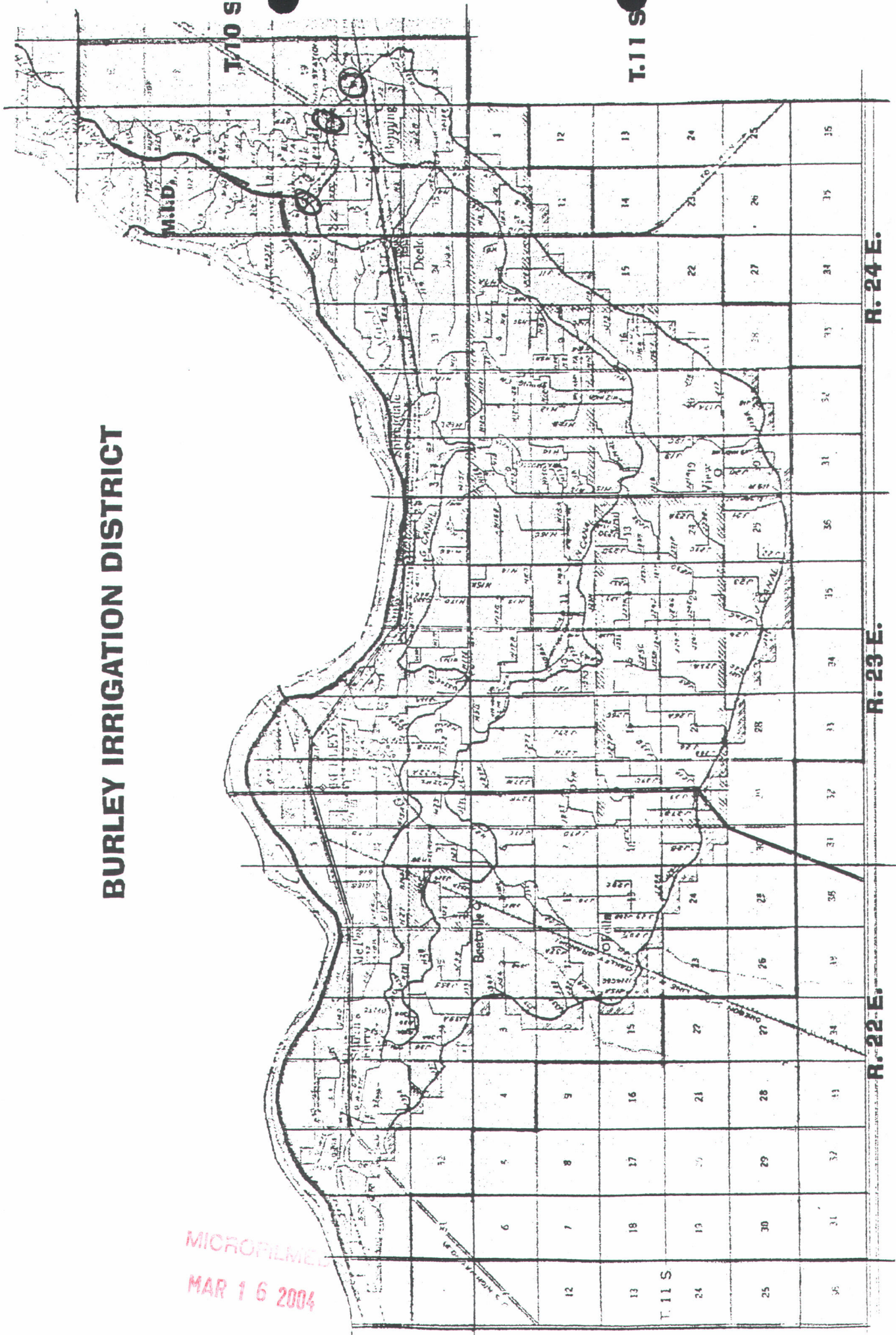
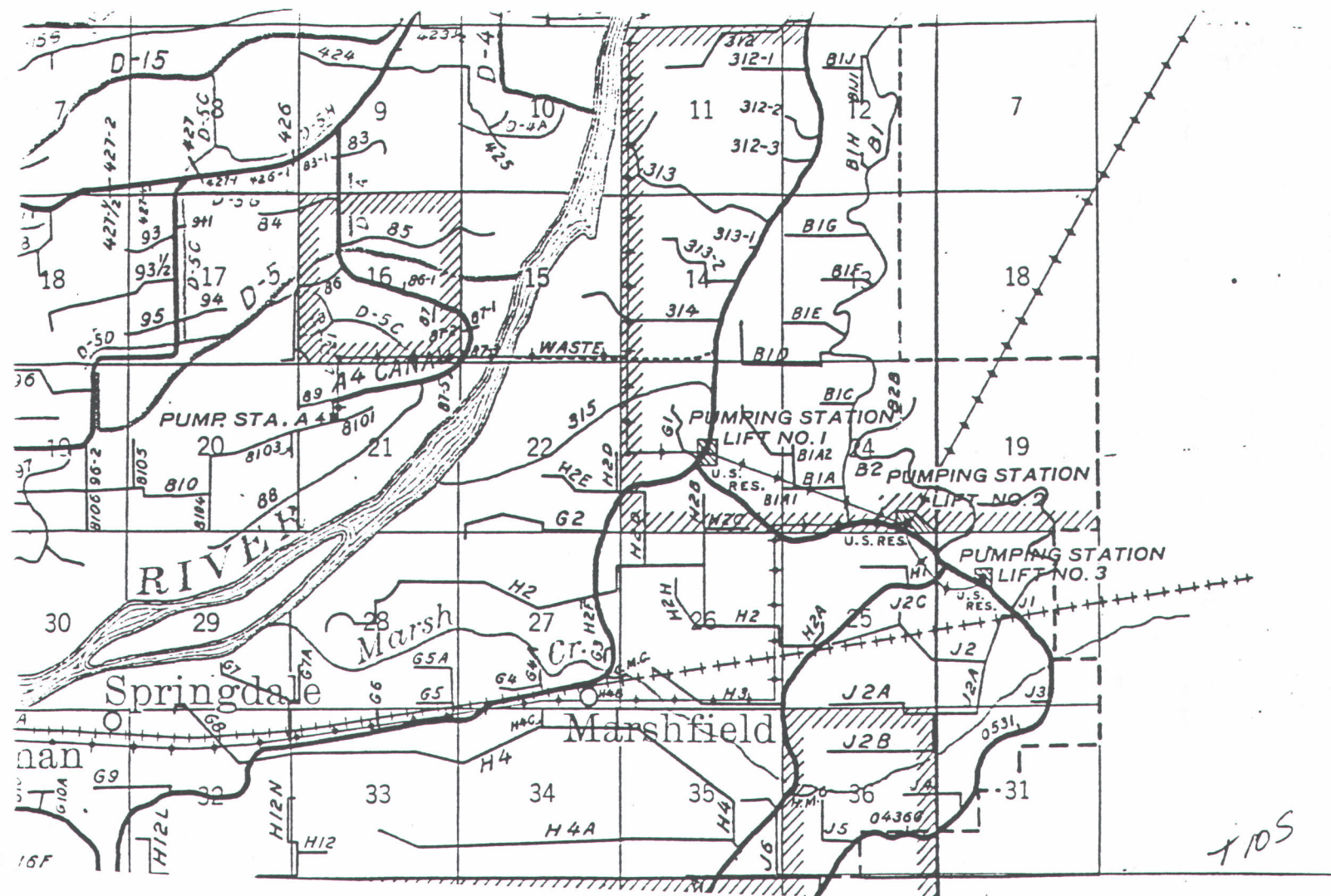


BURLEY IRRIGATION DISTRICT

MICROFILMED
MAR 16 2004



GENERAL DESCRIPTION OF AREA UNDER BURLEY IRRIGATION DISTRICT DISTRIBUTION SYSTEM
PURSUANT TO I.C. §42-219 AND I.C. §42-1411(2) (h)
EXHIBIT 2



MICROFILMED
MAR 16 2004

RECEIVE

MAY 30 2000

Department of Water Resources
Southern Region

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 No(s): A45-10389, A45-10390, A45-10391 **RECEIVED**
 Adjudication Claim No(s): 45-10389, 45-10390, 45-10391 **NOV 14 2000**
2. The following **REQUIRED** information must be submitted with this form: **Department of Water Resources**
- 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** showing the location of the place of use of the water right(s) or claims(s).
 (These are usually attached to your deed or on file with the county.)
OR
 C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with 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**. SEE general description of area in Exhibit 2.
3. Name and Address of Former Owner/Claimant United States of America, Bureau of Reclamation
Box 043 - 550 W. Fort Street
Boise, ID 83724
4. New Owner/Claimant(s) Burley Irrigation District
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 246 East, 100 South
 City, State and ZIP Code Burley, ID 83318
 New Telephone Number (208) 678-2511
5. Date you acquired the property February 24, 2000
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.
- | | | | |
|--|------------|------------------------------|----------------------|
| Number of acres you irrigate with this water right | <u>.12</u> | Number and type of stock | <u>8</u> |
| Diversion rate in CFS | <u>.08</u> | Number of homes you acquired | <u>3</u> |
| | <u>.24</u> | Other uses | <u>pump stations</u> |
7. Signature of New Owner(s) or Claimant(s) Eric F. Blauer, President
Linda M. Leach, Secretary
 Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

MICROFILMED

MAR 16 2004

Please return a certified copy
of recorded document to:
U.S. Bureau of Reclamation
1359 Hansen Avenue
Burley, ID 83318

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Minidoka Project, Idaho**

QUITCLAIM DEED

THE UNITED STATES OF AMERICA, hereinafter **GRANTOR**, acting by and through the Bureau of Reclamation, Department of the Interior, pursuant to the provisions of the Minidoka Project Act of November 3, 1998 (Public Law 105-351, 112 Stat. 3219), and for good and valuable consideration as detailed in said Act, does hereby **REMISE, RELEASE, AND FOREVER QUITCLAIM** to **BURLEY IRRIGATION DISTRICT**, an irrigation district duly organized under the laws of the State of Idaho, of 246 East, 100 South, Burley, Idaho 83318, hereinafter **GRANTEE**, all of its right, title and interest, without warranties, in and to those portions of the natural flow, waste, seepage, return flow, and groundwater rights held in the name of the **GRANTOR** for the benefit of the Minidoka Project or specifically for the **GRANTEE**, situated in the County of Cassia, State of Idaho, to wit:

1. Water Right No. A01-00211

This natural flow water right held by The United States has a priority date of March 26, 1903 for the diversion of 1,726 cubic feet per second (cfs) from the Snake River for the irrigation of lands within the Minidoka Project, under the canals of the Minidoka Project in Minidoka and Cassia Counties, Idaho.¹ The United States conveys a portion of this right (hereafter A01-00211B) to Burley Irrigation District (hereafter Burley) and retains a portion of the right (hereafter A01-00211A) for Minidoka Irrigation District (hereafter Minidoka) to be used as provided by contract with The United States.

- a. The water right conveyed to Burley, Right No. A01-00211B, is defined with the following elements:

Source is the Snake River.

Priority Date is March 26, 1903.

¹ This natural flow water right was established by decree of the Fourth Judicial District of Idaho on June 20, 1913 in the case of Twin Falls Canal Co. v. Charles N. Foster as Right No. 3 of The United States at p. 31.

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MAR 16 2004

Quantity is for the diversion of a maximum of 1,200 cfs from the Snake River. In the event Burley and the Secretary of the Interior on behalf of Minidoka do not agree on a distribution of water that the districts are collectively entitled to under rights A01-00211B and A01-00211A, for whatsoever reason, the water will be divided proportionately with Burley entitled to the delivery of water equivalent to thirty-eight percent (38%) and Minidoka entitled to the delivery of sixty-two percent (62%) of the total water available under said rights up to a maximum of 1,726 cfs.²

Season of Use is a period each year beginning April 1 and ending October 31 of that year.

Nature of Use is for irrigation.

Place of Use is 48,000 acres within the boundary of Burley.

Points of Diversion are

Township 9 South, Range 25 East of the Boise Meridian, Cassia County, Idaho

Section 1: SWSESW

Township 10 South, Range 22 East of the Boise Meridian, Cassia County, Idaho

Section 19: SWSW, SESE

Section 22: SENE

Section 23: NWSW

Township 10 South, Range 23 East of the Boise Meridian, Cassia County, Idaho

Section 19: NENE

Section 21: NENE

Section 22: SWSW

Township 10 South, Range 24 East of the Boise Meridian, Cassia County, Idaho

Section 30: SESE

- b. The right retained by The United States for the benefit of Minidoka, A01-00211A, pursuant to contract 14-06-100-1833 shall be defined with the following elements:

Source is the Snake River.

Priority Date is March 26, 1903.

Quantity is for the diversion of water under both this right held by The United States for Minidoka and Right No. A01-00211B held by Burley and shall not exceed 1,726 cfs. In the event Burley and the Secretary of the Interior on behalf of Minidoka do not agree on a distribution of water that the districts are collectively entitled to under rights A01-00211A and A01-00211B, for whatsoever reason, the water will be divided proportionately with Burley entitled to the delivery of water equivalent to thirty-eight

² This percentage division of water rights is in accordance with the Repayment Contract between The United States and Burley, No. 14-06-100-2455, dated June 6, 1962.

Season of Use is only from a period each year beginning April 1 and ending October 31 of that year.

Nature of Use is for irrigation.

Place of Use is 48,000 acres within the boundary of Burley.

Points of Diversion are

Township 9 South, Range 25 East of the Boise Meridian, Cassia County, Idaho

Section 1: SWSESW

Township 10 South, Range 22 East of the Boise Meridian, Cassia County, Idaho

Section 19: SWSW, SESE

Section 22: SENE

Section 23: NWSW

Township 10 South, Range 23 East of the Boise Meridian, Cassia County, Idaho

Section 19: NENE

Section 21: NENE

Section 22: SWSW

Township 10 South, Range 24 East of the Boise Meridian, Cassia County, Idaho

Section 30: SESE

- b. The right retained by The United States for the benefit of Minidoka, A01-00214A, pursuant to contract 14-06-100-1833 shall be defined as follows:

Source is the Snake River.

Priority Date is August 6, 1908.

Quantity is for the diversion of water under both this right held by The United States for Minidoka and Right No. A01-00214B held by Burley shall not exceed 1,000 cfs. In the event Burley and the Secretary of the Interior on behalf of Minidoka do not agree on a distribution of water that the districts are collectively entitled to under rights A01-00214A and A01-00214B, for whatsoever reason, the water will be divided proportionately with Burley entitled to the delivery of water equivalent to thirty-eight percent (38%) and Minidoka entitled to the delivery of sixty-two percent (62%) of the total water available under said rights up to a maximum of 1,000 cfs.⁶

Season of Use is from a period each year beginning April 1 and ending October 31 of that year.

Nature of Use is for irrigation of acreage as provided by contract with The United States.

⁶ This percentage division of water rights is in accordance with the Repayment Contract between The United States and Minidoka, No. 14-06-100-1833, dated February 2, 1960.

Place of Use is within the boundary of Minidoka as provided by contract with The United States.

Points of Diversion are

Township 9 South, Range 25 East of the Boise Meridian, Minidoka County, Idaho
Section 1: SESENW Lot 7, SWSESW
Township 10 South, Range 23 East of the Boise Meridian, Minidoka County, Idaho
Section 26: SENW, lots 5 and 6

3. Water Right No. A45-00512

This is a natural flow water right held by The United States with a priority date of April 9, 1909, for the diversion of 150 cfs from Marsh Creek for the irrigation of land of the Minidoka Project within Burley.⁷

- a. Right No. A45-00512 is conveyed to Burley subject to the following elements:

Source is from Marsh Creek, a tributary of the Snake River.

Priority Date is March 26, 1903.

Amount is for the diversion of 150 cfs.

Season of Use is a period each year beginning April 1 and ending October 31 of that year.

Nature of Use is for irrigation.

Place of Use is 48,000 acres within the boundary of Burley.

Points of Diversion are

Township 10 South, Range 24 East of the Boise Meridian, Cassia County, Idaho
Section 27: SENE, SESE
Section 28: NWSE
Section 36: SENE, SWNW

Township 10 South, Range 25 East of the Boise Meridian, Cassia County, Idaho
Section 30: SESE, SWSE

4. Foster Decree Return Flows

⁷ This natural flow water right was established by decree of the Fourth Judicial District of Idaho on June 20, 1913 in the case of Twin Falls Canal Co. v. Charles N. Foster as Right No. 8 of The United States at p. 33.

a. Allocation of Foster Decreed Return Flows Credits

In reliance upon the Foster Decree (Twin Falls Canal Company v. Charles N. Foster, et al., in the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Twin Falls, dated June 20, 1913), The United States claims a credit against the use of stored water for increased flows in the Snake River attributable to the operation of the Gravity Division and the Southside Pumping Division of the Minidoka Project as determined by the State Engineer of the State of Idaho (Director, Idaho Department of Water Resources), or his duly authorized agent.⁸

The United States conveys that portion of the right arising from the operation of the Southside Division (approximately thirty-eight percent [38%]) to Burley. The use and accounting of the return flow shall continue in a manner that will not injure the rights of the Minidoka Project or its water users. Current practice for the division of the right considers the proportionate diversions of Burley and Minidoka after ad hoc agreements on the monthly division of waste and losses from the Minidoka Southside Canal. If Burley and Minidoka fail to agree on the division of waste and loss or on the procedure to be used, thirty-eight percent (38%) of the credit will accrue to Burley, and sixty-two percent (62%) to Minidoka.

5. Domestic & Stock Groundwater Rights

a. Water Right No. A45-10389

This Snake River Basin Adjudication (SRBA) partial decreed water right has a priority date of June 19, 1909, for the diversion of 0.12 cfs of ground water for domestic purposes. The United States conveys the entire right to Burley.

b. Water Right No. A45-10391

This SRBA partial decreed water right has a priority date of June 19, 1909, for the diversion of 0.08 cfs of ground water for domestic purposes. The United States conveys the entire right to Burley.

6. Snake River Basin Adjudication Claims (SRBA)

a. Domestic Water Right Claim No. A45-10390

The United States filed for a statutory beneficial use claim in the SRBA. It has a priority date of June 19, 1909, for the diversion of 0.24 cfs of ground water for domestic purposes. The United States conveys its claim to water right, No. A45-

⁸ Decree of the Fourth Judicial District of Idaho on June 20, 1913 in the case of Twin Falls Canal Co. v. Charles N. Foster at p. 34.

10390, to Burley. However, Burley shall then be responsible for its ultimate confirmation as a water right in the SRBA proceedings.

b. Groundwater Water Right Claim No. A01-04047

- (1) The United States has filed for a groundwater recharge storage claim in the SRBA. It has a priority date of June 19, 1909, and is for the diversion of groundwater and Snake River surface water for the purpose of recharging and storage of groundwater. Because this water right is still necessary to sustain pumping flows for the B Unit of the Northside Pumping Division of the Minidoka Project and any change in ownership could injure project operations, The United States shall retain this right if decreed in the SRBA for the benefit of Minidoka Project Operations, except as provided by the following section.
- (2) The United States conveys to Burley its interest in water withdrawn from wells or captured by drains within Burley's boundaries that are used for either the purpose of improving or preserving the utility of land by draining them or for the purpose of recovering groundwater resulting from irrigation by Burley for further irrigation use on or drainage of lands to which the water rights of Burley are appurtenant.

IN WITNESS WHEREOF, the GRANTOR, through its duly appointed officer, has executed this Deed the 24th day of February, 2000.

UNITED STATES OF AMERICA
Grantor

By



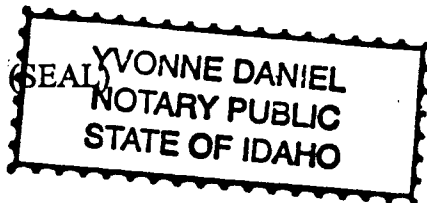
Regional Director
Department of the Interior
Bureau of Reclamation
Pacific Northwest Region
1150 North Curtis Road, Suite 100
Boise, Idaho 83706-1234

ACKNOWLEDGMENT OF THE UNITED STATES

STATE OF IDAHO)
)
County of Ada)

On this 24th day of February, 2000, personally appeared before me J. William McDonald
known to me to be the official of the UNITED STATES OF AMERICA, that executed the
within and foregoing instrument and acknowledged said instrument to be the free and voluntary
act and deed of the United States, for the uses and purposes therein mentioned, and on oath stated
that he was authorized to execute said instrument.

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



Yvonne Daniel
Notary Public in and for the
State of Idaho
Residing at Burley, Id.
My commission expires: 9-21-2004

267642
CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER
FEE \$400 DEPUTY AM
'00 FEB 28 PM 3 39
RECORDED AT THE REQUEST OF
B. J. S.

267643

267643

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDERFEE \$100 DEPUTY *[Signature]*

Please return a certified copy
of recorded document to:
U.S. Bureau of Reclamation
1359 Hansen Avenue
Burley, ID 83318

'00 FEB 28 PM 3 41

RECORDED AT THE REQUEST OF
[Signature]

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Minidoka Project, Idaho

QUITCLAIM DEED

THE UNITED STATES OF AMERICA, hereinafter GRANTOR, acting by and through the Bureau of Reclamation, Department of the Interior, pursuant to the provisions of the Minidoka Project Act of November 3, 1998 (Public Law 105-351, 112 Stat. 3219), particularly Section 1(b)(1), and for good and valuable consideration as detailed in said Act, does hereby REMISE, RELEASE, ASSIGN, AND FOREVER QUITCLAIM to BURLEY IRRIGATION DISTRICT, an irrigation district duly organized under the laws of the State of Idaho, of 246 East, 100 South, Burley, Idaho 83318, hereinafter GRANTEE, all of its right, title and interest, without warranties, in and to the following described real property or interest in real property, situated in the County of Cassia, State of Idaho, to wit:

1. All tracts of real property described as Parcels 1 through 11 in Exhibit A attached hereto and by this reference made a part hereof; TOGETHER WITH all and singular the canals, laterals, drains, improvements and appurtenances thereunto belonging or in anywise appertaining, including but not limited to all buildings, pumping plants, transformers, power transmission lines and fixtures, whether or not permanently attached.
2. All rights-of-way and easements whether directly acquired or reserved by the Act of August 30, 1890 (26 Stat. 391) and amendments thereof and supplemental thereto and exercised or in use by the United States for canals, laterals, ditches, drains, roads, pumps, checks, headgates, transformers and transmission lines presently constructed or to be reconstructed by the authority of the United States within, over, and upon lands within the boundaries of the Burley Irrigation District as described in the Order for the Organization of the Burley Irrigation District entered by the Board of County Commissioners of Cassia County, Idaho on January 14, 1918, together with such lands included by said irrigation

RECORDED
FEB 28 2000

district subsequent thereto, such lands being known as the South Side Pumping Division of the Minidoka Project of the Bureau of Reclamation, further referenced on Exhibit B attached hereto and by reference made a part hereof, together with the right to enter upon the rights-of-way and easements for the purposes of repairing, maintaining or reconstructing the irrigation, drainage or other facilities located thereon; TOGETHER WITH all and singular the improvements and appurtenances thereunto belonging or in anywise appertaining, including but not limited to all buildings, pumps, diversion and control structures, transmission lines, transformers, fixtures and improvements thereon whether or not permanently attached thereto, including all flumes, pipelines, ditches, drains, canals, laterals and roads located thereon; and

3. All rights-of-way and easements whether directly acquired or reserved by the Act of August 30, 1890 (26 Stat. 391) and amendments thereof and supplemental thereto and exercised or in use by the United States for the Main South Side Canal from its headworks at the Minidoka Dam and Reservoir, and located over and across portions of Sections 1, 10, 11, 12, 15, 16, 20, 21, 29, 30 and 31, all in Township 9 South, Range 25 East of the Boise Meridian, Cassia County, Idaho, as well as over and upon lands adjacent to and within Burley Irrigation District in a portion of Section 36, Township 9 South, Range 24 East of the Boise Meridian and portions of Sections 1, 12, 13, 14 and 23 in Township 10 South, Range 24 East of the Boise Meridian, Cassia County, Idaho, and the right-of-way of Grantor for the F Wasteway Drain located along the common section line on the south of Sections 14 and 15 and the north of Sections 22 and 23 in Township 10 South, Range 24 East of the Boise Meridian, Cassia County, Idaho, further referenced on said Exhibit B, together with the right to enter upon the rights-of-way and easements for the purposes of repairing, maintaining or reconstructing the irrigation and drainage facilities located thereon, TOGETHER WITH all and singular the improvements and appurtenances thereunto belonging or in anywise appertaining, including but not limited to all buildings, pumps, diversion and control structures, fixtures and improvements thereon whether or not permanently attached thereto, including all flumes, pipelines, ditches, drains, canals, laterals and roads located thereon. EXCEPTING HOWEVER, the headworks of the Main South Side Canal at the Minidoka Dam.

TOGETHER WITH all third party agreements associated with said facilities and premises.

SUBJECT TO: (1) valid existing rights; (2) the rights, if any, that were reserved in the original patent on said premises; (3) rights-of-way of record or in use for roads and highways, utilities, and railroads; and (4) the reservation of a right-of-way for ditches and canals being of the same character and scope as that created with respect to certain public lands by the Act of August 30, 1890 (26 Stat. 391) as it has been or may hereafter be amended.

ALSO SUBJECT TO permits, licenses, leases, rights-of-use, or rights-of-way of record outstanding in third parties on, over, or across said lands or facilities. Benefits, payments, and responsibilities of Grantor arising after the date of this deed under such existing outgrants shall inure to the benefit of and be binding upon Grantee.

NOTICE IS HEREBY GIVEN that:

(a) Acting pursuant to the requirements of 40 CFR 373, in March and April of 1999, on July 28, 1999, and February 2, 2000, Grantor performed hazardous waste surveys of the lands and facilities herein conveyed. The lands and facilities conveyed herein to Grantee are being conveyed in the same condition as existed on the date of said surveys and which is more particularly described in those surveys. No remediation by Grantor on behalf of Grantee has been or will be made because none is necessary.

THE INFORMATION CONTAINED IN THIS NOTICE IS REQUIRED UNDER AUTHORITY OF REGULATIONS PROMULGATED UNDER SECTION 120(h) OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE LIABILITY, AND COMPENSATION ACT (CERCLA OR "SUPERFUND"), 42 U.S.C. SECTION 9620(h).

The United States has conducted a search of files at the Bureau of Reclamation Snake River Area Office located in Burley, Idaho, to identify available information with respect to hazardous substances that were stored for one year or more, known to have been released, or disposed of at the property. That search of available information produced no information on hazardous substances so stored, released or disposed.

(b) Grantee accepts these facilities, premises and appurtenances "as is".

(c) CERCLA Environmental Covenants and Stipulations:

1. Grantee stipulates that it would be a potentially responsible party, should a release have occurred on the property during Grantee's operation of the facilities under contract with Grantor.

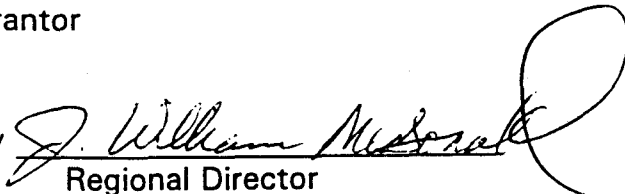
2. To the extent the United States is determined responsible, and to the extent allowed under the provisions of Section 1(f) of the said Minidoka Project Act of November 3, 1998, Grantor warrants that any response action or corrective action found to be necessary after the date of the transfer shall be conducted by the United States.

3. Grantee grants the United States access to the property in any case in which a response action or corrective action is found to be necessary by the United States after such date at such property, or such access is necessary to carry out a response action or corrective action on adjoining property.

If any further specific conveyances should be necessary or advisable hereafter, because of the discovery of additional Property of the South Side Pumping Division, Minidoka Project, located in Cassia County, Idaho not listed on the Exhibits, or to more specifically and legally describe the Property, then Grantor and Grantee shall make reasonable efforts to accomplish such conveyances on the same terms and conditions set forth hereinabove.

IN WITNESS WHEREOF, the GRANTOR, through its duly appointed officer, has executed this Deed the 24 day of February, 2000.

UNITED STATES OF AMERICA
Grantor

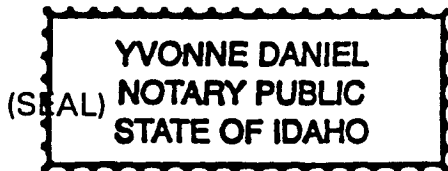
By 
Regional Director
Department of the Interior
Bureau of Reclamation
Pacific Northwest Region
1150 North Curtis Road, Suite 100
Boise, Idaho 83706-1234

ACKNOWLEDGMENT OF THE UNITED STATES

STATE OF IDAHO)
 : §
County of Ada)

On this 24th day of February, 2000, personally appeared before me
J. William McDonald, know to me to be the official of the
UNITED STATES OF AMERICA, that executed the within and foregoing instrument
and acknowledged said instrument to be the free and voluntary act and deed of the
United States, for the uses and purposes therein mentioned, and on oath stated
that he was authorized to execute said instrument.

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



Yvonne Daniel
Notary Public in and for the
State of Idaho
Residing at Burley, ID
My commission expires: 9-21-2004

ACCEPTANCE OF GRANTEE

The parties hereto intend for the above Quitclaim Deed to satisfy the terms of
Public Law 105-351. The foregoing conveyance is hereby accepted by Grantee.
Grantee further agrees, by this acceptance, to the sufficiency of the conveyance
and to comply with the terms and covenants of the within and foregoing Quitclaim
Deed. Grantee further agrees by this acceptance to assume and be bound by all
the obligations, conditions, covenants, and agreements therein contained.

BURLEY IRRIGATION DISTRICT
Grantee

By: _____

ATTEST:

Linda M. Leach
Secretary

Title: _____

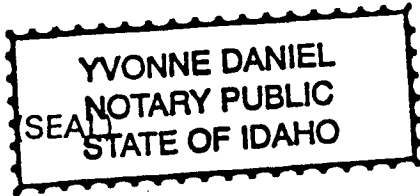
Cecil F. Blauer
President

ACKNOWLEDGMENT

STATE OF IDAHO)
 : §
County of Ada)

On this 24th day of February, 2000, personally appeared before me
Cecil Blauer, know to me to be the official of the
BURLEY IRRIGATION DISTRICT, organized and operating under the laws of the
State of Idaho that executed the within and foregoing instrument and
acknowledged said instrument to be the free and voluntary act and deed of said
District, for the uses and purposes therein mentioned, and on oath stated that
he/she was authorized to execute said instrument.

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



Yvonne Daniel
Notary Public in and for the
State of Idaho
Residing at Burley, Id.
My commission expires: 9-21-2004

Microfilm
FEB 25 2000

**BURLEY IRRIGATION DISTRICT
Fee Title Lands**

PARCEL NO. 1

Portions of the W½SE¼ and lot 2, in Section 20, Township 10 S., Range 22 East, Boise Meridian more particularly described as follows:

A strip of land sixty (60) feet wide across the W½SE¼ and lot 2, in said Section 20, being a strip twenty-five (25) feet wide on the east side and thirty-five (35) feet wide on the west side of the following described line, and bounded by parallel lines distant therefrom twenty-five (25) feet on the east side and thirty-five (35) feet on the west side, said line being more particularly described as follows:

Beginning at a point on the east side of the W½SE¼ of said Section 20, which is two thousand one hundred seventy (2170) feet north of the south side of said Section 20; thence northwesterly on a curve to the right, having a radius of four hundred seventy-eight (478) feet and whose tangent at said point bears north forty-five (45) degrees, forty-three (43) minutes west, for a distance of two hundred twenty-nine and two-tenths (229.2) feet; thence on a tangent to said curve at that point, that is, North eighteen (18) degrees, twelve (12) minutes west, for a distance of two hundred seventy-four (274) feet to an intersection with the north side of the SE¼ of said Section 20, said intersection being two hundred eleven and four tenths (211.4) feet west of the northeast corner of said W½SE¼ of Section 20; thence in lot 2 of said Section in the same direction for a distance of nine hundred sixty (960) feet; more or less to the south line of the tract of land in said Section conveyed by Thomas A. Starrh and Mary A. Starrh on July 20, 1905, to the Twin Falls Land and Water Company.

The above described strip of land contains two (2) acres, more or less.

PARCEL NO. 2

Portions of the northwest quarter of the southwest quarter (NW¼SW¼) of Section 22, Township 10 South, Range 22 East, Boise Meridian, more particularly described as follows:

Beginning at the southeast corner of the NW¼SW¼, Section 22, Township 10 South, Range 22 East, Boise Meridian, thence west along the south line of said NW¼SW¼, Section 22, three hundred and seventy-nine and six-tenths (379.6) feet; thence northeasterly at an angle of twenty degrees, thirty minutes, with said south line of the NW¼SW¼, Section 22, for a distance of fifty-seven and two-tenths (57.2) feet, more or less to a point that is twenty (20) feet north of said south line of the NW¼SW¼, Section 22; thence east on a line parallel to said south line of the NW¼SW¼, Section 22, and twenty (20) feet north therefrom, for

Also a strip of land ninety (90) feet wide across said lot 2, being a strip forty (40) feet wide on the northeasterly side and fifty feet (50) wide on the southwesterly side of the following described line.

Beginning at a point on the west line of said section 19, which point is one hundred seventy-eight and three tenths (178.3) feet north from the quarter corner on said west line of Section 19; thence south 58 degrees, 03' east, for a distance of three hundred forty-four (344) feet more or less to the south side of lot 2, Section 19, which point is two-hundred ninety-three (293) feet more or less east from the quarter corner above described, said strip containing seven-tenths (0.7) acres more or less.

PARCEL NO. 9

A tract of land in the SE $\frac{1}{4}$ of Section 23, Township 10 South, Range 24 East, Boise Meridian more particularly described as follows:

Beginning at the center line of said Section 23; thence east along the East and West center lines of said Section 23, 688.6 feet; thence to the right 82 degrees 00', 259.9 feet; thence to the right 51 degrees 52', 471.6 feet; thence to the right 94 degrees 11', 109.8 feet; thence to the left 63 degrees 07', 336.2 feet to the North and South center line of said Section 23; thence to the right 105 degrees 08' along said North and South center line of Section 23, 603.7 feet, more or less, to the Point of Beginning, containing an area of approximately eight and two-tenths (8.2) acres.

*Beginning
Station
1
←*

PARCEL NO. 10

A tract of land in the SE $\frac{1}{4}$ of Section 24, Township 10 South, Range 24 East, Boise Meridian more particularly described as follows:

Beginning at the southeast corner of said Section 24; thence west along the south line of said Section 24; 1290.8 feet to the West line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 24; thence to the right 88 degrees 04' along the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, 631.3 feet; thence to the right 96 degrees 10', 429.5 feet; thence to the right 28 degrees 55' 490.1 feet; thence to the left 61 degrees 15', 100 feet; thence to the right 105 degrees 09', 195 feet; thence to the left 48 degrees 21', 389.9 feet; more or less, to the Point of Beginning, containing approximately an area of twelve (12) acres.

*Beginning
Station
2
←*

PARCEL NO. 11

A strip of land of the following described widths, being a strip on each side of the following described line:

Beginning at a point on the west side of Section 29, Township 10 South, Range 25 East, Boise Meridian which point is one thousand five hundred eighty-four (1584) feet north from the southwest corner of said section; thence northeasterly in a straight line, at an angle of sixty-two (62) degrees, fifty-seven (57) minutes with said west line of Section 29, with a width on the north side of thirty (30) feet,

MADE 15 2003

The United States of America
To all to whom these presents shall come, Greeting:

IDI-33333

WHEREAS**Burley Irrigation District**

is entitled to a land patent pursuant to the Act of November 3, 1998, (112 Stat. 3219),
 for the following described land:

Pump Station
3 →

Boise Meridian, Idaho

T. 10 S., R. 25 E.,

sec. 30: S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$,
 N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,

Containing 7.5 acres.

NOW KNOW YE, that there is, therefore, granted by the **UNITED STATES**
 unto Burley Irrigation District, the land described above; **TO HAVE AND TO HOLD**
 the said land with all the rights, privileges, immunities, and appurtenances, of
 whatsoever nature, thereunto belonging, unto Burley Irrigation District, and to its
 successors and assigns, forever; and

EXCEPTING AND RESERVING TO THE UNITED STATES a right-of-
 way thereon for ditches and canals constructed by the authority of the United States.
 Act of August 30, 1890 (43 U.S.C. 945).



IN TESTIMONY WHEREOF, the undersigned
 authorized officer of the Bureau of Land
 Management, in accordance with the provisions of
 the Act of June 17, 1948 (62 Stat. 476), has, in the
 name of the United States, caused these letters to
 be made Patent, and the Seal of the Bureau to be
 hereunto affixed.

GIVEN under my hand, in Boise, Idaho, the twenty
 third day of February in the year of our Lord
 two thousand and of the Independence of the
 United States the two hundred and TWENTY-
 FOURTH.

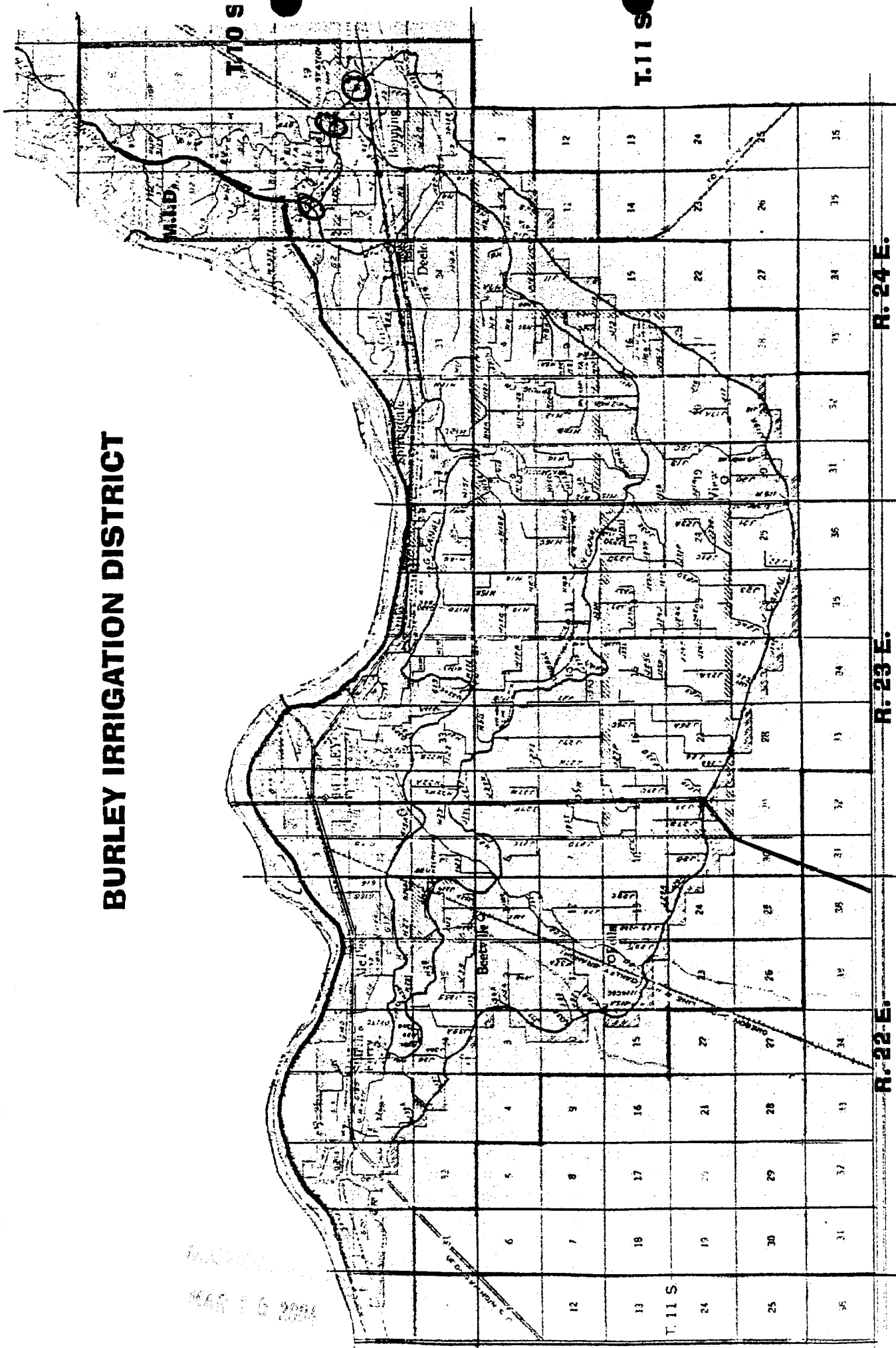
By 
 Jimmie Buxton
 Branch Chief, Lands and Minerals
 Resource Services Division

Patent Number 11-2000-0014

FILED
 FEB 24 2000
 BOISE

BURLEY IRRIGATION DISTRICT

MAR 16 2004



GENERAL DESCRIPTION OF AREA UNDER BURLEY IRRIGATION DISTRICT DISTRIBUTION SYSTEM
PURSUANT TO I.C. §42-219 AND I.C. §42-1411(2)(h)
EXHIBIT 2

This is a detailed map of the Springdale and Marshfield area in Arkansas. The map shows the Arkansas River flowing from the top left towards the bottom left. Several pumping stations are marked: 'PUMP. STA. A' near the river, and three 'PUMPING STATION' locations labeled 'LIFT NO. 1', 'LIFT NO. 2', and 'LIFT NO. 3' further east. The map is divided into numerous numbered parcels, some of which are shaded with diagonal lines. Various alphanumeric codes are scattered throughout, including 'D-15', 'D-5', 'D-5C', 'D-50', 'D-4', 'D-4A', 'D-4B', 'D-4C', 'D-4D', 'D-4E', 'D-4F', 'D-4G', 'D-4H', 'D-4I', 'D-4J', 'D-4K', 'D-4L', 'D-4M', 'D-4N', 'D-4O', 'D-4P', 'D-4Q', 'D-4R', 'D-4S', 'D-4T', 'D-4U', 'D-4V', 'D-4W', 'D-4X', 'D-4Y', 'D-4Z', 'D-4AA', 'D-4AB', 'D-4AC', 'D-4AD', 'D-4AE', 'D-4AF', 'D-4AG', 'D-4AH', 'D-4AI', 'D-4AJ', 'D-4AK', 'D-4AL', 'D-4AM', 'D-4AN', 'D-4AO', 'D-4AP', 'D-4AQ', 'D-4AR', 'D-4AS', 'D-4AT', 'D-4AU', 'D-4AV', 'D-4AW', 'D-4AX', 'D-4AY', 'D-4AZ', 'D-4BA', 'D-4BB', 'D-4BC', 'D-4BD', 'D-4BE', 'D-4BF', 'D-4BG', 'D-4BH', 'D-4BI', 'D-4BJ', 'D-4BK', 'D-4BL', 'D-4BM', 'D-4BN', 'D-4BO', 'D-4BP', 'D-4BQ', 'D-4BR', 'D-4BS', 'D-4BT', 'D-4BU', 'D-4BV', 'D-4BW', 'D-4BX', 'D-4BY', 'D-4BZ', 'D-4CA', 'D-4CB', 'D-4CC', 'D-4CD', 'D-4CE', 'D-4CF', 'D-4CG', 'D-4CH', 'D-4CI', 'D-4CJ', 'D-4CK', 'D-4CL', 'D-4CM', 'D-4CN', 'D-4CO', 'D-4CP', 'D-4CQ', 'D-4CR', 'D-4CS', 'D-4CT', 'D-4CU', 'D-4CV', 'D-4CW', 'D-4CX', 'D-4CY', 'D-4CZ', 'D-4DA', 'D-4DB', 'D-4DC', 'D-4DD', 'D-4DE', 'D-4DF', 'D-4DG', 'D-4DH', 'D-4DI', 'D-4DJ', 'D-4DK', 'D-4DL', 'D-4DM', 'D-4DN', 'D-4DO', 'D-4DP', 'D-4DQ', 'D-4DR', 'D-4DS', 'D-4DT', 'D-4DU', 'D-4DV', 'D-4DW', 'D-4DX', 'D-4DY', 'D-4DZ', 'D-4EA', 'D-4EB', 'D-4EC', 'D-4ED', 'D-4EE', 'D-4EF', 'D-4EG', 'D-4EH', 'D-4EI', 'D-4EJ', 'D-4EK', 'D-4EL', 'D-4EM', 'D-4EN', 'D-4EO', 'D-4EP', 'D-4EQ', 'D-4ER', 'D-4ES', 'D-4ET', 'D-4EU', 'D-4EV', 'D-4EW', 'D-4EX', 'D-4EY', 'D-4EZ', 'D-4FA', 'D-4FB', 'D-4FC', 'D-4FD', 'D-4FE', 'D-4FF', 'D-4FG', 'D-4FH', 'D-4FI', 'D-4FJ', 'D-4FK', 'D-4FL', 'D-4FM', 'D-4FN', 'D-4FO', 'D-4FP', 'D-4FQ', 'D-4FR', 'D-4FS', 'D-4FT', 'D-4FU', 'D-4FV', 'D-4FW', 'D-4FX', 'D-4FY', 'D-4FZ', 'D-4GA', 'D-4GB', 'D-4GC', 'D-4GD', 'D-4GE', 'D-4GF', 'D-4GG', 'D-4GH', 'D-4GI', 'D-4GJ', 'D-4GK', 'D-4GL', 'D-4GM', 'D-4GN', 'D-4GO', 'D-4GP', 'D-4GQ', 'D-4GR', 'D-4GS', 'D-4GT', 'D-4GU', 'D-4GV', 'D-4GW', 'D-4GX', 'D-4GY', 'D-4GZ', 'D-4HA', 'D-4HB', 'D-4HC', 'D-4HD', 'D-4HE', 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'D-4LM', 'D-4LN', 'D-4LO', 'D-4LP', 'D-4LQ', 'D-4LR', 'D-4LS', 'D-4LT', 'D-4LU', 'D-4LV', 'D-4LW', 'D-4LX', 'D-4LY', 'D-4LZ', 'D-4MA', 'D-4MB', 'D-4MC', 'D-4MD', 'D-4ME', 'D-4MF', 'D-4MG', 'D-4MH', 'D-4MI', 'D-4MJ', 'D-4MK', 'D-4ML', 'D-4MM', 'D-4MN', 'D-4MO', 'D-4MP', 'D-4MQ', 'D-4MR', 'D-4MS', 'D-4MT', 'D-4MU', 'D-4MV', 'D-4MW', 'D-4MX', 'D-4MY', 'D-4MZ', 'D-4NA', 'D-4NB', 'D-4NC', 'D-4ND', 'D-4NE', 'D-4NF', 'D-4NG', 'D-4NH', 'D-4NI', 'D-4NJ', 'D-4NK', 'D-4NL', 'D-4NM', 'D-4NN', 'D-4NO', 'D-4NP', 'D-4NQ', 'D-4NR', 'D-4NS', 'D-4NT', 'D-4NU', 'D-4NV', 'D-4NW', 'D-4NX', 'D-4NY', 'D-4NZ', 'D-4OA', 'D-4OB', 'D-4OC', 'D-4OD', 'D-4OE', 'D-4OF', 'D-4OG', 'D-4OH', 'D-4OI', 'D-4OJ', 'D-4OK', 'D-4OL', 'D-4OM', 'D-4ON', 'D-4OO', 'D-4OP', 'D-4OQ', 'D-4OR', 'D-4OS', 'D-4OT', 'D-4OU', 'D-4OV', 'D-4OW', 'D-4OX', 'D-4OY', 'D-4OZ', 'D-4PA', 'D-4PB', 'D-4PC', 'D-4PD', 'D-4PE', 'D-4PF', 'D-4PG', 'D-4PH', 'D-4PI', 'D-4PJ', 'D-4PK', 'D-4PL', 'D-4PM', 'D-4PN', 'D-4PO', 'D-4PP', 'D-4PQ', 'D-4PR', 'D-4PS', 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[illegible]

**BOARD OF DIRECTORS AND OFFICERS
OF
BURLEY IRRIGATION DISTRICT**

Cecil Blauer
Gayle Richins
Harley Heward
Dan Darrington
Leonard Beck

President and Member of Board of Directors
Vice President and Member of Board of Directors
Member of Board of Directors
Member of Board of Directors
Member of Board of Directors

Linda Leach

Secretary/Treasurer

MICROFILMED

EXHIBIT 3

MAR 16 2004

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-10389

NAME AND ADDRESS: REGIONAL DIRECTOR PN REGION
REGIONAL DIRECTOR PN REGION
BUREAU OF RECLAMATION
1150 N CURTIS RD
BOISE, ID 83706-1234

SOURCE: GROUNDWATER

QUANTITY: 0.12 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/19/1909

POINT OF DIVERSION: T10S R24E S23 NWSE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 2 HOMES	01-01 TO 12-31	0.12 CFS

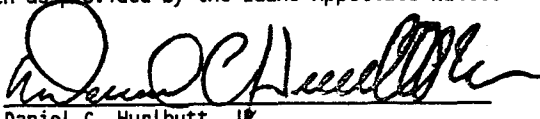
PLACE OF USE: Domestic Within Cassia County
T10S R24E S23 NWSE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

MICROFILMED

MAR 16 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 23, 2004

BURLEY IRRIGATION DIST
246 E 100 S
BURLEY ID 83318

RE: Change of Ownership for Water Rights 45-10389 and 45-10391

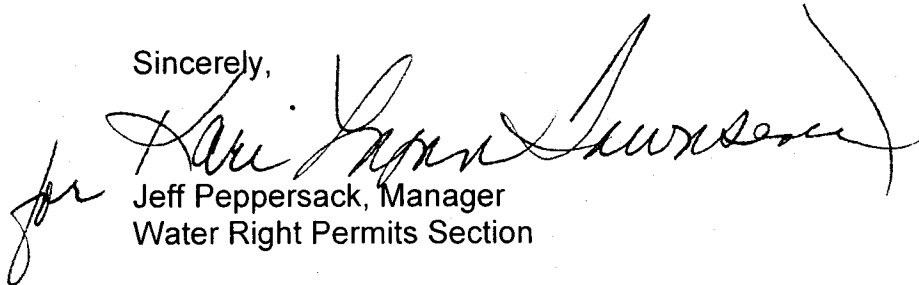
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Peppersack".

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICHO
MAR 1 6 2004

RECEIVED

MAY 30 2000

Department of Water Resources
Southern Region

Owner's Name: Burley Irrigation District

Attorney: Roger D. Ling
LING, NIELSEN & ROBINSON
615 H. Street, P.O. Box 396
Rupert, Idaho 83350
ISB No. 1018IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIn Re SRBA
Case No. 39576Subcase Nos. 45-10389,
45-10390, and 45-10391NOTICE OF APPEARANCEDESCRIPTIVE SUMMARY

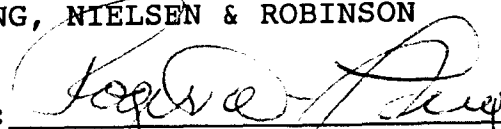
This document is a Notice of Appearance by Roger D. Ling of the firm of Ling, Nielsen & Robinson on behalf of Burley Irrigation District.

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE, that Roger D. Ling of the firm of Ling, Nielsen & Robinson hereby enters an appearance of the firm as the attorneys of record in the subcase listed above for Burley Irrigation District.

DATED this 18th day of May, 2000.

LING, NIELSEN & ROBINSON

By: Roger D. Ling
Attorney for
Burley Irrigation DistrictNOTICE OF APPEARANCE

MICROFILMED

MAY 16 2000