

05/30/2003

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

RIGHT NUMBER: 29-2281

NAME AND ADDRESS: HAROLD WHITTIER
221 FORT HALL AVE
AMERICAN FALLS ID 83211

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.020 CFS
480.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 29-13624 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 728 AF.

PRIORITY DATE: 06/26/1952

POINT OF DIVERSION:

T07S R32E S8 SENW Within POWER County Source: GROUND WATER

T07S R32E S8 NWSW Within POWER County Source: GROUND WATER

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.020 CFS 480.00 AFY

PLACE OF USE: IRRIGATION Within POWER County

T07S R32E S08	NESW	37.0	T07S R32E S08	NWSW	39.0
T07S R32E S08	SWSW	30.0	T07S R32E S08	SESW	15.0
T07S R32E S08 Lot 3	NWSE	29.0	T07S R32E S08 Lot 4	SWSE	32.0

182 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-13624 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 182 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE 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: License

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

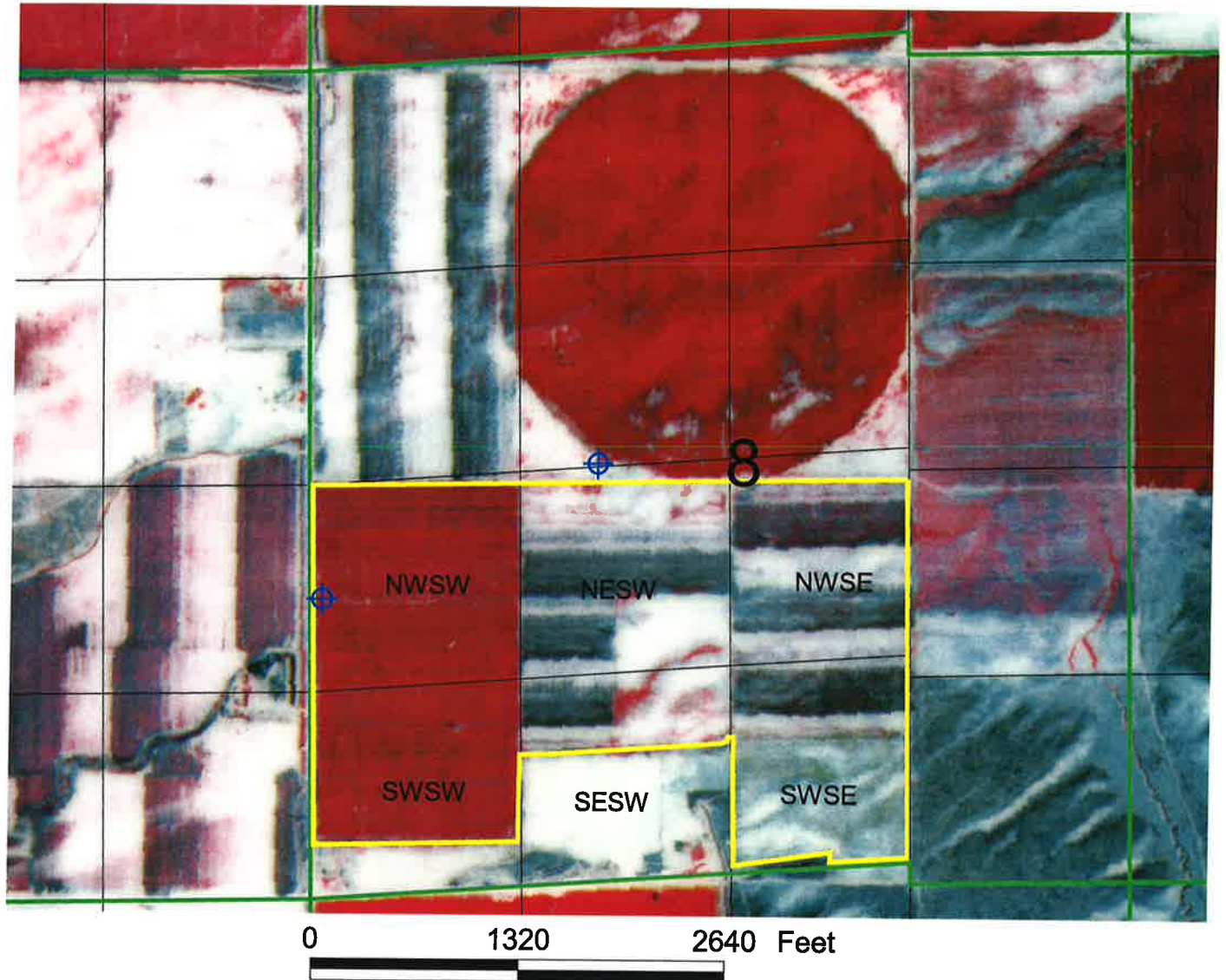
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.



Department of Water Resources

Claim No: 29-2281
29-13624

Twp 07S Rge 32E



Irrigated Acres = 182

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- Diversion.shp
- Place of use.shp
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: May 2003

07/21/2004

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

RIGHT NUMBER: 29-2281
NAME AND ADDRESS: JEROME CLINGER
2568 JOY LN
AMERICAN FALLS ID 83211

TINA CLINGER
2568 JOY LN
AMERICAN FALLS ID 83211

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 2.020 CFS
480.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 29-13624 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 728 AF.

PRIORITY DATE: 06/26/1952

POINT OF
DIVERSION: T07S R32E S8 SENW Within POWER County
T07S R32E S8 NWSW Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.020 CFS 480.00 AFY

PLACE OF USE: IRRIGATION Within POWER County

T07S R32E S08	NESW	37.0	T07S R32E S08	NWSW	39.0
T07S R32E S08	SWSW	30.0	T07S R32E S08	SESW	15.0
T07S R32E S08 Lot 3	NWSE	29.0	T07S R32E S08 Lot 4	SWSE	32.0

182 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-13624 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 182 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE 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: BASIS OF CLAIM - License

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

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

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

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

OK JE 7/21/04
RECEIVED
JUL 21 2004
 Department of Water Resources
 Eastern Region

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
29-13624	_____	___	_____	_____	___
29-02281	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s)

Naomi L. Christensen
845 E. 1000 N., Shelley, ID 83274

4. New Owner/Claimant(s)

Jerome & Tina Clinger
 Name Connector (Check one): [] and, [] or, ☒ and/or

New Mailing Address

2568 Joy Ln., Am. Falls, ID 83211

City, State and ZIP Code

New Telephone Number

208-226-5296

5. Date you acquired the property

Apr. 2, 2004

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6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

[Handwritten Signature]

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

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REAL ESTATE SALE CONTRACT

THIS AGREEMENT, made as of this 1st day of January in the year 2003, by and between Thomas Christensen, Jr. as Personal Representative of the Estate of Thomas F. Christensen and Naomi L. Christensen of the County of Bingham, State of Idaho, hereinafter collectively called Seller and LaMar R. Isaak and Violet R. Isaak, husband and wife, 3298 Isaak Loop, American Falls, Idaho 83211, of the County of Power, State of Idaho, hereinafter collectively called Buyer;

WITNESSETH: Seller agrees to sell to the Buyer, on the performance of the agreements of the Buyer as hereinafter mentioned and convey, or cause to be conveyed by the legal owner or owners thereof, by good and sufficient deed, free of liens and encumbrances, the following described real estate situated in the county of Power and State of Idaho, to-wit: -

The SW $\frac{1}{4}$ of Section 8 and Government Lots 3 and 4, Township 7 West, Range - 32 East, BM, Power County, Idaho, LESS AND EXCEPTING the following two - parcels:

Parcel 1

Beginning at the SW corner of said Section 8, thence East 2640 feet, more or less to the east line of the SW $\frac{1}{4}$, thence North 880 feet; thence West 1320 feet; thence South 580 feet; thence West 1320 feet, more or less, to the Section Line; thence 300 feet South to the Point of Beginning;
ALSO EXCEPTING

Parcel 2

A portion of the SW $\frac{1}{4}$ of Section 8, Township 7 South, Range 32 East, Boise Meridian, POWER COUNTY, IDAHO, described as follows:

Beginning at the West $\frac{1}{4}$ corner of said Section 8 which is the TRUE POINT OF BEGINNING and running thence N $89^{\circ}15'29''$ E 1940.61 feet along the North line of said SW $\frac{1}{4}$; thence S $00^{\circ}03'18''$ W 19.00 feet along a line that is 10 feet East of an existing well; thence S $89^{\circ}15'29''$ W 20.00 feet along a line that is 10 feet South of an existing well; thence N $00^{\circ}03'18''$ E 4.00 feet; thence S $89^{\circ}15'29''$ W 1920.61 feet along a line that is parallel with the North line of said SW $\frac{1}{4}$ to the West Section line; thence N $00^{\circ}03'18''$ E 15.00 feet along the Section line to the POINT OF BEGINNING.

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2. Time and the punctuality of payment are of the essence and a material part of this contract, and in the event of a failure to comply with the terms hereof by Buyer, the Seller shall be released from all obligations in law or in equity to convey said property. In the event the Buyer shall fail to comply with the terms and conditions of this contract, the Seller shall give notice thereof to the buyer of such default, by certified mail to Buyer advising Buyer in what respects he has failed to comply with the terms and conditions of this agreement. In the event the Buyer fails to comply with the terms of this agreement so specified within 30 days after receipt of such notice by certified mail from Seller, then and in that event all payments previously made under the terms and conditions of this contract by Buyer shall be considered as rentals and damages and retained by Seller, to the extent permitted by law, and Seller may take immediate possession of said property and shall resume full title, ownership and control of said premises. It is further understood and agreed that in the event the Buyer fails to comply with the terms hereof within 30 days after receipt of such notice, as herein provided then and in such event, the Seller may at his election declare the entire remaining unpaid balance of this contract due and payable forthwith, and recover said balance from Buyer, if necessary by legal proceedings. This remedy shall be considered an optional remedy and not as a waiver of any right or remedy that the Seller would otherwise have at law or in equity to enforce the performance of this agreement, or to recover damages for breach thereof.

3. It is expressly agreed that if Buyer shall promptly make the payments herein stipulated and shall pay all accrued interest as the same becomes due, and shall also pay all taxes and assessments levied and assessed against said property, the Seller, on receiving the sums due under the terms of this contract, will execute and deliver, or cause to be executed and delivered by the legal owner or owners thereof to the Buyer, or his assigns, a deed or deeds and bill of sale as described above conveying the above described property and will also deliver a policy of title insurance, insuring Buyer in the full purchase price thereof, in accordance with this agreement, to be procured by the Seller at his expense, which policy shall be delivered to the Buyer on recordation of a warranty deed conveying said property to Buyer.

5. Possession of the above described property to be given to Buyer on January 1, 2003.

6. It is understood that all payments shall be due and the delivery of all papers shall take place at 845 East 1000 North, Shelley, Idaho 83274 or at 2991 Millcreek Road, Salt Lake City, Utah 84109.

7. Buyer agrees to keep the property in as good condition as it now is, except usual wear, and not to remove or destroy or waste in any way said property except Buyer may sell, trade in or otherwise dispose of the Gifford Hill pivot sections described above at any time.

8. Any notice required by this agreement shall be addressed as follows:

Seller: 845 East 1000 North, Shelley, Idaho 83274 and
2991 Millcreek Road, Salt Lake City, Utah 84109

Buyer: 3298 Isaak Loop, American Falls, Idaho 83211

9. It is expressly agreed between the parties hereto that there are no verbal promises, or implied promises, agreements, stipulations, representations, or warranties, or any character, excepting those set forth in writing in this contract and Seller shall not be liable for any statements, promises, or agreements made by any Agent or Agents, not stated in writing in this contract.

12. No assignment of this contract shall be valid or binding unless same is in writing and has been approved by Seller.

13. Buyer shall, during the life of this contract, keep the improvements on said premises insured against loss by fire in the full insurable amount thereof, in a reliable fire insurance company, and shall pay the premiums on said policy as the same become due, with a loss payable clause affixed thereto in favor of the parties hereto as their respective interests may appear.

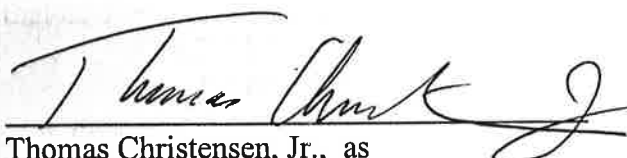
14. Buyer and Seller each agree that should they default in any of the covenants and agreements contained herein, to pay all costs and expenses that may arise from enforcing this agreement, either by suit or otherwise, including a reasonable attorney's fee.

15. Buyers are given the privilege of prepaying any payment due under said contract at any time without penalty.

15. All payments shall be credited first to the interest then due; and the balance to the principal.

16. It is agreed that the stipulations aforesaid are to apply to and bind the heirs, executors, administrators, successors and assigns of the respective parties hereto.

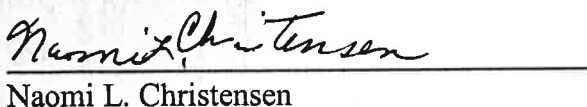
IN WITNESS WHEREOF, the said parties to this agreement have hereunto signed their names, the day and year first above written.



Thomas Christensen, Jr., as
Personal Representative of the Estate of
Thomas F. Christensen



LaMar R. Isaak



Naomi L. Christensen

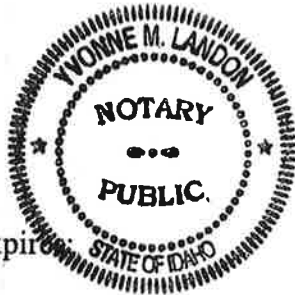


Violet R. Isaak

STATE OF IDAHO)
 : ss.
COUNTY OF BINGHAM)

On this 21 day of Feb., in the year 2003, before me, the undersigned, a notary public in and for the State of Idaho, personally appeared Naomi L. Christensen, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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



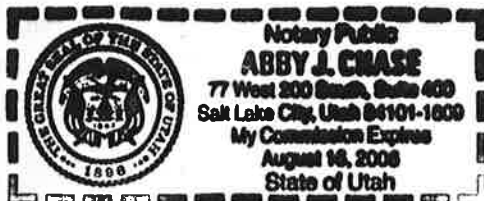
Yvonne M. Landon
Notary Public
Residing at: Shelley Idaho

My Commission Expires
10-08-08

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On this 23rd day of December, in the year 2002 before me, the undersigned, a notary public in and for the State of Utah, personally appeared Thomas Christensen, Jr., as Personal Representative of the Estate of Thomas F. Christensen, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

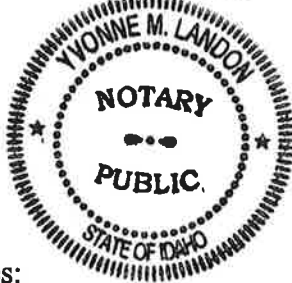


Abby J. Chase
Notary Public

STATE OF IDAHO)
 : SS.
COUNTY OF POWER)

On this 21 day of Feb., in the year 2003, before me, the undersigned, a notary public in and for the State of Idaho, personally appeared LaMar R. Isaak and Violet R. Isaak, known by me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Yvonne Landon
Notary Public
Residing at: Shelley Idaho

My Commission Expires:

10-08-08

WARRANTY DEED Instrument # 184662

Order No.: 3010420014

POWER COUNTY, IDAHO
2004-04-02 12:33:47 No. of Pages: 2
Recorded for: ALLIANCE TITLE
CHRISTINE STEINLICH
Ex-Officio Recorder Deputy *Linda Ann* Fee: 6.00

FOR VALUE RECEIVED

LaMar R. Isaak and Violet R. Isaak, Husband and Wife

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

Jerome Clinger and Tina Clinger, Husband and Wife

whose current address is

2568 S. Joy Lane American Falls, ID 83211

the grantee(s), the following described premises, in Power County, Idaho, TO WIT:

PARCEL 1:

The SW $\frac{1}{4}$ of Section 8 and Government Lots 3 and 4, Township 7 South, Range 32 East, Boise Meridian, Power County, Idaho, LESS AND EXCEPTING the following two parcels:

Parcel A:

Beginning at the Southwest corner of said Section 8;
thence East 2640 feet, more or less to the East line of the SW $\frac{1}{4}$;
thence North 880 feet;
thence West 1320 feet;
thence South 580 feet;
thence West 1320 feet, more or less, to the Section line;
thence 300 feet South to the POINT OF BEGINNING.

ALSO EXCEPTING

Parcel B:

A portion of the SW $\frac{1}{4}$ of Section 8, Township 7 South, Range 32 East, Boise Meridian, Power County, Idaho, described as follows:

Beginning at the West $\frac{1}{4}$ corner of said Section 8 which is the TRUE POINT OF BEGINNING and running
thence North 89°15'29" East 1940.61 feet along the North line of said SW $\frac{1}{4}$;
thence South 00°03'18" West 19.00 feet along a line that is 10 feet East of an existing well;
thence South 89°15'29" West 20.00 feet along a line that is 10 feet South of an existing well;
thence North 00°03'18" East 4.00 feet;
thence South 89°15'29" West 1920.61 feet along a line that is parallel with the North line of said SW $\frac{1}{4}$ to the West Section line;
thence North 00°03'18" East 15.00 feet along the Section line to the POINT OF BEGINNING.

Parcel C:

Together with an irrigation easement created by Easement recorded September 27, 1976, as Instrument No. 109155 and recorded September 28, 1976, as Instrument No. 109167 described as follows:

Beginning at a point on the South line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 7 South, Range 32 East, Boise Meridian, Power County, Idaho, from which the W $\frac{1}{4}$ corner of said Section 8 bears North 89°43' West, 1803.0 feet;
thence North 0°17' East, 150.0 feet;
thence South 89°43' East, 150.0 feet;
thence South 0°17' West, 150.0 feet, to the South line of SE $\frac{1}{4}$ NW $\frac{1}{4}$;
thence North 89°43' West, 150.0 feet, to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 4/02/2004

Lamar R. Isaak
Lamar R. Isaak

Violet R. Isaak
Violet R. Isaak

State of Idaho

County of Power

}
} ss.
}

On this 2nd day of April, in the year 2004, before me, a Notary Public in and for said state, personally appeared Lamar R. & Violet R. Isaak known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

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

Melinda A. Marinelli
Notary Public for the State of Idaho
Residing at: Pocatello
Commission Expires: 3/3/05

MELINDA A. MARINELLI
NOTARY PUBLIC
STATE OF IDAHO

2.2

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Ramsey Rd.

5

7

8

HEL

T-6

1-
43.4

HEL

5-
2.7

T-2882

Smith Rd.

2

3-42.6

4-
76.3

15.7

HEL

T-677

25.1

HEL

6-82.5

HEL

1-7.2

3-
9.3

2-
4.4

17

99
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JUL 21 2004

Department of Water Resources
Eastern Region

Mr. Carlson -

Please notify court
when ownership is com-
plete since the ~~Special~~
special Master's Report
is this Fri. - July 23rd.

Thank you very
much!

Lamar
& Violet Isaak

P.S. the land was 1st
sold to us & we sold
it to Mr. Clinger - Both
land contracts are enclosed.
If any questions call me -
cell - 223-4429
home - 226-2618

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APR 05 2004

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Security Interest in a Water Right

And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right

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APR 08 2004

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Department of Water Resources
Eastern Region

added security interest 4-14-04 JC

1. Water Right No(s): 29-2281, 29-13624, A29-02287A, A29-02287B

Adjudication Claim No(s): _____

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

A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

B) A **FEE** of \$25.00 per water right or adjudication claim.

3. Name and Mailing Address of Person or Company holding Security Interest

Idaho AgCredit, FLCA

P O Box 300

American Falls, ID 83211

4. Name of Water Right Owner/Claimant(s)

Jerome Clinger

5. Expiration Date of Notification Period July 1, 2024

6. Is this a Renewal of Request for Notification? ☐ YES ☒ NO

7. Signature(s) (and title if applicable) *[Signature]*

Assistant Vice President

For Office Use Only

Received by <u>JC</u>	Date <u>4-8-04</u>	Fee <u>\$100 -</u>
Received by <u>JC</u>	Date <u>4-8-04</u>	Receipt No. <u>E029694</u>
Processed by _____	AJ Date _____	WR _____ Date _____

PROFILED

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DEC 30 2005

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)

Water Rights: 29-2281, 29-13624

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

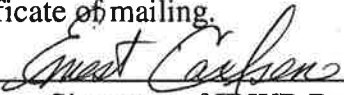
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party **CHRISTENSEN - CLINGER**
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 21 July 2004


Signature of IDWR Representative

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DEC 30 2005

CERTIFICATE OF MAILING

I certify that on July 21, 2004, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/**Seller** for Substitution of Party or attorney of record:
THOMAS CHRISTENSEN JR
ESTATE OF THOMAS F AND NAOMI L CHRISTENSEN
845 E 1000 N
SHELLEY ID 83274

3. One copy to:

Claimant/**Purchaser** for Substitution of Party, or attorney of record:
JEROME AND TINA CLINGER
2568 JOY LN
AMERICAN FALLS ID 83211

4. One copy to:

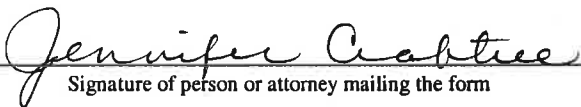
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

Date: May 30, 2003

Telecon with Tom Christensen, interest is in south half of property formerly owned by his father. Property was being purchased by Whittier, who went bankrupt. Now being purchased by Lamar Issac 226-2618 (H) 223-2618 ©. Problem is % in well agreement places more than 0.02 cfs/ac on south half of Section 8. Tom is okay with dividing the water rights so that 0.02 cfs/ac is going to south half of Section 8. Need to get consent of Lamar. No answer at Issac residence left message on answering machine.

- What lands are irrigated from well in NWSW Section 8?
- Is there a common main line connecting both wells? If yes then POU for 29-2281 should be 182 acres with K06 of 120 acres.

Blair Hawkes, Ireland Bank, understands water right from well is half and half. Is willing to renegotiate % on well agreement.

5/30/03 Could not reach Lamar Issac. Decided to make 182 acres the POU for 29-2281 and 29-13624 with a diversion rate of 0.02 cfs/ac. The division of 29-7364 is as follows:

- [[
- [[- 29-13624 1.62 cfs on 182 acres. Overlaps with 29-2281.
- [
- [-- 29-13625 3.34 cfs on 227.5 acres. No overlap.

Emil

PROFILED

SCANNED
DEC 30 2005

AJ5809NP
No. A29-02281

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PBC FARMS 5061 CONSTITUTION CHUBBUCK ID 83202 (208) 238-9070	06/26/1952	IRRIGATION	04-01 11-01	2.020 CFS	
TOTAL DIVERSION:					2.020 CFS	
CONSUMPTIVE USE:						360.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R32E S08 SESENW SWNWSW

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07S	32E	8	:											39	39	30	12			:	120.0
TOTAL ACRES																			:	120.0	

POU County: POWER

Other Rights: SHARES IN AMERICAN FALLS IRR. A29-07364.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-07364

Other Water Rights Listing Overlapping Place(s) of Use:
A01-00013 A01-02061A A01-02064E A01-02068E A29-02310 A29-02568 A29-07364 A29-11337

Remarks: GEN TRANS. 2025.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 10/17/95 DCARLSON 03/26/97 JTHOMPSO

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

Rec'd
3-24-97

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) A29-02281 ⁴⁵ AND A29-07364 ⁴⁵

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

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) 3-26-97 Current owner was Whittier; No Title of claim/64 OK

4. New Owner/Claimant(s) P.B.C. Farms

Name connector (Check one): [] AND, [] OR, [] AND/OR

New Mailing Address 5061 Constitution

City, State and ZIP Code Chubbuck, Id. 83202

New Telephone Number (208) 238 - 9070

5. Date you acquired the property Apr. 96

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) *Phillips B. Christiansen* Date 14 Mar. 97

Date _____

FILED

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that on this 5TH of MARCH, 1997, THOMAS F. CHRISTENSEN AND NAOMI CHRISTENSEN, of SHELLY, County of BINGHAM, State of Idaho, the party of the first part, for and in valuable consideration, to it in hand paid by PHILLIP B. CHRISTIANSEN, the party of the second part, the receipt whereof is hereby acknowledged, does by these presents, grant, bargain, sell and convey unto said party of the second part, its heirs and assigns, the following property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

To Have and to Hold, the same unto the said party of the second part, its heirs and assigns forever; and the said party of the first part hereby covenants that it is the lawful owner of said property, have good right, full power and lawful authority to convey the same, and that it will defend the title thereto against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand the day and year first above written.

Thomas F. Christensen
THOMAS F. CHRISTENSEN

Naomi Christensen
NAOMI CHRISTENSEN

SCANNED

DEC 30 2005

EXHIBIT A

PARCEL 1:

NW $\frac{1}{4}$ and Government Lots 1 and 2, of Section 8, Township 7 South, Range 32 East, Boise Meridian, POWER COUNTY, IDAHO.

PARCEL 2:

A portion of the the SW $\frac{1}{4}$ of Section 8, Township 7 South, Range 32 East, Boise Meridian, POWER COUNTY, IDAHO, described as follows:

Beginning at the West $\frac{1}{4}$ corner of said Section 8 which is the TRUE POINT OF BEGINNING and running thence N 89°15'29" E 1940.61 feet along the North line of said S.W. $\frac{1}{4}$; thence S 00°03'18" W 19.00 feet along a line that is 10 feet East of an existing well; thence S 89°15'29" W 20.00 feet along a line that is 10 feet South of an existing well; thence N 00°03'18" E 4.00 feet; thence S 89°15'29" W 1920.61 feet along a line that is parallel with the North line of said S.W. $\frac{1}{4}$ to the West Section line; thence N 00°03'18" E 15.00 feet along the Section line to the POINT OF BEGINNING.

WATER RIGHTS

Water Rights in Falls Irrigation District Unit No. 10 A (66.7 acres), Unit 2-10E (31.9 acres) and Unit 2-10D (44.0 acres)

In addition to 54.52% of Water License No. 29-7364 for an amount not less than 2.72 cfs

PUMPS, MOTORS AND DISTRIBUTION SYSTEM

- 1 - 100 hp U.S. Electric motor #1041 47Y with Jacuzzi vertical turbine pump # wuel4
- 1 - Lockwood Pivot Model #2265, Serial #81037144
- 4 - Thunderbird $\frac{1}{4}$ -mile wheel lines, complete with end plugs, valve openers and hoses.

Estimated 17,500 feet of 6" to 12" buried mainline

Together with all wiring, switch panels, column, shafting, tubing, bowls, etc., used with or pertaining to the above listed pump and motor

EXHIBIT A

LEGAL DESCRIPTIONS, IRRIGATION EQUIPMENT AND WATER RIGHTS

SCANNED

DEC 30 2005

EXHIBIT A

1 - 200 hp Newman Electric Motor Serial No. 1187002

1 - Layne & Bowler Vertical Turbin Pump Serial No. 45845

Water License #29-02281 2.02 cfs

Water License #29-07364 2.27 cfs

Falls Irrigation District Water 2.10c 67.6 acres

SCANNED
DEC 30 2005

State of Idaho

License and Certificate of Water Right

Water License No. 20821

Amount 2.02 c.f.s.

Water District No.

Priority June 26, 1952

THIS IS TO CERTIFY that

RAY H. BARNARD

of American Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 20, 1948; that Permit No. 20821 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.1 second feet, was issued thereunder on May 14, 1953, showing that said works were completed on the 5th day of September, 1952; and that on the 7 day of April, 1959,

RAY H. BARNARD

of American Falls, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation & domestic use, under Use Permit No. 20821 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 11 of Licenses at page 454, on the 12 day of June, 1959; The right hereby confirmed dates from June 26, 1952;

The Point of Diversion is located

in the SE 1/4 NW 1/4, Sec. 8, Tp. 7 S, R. 32 E, B. M. Power County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.02 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S.	32 E.	8	NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
Total number of Acres to be Irrigated:					160

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 12 day of June, 1959.

GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

25 2281

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28468
PERMIT No. 20821
DISTRICT No.

Chas. T. Cotant,
American Falls, Idaho

Or
Ray H. Barnard

1. Name of Applicant: RAY H. BARNARD

Postoffice address: American Falls

County: Power

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand: \$7,000.00
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 2.1

cubic feet per second.

3. Source of water supply: A well

which is a tributary of

4. Location of point of diversion: 300 ft. West of NW $\frac{1}{4}$ corner of Section 8, T. 7 S., R. 32 E., B.M., and is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T. 7 S., R. 32 E., B.M., County of Power

5. Water is to be used for Irrigation and domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point distant from the corner of Section , T. , R. , B.M., in the of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 7,000.00

8. Kind of works: Well and ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width feet; height

11. Ditch: Width at bottom 18" feet; width at water line 3 feet; depth of water 8" dimensions of flume: Diameter of pipe inches; length of conduit Average grade per mile feet.

12. The time required for the completion of such work is Three and one half years.

13. The time required for the complete application of the water to the proposed use is None additional year

14. The land to be irrigated is described in the following tabulation: See remarks.

8. Kind of works: Well ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet

11. Ditch: Width at bottom 18" feet; width at water line 3 feet; depth of water 8" feet

dimensions of flume:

Diameter of pipe inches; length of conduit miles

Average grade per mile feet.

12. The time required for the completion of such work is Three and one half years.

13. The time required for the complete application of the water to the proposed use is None additional years

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

10. (a) is referred to be used:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

RAY H. BARNARD Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. December 20, 1948

Returned to applicant for correction: January 20, 1949

Corrected application received: March 5, 1949

Approval of State Reclamation Engineer

The number of this permit is 20821

Recorded in Book 75 Page 20821 Approved March 10, 1949

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before May 10, 1949 and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before December 10, 1950

The whole of said work to be completed on or before September 10, 1952

Beneficial use of water appropriated in accordance herewith, to be made on or before September 10, 1952

WITNESS My hand this 10th day of March, 1949

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho, and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 10th

day of March, 1949

STATE OF IDAHO

Countersigned:

(SEAL) By J. D. "CY" PRICE

By C. A. ROBINS

Governor.

Secretary of State.

REMARKS: The above application is based upon the drilling of a well on the above property, all property owned by the above applicant.

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7 S.	32 E.	8	10				10				15				20				55
		10				10				10				20				50	
			Line No. 2 is land lying adjacent to Line No. 1; there is practically 105 acres of irrigable land lying in the S½NW¼, SW¼NE¼ and NW¼SE¼ in said section.																
			CERTIFICATE OF COMPLETION OF WORKS																
			TO ALL WHOM IT MAY CONCERN:																
			this is to certify that RAY H. BARNARD of American Falls, County of Power, and State of Idaho, the No. 20821, issued upon Application No. 28468 bearing date of priority of December 20, 1948, authorizing the d second feet of the waters of a well (subterranean flow) County of Power, State of Idaho, for irrigation and d has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion diversion set out and described in said Permit; that said works are adequate for diverting and conveying to t ed use 2.1 second feet of the waters of said well; that the point of diversion of said waters is in the SE¼NW ship 7 South, Range 32 East, B.M. and that the lands proposed to be irrigated by the use of said water are de to-wit: SW¼ NE¼, S½ NW¼, NW¼ SE¼ Section 8, Township 7 South, Range 32 East, B.M.																
			Witness my hand this 14th day of May, A.D. 1953.																
			Proof of completion of works made September 5, 1952.																
			Certificate of completion of works made May 14, 1953.																
			MARK R. KULP State Reclamation Engineer																

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the making of proof Beneficial Use under Permit to Appropriate the Public Waters of the State of Idaho, No. 20821, to October 1, 1955.
 Witness my hand this 8th day of May, 1953.

MARK R. KULP
 State Reclamation Engineer

Application for Amendment
 To Permit to Appropriate the Public Waters
 of the State of Idaho, No. 20821

Comes now Ray H. Barnard, and represents to the State Reclamation Engineer of the State of Idaho. That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 20821, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$ 25 acres - all in Section 8, Township 7.South, Range 32 E.B.M., making a total of 145 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at American Falls, Idaho, this 28th day of March, 1957.

/s/ Ray H. Barnard

Date of receipt at office of Department of
 Reclamation March 29, 1957.

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 20821. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Mark R. Kulp
 State Reclamation Engineer

Received and recorded in the Department of
 Reclamation Mar 29, 1957.

LICENSE ISSUED FOR 2.02 SEC. FY.
 Page 6654

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Virgil Jahnke Phone 226-2706
Post office address Route #1, Box 125, American Falls, Idaho 83211

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. 29-2281 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

Title Insurance Policy dated September 28, 1976 No. K422255, Lawyers Title Ins. Co.
Attached - PARCEL 2

3. Source of water Groundwater tributary to _____

4. Date of priority 6-26-52

5. Water is used for the following purposes:

amount 2.02 cfs for Irrigation purposes from April 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 2.02 cubic feet per second
&/or
b. _____ acre feet per annum

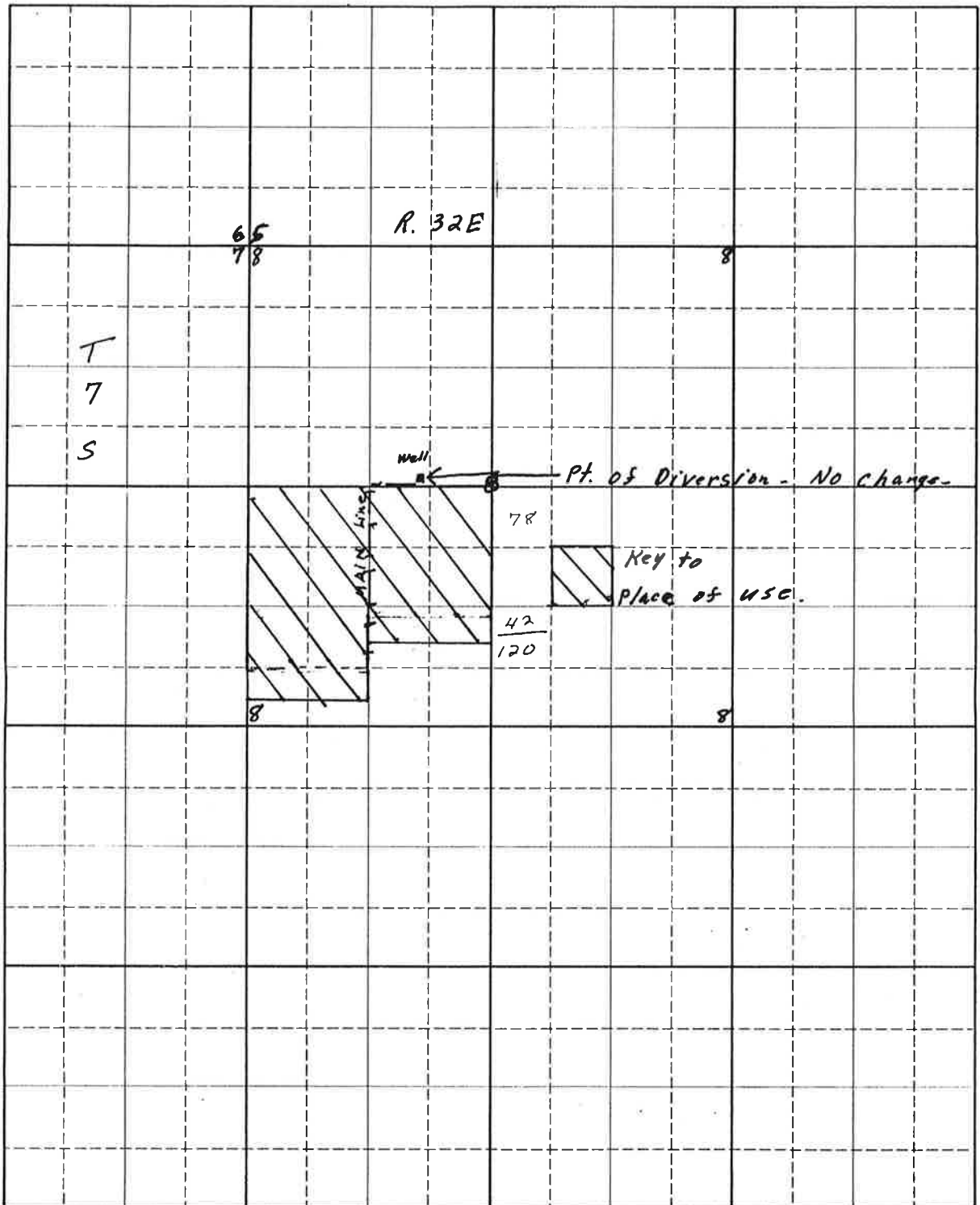
7. Location of original point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 8
Township 7 S Range 32 E, B.M., in Power County
Additional points of diversion, if any None

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 S	32 E	8					40	40	40	25									145

Total number of acres to be irrigated 145

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 4 inches equal 1 mile. Draw plan in ink.

Ray H. Barnard
American Falls, Idaho
62410

Permit No. 20821

Examination for Beneficial Use

County _____
Power 8-75-32E

Q2 2.1 c.f.s.

S. Wall

R.R. 2 SE NW 1/4 Sec. 8, T.7S. - R.32E

Filed - Dec. 20, 1948

Issued - Oct. 1, 1955 (2.1)

Q2 = 5-15-55

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
MAY 22 1959
Department of Reclamation

7 More 55%
690021

7 M. Fink

8" dia to E.

Q2 2.1 c.f.s.
Pump house 2x12x8

✓ roof concrete

Left = 5'3" h = 30'

diameter = 2.35' x 10

38132-525

South Allen, Idaho

20 1/2 24262291
RT 2nd 5" x 4"

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20821

REPORT ON PROOF OF Beneficial Use

Ray H. Barnard, American Falls, Idaho



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 31, 1997

PBC FARMS
5061 CONSTITUTION
CHUBBUCK ID 83202

Re: Change in Ownership of A29-02281 and A29-07364.

Dear Sirs:

Although a letter and copies of claims dated 3/26/97 were sent to you from this office, further clarification may be needed at this time.

The Notices of Claim as they are filed are still on the property as claimed and cannot be moved or modified without first filing an Application for Transfer. Included with the transfer application, a notarized waiver from the current owner of the property must be enclosed.

The NW1/4, Section 8, T07S, R32E has 156 acres appurtenant and Lots 1 & 2 have 67 acres appurtenant. These are covered by a portion of A29-07364 and several rights filed by Falls Irrigation Co. A29-02281 has a place of use that covers the southern 120 acres of the farm.

As always, please do not hesitate to contact this office if you have any questions regarding this matter.

Sincerely,

Gregory J. Taylor
Sr. Water Agent, Adjudications



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

MARCH 26, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

PBC FARMS
5061 CONSTITUTION
CHUBBUCK ID 83202

RE: CHANGE IN OWNERSHIP FOR A29-02281, A29-07364

Dear Sirs:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notices of Claim

MAY 10 2001

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: **A29-02281**
Date Received: 10/17/1995
Receipt No: E021621
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: PBC FARMS
Address: 5061 CONSTITUTION
CHUBBUCK ID

208-238-9070

83202

2. Date of Priority: JUN 26, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	32E	8	SE	SE	NW		POWER
			SW	NW	SW		POWER

5. Description of diverting works:

2 WELLS 200HP 24"CASING 150'DEEP,100HP. 20" CASING 150' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.020		

7. Total Quantity Appropriated is:

2.020 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 360.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	32E	8	NE	SW		IRR	39.0
			NW	SW		IRR	39.0
			SW	SW		IRR	30.0
			SE	SW		IRR	12.0

10. Place of Use: Continued

Section Acres 120.0

Total Acres 120.0

11. Place of use in counties: POWER

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

13. Other Water Rights Used:

SHARES IN AMERICAN FALLS IRR. A29-07364.

14. Remarks:

TRANS. 2025.

15. Basis of Claim: LICENSE

Water Right Number: 20821

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: A29-02281
Date Received: 3/ 8/1990
Receipt No: E021621
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAROLD WHITTIER 208-221-2261
Address: 221 FORT HALL AVE
AMERICAN FALLS ID 83211

2. Date of Priority: JUN 26, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	32E	8	SE	SE	NW		POWER
			SW	NW	SW		POWER

5. Description of diverting works:
2 WELLS 200HP 24"CASING 150'DEEP,100HP. 20" CASING 150' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.020		

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

8. Total consumptive use is 360.0 Acre Feet Per Annum.

9. Non-irrigation uses:
~~NONE~~

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	32E	8	NE	SW		IRR	39.0
			NW	SW		IRR	39.0
			SW	SW		IRR	30.0

A2902281



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NOV 14 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	32E	8	SE SW		IRR	12.0

Section Acres 120.0

Total Acres	120.0
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11. Place of use in counties: POWER

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

13. Other Water Rights Used:

SHARES IN AMERICAN FALLS IRR. A29-07364.

14. Remarks:

TRANS. 2025.

15. Basis of Claim: LICENSE

Water Right Number: 20821

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): Wendy Smith Date: 10-17-95

Date:

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State of Idaho)
County of Tower) SS.

Subscribed and sworn (or affirmed) before me this 10 day
of Oct 19 95 Dana Carls
Notary Public

Seal

Residing at Heise, Id

My Commission Expires 2/26/96

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NOV 14 1996

POOR ORIGINAL

See Map
P-10

T675

NHEL
4-32.4

20.8 #1465
Harold Whittier
(Ch. Jensen)

298

330

12-HEL
53.8

13- 10.9
40.7

2405
11.4 Gibbs

NHEL
11-68.2

#361
2-13.6

HEL
14-24.0

7-8 13.0

18-17 T170

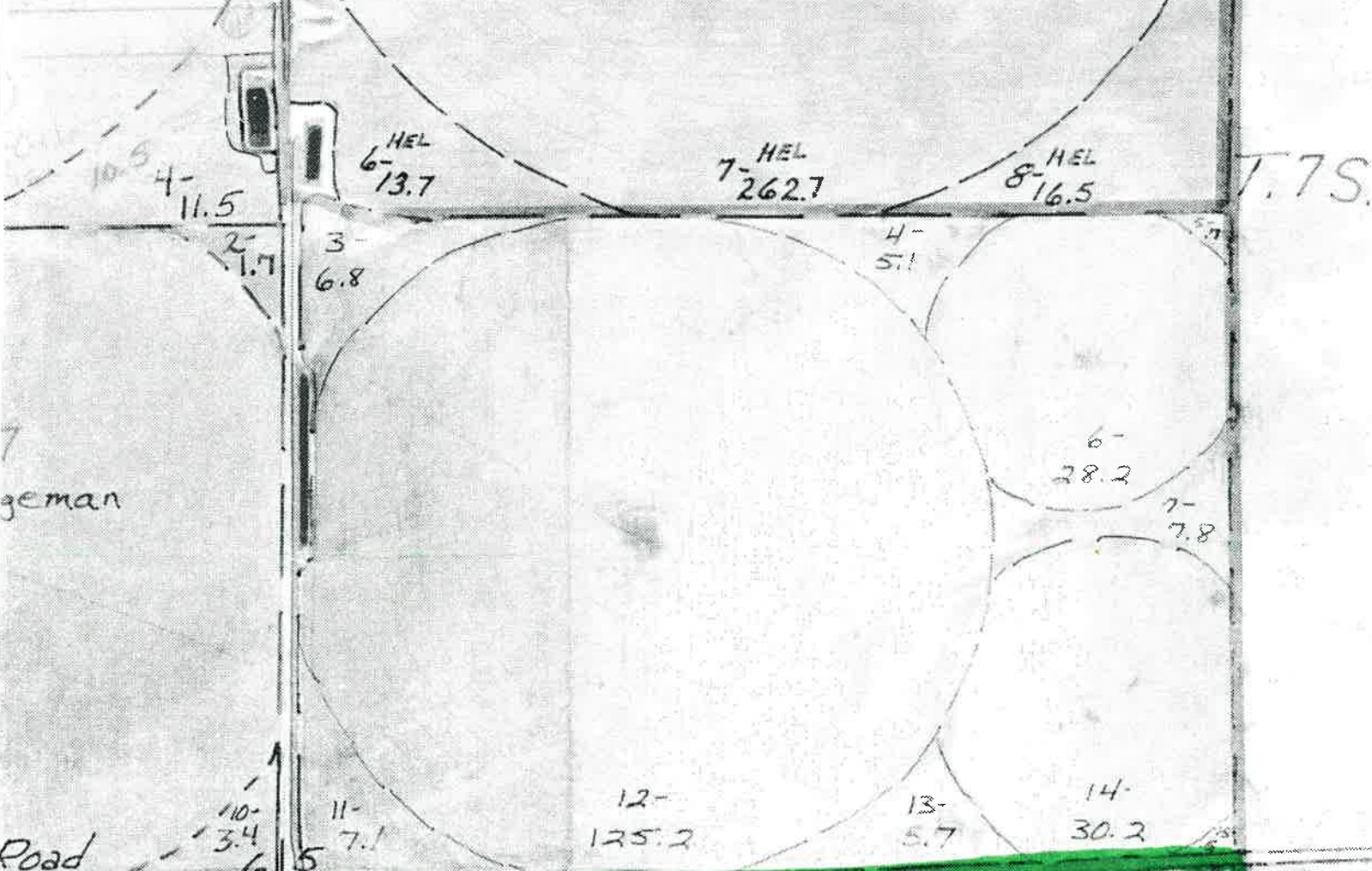
NHEL
2-182

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NOV 14 1998

37
Page man

POOR ORIGINAL



#1465
Harold Whittier
(Christensen)

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