06/22/2002

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your
recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 23, 2002

Water right number: 37-7816

SALLY J TOONE
2096 E 1500 S
GOODING ID 83330
Telephone Number: (208)934-8114

MARK S TOONE
2096 E 1500 S
GOODING ID 83330
Telephone Number: (208)934-8114

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

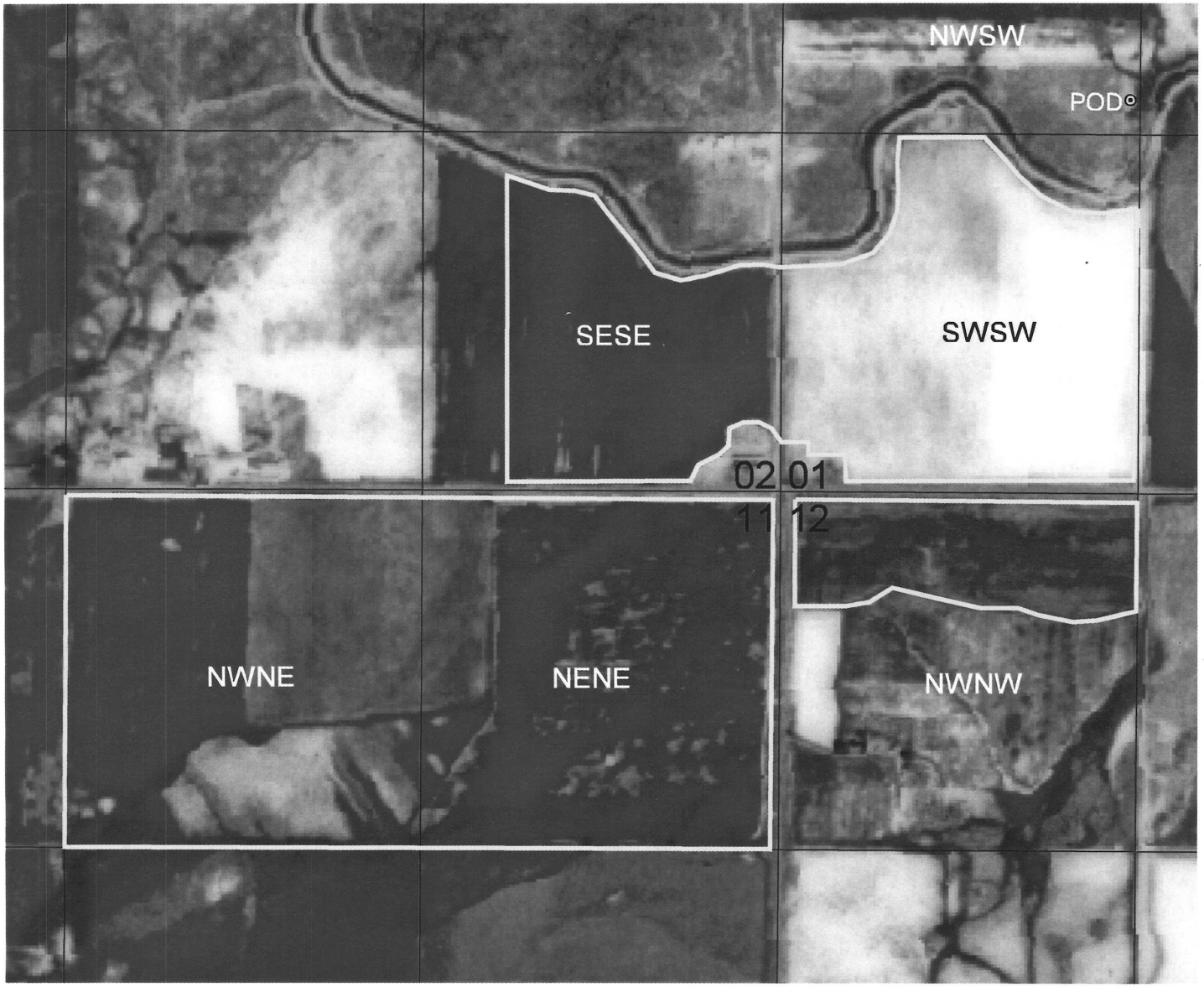
X **I AGREE with this proposed recommendation: no changes need to be made.**

DATE: July 5, 02 **SIGNATURE:** Sally J Toone

Please print your name: Sally J. Toone

IDWR State Office, PO Box 83720, Boise ID 83707-9815

37-7816



T05S R15E
S01, S02
S11 & S12

N
W E
S

1000 0 1000 2000 Feet

Map prepared by: Carter Fritschle
Date prepared: 01/07/02
1987-1988 NAPP photography
Idaho Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES 01/11/2002

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-7816

NAME AND ADDRESS: SALLY J TOONE
2096 E 1500 S
GOODING ID 83330

MARK S TOONE
2096 E 1500 S
GOODING ID 83330

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 2.25 CFS
552.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 37-7412 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.25 CFS.

PRIORITY DATE: 12/26/1979

POINT OF DIVERSION:

T05S R15E S1 SENWSW Within GOODING County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/01	2.250 CFS 552.00 AFY

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

PLACE OF USE: IRRIGATION Within GOODING County

T05S R15E S11	NENE	38.0	T05S R15E S11	NWNE	39.0
T05S R15E S01	SWSW	30.0	T05S R15E S12	NWNW	12.0
T05S R15E S02	SESE	19.0			

138 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

RIGHT NO. 37-7412 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS RESERVOIR DIST. NO. 2.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL CO.

DATA ENTRY BY _____

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: A37-07816
Date Received: 3/23/1990
Receipt No: X111111
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-334-1577
   Address: USDA, FMHA
   3232 ELDER ST.
   BOISE, ID 83705

2. Date of Priority: DEC 26, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
   IRR. WELL, 400' DEEP; 2 PUMPS W/1100 GPM; SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
IRRIGATION	04/01	11/01	2.250	

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

8. Total consumptive use is 414.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	15E	1	SW SW		IRR	28.0

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OCT 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
						Section Acres	28.0
		2	SE	SE		IRR	18.0
						Section Acres	18.0
		11	NE	NE		IRR	38.0
			NW	NE		IRR	39.0
						Section Acres	77.0
		12	NW	NW		IRR	15.0
						Section Acres	15.0
						Total Acres	138.0

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:
160 SHARES BIG WOOD CANAL; SEE REMARKS

14. Remarks:
5. CON'T: AND 1800 GPM RESPECTIVELY. 1100 GPM PUMP IS FROM 276' LEVEL. PUMPS THRU MAINLINE TO IRRIGATE 385 ACRES. 1800' 12" FIBERGLASS GATED PIPE, 820' 10" PVC GATED PIPE, 1120' 8" PVC GATED PIPE, 4200' 8" SINGLE GATED PIPE, 240' 10" STEEL PIPE, 96' 10" STEEL PIPE, 20' 12" STEEL PIPE, 80' 8" STEEL PIPE, 125 HP WELL PUMP & MOTOR, 75 HP PUMP & MOTOR, 7 ¼ MILE WHEEL LINES, 1 ¼ MILE HAND LINE, 1800' 10" MAINLINE, 2000' 8" MAINLINE.
13. CON'T: 38 SHARES AMERICAN FALLS RESERVOIR. LICENSE #37-7412 THIS WATER RIGHT UNDER LICENSE #37-7816. THIS IS INVENTORY PROPERTY FORMERLY BELONGING TO ROBERT R. FREDERICKSEN. PERMIT #37-7816. POD IS NW¼ SW¼, SECTION 1, TWP. 5 SOUTH, RANGE 15 EAST

15. Basis of Claim: LICENSE

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OCT 25 1994

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
OCT 25 1994

FREDERICKSEN

Form No. 1409 (2) a 1/88

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

CIVIL CASE NUMBER: 39576
Ident. Number 37-7816
Date Received
Receipt Number

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

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

~~ORIGINAL~~ OK

Please type or print clearly

United States of America,
USDA-Farmers Home Administration

1. Name of Claimant (s) _____ Phone (208) 334-1577

   Mailing Address STATE DIRECTOR, FmHA, 3232 ELDER ST., BOISE, ID. Zip 83705

2. Date of Priority (Only one (1) per claim) December 26 1979

3. Source of water supply (a) WELL

   which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 5 S Range 15 E Section 1,

   NW 1/4 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of GOODING

   Additional points of diversion if any: NONE

   b. If instream flow, beginning point of claimed instream flow is:

   Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

   Govt. Lot _____ B.M., County of _____

   ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

   _____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. IRRIGATION WELL 400' DEPTH; 2 PUMPS WITH 1100 GPM AND 1200 GPM RESPECTIVELY. 1100 GPM PUMP IS FROM 276 FOOT LEVEL. PUMPS THRU MAINLINE TO IRRIGATE 345 ACRES 1800' 12" Fiberglass Gated Pipe, 820' 10" PVC Gated Pipe, 1120' 8" PVC Gated Pipe, 4200' 8" Single Gated Pipe, 240' 10" Steel Pipe, 96' 10" Steel Pipe, 20' 12" Steel Pipe, 80' 8" Steel Pipe, 125 HP Well Pump and Motor, 75 HP Pump and Motor, 7 - 1/4 Mile wheel lines, 1 - 1/2 Mile wheel line, 1800' 10" main line, 2000' 8" main line

MICROFILMED OCT 25 1994

FmHA - Fredericksen

218

6. Water is claimed for the following purposes:

		(both dates are inclusive)		(cfs)	(acre feet)
For IRRIGATION	purposes from APR 1ST	to NOV 1ST	amount 2.25	or [redacted]	
For	purposes from	to	amount	or	
For	purposes from	to	amount	or	
For	purposes from	to	amount	or	

7. Total quantity claimed (a) ~~2.25~~ 2.25 (cfs) and/or (b) [redacted] (acre feet)

8. Total consumptive use claimed is 414.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) N/A

10. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5S	15E	1											28						28
		2																18	18
		11	38	39															77
		12						15											15

Total number of acres irrigated 138

11. In which county (ies) are lands listed above as place of use located? GOODING

12. Do you own the property listed above as place of use? Yes ✓ No
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
160 SHARES BIG WOOD CANAL AND 38 SHARES AMERICAN FALLS RESEVOIR or None ( )
License # 37-7412

14. Remarks:
THIS WATER RIGHT UNDER LICENSE #37-7816. THIS IS INVENTORY PROPERTY FORMERLY BELONGING TO ROBERT R. FREDERICKSEN. PERMIT # 37-7816. POD IS NW¼SW¼, SECTION 1, TWP. 5 SOUTH, RANGE 15 EAST.

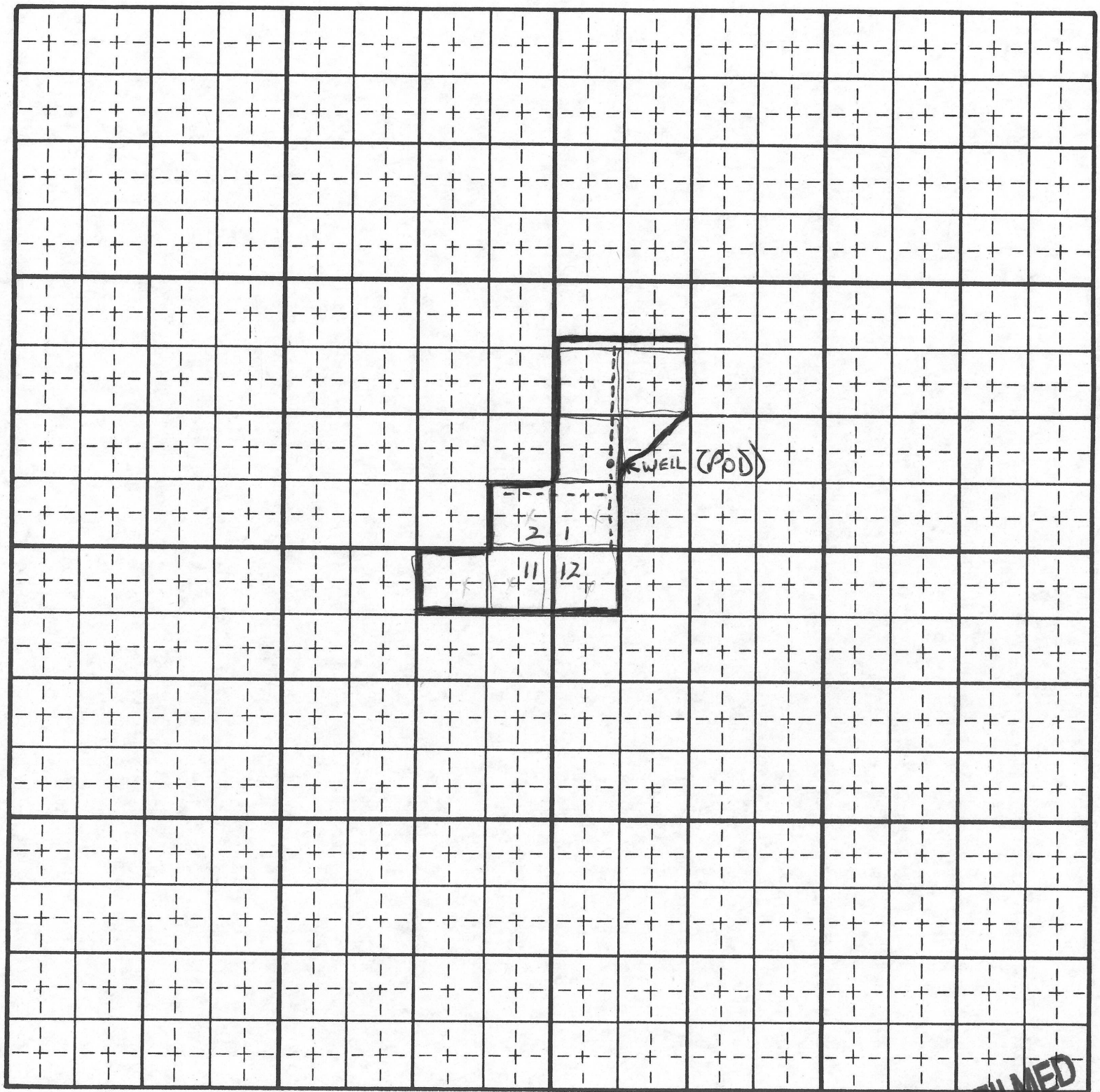
MICROFILMED OCT 25 1994

Last Name USA (USDA - FmHA) Fredericksen Ident No. 37-7816

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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OCT 25 1994

Last Name Fm HA-USDA Frocricksen Ident No. 37 - 7816 *Copies: White-State, Yellow-Claimant*

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ✓ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 37-7816
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am COUNTY SUPERVISOR (Title) of FARMERS HOME ADMIN, GOODING, IDAHO (Organization), that I have signed the foregoing document in the space below as COUNTY SUPERVISOR (Title) of FmHA, GOODING (Organization) and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [signature]

Title and Organization County Supervisor FmHA Date 5/23/89

State of Idaho/or Idaho)
) SS.
County of Gooding)

Subscribed and sworn (or affirmed) before me this 23 day of May 19 89

SEAL

Notary Public Patricia A. Fossceco
Patricia A. Fossceco
Residing at Gooding, Idaho

My Commission Expires March 6, 1994

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, Peter Monson will be acting as attorney 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 me at the address listed below.

Signature _____
Indian Resources Section, Land of Natural Resources Section
Address U.S. Dept. of Justice, P. O. Box 44378, Washington, D.C. 20026-4378

Date _____

Last Name FmHA, USDA GOODING FREDERICKSEN Ident. Number 37-7816

Copies White-State, Yellow-Claimant

State of Idaho

Department of Water Resources

MAY 6 1983

Water Resources
Southern District Office

WATER RIGHT LICENSE

License of Water Right No. 37-7816 Priority December 26, 1979 Amount 2.25 cfs

THIS IS TO CERTIFY, that Robert R. Fredericksen of Gooding, Idaho, has complied with the terms and conditions of Permit No. 37-7816 issued pursuant to Application for Permit dated December 26, 1979, and has submitted proof to the Department of Water Resources on August 12, 1981, 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 2.25 cfs of water from a groundwater 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 April 1 to November 1	at 2.25 cfs	and 414.0 acre feet
_____	from _____ to _____	at _____ cfs	and _____
_____	from _____ to _____	at _____ cfs	and _____

(both dates inclusive)

Subject, however, to the condition that no more than 2.25 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 414.0 acre feet per year, said waters to be diverted within the NW¼SW¼, Section 1, Twp. 5S, Rge. 15E 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	
5S	15E	1											28						28
		2															18		18
		11	38	39															77
		12						15											15

Total number of acres irrigated 138

This right when combined with Right No. 37-7412 shall not exceed 2.25 cfs. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre for the lands above.

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2nd day of May, 19 83.

Acting for the Director

37-7816

MICROFILMED
OCT 25 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-07816
Date Received: 3/23/1990
Receipt No: X111111
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARK S. TOONE 208-934-8114
   Address: 2096 E. 1500 S.
   GOODING, ID 83330
   AND/OR
   Name: SALLY J. TOONE 208-934-8114
   Address: 2096 E. 1500 S.
   GOODING, ID 83330

2. Date of Priority: DEC 26, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
   IRR. WELL, 400' DEEP; 2 PUMPS W/1100 GPM; SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.250		

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

8. Total consumptive use is 414.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	15E	1	SW SW		IRR	28.0

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FEB 24 1999
MICROFILMED
OCT 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
						Section Acres	28.0
		2	SE	SE		IRR	18.0
						Section Acres	18.0
		11	NE	NE		IRR	38.0
			NW	NE		IRR	39.0
						Section Acres	77.0
		12	NW	NW		IRR	15.0
						Section Acres	15.0
						Total Acres	138.0

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:
160 SHARES BIG WOOD CANAL; SEE REMARKS

14. Remarks:
5. CON'T: AND 1800 GPM RESPECTIVELY. 1100 GPM PUMP IS FROM 276' LEVEL. PUMPS THRU MAINLINE TO IRRIGATE 385 ACRES. 1800' 12" FIBERGLASS GATED PIPE, 820' 10" PVC GATED PIPE, 1120' 8" PVC GATED PIPE, 4200' 8" SINGLE GATED PIPE, 240' 10" STEEL PIPE, 96' 10" STEEL PIPE, 20' 12" STEEL PIPE, 80' 8" STEEL PIPE, 125 HP WELL PUMP & MOTOR, 75 HP PUMP & MOTOR, 7 ½ MILE WHEEL LINES, 1 ½ MILE HAND LINE, 1800' 10" MAINLINE, 2000' 8" MAINLINE.
13. CON'T: 38 SHARES AMERICAN FALLS RESERVOIR. LICENSE #37-7412 THIS WATER RIGHT UNDER LICENSE #37-7816. THIS IS INVENTORY PROPERTY FORMERLY BELONGING TO ROBERT R. FREDERICKSEN. PERMIT #37-7816. POD IS NW¼ SW¼, SECTION 1, TWP. 5 SOUTH, RANGE 15 EAST
****
OWNERSHIP CHANGE 4/5/91 BY JG.

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

RECEIVED
FEB - 4 1991
Department of Water Resources
Southern Region Office

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[ ] Water Right Number(s): 37-7816 and 37-7412

[ ] Name and Address of Former Claimant: Robert R. Fredericksen
or Farmers Home Administration
157 Main Street, Gooding, ID 83330

[ ] New Claimant(s): Mark S. and Sally J. Toone
2096 East 1500 South, Gooding, ID 83330

[ ] New Mailing Address: 2096 East 1500 South
Gooding, ID 83330

New Telephone Number: (208) 934 - 8114

[ ] Does the change in ownership result in a splitting of the water right claimed? _____ yes XX no

If yes, then describe the portion of the water right that is now claimed by the new owner:

[ ] Attach proof of ownership
Describe proof attached: Copies of Warranty Deed

[ ] Signature of New Claimant(s): Mark S. Toone

Date: February 1, 1991

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: 4/5/91 By: JC
Further Action Needed:
Further Action Taken
Date: By:
Final Review and Data-Entry
Date: 4/5/91 By: JC
Claim Numbers of Split, if any:

MICROFILMED
FEB 24 1993

RECEIVED
FEB - 4 1991
Department of Water Resources
Southern Region Office

EXHIBIT "A"

TRACT I
Township 5 South, Range 15 East of the Boise Meridian
Section 1: Lots 3 and 4, S½NW¼, NW¼SW¼, NE¼SW¼, less part South of Canal

Section 1: Part of SW¼SW¼ AND

Section 2: Part of SE¼SE¼ all lying North of the North Gooding Main Canal.

TRACT II
Township 5 South, Range 15 East of the Boise Meridian
Section 1: Part of the SW¼SW¼ lying South of the North Gooding Main Canal.

Section 2: Part of the SE¼SE¼ lying South of the North Gooding Main Canal.

Section 11: N½NE¼

Section 12: NW¼NW¼

IN THE COUNTY OF GOODING, STATE OF IDAHO

Together with all water rights appurtenant thereto, including but not limited to those water rights as evidenced by the records of the Big Wood Canal Company and American Falls Reservoir District #2.

105078

STATE OF IDAHO, COUNTY OF GOODING, ss.
SECURITY TITLE CO
Dec 83
MARGARET F. CLEMENTS Recorder
By Judy Hawkins, Deputy

MICROFILMED
FEB 24 1993

Form FmHA-ID 465-1
(Rev. 10-6-76)

RECEIVED
FEB - 4 1991
Department of Water Resources
Southern Region Office

UNITED STATES DEPARTMENT OF AGRICULTURE
Farmers Home Administration

DEED IN SATISFACTION OF MORTGAGE INDEBTEDNESS

FOR VALUE RECEIVED **ROBERT R. and BEVERLY FREDRICKSEN** herein referred to as Grantors, hereby grant, bargain, sell, and convey unto the UNITED STATES OF AMERICA, acting through the Farmers Home Administration, United States Department of Agriculture, herein referred to as Grantees, the following described real property, with tenements, hereditaments, and appurtenances, to wit:

SEE ATTACHED EXHIBIT "A"

Grantors herein acknowledge that the property described herein is subject to a mortgage in favor of Grantees and said mortgage is in default and subject to foreclosure. That this deed is executed and given in full satisfaction of said mortgage and is intended as a conveyance, absolute in legal effect as well as in form, of the title to said premises to the second party and not as a mortgage, trust conveyance, or security of any kind, and that possession of said premises is hereby surrendered to said party; and that in executing this deed the Grantor is not acting under any misapprehension as to the effect thereof, nor under any duress, undue influence, or misrepresentation by the second party, or its agent, or attorney:

DATED Oct 27, 1983

Robert R Fredricksen
ROBERT R. FREDRICKSEN

Beverly Fredricksen
BEVERLY FREDRICKSEN

STATE OF IDAHO)
) ss:
County of GOODING)

On this 27th day of Oct., 1983, before me, a Notary Public in and for said County and State, personally appeared ROBERT R. FREDRICKSEN and BEVERLY FREDRICKSEN, his wife, to me known to be the identical individual(s) as described in and who executed the within and foregoing instrument and whose name(s) are subscribed thereto, and acknowledged to me that he signed, sealed, and executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

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

Notary Public in and for the State of Idaho
Residing at Gooding, Id.
My Bond expires 10-16-87

Until a change is requested, all tax statements shall be sent to the following address: **Farmers Hone Adminstration, 438 Idaho Street, Gooding, ID 83330**

MICROFILMED
FEB 24 1993

Position 5

Form FmHA 1955-49
(Rev. 10-28-81)

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

QUITCLAIM DEED

The UNITED STATES OF AMERICA, acting through the Administrator of the Farmers Home Administration, United States Department of Agriculture, CONVEYS and QUITCLAIMS to Mark S. Toone and Sally J. Toone, husband and wife, whose address is: 2096 East 1500 South, Gooding, ID 83330

, Grantee, for the sum of $209,000.00 (Two hundred nine thousand and no/100 dollars)

all interest in the following described real estate situated in the County of Gooding

State of Idaho , to-wit:

Township 5 South, Range 15 East of the Boise Meridian,

SECTION 1: Lots 3 & 4, S½NW¼, NW¼SW¼, NE¼SW¼, less part South of canal; That part of SW¼SW¼ North of North Gooding Canal; That part of SW¼SW¼ South of North Gooding Canal.

SECTION 2: That part of SE¼SE¼ North of the North Gooding Canal, That part of SE¼SE¼ South of the North Gooding Canal.

SECTION 11: N½NE¼

SECTION 12: NW¼NW¼

Together with all water rights, ditches and ditch rights, used thereon or appurtenant thereto, including but not limited to 160 shares of the capital stock of the Big Wood Canal Company, and 38 acres assessed under the American Falls Reservoir District No. 2, also water under State of Idaho Permit Nos.37-7412 & 37-7816 allowing a maximum combined delivery of 2.25 cfs from April 1st to Nov. 1st.

148604

STATE OF IDAHO, COUNTY OF GOODING
Filed for record at the request of FIRST AMERICAN TITLE
45 min. past 3 o'clock P M. this 1
of Feb. 1991. fee 6.00
JOHN A. MYERS, Recorder
By Velda M. Schmidt Deputy

RECEIVED
FEB - 4 1991
Department of Water Resources
Southern Region Office

MICROFILMED
FEB 24 1993

First American Title Company
P.O. BOX 446, 102 FIFTH AVENUE EAST, GOODING, IDAHO 83330
TELEPHONE (208) 934-4427

February 1, 1991

RECEIVED
FEB - 4 1991
Department of Water Resources
Southern Region Office

Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Re: Toone/FmHA

Dear Gentlemen:

I have enclosed a change of ownership form along with the appropriate copies of deeds to the ownership of these water rights changed. If you have any questions, please do not hesitate to call.

Sincerly,

FIRST AMERICAN TITLE COMPANY

Susan

Susan M. Bolton
Manager

Enclosure

MICROFILMED
FEB 24 1993

SD-36 Township: 05S Range: 15E Section: 1 Tract: Lot:

Max # Records 26

S E L	Tract	LOT	Water Right No.	STATE Name Last, First	OWN	AC	STG	Priority Date	Use Code	Use Desc
_	NENE		A37-00867Z1	LARGE CLAIM	C	31	D	01/01/1901	39	GWR FS
_	NWNE		A37-00867Z1	LARGE CLAIM	C	5	D	01/01/1901	39	GWR FS
_	SWNE		A37-00867Z1	LARGE CLAIM	C	13	D	01/01/1901	39	GWR FS
_	SENE		A37-00867Z1	LARGE CLAIM	C	34	D	01/01/1901	39	GWR FS
_	NENW		A37-00867Z1	LARGE CLAIM	C	41	D	01/01/1901	39	GWR FS
_	NENW	3	A37-07412	AMERICA, ACTING THROUG	C	41	L	12/18/1974	01	IRR
_				MONSON, ESQ., PETER	A					
_				FREDERICKSEN, ROBERT R	O					
_				U.S. DEPT. OF AGRICULT	K					
_				FMHA	K					
_	NWNW		A37-00867Z1	LARGE CLAIM	C	40	D	01/01/1901	39	GWR FS
_	NWNW	4	A37-07412	AMERICA, ACTING THROUG	C	43	L	12/18/1974	01	IRR
_				MONSON, ESQ., PETER	A					
_				FREDERICKSEN, ROBERT R	O					
_				U.S. DEPT. OF AGRICULT	K					
_				FMHA	K					

(Enter=Continue) (GOLD7=This Query) (MENU _____)

MICROFILMED
FEB 24 1993

SD-36 Township: 05S Range: 15E Section: 1 Tract: Lot:

SEL	Tract	LOT	Water Right No.	Name Last, First	OWN	AC	STAT	Max # Records 26 Priority Date	Use Code	Use Desc
_	SWSW		A37-07816	FMHA	K	28	L	12/26/1979		
_				MONSON, ESQ., PETER	A					
_				AMERICA, ACTING THROUG	C					
_	SESW		A37-00867Z1	LARGE CLAIM	C	43	D	01/01/1901	39	GWR FS
_	NESE		A37-00867Z1	LARGE CLAIM	C	30	D	01/01/1901	39	GWR FS
_	NWSE		A01-00006	AMERICAN FALLS RESERVO	C	38	D	03/30/1921	01	IRR
_	SWSE		A37-12782	EGERSDORF, RALPH	C		J	12/31/1920	43	DOMEST
_				EGERSDORF, CARLENE	C				04	STOCK
_	SWSE		A37-12782	EGERSDORF, RALPH	C		J	12/31/1920	43	DOMEST
_				EGERSDORF, CARLENE	C				04	STOCK
_	SWSE		A01-00006	AMERICAN FALLS RESERVO	C	37	D	03/30/1921	01	IRR
_	SESE		A37-00867Z1	LARGE CLAIM	C	42	D	01/01/1901	39	GWR FS
_										
_										
_										
_										

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
(Enter=Continue) (GOLD7=This Query) (MENU _____)

MICROFILMED
FEB 24 1995

SD-36 Township: 05S Range: 15E Section: 1 Tract: Lot:

S E L	Tract	LOT	Water Right No.	STATE Name Last, First	OWN	AC	STG	Max # Records 26 Priority Date	Use Code	Desc
_	SWNW		A37-00867Z1	LARGE CLAIM	C	40	D	01/01/1901	39	GWR FS
_	SWNW		A37-07412	AMERICA, ACTING THROUG	C	40	L	12/18/1974	01	IRR
_				MONSON, ESQ., PETER	A					
_				FREDERICKSEN, ROBERT R	O					
_				U.S. DEPT. OF AGRICULT	K					
_				FMHA	K					
_	SENW		A37-00867Z1	LARGE CLAIM	C	39	D	01/01/1901	39	GWR FS
_	SENW		A37-07412	AMERICA, ACTING THROUG	C	40	L	12/18/1974	01	IRR
_				MONSON, ESQ., PETER	A					
_				FREDERICKSEN, ROBERT R	O					
_				U.S. DEPT. OF AGRICULT	K					
_				FMHA	K					
_	NESW		A37-00867Z1	LARGE CLAIM	C	28	D	01/01/1901	39	GWR FS
_	NESW		A37-07412	AMERICA, ACTING THROUG	C	19	L	12/18/1974	01	IRR
_				MONSON, ESQ., PETER	A					
_				FREDERICKSEN, ROBERT R	O					

(Enter=Continue) (GOLD7=This Query) (MENU _____)

MICROFILMED
FEB 24 1993

SD-36 Township: 05S Range: 15E Section: 1 Tract: Lot:

Sel	Tract	Lot	Water Right No.	STATE Name Last, First	Own	AC	Stg	Max # Records 26 Priority Date	Use Code	Desc
_	NESW		A37-07412	U.S. DEPT. OF AGRICULT	K	19	L	12/18/1974		
_				FMHA	K					
_	NWSW		A37-00867Z1	LARGE CLAIM	C	33	D	01/01/1901	39	GWR FS
_	NWSW		A37-07412	AMERICA, ACTING THROUG	C	30	L	12/18/1974	01	IRR
_				MONSON, ESQ., PETER	A					
_				FREDERICKSEN, ROBERT R	O					
_				U.S. DEPT. OF AGRICULT	K					
_				FMHA	K					
_	SWSW		A37-00867Z1	LARGE CLAIM	C	28	D	01/01/1901	39	GWR FS
_	SWSW		A37-07412	AMERICA, ACTING THROUG	C	6	L	12/18/1974	01	IRR
_				MONSON, ESQ., PETER	A					
_				FREDERICKSEN, ROBERT R	O					
_				U.S. DEPT. OF AGRICULT	K					
_				FMHA	K					
_	SWSW		A37-07816	FREDERICKSEN, ROBERT R	O	28	L	12/26/1979	01	IRR
_				U.S. DEPT. OF AGRICULT	K					

(Enter=Continue) (GOLD7=This Query) (MENU _____)

MICROFILMED
FEB 24 1993

SD-36 Township: 05S Range: 15E Section: 2 Tract: Lot:

STATE

Max # Records 11

SEL	Tract	LOT	Water Right No.	Name Last, First	OWN	AC	STG	Priority Date	Use Code	Use Desc
_	SESW		A01-00006	AMERICAN FALLS RESERVO	C	39	D	03/30/1921	01	IRR
_	SESW		A37-00867Z1	LARGE CLAIM	C	40	D	01/01/1901	39	GWR FS
_	SESE		A37-07412	AMERICA, ACTING THROUG	C	8	L	12/18/1974	01	IRR
_				MONSON, ESQ., PETER	A					
_				FREDERICKSEN, ROBERT R	O					
_				U.S. DEPT. OF AGRICULT	K					
_				FMHA	K					
_	SESE		A37-07816	FREDERICKSEN, ROBERT R	O	18	L	12/26/1979	01	IRR
_				U.S. DEPT. OF AGRICULT	K					
_				FMHA	K					
_				MONSON, ESQ., PETER	A					
_				AMERICA, ACTING THROUG	C					
_										
_										
_										
_										

(Enter=Continue) (GOLD7=This Query) (MENU _____)

MICROFILMED
FEB 24 1993

SD-36 Township: 05S Range: 15E Section: 2 Tract: Lot:

S E L	Tract	LOT	Water Right No.	Name Last, First	OWN	AC	STG	Max # Records Priority Date	Use Code	Use Desc
_	SESW		A01-00006	AMERICAN FALLS RESERVO	C	39	D	03/30/1921	01	IRR
_	SESW		A37-00867Z1	LARGE CLAIM	C	40	D	01/01/1901	39	GWR FS
_	SESE		A37-07412	AMERICA, ACTING THROUG	C	8	L	12/18/1974	01	IRR
_				MONSON, ESQ., PETER	A					
_				FREDERICKSEN, ROBERT R	O					
_				U.S. DEPT. OF AGRICULT	K					
_				FMHA	K					
_	SESE		A37-07816	FREDERICKSEN, ROBERT R	O	18	L	12/26/1979	01	IRR
_				U.S. DEPT. OF AGRICULT	K					
_				FMHA	K					
_				MONSON, ESQ., PETER	A					
_				AMERICA, ACTING THROUG	C					
_										
_										
_										
_										

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
(Enter=Continue) (GOLD7=This Query) (MENU _____)

MICROFILMED
FEB 24 1993

SD-36 Township: 05S Range: 15E Section: 11 Tract: Lot:

SEL	Tract	LOT	Water Right No.	STATE Name Last, First	OWN	AC	STG	Max # Records 51 Priority Date	Use Code	Use Desc
_			A37-10649	FOSSCECO, ROBERT L.	C		J	01/01/1920	04	STOCK
_				FOSSCECO, PATRICIA A.	C				43	DOMEST
_	NENE		A01-00006	AMERICAN FALLS RESERVO	C	39	D	03/30/1921	01	IRR
_	NENE		A37-07816	FREDERICKSEN, ROBERT R	O	38	L	12/26/1979	01	IRR
_				U.S. DEPT. OF AGRICULT	K					
_				FMHA	K					
_				MONSON, ESQ., PETER	A					
_				AMERICA, ACTING THROUG	C					
_	NWNE		A37-07816	FREDERICKSEN, ROBERT R	O	39	L	12/26/1979	01	IRR
_				U.S. DEPT. OF AGRICULT	K					
_				FMHA	K					
_				MONSON, ESQ., PETER	A					
_				AMERICA, ACTING THROUG	C					
_	SWNE		A37-02605	FOSSCECO, ROBERT L.	C	35	L	09/08/1958	01	IRR
_				FOSSCECO, PATRICIA L.	C					
_	SWNE		A37-02704	FOSSCECO, ROBERT L.	C	35	L	03/08/1965	01	IRR

(Enter=Continue) (GOLD7=This Query) (MENU _____)

MICROFILMED
FEB 24 1993

SD-36 Township: 05S Range: 15E Section: 12 Tract: Lot:

SEL	Tract	LOT	Water Right No.	STATE Name Last, First	OWN	AC	STG	Max # Records 28 Priority Date	Use Code	Use Desc
_			A37-11087	BRAUN, DONALD E.	C			04/21/1984	43	DOMEST
_				BRAUN, BECCA J.	C				04	STOCK
_			R37-11087	BRAUN, DONALD E.	C			04/21/1984	43	DOMEST
_				BRAUN, BECCA J.	C				04	STOCK
_	NENE		A37-00867Z1	LARGE CLAIM	C	36	D	01/01/1901	39	GWR FS
_	NWNE		A37-00867Z1	LARGE CLAIM	C	38	D	01/01/1901	39	GWR FS
_	SWNE		A01-00006	AMERICAN FALLS RESERVO	C	40	D	03/30/1921	01	IRR
_	SENE		A37-00867Z1	LARGE CLAIM	C	29	D	01/01/1901	39	GWR FS
_	NENW		A37-11087	BRAUN, DONALD E.	C			04/21/1984	43	DOMEST
_				BRAUN, BECCA J.	C				04	STOCK
_	NENW		A01-00006	AMERICAN FALLS RESERVO	C	40	D	03/30/1921	01	IRR
_	NENW		R37-11087	BRAUN, DONALD E.	C			04/21/1984	43	DOMEST
_				BRAUN, BECCA J.	C				04	STOCK
_	NWNW		A01-00006	AMERICAN FALLS RESERVO	C	37	D	03/30/1921	01	IRR
_	NWNW		A37-07816	FREDERICKSEN, ROBERT R	O	15	L	12/26/1979	01	IRR
_				U.S. DEPT. OF AGRICULT	K					

(Enter=Continue) (GOLD7=This Query) (MENU _____)

MICROFILMED
FEB 24 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

05-Apr-1991 09:31

Mark S. and Sally J. Toone
2096 E. 1500 S.
Gooding, ID 83330

Re: Change of OWNERSHIP Claim(s): A37-07816 & 07412

Dear Mr. & Mrs. Toone:

The Department has changed the name of the above-listed adjudication water right(s) as you have requested.

Please review the enclosed copy(s), should you have any questions, please contact this office.

Sincerely,

Judy Givens
Secretary

/jg

Enclosures

MICROFILMED
FEB 2 4 1993

Copy for Southern (orig. @ S.O.)

DATA ENTRY BY _____

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: A37-07816
Date Received: 3/23/1990
Receipt No: X111111
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-334-1577
   Address: USDA, FMHA
   3232 ELDER ST.
   BOISE, ID 83705

2. Date of Priority: DEC 26, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
   IRR. WELL, 400' DEEP; 2 PUMPS W/1100 GPM; SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
IRRIGATION	04/01	11/01	2.250	

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

8. Total consumptive use is 414.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	15E	1	SW SW		IRR	28.0

MICROFILMED
FEB 24 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
						Section Acres	28.0
		2	SE	SE		IRR	18.0
						Section Acres	18.0
		11	NE	NE		IRR	38.0
			NW	NE		IRR	39.0
						Section Acres	77.0
		12	NW	NW		IRR	15.0
						Section Acres	15.0
						Total Acres	138.0

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:
160 SHARES BIG WOOD CANAL; SEE REMARKS

14. Remarks:
5. CON'T: AND 1800 GPM RESPECTIVELY. 1100 GPM PUMP IS FROM 276' LEVEL. PUMPS THRU MAINLINE TO IRRIGATE 385 ACRES. 1800' 12" FIBERGLASS GATED PIPE, 820' 10" PVC GATED PIPE, 1120' 8" PVC GATED PIPE, 4200' 8" SINGLE GATED PIPE, 240' 10" STEEL PIPE, 96' 10" STEEL PIPE, 20' 12" STEEL PIPE, 80' 8" STEEL PIPE, 125 HP WELL PUMP & MOTOR, 75 HP PUMP & MOTOR, 7 ¼ MILE WHEEL LINES, 1 ¼ MILE HAND LINE, 1800' 10" MAINLINE, 2000' 8" MAINLINE.
13. CON'T: 38 SHARES AMERICAN FALLS RESERVOIR. LICENSE #37-7412 THIS WATER RIGHT UNDER LICENSE #37-7816. THIS IS INVENTORY PROPERTY FORMERLY BELONGING TO ROBERT R. FREDERICKSEN. PERMIT #37-7816. POD IS NW¼ SW¼, SECTION 1, TWP. 5 SOUTH, RANGE 15 EAST

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

FREDERICKSEN

Form N... 1409 (2) a 1/88

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

CIVIL CASE NUMBER: 39576

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

Ident. Number 37-7816

Date Received _____

Receipt Number _____

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

ORIGINAL OK

Please type or print clearly

1. Name of Claimant (s) United States of America, USDA-Farmers Home Administration Phone (208) 334-1577

   Mailing Address STATE DIRECTOR, FmHA, 3232 ELDER ST., BOISE, ID. Zip 83705

2. Date of Priority (Only one (1) per claim) December 26 1979

3. Source of water supply (a) WELL

   which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 5 S Range 15 E Section 1,

   NW 1/4 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of GOODING

   Additional points of diversion if any: NONE

   b. If instream flow, beginning point of claimed instream flow is:

   Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

   Govt. Lot _____ B.M., County of _____

   ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

   _____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. IRRIGATION WELL 400' DEPTH; 2 PUMPS WITH 1100 GPM AND 1200 GPM RESPECTIVELY. 1100 GPM PUMP IS FROM 276 FOOT LEVEL. PUMPS THRU MAINLINE TO IRRIGATE 315 ACRES. 1800' 12" Fiberglass Gated Pipe, 820' 10" PVC Gated Pipe, 1120' 8" PVC Gated Pipe, 4200' 8" Single Gated Pipe, 240' 10" Steel Pipe, 96' 10" Steel Pipe, 20' 12" Steel Pipe, 80' 8" Steel Pipe, 125 HP Well Pump and Motor, 75 HP Pump and Motor, 7 - 1/4 Mile wheel lines, 1 - 1/4 Mile hand line, 1800' 10" main line, 2000' 8" main line

MICROFILMED

FEB 24 1993

FmHA - Fredericksen

6. Water is claimed for the following purposes:

		(both dates are inclusive)			(cfs)	(acre feet)
For IRRIGATION	purposes from APR 1ST	to NOV 1ST	amount 2.25	or [redacted]
For _____	purposes from _____	to _____	amount _____	or _____
For _____	purposes from _____	to _____	amount _____	or _____
For _____	purposes from _____	to _____	amount _____	or _____

7. Total quantity claimed (a) [redacted] 2.25 (cfs) and/or (b) [redacted] (acre feet)

8. Total consumptive use claimed is 414.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) N/A

10. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5 S	15 E	1											28						28
		2																18	18
		11	38	39															77
		12						15											15

Total number of acres irrigated 138

11. In which county (ies) are lands listed above as place of use located? GOODING

12. Do you own the property listed above as place of use? Yes ✓ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
160 SHARES BIG WOOD CANAL AND 38 SHARES AMERICAN FALLS RESERVOIR License # 37-7412 or None ( )

14. Remarks: THIS WATER RIGHT UNDER LICENSE #37-7816. THIS IS INVENTORY PROPERTY FORMERLY BELONGING TO ROBERT R. FREDERICKSEN. PERMIT # 37-7816. POD IS NW 1/4 SW 1/4, SECTION 1, TWP. 5 SOUTH, RANGE 15 EAST.

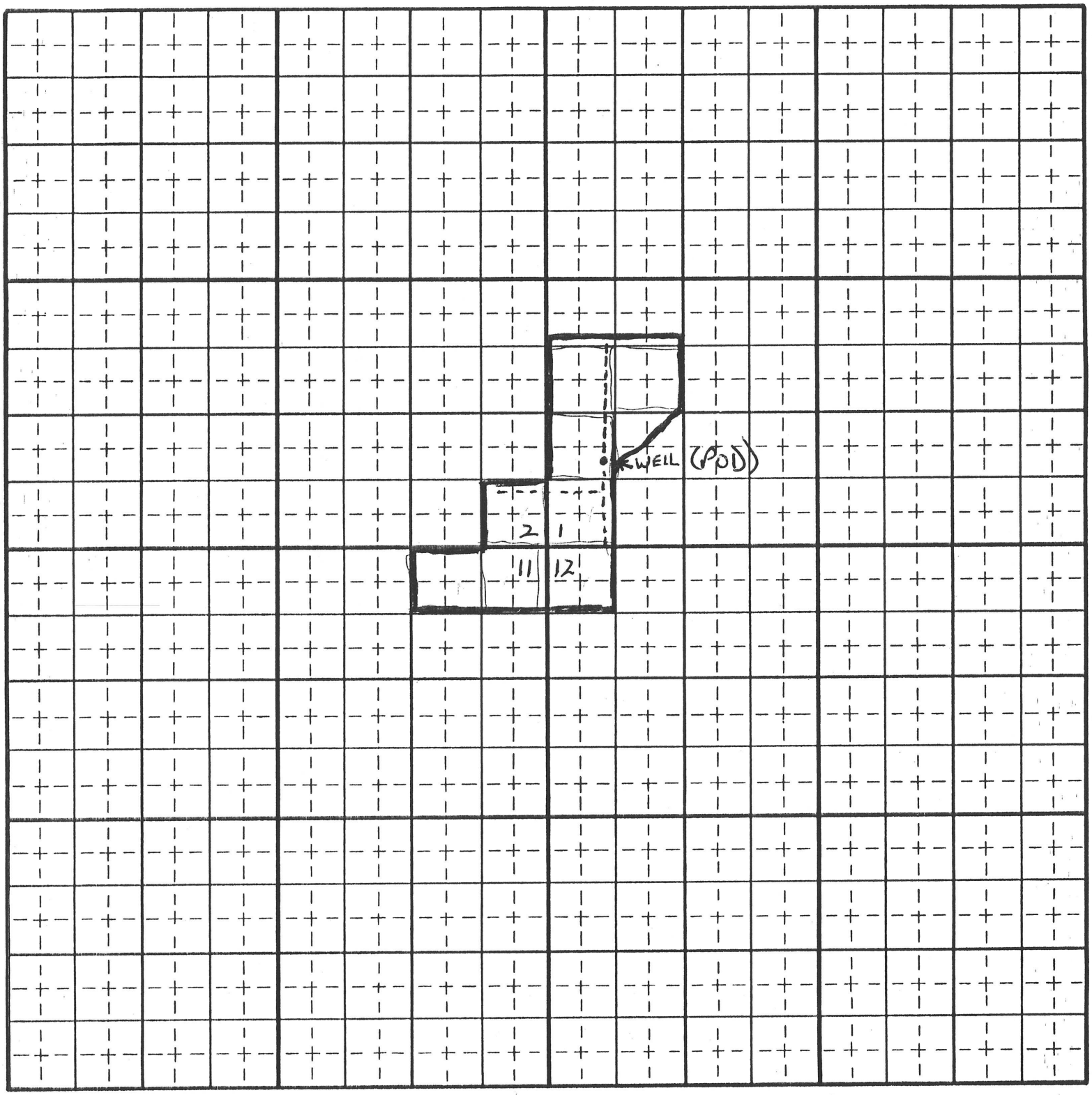
MICROFILMED
FEB 24 1993

Last Name USA (USDA - FmHA) Ident No. 37-7816
FREDERICKSEN

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED
FEB 24 1993

Last Name Fm HA-USDA Frederickson Ident No. 37 - 7816 *Copies: White-State, Yellow-Claimant*

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ✓ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 37-7816
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am COUNTY SUPERVISOR (Title) of FARMERS HOME ADMIN, GOODING, IDAHO (Organization), that I have signed the foregoing document in the space below as COUNTY SUPERVISOR (Title) of FmHA, GOODING (Organization) and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization County Supervisor Fm HA Date 5/23/89

State of Idaho/or Idaho)
) SS.
County of Gooding)

Subscribed and sworn (or affirmed) before me this 23 day of May 19 89

SEAL

Notary Public Patricia A. Fossceco
Patricia A. Fossceco
Residing at Gooding, Idaho

My Commission Expires March 6, 1994

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, Peter Monson will be acting as attorney 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 me at the address listed below.

Signature _____

Address Indian Resources Section, Land of Natural Resources Section
U.S. Dept. of Justice, P. O. Box 44378, Washington, D.C. 20026-4378

Date _____

MICROFILMED
FEB 24 1993

Last Name FmHA, USDA GOODING FREDERICKSEN Ident. Number 37-7816

Copies White-State, Yellow-Claimant

State of Idaho

Department of Water Resources

MAY 5 1983

Water Resources
Southern District Office

WATER RIGHT LICENSE

License of Water Right No. 37-7816 Priority December 26, 1979 Amount 2.25 cfs

THIS IS TO CERTIFY, that Robert R. Fredericksen of Gooding, Idaho, has complied with the terms and conditions of Permit No. 37-7816 issued pursuant to Application for Permit dated December 26, 1979, and has submitted proof to the Department of Water Resources on August 12, 1981, 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 2.25 cfs of water from a groundwater 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 April 1 to November 1	at 2.25 cfs	and 414.0 acre feet
_____	from _____ to _____	at _____ cfs	and _____
_____	from _____ to _____	at _____ cfs	and _____

(both dates inclusive)

Subject, however, to the condition that no more than 2.25 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 414.0 acre feet per year, said waters to be diverted within the NW¼SW¼, Section 1, Twp. 5S, Rge. 15E 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	
5S	15E	1											28						28
		2																18	18
		11	38	39															77
		12						15											15

Total number of acres irrigated 138

This right when combined with Right No. 37-7412 shall not exceed 2.25 cfs. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre for the lands above.

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2nd day of May, 19 83.

Acting for the Director

37-7816

MICROFILMED
FEB 24 1993

Form 219
12/79

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

37-7816
Permit No.

CONTACT WITH PERMIT HOLDER

		DATE	INITIALS	REMARKS
☐	Appointment letter mailed:	8-11-81	gs	Proof card signed during field exam
☐	Telephone call made: (List Telephone No. used)			
☒	Appointment scheduled for: (Date, time, location)	8-11-81 1pm	gs	

EXAMINATION

Date 8-11-81 Accompanied by Bob Frederickson Total Q measured 1011 gpm/2.25 cfs
If source is surface water, estimate total flow of source
Methods of measurement Badger Meter Meets Permit requirements? ✓

Measurement calculations:
Measured 2000 gal / 118.7 sec X 60 sec/min = 1011 gpm / 448.8 gpm/cfs = 2.25 cfs capacity
Volume: 138 ac X 3.0 AFA/ac = 414 AFA ✓
2.25 X 1.9835 X 214 = 955.1

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	125	U.S. Motors	R-9982-00-814	Aurora	3777603	Badger Meter	Good	Meter M0648025

System Description Well, pump, motor, mainline to sprinklers (north of canal) & gravity system (gated pipe, ditches south of canal).

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = ~~3.0~~ 3.0 AFA/Acre

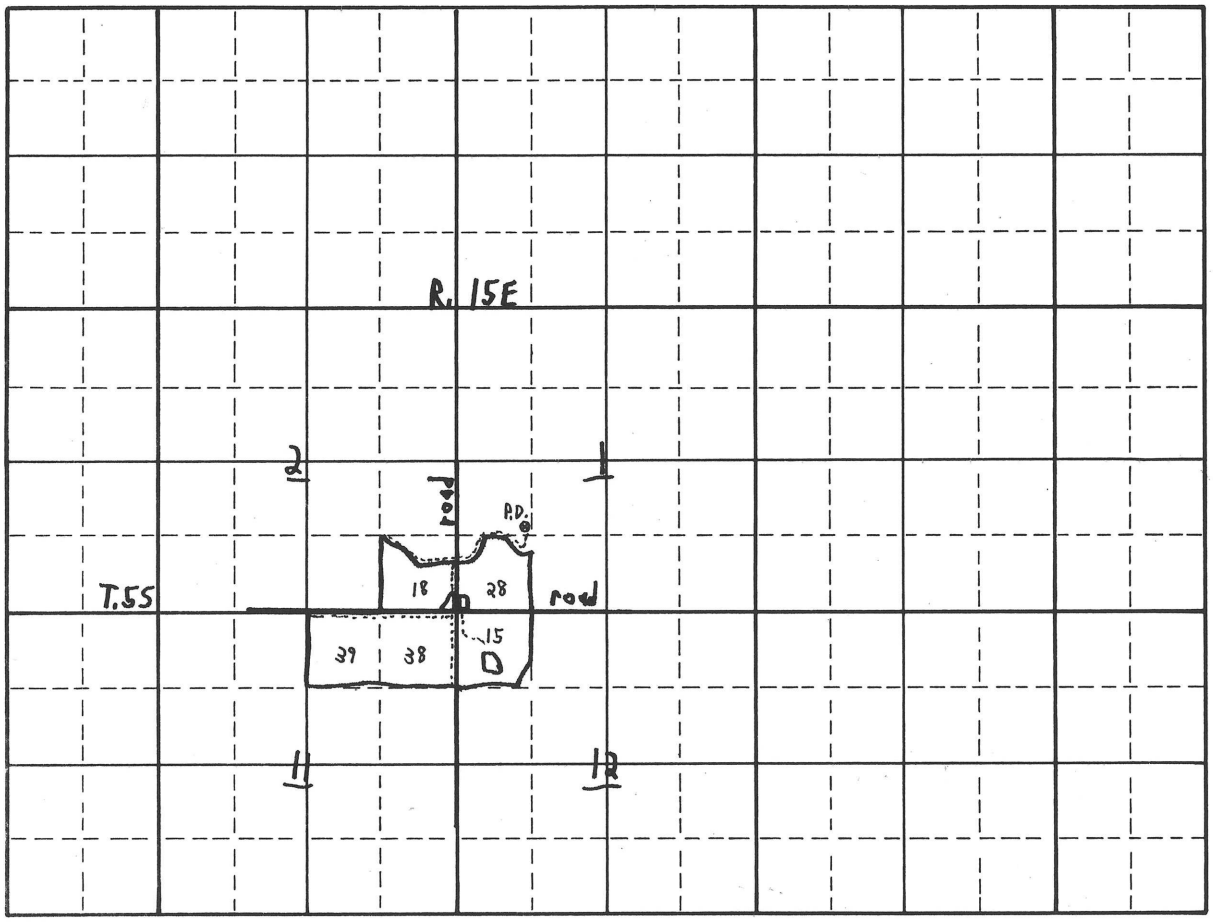
USE	Q (cfs)	V (afa)	FROM	TO
irrigation	2.25 ✓	414 ✓	4-1	11-1
Total		~~955~~ AFA		

Remarks Water supplements canal water when needed. Not to exceed 2.25 cfs when combined with right no. 37-7412. Water went to gated pipe during measurement (operate at 7 psi; 60 psi for sprinklers).

Overlap review attached

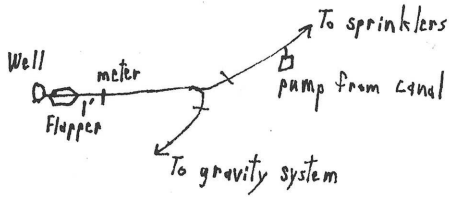
MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NW1/4SW1/4 Sec. 1 T. 55 R. 15E

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
55	15E	1											28						28
		2																18	18
		11	38	39															77
		12						(15)											15
																			138

O= not identified on permit

Recommended Amendments:

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☐ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other _____

Examiner's Signature J. F. Stanton Date 8-12-81

Checked by Terry L. Bl... Date 8-19-81

Approved by [illegible] Date 3-8-83