises and the personal property heretofore described as the Buyer may desire, with a good and reliable insurance company, with a loss payable clause thereto attached, paying to the Seller the Seller's interest in said improvements or personal property as the Seller's interest may appear under the terms of this agreement.

TITLE INSURANCE: The Seller agrees to furnish and deliver to the Buyer a policy of title insurance in the sum of \$880,000.00 which policy shall insure the Buyer good and marketable title to the premises being conveyed to them by the Seller save and except any liens assumed by the Buyer and any lien that may occur by acts of the Buyer after the date hereof. Said policy shall be furnished by January 15, 1992.

ESCROW INSTRUCTIONS AND INSTRUMENTS: As a means of carrying out the terms and conditions of this agreement and making the conveyances of real estate to the Buyer, it is agreed as follows:

MICROFILMED

JAN 28 1993

(a) That there shall be deposited in escrow with Land, Title and Escrow, Rupert, Idaho, the following instruments to be held by said company as escrowholder, subject to the terms and conditions of this agreement;

1. The original executed and acknowledged copy of this agreement;

2. An executed copy of the standard form of escrow agreement required by said escrowholder;

3. A Warranty Deed from the Seller to the Buyer, covering the above described premises;

4. A Bill of Sale from the Seller to the Buyer on the heretofore described personal property;

(b) The parties hereto shall share equally the cost of the initial escrow fee incurred in the preparation of the instruments of conveyances herein referred to, including this agreement.

(c) That it is agreed that the escrowholder shall deliver to the Buyer, Buyer's heirs and assigns all the instruments so held in escrow when, and at such time as the full purchase price together with all accrued interest, shall have been paid by the Buyer as herein provided, and at such times as the Buyer has completed each and all the terms of this agreement. Said documents shall be delivered to the escrow holder within 30 days after the January 15, 1992 payment from the Buyer to the Seller has been made.

FORFEITURE CLAUSE: Time is of the essence in this agreement and should the Buyer fail, neglect or refuse to pay said installments of purchase price, together with interest thereon, at the time and times when the same become due and payable, or should the Buyer fail, neglect or refuse to pay taxes, construction charges, operation and maintenance charges, or any other charges or assessments at the time when the same become due and payable, and should the Buyer fail, neglect or refuse to keep or perform each or any of the covenants of this agreement herein contained for the Buyer to keep and perform, then and in that event the Seller shall give to the Buyer notice of such claimed defaults in writing in the manner hereinafter provided; thereafter, the Buyer shall have a time period of 45

MICROFILMED

JAN 28 1993

days within which to remedy the claimed default. Should the Buyer fully perform those matters claimed to be in default as set out in said Notice, within the said time period, no forfeiture may be declared or shall the same become effective. However, in the event that the Buyer fails to remedy the claimed default within the said time period, the Seller may declare this agreement forfeit and shall have the right to enter upon and take possession of the real and personal property above described and the Seller may, in that event, retain all payments made hereinunder as reasonable rental and liquidated damages; and the escrowholder, in the case of failure to remedy default, is hereby instructed to deliver to the Seller all instruments then held by it in escrow. As an alternative to forfeiture, upon the failure of the Buyer to cure any default within the above specified time period, the Seller shall have the right to declare all sums due and payable and foreclose this contract as a mortgage.

NOTICE: Any notice to be given under and pursuant to the terms of this agreement shall be deemed delivered when mailed through the United States certified mail, postage prepaid, return receipt requested, and addressed to either of the parties at the following addresses. In the case of the Seller 213 Pleasant Way, Rupert, Idaho, 83350, in the case of the Buyer P. O. Box 296, Rupert, Idaho, 83350. These addresses may be changed from time to time by written notice of the parties to the escrowholder and to the other parties; PROVIDED, FURTHER, that in the case of default of the Buyer, notice may be given as above provided or by personal service in the same manner as service of process.

PAYMENT OF CHARGES BY SELLER: The Seller reserves the right to pay the taxes and water charges on said premises and add the same to the purchase price to be paid by the Buyer if the Buyer fails to pay the same when due. Such payments, if made,

JAN 28 1993

shall bear interest at the contract rate from payment by the Seller.

INSURANCE DISCLOSURE: During the term of this agreement the Buyer is required to keep the premises continuously insured against physical damage as hereinabove set forth. Said insurance is not available from the Seller.

ATTORNEY FEES: The parties hereto expressly agree that in the event suit is brought under this contract, the successful party shall be entitled to recover as a cost of said suit a reasonable attorney fee.

ASSIGNMENT: It is understood that the Buyer shall not assign this agreement or any interest thereunder without the written consent of the Seller; PROVIDED, HOWEVER, that said consent shall not be unreasonably withheld. The Seller specifically agrees that the Buyer shall have the right to assign this contract to their corporation Rustic Ag, Inc., but that said assignment shall not relieve the Buyer of their personal liability on the same.

RIGHT TO CONVERT TO MORTGAGE: The Buyer upon reduction of the purchase price by \$200,000.00 shall have the right to convert the balance due to the Seller under this contract to a Note and Mortgage.

ASSUMED LOANS: The Buyer shall make all payments on the loans assumed by them directly to said mortgage holders and make direct assumption of said debts after the contract balance has been reduced by \$200,000.00. The Buyer shall indemnify and hold the Seller harmless from any liability, cost or attorney fees arising out of or in connection with any defaults by the Buyer on the assumed loans.

HEIRS, ETC.: The words "Seller" and "Buyer", wherever they appear in this instrument, include the heirs, personal representatives and assigns of said parties and the parties

JAN 28 1993

hereto respectively bind themselves, their successors, heirs,
assigns and legal representatives.

IN WITNESS WHEREOF, the parties hereto have executed
this agreement the day and year first above written.

SELLERS:
C & B FARMS

By: William Kerbs
William Kerbs, President

ATTEST:

David P. Kerbs
David Kerbs, Asst. Secretary

BUYERS:

Ken Patterson
Ken Patterson
Bonnie Patterson
Bonnie Patterson

STATE OF IDAHO)
County of Minidoka) ss.

On this 2nd day of December, 1990, before me,
the undersigned, a Notary Public in and for said State, person-
ally appeared William Kerbs and David Kerbs, President and
Assistant Secretary respectively of the above-named corporation,
known to me to be the persons whose names are subscribed to the
within instrument and acknowledged to me that they executed the
same on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year first above written.

(SEAL)

Shirley M. Clegg
Notary Public
Residing at Rupert, Idaho
My Commission Expires 1992

MICROFILMED

JAN 28 1993

STATE OF IDAHO

County of Minidoka

)
) ss.
)

On this 21st day of December, 1990,
before me the undersigned Notary Public in and for said State
personally appeared Ken Patterson and Bonnie Patterson, known to
me to be the persons whose names are subscribed to the within
instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year first above written.

(SEAL)

Ken M. Keyf
Notary Public
Residing at Rupert, Idaho
My Commission Expires 8/1/92

MICROFILMED

JAN 28 1993

EXHIBIT A
TO
CONTRACT OF SALE

SELLER: C & B Farms

BUYER: Ken and Bonnie Patterson

Above Ground Sprinkler Equipment:

2 Raincat G tower center pivots with 6 5/8" epoxy mainline with 30' end boom. (Overall length 1310')

40 3" hook and latch 1/4 mile aluminum handline
16 A & M aluminum wheel lines

2640' 10" portable aluminum mainline
1320' 8" portable aluminum mainline
1320' 6" portable aluminum mainline
1800' 4" portable aluminum mainline (Approximate)

1 12" column Western pump - Serial # 20912
with 500 hp GE motor, Serial # HMJ811018
with 100 hp Peerless booster pump,
Serial # 2670621 with GE motor, Serial
JH414039

1 100 hp Arora Booster Pump, Serial
#78-02781-1 with 100 hp Marathon Motor,
Model # 404TSTD7086ED

1 - 12" column Layne & Bowler pump, Serial
53387, 500 hp GE Motor, Serial
EKJ501022, 75 hp. Booster Pump,
Serial # JX375017

Water License Number 36-2480
Water License Number 36-2479*
Water License Number 36-7476*

* Portions of these Licenses cover land not subject to this Contract. See Amendment to License 36-7476 for detail.

3 old trailer houses located on Section 9.

MICROFILMED

JAN 28 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

22-Sep-1992 15:50

RUSTIC AG. INC.
KEN PATTERSON, PRESIDENT
P.O. BOX 539
PAUL ID 83347

Re: Adjudication Claim(s) No. A36-02479A, 02480, 07476B, 15234

Dear Mr. Patterson:

We have changed the name on the above-referenced Adjudicated Claim(s) to a Water Right(s) as you have requested. Please find enclosed a copy(s) of the computer record of the claim noting the change in name.

Please review the record(s) and if you have any corrections, please contact this office.

Sincerely,

Judy Givens
Adjudication Secretary

/jg

Enclosures

c.c. C&B Farms Inc.

MICROFILMED
JAN 28 1993

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: A36-02480
Date Received: 8/16/1988
Receipt No: 5001498
Received By: SCL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C & B FARMS INC. 208-436-3008
Address: 213 PLEASANT WAY
RUPERT, ID 83350

2. Date of Priority: JUL 19, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	22E	9	NE	NW	NE		MINIDOKA
			NW	NW	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	04/01	10/31	12.500		

7. Total Quantity Appropriated is:
12.500 C.F.S. (and/or) 3384.00 A.F.A.

8. Total consumptive use is 2880.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	22E	8	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0

A36-02480

Page 1

Date: 08/16/88

MICROFILMED
JAN 28 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	22E	8	SE SE		IRR	40.0

Section Acres 160.0

9	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	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
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	40.0
	SE	SE	IRR	40.0

Section Acres 640.0

17	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0

Section Acres 160.0

Total Acres 960.0

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:
A36-02479A, A36-07476B.

14. Remarks:
NOT TO EXCEED 12.5 CFS.
FARMABLE ACREAGE=846.0
LIC. AMENDED.

15. Basis of Claim: LICENSE

Water Right Number: 29646

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Director of
Title
C & B Farms Inc, that I have signed the foregoing
Organization
document in the space below as Director of
Title
C & B Farms Inc and that the statements contained in the
Organization
foregoing document are true and correct.

William Kerbe
Signature of Authorized Agent

Director C & B Farms Inc
Title and Organization

8-16-88
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94

22E.

BURLEY NW QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)

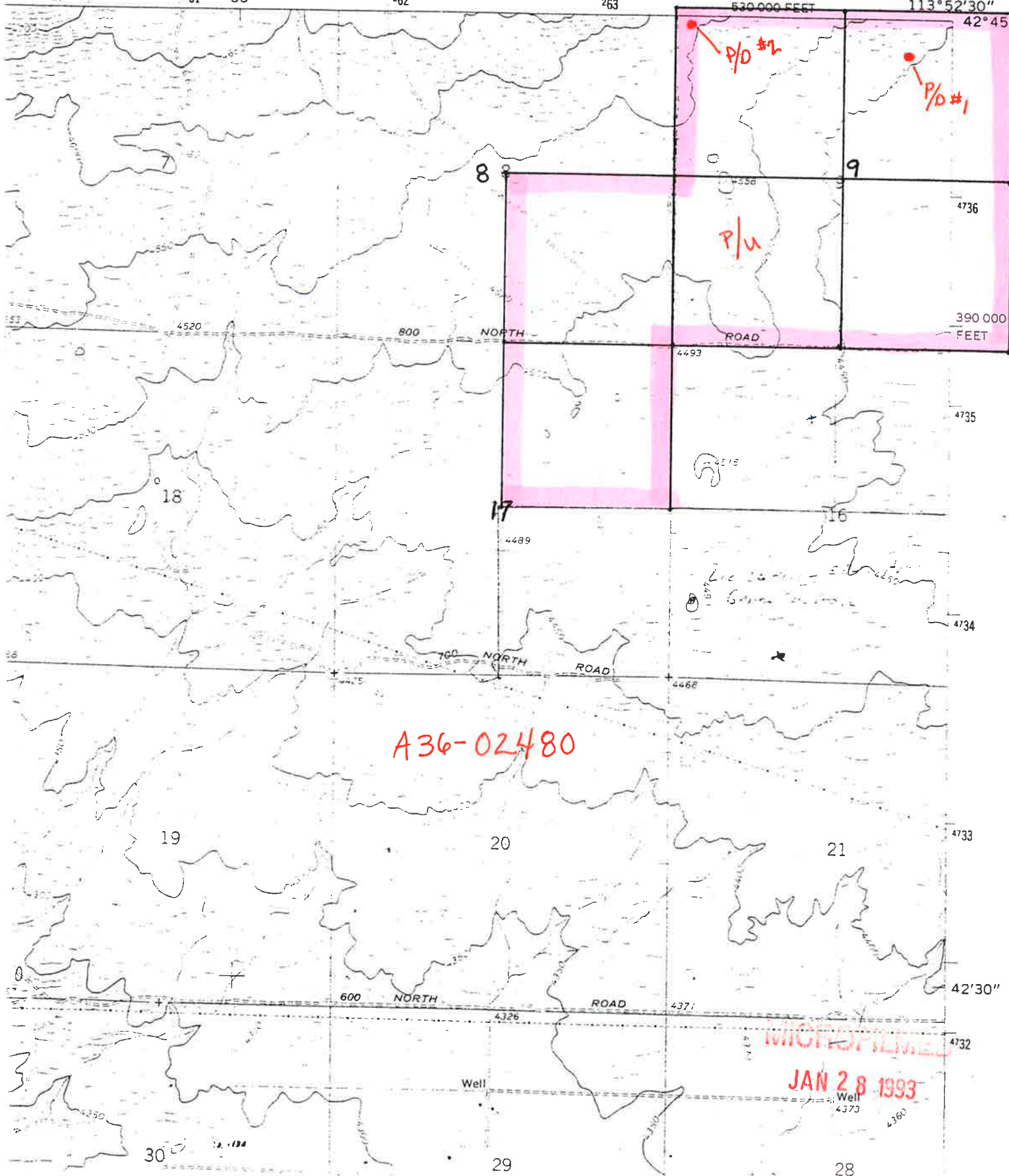
R 22 E. 261 55'

262

263

~~520,000 FEET~~

113°52'30"



Page 1 of 8
RECEIVED

Transfer No. 4015

SEP 03 1952

PART 1

Southern Region Office

Name of applicant Rustic Ag. Inc.

438-8764 Office
Phone 438-8607 home

Post Office address P.O. Box 539, Pail, ID 83347

1. ☒ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Add a smaller well to the system to cover low/medium
those times when it is inefficient to run the 500 hp & booster. Less water will be
pumped from the big well.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE See Part 2 - No Change

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 12.5 cubic feet per second and/or 4348 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use: No change (use "R" records for R36-2479A & R36-2480)

[illegible]

MICROFILMED
 JAN 28 1993

PART 1

6. General Information:

a. Description of diversion system 3 connected wells & pumps, sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes — No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A

d. Remarks:
Officers are Ken Patterson (Pres.), Larry Duff (Acting Sec.).

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

MICROFILMED
JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-02479A issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 2582 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 6-9-1961

5. Water is used for the following purpose:

amount 1.20 cfs for Irrigation purposes from 4-1 to 10-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.20 cubic feet per second and/or 240 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	9	85	22E	Minidoka	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
85	22E	3									30		30						60

Total acres 60

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

MICROFILMED
JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. R36-02479A on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____4. Date or priority 6-9-1961

5. Water is used for the following purpose:

amount 1.20 cfs for Irrigation purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.20 cubic feet per second and/or BM acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NW	NE	9	8S	22E	Minidoka	
	NW	NW	NW	"	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	22E	3									40	30	40	40					150
		8													39	40	40	39	158
		9	38	29	40	39	39	38	38	40	40	30	40	40	39	40	40	39	~~618~~ 628
		17	40	40	40	40													160

Total acres 1087 10969. Describe any other water rights used for the same purpose as described above R36-02480, R36-02468

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

MICROFILMED
JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2*(Attach one copy for each right)***A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 36-02480 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____4. Date or priority 7-19-1961

5. Water is used for the following purpose:

amount 12.5 cfs for Irrigation purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 12.5 cubic feet per second and/or 3384 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	9	8S	22E	Minidoka	
		NW	NW	"	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	22E	8													25		20	40	85
		9	38	39	40	39	39	36	38	40	40	39	40	40	39	40	40	39	626
		17	20	35	40	40													135

Total acres 846

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

RECORDED
JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. R36-02480 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 7-19-1961

5. Water is used for the following purpose:

amount 12.5 cfs for Irrigation purposes from 4-1 to 10-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 12.5 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NW	NE	9	8S	22E	Minidoka	
	NW	NW	NW	"	"	"	"	

8. Lands irrigated or place of use: Same As R36-02479A

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals.
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

9. Describe any other water rights used for the same purpose as described above R36-02479A, 07476B, 15234

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

MICROFILMED
JAN 28 1993

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-074768 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice
☐ Warranty Deed
☐ Other _____
3. Source of water Groundwater tributary to _____4. Date or priority 5-22-1974

5. Water is used for the following purpose:

amount 1.80 cfs for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.80 cubic feet per second and/or 360 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	9	8S	22E	Minidoka	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	22E	9									10	40		40					90

Total acres 90

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

MICROFILMED
JAN 28 1993

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. R36-074768 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 5-22-1974

5. Water is used for the following purpose:

amount 1.80 cfs for Irrigation purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.80 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NW	NE	9	8S	22E	Minidoka	
	NW	NW	NW	"	"	"	"	

8. Lands irrigated or place of use: Same As R36-02477A

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above R36-02477A, 02480, 15234

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

MICROFILMED
JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. R36-15234 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water groundwater tributary to _____4. Date or priority 3-15-1971

5. Water is used for the following purpose:

amount 1.14 7.04 cfs for Irrigation purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.14 7.04 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NW	NE	9	85	22E	Mihidoka	
	NW	NW	NW	"	"	"	"	

8. Lands irrigated or place of use: Same as R36-02479A

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above

R36-02479A, 02480, 02476B

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

MICROFILMED
JAN 28 1993

1-26-61

A

1-36-61

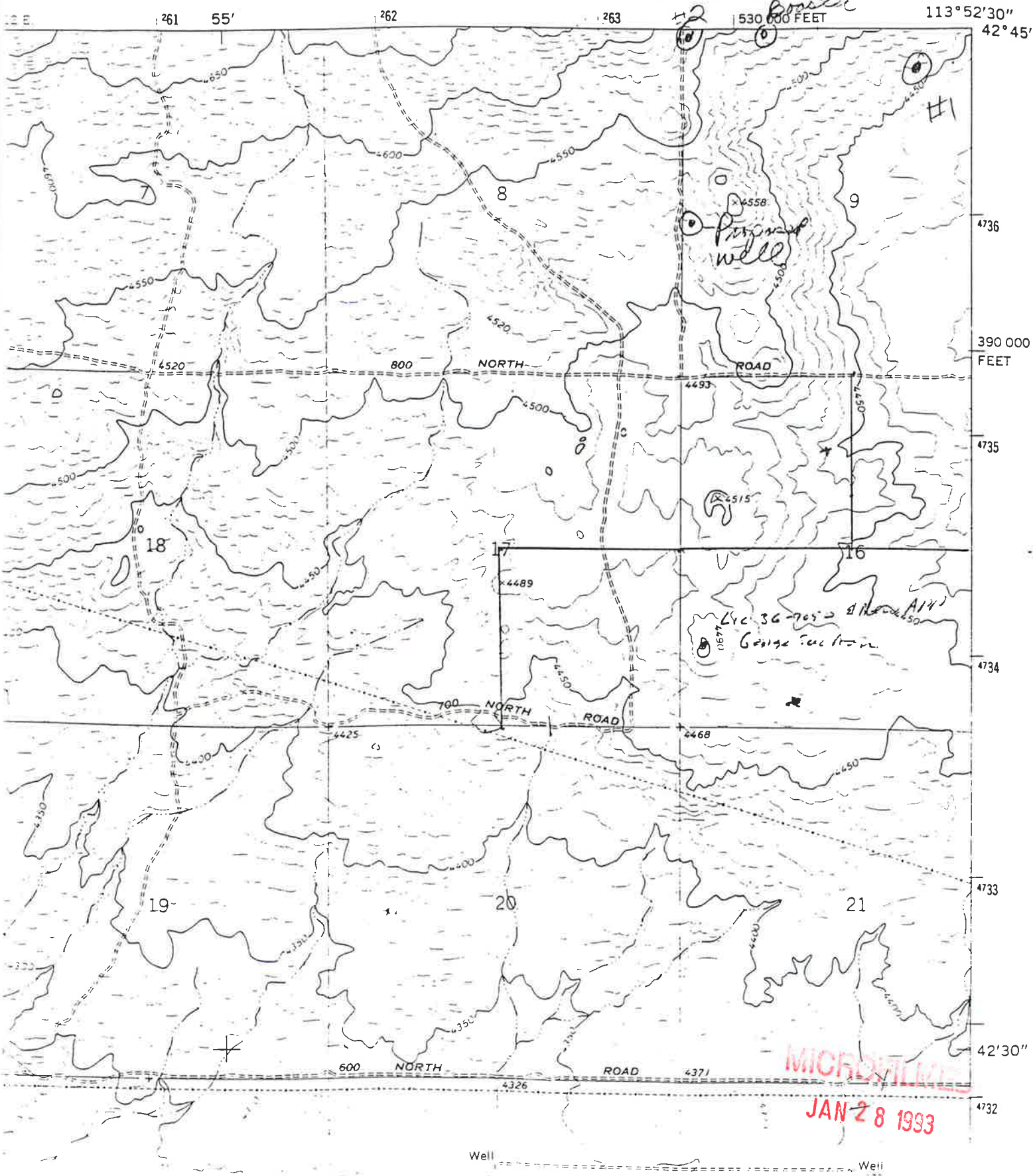
An aerial photograph showing a road intersection. A road runs horizontally across the middle of the frame. Another road branches off to the right. A white signpost with the word "ROAD" in black letters is visible at the intersection. The surrounding area is a mix of dark, textured ground and some lighter patches. The number "489" is visible in the top left corner of the image.

21

BURLEY NW QUADRANGLE

IDAHO

7.5 MINUTE SERIES (TOPOGRAPHIC)



334
113

34
312

T135
1579 184 2233
TRACT-NOT HEL

NOT TO SCALE

Rustic Ag. Inc
Transfer

1
121.6

T136
1579 184 2233
TRACT-HEL

T62
1579 184
HEL 1
143

2
43.0
HEL

3
40.0

4
35.8

← Buried Mainline

HEL
3
24.9

4
39.5

128.5

HEL

7
27.8

T149
95

3
10

NOT TO SCALE

B9

Rustic Ag. Inc. Transfee

Existing
Well

Booster pump

T62
1579
+1810
2233

Existing
Well

Buried
Main line

Buried
Main line

Buried Main line

Proposed
site of A
additional
PAD

NOT HEL
7
296.7

NOT HEL
8
296.8

9
16

9 10
16 15

NOT TO SCALE

Rustic Ag. Inc

Transfer



Buried
main line

69

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

R. 22E

3

7.85

8

9

17

MICROFILMED
JAN 28 1993

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Rustic Ag Inc. By Kent Peterson Owner
(Signature of Applicant)
3rd day of Sept, 19 92

Kelly K. Christensen
(Notary Public)

My commission expires 3-2-92**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by JF Stanton Date 9-2-92

Protest filed by _____

Prelim. check by MTS Fee \$50.00 5014922Received by ST Date 9-2-92Published in So. Id. Press

Copies of protest forwarded by _____

Pub. dates 11/6 + 11/13/92

Hearing held by _____ Date _____

Watermaster recommendation requested on N/ARecommended for ☒ approval ☐ denial

_____ rec'd. _____

by ST

Copy of transfer sent to lien holder _____

MICROFILMED

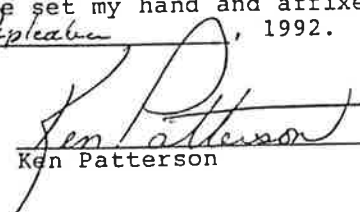
JAN 28 1993

ASSIGNMENT OF CONTRACT OF SALE

KNOW ALL MEN by these presents that KEN PATTERSON, for and in consideration of the sum of \$10.00, lawful money of the United States, and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby sell, transfer, assign and convey unto RUSTIC AG, INC., an Idaho Corporation, all of his right, title and interest to that certain Contract of Sale, dated the 2nd day of November, 1990, wherein C & B Farms, Inc., an Idaho Corporation, is the seller, and Ken Patterson and Bonnie Patterson, husband and wife, are the buyers, including all interest in said Contract acquired from Bonnie Patterson, by the undersigned, by virtue of the divorce settlement between them, and the Quitclaim Deed executed by her to the undersigned.

The undersigned does hereby nominate and appoint the said Rustic Ag, Inc. as its attorney in fact, irrevocable, in its name, place, and stead, to have and receive all of the terms, covenants, and conditions of said Contract of Sale on the condition that Rustic Ag, Inc. assume all of the payments due under said Contract.

IN WITNESS WHEREOF, I have set my hand and affixed my signature this 3rd day of September, 1992.


Ken Patterson

STATE OF IDAHO)

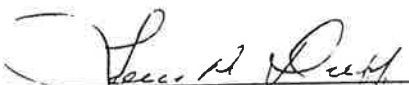
County of Minidoka)

ss.

On this 3rd day of September, 1992, before me the undersigned Notary Public in and for said State personally appeared Ken Patterson, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)


Notary Public
Residing at Rupert, Idaho
My Commission Expires 9-1-97

MICROFILMED

JAN 28 1993

RECEIVED

SEP 01 1993

Department of War
Southern Region

CONTRACT OF SALE OF REAL AND PERSONAL PROPERTY

THIS AGREEMENT, made and entered into this 2nd day
of November, 1990, between C & B FARMS, INC., an
Idaho Corporation, hereinafter designated as SELLER and KEN
PATTERSON and BONNIE PATTERSON, husband and wife, hereinafter
designated as BUYER:

WITNESSETH:

That the Seller in consideration of the covenants and
agreements on the part of the Buyer hereinafter contained, agrees
to sell the following described real and personal property
situated in Minidoka County, State of Idaho, to-wit:

Real Property:

Township 8 South, Range 22 E., B. M., Minidoka
County, Idaho.

Section 3: SW $\frac{1}{4}$
Section 8: SE $\frac{1}{4}$
Section 9: All
Section 17: NE $\frac{1}{4}$

Section 3: That part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, more
particularly described as follows:

Beginning at the Southeast corner of said
Section 3; thence North 89°50'00" West along the
South section line of said Section 3 for 1820.00
feet to a point, which point shall be known as
the True Point of Beginning;

Thence North 00°10'00" East for 245.00 feet;
Thence North 89°50'00" West for 780.00 feet;
Thence South 00°10'00" West for 245.00 feet to a
point on the South section line of said Section
3; Thence South 89°50'00" East along said South
section line for 780.00 feet to the True Point
of Beginning. (Basis of Bearings U. S. Govern-
ment Plat date 1894)

All being subject to easements and county road
right-of-ways of record, together with all water
rights, licenses and permits used in connection
with and/or appurtenant to said real property.

Personal Property:

All irrigation equipment including pumps,
panels, mainline and surface irrigation equip-
ment including but not limited to all that is
described on Exhibit A, attached hereto.
Together with appurtenances.

MICROFILMED

JAN 28 1993

hereto respectively bind themselves, their successors, heirs,
assigns and legal representatives.

IN WITNESS WHEREOF, the parties hereto have executed
this agreement the day and year first above written.

SELLERS:
C & B FARMS

By: William Kerbs
William Kerbs, President

ATTEST:

David P. Kerbs
David Kerbs, Asst. Secretary

BUYERS:

Ken Patterson
Ken Patterson

Bonnie Patterson
Bonnie Patterson

STATE OF IDAHO)
County of Minidoka) ss.

On this 2nd day of November, 1990, before me,
the undersigned, a Notary Public in and for said State, person-
ally appeared William Kerbs and David Kerbs, President and
Assistant Secretary respectively of the above-named corporation,
known to me to be the persons whose names are subscribed to the
within instrument and acknowledged to me that they executed the
same on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year first above written.

(SEAL)

John M. Lipp
Notary Public
Residing at Rupert, Idaho
My Commission Expires 1994

STATE OF IDAHO

County of Minidoka

)
) ss.
)

On this 20th day of December, 1990,
before me the undersigned Notary Public in and for said State
personally appeared Ken Patterson and Bonnie Patterson, known to
me to be the persons whose names are subscribed to the within
instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year first above written.

(SEAL)

John McKeay
Notary Public
Residing at Rupert, Idaho
My Commission Expires Dec 12

EXHIBIT A
TO
CONTRACT OF SALE

SELLER: C & B Farms

BUYER: Ken and Bonnie Patterson

Above Ground Sprinkler Equipment:

2 Raincat G tower center pivots with 6 5/8"
epoxy mainline with 30' end boom. (Overall
length 1310')

40 3" hook and latch 1/2 mile aluminum handline
16 A & M aluminum wheel lines

2640' 10" portable aluminum mainline
1320' 8" portable aluminum mainline
1320' 6" portable aluminum mainline
1800' 4" portable aluminum mainline (Approximate)

NEWUNE #1 1 12" column Western pump - Serial # 20912
with 500 hp GE motor, Serial # HMJ811018
with 100 hp Peerless booster pump,
Serial # 2670621 with GE motor, Serial
JH414039

Booster 1 100 hp Arora Booster Pump, Serial
#78-02781-1 with 100 hp Marathon Motor,
Model # 404TSTD57086ED

WUNWUNW-#2 1 - 12" column Layne & Bowler pump, Serial
53387, 500 hp GE Motor, Serial
EKJ501022, 75 hp. Booster Pump,
Serial # JX375017

Water License Number 36-2480
Water License Number 36-2479*
Water License Number 36-7476*

* Portions of these Licenses cover land not subject to
this Contract. See Amendment to License 36-7476 for
detail.

3 old trailer houses located on Section 9.

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

OCT 18 1994

WILLIAM T. GOODMAN
LARRY R. DUFF
ALAN GOODMAN

LAW OFFICE
Goodman and Duff

CHARTERED
717 7TH STREET
BOX D
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE NO.
436-4774
FAX
(208) 436-4837

October 30, 1992

RECEIVED

NOV 02 1992

Department of Water Resources
Southern Region Office

Kelly K. Christensen
Sr. Water Resource Agent
Dept. of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

Re: Notice of Error of Claims
36-07476A, 36-02479B, 36-02480,
36-02479A, 36-0747B and 36-15234

Dear Mr. Christensen:

This letter is to notify you that we do not agree with your response in the above matters. We do not believe your department, or the Court has the authority to reduce the licensed use period.

Also, we request that the notice in this matter be sent to C & B Farms, Inc., c/o Rustic Ag, Inc., P. O. Box 539, Paul, Idaho, 83347.

Very truly yours,

GOODMAN & DUFF

Larry R. Duff
Larry R. Duff

LRD:ma

cc: Ken Patterson
Bill Kerbs

*Property in the process
of being sold. They wanted
these claims to be referenced
to Rustic Ag. KKC*

MICROFILMED

OCT 18 1994

Water Right Number - X36-02480

Prefix Translation:

XFER OF RECOM. CLAIM

Old (D) Number - 29646

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

*** C - CURRENT OWNER ***
RUSTIC AG INC

1 - PO BOX 539

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-8764

*** O - ORIGINAL OWNER ***
C & B FARMS INC

1 - 213 PLEASANT WAY

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-3008

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/19/1961 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County08S 22E 9 NE NW NE (67) MINIDOKA
NW NW NW (67) MINIDOKA
NW NW SW (67) MINIDOKA+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 12.500+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
12.500 0.0+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 22E 3 NE SW 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 3 NW SW 30.0 01 IRRIGATION (67) MINIDOKA
08S 22E 3 SW SW 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 3 SE SW 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 8 NE SE 39.0 01 IRRIGATION (67) MINIDOKA
08S 22E 8 NW SE 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 8 SW SE 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 8 SE SE 39.0 01 IRRIGATION (67) MINIDOKA
08S 22E 9 NE NE 38.0 01 IRRIGATION (67) MINIDOKA
08S 22E 9 NW NE 39.0 01 IRRIGATION (67) MINIDOKA
08S 22E 9 SW NE 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 9 SE NE 39.0 01 IRRIGATION (67) MINIDOKA
08S 22E 9 NE NW 39.0 01 IRRIGATION (67) MINIDOKAMICROFILMED
OCT 18 1994

Water right number - X36-02480

Prefix Translation: XFER OF RECOM. CLAIM

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	22E	9	NW NW		38.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SW NW		38.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SE NW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NE SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NW SW		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SW SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SE SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NE SE		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NW SE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SW SE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SE SE		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	17	NE NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	17	NW NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	17	SW NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	17	SE NE		40.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 1096.0

+ - - Diversion Means - THREE CONNECTED WELLS AND PUMPS, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

***** Remarks *****

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 846 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-02479A, 36-074768, & 36-15234. USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.5 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4384 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 3288 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 1096 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-15234 IS AN EXPANSION OF THIS RIGHT PURSUANT TO IDAHO CODE 42-1416(2).

PURSUANT TO APPROVED TRANSFER NO. 4015:

1. RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS OF SECTION 42-235, IDAHO CODE.
2. A MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
3. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN 4.0 AFA PER ACRE FOR THE LANDS ABOVE.
4. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

MICROFILMED

OCT 18 1994

Water right number - X36-02480

Prefix Translation: XFER OF RECOM. CLAIM

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

5. THE CHANGE APPROVED BY THIS TRANSFER IS SUBJECT TO THE TERMS
OF THE COURT'S FINAL DECREE OF THIS RIGHT IN THE ONGOING
SNAKE RIVER BASIN ADJUDICATION.
6. SRBA CLAIM NO. 36-15234 IS ALSO CHANGED UNDER TRANSFER NO.
4015 AND IS REPRESENTED ON A SEPARATE TRANSFER APPROVAL.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found+ - - - - - Conditions of Approval - - - - - +
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

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

Date: 07/19/1991 User Id: SOUTH1 Subject: COPIED FROM REMARKS
NOT TO EXCEED 12.5 CFS. FARMABLE ACREAGE=846.0
LIC. AMENDED.

Date: 09/04/1992 User Id: CHRISTEN Subject: CHANGE IN PROPOSED RECOMMENDATION
BASED UPON INFORMATION SUPPLIED BY JIM STANTON AND THE NAPP PHOTO IT WAS DETERMINED THAT THREE OF THE FOUR CLAIMS WITH THE SAME P/D
WERE WRONG. I HAVE CHANGED THE P/D TO THE NEWNE OF SEC 9. NO NOTICE OF ERROR WAS SUBMITTED AS THE CLIENT WAS NOT AWARE OF THE
DISCREPANCY DURING HIS OFFICE VISIT WITH JIM. KKC 9-4-92.

Date: 09/09/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/8/92. CHANGED NOE FLAG FROM D TO A. CLAIM VERIFIED 9/4/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 09/22/1992 User Id: GIVENS Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP RECEIVED 9/4/92 ORIGINAL OWNER C & B FARMS INC. NEW OWNER RUSTIC AG. INC. COPY OF CONTRACT OF SALE OF REAL
AND PERSONAL PROPERTY.

Date: 10/10/1992 User Id: CHRISTEN Subject: RESPONSE TO NOE
REQUEST TO ADD 9 ACRES TO P-P/U IN NWSW OF SEC 9 APPEARS VALID. THEREFORE, I HAVE ADDED THOSE ACRES TO THE P-P/U. THEY ARE
INCLUDED WITHIN THE K06 TOTAL OF EXPANSION CLAIM 36-15234. REMARK E03 UPDATED TO REFLECT THE ADDITIONAL 8 ACRES. KKC 10-10-92.

+ - - Audit Fields - - +
12/03/93 ROBERTSO

+ - - - - - 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	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 08/16/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S001498	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	- C

MICROFILMED
OCT 18 1994

Water Right Number - 36-02480 Prefix Translation: WATER RIGHT Old (D) Number - 29646

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

*** C - CURRENT OWNER ***
RUSTIC AG. INC. 1 - P.O. BOX 539
2 -
3 -
City- PAUL State- ID Zip- 83347
Phone - 208-438-8764

*** O - ORIGINAL OWNER ***
C & B FARMS INC 1 - 213 PLEASANT WAY
2 -
3 -
City- RUPERT State- ID Zip- 83350
Phone - 208-436-3008

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
07/19/1961 17 SOUTHERN L - LICENSE

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

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

08S 22E 9 NE NW NE (67) MINIDOKA
NW NW NW (67) MINIDOKA

+ - - - - *NW NW SW* - - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 12.500

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
12.500 0.0

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

08S	22E	3	NE SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	3	NW SW		30.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	3	SW SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	3	SE SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	8	NE SE		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	8	NW SE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	8	SW SE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	8	SE SE		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NE NE		38.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NW NE		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SW NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SE NE		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NE NW		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NW NW		38.0	01	IRRIGATION	(67) MINIDOKA

MICROFILMED
OCT 18 1994

Water right number - 36-02480

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	22E	9	SW NW		38.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SE NW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NE SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NW SW		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SW SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SE SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NE SE		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NW SE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SW SE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SE SE		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	17	NE NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	17	NW NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	17	SW NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	17	SE NE		40.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 1096.0

+ - - Diversion Means - 2 WELLS AND PUMPS WITH A CONNECTING MAINLINE.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

8. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 846 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-02479A, 36-07476B, & 36-15234.

6. USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.5 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4384 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 3288 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 1096 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-15234 IS AN EXPANSION OF THIS RIGHT PURSUANT TO IDAHO CODE 42-1416(2).

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found+ - - - - Conditions of Approval - - - - -
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000MICROFILMED
OCT 18 1994

Water right number - 36-02480

Prefix Translation: WATER RIGHT

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - - +
00/00/00

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 06/24/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 10/10/1992	Old Judicial District	-
Claim Received Date	- 08/16/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S001498	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	- C

MICROFILMED
OCT 18 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4015 (PART)
WATER RIGHT NO(S). 36-02479A/36-02480/36-07476B

This is to certify that: RUSTIC AG INC
PO BOX 539
PAUL ID 83347

No Objections

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-02479A :			
IRRIGATION	04/01 to 10/31	1.20 CFS	240.0 AF
Priority: 06/09/1961			
Right No. 36-02480 :			
IRRIGATION	04/01 to 10/31	12.50 CFS	3384.0 AF
Priority: 07/19/1961			
Right No. 36-07476B :			
IRRIGATION	04/01 to 10/31	1.80 CFS	360.0 AF
Priority: 05/22/1974			

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 9, Township 08S, Range 22E
NWNW , Sec. 9, Township 08S, Range 22E
NWSW , Sec. 9, Township 08S, Range 22E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S 22E 3	NESW 40	NWSW 30	SWSW 40	
	SESW 40			150
8	NESE 39	NWSE 40	SWSE 40	
	SESE 39			158
9	NENE 38	NWNE 39	SWNE 40	
	SENE 39	NENW 39	NWNW 38	
	SWNW 38	SENW 40	NESW 40	
	NWSW 39	SWSW 40	SESW 40	
	NESE 39	NWSE 40	SWSE 40	
	SESE 39			628
17	NENE 40	NWNE 40	SWNE 40	

MICROFILMED
OCT 18 1994

TRANSFER NO. 4015 (PART)
WATER RIGHT NO(S). 36-02479A/36-02480/36-07476B

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
SENE 40				160
Total number of acres irrigated:				1096

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre for the lands above.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. The change approved by this transfer is subject to the terms of the court's final decree of this right in the ongoing Snake River Basin Adjudication.
6. Right Nos. 36-02479A, 36-02480, 36-07476B and Snake River Basin Adjudication (SRBA) Claim No. 36-15234 are limited to a total combined diversion rate of 12.5 cfs, a total combined annual diversion volume of 4384 af, a total combined annual consumptive use volume of 3288 af, and the irrigation of a combined total of 1096 acres in a single irrigation season.
7. Right No. 36-02479A is limited to the irrigation of 60 acres in the place of use described above in a single irrigation season.
8. Right No. 36-02480 is limited to the irrigation of 846 acres in the place of use described above in a single irrigation season.
9. Right No. 36-07476B is limited to the irrigation of 90 acres in the place of use described above in a single irrigation season.
10. Snake River Basin Adjudication Claim No. 36-15234 is also changed under Transfer No. 4015 and is represented on a separate transfer approval.

Dated this 17th day ofAugust, 1993.


Chief, Water Alloc. Bureau

MICROFILMED

OCT 18 1994

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

MICROFILMED

JAN 28 1993

AUG-24-1992

NOTICE OF ERROR FORM

RECEIVED

SEP 8 1992

Department of Water Resources

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number: 36-2480

2. Name: C & B FARMS, INC.

Address: 213 Pleasant Way
Rupert, ID 83350

MICROFILMED

JAN 28 1993

Weekday Telephone Number: (208) 436-3008

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of ~~including~~ in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

Place of Use Acreage is listed as 30 acres in
NW $\frac{1}{4}$ SW $\frac{1}{4}$ in Section 9

4. Describe the changes you wish to have made in the proposed recommendation:

Acreage of Use in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9
is 39 acres

5. Describe why you disagree with the proposed recommendation:

Water License lists 39 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of
Section 9

6. Date: September 4, 1992

C & B FARMS, INC.

SIGNATURE

BY: William Ferbs



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

13-Oct-1992

C & B FARMS INC
213 PLEASANT WAY
RUPERT ID 83350

RE: RESPONSE TO NOTICE OF ERROR FOR CLAIMS 36-07476A,
36-02479B, 36-02480, 36-02479A, 36-07476B, & 36-15234.

Dear Mr Kerbs

My response is twofold based upon the combined rights within each system.

The first system includes claims 36-02479B and 36-07476A. As noted on the response form, I am not recommending any changes at this time. Please refer to the attached response to your NOE for details on my recommendation.

The other system consisting of claims 36-02479A, 36-07476B, 36-02480, and 36-15234 has been updated based upon your NOE and second review. Please review the attached response to your NOE for details of the changes made.

PERIOD OF USE RESPONSE FOR ALL CLAIMS

Your NOE indicates that you would like the recommendation to show a longer season of use for irrigation. For the reasons stated below, the season of use that will be recommended in the Director's Report will remain as proposed.

The proposed recommendation is based on irrigation season of use standards adopted by the Director for the various regions throughout the state. These standards are based on the period of the year in which there is less than a 75% chance of a 24 degree F. frost.

In addition, since there are some years in which water can be beneficially used for irrigation outside the irrigation season, the proposed Director's Report includes a general provision which provides for irrigation outside the

MICROFILMED

JAN 28 1993

C & B FARMS
PAGE 2
13-Oct-1992

irrigation season under certain conditions. The conditions are that the water is beneficially used, as determined by the director; that all water rights with a period of use outside the irrigation season, regardless of priority, are satisfied; and that the use does not conflict with the public interest as determined by the director. This proposed general provision will be included in the Director's Report.

If you still disagree with IDWR's recommendations, you will have an opportunity to file an objection to the Director's Report with the court. When the Director's Report is filed with the court, you will be mailed a notice that will contain more information about the objection process.

If you are not satisfied with the updated recommendations, you will have to contact this office as soon as possible or file an objection with the court after the Director's Report has been filed.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

enclosures

MICROFILMED

JAN 28 1993

RESPONSE TO NOTICE OF ERROR
IN THE SNAKE RIVER BASIN ADJUDICATION

Water Right No: 36-2480 & 36-15234 Contact Date: _____

IDWR Contact Person: (print and initial) Kelly K. Christensen

Claimant Contact Person _____

Others Present _____

Contact By (give date) _____

Meeting (location): _____

Phone Call (no.) _____

Letter (attach letter): _____

IDWR USE ONLY

Date _____ Initials _____

Date Entered _____

Verified _____

I. Issues identified by claimant: 36-2480. NWSW of Sec 9 should show 39 Acres
36-15234. 1. max quantity changed
2. Period of use changed
3. total acres changed.

II. Reasons provided claimant for original recommendation: _____

For 36-2480. after review the 30 acre recommendation appears
to be an error. I accept your request as valid.

For 36-15234. #2 the 9 acres added in NWSW of Sec 9
will be reflected in this efp claim therefore I also accept your
request for the additional acres within this right.

#2. Period of use change addressed in accompanying letter.

#1. The div rate recommended for the efp claim is based
upon system capacity and total system acres.

My recommendation for the div rate on the efp claim is:

$$\frac{12.5 \text{ CFS (SYS CAP)}}{1096 \text{ (SYS ACRES)}} = 0.0114 \text{ CFS/ACRE}$$

$0.0114 \text{ CFS/ACRE} \times 10099 \text{ ACRES (tot. for 36-15234)} = 1.129 \approx 1.13 \text{ CFS}$

III. Additional information provided by claimant: _____

As an expansion claim is recognized for the additional acres
at the time of expansion but not for additional water the
above calculations were developed to identify the proportionate
share of the system capacity that apply to the efp. Acres.

IV. Changes to be made in final recommendation (if any): the entire system includes

claims 36-2479A & 36-7476B. The additional 9 Acres added
will change the P-P/U recommendation on those claims also.

Change P/P/U for All 4 claims to Add 9 Acres. 100%

Change 36-15234 to include total acres = 99; total quantity = 1.13 CFS

No change to Period of Use recommended at this time.

V. Action taken (date): Data entry completed 10-13-92

MICROFILMED

JAN 28 1993

Water Right Number - R36-02480

Prefix Translation: RESEARCH

Old (D) Number - 29646

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

*** C - CURRENT OWNER ***
RUSTIC AG. INC.

1 - P.O. BOX 539

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-8764

*** O - ORIGINAL OWNER ***
C & B FARMS INC

1 - 213 PLEASANT WAY

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-3008

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/19/1961 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County08S 22E 9 NE NW NE (67) MINIDOKA
NW NW NW (67) MINIDOKA+ - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 12.500+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
12.500 0.0+ - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08S	22E	3	NE SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	3	NW SW		30.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	3	SW SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	3	SE SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	8	NE SE		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	8	NW SE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	8	SW SE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	8	SE SE		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NE NE		38.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NW NE		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SW NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SE NE		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NE NW		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NW NW		38.0	01	IRRIGATION	(67) MINIDOKA

MICROFILMED

JAN 28 1993

Water right number - R36-02480

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	22E	9	SW NW		38.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SE NW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NE SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NW SW		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SW SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SE SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NE SE		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NW SE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SW SE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SE SE		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	17	NE NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	17	NW NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	17	SW NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	17	SE NE		40.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 1096.0

+ - - Diversion Means - 2 WELLS AND PUMPS WITH A CONNECTING MAINLINE.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

Remarks

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 846 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-02479A, 36-07476B, & 36-15234. USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.5 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4384 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 3288 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 1096 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-15234 IS AN EXPANSION OF THIS RIGHT PURSUANT TO IDAHO CODE 42-1416(2).

Old Water Right Numbers

No Old Water Right Numbers Found

Conditions of Approval

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO - IDAHO CODE 42-1416A.

+ - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000MICROFILMED
JAN 28 1993

Water right number - R36-02480

Prefix Translation: RESEARCH

+ - - - - - Comments - - - - - +
Date: 07/19/1991 User Id: SOUTH1 Subject: COPIED FROM REMARKS
NOT TO EXCEED 12.5 CFS. FARMABLE ACREAGE=846.0
LIC. AMENDED.
Date: 09/04/1992 User Id: CHRISTEN Subject: CHANGE IN PROPOSED RECOMMENDATION
BASED UPON INFORMATION SUPPLIED BY JIM STANTON AND THE NAPP PHOTO IT WAS DETERMINED THAT THREE OF THE FOUR CLAIMS WITH THE SAME P/D
WERE WRONG. I HAVE CHANGED THE P/D TO THE NEWNE OF SEC 9. NO NOTICE OF ERROR WAS SUBMITTED AS THE CLIENT WAS NOT AWARE OF THE
DISCREPANCY DURING HIS OFFICE VISIT WITH JIM. KKC 9-4-92.
Date: 09/09/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/8/92. CHANGED NOE FLAG FROM D TO A. CLAIM VERIFIED 9/4/92. DID NOT REVERIFY ANY PART OF CLAIM.
Date: 09/22/1992 User Id: GIVENS Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP RECEIVED 9/4/92 ORIGINAL OWNER C & B FARMS INC. NEW OWNER RUSTIC AG. INC. COPY OF CONTRACT OF SALE OF REAL
AND PERSONAL PROPERTY.
Date: 10/10/1992 User Id: CHRISTEN Subject: RESPONSE TO NOE
REQUEST TO ADD 9 ACRES TO P-P/U IN NWSW OF SEC 9 APPEARS VALID. THEREFORE, I HAVE ADDED THOSE ACRES TO THE P-P/U. THEY ARE
INCLUDED WITHIN THE K06 TOTAL OF EXPANSION CLAIM 36-15234. REMARK E03 UPDATED TO REFLECT THE ADDITIONAL 8 ACRES. KKC 10-10-92.

+ - - Audit Fields - - +
10/10/92 CHRISTEN

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 06/24/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 10/10/1992	Old Judicial District	-
Claim Received Date	- 08/16/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S001498	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	- C

MICROFILMED
JAN 28 1993

CONVERSATION MEMO

FILE:

AGENT:

DATE:

36 - 7476B

36 - 2480

36 - 2479A

KHC

9-4-92

RE:

PROPOSED REPORT

NAME OF PARTY:

CONTACT BY: office visit with Jim Stanton concerning an allocations issue.

ISSUE: P/D wrong legal in Sec 9

After the office visit Jim reviewed the adj claims and found a discrepancy in the P/D legal desc. The owner presented an ASCS aerial photo showing the well in the NE NW NE Sec 9

I checked the NAPP photo and the well site is visible in the NE NW NE Sec 9. Based upon this information & some corroborating ^{info} in the file, I am changing the P/D to reflect this legal desc.

Expansion claim A36-15234 was recommended with the correct legal desc.

MICROFILMED

JAN 28 1993

R PROOF

CVR

MAPS

PHOTOS

MISC



MICROFILMED
1953

VERIFIED BY

KKC

Water Right Number R36-02480

Prefix Translation: RESEARCH

Old (D) Number - 29646

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
C & B FARMS INC.

1 - 213 PLEASANT WAY

2 -

3 -

City- RUPERT

Phone - 208-436-3008

State- ID Zip- 83350

+ - - Priority Date - - +
07/19/1961+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

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

08S 22E 9 NW NE NE (67) MINIDOKA

08S 22E 9 NW NW NW (67) MINIDOKA

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

01 - IRRIGATION

03/15

11/15

12.500

+ - Total Div. Rate - +
12.500

+ - Total Div. Volume - +

+ - Total Consumptive Use - +
0.0

+ - KW Usage - +

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

08S	22E	3	NE SW	40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	3	NW SW	30.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	3	SW SW	40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	3	SE SW	40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	8	NE SE	39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	8	NW SE	40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	8	SW SE	40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	8	SE SE	39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NE NE	38.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NW NE	39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SW NE	40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SE NE	39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NE NW	39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NW NW	38.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SW NW	38.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SE NW	40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NE SW	40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NW SW	30.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SW SW	40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SE SW	40.0	01	IRRIGATION	(67) MINIDOKA

Water right number - R36-02480

Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	22E	9	NE SE		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	NW SE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SW SE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	9	SE SE		39.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	17	NE NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	17	NW NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	17	SW NE		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	17	SE NE		40.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 1087.0

+ - - Diversion Means - 2 WELLS AND PUMPS WITH A CONNECTING MAINLINE.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 846 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-02479A, 36-07476B, & 36-15234. USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.5 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4348 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 3261 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 1087 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-15234 IS AN EXPANSION OF THIS RIGHT PURSUANT TO IDAHO CODE 42-1416(2).

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found+ - - - - Conditions of Approval - - - - -
C05 - RIGHT INCLUDES CHANGE IN PLACE OF USE.+ - - - Decree Plaintiff - - - + - - - Decree Defendant - - - + - - Decree Date - +
00/00/0000+ - - - - Comments - - - - -
No Comments Found+ - - Audit Fields - - +
09/19/91 CHRISTENMICROFILMED
JAN 28 1993

Water right number - R36-02480

Prefix Translation: RESEARCH

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 06/24/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 09/19/1991	Old Judicial District	-
Claim Received Date	- 08/16/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S001498	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	-

MICROFILMED

JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:00:36
06/25/91

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02480

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			NOT 06/24/91					
POINT OF DIV	Y			Y	6,5,4	2nd review by KFC 9-19-91	MTM 7/19/91	
SOURCE				N				
PLACE OF USE	Y			Y	6,5,4			
DIV. AMOUNT CFS/VOLUME				Y	6			
CONSUMPTIVE USE				Y	6			
PURPOSES				N				
PERIOD OF USE				Y	6			
BASIS OF CLAIM				N				
REMARKS	Y			Y	6			

"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.

MICROFILMED

JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:00:36
06/25/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02480

LAST: C & B FARMS INC.
ADDRESS: 213 PLEASANT WAY
CITY: RUPERT
PHONE NUMBER: 208-436-3008

FIRST:
STATE: ID ZIP: 83350

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
✓

CLAIM REMARKS: NOT TO EXCEED 12.5 CFS.
FARMABLE ACREAGE=846.0
LIC. AMENDED.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 06/24/91

APPOINTMENT MADE: Y(____) N(✓)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

Ortho Quads BB 27, 28 and AA 77, 78

A. AJ CLAIM: # A36-02480 PRIORITY DATE: 07-19-1961 STAGE: L

B. WR RECORD: # 36-02480 PRIORITY DATE: 07-19-1961 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
✓

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

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:

07-19-1961

REVIEWED BY SPB

DATE 06/24/91

=====

RECORDED

JAN 28 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02480	08S	22E	9	NW	NW	NW		MINIDOKA
A36-02480	08S	22E	9	NE	NW	NE		MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-02479A NONE
A36-07476B

WR RECORDS IN SAME 40 ACRE TRACT

36-02479A
36-07476B

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02480	08S	22E	9		NW	NW		MINIDOKA
36-02480	08S	22E	9		NW	NE		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-02479A
36-07476B

A36-02479A
A36-07476B NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER
X

— Completed 6/24/91

REMARKS:

POD's corrected based on field exam

MICROFILMED

JAN 28 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
—	—	—	NW	NE	NE	—	—
—	—	—	NW	NW	NW	—	—

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

MBS

DATE:

6/25/91

MICROFILMED

JAN 28 1993

A. ROOT WATER RIGHT NUMBERS: A36-02480

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	22E	9	SE	NE		C & B FARMS INC.	A36-02480 /40.0	36-02480 /39.0	40.0	39	40
08S	22E	9	SE	NW		C & B FARMS INC.	A36-02480 /40.0	36-02480 /40.0	40.0	40	40.0
08S	22E	9	NE	SW		C & B FARMS INC.	A36-02480 /40.0	36-02480 /40.0	40.0	40	40.0
08S	22E	9	NW	SW		C & B FARMS INC.	A36-02480 /40.0	36-02480 /39.0	42.0	* 36 39.0	30
08S	22E	9	SW	SW		C & B FARMS INC.	A36-02480 /40.0	36-02480 /40.0	41.0	38	40
08S	22E	9	SE	SW		C & B FARMS INC.	A36-02480 /40.0	36-02480 /40.0	40.0	40	40.0
08S	22E	9	NE	SE		C & B FARMS INC.	A36-02480 /40.0	36-02480 /39.0	39.0	39	40
08S	22E	9	NW	SE		C & B FARMS INC.	A36-02480 /40.0	36-02480 /40.0	40.0	40	40.0
08S	22E	9	SW	SE		C & B FARMS INC.	A36-02480 /40.0	36-02480 /40.0	42.0	40	40
08S	22E	9	SE	SE		C & B FARMS INC.	A36-02480 /40.0	36-02480 /39.0	40.0	40	40
08S	22E	17	NE	NE		C & B FARMS INC.	A36-02480 /40.0	36-02480 /20.0	36.0	40	20
			NE	NE		U.S. DEPT. OF INTERIOR		36-02761 /			
△	08S	22E	8	NE	SE	C & B FARMS INC.	A36-02480 /40.0	36-02480 /25.0	38.0	35	25
△	08S	22E	8	SW	SE	C & B FARMS INC.	A36-02480 /40.0	36-02480 /20.0	37.0	35	20
△	08S	22E	8	SE	SE	C & B FARMS INC.	A36-02480 /40.0	36-02480 /40.0	42.0	35	35
	08S	22E	9	NE	NE	C & B FARMS INC.	A36-02480 /40.0	36-02480 /38.0	40.0	40	40
	08S	22E	9	NW	NE	C & B FARMS INC.	A36-02480 /40.0	36-02480 /39.0	40.0	40	40
	08S	22E	9	SW	NE	C & B FARMS INC.	A36-02480 /40.0	36-02480 /40.0	42.0	40	40
	08S	22E	9	NE	NW	C & B FARMS INC.	A36-02480 /40.0	36-02480 /39.0	39.0	40	40
	08S	22E	9	NW	NW	C & B FARMS INC.	A36-02480 /40.0	36-02480 /36.0	38.0	39	36
	08S	22E	9	SW	NW	C & B FARMS INC.	A36-02480 /40.0	36-02480 /38.0	41.0		
			SW	NW		C & B FARMS INC.	A36-10490 /	- /		36	38
			SW	NW		C & B FARMS INC.	R36-10490 /	- /			
	08S	22E	17	NW	NE	C & B FARMS INC.	A36-02480 /40.0	36-02480 /35.0	38.0	40	35
	08S	22E	17	SW	NE	C & B FARMS INC.	A36-02480 /40.0	36-02480 /40.0	36.0	40	40
	08S	22E	17	SE	NE	C & B FARMS INC.	A36-02480 /40.0	36-02480 /40.0	38.0	40	40

Expansion
Acres

MICROFILMED

JAN 28 1993

20

10

15

3

5

(Continued next page)

* correction based on otho & NAPP in
response to Notice of Error 10-9-92 RTH

* Relinquished
6/21/91

NWSE &
Next Page

A

08S 22E 8 NW SE C & B FARMS INC.

A36-02480 /40.0

/ 0.0

32.0

35

0

35

TOTAL ACRES

A36-02480

960.00

846.00

941.00

921

841

[88]

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
YFIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

* NE 1/4 Sect. 17 USDI License N° 36-02761 relinquished 6/21/91
by Shoshone Office Bureau Land Management. Letter and form
attached.
P/U modified to reflect current
practices now recommended
NE 1/4 Sect. 17 has Pivot with irrigated Corners. There is no loss of acres.
as a PPU. see attached land dist.
KRC

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

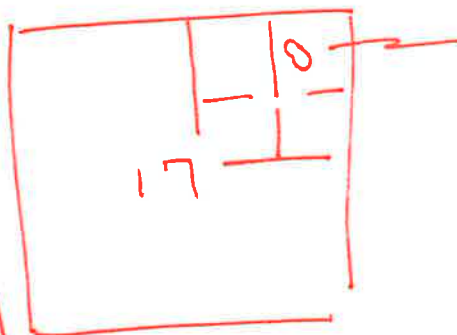
DATE:

this is a common system with
claims 36-2479A
36-7476B
36-15234

** - Recommended Acres includes maximum
tolerance allowed on "claimed" acres
when actually irrigated.

A - Corner loss on Pivot irrigation in Sect. 8
is $5.6 \text{ ac} \times 4 = 22.5 \text{ Acres}$ (160-22.5)
 $= \frac{137.5}{4} = 35 \text{ ac}$ irrigated per 1/4, 1/4.

Expansion of 88 acres requires permit
application and proof for priority date



36-02761 (BLM
Stockwater Pond)
is under pivot
irrigation.

RELINQUISHED

6/91 GAB

MICROFILMED

JAN 28 1993

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-02480 IRRIGATION	FROM 04-01 TO 10-31	12.500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		12.500 CFS 3384.00 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02480 IRRIGATION	FROM 04-01 TO 10-31	12.500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		12.500 CFS 3384.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(☒)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N() Explain in remarks, below.

REMARKS:

3/15 — 11/15 annually is standard and
is recommended for Basin 36 in SRBA.

UNRECORDED
JAN 28 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 12.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 12.500 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
N N

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A36-02479A, A36-07476B.

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-10490	DOMESTIC	C & B FARMS INC.	FROM 01-01 TO 12-31	.040 CFS	
R36-10490	DOMESTIC	C & B FARMS INC.	FROM 01-01 TO 12-31	.040 CFS	

MICROFILMED

JAN 28 1993

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 841 x 0.02 CFS/ACRE = 16.82 CFS
(Taken from p/u review)

1b. CALCULATIONS

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

✓ - Limited as licensed @ 12.5 CFS

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 2880.0 AF/A

ACRES 841 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 2523 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 3384.00 AF/A

ACRES 841 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 3364 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N() *✓*

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

*Licensed and Amended prior to adjudication claim @ 846 acres
and 12.5 CFS Recommend Adj. claim as above: It includes
maximum tolerance allowed in SRBA directives - M. D. Brown*

*88 acre expansion is not covered by claim or permit. Prop
and date of beneficial use are recommended. Normal
filing fees are recommended.*

** based on response to NOE, recalculation
of acreage*

*P/u covered by a PPU recommendation
this right is limited in KØ6 to 846 Acres
System limits are (For EØ3)*

*12.5 CFS
4348 AF 4384.0 AF
3261 AF 3288.0 " *
+087 Acres 1096.0*

*requires Remark KØ1 for the expansion
claim.*

MICROFILMED
JAN 28 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	~~04-01~~ <u>03/15 - 11/15</u> 10-31	DATABASE EXAMINER 12.500 <u>✓</u>	DATABASE EXAMINER 3384.00 <u>3364.0</u>	DATABASE EXAMINER 2880.0 <u>2523.0</u>
TOTAL FOR THIS RIGHT		12.500 <u>12.5</u>	3384.00 <u>3364.0</u>	2880.0 <u>2523.0</u>
REVIEWED BY: <u>NOB</u>		DATE: <u>07/01/91</u>		

MICROFILMED
JAN 28 1993

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: 36-02480

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
12.500

EXAMINER
N/A

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02480	12.500	-		36-02480	12.500
TOTAL CFS		12.500				12.500

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

MICROFILMED

JAN 28 1993

T 75

T 85

FRAMES

4741

4740

4739

T 75

FEET

T 85

4738

4737

42° 45'

113° 52' 30"

265

266

540 000 FEET

267

50'

Produced by the Geological Survey
in cooperation with the Soil Conservation Service

Orthophotograph prepared from 1:78,000-scale
aerial photographs taken August 25, 1978

Projection and 10,000-foot grid ticks
Idaho coordinate system, central zone
(transverse Mercator)

1000-meter Universal Transverse Mercator grid ticks,
zone 12. 1927 North American datum

Photoimagery rectified by optical scanning
Where double or mismatched image occurs use the
mean of image position for map point

PART OF THE PERMISSIBLE
PLACE OF USE FOR CLAIMS

36-2479A

36-2480

36-7476B

36-15234

MICROFILMED

JAN 28 1993

CLAIM _____ INIT KKL
T. R. S. Q/Q
P/D BS 22E
PHOTO ID. AA-78, 1978 FLIGHT

HIGH LIGHTED AREA
NOT IRRIGATED APPROX
10A

SEC 3
SW 1/4

1000

FOR

R22E

BB-27 1976 FLIGHT

BURLEY NW QUADRANGLE
IDAHO

7.5 MINUTE SERIES (ORTHO PHOTOQUAD)

CLAIM

INIT KKC

T. R. S. Q/Q

P/D BS 22E 9 NW 1/4

PHOTO ID. BB-27, 1976 FLIGHT

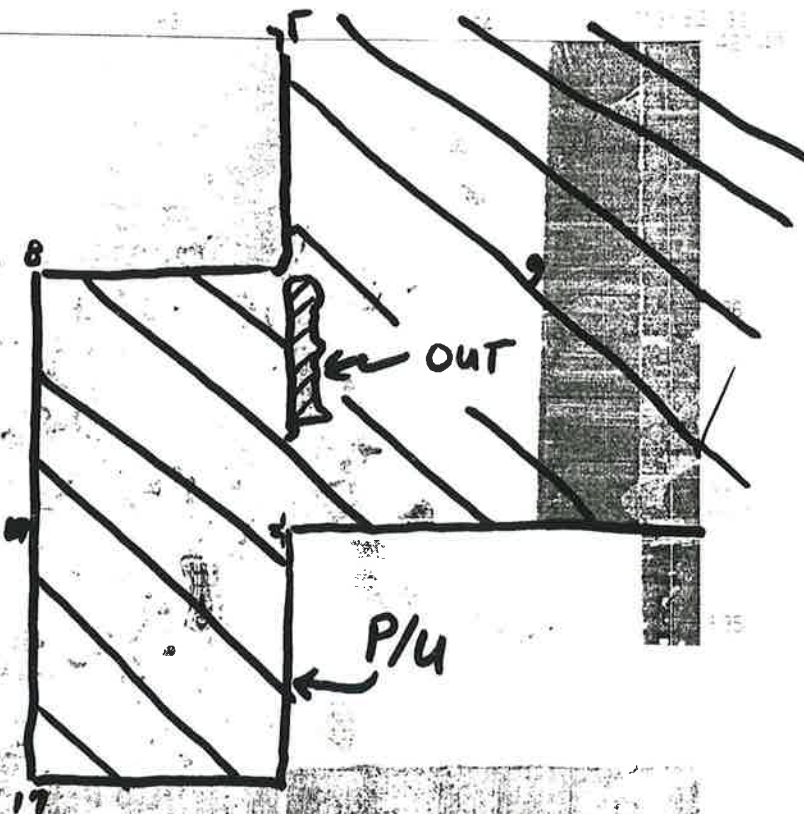
PART OF THE PERMISSIBLE
PLACE OF USE FOR CLAIMS:

36-2479A

36-2480

36-7476B

36-15234



MICROFILMED
JAN 28 1993

C & B FARMS

Looking East @ Point of Diversion located
in NE, SW, SW $\frac{1}{4}$ Section 3



A36-02479A and
A36-07476B

P.P. # 1

Approx. $\frac{1}{4}$ mile to Visible transformer.
Well is located there and supplies
water for above two claims. *WAB*

MICROFILMED

JAN 28 1993

C & B FARMS

Looking West @ Point of Diversion Located.
in NW, NE, NE $\frac{1}{4}$ Section 9



Approx. $\frac{1}{4}$ mile to visible transformer
Well is located there and supplies
water for A36-02480, along with the
POD in NWNWNW $\frac{1}{4}$ Section 9. They
are intertied.

7/10/86

MICROFILMED

JAN 28 1983

C & B FARMS

Looking South @ Point of Diversion
Located in NW, NW, NW $\frac{1}{4}$ Section 9.



This well and system supplies water
into an intertied system for A36-
02480.

C & B

MICROFILMED
JAN 28 1993

RECOMMENDED PERMISSIBLE PLACE OF USE:

CLAIMS: A36-2479A A36-2480
A36-7476B A36-15234

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
<u>SEC 3</u>																						
FOUND ACRES	~~A36~~ (PPU)	8S	22E	3									40	30	40	40						150
COVERED BY	A36-2479A			3									30		30						60	
COVERED BY	A36-7476B			3									10	30	10	40					90	

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
<u>SEC 8</u>																						
FOUND ACRES	(PPU)	8S	22E	8													39	40	40	39		158
COVERED BY	A36-2480																25		28	39	92	
COVERED BY	A36-15234																14	40	12		66	

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
<u>SEC 9</u>																						
FOUND ACRES	(PPU)	8S	22E	9	38	39	40	39	39	38	38	40	40	30	40	40	39	40	40	39		619
COVERED BY	A36-2480				38	39	40	39	39	38	38	40	40	30	40	40	39	40	40	39	619	

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
<u>SEC 17</u>																						
FOUND ACRES	(PPU)	8S	22E	17	40	40	40	40														160
COVERED BY	A36-2480			17	20	35	40	40													135	
COVERED BY	A36-15234			17	20	05															25	

SYSTEM TOTAL = 1087 1087

JAN 28 1993

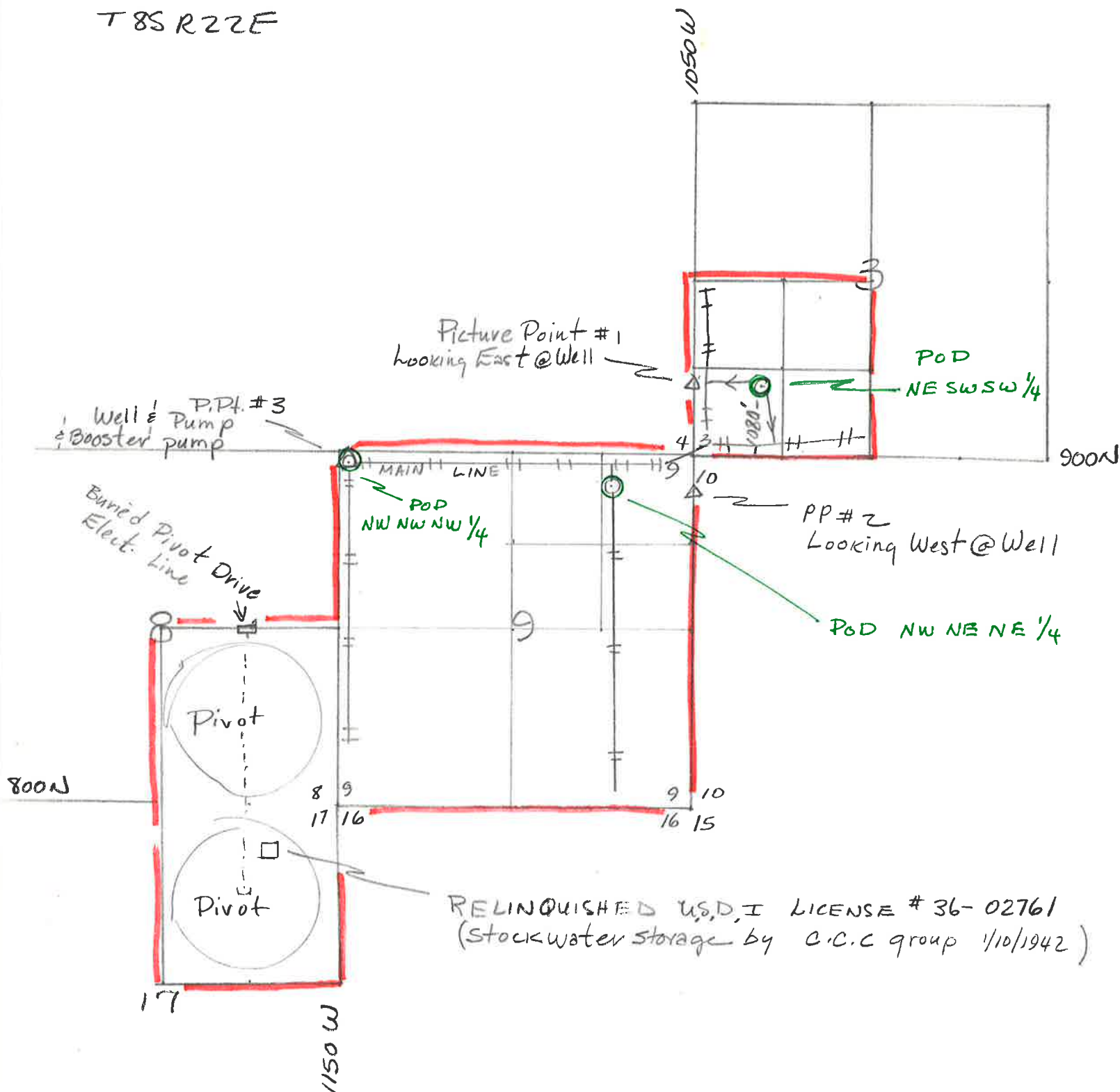
C & B FARMS
6/24/91

FIELD EXAM NOTES

W. P. Ground

WRAgent
IDWR

T 8S R 22E



LEGEND

SCALE 1:24,000 (2.64 in = 1 Mile)

POINT OF DIVERSION

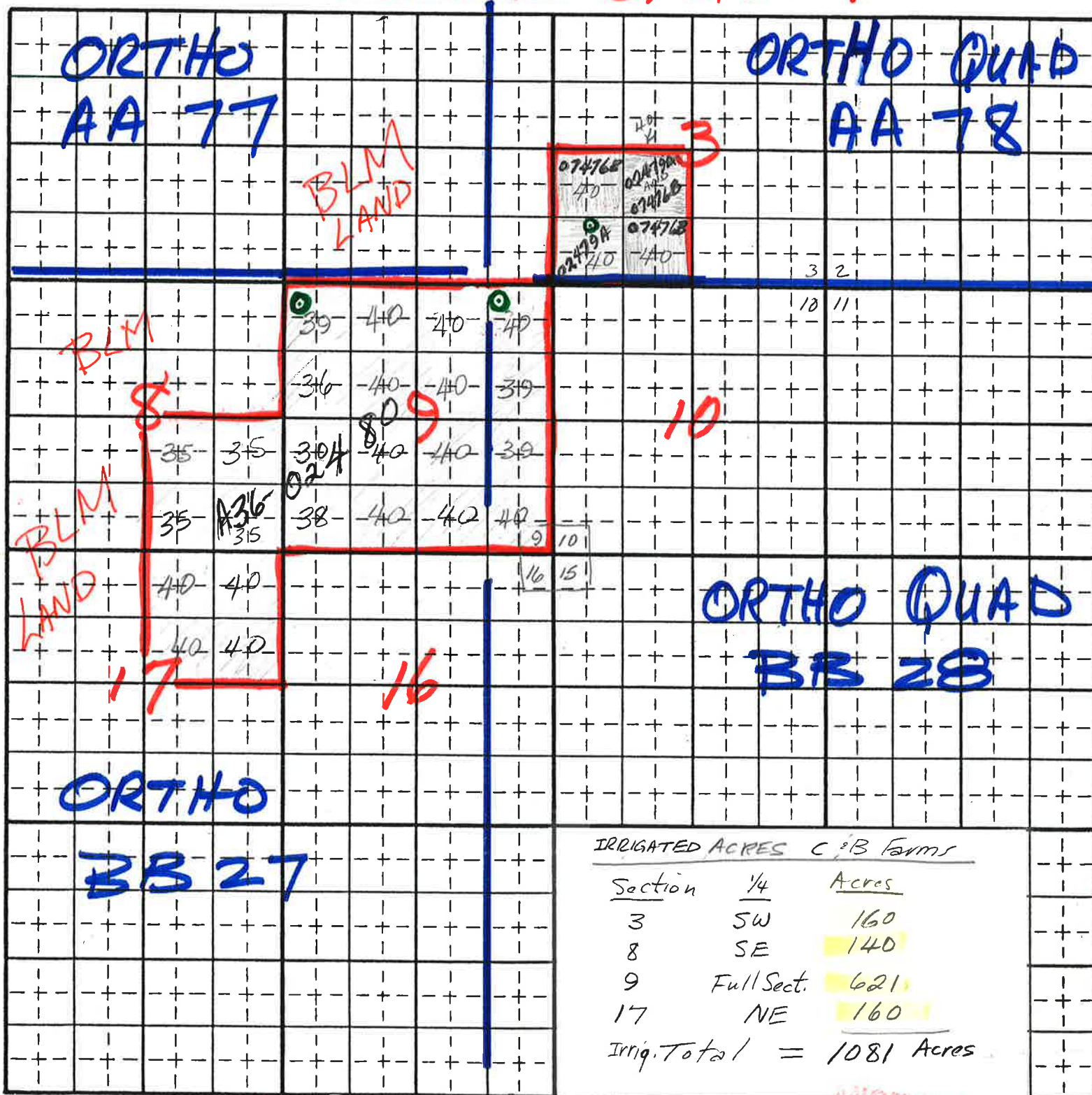
MAIN LINE VISIBLE

Pictures taken (PP #1)

MICROFILMED
JAN 28 1993

Scale: 2 inches equals 1 mile

T88 R 22E
SECTIONS 3, 8, 9 : 17



3 POD'S

NW NW NW. Sect. 19
NW NE NE " JA 9
NE SW SW " 3

ct. 9
JAN 28 1993

Last Name **CIS FARMS** Ident No.

Copies: White-State, Yellow-Claimant

02/13/91

3 Water Rights

02479 A, 07476B ; 02480

Adj. Claim = 1120 Ac / Licensed = 1006 Ac

N. D. Brown

T7S

T7S

400000
FEET

T8S

T8S

4738

C: B Farms
(Two Claims) →

4737

3

0146(B)
01479A
01479B

02480
FARM
wells
ROAD
A36
C & B

12454 (Eppa)
SUCHAN

FRANK SUCHAN

(A36)
A36-07052

DON SUCHAN

02657

07222

07443
02671
BECKER, Wm L.
02627
07443
4 PODS

STEVE
076

DEUS
A36-076

DEUS FARMS
A36-02629
O. VC
700' NORTH

A36-027

JAN 28 1953

A36-07311

DEUS

A36

GN

A36

1

07

C & B Farms

Pump Information from
field exam 6/24/91 W. D. Brown

SECTION

LOCATION

9

NW NW NW

Picture Point #3

DESCRIPTION

GE Motor 500 HP # EKJ501022

Layne Bowler Pump # 53387

Booster Pump Motor 75 HP # JX375 017
w/ centrifugal 6"± discharge

MICROFILMED
JAN 28 1993