

12/23/2003

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

RIGHT NUMBER: 37-7019
NAME AND ADDRESS: HOWARD L MORRIS
1101 E 2900 S
HAGERMAN ID 83332

RHONDA K MORRIS
1101 E 2900 S
HAGERMAN ID 83332

JEREMY MORRIS
1101 E 2900 S
HAGERMAN ID 83332

MEKENZIE MORRIS
1101 E 2900 S
HAGERMAN ID 83332

SOURCE: UNNAMED STREAM TRIBUTARY: MALAD RIVER
QUANTITY: 0.940 CFS
188.000 AFY
PRIORITY DATE: 04/25/1968
POINT OF DIVERSION:

T06S R13E S26 SENWSW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	0.940 CFS 188.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S27	NESE	40.0	T06S R13E S27	SESE	7.0
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47 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

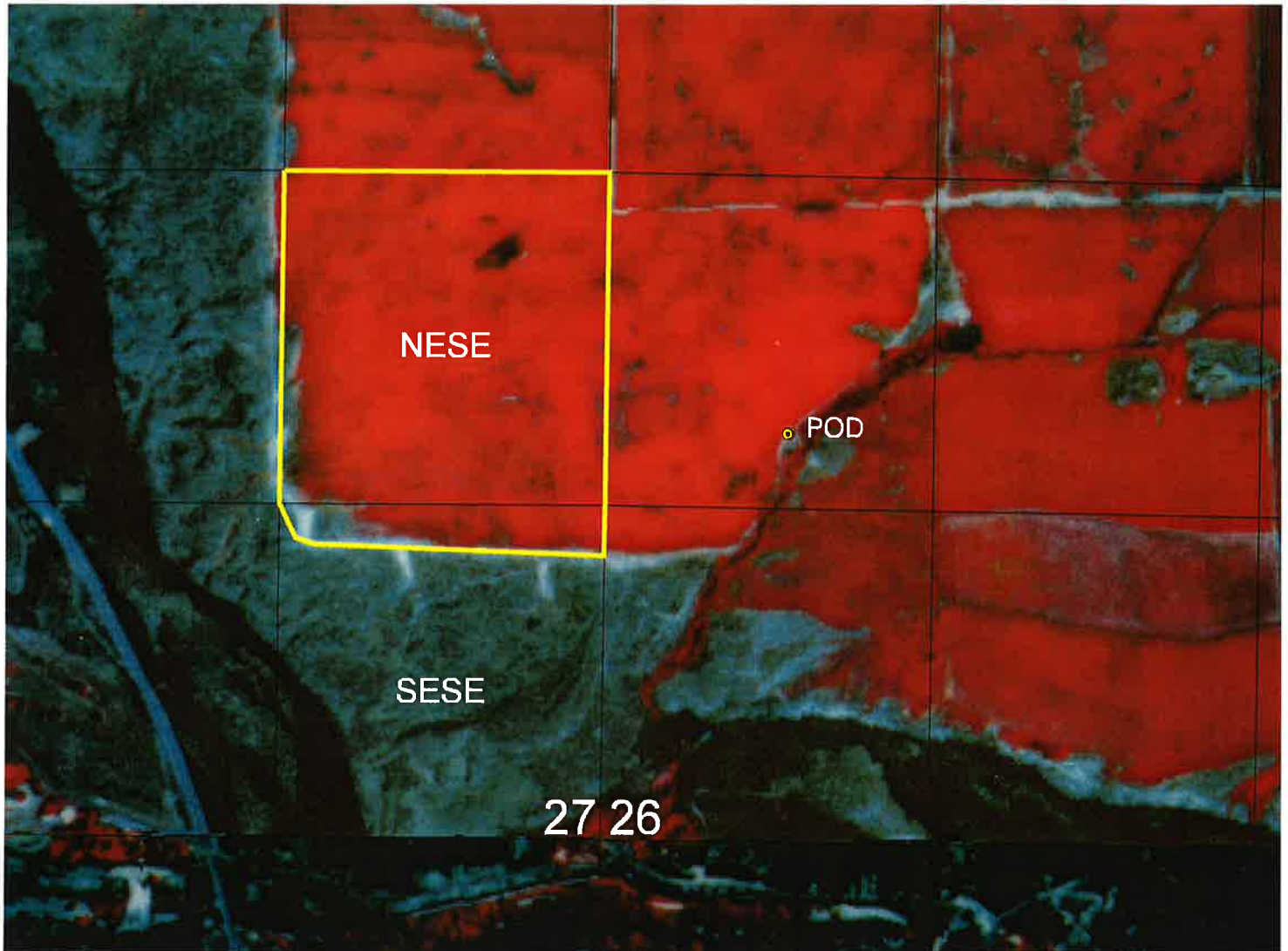
12/23/2003

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

A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

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

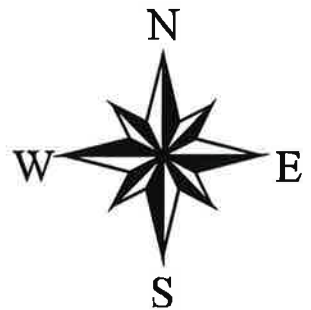
37-7019



700 0 700 1400 2100 Feet

T06S R13E S27

Map prepared by: Carter Fritschle
Date prepared: 12/23/03
1987-1988 NAPP photography
Idaho Department of Water Resources



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 37-7019
Date Received: 3/21/1989
Receipt No: S006623
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HOWARD L MORRIS Phone: (208)837-6213
1101 E 2900 S
HAGERMAN ID 83332

RHONDA K MORRIS Phone: (208) 837-6213
1101 E 2900 S
HAGERMAN ID 83332

JEREMY MORRIS Phone:
1101 E 2900 S
HAGERMAN ID 83332

MEKENZIE MORRIS Phone:
1101 E 2900 S
HAGERMAN ID 83332

2. Date of Priority: 04/25/1968

3. Source: UNNAMED STREAM Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	13E	26	NW SW	GOODING	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
---------	------	----	--------	------------

IRRIGATION

4/01 10/31 0.94

188

7. Total Quantity Appropriated is:
0.94 C.F.S. and/or 188 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	13E	27	NE	SE	IRRIGATION	40
			SE	SE	IRRIGATION	7
					Section Acres	47
					Total Acres	47

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:

14. Remarks:

TRANS. 3128.

SEE ALSO REFERENCE RIGHT A37-07480.

A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

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

15. Basis of Claim: License



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

July 8, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

HOWARD & RHONDA MORRIS
JEREMY & MEKENZIE MORRIS
1101 E 2900 S
HAGERMAN ID 83332

Re: SRBA Claim(s) 37-447D, 37-7019

Dear Claimants:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

RECEIVED
MAY 07 2002
Department of Water Resources
Southern Region

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-447D					
→ 37-07019					
37-08208					

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) Jonathan H. Marvel
PO Box 1602 Hailey, ID 83333
4. New Owner/Claimant(s) Howard Morris, Rhonda Morris
Name Connector (Check one): ☐ and ☐ or ☒ and/or Jeremy Morris and McKenzie Morris
New Mailing Address 1101 East 2900 South
City, State and ZIP Code Hagerman, ID 83332
New Telephone Number ()
5. Date you acquired the property 4-1-2002

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

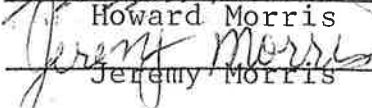
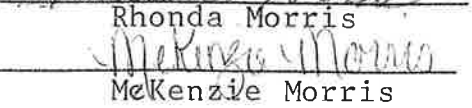
DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

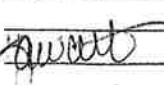
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

	
Howard Morris	Rhonda Morris
	
Jeremy Morris	McKenzie Morris

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

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by  AJ	Date 7/8/02	WR _____ Date _____

WARRANTY DEED

#GG-03385

For Value Received

RJT Farming, Inc., a corporation

Instrument # 194618
GOODING, GOODING, IDAHO
2002-04-02 04:49:09 No. of Pages: 4
Recorded for : LAND TITLE
HELEN EDWARDS
Ex-Officio Recorder Deputy *Heuser*

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

Howard Morris and Rhonda Morris, husband and wife, and Jeremy Morris and McKenzie Morris, husband and wife
Address: 1101 East 2900 South, Hagerman, ID 83332

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

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

Hes
SM
Section 15: That part of the W $\frac{1}{2}$ SE $\frac{1}{4}$ lying South and West of State Highway 25, EXCEPTING THEREFROM that portion deeded to the State of Idaho by Warranty Deed recorded December 20, 1973, as Instrument No. 48039, records of Gooding County, Idaho.

SM
MM
Section 15: That part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

Beginning at the West quarter corner of said Section 15, which is the True Point of Beginning;
Thence South 89°18'12" East for a distance of 1330.14 feet to the Northeast corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 15;
Thence South 0°49'19" West for a distance of 232.76 feet;
Thence South 89°18'12" East for a distance of 643.40 feet to the Southwesterly frontage road right of way line;
Thence South 43°24'25" East for a distance of 990.37 feet along the Southwesterly right of way line;
Thence South 0°35'35" West for a distance of 384.72 feet to the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 15;
Thence North 89°05'09" West for a distance of 2670.86 feet to the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 15;
Thence North 1°03'02" East for a distance of 1318.49 feet and the True Point of Beginning.

Section 22: E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 23: SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM 100 feet for Railroad right-of-way as conveyed in Deed dated August 25, 1909, recorded September 16, 1909 in Book 13 Deeds, Page 292, Lincoln County records, now in Book F Deeds, Page 126, Gooding County, across the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23.

AND EXCEPTING THEREFROM 100 feet for Railroad right of way as conveyed in Deed dated December 12, 1910, recorded December 27, 1910, in Book 18 Deeds, Page 245, Lincoln County records, now in Book I Deeds, Page 113, Gooding County, across the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23.

AND ALSO EXCEPTING THEREFROM a strip of land for Highway purposes as set forth in Deed to State of Idaho, dated October 8, 1973, and recorded December 20, 1973, as Instrument No. 48038, records of Gooding County, Idaho.

Section 26: W $\frac{1}{2}$ SW $\frac{1}{4}$, EXCEPTING THEREFROM all that portion lying South of the Highest point of the Malad River Rim Rock.

ALSO EXCEPTING THEREFROM part of the West $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 26, Township 6 South, Range 13 East of the Boise Meridian, Gooding County, Idaho described as: (Basis or bearing the Idaho Coordinate System)

Beginning at a point that is North 0°04'08" West, 1129.82 feet along the section line and East 160.03 feet from the SW corner of said Section 26 and running thence North 0°38'13" East, 100.00 feet; thence South 89°21'47" East 100.00 feet; thence South 0°38'13" West 100.00 feet; thence North 89°21'47" West 100.00 feet to the point of beginning.

Section 27: E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

E $\frac{1}{2}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM all that portion lying South of the highest point of the Malad River Rim Rock.

SUBJECT TO:

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

Taxes for 2002 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

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

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

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

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

Right of Way Deed given by Idaho Farms Company, a corporation of Jerome, to the State of Idaho, dated February 24, 1942, recorded April 3, 1942, in Book 33 Page 311, as Instrument No. 83595, Gooding County records, granting a right of way for a public highway over and across the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 6 South, Range 13, East Boise Meridian. There is also granted hereby an easement adjacent to the highway right of way for relocation of all irrigation and drainage ditches and structures and such surface drain ditches as may be necessary to the proper construction of the highway.

Power Line Easement given by Oley A. Boyd and Myrtle O. Boyd, husband and wife, to Idaho Power Company, a corporation, dated March 19, 1946, recorded December 23, 1946, in Book 5, Page 156, as Instrument No. 99083, Gooding County records, granting a right of way and easement for erection and maintenance of an electric transmission line over and across the N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13, East Boise Meridian.

Restrictions contained in Warranty Deed given by Robert L. Erickson, to the State of Idaho, dated October 8, 1973, recorded December 20, 1973, as Instrument No. 48038, Gooding County records, wherein Grantors agree that no building or structures, except irrigation or drainage structures, will be permitted to be constructed within 20 feet of the highway right of way located on a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and a portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 6 South, Range 13, East Boise Meridian, and Grantors convey unto the Grantee the right to prohibit junkyards on any of their remaining land within 1000 feet of the right of way and the right to prohibit advertising signs, displays and devices within 660 feet thereof; provided that advertising relating to business conducted on any of the Grantors' remaining land be permitted not closer than 20 feet therefrom, but only on land utilized exclusively for said business. The Grantors hereby waive and relinquish in favor of the State any and all claims to present and future direct access to said highway and highway right of way.

Easement given by Robert L. Erickson to the State of Idaho, dated October 8, 1973, recorded December 20, 1973, as Instrument No. 48040, Gooding County records, granting the right to go upon, occupy and use a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 6 South, Range 13, East Boise Meridian, for the purpose of constructing thereon a concrete headwall by the State of Idaho and they shall have the right to perform any maintenance they may deem necessary or wish to exercise in connection with the aforesaid facility.

Easement in Second Judgment and Decree of Condemnation in the case of The State of Idaho, et al, Plaintiff, vs. Oley A. Boyd, et al, Defendants, dated July 23, 1975, and recorded July 28, 1975, as Instrument No. 55702, Gooding County records, wherein there is granted a 30.0 foot easement in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13, East Boise Meridian, for constructing concrete ditch and other facilities together with ingress and egress. Rights of access to highway are extinguished and prohibited.

Water Easement given by Homer Bayless, a widower, Grantor, to Anderson-Nafziger of Wendell, a partnership, Grantee, dated February __, 1977, recorded March 3, 1977, as Instrument No. 63526, Gooding County records, wherein the Grantor hereby grants unto the Grantee a right of way over and across a parcel of land located in part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13, East Boise Meridian, conveying water through ditches for the purpose of irrigating real estate

adjacent and contiguous to the South and East of the real estate herein described. The Grantors further gives to the Grantee an easement over and across the continuous strip of ground for the purpose of clearing, trenching, laying, constructing, maintaining, and repairing an underground pipeline for the conveyance of said water.

Power Line Easement given by Sage Land & Cattle Company, an Idaho corporation, dated February 18, 1981, and recorded August 7, 1981, as Instrument No. 90752, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across a 10.0 foot strip of land in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13, East Boise Meridian.

Right of Way Easement given by First Security Bank of Idaho, N.A. to The Mountain States Telephone and Telegraph Company, dated January 17, 1985, recorded January 24, 1985 as Instrument Number 112705, Gooding County records, affecting the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 6 South, Range 13, East Boise Meridian.

Right of Way Easement given by First Security Bank of Idaho, N.A. to The Mountain States Telephone and Telegraph Company, dated January 17, 1985, recorded January 24, 1985 as Instrument Number 112706, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 6 South, Range 13, East Boise Meridian.

Financing Statement by Roger L. Jones and R.J.T. Farming, Inc. and between R.J. Strasser Drilling Company, recorded December 17, 1996, as Instrument Number 168977, Gooding County Records, Idaho. Assignment to F.S. Strasser Co., L.P., filed November 20, 1998 as Instrument Number 177982, Gooding County records.

469
RJM
JM
MM A Mortgage to secure payment of a note for \$550,000.00:

Recorded:	February 11, 1997 as Instrument No. 169579, records of Gooding County, Idaho.
Dated:	February 10, 1997
Mortgagor:	R.J.T. Farming, Inc., a corporation
Mortgagee:	R.J. Strasser Drilling Company, a partnership

Financing Statement by Roger L. Jones and R.J.T. Farming, Inc. and between R.J. Strasser Drilling Company, recorded February 11, 1997, as Instrument Number 169580, Gooding County Records, Idaho.

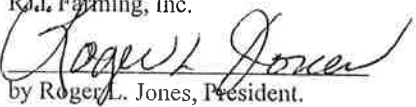
Easement contained in Memorandum of Lease by and between R.J.T. Farming, Inc. "Landlord" and NTCH-Idaho, Inc., an Idaho Corporation "Tenant" dated September 20, 2001, recorded October 10, 2001 as Instrument Number 192390, Gooding County records, affecting part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 26, Township 6 South, Range 13, East of the Boise Meridian.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 385 shares of Capital Stock in North Side Canal Company, LTD, 22 Acres of American Falls No. 2(13.75 inches) and 40 inches of Decreed right #37-0447.

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 2, 2002

R.J.T. Farming, Inc.


by Roger L. Jones, President.

STATE OF IDAHO

) ss.

COUNTY OF Gooding

On this 2nd day of April, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Roger L. Jones, known or identified to me to be the President of the 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.

Becky Shubert
Notary Public
Residing at: Wendell ID
My Commission expires:
02-22-05

Becky Shubert
Notary Public
State of Idaho

Order No. G-970007

WARRANTY DEED

For Value Received

JONATHAN MARVEL, also known as JONATHAN H. MARVEL and
STEFANIE MARVEL, also known as STEFANIE D. MARVEL,
Husband And Wife.

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

LJT FARMING, INC.

the grantee(s), whose current address is

P.O. Box 475, Rupert, ID 83350

the following described premises, to-wit:

See Attached Exhibit "A"

169577

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of FIRST AMERICAN TITLE
48 min. past 2 o'clock P.M. 11th
of February 1997 6:00
By Penny Watson Deputy

TOGETHER WITH: Water stock certificate no's 20778, 20776, 22135, 22138 & 22140
for a Total of 385 shares of North Side Canal Company.

ALSO TOGETHER WITH:

22 Acres of American Falls Reservoir District #2 Water

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s),
his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and
with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that
said premises are free from all encumbrances except current years taxes, levies, and assessments,
and except U. S. Patent reservations, restrictions, easements of record, and easements visible
upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: January 28, 1997

Jonathan Marvel

Stefanie Marvel

STATE OF IDAHO

COUNTY OF Blaine

On This 2-6, in the year 1997, before me, a Notary Public in and for said State,
personally appeared Jonathan Marvel and Stefanie Marvel,
known or identified to me to be the person(s) whose name(s) is/are set forth within Instrument,
and acknowledged to me that he/she/they executed the same.

Notary Public in Idaho
Residing at Pocatello, ID
Commission Expires: 2-21-97



STATE OF IDAHO

First American Title Company of Idaho

EXHIBIT A
G970007

Township 6 South, Range 13, East of the Boise Meridian, Gooding County, Idaho

Section 15: That part of the West one-half of the Southeast Quarter lying South and West of State Highway 25, EXCEPTING THEREFROM that portion deeded to the State of Idaho by Warranty Deed recorded December 20, 1973 as Instrument No. 48039, records of Gooding County, Idaho.

AND that part of the Northwest Quarter of the Southwest Quarter and part of the Northeast Quarter of the Southwest Quarter, described as follows:

BEGINNING at the West quarter corner of said Section 15, which is the TRUE POINT OF BEGINNING;
Thence South 89°18'12" East for a distance of 1,330.14 feet to the Northeast corner of the Northwest Quarter of the Southwest Quarter of said Section 15;
Thence South 0°49'19" West for a distance of 232.76 feet;
Thence South 89°18'12" East for a distance of 643.40 feet to the Southwesterly frontage road right of way line;
Thence South 43°24'25" East for a distance of 990.37 feet along the Southwesterly right of way line;
Thence South 0°35'35" West for a distance of 384.72 feet to the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 15;
Thence North 89°05'09" West for a distance of 2,670.86 feet to the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 15;
Thence North 1°03'02" East for a distance of 1,318.49 feet to the TRUE POINT OF BEGINNING.

Section 22: The East one-half of the Southeast Quarter.

Section 23: The Southwest Quarter of the Northwest Quarter; and the North one-half of the Southwest Quarter

EXCEPTING THEREFROM 100 feet for Railroad right of way as conveyed in Deed dated August 25, 1909, recorded September 16, 1909, in Book 13 of Deeds at Page 292, records of Lincoln County, Idaho, now in Book F of Deeds at Page 126, records of Gooding County, Idaho.

AND EXCEPTING THEREFROM 100 feet for railroad right of way as conveyed in Deed dated December 12, 1910, recorded December 27, 1910, in Book 18 of Deeds at Page 245, records of Lincoln County, Idaho, now in Book I of Deeds at Page 113, records of Gooding County, Idaho.

AND ALSO EXCEPTING THEREFROM a strip of land for Highway purposes as set forth in Deed to State of Idaho, dated October 8, 1973, recorded December 20, 1973 as Instrument No. 48038, records of Gooding County, Idaho.

Section 26: The West one-half of the Southwest Quarter, EXCEPTING THEREFROM all that portion lying South of the highest point of the Malad River Rim Rock.

Section 27: The East one-half of the Northeast Quarter; the Northwest Quarter of the Northeast Quarter; and the East one-half of the Southeast Quarter, EXCEPTING THEREFROM all that portion lying South of the highest point of the Malad River Rim Rock.

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

RECEIVED

JAN 09 1998

WATER RESOURCES
WESTERN REGION

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

RECEIVED

JAN 12 1998

1. Water Right Number(s) PERMIT 37-08208 37-07019
Adjudication Claim Number(s) _____
Department of Water Resources
Southern Region

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

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

RECEIVED

3. Name and Address of Former Owner/Claimant(s) JONATHAN H. MARVEL
Department of Water Resources

JAN 14 1998

4. New Owner/Claimant(s) ROGER L. JONES DBA R.J.T. FARMING, INC.
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. BOX 475

City, State and ZIP Code RUPERT, IDAHO 83350

New Telephone Number (208) 436 - 3126

5. Date you acquired the property FEB. 11, 1997

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

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

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

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

7. Signature of New Owner/Claimant(s) R.J.T. FARMING, INC. Date _____
x Roger L. Jones OWNER Date x Jan 6, 98
ROGER L. JONES

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

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

MICROFILMED

JAN 04 1999

WARRANTY DEED

For Value Received

JONATHAN MARVEL, also known as JONATHAN H. MARVEL and
STEFANIE MARVEL, also known as STEFANIE D. MARVEL,
Husband And Wife.

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

RJT FARMING, INC.

the grantee(s), whose current address is

P.O. Box 475, Rupert, ID 83350

the following described premises, to-wit:

See Attached Exhibit "A"

169577

STATE OF IDAHO COUNTY OF GOODING

FIRST AMERICAN TITLE

Filed for record at the request of

48 min. past 2 o'clock P. M. 11th

of February 19 97 6.00

By Penny Watson Deputy

TOGETHER WITH: Water stock certificate no's 20778, 20776, 22135, 22138 & 22140
for a Total of 385 shares of North Side Canal Company.

ALSO TOGETHER WITH:

22 Acres of American Falls Reservoir District #2 Water

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s),
his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and
with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that
said premises are free from all encumbrances except current years taxes, levies, and assessments,
and except U. S. Patent reservations, restrictions, easements of record, and easements visible
upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: January 28, 1997

Jonathan Marvel

Stefanie Marvel

STATE OF IDAHO

COUNTY OF Blaine

On This 2-6, in the year 1997, before me, a Notary Public in and for said State,
personally appeared Jonathan Marvel and Stefanie Marvel,
known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument,
and acknowledged to me that he/she/they executed the same.

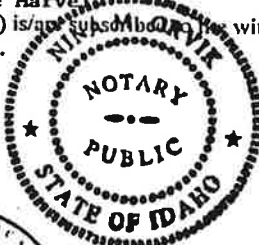
WITNESS my hand and official seal.

Rosa M. Cook

Notary Public of Idaho

Residing at Pocatello, ID.

Commission Expires: 2-21-97



First American Title Company of Idaho

MICROFILMED
JAN 04 1999

EXHIBIT A

G970007

Township 6 South, Range 13, East of the Boise Meridian, Gooding County, Idaho

Section 15: That part of the West one-half of the Southeast Quarter lying South and West of State Highway 25, EXCEPTING THEREFROM that portion deeded to the State of Idaho by Warranty Deed recorded December 20, 1973 as Instrument No. 48039, records of Gooding County, Idaho.

AND that part of the Northwest Quarter of the Southwest Quarter and part of the Northeast Quarter of the Southwest Quarter, described as follows:

BEGINNING at the West quarter corner of said Section 15, which is the TRUE POINT OF BEGINNING;

Thence South 89°18'12" East for a distance of 1,330.14 feet to the Northeast corner of the Northwest Quarter of the Southwest Quarter of said Section 15;

Thence South 0°49'19" West for a distance of 232.76 feet;

Thence South 89°18'12" East for a distance of 643.40 feet to the Southwesterly frontage road right of way line;

Thence South 43°24'25" East for a distance of 990.37 feet along the Southwesterly right of way line;

Thence South 0°35'35" West for a distance of 384.72 feet to the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 15;

Thence North 89°05'09" West for a distance of 2,670.86 feet to the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 15;

Thence North 1°03'02" East for a distance of 1,318.49 feet to the TRUE POINT OF BEGINNING.

Section 22: The East one-half of the Southeast Quarter.

Section 23: The Southwest Quarter of the Northwest Quarter; and the North one-half of the Southwest Quarter

EXCEPTING THEREFROM 100 feet for Railroad right of way as conveyed in Deed dated August 25, 1909, recorded September 16, 1909, in Book 13 of Deeds at Page 292, records of Lincoln County, Idaho, now in Book F of Deeds at Page 126, records of Gooding County, Idaho.

AND EXCEPTING THEREFROM 100 feet for railroad right of way as conveyed in Deed dated December 12, 1910, recorded December 27, 1910, in Book 18 of Deeds at Page 245, records of Lincoln County, Idaho, now in Book I of Deeds at Page 113, records of Gooding County, Idaho.

AND ALSO EXCEPTING THEREFROM a strip of land for Highway purposes as set forth in Deed to State of Idaho, dated October 8, 1973, recorded December 20, 1973 as Instrument No. 48038, records of Gooding County, Idaho.

Section 26: The West one-half of the Southwest Quarter, EXCEPTING THEREFROM all that portion lying South of the highest point of the Malad River Rim Rock.

Section 27: The East one-half of the Northeast Quarter; the Northwest Quarter of the Northeast Quarter; and the East one-half of the Southeast Quarter, EXCEPTING THEREFROM all that portion lying South of the highest point of the Malad River Rim Rock.

MICROFILMED
JAN 04 1999

Order No. G-970007

QUIT CLAIM DEED

FOR VALUE RECEIVED

JM
JONATHAN MARVEL, also known as JONATHAN H. MARVEL and STEFANIE MARVEL, also known as STEFANIE D. MARVEL, husband and wife
GRANTOR(S)

Do(es) Hereby Convey, Release, Remise and Forever Quitclaim Unto

RJT FARMING, INC.

GRANTEE(S)

Whose address is: P.O. Box 475, Rupert, ID. 83350

The following described premises, to-wit:

40 Inches of Water District #37 & 37M Water;

License No. 37-7019 and Permit Identification No. 37-8208

169578

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

49 min. past 2 o'clock P.m. this 11th
of February 19 97 3.00
By Penny Watson Deputy

Together with their appurtenances.

Dated: January 28, 1997

Jonathan Marvel
Jonathan Marvel

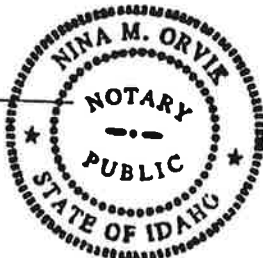
Stefanie Marvel
Stefanie Marvel

State of IDAHO }
County of Gooding } ss.

On this 2-6 day of January, in the year 1997, before me, X the undersigned, personally appeared Jonathan Marvel and Stefanie Marvel, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

Nina M. Orvik
Notary Public
Residing At: Decato, IL
Commission Expires: 2-21-97



MICROFILMED
JAN 04 1999

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: **A37-07019**
Date Received: 3/21/1989
Receipt No: S006623
Received By: _____

OWNERSHIP CHANGE

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JONATHAN H. MARVEL 208-788-2290
Address: BOX 1602
HAILEY ID 83333
AND/OR
Name: STEFANIE D. MARVEL 208-788-2290
Address: BOX 1602
HAILEY ID 83333

2. Date of Priority: APR 25, 1968

3. Source: UNNAMED STREAM Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	13E	26		NW	SW		GOODING

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.940		188.00

7. Total Quantity Appropriated is:
0.940 C.F.S. (and/or) 188.00 A.F.A.

8. Total consumptive use is 141.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	14E	27	NE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	14E	27	SE	SE		IRR	7.0

Section Acres	47.0
---------------	------

Total Acres	47.0
-------------	------

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:

14. Remarks:

TRANS. 3128.

SEE ALSO REFERENCE RIGHT A37-07480.

15. Basis of Claim: LICENSE

Water Right Number - R37-07019	Prefix Translation: RESEARCH	Old (D) Number -
*** C - CURRENT OWNER *** MARVEL	Jonathan H.	1 - BOX 1602 2 - 3 - City- HAILEY Phone - 208-788-2290 1 - BOX 1602 2 - 3 - City- HAILEY Phone - 208-788-2290 1 - P.O. BOX 268 2 - 3 - City- EDEN Phone - 208-000-0000 1 - P.O. BOX 268 2 - 3 - City- EDEN Phone - 208-000-0000 1 - NELSON, ROSHOLT, ROBERTSON, 2 - TOLMAN & TUCKER 3 - P.O. BOX 1906 City- TWIN FALLS Phone - 208-734-0700
*** O - ORIGINAL OWNER *** MC FARLAND	DON	State- ID Zip- 83333 State- ID Zip- 83333 State- ID Zip- 83325 State- ID Zip- 83325 State- ID Zip- 833031906
MC FARLAND	CAROL	
UHLING	TERRY T.	
Priority Date - 04/25/1968	Region - 17 SOUTHERN	Stage - L - LICENSE
Source - UNNAMED STREAM		Tributary - MALAD RIVER
Point of Diversion -		
Twn Rng Sec Tract Lot RFlg County		
06S 13E 26 NW SW (47) GOODING		
Code Description	Period From Period To	Diversion Rate Diversion Volume
01 - IRRIGATION	04/01 10/31	0.940 188.00
Total Div. Rate - 0.940	Total Div. Volume - 188.00	Total Consumptive Use - 141.0

MICROFILMED
OCT 24 1994

	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	-	03/21/1989	Last Amended Date	-	00/00/0000	Temporary Right	-	P
				Receipt Number	-	S006623	Water District	-	
				POU Ownership Flag	-	Y	Federal/State Indicator	-	S
				Name Connector	-	AND/OR	Presumption Flag	-	
							Notice of Error Flag	-	

MICROFILMED
OCT 24 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

02-Apr-1993

Mr and Mrs Jonathan H. Marvel
Box 1602
Hailey, ID 83333

RE: Ownership Change for Adjudication Claims A37-00447D and -07019

Dear Mr and Mrs Marvel:

Pursuant to the notification that you presently own the property in which the above-referenced Adjudication Claims are appurtenant, the Department has changed the record of the current owners as you requested. Please find enclosed copies of the computer record of the claims noting the change in claimants.

If you have any questions please contact this office.

Sincerely,

Francis G. Hitchcock
Water Resource Agent, Sr.

FH/abh

Enclosures

MICROFILMED
OCT 24 1994

RECEIVED



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

DEC 16 1992

Please print or type

(see instructions on back of page)

Department of Water Resources
Southern Region Office
See attachment

DATE OF CLOSING: May 15, 1990

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.

☐ 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)

~~XXX~~ ☒ Water Right Number(s) A37-00447D & A37-7019
Assigned by IDWR: _____

☐ Name and Address of Former Owner/Claimant(s)(Seller): Don and Carol McFarland
Box 368 Eden, Idaho 83325

☐ New Owner/Claimant (Purchaser): Jonathan H. and Stefanie D. Marvel
Box 1602 Hailey, Idaho 83333

☐ New Mailing Address: _____

☐ New Telephone Number: (208) 788 - 2290

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Warrantee Deed attached

(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) Jonathan H. Marvel Date 12-11-92

Stefanie D. Marvel Date 12-11-92

☐ 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: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

MICROFILMED

OCT 24 1994

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: A37-07019
Date Received: 8/31/1988
Receipt No: S006623
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON MC FARLAND
Address: P.O. BOX 268
EDEN, ID 83325
OR
Name: CAROL MC FARLAND
Address: P.O. BOX 268
EDEN, ID 83325
2. Date of Priority: APR 25, 1968
3. Source: UNNAMED STREAM Trib. to: MALAD RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	13E	26		NW	SW		GOODING
5. Description of diverting works:
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.940		188.00
7. Total Quantity Appropriated is:
0.940 C.F.S. (and/or) 188.00 A.F.A.
8. Total consumptive use is 141.0 Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	14E	27	NE	SE		IRR	40.0
			SE	SE		IRR	7.0
Section Acres							47.0
Total Acres							47.0

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:

14. Remarks:

TRANS. 3128.

SEE ALSO REFERENCE RIGHT A37-07480.

15. Basis of Claim: LICENSE

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 _____

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: A37-07019
Date Received: 8/31/1988
Receipt No: 300 66 23
Received By: _____

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

RECEIVED

SEP 1 1988

Department of Water Resources
Southern Region Office

2. Date of Priority: APR 25, 1968

3. Source: UNNAMED STREAM

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	13E	26	NW	SW			GOODING

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.940		188.00

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

188.00 A.F.A.

8. Total consumptive use is 1/4 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	14E	27	NE	SE		IRR	40.0
			SE	SE		IRR	7.0
						Section Acres	47.0
						Total Acres	47.0

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:

14. Remarks:

TRANS. 3128.

15. Basis of Claim: LICENSE

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): Don McDaniel Date: 9-1-88

Date: _____

State of Idaho)
County of Twin Falls) ss.

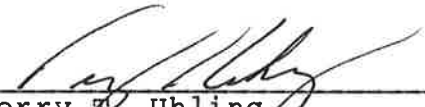
Subscribed and sworn (or affirmed) before me this 15th day
of September 19 88
Seal Christ Hernandez
Notary Public

Residing at Twin Falls
My Commission Expires 10-31-88

NOTICE OF APPEARANCE

Notice is hereby given that the law firm of Nelson, Rosholt, Robertson, Tolman & Tucker will be acting as attorneys 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 the address listed below.

DATED this 7 day of September, 1988.



Terry A. Uhling
NELSON, ROSHOLT, ROBERTSON,
TOLMAN & TUCKER
P. O. Box 1906
Twin Falls, Idaho 83303-1906

MICROFILMED
OCT 24 1994

Transfer No. 3128Water Right No. 37-7019

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

APPROVEDName of applicant Don & Carol McFarland Phone 208-825-5258Post Office address P.O. Box 268 Eden, ID 83325**A. DESCRIPTION OF RIGHT AS RECORDED****RECEIVED****1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____ (Name) APR 6 1985
 in case of _____ vs _____ Department of Water Resources
 dated in _____ in _____ (Name of court) _____ county of _____ Southern District Office
- b. License No. 37-7019 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired**3. Source of water** Unnamed Stream tributary to Malad River**4. Date of priority** 4-25-1968**5. Water is used for the following purposes:**

amount 0.94 for Irrigation purposes from 4/1 to 10/31
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (month/day — both dates inclusive)

6. Total amount of water under right: a. 0.94 cubic feet per second
 &/or
 b. 188 acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 33
 Township 6S Range 14E, B.M., in Gooding County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6S	14E	33					19	28											47

Total number of acres to be irrigated 47**9. Describe any other water rights used for the same purpose as described above** 36-7157

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

37-7019 T# 3128

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use: _____

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
 - a. Amount of water to be diverted 0.94 c.f.s. &/or 188 acre feet
 - b. Description of diverting works Pump from stream by 25HP motor into pipeline to sprinkler system.
 - c. Describe the reasons for the proposed changes To combine the point of diversion with other water rights diverting at same location.

2. Change in point of diversion

Point of diversion NW ¼ SW ¼, Section 26 Township 6S
Range 13E, B.M., _____ County
Additional points _____

3. Change in place of use

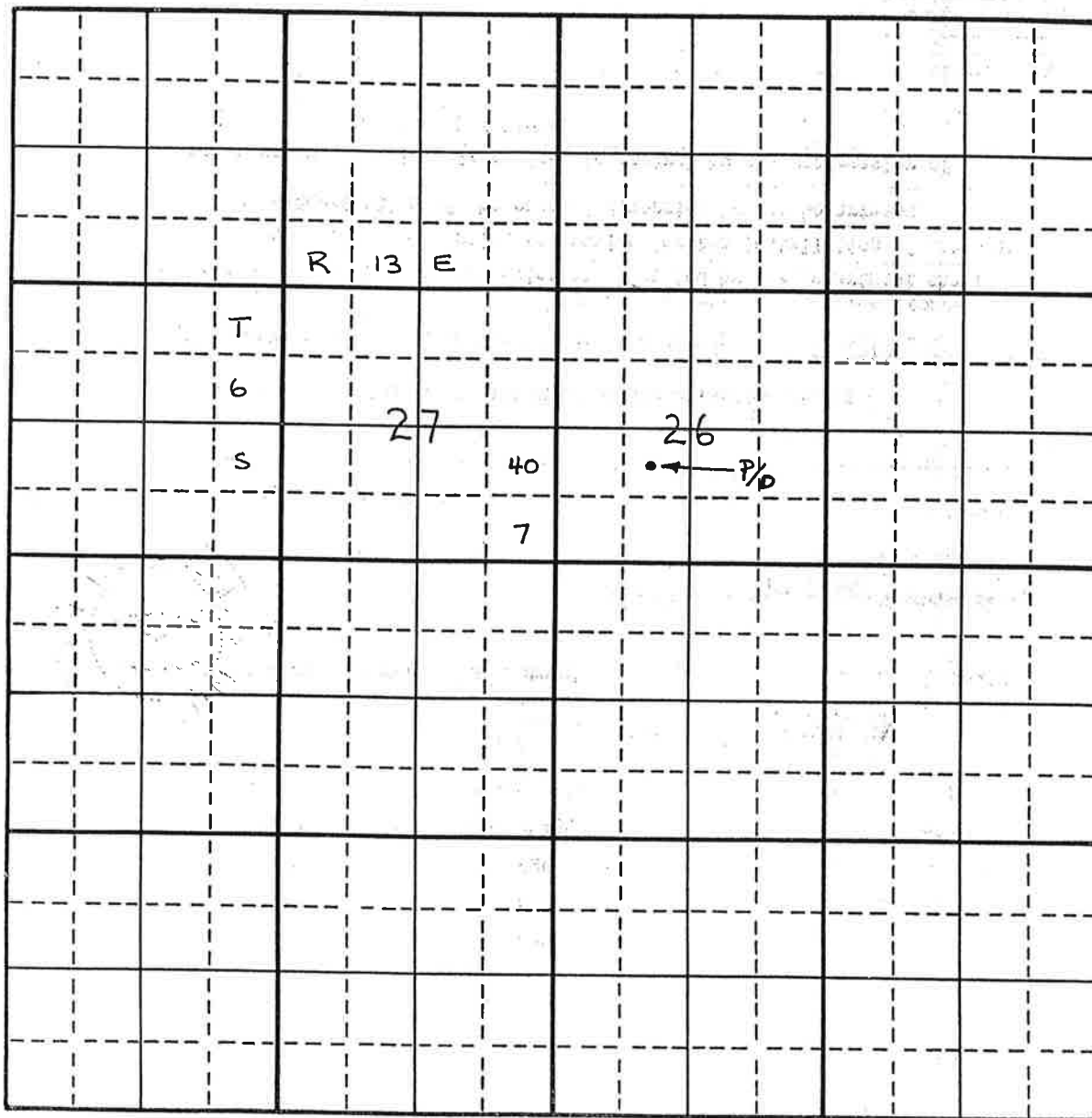
- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
6S	13E	27													40			7	47

Total number of acres to be irrigated 47

- Describe any other water rights used for the same purpose as described above. North Side Canal Annual Purchase
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

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

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

Don McFarland
(Signature of Applicant)

Subscribed and sworn to before me this 5 day of April, 1985

Mary A. Newby
(Notary Public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-7019 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A flow measurement port or other device as specified by the Department shall be installed on each point of diversion to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

2. Use of water under this right is subject to control by the watermaster of State Water District No. 37, Big Wood River.

Witness my hand this 1st day of August, 1985

J. Glen Saxton
Chief, Operations Bureau

#35320

FOR DEPARTMENT USE ONLY

Received by A.S. Date 4-4-1985 Protest filed by None
Prelim. check by ADM Fee 50.00
Received by A.S. Date 4-4-1985
Published in Gardner Co. Ledger Copies of protest forwarded by _____
Pub. dates 4/23 + 4/30 1985 4/11 + 4/18/85 Hearing held by _____ Date _____
Watermaster recommendation requested on 4/12/85 Recommended for approval denial _____
_____ rec'd. by ADM Jim

Transfer No. 3128Water Right No. 37-7019

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

APPROVEDName of applicant Don & Carol McFarland Phone 208-825-5258Post Office address P.O. Box 268 Eden, ID 83325**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 37-7019 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired3. Source of water Unnamed Stream tributary to Malad River4. Date of priority 4-25-1968**5. Water is used for the following purposes:**

amount 0.94 for Irrigation purposes from 4/1 to 10/31
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 0.94 cubic feet per second
&/or
b. 188 acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 33
Township 6S Range 14E, B.M., in Gooding County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6S	14E	33					19	28											47

MICROFILMEDTotal number of acres to be irrigated 479. Describe any other water rights used for the same purpose as described above 36-7157

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

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

MICROFILMED

1. Amount of water: a. _____ cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 0.94 c.f.s. &/or 188 acre feet
- b. Description of diverting works Pump from stream by 25HP motor into pipeline to sprinkler system.
- c. Describe the reasons for the proposed changes To combine the point of diversion with other water rights diverting at same location.

2. Change in point of diversion

Point of diversion NW ¼ SW ¼, Section 26 Township 6S
Range 13E, B.M., _____ County _____
Additional points _____

3. Change in place of use

- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	13E	27													40			7	47

Total number of acres to be irrigated 47

4. Describe any other water rights used for the same purpose as described above. North Side
Canal Annual Purchase
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

D. REMARKS

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

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

Don McJannet
(Signature of Applicant)

Subscribed and sworn to before me this 5 day of April, 19 85.

Mary A. Newby
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-7019 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A flow measurement port or other device as specified by the Department shall be installed on each point of diversion to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 37, Big Wood River.

Witness my hand this 1st day of August, 19 85

J. Glen Saxton
Chief, Operations Bureau

H-35320

FOR DEPARTMENT USE ONLY

Received by A.S. Date 4-4-1985 Protest filed by None

Prelim. check by ADM Fee 50⁰⁰

Receipted by A.S. Date 4-4-1985

Published in Spicer's Co. Ledger Copies of protest forwarded by _____

Pub. dates 4/23 + 4/30 - 1985 6/11 + 6/18/85 Hearing held by _____ Date _____

Watermaster recommendation requested on 4/12/85 Recommended for approval denial _____

_____ rec'd. by ADM Sim

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 37-7019 Priority April 25, 1968 Amount 0.94 cfs

THIS IS TO CERTIFY, that James L. & Cynthia Huntsman -and-
Bruce M. & Elizabeth E. Robertson

of Gooding, Idaho, ~~have xxx~~ complied with the terms and conditions of Permit
No. 37-7019 issued pursuant to Application for Permit dated April 25, 1968
and has submitted proof to the Department of Water Administration on May 1, 1973

that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.80 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from an unnamed stream

tributary of the Malad River, is hereby confirmed in the following amounts;

Amount 0.94 cfs for Irrigation from April 1 to Oct. 31 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.94 cfs of water be diverted at
any one time, said waters to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 33,

Twp. 6 S, Rge. 14 E, B.M.

in the county of Gooding; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 188 acre feet per year or
4.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 S	14 E	33					19	28											47

Total number of acres irrigated 47

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 17th day of
December, 19 73.


Deputy Director

37 7019