

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 43-13005
Date Received: 8/14/2001
Receipt No:
Received By:

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

1. Name of Claimant(s)

IDA GOLD FARMS LIMITED PARTNERSHIP
246 E 300 S
BURLEY ID USA 83318

Phone: (208)678-4820

2. Date of Priority: 10/24/1961

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	27E	25	SW SW	CASSIA	
10S	27E	25	SW SW	CASSIA	

5. Description of diverting works:

Proposed New Well

Existing well

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.28	63
COMMERCIAL	01/01	12/31	0.28	63

7. Total Quantity Appropriated is:
0.28 C.F.S. and/or 63 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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10S	27E	25	NE	SE	COMMERCIAL
			NW	SE	COMMERCIAL
			SW	SE	COMMERCIAL
			SE	SE	COMMERCIAL
			NE	SW	STOCKWATER
			NW	SW	STOCKWATER
			SW	SW	STOCKWATER
			SE	SW	STOCKWATER
			NW	SE	STOCKWATER
			SW	SE	STOCKWATER
10S	28E	18	SW	SE	COMMERCIAL
			SE	SE	COMMERCIAL
10S	28E	19	NE	NE	COMMERCIAL
			NW	NE	COMMERCIAL
			SW	NE	COMMERCIAL
			SE	NE	COMMERCIAL
			NE	NW	COMMERCIAL
			SE	NW	COMMERCIAL
			NE	SW	COMMERCIAL
			SE	SW	COMMERCIAL
			NE	SE	COMMERCIAL
			NW	SE	COMMERCIAL
			SW	SE	COMMERCIAL
			SE	SE	COMMERCIAL
10S	28E	20	NW	NW	COMMERCIAL
			SW	NW	COMMERCIAL
			NW	SW	COMMERCIAL
10S	28E	30	NE	NE	COMMERCIAL
			NW	NE	COMMERCIAL
			SW	NE	COMMERCIAL
			SE	NE	COMMERCIAL
			NE	NW	COMMERCIAL
			NW	NW	COMMERCIAL
			SW	NW	COMMERCIAL
			SE	NW	COMMERCIAL
			NE	SW	COMMERCIAL
			NW	SW	COMMERCIAL
			SW	SW	COMMERCIAL
			SE	SW	COMMERCIAL
			NE	SE	COMMERCIAL
			NW	SE	COMMERCIAL
			SW	SE	COMMERCIAL
			SE	SE	COMMERCIAL

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:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

THIS RIGHT WAS CREATED AS A SPLIT OF 43-2540A AS THE RESULT OF APPROVED TRANSFER
#68892. 8/14/01 jr

15. Basis of Claim: License

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

VERIFIED BY

8/15/01
08/15/2001

RIGHT NUMBER: 43-13005

NAME AND ADDRESS: IDA GOLD FARMS LIMITED PARTNERSHIP
246 E 300 S
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 0.28 CFS
63 AFY

PRIORITY DATE: 10/24/1961

POINT OF DIVERSION: T10S R27E S25 SWSW Within CASSIA County
T10S R27E S25 SWSW Within CASSIA County

TWO POINTS OF DIVERSION LOCATED IN T10S, R27E, S25, SWSW.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01-01 12-31	0.28 CFS 63.00 AFY
COMMERCIAL	01-01 12-31	0.28 CFS 63.00 AFY

PLACE OF USE:

STOCKWATER Within CASSIA County

T10S R27E S25	NESW	T10S R27E S25	NWSW
T10S R27E S25	SWSW	T10S R27E S25	SESW
T10S R27E S25	NWSE	T10S R27E S25	SWSE

COMMERCIAL Within CASSIA County

T10S R27E S25	SENE	T10S R27E S25	NESE
T10S R27E S25	NWSE	T10S R27E S25	SWSE
T10S R27E S25	SESE	T10S R28E S18	SWSE
T10S R28E S18	SESE	T10S R28E S19	NENE
T10S R28E S19	NWNE	T10S R28E S19	SWNE
T10S R28E S19	SENE	T10S R28E S19	NENW
T10S R28E S19	SENW	T10S R28E S19	NESW
T10S R28E S19	SESW	T10S R28E S19	NESE
T10S R28E S19	NWSE	T10S R28E S19	SWSE
T10S R28E S19	SESE	T10S R28E S20	NWNW
T10S R28E S20	SWNW	T10S R28E S20	NWSW
T10S R28E S30	NENE	T10S R28E S30	NWNE
T10S R28E S30	SWNE	T10S R28E S30	SENE
T10S R28E S30	NENW	T10S R28E S30	NWNW
T10S R28E S30	SWNW	T10S R28E S30	SENW
T10S R28E S30	NESW	T10S R28E S30	NWSW
T10S R28E S30	SWSW	T10S R28E S30	SESW
T10S R28E S30	NESE	T10S R28E S30	NWSE
T10S R28E S30	SWSE	T10S R28E S30	SESE

LOT 1

LOT 3

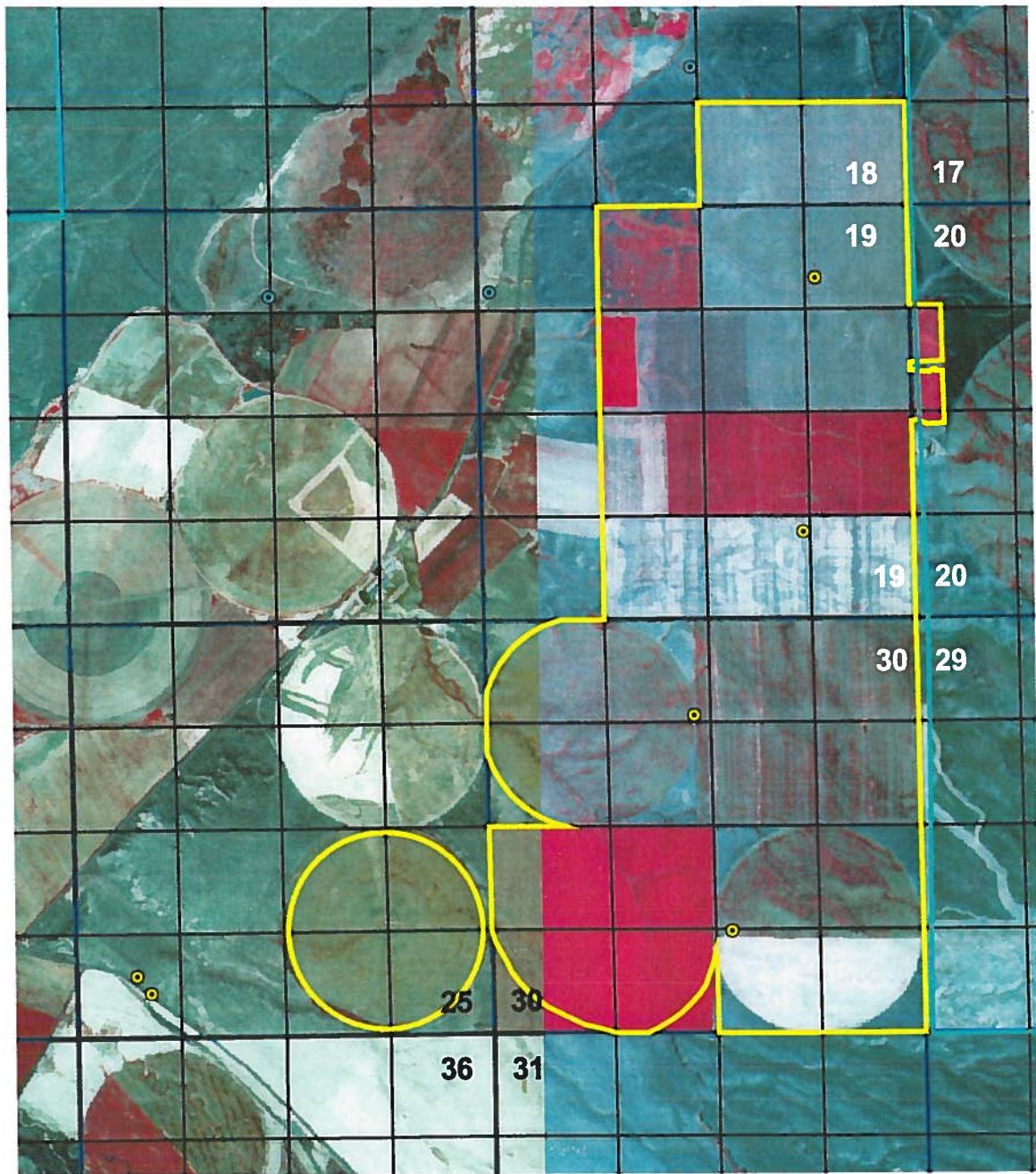
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 43-2540A.

43-2540B, 43-10476, 43-13004, & 43-13005



0 1320 2640 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON AUG. 15, 2001
TWP 10S, RNG 27E, SEC. 25
TWP 10S, RNG 28E, SEC. 18, 19, 20, & 30



- 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
TRANSFER OF WATER RIGHT
TRANSFER NO. 68892

RECEIVED**AUG 10 2001**

Department of Water Resources
Southern Region

This is to certify that: IDA GOLD FARMS LIMITED PARTNERSHIP
246 E 300 S
BURLEY ID 83318
(208)678-4820

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
43-2540B	AJC/License	10/24/1961	0.19 cfs	42.0 af	N/A	N/A	GROUND WATER
43-2540A	AJC/License	10/24/1961	16.39 cfs	4856.0 af	1,214.0	1,339.7	GROUND WATER
43-10476	AJC/Beneficial Use	06/30/1985	1.53 cfs	N/A	125.7	1,339.7	GROUND WATER

Purpose of Transfer (Changes Proposed)

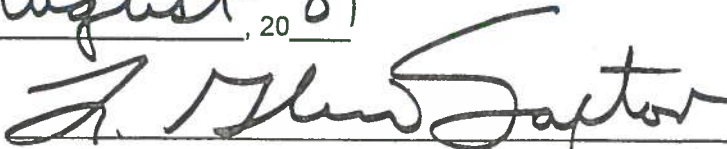
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-2540B	NO	NO	YES	YES	NO	NO
43-2540A	YES	NO	YES	YES	YES	YES
43-10476	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-2540B	43-2540B	0.19 cfs	42.0 af	N/A	N/A		N/A	N/A	N/A	N/A
43-2540A	43-13005	0.28 cfs	63.0 af	N/A	N/A	43-13004	16.11 cfs	4772.0 af	1,193.0	1,318.7
43-10476		N/A	N/A	N/A	N/A	43-10476	1.53 cfs	N/A	125.7	1,318.7
TOTALS		0.47 cfs	105.0 af	N/A	N/A		16.11 cfs	4772.0 af	1,318.7	1,318.7

Detailed Water Right Description(s) attached

Dated this 7th day of August, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2540B
As Modified by Transfer No. 68892

In accordance with the approval of Transfer No. 68892, Water Right No. 43-2540B is now described as follows.

Right Holder: IDA GOLD FARMS LIMITED PARTNERSHIP
 246 E 300 S
 BURLEY ID 83318

Priority Date: 10/24/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.19 CFS	42.0 AF
COMMERCIAL	01/01	to 12/31	0.19 CFS	42.0 AF
			0.19 CFS	42.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSW Sec. 25 Twp 10S Rge 27E CASSIA County

GROUND WATER SWSW Sec. 25 Twp 10S Rge 27E CASSIA County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 27E 25									X	X	X	X		X	X		

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 27E 25													X	X	X	X	
10S 28E 18															X	X	
10S 28E 19	X	X	X	X	X			X	X			X	X	X	X	X	
10S 28E 20						X	X			X							
10S 28E 30	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

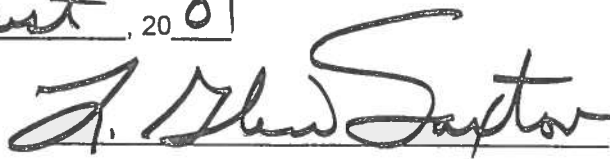
WATER RIGHT NO. 43-2540B
As Modified by Transfer No. 68892

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-2540B and 43-13005 shall not exceed .47 cfs, nor total combined annual volume of 105.0 af.
3. 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.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Commercial use is for a feedlot.
6. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the feedlot as authorized by these water rights.
7. The feedlot operation authorized under this approval shall comply with applicable county zoning and use ordinances.
8. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of August, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13005
As Modified by Transfer No. 68892

In accordance with the approval of Transfer No. 68892, Water Right No. 43-13005 is now described as follows.

Right Holder: IDA GOLD FARMS LIMITED PARTNERSHIP
 246 E 300 S
 BURLEY ID 83318

Priority Date: 10/24/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to 12/31		0.28 CFS	63.0 AF
COMMERCIAL	01/01 to 12/31		0.28 CFS	63.0 AF
			0.28 CFS	63.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSW Sec. 25 Twp 10S Rge 27E CASSIA County

GROUND WATER SWSW Sec. 25 Twp 10S Rge 27E CASSIA County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 27E 25									X	X	X	X		X	X		

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 27E 25													X	X	X	X	
10S 28E 18															X	X	
10S 28E 19	X	X	X	X	X			X	X			X	X	X	X	X	
10S 28E 20						X	X			X							
10S 28E 30	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

WATER RIGHT NO. 43-13005
As Modified by Transfer No. 68892

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-2540B and 43-13005 shall not exceed .47 cfs, nor total combined annual volume of 105.0 af.
3. 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.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Commercial use is for a feedlot.
6. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the feedlot as authorized by these water rights.
7. The feedlot operation authorized under this approval shall comply with applicable county zoning and use ordinances.
8. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of August, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13004

As Modified by Transfer No. 68892

In accordance with the approval of Transfer No. 68892, Water Right No. 43-13004 is now described as follows.

Right Holder: IDA GOLD FARMS LIMITED PARTNERSHIP

246 E 300 S

BURLEY ID 83318

Priority Date: 10/24/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	16.11 CFS	4,772.0 AF
			16.11 CFS	4,772.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNENE Sec. 19 Twp 10S Rge 28E CASSIA County

GROUND WATER NESWSE Sec. 19 Twp 10S Rge 28E CASSIA County

GROUND WATER SENENW Sec. 30 Twp 10S Rge 28E CASSIA County

GROUND WATER NWSWSE Sec. 30 Twp 10S Rge 28E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 27E 25													28.0	29.0	29.0	27.0	113.0
10S 28E 18															40.0	40.0	80.0
10S 28E 19	40.0	40.0	40.0	40.0	40.0			40.0	40.0			40.0	40.0	40.0	40.0	40.0	480.0
10S 28E 20						.4	11.0			1.3							12.7
10S 28E 30	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	47.0	33.0	33.0	40.0	40.0	40.0	40.0	633.0
						L 1	L 2			L 3	L 4						

Total Acres: 1318.7

CONDITIONS OF APPROVAL

- Right 43-10476 is an expansion of Right 43-13004 pursuant to Section 42-1416B, Idaho Code.
- Right 43-13004 is limited to the irrigation of 1193.0 acres within the place of use described above in a single irrigation season.
- Rights 43-10476 and 43-13004 when combined shall not exceed a total diversion rate of 16.11 cfs, a total annual maximum diversion volume of 4772.0 af at the field headgate, and the irrigation of 1318.7 acres.

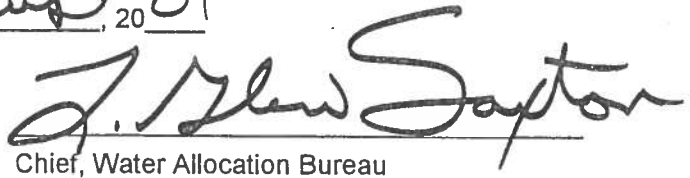
WATER RIGHT NO. 43-13004
As Modified by Transfer No. 68892

CONDITIONS OF APPROVAL

4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. 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.
6. Approval of Transfer 68892 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of August, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-10476

As Modified by Transfer No. 68892

In accordance with the approval of Transfer No. 68892, Water Right No. 43-10476 is now described as follows.

Right Holder: IDA GOLD FARMS LIMITED PARTNERSHIP
246 E 300 S
BURLEY ID 83318

Priority Date: 06/30/1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.53 CFS	
			1.53 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESWSE	Sec. 19 Twp 10S	Rge 28E	CASSIA County
GROUND WATER	SENENW	Sec. 30 Twp 10S	Rge 28E	CASSIA County
GROUND WATER	SWNENE	Sec. 19 Twp 10S	Rge 28E	CASSIA County
GROUND WATER	NWSWSE	Sec. 30 Twp 10S	Rge 28E	CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 27E 25													28.0	29.0	29.0	27.0	113.0
10S 28E 18															40.0	40.0	80.0
10S 28E 19	40.0	40.0	40.0	40.0	40.0			40.0	40.0			40.0	40.0	40.0	40.0	40.0	480.0
10S 28E 20						.4	11.0			1.3							12.7
10S 28E 30	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	47.0	33.0	33.0	40.0	40.0	40.0	40.0	633.0

Total Acres: 1318.7

CONDITIONS OF APPROVAL

- Right 43-10476 is an expansion of Right 43-13004 pursuant to Section 42-1416B, Idaho Code.
- Right 43-10476 is limited to the irrigation of 125.7 acres within the place of use described above in a single irrigation season.
- Rights 43-10476 and 43-13004 when combined shall not exceed a total diversion rate of 16.11 cfs, a total annual maximum diversion volume of 4772.0 af at the field headgate, and the irrigation of 1318.7 acres.

WATER RIGHT NO. 43-10476
As Modified by Transfer No. 68892

CONDITIONS OF APPROVAL

4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. 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.
6. Approval of Transfer 68892 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of August, 2001


Chief, Water Allocation Bureau