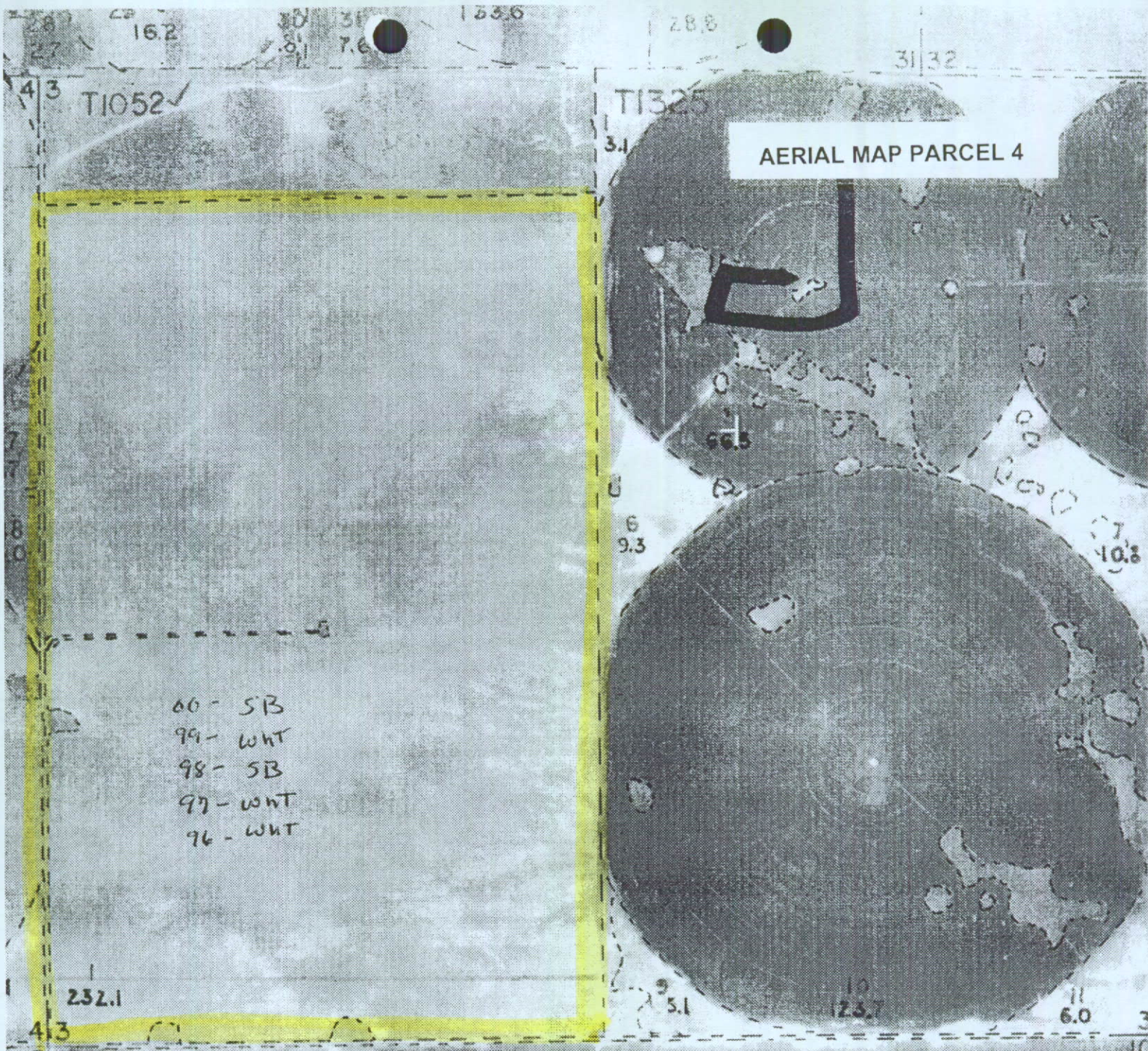




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MAR 11 2003

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Department of Water Resources
Southern Region

STATE OF IDAHO Department of Water Resources
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.

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
36-2128					
36-7405					

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) FRIDENTIAL INSURANCE COMPANY OF AMERICA
7108 N. Fresno St., Suite 400
FRESNO, CA. 93720
4. New Owner/Claimant(s) THE BAKER FAMILY TRUST
Name Connector (Check one): ☐ I, ☐ or, ☐ and/or RUPERT, ID.
New Mailing Address ~~533 E 240 N~~ RUPERT, ID. 83350
City, State and ZIP Code 9447 533 E 240 N
New Telephone Number 208-436-9131
Date you acquired the property November 26, 2002

MICROFILMED
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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	_____	_____

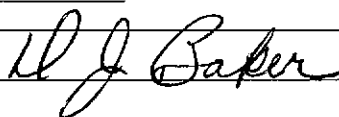
DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(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)
(include title if applicable)



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>[Signature]</u>	Date <u>1/3/03</u>	Fee <u>25.00</u>
Received by <u>[Signature]</u>	Date <u>1/3/03</u>	Receipt No. <u>5025391</u>
Processed by <u>[Signature]</u> AJ	Date _____	WR _____ Date _____

Receipt #C067117 --- \$25.00 --- 1.29.03 --- Jmasi

MICROFILMED

MAR 11 2003

462472

WARRANTY DEED

#16631

For Value Received

**THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, who acquired
title as PRUDENTIAL INSURANCE COMPANY OF AMERICA**

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

**THE BAKER FAMILY TRUST, by and through D.J. BAKER, TRUSTEE
Address: 650 NORTH 900 EAST, RUPERT, ID 83350**

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

**PARCEL NO. 1:
TOWNSHIP 7 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO**

SECTION 3: S½NW¼, SW¼

Instrument # 462472

MINIDOKA COUNTY, RUPERT, IDAHO
2002-12-03 03:55:12 No. of Pages: 3

Recorded for : RUEPRT LAND TITLE

DUANE SMITH

Fee: 9.00

Ex-Officio Recorder Deputy

SUBJECT TO:

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

Taxes for 2002 and subsequent years.

Assessments if any, levied or to be levied by the Magic Valley Ground Water District.

Power Line Easement from Capital Company to Idaho Power Company, a corporation, dated February 18, 1954, and recorded March 16, 1954 as Document No. 116953 in Book 29 of Deeds, Page 564, records of Minidoka County, Idaho, granting a right of way and easement over and across the NW¼, S½ of Section 26, Township 6 South, Range 24 East of the Boise Meridian; W½ of Section 3, N½, SE¼, E½SW¼, Lot 4 of Section 18, all in Township 7 South, Range 24 East of the Boise Meridian.

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: November 26, 2002

MICROFILMED

MAR 11 2003

—TIAL INSURANCE
OF AMERICA
R.T. Robertson
R.T. ROBERTSON
VICE PRESIDENT

STATE OF _____)
COUNTY OF _____) ss.

see attached

On this _____ day of NOVEMBER, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared R.T. ROBERTSON, known or identified to me to be the VICE PRESIDENT of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Notary Public
Residing at:
My Commission expires:

MICROFILMED

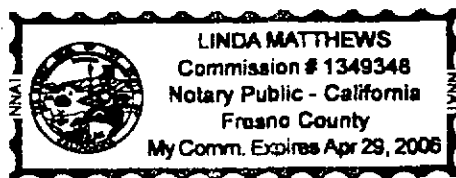
MAR 11 2003

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Fresno

On November 27, 2002, before me, Linda Matthews, Notary Public, personally appeared R.T. Robertson, personally known to me, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



WITNESS my hand and official seal.

Linda Matthews
Signature of Notary

CAPACITY CLAIMED BY SIGNER

☒ Corporate Officer

Vice President

Title

DESCRIPTION OF ATTACHED DOCUMENT

Warranty Deed

TITLE OR TYPE OF DOCUMENT

SIGNER IS REPRESENTING:

The Prudential Insurance Company of America

(Including Notary Acknowledgments)

3

No. of Pages

November 26, 2002

DATE OF DOCUMENT

MICROFILMED

MAR 11 2003

461599

MARSHAL'S DEED

This indenture is made this 18th day of Oct., 2002, by Patrick E. McDonald, U.S. Marshal (the "Marshal") to Prudential Insurance Company of America (the "Purchaser") whose address is 7108 N. Fresno Street, Suite 400, Fresno, CA, 93720.

RECITALS

A. A decree of foreclosure was rendered by the United States District Court for the District of Idaho, on January 5, 2001, in Case No. CIV 98-0050-S-BLW, entitled Prudential Insurance Company of America v. Acequia, Inc., wherein the court ordered the Marshal to sell at public auction in the manner required by law all real and personal property referenced in the decree of foreclosure and judgement.

B. At 1:30 p.m. on September 6, 2001, after giving the required public notice, the Marshal conducted a public auction in front of the Minidoka County Courthouse and sold the property described in the foreclosure decree to the highest bidder, which was the Purchaser who bid the sum of \$186,000.00 as a credit bid.

C. After the sale, the Marshal issued a certificate of sale and delivered it to the Purchaser. The certificate of sale was recorded in the Minidoka County recorder's office as Instrument No. 456089.

D. More than one year has elapsed since the date of the sale and no party has redeemed the property sold.

CONVEYANCE

NOW, THEREFORE, in reliance upon the above recitals and in order to carry out his duties as ordered by the court in Case No. CIV 98-0050-S-BLW, United States District Court for the District of Idaho, the Marshal does hereby grant and convey to the Purchaser and its successors and assigns forever, the real and personal property more particularly described as follows:

The real property described in Exhibit A attached hereto

This conveyance is subject to taxes, rights, easements, covenants, restrictions and zoning regulations that appear of record. Marshal makes no warranty or covenant with respect to the property conveyed, other than those imposed by law.

IN WITNESS WHEREOF, the grantor, as United States Marshal, hereunto sets his hand the day and year first above written.

Patrick E. McDonald
UNITED STATES MARSHAL



Patrick E. McDonald
UNITED STATES MARSHAL
DISTRICT OF IDAHO

MARSHAL'S DEED - 1

BOI_MT1:415634.1

State Of Idaho)

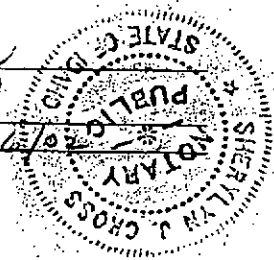
County of Ada)

ss.

On this ~~18th~~ day of ~~October~~ 2002, before me, Sherilyn J. Cross, a notary public in and for said State of Idaho, personally appeared PATRICK E. McDONALD, known or identified to me to be the person whose name is subscribed to the within instrument as United States Marshal and acknowledged to me that he executed the same on behalf of the United States Marshal.

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

Sherilyn J. Cross
NOTARY PUBLIC FOR IDAHO
Residing at: Boise, ID
My Commission Expires: 12/6/02



MARSHAL'S DEED - 2

BOI_MT1:415634.1

Name: 00461599.002
Dimensions: 2512 x 3274 pixels

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MAR 11 2003

EXHIBIT A

Real property, situated in Minidoka County:

Legal Description: Township 7 South, Range 24 East of the Boise Meridian,
Minidoka County, Idaho, Section 3: S½NW¼, SW¼

Assessors Parcel No.: RP07S24E033600

Instrument # 461589

MINIDOKA COUNTY, RUPERT, IDAHO
2002-10-22 00:01:12 No. of Pages: 3

Recorded for: MOFFATT THOMAS

DUANE SMITH Fee: 9.00

Ex-Officio Recorder Deputy

EXHIBIT A - 1

BOI_MT1:415634.1

Name: 00461599.003
Dimensions: 2512 x 3274 pixels

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MAR 11 2003

162

28.8

31.32

T1052

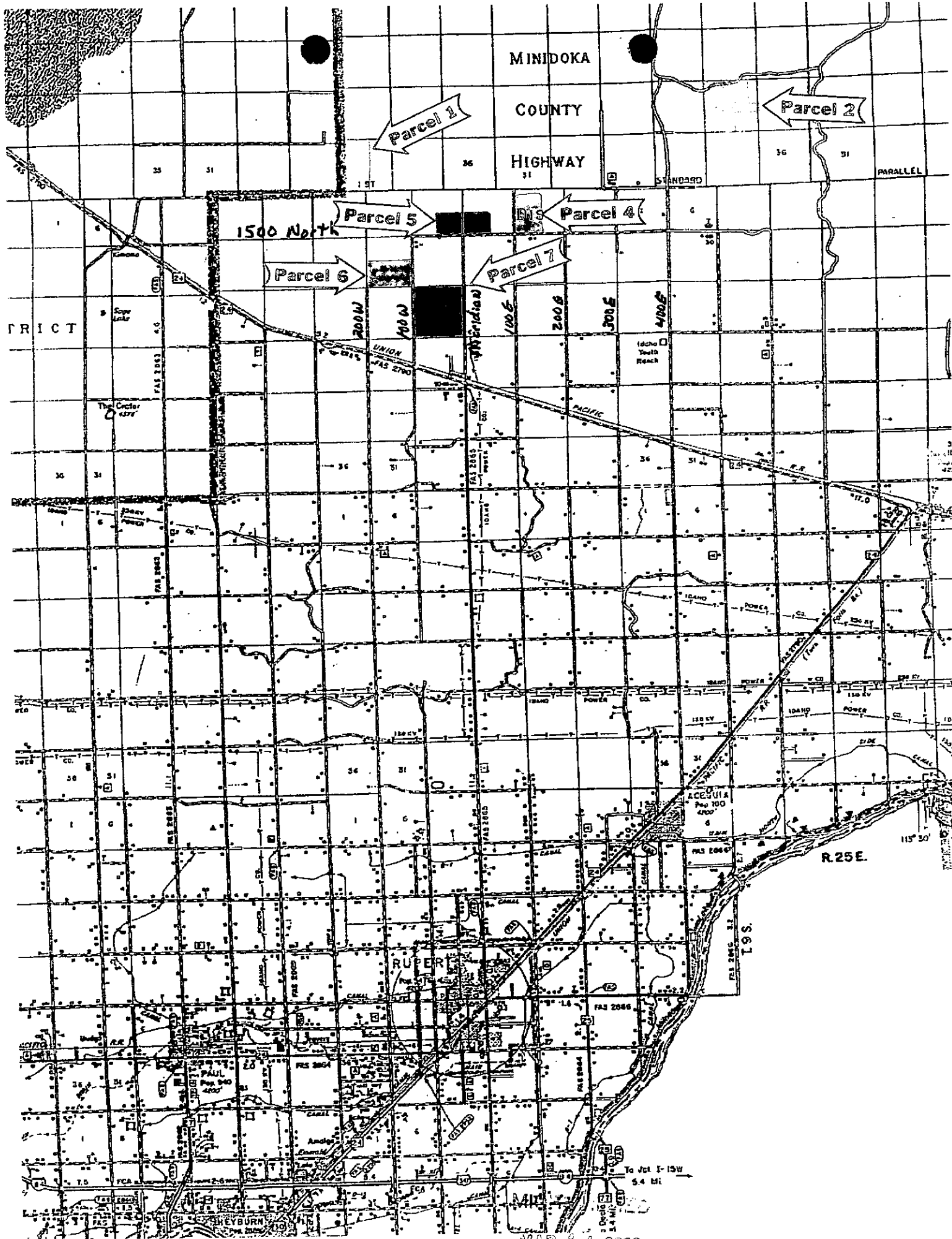
T132

AERIAL MAP PARCEL 4

00 - SB
99 - WHT
98 - SB
97 - WHT
96 - WHT

232.1

MICROFILMED
RAD 1 1 1003



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)

Water Right 36-02128

Case No. 39576)

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on July 15, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

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.

Dated August 27, 2001

Roger Burdick

ROGER BURDICK

Presiding Judge

Snake River Basin Adjudication

MICROFILMED

MAR 11 2003

Important Information About Your Water Right

August 27, 2001

ACEQUIA INC
PO BOX 226
SUN VALLEY, ID 83353

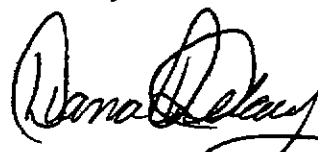
Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an ***Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc*** (hereinafter "***Order***") for water right number 36-02128. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The Purpose of the ***Order*** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the ***Order***, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This ***Order*** also incorporates into the ***Partial Decree*** an express statement that the ***Partial Decree*** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This ***Order*** in combination with the ***Partial Decree*** that was issued for this water right on July 15, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the ***Partial Decree*** to show evidence of the water right. The original of this ***Order*** and the original of the ***Partial Decree*** for this water right are on file with SRBA Court. If you do not have a copy of the original ***Partial Decree***, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the ***Order*** is entered ***Nunc Pro Tunc***, meaning that the ***Order*** will be treated as if it were issued the same date that the ***Partial Decree*** was originally issued.

Sincerely,

 MICROFILMED

Diana Delaney
Case Administrator

MAR 11 2003

RECEIVED

JUL 17 1997

Department of Water Resources
Adjudication Bureau

1997 JUL 15 PM 12:13

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

) ORDER OF PARTIAL DECREE

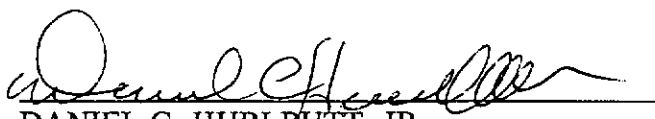
) For Water Right 36-02128

On May 15, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-02128 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED July 15, 1997.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

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MAR 11 2003

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
I.R.C.P. 54(b) FOR

Water Right 36-02128

1997 JUL 15 PM 12:13
DISTRICT COURT-5TH
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: ACEQUIA INC
PO BOX 226
SUN VALLEY ID 83353

SOURCE: GROUNDWATER

QUANTITY: 2.62 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07405 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.78 CFS, AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 960 AF.

PRIORITY DATE: 06/07/1951

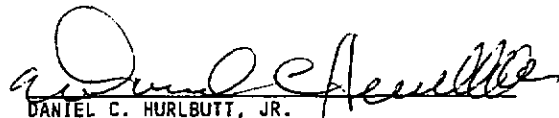
POINT OF DIVERSION: T07S R24E S03 NENWSW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.62 CFS

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T07S R24E S03	SNNW 40.0	SENW 40.0	NESW 40.0	NWSW 40.0
	240.0 ACRES TOTAL	SWSW 40.0	SESW 40.0		

USE OF THIS RIGHT WITH RIGHT NO. 36-07405 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 240 ACRES IN A SINGLE
IRRIGATION SEASON.

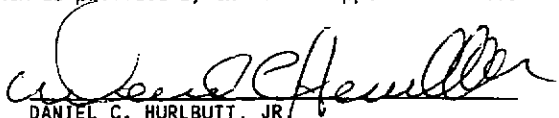
DATED: JUL 15 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

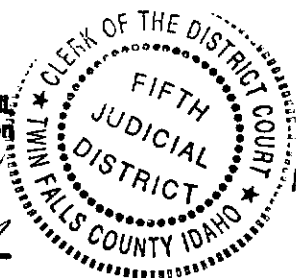
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.

DATED: JUL 15 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-02128

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full
true and correct copy of the original on
file in the above entitled action.
ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK



PAGE 1
JUN-10-1997

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MAR 11 2003

FILE PROGRESS SUMMARY

APPLICANT: Baker Family Trust - WATER RIGHT NO. 36-2128 Etc.

[illegible]

Applicant Baker Family Trust (James Baker) Transfer # 70715

WR#	36-2128	36-7405				
AJ#						
Right ID Correct?	☒ Y or N	☒ Y or N	Y or N	Y or N	Y or N	Y or N
Split?	Y or ☒ N	Y or ☒ N	Y or N	Y or N	Y or N	Y or N
Unchanged #						
Changed #						

[illegible]

Conditions:**GROUNDWATER:**

DRILLING PERMIT - 046 *no*
 DP upgrade req'd Y N (contact GW)

WMD - North/East/West
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 067

~~WMD~~
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M or 01Q

SURFACE WATER:

WD R05
 ≤ 0.20 cfs/others - R02, 01P or No MD
 > 0.20 cfs - R43

WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON 3/15 to 11/15 (use X61 if extended season)
 STANDARD VOLUME 4 af/ac
 CONSUMPTIVE USE VOLUME 3 af/ac

SUPPLEMENTAL

- 065-104 (where irrigation is the only use)

SUPPLEMENTAL

- 100-105 (where there are other uses besides irrigation)

WITHIN ESPA

- 113-114-116 (mitigation)

- 115 (meas. Device for non-irrig uses or new irrig systems)

R43 (existing irrig systems)

USES:

STORAGE - 18C-R02-01P-18B-NA
 IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
 > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
 Volume only - R58/R59/R60/R61
 STOCKWATER - R37 (all BLM/USFS)
 MINING- 054-106
 FISH PROP - 029 (70's basins only)-007-122-106
 HEAT/COOL - R07 (injection well)
 FIRE PROT. - 077
 DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER - 17H-17K (+uses)-025-106
 MUNICIPAL
 Restricted area - 022-075 RAFN - 007-109-X64
 Irr., GW supp to SW - 102
 DOMESTIC
 Surface water - WB5 (Big Wood or Boise above Star Bridge)
 - 27A (Payette River)
 >1 in restricted area - 070-071-075 (no parks/common areas, etc)
 Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
 T17 - >1 pd, measure all (use w/ WB4)
 T18 - Special T17 & R43 combined -
 multiple pds in WD
 Protested - 020-X19
 Water Quality - 106-R07
 X27 - Number of acres/season in ppu
X35 - Combined totals of multiple rts
083 - replaces C11 (enlargement rights)

X49 - measure p/d's (source chg'd to orig trib)
 X51 - 2+ yrs to develop
 X53 - Use ltd to orig. source availability
 X54 - forfeited ac/rate (used rarely)
 X55 - (transfer shrinks total water to less ac)
 004 - no right-of-way
 X58 - pending claim (statutory or AJ b/u claim)
 X61 - extended irr season
 X62 - replaces N11 and N13
 X63 - replaces C12
 WB4 - + p/ds, cfs & afa (used with T17)
 WD8 - land application of waste water
 01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01M)

Apply one to chg'd & unchg'd rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt

yet)
T19 - replaces C18
 (if at Directors Report
 or Partial Decree stage)

T20 - use only on unchg'd rts
 not subject to SRBA

OTHER CONDITIONS/REMARKS:

Initial Allocation Review by [Signature]

Date 7/28/2003

SRBA Review Completed by [Signature]

Date

Regional Manager Review by [Signature]

Date 12/19/03

Comments:

Approval Updated Completed
12-22-2003 CB

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

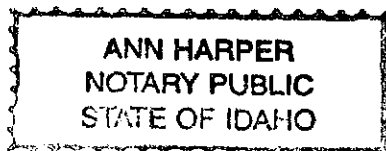
County of Cassia)
) ss
STATE OF IDAHO)

Ruth Anne Holmes, being first duly sworn, deposes and says that she is the Legals clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated November 20, 2003 and ending with the issue dated November 26, 2003

Ruth Anne Holmes

STATE OF IDAHO)
COUNTY OF)
Cassia)

On this 1st day of December in the year of 2003 before me, a Notary Public, personally appeared Ruth Anne Holmes, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Ann Harper
Notary Public for Idaho
Residing at: Burley, Idaho
My commission expires: 9-14-2007

Cost of Publication 127.27
Affidavit Fee 5.00
Total Cost 132.27

OK MB 12/5/03

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DEC 05 2003

Department of Water Resources
Southern Region

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JAN 15 2004

03-517
NOTICE OF APPLICATION FOR
PERMIT AND PROPOSED
CHANGES TO WATER RIGHTS
Notice is hereby given that several Applications have been filed with the Idaho Department of Water Resources concerning water rights within Minidoka County:

RODNEY A. and SHIRLEY S. JENTZSCH, 480 E 1500 N; RUPERT ID 83350 filed Application for Permit No. 36-16181 on 05/02/2003 as follows:
Points of Diversion: NWNESE, S33, T06S, R24E; L2 (SWNWNE), S01, T07S, R24E
Source: GROUND WATER
Use: IRRIGATION (1.19 CFS) 03/15 To 11/15
Total Diversion: 1.19 CFS
Place Of Use: 548 Acres within E1/2, S33, T06S R24E and all of the NE1/4 plus all of the NW1/4, S01, T07S, R24E.

The Application for Permit requests additional flow rate from two irrigation wells used to irrigate a farm located approximately 15.5-17.0 miles north and 3.25-4.25 miles east of Rupert. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. In addition, these applicants also filed Application for Transfer No. 70705 on May 2, 2003 for diversion of a combined total of 6.76 cfs from ground water. The Transfer Application proposes changing the permissible place of use for three ground-water rights totaling 6.76 cfs and used to irrigate a farm located approximately 15.5 - 17.0 miles north and 3.25 - 4.25 miles east of Rupert. The Transfer Application proposes changing the permissible place of use boundary from 530 acres to 548 acres. Two existing wells located on the farm will continue to be used to supply irrigation water. These applicants along with Joseph and Melynda Kearn also filed Application for Transfer No. 70743 on May 2, 2003 for diversion of 3.06 cfs from ground water. The Transfer Application proposes adding an existing well as an authorized point of diversion for a water right used to irrigate a farm located approximately 17.0 to 17.5 miles north and 5.0 to 6.0 miles east of Rupert. The proposed new well is located approximately 16.75 miles north and 5.75 miles east of Rupert.

THE BAKER FAMILY TRUST, 533 E 240 N; RUPERT ID 83350-9447 filed Application for Transfer No. 70715 on May 5, 2003 for diversion of a combined total of 3.78 cfs from ground water. The Transfer Application proposes changing the place of use of two water rights to allow for the installation of two pivot sprinklers on a farm located approximately 15.0-15.85 miles north and 1.25-1.75 miles east of Rupert. An existing well located on the farm will continue to serve as the point of diversion.

For specific details regarding the applications, please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests against an Application for Transfer may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before December 9, 2003. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published in the South Idaho Press on November 20 and 26, 2003.



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

January 29, 2003

THE BAKER FAMILY TRUST
533 E 240 N
RUPERT ID 83350-9447

RE: Change of Ownership for Water Rights 36-2128 and 36-7405

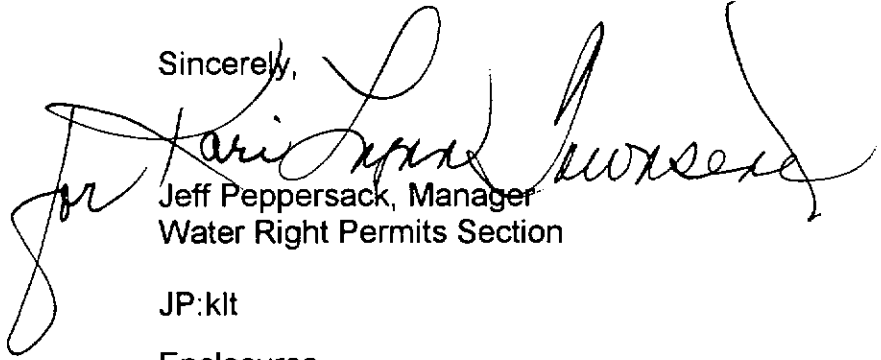
Dear Water Right Holder(s):

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. Also enclosed is a receipt in the amount of \$25.00 for the additional filing fee required.

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,



Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JAN 29 2003

Department of Water Resources

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

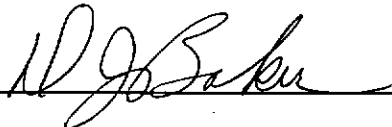
[] Water Right Number(s): 36-2128 AND 36-7405

[] Name(s): THE BAKER FAMILY TRUST

[] Old Mailing Address: 650 N 900 E
RUPERT ID 83350

[] New Mailing Address: 533 E 240 LN N
RUPERT ID 83350-9447

Telephone Number: (208) 436 9131

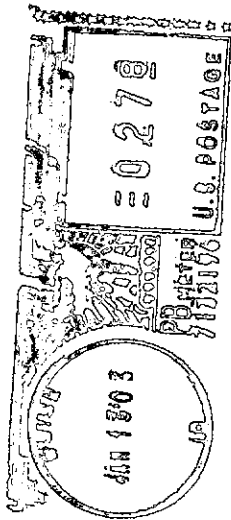
[] Signature(s) of Owner(s) 
owner
(Include your title if on behalf of company or organization)

Date: 1-23-03

MICROFILMED
MAR 11 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

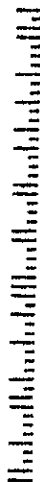


POSTAGE
FIRST CLASS

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JAN 21 2003
Department of Water Resources

BAKE655 833502229 1502 06 01/16/03
RETURN TO SENDER
BAKER, JIMV DJ
833 E 240 LN N
RUPERT ID 83350-9447
RETURN TO SENDER

83350-9447



WR 36-2128 & 36-7405
Mail resent w/ address
Change farm.
Kari Lynn
1.21.03

MICROFILMED
MAR 11 2003



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

January 10, 2003

THE BAKER FAMILY TRUST
650 N 900 E
RUPERT ID 83350

RE: Change in Ownership of Decreed Water Rights 36-2128 and 36-7405

Dear Interested Parties:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

✓ **Filing Fee of \$25 per water right**

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is **\$25 per water right**, except for ownership changes resulting in the division of a water right, which is \$100 per water right. We have determined that the filing fee for your notice will be **an additional \$25.00**.

Because the Department cannot process the ownership change without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

Kari Lynn Townsend
Secretary

MICROFILMED

KLT:k

MAR 11 2003