

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: A36-04009
Date Received: 10/ 3/1989
Receipt No: S009545
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: RUSTIC AG INC
Address: PO BOX 539
PAUL ID

208-438-8764

83347

2. Date of Priority: APR 16, 1963

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	23E	7	SW	SW	SE		MINIDOKA

5. Description of diverting works:
WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/15	0.560		

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

A.F.A.

8. Total consumptive use is 84.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	23E	7	SW	SE	4	IRR	24.2
			SE	SE		IRR	4.0

MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	28.2
					Total Acres	28.2

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:
M.I.D. WATER, A36-04248

14. Remarks:
STATUTORY CLAIM EXPANDED 6.2 ADDITIONAL ACRES IN SWSE, SECTION 7,
WHICH HAVE BEEN IRRIGATED SINCE THE ORIGINAL CLAIM WAS FILED
IN 1959. CLAIM EXPANDED FROM .44 CFS TO .56 CFS.
PERIOD OF USE ALSO EXPANDED FROM 4/1 - 10/1 TO 3/1 - 11/15.

OWNERSHIP CHANGE 6/5/91 BY JG.

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

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) A36-04009
Assigned by IDWR: A36-04248

[] Name and Address of Former Owner/Claimant(s)(Seller):

Triple Ace Inc.

Rt. 2 Box 2778

Paul, ID 83347

[] New Owner/Claimant (Purchaser):

Rustic Ag Inc

[] New Mailing Address:

PO Box 539

Paul, ID 83347

[] New Telephone Number:

() 438 - 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:

(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)

Date

Date

[] 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: 3/24/93 By: AD

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date: 3/24/93 By: AD

Claim Numbers of Split, if any:

changed claim & Directors Report Record,

MICROFILMED

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

DEC 1 1994

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: A36-04009
Date Received: 10/03/1989
Receipt No: S009545
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PATTERSON FARMS OF IDAHO, INC. 208-438-4800
Address: RT. 1 BOX 1272
PAUL, ID 83347

2. Date of Priority: APR 16, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	23E	7	SW	SW	SE		MINIDOKA

5. Description of diverting works:
WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/15	0.560		

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

8. Total consumptive use is 84.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	23E	7	SW	SE	4	IRR	24.2
			SE	SE		IRR	4.0

Section Acres 28.2

10. Place of Use: Continued

Total Acres 28.2

11. Place of use in counties: MINIDOKA

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

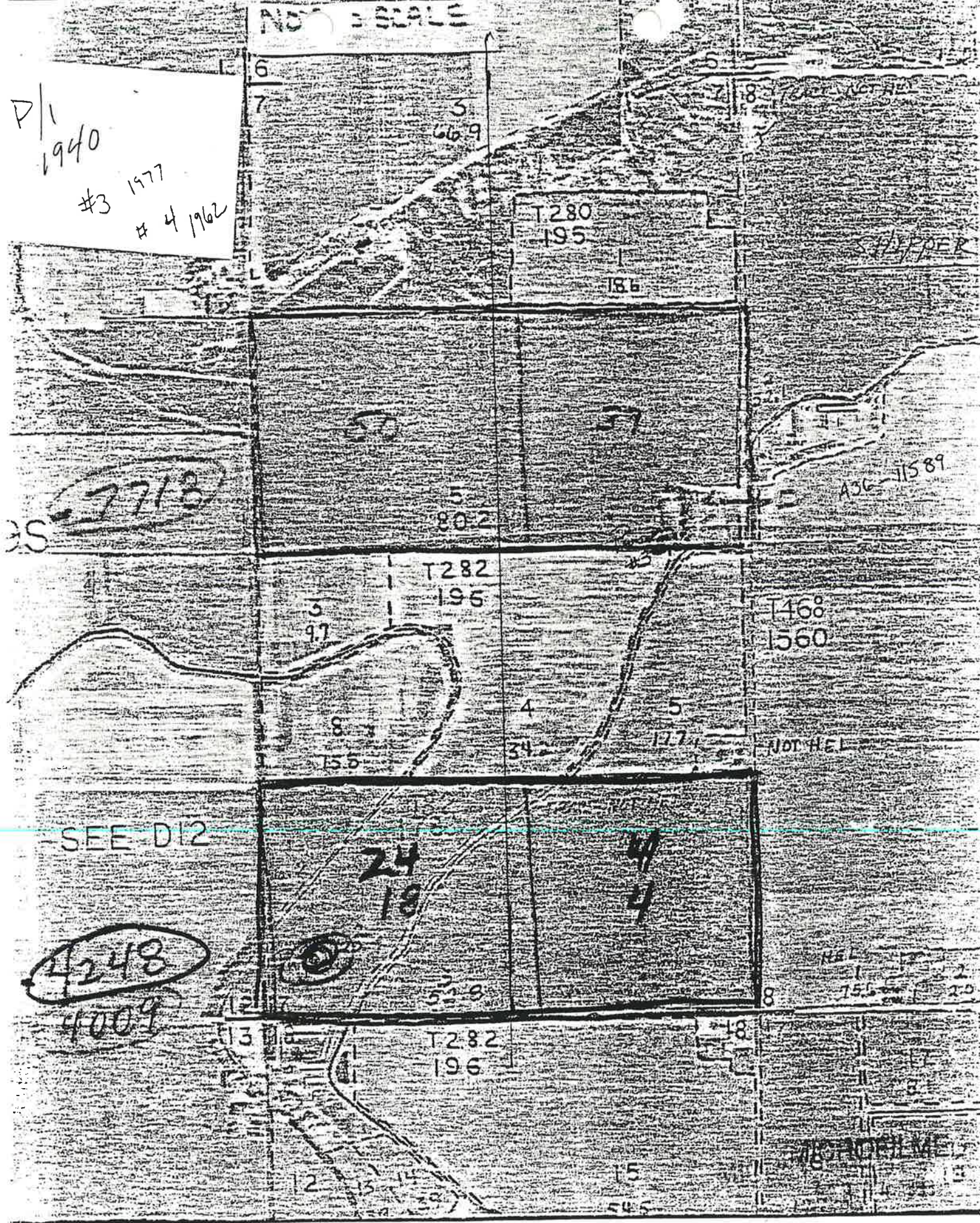
13. Other Water Rights Used:
M.I.D. WATER, A36-04248

14. Remarks:
STATUTORY CLAIM EXPANDED 6.2 ADDITIONAL ACRES IN SWSE, SECTION 7,
WHICH HAVE BEEN IRRIGATED SINCE THE ORIGINAL CLAIM WAS FILED
IN 1959. CLAIM EXPANDED FROM .44 CFS TO .56 CFS.
PERIOD OF USE ALSO EXPANDED FROM 4/1 - 10/1 TO 3/1 - 11/15.

15. Basis of Claim: STATUTORY CLAIM

NO SCALE

P/1
1940
#3 1977
#4 1962



(BARN)

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: **A36-04009**
Date Received: 10/ 3/1989
Receipt No: S009545
Received By: _____

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

1. Name: TRIPLE ACE INC.
Address: RT. 2 BOX 2778
PAUL, ID

83347

2. Date of Priority: APR 16, 1963

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	23E	7	SW	SW	SE		MINIDOKA

5. Description of diverting works:
WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/15	0.560		

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

A.F.A.

8. Total consumptive use is

84.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	23E	7	SW	SE	4	IRR	24.2
			SE	SE		IRR	4.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	28.2
					Total Acres	28.2

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:
M.I.D. WATER, A36-04248

14. Remarks:
STATUTORY CLAIM EXPANDED 6.2 ADDITIONAL ACRES IN SWSE, SECTION 7,
WHICH HAVE BEEN IRRIGATED SINCE THE ORIGINAL CLAIM WAS FILED
IN 1959. CLAIM EXPANDED FROM .44 CFS TO .56 CFS.
PERIOD OF USE ALSO EXPANDED FROM 4/1 - 10/1 TO 3/1 - 11/15.

OWNERSHIP CHANGE 6/5/91 BY JG.

15. Basis of Claim: STATUTORY CLAIM

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

RECEIVED

APR 08 1991

Department of Water Resources
Southern Region Office

April 2, 1991

Department of Water Resources
Twin Falls, ID 83301

Dear Sirs:

Enclosed please find a copy of a Warranty Deed dated November 1, 1990 showing the ownership of this particular property being changed to TRIPLE ACE, INC. Please make the necessary changes to your records along with a change of address to Rt. 2 Box 2778, Paul, ID 83347.

Thank you for your cooperation.

Sincerely,

Russell V. Patterson
Russell V. Patterson, Pres.
TRIPLE ACE INC.

RVP/lp
Enclosures

ENCLOSURE

394828

RECEIVED

WARRANTY DEED

APR 08 1991

Department of Water Resources
Southern Region Office

FOR VALUE RECEIVED PATTERSON FARMS OF IDAHO, INC., an Idaho Corporation, the Grantor, does hereby grant, bargain, sell and convey unto TRIPLE ACE, INC., an Idaho Corporation, whose present address is Route # 2, Box 2778, Paul, Idaho 83347, the Grantee, the following described premises, located in Minidoka County, Idaho, to-wit:

TOWNSHIP 9 SOUTH, RANGE 22 EAST, BOISE
MERIDIAN

SECTION 16: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$

Together with all water rights appurtenant thereto and SUBJECT TO the indebtedness of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee its successors and assigns forever. And the said Grantor does hereby covenant to and with the Grantee that it is the owner in fee of said premises, that said premises are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

DATED this 1st day of November, 1990.

PATTERSON FARMS OF IDAHO,
INC.

By Charlene Patterson
Charlene Patterson
President

ATTEST:

Kelli Straubhaar
Kelli Straubhaar, Secretary



RECORDED AT REQUEST OF
FILM NO. 394828
Dec 26 11 00 AM '90
MINIDOKA COUNTY, IDAHO
DUANE SMITH
RECORDER
FEE 3- DEPUTY JP

STATE OF IDAHO

County of Minidoka

ss.

On this 30th day of November, 1990, before me, a Notary Public in and for said State, personally appeared Charlene Patterson and Kelli Straubhaar, President and Secretary respectively, of Patterson Farms of Idaho, Inc. known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same 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)

Ray R. Huff
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 9-1-92

STATE OF IDAHO

County of Minidoka

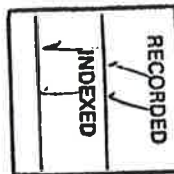
ss.

On this 30th day of November, 1990, before me, a Notary Public in and for said State, personally appeared Charlene Patterson and Kelli Straubhaar, President and Secretary respectively, of Patterson Farms of Idaho, Inc. known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same 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)


Notary Public
Residing at Rupert, Idaho
My Commission Expires: 9-1-92



DEC 26 10 59 AM '90
MIN. CLERK OF DISTRICT COURT
DEANE SMITH
RECORDS
FEE 6- NO. 174 HP

RECEIVED AT REQUEST OF
Goodman & Buff

394823

394823

WARRANTY DEED

FOR VALUE RECEIVED PATTERSON FARMS OF IDAHO, INC., an Idaho Corporation, the Grantor, does hereby grant, bargain, sell and convey unto TRIPLE ACE, INC., an Idaho Corporation, whose present address is Route # 2, Box 2778, Paul, Idaho 83347, the Grantee, the following described premises, located in Minidoka County, Idaho, to-wit:

That portion of Block 10 of the Second State Addition to the City of Heyburn, Minidoka County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County, more particularly described as follows:

Beginning at the SW corner of said Block 10 which point shall be known as the True Point of Beginning; thence East for 230.98 feet; thence North for 233.5 feet; thence West for 230.98 feet; thence South 233.5 feet to the True Point of Beginning.

TOGETHER with that portion of vacated "Z" Street adjoining said property which is described more particularly as follows:

The East 1/2 of that portion of "Z" Street in the City of Heyburn, Minidoka County, Idaho, that lies South of a line extended directly East from a point on the East boundary line of Block 9 of the Second State Addition to said Village, said point being 125 feet North of the SE corner of said Block 9 and which line extends to the West boundary line of said Block 10 of said Addition.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee it successors and assigns forever. And the said Grantor does hereby covenant to and with the Grantee that it is the owner in fee of said premises, that said premises are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

DATED this 1st day of November, 1990.

PATTERSON FARMS OF IDAHO,
INC.

By Charlene Patterson
Charlene Patterson
President

ATTEST:

Kelli Straubhaar
Kelli Straubhaar, Secretary



te of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

06-Jun-1991 14:36

Russell V. Patterson, Pres.
TRIPLE ACE INC.
Rt. 2 Box 2778
Paul, ID 83347

RE: Adjudication Claim(s) No(s). A36-04009, 04010, 02471, 04248
A36-02558, 11584, 11587, 04218, 07718, 02060, 12727, 11585
A36-11586, 11588, 11589, 11590
- Patterson Farms of Idaho Inc.

Mr. Patterson:

Pursuant to the notification that you presently own the property in which the above referenced adjudication claim(s) is appurtenant, the Department has changed the record(s) of the current owner as you requested. Please find enclosed copy(s) of the computer record of the claim(s) noting the change in claimant.

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

Sincerely,

Judy Givens
Adjudication Secretary

/jg

Enclosures

ADJUDICATION
7-11-91

SD-33

Last Name: PATTERSON FARMS

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	PATTERSON FARMS	OF	IDAHO INC.				
-		C	A36-04009	04/16/1963	GROUNDWATER	0.560	01 IRR
-		C	A36-04010	04/01/1959	GROUNDWATER	2.280	01 IRR
-		C	A36-02471	02/06/1961	GROUNDWATER	1.540	01 IRR
-		C	A36-04248	01/28/1963	GROUNDWATER	0.440	01 IRR
-		C	A36-02558✓	12/14/1962	GROUNDWATER	3.200	01 IRR
-		CO	A36-02066A	03/01/1948	GROUNDWATER	7.680	01 IRR
-		C	A36-11584	12/31/1958	GROUNDWATER	0.050	10 COMMER
-		C	A36-11587	12/31/1969	GROUNDWATER	0.090	43 DOMEST
-							10 COMMER
-		C	A36-04218	05/01/1962	GROUNDWATER	1.000	01 IRR
-							04 STOCK
-		C	A36-07718	06/01/1977	GROUNDWATER	1.780	01 IRR
-		C	A36-02060✓	02/03/1948	GROUNDWATER	4.420	01 IRR
-		C	A36-12727✓	02/03/1948	GROUNDWATER	3.200	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

06-Jun-1991 14:36

Russell V. Patterson, Pres.
TRIPLE ACE INC.
Rt. 2 Box 2778
Paul, ID 83347

•-RE: Adjudication Claim(s) No(s). A36-04009, 04010, 02471, 04248
A36-02558, 11584, 11587, 04218, 07718, 02060, 12727, 11585
A36-11586, 11588, 11589, 11590
- Patterson Farms of Idaho Inc.

Mr. Patterson:

Pursuant to the notification that you presently own the property in which the above referenced adjudication claim(s) is appurtenant, the Department has changed the record(s) of the current owner as you requested. Please find enclosed copy(s) of the computer record of the claim(s) noting the change in claimant.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures

Water Right Number - 36-04009 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

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

*** C - CURRENT OWNER *** LLOYD 1 - RT. 1 BOX 81
PATTERSON 2 -
3 -
City- PAUL State- ID Zip- 83347
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/16/1963 17 S - STATUTORY CLAIM

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

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
09S 23E 7 SW SE (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/01 0.440

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.440

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
09S 23E 7 SW SE 4 18.0 01 IRRIGATION (67) MINIDOKA
09S 23E 7 SE SE 4.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 22.0

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

Water right number - 36-04009

Adj. flag translation: Standard Water Right Number

+ - - Audit Fields -

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 01/28/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578
9/28/1989

CECIL D. ANDRUS

Governor

PATTERSON FARMS OF IDAHO, INC.

RT 1 BOX 1272

PAUL, ID 83347

R. KEITH HIGGINSON

Director

ATTN: RUSSELL

DEAR RUSSELL:

ENCLOSED ARE 2 SETS OF CLAIM COPIES AND MAPS. KEEP THE INDICATED SET FOR YOUR RECORDS AND RETURN THE 2ND SET SIGNED AND NOTARIZED WITH THE BALANCE DUE.

ONLY 1 EXPANSION CLAIM WAS NECESSARY, A36-12727, FOR THE 160 ACRES IN SECTION 16 THAT WAS NOT INCLUDED IN THE TWO LICENSES COVERING PORTIONS OF THAT SECTION, A36-02558 AND A36-02060.

THE ADDITIONAL 13 ACRES NOT COVERED IN SECTION 5 DID NOT REQUIRE AN EXPANSION CLAIM BECAUSE THE GROUNDWATER SOURCE WHICH THE EXPANSION USED WAS A STATUTORY CLAIM AND NOT A LICENSE. ALL THIS MEANS IS THAT THE PERMIT PROCESS WAS NOT MANDATORY ON A GROUNDWATER SOURCE UNTIL 1963, WHICH WAS AFTER THIS IRRIGATION WELL WAS DRILLED AND PUT TO USE. THAT'S WHY A STATUTORY CLAIM WAS FILED INSTEAD OF A LICENSE. FIELD EXAMS WERE NOT CONDUCTED ON STATUTORY CLAIMS. THIS MEANS THAT WE HAVE NO PROOF THAT THOSE 13 ACRES WERE NOT PART OF THE ORIGINAL CLAIM AND IRRIGATED IN 1948, MAKING YOUR CFS AND ACRE AMENDMENT POSSIBLE WHILE STILL MAINTAINING THE ORIGINAL PRIORITY DATE.

THE FEE BREAKDOWN IS:

	FILING FEE	ACRES	TOTAL DUE
A36-04009	\$50	22	\$ 72
A36-04248	50	28	78
A36-07718	50	89	139
A36-04010	50	114	164
A36-02471	50	77	127
A36-02558	50	154	204
A36-02060	50	160	210
A36-12727	50	160 (EXPANSION)	210
A36-11584	50	(COMMERCIAL: \$100 PER CFS)	55
A36-11585	25	DOMESTIC	25
A36-11586	25	DOMESTIC	25
A36-11587	25	DOMESTIC	25
A36-11588	25	DOMESTIC	25
A36-11589	25	DOMESTIC	25
A36-11590	25	DOMESTIC	25

TOTAL DUE

\$1,409

MICROFILMED

SINCE THE TOTAL EXCEEDS \$1,000, YOU ARE ELIGIBLE FOR THE EXTENDED PAYMENT PLAN. IF YOU CHOOSE THE PAYMENT PLAN, 1/5 OF THE TOTAL FEES IS DUE. A BILLING SCHEDULE WILL BE SET UP, AND THERE WILL BE FOUR ANNUAL PAYMENTS. EACH PAYMENT WILL EQUAL 1/5 OF THE TOTAL FEES, PLUS INTEREST ON THE UNPAID BALANCE CALCULATED AT 10% PER ANNUM. EACH PAYMENT WILL BE DUE AND PAYABLE ON THE FIRST DAY OF THE SAME MONTH EACH OF THE FOLLOWING FOUR YEARS.

TOTAL BALANCE DUE WITH THE SIGNED AND NOTARIZED CLAIMS IS \$1,414 OR \$282.80 IF YOU CHOOSE THE PAYMENT PLAN.

IF YOU HAVE ANY QUESTIONS RUSSELL, PLEASE CONTACT ME AT DEPARTMENT OF WATER RESOURCES, 734-3578. THANKS FOR FILING.

SINCERELY,

Lori White

LORI WHITE

SR. WATER RESOURCE AGENT

ENCL:



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 3, 1990

A36-04009
PATTERSON FARMS OF IDAHO INC.
RT. 1 BOX 1070

PAUL

TO: BOB

Dear Claimant(s):

In the past you submitted the claim(s) identified with the number(s) shown above your name and address at the top of this letter. You indicated on the claim(s) that the basis for establishing the water right(s) was Beneficial Use, meaning the water right was not previously confirmed by a decree, water right license or permit before you filed the claim(s).

The purpose of this letter is to request evidence supporting the priority date(s) you have claimed. The enclosed pamphlet describes what this means. While I encourage you to read all of the pamphlet, I direct your attention to the right-hand half of the pamphlet after you open it. There you will find two sections: What Kind of Evidence is Required, and Some Examples of Documents which May Be Evidence of the Priority Date. These sections tell you what must be submitted. The other sections tell you why the evidence is necessary and what the consequences of not submitting the evidence could be.

Please submit the requested evidence by November 1, 1990. When returning to the Department please reference all documents with the claim(s) identification number(s) listed above.

If you have questions not addressed by the pamphlet or need other technical assistance, please feel free to contact this office. For advice on your water right(s), please contact your attorney.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosure

MICROFILM

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
A36-04009	PATTERSON FARMS OF IDAHO INC. RT. 1 BOX 1272 PAUL ID 83347	04/16/1963	IRRIGATION	03-01 11-15	0.56 CFS	STATUTORY CLAIM
					0.56 CFS TOTAL	
					0.00 AFA TOTAL	

SOURCE: GROUNDWATER

TRIBUTARY:

OTHER RIGHTS: M.I.D. WATER, A36-04248

CONDITIONS OF APPROVAL:

REMARKS: STATUTORY CLAIM EXPANDED 6.2 ADDITIONAL ACRES IN SWSE, SECTION 7,
WHICH HAVE BEEN IRRIGATED SINCE THE ORIGINAL CLAIM WAS FILED
IN 1959. CLAIM EXPANDED FROM .44 CFS TO .56 CFS.
PERIOD OF USE ALSO EXPANDED FROM 4/1 - 10/1 TO 3/1 - 11/15.

POINT OF DIVERSION:

T09S R23E S07

SWSWSE

PLACE OF USE: IRRIGATION

T09S R23E S07 Lot 4 (SWSE)24.2

SESE 4.0

28.2 ACRES TOTAL

Idaho Department of Water Resources

Southern Region

222 Shoshone street

Twin Falls, Idaho 83301

RECEIVED

APR 23 1991

Department of Water Resources
Southern Region Office

Reference: A-36-4009 and A-36-04248

This is the same pump and the same diversion. Originally it watered a high 20 acre which was taken out of sagebrush. The well was drilled by Claude Denton and the pump installed by the Johnson Pump Co. of Blackfoot and installed by Harvey Archer, now deceased, the mainline which was buried was installed by Edith and Sarge Vernon of Hagerman, Idaho, Sarge is also deceased. A-36-4009 is the 6 acres that was on another M.I.D. canal and was always a hassle to get water for the 6 acres and was easier to sprinkle the acreage. *See Attached Map* All of the ground is now in sprinkler. Myself and the children irrigated this property by siphon tubes when we first applied the water. My husband, Lloyd Patterson deceased in 1986.

*Patterson Farms of Idaho Inc.
by Charlene Patterson Pres.*

*Subscribed & sworn to before me this
undated day of Public June 23rd day of
1991.*
April
by [Signature]

36-4009

Patterson

Start well - Jan. 17-1963

finished well - Jan. 25-1963

pipe set - 8" - 77 ft.

water stands - 101 ft.

struck water - 105 ft.

- 0 - 5 ft. - soil
- 5 - 22 - yellow clay
- 22 - 55 - gray sandy clay.
- 55 - 74 - red clay
- 74 - 105 - gray lava
- 105 - 115 - black sand, lava, hard & soft streak
- 115 - 125 - broken black lava, gravel.
- 125 - 140 - cinders, lava, water.

driller - Claude Denton

36 4009

Microfilm

1963 1 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

April 8, 1991

PATTERSON FARMS OF IDAHO INC
RT 1 BOX 1272
PAUL ID 83347

RE: Evidence of Priority - Snake River Basin Adjudication
Claim #A36-04009, A36-04010, A36-04218, A36-04248, A36-11584,
& A36-11587

Dear Claimant(s):

Our records indicate that your claim(s) listed above, is based upon either a "Statutory Claim" or "Beneficial Use" of the water. For water rights of this type, the claimed "Priority Date" must be substantiated with supporting evidence. We previously requested this supporting evidence be submitted by November 1, 1990, and to date we have not received the requested documentation.

Before the Department can make a recommendation to the Court to decree the claim(s), some evidence of the priority date must be submitted. Again we are enclosing a brochure outlining the types of evidence you may submit, and a printout of your claim(s) for reference. We request that you submit your evidence of priority as soon as possible. If we do not receive the requested documentation, your claim(s) will be recommended for disallowal due to lack of evidence supporting any priority date.

Please submit the required evidence supporting the priority date(s) by April 23, 1991. Please reference the claim number on your correspondence. If you have questions or need other assistance please contact this office.

Sincerely,

Allen Merritt, P.E.
Adjudication Section Supv.

Enclosure

MICROFILMED

Objection Filed

Recommended P/U not clearly identifiable
(no good maps)

GIS assumed P/U less than Recommended

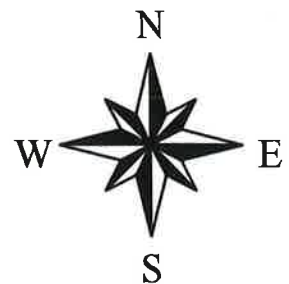
IDAHO DEPARTMENT OF WATER RESOURCES

36-04009
RUSTIC AG INC



660 0 660 1320 1980 Feet

TNS 9S, RNG 23E, SEC 7



⊙ Recommended Point of Diversion

□ Recommended Place of use

— Section lines

□ Quarter/Quarter Lines

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY SEPTEMBER 1997
BY KELLY K CHRISTENSEN

CLAIM NUMBERS 36-04009

DATE _____

TRANSFER NUMBER _____

OBJECTION FILED yes

AGENT _____

TOTAL ACRES FROM RECOMMENDATION 25

GEOGRAPHIC INFO SYSTEM

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	95	23E	7															21	4
GIS																			25
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF

8-7

POLYGON CREATED ON 604

(X)

8-5

ES OF B36-POU.SHP

2988-7

B36-DBPOD.DBF

TES OF B36-POD.SHP

(266)8-7

*no layout
Created*

*Poor P/U 8-7-97
Shapefile KKC*

Based upon the Q/Q and the physical fence on the NAPP Photo I was unable to clearly identify the P/U recommended therefore the P/U is identified as fall 40B KKC 8-5-97

P/U CONFLICT yes () no ()

P/D CONFLICT yes () no ()

READY FOR DECREE yes () no ()

SENT FOR DECREE yes () no ()

CLAIM NUMBERS 36-04009

DATE _____

TRANSFER NUMBER _____

OBJECTION FILED yes

AGENT _____

TOTAL ACRES FROM RECOMMENDATION 25

GEOGRAPHIC INFO SYSTEM

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	95	23E	7															21	4
GIS																			25
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF 8-7POLYGON CREATED ON 604 (X) 8-5ATTRIBUTES OF B36-POU.SHP 298 8-7

B36-DBPOD.DBF _____

ATTRIBUTES OF B36-POD.SHP 266 8-7

Based upon the claimed acres per
Q/Q and the physical features on
the NAPP Photo I was unable
to clearly identify the P/U recommended
therefore the P/U is identified as
fall 40^B KHC 8-5-97

P/U CONFLICT yes () no ()

P/D CONFLICT yes () no ()

READY FOR DECREE yes () no ()

SENT FOR DECREE yes () no ()

R PROOF

CVR

MAPS

PHOTOS

MISC

OCT 13 1994

RECEIVED

MAY 23 1995

Department of Water Resources
Adjudication Bureau

RECEIVED

MAY 19 1995

OFFICE OF THE
ATTORNEY GENERAL

1995 MAY 18 PM 4:49

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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

In Re SRBA

Case No. 39576

RECEIVED

JUN 07 1995

Department of Water Resources
Southern Region

) Subcase No. 36-04009 *previously modified.*
) *Duplicate? 80-*
) ORDER SUBSTITUTING PARTY CLAIMANT;
) DISMISSING PARTIES TO SUBCASE; *to 85*
) GRANTING LEAVE TO FILE LATE *206-2-95*
) OBJECTION; and
) REQUIRING RESPONSE TO LATE
) OBJECTION

On May 12, 1995, the parties filed a *Stipulation to Partially Resolve Objection; Stipulation and Order Granting Leave to File Amended Objection*. The parties seek to (1) substitute Rustic Ag, Inc. as the party claimant to the subcase in place of Triple Ace, Inc. and (2) dismiss Triple Ace, Inc., Desert Ridge Farms, Inc. and Patterson Farms of Idaho, Inc. as parties to the subcase. IDWR has changed its own internal records but the parties recognize that the court's record must be corrected.

In the *Stipulation*, the parties also seek leave to file what is essentially a late objection to the water right claim objecting to the period of use recommended in the Director's Report for Reporting Area 3.

THEREFORE, IT IS ORDERED:

1. Substituting Rustic Ag, Inc. as the party claimant to the water right;
2. Dismissing Triple Ace, Inc., Desert Ridge Farms, Inc. and Patterson Farms of Idaho, Inc. as parties to the subcase;

ORDER SUBSTITUTING PARTY CLAIMANT; DISMISSING
PARTIES TO SUBCASE; GRANTING LEAVE TO FILE LATE
OBJECTION; AND REQUIRING RESPONSE TO LATE OBJECTION
5/18/95

3. Granting Rustic Ag, Inc. leave to file a late objection to the period of use recommended in the Director's Report for Reporting Area 3, such late objection to be filed within thirty (30) days of the date of this Order; and
4. Requiring the State of Idaho, IDWR, to file its response to the late objection within sixty (60) days following the date of filing of the late objection.

Dated: **5-18-95**



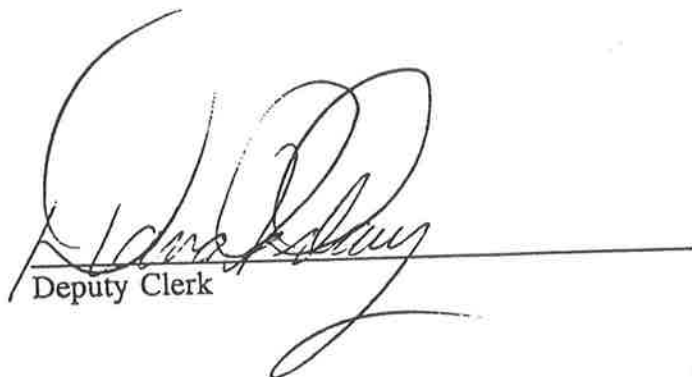
Terrence A. Dolan
Special Master, Reporting Area 3
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SUBSTITUTING PARTY CLAIMANT; DISMISSING PARTIES TO SUBCASE; GRANTING LEAVE TO FILE LATE OBJECTION; and REQUIRING RESPONSE TO LATE OBJECTION was mailed on May 18, 1995, with sufficient first-class postage to the following:

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

Roger D. Ling
P O Box 396
Rupert, ID 83350



Deputy Clerk

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

In Re the General Adjudication)
of the Rights to the Use of Water)
from the Snake River Basin)
Water System)
_____)

Case No. 36-04009 -0001

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

RESPONSE TO OBJECTION NO. 36-04009 -0001 - PAGE 1

MICROFILMED

OCT 18 1994

2. Person who filed objection:

Name: RUSTIC AG INC
Address: PO BOX 539
PAUL ID 83347

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
9. ☒ Place of Use: I respond to the objection concerning:
- 9b. ☒ The number of irrigated acres within each forty (40) acre subdivision.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 1, and all allegations regarding this item, IDWR responds as follows: 1) The notice of change of ownership as required by Idaho Code 42-1409(7) was filed with IDWR after the director's report was filed with the court. 2) IDWR has changed its records to that shown on the objection. 3) The recommendation should be corrected as shown in the attachment entitled "Recommended Water Rights Acquired Under State Law." IDWR further responds that this, however, may not change the records of the SRBA Court to reflect the change in ownership shown on the objection. The Court has developed its "Standard Form 3" to be used for reporting matters such as address changes and changes in ownership. The claimant may need to file this form with the SRBA

Court.

In response to Statement of the Objection item 9 and 9b., and all allegations regarding this item, IDWR responds as follows: There is an error in the description of the place of use of this right in the director's report. The recommendation should be corrected as shown in the attachment entitled "Recommended Water Rights Acquired Under State Law."

CHANGES TO THE DIRECTOR'S REPORT

See attached List of Recommended Water Rights Acquired under State Law.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

	No. of Pages
Notice of Claim No. A36-04009	4
Recommended Water Rights Acquired under State Law	1

(Over)

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



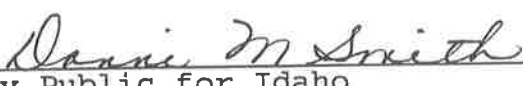
Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 1st day of September,
1993.



Notary Public for Idaho

Residing at: _____

My Commission expires: _____

Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of SEPTEMBER, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

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

2. One copy to the owner of the water right, and you must fill in the following information:

See No. 3

Name: TRIPLE ACE INC
Address: RT 2 BOX 2778
PAUL ID 83347

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: ROGER D LING
Address: PO BOX 396
RUPERT ID 83350

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

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: A36-04009
Date Received: 10/03/1989
Receipt No: S009545
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PATTERSON FARMS OF IDAHO, INC. 208-438-4800
Address: RT. 1 BOX 1272
PAUL, ID 83347
 2. Date of Priority: APR 16, 1963
 3. Source: GROUNDWATER Trib. to:
 4. Point of Diversion:
- | | | | | | | | |
|----------|-------|---------|--------|--------|-----|-----|----------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
| 09S | 23E | 7 | SW | SW | SE | | MINIDOKA |
5. Description of diverting works:
WELL, PUMP, SPRINKLERS
 6. Water is used for the following purposes:
- | | | | | | |
|------------|-------|-------|-------|------|--------|
| Purpose | From | To | C.F.S | (or) | A.F.A. |
| IRRIGATION | 03/01 | 11/15 | 0.560 | | |
7. Total Quantity Appropriated is:
0.560 C.F.S. (and/or) A.F.A.
 8. Total consumptive use is 84.0 Acre Feet Per Annum.
 9. Non-irrigation uses:
 10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	23E	7	SW	SE	4	IRR	24.2
			SE	SE		IRR	4.0
Section Acres							28.2

10. Place of Use: Continued

Total Acres 28.2

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:
 M.I.D. WATER, A36-04248

14. Remarks:
 STATUTORY CLAIM EXPANDED 6.2 ADDITIONAL ACRES IN SWSE, SECTION 7,
 WHICH HAVE BEEN IRRIGATED SINCE THE ORIGINAL CLAIM WAS FILED
 IN 1959. CLAIM EXPANDED FROM .44 CFS TO .56 CFS.
 PERIOD OF USE ALSO EXPANDED FROM 4/1 - 10/1 TO 3/1 - 11/15.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am Vice President of Patterson Farms of Idaho Title

Patterson Farms of Idaho Organization, that I have signed the foregoing document in the space below as Vice President Title

Patterson Farms of Idaho Organization and that the statements contained in the foregoing document are true and correct.

by Russell V. Patterson Signature of Authorized Agent

Vice President Patterson Farms of Idaho Title and Organization

10-3-89 Date

State of Idaho

County of TF)

) SS.

Subscribed and sworn (or affirmed) before me this 3rd day

of Oct 19 89

Lon White Notary Public

Seal

Residing at TF

My Commission Expires 5/94

P/1
1940
#3 1977
#4 1962

7718

SEE D12

4248
4009

(BARN)

Long Beach

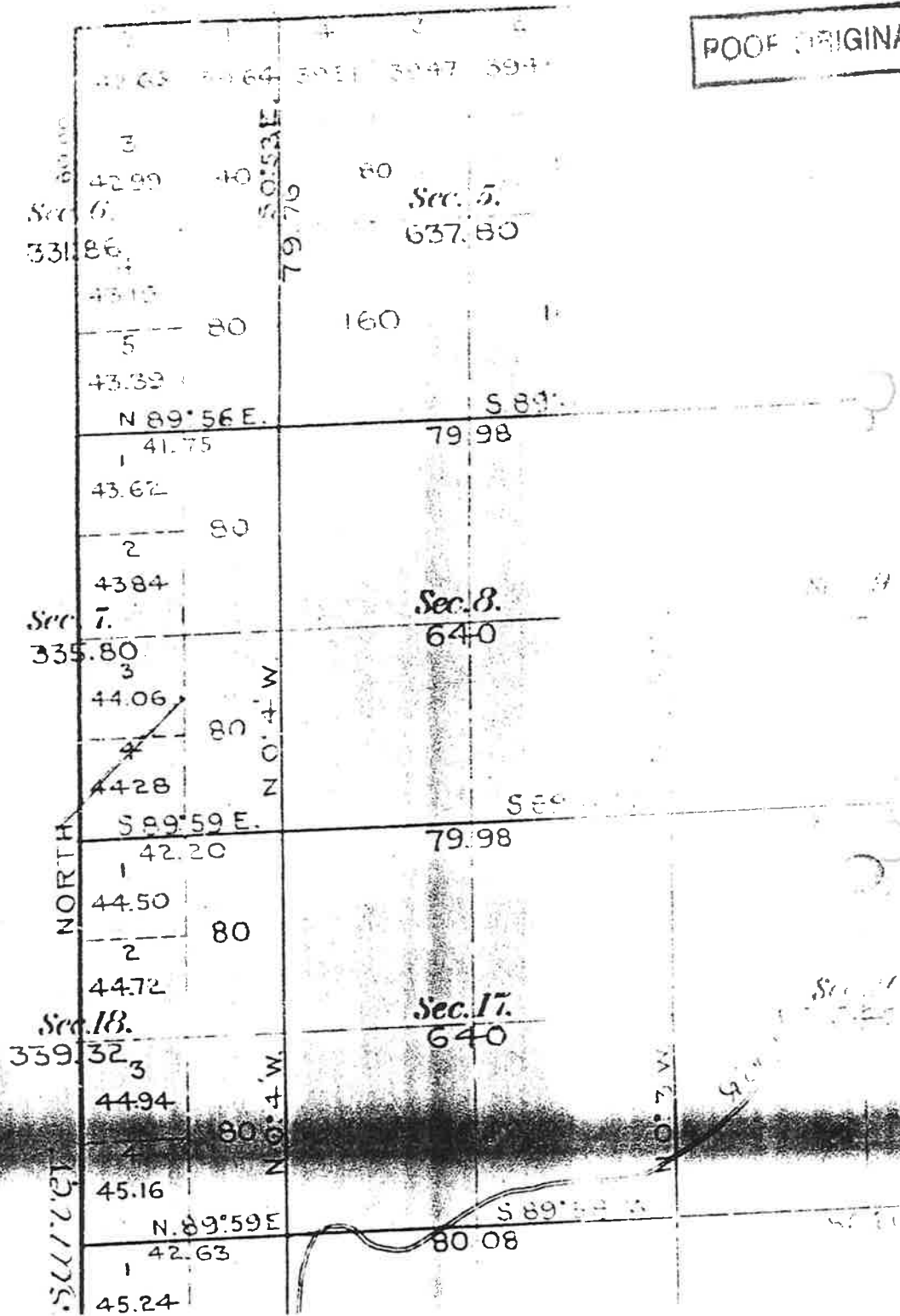
AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: AUG-30-1993
PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
-----SOURCE: GROUNDWATER-----						
36-04009	~~TRIPLE ACE INC~~ ~~RT-2 BOX 2778~~ PO BOX 539 PAUL ID 83347	04/16/1963	IRRIGATION	04-01 10-31	.5 CFS 100.0 AFY	BENEFICIAL USE
					TOTAL QUANTITY:	.5 CFS 100.0 AFY
					CONSUMPTIVE USE:	75.0 AFY
POINT OF DIVERSION: T09S R23E S07 LOT 4 (SWSWSE)						
PLACE OF USE: IRRIGATION						
T09S R23E S07 Lot 4 (SWSE) ~~21.0~~ 25.6 SESE ~~4.0~~ 1.0						
25.0 26.6 ACRES TOTAL						
REMARKS: USE OF THIS RIGHT IS COMBINED WITH WATER FROM MINIDOKA IRRIGATION DIST.						

MICROFILMED
OCT 13 1994

POOF ORIGINAL



MICROFILMED

OCT 18 1994

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

Triple Ace Inc.

Rustic Ag Inc.

Desert Ridge Farms Inc.

Patterson Farms of Idaho Inc.

2. SUBJECT OF INQUIRY:

I met with the four entities (Members of Patterson Family) to discuss ownership of record. It appears that Patterson Farms submitted original claims then the organization split up into various family member corporations listed above. Russell Patterson (Triple Ace) filed change of ownership with copy of deed for his portion. Appears Judy misinterpreted the legal description and changed more than Triple Ace's share of rights. The other members organizations did not file notice of change and error discovered too late. Some rights (listed below) should be in other names.

3. RESPONSE TO INQUIRY:

I told group to have Triple Ace file ownership change to proper entity. I told them we would then change IDWR electronic record. (This was done) I also told them that since ownership change of court records process has not been finalized they may wish to file an objection.

4. IDWR STAFF AND DATE:

Allen Merritt

3/23/93

Print name and Initial

WATER RIGHT CLAIM (Nos.):

(36-04009

36-04248

Rustic Ag
Inc

(36-04218

36-07718

Patterson Farms
of Idaho Inc.

(36-02471

36-04010

Desert Ridge
Inc.

MICROFILMED

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

MR. DEMPSEY
438-8666

2. SUBJECT OF INQUIRY:

Ownership question - PATTERSON FARMS -
signature of Russell Patterson as owner
Question of ownership and signature re: 36-02471
and others. Thought they had protested this before.
Other ownership names involved are DESERT RIDGE
& TRIPLE ACE FARMS.

MR. DEMPSEY thought ownership changes had been done
before this. Report submitted but not certain.

3. RESPONSE TO INQUIRY:

I told Mr. Dempsey I would have an agent
experienced in Basin & Imperial call him
back.

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

F. Hitchcock 03-15-93 3:35 PM
F. HITCHCOCK FH
36-02471 and others

MICROFILMED

OCT 13 1994

RECEIVED

MAY 03 1993

Department of Water Resources
Adjudication Bureau

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

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

) Case No. 36-04009
) (You must insert the
) water right number you
) are objecting to)

OBJECTION

36-04009 -0001/
93-04-0252

INSTRUCTIONS

This form must be used to file an objection to any water right recommenced in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

(Over)

OBJECTION - 1

SRBA A.O. 1 Appendix
2/17/93

MICROFILMED

OCT 13 1994

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: Rustic Ag, Inc.

Address: P. O. Box 539

Paul, Idaho 83347

Briefly describe your interest in this water right: Rustic Ag, Inc. is the successor in interest to the subject real property and water right previously owned by Patterson Farms of Idaho, Inc.

2. Owner of the water right:

Name: Rustic Ag, Inc.

Address: P.O. Box 539

Paul, Idaho 83347

3. If this objection is filed by an attorney:

Attorney Name: Roger D. Ling

Attorney Address: P. O. Box 396

Rupert, Idaho 83350

Attorney Phone No.: (208) 436-4717

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

Adjudication Division
Department of Water Resources

WVA 03 1989

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☒ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☒ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

(Over)

12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

1: Rustic Ag, Inc. is the successor in interest of Patterson Farms of Idaho, Inc. and Triple Ace, Inc. has never owned any interest in this property or the water right.
9(b): There are 22.6 acres in Lot 4 (SW $\frac{1}{4}$ SE $\frac{1}{4}$), for a total of 26.6 acres.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

Name of owner of water right should be changed to Rustic Ag, Inc., and the place of use should show 22.6 acres in Lot 4 and 4 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, for a total of 26.6 acres.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

X Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. Document #1: Letter of March 24, 1993, to Rustic Ag, Inc. from the Department of Water Resources; Document #2: ASCS map showing total irrigable acres of 26.6 acres for place of use.

VERIFICATION (Must be Completed)

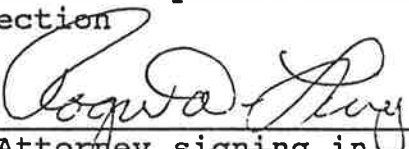
State of IDAHO

County of Minidoka

ROGER D. LING, being first duly
(name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection,
that I am a water claimant or party in this proceeding, as defined
by I.C. §42-1401A(1) and (7), and that I have read the foregoing
objection, know its contents and that the statements contained
therein are true to the best of my knowledge and belief.

Rustic Ag, Inc.
Signature of person filing
objection

By: 
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 30th day of April,
1993.


Notary Public for Idaho
Residing at: Declo, Idaho
My Comm. Expires: 8/18/94

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

2. One copy to the owner of the water right, and you must fill in the following information:

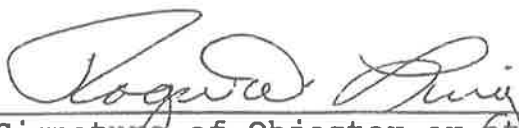
Owner name: Triple Ace, Inc.
Owner's address: Route 2, Box 2778
Paul, Idaho 83347

3. One copy to:

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

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734


(Signature of Objector or attorney
mailing on Objector's behalf)



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

24-Mar-1993 11:41

Rustic Ag Inc
PO Box 539
Paul, ID 83347

RE: Change of Ownership
SRBA Claim A36-04009
A36-04248

Director's Report 36-04009
36-04248

Gentlemen:

Pursuant to our meeting yesterday I have changed the Department's electronic record for the above referenced SRBA Claims and corresponding Director's Report Recommendations. Please find enclosed a profile report of the Director's Report Recommendation as it currently exists. As we discussed the ownership flag has been set "D" indicating that Triple Ace Inc was the owner originally reported to the court and "C" indicating the current owner.

As we discussed the action I have taken does not change the record in the court. To change this record I suggest you talk to your attorney or file an objection to the recommendation on the standard forms I provided. (Note that the deadline for filing objections to the court is May 1, 1993) If you have questions regarding filing objections I suggest you talk to your attorney.

If I can be of further assistance please feel free to contact our office.

Sincerely,

Allen D. Merritt, P.E.
Water Rights Supervisor

Encl:

Box No. 1

MICROFILMED

OCT 11 1994

SEE DI2

This trail is planned
under Rustic Ag
with same plan as
T81 with the
understanding that
the operator will
follow the plan.
1/25/93 km

E-12
R-23
T-9
S-18

8-NHEL

15.8

4-NHEL

34.2

5 NHEL

17.7

NOT-HEL

T82

2214

TRACT NOT-HEL

6.2

20.4

52.0

T232

196

HEL

75.6

2.0

77.2

HEL

12

13

14

6.0

3.9

3.9

NHEL

HEL

15 NHEL

54.5

16 NHEL

71.4

T83

2214

T47.5 NHEL

32.1

1.9

2

3

4.8

NHEL

3

15.0

HEL

18.4

NHEL

20.1

4 NHEL

10.1

5

9.7

6

14.8

POOR ORIGINAL

Box No. 9(b)

OCT 12 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

24-Mar-1993 11:41

Rustic Ag Inc
PO Box 539
Paul, ID 83347

RE: Change of Ownership
SRBA Claim A36-04009
A36-04248

Director's Report 36-04009
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As we discussed the action I have taken does not change the record in the court. To change this record I suggest you talk to your attorney or file an objection to the recommendation on the standard forms I provided. (Note that the deadline for filing objections to the court is May 1, 1993) If you have questions regarding filing objections I suggest you talk to your attorney.

If I can be of further assistance please feel free to contact our office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Allen D. Merritt'.

Allen D. Merritt, P.E.
Water Rights Supervisor

Encl:

MICROFILMED

OCT 11 1994

Date: 10/16/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO B. NO CHANGE.
SENT LETTER DISCUSSING NEED FOR SUPPORTING EVIDENCE.

RECEIVED

AJ0749NP
No. 36-04009

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

DATE: 03/24/93
PAGE: 2

=====

Date: 03/24/1993 User-ID: MERRITT Subject: CHANGE OF OWNERSHIP
APPEARS ERROR IN CHANGE FROM PATTERSON TO TRIPLE ACE.
3/23/93 TRIPLE ACE CHANGED TO RUSTIC AG TO CORRECT ERROR.

Audit: 03/24/93 MERRITT

MICROFILMED
DEC 13 1994

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF



MICROFILM

FEB 1 1964



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

20-Oct-1992

Mr. Russell V. Patterson
Triple Ace, Inc.
Rt 2 Box 2778
Paul ID 83347

RE: Snake River Basin Adjudication (SRBA)
Notices of Error - A36-02060, A36-02471, A36-02558
A36-04009, A36-04010, A36-04218
A36-04248, A36-07718, A36-11590

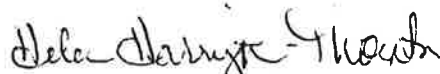
Dear: Mr. Patterson:

The final Director's Report will be filed with the court on November 2, 1992. A copy of the final recommendation will be sent to you at that time and will include information about the objection process.

Apparently, Mrs. Patterson was in this office several weeks ago and discussed the ownership issue with another employee. The paperwork was processed earlier this week and copies of the changed records was forwarded to you on those records. I hope this corrects the ownership errors.

If you still do not agree with the proposed IDWR recommendation to the court, you may file an objection with the court after you receive the final recommendation of your water right.

Sincerely,


Helen Harrington-Thornton
Water Resource Agent

HHT

MICROFILMED
JUN 1993

NOTICE OF ERROR FORM

AUG-24-1992

RECEIVED

SEP 28 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 28 1992

1. Water right number: 36-04009

RECEIVED

2. Name: Triple Ace Inc.

OCT 01 1992

Address: Rt. # 2, Box 2778

Department of Water Resources
Columbia River Office

Paul, Idaho 83347

Weekday Telephone Number: 208-438-8283

MICROFILMED
678-0248-1111
FBI

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling 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:
Period of use incorrect
Land owner - incorrect
Need to verify information of diversions & use.
4. Describe the changes you wish to have made in the proposed recommendation:
All of the above
5. Describe why you disagree with the proposed recommendation:
Incorrect
6. Date: 9-20-92

SIGNATURE

Trust Acc Inc
by Richard Patterson Pres.



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

16-Oct-1992

Mr. Russell Patterson, President
Triple Ace Inc.
Rt 2 Box 2778
Paul ID 83347

RE: Snake River Basin Adjudication (SRBA)
Notices of Error - A36-02060, A36-02471, A36-02558
A36-04009, A36-04010, A36-04218
A36-04248, A36-07718, A36-11590

Dear Mr. Patterson:

We are in receipt of the Notice of Error on the above referenced claim. We are not making any changes except as follows to the recommendations at this time. We have changed the address identified in the recommendation for A36-11590 (copy of profile report as changed enclosed).

The recommendations on the above referenced claims are based on IDWR records, field examinations, Idaho Code and regulations and other documents reflecting the use of the water described in these claims. Your Notice of Error mentioned a review of the place of use, diversion rates and other information should be changed upon meeting with IDWR personnel. Due to time constraints at this time, we are unable to make any changes to the recommendations unless you have specific supporting evidence of inaccuracies in the recommendations.

If you have maps or other information which describe errors in the recommendations, please contact this office by Tuesday, October 20, 1992. Additionally, you mentioned that the landowner was incorrect on several of the above referenced claims. Enclosed is a change of ownership form for completion in order to change the records. This form should also be returned by Tuesday, October 20, 1992, in order to ensure that the documents can be reviewed and processed in time for inclusion in the final Director's Report.

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.

ACF-511111
10

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 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.

Sincerely,


Helen Harrington-Thornton
Water Resource Agent

HHT

Enclosures

Ownership Change form
Profile Report A36-11590

WCSOFILE

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

DATE: 10/16/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TRIPLE ACE INC RT 2 BOX 2778 PAUL ID 83347	04/16/1963	IRRIGATION	04-01 10-31	0.50 CFS	100.0 AFA
TOTAL DIVERSION:					0.50 CFS	100.0 AFA
CONSUMPTIVE USE:						75.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T09S R23E S07 Lot04(SWSWE)

MINIDOKA County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
09S	23E	7	:									:									:			
																					04-21	04	:	25.0
																					TOTAL ACRES		:	25.0

POU County: MINIDOKA

Other Rights: SEE REMARKS

Conditions of Approval:

S16 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- MINIDOKA IRRIGATION DIST.

Dates: Exam Made Date: 04/23/1991 Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/10/1991 User-ID: SOUTH1 Subject: COPIED FROM REMARKS
STATUTORY CLAIM EXPANDED 6.2 ADDITIONAL ACRES IN SWSE, SECTION 7,
WHICH HAVE BEEN IRRIGATED SINCE THE ORIGINAL CLAIM WAS FILED
IN 1959. CLAIM EXPANDED FROM .44 CFS TO .56 CFS.
PERIOD OF USE ALSO EXPANDED FROM 4/1 - 10/1 TO 3/1 - 11/15.

OWNERSHIP CHANGE 6/6/91 BY JG.

Date: 09/29/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
NOE RECEIVED 9/28/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 7/22/91. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/16/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO B. NO CHANGE.
SENT LETTER DISCUSSING NEED FOR SUPPORTING EVIDENCE.

Audit: 10/16/92 THORNTON

R PROOF



CVR



MAPS



PHOTOS

MISC



MICROFILM

VERIFIED BY

Water Right Number - R36-04009

Prefix Translation: RESEARCH

Old (D) Number -

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***
TRIPLE ACE INC.

1 - RT. 2 BOX 2778

2 -

3 -

City- PAUL

Phone - 208-000-0000

State- ID Zip- 83347

*** O - ORIGINAL OWNER ***
PATTERSON FARMS OF IDAHO INC.

1 - RT. 1 BOX 1272

2 -

3 -

City- PAUL

Phone - 208-438-4800

State- ID Zip- 83347

+ - - Priority Date - - +
04/16/1963+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - +

+ - - Source - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

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

09S 23E 7 SW SW SE 4 (67) MINIDOKA

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

01 - IRRIGATION

03/15 11/15

0.500

100.00

+ - Total Div. Rate - + + - Total Div. Volume - +
0.500 100.00+ - Total Consumptive Use - + + - KW Usage - +
75.0+ - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

09S 23E 7

SW SE

4

21.0

01

IRRIGATION

(67) MINIDOKA

09S 23E 7

SE SE

4.0

01

IRRIGATION

(67) MINIDOKA

Total Acres: 25.0

+ - - Diversion Means - WELL, PUMP, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

+ - - Remarks - - - - - +
No Remarks found.

Water right number - R36-04009

Prefix Translation: RESEARCH

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

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

No Old Water Right Numbers Found

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

S16 - USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM
- MINIDOKA IRRIGATION DIST.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

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

Date: 06/10/1991 User Id: SOUTH1 Subject: COPIED FROM REMARKS
STATUTORY CLAIM EXPANDED 6.2 ADDITIONAL ACRES IN SWSE, SECTION 7, WHICH HAVE BEEN IRRIGATED SINCE THE ORIGINAL CLAIM WAS FILED
IN 1959. CLAIM EXPANDED FROM .44 CFS TO .56 CFS. PERIOD OF USE ALSO EXPANDED FROM 4/1 - 10/1 TO 3/1 - 11/15.
***** OWNERSHIP CHANGE 6/6/91 BY JG.

+ - - Audit Fields - - +

07/22/91 WELLS

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 04/23/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 07/22/1991	Old Judicial District	-
Claim Received Date	- 10/03/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S009545	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:01:07
12/18/90

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-04009

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

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:01:07
12/18/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-04009

LAST: PATTERSON FARMS OF IDAHO INC.
ADDRESS: RT. 1 BOX 1272
CITY: PAUL
PHONE NUMBER: 208-438-4800

FIRST:
STATE: ID ZIP: 83347

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: STATUTORY CLAIM EXPANDED 6.2 ADDITIONAL ACRES IN SWSE, SECTION 7,
WHICH HAVE BEEN IRRIGATED SINCE THE ORIGINAL CLAIM WAS FILED
IN 1959. CLAIM EXPANDED FROM .44 CFS TO .56 CFS.
PERIOD OF USE ALSO EXPANDED FROM 4/1 - 10/1 TO 3/1 - 11/15.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Donald Paul Brown

PHONE NUMBER: () -

DATE OF FIELD EXAM: 1/11/91

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: Donna Brown

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A36-04009 PRIORITY DATE: 04-16-1963 STAGE: S

B. WR RECORD: # 36-04009 PRIORITY DATE: 04-16-1963 STAGE: S

C. FIELD EXAM REQUIRED?

DATABASE FIELD
N EXAMINER

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

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

REMARKS:

*Long form filed in official form 1/29/91
The priority date is also recommended for claim A36-04009
while under the same PDD.*

RECOMMENDED PRIORITY DATE:
04-16-1963

REVIEWED BY

DATE

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-04009	09S	23E	7	SW	SW	SE		MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-04248 NONE

WR RECORDS IN SAME 40 ACRE TRACT

36-04248

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-04009	09S	23E	7		SW	SE		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-04248

A36-04248 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

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY

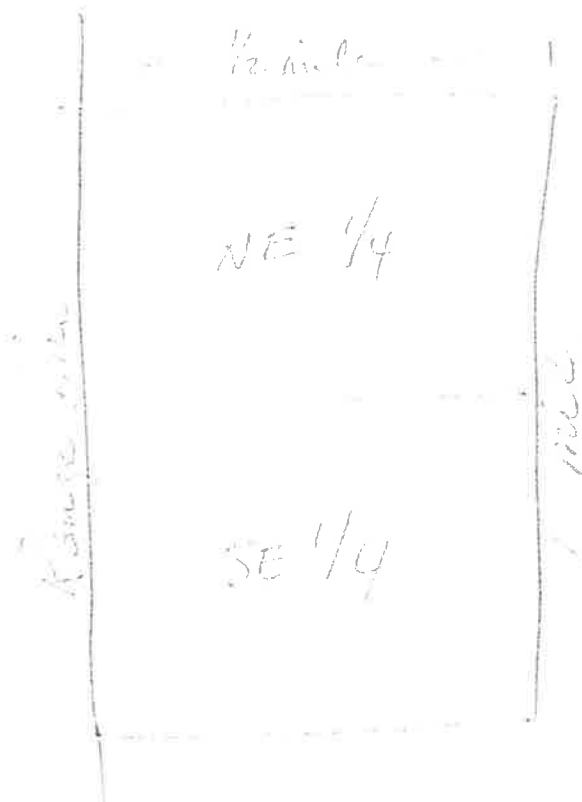
SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

DATE:

Good battery involved in Section 1
There is no West 1/2 of section.



A. ROOT WATER RIGHT NUMBERS: A36-04009

B. POU LISTING

B. POU LISTING						AJ	WR	LANDSAT	FIELD	RECOMM.	
TWP	RNG	SEC	1/4	1/4	LOT	NAME	#/ACRES	#/ACRES	DATA	EXAM.	ACRES
09S	23E	7	SW	SE	4	PATTERSON FARMS OF IDAHO INC.	A36-04009 /24.2	36-04009 /18.0	45.0	21	26
						PATTERSON FARMS OF IDAHO INC.	A36-04248 /24.0	36-04248 /24.0			
						LARGE CLAIM	A01-10187Z1/43.0	- /			
09S	23E	7	SE	SE		PATTERSON FARMS OF IDAHO INC.	A36-04009 / 4.0	36-04009 / 4.0	38.0		
						PATTERSON FARMS OF IDAHO INC.	A36-04248 / 4.0	36-04248 / 4.0			
						LARGE CLAIM	A01-10187Z1/40.0	- /			
TOTAL ACRES							A36-04009	28.20	22.00	83.00	25

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
W

PRESUMPTION FLAG:

REMARKS:

*RE: A36-04248 covers 24 of 45 planned acres with
irrigation priority. This claim covers remaining
21 acres.
7/20/91 Recommended acres on Statutory claim exceed license ac. N.D.B*

RECOMMENDATIONS:

TOTAL ACRES: 25

REVIEWED BY: W

DATE: 7/20/91

A. AJ CLAIMED USES:

PURPOSES
A36-04009 IRRIGATION

MONTH/DAY
FROM 03-01 TO 11-15

DIVERSION QUANTITY
.560 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.560 CFS

B. WR RECORDED USES:

PURPOSES
36-04009 IRRIGATION

MONTH/DAY
FROM 04-01 TO 10-01

DIVERSION QUANTITY
.440 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.440 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

DATABASE
N
Y
Y

FIELD
EXAMINER

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

Reviewed 3-15-16 11-15 in line 36 ac 11-15
NPB

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.560 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.440 CFS

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

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: M.I.D. WATER, A36=04248

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-04009	GROUNDWATER	PATTERSON FARMS OF IDAHO INC.	0.560	0.019		
A36-04248	GROUNDWATER	PATTERSON FARMS OF IDAHO INC.	0.440	0.015		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE

ACRES 25 x 0.02 CFS/ACRE = 0.5 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 84.0 AF/A

ACRES 25 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 250 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 25 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 100 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

limited to 1" pipe which combined with
136-04207 & mtp water
(use same well)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	3-15 03-01	11-15 11-15	DATABASE 0-560	EXAMINER -50	DATABASE 100	EXAMINER 100	DATABASE 84-0	EXAMINER 75
TOTAL FOR THIS RIGHT			0-560	50		100	84-0	75
REVIEWED BY:	[Signature]		DATE: 12/22/90		1/20/91			

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-04009

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.440

EXAMINER
2/2/90

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A36-04009

0.560

-

36-04009

0.440

TOTAL CFS

0.560

0.440

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
N

FIELD
EXAMINER
2/2/90

REMARKS:

AUTHENTICATION:

SIGNATURE: [Signature]

DATE: 12/29/90

NAME OF FIELD EXAMINER: _____ TITLE: _____

A36-4009

AGENT

INITIALS

KKC

7-19-91

**CLAIM NO.
OR ENTRY
ORDER**

REMARK	CODE
--------	------

ENTRY DATA

CONDITION	CODE
1. No. of days of rain in the month	1-10
2. No. of days of rain in the month	11-20
3. No. of days of rain in the month	21-30
4. No. of days of rain in the month	31-40
5. No. of days of rain in the month	41-50
6. No. of days of rain in the month	51-60
7. No. of days of rain in the month	61-70
8. No. of days of rain in the month	71-80
9. No. of days of rain in the month	81-90
10. No. of days of rain in the month	91-100

STAGE

OR
STATUS

**PRESUMPTION
CODE**

J-Stage

316

10/20/2017

Figure 1. Schematic representation of the experimental design. The subjects were divided into two groups: the control group and the experimental group. The control group was divided into two subgroups: the control group and the control group. The experimental group was divided into two subgroups: the experimental group and the experimental group.

A36 - 4009 AND A36 - 4248

Both rights have the same proof of priority affidavit, therefore both would have the same priority.

They were filed for the same acres with A36 - 4009 claiming an additional diversion rate. (0.02 CFS/ACRE)

A36 - 4248

Recommend disallow as it is a duplication of A36 - 4009.

A36 - 4009

Although priority date of APR 16, 1963 is after the mandatory permit date for ground water, works were started prior to that date. I recommend this as claimed.

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: A36-04248
 DATE: 12/28/90
 BY: lw

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
 H.P. = Total Brake Horsepower of pumping plant (including booster)
 EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
 TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
 LIFT = depth to water in FEET from land surface to pumping water level
 PSI = pumping pressure measured in psi near pump
 (if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (30) \times (0.70)}{[(100) + (70 \times 2.31)]} = \frac{184.8}{261.7} = .706$$

LIFT FROM:
 measurement ()
 owner ()
 area estimate (✓)
 well logs ()

Booster (Y) (N)

PSI FROM:
 measurement ()
 owner ()
 estimate ()
 owner gage ()

NOTES ON PUMP:
 Motor Make, Serial or ID
Johnson 15HP
 Pump Make, Serial or ID, rating
Berkley 15HP Booster

REMARKS

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)
3/15 - 11/15	246
4/1 - 11/1	215
4/15 - 10/15	184
3/1 - 12/1	276

$$\text{POTENTIAL} = \frac{(.246) \times (1.98) \times (.706)}{(.53)} = 6.48$$

REQUIRED Acre Feet/Acre/Annum = 4
 (AF/Ann/Ac irrigation requirement from chart for area)
 NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

MICROFILMED

7-14-93