

COPY

2004 OCT -8 PM 2:43

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) Subcase No: 45-2578, 45-2597,
) 45-13627, 45-13628
Case No. 39576)
)
) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

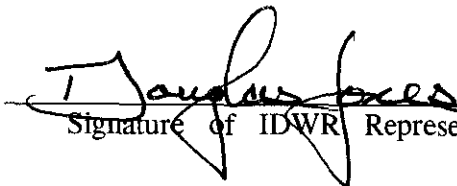
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership	☐ Split of Water Right
☐ Point of Diversion	☒ Place of Use
☐ Period of Use	☐ Nature of Use
☒ Remarks	

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 10/2/04


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10/8, 2004, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
Don McFarland
Carol McFarland
PO Box 268
Eden ID 83325
3. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
4. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

09/16/2004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

2004 OCT -8 PM 2:44
DISTRICT CLERK SRBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 45-2597
NAME AND ADDRESS: MC REITS LLC
C/O DON MC FARLAND
PO BOX 268
EDEN ID 83325

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 13.500 CFS
494.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 9284 AF. COMBINED RIGHT NOS.:
45-2578, 45-2597, 45-13627, 45-13628 & 45-13787.

PRIORITY DATE: 01/13/1960

POINT OF
DIVERSION: T12S R21E S31 NESWNW Lot 2 Within CASSIA County
T12S R21E S31 SWSWNW Lot 2 Within CASSIA County
T13S R21E S5 NWSWSW Within CASSIA County
T13S R21E S5 SESWSW Within CASSIA County
T13S R21E S8 NESENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	13.500 CFS 494.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R20E S13	NENE	37.0	T12S R20E S13	NWNE	40.0
T12S R20E S13	SWNE	33.0	T12S R20E S13	SENE	39.0
T12S R20E S13	NESE	39.0	T12S R20E S13	NWSE	34.0
T12S R20E S13	SWSE	32.0	T12S R20E S13	SESE	31.0
T12S R21E S17	NENE	39.0	T12S R21E S17	NWNE	39.0
T12S R21E S17	SWNE	40.0	T12S R21E S17	SENE	40.0
T12S R21E S17	NENW	40.0	T12S R21E S17	NWNW	39.0
T12S R21E S17	SWNW	39.0	T12S R21E S17	SENW	40.0
T12S R21E S17	NESW	40.0	T12S R21E S17	NWSW	39.0
T12S R21E S17	SWSW	38.0	T12S R21E S17	SESW	39.0
T12S R21E S17	NESE	40.0	T12S R21E S17	NWSE	40.0
T12S R21E S17	SWSE	39.0	T12S R21E S17	SESE	39.0
T12S R21E S18	NENE	40.0	T12S R21E S18	NWNE	40.0

09/16/2004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

T12S R21E S18	SWNE	35.0	T12S R21E S18	SENE	40.0
T12S R21E S18	NENW	40.0	T12S R21E S18 Lot 1	NWNW	38.0
T12S R21E S18 Lot 2	SWNW	38.0	T12S R21E S18	SENE	35.0
T12S R21E S18	NESE	40.0	T12S R21E S18	NWSE	36.0
T12S R21E S18	SWSE	40.0	T12S R21E S18	SESE	40.0
T12S R21E S21	NENE	38.0	T12S R21E S21	NWNE	39.0
T12S R21E S21	SWNE	40.0	T12S R21E S21	SENE	39.0
T12S R21E S22	NENE	38.0	T12S R21E S22	NWNE	40.0
T12S R21E S22	SWNE	40.0	T12S R21E S22	SENE	38.0
T12S R21E S22	NENW	40.0	T12S R21E S22	NWNW	38.0
T12S R21E S22	SWNW	38.0	T12S R21E S22	SENE	40.0
T12S R21E S22	NESW	40.0	T12S R21E S22	NWSW	38.0
T12S R21E S22	SWSW	37.0	T12S R21E S22	SESW	39.0
T12S R21E S22	NESE	39.0	T12S R21E S22	NWSE	40.0
T12S R21E S22	SWSE	39.0	T12S R21E S22	SESE	38.0
T12S R21E S27	NENW	40.0	T12S R21E S27	NWNW	38.0
T12S R21E S27	SWNW	38.0	T12S R21E S27	SENE	40.0

2311 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 2368 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-2578, 45-2597, 45-7086D.

USE OF THIS RIGHT WITH RIGHT NO. 45-2597 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 1434 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 2321 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-2578, 45-2597, 45-13627, 45-13628 &
45-13787.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1280 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

Approval of this transfer does not preclude the opportunity for review of
the validity of this water right in the ongoing Snake River Basin
Adjudication.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS SUBJECT TO CONDITIONS FOUND IN DECREE DATED
6-25-1980.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

09/16/2004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE

701 OCT -8 PM 2: 44
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 45-2578
NAME AND ADDRESS: CAROL MC FARLAND
PO BOX 5178
TWIN FALLS ID 83301

DON MC FARLAND
PO BOX 268
EDEN ID 83325-0268

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.560 CFS
978.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 9284 AF. COMBINED RIGHT NOS.:
45-2578, 45-2597, 45-13627, 45-13628 & 45-13787.

PRIORITY DATE: 04/29/1959

POINT OF
DIVERSION: T12S R21E S31 NESWNW Lot 2 Within CASSIA County
T12S R21E S31 SWSWNW Lot 2 Within CASSIA County
T13S R21E S5 NWSWSW Within CASSIA County
T13S R21E S5 SESWSW Within CASSIA County
T13S R21E S8 NESENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.560 CFS 978.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R20E S13	NENE	37.0	T12S R20E S13	NWNE	40.0
T12S R20E S13	SWNE	33.0	T12S R20E S13	SENE	39.0
T12S R20E S13	NESE	39.0	T12S R20E S13	NWSE	34.0
T12S R20E S13	SWSE	32.0	T12S R20E S13	SESE	31.0
T12S R21E S17	NENE	39.0	T12S R21E S17	NWNE	39.0
T12S R21E S17	SWNE	40.0	T12S R21E S17	SENE	40.0
T12S R21E S17	NENW	40.0	T12S R21E S17	NWNW	39.0
T12S R21E S17	SWNW	39.0	T12S R21E S17	SENW	40.0
T12S R21E S17	NESW	40.0	T12S R21E S17	NWSW	39.0
T12S R21E S17	SWSW	38.0	T12S R21E S17	SESW	39.0
T12S R21E S17	NESE	40.0	T12S R21E S17	NWSE	40.0

09/16/2004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

T12S R21E S17	SWSE	39.0	T12S R21E S17	SESE	39.0
T12S R21E S18	NENE	40.0	T12S R21E S18	NWNE	40.0
T12S R21E S18	SWNE	35.0	T12S R21E S18	SENE	40.0
T12S R21E S18	NENW	40.0	T12S R21E S18 Lot 1	NWNW	38.0
T12S R21E S18 Lot 2	SWNW	38.0	T12S R21E S18	SENE	35.0
T12S R21E S18	NESE	40.0	T12S R21E S18	NWSE	36.0
T12S R21E S18	SWSE	40.0	T12S R21E S18	SESE	40.0
T12S R21E S21	NENE	38.0	T12S R21E S21	NWNE	39.0
T12S R21E S21	SWNE	40.0	T12S R21E S21	SENE	39.0
T12S R21E S22	NENE	38.0	T12S R21E S22	NWNE	40.0
T12S R21E S22	SWNE	40.0	T12S R21E S22	SENE	38.0
T12S R21E S22	NENW	40.0	T12S R21E S22	NWNW	38.0
T12S R21E S22	SWNW	38.0	T12S R21E S22	SENE	40.0
T12S R21E S22	NESW	40.0	T12S R21E S22	NWSW	38.0
T12S R21E S22	SWSW	37.0	T12S R21E S22	SESW	39.0
T12S R21E S22	NESE	39.0	T12S R21E S22	NWSE	40.0
T12S R21E S22	SWSE	39.0	T12S R21E S22	SESE	38.0
T12S R21E S27	NENW	40.0	T12S R21E S27	NWNW	38.0
T12S R21E S27	SWNW	38.0	T12S R21E S27	SENE	40.0

2311 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2368 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2578, 45-2597, 45-7086D.

USE OF THIS RIGHT WITH RIGHT NO. 45-2597 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1434 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2321 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2578, 45-2597, 45-13627, 45-13628 & 45-13787.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 473 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS SUBJECT TO CONDITIONS FOUND IN DECREE DATED 6-25-1980.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

09/16/2004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

2004 OCT -8 PM 2:44
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 45-13627
NAME AND ADDRESS: CAROL MC FARLAND
PO BOX 5178
TWIN FALLS ID 83301

DON MC FARLAND
PO BOX 268
EDEN ID 83325-0268

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.210 CFS
1,248.00 AFY

USE OF THIS RIGHT WITH RIGHT NO.45-13787 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 9,052 AF.

PRIORITY DATE: 06/24/1957

POINT OF
DIVERSION: T12S R20E S12 SWSWSE Within CASSIA County
T12S R20E S12 SWSWSE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.210 CFS 1,248.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R20E S12	NENW	36.0	T12S R20E S12	NWNW	38.0
T12S R20E S12	SWNW	40.0	T12S R20E S12	SENW	40.0
T12S R20E S12	NESW	40.0	T12S R20E S12	NWSW	40.0
T12S R20E S12	SWSW	38.0	T12S R20E S12	SESW	40.0

312 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 45-13787 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 2263 ACRES IN A SINGLE
IRRIGATION SEASON.

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

This partial decree is subject to such general provisions necessary for the
definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no later
than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Approval of this transfer does not preclude the opportunity for review of
the validity of this water right in the ongoing Snake River Basin
Adjudication.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-2550.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

08/16/2004

2004 OCT -8 PM 2:44
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 45-13628
NAME AND ADDRESS: CAROL MC FARLAND
PO BOX 5178
TWIN FALLS ID 83301

DON MC FARLAND
PO BOX 268
EDEN ID 83325-0268

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.560 CFS
1,737.00 AFY

USE OF THIS RIGHT WITH RIGHT NO.45-13787 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 9,076 AF.

PRIORITY DATE: 06/24/1957

POINT OF
DIVERSION: T12S R20E S12 SWSWSW Within CASSIA County
T12S R20E S12 SWSWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.560 CFS 1,737.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R20E S01 Lot 1 NENE	40.0	T12S R20E S01 Lot 2 NWNE	40.0
T12S R20E S01 SWNE	40.0	T12S R20E S01 SENE	40.0
T12S R20E S01 Lot 3 NENW	40.0	T12S R20E S01 Lot 4 NWNW	39.0
T12S R20E S01 SWNW	39.0	T12S R20E S01 SENW	40.0
T12S R20E S01 NESW	40.0	T12S R20E S01 NWSW	39.0
T12S R20E S01 SWSW	35.0	T12S R20E S01 SESW	40.0
T12S R20E S01 NESE	40.0	T12S R20E S01 NWSE	40.0
T12S R20E S01 SWSE	40.0	T12S R20E S01 SESE	40.0

632 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 45-13787 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 2269 ACRES IN A SINGLE IRRIGATION SEASON.

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

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

Approval of this transfer does not preclude the opportunity for review of
the validity of this water right in the ongoing Snake River Basin
Adjudication.

09/16/2004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-2551A.