

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

01/16/2002

RIGHT NUMBER: 37-7952

NAME AND ADDRESS: PATTERSON LAND & LIVESTOCK INC
1450 SOUTH 2050 EAST
GOODING ID 83330

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.15 CFS
40.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 37-7357 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.90 CFS.

PRIORITY DATE: 11/18/1981

POINT OF DIVERSION:

T05S R16E S28 NESWSW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.150 CFS 40.00 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] 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 LINCOLN County
T05S R16E S28 SESE 10.0

10 ACRES TOTAL

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

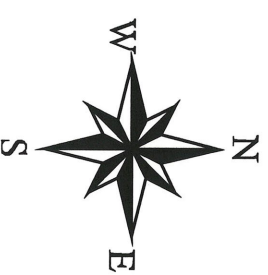
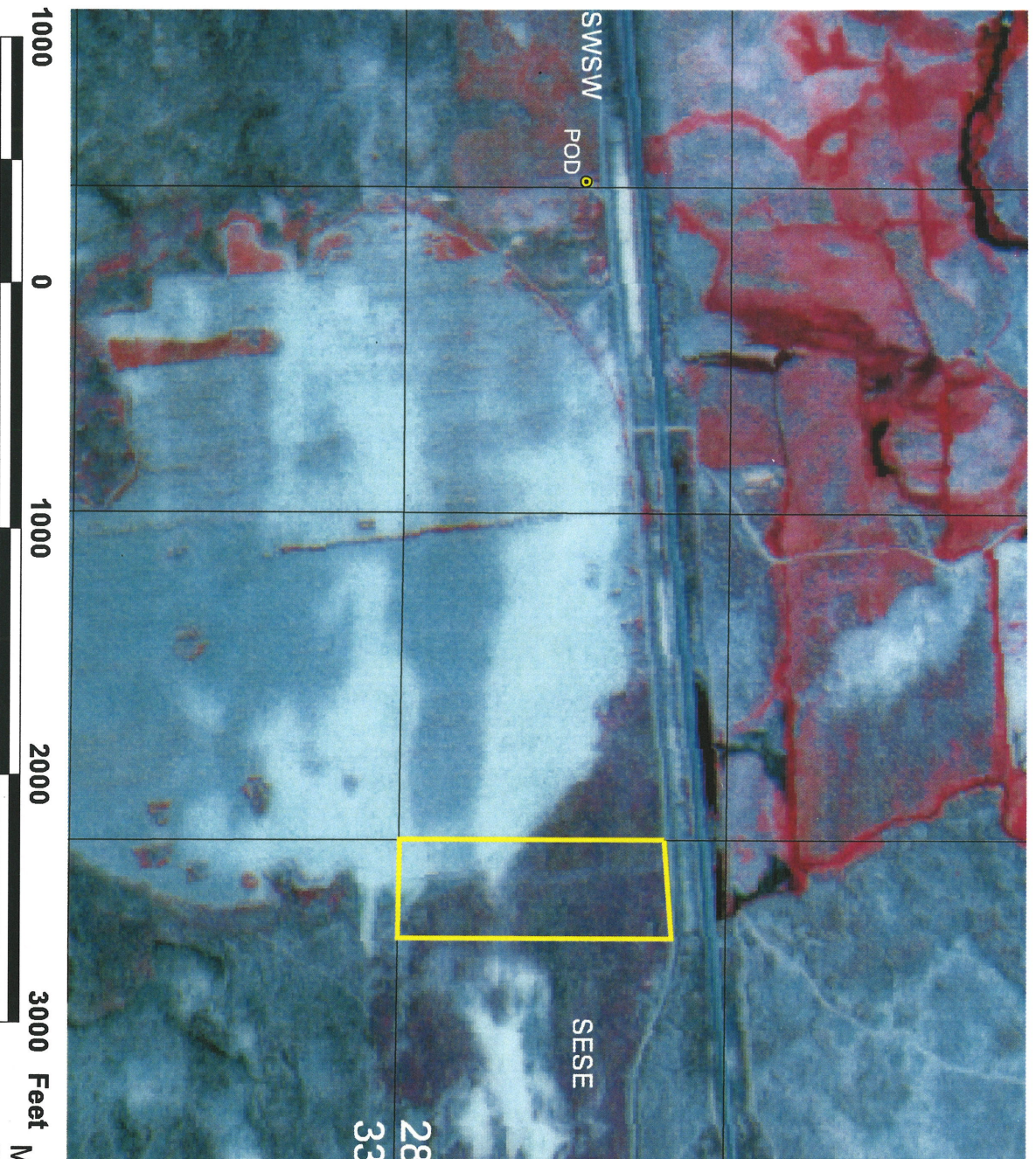
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT NO. 37-7357 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

37-7952

T05S R16E S28



Map prepared by: Carter Fritschle
Date prepared: 01/14/02
1987-1988 NAPP photography
Idaho Department of Water Resources

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-07952

Date Received: 6/23/1988

Receipt No: S000513

Received By: O/C TCB

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: PATTERSON LAND & LIVESTOCK INC 208-934-5693
Address: 1450 SOUTH 2050 EAST
GOODING ID 83330

2. Date of Priority: NOV 18, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	16E	28		SE	SW		LINCOLN

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	04/01	11/01	0.150		

7. Total Quantity Appropriated is:
0.150 C.F.S. (and/or) 30.00 A.F.A.

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	16E	28	SE	SE		IRR	10.0

Section Acres 10.0

10. Place of Use: Continued

Total Acres 10.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
 NONE

14. Remarks:
 SYSTEM WAS DEVELOPED UNDER RT. 37-7357. THIS RT. COVERS LAND NOT
 COVERED BY ORIGINAL RIGHT.

 OWNERSHIP CHANGE MADE 6/21/96 BY TLB.

15. Basis of Claim: LICENSE



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

MAY 21 1996

Department of Water Resources
Southern Region

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A37-07357, A37-07952, A37-10232
- ☐ Name and Address of Former
Owner/Claimant(s)(Seller): James E Uarm
Eileen Uarm
- ☐ New Owner/Claimant
(Purchaser): Patterson Land & Livestock Inc
- ☐ New Mailing Address: 1450 S 2050 East
Garden, Idaho 83330
- ☐ New Telephone Number: (208) 934 - 5693
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of
ownership, describe
proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof
of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New
Owner/Claimant(s) Patterson Land & Livestock Inc Date 5/21/96
James M. Patterson Date _____
- ☐ Signature of Former
Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of
ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 6/21/96 By: HLB

Claim Numbers of Split, if any:

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

MICROFILMED
NOV 27 1996

WARRANTY DEED

#L-23391

For Value Received

JAMES E. VARIN, AN UNMARRIED MAN AND EILEEN M. VARIN, AN UNMARRIED WOMAN

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

PATTERSON LAND AND LIVESTOCK COMPANY, INC., AN IDAHO CORPORATION

Address: 1450 South 2050 East, Gooding, ID 83332

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

TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 27: SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Section 28: SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 33: SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$;
NE $\frac{1}{4}$ NW $\frac{1}{4}$;

Section 34: W $\frac{1}{2}$ NW $\frac{1}{4}$;

PARCEL NO. 2

TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 28: SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 33: NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$;

together with all water and water rights appurtenant thereto; including but not limited to 1 share of Big Wood Canal Company Water Stock,

SUBJECT TO:

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

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 2, 1996

James E. Varin
JAMES E. VARIN

Eileen M. Varin
EILEEN M. VARIN

STATE OF IDAHO

)
ss.

COUNTY OF GOODING

On this 2nd day of APRIL, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared James E. Varin and Eileen M. Varin, known or identified to me to be the person whose names/are subscribed to the within instrument, and acknowledged to me that they executed the same.

160661

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of
James E. Varin
APR - 3 1996
at 1 minutes past Four
o'clock PM
3:03

Rick Bernsen
Notary Public
Residing at: Jerome
My Commission expires: 07-30-97





State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

JUL 10, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

PATTERSON LAND & LIVESTOCK
1450 SOUTH 2050 EAST
GOODING ID 83330

RE: SRBA CLAIM(S): A37-07357, A37-07952, & A37-10232
VARIN

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THESE COPIES ARE FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES

MICROFILMED
NOV 27 1996

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: A37-07952
Date Received: 6/23/1988
Receipt No: 5000513
Received By: JS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES E. VARIN
Address: 1435 VISTA DR.
GOODING, ID 83330
AND/OR
Name: EILEEN M. VARIN
Address: GOODING, ID 83330
2. Date of Priority: NOV 18, 1981
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	16E	28	SE	SW			LINCOLN
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	04/01	11/01	0.150		
7. Total Quantity Appropriated is:
0.150 C.F.S. (and/or) 30.00 A.F.A.
8. Total consumptive use is 30.0 Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	16E	28	SE	SE		IRR	10.0
Section Acres							10.0
Total Acres							10.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
NONE

14. Remarks:
SYSTEM WAS DEVELOPED UNDER RT. 37-7357. THIS RT. COVERS LAND NOT COVERED BY ORIGINAL RIGHT.

15. Basis of Claim: LICENSE
Water Right Number:

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: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39356

Ident. Number A37-07952Date Received 6-23-1988

Receipt Number _____

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

Please type or print clearly

1. Name of Claimant (s) E. James M. &/or Eileen M. Varin Phone (208) 934-5292
Mailing Address 1435 Vista Drive, Gooding, ID Zip 83330

2. Date of Priority (Only one (1) per claim) 11-18-1981

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 05S Range 16E Section 28,
1/4 of SE 1/4 of SW 1/4, Govt. Lot, B.M., County of Lincoln

Additional points of diversion if any: _____

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. Well & pump, sprinklers

MICROFILMED

FEB 24 1993

Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Apr 1 to Nov 1 amount 0.15 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.15 (cfs) and/or (b) 30.0 (acre feet)

8. Total consumptive use claimed is 30.0 acre feet per annum.

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

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	
05S	16E	28																	10

Total number of acres irrigated 10

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

12. Do you own the property listed above as place of use? Yes X 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.
_____ or None (X)

14. Remarks: System was developed under Lic. 37-7357. Second right covers additional land.

Last Name Varin Ident No. _____

MICROFILMED

Copies: White -State, Yellow-Claimant

FEB 24 1993

Scale: 2 inches equals 1 mile

[illegible]

MICROFILMED
Copies: White-State, Yellow-Claimant

FEB 24 1993

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

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 _____

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

Signature of Claimant (s) Devin Warren Date 6/23/88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization _____

document in the space below as _____ of _____

Title _____

Organization _____

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 23rd day of June 19 88

SEAL

Notary Public Mary A. Baldwin

Residing at Gooding, ID

My Commission Expires 10/16/1992

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

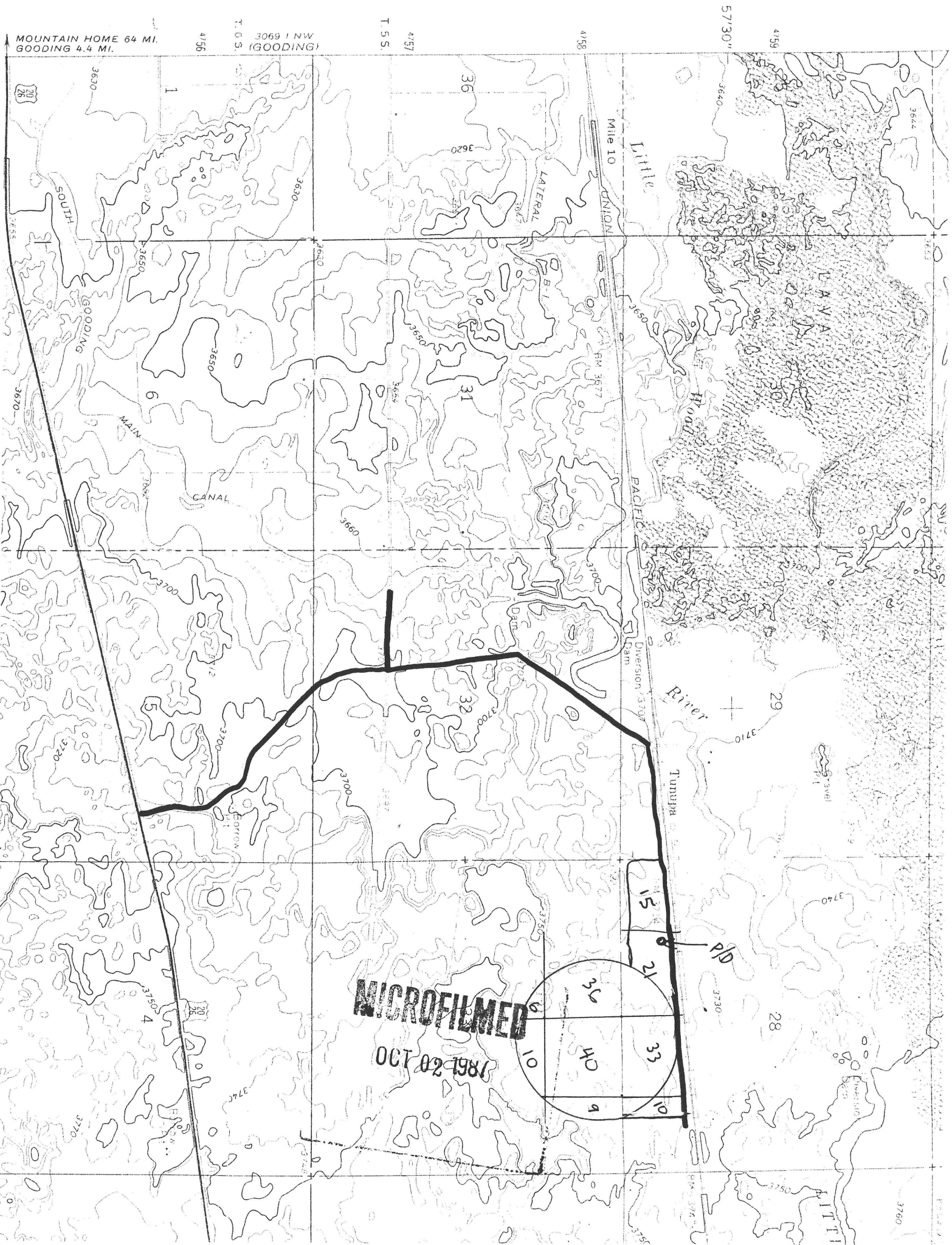
Address _____

Date _____

Last Name _____ Ident. Number _____

MICROFILMED

Copies White-State, Yellow-Claimant
FEB 24 1993



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-7952

Priority: November 18, 1981 Amount: .15 CFS 30.0 AFA

This is to certify, that JAMES E. VARIN
1435 VISTA DR.

GOODING, ID 83330 has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated November 18, 1981, and has submitted proof to the Department of Water Resources on February 17, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .15 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	04/01 to 11/01	.15 cfs	30.0 afa

LOCATION OF POINT OF DIVERSION(S): SESW , Sec. 28, Township 5S, Range 16E
Lincoln County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
5S	16E	28	SESE	10			10

Total number of acres irrigated: 10

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
5. The maximum combined rate of diversion under this right & Right 37-7357 shall not exceed 2.61 cfs.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 24TH day of SEPTEMBER, 1987.

MICROFILMED

Acting for the Director

Norm C. Young

OCT 02 1987