

AJ5856NP

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

DATE: AUG-18-1997
PAGE: A-181

RIGHT NUMBER:

43-10393

NAME & ADDRESS:

CHILD INVESTMENT CO LTD
1693 W 2700 S
SYRACUSE UT 84075

SOURCE:

GROUNDWATER

QUANTITY:

0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE:

12/31/1952

POINT OF DIVERSION:

T11S R26E S13

NWSNW

Within CASSIA County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE:

DOMESTIC

Within CASSIA County

T11S R26E S13

SWNW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 11S26E130000A

Claim proved by 157
Date: 9-5

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: A43-10393

Date Received: 6/ 7/1989

Receipt No: S007634

Received By: ownership change

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: M & H FARMS 208-654-2640
Address: 561 TERRACE DRIVE
BURLEY ID 83318

2. Date of Priority: DEC 31, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	26E	13	NW	SW	NW		CASSIA

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	26E	13	SW	NW		DOMEST	

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:
NONE

14. Remarks:
OWNERSHIP CHANGE FROM CHILD INVESTMENT TO M & H FARMS. 3/25/98 jr

15. Basis of Claim: BENEFICIAL USE

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 _____

Water Right Number - R43-10393

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
M & H FARMS

*** O - ORIGINAL OWNER ***
CHILD INVESTMENT CO LTD

1 - 561 TERRACE DRIVE
2 -
3 -
City- BURLEY
Phone - 208-654-2640
State- ID Zip- 83318
1 - 1693 W 2700 S
2 -
3 -
City- SYRACUSE
Phone - 801-773-4510
State- UT Zip- 84075

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/31/1952 ERROR IN REGION J - BENEFICIAL USE

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

+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
11S 26E 13 NW SW NW (31) CASSIA

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0

+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
11S 26E 13 SW NW 43 DOMESTIC (31) CASSIA

Total Acres:

+ - - Diversion Means - WELL & PUMP
+ - - Non-Irrigation Use - 1 HOME
+ - - Other Rights for Same Use - NONE
+ - - - - - Remarks - - - - - +

EXP PARCEL NO. 11S26E130000A

Water right number - R43-10393

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +
+ - - - - Old Water Right Numbers - - - - - +
+ - - - - No Old Water Right Numbers Found - - - - - +

+ - - - - Conditions of Approval - - - - - +
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

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

+ - - - - Comments - - - - - +
Date: 03/25/1998 User Id: JROBERTS Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGE FROM CHILD INVESTMENT CO TO M & H FARMS. COPY OF WARRANTY DEED SUBMITTED. jr

+ - - Audit Fields - - - +
03/25/98 JROBERTS

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 06/07/1989 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - S007634 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - Presumption Flag -
Notice of Error Flag -



NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DATE OF CLOSING: 3/19/96

MAR 22 1996

LEGAL DESCRIPTION OF PROPERTY: Townships 11 & 12S Range 27E Department of Water Resources
Sections 2, 3, 4, 27, 34 & 35 1/4 of 1/4 of 1/4 Govt. Lot BM Southern Region
Lot Block Subdivision/Townsite
If you have additional legal descriptions, please attach separate sheet.
See legal description attached

- [] 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)
(1) A43-02346G, (2) A43-02476C, (3) A43-02596A, (4) A43-0246
- [] Water Right Number(s) (5) A43-02496, (6) A43-02376, (7) A43-02508, (8) A43-0418
Assigned by IDWR: (9) A43-04184 A43-10393; A43-10394
- [] Name and Address of Former Owner/Claimant(s)(Seller): Child Investment Co., Ltd., a Utah partnership
5176 Cottonwood Lane
Salt Lake City, Utah 84117
- [] New Owner/Claimant (Purchaser): M & H Farms, a general partnership consisting of
Jack Hunsaker, Robert Hunsaker & Robert Moss
- [] New Mailing Address: M & H Farms
561 Terrace Drive
Burley, Idaho 83318
- [] New Telephone Number: (208) 431 - 1238 or 654-2640
(mobile) (home)
- [] 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:

- [] Attach proof of ownership, describe proof attached: Special Warranty 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.)
M & H Farms

- [] Signature of New Owner/Claimant(s) By [Signature] Date
Child Investment Co., Ltd. Date
- [] Signature of Former Owner/Claimant(s) By [Signature] Date
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: 3/7/96 By: HB
Claim Numbers of Split, if any:
3-25-98

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

Parcel No. 1:

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: SW $\frac{1}{4}$

Section 34: All

Parcel No. 2:

TOWNSHIP 12 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2: N $\frac{1}{2}$

Section 3: N $\frac{1}{2}$

Parcel No. 3:

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

Section 35: S $\frac{1}{2}$ EXCEPTING THEREFROM the following described
parcel of land:

Beginning at the Northwest corner of the SW $\frac{1}{4}$
of said Section 35;
Thence running East along the centerline of said
Section 35 to the Northeast corner of the SE $\frac{1}{4}$ thereof;
Thence South along the East boundary line of
said Section 35 a distance of 24 feet;
Thence West on a line parallel with and 24
feet South of the centerline of said Section
35 to the West boundary line thereof;
Thence North along said West boundary line of
said Section 35 for 24 feet to the Point of
Beginning.

Parcel No. 4:

TOWNSHIP 12 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 4: NE $\frac{1}{4}$ (Lots 1 and 2; and the S $\frac{1}{2}$ NE $\frac{1}{4}$)

241748

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made this 18 day of March, 1996, between CHILD INVESTMENT COMPANY, LTD., a Utah partnership, who acquired title as CHILD INVESTMENT COMPANY, a limited partnership, of 5176 Cottonwood Lane, Salt Lake City, Utah, 84117, hereinafter called the "Grantor", and M & H FARMS, a general partnership consisting of JACK HUNSAKER, ROBERT HUNSAKER and ROBERT MOSS, whose address is 561 Terrace Drive, Burley, Idaho, 83318, hereinafter called the "Grantee".

WITNESSETH

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described real estate situated in the County of Cassia, State of Idaho, to-wit:

Parcel No. 1:

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: SW $\frac{1}{4}$

Section 34: All

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE	CUSTOMER	
March 25, 1998 4:27pm	ROBERT MOSS	43-10393, 43-10394

SUBJECT: OWNERSHIP CHANGE
phone call (X) walk-in (.)

Called to say he had received his Director's Report Recommendation for 43-10394 and it was still under the name of Child Investment. When I checked the data base, I found that 43-10393 was never changed either. Looks like these two D & S rights were missed when the ownership changes were made to M & H Farms in 1996. Changed the records...

AJ5856NP

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

DATE: AUG-8-1997

PAGE: A-186

RIGHT NUMBER: 43-10393

NAME & ADDRESS: CHILD INVESTMENT CO LTD
1693 W 2700 S
SYRACUSE UT 84075

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 12/31/1952

POINT OF DIVERSION: T11S R26E S13 NWSWN Within CASSIA County

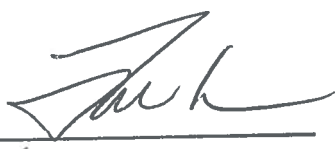
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC DOMESTIC, 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T11S R26E S13 SWNW

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

PARCEL NO. 11S26E130000A

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Claim data entry by: 

Date: 8-14-97

Data entry verified by: KJ

Date: 8/15

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: A43-10393
Date Received: 6/07/1989
Receipt No: 5007638
Received By: ABM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHILD INVESTMENT CO., LTD. 801-773-4510
Address: 1693 WEST 2700 SOUTH 84075
SYRACUSE, UT

2. Date of Priority: DEC 31, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	26E	13	NW	SW	NW		CASSIA

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11S	26E	13	SW	NW		DOMEST	

11. Place of use in counties: CASSIA

A43-10393

Page 1

Date: 06/07/89

MICROFILMED

MAR 05 1993

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: BENEFICIAL USE

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am V.P. Finance + Manager of
Title
Child Investment Co., LTD., that I have signed the foregoing
Organization
document in the space below as V.P. Finance + Manager of
Title
Child Investment Co., LTD. and that the statements contained in the
Organization
foregoing document are true and correct.

Richard R. Latham
Signature of Authorized Agent
Child Investment Co., LTD
V.P. Finance + Manager
Title and Organization

June 7, 1989
Date

State of Idaho)
County of Blaine Falls) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of June 19 89

Lee D. Menten
Notary Public

Seal

Residing at Kilberly, Id.

My Commission Expires 6/30/94
Date: 06/07/89

A43-10393

Page

2

MICROFILMED
MAR 05 1993

CHILD INVESTMENTS CO., LTD.
1693 West 2700 South
Syracuse, Utah 84075

RECEIVED

JUN 12 1989

June 8, 1989

Department of Water Resources
Southern Region Office

Mr. Alan Merritt
Idaho Dept. of Water Resources
2148 Fourth Avenue East
Twin Falls, Idaho 83301

RE: Power of Attorney

Dear Alan:

The Power of Attorney authorizing me to act for Child Investment Co., Ltd. is enclosed. Please attach to the application numbers noted in the document.

Again thank you for your assistance yesterday.

Sincerely,



Richard Turnbow
V.P. Finance & Manager

MICROFILMED

MAR 05 1993

POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS, that the undersigned does hereby make, constitute, and appoint Richard R. Turnbow of 2271 East Sublette Place, Sandy, Salt Lake County, State of Utah, the true and lawful attorney for and in the name, place, and stead of the undersigned in connection with the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System Pertaining to water right numbers;

A43 - 02508, A43 - 02596A, A43 - 02476,
A43 - 02346B, A43 - 10394, A43 - 04183,
A43 - 10393, A43 - 04184, A43 - 02366,
A43 - 02375, A43 - 02555,

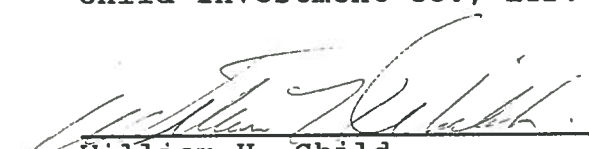
and all other issues of water rights pertaining to property owned by the undersigned in the State of Idaho.

The undersigned gives and grants unto said attorney full authority and power to do and perform all and every act and thing whatsoever requisite and advisable to be done relating to issues of water rights, fully ratifying and confirming all that said attorney shall lawfully do or cause to be done by virtue hereof.

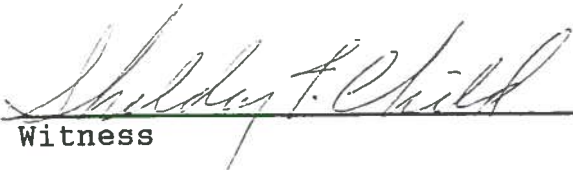
This Power of Attorney shall remain in full force and effect until written notice of its revocation has been duly served upon the Idaho Department of Water Resources, 2148 Fourth Avenue East, Twin Falls, Idaho 83301.

The foregoing Power of Attorney set forth above is signed and dated at Syracuse, Utah this the 7th day of June, 1989.

Child Investment Co., LTD.



William H. Child
General Partner



Witness

MICROFILMED
MAR 05 1993

