

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: **A36-11584**
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: LAND VIEW FERTILIZER, INC
Address: PO BOX 86
MINIDOKA ID

208-531-4500

83343

2. Date of Priority: DEC 31, 1958

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	25E	2	SW	NW	SE		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.
COMMERCIAL	01/01	12/31	0.050		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

COMMERCIAL/ POTATO CELLAR HUMIDIFIER

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	25E	2	NW	SE		COMMER	

11. Place of use in counties: MINIDOKA

MICROFILMED

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

13. Other Water Rights Used:
NONE

14. Remarks:

OWNERSHIP CHANGE 6/6/91 BY JG.

12/26/95, DJ: OWNERSHIP CHANGE PER SF-3 REC'D 6/95.

15. Basis of Claim: BENEFICIAL USE

From: DWR60::SCLELLAN "STEVE @ SOUTHERN" 28-DEC 1995 17:51:05.42
To: DWR03::NSPENCER
CC: SCLELLAN
Subj: LANDVIEW A36-11584

NICK,

SORRY THIS IS LATE IN RETURNING YOUR REQUEST. HERE IS WHAT I FOUND:

YOU ASKED IF THIS COULD BE RESOLVED VIA THE SRBA CLAIMS -OR-

RECOGNIZE LOWER USES AND DEAL WITH EXPANSIONS IN THE ALLOCATIONS SECTION.

SHORT ANSWER** ACCEPT AS RECOMMENDED FOR THE LESSER USES AND GET PERMITS OR TRANSFERS FOR THE EXPANDED USES AND FLOW RATES.

NO CLAIM WAS EVER MADE FOR THE LARGER FLOWS DEMONSTRATED TO ME AT THE EXAM ON 6-26-95. BECAUSE OF THE CLAIMED RATES AND AMPLE CAPACITY OF THE SYSTEMS ALL THE INFORMATION TO PROVIDE A MORE ACCURATE ANALYSIS OF THE FLOW RATES OF THESE TWO WELLS HAS STILL NOT BEEN COLLECTED. IT HAS MERELY BEEN NOTED THAT THE USE OF WATER FLOW RATES ARE ABOVE WHAT IS RECOGNIZED IN THE SRBA.

HOLLER IF YOU HAVE ANY QUESTIONS.

STEVE

CC: A36-11584 & A36-15347

MICROFILMED
DEC 05 1996

From: DWR60::DJONES 26-DEC-1995 14:45:28.11
To: DWR03::BKING
CC: DJONES
Subj: A36-11584

BRENT,

This is to remind you that you (or Nick) can print out a current claim form for this right and a current proof report for the blank prefix (stored in the "DO NOT FILM" section) after update tonight.

I'll work on the Branchflower question and get back to you.

Doug

MICROFILMED

DEC 05 1996

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-11584
Date Received: 8/03/1989
Receipt No: 500545
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: DEC 31, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	25E	2	SW	NW	SE		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.
COMMERCIAL	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/POTATO CELLAR HUMIDIFIER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	25E	2	NW	SE		COMMER	

11. Place of use in counties: MINIDOKA

A36-11584

Page 1

Date: 09/28/89

MICROFILMED
OCT 20 1994

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 President of
 Patterson Land & Cattle Co. Inc. Title
 Patterson Land & Cattle Co. Inc. Organization
document in the space below as President of
 Patterson Land & Cattle Co. Inc. Title
 Patterson Land & Cattle Co. Inc. Organization
and that the statements contained in the
foregoing document are true and correct.

 1. [Signature]
Signature of Authorized Agent

 President - Patterson Land & Cattle Co. Inc.
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

 [Signature]
Notary Public

Seal

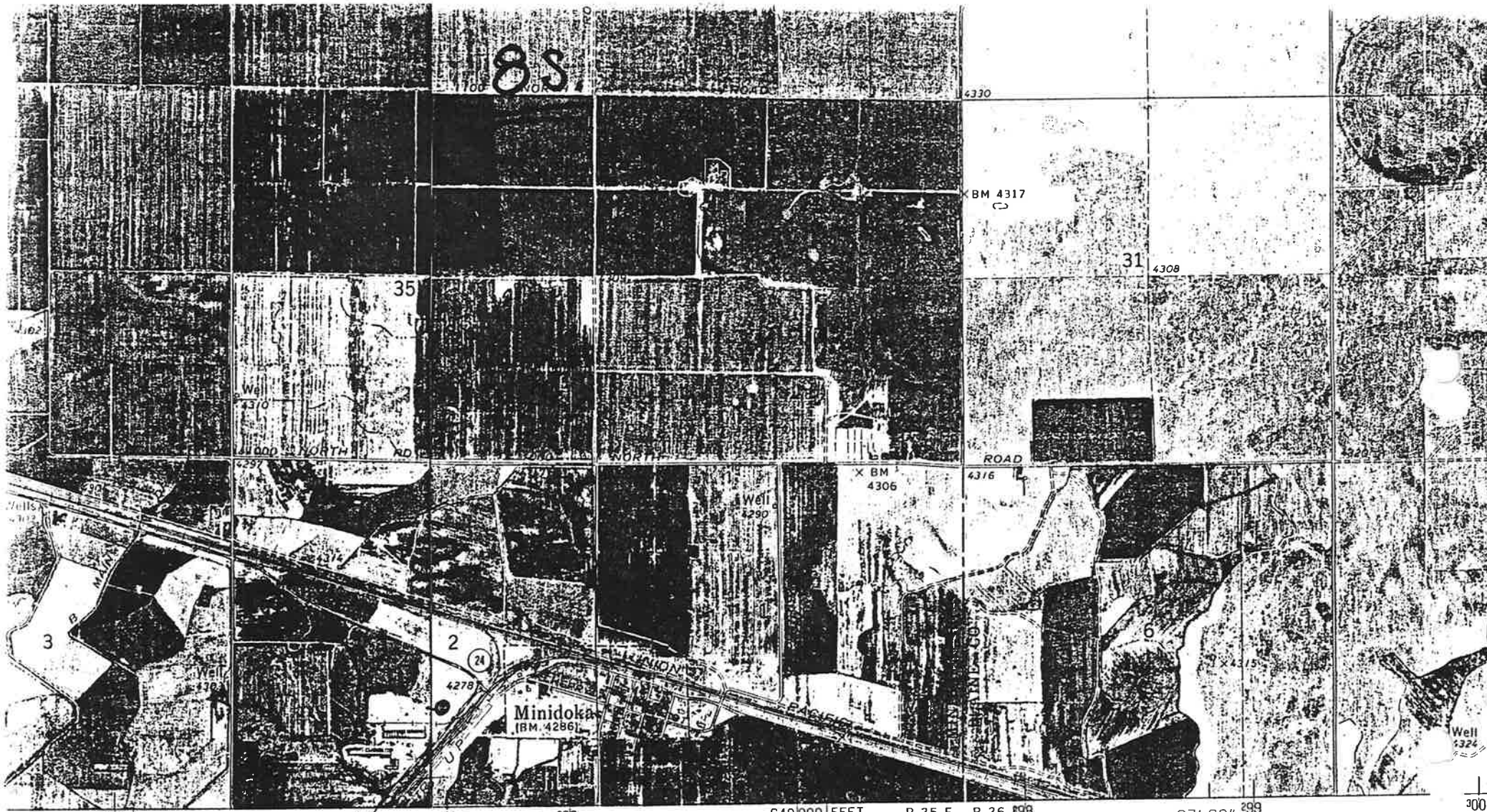
Residing at TF

A36-11584

Page

My Commission Expires 5/94
2 Date: 09/28/89

MICROFILMED
OCT 29 1994



ACEQUIA 8 MI
RUPERT 13 MI

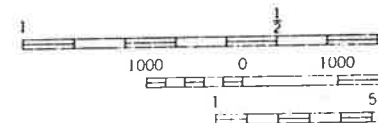
Produced by the Geological Survey
in cooperation with the Soil Conservation Service

Orthophotograph prepared from 1:78,000-scale
aerial photographs taken August 4, 1979

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

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

25E 26E



NORTH

A36-11584

R25E R26E

THIS MAP COMPILED
FOR SALE BY U. S. G

MICROFILMED

OCT 20 1979

FOUR OTHERS

COMMUNICATION DOCUMENTATION

Claim No. 36-11584, 15347 ✓

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Jim Stanton Date 6-28-94Contact Person(s) Brent Stanger, Farm Credit ServicesNature of Contact Inquiry on well locationSubstance of Communication Proof reports given to Mr. Stanger

MICROFILMED

OCT 20 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: **A36-11584**
Date Received: 10/ 3/1989
Receipt No: S009545
Received By: _____

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

1. Name: PATTERSON FARMS OF IDAHO INC 208-438-5902
Address: RT 1 BOX 1272
PAUL ID 83347

2. Date of Priority: DEC 31, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	25E	2	SW	NW	SE		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.
COMMERCIAL	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
COMMERCIAL/ POTATO CELLAR HUMIDIFIER

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	25E	2	NW	SE		COMMER	

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:
NONE

14. Remarks:
OWNERSHIP CHANGE 6/6/91 BY JG.

15. Basis of Claim: BENEFICIAL USE

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 _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

FILED
FEB 07 1993

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 _____

AMERICAN
FEB 7 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

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

JUN 15 1992

DATE OF CLOSING: _____

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: A36-11584
- [] Name and Address of Former Owner/Claimant(s)(Seller): TRIPLE ACE INC
RT 2 BOX 2778
PAUL ID 83347
- [] New Owner/Claimant (Purchaser): PATTERSON'S FARMS OF IDAHO INC
- [] New Mailing Address: RT 1 BOX 1272
PAUL ID 83347
- [] New Telephone Number: (208) 438-5902
- [] 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:

CORRECTION OF PREVIOUS OWNERSHIP CHANGE.

- [] 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 _____

☒ Signature of Former Owner/Claimant(s): _____

Date

Date

Date

Date

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: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

ATTN: STEVE CLELLAND

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

MICROFILMED
FEB 15 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

JUNE 3, 1992

TRIPLE ACE INC
RT 2 BOX 2778
PAUL ID 83347

RE: CHANGE OF OWNERSHIP A36-11584 & A36-11587

DEAR RUSSELL,

PURSUANT TO OUR PHONE CONVERSATION ON THIS DAY, PLEASE FIND THE ENCLOSED CHANGE IN OWNERSHIP FORMS FOR THE ABOVE ADJUDICATION CLAIMS. IF YOU WILL SIGN ON THE LINES INDICATED, I CAN CHANGE THE OWNERSHIP OF THESE CLAIMS TO THE PROPER OWNERS AS YOU HAVE INDICATED. THANK YOU FOR YOUR HELP ON THESE FILES.

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT ME AT OUR OFFICE.

SINCERELY,

A handwritten signature in cursive script, appearing to read 'Steve Clelland', is written over a horizontal line.

STEVE CLELLAND
WATER RESOURCE AGENT

ENC:

MAILED
FEB 03 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: **A36-11584**
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: DEC 31, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	25E	2	SW	NW	SE		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.
COMMERCIAL	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
COMMERCIAL/ POTATO CELLAR HUMIDIFIER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	25E	2	NW	SE		COMMER	

11. Place of use in counties: MINIDOKA

RECEIVED
FEB 08 1993

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGE 6/6/91 BY JG.

15. Basis of Claim: BENEFICIAL USE

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 _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

94823

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, Secretary



FEB 03 1992

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.

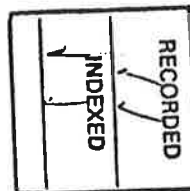
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)


Notary Public

Residing at Rupert, Idaho

My Commission Expires: 4-1-92



DEC 26 10 59 AM '90
MINIDOKA COUNTY, IDAHO
CLERK
FEE 6 RECEIVED HP

RECEIVED AT REQUEST OF
Goodman & Buff

394823

SD-33

Last Name: PATTERSON FARMS

STATE

S	First	O	Water	Priority		Total	Use
E	Name	W	Right No.	Date	Source	Diversion	Code Desc
L		N					
-	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
-		<O	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 _____)

MICR -
FEB 03 1980



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'.

Judy Givens
Adjudication Secretary

/jg

Enclosures

mkc
Feb 0 8 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 33301 (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
FEB 03 1993



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

R. KEITH HIGGINSON
Director

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

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

FEB 03 1993

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:

MICROFILMED
FEB 03 1993



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

026-11584

PATTERSON FARMS OF IDAHO INC.
RT. 1 BOX 1272

PAUL

ID 80347

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

MICROFILMED
FEB 08 1993

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
A36-11584	PATTERSON FARMS OF IDAHO INC. RT. 1 BOX 1272 PAUL ID 83347	12/31/1958	COMMERCIAL	01-01 12-31	0.05 CFS	BENEFICIAL USE

0.05 CFS TOTAL
0.00 AFA TOTALSOURCE: GROUNDWATER
OTHER RIGHTS: NONE
CONDITIONS OF APPROVAL:

TRIBUTARY:

REMARKS:

POINT OF DIVERSION:
T08S R25E S02 SWNWSEPLACE OF USE: COMMERCIAL
T08S R25E S02 NWSEMICROFILMED
FEB 0 3 1993

AFFIDAVIT IN SUPPORT OF WATER RIGHT NO. A36-11584

STATE OF IDAHO

County of Minidoka

W. H. SHILLINGTON, being first duly sworn on oath,
deposes and says:

1. That I am familiar with the Well, subject of the above water right of Patterson Farms of Idaho, Inc., with a priority date listed as December 31, 1958.

2. That the real property upon which the Well is located was originally acquired by your affiant and his partner, Gerald Morgan, in the early 1950's under a Lease Agreement with the United States Government. Your affiant, his partner, Gerald Morgan, J. R. Simplot Company and the Layton Sugar Company of Layton, Utah, developed, pursuant to the request of the Bureau of Reclamation, certain agricultural processing works, to-wit: potato cellars and beet dumps. That in connection with the development of the property now owned by Patterson Farms of Idaho, Inc., your affiant and his partner caused a Well to be drilled for water required for the potato storages and a fertilizer storage plant located on the leased premises.

3. That I do not know the exact date the Well was drilled, however, a review of my documents indicate that on September 11, 1956, we entered into an Industry Track Contract with the Oregon Short Line Railroad Company and Union Pacific Railroad Company for the construction of a spur track in connection with said property.

4. That I have correspondence dated March 29, 1959, to Senator Frank Church indicating the drawing of the sub-division of the tracts upon which the Leases were located was dated June 16, 1953.

5. That I know we started our development on the property, including one of the potato cellars for which the water is used, subject of the above Permit, prior to December 31, 1958, and that the Well was drilled prior to that date.

RECEIVED

APR 23 1991

Department of Water Resources
Southern Region Office

W. H. Shillington

FEB 03 1993

Subscribed and sworn to before me this 23rd day of
April, 1991.

(SEAL)


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

NOTARY PUBLIC
APR 23 1993

Memo

To: The File
From: Carrie Hahn
Date: 05/17/2011
Re: Ownership change Land View to Grant 4-D

Message:

I returned the Notice of Ownership Change but retained copies of the deeds from Land View to Jentzsch and Jentzsch to Grant 4-D for future references.

COPY

WARRANTY DEED

#48325

Instrument # 512361

MINIDOKA COUNTY, RUPERT, IDAHO

5-9-2011 04:50:31 No. of Pages: 4

Recorded for : BURLEY LAND TITLE

PATTY TEMPLE Fee: 19.00

Ex-Officio Recorder Deputy *Watson*

For Value Received

**RODNEY A. JENTZSCH and SHIRLEY S. JENTZSCH, husband and wife
and JENTZSCH-KEARL FARMS, a general partnership**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**GRANT 4-D FARMS, an Idaho general partnership
Address: 707 E 600 N, RUPERT, ID 83350**

Hereinafter called the Grantee, the following described premises situated in **MINIDOKA** County, Idaho, to-wit:

See Attached Exhibit 'A'

TOGETHER WITH water right 36-11584, ditches and ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2011 and subsequent years, a lien, but not yet due or payable.

Assessments levied, or to be levied, by Magic Valley Ground Water District.

An underground Power Line Easement, dated August 31, 1984, executed by Patterson Farms of Idaho, Inc., to Idaho Power Company, a corporation, recorded January 30, 1985 as Instrument No. 350814, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over the herein described real property, together with all rights of ingress and egress. (Parcel No. 1)

Easement and reservation contained in Warranty Deed from Morgan-Shillington Farm Company, a Partnership consisting of W. H. Shillington and Edith Shillington, husband and wife, and the Estate of Gerald H. Morgan, deceased, to Minidoka Growers Supply, Inc., an Idaho Corporation, dated September 5, 1986 and recorded September 30, 1986 as Instrument No. 367697, records of Minidoka County, Idaho, which reads as follows: "Subject to a non-exclusive road easement and the Reservation by the United States of America of all oil and gas on said property and the reasonable right to remove such oil and gas." (Parcel No. 3)

Water Supply Agreement by and between Land View Fertilizer, Inc., an Idaho Corporation, and Rodney A. Jentzsch and Shirley S. Jentzsch, husband and wife, dated June 30, 1994 and recorded June 30, 1994 as Instrument No. 413647, records of Minidoka County, Idaho. (Parcel No. 1 and additional property not included herein)

Underground Power Line Easement - Corporation executed by Landview Fertilizer, Grantor to Idaho Power Company, a corporation, its licensees, successors and assigns, Grantee, dated November 4, 1996 and recorded February 3, 1997 as Instrument No. 428148, records of Minidoka County, Idaho. (Parcel No. 1)

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 9, 2011

Rodney A. Jentzsch
RODNEY A. JENTZSCH

Shirley S. Jentzsch
SHIRLEY S. JENTZSCH

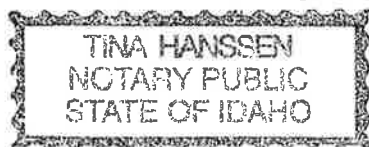
JENTZSCH-KEARL FARMS, a general partnership

BY: Rodney A. Jentzsch
RODNEY A. JENTZSCH, General Partner

BY: Shirley Jentzsch
SHIRLEY JENTZSCH, General Partner

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

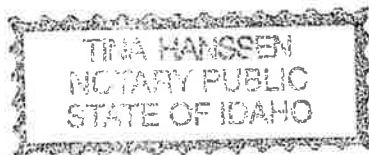
On this 9th day of May, 2011, before me, the undersigned, a Notary Public in and for said State, personally appeared **RODNEY A. JENTZSCH** and **SHIRLEY S. JENTZSCH**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Tina Hansen
Notary Public
Residing at: Rupert, ID
My Commission expires: 05/07/15

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 9th day of May, 2011, before me, the undersigned, a Notary Public in and for said State, personally appeared **RODNEY A. JENTZSCH** and **SHIRLEY JENTZSCH** known or identified to me to be the persons whose names are subscribed to the within instrument as General Partners of Jentzsch-Kearl Farms, and acknowledged to me that they executed the same as such General Partners.



Tina Hansen
Notary Public
Residing at: Rupert, ID
My Commission expires: 05/07/15

EXHIBIT 'A'

PARCEL NO. 1:

TOWNSHIP 8 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 2: Beginning at the Southwest corner of the N½SE¼SW¼ of said Section 2, said corner marked by a U. S. Bureau of Reclamation iron pipe with brass cap, said point lying North 0°04' East for 658.6 feet from the Southeast corner of the SW¼SW¼; thence North 00°06'00" East (North 0°04' East, rec.) along the West line of the E½SW¼ for a distance of 338.42 feet to a ½" rebar which shall be the Point of Beginning;
Thence North 00°06'00" East (North 0°04' East, rec.) along the West line of the E½SW¼ for a distance of 247.03 feet (247 feet, rec.) to a ½" rebar;
Thence North 00°06'00" East (North 0°04' East, rec.) along the West line of the E½SW¼ for a distance of 218.28 feet to a ½" rebar;
Thence South 89°07'29" East for a distance of 460.02 feet to a ½" rebar;
Thence South 01°06'46" West for a distance of 116.56 feet to a ½" rebar;
Thence South 88°50'52" East for a distance of 459.83 feet to a ½" rebar;
Thence South 01°06'46" West for a distance of 204.51 feet to a ½" rebar;
Thence North 89°02'56" West for a distance of 49.03 feet to a ½" rebar;
Thence North 89°02'56" West for a distance of 460.00 feet to a ½" rebar;
Thence North 86°59'48" West for a distance of 100.61 feet to a ½" rebar;
Thence South 00°06'00" West for a distance of 146.38 feet to a point;
Thence North 89°07'45" West (North 89°10' West, rec.) for a distance of 304.63 feet to the Point of Beginning.

PARCEL NO. 2:

A non-exclusive easement for ingress and egress for the benefit of Parcel No. 1 as created by Grant of Easement recorded June 30, 1994 as Instrument No. 413648, records of Minidoka County, Idaho, over and across the following land:

TOWNSHIP 8 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 2: Beginning at the Southwest corner of the N½SE¼SW¼ of said Section 2, said corner marked by a U. S. Bureau of Reclamation iron pipe with brass cap; thence South 89°05'21" East along the south line of the said N½SE¼SW¼ for a distance of 304.64 feet to a ½" rebar; thence North 00°06'00" East for a distance of 485.01 feet to a ½" rebar; thence South 86°59'48" East for a distance of 100.61 feet to a ½" rebar; thence South 89°02'56" East for a distance of 460.00 feet to a ½" rebar; thence South 89°02'56" East for a distance of 49.03 feet to a ½" rebar which shall be the Point of Beginning;
Thence North 01°06'46" East for a distance of 204.51 feet to a ½" rebar;
Thence South 88°50'52" East for a distance of 100.00 feet to a point;
Thence South 01°06'46" West for a distance of 53.63 feet to a point;
Thence North 89°15'13" East for a distance of 536.51 feet to a point on the Westerly right of way of State Highway 24;
Thence South 40°18'07" West along said highway right of way for a distance of 66.30 feet to a point;
Thence South 89°15'13" West for a distance of 494.60 feet to a point;
Thence South 01°06'46" West for a distance of 100.50 feet to a point;
Thence North 89°02'56" West for a distance of 100.00 feet to the Point of Beginning.

-Continued-

PARCEL NO. 3:

TOWNSHIP 8 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 2: Part of Tract 2 and 3 in Section 2, more particularly described as follows:

Beginning at the Southwest corner of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 2, said corner marked by a U.S. Bureau of Reclamation iron pipe with brass cap which shall be the Point of Beginning, said point lying North 0°04' East for 658.6 feet from the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence North 00°06'00" East (North 0°04' East, rec.) along the West line of the E $\frac{1}{2}$ SW $\frac{1}{4}$ for a distance of 338.42 feet to a $\frac{1}{2}$ " rebar;

Thence South 89°07'45" East (South 89°10' East, rec.) for a distance of 304.63 feet to a point;

Thence South 00°06'00" West for a distance of 338.63 feet to a $\frac{1}{2}$ " rebar on the South line of Tract 3;

Thence North 89°05'21" West (North 89°04' West, rec.) along the South line of Tract 3 for a distance of 304.64 feet to the Point of Beginning.

413644

DEED

FOR VALUE RECEIVED. LAND VIEW FERTILIZER, INC.,

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto **RODNEY A. JENTZSCH and SHIRLEY S. JENTZSCH**, husband and wife, Address: Rt. #4, Box 193, Rupert, Idaho 83350 grantee, the following described real estate, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

SUBJECT TO:

All reservations in the Patents or Deeds in the chain of title.

Taxes for 1994 and subsequent years.

An underground Power Line Easement, dated August 31, 1984, executed by Patterson Farms of Idaho, Inc., to Idaho Power Company, a corporation recorded January 30, 1985 as Instrument No. 350814, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over the herein described real property, together with all rights of ingress and egress.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, and their heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 30th day of June, 1994.

LAND VIEW FERTILIZER, INC.



By

ROY M. YOUNG

PRESIDENT

ATTEST:

RANDALL K. ASHLIMAN
Asst. SECRETARY

STATE OF IDAHO
County of Cassia

On this 30th day of June, 1994
before me, a Notary public in and for said State, personally
appeared ROY M. YOUNG and

RANDALL K. ASHLIMAN, known to me to
be the President and Secretary of the corporation that executed
this instrument or the persons who executed the instrument
on behalf of said corporation, and acknowledged to me
that such corporation executed the same.

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

LARRY ROBERTS
NOTARY PUBLIC
STATE OF IDAHO

Residing at Burley, Idaho
My Commission Expires 12-30-97

My commission expires 12-30-97

Idaho

FEE \$22.00 DEPUTY BR

MINIDOKA COUNTY, IDAHO

DUANE SMITH

RECORDER

JUN 30 4 50 PM '94

FILM NO.

RECORDED AT REQUEST OF
Land Title-Burley

413644

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 8 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 2: Beginning at the Southwest corner of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 2, said corner marked by a U. S. Bureau of Reclamation iron pipe with brass cap, said point lying North 0°04' East for 658.6 feet from the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 00°06'00" East (North 0°04' East, rec.) along the West line of the E $\frac{1}{2}$ SW $\frac{1}{4}$ for a distance of 338.42 feet to a $\frac{1}{2}$ " rebar which shall be the Point of Beginning;
Thence North 00°06'00" East (North 0°04' East, rec.) along the West line of the E $\frac{1}{2}$ SW $\frac{1}{4}$ for a distance of 247.03 feet (247 feet, rec.) to a $\frac{1}{2}$ " rebar;
Thence North 00°06'00" East (North 0°04' East, rec.) along the West line of the E $\frac{1}{2}$ SW $\frac{1}{4}$ for a distance of 218.28 feet to a $\frac{1}{2}$ " rebar;
Thence South 89°07'29" East for a distance of 460.02 feet to a $\frac{1}{2}$ " rebar;
Thence South 01°06'46" West for a distance of 116.56 feet to a $\frac{1}{2}$ " rebar;
Thence South 88°50'52" East for a distance of 459.83 feet to a $\frac{1}{2}$ " rebar;
Thence South 01°06'46" West for a distance of 204.51 feet to a $\frac{1}{2}$ " rebar;
Thence North 89°02'56" West for a distance of 49.03 feet to a $\frac{1}{2}$ " rebar;
Thence North 89°02'56" West for a distance of 460.00 feet to a $\frac{1}{2}$ " rebar;
Thence North 86°59'48" West for a distance of 100.61 feet to a $\frac{1}{2}$ " rebar;
Thence South 00°06'00" West for a distance of 146.38 feet to a point;
Thence North 89°07'43" West (North 89°10' West, rec.) for a distance of 304.63 feet to the Point of Beginning.

413645

DEED

FOR VALUE RECEIVED. LAND VIEW FERTILIZER, INC.

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto RODNEY A. JENTZSCH and SHIRLEY S. JENTZSCH, husband and wife

Address: Rt. #4, Box 193, Rupert, Idaho 83350
grantee the following described real estate, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

SUBJECT TO:

All reservations in the Patents or Deeds in the chain of title.

Accruing taxes, levies and assessments; easements and rights of ways of record, if any.

Deed of Trust in favor of Minidoka Growers Supply, Inc., an Idaho corporation which the Grantor agrees to pay.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, and their heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 30th day of June, 1994.

LAND VIEW FERTILIZER, INC.

By

ROY M. YOUNG

PRESIDENT

ATTEST:

RANDALL K. ASHLIMAN

SECRETARY

STATE OF IDAHO

County of CASSIA

On this 30th day of June, 1994,
before me, a Notary public in and for said State, personally
appeared ROY M. YOUNG and

RANDALL K. ASHLIMAN, known to me to
be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

KERRY ROBERTS
NOTARY PUBLIC
STATE OF IDAHO

Residing at Burley, Idaho
My Commission Expires

My commission expires

6-30-97

Idaho

RECORDED AT REQUEST OF
Land View Fertilizer
FILM NO.
JUN 30 4 52 PM '94
MINIDOKA COUNTY, IDAHO
CLERK OF COURT
RECORDED
FEE \$100.00
RSC

413645

June 22, 1994
JOB # 3271-94B1
RODNEY JENTZSCH SURVEY

L E G A L D E S C R I P T I O N

Part of Tract 2 and 3 in Section 2 of Township 8 South, Range 25 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the SW corner of the N $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2 of T.8 S., R.25 E., B.M. said corner marked by a U.S. Bureau of Reclamation iron pipe with brass cap which shall be the Point of Beginning, said point lying N 0°04' E for 658.6' from the SE corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE North 00 degrees 06 minutes 00 seconds East (N 0°04' E, rec.) along the west line of the E $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 338.42 feet to a $\frac{1}{2}$ " rebar;

THENCE South 89 degrees 07 minutes 45 seconds East (S 89°10' E, rec.) for a distance of 304.63 feet to a point;

THENCE South 00 degrees 06 minutes 00 seconds West for a distance of 338.63 feet to a $\frac{1}{2}$ " rebar on the south line of Tract 3;

THENCE North 89 degrees 05 minutes 21 seconds West (N 89°04' W, rec.) along the south line of Tract 3 for a distance of 304.64 feet to the Point of Beginning.

PREPARED BY:
Desert West Land Surveys
1751 Overland Ave.
Burley, Idaho 83318



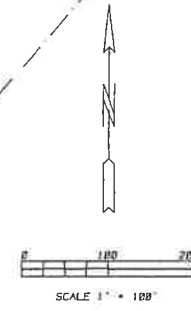
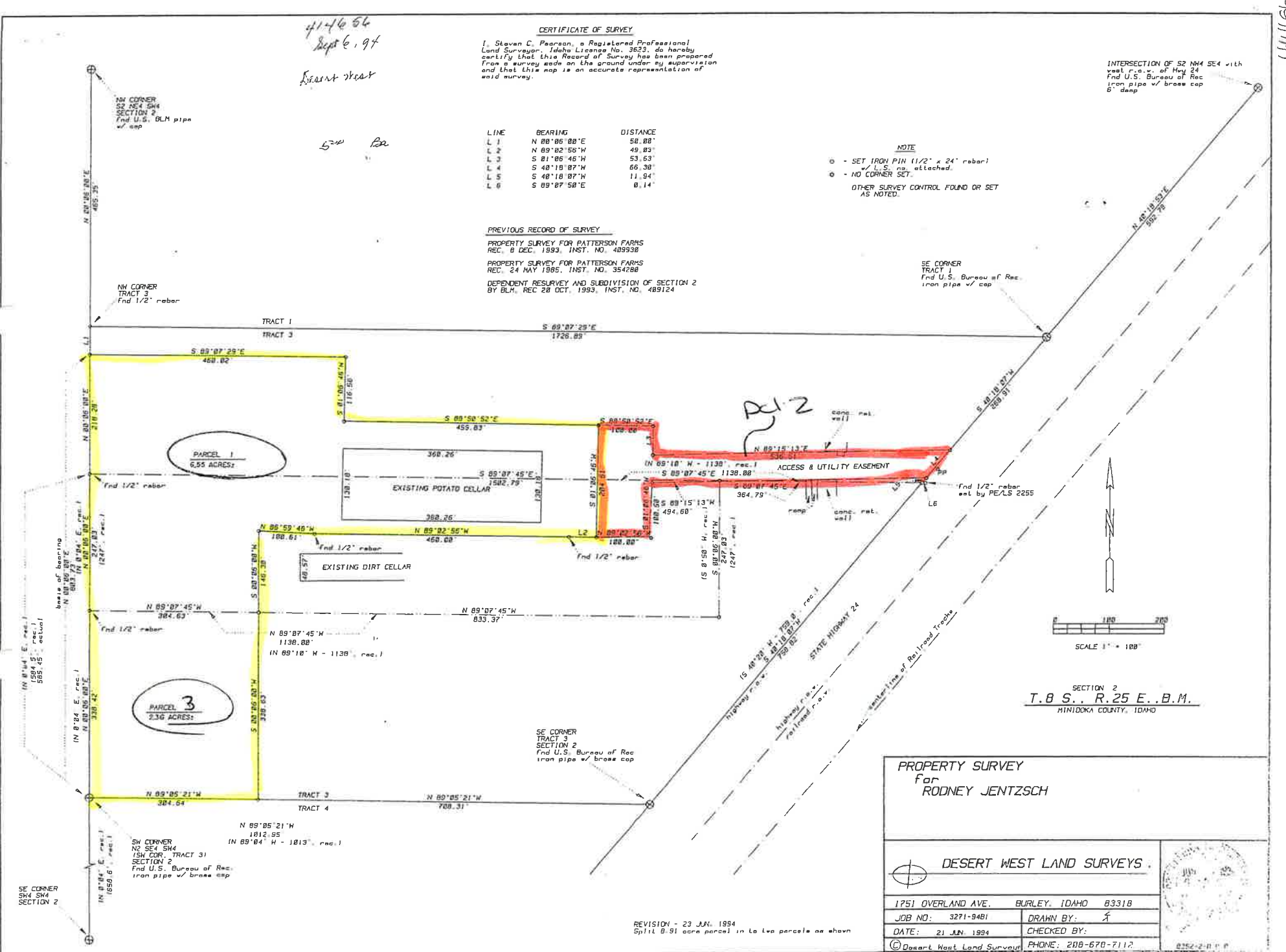
414656
Sept 6, 94
Desert West

CERTIFICATE OF SURVEY
I, Steven C. Pearson, a Registered Professional Land Surveyor, Idaho License No. 3623, do hereby certify that this Record of Survey has been prepared from a survey made on the ground under my supervision and that this map is an accurate representation of said survey.

LINE	BEARING	DISTANCE
L 1	N 08°06'00"E	50.00'
L 2	N 09°02'56"W	49.03'
L 3	S 01°06'46"W	53.63'
L 4	S 40°18'07"W	66.30'
L 5	S 40°18'07"W	11.94'
L 6	S 09°07'50"E	0.14'

PREVIOUS RECORD OF SURVEY
PROPERTY SURVEY FOR PATTERSON FARMS
REC. 8 DEC. 1993, INST. NO. 409930
PROPERTY SURVEY FOR PATTERSON FARMS
REC. 24 MAY 1995, INST. NO. 354280
DEPENDENT RESURVEY AND SUBDIVISION OF SECTION 2
BY BLM, REC. 28 OCT. 1993, INST. NO. 489124

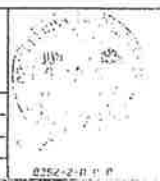
NOTE
• SET IRON PIN (1/2" x 24" rebar)
• NO CORNER SET.
OTHER SURVEY CONTROL FOUND OR SET AS NOTED.



SECTION 2
T.B S.. R.25 E..B.M.
MINIDOKA COUNTY, IDAHO

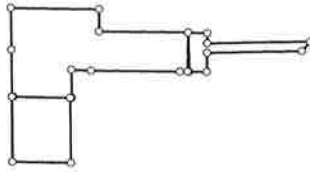
PROPERTY SURVEY
for
RODNEY JENTZSCH

DESERT WEST LAND SURVEYS	
1751 OVERLAND AVE.	BURLEY, IDAHO 83318
JOB NO: 3271-9481	DRAWN BY: J
DATE: 21 JUN 1994	CHECKED BY:
© Desert West Land Surveys PHONE: 208-670-7112	



REVISION - 23 JUN 1994
Split 0.91 acre parcel in to two parcels as shown

414656



Title:

Date: 05-16-2011

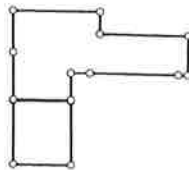
Scale: 1 inch = 1000 feet

File:

+Tract 1: 6.545 Acres: 285101 Sq Feet: Closure = n89.5842w 7.94 Feet: Precision = 1/348: Perimeter = 2767 Feet
 Tract 2: 1.061 Acres: 46212 Sq Feet: Closure = s69.3313e 0.01 Feet: Precision = 1/283354: Perimeter = 1656 Feet
 Tract 3: 2.367 Acres: 103117 Sq Feet: Closure = s68.1931e 0.01 Feet: Precision = 1/169345: Perimeter = 1286 Feet
 Net Area= 6.545 Acres: 285101 Sq Feet

001=/SW,SE,SW,2,08S,25E	013=N89.0745W 304.63	025=s40.1807w 66.30
002=/N00.0600E 338.42	014=@0+	026=s89.1513w 494.60
003=N00.0600E 247.03	015=/sw,se,sw,2,08s,25e	027=s01.0646w 100.50
004=N00.0600E 218.28	016=/s89.0521e 304.64	028=n89.0256w 100
005=S89.0729E 460.02	017=/n00.0600e 485.01	029=@0+
006=S01.0646W 116.56	018=/s86.5948e 100.61	030=/sw,se,sw,02,08s,25e
007=S88.5052E 459.83	019=/s89.0256e 460	031=n00.0600e 338.42
008=S01.0646E 204.51	020=/s89.0256e 49.03	032=s89.0745e 304.63
009=N89.0256W 49.03	021=n01.0646e 204.51	033=s00.0600w 338.63
010=N89.0256W 460	022=s88.5052e 100	034=n89.0521w 304.64
011=N86.5948W 100.61	023=s01.0646w 53.63	
012=S00.0600W 146.38	024=n89.1513e 536.51	

landview fertilzer to jentlach



Title:		Date: 05-17-2011
Scale: 1 inch = 1000 feet	File:	
+Tract 1: 6.541 Acres: 284906 Sq Feet: Closure = n01.3227e 5.27 Feet: Precision =1/525: Perimeter = 2767 Feet +Tract 2: 2.367 Acres: 103117 Sq Feet: Closure = s68.1931e 0.01 Feet: Precision =1/169345: Perimeter = 1286 Feet Net Area= 8.908 Acres: 388023 Sq Feet		
001=/sw,se,sw,02,08s,25e	008=s01.0646w 204.51	015=/sw,se,sw,02,08s,25e
002=/n00.0600e 338.42	009=n89.0256w 49.03	016=n00.0600e 338.42
003=n00.0600e 247.03	010=n89.0256w 460	017=s89.0745e 304.63
004=n00.0600e 218.28	011=n89.5948w 100.61	018=s00.0600w 338.63
005=s89.0729e 460.02	012=s00.0600w 146.38	019=n89.0521w 304.64
006=s01.0649w 116.56	013=n89.0745w 304.63	
007=s88.5052e 459.83	014=@0+	



36-11584 document accepted by court 6/13/95
CM system updated
JT

RECEIVED
AUG 11 1995
Department of Water Resources
Southern Region

RECEIVED

JUN 14 1995

Department of Water Resources
Adjudication Bureau

RECEIVED

JUN 13 1995

OFFICE OF THE
ATTORNEY GENERAL

RECEIVED

JUN 14 1995

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 SRBA

Case No. 39576

SUBCASE NO. 36-11584

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☒ CONSENT TO SUBSTITUTION OF
PARTY

INSTRUCTIONS FOR USE

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

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

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

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

MICROFILMED

DEC 05 1996

CHANGE IN ADDRESS

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

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

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

My name is _____

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

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

(insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

(Go to Page 4)

CONSENT TO SUBSTITUTION OF PARTY

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

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

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

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

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

I am the new claimant/purchaser of 36-11584
(Insert each water right number)

My name is Land View Fertilizer, Inc.

My address is P. O. Box 86, Minidoka, Idaho 83343

My phone number is: Work (208) 531-4500 Home _____

The name and address of the prior claimant/seller who I wish to be substituted for are:
Patterson Farms of Idaho, Inc.

Route 1, Box 1272, Paul, Idaho 83347

PATTERSON FARMS OF IDAHO, INC.

By: Charlene Patterson
Signature of prior claimant/seller President

LAND VIEW FERTILIZER, INC.

By: Ry Myung - Pres.
Signature of new claimant/purchaser

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

Attorney name Roger D. Ling

Attorney of record for Land View Fertilizer, Inc.
(Identify party/claimant)

Attorney address and phone number: P. O. Box 396, Rupert, Idaho 83350
(208) 436-4717

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

MICROFILMED

DEC 05 1995

VERIFICATION

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

State of Idaho

County of Minidoka

Ray M. Young - PRESIDENT OF
LAND VIEW FERTILIZER, INC.
(Insert name of party/claimant filing form)

being first duly sworn, upon oath, deposes and says:

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

LAND VIEW FERTILIZER, INC.

By: Ray M. Young - Pres.
Signature of person filing form

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on

June 8, 1995
(Insert Date)

Notary Public for

Residing at:

My Commission expires:

Ray M. Young
Idaho
Regent, Idaho
10/30/2000

INSTRUCTIONS FOR MAILING

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

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

CERTIFICATE OF MAILING

I certify that on June 12, 1995, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

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

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

Roger D. Ling, Attorney at Law
LING, NIELSEN & ROBINSON
P. O. Box 396, Rupert, ID 83350

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

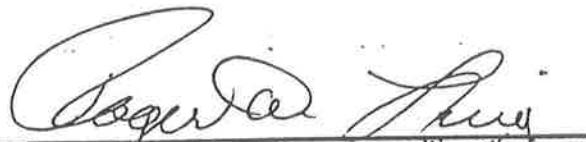
MICROFILMED
DEC 05 1995

5. One copy to:

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

6. One copy to:

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



Signature of person or attorney mailing the form

411292

POOR ORIGINAL

(#964)

✓
WARRANTY DEED

THIS INDENTURE, made this 24th day of February, 1994, between PATTERSON FARMS OF IDAHO, INC., a corporation, hereinafter called the "Grantor", and LAND TITLE & ESCROW, INC., whose address is P.O. Box 177, Burley, Idaho, 83318, hereinafter called the "Grantee".

W I T N E S S E T H

The Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantees, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents do grant, bargain and sell, convey and confirm unto the Grantee, and to the successors and assigns of the Grantee forever, all of the following described real estate situated in the County of Minidoka, State of Idaho, to-wit:

Exhibit A attached hereto.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular, the above-mentioned and described premises, together with appurtenances unto the Grantee, and to the successors and assigns of the

MICROFILMED
DEC 05 1996

POOR ORIGINAL

Grantee.

The Grantor shall and will warrant and by these presents will forever defend the said premises in the quiet and peaceable possession of the Grantee, and the successors and assigns of the Grantee, and against all and every person and persons whomsoever lawfully claiming the same, except as aforesaid. This warranty will serve to a conveyance by the Grantee to Land View Fertilizer, Inc. on a deferred exchange agreement.

IN WITNESS WHEREOF, the Grantor has executed this deed the day and year first above written.

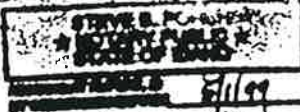
PATTERSON FARMS OF IDAHO, INC.

Charles Patterson Pres

On the 07th day of February, in the year 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Charles Patterson, known or identified to me to be the President of PATTERSON FARMS OF IDAHO, INC., the corporation that executed the instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Blair P. Noel
Notary Public for Idaho
Residing at Blair

My Commission expires on 5-1-99



RECORDED AT REQUEST OF
Land Title Report
FILM NO. 1000
Feb 25 3 54 PM '94
MINIDOKA COUNTY IDAHO
DUANE SMITH
RECORDER
FILE 1000 RETURN JP

411292
MICROFILMED
DEC 05 1996

EXHIBIT A

POOR ORIGINAL

TOWNSHIP 8 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

TRACT NO. 1:

SECTION 2:

That part of Government Lot 6, more particularly described as follows:

Commencing at the Southwest corner of Section 2; thence South $89^{\circ}12'42''$ East for 1312.11 feet along the South Section line to the 1/16th Section Corner; thence North $0^{\circ}06'30''$ East for 996.66 feet (recorded as North 04° East for 1356.1 feet); along the West line of Lot 6 to a $\frac{1}{4}$ inch rebar which shall be the TRUE POINT OF BEGINNING; Thence North $0^{\circ}06'30''$ East for 247.00 feet along the West line of Lot 6; Thence South $89^{\circ}07'21''$ East (recorded as South $89^{\circ}10'$ East for 407.48 feet; Thence South $1^{\circ}22'25''$ West for 104.40 feet; Thence South $88^{\circ}16'19''$ East for 459.83 feet; Thence North $1^{\circ}21'52''$ East for 198.30 feet; Thence South $88^{\circ}07'11''$ East for 270.60 feet; Thence South $87^{\circ}04'10''$ East (recorded as South $0^{\circ}50'$ West) for 407.09 feet; Thence North $88^{\circ}17'43''$ West (recorded as North $89^{\circ}10'$ West for 407.09 feet) to the TRUE POINT OF BEGINNING.

(CONTINUED)

C.P.

MICROFILMED

DEC 05 1996

POOR ORIGINAL

TRACT NO. 2:
SECTION 2:

That part of Government Lots 5, 6, 7 and part of the NE1/4, more particularly described as follows:

Commencing at the Southwest corner of section 7, thence South 89°12'42" East for 1312.11 feet along the South section line to the 1/16th section corner; thence North 0°06'30" East for 1243.86 feet (recorded as North 0°04' East for 1243.1 feet) along the West line of Lot 5 to a 1/2 inch rebar which shall be the TRUE POINT OF BEGINNING; Thence South 89°07'21" East for 407.48 feet (recorded as South 89°10' East);

Thence North 1°22'25" East for 75.45 feet;
Thence South 88°38'35" East for 459.93 feet;
Thence South 1°23'52" West for 71.54 feet;
Thence South 88°38'31" East (recorded as South 88°10'
East for 439.52 feet to the northeasterly right of
a small stone monument 20

... 11:35 feet (recorded as ... feet) along said right

...transposed as ...

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the situation.

POINT OF

... of ... Lot 6. More

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

along the South
Corner, China North
North 0904

...the last line of Loc 6;
...to a 4 inch
...the THIN POINT OF BEGINNING;
...115' ... 115' ... 115' ...

Hence South 88° 15' 00" East 415.73 feet
 Hence South 10° 11' 12" East 415.73 feet
 Hence North 88° 28' 32" East 415.04 feet

POINT OF BEGINNING

1000

MICROFILMED

DEC 05 1996

411293

POOR (ORIGINAL)

WARRANTY DEED

THIS INDENTURE, made this 24th day of February, 1994, between LAND TITLE & ESCROW, INC., a corporation, hereinafter called the "Grantor", and LAND VIEW FERTILIZER, INC., whose address is P.O. Box 86, Minidoka, Idaho, 83343, hereinafter called the "Grantee".

W I T N E S S E T H

The Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantees, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents do grant, bargain and sell, convey and confirm unto the Grantee, and to the successors and assigns of the Grantee forever, all of the following described real estate situated in the County of Minidoka, State of Idaho, to-wit:

Exhibit A attached hereto.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular, the above-mentioned and described premises, together with appurtenances unto the Grantee, and to the successors and assigns of the

MICROFILMED
DEC 05 1996

POOR ORIGINAL

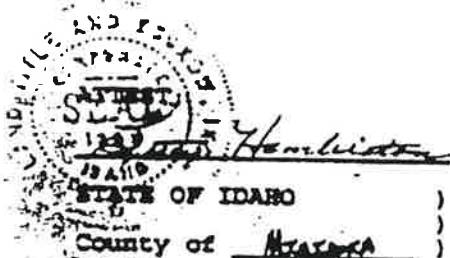
Grantee.

The Grantor shall and will warrant and by these presents, during the time it owned the property, will forever defend the said premises in the quiet and peaceable possession of the Grantee, and the successors and assigns of the Grantee, and against all and every person and persons whomsoever lawfully claiming the same, except as aforesaid.

IN WITNESS WHEREOF, the Grantor has executed this deed the day and year first above written.

LAND TITLE & ESCROW, INC.

By Larry Roberts



On this 25th day of February, in the year 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared LARRY ROBERTS, known or identified to me to be the PRINCIPAL of LAND TITLE & ESCROW, INC., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Steve S. Porch

Notary Public for Idaho

Residing at _____

My commission expires on _____



Feb 25 3 55 PM '94

Land Title

411298

MICROFILMED
DEC 05 1996

EXHIBIT

EXHIBIT A

POOR ORIGINAL

TOWNSHIP 8 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

TRACT NO. 1:

SECTION 2:

That part of Government Lot 6, more particularly described as follows:

Commencing at the Southwest corner of Section 2; thence South $89^{\circ}12'42''$ East for 1312.11 feet along the South Section line to the 1/16th Section Corner; thence North $0^{\circ}06'30''$ East for 396.66 feet (recorded as North 04° East for 396.1 feet); along the West line of Lot 6 to a $\frac{1}{4}$ inch rabar which shall be the TRUE POINT OF BEGINNING; Thence North $0^{\circ}06'30''$ East for 247.00 feet along the West line of Lot 5; Thence South $89^{\circ}07'21''$ East. (recorded as South $89^{\circ}10'$ East) for 407.48 feet; Thence South $1^{\circ}22'25''$ West for 104.40 feet; Thence South $88^{\circ}18'39''$ East for 459.85 feet; Thence North $1^{\circ}23'52''$ East for 108.30 feet; Thence South $89^{\circ}07'21''$ East for 270.60 feet; Thence South $0^{\circ}06'30''$ West (recorded as South $0^{\circ}50'$ West) for 247.00 feet; Thence North $89^{\circ}07'21''$ West (recorded as North $89^{\circ}10'$ West) for 1136.00 feet to the TRUE POINT OF BEGINNING.

(CONTINUED)

MICROFILMED
DEC 05 1996

POOR ORIGINAL

TRACT NO. 2:
SECTION 2:

That part of Government Lots 5, 6, 7 and part of the NEWSWA, more particularly described as follows:

Commencing at the Southwest corner of section 2; thence South 89°12'42" East for 1312.11 feet along the South section line to the 1/16th section corner; thence North 0°06'30" East for 1243.66 feet (recorded as North 0°04' East for 1243.1 feet) along the West line of Lot 5 to a 1/4 inch rebar which shall be the TRUE POINT OF BEGINNING; Thence South 89°07'21" East for 407.48 feet (recorded as South 89°10' East); Thence North 1°22'25" East for 75.45 feet; Thence South 88°18'05" East for 459.93 feet; Thence South 1°23'52" West for 71.54 feet; Thence South 89°07'21" East (recorded as South 89°10' East) for 635.56 feet to the Northwestern right of way of State Highway 24; Thence North 40°18'35" East for 347.31 feet (recorded as North 40°20' East for 347.3 feet) along said right of way; Thence North 89°07'21" West for 1727.17 feet (recorded as North 89°10' West for 1728.8 feet) to the West line of the NEWSWA; Thence South 0°06'30" West for 268.27 feet (recorded as South 0°50" West for 268.00 feet) along the West line of the NEWSWA and Lot 6 to the TRUE POINT OF BEGINNING.

TRACT NO. 3:
SECTION 2:

That part of Government Lot 6, more particularly described as follows:

Commencing at the Southwest corner of Section 2; thence South 89°12'42" East for 1312.11 feet along the South section line to the 1/16th section corner; thence North 0°06'30" East for 1243.66 feet (recorded as North 0°04' East for 1243.1 feet) along the West line of Lot 6; thence South 89°07'21" East for 407.48 feet to a 1/4 inch rebar which shall be the TRUE POINT OF BEGINNING; Thence North 1°22'25" East for 75.45 feet; Thence South 88°18'05" East for 459.93 feet; Thence South 1°23'52" West for 180.04 feet; Thence North 88°16'39" East for 459.85 feet; Thence North 1°22'25" East for 104.40 feet to the TRUE POINT OF BEGINNING.

*This document was accepted by the court 6/3/95
CM system has been updated*

RECEIVED

JUN 13 1995

OFFICE OF THE
ATTORNEY GENERAL

RECEIVED

JUN 14 1995

Department of Water Resources
Adjudication Bureau

RECEIVED

AUG 11 1995

Department of Water Resources
Southern Region

Claimant's Name:
Land View Fertilizer, Inc.

Attorney Name & Address:
ROGER D. LING
LING, NIELSEN & ROBINSON
P. O. Box 396
Rupert, Idaho 83350

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

Subcase No. 36-11584

Case No. 39576

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

This document is a Notice of Appearance by Roger D. Ling of the firm of Ling, Nielsen & Robinson on behalf of Land View Fertilizer, Inc.

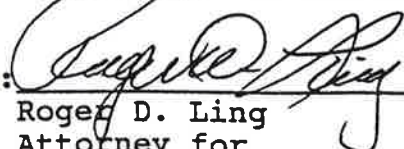
NOTICE OF APPEARANCE

PLEASE TAKE NOTICE, that Roger D. Ling of the firm of Ling, Nielsen and Robinson hereby enters an appearance of the firm as the attorneys of record in the subcase listed above for Land View Fertilizer, Inc.

DATED this 12th day of June, 1995.

LING, NIELSEN AND ROBINSON

By:


Roger D. Ling
Attorney for
Land View Fertilizer, Inc.

NOTICE OF APPEARANCE - 1

MICROFILMED

DEC 05 1996

LING, NIELSEN & ROBINSON

ATTORNEYS AT LAW

RUPERT, IDAHO 83350

CERTIFICATE OF MAILING

I hereby certify that on the 12th day of June, 1995,
I served a true and correct copy of the NOTICE OF APPEARANCE
upon:

Original to:

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

Copies to:

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

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

by depositing a copy thereof in the United States mail, postage
prepaid, in an envelope addressed to said persons at the
foregoing addresses.


Roger D. Ling



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

TRANSMITTAL COVER SHEET

JUN 23 1995

FAX NUMBER: (208) 327-7866

Department of Water Resources
Southern Region

DATE: June 23, 1995

TO: Steve Clalland FROM: Nick Spencer
Southern Adjudication

DOCUMENT DESCRIPTION: Patterson Farms SF3

COVER SHEET ÷ 7 PAGES

CONTACT: Debbie Ellis IF YOU DO NOT RECEIVE ALL THE PAGES

THANK YOU

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON
BRENT C. TINGEY

LING, NIELSEN & ROBINSON

ATTORNEYS AT LAW
615 1ST STREET
P. O. BOX 306
BOISE, IDAHO 83720

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

RECEIVED

JUN 14 1995

June 12, 1995

Department of Water Resources

Nicholas B. Spencer
Deputy Attorney General
Department of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, ID 83720-9000

RE: SRBA Subcase No. 36-11584
Patterson Farms of Idaho, Inc.

Dear Nick:

I have finally obtained the signatures of the new owner to a Consent to Substitution of Party, and they have asked that I represent them in pursuing the subcase commenced by Patterson Farms of Idaho, Inc., the former owner. I have enclosed a copy of that Consent to Substitution of Party that has been filed with the SRBA court and a copy served upon the State of Idaho and the United States.

The new owner maintains an office in its fertilizer facility adjacent to the potato cellars. An agent of IDWR may contact them at that office at any time to make arrangements to inspect the cellars. Their telephone number is (208) 531-4500.

Very truly yours,



Roger D. Ling

RDL:jkt

enc

pc: Land View Fertilizer, Inc.

MICROFILMED

DEC 05 1996

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

In Re SRBA

Case No. 39576

SUBCASE NO. 36-11584

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☒ CONSENT TO SUBSTITUTION OF
PARTY

INSTRUCTIONS FOR USE

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

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

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

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

MICROFILMED

DEC 05 1998

CHANGE IN ADDRESS

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

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

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

My name is _____

I am the claimant of _____

(Insert each water right number)

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

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

(Go to Page 4)

CONSENT TO SUBSTITUTION OF PARTY

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

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

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

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

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

I am the new claimant/purchaser of 36-11584
(Insert each water right number)

My name is Land View Fertilizer, Inc.

My address is P. O. Box 86, Minidoka, Idaho 83343

My phone number is: Work (208) 531-4500 Home

The name and address of the prior claimant/seller who I wish to be substituted for are:
Patterson Farms of Idaho, Inc.

Route 1, Box 1272, Paul, Idaho 83347

PATTERSON FARMS OF IDAHO, INC.

By: [Signature]
Signature of prior claimant/seller President

LAND VIEW FERTILIZER, INC.

By: [Signature] - Pres.
Signature of new claimant/purchaser

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

Attorney name Roger D. Ling

Attorney of record for Land View Fertilizer, Inc.
(Identify party/claimant)

Attorney address and phone number: P. O. Box 396, Rupert, Idaho 83350
(208) 436-4717

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

VERIFICATION

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

State of Idaho

County of Minidoka

Ray M. Young - President of
LAND VIEW Fertilizer, Inc. being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

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

LAND VIEW FERTILIZER, INC.

By: Ray M. Young - Pres.
Signature of person filing form

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on

June 8, 1995
(Insert Date)

Robert J. King
Notary Public for Idaho
Residing at: Reupert, Idaho
My Commission expires: 10/30/2000

INSTRUCTIONS FOR MAILING

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

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

CERTIFICATE OF MAILING

I certify that on June 12, 1995, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

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

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

Roger D. Ling, Attorney at Law
LING, NIELSEN & ROBINSON
P. O. Box 396, Rupert, ID 83350

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

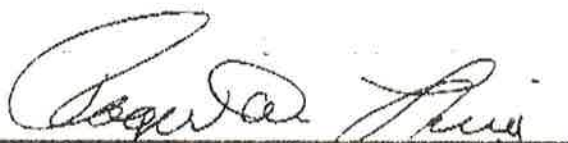
MICROFILMED
DEC 05 1996

copy to:

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

6. One copy to:

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


Signature of person or attorney making the form

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DEC 05 1996

MEMO

TO: FILE A36-15347 & A36-11584
FROM: STEVE CLELLAND
DATE: June 28, 1995

RE: STAFF REVIEW OF EXAM FINDINGS

=====

I MET WITH ALLEN MERRITT AND DOUG JONES IN AN INFORMAL DISCUSSION OF THE RESULTS AND FINDINGS OF THE EXAM OF THESE SRBA CLAIMS. <SEE ALSO CONVERSATION MEMO, 6-26-95> IT WAS RESOLVED THAT THE USES OF THE HIGHWAY DEPT. AND THE FIRE DISTRICT TO USE THE FLOW OF LANDVIEW'S IMPROVED WELL FLOW (EST. 180 GPM) SHOULD BE FILED UNDER A PERMIT FOR THOSE PARTIES AND ARE NOT ALLOWED UNDER THE CURRENT RIGHTS HELD BY LANDVIEW.

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Water Right Number: 36-11584

FIRST PAGE

13. Remarks: USE OF THIS RIGHT WITH RIGHT NO. 36-15347 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 18.5 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 7.2 AF. RIGHT NO. 36-15347 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

Nick will call 6/22
36-11584
(Formerly Patterson Farm)
Potato Cellars
→ Humidifiers
Qty: other uses
Faucets & hydrants
for washing

* Review file & objections

* Sett. Conf. in April

* Reviewing w/ PFI
& w/ New owner

* meet w/ owners to see new uses

(208)-531-4500 →

New owner:
Land View Farm.
7-7-95 trial

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SECONDARY REVIEW
SRBA CLAIMS

A36-11584
A36-15347

IDWR AGENT: STEVE CLELLAND
DATE: 6-26-95
CLAIMANT'S REPRESENTATIVE: ROY YOUNG

I FOUND THE SYSTEM AND USES MUCH THE SAME AS THEY WERE ON 5/08/92 DURING THE INITIAL EXAM FOR THESE CLAIMS. THIS WAS CONFIRMED BY STATEMENTS FROM ROY YOUNG.

HE DID MENTION TWO CHANGES THAT HAVE OCCURRED:

- 1.) THAT LANDVIEW NOW OWNS THE POTATO CELLARS PREVIOUSLY OWNED BY PATTERSON FARMS.
- 2.) THEY HAVE RESUMED USE OF A WELL THAT PATTERSON FARMS DID NOT CLAIM AND THEY HAVE UPGRADED THE WELL AND PUMP SYSTEM OF THIS SECOND WELL.

AS FOR PART ONE, THE PROPER PAPERS ARE COMPLETE AND IN PROCESS, WHICH IS WHY THE EXAM WAS REQUESTED.

REVIEW OF THE INFORMATION AND CHANGES REVEALED IN PART TWO ARE THESE: ROY Y. DESCRIBED THE SECOND WELL (WELL NO. 2) AS BEING USED WITHIN THE CELLAR AND ENCLOSED WITHIN THE CELLAR. THE CELLAR WAS REMOVED IN 1994 AND AT THAT TIME THE WELL AND PUMP WERE TIED INTO THE FIRST WELL. WELL NO. 2 WAS ALSO INCREASED IN PUMP SIZE, ROY DID NOT GIVE ME THE SIZE BUT THE FLOW WAS ESTIMATED TO BE AROUND 180 GPM (0.40 CFS). I MENTIONED THE POSSIBLE NEED TO ADD A POINT OF DIVERSION BY THE IDWR TRANSFER PROCESS OR FILE ADDITIONAL PERMITS. ALTHOUGH, SINCE THE WELL WAS USED FOR CELLAR HUMIDIFIERS IN THE RECENT PAST AND THAT USE IS RECOMMENDED IN THE SRBA CLAIMS, IT MAY BE POSSIBLE TO ALLOW THE POINT OF DIVERSION OF WELL NO. 2 IN THE CURRENT RECOMMENDED RIGHTS, UPON REVIEW BY LEGAL STAFF AT IDWR.

THE INCREASED FLOW DEMONSTRATED BY THE ENHANCED WELL SYSTEM IS NOT CURRENTLY RECOMMENDED IN THE SRBA RIGHTS. A36-15347 IS RECOMMENDED AT 0.08 CFS AND A36-11584 IS AT 0.03 CFS FOR A COMBINED TOTAL OF 0.11 CFS. ON 5/8/92 THE THEORETICAL CALCULATION WAS 0.157 CFS FOR WELL NO. 1 AT CAPACITY. THE PHOTOS I TOOK IN 5/8/92 SHOW THE PLUMBING WAS FOR MORE THAN THE 0.08 CFS CLAIMED AND ALLOWED; AS SHOWN BY THE VALVE AND QUICK-COUPLER. I BELIEVE THE FERTILIZER PLANT USES A GREATER FLOW RATE THAN 0.08 CFS AND MAY BE CLOSER TO A 0.40 CFS FIGURE; THIS IS BASED ON THE THEORETICAL CALCULATION DONE AT THE FIRST REVIEW. USING THE SAME ASSUMPTIONS FOR WELL NO. 1 AND OPEN DISCHARGE, NO PRESSURE, (AS IS ALSO FOUND ON THE NO. 2 WELL) THE THEORETICAL CALCULATION FIGURE NOW EQUALS 0.385 CFS (173 GPM). THE GREATER FLOW IS USED FILL TANKS AND TRUCKS AS PART OF THE FERTILIZER OPERATION. MORE INFORMATION IS NEEDED TO KNOW IF THE WATER IS USED IN THE MIXING OF THE FERTILIZER SOLUTIONS.

IF ALLOWED AT THIS GREATER RATE OF FLOW A TRANSFER IS NECESSARY; IF RECOMMENDED AT THE LOWER RATES OF 0.08 & 0.03 CFS THE WELL NO. 2 SHOULD BE ADDED AS PRE-EXISTING IN THE SYSTEM PRIOR TO THE SRBA.

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CONVERSATION MEMORANDUM

NAME OF PARTY Roy Young @ Land View fert. DATE 6-26-95
 EMPLOYEE: STEVE CLARK FILE A36-15347
A36-11584

RE:

Met to Have them show me the additional uses not listed in the Recommendations. Roy told me the operation is basically the same as when I was here in 5/92. Two main changes: 1) they now own the potato Cellars 2) they upgraded and tied into a second well.

Second well was part of the old cellar system and was used within the last 6 years according to Roy. The Cellar which housed the well was only removed last year ('94).

We discussed the need to file a transfer to add this well to the SRBA rights but since it is the presumption an existing well for the same existing uses perhaps it can be allowed as a correction/clarification of the SRBA claims. I will discuss this with my attorney's and report back to Roy with the Decision.

Agreed to allow the tagging & GPS of both wells.

2ND well is also used by Fire District & Hiway Dept. and Roy estimated the flow to be 180 gpm. (.40 cfs)



ROY M. YOUNG
 PRESIDENT

P.O. BOX 86 • 925 NORTH HWY 24 • MINIDOKA, ID 83343
 PHONE: (208) 531-4500 • MOBILE: 678-0248-1150
 FAX: 531-5151 • HOME: 532-4551

TO SOLVE A PROBLEM YOU NEED A SOLUTION

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6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A36-11584

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

June 23, 1995 2:43pm

NAME:

RANDY @ LAND VIEW FERT.

RE:

CALLOUT

USES UNDER A36-11584

I CALLED TO CONFIRM SOMEONE CAN SHOW ME THE ADDITIONAL USES AS CLAIMED... SPOKE W/ RANDY AND HE WILL NOT BE THERE UNTIL WED. BUT ROY SHOULD BE THERE ON MONDAY. TENTATIVELY SET APPT. FOR 10 AM UNLESS THEY CALL AND ADVISE DIFFERENTLY.

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DEC 05 1996

OBJECTION _____

RESPONSE _____

SETTLEMENT _____

RESPONSE _____

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. 36-11584 -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. 36-11584 -0001 - PAGE 1

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OCT 20 1994

2. Person who filed objection:

Name: PATTERSON FARMS OF IDAHO INC
Address: RT 1 BOX 81
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

3. ☒ Quantity: I respond to the objection concerning:
- 3a. ☒ The total quantity of water used in cubic feet per second.
11. ☒ Remarks: I respond to the objection concerning the "remarks" listed with the water right.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 3, 3.a and 11, and all allegations of the objection regarding those items, IDWR responds as follows: IDWR recommended the amount of water it determined was being beneficially used for the purposes indicated on the claim. The field examination of the claim revealed no beneficial use of water other than for the humidifiers. IDWR lacks sufficient information to form a belief as to the truth of the claimant's assertion that water is also used for equipment cleaning and other miscellaneous uses pursuant to this right, and therefore denies this assertion. To the extent that the claimant provides IDWR with additional information confirming this assertion, IDWR will revise its recommendation as appropriate.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ 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. A36-11584

3

(Over)

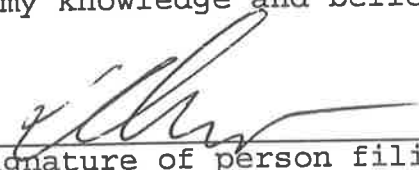
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

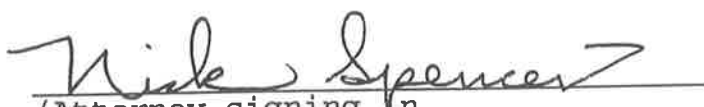
David B. Shaw, being first duly sworn, upon oath, deposes and says:

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 10th 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 10th 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

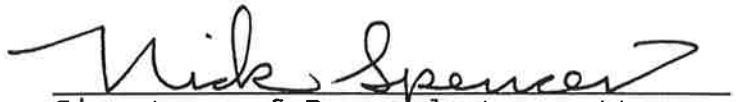
Name: TRIPLE ACE INC
Address: RT 2 BOX 2778
PAUL ID 83347

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: A36-11584
Date Received: 8/03/1989
Receipt No: 5009545
Received By: CW

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: DEC 31, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	25E	2	SW	NW	SE		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.
COMMERCIAL	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/POTATO CELLAR HUMIDIFIER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	25E	2	NW	SE		COMMER	

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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
Title

Organization Patterson Farm of Ind. Inc. Title _____

Organization _____ document in the space below as Vice President of _____
Title

Patterson, Harold Ed. Inc and that the statements contained in the
Organization
foregoing document are true and correct. Harold Ed. Patterson

Signature of Authorized Agent

Vice President Patterson Harris of Va.
Title and Organization

10-3-89
Date

State of Idaho)
County of Franklin) SS.

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

of *O. C.* 19 89

Notary Public

Seal

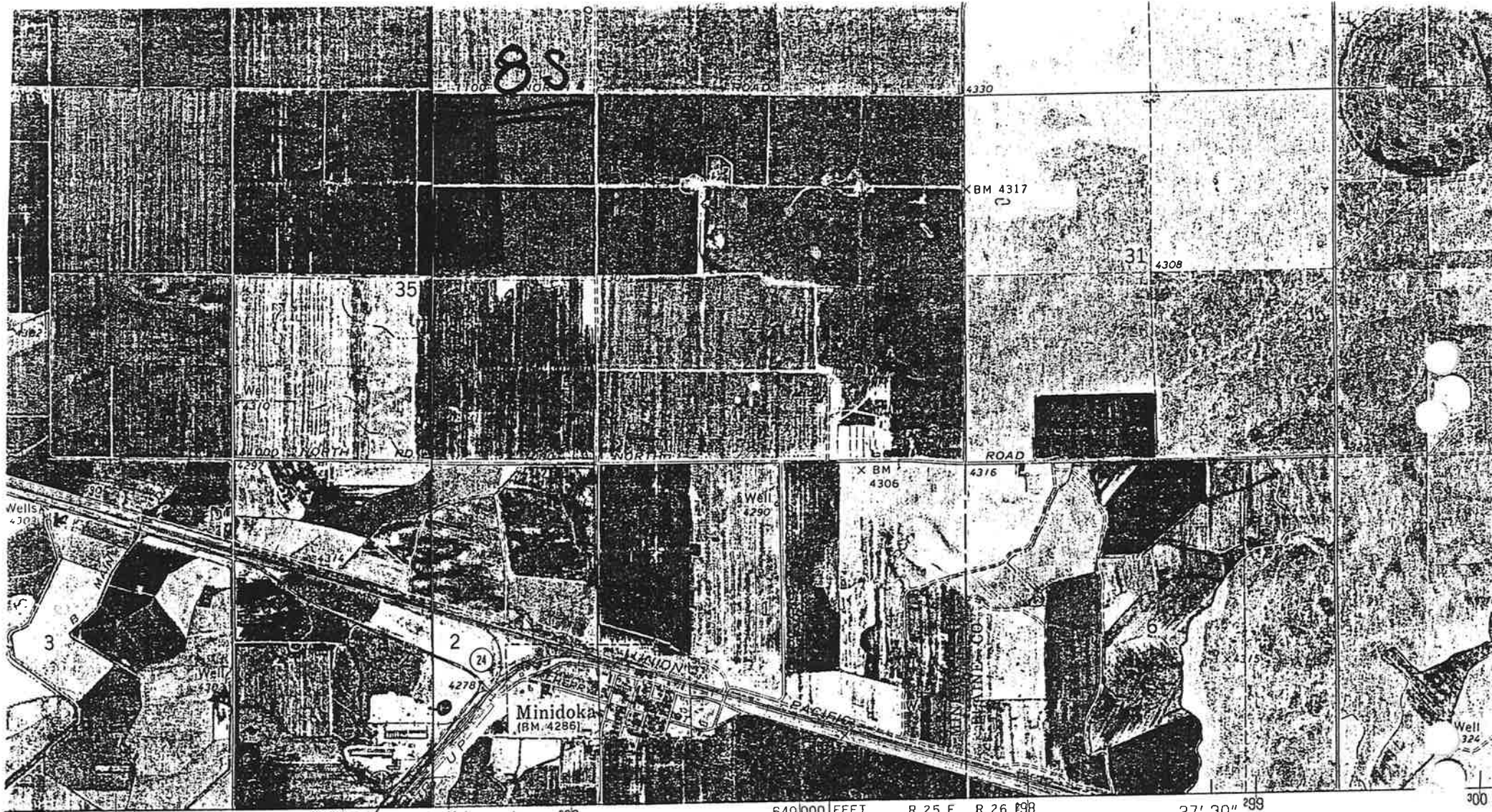
Residing at Y F

My Commission Expires 5/94
2 Date: 09/28/89

A36-11584

Page

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FEB 08 1993
OCT 20 1994



ACEQUIA 8 MI.
RUPERT 13 MI.

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

Orthophotograph prepared from 1:78,000-scale
aerial photographs taken August 4, 1979

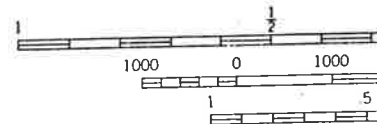
Projection and 10,000-foot grid ticks
Idaho coordinate system, central zone
(transverse Mercator)

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

25E 26E

NORTH



A36-11584

R25E R26E

THIS MAP COMPILED
FOR SALE BY U. S. G.

MICROFILMED
OCT 20 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. 36-11584

(You must insert the
water right number you
are objecting to)

OBJECTION

36-11584 -0001/
93-04-0423

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 A
2/17/93

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OCT 20 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: Patterson Farms of Idaho, Inc.

Address: Route 1, Box 81

Paul, Idaho 83347

Briefly describe your interest in this water right: Owner

2. Owner of the water right:

Name: Patterson Farms of Idaho, Inc.

Address: Route 1, Box 81

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.

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.

3(a): In addition to the operation of humidifiers for three potato cellars, water is used to wash equipment and other miscellaneous uses in the operation of the potato cellars.
11: Remarks should show commercial use in conjunction with the potato cellars, including the cleaning of equipment and miscellaneous uses, in addition to the operation of humidifiers.

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.

Total quantity should read: .05 c.f.s.
Remarks should include the use of water in conjunction with the operation of the cellars, including the cleaning of equipment and other miscellaneous uses.

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

☐ 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. _____

VERIFICATION (Must be Completed)

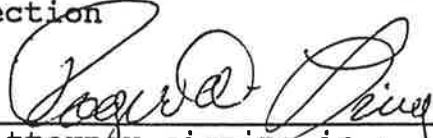
State of IDAHO

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.

Patterson Farms of Idaho, 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:

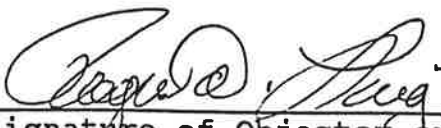
Owner name: Patterson Farms of Idaho, Inc.
Owner's address: Route 1, Box 81
Paul, Idaho 83347

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)

FILE NUMBER ----- A36-11584
REVIEWER ----- ADM 6/30/92

SPUD CELLAR HUMIDIFIER WORKSHEET

REQUIRED DATA

BASIS OF CALCULATION:

IF BASIS IS SACKS THEN 1; IF BASIS FT3 THEN 2 ENTER: 1

ENTER DATA NUMBER TO BE USED: 590000
OF SACKS OR CUBIC FEET OF FACILITY

ENTER NUMBER OF DAY/YEAR USED: 330.00 DAYS
(NORMALLY ABOUT 330 OR 11 MO. MAX.)

NUMBER OF CWT (SACK) OF SPUDS 590000 SACKS
VOLUME OF STORAGE FACILITY 245833 FT3

BASIS OF CALCULATIONS ARE FROM 09/2/1980 MEMO FROM BLAU FINDING:
1 SACK = CWT(100 LBS) = 2.4 CUBIC FEET
MAX DESIGN RATE OF DIV = 1 GALLON PER HOUR / 1000 SACKS
DIV VOL FOR YEAR = MAX RATE RUN FOR 12 HRS/DAY * DAYS/YEAR USE
DIV VOL IS EVAPORATED SO IS TOTALLY CONSUMED

CALCULATIONS FOR HUMIDIFICATION NEEDS

MAXIMUM REQUIRED RATE OF FLOW IN (GPM)---- 9.83
(CFS)---- 0.022

Allow 0.03

DIVERSION VOLUME IN (AFA) ----- 7.2 AFA
CONSUMPTIVE USE VOLUME IS SAME

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED PUMP INFORMATION

PUMP DATA
PUMP HORSEPOWER (HP) -- 5.00
LIFT (FT) ----- 80
PRESSURE (PSI)----- 50
FRICTION LOSSES (FT) -- 5.0

CALCULATIONS FOR THEORETICAL PUMP FLOW

FLOW RATE (CFS) ----- 0.16 CFS
DIVERSION VOLUME (AFA) ----- 114.1 AFA

- * PUMP EFFICIENCY WAS ASSUMED TO BE 70%.
- * DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY EVERY DAY OF THE YEAR.

When combined with

A36-15347

shall not exceed

18.5 ~~25~~ - 14.9 Af2 Div. Vol.

7.2 c.u.

OCT 20 1994
MICROFILMED

R PROOF

CVR

MAPS

PHOTOS

MISC

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD		DIVERSION RATE	DIVERSION VOLUME
				FROM	TO		
C	PATTERSON FARMS OF IDAHO INC RT 1 BOX 1272 PAUL ID 83347 (208) 438-5902	12/31/1958	COMMERCIAL	01-01	12-31	0.03 CFS	7.2 AFA
TOTAL DIVERSION:						0.03 CFS	7.2 AFA
CONSUMPTIVE USE:							7.2 AFA

Water Source: GROUNDWATER Tributary to: NESESW
Point(s) of Diversion: T08S R25E S02
Stage: BENEFICIAL USE
MINIDOKA County

Place of use Legal Description for: COMMERCIAL															
NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
T	R	S	:	:	:	:	:	:	:	:	:	:	:	:	:
08S	25E	2	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: MINIDOKA
Non-Irrigation Uses: COMMERCIAL/ POTATO CELLAR HUMIDIFIERS FOR 3 POTATO CELLARS.
Other Rights: SEE REMARKS

Remarks: USE OF THIS RIGHT WITH RIGHT NO. 36-15347 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 18.5 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 7.2 AF. RIGHT NO. 36-15347 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: 04/25/1991 Verified Date:

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

Comments: Date: 06/10/1991 User-ID: SOUTH1 Subject: COPIED FROM REMARKS OWNERSHIP CHANGE 6/6/91 BY JG.

Date: 02/19/1992 User-ID: CLELLAND Subject: OTHER RIGHTS THIS WELL IS USED FOR TWO CLAIMED RIGHTS. AFFIDAVIT BY SHILLINGTON SUPPORTS BOTH CLAIMS.

Date: 06/26/1992 User-ID: CLELLAND Subject: CHANGE OF OWNERSHIP I TALKED WITH RUSSELL PATTERSON ABOUT THIS CLAIM AND HE SAID THAT TRIPLE ACE IS NOT THE OWNER BUT PATTERSON FARMS IS. HE RETURNED THIS CHANGE OF OWNER TO CORRECT THE OWNERSHIP RECORDS.

Date: 10/28/1992 User-ID: MCCARTHY Subject: CHANGED RECORD CORRECTED RECORD SO THAT DIV RATE AND TOTAL DIV RATE MATCH

Water Right Number - R36-11584

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
PATTERSON FARMS OF IDAHO INC1 - RT 1 BOX 1272
2 -
3 -
City- PAUL
Phone - 208-438-5902

State- ID Zip- 83347

*** O - ORIGINAL OWNER ***
TRIPLE ACE INC1 - RT 2 BOX 2778
2 -
3 -
City- PAUL
Phone - 208-000-0000

State- ID Zip- 83347

+ - - Priority Date - - +
12/31/1958+ - - - Region - - - +
17 SOUTHERN+ - - - Stage - - - +
J - BENEFICIAL USE

+ - - - Status - - - +

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

+ - - - - Tributary - - - - +

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

08S 25E 2 NE SE SW (67) MINIDOKA

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

10 - COMMERCIAL

01/01 12/31

0.020

7.20

+ - Total Div. Rate - + + - Total Div. Volume - +
0.030 7.20+ - - Total Consumptive Use - + + - KW Usage - +
7.2+ - - - - Place of Use - - - - -
Twn Rng Sec Tract Lot Acres Code Description County08S 25E 2 NE SW
08S 25E 2 SE SW
08S 25E 2 NW SE10 COMMERCIAL
10 COMMERCIAL
10 COMMERCIAL(67) MINIDOKA
(67) MINIDOKA
(67) MINIDOKA

Total Acres:

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use - COMMERCIAL/ POTATO CELLAR HUMIDIFIERS FOR 3 POTATO CELLARS.

+ - - Other Rights for Same Use - SEE REMARKS

Water right number - R36-11584

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +
USE OF THIS RIGHT WITH RIGHT NO. 36-15347 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 18.5 AF, A TOTAL
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 7.2 AF.
RIGHT NO. 36-15347 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

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

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

+ - - - - Comments - - - - - +
Date: 06/10/1991 User Id: SOUTH1 Subject: COPIED FROM REMARKS
OWNERSHIP CHANGE 6/6/91 BY JG.
Date: 02/19/1992 User Id: CLELLAND Subject: OTHER RIGHTS
THIS WELL IS USED FOR TWO CLAIMED RIGHTS. AFFIDAVIT BY SHILLINGTON SUPPORTS BOTH CLAIMS.
Date: 06/26/1992 User Id: CLELLAND Subject: CHANGE OF OWNERSHIP
I TALKED WITH RUSSELL PATTERSON ABOUT THIS CLAIM AND HE SAID THAT TRIPLE ACE IS NOT THE OWNER BUT PATTERSON FARMS IS. HE RETURNED
THIS CHANGE OF OWNER TO CORRECT THE OWNERSHIP RECORDS.

+ - - Audit Fields - - +
06/30/92 MERRITT

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 04/25/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 06/30/1992	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	-
				Notice of Error Flag	-

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FEB 03 1993

CLAIM NO. A36-11584

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR SMALL INDUSTRIAL AND COMMERCIAL CLAIMS IN PLACE OF A CVR

1. ☐ No Change NAME:
☒ NEW OWNER: PATTERSON FARMS OF IDAHO
☐ No Change ADDRESS:
☒ NEW ADDRESS: _____
- ☒ DATA ENTRY STANDARDS CHECKED?
2. ☒ No Change - DATE OF PRIORITY:
(EVIDENCE OF PRIORITY REQUIRED) ☒ Proof in File AFFIDAVIT
☐ Claimant Contact if Not _____
- ☐ CHANGE- Priority date, per claimant, is _____
(if the priority date, based on your exam, seems questionable,
explain in COMMENTS.)
3. ☒ No Change - SOURCE:
☐ CHANGE - Different Source found: _____
4. ☐ No Change - POINT OF DIVERSION:
☒ Point of diversion is different than the claim
New P/D: Twp. 8S, Rge. 25E, Sec. 02, NE 1/4 SE 1/4 SW 1/4
* per field exam & maps
Note: If the 10-acre tract is shown on the claim, then
verification of the 10-acre parcel is needed. Otherwise the
10-acre tract is not required, unless the source is a spring.
5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS:
☒ Complete items missing, IF KNOWN.

HP of pump 5HP Static water level 80' Well depth _____
Casing size _____ Pumping water level _____ Gravity flow _____
Pressure 50 PSI

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

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])

MICHAEL J. [unclear]
Feb 18 1993

$$Q = \frac{(8.8) (\dots\dots\dots) (0.70)}{[(\dots\dots\dots) + (\dots\dots\dots \times 2.31)]}$$

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

Pump Make, Serial or ID, rating

REMARKS

**(see spud cellar analysis sheet 6-30-92)*

.....
 DESCRIPTION OF USE: (Fully describe type, time & all aspects of Use)

CALCULATE VOLUMES: (time)X(rate)= Vol.

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6. ☒ No Change - WATER USES:
☐ RECOMMENDED USES:

div cons

Use _____ From _____ To _____ Amount _____ cfs _____ af _____ af

Use _____ From _____ To _____ Amount _____ cfs _____ af _____ af

☒ DATA ENTRY STANDARDS CHECKED FOR ITEMS 6, 7, 8 AND 9.

10. ☐ No Change - PLACE OF USE: (If changed, list below.)

Use	Twp.	Rge.	Sec.	1/4,	1/4,	1/4
	8S	25E	02		NE	SW
					SE	SW
					NW	SE

13. ☐ No change - OTHER RIGHTS FOR SAME USE:
☒ CHANGE: See Remarks

REMARKS AND CONDITIONS

14. ☐ (copy existing remarks to comments in "R")
☒ LIST STANDARD REMARKS FOR THE RECOMMENDATION: ☐ NONE

EOL (copy) FOS

☐ LIST STANDARD CONDITIONS FOR THE RECOMMENDATION: ☒ NONE

15. ☒ BASIS OF CLAIM VERIFIED AS: D - L - P - S - J (circle one)

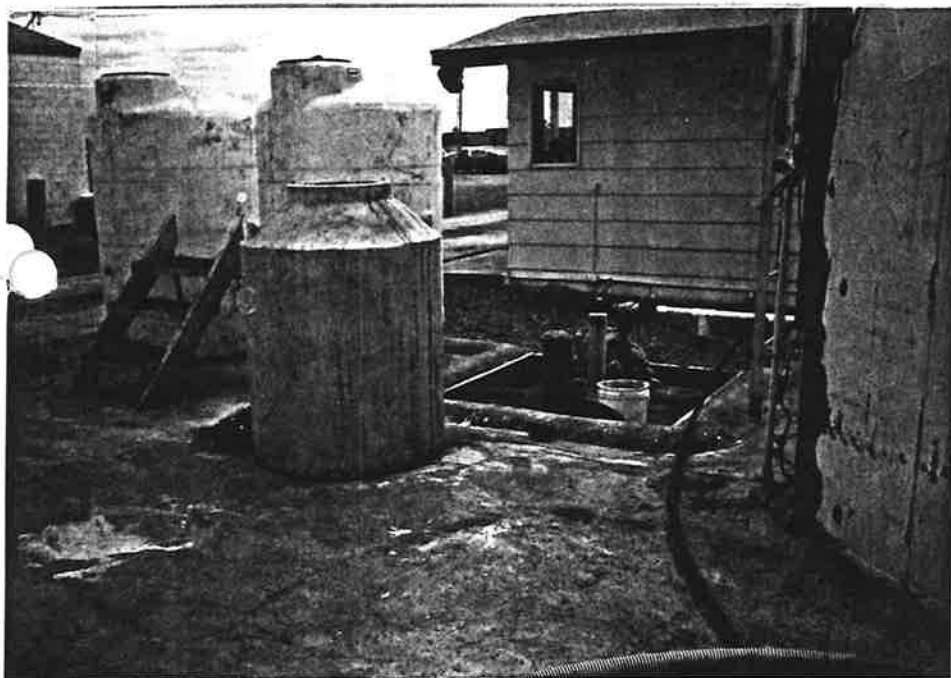
COMMENTS: (pertinent to field examination)

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 FEB 08 1993

A black and white photograph of a large, modern, single-story building with a low-pitched roof, possibly a warehouse or industrial facility. The building has several large doors and windows. The foreground is a dark, textured field or parking lot. The sky is dark and cloudy.

© MINI DOKA

1990



A black and white photograph showing a field experiment setup. A rectangular frame is placed on the ground. Inside the frame, there is a vertical pipe, a dark cylindrical container, and a white bucket. A person's leg is visible in the background.

PHOTOS BY: SCC 5-8-92

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A36-15347

RE: Well Dimensions

A36-11584

DATE 6-30-92

NAME OF PARTY

STEVE JENSEN - LANDVIEW FERT. 531-4500

I called for Dimensions of this well

1. PSI 50 #
2. Depth to water 80 ft
3. HP 5

MICROFILMED
FEB 03 1993

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A36-11584

RE: CELLARS @ MINIDOKA

DATE 6-3-92

NAME OF PARTY

RUSSELL PATTERSON (TRIPLE ACE INC.)

MOBILE PHONE:

678-0248 @ Beep
1111

I called Russell to confirm the cellars
at the Minidoka site.

He told me all 3 cellars belonged to Patterson Farms
of Idaho, owned entirely by his Mother. He told me
the capacity of the cellars is:

#1 - 120,000 sacks

#2 - 310,000 sacks

#3 - 160,000 sacks

I told him I would review the ownership and
get the records back into his Mother's Corp.

CHARLENE PATTERSON - 438-5902

PATTERSON FARMS OF IDAHO