

07/24/2002

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

RIGHT NUMBER: 37-2526A

NAME AND ADDRESS: ELLIOTT FAMILY LIMITED PARTNERSHIP
HC 60 BOX 1745
BLISS ID 83314

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.59 CFS
832.0 AFY

PRIORITY DATE: 11/28/1951

POINT OF DIVERSION:

T06S R13E S12 NENENE Within GOODING County

T06S R13E S12 NENENE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

3.590 CFS
832.00 AFY

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S12	NENE	32.0	T06S R13E S12	NWNE	31.0
T06S R13E S12	SWNE	29.0	T06S R13E S12	SENE	40.0
T06S R13E S12	NESE	38.0	T06S R13E S12	SESE	38.0

208 ACRES TOTAL

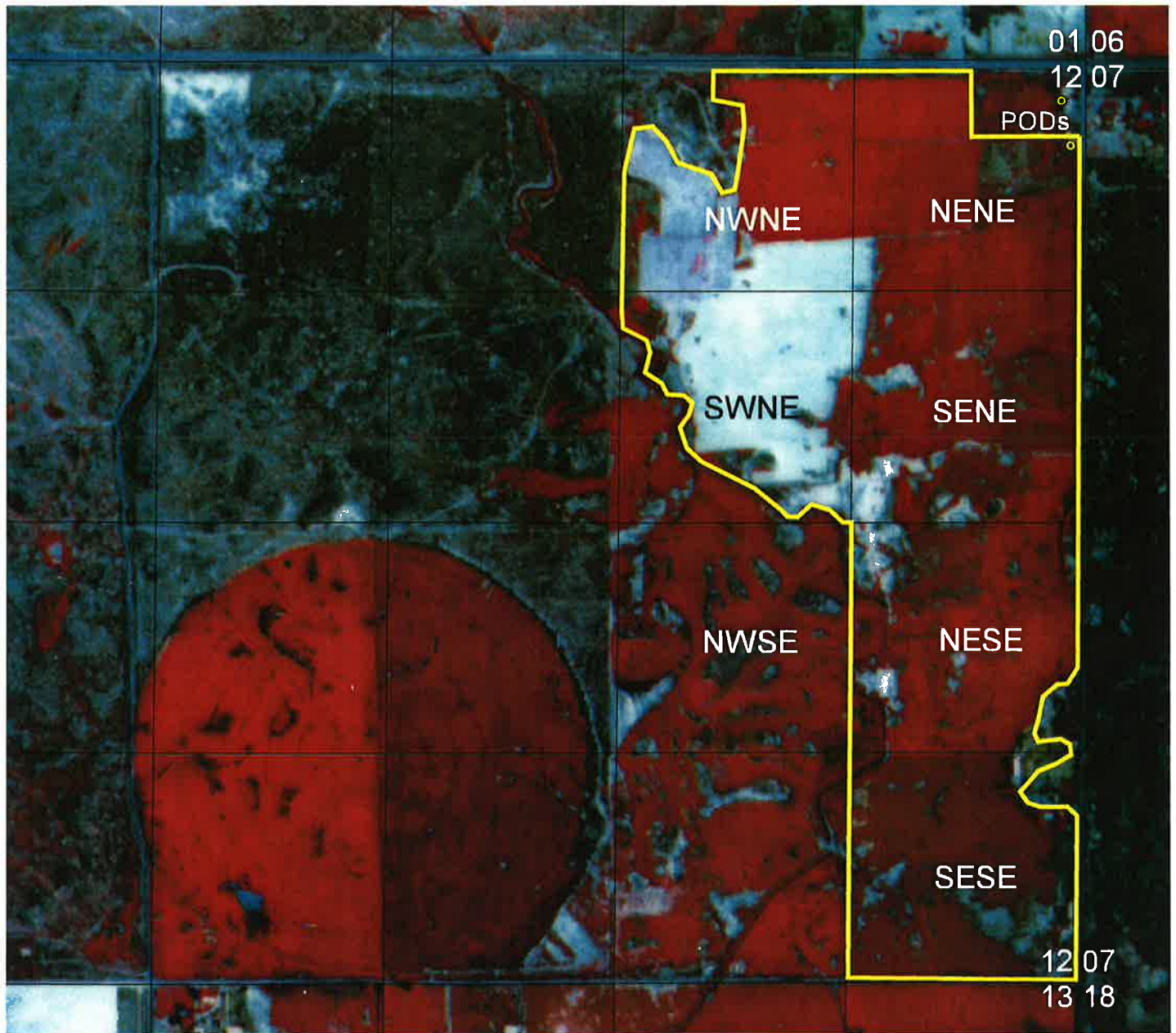
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

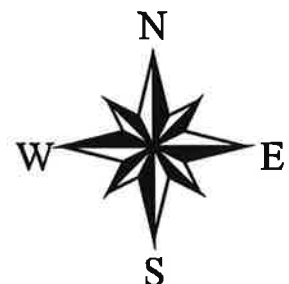
37-2526A



700 0 700 1400 2100 2800 Feet

T06S R13E S12

Map prepared by: Carter Fritschle
Date prepared: 03/04/02
1987-1988 NAPP photography
Idaho Department of Water Resources



03/05/2002

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

RIGHT NUMBER: 37-2526A

NAME AND ADDRESS: ELLIOTT FAMILY LIMITED PARTNERSHIP
HC 60 BOX 1520
BLISS ID 83314

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: ⁵⁹
3.61 CFS
832.0 AFY

PRIORITY DATE: 11/28/1951

POINT OF DIVERSION:

T06S R13E S12 NENENE Within GOODING County

T06S R13E S12 NENENE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY ⁵⁹

IRRIGATION

03/15 11/15

~~3.61~~ CFS
832.00 AFY

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S12	NENE	32.0	T06S R13E S12	NWNE	31.0
T06S R13E S12	SWNE	29.0	T06S R13E S12	SENE	40.0
T06S R13E S12	NESE	38.0	T06S R13E S12	SESE	38.0

208 ACRES TOTAL

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.

*0.06 cfs conveyed to "B" portion at
time of split.*

State of Idaho **License and Certificate of Water Right**

Water License No. G-22488Amount 3.65 c.f.s.Water District No. Priority November 28, 1951

THIS IS TO CERTIFY that HOWARD F. CLIFFORD
of Hagerman, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 28, 19 51; that Permit No. G-22488
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.65 second feet, was issued thereunder on November 22, 19 57, showing that said works
were completed on the 2nd day of December, 19 56; and that on the 2nd
day of December, 19 56, HOWARD F. CLIFFORD

of Hagerman, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of two wells
, a tributary of subterranean, for the purpose of Irrigation
, under Use Permit No. G-22488 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
10 of Licenses at page 6218, on the 22nd day of November, 19 57;
The right hereby confirmed dates from November 28, 1951;
The Point of Diversion ^{is} located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and
in the NE $\frac{1}{4}$ $\frac{1}{4}$ SE $\frac{1}{4}$ $\frac{1}{4}$ Sec. 12, Tp. 6 S., R. 13 E., B. M. County Gooding
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 3.65 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S.	13 E.	12	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	30
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	25
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	35
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	25
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	30
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	30
			Total number of acres irrigated -	- - -	255

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
22nd day of November, 19 57.

(SEAL)

MARK R. KILLE
State Reclamation Engineer.
By: E. N. Humphrey
Deputy

37-2526

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-22488

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant: Howard F. Clifford
2. Source of water supply: Subterranean flow from 2 wells
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12
T. 6 S. R. 13 E., B.M. County of Gooding
4. Describe works as they exist, giving dimensions and capacities of same:
Well #1 - Drilled 200'x16 - Pump: Layne & Bowler #22195 - Column 140'x8" Pumping lift 140'
Motor: U.S. #10 354 33 - P.S. - Meter: GE 33 212 860 - Demand 29x10 = 29 KW = 38.7 HP
Well #2 - Drilled 200'x16 - Pump: Layne & Bowler #22195 - Column 140'x8"
Motor: U.S. 2478555 - P.S. - Meter: GE 33 212 879 - Demand 29x10
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion:
Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

30 ACRES IN THE NW $\frac{1}{4}$ NE $\frac{1}{4}$, 35 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 30 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$
35 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 25 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 25 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$,
25 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, 25 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ all in Sec. 12, Twp. 6 S.,
Rge. 13 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

This examination was made on the 22nd day of July, 1957.

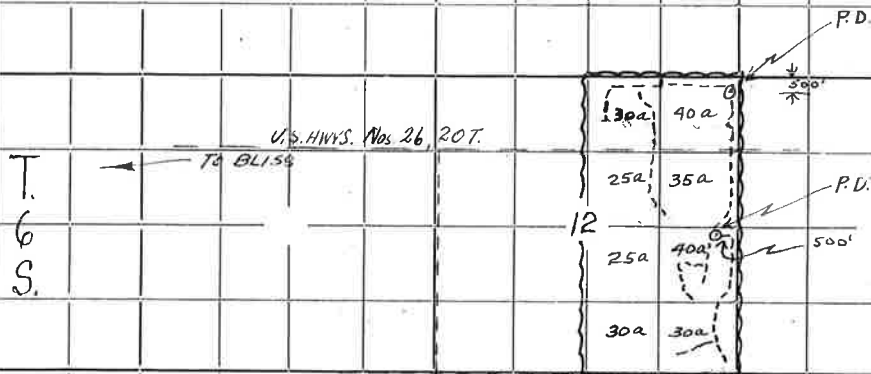
(Signed)

James H. Hare

Examiner.

22488

R-13E.



Land subdivision 8
Area 255 Acres as shown on map.

Quantity of water as measured
by Spangler meter

Subdivision = 8
Area = 255 Acres
Q = 3.65 cfs

Well #1 - 300 C.F. in 127.5 sec.
= 2.35 C.F.S.
= 117.5 Miners Inches
Well #2 - 300 C.F. during 234 sec
= 1.3 C.F.S.
= 65 Miners Inches

Total = 182 Miners Inches

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: A37-02526A

Date Received: 8/17/1988

Receipt No: S001514

Received By: *P. OWNER CHANGE*

~~COPY FOR~~
~~YOUR FILES~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

~~COPY FOR~~
~~YOUR FILES~~

1. Name: ELLIOTT FAMILY LIMITED PARTNERSHIP
Address: HC 60 BOX 1520
BLISS ID 83314

2. Date of Priority: NOV 28, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	13E	12		NE	NE		GOODING
			NE	NE	NE		GOODING

5. Description of diverting works:
TWO WELLS, 50 HP PUMP, & 75 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.650		

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

8. Total consumptive use is 624.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	13E	12	NE	NE		IRR	37.0
			NW	NE		IRR	30.0
			SW	NE		IRR	30.0
			SE	NE		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	13E	12	NE	SE		IRR	38.0
			SE	SE		IRR	38.0
Section Acres							208.0
Total Acres							208.0

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:
NORTHSIDE CANAL SHARES

14. Remarks:

P/D WAS TRANSFERED TO A WELL IN NENE FROM THE SENE BUT THE DATE IS UNKNOWN. THIS OCCURRED PRIOR TO CLAIMANTS OWNERSHIP. NORTHSIDE CANAL SHARES WERE PURCHASED TO IRRIGATE THE P/U ON NWSE & SWSE, SEC. 12. THREE ACRES IN THE NENENE HAVE BEEN SOLD AND WR INCLUDED. ONE OF THE WELLS IS LOCATED ON THIS PLACE.

NOTE: THIS CLAIM WAS SPLIT ON 11/9/89 WHEN THE 3 ACRES IN THE NENE, SEC. 12, WERE FILED ON BY CATHERINE PICKETT. ORIGINALLY, THIS CLAIM WAS FILED BY MR. TSCHANNEN UNDER CLAIM NO. A37-02526. BECAUSE HE DID NOT FILE ON THE 3 ACRES, WHICH WAS INCLUDED IN THE ORIGINAL WATER RIGHT, A SPLIT IS REQUIRED. CATHERINE PICKETT'S PORTION OF THE RIGHT IS CLAIM NO. A37-02526B.

07/09/99, CHANGED OWNERSHIP: TSCHANNEN TO ELLIOT FAMILY PARTNER-SHIP AS PER FORM 1409(6) AND WARRANTY DEED REC'D 6/30/99, C.T.

15. Basis of Claim: LICENSE

Water Right Number: 22488



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

September 2, 1999

**KARL J. DREHER
DIRECTOR**

**ELLIOTT FAMILY LIMITED PARTNERSHIP
HC 60 BOX 1520
BLISS ID 83314**

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM A37-02526A

Dear Claimant:

Thank you for supplying the missing link in the ownership change of the above referenced claim. We have changed the record of current ownership of the above referenced claim to you. Please find the enclosed copies of the computer record of the claim noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

**Cheryl E. Timm
Records Clerk, SRBA**

Enc.: Claim to a Water Right(S) referenced above

179148

Craig D. Hobdey
HOBDEY & HOBDEY
Attorneys at Law
125 5th Avenue West
P.O. Box 176
Gooding, Idaho 83330-0176
208-934-4429

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of

Hobdey & Hobdey

12 min. past 4 o'clock P.m. this 12th
of February, 1999 12.00
By Deborah Archibald Deputy

Attorney for Personal Representative

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

IN THE MATTER OF THE ESTATE OF:) CASE NO. SP-98-00220
)
RICHARD TSCHANNEN,)
) "AMENDED"
) DEED OF DISTRIBUTION
Deceased.)
)
)
)

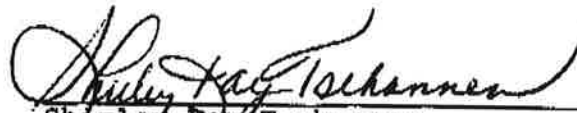
THIS INDENTURE Made this 12th day of February, 1999, by
Shirley Kay Tschannen, Personal Representative of the Estate of
Richard Tschannen, deceased, hereinafter referred to as Grantor
and Shirley Kay Tschannen, hereinafter referred to as Grantee:

WITNESSETH:

NOW, THEREFORE, pursuant to the law in such cases made and
provided, and particularly pursuant to the provisions of Section
15-3-907, Idaho Code, Grantor does hereby convey, transfer, distribute
and set-over unto Grantee and to her successors in interest, heirs
and assigns, the following described property:

SEE EXHIBIT "A" attached hereto and by this reference
made a part hereof as if set forth in full.

This deed is to correct the property description set
forth in that certain Deed of Distribution dated
January 29, 1999 and recorded as Instrument Number
178983, records of Gooding County, Idaho on
February 1, 1999 in Gooding County.

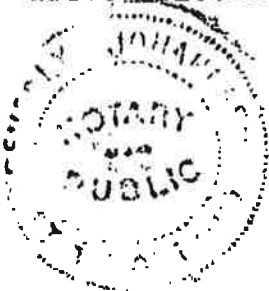

Shirley Kay Tschannen

ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
County of Gooding)

On this 17th day of February, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Shirley Kay Tschannen, Personal Representative of the estate of Richard Tschannen, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that she executed the same as said Personal Representative.

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



Shirley Kay Tschannen
NOTARY PUBLIC FOR IDAHO

Residing at: Gooding
Commission Expires: 5-31-2004

TAX NOTICES:

SHIRLEY KAY TSCHANNEN
HC60, Box 1520
Bliss, Idaho 83314

EXHIBIT "A"**PARCEL NO. 1**

The East one-half of the following described property:

That part of Lot 5 of West Gooding Acreage, Gooding County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County, (plat filed January 15, 1918 and correction plat filed March 27, 1919) described as follows:

Beginning at the point of intersection of the West extended line of Colorado Street with the South extended line of 11th Avenue of the City of Gooding;

Thence South along said West extended line of Colorado Street 75 feet;

Thence West through a right angle for a distance of 122 feet;

Thence North parallel with the first course a distance of 75 feet;

Thence East parallel with the second course a distance of 122 feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 2

The West one-half of the following described property:

That part of Lot 5 of West Gooding Acreage, Gooding County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County, (plat filed January 15, 1918 and correction plat filed March 27, 1919) described as follows:

Beginning at the point of intersection of the West extended line of Colorado Street with the South extended line of 11th Avenue of the City of Gooding;

Thence South along said West extended line of Colorado Street 75 feet;

Thence West through a right angle for a distance of 122 feet;

Thence North parallel with the first course a distance of 75 feet;

Thence East parallel with the second course a distance of 122 feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 3

TOWNSHIP 6 SOUTH, RANGE 13 E.B.M.
GOODING COUNTY, IDAHO

Section 12: A parcel of land located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

COMMENCING AT THE Northeast corner of said Section 12;
Thence South to the intersection with the Southerly Right-
of-Way Boundary of U.S. Highway 20 & 26;
Thence continuing South 00°16'59" West along the East boundary
of Section 12 for a distance of 339.00 feet;
Thence South 89°56'00" West parallel with the Southerly Right-
of-Way boundary of U.S. Highway 20 & 26 for a distance of 358.80
feet to THE TRUE POINT OF BEGINNING;
Thence continuing South 89°56'00" West parallel with the Southerly
Right-of Way boundary of U.S. Highway 20 & 26 for a distance of
283.20 feet;
Thence North 00°16'59" East parallel with the East boundary
of Section 12 for a distance of 206.52 feet;
Thence South 53°50'45" East for a distance of 349.47 feet
to THE TRUE POINT OF BEGINNING.

PARCEL NO. 4

TOWNSHIP 6 SOUTH, RANGE 13 E.B.M.

Section 12: SE $\frac{1}{4}$ SE $\frac{1}{4}$

ALL SAID PARCELS SITUATE IN GOODING COUNTY, STATE OF IDAHO

Together with Water License No. A37-02526

"AMENDED"

WARRANTY DEED

For Value Received SHIRLEY KAY TSCHANNEN, successor Trustee of
the VIRGINIA TSCHANNEN TRUST

the grantor , do as hereby grant, bargain, sell and convey unto
SHIRLEY KAY TSCHANNEN, a single woman
the grantee , whose current address is HC60, Box 1520, Bliss, Idaho 83314

the following described premises, in Gooding County Idaho, to-wit:
SEE EXHIBIT "A" and by this reference made a part hereof
as if set forth in full.

To correct certain warranty deed dated January 29, 1999 and
recorded as instrument number 178984 on a record of Gooding County
on February 1, 1999 in Gooding County Idaho.

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

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

Dated:

Shirley Tschannen aka
Shirley Kay Tschannen

STATE OF IDAHO, COUNTY OF Gooding
On this 13th day of February, 1999.
before me, a notary public in and for said State, personally
appeared Shirley Tschannen

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

Shirley Tschannen
Notary Public
Residing at Gooding, Idaho
Comm. Expires 3-31-2001

STATE OF IDAHO, COUNTY OF Gooding
I hereby certify that this instrument was filed for record at the request
of Hobdey & Hobdey
at 13 minutes past 4 o'clock P. M.,
this 13th day of February, 1999, in my office, and duly recorded in Book
of Deeds at page

HELEN P. EDWARDS

179149

Ex-Officio Recorder

Denny Archibald
Deputy.

Fees \$ 12.00
Mail to:

UNRECORDED

EXHIBIT "A"

TOWNSHIP 6 SOUTH, RANGE 13 E.B.M.

Section 12: NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

TOGETHER with Water License No. A37-02526.

EXCEPT a strip of land for highway purpose as set forth in the following deeds to the State of Idaho:

a. Dated May 17, 1956, recorded June 12, 1956 in Book 46 of Deeds Page 434, across part of N $\frac{1}{2}$ NE $\frac{1}{4}$.

b. Dated May 16, 1956, recorded June 12, 1956 in Book 46 of Deeds Page 435, across part of N $\frac{1}{2}$ NE $\frac{1}{4}$.

EXCEPTING the following described tract:

Beginning at the Northeast corner of said Section 12;
Thence S 0°15' W, 125.0 feet along the East line of said Section 12 to intersect with the South right of way line of U.S. Highways 20 and 26, which point is the TRUE POINT OF BEGINNING;

Thence S 89°56' W, 642.0 feet along said right of way;

Thence S 0°15' W, 339.0 feet;

Thence N 89°56' E, 642.0 feet to the East line of said Section 12;

Thence N 0°15' E, 339.0 feet along said East line to the POINT OF BEGINNING.

AND,

SECTION 12: A tract of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ for well site described as follows:

Beginning at the Northeast corner of said Section 12;
Thence S 0°15' W, 464.0 feet along the East line of said Section 12;

Thence S 89°56' W, 110.9 feet;

Thence N 0°15' E, 238.0 feet to a point 5.0 feet North of an irrigation well, the TRUE POINT OF BEGINNING;

Thence N 89°56' E, 7.5 feet;

Thence S 0°15' W, 18.0 feet;

Thence S 89°56' W, 15.0 feet;

Thence N 0°15' E, 18.0 feet;

Thence N 89°56' E, 7.5 feet to the POINT OF BEGINNING.

AND an easement for a right of way being described as follows:

A strip of land 15 feet in width to provide ingress and egress to said irrigation well:

Beginning at the Northeast corner of said Section 12;

Thence S 0°15' W, 464.0 feet along the East line of said

Section 12;

Thence S 89°56' W, 115.4 feet to the TRUE POINT OF BEGINNING;

Thence N 0°15' E, 238.0 feet to a point 5.0 feet North of said irrigation well.

EXHIBIT "A" page 1 of 3.

AND

EXCEPTING THEREFROM THE FOLLOWING:

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 12: A parcel of land located in Section 12 and more particularly described as follows:

Commencing at the Southeast corner of said Section 12, from which the S $\frac{1}{4}$ corner of Section 12 bears South $89^{\circ}18'08''$ West, 2658.01 feet;
Thence South $89^{\circ}18'08''$ West along the South boundary of the SE $\frac{1}{4}$ of Section 12 for a distance of 1329.01 feet to the Southeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12 and being the true point of beginning.
Thence continuing South $89^{\circ}18'08''$ West along the South boundary of SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12 for a distance of 1329.01 feet to the S $\frac{1}{4}$ corner of Section 12;
Thence South $89^{\circ}18'20''$ West along the South boundary of the SW $\frac{1}{4}$ of Section 12 for a distance of 2657.99 feet to the Southwest corner of Section 12;
Thence North $00^{\circ}01'29''$ West along the West boundary of the SW $\frac{1}{4}$ of Section 12 for a distance of 2643.00 feet to the W $\frac{1}{4}$ corner of Section 12;
Thence continuing North $00^{\circ}01'29''$ West along the West boundary of the NW $\frac{1}{4}$ of Section 12 for a distance of 1321.50 feet to the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12;
Thence North $89^{\circ}03'09''$ East along the North boundary of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 12 for a distance of 2508.75 feet to a point in the center of an irrigation canal;
Thence along the center of the irrigation canal on the following courses:
Thence South $43^{\circ}30'57''$ East for a distance of 291.16 feet;
Thence South $27^{\circ}58'28''$ East for a distance of 264.84 feet;
Thence South $52^{\circ}52'46''$ East for a distance of 118.38 feet to the point of curve of a nontangent curve right;
Thence Southeasterly along the arc of the nontangent curve right for a distance of 227.36 feet, said arc having a radius of 530.17 feet and a long chord bearing and distance of South $28^{\circ}33'13''$ East, 225.63 feet;
Thence South $08^{\circ}00'40''$ East for a distance of 70.00 feet;
Thence South $21^{\circ}23'00''$ East for a distance of 120.94 feet to the point of a nontangent curve left;
Thence Southeasterly along the arc of the nontangent curve left for a distance of 80.00 feet, said arc having a radius of 113.26 feet and a long chord bearing and distance of South $47^{\circ}04'34''$ East, 78.35 feet;

- Continued -

Thence South 38°19'24" East for a distance of 248.36 feet;
Thence South 56°57'40" East for a distance of 209.11 feet;
Thence South 51°28'39" East for a distance of 168.10 feet to the point of
curve of a nontangent curve left;
Thence Northeasterly along the arc of the nontangent curve left for a
distance of 97.65 feet to the point of curve of a nontangent curve right,
said arc having a radius of 51.24 feet and a long chord bearing and
distance of North 82°49'55" East, 83.33 feet;
Thence Northeasterly along the arc of the nontangent curve right for a
distance of 140.15 feet, said arc having a radius of 74.57 feet and a
long chord bearing and distance of North 59°59'05" East, 120.41 feet;
Thence South 54°52'24" East for a distance of 118.81 feet;
Thence South 21°20'33" East for a distance of 84.02 feet to the point of
curve of a nontangent curve right;
Thence Southeasterly along the arc of the nontangent curve right for a
distance of 59.39 feet, said arc having a radius of 66.85 feet and a long
chord bearing and distance of South 01°47'36" East, 57.46 feet;
Thence South 16°02'34" West for a distance of 61.11 feet;
Thence South 13°20'28" East for a distance of 90.74 feet;
Thence South 02°22'30" East for a distance of 37.67 feet to the point of
curve of a nontangent curve left;
Thence Southeasterly along the arc of the nontangent curve left for a
distance of 53.51 feet to a point on the East boundary of the W½SE¼
of Section 12, said arc having a radius of 83.58 feet and a long chord
bearing and distance of South 10°26'40" East 52.60 feet;
Thence South 00°12'17" West along the East boundary of the W½SE¼
of Section 12 for a distance of 2288.77 feet to the TRUE POINT OF
BEGINNING.

ALL SITUATE IN GOODING COUNTY, STATE OF IDAHO.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 13, 1999

ELLIOTT FAMILY LIMITED PARTNER SHIP

HC 60 BOX 1520

BLISS ID 83314

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM A37-02526A

Dear Claimant(s):

Thank you for returning the NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Our records, however, show the claim to be in the name of RICHARD P TSCHANNEN and VIRGINIA M TSCHANNEN, *not* SHIRLEY K TSCHANNEN. Since the documents you provided show transfer from SHIRLEY K TSCHANNEN to you, we need some kind of proof which transferred the property from RICHARD P AND VIRGINIA M TSCHANNEN to SHIRLEY K TSCHANNEN.

I will set your documents aside while you secure the rest of the information to complete the paper trail. It is important that you return these documents as soon as possible.

If you have any questions, please don't hesitate to call this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Cheryl Timm'.

Cheryl Timm
SRBA Records Clerk

Enc.: Self-addressed Envelope

37-02526A

AJ0749NP
No. A37-02526AIDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)DATE: 06/25/99
PAGE: 1

OWNER CODE NAME & ADDRESS
C RICHARD P TSCHANNEN
C VIRGINIA M TSCHANNEN
HC 60 BOX 1520
BLISS ID 83514
(208) 352-4273

PRIORITY DATE WATER USE
11/28/1951 IRRIGATION

USE PERIOD FROM TO
03-15 11-15

DIVERSION RATE
3.65 CFS

DIVERSION VOLUME
3.65 CFS

TOTAL DIVERSION:
CONSUMPTIVE USE:
624.00 AFA

Stage: LICENSE

Tributary to:

Water Source: GROUNDWATER

GOODING County

MENENE

Point(s) of Diversion: T06S R13E S12

Place of use Legal Description for: IRRIGATION
NE

MENENE		NEWN		NW		SE		SW		SUM	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt
06S	13E	12	37	30	30	35					
TOTAL ACRES											38
											208.0
											208.0

POU County: GOODING

Other Rights: NORTHSIDE CANAL SHARES

Remarks: GEN P/D WAS TRANSFERRED TO A WELL IN MENENE FROM THE SENE BUT THE DATE IS UNKNOWN. THIS OCCURRED PRIOR TO CLAIMANTS OWNERSHIP. NORTHSIDE CANAL SHARES WERE PURCHASED TO IRRIGATE THE P/U ON NYSE & SENE, SEC. 12. THREE ACRES IN THE MENENE HAVE BEEN SOLD AND WR INCLUDED. ONE OF THE WELLS IS LOCATED ON THIS PLACE. *****

NOTE: THIS CLAIM WAS SPLIT ON 11/9/89 WHEN THE 3 ACRES IN THE MENENE, SEC. 12, WERE FILED ON BY CATHERINE PICKETT. ORIGINALLY, THIS CLAIM WAS FILED BY MR. TSCHANNEN UNDER CLAIM NO. A37-02526. BECAUSE HE DID NOT FILE ON THE 3 ACRES, WHICH WAS INCLUDED IN THE ORIGINAL WATER RIGHT, A SPLIT IS REQUIRED. CATHERINE PICKETT'S PORTION OF THE RIGHT IS CLAIM NO. A37-025268.

Dates: Exam Made Date: Verified Date: 04/23/1985 Objection Filed Date:

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

TO: DeNene

@ 934-4741

FROM: IDWR

@ 736-3033

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: A37-02526
Date Received: 8/17/1988
Receipt No: S001514
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD P. TSCHANNEN 208-352-4273
Address: HC 60 BOX 1520
BLISS, ID 83314
OR
Name: VIRGINIA M. TSCHANNEN 208-352-4273
Address: HC 60 BOX 1520
BLISS, ID 83314

2. Date of Priority: NOV 28, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	13E	12	NE	NE	NE		GOODING
			NE	NE	NE		GOODING

5. Description of diverting works:
TWO WELLS, 50 HP PUMP, & 75 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.650		

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

8. Total consumptive use is 624.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-02526

Page

1

Date: 08/17/88

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	13E	12	NE		NE		IRR	37.0
			NW		NE		IRR	30.0
			SW		NE		IRR	30.0
			SE		NE		IRR	35.0
			NE		SE		IRR	38.0
			SE		SE		IRR	38.0

Section Acres 208.0

Total Acres 208.0

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:
NORTHSIDE CANAL SHARES

14. Remarks:

P/D WAS TRANSFERED TO A WELL IN NENE FROM THE SENE BUT THE DATE IS UNKNOWN. THIS OCCURRED PRIOR TO CLAIMANTS OWNERSHIP. NORTHSIDE CANAL SHARES WERE PURCHASED TO IRRIGATE THE P/U ON NWSE & SWSE, SEC. 12. THREE ACRES IN THE NENENE HAVE BEEN SOLD AND WR INCLUDED. ONE OF THE WELLS IS LOCATED ON THIS PLACE.

15. Basis of Claim: LICENSE
Water Right Number: 22488

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: 1

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): *Robert P. Hansen* Date: Aug 17, 1988

Date: _____

State of Idaho

County of Twin Falls)
SS.

Subscribed and sworn (or affirmed) before me this 17th day

of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94

B30

TWO
P/O

B214
(4.10)

B202
(4.116)

A37-02526

NORTH
SIDE
CANAL
SHARES

MICROFILMED

FEB 23 1993

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JUN 30 1999

Department of Water Resources
Snake River Region

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 No(s).: _____
Adjudication Claim No(s).: A37-02526A

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 attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Shirley Kay Tschannen

HC 60 Box 1520, Bliss, ID 83314

4. New Owner/Claimant(s) The Elliott Family Limited Partnership

New Mailing Address

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
HC 60, Box 1520, Bliss, ID 83314

City, State and ZIP Code _____

New Telephone Number

() _____

5. Date you acquired the property 6-28-99

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 you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

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.

ELLIOTT FAMILY LIMITED PARTNERSHIP

7. Signature of New Owner or Claimant(s)

By [Signature] By [Signature]

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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



June 29, 1999

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

RECEIVED

JUN 30 1999

Department of Water Resources
Southern Region

Re: A37-02526A

Dear Sir or Madame:

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

If you have any questions, please do not hesitate to contact our office.

Sincerely,

GOODING TITLE & ESCROW CO.

DeNene M. Dixon
Escrow Assistant

/dmd

Encl.

TRANSMITTAL COVER SHEET

TO: Lisa @ GOODING

LAND, TITLE & ESCROW

fax # 934-4066

TOTAL PAGES SENT: 4
(including cover sheet)

DOCUMENT DESCRIPTION: PROFILE REPORTS OF SNAKE RIVER

BASIN ADJUDICATION CLAIMS A37-02526A AND

A37-11023 AND LICENSE 37-02526

FROM:

IDAHO DEPARTMENT OF WATER RESOURCES

1341 FILLMORE ST, STE 200

TWIN FALLS ID 83301-3380

PHONE: 736-3033

FAX: 736-3037

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

Please consider this document as a billing statement.

The charge for your fax copies is: _____

Please remit to the above address.

SENDER:

Corey Skinner

COMMENTS:

NOTE THAT THE IRRIGATED ACRES

CLAIMED UNDER A37-02526A ARE DIFFERENT

THAN THOSE UNDER LICENSE 37-02526.