

04/16/2002

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

RIGHT NUMBER: 37-2687A

NAME AND ADDRESS: BIG SKY DAIRY
1700 E 2428 S
GOODING ID 83330

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.13 CFS
441.6 AFY

RIGHT NOS. 37-2687A, 37-7419C, 37-7435A, 37-7440A AND 37-07639A ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.13 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1840.8 AF.

RIGHT NOS. 36-2671L, 36-7367L, 36-7381L, 36-7445L, 36-7480M, 37-2687A, 37-7419C, 37-7435A, 37-7440A AND 37-07639A ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 10.90 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3050.4 AF.

PRIORITY DATE: 03/08/1963

POINT OF DIVERSION:

T06S R14E S34 NESESW Within GOODING County

T07S R14E S3 NESENE Lot 1 Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.130 CFS 441.60 AFY

PLACE OF USE: IRRIGATION Within GOODING County

T06S R14E S33	SENE	37.0	T06S R14E S33	NESW	4.9
T06S R14E S33	NWSW	20.0	T06S R14E S33	SWSW	40.0
T06S R14E S33	SESW	40.0	T06S R14E S33	NESE	37.0
T06S R14E S33	SWSE	16.2	T06S R14E S33	SESE	3.3
T06S R14E S34	NWNW	37.0	T06S R14E S34	SWNW	39.0
T06S R14E S34	NESW	40.0	T06S R14E S34	NWSW	40.0
T06S R14E S34	SWSW	40.0	T06S R14E S34	SESW	40.0
T06S R14E S34	NESE	30.2	T06S R14E S34	NWSE	40.0
T06S R14E S34	SWSE	40.0	T06S R14E S34	SESE	40.0
T07S R14E S03 Lot 2	SWNE	27.9	T07S R14E S03 Lot 1	SENE	18.1
T07S R14E S03 Lot 4	SWNW	32.0	T07S R14E S03 Lot 3	SENW	31.0
T07S R14E S03	NESE	39.0	T07S R14E S03	NWSE	30.0

762.6 ACRES TOTAL

RIGHT NOS. 37-2687A, 37-7419C, 37-7435A, 37-7440A AND 37-07639A ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 460.2 ACRES IN A SINGLE IRRIGATION SEASON.

RIGHT NOS. 36-2671L, 36-7367L, 36-7381L, 36-7445L, 36-7480M, 37-2687A, 37-7419C, 37-7435A, 37-7440A AND 37-07639A ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 762.6 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 110.4 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

04/16/2002

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

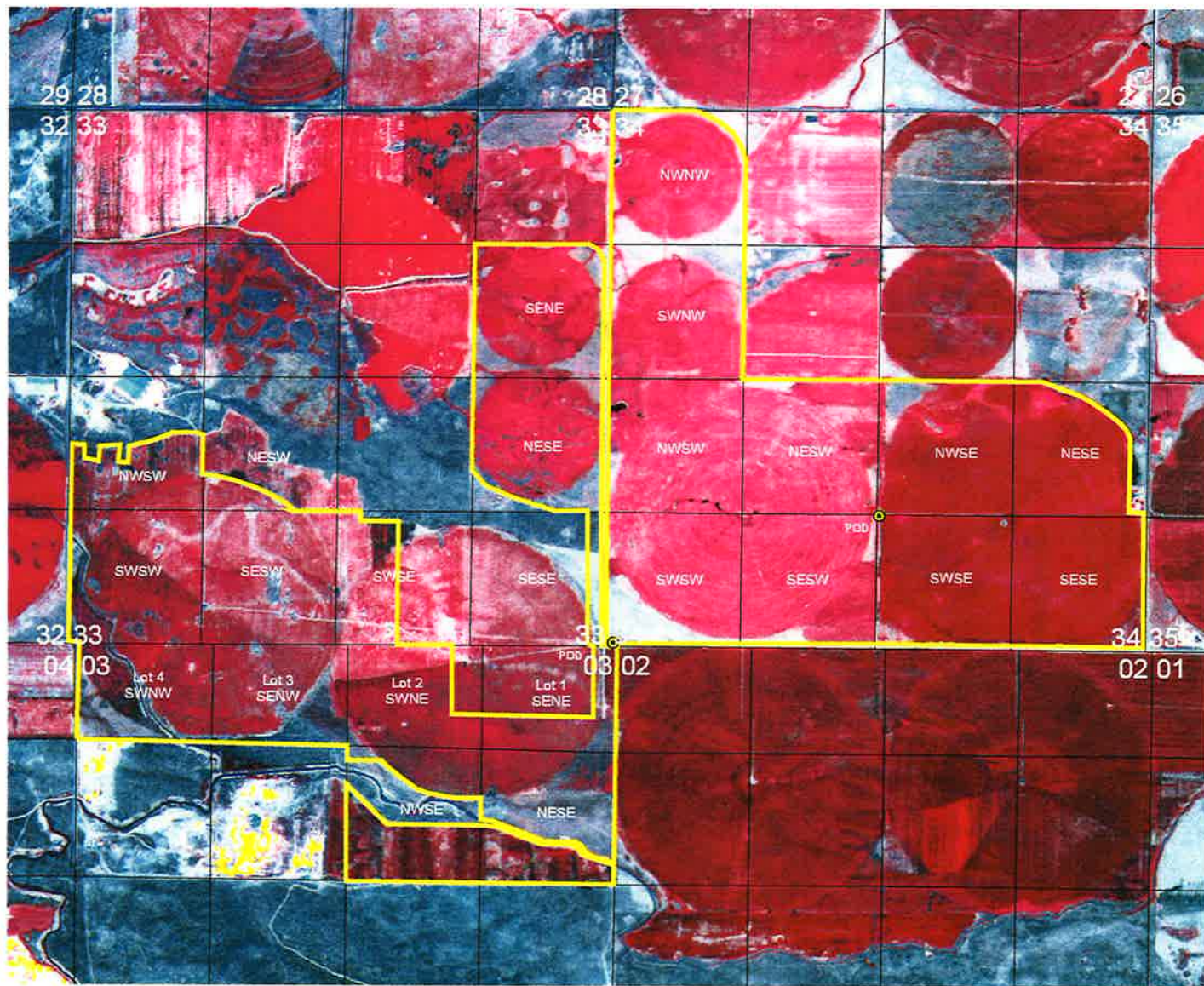
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL
CO. LTD.

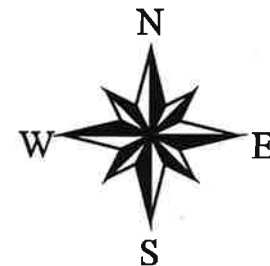
**37-2687A, 37-7419C, 37-7435A, 37-7440A, 37-07639A
36-2671L, 36-7367L, 36-7381L, 36-7445L & 36-7480M**



2000 0 2000 4000 6000 8000 Feet

**T06S R14E
S33 & S34**

**T07S R14E
S03**



Map prepared by: Carter Fritschle
Date prepared: 10/16/01
1987-1988 NAPP photography
Idaho Department of Water Resources

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
MAY 18 2000
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.
See Exhibit "A" Attached

1. Water Right No(s): _____
Adjudication Claim No(s): _____

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: _____

Don McFarland

4. New Owner/Claimant(s): _____

Tony and Carol Visser

 Name Connector (Check one) ☐ and ☐ or ☐ and/or
 New Mailing Address: _____

1660 East 2400 South

Gooding, Idaho 83330

 City, State and ZIP Code: _____
 New Telephone Number: () _____

May 15, 2000

5. Date you acquired the property: _____

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.

7. Signature of New Owner or Claimant(s): Tony Visser Date: 5-15-00
 _____ Date: _____
 (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..

EXHIBIT "A"

BIG SKY - TWIN "V"

December 22, 1998

<u>Water Right Number:</u>	<u>Priority Date:</u>	<u>CFS Amount:</u>	<u>Acres:</u>
37-07419A	Jan. 29, 1975	2.20	110.3
* 37-07639	July 8, 1977	1.52	76.0
37-07440	May 31, 1974	1.60	80.0
37-02687	March 8, 1963	2.32	120.0

- * Proposed split between Sec. 33 & Sec. 34 per McCall. All to Visser under separate contract. (Big Sky - San Tan)

The acres under water on this tract total 386.0. The cultivated acres are 347.5 with a gross acreage of 389.89 +/- acres.

WARRANTY DEED

For Value Received

Big Sky Partnership, an Idaho General Partnership
Don McFarland, *Individually and as Partner*
Carol McFarland, *Individually and as Partner*
Lori Human, *Individually and as Partner*
Suzanne Vance, *Individually and as Partner*
Kristi Lucas, *Individually and as Partner*
Maurisa M. Willmot, formerly known as Maurisa McFarland, *Individually and as Partner*
McFarland Agricultural Company, an Idaho Corporation

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Tony Visser and Carol Visser, husband and wife
Address: 1660 East 2400 South, Gooding, ID 83330

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

****SEE EXHIBIT "A" attached hereto:**

SUBJECT TO:

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

Taxes for 2000 and subsequent years, which are a lien, but not yet due and payable.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

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: April 25, 2000

Don McFarland

Carol McFarland

Don McFarland, President
McFarland Agricultural Company

Lori Human

Suzanne Vance



Kristi Lucas

Maurisa M. Willmot

185840

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of Land Title
58 min. past 3 o'clock P.m. this 17th
of May 2000 30.00
By Penny Archibald Deputy

STATE OF

North Carolina

COUNTY OF

Deerfield

ss.

245-86-0907

On this 8 day of ~~April~~ *May*, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared **Kristi Lucas**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Linda B. Jordan

Notary Public

Residing at:

My Commission expires:

3933 Deerfield St. Deer Point, NC

3-27-2002

21265

WARRANTY DEED

For Value Received

Big Sky Partnership, an Idaho General Partnership
Don McFarland, *Individually and as Partner*
Carol McFarland, *Individually and as Partner*
Lori Human, *Individually and as Partner*
Suzanne Vance, *Individually and as Partner*
Kristi Lucas, *Individually and as Partner*
Maurisa M. Willmot, formerly known as Maurisa McFarland, *Individually and as Partner*
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Dated: April 25, 2000

Don McFarland

Carol McFarland

Don McFarland, President
McFarland Agricultural Company

Lori Human

Suzanne Vance

Kristi Lucas

Maurisa M. Willmot
Maurisa M. Willmot

WARRANTY DEED

For Value Received

Big Sky Partnership, an Idaho General Partnership
Don McFarland, *Individually and as Partner*
Carol McFarland, *Individually and as Partner*
Lori Human, *Individually and as Partner*
Suzanne Vance, *Individually and as Partner*
Kristi Lucas, *Individually and as Partner*
Maurisa M. Willmot, formerly known as Maurisa McFarland, *Individually and as Partner*
McFarland Agricultural Company, an Idaho Corporation

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Taxes for 2000 and subsequent years, which are a lien, but not yet due and payable.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

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: April 25, 2000

Don McFarland Carol McFarland Don McFarland
Don McFarland Carol McFarland Don McFarland, President
McFarland Agricultural Company

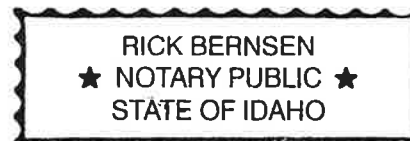
Lori Human Suzanne Vance Kristi Lucas
Lori Human Suzanne Vance Kristi Lucas

Maurisa M. Willmot
Maurisa M. Willmot

STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 12th day of May, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Don and Carol McFarland, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public
Residing at: Jerome
My Commission expires: 7-30-03

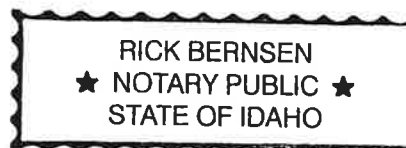


RESIDING AT JEROME, ID
MY COMMISSION EXPIRES _____

STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 12th day of May, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Don McFarland, known or identified to me to be the President of McFarland Agricultural Company, an Idaho Corporation, that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.


Notary Public
Residing at: Jerome
My Commission expires: 7-30-03

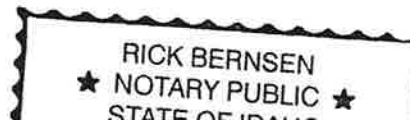


RESIDING AT JEROME, ID
MY COMMISSION EXPIRES _____

STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 11th day of May, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Suzanne Vance, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.


Notary Public
Residing at: Jerome
My Commission expires: 7-30-03



WARRANTY DEED

For Value Received

Big Sky Partnership, an Idaho General Partnership
Don McFarland, *Individually and as Partner*
Carol McFarland, *Individually and as Partner*
Lori Human, *Individually and as Partner*
Suzanne Vance, *Individually and as Partner*
Kristi Lucas, *Individually and as Partner*
Maurisa M. Willmot, formerly known as Maurisa McFarland, *Individually and as Partner*
McFarland Agricultural Company, an Idaho Corporation

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Tony Visser and Carol Visser, husband and wife
Address: 1660 East 2400 South, Gooding, ID 83330

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****SEE EXHIBIT "A" attached hereto:**

SUBJECT TO:

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

Taxes for 2000 and subsequent years, which are a lien, but not yet due and payable.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

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: April 25, 2000

Don McFarland

Carol McFarland

Don McFarland, President
McFarland Agricultural Company

Lori Human
Lori Human

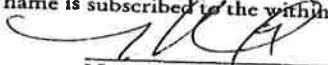
Suzanne Vance

Kristi Lucas

Maurisa M. Willmot

STATE OF Idaho)
COUNTY OF Gooding) ss.

On this 9 day of April, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Lori Human, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.


Notary Public
Residing at: Pugermon, ID
My Commission expires: 10/08/04

LISA C. RITTER
NOTARY PUBLIC
STATE OF IDAHO

STATE OF Illinois)
) ss.
COUNTY OF Champaign

On this 5th day of April, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared **Maurisa M. Willmot**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.


Notary Public

Residing at: 80 E. Kern #103, Urbana, IL
My Commission expires: 9-12-00



EXHIBIT "A"

Order Number: G-29158

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 34: W $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$; SW $\frac{1}{4}$;

That part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

Commencing at the Northwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence East 295 feet along the Section line;
Thence South 295 feet;
Thence West 295 feet to the West line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence North 295 feet to THE POINT OF BEGINNING.

EXCEPTING THEREFROM a parcel of land located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ more particularly described as follows:

Commencing at the East quarter corner of said Section 34 and being THE
TRUE POINT OF BEGINNING;
Thence South along the East boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of
1292.31 feet;
Thence North 88°14'00" West for a distance of 184.00 feet;
Thence North 0°02'57" East for a distance of 565.85 feet;
Thence North 20°04'20" West for a distance of 131.30 feet;
Thence North 2°39'27" West for a distance of 179.16 feet;
Thence North 45°58'09" West for a distance of 182.47 feet;
Thence North 57°59'41" West for a distance of 143.57 feet;
Thence North 78°30'15" West for a distance of 118.57 feet;
Thence South 73°35'32" West for a distance of 187.02 feet;
Thence North 57°35'59" West for a distance of 58.82 feet;
Thence North 0°20'27" West for a distance of 211.33 feet to a point on the
North boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34;
Thence North 89°52'03" East along the North boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ for a
distance of 836.26 feet to the East quarter corner of Section 34 and being
THE TRUE POINT OF BEGINNING.

CONTINUATION

EXHIBIT "A"

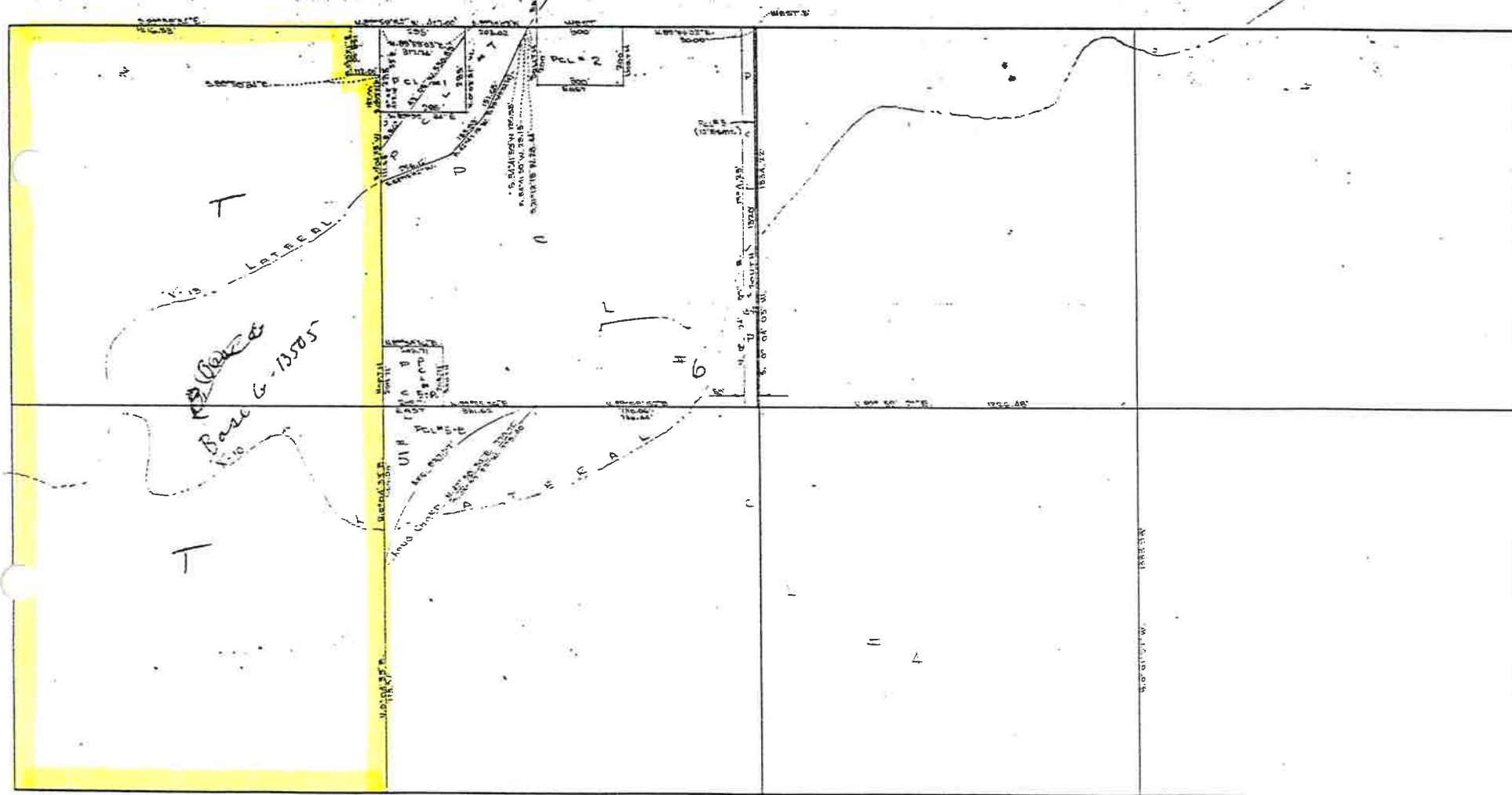
Order Number: G-29158

ALSO EXCEPTING THEREFROM a parcel of land located in the NW $\frac{1}{4}$ more particularly described as follows:

Commencing at the Northwest corner of said Section 34;
Thence South 89°59'34" East along the North boundary of the Northwest quarter for a distance of 1216.53 feet to THE TRUE POINT OF BEGINNING;
Thence South 0°03'31" East parallel with the West boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ for a distance of 168.00 feet;
Thence South 89°59'34" East parallel with the North boundary of the NW $\frac{1}{4}$ for a distance of 112.00 feet to a point on the West boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South 0°03'21" East along the West boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ for a distance of 127.00 feet;
Thence South 89°59'34" East parallel with the North boundary of the NW $\frac{1}{4}$ for a distance of 295.00 feet;
Thence North 0°03'21" West parallel with the West boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ for a distance of 295.00 feet to a point on the North boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence North 89°59'34" West along the North boundary of the NW $\frac{1}{4}$ for a distance of 407.00 feet to THE TRUE POINT OF BEGINNING.

This plat is for the purpose of locating the land, and the company assumes no liability for variations, if any, with an actual survey.

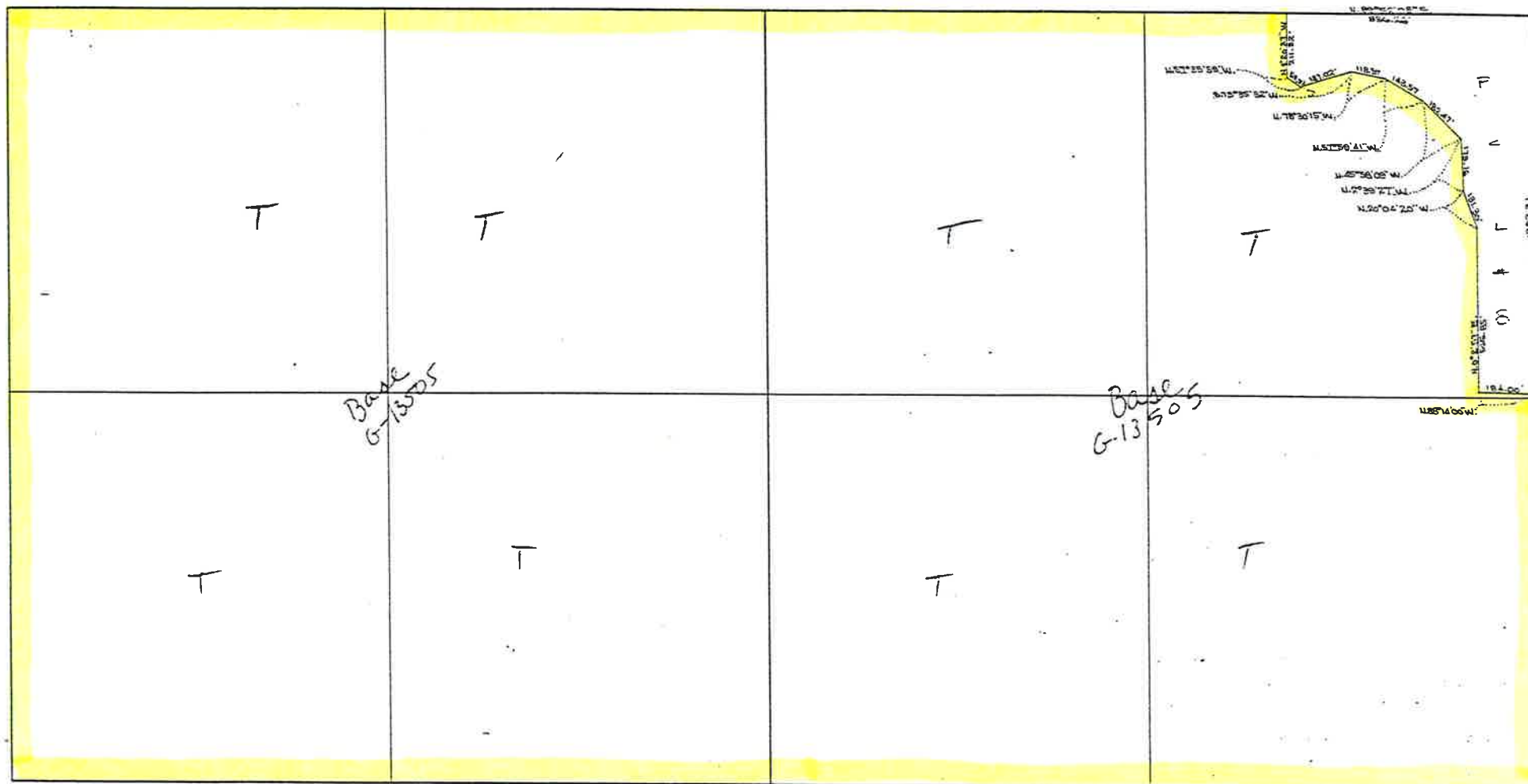
NORTH
HAZ



SCALE 1"=400'

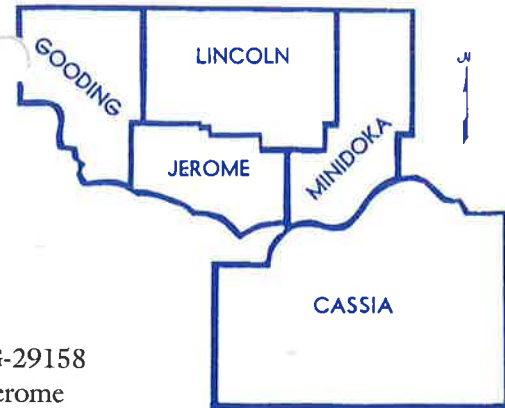
THESE ARE THE ONLY DATA FOR THE
PURPOSE OF LOCATING IN LOCATING
THE TRACT, AND THE COMPANY
ASSUMES NO LIABILITY FOR
VARIATIONS, IF ANY, WITH AN ACTUAL
SURVEY.

SOUTH HALF



Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: G-29158
OFFICE: Jerome

May 18, 2000

IDWR - Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

RE: BIG SKY PARTNERSHIP/VISSER

To Whom It May Concern:

RECEIVED

MAY 18 2000

Department of Water Resources
Southern Region

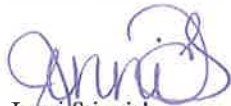
In connection with the above referenced file, enclosed herewith you will find the following:

1. *Original Notice of Change of Water Right Ownership.*
2. *Copy of Warranty Deed* recorded May 17, 2000 as Instrument No. 185840 under Gooding County Records.
3. *Plat Map.*

Please transfer these water rights as necessary.

Thank you for your assistance! Should you have any questions regarding this matter, do not hesitate to contact our office at 208-324-3357.

Very truly yours,
LAND TITLE AND ESCROW, INC.


Jenni Stippich
Escrow Department

Enclosures

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5880

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5488

WATER RIGHT NO(S). 36-02671L/36-07367L/36-07381L/36-07445L
36-07480M/37-02687A/37-07419C/37-07435A/37-07440A/37-07639A

This is to certify that: **BIG SKY DAIRIES**
1700 E 2428 S
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. 36-02671L :			
IRRIGATION	04/01 to 10/31	0.72 CFS	208.8 AF
Priority: 01/09/1967			
Right No. 36-07367L :			
IRRIGATION	04/01 to 10/31	2.52 CFS	578.4 AF
Priority: 08/13/1973			
Right No. 36-07381L :			
IRRIGATION	03/15 to 11/15	0.42 CFS	84.8 AF
Priority: 09/19/1973			
Right No. 36-07445L :			
IRRIGATION	04/01 to 10/31	0.74 CFS	148.8 AF
Priority: 02/21/1974			
Right No. 36-07480M :			
IRRIGATION	04/01 to 10/31	1.66 CFS	398.8 AF
Priority: 05/31/1974			
	SUBTOTAL:	** 5.77 CFS	1209.6 AF **
Right No. 37-02687A :			
IRRIGATION	04/01 to 11/01	2.13 CFS	441.6 AF
Priority: 03/08/1963			
Right No. 37-07419C :			
IRRIGATION	03/15 to 11/15	2.02 CFS	405.6 AF
Priority: 01/29/1975			
Right No. 37-07435A :			
IRRIGATION	03/15 to 11/15	0.74 CFS	147.2 AF
Priority: 04/22/1975			
Right No. 37-07440A :			
IRRIGATION	03/15 to 11/15	1.47 CFS	294.4 AF
Priority: 05/31/1974			
Right No. 37-07639A :			
IRRIGATION	04/01 to 11/01	2.76 CFS	552.0 AF
Priority: 07/08/1977			
	SUBTOTAL:	*** 5.13 CFS	1840.8 AF ***
	TOTAL:	**** 10.90 CFS	3050.8 AF ****

NOV 08 2000

TRANSFER NO. 5488

WATER RIGHT NO(S). 36-02671L/36-07367L/36-07381L/36-07445L
 36-07480M/37-02687A/37-07419C/37-07435A/37-07440A/37-07639A

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NESESW, Sec. 34, Township 06S, Range 14E
 Lot 1 (NESENE), Sec. 3, Township 07S, Range 14E
 GOODING County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
06S	14E	33	SENE 37.0	NESW 4.9	NWSW 20.0	
			SWSW 40.0	SESW 40.0	NESE 37.0	
			SWSE 16.2	SESE 3.3		198.4
		34	NWNW 37.0	SWNW 39.0	NESW 40.0	
			NWSW 40.0	SWSW 40.0	SESW 40.0	
			NESE 30.2	NWSE 40.0	SWSE 40.0	
			SESE 40.0			386.2
07S	14E	3	Lot 2 (SWNE) 27.9	Lot 1 (SENE) 18.1	Lot 4 (SWNW) 32.0	
			Lot 3 (SENE) 31.0	NESE 39.0	NWSE 30.0	178.0
			Total number of acres irrigated:			762.6 *

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- * 6. Right 36-02671L is limited to the irrigation of 52.2 acres in the place of use described above in a single irrigation season.
- * 7. Right 36-07367L is limited to the irrigation of 144.6 acres in the place of use described above in a single irrigation season.
- * 8. Right 36-07381L is limited to the irrigation of 21.2 acres in the place of use described above in a single irrigation season.
- * 9. Right 36-07445L is limited to the irrigation of 37.2 acres in the place of use described above in a single irrigation season.

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TRANSFER NO. 5488

WATER RIGHT NO(S). 36-02671L/36-07367L/36-07381L/36-07445L
36-07480M/37-02687A/37-07419C/37-07435A/37-07440A/37-07639A

CONDITIONS OF APPROVAL AND REMARKS

- * 10. Right 36-07480M is limited to the irrigation of 99.7 acres in the place of use described above in a single irrigation season.
- ** 11. Rights 36-02671L, 36-07367L, 36-07381L, 36-07445L and 36-07480M when combined shall not exceed a total diversion rate of 5.77 cfs from all points of diversion, a total annual maximum diversion volume of 1209.6 af at the field headgate, and the irrigation of 302.4 acres.
- * 12. Right 37-02687A is limited to the irrigation of 110.4 acres in the place of use described above in a single irrigation season.
- * 13. Right 37-07419C is limited to the irrigation of 101.4 acres in the place of use described above in a single irrigation season.
- * 14. Right 37-07435A is limited to the irrigation of 36.8 acres in the place of use described above in a single irrigation season.
- * 15. Right 37-07440A is limited to the irrigation of 73.6 acres in the place of use described above in a single irrigation season.
- * 16. Right 37-07639A is limited to the irrigation of 138.0 acres in the place of use described above in a single irrigation season.
- *** 17. Rights 37-02687A, 37-07419C, 37-07435A, 37-07440A and 37-07639A when combined shall not exceed a total diversion rate of 5.13 cfs from all points of diversion, a total annual maximum diversion volume of 1840.8 af at the field headgate, and the irrigation of 460.2 acres.
- **** 18. The total instantaneous diversion of water from all points of diversion under Transfer 5488 shall not exceed 10.90 cfs, nor a total combined annual volume of 3050.4 af for the irrigation of 762.6 total acres.
- 19. The period of use for the irrigation described under Rights 36-02671L, 36-07367L, 36-07445L, 36-07480M, 37-02687A and 37-07639A may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 and 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
- 20. Approval of this transfer does not preclude the opportunity for review of the validity of the Basin 37 water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 22nd day of May, 2000.

J. Shaw Saxton
Chief, Water Allocation Bureau

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NOV 28 2000

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

Water License No. G-31034 Amount 2.32 c.f.s.
Water District No. _____ Priority March 8, 1963

THIS IS TO CERTIFY that WALTER E. ZEIGLER
of Gooding, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 8, 1963; that Permit No. G-31034
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.32 second feet, was issued thereunder on September 26, 1963, showing that said works
were completed on the 15th day of May, 1963; and that on the 15
day of May, 1963,

WALTER E. ZEIGLER

of Gooding, 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
, under Use Permit No. G-31034 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
12 of Licenses at page 7726, on the 26 day of September, 1963;
The right hereby confirmed dates from March 8, 1963;

The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 34, Twp. 6 S, R. 14 E, B. M. Gooding 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 2.32 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.	14 E.	34	NE 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			Total number of acres to be irrigated:		120

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

26th day of September, 1963.

/s/ RALPH H. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

37-2687



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

RECEIVED

AUG 26 1999

Department of Water Resources

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 24, 1999

DON MC FARLAND
CAROL MC FARLAND
PO BOX 5178
TWIN FALLS ID 83303-5178

Re: Snake River Basin Adjudication (SRBA)
Water Rights # - Please See Attached List
Change of Address

Dear Water Right Holders:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by September 17, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

(208) 734-0004
Telephone No.

AJ5811NP

SELECTION FILE: MCFARLAND

IDAHO DEPARTMENT OF WATER RESOURCES
SELECTION FILE CONTENTS

DATE: 08/20/99

TIME: 15:18:04

PAGE: 1

0 in tiche
P = new owner, McFarland's D
Blank = McFarland's C

~~36-02375~~	~~36-02589~~	36-02667*	36-02671D*	36-07157B*	36-07367D*	36-07381D*	36-07480E*	~~36-07480F~~	36-11140
36-15056*	36-15057	37-12903*	37-12904*	37-12905*	~~37-12907~~	~~37-12911~~	~~37-12912~~	45-11913*	45-11914*
A37-02687*	A37-07419A*	A37-07420*	A37-07435*	A37-07440*	A37-07639*	A37-12906*	A37-12908*	A37-12910*	A45-02550*
A45-02551A*	A45-07290*	R36-02524*	R36-07445D						

TOTAL RECORDS IN SELECTION FILE:

34

(# blank)

x = changed
xx = proofed

per Southern, R's record
is correct. Rite belongs
to McFarland's not Ambrose.

*McFarland's 208/734-0004**decreed - ce - W.A*

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: A37-02687
Date Received: 9/01/1988
Receipt No: S006623
Received By: JCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON MC FARLAND
Address: P.O. BOX 268
EDEN, ID 83325

AND/OR

Name: CAROL MC FARLAND
Address: P.O. BOX 268
EDEN, ID 83325

2. Date of Priority: MAR 08, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	14E	34	SE	SW			GOODING

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.320		

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

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

9. Non-irrigation uses:

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10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
06S	14E	34	NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 120.0

Total Acres 120.0

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:
NONE

14. Remarks:
TRANS. 1912.
SEE ALSO REFERENCE RIGHT A37-07480.

15. Basis of Claim: LICENSE
Water Right Number: 31034

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FEB 23 1993

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 _____

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FEB 23 1993

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 A37-02687

Date Received 9/1/88

Receipt Number 5006623

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

SEP 1 1988

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Don and/or Carol Mc Farland Phone (208) 825-5258

Mailing Address P. O. BOX 268, Eden, Idaho Zip 83325

2. Date of Priority (Only one (1) per claim) March 8, 1963

3. Source of water supply (a) GROUNDWATER
which is tributary to (b)

4. a. Location of existing point of diversion is: Township 06S Range 14E Section 34 ,
1/4 of SE 1/4 of SW 1/4 , Govt. Lot, B.M., County of Gooding

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section , 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section , 1/4 of 1/4 of

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates , Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

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FEB 23 1993

6. Water is claimed for the following purposes: IRRIGATION
(both dates are inclusive) (cfs) (acre feet)
- For IRRIGATION purposes from 04/01 to 11/01 amount 2.320 or _____
- For _____ purposes from _____ to _____ amount _____ or _____
- For _____ purposes from _____ to _____ amount _____ or _____
- For _____ purposes from _____ to _____ amount _____ or _____
7. Total quantity claimed (a) 2.320 (cfs) and/or (b) _____ (acre feet)
8. Total consumptive use claimed is 360 acre feet per annum.
9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____
10. Description of place of use:
a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
06S	14E	34														40	40	40	120.0

Total number of acres irrigated 120.0

11. In which county (ies) are lands listed above as place of use located? GOODING
12. Do you own the property listed above as place of use? Yes x No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (XX)
14. Remarks: TRANS. 1912.

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FEB 23 1993

Last Name MC FARLAND Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

MICROFILMED
FEB 23 1993

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License xx Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s) See #17 below.

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled

"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

) SS.

County of _____)

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. ~~Notice of Appearance~~ Signature of claimant. I hereby incorporate by reference all of #16 above.

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Don McFarland, CLAIMANT SIGNATURE

DATE 8/31/88

Address _____

Date _____

STATE OF IDAHO, _____)

County of Twin Falls. _____) SS.

SUBSCRIBED AND SWORN before me this 1st day of September, 1988.

Last Name MC FARLAND Ident. Number _____

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FEB 23 1993

NOTARY PUBLIC
Residing at: Twin Falls
My Commission Expires: 10-31-88