

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: A43-04078

Date Received: 6/21/1988

Receipt No: S000486

Received By: address change JK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH A MC FARLAND 208-645-2428
Address: 1049 S HWY 81
DECLO ID 83323
AND/OR
Name: JANET MC FARLAND 208-645-2428
Address: 1049 S HWY 81
DECLO ID 83323

2. Date of Priority: JUN 1, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	26E	13	NW	NE			CASSIA
			SW	NW			CASSIA

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.600		

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

8. Total consumptive use is 567.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
12S	26E	13	NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	36.0
			SE		NW		IRR	40.0
							Section Acres	196.0
		14	NE		NE		IRR	26.0
			SE		NE		IRR	6.0
							Section Acres	32.0
							Total Acres	228.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

TRANSFER #2310 FILED 05/11/1979 WITH #43-4047
 *****ADDRESS CHANGE*****
 ADDRESS CHANGED 3/7/00 jr

15. Basis of Claim: STATUTORY CLAIM

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: _____



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

RECEIVED

MAR 03 2000
Department of Water Resources
Southern Region

CHANGE IN ADDRESS

RECEIVED

MAR 03 2000
Department of Water Resources
Southern Region

☐ Water Right Number(s):

A43-04047, R43-04047

A43-04078, R43-04078

☒ Old Mailing Address:

Star-Route Box 22

Idaho, Idaho 83323

☒ New Mailing Address:

Janet M. Tarland

1049 S Hwy 81

Idaho, Idaho 83323-5096

☐ New Telephone Number: () -

☐ Signature of Claimant(s):

Janet M. Tarland

Date: _____

FOR IDWR USE ONLY
Initial Review and Data Entry

Date: 3/7/00 By: [Signature]

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data Entry

Date: _____ By: _____

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: A43-04078
Date Received: 6/21/1988
Receipt No: S000486
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH A. MC FARLAND 208-645-2428
Address: STAR RT. BOX 22 1049 S HWY 81
DECLO, ID 83323

AND/OR

Name: JANET MC FARLAND 208-645-2428
Address: STAR RT. BOX 22
DECLO, ID 83323

2. Date of Priority: JUN 01, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	26E	13	NW	NE			CASSIA
			SW	NW			CASSIA

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12S	26E	13	NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	36.0
			SE		NW		IRR	40.0
							Section Acres	196.0
		14	NE		NE		IRR	26.0
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14. Remarks:

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15. Basis of Claim: STATUTORY CLAIM

Water Right Number:

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: 2

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): Janet M. Farland Date: 6-21-88
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 21ST day

of June 19 88

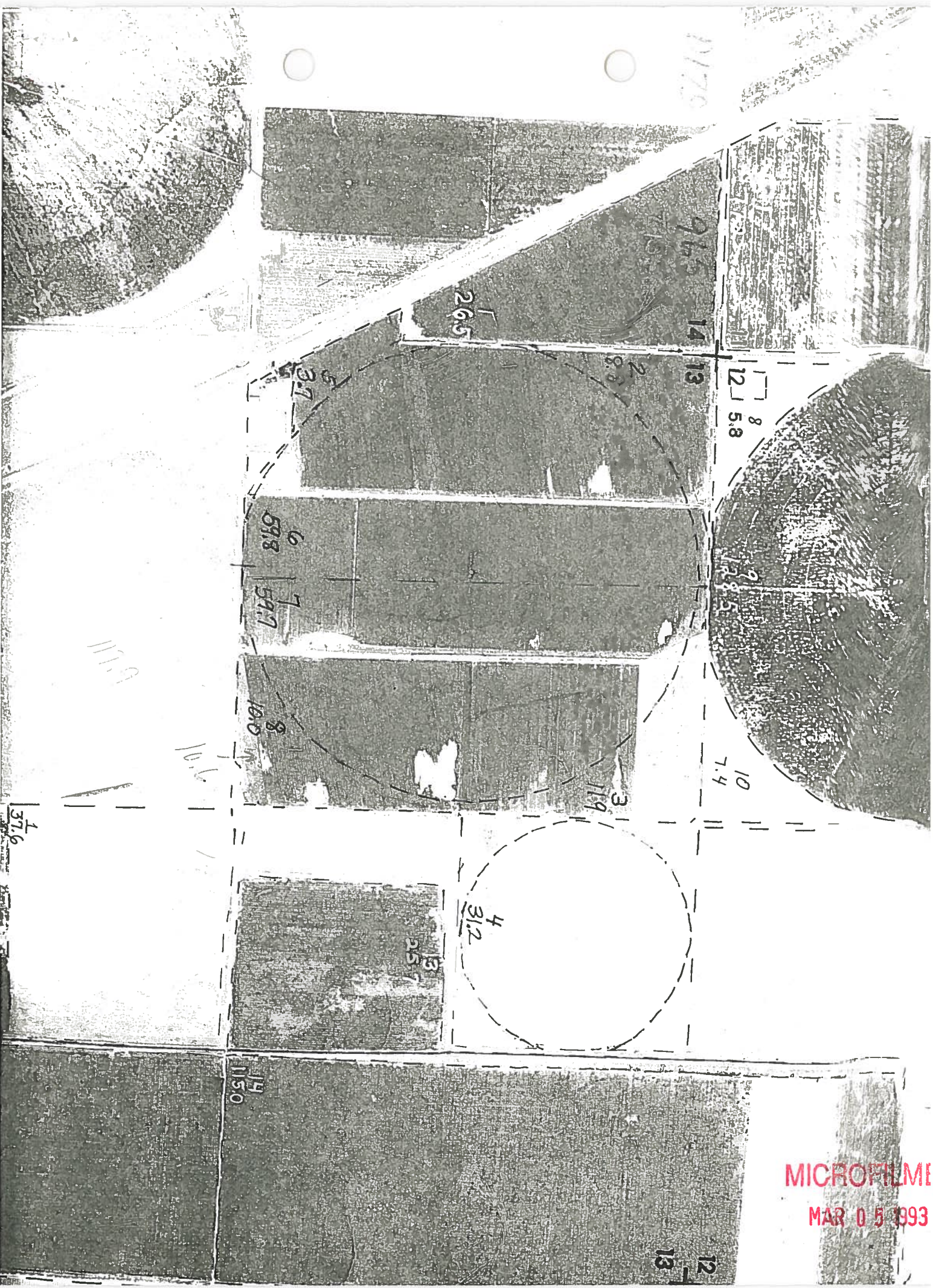
Mary A. Baldwin
Notary Public

Seal

Residing at Leadung Rd

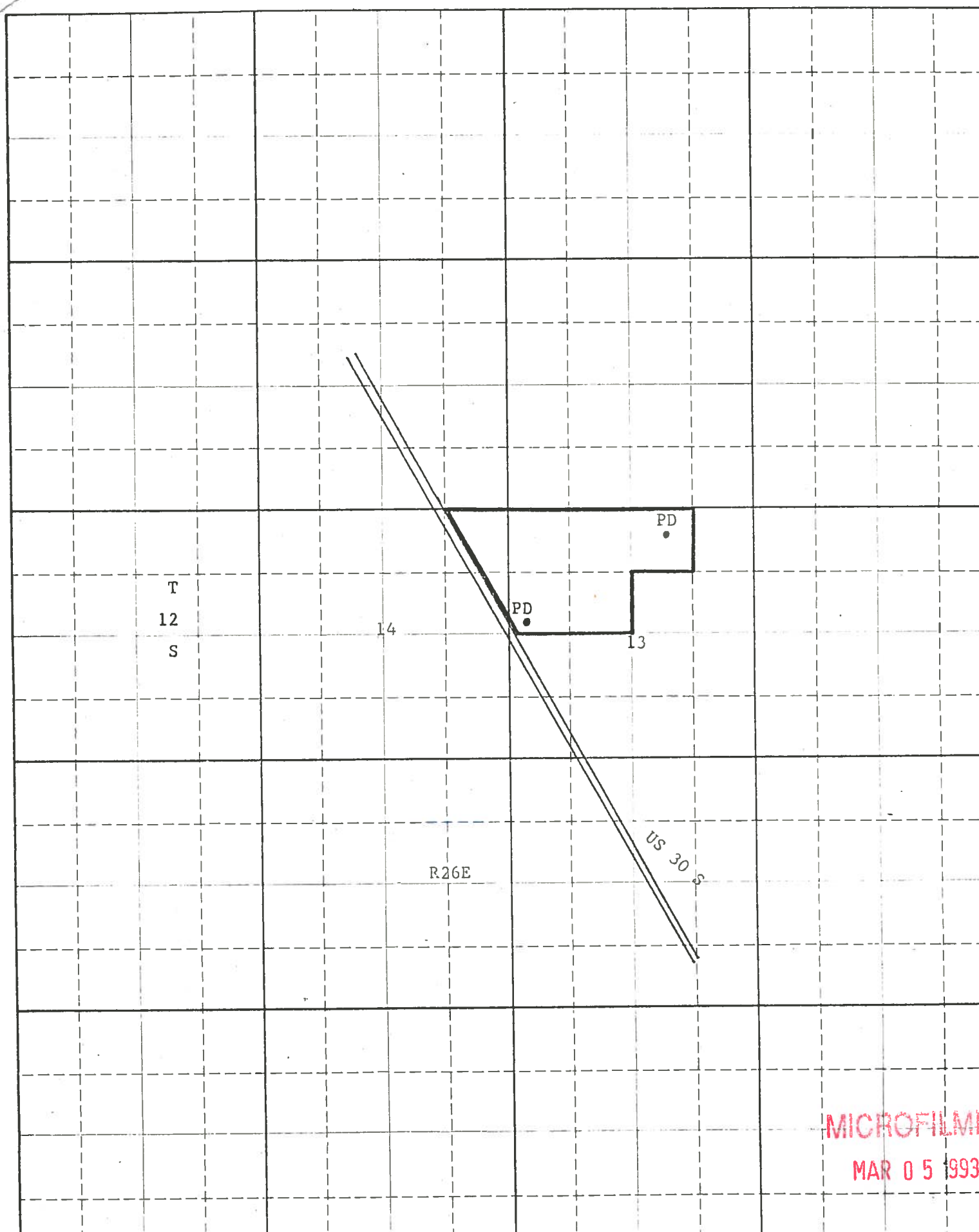
My Commission Expires 10/16/1992

0170



MICROFILME
MAR 05 1993

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



MICROFILME
MAR 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-04078

KENNETH A. MC FARLAND

JANET MC FARLAND

STAR RT._BOX 22

DECLO

ID 83323

RE: Evidence of Priority

RESPONSE DEADLINE

FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILME
MAR 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3001

CECIL D. ANDRUS
Governor

December 5, 1991

RECEIVED

R. KEITH HIGGINSON
Director

A43-04047 *A43-04078*
KENNETH A. MC FARLAND
JANET MC FARLAND
STAR RT. __ BOX 22
DECLD

ID 83323

JAN 21 1992

Department of Water Resources
Southern Region Office

RE: Evidence of Priority

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FEBRUARY 3, 1992

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Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILME
MAR 05 1993

05/10/2001

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-4078

JANET MC FARLAND
1049 S HWY 81
DECLO ID 83323
Telephone Number: (208)645-2428

KENNETH A MC FARLAND
1049 S HWY 81
DECLO ID 83323
Telephone Number: (208)645-2428

RECEIVED
JUN 06 2001
Department of Water Resources
Southern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

June 1-01

SIGNATURE:

Janet MCFarland

Please print your name:

Janet McFarland

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, (208)736-3033

12/22/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-4078

NAME AND ADDRESS: JANET MC FARLAND
KENNETH A MC FARLAND
1049 S HWY 81
DECLO, ID 83323

SOURCE: GROUND WATER

QUANTITY: 0.36 CFS

USE OF THIS RIGHT WITH RIGHT NO. 43-04047 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.36 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 872 AF.

PRIORITY DATE: 06/01/1950

POINT OF DIVERSION: T12S R26E S13 SNNWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3-15 11-15	0.36 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T12S R26E S13	NWNE	36	T12S R26E S13	NENW	40
T12S R26E S13	NWNW	40	T12S R26E S13	SWNW	34
T12S R26E S13	SENE	40	T12S R26E S14	NENE	24
T12S R26E S14	SENE	4			

218 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 43-04047 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 218 ACRES IN A SINGLE
IRRIGATION SEASON.

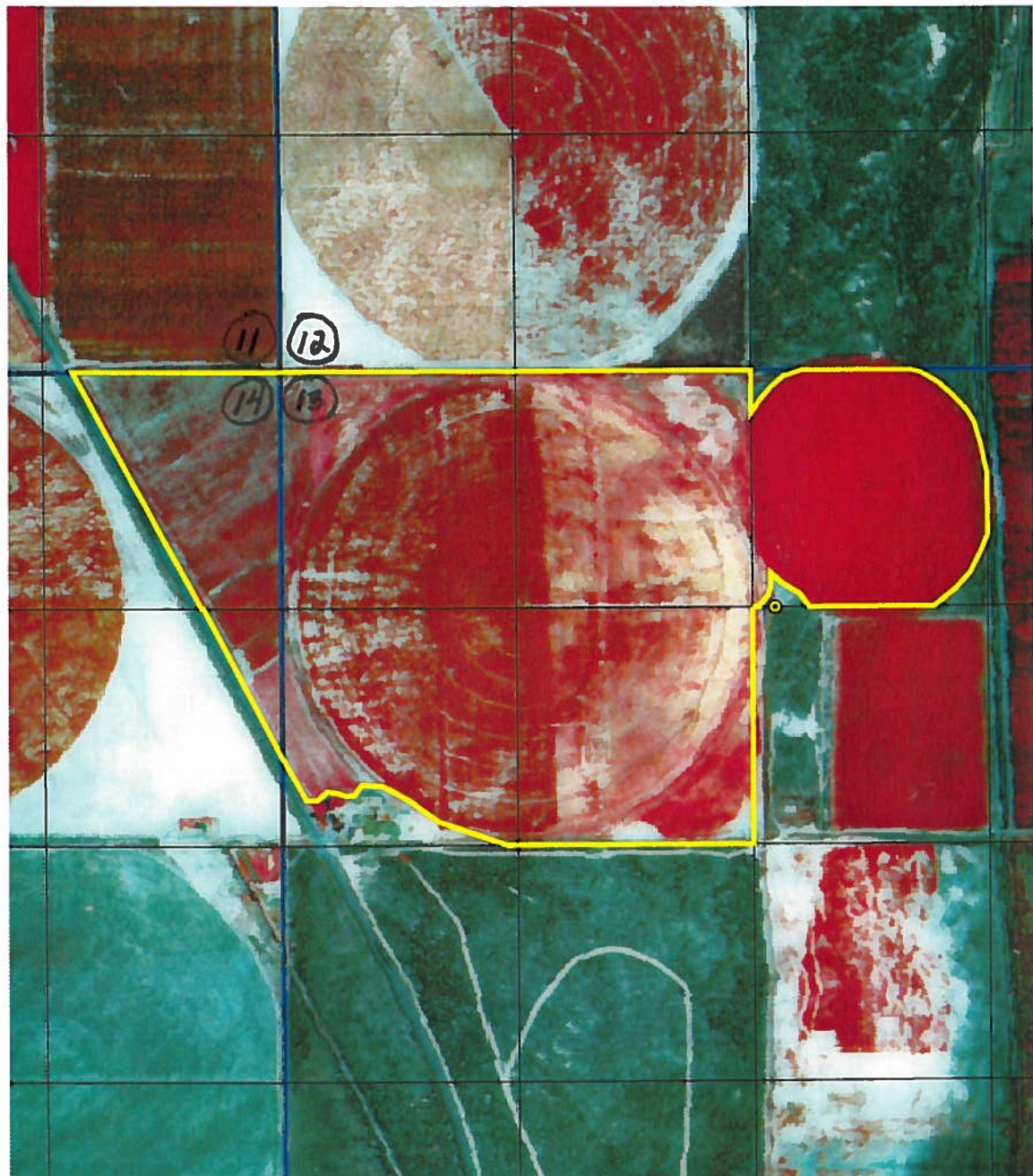
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Water Right 43-4078

43-04047 and 43-04078



0 1320 2640 3960 Feet



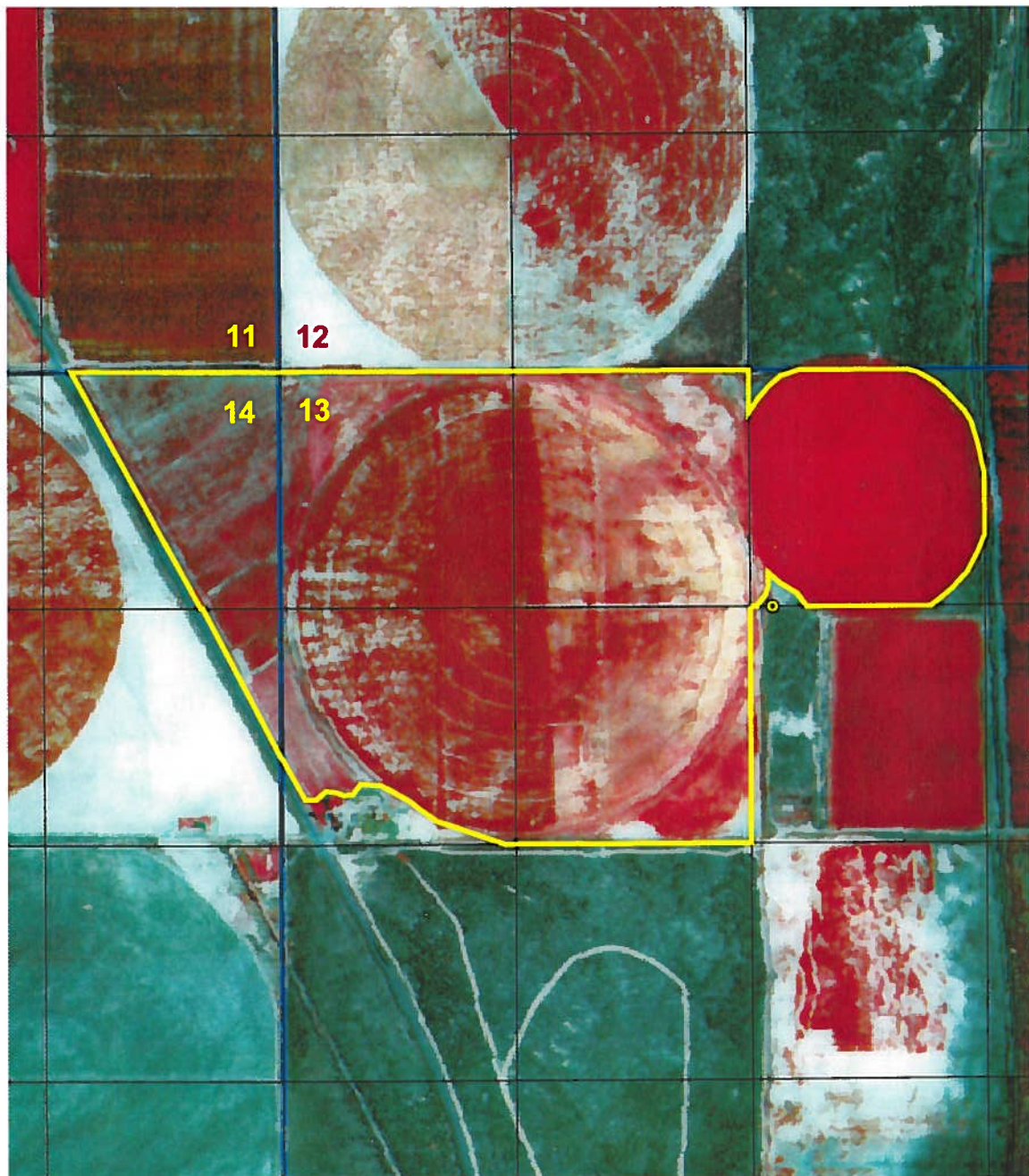
RECOMMENDED PLACE OF USE
DATA ENTRY ON FEB. 24, 2000
TWP 12S, RNG 26E, SECTIONS 13 and 14

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

Idaho Department of Water Resources

43-04047 and 43-04078



0 1320 2640 3960 Feet



RECOMMENDED PLACE OF USE
DATA ENTRY ON FEB. 24, 2000
TWP 12S, RNG 26E, SECTIONS 13 and 14

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

VERIFIED BY X 4/13/10

DIVERSION
VOLUME

0.360 CFS

Stage: BENEFICIAL USE

CASSIA County

218.0

Date: 02/24/2000 User-ID: JROBERTS Subject: REDUCED DIVERSION RATE

DATE: 04/05/00
PAGE: 1

A10749NP
NO. R43-04078

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

DATE: 04/05/00
PAGE: 2

Comments: Date: 02/24/2000 User-ID: JROBERTS Subject: REDUCED DIVERSION RATE
218 TOTAL ACRES FOUND IRRIGATED. OTHER RIGHT (43-04047) CLAIMED
4.0 CFS, WHICH LEFT .36 FOR THIS RIGHT AT 0.02 CFS PER ACRE.

Audit: 04/05/00 JROBERTS

AJ0749NP
No. R43-04078

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

DATE: 03/09/00
PAGE: 1

VERIFIED BY: *[Signature]*

OWNER
CODE NAME & ADDRESS
C KENNETH A MC FARLAND
C JANET MC FARLAND

PRIORITY
DATE WATER USE
06/01/1950 IRRIGATION

USE PERIOD
FROM TO
03-15 11-15
DIVERSION
RATE
0.360 CFS
TOTAL DIVERSION:
0.360 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T12S R26E S13

SW/4

CASSIA County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S	NE NE	SE NE	SW NE	SE NE	SE NE
12S 26E 13	36	40	40	40	160.0
12S 26E 14	24	04	40	40	28.0
TOTAL ACRES					218.0

POU County: CASSIA

Other Rights: 43-04047

Conditions of Approval:

- 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 42-14(2)(6), IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 43-04047 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.36 CFS.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 43-04047 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 218 ACRES IN A SINGLE
IRRIGATION SEASON.

Dates: Exam Made Date: 02/10/2000 Verified Date: 03/09/2000 Objection Filed Date:

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

Comments: Date: 02/24/2000 User-ID: JROBERTS Subject: COPIED FROM REMARKS
TRANSFER #2310 FILED 05/11/1979 WITH #43-4047
Date: 02/24/2000 User-ID: JROBERTS Subject: REDUCED DIVERSION RATE

225

Comments: Date: 02/24/2000 User-ID: JROBERTS Subject: REDUCED DIVERSION RATE
218 TOTAL ACRES FOUND IRRIGATED. OTHER RIGHT (43-04047) CLAIMED
4.0 CFS, WHICH LEFT .36 FOR THIS RIGHT AT 0.02 CFS PER ACRE.

Audit: 03/09/00 JROBERTS

CLAIM NUMBER A43-04047
A43-04078

DATE 2/24/00
AGENT R

TRANSFER NUMBER _____
CLAIMED ACRE TOTAL 220
GIS ACRE TOTAL 210

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	12S	26E	13		40			40	40	36	40									10
GIS	12S	26E	13		36			40	40	34	40									10
RECOM	12S	26E	13		36			40	40	34	40									10
CLAIM	12S	26E	14	26			6													30
GIS	12S	26E	14	24			4													20
RECOM	12S	26E	14	24			4													20
CLAIM																				
GIS																				
RECOM																				

B43-POU.SHP

SHAPE NOS. gps tag # A0004870

166

B43-POD.SHP

NOS. DESCRIPTION

100

DBF TABLES UPDATED

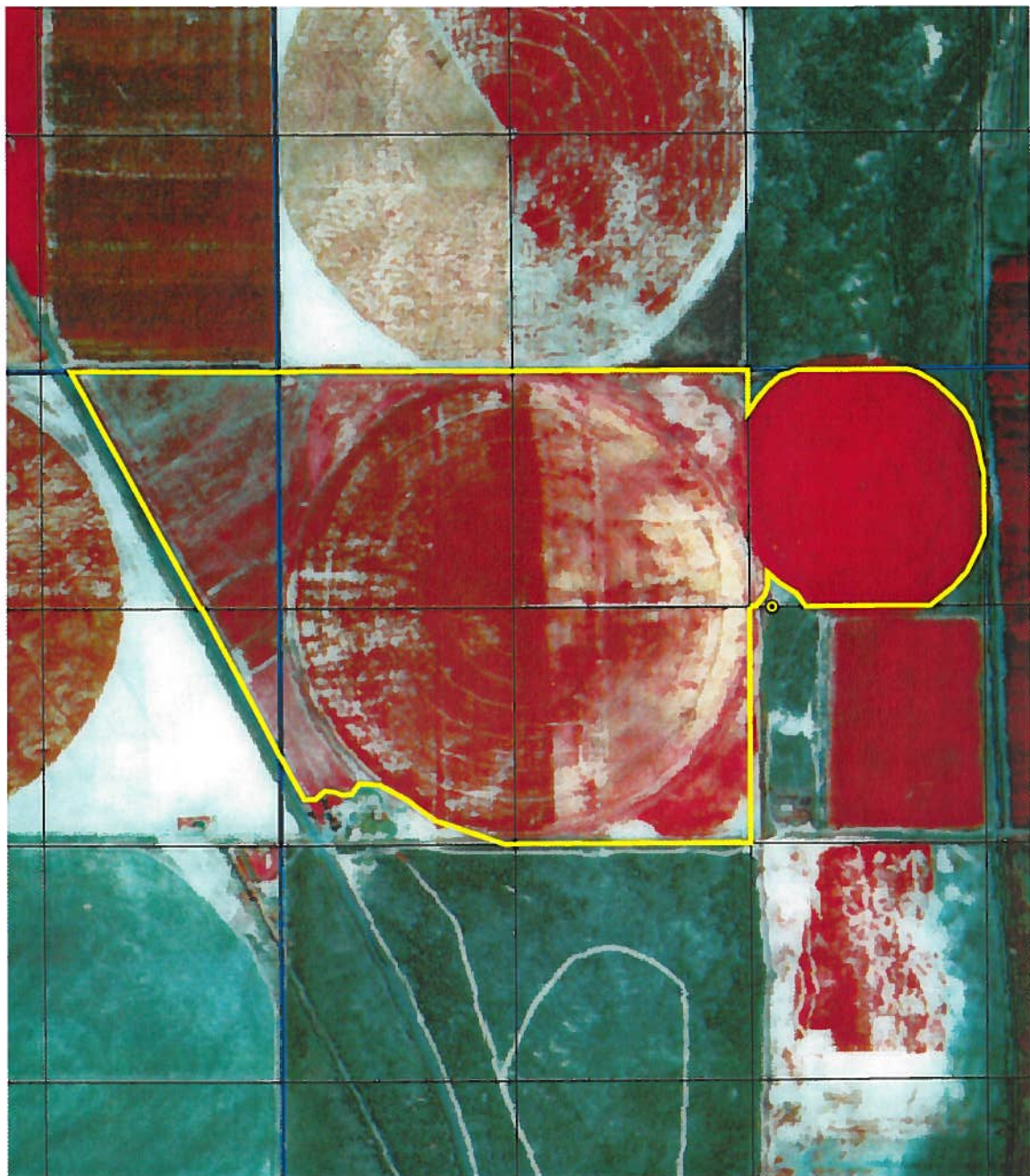
B43-DBPOU.DBF ☒

B43-DBPOD.DBF ☒

JPEG LAYOUT ☒

Idaho Department of Water Resources

43-04047 and 43-04078



0 1320 2640 3960 Feet



RECOMMENDED PLACE OF USE
DATA ENTRY ON FEB. 24, 2000
TWP 12S, RNG 26E, SECTIONS 13 and 14

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:39:05
02/24/00
32

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A43-04078

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KENNETH A MC FARLAND	06/01/1950	IRRIGATION	04-01 11-01	0.600 CFS	
C	JANET MC FARLAND					
					3/15 - 11/15	
					TOTAL DIVERSION:	0.600 CFS
					CONSUMPTIVE USE:	567.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T12S R26E S13 NWNE SWNW CASSIA 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	Lt	Ac	SUM
12S	26E	13	:																												196.0	
12S	26E	14	:	26																											32.0	
																														TOTAL ACRES	228.0	

POU County: CASSIA

Remarks: GEN TRANSFER #2310 FILED 05/11/1979 WITH #43-4047

Dates: Exam Made Date: Verified Date: 06/18/1985 Objection Filed Date:

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

Rem.:
"POU" E11
"QNT" E11

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:36:33
02/24/00

PAGE: 15
QUICKLOOK INFORMATION

31
CLAIM NUMBER: A43-04078

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

BARCODE UPDATED
WHOM/DATE

R PROOF

CVR

MAPS

PHOTOS

MISC
