

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: **A36-02290**

Date Received: 10/ 9/1992

Receipt No: S015062

Received By: _____

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

1. Name: GARY B DIMOND 208-536-2022
Address: 3027S 1800E
WENDELL ID 83355

Name: RUTH P DIMOND 208-536-2022
Address: 3027S 1800E
WENDELL ID 83355

2. Date of Priority: DEC 28, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	15E	20	NW	NW			GOODING

5. Description of diverting works:
WELL TIED INTO GRAVITY IRRIGATION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.870		520.00

7. Total Quantity Appropriated is:
1.870 C.F.S. (and/or) 520.00 A.F.A.

8. Total consumptive use is 390.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	15E	19	NE	NE		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	15E	19	NW	NE		IRR	4.0
			SW	NE		IRR	25.0
			SE	NE		IRR	39.0
						Section Acres	106.0
		20	NW	NW		IRR	24.0
						Section Acres	24.0
						Total Acres	130.0

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:
NORTH SIDE CANAL CO WATER

14. Remarks:

THIS CLAIM IS BEING FILED BY ROBERT JONES, A POTENTIAL BUYER OF THE PROPERTY. THE CURRENT OWNER, MR. ELLIOTT HAS BEEN IN FORECLOSURE WITH FHA AND HAS BEEN UNCOOPERATIVE IN CLAIMING THIS WATER RIGHT IN THE SRBA.

CHANGE OF OWNERSHIP 11/18/93 BY JG. SEE MEMO TO FILE.

15. Basis of Claim: LICENSE

Water Right Number: 26134

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 _____

CONVERSATION MEMORANDUM

NAME OF PARTY Shelli Mason
EMPLOYEE: Judy Givens

DATE 11/18/93 11:00am
FILE 36-02290

RE: phone call - FIRST AMERICAN TITLE

I called Shelli concerning the Lien Holder - Farmers Home Administration -
and the Representative - Robert Jones that had filed the original claim. (see
Proof Reading Report 10/15/93) She said to take the Lien Holder off and the
Representative off the claim. Done as requested on above date. JL

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OCT 13 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

SEP 28 1993

Department of Water Resources

DATE OF CLOSING: 9/1/93

LEGAL DESCRIPTION OF PROPERTY: Township 8 South Range 15 East
Section 19, 1/4 of 1/4 of NE 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: Water Right Number 36-02290
- ☒ Name and Address of Former Owner/Claimant(s)(Seller):
JOHN O. ELLIOTT AND CAROL J. ELLIOTT
3309 South 1800 East
Wendell, Idaho 83355
- ☒ New Owner/Claimant (Purchaser):
GARY B. DIMOND AND RUTH P. DIMOND
- ☒ New Mailing Address:
3027 South 1800 East
Wendell, Idaho 83355
- ☒ New Telephone Number: (208) 536-2022
- ☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☒ Attach proof of ownership, describe proof attached: Warranty Deed, Instrument No. 153956
(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: Gary B. Dimond] Date 1 Sept '93
[Signature: Ruth P. Dimond] Date 1 Sept '93
- ☐ Signature of Former Owner/Claimant(s): [Signature: John O. Elliott] Date 9-1-93
[Signature: Carol J. Elliott] Date 9-1-93

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 11/18/93 By: 16

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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

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First American Title Company

P.O. BOX 446, 342 MAIN STREET, GOODING, IDAHO 83330
TELEPHONE (208) 934-4427

ADDITIONAL LEGAL DESCRIPTION:

Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, Township 8 South, Range 15, E.B.M.
lying South of the North Side Canal Company Lateral No. S-19.

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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

30-Sep-1993

RECEIVED

OCT 06 1993

Department of Water Resources

RECEIVED

OCT 08 1993

Department of Water Resources
Southern Region Office

COPY

SHELLI MASON
TITLE OFFICER
FIRST AMERICAN TITLE CO
PO BOX 446
GOODING ID 83330

RE: Snake River Basin Adjudication (SRBA) Notice(s) of Claim
Chance in Ownership No.(s) 36-02290 - ELLIOTT TO DIMOND

Dear Ms. Mason:

Thank you for notifying us of the change in ownership of the water right(s) referenced above for your clients. SRBA Judge Hurlbutt issued an Order June 17, 1993 requiring the change of property identified in a Director's Report to use Standard Form 3 for change in ownership. [Additionally, the Department also requires the New Property Owner Notice of Change of Water Right Ownership (Form 42-1409(7) be completed and returned to us.]

I have enclosed [each of these] form(s) for your use. Please contact us if you have any questions.

Sincerely,

Judy Givens
Adjudication Secretary

DVS:sf:jg

Enclosures:

Standard Form 3
Notice of Change of Water Right Ownership

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RECEIVED

OCT 06 1993

Department of Water Resources
Adjudication Bureau

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.

Case No. 39576

STANDARD FORM 3

The State of Idaho, ex rel. R. Keith
Higginson in his official capacity as
Director of the Idaho Department
of Water Resources,

STANDARD FORM FOR NOTICE
OF CHANGE IN ADDRESS

OR

Petitioner,

CONSENT TO SUBSTITUTION OF
PARTY

vs.

The United States; the State of Idaho; and
all Claimants to the Use of Water From
the Snake River Basin Water System,

Respondents.

INSTRUCTIONS FOR USE

This form must be used to provide notice of change in address or to substitute a party whose water right recommendation is in a director's report which has been filed with the court. The filing of Standard Form 3 cannot result in a contested matter. A hearing will not be scheduled.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4A, which may be consulted for further information.

Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) where a water right recommendation is not before the court.

As used in this form, the term "prior claimant/seller" means any person who, pursuant to I.C. § 42-1409(2), (3) and (6), filed a notice of claim asserting the right to the use of water or on whose behalf the right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of a "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The *Substitution* shall be filed by the new claimant/purchaser.

Check either the *Change in Address* or *Consent to Substitution of Party* box and fill in the requested information. A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here.

Follow the instructions on the form or the court will not accept it for filing. The Verification and the Certificate of Mailing must be completed.

The standard form may be obtained from the Idaho Department of Water Resources and the court. You must provide a copy of this form to each party, or to their legal counsel, in any subcase in which you are a party.

☒ CHANGE IN ADDRESS

My name is JOHN O. ELLIOTT AND CAROL J. ELLIOTT

I am the claimant of Water Right Number 36-02290

(Insert each water right number)

I have filed an objection/response to the following water right(s) Water Right Number 36-02290

(Insert each water right number)

My new mailing address is 3309 S 1800 E, Wendell, ID 83355

My phone number is: Work _____ Home 536-6212

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☒ **CONSENT TO SUBSTITUTION OF PARTY**

My name is GARY B. DIMOND AND RUTH P. DIMOND

My address is 3027 South 1800 East, Wendell, Idaho 83355

My phone number is: Work _____ Home 536-2022

The name and address of the party who I wish to be substituted for are:

JOHN O. ELLIOTT AND CAROL J. ELLIOTT

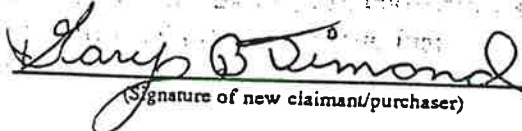
3309 South 1800 East, Wendell, Idaho 83355

I am the new claimant/purchaser of Water Right Number 36-02290 and
(Insert each water right number)

I am submitting proof of acquisition of the interest of the prior claimant/seller, *which is required by the court* to support my *Substitution*. Proof must contain a legal description of the property, including the water right numbers conveyed. You must describe the documents you are submitting.

Warranty Deed, Instrument No. 153956


(Signature of prior claimant/seller)


(Signature of new claimant/purchaser)

☐ **ATTORNEY OF RECORD COMPLETING FORM**

My name is _____

I am the attorney of record for _____
(Identify party/claimant)

My address and phone number are _____

VERIFICATION

(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of GOODING

GARY B. DIMOND, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.

Gary B. Dimond
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on September 1, 1993
(Insert Date)

Susan M. Bell
Notary Public for Idaho
Residing at: Gooding, Idaho
My Commission expires: 10-16-98

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on September 27, 1993, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

✓ Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

✓ 2. A *Change of Address* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

3309 South 1800 East, Wendell, Idaho 83355

3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

3309 South 1800 East, Wendell, Idaho 83355

4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

3027 South 1800 East, Wendell, Idaho 83355

POOR ORIGINAL

- ✓ 4. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

- ✓ 5. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

Larry B. Diamond
(Signature of person or attorney mailing the form)



WARRANTY DEED

For Value Received

John O. Elliott and Carol J. Elliott, husband and wife,
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

Gary B. Dimond and Ruth P. Dimond, husband and wife,
hereinafter referred to as Grantee, whose current address is

3027 South 1800 East, Wendell, ID, 83355

the following described premises, to-wit:

The Northeast Quarter of Section 19, Township 8 South, Range 15 East
of the Boise Meridian, Gooding County, Idaho.

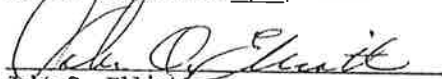
AND

That part of the Northwest Quarter of the Northwest Quarter of
Section 20, Township 8 South, Range 15 East of the Boise Meridian,
Gooding County, Idaho, South of the North Side Canal Company Lateral
No. S-19.

TOGETHER with Department of Water Resources Water Right No. 36-02290
AND TOGETHER with 51 shares of North Side Canal Company water.

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 Grantor is the owner 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 Grantor will
warrant and defend the same from all claims whatsoever.

Dated: September 1, 1993.


John O. Elliott

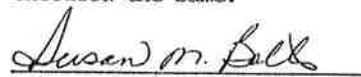

Carol J. Elliott

STATE OF IDAHO

COUNTY OF Gooding

On This 1st day of September, in the year 1993, before me, a Notary Public
in and for said State, personally appeared John O. Elliott and Carol J. Elliott,
known or identified to me to be the persons whose names are subscribed to the within
Instrument, and acknowledged to me that they executed the same.




Notary Public for Idaho
Residing at Gooding, Idaho
Commission Expires: 10-16-98

STATE OF IDAHO COUNTY OF GOODING **153956**
Filed for record at the request of FIRST AMERICAN TITLE
35 min. past 4 o'clock P m. this 2
of Sept, 1993 3.00
JOHN A. MYERS Recorder

By  Deputy

First American Title Company of Idaho

MICROFILMED

OCT 13 1994

Water Right Number - 36-02290 Prefix Translation: WATER RIGHT Old (D) Number - 26134

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

*** C - CURRENT OWNER ***
DIMOND GARY B 1 - 3027S 1800E
2 -
3 -
City- WENDELL State- ID Zip- 83355
Phone - 208-536-2022
DIMOND RUTH P 1 - 3027S 1800E
2 -
3 -
City- WENDELL State- ID Zip- 83355
Phone - 208-536-2022

*** D - DIR RPT OWNER ***
ELLIOTT JOHN 1 - 3309 S 1800 E
2 -
3 -
City- WENDELL State- ID Zip- 83355
Phone - 208-536-6212

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
12/28/1955 17 SOUTHERN L - LICENSE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
08S 15E 20 NW NW (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.870 404.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.870 404.00 303.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 15E 19 NE NE 38.0 01 IRRIGATION (47) GOODING
08S 15E 19 SE NE 39.0 01 IRRIGATION (47) GOODING
08S 15E 20 NW NW 24.0 01 IRRIGATION (47) GOODING

Total Acres: 101.0

+ - - Diversion Means - WELL TIED INTO GRAVITY IRRIGATION SYSTEM

+ - - Non-Irrigation Use - NONE

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OCT 13 1994

Water right number - 36-02290 Prefix Translation: WATER RIGHT

+ - - Other Rights for Same Use - NORTH SIDE CANAL CO WATER

+ - - - - - Remarks - - - - -
No Remarks found.

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

+ - - - - - Conditions of Approval - - - - -
S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

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

+ - - - - - Comments - - - - -

Date: 08/13/1992 User Id: THORNTON Subject: COPIED FROM REMARKS
property is in chapter 7 bankruptcy as filed by John Elliott. FHA is in the process of obtaining ownership through foreclosure.
Elliott is considered uncooperative.

Date: 10/15/1993 User Id: ROBERTSO Subject: ADDRESS CHANGE
Change of address form received 9/30/93. jr

Date: 11/18/1993 User Id: GIVENS Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP RECEIVED 10/8/93 FORMER OWNER JOHN O. ELLIOTT NEW OWNERS GARY B. & RUTH P DIMOND. COPY OF WARRANTY DEED
SUBMITTED WITH FORM. SEE MEMO TO FILE.

+ - - Audit Fields - - +
11/18/93 GIVENS

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 10/12/1992	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	- 10/09/1992	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S015062	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	-

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OCT 13 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

18-Nov-1993

GARY B DIMOND
RUTH P DIMOND
3027S 1800E
WENDELL ID 83355

RE: ADJUDICATION CLAIM(s) NO.(S) 36-02290

Dear Claimant(s):

Pursuant to the notification that you now own the property with the above-referenced Adjudication Claim(s), we have changed the Department's record(s) as you have requested. Please note that the Director's Report for Basin 36 has been filed with the court and the recommendations for the above-listed right(s) remain listed in the former owners name.

Please review the record(s) and should you have any questions, please feel free to call this office.

Respectfully,

A handwritten signature in dark ink, appearing to read 'Judy'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

c.c. Shelli Mason - First American Title -
PO Box 446 - Gooding ID 83330

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OCT 13 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A36-02290**

Date Received: 10/ 9/1992

Receipt No: S015062

Received By: _____

address change

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

1. Name: JOHN ELLIOTT 208-536-6212
Address: 3309 S 1800 E
WENDELL ID 83355

2. Date of Priority: DEC 28, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	15E	20		NW	NW		GOODING

5. Description of diverting works:
WELL TIED INTO GRAVITY IRRIGATION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.870		520.00

7. Total Quantity Appropriated is:
1.870 C.F.S. (and/or) 520.00 A.F.A.

8. Total consumptive use is 390.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	15E	19	NE	NE		IRR	38.0
			NW	NE		IRR	4.0
			SW	NE		IRR	25.0
			SE	NE		IRR	39.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	106.0
		20	NW	NW	IRR	24.0
					Section Acres	24.0
					Total Acres	130.0

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:
NORTH SIDE CANAL CO WATER

14. Remarks:
THIS CLAIM IS BEING FILED BY ROBERT JONES, A POTENTIAL BUYER OF THE PROPERTY. THE CURRENT OWNER, MR. ELLIOTT HAS BEEN IN FORECLOSURE WITH FHA AND HAS BEEN UNCOOPERATIVE IN CLAIMING THIS WATER RIGHT IN THE SRBA.

15. Basis of Claim: LICENSE
Water Right Number: 26134

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

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 _____



Jeanie S.O. pls modify records. Sal

First American Title Company

P.O. BOX 446, 342 MAIN STREET, GOODING, IDAHO 83330
TELEPHONE (208) 934-4427

RECEIVED

SEP 28 1993

Department of Water Resources
Adjudication Bureau

RECEIVED

OCT 05 1993

Department of Water Resources
Southern Region Office

September 27, 1993

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

RE: ELLIOTT/DIMOND
G-002628

Dear Sirs:

Enclosed please find the Standard Form for Notice of Change in Address or Consent to Substitution of Party and a copy of the original recorded Warranty Deed, Instrument No. 153956 from John O. Elliott and Carol J. Elliott, Husband and Wife to Gary B. Dimond and Ruth P. Dimond, Husband and Wife.

If you require anything further, please do not hesitate to contact our office.

Thank you.

Sincerely,

FIRST AMERICAN TITLE COMPANY

Shellie Mason

Shellie Mason
Title Officer

Enclosures

cc: Chief, Natural Resources Division
Office of the Attorney General

U.S. Department of Justice
Environment & Natural Resource Division

MICROFILMED

OCT 13 1994

RECEIVED

SEP 28 1993

Department of Water Resources
Adjudication Bureau

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
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Case No. 39576

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The State of Idaho, ex rel. R. Keith
Higginson in his official capacity as
Director of the Idaho Department
of Water Resources,

STANDARD FORM FOR NOTICE
OF CHANGE IN ADDRESS

OR

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CONSENT TO SUBSTITUTION OF
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vs.

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This form must be used to provide notice of change in address or to substitute a party whose water right recommendation is in a director's report which has been filed with the court. The filing of Standard Form 3 cannot result in a contested matter. A hearing will not be scheduled.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4A, which may be consulted for further information.

Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) where a water right recommendation is not before the court.

As used in this form, the term "prior claimant/seller" means any person who, pursuant to I.C. § 42-1409(2), (3) and (6), filed a notice of claim asserting the right to the use of water or on whose behalf the right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of a "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The *Substitution* shall be filed by the new claimant/purchaser.

Check either the *Change in Address* or *Consent to Substitution of Party* box and fill in the requested information. A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here.

Follow the instructions on the form or the court will not accept it for filing. The Verification and the Certificate of Mailing must be completed.

The standard form may be obtained from the Idaho Department of Water Resources and the court. You must provide a copy of this form to each party, or to their legal counsel, in any subcase in which you are a party.

☒ CHANGE IN ADDRESS

My name is JOHN O. ELLIOTT AND CAROL J. ELLIOTT

I am the claimant of Water Right Number 36-02290

(Insert each water right number)

I have filed an objection/response to the following water right(s) _____

Water Right Number 36-02290

(Insert each water right number)

My new mailing address is 3309 S 1800 E, Wendell, ID 83355

My phone number is: Work _____ Home 536-6212

☒ **CONSENT TO SUBSTITUTION OF PARTY**

My name is GARY B. DIMOND AND RUTH P. DIMOND

My address is 3027 South 1800 East, Wendell, Idaho 83355

My phone number is: Work _____ Home 536-2022

The name and address of the party who I wish to be substituted for are:

JOHN O. ELLIOTT AND CAROL J. ELLIOTT

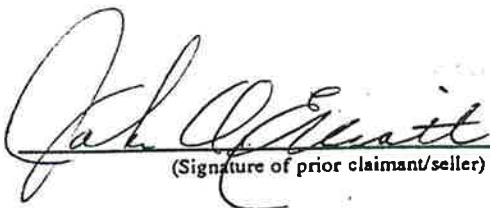
3309 South 1800 East, Wendell, Idaho 83355

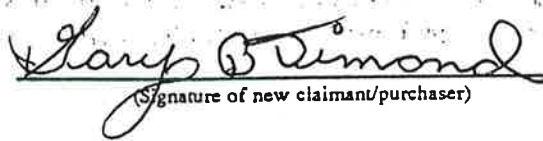
I am the new claimant/purchaser of Water Right Number 36-02290 and

(Insert each water right number)

I am submitting proof of acquisition of the interest of the prior claimant/seller, *which is required by the court* to support my *Substitution*. Proof must contain a legal description of the property, including the water right numbers conveyed. You must describe the documents you are submitting.

Warranty Deed, Instrument No. 153956


(Signature of prior claimant/seller)


(Signature of new claimant/purchaser)

☐ **ATTORNEY OF RECORD COMPLETING FORM**

My name is _____

I am the attorney of record for _____

(Identify party/claimant)

My address and phone number are _____

VERIFICATION

(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of GOODING

GARY B. DIMOND, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.

Gary B. Dimond
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on September 1, 1993
(Insert Date)



Susan M. Bolton
Notary Public for Idaho
Residing at: Gooding, Idaho
My Commission expires: 10-16-98

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on September 27, 1993, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

✓ Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

✓ 2. A *Change of Address* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

3309 South 1800 East, Wendell, Idaho 83355

3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

3309 South 1800 East, Wendell, Idaho 83355

4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

3027 South 1800 East, Wendell, Idaho 83355

POOR ORIGINAL

- ✓ 4. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

- ✓ 5. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734


(Signature of person or attorney mailing the form)



WARRANTY DEED

RECEIVED

SEP 28 1993

Department of Water Resources
Adjudication Bureau

For Value Received

John O. Elliott and Carol J. Elliott, husband and wife,
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

Gary B. Dimond and Ruth P. Dimond, husband and wife,
hereinafter referred to as Grantee, whose current address is

3027 South 1800 East, Wendall, ID, 83355

the following described premises, to-wit:

The Northeast Quarter of Section 19, Township 8 South, Range 15 East
of the Boise Meridian, Gooding County, Idaho.

AND

That part of the Northwest Quarter of the Northwest Quarter of
Section 20, Township 8 South, Range 15 East of the Boise Meridian,
Gooding County, Idaho, South of the North Side Canal Company Lateral
No. S-19.

TOGETHER with Department of Water Resources Water Right No. 36-02290
AND TOGETHER with 51 shares of North Side Canal Company water.

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 Grantor is the owner 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 Grantor will
warrant and defend the same from all claims whatsoever.

Dated: September 1, 1993.

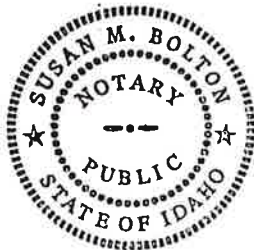

John O. Elliott

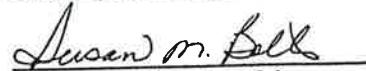

Carol J. Elliott

STATE OF IDAHO

COUNTY OF Gooding

On This 1st day of September, in the year 1993, before me, a Notary Public
in and for said State, personally appeared John O. Elliott and Carol J. Elliott,
known or identified to me to be the persons whose names are subscribed to the within
Instrument, and acknowledged to me that they executed the same.




Notary Public for Idaho
Residing at Gooding, Idaho
Commission Expires: 10-16-98

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

35 min. past 4 o'clock P m. this 2
of Sept, 1993 3:00

JOHN A. MYERS Recorder

By  Deputy

First American Title Company of Idaho

MICROFILMED
OCT 13 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-Oct-1993

JOHN ELLIOTT
3309 S 1800 E
WENDELL ID 83355

RE: Snake River Basin Adjudication (SRBA)
Change in Address
Notice of Claim # 36-02290

Dear Claimant:

Thank you for notifying us of your change in address of the water rights referenced above. We have changed the Department's records accordingly.

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

Sincerely,

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

Jeanie Robertson
Records Clerk

MICROFILMED
OCT 13 1994

Water Right Number - 36-02290

Prefix Translation:

WATER RIGHT

Old (D) Number - 26134

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

*** C - CURRENT OWNER ***
ELLIOTT

JOHN

1 - 3309 S 1800 E

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-6212

*** L - LEINHOLDER ***
FARMERS HOME ADMINISTRATION

1 -

2 - 111 E AVE F

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-2306

*** R - REPRESENTATIVE ***
JONES

ROBERT

1 - 715 EASTLAND DR N

2 -

3 -

City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-733-7612

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
12/28/1955 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
08S 15E 20 NW NW (47) GOODING+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.870 404.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.870 404.00 303.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 15E 19 NE NE 38.0 01 IRRIGATION (47) GOODING
08S 15E 19 SE NE 39.0 01 IRRIGATION (47) GOODING
08S 15E 20 NW NW 24.0 01 IRRIGATION (47) GOODING

Total Acres: 101.0

+ - - Diversion Means - WELL TIED INTO GRAVITY IRRIGATION SYSTEM

MICROFILMED
OCT 13 1994

Water right number - 36-02290

Prefix Translation: WATER RIGHT

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NORTH SIDE CANAL CO WATER

+ - - - - - Remarks - - - - -
No Remarks found.

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

+ - - - - - Conditions of Approval - - - - -
S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

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

+ - - - - - Comments- - - - -
Date: 08/13/1992 User Id: THORNTON Subject: COPIED FROM REMARKS
property is in chapter 7 bankruptcy as filed by John Elliott. FHA is in the process of obtaining ownership through foreclosure.
Elliott is considered uncooperative.
Date: 10/15/1993 User Id: ROBERTSO Subject: ADDRESS CHANGE
Change of address form received 9/30/93. jr

+ - - Audit Fields - - +
10/15/93 ROBERTSO

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 10/12/1992	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	- 10/09/1992	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S015062	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	-

MICROFILMED
OCT 13 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-02290
Date Received: 10/9/1992
Receipt No: 5015062
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN ELLIOTT
Address:

WENDELL ID 83355

2. Date of Priority: DEC 28, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	15E	20		NW	NW		GOODING

5. Description of diverting works:
WELL TIED INTO GRAVITY IRRIGATION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.870		520.00

7. Total Quantity Appropriated is:
1.870 C.F.S. (and/or) 520.00 A.F.A.

8. Total consumptive use is 390.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	15E	19	NE	NE		IRR	38.0
			NW	NE		IRR	4.0
			SW	NE		IRR	25.0
			SE	NE		IRR	39.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	106.0
		20	NW	NW	IRR	24.0
					Section Acres	24.0
					Total Acres	130.0

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:
NORTH SIDE CANAL CO WATER

14. Remarks:

THIS CLAIM IS BEING FILED BY ROBERT JONES, A POTENTIAL BUYER OF THE PROPERTY. THE CURRENT OWNER, MR. ELLIOTT HAS BEEN IN FORECLOSURE WITH FHA AND HAS BEEN UNCOOPERATIVE IN CLAIMING THIS WATER RIGHT IN THE SRBA.

15. Basis of Claim: LICENSE

Water Right Number: 26134

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): Robert Jones Date: Oct-9-92

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of Oct. 19 92

Seal

[Signature]
Notary Public

Residing at Kimberly, ID

My Commission Expires 6/22/94

35 N

130
- 19
- 20
- 20

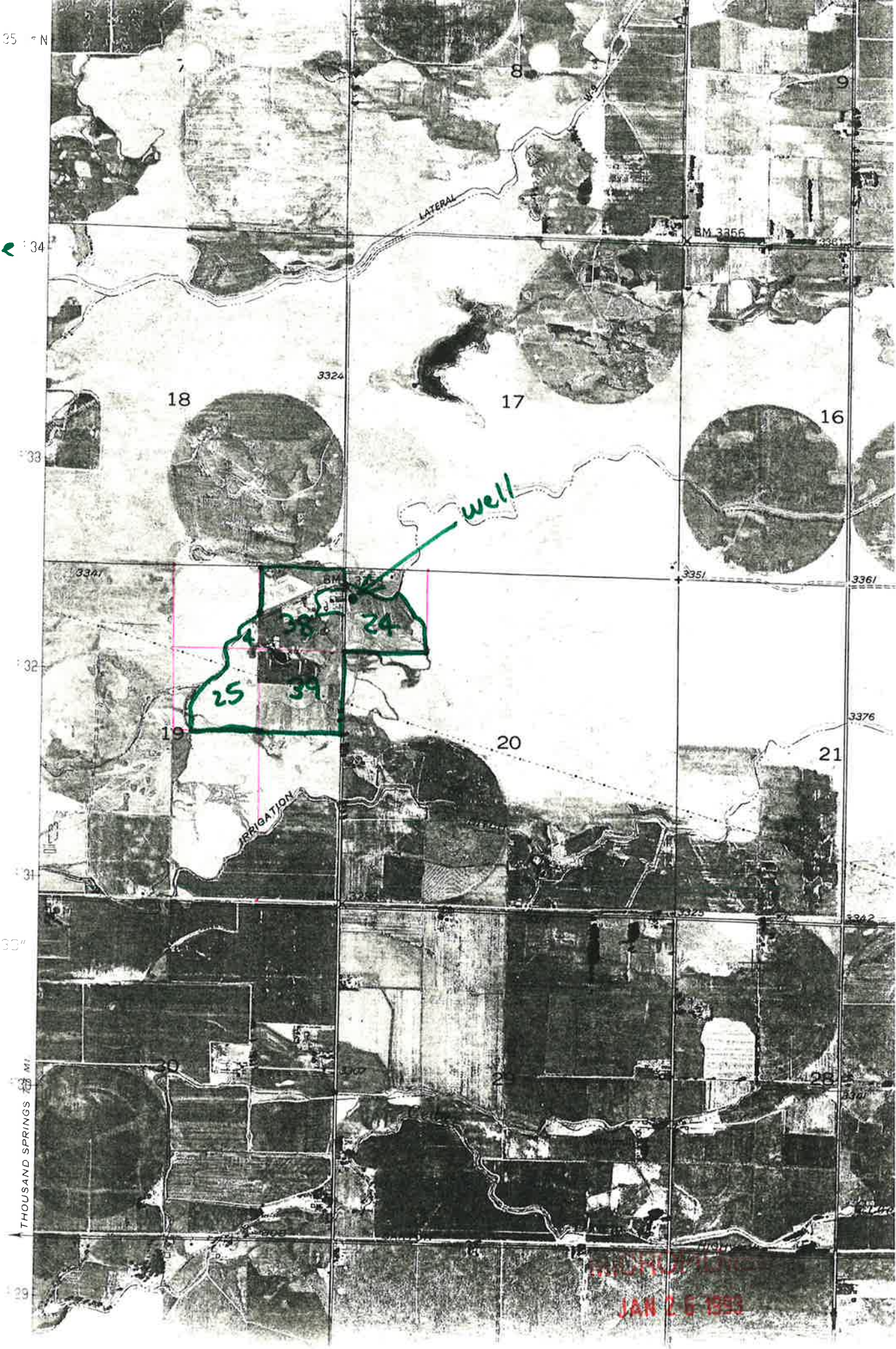
Acc change

871

50

50

18171

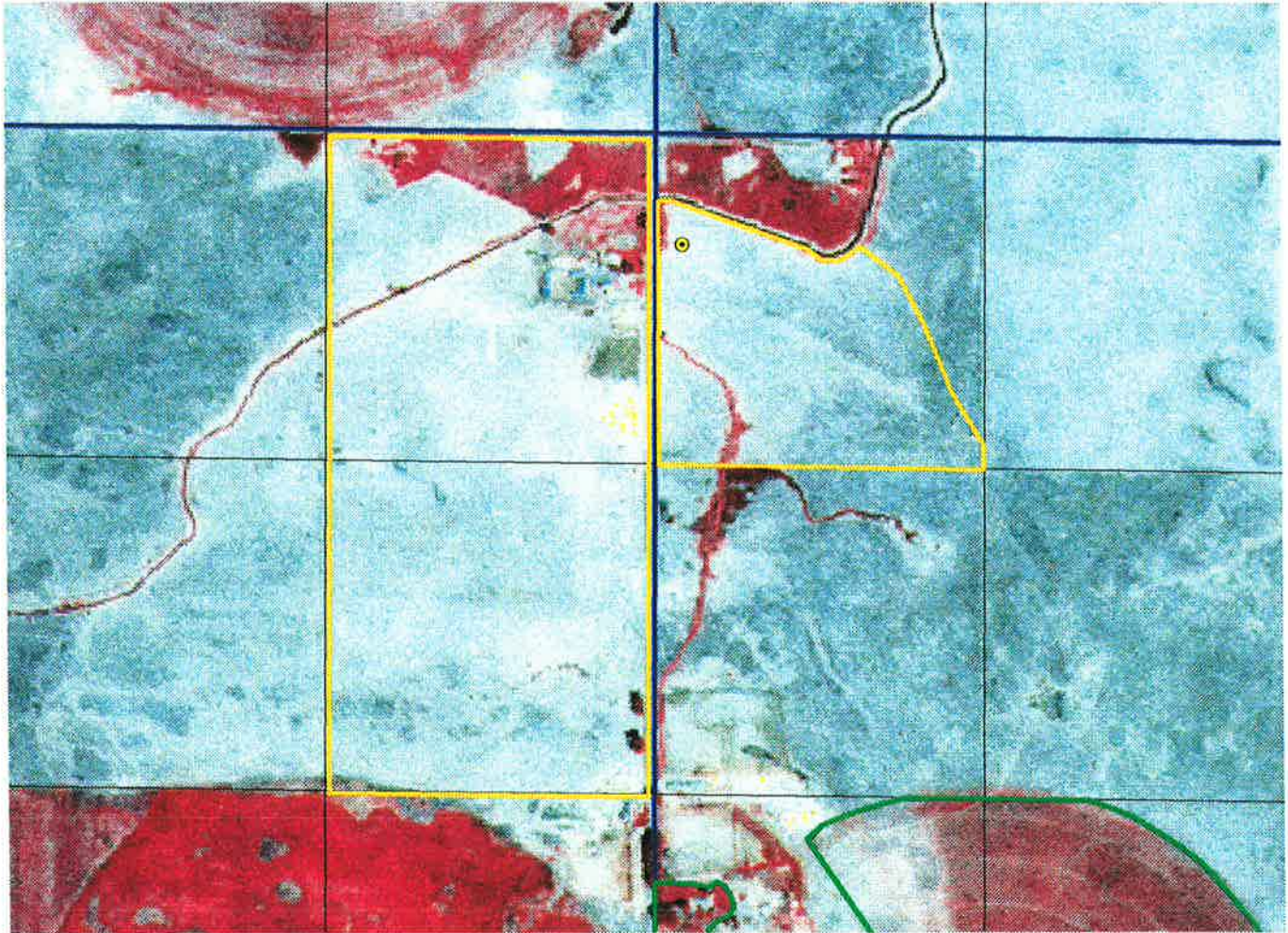


42° 30"

THOUSAND SPRINGS 12 MI

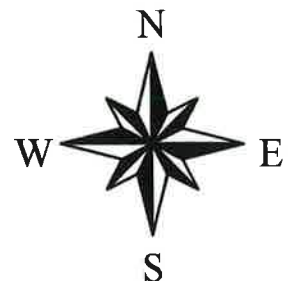
IDAHO DEPARTMENT OF WATER RESOURCES

36-02290
GARY & RUTH DIMOND



660 0 660 1320 Feet

TNS 8S, RNG 15E, SEC 19 & 20



⊙ Recommended Point of Diversion

□ Recommended Place of use

— Section lines

— Quarter/Quarter Lines

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY SEPTEMBER 1997
BY KELLY K CHRISTENSEN

CLAIM NUMBERS 36-2290DATE 9-25-97

TRANSFER NUMBER _____

OBJECTION FILED _____

AGENT KKCTOTAL ACRES FROM RECOMMENDATION 101GEOGRAPHIC INFO SYSTEM 100

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	8S	15E	19	38			39												
GIS				38.2			38.7												77
																			76.9
RECOM	8S	15E	20					24											24
GIS								23.5											23.5
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF 9/25

POLYGON CREATED ON 604

(X) 9-23

B36-DBPOD.DBF

ATTRIBUTES OF B36-POU.SHP ()

ATTRIBUTES OF B36-POD.SHP

(423 9-25)

PU created in two polygons

Sec 19 — 455

Sec 20 — 456

Recommended

P/U boundary not visible on NAPP
Photo. Boundary selected based upon
map in claim file. KKC 9-23

P/U CONFLICT yes () no (X)

P/D CONFLICT yes () no (X)

READY FOR DECREE yes (X) no ()

SENT FOR DECREE yes () no ()

R PROOF

~~X~~

CVR

~~X~~

MAPS

PHOTOS

MISC

MICROFILM

JAN 26 1961

Water Right Number - R36-02290

Prefix Translation: RESEARCH

Old (D) Number - 26134

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

*** C - CURRENT OWNER ***
ELLIOTT

JOHN

1 -
2 -
3 -City- WENDELL
Phone - 208-000-0000

State- ID Zip- 83355

*** L - LEINHOLDER ***
FARMERS HOME ADMINISTRATION1 -
2 -
3 -City- JEROME
Phone - 208-324-2306

State- ID Zip- 83338

*** R - REPRESENTATIVE ***
JONES

ROBERT

1 - 715 EASTLAND DR N
2 -
3 -City- TWIN FALLS
Phone - 208-733-7612

State- ID Zip- 83301

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
12/28/1955 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - - - - - - - - Point of Diversion - - - - - +

| TwN | Rng | Sec | Tract | Lot | RFlg | County |
|-----|-----|-----|-------|-----|------|---------|
| 08S | 15E | 20 | NW NW | | (47) | GOODING |

| Code | Description | Period From | Period To | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|----------------|------------------|
| 01 - IRRIGATION | | 04/01 | 10/31 | 1.870 | 404.00 |

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.870 404.00 303.0

| TwN | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|--------------|
| 08S | 15E | 19 | NE NE | | 38.0 | 01 | IRRIGATION | (47) GOODING |
| 08S | 15E | 19 | SE NE | | 39.0 | 01 | IRRIGATION | (47) GOODING |
| 08S | 15E | 20 | NW NW | | 24.0 | 01 | IRRIGATION | (47) GOODING |

Total Acres: 101.0

+ - - Diversion Means - WELL TIED INTO GRAVITY IRRIGATION SYSTEM

MICROFILMED

JAN 26 1993

Water right number - R36-02290 Prefix Translation: RESEARCH

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NORTH SIDE CANAL CO WATER

+ - - - - - Remarks - - - - -
No Remarks found.

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

+ - - - - - Conditions of Approval - - - - -
S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

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

+ - - - - - Comments - - - - -
Date: 08/13/1992 User Id: THORNTON Subject: COPIED FROM REMARKS
property is in chapter 7 bankruptcy as filed by John Elliott. FHA is in the process of obtaining ownership through foreclosure.
Elliott is considered uncooperative.

+ - - Audit Fields - - +
10/12/92 MERRITT

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

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 10/12/1992 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 10/12/1992 | Old Judicial District | - |
| Claim Received Date | - 10/09/1992 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - S015062 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - C |
| | | | | Notice of Error Flag | - |

MICROFILMED

JAN 26 1993

Water Right Number - 36-02290

Prefix Translation: WATER RIGHT

Old (D) Number - 26134

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

*** C - CURRENT OWNER ***
MC HAN

VIRGIL FLOYD

1 - 346 ELM AVE.

2 -

3 -

City- IDAHO FALLS

State- ID Zip- 83401

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
12/28/1955 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
08S 15E 20 NW NW (47) GOODING+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 1.870
43 - DOMESTIC+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.870+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
08S 15E 19 NE NE 36.0 01 IRRIGATION (47) GOODING
08S 15E 19 SE NE 34.0 01 IRRIGATION (47) GOODING
08S 15E 19 NE SE 5.0 01 IRRIGATION (47) GOODING
08S 15E 19 NW SE 3.0 01 IRRIGATION (47) GOODING
08S 15E 19 SW SE 13.0 01 IRRIGATION (47) GOODING
08S 15E 19 SE SE 32.0 01 IRRIGATION (47) GOODING
08S 15E 20 NW NW 34.0 01 IRRIGATION (47) GOODING

Total Acres: 157.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

MICROFILMED

JAN 26 1993

Water right number - 36-02290

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

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

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

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

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

+ - - Audit Fields - 06/18/85 05/28/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

| | | |
|--------------------------------|------------------------------|---------------------|
| Proof Due Date - 00/00/0000 | Field Exam Made - 00/00/0000 | Field Exam Fee - |
| Approved/Denied - 00/00/0000 | Protested Date - 00/00/0000 | Swan Falls - |
| Proof Made Date - 00/00/0000 | Hearing Date - 00/00/0000 | Temporary Right - P |
| Exam to S.O. Date - 00/00/0000 | Verified Date - 06/18/1985 | DLE/Carey Act - |
| Order Show Cause - 00/00/0000 | Receipt Number - | Water District - |
| Licensed Date - 04/24/1979 | Appl Received - 00/00/0000 | Transfer/Amended - |
| Decree Date - 00/00/0000 | Presumption Flag - | |

MICROFILMED

JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:23:57
10/12/92

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02290

| WR ELEMENT | FIELD EXAM
Y/N | CORRESPONDENCE
SENT/RECEIVED
BY WHOM/DATE | FIELD EXAM
BY WHOM/DATE | CHANGE
CLAIM
Y/N | VERIFIED BY
CODE | COMPLETED
REVIEW
WHOM/DATE | COMPLETED
DATA ENTRY
WHOM/DATE | VERIFIED
DATE
WHOM/DATE |
|---------------------------|-------------------|---|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE | | | ADm
10/12/92 | | | ADm
10/12/92 | | ADm
10/12/92 |
| POINT OF DIV | Y | | / | | 6 | / | | / |
| SOURCE | | | | | | | | |
| PLACE OF USE | Y | | | | 6 | | | |
| DIV. AMOUNT
CFS/VOLUME | Y | | | | 6 | | | |
| CONSUMPTIVE USE | - | | | | | | | |
| PURPOSES | Y | | | | 6 | | | |
| PERIOD OF USE | Y | | | | 6 | | | |
| BASIS OF CLAIM | | | | | | | | |
| REMARKS | Y | | / | | | / | | / |

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICROFILMED

JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:23:57
10/12/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02290

LAST: FARMERS HOME ADMINISTRATION
ADDRESS:

FIRST:

111 E AVE F
CITY: JEROME
PHONE NUMBER: 208-324-2306

STATE: ID ZIP: 83338

OWNER CODE: L

LAST: ELLIOTT
ADDRESS:

FIRST: JOHN

CITY: WENDELL
PHONE NUMBER: 208-000-0000

STATE: ID ZIP: 83355

OWNER CODE: C

LAST: JONES
ADDRESS: 715 EASTLAND DR N
CITY: TWIN FALLS
PHONE NUMBER: 208-733-7612

FIRST: ROBERT

STATE: ID ZIP: 83301

OWNER CODE: R

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THIS CLAIM IS BEING FILED BY ROBERT JONES, A POTENTIAL BUYER OF
THE PROPERTY. THE CURRENT OWNER, MR. ELLIOTT HAS BEEN IN
FORECLOSURE WITH FHA AND HAS BEEN UNCOOPERATIVE IN CLAIMING THIS
WATER RIGHT IN THE SRBA.

MICROFILMED

JAN 26 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 10/12/92

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

In office review. On 10/9/92 Mr. Jones came into the office and explained that he was interested in purchasing the subject property. The land is watered from NSCC # 2 well in NW1/4S20. The right for the well had not been claimed by the owner. Apparently the owner was having financial problems and FHA was in the process of foreclosing on the property. Mr. Jones was working out a deal to purchase the property to satisfy FHA's mortgage. I told Mr. Jones that we would take a late claim but due to our Nov. 1, 1992 deadline with the court we may not have time to complete the review and we might just disallow the claim. Anyway as a result Mr. Jones filed the claim. Due to limited time our recommendation is based solely on an in office review.

RECORDED

JAN 26 1993

A. AJ CLAIM: # A36-02290 PRIORITY DATE: 12-28-1955 STAGE: L

B. WR RECORD: # 36-02290 PRIORITY DATE: 12-28-1955 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:
12-28-1955

REVIEWED BY AD-

DATE 10/12/92

=====

MICROFILMED

JAN 26 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|----------------------------------|------|------|------|----------------------------------|-----|-----|-----|---------|
| A36-02290 | 08S | 15E | 20 | | NW | NW | | GOODING |
| OTHER AJ CLAIMS WITH SAME AJ POD | | | | WR RECORDS IN SAME 40 ACRE TRACT | | | | |
| A PREFIX
A36-07888 | | | | R PREFIX
36-07888 | | | | |

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------------------------------|------|------|------|---------------------------------|-----|-----|-----|---------|
| 36-02290 | 08S | 15E | 20 | | NW | NW | | GOODING |
| OTHER WR RECORDS WITH SAME WR POD | | | | AJ CLAIMS IN SAME 40 ACRE TRACT | | | | |
| 36-07888 | | | | A PREFIX
A36-07888 | | | | |
| | | | | R PREFIX
R36-07888 | | | | |

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

| | DATABASE | FIELD EXAMINER |
|----------------------------------|----------|----------------|
| DUE TO POD DISCREPANCY? (Y/N) | Y | _____ |
| DUE TO SOURCE DISCREPANCY? (Y/N) | N | _____ |

NOTES:

RECEIVED
JAN 26 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|------|------|------|-----|-----|-----|-----|--------|
| --- | --- | --- | --- | --- | --- | --- | --- |
| --- | --- | --- | --- | --- | --- | --- | --- |
| --- | --- | --- | --- | --- | --- | --- | --- |
| --- | --- | --- | --- | --- | --- | --- | --- |
| --- | --- | --- | --- | --- | --- | --- | --- |

As Claimed.

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: Adm

DATE: 10/12/92

SYSTEM DESCRIPTION:

MICROFILMED

JAN 26 1993

A. ROOT WATER RIGHT NUMBERS: A36-02290

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|-----------------------------|------------------|----------------|-----------------|----------------|------------------|
| 08S | 15E | 19 | NE | NE | | FARMERS HOME ADMINISTRATION | A36-02290 /38.0 | 36-02290 /36.0 | 38.0 | 38 | 38 |
| | | | NE | NE | | LARGE CLAIM | A01-0021221/20.0 | - / | | | |
| 08S | 15E | 19 | NW | NE | | FARMERS HOME ADMINISTRATION | A36-02290 / 4.0 | - / | 16.0 | 0 | 0 |
| 08S | 15E | 19 | SW | NE | | FARMERS HOME ADMINISTRATION | A36-02290 /25.0 | - / | 18.0 | 0 | 0 |
| 08S | 15E | 19 | SE | NE | | FARMERS HOME ADMINISTRATION | A36-02290 /39.0 | 36-02290 /34.0 | 39.0 | 39 | 39 |
| | | | SE | NE | | LARGE CLAIM | A01-0021221/20.0 | - / | | | |
| 08S | 15E | 20 | NW | NW | | FARMERS HOME ADMINISTRATION | A36-02290 /24.0 | 36-02290 /34.0 | 24.0 | 24 | 24 |
| | | | NW | NW | | LARGE CLAIM | A01-0021221/20.0 | - / | | | |
| | | | NW | NW | | GAW , EA | A36-07888 / 1.0 | 36-07888 / 1.0 | | | |
| | | | NW | NW | | GAW , E A | R36-07888 / 1.0 | - / | | | |
| TOTAL ACRES | | | | | | | A36-02290 | 130.00 | 104.00 | 135.00 | 101 |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POU COUNTY: GOODING

PRESUMPTION FLAG: C

NOTES:

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

MICROFILMED

JAN 26 1993

A. AJ CLAIMED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|-----------------------|
| A36-02290 IRRIGATION | FROM 04-01 TO 10-31 | 1.870 CFS 520.00 AF/A |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 1.870 CFS 520.00 AF/A |

B. WR RECORDED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|-----------|--------------------|
| 36-02290 IRRIGATION | FROM TO | 1.870 CFS |
| 36-02290 DOMESTIC | FROM TO | 1.870 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 1.870 CFS |

PRESUMPTION FLAG: C

C. FIELD EXAM REQUIRED?

| | DATABASE | FIELD EXAMINER |
|--|----------|----------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N) | Y | <u> X </u> |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | Y | <u> X </u> |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | Y | <u> X </u> |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in notes, below.

NOTES:

MICROFILMED

JAN 26 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.870 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.870 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NORTH SIDE CANAL CO WATER

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM NO. | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-------------|-------------|-----------------------------|-------------|----------------|-----------|----------------|
| A36-02290 | GROUNDWATER | FARMERS HOME ADMINISTRATION | 1.870 | 0.014 | 520.00 | 4.00 |
| A01-0021221 | LARGE CLAIM | LARGE CLAIM | 9999999.000 | 415.354 | | |
| A36-07888 | GROUNDWATER | GAW, EA | 0.070 | 0.070 | 5.20 | 5.20 |
| R36-07888 | GROUNDWATER | GAW, E A | 0.070 | 0.070 | 4.80 | 4.80 |

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|------------|----------|---------------------|----------|----------|
| A36-07888 | DOMESTIC | GAW, EA | FROM 01-01 TO 12-31 | .040 CFS | |
| A36-07888 | STOCKWATER | GAW, EA | FROM 01-01 TO 12-31 | .020 CFS | |
| R36-07888 | DOMESTIC | GAW, E A | FROM 01-01 TO 12-31 | .040 CFS | .60 AF/A |
| R36-07888 | STOCKWATER | GAW, E A | FROM 01-01 TO 12-31 | .020 CFS | .20 AF/A |

Not same place

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JAN 26 1993

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 101 x 0.02 CFS/ACRE = 2.02 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 390.0 AF/A

ACRES 101 x CONSUMPTIVE VOL. AF/A FOR AREA 2.97 = 3.0

TOTAL CONSUMPTIVE USE 303 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 520.00 AF/A

ACRES 101 x DIVERSION VOL. AF/A FOR AREA 4.0 =

TOTAL DIVERSION VOLUME 404 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

S17 with overlap
of NSCC

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JAN 26 1993

RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|----------------------|------------------------|----------------------|-----------------------|-------------------|
| | | DATABASE EXAMINER | DATABASE EXAMINER | DATABASE EXAMINER |
| <u>Irrig.</u> | <u>4/1 10/31</u> | <u>1.87</u> | <u>407</u> | <u>303</u> |
| TOTAL FOR THIS RIGHT | | | | |

REVIEWED BY:

AR

DATE:

10/12/92

MICROFILMED

JAN 26 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

| ACCEPTED
AS CLAIMED | NEEDS
REVIEW |
|------------------------|-----------------|
| () | () |
| () | () |
| () | () |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02290

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.870

EXAMINER

CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A36-02290 | 1.870 | R36-02290 | 1.870 | 36-02290 | 1.870 |
| TOTAL CFS | | 1.870 | | 1.870 | | 1.870 |

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

NOTES:

AUTHENTICATION:

SIGNATURE: _____

DATE: 10/12/92

NAME OF FIELD EXAMINER: _____

TITLE: _____

MICROFILMED
JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:25:53
10/12/92

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A36-02290

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|---------------|----------------------------------|------------------|------------|-----------------------|-------------------|------------------------|
| C | JOHN ELLIOTT
WENDELL ID 83355 | 12/28/1955 | IRRIGATION | 04-01 10-31 | 1.87 CFS | 520.0 AFA |
| | | | | | TOTAL DIVERSION: | 1.87 CFS |
| | | | | | CONSUMPTIVE USE: | 520.0 AFA
390.0 AFA |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T08S R15E S20

NWNW

GOODING County

Place of use Legal Description for: IRRIGATION

| | | | | NE | | | | NW | | | | SW | | | | SE | | | | | | | | | | | | | | |
|-----|-----|----|---|-------------|----|-------|----|----|-------|
| T | R | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | SUM |
| 08S | 15E | 19 | : | 38 | | 04 | | 25 | | 39 | | | | | | | | | | | | | | | | | | | | 106.0 |
| 08S | 15E | 20 | : | | | | | | | | | 24 | | | | | | | | | | | | | | | | | | 24.0 |
| | | | | TOTAL ACRES | | 130.0 | | | |

POU County: GOODING

Other Rights: NORTH SIDE CANAL CO WATER

Remarks: THIS CLAIM IS BEING FILED BY ROBERT JONES, A POTENTIAL BUYER OF THE PROPERTY. THE CURRENT OWNER, MR. ELLIOTT HAS BEEN IN FORECLOSURE WITH FHA AND HAS BEEN UNCOOPERATIVE IN CLAIMING THIS WATER RIGHT IN THE SRBA.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: C

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JAN 26 1993