



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 1, 2002

BLISS ACRES LLC
4300 BEAM RD
ZILLAH WA 98953

RE: Snake River Basin Adjudication (SRBA) Claim No. 37-12787A

Dear Claimant:

I have reviewed the Notice of Error Reply you submitted for the claim referenced above. Many documents have been submitted to Idaho Department of Water Resources concerning the use of water from the well claimed as the point of diversion for this claim. My analysis of these documents and the water usage is summarized on the enclosed paper titled "Timeline for 37-12787". I have concluded that the water use from the well claimed as the point of diversion for claim 37-12787A represents a number of different appropriations made over a time span of many years. I believe the documents support that the appropriation of water from this well prior to 1963 is accurately reflected in the preliminary recommendation of claim no. 37-12787A.

You may file additional claims for domestic and stockwater uses developed after 1963 that would be investigated and included in a future Director's Report. I have enclosed five Notice of Claim to a Water Right forms with instructions you may use if you choose to file additional claims. These forms are also available at our website, <http://www.idwr.state.id.us/info/forms.htm>. You may also file an objection to the Director's Report recommendation of claim no. 37-12787A when it is filed with the SRBA Court. We are planning to file the Director's Report that will include your claim in approximately one week.

If you have any questions, you may contact me at 1-800-451-4129 or 1-208-327-7939.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carter Fritschle', is written over a horizontal line.

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

cc: C Tom Arkoosh w/timeline
Enclosures:

Timeline for 37-12787
Claim forms w/instructions

NOTICE OF ERROR
REPLY

RECEIVED

JUL 22 2002

Department of Water Resources

CF

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: 37-12787A

BLISS ACRES LLC
4300 BEAM ROAD
ZILLAH, WA 98953
Telephone Number: (509)829-5960

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

Disagree with the quantity, purpose and period of use.

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

Recommendation should read as set forth in Exhibit A, attached hereto.

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

See Adjudication Claim Proof Reading Report attached hereto as Exhibit B.

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

DATE: 07/19/02

Arkoosh Law Office, Chartered
Attorneys for Claimants

SIGNATURE: _____

by: C. Tom Arkoosh

RIGHT NUMBER: 37-12787A

NAME AND ADDRESS: BLISS ACRES LLC
4300 BEAM RD
ZILLAH WA 98953

SOURCE: GROUND WATER

QUANTITY: 0.270 CFS

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION: T05S R12E S27 SENENW Within GOODING County

PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	STOCKWATER	01/01 12/31	0.090 CFS
	DOMESTIC (4)	01/01 12/31	0.160 CFS
	COMMERCIAL	09/01 06/30	0.020 CFS

PLACE OF USE: STOCKWATER Within GOODING County
T05S R12E S27 NWNE T05S R12E S27 SWNE
T05S R12E S27 NENW T05S R12E S27 SENW

DOMESTIC Within GOODING County
T05S R12E S27 NENW

COMMERCIAL Within GOODING County
T05S R12E S27 NWNE

AJ5808MP
(CD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
MODIFICATION CLAIMS PROOF READING REPORT

11/05/99 16:12:33
Page 1

Water Right Number - A37-12787A

Prefix Translation: MODIFICATION CLAIM

Old (0) Number -

*** A - ATTORNEY ***
AKKOOSH

C TON

*** C - CURRENT OWNER ***

DE GROOT

E J

1 - 116 4TH AVE W
2 - PO BOX 32
3 -
City- GOODING
Phone - 208-000-0000

State- ID Zip- 833300032

1 - 7011 STEWART AND GREY ROAD

City- DOWNEY
Phone - 310-927-5511

State- CA Zip- 90241

*** O - ORIGINAL OWNER ***
THE TRAVELERS INSURANCE COMPANY

1 - (RAYHOOK RANCH- RE 11676)
2 - 960 BROADWAY AVE SUITE 310
3 -
City- BOISE
Phone - 208-336-5900

State- ID Zip- 83706

Priority Date - - - +
04/01/1948

Region - - - +
ERROR 1W REGION

Stage - - - +
J - BENEFICIAL USE

Status - - - +

Source - - - +
GROUNDWATER

Tributary - - - +

Turn Ring Sec Tract Lot Rf1g County Point of Diversion
055 12E 27 SE NE NW (47) GOODING
Diversions Name

Code	Description	Period from	Period to	Water Use	Diversions Rate	Diversions Volume
43 - DOMESTIC						
04 - STOCKWATER		01/01	12/31		0.160	
10 - COMMERCIAL		01/01	12/31		0.090	
		09/01	06/30		0.020	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.270

Turn	Ring	Sec	Tract	Lot	Acres	Code	Description	County
055	12E	27	NW NE			04	STOCKWATER	(47) GOODING
055	12E	27	SW NE			04	STOCKWATER	(47) GOODING
055	12E	27	NE NW			04	STOCKWATER	(47) GOODING
055	12E	27	SE NW			04	STOCKWATER	(47) GOODING
055	12E	27	NW NE			10	COMMERCIAL	(47) GOODING
055	12E	27	NE NW			43	DOMESTIC	(47) GOODING
055	12E	27	SE NW			43	DOMESTIC	(47) GOODING

Water flight number - A37-12787A

Prefix Translation: ADJUDICATION CLAIM

4 - - Diversion Means - 300' Well, 3 HP Pump.

NOT-ITIGATION Use - D/A HOUSES, S/2000 CATTLE, C/2 STORAGE BAYS HUMIDIFIED

+ - - Other Rights for Same Use - NONE

Remarks

ONE TILL SERVES 4 HOUSES, WATERING TROUGHTS IN 4 LOCATIONS, AND
POTATO STORAGE. HARBIDTTERS IN ONE LOCATION.
OWNERSHIP CHANGE MADE 10/24/95 BY TILB.

1/9/96, DJ MODIFICATION USE AMENDED TO REFLECT 2000 HEAD CATTLE PER REQUEST & INSTRUCTION OF TOM ARKOSH, ATTY AND AN AFFIDAVIT FROM JOHN FAULKNER. COPY SENT TO ARKOSH FOR REVIEW AND PURSUIT OF AUTHORIZING SIGNATURE *****
3/27/96, DJ: SUFFICIENT CLAIM RECEIVED 3/25/96, D.E. UPDATED, AMENDED CLAIM PLACED IN FILE. *****

----- Old Water Right Numbers -----
----- No Old Water Right Numbers found. -----

----- Conditions of Approval -----
----- No Conditions of Approval found. -----

+ - - -	- Decree Plaintiff - - - +		+ - - -	- Decree Defendant - - - +		+ - Decree Date - +
00/00/00000						

++ - Audit fields - 11/09/94 JROBERTS 03/30/95 POST-STD 10/24/95 BACKLUM 03/27/96 D.JONES

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

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	-
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/20/1998	Last Amended Date	- 03/06/1996	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- X177777	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

06/18/2002

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

RIGHT NUMBER: 37-12787A

NAME AND ADDRESS: BLISS ACRES LLC
4300 BEAM RD
ZILLAH WA 98953

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.08 CFS
28.2 AFY

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION:

T05S R12E S27 SENENW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.080 CFS 27.00 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY

PLACE OF USE: STOCKWATER Within GOODING County

T05S R12E S27	NWNE	T05S R12E S27	SWNE
T05S R12E S27	NENW	T05S R12E S27	SENE

DOMESTIC Within GOODING County

T05S R12E S27	NENW
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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: Beneficial Use

Timeline for 37-12787

1948 - Fritz Hansten placed an electrical pump into an existing well. (Water was pumped with a windmill prior to the installation of the electric pump.) Said well is the claimed point of diversion for SRBA Claim No. 37-12787. Water from the well was used for his house and feedlot.

1957 - Fritz Hansten conveyed the water right from the well to Faulkner Land and Livestock. Faulkner Land and Livestock used the well to supply water for up to 2000 head of cattle at the feedlot.

1963 - Jim and Lorna Faulkner built a house approximately 1000 feet from the well and connected to the well. This water use has been partially decreed as Right No. 37-12787B.

1963-1981 - An additional house was moved in and a bunkhouse was built. Both buildings were connected to the well after the house built by Jim and Lorna Faulkner was connected to the well.

1960s - Corrals were expanded.

1981 - The northern-most house was constructed and connected to the well.

1980s - A 100,000 sack potato cellar was constructed and connected to the well.

1988 - SRBA Claim 37-12787 filed for: Domestic, 5 homes; Stockwater, 350 beef cattle; Commercial, 2 bay potato storage building

1990s - Additional mobile home or homes brought onto the site. No information as to whether these have been connected to the original well. Note: Water Right No. 37-8487B is for Commercial use at the dairy that has been built to the southwest of the feedlot, but it does not include any domestic use.

1995 - The house built in 1963 by Jim and Lorna Faulkner was removed from SRBA Claim 37-12787. This ownership change split the claim into 37-12787A for 4 homes; 350 cattle; a 2 bay potato storage building and 37-12787B for 1 home.

1996 - SRBA Claim 37-12787A amended to: Domestic, 4 homes; Stockwater, 2000 cattle; Commercial, 2 bay potato storage building. (Note: The only change was to increase the number of cattle claimed from 350 to 2000.)

Recommendation:

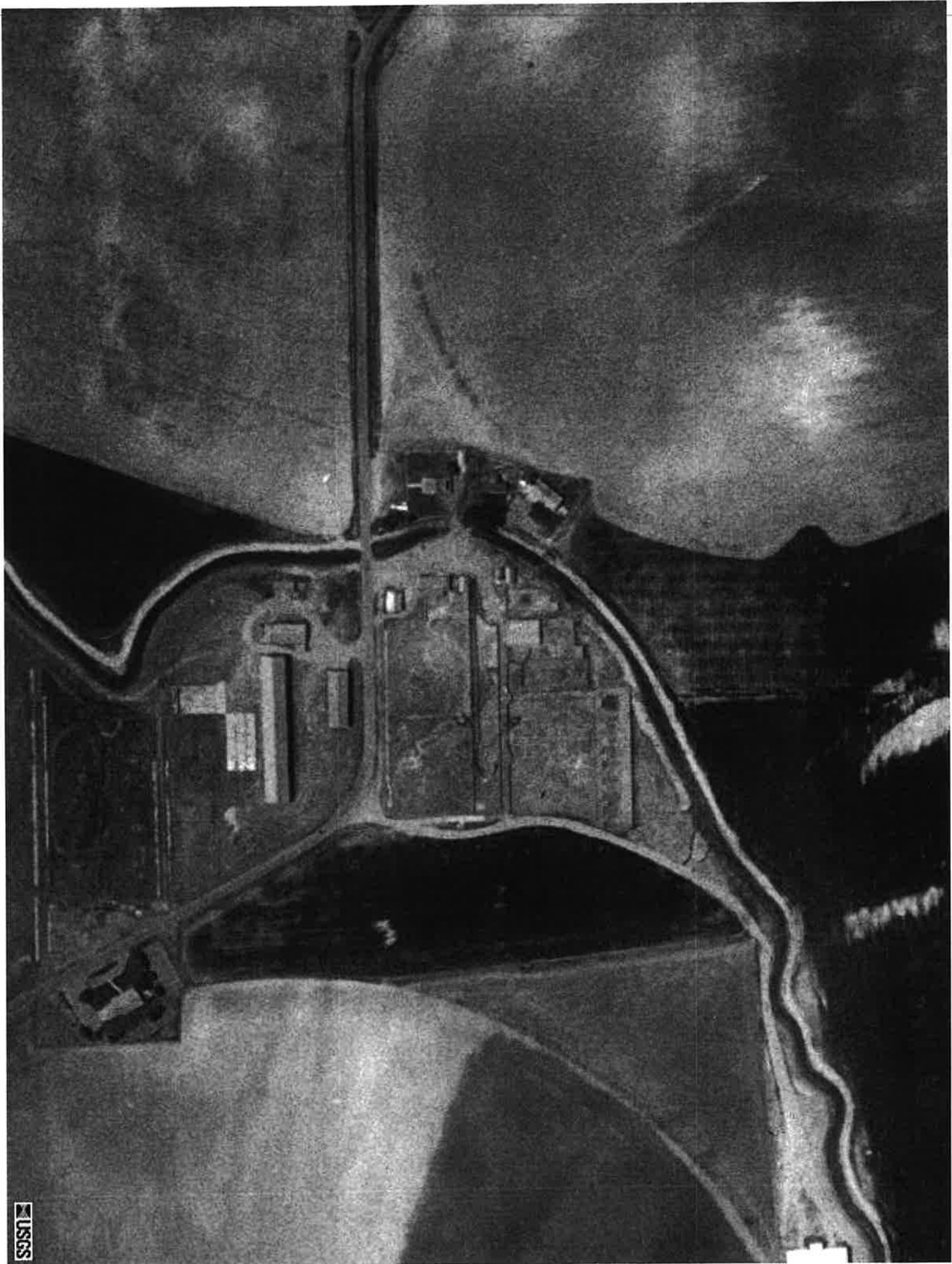
Priority Date: 04/01/1948

Water Uses:	Domestic for 1 Home	0.04 cfs	1.2 AFA
	Stockwater	0.08 cfs	27.0 AFA*
	Total	0.08 cfs	28.2 AFA

*From "Field Examiners Handbook" Appendix C, Exhibit 15 (200 cattle = 2.7 AF; therefore 2000 cattle = 27 AF)

WMIS shows the estimated capacity as 0.08 cfs.

Additional homes are additional water rights with later priority dates that require additional claims. The potato cellar may qualify as a 42-111(1b) domestic, but it also requires an additional claim.



37-12787A

5-16-1492



37-127874

3-16-1776

WMD

POD Data

05S 12E 27 SENENW

Legal Description	GPS Site ID	Diversion Name	Meas Option	POD
05S 12E 27 SENENW	A0006792	ROOT CELLAR WELL		401606
Latitude 042:57:50.274	Longitude -115:01:05.771	GPS File C120817B	Waived (5)	
Comments	MIGHT BE WAIVED: SYSTEM CAPACITY ESTIMATED .08 CFS Well abandoned.			

Site Visits

Site Visit Date	Site Examiner	Reason	Change Date:
12/8/1997	CHODGES	Inventory	
Notes:			

RECEIVED

APR 15 2002

ARKOOSH & JAMES LLP
POST OFFICE BOX 32
301 MAIN STREET
GOODING, IDAHO 83330

Idaho Department of Water Resources

C. TOM ARKOOSH, ESQ.
JOSEPH F. JAMES, ESQ.
PHILIP A. BROWN, ESQ.
SUSAN A. SCOTT, CLA

TELEPHONE: (208) 934-8872
FACSIMILE: (208) 934-8873
E-MAIL: alo@mindspring.com

April 12, 2002

Attn: Carter Fritschle
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

*Sent Via Facsimile to: 208-327-5400
Original to follow via US Mail*

Re: Request for Evidence of Priority date for claim No. 37-127878

Dear Carter:

Pursuant to your requested dated March 8, 2002, please find enclosed the Affidavits of Lorna Bard and John Faulkner.

If you have any questions please feel free to contact me.

Sincerely,

ARKOOSH & JAMES, LLP



Joseph F. James

JFJ/bdw
enclosures
cc: Client

JOSEPH F. JAMES, I.S.B. #5771
ARKOOSH & JAMES, LLP
301 Main Street
Post Office Box 32
Gooding, Idaho 83330
Telephone: (208) 934-8872
Facsimile: (208) 934-8873

ATTORNEY FOR Claimant

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

In Re: SRBA

Case No. 38576

)
)
)
)
)
)
)

Case No. Subcase No. A37-12787A

AFFIDAVIT OF LORNA BARD

STATE OF IDAHO)

) ss.

County of Gooding)

COMES NOW, LORNA BARD, and being first duly sworn and upon her oath
and by her own personal knowledge, deposes and says:

1. That I am the niece of Fritz Hansten, the original owner of Water Right

AFFIDAVIT OF LORNA BARD - 1

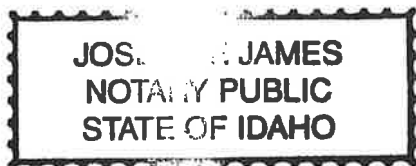
No. 37-12787A.

2. That I give this Affidavit to express my understanding of how that water right has been historically used.
3. That prior to 1948, there was a well located on my uncle's property that was powered by a windmill.
4. That in 1946 or 1947 electrical service became available in the area.
5. That by April 1, 1948, an electrical pump had been lowered into the well to provide water for domestic and stock water purposes.
6. That following the insertion of the electric pump into the well in 1948, my uncle, Mr. Hansten, used the water from the well for domestic purposes and to water both dairy and stock cattle in his feedlot.

FURTHER YOUR AFFIANT SAYETH NAUGHT.


Lorna Bard

SUBSCRIBED AND SWORN TO before me this 12th day of April, 2002, by
Lorna Bard.




Notary Public for the State of Idaho
Residing at : Gooding, Idaho
My Commission Expires: 2/26/2005

JOSEPH F. JAMES, I.S.B. #5771
ARKOOSH & JAMES, LLP
301 Main Street
Post Office Box 32
Gooding, Idaho 83330
Telephone: (208) 934-8872
Facsimile: (208) 934-8873

ATTORNEY FOR Claimant

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

In Re: SRBA

Case No. 38576

)
)
)
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)

Case No. Subcase No. A37-12787A

AFFIDAVIT OF JOHN FAULKNER

STATE OF IDAHO)
) ss.
County of Gooding)

COMES NOW, JOHN FAULKNER, and being first duly sworn and upon his
oath and by his own personal knowledge, deposes and says:

I. That I am the president of Faulkner Land and Livestock, Inc., an Idaho

corporation, and a prior owner and user of Water Right No. 37-12787A.

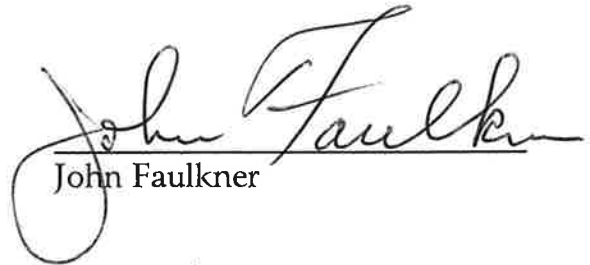
2. That I give this Affidavit to express my understanding of how that water right has been historically used.
3. Fritz Hansteen sold this water right to our company in 1957. At that time, and for several years previous thereto, Mr. Hansteen was watering both dairy and stock cattle in the feedlot.
4. Between the years 1957 and 1983, we annually used the water right to water approximately 2,000 head of cattle in the feedlot – about 1,000 head of steers and 1,000 head of Hereford mother cows with calves.
5. From 1984 through 1986, the feedlot was operated by my brother, Jim Faulkner, who annually watered approximately 2,000 head of cattle in the feedlot.
6. From Approximately 1986 until approximately 1990, Travelers Insurance Company owned the real property and water right at issue here. During those years, Travelers leased the feedlot to various cattle growers who kept cattle in the feedlot and watered them from the well which is the source of the above water right.
7. In 1990, we purchased the feedlot back on a right of first refusal, and continued to lease out the feedlot for use by various cattle growers, who

used the feedlot to raise cattle. From 1990 to 1993, the water right was actively used by out tenants to water cattle in the feedlot.

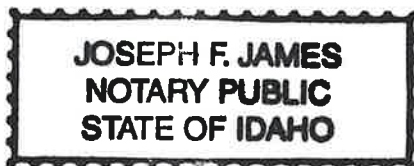
8. In the fall of 1993, we sold the feedlot to a Mr. Groot, for use by Jake Bosma.

9. I believe this feedlot has been continuously used to raise cattle, and cattle have been continuously watered each year since sebefore 1957. During much of this time, there was often 2,000 head of cattle, more or less, held in that feedlot and watered by the subject water right.

FURTHER YOUR AFFIANT SAYETH NAUGHT.


John Faulkner

SUBSCRIBED AND SWORN TO before me this 12th day of April, 2002, by John Faulkner.




Notary Public for the State of Idaho
Residing at : Gooding, Idaho
My Commission Expires: 2/26/2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 8, 2002

37-12787A
BLISS ACRES LLC
4300 BEAM RD
ZILLAH WA 98953

RESPONSE DEADLINE
APRIL 12, 2002

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. I will be conducting field examinations for the SRBA claims with a Ground Water source in your area in late March and early April. Since the priority date of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129. If you have multiple claims that require evidence of priority date, the labels with the identification numbers of the additional claims are attached below. Please submit evidence of the priority date for each of your beneficial use rights. Also, if there are multiple claimants of the claim at the same address, the additional claimants are identified on the labels attached below.

Sincerely,

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 8, 2002

JOSEPH F JAMES
ARKOOSH LAW OFFICES
301 MAIN ST
PO BOX 32
GOODING ID 83330

Re: Request for Evidence of Priority Date for Claim # 37-12787A

Dear Mr. James:

Our records show that you represent Bliss Acres LLC in the Snake River Basin Adjudication (SRBA). A copy of the request for Evidence of the Priority Date sent to your client is enclosed. If you no longer represent this client in the SRBA, or if you have any questions concerning this request for information, please contact me at this office of Idaho Department of Water Resources. Our toll free number is 1-800-451-4129.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Carter Fritschle', written in dark ink.

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Enclosures

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 37-12787A
Date Received: 9/20/1988
Receipt No: X777777
Received By:

**COPY FOR
YOUR FILES**

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

1. Name of Claimant(s)

BLISS ACRES LLC Phone: (509)829-5960
4300 BEAM RD
ZILLAH WA USA 98953

2. Date of Priority: 04/01/1948

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
05S	12E	27	SE	NE	NW	GOODING	

5. Description of diverting works:

300' WELL, 3 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.09	
COMMERCIAL	9/01	6/30	0.02	
DOMESTIC	1/01	12/31	0.16	

7. Total Quantity Appropriated is:
0.27 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4 Lot	Use	Acres
05S	12E	27	NE	NW	STOCKWATER	

SE	NW	STOCKWATER
NW	NE	STOCKWATER
SW	NE	STOCKWATER
NW	NE	COMMERCIAL
SE	NW	DOMESTIC
NE	NW	DOMESTIC

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:

ONE WELL SERVES 4 HOUSES, WATERING TROUGHS IN 4 LOCATIONS, AND POTATO STORAGE HUMIDIFIERS IN ONE LOCATION.

15. Basis of Claim: Beneficial Use



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

January 23, 1996

RECEIVED

JAN 24 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

Jacob Bosma
1748 E 400 S
Jerome, ID 83338

Department of Water Resources

RE: Abandonment or Modification of Domestic Well at Dairy

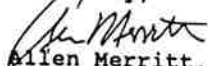
Dear Mr. Bosma:

Now that your Transfer application #4614 has been approved the department requests that you finalize your plans for modification or abandonment of the domestic well drilled in 1994 under drilling permit No. 37-94-S-0114-000. We request you complete your work within 60 days of the date of this letter.

Based on statements on the transfer application and conversations with your driller it is our understanding that the well may be abandoned or modified to function as a monitoring well. As you know the department has been concerned about the original construction of the well and the potential for the well allowing mixing of the upper and lower aquifers in the area. It is our understanding and desire that you will either abandon the well, sealing off the hole or you will modify the well by casing it and sealing off the upper aquifer.

Please find enclosed a copy of the well construction standards for your reference noting the requirement for sealing off of different aquifers (Rule 025.01 through 025.03) and also for abandonment of wells (Rule 025.12). Please also find enclosed the application form for abandonment of a well and the drilling permit form for modification or drilling of a new well. Depending on the final disposition of the well you or your driller will need to file one of these forms with the department. If you have questions regarding completion of these forms or the abandonment or sealing procedure please contact Gary Funderburg at 736-3033 in our office.

Sincerely,


Allen Merritt, PE
Southern Region Manager

CC::Mark Slifka-IDWR
Tom Arkoosh



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARI J. DREHER
DIRECTOR

JANUARY 5, 1996

JACOB F BOSMA
1748 E 400 S
JEROME ID 83338

Re: Transfer of Water Right No. 37-08487B

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4614). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

cc: Patrick Brown

MEMORANDUM

TO: Amended Application for Transfer No. 4614 for Water Right 37-08487 in the Name of Jacob F. Bosma

FROM: Phillip J. Rassier, Deputy Atty. Gen. ✓✓✓

RE: IDWR action on Transfer

DATE: December 27, 1995

Amended Application for Transfer No. 4614 is before IDWR for action without a hearing having been held on the protests filed in response to publication of the transfer application. Protests were filed by Spring Cove Ranch, Inc. and Daniel Butler (Butler protest), Archie Walker and Lorna Bard.

The Bard protest was withdrawn by letter dated October 15, 1995. The Butler and Walker protestants are represented by attorney Patrick D. Brown. The Butler protest was resolved by an Agreement entered on October 20, 1995. Although it has orally has been represented to IDWR that Walker concurs in the Agreement of October 20, 1995, Mr. Walker apparently has not yet signed the Agreement. However, with the concurrence of Mr. Walker's attorney IDWR is proceeding with action on the transfer application upon the condition that notice be sent to Mr. Walker, through his attorney Mr. Brown, that pursuant to section 42-1701A(3), Idaho Code, any person aggrieved by any order or action of the director of the Department of Water Resources who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the director to contest the action upon filing with the director, within fifteen (15) days after receipt of the action, a written petition stating the ground for contesting the action and requesting a hearing.

C. TOM ARKOOSH
LAWYER

POST OFFICE BOX 32
116 FOURTH AVENUE WEST
GOODING, ID 83330

BOISE OFFICE:
800 WEST WASHINGTON STREET
BOISE, ID 83701
C:\OFFICE\WPWIN\WPDOCS\DATA\BOSMA\RASSIER.LTR

RECEIVED

DEC 18 1995

Department of Water Resources

TELEPHONE (208) 934 8872
FACSIMILE (208) 434 8873

December 15, 1995

VIA FACSIMILE 327-7866

Phillip J. Rassier
Idaho Dept. Water Resources
P.O. Box 83720
Boise, ID 83706-2237

RE: Bosma Water Transfer

Dear Phil:

This will confirm that the Department will be moving to issue a final order on the Bosma Transfer Application forthwith. As I expressed by telephone to you on the 15th, the delay in this matter has caused a critical situation with Mr. Bosma's banking, and we appreciate you moving quickly to issue the transfer.

Sincerely yours,



C. Tom Arkoosh

CTA:pm

cc: Patrick D. Brown
client

tee / Norm

C. TOM ARKOOSH
LAWYER

POST OFFICE BOX 32
116 FOURTH AVENUE WEST
GOODING, ID 83330

BOISE OFFICE:
500 WEST WASHINGTON STREET
BOISE, ID 83701
C:\OFFICE\WPWIN\WFOCS\DATA\BOSMA\YOUNG\LTR

RECEIVED
DEC 04 1995

Department of Water Resources

TELEPHONE (208) 934-8872
FACSIMILE (208) 934-8873

December 1, 1995

Norm Young
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, ID 83720-9000

RE: Water Right No. 37-12787 A: Notice of Violation Order dated
September 15, 1995, issued to Jacob F. Bosma

Dear Norm:

Enclosed herewith please find the Affidavit signed herewith by
John Faulkner, concerning use of the above water right. It appears
that the amendment should be made to 2,000 head of cattle.

Could you please review these matters, effect the amendment,
and advise me of the status? Thank you.

Sincerely yours,


C. Tom Arkoosh

CTA:pm

enc.

C. TOM ARKOOSH
116 4th Ave. W.
P.O. Box 32
Gooding, ID 83330
Telephone: (208) 934-8872

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF THE DIVERSION OF)
WATER WITHOUT A VALID RIGHT OR NOT) AFFIDAVIT OF JOHN FAULKNER
IN CONFORMANCE WITH A VALID WATER)
RIGHT FOR A DAIRY OWNED BY JACOB)
BOSMA)

STATE OF IDAHO)
) ss.
COUNTY OF GOODING)

COMES NOW John Faulkner, and on his oath and by his personal
knowledge, deposes and says:

1. That I am the president of Faulkner Land and Livestock,
Inc., an Idaho corporation, and a prior owner and user of Water
Right No. 37-12787 A.

2. That I give this Affidavit to express my understanding of
how that water right has been historically used.

3. Fritz Hansteen sold this water right to our company in
1957. At that time, Mr. Hansteen was watering both dairy and stock
cattle in the feedlot.

AFFIDAVIT OF JOHN FAULKNER

4. Between the years 1957 and 1983, we annually used the water right to water approximately 2,000 head of cattle in the feedlot - about 1,000 head of steers and 1,000 head of Hereford mother cows with calves.

5. From 1984 through 1986, the feedlot was operated by my brother Jim Faulkner, who annually watered approximately 2,000 head of cattle in the feedlot.

6. From approximately 1986 until approximately 1990, Travelers Insurance Company owned the real property and water right at issue here. During those years, Travelers leased the feedlot to various cattle growers who kept cattle in the feedlot and watered them from the well which is the source of the above water right.

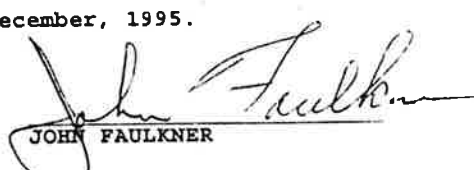
7. In 1990, we purchased the feedlot back on a right of first refusal, and continued to lease out the feedlot for use by various cattle growers, who used the feedlot to raise cattle. From 1990 to 1993, the water right was actively used by our tenants to water cattle in the feedlot.

8. In the fall of 1993, we sold the feedlot to a Mr. Groot, for use by Jake Bosma.

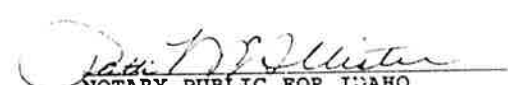
9. I believe this feedlot has been continuously used to raise cattle, and cattle have been continuously watered each year since before 1957. During much of this time, there was often 2,000 head of cattle, more or less, held in that feedlot and watered by the subject water right.

MORE YOUR AFFIANT SAYETH NAUGHT.

DATED this 1ST day of December, 1995.


JOHN FAULKNER

~~December~~ SUBSCRIBED AND SWORN to before me this 1st day of
November, 1995.


NOTARY PUBLIC FOR IDAHO

Residing at: Gooding, ID
My Commission Expires: 8-28-01

HOPKINS, RODEN, CROCKETT,
HANSEN & HOOPES
C. Tom Arkoosh
Teresa L. Sturm
428 Park Avenue
P. O. Box 51219
Idaho Falls, Idaho 83405-1219
Telephone: 208-523-4445
Attorneys for Applicant

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 4614 OF WATER RIGHT)
37-08487 IN THE NAME OF JACOB F.) AFFIDAVIT OF JOHN H.
BOSMA.) FAULKNER
_____)

STATE OF IDAHO)
County of Gooding) ss.

JOHN H. FAULKNER, being first duly sworn deposes and
says:

1. I have personal knowledge of the facts set forth
in this affidavit.

2. I am the President and own a controlling interest
in an Idaho corporation identified as Faulkner Land and Livestock
Company. Faulkner Land and Livestock is a farm and stock
operation and conducts its business in part in Gooding County
Idaho.

3. Faulkner Land and Livestock owns and has owned real property with appurtenant water rights in Gooding County, Idaho.

4. In approximately 1993, Faulkner Land and Livestock transferred certain of its real property and certain of its water right to E. J. DeGroot. A portion of the real property was purchased for use in constructing the Bosma Dairy.

5. The transfer included a transfer of certain water rights held by Faulkner Land and Livestock under Water Right No. 37-08487 to Jacob F. Bosma.

6. Water Right No. 37-08487 consists of 1.66 cfs of ground water with its diversion point in the NW1/4 SE1/4 of Section 27, Township 5 South, Range 12 East, of the Boise Meridian, in Gooding County, Idaho. The transfer to Jake Bosma included 40 inches of water from this water right.

7. This water right was developed in 1989 for irrigation use on 216 acres of real property. 50 inches of the 1.66 cfs developed was developed from trust water, not duplicated or supplemental water. 50 acres of the 2166 acres to be irrigated under this ground water right was newly developed acreage in the W1/2, SW1/4, Section 27.

8. This ground water right was developed for use on a pivot irrigation system. We installed a 100 horse power submerged pump and related equipment. Our investment in this development project exceeded \$25,000.00.

9. Water from this developed right was utilized every year by Faulkner Land and Livestock. We had incurred substantial expense in completing this project because we needed the water and so, subsequently we used the water right regularly.

10. Because the pumping system which we installed included a submerged pump, it was difficult to tell on a visual inspection, whether the pump was running. It was necessary to go to the well site and look into the well to determine when we were running water into the headgate.

The ditch rider could go by regularly and would not necessarily notice that the pump was running.

11. We have raised crops annually on the 216 acres of ground. We raised hay, potatoes, grain and corn, all crops which require regular irrigation. We had been having trouble getting irrigation water on this entire farm. At the suggestion of the Water Resources' personnel, we developed Water Right No. 37-08487 for use on the entire farm so we could irrigate for the full season.

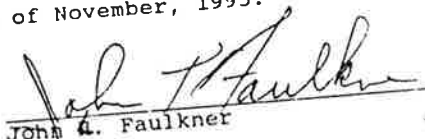
12. We did utilize this water annually in the manner described. A portion of this water is supplemental, as indicated, because we needed the water for the entire farm during times when other water through the Northside Canal was not available. However, 50 inches of this water was, as also indicated, developed from trust water. This water was a vital part of our irrigation system and has been used every year for crop irrigation.

13. That Faulkner Land and Livestock is aware that certain real property located in the W1/2 SW1/4 of Section 27, of Township 5 South, Range 12 East, of the Boise Meridian, in Gooding County, must be taken out of the production in order to facilitate the change in use of a portion of the 40 inches of water transferred to Jake Bosma for use at the Bosma Dairy.

14. Faulkner Land and Livestock has no objection to this proposal.

Further affiant sayeth naught.

Dated this 22nd day of November, 1995.


John A. Faulkner

SUBSCRIBED and sworn to this 22nd day of November,

1995.

S
E
A
L


Notary Public for Idaho
Residing at: Gooding ID
My Commission expires: 8-28-00

A37-12787A

TRANSMITTAL COVER SHEET

TO: JARROD BALL
934-4741

TOTAL PAGES SENT: 8
(including cover sheet)

DOCUMENT DESCRIPTION: PROFILE REPORTS ON
SRBA CLAIM: A37-12787A
WR PERMIT/LICENSE: 37-08487 A & B, 37-07891

FROM: IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE ST, STE 200
TWIN FALLS ID 83301-3380
PHONE: 736-3033
FAX: 736-3037

CHARGES: One (1) free copy
per request, cover sheet not
counted. Two (2) or more
copies per request will cost
\$0.25 per page. (\$0.50
minimum)

Please consider this document as a ~~billing~~ statement.
The charge for your fax copies is: ~~_____~~ Please remit to the above address.

SENDER: STEVE CLELLAND

COMMENTS: RE: DeGROOT Place of Use Query.

(CALL if you have Questions)

02/26 12:53	912089344741-540044	00:03:07	08	OK	STANDARD	ECM
DATE, TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	MODE	

TIME : 02/26/1999 12:57
NAME : IDWR SOUTHERN REGION
FAX : 2087363037
TEL : 2087363033

TRANSMISSION VERIFICATION REPORT

A37-12787A



GOODING TITLE & ESCROW COMPANY

**P.O. Box 446, 342 Main Street
Gooding, Idaho 83330**

**Telephone: 208-934-4427 or 1-800-757-4427 (in Southern Idaho only)
Fax Number: 208-934-4741**

FAX TRANSMISSION COVER SHEET

**THIS TRANSMISSION, INCLUDING COVER SHEET, CONTAINS 7 PAGES(S).
PLEASE CONTACT OUR OFFICE IMMEDIATELY IF YOU DO NOT RECEIVE ALL OF THE TRANSMISSION.**

TO: Steve - ID Dept. Water Resources
RE: Water license search
FROM: Jarrod Ball
FAX NUMBER: 736-3037

Attached is a copy of the legal description and a survey. According to the attorney in the transaction, there are some licenses that were not transferred in previous sales. Title is held by E.J. DeGroot right now, and he purchased from Faulkner Land and Livestock.

Any information that you can provide would be helpful. I just need it in the next couple of days. Thank you.

This communication is intended solely for the use of the individual or entity to which it is addressed. It contains information that is confidential and/or privileged. If you are not the intended recipient, or if you are not responsible for delivery of this communication to the intended recipient, you are hereby notified that the disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the address above via regular postal service.

G980462**1 of 5****EXHIBIT "A"****PARCEL NO. 1:**

Township 5 South, Range 12 East of the Boise Meridian, Gooding County, Idaho

Section 22: A parcel of land located in the Southwest Quarter, more particularly described as follows:

BEGINNING at the Southwest corner of Section 22;

Thence South 89°56'34" East along South boundary of the Southwest Quarter of Section 22 for a distance of 932.76 feet to a point on the arc of a non tangent curve right and being the TRUE POINT OF BEGINNING;

Thence Northeasterly and Southeasterly along the arc of the curve right for a distance of 1,435.03 feet to a point on the South boundary of the Southwest Quarter of Section 22, said arc having a radius of 815.60 feet and a long chord bearing and distance of South 89°56'34" East 1,256.96 feet;

Thence North 89°56'34" West along the South boundary of the Southwest Quarter of Section 22 for a distance of 1,256.96 feet TRUE POINT OF BEGINNING.

AND

Township 5 South, Range 12 East of the Boise Meridian, Gooding County, Idaho

Section 27: A parcel of land, more particularly described as follows:

COMMENCING at the Northwest corner of said Section 27;

Thence South 89°56'34" East along the North boundary of the Northwest Quarter of Section 27 for a distance of 756.00 feet to the TRUE POINT OF BEGINNING;

Thence continuing South 89°56'34" East along the North boundary of the Northwest Quarter of Section 27 for a distance of 1,876.25 feet (South 89°56'35" East 1,889.45 feet - record) to the North quarter corner of said Section 27;

continued

G980462**Page 2 of 5**

Thence North 89°58'30" East along the North boundary of the Northeast Quarter of Section 27 for a distance of 1,318.07 feet (North 89°58'30" East 1,311.47 feet - record) to the Northeast corner of the Northwest Quarter of the Northeast Quarter of Section 27;

Thence South 00°13'09" East along the East boundary of the Northwest Quarter of the Northeast Quarter of Section 27 for a distance of 378.17 feet (South 00°08'51" East - record);

Thence South 89°58'30" West parallel with the North boundary of the Northeast Quarter of Section 27 for a distance of 269.01 feet;

Thence South 00°13'09" East (South 00°08'51" East - record) parallel with the East boundary of the Northwest Quarter of the Northeast Quarter of Section 27 for a distance of 175.00 feet;

Thence South 87°10'27" West for a distance of 550.00 feet;

Thence South 05°29'33" East for a distance of 766.86 feet;

Thence South 08°13'11" West for a distance of 219.83 feet;

Thence South 07°27'02" East for a distance of 208.89 feet;

Thence South 30°58'31" East for a distance of 16.87 feet;

Thence South 89°49'46" West for a distance of 193.00 feet;

Thence South 00°15'43" East for a distance of 300.10 feet;

Thence North 89°48'38" East for a distance of 192.55 feet;

Thence South 26°09'01" East for a distance of 134.70 feet;

Thence North 89°26'24" West for a distance of 997.97 feet to a point on the centerline of an irrigation canal;

Thence approximately along the centerline of the irrigation canal on the following courses:

South 50°15'42" West for 14.12 feet;

South 20°03'51" West for 183.67 feet;

South 06°01'31" East for 215.52 feet;

South 23°58'39" East for 258.69 feet;

South 44°00'32" East for 239.72 feet;

South 23°36'44" East for 363.30 feet;

South 44°26'23" East for 256.30 feet;

South 69°35'26" East for 343.25 feet;

South 58°47'49" East for 102.60 feet;

South 86°38'31" East for 111.15 feet;

South 37°10'28" East for 233.51 feet;

South 64°14'57" East for 99.90 feet;

South 25°39'44" East for 25.48 feet to a point on the North boundary of the Southwest Quarter of the Southeast Quarter of Section 27;

continued

G980462**Page 3 of 5**

Thence South 89°51'57" West along the North boundary of the Southwest Quarter of the Southeast Quarter of Section 27 for a distance of 68.73 feet;

Thence South 36°30'00" West for a distance of 376.00 feet;

Thence South 01°07'00" East for a distance of 435.00 feet to the approximate center of an irrigation canal;

Thence South 48°27'26" West for a distance of 96.50 feet to a point South of the center of the irrigation canal;

Thence North 45°38'48" West for a distance of 236.27 feet to the approximate center of an irrigation canal;

Thence North 77°11'38" West along the approximate center of the irrigation canal for a distance of 424.53 feet;

Thence South 88°59'08" West along the approximate center of the irrigation canal for a distance of 883.81 feet;

Thence North 86°50'44" West along the approximate center of the irrigation canal for a distance of 664.34 feet;

Thence leaving the center of the irrigation canal on a bearing North 64°55'02" West for a distance of 1,204.94 feet to the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 27;

Thence North 00°04'08" West along the West boundary of the Northwest Quarter of the Southwest Quarter of Section 27 for a distance of 1,319.60 feet to the West quarter corner of Section 27;

Thence continuing North 00°04'08" West along the West boundary of the Northwest Quarter of Section 27 for a distance of 2,439.20 feet;

Thence South 89°56'34" East parallel with the North boundary of the Northwest Quarter of the Section 27 for a distance of 756.00 feet;

Thence North 00°04'08" West parallel with the West boundary of the Northwest Quarter of Section 27 for a distance of 200.00 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO easements to the Northside Canal Company for the use, access to and maintenance of the irrigation canals located within the described parcel.

SUBJECT TO easements for the County Road that traverses through the described parcel.

ALSO SUBJECT TO all easements recorded and unrecorded for access roads, utilities and irrigation facilities.

continued

G980462**Page 4 of 5****EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:**

A parcel of land located in the Northwest Quarter of the Northwest Quarter of Section 27, Township 5 South, Range 12 East of the Boise Meridian, Gooding County, Idaho, and more particularly described as follows:

Commencing at the Northeast corner of said Section 27, from which the North One Quarter corner of said Section 27 bears South 89°56'34" East, 2632.25 feet;
Thence South 89°56'34" East along the North boundary of the Northwest Quarter of Section 27 for a distance of 756.00 feet;
Thence South 00°04'08" East for a distance of 200.00 feet to the TRUE POINT OF BEGINNING;
Thence South 89°56'34" East for a distance of 10.74 feet to the center of an existing county road;
Thence South 00°55'41" West along the center of the county road for a distance of 379.01 feet;
Thence South 04°58'53" East along the center of the existing county road for a distance of 158.31 feet;
Thence South 22°21'29" East along the center of the county road for a distance of 102.19 feet;
Thence South 29°12'42" East along the center of the county road for a distance of 98.33 feet;
Thence North 89°56'34" West parallel with the North boundary of the Northwest Quarter of Section 27 for a distance of 499.38 feet;
Thence North 00°55'41" East for a distance of 717.00 feet;
Thence South 89°56'34" East parallel with the North boundary of the Northwest Quarter of the Section 27 for a distance of 382.56 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 2:

Township 5 South, Range 12 East of the Boise Meridian, Gooding County, Idaho

Section 27: A parcel of land located in the Northwest Quarter of the Northwest Quarter, more particularly described as follows:

Commencing at the Northeast corner of said Section 27, from which the North One Quarter corner of said Section 27 bears South 89°56'34" East, 2632.25 feet;

continued

G980462**Page 5 of 5**

Thence South $89^{\circ}56'34''$ East along the North boundary of the Northwest Quarter of Section 27 for a distance of 756.00 feet;
Thence South $00^{\circ}04'08''$ East for a distance of 200.00 feet to the TRUE POINT OF BEGINNING;
Thence South $89^{\circ}56'34''$ East for a distance of 10.74 feet to the center of an existing county road;
Thence South $00^{\circ}55'41''$ West along the center of the county road for a distance of 379.01 feet;
Thence South $04^{\circ}58'53''$ East along the center of the existing county road for a distance of 158.31 feet;
Thence South $22^{\circ}21'29''$ East along the center of the county road for a distance of 102.19 feet;
Thence South $29^{\circ}12'42''$ East along the center of the county road for a distance of 98.33 feet;
Thence North $89^{\circ}56'34''$ West parallel with the North boundary of the of the Northwest Quarter of Section 27 for a distance of 499.38 feet;
Thence North $00^{\circ}55'41''$ East for a distance of 717.00 feet;
Thence South $89^{\circ}56'34''$ East parallel with the North boundary of the Northwest Quarter of the Section 27 for a distance of 382.56 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a 25.0 foot wide county road easement along the Easterly boundary of the before described parcel.

COMMUNICATION DOCUMENTATION

IDWR Employee/Agent Georgia Satterlee

DATE
April 28, 1999 3:11pm

CUSTOMER
AW

SUBJECT: DEGROOT/BOSMA
phone call (.) walk-in (.)
I have reviewed some items related to Bosma and DeGroot.

The claim, A37-12787 was filed in 1989, for 0.31 cfs for Domestic-5 homes, Stockwater-350 cattle, and Commercial-2 storage bays.

1994 Lorna Bard split "B" off base claim to reflect 0.04 cfs domestic use 1 house only

1995 T#4614 (combined A37-12787A and 37-08487B) -wells in SENENW $\frac{1}{4}$ and NWSE $\frac{1}{4}$ Section 27; Conditions 7. & 9. ...**measuring devices for all p/d's**; Condition 11. per Lorna Bard.
On Application: Part 3, B. Question 3. Applicant has a domestic well, constructed in August/1994...will be capped off if transfer is approved. Did Bosma follow through or is this well still being used? If he did cap it, is there record, i.e. Funderberg?

1996 Amended the "A" portion to show 2000 head of cattle instead of 350 head.

1997 Cindy Hodges records the well in the NWSE $\frac{1}{4}$ of Section 27 as the same well as on Faulkner's 37-08487A, and she continues, "...well is not used in dairy."

I think there needs to be measurements on all the wells to show the use up to this point. Is the well in the NWSE part of the dairy? What does the system for the dairy look like, are the wells tied together, or, if there is a valve, where is it?

C. TOM ARKOOSH
116 4th Ave. West
P. O. Box 32
Gooding, ID 83330
(208) 934-8872

RECEIVED

MAR 25 1996

Department of Water Resources
Southern Region

TRANSMITTAL MEMORANDUM

DATE: March 22, 1996
TO: Douglas Jones
FROM: C. Tom Arkoosh
RE: Amended Claim (A37-12787A)

PLEASE TAKE THE FOLLOWING ACTION:

____ For your information.
____ Sign and return to my office.
____ Sign before Notary Public, have seal applied & return to
this office.
____ Come by my office to sign the _____
____ Complete form and return to this office.
____ Sign and forward to _____
____ Please call to discuss this matter.
____ Obtain Judge's signature, file original(s) and return
conformed copy (copies).
✓ ____ File original(s).
____ Approve for entry and return.
____ Return date-stamped copy (copies).
____ Record, return original.
____ Certified copy requested of _____
____ Check enclosed for \$ _____
____ Please call for an appointment as soon as possible.
____ Other: Preadressed stamped envelope enclosed
____ For return of copy to counsel.

Thank you.

COPY FOR YOUR RECORDS.

By 
Secretary to C. Tom Arkoosh

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: A37-12787A

Date Received: 9/20/1988

Receipt No: X777777

Received By: *O/C HLB*

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

1. Name: E J DE GROOT 310-927-5511
Address: 7011 STEWART AND GREY ROAD
DOWNEY CA 90241

2. Date of Priority: APR 1, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	12E	27	SE	NE	NW		GOODING

5. Description of diverting works:
300' WELL, 3 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.160		
STOCKWATER	01/01	12/31	0.090		
COMMERCIAL	09/01	06/30	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/4 HOUSES, S/350 CATTLE, C/2 STORAGE BAYS HUMIDIFIED.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use
05S	12E	27	NW	NE		COMMER
			NW	NE		STOCK

MICROFILMED
NOV 27 1996

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	12E	27	SW		NE		STOCK	
			NE		NW		STOCK	
			NE		NW		DOMEST	
			SE		NW		DOMEST	
			SE		NW		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:
ONE WELL SERVES 4 HOUSES, WATERING TROUGHS IN 4 LOCATIONS, AND
POTATO STORAGE HUMIDIFIERS IN ONE LOCATION
OWNERSHIP CHANGE MADE 10/24/95 BY TLB.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
NOV 27 1996



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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

OCTOBER 24, 1995

E.J. DeGROOT
7011 STEWART AND GREY ROAD
DOWNEY, CA 90241

RE: SRBA CLAIM(S) A37-12787A
FAULKNER

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. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

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

SINCERELY,

A handwritten signature in cursive script that reads "Tara L. Backlund".

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

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DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 5S Range 12E Department of Water Resources
Section 27, SE 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet. Please see attached.

[] 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: A37-12787A

[] Name and Address of Former Owner/Claimant(s)(Seller): THE TRAVELERS INSURANCE COMPANY (Hayhook Ranch RE 11676
960 Broadway Ave., Suite 310
Boise, ID 83706

[] New Owner/Claimant (Purchaser): E. J. DeGroot

[] New Mailing Address: 7011 Stewart and Grey Road
Downey, California 90241

[] New Telephone Number: (310) 927-5511

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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: Corporate Warranty Deed

(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) [Signature] Date 6/12/95

[] Signature of Former Owner/Claimant(s) _____ 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: 10/4/95 By: HB

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data Entry

Date: 10/24/95 By: HB

Claim Numbers of Split, if any:

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



CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

These 3 can be changed, the others are split

05512E22 1775

05512E22 8401

Faulkner Land & Livestock, 05512E27 3020

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto

E. J. DeGroot, a married man, dealing with his sole and separate property,
whose address is: 7011 Stewart and Grey Rd., Downey, CA, 90241,
grantee, the following described real estate, to-wit:

Department of Water Resources

See Exhibit A attached hereto consisting of three pages and made a part hereof.

TOGETHER WITH 160 SHARES OF NORTH SIDE CANAL COMPANY WATER STOCK.

TOGETHER WITH WATER RIGHT NO. A37-12787.

SELLER RESERVES UNTO ITSELF AN EASEMENT FORTY (40) FEET IN WIDTH MORE PARTICULARLY DESCRIBED ON EXHIBIT B ATTACHED HERETO AND MADE A PART HEREOF FOR PURPOSES OF INSTALLING, CONSTRUCTING AND MAINTAINING AN UNDERGROUND PIPELINE.

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision restrictions and U.S. patent reservations.

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

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President this 29th day of August, 1994.

Faulkner Land & Livestock

Department of Water Resources
PROTESTANT'S
Exhibit C
Date Admitted 10/24/94

BY John L. Faulkner PRESIDENT.

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STATE OF IDAHO)
COUNTY OF Gooding) SS

On This 29th day of August, in the year 1994, before me, a Notary Public in and for said State, personally appeared John L. Faulkner, known or identified to me to be the President of Faulkner Land & Livestock, the Corporation that executed the instrument on behalf of said Corporation.

EXHIBIT A

TRACT I:

Township 5 South, Range 12 East of the Boise Meridian, Gooding County, State of Idaho.

Section 22: Part of the SW1/4SW1/4, described as follows:

BEGINNING at the Southwest corner of Section 22 of Township 5 South, Range 12 East of the Boise Meridian, said corner marked by a U.S. General Land Office pipe with brass cap; Thence South 89° 56' 35" East along Section line for 932.76 feet to a 1/2" rebar which shall be the POINT OF BEGINNING;

Thence on a non-tangent curve to the right for 475.74 feet to a point on the East line of the Southwest Quarter of the Southwest Quarter, said curve having a central angle of 33° 25' 14" with a radius of 815.60 feet with a long chord bearing of North 56° 21' 43" East for 469.02 feet; Thence South 0° 07' 00" West along the East line of the Southwest Quarter of the Southwest Quarter for 260.20 feet to a point at the Southeast corner of the Southwest Quarter of the Southwest Quarter;

Thence North 89° 56' 35" West along Section line for 389.96 feet to the POINT OF BEGINNING.

AND part of the SE1/4SW1/4, described as follows:

BEGINNING at the South Quarter Section corner of Section 22 of Township 5 South, Range 12 East of the Boise Meridian, said corner marked by a U.S. General Land Office pipe with brass cap;

Thence North 89° 56' 35" West along the Section line for 455.72 feet to a 1/2" rebar, which shall be the POINT OF BEGINNING;

Thence on a non-tangent curve to the left for 959.29 feet to a point on the West side of the Southeast Quarter of the Southwest Quarter, said curve having a central angle of 67° 23' 24" with a radius of 815.60 feet and a long chord bearing of North 73° 13' 58" West for 904.94 feet;

Thence South 0° 07' 00" West along the West line of the Southeast Quarter of the Southwest Quarter for 260.20 feet to the Southwest corner of the Southeast Quarter of the Southwest Quarter;

Thence South 89° 56' 35" East along the South line of the Southeast Quarter of the Southwest Quarter for 867.00 feet to THE POINT OF BEGINNING.

EXHIBIT A CONTINUED OF TRACT I

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Township 5 South, Range 12 East of the Boise Meridian, Gooding County, State of Idaho.

Section 27: A tract of land in the W1/2, N1/2NE1/4, SW1/4NE1/4, NW1/4SE1/4 and the SW1/4SE1/4, more particularly described as follows:

BEGINNING at a point that is 2065.47 feet West of the Southeast corner of Section 27;

Thence North 515.44 feet, to the POINT OF BEGINNING;

Thence in a Northeasterly direction to a point that is the most Southwesterly corner of the Northside Canal Company property as described in Record of Tax Numbers, Gooding County, Idaho for Tax 1, Section 27, Township 5 South, Range 12 East of the Boise Meridian, recorded June 3, 1935 as Instrument No. 61746, Official Records;

Thence North 1° 07' West, 435 feet;

Thence North 36° 30' East, 376 feet to the North line of the Southwest Quarter of the Southeast Quarter;

Thence South 89° 51' 57" West, 67.08 feet to a point in a canal;

Thence on the following courses and distances in the water way of a canal:

North 25° 39' 44" West for 25.48 feet;
North 64° 14' 57" West for 99.90 feet;
North 37° 10' 28" West for 233.51 feet;
North 86° 38' 31" West for 111.15 feet;
North 58° 47' 49" West for 102.60 feet;
North 69° 35' 26" West for 343.25 feet;
North 44° 26' 23" West for 256.30 feet;
North 23° 36' 44" West for 363.30 feet;
North 44° 00' 32" West for 239.72 feet;
North 23° 58' 39" West for 258.69 feet;
North 6° 01' 31" West for 215.52 feet;
North 20° 03' 51" East for 183.67 feet;
North 50° 15' 42" East for 14.12 feet;

Thence South 89° 26' 24" East for 13.09 feet to a 1/2" rebar;

Thence South 89° 26' 24" East for 984.88 feet to a P.K. Nail on the centerline of a county road;

Thence North 26° 09' 01" West along the centerline of said county road for 134.70 feet to a P.K. Nail;

Thence South 89° 48' 38" West (West recorded) for 192.55 feet;

Thence North 0° 15' 43" West (North recorded) along said fence for 300.00 feet;

Thence North 89° 49' 46" East (East recorded) for 193.00 feet along said fence to a point;

Thence North 30° 58' 31" West for 16.87 feet to a 1/2" rebar;

Thence North 7° 27' 02" West for 208.89 feet to a 1/2" rebar;

EXHIBIT A CONTINUED OF TRACT I

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Thence North 8° 13' 11" East for 219.83 feet to a 1/2" rebar;
 Thence North 5° 29' 33" West for 766.86 feet to a 1/2" rebar;
 Thence North 87° 10' 27" East for 550 feet to a point;
 Thence North 175 feet;
 Thence East parallel to the North Section line to a point on
 the 16th line between the Northwest Quarter of the
 Northeast Quarter and the Northeast Quarter of the
 Northeast Quarter;
 Thence North along said 16th line to the Northeast corner of
 the Northwest Quarter of the Northeast Quarter;
 Thence South 89° 58' 30" West along the North Section line to
 a point that is 756 feet East of the Northwest corner of
 the Northwest Quarter of the Northwest Quarter;
 Thence South on a line parallel to the West boundary line a
 distance of 200 feet to a point;
 Thence West parallel to the North boundary line 756 feet to a
 point in the West boundary line;
 Thence South along the West boundary line to the Northwest corner
 of the Southwest Quarter of the Southwest Quarter;
 Thence Southeasterly to a point that is 60 feet Northerly of a
 120 foot wide right of way line;
 Thence continuing parallel to and 60 feet Northerly of said
 center line the following courses and distances:
 Thence South 86° 50' 44" East, 664.34 feet;
 Thence North 88° 59' 08" East, 883.81 feet;
 Thence South 77° 11' 38" East, 424.53 feet;
 Thence South 45° 38' 48" East, 236.27 feet to the POINT OF
 BEGINNING.

END OF TRACT I

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EXHIBIT B

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WELL SITE

BEGINNING at the Southeast corner of Section 27, Township 5 South, Range 12 East of the Boise Meridian, said corner marked by a U.S. Government pipe with brass cap;
Thence North 60° 58' 47" West (North 60° 37' West recorded) for 1514.56 feet to a point on the West line of the Southeast Quarter of the Southeast Quarter;
Thence North 0° 08' 47" West along the West line of the Southeast Quarter of the Southeast Quarter for 577.00 feet to the Northeast corner of the Southwest Quarter of the Southeast Quarter;
Thence South 89° 51' 57" West along the North line of the Southwest Quarter of the Southeast Quarter for 384.92 feet to a point in the water way of a canal;
Thence along said water way on the following courses and distances:
North 25° 39' 44" West, 25.48 feet;
North 64° 14' 57" West, 99.90 feet;
North 37° 10' 28" West, 233.51 feet;
North 86° 38' 31" West, 111.15 feet;
North 58° 47' 49" West, 102.60 feet;
North 69° 35' 26" West, 343.25 feet;
North 44° 26' 23" West, 256.30 feet;
North 23° 36' 44" West, for 32.26 feet to the POINT OF BEGINNING;
Thence North 23° 36' 44" West, 40.00 feet to a point;
Thence North 66° 23' 16" East, 59.46 feet to a point;
Thence South 23° 36' 44" East, 40.00 feet to a point;
Thence South 66° 23' 16" West, 59.46 feet to the POINT OF BEGINNING.

Pipeline and Access Easement from the above described Well Site directly South on the center Section line to the South Quarter corner of said Section 27, Township 5 South, Range 12 East of the Boise Meridian, Gooding County, State of Idaho.

158446

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

24 min. past 4 o'clock P. m. this 29
of Aug 1994

JOHN A. MYERS Recorder

By

Christa Sotis

MICROFILMED
Deputy

NOV 27 1996

HOPKINS, RODEN, CROCKETT, HANSEN & HOOPES
LAWYERS

SALISBURY BUILDING - 428 PARK AVENUE
P.O. BOX 51219
IDAHO FALLS, IDAHO 83405-1219
TELEPHONE (208) 523-4445
FAX (208) 523-4474

SEWARD H. FRENCH (1941-1984)
TED C. SPRINGER (1943-1984)

ROBERT A. deGROOT
REGISTERED PATENT AGENT

BOISE OFFICE
802 WEST BANNOCK - SUITE 900
P.O. BOX 2110
BOISE, IDAHO 83701-2110
TELEPHONE (208) 336-7930
FAX (208) 336-9154

C. TIMOTHY HOPKINS
WILLIAM C. RODEN
GREGORY L. CROCKETT
JOHN D. HANSEN
D. FREDRICK HOOPES
LARY S. LARSON
PAUL B. RIPPEL
TERESA L. STURM
STEVEN K. BROWN
DAVID H. SHIPMAN
KATHERINE STEELE MORIARTY
LANE R. SIMMONS
REED E. ANDRUS
CURTIS R. SMITH

October 23, 1995

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OCT 24 1995
Department of Water Resources
Southern Region

Tara L. Backlund, Records Clerk
Snake River Basin Adjudication
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301-6105

Re: SRBA Ownership Change for A37-12787A

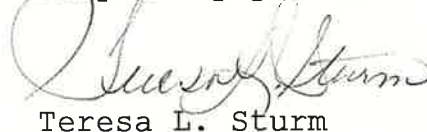
Dear Tara:

Again, thank you for your patience in this matter. We are enclosing with this correspondence a copy of a Special Warranty Deed and Bill of Sale recorded as Instrument No. 134875, on December 21, 1988, in the office of the Recorder, Gooding County, Idaho. The Special Warranty Deed transfers real property which is the subject of the above-captioned matter, from the Travelers Insurance Company to Faulkner Land and Livestock.

We apologize for the quality of the copies. These are the documents which we received from the Gooding County Recorder's Office. If you would prefer that we secure better copies of the document, please advise.

If you have questions or need additional information, do not hesitate to contact me.

Very truly yours,


Teresa L. Sturm

TLS/csh
Enclosure

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SPECIAL WARRANTY DEED AND BILL OF SALE

THIS INDENTURE, made this 21st day of December, 1988, between THE TRAVELERS INSURANCE COMPANY, a Connecticut corporation, the Grantor, and PAULKNER LAND AND LIVESTOCK COMPANY, INC., an Idaho corporation, the Grantee,

WITNESSETH:

That the said Grantor, for and in consideration of the payment to it of TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATION, by the said Grantee, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said Grantee, and to its successors and assigns forever, the real estate situate in the Counties of Camas, Gooding and Elmore, State of Idaho, described in Exhibit A, attached hereto and made a part hereof, EXCEPTING THEREFROM AND RESERVING UNTO THE GRANTOR all of the minerals and mineral rights on, in or under said described real property.

Together with 355.32 shares of stock of North Side Canal Company, Ltd.

Irrigation equipment and appurtenances and additions thereto and replacements thereof, located on the real property hereinbefore described on the date of delivery of this instrument, which personal property is more particularly described as follows:

SPECIAL WARRANTY DEED AND BILL OF SALE - Page 1

NOT FILMED
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1,000 feet of gated irrigation pipe.

ALL IRRIGATION EQUIPMENT AND APPURTENANCES THERETO TRANSFERRED BY THIS INSTRUMENT ARE SOLD BY THE GRANTOR AND ACCEPTED BY THE GRANTEE IN THEIR PRESENT CONDITION, AND THE GRANTOR HAS NO OBLIGATION TO REPAIR, MODIFY OR REPLACE ANY OF THE IRRIGATION EQUIPMENT.

Said described property is conveyed subject to (1) all taxes and assessments for the year 1988 and subsequent years, (2) all reservations in patents or deeds in the chain of title, (3) all easements and rights of way visible on the property or appearing of record in the offices of the County Recorders of Camas, Gooding and Elmore Counties, Idaho, (4) all leasehold interests, and (5) all covenants and restrictions appearing of record in the office of said Recorder, and (6) all items listed as exceptions in the Commitments for Title Insurance issued by Chicago Title Insurance Company of Idaho, Inc., No. 5932, issued November 9, 1988, for Camas County, No. G 15354, issued November 9, 1988, for Gooding County, and No. 0194-88-406, issued November 9, 1988, for Elmore County, as shown in the copies of Schedule B-Section 2 of each Commitment which are attached hereto and made a part hereof.

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

SPECIAL WARRANTY DEED AND BILL OF SALE - Page 2

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RECORDED

law as in equity, of the said Grantor.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises together with the appurtenances unto the Grantee, and to its successors, and assigns forever.

Grantor Warrants to the Grantee, and its successors in title, that Grantor has not created or permitted to be created any lien, charge or encumbrance against said real estate which is not shown or referred to herein, and Grantor covenants that it will defend said premises to the extent of the warranties made herein against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Grantor has hereunto caused its corporate name to be subscribed by its officers first thereunto duly authorized by its Board of Directors, all as of the day and year herein first above written.

THE TRAVELERS INSURANCE COMPANY,
a Connecticut corporation

By Emil A. Schmitt
Emil A. Schmitt, Regional Vice
President

ATTEST:

Marion Blackwood, Jr.
Marion Blackwood, Jr.
Assistant Secretary

SPECIAL WARRANTY DEED ADD. FILE - Page 1

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STATE OF CALIFORNIA)
) ss.
COUNTY OF CONTRA COSTA)

On this 16th day of December, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared EMIL A. SCHMITT and KEITH BLACKWOOD, JR. known to me to be the Regional Vice President and Assistant Secretary, respectively, of THE TRAVELERS INSURANCE COMPANY, the corporation that executed the within and foregoing instrument, and acknowledged to me that such corporation executed the same.

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



Donna Hanschen
Notary Public for the State of California
Residing at Walnut Creek
My commission expires: 3-1-91

SPECIAL WARRANTY DEED AND BILL OF SALE - Page 4

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Parcel "A"

TOWNSHIP 5 SOUTH, RANGE 12, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

- Section 22: SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 27: All of Section 27;
- Section 28: S $\frac{1}{2}$ SE $\frac{1}{4}$;
- Section 33: NE $\frac{1}{4}$ NE $\frac{1}{4}$;
- Section 34: Approximately one acre located in the Northwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34 being North and West of the fence as now located along an irrigation ditch in said corner, described in Warranty Deed recorded April 19, 1967 as Instrument Number 21573, Gooding County records.

N $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$, EXCEPTING THEREFROM that portion deeded to the State of Idaho by Right of Way Deed recorded May 18, 1937 in Book 28 Page 375 as Instrument Number 67620, Gooding County records.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

Beginning at a point on the line between the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 5 South, Range 12, East Boise Meridian, from which the corner of Sections 26, 27, 34 and 35, Township 5 South, Range 12, East Boise Meridian, bears South 60°37' East, 1515 feet;

Thence in a Northerly direction along the line between the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 5 South, Range 12, East Boise Meridian, 577 feet;

Thence in a Westerly direction along the North line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 5 South, Range 12, East Boise Meridian, 452 feet;

Thence South 36°30' West, 376 feet;

Thence South 1°07' East, 435 feet;

Thence South 77°27' East, 73 feet;

Thence North 74°07' East, 623 feet to POINT OF BEGINNING.

AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

Beginning at the Northeast corner of said Section 27;

Thence South along the East boundary thereof 1367 feet;

Thence due West 1958 feet;

Thence due South 407 feet to THE TRUE POINT OF BEGINNING;

Thence due South 300 feet;

Thence due West 300 feet;

Thence due North 300 feet;

Thence due East 300 feet to THE POINT OF BEGINNING.

AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

Commencing at the Northwest corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, which is THE TRUE POINT OF BEGINNING;

Thence South along the West boundary line a distance of 0 feet;

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Thence East on a line parallel to the North boundary line of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, a distance of 756 feet;
 Thence North on a line parallel to the West boundary line a distance of 100 feet to a point on the North boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Thence West along the North boundary line to THE TRUE POINT OF BEGINNING being a distance of 756 feet.

AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27 and that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, described as follows:
 A 120 foot wide right of way lying 60 feet each side of the following described centerline:
 Beginning at a point that is West 2065.47 feet along the Section line, and North 515.44 feet from the Southeast corner of Section 27, Township 5 South, Range 12, East Boise Meridian;
 Running thence North 45°38'48" West, 236.27 feet;
 Thence North 77°11'38" West, 424.53 feet;
 Thence South 88°59'08" West, 883.81 feet;
 Thence North 86°50'44" West, 664.34 feet;
 Thence South 18°58'30" West, 536.12 feet;
 Thence South 32°37'36" West, 249.37 feet to the Northeasterly side of the Powerhouse Site Parcel, at a point that is South 30°24'22" East, 3.37 feet from the most Northerly corner of the Powerhouse Site Parcel;
 AND that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27 and that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, described as follows:
 Beginning at a point that is West 4505.83 feet along the Section line, and North 81.51 feet from the Northeast corner of Section 34;
 Thence South 30°24'22" East, 150.00 feet;
 Thence South 59°35'38" West, 400.00 feet;
 Thence North 30°24'22" West, 150.00 feet;
 Thence North 59°35'38" East, 400.00 feet to THE POINT OF BEGINNING.
 TOGETHER WITH the right of ingress and egress and the right to construct electrical transmission lines across the adjacent lands of the grantor.

AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND:

Beginning at the Southeast corner of Section 27, Township 5 South, Range 12, East Boise Meridian, said corner marked by a U.S. Government pipe with brass cap which shall be THE POINT OF BEGINNING;
 Thence South 89°50'09" West along section line for 1475.65 feet to a point in a canal;
 Thence on the following courses and distances in the water way of a canal;
 North 26°41'07" East for 405.22 feet;
 North 40°40'03" East for 374.80 feet;
 North 59°07'01" East for 302.95 feet;
 North 81°15'11" West for 448.21 feet;
 North 46°13'04" West for 128.18 feet to a point on the West line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Thence North 0°08'47" West along the West line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ for 357.28 feet to the Northeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Thence South 89°51'57" West along the North line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ for 384.92 feet to a point in a

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canal;

Thence on the following courses and distances in the water way of a canal;

North 25°39'44" West for 25.48 feet;
 North 64°14'57" West for 99.90 feet;
 North 37°10'28" West for 233.51 feet;
 North 86°38'31" West for 111.15 feet;
 North 58°47'49" West for 102.60 feet;
 North 69°35'26" West for 343.25 feet;
 North 44°26'23" West for 256.30 feet;
 North 23°36'44" West for 363.30 feet;
 North 44°00'32" West for 239.72 feet;
 North 23°58'39" West for 258.69 feet;
 North 6°01'31" West for 215.52 feet;
 North 20°03'51" East for 183.67 feet;
 North 60°16'42" East for 14.12 feet;

Thence South 89°26'24" East for 13.09 feet to a 1/2" rebar;

Thence South 89°26'24" East for 984.88 feet to a P.K. Nail on the centerline of a county road;
 Thence North 26°09'01" West along the centerline of said county road for 134.70 feet to a P.K. Nail;

Thence North 89°48'38" East (East recorded) for 107.58 feet along a fenceline to a railroad tie;
 Thence North 0°17'10" West (North recorded) along said fence for 300.00 feet to a railroad tie;

Thence South 89°49'46" West (West recorded) for 107.00 feet along said fence to a point;
 Thence North 30°58'31" West for 16.87 feet to a 1/2" rebar;

Thence North 7°27'02" West for 208.89 feet to a 1/2" rebar;

Thence North 8°13'11" East for 219.83 feet to a 1/2" rebar;

Thence North 5°29'33" West for 766.86 feet to a 1/2" rebar;

Thence North 87°10'27" East for 2139.12 feet to a 1/2" rebar on section line;

Thence South 0°16'06" East along section line for 2152.66 feet to a U.S. Government pipe with brass cap;

Thence South 0°16'00" East along section line for 2629.69 feet to THE POINT OF BEGINNING.

AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND:

Beginning at the Northeast corner of Section 27 of Township 5 South, Range 12, East Boise Meridian, said corner marked by a U.S. Government pipe with brass cap which shall be THE POINT OF BEGINNING;

Thence South 0°16'06" East along section line for 475.52 feet to a 1/2" rebar;

Thence South 87°10'27" West for 2139.12 feet to a 1/2" rebar;

Thence South 5°29'33" East for 766.86 feet to a 1/2" rebar;

Thence South 8°13'11" West for 219.83 feet to a 1/2" rebar;

Thence South 7°27'02" East for 208.89 feet to a 1/2" rebar;

Thence South 30°58'31" East for 16.87 feet to a point;

Thence South 89°49'46" West (West recorded) for 107.00 feet to a 1/2" rebar;

Thence North 0°15'43" East (North recorded) for 300.00 feet (North recorded) to a 1/2"

MICROFILMED
NOV 7 1995

Thence North 28°09'01" East along the centerline of said county road for 134.70 feet to a P.K. Nail;
Thence North 89°48'38" East (East recorded) for 107.58 feet along said centerline to a railroad tie;
Thence North 0°17'10" West (North recorded) along said fence for 300.00 feet to a railroad tie;
Thence South 89°49'46" West (West recorded) for 107.00 feet along said fence to a point;
Thence North 30°58'31" West for 16.87 feet to a 1/2" rebar;
Thence North 7°27'02" West for 208.89 feet to a 1/2" rebar;
Thence North 8°13'11" East for 219.83 feet to a 1/2" rebar;
Thence North 5°29'33" West for 766.86 feet to a 1/2" rebar;
Thence North 87°10'27" East for 2139.12 feet to a 1/2" rebar on section line;
Thence South 0°16'06" East along section line for 2152.66 feet to a U.S. Government pipe with brass cap;
Thence South 0°16'00" East along section line for 2629.69 feet to THE POINT OF BEGINNING.

AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED
PARCEL OF LAND:

Beginning at the Northeast corner of Section 27 of Township 5 South, Range 12, East Boise Meridian, said corner marked by a U.S. Government pipe with brass cap which shall be THE POINT OF BEGINNING;
Thence South 0°16'06" East along section line for 475.52 feet to a 1/2" rebar;
Thence South 87°10'27" West for 2139.12 feet to a 1/2" rebar;
Thence South 5°29'33" East for 766.86 feet to a 1/2" rebar;
Thence South 8°13'11" West for 219.83 feet to a 1/2" rebar;
Thence South 7°27'02" East for 208.89 feet to a 1/2" rebar;
Thence South 30°58'31" East for 16.87 feet to a point;
Thence South 89°49'46" West (West recorded) for 107.00 feet to a 1/2" rebar;
Thence South 0°15'43" East (South recorded) for 300.10 feet (300.00 feet recorded) to a 1/2" rebar;
Thence North 89°48'38" East (East recorded) for 107.58 feet to a P.K. Nail in the center of a county road;
Thence South 28°09'01" East along the center of said county road for 134.70 feet to a P.K. Nail;
Thence North 89°26'24" West for 984.88 feet to a 1/2" rebar;
Thence North 89°26'24" West for 13.09 feet to a

RECORDED
OCT 27 1995

ner of the SW 1/4 SE 1/4; Northeast cor-
Thence South 89°51'57" West along the North line of
the SW 1/4 SE 1/4 for 584.22 feet to a point in a

Page 4

point in a canal:
Thence on the following courses and distances in
the water way of a canal:

North 50°15'42" East for 166.21 feet;
North 39°25'56" East for 270.55 feet;
North 65°33'20" West for 154.58 feet;
North 35°35'27" West for 183.91 feet;
North 1°50'43" West for 298.20 feet to a P.R.
Nail in the center of a county road;
Thence South 89°20'02" East for 548.95 feet to a
1/2" rebar;
Thence North 0°34'33" East for 1375.27 feet to a
1/2" rebar on the North line of Section 27;
Thence North 89°58'30" East along section line for
2389.05 feet to THE POINT OF BEGINNING.

Parcel "B"

An undivided one-half interest in the following described Parcel:

Township 2 South, Range 16 East, Boise Meridian,
Cannas County, Idaho;

Section 10: SE 1/4; E 1/2 SW 1/4
Section 11: SW 1/4 NW 1/4; W 1/2 NE 1/4;
E 1/2 NW 1/4; N 1/2 SW 1/4;
NW 1/4 SE 1/4
Section 15: N 1/2 NE 1/4; NE 1/4 NW 1/4

Parcel "C"

Township 2 South, Range 11 East, Boise Meridian,
Elmore County, Idaho;

Section 24: NE 1/4, SE 1/4 NW 1/4, N 1/2

Township 2 South, Range 12 East, Boise Meridian,
Cannas County, Idaho;

Section 17: SW 1/4 NW 1/4, W 1/2 SW 1/4
Section 18: Lot 3 & 4, SE 1/4 NE 1/4, 1/4
Section 19: Lot 1, NE 1/4, E 1/2 NW 1/4
Section 20: NW 1/4, W 1/2 E 1/2, W 1/2

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NOV 27 1996

HOPKINS, RODEN, CROCKETT, HANSEN & HOOPES
LAWYERS

SALISBURY BUILDING - 428 PARK AVENUE
P.O. BOX 51219
IDAHO FALLS, IDAHO 83405-1219
TELEPHONE (208) 523-4445
FAX (208) 523-4474

C. TIMOTHY HOPKINS
WILLIAM C. RODEN
GREGORY L. CROCKETT
JOHN D. HANSEN
D. FREDRICK HOOPES
LARY S. LARSON
PAUL B. RIPPEL
TERESA L. STURM
STEVEN K. BROWN
DAVID H. SHIPMAN
KATHERINE STEELE MORIARTY
LANE R. SIMMONS
REED E. ANDRUS
CURTIS R. SMITH

SEWARD H. FRENCH (1941-1984)
TED C. SPRINGER (1943-1984)

ROBERT A. deGROOT
REGISTERED PATENT AGENT

BOISE OFFICE
802 WEST BANNOCK - SUITE 900
P.O. Box 2110
BOISE, IDAHO 83701-2110
TELEPHONE (208) 336-7930
FAX (208) 336-9154

October 20, 1995

RECEIVED

OCT 23 1995

Department of Water Resources
Southern Region

Tara L. Backlund, Records Clerk
Snake River Basin Adjudication
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301-6105

Re: SRBA Ownership Change for A37-12787A

Dear Tara:

Thank you for your letter of October 4, 1995. We are in the process of locating the documents which establish the transfer from The Travelers Insurance Company to Faulkner Land & Livestock. As soon as we have recovered copies of the recorded transfer documents, we will submit the same to you.

In the meantime, if you have questions or need additional information, please do not hesitate to contact me.

Very truly yours,



Teresa L. Sturm

TLS/csh

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NOV 27 1996



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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

October 4, 1995

TERESA L STRUM
HOPKINS, RODEN, CROCKETT, HANSEN, & HOOPES
PO BOX 51219
IDAHO FALLS, ID 83405-1219

RE: SRBA OWNERSHIP CHANGE FOR A37-12787A
DeGROOT

DEAR MS. STRUM:

THANK YOU FOR INFORMING US OF THE OWNERSHIP CHANGE BETWEEN FAULKNER
AND DeGROOT. THERE IS A PROBLEM, THOUGH.

AS YOU KNOW, THE CLAIM IS IN THE NAME OF TRAVELER INSURANCE CO.,
BUT THE WARRANTY DEED IS FROM FAULKNER TO DeGROOT. I NEED SOME LEGAL
DOCUMENTATION STATING THAT TRAVELERS EITHER SOLD THIS PROPERTY OR
GAVE IT TO FAULKNERS.

I AM ENCLOSING A COPY OF THE OWNERSHIP CHANGE FORM FOR YOU TO REVIEW.
IF YOU COULD SEND ME THE DOCUMENTATION, IT WOULD BE GREATLY
APPRECIATED. IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL.
THANK YOU FOR YOUR TIME.

SINCERELY,

A handwritten signature in cursive script that reads "Tara L. Backlund".

TARA L. BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

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NOV 27 1996

HOPKINS, RODEN, CROCKETT, HANSEN & HOOPES
LAWYERS

SALISBURY BUILDING - 428 PARK AVENUE

P.O. BOX 51219

IDAHO FALLS, IDAHO 83405-1219

TELEPHONE (208) 523-4445

FAX (208) 523-4474

C. TIMOTHY HOPKINS
WILLIAM C. RODEN
GREGORY L. CROCKETT
JOHN D. HANSEN
D. FREDRICK HOOPES
C. TOM ARKOOSH
LARY S. LARSON
PAUL B. RIPPEL
TERESA L. STURM
STEVEN K. BROWN
DAVID H. SHIPMAN
KATHERINE STEELE MORIARTY
LANE R. SIMMONS
REED E. ANDRUS
CURTIS R. SMITH

SEWARD H. FRENCH (1941-1984)
TED C. SPRINGER (1943-1984)

ROBERT A. deGROOT
REGISTERED PATENT AGENT

September 28, 1995
RECEIVED

OCT 04 1995

Department of Water Resources
Southern Region

Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720-9000

Attention: Adjudication Bureau

Re: In the Matter of Application for Transfer No. 4614
of License No. 37-08497B in the Name of Jacob F.
Bosma

Dear Bureau Personnel:

We enclose with this correspondence a New Property
Owner Notice of Change of Water Right Ownership to be filed in
the above-referenced matter.

Your assistance is appreciated.

Very truly yours,



Teresa L. Sturm

TLS/csh

Enclosures

cc: Travelers Insurance Company
E. J. DeGroot

RECEIVED

OCT 02 1995

Department of Water Resources

BOISE OFFICE
802 WEST BANNOCK - SUITE 900
P.O. BOX 2110
BOISE, IDAHO 83701-2110
TELEPHONE (208) 336-7930
FAX (208) 336-9154

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: **A37-12787A**
Date Received: 9/20/1988
Receipt No: S002376
Received By: _____

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

1. Name: THE TRAVELERS INSURANCE COMPANY 208-336-5900
Address: (HAYHOOK RANCH- RE 11676)
960 BROADWAY AVE., SUITE 310,
BOISE ID 83706

2. Date of Priority: APR 1, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	12E	27	SE	NE	NW		GOODING

5. Description of diverting works:
300' WELL, 3 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.160		
STOCKWATER	01/01	12/31	0.090		
COMMERCIAL	09/01	06/30	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/4 HOUSES, S/350 CATTLE, C/2 STORAGE BAYS HUMIDIFIED.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	12E	27	NW	NE		COMMER	

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NOV 27 1996

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	12E	27	NW		NE		STOCK	
			SW		NE		STOCK	
			NE		NW		DOMEST	
			NE		NW		STOCK	
			SE		NW		DOMEST	
			SE		NW		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:
ONE WELL SERVES 4 HOUSES, WATERING TROUGHS IN 4 LOCATIONS, AND
POTATO STORAGE HUMIDIFIERS IN ONE LOCATION

15. Basis of Claim: BENEFICIAL USE

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: _____

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NOV 27 1996

COMMUNICATION DOCUMENTATION

A37-12787A

Claim No. A37-12787A

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Jeanie Robertson Date 11/7/94Contact Person(s) LORNA BARDNature of Contact Office Visit

Substance of Communication Mrs. Bard was in to amend claim #A37-12787. She owns a portion of the domestic use and wished to isolate her part. I split the original right, giving her the "B" portion and leaving the remainder of the original as Part "A." She claimed the priority date of when she purchased the property to build the house. The original claim mentions it is for 5 houses; she said hers was the second one built and that was in 1964. She said there weren't 5 houses for the priority of 4/1/1948 as the original claim states...

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NOV 27 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

November 8, 1994

THE TRAVELERS INSURANCE COMPANY
960 BROADWAY AVE STE 310
BOISE ID 83707

RE: Snake River Basin Adjudication (SRBA)
Gooding County - #A37-12787
Identification Number Change

Dear Claimants:

The Identification Number of your Notice of Claim to a Water Right has been changed from A37-12787 to A37-12787A. The suffix has been added to the number in order to reflect the fact that the original right has been split into parts A and B. Lorna Bard filed a claim in order to isolate her part of the domestic portion. We have split the original right and given you the A part and Mrs. Bard the B part.

Enclosed is a computer-generated copy of your claim with the new Identification Number and other changes made as a result of this split. Refer to this record number in any future inquiries or correspondence. If you have any questions, please feel free to contact me at 208-736-3033.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie', written over the typed name.

Jeanie Robertson
Water Rights Agent

/jr
Enclosures:
Claim A37-12787A

MICROFILMED

NOV 27 1996

CONVERSATION MEMORANDUM

NAME OF PARTY Jim Kienlen
EMPLOYEE COREY SKINNER CS

DATE 09/10/96
FILE A37-12787A

RE: _____

THIS DAY, JIM KIENLEN CALLED THE OFFICE AND REQUESTED COPIES OF ANY WATER RIGHTS OR ADJUDICATION CLAIMS INVOLVING HUMIDIFIERS FOR POTATO STORAGE FACILITIES IN THE NORTH $\frac{1}{2}$ OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 05 SOUTH, RANGE 12 EAST. I CONDUCTED A SEARCH THROUGH THE DATABASE AND ONLY FOUND CLAIM A37-12787A THAT MET MR. KIENLEN'S DESCRIPTION.

MR. KIENLEN CAME BY LATER THIS AFTERNOON AND I GAVE HIM A PROOF REPORT OF A37-12787A. THE CLAIM SEEMED KIND OF PECULIAR TO ME SO I HAD ALLEN MERRITT BRIEFLY DISCUSS THE CLAIM WITH MR. KIENLEN TO FURTHER EMPHASIZE THAT WHAT WAS ON THE PROOF REPORT WAS JUST A CLAIM AND MAY OR MAY NOT BE VALID.

MICROFILMED
NOV 27 1996

C. TOM ARKOOSH

LAWYER

POST OFFICE BOX 32
116 FOURTH AVENUE WEST
GOODING, ID 83330

BOISE OFFICE:
500 WEST WASHINGTON STREET
BOISE, ID 83701
C:\OFFICE\WPWIN\WPDOS\STATIONA\LTRHD.6

TELEPHONE (208) 934-8872
FACSIMILE (208) 934-8873

April 10, 1996

Douglas Jones, P.E.
Water Rights Supervisor
222 South St. East
Twin Falls, Idaho 83301-6105

Dear Doug:

Please advise me of any desire to go on the Bosma dairy so I might make prior arrangements.

Thank you.

Very truly yours,


C. Tom Arkoosh

CTA:bsb
c: Client (w/enc)

RECEIVED
APR 17 1996
Department of Water Resources
Southern Region

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NOV 27 1996

A37-12787A
37-08487B



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

March 27, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

E J DeGroot
7011 STEWART AND GREY RD
DOWNEY CA 90241

RE: Amended claim A37-12787A

Dear Mr DeGroot:

Enclosed is a copy of the computer record for the above referenced claim. IDWR has received the amended claim form and have completed the data entry associated with the changes. Mr Arkoosh has completed the Notice of Appearance section of the form and we have entered him as the attorney of record for this claim. We will direct future correspondence to him.

In the near future IDWR will conduct a claim verification exam on this beneficial use right. We will contact Mr Arkoosh in the event that access to the property is needed for this review. If you have any questions please contact us.

Sincerely,



Douglas Jones, P.E.
Water Rights Supervisor

enc

cc: C Tom Arkoosh
(w/ enc)

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NOV 27 1996



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

March 7, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

C TOM ARKOOSH
PO BOX 32
GOODING ID 83330

RE: Amended claim A37-12787A

Dear Mr Arkoosh:

The above referenced amended SRBA claim is insufficient for the reasons explained below and is herein returned to you. I have also enclosed a new copy of the claim form for your convenience.

Initial review of the claim revealed that the notary public endorsement is incomplete insofar as a seal was not affixed to the affirmation. However, a more fundamental problem with the claim centers on the signature on the claim. Under Adjudication Rules, IDAPA 37.03.01.060.05.p.i., only the person identified in item 1 of the claim form may sign the claim unless evidence is submitted providing authorization for another person to sign for the claimant. The signature on page two of the amended claim form is significantly different than the claimant's signature in our files.

Due to the above listed problems the amended claim received 3/6/96 is deemed insufficient, is rejected (pursuant Adjudication Rules, IDAPA 37.03.01.060.06.a.) and is being returned to you. Please utilize the new copy to complete the signature and notarization process and return to this office at your earliest opportunity.

Please also review the address contained in the Notice of Appearance section of the amended claim. This address is different than that listed in previous correspondence from you and does not include the postal code (zip code).

If you have any questions please contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Douglas Jones', written over a horizontal line.

Douglas Jones, P.E.
Water Rights Supervisor

enc

cc: N.Young, file

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~

MICROFILMED

NOV 27 1996

MEMORANDUM

TO: NORM YOUNG, PHIL RASSIER, BOSMA N.O.V. File
FROM: Douglas Jones
DATE: March 6, 1996
RE: Amended claim acceptability

In early January, at the request of Tom Arkoosh, Atty, and Norm Young, I prepared an amended adjudication claim form for E J De Groot, A37-12787A, as part of settlement of the Jacob Bosma N.O.V. and Cease and Desist order. This office received an incorrectly signed and incompletely notarized claim today. I am writing this memo at the request of Mr Rassier (per telephone conversation today) to provide a summary of my concerns and the steps which need to be taken to have an acceptable amended claim filed.

My initial review focused on the lack of seal for the notary endorsement. I could not discern who the notary was from the signature so I looked for the seal which would have the name typed out in the embossing. It is evident that the notarization is incomplete, the claim is insufficient and that the claim must be returned.

Another element which caught my attention is the lack of zip code for the address of the attorney in the notice of appearance. Boise has a number of zip codes, and since the address of the attorney provided on the claim is different than the letterhead for the attorney in this and other files, I would not be able to complete the data entry for the attorney.

Lastly, the signature for the claim must be the claimant identified in item 1 of the form (IDAPA 37.03.01.060.05.p.i), unless written evidence is submitted with the form to show that the signatory has authority to sign for the claimant (e.g. power of attorney). Comparing the signature on the amendment with the signature of E J De Groot on the change of ownership form received in 1995 revealed that they do not match. The signature bears a close resemblance to Jacob Bosma's signature on the recent transfer form.

I plan to return the original amended claim form to Arkoosh pursuant to 37.03.01.060.06.a and 37.03.01.065.01. Consultation with Adjudication Bureau staff confirmed this course of action. A cover letter explaining the deficiencies will be included.

This memo will serve to notify you that Jacob Bosma and his counsel have not complied with the requirement to amend claim A37-12787A as set out in compliance conference and correspondences in December and January.

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NOV 27 1996

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MAR 06 1996

Department of Water Resources
Southern Region

ORIGINAL

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: A37-12787A

Date Received: 9/20/1988

Receipt No: X777777

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: E J DE GROOT 310-927-5511
Address: 7011 STEWART AND GREY ROAD
DOWNEY CA 90241

2. Date of Priority: APR 1, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	12E	27	SE	NE	NW		GOODING

5. Description of diverting works:
300' WELL, 3 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.160		
STOCKWATER	01/01	12/31	0.090		
COMMERCIAL	09/01	06/30	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/4 HOUSES, S/2000 CATTLE, C/2 STORAGE BAYS HUMIDIFIED.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	12E	27	NW	NE		COMMER	
			NW	NE		STOCK	

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NOV 27 1996

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MAR 06 1996

10. Place of Use ~~Department of Water Resources~~
Continued
Southern Region

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	12E	27	SW		NE		STOCK	
			NE		NW		STOCK	
			NE		NW		DOMEST	
			SE		NW		DOMEST	
			SE		NW		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

ONE WELL SERVES 4 HOUSES, WATERING TROUGHS IN 4 LOCATIONS, AND
POTATO STORAGE HUMIDIFIERS IN ONE LOCATION
OWNERSHIP CHANGE MADE 10/24/95 BY TLB.

1/9/96, DJ: NONIRRIGATION USE AMENDED TO REFLECT 2000 HEAD CATTLE
PER REQUEST & INSTRUCTION OF TOM ARKOOSH, ATTY AND AN AFFIDAVIT
FROM JOHN FAULKNER. COPY SENT TO ARKOOSH FOR REVIEW AND PURSUIT
OF AUTHORIZING SIGNATURE *****

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

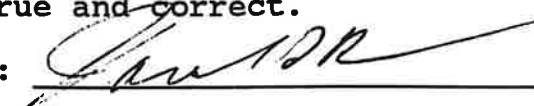
(a.) By signing below, I/We acknowledge that I/We have received, read and
understand the form entitled "How you will receive notice in the Snake River
Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay
a small annual fee for monthly copies of the docket sheet.

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: 2-21-96

Date: _____

MICROFILMED

NOV 27 1996

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MAR 06 1996

State of Idaho Department of Water Resources
Southern Region

County of Boise) SS.

Subscribed and sworn (or affirmed) before me this 21 day

of Feb 19 96

[Signature]
Notary Public

Seal

Residing at Boise ID

My Commission Expires 03/04/2000

17. Notice of Appearance:

Notice is hereby given that I, e Tom Arkoski will be
Print Name

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 [Signature]

Address 1300 S Owyhee Boise ID

Date ~~03/04/96~~ 2/21/96

MICROFILMED
NOV 27 1996

RECEIVED

MAR 06 1996

Department of Water Resources
Southern Region

C. TOM ARKOOSH
116 4th Ave. West
P. O. Box 32
Gooding, ID 83330
(208) 934-8872

TRANSMITTAL MEMORANDUM

DATE: March 5, 1996
TO: Allen Merritt
FROM: C. Tom Arkoosh
RE: Jacob Bosma

PLEASE TAKE THE FOLLOWING ACTION:

____ For your information.
____ Sign and return to my office.
____ Sign before Notary Public, have seal applied & return to
____ this office.
____ Come by my office to sign the _____
____ Complete form and return to this office.
____ Sign and forward to _____
____ Please call to discuss this matter.
____ Obtain Judge's signature, file original(s) and return
____ conformed copy (copies).
____ File original(s).
____ Approve for entry and return.
____ Return date-stamped copy (copies).
____ Record, return original.
____ Certified copy requested of _____
____ Check enclosed for \$ _____
____ Please call for an appointment as soon as possible.
____ Other: Preadressed stamped envelope enclosed
____ For return of copy to counsel.

Thank you.

____ COPY FOR YOUR RECORDS.

____ X

ORIGINAL ENCLOSED FOR INCLUSION IN YOUR RECORDS

By 
Secretary to C. Tom Arkoosh

MICROFILMED
NOV 27 1996

From: DWR60::AMERRITT 17-JAN-1996 15:16:09.60
To: DWR03::NYOUNG
CC: AMERRITT
Subj: comments

FROM: Allen Merritt DATE: January 17, 1996

TO: Norm Young, Bosma File

SUBJECT: Comments regarding Arkoosh 1/16/96 letter

I have reviewed Mr. Arkoosh's letter to you and have the following comment:

- As of this date SRBA Claim A37-12787A (letter incorrectly lists as A37-12707A) has not been formally amended. Pursuant to your 12/18/95 letter to Mr. Arkoosh Doug Jones prepared a draft amendment of the claim and transmitted it to Mr. Arkoosh in a letter dated 1/9/96. We have not received the signed amendment back. Please note that the claim is in the name of E J DeGroot and not Jacob Bosma. In reviewing John Faulkner's affidavit regarding the use of this subject well he indicates the well watered annually 2000 cattle from 1957 to 1986. It is not clear if this was year round use or periodic. Since 1986 it is not clear how many cattle were watered so elements of forfeiture may exist.

-On page 2 of the Arkoosh letter is comments regarding the Ohlensehlen calculations. I believe Arkoosh's conclusions that 13,000 gallons/day is ample for 400 milking dairy cattle is not supported by Ohlensehlen. A review of the Ohlensehlen exhibit calculates that using efficient barn technology it is estimated that 1200 milking cows will require 2160 gpd for barn use. The Ohlensehlen exhibit is silent on drinking water for the cows. Review of current literature finds that lactating cows drink from 45.7 gpd to 22 gpd (Average 33.85 gpd). The department's standard is 35 gpd. The variation is a function of: (cow weigh, milk production, weather, etc.). By using Ohlensehlen's figure for barn use and the department's standard it is estimated that the limit is 353 milking cows and not 400 as Arkoosh concludes. If the department wished not to be conservative and would take the worst case for a hot day in July the limit may be more like 274 cows even under the extremely efficient wash system Ohlensehlen describes. As to my knowledge it has never been confirmed what kind of wash system exists at the dairy.

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NOV 27 1996



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

January 9, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

C TOM ARKOOSH
PO BOX 32
GOODING ID 83330

RE: Amendment of SRBA Claim A37-12787A

Dear Mr Arkoosh:

Enclosed is a draft amendment of the SRBA claim, A37-12787A. I have modified the record according to your letter (dated 12/1/95) and John Faulkner's affidavit, changing non-irrigation uses for stockwater from "350 cattle" to 2000 cattle. Also enclosed is a computer report of the previous claim data, included for your convenience in comparing data.

Please review the entire claim for completeness and accuracy. Corrections may be made by the claimant or representative by lining through the item, inking in the correct information, and initialing and dating the edits. I have also included a Notice of Appearance section on the claim in the event the claimant wishes to identify counsel.

Please forward the claim to the claimant for signature and notarization. This draft amendment does not become the claim representing a water right until received by the Department. I look forward to the return of the claim and the additional information requested by Mr Young in his 12/18/1995 letter. Upon receipt of the claim IDWR staff will proceed to review the claim in order to develop a claim investigation report from which recommendations to the court will be developed.

If you have any questions please contact us.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

enc

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: A37-12787A
Date Received: 9/20/1988
Receipt No: X777777
Received By: _____

DRAFT

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: E J DE GROOT 310-927-5511
Address: 7011 STEWART AND GREY ROAD
DOWNEY CA 90241

2. Date of Priority: APR 1, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	12E	27	SE	NE	NW		GOODING

5. Description of diverting works:
300' WELL, 3 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.160		
STOCKWATER	01/01	12/31	0.090		
COMMERCIAL	09/01	06/30	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/4 HOUSES, S/2000 CATTLE, C/2 STORAGE BAYS HUMIDIFIED.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	12E	27	NW	NE		COMMER	
			NW	NE		STOCK	

MICROFILMED

NOV 27 1996

DRAFT

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	12E	27	SW	NE		STOCK	
			NE	NW		STOCK	
			NE	NW		DOMEST	
			SE	NW		DOMEST	
			SE	NW		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

ONE WELL SERVES 4 HOUSES, WATERING TROUGHS IN 4 LOCATIONS, AND
POTATO STORAGE HUMIDIFIERS IN ONE LOCATION
OWNERSHIP CHANGE MADE 10/24/95 BY TLB.

1/9/96, DJ: NONIRRIGATION USE AMENDED TO REFLECT 2000 HEAD CATTLE
PER REQUEST & INSTRUCTION OF TOM ARKOOSH, ATTY AND AN AFFIDAVIT
FROM JOHN FAULKNER. COPY SENT TO ARKOOSH FOR REVIEW AND PURSUIT
OF AUTHORIZING SIGNATURE *****

15. Basis of Claim: BENEFICIAL USE

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: _____

MICROFILMED
NOV 27 1996

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 _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
Print Name
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 _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

December 18, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

DEC 29 1995

C. Tom Arkoosh, Attorney
P. O. Box 32
Gooding, Idaho 83330

Re: Bosma Compliance Conference - Claim A37-12787

Department of Water Resources
Southern Region

Dear Tom:

Thank you for faxing another copy of the Faulkner affidavit concerning the number of stock that had previously been watered at the feedlot for which Jacob Bosma is now claiming a water right. After talking with you, I retrieved the file and found that your letter and the affidavit had been received and sent directly to the file without my being aware of it. The affidavit is evidence of the establishment of a right for stockwater for 2000 head of cattle. Additional information is needed to verify the number of cattle watered during the period of 1986 to 1993 while the feedlot was being leased to other cattle growers.

You have asked that Mr. Bosma's claim for this right be amended. Amending the claim involves preparing an amended claim form which needs to be signed by Mr. Bosma or someone with a power of attorney from him. I am asking Allen Merritt to have an amended claim form prepared and to contact you for instruction on obtaining the signature.

The affidavit addresses one of the matters on which information was to be provided to resolve the notice of violation. As noted in your letter of November 27, 1995, information is also to be supplied on the use of water at the Bosma Dairy since August of this year. This information will allow IDWR to determine that the use made by Mr. Bosma is within his rights.

You have indicated that you and Mr. Bosma are not available for a continuation of the compliance conference on December 21, 1995. Accordingly, the compliance conference is further continued until 1:00 p.m., January 19, 1996 at the Twin Falls Regional Office. In the meantime, upon receipt of the amended claim and the water use information, IDWR will assess the need for continuing with this matter.

Sincerely,



NORMAN C. YOUNG

Administrator, Water Management Division

c: Allen Merritt

MICROFILMED

NOV 27 1996

C. TOM ARKOOSH
LAWYER

POST OFFICE BOX 32
116 FOURTH AVENUE WEST
GOODING, ID 83330

BOISE OFFICE:
500 WEST WASHINGTON STREET
BOISE, ID 83701
C:\OFFICE\WPWIN\WPDOCS\DATA\BOSMA\YOUNG.LTR

RECEIVED
NOV 28 1995
Department of Water Resources

TELEPHONE (208) 934-8872
FACSIMILE (208) 934-8873

November 27, 1995

Norm Young
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, ID 83720-9000

RE: Compliance Conference/Notice of Violation Order dated
September 15, 1995, issued to Jacob F. Bosma

Dear Norm:

This letter is to confirm the resolution in the Compliance Conference in the above matter. We have agreed to vacate the Compliance Conference, and continue the same until December 21, 1995. In the meantime, we will amend Water Right Claim No. 37-12787-A to reflect an increase in the number of cattle there. Further, we will give you an indication of how many cattle have been on the place since August, and some historical factual information to support the increase in the claim.

The Department will review that claim, and then make a determination whether the Department perceives it as necessary to go forward in the future with any further compliance matters, or whether this matter should be dismissed.

If this does not accurately reflect the resolution of the matter as we agreed on the 22nd of November, please immediately advise. Thank you.

Sincerely yours,



C. Tom Arkoosh

CTA:pm

cc: client

MICROFILMED
NOV 27 1996

FAX TRANSMISSION

LAW OFFICES

116 4TH AVE. W., P.O. Box 32
GOODING, ID 83330-0032
(208) 934-8872
FAX: (208) 934-8873

To: Norm Young, IDWR **Date:** December 15, 1995
Fax #: 208-327-7866 **Pages:** 5, including this cover sheet.
From: C. Tom Arkoosh
Subject: Notice of Violation/Bosma

COMMENTS:

Please see attached copies of letter and Affidavit mailed December 1. Thank you.

MICROFILMED
NOV 27 1996

C. TOM ARKOOSH
LAWYER

POST OFFICE BOX 32
118 FOURTH AVENUE WEST
GOODING, ID 83330

BOISE OFFICE:
500 WEST WASHINGTON STREET
BOISE, ID 83701
C:\OFFICE\WPWIN\WPDOS\DATA\BOSMAYOUNG1.LTR

TELEPHONE (208) 934-8872
FACSIMILE (208) 934-8873

December 1, 1995

Norm Young
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, ID 83720-9000

RE: Water Right No. 37-12787 A: Notice of Violation Order dated
September 15, 1995, issued to Jacob F. Bosma

Dear Norm:

Enclosed herewith please find the Affidavit signed herewith by
John Faulkner, concerning use of the above water right. It appears
that the amendment should be made to 2,000 head of cattle.

Could you please review these matters, effect the amendment,
and advise me of the status? Thank you.

Sincerely yours,



C. Tom Arkoosh

CTA:pm

enc.

COPY

MICROFILMED
NOV 27 1996

C. TOM ARKOOSH
116 4th Ave. W.
P.O. Box 32
Gooding, ID 83330
Telephone: (208) 934-8872

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF THE DIVERSION OF)
WATER WITHOUT A VALID RIGHT OR NOT) AFFIDAVIT OF JOHN FAULKNER
IN CONFORMANCE WITH A VALID WATER)
RIGHT FOR A DAIRY OWNED BY JACOB)
BOSMA)
_____)

STATE OF IDAHO)
) ss.
COUNTY OF GOODING)

COMES NOW John Faulkner, and on his oath and by his personal
knowledge, deposes and says:

1. That I am the president of Faulkner Land and Livestock,
Inc., an Idaho corporation, and a prior owner and user of Water
Right No. 37-12787 A.
2. That I give this Affidavit to express my understanding of
how that water right has been historically used.
3. Fritz Hansteen sold this water right to our company in
1957. At that time, Mr. Hansteen was watering both dairy and stock
cattle in the feedlot.

AFFIDAVIT OF JOHN FAULKNER

1

COPY

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NOV 27 1996

4. Between the years 1957 and 1983, we annually used the water right to water approximately 2,000 head of cattle in the feedlot - about 1,000 head of steers and 1,000 head of Hereford mother cows with calves.

5. From 1984 through 1986, the feedlot was operated by my brother Jim Faulkner, who annually watered approximately 2,000 head of cattle in the feedlot.

6. From approximately 1986 until approximately 1990, Travelers Insurance Company owned the real property and water right at issue here. During those years, Travelers leased the feedlot to various cattle growers who kept cattle in the feedlot and watered them from the well which is the source of the above water right.

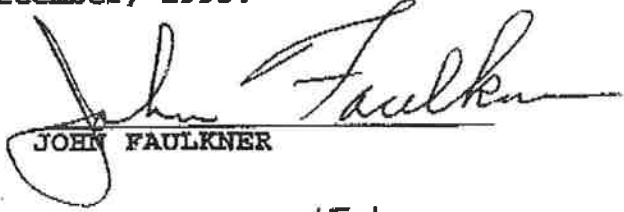
7. In 1990, we purchased the feedlot back on a right of first refusal, and continued to lease out the feedlot for use by various cattle growers, who used the feedlot to raise cattle. From 1990 to 1993, the water right was actively used by our tenants to water cattle in the feedlot.

8. In the fall of 1993, we sold the feedlot to a Mr. Groot, for use by Jake Bosma.

9. I believe this feedlot has been continuously used to raise cattle, and cattle have been continuously watered each year since before 1957. During much of this time, there was often 2,000 head of cattle, more or less, held in that feedlot and watered by the subject water right.

MORE YOUR AFFIANT SAYETH NAUGHT.

DATED this 1ST day of December, 1995.


JOHN FAULKNER

~~December~~ SUBSCRIBED AND SWORN to before me this 1st day of
~~November~~, 1995.


NOTARY PUBLIC FOR IDAHO
Residing at: Gooding, ID
My Commission Expires: 8-28-01



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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

October 25, 1995

Teresa L Strum
Hopkins, Roden, Crockett,
Hansen, & Hoopes
PO Box 51219
Idaho Falls, ID 83405-1219

Re: SRBA claim A37-12787A, DeGroot

Dear Ms. Strum:

I am enclosing copies of the ownership change and updated claim for E.J. DeGroot. I am also enclosing an "acknowledgement of attorney" form if you choose to be put as attorney of record.

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866PHILIP E. BATT
GOVERNORKARL J. DREHER
DIRECTORTRANSMITTAL COVER SHEET

FAX NUMBER: (208) 327-5400

DATE: 10-5-95

RECEIVED

OCT 05 1995

Department of Water Resources
Southern RegionTO: Doug Jones

FROM:

Danni Smith
per David ShawDOCUMENT DESCRIPTION: A 37-12787COVER SHEET + 3 PAGESCONTACT: 327-7931 IF YOU DO NOT RECEIVE ALL THE PAGES

THANK YOU!

* Query? "Is there any reason the claim
can't be amended with us (IDWR) instead
of the court?" If the claim can be
amended with us we should contact
~~STURM~~ ... Call if you need more

MICROFILMED

NOV 27 1996

RECEIVED

OCT 03 1995

Department of Water Resources
Adjudication Bureau

HOPKINS, RODEN, CROCKETT,
HANSEN & HOOPES
Teresa L. Sturm
428 Park Avenue
P. O. Box 51219
Idaho Falls, Idaho 83405-1219.
Telephone: 208-523-4445
Attorneys for Applicant

C. Tom Arkoosh
624 Main
P. O. Box 86
Gooding, Idaho 83330
Telephone: 208-934-4493

RECEIVED
OCT 02 1995
CLERK OF THE
DISTRICT COURT

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 No. 39576
) Ident. No.: A37-12787
)
) AMENDED MOTION TO AMEND
) CLAIM TO A WATER RIGHT

COMES NOW the claimant, E. J. DeGroot, the owner of that certain water right identified as Water Right No. A37-12787 and moves the court for entry of an order allowing claimant to amend the Notice of Claim to a Water Right Acquired Under State Law, filed in the above-captioned matter on or about the 30th day of August, 1988. This motion is based upon the grounds and for the reasons that claimant, E. J. DeGroot, is the owner of that certain real property to which said water right is appurtenant.

AMENDED MOTION TO AMEND CLAIM TO A WATER RIGHT - 1

9661 22 NOV
MICHO FILMED

That E. J. DeGroot acquired said real property by Corporate Warranty Deed, which warranty deed is dated August 29, 1994, and is recorded as Instrument No. 158446, in the Office of the Recorder, County of Gooding, State of Idaho. A true and correct of said Corporate Warranty Deed is attached hereto and made apart hereof by this reference. Said warranty deed also references the sale of Water Right No. A37-12787.

That the original Claim to a Water Right was filed by a prior owner, the Travelers Insurance Company referencing Hayhook Ranch, Re 11676. That said Claim to a Water Right incorrectly identified non-irrigation uses as 350 head of cattle.

That a New Property Owner Notice of Change of Water Right Ownership has been filed with the Department of Water Resources. A true and correct copy of the New Property Owner Notice of Change of Water Right Ownership is attached hereto and made a part hereof by this reference. A true and correct copy of the Notice of Claim to a Water Right filed by the Travelers Insurance Company is likewise attached hereto and made a part hereof by this reference.

That upon investigation, claimant has learned that non-irrigation uses included historic use of water for 1,400 head of cattle on an annual basis, fed and watered on the real property in question, which water supply was provided by Water Right No. A37-12787. Under the circumstances, it is appropriate that the Notice of Claim to a Water Right be amended to state that non-irrigation uses include 1,400 head of cattle.

AMENDED MOTION TO AMEND CLAIM TO A WATER RIGHT - 2

NOV 27 1995
MICHO FILMED

Based upon the foregoing, claimant respectfully requests that this motion to amend his claim to a water right be allowed and that the claim be amended to reflect the historic non-irrigation use for 1,400 head of cattle.

Dated this 28th day of September, 1995.

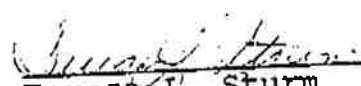
HOPKINS, RODEN, CROCKETT,
HANSEN & HOOPES

By 
Teresa L. Sturm

CERTIFICATE OF SERVICE BY MAIL, HAND DELIVERY
OR FACSIMILE TRANSMISSION

I hereby certify that a true and correct copy of the foregoing document was on this date served upon the persons named below, at the addresses set out below their names, either by mailing, hand delivery or by telecopying to them a true and correct copy of said document in a properly addressed envelope in the United States mail, postage prepaid; by hand delivery to them; or by facsimile transmission.

DATED this 28th day of September, 1995.


Teresa L. Sturm

State Attorney General
State House, Room 210
Boise, ID 83720

[x] Mail
[] Hand Delivery
[] Facsimile

AMENDED MOTION TO AMEND CLAIM TO A WATER RIGHT - 3

MICROFILMED
NOV 27 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Street East • Twin Falls, Idaho • 83301-6105

370A 11-1 0 - 1301 01022333 CT

MICROFILMED
NOV 27 1996

MOVED, LEFT NO ADDRESS



Department of Water Resources
Southern Region Office

NOV 16 1994

J E E E W

NO RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER
NOV 21 1994
NOV 21 1994
NOV 21 1994





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

15 16 17 18 19

November 8, 1994

NOV 16 1994

Department of Water Resources
Southern Region Office

THE TRAVELERS INSURANCE COMPANY
960 BROADWAY AVE STE 310
BOISE ID 83707

RE: Snake River Basin Adjudication (SRBA)
Gooding County - #A37-12787
Identification Number Change

Dear Claimants:

The Identification Number of your Notice of Claim to a Water Right has been changed from A37-12787 to A37-12787A. The suffix has been added to the number in order to reflect the fact that the original right has been split into parts A and B. Lorna Bard filed a claim in order to isolate her part of the domestic portion. We have split the original right and given you the A part and Mrs. Bard the B part.

Enclosed is a computer-generated copy of your claim with the new Identification Number and other changes made as a result of this split. Refer to this record number in any future inquiries or correspondence. If you have any questions, please feel free to contact me at 208-736-3033.

Sincerely,

Jeanie Robertson
Water Rights Agent

/jr
Enclosures:
Claim A37-12787A

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: A37-12787A

Date Received: 9/20/1988

Receipt No: S002376

Received By: _____

COPY

FOR YOUR FILES
DO NOT RETURN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THE TRAVELERS INSURANCE COMPANY 208-336-5900
Address: (HAYHOOK RANCH- RE 11676)
960 BROADWAY AVE., SUITE 310,
BOISE ID 83706

2. Date of Priority: APR 1, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	12E	27	SE	NE	NW		GOODING

5. Description of diverting works:
300' WELL, 3 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.160		
STOCKWATER	01/01	12/31	0.090		
COMMERCIAL	09/01	06/30	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/4 HOUSES, S/350 CATTLE, C/2 STORAGE BAYS HUMIDIFIED.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	12E	27	NW	NE		COMMER	

MICROFILMED
NOV 27 1996

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	12E	27	NW		NE		STOCK	
			SW		NE		STOCK	
			NE		NW		DOMEST	
			NE		NW		STOCK	
			SE		NW		DOMEST	
			SE		NW		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:
ONE WELL SERVES 4 HOUSES, WATERING TROUGHS IN 4 LOCATIONS, AND
POTATO STORAGE HUMIDIFIERS IN ONE LOCATION

15. Basis of Claim: BENEFICIAL USE

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: _____

FOR YOUR FILES
DO NOT RETURN

MICROFILMED
NOV 27 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 15 Range 12 E
Section 27, SE 1/4 of NE 1/4 of NW 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: A37-13787

☐ Name and Address of Former Owner/Claimant(s)(Seller): The Travelers Insurance Co.
960 Broadway Ave. Suite 310 Boise, ID 83706

☐ New Owner/Claimant (Purchaser): Lorna A. Bard

☐ New Mailing Address: 348 Spring Cove Rd BLISS ID 83314

☐ New Telephone Number: (509) 252-4270

☐ 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:

Divide the portion for the house in the SE 1/4 of Sec. 7 55 12 E. 04 cfs.

☐ Attach proof of ownership, describe proof attached: Copy of Deeds

(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) Lorna A. Bard Date 11-7-94

☐ Signature of Former Owner/Claimant(s): _____ 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: 11/7/94 By: [Signature]

Further Action Needed: _____

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 11/7/94 By: [Signature]

Claim Numbers of Split, if any: _____

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

NOV-15-1994

JAKE BOSMA
318 SPRING COVE RD
BLISS ID 83703-3314

RE: ADJUDICATION CLAIM NO. A37-12787A

Dear Mr. Bosma:

Pursuant to our meeting last week at your dairy site and notification that you presently own the property in which the above referenced Adjudication Claim is appurtenant, I have enclosed a NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Please complete it, attach proof of ownership (Warranty Deed or some other strong evidence of mutual intent) if necessary, or the signature of the former owner, and return them to me. I will then make the changes in our computer records and forward copies back to you. Please notice that our records still show the claim to be in the name of Traveler's Insurance. If you purchased the property from someone other than Traveler's, we will need copies of previous documents (deeds, etc.) in order to complete our chain of title.

I have also enclosed a pamphlet entitled EVIDENCE OF PRIORITY for you to use as a guide in gathering information which can be used as evidence in establishing the priorities of the different uses of your claim. Please submit this evidence within thirty (30) days.

Lastly, I'd like to request some information on the pump (model #, horsepower, ect.) and the static water level of the OLD well. If you have any questions, feel free to call me at the office.

Sincerely,

A handwritten signature in cursive script that reads "Jeanie".

Jeanie Robertson
Water Rights Agent

/jr
Enclosures

MICROFILMED
NOV 27 1996

MEMORANDUM

DATE: NOVEMBER 14, 1994

FROM: MEL SCHULTE *M.T.A.*

RE: BOSMA DAIRY SITE INSPECTION

ON NOVEMBER 10, 1994 JEANNIE ROBERTSON AND I VISITED THE BOSMA DAIRY SITE LOCATED NORTH OF BLISS. THE PURPOSE WAS TO PERFORM THE FIELD REVIEW OF SRBA CLAIMS A37-12787A & B AND TO INVESTIGATE THE STATUS OF THE DAIRY DEVELOPMENT ON THE SITE.

WE MET WITH JAKE BOSMA DURING OUR VISIT. HE WAS COOPERATIVE BUT ALSO EXPRESSED SOME FRUSTRATION AND CONFUSION. HE INDICATED HE WAS MEETING WITH DEQ THAT DAY TO DISCUSS A NEW LOCATION FOR HIS WASTE PONDS. HE SAID ALL OF THE RECENT NEGATIVE PUBLICITY HAS MADE IT IMPOSSIBLE FOR HIM TO HIRE AN ENGINEER TO ASSIST WITH CONSTRUCTION OF THE POND.

THERE WERE HOLSTEIN COWS IN TWO DIFFERENT CORRALS. ABOUT 15-20 ON THE NORTH SIDE OF THE ROAD AND A LARGER NUMBER ON THE SOUTH SIDE BEHIND THE DAIRY BARN. MR. BOSMA INDICATED HE HAD 110 HEAD OF DRY COWS ON THE PREMISES AND THERE WAS NO REASON TO QUESTION THAT NUMBER. WE ASKED MR BOSMA WHAT HIS INTENTIONS WERE CONCERNING THE DAIRY AND HE RESPONDED THAT HE DID NOT KNOW UNTIL HE MET WITH DEQ. HE DID INDICATE HE INTENDED TO MOVE THREE MORE MOBILE HOMES ONTO THE DAIRY SITE. HE WANTED TO KNOW HOW MANY HEAD OF COWS AND HOW MUCH WATER HE COULD USE FROM HIS NEW WELL AT THE DAIRY. WE ADVISED HIM THAT IT APPEARED HE WAS LIMITED TO A DOMESTIC USE NOT EXCEEDING 13000 GALLONS PER DAY TOTAL FOR THE COMBINED USES AT THE DAIRY UNTIL HIS TRANSFER APPLICATION IS APPROVED.

THERE WAS A TRENCH LEADING FROM THE OLD WELL SITE ON THE NORTH SIDE OF THE ROAD ACROSS TO THE SOUTH SIDE. A BACKHOE WAS OPERATING AT THE TIME OF OUR VISIT THAT APPEARED TO BE FINISHING THE TRENCH TO TRAVERSE AN IRRIGATION CANAL. THERE WAS ALSO A WHITE PVC PIPE, (ABOUT 2" IN DIAMETER) GOING FROM THE WELL INTO THE CANAL AND UNDER THE ROAD THAT WAS BEING USED TO WATER THE STOCK IN THE CORRALS BEHIND THE DAIRY BARN.

THE FOLLOWING APPEAR TO BE THE HISTORIC USES FOR CLAIM A37-12787A:

1. FOUR DOMESTIC USES WITH ABOUT 1/2 ACRE OF LAWN AREA. THREE HOMES ARE ON THE NORTH SIDE OF THE ROAD AND ONE BUNKHOUSE ON THE SOUTH SIDE. THE DATE OF PRIORITY IS SUBJECT TO FURTHER REVIEW.

2. A COMMERCIAL POTATO CELLAR. WE WERE INFORMED BY A PREVIOUS OWNER, JOHN FAULKNER, THE CELLAR WAS ABOUT 15 YEARS OLD WHICH MUST STILL BE SUBSTANTIATED.

3. STOCK WATER USE ON BOTH THE SOUTH AND NORTH SIDES OF THE ROAD, THE ACTUAL HISTORIC USE IN NUMBER OF HEAD IS STILL DEBATABLE. JOHN FAULKNER STATED IN A TELEPHONE CONVERSATION ON THURSDAY,

NOV 27 1996

PAGE 2

MEMORANDUM ON BOSMA DAIRY SITE INSPECTION

NOVEMBER 10TH, THEY HAD BUILT THE FEEDLOT CORRALS IN 1957 OR 1958, EXPANDED THE CORRALS IN THE MID-1960'S AND HAD USED THE FACILITIES TO FEED AND WATER ANYWHERE FROM 100 TO 1200 HEAD THROUGH THE YEARS.

ON FRIDAY, NOVEMBER 11TH I AGAIN WENT BY THE DAIRY SITE TO RECONFIRM THE LOCATION OF SEVERAL THINGS WE SAW ON THE PREVIOUS DAY. THERE WAS A NEWER DOUBLE WIDE MODULAR HOME SITTING ON WHEELS IN FRONT OF THE DAIRY BARN. IT APPEARED THIS UNIT WAS BEING DELIVERED TO THE SITE BUT I DID NOT CONFIRM IF IT WAS OR NOT.

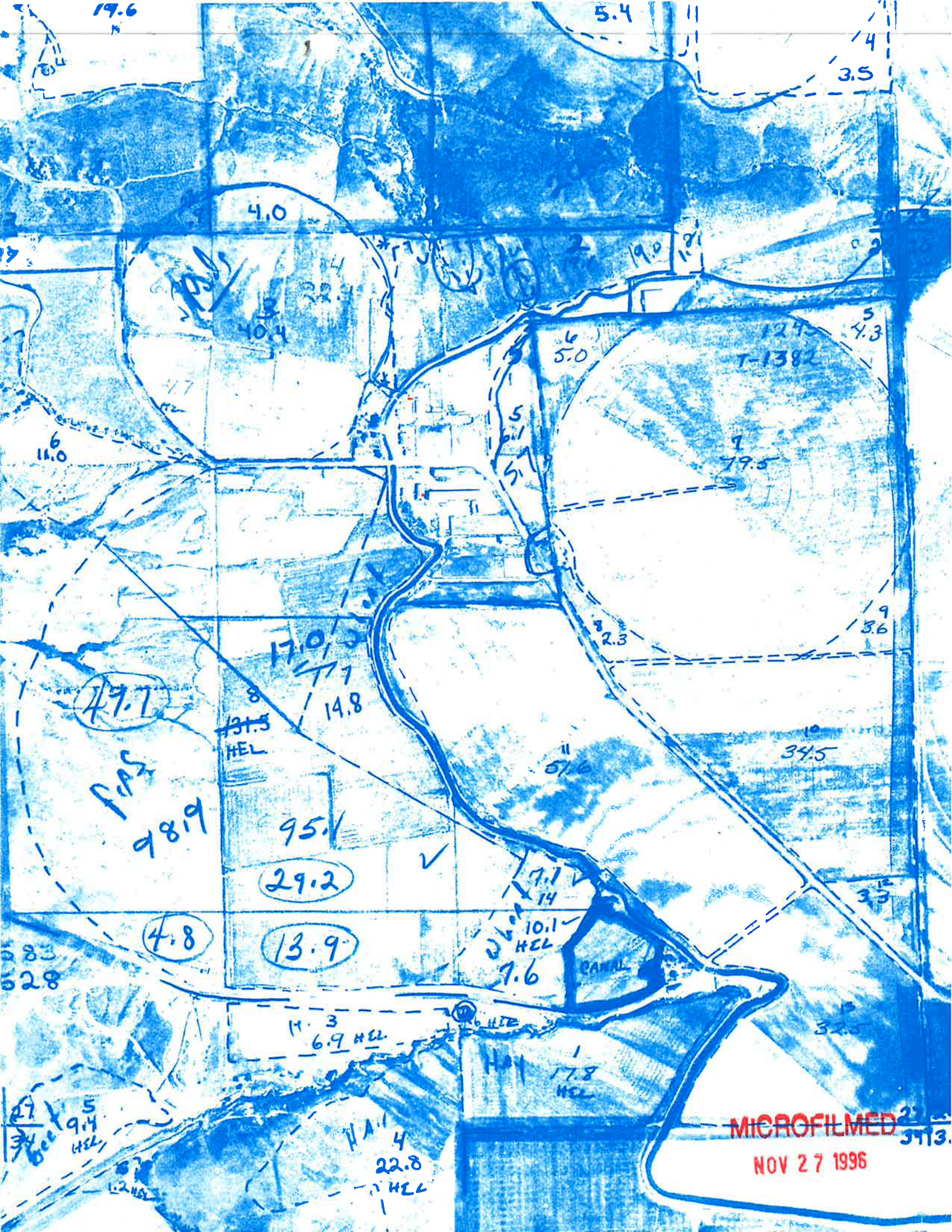
IT APPEARS THE HISTORICAL USES CLAIMED UNDER A37-12787A AND A37-12787B ARE JUSTIFIED. HOWEVER, THE PRIORITIES FOR THE USES STILL MUST BE CONFIRMED AND THE CAPACITY OF THE OLD WELL'S SYSTEM DETERMINED. WE WILL PURSUE BRINGING THE CLAIMS TO RECOMMENDATIONS.

THE ATTACHED ASCS MAP SHOWS THE APPROXIMATE LOCATION OF THE HISTORIC USES FOR A37-12787A, A37-12787B AND THE NEW DAIRY SITE. ALSO ATTACHED ARE SEVERAL PHOTOS TAKEN ON NOVEMBER 10TH.

MTS

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NOV 27 1996



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23
3413



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NOV 27 1996



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NOV 27 1996



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NOV 27 1996

Post-it® Fax Note	7671	11-7	# of pages 1
To	Allen Merritt	From	Stacy Butler
Co./Dept.	IDWR	Co.	Spring Cove Ranch
Phone #	736-3033	Phone #	
Fax #	736-3037	Fax #	

Spring Cove Ranch
The Butler Family
269 E. Spring Cove Rd.
Bliss, Idaho 83314
Tel: 352-4332, FAX: 352-1155

Idaho Dept. of Water Resources
Southern Region
2148 4th Ave. E.
Twin Falls, Ida. 83301
Allen Merritt

11-7-94

Dear Allen,

Upon receiving notification that water transfer No. 4387 was denied, our family was greatly relieved. We appreciate the careful consideration Mr. Saxton has given to this matter.

Yet, we are still very concerned about the future of our water right.

As I am writing this letter, Mr. Bosma is digging up the Northside canal bank and laying pipe to connect, an old domestic well, not spoken of in the hearing, to his dairy barn. This well was drilled in 1948. This well already provides domestic water for 4 houses owned by Mr. Bosma (actually Mr. DeGroot), 1 home owned by Mr. and Mrs. Don Bard, all the existing feedlot pens that lay on the east side of the canal, a 100,000 sack, potato cellar and now new mobile homes. We feel that the historical use of this well, already exceeds the allotted permit and should not be used in connection with Mr. Bosma's dairy for stock water or for commercial use in the milking parlor. We ask that the IDWR investigate the use of this old well in conjunction to use in the Bosma dairy.

Our second complaint is familiar to you. The new "domestic well" referred to in "Findings of Fact" as item 17 and again as item 3 of the "Conclusions of Law" in the hearing document, is of our immediate concern. As stated in item 3: "The Bosma Well and the Butler Spring both derive water from the same perched aquifer, with the gradient being from the well to the spring." This domestic well is plumbed to the Bosma barn and unless some action is taken will be used in spite of Mr. Saxton's conclusions and the decision made in the "recommended order." We ask that your department investigate the existing use of this well, immediately. Mr. Bosma is already watering his 100 dry cows from this well and we feel that once he starts pumping water for the rest of his 1200 milking cows and in his parlor, that he will respect no limits.

Sincerely,

Art and Stacy Butler

Art and Stacy Butler

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NOV 27 1996

J E G E I I V - L

NOV 10 1994

Department of Water Resources
Southern Region Office

November 7, 1994

Mr. Keith Higgensen,
IDWR Director
1301 N. Orchard
Boise, Idaho 83706 2237

Re: Domestic well on
Bosma/DeGroot land
Northwest of Bliss, ID

Dear Mr. Higgensen,

We would like to express our concerns over the domestic well water right A37-12787 located in Township 5S Range 12E SE1/4 of NE1/4 of NW1/4 Section 27, Gooding County, Idaho. Date of priority on this well is April 1, 1948 which is about the time electricity was available in this area. There was a well with a wind mill prior to that date.

Our house, built in 1963 by Jim and Lorna Faulkner, co-owners of Hayhook Ranches, is claimed on A 37-12787 by Travelers Insurance on 8/30/88. When the ranch was sold from Hayhook to Travelers in 1986 we retained 2.2 acres on which our house is situated. Well agreement no. 130173 was signed and recorded in Gooding County Dec. 7, 1987 to afford us joint use of the domestic well and pump, together with our easement for the waterline to our property. Our house is about 1000' from the well and the line runs an uphill gradient of perhaps 2 degrees.

In 1948 the two story house was the only one here. Our house was hooked up to said well in 1963, after which a house was moved in and a bunkhouse built, and in 1981 the northern-most house was constructed, making the five claimed on A 37-12787. With the exception of a few cows and horses, and about 50 sheep one year, which were owned by a tenant, there have been no cattle in the feedlot supplied by this domestic well since 1987.

On the land near the well, now owned by Bosma/DeGroot, a 1200 head dairy is being constructed, and is now almost complete despite the facts that followed a hearing two weeks ago by your office. The application by Bosma for transfer No. 4387 was denied and the DEQ has requested a resubmission of plans and specs for waste management in a letter dated 20 Oct. 1994.

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NOV 27 1996

We are worried about the domestic well which was not included in the aforementioned hearing. Sometime in mid-October, before the hearing date, Bosma tapped into the domestic well with which we are connected, with a 2 1/2 inch pipe running to the trailer houses they are bringing in, and on down to the dairy. It was only after one of the pipes became disconnected and we were without water that we were aware that the large pipe system had been installed.

Our concerns hinge around (1) water pressure being reduced because of the upgrade to our house, (2) how can the limit of 13000 gal/day be monitored, (3) can we require a flow meter to be installed, and (4) what recourse do we have to forestall trouble?

We have contacted Doug Jones in Twin Falls, and with his help did adjudicate our .04 cfs right to said well.

We appreciate your time and attention, and offer our thanks for whatever help may be available.

Sincerely,

Donald G. Bard.
Laura Bard

Dr. and Mrs. Donald G. Bard
348 Spring Cove Rd
Bliss, Idaho 83314

cc: Allen Merritt

MICROFILMED

NOV 27 1996

318 Spring Cove Rd.
Bliss 83703 - 3314

ph. # 825-4225 -
825-5039

.04 cts
x 5
.20

said he has about 110 dry cows
1 mobile home

4 bringing 2 more - prob. a total of 3 mobile

maybe 1/2 acre w/ 3 houses together
no lawn at bunk house
1/2 ac. for Bard

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NOV 27 1996

AJ0743NP
(00-124)

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

03/27/96 12:49:23
Page 1

Water Right Number - A37-12787A

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** A - ATTORNEY ***
ARKOOSH

C TOM

1 - 116 4TH AVE W
2 - PO BOX 32
3 -
City- GOODING
Phone - 208-000-0000
State- ID Zip- 833300032

*** C - CURRENT OWNER ***
DE GROOT

E J

1 - 7011 STEWART AND GREY ROAD
2 -
3 -
City- DOWNEY
Phone - 310-927-5511
State- CA Zip- 90241

*** O - ORIGINAL OWNER ***
THE TRAVELERS INSURANCE COMPANY

1 - (HAYHOOK RANCH- RE 11676)
2 - 960 BROADWAY AVE SUITE 310
3 -
City- BOISE
Phone - 208-336-5900
State- ID Zip- 83706

+ - - Priority Date - - + + - - Region - - + + - - Stage - - + + - - Status - - - +
04/01/1948 ERROR IN REGION J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - - +
Tmn Rng Sec Tract Lot RFlg County
05S 12E 27 SE NE NW (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.160
04 - STOCKWATER 01/01 12/31 0.090
10 - COMMERCIAL 09/01 06/30 0.020

+ - Total Div. Rate - + - Total Div. Volume - + - Total Consumptive Use - + - KW Usage - +
0.270 0.0

Tmn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
05S	12E	27	NW NE			04	STOCKWATER	(47) GOODING
05S	12E	27	SW NE			04	STOCKWATER	(47) GOODING
05S	12E	27	NE NW			04	STOCKWATER	(47) GOODING
05S	12E	27	SE NW			04	STOCKWATER	(47) GOODING
05S	12E	27	NW NE			10	COMMERCIAL	(47) GOODING
05S	12E	27	NE NW			43	DOMESTIC	(47) GOODING
05S	12E	27	SE NW			43	DOMESTIC	(47) GOODING

Total Acres:

Water right number - A37-12787A

Prefix Translation: ADJUDICATION CLAIM

- + - - Diversion Means - 300' WELL, 3 HP PUMP.
- + - - Non-Irrigation Use - D/4 HOUSES, S/2000 CATTLE, C/2 STORAGE BAYS HUMIDIFIED.
- + - - Other Rights for Same Use - NONE

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

GEN ONE WELL SERVES 4 HOUSES, WATERING TROUGHS IN 4 LOCATIONS, AND
POTATO STORAGE HUMIDIFIERS IN ONE LOCATION
OWNERSHIP CHANGE MADE 10/24/95 BY TLB.

1/9/96, DJ: NONIRRIGATION USE AMENDED TO REFLECT 2000 HEAD CATTLE
PER REQUEST & INSTRUCTION OF TOM ARKOOSH, ATTY AND AN AFFIDAVIT
FROM JOHN FAULKNER. COPY SENT TO ARKOOSH FOR REVIEW AND PURSUIT
OF AUTHORIZING SIGNATURE *****
3/27/96, DJ: SUFFICIENT CLAIM RECEIVED 3/25/96, D.E. UPDATED,
AMENDED CLAIM PLACED IN FILE. *****

+ - - - - - No Old Water Right Numbers Found - - - - - Old Water Right Numbers - - - - -

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

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

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

+ - - Audit Fields - - - +
03/27/96 DJONES

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/20/1988	Last Amended Date	- 03/06/1996	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

DATE: 01/09/96
PAGE: 1

Point(s) of Diversion: T05S R12E S27 SENENW GOODING County

Place of Use Legal Description for:						DOMESTIC															
						NE				NW				SW				SE			
						MENE	MUNE	SUNE	SENE	NENW	MUNW	SUNW	SENW	NESW	MUSW	SUSW	SESW	NESE	NUSE	SUSE	SESE
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05S 12E 27 :										D			D								

Other Rights: NONE

Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number:	Field Inspection Flag:
		Presumption Flag:

Water Right Number - R37-12787A

Prefix Translation:

RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
THE TRAVELERS INSURANCE COMPANY

1 - (HAYHOOK RANCH- RE 11676)
2 - 960 BROADWAY AVE., SUITE 310,
3 -
City- BOISE State- ID Zip- 83706
Phone - 208-336-5900

Priority Date - 04/01/1948 Region - ERROR IN REGION Stage - J - BENEFICIAL USE Status -

Source - GROUNDWATER Tributary -

Point of Diversion -
Twn Rng Sec Tract Lot Rflg County
05S 12E 27 SE NE NW (47) GOODING

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume
43 - DOMESTIC		01/01		12/31	0.160	
04 - STOCKWATER		01/01		12/31	0.090	
10 - COMMERCIAL		09/01		06/30	0.020	

Total Div. Rate - 0.270 Total Div. Volume - Total Consumptive Use - 0.0 KM Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
05S	12E	27	NW NE			04	STOCKWATER	(47) GOODING	
05S	12E	27	SW NE			04	STOCKWATER	(47) GOODING	
05S	12E	27	NE NW			04	STOCKWATER	(47) GOODING	
05S	12E	27	SE NW			04	STOCKWATER	(47) GOODING	
05S	12E	27	NW NE			10	COMMERCIAL	(47) GOODING	
05S	12E	27	NE NW			43	DOMESTIC	(47) GOODING	
05S	12E	27	SE NW			43	DOMESTIC	(47) GOODING	

Total Acres:

- - - Diversion Means - 300' WELL, 3 HP PUMP.
- - - Non-Irrigation Use - D/4 HOUSES, S/350 CATTLE, C/2 STORAGE BAYS HUMIDIFIED.
- - - Other Rights for Same Use - NONE

Water right number - R37-12787A

Prefix Translation: RESEARCH

ONE WELL SERVES 4 HOUSES, WATERING TROUGHS IN 4 LOCATIONS, AND
POTATO STORAGE HUMIDIFIERS IN ONE LOCATION

No Old Water Right Numbers Found

Old Water Right Numbers

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date
00/00/0000

Date: 11/07/1994 User Id: JROBERTS Subject: SPLITTING OF RIGHT
Lorna Bard filed a separate claim for her portion of the domestic right. This is the remainder of the original right. Bard is now
part B. jr 11/7/94

Audit Fields
11/07/94 JROBERTS

Adjudication Rights Dates and Flags Area

Court Report Filing	00/00/0000	Field Inspection Made	00/00/0000	Civil Case Number	39576
Objection Filed Date	00/00/0000	Field Inspection Flag	00/00/0000	Old Judicial District	
Response Filed Date	00/00/0000	Verified Date	00/00/0000	Temporary Right	P
Claim Received Date	09/20/1988	Last Amended Date	00/00/0000	Water District	
		Receipt Number	X777777	Federal/State Indicator	S
		POU Ownership Flag	Y	Presumption Flag	
		Name Connector		Notice of Error Flag	

CLAIM NUMBER: A37-12787A

Stage: BENEFICIAL USE

GOODING County

SEE

SE

Other Rights: NONE

Verified Date:

Presumption Flag:

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: A37-12787A
Date Received: 9/20/1988
Receipt No: X777777
Received By: *Chouner Chang*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: BLISS ACRES LLC
Address: 4300 BEAM RD
ZILLAH WA 98953
509-829-5960

2. Date of Priority: APR 1, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	12E	27	SE	NE	NW		GOODING

5. Description of diverting works:
300' WELL, 3 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.160		
STOCKWATER	01/01	12/31	0.090		
COMMERCIAL	09/01	06/30	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/4 HOUSES, S/2000 CATTLE, C/2 STORAGE BAYS HUMIDIFIED.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	12E	27	NW	NE		COMMER	
			NW	NE		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	12E	27	SW	NE	STOCK	
			NE	NW	STOCK	
			NE	NW	DOMEST	
			SE	NW	DOMEST	
			SE	NW	STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

ONE WELL SERVES 4 HOUSES, WATERING TROUGHS IN 4 LOCATIONS, AND
POTATO STORAGE HUMIDIFIERS IN ONE LOCATION
OWNERSHIP CHANGE MADE 10/24/95 BY TLB.

1/9/96, DJ: NONIRRIGATION USE AMENDED TO REFLECT 2000 HEAD CATTLE
PER REQUEST & INSTRUCTION OF TOM ARKOOSH, ATTY AND AN AFFIDAVIT
FROM JOHN FAULKNER. COPY SENT TO ARKOOSH FOR REVIEW AND PURSUIT
OF AUTHORIZING SIGNATURE *****

3/27/96, DJ: SUFFICIENT CLAIM RECEIVED 3/25/96, D.E. UPDATED,
AMENDED CLAIM PLACED IN FILE.*****

4/17/00, CT: CHANGED OWNERSHIP ARKOOSH TO BLISS ACRES LLC AS PER
FRIM 1409(6), WARRANTY DEED REC'D 3/16/99. ALSO ADDED JOSEPH F.
JAMES AS ATTORNEY AS PER LETTER REC'D 2/14/00.

15. Basis of Claim: BENEFICIAL USE

Arkoosh Law Offices
Chartered

POST OFFICE BOX 32
301 MAIN STREET
GOODING, IDAHO 83330

C. TOM ARKOOSH, ESQ.
JOSEPH F. JAMES, ESQ.
GERI L. BRENNAN, PARALEGAL
S. GALENE TAYLOR, PARALEGAL

TELEPHONE: (208) 934-8872
FACSIMILE: (208) 934-8873
E-MAIL: alo@micron.net

RECEIVED
JUN 13 2000
Department of Water Resources
Southern Region

June 12, 2000

Ms. Cheryl E. Timm
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

Re: Change of Water Right-Ownership, Right A 37-12787A

Dear Cheryl:

In regards to your letter dated June 8, 2000, please find enclosed a copy of the Application for Registration of Foreign Limited Liability Company and a copy of the Annual Report Form for Bliss Acres, L.L.C.

If you have any questions, please feel free to call.

Sincerely,

ARKOOSH LAW OFFICES, CHTD.



Joseph F. James

Enclosures
cc: Client

No. W 7388	Annual Report Form 1999 Due No Later Than November 30.		2. Registered Agent and Office NOT A P.O. BOX	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FEE REQUIRED * FIRST NOTICE *	1. Mailing Address: Please Correct if Not Correct		JACOB BOSMA 318 SPRING COVE RD BLISS ID 83314	
	BLISS ACRES, L.L.C. 4300 BEAM RD ZILLAH WA 98952			
			3. Organized Under the Laws of:	
		WA W 7388		
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors Limited Liability Companies: Enter Names and Addresses of ☐ Managers or ☒ Members (check one)				
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>
	<i>Henry Bosma</i>	4300 Beam Rd		
	<i>Henrietta Bosma</i>	Zillah WA 98953-9050		
5. Signature of New Registered Agent		6.		
		Signature <i>Henrietta</i> Date 7-21-99		
		Name (Typed or Printed) Henrietta Bosma Title _____		
		Address 4300 Beam Rd Zillah WA 98953-9050		
ISSUED: 07-03-1999 721				

253

FILED**APPLICATION FOR REGISTRATION OF
FOREIGN LIMITED LIABILITY COMPANY**

98 NOV 23 (Instructions on back of application)

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is: BLISS ACRES, L.L.C.
2. If the name of the limited liability company is not permissible or is not available in Idaho, the name the foreign limited liability company will use in Idaho is: _____
3. The jurisdiction under whose laws the limited liability company is organized is Washington, and the date of its formation was August 25, 1997
4. The name and street address of the registered agent in Idaho is: 318 Spring Cove Rd., Bliss, ID 83314 JACOB BOSMA
5. The address of the limited liability company's office in the jurisdiction under whose laws it is organized is: 4300 Beam Rd., Zillah, WA 98952
6. The address of the limited liability company's principal office, if other than the address in #5 above, is: N/A
7. The address to which correspondence should be addressed is: 4300 Beam Rd., Zillah, WA 98952
8. Signature of a manager, if any, or a member if there are no managers.
Henry Bosma
Henry Bosma
Typed or Printed Name
Manager ☒ Member ☐
9. Signature of the registered agent named in #4 above.
Henry Bosma

Secretary of State use only

IDAHO SECRETARY OF STATE

11/23/1998 09:00
CK: 8536 CT: 48658 MW: 1638931 @ 100.00 = 100.00 REGFORLLC # 2
1 @ 20.00 = 20.00 EXPEDITE C # 3

W 7388



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 8, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOSEPH F JAMES, ATTORNEY
ARKOOSH LAW OFFICES
PO BOX 32
GOODING ID 83330

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIMS A37-12787A

Dear James:

Thank you for sending the aerial photo and warranty deed I requested for the above referenced water right. However, Henry Bosma, as the President of Bosma Enterprises, Inc signs the form 1409(6) Notice of Change of Water Right Ownership. E.J. DeGroot signed as the former owner and Bliss Acres LLC is typed on the form as the new owner. What I need to finally complete this owner change is a copy of the Certificate to do Business in Idaho for Bliss Acres LLC (a Washington limited liability Company) and a copy of the board of directors showing that Henry Bosma is empowered to represent Bliss Acres LLC.

I have enclosed a copy of the owner change form.

Sincerely,



Cheryl E. Timm
SRBA Records Clerk

Enclosures: (1)

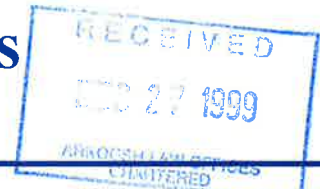
CT:ct

sent 6/8/00



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
12/14/1999



DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BLISS ACRES LLC
4300 BEAM RD
ZILLAH WA 98953
Water Right Claim.

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIMS A37-12787

Dear Claimant(s):

Thank you for returning the NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Our records, however, cannot be updated without the required information listed under item 2 of the ownership change form. Specifically, we need a copy of your legal description (usually attached to your Warranty Deed) and Farm Service Agency Aerial Photo (see item 2. C.).

Also, the QuitClaim Deed you sent does not show a real estate property. Instead, the Deed seems to indicate a sale of the **water** only. If this is the case, you will need to apply for a Transfer of the water right. You may contact a Water Allocations Agent in this office for assistance.

Enclosed are your original ownership change form and a computer generated profile report of the above referenced Water Right Claim. Please attach the required information and return the entire packet in the enclosed self-addressed envelope. As soon as this information is received, our records will be updated and you will be notified by mail that the change has been completed.

Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

Cheryl E. Timm
SRBA Records Clerk

Enclosures: (3)

CT:ct



March 15, 1999

Idaho Department of
Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301-3380

RECEIVED

MAR 16 1999

Department of Water Resources
Southern Region

Re: #37-08487B
#A37-12787A

Dear Sir or Madame:

Enclosed please find two Notice of Change of Water Right Ownership to be filed with your office. Also enclosed are copies of the Quit Claim Deeds recorded reflecting the transfer.

If you have any questions, please feel free to contact our office.

Sincerely,

GOODING TITLE & ESCROW

A handwritten signature in cursive script that reads "DeNene M. Dixon".

DeNene M. Dixon
Escrow Assistant

/dmd
Encl.

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED
 MAR 16 1999
 Department of Water Resources
 Southern Region

RECEIVED
 FEB 14 2000
 Department of Water Resources
 Southern Region

1. Water Right No(s).: A37-12787A
 Adjudication Claim No(s).: _____

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.

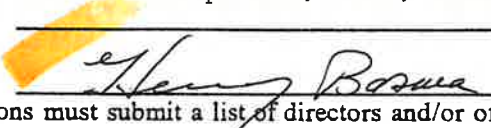
3. Name and Address of Former Owner/Claimant E. J. DeGroot
7011 Stewart & Gray Rd., Downey, CA 90241

4. New Owner/Claimant(s) Bliss Acres, L.L.C.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 4300 Beam Rd.
 City, State and ZIP Code Zillah, WA 98953
 New Telephone Number (509) 829-5960

5. Date you acquired the property _____

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) Bosma Enterprises, Inc., Manager
President

 (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..

Order No. G980462

QUIT CLAIM DEED

For Value Received

E. J. DeGroot, a married man, dealing with his sole and separate property
the grantor(s), do(es) hereby Grant, Bargain Sell, and Convey unto

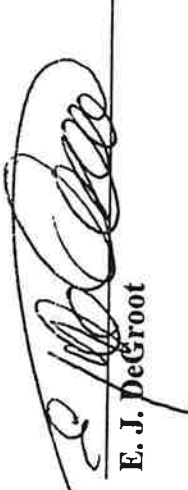
Bliss Acres L.L.C., (a Washington limited liability company)
the grantee(s), whose current address is: **4300 Beam Road, Zillah, WA 98953**

The following described premises, to-wit:

IDAHO DEPARTMENT OF WATER RESOURCES LICENSE #A37-12787A

Together with their appurtenances.

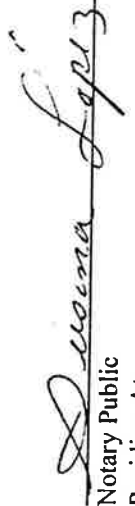
Dated: **MARCH 8, 1999**


E. J. DeGroot

State of CALIFORNIA }
County of *Los Angeles* } ss.

On this 8th day of March, in the year 1999, before me, the undersigned, a notary public in and for said state, personally appeared **E. J. DeGroot**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public
Residing At:
Commission Expires:



179499

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of **GOODING TITLE & ESCROW**

49 min. past 1 o'clock P m. this 10th
of March 19 99 3.00

By Renny Archibald Deputy

 **TITLE & ESCROW**
COMPANIES

AJ5809NP
No. A37-12787A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/10/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	E J DE GROOT 7011 STEWART AND GREY ROAD DOWNEY CA 90241 (310) 927-5511	04/01/1948	STOCKWATER COMMERCIAL DOMESTIC	01-01 12-31 09-01 06-30 01-01 12-31	0.090 CFS 0.020 CFS 0.160 CFS	
TOTAL DIVERSION:					0.270 CFS	

Water Source: GROUNDWATER
Point(s) of Diversion: T05S R12E S27
Place of use Legal Description for: STOCKWATER
Tributary to: SENENN
Stage: BENEFICIAL USE
GOODING County

Place of use Legal Description for: STOCKWATER

NE		NW		SW		SE	
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW
T	R	S	: Lt	Ac	Lt	Ac	Lt
05S	12E	27	: S	S	: S	: S	: S

Place of use Legal Description for: COMMERCIAL

NE		NW		SW		SE	
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW
T	R	S	: Lt	Ac	Lt	Ac	Lt
05S	12E	27	: C	: S	: S	: S	: S

Place of use Legal Description for: DOMESTIC

NE		NW		SW		SE	
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW
T	R	S	: Lt	Ac	Lt	Ac	Lt
05S	12E	27	: D	D	: D	: D	: D

POU County: GOODING
Non-Irrigation Uses: D/4 HOUSES, S/2000 CATTLE, C/2 STORAGE BAYS HUMIDIFIED.
Other Rights: NONE

Remarks: GEN
ONE WELL SERVES 4 HOUSES, WATERING TROUGHS IN 4 LOCATIONS, AND
POTATO STORAGE HUMIDIFIERS IN ONE LOCATION
OWNERSHIP CHANGE MADE 10/24/95 BY TLB.

1/9/96, DJ: NONIRRIGATION USE AMENDED TO REFLECT 2000 HEAD CATTLE
PER REQUEST & INSTRUCTION OF TOM ARKOOSH, ATTY AND AN AFFIDAVIT
FROM JOHN FAULKNER. COPY SENT TO ARKOOSH FOR REVIEW AND PURSUIT
OF AUTHORIZING SIGNATURE *****
3/27/96, DJ: SUFFICIENT CLAIM RECEIVED 3/25/96, D.E. UPDATED,
AMENDED CLAIM PLACED IN FILE. *****

AJ5809NP

No. A37-12787A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/10/99
PAGE: 2

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	
Audit:	11/09/94 JROBERTS	03/30/95 POST-STD	10/24/95 TBACKLUN
			03/27/96 DJONES

Arkoosh Law Offices
Chartered

POST OFFICE BOX 32
301 MAIN STREET
GOODING, IDAHO 83330

C. TOM ARKOOSH, ESQ.
JOSEPH F. JAMES, ESQ.
GERI L. BRENNAN, PARALEGAL
S. GALENE HEDEGAARD, PARALEGAL

TELEPHONE: (208) 934-8872
FACSIMILE: (208) 934-8873
E-MAIL: alo@micron.net

February 11, 2000

RECEIVED
FEB 14 2000
Department of Water Resources
Southern Region

Cheryl E. Timm
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

Re: Change of Water Right Ownership, Right A37-12787A

Dear Cheryl:

This office represents Bliss Acres LLC. In regards to your request dated December 14, 1999, please find enclosed the requested information, along with the Notice of Change of Water Right Ownership Packet.

As you can see, the sale of the subject water right was part of a real estate transaction. It is my understanding that the transaction instructions were provided by the realtor.

All further correspondence and inquiry regarding this matter should be directed toward this office. If you have any questions, please feel free to call.

Sincerely,

ARKOOSH LAW OFFICES, CHTD.


Joseph F. James, Attorney

JFJ/sl
Enclosures
cc: Client

Order No. G980462

WARRANTY DEED

For Value Received

E. J. DeGroot, a married man, dealing with his sole and separate property

the grantor(s), do(es) hereby Grant, Bargain Sell, and Convey unto

Bliss Acres L.L.C., (a Washington limited liability company)

the grantee(s), whose current address is: **4300 Beam Road, Zillah, WA 98953**

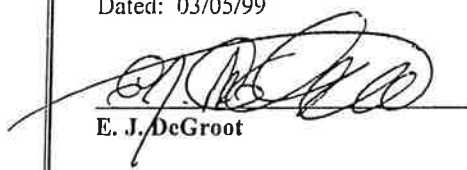
the following described real estate, situated in **GOODING** County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH: 160 Shares of North Side Canal Company Ltd. water

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 lawful claims whatsoever.

Dated: 03/05/99


E. J. DeGroot

179497

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of **GOODING TITLE & ESCROW**

47 min. past 1 o'clock P.m. this 10th
of March, 19 99 18:00

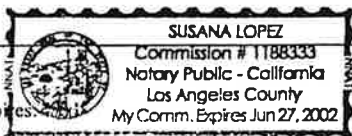
State of CALIFORNIA)
County of Los Angeles) ss.

By Denny Archuleta Deputy

On this 8th day of MARCH, in the year 1999, before me, the undersigned, a notary public in and for said state, personally appeared **E. J. DeGroot**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Notary Public
Residing At:
Commission Expires:



TITLE & ESCROW
COMPANIES

G980462

1 of 5

EXHIBIT "A"

PARCEL NO. 1:

Township 5 South, Range 12 East of the Boise Meridian, Gooding County, Idaho

Section 22: A parcel of land located in the Southwest Quarter, more particularly described as follows:

BEGINNING at the Southwest corner of Section 22;

Thence South $89^{\circ}56'34''$ East along South boundary of the Southwest Quarter of Section 22 for a distance of 932.76 feet to a point on the arc of a non tangent curve right and being the TRUE POINT OF BEGINNING;

Thence Northeasterly and Southeasterly along the arc of the curve right for a distance of 1,435.03 feet to a point on the South boundary of the Southwest Quarter of Section 22, said arc having a radius of 815.60 feet and a long chord bearing and distance of South $89^{\circ}56'34''$ East 1,256.96 feet;

Thence North $89^{\circ}56'34''$ West along the South boundary of the Southwest Quarter of Section 22 for a distance of 1,256.96 feet TRUE POINT OF BEGINNING.

AND

Township 5 South, Range 12 East of the Boise Meridian, Gooding County, Idaho

Section 27: A parcel of land, more particularly described as follows:

COMMENCING at the Northwest corner of said Section 27;

Thence South $89^{\circ}56'34''$ East along the North boundary of the Northwest Quarter of Section 27 for a distance of 756.00 feet to the TRUE POINT OF BEGINNING;

Thence continuing South $89^{\circ}56'34''$ East along the North boundary of the Northwest Quarter of Section 27 for a distance of 1,876.25 feet (South $89^{\circ}56'35''$ East 1,889.45 feet - record) to the North quarter corner of said Section 27;

continued

Thence North 89°58'30" East along the North boundary of the Northeast Quarter of Section 27 for a distance of 1,318.07 feet (North 89°58'30" East 1,311.47 feet - record) to the Northeast corner of the Northwest Quarter of the Northeast Quarter of Section 27;

Thence South 00°13'09" East along the East boundary of the Northwest Quarter of the Northeast Quarter of Section 27 for a distance of 378.17 feet (South 00°08'51" East - record);

Thence South 89°58'30" West parallel with the North boundary of the Northeast Quarter of Section 27 for a distance of 269.01 feet;

Thence South 00°13'09" East (South 00°08'51" East - record) parallel with the East boundary of the Northwest Quarter of the Northeast Quarter of Section 27 for a distance of 175.00 feet;

Thence South 87°10'27" West for a distance of 550.00 feet;

Thence South 05°29'33" East for a distance of 766.86 feet;

Thence South 08°13'11" West for a distance of 219.83 feet;

Thence South 07°27'02" East for a distance of 208.89 feet;

Thence South 30°58'31" East for a distance of 16.87 feet;

Thence South 89°49'46" West for a distance of 193.00 feet;

Thence South 00°15'43" East for a distance of 300.10 feet;

Thence North 89°48'38" East for a distance of 192.55 feet;

Thence South 26°09'01" East for a distance of 134.70 feet;

Thence North 89°26'24" West for a distance of 997.97 feet to a point on the centerline of an irrigation canal;

Thence approximately along the centerline of the irrigation canal on the following courses:

South 50°15'42" West for 14.12 feet;

South 20°03'51" West for 183.67 feet;

South 06°01'31" East for 215.52 feet;

South 23°58'39" East for 258.69 feet;

South 44°00'32" East for 239.72 feet;

South 23°36'44" East for 363.30 feet;

South 44°26'23" East for 256.30 feet;

South 69°35'26" East for 343.25 feet;

South 58°47'49" East for 102.60 feet;

South 86°38'31" East for 111.15 feet;

South 37°10'28" East for 233.51 feet;

South 64°14'57" East for 99.90 feet;

South 25°39'44" East for 25.48 feet to a point on the North boundary of the Southwest Quarter of the Southeast Quarter of Section 27;

continued

G980462

Page 3 of 5

Thence South 89°51'57" West along the North boundary of the Southwest Quarter of the Southeast Quarter of Section 27 for a distance of 68.73 feet;

Thence South 36°30'00" West for a distance of 376.00 feet;

Thence South 01°07'00" East for a distance of 435.00 feet to the approximate center of an irrigation canal;

Thence South 48°27'26" West for a distance of 96.50 feet to a point South of the center of the irrigation canal;

Thence North 45°38'48" West for a distance of 236.27 feet to the approximate center of an irrigation canal;

Thence North 77°11'38" West along the approximate center of the irrigation canal for a distance of 424.53 feet;

Thence South 88°59'08" West along the approximate center of the irrigation canal for a distance of 883.81 feet;

Thence North 86°50'44" West along the approximate center of the irrigation canal for a distance of 664.34 feet;

Thence leaving the center of the irrigation canal on a bearing North 64°55'02" West for a distance of 1,204.94 feet to the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 27;

Thence North 00°04'08" West along the West boundary of the Northwest Quarter of the Southwest Quarter of Section 27 for a distance of 1,319.60 feet to the West quarter corner of Section 27;

Thence continuing North 00°04'08" West along the West boundary of the Northwest Quarter of Section 27 for a distance of 2,439.20 feet;

Thence South 89°56'34" East parallel with the North boundary of the Northwest Quarter of the Section 27 for a distance of 756.00 feet;

Thence North 00°04'08" West parallel with the West boundary of the Northwest Quarter of Section 27 for a distance of 200.00 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO easements to the Northside Canal Company for the use, access to and maintenance of the irrigation canals located within the described parcel.

SUBJECT TO easements for the County Road that traverses through the described parcel.

ALSO SUBJECT TO all easements recorded and unrecorded for access roads, utilities and irrigation facilities.

continued

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

A parcel of land located in the Northwest Quarter of the Northwest Quarter of Section 27, Township 5 South, Range 12 East of the Boise Meridian, Gooding County, Idaho, and more particularly described as follows:

Commencing at the Northwest corner of said Section 27, from which the North One Quarter corner of said Section 27 bears South 89°56'34" East, 2632.25 feet;
Thence South 89°56'34" East along the North boundary of the Northwest Quarter of Section 27 for a distance of 756.00 feet;
Thence South 00°04'08" East for a distance of 200.00 feet to the TRUE POINT OF BEGINNING;
Thence South 89°56'34" East for a distance of 10.74 feet to the center of an existing county road;
Thence South 00°55'41" West along the center of the county road for a distance of 379.01 feet;
Thence South 04°58'53" East along the center of the existing county road for a distance of 158.31 feet;
Thence South 22°21'29" East along the center of the county road for a distance of 102.19 feet;
Thence South 29°12'42" East along the center of the county road for a distance of 98.33 feet;
Thence North 89°56'34" West parallel with the North boundary of the of the Northwest Quarter of Section 27 for a distance of 499.38 feet;
Thence North 00°55'41" East for a distance of 717.00 feet;
Thence South 89°56'34" East parallel with the North boundary of the Northwest Quarter of the Section 27 for a distance of 382.56 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 2:

Township 5 South, Range 12 East of the Boise Meridian, Gooding County, Idaho

Section 27: A parcel of land located in the Northwest Quarter of the Northwest Quarter, more particularly described as follows:

Commencing at the Northwest corner of said Section 27, from which the North One Quarter corner of said Section 27 bears South 89°56'34" East, 2632.25 feet;

continued

Thence South $89^{\circ}56'34''$ East along the North boundary of the Northwest Quarter of Section 27 for a distance of 756.00 feet;
Thence South $00^{\circ}04'08''$ East for a distance of 200.00 feet to the TRUE POINT OF BEGINNING;
Thence South $89^{\circ}56'34''$ East for a distance of 10.74 feet to the center of an existing county road;
Thence South $00^{\circ}55'41''$ West along the center of the county road for a distance of 379.01 feet;
Thence South $04^{\circ}58'53''$ East along the center of the existing county road for a distance of 158.31 feet;
Thence South $22^{\circ}21'29''$ East along the center of the county road for a distance of 102.19 feet;
Thence South $29^{\circ}12'42''$ East along the center of the county road for a distance of 98.33 feet;
Thence North $89^{\circ}56'34''$ West parallel with the North boundary of the of the Northwest Quarter of Section 27 for a distance of 499.38 feet;
Thence North $00^{\circ}55'41''$ East for a distance of 717.00 feet;
Thence South $89^{\circ}56'34''$ East parallel with the North boundary of the Northwest Quarter of the Section 27 for a distance of 382.56 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a 25.0 foot wide county road easement along the Easterly boundary of the before described parcel.

QUIT CLAIM DEED

For Value Received

E. J. DeGroot, a married man, dealing with his sole and separate property

the grantor(s), do(es) hereby Grant, Bargain Sell, and Convey unto

Bliss Acres L.L.C., (a Washington limited liability company)

the grantee(s), whose current address is: 4300 Beam Road, Zillah, WA 98953

The following described premises, to-wit:

IDAHO DEPARTMENT OF WATER RESOURCES LICENSE #A37-12787A

Together with their appurtenances.

179499

Dated: **MARCH 8, 1999**

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of **GOODING TITLE & ESCROW**

49 min. past 1 o'clock P.m. this 10th
of March, 19 99 3:00
By Dennis Archibald Deputy

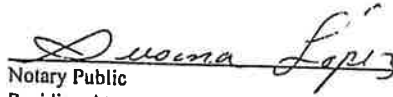

E. J. DeGroot

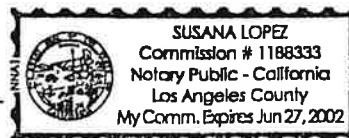
State of CALIFORNIA }

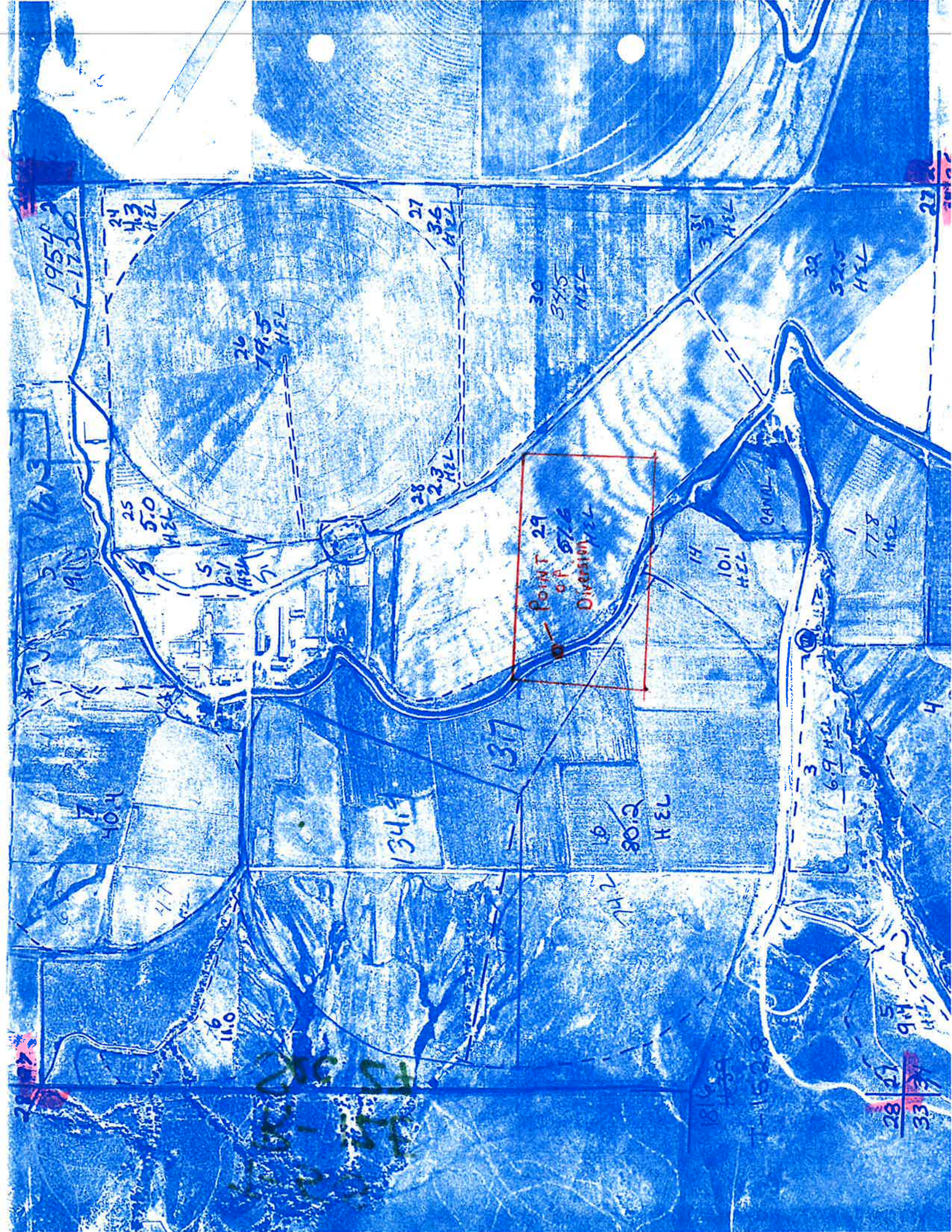
County of Los Angeles ss.

On this 8th day of March, in the year 1999, before me, the undersigned, a notary public in and for said state, personally appeared **E. J. DeGroot**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public
Residing At:
Commission Expires:





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1-1730

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37-12787



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

September 10, 1999

BLISS ACRES LLC
4300 BEAM RD
ZILLAH WA 98953

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM A37-12787

Dear Claimant(s):

Thank you for returning the NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Our records, however, cannot be updated without the required information listed under item 2 of the ownership change form. Specifically, we need a copy of your legal description (usually attached to your Warranty Deed) and Farm Service Agency Aerial Photo (see item 2. A and C.).

Also, the Quit Claim Deed you sent does not show a real estate property. Instead, the Deed seems to indicate a sale of the water only. If this is the case, you will need to apply for a **Transfer** of the water right. You may contact a Water Allocations Agent in this office for assistance.

Enclosed is your original ownership change form and a computer generated profile report of the above referenced Water Right Claim. Please attach the required information and return the entire packet in the enclosed self-addressed envelope. As soon as this information is received, our records will be updated and you will be notified by mail that the change has been completed.

Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

Cheryl E. Timm
SRBA Records Clerk

enc.

CT:ct

37-12787

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 16 1999
Department of Water Resources
Southern Region

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): A37-12787A
 Adjudication Claim No(s): _____

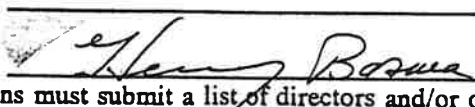
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF 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 E. J. DeGroot
7011 Stewart & Gray Rd., Downey, CA 90241

4. New Owner/Claimant(s) Bliss Acres, L.L.C.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 4300 Beam Rd.
 City, State and ZIP Code Zillah, WA 98953
 New Telephone Number (509) 829-5960

5. Date you acquired the property _____

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) Bosma Enterprises, Inc., Manager
President

 (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..

8. There is no filing fee. When completed, IDWR South Boise, ID 83705-5000 (208) 334-2190
7. The new owner(s) must sign the 1/2 acre contract, IDWR 2735 Airport Way (208) 334-2190
6. The new owner(s) must sign the 1/2 acre contract, IDWR 2735 Airport Way (208) 334-2190
5. The new owner(s) must sign the 1/2 acre contract, IDWR 2735 Airport Way (208) 334-2190
4. The new owner(s) must sign the 1/2 acre contract, IDWR 2735 Airport Way (208) 334-2190
3. The new owner(s) must sign the 1/2 acre contract, IDWR 2735 Airport Way (208) 334-2190
2. The new owner(s) must sign the 1/2 acre contract, IDWR 2735 Airport Way (208) 334-2190
1. The new owner(s) must sign the 1/2 acre contract, IDWR 2735 Airport Way (208) 334-2190

Order No. G980462

QUIT CLAIM DEED

For Value Received

E. J. DeGroot, a married man, dealing with his sole and separate property

the grantor(s), do(es) hereby Grant, Bargain Sell, and Convey unto

Bliss Acres L.L.C., (a Washington limited liability company)

the grantee(s), whose current address is: **4300 Beam Road, Zillah, WA 98953**

The following described premises, to-wit:

IDAHO DEPARTMENT OF WATER RESOURCES LICENSE #A37-12787A.

Together with their appurtenances.

Dated: **MARCH 8, 1999**


E. J. DeGroot

179499

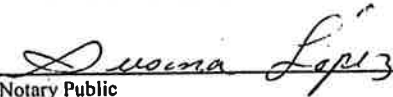
STATE OF IDAHO COUNTY OF GOODING
GOODING TITLE & ESCROW

Filed for record at the request of _____
_____ 49 min. past 1 o'clock P.m. this 10th
of March, 19 99 3:00
By Penny Archibald Deputy

State of CALIFORNIA }
County of Los Angeles ss.

On this 8th day of March, in the year 1999, before me, the undersigned, a notary public in and for said state, personally appeared **E. J. DeGroot**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public
Residing At:
Commission Expires:





March 15, 1999

RECEIVED

MAR 16 1999

Department of Water Resources
Southern Region

Idaho Department of
Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301-3380

Re: #37-08487B
#A37-12787A

Dear Sir or Madame:

Enclosed please find two Notice of Change of Water Right Ownership to be filed with your office. Also enclosed are copies of the Quit Claim Deeds recorded reflecting the transfer.

If you have any questions, please feel free to contact our office.

Sincerely,

GOODING TITLE & ESCROW

A handwritten signature in cursive script that reads "DeNene M. Dixon".

DeNene M. Dixon
Escrow Assistant

/dmd
Encl.

MAR 25 1996

Department of Water Resources
Southern RegionIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-12787A

Date Received: 9/20/1988

Receipt No: X777777

Received By: *DJ 3/25/96*

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: E J DE GROOT 310-927-5511
 Address: 7011 STEWART AND GREY ROAD
 DOWNEY CA 90241

2. Date of Priority: APR 1, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	12E	27	SE	NE	NW		GOODING

5. Description of diverting works:
 300' WELL, 3 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.160		
STOCKWATER	01/01	12/31	0.090		
COMMERCIAL	09/01	06/30	0.020		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

D/4 HOUSES, S/2000 CATTLE, C/2 STORAGE BAYS HUMIDIFIED.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	12E	27	NW	NE		COMMER	
			NW	NE		STOCK	

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NOV 27 1996

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	12E	27	SW		NE		STOCK	
			NE		NW		STOCK	
			NE		NW		DOMEST	
			SE		NW		DOMEST	
			SE		NW		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

ONE WELL SERVES 4 HOUSES, WATERING TROUGHS IN 4 LOCATIONS, AND
POTATO STORAGE HUMIDIFIERS IN ONE LOCATION
OWNERSHIP CHANGE MADE 10/24/95 BY TLB.

1/9/96, DJ: NONIRRIGATION USE AMENDED TO REFLECT 2000 HEAD CATTLE
PER REQUEST & INSTRUCTION OF TOM ARKOOSH, ATTY AND AN AFFIDAVIT
FROM JOHN FAULKNER. COPY SENT TO ARKOOSH FOR REVIEW AND PURSUIT
OF AUTHORIZING SIGNATURE *****

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

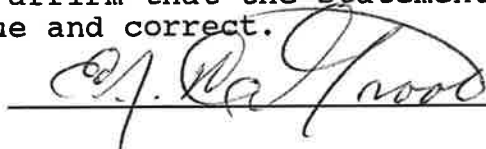
(a.) By signing below, I/We acknowledge that I/We have received, read and
understand the form entitled "How you will receive notice in the Snake River
Basin Adjudication." (b.) I/We do ___ do not ___ wish to receive and pay
a small annual fee for monthly copies of the docket sheet.

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):



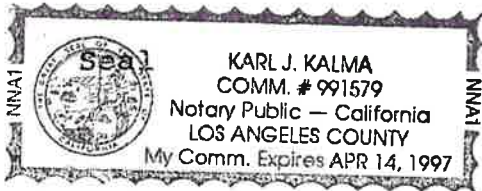
Date:

3/15/96

Date:

State of ~~Idaho~~ CALIFORNIA)
) SS.
County of Los Angeles)

Subscribed and sworn (or affirmed) before me this 15TH day
of March 19 96



[Signature]
Notary Public

Residing at DUNGY, CA.

My Commission Expires 4-14-97

17. Notice of Appearance:

Notice is hereby given that I, C. Tom ARKOOSH will be
Print Name

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 [Signature]

Address 116 4TH AVE W, P.O. BOX 32, GOODING
ID 83330-0032

Date 3/22/96

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: A37-12787
Date Received: 8/30/1988
Receipt No: S002376
Received By: RLW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THE TRAVELERS INSURANCE COMPANY 208-336-5900
Address: (HAYHOOK RANCH- RE 11676)
960 BROADWAY AVE., SUITE 310,
BOISE, ID 83706

2. Date of Priority: APR 01, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	12E	27	SE	NE	NW		GOODING

5. Description of diverting works:
300' WELL, 3 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.200		
STOCKWATER	01/01	12/31	0.090		
COMMERCIAL	09/01	06/30	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/5 HOUSES, S/350 CATTLE, C/2 STORAGE BAYS HUMIDIFIED.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	12E	27	NW		NE		COMMER	
			NW		NE		STOCK	
			SW		NE		DOMEST	
			SW		NE		STOCK	
			NE		NW		DOMEST	
			NE		NW		STOCK	
			SE		NW		DOMEST	
			SE		NW		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:
ONE WELL SERVES 5 HOUSES, WATERING TROUGHS IN 4 LOCATIONS, AND
POTATO STORAGE HUMIDIFIERS IN ONE LOCATION

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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 A37-12787Date Received ? 8-30-1988Receipt Number 5002376

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

(Hayhook Ranch-RE 11676)
1. Name of Claimant (s) The Travelers Insurance Company Phone (208) 336-5900

Mailing Address 960 Broadway Avenue, Suite 310, Boise, Idaho Zip 83706-3623

2. Date of Priority (Only one (1) per claim) April 1, 1948

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

4. a. Location of existing point of diversion is: Township 5South Range 12 East Section 27,
SE 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Gooding

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. All water uses in this claim served by a single,
300 ft. well with a 3 H.P. motor and pump. Piping then branches off immediately and separately to 3 houses
located in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and one house located in SE $\frac{1}{4}$ NW $\frac{1}{4}$ which then branches into piping which feeds stockwater tanks
in SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$. Also a pipeline from the well goes directly to stockwater troughs in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and
NW $\frac{1}{4}$ NE $\frac{1}{4}$ which then branches to a house in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and a potato storage (to serve humidifiers) in NW $\frac{1}{4}$ NE $\frac{1}{4}$.

MICROFILMED
FEB 26 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from Jan. 1 to Dec. 31 amount .20 or _____For Stockwater purposes from Jan. 1 to Dec. 31 amount .09 or _____For Commercial purposes from Sept. 1 to June 30 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .31 (cfs) and/or (b) _____ (acre feet)8. Total consumptive use claimed is 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.) Domestic: 5 households served. Stockwater: Approx. 350 beef cattle served.Commercial: Water for humidifiers in potato storage building two storage bays served.

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	12E	27			D		D			D									
5S	12E	27		C															
5S	12E	27		S	S		S			S									

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Gooding12. 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:

MICROFILMED
FEB 26 1993

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

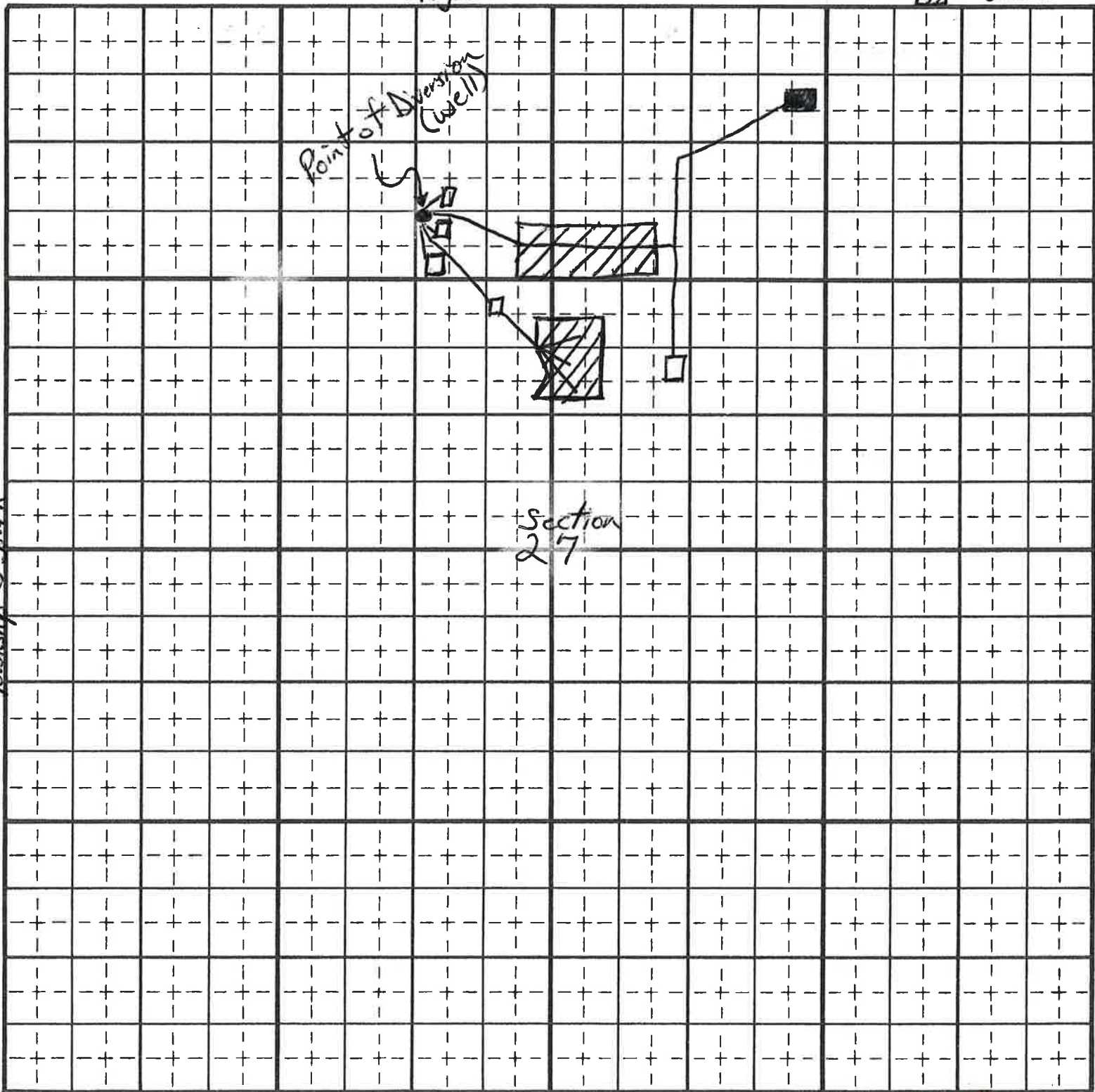
Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Scale: 8 inches equals 1 mile

Range 12 East

— pipeline
 □ → houses
 ■ → Potato Storage
 ▨ → Corrals



MICROFILMED

FEB 26 1993

Hayhook Ranch-RE 11676
 Last Name The Travelers Insurance Co. Ident No. _____

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 _____
 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) _____ Date _____
 _____ Date _____

For Organizations: I do solemnly swear or affirm that I am ☒ Emil A. Schmitt, Regional Vice President
 Title
 of ☒ THE Travelers Insurance Company, that I have signed the foregoing
 Organization
 document in the space below as ☒ Regional Vice President of ☒ The Travelers Insurance Company
 Title Organization
 and that the statements contained in the foregoing document are true and correct.

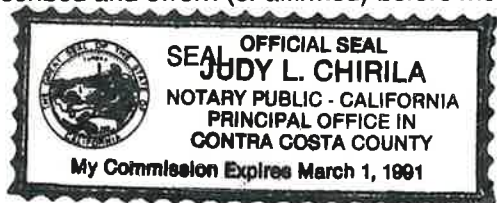
Signature of Authorized Agent

Emil A. Schmitt

Title and Organization Regional Vice President, The Travelers Ins. Co. Date August 25, 1988
 a Connecticut corporation

State of Idaho/or CALIFORNIA)
) SS.
 County of CONTRA COSTA COUNTY)

Subscribed and sworn (or affirmed) before me this 25th day of August 19 88



Notary Public

Judy L. Chirila

Residing at Contra Costa County, California

My Commission Expires

March 1, 1991

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
FEB 26 1993

Copies White-State, Yellow-Claimant



The Travelers Companies
P.O. Box 8161
2121 N. California Blvd.
Suite 1000
Walnut Creek, CA 94596-8161
Telephone: 415 746-0300
800 468-9011

Real Estate Investment
Western Region

August 29, 1988

AIRBORNE

Idaho Department of Water Resources
Adjudication Section
2148 4th Avenue, East
Twin Falls, Idaho 83301

Re: Travelers RE 11676 - Hayhook Ranch
Case No. 39576
Travelers RE 11318 - Bliss Farm
Case No. 39576

Gentlemen:

Enclosed are the following which relate to Case No. 39576:

1. Notice of Claim to a Water Right for Hayhook Ranch;
2. Check in the amount of \$81.00;
3. Notice of Claim to a Water Right for Bliss Farm; and
4. Check in the amount of \$25.00.

Please contact me should you have any questions.

Very truly yours,

Marilyn J. Smith
Assistant Manager-Legal

MJS:dlr
Enclosure

cc: Mr. Donald S. Reed
Mr. Joe Daniels (w/encs. 1 & 3)

MSZ.7

MICROFILMED

FEB 26 1993

8/01/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Trave vs Insurance CL. IDENT. NO. A37-12787DATE RECEIVED ? CK # 2961 AMOUNT \$ 81.00Early Aug.

YES

NO

1. Is the name and address complete with zip code? ✓2. Is priority date entered? ✓

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered? ✓(b) Is a tributary to entered? (if required) NA4. Is the legal description of the p.d. complete? ✓5. Is there a description of the diverting works? ✓6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form. ✓Is the period of use included? ✓Is a quantity claimed for each use? ✓7. Is a total quantity claimed entered? ✓8. Is the consumptive use correct? ✓If required is a consumptive use entered? ✓9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4. ✓10. Is (are) the place(s) of use entered? ✓11. Is (are) the county(ies) entered? ✓12. Is the ownership of p.u. checked? ✓13. Are other water rights listed or "none" checked? ✓14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) NA15. Is the basis of the claim checked? ✓16. Is the claim signed by the claimant?
Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ✓Has the claim been signed, sealed, and dated by a notary? ✓Is the fee enclosed correct? ✓If this claim is based on an existing water right, has the identification number been entered? N/A ✓Should this claim be receipted and data entered? ✓over paymentClaim checked by: PT**MICROFILMED**Comments: Date received unknown. Overpayment of \$9.00 variable fee on the stockwater.

FEB 20 1993

COMMUNICATION DOCUMENTATION

Claim No. A37- 12787

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent STEVE CLELLAND Date 8-11-94Contact Person(s) JOHN FAULKNERNature of Contact Check on D/S claim to see if
it was filed.

Substance of Communication

Found the Claim on file for the Hayhook
Ranch. He said the feedlot area has
capacity for 1000 head maybe more.
the 350 as claimed was what was there in
1989.

There will be a change of ownership
from Travelers insurance to another party
that Faulkner is selling to.

MICROFILMED
OCT 26 1994

Water Right Number - R37-12787A

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
DE GROOT

E J

1 - 7011 STEWART AND GREY ROAD

2 -

3 -

City- DOWNEY

State- CA Zip- 90241

Phone - 310-927-5511

*** O - ORIGINAL OWNER ***
THE TRAVELERS INSURANCE COMPANY

1 - (HAYHOOK RANCH- RE 11676)

2 - 960 BROADWAY AVE SUITE 310

3 -

City- BOISE

State- ID Zip- 83706

Phone - 208-336-5900

+ - - Priority Date - - - + + - - - Region - - - - + + - - - Stage - - - + + - - - Status - - - - +
04/01/1948 ERROR IN REGION J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

05S 12E 27 SE NE NW (47) GOODING

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

43 - DOMESTIC

04 - STOCKWATER

10 - COMMERCIAL

01/01 12/31

01/01 12/31

09/01 06/30

0.160

0.090

0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.270 0.0+ - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

05S 12E 27 NW NE 04 STOCKWATER (47) GOODING

05S 12E 27 SW NE 04 STOCKWATER (47) GOODING

05S 12E 27 NE NW 04 STOCKWATER (47) GOODING

05S 12E 27 SE NW 04 STOCKWATER (47) GOODING

05S 12E 27 NW NE 10 COMMERCIAL (47) GOODING

05S 12E 27 NE NW 43 DOMESTIC (47) GOODING

05S 12E 27 SE NW 43 DOMESTIC (47) GOODING

Total Acres:

+ - - Diversion Means - 300' WELL, 3 HP PUMP.

+ - - Non-Irrigation Use - D/4 HOUSES, S/350 CATTLE, C/2 STORAGE BAYS HUMIDIFIED.

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: A37-12787
Date Received: 8/30/1988
Receipt No: S002376
Received By: A. J. Hall

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THE TRAVELERS INSURANCE COMPANY
Address: (HAYHOOK RANCH- RE 11676)
960 BROADWAY AVE., SUITE 310,
BOISE, ID 83706

208-336-5900

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Department of Water Resources

2. Date of Priority: APR 01, 1948

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 05S | 12E | 27 | SE | NE | NW | | GOODING |

5. Description of diverting works:
300' WELL, 3 HP PUMP.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.200 | | |
| STOCKWATER | 01/01 | 12/31 | 0.090 | | |
| COMMERCIAL | 09/01 | 06/30 | 0.020 | | |

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

A.F.A.

8. Total consumptive use is

Acres Feet Per Annum.

9. Non-irrigation uses:

D/S HOUSES, S/350 CATTLE, C/2 STORAGE BAYS HUMIDIFIED.

A37-12787

Page

1

Date: 01/31/89

13-011 file/d
7345610

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FEB 25 1993

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|-----|----|-----|-----|--------|-------|
| 05S | 12E | 27 | NW | | NE | | COMMER | |
| | | | NW | | NE | | STOCK | |
| | | | SW | | NE | | DOMEST | |
| | | | SW | | NE | | STOCK | |
| | | | NE | | NW | | DOMEST | |
| | | | NE | | NW | | STOCK | |
| | | | SE | | NW | | DOMEST | |
| | | | SE | | NW | | STOCK | |

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Department of Water Resources

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

NONE

14. Remarks:

ONE WELL SERVES 5 HOUSES, WATERING TROUGHS IN 4 LOCATIONS, AND
POTATO STORAGE HUMIDIFIERS IN ONE LOCATION

15. Basis of Claim: BENEFICIAL USE

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FEB 26 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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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OCT 02 1995

Department of Water Resources

A37-12787

Page 3

Date: 01/31/89

MICROFILMED
FEB 26 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 A37-12787

Date Received ? 8-30-1988

Receipt Number 5002376

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

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OCT 02 1995

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) (Hayhook Ranch-RE 11676)
The Travelers Insurance Company Phone (208) 336-5900

Mailing Address 960 Broadway Avenue, Suite 310, Boise, Idaho Zip 83706-3623

2. Date of Priority (Only one (1) per claim) April 1, 1948

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

4. a. Location of existing point of diversion is: Township 5 South Range 12 East Section 27,
SE 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Gooding

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. All water uses in this claim served by a single, 300 ft. well with a 3 H.P. motor and pump. Piping then branches off immediately and separately to 3 houses located in NE1/4 and one house located in SE1/4 which then branches into piping which feeds stockwater tanks in SE1/4 and SW1/4. Also a pipeline from the well goes directly to stockwater troughs in NE1/4 and NW1/4 which then branches to a house in SW1/4 and a potato storage (to serve humidifiers) in NW1/4.

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FEB 24 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from Jan. 1 to Dec. 31 amount .20 or _____
For Stockwater purposes from Jan. 1 to Dec. 31 amount .09 or _____
For Commercial purposes from Sept. 1 to June 30 amount .02 or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .31 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 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.) Domestic: 5 households served. Stockwater: approx. 350 beef cattle served.

Commercial: Water for humidifiers in potato storage building two storage bays served.

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 |
|-----|-----|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 5S | 12E | 27 | | | D | | D | | | D | | | | | | | | | |
| 5S | 12E | 27 | | C | | | | | | | | | | | | | | | |
| 5S | 12E | 27 | | S | S | | S | | | S | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres irrigated _____

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 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:

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FEB 23 1993

Last Name _____ Ident No. _____ Department of Water Resources

Copies: White - State, Yellow - Claimant

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

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Department of Water Resources

Scale: 2 inches equals 1 mile

Scale: 8 inches equals 1 mile

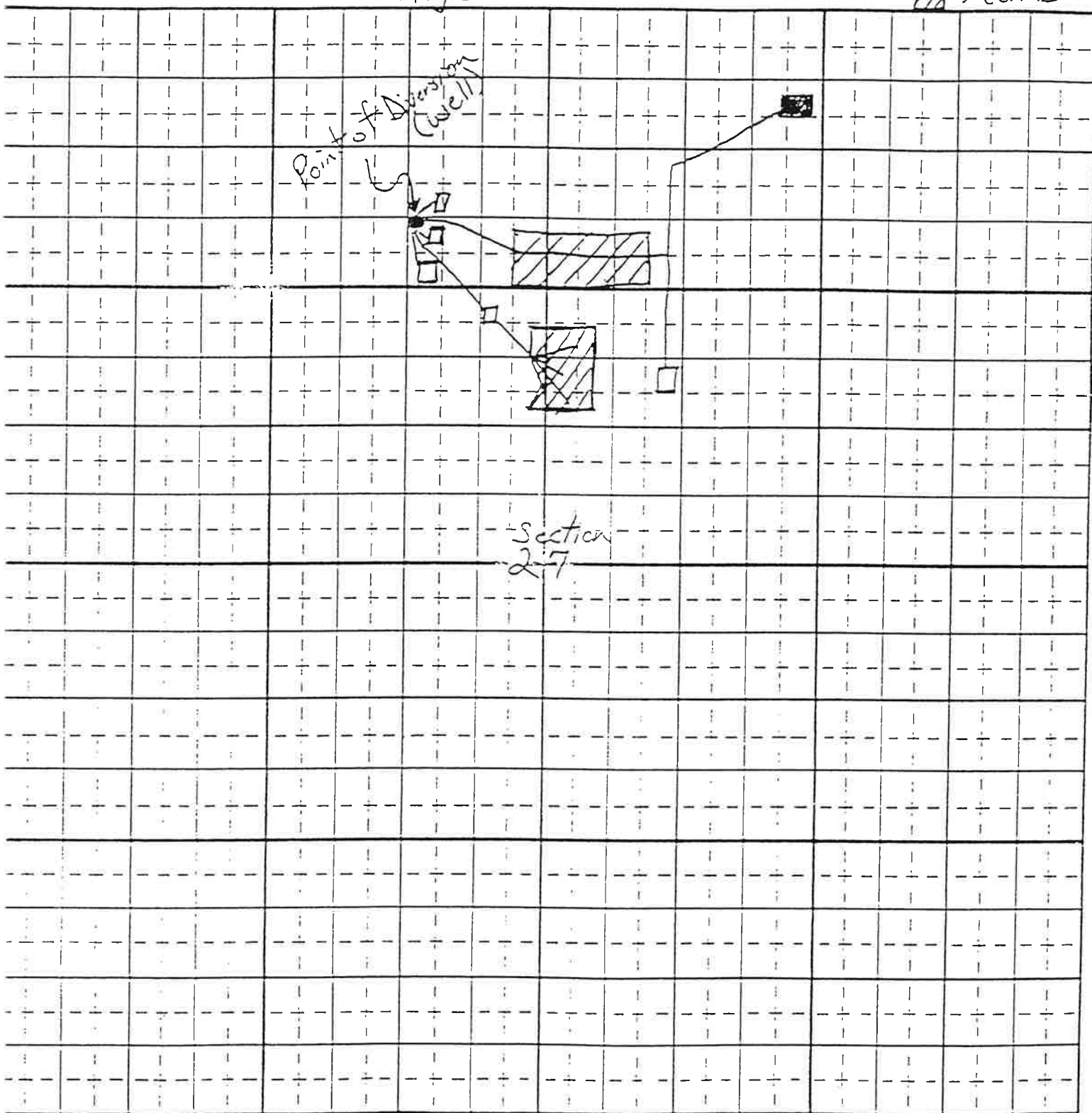
Range 12 East

— pipeline

□ → houses

■ → Potato Storage

▨ → Corral



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Hayhook Ranch-RE 11676

Last Name The Travelers Insurance Co Ident No _____

FEB 26 1993

Copies: White State, Yellow - Chumant

15. Basis of Claim (check one) Beneficiary 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) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Emil A. Schmitt Regional Vice President
Title

of The Travelers Insurance Company _____, that I have signed the foregoing
Organization

document in the space below as Regional Vice President of The Travelers Insurance Company
Title Organization

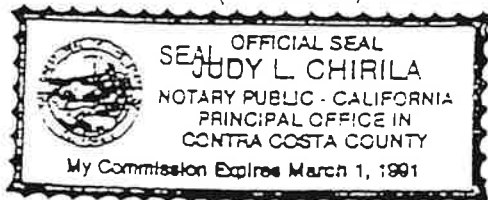
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization Regional Vice President, The Travelers Ins. Co. Date August 25, 1988
a Connecticut corporation

State of Idaho/or CALIFORNIA)
County of CONTRA COSTA COUNTY) SS.

Subscribed and sworn (or affirmed) before me this 25th day of August 19 88



Notary Public Judy L. Chirila

Residing at Contra Costa County, California

My Commission Expires March 1, 1991

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 _____

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Department of Water Resources

MICROFILMED
FEB 26 1993

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



The Travelers Companies
P.O. Box 8161
2121 N. California Blvd.
Suite 1000
Walnut Creek, CA 94596-8161
Telephone: 415 746-0300
800 468-9011

Real Estate Investment
Western Region

August 29, 1988

AIRBORNE

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OCT 02 1988

Department of Water Resources

Idaho Department of Water Resources
Adjudication Section
2148 4th Avenue, East
Twin Falls, Idaho 83301

Re: Travelers RE 11676 - Hayhook Ranch
Case No. 39576
Travelers RE 11318 - Bliss Farm
Case No. 39576

Gentlemen:

Enclosed are the following which relate to Case No. 39576:

1. Notice of Claim to a Water Right for Hayhook Ranch;
2. Check in the amount of \$81.00;
3. Notice of Claim to a Water Right for Bliss Farm; and
4. Check in the amount of \$25.00.

Please contact me should you have any questions.

Very truly yours,

Marilyn J. Smith
Assistant Manager-Legal

MJS:dlr
Enclosure

cc: Mr. Donald S. Reed
Mr. Joe Daniels (w/encs. 1 & 3)

MSZ.7

MICROFILMED

FEB 25 1993

DATE RECEIVED ? # 2961 AMOUNT \$ 2.00

Early Aug.

YES NO

- Is the name and address complete with zip code? ✓
- Is priority date entered? ✓
- Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

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Department of Water Resources

- (a) Is a source entered? ✓
- (b) Is a tributary to entered? (if required) NA
- Is the legal description of the p.d. complete? ✓
- Is there a description of the diverting works? ✓
- Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form. ✓
- Is the period of use included? ✓
- Is a quantity claimed for each use? ✓
- Is a total quantity claimed entered? ✓
- Is the consumptive use correct? ?
- If required is a consumptive use entered? ✓
- Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4. ✓
- Is (are) the place(s) of use entered? ✓
- Is (are) the county(ies) entered? ✓
- Is the ownership of p.u. checked? ✓
- Are other water rights listed or "none" checked? ✓
- If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) NA
- Is the basis of the claim checked? ✓
- Is the claim signed by the claimant?
Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ✓
- Is the claim been signed, sealed, and dated by a notary? ✓
- Is the fee enclosed correct? ✓
- Is this claim based on an existing water right, has the identification number been entered? N/A ✓
- Could this claim be receipted and data entered? ✓

only payment

Claim checked by: MICROFILMED

Comments: Date received unknown Overpayment of \$9.00 variable fee on the stockwater.

WELL DRILLER: PLEASE COMPLETE FOR VERBALS

IDWR Employee Issuing Verbal: Jim

Verbal Issued Date: 8-12-94 Time: 9:10 am

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OCT 02 1995

JUL 15 1995

AUG 19 1994

State of Idaho Department of Water Resources
Department of Water Resources

APPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)

Department of Water Resources
Southern Region Office

1. Applicant (please print): Jacob Bosma
2. Mailing Address: 1788 E. 400 S.
City & State Eden Zip Code 83325 Telephone 825-5039
☒ Well Owner ☐ Well Operator ☐ Contractor or Other, specify _____
3. Proposed Well Location: Twp. 5 S, Rge. 12 E, Sec. 27, SE 1/4 NW
Gov't Lot No. _____ County Booming
Street Address of Well Site 725 E. 500 N. on Cane Rd. City Bloss
Lot, block and subdivision _____
Give at least name of road - Distance to Road or Landmark

4. Proposed Use of Well:

- ☒ DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

- NON-DOMESTIC: ☐ Irrigation ☐ Municipal ☐ Industrial
☐ Stock ☐ Test ☐ Other _____
(Over 1,000 Head) (Describe)

☐ INJECTION

- ☐ MONITORING: A well bore schematic and map is required for each blanket permit.
No. of proposed wells: _____

5. Well Construction Information:

- A. ☒ New well ☐ Modify ☐ Replace
- B. Proposed Casing Diameter 8" Proposed Maximum Depth 450'
- C. Anticipated bottom hole temperature:
☒ 85°F or less (Cold Water Well) ☐ 85°F to 212°F (Low Temp. Geo. Well) ☐ 212°F or more (Geothermal Well)

6. Construction Start Date: 8-12-94
7. Anticipated Well Driller: Eden Drilling & Pumping, Inc. Driller's Lic. No. 26
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's Signature Jacob Bosma Date 8-12-94

Title _____



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Aug. 25, 1994

Jacob Bosma
1788 E. 400 S.
Eden, Idaho 83325

RECEIVED

OCT 02 1995

Department of Water Resources

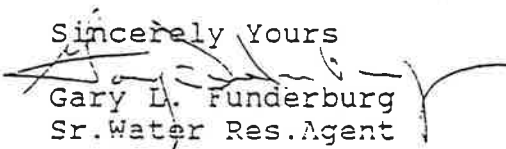
Re: Approved Well Construction Permit

Dear Mr. Bosma,

Please find enclosed the approved drilling permit you submitted to our office for a domestic well. I would like to bring to your attention to the conditions of the permit.

If you find you have questions, please feel free to contact this office.

Sincerely Yours


Gary L. Funderburg
Sr. Water Res. Agent