

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 37-768A
Date Received: 10/17/1988
Receipt No: S002983
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PARDUE CATTLE COMPANY LLC Phone: (208)823-4692
PO BOX 282
CAREY ID 83320

2. Date of Priority: 04/30/1903

3. Source: FISH CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	22E	4	NE NW 3	BLAINE	

5. Description of diverting works:

HEADGATE, SPRINKLERS, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	9/01	0.78	

7. Total Quantity Appropriated is:
0.9 C.F.S.

8. Total consumptive use:

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9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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01S	22E	7	NW	SW	IRRIGATION	11
			SW	SW	IRRIGATION	39
			SW	NW	IRRIGATION	40
Section Acres						90
Total Acres						90

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

BOTH DECREES SUPPLY 1.8 TOTAL CFS ON 90 ACRES.

15. Basis of Claim: Decreed

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
	37-768A	-			
	769A	-			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Sue A. Esterholdt
3948 N 1400 E, Buhl, ID 83316

4. New Owner/Claimant(s) Pardue Cattle Co.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address PO Box 282

City, State and ZIP Code Carey, ID 83320

New Telephone Number (208) 823-4692

5. Date you acquired the property 9-24-2002

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JUN 22 2005

Department of Water Resources
Southern Region

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) W.D. Pardue
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by [Signature] Date 6-22-05 Fee —
 Received by — Date — Receipt No. —
 Processed by — AJ Date — WR — Date —

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BLAINE C. REQUEST

(241 acres less 4.9 acres, more or less, Justesen Ranch, Carey, Idaho)

WARRANTY DEED

MARSHA RIEMANN, CLERK

FEES \$15.00

mpp

1/5/2000

WHEREAS, pursuant to that certain Warranty Deed dated September 30, 1992, recorded as instrument No. 345413 in Volume ____ Page ____, Deed or Official or Real Property Records, Blaine County, Idaho, Sue R. Justesen (now Sue R. Esterholdt) conveyed certain real property located in Blaine County, Idaho to W. D. Pardue (a/k/a W. D. Pardue, Sr.); and

WHEREAS, pursuant to that certain Correction Warranty Deed dated April 1, 1993, recorded as instrument No. 359444 in Volume ____ Page ____, Deed or Official or Real Property Records, Blaine County, Idaho, Sue R. Esterholdt (formerly Sue R. Justesen) corrected the legal description in the earlier September 30, 1992 deed described above, and reconveyed certain real property described on Exhibit "A" hereto located in Blaine County, Idaho to W. D. Pardue (a/k/a W. D. Pardue, Sr.) as his sole and separate property; and

WHEREAS, thereafter, W. D. Pardue and wife Alma Pardue conveyed a certain 4.9 acre (more or less) portion of the real property conveyed and reconveyed to W. D. Pardue described above to Charles Riemann and Marsha Riemann, husband and wife, pursuant to a certain Warranty Deed dated December 28, 1993, recorded as Instrument No. 361251 in Volume ____, Page ____, Deed or Official or Real Property Records, Blaine County, Idaho, and subsequently made a reconveyance of such 4.9 acre tract by the same grantors to the same grantees with a corrected legal description of the 4.9 acre conveyed property pursuant to a certain Warranty Deed dated May 26, 1994, executed and acknowledged June 13, 1994, recorded as Instrument No. 317631 in Volume ____, Page ____, Deed or Official or Real Property Records, Blaine County, Idaho, and more specifically described on Exhibit "A" hereto; and

WHEREAS, the remaining portion of the property conveyed and reconveyed to W. D. Pardue as described above, being all the land that was not conveyed by the said December 28, 1993 Warranty Deed and reconveyed by the May 26, 1994 Warranty Deed to the Riemanns as described above, is the real property described on Exhibit "A" hereto which is intended to be conveyed herein by this present Warranty Deed (the "Subject Real Property"); and

WHEREAS, the Subject Real Property and any improvements or other real or personal property or ownership rights, whether tangible or intangible, and any service or other contracts or trade names, associated or used in connection with any of the above are all herein collectively called the "SUBJECT PROPERTY"; and

WHEREAS, any outstanding promissory notes, if any, relating to the Subject Property have now been finally paid and all lien(s) securing same, if any, have all been released; and

WHEREAS, as a result of the above, W.D. Pardue, joined by his wife Alma Pardue

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pro forma or otherwise as may be required to fully effectuate the conveyance of the SUBJECT PROPERTY as herein contemplated, (herein collectively called "GRANTOR" or "GRANTORS"), whose collective mailing address is 11110 Woodmeadow Parkway, Suite A, Dallas, Texas 75228, have, at all times since September 30, 1992 been the owners of the Subject Property, and have consistently acted accordingly in all their business and commercial dealings regarding the Subject Property, and by their signatures below, in addition to conveying the Subject Property as herein described, effectively confirm of record their ownership of the Subject Property, effective from the date of the original deed and conveyance of the Subject Real Estate to W. D. Pardue, on or about September 30, 1992, until and through the effective date of this Warranty Deed set forth hereinbelow; and

WHEREAS, Grantors, for centralization and efficiency of management and other purposes, have created PARDUE LAND COMPANY, LTD., a Texas limited partnership (herein "Limited Partnership" or "GRANTEE"), to own and manage the Subject Property, and desire pursuant thereto to convey their ownership of the Subject Property to the Grantee, whose address is 11110 Woodmeadow Parkway, Suite A, Dallas, Texas 75228;

NOW THEREFORE, GRANTORS, for ten dollars and other good and valuable consideration to Grantors in hand paid by Grantee, the receipt of which is hereby acknowledged by Grantors, BUT SUBJECT TO outstanding liens, if any, (including but not limited to any such liens securing any indebtedness or any payment or other obligations relating to the Subject Property, if any), against all or any part of the Subject Property, BUT ONLY TO THE EXTENT such liens are listed on Exhibit "A" attached hereto and are excluded from or not covered by any current owner's policy of title insurance covering the Subject Property in favor of Grantors (or any one or more of them); and subject to any zoning or other restrictions, and oil, gas or other mineral reservations, and covenants or conditions that relate to or affect the Subject Property and are presently of record, if any, including but not limited to any easements, rights-of-way, or prescriptive rights, any discrepancies, conflicts, or shortages in area or boundary lines, or encroachments or overlapping of improvements, payment of any existing or current tax or assessment obligations owed to any taxing authority that may pertain to the Subject Property, or any such tax or assessment for future or prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes,

DO HEREBY GRANT, SELL AND CONVEY to Grantee the Subject Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and to hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantors bind Grantors and Grantors' heirs, executors, administrators, successors and assigns to warrant and forever defend all and singular the Subject Property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to this conveyance and warranty recited above.

When the context requires, singular nouns and pronouns include the plural.

WITNESS our hands this 15th day of December, 1999, to be effective as to the

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conveyance by Grantors to Grantee herein, on the 15th day of December, 1999.

GRANTOR:

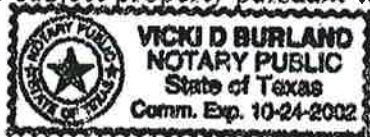
W. D. Pardue
W. D. Pardue, Individually

Alma Pardue
Alma Pardue, Individually and/or pro forma, as
the case may be

ACKNOWLEDGEMENT

State of Texas,
County of Dallas

This instrument was acknowledged before me on the 15th day of December, 1999 by W.D. PARDUE, and wife ALMA PARDUE, in their individual capacities, and with respect to ALMA PARDUE, also pro forma, as the case may be, to fully effectuate the conveyance of the subject property pursuant to this Warranty Deed.



Vicki D. Burland
Notary Public, State of Texas

My Commission expires: 10-24-02

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William (Hobbes)
C. 1650

WARRANTY DEED

GRANTOR, Pardue Land Company, Ltd. of Texas, a limited partnership, for good and valuable consideration, does hereby GRANT, BARGAIN, SELL and CONVEY, unto Pardue Cattle Company L.L.C., a Texas limited liability company whose current address is 11110 Woodmeadow Parkway, Suite A, Dallas, Texas 75228 as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate situated in Blaine County, to wit:

See attached Exhibit "A."

To have and to hold said premises together with their appurtenances unto the Grantee, its heirs and assigns forever. Said Grantor does hereby covenant to Grantee that it is the owner in fee simple of said premises and the premises are free from all encumbrances and that Grantor will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument
this 24th day of September 2002.

Instrument # 471578

HAILEY, BLAINE, IDAHO

2002-10-02 12:30:00 No. of Pages: 3

Recorded for : GERY W EDSON, PA

MARSHA RIEMANN

Fee: 9.00

Ex-Officio Recorder Deputy

Index for: WTY/OC/CORP DEED

Randal Wayne Lardner

Pardue Land Company Ltd.

By its General Partner,

Pardue Development Company, LLC,

By its Manager, Randal Wayne Pardue

STATE OF Texas

County of Dallas

On this 24th day of September 2002, before me, Randal Wayne Pardue, known or identified to me to be the Manager and President in the limited liability company of Pardue Development Company LLC, and is the general partner in Pardue Land Company, Ltd. who subscribed said name to the foregoing instrument and acknowledged to me that he executed the same in said partnership name.

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

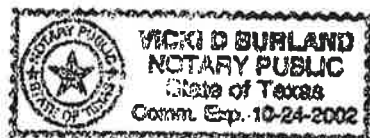
(SEAL)

Vicki D. Bauland

Notary Public for Texas

Residing at: Dallas

My commission expires: 10-24-02



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Exhibit "A" to Warranty Deed Page 1 of 2
(241 Acres, less 4.9 acres, more or less, located in Blaine County, Idaho)

Being the same land conveyed to W. D. Pardue by that certain Correction Warranty Deed, from Sue R. Esterholdt (formerly Sue R. Justesen, dated April 1, 1993, recorded as Instrument No. 359444 in Volume _____, Page _____, Deed or Official or Real Property Records, Blaine County, Idaho, and more specifically described as follows:

TOWNSHIP 1 SOUTH, RANGE 21 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

Section 12: A parcel of land located within the NE1/4 of the NE1/4 of said section and being more particularly described as follows:

COMMENCING at the Northeast corner of said Section 12, which point is the TRUE POINT OF BEGINNING; thence
S. 89 deg. 42 min. W., approximately 255 feet, along the Northerly boundary of said Section 12; thence
South, approximately 494 feet, said line being parallel to the East boundary of said Section 12; thence
East, approximately 177 feet, to the county road; thence
N. 26 deg. 04 min. 56 sec. E., approximately 177.4 feet, along the county road, to a point on the East boundary of said Section 12; thence
North, approximately 336 feet, along the East boundary of said Section 12, to the TRUE POINT OF BEGINNING. (Tax Lot 3189)

TOWNSHIP 1 SOUTH, RANGE 22 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

Section 7: A parcel of land located within the NW1/4 of the NW1/4 (Govt. Lot 1) within said section and being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 7, which point is the TRUE POINT OF BEGINNING; thence
S. 89 deg. 44 min. E., approximately 568 feet, along the North boundary of said Section 7; to its intersection with the county road; thence
S. 59 deg. 35 min. 29 sec. W., approximately 658.59 feet, along the county road, to a point on the West boundary of said Section 7; thence
North, approximately 336 feet, along the West boundary of said Section 7, to the TRUE POINT OF BEGINNING. (Tax Lot 2266)
AND Lots 2, 3, and 4.

ALSO right of way for ingress and egress over a 50-foot strip of land in Lot 1 more particularly described as follows:

COMMENCING at the Southwest corner of the NW1/4 NW1/4 of Section

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2000 S. NW
3 NW NW NE SW
4 SW SW NE SW

EXHIBIT "A" PAGE 2 OF 2

7, Township 1 South, Range 22 East, Boise Meridian, and running thence East 50 feet; thence

North 925 feet, more or less, to the South line of aforesaid highway; thence Southwesterly along said highway to the West line of said Section 7; thence South along said Section line to the POINT OF BEGINNING.

TOWNSHIP 1 NORTH, RANGE 22 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

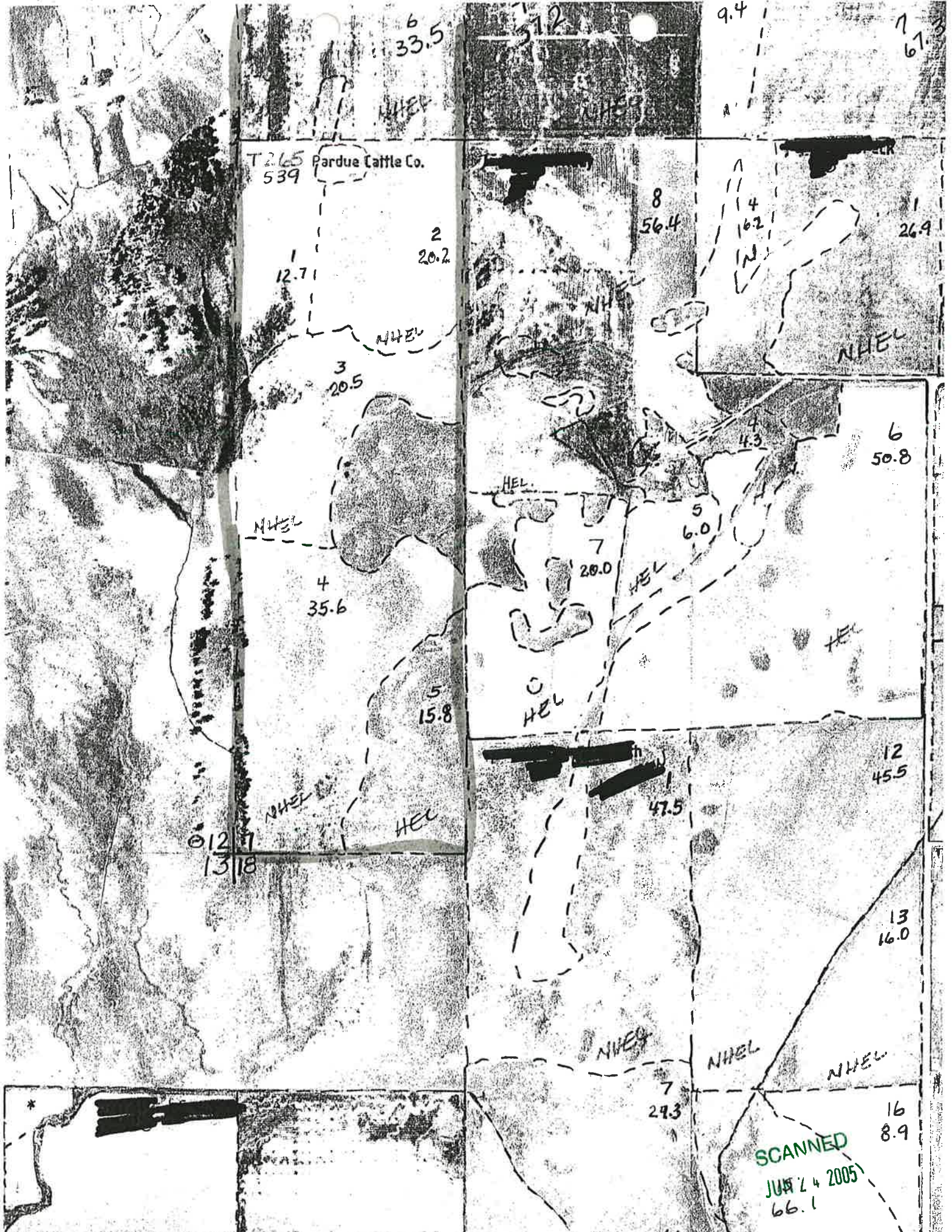
SECTION 33: W1/2 SW1/4, SE1/4 SW1/4

LESS AND EXCEPT all that certain 4.9 acre (more or less) tract of land previously conveyed by W. D. Pardue and wife Alma Pardue to Charles Riemann and Marsha Riemann, husband and wife, pursuant to a certain Warranty Deed dated December 28, 1993, recorded as Instrument No. 361251 in Volume ___, Page ___, Deed or Official or Real Property Records, Blaine County, Idaho, and subsequently reconveyed by the same grantors to the same grantees with a corrected legal description of the conveyed property pursuant to a certain Warranty Deed dated May 26, 1994, executed and acknowledged June 13, 1994, recorded as Instrument No. 317631 in Volume ___, Page ___, Deed or Official or Real Property Records, Blaine County, Idaho, and more specifically described as follows:

(PART OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 22 EAST, BOISE
MERIDIAN, BLAINE COUNTY, IDAHO, SEE RECORDED
DEEDS FOR SPECIFIC LEGAL DESCRIPTION)

SUBJECT TO: Various easements, fence or boundary agreements, and mineral reservations, if any, filed of record in Blaine County, Idaho.

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6
33.5

312

9.4

7
61.3

T265 Pardue Cattle Co.
539

1
12.71

2
20.2

8
56.4

4
16.2

1
26.9

3
20.5

NHEL

4
35.6

HEL

7
20.0

5
6.0

6
50.8

5
15.8

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HEL

12
13.18

NHEL

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47.5

12
45.5

13
16.0

NHEL

NHEL

NHEL

7
29.3

16
8.9

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66.1



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

June 24, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

PARDUE CATTLE COMPANY LLC
PO BOX 282
CAREY ID 83320

Re: SRBA Claim #37-768A, #37-769A

Dear Claimant,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Carrie Hahn
Office Specialist

Enc.

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Data and Deed Call Listing of File: 3pardue.des

+Tract 1: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
Tract 2: 80.000 Acres: 3484800 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 7920 Feet
Tract 3: 2.753 Acres: 119924 Sq Feet: Closure = n39.5946e 0.00 Feet: Precision >1/999999: Perimeter = 1439 Feet
Tract 4: 2.191 Acres: 95423 Sq Feet: Closure = s25.0634w 0.00 Feet: Precision =1/622718: Perimeter = 1563 Feet
Tract 5: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 6600 Feet
Tract 6: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
Tract 7: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
Tract 8: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
Tract 9: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
Tract 10: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
Tract 11: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
Tract 12: 1.558 Acres: 67860 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 1042 Feet
Tract 13: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
Tract 14: 80.000 Acres: 3484800 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 7920 Feet
Tract 15: 0.176 Acres: 7650 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 350 Feet
Tract 16: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
Tract 17: 0.999 Acres: 43530 Sq Feet: Closure = s51.4100w 5.24 Feet: Precision =1/205: Perimeter = 1071 Feet
Tract 18: 0.176 Acres: 7650 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 350 Feet
Tract 19: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
Tract 20: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
Tract 21: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
Tract 22: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
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Tract 24: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
Tract 25: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 5280 Feet
Net Area= 40.000 Acres: 1742400 Sq Feet

Data and Deed Call Listing of File: 3pardue.des

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016=@0 Merge 1	075=N90E 1320.00	133=/n90.00e 707.5
017=/ne,ne,12,01s,21e	076=@0 Merge 1	134=/s00.00w 90
018=/s89.4200w 255	077=/SE,SE,SE,09,01S,22E	135=/s90.00w 85
019=/s00.00w 494	078=/N00E 5280.00	136=/n00.00e 90
020=/n90.00e 177	079=/N90W 1320.00	137=/n90.00e 85
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022=/n00.00e 336	081=N90W 1320.00	139=/SE,SE,SE,09,01S,22E
023=@0+	082=N00E 1320.00	140=/N00E 2640.00
024=/nw,nw,07,01s,22e	083=N90E 1320.00	141=/N90W 3960.00
025=/s89.4400e 568	084=@0-	142=S00W 1320.00
026=/s59.3529w 658.59	085=/nw,ne,09,01s,22e	143=N90W 1320.00
027=/n00.00e 336	086=/s00.00w 260.5	144=N00E 1320.00
028=@0 Merge 1	087=/n90.00e 260.5	145=N90E 1320.00
029=/SE,SE,SE,10,01S,22E	088=/n00.00e 260.5	146=@0 Merge 1
030=/N00E 3960.00	089=/s90.00w 260.5	147=/SE,SE,SE,09,01S,22E
031=/N90W 2640.00	090=@0 Merge 1	148=/N00E 3960.00
032=S00W 660.00	091=/SE,SE,SE,09,01S,22E	149=/N90W 3960.00
033=N90W 2640.00	092=/N00E 2640.00	150=S00W 1320.00
034=N00E 660.00	093=/N90W 0.00	151=N90W 1320.00
035=N90E 2640.00	094=S00W 1320.00	152=N00E 1320.00
036=@0 Merge 1	095=N90W 1320.00	153=N90E 1320.00
037=/SE,SE,SE,10,01S,22E	096=N00E 1320.00	154=@0 Merge 1
038=/N00E 5280.00	097=N90E 1320.00	155=/SE,SE,SE,08,01S,22E
039=/N90W 3960.00	098=@0 Merge 1	156=/N00E 2640.00
040=S00W 1320.00	099=/SE,SE,SE,09,01S,22E	157=/N90W 0.00
041=N90W 1320.00	100=/N00E 5280.00	158=S00W 1320.00
042=N00E 1320.00	101=/N90W 2640.00	159=N90W 1320.00
043=N90E 1320.00	102=S00W 1320.00	160=N00E 1320.00
044=@0 Merge 1	103=N90W 2640.00	161=N90E 1320.00
045=/SE,SE,SE,09,01S,22E	104=N00E 1320.00	162=@0 Merge 1
046=/N00E 5280.00	105=N90E 2640.00	163=/SE,SE,SE,08,01S,22E
047=/N90W 0.00	106=@0-	164=/N00E 3960.00
048=S00W 1320.00	107=/nw,09,01s,22e	165=/N90W 0.00
049=N90W 1320.00	108=/n90.00e 707.5	166=S00W 1320.00
050=N00E 1320.00	109=/s00.00w 90	167=N90W 1320.00
051=N90E 1320.00	110=/s90.00w 85	168=N00E 1320.00
052=@0 Merge 1	111=/n00.00e 90	169=N90E 1320.00
053=/SE,SE,SE,09,01S,22E	112=/n90.00e 85	170=@0 Merge 1
054=/N00E 3960.00	113=@0 Merge 1	171=/SE,SE,SE,07,01S,22E
055=/N90W 0.00	114=/SE,SE,SE,09,01S,22E	172=/N00E 3960.00
056=S00W 1320.00	115=/N00E 1320.00	173=/N90W 3960.00
057=N90W 1320.00	116=/N90W 3960.00	174=S00W 1320.00
058=N00E 1320.00	117=S00W 1320.00	175=N90W 1320.00
059=N90E 1320.00	118=N90W 1320.00	176=N00E 1320.00
		177=N90E 1320.00

Data and Deed Call Listing of File: 3pardue.des

178=@0 Merge 1
179=/SE,SE,SE,07,01S,22E
180=/N00E 2640.00
181=/N90W 3960.00
182=S00W 1320.00
183=N90W 1320.00
184=N00E 1320.00
185=N90E 1320.00
186=@0 Merge 1
187=/SE,SE,SE,07,01S,22E
188=/N00E 1320.00
189=/N90W 3960.00
190=S00W 1320.00
191=N90W 1320.00
192=N00E 1320.00
193=N90E 1320.00

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: A37-00768A
Date Received: 10/17/1988
Receipt No: S002983
Received By: W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SUE R ESTERHOLDT 208-543-6883
Address: 3948N 1400E
BUHL, ID 83316

2. Date of Priority: APR 30, 1903

3. Source: FISH CR Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	22E	4	NE	NW		3	BLAINE

5. Description of diverting works:
HEADGATE, SPRINKLERS, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	09/01	0.780		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	22E	7	SW	NW		IRR	40.0
			NW	SW		IRR	11.0
			SW	SW		IRR	39.0
						Section Acres	90.0

A37-00768A

Page 1

Date: 10/17/88

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Total Acres 90.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-00769A

14. Remarks:
BOTH DECREES SUPPLY 1.8 TOTAL CFS ON 90 ACRES.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree Defendant

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: 1

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): Sue R. Esterholt Date: 10-17-88
Date:

State of Idaho)
County of TE) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of Oct 19 88 Loni White
Notary Public

Seal

Residing at TE
My Commission Expires 5/95



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: BLAINE

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

13. Other Water Rights Used:
A37-00769A

14. Remarks:
BOTH DECREES SUPPLY 1.8 TOTAL CFS ON 90 ACRES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

DO NOT FILM

04/15/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-768A

NAME AND ADDRESS: SUE R ESTERHOLDT
3948N 1400E
BUHL ID 83316

SOURCE: FISH CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 0.900 CFS

PRIORITY DATE: 04/30/1903

POINT OF DIVERSION:

T01N R22E S33 SENESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.900 CFS

PLACE OF USE:

IRRIGATION Within BLAINE County

T01S R22E S07	SWNW	40.0	T01S R22E S07	NWSW	11.0
T01S R22E S07	SWSW	39.0			

90 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-769A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 90 ACRES IN A SINGLE IRRIGATION
SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

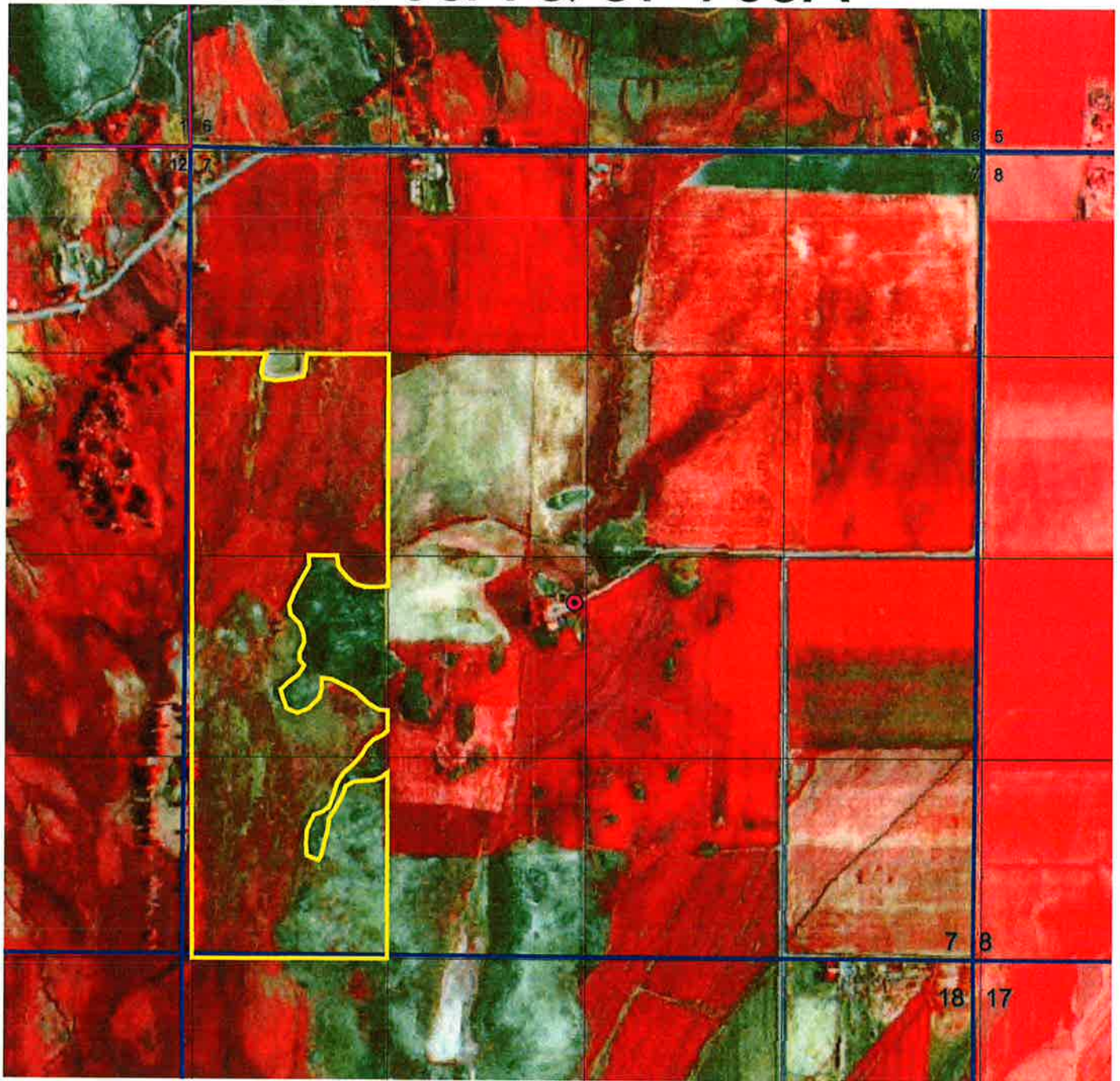
EXPLANATORY MATERIAL: Decreed

Right includes accomplished change in point of diversion pursuant to Section
42-1425, Idaho Code.

WATER IS DELIVERED THROUGH HIGHLINE CANAL.

IDAHO DEPT OF WATER RESOURCES

37-768A & 37-769A



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 1S
RNG: 22E
SEC. 7



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: APRIL 14, 2005

37-768A
37-769A

12/23/03
see

1. Is Q owned & delivered by WM?

2. Pou As Decees:

SWNW 40

NW SW 39

SW SW 39

118

CLAIMED:

40

11

39

90

GIS:

103

May need to amend claim to fully claim acres

Average appears ok

3. Where is correct PDD in Sec. 4? GPS?
(govt lot 3) (see map)

see notes in 768A file

1-6-04

37-769A & 37-768A

Sue Esterholt is dead name used to be Mrs Dallas Justison then sold to Purdue approx 10 yrs ago.

* Doug Suterus, Gen. Mgr for Purdue assured me he would come to Boise IDWR and make all necessary changes.

The ^{37-768A} April 30, 1903 is used in the 2- approx. 40 acre parcels 32-33 with this water POP as designated then piped to the property.

The Esterholt (Purdue) 37-769A March 3-1883 water is used on the property in yellow see 769 Photo, on land west side sec 4

* Both rights are delivered from Fish Co. PP Wish Line Canal.

Steve: Sorry about the marks on Photo we did this before I talked to you

Doug said these also will be gone over when he has deeds & etc with him

32

33

POD

gravity
P.P.S.

POD?

50T

769

T1S
R22E

CENBRUSA

5

4

3

8

9

10

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-768

WATER RIGHT NUMBER: **37-768**

Owner Type Name and Address
 Current Owner GEORGE S HARRIS

Current Owner CAREY, ID 83320
 JOE CENARRUSA

Original Owner CAREY, ID 83320
 FRED T PHILLIPS

, ID

Priority Date: 04/30/1903

Basis: Decreed

Status: Active

Source
 FISH CREEK

Tributary
 LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.600 CFS	
DOMESTIC	/ to /		

Total Diversion: 2.600 CFS

Location of Point(s) of Diversion

FISH CREEK

L3 (NE1/4NW1/4)

Sec. 4, Twp 01S, Rge 22E, B.M.

BLAINE County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	22E	7							40.0 L 2			39.0 L 3	39.0 L 4						118.0
01S	22E	18							39.0 L 1										39.0

Total Acres: 157

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

1. General

P/U INCOMPLETE. SEE FILE.
TRANS. 228.

duty:

2.6 cfs

157

1,49 cfs
 PART A (pro rata share 6.65 cfs)

0.01656 cfs/Ac

SPLIT CLAIM:
 0.90
 2.60
 3.50
 "OVERCLAIMED"
 ESTHER holdt
 ELLSWORTH
 (TEMP ?)
 A
 B

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-768

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 12/16/1914
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37U
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Joseph R Patterson, et al
Decree Plaintiff: Adelbert L Potter, et al
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False