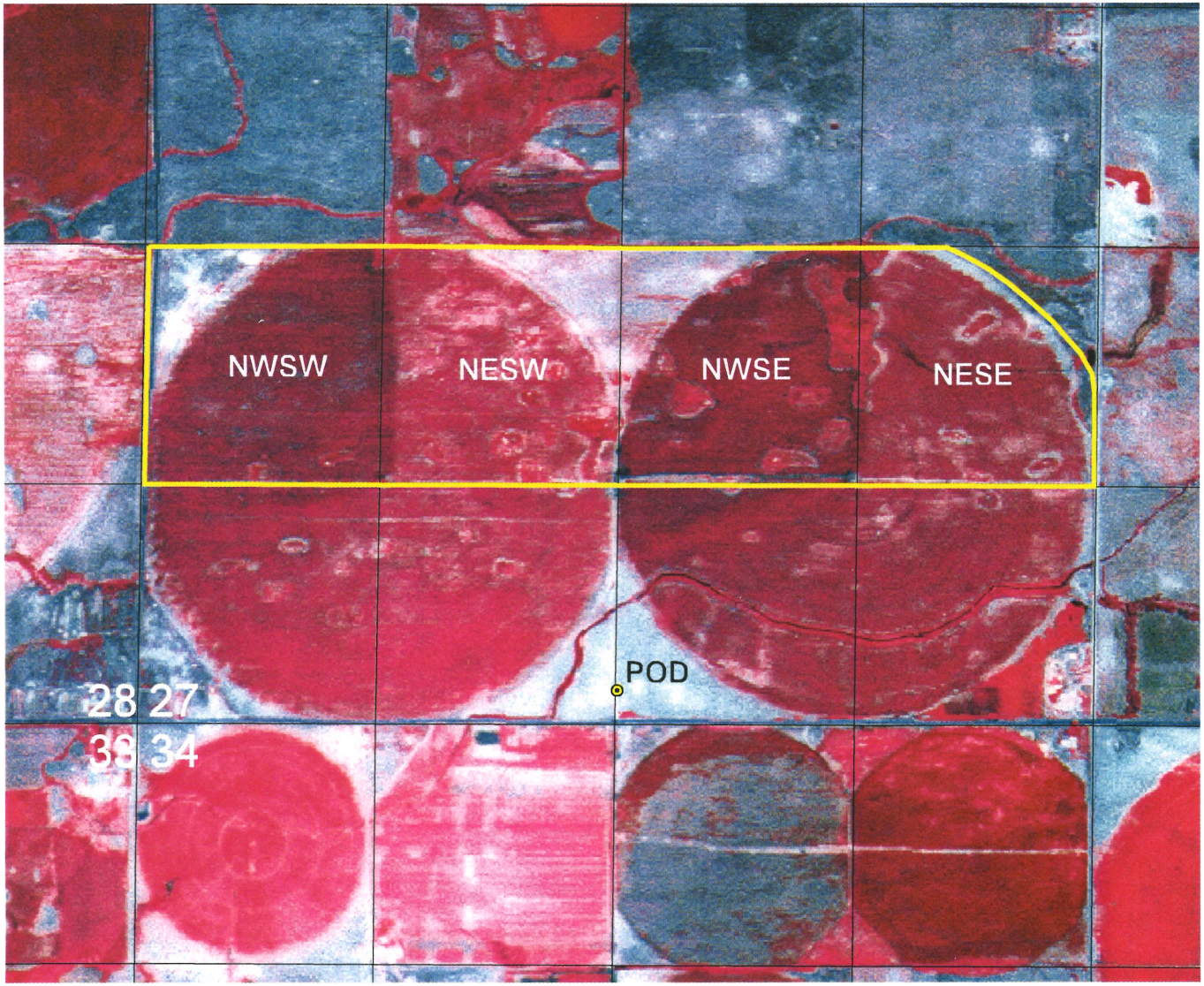
# 37-7316




## T06S R14E
## S27

N
W E
S

800 0 800 1600 2400 3200 4000 Feet

Map prepared by: Carter Fritschle
Date prepared: 04/04/02
1987-1988 NAPP photography
Idaho Department of Water Resources

04/10/2002

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

---

RIGHT NUMBER: 37-7316

NAME AND ADDRESS: SHELLY L PEREIRA
1888 S 1750 E
GOODING ID 83330

TIM W PEREIRA
1888 S 1750 E
GOODING ID 83330

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 3.10 CFS
620.0 AFY

PRIORITY DATE: 11/07/1973

POINT OF DIVERSION:

T06S R14E S27 SWSWSE Within GOODING County

PURPOSE AND PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|---|---|---|
| IRRIGATION | 03/15 11/15 | 3.100 CFS<br>620.00 AFY |

PLACE OF USE: IRRIGATION Within GOODING County

| | | | | | |
|---|---|---|---|---|---|
| T06S R14E S27 | NESW | 40.0 | T06S R14E S27 | NWSW | 40.0 |
| T06S R14E S27 | NESE | 35.0 | T06S R14E S27 | NWSE | 40.0 |

155 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

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

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-07316
Date Received: 3/21/1989
Receipt No: S006623
Received By: _____

**COPY FOR YOUR FILES** | **NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW** | **COPY FOR YOUR FILES**

1. Name: TIM W PEREIRA — 208-934-8834
   Address: 1888 S 1750 E
   GOODING ID 83330
   AND
   Name: SHELLY L PEREIRA — 208-934-8834
   Address: 1888 S 1750 E
   GOODING ID 83330

2. Date of Priority: NOV 7, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|---|---|---|---|---|---|
| 06S | 14E | 27 | SW SE | | GOODING |

5. Description of diverting works:
   WELL AND PUMP

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|---|---|---|---|---|---|
| IRRIGATION | 03/15 | 11/15 | 3.100 | | 1004.00 |

7. Total Quantity Appropriated is:
   3.100 C.F.S. (and/or) 1004.00 A.F.A.

8. Total consumptive use is 465.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

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

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | | Lot | Use | Acres |
|---|---|---|---|---|---|---|---|
| 06S | 14E | 27 | NW | SW | | IRR | 40.0 |
| | | | NE | SE | | IRR | 35.0 |
| | | | NW | SE | | IRR | 40.0 |
| | | | | | Section Acres | | 155.0 |
| | | | | | Total Acres | | 155.0 |

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A37-07019

14. Remarks:
TRANS. 3129.
SEE REFERENCE RIGHT A37-07480.
PROPERTY PURCHASED FROM ORIGINAL CLAIMANT ON 5-5-1989.
**********
2/14/2000 TF; OWNERSHIP CHANGED LITTLE SKY FARMS TO PEREIRA PER 1409(6) AND WARRANTY DEED REC'D 2/7/2000.

15. Basis of Claim: LICENSE

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 14, 2000

TIM W PEREIRA
SHELLY L PEREIRA
1888 S 1750 E
GOODING ID 83330

RE: SRBA Claim(s) A37-07001, A37-07316, A37-07363, A37-07531

Dear Mr. and Mrs. Pereira:

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

Sincerely,

Trish Fawcett

Trish Fawcett
Technical Records Specialist

enc.

Form 42-248/42-1409(6) February 3, 1997

RECEIVED
FEB 07 2000
Department of Water Resource
Southern Region

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

# NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s).: _____

   Adjudication Claim No(s).: A37-07001, A37-07316, A37-07363, A37-07531

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

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

   AND

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

   OR

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

3. Name and Address of Former Owner/Claimant: Little Sky Farms, A Partnership

   362 E. 1750 S, Bliss, ID 83314

4. New Owner/Claimant(s): Tim W. Pereira & Shelly L. Pereira

   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

   New Mailing Address: 1888 S. 1750 E., Gooding, ID 83330

   City, State and ZIP Code: _____

   New Telephone Number: (208) 934-8834

5. Date you acquired the property: 1-28-2000

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

   Number of acres you irrigate _____ Number and type of stock _____

   Diversion rate in CFS _____ Number of homes _____ Other uses _____

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

7. Signature of New Owner or Claimant(s): Tim W. Pereira Shelly L. Pereira

   Tim W. Pereira Shelly L. Pereira

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

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

Re-recorded to include water rights appurtenant to the property.

Order No. G000015

# WARRANTY DEED

For Value Received

Little S arms, A Partnership,

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

Timothy W. Pereira And Shelly Pereira,
Husband And Wife.

the grantee(s), whose current address is

1888 SOUTH 1750 EAST, GOODING, ID 83330

the following described premises, to-wit:

See Attached Exhibit "A"

State of Idaho Department of Water Resources Adjudication Claim No(s):
A37-07001, A37-07316, A37-07363, A37-07531.

184293
STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of GOODING TITLE & ESCROW
01 min. past 3 o'clock P m. this 1st
of February 2000 6.00
By Penny Archibald Deputy

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

Dated: January 31, 2000

LITTLE SKY FARMS, A PARTNERSHIP

Jess D. Elliott Partner

Karen K. Elliott Partner

184312 Re-Record
STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of Gooding Title
28 min. past 4 o'clock P m. this 2
of Feb 2000 6 00
By Arlita Sells Deputy

STATE OF IDAHO
: ss
COUNTY OF GOODING

On this 31st day of JANUARY, in the year 2000, before me, the undersigned, a notary public in and for said state, personally appeared JESS D. ELLIOTT and KAREN K. ELLIOTT, known or identified to me to be one of partners in the partnership of LITTLE SKY FARMS, A PARTNERSHIP, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

WITNESS my hand and official seal.

JARROD T. BALL NOTARY PUBLIC STATE OF IDAHO

Notary Public of Idaho
Residing at TWIN FALLS, Idaho
Commission Expires: 07/25/02

TITLE & ESCROW COMPANIES

# EXHIBIT A
## G000015 / PEREIRA

RP06S14E275401
RP06S14E279001

Township 6 South, Range 14 East of the Boise Meridian, Gooding County, Idaho.

Section 27: The South One-Half.

**EXCEPT**

A parcel of land located in the Southwest Quarter of the Southwest Quarter more particularly described as follows:

COMMENCING at the Southwest corner of said Section 27 and being THE TRUE POINT OF BEGINNING;
Thence North 01°55'39" East for a distance of 780.53 feet;
Thence South 37°10'58" East for a distance of 973.41 feet to a point on the South boundary of Section 27;
Thence South 89°34'29" West along the South boundary of Section 27 for a distance of 614.56 feet to THE TRUE POINT OF BEGINNING.

**SUBJECT TO** a 25.00 foot wide County road right of way along the Southerly and Westerly boundaries thereof.

**AND EXCEPT**

A parcel of land located in the Southeast Quarter of the Southeast Quarter more particularly described as follows:

COMMENCING at the Southeast corner of said Section 27 and being THE TRUE POINT OF BEGINNING;
Thence South 89°35'50" West along the South boundary of Section 27 for a distance of 264.10 feet;
Thence North 07°28'59" West for a distance of 165.86 feet;
Thence North 02°15'53" East for a distance of 206.69 feet;
Thence North 67°00'19" East for a distance of 301.48 feet to a point on the East boundary of Section 27;
Thence South along the East boundary of Section 27 for a distance of 486.89 feet to THE TRUE POINT OF BEGINNING.

**SUBJECT TO** a 25.00 foot wide County road right of way along the Southerly and Easterly boundaries thereof.

GOODING
TITLE & ESCROW
COMPANY

February 4, 2000

RECEIVED
FEB 07 2000
Department of Water Resource
Southern Region

Idaho Dept. of Water Resources
1341 Fillmore Street, Ste. 200
Twin Falls, ID 83301

Re: A37-07001,A37-07316,
A37-07363, A37-07531

Dear Sir or Madame:

Enclosed please find a Notice of Change of Water Right Ownership to be filed with your office. Also enclosed is a copy of the recorded Warranty Deed for your reference. If you have any questions, please feel free to contact our office.

Sincerely,

GOODING TITLE & ESCROW CO.

DeNene M. Dixon

DeNene M. Dixon
Escrow Assistant

/dmd
Encl.

P.O. Box 446 342 Main Street Gooding, ID 83330 (208) 934-4427 FAX (208) 934-4741

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-07316**
Date Received: 3/21/1989
Receipt No: S006623
Received By: _____

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

1. Name: LITTLE SKY FARMS PARTNERSDHIP 208-352-4680
   Address: HC 60
   BLISS, ID 83314

2. Date of Priority: NOV 07, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|---|---|---|---|---|---|
| 06S | 14E | 27 | SW SE | | GOODING |

5. Description of diverting works:
   WELL AND PUMP

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|---|---|---|---|---|---|
| IRRIGATION | 03/15 | 11/15 | 3.100 | | 1004.00 |

7. Total Quantity Appropriated is:
   3.100 C.F.S. (and/or) 1004.00 A.F.A.

8. Total consumptive use is 465.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---|---|---|---|---|---|---|
| 06S | 14E | 27 | NE SW | | IRR | 40.0 |
| | | | NW SW | | IRR | 40.0 |
| | | | NE SE | | IRR | 35.0 |
| | | | NW SE | | IRR | 40.0 |
| | | | | Section Acres | | 155.0 |



MICROFILMED
FEB 24 1993

10. Place of Use: Continued

Total Acres 155.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A37-07019

14. Remarks:
TRANS. 3129.
SEE REFERENCE RIGHT A37-07480.
PROPERTY PURCHASED FROM ORIGINAL CLAIMANT ON 5-5-1989.

15. Basis of Claim: LICENSE



MICROFILMED
FEB 24 1993

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

**For Organizations:**

I do solemnly swear or affirm that I am General Partner (Title) of Little Sky Farms, a partnership (Organization), that I have signed the foregoing document in the space below as General Partner (Title) of Little Sky Farms, a partnership (Organization) and that the statements contained in the foregoing document are true and correct.

Jess D Collister
Signature of Authorized Agent

General Partner-Little Sky Farms
Title and Organization

May 17, 1989
Date

State of Idaho )
) SS.
County of Gooding )

Subscribed and sworn (or affirmed) before me this 17th day of May 19 89

Clifton Simmons
Notary Public

Seal

Residing at Hagerman, Idaho

My Commission Expires 5-10-91



MICROFILMED
FEB 24 1993

G-15831

COPY

# WARRANTY DEED AND BILL OF SALE

THIS INDENTURE, made this 5th day of May, 1989, between DON MCFARLAND and CAROL MCFARLAND, husband and wife, the Grantors, and JESS D. ELLIOTT and KAREN K. ELLIOTT, husband and wife, RICHARD H. WAITE, a single man, and MARLYN J. WAITE MILLER, a single woman, the Grantees, whose current mailing address is H.C. 60, Bliss, Idaho, 83314.

W I T N E S S E T H:

That the said Grantors, for and in consideration of the payment to them of TEN DOLLARS ($10.00) AND OTHER VALUABLE CONSIDERATION, by the said Grantees, the receipt and sufficiency whereof are hereby acknowledged, have granted, bargained, and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said Grantees, and to their successors and assigns forever, the following described real estate situate in the County of Gooding, State of Idaho, to-wit:

> Township 6 South, Range 14 East Boise Meridian, Section 27: S½, less and except the two parcels described on Exhibits "A" and "B", attached hereto.

The above described premises are conveyed subject to the following encumbrances:

All taxes and assessments levied and assessed or to be levied and assessed for 1989 and all subsequent years, including but not limited to ad valorem taxes and irrigation district assessments; and

Unrecorded easements visible upon the premises.



MICROFILMED
FEB 24 1993

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, including all mineral rights and all appurtenant water rights ; subject to the terms contained on EXHIBIT "C".

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises together with the appurtenances unto the parties of the second part, and to their successors and assigns forever.

Grantors warrant to the Grantees, and their successors in title, that, the Grantors have not conveyed the same estate, or any right, title or interest therein, to any person other than the Grantees, and that the estate herein conveyed is, at the time of the execution of this deed, free from encumbrances, except as above described, and the Grantors covenant that they will warrant and defend said premises to the extent of the warranties made herein against the lawful claims of all persons.

The Grantors do further sell, transfer and assign to the Grantees all operating, handling and processing equipment now located or installed on the premises hereinbefore described or which shall be located or installed on those premises pursuant to the Sale and Purchase Agreement made between the Grantors and the Grantees executed on 5th of May, 1989.



MICROFILMED
FEB 24 1989

IN WITNESS WHEREOF, the said Grantors have hereunto caused their name to be subscribed as of the day and year herein first above written.

Don McFarland

Carol McFarland

STATE OF IDAHO )
) ss.
County of Gooding )

On this 5th day of May, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Don McFarland, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

OFFICIAL SEAL
JANET A. CORRELL
NOTARY PUBLIC STATE OF IDAHO
GOODING
GOODING COUNTY
My Commission Expires 2-28-1993

NOTARY PUBLIC
Residence: Gooding, Idaho
My Commission Expires: 2-28-1993

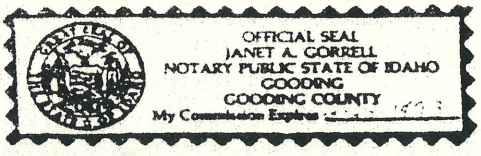
STATE OF IDAHO )
) ss.
County of Gooding )

On this 5th day of May, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Carol McFarland, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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



MICROFILMED
FEB 24 1993




Janet Gorrell
NOTARY PUBLIC
Residence: Gooding, Idaho
My Commission Expires: 2-28-1993

136196

STATE OF IDAHO
COUNTY OF GOODING, SS
RECORDED AT REQUEST
Land Title & Escrow Inc
'89 MAY 5 PM 1 17
RECORDERS, REC.
DEP.
FEE 2.00

WARRANTY DEED AND BILL OF SALE\4

MICROFILMED
FEB 24 1993

EXHIBIT "A"

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

Section 27: A parcel of land located in the SE¼SE¼, described as follows:

Commencing at the Southeast corner of said Section 27 and being THE TRUE POINT OF BEGINNING;
Thence South 89°35'50" West along the South boundary of Section 27 for a distance of 264.10 feet;
Thence North 7°28'59" West for a distance of 165.86 feet;
Thence North 2°15'53" East for a distance of 206.69 feet;
Thence North 67°00'19" East for a distance of 301.48 feet to a point on the East boundary of Section 27;
Thence South along the East boundary of Section 27 for a distance of 486.89 feet to THE TRUE POINT OF BEGINNING.

SUBJECT TO a 25.0 foot wide County road right of way along the Southerly and Easterly boundaries thereof.

MICROFILMED
FEB 24 1993

EXHIBIT "B"

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

Section 27: A parcel of land located in the SW¼SW¼, described as follows:

Commencing at the Southwest corner of said Section 27 and being THE TRUE POINT OF BEGINNING;
Thence North 1°55'39" East for a distance of 780.53 feet;
Thence South 37°10'58" East for a distance of 973.41 feet to a point on the South boundary of Section 27:
Thence South 89°34'29" West along the South boundary of Section 27 for a distance of 614.56 feet to THE TRUE POINT OF BEGINNING.

SUBJECT TO a 25.0 foot wide County road right of way along the Southerly and Westerly boundary's thereof.

MICROFILMED
FEB 24 1993

EHHIBIT "C"

Excluding all North Side Canal Company, Ltd., water stock and to include State Water Right Numbers 37-7316, 37-7363, 37-7001 and 37-7531.

MICROFILMED
FEB 24 1993

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-07316
Date Received: 8/31/1988
Receipt No: S006623
Received By: scc

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

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

2. Date of Priority: NOV 07, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|---|---|---|---|---|---|
| 06S | 14E | 27 | SW SE | | GOODING |

5. Description of diverting works:
   WELL AND PUMP

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S (or) | A.F.A. |
|---|---|---|---|---|
| IRRIGATION | 03/15 | 11/15 | 3.100 | 1004.00 |

7. Total Quantity Appropriated is:
   3.100 C.F.S. (and/or) 1004.00 A.F.A.

8. Total consumptive use is 465.0 Acre Feet Per Annum.

9. Non-irrigation uses:



MICROFILMED
FEB 24 1993

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | | Lot | Use | Acres |
|---|---|---|---|---|---|---|---|
| 06S | 14E | 27 | NE | SW | | IRR | 40.0 |
| | | | NW | SW | | IRR | 40.0 |
| | | | NE | SE | | IRR | 35.0 |
| | | | NW | SE | | IRR | 40.0 |
| | | | | | | Section Acres | 155.0 |
| | | | | | | Total Acres | 155.0 |

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A37-07019

14. Remarks:
TRANS. 3129.
SEE REFERENCE RIGHT A37-07480.

15. Basis of Claim: LICENSE



MICROFILMED
FEB 24 1993

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ____ do not ____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

**For Individuals:**

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho )
) SS.
County of _____ )

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

of _____ 19 _____ _____
Notary Public

Seal

Residing at _____

My Commission Expires _____



MICROFILMED
FEB 24 1993

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-07316
Date Received: 8/31/1988
Receipt No: 5006623
Received By: _____

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

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

RECEIVED
SEP 1 1988
Department of Water Resources
Southern Region Office

2. Date of Priority: NOV 07, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|---|---|---|---|---|---|
| 06S | 14E | 27 | SW SE | | GOODING |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|---|---|---|---|---|---|
| IRRIGATION | 03/15 | 11/15 | 3.100 | | 1004.00 |

7. Total Quantity Appropriated is:
3.100 C.F.S. (and/or) 1004.00 A.F.A.

8. Total consumptive use is 465 Acre Feet Per Annum.

9. Non-irrigation uses:



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10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | | Lot | Use | Acres |
|---|---|---|---|---|---|---|---|
| 06S | 14E | 27 | NE | SW | | IRR | 40.0 |
| | | | NW | SW | | IRR | 40.0 |
| | | | NE | SE | | IRR | 35.0 |
| | | | NW | SE | | IRR | 40.0 |
| | | | | | | Section Acres | 155.0 |
| | | | | | | Total Acres | 155.0 |

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:
TRANS. 3129.

15. Basis of Claim: LICENSE



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16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ____ do not ____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

**For Individuals:**

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

Signature of Claimant(s): Don McDonald Date: 9-1-88

_____ Date: _____

State of Idaho )
) SS.
County of Twin Falls )

Subscribed and sworn (or affirmed) before me this 1st day of September 19 88

Chris P. Hernandez
Notary Public

Seal

Residing at Twin Falls

My Commission Expires 10-31-88



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NOTICE OF APPEARANCE

Notice is hereby given that the law firm of Nelson, Rosholt, Robertson, Tolman & Tucker will be acting as attorneys at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the addrsss listed below.

DATED this 1 day of September, 1988.

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

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FEB 24 1993

Form No. 222 8/84

Transfer No. 3129

Water Right No. 37-7316

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

## To Change the Point of Diversion and/or the Place of Use

Name of applicant Don and Carol McFarland Phone 208-825-5258

Post Office address P.O. Box 268 Eden, ID 83325

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____ (Name)

   in case of _____ vs _____

   dated in _____ in _____ (Name of court) county of _____

   b. License No. 37-7316 issued by the Idaho Department of Water Resources

   c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Right purchased with land. See attached

3. Source of water groundwater tributary to _____

4. Date of priority ~~11-7-63~~ 11-7-1973 * ADM

5. Water is used for the following purposes:

   amount 3.10 for Irrigation purposes from 3-15 to 11-15

   amount _____ for _____ purposes from _____ to _____

   amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 3.10 cubic feet per second &/or b. 1,004 acre feet per annum

7. Location of original point of diversion is SW ¼ of SE ¼ of Section 27 Township 6S Range 14E, B.M., in Gooding County

   Additional points of diversion, if any _____

8. Lands irrigated or place of use:

| TWP. | RANGE | SEC. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTALS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 6S | 14E | 27 | | | | | | | | | 36 | 35 | 36 | 36 | 36 | 36 | 36 | | 251 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres to be irrigated 251

9. Describe any other water rights used for the same purpose as described above 37-7363, 37-7001 (to be transferred simultaneously)

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS.

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

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1. Amount of water: a. _____ cubic feet per second
   &/or
   b. _____ acre feet per annum

2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
   Range _____, B.M., _____ County
   Additional points _____

3. Place of use:

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

Total number of acres to be irrigated _____

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

1. General Information

   a. Amount of water to be diverted 3.10 c.f.s. &/or 1,004 acre feet

   b. Description of diverting works same - groundwater well

   c. Describe the reasons for the proposed changes clarify overlapping water rights

2. Change in point of diversion none

   Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
   Range _____, B.M., _____ County
   Additional points _____

3. Change in place of use

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

   b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
   The change will allow for the filling of transfer of water rights 37-7363 and 37-7001 to a portion of the farm

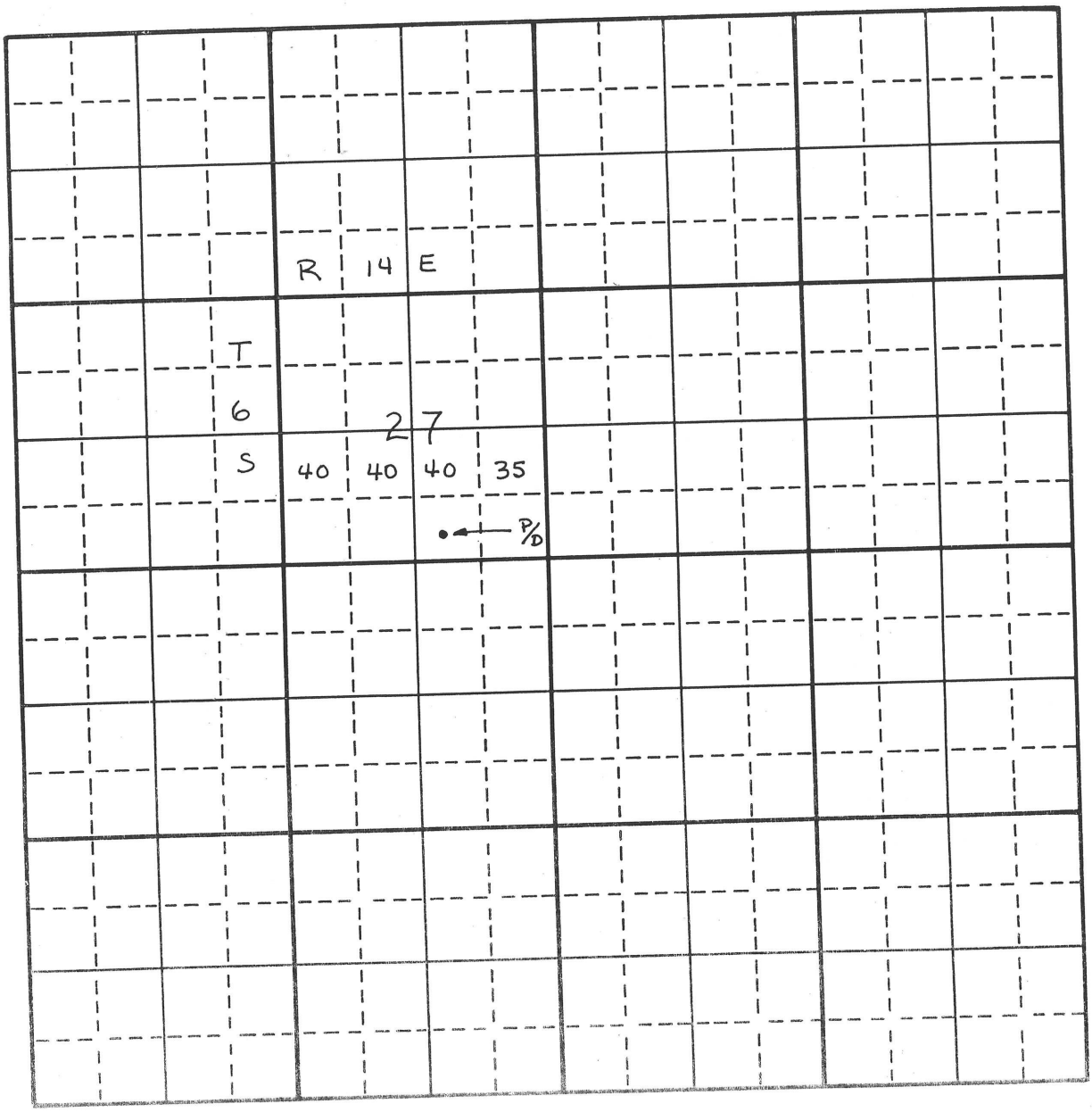
c. Describe the lands or place of use to which the right will be transferred:

| TWP. | RANGE | SEC. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTALS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 6S | 14E | 27 | | | | | | | | | 40 | 40 | | | 35 | 40 | | | 155 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres to be irrigated 155

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

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.




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

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D. REMARKS

The transfers are requested to merely clarify the existing licensed rights as to appurtenancy.

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

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

Don McFarland
(Signature of Applicant)

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

Mary A Nunley
(Notary Public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-7316 and said application is hereby APPROVED, subject to the following limitations and conditions:

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

L. Glen Sayton
Chief, Operations Bureau

H 35320

FOR DEPARTMENT USE ONLY

Received by DS. Date 4-4-1985 Protest filed by None

Prelim. check by ADM Fee 50.00

Receipted by DF. Date 4-4-1985

Published in Gooding Co. Leader

Pub. dates ~~4/23 & 4/30 1985~~ 4/11 & 4/18/85

Copies of protest forwarded by

Hearing held by Date

Watermaster recommendation requested on N/A

rec'd.

Recommended for approval denial

by ADM Jim

State of Idaho

Department of Water Resources

## WATER RIGHT LICENSE

License of Water Right No. 37-7316 Priority Nov. 7, 1973 Amount 3.10 cfs

THIS IS TO CERTIFY, that ANDERSON - NAFZIGER

of Twin Falls, Idaho, has complied with the terms and conditions of Permit No. 37-7316 issued pursuant to Application for Permit dated November 7, 1973, and has submitted proof to the Department of Water Resources on December 17, 1975, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 3.10 cfs of water from a ground water source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

| Beneficial Use | Period of Use | Rate of Diversion | Annual Volume |
|---|---|---|---|
| Irrigation | from March 15 to Nov. 15 | at 3.10 cfs | and 1,004 acre feet or 4.0 af per acre |
| _____ | from _____ to _____ | at _____ cfs | and _____ |
| _____ | from _____ to _____ | at _____ cfs | and _____ |

(both dates inclusive)

Subject, however, to the condition that no more than 3.10 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1,004 acre feet per year, said waters to be diverted within the $SW\frac{1}{4}SE\frac{1}{4}$ of Sec. 27, Twp. 6 S, Rge. 14 E, B.M. in the County of Gooding

Description and location of place of use:

| Twp. | Range | Sec. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 6 S | 14 E | 27 | | | | | | | | | 36 | 35 | 36 | 36 | 36 | 36 | 36 | | 251 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres irrigated 251

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

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 22 day of October, 19 76.

Director