

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: A75-10923

Date Received: 6/14/1990

Receipt No: E014833

Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

**COPY FOR  
YOUR FILES**

1. Name: THOMAS L MC FARLAND 208-756-3752  
Address: PO BOX 125  
CARMEN ID 83462  
AND/OR  
Name: DAVID M MC FARLAND 208-756-3752  
Address: PO BOX 125  
CARMEN ID 83462  
AND/OR  
Name: BRUCE A MC FARLAND 208-756-3752  
Address: PO BOX 125  
CARMEN ID 83462

2. Date of Priority: MAY 1, 1882

3. Source: CARMEN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 23N      | 22E   | 13      | SW     | SW     | SW     |     | LEMHI  |
|          |       | 24      | SE     | NE     | NW     |     | LEMHI  |
|          |       | 25      | NE     | NE     | NW     |     | LEMHI  |

5. Description of diverting works:  
ROCK DAM/ DITCH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.960 |      |        |

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

8. Total consumptive use is 880.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot           | Use | Acres |
|----------|-------|---------|--------|-----|---------------|-----|-------|
| 23N      | 22E   | 23      | NE     | SE  |               | IRR | 14.0  |
|          |       |         | SE     | SE  |               | IRR | 26.0  |
|          |       |         |        |     | Section Acres |     | 40.0  |
|          |       | 24      | SW     | NW  |               | IRR | 28.0  |
|          |       |         | SE     | NW  |               | IRR | 10.0  |
|          |       |         | NE     | SW  |               | IRR | 16.0  |
|          |       |         | NW     | SW  |               | IRR | 40.0  |
|          |       |         | SW     | SW  |               | IRR | 40.0  |
|          |       |         | SE     | SW  |               | IRR | 19.0  |
|          |       |         |        |     | Section Acres |     | 153.0 |
|          |       | 25      | NE     | NW  |               | IRR | 18.0  |
|          |       |         | NW     | NW  |               | IRR | 40.0  |
|          |       |         | SW     | NW  |               | IRR | 36.0  |
|          |       |         | SE     | NW  |               | IRR | 4.0   |
|          |       |         | NW     | SW  |               | IRR | 11.0  |
|          |       |         |        |     | Section Acres |     | 109.0 |
|          |       | 26      | NE     | NE  |               | IRR | 35.0  |
|          |       |         | SE     | NE  |               | IRR | 14.0  |
|          |       |         | NE     | SE  |               | IRR | 1.0   |
|          |       |         |        |     | Section Acres |     | 50.0  |
|          |       |         |        |     | Total Acres   |     | 352.0 |

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:  
SEE 75-00077B

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:    /    /

DAVID MCNUTT, ET AL.  
Decree Plaintiff

THOMAS PALMER, ET AL.  
vs Decree Defendant

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: A75-10923  
Date Received: 5/10/1990  
Receipt No: E014833  
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: BAR S RANCH, INC 208-879-4253  
Address: BOX 58  
CARMEN, ID 83462

2. Date of Priority: MAY 01, 1882

3. Source: CARMEN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 23N      | 22E   | 13      | SW     | SW     | SW     |     | LEMHI  |
|          |       | 24      | SE     | NE     | NW     |     | LEMHI  |
|          |       | 25      | NE     | NE     | NW     |     | LEMHI  |

5. Description of diverting works:  
ROCK DAM/ DITCH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.960  |      |        |

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

8. Total consumptive use is 880.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 23N      | 22E   | 23      | NE     | SE     |     | IRR | 14.0  |
|          |       |         | SE     | SE     |     | IRR | 26.0  |

A75-10923

Page 1

Date: 06/20/90

MICROFILMED

DEC 15 1992

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 40.0  |
|          |       | 24      | SW         | NW  | IRR           | 28.0  |
|          |       |         | SE         | NW  | IRR           | 10.0  |
|          |       |         | NE         | SW  | IRR           | 16.0  |
|          |       |         | NW         | SW  | IRR           | 40.0  |
|          |       |         | SW         | SW  | IRR           | 40.0  |
|          |       |         | SE         | SW  | IRR           | 19.0  |
|          |       |         |            |     | Section Acres | 153.0 |
|          |       | 25      | NE         | NW  | IRR           | 18.0  |
|          |       |         | NW         | NW  | IRR           | 40.0  |
|          |       |         | SW         | NW  | IRR           | 36.0  |
|          |       |         | SE         | NW  | IRR           | 4.0   |
|          |       |         | NW         | SW  | IRR           | 11.0  |
|          |       |         |            |     | Section Acres | 109.0 |
|          |       | 26      | NE         | NE  | IRR           | 35.0  |
|          |       |         | SE         | NE  | IRR           | 14.0  |
|          |       |         | NE         | SE  | IRR           | 1.0   |
|          |       |         |            |     | Section Acres | 50.0  |
|          |       |         |            |     | Total Acres   | 352.0 |

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:  
SEE 75-00077B

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

DAVID MCNUTT, ET AL.  
Decree Plaintiff

vs

THOMAS PALMER, ET AL.  
Decree Defendant

A75-10923

Page

2

Date: 06/20/90

MICROFILMED

DEC 15 1992

LATE FEE IF RECEIVED

6-16-90

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS4022  
DOOR ORIGINALIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576  
A75-10923  
P.M. 5-10-90  
6014833

RECEIVED

JUN 13 1990

Department of Water Resources  
Eastern District OfficeNOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

MAY 11 1990

Department of Water Resources  
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Bar S Ranch Inc Phone (208) 879-4253Mailing Address Box 58 Carmen, ID 83312 Zip 833122. Date of Priority (Only one (1) per claim) May 1, 18823. Source of water supply (a) Carmen Creek  
which is tributary to (b) Salmon River4. a. Location of existing point of diversion is: Township 23N Range 22E Section 24,  
SE 1/4 of NE 1/4 of NW 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of LamhiAdditional points of diversion if any: Twp 23N Rge 22E Sec 13, NW 1/4 of SW 1/4 of SW 1/4  
Twp 23N Rge 22E Sec 25, NE 1/4 of NE 1/4 of NW 1/4

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

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1

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. rock and gravel dam leading toa 4-5' ditch, approximately 2/3 of which uses cement head-  
gates.

A7510923

MICROFILMED

DEC 15 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

POOR ORIGINAL  
(acre feet)

For irrigation purposes from 9/1 to 11/1 amount 1.96 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 1.96 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 8.50 acre feet per annum.

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

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 |        |
| 23N | 22E | 23  |        |       |       |       |        |       |       |       |        |       |       |       | 14     |       |       | 26    | 40     |
| 23N | 22E | 24  |        |       |       |       |        |       | 28    | 10    | 16     | 40    | 40    | 19    |        |       |       |       | 153    |
| 22N | 22E | 25  |        |       |       |       | 13     | 40    | 36    | 4     |        | 11    |       |       |        |       |       |       | 109    |
| 22N | 22E | 26  | 35     |       |       | 14    |        |       |       |       |        |       |       |       | 1      |       |       |       | 50     |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 352

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

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

75-0077 75-2002, 75-2128, 75-4341 or None ( )

14. Remarks:

1/2 of 75-0076 plus 8" of Transfer water

MICROFILMED

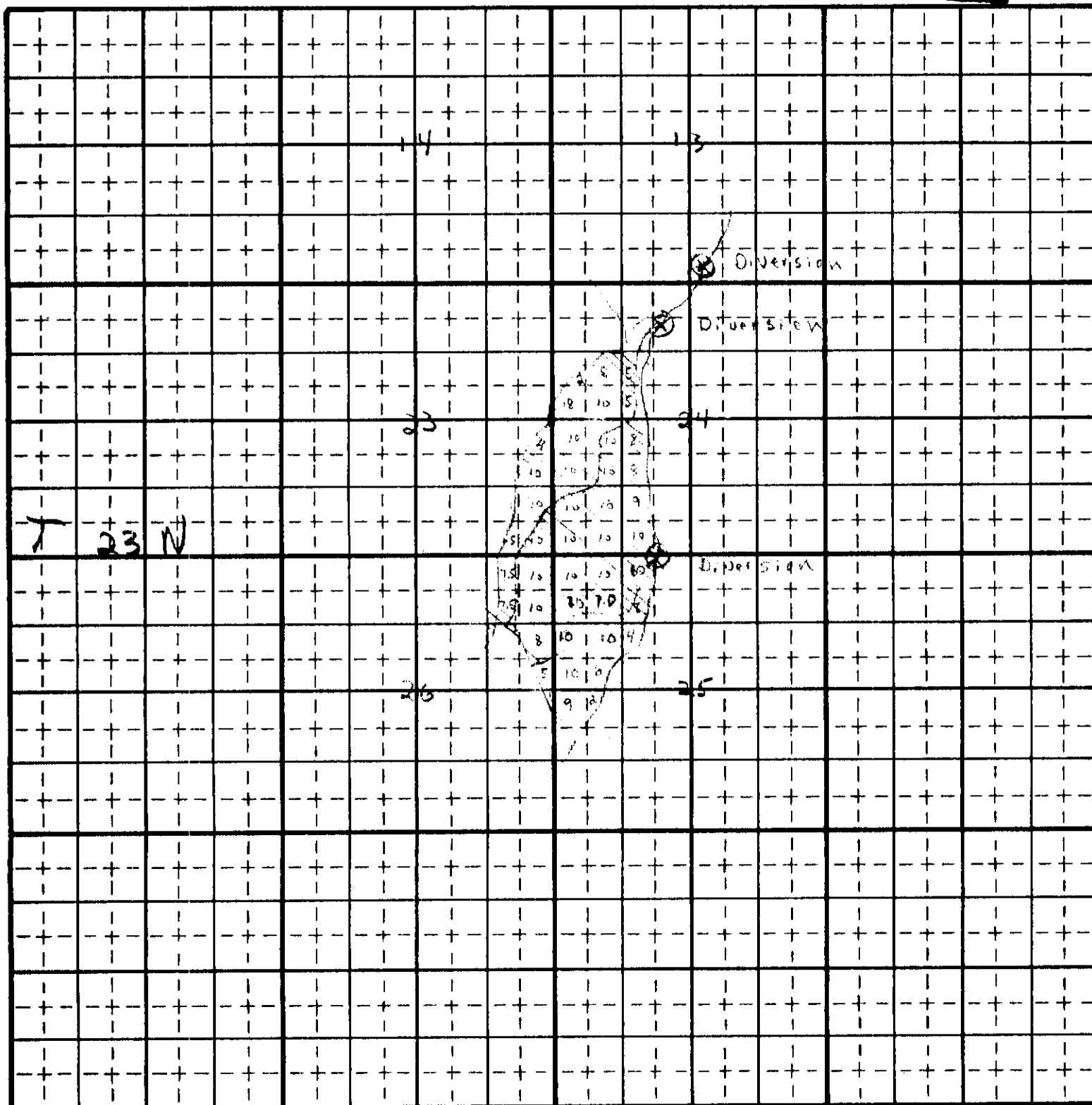
Last Name Bar S Ranch Inc Ident No. \_\_\_\_\_

Copies: White - State of New Mexico 1992

**Map of Project:** show clearly the point of diversion, place of use, section number, township, and range number.

**Scale: 2 inches equals 1 mile**

POOR ORIGINAL



R 22 E

**MICROFILMED**

DEC 15 1992

Last Name Ross, Rachel T. Ident No. \_\_\_\_\_

**Copies: White-State, Yellow-Claimant**

POOR ORIGINAL

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree X  
If applicable provide IDWR Water Right Number 75-0076 and portion 15-0051 thru 0057  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs Defendant McNair et al vs Thomas Palmer et al

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 X  
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) \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am President Title  
of Bar Sk ranch, Inc Organization, that I have signed the foregoing  
document in the space below as President Title of Bar Sk ranch, Inc Organization  
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent M. L. P. McFarland  
Title and Organization President of Bar Sk ranch, Inc Date 5-10-90

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

Subscribed and sworn (or affirmed) before me this 10 day of May 19 90  
SEAL Notary Public Donna L. Gadrey  
Residing at Salmon, Idaho  
My Commission Expires May 10, 1992  
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 \_\_\_\_\_

Last Name Bar Sk ranch, Inc Ident. Number \_\_\_\_\_

MICROFILMED  
DEC 15 1992  
Copies White-State, Yellow-Claimant



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

FEBRUARY 23, 1994

THOMAS L MC FARLAND  
PO BOX 125  
CARMEN ID 83462

CHANGE IN OWNERSHIP FOR A75-10061AN, A75-10923,  
A75-10924, A75-10061AN, A75-10922, A75-00063A,  
A75-02128, A75-02002, A75-04341

Dear Mr. Mc Farland:

The request for Change in Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson  
Secretary, Adjudications

Enclosure: Notice(s) of Claim

MICROFILMED

APR 19 1994

RECEIVED

JUN 01 1993

POOR ORIGINAL

Department of Water Resources  
Eastern District Office

**LEGAL DESCRIPTION OF PROPERTY:** Township \_\_\_\_\_ Range \_\_\_\_\_  
Section \_\_\_\_\_, 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM. \_\_\_\_\_

Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_

**If you have additional legal descriptions, please attach separate sheet.**

\*SEE EXHIBIT "A"

- [ ] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)  
A75-10061AN, A75-10923, A75-10924,
- [ ] Water Right Number(s) A75-10061AN, A75-10922, A75-00063A  
Assigned by IDWR: AB-02128, A75-02002, A75-04341
- [ ] Name and Address of Former Owner/Claimant(s)(Seller): Bar-S Ranch, Inc.  
P. O. Box 58, Carmen, Idaho 83462
- [ ] New Owner/Claimant (Purchaser): Thomas L. McFarland, David M. McFarland and  
Bruce A. McFarland
- [ ] New Mailing Address: P. O. Box 125  
Carmen, Idaho 83462
- [ ] New Telephone Number: (208) 756 - 3752
- [ ] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [ ] Attach proof of ownership, describe proof attached: See annexed copy of Deed

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

- |     |                                        |                            |                     |
|-----|----------------------------------------|----------------------------|---------------------|
| [1] | Signature of New Owner/Claimant(s)     | <u>James H. McFarland</u>  | Date <u>5/12/93</u> |
| [1] | Signature of Former Owner/Claimant(s): | <u>Norman A. McFarland</u> | Date <u>5/12/93</u> |

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

**By:**

By:

**By:**

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

## Water Resources

APR 19 1994