

03/02/2005

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

RIGHT NUMBER: 37-793
NAME AND ADDRESS: BLACK CANYON FARMS INC
C/O JERRY JARAMILLO
317 RIVER RD
BLISS ID 83314
SOURCE: SPRINGS TRIBUTARY: SNAKE RIVER
QUANTITY: 2.000 CFS
Right nos. 37-789, 37-793 and 37-7216 are limited to a total combined diversion rate of 5.50 cfs for irrigation.
PRIORITY DATE: 04/01/1888
POINT OF DIVERSION:

T06S R13E S17 NENW Within GOODING County
T06S R13E S17 NENWNW Within GOODING County
T06S R13E S17 NESESE 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	2.000 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S07	SESE	12.0	T06S R13E S08	SWSW	7.0
T06S R13E S17	NENW	8.0	T06S R13E S17	NWNW	29.0
T06S R13E S17 Lot 1	SWNW	22.0	T06S R13E S17	SENW	28.0
T06S R13E S17 Lot 2	NESW	11.0	T06S R13E S17 Lot 2	NWSW	5.0
T06S R13E S18 Lot 7	NENE	4.0	T06S R13E S18 Lot 7	SENE	1.0

127 ACRES TOTAL

Right nos. 37-789, 37-793 and 37-7216 are limited to the irrigation of a combined total of 127 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

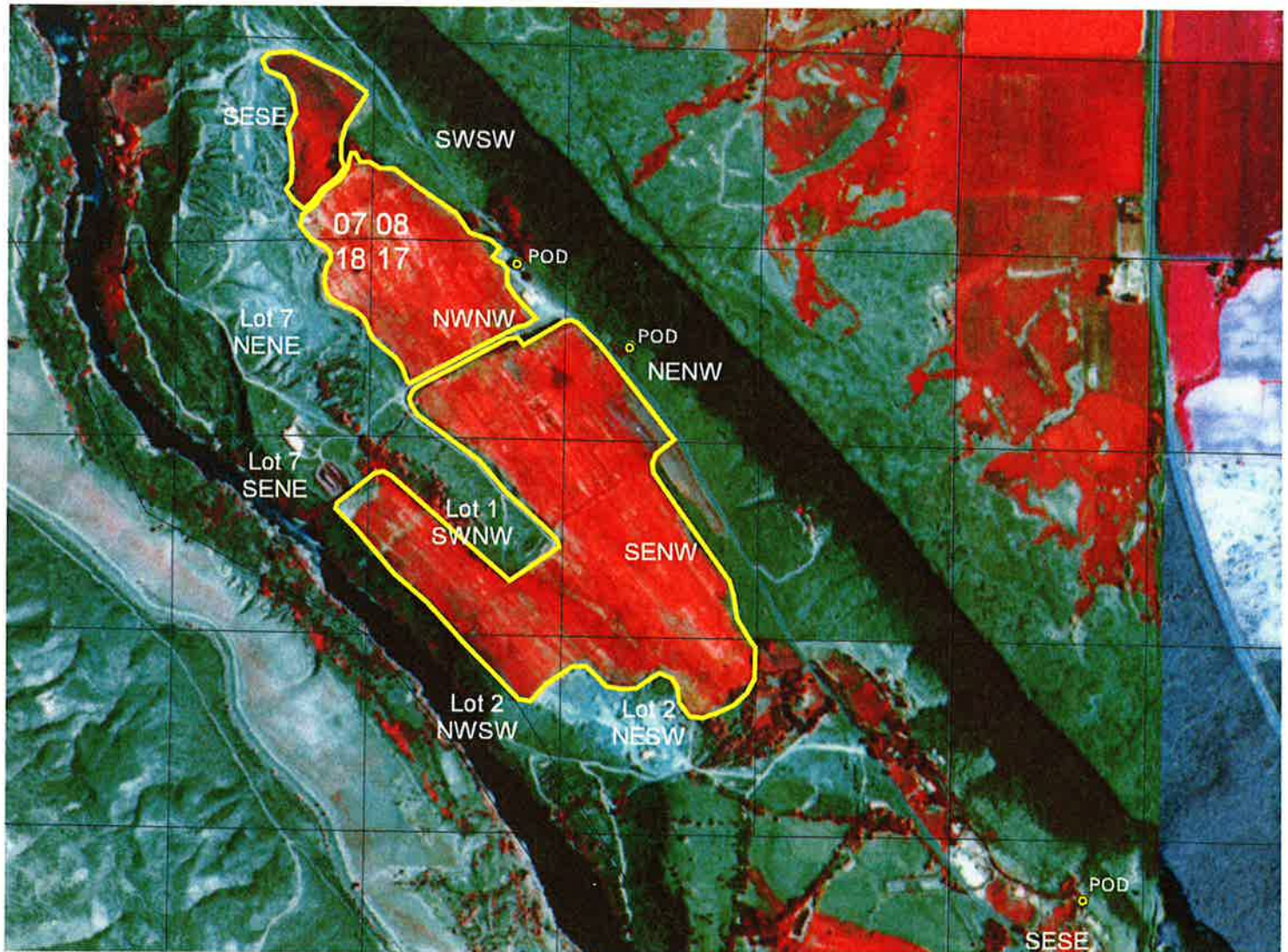
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

Sources are also known as Montana Mining Company Ditch Spring No. 9, Montana Mining Company Ditch Spring No. 10 and Montana Mining Company Ditch Spring No. 11.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

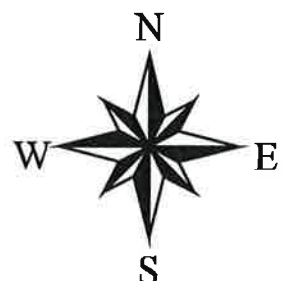
37-789 & 37-793



2000 0 2000 4000 Feet

T06S R13E S07 S08 S17 & S18

Map prepared by: Carter Fritschle
Date prepared: 03/02/05
1987-1988 NAPP photography
Idaho Department of Water Resources



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 37-793

Date Received

Receipt Number

6-30-04

C074356

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUN 30 2004

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Black Canyon Farms, Inc.

463-4687
Phone (208) 352-4692 or/

Mailing Address c/o Jerry Jaramillo, 317 River Rd., Bliss, ID

Zip 83314

2. Date of Priority (Only one (1) per claim) 04/01/1888

3. Source of water supply (a) Springs which flow into Montana Mining Company Ditch
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 6 South Range 13 East Section 8,

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

NE 1/4 NW 1/4, Sec. 17, T 6 S, R 13 E, B.M.

Additional points of diversion if any: NW 1/4 NW 1/4, Sec. 17, T 6 S, R 13 E, B.M.

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, Ditches, 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.

Ditches and pipelines from springs to fish ponds, and to and through irrigated lands,
then emptying into Snake River

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 2.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.0 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ 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	
6 S	13 E	17							L1										
6 S	13 E	18	L7	L7		L7			36.36										36.36
																			45.58

Total number of acres irrigated 81.94

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 X 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.
37-7216 or None ()

14. Remarks:

Last Name Black Canyon Farms, Inc. Ident No. 37-793

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A large grid of 16 columns and 20 rows of squares. Each square contains a small crosshair symbol, consisting of a vertical line and a horizontal line intersecting at the center. The grid is used for drawing a 16-sided polygon.

Last Name Black Canyon Farms, Inc. Ident No. 37-793

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree XX
If applicable provide IDWR Water Right Number 37-793
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

For Individuals: I 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 _____ President _____ Title _____
of Black Canyon Farms, Inc., an Idaho corporation _____, that I have signed the foregoing
document in the space below as President _____ of such corporation _____
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Jerry Jaramilla
Title and Organization President of Black Canyon Farms, Inc. Date _____

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

Subscribed and sworn (or affirmed) before me this 11 day of June, 2007
SEAL Notary Public Mark E. Bolduc
Residing at Hagerman (Hagerman)
My Commission Expires 6-8-06



17. Notice of Appearance: Thomas A. Miller of _____
Notice is hereby given that I, Hawley Troxell Ennis & Hawley LLP 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 Thomas A. Miller
P O Box 1617, Boise, ID 83701
Address Suite 1000, 877 Main St., Boise, ID 83702
Date June 30, 2004

Last Name Black Canyon Farms, Inc. Ident. Number 37-793

SUBJECT PROPERTY PLAT

