

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: A36-02060

Date Received: 10/ 3/1989

Receipt No: S009545

Received By: Transfer 3801
SCC

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: TRIPLE ACE INC
Address: RT 2 BOX 2778
PAUL ID

208-438-4800

83347

2. Date of Priority: FEB 3, 1948

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	22E	16	NW	NW	NE		MINIDOKA
			NE	NE	SW		MINIDOKA

5. Description of diverting works:
TWO WELLS & PUMPS, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.420		

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

A.F.A.

8. Total consumptive use is 960.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	22E	16	NE	NE		IRR	38.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	22E	16	NE	NW		IRR	39.0
			NW	NW		IRR	38.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	39.0
			NE	SE		IRR	39.0
			NW	SE		IRR	37.0

Section Acres 467.0

Total Acres 467.0

11. Place of use in counties: MINIDOKA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A36-02558

14. Remarks:

AMENDED CLAIM 1/4/1991: CONFIRMED TRANSFER 1064 WAS DATA ENTERED WRONG...SHOULD HAVE INCLUDED THE ADDITIONAL 160 ACRES CLAIMANT IDENTIFIED WITH EXPANSION CLAIM A36-12727. THE EXPANSION CLAIM HAS NOW BEEN WITHDRAWN AND THIS CLAIM AMENDED TO THE CORRECT 320 ACRES.

OWNERSHIP CHANGE 6/5/91 BY JG.

TRANSFER CONDITIONS:

THE TOTAL IRRIGATED ACREAGE UNDER LICENSE NO. 36-02060 SHALL NOT EXCEED 305 ACRES. WHEN COMBINED, TOTAL IRRIGATED ACREAGE UNDER RIGHTS 36-02060 AND 36-02558 SHALL NOT EXCEED 459 ACRES.

15. Basis of Claim: LICENSE

Water Right Number: 20311

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 Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

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

Signature of Authorized Agent

Title and Organization

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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

A36-02060
36-02060
APPROVED
Transfer No.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Tatterson Farms of Idaho, Inc. Phone 438-4800
Post Office address RT. #1, Box 1272, Paul, Idaho 83347

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Closer to New mainline installed
and sand problems in July, comingles all water rights
and points of diversion.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. | Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--------------|---------------------|---------------------|-----------------------|-----------------------|--|
| | <u>36-2060</u> | <u>2/3/1948</u> | <u>4.42</u> | <u>Irrigation</u> | <u>3/15</u> to <u>11/15</u> |
| | <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| | <u>36-2558</u> | <u>12/14/1962</u> | <u>3.20</u> | <u>Irrigation</u> | <u>3/15</u> to <u>11/15</u> |
| ~~W~~ | ~~36-12727~~ | ~~2/3/1948~~ | ~~3.20~~ | ~~Irrigation~~ | ~~3/15~~ to ~~11/15~~ |

2. Total amount of water being transferred 7.62 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

MICROFILMED
JAN 25 1993

Total acres

PART 1**6. General Information:**

1 a. Description of diversion system Two Deep wells, pumps, sprinklers,
connecting mainline, wheel lines, Handline.

Y b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes N-A No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

1 c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N-A

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-2060 / 36-2558

And said application is hereby APPROVED, subject to the following limitations and conditions:

See attached sheet for conditions of approval.

Witness my hand this 16th day of December, 19 91

J. Glen Saxton
Chief, Water Allocation Bureau

ATTACHMENT
CONDITIONS OF APPROVAL

Transfer of Water Right Nos. 36-2060 & 36-2558

Transfer No. 3801

1. The total irrigated acreage under License No. 36-2060 shall not exceed 305 acres. When combined, total irrigated acreage under Rights 36-2060 and 36-2558 shall not exceed 459 acres.
2. These rights when combined shall provide no more than 4.0 acre-feet per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 16th day of December, 1991.



L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

JAN 25 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 36-2060 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 1064 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 2/3/1948

5. Water is used for the following purpose:

amount 4.42 for Irrigation purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 4.42 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	16	9S	22E	Minidoka	

8. Lands irrigated or place of use:

Twp.	Rge.	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	
9S	22E	16			X	X			X	X	X	X			X	X			305

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Total Area 305
 JAN 25 1993

9. Describe any other water rights used for the same purpose as described above _____

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-2558 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 12/14/1962

5. Water is used for the following purpose:

amount 3.20 for Irrigation purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	16	9S	22E	Minidoka	

8. Lands irrigated or place of use:

Twp.	Rge.	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	
9S	22E	16	38	39			39	38											154

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JAN 25 1993

Total acres

154

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A36-12727 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____4. Date or priority 2/3/1948

5. Water is used for the following purpose:

amount 3.20 for Irrigation purposes from 3/1 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 3.20 cubic feet per second and/or 480 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	SW	16	9S	22E	Minidoka	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
9S	22E	16							40	40	40	40							160

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JAN 25 1993

Total acres

160

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

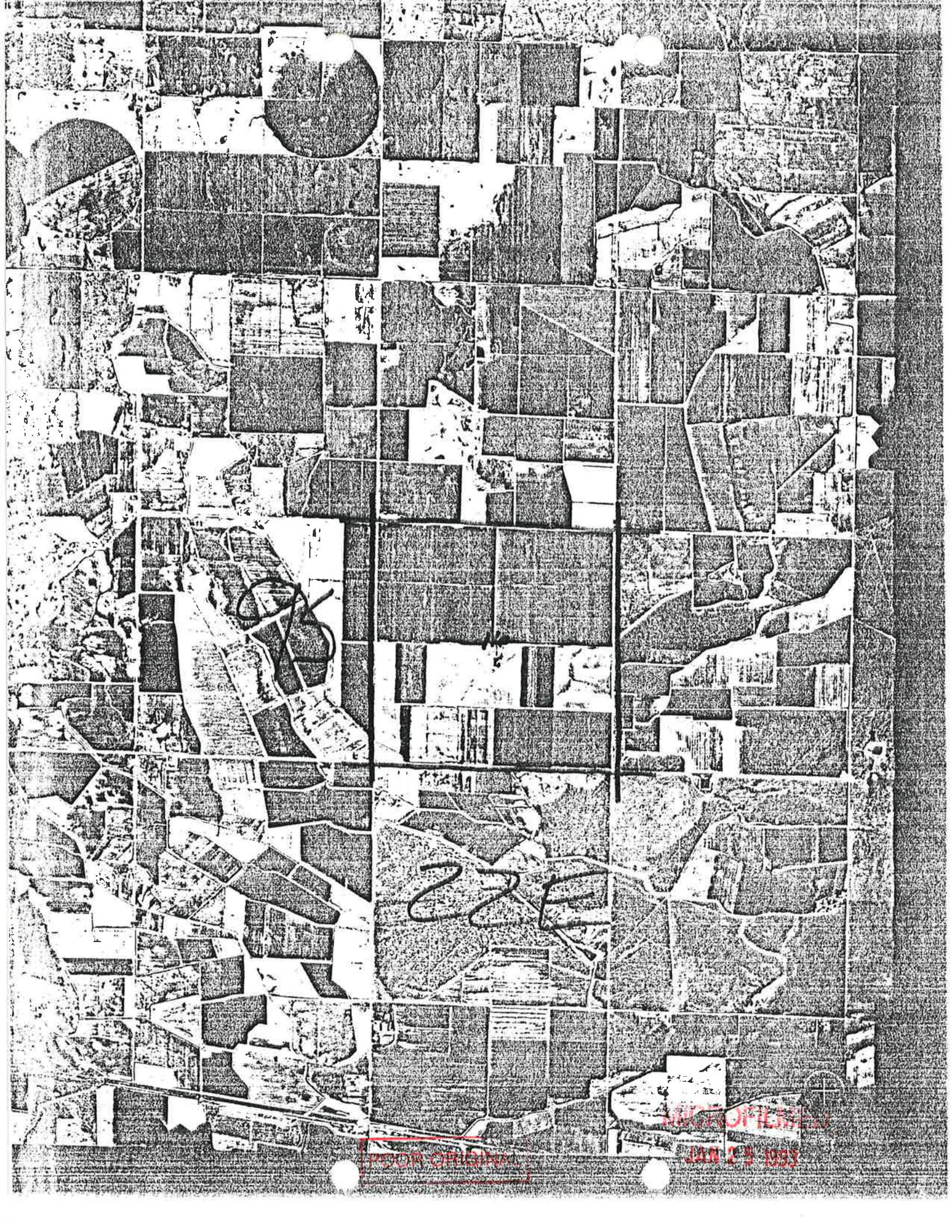
1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	



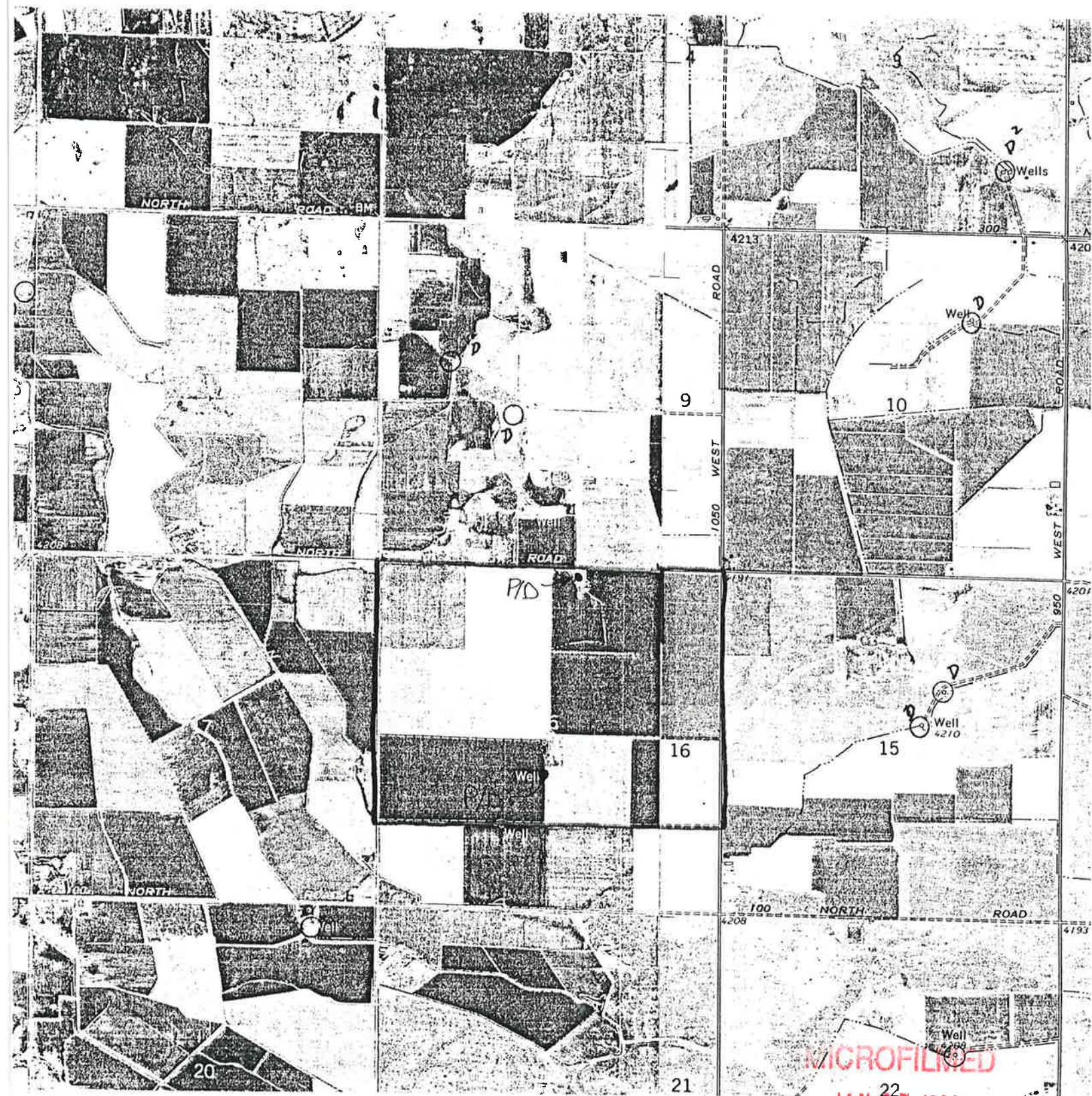
POOR ORIGINAL

MICROFILMED

JAN 25 1953

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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

MICROFILMED
JAN 25 1993

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

X 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 willful misrepresentations made in this application may result in voiding its approval.

Tatterson Farms of Idaho, Inc.
Russell V. Tatterson V.P.
 (Signature of Applicant)

Subscribed and sworn to before me this 3rd day of October, 1990.

Mary A. Baldwin
 (Notary Public)

My commission expires 10/16/1992

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 4 attachments

Received by J. E. Stanton Date 10-3-90 Protest filed by _____

Prelim. check by DO Fee \$50.00

Receipted by JS Date 10-3-90 50/27/7

Published in So. ID. Press Copies of protest forwarded by _____

Pub. dates 2/8 + 2/15/91 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. by JA

Copy of transfer sent to lien holder _____

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: **A36-02060**
Date Received: 10/ 3/1989
Receipt No: S009545
Received By: _____

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

1. Name: TRIPLE ACE INC.
Address: RT. 2 BOX 2778
PAUL, ID

83347

2. Date of Priority: FEB 3, 1948

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	22E	16	NE	NE	SW		MINIDOKA

5. Description of diverting works:
WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/15	4.420		

7. Total Quantity Appropriated is:
4.420 C.F.S. (and/or) 1280.00 A.F.A.

8. Total consumptive use is 960.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	22E	16	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	22E	16	NW	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
						Section Acres	320.0
						Total Acres	320.0

11. Place of use in counties: MINIDOKA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A36-02558

14. Remarks:

TRANS. 1064.
EXPANSION CLAIM A36-12727 ALSO FILED FOR AN ADDITIONAL 160 ACRES,
WITH THE SAME 1948 PRIORITY DATE AND SAME GROUNDWATER SOURCE AS
THIS CLAIM. BENEFICIAL USE CLAIM A36-12727 AND THIS CLAIM
LIMITED TO 4.42 LICENSED CFS. CLAIM A36-02558 FOR 3.2 LICENSED
CFS ALSO COMBINED AND SPRINKLED ON ENTIRE ~474 ACRES WITHIN SEC
16. SEE ATTACHED MAP.
PERIOD OF USE EXPANDED FROM 3/15 - 11/15 TO 3/1 - 11/15.

AMENDED CLAIM 1/4/1991: CONFIRMED TRANSFER 1064 WAS DATA ENTERED
WRONG...SHOULD HAVE INCLUDED THE ADDITIONAL 160 ACRES CLAIMANT
IDENTIFIED WITH EXPANSION CLAIM A36-12727. THE EXPANSION CLAIM
HAS NOW BEEN WITHDRAWN AND THIS CLAIM AMENDED TO THE CORRECT
320 ACRES.

OWNERSHIP CHANGE 6/5/91 BY JG.

15. Basis of Claim: LICENSE

Water Right Number: 20311

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 _____

RECEIVED

APR 08 1991

Department of Water Resources
Southern Region Office

April 2, 1991

Department of Water Resources
Twin Falls, ID 83301

Dear Sirs:

Enclosed please find a copy of a Warranty Deed dated November 1, 1990 showing the ownership of this particular property being changed to TRIPLE ACE, INC. Please make the necessary changes to your records along with a change of address to Rt. 2 Box 2778, Paul, ID 83347.

Thank you for your cooperation.

Sincerely,

Russell V. Patterson
Russell V. Patterson, Pres.
TRIPLE ACE INC.

RVP/lp
Enclosures

MICROFILMED

JAN 25 1993

394828

RECEIVED

APR 08 1991

WARRANTY DEED

Department of Water Resources
Southern Region Office

FOR VALUE RECEIVED PATTERSON FARMS OF IDAHO, INC., an Idaho Corporation, the Grantor, does hereby grant, bargain, sell and convey unto TRIPLE ACE, INC., an Idaho Corporation, whose present address is Route # 2, Box 2778, Paul, Idaho 83347, the Grantee, the following described premises, located in Minidoka County, Idaho, to-wit:

TOWNSHIP 9 SOUTH, RANGE 22 EAST, BOISE
MERIDIAN

SECTION 16: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$

Together with all water rights appurtenant
thereto and SUBJECT TO the indebtedness of
record.

TO HAVE AND TO HOLD the said premises, with their
appurtenances unto the said Grantee it successors and assigns
forever. And the said Grantor does hereby covenant to and with
the Grantee that it is the owner in fee of said premises, that
said premises are free from all encumbrances and that it will
warrant and defend the same from all lawful claims whatsoever.

DATED this 1st day of November, 1990.

PATTERSON FARMS OF IDAHO,
INC.

By Charlene Patterson
Charlene Patterson
President

ATTEST:

Kelli Straubhaar
Kelli Straubhaar, Secretary



FEE 3- DEPUTY

MINIDOKA COUNTY, IDAHO
DUANE SMITH
RECORDER

Dec 26 11 00 AM '90

RECORDED AT REQUEST OF
FILM NO. 394828

394828

STATE OF IDAHO

County of Minidoka

) ss.

On this 30th day of November, 1990, before me, a
Notary Public in and for said State, personally appeared Charlene
Patterson and Kelli Straubhaar, President and Secretary respec-
tively, of Patterson Farms of Idaho, Inc. known to me to be the
persons whose names are subscribed to the within instrument and
acknowledged to me that they executed the same on behalf
of said corporation.

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

(SEAL)

Lucy R. Kuyf
Notary Public

Residing at Rupert, Idaho
My Commission Expires: 8-1-92

JAN 25 1993

4823

WARRANTY DEED

FOR VALUE RECEIVED PATTERSON FARMS OF IDAHO, INC., an Idaho Corporation, the Grantor, does hereby grant, bargain, sell and convey unto TRIPLE ACE, INC., an Idaho Corporation, whose present address is Route # 2, Box 2778, Paul, Idaho 83347, the Grantee, the following described premises, located in Minidoka County, Idaho, to-wit:

That portion of Block 10 of the Second State Addition to the City of Heyburn, Minidoka County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County, more particularly described as follows:

Beginning at the SW corner of said Block 10 which point shall be known as the True Point of Beginning; thence East for 230.98 feet; thence North for 233.5 feet; thence West for 230.98 feet; thence South 233.5 feet to the True Point of Beginning.

TOGETHER with that portion of vacated "Z" Street adjoining said property which is described more particularly as follows:

The East 1/2 of that portion of "Z" Street in the City of Heyburn, Minidoka County, Idaho, that lies South of a line extended directly East from a point on the East boundary line of Block 9 of the Second State Addition to said Village, said point being 125 feet North of the SE corner of said Block 9 and which line extends to the West boundary line of said Block 10 of said Addition.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee it successors and assigns forever. And the said Grantor does hereby covenant to and with the Grantee that it is the owner in fee of said premises, that said premises are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

DATED this 1st day of November, 1990.

PATTERSON FARMS OF IDAHO,
INC.

By Charlene Patterson
Charlene Patterson
President

ATTEST:

Kelli Straubhaar
Kelli Straubhaar, Secretary



MICROFILMED

JAN 25 1993

STATE OF IDAHO

County of Minidoka

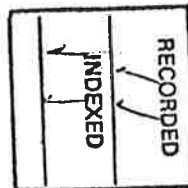
)
) ss.
)

On this 30th day of November, 1990, before me, a Notary Public in and for said State, personally appeared Charlene Patterson and Kelli Straubhaar, President and Secretary respectively, of Patterson Farms of Idaho, Inc. known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same the same on behalf of said corporation.

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

(SEAL)


Notary Public
Residing at Rupert, Idaho
My Commission Expires: 4-1-92



Dec 26 10 59 AM '90
MINIDOKA COUNTY, IDAHO
CLERK
RECORDED
FEE 6 DUES 10

RECORDED AT REQUEST OF
Goodman & Huff

394823

MICROFILMED

JAN 25 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

06-Jun-1991 14:36

Russell V. Patterson, Pres.
TRIPLE ACE INC.
Rt. 2 Box 2778
Paul, ID 83347

RE: Adjudication Claim(s) No(s). A36-04009, 04010, 02471, 04248
A36-02558, 11584, 11587, 04218, 07718, 02060, 12727, 11585
A36-11586, 11588, 11589, 11590
- Patterson Farms of Idaho Inc.

Mr. Patterson:

Pursuant to the notification that you presently own the property in which the above referenced adjudication claim(s) is appurtenant, the Department has changed the record(s) of the current owner as you requested. Please find enclosed copy(s) of the computer record of the claim(s) noting the change in claimant.

Please review the record(s) and if you have any corrections, please contact this office.

Sincerely,

Judy Givens
Adjudication Secretary

/jg

Enclosures

MICROFILMED
JAN 25 1993

SD-36		Township: 09S		Range: 22E		Section: 16		Tract:		Lot:	
S	L			STATE	O	S	Max # Records	25			
E	O	Water		Name	W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc	
NWSE			A36-02060	PATTERSON FARMS OF IDA	C	40	L	02/03/1948	01	IRR	
SWSE			A36-02110	MOFFAT, HOWARD W.	O	39	L	02/20/1951	01	IRR	
				MC CLELLAN, ARTHUR	O						
				TUCKNESS, JIMMY D.	C						
				TUCKNESS, LAVONE L.	C						
SWSE			R36-02110	MC CLELLAN, ARTHUR	O	39	L	02/20/1951	01	IRR	
				TUCKNESS, LAVONE L.	C						
				MOFFAT, HOWARD W.	O						
				TUCKNESS, JIMMY D.	C						
SESE			A36-02110	MOFFAT, HOWARD W.	O	38	L	02/20/1951	01	IRR	
				MC CLELLAN, ARTHUR	O						
				TUCKNESS, JIMMY D.	C						
				TUCKNESS, LAVONE L.	C						
SESE			R36-02110	MC CLELLAN, ARTHUR	O	38	L	02/20/1951	01	IRR	
				TUCKNESS, LAVONE L.	C						
				MOFFAT, HOWARD W.	O						

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED

JAN 25 1993

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-02060
Date Received: 10/ 3/1989
Receipt No: S009545
Received By: LW

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: PATTERSON FARMS OF IDAHO INC.

Address: RT. 1 BOX 1272

PAUL, ID

83347

208-438-4800

2. Date of Priority: FEB 3, 1948

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot
09S	22E	16	NE	NE	SW	

MINIDOKA

5. Description of diverting works:
WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/15	4.420		

7. Total Quantity Appropriated is:

4.420 C.F.S. (and/or) 1280.00 A.F.A.

8. Total consumptive use is 960.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	22E	16	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0

A36-02060

Page 1

Date: 01/04/91

MICROFILMED

JAN 25 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	22E	16	NW	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0

Section Acres 320.0

Total Acres 320.0

11. Place of use in counties: MINIDOKA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A36-02558

14. Remarks:

TRANS. 1064.

EXPANSION CLAIM A36-12727 ALSO FILED FOR AN ADDITIONAL 160 ACRES, WITH THE SAME 1948 PRIORITY DATE AND SAME GROUNDWATER SOURCE AS THIS CLAIM. BENEFICIAL USE CLAIM A36-12727 AND THIS CLAIM LIMITED TO 4.42 LICENSED CFS. CLAIM A36-02558 FOR 3.2 LICENSED CFS ALSO COMBINED AND SPRINKLED ON ENTIRE ~474 ACRES WITHIN SEC 16. SEE ATTACHED MAP.

PERIOD OF USE EXPANDED FROM 3/15 - 11/15 TO 3/1 - 11/15.

AMENDED CLAIM 1/4/1991: CONFIRMED TRANSFER 1064 WAS DATA ENTERED WRONG...SHOULD HAVE INCLUDED THE ADDITIONAL 160 ACRES CLAIMANT IDENTIFIED WITH EXPANSION CLAIM A36-12727. THE EXPANSION CLAIM HAS NOW BEEN WITHDRAWN AND THIS CLAIM AMENDED TO THE CORRECT 320 ACRES.

15. Basis of Claim: LICENSE

Water Right Number: 20311

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 Organizations:

I do solemnly swear or affirm that I am Vice President of
Title
Patterson Farms of Id. Inc., that I have signed the foregoing
Organization
document in the space below as Vice President of
Title
Patterson Farms of Id. Inc. and that the statements contained in the
Organization
foregoing document are true and correct. Russell V. Patterson
Signature of Authorized Agent
Vice President Patterson Farms of Id. Inc.
Title and Organization
1-4-90
Date

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of Jan 19 91 Loni White
Notary Public

Seal

Residing at TF
My Commission Expires 5/94

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

TRANSFER OF WATER RIGHT
TRANSFERRED RIGHT NO. 1064

THIS IS TO CERTIFY, That Gerald Morgan and W. H. Shillington, of Rupert, Idaho, are the owners of and using a certain water right of 4.42 cubic feet per second of the waters of subterranean flow, said water being obtained by virtue of License No. 20311, issued by the State of Idaho, Department of Reclamation, dated June 9, 1952, bearing priority date of February 3, 1948, for the purpose of irrigating the following described lands situated, lying and being in the County of Minidoka, State of Idaho, to-wit:

S $\frac{1}{2}$, Section 16, Township 9
South, Range 22 E.B.M.,

That said license has been entered in the records of the Department of Reclamation of the State of Idaho in Volume 8, Page 4927;

That said Gerald Morgan and W. H. Shillington have become the owners of said water right by purchase and by virtue of License No. 20311;

And that now, upon the application of Gerald Morgan and W. H. Shillington for the transfer of 4.42 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 4.42 cubic feet per second of the waters of subterranean source by well upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this Certificate become appurtenant for irrigation purposes, is described as follows, to-wit:

S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ W $\frac{1}{2}$, Section 16,
Township 9 South, Range 22,
E.B.M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

4.42 cubic feet per second of the
waters of subterranean source with
priority of February 3, 1948;

And that the water right hereby transferred has heretofore been conducted from subterranean source with point of diversion in the N $\frac{1}{2}$ S $\frac{1}{2}$ W $\frac{1}{2}$, Section 16, Township 9 South, Range 22 E.B.M., and delivered through private ditches;

MICROFILMED

JAN 25 1993

JAN 25 1993

MICROFILMED

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: A36-02060
Date Received: 10/03/1989
Receipt No: S009545
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PATTERSON FARMS OF IDAHO, INC. 208-438-4800
Address: RT. 1 BOX 1272
PAUL, ID 83347

2. Date of Priority: FEB 03, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	22E	16	NE	NE	SW		MINIDOKA

5. Description of diverting works:
WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/15	4.420		

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

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	22E	16	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0

Section Acres 160.0

A36-02060

Page 1

Date: 10/03/89

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JAN 25 1993

10. Place of Use: Continued

Total Acres 160.0

11. Place of use in counties: MINIDOKA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A36-02558, A36-12727

14. Remarks:

TRANS. 1064.

EXPANSION CLAIM A36-12727 ALSO FILED FOR AN ADDITIONAL 160 ACRES,
WITH THE SAME 1948 PRIORITY DATE AND SAME GROUNDWATER SOURCE AS
THIS CLAIM. BENEFICIAL USE CLAIM A36-12727 AND THIS CLAIM
LIMITED TO 4.42 LICENSED CFS. CLAIM A36-02558 FOR 3.2 LICENSED
CFS ALSO COMBINED AND SPRINKLED ON ENTIRE ~474 ACRES WITHIN SEC
16. SEE ATTACHED MAP.

PERIOD OF USE EXPANDED FROM 3/15 - 11/15 TO 3/1 - 11/15.

15. Basis of Claim: LICENSE
Water Right Number: 20311

(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.

10.3.89 Date

MICROFILMED
JAN 25 1993

NOT TO SCALE

B 12

NOT HEL

3

55.5

NOT HEL

5

57.1

6

14.8

37.2

22E

Pump #2

T 79
1788
TRACT-NOT HEL
38

39

39

38

40

40

40

40

1
154.8

2
150.5

836-11590

40

40

Pump #1

40

40

3
159.0

T 95
58

NOT HEL

2

32.8

NOT HEL

3

77.8

- 2558

- 2060

- 12727

(NO ACRES)

NOT HEL

4

38.8

NOT HEL
39

1615

2122

MICROFILMED

JAN 25 1993

same as
(BROWN)

private school section
480 acres

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number 36-02060 Adj. Flag Translation: Standard Water Right Number Old (D) Number - 20311

*** C - CURRENT OWNER ***
SHILLINGTON

MORGAN

*** O - ORIGINAL OWNER ***
MOFFAT

W. H.

GERALD

HOWARD W.

1 -
2 -
3 -
City- RUPERT State- ID Zip-
Phone -

1 -
2 -
3 -
City- State- Zip-
Phone -

1 -
2 -
3 -
City- State- Zip-
Phone -

Priority Date - - + 02/03/1948 Region - - + 17 Stage - - + L - LICENSE Status - - +

Source - - + GROUNDWATER Tributary - - +

Point of Diversion - - +

TwN	Rng	Sec	Tract	Lot	RFlg	County
09S	22E	16	NE SW		(67)	MINIDOKA

Water Use - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION				4.420	

Total Div. Rate - + 4.420 Total Div. Volume - + Total Div. Capacity - +

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
09S	22E	16	SW NE			01	IRRIGATION	(67) MINIDOKA
09S	22E	16	SE NE			01	IRRIGATION	(67) MINIDOKA
09S	22E	16	NE SE			01	IRRIGATION	(67) MINIDOKA
09S	22E	16	NW SE			01	IRRIGATION	(67) MINIDOKA

Total Acres:

Diversion Means -

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JAN 25 1993

Field Exam Fee	-
Swan Falls	-
Temporary Right	- P
DLE/Carey Act	-
Water District	-
Transfer/Amended	- T

JAN 25 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578
9/28/1989

CECIL D. ANDRUS

Governor

PATTERSON FARMS OF IDAHO, INC.

RT 1 BOX 1272

PAUL, ID 83347

R. KEITH HIGGINSON

Director

ATTN: RUSSELL

DEAR RUSSELL:

ENCLOSED ARE 2 SETS OF CLAIM COPIES AND MAPS. KEEP THE INDICATED SET FOR YOUR RECORDS AND RETURN THE 2ND SET SIGNED AND NOTARIZED WITH THE BALANCE DUE.

ONLY 1 EXPANSION CLAIM WAS NECESSARY, A36-12727, FOR THE 160 ACRES IN SECTION 16 THAT WAS NOT INCLUDED IN THE TWO LICENSES COVERING PORTIONS OF THAT SECTION, A36-02558 AND A36-02060.

THE ADDITIONAL 13 ACRES NOT COVERED IN SECTION 5 DID NOT REQUIRE AN EXPANSION CLAIM BECAUSE THE GROUNDWATER SOURCE WHICH THE EXPANSION USED WAS A STATUTORY CLAIM AND NOT A LICENSE. ALL THIS MEANS IS THAT THE PERMIT PROCESS WAS NOT MANDATORY ON A GROUNDWATER SOURCE UNTIL 1963, WHICH WAS AFTER THIS IRRIGATION WELL WAS DRILLED AND PUT TO USE. THAT'S WHY A STATUTORY CLAIM WAS FILED INSTEAD OF A LICENSE. FIELD EXAMS WERE NOT CONDUCTED ON STATUTORY CLAIMS. THIS MEANS THAT WE HAVE NO PROOF THAT THOSE 13 ACRES WERE NOT PART OF THE ORIGINAL CLAIM AND IRRIGATED IN 1948, MAKING YOUR CFS AND ACRE AMENDMENT POSSIBLE WHILE STILL MAINTAINING THE ORIGINAL PRIORITY DATE.

THE FEE BREAKDOWN IS:

	FILING FEE	ACRES	TOTAL DUE
A36-04009	\$50	22	\$ 72
A36-04248	50	28	78
A36-07718	50	89	139
A36-04010	50	114	164
A36-02471	50	77	127
A36-02558	50	154	204
A36-02060	50	160	210
A36-12727	50	160 (EXPANSION)	210
A36-11584	50	(COMMERCIAL: \$100 PER CFS)	55
A36-11585	25	DOMESTIC	25
A36-11586	25	DOMESTIC	25
A36-11587	25	DOMESTIC	25
A36-11588	25	DOMESTIC	25
A36-11589	25	DOMESTIC	25
A36-11590	25	DOMESTIC	25

TOTAL DUE

\$1,409

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JAN 25 1993

SINCE THE TOTAL EXCEEDS \$1,000, YOU ARE ELIGIBLE FOR THE EXTENDED PAYMENT PLAN. IF YOU CHOOSE THE PAYMENT PLAN, 1/5 OF THE TOTAL FEES IS DUE. A BILLING SCHEDULE WILL BE SET UP, AND THERE WILL BE FOUR ANNUAL PAYMENTS. EACH PAYMENT WILL EQUAL 1/5 OF THE TOTAL FEES, PLUS INTEREST ON THE UNPAID BALANCE CALCULATED AT 10% PER ANNUM. EACH PAYMENT WILL BE DUE AND PAYABLE ON THE FIRST DAY OF THE SAME MONTH EACH OF THE FOLLOWING FOUR YEARS.

TOTAL BALANCE DUE WITH THE SIGNED AND NOTARIZED CLAIMS IS \$1,414 OR \$282.80 IF YOU CHOOSE THE PAYMENT PLAN.

IF YOU HAVE ANY QUESTIONS RUSSELL, PLEASE CONTACT ME AT DEPARTMENT OF WATER RESOURCES, 734-3578. THANKS FOR FILING.

SINCERELY,

Lori White

LORI WHITE

SR. WATER RESOURCE AGENT

ENCL:

MICROFILMED

JAN 25 1993

COPY

2002 JAN 25 PM 2: 23

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

**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

Subcase No: 36-2060, 36-2558

Case No. 39576

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 TRANSFER**

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒ Change in Address

☐ Split of Water Right

☒ Point of Diversion

☒ Place of Use

☐ Period of Use

☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 1/23/02


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 1/25, ²⁰⁰²2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Triple Ace Inc
1800 Z St
Heyburn ID 83336
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

01/09/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 36-2060

NAME AND ADDRESS: TRIPLE ACE INC
1800 Z ST
HEYBURN ID 83336

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.420 CFS
1,220.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 36-02558 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 7.50 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 1836 AF.

PRIORITY DATE: 02/03/1948

POINT OF
DIVERSION:

T09S R22E S16 NWNWNE Within MINIDOKA County
T09S R22E S16 NWNENW Within MINIDOKA County
T09S R22E S16 NENESW Within MINIDOKA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	4.420 CFS 1,220.00 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 MINIDOKA County

T09S R22E S16	NENE	38.0	T09S R22E S16	NWNE	39.0
T09S R22E S16	SWNE	40.0	T09S R22E S16	SENE	38.0
T09S R22E S16	NENW	39.0	T09S R22E S16	NWNW	38.0
T09S R22E S16	SWNW	38.0	T09S R22E S16	SENW	39.0
T09S R22E S16	NESE	38.0	T09S R22E S16	NWSE	35.0
T09S R22E S16	SWSE	39.0	T09S R22E S16	SESE	38.0

459 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-02558 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 459 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 305 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NO. 36-02558 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

01/09/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 36-2558

NAME AND ADDRESS: TRIPLE ACE INC
1800 Z STREET
HEYBURN ID 83338

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.080 CFS
616.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 36-02060 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 7.50 CFS, AND A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 1836 AF.

PRIORITY DATE: 12/14/1962

POINT OF
DIVERSION:

T09S R22E S16 NWNWNE Within MINIDOKA County
T09S R22E S16 NWNENW Within MINIDOKA County
T09S R22E S16 NENESW Within MINIDOKA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.080 CFS 616.00 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 MINIDOKA County

T09S R22E S16	NENE	38.0	T09S R22E S16	NWNE	39.0
T09S R22E S16	SWNE	40.0	T09S R22E S16	SENE	38.0
T09S R22E S16	NENW	39.0	T09S R22E S16	NWNW	38.0
T09S R22E S16	SWNW	38.0	T09S R22E S16	SENW	39.0
T09S R22E S16	NESE	38.0	T09S R22E S16	NWSE	35.0
T09S R22E S16	SWSE	39.0	T09S R22E S16	SESE	38.0

459 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 154 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT
WITH RIGHT NO. 36-02060 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 459 ACRES IN A SINGLE IRRIGATION SEASON.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NO. 36-02060 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.



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

January 25, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TRIPLE ACE INC
1800 Z ST
HEYBURN ID 83336

RE: SRBA Claim(s) 36-2060, 36-2558

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

address Dots Form *Southers*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66105

RECEIVED
DEC 28 2001
Department of Water Resources
Southern Region

This is to certify that: TRIPLE ACE INC
1800 Z ST
HEYBURN ID 83336
(208)678-8283

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
36-2060	AJC/License	02/03/1948	4.42 cfs	1220.0 af	305.0	459.0	GROUND WATER
36-2558	AJC/License	12/14/1962	3.08 cfs	616.0 af	154.0	459.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-2060	NO	NO	YES	NO	NO	NO
36-2558	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
36-2060	36-2060	4.42 cfs	1220 af	305.0	459.0		N/A	N/A	N/A	N/A
36-2558	36-2558	3.08 cfs	616 af	154.0	459.0		N/A	N/A	N/A	N/A
TOTALS		7.50 cfs	1836 af	N/A	459.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 26th day of December, 2001

L. Shw Saptor
Chief, Water Allocation Bureau

WATER RIGHT NO. 36-2060
As Modified by Transfer No. 66105

In accordance with the approval of Transfer No. 66105, Water Right No. 36-2060 is now described as follows.

Right Holder: TRIPLE ACE INC
 1800 Z ST
 HEYBURN ID 83336

Priority Date: 02/03/1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	4.42 CFS	1,220.0 AF
			4.42 CFS	1,220.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNE Sec. 16 Twp 09S Rge 22E MINIDOKA County

GROUND WATER NWNENW Sec. 16 Twp 09S Rge 22E MINIDOKA County

GROUND WATER NENESW Sec. 16 Twp 09S Rge 22E MINIDOKA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
09S	22E	16	38.0	39.0	40.0	38.0	39.0	38.0	38.0	39.0	38.0	35.0	39.0	38.0	38.0	35.0	39.0	38.0	459.0

Total Acres: 459

CONDITIONS OF APPROVAL

1. Right 36-2060 is limited to the irrigation of 305.0 acres within the place of use described above in a single irrigation season.
2. Right 36-2558 is also diverted through the points of diversion described above.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-2060 and 36-2558 shall not exceed 7.50 cfs, nor total combined annual volume of 1836.0 af, for the irrigation of 459.0 acres.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 36-2060
As Modified by Transfer No. 66105

CONDITIONS OF APPROVAL

6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 26th day of December, 2001



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-2558
As Modified by Transfer No. 66105

In accordance with the approval of Transfer No. 66105, Water Right No. 36-2558 is now described as follows.

Right Holder: TRIPLE ACE INC
1800 Z ST
HEYBURN ID 83336

Priority Date: 12/14/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.08 CFS	616.0 AF
			3.08 CFS	616.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNE Sec. 16 Twp 09S Rge 22E MINIDOKA County

GROUND WATER NWNENW Sec. 16 Twp 09S Rge 22E MINIDOKA County

GROUND WATER NENESW Sec. 16 Twp 09S Rge 22E MINIDOKA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
09S 22E 16	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	459.0
	38.0	39.0	40.0	38.0	39.0	38.0	38.0	39.0					38.0	35.0	39.0	38.0	

Total Acres: 459

CONDITIONS OF APPROVAL

1. Right 36-2558 is limited to the irrigation of 154.0 acres within the place of use described above in a single irrigation season.
2. Right 36-2060 is also diverted through the points of diversion described above.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-2060 and 36-2558 shall not exceed 7.50 cfs, nor total combined annual volume of 1836.0 af, for the irrigation of 459.0 acres.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 36-2558
As Modified by Transfer No. 66105

CONDITIONS OF APPROVAL

6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 26th day of December, 2001


Chief, Water Allocation Bureau

2000 JUN 23 PM 1:55
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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)
)
Case No. 39576)
)
_____)

Water Rights: 36-02060, 36-02558

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

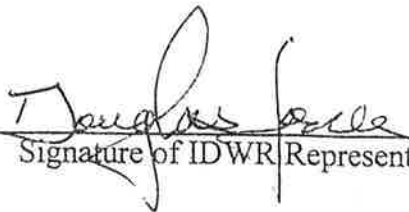
☒ I.C. § 42-222 transfer 5738

☐ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than: June 29, 2001.

Dated 6/22/00



Signature of IDWR Representative

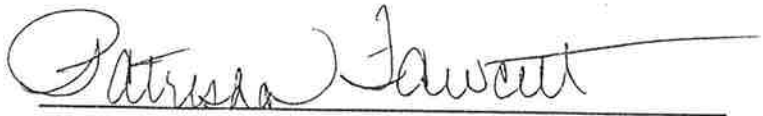
INSTRUCTIONS FOR MAILING

Mail this form to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

CERTIFICATE OF MAILING

I certify that on 6/23, 2000, I mailed the original and copies of this form to the following persons, postage prepaid, and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant or attorney of record:
Triple ace Inc
1800 Z St
Heyburn ID 83336
3. One copy to:
Claimant or attorney of record:
4. One copy to:
Each party in the subcase, or attorney of record:



Signature of person or attorney mailing the form



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

June 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TRIPLE ACE INC
1800 Z ST
HEYBURN ID 83336

RE: SRBA Claim(s) 36-02060, 36-02558

Dear Claimant:

Please find the enclosed copy of the Notice of Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

NIAD

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Triple Ace Inc. Phone 508 678 8283Post Office address 1800 Z St. Heppburn AD 83336

A. PURPOSE OF TRANSFER

RECEIVED

MAY 02 2000

Department of Water Resources
Southern Region

- 1.
- ☐
- Change point of diversion
- ☐
- Add diversion point(s)
- ☒
- Change place of use

- ☐
- Change nature of use
- ☐
- Change period of use
- ☐
- Other

and Jimmie and Laron Tuckness J.R.

2. Describe the reason for the proposed changes
- Triple Ace Inc. have swapped 77 irrigated acres (80 total) each so that each would have a full quarter of land on which to install pivot systems. This makes irrigating the lands more efficient.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority, f.	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>36-2060</u>	<u>02/02/1948</u>	<u>4.42</u>	<u>irrigation</u>	<u>04/01</u> to <u>10/31</u>
<u>36-2558</u>	<u>12/14/1962</u>	<u>3.08</u>	<u>irrigation</u>	<u>04/01</u> to <u>10/31</u>
				to
				to

2. Total amount of water being transferred
- 7.5
- cubic feet per second and/or
- 1836
- acre-feet per annum.

3. Source of water
- groundwater
- tributary to

4. Point(s) of Diversion:
- NE (per telephone conversation with Liza Patterson of Triple Ace)

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NW	NW	SE	16	9S	22E	Minidoka	
	NW	NE	NW	16	9S	22E	Minidoka	
	NE	NE	SW	16	9S	22E	Minidoka	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	22E	16	38	39	40	39	39	38	38	39					38	35	39	38	459

Total Acres 459

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TRIPLE ACE INC 1800 Z ST HEYBURN ID 83336 (208) 438-4800	02/03/1948	IRRIGATION	04-01 10-31	4.420 CFS	1220.00 AFA
TOTAL DIVERSION:					4.420 CFS	1220.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T09S R22E S16 NWNWNE NWNENW NENESW MINIDOKA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE												
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
-----				-----				:	-----				-----				:	-----				:	-----				:	-----
09S	22E	16	:	38	39	40	38	:	39	38	38	39	:	39	38	38	39	:	38	35	38	38	38	38	:	459.0		
36-15468								:									:					:	TOTAL ACRES				459.0	

POU County: MINIDOKA

Other Rights: 36-02558

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

36-02060 36-02558 A36-02060 A36-02558 A36-15468 R36-02558 X36-02060 X36-02558

Other Water Rights Listing Overlapping Place(s) of Use:

36-02060	36-02558	36-12727	A36-02060	A36-02558	A36-12727	A36-15468	R36-02558	X36-02060	X36-02558
----------	----------	----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 36-02558 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.50 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1836 AF.

USE 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.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 36-02558 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 459 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 305 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP RIGHT NO. 36-02558 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

=====

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
--------	-----------------	----------------	-----------------------

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

Comments: Date: 06/10/1991 User-ID: SOUTH1 Subject: COPIED FROM REMARKS
AMENDED CLAIM 1/4/1991: CONFIRMED TRANSFER 1064 WAS DATA ENTERED
WRONG...SHOULD HAVE INCLUDED THE ADDITIONAL 160 ACRES CLAIMANT
IDENTIFIED WITH EXPANSION CLAIM A36-12727. THE EXPANSION CLAIM
HAS NOW BEEN WITHDRAWN AND THIS CLAIM AMENDED TO THE CORRECT
320 ACRES.
OWNERSHIP CHANGE 6/6/91 BY JG.

Date: 09/29/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
NOE RECEIVED 9/29/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 12/30/91. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/16/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO B. NO CHANGE
SENT LETTER EXPLAINING WE NEEDED SPECIFIC EVIDENCE OF ERROR.

Date: 04/11/1997 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

Date: 12/12/1997 User-ID: KCHRISTE Subject: REFORMAT
FOR PARTIAL DECREE

Audit: 12/11/97 KCHRISTE 12/12/97 KCHRISTE 07/20/99 CFRITSCH



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

October 12, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DONALD J CHISHOLM
ATTORNEY AT LAW
PO BOX 1118
BURLEY ID 83318

Re: Jimmie D. Tuckness – Triple Ace, Inc. – Exchange of Properties
Adjudication Claim Numbers: R36-02110, R36-02558, R36-02060

Dear Counselor:

Thank you for your letter dated October 4, 1999, inquiring about the proper steps to take in order to accomplish changing the appurtenant water right and/or adjudication claim records to reflect the exchange of places of use between the Tucknesses and Triple Ace, Inc. The only way to achieve this is for each party to file an Application for Transfer of Water Right.

Enclosed please find two copies of the transfer form, instructions and an extra copy of part 2. I am also enclosing computer print-outs of the above listed adjudication claims to assist all parties in completion of the transfer form. Should you have any questions or need further assistance, please feel free to contact one of the water allocations agents in this office. Thank you once again for allowing us to opportunity to assist you.

Sincerely,

Trish Fawcett
Technical Records Specialist

enclosures

Donald J. Chisholm

Attorney at Law
223 East Main Street
P.O. Box 1118
Burley, Idaho 83318
Telephone (208) 678-9181
Fax: (208) 678-4998

October 4, 1999

RECEIVED

OCT 05 1999

**Department of Water Resources
Southern Region**

Idaho Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301

Re: Jimmie D. Tuckness - Triple Ace, Inc. - Exchange of Properties
and Exchange of Points of Diversion and/or Beneficial Use

Dear Sir or Madam:

Mr. and Mrs. Jimmie D. Tuckness and Triple Ace, Inc. wish to exchange eighty (80) acre parcels in the South Half of Section 16, Township 9 South, Range 22 East of the Boise Meridian in Minidoka County, Idaho.

Triple Ace, Inc. owns the N $\frac{1}{2}$ SW $\frac{1}{4}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$. Jimmie Tuckness owns the S $\frac{1}{2}$ SW $\frac{1}{4}$ and the S $\frac{1}{2}$ SE $\frac{1}{4}$. In the exchange, Tuckness' will acquire the N $\frac{1}{2}$ SW $\frac{1}{4}$, so they will own the entire SW $\frac{1}{4}$. Triple Ace, Inc. will acquire the S $\frac{1}{2}$ SE $\frac{1}{4}$, so Triple Ace, Inc. will own all of the SE $\frac{1}{4}$.

Tucknesses have a well in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ which they wish to use to water the entire SW $\frac{1}{4}$. Triple Ace, Inc. has a well in the located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ which it wishes to retain to water all of the SE $\frac{1}{4}$ and other property it owns in NE $\frac{1}{4}$ of Section 16 after the exchange has been completed.

I am enclosing a copy of the agreement the parties are signing. The copy contains the exact legal descriptions of the properties being exchanged. I did not have the water license numbers for the existing wells. I would appreciate your advising me of the steps required to accomplish the objectives of the parties with respect to their water rights on the parcels which are being relinquished and the parcels which are being acquired in the exchange.

Very truly yours,



Donald J. Chisholm

lac

cc: Jimmie D. Tuckness
Enclosure

LAND EXCHANGE AND EASEMENT AGREEMENT

THIS AGREEMENT entered the 1st day of October, 1999, by and between JIMMIE D. TUCKNESS and LaVON TUCKNESS, husband and wife, hereinafter known as Tuckness, of 1251 West 300 North, Paul, Idaho 83347, and TRIPLE ACE, INC., an Idaho corporation, of 1800 Z Street, Heyburn, Idaho 83336,

W I T N E S S E T H,

WHEREAS, Triple Ace, Inc. is the owner of eighty (80) acres of land, more or less, in Minidoka County, Idaho which is referred to as Parcel 1 on a survey prepared by Desert West Land Surveys as Job # 5299-99B1 dated September 9, 1999. Said property is described on Exhibit A which is attached hereto and incorporated by reference, and

WHEREAS, Jimmie D. Tuckness and LaVon Tuckness are the owners of eighty (80) acres of land, more or less, in Minidoka County, Idaho which is referred to as Parcel 2 on the Desert West Land Surveys survey. Said property is described on Exhibit B which is attached hereto and incorporated by reference, and

WHEREAS, Triple Ace, Inc. is the owner of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 16, Township 9 South, Range 22 East of the Boise Meridian, Minidoka County, Idaho and the N $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 16, and

WHEREAS, Jimmie D. Tuckness and LaVon Tuckness are the owners of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 16, and

WHEREAS, Triple Ace, Inc. wishes to acquire Parcel 2 from Tuckness so Triple Ace, Inc. can install a pivot irrigation system on the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16, and Tuckness wishes to acquire Parcel 1, so Tuckness can install a pivot irrigation system on the SW $\frac{1}{4}$ of Section 16, and

WHEREAS, Triple Ace, Inc. will retain ownership of a well located in the easterly portion of Parcel 1 and adjacent to the East boundary of said Parcel 1, and

WHEREAS, Triple Ace, Inc. and Tuckness wish to create a permanent easement twenty feet (20') in width for the benefit of

themselves and their respective successors in interest in the SE¼ of said Section 16, and the SW¼ of said Section 16 along the common boundary of the Northwest Quarter and the Southwest Quarter of said Section 16, and along the common boundary of the Southwest Quarter and the Southeast Quarter of said Section 16 from the center of said Section 16 to the well of Triple Ace, Inc. which is located on the East boundary of Parcel 1. The easement is described on Exhibit C which is attached hereto and incorporated by reference,

NOW THEREFORE, in consideration of the foregoing, the parties agree to the following:

1. Upon execution of this agreement Triple Ace, Inc. will convey Parcel 1 to Jimmie D. Tuckness and LaVon Tuckness by warranty deed subject only to accruing 1999 real property taxes, the easement which is created by this agreement, assessments of the Magic Valley Groundwater District and two Power Line Easements described as exceptions 12 and 13 on Schedule B of the Commitment for Title Insurance issued by Commonwealth Land Title Insurance Co. as order # 32123 MC. Triple Ace, Inc. will receive ownership of the well and irrigation equipment located on the East boundary of Parcel 1 to provide irrigation water for the SE¼ of said Section 16 and other property owned by Triple Ace, Inc. which is situated in the N¼ of said Section 16.

2. Jimmie D. Tuckness and LaVon Tuckness shall convey Parcel 2 to Triple Ace, Inc. by warranty deed subject only to accruing 1999 real property taxes, assessments of the Magic Valley Groundwater District and two Power Line Easements described as items 12 and 13 on Schedule B of the Commitment for Title Insurance issued by Commonwealth Land Title Insurance Co. as order # 32125 MC.

3. Each party shall pay the 1999 real property taxes and assessments of Magic Valley Groundwater District on the parcel which said party is to convey to the other party. Said taxes and assessments shall be paid in full not later than December 20, 1999. Each party shall hold the other party harmless from any real property taxes or assessments for 1999 and prior years on the parcel said party is conveying to the other party.

4. Each party will be allowed to complete harvest operations on the parcel said party is conveying to the other party. When each party has completed harvest operations on the parcel to be conveyed to the other party, the party receiving said

parcel shall be entitled to begin fall work and installation of irrigation equipment on the parcel of property said party is to receive.

5. Jimmie D. Tuckness and LaVon Tuckness and Triple Ace, Inc. hereby declare, create and grant to one another a permanent easement described on Exhibit C which is attached hereto and incorporated by reference. The purpose of the easement will be to allow each party to install, operate, maintain, repair and replace irrigation equipment and electrical lines and equipment related to operation of wells, pumps and irrigation systems on the respective parcels of property owned by the parties in the Southeast Quarter and the Southwest Quarter of Section 16, Township 9 South, Range 22 East of Boise Meridian, Minidoka County, Idaho. The easement shall also be available for use by the respective parties for access to their respective farming operations. The parties acknowledge and agree that the irrigation well of Triple Ace, Inc. which is located at the Southern end of the easement adjacent to the South Quarter section line of said Section 16 shall be owned by Triple Ace, Inc. and its successors in interest in the Southeast Quarter of said Section 16. Tuckness will be permitted to install electric utility poles, transformers, electric panels and switching gear within the easement so that Tuckness can supply electric energy to the pivot irrigation system to be installed in the SW $\frac{1}{4}$ of Section 16. The benefits and burdens of the easement shall run with the land inure to the benefit of the successors in interest of the respective parties in the Southeast Quarter and the Southwest Quarter of said Section 16.

6. Utility poles and buried pipe line shall be installed and maintained in a manner which will allow the easement to be used safely for ingress and egress by the parties to this agreement and their successors in interest in the parcels which are benefitted and burdened by this easement. The parties shall share equally in the reasonable cost of maintaining the easement in a manner satisfactory to allow adequate ingress and egress and use of the easement. Neither party shall cause or allow irrigation water to be discharged on the easement in a manner which will make the easement impassable.

7. Each party will provide the other party with a title insurance policy showing good and marketable title in the parcel which is to be acquired by each party hereunder, including the easement. The parties agree that the title insurance policies shall each be issued for the face amount of \$120,000. The title

insurance shall insure the parties rights in the easement as long as the parcel shall be received by the parties.

8. The parties will bear equally the cost of the preparation of the survey by Desert West Land Surveys. The parties shall also bear equally the cost of preparation of this agreement and the other documents and conveyances in the cost of closing the transaction.

9. Closing shall take place at Land Title & Escrow, Inc. at Burley, Idaho not later than October 15, 1999. Each party shall obtain releases of any mortgages or other encumbrances on the parcel said party is to convey and encumbrances on the easement prior to the time of closing.

10. It is the intention of the parties that this transaction qualify as a tax deferred exchange of like-kind real property under § 1031 of the Internal Revenue Code. No irrigation equipment or other personal property is included in the sale.

11. Each party acknowledges that the party is familiar with the parcel being acquired from the other party, the said party is not relying upon any representations or warranties other than warranty of title.

12. It is the intention of the parties that the water rights owned by each party in the parcel of property currently owned by said party be retained and transferred to the parcel of property each party is to receive from the other party. Each party acknowledges that the parcel it receives from the other party will not include water rights which are currently appurtenant to the parcel said party is to receive.

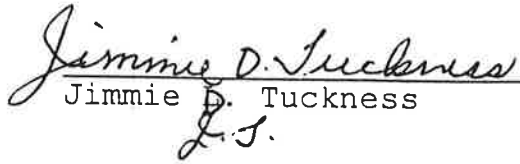
13. A copy of this agreement will be submitted to the Idaho Department of Water Resources for preparation of appropriate applications for exchanging the place of beneficial use and/or points of diversion of the water rights of the respective parties to give effect to this agreement. Each party will pay its own application fees and other charges of the Idaho Department of Water Resources for its application.

14. This agreement has been prepared by Donald J. Chisholm at the request of Jimmie D. Tuckness and LaVon Tuckness. Triple Ace, Inc. acknowledges that it has been advised that Donald J. Chisholm is not acting as the attorney for Triple Ace, Inc. and

that Triple Ace, Inc. should have the documents examined by its own counsel if it desires to do.

15. Each party will execute any other documents and conveyances which may be required to give full force and effect to this agreement.

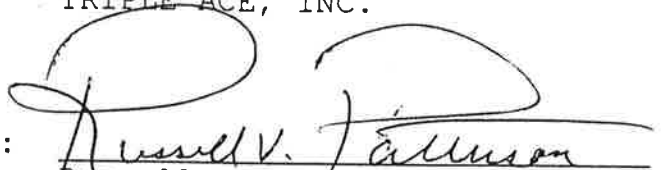
IN WITNESS WHEREOF the parties have set their hands the day and year first written above.


Jimmie D. Tuckness
J.S.


LaVon Tuckness

TRIPLE ACE, INC.

by:


Russell Patterson,
President

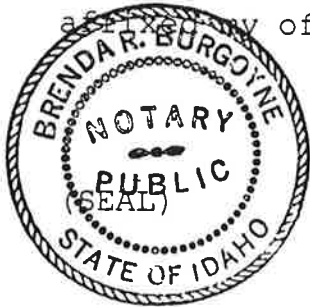
Attest:


Lisa Patterson,
Secretary

STATE OF IDAHO)
) ss.
County of Cassia)

On this 14th day of October, in the year of 1999, before me the undersigned notary public in and for said state, personally appeared JIMMIE D. TUCKNESS AND LAVON TUCKNESS, h&w, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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




Notary Public
Residing at Heyburn - Idaho
My Commission expires 2-21-2005

STATE OF IDAHO)
) ss.
County of Cassia)

On this 1st day of October, 1999, before me the undersigned notary public in and for said state, personally appeared RUSSELL PATTERSON and LISA PATTERSON, known to me to be the president and secretary, respectively, of the corporation that executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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




Notary Public
Residing at Heyburn - Idaho
My Commission expires 2-21-2005

EXHIBIT A

September 9, 1999
JOB # 5299-99B1
RUSSELL PATTERSON and
JIMMY TUCKNESS SURVEY

PARCEL 1

L E G A L D E S C R I P T I O N

Part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ and part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 16 of Township 9 South, Range 22 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the West $\frac{1}{4}$ section corner of Section 16 of T.9 S., R.22 E., B.M., said corner marked by a $\frac{5}{8}$ " rebar which shall be the Point of Beginning;

THENCE North 00 degrees 02 minutes 32 seconds West along the west line of the S $\frac{1}{2}$ NW $\frac{1}{4}$ for a distance of 11.76 feet to a $\frac{1}{2}$ " rebar;

THENCE South 89 degrees 21 minutes 49 seconds East for a distance of 2625.31 feet to a $\frac{1}{2}$ " rebar;

THENCE South 00 degrees 37 minutes 48 seconds West for a distance of 587.80 feet to a $\frac{1}{2}$ " rebar;

THENCE South 89 degrees 21 minutes 49 seconds East for a distance of 12.97 feet to a $\frac{1}{2}$ " rebar;

THENCE South 00 degrees 04 minutes 56 seconds East for a distance of 744.49 feet to the south line of the N $\frac{1}{2}$ SW $\frac{1}{4}$;

THENCE North 89 degrees 20 minutes 55 seconds West along said line for a distance of 2631.44 feet to the Southwest corner of the N $\frac{1}{2}$ SW $\frac{1}{4}$;

THENCE North 00 degrees 03 minutes 45 seconds West along the west line of the N $\frac{1}{2}$ SW $\frac{1}{4}$ for a distance of 1319.88 feet to the Point of Beginning.

Said property contains 80.33 acres more or less and is subject to a county road right of way along the west side and subject to and together with an Access Easement for the benefit of both parties said easement being more particularly described as follows: (insert Access Easement legal description).

PREPARED BY:
DESERT WEST LAND SURVEYS
1751 Overland Ave.
Burley, ID 83318



EXHIBIT B

September 9, 1999
JOB # 5299-99B1
RUSSELL PATTERSON and
JIMMY TUCKNESS SURVEY

PARCEL 2

LEGAL DESCRIPTION

Part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ and all of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 16 of Township 9 South, Range 22 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the Southeast section corner of Section 16 of T.9 S., R.22 E., B.M., said corner marked by a $\frac{1}{2}$ " rebar which shall be the Point of Beginning;

THENCE North 89 degrees 22 minutes 33 seconds West along the south line of the S $\frac{1}{2}$ SE $\frac{1}{4}$ for a distance of 2641.54 feet to the South $\frac{1}{4}$ section corner marked by a $\frac{5}{8}$ " rebar;

THENCE North 89 degrees 20 minutes 00 seconds West along the south line of the S $\frac{1}{2}$ SW $\frac{1}{4}$ for a distance of 9.45 feet to a $\frac{1}{2}$ " rebar;

THENCE North 00 degrees 04 minutes 56 seconds West for a distance of 1320.58 feet to the north line of the S $\frac{1}{2}$ SW $\frac{1}{4}$;

THENCE South 89 degrees 20 minutes 55 seconds East along said line for a distance of 9.45 feet to the Northwest corner of the S $\frac{1}{2}$ SE $\frac{1}{4}$;

THENCE South 89 degrees 22 minutes 11 seconds East along the north line of the S $\frac{1}{2}$ SE $\frac{1}{4}$ for a distance of 2640.93 feet to the Northeast corner of the S $\frac{1}{2}$ SE $\frac{1}{4}$;

THENCE South 00 degrees 06 minutes 33 seconds East along the east line of the S $\frac{1}{2}$ SE $\frac{1}{4}$ for a distance of 1320.31 feet to the Point of Beginning.

Said property contains 80.34 acres more or less and is subject to a county road right of way along the south and east sides and subject to any other easements or right of ways of record or use.

PREPARED BY:
DESERT WEST LAND SURVEYS
1751 Overland Ave.
Burley, ID 83318



September 9, 1999
JOB # 5299-99B1
RUSSELL PATTERSON and
JIMMY TUCKNESS SURVEY

ACCESS EASEMENT

L E G A L D E S C R I P T I O N

Part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ and part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 16 of Township 9 South, Range 22 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the West $\frac{1}{4}$ section corner of Section 16 of T.9 S., R.22 E., B.M., said corner marked by a $\frac{3}{8}$ " rebar; Thence North 00 degrees 02 minutes 32 seconds West along the west line of the S $\frac{1}{2}$ NW $\frac{1}{4}$ for a distance of 1.76 feet to a point which shall be the Point of Beginning;

THENCE North 00 degrees 02 minutes 32 seconds West continuing along said line for a distance of 20.00 feet;

THENCE South 89 degrees 21 minutes 49 seconds East for a distance of 2635.43 feet;

THENCE South 00 degrees 37 minutes 48 seconds West for a distance of 597.80 feet;

THENCE North 89 degrees 21 minutes 49 seconds West for a distance of 20.00 feet;

THENCE North 00 degrees 37 minutes 48 seconds East for a distance of 577.80 feet;

THENCE North 89 degrees 21 minutes 49 seconds West for a distance of 2615.19 feet to the Point of Beginning.

Said property contains 1.48 acres more or less.

PREPARED BY:
DESERT WEST LAND SURVEYS
1751 Overland Ave.
Burley, ID 83318



Water Right Number - 36-02060

Prefix Translation: WATER RIGHT

Old (D) Number - 20311

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

TRIPLE ACE INC

1 - 1800 Z ST

2 -

3 -

City- HEYBURN

State- ID Zip- 83336

Phone - 208-438-4800

*** O - ORIGINAL OWNER ***

PATTERSON FARMS OF IDAHO INC

1 - RT 1 BOX 1272

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-4800

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +

02/03/1948

17 SOUTHERN

L - LICENSE

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +

GROUNDWATER

+ - - - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name
-----	-----	-----	-------	-----	------	--------	----------------

09S	22E	16	NW NW NE			(67) MINIDOKA	
			NE NE SW			(67) MINIDOKA	

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	----------------	------------------

01 - IRRIGATION		04/01	10/31	4.420	
-----------------	--	-------	-------	-------	--

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +

4.420

0.0

+ - - - - Place of Use - - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	22E	16	NE NE		38.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	NW NE		39.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	SW NE		40.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	SE NE		38.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	NE NW		39.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	NW NW		38.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	SW NW		38.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	SE NW		39.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	NE SW		39.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	NW SW		38.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	NE SE		38.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	NW SE		35.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 459.0

*update
12-12-97
KHC*

Water right number - 36-02060

Prefix Translation: WATER RIGHT

+ - - Diversion Means - TWO WELLS AND PUMPS TO SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-02558

+ - - - - - Remarks - - - - - +

Pou1 GEN THIS RIGHT IS LIMITED TO THE IRRIGATION OF 305 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
QNT USE OF THIS RIGHT WITH RIGHT NO. 36-02558 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.50 CFS, A TOTAL COMBINED
Pou1 ANNUAL DIVERSION VOLUME OF 1836 AF, ~~A TOTAL COMBINED ANNUAL~~
CONSUMPTIVE USE VOLUME OF 1377 AF, AND TO THE IRRIGATION OF A
EXP COMBINED TOTAL OF 459 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-02558 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

+ - - - - - Old Water Right Numbers - - - - - +

3602060

+ - - - - - Conditions of Approval - - - - - +

A04 - THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE
- ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN
- ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING
- THE CHANGE.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - Audit Fields - 06/10/91 SOUTH1 07/23/91 CHRISTEN 12/30/91 CLELLAND 07/10/92 CWU-PROD 07/18/92 POST-STD
08/28/92 PR-PRODM 09/29/92 SCHULTZ 10/16/92 THORNTON 11/02/92 CPSHAW 12/05/92 ADT-SHAW
03/29/95 POST-STD 04/11/97 SSHERMAN

+ - - Certified Numbers & Date Mailed - 257635 08/24/92

+ - - - - - Comments - - - - - +

Date: 06/10/1991 User Id: SOUTH1 Subject: COPIED FROM REMARKS
AMENDED CLAIM 1/4/1991: CONFIRMED TRANSFER 1064 WAS DATA ENTERED WRONG...SHOULD HAVE INCLUDED THE ADDITIONAL 160 ACRES CLAIMANT
IDENTIFIED WITH EXPANSION CLAIM A36-12727. THE EXPANSION CLAIM HAS NOW BEEN WITHDRAWN AND THIS CLAIM AMENDED TO THE CORRECT
320 ACRES. OWNERSHIP CHANGE 6/6/91 BY JG.
Date: 09/29/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
NOE RECEIVED 9/29/92. CHANGED NOE FLAG FROM BLANK TO A. CLAIM VERIFIED 12/30/91. DID NOT REVERIFY ANY PART OF CLAIM.
Date: 10/16/1992 User Id: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO B. NO CHANGE SENT LETTER EXPLAINING WE NEEDED SPECIFIC EVIDENCE OF ERROR.
Date: 04/11/1997 User Id: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 11/02/1992	Field Inspection Made	- 01/09/1991	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	- 10/03/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P

CLAIM NUMBERS 36-2060
36-2558

DATE _____
 AGENT _____

TRANSFER NUMBER 4079
 OBJECTION FILED _____
 TOTAL ACRES FROM RECOMMENDATION 459
 GEOGRAPHIC INFO SYSTEM 470

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	95	22E	16	38	39	40	38	39	38	38	39	39	38			38	35		
GIS				38	38.7	40	39.5	39	38.4	39.7	40	39.6	40			39.3	38.5		
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED POLYGON # UPDATED

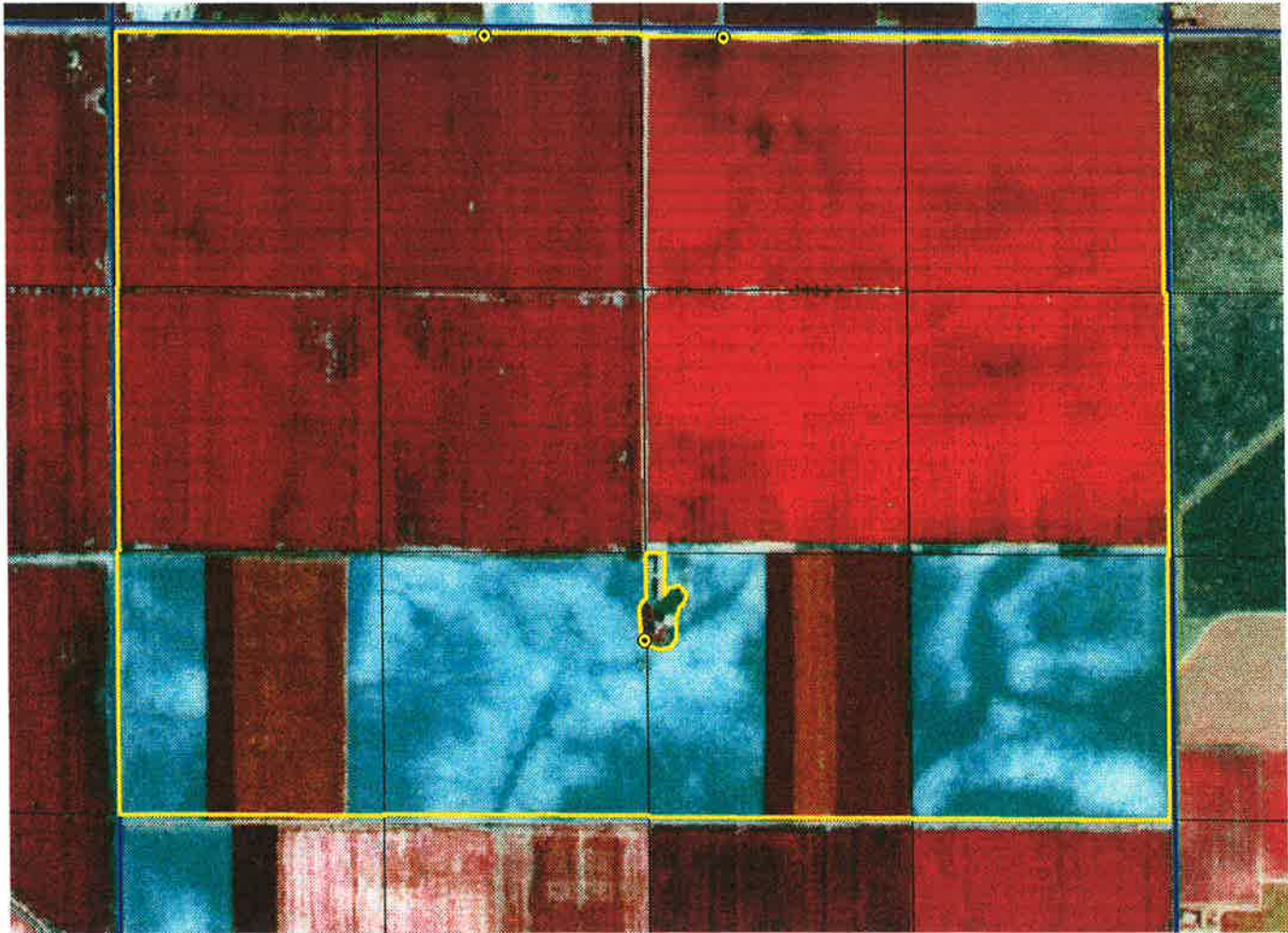
B36-DBPOU.DBF 8-14
 B36-DBPOD.DBF 8-14

POLYGON CREATED ON 604 ()
 ATTRIBUTES OF B36-POU.SHP (348) 8-14
 ATTRIBUTES OF B36-POD.SHP ()
P/D Sect 16 NWNWNE - 308
NE NESW 309
NWNE NW 310

P/U CONFLICT yes () no (X)
 P/D CONFLICT yes () no (X)
 READY FOR DECREE yes (X) no ()
 SENT FOR DECREE yes () no ()

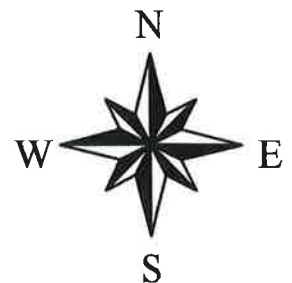
IDAHO DEPARTMENT OF WATER RESOURCES

**36-02060, &36-2558
TRIPLE ACE INC.**



200 0 200 400 600 800 Feet

TNS 9S, RNG 22E, SEC 16



⊙ B36-pod.shp
□ Pou-outline.shp
□ T09s22eqq.shp
09s22e.dxf
4

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY AUGUST 1997
BY KELLY K CHRISTENSEN



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

PHILIP E. BATT
GOVERNOR

April 11, 1997

KARL J. DREHER
DIRECTOR

RECEIVED

APR 15 1997

Department of Water Resources
Southern Region

TRIPLE ACE INC
1800 Z ST
HEYBURN ID 83336

RE: Snake River Basin Adjudication (SRBA)
Water Rights #36-02060, 36-02558 & 36-11590
Change of Address

Dear Claimant:

Thank you for responding so quickly to our address change letter. The water rights referenced above have been changed accordingly. Your decree for domestic use and a pamphlet about the process are enclosed for your records.

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

If there is a change in ownership of any of the properties connected with the water right(s) referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures:
Decree and Pamphlet



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

APR 11 1997

Department of Water Resources

April 8, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RUSSELL V PATTERSON
1800 Z ST
HEYBURN ID 83336

*cc: W.D. 4-11-97
Records Modified, degree pamphlet mailed.*

Re: Snake River Basin Adjudication (SRBA)
Water Rights #36-02060, 36-02558 & 36-11590
Change of Address - Triple Ace, Inc.

Dear Registered Agent:

IDWR has been notified the address presently in our records for Triple Ace, Inc., is incorrect. As their Registered Agent, we need you to provide us with their correct mailing address or forward this letter to them. Future notices related to their SRBA water right(s) can be sent only to the address on their water right(s).

Please print the current mail delivery address of Triple Ace, Inc. at the bottom of this letter and return it to this office. Please contact this office (800/451-4129) if you have any questions.

Thank you for your help. We hope to assure the water right holder receives future notices about SRBA matters.

Sincerely,

S. Sherman

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

The corporation's address has changed as follows:

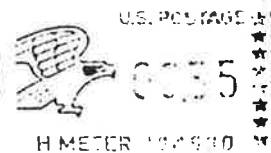
Triple Ace Inc
Corporation Name

Russell V Patterson
Officer of the Corporation

1800 Z Street
Street Address or P.O. Box No.

Heyburn ID 83336
City, State and Zip Code

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707



☐ MOVED, LEFT NO ADDRESS
☒ RETURNED TO SENDER
☐ ATTEMPTED - NO ANSWER
☐ UNCLAIMED - NO KNOWN
☐ NO SUCH NUMBER
☐ NO SUCH NUMBER

A./PAIS 33197:
Russell V. Patterson
800 Z St.
Teyburn ID 83336

36-11590

+

36-02060

36-02558

objections

TRIPLE ACE INC
RT 2 BOX 2778
PAUL, ID 83347

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

OCT 13 1994

Water Right Number - X36-02060

Prefix Translation:

XFER OF RECOM. CLAIM

Old (D) Number - 20311

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
TRIPLE ACE INC

1 - RT 2 BOX 2778

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-4800

*** O - ORIGINAL OWNER ***
PATTERSON FARMS OF IDAHO INC

1 - RT 1 BOX 1272

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-4800

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
02/03/1948 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County09S 22E 16 NW NW NE (67) MINIDOKA
NW NE NW (67) MINIDOKA
NE NE SW (67) MINIDOKA+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 4.420+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
4.420 0.0+ - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09S 22E 16 NE NE 38.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 NW NE 39.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 SW NE 40.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 SE NE 38.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 NE NW 39.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 NW NW 38.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 SW NW 38.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 SE NW 39.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 NE SW 39.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 NW SW 38.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 NE SE 38.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 NW SE 35.0 01 IRRIGATION (67) MINIDOKAMICROFILMED
OCT 13 1994

Water right number - X36-02060

Prefix Translation: XFER OF RECOM. CLAIM

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
----	-----	-----	-------	-----	-------	------	-------------	--------

Total Acres: 459.0

+ - - Diversion Means - THREE WELLS AND PUMPS, CONNECTING MAINLINES, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-02558

+ - - - - - Remarks - - - - - +

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 305 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 36-02558 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.50 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1836 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1377 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 459 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-02558 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

PURSUANT TO APPROVED TRANSFER NO. 4079:

1. RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS OF SECTION 42-235, IDAHO CODE.
2. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE FOR THE LANDS ABOVE.
3. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
4. THE CHANGE APPROVED BY THIS TRANSFER IS SUBJECT TO THE TERMS OF THE COURT'S FINAL DECREE OF THIS RIGHT IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

+ - - - - - Old Water Right Numbers - - - - - +

3602060

+ - - - - - Conditions of Approval - - - - - +

- A04 - THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE CHANGE.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

MICROFILMED
OCT 13 1994

Water right number - X36-02060

Prefix Translation: XFER OF RECOM. CLAIM

+ - - - - - Comments - - - - - +
Date: 06/10/1991 User Id: SOUTH1 Subject: COPIED FROM REMARKS
AMENDED CLAIM 1/4/1991: CONFIRMED TRANSFER 1064 WAS DATA ENTERED WRONG...SHOULD HAVE INCLUDED THE ADDITIONAL 160 ACRES CLAIMANT
IDENTIFIED WITH EXPANSION CLAIM A36-12727. THE EXPANSION CLAIM HAS NOW BEEN WITHDRAWN AND THIS CLAIM AMENDED TO THE CORRECT
320 ACRES. OWNERSHIP CHANGE 6/6/91 BY JG.
Date: 09/29/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
NOE RECEIVED 9/29/92. CHANGED NOE FLAG FROM BLANK TO A. CLAIM VERIFIED 12/30/91. DID NOT REVERIFY ANY PART OF CLAIM.
Date: 10/16/1992 User Id: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO B. NO CHANGE SENT LETTER EXPLAINING WE NEEDED SPECIFIC EVIDENCE OF ERROR.

+ - - Audit Fields - - +
12/03/93 ROBERTSO

+ - - - - - 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 - 10/03/1989 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - S009545 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - Presumption Flag -
Notice of Error Flag - B

MICROFILMED
OCT 13 1994

Water Right Number - 36-02060

Prefix Translation: WATER RIGHT

Old (D) Number - 20311

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
TRIPLE ACE INC

1 - RT 2 BOX 2778

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-4800

*** O - ORIGINAL OWNER ***
PATTERSON FARMS OF IDAHO INC

1 - RT 1 BOX 1272

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-4800

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
02/03/1948 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County09S 22E 16 NW NW NE (67) MINIDOKA
NE NE SW (67) MINIDOKA

NW NE NW

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01

10/31

4.420

1220.0

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
4.420 1220.0 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

09S	22E	16	NE NE		38.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	NW NE		39.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	SW NE		40.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	SE NE		38.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	NE NW		39.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	NW NW		38.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	SW NW		38.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	SE NW		39.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	NE SW		39.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	NW SW		38.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	NE SE		38.0	01	IRRIGATION	(67) MINIDOKA
09S	22E	16	NW SE		35.0	01	IRRIGATION	(67) MINIDOKA

MICROFILMED
OCT 13 1994

Water right number - 36-02060

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
----	-----	-----	-------	-----	-------	------	-------------	--------

----- Total Acres: 459.0
+ - - Diversion Means *3 Wells & pump, connecting mainlines, sprinklers*
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use - 36-02558

----- Remarks -----
5. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 305 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
7. USE OF THIS RIGHT WITH RIGHT NO. 36-02558 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.50 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1836 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1377 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 459 ACRES IN A SINGLE IRRIGATION SEASON.
8. RIGHT NO. 36-02558 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

----- Old Water Right Numbers -----
3602060

----- Conditions of Approval -----
A04 - THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE CHANGE.

----- Decree Plaintiff ----- + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

----- Comments -----
No Comments Found

----- Audit Fields -----
00/00/00

----- Adjudication Rights Dates and Flags Area -----

Court Report Filing	- 11/02/1992	Field Inspection Made	- 01/09/1991	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	- 10/03/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S009545	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	- B

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OCT 13 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4079
WATER RIGHT NO(S). 36-02060/36-02558

RECEIVED

AUG 02 1993

This is to certify that: **TRIPLE ACE INC**
RT 2 BOX 2778
PAUL ID 83347

Department of Water Resources
Southern Region Office

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-02060 :			
IRRIGATION	04/01 to 10/31	4.42 CFS	1220.0 AF
Priority: 02/03/1948			
Right No. 36-02558 :			
IRRIGATION	04/01 to 10/31	3.08 CFS	616.0 AF
Priority: 12/14/1962			

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWNWNE , Sec. 16, Township 09S, Range 22E
NWNENW , Sec. 16, Township 09S, Range 22E
NENESW , Sec. 16, Township 09S, Range 22E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	22E	16	NENE 38	NWNE 39	SWNE 40	
			SENE 38	NENW 39	NWNW 38	
			SWNW 38	SENE 39	NESW 39	
			NWSW 38	NESE 38	NWSE 35	459
						459

Total number of acres irrigated: 459

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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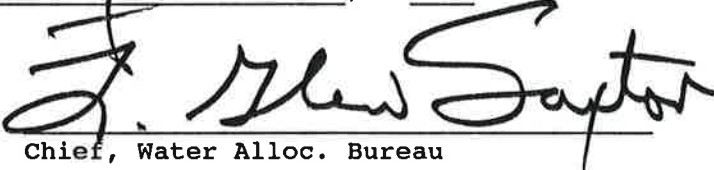
OCT 13 1994

TRANSFER NO. 4079
WATER RIGHT NO(S). 36-02060/36-02558

CONDITIONS/REMARKS:

2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. The change approved by this transfer is subject to the terms of the court's final decree of this right in the ongoing Snake River Basin Adjudication.
15. Right No. 36-02060 is limited to the irrigation of 305 acres in the place of use described above in a single irrigation season.
16. Right No. 36-02558 is limited to the irrigation of 154 acres in the place of use described above in a single irrigation season.
17. Use of Right Nos. 36-02060 and 36-02558 are limited to a total combined diversion rate of 7.50 cfs, a total combined annual diversion volume of 1836 af, a total combined annual consumptive use volume of 1377 af, and to the irrigation of a combined total of 459 acres in a single irrigation season.
18. Right Nos. 36-02060 and 36-02558 are diverted through the points of diversion described above.

Dated this 26th day of July, 1993


Chief, Water Alloc. Bureau

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OCT 13 1994

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 4079

RECEIVED

FEB 22 1993

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Triple Ace Inc.

Post Office address Rt. 2 Box 2778, Paul, ID 83347

Department of Water Resources
Phone 438-6252 Region Office

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Well drilled in 1990 under T. 3801 did not produce enough water. So this well, the original well, and another old well must be used to produce the licensed amount.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>36-02558</u>	<u>12-14-1962</u>	<u>3.08 cfs</u>	<u>Irrig.</u>	<u>4-1</u> to <u>10-31</u>
<u>36-02060</u>	<u>2-3-1948</u>	<u>4.42 cfs</u>	<u>"</u>	<u>"</u> to <u>"</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>

2. Total amount of water being transferred 7.5 cubic feet per second and/or 1836 acre-feet per annum.

3. Source of water Groundwater cubic feet per second and/or 7836 acre-feet per annum.

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	NE	16	9S	22E	Minidoka	
	NE	NE	SW	"	"	"	"	
	NW	NE	NW	"	"	"		

5. Lands irrigated or place of use: 11 ac

5. Lands irrigated or place of use: No Change

[illegible]

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OCT 13 1994

Total acres _____

PART 1

6. General Information:

a. Description of diversion system 3 existing wells & pumps, connecting mainlines, sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? — Yes — No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

Due to sand problems, both north wells are pumped at less than full capacity.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 26-02558 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 12-14-1962

5. Water is used for the following purpose:

amount 3.08 cfs for Irrig. purposes from 4-1 to 10-31
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 3.08 cubic feet per second and/or 6/6 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	NE	16	9S	22E	Minidoka	
	NE	NE	SW	"	"	"	"	

8. Lands irrigated or place of use: * Not to exceed 154 acres in any one year

Twp.	Rge.	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	
9S	22E	16	38	39	40	38	39	38	38	39	39	38			38	35			459 *

Total acres 459 *

9. Describe any other water rights used for the same purpose as described above 36-02060

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OCT 13 1994

PART 2

Transfer No. 4079

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 36-02060 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
- ☐ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water Groundwater tributary to _____
4. Date or priority 2-3-1948
5. Water is used for the following purpose:
- amount 4,42 cfs for Irrig. purposes from 4-1 to 10-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
6. Total amount of water under right 4,42 cubic feet per second and/or 1220 acre-feet per annum.
7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	NE	16	9S	22E	Minidoka	
	NE	NE	SW	"	"	"	"	

8. Lands irrigated or place of use: * Not to exceed 305 acres in any one year

Twp.	Rge.	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	
9S	22E	16	38	39	40	38	39	38	38	39	39	38			38	35			457*

9. Describe any other water rights used for the same purpose as described above 36-02558

Total acres 457*
MICROFILMED
OCT 13 1994

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

NOT TO SCALE

B 12

NOT HEL

5

55.5

NOT HEL

14.8

T 79
1788

TRACT-NOT HEL

PD

PD

B-1

B-2

Triple Ace Inc
Transfer Application

POOR ORIGINAL

MICROFILMED

OCT 13 1994

T # 4079
36-2060

Triple Ace Inc
Transfer Application

POOR ORIGINAL

Produced by the Geological Survey
in cooperation with the State of Idaho

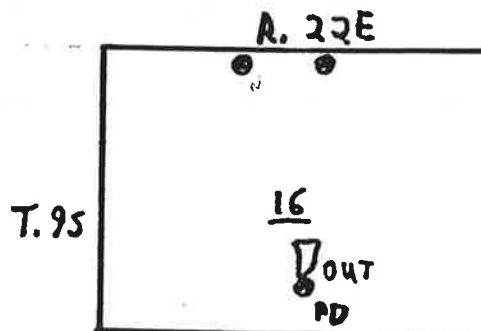
Orthophotograph prepared from 1:80,000 scale aerial
photographs 19-11 September 9, 1984

36-2060

OCT 13 1994
 T # 4079
 36 - 2060
 36 - 2558

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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OCT 13 1994

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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 willful misrepresentations made in this application may result in voiding its approval.

Triple Ace Inc.
by Russell R. Peterson
(Signature of Applicant)

Subscribed and sworn to before me this 22nd day of February, 1993.

Robert V. Worshell
(Notary Public)

My commission expires Jan. 16, 1995**FOR DEPARTMENT USE ONLY**

Transfer contains 8 pages and 2 attachments

Received by JF Stanton Date 2-22-93 Protest filed by _____

Prelim. check by MTS Fee \$50.00 S015410

Receipted by JS Date 2-22-93

Published in So. Ind. Press Copies of protest forwarded by _____

Pub. dates 4/23 x 4/30/93 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

Russell Patterson

2. SUBJECT OF INQUIRY:

claimant indicated his use was 10 acres
greater than recommended he wanted objection forms.
He later discussed the 10 acres diff with Jim
Stanton & he recommended that he file an expansion
claim. I stated that any such claim would have to
go through the court & that he needed to either personally
contact the court or his attorney.

3. RESPONSE TO INQUIRY:

I provided him with instructions & 3 objection
forms for his use for the 2 claims. I also provided him
with instructions and 7 ~~claim~~ objection forms for his
relatives.

4. IDWR STAFF AND DATE:

Print name and Initial

Kelly K. Christensen

WATER RIGHT CLAIM (Nos.):

36-2060 ; 36-2558

one sheet to each
claim.

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OCT 13 1994

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF



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JAN 25 1993



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

20-Oct-1992

Mr. Russell V. Patterson
Triple Ace, Inc.
Rt 2 Box 2778
Paul ID 83347

RE: Snake River Basin Adjudication (SRBA)
Notices of Error - A36-02060, A36-02471, A36-02558
A36-04009, A36-04010, A36-04218
A36-04248, A36-07718, A36-11590

Dear: Mr. Patterson:

The final Director's Report will be filed with the court on November 2, 1992. A copy of the final recommendation will be sent to you at that time and will include information about the objection process.

Apparently, Mrs. Patterson was in this office several weeks ago and discussed the ownership issue with another employee. The paperwork was processed earlier this week and copies of the changed records was forwarded to you on those records. I hope this corrects the ownership errors.

If you still do not agree with the proposed IDWR recommendation to the court, you may file an objection with the court after you receive the final recommendation of your water right.

Sincerely,

Helen Harrington-Thornton
Water Resource Agent

HHT

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JAN 25 1993

October 19, 1992

RECEIVED

OCT 20 1992

Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources
Attn: Helen Harrington-Thornton
222 Shoshone St. East
Twin Falls, ID 83301

Dear Ms. Thornton:

I am in receipt of your letter dated October 16, 1992. I am currently involved in harvesting my sugar beet crop which necessitates my 100% involvement. I will hopefully be finished by the first week of November.

I need some additional time to research and make absolutely sure that all information regarding these water issues is correct and valid.

It was a mistake in your department as to ownership of the properties as you were advised by our attorney as to the distribution from Patterson Farms of Idaho, Inc. to the different spin-off corporate entities.

If I had the time to do a thorough job of researching this, I would do it right now. However, as mentioned earlier, I am in the middle of harvest. The adjudication process has been going on for many years and allowing me some additional time is not unwarranted.

Thank you for your consideration in this matter.

Sincerely,

Triple Ace, Inc.



Russell V. Patterson
President

MICROFILMED

JAN 25 1993

Triple Ace, Inc.
Russell V. Patterson
Rt. 2 Box 2778
Paul, ID 83347



PLEASE MAIL
EARLY FOR
CHRISTMAS

RECEIVED

OCT 20 1992

Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources
Attn: Helen Harrington-Thornton
222 Shoshone St. East
Twin Falls, ID 83301

NOTICE OF ERROR FORM

AUG-24-1992

RECEIVED

SEP 29 1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

Idaho Department of Water Resources

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number: 36-02060

RECEIVED

2. Name: Triple Ace Inc.

OCT 01 1992

Address: Rt. # 2, Box 2778

Department of Water Resources
Southern Region Office

Paul, Idaho 83347

JAN 25 1993

Weekday Telephone Number: 438-8283 or 678-0248-1111

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

Incorrect period of use

Incorrect CFS

Incorrect legal

Amend diversionary & legal & verify

4. Describe the changes you wish to have made in the proposed recommendation:

Change above upon meeting personally
with Department

5. Describe why you disagree with the proposed recommendation:

Incorrect

6. Date: 9.20.92

Triph Acc Inc.

SIGNATURE

by Russell V. Patterson Pres



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

16-Oct-1992

Mr. Russell Patterson, President
Triple Ace Inc.
Rt 2 Box 2778
Paul ID 83347

RE: Snake River Basin Adjudication (SRBA)
Notices of Error - A36-02060, A36-02471, A36-02558
A36-04009, A36-04010, A36-04218
A36-04248, A36-07718, A36-11590

Dear Mr. Patterson:

We are in receipt of the Notice of Error on the above referenced claim. We are not making any changes except as follows to the recommendations at this time. We have changed the address identified in the recommendation for A36-11590 (copy of profile report as changed enclosed).

The recommendations on the above referenced claims are based on IDWR records, field examinations, Idaho Code and regulations and other documents reflecting the use of the water described in these claims. Your Notice of Error mentioned a review of the place of use, diversion rates and other information should be changed upon meeting with IDWR personnel. Due to time constraints at this time, we are unable to make any changes to the recommendations unless you have specific supporting evidence of inaccuracies in the recommendations.

If you have maps or other information which describe errors in the recommendations, please contact this office by Tuesday, October 20, 1992. Additionally, you mentioned that the landowner was incorrect on several of the above referenced claims. Enclosed is a change of ownership form for completion in order to change the records. This form should also be returned by Tuesday, October 20, 1992, in order to ensure that the documents can be reviewed and processed in time for inclusion in the final Director's Report.

The proposed recommendation is based on irrigation season of use standards adopted by the director for the various regions throughout the state. These standards are based on the period of the year in which there is less than a 75% chance of a 24 degree F. frost.

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In addition, since there are some years in which water can be beneficially used for irrigation outside the irrigation season, the proposed Director's Report includes a general provision which provides for irrigation outside the irrigation season under certain conditions. The conditions are that the water is beneficially used, as determined by the director; that all water rights with a period of use outside the irrigation season regardless of priority, are satisfied; and that the use does not conflict with the public interest as determined by the director. This proposed general provision will be included in the Director's Report.

If you still disagree with IDWR's recommendations you will have an opportunity to file an objection to the Director's report with the court. When the Director's Report is filed with the court, you will be mailed a notice that will contain more information about the objection process.

Sincerely,


Helen Harrington-Thornton
Water Resource Agent

HHT

Enclosures

Ownership Change form
Profile Report A36-11590

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JAN 25 1993

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TRIPLE ACE INC RT 2 BOX 2778 PAUL ID 83347 (208) 438-4800	02/03/1948	IRRIGATION	04-01 10-31	4.42 CFS	
TOTAL DIVERSION:					4.42 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T09S R22E S16

NWNWNE

NENESW

MINIDOKA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE												
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM							
09S	22E	16	:	38		39		40		38	:	39		38		38		39	:	39		38		38		35		459.0
																			TOTAL ACRES			459.0						

POU County: MINIDOKA

Other Rights: 36-02558

Conditions of Approval:

- A04 - THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE
- ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN
- ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING
- THE CHANGE.

Remarks: THIS RIGHT IS LIMITED TO THE IRRIGATION OF 305 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 36-02558 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.50 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1836 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 1377 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 459 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-02558 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: 01/09/1991 Verified Date:

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

Comments: Date: 06/10/1991 User-ID: SOUTH1 Subject: COPIED FROM REMARKS
AMENDED CLAIM 1/4/1991: CONFIRMED TRANSFER 1064 WAS DATA ENTERED
WRONG...SHOULD HAVE INCLUDED THE ADDITIONAL 160 ACRES CLAIMANT
IDENTIFIED WITH EXPANSION CLAIM A36-12727. THE EXPANSION CLAIM
HAS NOW BEEN WITHDRAWN AND THIS CLAIM AMENDED TO THE CORRECT
320 ACRES.
OWNERSHIP CHANGE 6/6/91 BY JG.

MICROFILMED
JAN 25 1993

=====

Date: 09/29/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
NOE RECEIVED 9/29/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 12/30/91. DID NOT REVERIFY ANY PART OF CLAIM.

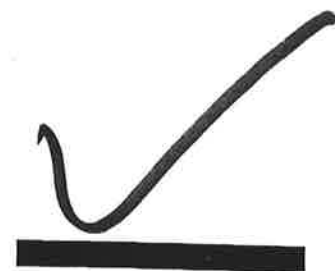
Date: 10/16/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO B. NO CHANGE
SENT LETTER EXPLAINING WE NEEDED SPECIFIC EVIDENCE OF ERROR.

Audit: 10/16/92 THORNTON

MICROFILMED

JAN 25 1993

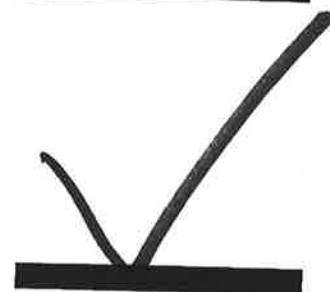
R PROOF



CVR



MAPS



PHOTOS



MISC



VERIFIED BY SEC

Water Right Number - R36-02060

Prefix Translation: RESEARCH

Old (D) Number - 20311

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

TRIPLE ACE INC

1 - RT 2 BOX 2778

2 -

3 -

City- PAUL

Phone - 208-438-4800

State- ID Zip- 83347

*** O - ORIGINAL OWNER ***

PATTERSON FARMS OF IDAHO INC

1 - RT 1 BOX 1272

2 -

3 -

City- PAUL

Phone - 208-438-4800

State- ID Zip- 83347

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
02/03/1948 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County09S 22E 16 NW NW NE (67) MINIDOKA
NE NE SW (67) MINIDOKA+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 4.420+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
4.420 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09S 22E 16 NE NE 38.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 NW NE 39.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 SW NE 40.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 SE NE 38.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 NE NW 39.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 NW NW 38.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 SW NW 38.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 SE NW 39.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 NE SW 39.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 NW SW 38.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 NE SE 38.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 NW SE 35.0 01 IRRIGATION (67) MINIDOKA

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JAN 25 1993

Court Report Filing	- 00/00/0000	Field Inspection Made	- 01/09/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 12/30/1991	Old Judicial District	-
Claim Received Date	- 10/03/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S009545	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-

JAN 25 1993

Water right number - R36-02060

Prefix Translation: RESEARCH

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Notice of Error Flag -

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JAN 25 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:00:27
01/08/91

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02060

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N		See 12-30-91	7/10/91 (SOUTH)	
POINT OF DIV	Y			N (Y)	6 transfer			
SOURCE				N				
PLACE OF USE	Y			N (Y)	4, 16			
DIV. AMOUNT CFS/VOLUME				N (Y)	6			
CONSUMPTIVE USE	-			N (Y)	6			
PURPOSES				N				
PERIOD OF USE	Y			Y	6			
BASIS OF CLAIM				N				
REMARKS	Y			(Y)	6.			

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICROFILMED

JAN 25 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:00:27
01/08/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02060

LAST: PATTERSON FARMS OF IDAHO INC. FIRST:
ADDRESS: RT. 1 BOX 1272
CITY: PAUL STATE: ID ZIP: 83347
PHONE NUMBER: 208-438-4800

OWNER CODE: C

FIELD EXAM REQUIRED? FIELD
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE EXAMINER
Y

CLAIM REMARKS: TRANS. 1064.
EXPANSION CLAIM A36-12727 ALSO FILED FOR AN ADDITIONAL 160 ACRES,
WITH THE SAME 1948 PRIORITY DATE AND SAME GROUNDWATER SOURCE AS
THIS CLAIM. BENEFICIAL USE CLAIM A36-12727 AND THIS CLAIM
LIMITED TO 4.42 LICENSED CFS. CLAIM A36-02558 FOR 3.2 LICENSED
CFS ALSO COMBINED AND SPRINKLED ON ENTIRE ~474 ACRES WITHIN SEC
16. SEE ATTACHED MAP.
PERIOD OF USE EXPANDED FROM 3/15 - 11/15 TO 3/1 - 11/15.

AMENDED CLAIM 1/4/1991: CONFIRMED TRANSFER 1064 WAS DATA ENTERED
WRONG...SHOULD HAVE INCLUDED THE ADDITIONAL 160 ACRES CLAIMANT
IDENTIFIED WITH EXPANSION CLAIM A36-12727. THE EXPANSION CLAIM
HAS NOW BEEN WITHDRAWN AND THIS CLAIM AMENDED TO THE CORRECT
320 ACRES.

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JAN 25 1993

CONTACT PERSON: Russell Patterson

PHONE NUMBER: () -

DATE OF FIELD EXAM: 1/4/91

APPOINTMENT MADE: Y(☒) N()

TIME: 10 : A(☒) P()

ACCOMPANIED BY: Norm Brown

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

confirmed changes with claimant

*Revised 12-30-91 by See per Transfer #3801

MICROFILMED

JAN 25 1993

A. AJ CLAIM: # A36-02060 PRIORITY DATE: 02-03-1948 STAGE: L

B. WR RECORD: # 36-02060 PRIORITY DATE: 02-03-1948 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(/)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:
02-03-1948

REVIEWED BY *[Signature]*

DATE

1/9/91

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JAN 25 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02060	09S	22E	16	NE <i>NW</i>	NE <i>NE</i>	SW <i>NW</i>		MINIDOKA
OTHER AJ CLAIMS WITH SAME AJ POD				WR RECORDS IN SAME 40 ACRE TRACT				
A PREFIX				R PREFIX				
A36-12727				NONE				

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02060	09S	22E	16		NE	SW		MINIDOKA
OTHER WR RECORDS WITH SAME WR POD				AJ CLAIMS IN SAME 40 ACRE TRACT				
				A PREFIX R PREFIX				
NONE				A36-12727 NONE				

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
X

REMARKS:

transfer # 3801 add POD

See 12-30-91

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
------	------	------	-----	-----	-----	-----	--------

---	---	same	---	---	---	---	---
-----	-----	------	-----	-----	-----	-----	-----

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

DATE: 1/9/91

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JAN 25 1993

A. ROOT WATER RIGHT NUMBERS: A36-02060

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	22E	16	SW	NW		PATTERSON FARMS OF IDAHO INC. A36-02060	/40.0	36-02060	/	41.0	40
			SW	NW		PATTERSON FARMS OF IDAHO INC. A36-12727	/40.0	-	/		40
09S	22E	16	SE	NW		PATTERSON FARMS OF IDAHO INC. A36-02060	/40.0	36-02060	/	40.0	40
			SE	NW		PATTERSON FARMS OF IDAHO INC. A36-12727	/40.0	-	/		40
09S	22E	16	NW	SW		PATTERSON FARMS OF IDAHO INC. A36-02060	/40.0	36-02060	/	40.0	40
			NW	SW		PATTERSON FARMS OF IDAHO INC. A36-12727	/40.0	-	/		40
09S	22E	16	SW	NE		PATTERSON FARMS OF IDAHO INC. A36-02060	/40.0	36-02060	/	37.0	40
09S	22E	16	SE	NE		PATTERSON FARMS OF IDAHO INC. A36-02060	/40.0	36-02060	/	38.0	40
09S	22E	16	NE	SE		PATTERSON FARMS OF IDAHO INC. A36-02060	/40.0	36-02060	/	39.0	40
09S	22E	16	NW	SE		PATTERSON FARMS OF IDAHO INC. A36-02060	/40.0	36-02060	/	37.0	40
			NW	SE		PATTERSON FARMS OF IDAHO, INC. A36-11590	/	-	/		40
09S	22E	16	NE	SW		PATTERSON FARMS OF IDAHO INC. A36-02060	/40.0	36-02060	/	39.0	40
			NE	SW		PATTERSON FARMS OF IDAHO INC. A36-12727	/40.0	-	/		40
TOTAL ACRES							A36-02060	320.00		311.00	320

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
W

*See attached
land list for
recommended acres
KKC 7-23-91*

FIELD
EXAM.
JAN 25 1993

PRESUMPTION FLAG:

REMARKS:

A36-12727 withdrawn

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JAN 25 1993

RECOMMENDATIONS:

TOTAL ACRES:

~~320~~
~~lw~~

305/459 P.P.U. Acres

REVIEWED BY:

DATE:

1/9/91

12-30-91 ser

by transfer update #3801

A. AJ CLAIMED USES:

PURPOSES
A36-02060 IRRIGATION

MONTH/DAY
FROM 03-01 TO 11-15

DIVERSION QUANTITY
4.420 CFS
4.420 CFS 1280.00 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

B. WR RECORDED USES:

PURPOSES
36-02060 IRRIGATION

MONTH/DAY
FROM TO

DIVERSION QUANTITY
4.420 CFS
4.420 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE
N
N
Y

FIELD
EXAMINER
N
N
Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(/)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(/) N() Explain in remarks, below.

REMARKS:

3-15 to 11-15

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JAN 25 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 4.420 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.420 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
N

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☒) IF YES COMPLETE OVERLAP REVIEW.

See Transfer # 3801

OTHER RIGHTS LISTED IN CLAIM: ~~A36-02558~~ *36-2558*

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02060	GROUNDWATER	PATTERSON FARMS OF IDAHO INC.	4.420	0.013	1280.00	4.00
A36-12727	GROUNDWATER	PATTERSON FARMS OF IDAHO INC.	3.200	0.020		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-11590	DOMESTIC	PATTERSON FARMS OF IDAHO, INC.	FROM 01-01 TO 12-31	.040 CFS	

MICROFILMED
JAN 25 1993

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 320 x 0.02 CFS/ACRE = 6.4 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 960.0 AF/A

ACRES 320 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 960 AF/A

$$305 \times 0.02 = 6.10$$

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 1280.00 AF/A

ACRES 320 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 1280 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

6 1/3 cfs well capacity given on
License 36-2060.

3.20 cfs well capacity given on
License 36-2558.

per microfiche information
12-30-91 see

∴ Combined Well capacity exceeds licensed demand.

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS		REC. DIV VOL. AF/A		REC. CONS. USE	
		DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	03- ¹⁵ ~~01~~ 11-15	4.420	<u> </u>	~~1280.00~~	<u> </u>	~~960.0~~	<u> </u>
TOTAL FOR THIS RIGHT		4.420				~~960.0~~	<u> </u>
REVIEWED BY: <u> w </u>		DATE: <u>1/9/91</u>					

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K06 = 305

A04

E01 =

F05 =

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

N/A

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02060

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
4.420

EXAMINER
N/A

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A36-02060

4.420

-

36-02060

4.420

TOTAL CFS

4.420

4.420

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

N/A

REMARKS:

Revised per transfer #3801

AUTHENTICATION:

SIGNATURE: *lw*

DATE: *1/9/91*

NAME OF FIELD EXAMINER: _____ TITLE: _____

Steve Cell *12-30-91*

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A36 - 02060 analysis

The system is not properly data entered in the water rights data base at this time.

****** The right was licensed for 305 acres in the $S\frac{1}{2}$ of sec 16. The p/u has subsequently been changed through a transfer approved on 2-15-1966 which shifted acres from the $S\frac{1}{2}$ of the $S\frac{1}{2}$ to the $S\frac{1}{2}$ of the $N\frac{1}{2}$.

An amended adjudication claim was filed on 1-4-91 for the same legal description but for a total of 320 acres.

Recommendation

As the transfer did not identify Numbers of acres, nor was the number of acres recognized by the department records, I recommend the claimed acres less road right of way allowance & farmstead location. The ~~additional~~ acres found (313 acres) represent an additional $\{313 - 305\} = \underline{8 \text{ ACRES}}$ < Expansion of the License >

The same diversion rate (.442 cfs LICENSED) is recommended.

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Expansion claim A36-12727 was originally filed for the $S\frac{1}{2}$ NW $\frac{1}{4}$ & the $N\frac{1}{2}$ SW $\frac{1}{4}$ of Sec 16. This expansion claim was withdrawn when the transfer for A36-2060 was discovered.

UPDATE:

New transfer filed & approved - conditions limit right to that of original licensed rate = 305 Acres. Combines rights into P.P.U. of 459 Acres.

Steve [signature]
12-30-91

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	09S	22E	16			40	39			39	40	40	39			39	37				313
36-2060						40	38			38	39	39	38			38	35			305	

See 12-30-91

P/D OVERLAP BUT ACRES NOT OVERLAPPING, USE FOR SYSTEM TOTAL CALCULATIONS

Permissible
Place &
Use

[illegible]

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35.6

NOT TO SCALE

B 12

NOT HEL

5

55.5

940

915

P/D 302558

22E

T 79

1788

TRACT-NOT HEL

38

39

39

38

36-2558

~~39~~

40

38

~~40~~

40 39

~~40~~

40

~~39~~

38

36-2060

154.8

150.5

~~39~~

38

~~40~~

40

39

~~39~~

35

~~39~~

40

38

P/D 2060

3
159.0

T 95

58

(nn) = found acres = 3/3

Recommend
305 AS Lic.

2558

2060

12727 expansion

NOT HEL

2

52.8

NOT HEL

3

77.8

NOT HEL

36.8

1515

2122

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POOR ORIGINAL

JAN 25 1993

same as
(BROWN)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

*Approved
transfer for
36-2060*

as of 2-15-66

In the Matter of the Application of)
Gerald Morgan and W. H. Shillington)
of Rupert, Idaho,)
For a Transfer of Water Right in the)
County of Minidoka, State of Idaho,)

ORDER GRANTING TRANSFER
NO. 1064

WHEREAS, On the 15th day of February, 1966, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of Gerald Morgan and W. H. Shillington of Rupert, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in due and statutory form, and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant with the application shows that the water will be put to a higher and more efficient beneficial use and no one will be injured thereby;

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 25th day of February, 1966.

(SEAL)

s/

CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

36-2060
MICROFILME

JAN 25 1983

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Gerald Morgan & W. H. Shillington of Box 201, Rupert, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the ~~point~~ ~~place~~ place of use of the waters of subterranean source as follows:
Amount: 4.42 cubic feet per second. Priority: Feb. 3, 1948
Point of diversion: NE SW, Section 16, Township 9 S. Range 22 E., B.M.
Place of Use: S $\frac{1}{2}$ Sec. 16, T. 9 S., R. 22 E. B. M.

To Be Transferred To
No change
Point of Diversion: / ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
Place of Use: S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 16, T. 9 S., R. 22 E. B. M.

And that on the 15th day of February, 1966, at 10:00 o'clock A.M.
at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer,
or his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

CARL E. TAPPAN
State Reclamation Engineer

T-1064
36-2060

State of Idaho

License and Certificate of Water Right

Water License No. 20311

Water District No. _____

Amount 4.42 second feet

Priority February 3, 1948

THIS IS TO CERTIFY that HOWARD W. MOFFATT
of Hubert, Idaho

, made application for a permit to appropriate the public waters of the State of Idaho, dated February 3, 19 48; that Permit No. 20311 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 6-1/3 second feet, was issued thereunder on September 6, 19 49, showing that said works were completed on the 3rd day of September, 19 49; and that on the 1st day of October, 19 49.

HOWARD W. MOFFATT
of Hubert, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well and and (subterranean flow) for the purpose of irrigation, under Use Permit No. 20311 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 4927, on the 9th day of June, 19 52;
The right hereby confirmed dates from February 3, 19 48;

The Point of Diversion is located
in the NE 1/4 SW 1/4 Sec. 16, Tp. 9 S., R. 22 E., B. M. Minidoka County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.42 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>9 S.</u>	<u>22 E.</u>	<u>16</u>	<u>NE SW</u>	<u>40</u>	<u>35</u>
			<u>NW SW</u>	<u>40</u>	<u>40</u>
			<u>SW SW</u>	<u>40</u>	<u>40</u>
			<u>SE SW</u>	<u>40</u>	<u>40</u>
			<u>NE SE</u>	<u>40</u>	<u>40</u>
			<u>NW SE</u>	<u>40</u>	<u>40</u>
			<u>SW SE</u>	<u>40</u>	<u>40</u>
			<u>SE SE</u>	<u>40</u>	<u>30</u>
Number of Acres Actually Irrigated -				<u>303</u>	

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 9th day of June, 19 52.

(SEAL)

POOR ORIGINAL

MARK R. KULP

State Reclamation Engineer

JAN 25 1993

36 2060

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

Permit No. 20311

This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Howard W. Moffatt, Rupert, Idaho2. Source of water supply: Subterranean (well)3. Location of point of diversion: Is in the NE 1/4 SW 1/4 of Section 16T. 9 S. R. 22 E. County of Minidoka

4. Describe works as they exist, giving dimensions and capacities of same: The well is 333 feet total depth by 20" in diameter, cased down 60 feet. Pump sets down 250 feet. The H. equals 242 1/2 feet. There is no draw down. There is 5 stages, 12" bowls, 10" column. The curb is a heavy concrete, approximately 7' by 7' square. Motor and pump rests on concrete. There is no pump house or other protection. Motor is a U. S. 150 h.p., 440 v., 180 amps, 3 ph., 60 cycle, 1800 r.p.m., Serial #817986. Pump is a Fairbanks Morse #PJ6430. Switches and controls are in an A. B. Panel, mounted on a wood frame near the pump. Delivery is to the Northeast through a 10" by 24" i.d. pipe which opens up into a 14" by 8' 4" long steel pipe, then into a concrete stand pipe which is 30" in diameter by 15" high, then through a 14" i.d. (continue below)

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: _____

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

South Half Section 16, Township 9 South, Range 22 East, B. M.
NE 1/4 Sec 8, T. 9 S., R. 22 E., Idaho - full quarter

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

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

Remarks: by 6' long concrete pipe into an earth basin approximately 18' wide by 60' long, all located Northeast of the pump and North of the stand pipe. From the stand pipe, water is delivered by pipe line in the Southeast corner. From the basin, 3 openings enter ample size ditches which carry water to the fields.

Temp. equals 55° F. Water was measured over two weirs, one to the East and one to the West. .44' over the two foot cippolletti weir and .60' over the 18" cippolletti weir, made 4.32 cubic feet of water measured. Estimated a .10 leakage in the pipe to the Southeast. (Unable to control) Total delivery was 4.42 cubic feet.

This examination was made on the

27th

day of

June

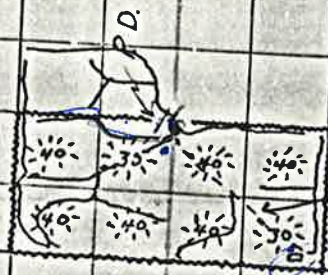
POOR ORIGINAL

(Signed) E. H. Humphrey

20311

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JAN 25 1993



12" concrete pipe line
x 3200' long (approx)
← Railroad car used for house.

P.D. = 320' South of section center line
= 50' West of section center line

Q = 221 inches of water.

T = 55°F.

44' over 8' c/well = 1.92 c/w
60' " 10' " " = 2.37 c/w
Add 5' for leakage = 1.0 c/w
4.42 c/w

Gross irrig. = 40-35-40-40-40-40-40-30
= 305 acres

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JAN 25 1993

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