

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: **A36-07492B**
Date Received: 4/12/1990
Receipt No: S012036
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WESTERN DAIRYMEN COOPERATIVE INC 303-451-0422
Address: 12450 N. WASHINGTON ST.
THORNTON CO 80241

2. Date of Priority: JUL 31, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	18E	35	NE	NE			JEROME

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.960		

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

8. Total consumptive use is 594.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	18E	36	SW	NW		IRR	6.0
			SE	NW		IRR	39.0
			NE	SW		IRR	39.0
			NW	SW		IRR	39.0
			SW	SW		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	18E	36	SE	SW	IRR	36.0

Section Acres 198.0

Total Acres 198.0

11. Place of use in counties: JEROME

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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: _____



WESTERN DAIRYMEN COOPERATIVE, INC.

RECEIVED
NOV 22 1991

Department of Water Resources

November 18, 1991

Idaho Department of Water Resources
Attn: Adjudication Bureau
State House Mail
Boise, Idaho 83720

RECEIVED

DEC 20 1991

Dear Idaho Department of Water Resources:

Department of Water Resources

We would like to change on your records the ownership of water rights represented by Water Right No. 36-7492B. Your records presently indicate ownership in the name of Mountain Empire Dairymen's Association. We would like to change this name to Western Dairymen Cooperative, Inc.

Enclosed is a completed form entitled New Property Owner Notice of Change of Water Right Ownership. Also enclosed are documents described in the proof of ownership as set forth in the form.

Please confirm by letter to the undersigned the change of ownership on your records.

Yours truly,

WESTERN DAIRYMEN COOPERATIVE, INC.

Lee W. Mortensen
Senior Vice President and
Chief Finance Officer

LWM/df

enc.



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FEB 14 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 8 S. Range 18 E.
Section 36, NW 1/4 of SW 1/4 of 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet. See attached Warranty Deed.

☐ 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) 36-7492B
Assigned by IDWR: _____

☒ Name and Address of Former Owner/Claimant(s)(Seller): Mountain Empire Dairymen's Association
12450 N. Washington Street

☐ New Owner/Claimant (Purchaser): Thornton, Colorado 80241
Western Dairymen Cooperative, Inc.

☒ New Mailing Address: 12450 N. Washington Street
Thornton, Colorado 80241

☒ New Telephone Number: (303) 451 - 0422

☒ 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: See attached Warranty Deed conveying water rights and license, attached Certificate of Merger issued by the Secretary of State of Colorado and attached Certificate of Authority issued by the Secy, of State of Idaho to Western Dairymen Cooperative, Inc.

(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) Western Dairymen Cooperative, Inc. Date 11-18-91
By: [Signature] Date _____

☐ Signature of Former Owner/Claimant(s): Mountain Empire Dairymen's Assoc. Date 11-18-91
By: [Signature] 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: 1-2-92 By: JG.

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

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FEB 14 1993

1 WARRANTY DEED CONVEYING WATER RIGHT AND LICENSE

2 DEED made this 12th day of July, 1985, between DON
3 McFARLAND and CAROL L. McFARLAND, husband and wife, of Box 268,
4 Eden, Idaho 83325 (Grantors) and MOUNTAIN EMPIRE DAIRYMEN'S
5 ASSOCIATION, a corporation of 12450 North Washington Street,
6 Thornton, Colorado 80241 (Grantee).

7 W I T N E S S E T H

8 The Grantors, for valuable consideration herein receipted
9 for but not recited to the Grantors in hand paid by the Grantee
10 have granted, bargained, and sold and by this deed do grant,
11 bargain, sell, and convey unto the Grantee and to its successors
12 and assigns, the following:

13 WATER RIGHT LICENSE NO. 36-7492B for 3.96 cfs.
14 of water appurtenant to Section 36, Township 8
15 South, Range 18 East, Boise Meridian, particularly
16 in the Northwest Quarter and the Southwest Quarter
17 thereof, having a point of diversion in the North-
18 east Quarter Northeast Quarter of Section 35,
19 Township 8 South, Range 18 East, Boise Meridian,
20 Jerome County, Idaho.

21 The Grantors warrant that the license is in good
22 standing with the State of Idaho and that they will, upon request
23 of the Grantee, execute any and all other documents necessary to
24 transfer said license to other lands in Jerome County for use by
25 the Grantee on Sections 7 and 18 in Township 9 South, Range 17
26 East, and Section 12 in Township 9 South, Range 17 East, Boise
27 Meridian, Jerome County, Idaho.

28 This deed has been executed by the Grantors as successors
29 in interest of Sundance, Inc. who was the original optionor for

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FEB 04 1993

1 the water to the Grantee. The Grantors warrant that they are the
 2 successors in interest of Sundance, Inc. and that Sundance, Inc.
 3 no longer has an interest in the water and the Grantors will
 4 defend the Grantee against any claims by Sundance, Inc. as a
 5 result of the prior option.

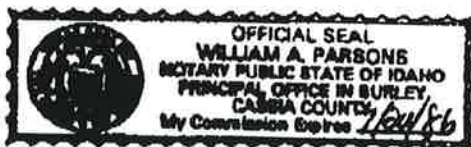
6 IN WITNESS WHEREOF, the Grantors have executed this
 7 deed the day and year first above written.

8 Don McFarland
 9 Don McFarland

Carol L. McFarland
 Carol L. McFarland

10 STATE OF IDAHO)
 11 County of Cassia) ss.

12 On this 12th day of July, 1985, before me, the under-
 13 signed, a Notary Public in and for said State, personally appeared
 14 DON MCFARLAND and CAROL L. MCFARLAND, husband and wife, known or
 15 identified to me to be the persons whose names are subscribed to
 16 the within instrument, and acknowledged to me that they executed
 17 the same.



21
 22
 23
 24
 25
 26

William A. Parsons
 Notary Public for Idaho
 Residing at Burley, Idaho

291483
 MICROFILMED
 JUNE 15 10 25 AM '85
 JEROME COUNTY, IDAHO
 FEES \$1.00
 EFF 118

STATE OF COLORADO



DEPARTMENT OF
STATE

CERTIFICATE

I, NATALIE MEYER, *Secretary of State of the State of Colorado hereby certify that the prerequisites for the issuance of this certificate have been fulfilled in compliance with law and are found to conform to law.*

Accordingly, the undersigned, by virtue of the authority vested in me by law, hereby issues A CERTIFICATE OF MERGER

TO 2 NON QUALIFIED COOPERATIVE CORPORATIONS & MOUNTAIN EMPIRE DAIRYMEN'S ASSOCIATION, INC. (COLORADO CORPORATION), INTO WESTERN DAIRYMEN COOPERATIVE, INC. (COLORADO CORPORATION), THE SURVIVOR.



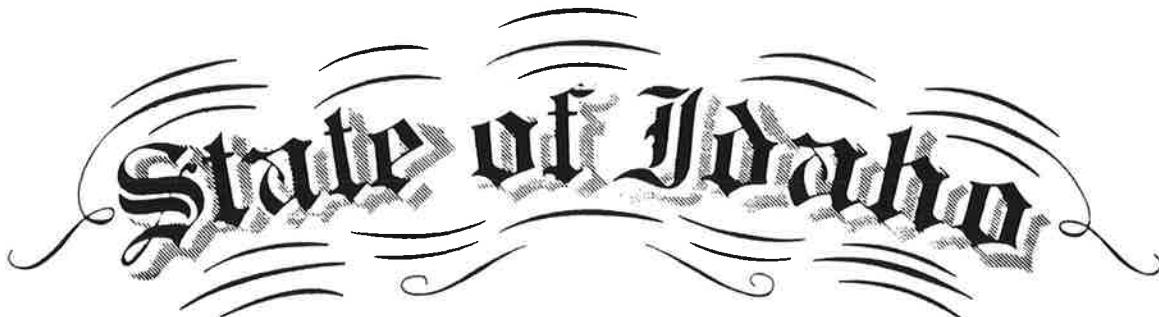
Natalie Meyer

SECRETARY OF STATE

DATED: JULY 31, 1987

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FEB 04 1993



Department of State.

CERTIFICATE OF AUTHORITY
OF

WESTERN DAIRYMEN COOPERATIVE, INC.

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of an Application of WESTERN DAIRYMEN COOPERATIVE, INC. for a Certificate of Authority to transact business in this State, duly signed and verified pursuant to the provisions of the Idaho Cooperative Marketing Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Authority to WESTERN DAIRYMEN COOPERATIVE, INC. to transact business in this State under the name WESTERN DAIRYMEN COOPERATIVE, INC. and attach hereto a duplicate original of the Application for such certificate.

Dated June 25, 1987



Pete T. Cenarrusa

SECRETARY OF STATE

By *Diane Walker*

FEB 04 1993

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 _____

ACTION NOTED

FROM: Judy - Southern Region

TO: File: A36-07492B -

1/3/92 - Received a phone call from Lee W. Mortensen - 303-451-0422 - I had sent him him a letter (see 26-DEC-1991) asking for information and an original on an Change of Ownership form. He explained that Pam Skaggs from Boise - had the original Change of Ownership form he had sent and had made the necessary changes. I called her - 1/3/92 - she said she had changed the water right side and sent to us a copy to our Region to do the Adjudication Side.

I will do the Change and send Mr. Mortensen a copy of his adjudication claim.

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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

03-Jan-1992 13:59

Lee Mortensen
WESTERN DAIRYMEN COOPERATIVE INC.
12450 N. WASHINGTON ST
THORNTON CO 80241

Re: Ownership Change for Adjudication Claim NO.(S): A36-7492B

Dear Mr. Mortensen:

This is in reference to our telephone conversation on 1/3/92 concerning your above-listed Adjudication Claim. I talked to Pam Skaggs at the State Office in Boise, and she said she had changed the water right 36-7492B to Western Dairymen's Cooperative Inc. She had sent a copy of the Ownership Change to our office so that I would change the Adjudication Claim, which I have done. I am enclosing a copy of the computerized Claim for your review.

If you have any corrections or questions, please feel free to call me at this office. I apologize for the confusion on this matter!

Sincerely,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures

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FEB 04 1993



ate 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

26-Dec-1991 11:42

Lee W. Mortensen
Senior Vice President
WESTERN DAIRYMEN COOPERATIVE INC.
12450 N. WASHINGTON ST.
THORNTON CO 80241

Re: Ownership Change for Adjudication Claim NO.(S): A36-07492B
MOUNTAIN EMPIRE DAIRYMEN'S ASSN

Greetings Mr. MORTENSEN:

THANK YOU for sending in the Change of Ownership form filled out for the above-referenced Claim. However, I am confused by the copy of the Warranty Deed you sent. This copy is listed between Mountain Empire Dairymen's Association as the Former Owner and the new Owner as Western Dairymen's Cooperative Inc., with you signing for both. Which I realize is possible but there are other items:

I need an original signed Notice of Change of Ownership form.

The copy of the exchange of ownership Warranty Deed is between Don McFarland and Carol McFarland and Mountain Empire Dairymen's Association. I need a copy of the exchange between Mountain Empire Dairymen's Association and Western Dairymen Cooperative Inc.

I apologize if this have caused you any inconvenience. Should you have any questions, please feel free to call me at 736-3033 or write to my attention.

Sincerely,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures

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FEB 04 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

November 29, 1991

RECEIVED

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

DEC 02 1991

Mr. Richard L. Schrepferman
Holme Roberts & Owen
Suite 4100
1700 Lincoln
Denver, CO 80203

Department of Water Resources
Southern Region Office

Dear Mr. Schrepferman:

I have been given your letter of November 6, 1991 regarding the water rights of Western Dairymen Cooperative, Inc. Your letter refers to water right number 36-74923, which is not a valid water right number.

Assuming instead that your letter referred to water right number 36-7492B a claim has been filed in the Snake River Basin Adjudication, a copy of which is enclosed. The claim for this water right has been properly filed with the Department but will not be adjudicated until it is included in a decree of the Court.

I have included some additional information to help describe the adjudication process. I have also included a form for completing a change in ownership for this water right should you elect to use it.

Please feel free to contact this office should you have additional questions.

Yours truly,

David B. Shaw
Adjudication Bureau Chief

DBS;dms

Enclosures

CC: IDWR, SOUTHERN REGION

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FEB 04 1993

Holme Roberts & Owen

Suite 400
102 North Cascade Avenue
Colorado Springs, Colorado 80903

Suite 900
50 South Main Street
Salt Lake City, Utah 84144

Attorneys at Law

Suite 4100
1700 Lincoln

Denver, Colorado 80203

Telephone (303) 861-7000
Telecopier 866-0200
Telex 45-4460

Denver Technological Center
Suite 900
8400 East Prentice Avenue
Englewood, Colorado 80111

Suite 400
1401 Pearl Street
Boulder, Colorado 80302

November 6, 1991

RECEIVED
NOV 12 1991

Richard L. Schrepferman

Idaho Department of Water Resources
Attn: R. Keith Higginson
State House Mail
Boise, Idaho 83720

Department of Water Resources

Dear Mr. Higginson:

Our law firm represents Western Dairymen Cooperative, Inc. We received the Commence Notice In re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, Civil No. 39576, in District Court of the Fifth Judicial District of the State of Idaho in and for the County of Twin Falls. We have undertaken an investigation of water rights owned or claimed by Western Dairymen Cooperative, Inc. After discussions with your office, we have determined that Western Dairymen Cooperative, Inc., which was formerly Mountain Empire Dairymen's Association, is the owner of Water Rights License No. 36-74923. We understand that this water right was properly adjudicated with the Idaho Department of Water Resources in 1990. We further understand that there is no need for Western Dairymen Cooperative, Inc. to readjudicate this claim or to file a notice of claim to a water right in Civil No. 39576, In re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System. If our understanding is in any way incorrect, please advise the undersigned immediately.

We will forward to you in the near future the documentation to effect a change of ownership of this water right from Mountain Empire Dairymen's Association to Western Dairymen Cooperative, Inc.

Thank you for your courtesy and cooperation.

Very truly yours,

Richard L. Schrepferman

Richard L. Schrepferman

RLS/ns
cc: Lee Mortensen
Lynn Cottrell

RLSC/DM4

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FEB 04 1993

Holme Roberts & Owen

Suite 400
102 North Cascade Avenue
Colorado Springs, Colorado 80903

Suite 900
50 South Main Street
Salt Lake City, Utah 84144

Attorneys at Law

Suite 4100
1700 Lincoln

Denver, Colorado 80203

Telephone (303) 861-7000
Telecopier 866-0200
Telex 45-4460

Denver Technological Center
Suite 900
8400 East Prentice Avenue
Englewood, Colorado 80111

Suite 400
1401 Pearl Street
Boulder, Colorado 80302

Richard L. Schrepferman

November 6, 1991

Bureau of Indian Affairs
P.O. Box 220
Ft. Hall Agency Irrigation Project
Ft. Hall, Idaho 83203

Dear Bureau of Indian Affairs:

Our law firm represents Western Dairyman Cooperative, Inc. We received a Commencement Notice in Civil No. 39576, In re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, pending in the Fifth Judicial District of the State of Idaho in and for the County of Twin Falls. We understand that Water Rights License No. 36-7492B in the Ft. Hall Agency Irrigation Project has been issued in the name of Intermountain Producers Association (IMPA). Western Dairyman Cooperative, Inc. is the successor in interest to Intermountain Producers Association. We have been assured by Mr. Alan Oliver, the Irrigation Project Administrator, that the adjudication of the water right represented by license no. 36-7492B has been properly effected with the Idaho Department of Water Resources. We further understand that there is no need for us to file a notice of claim to a water right in connection with the above-described general adjudication, Civil No. 39576. If this is incorrect in any way, please advise the undersigned immediately.

We will forward to you in the near future documentation to transfer ownership of Water Rights License No. 36-7492B from Intermountain Producers Association to Western Dairyman Cooperative, Inc.

Thank you for your courtesy and cooperation.

Very truly yours,

RLS/ns

Richard L. Schrepferman

cc: Idaho Department of Water Resources

Lee Mortensen

Lynn Cottrell

RLSC/DM6

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FEB 04 1993

Holme Roberts & Owen

Suite 400
102 North Cascade Avenue
Colorado Springs, Colorado 80903

Suite 900
50 South Main Street
Salt Lake City, Utah 84144

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Suite 4100
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Denver Technological Center
Suite 900
8400 East Prentice Avenue
Englewood, Colorado 80111

Suite 400
1401 Pearl Street
Boulder, Colorado 80302

Richard L. Schrepferman

November 6, 1991

City of Hayburn
P.O. Box 147
Hayburn, Idaho 83336

Dear City of Hayburn:

Our law firm represents Western Dairymen Cooperative, Inc. We received from the Idaho Department of Water Resources a Commencement Notice In re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System. The Commencement Notice specifically referred to a water right in Basin 36 of the Idaho Department of Water Resources.

After investigation, we have determined that Western Dairymen Cooperative, Inc. does have a water right in connection with its ownership of property in the City of Hayburn. We have received assurances from you and from the Idaho Department of Water Resources that Western Dairymen Cooperative, Inc. does not need to file a Notice of Claim to a Water Right in connection with the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, Civil No. 39576, District Court of the Fifth Judicial District of the State of Idaho in and for the County of Twin Falls. If our understanding is in any way incorrect, please notify the undersigned immediately.

Thank you for your courtesy and cooperation.

Very truly yours,

RLS/ns

cc: Idaho Department of Water
Resources
Lee Mortensen
Lynn Cottrell

Richard L. Schrepferman

RLSC/DM3

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FEB 04 1993

Holme Roberts & Owen

Suite 4100
1700 Lincoln
Denver, Colorado 80203



Idaho Department of Water Resources
Attn: R. Keith Higginson
State House Mail
Boise, Idaho 83720



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: A36-07492B
Date Received: 4/12/1990
Receipt No: S012036
Received By: SEC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MOUNTAIN EMPIRE DAIRYMENS ASSN.

Address: P.O. BOX 33120

THORNTON, CO

80233-0120

2. Date of Priority: JUL 31, 1974

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	18E	35	NE	NE			JEROME

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.960		

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

A.F.A.

8. Total consumptive use is 594.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	18E	36	SW	NW		IRR	6.0
			SE	NW		IRR	39.0
			NE	SW		IRR	39.0
			NW	SW		IRR	39.0

A36-07492B

Page 1

Date: 04/12/90

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FEB 04 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	18E	36	SW	SW		IRR	39.0
			SE	SW		IRR	36.0
Section Acres							198.0
Total Acres							198.0

11. Place of use in counties: JEROME

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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 Organizations:

I do solemnly swear or affirm that I am Atty In Jant of _____ Title

MEOA Organization, that I have signed the foregoing document in the space below as _____ of

MEOA Title and that the statements contained in the foregoing document are true and correct.

William A. Parns
Signature of Authorized Agent

Atty In Jant
Title and Organization
Mountain Empire Dairymen's Assoc

Date
4-12-90

State of Idaho

County of

Twin Falls

) SS.
)

Subscribed and sworn (or affirmed) before me this 12th day

of April 19 90

Stuart C. O'Connell
Notary Public

Seal

Residing at

Twin Falls

My Commission Expires

Dec 7, 1994

17. Notice of Appearance:

Notice is hereby given that I, WILLIAM A. PARSONS will be
Print Name

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

William A. Parsons

Address

Box 910 Burley, Idaho 83318

Date

4-12-90

1 WARRANTY DEED CONVEYING WATER RIGHT AND LICENSE

2 DEED made this 12th day of July, 1985, between DON
3 MCFARLAND and CAROL L. MCFARLAND, husband and wife, of Box 268,
4 Eden, Idaho 83325 (Grantors) and MOUNTAIN EMPIRE DAIRYMEN'S
5 ASSOCIATION, a corporation of 12450 North Washington Street,
6 Thornton, Colorado 80241 (Grantee).

7 W I T N E S S E T H

8 The Grantors, for valuable consideration herein receipted
9 for but not recited to the Grantors in hand paid by the Grantee
10 have granted, bargained, and sold and by this deed do grant,
11 bargain, sell, and convey unto the Grantee and to its successors
12 and assigns, the following:

13 WATER RIGHT LICENSE NO. 36-7492B for 3.96 cfs.
14 of water appurtenant to Section 36, Township 8
15 South, Range 18 East, Boise Meridian, particularly
16 in the Northwest Quarter and the Southwest Quarter
17 thereof, having a point of diversion in the North-
18 east Quarter Northeast Quarter of Section 35,
19 Township 8 South, Range 18 East, Boise Meridian,
20 Jerome County, Idaho.

21 The Grantors warrant that the license is in good
22 standing with the State of Idaho and that they will, upon request
23 of the Grantee, execute any and all other documents necessary to
24 transfer said license to other lands in Jerome County for use by
25 the Grantee on Sections 7 and 18 in Township 9 South, Range 17
26 East, and Section 12 in Township 9 South, Range 17 East, Boise
27 Meridian, Jerome County, Idaho.

28 This deed has been executed by the Grantors as successors
29 in interest of Sundance, Inc. who was the original optionor for

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1 the water to the Grantee. The Grantors warrant that they are the
2 successors in interest of Sundance, Inc. and that Sundance, Inc.
3 no longer has an interest in the water and the Grantors will
4 defend the Grantee against any claims by Sundance, Inc. as a
5 result of the prior option.

6 IN WITNESS WHEREOF, the Grantors have executed this
7 deed the day and year first above written.

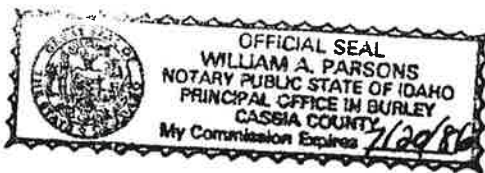
8 Don McFarland
Don McFarland

Carol L. McFarland
Carol L. McFarland

10 STATE OF IDAHO)
11) ss.
County of Cassia)

12 On this 12th day of July, 1985, before me, the under-
13 signed, a Notary Public in and for said State, personally appeared
14 DON MCFARLAND and CAROL L. MCFARLAND, husband and wife, known or
15 identified to me to be the persons whose names are subscribed to
16 the within instrument, and acknowledged to me that they executed
17 the same.

18 William A. Parsons
Notary Public for Idaho
Residing at Burley, Idaho





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Jul-1990 13:51

A36-07492B
WILLIAM A. PARSONS
P.O. BOX 910

BURLEY

ID 83318

RE: Field examination of a water right claimed
in the Snake River Basin Adjudication

Dear Counselor,

The field staff of this agency may need to conduct water right field examinations of your client's water right claim(s) during the coming season. The field examiner may be visiting your client's property to obtain information necessary to verify the water use.

If a field exam is necessary your client will be contacted directly about the examination unless you contact us otherwise. If you wish to accompany your client at the time of any field examination, or if you have any questions regarding the field examination, you may contact this office.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

MICROFILMED

FEB 04 1993



State of Idaho

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Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

MICROFILMED

FEB 04 1993

RECEIVED
JUL 3 1985

Department of Water Resources
Bozeman, Charles (Clerk)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7492B Priority July 31, 1974 Amount 3.96 cfs

THIS IS TO CERTIFY, that Don McFarland
of Eden, Idaho, has complied with the terms and conditions of Permit
No. 36-7492B issued pursuant to Application for Permit dated July 31, 1974,
and has submitted proof to the Department of Water Resources on June 5, 1985,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 5.52 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>3.96</u> cfs and	<u>792.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 3.96 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
792.0 acre feet per year, said waters to be diverted within the NE1/4 NE1/4 Section 35,
Twp 8S, Rge 18E in the County of Jerome

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				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	
8S	18E	36							6	39	39	39	39	36					198

Total number of acres irrigated 198

36-7492B

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 36-7492B V2

WATER RIGHT NUMBER: 36-7492B V2

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	WILLIAM A PARSONS PO BOX 910 BURLEY, ID 83318 (208)678-8382
Original Owner	MOUNTAIN EMPIRE DAIRYMENS ASSN PO BOX 33120 THORNTON, CO 802330120
Current Owner	WESTERN DAIRYMEN COOPERATIVE INC 12450 N WASHINGTON ST THORNTON, CO 80241 (303)451-0422

Priority Date: 07/31/1974

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	3.960 CFS	792.00 AF
	<u>Total Diversion:</u>	3.960 CFS	792.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4NE1/4	Sec. 35, Twp 08S, Rge 18E, B.M.
JEROME County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	18E	36							6.0	39.0	39.0	39.0	39.0	36.0					198.0

Total Acres: 198

Conditions of Approval:

1. C18 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.
2. S17 USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 36-7492B V2

Comments:

1. GIVENS 1/3/1992 OWNERSHIP CHANGE

Comment: ACCORDING TO LEE MORTENSEN, 1/3/92, MOUNTAIN EMPIRE DAIRYMEN'S ASSN. IS MERGING WITH WESTERN DAIRYMEN'S COOPERATIVE INC. STATE OFFICE - PAM SKAGGS - DID THE WATER RIGHT CHANGE AND SENT COPY OF THE OWNERSHIP CHANGE TO SOUTHERN FOR US TO DO THE ADJ. CHANGE. JG

2. AJU10-DS 12/21/1999 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Decreed Date: 8/5/1999

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant: 39576

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal:

Owner Name Connector: 0

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre: 792

Swan Falls Trust or Nontrust: False

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: OR

Robertson, Jean

From: Robertson, Jean
Sent: Wednesday, April 17, 2002 11:15 AM
To: Kelly, Vicki
Cc: Jones, Doug
Subject: 36-7492B

Doug gave me your message on this one, which had the question from the court. I looked things over and our Version 2 Recommendation matches the license and the partial decree, except for the fact that it needs an NPT to clarify the irrigation season. There is a note in the file however, which says that the **water right** was sold by McFarland to Western Dairymen by deed, with the understanding that Western Dairymen would transfer the water somewhere else. That has never happened. I guess it could be NPT'd, but it would then be decreed to Western Dairymen on land that they don't actually own. Guess you guys should make the call on that...Jeanie

Jones, Doug

From: Kelly, Vicki
Sent: Wednesday, April 17, 2002 7:33 AM
To: Jones, Doug
Subject: FW: 36-07492B

Good Morning--

Well, here's a switch!! I'm not sure which agent worked on this right, but could you forward this email from the court to them to see if they know anything about this? I tried to look on microfilm for info but didn't stumble across anything.

The fun continues..... Thanks -- V

-----Original Message-----

From: ddelaney@srba.state.id.us [mailto:ddelaney@srba.state.id.us]
Sent: Thursday, April 11, 2002 10:49 AM
To: VKELLY@idwr.state.id.us
Cc: EWILDMAN
Subject: 36-07492B

In Oct 1997, we added a note to this subcase not to decree per IDWR because there was an error in the recommendation. However, a partial was issued December 16, 1997 and an irrigation season recommendation was included in supplemental report. Before we prepare an amendment, is there a problem with the partial?

SRBA

SUBCASE SUMMARY REPORT 36-07492B

[Return to SRBA Home Page](#)

SRBA
04-17-2002

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 36-07492B FILE#: 01789
CLAIMANT: WESTERN DAIRYMEN COOPERATIVE I

12450 N WASHINGTON ST

THORNTON CO 80241

STATUS: PD ISSUED

WATER SOURCE: GROUNDWATER,

****** PARTIES INVOLVED ******

WESTERN DAIRYMEN COOPERATI C PRO SE

****** ROA ENTRIES ******

10-24-1997 DO NOT DECREE SEE NOTES
12-16-1997 PARTIAL DECREE FILED
08-05-1999 SUPPLEMENTAL DIRECTOR'S REPORTS, RP 1, BASIN
 36 PERIOD OF USE & CONJUNCTIVE MANAGEMENT

12-16-1997

[Return to SRBA Home Page](#)

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-074928

1997 DEC 16 AM 11:20

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: WESTERN DAIRYMEN COOPERATIVE INC
12450 N WASHINGTON ST
THORNTON CO 80241

SOURCE: GROUNDWATER

QUANTITY: 3.96 CFS
792.0 AFY

PRIORITY DATE: 07/31/1974

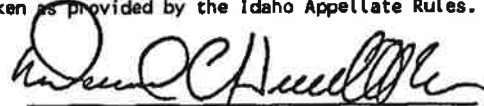
POINT OF DIVERSION: T08S R18E S35 SWNE Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	3.96 CFS 792.0 AFY

PLACE OF USE:	IRRIGATION	Within JEROME County			
	T08S R18E S36	SWNW 6	SENW 39	NESW 39	NWSW 39
		SWSW 39	SESW 36		
	198 ACRES TOTAL				

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

June 16, 1999

Regarding:

Customer:

36-07492B

Crystal at Rosholt's Office

[illegible]

She called regarding an ownership change on some land owned by McFarland.

In circa 1992 McFarland sold, by deed, the water rights appurtenant to a certain parcel of land to Western Dairyman (Mtn Empire Dairy). Western Dairyman were going to transfer the water off the land and build a dairy on another parcel. This dairy was never built and the water never transferred off the original parcel. The water rights represented by claim number A36-07492B were SRBA decreed to the parcel of land owned by McFarland, but ownership of the claim was listed as Western Dairyman.

Mike Branchflower attempted to buy the water right and transfer it from McFarland's land, but withdrew his attempt. Crystal thought that Jim Stanton had a question about forfeiture of the right.

McFarland is now selling a portion of the parcel of land, and all appurtenant water, to Sousa. Crystal's question was how to submit the ownership change. I told her that, in addition to a warranty deed from McFarland conveying the land, that they would need a conveyance deed from Western Dairymen conveying the water to Sousa, or perhaps back to McFarland.

I called Sharla Curtis at the SO who is doing the licensing review on this. She said that there is a note from Jim regarding the transfer attempt by Branchflower that it should be denied because there was evidence that no groundwater (represented by -07492B) was being used on McFarland's property anymore. I called Crystal back and told her that there may be a question on the validity of the license, in case they wanted to inform their clients.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 36-02206 ET AL

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

January 8, 1997 12:43pm

NAME:
JACK MC CALL

RE:
36-02206, -02725, -07491,
-07492A, -07492B, AND
-15058.

TF 01-07-1997 AT 9:45 AM. CHECK STATUS IN SRBA OF THE ABOVE CLAIMS. EXPLAINED BASIN 36 TEST BASIN RECCOMENDED TO COURT. SAID AM NOT AN ATTORNEY. WANT EVIDENCE OF CLAIM/AS RECCOMENDED BY DEPT.

SCC HEARD ME TRYING TO FAX AND SHOWED ME MATERIAL SENT MONDAY 01-06-1997; SAME MATERIAL. FAX REQUEST FOR CLARIFICATION SINCE NO ANSWER BY LAND LINE. NO REPLY.

CALLED AT 2:00 PM-WANTS EVIDENCE OF RECCOMENDATION. SAID WOULD SEND WITH AJ PROFILES FOR COMPARISON. TIED UP REST OF 01-07 WITH AGENT DAY REQUESTS.

SENT FAX OF MATERIALS (12PGS-CHARGES \$2.75) TO MC CALL 12:38 PM. ALL PAGES SENT-SEE FILE COPY OF FAX).

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

January 6, 1997 2:58pm

NAME:
JACK MCCALL

CALLIN

RE:
REQUEST FOR COPIES BY FAX

HE ASKED FOR COPIES OF THESE RIGHTS:

36-02206 36-02725 36-07491 36-07492A 36-07492B 36-15058

FAX OVER THE WR & AJ COPIES OF EACH @ 734-0745.

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED
FEB 04 1993

Water Right Number - R36-07492B

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

WESTERN DAIRYMEN COOPERATIVE INC.

1 - 12450 N. WASHINGTON ST.

2 -

3 -

City- THORNTON

State- CO Zip- 80241

Phone - 303-451-0422

*** O - ORIGINAL OWNER ***

MOUNTAIN EMPIRE DAIRYMENS ASSN.

1 - P.O. BOX 33120

2 -

3 -

City- THORNTON

State- CO Zip- 802330120

Phone - 208-000-0000

*** A - ATTORNEY ***

PARSONS

WILLIAM A.

1 - P.O. BOX 910

2 -

3 -

City- BURLEY

State- ID Zip- 83318

Phone - 208-678-8382

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/31/1974 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
08S 18E 35 SW NE NE (53) JEROME+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 3.960 792.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.960 792.00 594.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 18E 36 SW NW 6.0 01 IRRIGATION (53) JEROME
08S 18E 36 SE NW 39.0 01 IRRIGATION (53) JEROME
08S 18E 36 NE SW 39.0 01 IRRIGATION (53) JEROME
08S 18E 36 NW SW 39.0 01 IRRIGATION (53) JEROME
08S 18E 36 SW SW 39.0 01 IRRIGATION (53) JEROME
08S 18E 36 SE SW 36.0 01 IRRIGATION (53) JEROME

Total Acres: 198.0

MICROFILMED

FEB 6 4 1993

Water right number - R36-07492B

Prefix Translation: RESEARCH

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SHARES IN NORTH SIDE CANAL CO.

+ - - - - - Remarks - - - - -
No Remarks found.

+ - - - - - Old Water Right Numbers - - - - -
A3607492B

+ - - - - - Conditions of Approval - - - - -
S17 - USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - -

Date: 01/03/1992 User Id: GIVENS Subject: OWNERSHIP CHANGE
ACCORDING TO LEE MORTENSEN, 1/3/92, MOUNTAIN EMPIRE DAIRYMEN'S ASSN. IS MERGING WITH WESTERN DAIRYMEN'S COOPERATIVE INC.
STATE OFFICE - PAM SKAGGS - DID THE WATER RIGHT CHANGE AND SENT COPY OF THE OWNERSHIP CHANGE TO SOUTHERN FOR US TO DO THE ADJ.
CHANGE. JG

+ - - Audit Fields - - +
01/03/92 GIVENS

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 01/03/1992	Old Judicial District	-
Claim Received Date	- 04/12/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S012036	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED

FEB 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:20:28
09/08/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07492B

LAST: MOUNTAIN EMPIRE DAIRYMENS ASSN.
ADDRESS: P.O. BOX 33120
CITY: THORNTON
PHONE NUMBER: 208-000-0000

FIRST:

STATE: CO ZIP: 802330120

OWNER CODE: C

LAST: PARSONS
ADDRESS: P.O. BOX 910
CITY: BURLEY
PHONE NUMBER: 208-678-8382

FIRST: WILLIAM A.

STATE: ID ZIP: 83318

OWNER CODE: A

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

MICROFILMED
FEB 04 1993

CONTACT PERSON: _____

DATE OF FIELD EXAM: 12/17/90

APPOINTMENT MADE: Y() N(☒)

PHONE NUMBER: () -

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED

FEB 04 1993

A. AJ CLAIM: # A36-07492B PRIORITY DATE: 07-31-1974 STAGE: L
B. WR RECORD: # 36-07492B PRIORITY DATE: 07-31-1974 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD
N EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()

REMARKS:

RECOMMENDED PRIORITY DATE:
07-31-1974

REVIEWED BY

DATE

12/17/90

MICROFILMED

FEB 04 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07492B	08S	18E	35	SW	NE	NE		JEROME

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-07491 NONE
A36-02206
A36-02725

WR RECORDS IN SAME 40 ACRE TRACT

36-02206
36-02725
36-07491
36-07492A

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07492B	08S	18E	35		NE	NE		JEROME

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-02206
36-02725
36-07491
36-07492A

A36-07491
A36-02206
A36-02725

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

REMARKS:

MICROFILMED

FEB 04 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

_____ *Change 25 marked* _____

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

AD~

DATE:

12/17/90

MICROFILMED

FEB 04 1993

CLAIM NUMBER: A36-07492B

A. ROOT WATER RIGHT NUMBERS: A36-07492B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	18E	36	NE	SW		MOUNTAIN EMPIRE DAIRYMENS ASSNA36-07492B /39.0 LARGE CLAIM	A01-00212Z3/40.0	36-07492B /39.0 -	39.0	34	39
08S	18E	36	SW	NW		MOUNTAIN EMPIRE DAIRYMENS ASSNA36-07492B / 6.0 SUNDANCE INC.		36-07492B / 6.0 36-07492A /14.0	38.0	22	6
08S	18E	36	SE	NW		MOUNTAIN EMPIRE DAIRYMENS ASSNA36-07492B /39.0 LARGE CLAIM	A01-00212Z3/20.0	36-07492B /39.0 -	39.0	37	39
08S	18E	36	NW	SW		MOUNTAIN EMPIRE DAIRYMENS ASSNA36-07492B /39.0 LARGE CLAIM	A01-00212Z3/40.0	36-07492B /39.0 -	40.0	37	39
08S	18E	36	SW	SW		MOUNTAIN EMPIRE DAIRYMENS ASSNA36-07492B /39.0 LARGE CLAIM	A01-00212Z3/40.0	36-07492B /39.0 -	39.0	39	39
08S	18E	36	SE	SW		MOUNTAIN EMPIRE DAIRYMENS ASSNA36-07492B /36.0 LARGE CLAIM	A01-00212Z3/40.0	36-07492B /36.0 -	39.0	34	36
TOTAL ACRES						A36-07492B	198.00	198.00	234.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

198

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

~~985~~ 198

REVIEWED BY:

ADN

DATE:

12/17/90

RECEIVED
FEB 04 1993

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-07492B IRRIGATION	FROM 03-15 TO 11-15	3.960 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.960 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-07492B IRRIGATION	FROM 03-15 TO 11-15	3.960 CFS 792.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.960 CFS 792.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐)

Explain in remarks, below.

REMARKS:

MICROFILMED
FEB 04 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 3.960 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.960 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y ☒

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: ~~NONE~~ Shows in North Side Canal Co.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-07492B	GROUNDWATER	MOUNTAIN EMPIRE DAIRYMENS ASSN	3.960	0.020		
A01-00212Z3	LARGE CLAIM	LARGE CLAIM	9999999.000	303.196		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

RECORDED

FEB 04 1993

- D. RATE/VOLUME CALCULATIONS: (IRRIGATION)
- 1a. IRRIGATION RATE
ACRES 198 x 0.02 CFS/ACRE = 3.96 CFS
(Taken from p/u review)
- DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)
- *** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***
- 1b. CALCULATIONS
2. IRRIGATION CONSUMPTIVE USE
CLAIMED CONSUMPTIVE USE = 594.0 AF/A
ACRES 198 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =
TOTAL CONSUMPTIVE USE _____ AF/A
3. IRRIGATION DIVERSION VOLUME
CLAIMED DIVERSION VOLUME = _____ AF/A
ACRES 198 x DIVERSION VOL. AF/A FOR AREA 4.0 =
TOTAL DIVERSION VOLUME 792 AF/A
4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:
SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

Overlap with Canal Shows.

MICROFILMED
FEB 04 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE 3.960 EXAMINER <u>✓</u>	DATABASE 792 EXAMINER <u>792</u>	DATABASE 594.0 EXAMINER <u>✓</u>
TOTAL FOR THIS RIGHT		3.960		594.0

REVIEWED BY: Adm

DATE: 12/17/90

MICROFILMED
FEB 04 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07492

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
4.900

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A36-07492B	A36-07492B	3.960	-	-	36-07492B	3.960
-	-	-	-	-	36-07492	-
-	-	-	-	-	36-07492A	0.940

TOTAL CFS

3.960

4.900

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

*This right has been sold to claimant however
the land it is presently being used on is
owned by Don McFarland.*

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

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FEB 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:20:28
09/08/90

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07492B

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			AD	N			DB	
POINT OF DIV	Y			Y	1,2,5			
SOURCE				N				
PLACE OF USE	Y			N	1,2,4,5			
DIV. AMOUNT CFS/VOLUME				Y				
CONSUMPTIVE USE	-			N				
PURPOSES				N				
PERIOD OF USE				N				
BASIS OF CLAIM	Y			N	6			
REMARKS				N				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

RECORDED
FEB 04 1993

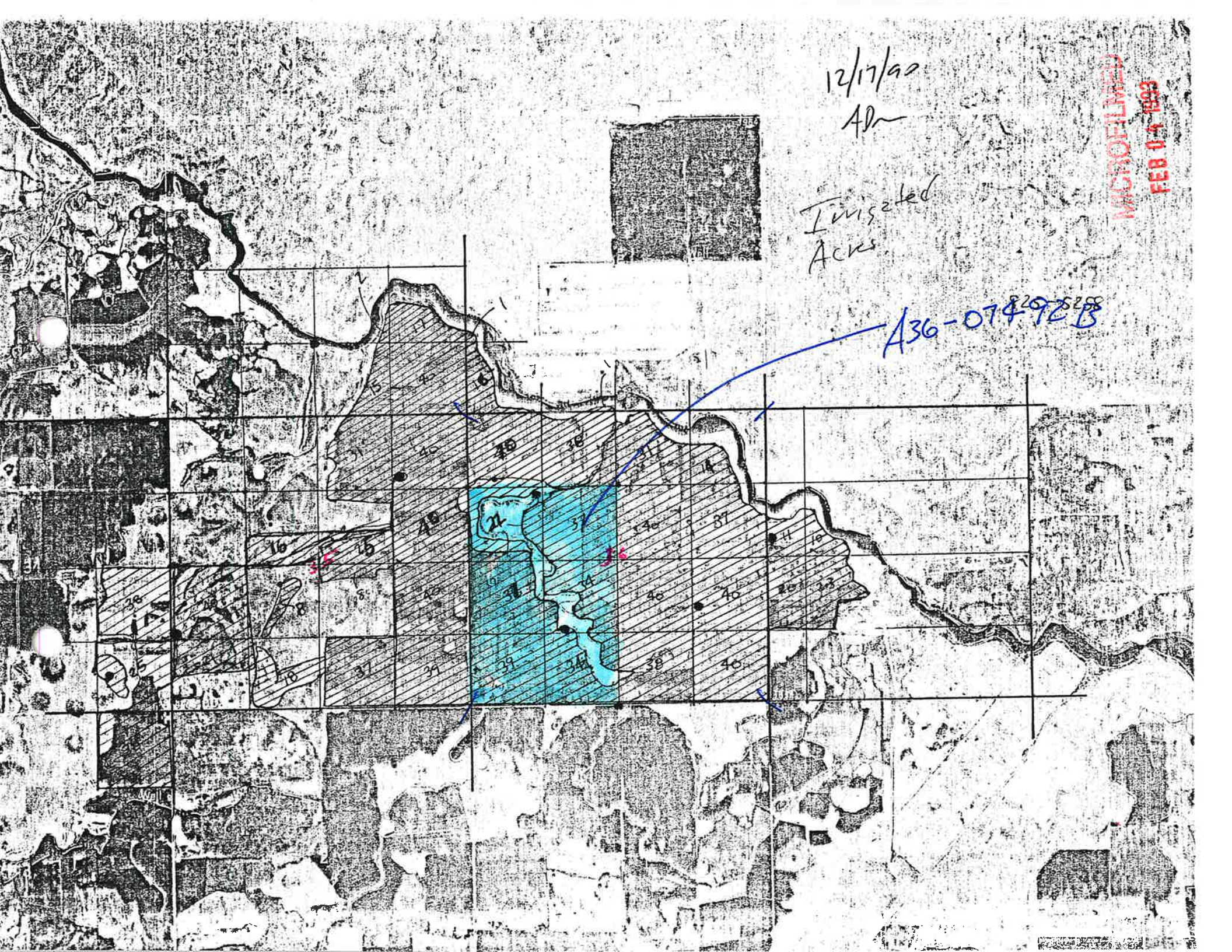
12/17/90
AD

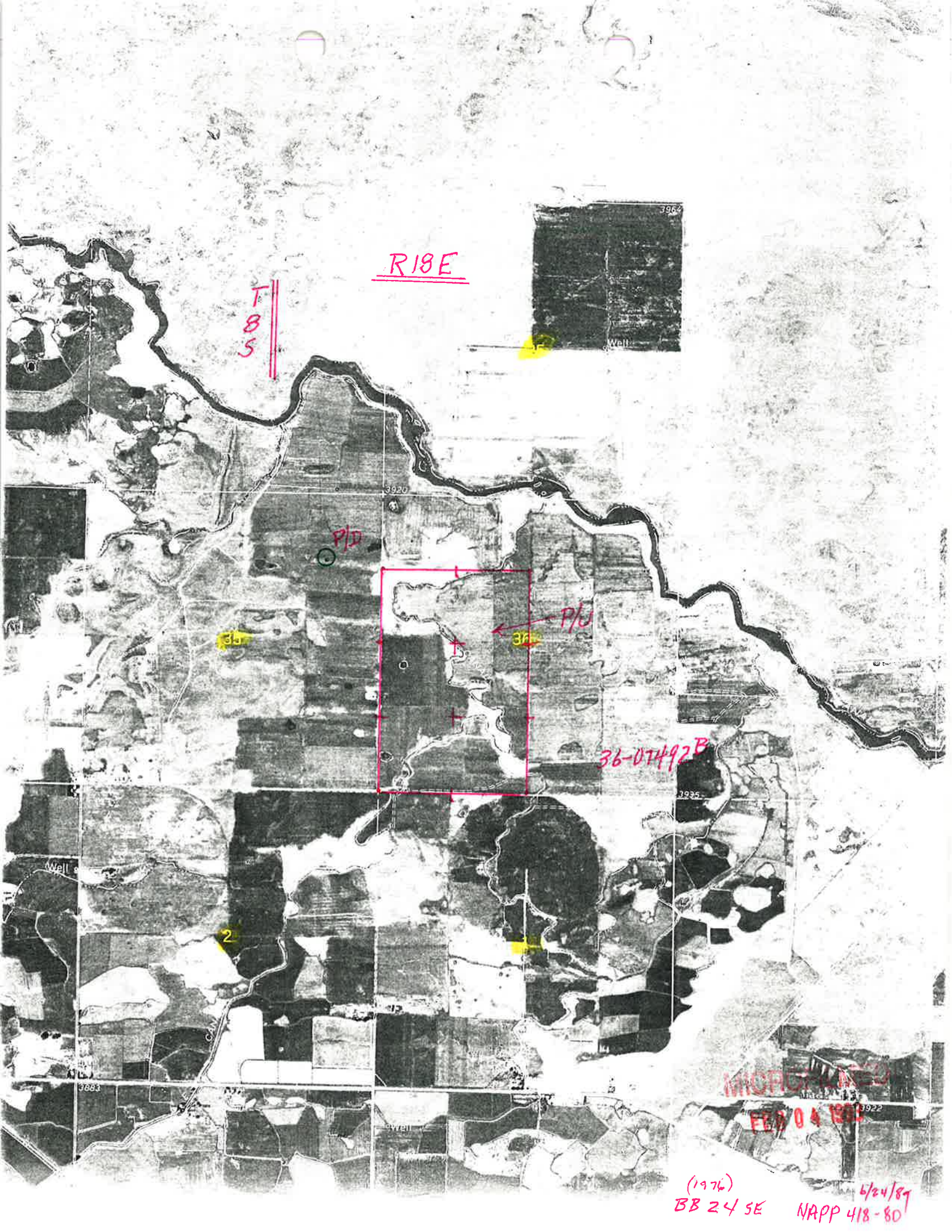
Trisected
Acre

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FEB 04 1993

A36-07492⁸²⁹²⁸B





R18E

T
8
S

P/D

P/U

36

36

36-07492B

2

MICROFILMED
FEB 04 1981

(1976)
BB 24 SE NAPP 418-80
6/24/89