

COPY

1999 NOV 19 PM 12: 43

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

Water Rights: 37-10221, 37-10336

**NOTICE OF ADMINISTRATIVE
PROCEEDING**

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

☒ I.C. § 42-222 transfer 5495

☒ point of diversion ☒ place of use

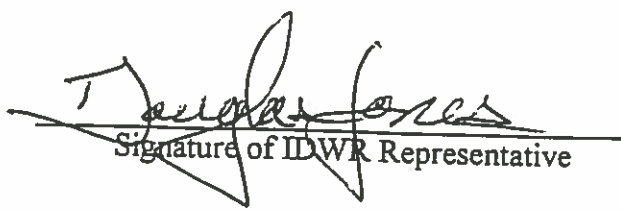
☒ period of use ☒ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than:

October 6, 2000.

Dated

11/5/99


Signature of IDWR Representative

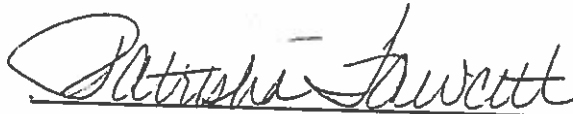
INSTRUCTIONS FOR MAILING

Mail this form to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

CERTIFICATE OF MAILING

I certify that on 11/19, 1999, I mailed the original and copies of this form to the following persons, postage prepaid, and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Don Taber
Beverly Taber
312 E 20 N
Shoshone ID 83352
3. One copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
4. One copy to:
Each party in the subcase, or attorney of record:



Signature of person or attorney mailing the form



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

SOUTHERN REGION

November 17, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DON TABER
BEVERLY TABER
312 E 20 N
SHOSHONE ID 83352

RE: SRBA Claim(s) 36-10221, 36-10336

Dear Claimant:

Please find the enclosed copy of the Notice of Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

5495

DEPARTMENT OF WATER RESOURCES

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☒ Other Split 37-07617
2. Describe the reason for the proposed changes I would like to increase the number of milking cows, in addition to showing all the uses on the existing stockwater /domestic claims; in addition to moving 15 acres to irrigate other lands.

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
37-07617B	06-02-1977	0.14 cfs	COM/STOCK	1/1 to 12/31
37-10221	06-15-1938	0.07 "	DOM/STOCK	1/1 to 12/31
37-10336	08-01-1985	0.09 "	STOCKWATER	1/1 to 12/31
				to

- [illegible]

[illegible]

COPY

1999 AUG 13 PM 2:35

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576) NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS
Water Right 37-10221

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☒ Substitution of Party
☐ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water
right claimed? ☐ Yes ☒ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 37-10221

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
8/3/1999

37-10221

PAGE 1

From (Claimant/Seller):

Name of Claimant: IMOGENE SARAS
SAM SARAS
Address: 240 HWY 75
SHOSHONE ID 83352
Phone: (208) 886-2193

To (Claimant/Purchaser):

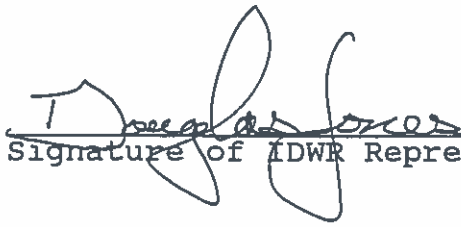
Name of Claimant: DON TABER
BEVERLY TABER
Address: 312 E 20 N
SHOSHONE ID 83352
Phone: (208) 886-2427

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED:

8/9/99



Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
8/3/1999

37-10221

PAGE 2

COL

CERTIFICATE OF MAILING

I certify that on 8/13/1999 I mailed the original
and copies of this form to the following persons, postage prepaid
and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

IMOGENE SARAS
SAM SARAS
240 HWY 75
SHOSHONE ID 83352
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

DON TABER
BEVERLY TABER
312 E 20 N
SHOSHONE ID 83352
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

AJ5856NP

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

DATE: AUG-5-1999
PAGE: A-4

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 37-10221

NAME & ADDRESS: DON TABER
BEVERLY TABER
312 E 20 N
SHOSHONE ID 83352

SOURCE: GROUNDWATER

QUANTITY: 0.07 CFS

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

PRIORITY DATE: 06/15/1938

POINT OF DIVERSION: T06S R18E S03 NENWNE Within LINCOLN County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.03 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within LINCOLN County
T06S R18E S03 NWNE

DOMESTIC Within LINCOLN County
T06S R18E S03 NWNE 0.5

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. 06S18E030000
STOCKWATER, 50 BEEF CATTLE

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
MAY 27 1999
Department of Water Resources
Southern Region

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

1. Water Right No(s).: _____
Adjudication Claim No(s).: 37-10221

2. 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.

3. Name and Address of Former Owner/Claimant Imogene and Sam Saras 240 HWY 75 Shoshone ID 83352

4. New Owner/Claimant(s) Don and Beverly Taber
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 312 East 20 North
 City, State and ZIP Code Shoshone ID 83352
 New Telephone Number (208) 886-2427

5. Date you acquired the property March 26, 1993

6. 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 _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ 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.

7. Signature of New Owner or Claimant(s) Don Taber
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. 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..

o/c 6/10/99. CT

[Signature]

Farm Credit Services
Attn: Carolyn
P. O. Box 5059
Twin Falls, Idaho 83303

COMMONWEALTH LAND TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

SCHEDULE A

ORDER NUMBER: L-28294 (DT)

1. Effective Date: March 24, 1999 at 8:00 A.M.
2. Policy or Policies to be issued:
 - A. ☐ ALTA Owners Policy - Standard Coverage
(10/17/92) Amount \$
Premium \$

Proposed Insured:
 - B. ☒ ALTA Loan Policy ☒ Standard ☐ Extended
(10/17/92) Amount \$
☐ With Endorsements Premium \$
Premium\$

Proposed Insured:
Northwest Farm Credit Services, ACA
 - C. ☐ Amount \$
Premium \$

Proposed Insured:
3. The Estate or Interest in the land described or referred to in this Commitment and covered herein is Fee Simple and is at the effective date vested in:

Parcel No. 1: Donald R. Taber and Beverly Taber, husband and wife
Parcel No. 2: Don Taber and Bev Taber, husband and wife
Parcel No. 3: Donald E. Taber and Beverly M. Taber, husband and wife
Parcel No. 4: Donald E. Taber and Beverly A. Taber, husband and wife
4. The land referred to in this Commitment is situated in the County of Lincoln, State of Idaho, and described as follows:

SEE ATTACHED SCHEDULE A, PAGE 2

Countersigned: Donna Thomas

Authorized Officer or Agent

This Commitment is valid only if Schedule B is attached.

Issued by:
LAND TITLE AND ESCROW, INC.
237 North Lincoln
P. O. Box 349
Jerome, ID 83338
(208) 324-3357

5-5 Legal

COMMONWEALTH LAND TITLE INSURANCE COMPANY

ENDORSEMENT #3

File No. **L-28294/Donald R. Taber**

To be annexed to and form a part of Commitment No. **L-28294** insuring

Northwest Farm Credit Services, ACA

as set forth in said Commitment.

The said Commitment is hereby amended in the following manner:

SCHEDULE A

The following legal description of Schedule A is hereby amended to read as follows:

SEE ATTACHED SCHEDULE A, PAGE 2

The total liability of the Company under said commitment and any endorsements attached thereto shall not exceed, in the aggregate, the face amount of said policy and costs which the Company is obligated under the provisions of said commitment to pay.

This endorsement is made a part of said commitment and is subject to the exclusions, schedules, endorsements, conditions, stipulations and terms thereof, except as modified by the provisions hereof.

Nothing herein contained shall be construed as extending or changing the effective date of said Commitment, unless otherwise expressly stated.

Dated: **May 4, 1999**

Countersigned

By *Donna Thomas*
Authorized Officer or Agent

Form 1013-14

Issued by:
LAND TITLE AND ESCROW, INC.
237 North Lincoln
P. O. Box 349
Jerome, ID 83338
(208) 324-3357

CONTINUATION

SCHEDULE A

Order Number: L-28294

Parcel No. 1:

TOWNSHIP 6 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 3: Lots 3, 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$;

Section 4: Lots 2, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$;

TOWNSHIP 5 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 28: That part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ described as follows:

Beginning at a point on the North line of Section 33, Township 5 South, Range 18, East Boise Meridian, 32.75 rods West of the Northeast corner;

Thence in a direction a little East of North 23 rods to a stone set in ground near the bank of Little Wood River marked H;

Thence in a Westerly and Southerly direction following the line of the river to a point where said river intersects the North line of Section 33;

Thence East along said North line 40 rods more or less to THE PLACE OF BEGINNING.

Section 32: NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 33: NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$;

EXCEPT a strip of land 80 feet wide for Highway purposes as set forth in Deed to State of Idaho, across N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 33 and part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Township 5 South, Range 18, East Boise Meridian, recorded January 9, 1936 in Book 37 Deeds Page 528.

AND EXCEPT that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 5 South, Range 18 East Boise Meridian, lying South of Little Wood River, and that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 33, lying South and Southwesterly of Little Wood River and of the Dry Creek which joins said Little Wood River approximately in the center of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section as described in Deed by Western Lands, Inc., a corporation, to The Village of Shoshone, Lincoln County, Idaho, dated June 3, 1935 and recorded July 6, 1937 in Book 38 Deeds Page 90, Lincoln County records.

ALSO EXCEPT a parcel of land located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

CONTINUATION

SCHEDULE A

Order Number: L-28294

Commencing at the South One Quarter corner of said Section 33, from which the North One Quarter corner of said Section 33 bears North 00°12'34" West, 5340.32 feet;

Thence North 00°12'34" West along the West boundary of the E½ of said Section 33 for a distance of 4403.17 feet;

Thence South 89°47'26" East for a distance of 777.15 feet to THE TRUE POINT OF BEGINNING;

Thence North 46°26'28" East for a distance of 411.85 feet;

Thence South 66°59'37" East for a distance of 35.61 feet;

Thence South 42°38'20" East for a distance of 391.15 feet to a point on the Northwestern right of way boundary of Highway U.S. 93;

Thence South 39°31'37" West along the Northwestern right of way boundary of Highway U.S. 93 for a distance of 54.04 feet;

Thence North 42°42'20" West for a distance of 322.12 feet;

Thence South 45°23'12" West for a distance of 371.25 feet;

Thence North 43°24'36" West for a distance of 115.03 feet to THE TRUE POINT OF BEGINNING.

SUBJECT TO a 50.0 foot wide farm access road easement on, over and across a 50.0 foot wide strip of land that is centered on the following described line:

Commencing at a point on the most Westerly boundary of the before described parcel that is located North 46°26'28" East, 397.43 feet from the most Southwesterly corner of the before described parcel and being THE TRUE POINT OF BEGINNING;

Thence South 42°48'44" East for a distance of 427.32 feet to a point on the Northwestern right of way boundary of Highway U.S. 93 and the Terminus point of said easement, the sideline boundaries of said easement shall be lengthened and/or shortened as necessary to intersect the highway right of way boundary and the Northwestern boundary of the before described parcel.

Section 34: W½NW¼;

Parcel No. 2:

TOWNSHIP 5 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 32: A parcel of land located in the SE¼SE¼ of said Section, more particularly described as follows:

CONTINUATION

SCHEDULE A

Order Number: L-28294

Commencing at the Southeast corner of said Section 32;

Thence North $00^{\circ}11'44''$ East along the East boundary of the $SE\frac{1}{4}SE\frac{1}{4}$ of Section 32 for a distance of 750.95 feet to a point on the Northerly right of way boundary of Highway U.S. 93 and being THE TRUE POINT OF BEGINNING;

Thence South $57^{\circ}56'13''$ West along the Northerly right of way boundary of Highway U.S. 93 for a distance of 674.36 feet to the point of curve of a curve right;

Thence Southwesterly along the Northerly right of way boundary of Highway U.S. 93 on the arc of the curve right for a distance of 783.47 feet, said arc having a radius of 2251.83 feet and a long chord bearing and distance of South $67^{\circ}54'15''$ West, 779.52 feet;

Thence North $00^{\circ}10'09''$ West for a distance of 1243.39 feet to a point on the North boundary of the $SE\frac{1}{4}SE\frac{1}{4}$ of Section 32;

Thence South $89^{\circ}46'45''$ East along the North boundary of the $SE\frac{1}{4}SE\frac{1}{4}$ of Section 32 for a distance of 1299.45 feet to the Northeast corner of the $SE\frac{1}{4}SE\frac{1}{4}$ of Section 32;

Thence South $00^{\circ}11'44''$ West along the East boundary of the $SE\frac{1}{4}SE\frac{1}{4}$ of Section 32 for a distance of 587.17 feet to THE TRUE POINT OF BEGINNING.

Parcel No. 3:

TOWNSHIP 5 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 34: A parcel of land located in the $S\frac{1}{2}SE\frac{1}{4}$ more particularly described as follows:

Commencing at the Southeast corner of said Section 34 from which the South one quarter ($S\frac{1}{4}$) corner of said Section 34 bears North $89^{\circ}55'18''$ West 2659.55 feet, said Southeast corner of Section 34 being the TRUE POINT OF BEGINNING;

Thence North $89^{\circ}55'18''$ West along the South boundary of the Southeast quarter of Section 34 for a distance of 2387.55 feet;

Thence North $00^{\circ}06'24''$ West parallel with the West boundary of the Southeast quarter of Section 34 for a distance of 800.00 feet;

Thence North $89^{\circ}55'18''$ West parallel with the South boundary of the Southeast quarter of Section 34 for a distance of 272.00 feet to a point on the West boundary of the Southeast quarter of Section 34;

Thence North $00^{\circ}06'24''$ West along the West boundary of the Southeast quarter of Section 34 for a distance of 539.84 feet to the Northwest corner of Section 34;

CONTINUATION

SCHEDULE A

Order Number: L-28294

Thence South 89°53'45" East along the North boundary of the S½SE¼ of Section 34 for a distance of 2656.20 feet to the Northeast corner of the S½SE¼ of Section 34;

Thence South 00°15'00" East along the East boundary of the SE¼ of Section 34 for a distance of 1338.66 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a 25.0 foot wide County road easement along the East and South boundaries of the before described parcel.

Parcel No. 4:

TOWNSHIP 6 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 3: Lots 1 and 2;



WARRANTY DEED

For Value Received

Eusebio D. Saras and Imo Gene Saras, husband and wife,
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto
Donald E. Taber and Beverly A. Taber, husband and wife,
hereinafter referred to as Grantee, whose current address is

the following described premises, to-wit:

Lots 1 and 2 of Section 3, Township 6 South, Range 18 East of the
Boise Meridian, Lincoln County, Idaho.

Together with 20 shares of the Big Wood Canal Company Water Stock.

156880

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of <u>FIRST AMERICAN TITLE</u> APR - 2 1993 at 24 minutes past 11 A.M. recorded by <u>Helen Jackson, Dep.</u> Fee 3.00 Return to <u>1st Am. Title</u>

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: March 26, 1993.

Eusebio D. Saras
Eusebio D. Saras

Imogene Saras
Imo Gene Saras

STATE OF IDAHO

COUNTY OF Lincoln

On This 26th day of March, in the year 1993, before me, a Notary Public in and for said State, personally appeared Eusebio D. Saras and Imo Gene Saras, known or identified to me to be the persons whose names are subscribed to the within Instrument, and acknowledged to me that they executed the same.

PARCEL NO: RP06918E030000A

* T A X R E M I N D E R *

LINCOLN COUNTY TAX COLLECTOR
CATHY QUIROGA
P O BOX 725
SHOSHONE, ID 83352

YEAR BILL# TAX
1998 -2 2599 67.38

TOTAL
67.38

DATE PRINTED: 5/14/1999

TOTAL DUE: 67.38 VALID THROUGH: 6/20/1999

TAXES ARE DUE BY MONDAY - JUNE 21, 1999 - LATE
CHARGE WILL APPLY IF POSTMARKED AFTER 6/21/99

TABER DONALD
& TABER BEVERLY
312 EAST 20 NORTH
SHOSHONE ID 83352

LOTS 1 & 2
3-6-18

M E M O T O F I L E

FROM: Georgia Satterlee
DATE: 17 May 1999 revised 21 July 1999
RE: T#5495 - 37-07617 (ptn) and 37-10221,-10336

The enclosed transfer application, filed by Don Taber, seeks to modify some irrigation use from 37-07617 (A37-07617) to commercial and stock use for an existing dairy. Additionally, 15 acres per 37-07617 (A37-07617) will be moved from the SWNE $\frac{1}{4}$ to the SWNW $\frac{1}{4}$, both quadrants are located in Section 3, T06S, R18E. Furthermore, the application for transfer will call to the beneficial use claim, 37-10336, with its actual uses. On top of that, 37-10221 will be combined with the other claims.

Mr. Taber would like to add approximately 450 more milkers, for a total of 700 milking cows. All of the dry cattle are kept in the NE $\frac{1}{4}$ of Section 33, T06S, R18E. The dairy worksheet included shows the consumptive use of the additional animals. The existing use, for all claims, is shown below under the Consumptive Use Requirement.

There are two wells (37-10336) at the dairy site that also serve two trailers. The new well (drilling permit issued for replacement well, 6/26/1999) will be drilled 300 feet east of the dairy in Lot 2, NWNWNE $\frac{1}{4}$ Section 3. The well associated with 37-10221 (domestic and stock), which is located 1,000 feet east of the dairy will be abandoned.

Consumptive Use Requirement:

37-10336 and 37-10221

250 dairy (35gal/day)=8750gpd(365 days)=3,193,750gal/year
325,850
=9.8 ac ft/year

37-10336,-10221	250 dairy cattle	=	9.8 acre feet/year
37-10336,-10221	2 homes w/ lawns	=	2.4 " " "
		=	<u>12.2 acre feet/year</u>

37-07617B 450 dairy cattle=
PROPOSED USE = 21.0 acre feet

TOTAL CONSUMPTIVE USE= 33.2 acre feet per annum

The power records for the irrigation well located in the NWSWNW $\frac{1}{4}$ of Section 3 have been calculated. The average use is 673 acre feet, from 1994 through 1998. The licensed acres 193 acres x 4.0 irr requirement = 772 acre feet.

-One well (irrigation) is located in SWNW $\frac{1}{4}$ Section 3, T06S, R18E. GPS Tag A0004993 per Jeff Martin Steelhead Engineering.

-Two wells (stockwater/domestic) are located within Section 3, T06S, R18E, Lot 3, NENENW $\frac{1}{4}$.

-One well located in the NENWNE $\frac{1}{4}$ of Section 3, T06S, R18E, will be abandoned per IDWR standards.

-One well to be drilled in NWNWNE $\frac{1}{4}$ Section 3, T06S, R18E, and the well is subject to drilling permit requirements.

-Right holder shall obtain measuring device(s) and/or the use is subject to measuring and reporting to the North Snake Ground Water District.

-The acres which will be unauthorized for irrigation under 37-07617A is specifically described as follows: 7 acres in SWNE $\frac{1}{4}$ of Section 3, T06S, R18E.

-Lagoon water co-mingled with groundwater and land applied in the NW $\frac{1}{4}$ of Section 3.

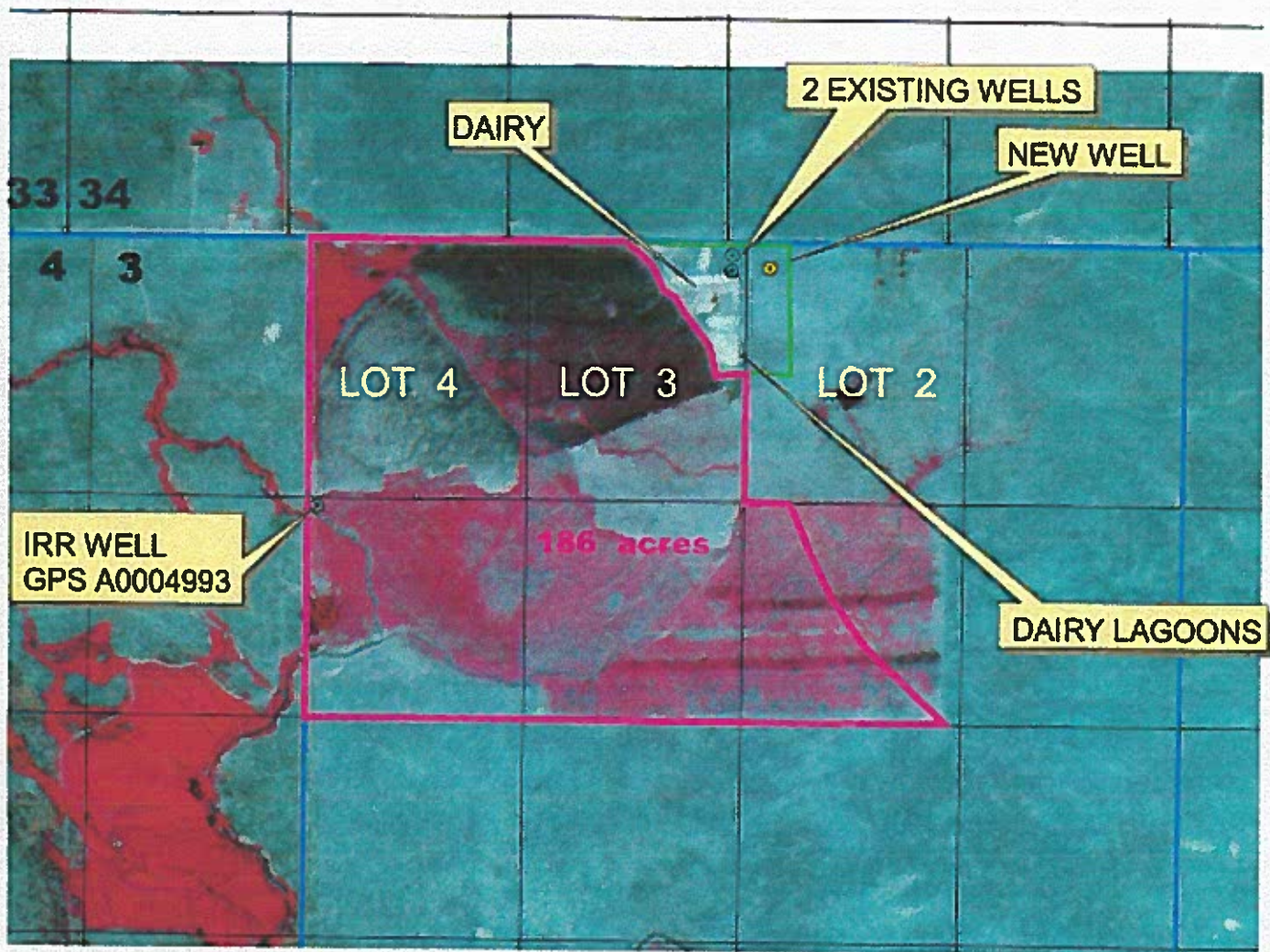
-Rights 37-07617B (0.14 cfs), 37-10336 (0.09 cfs), and 37-10221 (0.07 cfs) are limited to 33.2 afa for use in the existing dairy for stockwater and commercial and also the domestic use for 2 homes with lawns.

-Right 37-07617A will be limited to a rate of 3.64 cfs for 186 acres and 744 acre feet per annum.

-Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing SRBA.

IDAHO DEPARTMENT OF WATER RESOURCES

TRANSFER #5495
37-07617A IRRIGATION
37-07617B,-10221,-10336
COMMERCIAL/STOCK DAIRY
DONALD AND BEVERLY TABER



T06S, R18E, LINCOLN COUNTY

-  QUARTER/QUARTER LINES
-  SECTION LINES



TRANSFER #5495
1987/1988 NAPP PHOTOGRAPHY
DATA ENTRY BY G.SATTERLEE
21 JULY 1999

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: A37-10221
Date Received: 6/22/1988
Receipt No: M000173
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SAM SARAS 208-886-2193
Address: 240 HWY 75
SHOSHONE, ID 83352
OR
Name: IMOGENE SARAS 208-886-2193
Address: 240 HWY 75
SHOSHONE, ID 83352

2. Date of Priority: JUN 15, 1938

3. Source: WELL Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	18E	3	NE	NW	NE		LINCOLN

5. Description of diverting works:
WELL, 2 HP PUMP, 1" PIPE, 265' DEPTH

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	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
ONE DOMESTIC HOUSEHOLD, 50 HEAD BEEF CATTLE

A37-10221

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	18E	3	NW NW	NE NE	DOMEST STOCK	0.5

Section Acres 0.5

Total Acres 0.5

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.

MICROFILMED
FEB 24 1993

SAN SARAS

WELL # 1

3

TOGS RISE

POD
POD

MICROFILM

FEB 24 1993

Born

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s).: _____
 Adjudication Claim No(s).: 37-10221

2. 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.

3. Name and Address of Former Owner/Claimant Imogene and Sam Saras 240 HWY 75 Shoshone ID 83352

4. New Owner/Claimant(s) Don and Beverly Taber
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 312 East 20 North
 City, State and ZIP Code Shoshone ID 83352
 New Telephone Number (208) 886-2427

5. Date you acquired the property March 26, 1993

6. 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 _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ 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.

7. Signature of New Owner or Claimant(s) _____
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. 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..



WARRANTY DEED

For Value Received

Eusebio D. Saras and Imo Gene Saras, husband and wife,
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto
Donald E. Taber and Beverly A. Taber, husband and wife,
hereinafter referred to as Grantee, whose current address is

the following described premises, to-wit:

Lots 1 and 2 of Section 3, Township 6 South, Range 18 East of the
Boise Meridian, Lincoln County, Idaho.

Together with 20 shares of the Big Wood Canal Company Water Stock.

156880

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of <u>FIRST AMERICAN TITLE</u> APR - 2 1993 at 04 minutes past 11 A.M. recorded by <u>Helen Jackson Dep.</u> Fee 3.00 Return to <u>1st Am. Title</u>
--

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: March 26, 1993.

Eusebio D. Saras
Eusebio D. Saras

Imogene Saras
Imo Gene Saras

STATE OF IDAHO

COUNTY OF Lincoln

On This 26th day of March, in the year 1993, before me, a Notary Public in and for said State, personally appeared Eusebio D. Saras and Imo Gene Saras, known or identified to me to be the persons whose names are subscribed to the within Instrument, and acknowledged to me that they executed the same.

PARCEL NO: RPO6S18E030000A

* T A X R E M I N D E R *

YEAR BILL# TAX
:99B -2 2599 67.38

TOTAL
67.38

LINCOLN COUNTY TAX COLLECTOR
CATHY QUIROGA
P O BOX 725
SHOSHONE, ID 83352

DATE PRINTED: 5/14/1999

TOTAL DUE: 67.38 VALID THROUGH: 6/20/1999

TAXES ARE DUE BY MONDAY - JUNE 21, 1999 - LATE
CHARGE WILL APPLY IF POSTMARKED AFTER 6/21/99

TABER DONALD
& TABER BEVERLY
312 EAST 20 NORTH
SHOSHONE ID 83352

LOTS 1 & 2
3-6-18



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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 17, 2002

DON TABER
BEVERLY TABER
312 E 20 N
SHOSHONE ID 83352

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. 37-59B, 37-423, 37-424, 37-425, 37-7617
Decreed Water Right 37-10221, 37-10334, 37-10335, 37-10336
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

Snake River Basin Adjudication
Change in Address of Notice of Claim

RECEIVED
DEC 11 2001
Department of Water Resources
Southern Region

Claim Number(s): _____

Previous Mailing Address: _____

Don Taber CID 101034

Box 474 Hwy 93

Shoshone, ID 83352

Beverly =
CID 153924

New Mailing Address: _____

Don Taber

Donley Farms, Inc.

312 East 20 North
Shoshone, Idaho 83352

Telephone Number: _____

(208) 886-~~2427~~ 2427

Signature of Claimant(s): _____

Don Taber

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

WATER RIGHT NUMBER - A37-10221

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

+ - FIRST NAME - - +

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

*** C - CURRENT OWNER ***
SARAS

SAM

1 - 240 HWY 75

2 -

3 -

CITY- SHOSHONE

STATE- ID ZIP- 83352

PHONE - 208-886-2193

SARAS

IMOGENE

1 - 240 HWY 75

2 -

3 -

CITY- SHOSHONE

STATE- ID ZIP- 83352

PHONE - 208-886-2193

+ - - PRIORITY DATE - - +
06/15/1938

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

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

+ - - - STATUS - - - - +

+ - - - - - SOURCE - - - - - +
WELL

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

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

06S 18E 3 NE NW NE (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

0.030

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.070 0.0

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

06S

18E

3

NW NE

~~NE~~

0.5

04

STOCKWATER

(63) LINCOLN

06S

18E

3

NW NE

0.5

43

DOMESTIC

(63) LINCOLN

TOTAL ACRES: 0.5

+ - - DIVERSION MEANS - WELL, 2 HP PUMP, 1" PIPE, 265' DEPTH

+ - - NON-IRRIGATION USE - ONE DOMESTIC HOUSEHOLD, 50 HEAD BEEF CATTLE

+ - - OTHER RIGHTS FOR SAME USE - NONE

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

MICROFILMED
OCT 25 1994

WATER RIGHT NUMBER - A37-10221

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +

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

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

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

+ - - AUDIT FIELDS - 06/22/88 GIBSON 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	- M000173	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- OR	NOTICE OF ERROR FLAG	-

06518E030000

DATA ENTRY
ENTERED 11-3-93 *LS*
CHECKED 2/4/94 *LS*

"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 11 1992

CERTIFIED
MAR 22 1992
WATER EXAMINER