

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 37-104
Date Received: 9/23/1988
Receipt No: S002490
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SPRING OF GLADNESS RANCH INC Phone: (208)324-4828
PO BOX 102
JEROME ID USA 83338

2. Date of Priority: 05/15/1882

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	18E	25	SW SW	BLAINE	R
01N	18E	12	SW SW	BLAINE	

5. Description of diverting works:

VIA BYPASS CANAL; BROWN #57-F HEADGATE IN CANAL; GRAVITY IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	09/15	1.5	
STOCKWATER	04/01	09/15	0.05	

7. Total Quantity Appropriated is:
1.5 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
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01S	18E	11	SE	SE	IRRIGATION	13
			SE	SE	STOCKWATER	
					Section Acres	13
01S	18E	12	SW	NE	STOCKWATER	
			NE	SW	STOCKWATER	
			NW	SW	STOCKWATER	
			SW	SW	STOCKWATER	
			SW	NE	IRRIGATION	40
			NE	SW	IRRIGATION	39
			NW	SW	IRRIGATION	35
			SW	SW	IRRIGATION	36
					Section Acres	150
					Total Acres	163

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

SOME FIELDS ARE SPRINKLED, BUT THE NUMBER OF ACRES IRRIGATED HAS NOT INCREASED BECAUSE OF THIS. STOCK DRINK FROM DITCHES.

11-8-2005, DJ: Claim amended to add 40 ac in SWNE.

15. Basis of Claim: Decreed

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 FORM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

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

RECEIVED
NOV 03 2005
Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s) Spring of Gladness Ranch, Inc. Phone (208) 731-8830
Mailing Address P.O. Box 102, Jerome, Idaho Zip 83338

2. Date of Priority (Only one (1) per claim) 05/15/1882

3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River

4. a. Location of existing point of diversion is: Township 01N Range 18E Section 12,
SW 1/4 of SW 1/4 of 1/4, Govt. Lot, B.M., County of Blaine

Additional points of diversion if any: 01N18E25SWSW (Rediversion)

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),
Including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. Existing ditches and sprinklers that irrigate the POU

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/01 to 09/15 amount 1.5 or _____

For Stockwater purposes from 04/01 to 09/15 amount 0.05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.5 (cfs) and / or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: list number of households served; Stockwater: type and number of livestock, etc.) stock drink from ditches

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	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	
01S	18E	11																13	13
		12			40						39	35	36						150

Total number of Irrigatable acres 163

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes XX No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

37-105A, 37-11387, 37-11390, 37-11394 Or None ☐

14. Remarks:

Last Name _____ Ident. No. _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree XX

If applicable provide IDWR Water Right Number 37-104

Court _____ Case Number _____ Decree Date 12/13/1909

Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) *Chris E. Anderson*

Date 10-31-05

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Of _____, that I have signed the foregoing

Document in the space below as _____ of _____

And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho / or _____)

County of Twin Falls) ss.

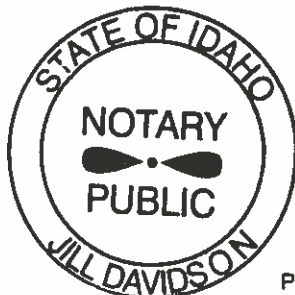
Subscribed and sworn (or affirmed) before me this 31st day of October, 2005.

Notary Public *Jill Davis*

Residing at Twin Falls

My Commission Expires November 18, 2010

SEAL



Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf Of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-104

WATER RIGHT NUMBER: 37-104

Owner Type Name and Address
 Current Owner SPRING OF GLADNESS RANCH INC
 PO BOX 102
 JEROME, ID 83338
 (208)324-4828

*per Amendment
 claim report*

Priority Date: 05/15/1882

Basis: Decreed

Status: Active

Source Tributary
 BIG WOOD RIVER MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 9/15	1.500 CFS	
STOCKWATER	4/01 to 9/15	0.050 CFS	
	<u>Total Diversion:</u>	1.500 CFS	370.00 AF

Location of Point(s) of Diversion

BIG WOOD RIVER	SW1/4SW1/4	Sec. 25, Twp 01N, Rge 18E, B.M.
BLAINE County	(Rediversion)	
BIG WOOD RIVER	SW1/4SW1/4	Sec. 12, Twp 01N, Rge 18E, B.M.
BLAINE 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	
01S 18E 11																13.0	13.0
01S 18E 12									39.0	35.0	36.0						110.0

Total Acres: 123

STOCKWATER same as IRRIGATIONConditions of Approval:

1. SOME FIELDS ARE SPRINKLED, BUT THE NUMBER OF ACRES IRRIGATED HAS NOT INCREASED BECAUSE OF THIS. STOCK DRINK FROM DITCHES.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-104

Comments:Dates and Other Information:

Claim Received Date: 9/23/1988

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number: 37M

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

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: A37-00104
Date Received: 9/23/1988
Receipt No: 5002490
Received By: 87

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SPRING OF GLADNESS RANCH, INC. 208-324-4828
Address: P. O. BOX 102
JEROME, ID 83338
2. Date of Priority: MAY 15, 1882
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
01N	18E	12		SW		SW	BLAINE
		25		SW		SW	R BLAINE
5. Description of diverting works:
VIA BYPASS CANAL; BROWN #57-F HEADGATE IN CANAL; GRAVITY IRRIG.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	09/15		1.500	
STOCKWATER	04/01	09/15		0.050	
7. Total Quantity Appropriated is:
1.500 C.F.S. (and/or) 370.00 A.F.A.
8. Total consumptive use is 370.0 Acre Feet Per Annum.
9. Non-irrigation uses:
LIVESTOCK/150 RANGE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	18E	11	SE	SE		IRR	13.0

Section Acres 13.0

A37-00104

Page

1

Date: 09/23/88

MICROFILMED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	18E	12	NE	SW		IRR	39.0
			NW	SW		IRR	35.0
			SW	SW		IRR	36.0
						Section Acres	110.0
						Total Acres	123.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-11387, 37-0105, 0892 PART

14. Remarks:
SOME FIELDS ARE SPRINKLED, BUT THE NUMBER OF ACRES IRRIGATED HAS
NOT INCREASED BECAUSE OF THIS. STOCK DRINK FROM DITCHES.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/13/1909

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 x 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): John D Mc Longil Date: 23 Sept 1988

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of September 19 88

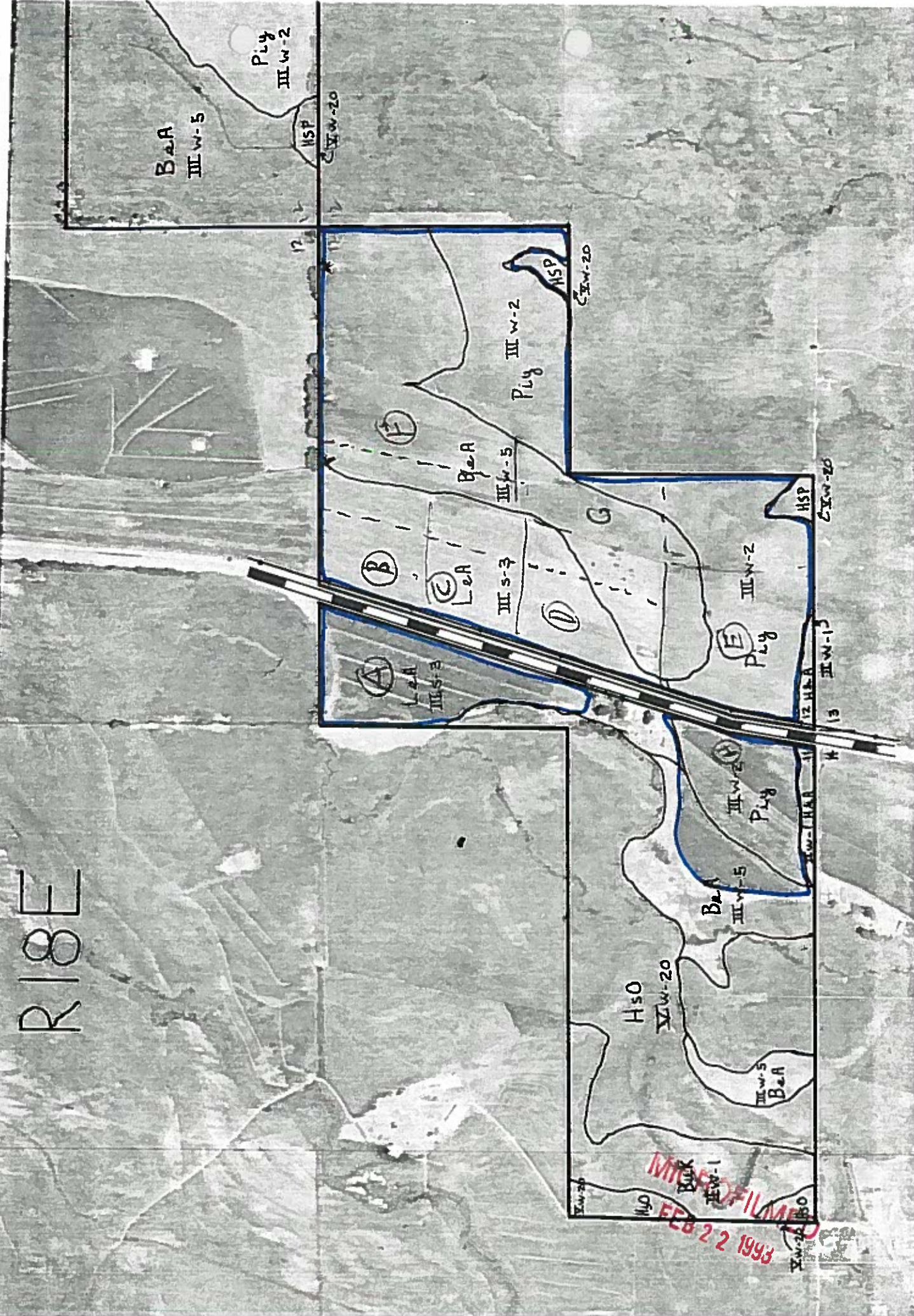
Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94

OWNER	DATE	FARM NO.
OPERATOR MIKE MCGONIGAL	9-74	
BLAINE	SCALE 8" = 1 MI.	ACRES 280
COUNTY	APPROXIMATE	
STATE	PHOTO NO.	

R18E



MIKE MCGONIGAL
FEB 22 1993

57-F	BROWN	JRK JUNG	37-0891C	07 / 24 / 1924	1.50			
57-F	BROWN	SPRING OF GLADNESS	37-0104	05 / 15 / 1882	1.50	37-104		1.50
57-F	BROWN	SPRING OF GLADNESS	37-0105	05 / 31 / 1887	6.00	37-105A		6.00
57-F	BROWN	SPRING OF GLADNESS	37-0892	09 / 01 / 1920	1.69	37-11394		1.69
57-F	BROWN	WOOD RIVER RANCHES	37-0335	05 / 15 / 1882	3.00	37-11821		3.00 Lakeside Industries

12/22/2006

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

RIGHT NUMBER: 37-104

NAME AND ADDRESS: SPRING OF GLADNESS RANCH INC
PO BOX 102
JEROME ID 83338

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.500 CFS

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

PRIORITY DATE: 05/15/1882

POINT OF DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

T01N R18E S35 NESESE Rediversion Within BLAINE County

This right is measured and administered at the point of rediversion.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.500 CFS
STOCKWATER	04/15 10/31	0.050 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R18E S11	SESE	21.00	T01S R18E S12	SWNE	39.00
T01S R18E S12	NESW	12.00	T01S R18E S12	NWSW	35.00
T01S R18E S12	SWSW	37.00			

STOCKWATER in BLAINE County

T01S R18E S11	SESE	T01S R18E S12	SWNE
T01S R18E S12	NESW	T01S R18E S12	NWSW
T01S R18E S12	SWSW		

144 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 144 acres in a single irrigation season. Combined Right Nos.: 37-104, 37-105A, 37-11394 and 37-11387.

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

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

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 - Decreed

Stockwater use is for 150 range cattle.



Idaho Department of Water Resources

SRBA Recommendation:

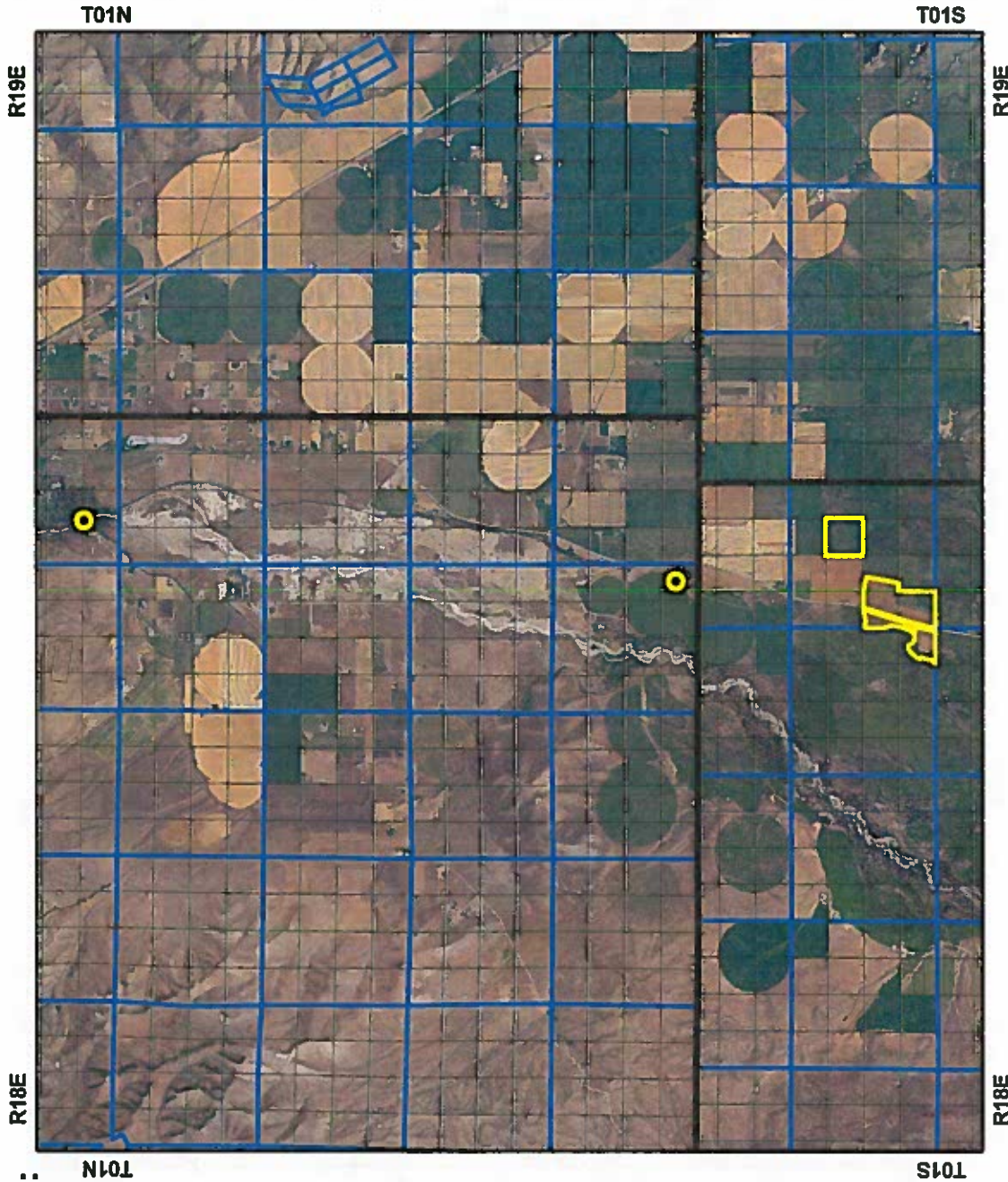
37-104
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County
IDWR Basin 37



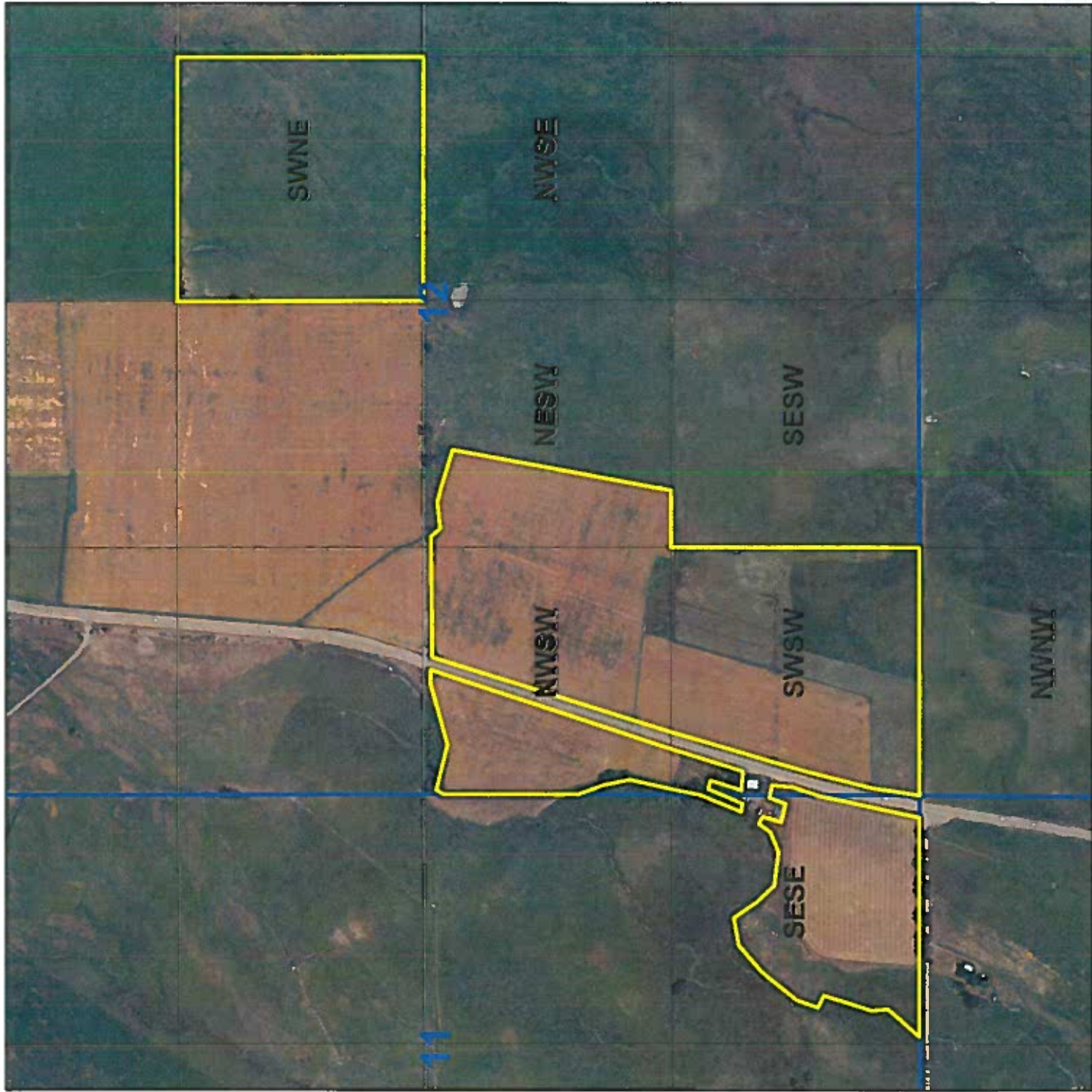
0 3 6 Miles

Owner: Spring Of Gladness Ranch Inc

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by A. Merritt
On Friday, December 22, 2006
2004 Aerial Photography

37-104





BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED
DEC 21 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

December 21, 2006

Mr. Allen Merritt
Southern District
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

Re: Spring of Gladness Ranch Affidavit

Allen,

Enclosed is an affidavit from John McGonigal showing proof of priority date for the spring appurtenant to 37-11390, as well as proof of irrigation to the 40 acre parcel located in the SW ¼ NE ¼ SEC.12 T.01S R.18E appurtenant to 37-104, 37-105A, 37-11387, and 37-11394. Enclosed is a map of the Spring of Gladness map showing the 1987 infrared photo with a hand drawing depicting how water gets to the above described 40 acres. Please don't hesitate to call either Chuck Sr. or myself with comments or questions, thanks.

Sincerely,

Zach Latham, Hydrologist

Enclosures

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF WATER USE) COMMENTS AND
ON THE FARM NOW KNOWN AS THE SPING OF) EVIDENCE OF
GLADNESS RANCH, BELLEVUE, ID AND WATER) JOHN MCGONIGAL
RIGHTS 37-11390, 37-11387, 37-104, 37-105A,)
37-11394)

COMES NOW, JOHN MCGONIGAL, and provides the following comments and evidence in this matter:

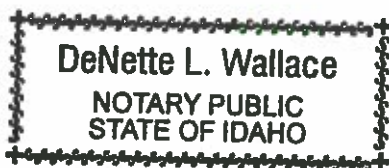
1. I was born on the Spring of Gladness Ranch, Blaine County ID, on October 18th, 1933. The Spring of Gladness Ranch is located in Township 01S, Range 18E, Sec.11 and Sec.12.
2. The Spring of Gladness Ranch has always been an irrigated farm. I assisted my father in changing irrigation water in a pasture west of the house, out of a spring in the SE ¼, Sec.11, T.01S R.18E. To the best of my recollection, I began helping my father irrigate the afore mentioned pasture when I was 6 years old. My father diverted irrigation water out of the spring using canvass diversion dams for flood irrigation of the pasture.
3. The 40 acre parcel of the Spring of Gladness Ranch located in SW ¼, NE ¼, Sec.12, T.01S R.18E has been irrigated since 1881 when my grandfather homesteaded the Spring of Gladness Ranch. Water delivered through the bypass canal intersects a east-west running canal, and flows west into a pumping station located in the NW ¼, SW ¼, Sec.11, T.01S R.18E . Water is then pumped to the east through a mainline for ½ a mile, turns north in the middle of Sec. 12, and is able to irrigate the 40 acre parcel in the SW ¼, NE ¼, Sec.11, T.01S R.18E of the Spring of Gladness Ranch.

DATED this 21 day of December, 2006.

John McGonigal
John McGonigal

SUBSCRIBED and SWORN to before me this 21st day of December, 2006

DeNette L. Wallace



NOTARY PUBLIC

Residing at : Meridian, ID

My Commission Expires: 8/16/2012

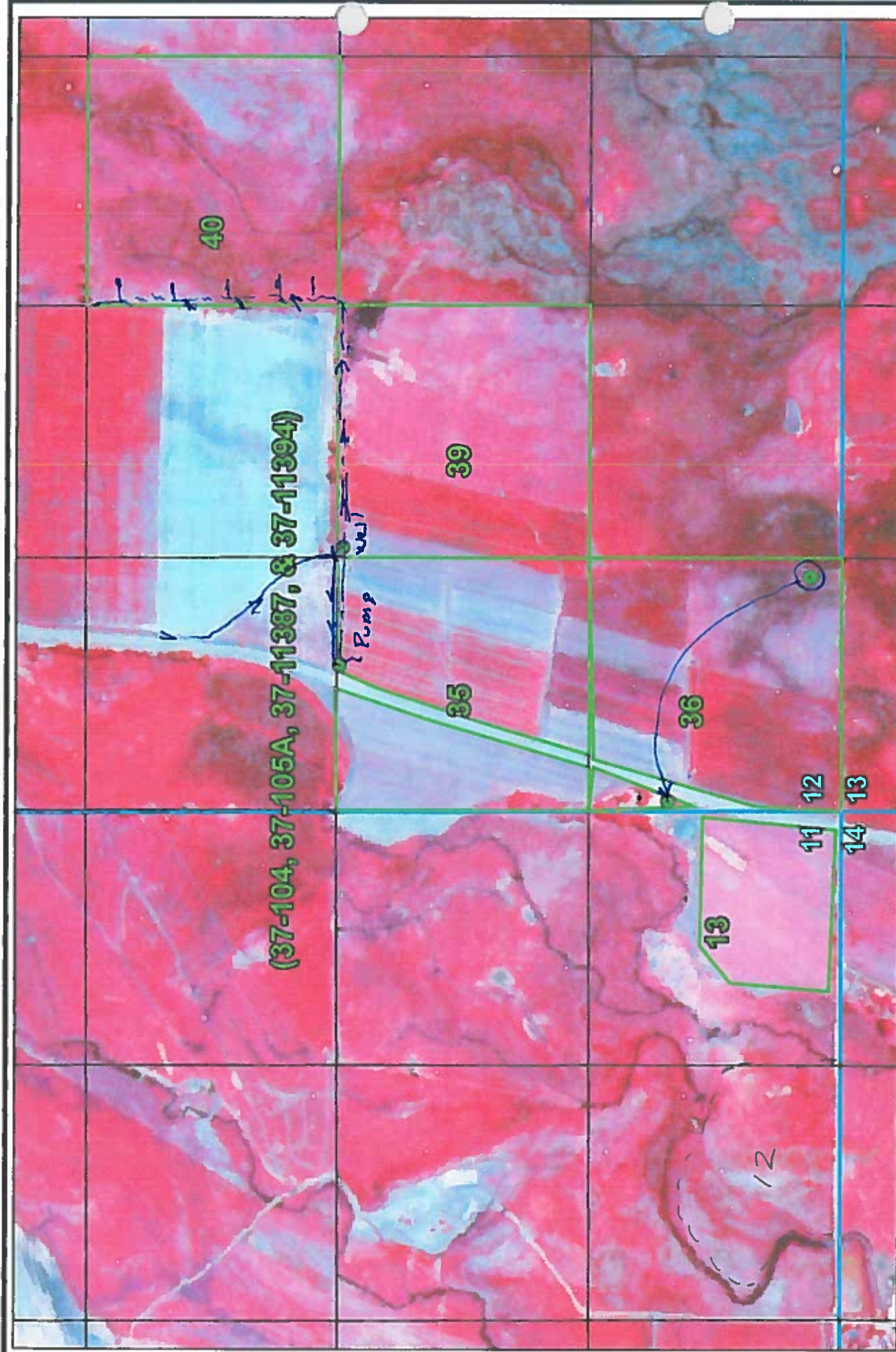


Figure #2: Spring of Gladness Ranch Amended Claims

1987 AERIAL PHOTO
 Township 01S, Range 18E
 BROCKWAY ENGINEERING, PLLC.
 DTN 10/31/05)

RECEIVED
 DEC 21 2006
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

- Sections
- 101s18e
- irrigated areas
- POD's



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

October 31, 2005

Mr. Doug Jones
Southern District
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

RECEIVED
NOV 03 2005
Department of Water Resources
Southern Region

RECEIVED
NOV 16 2005
Department of Water Resources

RE: Amended Claims for John McGonigal (Spring of Gladness)

Dear Doug:

Enclosed are two amended claims for John D. and Rosemary McGonigal and four amended claims for McGonigal's Spring of Gladness Ranch.

The amended claims for John & Rosemary McGonigal are being submitted to clarify the use of the water from Spring Creek and Willow Creek since the sale of part of the water right to Spring Creek Ranch (Davis) (see attached deed). When these rights were originally claimed they did not include the 88.8 irrigated acres appurtenant to these two amended claims. However, the original water rights (37-654 & 37-655) state that these areas were included within the rights. The water from Spring Creek and Willow Creek has been pumped (rediverted) to the high topographic areas within the area via two portable diesel pumps (see Figure 1). Since the 88.8 acres have never had an existing claim in the adjudication, \$89.00 has been included for this amendment.

The four claims for the Spring of Gladness Ranch are being submitted to correct the place of use originally claimed in 1987. When these rights were originally claimed they did not include the forty (40) acres in the SW $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 12, Township 01S, Range 18E. However, according to John McGonigal these acres were being irrigated in 1987, and were originally included in the rights prior to the adjudication (see Figure 2). Since the 40 acres have never had an existing claim in the adjudication, \$40.00 has been included for this amendment.

I am also enclosing a limited power of attorney regarding these water rights, a check for \$129.00 for the amendment fees, and the deed appurtenant to 37-655A and 37-21477. An amended claim for 37-655 was submitted to IDWR in 2004; however, the fee for this amendment was never paid and thus never processed. Therefore, this amendment of claim is again being submitted with

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

the associated fee. If you have any questions regarding these amended claims do not hesitate to contact Chuck Sr. or me at our office.

Sincerely,

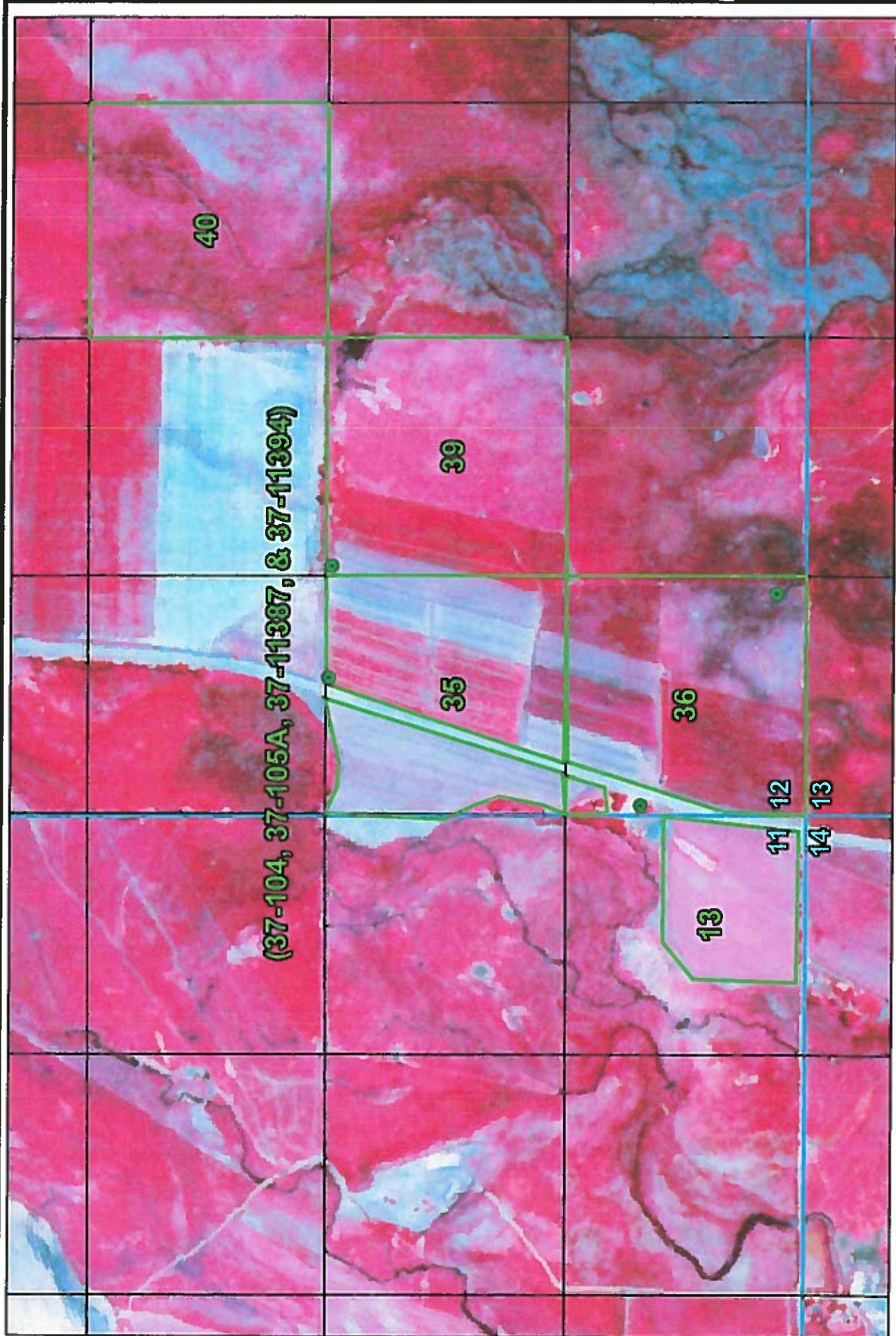


Daren T. Nelson, Hydrologist

Attachments: Limited Power of Attorney
Warranty & Quitclaim Deed
Figure #1: 37-655A & 37-21477
Figure #2: Spring of Gladness Ranch
Brockway Engineering Check #

Enc.

cc: John McGonigal



- Sections
- t01s18e
- irrigated areas
- POD's

Figure #2: Spring of Gladness Ranch Amended Claims

1987 AERIAL PHOTO
 Township 01S, Range 18E
 BROCKWAY ENGINEERING, PLLC.
 DTN 10/31/05)

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, John D. McGonigal and Rosemary McGonigal, hereby nominate and appoint Chales E. Brockway (Brockway Engineering) as my attorney-in-fact with full authority to act for and on my behalf to undertake any and all acts or matters pertaining to water right transfers before the Idaho Department of Water Resources for the following water right transactions:

All water rights associated with the Spring of Gladness Ranch (37-104, 37-105A, 37-8407, 37-11387, 37-11390, 37-11392, 37-11393, & 37-11394)
All water rights pertaining to land in Twp 01S, Rge 18E, Sec's 13, 14, 23, & 24 (37-653, 37-654, 37-655, etc...)

in Blaine County, Idaho. Additionally, I hereby ratify and confirm any and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the applications, and transfers above-mentioned. Further, I hereby declare that each and every application, transfer, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these present. This Limited Power of Attorney will become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 17 day of June, 200~~1~~⁵ JDM

John D. McGonigal
Signature
Rosemary McGonigal
Signature

State of Idaho)

County of Twin Falls)

ss.

On this 17th Day of June, 200~~1~~⁵, before me, a Notary Public in and for said County and State, personally appeared John & Rosemary McGonigal, known or identified to me to be the individual whose name and subscription to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written

S
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Jill Davidson
Notary Public
In and for said State and County

November 18, 2010
My Commission Expires

T. 1 S., R. 16 E., containing 160 acres. S 1/2 of NE 1/4, SE 1/4 of NW 1/4 and Lots 1 and 2, of Sec. 4, T. 1 S., R. 16 E., containing 151.78 acres.

Broadhurst, James B. SE 1/4 of NE 1/4 of Sec. 22, T. 1 S., R. 19 E.

Broadie, J. R. SW 1/4 of SW 1/4 of Sec. 15, NW 1/4 of NW 1/4 of Sec. 22, and N 1/2 of NE 1/4 of Sec. 21, T. 1 S., R. 21 E., containing 240 acres.

Brooks, James E. NW 1/4 of Sec. 9, T. 2 S., R. 21 E., and N 1/2 of SW 1/4 of Sec. 9, T. 2 S., R. 21 E., containing 240 acres.

Brown, Elmer E 1/2 of NW 1/4 and NW 1/4 of NE 1/4 of Sec. 35, T. 1 N., R. 17 E.

Brown, James N. E 1/2 of SE 1/4 of Sec. 9, and W 1/2 of SW 1/4 of Sec. 10, T. 2 N., R. 21 E. Also, NW 1/4 of NW 1/4 of Sec. 10, and E 1/2 of NE 1/4 and SW 1/4 of NE 1/4 of Sec. 9, T. 3 N., R. 18 E.

Brown, Marcus L. SE 1/4 of NW 1/4, N 1/2 of SW 1/4 and NW 1/4 of SE 1/4 of Sec. 32, and W 1/2 of NW 1/4 of Sec. 32, T. 2 S., R. 18 E., B. M.

Brown, Mary and Sarah, and Catherine Sweet N 1/2 of SE 1/4 and SE 1/4 of NE 1/4 of Sec. 12, T. 1 S., R. 18 E., and Lot 1, Sec. 7, T. 1 S., R. 19 E., containing 203 acres.

Brown, Mary, Sarah and Michael, and Catherine Sweet (See Finding No. 15.)

Brown, Michael and Eliza NE 1/4 of SW 1/4, SW 1/4 of NE 1/4 and W 1/2 of SW 1/4 of Sec. 12, and S 1/2 of SE 1/4 of Sec. 11, T. 1 S., R. 18 E., containing 245 acres.

Brown, Minnie B. N 1/2 of NE 1/4 of Sec. 12, and SW 1/4 of SE 1/4 of Sec. 1, T. 1 S., R. 18 E., -- 120 acres.

Brown, R. L. Estate Lot 2 and E 1/2 of NW 1/4 of Sec. 18, T. 5 S.,



File No.
37-0104=105A=11387=11394=11390

Spring of Gladness Ranch, Inc.
P.O. Box 102
Jerome

8/23/05

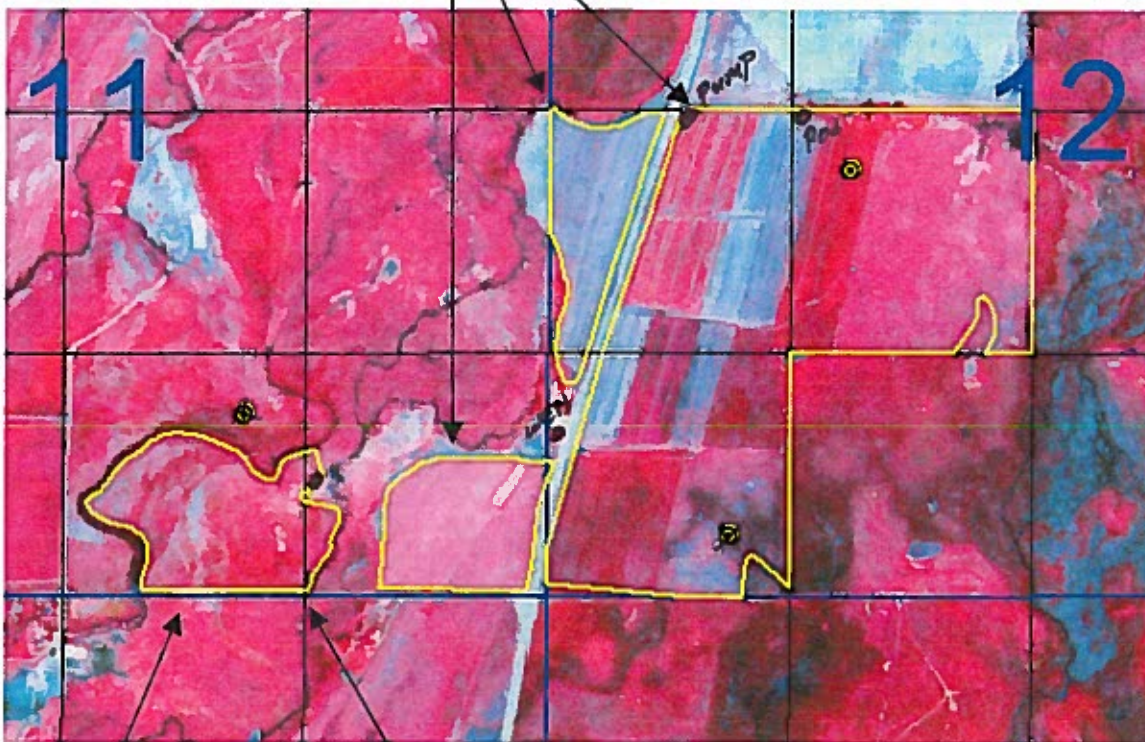
I met with John McGonigil and Chuck Brockway [John's request] to review and discuss these water right files and the property for them . On the 1987 color photo the yellow POD upper North is as marked the point where the By-pass is diverted out of the river, the next ,center, yellow POD is where the extention by-pass starts, the third yellow dot down by yellow line is where 57F diversion is located as per previous GPS . As per chuck , Sprng 1 is right #11390, # 2 & 3 is 11387 and the two Art. Wells # 3 also gets water from 57F. As per John the yellow area on South-West is OK from GPS 1, the larger yellow areas is 2 & 3 as per photo. And Chuck and John both agreed that all files appear OK .

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Spring	Sprng 1	2477163	1349565	A0016288	1060685
Art. Well	" 2	2477651	1349635	289	686
" "	" 3	2478072	1350178	290	687

Lee R. Peterson

Draft POU for 37-104, 37-105A, 37-11394, 37-11387

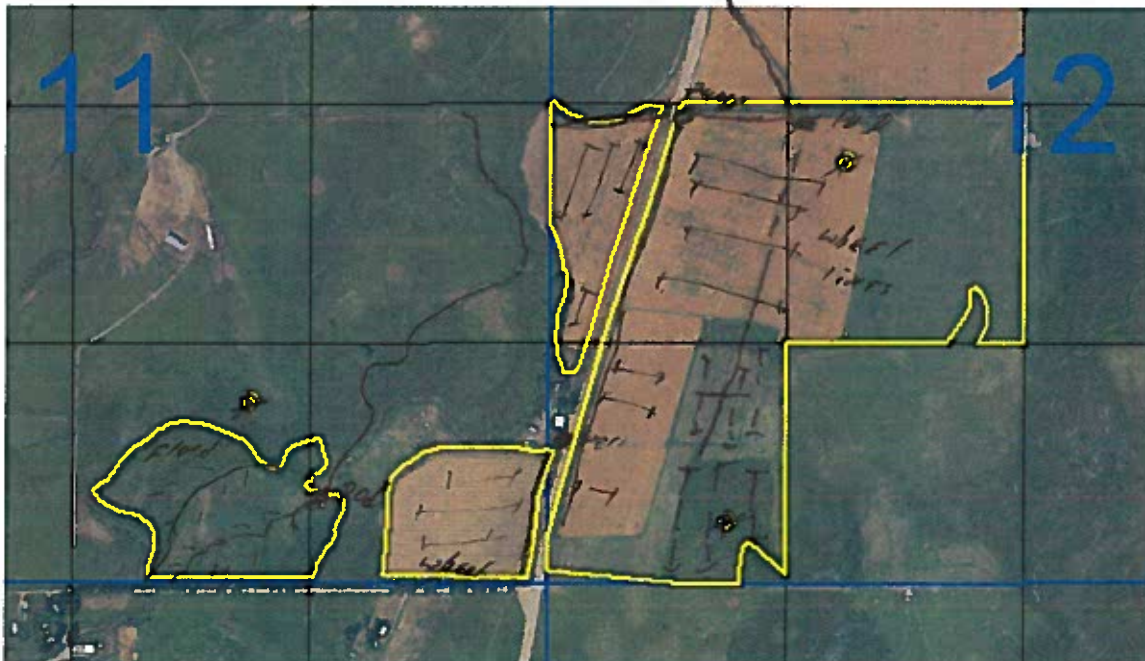
Canal?

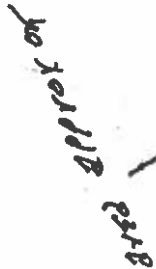


Draft POU for 37-11390

Spring Creek

2004 Aerial Photo





Adjudication Claim Notes

Claim(s): 37-0104, 37-0105A, 37-11387, 37-11394, 37-11390

Background Data

37-0104

- Source is Big Wood River tributary to Malad River
- Decree for 1.5 cfs on 243 acres with a Priority Date of May 15, 1882
- Claimed for 1.5 cfs on 123 acres
- Watermaster delivering xx cfs

37-0105A

- Source is Big Wood River tributary to Malad River
- 37-0105 originally decreed for 7.6 cfs on 243 acres with a Priority Date of May 31, 1887
- See split summary:
 - Overclaimed

37-11387

- Beneficial Use claim
- Source is Groundwater
- Claimed for 2.56 cfs on 123 acres with a Priority Date of June 1, 1950

37-11394

- Source is Big Wood River tributary to Malad River
- Claimed for 1.69 cfs on 123 acres with a Priority Date of September 1, 1920
- Being claimed as a portion of the following rights, but the history of these right is unclear and it is unclear what right this is being claimed against.
 - 37-0892
 - 37-0893
 - 37-0894

37-11390

- Beneficial Use claim
- Source is Unnamed Stream tributary to Crystal Creek
- Claimed for 1.0 cfs on 20 acres with a Priority Date of May 01, 1890

Notes

T1S R18E Sections 11 & 12

- Found 123 acres for 37-0104, 37-0105A, 37-11387, 37-11394
- Found 19 acres for 37-11390
- Stock drink from ditches, I'm using the irrigation POU for the stockwater POU
- Need to confirm the PODs for water coming the Big Wood River. The POD in Section 35 does not appear to be diverting from the Big Wood River. Should this POD be moved to head of canal?
- Is POD in Section 25 a redirection? Please describe how water is delivered.
- Need to GPS all the PODs
- Need evidence to support claimed Priority Date of June 1, 1950 for 37-11387 and May 15, 1882 for 37-11390