

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

RECEIVED
JUN 29 2007
DEPARTMENT OF WATER RESOURCES

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (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
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See attached list of Water Rights and Claims

SUPPORT DATA

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

IN FILE # 73-108

- 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) Circle Pie Ranches Partnership, c/o Ben Yates
HC 62 Box 2295, May, ID 83253
4. New Owner/Claimant(s) Circle Pi, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 2295
- City, State and ZIP Code May, ID 83253
- New Telephone Number (208) 876-4206 4467
5. Date you acquired the property name change only (see Explanation)

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

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

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

7. Signature of New Owner(s) or Claimant(s) Circle Pi LLC
(include title if applicable) By Ben Yates - Managing Member

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>AMB</u>	Date <u>6-29-07</u>	Fee <u>2500</u>	
Received by <u>AMB</u>	Date <u>6-29-07</u>	Receipt No. <u>C084449</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

Explanation and List of Water Rights

The following claims were filed by Ben Yates, using the name "Circle Pie Ranches Partnership." Mr. Yates has since formed a limited liability company known as Circle Pi, LLC (see attached *Articles of Organization*). This *Notice of Change in Water Right Ownership* has been filed to clarify the name and address used by Mr. Yates for the business of Circle Pi Ranch.

<u>Water Right No.</u>	<u>Claim No.</u>	<u>Split?</u>	<u>Processing Fee</u>
~~73-02021~~ ✓		N	\$25.00
	~~73-00006~~	N	
	~~73-00012~~	N	
	~~73-00082~~	N	
	~~73-00105~~	N	
	~~73-00107~~	N	
	~~73-00108~~ ✓	N	
	~~73-00114~~	N	
	~~73-00115~~	N	
	~~73-00217~~	N	
	~~73-02015~~	N	
	~~73-02032~~	N	
	~~73-02037~~	N	
	~~73-02053~~ ✓	N	
	~~73-02061~~	N	
	~~73-07025~~ ✓	N	
	~~73-10037~~	N	
	~~73-10063~~	N	
	~~73-10064~~	N	
	~~73-10065~~	N	

ARTICLES OF ORGANIZATION
LIMITED LIABILITY COMPANY

JUL 3 11 15 AM '97

SECRETARY OF STATE
STATE OF IDAHO



1. The name of the limited liability company is: CIRCLE PI, L.L.C.
2. The address of the initial registered office is: 300 North 6th Street,
(not a PO Box)
Boise, Idaho 83702 and the name of the initial registered agent at that address is: C T CORPORATION SYSTEM
Signature of registered agent: Patie Mc Kinney
3. The latest date certain on which the limited liability company will dissolve is: 12/31/2050
4. Is management of the limited liability company vested in a manager or managers?
☐ Yes ☒ No (check appropriate box)

5. If management is vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is vested in the members, list the name(s) and address(es) of at least one initial member.

Name:

Address:

Benjamin H. Yates

282 Brokaw Road, Santa Clara, CA 95050

Christopher S. Yates

282 Brokaw Road, Santa Clara, CA 95050

Craig A. Yates

282 Brokaw Road, Santa Clara, CA 95050

6. Signature of at least one person listed in #5 above:

Benjamin H. Yates

IDAHO SECRETARY OF STATE

Secretary of State use only
07/03/1997 09:00
CK: 139814529 CT: 9298 DH: 17879

1 @100.00 = 100.00 ORGAN LLC

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____
2009 DEC 7 PM 12:39

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

In Re SRBA	)	ORDER OF AMENDED PARTIAL DECREES
	)	
Case No. 39576	)	For Water Rights: 73-00108, 73-02053 &
	)	73-07025
	)	(Circle PI LLC)

On August 6, 2009, a *Partial Decree Pursuant to I.R.C.P. 54(b)* was issued for each of the above-captioned water rights. On December 7, 2009, claimant, Circle PI LLC filed correspondence notifying this Court of an error in said *Partial Decrees*. Upon review of the files the Court finds that the *Partial Decrees* were issued with the incorrect ownership. The Court finds this omission to be the result of a clerical error.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby **decreed** as set forth in the attached *Amended Partial Decrees Pursuant to I.R.C.P. 54(b)*. The previously issued *Partial Decrees* are replaced and superseded thereby.

DATED: December 7, 2009.



JOHN M. MELANSON
Presiding Judge, *Pro Tem*
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREES was mailed on December 07, 2009, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:

US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CIRCLE PI LLC
PO BOX 2295
MAY, ID 83253
Phone: 208-876-4276

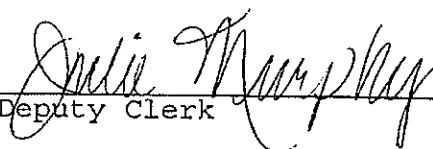
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ORDER

Page 1 12/07/09

FILE COPY FOR 00155

Deputy Clerk

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.

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

AMENDED

FILED

2009 DEC 7 PM 12 39

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 73-00108

NAME AND ADDRESS: CIRCLE PI LLC
PO BOX 2295
MAY, ID 83253

SOURCE: SPRING TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 1.20 CFS

PRIORITY DATE: 11/28/1904

POINT OF DIVERSION: T14N R22E S07 SWNE Within Custer County
SENE (Injection)
LOT 3 (NWSW) (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.20 CFS

PLACE OF USE:	Irrigation	Within Custer County
T14N R21E S01	SWNW 0.2 NWSW 28.0 SESW 9.4	NESW 0.6 SWSW 39.0
S02	SWNE 27.0 NESE 38.0 SWSE 17.0	SENE 15.0 NWSE 26.0 SESE 40.0
S11	NENE 18.0	
S12	NENW 18.0 SWNW 23.0	NWNW 40.0 SENE 9.6
348.8 Acres Total		

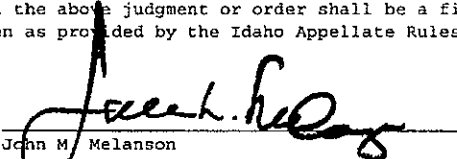
This right is limited to the irrigation of 60 acres within the place of use described above in a single irrigation season. Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015 and 73-2053 are limited to the irrigation of a combined total of 348.8 acres in a single irrigation season. Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015, 73-2053 and 73-7025 are limited to the irrigation of a combined total of 352.8 acres in a single irrigation season. Place of use does not include federal public lands.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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

AMENDED

FILED

2009 DEC 7 PM 12 39

In Re SRBA)
)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 73-02053

NAME AND ADDRESS: CIRCLE PI LLC
PO BOX 2295
MAY, ID 83253

SOURCE: SPRING TRIBUTARY: PATTERSON CREEK

QUANTITY: 0.40 CFS

PRIORITY DATE: 10/04/1909

POINT OF DIVERSION: T14N R22E S07 NENE Within Lemhi County
LOT 3 (NWSW) (Rediversion)
SENE (Injection)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.40 CFS

PLACE OF USE:	Irrigation	Within Custer County
T14N R21E S01	SWNW 0.2	NESW 0.6
	NWSW 28.0	SWSW 39.0
	SESW 9.4	
S02	SWNE 27.0	SENE 15.0
	NESE 38.0	NWSE 26.0
	SWSE 17.0	SESE 40.0
S11	NENE 18.0	
S12	NENW 18.0	NWNW 40.0
	SWNW 23.0	SENE 9.6
348.8 Acres Total		

Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015, 73-2053 and 73-7025 are limited to the irrigation of a combined total of 352.8 acres in a single irrigation season.

Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015 and 73-2053 are limited to the irrigation of a combined total of 348.8 acres in a single irrigation season. This right is limited to the irrigation of 20 acres within the place of use described above in a single irrigation season. Place of use does not include federal public lands.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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

In Re SRBA)
Case No. 39576)
_____)

AMENDED
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 73-07025

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2009 DEC 7 PM 12 39

NAME AND ADDRESS: CIRCLE PI LLC
PO BOX 2295
MAY, ID 83253

SOURCE: GROUND WATER

QUANTITY: 2.12 CFS
318.00 AFY

PRIORITY DATE: 12/07/1973

POINT OF DIVERSION: T14N R21E S12 NWNW Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.12 CFS 318.00 AFY

PLACE OF USE: Irrigation
T14N R21E S02 SWSE 20.0 Within Custer County
S11 NENE 20.0 SESE 39.0
S12 SNNW 27.0
106.0 Acres Total

Right Nos. 73-6, 73-12, 73-10053, 73-105, 73-107, 73-108,
73-114, 73-2015, 73-2053 and 73-7025 are limited to the
irrigation of a combined total of 352.8 acres in a single
irrigation season.

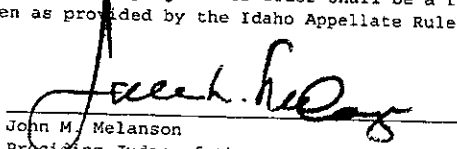
Place of use does not include federal public lands.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication