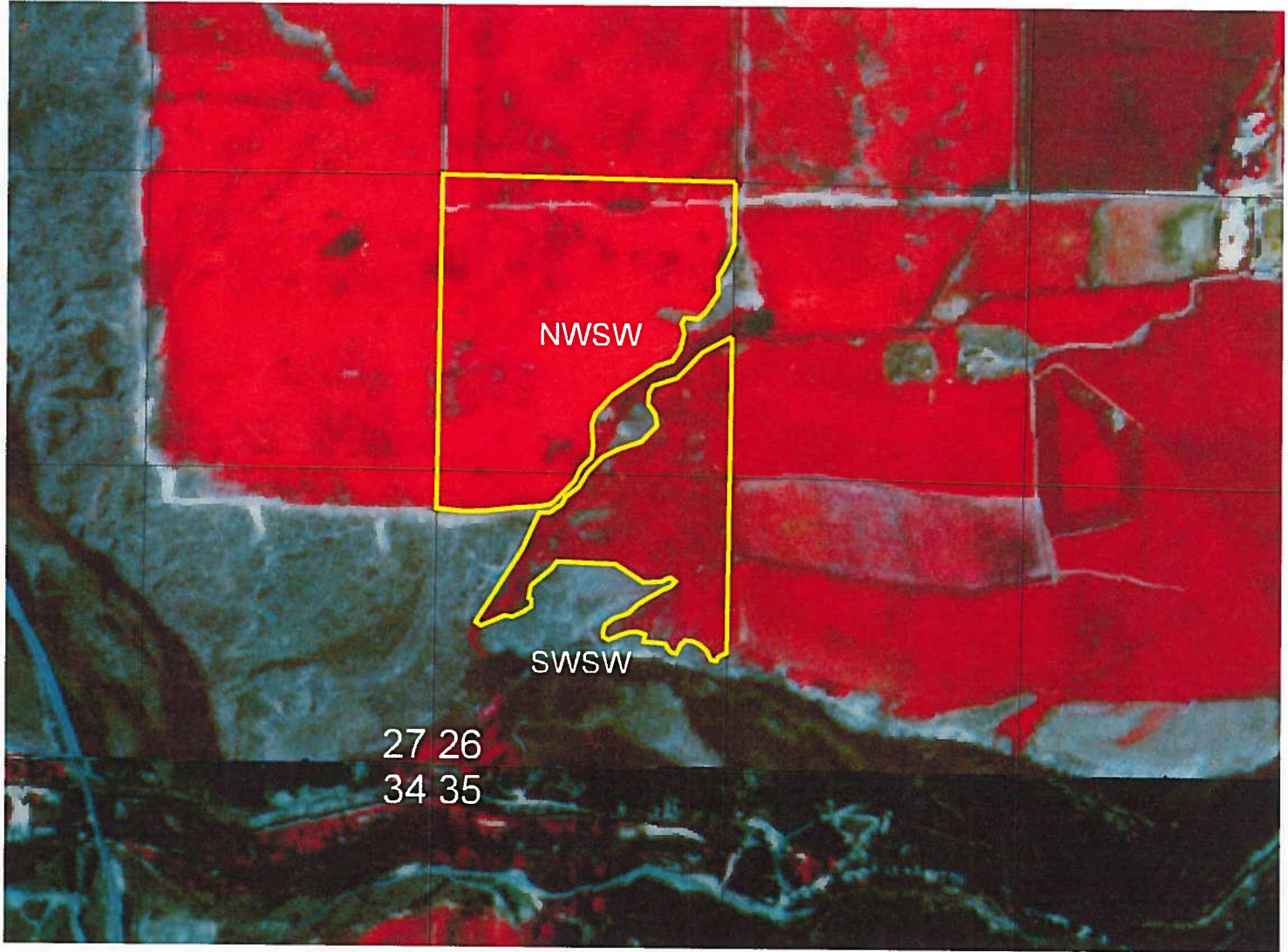
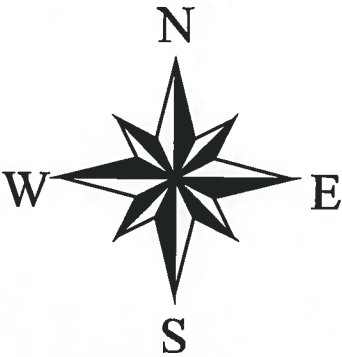


37-447D



T06S R13E S26

Map prepared by: Carter Fritschle
Date prepared: 10/06/03
1987-1988 NAPP photography
Idaho Department of Water Resources



1

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 37-447D

11/01/2002
1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
37-447D	Claim	06S	13E	26	NW	SW		IRRIGATION	40/60	HOWARD L MORRIS
37-4093	Claim	06S	13E	26	NW	SW		IRRIGATION	9/539	RICHARD DALTON
37-4093	Water Right	06S	13E	26	NW	SW		IRRIGATION	9/539	THORPE DITCH CO
37-447D	Claim	06S	13E	26	SW	SW		IRRIGATION	20/60	HOWARD L MORRIS
37-4093	Claim	06S	13E	26	SW	SW		IRRIGATION	15/539	RICHARD DALTON
37-4408	Claim	06S	13E	26	SW	SW		IRRIGATION	2/4	JOHN R SIMS
37-12931	Claim	06S	13E	26	SW	SW		IRRIGATION	15/33	CARL E HAYDEN
37-4093	Water Right	06S	13E	26	SW	SW		IRRIGATION	15/539	THORPE DITCH CO
37-4408	Water Right	06S	13E	26	SW	SW		IRRIGATION	2/4	CARL E HAYDEN

Water Right 37-447 Split Right Analysis

Water Right 37-447A Split Right:

2.90 cfs of 37-447A combined with 1.10 cfs (all) of 37-447B and claimed as 37-447C.
0.80 cfs of 37-447A claimed as 37-447D.
5.10 cfs of 37-447A combined with 0.50 cfs (all) of 37-447C and claimed as 37-11131.

Total = 8.80 cfs (All of 37-447A)

Water Right 37-447B Split Right:

1.10 cfs (all) of 37-447B combined with 2.90 cfs of 37-447A and claimed as 37-447C

Water Right 37-447C Combined Right:

0.50 cfs (all) of 37-447C combined with 5.10 cfs of 37-447A and claimed as 37-11131.

Claim 37-447C = 2.90 cfs of 37-447A combined with 1.10 cfs (all) of 37-447B = 4.00 cfs

Claim 37-447D = 0.80 cfs of 37-447A = 0.80 cfs

Claim 37-11131 = 5.10 cfs of 37-447A combined with 0.50 cfs (all) of 37-447C = 5.60 cfs

Water rights 37-447B and 37-447C were created when Transfer No. 801 modified the POU for 1.60 cfs on 80 acres within the decreed POU of 37-447. 37-447B remained within the legal description of the 80 acres (1.10 cfs), and 37-447C (0.50 cfs) was moved to new land. Transfer No. 801 was protested because it appeared to be an enlargement in use. Transfer No. 801 was approved stating there would be no injury to the protestant's water rights. This could be viewed as having the same affect as making a permissible place of use for the 1.60 cfs by limiting it to 80 acres within the new permissible POU. The "un-transferred" portion of 37-447 (34-447A) was 8.80 cfs in 11 quarter-quarters or 440 acres.

Note: Watermaster records show Morris is entitled to 40 inches (0.80 cfs) of right 37-447.

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 37-447D
Date Received: 5/8/1990
Receipt No: S012272
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HOWARD L MORRIS Phone: (208)837-6213
1101 E 2900 S
HAGERMAN ID 83332

RHONDA K MORRIS Phone: (208) 837-6213
1101 E 2900 S
HAGERMAN ID 83332

JEREMY MORRIS Phone:
1101 E 2900 S
HAGERMAN ID 83332

MEKENZIE MORRIS Phone:
1101 E 2900 S
HAGERMAN ID 83332

2. Date of Priority: 07/01/1889

3. Source: MALAD RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	14E	30	SE SW	GOODING	

5. Description of diverting works:

THORPE #40, HEADGATE, DITCH

6. Water is used for the following purposes:

Purpose
IRRIGATION

From To C.F.S.
4/01 11/01 0.8

(or) A.F.A

7. Total Quantity Appropriated is:
0.8 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
06S	13E	26	NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	20
					Section Acres	60
					Total Acres	60

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:

14. Remarks:

WATER DELIVERED BY WATERMASTER, REID NEWBY, TO CLAIMANT'S PROPERTY. LATE
CLAIM: DEADLINE 09/01/1988, FILED 05/08/1990.

ACTUAL SPLIT PORTION UNKNOWN, ONLY ROOT DECREE NUMBER VERIFIED BY WATERMASTER. SEE
ATTACHED.

15. Basis of Claim: Decreed



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

July 8, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

HOWARD & RHONDA MORRIS
JEREMY & MEKENZIE MORRIS
1101 E 2900 S
HAGERMAN ID 83332

Re: SRBA Claim(s) 37-447D, 37-7019

Dear Claimants:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, reading 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enc.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
MAY 07 2002
 Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-447D					
→ 37-07019					
permit 37-08208					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)	Jonathan H. Marvel PO Box 1602 Hailey, ID 83333
4. New Owner/Claimant(s)	Howard Morris, Rhonda Morris
New Mailing Address	Name Connector (Check one): ☐ and, ☐ or, ☒ and/or Jeremy Morris and McKenzie Morris 1101 East 2900 South
City, State and ZIP Code	Hagerman ID 83332
New Telephone Number	() _____
5. Date you acquired the property	4-1-2002

WARRANTY DEED

#GG-03385

For Value Received

RJT Farming, Inc., a corporation

Instrument # 194618

GOODING, GOODING, IDAHO

2002-04-02

04:49:09

No. of Pages: 4

Recorded for : LAND TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: 12.00

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Howard Morris and Rhonda Morris, husband and wife, and Jeremy Morris and McKenzie Morris, husband and wife

Address: 1101 East 2900 South, Hagerman, ID 83332

Hereinafter called the Grantee, the following described premises situated in **Gooding** County, Idaho, to-wit:

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 15: That part of the W $\frac{1}{2}$ SE $\frac{1}{4}$ lying South and West of State Highway 25, EXCEPTING THEREFROM that portion deeded to the State of Idaho by Warranty Deed recorded December 20, 1973, as Instrument No. 48039, records of Gooding County, Idaho.

Section 15: That part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

Beginning at the West quarter corner of said Section 15, which is the True Point of Beginning;
Thence South 89°18'12" East for a distance of 1330.14 feet to the Northeast corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 15;
Thence South 0°49'19" West for a distance of 232.76 feet;
Thence South 89°18'12" East for a distance of 643.40 feet to the Southwesterly frontage road right of way line;
Thence South 43°24'25" East for a distance of 990.37 feet along the Southwesterly right of way line;
Thence South 0°35'35" West for a distance of 384.72 feet to the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 15;
Thence North 89°05'09" West for a distance of 2670.86 feet to the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 15;
Thence North 1°03'02" East for a distance of 1318.49 feet and the True Point of Beginning.

Section 22: E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 23: SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM 100 feet for Railroad right-of-way as conveyed in Deed dated August 25, 1909, recorded September 16, 1909 in Book 13 Deeds, Page 292, Lincoln County records, now in Book F Deeds, Page 126, Gooding County, across the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23.

AND EXCEPTING THEREFROM 100 feet for Railroad right of way as conveyed in Deed dated December 12, 1910, recorded December 27, 1910, in Book 18 Deeds, Page 245, Lincoln County records, now in Book I Deeds, Page 113, Gooding County, across the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23.

AND ALSO EXCEPTING THEREFROM a strip of land for Highway purposes as set forth in Deed to State of Idaho, dated October 8, 1973, and recorded December 20, 1973, as Instrument No. 48038, records of Gooding County, Idaho.

Section 26: W $\frac{1}{2}$ SW $\frac{1}{4}$, EXCEPTING THEREFROM all that portion lying South of the Highest point of the Malad River Rim Rock.

ALSO EXCEPTING THEREFROM part of the West $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 26, Township 6 South, Range 13 East of the Boise Meridian, Gooding County, Idaho described as: (Basis or bearing the Idaho Coordinate System)

Beginning at a point that is North 0°04'08" West, 1129.82 feet along the section line and East 160.03 feet from the SW corner of said Section 26 and running thence North 0°38'13" East, 100.00 feet; thence South 89°21'47" East 100.00 feet; thence South 0°38'13" West 100.00 feet; thence North 89°21'47" West 100.00 feet to the point of beginning.

Section 27: E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

E $\frac{1}{2}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM all that portion lying South of the highest point of the Malad River Rim Rock.

SUBJECT TO:

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

Taxes for 2002 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

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.

4621
SM
1711
Right of Way Deed given by Idaho Farms Company, a corporation of Jerome, to the State of Idaho, dated February 24, 1942, recorded April 3, 1942, in Book 33 Page 311, as Instrument No. 83595, Gooding County records, granting a right of way for a public highway over and across the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 6 South, Range 13, East Boise Meridian. There is also granted hereby an easement adjacent to the highway right of way for relocation of all irrigation and drainage ditches and structures and such surface drain ditches as may be necessary to the proper construction of the highway.

Power Line Easement given by Oley A. Boyd and Myrtle O. Boyd, husband and wife, to Idaho Power Company, a corporation, dated March 19, 1946, recorded December 23, 1946, in Book 5, Page 156, as Instrument No. 99083, Gooding County records, granting a right of way and easement for erection and maintenance of an electric transmission line over and across the N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13, East Boise Meridian.

Restrictions contained in Warranty Deed given by Robert L. Erickson, to the State of Idaho, dated October 8, 1973, recorded December 20, 1973, as Instrument No. 48038, Gooding County records, wherein Grantors agree that no building or structures, except irrigation or drainage structures, will be permitted to be constructed within 20 feet of the highway right of way located on a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and a portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 6 South, Range 13, East Boise Meridian, and Grantors convey unto the Grantee the right to prohibit junkyards on any of their remaining land within 1000 feet of the right of way and the right to prohibit advertising signs, displays and devices within 660 feet thereof; provided that advertising relating to business conducted on any of the Grantors' remaining land be permitted not closer than 20 feet therefrom, but only on land utilized exclusively for said business. The Grantors hereby waive and relinquish in favor of the State any and all claims to present and future direct access to said highway and highway right of way.

Easement given by Robert L. Erickson to the State of Idaho, dated October 8, 1973, recorded December 20, 1973, as Instrument No. 48040, Gooding County records, granting the right to go upon, occupy and use a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 6 South, Range 13, East Boise Meridian, for the purpose of constructing thereon a concrete headwall by the State of Idaho and they shall have the right to perform any maintenance they may deem necessary or wish to exercise in connection with the aforesaid facility.

Easement in Second Judgment and Decree of Condemnation in the case of The State of Idaho, et al, Plaintiff, vs. Oley A. Boyd, et al, Defendants, dated July 23, 1975, and recorded July 28, 1975, as Instrument No. 55702, Gooding County records, wherein there is granted a 30.0 foot easement in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13, East Boise Meridian, for constructing concrete ditch and other facilities together with ingress and egress. Rights of access to highway are extinguished and prohibited.

Water Easement given by Homer Bayless, a widower, Grantor, to Anderson-Nafziger of Wendell, a partnership, Grantee, dated February __, 1977, recorded March 3, 1977, as Instrument No. 63526, Gooding County records, wherein the Grantor hereby grants unto the Grantee a right of way over and across a parcel of land located in part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13, East Boise Meridian, conveying water through ditches for the purpose of irrigating real estate

adjacent and contiguous to the South and East of the real estate herein described. The Grantors further gives to the Grantee an easement over and across the continuous strip of ground for the purpose of clearing, trenching, laying, constructing, maintaining, and repairing an underground pipeline for the conveyance of said water.

Power Line Easement given by Sage Land & Cattle Company, an Idaho corporation, dated February 18, 1981, and recorded August 7, 1981, as Instrument No. 90752, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across a 10.0 foot strip of land in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13, East Boise Meridian.

Right of Way Easement given by First Security Bank of Idaho, N.A. to The Mountain States Telephone and Telegraph Company, dated January 17, 1985, recorded January 24, 1985 as Instrument Number 112705, Gooding County records, affecting the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 6 South, Range 13, East Boise Meridian.

Right of Way Easement given by First Security Bank of Idaho, N.A. to The Mountain States Telephone and Telegraph Company, dated January 17, 1985, recorded January 24, 1985 as Instrument Number 112706, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 6 South, Range 13, East Boise Meridian.

Financing Statement by Roger L. Jones and R.J.T. Farming, Inc. and between R.J. Strasser Drilling Company, recorded December 17, 1996, as Instrument Number 168977, Gooding County Records, Idaho. Assignment to F.S. Strasser Co., L.P., filed November 20, 1998 as Instrument Number 177982, Gooding County records.

A Mortgage to secure payment of a note for \$550,000.00:

Recorded: February 11, 1997 as Instrument No. 169579, records of Gooding County, Idaho.
Dated: February 10, 1997
Mortgagor: R.J.T. Farming, Inc., a corporation
Mortgagee: R.J. Strasser Drilling Company, a partnership

Financing Statement by Roger L. Jones and R.J.T. Farming, Inc. and between R.J. Strasser Drilling Company, recorded February 11, 1997, as Instrument Number 169580, Gooding County Records, Idaho.

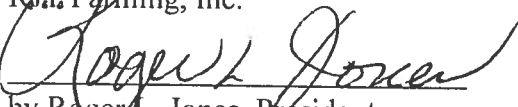
Easement contained in Memorandum of Lease by and between R.J.T. Farming, Inc. "Landlord" and NTCH-Idaho, Inc., an Idaho Corporation "Tenant" dated September 20, 2001, recorded October 10, 2001 as Instrument Number 192390, Gooding County records, affecting part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 26, Township 6 South, Range 13, East of the Boise Meridian.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 385 shares of Capital Stock in North Side Canal Company, LTD, 22 Acres of American Falls No. 2(13.75 inches) and 40 inches of Decreed right #37-0447.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 2, 2002

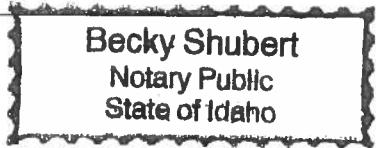
R.J.T. Farming, Inc.


by Roger L. Jones, President.

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 2nd day of April, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Roger L. Jones, known or identified to me to be the President 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: Wendell ID
My Commission expires: 02-23-05



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Order No. G-970007

WARRANTY DEED

For Value Received

JONATHAN MARVEL, also known as JONATHAN H. MARVEL and
STEFANIE MARVEL, also known as STEFANIE D. MARVEL
Husband And Wife.

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

RJT FARMING, INC.

the grantee(s), whose current address is

P.O. Box 475, Rupert, ID 83350

the following described premises, to-wit:

See Attached Exhibit "A"

169577

STATE OF IDAHO COUNTY OF COCONINO FIRST AMERICAN TITLE

Filed for record at the request of
48 min. past 2 o'clock P.M. 17th
of February 1997
by Penny Watson Deputy

TOGETHER WITH: Water stock certificate no's 20778, 20776, 22135, 22138 & 22140
for a Total of 385 shares of North Side Canal Company.

ALSO TOGETHER WITH:

22 Acres of American Falls Reservoir District #2 Water

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s),
his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and
with the said Grantee(s), that he/she/they are the owner(s) 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 he/she/they will warrant and defend the same from all claims whatsoever.

Dated: January 28, 1997

Jonathan Marvel

Stefanie Marvel

STATE OF IDAHO

COUNTY OF Blaine

On This 2-6, in the year 1997, before me, a Notary Public in and for said State,
personally appeared Jonathan Marvel and Stefanie Marvel, known or identified to me to be the person(s) whose name(s) is/are within Instrument,
and acknowledged to me that he/she/they executed the same.

Notary Public in and for the State of Idaho
Residing at Pocatello, ID
Commission Expires: 2-21-97



First American Title Company of Idaho

EXHIBIT A

G970001

Township 6 South, Range 13, East of the Boise Meridian, Gooding County, Idaho

Section 15: That part of the West one-half of the Southeast Quarter lying South and West of State Highway 25, EXCEPTING THEREFROM that portion deeded to the State of Idaho by Warranty Deed recorded December 20, 1973 as Instrument No. 48039, records of Gooding County, Idaho.

AND that part of the Northwest Quarter of the Southwest Quarter and part of the Northeast Quarter of the Southwest Quarter, described as follows:

BEGINNING at the West quarter corner of said Section 15, which is the TRUE POINT OF BEGINNING;
Thence South 89°18'12" East for a distance of 1,330.14 feet to the Northeast corner of the Northwest Quarter of the Southwest Quarter of said Section 15;
Thence South 0°49'19" West for a distance of 232.76 feet;
Thence South 89°18'12" East for a distance of 643.40 feet to the Southwesterly frontage road right of way line;
Thence South 43°24'25" East for a distance of 990.37 feet along the Southwesterly right of way line;
Thence South 0°35'35" West for a distance of 384.72 feet to the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 15;
Thence North 89°05'09" West for a distance of 2,670.86 feet to the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 15;
Thence North 1°03'02" East for a distance of 1,318.49 feet to the TRUE POINT OF BEGINNING.

Section 22: The East one-half of the Southeast Quarter.

Section 23: The Southwest Quarter of the Northwest Quarter; and the North one-half of the Southwest Quarter

EXCEPTING THEREFROM 100 feet for Railroad right of way as conveyed in Deed dated August 25, 1909, recorded September 16, 1909, in Book 13 of Deeds at Page 292, records of Lincoln County, Idaho, now in Book F of Deeds at Page 126, records of Gooding County, Idaho.

AND EXCEPTING THEREFROM 100 feet for railroad right of way as conveyed in Deed dated December 12, 1910, recorded December 27, 1910, in Book 18 of Deeds at Page 245, records of Lincoln County, Idaho, now in Book I of Deeds at Page 113, records of Gooding County, Idaho.

AND ALSO EXCEPTING THEREFROM a strip of land for Highway purposes as set forth in Deed to State of Idaho, dated October 8, 1973, recorded December 20, 1973 as Instrument No. 48038, records of Gooding County, Idaho.

Section 26: The West one-half of the Southwest Quarter, EXCEPTING THEREFROM all that portion lying South of the highest point of the Malad River Rim Rock.

Section 27: The East one-half of the Northeast Quarter; the Northwest Quarter of the Northeast Quarter; and the East one-half of the Southeast Quarter, EXCEPTING THEREFROM all that portion lying South of the highest point of the Malad River Rim Rock.



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

02-Apr-1993

Mr and Mrs Jonathan H. Marvel
Box 1602
Hailey, ID 83333

RE: Ownership Change for Adjudication Claims A37-00447D and -07019

Dear Mr and Mrs Marvel:

Pursuant to the notification that you presently own the property in which the above-referenced Adjudication Claims are appurtenant, the Department has changed the record of the current owners as you requested. Please find enclosed copies of the computer record of the claims noting the change in claimants.

If you have any questions please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Frank'.

Francis G. Hitchcock
Water Resource Agent, Sr.

FH/abh

Enclosures

MICROFILMED

OCT 24 1997



NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

DEC 16 1992

Please print or type

(see instructions on back of page)

DATE OF CLOSING: May 15, 1990

Department of Water Resources

Southern Region Office

See attachment

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

[] 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)

XXX [] Water Right Number(s) A37-00447D & A37-7019
Assigned by IDWR: _____

[] Name and Address of Former Owner/Claimant(s)(Seller): Don and Carol McFarland
Box 368 Eden, Idaho 83325

[] New Owner/Claimant (Purchaser): Jonathan H. and Stefanie D. Marvel
Box 1602 Hailey, Idaho 83333

[] New Mailing Address: _____

[] New Telephone Number: (208) 788 - 2290

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☐ 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: Warrantee Deed attached

(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) Jonathan H. Marvel Date 12-11-92
Stefanie D. Marvel Date 12-11-92

[] Signature of Former Owner/Claimant(s): _____ 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: 04-02-95 By: FH

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

MICROFILMED

OCT 24 1994

A37-0047D
" - 07019

12-16-92 McFARLAND to MARVEL

OWNED: T06S R13E \$14

A37-0047D
" - 07019

SW SE ✓
NW SW, S 1/2 SW ✓
N 1/2 SW SE, SE SW SE ✓
W 1/2 SE SE ✓
NE SE, SW NE ✓
part NW SW, NE SW ✓
E 1/2 SE ✓
SW NW, N 1/2 SW ✓
W 1/2 SW ✓
E 1/2 NE, NW NE ✓
E 1/2 SE ✓

\$15
\$22
\$23

40 AC NW SW - 0047D 06S 13E \$26
40 AC NE SE - 07019 " 13E \$27
7 AC SE SE - " " "

Sold:
all

proof: warranty deed - E & A.

✓ AJQ1: print
✓ AJQ4: print

Frost DECKEE originally: SE SW, SW SE \$26-80 AC
-00447 80" X .02 = 1.60 CFS
- .50 02-53 transfer E 1/2 NW-26
1.10 CFS / 55"

balance: 55" SE SW, SW SE \$26 CLAIMED - 0447D
↓ NW SW 40 AC
SE SW 24 AC in - 00447 MICROFILMED
SW SE 33 " " " OCT 24 1954

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: A37-00447D
Date Received: 5/ 8/1990
Receipt No: S012272
Received By:

OWNERSHIP CHANGE

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JONATHAN H. MARVEL 208-788-2290
Address: BOX 1602
HAILEY ID 83333
AND/OR
Name: STEFANIE D. MARVEL 208-788-2290
Address: BOX 1602
HAILEY ID 83333

2. Date of Priority: JUL 1, 1889
3. Source: MALAD RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	14E	30	SE	SW			GOODING

5. Description of diverting works:
THORPE #40, HEADGATE, DITCH
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.800 | | |
7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 180.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	13E	26	NW	SW		IRR	40.0

MICROFILMED

A37-00447D Page 1 Date: 04/02/99 OCT 24 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	13E	26	SW	SW		IRR	20.0
Section Acres							60.0
Total Acres							60.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:
WATER DELIVERED BY WATERMASTER, REID NEWBY, TO CLAIMANT'S
PROPERTY. LATE CLAIM: DEADLINE 09/01/1988, FILED 05/08/1990.
ACTUAL SPLIT PORTION UNKNOWN, ONLY ROOT DECREE NUMBER VERIFIED
BY WATERMASTER. SEE ATTACHED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

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

ALTURAS WATER CO., ET. AL.
vs Decree Defendant

MICROFILMED
OCT 24 1994

- JAGUIN (D) P10 -

1 - BOX 1602

STEFANIE D.

City- HAILEY
Phone - 208-788-2290
1 - 80X 1602

DON

City- HAILEY
Phone - 208-788-2290

State- ID Zip- 83333

CAROL

City- EDEN
Phone - 208-000-0000
1 - P.O. BOX 368
State- ID Zip- 83325

State- ID Zip- 83325

City- EDEN
Phone - 208-000-0000

	Status	-	-	-	-	+
--	--------	---	---	---	---	---

+

+

(47) GOODING

Volume

11/01

0.800

Use - + + - KW Usage - +

MICROFILMED
OCT 24 1994

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	- 05/08/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S012272	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
OCT 24 1994



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

02-Apr-1993

Mr and Mrs Jonathan H. Marvel
Box 1602
Hailey, ID 83333

RE: Ownership Change for Adjudication Claims A37-00447D and -07019

Dear Mr and Mrs Marvel:

Pursuant to the notification that you presently own the property in which the above-referenced Adjudication Claims are appurtenant, the Department has changed the record of the current owners as you requested. Please find enclosed copies of the computer record of the claims noting the change in claimants.

If you have any questions please contact this office.

Sincerely,

Francis G. Hitchcock
Water Resource Agent, Sr.

FH/abh

Enclosures

MICROFILMED
OCT 24 1994



**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

RECEIVED

DEC 16 1992

Please print or type

(see instructions on back of page)

Department of Water Resources

Southern Region Office

See attachment

DATE OF CLOSING: May 15, 1990

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____.
 If you have additional legal descriptions, please attach separate sheet.

☐ 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)

XXX ☒ Water Right Number(s) A37-00447D & A37-7019
 Assigned by IDWR: _____

☐ Name and Address of Former Owner/Claimant(s)(Seller): Don and Carol McFarland
Box 368 Eden, Idaho 83325

☐ New Owner/Claimant (Purchaser): Jonathan H. and Stefanie D. Marvel
Box 1602 Hailey, Idaho 83333

☐ New Mailing Address: _____

☐ New Telephone Number: (208) 788 - 2290

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ 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: Warrantee Deed attached

(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) Jonathan H. Marvel Date 12.11.92

Stefanie D. Marvel Date 12.11.92

☐ Signature of Former Owner/Claimant(s): _____ 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

MICROFILMED
OCT 24 1994

RECEIVED

DEC 16 1992

WARRANTY DEED

Department of Water Resources
Southern Region Office

FOR VALUE RECEIVED, Don McFarland and Carol^L McFarland,
 husband and wife, hereinafter called "Grantors", hereby grant,
 bargain, sell and convey unto Jonathan Marvel and Stefanie Marvel,
 whose mailing address is P.O. Box 1602, Hailey, Idaho 83333, the
 following described premises in Blaine County, Idaho, to wit,

See Exhibit A

TO HAVE AND TO HOLD the said premises, with their
 appurtenances, unto the said Grantees and to the Grantees'
 successors and assigns forever. And the said Grantors do hereby
 covenant to and with the said Grantees, that the Grantors are the
 owners in fee simple of said premises; that they are free from
 encumbrances except as described above and that Grantors will
 warrant and defend the same from all lawful claims whatsoever.

DATED this 14th day of May, 1990.

Don McFarland
 Don McFarland

Carol McFarland
 Carol McFarland aka Carol L. McFarland

STATE OF IDAHO)
) ss.
 County of Twin Falls)

On this 14th day of May, 1990, before me, the
 undersigned, a Notary Public in and for said State, personally
 appeared Don McFarland and Carol McFarland, husband and wife, known
 to me to be the persons whose names are subscribed to the foregoing
 instrument, and acknowledged to me that they executed the same.

WARRANTY DEED\1

EXHIBIT "A"

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 14: NW~~x~~SW~~x~~, S~~x~~SW~~x~~, N~~x~~SW~~x~~SE~~x~~, SE~~x~~SW~~x~~SE~~x~~, W~~x~~SE~~x~~SE~~x~~

Section 15: NE~~x~~SE~~x~~, SW~~x~~NEX

That part of the NW~~x~~SE~~x~~ and SE~~x~~NW~~x~~ North and East
of the Railroad right of way.

That part of the W~~x~~SE~~x~~ South and West of State
Highway 25, EXCEPTING THEREFROM that portion deeded
to the State of Idaho by Warranty Deed recorded
December 20, 1973, as Instrument No. 48039, records
of Gooding County, Idaho.

Section 15: That part of the NW~~x~~SW~~x~~ and part of the NE~~x~~SW~~x~~
described as follows:

Beginning at the West quarter corner of said
Section 15, which is the True Point of Beginning;
Thence South 89°18'12" East for a distance of
1330.14 feet to the Northeast corner of the
NW~~x~~SW~~x~~ of said Section 15;
Thence South 0°49'19" West for a distance of 232.76
feet;
Thence South 89°18'12" East for a distance of
643.40 feet to the Southwesterly frontage road
right of way line;
Thence South 43°24'25" East for a distance of
990.37 feet along the Southwesterly right of way
line;
Thence South 0°35'35" West for a distance of 384.72
feet to the Southeast corner of the NE~~x~~SW~~x~~ of
said Section 15;
Thence North 89°05'09" West for a distance of
2670.86 feet to the Southwest corner of the
NW~~x~~SW~~x~~ of said Section 15;
Thence North 1°03'02" East for a distance of
1318.49 feet and the True Point of Beginning.

Section 22: E~~x~~SE~~x~~

Section 23: SW~~x~~NW~~x~~, N~~x~~SW~~x~~

EXCEPTING THEREFROM 100 feet for Railroad right-of-
way as conveyed in Deed dated August 25, 1909,
recorded September 16, 1909 in Book 13 Deeds, Page
292, Lincoln County records, now in Book F Deeds,
Page 126, Gooding County, across the SW~~x~~NW~~x~~ of
Section 23.

AND EXCEPTING THEREFROM 100 feet for Railroad right
of way as conveyed in Deed dated December 12, 1910,
recorded December 27, 1910, in Book 18 Deeds, Page
245, Lincoln County records, now in Book I Deeds,
Page 113, Gooding County, across the NE~~x~~SW~~x~~ of
Section 23.

AND ALSO EXCEPTING THEREFROM a strip of land for
Highway purposes as set forth in Deed to State of
Idaho, dated October 8, 1973, and recorded December
20, 1973, as Instrument No. 48038, records of
Gooding County, Idaho.

Section 26: W~~x~~SW~~x~~, EXCEPTING THEREFROM all that portion lying

South of the Highest point of the Malad River Rim
Rock.

Section 27: E~~x~~NEX, NW~~x~~NEX

E~~x~~SE~~x~~, EXCEPTING THEREFROM all that portion lying
South of the highest point of the Malad River Rim
Rock.

141143 - Record
STATE OF IDAHO, COUNTY OF GOODING
Filed for record at the request of Gooding & Easton Inc.
OL min. past 11 o'clock A M. this 31
May, 1990. Jun #6 "
JOHN A. MYERS, Recorder
Heleen K. Peatt Dep.

MICROFILMED
OCT 24 1994

48040, Gooding County records, granting the right to go upon, occupy and use a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 6 South, Range 13, East Boise Meridian, for the purpose of constructing thereon a concrete headwall by the State of Idaho and they shall have the right to perform any maintenance they may deem necessary or wish to exercise in connection with the aforesaid facility.

16. Easement in Second Judgment and Decree of Condemnation in the case of The State of Idaho, et al, Plaintiff, vs. Oley A. Boyd, et al, Defendants, dated July 23, 1975, and recorded July 28, 1975, as Instrument No. 55702, Gooding County records, wherein there is granted a 30.0 foot easement in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13, East Boise Meridian, for constructing concrete ditch and other facilities together with ingress and egress. Rights of access to highway are extinguished and prohibited.
17. Water Easement given by Homer Bayless, a widower, Grantor, to Anderson-Nafziger of Wendell, a partnership, Grantee, dated February __, 1977, recorded March 3, 1977, as Instrument No. 63526, Gooding County records, wherein the Grantor hereby grants unto the Grantee a right of way over and across a parcel of land located in part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13, East Boise Meridian, conveying water through ditches for the purpose of irrigating real estate adjacent and contiguous to the South and East of the real estate herein described. The Grantors further gives to the Grantee an easement over and across the continuous strip of ground for the purpose of clearing, trenching, laying, constructing, maintaining, and repairing an underground pipeline for the conveyance of said water.
18. Power Line Easement given by Robert Erickson, a single man, to Idaho Power Company, a corporation, dated June 1, 1979, recorded June 27, 1980, as Instrument No. 83913, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across a 10.0 foot strip of land in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13, East Boise Meridian.
19. Power Line Easement given by Sage Land & Cattle Company, an Idaho corporation, dated February 18, 1981, and recorded August 7, 1981, as Instrument No. 90752, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across a 10.0 foot strip of land in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13, East Boise Meridian.
20. Right of Way Easement given by First Security Bank of Idaho, N.A. to The Mountain States Telephone and Telegraph Company, dated January 17, 1985, recorded January 24, 1985 as Instrument Number 112705, Gooding County records, affecting the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 6 South, Range 13, East Boise Meridian.
21. Right of Way Easement given by First Security Bank of Idaho, N.A. to The Mountain States Telephone and Telegraph Company, dated January 17, 1985, recorded January 24, 1985 as Instrument Number 112706, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 6 South, Range 13, East Boise Meridian.
22. Right of Way Easement given by First Security Bank of Idaho, N.A. to The Mountain States Telephone and Telegraph Company, dated January 17, 1985, recorded January 24, 1985 as Instrument Number 112708, Gooding County records, affecting the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13, East Boise Meridian.

EXHIBIT A

MICROFILMED

OCT 24 1994

South of the Highest point of the Malad River Rim
Rock.

Section 27: E½NE½, NW½NE½

E½SE½, EXCEPTING THEREFROM all that portion lying
South of the highest point of the Malad River Rim
Rock.

SUBJECT TO THE FOLLOWING:

10. Right of Way Deed given by Idaho Farms Company, a corporation of Jerome, to the State of Idaho, dated February 24, 1942, recorded April 3, 1942, in Book 33 Page 311, as Instrument No. 83595, Gooding County records, granting a right of way for a public highway over and across the NW½SE½ of Section 15, Township 6 South, Range 13, East Boise Meridian. There is also granted hereby an easement adjacent to the highway right of way for relocation of all irrigation and drainage ditches and structures and such surface drain ditches as may be necessary to the proper construction of the highway.
11. Right of Way Deed given by John Taylor and Arline Taylor, husband and wife, to the State of Idaho, dated February 24, 1942, recorded April 18, 1942, in Book 33 Page 332, as Instrument No. 83792, Gooding County records, granting a right of way for a public highway over and across the W½NW½ and the SE½NW½ of Section 15, Township 6 South, Range 13, East Boise Meridian. There is also granted hereby an easement adjacent to the highway right of way for relocation of all irrigation and drainage ditches and structures and such surface drain ditches as may be necessary to the proper construction of the highway.
12. Power Line Easement given by Oley A. Boyd and Myrtle O. Boyd, husband and wife, to Idaho Power Company, a corporation, dated March 19, 1946, recorded December 23, 1946, in Book 5, Page 156, as Instrument No. 99083, Gooding County records, granting a right of way and easement for erection and maintenance of an electric transmission line over and across the N½N½SW½ of Section 15, Township 6 South, Range 13, East Boise Meridian.
13. Power Line Easement given by J. E. Farmer and Marval Farmer, husband and wife, to Idaho Power Company, a corporation, dated August 22, 1951, recorded October 17, 1952, in Book 7, Page 155, as Instrument No. 119426, Gooding County records, granting to said corporation, a right of way and easement for erection and maintenance of an electric transmission line over and across the SW½SW½ of Section 14, Township 6 South, Range 13, East Boise Meridian.
14. Restrictions contained in Warranty Deed given by Robert L. Erickson, to the State of Idaho, dated October 8, 1973, recorded December 20, 1973, as Instrument No. 48038, Gooding County records, wherein Grantors agree that no building or structures, except irrigation or drainage structures, will be permitted to be constructed within 20 feet of the highway right of way located on a portion of the SW½NW½ and a portion of the NE½SW½ of Section 23, Township 6 South, Range 13, East Boise Meridian, and Grantors convey unto the Grantee the right to prohibit junkyards on any of their remaining land within 1000 feet of the right of way and the right to prohibit advertising signs, displays and devices within 660 feet thereof; provided that advertising relating to business conducted on any of the Grantors' remaining land be permitted not closer than 20 feet therefrom, but only on land utilized exclusively for said business. The Grantors hereby waive and relinquish in favor of the State any and all claims to present and future direct access to said highway and highway right of way.
15. Easement given by Robert L. Erickson to the State of Idaho, dated October 8, 1973, recorded December 20, 1973, as Instrument No.

EXHIBIT A

MICROFILMED
OCT 24 1994

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 14: NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 15: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$

That part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ North and East of the Railroad right of way.

That part of the W $\frac{1}{4}$ SE $\frac{1}{4}$ South and West of State Highway 25, EXCEPTING THEREFROM that portion deeded to the State of Idaho by Warranty Deed recorded December 20, 1973, as Instrument No. 48039, records of Gooding County, Idaho.

Section 15: That part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

Beginning at the West quarter corner of said Section 15, which is the True Point of Beginning; Thence South 89°18'12" East for a distance of 1330.14 feet to the Northeast corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 15;

Thence South 0°49'19" West for a distance of 232.76 feet;

Thence South 89°18'12" East for a distance of 643.40 feet to the Southwesterly frontage road right of way line;

Thence South 43°24'25" East for a distance of 990.37 feet along the Southwesterly right of way line;

Thence South 0°35'35" West for a distance of 384.72 feet to the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 15;

Thence North 89°05'09" West for a distance of 2670.86 feet to the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 15;

Thence North 1°03'02" East for a distance of 1318.49 feet and the True Point of Beginning.

Section 22: E $\frac{1}{4}$ SE $\frac{1}{4}$

Section 23: SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM 100 feet for Railroad right-of-way as conveyed in Deed dated August 25, 1909, recorded September 16, 1909 in Book 13 Deeds, Page 292, Lincoln County records, now in Book F Deeds, Page 126, Gooding County, across the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23.

AND EXCEPTING THEREFROM 100 feet for Railroad right of way as conveyed in Deed dated December 12, 1910, recorded December 27, 1910, in Book 18 Deeds, Page 245, Lincoln County records, now in Book I Deeds, Page 113, Gooding County, across the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23.

AND ALSO EXCEPTING THEREFROM a strip of land for Highway purposes as set forth in Deed to State of Idaho, dated October 8, 1973, and recorded December 20, 1973, as Instrument No. 48038, records of Gooding County, Idaho.

Section 26: W $\frac{1}{4}$ SW $\frac{1}{4}$, EXCEPTING THEREFROM all that portion lying

EXHIBIT A

MICROFILMED
OCT 24 1994

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



J. Walter Sinclair
NOTARY PUBLIC

Residence: Twin Falls, Idaho

My commission expires: 6-2-91

140953

STATE OF IDAHO, COUNTY OF GOODING

Filed for record at the request of Good Title & Escrow Inc

32 min. past 1 o'clock P M. this 15

of May, 1990. Fee \$15.00

JOHN A. MYERS, Recorder

By Helen K. Piatt De

(WarrDeed.MCF.JWS/d1)

WARRANTY DEED\2

MICROFILMED
OCT 24 1994

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: A37-00447D
Date Received: 5/07/1990
Receipt No: 5012272
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON MC FARLAND
Address: P.O. BOX 368
EDEN, ID 83325
AND/OR
Name: CAROL MC FARLAND
Address: P.O. BOX 368
EDEN, ID 83325
2. Date of Priority: JUL 01, 1889
3. Source: MALAD RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:
- | | | | | | | | |
|----------|-------|---------|--------|--------|-----|-----|---------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
| 06S | 14E | 30 | SE | SW | | | GOODING |
5. Description of diverting works:
THORPE #40, HEADGATE, DITCH
6. Water is used for the following purposes:
- | | | | | | |
|------------|-------|-------|-------|------|--------|
| Purpose | From | To | C.F.S | (or) | A.F.A. |
| IRRIGATION | 04/01 | 11/01 | 0.800 | | |
7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 180.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	13E	26	NW	SW		IRR	40.0

MICROFILMED
OCT 24 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	13E	26	SW	SW		IRR	20.0
Section Acres							60.0
Total Acres							60.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

WATER DELIVERED BY WATERMASTER, REID NEWBY, TO CLAIMANT'S
PROPERTY. LATE CLAIM: DEADLINE 09/01/1988, FILED 05/08/1990.
ACTUAL SPLIT PORTION UNKNOWN, ONLY ROOT DECREE NUMBER VERIFIED
BY WATERMASTER. SEE ATTACHED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

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

vs

ALTURAS WATER CO., ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Don McDaniel* Date: *5/7/90*
_____ Date: _____

State of Idaho)
County of *Twin Falls*) SS.

Subscribed and sworn (or affirmed) before me this *7th* day
of *May* 19 *90* *Christine L. Hinton*
Notary Public

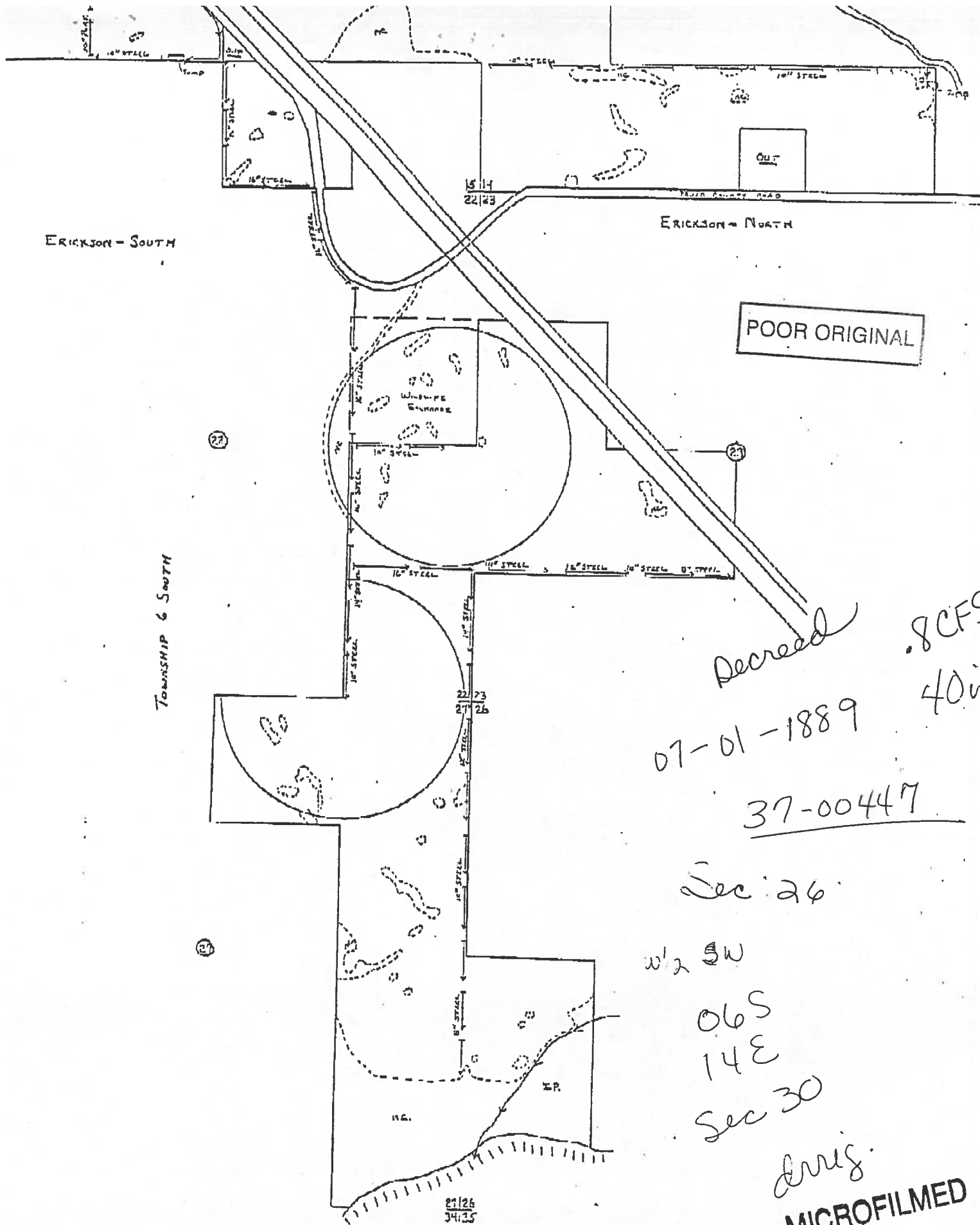
Seal

Residing at *Twin Falls, Id*
My Commission Expires *1-3-95*

Page

Date:

MICROFILMED
OCT 24 1994



POOR ORIGINAL

Decreed 8CFS
07-01-1889 40inch

37-00447

Sec 26

W 1/2 SW

06S

14E

Sec 30

Orig.

MICROFILMED

Dwerson
Thorp #40
Headgate & Ditch

OCT 24 1994

POOR ORIGINAL

BRICKSON - SOUTH Cont.

That part of the $\frac{W\frac{1}{2}SE\frac{1}{4}}$ South and West of State Highway 25, EXCEPTING THEREFROM that portion deeded to the State of Idaho by Warranty Deed recorded December 20, 1973, as Instrument No. 48039, records of Gooding County, Idaho.

Section 22: $E\frac{1}{2}SE\frac{1}{4}$

Section 23: $SW\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$

EXCEPTING THEREFROM 100 feet for Railroad right-of-way as conveyed in Deed dated August 25, 1909, recorded September 16, 1909, in Book 13 Deeds, Page 292, Lincoln County records, now in Book F Deeds, Page 126, Gooding County, across the $SW\frac{1}{4}NW\frac{1}{4}$ of Section 23.

AND EXCEPTING THEREFROM 100 feet for railroad right-of-way as conveyed in Deed dated December 12, 1910, recorded December 27, 1910, in Book 18 Deeds, Page 245, Lincoln County records, now in Book I Deeds, Page 113, Gooding County, across the $NE\frac{1}{4}SW\frac{1}{4}$ of Section 23.

AND ALSO EXCEPTING THEREFROM a strip of land for Highway purposes as set forth in Deed to State of Idaho, dated October 8, 1973, and recorded December 20, 1973, as Instrument No. 48038, records of Gooding County, Idaho.

Section 27: $E\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$

$E\frac{1}{2}SE\frac{1}{4}$, EXCEPTING THEREFROM all that portion lying South of the highest point of the Malad River Rim Rock.

MICROFILMED
OCT 24 1974

Water Right Number - 37-00447A

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***
THORPE

MARTIN

1 -
2 -
3 -
City-
Phone -

State- zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
07/01/1889 17 D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
MALAD RIVER SNAKE RIVER

+ - - - - Rng Sec Tract Lot Rflg County Point of Diversion - - - - - +
06S 14E 30 SE SW (47) GOODING

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 8.800

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
8.800

+ - - - - Twn Rng Sec Tract Lot Acres Code Description County
06S 13E 25 NE SW 01 IRRIGATION (47) GOODING
NW SW (47) GOODING
SE SW (47) GOODING
NE NE (47) GOODING
NW NE (47) GOODING
SW NE (47) GOODING
SE NE (47) GOODING
NE SW (47) GOODING
NE SE (47) GOODING
NW SE (47) GOODING

Total Acres:

+ - - Diversion Means - THORPE #40 HEADGATE & DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

MICROFILMED
OCT 24 1994

Old (D) Number -

[illegible]

1 2 3

City-TWIN FALLS

	+ - -	Status	- - - +
--	-------	--------	---------

+

[illegible]

(47) GOODING

----- Diversion Rate ----- Diversion Volume -----

1.100

+ - Total Div. Capacity - +

Description

(47) GOODING
(47) GOODING

+ - - Diversion Means - THORPE #40 HEADGATE & DITCH

Use -

TRANS. 801.		Remarks

TRANS. 801.
P/D GIVEN IN TRANSFER AS SWNE S30 T6S R14E.

MICROFILMED
OCT 24 1954

MICROFILMED
OCT 24 1994

Water Right Number - 37-00447C Adj. Flag Translation: Standard Water Right Number Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - - + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
DINGMAN
1 -
2 -
3 -
City- TWIN FALLS
Phone - State- ID Zip- 83301

*** O - ORIGINAL OWNER ***
THORPE
1 -
2 -
3 -
City-
Phone - State- Zip-

17
+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/01/1889 D - DECREED

+ - - - - Source - - - - - +
MALAD RIVER

+ - - - - Point of Diversion - - - - - +
County

TwN Rng Sec Tract Lot RFlg County
06S 14E 30 SE SW (47) GOODING

+ - - - - Description - - - - - +
01 - IRRIGATION
43 - DOMESTIC

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

+ - - - - Total Div. Rate - - + + - - Total Div. Volume - + + - - Total Div. Capacity - +
0.500

+ - - - - TwN Rng Rng Sec Tract Tract Lot Acres Code Description County
06S 13E 26 NE NW 01 IRRIGATION (47) GOODING
SE NW

Total Acres:
+ - - Diversion Means - THORPE #40 HEADGATE & DITCH
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

MICROFILMED
OCT 24 1994

