

DATE: 12/21/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LARRY BETHKE	01/13/1971	IRRIGATION	04-01 10-31	2.64 CFS	
C	MONICA BETHKE					

Stage: LICENSE

POWER	COUNTY
POWER	COUNTY

Place of use Legal Description for: IRRIGATION

[illegible]

POU County: POWER

Other Rights: 35-07161A

Conditions of Approval:

- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 35:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 35 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 35 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHT NO. 35-07161A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.28 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1460 AF.

POU1

USE OF THIS RIGHT WITH RIGHT NO. 35-07161A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 365 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 183 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP

RIGHT NO. 35-07161A IS ALSO DIVERTED THROUGH POINTS OF

AJ0749NP
No. R35-07162A

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

DATE: 12/21/98
PAGE: 2

Remarks: DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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



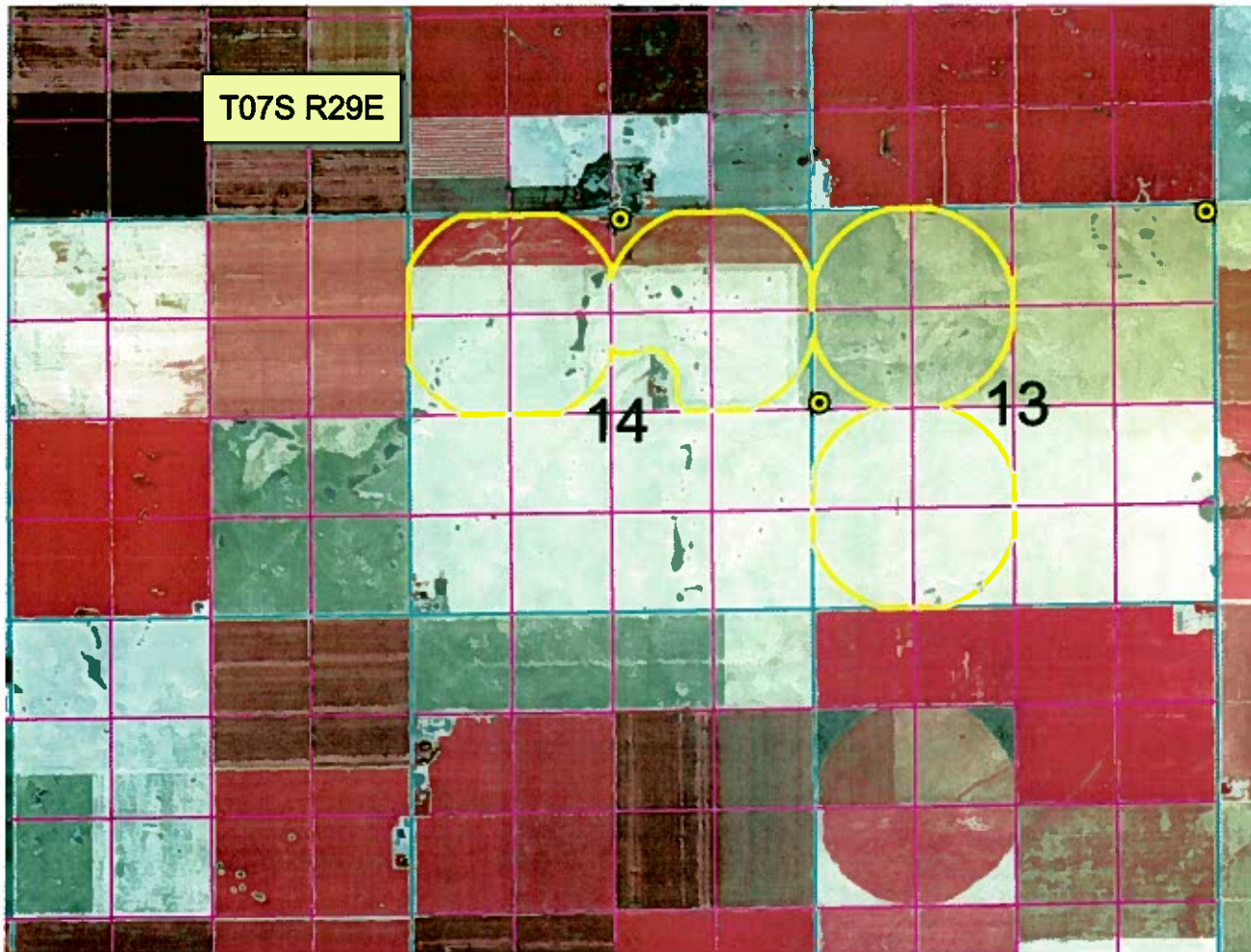
STATE OF IDAHO

Department of Water Resources

Eastern Region

Vicki

Water Right(s): 35-07161A,
35-07162A, □35-07977B



0 2640 5280 7920 10560 Feet

LEGEND



Point of Diversion



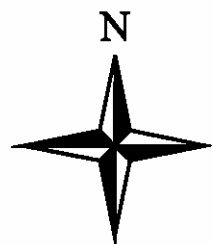
Place of Use



Section Line



Quarter-section line



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: February 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 17, 2000

LARRY BETHKE
2745 S BREDDING RD
AMERICAN FALLS ID 83211

RE: ' Transfer #5369 (water right 35-07161A, 35-07162A, 35-07977, 35-07977A, 35-07977B) and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Bethke:

On August 6, 1999, the Idaho Department of Water Resources (IDWR) approved Transfer #5369, modifying a portion of the above referenced water right(s). Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

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

In Re SRBA) **Water Rights:** 35-07161A,
35-07162A, 35-07977, 35-07977A, 35-07977B
)
Case No. 39576) **NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☒ I.C. § 42-222 transfer **5369**
- ☒ point of diversion ☒ place of use
- ☐ period of use ☐ nature of use
- ☒ split of water right ☐ change in ownership
- ☒ OTHER: CORRECT LEGAL DESCRIPTION ERROR ON TRX 4885

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

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

DATED: 18 Feb 2000



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/22, 2000, 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
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
LARRY BETHKE
2745 S BREDING RD
AMERICAN FALLS ID 83211

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

Each party in the subcase, or attorney of record
JOHN ROSHOLT
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. 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

AJ5856NP

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

DATE: FEB-17-2000

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-07161A

NAME & ADDRESS: LARRY BETHKE
MONICA BETHKE
2745 BREDDING RD
AMERICAN FALLS ID 83211

SOURCE: GROUNDWATER

QUANTITY: 2.64 CFS
728.0 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 8.32 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2136.8 AF. COMBINED RIGHT
NOS.: 35-07161A, 35-07162A, 35-07977B, 35-08046 AND 35-08050.

PRIORITY DATE: 01/13/1971

POINT OF DIVERSION: T07S R29E S13 NENE Within POWER County
S14 SWNW
NENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04-01 10-31	2.64 CFS
			728.0 AFY

PLACE OF USE:	IRRIGATION	Within POWER County			
T07S R29E S13	NENW 33	NWNW 33	SWNW 33	SENE 33	
	NESW 33	NWSW 33	SWSW 33	SESW 33	
S14	NENE 33.4	NWNE 33.4	SWNE 20	SENE 33	
	NENW 37.2	NWNW 37.2	SWNW 38	SENE 38	
534.2 ACRES TOTAL					

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 182 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-07161A (CONT)

OTHER PROVISIONS: (CONT)

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY
TRANSFER NO. 5369 BY AUGUST 6, 2000.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 35-07161A, 35-07162A, 35-07977B,
35-08046 AND 35-08050.

RIGHTS 35-07161B AND 35-07162B ARE ALSO DIVERTED THROUGH THE
POINT OF DIVERSION IN TWP 07S RNG 29E SECT 13 NE1/4NE1/4.

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

TRANSFER OF WATER RIGHT

AUG 12 1999

TRANSFER NO. 5369
WATER RIGHT NO(S) . 35-07161A/35-07162A/35-07977B
35-08046/35-08050

Department of Water Resources
Eastern Region

This is to certify that: LARRY BETHKE
2745 S BREDDING RD
AMERICAN FALLS ID 83211

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. 35-07161A : IRRIGATION Priority: 01/13/1971	04/01 to 10/31	2.64 CFS	728.0 AF
Right No. 35-07162A : IRRIGATION Priority: 01/13/1971	04/01 to 10/31	2.64 CFS	732.0 AF
Right No. 35-07977B : IRRIGATION Priority: 04/21/1981	04/01 to 11/01	1.23 CFS	312.0 AF
Right No. 35-08046 : IRRIGATION Priority: 06/11/1982	04/01 to 10/31	1.00 CFS	203.2 AF
Right No. 35-08050 : IRRIGATION Priority: 08/03/1982	04/01 to 10/31	0.81 CFS	161.6 AF
TOTAL:		* 8.32 CFS	* 2136.8 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 13, Township 07S, Range 29E
SWNW , Sec. 13, Township 07S, Range 29E
NWNE , Sec. 14, Township 07S, Range 29E
POWER County

TRANSFER NO. 5369
WATER RIGHT NO(S). 35-07161A/35-07162A/35-07977B
35-08046/35-08050

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	29E	13	NENW 33	NWNW 33	SWNW 33	
			SENE 33	NESW 33	NWSW 33	
			SWSW 33	SESW 33		264
		14	NENE 33.4	NWNE 33.4	SWNE 20	
			SENE 33	NENW 37.2	NWNW 37.2	
			SWNW 38	SENE 38		270.2
Total number of acres irrigated:						** 534.2

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.
3. 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.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
- * 7. The total instantaneous diversion of water from all points of diversion under Transfer 5369 shall not exceed 8.32 cfs, nor a total combined annual volume of 2136.8 af.
8. Rights 35-08046 and 35-08050 are for the use of trust water and are subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
9. Diversion and use of water under Rights 35-08046 and 35-08050 is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
- ** 10. Right 35-07161A is limited to the irrigation of 182.0 acres in the place of use described above in a single irrigation season.
- ** 11. Right 35-07162A is limited to the irrigation of 183.0 acres in the place of use described above in a single irrigation season.
- ** 12. Right 35-07977B is limited to the irrigation of 78.0 acres in the place of use described above in a single irrigation season.

GEN.
8/6/2000

NOT E27

POU 1 K46

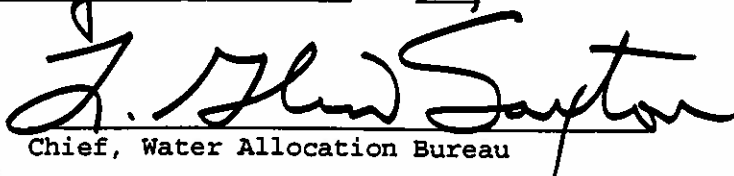
EXP
F46

TRANSFER NO. 5369
WATER RIGHT NO(S). 35-07161A/35-07162A/35-07977B
35-08046/35-08050

CONDITIONS OF APPROVAL AND REMARKS

- ** 13. Right 35-08046 is limited to the irrigation of 50.8 acres in the place of use described above in a single irrigation season.
- ** 14. Right 35-08050 is limited to the irrigation of 40.4 acres in the place of use described above in a single irrigation season.

Dated this 6th day of August, 19 99.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 35-07161A, 35-07162A, 35-07977, 35-08046 & 35-08050

FROM: Pam Skaggs^{DS}/State Office

SUBJECT: Transfer 5369

DATE: August 4, 1999

Transfer 5369 changes the place of use and adds points of diversion under all of Rights 35-007161A, 35-07162A, 35-08046 & 35-08050, and a under a portion of Right 35-07977, splitting the right into Parts A and B.

The applicant is combining these rights into a single integrated system to cover all 534.2 acres under the identified pivot system. This transfer also corrects an error in legal description of the place of use under previously approved Transfer 4885, changing 32.0 acres in the NWNW, S14 that should have been located in the SWNW, S14 as shown on the application map.

Recommended conditions include permissible place of use limits, Basin 35 conjunctive management, multiple points of diversion limits, measuring & annual reporting, trust water conditions for Rights 35-08046 & 35-08050, drilling permit requirements, irrigation overlap and standard transfer conditions.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Larry Bethke Phone (208) 226-2201
 Post Office address 2745 S. Breeding Rd American Falls, ID 83211

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Clarify mistake on tr. 4885
2. Describe the reason for the proposed changes I want to fill in all the errors to complete my pivot system in Sec 14 and to correct a legal description that was in error on transf. 4885

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

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|------------------|--------------------|-------------------|----------------------|
| <u>35-07977B</u> | <u>4/21/1981</u> | <u>1.23 cfs</u> | <u>Irrigation</u> | <u>4/01 to 10/31</u> |
| <u>35-0762A</u> | <u>1/13/1971</u> | <u>2.64 cfs</u> | <u>" "</u> | <u>" to "</u> |
| <u>35-0761A</u> | <u>1/13/1971</u> | <u>2.64 cfs</u> | <u>" "</u> | <u>" to "</u> |
| <u>35-08050</u> | <u>8/03/1982</u> | <u>0.81</u> | <u>" "</u> | <u>" to "</u> |
| <u>35-08046</u> | <u>6/11/1982</u> | <u>1.00</u> | <u>" "</u> | <u>" to "</u> |
2. Total amount of water being transferred 8.32 cfs cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	13	7S	29E	Power	
		SW	NW					
		NW	NE	14	7S	29E		

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	29E	13					33	33	33	33	33	33	33	33					264
		14	33.4	33.4	20	33	37.2	37.2	38	38									270.2

Total acres 534.2

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 35-07977 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water, Groundwater tributary to _____4. Date or priority 4/21/1981

5. Water is used for the following purpose:

amount 3.93 cfs for Irrigation purposes from 4-01 to 11-01
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right 3.93 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	29	7S	29E	Power	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	29E	28						34											34
		29	9		12	28						27	28	39	11	23	38		215

Total acres 249

9. Describe any other water rights used for the same purpose as described above _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 4885/35-07161A which produced this right.

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

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 1/13/1971

5. Water is used for the following purpose:

amount 2.64 cfs for Irrigation purposes from 4-01 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 2.64 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	13	7S	29E	Power	
		NW	NE	14				

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	29E	13					33	33	33	33	33	33	33	33					264
		14			20	33		32		16									101

Total acres 365

9. Describe any other water rights used for the same purpose as described above 35-07162A

PART 2

TRANS NO. 5369

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-08046

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.00 CFS	203.2 AF

SOURCE

GROUNDWATER

Priority: 06/11/1982

LOCATION OF POINT(S) OF DIVERSION:NWNE , Sec. 14, Township 07S, Range 29E
POWER CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	29E	14	NENE 25.4	NWNE 25.4		50.8
Total number of acres irrigated:						50.8

CONDITIONS/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. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
4. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-08050

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.81 CFS	161.6 AF

SOURCE

GROUNDWATER

Priority: 08/03/1982

LOCATION OF POINT(S) OF DIVERSION:NWNE , Sec. 14, Township 07S, Range 29E
POWER CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S 29E 14	NENW 20.2	NWNW 20.2		40.4
Total number of acres irrigated:				40.4

CONDITIONS/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. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
4. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ Issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 4885/35-07162A which produced this right.

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

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____4. Date or priority 1/13/1971

5. Water is used for the following purpose:

amount 2.64 cfs for Irrigation purposes from 4-01 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 2.64 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	13	7S	29E	Power	
		NW	NE	14				

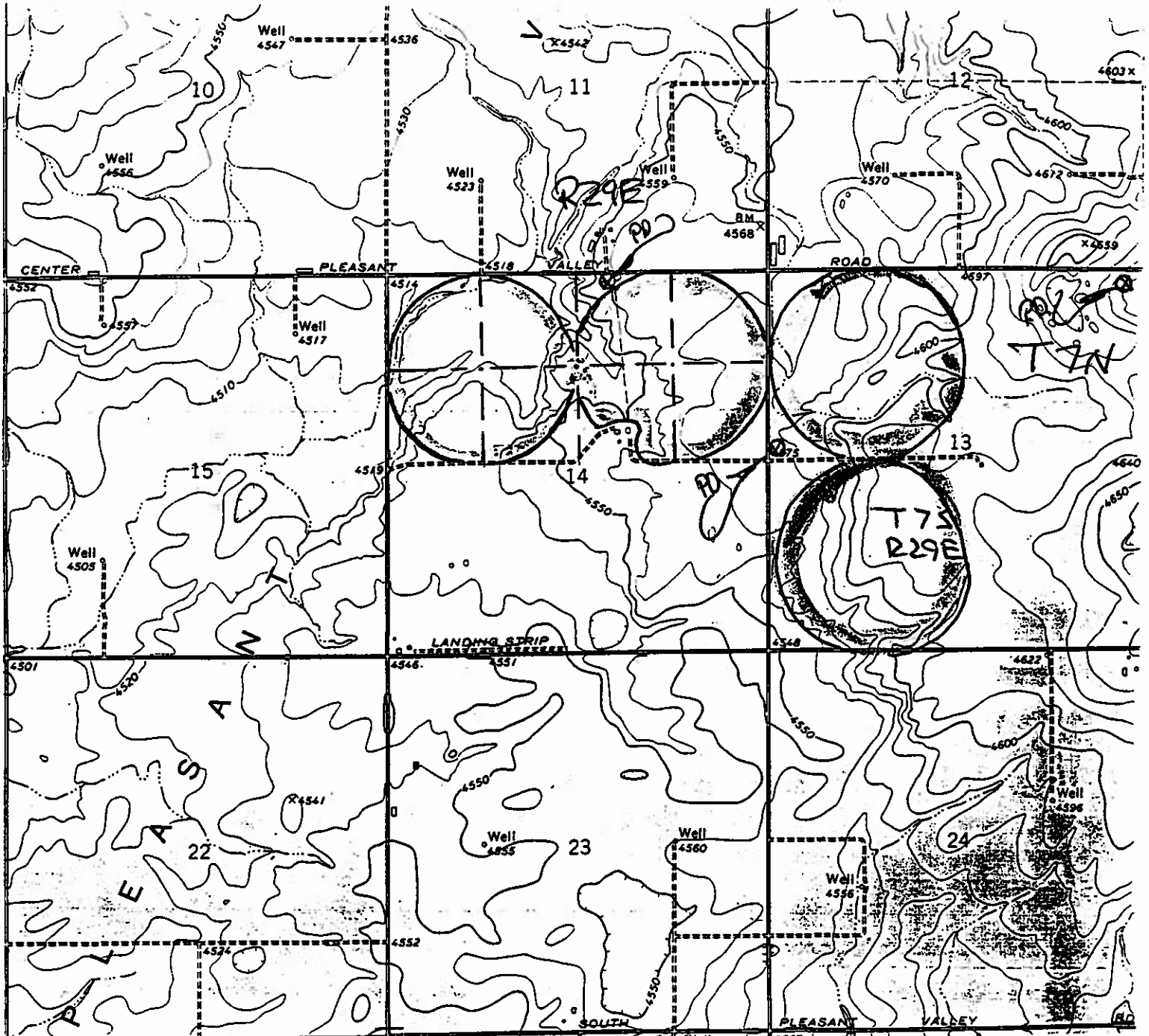
8. Lands irrigated or place of use:

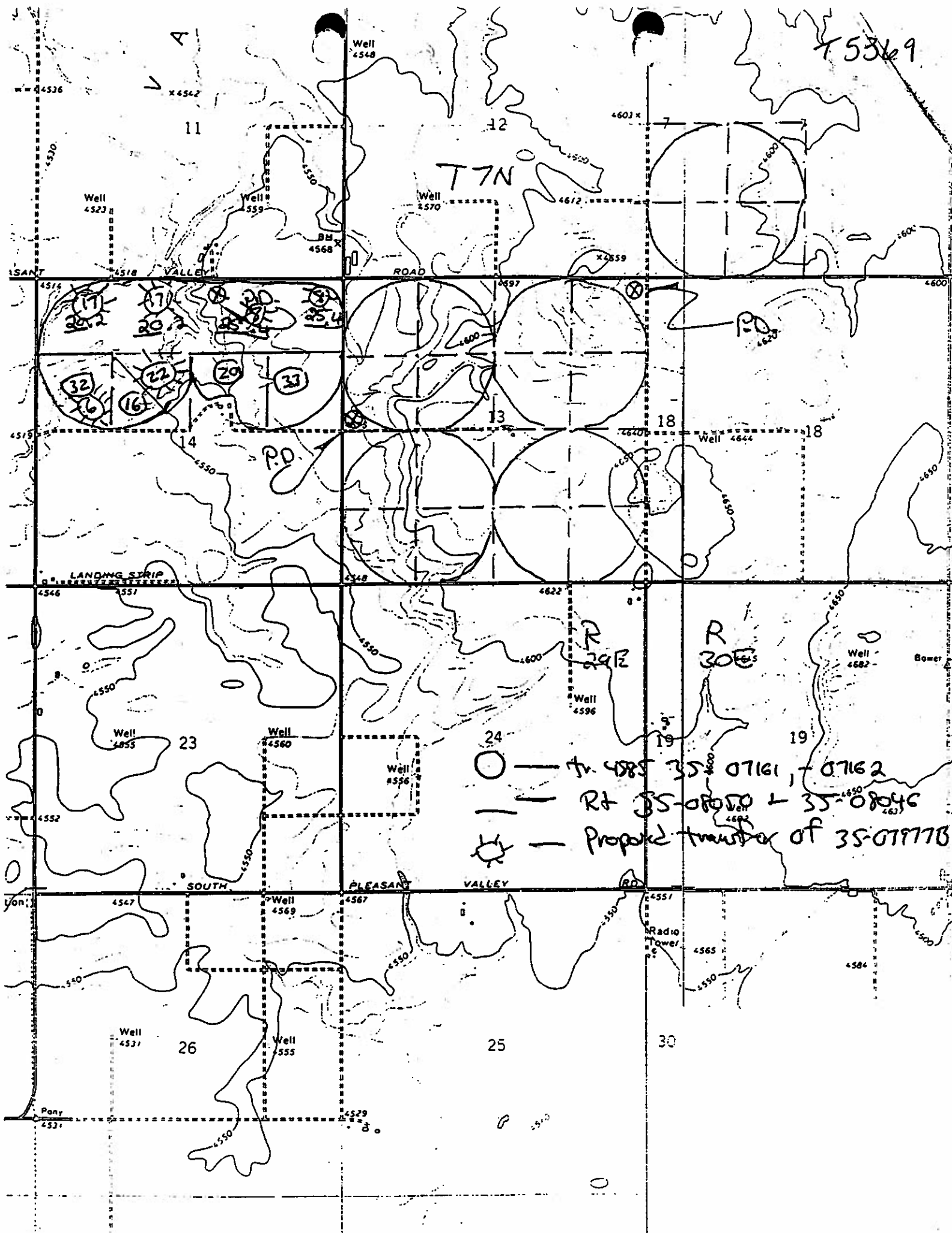
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	29E	13					33	33	33	33	33	33	33	33					264
		14			20	33		32		16									101

Total acres 3659. Describe any other water rights used for the same purpose as described above 35-07161A

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

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





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

In Re SRBA) Water Rights: 35-07161A,
35-07162A, 35-07977, 35-07977A, 35-07977B
Case No. 39576)
NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer 5369

MAIL



☒ point of diversion ☒ place of use

☐ period of use ☐ nature of use

☒ split of water right ☐ change in ownership

☒ OTHER: CORRECT LEGAL DESCRIPTION ERROR ON TRX 4885

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

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

DATED: 18 Feb 2000

Ernest Calver
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/22, 2000, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
LARRY BETHKE
2745 S BREDDING RD
AMERICAN FALLS ID 83211
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A
4. One copy to:
Each party in the subcase, or attorney of record
JOHN RSHOLT
RSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. 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

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

DATE: FEB-17-2000
PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-07161A

NAME & ADDRESS: LARRY BETHKE
MONICA BETHKE
2745 BREDDING RD
AMERICAN FALLS ID 83211

SOURCE: GROUNDWATER

QUANTITY: 2.64 CFS
728.0 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 8.32 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2136.8 AF. COMBINED RIGHT
NOS.: 35-07161A, 35-07162A, 35-07977B, 35-08046 AND 35-08050.

PRIORITY DATE: 01/13/1971

POINT OF DIVERSION:	T07S R29E S13	NENE	Within POWER County
		SNNW	
	S14	NNNE	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	2.64 CFS
			728.0 AFY

PLACE OF USE:	IRRIGATION	Within POWER County			
	T07S R29E S13	NENN 33	NNNW 33	SNNW 33	SENN 33
		NESW 33	NNSW 33	SNSW 33	SESW 33
	S14	NENE 33.4	NNNE 33.4	SNE 20	SENE 33
		NENN 37.2	NNNW 37.2	SNNW 38	SENN 38
	534.2 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 182 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

AJ5856NP

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

DATE: FEB-17-2000
PAGE: A-2

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-07161A (CONT)

OTHER PROVISIONS: (CONT)

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY
TRANSFER NO. 5369 BY AUGUST 6, 2000.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 35-07161A, 35-07162A, 35-07977B,
35-08046 AND 35-08050.

RIGHTS 35-07161B AND 35-07162B ARE ALSO DIVERTED THROUGH THE
POINT OF DIVERSION IN TWP 07S RNG 29E SECT 13 NE1/4NE1/4.

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

RIGHTS FROM: SOURCE: GROUNDWATER

NAME & ADDRESS: LARRY BETHKE
MONICA BETHKE
2745 BREDDING RD
AMERICAN FALLS ID 83211

QUANTITY: 2.64 CFS
732.0 AFY

PRIORITY DATE: 01/13/1971

POINT OF DIVERSION: T07S R29E S13 NENE Within POWER County
SWNW
S14 NWNE

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	2.64 CFS
			732.0 AFY

PLACE OF USE:	IRRIGATION	Within POWER County			
	T07S R29E S13	NENW 33	NWNW 33	SWNW 33	SENW 33
		NESW 33	NWSW 33	SWSW 33	SESW 33
	S14	NENE 33.4	NWNE 33.4	SWNE 20	SENE 33
		NENW 37.2	NWNW 37.2	SWNW 38	SENW 38
	534.2 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 183 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

AJ5856NP

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

DATE: FEB-17-2000
PAGE: A-4

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-07162A (CONT)

OTHER PROVISIONS: (CONT)

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY
TRANSFER NO. 5369 BY AUGUST 6, 2000.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 35-07161A, 35-07162A, 35-07977B,
35-08046 AND 35-08050.

RIGHTS 35-07161B AND 35-07162B ARE ALSO DIVERTED THROUGH THE
POINT OF DIVERSION IN TWP 07S RNG 29E SECT 13 NE1/4NE1/4.

AJ5859NP

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

DATE: FEB-17-2000
PAGE: A-1

RIGHT NUMBER: 35-07977

SEE NOS. 35-07977A AND 35-07977B.

AJ5856NP

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

DATE: FEB-17-2000
PAGE: A-5

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-07977A

NAME & ADDRESS: LARRY S BETHKE
2745 BREDDING RD
AMERICAN FALLS ID 83211

SOURCE: GROUNDWATER

QUANTITY: 2.7 CFS
684.0 AFY

PRIORITY DATE: 04/21/1981

POINT OF DIVERSION: T07S R29E S29 SWSSE Within POWER County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 11-01	2.7 CFS
			684.0 AFY

PLACE OF USE:	IRRIGATION	Within POWER County			
	T07S R29E S28	NWNW 34			
	S29	NENE 9	SWNE 12	SENE 28	NESE 39
		NWSE 11	SESE 38		
	171 ACRES TOTAL				

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

DATE: FEB-17-2000
PAGE: A-6

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-07977B

NAME & ADDRESS: LARRY S BETHKE
2745 BREDDING RD
AMERICAN FALLS ID 83211

SOURCE: GROUNDWATER

QUANTITY: 1.23 CFS
312.0 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 8.32 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2136.8 AF. COMBINED RIGHT
NOS.: 35-07161A, 35-07162A, 35-07977B, 35-08046 AND 35-D805D.

PRIORITY DATE: 04/21/1981

POINT OF DIVERSION: T07S R29E S13 NENE Within POWER County
SWNW
S14 NWNE

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 11-01	1.23 CFS
			312.0 AFY

PLACE OF USE:	IRRIGATION	Within POWER County			
	T07S R29E S13	NENW 33	NWNW 33	SWNW 33	SENW 33
		NESW 33	NWSW 33	SWSW 33	SESW 33
	S14	NENE 33.4	NWNE 33.4	SWNE 20	SENE 33
		NENW 37.2	NWNW 37.2	SWNW 38	SENW 38
	534.2 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 78 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

AJ5856NP

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

DATE: FEB-17-2000

PAGE: A-7

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-07977B (CONT)

OTHER PROVISIONS: (CONT)

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY
TRANSFER NO. 5369 BY AUGUST 6, 2000.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 35-07161A, 35-07162A, 35-07977B,
35-08046 AND 35-08050.

RIGHTS 35-07161B AND 35-07162B ARE ALSO DIVERTED THROUGH THE
POINT OF DIVERSION IN TWP 07S RNG 29E SECT 13 NE1/4NE1/4.

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

In Re SRBA

Case No. 39576

Water Rights:

35-07161A, 35-07162A, 35-07977

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above
water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated
below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

☒ I.C. § 42-222 transfer 5369

☒ point of diversion ☒ place of use

☐ period of use ☐ nature of use

☒ OTHER: CORRECT A LEGAL DESCRIPTION ERROR ON TRX 4885

IDWR projects the Administrative Proceeding shall be completed no later than:

MARCH 2, 2000

DATED: March 5, 1999

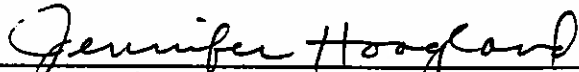
Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3/5, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
LARRY BETHKE
2745 S BREDDING RD
AMERICAN FALLS ID 83211
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A
4. One copy to:
Each party in the subcase, or attorney of record
N/A
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. 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

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

March 5, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LARRY BETHKE
2745 S BREDING RD
AMERICAN FALLS ID 83211

RE: Application for Transfer #5369 (35-07161A,
35-07162A, 35-07977) and Notice of Administrative
Proceeding (NAP)

Dear Mr. Bethke:

The Idaho Department of Water Resources (IDWR) received
an Application for Transfer for the above referenced
water right(s).

In response to the Application, this office is sending
the enclosed NAP to the SRBA Court and other parties
listed on page 2 of the form. The intent of this mailing
is to notify those parties of the requested change.

Please feel free to contact me if you have any questions
concerning this matter.

Respectfully,

Jennifer Hoagland
Technical Records Specialist

Enclosure

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: A35-07162A
Date Received: 5/22/1989
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY BETHKE 208-226-2201
Address: 2745 BREDDING RD
AMERICAN FALLS ID 83211

AND/OR

Name: MONICA BETHKE 208-226-2201
Address: 2745 BREDDING RD
AMERICAN FALLS ID 83211

2. Date of Priority: JAN 13, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	29E	13	SW	NW			POWER
		14	NW	NE			POWER

5. Description of diverting works:
WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.640		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	29E	13	NE		NW		IRR	33.0
			NW		NW		IRR	33.0
			SW		NW		IRR	33.0
			SE		NW		IRR	33.0
			NE		SW		IRR	33.0
			NW		SW		IRR	33.0
			SW		SW		IRR	33.0
			SE		SW		IRR	33.0
							Section Acres	264.0
		14	SW		NE		IRR	20.0
			SE		NE		IRR	33.0
			NW		NW		IRR	32.0
			SE		NW		IRR	16.0
							Section Acres	101.0
							Total Acres	365.0

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
35-07161A

14. Remarks:

The total instantaneous diversion of water from all points of diversion under Transfer No. 4885 shall not exceed 11.02 cfs, nor total combined annual volume of 3044.0 af.
The wells previously used under Right Nos. 35-07161 and 35-07162 shall be abandoned in a manner which complies with Department well abandonment rules.
Right No. 35-07162 is limited to the irrigation of 382.0 acres in the place of use described above in a single irrigation season.
JERRY BROWER FILED THIS TRANSFER
1235 W HWY 26
BLACKFOOT, ID 83221
CHANGED ADDRESS PER REQUEST/JH/11-4-98
**CHANGED OWNERSHIP 12-21-98 GT

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

AJ5809NP
No. R35-07162 ^A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/03/98
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EASTERN IDAHO PRODUCTION CREDIT ASSN <i>Larry for Monica Bethke.</i>	01/13/1971	IRRIGATION	04-01 10-31	~~5.51~~ CFS	2.64
TOTAL DIVERSION:					~~5.51~~ CFS	2.64

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R29E S13 NENE SWNW
S14 NWNE

POWER County
POWER 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	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
07S	29E	13	33		33		33		33		33		33		33		33		33		33		33		33		33		33		528.0	
07S	29E	14			20		33				32		16																	101.0		
07S	30E	7													33		33		33		33									132.0		
TOTAL ACRES																												761.0				

POU County: POWER

Other Rights: 35-07161

Conditions of Approval:

- C12 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN BASIN 35:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 35 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 35 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 - CONJUNCTIVELY.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 35-07161 ^A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF ~~11.02~~ CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF ~~3044~~ AF. ¹⁴⁶⁰

POU1 USE OF THIS RIGHT WITH RIGHT NO. 35-07161 ^A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~761~~ ACRES IN A SINGLE IRRIGATION SEASON. ³⁶⁵

THIS RIGHT IS LIMITED TO THE IRRIGATION OF ~~382~~ ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. ¹⁸³

EXP RIGHT NO. 35-07161 ^A IS ALSO DIVERTED THROUGH POINTS OF

Remarks: DIVERSION DESCRIBED ABOVE.

Dates: **Exam Made Date:** 02/24/1992 **Verified Date:** **Objection Filed Date:**

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

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

DELOG
GT
12-15-98

RECEIVED

DEC 15 1998

Department of Water Resources
Eastern Region

1. Water Right No(s): _____
Adjudication Claim No(s): 35-07161 35-07162
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 attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Eastern Idaho Production Credit Assn.
4. New Owner/Claimant(s) Larry Bethke & Monica Bethke
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
 New Mailing Address 2745 Breeding Rd.
 City, State and ZIP Code American Falls ID 83211
 New Telephone Number (208) 226-2201
5. Date you acquired the property July 1996
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 you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 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 or Claimant(s) Larry Bethke Date Dec. 11, 1998
Monica Bethke Date _____
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

CONTRACT FOR SALE OF WATER LICENSE

FOR AND IN CONSIDERATION of the sums to be paid and performance of the other terms and conditions hereof, JERRY BROWER and CONNIE BROWER, husband and wife, of 1235 W. HIWAY 26, Blackfoot, Bingham County, Idaho, hereinafter referred to as the Sellers and JAMES TIEDE and DEBRA E. TIEDE, husband and wife, and LARRY BETHKE and MONICA BETHKE, husband and wife, of American Falls, Power County, Idaho, hereinafter referred to as Purchasers, do hereby covenant and agree as follows:

1. Sellers shall convey unto the Purchasers all of their right, title and interest in and to that certain portion of Idaho water license nos. A35-07161 and A35-07162 with licensed diversion rates of 379.0 acres, 5.5 cfs and 382.0 acres, 5.5 cfs respectively, which licenses are currently utilized on a 800-acre parcel of ground in Bingham County, Idaho, owned by Sellers and more particularly described as follows:

**SEE ATTACHED LEGAL DESCRIPTION
KNOWN AS EXHIBIT "A"**

The point of diversion being as follows:

License No. A35-07161 - Township 1 South, Range 33 East of Boise Meridian
Section 21: NE $\frac{1}{4}$ SW $\frac{1}{4}$

License No. A35-07162 - Township 1 South, Range 33 East of Boise Meridian
Section 21: NE $\frac{1}{4}$ SE $\frac{1}{4}$

2. The purchase price for the water license is the sum of \$200,000.00, of which \$2,000.00 was paid on June 28, 1996, as a non-refundable down payment thereon.

3. It is the intention of the Purchasers to transfer said water right and license to a parcel of property consisting of approximately 800 acres which lies within the following

description:

SEE ATTACHED EXHIBIT "B"

4. In the event of approval by the Idaho Department of Water Resources of such transfer, the Seller's will also convey all the right, title, and interest in a pump, motor and the electrical panel, as is, where is, without warranty utilized in association with the above described water rights more particularly described as follows:

SEE ATTACHED EXHIBIT "C"

5. The balance of the purchase price, in the sum of \$198,000.00 shall be paid in full within 14 days of approval by the IDWR of the transfer of the water right. In the event the IDWR shall not approve the transfer of the water right by October 29, 1996 the parties will negotiate in good faith for any extension of time, additional compensation or other terms which the parties may address. In the event the parties fail to come to an agreement within a reasonable length of time, the parties are mutually released from any further obligation under this agreement. Purchasers shall pay all transfer fees, with the exception of fees, if any, charged by Eastern Idaho Production Credit Association to the Sellers. The parties will pay their own attorneys fees.

6. The parties furthermore understand and agree that the water licenses are currently in the name of Eastern Idaho Production Credit Association, also known as Eastern Idaho Agricultural Credit Association and the Sellers agree to pay, at or before the closing hereof, such sums that are necessary to obtain transfer of Eastern Idaho Production Credit Association's Lender's interest in the licenses.

As further security for the Sellers, Purchasers agree to deposit, in escrow, with Eastern Idaho Agricultural Credit Association the original of this agreement, and a non-revocable letter of credit from EIACA to the Purchasers for \$198,000.00. Purchasers shall assign the said letter of

credit to the Sellers as security for the performance of this agreement. Such documents shall be executed and delivered to the EIACA within 10 working days of the execution of this agreement.

7. This agreement shall inure to the benefit of and shall bind the respective heirs, successors and assigns of the parties hereto.

DATED: This 12th day of July, 1996.

Jerry Brower
JERRY BROWER

Connie Brower
CONNIE BROWER

James Tiede
JAMES TIEDE

Debra E. Tiede
DEBRA E. TIEDE

Larry Bethke
LARRY BETHKE

Monica Bethke
MONICA BETHKE

STATE OF IDAHO

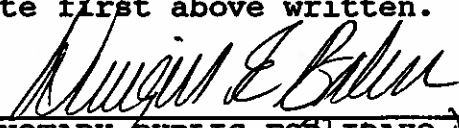
County of Bingham

)
) ss.
)

On this 12th day of July, 1996, before me, a Notary Public in and for said State, personally appeared JERRY BROWER and CONNIE BROWER, known 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 seal the day and year in this certificate first above written.

(SEAL)



NOTARY PUBLIC FOR IDAHO

Residing at:

Commission expires:

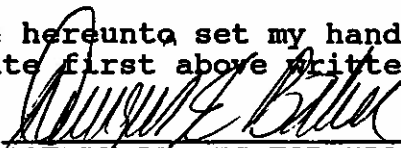
12-10-99

STATE OF IDAHO)
) ss.
County of Bingham)

On this 12th day of July, 1996, before me, a Notary Public in and for said State, personally appeared JAMES TIEDE and DEBRA E. TIEDE, known 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 seal the day and year in this certificate first above written.

(SEAL)


NOTARY PUBLIC FOR IDAHO

Residing at: ~~American Falls~~ BH 1D

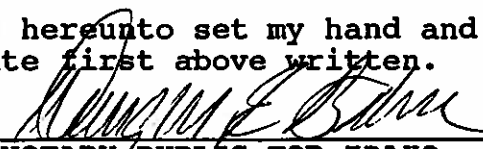
Commission expires: 12-10-99

STATE OF IDAHO)
) ss.
County of Bingham)

On this 12th day of July, 1996, before me, a Notary Public in and for said State, personally appeared LARRY BETHKE and MONICA BETHKE, known 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 seal the day and year in this certificate first above written.

(SEAL)


NOTARY PUBLIC FOR IDAHO

Residing at: ~~American Falls~~ BH 1D

Commission expires: 12-10-99

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

07/02/96 09:15:22

Page 1

Water Right Number - 35-07162

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

EASTERN IDAHO PRODUCTION CREDIT ASSN

1 - PO BOX 1667

2 -

3 -

City- POCATELLO

State- ID Zip- 832010000

Phone - 208-000-0000

*** O - ORIGINAL OWNER ***

HOUTMAN

JOHN

1 -

2 -

3 -

City-

State- ID Zip-

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/13/1971 15 EASTERN L - LICENSE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County Diversion Name Diversion Rate Diversion No.
01S 33E 21 SE NE (11) BINGHAM

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 5.510 1528.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
5.510 1528.00 5.510

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01S 33E 21 NE NE 33.0 01 IRRIGATION (11) BINGHAM
01S 33E 21 NW NE 33.0 01 IRRIGATION (11) BINGHAM
01S 33E 21 SW NE 40.0 01 IRRIGATION (11) BINGHAM
01S 33E 21 SE NE 39.0 01 IRRIGATION (11) BINGHAM
01S 33E 21 NE SE 39.0 01 IRRIGATION (11) BINGHAM
01S 33E 21 NW SE 40.0 01 IRRIGATION (11) BINGHAM
01S 33E 21 SW SE 40.0 01 IRRIGATION (11) BINGHAM
01S 33E 21 SE SE 39.0 01 IRRIGATION (11) BINGHAM
01S 33E 28 NE NE 39.0 01 IRRIGATION (11) BINGHAM
01S 33E 28 NW NE 40.0 01 IRRIGATION (11) BINGHAM

Total Acres: 382.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

WR5808NP
(00-26)

Exhibit A p 2
IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

07/02/96 09:15:07

Page 1

Water Right Number - 35-07161

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

EASTERN IDAHO PRODUCTION CREDIT ASSN

1 - PO BOX 1667

2 -

3 -

City- POCATELLO

State- ID Zip- 83201

Phone - 208-000-0000

*** O - ORIGINAL OWNER ***

HOUTMAN

JOHN

1 -

2 -

3 -

City-

State- ID Zip-

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/13/1971 15 EASTERN L - LICENSE

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

+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
01S 33E 21 SW NW (11) BINGHAM

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 5.510 1516.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
5.510 1516.00 5.510

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01S 33E 21 NE NW 33.0 01 IRRIGATION (11) BINGHAM
01S 33E 21 NW NW 40.0 01 IRRIGATION (11) BINGHAM
01S 33E 21 SW NW 40.0 01 IRRIGATION (11) BINGHAM
01S 33E 21 SE NW 33.0 01 IRRIGATION (11) BINGHAM
01S 33E 21 NE SW 33.0 01 IRRIGATION (11) BINGHAM
01S 33E 21 NW SW 40.0 01 IRRIGATION (11) BINGHAM
01S 33E 21 SW SW 40.0 01 IRRIGATION (11) BINGHAM
01S 33E 21 SE SW 40.0 01 IRRIGATION (11) BINGHAM
01S 33E 28 NE NW 40.0 01 IRRIGATION (11) BINGHAM
01S 33E 28 NW NW 40.0 01 IRRIGATION (11) BINGHAM

Total Acres: 379.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

EXHIBIT 'B'

PARCEL 1:

TOWNSHIP 7 SOUTH, RANGE 29 E.B.M.

Section 13: NW1/4; S1/2NE1/4

Section 14: NE1/4

Section 21: S1/2NE1/4; N1/2SE1/4

TOWNSHIP 7 SOUTH, RANGE 30 E.B.M.

Section 6: Lot 4; SW1/4NW1/4; W1/2SW1/4

PARCEL 2:

TOWNSHIP 7 SOUTH, RANGE 29 E.B.M.

Section 13: NW1/4NE1/4

PARCEL 3:

TOWNSHIP 7 SOUTH, RANGE 29 E.B.M.

Section 13: S1/2

PARCEL 4:

TOWNSHIP 7 SOUTH, RANGE 29 E.B.M.

Section 13: NE1/4NE1/4

Section 14: NW1/4

TOWNSHIP 7 SOUTH, RANGE 30 E.B.M.

Section 7: SW1/4

EXHIBIT 'C'

- 1 Layne & Bowler Verti-line Pump 2,500 GPM,
1,170 RPM, Serial #D 24552
- 1 Tri-clad Induction Motor, Model #5K6317XC209A
350 HP Type K, Serial #EEJ521018
- 1 350-HP Electric Panel



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 23, 1998

LARRY & MONICA BETHKE
2745 BREDDING RD
AMERICAN FALLS ID 83211

RE: CHANGE IN OWNERSHIP FOR 35-07161, 35-07162

Dear Mr. and Mrs. Bethke:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

35-07161A, 2.64 cfs on 365 acres, Bethke
35-07161B, 2.87 cfs on 396 acres, Tiede
35-07162A, 2.64 cfs on 365 acres, Bethke
35-07162B, 2.87 cfs on 396 acres, Tiede

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure