

01/31/2003

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

RIGHT NUMBER: 37-7084
NAME AND ADDRESS: FAULKNER HAYHOOK RANCHES INC
PO BOX 132
BLISS ID 83314
SOURCE: WASTE WATER TRIBUTARY: SNAKE RIVER
QUANTITY: 1.100 CFS
81.400 AFY
PRIORITY DATE: 01/26/1971
POINT OF DIVERSION:

T06S R13E S6 SWNESW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.030 CFS 1.40 AFY
IRRIGATION	04/01 11/01	1.100 CFS 80.00 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 November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within GOODING County

T06S R12E S01 SESE 2.9 T06S R13E S06 Lot 7 SWSW 17.1

STOCKWATER same as IRRIGATION

20 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

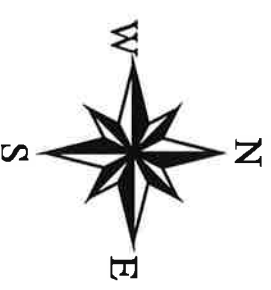
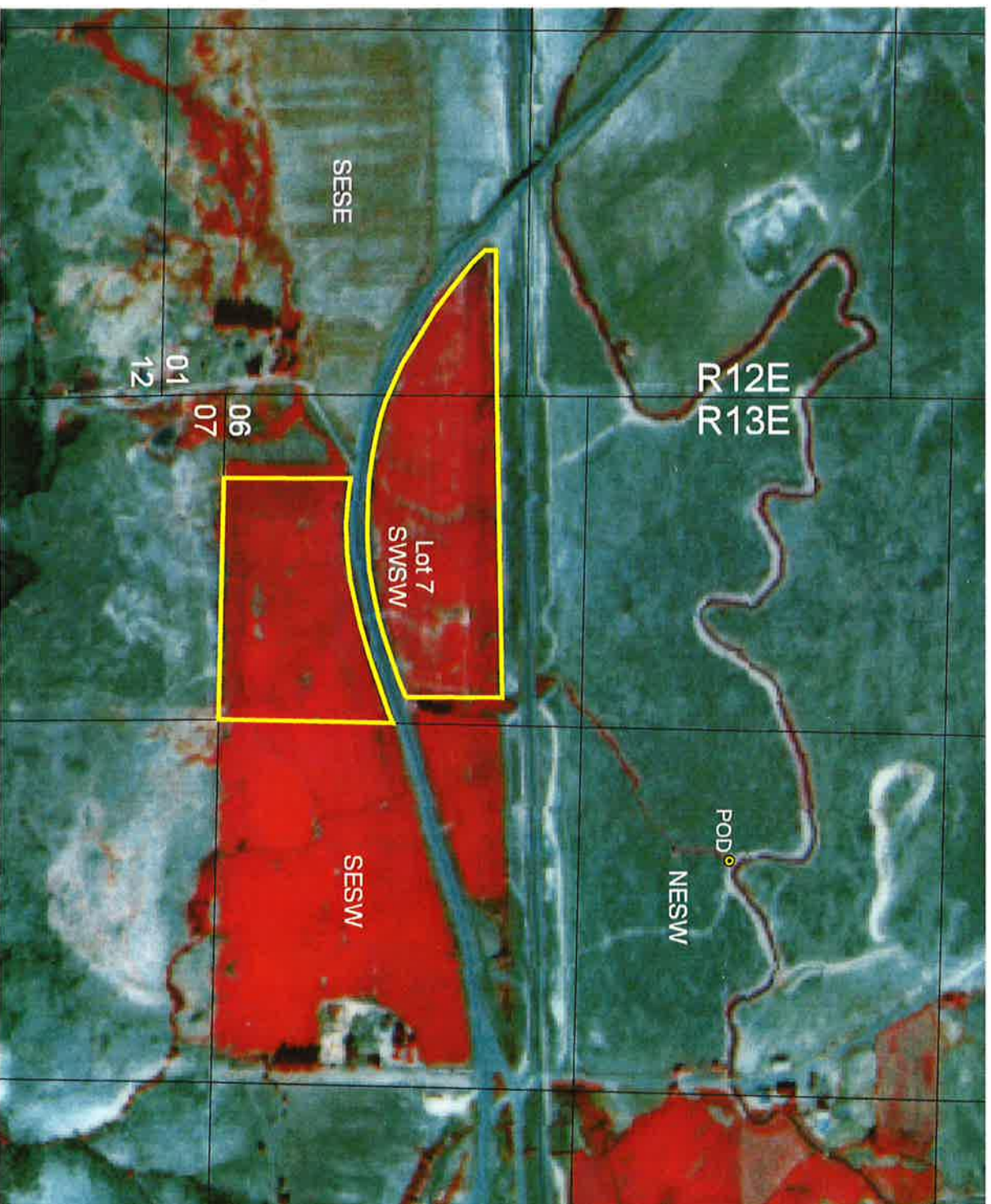
A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
This right is subject to stockwatering rights of users on the downstream portion of Lateral Z, as heretofore established by actual diversion and use.

The source of this right is waste water originally diverted by the North Side Canal Co.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

37-7084

T06S R12E S01
T06S R13E S06



Map prepared by: Carter Fritschle
Date prepared: 01/31/03
1987-1988 NAPP photography
Idaho Department of Water Resources

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7084 Priority January 26, 1971 Amount 1.10 cfs

THIS IS TO CERTIFY, that Bryan Kelso
of Bliss, Idaho, has complied with the terms and conditions of Permit
No. 37-7084 issued pursuant to Application for Permit dated January 26, 1971,
and has submitted proof to the Department of Water Resources on March 23, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.11 cfs of water from wastewater,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>1.10</u> cfs and	<u>165 ac ft or 3.0 ac ft per acre</u>
<u>Stockwater</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.03</u> cfs and	<u>1.4 ac ft</u>
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 1.10 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
166.4 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, Township 6S
Range 13E, B.M. in the County of Gooding

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 $\frac{1}{4}$	
6S	12E	1															X	X	
		12	X														18	15	33
			22																22

Total number of acres irrigated 55

A measuring device of a type approved by the Department shall be permanently maintained as a part of the diverting works. This right is subject to stockwatering rights of users on the downstream portion of Lateral Z, as heretofore established by actual diversion and use.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 _____ day of

March, 19 76

Director

RECEIVED

[illegible]

DATE OF EXAM 7-19-76

ACREAGE

Found 55
Recommended 55

Irrigation Requirement 4.0 Ac Ft/Ac

USE

Irrigation Q = 1.10 c.f.s. V = 220.0 AF/Ann. from 4-1 to 11-1
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = .03 c.f.s. V = 1.4 AF/Ann. from 1-1 to 12-31

Is water co-mingled? yes no ☒

Name source:
twp. N/S, Rge. E/W, B.M., Sec. , Sub. 1/4 1/4 County

Exchange? yes no ☒

Name source exchanged with:
twp. N/S, Rge. E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of injection:
twp. N/S, Rge. E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of exchange:
twp. N/S, Rge. E/W, B.M., Sec. , Sub. 1/4 1/4 County

Total Q measured .30 - 1.10 c.f.s. Method of measurement Cipolletti Weir

Total Q recommended 1.10 c.f.s. Meter No. Type 2' Condition good

Total V recommended 221.4 Ac.Ft./ANN.

Recommended Amendments:

P.D. ☒
Place of Use ☒
Other
None

MEASUREMENT CALCULATION:

$Q = 1.10 \text{ c.f.s. Meas. } .30 \text{ over } 2 \text{ ft. Cipolletti Weir.}$
 $V = 220.0 \text{ Ac.Ft./ANN.} = (\text{IRR. Req. } 4.0 \text{ Ac.Ft./Ac}) (55 \text{ Acres})$
Livestock
 $Q = .03 \text{ c.f.s. (75 Head Range Cattle)}$
 $V = 1.4$ (See Dept. Memo for the Amounts used)

SYSTEM DESCRIPTION:

Waste water from the Canal Co. runs into this ditch and is used for Irrigation. Headgate and a measuring device.

REMARKS:

Bryan Kelso is deceased. Lee Kelso was present during Exam.

Examiner's Signature

Shirley Lundberg

Date

7-19-76

Checked by

Lee Shewley

Date

7-20-76

Approved by

Michael L. Stule

Date

8-26-76

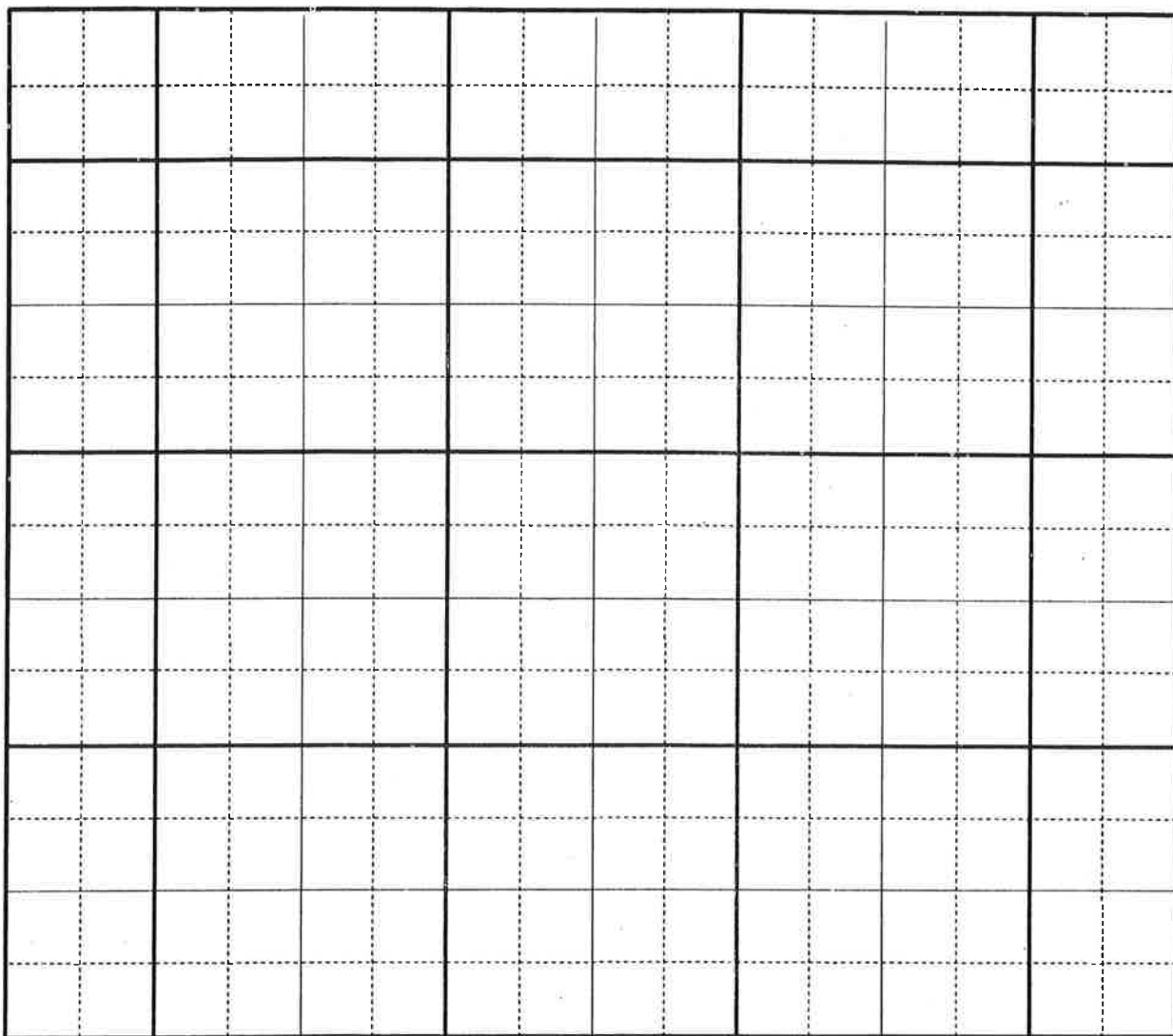
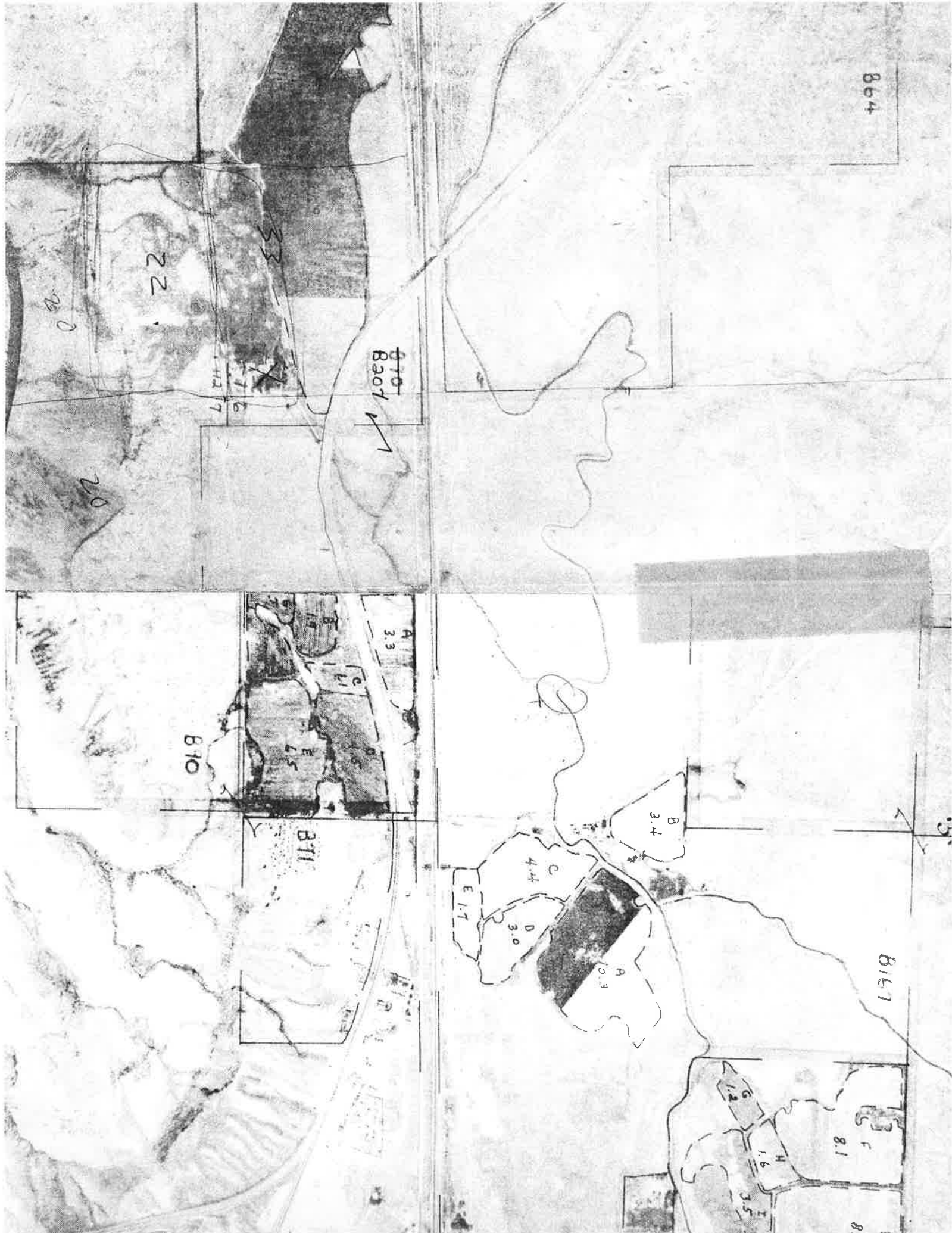


Diagram of System



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: A37-07084
Date Received: 8/23/1988
Receipt No: S001636
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: FAULKNER HAYHOOK RANCHES 208-837-4711
Address: PO BOX 132
BLISS ID 83314

2. Date of Priority: JAN 26, 1971

3. Source: WASTE WATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	13E	6	SW	NE	SW		GOODING

5. Description of diverting works:
HEADGATE TO A PUMP FOR PRESSURE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.100		165.00
STOCKWATER	01/01	12/31	0.030		1.40

7. Total Quantity Appropriated is:
1.100 C.F.S. (and/or) 166.40 A.F.A.

8. Total consumptive use is 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/75 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	12E	1	SE	SE		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	5.0
	13E	6	SW	SW		IRR	15.0
						Section Acres	15.0
						Total Acres	20.0

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 RT. IS SUBJECT TO STOCKWATERING RTS. OF USERS ON THE
DOWNSTREAM PORTION OF LATERAL 2, AS HERETOFORE ESTABLISHED BY
ACTUAL DIVERSION & USE.

12/20/1999 tf; OWNERSHIP CHANGED KELSO TO FAULKNER HAYHOOK
RANCHES PER 1409(6) AND WARRANTY DEED REC'D 5/14/1998.

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

May 1, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FAULKNER HAYHOOK RANCHES
PO BOX 132
BLISS ID 83314

RE: SRBA Claim(s) A37-07084

Dear Mr. and Ms. Faulkner:

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 record 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,

A handwritten signature in cursive script that reads "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

enc.

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

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

RECEIVED
MAY 14 1998
Department of Water Resources
Southern Region

1. Water Right Number(s) AJ5809NP
Adjudication Claim Number(s) A37-07084

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.

3. Name and Address of Former Owner/Claimant(s) Lee Kelso and Virginia C. Kelso
P.O. Box 3, Bliss, ID 83314

4. New Owner/Claimant(s) Faulkner Hayhook Ranches, an Idaho Corporation
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address P.O. Box 132
City, State and ZIP Code Bliss, ID 83314
New Telephone Number (208) 837-4711

5. Date you acquired the property May, 1998

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) Faulkner Hayhook Ranches, an Idaho Corporation Date 5/8/98
James E. Faulkner Diana K. Faulkner Date 5-8-98
BY: James E. Faulkner BY: Diana K. Faulkner

(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.

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

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

1. Water Right Number(s) WR5809NP
Adjudication Claim Number(s) 37-07084

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.

3. Name and Address of Former Owner/Claimant(s) Bryan Kelso
P.O. Box 112, Bliss, ID 83314

4. New Owner/Claimant(s) Faulkner Hayhook Ranches, an Idaho Corporation
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 132
City, State and ZIP Code Bliss, ID 83314
New Telephone Number (208) 837-4711

5. Date you acquired the property May, 1998

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) Faulkner Hayhook Ranches, an Idaho Corporation 5/18/98
James E. Faulkner Diana K. Faulkner 5/18/98
BY: James E. Faulkner BY: Diana K. Faulkner

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.

DIVERSION
VOLUME

165.00 AFA
1.40 AFA

166.40 AFA
60.00 AFA

Stage: LICENSE

GOODING County

SUM

5.0
15.0
20.0

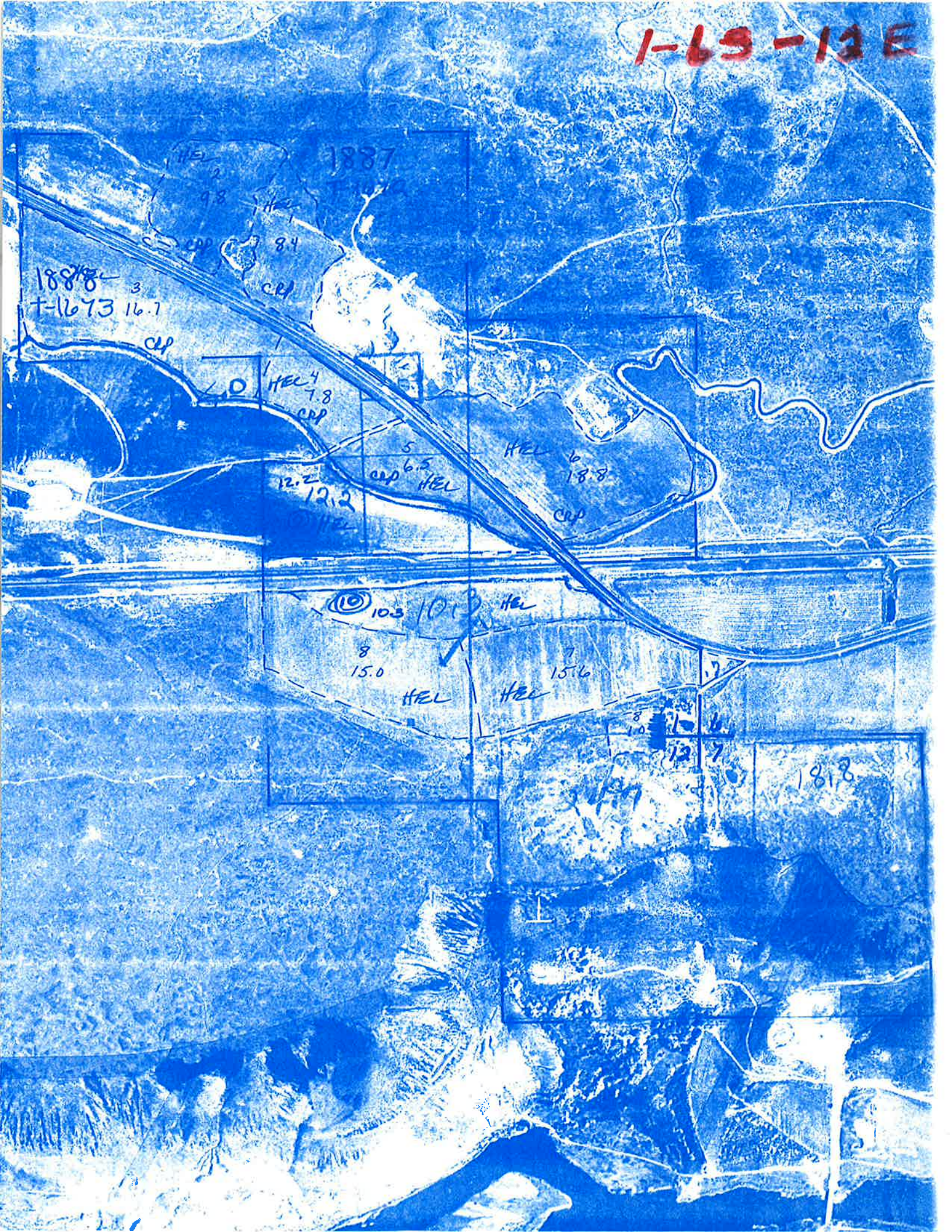
Other Rights: NONE

R01 - A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

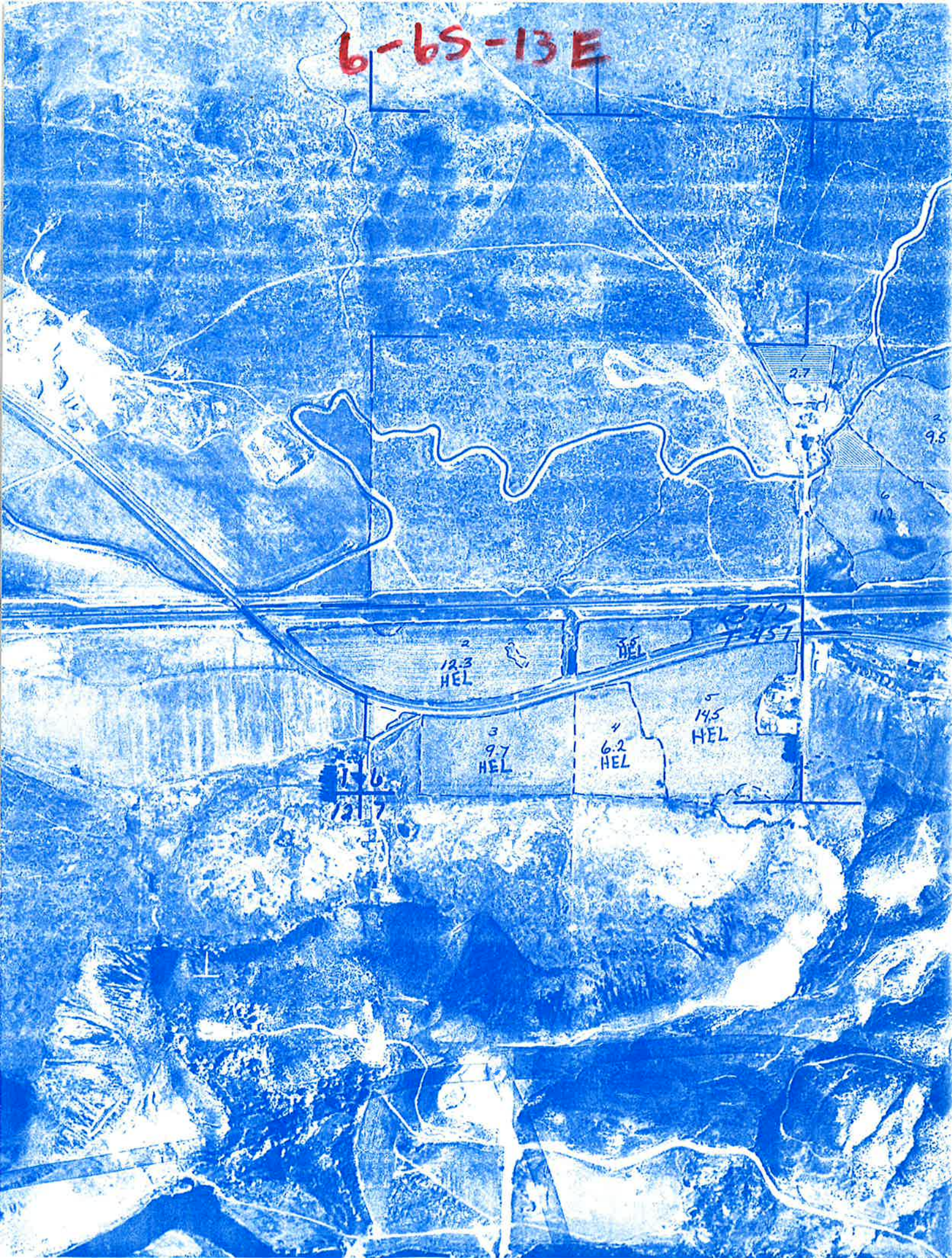
objection Filed Date:

Field Inspection Flag: C
Presumption Flag: C

1-65-11E



6-65-13E



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12.3
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13.42
F-457

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6.2
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14.5
HEL

13.6
12.7

2.7

2
9.5

6
11.2

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY

RECEIVED

MAY 14 1998

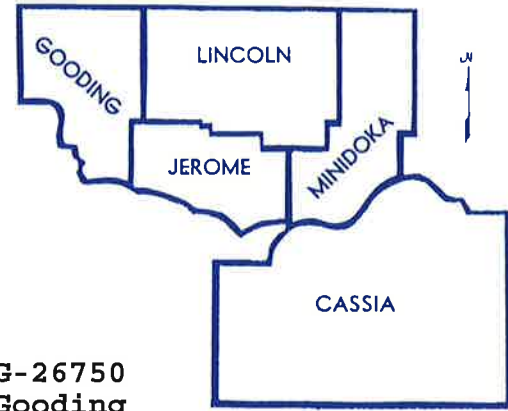
Department of Water Resources
Southern Region

REFER TO:

OFFICE:

G-26750

Gooding



May 13, 1998

Department of Water Resources
Southern Region
1341 Fillmore Suite 200
Twin Falls, Idaho 83301

RE: Notice of Change of Water Right Ownership
KELSO
Cert Mail #Z 380 157 846

Dear Sirs:

At the request of the buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership on
on LEE KELSO and BRYAN KELSO
for Water Right Number AJ5890NP and WR5809NP
- Adjuciation Number A37-07084 and 37-07084
- Copy of Deed #175402
- Copy of Map

Thank you,

LAND TITLE AND ESCROW, INC.

A handwritten signature in blue ink, appearing to read "Lisa Ritter".

Lisa Ritter
(208) 934-8477

P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

cc: faulkner hayhook ranches, inc.

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

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

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1198

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: A37-07084
Date Received: 8/23/1988
Receipt No: S001636
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEE KELSO 208-352-4424
Address: P.O. BOX 3
BLISS, ID 83314

OR
Name: VIRGINIA C. KELSO 208-352-4424
Address: P.O. BOX 3
BLISS, ID 83314

2. Date of Priority: JAN 26, 1971

3. Source: WASTE WATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	13E	6	SW	NE	SW		GOODING

5. Description of diverting works:
HEADGATE TO A PUMP FOR PRESSURE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.100		165.00
STOCKWATER	01/01	12/31	0.030		1.40

7. Total Quantity Appropriated is:
1.100 C.F.S. (and/or) 166.40 A.F.A.

8. Total consumptive use is 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/75 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	12E	1	SE	SE		IRR	5.0
						Section Acres	5.0
	13E	6	SW	SW		IRR	15.0
						Section Acres	15.0
						Total Acres	20.0

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 RT. IS SUBJECT TO STOCKWATERING RTS. OF USERS ON THE
DOWNSTREAM PORTION OF LATERAL 2, AS HERETOFORE ESTABLISHED BY
ACTUAL DIVERSION & USE.

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): *Lee Kelsor* Date: 8 23 1988

Date: _____

State of Idaho

County of *Twin Falls*)
SS.

Subscribed and sworn (or affirmed) before me this 25th day

of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at *Buhl, Id*

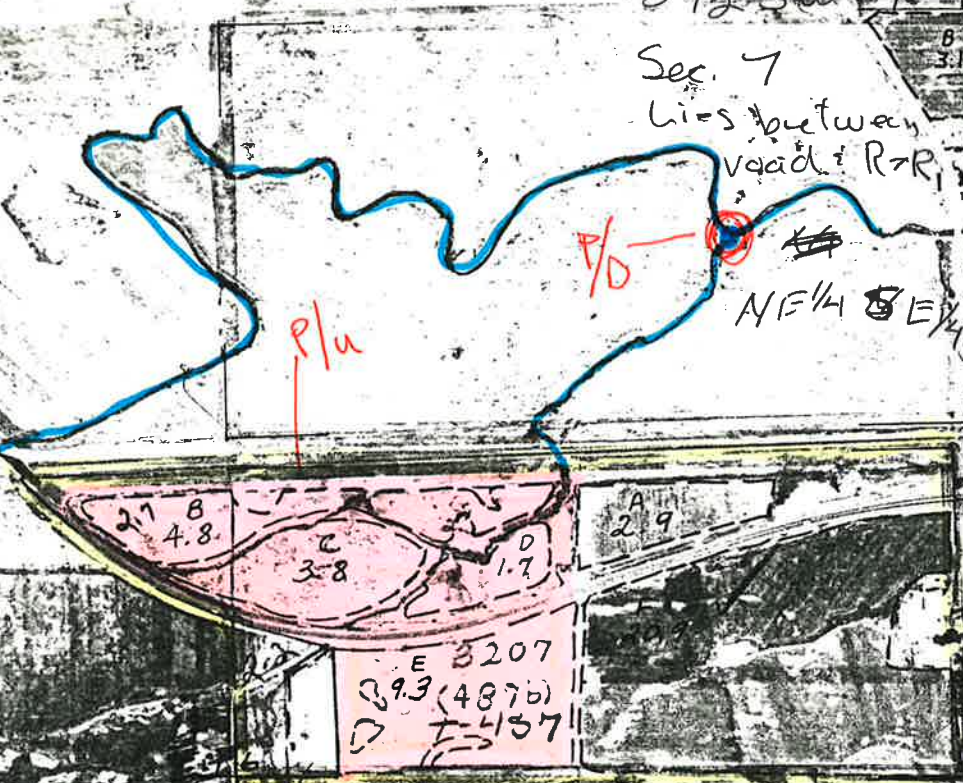
My Commission Expires 6-30-94

+531

Two 1/2 Sec
Rge 13 E
Sec 6
S 1/2 SW 1/4

Sec. 7
Lies between
road & R.R.

NE 1/4 & E 1/4 SE 1/4



MICROFILMED
FEB 24 1983

A37-07084