

03/28/2005

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

RIGHT NUMBER: 37-4404A
NAME AND ADDRESS: MICHAEL A ARKOOSH
PO BOX 93
GOODING ID 83330

BONNIE ARKOOSH
2177 E 1375 S
GOODING ID 83330

SOURCE: WASTE WATER TRIBUTARY: BIG WOOD RIVER
QUANTITY: 0.370 CFS
PRIORITY DATE: 04/01/1956
POINT OF DIVERSION:

T05S R15E S10 SESENE 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

PLACE OF USE: IRRIGATION Within GOODING County

T05S R15E S10	SENE	2.7	T05S R15E S10	NESE	16.0
---------------	------	-----	---------------	------	------

18.7 ACRES TOTAL

This right and right no. 37-600B are limited to the irrigation of a combined total of 36.7 acres in a single irrigation season.

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

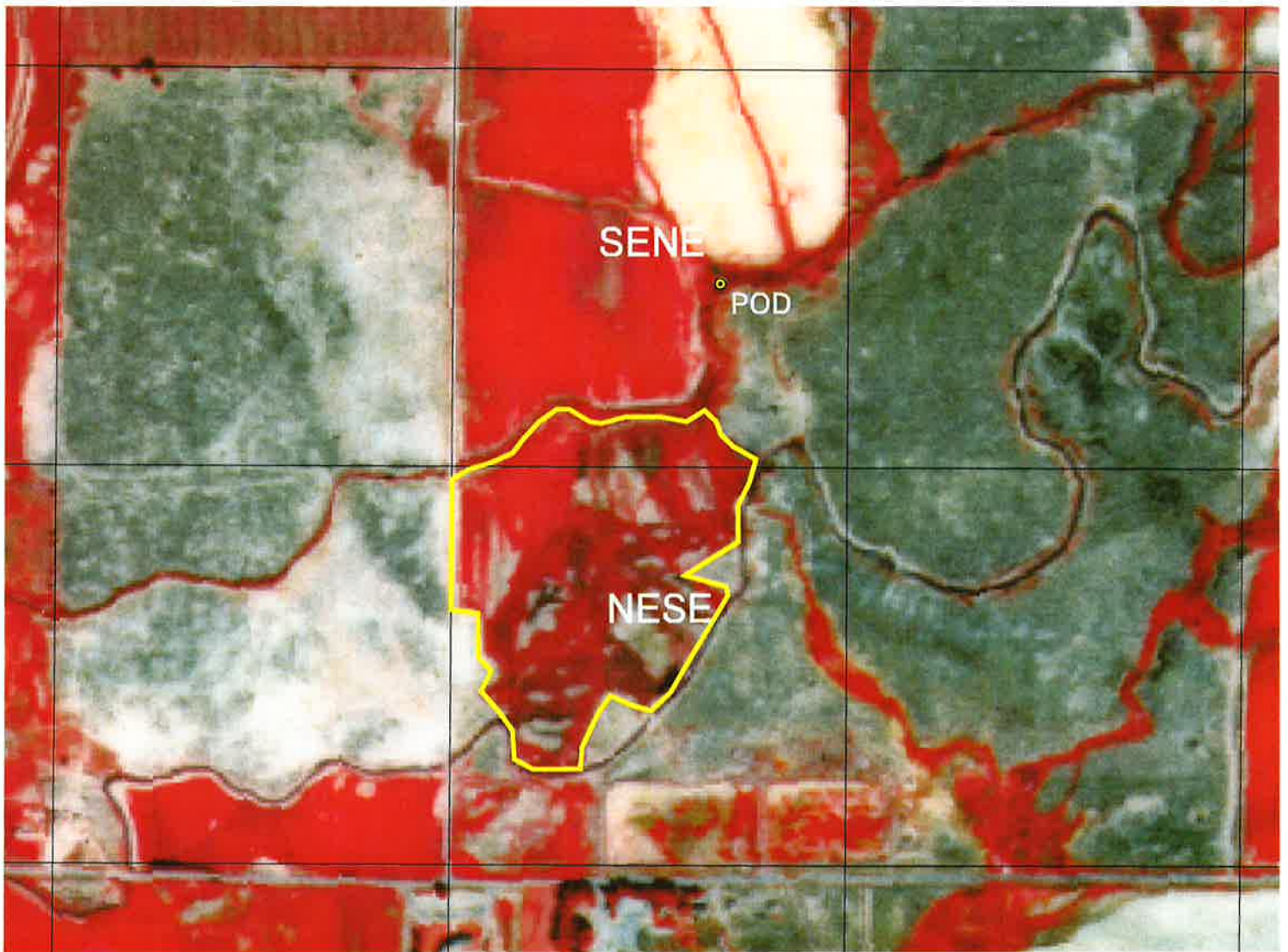
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

The source of this right is waste water originally diverted by the Big Wood Canal Co.

Use of this right is combined with water from Big Wood Canal Co.

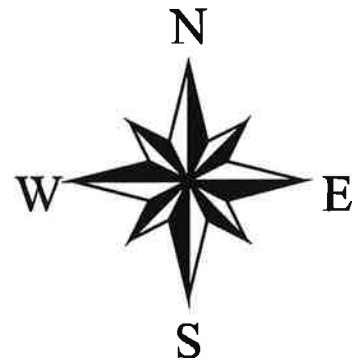
37-4404A



500 0 500 1000 1500 Feet

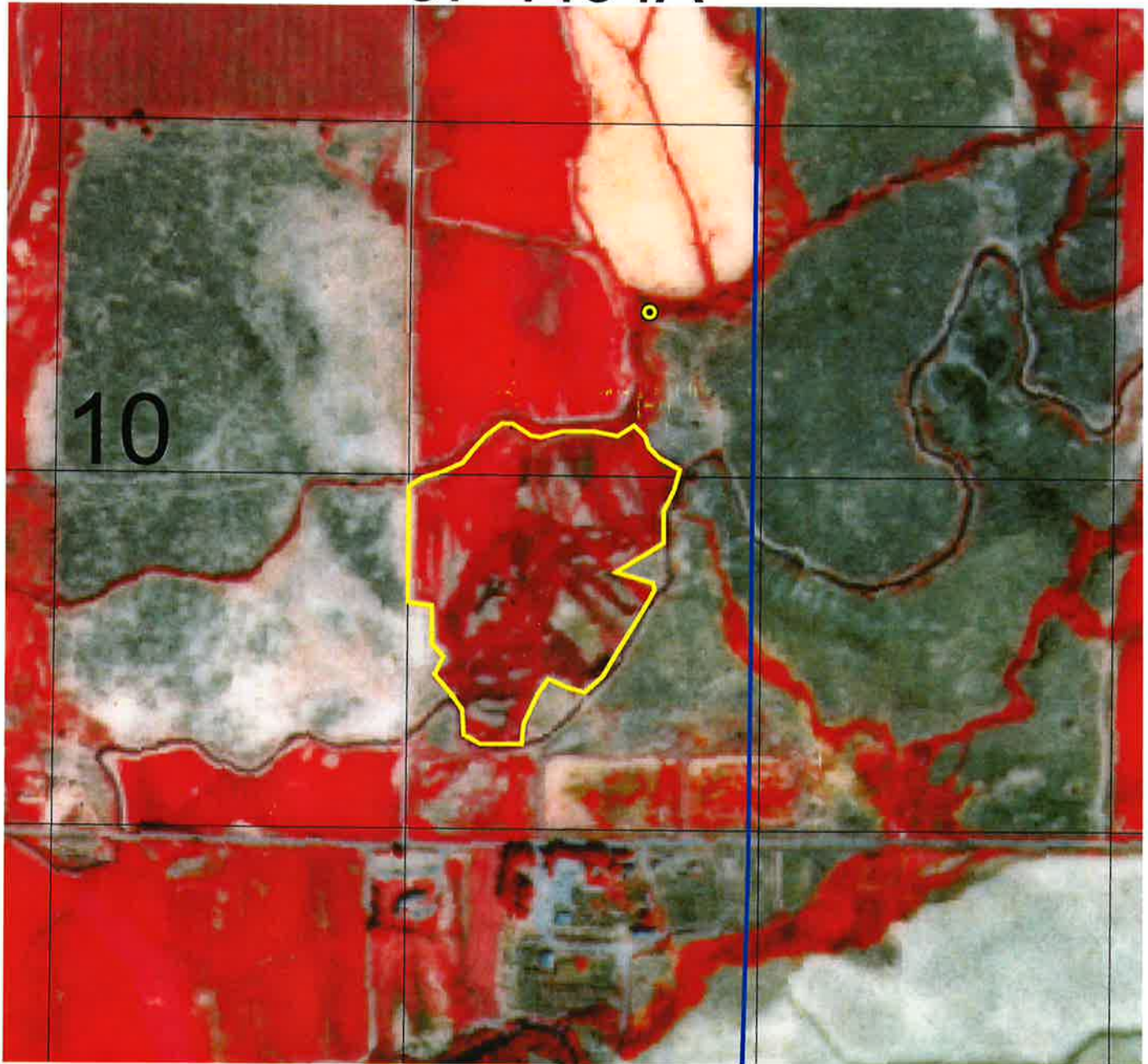
T05S R15E S10

Map prepared by: Carter Fritschle
Digitized by: Steve Clelland
Date prepared: 01/24/03
1987-1988 NAPP photography
Idaho Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES

37-4404A



660 0 660 Feet

TWN: 5S
RNG: 15E
SEC: 10
NESE & SENE



- Recommended Point of Diversion
- Recommended Place of Use
- Section Lines
- 1/4-1/4 lines

**GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY**

**DATA ENTRY BY: STEVE CLELLAND
DATE: MARCH 7, 2001**

2/20/01

2 pm

Gooding, ID

Met w/ Attorneys at Arkoosh Law Offices. I explained my observations and told of the most possible outcome ... a WR for WU for Arkoosh's part 'A' on 18.7Ac.

The real issue appears to be the contract between the parties; a point to be settled by the Court.

Nick gave them copies of my Field Exam Summary.

roads 2175 E & 1300 S at about 1:30 PM.

Andrew showed me the source of the water as "live" water from the North Gooding Main Canal. (I later confirmed his statements by driving to the canal headgates; no possible source of wastewater can join this delivery ditch. It is on the highground along with the other delivery ditch systems.) He told me the wastewater from the field in NWNE, Sec. 10, used to flow south and cross the 2175 E road into the north 80 land. We could not find any culvert. It appeared the water may pond up there, and, if it got very deep would cross over the gravel county road; it did not appear that has happened. If the culvert did move water this direction, the ditch would have to run across the field to the southeast to reach the flume.

I asked Andrew to show me how they divert and use the wastewater... he said there is no wastewater to be used, therefore there is no POD. He told me the trend is going to be away from any form of wastewater in response to the clean water requirements from the government. They developed their systems to run on the most reliable source of water, which for them is their American Falls Suppl. I asked about the expanded diversions and uses as claimed on Section 11 and he said that it may not be worth pursuing for the same reasons... no wastewater is created anymore. I told him since it is a separate system it will require the filing on an additional AJ claim and he decided not to file for the right at this time and may be willing to give it up altogether.

After Andrew left I walked the stream called Turkey Creek to the east of the pivot to see if any diversions were made. Andrew had told me it is basically a dry stream and no diversions are possible. It became clear that what might look like a diversion in the NAPP photo is actually a drain into the stream from the field runoff. I walked to the where Turkey Creek enters the Robinson Ditch, by that point not much of a flow exists in the Creek and no noticeable stream channel is present. I did not find a second flume in the Robertson Ditch nor is there a farm ditch that would be used for irrigation on the south side of the Robertson Ditch.

I next drove back down to re-visit the POU claimed under Arkoosh's claim 37-11242. NAPP photo shows no irrigation and only a drain stream through the lowlands. This was confirmed in my observations of the claimed POU. No irrigation system appears in place and no lands appeared irrigated. Lands east of the drain are quite steep and rocky. The lands to the west of the drain appear higher than the ditches would be able to flow, at least for area behind the corrals.

SUMMARY & RECOMMENDATIONS: It is clear the source of these claims is no longer available for use or diversion. The conversion to sprinklers has eliminated the main flow of wastewater from the E1/2NE of Section 10. The small amount of wastewater that may have flowed under the gravel road 2175 E does not flow through the culvert if one exists, and the on farm ditch carrying it to the flume is removed to allow use of the pivot sprinkler. I suspect any flow from under this road would have joined the live water flow used to irrigate the lands in the E1/2NE and would not be purely wastewater flowing to the flume. There is no wastewater use in the current irrigation of 4 Brothers pivot as claimed under 37-4404B and no right is recommended. The Arkoosh claim 37-4404A is not currently in use but may be able to be recommended with a POD at the flume and POU as found in the lands between the two ditches, Robertson and Union. This is providing they submit some form of Proof of Priority to support the claimed date.

The other wastewater claim observed at this time, 37-11242, does not appear to be a valid use or diversion. No diversion point was found, no system or irrigation use was located. I will prepare a disallowed recommendation for this claim for future reporting in Basin 37 report. May still be subject of further review if pursued by claimants with additional evidence and proof of priority.

Final and complete recommendations will be described in the database record prepared after full legal review of my proposal is completed.

SRBA FIELD EXAM REPORT

SRBA CLAIM: A37-04404 A & B
EXAM DATE: JANUARY 22 and 23, 2001
IDWR AGENT: STEVE CLELLAND

ACCOMPANIED BY CLAIMANT: Phone call with George Arkoosh at the request of Bonnie Arkoosh on 1/22/01. Met with Andrew Fitzgerald on 1/23/01.

PURPOSE: This examination was made to investigate the wastewater claim 37-04404; splits A & B. Also included a second claim for wastewater, 37-11242 by Arkoosh.

OBSERVATIONS & FINDINGS: I called ahead to Mr. Tom Arkoosh to arrange a field exam meeting; he told me he did not need to accompany me on the exam. I left immediately and was onsite by about 3 pm on Monday 22nd. I tried to locate the Points of Diversion (PODs) and the Place of Use (POU) as described by the claims.

While in the field I was having difficulty locating the POD's as claimed, I stopped at the home of Bonnie Arkoosh and spoke to both Bonnie and her daughter Ann. I asked about the PODs and neither person knew the system well enough to direct me to the locations. They suggested I speak to one of Bonnie's sons and they were able to contact George Arkoosh by phone. I asked him the questions and for directions on the system layout.

He told me the water irrigated the 80 to the north (E1/2NE, Sec. 10) then was collected at the bottom of the field (South) above the Robertson Ditch. He said two flumes carried the water across the Ditch onto the actual POU. He said the POU is the land that lies between the Union Ditch and the Robertson Ditch. I asked if the water flumed across the Union Ditch to those lands as claimed and if it continued on under the county road to the south... he said no flume was across the Union Ditch and therefore the water could not be used south of that ditch. He did mention a possible siphon to the east on Union Ditch which allowed water to go under that ditch into the drain (slough), but that water could not flow back to the lands below the Union Ditch as claimed. Likewise, no water could get back to the lands across the count road around Bonnie's house.

I went back to the fields and found the conditions just as George had described. The POU claimed is currently being irrigated from another source and system of water other than wastewater; appears to be Big Wood Canal water from the Union Ditch to a pump south of the county road and east of Bonnie's house. Water is pumped back to sprinklers in the POU area between the two ditches.

I walked the old, irrigation head ditch that parallels the Robertson Ditch until I found the flume, which flowed into the farm ditch. This flume is located such that it could have picked up the wastewater on the north of the Robertson Ditch and flumed it into the farm ditch to irrigate the lands between the two ditches. As I inspected the inlet of the flume pipe it is clear there is no current flow to the flume pipe. The lands from which any wastewater would flow are now under a pivot system and no wastewater flows to the pipe.

I then went to find the source of water for the pivot on the north 80 acre piece. I found a pump and pond in the SE intersection of the roads 2175 E and 1300 S. Water was coming from a ditch and headgate and if it overflows the pond it flows eastward in a ditch to the drain known as Turkey Creek. There does not appear to be any wastewater runoff due to the use of the sprinkler pivot system on the lands previously gravity irrigated.

It became too dark to continue and I returned to my office.

The next morning I discussed my findings with Doug Jones and Allen Merritt. They raised some questions I need to confirm: 1) Did the source to the pivot contain any wastewater? 2) Is there a diversion from Turkey Creek to match the claim of a POD in that area? 3) What about the expanded POD and POU in Sec. 11? I needed to meet with 4-Brothers to discuss their uses and role in the claims.

I called their attorney, Rob Williams, and that led to a return call from Andrew Fitzgerald. I called him and we arranged to meet at the corner of the

1

NE NE

SE NE

TSS
RISE
SID

SEC 11

1/24/01
SCU

NE SE

SE SE

A37-4404 A
DRAFT

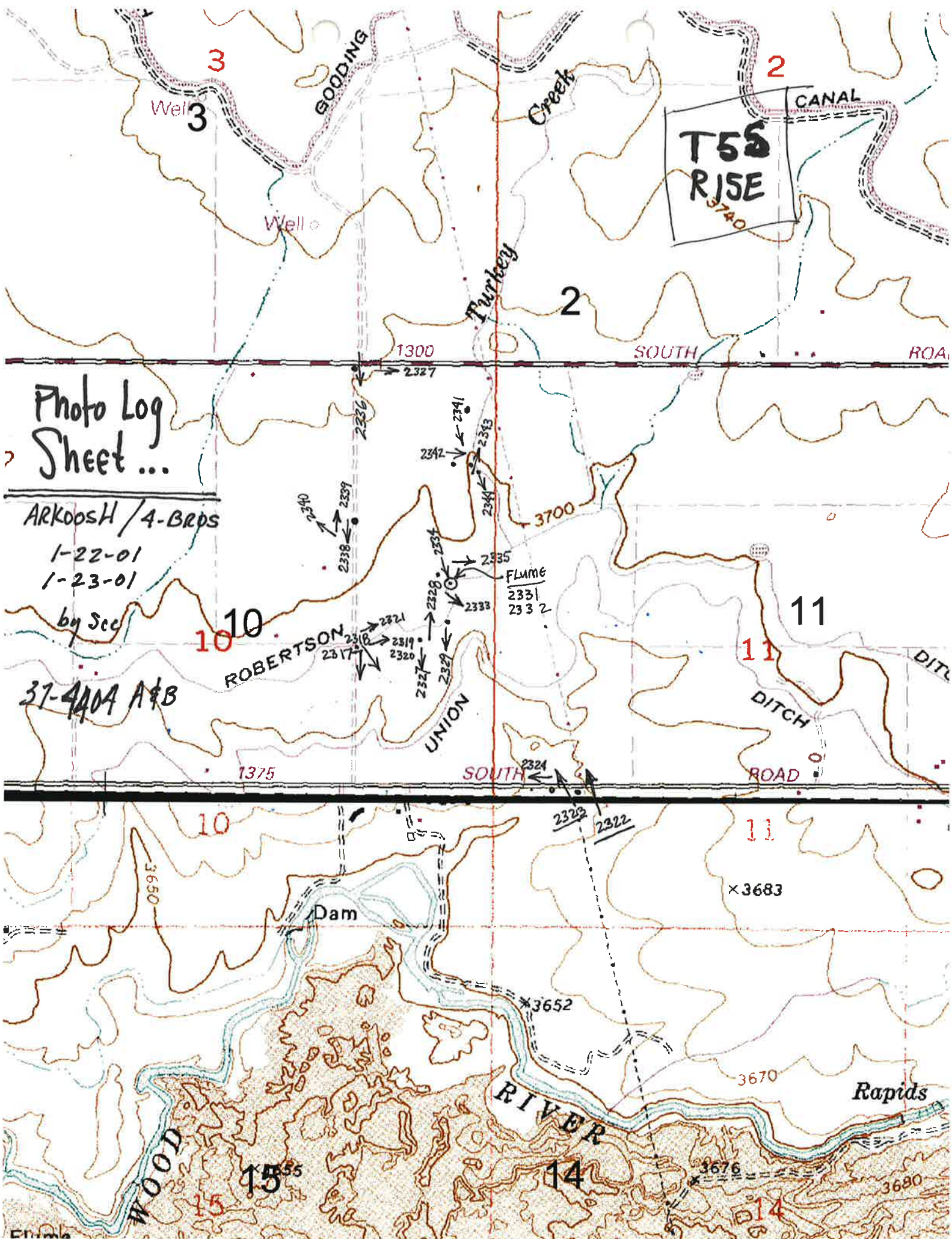


Photo Log
Sheet ...

ARKOOSH / 4-BRDS

1-22-01

1-23-01

by Sec

37-4404 A+B

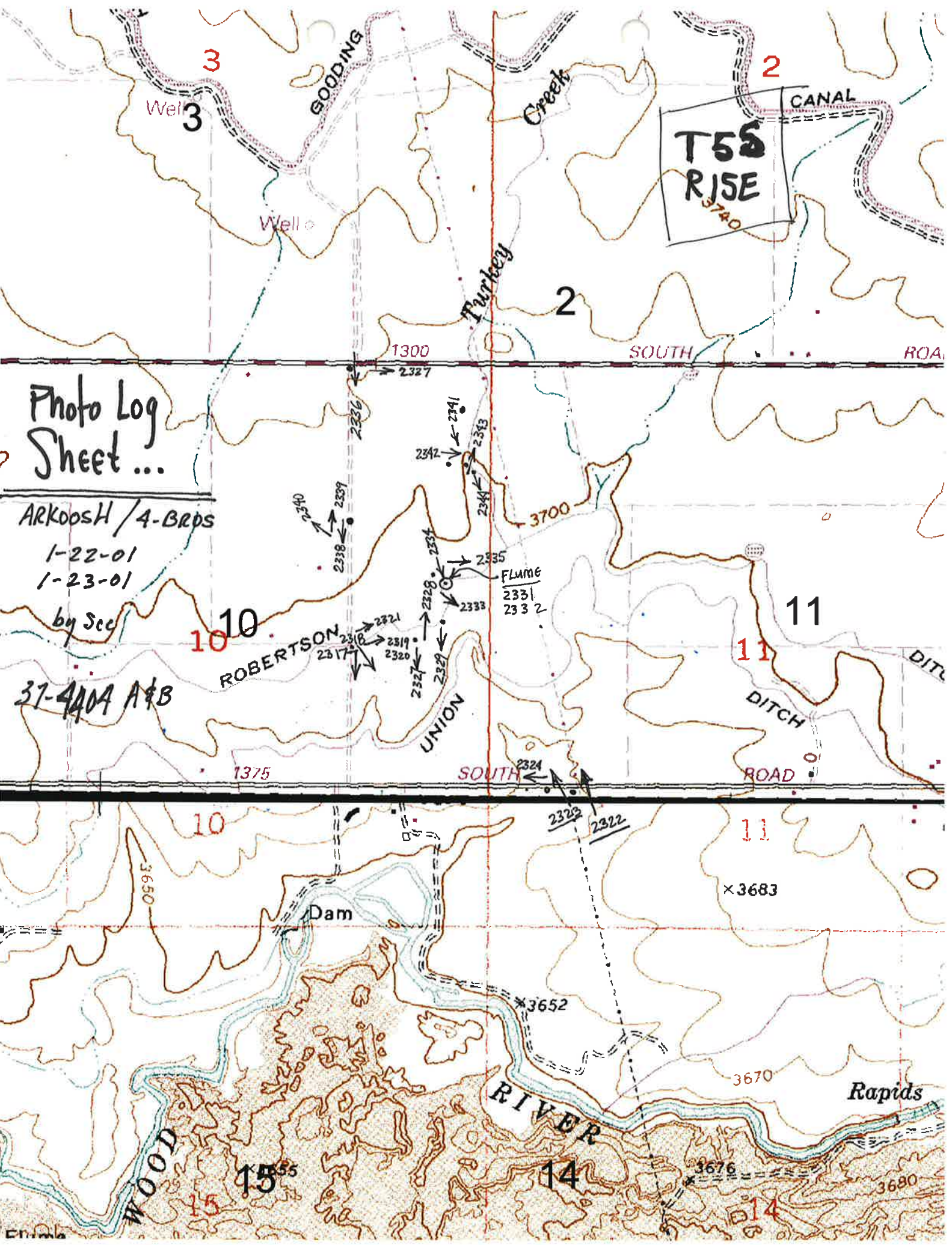
T55
RISE
3740

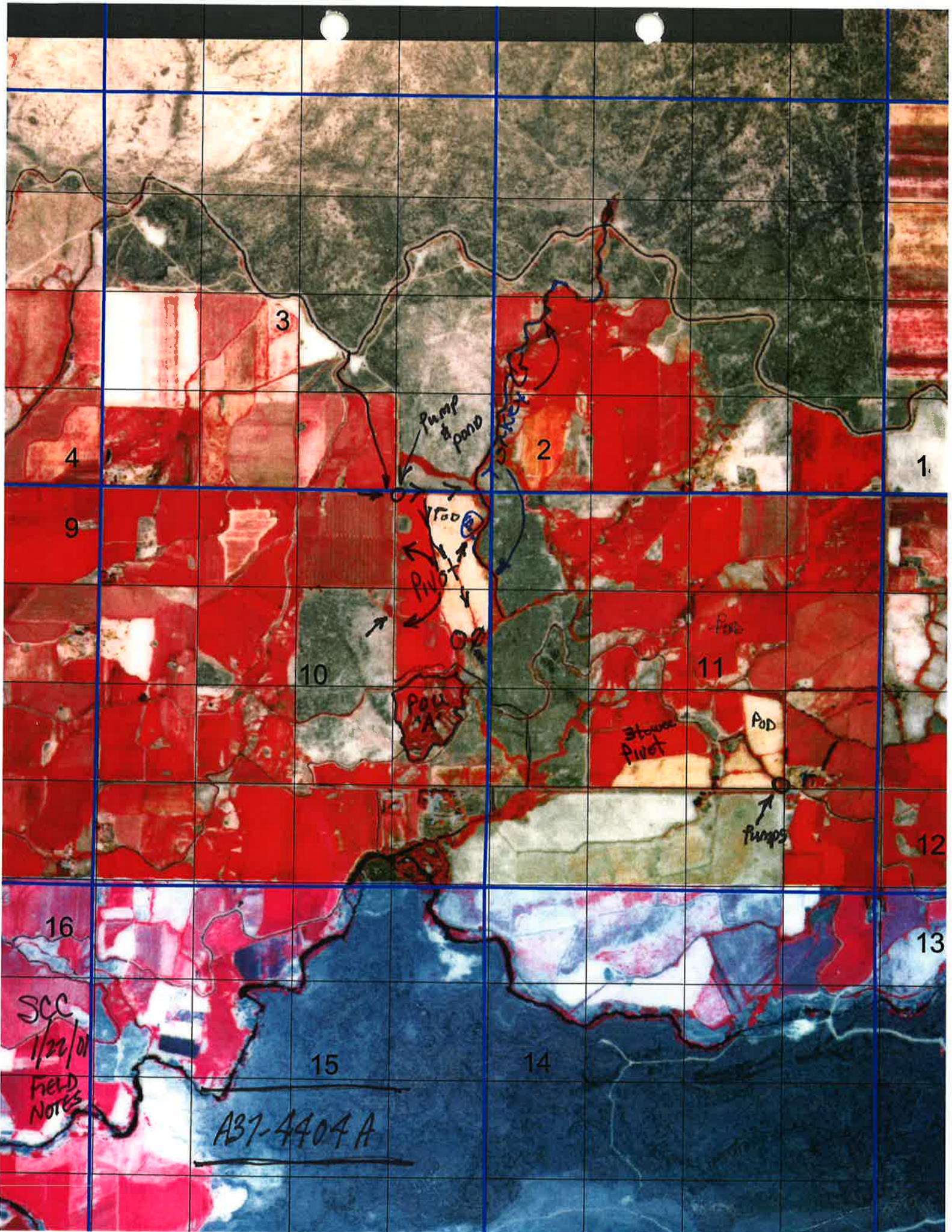
ROBERTSON

FLAME
2331
2332

WOOD
RIVER

Rapids





1-22-01

Field Exam Notes
Steve Clelland

@ 2175^E ROAD:

Arkoosh pou:

- under hand lines (spr.)
- not all irrigated

Source:
Appears to
be Ditch from
Union Ditch.

37-4404A
(-4404B)

Contact: Tom Arkoosh (301 MAIN)
934-8872 GOODING

Geo. or Jim (sons)

934-8464 (W)

934-8560 (H)

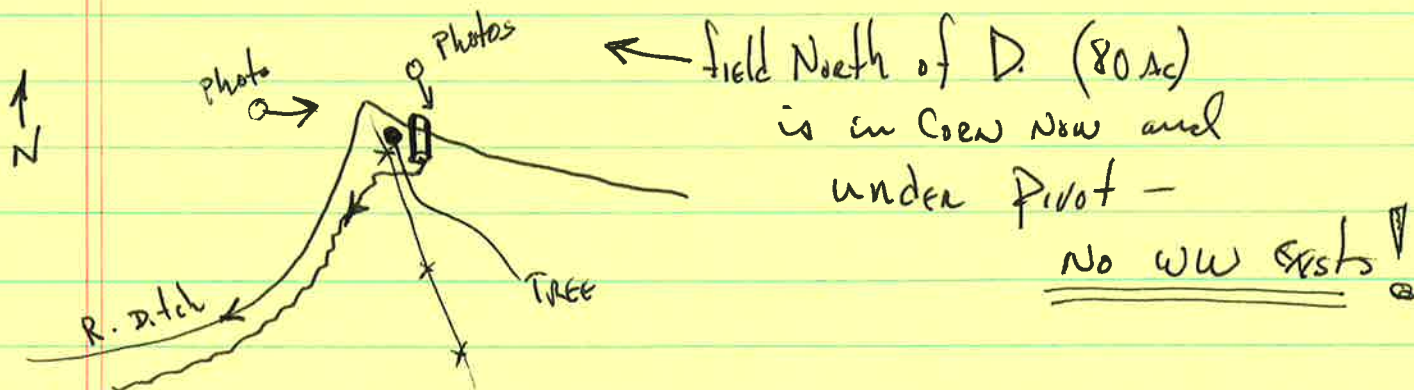
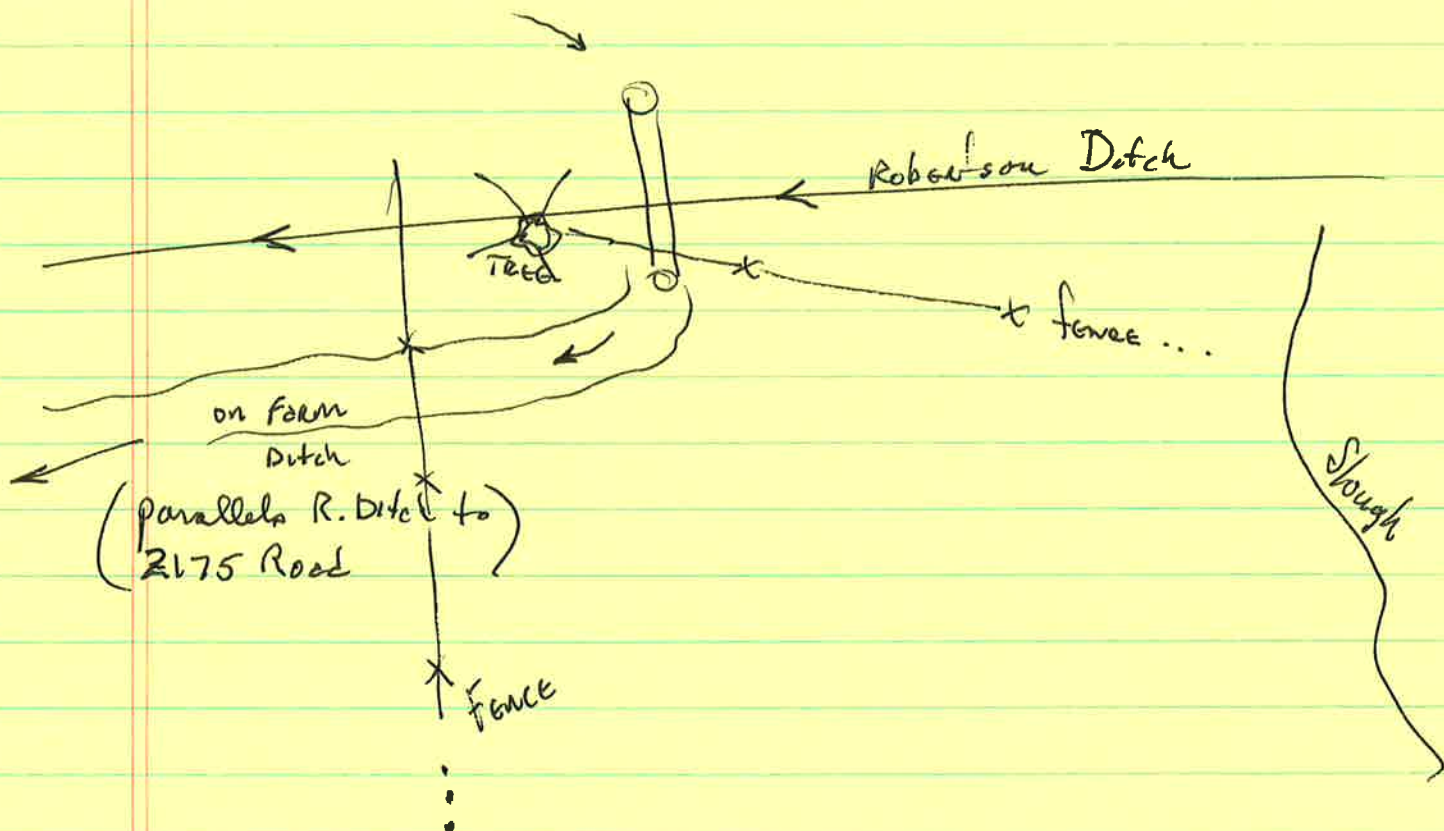
Spoke w/ Ann & Bonnie
at the house.

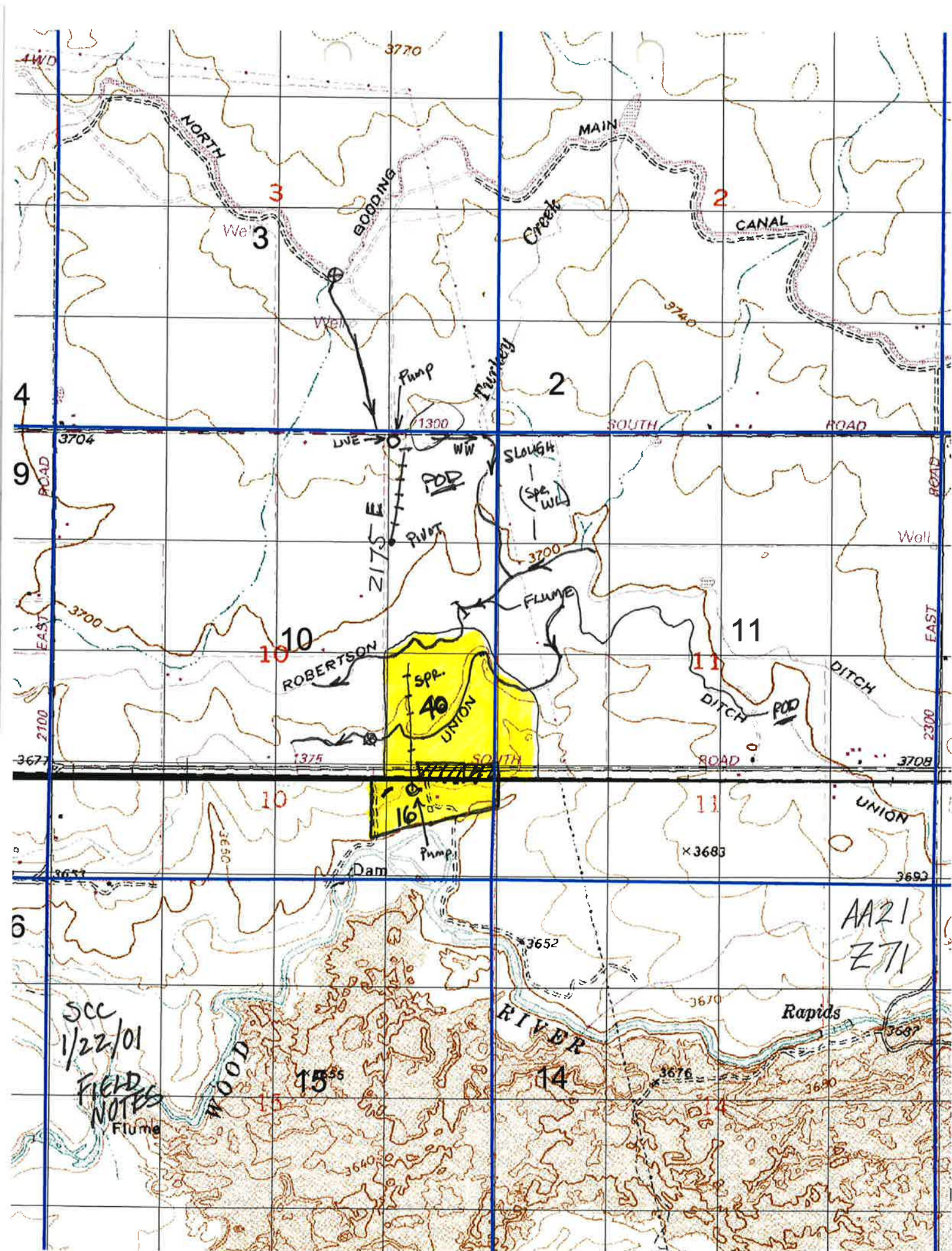
(0856) Call back here if Questions

@ phone conversation:

Geo. - water irrigated the 80 (E $\frac{1}{2}$ NE) then
collected at the bottom (South)
above the Robertson Ditch. Flumes (2)
carried water to pou between Rob. Ditch
& Union Ditch. No Flume across Union
only a siphon to the east, which flowed
into the Slough... Could not get back
to the lands below Union D. No water
could cross the Road to the lands around
the House (Bonnie's).

1-22-01 Arkosh 37-4404A





1/23/01

10am - Call to Rob Williams: left Msg for Exam Request.

10:10am - Callback: contact the 4 Bros to meet for the field exam appt.

12:15 - Called 886-7716 Andrew FITZGERALD
we agreed to meet at the pump where
2175 E 1300 S Roads meet; about 1:30pm.

FIELD Exam Notes: by Steve Ollard
A37-4404 B

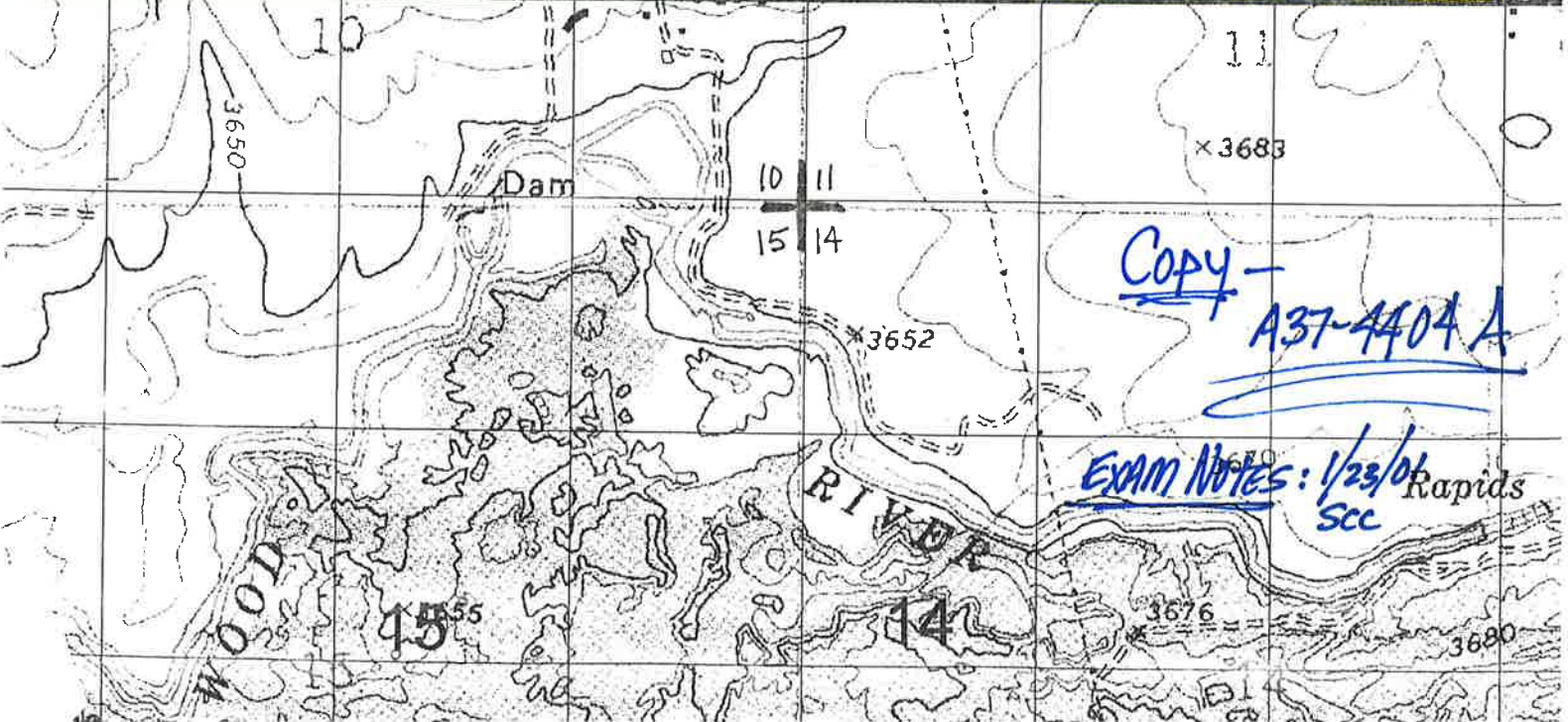
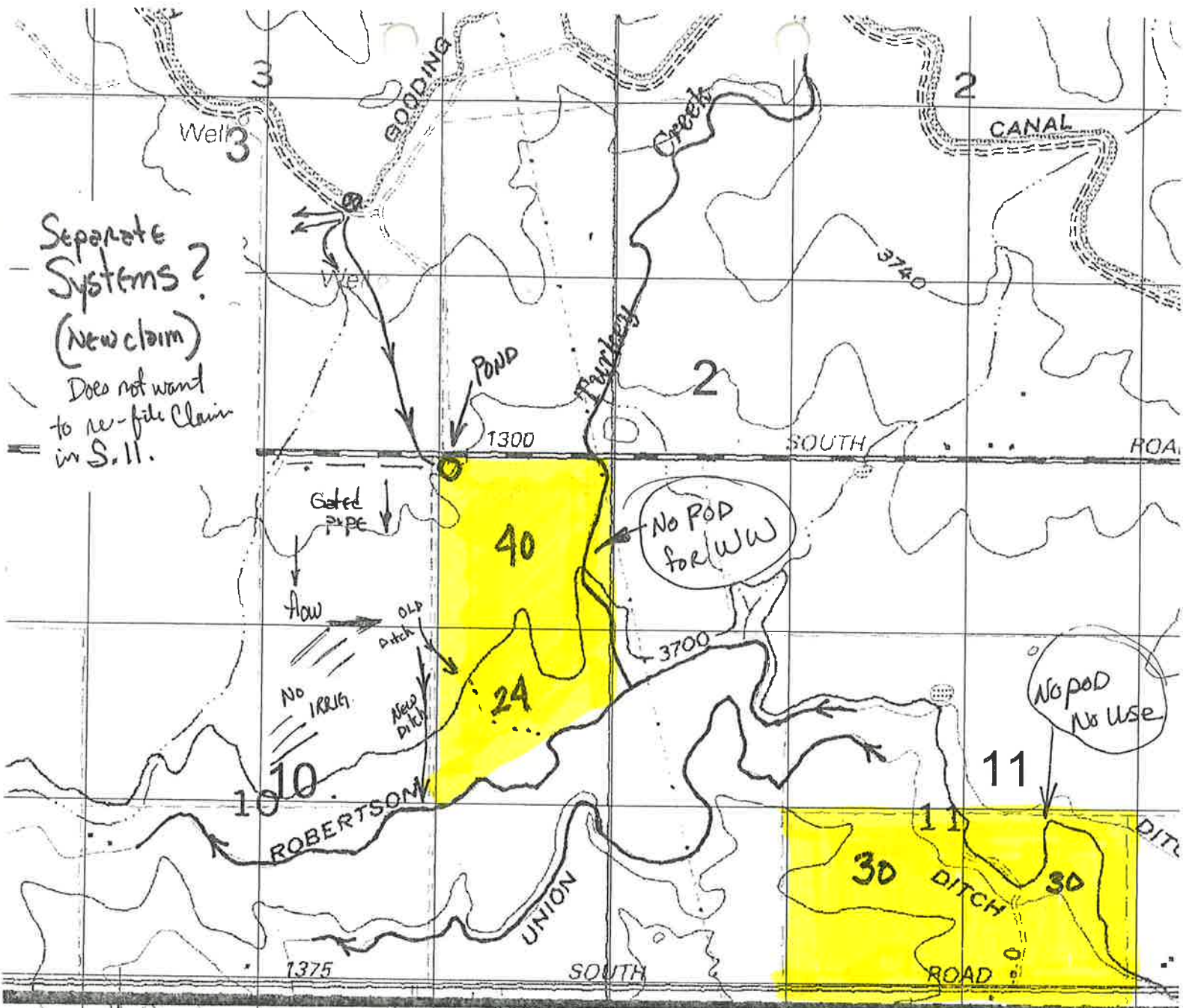
1/23/01 @ 1:30pm
meet w/ Andrew Fitzgerald

He showed me the live stream to the pool.
Then we tried to locate the culvert under 2175 E RD -
Not found. Discussed flows & the claims 37-4404 A & B.
When asked for WW POD's he said - None, they don't use it.
He said he may be willing to give up the WW st. in S-11.
I told him we would like to get 2ND claim
for the right in S-11; appears to be developed
after 1983 (?). He told me his systems were designed
for the minimum available flow that of his 175" of AF supplement.
I walked the Turkey Creek area and the Robertson
Ditch. No 2ND Flume found.

Copy to 37-4404 A

Separate
Systems?
(New claim)

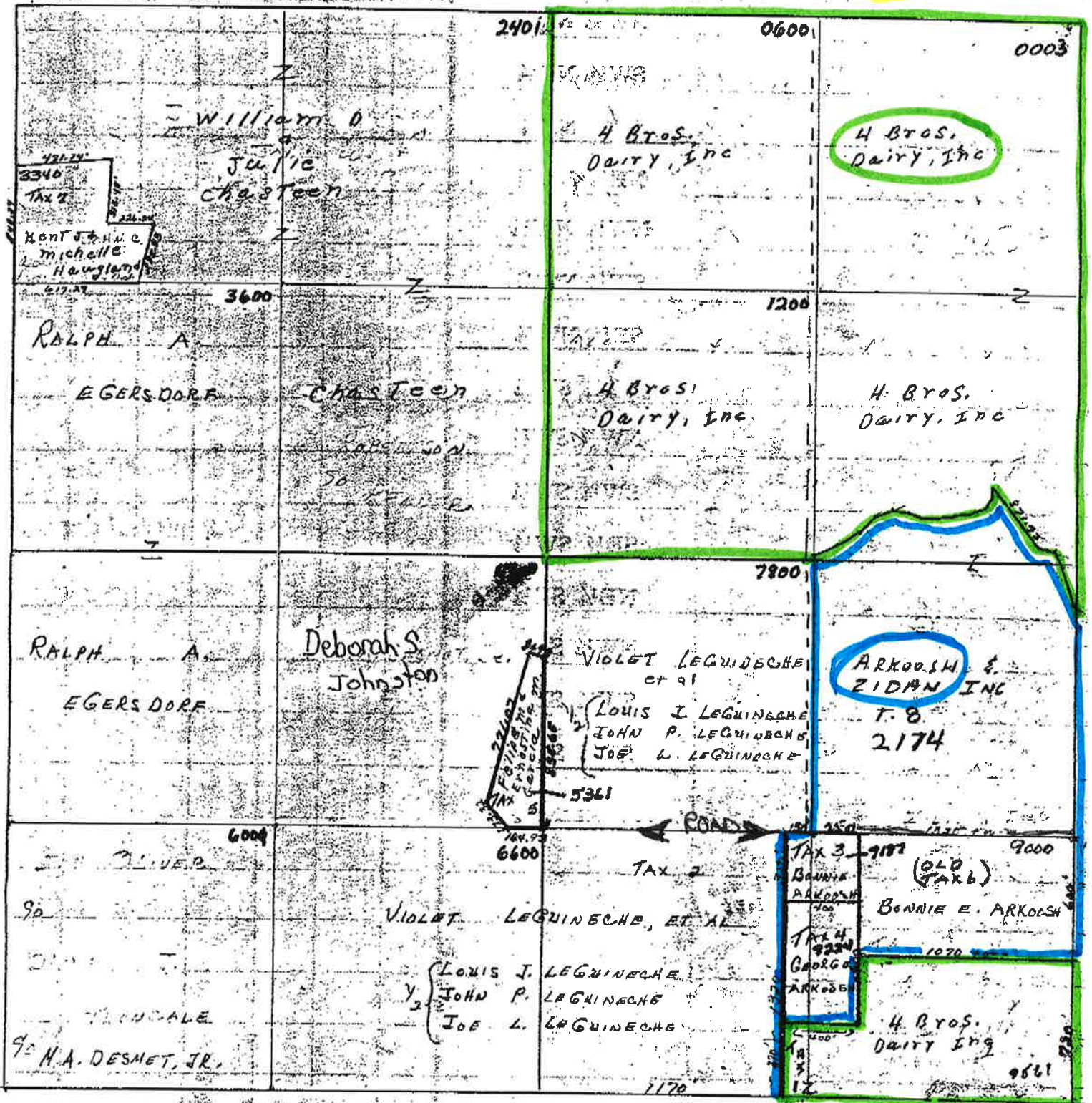
Does not want
to re-file claim
in S. 11.

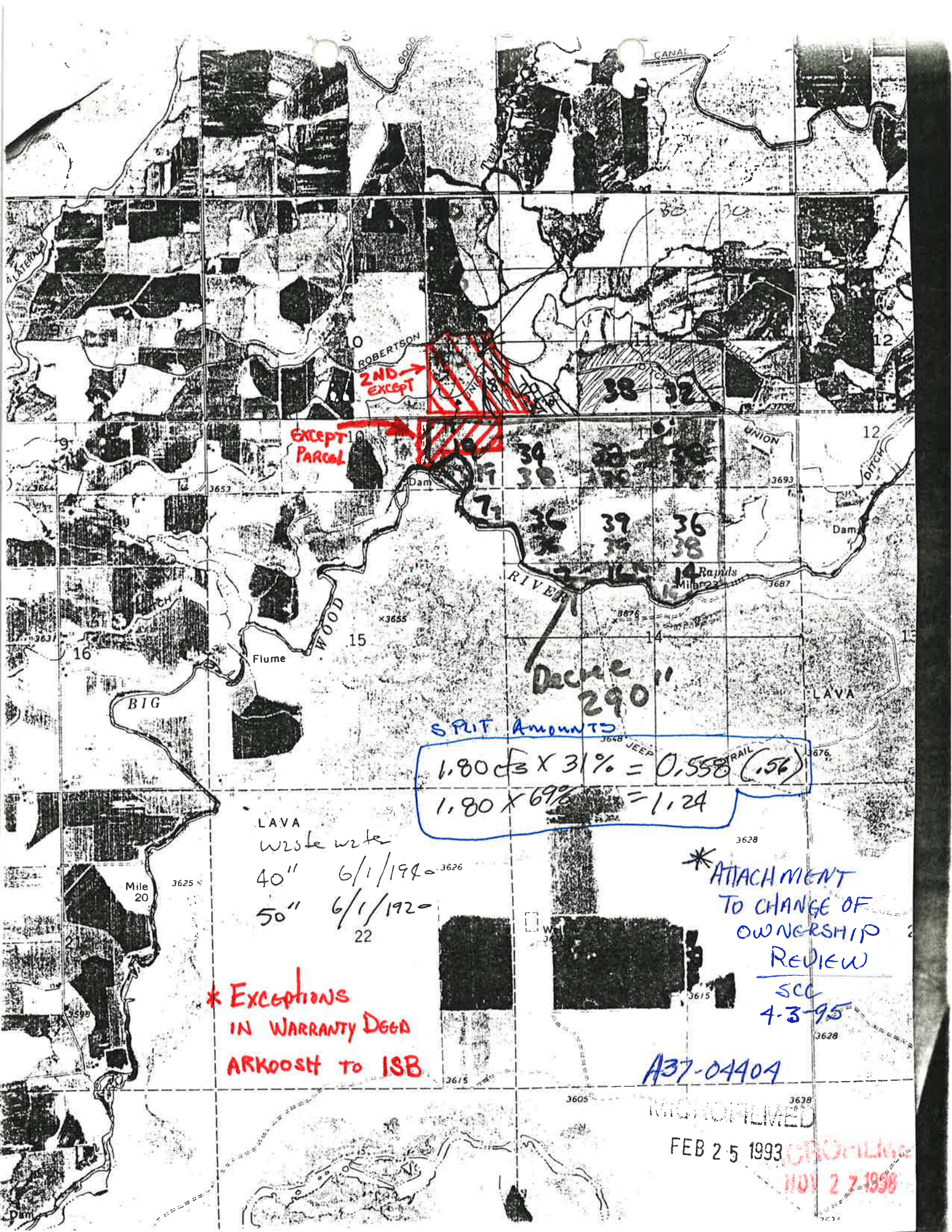


Date	01/19/01	# of pages	2
From	Linda		
Co.	Gooding		
Phone #	934-5666		
Fax #			

Hwy. Dist. 1 City Gooding
Sch. Dist. 231 Cem. Dist. Gooding
Fire Dist. Gooding

05S 15E 10





ROBERTSON
2ND EXCEPT

EXCEPT
PARCEL

Depth
290"

SPLIT AMOUNTS

$$1.80 \times 31\% = 0.558 (.56)$$
$$1.80 \times 69\% = 1.24$$

LAVA
wrote wte
40" 6/1/1940
50" 6/1/1920
22

* EXCEPTIONS
IN WARRANTY DEED
ARKOOSH TO ISB

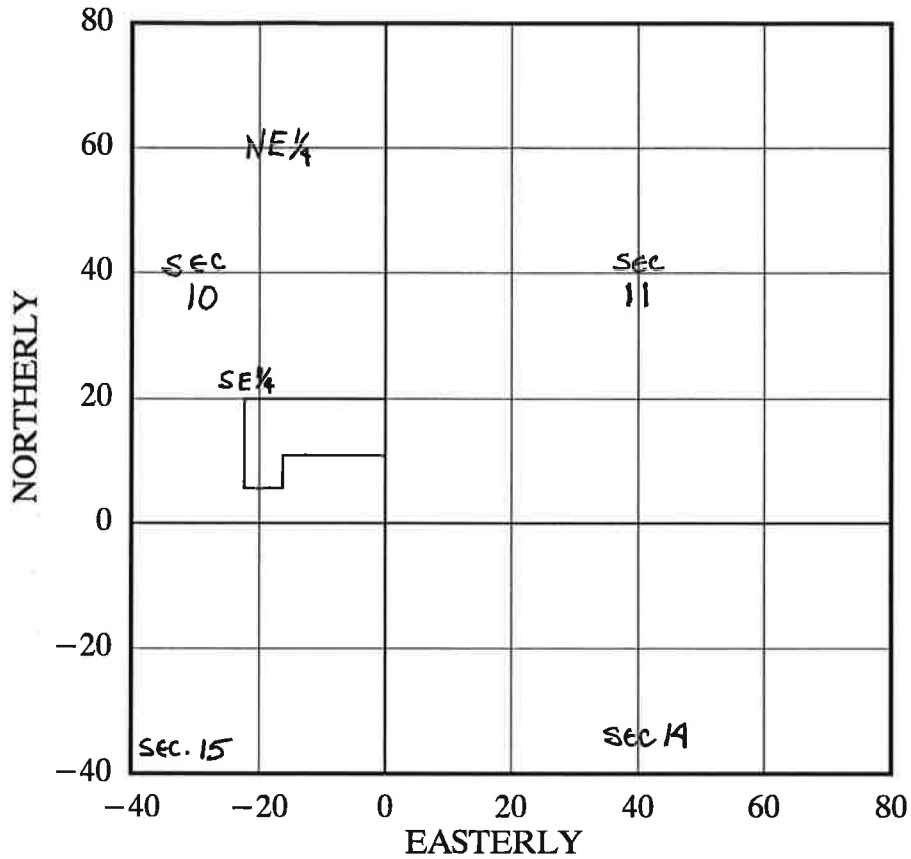
* ATTACHMENT
TO CHANGE OF
OWNERSHIP
REVIEW
SCC
4-3-95

A37-04404

NOTIFIED

FEB 25 1993
NOV 27 1998

PARCEL PLOT – METES & BOUNDS
DISTANCE IS IN CHAINS



T5S
R15E
SEC. 10
"EXCEPTION TRACT"
EXHIBIT A
OF WARRANTY DEED
ARKOOSH & ZIDAN, INC.
TO
IDAHO STATE BANK

ATTACHMENT TO
CHANGE OF OWNERSHIP

ACRES = 23.46

Sc
4-3-95

A37-04904

MICROFILMED
NOV 27 1998

MEMO

TO: FILES: A37-04404 & A37-11114
FROM: STEVE CLELLAND
DATE: April 3, 1995 *see 4-6-95*

RE: CHANGE OF OWNERSHIP SPLITS

=====

THE BASIS OF THE SPLITS IS THE WARRANTY DEED FROM ARKOOSH & ZIDAN, INC. TO IDAHO STATE BANK (NOW SUCCEEDED IN INTEREST BY WEST ONE BANK) AND THE LETTER OF AGREEMENT AS LISTED ON THE CHANGE OF OWNERSHIP FORM, DATED MAY 5, 1993.

A37-04404:

THE WARRANTY DEED DESCRIBES AN EXCEPTION IN EXHIBIT 'A' THAT OVERLAPS WITH THE CLAIMED PLACE OF USE (POU) OF THIS RIGHT. THE LETTER DESCRIBES THIS OVERLAP AS COVERING 56.0 ACRES AND EQUAL TO A PROPORTIONAL SHARE OF 31% OF THE WASTE WATER CLAIMED. THE POU IN THE NESE OF SECTION 10 ACCOUNTS FOR 40.0 ACRES. THE LANDS IN SENE OF SECTION 10 APPEAR TO BE LESS THAN 16.0 ACRES OF LAND, BUT THIS IS THE ONLY OTHER TRACT CLAIMED TO HAVE WASTE WATER IRRIGATION AND RETAINED BY ARKOOSH. THEREFORE:

1.80 CFS X 31% = 0.56 CFS PORTION RETAINED BY ARKOOSH.

1.80 CFS X 69% = 1.24 CFS PORTION SOLD IN DEED.

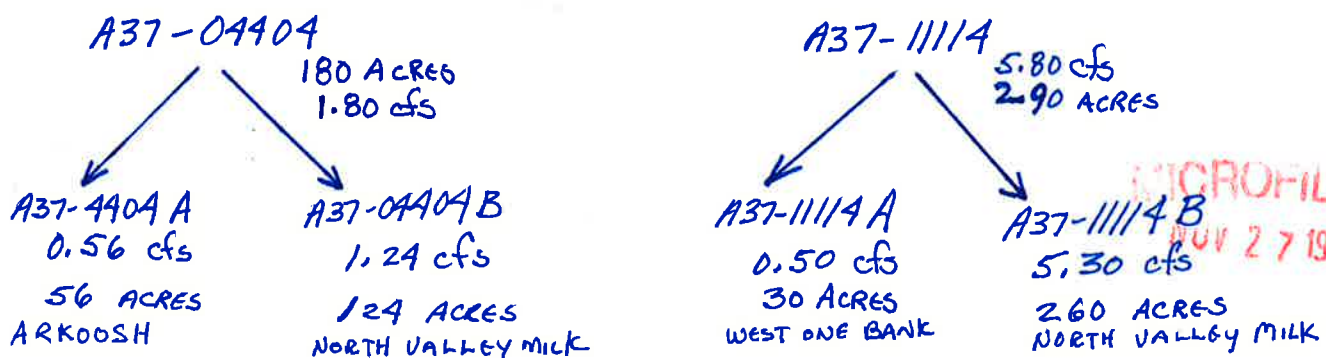
A37-11114:

THIS CLAIM IS THE COMBINATION OF THE DECREED RIGHTS 37-00599, 37-00600A & 37-00600B. THE WARRANTY DEED FROM ARKOOSH TO IDAHO STATE BANK (ISB) LISTS THE CLAIM AND THE DECREED RIGHTS AS BEING SOLD TO ISB. THE LETTER OF MAY 5, 1993 DESCRIBES THIS TRANSACTION AND THEN MENTIONS A QUITCLAIM WILL BE FILED BY ISB TO RETURN OWNERSHIP BACK TO ARKOOSH FOR PURPOSES OF THE PROPOSED TRANSFER OF THE RIGHT 37-00600B.

THE CHANGE OF OWNERSHIP FORM SUBMITTED BY NORTH VALLEY MILK, INC. ACKNOWLEDGES THAT 37-00600B HAS BEEN RETAINED BY WEST ONE BANK.

SEARCHES ON THE IDWR DATABASE SHOW NO TRANSFER HAS BEEN FILED FOR THE RIGHT 37-00600B. THE SRBA CLAIM OWNERSHIP WILL REMAIN IN THE NAME OF WEST ONE BANK AS PER THE FORM SUBMITTED BY THEM AND RECEIVED BY IDWR ON FEBRUARY 8, 1994.

SEE FLOW CHART BELOW FOR THE ACTUAL CALCULATIONS OF THE SPLITS:



MEMO: PAGE 2
A37-04404 & A37-11114

A37-11114:

THE ACRES AND POU FOR THE PORTION RETAINED BY WEST ONE BANK UNDER THIS CLAIM ARE REFERRED TO IN THE MAY 5TH LETTER AS THE SWNE & SENW OF SECTION 14, T05S, R15E. THIS IS THE POU LISTED FOR THIS PORTION OF THE CLAIM BUT SINCE THE ORIGINAL SRBA CLAIM ONLY DESCRIBED 30 ACRES FOR THIS PARCEL, THESE ARE THE ACRES LISTED IN THE SPLIT PORTION OF THE CLAIM REMAINING WITH WEST ONE BANK.

MICROFILMED
NOV 27 1996

COPY

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
Telephone: (208) 327-7900
Fax: (208) 327-5400
Idaho State Bar #2911
Attorney for IDWR

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

In Re SRBA	)	REPORTING AREA 16
	)	(BASIN 37)
	)	
Case No. 39576	)	NOTICE OF FILING ORIGINAL
	)	CLAIM FOR WATER RIGHT
	)	37-04404A
	)	
	)	
	)	
	)	
	)	
	)	
	)	

The Idaho Department of Water Resources (IDWR), pursuant to the *Order Establishing Procedures and Setting Subcase Deadlines* issued August 4, 2000, hereby submits to the Court, the original claim for water right number 37-04404A.

Dated this 15th day of AUGUST, 2000.

By: 
NICHOLAS B. SPENCER
Attorney for IDWR

CERTIFICATE OF SERVICE

I certify that on 8/16, 2000, I served the original and copies of the original claim in water right number 37-04404A, to the following persons, in the manner indicated:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

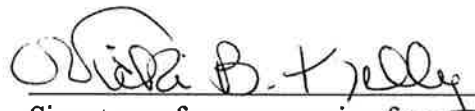
Copies to:

C. Thomas Arkoosh
P.O. Box 32
116 4th Ave. W.
Gooding, ID 83330

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Robert E. Williams III
P.O. Box 168
117 South Adams St.
Jerome, ID 83338

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person serving form

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim ReportWATER RIGHT NO. **37-11242**

Owner Type Name and Address
 Current Owner BONNIE ARKOOSH
 2177 EAST 1375 SOUTH
 GOODING, ID 83330
 (208)934-5014

Current Owner MICHAEL ARKOOSH
 PO BOX 93
 GOODING, ID 83330
 (208)934-8464

"mich"

Priority Date: 06/01/1920
 Basis: Beneficial Use
 Status: Valid

"from Union Ditch"

Source Tributary to
 WASTEWATER BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	1 CFS		

Total Diversion 1 CFS

Location of Point(s) of Diversion:

WASTEWATER NENESE Sec. 10 Township 05S Range 15E GOODING County

IRRIGATION Use:
 Acre Limit: 28

Place(s) of use:

Place of Use Legal Description: IRRIGATION GOODING County

<u>Townshi</u>	<u>Rang</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05S	15E	10		NESE	8									
		11		NWSW	20									

Total Acres: 28

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. **37-4273**

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BONNIE ARKOOSH 2177 EAST 1375 SOUTH GOODING, ID 83330 (208)934-5014

Current Owner	MICHAEL ARKOOSH PO BOX 93 GOODING, ID 83330 (208)934-8464
---------------	--

Priority Date: 01/01/1925
Basis: Statutory Claim
Status: Valid

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01	12/31	0.04 CFS		
DOMESTIC	1/01	12/31	0.24 CFS		
Total Diversion			0.28 CFS		

Location of Point(s) of Diversion:

GROUND WATER	SWNESE	Sec. 10	Township 05S	Range 15E	GOODING County
--------------	--------	---------	--------------	-----------	----------------

Place(s) of use:

Place of Use Legal Description: STOCKWATER	GOODING County
--	----------------

<u>Townshi</u>	<u>Rang</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
p	e	n												
05S	15E	10		NESE			SESE							
		11		NWSW			SWSW							

Place of Use Legal Description: DOMESTIC	GOODING County
--	----------------

<u>Townshi</u>	<u>Rang</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
p	e	n												
05S	15E	10		SESE										

Remarks:

1. General PRIORITY BASED ON INFORMATION OBTAINED FROM LOCAL WELL DRILLER.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim ReportWATER RIGHT NO. **37-4274**

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BONNIE ARKOOSH 2177 EAST 1375 SOUTH GOODING, ID 83330 (208)934-5014
Current Owner	MICHAEL ARKOOSH PO BOX 93 GOODING, ID 83330 (208)934-8464

Priority Date: 01/01/1925
Basis: Statutory Claim
Status: Valid

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01	12/31	0.04 CFS		
DOMESTIC	1/01	12/31	0.24 CFS		
Total Diversion			0.28 CFS		

Location of Point(s) of Diversion:

GROUND WATER	NWSESE	Sec. 10	Township 05S	Range 15E	GOODING County
--------------	--------	---------	--------------	-----------	----------------

Place(s) of use:

Place of Use Legal Description: STOCKWATER	GOODING County
--	----------------

<u>Townshi</u>	<u>Rang</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
<u>p</u>	<u>e</u>	<u>n</u>												
05S	15E	10		NESE			SESE							
		11		NWSW			SWSW							

Place of Use Legal Description: DOMESTIC	GOODING County
--	----------------

<u>Townshi</u>	<u>Rang</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
<u>p</u>	<u>e</u>	<u>n</u>												
05S	15E	10		SESE										

Remarks:

1. General PRIORITY BASED ON CLAIMANTS CONVERSATION WITH LOCAL WELL DRILLER.

T5S

R15E

S10

SEC 11

1/24/01
see

NESE

SESE

A37-4404A
DRAFT

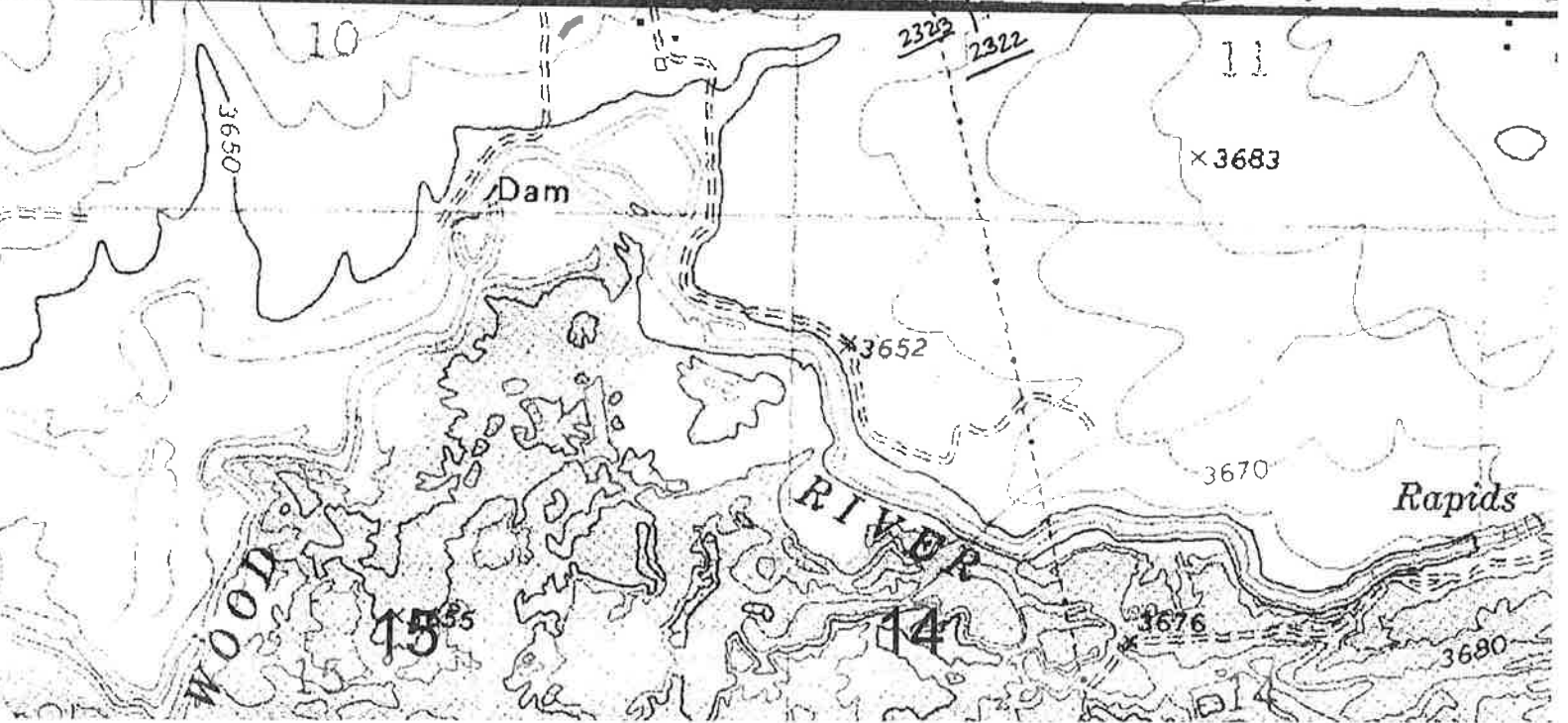
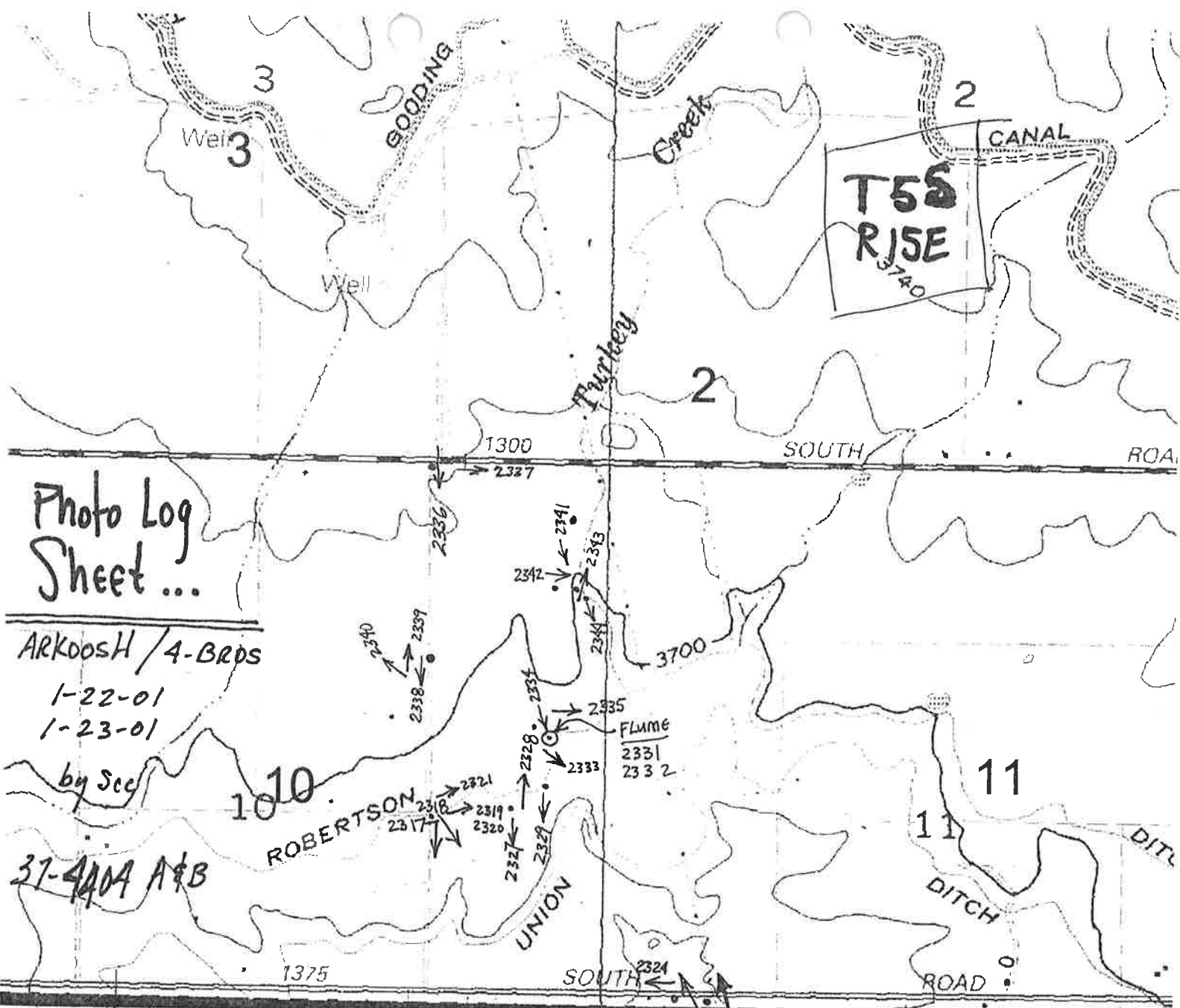
FURTHER YOUR AFFIANT SAYETH NAUGHT.


STEVE CLELLAND

SUBSCRIBED AND SWORN to before me this 16 day of March, 2001.




Notary Public for the State of Idaho
Residing at: Twin Falls, ID
My commission expires: 3-11-04



01/19/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. **37-11114B**

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	4 BROS DAIRY INC 425 N 250 W SHOSHONE, ID 83352 (208)886-7716
Original Owner	WEST ONE BANK IDAHO 101 SOUTH CAPITOL BLVD PO BOX 8247 BOISE, ID 83733 (208)383-7435
Original Owner	BONNIE ARKOOSH 2177 EAST 1375 SOUTH GOODING, ID 83330 (208)934-5014
Original Owner	MICHAEL ARKOOSH PO BOX 93 GOODING, ID 83330 (208)934-8464
Original Owner	NORTH VALLEY MILK INC 425 N 250 W SHOSHONE, ID 83352 (208)886-7716

Priority Date: 04/27/1896
Basis: Decreed
Status: Valid

<u>Source</u>	<u>Tributary to</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	5.3 CFS		
Total Diversion			5.3 CFS		

Location of Point(s) of Diversion:

BIG WOOD RIVER	NESESW	Sec. 12	Township 05S	Range 15E	GOODING County
BIG WOOD RIVER	SENWNW	Sec. 13	Township 05S	Range 15E	GOODING County

IRRIGATION Use:
Acre Limit: 260

Place(s) of use:

Place of Use Legal Description: IRRIGATION

GOODING County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
<u>P</u>	<u>e</u>	<u>n</u>												
05S	15E	10		SESE	19									
		11		SWSW	38		SESW	38						
				SWSE	38									
		14		NWNE	38									
				NENW	39		NWN	36		SWNW	7			
							W							
		15		NENE	7									

Total Acres: 260

Remarks:

1. General

THIS CLAIM IS BASED ON A COMBINATION OF OLD DECREED RTS.

37-0599 & 37-0600A.

**** 9/8/98 TF; NAME CHANGED FROM NORTH VALLEY MILK TO 4 BROS DAIRY PER 1409(6) AND
ARTICLES OF MERGER REC'D 8/28/98.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. **37-4276**

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	4 BROS DAIRY INC 425 N 250 W SHOSHONE, ID 83352 (208)886-7716
Original Owner	BONNIE ARKOOSH 2177 EAST 1375 SOUTH GOODING, ID 83330 (208)934-5014
Original Owner	MICHAEL ARKOOSH PO BOX 93 GOODING, ID 83330 (208)934-8464
Original Owner	NORTH VALLEY MILK INC 425 N 250 W SHOSHONE, ID 83352 (208)886-7716

Priority Date: 12/31/1925
Basis: Beneficial Use
Status: Valid

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01	12/31	0.04 CFS		
DOMESTIC	1/01	12/31	0.08 CFS		
Total Diversion			0.12 CFS		

Location of Point(s) of Diversion:

GROUND WATER	NWSWSE	Sec. 11	Township 05S	Range 15E	GOODING County
--------------	--------	---------	--------------	-----------	----------------

Place(s) of use:

Place of Use Legal Description: STOCKWATER	GOODING County
--	----------------

<u>Townshi</u>	<u>Rang</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
p	e	n												
05S	15E	11		NWSE			SWSE							

Place of Use Legal Description: DOMESTIC same as STOCKWATER

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory STOCKWATER 800 RANGE PARCEL NOS. RP 05S15E114800, RP 05S15E115400

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
SEGBERT	8/18/98	COPIED FROM	PRIORTTY BASED ON CLAIMANT'S CONV. WITH LOCAL WELL DRILLER.
	8	REMARKS	
TFAWCETT	9/8/98	NAME CHANGE	NAME CHANGED FROM NORTH VALLEY MILK TO 4 BROS DAIRY PER 1409(6) AND ARTICLES OF MERGER REC'D 8/28/98.

Dates:

Licensed Date:
Claim Received Date: 09/02/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. **37-7575**

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	4 BROS DAIRY INC 425 N 250 W SHOSHONE, ID 83352 (208)886-7716
Original Owner	BONNIE ARKOOSH 2177 EAST 1375 SOUTH GOODING, ID 83330 (208)934-5014
Original Owner	MICHAEL ARKOOSH PO BOX 93 GOODING, ID 83330 (208)934-8464
Original Owner	NORTH VALLEY MILK INC 425 N 250 W SHOSHONE, ID 83352 (208)886-7716

Priority Date: 03/28/1977
Basis: License
Status: Valid

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	2.21 CFS		
Total Diversion			2.21 CFS		

Location of Point(s) of Diversion:

GROUND WATER SENWSE Sec. 11 Township 05S Range 15E GOODING County

IRRIGATION Use:
Acre Limit: 360

Place(s) of use:

Place of Use Legal Description: IRRIGATION GOODING County

<u>Townshi</u>	<u>Rang</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
p	e	n												
05S	15E	10		SESE	19									
		11		NESW	38		SWSW	38		SESW	38			
				NWSE	32		SWSE	38						
		14		NWNE	38		SWNE	14						
				NENW	39		NWN	36		SWNW	7		SENW	16
							W							
		15		NENE	7									

Total Acres: 360

Conditions of Approval:

1. 03A The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
2. 01B The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department.

Remarks:

1. General 9/8/98 TF; NAME CHANGED FROM NORTH VALLEY MILK TO 4 BROS DAIRY PER 1409(6) AND ARTICLES OF MERGER REC'D 8/28/98. BASIS OF CLAIM ALSO CHANGED TO LICENSE. LICENSE ISSUED 10/24/89.

Dates:

Licensed Date: 10/24/1989
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
ALAN G. LANCE

August 14, 2000

Mr. C. Thomas Arkoosh
P.O. Box 32
116 4th Ave W.
Gooding, ID 83330

Mr. Robert E. Williams III
P.O. Box 168
117 South Adams St.
Jerome, ID 83338

RE: Change of Ownership for water right numbers 37-04404A & B

Gentlemen:

A Status Conference was held by the SRBA court involving water right number 37-04404A on August 3, 2000. From that hearing, it became apparent the Department of Water Resources (IDWR) ownership records for this right may not be current. IDWR records show the current claimant of right 37-04404A to be Michael & Bonnie Arkoosh. For right 37-04404B, IDWR records show 4 Brothers Dairy, Inc. as the current owner.

Should this ownership information no longer be correct, enclosed you will find a Notice of Change in Water Right Ownership form with instructions. All claimants and owners of water rights are required to notify IDWR of any change in mailing address or change in ownership of all or part of a water right in order to comply with Sections 42-248 and 42-1409(6) Idaho Code.

Should you need assistance in completing the form, please contact IDWR's Southern Regional office 208-736-3033. IDWR staff will be happy to assist you.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Vicki Kelly".

Vicki Kelly
Paralegal
Idaho Department of Water Resources

CC: Doug Jones, Southern Regional Office

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: **A37-04404A**
Date Received: 9/ 2/1988
Receipt No: S002052
Received By: _____

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

1. Name: BONNIE ARKOOSH 208-934-5014
Address: 2177 EAST 1375 SOUTH
GOODING ID 83330
AND/OR
Name: MICHAEL ARKOOSH 208-934-8464
Address: PO BOX 93
GOODING ID 83330

2. Date of Priority: JUN 1, 1940

3. Source: WASTE WATER Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	15E	10	NE	NE	NE		GOODING
			SW	NE	NE		GOODING
		11	NE	NW	SE		GOODING

5. Description of diverting works:
DITCHES COLLECTING WASTE WATER FROM ADJOINING FIELDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.560		

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

8. Total consumptive use is 168.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	10	SE	NE		IRR	16.0
			NE	SE		IRR	40.0
Section Acres							56.0
Total Acres							56.0

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:
THIS CLAIM INCLUDES ADDITIONAL LANDS NOT ORIGINALLY CLAIMED
UNDER 37-04404.

15. Basis of Claim: STATUTORY CLAIM

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

*CECIL D. ANDRUS
Governor PHIL BATT

R. KEITH HIGGINSON
Director

April 7, 1995

MICHAEL OR BONNIE ARKOOSH
2177 E 1375 S
GOODING ID 83330

RE: CHANGE OF OWNERSHIP SRBA CLAIM NOS. A37-04404, A37-04276, A37-07575 AND A37-11114.

DEAR MR. & MRS. ARKOOSH,

Pursuant to a request for a change in ownership and/or the notification that other parties now presently own the property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owners as they have requested. Please find enclosed a copy of your adjudication claim, as it now appears in our records. Please refer to the revised claim number in future correspondence: **A37-04404A**.

All the claims have been changed as follows:

A37-04404A	MICHAEL OR BONNIE ARKOOSH
A37-04404B	NORTH VALLEY MILK INC
A37-04276	NORTH VALLEY MILK INC
A37-07575	NORTH VALLEY MILK INC
A37-11114A	WEST ONE BANK IDAHO
A37-11114B	NORTH VALLEY MILK INC

If you have any further corrections or questions please contact our office.

Sincerely,

STEVE CLELLAND
Water Resource Agent

ENC:

MICROFILMED
NOV 27 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

FEB 08 1994

Department of Water Resources

DATE OF CLOSING: 5-5-93

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM _____
Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

See attached legal description

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR: 37-04404, 37-04276, 37-07575, 37-00599, 37-00600A,
and A37-11114

[] Name and Address of Former Owner/Claimant(s)(Seller): Arkoosh & Zidan, Inc./Bonnie Arkoosh (Claimant)
P.O. Box 93
Gooding, Idaho 83330

[] New Owner/Claimant (Purchaser): West One Bank, Idaho, N.A., successor in interest to
Idaho State Bank

[] New Mailing Address: P.O. Box 8247
101 S. Capitol Boulevard
Boise, Idaho 83733

[] New Telephone Number: (208) 383 - 7435

[] Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
37-04404 is to be split per the letter agreement of May 5, 1993

[] 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 owner/claimant.)

[] Signature of New Owner/Claimant(s) West One Bank, Idaho, N.A. Date _____
by *Jan Starnahan* Date 2-7-94

[] Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 4-3-95 By: SC

Further Action Needed:

SPLIT CLAIMS REVIEW

Further Action Taken

Date: 4-6-95 By: SC

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

A portion of A37-4404 retained by Arkoosh
as described in the letter indicated.

split: A37-04404A ARKOOSH

A37-04404B WEST ONE BANK

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

NOV 27 1996

GARY G. ALLEN
REBECCA W. ARNOLD
JOSEPH H. BAIRD
CHRISTOPHER J. BEESON
JOANN C. BUTLER
MICHAEL C. CREAMER
ROY L. EIGUREN
JEFFREY C. FEREDAY
JULIE KLEIN FISCHER
RAYMOND D. GIVENS
L. W. GRANT, III
JUDITH K. HOLCOMBE
ROBERT C. HUNTLEY, JR.
DAVID R. LOMBARDI
KENNETH R. MCCLURE
CHRISTOPHER H. MEYER
L. EDWARD MILLER
PATRICK J. MILLER
JUDSON B. MONTGOMERY
TERRY L. MYERS
STEVEN L. OLSEN
W. HUGH O'RIORDAN
KENNETH L. PURSLEY
RAMONA L. SCHWEHR
GREGORY J. VIETZ
CONLEY WARD
STEVEN R. WEEKS
STEPHANIE C. WESTERMEIER

LAW OFFICES
GIVENS PURSLEY & HUNTLEY

SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

JAMES A. MCCLURE
OF COUNSEL

DAVID E. MABE
LEGISLATIVE SPECIALIST

RECEIVED

FEB 08 1994

Department of Water Resources

TELEPHONE
(208) 342-6571

FACSIMILE
(208) 343-9492
(208) 342-8920

February 8, 1994

RECEIVED

FEB 11 1994

Department of Water Resources
Southern Region Office

Adjudications Section
Idaho Department of Water Resources
1301 N. Orchard
Boise, Idaho 83706

VIA HAND DELIVERY

Re: Notice of Change of Water Right Ownership
GP&H File: 2930-5

Dear Sir:

Enclosed please find an original and one copy of a Notice of Change of Water Right Ownership which I am filing with your office on behalf of West One Bank, Idaho, N.A., as successor in interest to Idaho State Bank. The notice is accompanied by a copy of the warranty deed granting the referenced water rights to Idaho State Bank. Please see that water right claim nos. A37-04404, A37-11114, A37-07575 and 37-04276 are updated to indicate the new ownership, and return a conformed copy of the Notice to me.

If you have any questions please contact me immediately.

Sincerely,



Michael C. Creamer

MCC/mc
Enclosure
cc: John B. Carnahan

ENCLOSURE
NOV 27 1996

RECEIVED

FEB 11 1994

WARRANTY DEED

Department of Water Resources
Southern Region Office

FOR VALUE RECEIVED, ARKOOSH & ZIDAN, INC., an Idaho corporation, the Grantor, does hereby grant, bargain, sell and convey unto IDAHO STATE BANK, the Grantee, whose address is P. O. Box 909, Glenns Ferry, Idaho 83623, the real property located in Gooding County, Idaho, and described on Exhibit A hereto and incorporated herein (said real property is hereinafter referred to as the "premises").

And Grantor does hereby covenant to and with Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances except those shown on Exhibit "B" attached hereto and incorporated herein and that it will warrant and defend the same from all other claims whatsoever.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the Grantee, its successors and assigns forever, which appurtenances include all appurtenant water or water rights, ditches or ditch rights, canals or canal rights, reservoir or reservoir rights, and easements or rights-of-way for same, including without limitation, the following:

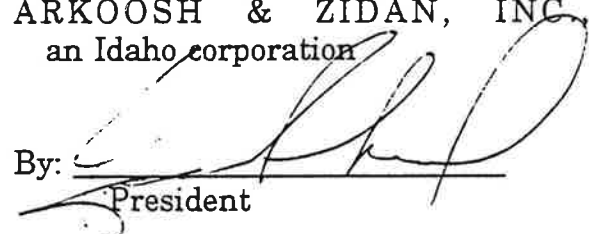
Water right nos. 37-04404; 37-04276; 37-07575;

37-00599, 37-00600A and 37-00600B decreed in S.C. Frost et al. v. Alturas Water Co. et al., which rights have been consolidated in claim no. A37-11114 filed in the Snake River Basin Adjudication; together with any and all rights to American Falls supplemental water from American Falls Reservoir Dist. No. 2 associated with said rights or claim; and

all water and water rights represented by 142 shares of Big Wood Canal Company Stock as evidenced on the books of the Big Wood Canal Company, Shoshone, Idaho.

IN WITNESS WHEREOF, the Grantor has executed this Deed effective this 05 day of May, 1993.

ARKOOSH & ZIDAN, INC.
an Idaho corporation

By: 
President

By: 
Secretary

MICROFILMED
NOV 27 1996

STATE OF IDAHO

)

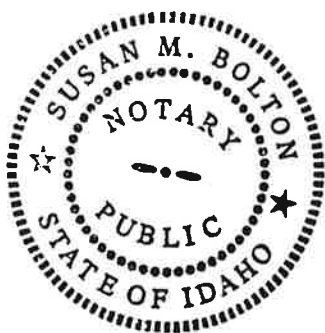
) ss.

County of GOODING

)

On this 5th day of May, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared Jim Arkoosh and Gari Ruby, known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within and foregoing instrument as President and Secretary respectively of ARKOOSH & ZIDAN, INC., an Idaho corporation, and acknowledged to me that they executed the same as such on behalf of said corporation.

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



Susan M. Bolton

Notary Public for Idaho

Residing at Gooding, ID

My commission expires: 10-16-98

EXHIBIT A

TO: WARRANTY DEED
Legal Description of Property

The East One-half of the Southeast Quarter of Section 3, Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho.

AND

The Southeast Quarter of the Southeast Quarter, East 150.0 feet of the Southwest Quarter of the Southeast Quarter of Section 10, Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho. EXCEPT tract described as follows:

BEGINNING at the Northwest corner of said Southeast Quarter of the Southeast Quarter;
Thence West along the North boundary of said Southwest Quarter of the Southeast Quarter, 150.0 feet;
Thence South parallel with the East boundary of said Southwest Quarter of the Southeast Quarter, 950.00 feet;
Thence East parallel with the North boundary of said South One-half of the Southeast Quarter, 400.00 feet;
Thence North parallel with the West boundary of said Southeast Quarter of the Southeast Quarter, 350.00 feet;
Thence East parallel with the North boundary of said Southeast Quarter of the Southeast Quarter, 1070.00 feet more or less to the East boundary of said Southeast Quarter of the Southeast Quarter of Section 10;
Thence North along the East boundary of said Southeast Quarter of the Southeast Quarter, 600.00 feet to the Northeast corner of said Southeast Quarter of the Southeast Quarter;
Thence West along the North boundary of said Southeast Quarter of the Southeast Quarter, 1320.00 feet more or less to THE POINT OF BEGINNING.

AND

The Southwest Quarter of the Southwest Quarter of Section 11, Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho.

AND

The East One-half of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 10, Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho.

EXHIBIT A CONTINUED

AND

The West One-half of the Northwest Quarter and the North One-half of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter and the West One-half of the Southeast Quarter of Section 11, Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho.

LESS AND EXCEPTING:

A Parcel of land being a part of the Southeast Quarter of the Northeast Quarter of Section 10, Part of the Northeast Quarter of the Southeast Quarter of Section 10 and part of the Northwest Quarter of the Southwest Quarter of Section 11, all of which is located in Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho and more particularly described as follows:

COMMENCING at the Southeast corner of said Section 10;

Thence North 00° 34' 58" East along the East boundary of Section 10 for a distance of 1329.70 feet to the Southeast corner of the Northeast Quarter of the Southeast Quarter of Section 10 and being the TRUE POINT OF BEGINNING;

Thence North 89° 54' 58" West along the South boundary of the Northeast Quarter of the Southeast Quarter of Section 10 for a distance of 1316.36 feet to the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 10;

Thence North 00° 22' 50" East along the West boundary of the Northeast Quarter of the Southeast Quarter for a distance of 1329.36 feet;

Thence North 00° 22' 50" East along the West boundary of the Southeast Quarter of the Northeast Quarter of Section 10 for a distance of 24.09 feet;

Thence North 65° 38' 29" East for a distance of 158.26 feet;

Thence North 56° 24' 44" East for a distance of 82.50 feet;

Thence North 43° 09' 43" East for a distance of 106.13 feet;

Thence North 69° 09' 19" East for a distance of 90.17 feet;

Thence South 80° 27' 08" East for a distance of 79.68 feet;

Thence South 70° 06' 44" East for a distance of 63.82 feet;

Thence North 88° 35' 31" East for a distance of 55.80 feet;

Thence North 84° 26' 50" East for a distance of 91.09 feet;

Thence North 83° 24' 29" East for a distance of 77.81 feet;

Thence North 70° 30' 14" East for a distance of 71.27 feet;

Thence North 35° 23' 39" East for a distance of 61.13 feet;

Thence North 09° 10' 56" East for a distance of 60.88 feet;

Thence South 41° 18' 31" East for a distance of 371.92 feet to a Point on the Arc of a 100° 50' 18" curve Right which is a point on the centerline of a canal;

EXHIBIT A CONTINUED

MICROFILMED

NOV 27 1998

Thence along the Arc of the 100° 50' 18" curve Right for a distance of 95.37 feet to the point of tangent, said Arc having a long chord bearing and distance of South 74° 50' 20" East, 83.07 feet;

Thence continuing along the center of the canal on the following courses:

South 25° 47' 46" East, 89.37 feet;
 South 20° 43' 42" East, 187.27 feet;
 South 52° 43' 06" East, 51.74 feet;
 South 60° 41' 03" East, 179.27 feet;
 South 69° 06' 31" East, 113.99 feet;
 South 65° 34' 48" East, 25.91 feet;
 South 80° 58' 21" East, 35.61 feet;
 South 83° 25' 49" East, 100.88 feet;
 North 85° 34' 43" East, 35.12 feet;

Thence leaving the center of the canal South 04° 04' 11" East for a distance of 951.22 feet to a point on the South boundary of the Northwest Quarter of the Southwest Quarter of Section 11;

Thence South 89° 39' 09" West along the South boundary of the Northwest Quarter of the Southwest Quarter for a distance of 533.39 feet to the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 11 and being the TRUE POINT OF BEGINNING.

AND

The Northwest Quarter of the Northeast Quarter and the North One-half of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section 14, Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho.

AND

The Northeast Quarter of the Northeast Quarter of Section 15, Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho.

AND

East 150 feet of the Northwest Quarter of the Northeast Quarter of Section 15, Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho.

END OF EXHIBIT A

MICROFILMED
 NOV 27 1996

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Real property taxes.
2. Assessments levied by American Falls Reservoir District No. 2 for 1993 and subsequent years.
3. Assessments levied by Big Wood Canal Company for 1993 and subsequent years.
4. Assessments levied by North Side Canal Company for 1993 and subsequent years.
5. Assessments levied by American Falls Reservoir District for 1993 and subsequent years.
6. Ditch, road and public utility easements, if any.
6. Easement, and the terms and conditions thereof: In Favor of Paul Pizey.
Purpose: Irrigation
Recorded: July 8, 1915, in Book 1 of Deeds at Page 486, records of Gooding County, Idaho

152599

STATE OF IDAHO COUNTY OF GOODING
FIRST AMERICAN TITLE
Filed for record at the request of
50 min. past 3 o'clock P on the 7
of May, 1993 18.00
JOHN A. MYERS Recorder
By Albata Siles Deputy

RECEIVED

APR 03 1995

Department of Water Resources
Southern Region

May 5, 1993

Arkoosh & Zidan, Inc.
Arkoosh Produce, Inc.
c/o Tom Arkoosh
802 W. Bannock
Boise, ID 83702

Re: Water Rights
Our File: 2930-5

Gentlemen:

This letter is intended to memorialize our further agreements regarding certain water rights associated with the real property being surrendered to Idaho State Bank ("ISB") by Arkoosh & Zidan, Inc. and the real property being retained by Arkoosh & Zidan, Inc. and/or its successor Arkoosh Produce, Inc. (hereinafter collectively referred to as "Arkoosh").

Idaho Department of Water Resources ("IDWR") records reflect that Bonnie and Michael Arkoosh have claimed a water right identified as A37-04404 (hereinafter referred to as the "Wastewater Right") in the Snake River Basin Adjudication. The source of this water right is claimed to be wastewater tributary to the Big Wood River. The claim for Wastewater Right is for use on the following described lands:

NE1/4NE1/4 (40 acres), SE1/4NE1/4 (40 acres),
NE1/4SE1/4 (40 acres) Section 10; NE1/4SW1/4 (30 acres),
NW1/4SE1/4 (30 acres) Section 11, T5S, R15E B.M.,
Gooding County Idaho, amounting to 180 acres.

Of the above 180 acres described as the place of use for such wastewater, 56 acres, or 31 percent, are acres that are to be retained by Arkoosh (hereinafter the "Arkoosh Property"). ISB and Arkoosh have agreed that a portion of the Wastewater Right is to be apportioned to the Arkoosh Property in the same proportion as the 56 acres is to 180 acres, which results in 31 percent of the Wastewater Right remaining appurtenant to the Arkoosh Property. ISB shall have the right to the use of 69 percent of the wastewater available under the Wastewater Right as appurtenant to the 124 acres of land conveyed to ISB (hereinafter the "ISB Property"). Although the Wastewater Right is included in the warranty deed from Arkoosh to ISB, the parties acknowledge that the intent is to convey to ISB only the portion of the Wastewater Right appurtenant to the ISB Property (69 percent) and ISB agrees to quitclaim fee

DESCRIBED
SPLIT
OF
A37-4404
Sum
4-3-95

NOV 27 1995

Arkoosh & Zidan, Inc.
Arkoosh Produce, Inc.
May 5, 1993
Page 2

ownership of the portion of the Wastewater Right appurtenant to the Arkoosh Property.

To the extent that the wastewater claimed under the Wastewater Right derives from the use of water under other water rights appurtenant to the ISB Property, ISB has agreed that it will not unilaterally change historical irrigation practices so as to materially decrease the accumulation of wastewater in the drains or ditches historically used by Arkoosh to irrigate the Arkoosh Property with such wastewater.

To the extent that the wastewater claimed under the Wastewater Right derives from the use of water rights not owned by ISB or from land other than the ISB Property, ISB expressly disavows any responsibility for, or ability to control, the amount, timing or quality of any such wastewater runoff. ISB does agree, however, not to impede or divert any such wastewater except to the extent of the 69 percent of the actual flow as provided by this Agreement.

Nothing herein is to be construed as an agreement by ISB to be responsible for delivering water to Arkoosh, or for maintaining any waste ditches or drains, or for generating a minimum quantity of wastewater for use by Arkoosh. If the quantity, period of use, point of diversion, place of use, priority or any other element of the water rights used by ISB on the ISB Property are eliminated or modified by any government agency order, or by any court decree not caused by or agreed to by ISB absent prior written consent by Arkoosh not to be unreasonably withheld, then ISB and Arkoosh will share proportionally in any resulting reduction in the availability of wastewater that may necessarily result from ISB's compliance with any such order or decree.

ISB and Arkoosh also have agreed that Arkoosh will be entitled to seek a transfer of water right no. 37-00600B and the associated American Falls supplemental water, if any, as shown on the copy of the Water District 37 Big Wood River Decree Book Below Magic Res. of 2/3/93 attached hereto as Exhibit B (hereinafter collectively the "600B Right") from its current designated place of use at SW1/4NE1/4, SE1/4NW1/4 Section 14, T5S, R15E, B.M. to the real property consisting of approximately 80 acres, described on Exhibit A attached hereto and owned by Bonnie Arkoosh (hereinafter the "Bonnie Arkoosh Property"). Although the 600B Right is included in the warranty deed from Arkoosh to ISB, ISB agrees to quitclaim to Arkoosh the 600B Right to effect the transfer referenced herein. Arkoosh will be responsible for filing any transfer application with the IDWR, and with establishing whatever elements of proof are required by the IDWR to obtain the transfer. Arkoosh

DESCRIBED
SPLIT OF
A37-11114

See
A-695

ENCLOSURE
NOV 27 1998

Arkoosh & Zidan, Inc.
Arkoosh Produce, Inc.
May 5, 1993
Page 3

bears the risk that the IDWR may not approve the application, or that IDWR may reduce the amount permitted to be transferred to the new place of use on the basis of injury, forfeiture, abandonment, or otherwise, in which case ISB shall have no liability for any such inability to transfer and ISB shall not be obligated to provide any substitute or makeup water. ISB will not protest the transfer application, and will cooperate and take such acts as reasonably necessary to effect the transfer of the 600B Right to Arkoosh.

This Agreement shall be binding upon the parties hereto and their respective successors and assigns.

Please indicate your Agreement with the foregoing by executing the enclosed copy of this letter and returning it to our office.

Sincerely,

IDAHO STATE BANK

By: Dan Noll, Vice Pres

ACCEPTED AND AGREED TO THIS
5TH DAY OF MAY, 1993
ARKOOSH PRODUCE, INC.,
an Idaho corporation

By: [Signature]
Its: [Signature]

ARKOOSH & ZIDAN, INC.,
an Idaho corporation

By: [Signature]
Its: [Signature]

RECORDED
NOV 27 1993

EXHIBIT A

Part of the South One-half of the Southeast Quarter of Section 10, Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho, described as follows:

BEGINNING at the Northwest corner of the Southeast Quarter of the Southeast Quarter;
Thence West along the North boundary of said Southwest Quarter of the Southeast Quarter, 150.00 feet;
Thence South parallel with the East boundary of the said Southwest Quarter of the Southeast Quarter, 350.00 feet;
Thence East parallel with the North boundary of the said South One-half of the Southeast Quarter, 400.00 feet;
Thence North parallel with the West boundary of said Southeast Quarter of the Southeast Quarter, 350.00 feet to the North boundary of said Southeast Quarter of the Southeast Quarter;
Thence West along said North boundary 250.00 feet to THE POINT OF BEGINNING.

AND

Part of the South One-half of the Southeast Quarter of Section 10, Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho, described as follows:

BEGINNING at the Northwest corner of the Southeast Quarter of the Southeast Quarter;
Thence West along the North boundary of said Southwest Quarter of the Southeast Quarter, 150.00 feet;
Thence South parallel with the East boundary of said Southwest Quarter of the Southeast Quarter, 350.00 feet to the TRUE POINT OF BEGINNING;
Thence South parallel with the East boundary of said Southwest Quarter of the Southeast Quarter, 600.00 feet;
Thence East parallel with the North boundary of said South One-half of the Southeast Quarter, 400.00 feet;
Thence North parallel with the West boundary of said Southeast Quarter of the Southeast Quarter, 600.00 feet;
Thence West 400.00 feet to THE TRUE POINT OF BEGINNING.

AND

The North 600.0 feet of the Southeast Quarter of the Southeast Quarter of Section 10, Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho, EXCEPT the West 250.0 feet.

MICROFILMED
NOV 27 1998

EXHIBIT A to Water Rights Reclaim Deed

EVER CHINA & LITTLE ROCK RIVER

Mike hope this will help
Lee Peterson

4/13/33 5-27-1338

MAY 05 1990

WATER DISTRICT 37 BIG BEND RIVER TERRACE BOOK BELOW MAGIC RES AS OF 02/03/77

PAGE 3
Cavens, Pursley & Huntley

RECORD NO	OWNER NAME	OWNER	DEPT PRIOR	SI	ORIG DECREE TO	PRIORITY DATE	INCHES	CFS	OTHER CFS	CANAL CFS
755 0025	NO. GOODING	DALE E HARRIS	11-32	37-0359	C.A. JONES	06-01-1984	21.00	0.46	0.46	0.46
756 0025	NO. GOODING	DALE E HARRIS	128-A2	37-1164	NATIE JONES	04-20-1992	11.00	0.22	0.22	0.22
757 0025	NO. GOODING	DALE E HARRIS	500-AFSU	37-AFSU	AMERICAN FALLS	AFSU-5000	11.10	0.32	0.32	0.32
758 0025	NO. GOODING	DEAN SABALA	43-A2	37-0162	DELTON VANDERHART	04-20-1976	21.00	1.60	1.60	2.20
759 0025	NO. GOODING	DEAN SABALA	500-AFSU	37-AFSU	AMERICAN FALLS	AFSU-5000	21.30	0.50	0.50	0.50
760 0025	NO. GOODING	MRS. JUAN URDIOA	11-A1	37-0352	C.A. JONES	06-01-1984	12.00	0.34	0.34	2.62
761 0025	NO. GOODING	MRS. JUAN URDIOA	128-A1	37-1164	NATIE JONES	04-20-1992	11.00	0.22	0.22	2.84
762 0025	NO. GOODING	MRS. JUAN URDIOA	500-AFSU	37-AFSU	AMERICAN FALLS	AFSU-1000	11.10	0.32	0.32	0.32
763 0026	ROBERTSON	DOON E BE LONY	115-A	37-0501	J.C. ROBERTSON	04-02-1906	162.00	3.20	3.20	7.20
764 0026	ROBERTSON	DOON E BE LONY	500-AFSU	37-AFSU	AMERICAN FALLS	AFSU-1000	31.67	0.73	0.73	0.73
765 0026	ROBERTSON	LORRY CAPP	113-A	37-0532	JENNIE ROBERTSON	04-02-1906	169.60	3.20	3.20	6.10
766 0026	ROBERTSON	LORRY CAPP	400-AF	17-AF	AMERICAN FALLS	AFSU-4109	89.30	1.00	1.00	1.00
767 0026	ROBERTSON	DALTON BROTHERS & RICHARD	114-A	37-0584	JOSEPH W. ROBERTSON	04-02-1906	320.00	6.40	6.40	12.00

"600B RIGHT"



772 0028	H	SAVAGE	12-A2	37-0160	N.A. SAVAGE	04-27-1976	21.00	0.50	0.50	0.50
773 0028	Z	SAVAGE	500-AFSU	37-AFSU	AMERICAN FALLS	AFSU-1000	12.50	0.25	0.25	0.25
777 0028	H	POCHMAN								
780 0028	Z	POCHMAN								
781 0028	H	POCHMAN	52-A1	37-0288	WALTER GOODING	05-15-1977	10.00	0.20	0.20	0.20

NOV 2 7 1990

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

April 3, 1995 3:46pm

NAME:

ANDREW FITZGERALD

CAMEIN

RE:

QUESTIONS ON OWNERSHIP

HE WANTED TO FOLLOW UP ON A CHANGE OF OWNERSHIP HE HAD SUBMITTED LAST YEAR. I FOUND THE DOCUMENTS AND REVIEWED THE INFO... TWO OWNERSHIPS ARE PENDING. THE FIRST WILL CHANGE FROM ARKOOSH TO WEST ONE BANK AND INVOLVES SPLITTING THE CLAIM A37-04404, FOR WASTE WATER, AS PER A LETTER OF MAY 5, 1993. ALSO THE CHANGE WILL SPLIT THE CLAIM A37-11114, FOR BIG WOOD RIVER RIGHTS, INTO PART FOR 37-00600B FOR ARKOOSH TO TRANSFER. REMAINING PORTION WILL CONTINUE TO COMBINE THE DECREED RIGHTS 37-00600A & 37-00599. THE SECOND OWNERSHIP CHANGE WILL GO FROM WEST ONE BANK TO NORTH VALLEY MILK (AKA FITZGERALD) AND THE SPLITS WILL CARRY INTO THIS PROCESS ALSO. THE LETTER OF MAY 5, 1993 WILL BE THE BASIS OF THE SPLITS OF BOTH RIGHTS MENTIONED ABOVE.

THE CLAIMS A37-04276 & A37-07575 WILL REMAIN A SIMPLE NAME CHANGE IN BOTH CASES.

MICROFILMED
NOV 27 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

RECEIVED

March 4, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MAR 06 1996

MICHAEL ARKOOSH
714 3RD AVE EAST
GOODING ID 83330

Department of Water Resources
Southern Region

Re: Snake River Basin Adjudication (SRBA)
Notices of Claim #36-10822, A37-04404A, A37-04273,
A37-04274 & A37-11242
Change of Address

Dear Claimant,

IDWR has been notified the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claims can be sent only to the address on your claims or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. That action will suffice to provide adequate notice to IDWR but not to the SRBA court. SRBA Judge Hurlbutt issued an Amended Order March 22, 1995 requiring claimants like yourself identified in a Director's Report (water right #36-10822 only) to use Standard Form 3 for change of address or ownership. We have enclosed Standard Form 3 for your use. Please contact this office (800/451-4129) or the Court (208/736-3011) if you have any questions.

Thank you for your help. We hope to assure you receive future notices about SRBA matters.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

Enclosures:

Standard Form 3

#####

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

Claimant

MICROFILMED
NOV 27 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 Snake River Basin Adjudication Case
No. 39576

Notice of Filing Director's Report and Supplemental
Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH
THE DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT.
THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PRO-
CEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT

Idaho Department of water Resources
Statehouse Mail
Boise, Idaho 83720

36-10822
37-04404A
37-04273
37-04274

37-11242

My letter
told me they
all of this mail
address in ph. bk.
NSN
C-3

MICHAEL ARKOOSH
PO BOX 93 714 3rd Eas
GOODING ID 83330

RECEIVED

MAR 06 1996

Department of Water Resources
Southern Region

Department of Water Resources

RECEIVED
APR 24 1995

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

she said she didn't think it
was 714 but is on 3rd Ave. Eas
as 29-96

MICROFILMED
NOV 27 1995

State- ID Zip- 0

BONNIE
1 - 2177 EAST 1375 SOUTH
2 -
3 -

State- ID Zip- 83330

MICHAEL

State- ID Zip- 83330

City- GOODING
phone - 208-934-8464

+ - -	Priority Date	- - +	+ - - - Region	- - - +	+ - - - Stage	+ - - - Status	- - - +
		06/01/1940	17 SOUTHERN			Z - SEE REMARKS	

+ - - - - Source - - - - - +
 WASTE WATER
 SPLIT CLAIM

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
+	-	-	-	-	-	-	+

05S	15E	10	NE	NE	NE	(47)	GOODING
			SW	NE	NE	(47)	GOODING
		11	NE	NW	SE	(47)	GOODING

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
01 -	IRRIGATION	03/15	11/15	1.800	

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
1,800		540.0	

Town	Ring	Sec	Tract	Lot	Acres	Place of Use	Description	County
05S	15E	10	NE NE		40.0		01 IRRIGATION	(47) GOODING
05S	15E	10	SE NE		40.0		01 IRRIGATION	(47) GOODING
05S	15E	10	NE SE		40.0		01 IRRIGATION	(47) GOODING
05S	15E	11	NE SW		30.0		01 IRRIGATION	(47) GOODING
05S	15E	11	NW SE		30.0		01 IRRIGATION	(47) GOODING

Total Acres: 180.0

MICROFILMED
NOV 27 1996

Water right number - A37-04404 Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - DITCHES COLLECTING WASTE WATER FROM ADJOINING FIELDS.

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - A37-11114 & A37-7575

+ - - - - - Remarks - - - - -
THIS CLAIM INCLUDES ADDITIONAL LANDS NOT ORIGINALLY CLAIMED
UNDER 37-04404.

CLAIM IS SPLIT: SEE NOS. A37-04404A & A37-04404B.

+ - - - - - No Old Water Right Numbers Found - - - - - Old Water Right Numbers - - - - - +

+ - - - - - No Conditions of Approval - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - - - Decree Plaintiff - - - - - Decree Defendant - - - - - + Decree Date - - - - -
00/00/0000+ - - - - - -Comments- - - - -
No Comments Found+ - - Audit Fields - - - +
04/06/95 SCLELLAN+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 09/02/1988 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - S002052 Water District - 37
POJ Ownership Flag - Y Federal/State Indicator - S
Name Connector - AND/OR Presumption Flag -
Notice of Error Flag -MICROFILMED
NOV 27 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: A37-04404

Date Received: 8/25/1988

Receipt No: 5002052

Received By: Adm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BONNIE ARKOOSH 208-934-5014
Address: 2177 EAST 1375 SOUTH
GOODING, ID 83330

AND/OR

Name: MICHAEL ARKOOSH 208-934-8464
Address: P.O. BOX 93
GOODING, ID 83330

2. Date of Priority: JUN 01, 1940

3. Source: WASTE WATER Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	15E	10	NE	NE	NE		GOODING
			SW	NE	NE		GOODING
		11	NE	NW	SE		GOODING

5. Description of diverting works:
DITCHES COLLECTING WASTE WATER FROM ADJOINING FIELDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.800		

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

8. Total consumptive use is 540.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A37-04404

Page 1

Date: 08/25/88

COPY

Original sent to State Office
for forwarding to SRBA Court.
8/3/00 tj

MICROFILMED
FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	15E	10	NE		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
							Section Acres	120.0
		11	NE		SW		IRR	30.0
			NW		SE		IRR	30.0
							Section Acres	60.0
							Total Acres	180.0

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:
A37-11114 & A37-7575

14. Remarks:
THIS CLAIM INCLUDES ADDITIONAL LANDS NOT ORIGINALLY CLAIMED
UNDER 37-04404.

15. Basis of Claim: STATUTORY CLAIM

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): Michael Arpaud Date: 9/2/88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of Sept. 19 88 Al S. Mennitt
Notary Public

Seal

Residing at Kimberly, ID
My Commission Expires 6/30/92