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SECRET
JAN 10 1976

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
5/21/1996

CERTIFICATE OF MAILING

I certify that on 11/17, 2000, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Martin Sabala
Shirley Sabala
1740 E 1650 S
Gooding ID 83330
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
M & M Farms Partnership
1819 E 1550 S
Gooding ID 83330
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. 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

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

11/07/2000

RIGHT NUMBER: 37-10920

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

SOURCE: GROUND WATER

QUANTITY: 0.05 CFS

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

PRIORITY DATE: 05/15/1920

POINT OF DIVERSION: T05S R14E S25 SESESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.05 CFS
DOMESTIC	1-01 12-31	0.04 CFS

PLACE OF USE:

DOMESTIC Within GOODING County
T05S R14E S25 SESE
STOCKWATER Within GOODING County
T05S R14E S25 SESE

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 IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. RP05S14E257200A STOCKWATER, 175 RANGE



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, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

M & M FARMS PARTNERSHIP
1819 E 1550 S
GOODING ID 83330

RE: SRBA Claim(s) 37-10920

Dear Claimant:

Please find the enclosed copy of the Notice of Completed 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.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Martin and Shirley Sabala

RECEIVED

JUL 10 2000

Department of Water Resources
Southern RegionSTATE 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): 37-10920
- Adjudication Claim No(s): AJ5809NP
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 Martin N. Sabala & Shirley A. Sabala
1740 East 1650 South, Gooding, ID 83330
4. New Owner/Claimant(s) M & M Farms, a partnership composed of
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address Mark A. Sabala, Holly J. Sabala, Michael G. Sabala
City, State and ZIP Code and Korinne Sabala Gooding, ID 83330
- New Telephone Number () _____
5. Date you acquired the property June 30, 2000
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) Mark A. Sabala Holly J. Sabala
Michael G. Sabala
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
Michael G. Sabala Korinne Sabala
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..

AJS809MP
No. 37-10920

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/28/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARTIN N SABALA	05/15/1920	STOCKWATER	01-01 12-31	0.050 CFS	
C	SHIRLEY A SABALA		DOMESTIC	01-01 12-31	0.040 CFS	
	1740 E 1650 S					
	GOODING ID 83330					
	(208) 934-5108					
TOTAL DIVERSION:					0.050 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T05S R14E S25

SESESE

GOODING County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE							
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05S	14E	25	:																

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE							
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05S	14E	25	:																

POU County: GOODING

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

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

Remarks: EXP PARCEL NO. RP05S14E257200A
STOCKWATER, 175 RANGE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 10/25/93 DUNN1 10/27/93 DUNN1 03/30/95 POST-STD 08/20/97 AJU3-DSH
09/23/97 CORR4 03/03/99 CPD SHAFF 04/05/99 ADT-DSHA

Date	6-28	# of pages	5
From	Jh		
To	Becky		
Co/Dept	1 PWR		
Phone #	736-3033		
Fax #			

Received: 6/28/00 2:46PM;
06/28/2000 14:31 2087363037

2087363037 -> LANDTITLE - GOODING - ; Page 1
IDWR SOUTHERN REGION

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

SABALA FARMS, INC., an Idaho Corporation

Instrument # 186459

GOODING GOODING, IDAHO

2000-06-30

03:42:26 No. of Pages: 2

Recorded for : LAND TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: 6.00

Index to: DEED, CORPORATION WARRANTY

a corporation duly organized and existing under the laws of the State of Idaho, GRANTOR, does hereby grant, bargain, sell and convey unto

M & M FARMS, a partnership, composed of Mark A. Sabala, Holly J. Sabala, Michael G. Sabala and Korinne Sabala, whose address is: 1819 East 1550 South Gooding, ID 83330

GRANTEE, the following described real estate, to-wit:

TOWNSHIP 5 SOUTH, RANGE 14 EAST, BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 25: That part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ more particularly described as follows:

Beginning at the Southeast corner for Section 25 marked with a $\frac{1}{2}$ " (one-half inch) steel pin and survey cap and the TRUE POINT OF BEGINNING;

Thence North 432.00 feet along the Easterly boundary of Section 25;

Thence South 80°35'07" West 230.39 feet along an existing fence;

Thence South 0°46'12" East 393.70 feet along the Easterly boundary of a gravel lane to the Southerly boundary for Section 25;

Thence South 89°49'59" East 222.00 feet along said Southerly boundary to the TRUE POINT OF BEGINNING.

SUBJECT to a 25.00 feet in width County Road Rights-of-way along the Southerly and Easterly boundaries.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to 2.0 shares of capital stock in Big Wood Canal Company, also including any licensed domestic or irrigation water rights and licenses with the State of Idaho.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

2000 and subsequent years, taxes are an accruing lien, not yet due or payable

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Easement given by Nellie D. Knott to The American Telephone and Telegraph Company of Wyoming dated June 11, 1941, recorded November 6, 1941 in Book 4 Page 554 as Instrument Number 81843, Gooding County records, affecting the SE $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 25, Township 5 South, Range 14, East Boise Meridian.

Power Line Easement given by Nellie D. Knott to Idaho Power Company, a corporation, dated February 7, 1941, recorded November 12, 1941 in Book 4 Page 606 as Instrument Number 81922, Gooding County records, affecting the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 5 South, Range 14, East of Boise Meridian.

Decreed Water as contained in Judgment and Decree in the case of Kathleen Day, Plaintiff, vs Reid Newby, as Watermaster of Water District No 7AB and 11AB of the State of Idaho, et al, Defendants, dated April 17, 1964, recorded May 8, 1964 as Instrument Number 11349, Gooding County records.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said GRANTEE, and the successors and assigns of the GRANTEE forever, except as aforesaid.

IN WITNESS WHEREOF, The GRANTOR, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 30th day of June, 2000.

SABALA FARMS, INC.

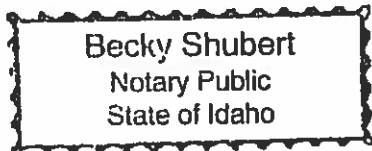
BY: Martin N. Sabala
PRESIDENT

ATTEST: Shirley A. Sabala
SECRETARY

STATE OF IDAHO)
) ss.
COUNTY OF GOODING)

On this 30th day of June, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Martin N. Sabala and Shirley Sabala, known or identified to me to be the President and Secretary of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Becky Shubert
Notary Public
Residing at: Nendell, ID
My Commission expires: 02-23-05



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4.1

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HEL

HEL/NT
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HEL/NT
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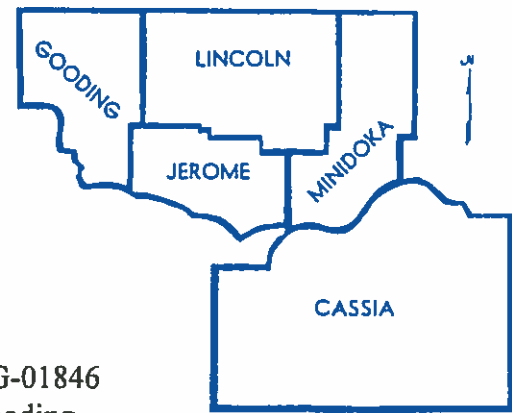
7
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Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



July 6, 2000

REFER TO: GG-01846
OFFICE: Gooding

State of Idaho
Department of Water Resources
Southern Region
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED
JUL 10 2000
Department of Water Resources
Southern Region

RE: Notice of Change of Water Right Ownership
Sabala to M & M Farms
Cert. Mail #7099 3220 0002 6825 5200

Dear Sirs:

At the request of the Buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership
- Copy of Deed # 186459
- Copy of Map

Thank You,

LAND TITLE AND ESCROW, INC.

Keri Craig

Keri Craig
Escrow Assistant
(208) 934-8477
P.O. Box 473, 706 Main Street
Gooding, Idaho 83330

cc:

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8981

BOX 473, GOODING, IDAHO 83330
PHONE 834-8477 - FAX 834-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 438-0808 - FAX 438-1199

AJ5856NP

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

DATE: OCT-24-1997
PAGE: A-526

RIGHT NUMBER: 37-10920

NAME & ADDRESS: MARTIN N SABALA
SHIRLEY A SABALA
1740 E 1650 S
GOODING ID 83330

SOURCE: GROUNDWATER

QUANTITY: 0.05 CFS

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

PRIORITY DATE: 05/15/1920

POINT OF DIVERSION: T05S R14E S25 SESESE Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.05 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within GOODING County
T05S R14E S25 SESE

DOMESTIC Within GOODING County
T05S R14E S25 SESE

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. RP05S14E257200A
STOCKWATER, 175 RANGE

7-29-98

Claim proofread by: KT

Date: 11-05

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: A37-10920
Date Received: 8/10/1988
Receipt No: M000984
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARTIN N. SABALA 208-934-5108
Address: 1740 E. 1650 S.
GOODING, ID 83330

OR

Name: SHIRLEY A. SABALA 208-934-5108
Address: 1740 E. 1650 S.
GOODING, ID 83330

2. Date of Priority: MAY 15, 1920

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	14E	25	SE	SE	SE		GOODING

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE S/ 175 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	14E	25	SE	SE		DOMEST	
			SE	SE		STOCK	

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Martha N. Sabala Date: 8-10-88

Date: _____

State of Idaho)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 10 day

of Aug 19 88

Seal

John Dale Corlew
Notary Public

Residing at Bon Id

My Commission Expires 4/9/94

Days

5-15-1920

SF, SE, SE

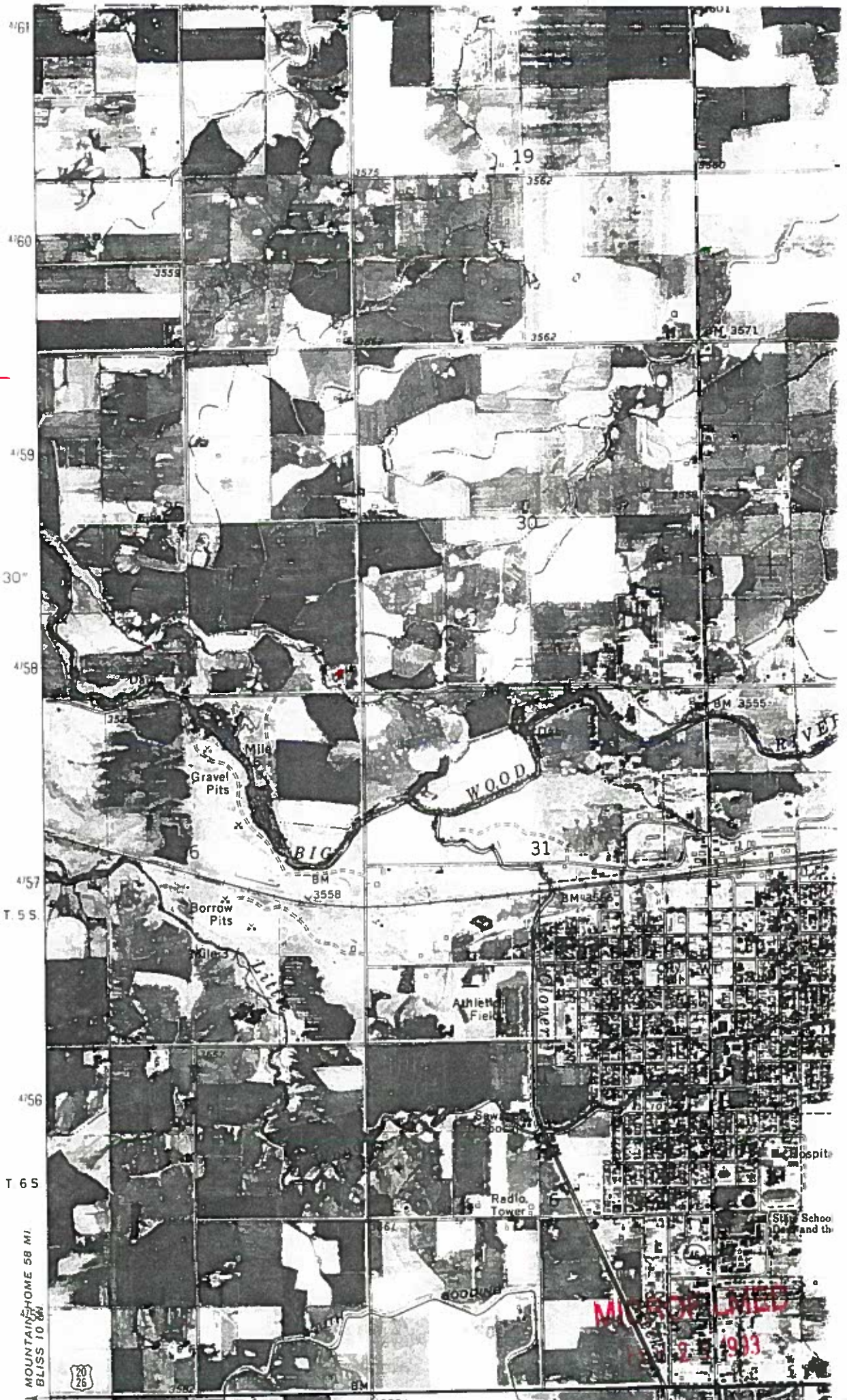
Sec. 25

A37-10920

14E.

T5S

T6S



WATER RIGHT NUMBER - A37-10920

PREFIX TRANSLATION: ADJUDICATION CLAIM

GLD (D) NUMBER -

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

+ - FIRST NAME - - +

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

*** C - CURRENT OWNER ***
SABALA

MARTIN N.

1 - 1740 E. 1650 S.

2 -

3 -

CITY- GOODING

STATE- ID ZIP- 83330

PHONE - 208-934-5108

1 - 1740 E. 1650 S.

2 -

3 -

CITY- GOODING

STATE- ID ZIP- 83330

PHONE - 208-934-5108

SABALA

SHIRLEY A.

+ - - PRIORITY DATE - - +
05/15/1920

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

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

+ - - - STATUS - - - - +

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

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

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

05S 14E 25 SE SE SE (47) GOODING

+ - - - - 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

0.050

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.050 0.0

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

05S

14E

25

SE SE

04

STOCKWATER

(47) GOODING

05S

14E

25

SE SE

43

DOMESTIC

(47) GOODING

+ - - DIVERSION MEANS - WELL AND PUMP

+ - - NON-IRRIGATION USE - D/ 1 HOUSE S/ 175 RANGE

+ - - 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 - A37-10920

PREFIX TRANSLATION: ADJUDICATION CLAIM

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

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

+ - - AUDIT FIELDS - 08/10/88 MOBILE2 10/03/89 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	- 08/10/1988	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	- M000984	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- DR	NOTICE OF ERROR FLAG	-

RP05S14E257200A

DATA ENTRY

ENTERED 10-26-93

CHECKED 12/5/93

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

VERIFIED
FEB 15 1992

CERTIFIED
MAR 22 1992
WATER EXAMINER