

TO: CARTER FRITSCHLE

FROM: MIKE SABALA/SABALA FARMS, INC.

RECEIVED
MAY 13 2005
Department of Water Resources

Mr. Fritschle,

It was my original understanding that the 80 acres outlined in black on your enclosed map was to be included in the transfer plan.

I would appreciate it if you would clarify this for me. Thank you for your attention to this matter.

Mike Sabala



SCANNED
MAY 16 2005

RECEIVED

04/12/2005

MAY 13 2005

Department of Water Resources

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 3, 2005

Water right number: 37-72B

M & M FARMS

1819 E 1550 S

GOODING ID 83330

Telephone Number: (208)934-4360

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:

PLEASE LOOK AT ENCLOSED MAP
(80 ACRES IN QUESTION)

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: 5/5/05

SIGNATURE: M & M FARMS By Mike Sadala

Please print your name: MIKE SADALA

IDWR State Office, 322 E. Front St., P.O. Box 83720, Boise, ID 83720-0098

SCANNED

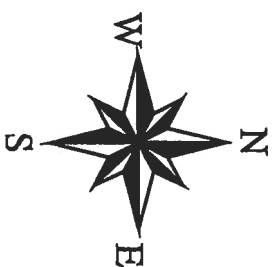
MAY 16 2005

37-72B & 37-21279

T05S R14E
S25 & S26

80 Acres
in Question

SCANNED
MAY 16 2005



1000 0 1000 2000 3000 Feet



Map prepared by: Carter Fritschle
Date prepared: 03/22/04
1987-1988 NAPP photography
Idaho Department of Water Resources

04/28/2005

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

RIGHT NUMBER: 37-72B

NAME AND ADDRESS: M & M FARMS
1819 E 1550 S
GOODING ID 83330

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.200 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.

PRIORITY DATE: 04/01/1885

POINT OF DIVERSION:

T05S R15E S12 NESESW Within GOODING County

T05S R15E S31 NENENW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	2.200 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T05S R14E S25	NENW	36.0	T05S R14E S25	SWNW	39.0
T05S R14E S25	SENW	33.0	T05S R14E S25	NESW	31.0
T05S R14E S25	NWSW	10.0	T05S R14E S25	SWSW	11.0
T05S R14E S25	SESW	28.0	T05S R14E S25	SWSE	16.0
T05S R14E S25	SESE	9.7	T05S R14E S26	SENE	30.0
T05S R14E S26	NESE	1.3			

STOCKWATER same as IRRIGATION

245 ACRES TOTAL

Use of this right with right no. 37-21279 is limited to the irrigation of a combined total of 176 acres in a single irrigation season.

This right is limited to the irrigation of 110 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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Decreed

04/28/2005

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

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.

Use of this right is combined with water from American Falls Reservoir Dist. No. 2.

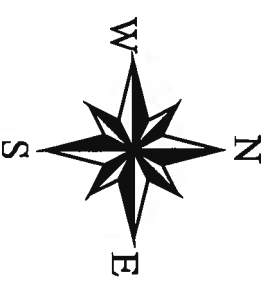
The right holder shall accomplish the change authorized by Transfer No. 71185 by April 13, 2006.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

Right 37-21279 is also diverted through the points of diversion described above.

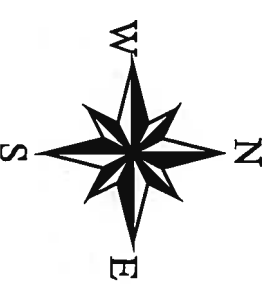
T05S R14E S25 & S26



1000	0	1000	2000	3000 Feet
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37-72B & 37-21279

**T05S R14E
S25 & S26**



Map prepared by: Carter Fritschle
Date prepared: 03/22/04
1987-1988 NAPP photography
Idaho Department of Water Resources

04/29/2004

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

RIGHT NUMBER: 37-72B

NAME AND ADDRESS: M & M FARMS
1819 E 1550 S
GOODING ID 83330

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.200 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

The appropriator is entitled to the quantity of water decreed for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.

PRIORITY DATE: 04/01/1885

POINT OF DIVERSION:

T05S R15E S31 NENENW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	2.200 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T05S R14E S25	SWNW	39.0	T05S R14E S25	NESW	31.0
T05S R14E S25	NWSW	10.0	T05S R14E S25	SWSW	11.0
T05S R14E S25	SESW	28.0	T05S R14E S25	SWSE	16.0
T05S R14E S25	SESE	9.7	T05S R14E S26	SENE	30.0
T05S R14E S26	NESE	1.3			

STOCKWATER same as IRRIGATION

176 ACRES TOTAL

Use of this right with right no. 37-21279 is limited to the irrigation of a combined total of 176 acres in a single irrigation season.

This right is limited to the irrigation of 110 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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Use of this right is combined with water from American Falls Reservoir Dist. No. 2.

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 37-72B
Date Received: 8/12/1988
Receipt No:
Received By:

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

1. Name of Claimant(s)

M & M FARMS Phone: (208)934-4360
1819 E 1550 S
GOODING ID 83330

2. Date of Priority: 04/01/1885

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	15E	31	NE NE NW	GOODING	

5. Description of diverting works:

Walters # 33 Headgate

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.2	
STOCKWATER	1/1	12/31	0.02	

7. Total Quantity Appropriated is:
2.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05S	14E	25	SW NW	IRRIGATION	39
			NE SW	IRRIGATION	31

NW	SW	IRRIGATION	10
SW	SW	IRRIGATION	11
SE	SW	IRRIGATION	28
SW	SE	IRRIGATION	16
SE	SE	IRRIGATION	9.7

Section Acres 144.7

05S	14E	26	SE	NE	IRRIGATION	30
			NE	SE	IRRIGATION	1.3

Section Acres 31.3

Total Acres 176

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
37-21279 AND AMERICAN FALLS RESERVOIR DISTRICT #2

14. Remarks:
Place of use for stockwater is the same as irrigation. The 0.02 cfs claimed for stockwater is at the field headgate.

15. Basis of Claim: Decreed

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: _____

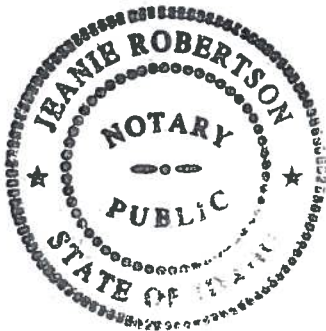
For Organizations:

I do solemnly swear or affirm that I am PARTNER of
Title
M & M FARMS, that I have signed the foregoing
Organization
document in the space below as PARTNER of
Title
M & M FARMS and that the statements contained in the
Organization
foregoing document are true and correct. Michael Sabala
Signature of Authorized Agent

PARTNER M & M FARMS
Title and Organization
4/16/04
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 16th day of April 2004



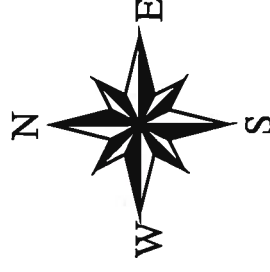
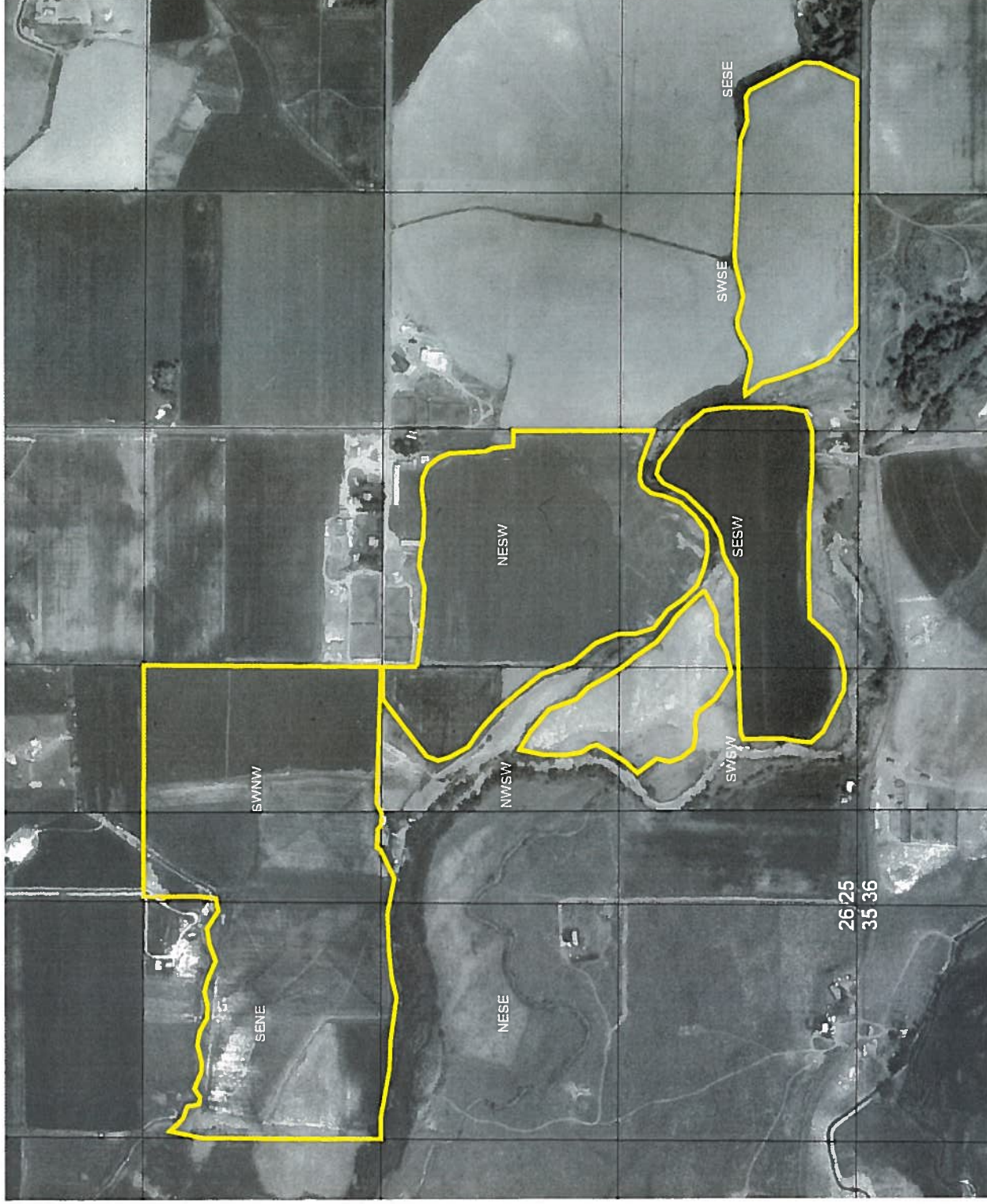
Jeanie Robertson
Notary Public

Residing at Twin Falls, ID.

My commission Expires 9-23-06

37-72B & 37-21279

T05S R14E
S25 & S26



1000 0 1000 2000 3000 Feet

Map prepared by: Carter Fritschle
Date prepared: 03/22/04
1987-1988 NAPP photography
Idaho Department of Water Resources

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: **A37-00072B**
Date Received: 8/12/1988
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: M & M FARMS
Address: 1819 E 1550 S
GOODING ID

208-934-4360

83330

2. Date of Priority: APR 1, 1885

3. Source: BIG WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	15E	31	NE	NE	NW		GOODING

5. Description of diverting works:
WALTERS #33

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.200		

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

A.F.A.

8. Total consumptive use is 258.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	14E	25	SW	NW		IRR	40.0
			NW	SW		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	46.0
		26	SE	NE	IRR	40.0
					Section Acres	40.0
					Total Acres	86.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
320" 11/01/1913

14. Remarks:

THIS CLAIM IS A PORTION OF THE ORIGINAL DECREE OF 132" DECREED TO BLISS. THE OTHER 22" IS OWNED BY SOMEONE ELSE.

A37-00072A, 0.44 CFS (22") TO CARL H. OR KARIN RIXON, 12/26/1989
RVW.

*** THIS CLAIM WAS RENUMBERED TO A37-00072B FROM THE ORIGINAL CLAIM A37-00072 TO REFLECT THAT THIS IS ACTUALLY JUST A PORTION OF THE ORIGINAL RIGHT. KKC 11/19/92.

3-17-98: CHANGE OF OWNERSHIP SMITH TO M & M FARMS PER NOTICE RECD
3-9-98 - VH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

S. C. FROST, ET. AL.

Decree Plaintiff

ALTURAS WATER COMPANY, ET. AL
vs Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 17, 1998

M & M FARMS

Mark Sabala and Mike Sabala

1819 East 1550 South

Gooding, Idaho 83330

RE: Snake River Basin Adjudication (SRBA)

Claim No.(s): A37-00072B, 37-000875

Change of Ownership Notification

Dear Claimants:

We have received notice that you have purchased property with the above referenced Snake River Basin Adjudication claim(s), and our records have been changed, accordingly. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. If you have any questions, please contact me at this office.

Sincerely,

A handwritten signature in cursive script that reads "Vikie Hancock".

Vikie Hancock

S.R.B.A. Records Clerk

ENCLOSURES

RECEIVED

MAR 09 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

Department of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

OCT 15 1997

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

Water Right No(s).:

Adjudication Claim No(s).:

A37-10485, A37-00072B, A37-00875

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.

Name and Address of Former
Owner/Claimant

Helen Boesiger Smith

18052 River Road, Leavenworth, WA 98826

New Owner/Claimant(s)

M & M Farms

New Mailing Address

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
1819 East, 1550 South

City, State and ZIP Code

Gooding, ID 83330

New Telephone Number

(208) 934-4360

Date you acquired the property

November, 1994

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 66 acres

Number and type of stock 350 beef Cattle

Diversion rate in CFS

Number of homes 1

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.

Signature of New Owner
or Claimant(s)

M & M Farms

B. Mark Salala

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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..



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 12, 1998

Mark Sabala
M & M Farms
1819 East 1550 South
Gooding, Idaho 83330

RE: Snake River Basin Adjudication (SRBA)
Claim Nos.: A37-10985, A37-00072B, A37-00875

Dear Mr. Sabala:

We received your Notice of Change of Ownership for Adjudication Claim number A37-10985, and I have enclosed a copy of our updated records for your inspection.

In investigating this change, I noted that the Warranty Deed submitted with your Notice specifically mentioned two water rights, one with a priority date of 4/1/1885 for 2.20 cfs and one with a priority date of 11/1/1913 for 6.40 cfs. These water rights correspond to our Adjudication Claim numbers A37-00072B and A37-00875, respectively.

I am enclosing profile reports on these two claims, as well as your original Notice of Change of Ownership. If you wish to add these additional claims to your original Notice, please do so and return it to me in the enclosed envelope. I can then enter M & M farms as current owner of record for claim numbers A37-00072B and A37-00875. If you have any questions, please feel free to call me, or any Adjudication Agent, at this office.

Sincerely,

Vikie Hancock
SRBA Records Clerk

RECEIVED

MAR 09 1998

Department of Water Resources
Southern Region



WARRANTY DEED

For Value Received

Helen M. Smith, a married woman,
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

M & M Farms, a partnership
consisting of Mark A. Sabala and Michael G. Sabala
hereinafter referred to as Grantee, whose current address is

1550 South 1819 East, Gooding, ID, 83330

the following described premises, to-wit:

Township 5 South, Range 14, East of the Boise Meridian, Gooding
County, Idaho

Section 25: SW1/4NW1/4; and that part of the NW1/4SW1/4 North
of the Big Wood River.

Section 26: S1/2SE1/4NE1/4; S1/2N1/2SE1/4NE1/4; and that part
of the NE1/4SE1/4 North of the Big Wood River.

TOGETHER with decreed water with a priority date of 4/1/1885 of 110
inches or 2.20 cfs; and decreed water right with priority date of
11/1/1913 of 320 inches or 6.40 cfs; and 67.31 inches or 1.35 cfs of
American Falls supplemental water.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant
to and with the said Grantee, that Grantor is the owner in fee simple of said
premises; that said premises are free from all encumbrances except current years
taxes, levies, and assessments, and except U. S. Patent reservations, restrictions,
easements of record, and easements visible upon the premises, and that Grantor will
warrant and defend the same from all claims whatsoever.

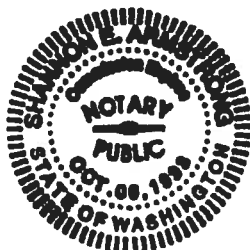
Dated: November 18, 1994.

Helen M. Smith
Helen M. Smith

STATE OF WASHINGTON

COUNTY OF Chelan

On This 18th day of November, in the year 1994, before me, a Notary Public
in and for said State, personally appeared Helen M. Smith, known or identified to
me to be the person whose name is subscribed to the within Instrument, and
acknowledged to me that she executed the same.



Shannon E. Armstrong
Notary Public for Washington
Residing at: 381 9th. Leavenworth WA
Commission Expires: Oct. 6th, 1998
STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

18 min. past 11 o'clock a m. this 1
of December, 1994

JOHN A. MYERS Recorder

By Debbie M. Lill

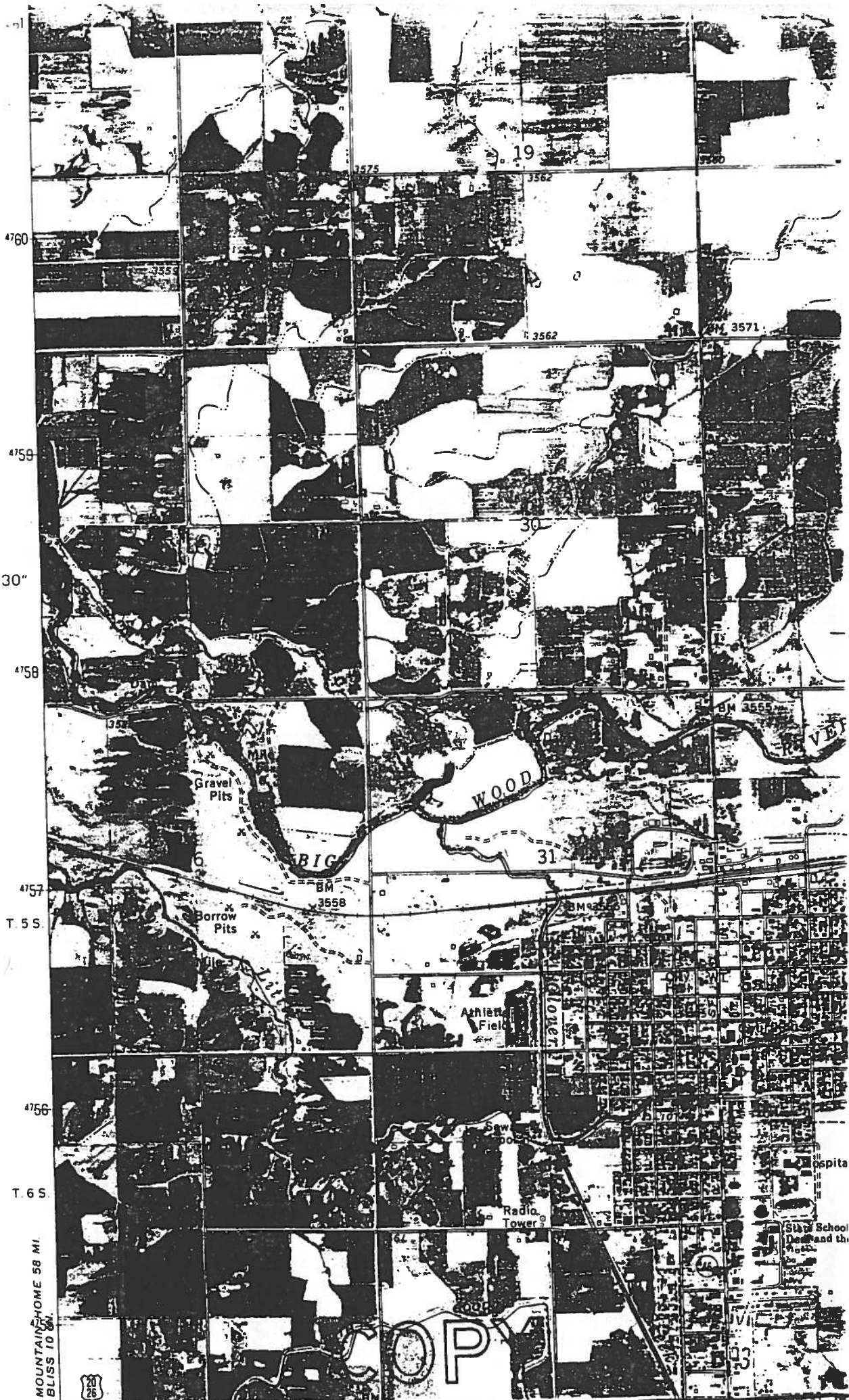
Deputy

First American Title Company of Idaho

sec. 25

14E.
T5S

T6S



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: **A37-00072B**

Date Received: 8/12/1988

Receipt No: X777777

Received By: renumbered it.

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

1. Name: HELEN (BOESIGER) SMITH
Address: 18052 RIVER ROAD
LEAVENWORTH WA

98826

2. Date of Priority: APR 1, 1885

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	15E	31	NE	NE	NW		GOODING

5. Description of diverting works:
WALTERS #33

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.200		

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

8. Total consumptive use is 258.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	14E	25	SW	NW		IRR	40.0
			NW	SW		IRR	6.0

**MICROFILMED
FEB 22 1992**

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	46.0
		26	SE	NE	IRR	40.0
					Section Acres	40.0
					Total Acres	86.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
320" 11/01/1913

14. Remarks:

THIS CLAIM IS A PORTION OF THE ORIGINAL DECREE OF 132" DECREED TO BLISS. THE OTHER 22" IS OWNED BY SOMEONE ELSE.

A37-00072A, 0.44 CFS (22") TO CARL H. OR KARIN RIXON, 12/26/1989
RVW.

*** THIS CLAIM WAS RENUMBERED TO A37-00072B FROM THE ORIGINAL CLAIM A37-00072 TO REFLECT THAT THIS IS ACTUALLY JUST A PORTION OF THE ORIGINAL RIGHT. KKC 11/19/92.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

S. C. FROST, ET. AL.
Decree Plaintiff

ALTURAS WATER COMPANY, ET. AL
vs Decree Defendant

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: _____

Water Right Number - A37-00072B Prefix Translation: ADJUDICATION CLAIM Old (D) Number -
+ - - - - Last Name - - - + + - First Name - - + + - - - - Address - - - - -

*** C - CURRENT OWNER ***
SMITH

HELEN (BOESIGER)

1 - 18052 RIVER ROAD
2 -
3 -
City- LEAVENWORTH State- WA Zip- 98826
Phone -

*** L - LEINHOLTER ***
SABALA

MARTIN N.

1 - 1740 EAST 1650 SOUTH
2 -
3 -
City- GOODING State- ID Zip- 83330
Phone - 208-934-5108

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/01/1985 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BIG WOOD RIVER MALAD RIVER

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County

05S 15E 31 NE NE NW (47) GOODING

+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 11/01 2.200

+ - Total Div. Rate - - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.200 258.0

+ - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
05S 14E 25 SW NW 40.0 01 IRRIGATION (47) GOODING
05S 14E 25 NW SW 6.0 01 IRRIGATION (47) GOODING
05S 14E 26 SE NE 40.0 01 IRRIGATION (47) GOODING

Total Acres: 86.0

+ - - Diversion Means - WALTERS #33

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 320" 11/01/1913

MICROFILMED
FEB 22 1993

Water right number - A37-00072B

Prefix Translation: ADJUDICATION CLAIM

+ - - - - - Remarks - - - - - +
THIS CLAIM IS A PORTION OF THE ORIGINAL DECREE OF 132" DECREEED
TO BLISS. THE OTHER 22" IS OWNED BY SOMEONE ELSE.

A37-00072A, 0.44 CFS (22") TO CARL H. OR KARIN RIXON, 12/26/1989
RVW.

*** THIS CLAIM WAS RENUMBERED TO A37-00072B FROM THE ORIGINAL
CLAIM A37-00072 TO REFLECT THAT THIS IS ACTUALLY JUST A PORTION
OF THE ORIGINAL RIGHT. KKC 11/19/92.

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

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

+ - - - - - Decree Plaintiff - - - + - - - Decree Date - - +
S. C. FROST, ET. AL. ALTURAS WATER COMPANY, ET. AL. 00/00/0000

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

+ - - - - - Audit Fields - - +
11/19/92 CHRISTEN

+ - - - - - 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 - 08/12/1988 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - X777777 Water District - 37
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - AND/OR Presumption Flag -
Notice of Error Flag -

MICROFILMED
FEB 22 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

R. KEITH HIGGINSON
Director

19-Nov-1992

HELEN (BOESIGER) SMITH
18052 RIVER ROAD
LEAVENWORTH WA 98826

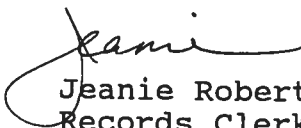
RE: Snake River Basin Adjudication (SRBA)
Gooding County - #A37-00072
Identification Number Change

Dear Claimants:

The Identification Number of your Notice of Claim to a Water Right has been changed from A37-00072 to A37-00072B. The suffix has been added in order to distinguish your claim from other claims that may claim a portion of the same original water right. This change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new Identification Number. Refer to this record number in any future inquiries or correspondence.

Sincerely,


Jeanie Robertson
Records Clerk

/jr
Enclosures:
Claim A37-00072B

MICROFILMED
FEB 22 1993

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: A37-00072^B
Date Received: 8/12/1988
Receipt No: 5001850
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HELEN (BOESIGER) SMITH
Address: 18052 RIVER ROAD
LEAVENWORTH, WA 98826

2. Date of Priority: APR 01, 1885

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 05S | 15E | 31 | NE | NE | NW | | GOODING |

5. Description of diverting works:
WALTERS #33

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 2.200 | | |

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

8. Total consumptive use is 258.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|---------------|-------|---------|--------|--------|-----|-----|-------|
| 05S | 14E | 25 | SW | NW | | IRR | 40.0 |
| | | | NW | SW | | IRR | 6.0 |
| Section Acres | | | | | | | 46.0 |

A37-00072^B

Page 1

Date: 08/12/88

MICROFILMED
FEB 22 1993

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| 05S | 14E | 26 | SE NE | | IRR | 40.0 |
| Section Acres | | | | | | 40.0 |
| Total Acres | | | | | | 86.0 |

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
320" 11/01/1913

14. Remarks:

THIS CLAIM IS A PORTION OF THE ORIGINAL DECREE OF 132" DECREED TO BLISS. THE OTHER 22" IS OWNED BY SOMEONE ELSE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

S. C. FROST, ET. AL.
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.
Decree Defendant

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): Helen Boesiger Smith Date: 8-24-88

Date: _____

State of ~~Idaho~~ Washington)
County of Chelan) SS.

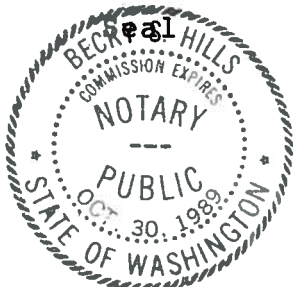
Subscribed and sworn (or affirmed) before me this 24th day

of August 19 88

Dee S. Lee
Notary Public

Residing at Leavenworth

My Commission Expires 10-30-89



PLEASE MAIL
EARLY FOR
CHRISTMAS

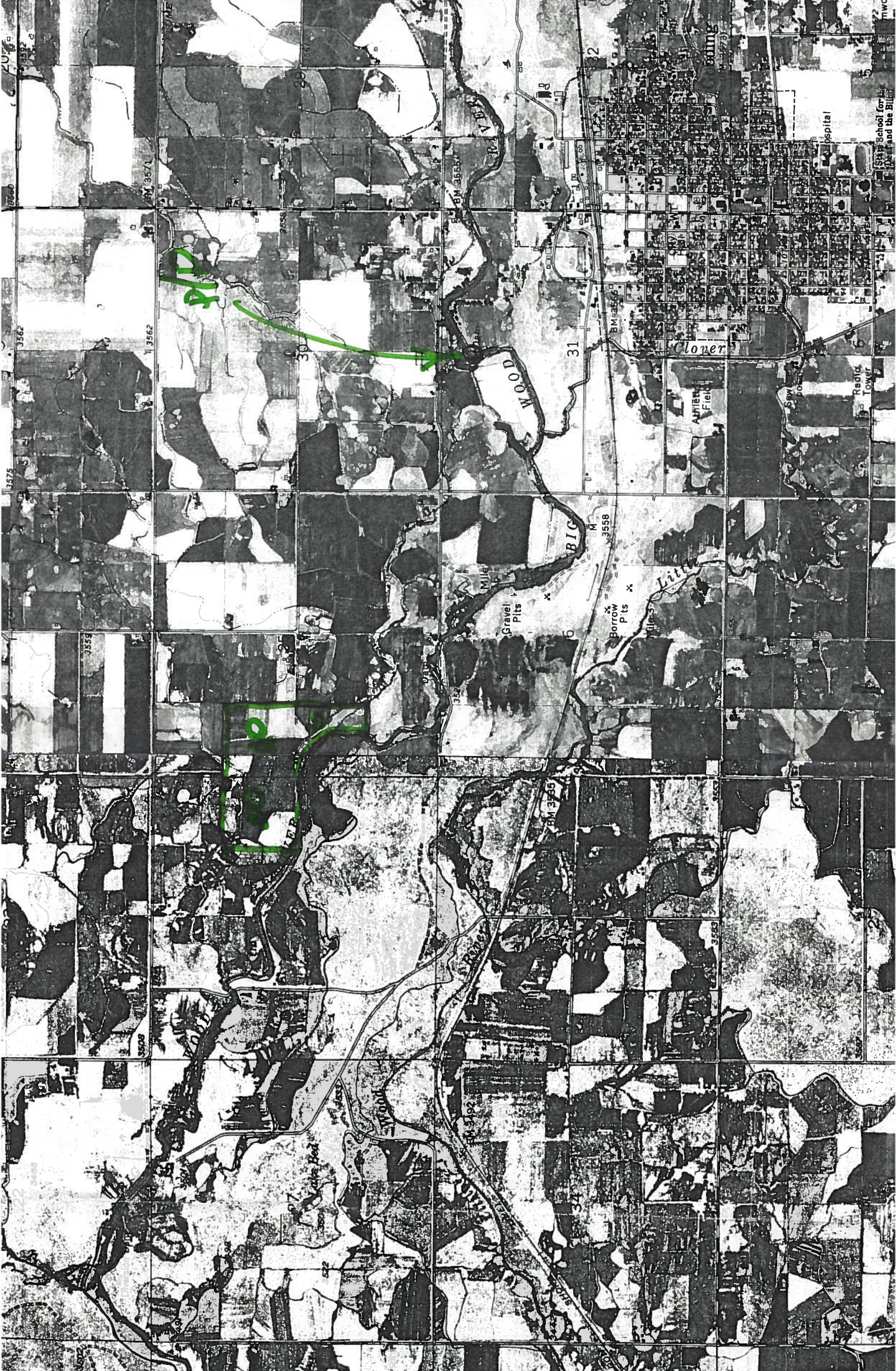


☐ Forwarding Order Expired
☐ Incorrect Address
☐ Invalid Last No Address
☐ Not Known
☐ Refused
☐ Other

Cardinals _____ Date _____

MICROFILMED
FEB 22 1982

no receipt





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
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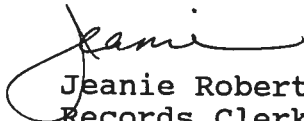
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MICROFILMED
FEB 22 1993

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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: A37-00072B
Date Received: 8/12/1988
Receipt No: X777777
Received By: _____

COPY

FOR YOUR FILES

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ACQUIRED UNDER STATE LAW**

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Address: 18052 RIVER ROAD
LEAVENWORTH WA

98826

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Trib. to: MALAD RIVER

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|----------|-------|---------|--------|--------|-----|-----|-------|
| 05S | 14E | 25 | SW | NW | | IRR | 40.0 |
| | | | NW | SW | | IRR | 6.0 |

**MICROFILMED
FEB 22 1993**

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| | | | | | | Section Acres | 46.0 |
| | | 26 | SE | NE | | IRR | 40.0 |
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| | | | | | | Total Acres | 86.0 |

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Case Number:

Court :

Decree date: / /

S. C. FROST, ET. AL.

Decree Plaintiff

ALTURAS WATER COMPANY, ET. AL

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Number of attachments: _____

COPY
FOR YOUR FILES

MICROFILMED
FEB 22 1993