

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: A37-07005
Date Received: 7/12/1988
Receipt No: S000864
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J.O. STIMPSON 208-544-2488
Address: 428 EAST 370 SOUTH
DIETRICH ID 83324

AND/OR

Name: GERTRUDE STIMPSON 208-544-2488
Address: 428 EAST 370 SOUTH
DIETRICH ID 83324

2. Date of Priority: NOV 22, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	18E	28	NE	NE	NE		LINCOLN

5. Description of diverting works:
WELL WITH 125 H.P. TURBINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.120		

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

8. Total consumptive use is 468.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	18E	27	NE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	1/4 of 1/4	Lot	Use	Acres
06S	18E	27	NW	NW		IRR	39.0
						Section Acres	79.0
		28	NE	NE		IRR	40.0
			NW	NE		IRR	37.0
						Section Acres	77.0
						Total Acres	156.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

SHARES IN BIG WOOD CANAL CO. & A.F.R.D.#2

14. Remarks:

NAME/OWNERSHIP CHANGE MADE 1-3-95 BY TLB.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

Water Right Number - R37-07005

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
STIMPSON

J.O.

1 - 428 EAST 370 SOUTH

2 -

3 -

City- DIETRICH

State- ID Zip- 83324

Phone - 208-544-2488

STIMPSON

GERTRUDE

1 - 428 EAST 370 SOUTH

2 -

3 -

City- DIETRICH

State- ID Zip- 83324

Phone - 208-544-2488

*** O - ORIGINAL OWNER ***
TRUJOS CALIFORNIA TRUST

1 - % J.O.STIMPSON

2 - 428 EAST 370 SOUTH

3 -

City- DIETRICH

State- ID Zip- 83324

Phone - 208-544-2488

+ - - Priority Date - - +
11/22/1967

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

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

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

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

| Twn | Rng | Sec | Tract | Lot | RFlg | County |
|-----|-----|-----|----------|-----|------|---------|
| 06S | 18E | 28 | NE NE NE | | (63) | LINCOLN |

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

| Code | Description | Period From | Period To | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|----------------|------------------|
| 01 - IRRIGATION | | 04/01 | 11/01 | 3.120 | |

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.120 468.0

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

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|--------------|
| 06S | 18E | 27 | NE NW | | 40.0 | 01 | IRRIGATION | (63) LINCOLN |
| 06S | 18E | 27 | NW NW | | 39.0 | 01 | IRRIGATION | (63) LINCOLN |
| 06S | 18E | 28 | NE NE | | 40.0 | 01 | IRRIGATION | (63) LINCOLN |
| 06S | 18E | 28 | NW NE | | 37.0 | 01 | IRRIGATION | (63) LINCOLN |

Total Acres: 156.0

+ - - Diversion Means - WELL WITH 125 H.P. TURBINE

RECORDED
JAN 27 1996

Water right number - R37-07005

Prefix Translation: RESEARCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SHARES IN BIG WOOD CANAL CO. & A.F.R.D.#2

+ - - - - - Remarks - - - - - +
NAME/OWNERSHIP CHANGE MADE 1-3-95 BY TLB.

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

+ - - - - - Conditions of Approval - - - - - +
R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

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

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

+ - - Audit Fields - - +
01/03/95 TBACKLUN

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

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 07/12/1988 | Last Amended Date | - 00/00/0000 | Temporary Right | - T |
| | | Receipt Number | - X777777 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND/OR | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

01/03/95
6 7 1995



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

APR 30 1993

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

Department of Water Resources
Southern Region Office

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 6 South Range 19 E
Section 21, South 1/4 of 1/4 of 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s)
Assigned by IDWR: A37-10537, A37-10538 A37-07005
A37-02679
- [] Name and Address of Former Owner/Claimant(s)(Seller): TRUJOS CALIFORNIA TRUST
% J.O. STIMPSON
428 E 370 S DIETRICH ID 83324
- [] New Owner/Claimant (Purchaser): Fraser
J O Stimpson % Gertrude Stimpson
- [] New Mailing Address: 428 E 370 S. Dietrich Id. 83324
- [] New Telephone Number: (208) 544-2488
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: _____

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

- [] Signature of New Owner/Claimant(s) J O Stimpson Da _____
- [] Signature of Former Owner/Claimant(s): J O Stimpson Da _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12-30-91 By: HLB

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 1-3-95 By: HLB

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department
Copies to Former Owner and New Owner

WCH
05-13-93

NOV 27 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

06-JAN-94 09:25

J.O. STIMPSON
DIETRICH, ID 83324

RE: SRBA CLAIMS: A37-10537, A37-10538, A37-07005, & A37-02679
TRUJOS CALIFORNIA TRUST

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM, WE HAVE CHANGED THE DEPARTMENT'S RECORD(S) AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THE RECORDS(S) FOR ACCURACY.

YOU HAVE ANY MORE QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

MICROFILMED
NOV 27 1998

125 h. P. Potomac

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: A37-07005
Date Received: 7/12/1988
Receipt No: 5000867
Received By: ADM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TRUJOS CALIFORNIA TRUST 208-544-2488
Address: % J.O. STIMPSON
428 EAST 370 SOUTH
DIETRICH, ID 83324

Name: GERTRUDE STIMPSON
Address: DIETRICH, ID 83324

Name: W. F. STIMPSON
Address:

Name: BERTHA STIMPSON
Address:

2. Date of Priority: NOV 22, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 06S | 18E | 28 | NE | NE | NE | | LINCOLN |

5. Description of diverting works:
WELL WITH 125 H.P. TURBINE

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 3.120 | | |

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

A37-07005 Page 1 Date: 07/12/88

MICROFILMED
OCT 24 1994

8. Total consumptive use is 468.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 06S | 18E | 27 | NE | NW | | IRR | 40.0 |
| | | | NW | NW | | IRR | 39.0 |
| | | | | | | Section Acres | 79.0 |
| | | 28 | NE | NE | | IRR | 40.0 |
| | | | NW | NE | | IRR | 37.0 |
| | | | | | | Section Acres | 77.0 |
| | | | | | | Total Acres | 156.0 |

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

SHARES IN BIG WOOD CANAL CO. & A.F.R.D.#2

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Manager of _____ Title

Trujillo Cattle Trust Organization, that I have signed the foregoing

document in the space below as Manager of _____ Title

Trujillo Cattle Trust Organization and that the statements contained in the

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Manager, Trujillo Cattle Trust
Title and Organization

7-12-88
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of July 19 88

[Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/94

CONVERSATION MEMO

A37-02679

A37-07005

A37-10537

FILE: A37-10538

AGENT: KKC

DATE: 4-21-93

RE:

Original claims returned

NAME OF PARTY:

Mrs Simpson

She returned the original signed & notarized claims this date.

After she left Allen checked the orig letter requesting these claims and found that she still needs to return 3 more claims.

I returned an incomplete change of ownership form with Mr. Simpson for her to complete for the above claims.

Jeff Weber Weber 544-2857

4/22/93 I phoned Mrs. Simpson and asked her about the other three claims. She indicated she gave them to Jeff Weber, the new owner. I phoned Mr. Weber & he indicated after looking thru the files that she only gave him un-signed copies. I told him I would send him copies in Star Gate Ranch's name for him to sign, have notarized & return.

AD

A37-07089 A37-07670 & A37-10539

In name of
Star Gate Ranch

Still in the Name of
Trujos (Review previous change
to see if needs to be changed)

MICROFILMED
OCT 24 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

14-Apr-1993

Trujos California Trust
% J.O. Stimpson
428 E 370 S
Dietrich, ID 83324

RE: SRBA Claims A37-02679, A37-07005, A37-10537, A37-10538, A37-10539
A37-07089 & A37-07670

Dear Mr. Stimpson:

As I explained in my phone conversation with Mrs. Stimpson this morning the Department has recently discovered that the original signed copies of the above referenced claims have either been mis-filed or lost. I called to ask you to check your records encase we may have inadvertently given you the originals when you initially filed the claims. If we cannot find the originals we will need to have you substitute newly signed claims for our files. Please find enclosed substitution claims I have generated from the electronic record of your original claims. Please note that claims A37-07089 & A37-07670 have been transfered into the name of Star Gate Ranch and will remain in that name. Please review these substitute claims and if they appear correct please sign them before a notary and return them to our office.

In my conversation with Mrs. Stimpson she indicated that "Trujos California Trust" may not be the name inwhich you presently wish the claims to be lodged. If you wish to change the ownership record of the claims other than Star Gate Ranch's, please complete the enclosed "Notice of Change of Water Right Ownership" form.

I apologize for any inconvenience in re-signing these claims.

If you have questions please feel free to contact our office.

Sincerely,

Allen D. Merritt, P.E.
Water Rights Supervisor

Encl:

MICROFILMED
OCT 24 1994

Water Right Number - A37-07005

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
TRUJOS CALIFORNIA TRUST

STIMPSON

GERTRUDE

1 - % J.O.STIMPSON
2 - 428 EAST 370 SOUTH
3 -
City- DIETRICH
Phone - 208-544-2488

State- ID Zip- 83324

STIMPSON

W. F.

1 -
2 -
3 -
City- DIETRICH
Phone -

State- ID Zip- 83324

STIMPSON

BERTHA

1 -
2 -
3 -
City-
Phone -

State- Zip-

State- Zip-

+ - - Priority Date - - +
11/22/1967+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - - +

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

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

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

06S 18E 28 NE NE NE (63) LINCOLN

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

01 - IRRIGATION 04/01 11/01 3.120

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
3.120 468.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

| | | | | | | | | |
|-----|-----|----|-------|--|------|----|------------|---------------|
| 06S | 18E | 27 | NE NW | | 40.0 | 01 | IRRIGATION | (63) LINCOLN |
| 06S | 18E | 27 | NW NW | | 39.0 | 01 | IRRIGATION | (63) LINCOLN |
| 06S | 18E | 28 | NE NE | | 40.0 | 01 | IRRIGATION | (63) LINCOLN |
| 06S | 18E | 28 | NW NE | | 37.0 | 01 | IRRIGATION | (63) LINCOLN |

Total Acres: 156.0

MICROFILMED
OCT 24 1994

MICROFILMED
OCT 24 1994

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7005

WATER RIGHT NUMBER: 37-7005

03/14/2003
RECEIVED
 AUG 14 2003
 Department of Water Resources

| <u>Owner Type</u> | <u>Name and Address</u> |
|------------------------|---|
| Current Owner | MAGIC ACRES LLC
PO BOX 850
WENDELL, ID 83355 |
| Original Owner | TRUJOS CALIFORNIA TRUST
C/O J O STIMPSON
428 E 370 S
DIETRICH, ID 83324
(208)544-2488 |
| Directors Report Owner | J O STIMPSON
428 E 370 S
DIETRICH, ID 83324
(208)544-2488 |
| Directors Report Owner | GERTRUDE STIMPSON
428 E 370 S
DIETRICH, ID 83324
(208)544-2488 |

Priority Date: 11/22/1967

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION | 04/01 to 11/01 | 3.120 CFS | 624.00 AF |
| | <u>Total Diversion:</u> | 3.120 CFS | 624.00 AF |

Location of Point(s) of Diversion

GROUND WATER NE1/4NE1/4NE1/4 Sec. 28, Twp 06S, Rge 18E, B.M.
 LINCOLN County

Place of UseIRRIGATION Within LINCOLN County

| | | | | | |
|---------------|------|------|---------------|------|------|
| T06S R18E S27 | NENW | 40.0 | T06S R18E S27 | NWNW | 39.0 |
| T06S R18E S28 | NENE | 40.0 | T06S R18E S28 | NWNE | 37.0 |

Total Acres: 156

Conditions of Approval:

1. C18 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7005

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE [APRIL 1] AND AFTER [NOVEMBER 1] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Dates and Other Information:

Decreed Date: 12/11/2002
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 14, 2003

MAGIC ACRES LLC
PO BOX 850
WENDELL ID 83355

RE: Decreed Water Right 37-2679, 37-7005

Dear Water Right Holder:

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

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

RECEIVED
MAR 14 2003
Department of Water Resources
Boise, Idaho

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

| Water
Right No(s). | Adjudication
Claim No(s). | Split | Water
Right No(s). | Adjudication
Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 37-7005 | | | | | |
| 37-2679 | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) J.O. Stimpson and Gertrude Stimpson
428 E. 370 S., Dietrich, ID 83324
4. New Owner/Claimant(s) Magic Acres, L.L.C., an Idaho Limited Liability Company
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 850
City, State and ZIP Code Wendell, ID 83355
- New Telephone Number ()
- Date you acquired the property February 2003

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

| | | |
|--|--|--|
| Water Right and/or Adjudication Claim Number _____ | | |
| Water Use | Diversion Rate or Volume
(cubic feet per second or acre-feet per annum) | Description
(acres, number and type of stock, homes, etc) |
| Irrigation | _____ | _____ |
| Stock | _____ | _____ |
| Domestic | _____ | _____ |
| Other _____ | _____ | _____ |
| Total | _____ | |

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

| | | |
|--|--|--|
| Water Right and/or Adjudication Claim Number _____ | | |
| Water Use | Diversion Rate or Volume
(cubic feet per second or acre-feet per annum) | Description
(acres, number and type of stock, homes, etc) |
| Irrigation | _____ | _____ |
| Stock | _____ | _____ |
| Domestic | _____ | _____ |
| Other _____ | _____ | _____ |
| Total | _____ | |

Magic Acres, L.L.C., an Idaho Limited Liability Company

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

by *[Signature]*
by Magic Acres

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

For Office Use Only

| | | |
|---------------------------------------|---------------------|----------------------------|
| Received by <u><i>[Signature]</i></u> | Date <u>3/14/03</u> | Fee <u>50.00</u> |
| Received by <u><i>[Signature]</i></u> | Date <u>3/14/03</u> | Receipt No. <u>5025566</u> |
| Processed by <u>AJ</u> | Date _____ | WR _____ Date _____ |

WARRANTY DEED

#GL-04112

For Value Received

J.O. Stimpson and Gertrude Stimpson, husband and wife

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

Magic Acres, L.L.C., an Idaho Limited Liability Company
Address: P.O. Box 850, Wendell, ID 83355

| |
|---|
| STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of
LAND TITLE & ESCROW |
| 174275 |
| FEB 14 2003 |
| at 2:15 minutes past 3 P.M.
recorded by Helen Jackson Dep.
Fee: \$6.00 Return to: Alone |

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

See Attached Schedule A**SUBJECT TO:**

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

Taxes subsequent to the year 2002, which are not yet due or payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

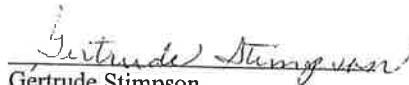
Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Reservation contained in Patent given by the United States of America, to William F. Stimpson dated June 5, 1959, recorded March 28, 1962 as Instrument Number 112587, Lincoln County records, affecting the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, Township 6 South, Range 18, East Boise Meridian.Power Line Easement given by W. F. Stimpson and Bertha B. Stimpson, husband and wife, to Idaho Power Company, a corporation, dated March 29, 1962, recorded August 20, 1962 as Instrument Number 113090, Lincoln County records, affecting the SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 6 South, Range 18, East Boise Meridian.Power Line Easement given by W. F. Stimpson and Bertha B. Stimpson, husband and wife, to Idaho Power Company, a corporation, dated May 31, 1963, recorded November 15, 1963 as Instrument Number 114918, Lincoln County records, affecting the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 6 South, Range 18, East Boise Meridian.Power Line Easement given by J. Oscar Stimpson and Gertrude H. Stimpson, husband and wife, to Idaho Power Company, a corporation, dated October 10, 1963, recorded March 11, 1964 as Instrument Number 115339, Lincoln County records, affecting the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, Township 6 South, Range 18, East Boise Meridian.**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 102.0 Shares of Capital Stock of the Big Wood Canal Company and Idaho Department of Water Resources Water Right Licenses 37-7005 and 37-2679.**

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

Dated: February 13, 2003

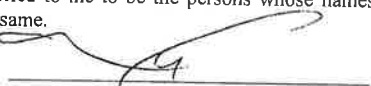
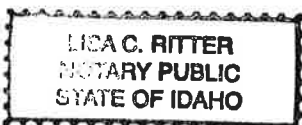

J.O. Stimpson
Gertrude Stimpson

STATE OF IDAHO

COUNTY OF Gooding

) ss.

On this 13 day of February, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared J.O. Stimpson and Gertrude Stimpson, 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.


Notary Public
Residing at: Hagerman, ID
My Commission expires: 10/01/04

SCHEDULE A

TOWNSHIP 6 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 21: E $\frac{1}{2}$ NW $\frac{1}{4}$; S $\frac{1}{2}$, EXCEPT the following:

Beginning at the South Quarter corner for Section 21;
Thence South 89°17'31" East 275.00 feet along the Southerly boundary of
Section 21 to the TRUE POINT OF BEGINNING;
Thence North 0°06'05" West 300.00 feet;
Thence South 89°17'31" East 225.00 feet;
Thence South 0°06'05" East 300.00 feet to the Southerly boundary of

Section 21;

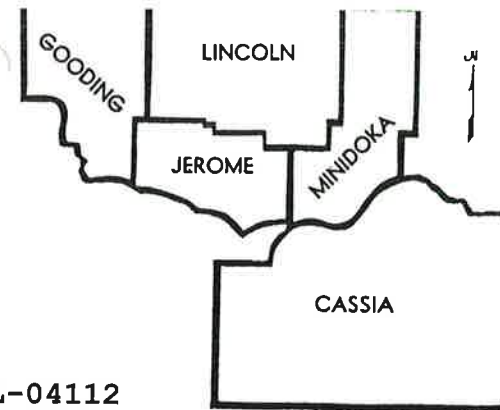
Thence North 89°17'31" West 225.00 feet along the Southerly boundary of
Section 21 to the TRUE POINT OF BEGINNING.

Section 27: N $\frac{1}{2}$ NW $\frac{1}{4}$;

Section 28: N $\frac{1}{2}$ NE $\frac{1}{4}$;

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO:
OFFICE: GL-04112
Gooding

March 13, 2003

Department of Water Resources
Southern Region
1341 Fillmore Suite 200
Twin Falls, Idaho 83301

RECEIVED
MAR 14 2003
Department of Water Resources
Southern Region

RE: Notice of Change of Water Right Ownership
Stimpson to Magic Acres
Cert Mail #7002 2410 0006 2715 8294

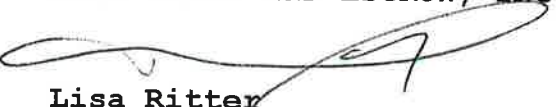
Dear Sirs:

At the request of the buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership on Stimpson to Magic Acres for Water Right Number(s) 37-7005 and 37-2679
- Copy of Deed #174275
- Copy of Map

Thank you,

LAND TITLE AND ESCROW, INC.


Lisa Ritter
(208) 934-8477
P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

cc: Magic Acres
P.O. Box 850
Wendell, ID 83355

IDAHO DEPARTMENT OF WATER RESOURCES 11/01/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

Water Right **37-7005**

1

NAME AND ADDRESS: J O STIMPSON
428 E 370 S
DIETRICH ID 83324

GERTRUDE STIMPSON
428 E 370 S
DIETRICH ID 83324

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 3.12 CFS
624.0 AFY
PRIORITY DATE: 11/22/1967
POINT OF DIVERSION:

T06S R18E S28 NENENE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-------------------------|
| IRRIGATION | 04/01 11/01 | 3.120 CFS
624.00 AFY |

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE [APRIL 1] AND AFTER [NOVEMBER 1] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within LINCOLN County

| | | | | | |
|---------------|------|------|---------------|------|------|
| T06S R18E S27 | NENW | 40.0 | T06S R18E S27 | NWNW | 39.0 |
| T06S R18E S28 | NENE | 40.0 | T06S R18E S28 | NWNE | 37.0 |

156 ACRES TOTAL

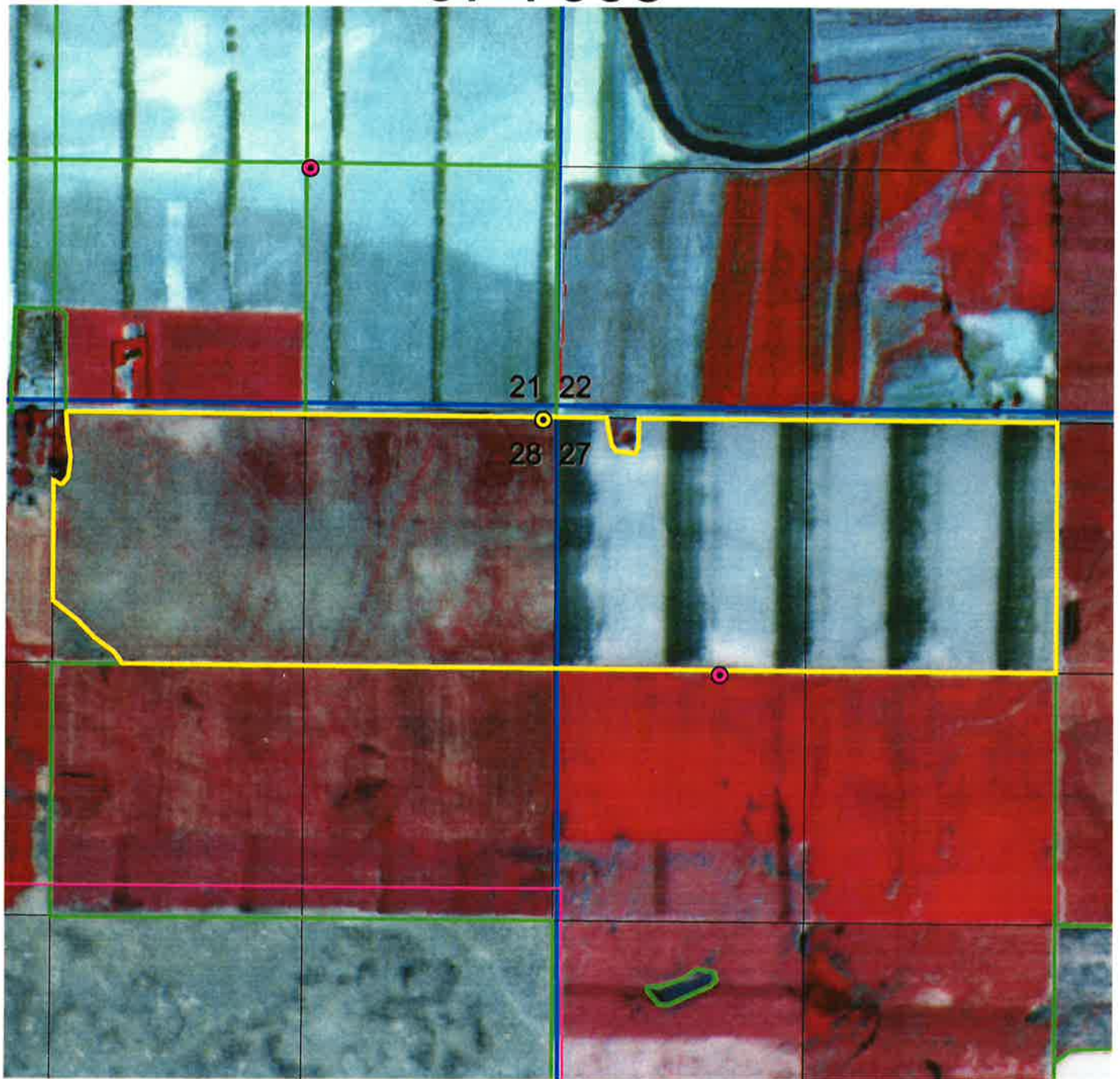
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

IDAHO DEPT OF WATER RESOURCES

37-7005



1320 0 1320 Feet

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

TWN: 6S
RNG: 18E
SEC: 27 & 28



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

Date: November 2, 2001

Microsoft TerraServer

Display Image

USGS Aerial Photograph

5 km SW of Dietrich, Idaho, United States 26 Jul



37-7005



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7005

WATER RIGHT NUMBER: 37-7005

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|-------------------------|
| Original Owner | STIMPSON FARMS INC |
| Current Owner | BERTHA STIMPSON |
| Current Owner | W F STIMPSON |
| Current Owner | GERTRUDE STIMPSON |
| Current Owner | DIETRICH, ID 83324 |
| Current Owner | J O STIMPSON |
| | DIETRICH, ID 83324 |

✓ edit address to Stds.

Priority Date: 11/22/1967

Basis: License

Status: Active

Source

GROUND WATER

Beneficial Use

IRRIGATION

3/15 to 11/15
 (From To)
 4/01 to 11/15

STD
 Tributary

Diversion Rate

3.120 CFS

Total Diversion:

3.120 CFS

Annual Volume

624.00 AF

624.00 AF

add vol.

Location of Point(s) of Diversion

GROUND WATER

LINCOLN County

NE1/4NE1/4

Sec. 28, Twp 06S, Rge 18E, B.M.

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 | |
| 06S | 18E | 27 | | | | | 40.0 | 39.0 | | | | | | | | | | | 79.0 |
| 06S | 18E | 28 | 40.0 | 37.0 | | | | | | | | | | | | | | | 77.0 |

Total Acres: 156

GIS matches Lic. very closely

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7005

1. R01 ~~A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.~~ *Del.*

Remarks:

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