

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A01-02077
Date Received: 1/27/1992
Receipt No: E005009
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRAZO VALLEY FARMS
Address: C/O BURLEIGH TOMCHAK
ROBERTS ID

83444

Name: BRLEIGH TOMCHAK
Address: ROBERTS ID

208-228-6871

83444

2. Date of Priority: MAY 24, 1949

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	37E	3	NE	SW			JEFFERSON

5. Description of diverting works:
PUMP/MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	37E	4	NE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	37E	4	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NW	SE		IRR	30.0
			SW	SE		IRR	30.0

Section Acres 220.0

Total Acres 220.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
A01-2078

14. Remarks:
Pursuant to this transfer, water right identification numbers
35-02147 and 35-02149 are hereby changed to 01-02077 and
01-02078.

15. Basis of Claim: LICENSE
Water Right Number: 21092

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

Date: _____

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OCT 20 1992

Page 1 of 1

OCT - 7 1991
STATE OF IDAHO

Transfer No. 3855

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RIGHT
APPROVED

Name of applicant Braço Valley farms c/o Burleigh Tomchak Phone 228-6871

Post Office address Roberts Idaho 83444

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes unable to divert water at the present location.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>01-2077</u>				
<u>35-02147</u>	<u>May 24, 1949</u>	<u>2.00</u>	<u>Irrigation</u>	<u>April 1</u> to <u>November 1</u>
<u>35-02449</u>	<u>June 10, 1949</u>	<u>1.54</u>	<u>Irrigation</u>	<u>April 1</u> to <u>November 1</u>
<u>01-2078</u>				

2. Total amount of water being transferred 3.54 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Snake River tributary to Columbia River

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

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OCT 20 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Renumbered: A01-02077

Ident. Number: A35-02149

Date Received: 12/06/1988

Receipt No: E005009

Received By: KCW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BURLEIGH TOMCHAK 208-228-6871

Address: ROBERTS, ID 83444

OR

Name: BRAZO VALLEY FARMS 208-228-6871

Address: C/O BURLEIGH TOMCHAK
ROBERTS, ID 83444

2. Date of Priority: JUN 10, 1949

3. Source: ROBERTS SLOUGH Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	37E	33	NE	SW	SE		JEFFERSON

5. Description of diverting works:
PUMP MAINLINE TO LATERALS WITH SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.540		

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

8. Total consumptive use is 350.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	37E	4	NW		NE	2	IRR	40.0
			SW		NE		IRR	40.0
			NW		SE		IRR	30.0
			SW		SE		IRR	30.0
							Section Acres	140.0
							Total Acres	140.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
A35-02147

14. Remarks:
ORIGIONAL ADJUDICATION CLAIM RECEIVED ON NOV 28, 1988

15. Basis of Claim: LICENSE
Water Right Number: 21104

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

MICROFILMED
OCT 20 1992

R37E

Airway Beacon

BM

4773

BM

4773

BM

4772

34

Roberts

POINT OF DIVERSION

T5N

T4N

L42

4

BM

PLACE OF LIFE

35-02149

MICROFILMED

4772

Lease

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: A01-02077

39576

Ident. Number A35-02149Date Received 11-28-1988Receipt Number 6005009

KCW

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 28 1988

Department of Water Resources
Eastern District Office

A0102077

Please type or print clearly

1. Name of Claimant (s) Burke & Tomalak Phone () 228-1Mailing Address La Bete Rd Zip 83404

2. Date of Priority (Only one (1) per claim) _____

3. Source of water supply (a) GROUND WATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 3 Range 37 Section 22-24NW 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of JACOBSONAdditional points of diversion if any: yes 1 1/2 mile west

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Td La Bete Sloughwhich involves 150 acres

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated 300

11. In which county (ies) are lands listed above as place of use located? Sutton

12. Do you own the property listed above as place of use? Yes _____ No ✓
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks: Lease property

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OCT 20 1992

Last Name Tomchak Ident No. A35-0249
7005009-

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

OCT 20 1992

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

Burlingame

Date 11/22/88

Mabel Jones

Date 11-28-88

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)
County of _____) SS.

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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OCT 20 1992

Last Name Tomchak

Ident. Number A35-02149

Copies White-State, Yellow-Claimant

PULL ORIGINAL ADJUDICATION CLAIM
 / MAKE COPY ORIGINAL TRANSFER APPLICATION
 / GET COPY OF APPROVED TRANSFER
 ✓ PROOF REPORT OF WATER RIGHT FROM "WR"
 SPLIT RIGHT (YES___ NO___)
 NEED CHANGE OF OWNERSHIP (YES___ NO___)
 GIVE TO AGENT
 X CHECKED AND DATA ENTERED
 RECEIVED BACK FROM AGENT
 SEND LETTER TO CLAIMANT
 FILE IN "P" FILE

T# 3855

01-02077

01-02078

Completed

1992

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NOV 05 1996

OCT - 7 1991
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 3855

PART 1

RIGHT
APPROVED

Name of applicant Bravo Valley farms c/o Burleigh Tomchak Phone 228-6871
Post Office address Roberts Idaho 83444

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes unable to divert water at the present location

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
01-2077				
~~35-02147~~	<u>May 24, 1949</u>	<u>2.00</u>	<u>Irrigation</u>	<u>April 1</u> to <u>November 1</u>
~~35-02449~~	<u>June 10, 1949</u>	<u>1.54</u>	<u>Irrigation</u>	<u>April 1</u> to <u>November 1</u>
01-2078				
				to
				to

2. Total amount of water being transferred 3.54 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Snake River tributary to Columbia River

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

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~~OCT 20 1992~~

RECEIVED

OCT - 7 1991

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District OfficeTransfer No. 3855APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant Brazo Valley farms c/o Burleigh Tomchak Phone 228-6871
Post Office address Roberts Idaho 83444

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes unable to divert water at the present location

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|----------------------|--------------------|-------------------|-------------------------------------|
| <u>01-2077</u> | | | | |
| <u>35-02147</u> | <u>May 24, 1949</u> | <u>2.00</u> | <u>Irrigation</u> | <u>April 1</u> to <u>November 1</u> |
| <u>35-02449</u> | <u>June 10, 1949</u> | <u>1.54</u> | <u>Irrigation</u> | <u>April 1</u> to <u>November 1</u> |
| <u>01-2078</u> | | | | |
2. Total amount of water being transferred 3.54 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Snake River tributary to Columbia River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	3	4N	37E	Jefferson	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
04N	37E	4	40	40	40	40										30	30		220

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NOV 05 1990

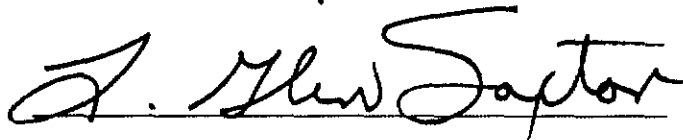
ATTACHMENT
CONDITIONS OF APPROVAL

Transfer of Water Right Nos. 01-02077 & 01-02078

Transfer No. 38554

1. Pursuant to this transfer, water right identification numbers 35-02147 and 35-02149 are hereby changed to 01-02077 and 01-02078.
2. Use of water under this water right is subject to control by the watermaster of State Water District No. 01, Snake River and tributaries.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
5. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 27th day of September, 1991.



L. GLEN SAXTON
Chief, Water Allocation Bureau

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NOV 05 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. X35-02149 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Roberts Slough tributary to _____4. Date or priority June 10 1949

5. Water is used for the following purpose:

amount 1.54 for Irrigation purposes from 1 April to 1 November
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.54 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	SE	33	38E	3N	Jefferson	
					5N	37E		

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
04N	37E	4		40	40											30	30		140

Total acres 1409. Describe any other water rights used for the same purpose as described above 35-02149

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 35-02147 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Roberts Slough tributary to _____

4. Date or priority May 24 1949

5. Water is used for the following purpose:

amount 20 for Irrigation purposes from 1 April to 1 November
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>NE</u>	<u>SW</u>	<u>SE</u>	<u>33</u>	<u>37E</u>	<u>5N</u>	<u>Jefferson</u>	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>4N</u>	<u>37E</u>	<u>4</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>										<u>30</u>	<u>30</u>		<u>220</u>

Total acres 220

9. Describe any other water rights used for the same purpose as described above 35-02149

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

