

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 37-2688
Date Received: 10/25/1988
Receipt No: S003232
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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: 05/17/1963

3. Source: LAVA LAKE Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	23E	28	NE SE	BLAINE	

5. Description of diverting works:

Pump from Lava Lake to irrigation.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	3.3	

7. Total Quantity Appropriated is:
3.3 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:

Claimed place of use is PPU established prior to SRBA commencement for north and south of road. Claim is for 242.7 acres (as licensed) within the PPU, representing a portion of historically irrigated area south of road.

Amended Claim has Temporary Status until accepted by the SRBA District Court at which time this remark needs to be deleted (ss 10-26-09).

Amended claim set as active based upon 3-17-2009 court ruling.

15. Basis of Claim: License

OF THE
LS

d.e.p. 15-26-09.
Free needed.

In Re SRBA	)	Subcase 37-2688
	)	
	)	
Case 38576	)	STANDARD FORM 4
	)	
	)	MOTION TO FILE AMENDED NOTICE OF
	)	CLAIM

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My phone number is: 208/342-4591

COPY

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

Lava Lake Land & Livestock, LLC must amend its Notice of Claim to the use of this water in the SRBA because:

This right is currently, and was historically beneficially used on the entire place of use owned by Lava Lake Land & Livestock prior to 1987 as is detailed in the Affidavits of Leonard N. Purdy, Chuck Brockway and Kelly K. Christensen in Support of Motion to Set Aside Subcases on file herein. Thus, the permissible place of use (though not the irrigated acreage) for this water right must be increased from that currently claimed to reflect actual, historical and current beneficial use.

I have attached:

An amended Notice of Claim (available from IDWR).

Payment of the following additional fees required by IDWR:

N/A

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time. (This motion has already been granted pending filing of this claim).
2. Fill in the following information:

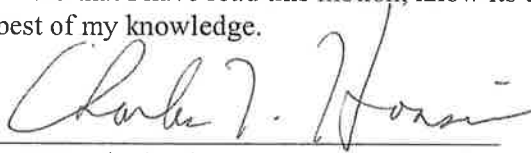
This motion will be heard on _____ at _____m. at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho. Lava Lake Land & Livestock, LLC hereby requests that because it is the sole party in this subcase, and if the Special Master deems it appropriate, that a decision on this motion be issued without a hearing.

VERIFICATION (Must be completed)

State of Idaho)
)
County of Ada)

Charles L. Honsinger, being first duly sworn, upon oath, deposes and says:

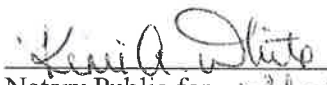
That I am an attorney for the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I. C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.



Attorney signing in representative capacity

Subscribed and sworn to before me on 10/14/09 (Insert Date)




Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 02/01/10

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on this 14th day of October, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.



Signature of person or attorney mailing form

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 37-2688

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) 788-1710
Mailing Address P.O. Box 2249, Hailey, ID Zip 83333
2. Date of Priority (Only one (1) per claim) May 17, 1963
3. Source of water supply (a) Lava Lake
which is tributary to (b) Sinks
4. a. Location of existing point of diversion is: Township 1N Range 23E Section 28,
1/4 of NE 1/4 of SE 1/4, Govt. Lot, B.M., County of Blaine
Additional points of diversion if any: _____
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 Lava Lake to irrigation.

SCANNED

OCT 15 2009

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 3.3 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.3 (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:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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:

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

Claim is for 242.7 acres (as licensed) within the PPU, representing a portion of historically irrigated area south of road.

Last Name _____ Ident. No. _____

SCANNED
OCT 15 2009

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

If applicable provide IDWR Water Right Number 37-2688

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 & Livestock, LLC, that I have signed the foregoing

Document in the space below as President of Lava Lake Land & Livestock, 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 & Livestock, LLC Date 9.15.09

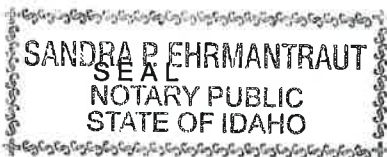
State of Idaho / or 1)
County of Blaine) ss.

Subscribed and sworn (or affirmed) before me this 13 day of September, 2009.

Notary Public [Signature]

Residing at [Signature]

My Commission Expires 9.21.12



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 _____

SCANNED
OCT 15 2009

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: A37-02688
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 17, 1963

3. Source: LAVA LAKE Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	23E	28	NE	NE	SE		BLAINE

5. Description of diverting works:
WOODEN PUMP BOX, 125 HP PUMP, MOTOR, 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	3.300		

7. Total Quantity Appropriated is:
3.300 C.F.S. (and/or) 429.00 A.F.A.

8. Total consumptive use is 429.0 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	21	SW	SE		IRR	27.0
			SE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	67.0
		22	SW	SW		IRR	30.0
						Section Acres	30.0
		27	NW	NW		IRR	28.0
			SW	NW		IRR	26.0
						Section Acres	54.0
		28	NE	NE		IRR	40.0
			NW	NE		IRR	21.0
			SW	NE		IRR	2.0
			SE	NE		IRR	29.0
						Section Acres	92.0
						Total Acres	243.0

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:

CLAIM A37-02545B ON PART OF LAND

14. Remarks:

P/D INCORRECTLY DESCRIBED ON LIC. AS SENE, S28, T1N, R23E.
 LAND IS CLAIMED AS IT HAS ALWAYS BEEN IRRIGATED PER SEC. 42-1416
 IDAHO CODE. LAVA LAKE IS ABOUT 65 SURFACE ACRES & IS 5-6' DEEP.
 CAPACITY IS ABOUT 400 ACRE FEET, & LAKE FILLS ABOUT 1.1 TIMES IN
 A YEAR. WE PUMP FROM THE LAKE UNTIL EMPTIES, THEN QUIT. THERE
 IS USUALLY ENOUGH WATER TO GET 2 CUTTINGS OF HAY ON THIS GROUND.
 SYSTEM IRRIGATES ANOTHER 100 ACRES, & ALWAYS HAS. THIS GROUND
 WILL BE COVERED BY A SEPARATE CLAIM.
 LAND CLAIMED WAS DEVELOPED UNDER RT. 37-7072, BUT THE TOTAL LAND
 IRRIGATED EXCEEDED THE 150 AC. UNDER THE PERMIT. EXPANSION IS
 CLAIMED UNDER SEC. 42-1416 IDAHO CODE. ALSO SEE CLAIM A37-07072.
 SECOND WELL WAS ADDED IN 1980 TO SUPPLEMENT THE ORIGINAL WELL,
 WHICH PUMPS LESS & LESS WATER AS THE SEASON PROGRESSES. THE SEC-
 OND WELL IS COVERED BY LIC. 37-7600.
 SYSTEM COVERS 223 ACRES ALTOGETHER.

 08/03/99, CHANGED OWNERSHIP: PICABO TO BEAN TEDROW FAMILY TRUST

14. Remarks: Continued

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.

15. Basis of Claim: LICENSE

Water Right Number: 31134



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-12014-085

RECEIVED
DEC 29 1999
Department of Water Resources
Boise, Idaho

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

(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.

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✓
NCAP ~~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

J. S. ALL
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 RICHARDSON, CLERK ms

See \$ 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
Sawtooth Center

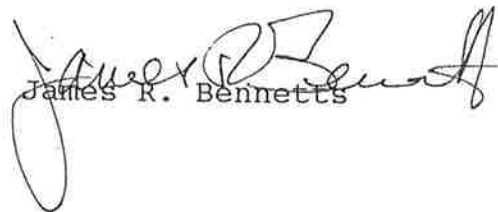
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

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: A37-02688

Date Received: 10/25/1988

Receipt No: S003232

Received By: CT: OWNER CHANGE

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

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

2. Date of Priority: MAY 17, 1963

3. Source: LAVA LAKE Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	23E	28	NE	NE	SE		BLAINE

5. Description of diverting works:
WOODEN PUMP BOX, 125 HP PUMP, MOTOR, 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	3.300		

7. Total Quantity Appropriated is:
3.300 C.F.S. (and/or) 429.00 A.F.A.

8. Total consumptive use is 429.0 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	21	SW	SE		IRR	27.0
			SE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	67.0
		22	SW	SW	IRR	30.0
					Section Acres	30.0
		27	NW	NW	IRR	28.0
			SW	NW	IRR	26.0
					Section Acres	54.0
		28	NE	NE	IRR	40.0
			NW	NE	IRR	21.0
			SW	NE	IRR	2.0
			SE	NE	IRR	29.0
					Section Acres	92.0
					Total Acres	243.0

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:

CLAIM A37-02545B ON PART OF LAND

14. Remarks:

P/D INCORRECTLY DESCRIBED ON LIC. AS SENE, S28, T1N, R23E. LAND IS CLAIMED AS IT HAS ALWAYS BEEN IRRIGATED PER SEC. 42-1416 IDAHO CODE. LAVA LAKE IS ABOUT 65 SURFACE ACRES & IS 5-6' DEEP. CAPACITY IS ABOUT 400 ACRE FEET, & LAKE FILLS ABOUT 1.1 TIMES IN A YEAR. WE PUMP FROM THE LAKE UNTIL EMPTIES, THEN QUIT. THERE IS USUALLY ENOUGH WATER TO GET 2 CUTTINGS OF HAY ON THIS GROUND. SYSTEM IRRIGATES ANOTHER 100 ACRES, & ALWAYS HAS. THIS GROUND WILL BE COVERED BY A SEPARATE CLAIM. LAND CLAIMED WAS DEVELOPED UNDER RT. 37-7072, BUT THE TOTAL LAND IRRIGATED EXCEEDED THE 150 AC. UNDER THE PERMIT. EXPANSION IS CLAIMED UNDER SEC. 42-1416 IDAHO CODE. ALSO SEE CLAIM A37-07072. SECOND WELL WAS ADDED IN 1980 TO SUPPLEMENT THE ORIGINAL WELL, WHICH PUMPS LESS & LESS WATER AS THE SEASON PROGRESSES. THE SECOND WELL IS COVERED BY LIC. 37-7600. SYSTEM COVERS 223 ACRES ALTOGETHER.

08/03/99, CHANGED OWNERSHIP: PICABO TO BEAN TEDROW FAMILY TRUST

14. Remarks: Continued

AS PER WARRANTY DEED AND FORM 1409(6) REC'D 04/09/99. C.T.

15. Basis of Claim: LICENSE

Water Right Number: 31134

AJ0749NP
No. A37-02688

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

DATE: 08/03/99
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	05/17/1963	IRRIGATION	05-01 11-01	3.300 CFS	
TOTAL DIVERSION:					3.300 CFS	429.00 AFA
CONSUMPTIVE USE:						429.00 AFA

Water Source: LAVA LAKE

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion: T01N R23E S28 NENESE

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 21	:		:		:		:		:		:		:		27	40	67.0
01N	23E 22	:		:		:		:		:	30	:		:				30.0
01N	23E 27	:		:		:	28	26	:	:		:		:				54.0
01N	23E 28	:	40	:	21	02	29	:		:		:		:				92.0
TOTAL ACRES																	243.0	

POU County: BLAINE

Other Rights: CLAIM A37-02545B ON PART OF LAND

Remarks: GEN P/D INCORRECTLY DESCRIBED ON LIC. AS SENE, S28, T1N, R23E. LAND IS CLAIMED AS IT HAS ALWAYS BEEN IRRIGATED PER SEC. 42-1416 IDAHO CODE. LAVA LAKE IS ABOUT 65 SURFACE ACRES & IS 5-6' DEEP. CAPACITY IS ABOUT 400 ACRE FEET, & LAKE FILLS ABOUT 1.1 TIMES IN A YEAR. WE PUMP FROM THE LAKE UNTIL EMPTIES, THEN QUIT. THERE IS USUALLY ENOUGH WATER TO GET 2 CUTTINGS OF HAY ON THIS GROUND. SYSTEM IRRIGATES ANOTHER 100 ACRES, & ALWAYS HAS. THIS GROUND WILL BE COVERED BY A SEPARATE CLAIM. LAND CLAIMED WAS DEVELOPED UNDER RT. 37-7072, BUT THE TOTAL LAND IRRIGATED EXCEEDED THE 150 AC. UNDER THE PERMIT. EXPANSION IS CLAIMED UNDER SEC. 42-1416 IDAHO CODE. ALSO SEE CLAIM A37-07072. SECOND WELL WAS ADDED IN 1980 TO SUPPLEMENT THE ORIGINAL WELL, WHICH PUMPS LESS & LESS WATER AS THE SEASON PROGRESSES. THE SECOND WELL IS COVERED BY LIC. 37-7600. SYSTEM COVERS 223 ACRES ALTOGETHER.

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: 05/20/1985 Objection Filed Date:

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



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
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
4. New Owner/Claimant(s) 3527 Washington Street
New Mailing Address _____
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.

BFB
WATER RIGHT NUMBERS FOR TRANSFER FROM

PICABO LIVESTOCK COMPANY, INC. TO

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
XX 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
XX 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

A.M. 9:35 P.M.
BLAINE COUNTY RECORDER
Hayden

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. Maffei

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

BLAINE CO. REQUEST
OF: BLAINE COUNTY TITLE
Dad
MARSHIA KIRBY, CLERK
FEE \$ 900
99 APR 2 PM 12 57

425879

23

U3

US

26

US

THIS MAP IS FURNISHED AS PART OF AN ENDORSEMENT AND DOES NOT REPRESENT A SURVEY OF THE LAND OR IMPLY ANY REPRESENTATIONS AS TO THE SIZE, AREA OR ANY OTHER FACTS RELATED TO THE LAND SHOWN THEREON. IT IS FURNISHED STRICTLY FOR THE PURPOSES OF GENERALLY LOCATING THE LAND. THE DESCRIPTION FURNISHED IN SCHEDULE A OF THE POLICY SHOULD BE REFERRED TO FOR THE DESCRIPTION OF THE LAND COVERED THEREBY.

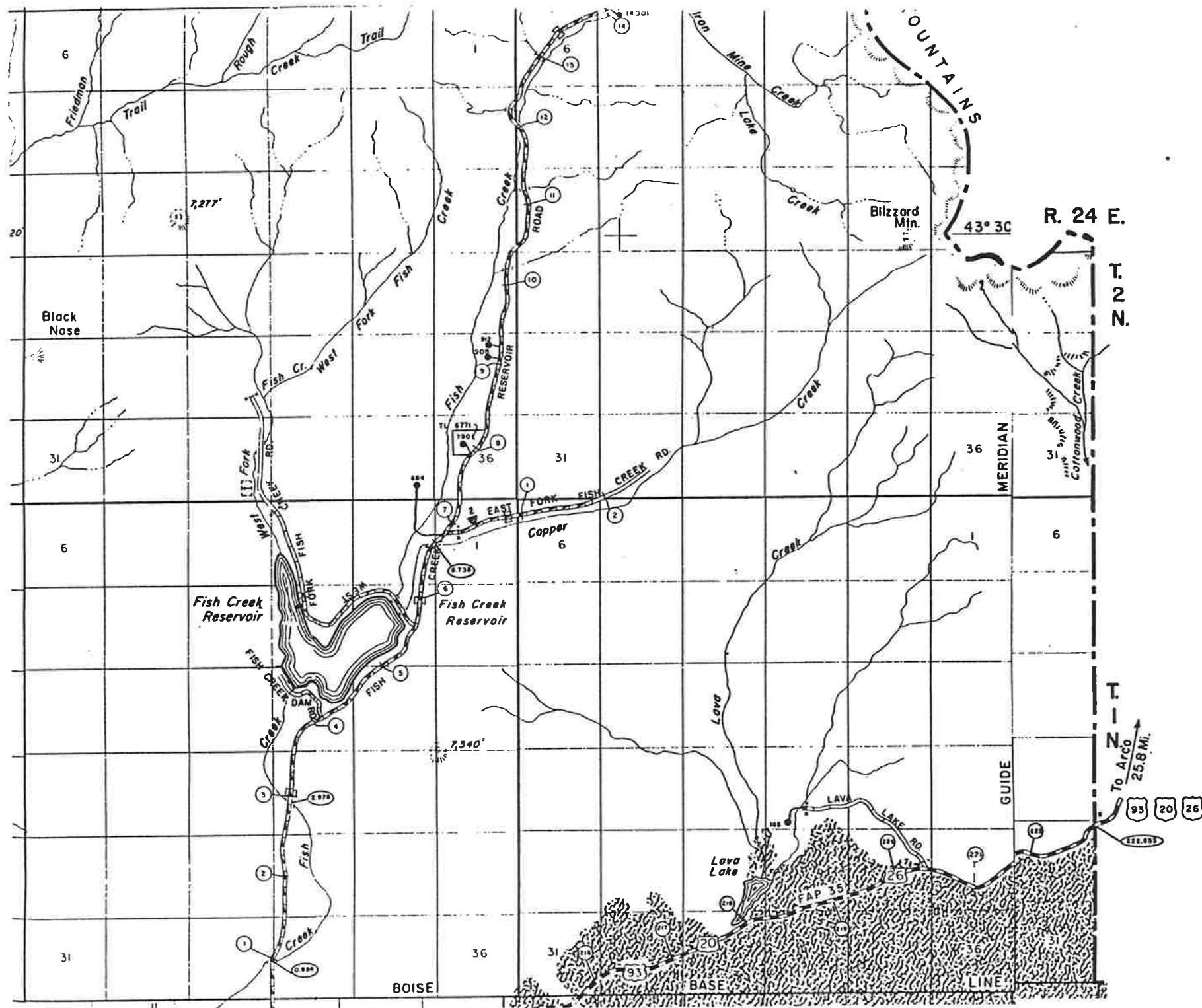
35

34

2

1

THIS MAP IS FURNISHED AS PART OF AN ENDORSEMENT AND DOES NOT REPRESENT A SURVEY OF THE LAND. IT MAY REPRESENTATIONS AS TO THE SIZE, AREA OR ANY OTHER FACTS RELATED TO THE LAND SHOWN THEREON. IT IS FURNISHED STRICTLY FOR THE PURPOSES OF GENERALLY LOCATING THE LAND. THE DESCRIPTION FURNISHED IN SCHEDULE A OF THE POLICY SHOULD BE REFERRED TO FOR THE DESCRIPTION OF THE LAND COVERED THEREBY.



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: A37-02688
Date Received: 10/24/1988
Receipt No: 5003222
Received By: 9

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 17, 1963

3. Source: LAVA LAKE Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	23E	28	NE	NE	SE		BLAINE

5. Description of diverting works:
WOODEN PUMP BOX, 125 HP PUMP, MOTOR, 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	3.300		

7. Total Quantity Appropriated is:
3.300 C.F.S. (and/or) 429.00 A.F.A.

8. Total consumptive use is 429.0 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	21	SW	SE		IRR	27.0
			SE	SE		IRR	40.0

Section Acres 67.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	23E	22	SW	SW		IRR	30.0
						Section Acres	30.0
		27	NW	NW		IRR	28.0
			SW	NW		IRR	26.0
						Section Acres	54.0
		28	NE	NE		IRR	40.0
			NW	NE		IRR	21.0
			SW	NE		IRR	2.0
			SE	NE		IRR	29.0
						Section Acres	92.0
						Total Acres	243.0

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:
CLAIM A37-02545B ON PART OF LAND

14. Remarks:
P/D INCORRECTLY DESCRIBED ON LIC. AS SENE, S28, T1N, R23E.
LAND IS CLAIMED AS IT HAS ALWAYS BEEN IRRIGATED PER SEC. 42-1416
IDAHO CODE. LAVA LAKE IS ABOUT 65 SURFACE ACRES & IS 5-6' DEEP.
CAPACITY IS ABOUT 400 ACRE FEET, & LAKE FILLS ABOUT 1.1 TIMES IN
A YEAR. WE PUMP FROM THE LAKE UNTIL EMPTIES, THEN QUIT. THERE
IS USUALLY ENOUGH WATER TO GET 2 CUTTINGS OF HAY ON THIS GROUND.
SYSTEM IRRIGATES ANOTHER 100 ACRES, & ALWAYS HAS. THIS GROUND
WILL BE COVERED BY A SEPARATE CLAIM.

15. Basis of Claim: LICENSE
Water Right Number: 31134

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

J. M. [Signature]
Signature of Authorized Agent
President
Title and Organization
10-25-88
Date

State of Idaho)
County of Twin 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 6/30/89

MICROFILMED
FEB 23 1993

AMENDED DIRECTOR'S REPORT

Subcase Nos. 37-2688 and 37-11950

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

**Prepared by the Idaho Department of Water Resources
Gary Spackman, Interim Director
Carter Fritschle, Manager, Adjudication Section**

November 29, 2010

DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to the Special Master's *Order Setting Deadlines and Status Conference* dated November 19, 2010, the Director submits this Amended Director's Report for subcases 37-2688 and 37-11950.

Respectfully submitted this 29 day of November, 2010.

for Kelly K. Christensen
CARTER FRITSCHLE
Manager, Adjudication Section

04/30/2010

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

RIGHT NUMBER: 37-2688

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

SOURCE: LAVA LAKE

TRIBUTARY: SINKS

QUANTITY: 3.300 CFS
729.00 AFY

The rights listed below are limited to a total combined diversion rate of 3.30 cfs. Combined Right Nos.: 37-2688, 37-11950, and 37-22468.

The rights listed below are limited to a total combined diversion rate of 11.79 cfs. 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: 05/17/1963

POINT OF
DIVERSION:

T01N R23E S28 NENESE 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	3.300 CFS 729.00 AFY

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 242.7 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.

The rights listed below are limited to the irrigation of a combined total of 336.7 acres in a single irrigation season. Combined Right Nos.: 37-2688 and 37-11950.

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. 37-22468 is an enlargement of the rights listed below pursuant to Section 42-1426, Idaho Code. Rights 37-2688 and 37-11950.

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

04/30/2010

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

RIGHT NUMBER: 37-11950

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

SOURCE: LAVA LAKE

TRIBUTARY: SINKS

QUANTITY: 0.920 CFS

The rights listed below are limited to a total combined diversion rate of 3.30 cfs. Combined Right Nos.: 37-2688, 37-11950, and 37-22468.

The rights listed below are limited to a total combined diversion rate of 11.79 cfs. 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: 05/01/1964

POINT OF
DIVERSION:

T01N R23E S28 NENESE 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	0.920 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

The rights listed below are limited to the irrigation of a combined total of 336.7 acres in a single irrigation season. Combined Right Nos.: 37-2688 and 37-11950.

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.

This right is limited to the irrigation of 94 acres within the place of use described above 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: BASIS OF CLAIM - Beneficial Use

Right No. 37-22468 is an enlargement of the rights listed below pursuant to Section 42-1426, Idaho Code. Rights 37-2688 and 37-11950.

04/30/2010

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

RIGHT NUMBER: 37-2688

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

VERIFIED BY KKC
ADP 4-30-10

SOURCE: LAVA LAKE

TRIBUTARY: SINKS

QUANTITY: 3.300 CFS
729.00 AFY

The rights listed below are limited to a total combined diversion rate of 3.30 cfs. Combined Right Nos.: 37-2688, 37-11950, and 37-22468.

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: 05/17/1963

POINT OF
DIVERSION:

T01N R23E S28 NENESE 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	3.300 CFS 729.00 AFY

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 242.7 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.

The rights listed below are limited to the irrigation of a combined total of 336.7 acres in a single irrigation season. Combined Right Nos.: 37-2688 and 37-11950.

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

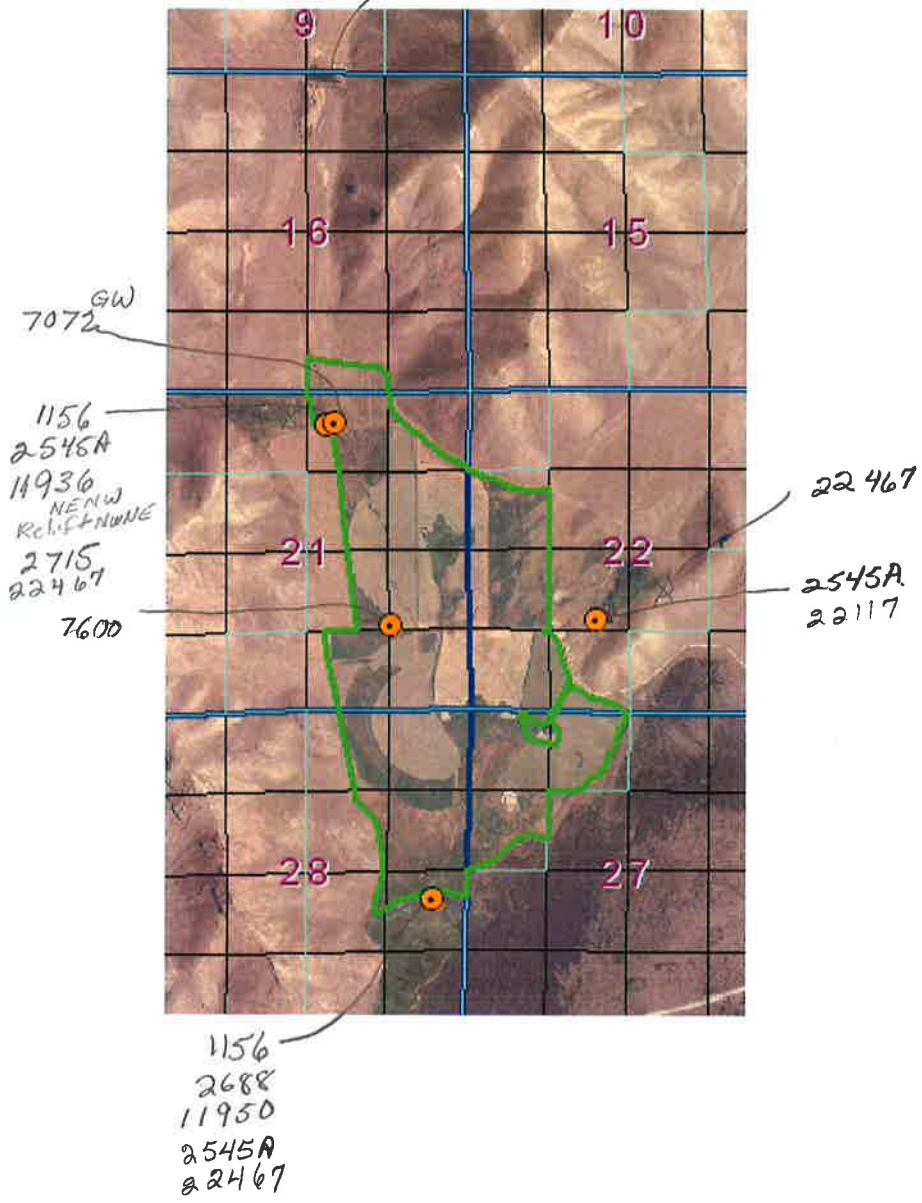
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 37-22468 is an enlargement of the rights listed below pursuant to Section 42-1426, Idaho Code. Rights 37-2688 and 37-11950.

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

22467 Rate 9.306 104dam



State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31134/37-2688 Priority May 17, 1963 Amount 3.30 cfs

THIS IS TO CERTIFY, that PICABO LIVESTOCK CO., INC.
of Picabo, Idaho, has complied with the terms and conditions of Permit
No. 31134/37-2688 issued pursuant to Application for Permit dated May 17, 1963
and has submitted proof to the Department of Water Administration on April 4, 1968
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.30 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a natural lake (Lava Lake)
tributary of _____, is hereby confirmed in the following amounts:
Amount 3.30 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 3.30 cfs of water be diverted at
any one time, said waters to be diverted within the _____
SE 1/4 Sec. 28, Twp. 1 N, Rge. 23 E, B.M.

in the county of Blaine; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 729 acre feet per year or
3.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NW 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	
1 N	23 E	21															20.1	30.7	50.8
		22									27.5								27.5
		27					9.8	40	22										71.8
		28	40	14.7	3	34.9													92.6

Total number of acres irrigated 242.7

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 12 day of
March, 19 73.


Director

37 2688

37-2688
PC docs
Pg 10

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 31134/37-2688...

This proof is for b/u In Water District No.
1. Name of applicant Picabo Livestock Co., Inc.
2. Source of water supply: Lava Lake, a tributary of Copper Creek
3. Location of point of diversion: Is in the SE 1/4 of Section 28
T. 1 N. R. 23 E. County of Blaine
4. Describe works as they exist, giving dimensions and capacities of same: 75 HP pump in lake,
to a sprinkler system.

5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

T. 1N, R. 23 E,	Sec. 21	SE 1/4	80
	Sec. 22	SW 1/4	40
	Sec. 27	N 1/2 NW 1/4, SW 1/4 NW 1/4	120
	Sec. 28	NE 1/4	160

amend pt of diversion to NE 1/4 SE 1/4 Sec 28 T. 1 N. 23 E

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?
Remarks: clarify amount of water and lands

measured with pressure gauge

205 heads 3/16" NR 22 lbs at 50 lbs pressure

205 x 7.18 = 3.3 cfs
448.8

This examination was made on the 15th day of July, 19 70

(Signed) John E. ... Examiner.

01/31/2007

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

RIGHT NUMBER: 37-2688

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

SOURCE: LAVA LAKE

TRIBUTARY: SINKS

QUANTITY: 3.300 CFS
729.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 37-11950 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.3 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 729 AF.

PRIORITY DATE: 05/17/1963

POINT OF DIVERSION:

T01N R23E S28 NENESE 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	3.300 CFS 729.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01N R23E S21	SWSE	28.00	T01N R23E S21	SESE	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			

336.7 ACRES TOTAL

This right is limited to the irrigation of 243 acres within the place of use
described above in a single irrigation season.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 336.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-11950 & 37-2545B.

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

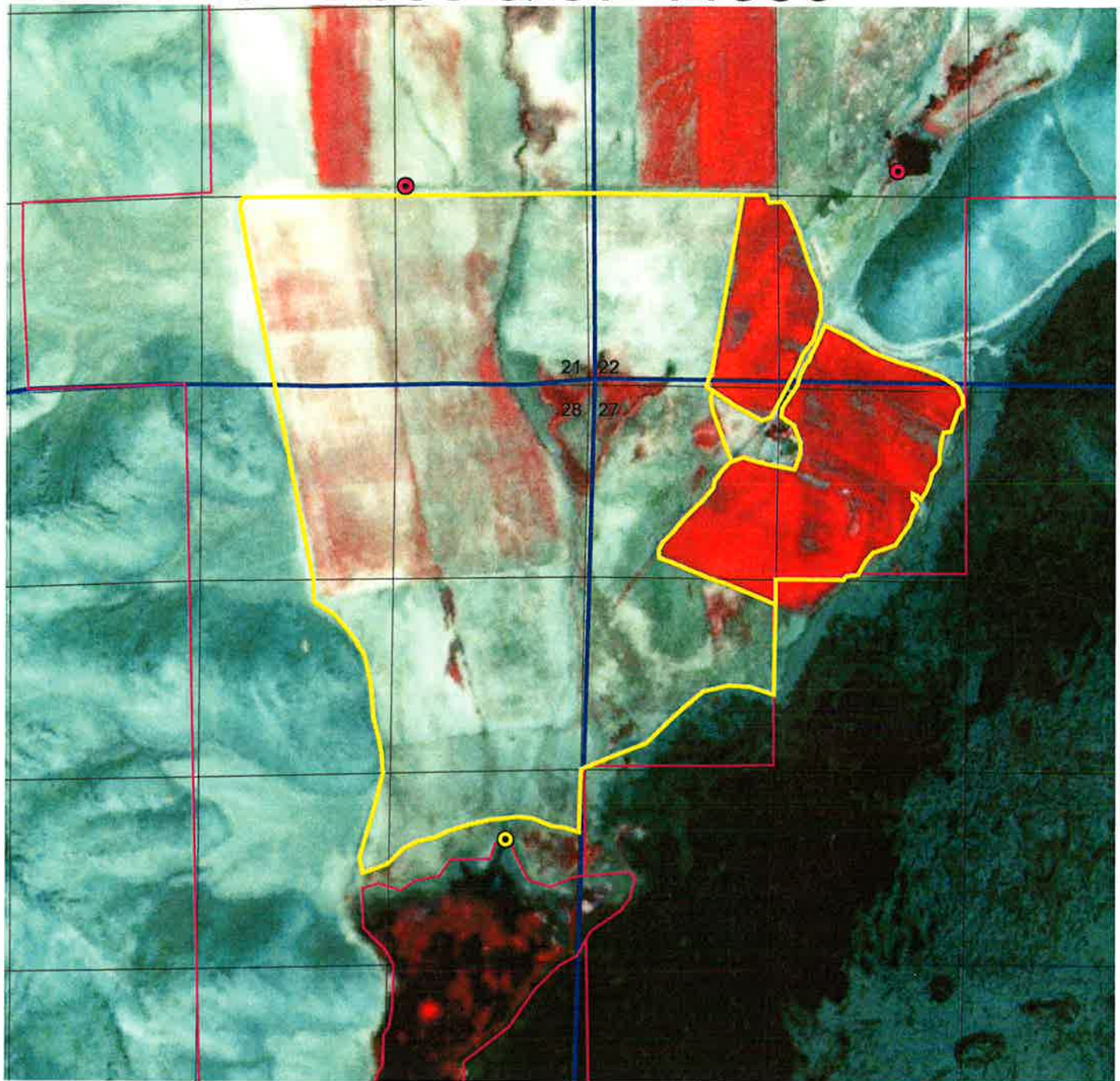
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section
42-1425, Idaho Code.
Right No. 37-11950 is an enlargement of this right pursuant to Section
42-1426, Idaho Code.

IDAHO DEPT OF WATER RESOURCES

37-2688 & 37-11950



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. 21, 22, 27, 28



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

Date: APRIL 19, 2005

T1S
R23E

27

40

21 22

30

28 27

21

40

28

..... 2

29

26

claim Acres
= 243 AC.

37-2688

POD

12/11/02
SEC

G15 = 336.7

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2688WATER RIGHT NUMBER: **37-2688**

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PICABO LIVESTOCK CO INC PO BOX 748 PICABO, ID 83348 (208)788-3530

Priority Date: 05/17/1963

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
LAVA LAKE	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	3.300 CFS	729.00 AF
	<u>Total Diversion:</u>	3.300 CFS	729.00 AF

Location of Point(s) of Diversion

LAVA LAKE	NE1/4SE1/4	Sec. 28, Twp 01N, Rge 23E, 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	
01N	23E	21															20.0	31.0	51.0
01N	23E	22											28.0						28.0
01N	23E	27					10.0	40.0	22.0										72.0
01N	23E	28	40.0	15.0	3.0	35.0													93.0

Total Acres: 244

Conditions of Approval:Remarks:

- General TOTAL AC. IRR. = 242.7.
P/D INCORRECTLY DESCRIBED ON LIC. AS SENE, S28, T1N, R23E.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2688

Comments:

Dates and Other Information:

Licensed Date: 5/15/1979
Decreed Date:
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:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False