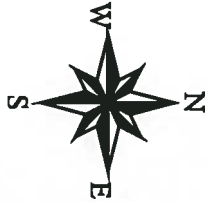
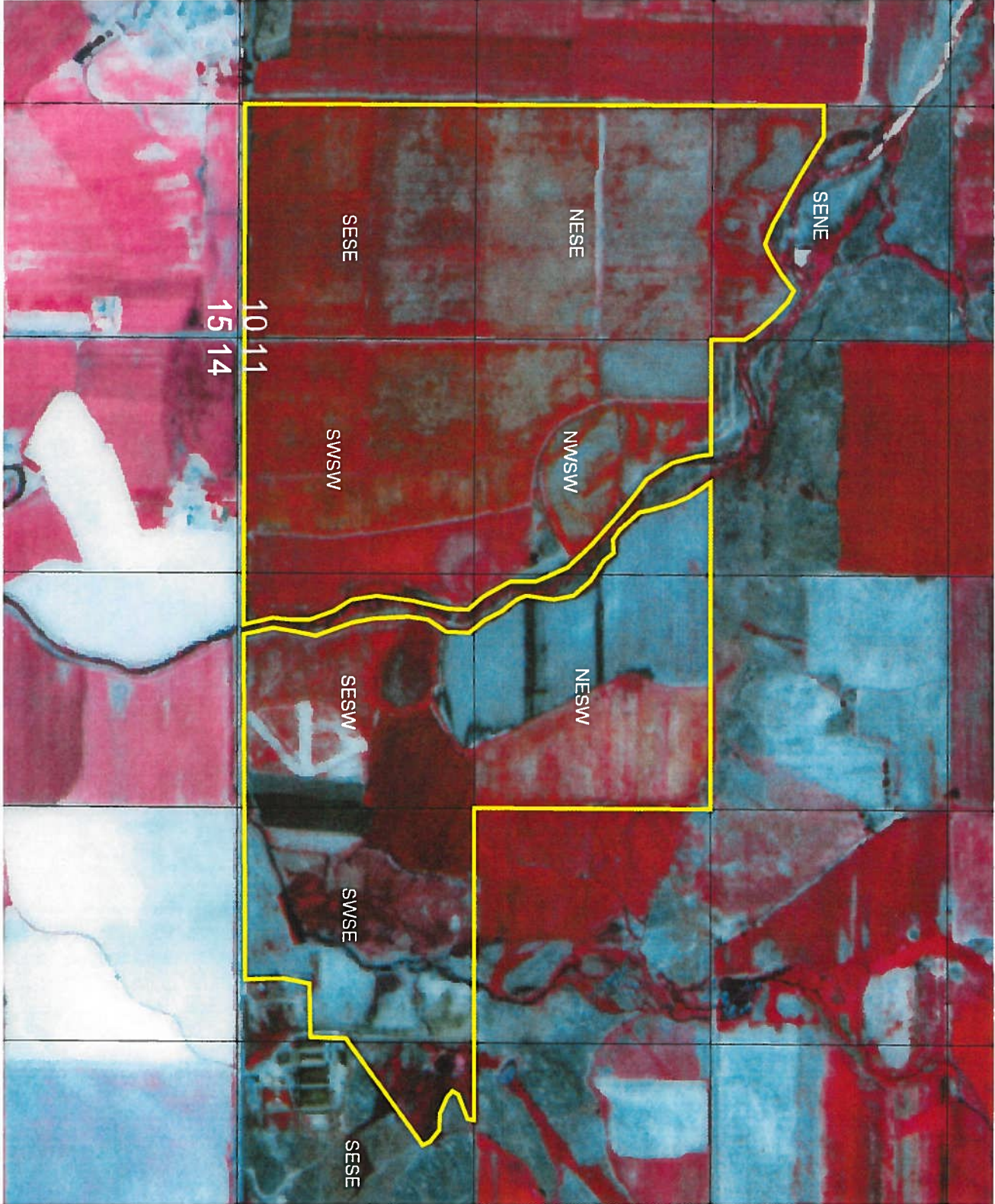


1

37-583 & 37-584

T05S R14E
S10 & S11



Map prepared by: Carter Fritschle
Date prepared: 10/24/03
1987-1988 NAPP photography
Idaho Department of Water Resources

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

RIGHT NUMBER: 37-584

NAME AND ADDRESS: VARD C MC HAN
1668 E 1400 S
GOODING ID 83330

CRYSTAL MC HAN
1668 E 1400 S
GOODING ID 83330

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 3.200 CFS
PRIORITY DATE: 04/02/1906
POINT OF DIVERSION:
T05S R16E S7 SWNW Lot 2 Within GOODING County

PURPOSE AND PERIOD OF USE:			
<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>	
IRRIGATION	03/15 11/15	3.200 CFS	

PLACE OF USE:	<u>IRRIGATION Within GOODING County</u>					
T05S R14E S10	SENE	13.0	T05S R14E S10	NESE	40.0	
T05S R14E S10	SESE	39.0	T05S R14E S11	NESW	38.0	
T05S R14E S11	NWSW	37.0	T05S R14E S11	SWSW	39.0	
T05S R14E S11	SESW	36.0	T05S R14E S11	SWSE	36.0	
T05S R14E S11	SESE	5.5				

283.5 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-583 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 283.5 ACRES IN A SINGLE IRRIGATION SEASON.

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.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

WATER IS DELIVERED THROUGH THE ROBERTSON DITCH.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS
RESERVOIR DIST. NO. 2.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL
CO.

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 37-00584
Date Received: 9/16/88
Receipt No:
Received By:

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

1. Name of Claimant(s)

VARD C MCHAN Phone:
1668 E 1400 S
GOODING ID USA 83330

CRYSTAL MCHAN Phone:
1668 E 1400 S
GOODING ID USA 83330

2. Date of Priority: 04/02/1906

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot				County
05S	16E	7	NW	SW	NW	2	GOODING

5. Description of diverting works:

ROBERTSON #26 HEADGATE, GRAVITY DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	11/01	3.2	

7. Total Quantity Appropriated is:
3.2 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
05S	14E	10	NE	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			Section Acres			
05S	14E	11	NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	5.9
			Section Acres			
Total Acres					325.9	

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:

ACTUAL ACREAGE IN SESE, SEC. 11, T5S, R14E, IS 5.91 ACRES, BRINGING THE TOTAL
IRRIGATED ACRES TO 325.91 ACRES
***** OWNERSHIP CHANGE 12/12/91
BY JG

11-17-00, FM. OWNERSHIP CHANGE PER REQUEST REC'D 7-12-00.

15. Basis of Claim: Decreed

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): _____ Date: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

no fee reqd.

RECEIVED

JUL 27 2000

Department of Water Resources
Southern Region

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JUN 16 2000

Department of Water Resources
Southern RegionPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

JUL 12 2000

Department of Water Resources

1. Water Right No(s): 37-0583

Adjudication Claim No(s): A37-00584

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** showing the location of the place of use of the water right(s) or claims(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with 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 Richard & Mollie Dalton, Dalton Brothers Partnership

1668 E. 1400 S., Gooding, ID 83330

4. New Owner/Claimant(s) VARD C. McHAN and CRYSTAL McHAN

New Mailing Address 3177 1/4 S 1500 E 1668 E. 1400 S.

City, State and ZIP Code Gooding, ID 83330

New Telephone Number ()

5. Date you acquired the property June 13, 2000

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right Number and type of stock

Diversion rate in CFS Number of homes you acquired Other uses

7. Signature of New Owner(s) or Claimant(s)

Vard McHan
Crystal McHan

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.

sm

Instrument # 186187

GOODING GOODING, IDAHO

2000-06-13

03:35:45 No. of Pages: 3

Recorded for : GOODING TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Fee: 9.00

Penny Archibald

WARRANTY DEED

FOR VALUE RECEIVED,

RICHARD DALTON and MOLLIE DALTON, husband and wife, and **DALTON BROTHERS**, a Partnership, **MATTHEW R. DALTON, REX DALTON AND BARRY R. DALTON**, Partners, hereinafter collectively referred to as the "Grantors", do hereby grant, bargain, sell and convey unto **VARD C. McHAN and CRYSTAL McHAN**, husband and wife, whose address is 3127 A S 1500 E, Wendell, Idaho, the "Grantees", the following described premises located in Gooding County, Idaho, to wit:

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

Section 10: E $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 11: SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:

Beginning at the Southwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;

THENCE North 525 feet;

THENCE East 490 feet;

THENCE South 525 feet to the south boundary of Section 11;

THENCE West 490 feet to THE TRUE POINT OF BEGINNING

Together with all water rights appurtenant thereto, including but not limited to, 100 shares of capital stock in the Big Wood Canal Company, 111.13 inches of American Falls District No. 2 water, Decreed Water Rights Nos. 37-0583 and 37-0584, delivered through 505 shares of capital stock in the Robertson Ditch Company.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. The said Grantors do hereby covenant to and with the said Grantees, that they are the owners of said premises; that they will warrant and defend the same from all lawful claims whatsoever, except as hereinabove specifically provided; and the specific exceptions listed below:

1. Taxes for 2000 and subsequent years, which are a lien, but not yet due and payable.
2. Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.
3. Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

4. Assessments levied or to be levied by any local irrigation district.
5. Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

DATED THIS 13th day of June, 2000.

Richard H. Dalton
RICHARD DALTON

Mollie Dalton
MOLLIE DALTON

DALTON BROTHERS, a Partnership

Matthew R. Dalton
MATTHEW R. DALTON, Partner

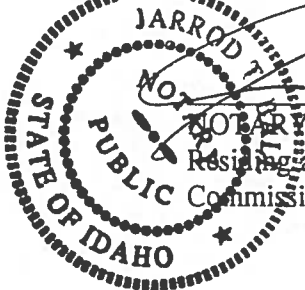
Rex W Dalton
REX DALTON, Partner

Barry R Dalton
BARRY R. DALTON, Partner

STATE OF IDAHO)
County of Gooding ss.
~~Jerome~~)

On this 13th day of June, 2000, before me, the undersigned, a Notary Public in and for said County and State, personally appeared RICHARD DALTON and MOLLIE DALTON, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

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



STATE OF IDAHO)

County of JEROME)
SS.

On this 2nd day of June, 2000, before me, the undersigned, a Notary Public in and for said County and State, personally appeared MATTHEW R. DALTON, Partner in DALTON BROTHERS, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of said Partnership. IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.

Brenda S. Buttle
NOTARY PUBLIC for Idaho
Residing at: Gooding
Commission Expires: 3/5/2004

STATE OF IDAHO)

County of JEROME)
SS.

On this 5th day of June, 2000, before me, the undersigned, a Notary Public in and for said County and State, personally appeared REX DALTON, Partner in DALTON BROTHERS, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of said Partnership.

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

R. E. Williams

NOTARY PUBLIC for Idaho
Residing at: Jerome
Commission Expires: 1/27/05

STATE OF IDAHO)

County of Jerome)
SS.

On this 2nd day of June, 2000, before me, the undersigned, a Notary Public in and for said County and State, personally appeared BARRY R. DALTON, Partner in DALTON BROTHERS, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of said Partnership. IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.

Brenda S. Buttle
NOTARY PUBLIC for Idaho
Residing at: Gooding
Commission Expires: 3/5/2004



GOODING
TITLE & ESCROW
COMPANY

June 15, 2000

Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

RECEIVED
JUN 16 2000
Department of Water Resources
Southern Region

Re: 37-0584 & #37-0583

Dear Sir or Madame:

Enclosed please find two Notice of Change of Water Right Ownership's to be filed with your office. Also enclosed is a copy of the recorded Warranty Deed for your reference.

If you have any questions or need anything further, please do not hesitate to contact our office.

Sincerely,

GOODING TITLE & ESCROW CO.

DeNene M. Dixon
Escrow Assistant

/dmd
Encl.



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

November 17, 2000

Vard and Crystal McHan
1668 E 1400 S
Gooding, ID 83330

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM A37-00584

Dear Claimants:

Pursuant to the change in ownership request that has been submitted to the department, we have changed the record of current ownership of the above referenced claim to you. Please find the enclosed copy of the computer record of the claim, noting the change in claimant.

Further, the ownership change form you submitted referred to 37-583. Please note that 583 was not claimed in the adjudication; therefore an ownership change cannot be completed on that right. If you have questions, please contact an adjudication agent in this office.

Sincerely,

Florence Munzenrieder
SRBA Records Clerk

Enclosure

11/28/00, DW:

Call from Crystal McHan about 37-00583.
She will call for an appt when next coming
to Twin Falls.

37-00584

OWNER CODE	NAME & ADDRESS	PRIORITY	WATER USE	USE PERIOD		DIVERSION	DIVERSION
		DATE		FROM	TO	RATE	VOLUME
C	JOSEPH W. ROBERTSON	04/02/1906	IRRIGATION	00/00	00/00	3.200 CFS	
TOTAL DIVERSION:						3.200 CFS	

Water Source: BIG WOOD RIVER

Tributary to: MALAD RIVER

Stage: DECREED

Point(s) of Diversion: T05S R16E S07 Lot 02(SWNW)

GOODING County

Place of use Legal Description for: IRRIGATION																															
NE								NW								SW								SE							
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:								
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM					
---	---	--	:	-----	-----	-----	-----	:	-----	-----	-----	-----	:	-----	-----	-----	-----	:	-----	-----	-----	-----	:	-----							
05S	14E	10	:					I	:					:					:	I				I	:						
05S	14E	11	:						:					:	I	I	I	I	:			I			:						

Pou County: GOODING

Remarks: GEN P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
AC. IRRIG. NOT SPECIFIED. FARM = 320 AC.
ORIGINALLY DECREED TO JOSEPH W. ROBERTSON IN THE FROST DECREE.

Dates: App. Received: Priority Date: 04/02/1906
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 37 Field Exam Fee:

TRANSMITTAL COVER SHEET

TO: ED KOESTER @
ROBERT JONES REALTY
Fax 733-0408

TOTAL PAGES SENT: 3
(including cover sheet)

DOCUMENT DESCRIPTION: PROFILE REPORT OF WATER RIGHT
RECORD 37-00584 AND SNAKE RIVER BASIN ADJUDICATION
CLAIM A37-00584

FROM:

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE ST, STE 200
TWIN FALLS ID 83301-3380

PHONE: 736-3033
FAX: 736-3037

CHARGES: One (1) free copy
per request, cover sheet not
counted. Two (2) or more
copies per request will cost
\$0.25 per page. (\$0.50
minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: _____ Please remit to the above address.

SENDER: Cory Skinner

COMMENTS: NOTE: THAT ADDITIONAL ACRES
HAVE BEEN CLAIMED IN THE SNAKE RIVER
BASIN ADJUDICATION THAN WHAT WAS ORIGINALLY
DECREED.

10/09 16:08
97330408
00:01:36
03
OK
STANDARD

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

TIME : 10/09/1998 16:09
NAME : IDWR SOUTHERN REGION
FAX : 2087363037
TEL : 2087363033

TRANSMISSION VERIFICATION REPORT

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: A37-00584
Date Received: 9/16/1988
Receipt No: S002260
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DALTON BROTHERS A PARTNERSHIP 208-837-4825
Address: 1071 EAST 2250 SOUTH
BLISS ID 83314

AND/OR

Name: RICHARD H. DALTON 208-837-4825
Address: 1071 EAST 2250 SOUTH
BLISS ID 83314

AND/OR

Name: MOLLIE RAE DALTON 208-837-4825
Address: 1071 EAST 2250 SOUTH
BLISS ID 83314

2. Date of Priority: APR 2, 1906

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	16E	7	NW	SW	NW	2	GOODING

5. Description of diverting works:
ROBERTSON #26 HEADGATE, GRAVITY DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	11/01	3.200		

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

8. Total consumptive use is 977.7 Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	14E	10	SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			SE		SE		IRR	40.0
Section Acres								120.0
		11	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	5.9
Section Acres								205.9
Total Acres								325.9

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:
BIG WOOD CANAL CO., AMERICAN FALLS RES. DIST. NO. 2

14. Remarks:
ACTUAL ACREAGE IN SESE, SEC. 11, T5S, R14E, IS 5.91 ACRES,
BRINGING THE TOTAL IRRIGATED ACRES TO 325.91 ACRES.

OWNERSHIP CHANGE 12/12/91 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

BIG WOOD CANAL CO.
Decree Plaintiff

S. H. CHAPMAN, ET. AL.
vs Decree Defendant

MICROFILMED
FEB 23 1993

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): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____
Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
FEB 23 1993

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: A37-00584
Date Received: 8/31/1988
Receipt No: S002260 *llt*
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FIELDS INVESTMENT CORPORATION 208-342-8020
Address: 2033 WHITE PINE LANE
BOISE, ID 83706

2. Date of Priority: APR 02, 1906

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	16E	7	NW	SW	NW	2	GOODING

5. Description of diverting works:
ROBERTSON #26 HEADGATE, GRAVITY DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	11/01	3.200		

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

8. Total consumptive use is 977.7 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	14E	10	SE	NE		IRR	40.0
			NE	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 120.0

A37-00584

Page 1

Date: 02/16/89

MICROFILMED
FEB 23 1993

.0. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	14E	11	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	5.9
Section Acres								205.9
Total Acres								325.9

.1. Place of use in counties: GOODING

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

.3. Other Water Rights Used:

BIG WOOD CANAL CO., AMERICAN FALLS RES. DIST. NO. 2

.4. Remarks:

ACTUAL ACREAGE IN SESE, SEC. 11, T5S, R14E, IS 5.91 ACRES,
BRINGING THE TOTAL IRRIGATED ACRES TO 325.91 ACRES.

.5. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

BIG WOOD CANAL CO.

Decree Plaintiff

vs

S. H. CHAPMAN, ET. AL.

Decree Defendant

6. 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 Organizations:

I do solemnly swear or affirm that I am _____ of _____ Title _____, that I have signed the foregoing _____ Organization document in the space below as _____ of _____ Title _____ and that the statements contained in the _____ Organization foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
FEB 23 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number A37-00584Date Received 8-31-88Receipt Number 5002260NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWDepartment of Water Resources
Southern Region Office

AUG 31 1988

FILED

Please type or print clearly

1. Name of Claimant (s) Fields Investment Corporation Phone (208) 342-8020
Mailing Address 2033 White Pine Lane - Boise, Idaho Zip 837062. Date of Priority (Only one (1) per claim) April 2, 19063. Source of water supply (a) River - Big Wood
which is tributary to (b) Big Wood River Malad River4. a. Location of existing point of diversion is: Township 5S., Range 16E., Section 7,
NW 1/4 1/4 of SW 1/4 1/4 of NW 1/4 1/4, Govt. Lot, 12 B.M., County of Gooding

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditchés, Wells, Pumps, Pipelines, Headgates , Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____Robertson Ditch, Concrete Structure diverts into Gravity DitchMICROFILMED
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Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes: (both dates are inclusive) (cfs) (acre feet)
- For irrigation purposes from 4-15 to 11-1 amount 6.4 or _____
- For _____ purposes from _____ to _____ amount _____ or _____
- For _____ purposes from _____ to _____ amount _____ or _____
- For _____ purposes from _____ to _____ amount _____ or _____
7. Total quantity claimed (a) 6.4 (cfs) and/or (b) _____ (acre feet)
8. Total consumptive use claimed is 977.73 acre feet per annum.
9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____
10. Description of place of use:
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5S.	14E.	10				40									40			40	120
		11									40	40	40	40			40	5.91	205.91

Total number of acres irrigated 325.91

11. In which county (ies) are lands listed above as place of use located? Gooding
12. Do you own the property listed above as place of use? Yes XXXXXX No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
Big Wood Canal Company and American Falls Reservoir District No. 2 or None ()
14. Remarks:

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Last Name Liddle Investment Ident No. 37-00584

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree XXXX
If applicable provide IDWR Water Right Number 37-0584 12-13-09
Court Fourth Judicial District Case Number _____ Decree Date 4-2-06
Plaintiff vs Defendant S. C. Frost et al vs. Alturas Water Company, et al

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 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Robert E. Fields President
Title
of Fields Investment Corporation , that I have signed the foregoing
Organization
document in the space below as President of Fields Investment Corporation
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Robert E. Fields President
Title and Organization Phillip Fields, Sec Date 8-12-88

State of Idaho/or Idaho)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 12 day of August 19 88

SEAL

Notary Public Ralf M. Lucke
Residing at Gooding, Idaho
My Commission Expires Life Term
Please Print Name

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

Signature _____

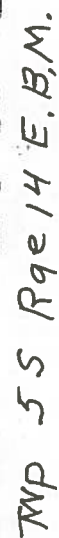
Address _____

Date _____

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Last Name Fields Investment Ident. Number 37-00584

Copies White-State, Yellow-Claimant





114°37'30"

490 000 FEET

S 7
T 55
R 16E

Produced by the Geological Survey

Orthophotograph prepared from 1:76,000-scale
aerial photographs taken August 4, 1974

Projection and 10,000-foot grid ticks: Idaho coordinate
system, central zone (transverse Mercator)
1000-foot grid ticks: Universal Transverse Mercator grid ticks,
Zone 12, UTM 1927, North American Datum

Photoimagery transformed by scanning techniques
which may produce some or mismatched images;

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1000
FEET

NORTH

9/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Fields Investment Corp. CLAIM IDENT. NO. A37-00584
DATE RECEIVED 8-31-88 CK # 5002260 AMOUNT \$ _____

	YES	NO
1. Is the name and address complete with zip code?	<u>X</u>	_____
2. Is a priority date entered?	<u>X</u>	_____
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). <u>Decree</u> USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.		
3. (a) Is a source entered?	<u>X</u>	_____
(b) Is a tributary to entered? (if required) N/A _____	<u>X</u>	_____
4. Is the legal description of the p.d. sufficient?	<u>X</u>	_____
5. Is there a description of the diverting works?	<u>X</u>	_____
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	<u>X</u>	_____
Is the period of use included?	<u>X</u>	_____
Is a quantity claimed for each use?	<u>X</u>	_____
7. Is a total quantity claimed entered?	<u>X</u>	_____
8. If required is a consumptive use entered? N/A _____	<u>X</u>	_____
Is the consumptive use correct? N/A _____	<u>X</u>	_____
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4.	<u>X</u>	_____
10. Is (are) the place(s) of use entered?	<u>X</u>	_____
11. Is (are) the county(ies) entered?	<u>X</u>	_____
12. Is the ownership of p.u. checked?	<u>X</u>	_____
13. Are other water rights listed or "none" checked?	<u>X</u>	_____
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A <u>X</u>	_____	_____
15. Is the basis of the claim checked?	<u>X</u>	_____
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	<u>X</u>	_____
Has the claim been signed, sealed, and dated by a notary?	<u>X</u>	_____
Is the fee enclosed correct?	<u>X</u>	_____
If this claim is based on an existing water right, has the identification number been entered? N/A _____	<u>X</u>	_____
Should this claim be receipted and data entered?	<u>X</u>	_____

Claim checked by: LLH **RECORDED**
FEB 23 1993

Comments: the decreed wt. is for 3.2 cfs / this claim is for 6.4 cfs.
need proof report; write letter stating limitation of decreed wt
also, acreage increased from 320 to 325.71



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 6, 1989

Mr. and Mrs. Robert Fields
Fields Investment Corporation
2033 White Pine Lane
Boise, Idaho 83706

Re: Notice of Claim to a Water Right
No. A37-00584 - Gooding County

Dear Mr. and Mrs. Fields:

We have accepted your Notice of Claim to a Water Right based on water right 37-00584. However, our records show that the original decreed right was issued for only 3.2 cubic feet per second (cfs). Your claim was for 6.4 cfs.

In order to protect the additional amount of water you are now claiming, you have several choices. You may file another claim for the additional 3.2 cfs. This does not mean that the claim will be automatically allowed. If this additional amount of water is contested in the Snake River Basin Adjudication, this claim may eventually be recommended for disallowal.

Your other option is to file an Application for Permit on this additional water and have it acted upon by the Department and may eventually be licensed. In this case, the date of priority is the date the complete application is received and since the proof of beneficial use would be after the commencement date, November 17, 1987, you would not be required to file a Notice of Claim.

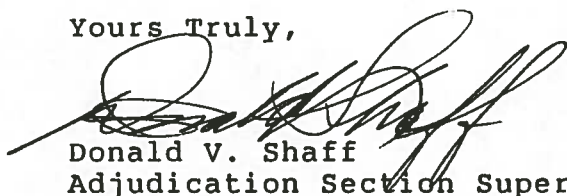
Also, you should be aware that we have accepted your claim listing 325.91 acres. The original decreed right lists 320 acres. This claim is being accepted under the presumption statute. However, as stated above, this does not mean that these additional acres will automatically be allowed. The presumptions under the statute are rebuttable and if this claim is contested, the water right may be limited to 320 acres.

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FEB 23 1993

Mr. and Mrs. Robert Fields
March 6, 1989
Page 2

I have enclosed a Notice of Claim to a Water Right form and an Application for Permit form. You may submit either one or both, depending on your decision. If you elect to file the Application for Permit, please forward it to the Southern Region Office, 2148 Fourth Avenue, East, Twin Falls, ID 83301 along with the correct fee. Should you decide to submit a Notice of Claim, please forward it to this office at my attention. If you submit the Notice of Claim before April 6, 1989, you will not be assessed a late filing fee. Please do not hesitate to contact this office if you have any questions or concerns.

Yours Truly,



Donald V. Shaff
Adjudication Section Supervisor

DVS:db

Enclosures

Rec. #S002260

A37-00584, Data Entered Copy

Application for Permit w/Instructions

Long Form w/Instructions

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FEB 23 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 5 S Range 16 E Section 11, 1/4 of 1/4 of 1/4 Govt. Lot BM
Lot 2, Block, _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

JUN 17 1991

Department of Water Resources
Southern Region Office

☐ 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)

☐ Water Right Number(s) Assigned by IDWR: A 37-00 584

☐ Name and Address of Former Owner/Claimant(s)(Seller): Fields Investment Corp
2033 White Pine Lane, Boise Id

☐ New Owner/Claimant (Purchaser): (1) Richard H. Dalton
(2) Maellie Rae Dalton
(3) Dalton Brothers, a partnership

☐ New Mailing Address: 1071 East 2250 South
Boise, Id 83314

☐ New Telephone Number: (208) 837 - 4825

☐ 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: _____

(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): Richard H. Dalton Date 6-6-91
Maellie Rae Dalton Date 6-6-91

☐ Signature of Former Owner/Claimant(s): Matthew R. Dalton Date 6-6-91
Ref W Dalton Date 6-6-91

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12/12/91 By: EC

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 12/12/91 By: EC

Claim Numbers of Split, if any:

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FEB 23 1993

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

RECEIVED

EXHIBIT "A"

JUN 17 1991

Department of Water Resources
Southern Region Office

Parcel I

The East one-half of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 10, Township 5 South, Range 14, East of the Boise Meridian, Gooding County, Idaho.

Parcel II

The Southwest Quarter and the Southwest Quarter of the Southeast Quarter and that portion of the Southeast Quarter of the Southeast Quarter of Section 11, Township 5 South, Range 14, East of the Boise Meridian, Gooding County, Idaho, described as follows:

BEGINNING at the Southwest corner of said Southeast Quarter of the Southeast Quarter;
Thence North 525 feet;
Thence East 490 feet;
Thence South 525 feet to the South boundary of Section 11;
Thence West 490 feet to the TRUE POINT OF BEGINNING.

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FEB 23 1993

SD-36	Township: 05S	Range: 14E	Section: 11	Tract:	Lot:
S	L	STATE	O	S	Max # Records 36
E	O	Water	W	T	Priority Use
L	Tract T	Right No.	Name	N	AC G Date Code Desc
			Last, First		
	SESE	A37-12814		J	12/31/1909 04 STOCK
	SESE	A37-12814	FIELDS INVESTMENT CORP	C	J 12/31/1909 43 DOMEST
					04 STOCK
	SESE	A37-00584	ROBERTSON, JOSEPH W.	O	5 D 04/02/1906 01 IRR
			FIELDS INVESTMENT CORP	C	
	SESE	A37-00867Z1	LARGE CLAIM	C	30 D 01/01/1901 39 GWR FS

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE (MENU _____)
(Enter=Continue) (GOLD7=This Query)

MICROFILMED
FEB 23 1993

SD-36	Township: 05S		Range: 14E	Section: 11	Tract:		Lot:	
S	L		STATE	O	S	Max #	Records	36
E	O	Water	Name	W	T	Priority	Use	
L	Tract T	Right No.	Last, First	N	AC	G	Date	Code Desc
-	-	-	-	-	-	-	-	-
-	NENW	A37-11196	SILVA, WANDA E.	C		J	06/01/1972	43 DOMEST
-			SILVA, MANUEL E	C				04 STOCK
-	NENW	A37-11196	SILVA, WANDA E.	C		J	06/01/1972	43 DOMEST
-			SILVA, MANUEL E	C				04 STOCK
-	NENW	A37-00867Z1	LARGE CLAIM	C	35	D	01/01/1901	39 GWR FS
-	NWNW	A01-00006	AMERICAN FALLS RESERVO	C	29	D	03/30/1921	01 IRR
-	NWNW	A37-00867Z1	LARGE CLAIM	C	39	D	01/01/1901	39 GWR FS
-	SWNW	A01-00006	AMERICAN FALLS RESERVO	C	28	D	03/30/1921	01 IRR
-	SENW	A37-00867Z1	LARGE CLAIM	C	39	D	01/01/1901	39 GWR FS
-	NESW	A37-00584	ROBERTSON, JOSEPH W.	O	40	D	04/02/1906	01 IRR
-			FIELDS INVESTMENT CORP	C				
-	NESW	A01-00006	AMERICAN FALLS RESERVO	C	29	D	03/30/1921	01 IRR
-	NESW	A37-00867Z1	LARGE CLAIM	C	40	D	01/01/1901	39 GWR FS
-	NWSW	A37-00584	ROBERTSON, JOSEPH W.	O	40	D	04/02/1906	01 IRR
-			FIELDS INVESTMENT CORP	C				
-	NWSW	A01-00006	AMERICAN FALLS RESERVO	C	37	D	03/30/1921	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
FEB 23 1993

SD-36	Township: 05S		Range: 14E	Section: 11	Tract:		Lot:	
S	L		STATE	O	S	Max #	Records	36
E	O	Water	Name	W	T	Priority	Use	
L	Tract	T	Right No.	N	AC	G	Date	Code Desc
-	-	-	-	-	-	-	-	-
-	SWSW		A37-00584	ROBERTSON, JOSEPH W.	O	40	D	04/02/1906 01 IRR
-				FIELDS INVESTMENT CORP	C			
-	SWSW		A01-00006	AMERICAN FALLS RESERVO	C	38	D	03/30/1921 01 IRR
-	SESW		A37-00584	ROBERTSON, JOSEPH W.	O	40	D	04/02/1906 01 IRR
-				FIELDS INVESTMENT CORP	C			
-	SESW		A37-00867Z1	LARGE CLAIM	C	18	D	01/01/1901 39 GWR FS
-	NESE		A37-00867Z1	LARGE CLAIM	C	38	D	01/01/1901 39 GWR FS
-	NWSE		A37-04363	LEGUINECHE, LOUIE	C	17	S	05/10/1915 01 IRR
-				LEGUINECHE, MICKEY R.	C			04 STOCK
-	NWSE		A37-00867Z1	LARGE CLAIM	C	29	D	01/01/1901 39 GWR FS
-	SWSE		A37-12814	FIELDS INVESTMENT CORP	C		J	12/31/1909 43 DOMEST
-								04 STOCK
-	SWSE		A37-00584	ROBERTSON, JOSEPH W.	O	40	D	04/02/1906 01 IRR
-				FIELDS INVESTMENT CORP	C			
-	SWSE		A37-00867Z1	LARGE CLAIM	C	35	D	01/01/1901 39 GWR FS
-	SESE		A37-12814	FIELDS INVESTMENT CORP	C		J	12/31/1909 43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
FEB 23 1995

SD-36	Township: 03S		Range: 14E	Section: 10	Tract:		Lot:		
S	L		STATE	O	S	Max #	Records	25	
E	O	Water	Name	W	T	Priority	Use		
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code Desc
-	-	-	-	-	-	-	-	-	-
-	NENE		A01-00006	AMERICAN FALLS RESERVO	C	39	D	03/30/1921	01 IRR
-	NWNE		A37-00867Z1	LARGE CLAIM	C	40	D	01/01/1901	39 GWR FS
-	SWNE		A37-00580A	BELLAMY, DON E.	C	8	D	04/02/1906	01 IRR
-				BELLAMY, MARILEE J.	C				
-	SWNE		A37-00859A	BELLAMY, DON E.	C	26	D	03/01/1914	01 IRR
-				BELLAMY, MARILEE J.	C				
-	SWNE		A01-00006	AMERICAN FALLS RESERVO	C	37	D	03/30/1921	01 IRR
-	SENE		A37-00584	ROBERTSON, JOSEPH W.	O	40	D	04/02/1906	01 IRR
-				FIELDS INVESTMENT CORP	C				
-	SENE		A01-00006	AMERICAN FALLS RESERVO	C	31	D	03/30/1921	01 IRR
-	NENW		A37-00867Z1	LARGE CLAIM	C	9	D	01/01/1901	39 GWR FS
-	SENW		A37-00867Z1	LARGE CLAIM	C	14	D	01/01/1901	39 GWR FS
-	NESW		A37-00867Z1	LARGE CLAIM	C	39	D	01/01/1901	39 GWR FS
-	NWSW		A37-00867Z1	LARGE CLAIM	C	28	D	01/01/1901	39 GWR FS
-	SESW		A37-00859A	BELLAMY, DON E.	C	14	D	03/01/1914	01 IRR
-				BELLAMY, MARILEE J.	C				
-									

(Enter=Continue)

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(MENU _____)

MICROFILMED
FEB 23 1993

SD-36	Township: 05S	Range: 14E	Section: 10	Tract:	Lot:
S	L	STATE	O	S	Max # Records 25
E	O	Water	W	T	Priority Use
L	Tract T	Right No.	N	AC	G Date Code Desc
-	-	-	-	-	-
-	SESW	A37-00867Z1	LARGE CLAIM	C	23 D 01/01/1901 39 GWR FS
-	NESE	A37-00584	ROBERTSON, JOSEPH W.	O	40 D 04/02/1906 01 IRR
-			FIELDS INVESTMENT CORP	C	
-	NESE	A01-00006	AMERICAN FALLS RESERVO	C	40 D 03/30/1921 01 IRR
-	NWSE	A37-00580A	BELLAMY, DON E.	C	10 D 04/02/1906 01 IRR
-			BELLAMY, MARILEE J.	C	
-	NWSE	A37-00859A	BELLAMY, DON E.	C	40 D 03/01/1914 01 IRR
-			BELLAMY, MARILEE J.	C	
-	NWSE	A37-00867Z1	LARGE CLAIM	C	39 D 01/01/1901 39 GWR FS
-	SWSE	A37-00580A	BELLAMY, DON E.	C	10 D 04/02/1906 01 IRR
-			BELLAMY, MARILEE J.	C	
-	SWSE	A37-00859A	BELLAMY, DON E.	C	34 D 03/01/1914 01 IRR
-			BELLAMY, MARILEE J.	C	
-	SWSE	A37-10505	BELLAMY, DON E.	C	J 09/10/1915 04 STOCK
-			BELLAMY, MARILEE	C	43 DOMEST
-	SWSE	A01-00006	AMERICAN FALLS RESERVO	C	29 D 03/30/1921 01 IRR

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
FEB 23 1993

SD-36	Township: 05S	Range: 14E	Section: 10	Tract:	Lot:
S	L	STATE	O	S	Max # Records 25
E	O	Water	W	T	Priority Use
L	Tract T	Right No.	Last, First	N AC G	Date Code Desc

SWSE	A37-00867Z1	LARGE CLAIM	C 36 D	01/01/1901	39 GWR FS
SESE	A37-00584	ROBERTSON, JOSEPH W.	O 40 D	04/02/1906	01 IRR
		FIELDS INVESTMENT CORP	C		
SESE	A01-00006	AMERICAN FALLS RESERVO	C 37 D	03/30/1921	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
FEB 23 1993

SD-33	Last Name: FIELDS						STATE	
S		O						
E	First	W	Water	Priority		Total	Use	
L	Name	N	Right No.	Date	Source	Diversion	Code Desc	
-	-	-	-	-	-	-	-	-
-	FIELDS							
-	LOWELL G.	C	A37-11005	04/01/1919	GROUNDWATER	0.070	43 DOMEST	
-							04 STOCK	
-	MARY L.	C	A37-11005	04/01/1919	GROUNDWATER	0.070	43 DOMEST	
-							04 STOCK	
-	WESLEY D.	O	A37-02736	05/26/1966	CORRAL CREE	8.000	01 IRR	
-					SPLIT RIGHT			
-	EUGENE E.	O	A37-12638	12/31/1950	GROUNDWATER	0.040	43 DOMEST	
-	EUGENE E.	C	R37-12638	12/31/1950	GROUNDWATER	0.040	43 DOMEST	
-	FIELDS INVESTMENT CORPORATION							
-		C	A37-12814	12/31/1909	GROUNDWATER	0.240	43 DOMEST	
-							04 STOCK	
-		C	A37-00584	04/02/1906	BIG WOOD RI	3.200	01 IRR	
-	FIELDS LAND CO.							
-		C	A37-00463A	06/01/1885	CORRAL CREE	1.100	01 IRR	
-					LANSING CRE			

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
FEB 23 1993



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

12-Dec-1991 13:59

DALTON BROTHERS A PARTNERSHIP
RICHARD H. DALTON
MOLLIE RAE DALTON
1071 EAST 2250 SOUTH
BLISS ID 83314

Re: Ownership Change for Adjudication Claim NO.(S): A37-00584 -
FIELD INVESTMENT CORP.

Dear Claimant(s):

Pursuant to the notification that you presently own the property in which the above referenced Adjudication Claim is appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed a copy of the computer record of the claim noting the change in claimant.

Please review the record and if you have any corrections or questions, please feel free to call this office.

Sincerely,

A handwritten signature in cursive script, likely belonging to Judy Givens.

Judy Givens
Adjudication Secretary

/jg

Enclosures

MICROFILMED
FEB 23 1993

MEMORANDUM

TO: A37-00584 File

FROM: Corey Skinner *CS*

DATE: April 30, 1996

SUBJECT: Conversation Memorandum

This day, Ed Koeste came in and inquired about a Big Wood River right that is delivered through the Robertson Ditch and used on part of the East $\frac{1}{2}$ of the East $\frac{1}{2}$ of Section 10 (T05S, R14E) and the SW $\frac{1}{4}$ and the South $\frac{1}{2}$ of the SE $\frac{1}{4}$ of section 11 (T05S, R14E) on land that is currently owned by the Daltons. I tracked down water right 37-00584 and A37-00584 which matched the information (point of diversion, amount, delivery system, place of use, etc.) that Mr. Koeste provided.

Mr. Koeste is apparantly representing an out of state client that is thinking of purchasing the Dalton place. Mr. Koeste stated that the Daltons run the 37-00584 water out of the Big Wood River through the Robertson Ditch, and then divert the water out of the Robertson Ditch into Dry Creek, and then pump the water out of Dry Creek further downstream to be used to irrigate their land. Mr. Koeste was wondering if the Daltons could pump their water out of Dry Creek. I noted that claim A37-00584 did not mention running the water through, and pumping from Dry Creek. The claim states that the water is ran through the Robertson #26 headgate and then a gravity ditch. Mr. Koeste stated that he thought the Daltons began the practice of pumping their Robertson ditch water out of Dry Creek when they purchased the property around 1991. Unsure of whether or not this was a proper thing to do without filing a transfer, amending a claim, or some other form of documentation, I proceeded to seek assistance from Allen Merritt, Southern Regional Manager.

Mr. Koeste and I sat down with Allen and discussed the situation. Allen expressed concerns about the possibility of injury to any other water rights out of Dry Creek around, especially below, the Dalton place. Allen created a selection file showing the adjudication claims out of Dry Creek in the same Township and Range as the Dalton Place. It was discovered that a couple of claims out of Dry Creek existed in the vicinity of the Dalton place. Allen suggested that the current owner, the Daltons, file a transfer to inject their Robertson Ditch water into Dry Creek and redivert from Dry Creek. This would provide the Daltons, and any future owners, a documentation of the present irrigation delivery practice, and notify any other users of Dry Creek water through the public notice advertising of the transfer of what was proposed/currently going on.

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A37-00584 memo
04/30/96

Mr. Koeste said he would notify the current owner about filing a transfer to show the current practice. I gave Mr. Koeste my card so that the current owner could contact me about the process.



WARRANTY DEED

FOR VALUE RECEIVED,

Fields Investment Corporation, a now defunct Corporation,
a corporation duly organized and existing under the laws of the State of Idaho,
grantor, does hereby Grant, Bargain, Sell and Convey unto

Dalton Brothers, a partnership; and Richard H. Dalton and Mollie Rae Dalton,
Husband and Wife

whose address is: HC60, Box 1420, Bliss, ID, 83314,
grantee, the following described real estate, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

'TOGETHER WITH 100 shares of Big Wood Canal Company water;
320 inches with a priority date of April 2, 1906, State Water Right 37-0584;
and 111.13 inches of American Falls Supplemental water

SUBJECT TO current years taxes, irrigation district assessment, public utility
easements, subdivision restrictions and U.S. patent reservations.

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

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 25th day of April, 1990.

'TOGETHER WITH 100 shares of Big Wood Canal Company water;
320 inches with a priority date of April 2, 1906, State Water Right 37-0584;
and 111.13 inches of American Falls Supplemental water

SUBJECT TO current years taxes, irrigation district assessment, public utility
easements, subdivision restrictions and U.S. patent reservations.

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

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 25th day of April, 1990.

Fields Investment Corporation

BY

Robert E. Fields

PRESIDENT.

ATTEST:

Mellie Fields

SECRETARY.

WARRANTY DEED

For Value Received

DALTON BROTHERS, a partnership; and RICHARD H. DALTON AND MOLLIE RAE DALTON, Husband and Wife

the grantors , do hereby grant, bargain, sell and convey unto

RICHARD H. DALTON AND MOLLIE RAE DALTON, Husband and Wife, as to an undivided one-half interest and DALTON BROTHERS, a partnership, as to the grantees , whose current address is an undivided one-half interest

HC60, Box 1420, Bliss, Idaho 83314

the following described premises, in Gooding..... County Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

RECEIVED

JUN 17 1991

Department of Water Resources
Southern Region Office

TOGETHER WITH 100 shares of Big Wood Canal Company water; 320 inches with a priority date of April 2, 1906, State Water Right 37-0584; and 111.13 inches of American Falls Supplemental water.

SUBJECT TO current years taxes, irrigation district assessments, public utility easements, subdivision restrictions and U. S. Patent reservations.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the Grantor s do hereby covenant to and with the said Grantees , that the y are the owner s in fee simple of said premises; that they are free from all encumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: December 12, 1990

Richard H. Dalton
RICHARD H. DALTON

Mollie Rae Dalton
MOLLIE RAE DALTON

Matthew Dalton
MATTHEW DALTON, Partner

Barry Dalton
BARRY DALTON, Partner

STATE OF IDAHO, COUNTY OF Gooding
On this 12 day of December, 1990,
before me, a notary public in and for said State, personally
appeared

Richard H. Dalton and
Mollie Rae Dalton

known to me to be the person s who executed the same,
subscribed to the within instrument, and acknowledged to me
that they

Shelli Rae Mason

Notary Public

Residing at Gooding, Idaho
Comm. Expires 6-24-93

STATE OF IDAHO, COUNTY OF Gooding
I hereby certify that this instrument was filed for record at the request
of

FIRST AMERICAN TITLE

at 30 minutes past 2 o'clock p m.,
this 15th day of April,
19 91, in my office, and duly recorded in Book
of Deeds at page

JOHN A. MYERS

Ex-Officio Recorder

By Alberta Solis

Deputy.

Fees \$ 9.00
Mail to:



First American Title Company of Idaho

INSTRUMENT NO. 14434

Water Right Number - 37-00584

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***
ROBERTSON

JOSEPH W.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/02/1906 17 D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BIG WOOD RIVER MALAD RIVER

+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County Stream Index (Blank if no Index Code)

05S 16E 7 SW NW 2 (47) GOODING

+ - - - - Description Period From Period To Diversion Rate Diversion Volume
Code

01 - IRRIGATION

3.200

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
3.200

+ - - - - Twn Rng Sec Tract Lot Acres Place of Use - - - - - Description County

| | | | | | | | |
|-----|-----|----|-------|----|------------|------|---------|
| 05S | 14E | 10 | SE NE | 01 | IRRIGATION | (47) | GOODING |
| 05S | 14E | 10 | NE SE | 01 | IRRIGATION | (47) | GOODING |
| 05S | 14E | 10 | SE SE | 01 | IRRIGATION | (47) | GOODING |
| 05S | 14E | 11 | NE SW | 01 | IRRIGATION | (47) | GOODING |
| 05S | 14E | 11 | NW SW | 01 | IRRIGATION | (47) | GOODING |
| 05S | 14E | 11 | SW SW | 01 | IRRIGATION | (47) | GOODING |
| 05S | 14E | 11 | SE SW | 01 | IRRIGATION | (47) | GOODING |
| 05S | 14E | 11 | SW SE | 01 | IRRIGATION | (47) | GOODING |

Total Acres:

+ - - Diversion Means - ROBERTSON #26 HEADGATE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
AC. IRRIG. NOT SPECIFIED. FARM = 320 AC.
ORIGINALLY DECREEED TO JOSEPH W. ROBERTSON IN THE FROST DECREE.

MICROFILMED
FEB 23 1993

