

AJ5856NP

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

DATE: OCT-24-1997

PAGE: A-108

RIGHT NUMBER: 37-10218

NAME & ADDRESS: G & B FARMS INC
216 S 850 E
DIETRICH ID 83324

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 01/01/1906

POINT OF DIVERSION: T06S R19E S21 NWNWNW Within LINCOLN County

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

PLACE OF USE:	STOCKWATER	Within LINCOLN County
	T06S R19E S21	NWNW
	DOMESTIC	Within LINCOLN County
	T06S R19E S21	NWNW

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. RP06S19E210600T
STOCKWATER, 500 CATTLE

Claim presented by: _____

Date: _____

OCT 31 1997

7-29-98

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: A37-10218
Date Received: 6/22/1988
Receipt No: M000169
Received By: _____

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

1. Name: G & B FARMS INC
Address: 216 S 850 E
DIETRICH ID 83324 208-544-2130

2. Date of Priority: JAN 1, 1906

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	19E	21	NW	NW	NW		LINCOLN

5. Description of diverting works:
WELL & PUMP, 350' X 6", 7.5 HP

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		
STOCKWATER	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 HOUSE & LAWN, S/500 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	19E	21	NW	NW		STOCK DOMEST	

11. Place of use in counties: LINCOLN

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

MICROFILMED
OCT 25 1997



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

FEB 8 1993

DATE OF CLOSING: 2-3-92

LEGAL DESCRIPTION OF PROPERTY: Township 6S Range 19E Department of Water Resources
Section 1 of 1/4 of 1/4 Govt. Lot 1, BM.
Lot 1, Block 1, Subdivision/Townsite 1.
If you have additional legal descriptions, please attach separate sheet.

RECEIVED

[] 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) FEB 11 1993

[] Water Right Number(s) A37-02753 and A37-10218 Department of Water Resources
Assigned by IDWR: Southern Region Office

[] Name and Address of Former Owner/Claimant(s)(Seller): Kenneth A. Higginbotham and Beverly J. Higginbotham
216 South 850 East

[] New Owner/Claimant (Purchaser): Dietrich, ID 83324
G & B Farms, Inc.

[] New Mailing Address: 216 South 850 East
Dietrich, ID 83324

[] New Telephone Number: (208) 544-2130

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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: copy of 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.)

[] Signature of New Owner/Claimant(s) John F. Brown Date 3 Feb 1993

John F. Brown Date 3 Feb 93

[] Signature of Former Owner/Claimant(s): Beverly J. Higginbotham 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: By:

Claim Numbers of Split, if any:

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

156671



WARRANTY DEED

 STATE OF IDAHO
 COUNTY OF LINCOLN
 Recorded at the request of
FIRST AMERICAN TITLE

FEB - 3 1993

 at 59 minutes past 4:15 P.M.
 recorded by Nelson Jackson, Dep.
 Fee: 6.00 Return to: 1st Am. Title
By hand.

For Value Received

Beverly Higginbotham, a Widow,

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

G & B Farms Inc.,

 hereinafter referred to as Grantee, whose current address is
 216 South 850 East
 Dietrich, ID, 83324

the following described premises, to-wit:

SEE ATTACHED EXHIBIT A, attached hereto and made a part hereof.

TOGETHER with 160 shares of Big Wood Canal Company water.

ALSO Together with Water right No. A37-02753 and A37-10218

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: February
 January 3, 1993.

Beverly Higginbotham
 Beverly Higginbotham

STATE OF IDAHO

COUNTY OF

On This 3rd day of February, in the year 1993, before me, a Notary Public in and for said State, personally appeared Beverly Higginbotham, 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.


Susan M. Bolton
 Notary Public for Idaho
 Residing at Gooding, Idaho
 Commission Expires: 10/16/98

 00152
 MICROLITHED

First American Title Company of Idaho

EXHIBIT A

The South One-half and all of Lots 5, 6, 7 and 8 in Section 16, Township 6 South, Range 19 East of the Boise Meridian, Lincoln County, Idaho, EXCEPT that part deeded to the State of Idaho by Deed dated June 19, 1970, recorded November 13, 1970 as Instrument No. 123935, records of Lincoln County, Idaho.

AND

The West One-half of the Northeast Quarter; the Southeast Quarter of the Northeast Quarter; the Northwest Quarter of Section 21, Township 6 South, Range 19 East of the Boise Meridian, Lincoln County, Idaho.

SUBJECT To a Mortgage dated June 14, 1978 to secure an indebtedness in the principal sum of ~~\$20,000.00~~, ~~\$20,000.00~~ and ~~\$20,000.00~~, and any other amounts and/or obligations secured thereby.

Recorded: June 14, 1978, Instrument No. 135422

Mortgagor: Kenneth A. Higginbotham and Beverly Higginbotham, husband and wife,

Mortgagee: The United States of America, acting through the Farmers Home Administration

BGH

MICROFILMED
OCT 25 1971



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

17-Feb-1993

G & B FARMS INC
216 S 850 E
DIETRICH ID 83324

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIMS; A37-02753 &
A37-10218

Dear Claimant

Pursuant to the notification that you presently own the property in which the above-referenced adjudication claims are appurtenant, the department has changed the ownership of those claims to show you as the current owner.

Enclosed is a copy of each computer record changed. Please review the records and if you have any questions or corrections, contact this office and someone here will assist you.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

MICROFILMED

vol. 41

Water Right Number - R37-10218

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
G & B FARMS INC

1 - 216 S 850 E
2 -
3 -
City- DIETRICH State- ID Zip- 83324
Phone - 208-544-2130

*** O - ORIGINAL OWNER ***
HIGGINBOTHAM

BEVERLY J.

1 - RT 2
2 -
3 -
City- DIETRICH State- ID Zip- 83324
Phone - 208-544-2007

HIGGINBOTHAM

KENNETH A.

1 - RT 2
2 -
3 -
City- DIETRICH State- ID Zip- 83324
Phone - 208-544-2007

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
01/01/1906 ERROR IN REGION J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
06S 19E 21 NW NW NW (63) LINCOLN

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040
04 - STOCKWATER 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
06S 19E 21 04 STOCKWATER (63) LINCOLN
06S 19E 21 NW NW 43 DOMESTIC (63) LINCOLN

Total Acres:

- Diversion Means - WELL & PUMP, 350' X 6", 7.5 HP
- Non-Irrigation Use - D/1 HOUSE & LAWN, S/500 CATTLE

MICROFILMED
OCT 25 1993

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	- 06/22/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- M000169	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
OCT 25 1981

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: A37-10218
Date Received: 6/22/1988
Receipt No: M000169
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH A. HIGGINBOTHAM 208-544-2007
Address: RT 2
DIETRICH, ID 83324

AND/OR

Name: BEVERLY J. HIGGINBOTHAM 208-544-2007
Address: RT 2
DIETRICH, ID 83324

2. Date of Priority: JAN 01, 1906

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	19E	21	NW	NW	NW		LINCOLN

5. Description of diverting works:
WELL & PUMP, 350' X 6", 7.5 HP

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		
STOCKWATER	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 HOUSE & LAWN, S/500 CATTLE

A37-10218

Page 1

Date: 06/22/88

MICROFILMED
FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	19E	21	NW	NW		STOCK DOMEST	

11. Place of use in counties: LINCOLN

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
Water Right Number:

(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.

FEB 24 1993

WATER RIGHT NUMBER - A37-10218

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
HIGGINBOTHAM

KENNETH A.

1 - RT 2

2 -

3 -

CITY- DIETRICH

STATE- ID ZIP- 83324

PHONE - 208-544-2007

1 - RT 2

2 -

3 -

CITY- DIETRICH

STATE- ID ZIP- 83324

PHONE - 208-544-2007

HIGGINBOTHAM

BEVERLY J.

+ - - PRIORITY DATE - - +
01/01/1906

+ - - - REGION - - - +
ERROR IN REGION

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
GROUNDWATER

+ - - - - TRIBUTARY - - - - - +

+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LDT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

06S 19E 21 NW NW NW (63) LINCOLN

+ - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC

01/01

12/31

0.040

04 - STOCKWATER

01/01

12/31

0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040 0.0

+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LDT ACRES CODE DESCRIPTION COUNTY

06S

19E

21

NW NW

04

STOCKWATER

(63) LINCOLN

06S

19E

21

NW NW

43

DOMESTIC

(63) LINCOLN

+ - - DIVERSION MEANS - WELL & PUMP, 350' X 6", 7.5 HP

+ - - NON-IRRIGATION USE - D/1 HOUSE & LAWN, S/500 CATTLE

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - +
NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

MICROFILMED
OCT 25 1994

WATER RIGHT NUMBER - A37-10218

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 06/22/88 MOBILE4 09/26/89 REFUNDML

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - 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	- 06/22/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- M000169	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND/OR	NOTICE OF ERROR FLAG	-

RP06519E 210600T

DATA ENTRY
ENTERED 11-3-93 RS
CHECKED 2/6/94 DLD

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
FEB 1 1 1992

CERTIFIED
MAR 2 4 1992
WATER EXAMINER