

11/05/2002

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

RIGHT NUMBER: 37-2043D
NAME AND ADDRESS: LORI M HUMAN
2246 E 1850 S
GOODING ID 83330
KELLY C HUMAN
2246 E 1850 S
GOODING ID 83330

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.370 CFS
116.000 AFY
PRIORITY DATE: 05/10/1906
POINT OF DIVERSION:

T05S R16E S29 SWSESW 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	0.370 CFS 116.00 AFY

PLACE OF USE: IRRIGATION Within GOODING County

T05S R15E S35	SWSW	9.0	T05S R15E S35	SESW	32.0
T05S R15E S35	SESE	4.0	T06S R15E S02 Lot 1	NENE	32.0
T06S R15E S02 Lot 2	NWNE	2.0	T06S R15E S02	SWNE	30.0
T06S R15E S02	SENE	38.0	T06S R15E S02 Lot 3	NENW	40.0
T06S R15E S02 Lot 4	NWNW	38.0	T06S R15E S02	SWNW	36.0
T06S R15E S02	SENW	27.0			

288 ACRES TOTAL

RIGHT NOS. 37-177N, 37-374B, 37-2043D AND 37-7047 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 168 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 29 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

11/05/2002

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

WATER IS DELIVERED THROUGH THE SOUTH GOODING MAIN CANAL.

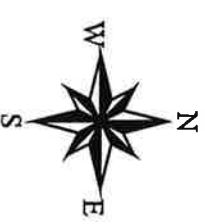
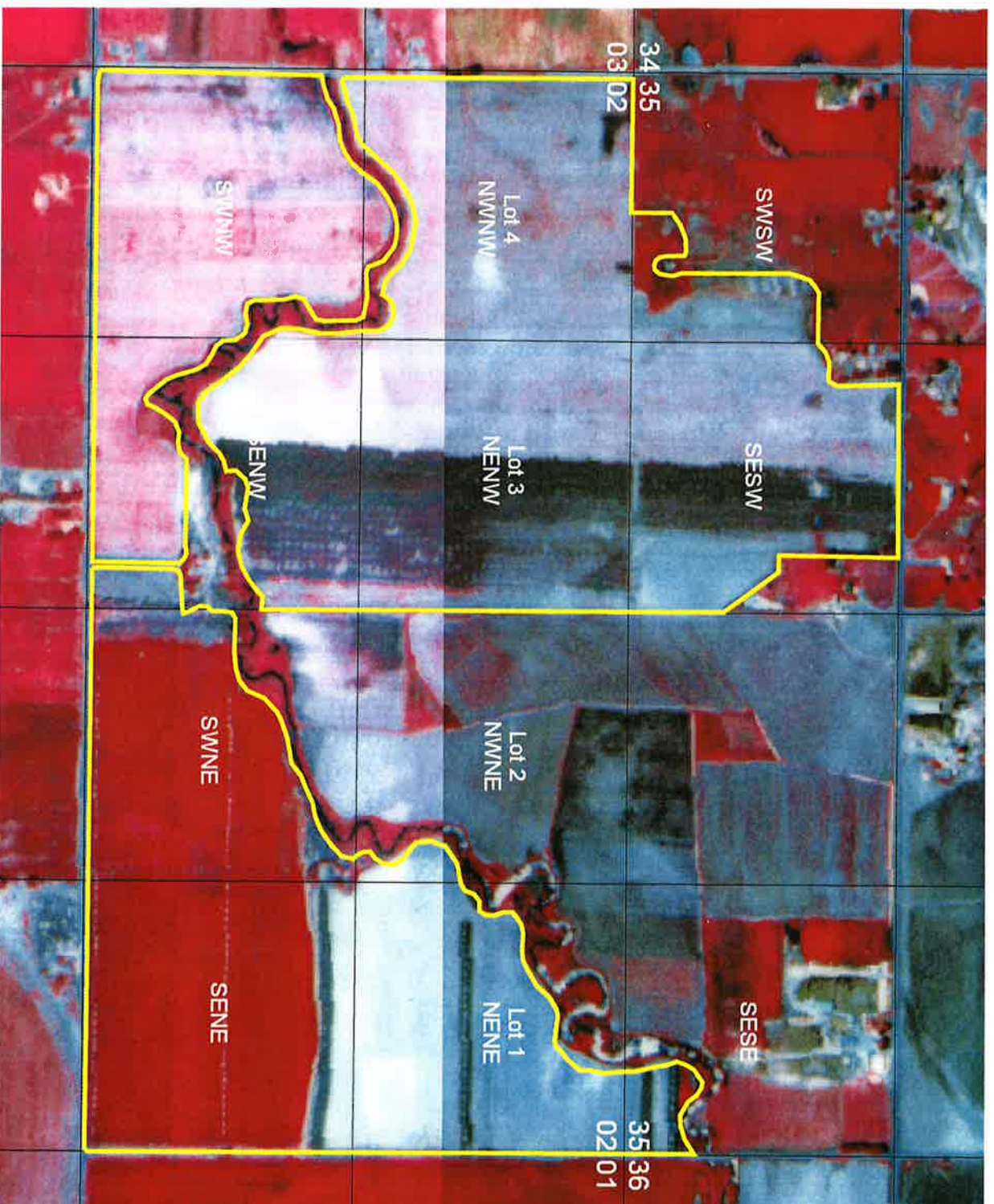
Use of water under this water right will be regulated by the watermaster of State Water District No. 37M.

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

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

37-177N, 37-374B, 37-2043D & 37-7047

T05S R15E S35
T06S R15E S02



Map prepared by: Carter Fritschle
Date prepared: 11/05/02
1987-1988 NAPP photography
Idaho Department of Water Resources

License 37-2043

1906 - Application for permit filed. 3.00 cfs on 160 acres (S1/2 of SE1/4 of S35, T05S, R15E, and SWNW of S01 and SENE of S02, T06S, R15E.)

1910 - License issued for 2.50 cfs on 35 acres in SESE of S35, 25 acres in SWNW of S01 and 25 acres in SENE of S02 (85 acres total).

1988 - Claim 37-2043A filed for 1.25 cfs on 102.7 acres. Only the SESE of S35 is part of the licensed POU.

1988 - Claim 37-2043B filed for 1.25 cfs on 360 acres. This claim included the SWNW of S01, the SENE of S02 and 4 acres in the SESE of S35.

1991 - Change of ownership splits Claim 37-2043B into Claim 37-2043C and Claim 37-2043D. Claim 37-2043C is for 0.88 cfs on 254 acres including the SWNS of S01. Claim 37-2043D is for 0.37 cfs on 106 acres including the SENE of S02 and 4 acres in the SESE of S35.

1994 - Transfer No. 4313 filed on claim 37-2043C creating Water Right 37-2043B for 0.88 cfs on a permissible POU 983.7 acres. Water Right 37-2043B is limited to 25 acres within the PPOU. The portion of the license not transferred is assigned Water Right No. 37-2043A.

1994 - Transfer No. 4324 is filed on Claim 37-2043D creating Water Right 37-2043D for 0.37 cfs on a permissible POU of 288 acres. Water Right 37-2043D is limited to 29 acres within the PPOU. The portion of the license not transferred is assigned Water Right No. 37-2043C.

1999 Transfer No. 5623 filed on Water Right 37-2043B (Claim 37-2043C) but does not change any of the elements of the right.

Diversion Rates

License 37-2043 = 2.5 cfs on 85 acres = 0.029 cfs/acre
Claim 37-2043A = 1.25 cfs
Claim 37-2043B = 1.25 cfs - Split into C and D
Claim 37-2043C = 0.88 cfs
Claim 37-2043D = 0.37 cfs

Water Right 37-2043B = 0.88 cfs on 25 acres = 0.035 cfs/acre = Claim 37-2043C
Water Right 37-2043C = 1.25 cfs on 31 acres = 0.040 cfs/acre = Claim 37-2043A
Water Right 37-2043D = 0.37 cfs on 29 acres = 0.013 cfs/acre = Claim 37-2043D

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-02043D**
Date Received: 9/ 2/1988
Receipt No: X999999
Received By: _____

AMENDED

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

AMENDED

1. Name: LORI M HUMAN 208-934-5977
Address: 2246 E 1850 S
GOODING ID 83330

Name: KELLY C HUMAN 208-934-5977
Address: 2246 E 1850 S
GOODING ID 83330

2. Date of Priority: MAY 10, 1906

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	16E	29	SE	SW			GOODING

5. Description of diverting works:
HEADGATE, PIPELINE TO POND, PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.370		116.00

7. Total Quantity Appropriated is:
0.370 C.F.S. (and/or) 116.00 A.F.A.

8. Total consumptive use is 87.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	35	SW	SW		IRR	9.0
			SE	SW		IRR	32.0
			SE	SE		IRR	4.0
			Section Acres				
06S	15E	2	NE	NE	1	IRR	32.0
			NW	NE	2	IRR	2.0
			SW	NE		IRR	30.0
			SE	NE		IRR	38.0
			NE	NW	3	IRR	40.0
			NW	NW	4	IRR	38.0
			SW	NW		IRR	36.0
			SE	NW		IRR	27.0
			Section Acres				
Total Acres						288.0	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

A37-00177N, 00374B, 07047, SHARES IN BWCC & AFRD #2

14. Remarks:

THIS CLAIM IS SPLIT FROM CLAIM A37-02043B. CLAIM A37-02043C IS FOR 0.88 CFS TO IRRIGATE 254 ACRES. THIS SPLIT WAS MADE BECAUSE OF OWNERSHIP CHANGE. RVW 3/5/91

CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 4324:

1. USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 37M.
2. A MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
3. THESE RIGHTS WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE FOR THE LANDS ABOVE.
4. APPROVAL OF THIS TRANSFER IN NO WAY GRANTS ANY RIGHT-OF-WAY OR EASEMENT FOR USE OF A DELIVERY SYSTEM OWNED BY PERSON(S) OTHER THAN THE RIGHT OWNER.
5. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.
6. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE

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14. Remarks: Continued

APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

7. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

8. COMBINED RIGHT NOS. 37-00177N AND 37-00374B ARE LIMITED TO IRRIGATION OF A TOTAL OF 64 ACRES IN A SINGLE IRRIGATION SEASON, AND WHEN COMBINED WITH RIGHT NOS. 37-02043D AND 37-07047 ARE LIMITED TO IRRIGATION OF A TOTAL OF 168 ACRES IN A SINGLE IRRIGATION SEASON.

9. RIGHT NO. 37-02043D IS LIMITED TO IRRIGATION OF 29 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

*****2/6/96 tf; CONSUMPTIVE USE CORRECTED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FLORENCE HUGHES

Decree Plaintiff

S.H. CHAPMAN

vs Decree Defendant

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State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

October 13, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

KELLY C HUMAN
2246 E 1850 S
GOODING ID 83330

RE: Amendment of SRBA Claims A37-00177N, A37-07047, A37-02043D,
A37-00374B

Dear Claimant:

Pursuant to the approval of Transfer No. 4324, the above referenced Notice(s) of Claim in the Snake River Basin Adjudication have been amended to conform with the transfer. Please find enclosed a printout of the way your claim records have been modified. Please check these modified records over carefully to verify they correctly reflect your intended change. If you have questions please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

TRANSFER OF WATER RIGHT

JUL 03 1995

TRANSFER NO. 4324

WATER RIGHT NO(S). 37-00177M/37-00374A/37-02043D/37-07047
Department of Water Resources
Southern Region

This is to certify that: KELLY C HUMAN
1850 S 2246 E
GOODING ID 83330

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-00177M :			
IRRIGATION	04/01 to 10/31	0.06 CFS	25.3 AF
Right No. 37-00374A :			
IRRIGATION	04/01 to 10/31	0.24 CFS	101.3 AF
Right No. 37-02043D :			
IRRIGATION	04/01 to 10/31	0.37 CFS	116.0 AF
Right No. 37-07047 :			
IRRIGATION	04/01 to 10/31	1.40 CFS	300.0 AF
	TOTAL:	2.07 CFS	542.6 AF

DATE OF PRIORITY:

Right No. 37-00177M : 04/01/1883
Right No. 37-00374A : 05/15/1884
Right No. 37-02043 : 05/10/1906
Right No. 37-07047 : 06/16/1969

SOURCE

LITTLE WOOD RIVER

TRIBUTARY OF

MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 29, Township 05S, Range 16E
LINCOLN County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	15E	35	SWSW 9	SESW 32	SESE 4	45
06S	15E	2	Lot 1(NENE) 32	Lot 2(NWNE) 2	SWNE 30	
			SENE 38	Lot 3(NENW) 40	Lot 4(NWNW) 38	
			SWNW 36	SENW 27		

Total number of acres irrigated: 243 * 288

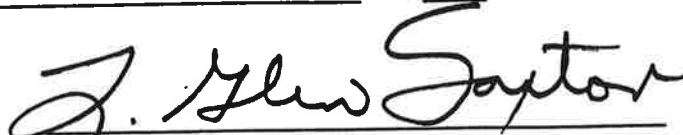
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TRANSFER NO. 4324
WATER RIGHT NO(S). 37-00177M/37-00374A/37-02043D/37-07047

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37M.
2. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. These rights when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- *8. Combined Right Nos. 37-00177M and 37-00374A are limited to irrigation of a total of 64 acres in a single irrigation season, and when combined with Right Nos. 37-02043D and 37-07047 are limited to irrigation of a total of 168 acres in a single irrigation season.
- *9. Right No. 37-00177M is limited to irrigation of 32 acres in the place of use described above in a single irrigation season.
- *10. Right No. 37-00374A is limited to irrigation of 64 acres in the place of use described above in a single irrigation season.
- *11. Right No. 37-02043D is limited to irrigation of 29 acres in the place of use described above in a single irrigation season.
- *12. Right No. 37-07047 is limited to irrigation of 75 acres in the place of use described above in a single irrigation season.

Dated this 28th day of June, 1995.


Chief, Water Alloc. Bureau

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Date Sent to S.R. SEP 20 1994

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Page 1 of 2STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4324

MAR 11 1994
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1
Department of Water Resources
Southern Region OfficeName of applicant Kelly C. Human Phone 934-5977
Post Office address 1850 S. 2246 E., Gooding, ID 83330

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create permissible place of use
2. Describe the reason for the proposed changes Original pump in Little Wood R. is no longer usable, as I no longer have access to it due to sale of property to Avonmore West (see pending transfers in their name). Also to describe permissible place of use as it now exists.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- | | | | | |
|-----------|-----------|----------|--------|--------------|
| 37-00177M | 4-1-1883 | 0.06 cfs | Irrig. | 4-1 to 10-31 |
| 37-00374A | 5-5-1884 | 0.24 cfs | " | " to " |
| 37-02043D | 5-10-1906 | 0.37 cfs | " | " to " |
| 37-07047 | 6-16-1969 | 1.40 cfs | " | " to " |
2. Total amount of water being transferred 2.07 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Little Wood River tributary to Mald River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	SW	29	5S	16E	Lincoln	Head of South Gooding Main Canal
	NE	NE	SW	2	6S	15E	Gooding	Re-diversion from Canal

5. Lands irrigated or place of use:
- Now change permissible place of use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	15E	25											9	32				4	45
6S	15E	2	32	2	30	38	40	38	36	27									243
			L1	L2			L3	L4											

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Total acres 288

PART 1**6. General Information:**

a. Description of diversion system Headgate to South Gooding main canal, conveyance thru canal, Headgate # in Canal, pipeline across WTR to pond, Pump in pond to sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

No change - land is all irrigated from the same collection pond/pump system at this time.

d. Remarks:

The only operational change represented by this transfer is a change in point of diversion from the Little Wood River.

The District 37 Watermaster makes deliveries at both the new diversion & re-diversion points, so both are shown in Part 1.B.4.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2*(Attach one copy for each right)***A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. 37-00177E Decreed to Charles Dill
 in case of S.C. Frost Et. AL. vs. Atturus Water Co. Et. AL.
 dated 12-13-1909 in Fourth District county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 804 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____

3. Source of water Little Wood River tributary to Malad River
4. Date or priority 4-1-1883

5. Water is used for the following purpose:

amount 0.20 cfs for Irrig purposes from 4-1 to 10-31
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 0.20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	36	5S	15E	Gooding	#89-P Pump

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	15E	1						X											
								44											
		2	X																
			41																

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Total acres _____

9. Describe any other water rights used for the same purpose as described above Congl Shores

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.06 cfs for Irrig. purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:
- Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	15E	2	32																
			41																

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.14 cfs for Irrig. purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:
- Unknown but not #89-P Pump

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	15E	1						X											
								44											

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NOV 22 1996

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4324

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00374 Decreed to W. B. Kelly
in case of S. C. Frost, Et. Al. vs. Alturas Water Co, Et. Al.
dated 12-13-1909 in Fourth District county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Little Wood R. tributary to Malad R.4. Date or priority 5-15-1884

5. Water is used for the following purpose:

amount 0.80 cfs for Irrig. purposes from 4-1 to 10-31
(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right 0.80 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	36	5S	15E	Gooding	#89-P Pump

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	15E	1					X												
							Lt 4												
		2	X	X	X														
			Lt 1	Lt 2															

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9. Describe any other water rights used for the same purpose as described above

Total acres _____
NOV 22 1998
Cangl shares

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.24 cfs for Irrig. purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	15E	2	32	2	30														64

Total acres 64**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 0.56 cfs for Irrig. purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Unknown but not the #89-P pump

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	15E	1						X											
								Lt4											
		2	X	X	X														
			Lt1	Lt2															

MICROFILMED
NOV 22 1956

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-02043 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Little Wood River tributary to Mald River4. Date or priority 5-10-1906

5. Water is used for the following purpose:

amount 2.5 cfs for Irrig. purposes from 4-1 to 10-31
 (cfs/ac-ft) amount _____ for Domestic purposes from _____ to _____
 (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right 2.5 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	36	55	15E	Gooding	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
55	15E	35																25	35
65	15E	1							25										25
		2				25													25

MICROFILMED

NOV 22 1988

Total acres

85

9. Describe any other water rights used for the same purpose as described above Conq/ shares

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.37 cfs for Irrig. purposes from 4-1 to 10-31
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion: Actual present PID per unrecorded transfer

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SW	36	5S	15E	Gooding	#89-P Pump

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	15E	35																4	4
6S	15E	2				25													25

Total acres 29

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 2.13 cfs for Irrig. purposes from 4-1 to 10-31
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion: Same as licensed

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	15E	35																31	31
6S	15E	1							25										25

MICROFILMED

NOV 22 1996

Total acres 56

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4324

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-07047 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____

3. Source of water Little Wood River tributary to Mald River
4. Date or priority 6-16-1969

5. Water is used for the following purpose:

amount 1.4 cfs for Irrig. purposes from 4-1 to 10-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.4 cubic feet per second and/or 300 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	2	65	15E	Gooding	
		SE	NW	"	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
65	15E	2					35	40											75
							6+3	4+4											

MICROFILMED

NOV 22 1996 Total acres 75
37-7259, Canal shares

9. Describe any other water rights used for the same purpose as described above

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No Yes If yes, describe Right has not been available due to continuing drought

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

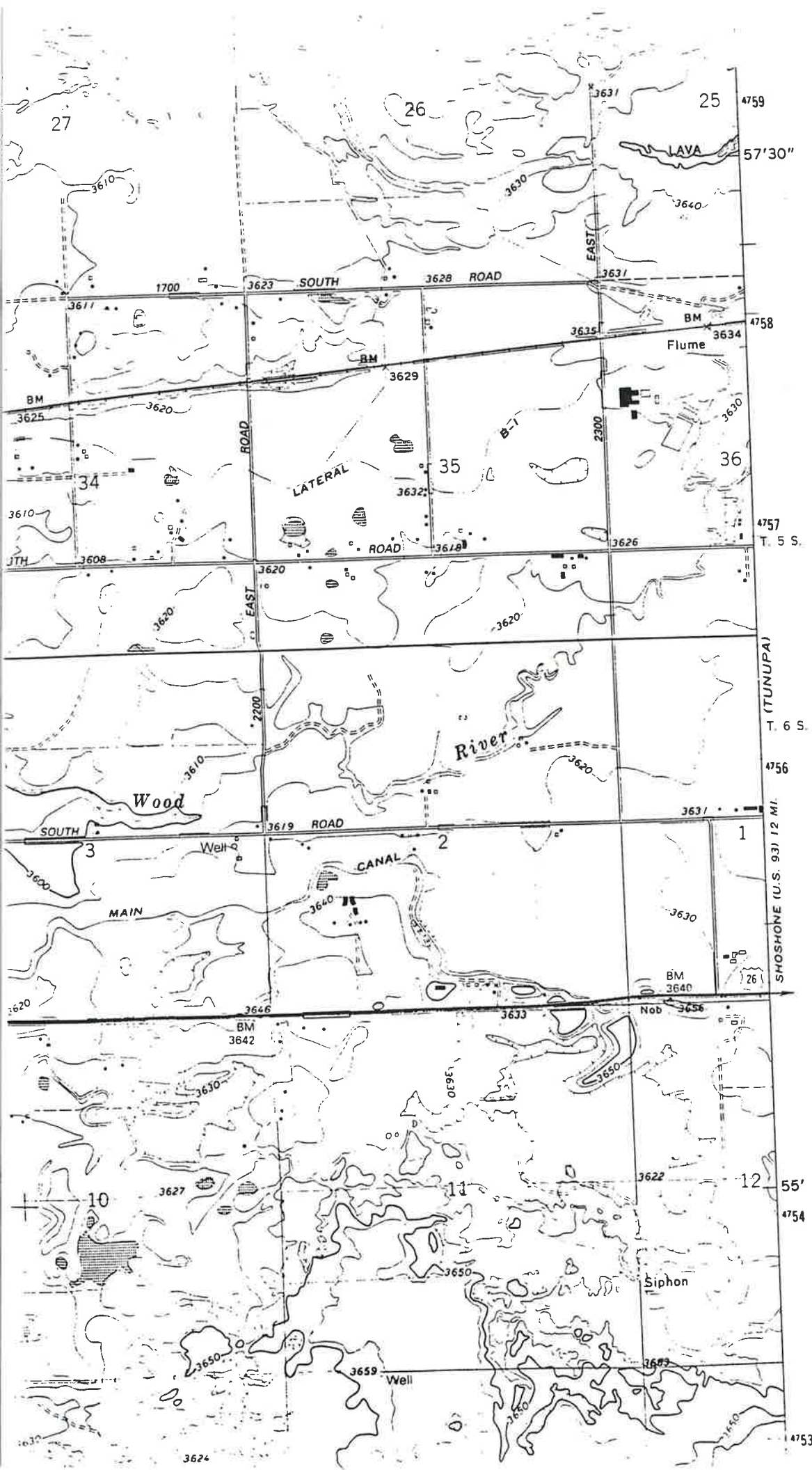
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

MICROFILMED
 NOV 22 1996

Total acres _____



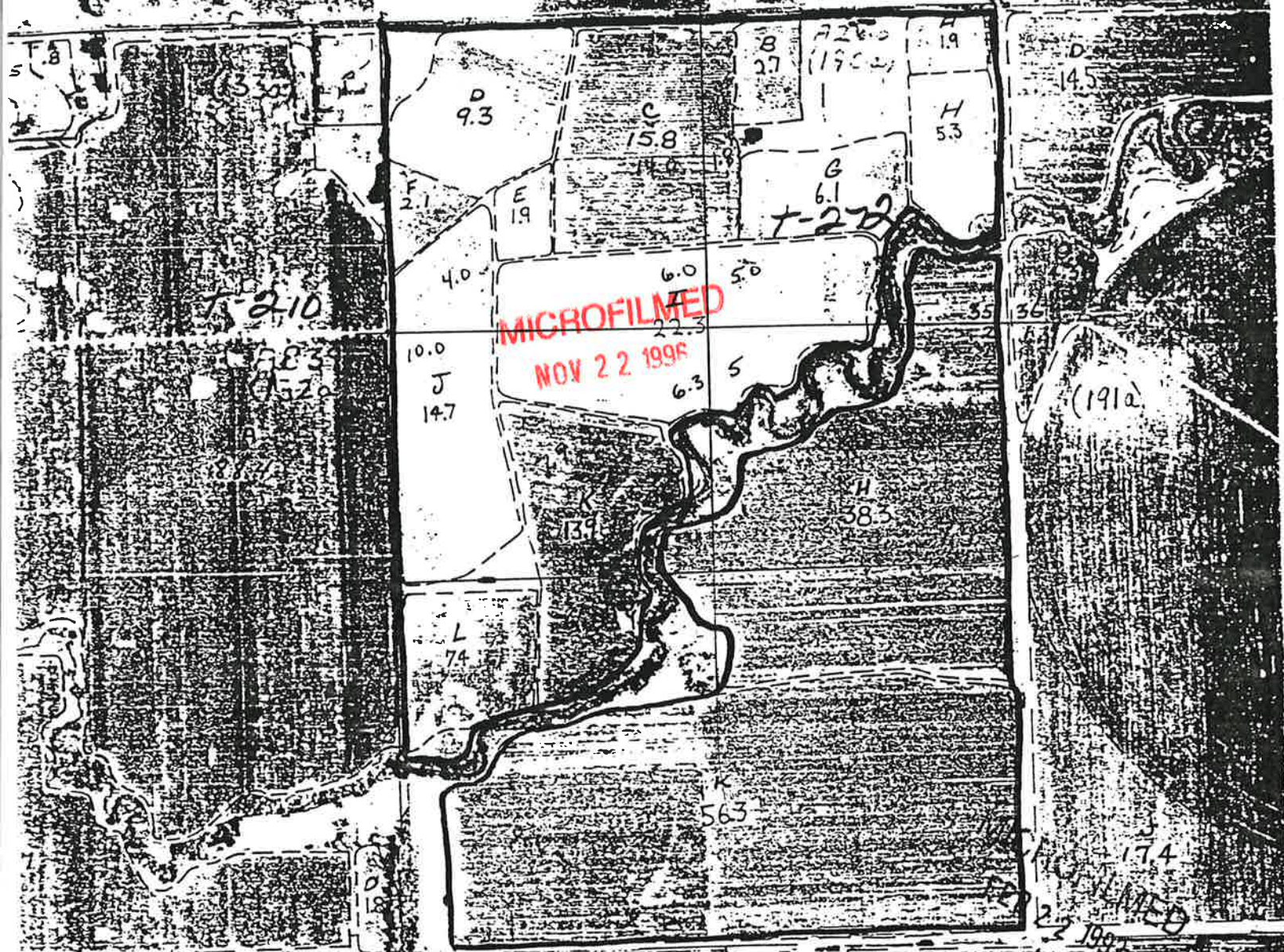
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NOV 22 1956

T # 4324

A37-00375A

MICROFILMED

NOV 22 1996



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T-418

27.2

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NOV 22 1996

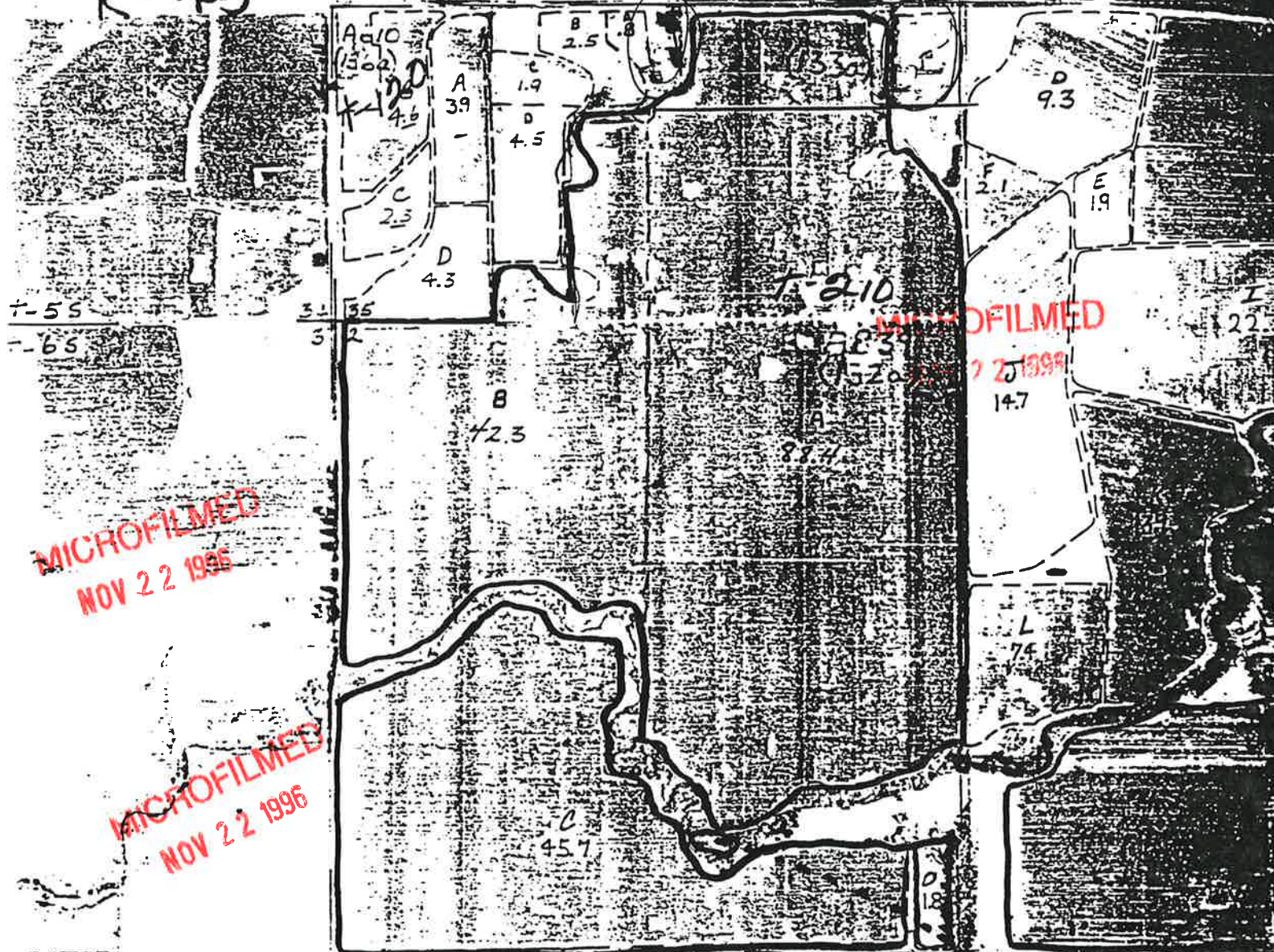
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35,2

T 5.6

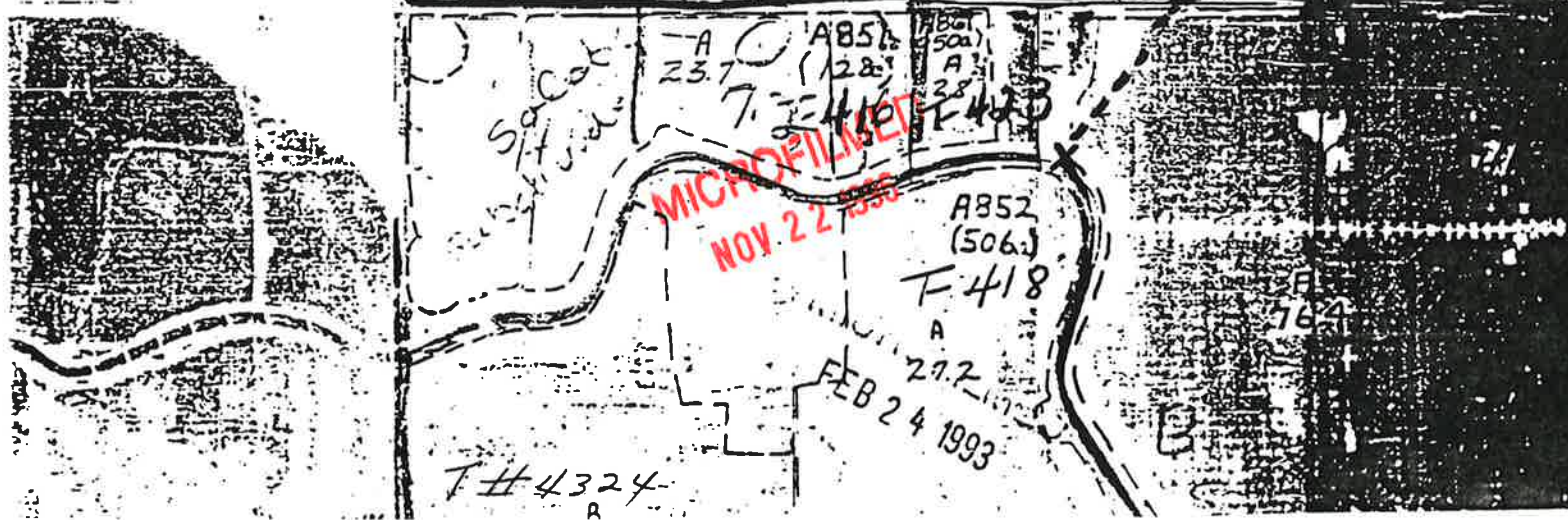
R 45

47-37



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NOV 22 1996

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NOV 22 1996



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NOV 22 1996

FEB 24 1993

T # 4324

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Kelly Human
(Signature of Applicant)

Subscribed and sworn to before me this 9th day of February, 19 94.

Mary G. Baldwin
(Notary Public)

My commission expires 10/16/1998

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 3 attachments

Received by J F Stanton Date 2-9-94

Protest filed by None

Prelim. check by M+S Fee \$50.00 5016549

Receipted by JA Date 2-9-94

Published in Gooding Co. Leader, Lincoln Co. Journal Copies of protest forwarded by _____

Pub. dates 4/6 + 4/13/94 Hearing held by _____ Date _____

Watermaster recommendation requested on 3/28/94 Recommended for ☒ approval ☐ denial

_____ rec'd. 4/6/94 by ADK

Copy of transfer sent to lien holder _____

MICROFILMED**NOV 22 1996**

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: Kelly Human Transfer

FROM: Jim Stanton

DATE: 3-10-94

Today I met with the applicant at his home concerning this transfer. We reviewed the aerial photos and irrigation sysyem. I am familiar with this farm, having done the licensing exam on his irrigation well a ~~copy~~ couple years ago. Due to a land sale beyond his control, it is no longer feasible for Kelly to use the old river pump; the other rights on that pump are also being transferred to other diversion points. No new land will be irrigated under this transfer, but operation of the system will be more efficient. There will no be one diversion point for all of Kelly's water, and it will be only 1/4 mile or so from his farm. Assuming watermaster agrees, I see no reason not to approve this transfer.

☒ (X) For your information

☐ () Response required


signature

T # 4324

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NOV 22 1996

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-02043D
Date Received: 9/ 2/1988
Receipt No: X999999
Received By: *[Signature]*

Split and Owner Change

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KELLEY HUMAN 208-934-5977
Address: 2246 E 1850 S
GOODING, ID 83330

Name: LORI M HUMAN 208-934-5977
Address: 2246 E 1850 S
GOODING, ID 83330

2. Date of Priority: MAY 10, 1906

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	15E	36	SW	SW	SW		GOODING

5. Description of diverting works:
#89-P PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.370		

7. Total Quantity Appropriated is:
0.370 C.F.S. (and/or) 424.00 A.F.A.

8. Total consumptive use is 318.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	35	SE	SE		IRR	4.0
						Section Acres	4.0
06S	15E	2	NE	NE	1	IRR	32.0
			NW	NE	2	IRR	2.0
			SW	NE		IRR	30.0
			SE	NE		IRR	38.0
						Section Acres	102.0
						Total Acres	106.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

A37-00177N, 00374B, SHARES IN BWCC & AFRD #2

14. Remarks:

THIS CLAIM IS SPLIT FROM CLAIM A37-02043B. CLAIM A37-02043C IS FOR 0.88 CFS TO IRRIGATE 254 ACRES. THIS SPLIT WAS MADE BECAUSE OF OWNERSHIP CHANGE. RVW 3/5/91

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FLORENCE HUGHES

Decree Plaintiff

S.H. CHAPMAN

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): A37-00374, A37-02043B, A37-00177F

[] Name and Address of Former Claimant(s): GREEN HORN FARMS

P O BOX 93

GOODING ID 83330

[] New Claimant(s): KELLEY HUMAN & LORI HUMAN

2246 E 1850S

[] New Mailing Address: GOODING ID 83330

New Telephone Number: (208) 934-5977

- [] Does the change in ownership result in a splitting of the water right claimed? X yes no
If yes, then describe the portion of the water right that is now claimed by the new owner:

T5S R15E Sec 35 SESE 4 ac.

T6S R15E Sec 2 NENE LT1 32 ac, NWNE LT2, 2 ac.

SWNE 30 ac, SENE 38 ac.

- [] Attach proof of ownership
Describe proof attached: Warranty DEED.
(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 claimant.)

[X] Signature of New Claimant(s): Kelley Human

Lori Human

Date: 3/10/91

RECEIVED
MICROFILMED

MAR 14 1991

FEB 23 1993

Department of Water Resources
Southern Region Office

WARRANTY DEED

For Value Received GREENHORN FARMS, an Idaho General Partnership

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
KELLY HUMAN and LORI M. M. HUMAN, husband and wife
whose address is: 2246 E 1850 S, Gooding, Idaho 83330

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

SEE ATTACHED EXHIBIT "A"
(containing one page)

143536

STATE OF IDAHO, COUNTY OF GOODING
Filed for record at the request of Land Title & Escrow, Inc.

15 min. past 4 o'clock P. M. this 25
of Jan, 1991. fee 6.00
J. A. MYERS, Recorder
Velda M. Schmidt

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

Dated: January 25, 1991

Joseph Thomas Arkoosh
Joseph Thomas Arkoosh, General Partner
James Elias Arkoosh
James Elias Arkoosh, General Partner
Michael Alexander Arkoosh
Michael Alexander Arkoosh, General Partner
George Frances Arkoosh, II
George Frances Arkoosh, II, General Partner

STATE OF IDAHO, COUNTY OF
On this _____ day of _____, 19____,
before me, a notary public in and for said State, personally appeared

known to me to be the person whose name
subscribed to the within instrument, and acknowledged
to me that executed the same.

Residing at _____
Commission expires: _____



STATE OF IDAHO)
COUNTY OF GOODING) ss.
On January 25, 1991, before me, the undersigned a notary public in and for said County and State, personally appeared Joseph Thomas Arkoosh, Michael Alexander Arkoosh, James Elias Arkoosh, and George Frances Arkoosh, II, known to me to be the partners in the partnership of Greenhorn Farms, and the partners who subscribed said partnership name to the foregoing instrument and acknowledged to me that they executed the same in said partnership name.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the same day and year in this certificate first above written.

Commission Expires: 7-28-1993

Janet A. Correll
Notary Public for Idaho
Residing at Gooding, Idaho

RECORDED
FEB 23 1993

EXHIBIT "A"

TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 35: All that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, lying South and
East of the center of the Little Wood River.

TOWNSHIP 6 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 2: All of Lots 1, 2 and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, lying South and
East of the center of the Little Wood River,
EXCEPTING THEREFROM that portion deeded to the
Gooding Highway District for Highway purposes by a
Deed recorded November 30, 1915 in Book 1 Page 526
as Instrument Number 5711, Gooding County records.

TOGETHER WITH all water and water rights, ditches,
and ditch rights used thereon or appurtenant there-
to, including but not limited to 100 shares of Big
Wood Canal Company Water Stock

SUBJECT TO THE FOLLOWING:

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

Taxes for 1991 and subsequent years, which are not yet due and
payable.

Assessments of the American Falls Reservoir District No. 2 and
the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and pow-
ers of said Company as by law provided.

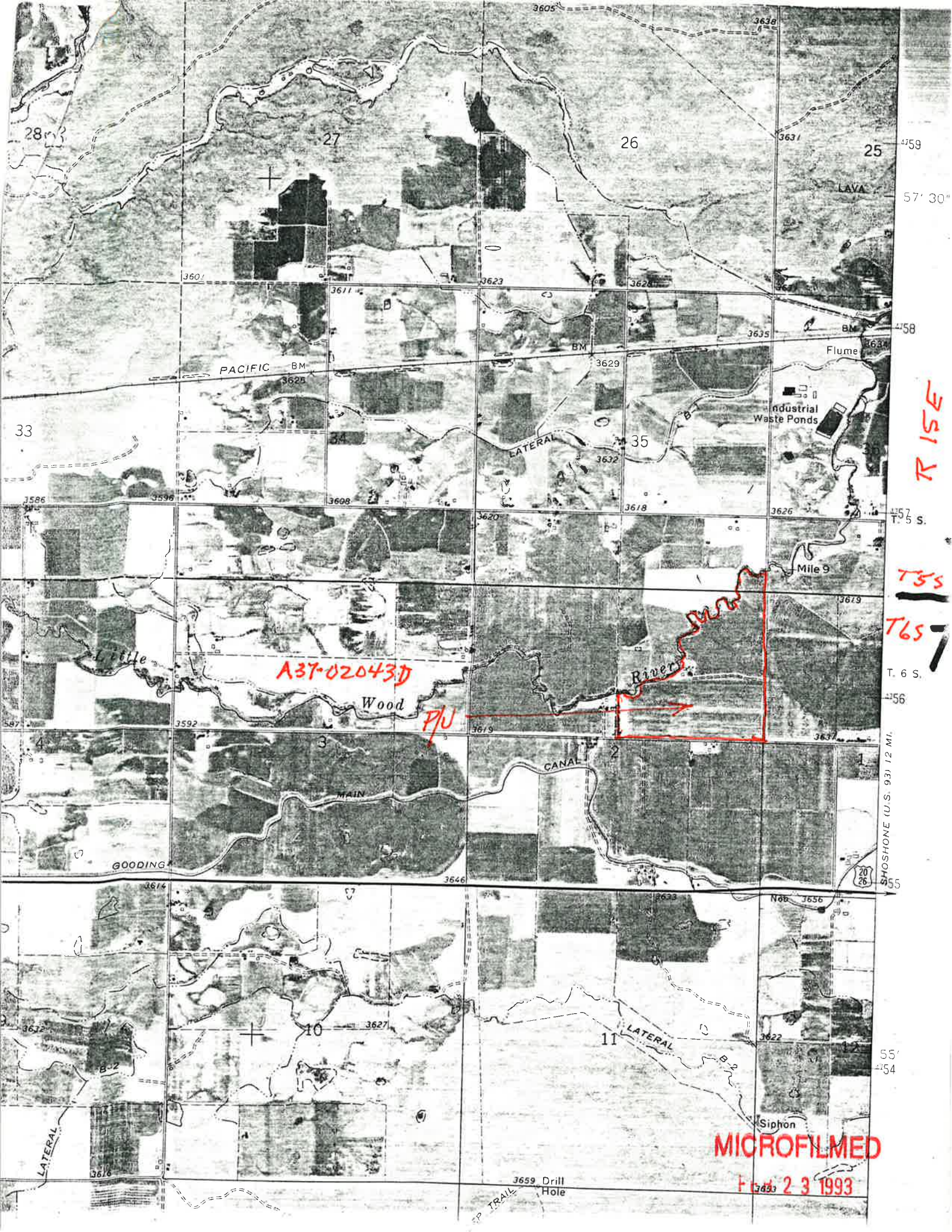
Right of way for canals, laterals and waste ditches of Big Wood
Canal Company.

The opening of a road between Sections 1 and 2, Township 6 South,
Range 15, East Boise Meridian, as revealed in Commissioners
Minutes filed June 19, 1911 in Book 2 Page 313, Gooding County
records.

Power Line Easement given by Nina Kelly, a widow, to Idaho Power
Company, a corporation, dated January 25, 1938, recorded April 1,
1938 in Book 4 Page 241 as Instrument Number 70286, Gooding
County records, affecting the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, Township 6
South, Range 15, East Boise Meridian.

Power Line Easement given by Donald H. Kelly and Ruth G. Kelly,
husband and wife, owners, and Will H. Thomas and Juanita C.
Thomas, husband and wife, contract purchasers, to Idaho Power
Company, a corporation, dated January 29, 1965, recorded May 4,
1965 as Instrument Number 14604, Gooding County records, affect-
ing the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, Township 5 South, Range 15, East
Boise Meridian.

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FEB 23 1993



A37-02043D

PU

RIVER

MICROFILMED

FEB 23 1993

R 15 E

T 5 S

T 6 S

SHOSHONE (U.S. 93) 12 MI.