

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 37-2545A
Date Received: 10/25/1988
Receipt No: S003232
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Amended

1. Name of Claimant(s)

LAVA LAKE LAND & LIVESTOCK LLC Phone: (208) 788-1710
PO BOX 2249
HAILEY ID USA 83333

2. Date of Priority: 05/29/1953

3. Source: COPPER CREEK , PAYNE CREEK , SPRINGS , LAVA LAKE Trib. to: LAVA LAKE ,
COPPER CREEK , COPPER CREEK , SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	23E	16	NW NE	BLAINE	
01N	23E	21	NW NE	BLAINE	
01N	23E	22	NE SW	BLAINE	
01N	23E	28	NE SE	BLAINE	

5. Description of diverting works:

Pump from Copper Creek, Payne Creek, Barn Creek, and Lava Lake to irrigation system.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	9.3	
DOMESTIC	01/01	12/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01N	23E	16	SW	SE		IRRIGATION	14
						Section Acres	14
01N	23E	21	NE	NE		IRRIGATION	15
			NW	NE		IRRIGATION	31
			SW	NE		IRRIGATION	22
			SE	NE		IRRIGATION	40
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	18
			SW	SE		IRRIGATION	28
			SE	SE		IRRIGATION	40
						Section Acres	234
01N	23E	22	SW	NW		IRRIGATION	33
			NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	40
			SE	SW		IRRIGATION	11
						Section Acres	124
01N	23E	27	NE	NW		IRRIGATION	28
			NW	NW		IRRIGATION	37
			SW	NW		IRRIGATION	30
						Section Acres	95
01N	23E	28	NE	NE		IRRIGATION	41
			NW	NE		IRRIGATION	21
			SW	NE		IRRIGATION	6.8
			SE	NE		IRRIGATION	40
			NE	SE		IRRIGATION	12
			NW	SE		IRRIGATION	1.9
						Section Acres	122.7
						Total Acres	589.7

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:

CLAIM IS FOR THE LAND IRRIGATED FROM THE DIVERSION ON COPPER CR. THE RESERVOIR HOLDS ABOUT 50 AF, BUT HAS WATER FLOWING IN ALL YEAR. THERE IS ONLY ABOUT 1 DAY OF STORAGE. WHEN THE CREEK GOES DOWN, WE STOP USING THIS DIVERSION. ABOUT 32 ACRES AT

THE UPPER END OF THE FARM ARE SERVED BY GRAVITY SPRINKLERS FED DIRECTLY FROM THE PIPELINE. THE PIPELINE ALSO FEEDS THE SPRINKLER SYSTEM THAT USES WATER FROM 2 WELLS & PAYNE CREEK TO WATER THE UPPER HALF OF THIS PROPERTY.

ANY UNUSED WATER FROM COPPER CREEK, & FROM SPRINGS RISING ON THE PLACE, FLOWS INTO LAVA LAKE, WHERE IT IS PUMPED BACK VIA SPRINKLERS TO SERVE THE LOWER HALF OF THE FARM. ONE SET OF SPRINGS ON THE EAST SIDE OF THE PLACE FEED A POND; THIS DIVERSION WILL BE CLAIMED UNDER A37-02545B, AS THE LICENSING EXAM SHOWS THAT THIS WATER WAS COVERED UNDER THIS LICENSE.

LAND IS CLAIMED AS IT IS ACTUALLY IRRIGATED, NOT AS SHOWN ON LIC. PER SEC. 42-1416 IDAHO CODE.

***** 08/03/99, CHANGED OWNERSHIP: PICABO TO BEAN TEDROW FAMILY TRUST AS PER WARRANTY DEED AND FORM 1409(6) REC'D 04/09/99. C.T.

***** 1/4/2000 TF; OWNERSHIP CHANGED BEAN-TEDROW FAMILY TRUST TO LAVA LAKE LAND & LIVESTOCK--(BRIAN S BEAN AND KATHLEEN T BEAN, MANAGERS) PER 1409(6) AND WARRANTY DEED REC'D 12/29/1999.

11-9-2009 amended claim. Claim is based on license 37-2545 which was previously underclaimed and claimed in two parts. Claimed place of use is PPU established prior to SRBA commencement for north and south of road. Limited to 465 acres (as licensed) within the PPU. Claimed points of diversion began to be used prior to SRBA commencement date per I.C. 42-1425. If 37-2545A is recommended in full. 37-2545B may be disallowed.

15. Basis of Claim: License

AMENDEDIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FORM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-2545A

Date Received

Receipt Number

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

Please type or print clearly

1. Name of Claimant (s) Lava Lake Land & Livestock, LLC Phone (208) 788-1711
Mailing Address P.O. Box 2249, Hailey, ID Zip 83333
2. Date of Priority (Only one (1) per claim) May 29, 1953
3. Source of water supply (a) Copper Creek, Payne Creek, Lava Lake, Springs
which is tributary to (b) Lava Lake
4. a. Location of existing point of diversion is: Township 1N Range 23E Section 16,
1/4 of NW 1/4 of NE 1/4, Govt. Lot, B.M., County of Blaine
Additional points of diversion if any: Spring NWNE Sec. 21, Spring NESW Sec. 22, Lava Lake NESE Sec. 28
Payne Cr
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),
Including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. Pump from Copper Creek, Payne Creek, Barn Creek, and Lava Lake
to irrigation system.

DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
FILED
2009 OCT 14 PM 10 28

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/15 to 10/31 amount 9.30 or _____

For Domestic purposes from 1/1 to 12/31 amount 0.04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 9.30 (cfs) and / or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: list number of households served; Stockwater: type and number of livestock, etc.) _____

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	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	
1N	23E	16															14		14
1N	23E	21	15	31	22	40									40	18	28	40	234
1N	23E	22							33			40	40	11					124
1N	23E	28	41	21	6.8	40									12	1.9			122.7
1N	23E	27					28	37	30										95

Total number of acres irrigated 589.7 PPU

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes X No _____
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

_____ Or None ☐

14. Remarks:

Claim is based on license 37-2545, which was previously underclaimed and claimed in two parts.

Claimed place of use is PPU established prior to SRBA commencement for north and south of road.

Limited to 465 acres (as licensed) within the PPU. Claimed points of diversion began to be used prior to SRBA commencement date per I.C. 42-1425. If 37-2545A is recommended in full, 37-2545B may be disallowed.

Last Name _____

Ident. No. _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____

If applicable provide IDWR Water Right Number 37-2545
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

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

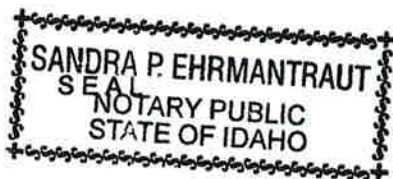
For Organizations: I do solemnly swear or affirm that I am President
Of Lava Lake Land & Cattle, LLC Title _____
Organization _____, that I have signed the foregoing
Document in the space below as President of Lava Lake Land & Cattle, LLC
Title _____ Organization _____

And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]
Title and Organization President, Lava Lake Land & Cattle, LLC Date 9.15.09

State of Idaho / or _____)
County of Blaine) ss.

Subscribed and sworn (or affirmed) before me this 15 day of September, 2009.



Notary Public [Signature]
Residing at Home
My Commission Expires 4-21-12

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf Of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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: A37-02545A
Date Received: 10/25/1988
Receipt No: S003232
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: LAVA LAKE LAND & LIVESTOCK LLC 415-922-5378
Address: 3527 WASHINGTON ST
SAN FRANCISCO CA 94118

2. Date of Priority: MAY 29, 1953

3. Source: COPPER CREEK Trib. to: LAVA LAKE (SINKS)

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	23E	16	NW	NW	NE		BLAINE

5. Description of diverting works:
DAM & SMALL RESERVOIR, 12" PIPELINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	11/01	5.140		

7. Total Quantity Appropriated is:
5.140 C.F.S. (and/or) 1028.00 A.F.A.

8. Total consumptive use is 1028.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	23E	16	SE	SW		IRR	0.5
			SW	SE		IRR	14.5

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	15.0
		21	NE	NE	IRR	15.0
			NW	NE	IRR	31.0
			SW	NE	IRR	22.0
			SE	NE	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	18.0
					Section Acres	166.0
		22	SW	NW	IRR	34.0
			NW	SW	IRR	40.0
					Section Acres	74.0
					Total Acres	255.0

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:

CLAIMS A37-07072, 07600, 11936, 02715, 11916

14. Remarks:

CLAIM IS FOR THE LAND IRRIGATED FROM THE DIVERSION ON COPPER CR. THE RESERVOIR HOLDS ABOUT 50 AF, BUT HAS WATER FLOWING IN ALL YEAR. THERE IS ONLY ABOUT 1 DAY OF STORAGE. WHEN THE CREEK GOES DOWN, WE STOP USING THIS DIVERSION. ABOUT 32 ACRES AT THE UPPER END OF THE FARM ARE SERVED BY GRAVITY SPRINKLERS FED DIRECTLY FROM THE PIPELINE. THE PIPELINE ALSO FEEDS THE SPRINKLER SYSTEM THAT USES WATER FROM 2 WELLS & PAYNE CREEK TO WATER THE UPPER HALF OF THIS PROPERTY.

ANY UNUSED WATER FROM COPPER CREEK, & FROM SPRINGS RISING ON THE PLACE, FLOWS INTO LAVA LAKE, WHERE IT IS PUMPED BACK VIA SPRINKLERS TO SERVE THE LOWER HALF OF THE FARM. ONE SET OF SPRINGS ON THE EAST SIDE OF THE PLACE FEED A POND; THIS DIVERSION WILL BE CLAIMED UNDER A37-02545B, AS THE LICENSING EXAM SHOWS THAT THIS WATER WAS COVERED UNDER THIS LICENSE. LAND IS CLAIMED AS IT IS ACTUALLY IRRIGATED, NOT AS SHOWN ON LIC. PER SEC. 42-1416 IDAHO CODE.

08/03/99, CHANGED OWNERSHIP: PICABO TO BEAN TEDROW FAMILY TRUST
AS PER WARRANTY DEED AND FORM 1409(6) REC'D 04/09/99. C.T.

14. Remarks: Continued

1/4/2000 TF; OWNERSHIP CHANGED BEAN-TEDROW FAMILY TRUST TO
LAVA LAKE LAND & LIVESTOCK (BRIAN S BEAN AND KATHLEEN T BEAN,
MANAGERS) PER 1409(6) AND WARRANTY DEED REC'D 12/29/1999.

15. Basis of Claim: LICENSE

Water Right Number: 24428



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

February 4, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LAVA LAKE LAND & LIVESTOCK LLC
3527 WASHINGTON ST
SAN FRANCISCO CA 94118

RE: SRBA Claim(s) A37-12014, A37-11916, A37-07072, A37-07600,
A37-02715, A37-02688, A37-11936, A37-11950,
A37-02545A, A37-02545B, A37-02045, A37-02799

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding claim A37-12014. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Enclosed you will also find copies of all other claims which now reflect Lava Lake Land & Livestock LLC as current owner. Check these records over carefully and should you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

NCAP-12014-010

RECEIVED
DEC 29 1999
Department of Water Resources
Bozeman, Montana

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) See attached list
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) BRIAN S. BEAN and KATHLEEN T. BEAN, Trustees of the BEAN-TEDROW FAMILY TRUST U/D/T dated March 15, 1996
3527 Washington Street
San Francisco, California 94118
4. New Owner/Claimant(s) BRIAN S. BEAN and KATHLEEN T. BEAN, Managers
LAVA LAKE LAND & LIVESTOCK, L.L.C.
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 3527 Washington Street

City, State and ZIP Code San Francisco, California 94118
New Telephone Number (415) 922 - 5378
5. Date you acquired the property 6/10/99
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Brian S. Bean Date Dec 1, 1999
Kathleen T. Bean Date Dec 1 1999
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WATER RIGHT NUMBERS FOR TRANSFER FROM
BRIAN S. BEAN and KATHLEEN T. BEAN, Trustees of the BEAN-TEDROW
FAMILY TRUST U/D/T dated March 15, 1996 TO
BRIAN S. BEAN and KATHLEEN T. BEAN, Managers
LAVA LAKE LAND & LIVESTOCK, L.L.C.

~~A37-11916~~

~~A37-07072~~✓

~~A37-07600~~✓

~~A37-02715~~✓

✓A37-02688✓

✓A37-11936✓

NCAF ~~A37-12014~~✓

~~A37-11950~~✓

✓A37-02545A✓

✓A37-02545B✓

A37-02045✓

A37-02799

All other water rights appurtenant to deeded lands.
See attached deed.

WARRANTY DEED

FOR VALUE RECEIVED, BRIAN S. BEAN and KATHLEEN T. BEAN, Trustees of the BEAN-TEDROW FAMILY TRUST U/D/T, dated March 15, 1996, Grantors, do hereby Grant, Bargain, Sell and Convey unto LAVA LAKE LAND & LIVESTOCK, L.L.C., an Idaho Limited Liability Company, Grantee, whose address is 3527 Washington Street, San Francisco, California 94118, all of Grantors' interest, in and to the following described premises, in Blaine County and Butte County, Idaho, to-wit:

See attached Exhibit "A".

Together with all easements, agreements, conditions and appurtenances whatever.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, its successors, administrators and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances save and excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Blaine County and Butte County, Idaho, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: June 10, 1999

BEAN-TEDROW FAMILY TRUST U/D/T
dated March 15, 1996

035310

NO.

RECORDED

DEC 21 1999

11:15 AM
BUTTE COUNTY RECORDER
Seymour

Brian S. Bean
Brian S. Bean, Trustee

Kathleen T. Bean
Kathleen T. Bean, Trustee



STATE OF ~~CALIFORNIA~~ IDAHO)
County of ~~San Francisco~~ BLAINE : ss.
On this 20th day of AUGUST, 1999, before me, a Notary Public, personally appeared BRIAN S. BEAN and KATHLEEN T. BEAN, Trustees of the BEAN-TEDROW FAMILY TRUST U/D/T, dated March 15, 1996, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same as such Trustees.

STATE OF IDAHO, COUNTY OF BLAINE
I hereby certify that this instrument was filed for record at the request of _____

BLAINE CO. REQUEST

OF JR Bennett Deed

1999 DEC 10 A 9:11

434307

MARSHA KICHMAN, CLERK ms

fee \$ 9.00

[Signature]
Notary Public for California Mail to:
Residing at Ketchum, ID
Commission Expires 2003

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL I:

TOWNSHIP 1 NORTH, RANGE 23 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 1: LOTS 3 AND 4; S1/2 NW1/4; N1/2 SW1/4.

SECTION 2: LOTS 1,2 AND 3; S1/2 NE1/4; S1/2 NW1/4; S1/2.

SECTION 3: E1/2 SW1/4; SW1/4 SW1/4; SE1/4; S1/2 NE1/4.

SECTION 4: SE1/4 SE1/4.

SECTION 8: S1/2 NW1/4.

SECTION 9: NE1/4 NE1/4; S1/2 NE1/4; W1/2 SE1/4; SE1/4 SW1/4.

SECTION 10: NW1/4; W1/2 NE1/4.

SECTION 11: NE1/4; W1/2 SE1/4; NE1/4 SE1/4; SW1/4; E1/2 NW1/4.

SECTION 12: SW1/4 NW1/4.

SECTION 14: NW1/4 NW1/4.

SECTION 15: E1/2 E1/2; NW1/4 NE1/4; SW1/4 SE1/4.

SECTION 16: ALL.

SECTION 20: NE1/4 NE1/4.

SECTION 21: E1/2; N1/2 NW1/4; SE1/4 SW1/4.

SECTION 22: NE1/4; SW1/4; E1/2 NW1/4; SW1/4 NW1/4; NW1/4 SE1/4.

SECTION 27: N1/2 NW1/4; SW1/4 NW1/4.

SECTION 28: E1/2.

SECTION 33: NW1/4 NE1/4.

TOWNSHIP 1 NORTH RANGE 24 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

SECTION 19: SE1/4 NE1/4.

TOWNSHIP 2 NORTH, RANGE 23 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

SECTION 26: SE1/4 SW1/4.

SECTION 27: SE1/4 SE1/4.

Continued on next page

Continuation of Exhibit "A", Legal Description

PARCEL II:

TOWNSHIP 1 NORTH, RANGE 24 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 6: E1/2 SW1/4; SE1/4 NE1/4; N1/2 SE1/4 and SW1/4 SE1/4.

SECTION 7: SW1/4 SE1/4.

TOWNSHIP 2 NORTH, RANGE 23 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 25: SE1/4; NE1/4 NE1/4; S1/2 NE1/4.

TOWNSHIP 2 NORTH, RANGE 24 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 19: SE1/4 SW1/4, SW1/4 SE1/4.

SECTION 30: LOTS 1, 2, 3 and 4; E1/2 NW1/4; E1/2 SW1/4; SE1/4; NW1/4 NE1/4; and SE1/4 NE1/4.

SECTION 31: LOTS 1, 2, 3 and 4; E1/2 NW1/4; E1/2 SW1/4; W1/2 SE1/4; and NE1/4.

TOWNSHIP 1 NORTH, RANGE 24 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 6: LOTS 2, 5, 6 & 7; SW1/4 NE1/4; and SE1/4 NW1/4.

SECTION 7: LOT 1, NE1/4 NW1/4; NE1/4; N1/2 SE1/4; SE1/4 SE1/4; and E1/2 SW1/4.

TOWNSHIP 2 NORTH, RANGE 24 E.B.M., BUTTE COUNTY, IDAHO

SECTION 20: S1/2SW1/4, SE1/4

SECTION 29: N1/2NW1/4

TELEPHONE
(208) 879-4488

JAMES R. BENNETTS
ATTORNEY AT LAW
P.O. Box 36
CHALLIS, IDAHO 83226-0036

FAX
(208) 879-4248

November 30, 1999

RECEIVED
DEC 29 1999
Department of Water Resources
Bureau of Reclamation

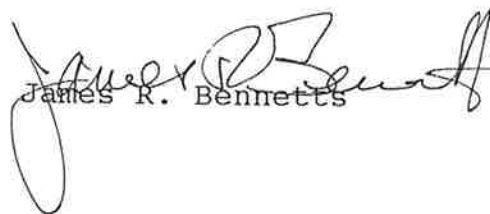
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RE: Change of Water Right Ownership

Dear Sirs:

Enclosed please find the Notice of Change of Water Right Ownership for the Bean-Tedrow Family Trust. Assignment has been made to Lava Lake Land & Livestock, L.L.C.

Very truly yours,


James R. Bennetts

JRB:k
Enclosure
cc: Brian and Kathleen Bean
Steve Popelar

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: A37-02545A
Date Received: 10/25/1988
Receipt No: S003232
Received By: *owner change*

~~COPY FOR
YOUR FILES~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

~~COPY FOR
YOUR FILES~~

1. Name: BEAN TEDROW FAMILY TRUST 415-922-5378
Address: 3527 WASHINGTON ST
SAN FRANCISCO CA 94118

2. Date of Priority: MAY 29, 1953

3. Source: COPPER CREEK Trib. to: LAVA LAKE (SINKS)

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	23E	16	NW	NW	NE		BLAINE

5. Description of diverting works:
DAM & SMALL RESERVOIR, 12" PIPELINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	11/01	5.140		

7. Total Quantity Appropriated is:
5.140 C.F.S. (and/or) 1028.00 A.F.A.

8. Total consumptive use is 1028.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	23E	16	SE	SW		IRR	0.5
			SW	SE		IRR	14.5

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	15.0
		21	NE	NE	IRR	15.0
			NW	NE	IRR	31.0
			SW	NE	IRR	22.0
			SE	NE	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	18.0
					Section Acres	166.0
		22	SW	NW	IRR	34.0
			NW	SW	IRR	40.0
					Section Acres	74.0
					Total Acres	255.0

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:

CLAIMS A37-07072, 07600, 11936, 02715, 11916

14. Remarks:

CLAIM IS FOR THE LAND IRRIGATED FROM THE DIVERSION ON COPPER CR. THE RESERVOIR HOLDS ABOUT 50 AF, BUT HAS WATER FLOWING IN ALL YEAR. THERE IS ONLY ABOUT 1 DAY OF STORAGE. WHEN THE CREEK GOES DOWN, WE STOP USING THIS DIVERSION. ABOUT 32 ACRES AT THE UPPER END OF THE FARM ARE SERVED BY GRAVITY SPRINKLERS FED DIRECTLY FROM THE PIPELINE. THE PIPELINE ALSO FEEDS THE SPRINKLER SYSTEM THAT USES WATER FROM 2 WELLS & PAYNE CREEK TO WATER THE UPPER HALF OF THIS PROPERTY.

ANY UNUSED WATER FROM COPPER CREEK, & FROM SPRINGS RISING ON THE PLACE, FLOWS INTO LAVA LAKE, WHERE IT IS PUMPED BACK VIA SPRINKLERS TO SERVE THE LOWER HALF OF THE FARM. ONE SET OF SPRINGS ON THE EAST SIDE OF THE PLACE FEED A POND; THIS DIVERSION WILL BE CLAIMED UNDER A37-02545B, AS THE LICENSING EXAM SHOWS THAT THIS WATER WAS COVERED UNDER THIS LICENSE.

LAND IS CLAIMED AS IT IS ACTUALLY IRRIGATED, NOT AS SHOWN ON LIC. PER SEC. 42-1416 IDAHO CODE.

08/03/99, CHANGED OWNERSHIP: PICABO TO BEAN TEDROW FAMILY TRUST
AS PER WARRANTY DEED AND FORM 1409(6) REC'D 04/09/99. C.T.

15. Basis of Claim: LICENSE

Water Right Number: 24428

AJ0749NP
No. A37-02545A

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

DATE: 08/04/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BEAN TEDROW FAMILY TRUST 3527 WASHINGTON ST SAN FRANCISCO CA 94118 (415) 922-5378	05/29/1953	IRRIGATION	05-01 11-01	5.140 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					5.140 CFS	1028.00 AFA 1028.00 AFA

Water Source: COPPER CREEK

Tributary to: LAVA LAKE (SINKS)

Stage: LICENSE

Point(s) of Diversion: T01N R23E S16 NWNWNE

BLAINE County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
01N	23E 16												.5			14		15.0
01N	23E 21		15		31		22		40					40		18		166.0
01N	23E 22							34				40						74.0
TOTAL ACRES																	255.0	

POU County: BLAINE

Other Rights: CLAIMS A37-07072, 07600, 11936, 02715, 11916

Remarks: GEN CLAIM IS FOR THE LAND IRRIGATED FROM THE DIVERSION ON COPPER CR. THE RESERVOIR HOLDS ABOUT 50 AF, BUT HAS WATER FLOWING IN ALL YEAR. THERE IS ONLY ABOUT 1 DAY OF STORAGE. WHEN THE CREEK GOES DOWN, WE STOP USING THIS DIVERSION. ABOUT 32 ACRES AT THE UPPER END OF THE FARM ARE SERVED BY GRAVITY SPRINKLERS FED DIRECTLY FROM THE PIPELINE. THE PIPELINE ALSO FEEDS THE SPRINKLER SYSTEM THAT USES WATER FROM 2 WELLS & PAYNE CREEK TO WATER THE UPPER HALF OF THIS PROPERTY. ANY UNUSED WATER FROM COPPER CREEK, & FROM SPRINGS RISING ON THE PLACE, FLOWS INTO LAVA LAKE, WHERE IT IS PUMPED BACK VIA SPRINKLERS TO SERVE THE LOWER HALF OF THE FARM. ONE SET OF SPRINGS ON THE EAST SIDE OF THE PLACE FEED A POND; THIS DIVERSION WILL BE CLAIMED UNDER A37-02545B, AS THE LICENSING EXAM SHOWS THAT THIS WATER WAS COVERED UNDER THIS LICENSE. LAND IS CLAIMED AS IT IS ACTUALLY IRRIGATED, NOT AS SHOWN ON LIC. PER SEC. 42-1416 IDAHO CODE.

08/03/99, CHANGED OWNERSHIP: PICABO TO BEAN TEDROW FAMILY TRUST
AS PER WARRANTY DEED AND FORM 1409(6) REC'D 04/09/99. C.T.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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



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

August 25, 1999

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**BRIAN S BEAN
KATHLEEN T BEAN
BEAN TEDROW FAMILY TRUST
3527 WASHINGTON ST
SAN FRANCISCO CA 94118**

**RE: SRBA Claim(s) A37-11916; A37-02688; A37-11936; A37-11950;
A37-02545A; A37-02545B; A37-02045; A37-02799; A37-07072;
A37-07600; A37-02715; A37-12014**

Dear Claimant(S):

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership of the above referenced claims to you.

Please find the enclosed copies of the computer record of the claims noting the change in claimant. Review these records and if there is an error, please contact this office.

Sincerely,

**Cheryl E. Timm
Records Clerk, SRBA**

Enc.: Claim to a Water Right(S) referenced above

IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

APR 09 1999

Department of Water Resources
Southern Region

1. Water Right Number(s) See attached list
Adjudication Claim Number(s) _____
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) PICABO LIVESTOCK COMPANY, INC.
P. O. Box 688, Picabo, ID 83348
4. New Owner/Claimant(s) BRIAN S. BEAN and KATHLEEN T. BEAN, Trustees of the
BEAN-TEDROW FAMILY TRUST U/D/T dated March 15, 1996
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 3527 Washington Street
City, State and ZIP Code San Francisco, California 94118
New Telephone Number (415) 922 - 5378
5. Date you acquired the property See attached deed
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
N/A
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Brian S. Bean Date 4/1/99
Kathleen T. Bean Date 4.1.99
Trustees
8. (Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WATER RIGHT NUMBERS FOR TRANSFER FROM

PICABO LIVESTOCK COMPANY, INC. TO

358 BRIAN T. BEAN and KATHLEEN T. BEAN, Trustees of the BEAN-TEDROW
FAMILY TRUST U/D/T dated March 15, 1996

A37-11916

A37-07072

A37-07600

A37-02715

A37-02688

A37-11936

A37-12014

A37-11950

A37-02545A

A37-02545B

A37-02045

A37-02799

All other water rights appurtenant to deeded lands.
See attached deed.

BLAINE COUNTY TITLE

SCOTT E. MARY,
PRESIDENT

DARYL J. FAUTH
VICE PRESIDENT

208 SPRUCE AVENUE NORTH
P.O. BOX 3176 - KETCHUM, IDAHO 83340
(208) 726-0700
(208) 726-8406 (FAX)
1-800-346-6879
(OUTSIDE OF IDAHO)

RECEIVED
APR 09 1999
Department of Water Resources
Southern Region

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET, SUITE 200
TWIN FALLS, ID 83301-3380

April 08, 1999

RE: Escrow No. 99008932 PICABO LIVESTOCK/BEAN

Dear SIRS

With regards to the above described real estate transaction, please find enclosed the following:

____ Title Commitment
____ Closing Statement
____ Deed of Trust - Instrument No. _____
____ Note
☒ Warranty Deed - Instrument No. 425879
____ Quitclaim Deed - Instrument No. _____
____ Escrow Instructions
____ Tax Notice
____ Insurance Binder
____ Lender's Documents
____ Cover Letter(s) - Copy
____ Owner's Policy No. _____
____ Mortgagee's Policy No. _____
____ Endorsements _____
____ Lot Book Report
____ Lien Affidavit
☒ Other: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
____ Other: _____
____ Check # _____ in the amount of \$ _____
____ Representing: _____

If you should have any questions, please do not hesitate to contact the undersigned.

Sincerely,

BLAINE COUNTY TITLE ASSOCIATES


SCOTT E. MARY
PRESIDENT

COPY

Original Document Held
For Safekeeping By
WILSON, SONSINI, GOODRICH & ROSATI
650 Page Mill Road
Palo Alto, California 94304-1050

DECLARATION OF TRUST

BRIAN S. BEAN and KATHLEEN T. BEAN, called the "Settlors" or the "Trustees," depending on the context, and sometimes referred to as "Husband" and "Wife," respectively, declare that they have set aside and hold in trust the property described in Schedule A attached to this instrument.

PREAMBLE

Husband and Wife have one (1) child now living, whose name and date of birth are:

PHOEBE SHANNON BEAN - September 21, 1993

Husband and Wife have no deceased children or other deceased issue.

As used in this instrument, all references to the children of Husband and Wife shall refer to and include the child named above and any child(ren) hereafter born to or adopted by Husband and Wife.

Husband and Wife have accumulated significant amounts of property during their marriage.

It is Husband's and Wife's desire, by this instrument, to create an inter vivos revocable trust in accordance with the laws of the State of California, whereby they will hold in trust their community property and their separate property and manage it for their benefit during their respective lives and provide for their issue upon the death of the last survivor of Husband and Wife.

As used in this instrument, the masculine, feminine or neuter gender, and the singular or plural number, shall each include the other(s) whenever the context so indicates.

ARTICLE II

NAME OF TRUST

The trusts created in this instrument may be referred to collectively as the "BEAN-TEDROW FAMILY TRUST," and each separate trust created in this instrument may be referred to by adding the name of the beneficiary.

ARTICLE III

SUCCESSOR TRUSTEES

A. If BRIAN S. BEAN shall for any reason cease to act as a Trustee, KATHLEEN T. BEAN shall act as sole Trustee. If KATHLEEN T. BEAN shall for any reason cease to act as a Trustee, BRIAN S. BEAN shall act as sole Trustee. If both BRIAN S. BEAN and KATHLEEN T. BEAN shall for any reason cease to act as Trustees, BRYAN BOWERS shall act as Trustee. If BRYAN BOWERS shall for any reason fail to qualify or cease to act as Trustee, MICHAEL BEAUMONT shall act as Trustee.

Notwithstanding the foregoing, the last person designated above who is eligible to serve as Trustee hereunder shall have the power, while acting as Trustee of any trust under this instrument, to designate such one or more successor Trustees to act when such Trustee shall for any reason cease to act as Trustee. All designations shall be exercised in writing and shall be effective on delivery to all



034252

RECORDED

APR 02 1999

Order No. 99008932
This form furnished by
Blaine County Title Associates

APR 02 1999
BUTTE COUNTY RECORDER

CORPORATION
WARRANTY DEED

PICABO LIVESTOCK COMPANY, INC., an Idaho Corporation, a corporation
organized and existing under the laws of the State of Idaho, with its principal office at P.O. BOX
688, Picabo, Idaho 83348

grantor, hereby CONVEYS or GRANTS and WARRANTS TO BRIAN S. BEAN AND KATHLEEN T.
BEAN, TRUSTEES OF THE BEAN-TEDROW FAMILY TRUST U/D/T DATED MARCH 15, 1996

grantee

whose current address is: 3527 WASHINGTON STREET, SAN FRANCISCO, CA 94118

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN

TOGETHER WITH ALL WATER AND WATER RIGHTS, RIGHTS OF WAY AND APPURTENANCES.

"As part of an IRC 1031 tax-deferred exchange" "Relinquished Property"

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

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 31st day of March, 1999, A.D.

PICABO LIVESTOCK COMPANY, INC., an
Idaho Corporation

(Corporate Name)

(Corporate Seal)

By Leonard N. Purdy
President

Attest: Scott E. Mader
Secretary

State of Idaho

ss.

County of Blaine

On this 30th day of March, 1999, before me, the undersigned, a Notary Public, in and for said State, personally appeared LEONARD N. PURDY

known to me, or identified to me on the basis of satisfactory evidence, to be the President of the corporation that executed the instrument and that the foregoing instrument was signed on behalf of said corporation by authority of a resolution of its board of directors and acknowledged to me that such corporation executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public
Residing at: Blaine County, ID
Commission Expires: 1/26/04



SCHEDULE A

Order Number: 99008932

LEGAL DESCRIPTION

PARCEL I:

TOWNSHIP 1 NORTH, RANGE 23 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 1: LOTS 3 AND 4, S1/2 NW1/4, N1/2 SW1/4.

SECTION 2: LOTS 1,2 AND 3, S1/2 NE1/4, S1/2 NW1/4, S1/2.

SECTION 3: E1/2 SW1/4, SW1/4 SW1/4, SE1/4, S1/2 NE1/4.

SECTION 4: SE1/4 SE1/4.

SECTION 8: S1/2 NW1/4.

SECTION 9: NE1/4 NE1/4, S1/2 NE1/4, W1/2 SE1/4, SE1/4 SW1/4.

SECTION 10: NW1/4, W1/2 NE1/4.

SECTION 11: NE1/4, W1/2 SE1/4, NE1/4 SE1/4, SW1/4, E1/2 NW1/4.

SECTION 12: SW1/4 NW1/4.

SECTION 14: NW1/4 NW1/4.

SECTION 15: E1/2 E1/2, NW1/4 NE1/4, SW1/4 SE1/4.

SECTION 16: ALL.

SECTION 20: NE1/4 NE1/4.

SECTION 21: E1/2, N1/2 NW1/4, SE1/4 SW1/4.

SECTION 22: NE1/4, SW1/4, E1/2 NW1/4, SW1/4 NW1/4, NW1/4 SE1/4.

SECTION 27: N1/2 NW1/4, SW1/4 NW1/4.

SECTION 28: E1/2.

SECTION 33: NW1/4 NE1/4.

TOWNSHIP 1 NORTH RANGE 24 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

SECTION 19: SE1/4 NE1/4.

TOWNSHIP 2 NORTH, RANGE 23 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

SECTION 26: SE1/4 SW1/4.

SECTION 27: SE1/4 SE1/4.

Continued on next page

PARCEL II:

TOWNSHIP 1 NORTH, RANGE 24 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 6: E1/2 SW1/4, SE1/4 NE1/4, N1/2 SE1/4 and SW1/4 SE1/4.

SECTION 7: SW1/4 SE1/4.

TOWNSHIP 2 NORTH, RANGE 23 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 25: SE1/4, NE1/4 NE1/4, S1/2 NE1/4.

TOWNSHIP 2 NORTH, RANGE 24 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 19: SE1/4 SW1/4, SW1/4 SE1/4.

SECTION 30: LOTS 1, 2, 3 and 4, E1/2 NW1/4, E1/2 SW1/4, SE1/4, NW1/4 NE1/4, and SE1/4 NE1/4.

SECTION 31: LOTS 1, 2, 3 and 4, E1/2 NW1/4, E1/2 SW1/4, W1/2 SE1/4, and NE1/4.

TOWNSHIP 1 NORTH, RANGE 24 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 6: LOTS 2, 5, 6 & 7, SW1/4 NE1/4, and SE1/4 NW1/4.

SECTION 7: LOT 1, NE1/4 NW1/4, NE1/4, N1/2 SE1/4, SE1/4 SE1/4, and E1/2 SW1/4.

TOWNSHIP 2 NORTH, RANGE 24 E.B.M., BUTTE COUNTY, IDAHO

SECTION 20: S1/2SW1/4, SE1/4

SECTION 29: N1/2NW1/4

425879

BLAINE CO. REQUEST
OF: BLAINE COUNTY TITLE
Dead
99 APR 2 PM 12 57
MARSHA KIEBMAN, CLERK
FEES \$ 902

IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

APR 09 1999

Department of Water Resources
Southern Region

1. Water Right Number(s) See attached list
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) PICABO LIVESTOCK COMPANY, INC.
P. O. Box 688, Picabo, ID 83348
4. New Owner/Claimant(s) BRIAN S. BEAN and KATHLEEN T. BEAN, Trustees of the
BEAN-TEDROW FAMILY TRUST U/D/T dated March 15, 1996
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 3527 Washington Street
City, State and ZIP Code San Francisco, California 94118
New Telephone Number (415) 922 - 5378
5. Date you acquired the property See attached deed
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
N/A
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Brian S. Bean Date 4/1/99
Kathleen T. Bean Date 4-1-99
Trustees
(Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

6/9/94

COMMUNICATION DOCUMENTATION

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

IDWR Employee/Agent Georgia Satterlee**DATE**

February 1, 1999 3:06pm

CUSTOMER

Bennetts, James R.

SUBJECT: A37-02045,-02545,-02545A,-02545B,-02688,-02715,-02799,-07072,-07600,-11916,-11936,-11950,-12014

phone call (.) walk-in (.) other (x)

Requested all the above profile reports, with D/S claims existing on the same land appurtenant to above claims, and any updated information, i.e. amendments, objections per all claims, and other deeded lands lying within the same watershed...got the broom in an advantageous spot while doing all the research. Sent claims to Bennetts @ PO Box 36, Challis 83226

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: A37-02545A
Date Received: 10/24/1988
Receipt No: 5003232
Received By: 88

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PICABO LIVESTOCK CO., INC. 208-788-2516
Address: P. O. BOX 688
PICABO, ID 83348

2. Date of Priority: MAY 29, 1953

3. Source: COPPER CREEK Trib. to: LAVA LAKE (SINKS)

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	23E	16	NW	NW	NE		BLAINE

5. Description of diverting works:
DAM & SMALL RESERVOIR, 12" PIPELINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	11/01	5.140		

7. Total Quantity Appropriated is:
5.140 C.F.S. (and/or) 1028.00 A.F.A.

8. Total consumptive use is 1028.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	23E	16	SE	SW		IRR	0.5
			SW	SE		IRR	14.5
Section Acres							15.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	23E	21	NE		NE		IRR	15.0
			NW		NE		IRR	31.0
			SW		NE		IRR	22.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	18.0
							Section Acres	166.0
		22	SW		NW		IRR	34.0
			NW		SW		IRR	40.0
							Section Acres	74.0
							Total Acres	255.0

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:

CLAIMS A37-07072, 07600, 11936, 02715, 11916

14. Remarks:

CLAIM IS FOR THE LAND IRRIGATED FROM THE DIVERSION ON COPPER CR. THE RESERVOIR HOLDS ABOUT 50 AF, BUT HAS WATER FLOWING IN ALL YEAR. THERE IS ONLY ABOUT 1 DAY OF STORAGE. WHEN THE CREEK GOES DOWN, WE STOP USING THIS DIVERSION. ABOUT 32 ACRES AT THE UPPER END OF THE FARM ARE SERVED BY GRAVITY SPRINKLERS FED DIRECTLY FROM THE PIPELINE. THE PIPELINE ALSO FEEDS THE SPRINKLER SYSTEM THAT USES WATER FROM 2 WELLS & PAYNE CREEK TO WATER THE UPPER HALF OF THIS PROPERTY.

ANY UNUSED WATER FROM COPPER CREEK, & FROM SPRINGS RISING ON THE PLACE, FLOWS INTO LAVA LAKE, WHERE IT IS PUMPED BACK VIA SPRINKLERS TO SERVE THE LOWER HALF OF THE FARM. ONE SET OF SPRINGS ON THE EAST SIDE OF THE PLACE FEED A POND; THIS DIVERSION WILL BE CLAIMED UNDER A37-02545B, AS THE LICENSING EXAM SHOWS THAT THIS WATER WAS COVERED UNDER THIS LICENSE.

LAND IS CLAIMED AS IT IS ACTUALLY IRRIGATED, NOT AS SHOWN ON LIC. PER SEC. 42-1416 IDAHO CODE.

15. Basis of Claim: LICENSE

Water Right Number: 24428

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of _____

Picoto Limited Co., that I have signed the foregoing
Organization

document in the space below as President of _____

_____ and that the statements contained in the
Organization

foregoing document are true and correct.

L. H. Murphy
Signature of Authorized Agent

President
Title and Organization

10-25-88
Date

State of Idaho)

County of Trila Falls) SS.

Subscribed and sworn (or affirmed) before me this 25th day _____

of Oct. 19 88

[Signature]
Notary Public

Seal

Residing at Kimberly, Id.

My Commission Expires 6/30/92

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

In Re SRBA

Case No. 39576

) Subcase No.: 37-2545B

) (Formerly Recommended -

) Now Disallowed)

) STANDARD FORM 5

) STIPULATED ELEMENTS OF A
) WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The use formerly claimed and recommended under water right 37-2545B is now claimed and recommended totally under water right 37-2545A. The recommendation of right 37-2545B is now disallowed. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT / OBJECTOR:

Charles L. Honsinger Date
Attorney for Lava Lake Land & Livestock

IDWR CONCURRENCE:

Kelly K. Christensen 6-23-11
Kelly K. Christensen
Sr. Water Resource Agent

Date

IDWR CONCURRENCE:

Nicholas B. Spencer 6-9-11
Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR

Date

04/30/2010

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

W.R. NUMBER NAME AND ADDRESS

CLAIM DISPOSITION REASON

37-2545B LAVA LAKE LAND &
LIVESTOCK LLC
PO BOX 2249
HAILEY ID 83333

Disallowed Recommended as 37-2545A

NBS

NKC

04/30/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2545A

NAME AND ADDRESS: LAVA LAKE LAND & LIVESTOCK LLC
PO BOX 2249
HAILEY ID 83333

VERIFIED BY KKC
ADA 4-30-10

SOURCE: BARN CANYON CREEK
COPPER CREEK
PAYNE CREEK

TRIBUTARY: COPPER CREEK
TRIBUTARY: LAVA LAKE
TRIBUTARY: COPPER CREEK

QUANTITY: 9.300 CFS

The rights listed below are limited to a total combined diversion rate of 9.3 cfs. Combined Right Nos.: 37-2545A, and 37-22467.

The rights listed below are limited to a total combined diversion rate of 11.79 cfs. Combined Right Nos.: Combined Right Nos.: 37-2545A, 37-22467, 37-2688, 37-11950, 37-22468, 37-1156, 37-22466, 37-2715, 37-11936, 37-7072, 37-7600, 37-22469.

PRIORITY DATE: 05/29/1953

POINT OF
DIVERSION:

T01N R23E S16 NWNWNE Within BLAINE County
T01N R23E S21 NWNWNE Within BLAINE County
T01N R23E S21 NWNWNE Within BLAINE County
T01N R23E S22 SENESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	9.300 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R23E S16	SWSE	14.00	T01N R23E S21	NENE	15.00
T01N R23E S21	NWNE	31.00	T01N R23E S21	SWNE	22.00
T01N R23E S21	SENE	40.00	T01N R23E S21	NESE	40.00
T01N R23E S21	NWSE	18.00	T01N R23E S21	SWSE	28.00
T01N R23E S21	SESE	40.00	T01N R23E S22	SWNW	33.00
T01N R23E S22	NWSW	40.00	T01N R23E S22	SWSW	40.00
T01N R23E S22	SESW	11.00	T01N R23E S27	NENW	28.00
T01N R23E S27	NWNW	37.00	T01N R23E S27	SWNW	30.00
T01N R23E S28	NENE	41.00	T01N R23E S28	NWNE	21.00
T01N R23E S28	SWNE	6.80	T01N R23E S28	SENE	40.00
T01N R23E S28	NESE	12.00	T01N R23E S28	NWSE	1.90

589.7 ACRES TOTAL

This right is limited to the irrigation of 465 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 589.7 acres in a single irrigation season. Combined Right Nos.: 37-2545A, 37-22467, 37-2688, 37-11950, 37-22468, 37-1156, 37-22466, 37-2715, 37-11936, 37-7072, 37-7600, 37-22469.

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

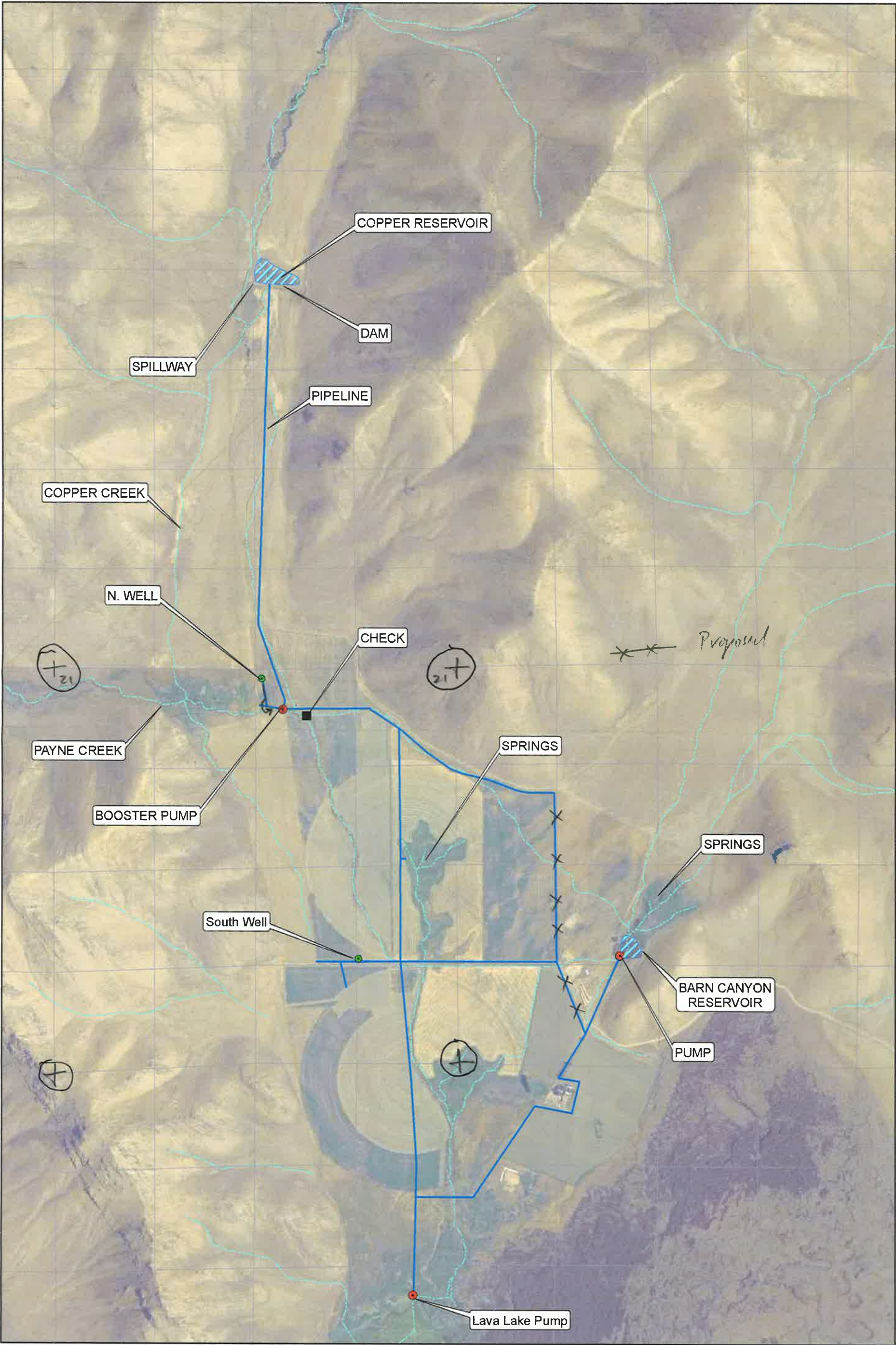
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 37-22467 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.

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

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



State of Idaho

License and Certificate of Water Right

Water License No. 24428

Amount 9.3 second feet

Water District No.

Priority May 29, 1953

THIS IS TO CERTIFY that KILPATRICK BROTHERS COMPANY, A Corporation of Picabo, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 29, 1953; that Permit No. 24428 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 9.3 second feet, was issued thereunder on August 28, 1954, showing that said works were completed on the 1st day of December, 1953; and that on the 1st day of December, 1953,

KILPATRICK BROTHERS, A Corporation of Picabo, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Copper Creek and four ~~adjacent streams~~ adjacent streams, for the purpose of irrigation and domestic use, under Use Permit No. 24428 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume of Licenses at page 5337, on the 20th day of August, 1954;

The right hereby confirmed dates from May 29, 1953; *Copper Cr* 16, 1953; 21

The Point of Diversion is located in the NE 1/4 Sec. 9, SE 1/4 Sec. 16, NE 1/4 Sec. 21, NE 1/4 Sec. 22, NE 1/4 Sec. 27, T. 1 N., R. 23 E., B. M. Blaine County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 9.3 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	23 E.	21	NE 1/4 NE 1/4	15	10
			SE 1/4 NE 1/4	40	40
			NE 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
		22	SW 1/4 NW 1/4	40	35
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	30
		28	NE 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	35
		27	NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	35
			Number of Acres Actually Irrigated - - -		465

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 28th day of August, 1954.

(SEAL)

E. N. HUMPHREY
Deputy State Reclamation Engineer.

37 2545

37-2545
Pc Docs
Pg 5

*Spring channel?
Barn Canyon?
Springs
Copper Creek
source
from spring in flat*

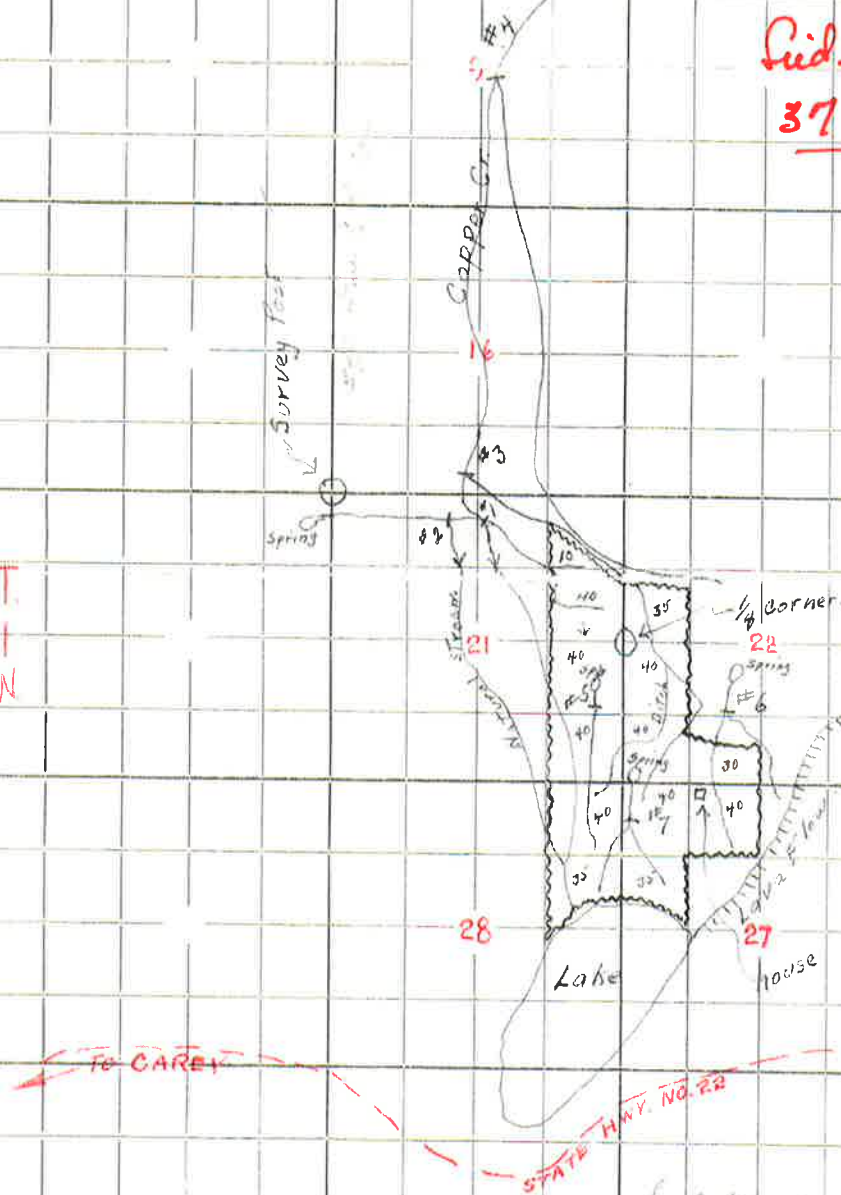
*Spring
Recreation
Barn Canyon*

*Copper/Payson
#1 on F.E.
#2 on F.E. map.
Payson
#3 1/2 springs
Flat of Sec 21*

R-23

from Licensing
Lid exam for
37-2545

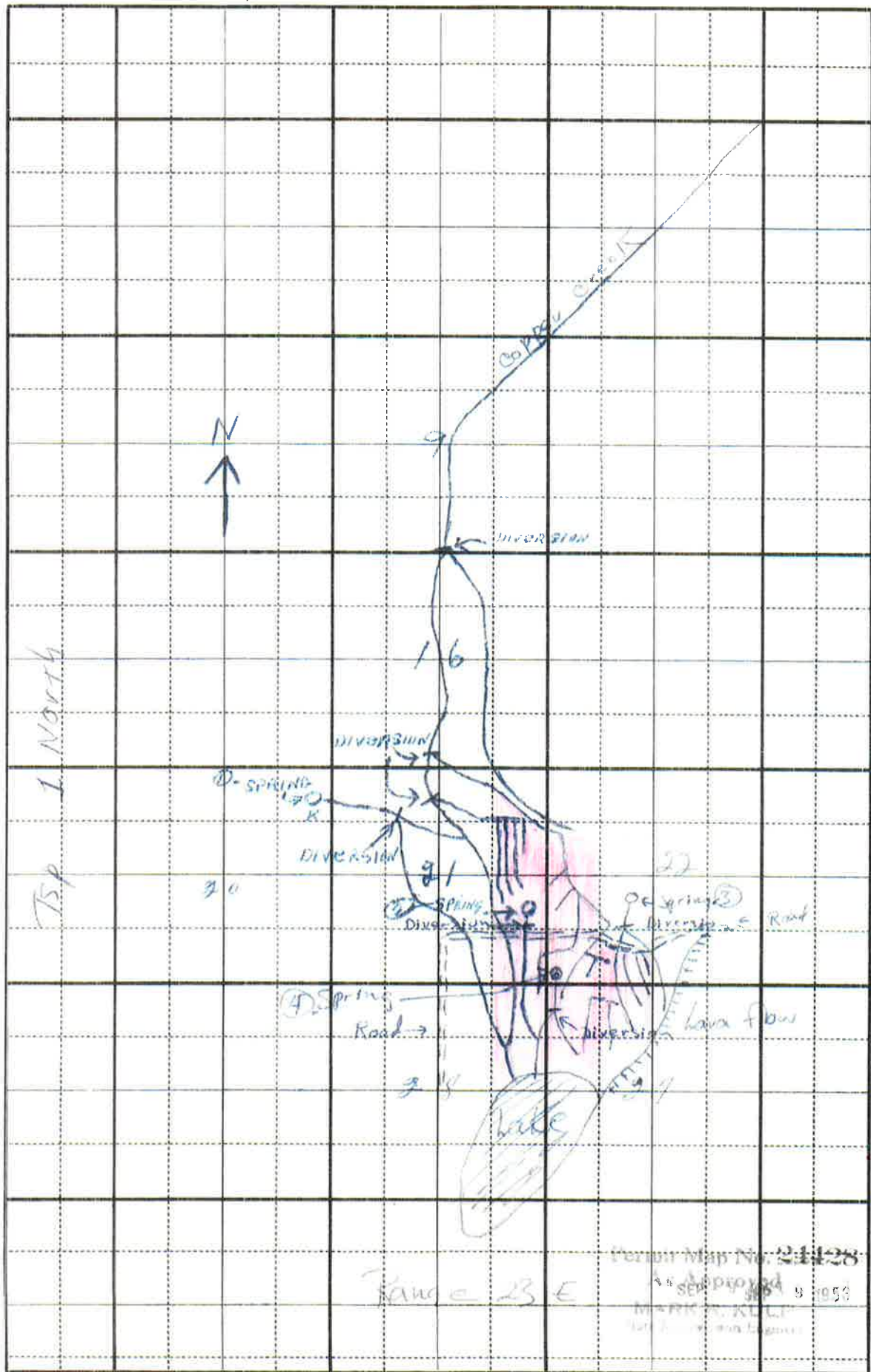
T
N



Subdivisions = 18
Area = 465 acres
Q = 465 inches

NAME OF APPLICANT Siipalick Bros. Co.

Form No. 0



Backfile
37-2545
PeDoc
Pg 3
Permit Map

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

221428

37-1156 Decree P/D

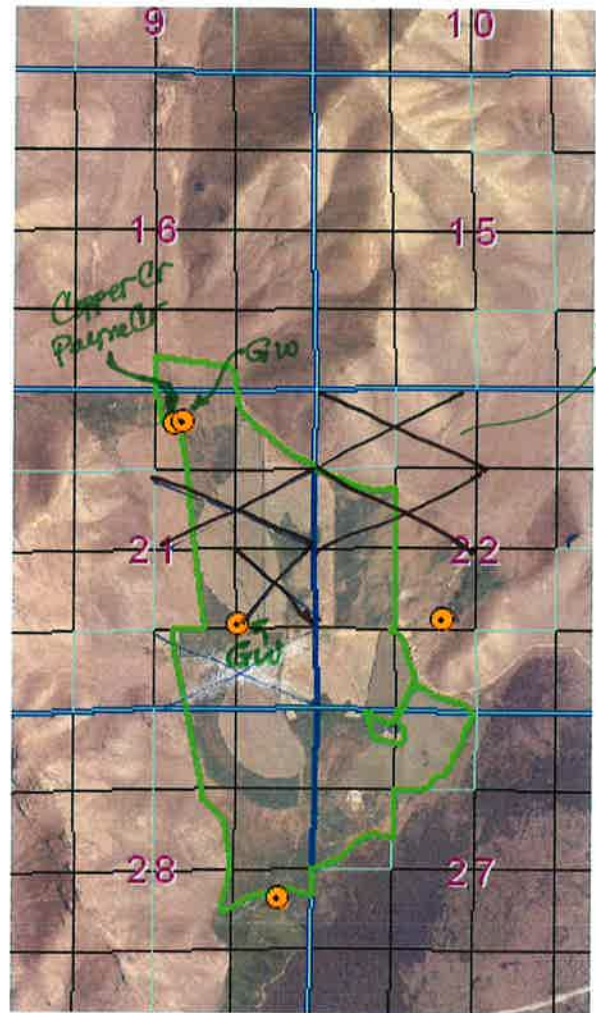
Springs in the mouth of West Canyon

Flat in Sec 21

Sec 21 $S\frac{1}{2}$ $NE\frac{1}{4}$ $N\frac{1}{2}$ $SE\frac{1}{4}$

Sec 22 $N\frac{1}{2}$ $NW\frac{1}{4}$ $N\frac{1}{2}$ $SW\frac{1}{4}$

Quad map identifies springs
North of Payne Cr in Sec 21 NENW.
They are not being diverted.
Water flows into Payne Creek and
then to the P/D in Sec 21 NWNW
where water is diverted thru 37-2715.



XX
Decree P/D
1156

04/15/2005

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

RIGHT NUMBER: 37-2545A

NAME AND ADDRESS: LAVA LAKE LAND & LIVESTOCK LLC
3527 WASHINGTON ST
SAN FRANCISCO CA 94118

SOURCE: COPPER CREEK

TRIBUTARY: LAVA LAKE

QUANTITY: 5.060 CFS

PRIORITY DATE: 05/29/1953

POINT OF DIVERSION:

T01N R23E S16 NWNWNE 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	5.060 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T01N R23E S16	SWSE	14.0	T01N R23E S21	NENE	15.0
T01N R23E S21	NWNE	31.0	T01N R23E S21	SWNE	22.0
T01N R23E S21	SENE	40.0	T01N R23E S21	NESE	40.0
T01N R23E S21	NWSE	18.0	T01N R23E S22	SWNW	33.0
T01N R23E S22	NWSW	40.0			

253 ACRES TOTAL

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.

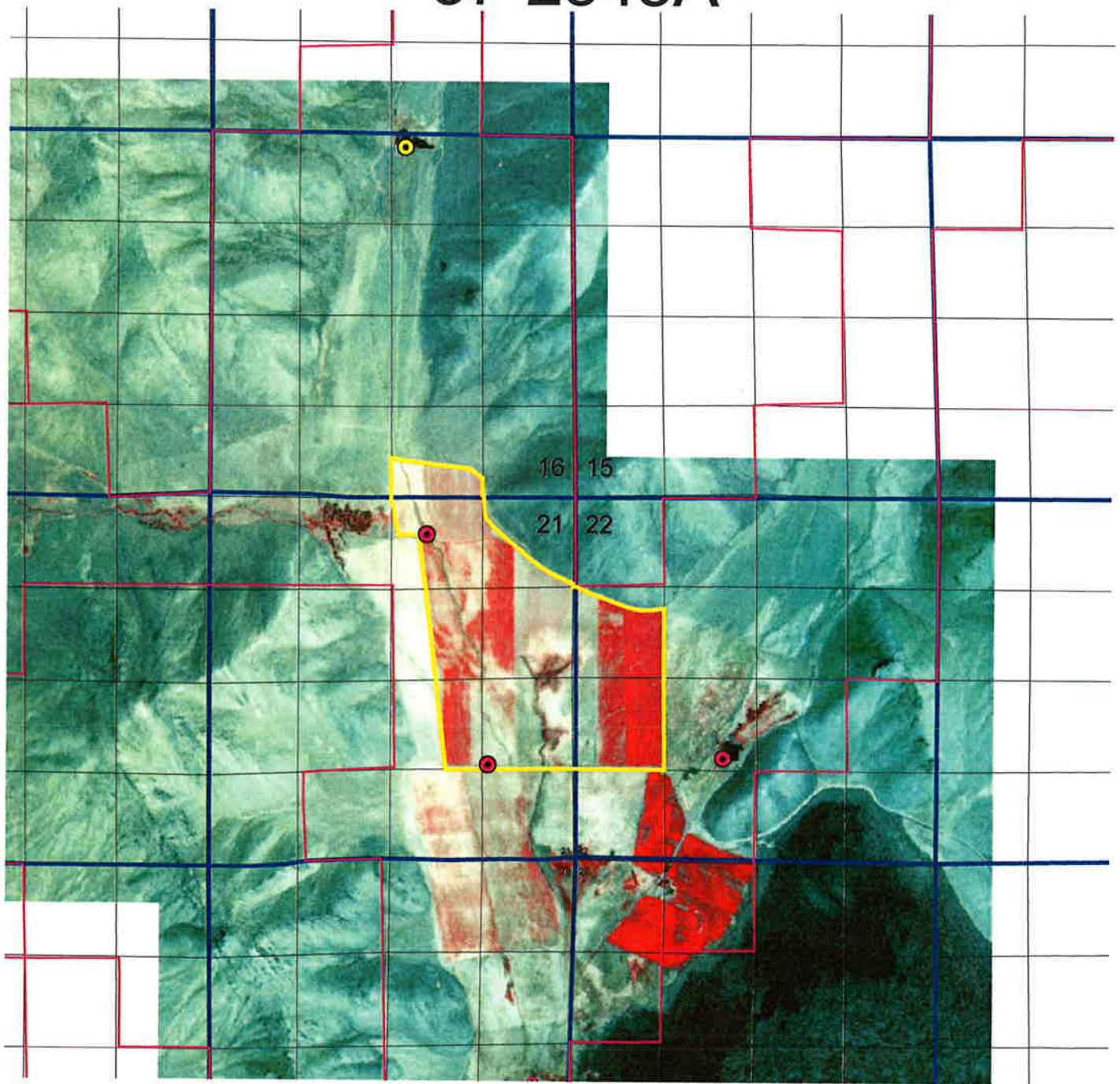
EXPLANATORY MATERIAL: License

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

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

IDAHO DEPT OF WATER RESOURCES

37-2545A



1320 0 1320 Feet



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

TWN: 1N
RNG: 23E
SEC. 16, 21, 22



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

Date: APRIL 15, 2005

Copper Cr.
POD

37-2545 A

16 15
21 22

21 22
26 27

BLM

12/11/02
scr

