

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: **A36-07476B**
Date Received: 8/16/1988
Receipt No: S001498
Received By: _____

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

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

2. Date of Priority: MAY 22, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	22E	9	NE	NW	NE		MINIDOKA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.800		360.00

7. Total Quantity Appropriated is:
1.800 C.F.S. (and/or) 360.00 A.F.A.

8. Total consumptive use is 270.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	22E	3	NE	SW		IRR	10.0
			NW	SW		IRR	40.0
			SE	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	90.0
					Total Acres	90.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
A36-02479A

14. Remarks:

TRANS. 2575.

THE TOTAL RATE OF DIVERSION OF THE WELL LOCATED WITHIN THE NWNE,
SEC. 9, T8S, R22E WHEN COMBINED WITH LICENSES 36-2479 & 36-2480
SHALL NOT EXCEED 6.22 CFS.

THE MAXIMUM RATE OF DIVERSION OF THE WELL LOCATED WITH THE SESE,
SEC. 3, T8S, R22E SHOULD NOT EXCEED 5.74 CFS.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

WILLIAM T. GOODMAN
LARRY R. DUFF
ALAN GOODMAN

LAW OFFICE
Goodman and Duff

CHARTERED
717 7TH STREET
BOX D
RUPERT, IDAHO 83350

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

October 30, 1992

RECEIVED

NOV 02 1992

Department of Water Resources
Southern Region Office

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

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

36-07476B

Dear Mr. Christensen:

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

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

Very truly yours,

GOODMAN & DUFF

Larry R. Duff
Larry R. Duff

LRD:ma

cc: Ken Patterson
Bill Kerbs

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

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Water Right Number - X36-07476B

Prefix Translation:

XFER OF RECOM. CLAIM

Old (D) Number -

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***

RUSTIC AG INC

1 - PO BOX 539

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-8764

*** O - ORIGINAL OWNER ***

C & B FARMS INC

1 - 213 PLEASANT WAY

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-3008

+ - - Priority Date - - +

05/22/1974

+ - - Region - - - +

17 SOUTHERN

+ - - Stage - - - +

L - LICENSE

+ - - Status - - - - +

+ - - - - Source - - - - - +

GROUNDWATER

+ - - - - Tributary - - - - - +

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

Twn Rng Sec Tract Lot RFlg County

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

NW NW NW (67) MINIDOKA

NW NW SW (67) MINIDOKA

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

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01

10/31

1.800

+ - Total Div. Rate - + + - Total Div. Volume - +

1.800

+ - Total Consumptive Use - + + - KW Usage - +

0.0

+ - - - - Place of Use - - - - - +

Twn Rng Sec Tract Lot Acres Code Description County

08S 22E 3 NE SW 40.0 01 IRRIGATION (67) MINIDOKA

08S 22E 3 NW SW 30.0 01 IRRIGATION (67) MINIDOKA

08S 22E 3 SW SW 40.0 01 IRRIGATION (67) MINIDOKA

08S 22E 3 SE SW 40.0 01 IRRIGATION (67) MINIDOKA

08S 22E 8 NE SE 39.0 01 IRRIGATION (67) MINIDOKA

08S 22E 8 NW SE 40.0 01 IRRIGATION (67) MINIDOKA

08S 22E 8 SW SE 40.0 01 IRRIGATION (67) MINIDOKA

08S 22E 8 SE SE 39.0 01 IRRIGATION (67) MINIDOKA

08S 22E 9 NE NE 38.0 01 IRRIGATION (67) MINIDOKA

08S 22E 9 NW NE 39.0 01 IRRIGATION (67) MINIDOKA

08S 22E 9 SW NE 40.0 01 IRRIGATION (67) MINIDOKA

08S 22E 9 SE NE 39.0 01 IRRIGATION (67) MINIDOKA

08S 22E 9 NE NW 39.0 01 IRRIGATION (67) MINIDOKA

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Water right number - X36-07476B

Prefix Translation: XFER OF RECOM. CLAIM

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

Total Acres: 1096.0

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

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

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

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-02479A, 36-02480, & 36-15234. USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.5 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4384 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 3288 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 1096 ACRES IN A SINGLE IRRIGATION SEASON.

PURSUANT TO APPROVED TRANSFER NO. 4015:

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

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Water right number - X36-07476B

Prefix Translation: XFER OF RECOM. CLAIM

+ - - - - - Remarks - - - - - +
SNAKE RIVER BASIN ADJUDICATION.
6. SRBA CLAIM NO. 36-15234 IS ALSO CHANGED UNDER TRANSFER NO.
4015 AND IS REPRESENTED ON A SEPARATE TRANSFER APPROVAL.

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

+ - - - - - Conditions of Approval - - - - - +
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO IDAHO CODE 42-1416A.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

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

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

Date: 07/19/1991 User Id: SOUTH1 Subject: COPIED FROM REMARKS
TRANS. 2575. THE TOTAL RATE OF DIVERSION OF THE WELL LOCATED WITHIN THE NWNE,
SEC. 9, T8S, R22E WHEN COMBINED WITH LICENSES 36-2479 & 36-2480 SHALL NOT EXCEED 6.22 CFS.
THE MAXIMUM RATE OF DIVERSION OF THE WELL LOCATED WITH THE SESE, SEC. 3, T8S, R22E SHOULD NOT EXCEED 5.74 CFS.
Date: 09/04/1992 User Id: CHRISTEN Subject: CHANGE IN PROPOSED RECOMMENDATION
BASED UPON INFORMATION SUPPLIED BY JIM STANTON AND THE NAPP PHOTO IT WAS DETERMINED THAT THREE OF THE FOUR CLAIMS WITH THE SAME P/D
WERE WRONG. I HAVE CHANGED THE P/D TO THE NENWE OF SEC 9. NO NOTICE OF ERROR WAS SUBMITTED AS THE CLIENT WAS NOT AWARE OF THE
DISCREPANCY DURING HIS OFFICE VISIT WITH JIM. KKC 9-4-92.
Date: 09/21/1992 User Id: GIVENS Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP RECEIVED 9/4/92 ORIGINAL OWNER C & B FARMS INC. NEW OWNER RUSTIC AG. INC. COPY OF CONTRACT OF SALE OF REAL
AND PERSONAL PROPERTY WAS SUBMITTED.
Date: 10/10/1992 User Id: CHRISTEN Subject: SECOND CHANGE IN PROPOSED RECOMMENDATION
9 ACRES WERE ADDED TO THE NWSW OF SEC 9 BASED UPON A NOE FOR 36-02480. REMARK CODE E03 WAS UPDATED TO REFLECT THE ADDITIONAL
9 ACRES. NO OTHER CHANGES MADE. KKC 10-10-92

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

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

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

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Water Right Number - 36-07476B Prefix Translation: WATER RIGHT Old (D) Number -

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

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

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

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
05/22/1974 17 SOUTHERN L - LICENSE

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

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

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

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

01 - IRRIGATION 04/01 10/31 1.800

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.800 0.0

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

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

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Water right number - 36-07476B

Prefix Translation: WATER RIGHT

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

Total Acres: 1096.0

3 connected wells & pumps, sprinklers

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

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

9. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-02479A, 36-02480, & 36-15234.

6. USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.5 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4384 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 3288 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 1096 ACRES IN A SINGLE IRRIGATION SEASON.

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

Conditions of Approval - - - - -

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION - PURSUANT TO IDAHO CODE 42-1416A.

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

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000MICROFILMED
OCT 19 1994

Water right number - 36-07476B Prefix Translation: WATER RIGHT

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

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

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 02/15/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 10/10/1992	Old Judicial District	-
Claim Received Date	- 08/16/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S001498	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	- D

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

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

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

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

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

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: IRRIGATION

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

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OCT 19 1994

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

PLACE OF USE: IRRIGATION

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

CONDITIONS/REMARKS:

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

Dated this 17th day ofAugust, 1993.


Chief, Water Alloc. Bureau

MICROFILMED

OCT 19 1994

Form 42-1409(7)



**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

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

RECEIVED

SEP 04 1992

DATE OF CLOSING: January 1992

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.

Department of Water Resources
Southern Region Office

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A36-02477A, 2480, 7476B, 15234

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

☐ New Owner/Claimant
(Purchaser): 213 Pleasant Way
Rupert, ID 83350

☐ New Mailing Address: Rustic Ag. Inc.
P.O. Box 539
Paul, ID
83347

☐ New Telephone Number: () 438 - 8764

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
ownership, describe
proof attached: Sale Contract

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s): Rustic Ag. Inc. Date 9-2-92
By: J. Patterson President Date 9-2-92

☐ Signature of Former
Owner/Claimant(s): _____ Date _____
_____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 9/21/92 By: tc

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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FEB 04 1993

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

RECEIVED

SEP 10 1972
Department of Water
Southern Region

CONTRACT OF SALE OF REAL AND PERSONAL PROPERTY

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

WITNESSETH:

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

Real Property:

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

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

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

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

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

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

Personal Property:

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

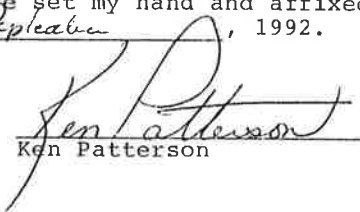
MICROFILME
FEB 04 1993

ASSIGNMENT OF CONTRACT OF SALE

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

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

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


Ken Patterson

STATE OF IDAHO

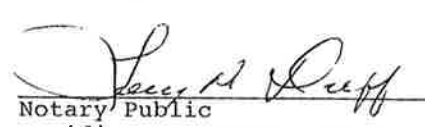
County of Minidoka

)
) ss.
)

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

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

(SEAL)


Notary Public
Residing at Rupert, Idaho
My Commission Expires 8-1-92

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SELLERS:
C & B FARMS

By: William Kerbs
William Kerbs, President

ATTEST:

David P. Kerbs
David Kerbs, Asst. Secretary

BUYERS:

Ken Patterson
Ken Patterson
Bonnie Patterson
Bonnie Patterson

STATE OF IDAHO)
County of Minidoka) ss.

On this 5th day of December, 1990, before me,
the undersigned, a Notary Public in and for said State, person-
ally appeared William Kerbs and David Kerbs, President and
Assistant Secretary respectively of the above-named corporation,
known to me to be the persons whose names are subscribed to the
within instrument and acknowledged to me that they executed the
same on behalf of said corporation.

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

(SEAL)

Shirley A. Lipp
Notary Public
Residing at Rupert, Idaho
My Commission Expires 8/1/92

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EXHIBIT A
TO
CONTRACT OF SALE

SELLER: C & B Farms

BUYER: Ken and Bonnie Patterson

Above Ground Sprinkler Equipment:

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

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

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

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

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

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

Water License Number 36-2480

Water License Number 36-2479*

Water License Number 36-7476*

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

3 old trailer houses located on Section 9.

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STATE OF IDAHO

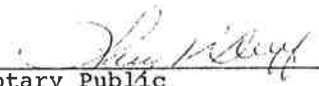
County of Minidoka

)
) ss.
)

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

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

(SEAL)



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

SD-0601-2 Last Name: C & B

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	-	-	-	-	-	-	-
-	C & B FARMS INC	-	-	-	-	-	-
-		C	A36-02479A	06/09/1961	GROUNDWATER	1.200	01 IRR
-		C	A36-02480	07/19/1961	GROUNDWATER	12.500	01 IRR
-		C	A36-10490	04/01/1964	GROUNDWATER	0.040	43 DOMEST
-		C	A36-10491	08/25/1975	GROUNDWATER	0.080	43 DOMEST
-		C	A36-07476B	05/22/1974	GROUNDWATER	1.800	01 IRR
-		C	R36-10490	04/01/1964	GROUNDWATER	0.040	43 DOMEST
-		C	R36-10491	08/25/1975	GROUNDWATER	0.080	43 DOMEST
-		C	A36-15234	03/15/1971	GROUNDWATER	1.800	01 IRR
-		C	R36-07476B	05/22/1974	GROUNDWATER	1.800	01 IRR
-		C	R36-15234	03/15/1971	GROUNDWATER	1.040	01 IRR
-		C	R36-02479A	06/09/1961	GROUNDWATER	1.200	01 IRR
-		C	R36-02480	07/19/1961	GROUNDWATER	12.500	01 IRR
-							
-							
-							

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

✓ P/c & warranty check - OK. 1/20/92

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FEB 04 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

22-Sep-1992 15:50

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

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

Dear Mr. Patterson:

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

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

Sincerely,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures

c.c. C&B Farms Inc.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-07476B
Date Received: 8/16/1988
Receipt No: 5001498
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: MAY 22, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	22E	9	NE	NW	NE		MINIDOKA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.800		360.00

7. Total Quantity Appropriated is:
1.800 C.F.S. (and/or) 360.00 A.F.A.

8. Total consumptive use is 270.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	22E	3	NE	SW		IRR	10.0
			NW	SW		IRR	40.0
			SE	SW		IRR	40.0
Section Acres							90.0

A36-07476B

Page 1

Date: 08/16/88

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10. Place of Use: Continued

Total Acres 90.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
A36-02479A

14. Remarks:
TRANS. 2575.
THE TOTAL RATE OF DIVERSION OF THE WELL LOCATED WITHING THE NWNE,
SEC. 9, T8S, R22E WHEN COMBINED WITH LICENSES 36-2479 & 36-2480
SHALL NOT EXCEED 6.22 CFS.
THE MAXIMUM RATE OF DIVERSION OF THE WELL LOCATED WITH THE SESE,
SEC. 3, T8S, R22E SHOULD NOT EXCEED 5.74 CFS.

15. Basis of Claim: LICENSE

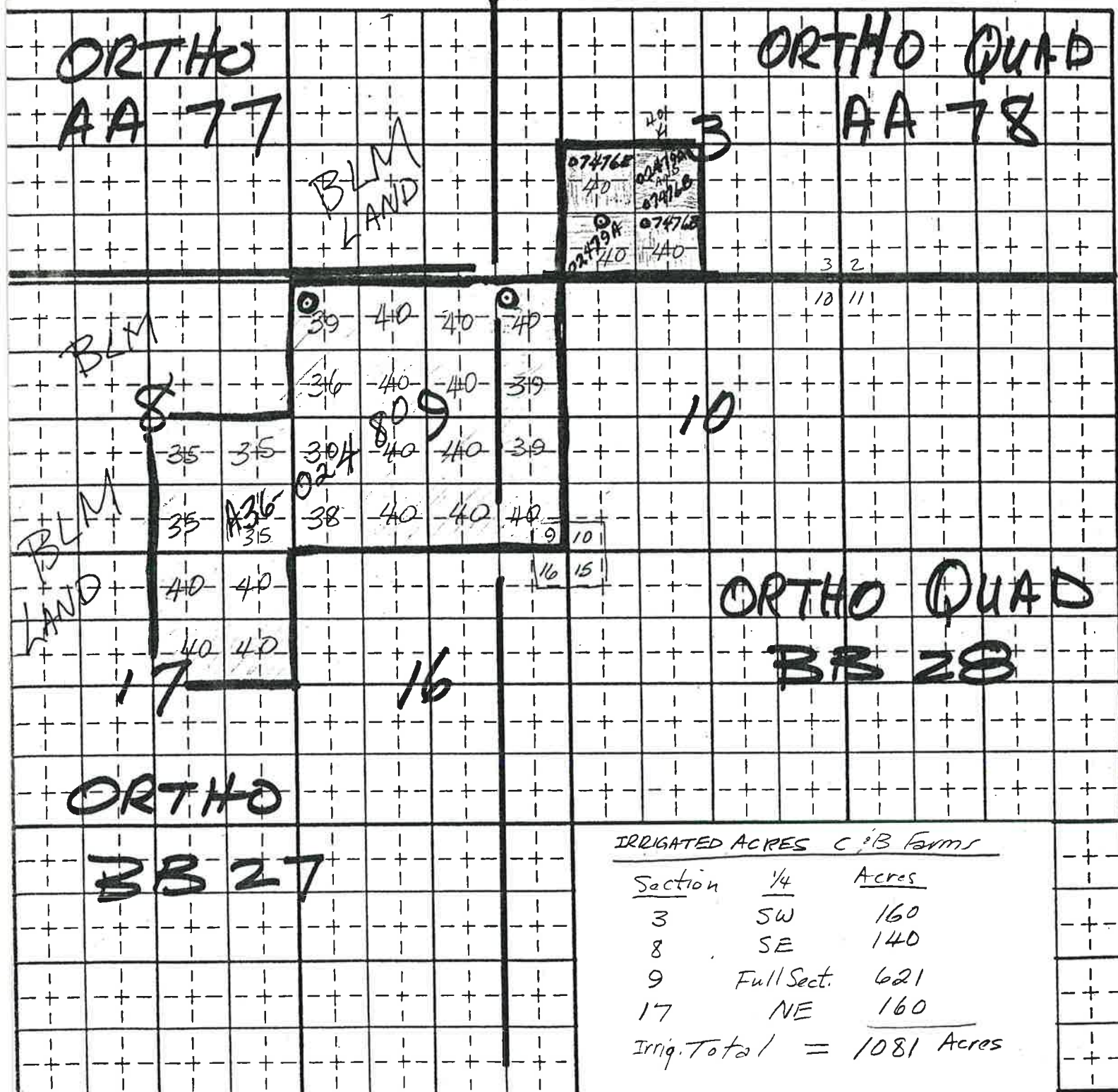
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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Scale: 2 inches equals 1 mile

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



3	POD'S	NW	NW	NW	Sect.	9
		NW	NE	NE	"	9
		NE	SW	SW	"	3

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Last Name **CBS FARMS** Ident No.

Copies: White-State, Yellow-Claimant

02/13/91

3 Water Rights # 02479 A, 07476B ; 02480
Adj. Claim = 1120 Ac / Lic

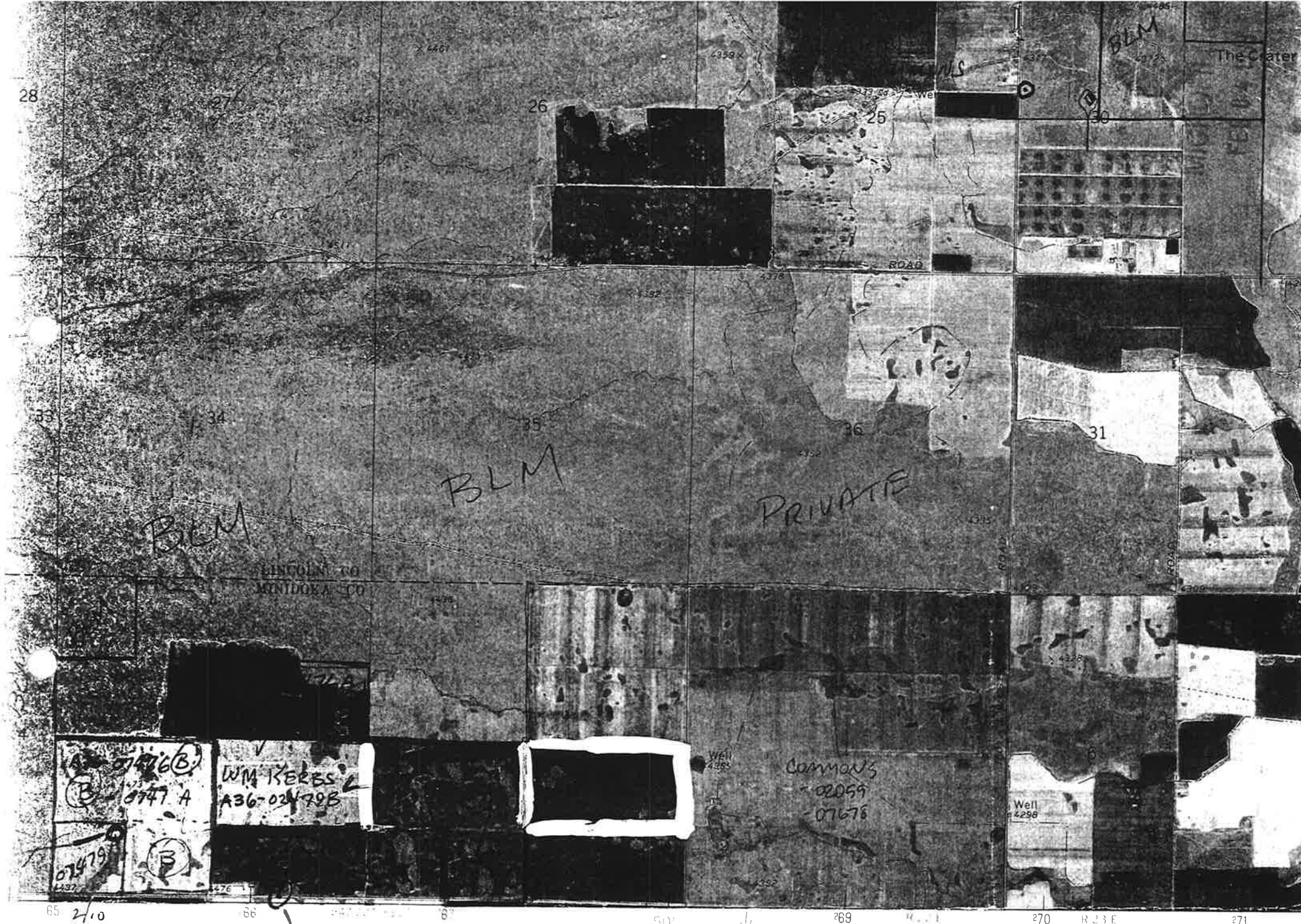
Adj. Claim = 1120 Ac / Licensed = 1006 Ac

N. D. Brown



Map by the Geological Survey
in cooperation with the Soil Conservation Service
A-50 02479B (P-2) Class 1
SE SW SE

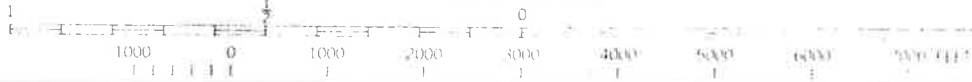




Produced by the Geological Survey
in cooperation with the Soil Conservation Service

A36-02479B (PO-) Cleared
SE SW SE

SCALE 1:24,000



This map was prepared from a 1:75,000 scale
aerial photograph of August 20, 1978

Transfer No. 4015

APPLICATION FOR TRANSFER OF WATER RIGHT

SEP 03 1952

PART 1

Department of Water Resources

Southern Region Office

Southern Region Office
Name of applicant Rustic Ag. Inc.

438-8764 OFF;cc

Phone 438-8607 home

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

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use

- ☐ Change nature of use ☐ Change period of use ☐ Other

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

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

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

_____ to _____

_____ to _____

_____ to _____

_____ to _____

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

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

[illegible]

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

[illegible]

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PART 1

6. General Information:

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

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

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

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

Witness my hand this _____ day of _____, 19 _____

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FEB 04 1993

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

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

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

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 6-9-1961

5. Water is used for the following purpose:

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

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

7. Point(s) of Diversion:

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

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	22E	3									30		30						60

Total acres 60

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

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FEB 04 1993

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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Total acres _____

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

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

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

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

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

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

5. Water is used for the following purpose:

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

6. Total amount of water under right 1.20 cubic feet per second and/or 244 acre-feet per annum.

7. Point(s) of Diversion:

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

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	22E	3									40	30	40	40					150
		8													39	40	40	39	158
		9	38	39	40	39	39	38	38	40	40	39	40	40	39	40	40	39	672 628
		17	40	40	40	40													160

Total acres 1087 10969. Describe any other water rights used for the same purpose as described above R36-02480, R36-074768

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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Total acres _____

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

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

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

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

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

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

5. Water is used for the following purpose:

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

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

7. Point(s) of Diversion:

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

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	22E	8													25		20	40	85
		9	38	39	40	39	39	36	38	40	40	39	40	40	39	40	40	39	626
		17	20	35	40	40													135

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Total acres 846

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

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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FEB 04 1993

Total acres _____

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

PART 2 (Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

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

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

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 7-19-1961

5. Water is used for the following purpose:

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

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

7. Point(s) of Diversion:

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

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

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

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Total acres _____

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

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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FEB 04 1993

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 36-07476B issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to _____4. Date or priority 5-22-1974

5. Water is used for the following purpose:

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

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

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	9	8S	22E	Missidok9	

8. Lands irrigated or place of use:

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

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FEB 04 1993

Total acres 90

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

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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FEB 04 1993

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

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

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

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to _____4. Date or priority 5-22-1974

5. Water is used for the following purpose:

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

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

7. Point(s) of Diversion:

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

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

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

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Total acres FEB 04 19939. Describe any other water rights used for the same purpose as described above R36-02477A, 02480, 15234

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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FEB 04 1993

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

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

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

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____4. Date or priority 2-15-1971

5. Water is used for the following purpose:

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

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

7. Point(s) of Diversion:

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

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

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

Total acres _____

9. Describe any other water rights used for the same purpose as described above R36-02477A, 02480, 02476B

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 FEB 14 1993

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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Total acres _____

Rustic Ag. Inc.
Transfer

7-26-64
P/U A
P/U B

WIM RELES
A36-04-105

P/D
P/U
Proposed P/U
P/U
P/D
4
9

P/U
P/U
P/U

ROAD

16

489
7000
NORTH

20

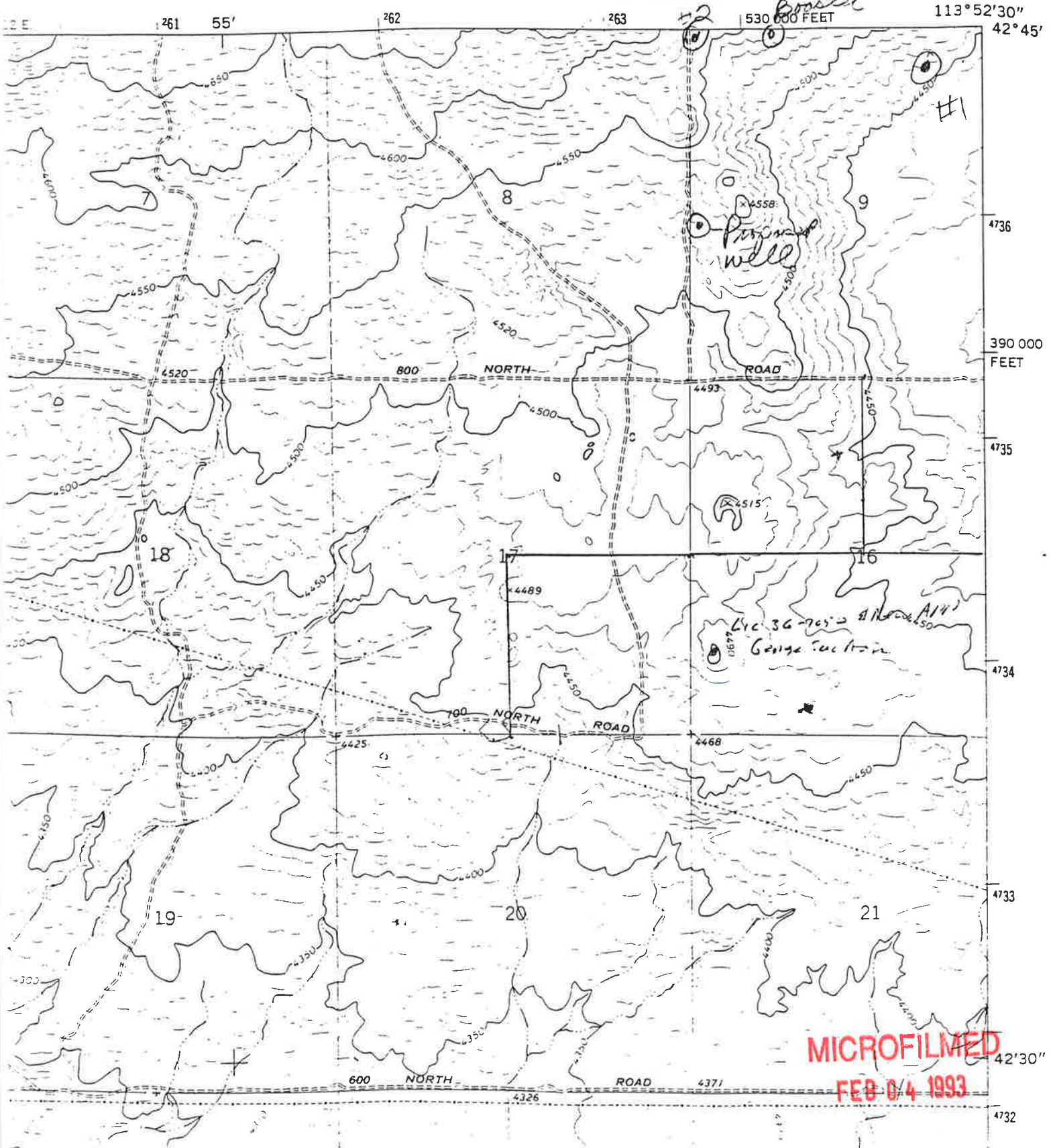
21

21

21

NORTH

BURLEY NW QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)



Well

Well

334
113

34
32

T135
1579 184 2233
TRACT-NOT HEL

NOT TO SCALE

Rustic Ag. Inc
Transfer

1
121.6

T136
1579 184 2233
TRACT-HEL

T62
1579 184
HEL 1
143

2
430
HEL

3
400

4
358

Buried Mainline

HEL
3
24.9

4
3
910

4
393

123.6

HEL

17
27.8

T149
95

3
10

NOT TO SCALE

B9

Rustic Ag. Inc. Transfee

Existing Well

Booster pump

T62
1579
1810
2233

Existing Well

Buried Mainline

Buried Mainline

Buried Mainline

Proposed site of A additional PAD

NOT HEL
7
296.7

NOT HEL
8
296.8

9
16

9
16

FEB 04 2003

NOT TO SCALE

Rustic Ag. Inc.

Transfer

5 VEL
63

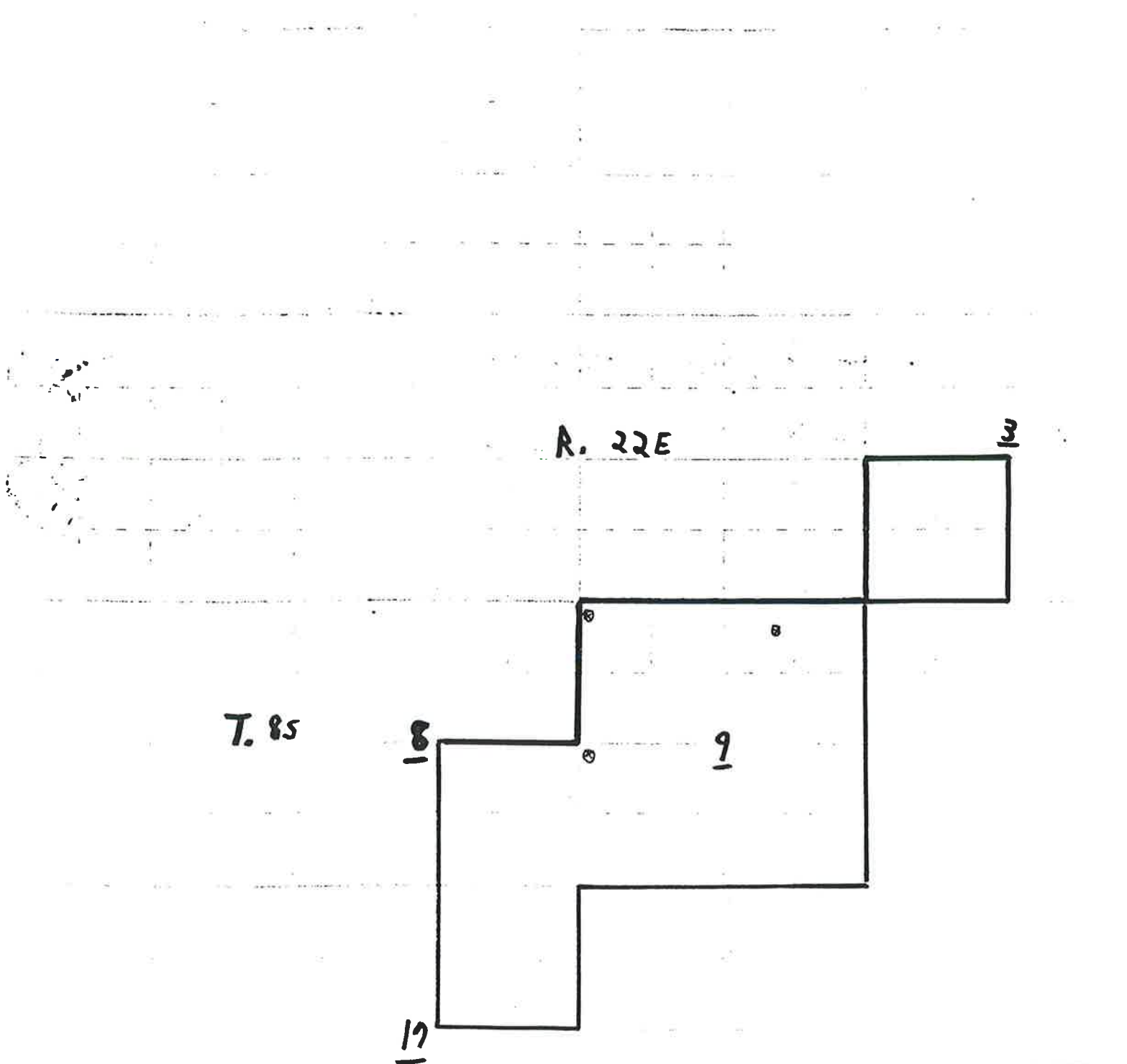
HELL
60

Buck
Maid

89

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

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



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FEB 04 1993

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

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

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

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

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

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



Rustic Ag Inc. By Kent Patterson Owner
(Signature of Applicant)

Subscribed and sworn to before me this 3rd day of Sept, 19 92.

Kelly K. Christensen
(Notary Public)

My commission expires 3-2-92

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by JF Stanton Date 9-2-92 Protest filed by _____

Prelim. check by MTS Fee \$50.00 5014922

Receipted by JS Date 9-2-92

Published in So. Id. Press Copies of protest forwarded by _____

Pub. dates 11/6 + 11/13/92 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by JS

Copy of transfer sent to lien holder _____

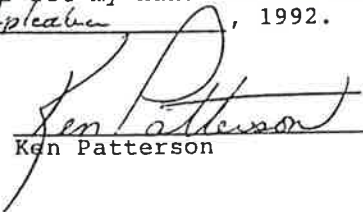
MICROFILMED
FEB 04 1993

ASSIGNMENT OF CONTRACT OF SALE

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

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

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


Ken Patterson

STATE OF IDAHO)

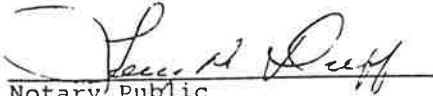
) ss.

County of Minidoka)

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

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

(SEAL)


Notary Public

Residing at Rupert, Idaho

My Commission Expires 6-1-97

MICROFILMED

FEB 04 1993

RECORDED

SEP 01 1990

Department of War
Southern Region

CONTRACT OF SALE OF REAL AND PERSONAL PROPERTY

THIS AGREEMENT, made and entered into this 2nd day

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

WITNESSETH:

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

Real Property:

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

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

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

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

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

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

Personal Property:

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

MICROFILMED

FEB 04 1993

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

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

SELLERS:
C & B FARMS

By: William Kerbs
William Kerbs, President

ATTEST:

David P. Kerbs
David Kerbs, Asst. Secretary

BUYERS:

Ken Patterson
Ken Patterson

Bonnie Patterson
Bonnie Patterson

STATE OF IDAHO)
County of Minidoka) ss.

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

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

(SEAL)

Ken Patterson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 1992

STATE OF IDAHO

)
) ss.
)

County of Minidoka

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

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

(SEAL)

John McKey
Notary Public
Residing at Rupert, Idaho
My Commission Expires 1992

EXHIBIT A
TO
CONTRACT OF SALE

SELLER: C & B Farms

BUYER: Ken and Bonnie Patterson

Above Ground Sprinkler Equipment:

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

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

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

NEWWE

#1

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

Booster

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

WWW-#2

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

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

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

3 old trailer houses located on Section 9.

Water Right Number - R36-07476B

Prefix Translation:

RESEARCH

Old (D) Number -

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***

C & B FARMS INC

1 - 213 PLEASANT WAY

2 -

3 -

City- RUPERT

Phone - 208-436-3008

State- ID Zip- 83350

VERIFIED BY

KAC
9-4-92+ - - Priority Date - - +
05/22/1974+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

+ - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County08S 22E 9 NE NW NE (67) MINIDOKA
NW NW NW (67) MINIDOKA+ - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01

10/31

1.800

+ - Total Div. Rate - + + - Total Div. Volume - +
1.800+ - Total Consumptive Use - + + - KW Usage - +
0.0+ - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

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

Water right number - R36-07476B

Prefix Translation: RESEARCH

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

Total Acres: 1087.0

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

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

Remarks

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-02479A, 36-02480, & 36-15234. USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.5 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4348 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 3261 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 1087 ACRES IN A SINGLE IRRIGATION SEASON.

Old Water Right Numbers

No Old Water Right Numbers Found

Conditions of Approval

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO IDAHO CODE 42-1416A.

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

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - -Comments- - - - -

Date: 07/19/1991 User Id: SOUTH1 Subject: COPIED FROM REMARKS
TRANS. 2575.
SEC. 9, T8S, R22E WHEN COMBINED WITH LICENSES 36-2479 & 36-2480
THE MAXIMUM RATE OF DIVERSION OF THE WELL LOCATED WITH THE SESE,

THE TOTAL RATE OF DIVERSION OF THE WELL LOCATED WITHIN THE NWNE,
SHALL NOT EXCEED 6.22 CFS.
SEC. 3, T8S, R22E SHOULD NOT EXCEED 5.74 CFS.

Water right number - R36-07476B

Prefix Translation: RESEARCH

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

+ - - Audit Fields - - +
09/04/92 CHRISTEN

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 02/15/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 09/04/1992	Old Judicial District	-
Claim Received Date	- 08/16/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S001498	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	- D

VERIFIED BY

KRC

Water Right Number - R36-07476B

Prefix Translation:

RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
C & B FARMS INC.1 - 213 PLEASANT WAY
2 -
3 -
City- RUPERT
Phone - 208-436-3008

State- ID Zip- 83350

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/22/1974 17 SOUTHERN L - LICENSE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATERchange to
NE NW NE
9-21-92
KRC+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County08S 22E 9 NW NE NE (67) MINIDOKA
08S 22E 9 NW NW NW (67) MINIDOKA+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 1.800

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.800 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

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

Water right number - R36-074768

Prefix Translation: RESEARCH

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

Total Acres: 1087.0

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

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

Remarks

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-02479A, 36-02480, & 36-15234. USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.5 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4348 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 3261 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 1087 ACRES IN A SINGLE IRRIGATION SEASON.

Old Water Right Numbers

No Old Water Right Numbers Found

Conditions of Approval

C03 - RIGHT INCLUDES CHANGE IN POINT OF DIVERSION.
C05 - RIGHT INCLUDES CHANGE IN PLACE OF USE.

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

Comments

No Comments Found

Audit Fields

09/19/91 CHRISTEN

Water right number - R36-07476B

Prefix Translation: RESEARCH

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 02/15/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 09/19/1991	Old Judicial District	-
Claim Received Date	- 08/16/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S001498	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	-

Water Right Number - R36-07476B

Prefix Translation:

RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

C & B FARMS INC.

1 - 213 PLEASANT WAY

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-3008

+ - - Priority Date - - +
05/22/1974+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

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

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

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	1.800	360.00

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
1.800	360.00	270.0	

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	22E	3	NE SW		10.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	3	NW SW		40.0	01	IRRIGATION	(67) MINIDOKA
08S	22E	3	SE SW		40.0	01	IRRIGATION	(67) MINIDOKA

Total Acres:

90.0

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A36-02479A

+ - - Remarks - - - - - +

TRANS. 2575.

THE TOTAL RATE OF DIVERSION OF THE WELL LOCATED WITHIN THE NWNE,
SEC. 9, T8S, R22E WHEN COMBINED WITH LICENSES 36-2479 & 36-2480
SHALL NOT EXCEED 6.22 CFS.THE MAXIMUM RATE OF DIVERSION OF THE WELL LOCATED WITH THE SESE,
SEC. 3, T8S, R22E SHOULD NOT EXCEED 5.74 CFS.*add second
P/D**NW NW NW**Change to PP4**1087 Acres**2 wells & Pumps w. th common main line**del add 2
(none)**del
already in
comments*

Water right number - R36-07476B

Prefix Translation: RESEARCH

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

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

No Old Water Right Numbers Found

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

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

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

Date: 07/19/1991 User Id: SOUTH1 Subject: COPIED FROM REMARKS
TRANS. 2575.

SEC. 9, T8S, R22E WHEN COMBINED WITH LICENSES 36-2479 & 36-2480
THE MAXIMUM RATE OF DIVERSION OF THE WELL LOCATED WITH THE SESE,

THE TOTAL RATE OF DIVERSION OF THE WELL LOCATED WITHIN THE NWNE,
SHALL NOT EXCEED 6.22 CFS.
SEC. 3, T8S, R22E SHOULD NOT EXCEED 5.74 CFS.

+ - - Audit Fields - - +

07/19/91 SOUTH1

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

Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 08/16/1988

Field Inspection Made - 02/15/1991
Field Inspection Flag -
Verified Date - 00/00/0000
Last Amended Date - 00/00/0000
Receipt Number - S001498
POU Ownership Flag - Y
Name Connector -

Civil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P
Water District -
Federal/State Indicator - S
Presumption Flag -

Water Right Number - A36-07476B

Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

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

*** C - CURRENT OWNER ***

C & B FARMS INC.

1 - 213 PLEASANT WAY

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-3008

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/22/1974 17 L - LICENSE+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
08S 22E 9 NE NW NE (67) MINIDOKA+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.800 360.00
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.800 360.00 270.0+ - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
08S 22E 3 NE SW 10.0 01 IRRIGATION (67) MINIDOKA
08S 22E 3 NW SW 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 3 SE SW 40.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 90.0

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A36-02479A

+ - - - - - Remarks - - - - - +
TRANS. 2575.
THE TOTAL RATE OF DIVERSION OF THE WELL LOCATED WITHING THE NWNE,
SEC. 9, T8S, R22E WHEN COMBINED WITH LICENSES 36-2479 & 36-2480
SHALL NOT EXCEED 6.22 CFS.
THE MAXIMUM RATE OF DIVERSION OF THE WELL LOCATED WITH THE SESE,
SEC. 3, T8S, R22E SHOULD NOT EXCEED 5.74 CFS.

Water right number - A36-07476B

Adj. flag translation: Adjudication Temporary Work Area

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

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000+ - - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 08/16/88 CLELLAND

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 07/01/1985	Old Judicial District	-
Claim Received Date	- 08/16/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Claims Tape Error Flg	-	Receipt Number	- S001498	Water District	-
Fee Exempt Flag	-	POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-

Water Right Number - 36-07476B Prefix Translation: WATER RIGHT Old (D) Number -

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

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

1 - P.O. BOX 425
2 -
3 -
City- RUPERT State- ID Zip- 83350
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/22/1974 17 SOUTHERN L - LICENSE

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

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

08S 22E 9 NW NE (67) MINIDOKA

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

01 - IRRIGATION 03/15 11/15 1.800 360.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.800 360.00

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

08S 22E 3 NE SW 10.0 01 IRRIGATION (67) MINIDOKA
NW SW 40.0 (67) MINIDOKA
SE SW 40.0 (67) MINIDOKA

Total Acres: 90.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
TRANS. 2575.
THE TOTAL RATE OF DIVERSION OF THE WELL LOCATED WITHING THE NWNE,
SEC. 9, T8S, R22E WHEN COMBINED WITH LICENSES 36-2479 & 36-2480
SHALL NOT EXCEED 6.22 CFS.
THE MAXIMUM RATE OF DIVERSION OF THE WELL LOCATED WITH THE SESE,
SEC. 3, T8S, R22E SHOULD NOT EXCEED 5.74 CFS.

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 07/01/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 12/06/1982	Appl Received	- 00/00/0000	Transfer/Amended	- T
Decree Date	- 00/00/0000				

May 30, 1979

Re: Permit No. 36-7476

C & B Farms
P.O. Box 425
Rupert, ID 83350

Gentlemen:

Enclosed is a copy of the Water Right license issued on the above referenced permit.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

not

DATE OF EXAM 8-4-76

ACREAGE
Found 960 ✓
Recommended 400 ✓

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 8.0 c.f.s. V = 1600
Domestic Q = _____ c.f.s. V = _____
Livestock Q = _____ c.f.s. V = _____

AF/Ann. from Mar. 15 to Nov. 15
AF/Ann. from _____ to _____
AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured (5.74 cfs) + (6.22 cfs) = 11.96 cfs
Method of measurement meter

Total Q recommended 8.0 cfs Meter M0647196 Type Badger Condition Good

Total V recommended 1600 A.F./Ann.

Recommended Amendments:
P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:
Q₁ = (Pump #1) = 2575 gpm = $\frac{2575 \text{ gpm}}{448.8 \text{ gpm/cfs}} = 5.74 \text{ cfs}$
Q₂ = (Pump #2) = 2791 gpm = $\frac{2791 \text{ gpm}}{448.8 \text{ gpm/cfs}} = 6.22 \text{ cfs}$
V_{rec} = (400 Acres) (4.0 A.F./Ann.) = 1600 A.F./Ann.

SYSTEM DESCRIPTION:
Pump #1 is 2 500 H.P. U.S. Motor, serial 1377882, which drives a Singer Well Line pump,
serial #45429
Pump #2 is 2 500 H.P. C.E. Motor, serial MHS1213017, which drives a Worthington Pump,
serial 20912
(See diagram of system)

REMARKS:
Other known water rights on the lands owned are 2479 & 2480

Examiner's Signature Chip Mayell
Checked by Sam Funderburg
Approved by Richard L. Steel

Date 8-11-76 ✓
Date 9-1-76
Date 1-1-77

T8S, R22E, B.M.

Pond & Pump

Pump #2

Pump #1

Pond indicates land irrigated under other water right.

Diagram of System

DEPARTMENT OF WATER ADMINISTRATION FIELD REPORT

1. Name of permit holder C & B Farms
 Post office address P. O. Box 425, Rupert, Idaho Phone _____
 Person to contact Bill Kerbs Phone _____
2. Source of water supply: Groundwater ☒ Surface water ☐ _____
 Tributary to _____ (name spring, stream, etc.)

3. Water will be used for the following purposes:

Amount 8.0 c.f.s. for irrigation
 AF/Annum (nature of use)

Period of Use: from March 15 to November 15
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 8.0 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 8 N/S, Range 22 E/W, B.M., Section 3, Subdivision SE 1/4 SE 1/4 Minidoka

Township 8 N/S, Range 22 E/W, B.M., Section 9, Subdivision NW 1/4 NE 1/4 _____ County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision 1/4 1/4 _____ County

Other Points of Diversions: _____

Description of diverting works: well, pump and sprinkler system

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	22E	2					40	40			10	40							130
		3			40	40					10	40		40	10	10	40	40	270

TOTAL ACREAGE 400

Permit No. 36-7476
 Examination for C & B Farms, Inc.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7476 Priority May 22, 1974 Amount 8.0 cfs

THIS IS TO CERTIFY, that C & B Farms, Inc.
of Rupert, Idaho, has complied with the terms and conditions of Permit
No. 36-7476 issued pursuant to Application for Permit dated May 22, 1974
and has submitted proof to the Department of Water Resources on July 14, 1976
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 11.96 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>8.0</u> cfs and	<u>1600</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 8.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1600 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9,
Rge. 22E, Twp. 8S, B.M., in the County of Minidoka

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8S	22E	2							40	40			10	40					130
		3			40	40					10	40		40	10	10	40	40	270

Total number of acres irrigated 400

CONDITIONS:

The total rate of diversion under this license from the well in the
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, Twp. 8S, Rge. 22E, when used in combination with license
No'n 36-2479 and 36-2480 shall not exceed 6.22 cfs.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of
May, 1979

Director

July 24, 1975

Re: Licenses No. 29645/36-2479 & 29646/36-2480
Application for Permit No. 36-7476

Mr. William Kerbs
P.O. Box 425
Rupert, Idaho 83350

Dear Mr. Kerbs:

A representative from our Twin Falls office has re-examined the works under Licenses 29645/36-2479 and 29646/36-2480 and the Department is prepared to issue Amended Water Licenses as follows:

29645/36-2479

Quantity of water diverted: 6.50 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 4.20 cfs

The maximum quantity diverted shall not exceed 840 acre feet, or 4.0 acre feet per acre, per year.

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, Twp. 8 S, Rge. 22 E, B. M.

Beneficial use: Irrigation of 210 acres within the N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 3, Twp. 8 S, Rge. 22 E, B. M.

Priority date established: June 7, 1961

29646/36-2480

Quantity of water diverted: 12.50 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 12.50 cfs

The maximum quantity diverted shall not exceed 3,384 acre feet, or 4.0 acre feet per acre, per year.

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$ -and- NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, Twp. 8 S, Rge. 22 E, B. M.

Beneficial use: Irrigation of 846 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8; all of Sec. 9; NE $\frac{1}{4}$, Sec. 17; Twp. 8 S, Rge. 22 E, B. M.

Priority date established: July 19, 1961

2/9/1
No lands
now in Section
2

[Handwritten signature]

Page 2
Mr. William Kerbs
July 24, 1975

We have enclosed a rough sketch indicating the acreage licensed under the licenses in question and also the land proposed to be irrigated under your Application No. 36-7476. You will note that 90 acres under the new application is already covered for an inch of water per acre under proposed Amended License 29645/36-2479, therefore, the Department could only approve Application 36-7476 in the amount of 6.20 cfs.

There are two alternatives to the reduction in amount of the pending application. First, the water on the overlapping 90 acres could be changed to other land not presently irrigated by filing a transfer to change the place of use under an existing license. Second, the pending application could be amended to cover other land that does not presently have a water right.

Which of the two alternatives you choose depends upon what land you plan to irrigate from the new well. If you wish to irrigate the land outlined in blue on the sketch, then the place of use on the license (36-2479) must be changed by completing the enclosed Application for Transfer. However, if you wish to irrigate the acreage shown by the green numerals, then the amended application we have enclosed should be signed and returned along with a \$10.00 fee.

Please advise us regarding this matter at your earliest convenience.

Sincerely,

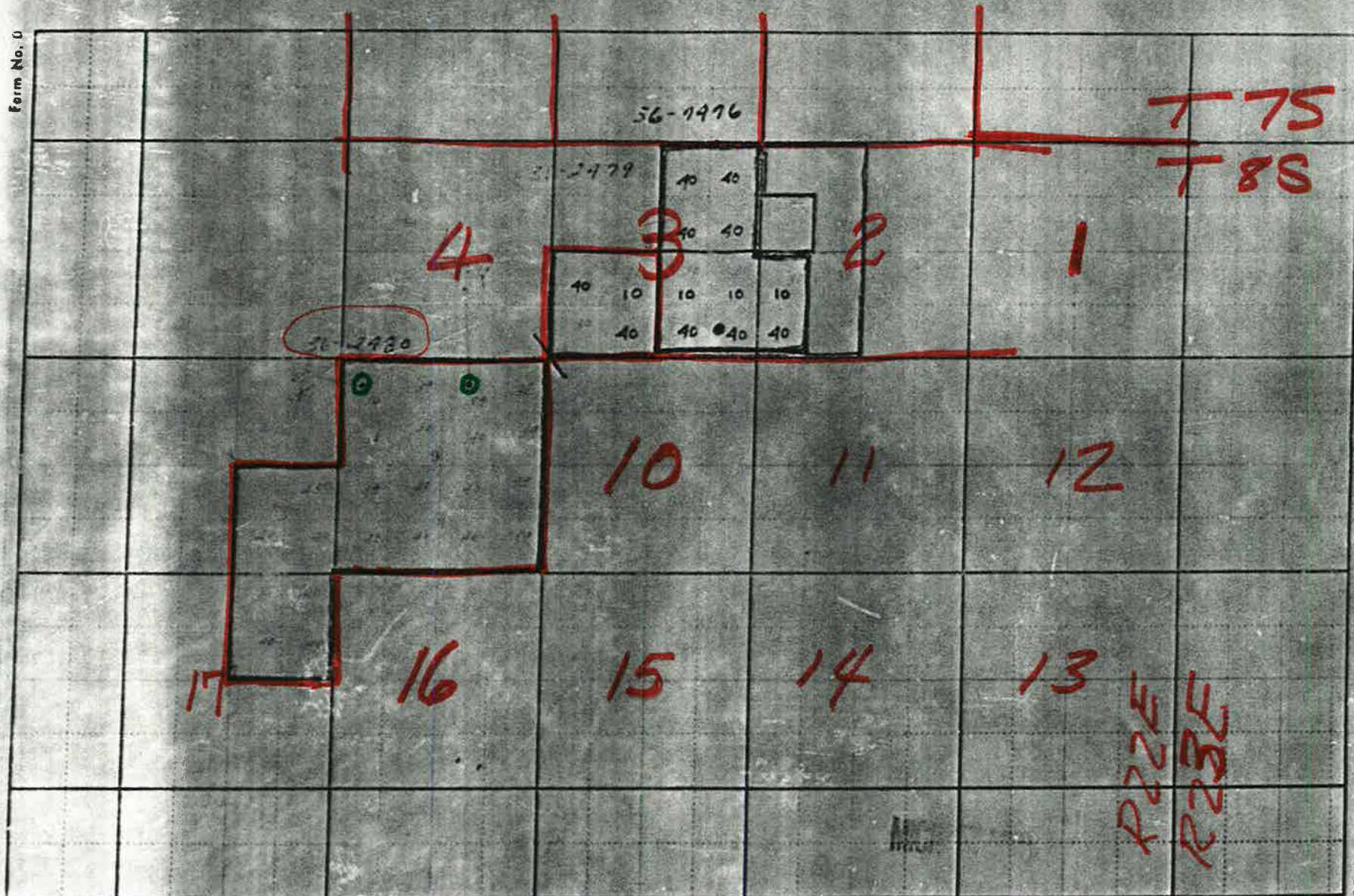
BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enc: Copy of App 36-7476
Sketch
Proposed Amended App
App for Transfer

RECEIVED

Form No. 0

NAME OF APPLICANT



SCALE: 2 Inches Equal 1 Mile. New Pl. 1 In.

Hand-drawn diagram on a grid background. The diagram consists of several connected rectangular blocks. Key features include:

- Top center: The number **2479**.
- Left side: A vertical block labeled **8** and a larger block below it labeled **17**.
- Right side: A vertical block labeled **10** and a larger block below it labeled **16**.
- Center: A large rectangular area labeled **36-2480**, which is circled in red.
- Top right: A small table-like structure with numbers:

40	40
40	40
10	10
40	40
- Bottom right: A small rectangular block labeled **3**.

August 13, 1974

Mr. Keith Higginson, Director
Department of Water Resources
Statehouse -- Annex 2
Boise, Idaho 83720

Dear Mr. Higginson:

I am writing in regard to a problem I have with my water licenses 36-2479 and 36-2480. It is my understanding after discussing the matter with the Southern District Office in Twin Falls, the amended application was not issued correctly from the Boise office and the second point of diversion was omitted. When the examiner made the field examination, he omitted approximately 300 acres in Section 9. He also failed to include a second point of diversion listed in 36-2480.

In addition to these problems, a gate valve was partly shut during the field examination which reduced the amount of water measured.

As a result of the problems with these licenses, I would like to petition the Department of Water Resources for reconsideration of my problems and issue a corrected license. Also, I understand that I should send in the original license which was issued, but approximately five years ago, I was burglarized and most of my records were lost.

Any assistance you could offer in this matter would be greatly appreciated.

Sincerely,



Bill Kerbs
P.O. Box 425
Rupert, Idaho 83350

August 27, 1970

Re: Permit Nos. 36-2479 and 36-2480

Mr. William Kerbs
511 South "D" Street
Rupert, Idaho 83350

Dear Mr. Kerbs:

We have reviewed the above referenced water licenses, as you requested. We find that both licenses show sufficient error to justify being recalled and reissued. Please return the original licenses mailed to you on March 17 and March 21, 1969, and we will issue new licenses for a higher rate of diversion and a larger volume of water. Water License 36-2479 will be issued for 4.08 c.f.s. of water and Water License 36-2480 will be issued for 10.08 c.f.s. of water. No more water may be diverted under the two wells at any one time than a maximum of 10.08 c.f.s.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McElDowney
Appropriation Supervisor

DWM:kh

36-2480

27696

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF:

Correcting License No. 29645/36-2479
Nos. 2479 and 2480, Nos. 2480 in the
Name of WILLIAM KERBS

ORDER

WHEREAS, in March, 1969, the Department of Water Resources (formerly the Department of Reclamation) issued the above numbered licenses as follows: License No. 29645/36-2479 for 2.0 cubic feet of water per second from a well within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 2, Twp. 8 S, Rge. 22 E, B.M., covering 210 acres in Sections 2 and 3, Twp. 8 S, Rge. 22 E, B.M., and License No. 29646/36-2480 for 8.08 cubic feet of water per second from two wells in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, Twp. 8 S, Rge. 22 E, B.M., covering 846 acres in Sections 8, 9 and 17, Twp. 8 S, Rge. 22 E, B.M.; and

WHEREAS, in August, 1970, the Department recalled said licenses to correct the quantity of water allowable to 4.08 cfs under 29645/36-2479 and 10.08 cfs under 29646/36-2480; and

WHEREAS, the second point of diversion was inadvertently omitted from the amended license issued on July 16, 1971, under 29646/36-2480; and

WHEREAS, in August, 1971, Mr. William Kerbs petitioned the Department to re-issue the licenses in question in order to include the previously omitted point of diversion under 29646/36-2480; and

WHEREAS, Mr. Kerbs also requested in his petition that the quantity of water allowable under the licenses again be reviewed, claiming that a gate valve was partly shut during the original field examination prior to issuance of the licenses in 1969; and

WHEREAS, a representative of the Department has conducted a field examination and determined that the system has not changed from that shown in the earlier report and is capable of producing 12.50 cubic feet of water per second rather than the 10.08 cubic feet of water per second shown in the 1968 field report; and

WHEREAS, the Director of the Department of Water Resources has reviewed the matter and finds that said licenses should be corrected by issuance of amended licenses;

IT IS, THEREFORE, HEREBY ORDERED that amended licenses be issued as follows:

License No. 29645/36-2479 for 4.20 cfs of water from a well within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 2 for the irrigation of 210 acres within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3; all in Twp. 8 S, Rge. 22 E, B.M.

← 210 ac

License No. 29646/36-2480 for 12.50 cfs of water from 2 wells within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9 for the irrigation of 846 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8; all of Sec. 9, NE $\frac{1}{4}$, Sec. 17; all in Twp. 8 S, Rge. 22 E, B.M.

← 846 ac

Dated this 12 day of August, 1975

1056

8/12/75

R. K. HIGGINS
Director

#02480

State of Idaho
Department of Water Resources
AMENDED
WATER RIGHT LICENSE

License No. 29646/36-2480 Property July 19, 1961 Amount 12.50 cfs

LOREN DOUGHERTY, Inc.

Rupert, Idaho

29646/36-2480

WILLIAM KERBS

has complied with the terms and conditions of Permit

April 21, 1951

July 26, 1966 (late proof)

12.50 cfs

a ground water source

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	April 1 to Oct. 31	at 12.50 cfs and	3,384 acre feet or
	to	at	4.0 af per acre
	to	at	
	(both dates inclusive)		

Subject, however, to the condition that no more than 12.50 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 3,384 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, Twp. 8 S, Rge. 22 E, B. M. in the County of Minidoka

Map showing location of place of use

Twp.	Range	Sec.	NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8 S	22 E	8													
		9	38	39	40	39	59	36	38	40	40	39	40	40	85
		17	20	35	40	40									626
															135

Total number of acres irrigated 846

* Subject to the condition that the maximum rate of diversion shall not exceed 12.50 cfs when combined with License No. 29645/36-2479.

NOTE: Modifications to or variance from this license must be made within the limits of Section 12-222 Idaho Code or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and is pertinent to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director thereof at Boise, Idaho, this 12 day of

August

1975

Director

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

*
See NO FILM

ACROFILMED

FEB 04 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

13-Oct-1992

C & B FARMS INC
213 PLEASANT WAY
RUPERT ID 83350

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

Dear Mr Kerbs

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

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

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

PERIOD OF USE RESPONSE FOR ALL CLAIMS

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

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

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

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FEB 04 1993

C & B FARMS
PAGE 2
13-Oct-1992

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

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

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

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

enclosures

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FEB 04 1993

RESPONSE TO NOTICE OF ERROR IN THE SNAKE RIVER BASIN ADJUDICATION

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

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

Claimant Contact Person _____

Others Present _____

Contact By (give date) _____

Meeting (location): _____

Phone Call (no.) _____

Letter (attach letter): _____

IDWR USE ONLY	
Date _____	Initials _____
Date Entered _____	_____
Verified _____	_____

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

II. Reasons provided claimant for original recommendation: _____
For 36-2480. after review the 30 acre recommendation appears to be an error. I accept your request as valid.

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

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

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

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

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

$$\frac{0.0114 \text{ CFS/ACRE}}{100} = 0.000114 \text{ CFS/ACRE}$$

$$0.000114 \text{ CFS/ACRE} \times 99 \text{ ACRES} = 0.0113 \text{ CFS}$$

III. Additional information provided by claimant: _____
As an expansion claim is recognized for the additional acres at the time of expansion but not for additional water the above calculations were developed to identify the proportionate share of the system capacity that apply to the exp. Acres.

IV. Changes to be made in final recommendation (if any): the entire system includes claims 36-2479A & 36-7476B. The additional 9 Acres added will change the P-P/U recommendation on those claims also.
Change PPU for All 4 claims to Add 9 Acres. 100
Change 36-15234 to include total acres = 99; total quantity = 1.13 CFS
No change to Period of Use recommended at this time.

V. Action taken (date): _____

CONVERSATION MEMO

36 - 7476B

36 - 2480

FILE:

36 - 2479A

AGENT:

KRC

DATE:

9-4-92

RE:

PROPOSED REPORT

NAME OF PARTY:

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

ISSUE: P/D wrong legal in Sec 9

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

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

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

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FEB 04 1993

Water Right Number - R36-07476B

Prefix Translation:

RESEARCH

Old (D) Number -

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

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

1 - P.O. BOX 539

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-8764

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

1 - 213 PLEASANT WAY

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-3008

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/22/1974 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
08S 22E 9 NE NW NE (67) MINIDOKA
NW NW NW (67) MINIDOKA+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.800+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.800 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 22E 3 NE SW 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 3 NW SW 30.0 01 IRRIGATION (67) MINIDOKA
08S 22E 3 SW SW 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 3 SE SW 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 8 NE SE 39.0 01 IRRIGATION (67) MINIDOKA
08S 22E 8 NW SE 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 8 SW SE 40.0 01 IRRIGATION (67) MINIDOKA
08S 22E 8 SE SE 39.0 01 IRRIGATION (67) MINIDOKA
08S 22E 9 NE NE 38.0 01 IRRIGATION (67) MINIDOKA
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FEB 04 1993

Water right number - R36-07476B

Prefix Translation: RESEARCH

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

Total Acres: 1096.0

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

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

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

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-02479A, 36-02480, & 36-15234. USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.5 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4384 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 3288 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 1096 ACRES IN A SINGLE IRRIGATION SEASON.

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

No Old Water Right Numbers Found

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

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO IDAHO CODE 42-1416A.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000MICROFILMED
FEB 04 1993

Water right number - R36-07476B

Prefix Translation: RESEARCH

+ - - - - - Comments - - - - - +
Date: 07/19/1991 User Id: SOUTH1 Subject: COPIED FROM REMARKS
TRANS. 2575. THE TOTAL RATE OF DIVERSION OF THE WELL LOCATED WITHIN THE NWNE,
SEC. 9, T8S, R22E WHEN COMBINED WITH LICENSES 36-2479 & 36-2480 SHALL NOT EXCEED 6.22 CFS.
THE MAXIMUM RATE OF DIVERSION OF THE WELL LOCATED WITH THE SESE, SEC. 3, T8S, R22E SHOULD NOT EXCEED 5.74 CFS.
Date: 09/04/1992 User Id: CHRISTEN Subject: CHANGE IN PROPOSED RECOMMENDATION
BASED UPON INFORMATION SUPPLIED BY JIM STANTON AND THE NAPP PHOTO IT WAS DETERMINED THAT THREE OF THE FOUR CLAIMS WITH THE SAME P/D
WERE WRONG. I HAVE CHANGED THE P/D TO THE NENWNE OF SEC 9. NO NOTICE OF ERROR WAS SUBMITTED AS THE CLIENT WAS NOT AWARE OF THE
DISCREPANCY DURING HIS OFFICE VISIT WITH JIM. KKC 9-4-92.
Date: 09/21/1992 User Id: GIVENS Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP RECEIVED 9/4/92 ORIGINAL OWNER C & B FARMS INC. NEW OWNER RUSTIC AG. INC. COPY OF CONTRACT OF SALE OF REAL
AND PERSONAL PROPERTY WAS SUBMITTED.
Date: 10/10/1992 User Id: CHRISTEN Subject: SECOND CHANGE IN PROPOSED RECOMMENDATION
9 ACRES WERE ADDED TO THE NWSW OF SEC 9 BASED UPON A NOE FOR 36-02480. REMARK CODE E03 WAS UPDATED TO REFLECT THE ADDITIONAL
9 ACRES. NO OTHER CHANGES MADE. KKC 10-10-92

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

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 02/15/1991 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 10/10/1992 Old Judicial District -
Claim Received Date - 08/16/1988 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - S001498 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - Presumption Flag - C
Notice of Error Flag - D

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FEB 04 1993

R PROOF



CVR



MAPS



PHOTOS



MISC



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FEB 0 1993

Water Right Number - R36-07476B

Prefix Translation:

RESEARCH

Old (D) Number -

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

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

State- ID Zip- 83347

*** O - ORIGINAL OWNER ***
C & B FARMS INC1 - 213 PLEASANT WAY
2 -
3 -
City- RUPERT
Phone - 208-436-3008

State- ID Zip- 83350

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/22/1974 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
08S 22E 9 NE NW NE (67) MINIDOKA
NW NW NW (67) MINIDOKA+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.800+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.800 0.0+ - - - - - - - - - - - - - - - Place of Use - - - - - +
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FEB 04 1993

Water right number - R36-07476B

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

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Old Water Right Numbers

No Old Water Right Numbers Found

Conditions of Approval

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION - PURSUANT TO IDAHO CODE 42-1416A.

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

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000MICROFILMED
FEB 04 1993

Water right number - R36-07476B

Prefix Translation: RESEARCH

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

Date: 07/19/1991 User Id: SOUTH1 Subject: COPIED FROM REMARKS
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THE MAXIMUM RATE OF DIVERSION OF THE WELL LOCATED WITH THE SESE, SEC. 3, T8S, R22E SHOULD NOT EXCEED 5.74 CFS.

Date: 09/04/1992 User Id: CHRISTEN Subject: CHANGE IN PROPOSED RECOMMENDATION

BASED UPON INFORMATION SUPPLIED BY JIM STANTON AND THE NAPP PHOTO IT WAS DETERMINED THAT THREE OF THE FOUR CLAIMS WITH THE SAME P/D
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CHANGE OF OWNERSHIP RECEIVED 9/4/92 ORIGINAL OWNER C & B FARMS INC. NEW OWNER RUSTIC AG. INC. COPY OF CONTRACT OF SALE OF REAL
AND PERSONAL PROPERTY WAS SUBMITTED.

+ - - Audit Fields - - +

09/22/92 GIVENS

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 02/15/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 08/16/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S001498	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	- D

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FEB 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:20:09
12/11/90

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07476B

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			7/15/91 02/15/91	N				
POINT OF DIV	Y			~~N~~ Y	6	2nd Review by KKG 9-17-91	MTM 7/19/91	
SOURCE				N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME				N				
CONSUMPTIVE USE	-			N				
PURPOSES				N				
PERIOD OF USE				N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			N	Y 6			

"VERIFIED BY" CODES

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

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

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FEB 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:20:09
12/11/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07476B

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

FIRST:

STATE: ID ZIP: 83350

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: TRANS. 2575.
THE TOTAL RATE OF DIVERSION OF THE WELL LOCATED WITHIN THE NWNE,
SEC. 9, T8S, R22E WHEN COMBINED WITH LICENSES 36-2479 & 36-2480
SHALL NOT EXCEED 6.22 CFS.
THE MAXIMUM RATE OF DIVERSION OF THE WELL LOCATED WITH THE SESE,
SEC. 3, T8S, R22E SHOULD NOT EXCEED 5.74 CFS.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 02/15/91

APPOINTMENT MADE: Y(____) N(✓)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

Ortho Quad AA-78 SW Cor. (KIMAMA 7 1/2' QUAD)
adjoining Claims & Lands on Ortho Quads BB 27, 28.

6.22 cfs
5.74 "

11.96 gpm

Located in NWNE NE 1/4 Sect. 9

Record of POD in Sec. 3
Not Found in records of
either of three Claims used
on these lands. 7/2/91

Field exams show it to be in
NE, SW, SW 1/4 Sect 3

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FEB 04 1993

A. AJ CLAIM: # A36-07476B PRIORITY DATE: 05-22-1974 STAGE: L

B. WR RECORD: # 36-07476B PRIORITY DATE: 05-22-1974 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER ✓

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

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
05-22-1974

REVIEWED BY *[Signature]*

DATE 03/15/91

=====

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FEB 04 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07476B	08S	22E	9	NE <i>NW</i>	NW <i>NE</i>	NE		MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-02479A NONE
A36-02480

WR RECORDS IN SAME 40 ACRE TRACT

36-02479A
36-02480

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07476B	08S	22E	9		NW	NE		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-02479A
36-02480

A36-02479A NONE
A36-02480

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER
N

REMARKS:

Claim Remarks pg 1, refers to a well in SE SE Sect. 3 that is undefined in any of CIB farms Inc. claims (A36-02479A, A36-02479B or A36-02480) Assume it is not used on lands in these three claims. [NOT FOUND IN 6/24/91 Field Exam] NFB

This claim requires the addition of a 2nd P/D as another well is tied into this PD. and is being recommended with a P/D in combination with claims 36-2479A, 36-2480, 36-15234 all with these two P/D's in common KKC

add 85 22E Sec 9 NW NW NW requires Presumption code and Code Code

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

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

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

DATE:

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A. ROOT WATER RIGHT NUMBERS: A36-07476A
A36-07476B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	22E	3	NE	SW		C & B FARMS INC.	A36-07476B /10.0	36-07476B /10.0	38.0	10	10
						C & B FARMS INC.	A36-02479A /30.0	36-02479A /30.0			
08S	22E	3	NW	SW		C & B FARMS INC.	A36-07476B /40.0	36-07476B /40.0	20.0	40	40
08S	22E	3	SE	SW		C & B FARMS INC.	A36-07476B /40.0	36-07476B /40.0	41.0	40	40
TOTAL ACRES							A36-07476B	90.00	90.00	99.00	90

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

agrees with NAPP Photo & has full chan
accept acres as claimed.
*K&C they are to be merged
into a PPU as indicated on
pg 3 of this report. limited to
this claim is limited to
90 acres with this remarks
code K & C.
Requires a
condition code "C & S"
K & C

RECOMMENDATIONS:

TOTAL ACRES: 90

REVIEWED BY: NAPP

DATE: 02/15/91

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A. AJ CLAIMED USES:

PURPOSES
A36-07476B IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.800 CFS 360.00 AF/A
1.800 CFS 360.00 AF/A

B. WR RECORDED USES:

PURPOSES
36-07476B IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.800 CFS 360.00 AF/A
1.800 CFS 360.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

DATABASE
N
N
N

FIELD
EXAMINER
 ✓
 ✓
 ✓

This right is to be recommended at 1.8 cfs but with a combined vol. in Remark of \$3 limit of 12.5 cfs

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(✓) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y(✓) N() Explain in remarks, below.

REMARKS:

This right when combined with all other rights shall not exceed 1" per acre. When combined w/ 07476 A shall not exceed licensed diversion of 8.0 cfs for both rights

*07476 A = 6.2 cfs
07476 B = 1.8 cfs*

8.0 cfs = licensed prior to split.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.800 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.800 CFS

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

FLOW MEASUREMENT REQUIRED?

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

FIELD
DATABASE EXAMINER
N ☒

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

DONE

OTHER RIGHTS LISTED IN CLAIM: A36-02479A

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-07476B ☒	GROUNDWATER	C & B FARMS INC.	1.800	0.020	360.00	4.00
A36-02479A ☒	GROUNDWATER	C & B FARMS INC.	1.200	0.017	240.00	3.42

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION ☒

*No acres overlap but
among the 4 rights
all are recommended with
a PPU. with each claim's
acres adding to the total.
RKC*

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 90 x 0.02 CFS/ACRE = 1.8 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 270.0 AF/A

ACRES 90 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 270 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 360.00 AF/A

ACRES 90 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 360 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(✓)

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

When combined with any other rights this right shall not exceed 1" per acre for irrigation purposes.

Possible combinations appear to be with A36-024794 and/or A36-02480

7/1/88

*System = 1087 acres
x 4 = 4348 AF
x 3 = 3261 AF
System capacity = 12.5 CFS
from microleak
when 36-7476 was
adjusted by the Dept.*

RECORDED
FEB 04 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER 1.800 ✓	DATABASE EXAMINER 360.00 ✓	DATABASE EXAMINER 270.0 ✓
TOTAL FOR THIS RIGHT		1.800 1.8	360.00 360	270.0 270

REVIEWED BY: *[Signature]*

DATE: 02/19/91

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07476

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 8.000	EXAMINER _____	CFS
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SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-07476A	6.200	-		36-07476A	6.200
-	A36-07476B	1.800	-		36-07476B	1.800
-			-		36-07476	

TOTAL CFS	8.000 ✓	8.000 ✓
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DIVERSION RATE REVIEW

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

DATABASE	FIELD EXAMINER
N	~~_____~~

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

NAME OF FIELD EXAMINER: _____

DATE: _____

TITLE: _____

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SYSTEM CLAIM NUMBERS

36-7476B

AGENT

INITIALS

KKC

DATE

CLAIM NO.

OR ENTRY
ORDERREMARK
CODE

ENTRY DATA

CONDITION
CODESTAGE
OR
STATUSPRESUMPTION
CODE

K06

90 Aero

C03

C

F06

36-2479A,

C05

36-2480

36-15234

EQ3

12.5

4348

3261

1087

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RECOMMENDED PERMISSIBLE PLACE OF USE:

CLAIMS: A36-2479A
A36-7476B

A36-2480
A36-15234

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

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

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

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

SYSTEM TOTAL = 1087
 FEB 04 1993

4741

4740

4739

T 7 S

FEET

T 8 S

4738

4737

42° 45'

113° 52' 30" 265

266

540 000 FEET

267

50'

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

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

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

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

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

CLAIM _____ INIT KKC
T. R. S. Q/Q
P/D BS 226
PHOTO ID. AA-78, 1978 FLIGHT

HIGH LIGHTED AREA
NOT IRRIGATED AREA

SEC 3
SW 1/4



PART OF THE PERMISSIBLE
PLACE OF USE FOR CLAIMS

36- 2479A

36- 2480

36- 7476B

36- 15234

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T 7 S
T 8 S

FRAMES

R22E

BB-27 1976 FLIGHT

BURLEY NW QUADRANGLE
IDAHO

7.5 MINUTE SERIES (ORTHOPHOTOQUAD)

CLAIM

INIT KKC

T. R. S. Q/Q

P/D BS 22E 9 NW 1/4

PHOTO ID. BB-27, 1976 FLIGHT

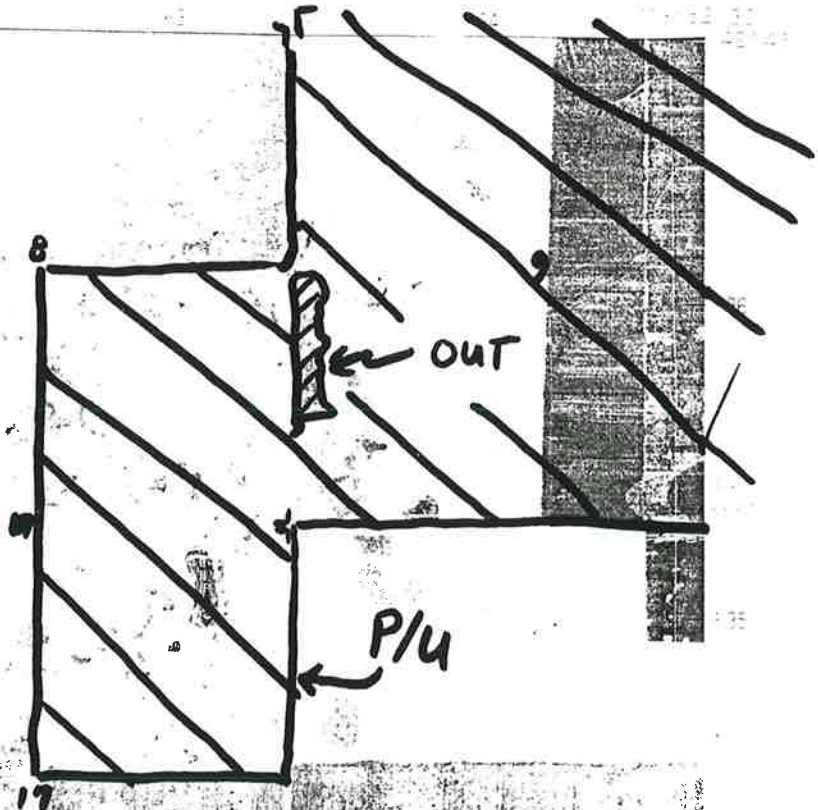
PART OF THE PERMISSIBLE
PLACE OF USE FOR CLAIMS:

36-2479A

36-2480

36-7476B

36-15234



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