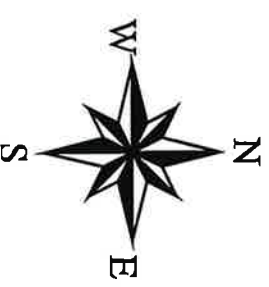
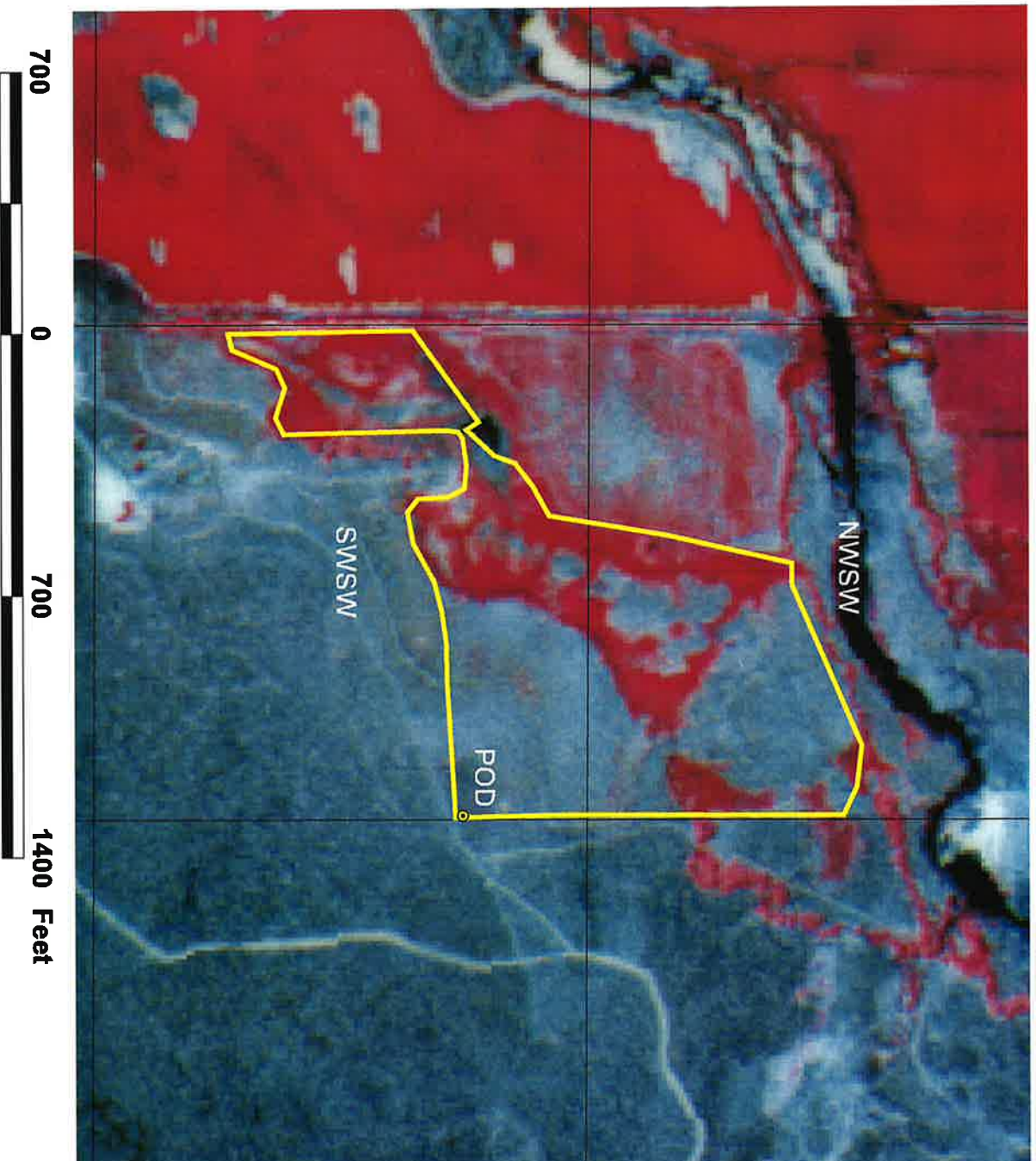


37-19847

T05S R15E S28



Map prepared by: Carter Fritschle
Date prepared: 06/10/02
1987-1988 NAPP photography
Idaho Department of Water Resources
Revised 6/27/02

07/25/2002

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

RIGHT NUMBER: 37-19847

NAME AND ADDRESS: WILLIAM M PALACIO
PO BOX 281
GOODING ID 83330

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.44 CFS
88.0 AFY

PRIORITY DATE: 03/15/1952

POINT OF DIVERSION:

T05S R15E S28 NESWSW Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.440 CFS

88.00 AFY

PLACE OF USE: IRRIGATION Within GOODING County

T05S R15E S28

NWSW

11.0

T05S R15E S28

SWSW

11.0

22 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: Beneficial Use

USE OF THIS RIGHT IS COMBINED WITH WATER FROM THE BIG WOOD
RIVER.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS
RESERVOIR DIST. NO. 2.

JUL 17 2002

Department of Water Resources

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-19847
Date Received:
Receipt No: S001570
Received By:

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

1. Name of Claimant(s)

WILLIAM M PALACIO Phone: (208)934-5502
PO BOX 281
GOODING ID USA 83330

2. Date of Priority: 01/01/1947

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	15E	28	SW SW	GOODING	

5. Description of diverting works:

WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.44	

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

8. Total consumptive use:

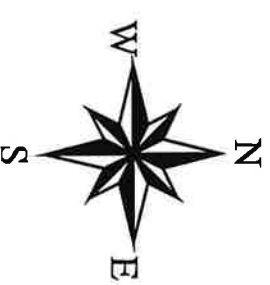
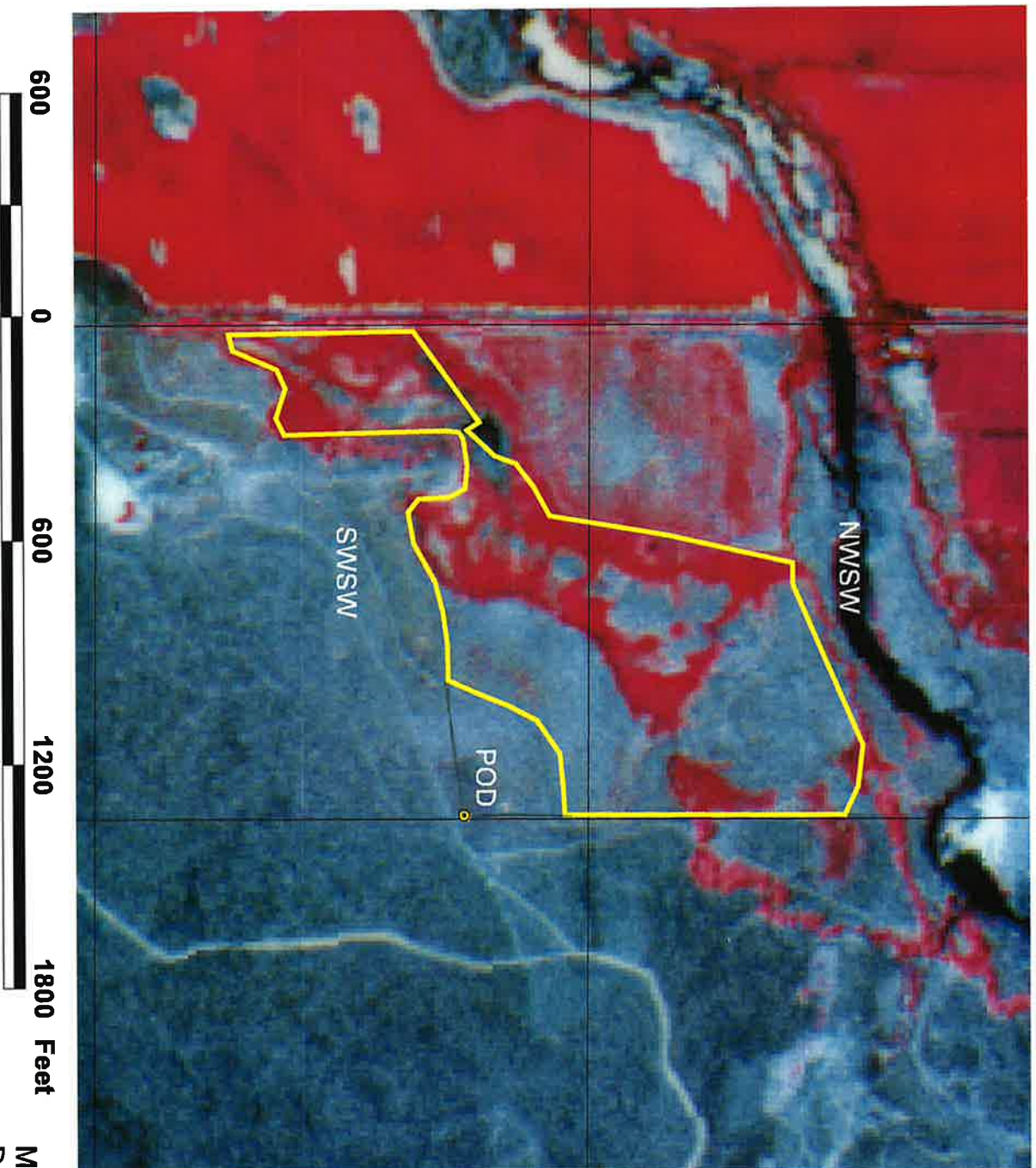
9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05S	15E	28	NW SW	IRRIGATION	11
			SW SW	IRRIGATION	11
				Section Acres	22
				Total Acres	22

37-19847

T05S R15E S28



Map prepared by: Carter Fritschle
Date prepared: 06/10/02
1987-1988 NAPP photography
Idaho Department of Water Resources

06/10/2002

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

RIGHT NUMBER: 37-19847

NAME AND ADDRESS: WILLIAM M PALACIO
PO BOX 281
GOODING ID 83330

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.40 CFS
80.0 AFY

PRIORITY DATE: 03/15/1952

POINT OF DIVERSION:

T05S R15E S28 NESWSW Within GOODING County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.400 CFS
80.00 AFY

PLACE OF USE:

IRRIGATION Within GOODING County

T05S R15E S28 NWSW 11.0 T05S R15E S28 SWSW 9.0

20 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: Beneficial Use

USE OF THIS RIGHT IS COMBINED WITH WATER FROM THE BIG WOOD
RIVER.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS
RESERVOIR DIST. NO. 2.

37-19847



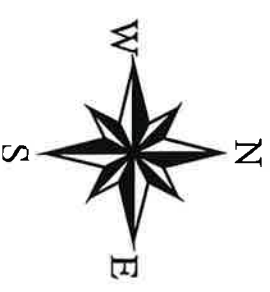
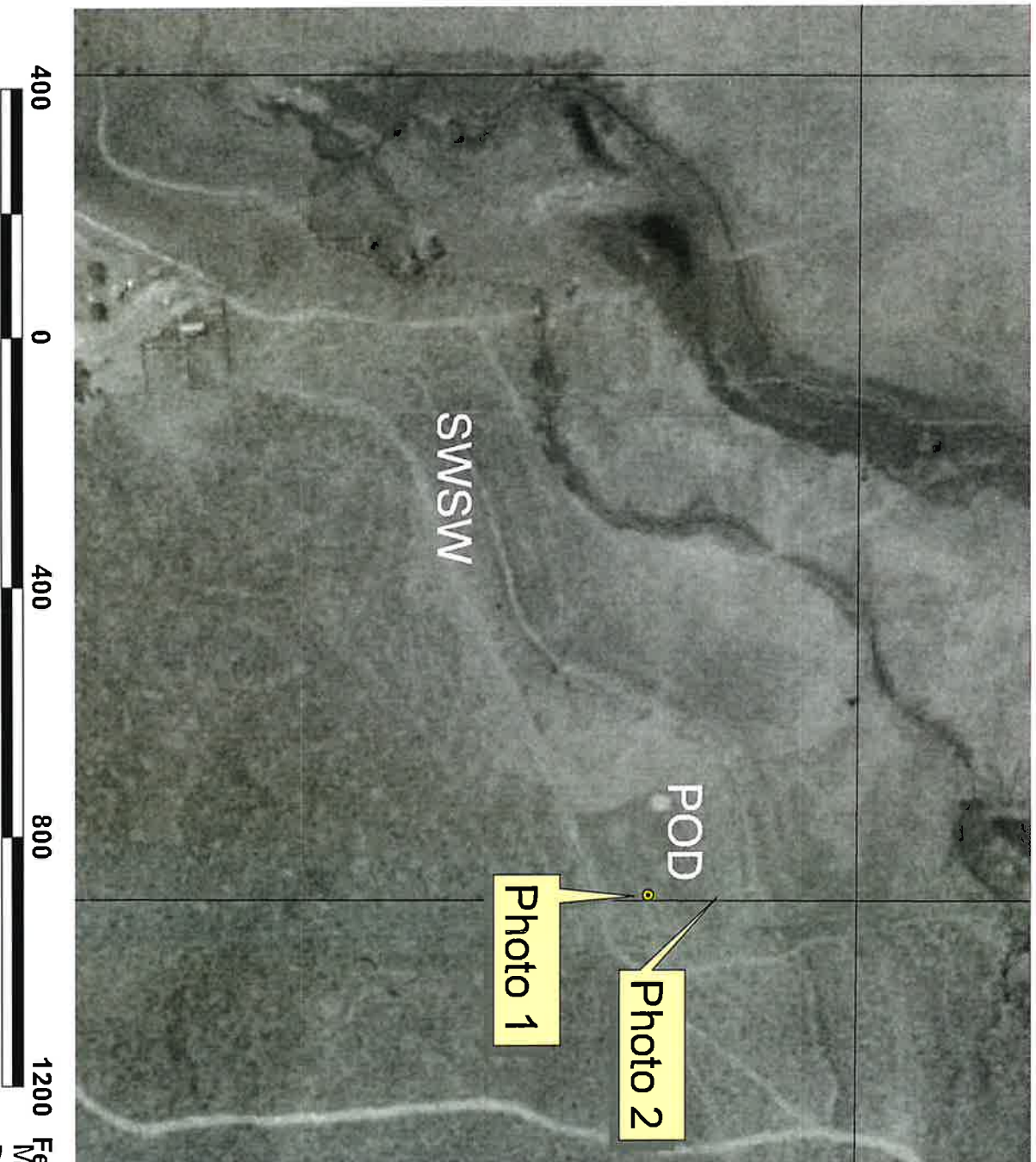
Photo 1: Point of diversion looking north. Note: The pump has been pulled from the well and the metal drum is used as a temporary covering. CLF 6-7-02



Photo 2: Place of use looking northwest from approximately 100 feet north of the well. This photo was taken at what appears to be the location of an old cross fence (two wood posts with horizontal board shown in Photo 1). CLF 6-7-02

37-19847

T05S R15E S28



Map prepared by: Carter Fritschle
Date prepared: 06/10/02
1987-1988 NAPP photography
Idaho Department of Water Resources

37-19847
6-7-02 ct

A0002830 photo #1 well #2 Pivot #3 & #4 River pump
will install -

35 HP pump #5 GPS point

Eaton Drilling is installing new pump. (submersible)
99' static water level

open discharge - historically - pipes & ditches

River Diversion #7 GPS point

Historical use was ditches - now pivot.

Pivot was installed after 1987

GPS points collected on 6-7-02 also plot
in the SESW rather than SWSW. Fence may be off.

$$\frac{35 \text{ HP} \times 8.8 \times .7}{100' + (2.31 \times 60 \text{ psi})} = 0.90 \text{ cfs}$$

Note: Only two wires lead to the electrical
box. Historical pump probably no greater
than 7.5 HP (No evidence of 3 phase power)

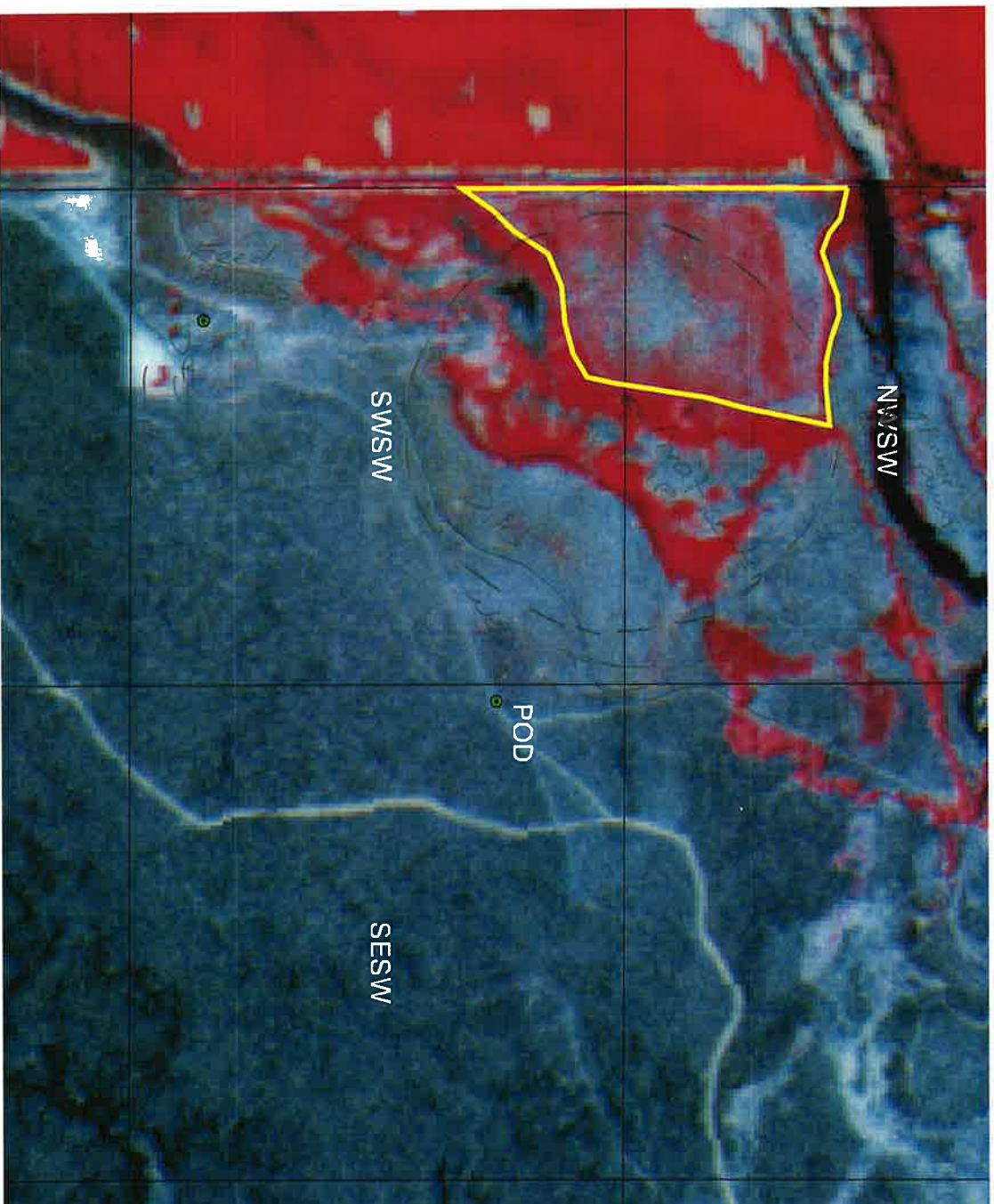
open discharge

$$\frac{7.5 \text{ HP} \times 8.8 \times .7}{100'} = 0.46 \text{ cfs}$$

$$\frac{5 \text{ HP} \times 8.8 \times .7}{100'} = 0.31 \text{ cfs}$$

$$\frac{3 \text{ HP} \times 8.8 \times .7}{100'} = 0.18 \text{ cfs}$$

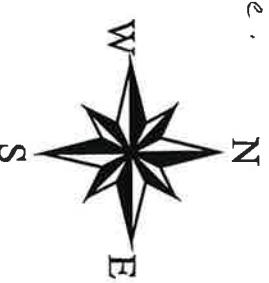
37-19847



T05S R15E

S28

Irrigation is now by pivot & handlines
It is difficult to determine historical
irrigated area.
Well is on the west side
of the fence, but is the
fence actually on the property
line.



Field exam map
04 6-7-02

Map prepared by: Carter Fritschle
Date prepared: 05/30/02
1987-1988 NAPP photography
Idaho Department of Water Resources

ADJUDICATION CLAIM POU REVIEW REPORT

ADJUDICATION CLAIM NUMBER: 37-19847

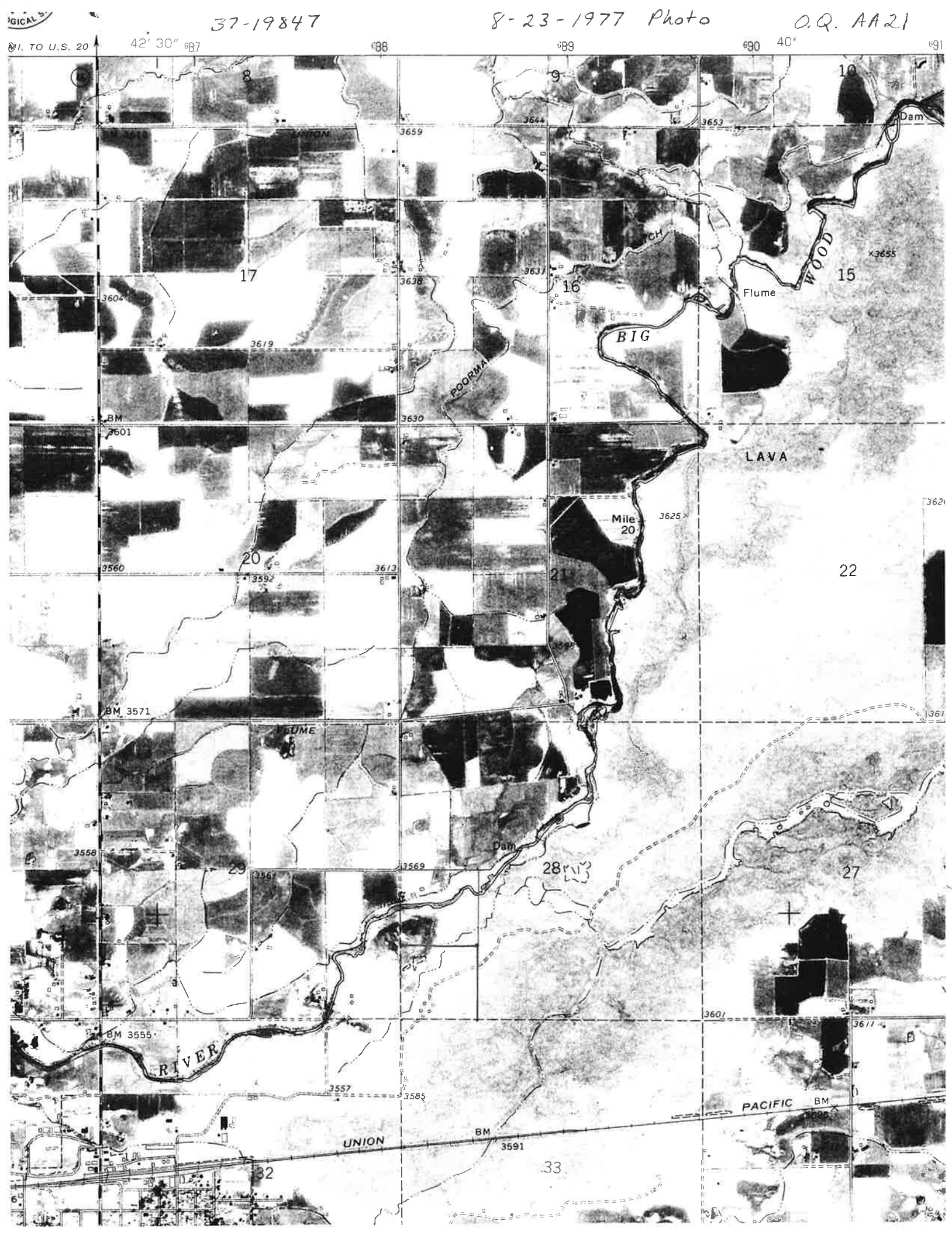
Water Right #	Type	Twp	Rge	Sec	QA	Q	Lot	Purpose of Use	Acres/Total	Name
1-6	Claim	05S	15E	28	SW	SW		IRRIGATION	25/27301.2	AMERICAN FALLS RESERVOIR DIST #2
37-174	Claim	05S	15E	28	SW	SW		IRRIGATION	10/30	WILLIAM M PALACIO
37-19847	Claim	05S	15E	28	SW	SW		IRRIGATION	20/20	WILLIAM M PALACIO
37-174B	Water Right	05S	15E	28	SW	SW		IRRIGATION	35/35	WILLIAM J DEASY



USGS

1 Meter Resolution

37-17841 8-16-1992



37-19847



10-17-97
DN

WMIS lists two pods w/ legal in SWSW.
Both Palacio's
But A0002830 plots in NWSESW.

It appears to best match claim A37-19847
as this WMIS record describes an
irrigation well.

Since the GPS point doesn't match claimed location and
since another well in QQ, No updates to ECVR were made.

WMIS Database - [Point of Diversion]

File Edit View Insert Format Records Tools Window Help

Point of Diversion (ALL DISTRICTS)

GPS Site ID Tag: A0002830 Legal Description: 05S 15E 28 SWSW PDD Number: 401880

GPS Site ID Tag: A0002830 Legal Description: 05S 15E 28 SWSW Diversion Name: IRRIGATION WELL

Data Summary: Twp: 05S Ring: 15E Sect: 28 QQQ: 1/4 of SW 1/4 of SW Lot:

Tag Location: ON WELL CASING Offset: 0 Bearing: 0 Elevation: 0 GPS File: R102016A PDD Number: 401880

Description: needs new meter calibrated. GPM 1-27-00. GPS point plots in NWSESW (snk 10/01). Source: Ground Water

Latitude: 42 57 21.388 Longitude: -114 41 13.712 Altitude: 1106.76 Measurement Option: Timeclock (7)

IDTM-X: 443950.50 IDTM-Y: 206373.58 District: WMD

Reporter(s): Network: Use Codes: Access Port:

Owner: PALACIO Last Name: PALACIO First Name: WILLIAM M Organization:

Edit: Yes

Flowmeter: PCC Water Levels: Site Visit

Timeclock: System

Alternate: Crop History

Change Date: 10/12/2001 Annual Report

Record: 14 of 2168 of 6299

Select GPS Site ID Tag

Start Inbox http:// Explorin WMIS Microso ArcVe Microso Realu Volume WS_FT...

Recommend reviewing West Measurement
District (WMD) file for these two wells
to confirm relations. File should be in
Southern.
— Scott 10/12/2001

WMD

POD Data

05S 15E 28 SWSW

Legal Description	GPS Site ID	Diversion Name	Meas Option	POD
05S 15E 28 SWSW	A0002830	IRRIGATION WELL		401880
Latitude 042:57:21.388	Longitude -114:41:13.712	GPS File R102016A	Timeclock (7)	
Comments needs new meter calibrated. GPM 1-27-00. GPS point plots in NWSESW (snk 10/01).				

Timeclock Data

Year	2000	Op Hours:		Avg GPM:	0	Avg CFS:	0	Acre-Ft:	
Comments	Did not pump due to pump being repaired. Needs to be calibrated this summer. CRK 1-17-01								
Preferred	☐	Validated	☐	Change Date: 1/17/2001					
Year	1999	Op Hours:		Avg GPM:	0	Avg CFS:	0	Acre-Ft:	
Comments	did not give data due to broken meter. GPM 1-27-00								
Preferred	☐	Validated	☐	Change Date: 1/17/2001					
Year	1998	Op Hours:		Avg GPM:	0	Avg CFS:	0	Acre-Ft:	
Comments									
Preferred	☐	Validated	☐	Change Date: 1/25/2000					

Site Visits

Site Visit Date	Site Examiner	Reason	Change Date:
10/20/1997	DNELSON	Inventory	
Notes:			

Crop History

Year	Crop	Acres
1999	PASTURE	10
1999 Total		10

The WMIS description appears to match up with Claim A37-4357

WMIS Database - [Point of Diversion]

File Edit View Insert Format Records Tools Window Help

Point of Diversion (ALL DISTRICTS)

GPS Site ID Tag: A0006758 Legal Description: 05S 15E 28 SWSW POD Number: 401736

GPS Site ID Tag: A0006758 Legal Description: 05S 15E 28 SWSW Diversion Name: MERRICK PLACE (STOCK WELL)

Data Summary

Tag Location: WELL HOUSE FRAME Offset: 0 Bearing: 0 Elevation: 0 GPS File: C073118A POD Number: 401736

Description: mental CHodges did original invent. Reinvent. by DAN 10-17-97 Source: Ground Water

Latitude: 42 57 13.631 Longitude: -114 41 27.373 Altitude: 1103.18 Measurement Option: Waived (5)

IDTM-X: 443639.00 IDTM-Y: 206136.84 District: WMD

Reporter(s): Network: Use Codes: Access Port: N

Owner: PALACIO Last Name: PALACIO First Name: WILLIAM M Organization: Edit Yes

Flowmeter: PCC Water Levels: Site Visit Timeclock System Alternate Crop History Change Date: Annual Report

Record: 1 of 1

Print Data Reporters Water Rights Menu

Record: 2167 of 6299

Select GPS Site ID Tag

Start Inbox - Mi... http://we... Exploring... WMIS ... Microsoft ... ArcView ... Microsoft ... RealJuke... WS_FTP... 1:54 PM

WMD

POD Data

05S 15E 28 SWSW

Legal Description	GPS Site ID	Diversion Name	Meas Option	POD
05S 15E 28 SWSW	A0006758	MERRICK PLACE (STOCK WELL		401736
Latitude 042:57:13.631	Longitude -114:41:27.373	GPS File C073118A	Waived (5)	
Comments mental CHodges did original invent. Reinvent. by DAN 10-17-97				

Site Visits

Site Visit Date	Site Examiner	Reason	Change Date:
7/31/1997	CHODGES	Inventory	
Notes:			

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: **A37-19847**
Date Received: 8/19/1988
Receipt No: S001570
Received By: SW

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

1. Name: WILLIAM M PALACIO 208-934-5502
Address: PO BOX 281
GOODING ID 83330

2. Date of Priority: JAN 1, 1947

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	15E	28	SW	SW	SW		GOODING

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	15E	28	SW	SW		IRR	20.0
Section Acres							20.0

10. Place of Use: Continued

Total Acres 20.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

37-0174B

14. Remarks:

APPLICATION ON WR FILED IN 1983, HOWEVER WR SHOULD HAVE BEEN
FILED AS STATUTORY CLAIM. DRILLED AND PUT TO USE ON ACREAGE
BEFORE 1963.

CHANGE OF OWNERSHIP 1/30/97 W/ PROOF OF PRIORITY. SCC

RENUMBERED CLAIM: ORIGINALLY FILED AS A37-08124, A LAPSED PERMIT,
RENUMBERED TO SHOW THE BENEFICIAL USE BASIS OF THE CLAIM. 2/25/98
SCC.

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

DEPARTMENT OF WATER RESOURCES

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

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

February 25, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WILLIAM M PALACIO
PO BOX 281
GOODING ID 83330

RE: RENUMBERED SRBA CLAIM FROM A37-08124 TO A37-19847

DEAR MR. PALACIO,

Enclosed you will find the claim filed as A37-08124 which has now been renumbered to show the basis of the claim as beneficial use instead of the lapsed permit as indicated by 37-08124.

In discussions with Dan Nelson, this should eliminate confusion with the groundwater district records also.

If you have any questions feel free to call me.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

CC: Dan Nelson, IDWR

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

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

January 29, 1997 4:50pm

NAME:

BILL PALACIO

CAMEIN

RE:

CHANGE OF OWNERSHIP

HE CAME IN TO SUBMIT EVIDENCE OF PRIORITY ALONG WITH CLARIFYING A CHANGE OF OWNERSHIP SITUATION.

PRIORITY INFO IS TO ESTABLISH EARLY DATE FOR THE CLAIM A37-08124, A LAPSED PERMIT NUMBER. I TOLD HIM HE COULD CONTINUE TO SUBMIT ADDITIONAL SUPPORT FOR THIS CLAIM AFTER TODAY ALSO.

CHANGE OF OWNERSHIP IS FOR THE ABOVE CLAIM AND FOR THE CLAIM A37-04357. WR NUMBERS INCLUDED 37-00174A, 37-00174B & 37-07137. IN REVIEWING THE OPERATION OF TWO WELLS ON THE PLACE IT DID NOT SEEM NECESSARY AT THIS POINT TO FILE AN SRBA CLAIM ON 37-07137; THIS WAS ALREADY COVERED BY THE CLAIMS ON FILE.

THE PARTS OF 37-00174 WERE COMBINED AND FILED IN THE SRBA ON THIS DAY BY MR. PALACIO.

CLAIMS: A37-00174, A37-08124 & A37-04357

IN THE MATTER OF:

#A37-08124

AFFIDAVIT

State of Idaho

County of

Gooding

Phillip Goicoechea

being first duly sworn,

deposes and says:

That in the years between 1951 & 1953, approximately, Phillip would drive his team of horse's passed this well on his way home at night from working in the fields. This well is located on the East side of the property owned by William M Palacio at present time in Gooding County. T5S, R15E, S28

SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28

Also NW $\frac{1}{4}$, SW $\frac{1}{4}$ of Section 28 lying South of main channel of Big Wood River

RECEIVED

JAN 29 1997

Department of Water Resources
Southern Region

Phillip Goicoechea
(signature)

Subscribed and sworn to before me this

29th

day of

January

19 97

Beena Simper
(notary public)

Residing at

Gooding

My commission expires

2-14-2000



COMMUNICATION DOCUMENTATION

A37-04357

IDWR Employee/Agent Steve Clelland

QUESTIONS ON EVIDENCE

HE WILL GATHER THIS INFO AND COME IN WITH ALL THE WORK AT ONE TIME. THIS SOUNDS GOOD TO ME.

MEMORANDUM

TO: WMD file and Adjudication file

FROM: Daniel A. Nelson - West Measurement District

DATE: 10-17-97

SUBJECT: William M. Palacio

Mr. Palacio came into our office today to amend his Adjudication Claim # A37-04357. He has amended his claim to .24 cfs which is below the WMD standard. Therefore, Mr. Palacio has been waived from the WMD.

Mr. Palacio also wanted to make sure that his irrigation well, Adjudication claim # A37-08124, has been classified as a supplemental right. Mr. Palacio has informed me that this well is only used when there is not enough surface water and he doesn't want to loose the right if there should happen to be another drought. Steve Clelland informed Mr. Palacio and myself that he could use this well as a supplemental right without changing the actual language of his adjudication claim and that he would not loose his water right if he does not use the well for more than a five year period.

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

A37-19847

Ident. Number: ~~A37-08124~~

Date Received: 8/19/1988

Receipt No: S001570

Received By: A. S.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM M PALACIO 208-934-5502
Address: PO BOX 281
GOODING ID 83330

2. Date of Priority: JAN 1, 1947

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	15E	28	SW	SW			GOODING

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	15E	28	SW	SW		IRR	20.0

Section Acres 20.0

10. Place of Use: Continued

Total Acres 20.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
37-0174B

14. Remarks:

APPLICATION ON WR FILED IN 1983, HOWEVER WR SHOULD HAVE BEEN
FILED AS STATUTORY CLAIM. DRILLED AND PUT TO USE ON ACREAGE
BEFORE 1963.

CHANGE OF OWNERSHIP 1/30/97 W/ PROOF OF PRIORITY. SCC

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

DEPARTMENT OF WATER RESOURCES

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

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

January 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WILLIAM M PALACIO
PO BOX 281
GOODING ID 83330

RE: CHANGE OF OWNERSHIP SRBA CLAIM NOS. A37-08124 & A37-04357

DEAR BILL,

Pursuant to your request for a change in ownership and/or the notification that you presently own the property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owners as you requested. Please find enclosed a copy of your adjudication claims, as they now appear in our records.

Your request has been forwarded to our state office staff to complete the change of ownership on the separate water right numbers.

Please refer to the above SRBA claim number in future correspondence.

If you have any further corrections or questions please contact our office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Steve Clelland'.

STEVE CLELLAND
Sr. Water Resource Agent

ENC:



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

AUG 14 1996

DATE OF CLOSING: August 1996

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 5 South Range 15 East B.M. Southern Region

Section 28, SW 1/4 of SW 1/4 of 1/4, Govt. Lot, BM

Lot, Block, Subdivision/Townsite; NW 1/4 SW 1/4 So. of Big Wood River

If you have additional legal descriptions, please attach separate sheet.

SEE COMPLETE LEGAL ON ATTACHED WARRANTY DEEDS

☐ 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: A37-08124; 37-0174A, 370174B; 37-07137; A37-04357

☒ Name and Address of Former Owner/Claimant(s)(Seller): Jerry and Anita Merrick
2790 Indian Trails, Twin Falls, Idaho 83301

☒ New Owner/Claimant (Purchaser): William M. Palacio

☒ New Mailing Address: P.O. Box 281
Gooding, Idaho 83330

☒ New Telephone Number: (208) 934 - 5502

☒ 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: See Warranty Deeds attached

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

☒ Signature of New Owner/Claimant(s): Bill Palacio *William M. Palacio* Date 8-1-96

☒ Signature of Former Owner/Claimant(s): Anita Merrick *Anita Merrick* Date 8-1-96
Jerry Merrick by *Jerry A. Merrick* Date 8-1-96
Londa Merrick *Londa Merrick* Date 8-1-96

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1-29-97 By: SCC

Further Action Needed:

YES - CLAIM on 37-00174

Further Action Taken

Date: 1-29-97 By: SCC

Final Review and Data-Entry

Date: 1-30-97 By: SCC

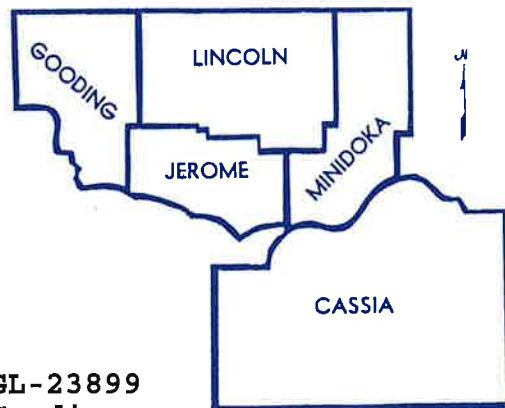
Claim Numbers of Split, if any:

PARTS 37-00174 A + B were combined in
SRBA CLAIM A37-00174
NO CLAIM to be filed on 37-07137 at this time.

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

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: GL-23899
OFFICE: Gooding

August 13, 1996

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

RECEIVED

AUG 14 1996

Department of Water Resources
Southern Region

RE: Notice of Change of Water Right Ownership
PALACIO/MERRICK
Cert Mail #Z 145 880 835

Dear Sirs:

At the request of the buyer, we are forwarding to your office the following in connection with the above referenced:

-Notice of Change of Water Right Ownership on
on William M. Palacio for Water Right Numbers:
A37-08124
A37-04357
37-07137
37-0174A and 37-0174B

-Copy of Deed #166426; #166425; #67004; #67109

Thank you for your assistance.

Thank you,

LAND TITLE AND ESCROW, INC.


Betty Fredericksen
(208) 934-8477

P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

cc: BILL PALACIO

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8861

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5880

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

WARRANTY DEED

#GL-23899

For Value Received

JERRY ALAN MERRICK, ALSO KNOWN AS JERRY A. MERRICK, AND ANITA MERRICK, HUSBAND AND WIFE

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

WILLIAM M. PALACIO, AN UNMARRIED MAN
Address: _____, P.O. BOX 281, GOODING, IDAHO 83330

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

SEE SCHEDULE A ATTACHED

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

Dated: AUGUST 15th, 1996

*Jerry Alan Merrick, also known as
Jerry A. Merrick by Londa Merrick Stout - Attorney in fact*

JERRY ALAN MERRICK by LONDA MERRICK STOUT,

attorney in fact

Anita Merrick
ANITA MERRICK

STATE OF IDAHO)
COUNTY OF GOODING) ss.

On this 15th day of AUGUST, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared ANITA MERRICK, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Betty Fredericksen
Notary Public
Residing at: GOODING, IDAHO
My Commission expires: 3-29-2000



BETTY FREDERICKSEN
NOTARY PUBLIC
STATE OF IDAHO

STATE OF IDAHO)
COUNTY OF GOODING) ss.

On this 15th day of AUGUST, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared LONDA MERRICK STOUT, known or identified to me to be the person whose name is subscribed to the within instrument, as the Attorney-In-Fact of JERRY ALAN MERRICK, ALSO KNOWN AS JERRY A. MERRICK and acknowledged to me that she subscribed the name of JERRY ALAN MERRICK, thereto as principal, and her own name as Attorney-In-Fact.



BETTY FREDERICKSEN
Notary Public
Residing at: GOODING, IDAHO
My Commission expires: 3-29-2000

Gooding County, Idaho
Commission Expires 3-29-2000

Gooding County, Idaho
Commission Expires 3-29-2000

SCHEDULE A

TOWNSHIP 5 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 28: SW1/4SW1/4; NW1/4SW1/4 South of the main channel of
the Big Wood River.

TOGETHER WITH all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto including, but not limited to decreed rights, rights of American Falls Reservoir District No. 2 15.63 inches AFSW, 25 shares of capital stock of the Big Wood Canal Company, and State of Idaho Permit Nos. A37-08124, 37-0174A, 37-07137, A37-04357, and #37-0174 issued by State of Idaho, Department of Water Resources priority date May 1, 1905, and 15.63 inches American Falls Supplemental Water.

*J.A.M. 5-
by J.M.P.
J.M.P.*

SUBJECT TO THE FOLLOWING:

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

Taxes for 1996 and subsequent years, a lien, but not yet due and payable.

Assessments levied or to be levied by the Gooding County Solid Waste Department.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Assessments of the Water Master.

Assessments of the American Falls Reservoir District No.2 and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Power Line Easement given by Will Deasy and Katherine Deasy, his wife, to Idaho Power Company, a corporation, dated November 17, 1943, recorded May 27, 1944 as Instrument Number 90613, Gooding County records, affecting N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, Township 5 South, Range 15.

Power Line Easement given by A. E. Johnston and Mrs. Vercie Johnston, his wife, to Idaho Power Company, a corporation, dated June 3, 1950, recorded March 22, 1951 as Instrument Number 114856, Gooding County records, affecting SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, Township 5 South, Range 15.

Power Line Easement given by Willes Cheney & Beth Cheney (husband & wife), M.L. Becker and Esther Becker (husband & wife) to Idaho Power Company, a corporation, dated May 22, 1956, recorded June 6, 1956 as Instrument Number 130247, Gooding County records, affecting NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, Township 5 South, Range 15.

166426

STATE OF IDAHO COUNTY OF GOODING
Land Title & Escrow Inc.
Filed for record at the request of

51 min. past 3 o'clock P.m. this 1st

of August 1996 6.00

By Penny Watson Deputy

This WARRANTY DEED made this 24th day of October, 1977 67109

between **MARK HANSEN and JANET HANSEN, Husband and Wife**

of Fairfield, County of CAMAS, State of Idaho

hereinafter referred to as "grantor", and **JERRY ALAN MERRICK and ANITA MERRICK, Husband and Wife**

of Gooding, County of Gooding, State of Idaho

hereinafter referred to as "grantee".

WITNESSETH, that grantor, for and in consideration of the sum of Ten and no/100 (\$10.00) dollars,

and other good and valuable consideration-----
in lawful money of the United States, to grantor in hand paid by grantee, the receipt of which is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto grantee, and to grantee's heirs and assigns forever, all of the following described property situate in Gooding County, State of Idaho:

The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 28, and also that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 28, lying South of the main channel of the Big Wood River, all in Township 5 South, Range 15 E.B.M., containing 60 acres more or less, and together with all water rights appurtenant thereto including, but not limited to, decreed rights, rights of American Falls Reservoir District No. 2 and State of Idaho Water Permit No. 37-7137.

This conveyance is subject to the use, occupation, rents, issues and profits of the improvements located on the one-half acre situate in the Southwest corner of the above described real estate for Herman Jansen and Walter Jansen during the natural lives thereof and during the lifetime of the survivor of them; and on the death of the survivor thereof, absolute title to said real estate shall be vested in Grantees, their heirs and assigns.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the grantor.

TO HAVE AND TO HOLD all and singular the above mentioned and described premises, together with the appurtenances, unto the grantee, and to the grantee's heirs and assigns forever. And the grantor, and the grantor's heirs, the said premise in the quiet and peaceable possession of the grantee, and the grantee's heirs and assigns, against the grantor, and the grantor's heirs, and against all and every person and persons whomsoever lawfully claiming the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the grantor has subscribed this deed the day and year first above written.

Mark Hansen
Grantor

STATE OF IDAHO)

County of Gooding)

On this 24th day of October, 1977, before me, the undersigned notary public in and for said State, personally appeared

Mark Hansen and Janet Hansen

known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Cecil D. Hordley
Notary Public for the State of Idaho

Residing at: Gooding, Idaho

Indexed.....
Proof Read.....
No. 671899

WARRANTY DEED

to

State of Idaho)
County of Gooding)
James, Hordley & Varin
at 22 minutes past
3 o'clock P. M.
October 24, 1977
in my office and recorded in

Book..... Page.....
of the records of deeds.
Margaret F. Clements
County Recorder
by Dana Scott
Deputy

RECORDED
Direct
Initial

WARRANTY DEED

67004

For Value Received

HERMAN JANTZEN,

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

MARK HANSEN and JANET HANSEN, husband and wife, of Fairfield,
Camas County, Idaho,
Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit:

SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28 and also all that part of the
NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 28 lying South of the main
channel of the Big Wood River, all in Township 5 South
Range 15 E.B.M. and containing in all 60 acres more or
less, together with 25 shares of capital stock in the
Big Wood Canal Company, pump pipe, motor and improve-
ments.

Grantor hereby reserves the right to the use, occupation,
rents, issues and profits of the improvements located on the
one-half ($\frac{1}{2}$) acre situate in the Southwest (SW) corner of the
above described real estate for himself and one Walter Jantzen
for and during the natural life of grantor and said Walter
Jantzen and the lifetime of the survivor of them; and on the
death of the survivor thereof, absolute title to said real
estate shall be vested in grantees, their heirs and assigns.

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

Dated:

Herman Jantzen

STATE OF IDAHO, COUNTY OF Gooding
On this 12 day of October, 1973,
before me, a notary public in and for said State, per-
sonally appeared Herman Jantzen, Mark
Hansen and Janet Hansen,

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Residing at

Gooding

Notary Public

Idaho

STATE OF IDAHO, COUNTY OF Gooding
I hereby certify that this instrument was filed for record
at the request of *James H. Hobbie & Son*
at *10* minutes past *3* o'clock *P* m.,
this 17 day of October
1973 in my office, and duly recorded in Book
of Deeds at page

Margaret F. Clements

Ex-Officio Recorder

By *Do. Seal*

Fees \$

Mail to:

Deputy

Instrument No.

67004

166425

STATE OF IDAHO COUNTY OF GOODING

Land Title & Escrow Inc.

Filed for record at the request of

50 min. past 3 o'clock P. m. this 1st
 of August 1996 3:00
 By Penny Watson Deputy

92 APR 11 P 5:00

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF GOODING

In The Matter Of The Estate Of:)

WALTER JOHN JANTZEN,)

Deceased.)

Case No. 21982

LETTERS OF ADMINISTRATION
AND OATH

KATHRYN CAPELL is hereby appointed Personal Representative of
 the Estate of Walter John Jantzen, deceased.

WITNESS: Magistrate of the above entitled Court, with the
 Seal thereof affixed this 14 day of March, 1992.

C. H. H.
 JUDGE

STATE OF IDAHO)

) ss.

County of Bannock)

I hereby accept the duties of Personal Representative of the
 Estate of Walter John Jantzen, deceased, and do solemnly swear that
 I will perform, according to law, the duties of Personal
 Representative.

DATED this 31st day of March, 1992.

Kathryn Capell
 KATHRYN CAPELL

SUBSCRIBED AND SWORN TO before me this 31st day of March,
 1992.

Bryan Murray
 NOTARY PUBLIC FOR IDAHO

Residing at: Pocatello, Idaho

STATE OF IDAHO

COUNTY OF GOODING } ss.

(SEAL)

I hereby certify that the foregoing is a true copy
 of the original instrument on file in my office.

LETTERS OF ADMINISTRATION AND OATH
 Page 1

Dated 7-30, 1996

HELEN P. EDWARDS

District Court Clerk

By

Kay Smith
 Deputy Clerk

DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That I, JERRY A. MERRICK, of Gooding County, Idaho, have made, constituted and appointed, and by these presents do make, constitute and appoint LONDA MERRICK STOUT, of Twin Falls County, Idaho, as my true and lawful attorney for me and in my name, place and stead, and for my use and benefit, to ask, demand, sue for, recover, collect, and receive all such sums of money, debts, accounts, and demands whatsoever; and to demise, bargain, sell, release, convey, and hypothecate lands, tenements, and hereditaments, upon such terms and conditions and under such covenants as she shall think fit.

To receive, endorse and negotiate all checks, including all and every nature of government checks and obligations. Also, to bargain and agree for, buy and sell, and in every way and manner deal in and with goods, wares, and merchandise, choses in action, and other property in possession or in action and to make, do, and transact all and every kind of business of whatever nature.

This power of attorney shall not be affected by subsequent disability or incapacity of the principal.

Giving and granting unto said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully and to all intents and purposes as I might or could do if personally present, with full power of substitution or revocation, Jerry A. Merrick, hereby ratifies and confirms all that said attorney, Londa Merrick Stout, shall lawfully do or cause to be done by virtue of these presents.

DATED THIS 11th day of June, 1994.

Jerry A. Merrick
Jerry A. Merrick

ACKNOWLEDGMENT

STATE OF IDAHO)

County of Ada)

ss.

On this 11th day of June, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared JERRY A. MERRICK, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

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



Jerry A. Merrick
NOTARY PUBLIC FOR IDAHO
Residing at: Boise, Idaho
Commission Expires: 7/1/96

166290

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of Farm Credit

on this 11th day of June, 1994

at Boise, Idaho

by Donna Whitson Deputy

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: A37-08124
Date Received: 8/19/1988
Receipt No: S00156970
Received By: EW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANITA MERRICK 208-934-5305
Address: P.O. BOX 512
GOODING, ID 83330

AND/OR

Name: JERRY MERRICK
Address: P.O. BOX 512
GOODING, ID 83330

2. Date of Priority: JAN 01, 1947

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	15E	28	SW	SW	SW		GOODING

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	28	SW	SW		IRR	20.0
Section Acres							20.0
Total Acres							20.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
37-0174B

14. Remarks:

APPLICATION ON WR FILED IN 1983, HOWEVER WR SHOULD HAVE BEEN
FILED AS STATUTORY CLAIM. DRILLED AND PUT TO USE ON ACREAGE
BEFORE 1963.

15. Basis of Claim: STATUTORY CLAIM

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): Amia Merrick Date: 8-19-88
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A37-08124

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

August 12, 1996 3:53pm

NAME:
BILL PALACIO

CAMEIN

RE:
COO A37-08124

HE CAME IN TO CHECK ON THE PROCESSING OF THE CHANGE OF OWNERSHIP TO HIS NAME FROM MERRICK. THE CHANGE HAS NOT YET BEEN MADE. HE WILL CONTACT THE TITLE CO. FOR COMPLETION; I GAVE HIM THE NEWEST FORM VERSION AND MENTIONED THE NEED FOR A DEED AND A MAP.

ALSO REVIEWED THE BASIS OF THE CLAIM. 37-08124 IS A LAPSED PERMIT (1994) AND THERE IS ALSO A STATUTORY CLAIM FOR THIS SAME RIGHT 37-04357. I PROVIDED HIM WITH INFO ON THE EVIDENCE OF PRIORITY FOR THE 1947 DATE OF THE CLAIM AND DESCRIBED THE TWO POSSIBILITIES: 1) PROVE THE BENEFICIAL USE DATE WITH THE EVIDENCE COLLECTED; 2) PROVE A DATE AFTER 1963 AND SEEK TO RE-INSTATE THE LAPSED PERMIT.

CONVERSATION MEMORANDUM

934-8477
NAME OF PARTY BETTY LAND TITLE AND ESCROW DATE 07/29/96
EMPLOYEE COREY SKINNER FILE A37-04357
A37-08124

RE: _____

THIS DAY BETTY FROM LAND TITLE & ESCROW CALLED
REQUESTING COPIES OF JERRY MERRICK'S WATER RIGHTS,
IN BASIN 37. I SENT (FAXED) HER COPIES OF THE
FOLLOWING PROFILE REPORTS:

37-07137 (ALLOCATION LICENSE)

A37-04357 (STATUTORY CLAIM)

A37-08124 (BENEFICIAL USE CLAIM)

I CALLED HER BACK AND TOLD HER
THAT WHAT I WAS SENDING HER MAY OR MAY
NOT BE VALID SINCE THEY WERE JUST CLAIMS.