

IDWR

Claim(s) : 61-07247B
Owner(s) : Desert
Sea Farms
Date: 05 Oct 98
Prepared by:
Ron Howerton
Total Acres: 60

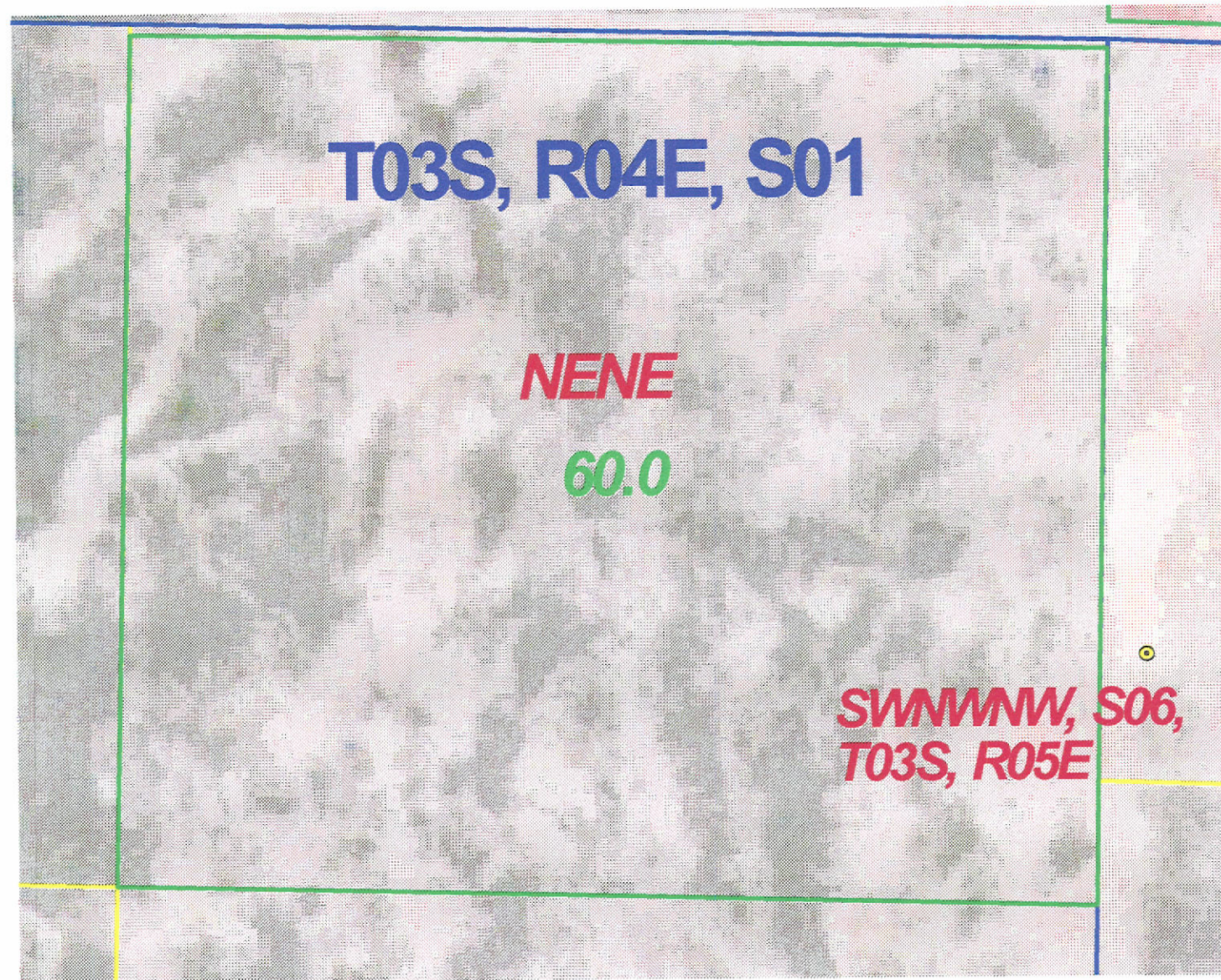
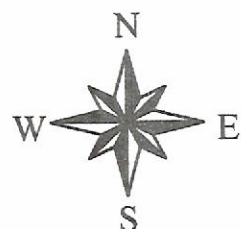
 POU

 POD

 SECTION LINES

 1/4 1/4

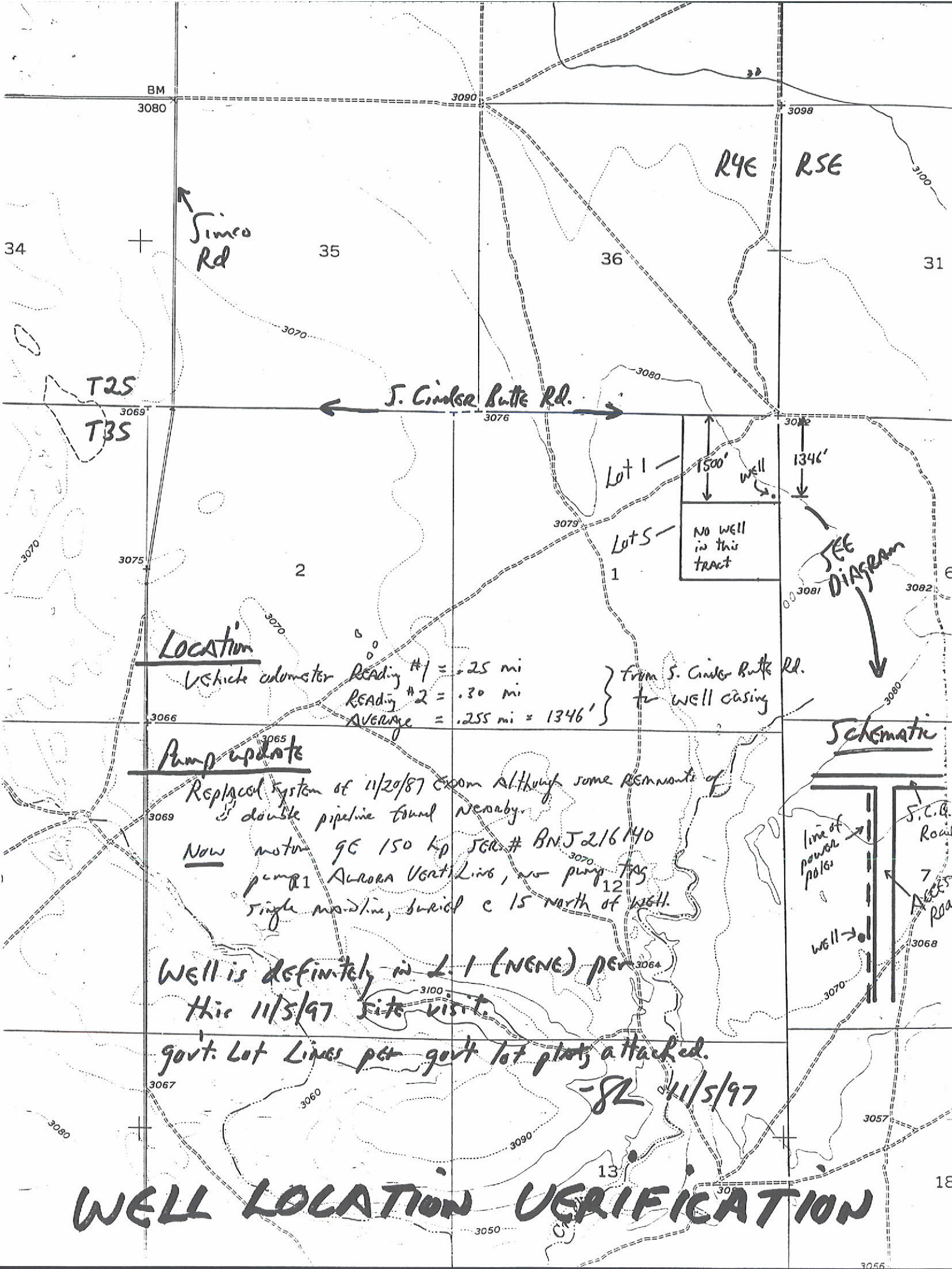
ACRES



1987 NAPP

0 0.25 Miles





Location

Vehicle odometer Reading #1 = .25 mi
Reading #2 = .30 mi
Average = .255 mi = 1346' } from S. Cinder Butte Rd.
to well casing

Pump update

Replaced system of 11/20/87 Exom although some remnants of double pipeline found nearby.

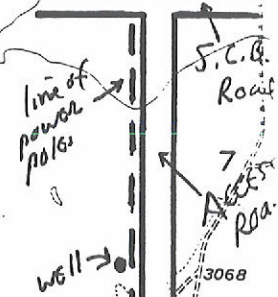
Now motor GE 150 hp SER# BNJ216140
pump Aurora Vert. Line, no pump tag
single mainline, buried c 15 north of well.

Well is definitely in L. 1 (NENE) per this 11/5/97 site visit.

govt. Lot Lines per govt lot plat, attached.

-82 11/5/97

Schematic



WELL LOCATION VERIFICATION



36

31

32

60

P.D.

f.D

T 35

R 4E

3082

3092

3081

3082

6

5

3085

3079

3119

7

8

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3078

3057

18

17

3059

3056

3052

MICROFILMED

AUG 11 1982

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: **A61-07247B**
Date Received: 11/ 9/1989
Receipt No: C012770
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DESERT SEA FARMS LLC 208-587-9271
Address: 905 E 13TH N
MOUNTAIN HOME ID 83647

2. Date of Priority: JAN 10, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	05E	31	SE	SW		1	ELMORE
03S	05E	6	NW	NW		4	ELMORE

5. Description of diverting works:
2 WELLS, BOOSTER PUMPS, SPRINKLER SYSTEMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.200		240.00

7. Total Quantity Appropriated is:
1.200 C.F.S. (and/or) 240.00 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
03S	04E	1	NE	NE	1	IRR	60.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	60.0
					Total Acres	60.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

CLAIM AMENDED PER TRANSFER NO. 5145 APPROVED 12/16/97.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE
COPY OF APPROVED TRANSFER NO. 5145 IN FILE.
THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER TRANSFER 5145 SHALL NOT EXCEED 3.60 CFS, NOR
TOTAL COMBINED ANNUAL VOLUME OF 900.0 AF.

15. Basis of Claim: LICENSE

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: _____

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

AJ0749NP
No. 61-07247B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/13/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CARL D HICKEY PO BOX 243 MOUNTAIN HOME ID 83647	01/10/1976	IRRIGATION	04-01 10-31	1.20 CFS	
TOTAL DIVERSION:					1.20 CFS	

D DESERT SEA FARMS LLC
905 E 13TH N
MOUNTAIN HOME ID 83647
(208) 587-9271

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02S R05E S31 Lot01(SESESW)
T03S R05E S06 Lot04(SWNWNW)

ELMORE County
ELMORE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
03S	04E	1	: 01-60	:					:					:					:					:	60.0
																							TOTAL ACRES	60.0	

POU County: ELMORE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
61-07263 A61-07247B A61-07263

Other Water Rights Listing Overlapping Place(s) of Use:
A61-07247B

Conditions of Approval:

- C15 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 61:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

Remarks: QNT THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER TRANSFER 5145 SHALL NOT EXCEED 3.6 CFS, NOR TOTAL

AJ0749NP
No. 61-07247B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/13/99
PAGE: 2

Remarks: COMBINED ANNUAL VOLUME OF 900 AF.

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

EXP RIGHT NO. 61-07263 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED AS T02S, R05E, S31, SESESW: 61-07264A AND 61-07264B.
THE RIGHT HOLDER SHALL MEASURE AND ANNUALLY REPORT DIVERSIONS OF WATER AND/OR OTHER PERTINENT HYDROLOGIC AND SYSTEM INFORMATION AS REQUIRED BY SECTION 42-701, IDAHO CODE.

Dates: Exam Made Date: 10/05/1998 Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 10/05/1998 User-ID: RHOWERTO Subject: COPIED FROM REMARKS
CLAIM AMENDED PER TRANSFER NO. 5145 APPROVED 12/16/97.

Date: 11/21/1998 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C15 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 07/13/1999 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 07/13/99 DBUFFING



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

July 16, 1999

DIRK KEMPTHORNE
GOVERNOR

RE: Water Right No. 61-07247B

KARL J. DREHER
DIRECTOR

CARL D HICKEY
PO BOX 243
MOUNTAIN HOME ID 83647

Dear Mr. Hickey:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington". The signature is written in dark ink and is positioned above the typed name and title.

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

cc: Desert Sea Farms LLC

AJ0749NP
No. R61-07247B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/20/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DESERT SEA FARMS LLC 905 E 13TH N MOUNTAIN HOME ID 83647 (208) 587-9271	01/10/1976	IRRIGATION	04-01 10-31	1.20 CFS	
TOTAL DIVERSION:					1.20 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02S R05E S31 Lot01(SESESW)
T03S R05E S06 Lot04(SWNWNW)

ELMORE County
ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
03S	04E	1	:	01	-60															:	60.0
																				TOTAL ACRES	60.0

POU County: ELMORE

Remarks: QNT THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER TRANSFER 5145 SHALL NOT EXCEED 3.6 CFS, NOR TOTAL COMBINED ANNUAL VOLUME OF 900 AF.

THE RIGHT HOLDER SHALL MEASURE AND ANNUALLY REPORT DIVERSIONS OF WATER AND/OR OTHER PERTINENT HYDROLOGIC AND SYSTEM INFORMATION AS REQUIRED BY SECTION 42-701, IDAHO CODE.

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

EXP RIGHT NO. 61-07263 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED AS T02S, R05E, S31, SESESW: 61-07264A AND 61-07264B.

Dates: Exam Made Date: 10/05/1998 Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. R61-07247B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/20/98
PAGE: 2

=====

Comments: Date: 10/05/1998 User-ID: RHOWERTO Subject: COPIED FROM REMARKS
CLAIM AMENDED PER TRANSFER NO. 5145 APPROVED 12/16/97.

Audit: 11/20/98 LHARRIS

IDWR

Claim(s) : 61-07247B
Owner(s) : Desert
Sea Farms
Date: 05 Oct 98
Prepared by:
Ron Howerton
Total Acres: 60

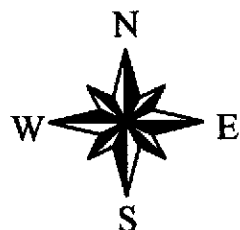
 POU

 POD

 SECTION LINES

 1/4 1/4

ACRES



T03S, R04E, S01

NENE

60.0

**SWNW, S06,
T03S, R05E**

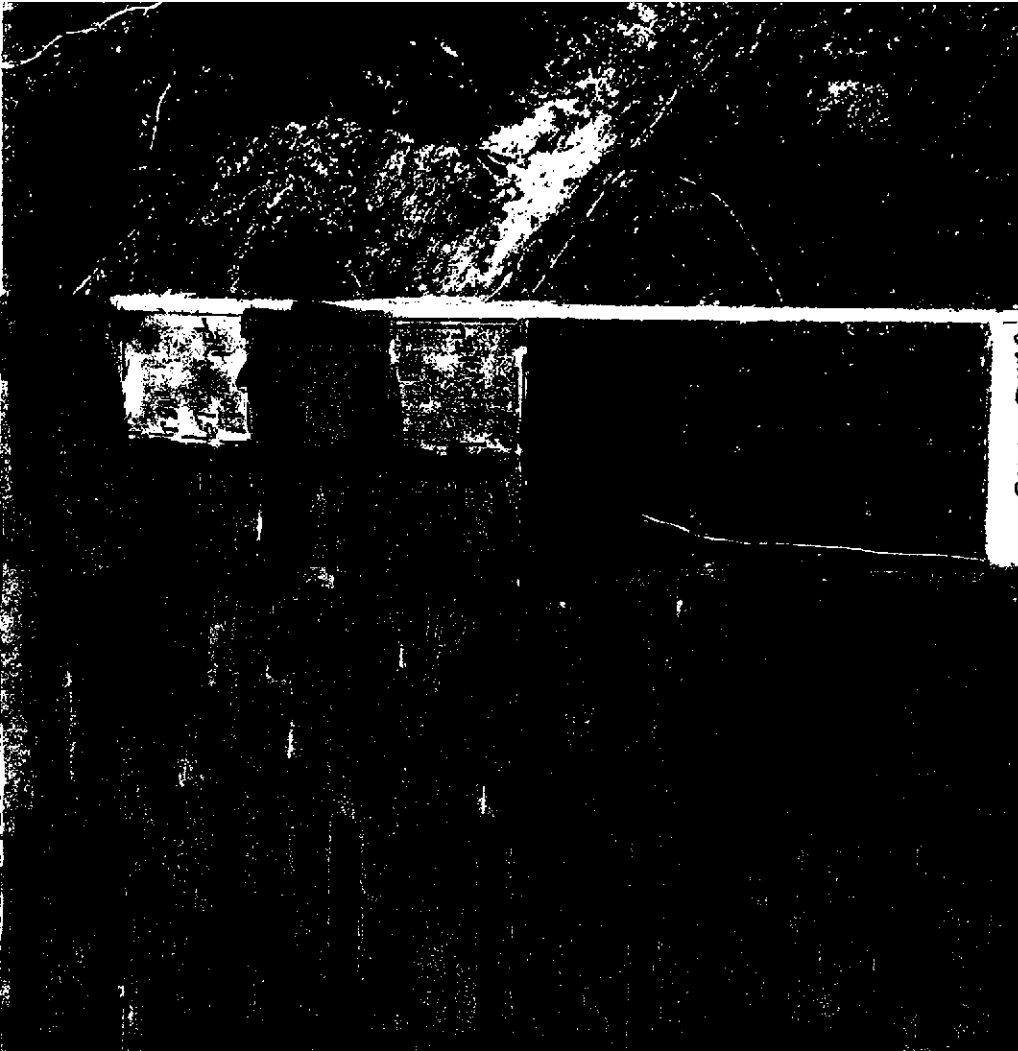
1987 NAPP

0

0.25 Miles



32



32 BEET DUMP



01-07240



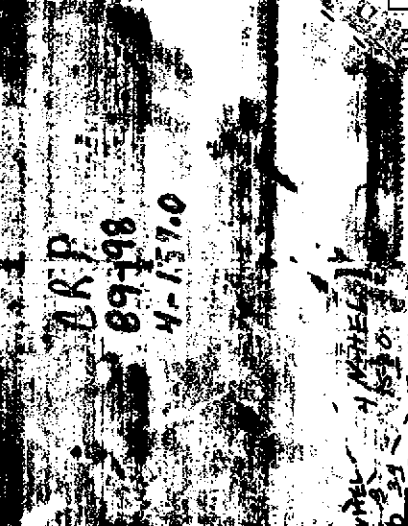
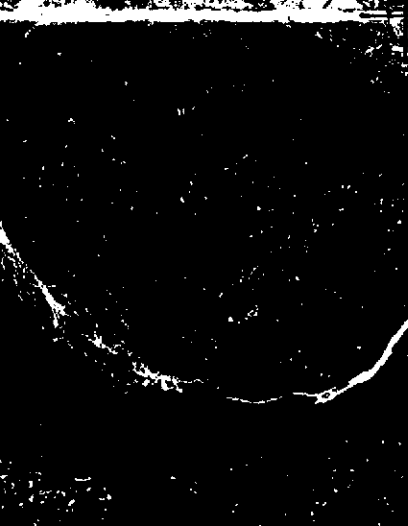
WHEL

WHEL

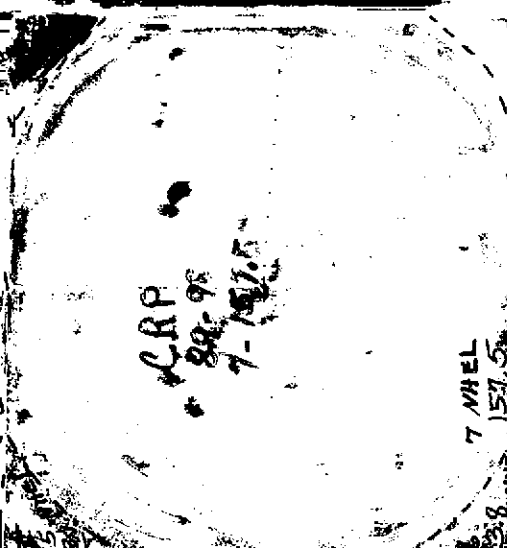
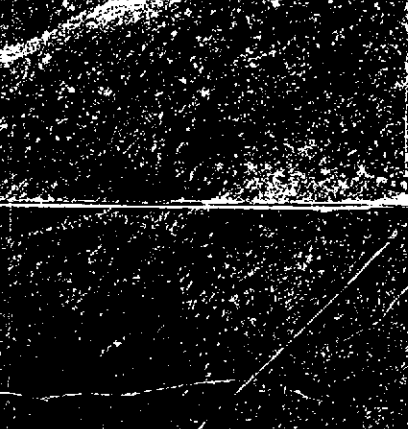


01-07263

WHEL

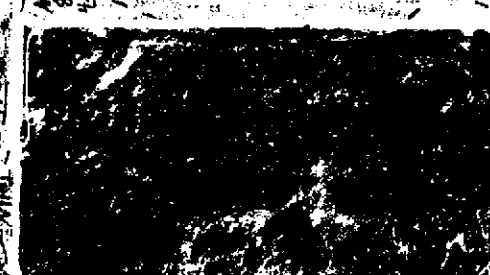
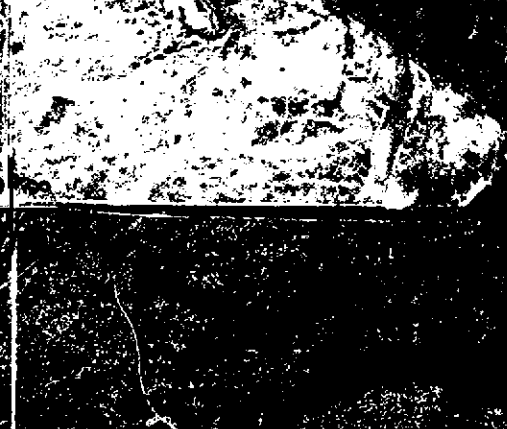


CRP
89-98
4-157.0

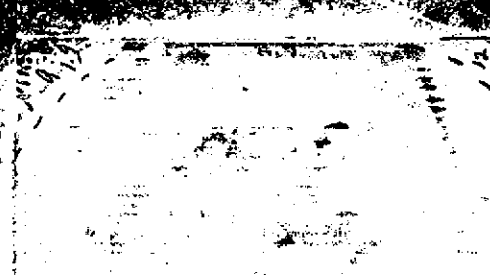


CRP
89-98
7-157.5

7 WHEL

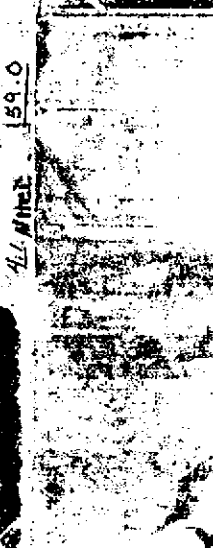


WHEL



CRP
89-98
10-157.0

10 WHEL
159.0

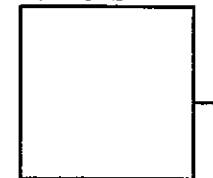


SPLIT REVIEW (Rights: 61-07263, 61-07264 & 61-07247)

AGENT: Ron Howerton

Date: 23 Sep 98

61-07264
557 acres
11.14 CFS

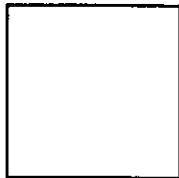


*P/D SESESW, S31,
T02S, R05E LT 01*

61-07264A
537 acres
10.74 CFS
Desert Sea Farms

61-07264B
20 acres
0.4 CFS
Hickey

61-07247



*P/D SESW, S36,
T02S, R04E*

61-07247A
Split into C Hergert Farms
Permit
Split into D Hickey
Permit

*P/D SESESW, S31,
T02S, R05E LT 01
Transfer 5145
Changed P/D from S01 to
P/D NWNW, S06,
T03S, R05E LT 04 (see attached well log dated 6/1/98)*

61-07247B
License
60 acres
1.2 CFS
Desert Sea Farms

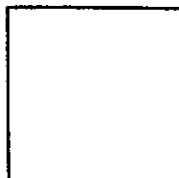
61-07263

Transfer 5145

P/D SESESW, S31, T02S, R05E LT 01

P/D NWNW, S06, T03S, R05E LT 04

Desert Sea Farms



SPLIT REVIEW (Rights: 61-07263, 61-07264 & 61-07247)

AGENT: Ron Howerton

Date: 23 Sep 98

P/D OVERLAP AND CONDITIONS FOR:

61-07247B & 61-07263

- * P/D overlap with 61-07263, 61-07247B (Both have same P/D's) & 61-07264 (SESESW, S31, T02S, R05E LT 01 only)
- Combined remarks apply for CFS & Volume for 61-07247B, 61-07263, 61-07264A & B.

61-07264A & 61-07264B

- P/D overlap with 61-07264A & 61-07264B (Both have same P/D) & 61-07263, 61-07247B (SESESW, S31, T02S, R05E LT 01 only)
- No combined conditions apply for 61-07264A & 61-07264B. (Conditioned on 61-07247B & 61-07263)
- For the P/D overlap of 61-07263 or 61-07247B, that pipeline to those lands only flows one way. Their other P/D located in S01, prior to Transfer 5145 did not flow back up through that pipeline. (Per conversation with Steve Lester, field examiner) Also noted by memorandum dated 7/7/94 that it wasn't a common 1 system, per point of contact, Larry Esson.
- Transfer 5145 moved the P/D from S01, to its new location in S06, approved December 16, 1997. Since then, no-transfer has been filed to add this point of diversion to 61-07264A or B.
- Proof of the new well located in *NWNW, S06, T03S, R05E LT 04* is shown by well log permit 61-97-C-0055-000, well tag 00000272. Completed 1 June 98.

MEMORANDUM

TO: FILE

FROM: STEVE LESTER 

DATE: NOVEMBER 6, 1997

RE: RECOMMENDATIONS FOR T.5145, DESERT SEA FARMS

This is a simple transfer to change a diversion point from Section 1 well to a new well to be drilled in adjacent site in Section 6. There does not appear to be any problems with approving the transfer. The incorrect flow rate for 61-07263 on page 1 and the incorrect well site in Section 1 on page 6 of the application do not need to be corrected by the applicant as explained in this memo.

The two licenses use Section 1 well plus another well located northeast in Section 31. Note that a third right also uses the Section 31 well (61-07264) but does not use the Section 1 well so that right is not involved in the transfer.

The two SRBA claims reflect the licenses except that the Section 1 well is claimed in Lot 5 (SENE) instead of licensed Lot 1 (NENE) plus A63-07263 claims 3.30 cfs instead of the licensed 2.40 cfs. I spoke with the applicant contact, Mr. Larry Esson, on his October 29 office visit. He does not have any information to support the claim differences and did not appear concerned about claim corrections to match any transfer approval to be issued.

The legal notice included the claimed differences to allow proper notification as required. No protests resulted.

Ownership records are in order for both rights via the completed change in ownership filed by the applicant in 1994. Transfer Attachments A and B authorize access to the proposed well site in Section 6, although that authorization does not appear to be needed per ownership records for the NW 1/4 S. 6 (A61-07263 in the applicant's name).

CORRECTION OF REMARKS IN 61-07263

Note that right 61-07263 includes a remark linking the right to 61-07262. That appears to be a typo error since the latter right has nothing to do with the rights in question. The remark should refer to right 61-07264 from the 1987 field exams, and it can be corrected in the transfer decision.

CLARIFICATION OF SECTION 1 WELL LOCATION

Some confusion occurs in the water right and SRBA records for the well in Section 1. The 1987 field exams showed that the well was in Lot 1 (NENE). The tract lines for the section are abnormal due to large government lots.

The water right P/D index lists ground water in Lot 1 (NENE) for 61-07247B and 61-07263. It also shows ground water in Lot 5 (SENE) for 61-07203B, a split that included a change in P/D and P/U for Mr. Hickey per T.4328 issued in 1994 after that right was licensed.

The SRBA P/D index includes ground water in Lot 5 (SENE) for claims A61-07203B (Hickey as above) and A61-07247B plus A61-07263 plus A61-07264 (all for Desert Sea Farms). No ground water is shown in Lot 1 (NENE). The latter three claims contradict the 1987 license reports.

All of this can be clarified very easily. The current well location in Lot 1 was reconfirmed by a site visit yesterday (see attached notes). The well is close to the tract line but is definitely in Lot 1. No well is found in Lot 5 as verified by the 1987 and 1997 field visits. Note that no well drilling activity has been indicated for NE 1/4 Section 1 per well drilling database check. It appears that a case of mistaken 1/4-1/4 has resulted from the abnormal shape of the tracts due to large government lots found in the section.

Transfer approval will correct claims A61-07247B and A61-07263. Claim A61-07264 can be corrected by the claimant to delete reference to a Section 1 P/D. License 61-07203B and claim A61-07203B can be amended by Mr. Hickey or his successor: transfer application that would not need to be advertised to simply correct an error that was easy to make per above explanation?

RECOMMENDATIONS

61-07247B for 1.20 cfs, wells in S.31 (existing) and S.6 (proposed);

61-07263 for 2.40 cfs, wells as above, clarify remark about linkage to other rights;

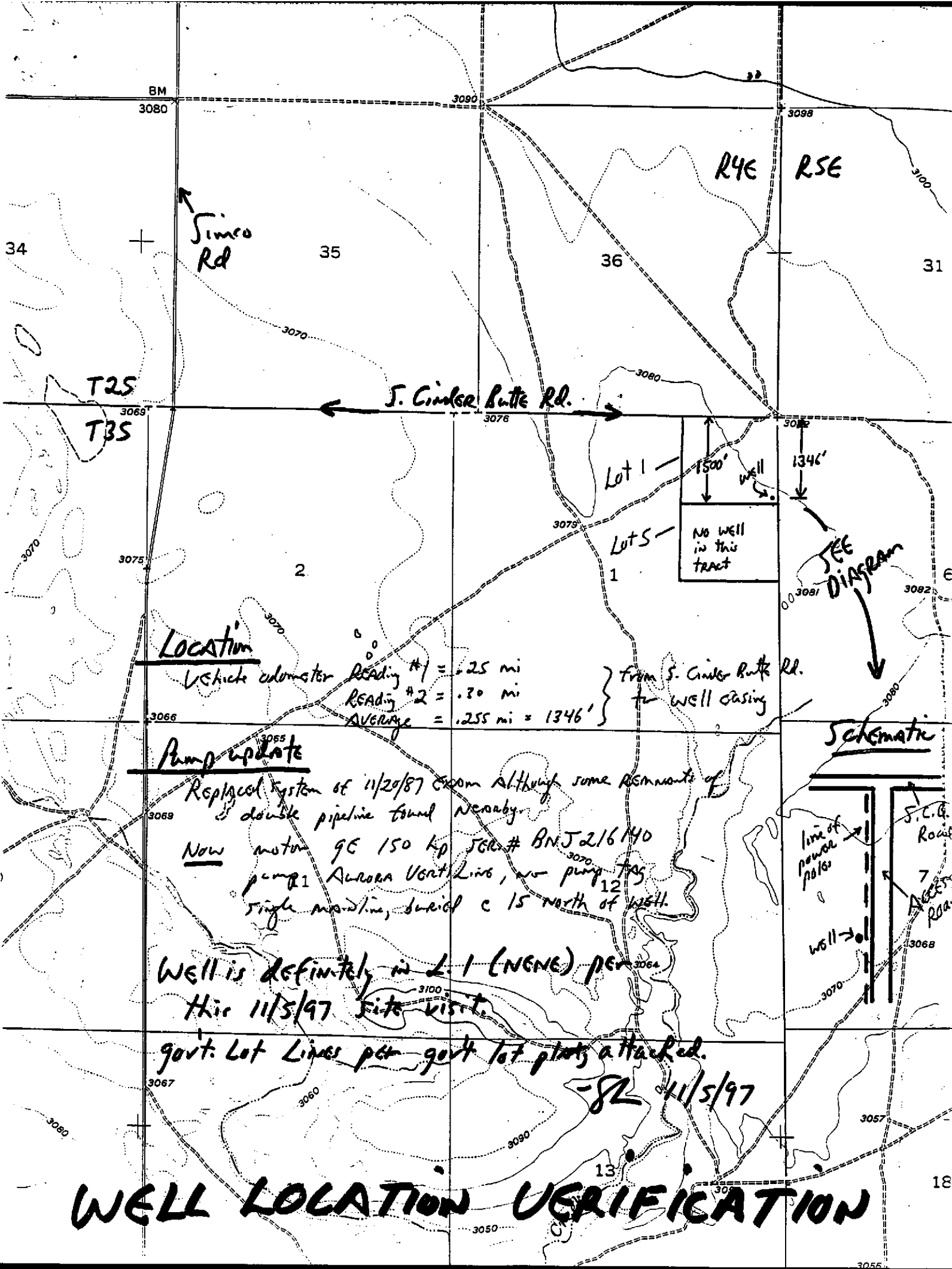
total flow is 3.60, not 4.50, cfs;

request for expedited drilling permit should be denied (?) -- see second memo also with today's date;

A61-07264 can be addressed by regional SRBA staff;

61-07203B and its claim can be addressed by regional allocation staff.

c: / RDH for A61-07264
/ Regional files 61-07203B and A61-07203B, 61-07264
/ S.O. files 61-07203B and 61-07264



Location

Vehicle odometer Reading #1 = .25 mi
Reading #2 = .30 mi
Average = .255 mi = 1346' } from S. Cinder Butte Rd.
to well casing

Pump update

Replaced system of 11/20/87 EXOM Although some remnants of double pipeline found nearby.

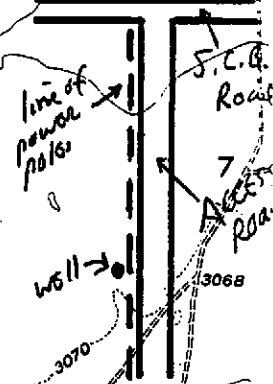
Now motor GE 150 hp SER # BNJ 216140
pump Aurora Vert. Line, no pump tag
single mandrel, burial c 15' north of well.

Well is definitely in L 1 (NENE) per
this 11/5/97 site visit.

govt. Lot Lines per govt lot plots attached.

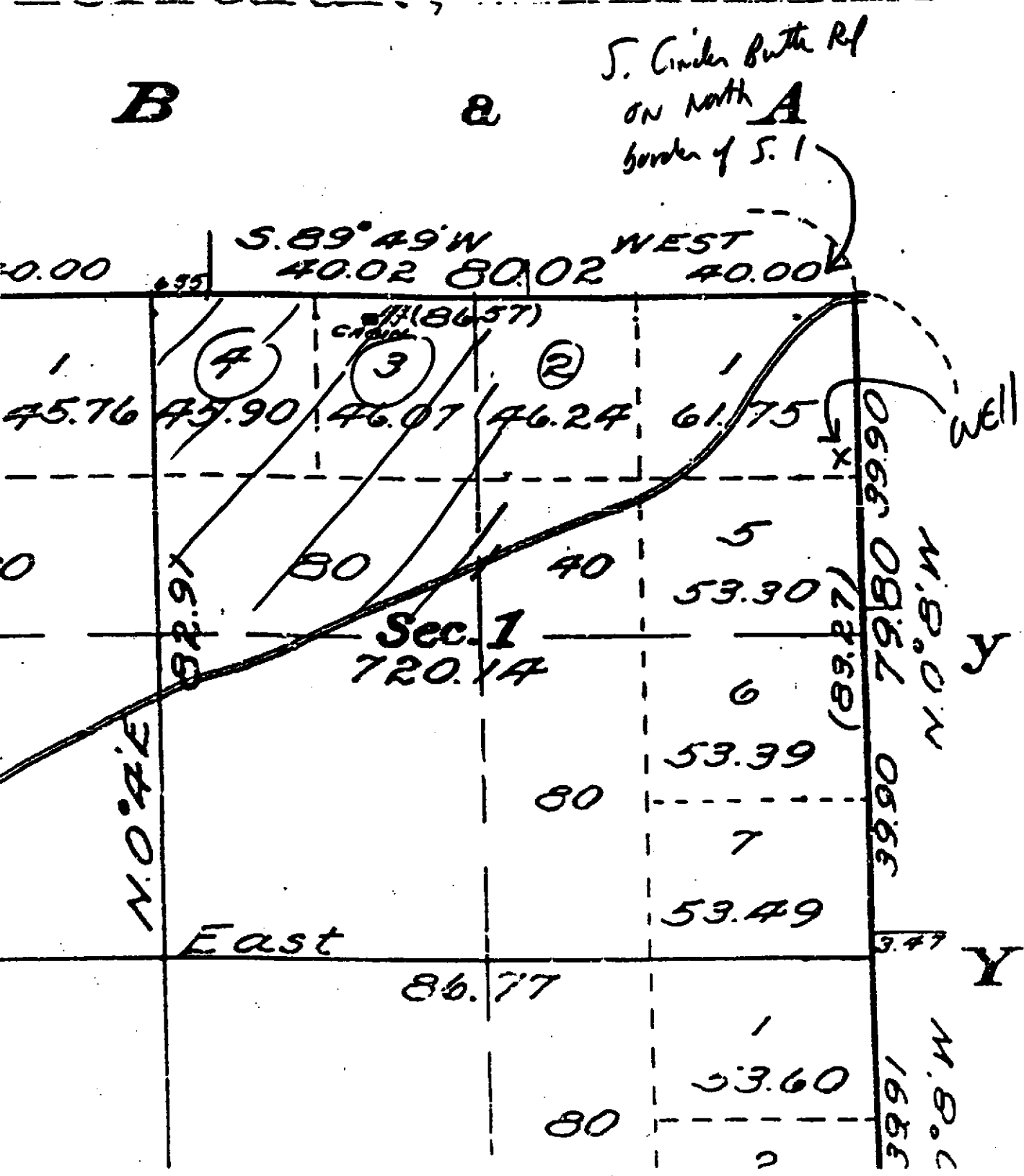
-82 11/5/97

Schematic



WELL LOCATION VERIFICATION

61
3
4
5



ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. 61-07247B

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	N	IN OFFICE Rdh 9oct 98		N	N		
PT. OF DIV.			LIC/TRANSFRR				DATA ENTRY COMPLETED BY _____ DATE _____
SOURCE							
PL. OF USE			4				FINAL RECOMMENDATION BY _____ DATE _____
DIV. AMOUNT CFS/AF							
CONSUMPTIVE USE							
NATURE OF USE							
PERIOD OF USE							
BASIS OF CLAIM							
REMARKS							

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

COMMENTS: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:23:57
07/05/94

PAGE: 1
GENERAL INFORMATION

27
CLAIM NUMBER: A61-07247B

LAST: BALLANTYNE
ADDRESS: 2208 ELLIS
CITY: CALDWELL
PHONE NUMBER: 208-459-8590
OWNER CODE: *PO*

FIRST: W. J.
STATE: ID ZIP: 83605

DESERT SEA FARMS LLC
905 E 13TH N
MOUNTAIN HOME ID 83647

LAST: OSBORN
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: ROBERT E.
STATE: ID ZIP: 0

CURRENT
OWNER (208) 587-9271

LAST: HETHERINGTON
ADDRESS: P.O. BOX 740
CITY: EMMETT
PHONE NUMBER: 208-365-2280
OWNER CODE: *PO*

FIRST: HERBERT C.
STATE: ID ZIP: 83617

LAST: WOOD
ADDRESS: 919 N. 17TH ST.
CITY: BOISE
PHONE NUMBER: 208-342-5426
OWNER CODE: *PO*

FIRST: JEROLD L.
STATE: ID ZIP: 83702

LAST: ESSON
ADDRESS: P.O. BOX 182
CITY: GRANDVIEW
PHONE NUMBER: 208-000-0000
OWNER CODE: *PO*

FIRST: LARRY
STATE: ID ZIP: 83624

LAST: BALLANTYNE
ADDRESS: C/O W. J. BALLANTYNE, TRUSTEE
2208 ELLIS

FIRST: ESTATE OF EDNA

CITY: CALDWELL
PHONE NUMBER: 208-459-8590

STATE: ID ZIP: 83605

OWNER CODE: C

LAST: OSBORN
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST: BETTY F.

STATE: ID ZIP: 0

OWNER CODE: 0

LAST: FRANSEN
ADDRESS: 2403 JULIE LANE
CITY: PAYETTE
PHONE NUMBER: 208-000-0000

FIRST: BEVERLY

STATE: ID ZIP: 83661

OWNER CODE: ~~0~~ 0

LAST: ESSON
ADDRESS: 1824 E. IOWA
CITY: NAMPA
PHONE NUMBER: 208-000-0000

FIRST: NEIL

STATE: ID ZIP: 83651

OWNER CODE: ~~0~~ 0

LAST: STEWART
ADDRESS: 406 E. CURLING
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST: NORMA

STATE: ID ZIP: 83702

OWNER CODE: ~~0~~ 0

FIELD EXAM REQUIRED?

DATABASE
N

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

CONTACT PERSON: LARRY ESSON

PHONE NUMBER: () 587-9271

DATE OF FIELD EXAM: / /

APPOINTMENT MADE: Y() N(☒)

TIME: : A() P()

ACCOMPANIED BY: IN-OFFICE 10/5/98

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

SEE MAPS IN FILE

A. AJ CLAIM: # A61-07247B PRIORITY DATE: 01-10-1976 STAGE: L

B. WR RECORD: # 61-07247B PRIORITY DATE: 01-10-1976 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:
01-10-1976

REVIEWED BY Reh

DATE 5 Oct 98

=====

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A61-07247B	02S	05E	31	SE	SE	SW	3	ELMORE
A61-07247B	03S	04E	1	NE	SE	NE	5	ELMORE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A61-07263 NONE
A61-07264

WR RECORDS IN SAME 40 ACRE TRACT
61-07263
61-07264

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
61-07247B	03S	04E	1		NE	NE	1	ELMORE
61-07247B	02S	05E	31		SE	SW	3	ELMORE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A61-07263 NONE
A61-07264

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
X
N

FIELD
EXAMINER
Rch

NOTES:

SEE WELL DRILLERS REPORT AND STEVE LESTERS MEMORANDUM
DATED 6 NOV 97

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
25	5E	31	SE	SE	SW	—	ELMORE	—
35	5E	06	SW	NW	NW	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: Rdh DATE: 5 Oct 98

SYSTEM DESCRIPTION:

- 2-WELLS, BOOSTER Pumps, SPRINKLER SYSTEMS
- TRANSFER 5145 CHGD. PID - SEE ATTACHED TRANSFER
- SEE SPLIT REVIEW, DTD 23 SEP 98
- SEE MEMORANDUM by STEVE LESTER DTD 6 NOV 97.

ADD REMARK:(S)

EXP - F05 (7263)

F06 (7264A & 7264B) LOCATED IN T25, R5E, S31, SESESW

A. ROOT WATER RIGHT NUMBERS: A61-07247C
A61-07247B

B. POI LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
03S	04E	1	NE	NE	1	BALLANTYNE, W. J.	A61-07247B /60.0	61-07247B /60.0	47.0		60
TOTAL ACRES							A61-07247B	60.00	60.00	47.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(~~X~~)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POI DISCREPANCY? (Y/N)

DATABASE

FIELD
EXAMINER

POI COUNTY: ELMORE

PRESUMPTION FLAG: ~~X~~

NOTES:

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

60

Rch

5 Oct 98

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A61-07247B IRRIGATION	FROM 03-15 TO 11-15	1.200 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.200 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
61-07247B IRRIGATION	FROM 03-15 TO 11-15	1.200 CFS 270.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.200 CFS 270.00 AF/A

PRESUMPTION FLAG:

X

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X) N() Explain in notes, below.

NOTES:

TRANSFER #5145 APPROVED 12 DEC 97 WITH 4/1 to 10/31 SEASON SEE
(ATTACHED)

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.200 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.200 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***

** If an amount smaller than the original diversion rate is **

** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD NA, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 60 x 0.02 CFS/ACRE = 1.2 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 180.0 AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

SEE TRANSFER 5145 Item 7 FOR DIVERSION & VOL
QUT REMARK(5) LIST Item #7 AS SHOWN ON TRANSFER.

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
IRRIGATION	03-15 ~~11-15~~	1.200 _____	_____	~~180.0~~ _____
TOTAL FOR THIS RIGHT	4-1 to 10-31	1.200		~~180.0~~

REVIEWED BY: Rch

DATE: 5 Oct 98

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(X)	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 61-07247

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

DATABASE
6.630

EXAMINER

CFS

SEE SPLIT REVIEW DTD
23 Sep 98

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-07247C	3.440	-		61-07247C	3.440
-	A61-07247B	1.200	-		61-07247B	1.200
-	-		-		61-07247	
-	-		-		61-07247D	1.990
TOTAL CFS		4.640				6.630

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

NOTES:

LAND WAS UNDER CRP 1988-1997. SEE ASCS MAP

AUTHENTICATION:

SIGNATURE:

Ron Howerton

DATE:

5 Oct 98

NAME OF FIELD EXAMINER:

RON HOWERTON

TITLE:

SR VA AGENT

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
(X) NAPP	DATE OF PHOTO 1987 IDWR ID NO. Z-11	Y(X) N()
(X) ASCS AERIAL PHOTO	DATE OF PHOTO 1987	Y(X) N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
(X) IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED 12 DEC 97	3	_____
(X) SYSTEM DESCRIPTION	DATE DRAWN SEE B/w EXAM	_____	IN FILE 7264A
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
(X) SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED 23 Sep 98	2	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
(X) OTHER WELL LOG	DATE 6-1-98	1	Shows Location of NEW WELL
(X) OTHER memorandum	DATE 6 Nov 97	4	Shows Lesters Field recommendations

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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QUICKLOOK INFORMATION

39
CLAIM NUMBER: A61-07247B

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM	Y							
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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07/05/94
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PROFILE REPORT

CLAIM NUMBER: A61-07247B

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	W. J. BALLANTYNE 2208 ELLIS CALDWELL ID 83605 (208) 459-8590	01/10/1976	IRRIGATION	03-15 11-15	1.20 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	1.20 CFS	180.00 AFA
C	HERBERT C. HETHERINGTON P.O. BOX 740 EMMETT ID 83617 (208) 365-2280					
C	JEROLD L. WOOD 919 N. 17TH ST. BOISE ID 83702 (208) 342-5426					
C	LARRY ESSON P.O. BOX 182 GRANDVIEW ID 83624					
C	ESTATE OF EDNA BALLANTYNE C/O W. J. BALLANTYNE, TRUSTEE 2208 ELLIS CALDWELL ID 83605 (208) 459-8590					
C	BEVERLY FRANSEN 2403 JULIE LANE PAYETTE ID 83661					
C	NEIL ESSON 1824 E. IOWA NAMPA ID 83651					
C	NORMA STEWART 406 E. CURLING BOISE ID 83702					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02S R05E S31 Lot03(SESESW)
T03S R04E S01 Lot05(NESENE)

ELMORE County
ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																		
				NENE	NWNE	SWNE	SENE	:				NENW	NWNW	SWNW	SENW	:				NESW	NWSW	SWSW	SESW	:				NESE	NWSE	SWSE	SESE	:		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
---	---	---	:	---	---	---	---	---	---	---	---	:	---	---	---	---	---	---	:	---	---	---	---	---	:	---	---	---	---	---	---	:	----	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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07/05/94
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PROFILE REPORT CONTINUED

CLAIM NUMBER: A61-072478

Place of use Legal Description for: IRRIGATION															
				NE				NW				SW			
				NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---
03S	04E	1	:	01-60											
															SUM
															60.0
															60.0
															TOTAL ACRES

POU County: ELMORE

Other Rights: NONE

Dates: Exam Made Date: Verified Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

ADJUDICATION MEMORANDUM

CLAIM NO.: A61-07247B, 7263 & 7264 SUBJECT: OWNERSHIP CHANGE

EMPLOYEE: RON HOWERTON

DATE: 7-7-94

REF: LARRY ESSON CALLED, FOLLOW-UP FROM
ORIGINAL OWNER BILL BALLANTYNE TEL CONU 7-6-94.

- MADE APPOINTMENT FOR 9AM FRI JULY 8th TO
UPDATE OWNER LIST.
- ALSO DISCUSSED WHETHER PIDS WERE 1-SYSTEM
HE SAID NO, BUT IT WAS AT ONE TIME. IF HE
WANTS TO MAKE THEM 1-SYSTEM AGAIN THEN I
ADVISED THAT A TRANSFER NEEDED TO BE FILED.
- THUS, ON CLAIM A61-07264 WHERE A PID WAS ADDED
CAN BE DELETED, SINCE NO TRANSFER WAS FILED.
- ALSO, ON 7247B & 7263 THE 2ND PID WAS LICENSED
IN THE NENE, SI NOT SENE SI AS CLAIMED. THIS
COULD EASILY BE OFF BECAUSE ITS LOCATION IS SO CLOSE
TO 1/4 1/4 LINE, THIS RECOMMENDATION WILL
BE AS LICENSED FOR LOCATION OF THIS PID.
- NEW ADDRESS & PH FOR LARRY ESSON (208) 587-9271
905 E 13TH N
MOUNTAIN HOME ID 83647

7-8-94

LARRY ESSON & JERRY STWARD CAME-IN AND BROUGHT BARGAIN
AND SALE DEED. CHANGED CLAIMS TO REFLECT NEW NAME
OF ORGANIZATION IN PLACE OF ALL NAMES THAT REMAINED
AND NEW NAME - JERRY STWARD. SEE BARGAIN & SALE DEEDS.

July 6, 1994
2:25 PM

FIELD EXAM
TELEPHONE CONVERSATION MEMO

I.D. NUMBER AGI-07247B, AGI-07263 & AGI-07264

NAME OF CONTACT BILL BALLANTYNE (Rec'd call from appoint letter)

PHONE NO. 459-8590 ADJ. AGENT RON HOWERTON

DATE SET FOR EXAM _____

~~LOCATION~~ 1) AN OWNERSHIP CHANGE IS REQUIRED FOR THE ABOVE CLAIMS.
2) ALL CLAIMS WERE RECENTLY LICENSED, 1-6-89, 8-14-89 & 1-6-89
thus NO FX NEEDED

Diverting at full rates? * NA

Type of measuring devices? * NA

Places to make measurements? * NA

Type of system? (pipeline, ditches) * NA

How many laterals are used? * NA

Length and size of mainline? * NA

Size of Motor used for each P/D? * NA

Estimate of depth to water? NA *

Pressure at well? NA *

Pressure at sprinkler head? NA *

COMMENTS • BILL SAID THAT HE WAS NO LONGER AN OWNER. HE SAID THAT HE

would have the NEW OWNERS call me. THE FOLLOWING ARE NO LONGER OWNERS:

- 1) ESTATE OF EDNA BALLANTYNE 3) HERBERT C. HERRINGTON ALSO LAND HAS BEEN *
2) W. J. BALLANTYNE (BILL) 4) TEROLD L. WOOD • IN CRP FOR 6 YRS - 4 MORE TO GO.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

Date: July 1, 1994

CECIL D. ANDRUS
GOVERNOR

Estate of Edna Ballantyne
C/O W J Ballantyne, Trustee
2208 Ellis
Caldwell, Id 83605

R. KEITH HIGGINSON
DIRECTOR

RE: Field Exam Scheduling Letter for the following Adjudication Claims:

A61-07247B, A61-07263 & A61-07264.

Dear Mr. Ballantyne,

The Adjudication Staff of the Department of Water Resources will be conducting Snake River Basin Adjudication Claim Examinations for Elmore County from July through November 1994.

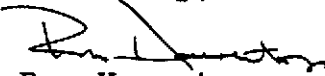
Information on your claim that may need to be verified includes, source(s) of water, uses and amounts, legal descriptions of point(s) of diversion, place of use and in some cases documentation verifying the date of priority as claimed in the Snake River Basin Adjudication.

Although it is not mandatory that you accompany me, should questions arise during the exam, it would be most helpful for yourself or a knowledgeable representative to be available during the field exam. This will help in the accuracy of collecting specific information about your water right and speed up our findings.

I would appreciate your call ASAP to set-up a field exam date. I may also be calling to help speed up the scheduling due to the short field season this year.

If you have other questions prior to scheduling a date or about the field examination, feel free to call me on that too. **Please call today to set-up your exam!**

Sincerely,


Ron Howerton
ADJUDICATION STAFF
Department of Water Resources
Western Region Office
(208) 334-2190

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JUL-16-1999
PAGE: A-1-----
RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 61-07247B

NAME & ADDRESS: CARL D HICKEY
PO BOX 243
MOUNTAIN HOME ID 83647

SOURCE: GROUNDWATER

QUANTITY: 1.2 CFS

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER TRANSFER 5145 SHALL NOT EXCEED 3.6 CFS, NOR TOTAL
COMBINED ANNUAL VOLUME OF 900 AF.

PRIORITY DATE: 01/10/1976

POINT OF DIVERSION: T02S R05E S31 LOT 1 (SESESW) Within ELMORE County
T03S R05E S06 LOT 4 (SWNWNW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	1.2 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.PLACE OF USE: IRRIGATION Within ELMORE County
T03S R04E S01 Lot 1 (NENE)60
60 ACRES TOTAL

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

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 61-07247B (CONT)

OTHER PROVISIONS: (CONT)

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 61:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT NO. 61-07263 IS ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED AS T02S, R05E, S31, SESESW: 61-07264A AND
61-07264B.

THE RIGHT HOLDER SHALL MEASURE AND ANNUALLY REPORT DIVERSIONS
OF WATER AND/OR OTHER PERTINENT HYDROLOGIC AND SYSTEM INFORMATION
AS REQUIRED BY SECTION 42-701, IDAHO CODE.

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	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	Water Right 61-07247B

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☒ Substitution of Party
☐ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water
right claimed? ☐ Yes ☒ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 61-07247B

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
7/16/1999

61-07247B

PAGE 1

From (Claimant/Seller):

Name of Claimant: DESERT SEA FARMS LLC
Address: 905 E 13TH N
MOUNTAIN HOME ID 83647
Phone: (208) 587-9271

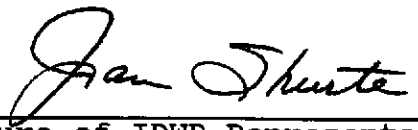
To (Claimant/Purchaser):

Name of Claimant: CARL D HICKEY
Address: PO BOX 243
MOUNTAIN HOME ID 83647

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 Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: July 16, 1999



Signature of IDWR Representative

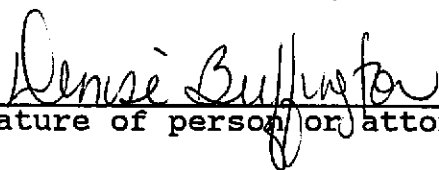
CERTIFICATE OF MAILING

I certify that on July 16, 1999 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
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

DESERT SEA FARMS LLC
905 E 13TH N
MOUNTAIN HOME ID 83647
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

CARL D HICKEY
PO BOX 243
MOUNTAIN HOME ID 83647
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
JUN 22 1999

WATER RESOURCES
WESTERN REGION

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 Number(s) 61-07247B
Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.
 - 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 for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) DESERT SEA FARMS, LLC

4. New Owner/Claimant(s) CARL D. HICKEY
 Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
 New Mailing Address PO BOX 243
 City, State and ZIP Code MOUNTAIN HOME, ID 83647
 New Telephone Number () -

5. Date you acquired the property 6-17-99

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 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.

7. Signature of New Owner/Claimant(s) Carl D. Hickey Date 6-17-99
 _____ Date _____

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

WARRANTY DEED

FOR VALUE RECEIVED

Desert Sea Farms, L.L.C.

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto
Carl D. Hickey, a single man

GRANTEE(S), whose current address is: PO Box 243
the following described real property in Elmore
more particularly described as follows, to wit:

Mountain Home, Id 83647
County, State of Idaho,

Township 3 South, Range 4 East, Boise Meridian, Elmore County, Idaho

Section 1: U.S. Government Lot 1

316040

ELMORE COUNTY, IDAHO ss
Request of
GUARANTY TITLE, INC.

Time 3:33 P M
Date June 17, 1999
GAIL BEST, Recorder

By [Signature]
Fee \$3.00 Deputy

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever, except those of record.

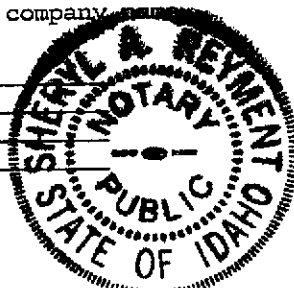
Dated: June 17, 1999

[Signature]
Desert Sea Farms, L.L.C.

State of Idaho)
) ss.
County of Elmore)

On this 17th day of June, 1999^{9 SAH}, before me, a Notary Public in and for said State, personally appeared LARRY ESSON known or identified to me or proved to me upon satisfactory evidence to be one of the members in the limited liability company of Desert Sea Farms LLC and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that (s)he, they, executed the same in said limited liability company.

Signature Sheryl A. Reymond
Name SHERYL A. REYMENT
Residing at: Mountain Home
Commission expires: 12-27-99



Western AJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5145
WATER RIGHT NO(S). 61-07247B/61-07263

RECEIVED

DEC 22 1997

WATER RESOURCES
WESTERN REGION

This is to certify that: **DESERT SEA FARMS LLC**
905 E 13 N
MOUNTAIN HOME ID 83647

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 61-07247B :			
IRRIGATION	04/01 to 10/31	1.20 CFS	240.0 AF
Priority: 01/10/1976			
Right No. 61-07263 :			
IRRIGATION	04/01 to 10/31	* 2.40 CFS	660.0 AF
Priority: 04/01/1976			
TOTAL:		** 3.60 CFS	** 900.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: Lot 1(SESW), Sec. 31, Township 02S, Range 05E
Lot 4(NWNW), Sec. 6, Township 03S, Range 05E
ELMORE County

PLACE OF USE: IRRIGATION

Right No. 61-07247B :

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S	04E	1	Lot 1(NENE)	60		60
Total number of acres irrigated:						60

Right No. 61-07263 :

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S	05E	6	Lot 3(NENW)	39	Lot 4(NWNW) 43	165
			SEnw	38	Lot 5(SWNW) 45	165
Total number of acres irrigated:						165

TRANSFER NO. 5145
WATER RIGHT NO(S). 61-07247B/61-07263

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- ** 7. The total instantaneous diversion of water from all points of diversion under Transfer 5145 shall not exceed 3.60 cfs, nor total combined annual volume of 900.0 af.
- * 8. Right 61-07263 when combined with Rights 61-07247B and 61-07264 shall not exceed 11.36 cfs.

Dated this 16th day of December, 1997.


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILES 61-07247B & 61-07263

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER 5145

DATE: December 9, 1997

=====

Transfer 5145 changes one of the points of diversion under Rights 61-07247B and 61-07263. The two rights share the same wells on adjacent land parcels as identified under the unchanged place of use.

Expedited Drilling Permit 61-97-C-0055-000 was approved 12-03-97 following region review of the transfer. Transfer approval is based on the licensed rate of diversion of 2.40 cfs, not the 3.30 cfs identified under Right 61-07263 on the application. A correction to the point of diversion overlap condition under Right 61-07263 was also made, identifying Right 61-07264 instead of 61-07262 as verified by region staff and file review.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include multiple points of diversion/measuring devices, annual reporting, irrigation overlap and standard transfer conditions.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 61-072478

Priority: January 10, 1976 Amount: 1.20 CFS 270.0 AFA

This is to certify, that W. J. BALLANTINE
EST. OF EDNA BALLANTINE
MARTHA ESSON
HERBERT C. BETHERRINGTON
JEROLD L. WOOD

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated December 22, 1975, and has submitted proof to the Department of Water Resources on May 20, 1981, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 10.250 cfs of water from a GROUNDWATER source and that a water right has been established as follow:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	VOLUME
IRRIGATION	03/15 to 11/15	1.20 CFS	270.0 AFA

LOCATION OF POINT OF DIVERSION(S): LOT 1 (NENE), Sec. 1, Township 03S, Range 04E
LOT 3 (SESW), Sec. 31, Township 02S, Range 05E

PLACE OF USE: IRRIGATION

TOWN SEC	ACRES	ACRES	TOTAL
03P 04E 1 LOT 1(NENE) 60			60
			60

Total number of acres irrigated:

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Sect. on 42-222, Idaho Code, or the applicable Idaho law.

NS-145
NS-145
NS-145

PAGE 2

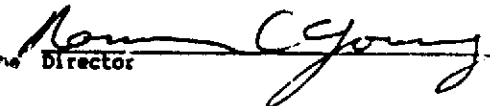
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-072478

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 6th
day of JANUARY, 1987.

Acting for the Director



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: **A61-07247B**
Date Received: 11/ 9/1989
Receipt No: C012770
Received By: _____

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

1. Name: DESERT SEA FARMS LLC 208-587-9271
Address: 905 E 13TH N
MOUNTAIN HOME ID 83647

2. Date of Priority: JAN 10, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	05E	31	SE	SE	SW	3	ELMORE
03S	04E	1	NE	SE	NE	5	ELMORE

5. Description of diverting works:
WELL, 20" X 409', 200 HP MAIN PUMP, 2 BOOSTER PUMPS, SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.200		

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

8. Total consumptive use is 180.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03S	04E	1	NE	NE	1	IRR	60.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	60.0
					Total Acres	60.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGED BY RDH ON 07/08/94.

15. Basis of Claim: LICENSE

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



SOILBUILDERS

J.R. SIMPLOT COMPANY
P.O. BOX 610
MOUNTAIN HOME, IDAHO 83647
208/587-3345 BUS
208/587-9271 RES
MOBILE 587-1125-1353

LARRY ESSON
SALESMAN
MOUNTAIN HOME
IDAHO REGION



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____, B.M.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ 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)
- ☒ Water Right Number(s) Assigned by IDWR: A61-07247B - A61-07263 - A61-07264
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):
ESTATE OF EDNA BALLANTYNE, WJ BALLANTYNE
HERBERT C. HERRINGTON, JEROLD L WOOD
SEE CLAIM FOR ADDRESSES:
- ☒ New Owner/Claimant (Purchaser):
Desert Sea Farms LLC * ^{LIST AS:}
- ☐ New Mailing Address:
905 E. 13th North
Mtn Home, Idaho
83647
- ☐ New Telephone Number: (208) 587-9271
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
BARGAIN OF SALE DEED

- ☒ Attach proof of ownership, describe proof attached: BARGAIN OF SALE 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.)

- ☐ Signature of New Owner/Claimant(s): Larry Esson Date 7/8/94
Jerry Stewart Date 7/8/94
- ☐ Signature of Former Owner/Claimant(s): Larry Esson Date 7/8/94
Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

* FORMER OWNERS THAT REMAIN ARE:

LARRY ESSON
BEVERLY FRANSEN
NORMA STEWART
NEIL ESSON

NEW NAME - DESERT SEA
FARMS LLC
SEE BARGAIN OF SALE
DEED...

NEW OWNER ADDED & SIGNED IS JERRY STEWART
ALSO FORMER OWNER LARRY ESSON SIGNED AGAIN AS NEW FORMER OWNER

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

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

LEGAL DESCRIPTION

Township 3 South, Range 4 East, Boise Meridian, Elmore County, Idaho

Section 1: Lot 1

Township 2 South, Range 5 East, Boise Meridian, Elmore County, Idaho

**Section 31: NE1/4
N1/2S1/2
Lots 1, 2, 3, and 4**

**Section 32: W1/2W1/2NW1/4
NE1/4S1/2NW1/4
NE1/4NW1/4NW1/4**

Township 3 South, Range 5 East, Boise Meridian, Elmore County, Idaho

**Section 6: Lots 3, 4, and 5
SE1/4NW1/4**

EXHIBIT A

(Continued)

WARRANTY DEED

Norma Esson Stewart, a single person, Beverly Esson Fransen, a married person dealing with her separate property, Neil Esson, a single person, Jerry H. Stewart, a single person, Larry Esson, a single person, and Josephine Anchustegui, a single person, hereby convey, grant, bargain, sell and warrant to Desert Sea Farms L.L.C., a limited liability company, organized under the laws of the State of Idaho, whose address is 905 E. 13th North, Mountain Home, Idaho, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the real property located in Elmore County, Idaho and more particularly described on Exhibit A, attached and incorporated by reference.

This conveyance shall include any and all appurtenances, fixtures, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantor covenants to the Grantee that the Grantor is the owner in fee simple of said premises; that the premises are free from all encumbrances, except as set forth on Exhibit B, and except for those of record, and that the Grantor will warrant and defend the same from all other claims whatsoever.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 24th day of May, 1994.

Norma Esson Stewart
Norma Esson Stewart

Beverly Esson Fransen
Beverly Esson Fransen

Neil Esson
Neil Esson

Jerry H. Stewart
Jerry H. Stewart

Larry Esson
Larry Esson

Josephine Anchustegui
Josephine Anchustegui

280936

ELMORE COUNTY, IDAHO, ss

Request of GUARANTY TITLE, INC.

Time 2:55 P.M.

Date JUNE 1, 1994

Book DOLORES ROBISON

Page

Recorder

By Linda Van Meter

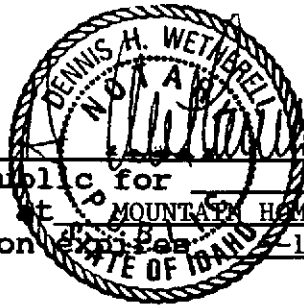
Deputy

Fee \$15.00

STATE OF IDAHO)
) ss.
County of ELMORE)

On this 24th day of May, 1994, before me, a Notary Public, personally appeared NORMA ESSON STEWART, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

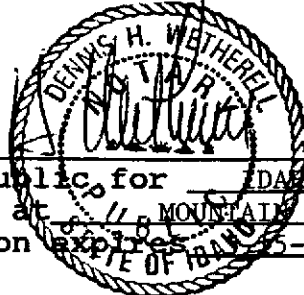

Notary Public for _____ IDAHO
Residing at _____ MOUNTAIN HOME
Commission expires _____ 5-15-98



STATE OF IDAHO)
) ss.
County of ELMORE)

On this 24th day of May, 1994, before me, a Notary Public, personally appeared BEVERLY ESSON FRANSEN, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

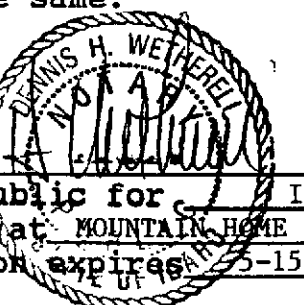

Notary Public for _____ IDAHO
Residing at _____ MOUNTAIN HOME
Commission expires _____ 5-15-98



STATE OF IDAHO)
) ss.
County of ELMORE)

On this 24th day of May, 1994, before me, a Notary Public, personally appeared NEIL ESSON, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

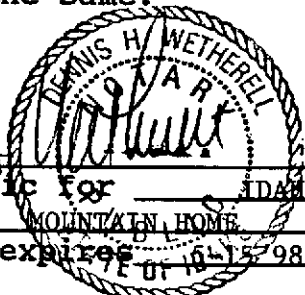

Notary Public for _____ IDAHO
Residing at _____ MOUNTAIN HOME
Commission expires _____ 5-15-98



STATE OF IDAHO)
) ss.
County of ELMORE)

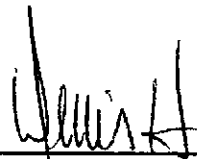
On this 24th day of May, 1994, before me, a Notary Public, personally appeared JERRY H. STEWART, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

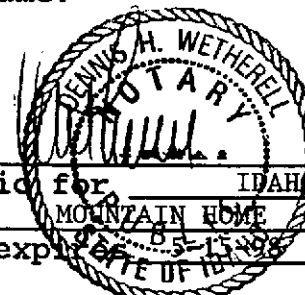

Notary Public for IDAHO
Residing at MOUNTAIN HOME
Commission expires 01-15-98



STATE OF IDAHO)
) ss.
County of ELMORE)

On this 24th day of May, 1994, before me, a Notary Public, personally appeared LARRY ESSON, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

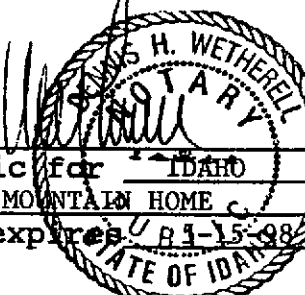

Notary Public for IDAHO
Residing at MOUNTAIN HOME
Commission expires 01-15-98



STATE OF IDAHO)
) ss.
County of ELMORE)

On this 24th day of May, 1994, before me, a Notary Public, personally appeared JOSEPHINE ANCHUSTEGUI, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.


Notary Public for IDAHO
Residing at MOUNTAIN HOME
Commission expires 01-15-98



LEGAL DESCRIPTION

Township 3 South, Range 4 East, Boise Meridian, Elmore County, Idaho

Section 1: Lot 1

Township 2 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 31: NE1/4
N1/2S1/2
Lots 1,2,3, and 4

Section 32: W1/2W1/2NW1/4
NE1/4SW1/4NW1/4
NE1/4NW1/4NW1/4

Township 3 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 6: Lots 3,4, and 5
SE1/4NW1/4

EXHIBIT B

The real property described herein is conveyed subject to the following encumbrances:

A mortgage, dated May 24, 1994, wherein the Mortgagor is Josephine Anchustegui, a single person, Larry Esson, a single person, Jerry H. Stewart, a single person, and the Mortgagees are William J. Ballantyne, a married man dealing with his sole and separate property, Jerold L. Wood and Catherine R. Wood, husband and wife, and Herbert G. Hetherington and Barbara Hetherington, husband and wife, recorded on ~~May~~ May 1, 1994, in the Office of the Elmore County Recorder as Instrument No. _____.

By acceptance of this conveyance, the Desert Sea Farms L.L.C. does hereby assume and agree to pay when due the obligations secured by the above described mortgage.

Subject further to current taxes and assessments, easements and other encumbrances of record and restrictive covenants, if any.

BARGAIN AND SALE DEED

GRANTOR: William J. Ballantyne, a married man, as his sole and separate property; Jerold L. Wood and Catherine R. Wood, husband and wife; Herbert G. and Barbara Hetherington, husband and wife

GRANTEE: Josephine Anchustegui, a single woman; Larry Esson, a single man, Jerry H. Stewart, a single man

GRANTEE'S ADDRESS: 905 East 13th North, Mt. Home, ID 83647

For good and valuable consideration, the receipt of which is hereby acknowledged the Grantor hereby grants, bargains, sells and conveys unto Grantee all of Sellers undivided 2/3 interest in and to that real property described on Exhibit A together with those fixtures listed on Exhibit B. Subject to easements existing on the premises, road rights of way and those encumbrances listed on Exhibit C attached hereto. Together with all appurtenances; water, water rights, ditch and ditch rights and any joint well agreements appurtenant to the property.

To have and to hold said premises unto Grantee and Grantees heirs and assigns.

DATED This 24th day of MAY, 1994.

Jerold L. Wood
Jerold L. Wood

Herbert G. Hetherington
Herbert G. Hetherington

William J. Ballantyne
William J. Ballantyne

Catherine R. Wood
Catherine R. Wood

Barbara Hetherington
Barbara Hetherington

280994 ELMORE COUNTY, IDAHO, ss
Request of **GUARANTY TITLE, INC.**

BARGAIN AND SALE DEED - 1
d/real est/wood.dee

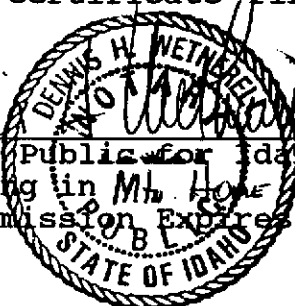
Time 2:16 P.M.
Date JUNE 1, 1994
Book _____
Page DOLORES ROBISON

Recorder
By \$2400
Deputy

STATE OF IDAHO,)
(ss.
COUNTY OF Elmore)

On this 24th day of May, 1994, before me, the undersigned a Notary Public in and for said State, personally appeared William J. Ballantyne, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

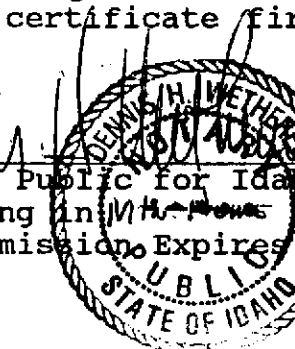
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for Idaho
Residing in Mt. Home
My Commission Expires: 5-15-98


STATE OF IDAHO,)
(ss.
COUNTY OF Elmore)

On this 24th day of May, 1994, before me, the undersigned a Notary Public in and for said State, personally appeared Jerold L. Wood and Catherine R. Wood, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

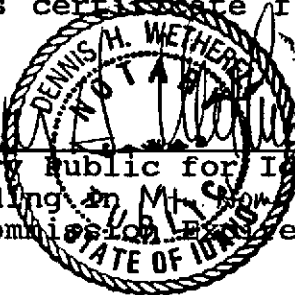
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for Idaho
Residing in Mt. Home
My Commission Expires: 5-15-98


STATE OF IDAHO,)
 (ss.
COUNTY OF Elmore)

On this 24th day of May, 1994, before me, the undersigned a Notary Public in and for said State, personally appeared Herbert G. Hetherington and Barbara Hetherington, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

A circular notary seal for Dennis H. Wetherington, Notary Public for the State of Idaho. The seal contains the text "DENNIS H. WETHERINGTON", "NOTARY PUBLIC", and "STATE OF IDAHO". There are handwritten signatures over the seal.

Notary Public for Idaho
Residing in Mt. Shoop
My Commission Expires: 5-15-98

EXHIBIT B

FIXTURES

- 1 Metal Machine Shed, approximately 40' x 80'
- 2 Graineries
- 1 400 hp pump
- 2 100 hp Booster Pumps
- 2 50hp Booster Pumps.
- 5 Electrical Panels

SCHEDULE B - SECTION 2

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession, or claiming to be in possession, thereof.
2. Easements, ~~liens, encumbrances, or claims thereof~~, which are not shown by the public records,.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey of the land would disclose, and which are not shown by the public records.
4. ~~Any lien, or right to a lien, imposed by law for services, labor or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.~~
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) ~~water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.~~
6. Taxes or assessments which are not now payable or which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
7. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.
8. ~~Defects, lien, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.~~
9. ~~General taxes for the year 1993, which are a lien and are one half paid and one half due and payable.~~
10. General taxes for the year 1994, which are a lien and are not yet due or payable.
11. Right of Way Deed dated July 21, 1976, granted by Dixie Land Company, Inc., and John Bentz and Laurice Bentz, husband and wife to Mountain Home Highway District; recorded September 9, 1976, as Instrument No. 170153, records of County, Idaho; on, over and across A strip of land thirty feet wide running along the North side of the West half of the North-West quarter of Section Thirty-two, Township Two South, Range Five East, Boise Meridian.

(Continued)

NOTE: EXCEPTIONS

WILL NOT APPEAR IN THE MORTGAGE POLICY TO BE ISSUED HEREUNDER

AJTA Commitment

Schedule B - Section 2

Form 1004-133

Ex C
1 of 3

Continued

12. Power Line Easement dated January 13, 1975, granted by Dixie Land Co., Inc., to Idaho Power Company, a corporation; recorded December 22, 1976, as Instrument no. 171575, records of Elmore County, Idaho; over, on and across the West 30 feet of the SW1/4, Section 31, T2S, R5E, B.M.
13. Power Line Easement granted by Wilbur Wilson and Myrrl Heller, to Idaho Power Company, a corporation; recorded December 22, 1976, as Instrument no. 171579, records of Elmore County, Idaho; on, over and across North 30 feet of Lot 1
14. Power Line Easement dated March 16, 1977, granted by Robert E. Osborn and Betty F. Osborn, his wife, to Idaho Power Company, a corporation; recorded August 3, 1977, as Instrument no. 175536, records of Elmore County, Idaho; on, over and across the West 5 feet of Lot 4 and West 5 feet of the North 300 feet of Section 6
15. Power Line Easement dated March 23, 1977, granted by Robert E. Osborn and Betty F. Osborn, his wife, to Idaho Power Company, a corporation; recorded September 9, 1977, as Instrument no. 176197, records of Elmore County, Idaho; on, over and across the West 5 feet of South 1030 feet of Lot 5, Section 6.
16. Road Easement dated January 3, 1978, granted by John Bentz and Laurice D. Bentz to Elwood D. Wing and Naomi Wing, husband and wife, recorded March 21, 1978, as Instrument No. 179675, records of County, Idaho; on, over and across The West 30 feet and the S 30 feet of the SW1/4 of Sec. 31, T2S R5E, B.M., Elmore County, Idaho. The N 30 feet of the NE1/4 of Sec. 31, T2S R5E, B.M., Elmore County, Idaho. The SW 30 foot square of the SE1/4 of Sec. 31, T2S, R5E, B.M., Elmore County, Idaho.
17. Road Easement dated January 3, 1978, granted by Robert E. Osborn and Betty F. Osborn to Elwood D. Wing and Naomi Wing, husband and wife, recorded March 21, 1978, as Instrument No. 179677, records of County, Idaho; on, over and across The N 30 feet and the E 30 feet of the NW1/4 of Sec. 6, T3S, R5E, B.M., and the NE 30 foot square of Section 1, T3S, R4E, B.M., all in Elmore County, Idaho.
18. Road Easement dated January 3, 1978, granted by John Bentz and Laurice D. Bentz, husband and wife, by to Herbert Montierth and Darlene R. Montierth, husband and wife, recorded May 22, 1978, as Instrument No. 181074, records of County, Idaho; over, on and across the West 30 feet and the South 30 feet of the S1/2, Section 31, T2S, R5E, B.M.
19. Road Easement dated January 3, 1978 granted by Robert E. Osborn and Betty F. Osborn, to Herbert Montierth and Darlene R. Montierth, recorded May 22, 1978, as Instrument No. 181076, records of County, Idaho; on, over and across the N 30 feet and the E 30 feet of the NW1/4 of Section 6, T3S, R5E, B.M., Elmore County, Idaho, and the NE 30 foot square of Section 1, T3S, R4S, B.M., Elmore County, Idaho.
20. Road Easement dated January 3, 1978 granted by John Bentz and Laurice D. Bentz, Husband and wife, to Robert Osborn, , recorded January 24, 1979, as Instrument No. 185788, records of County, Idaho; on, over and across the West 30 feet of the SW1/4, Sec. 31, T2S, R5E, B.M.

(Continued)

Ex C
2 of 3

Continued

21. Joint Well Agreement dated January 24, 1979, executed by and between Monte E. Hergert and Valinda Hergert, husband and wife, parties of the first part; Wayne Hergert and Kelly Hergert, husband and wife, parties of the second part; Robert L. Alexander, party of the third part; Bryce Hergert and Penny Hergert, husband and wife, parties of the fourth part; and Niel Hergert and Marie R. Hergert, husband and wife, parties of the fifth part; recorded January 26, 1979, as instrument No. 185859, records of County, Idaho.
Amendment to said Agreement recorded May 21, 1979 as Instrument Number 188172, records of Elmore County, Idaho.
22. Power Line Easement dated April 28, 1980, granted by Monte E. Hergert, to Idaho Power Company, a corporation; recorded October 7, 1980, as Instrument no. 198113, records of Elmore County, Idaho; over, on and across NE1/4NE1/4NE1/4, Section 31, T2S, R5E, B.M.
23. Power Line Easement dated September 16, 1980, granted by Niel Hergert and Marie R. Hergert, husband and wife; Bryce Hergert and Penny Hergert, husband and wife; Wayne Hergert and Kelly Hergert, husband and wife; and Monte Hergert and Valinda T. Hergert, husband and wife, to Idaho Power Company, a corporation;; recorded January 7, 1981, as Instrument no. 200054, records of Elmore County, Idaho; over, on and across Lot 3, Sec. 31, T2S, R5E, B.M.
24. Right of Way Deed dated July 15, 1981 granted by Hergert Srothers, a partnership to Mountain Home Highway District; recorded August 17, 1982, as Instrument No. 210061, records of County, Idaho; over on and across the South side of SW1/4, Sec. 36, T2S, R4E, B.M. and the South side of SW1/4, Sec. 31, T2S, R5E.
25. Right of Way Deed dated July 15, 1981 granted by Wayne Hergert and Kelly Hergert, husband and wife, Bryce Hergert and Penny E. Hergert, husband and wife; Monte Hergert and Valinda Hergert, husband and wife; and Niel Hergert and Marie Hergert, husband and wife; to Mountain Home Highway District to , recorded August 17, 1982, as Instrument No. 210062, records of Elmore County, Idaho; for a strip of land 30 feet wide running along the East side of W1/2NW1/4, Section 32, T2S, R5E, B.M.
26. Right of Way Deed dated July 15, 1981 granted by Bryce Hergert and Penny Hergert, husband and wife; to Mountain Home Highway District; recorded August 17, 1982, as Instrument No. 210064, records of County, Idaho; for a strip of land 30 feet wide running along the North side of NE1/4NE1/4, Section 1, T3S, R4E, B.M.; and a strip of land 30 feet wide running along the North side of NW1/4, Section 6, T3SR6E, B.M.
27. Road and Ditch Rights of Way appearing on the premises, but not of record.
28. ~~Right, Title and Interest of Beverly Franson, Neil Frason, Harry Frason, Norma Stewart, Laurie Knight, Paul Redman, Leean M. Ballow, Jeri Lynn Rodman and Sandra Lee Redman, as disclosed in Order Approving Amended Final Account and Decree of Distribution, recorded March 24, 1993 as Instrument No. 271104, records of Elmore County, Idaho.~~

(Continued)

Ex C
3 of 3

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: A61-07247B

Date Received:

Receipt No:

Received By: C. Wong ^{CO12770}

RECEIVED

NOV 9 1989

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: W. J. BALLANTYNE 208-459-8590
Address: 2208 ELLIS
CALDWELL, ID 83605
AND
Name: HERBERT C. HETHERINGTON 208-365-2280
Address: P.O. BOX 740
EMMETT, ID 83617
AND
Name: JEROLD L. WOOD 208-342-5426
Address: 919 N. 17TH ST.
BOISE, ID 83702
AND
Name: LARRY ESSON
Address: P.O. BOX 182
GRANDVIEW, ID 83624
AND
Name: ESTATE OF EDNA BALLANTYNE 208-459-8590
Address: C/O W. J. BALLANTYNE, TRUSTEE
2208 ELLIS
CALDWELL, ID 83605
AND
Name: BEVERLY FRANSEN
Address: 2403 JULIE LANE
PAYETTE, ID 83661
AND
Name: NORMA STEWART
Address: 406 E. CURLING
BOISE, ID 83702
AND
Name: NEIL ESSON
Address: 1824 E. IOWA
NAMPA, ID 83651

2. Date of Priority: JAN 10, 1976

3. Source: GROUNDWATER Trib. to:

A61-07247B

Page 1

Date: 11/08/89

ENCLOSURES

AUG 11 1992

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	05E	31	SE	SE	SW	3	ELMORE
03S	04E	1	NE	SE	NE	5	ELMORE

5. Description of diverting works:

WELL, 20" X 409', 200 HP MAIN PUMP, 2 BOOSTER PUMPS, SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.200		

7. Total Quantity Appropriated is:

1.200 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

180.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03S	04E	1	NE	NE	1	IRR	60.0
Section Acres							60.0
Total Acres							60.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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: _____

For Organizations:

I do solemnly swear or affirm that I am Personal Representative of
Edna Ballantyne Estate, that I have signed the foregoing
document in the space below as Personal Representative of
Edna Ballantyne Estate and that the statements contained in the
foregoing document are true and correct.

W. D. Ballantyne
Signature of Authorized Agent
Personal Representative
Title and Organization
11/8/89
Date

State of Idaho)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 8th day
of November 19 89

Carter Fritschle
Notary Public

Seal

Residing at _____

A61-07247B

Page

My Commission Expires
3

Date: 11/08/89

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

100 11 1332

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): W. J. Ballantyne Date: 9/27/89
W. J. Ballantyne Date: 9/27/89
Edna J. Ballantyne Estate

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
Organization Title
document in the space below as _____ of
Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 27 day
of Sept 19 89

[Signature]
Notary Public

Seal

Residing at Caldwell Idaho

A61-07264

Page

My Commission Expires 7/25/91
3 Date: 09/14/89

A61-07247B

ENGAC FILMED

AUG 11 1992

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): [Signature] Date: 9/27/89
_____ Date: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of _____ Title _____, that I have signed the foregoing Organization _____ document in the space below as _____ of _____ Title _____ and that the statements contained in the Organization _____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 27 day
of Sept 19 89

[Signature]
Notary Public

Seal

Residing at Caldwell Idaho

A61-07263

Page

My Commission Expires 7/25/89
3 Date: 09/14/89

A61-07247B

RECORDED

AUG 11 1989

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): Robert E. Huntington Date: 9-27-89

Date: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 27 day
of Sept 19 89

[Signature]
Notary Public

Seal

Residing at Caldwell, Idaho

My Commission Expires 7/25/91
3 Date: 09/14/89

A61-07247B

Page

NOT RECORDED

AUG 11 1989

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): Neil Esson Date: 10-19-89

Date: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of October 19 89

Jerry L. Vornholm
Notary Public

Seal

Residing at Emmett, Idaho

My Commission Expires 8-15-93
Date: 09/14/89

A61-07247B

Page

3

EX-100 FILMED

NOV 11 1989

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): Norma Stewart Date: 10/25/89

Date: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of October 19 89

Larry L. Verneholm
Notary Public

Seal

Residing at, Emmett, Idaho

My Commission Expires 8-15-93
Date: 09/14/89

A61-07247B

Page

3

11 1002

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): Jerry Eason

Date: 10/25/89

Date: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of _____ Title

Organization, that I have signed the foregoing document in the space below as _____ Title

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)

County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 25th day

of October 19 89

Larry L. Ulenholm
Notary Public

Seal

Residing at Emmett, Idaho

My Commission Expires 8-15-93
Date: 09/14/89

A61-07247B

Page

3

RECORDED
NOV 11 1989

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): Beverly Fransen Date: 10-27-89

Date: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of Payette) SS.

Subscribed and sworn (or affirmed) before me this 27 day
of October 19 89

Judy Blackmer
Notary Public

Seal

Residing at Payette Idaho

My Commission Expires Feb 23 1991

Date: 09/14/89
10/27/89

A61-07247B

Page

3

RECORDED

1989 11 13



5

36

31

32

3103

60

F.D

3092

P.D.

6

5

T. 35
R. 4E

3081

3082

3085

3079

3119

7

8

3068

3078

3057

18

3059

3056

3052

COPIED
193-11 132
17

Water Right Number - 61-072478

Prefix Translation:

WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BALLANTYNE

W. J.

1 -
2 -
3 -

City-
Phone - 208-000-0000

State- ID Zip-

WETHERINGTON

HERBERT C.

1 -
2 -
3 -

City-
Phone - 208-000-0000

State- ID Zip-

WOOD

JEROLD L.

1 - 919 N. 17TH ST.
2 -
3 -

City- BOISE
Phone - 208-000-0000

State- ID Zip- 83702

ESSON

MARTHA

1 -
2 -
3 -

City-
Phone - 208-000-0000

State- ID Zip-

BALLANTYNE

EST. OF EDNA

1 -
2 -
3 -

City-
Phone - 208-000-0000

State- ID Zip-

*** O - ORIGINAL OWNER ***
OSBORN

ROBERT E.

1 -
2 -
3 -

City-
Phone - 208-000-0000

State- ID Zip-

OSBORN

BETTY F.

1 -
2 -
3 -

City-
Phone - 208-000-0000

State- ID Zip-

+ - - Priority Date - - +
01/10/1976

+ - - - Region - - - +
14 WESTERN

+ - - - Stage - - - +
L - LICENSE

+ - - - Status - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

Point of Diversion						Diversion Name	Diversion Rate	Diversion No.
Twn	Rng	Sec	Tract	Lot	RFlg	County		
02S	05E	31	SE SW	3	(39)	ELMORE		
03S	04E	1	NE NE	1	(39)	ELMORE		

Water right number - 61-07247B Prefix Translation: WATER RIGHT

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	1.200	270.00

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +
1.200	270.00	10.250

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
03S	04E	1	NE NE	1	60.0	01	IRRIGATION	(39) ELMORE
Total Acres:					60.0			

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - -	- - - - -	Remarks	- - - - -
No Remarks found.			

+ - - - - -	- - - - -	Old Water Right Numbers	- - - - -
No Old Water Right Numbers found.			

+ - - - - -	- - - - -	Conditions of Approval	- - - - -
No Conditions of Approval found.			

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +
		00/00/0000

+ - - - - -	- - - - -	Comments	- - - - -
No Comments Found			

+ - - Audit Fields - 06/09/88 CURTIS 07/14/88 CURTIS 08/10/88 CURTIS 02/13/89 CURTIS

+ - - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 03/01/1981	Field Exam Made - 11/20/1987	Field Exam Fee -
Approved/Denied - 03/04/1976	Protested Date - 00/00/0000	Swan Falls - 2
Proof Made Date - 05/20/1981	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 01/06/1989	Appl Received - 12/22/1975	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag -
Presumption Flag -		