

Names of Parties Filing Document:

UNITED STATES OF AMERICA

ELLIOTT FAMILY LIMITED
PARTNERSHIP

Attorneys' Names and Addresses:

THOMAS L. SANSONETTI
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Environment and Natural Resources Division

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Attorney, U.S. Dept. of Justice
General Litigation Section
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724
Ph.: (202) 305-0435 FAX: (202) 305-0274

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

In Re SRBA

Case No. 39576

) Subcase Number: 37-07338
)
) **STIPULATION TO RESOLVE THE**
) **UNITED STATES' OBJECTION**

The United States of America and the Elliott Family Limited Partnership (hereinafter
"Claimant") agree and stipulate to resolve the United States Department of the Interior, Bureau of
Land Management's (hereinafter "BLM") objection filed in the the above-captioned Subcase as
follows:

//

//

STIPULATION

1. In accordance with a Cooperative Wildlife Habitat-Farming Development Agreement between the Idaho Department of Fish and Game, the BLM, and Jess D. Elliot, dated April 1, 2000 (hereinafter "Cooperative Agreement"), the parties agree and stipulate to "split" Water Right Number 37-07338 into two new water rights. The Claimant shall hold title to private land places of use. The United States shall hold title to the following federal public land places of use:

T.06S., R.13E., Section 13, SWSE (32.0 Acres)

T.06S., R.13E., Section 13, SESE (32.0 Acres)

2. If the Cooperative Agreement expires and is not renewed, or is terminated according to its terms, the Claimant agrees to initiate a transfer pursuant to I.C. 42 §222 to move acres describing federal public land to privately owned lands. The application for transfer shall be filed within 60 days of the date the Cooperative Agreement expires, or is terminated according to its terms. The Claimant agrees all costs of said transfer shall be borne by the Claimant. The United States agrees and stipulates to cooperate in the transfer. The Claimant agrees that upon successful application for water right transfer pursuant to I.C. 42-222, the Claimant shall not assume title to any places of use describing federal public land. Water rights associated with the Cooperative Agreement, or portions thereof, not transferred off of federal public land shall be deemed forfeited. The United States shall be released and held harmless from loss, injury, damage and/or reduction in value of water rights should the Cooperative Agreement expire, not be renewed, be terminated according to its terms, or IDWR not allow transfer of water right, or portion thereof, and is forfeited.

//

3. Nothing in this stipulation shall prevent the BLM from administering the use of federal public land and its associated water rights in accordance with applicable law, including modifying or terminating land use authorizations.

4. This stipulation has been reached through good faith negotiations for the purpose of resolving legal disputes, including pending litigation. The parties agree that no offers and/or compromises made in the course thereof shall be construed as admissions against interest. This stipulation does not create a precedent for settlement of any other disputes or objections.

5. All parties agree to bear their own costs and attorney fees.

CLAIMANT:
ELLIOTT FAMILY LIMITED PARTNERSHIP

JESS D. ELLIOTT, Partner

DATED: _____

OBJECTOR:
UNITED STATES OF AMERICA

LARRY A. BROWN *LWB*
Of Attorneys for the United States

DATED: _____

CERTIFICATE OF SERVICE

I certify that on _____, 2003, I served a true and correct copy of fore-going **STIPULATION TO RESOLVE THE UNITED STATES' OBJECTION; SUBCASE NUMBER 37-07338** upon the following individuals by placing the document in the United States Mail in Washington, D.C., postage paid, 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. Copy to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

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

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase:

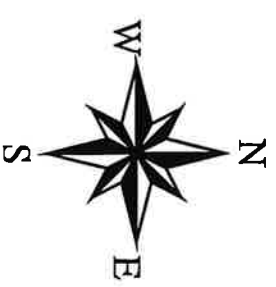
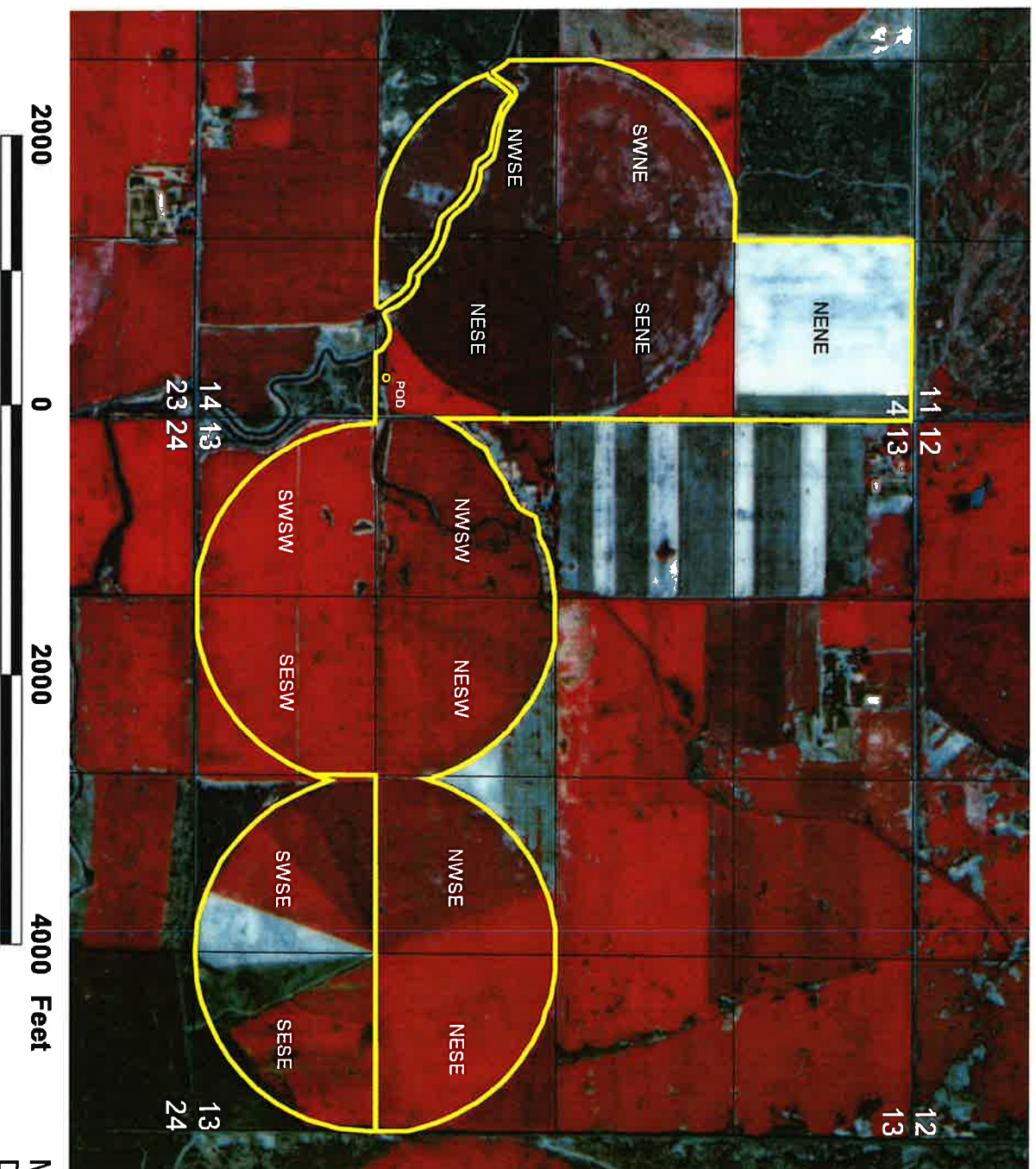
U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Elliott Family Limited Partnership
HC 60 Box 1745
Bliss, ID 83314

Larry A. Brown

37-20838 & 37-20839

T06S R13E
S13 & S14



Map prepared by: Carter Fritschle
Date prepared: 11/15/01
1987-1988 NAPP photography
Idaho Department of Water Resources
Revised 12/19/02

12/19/2002

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

RIGHT NUMBER: 37-20838

NAME AND ADDRESS: ELLIOTT FAMILY LIMITED PARTNERSHIP
HC 60 BOX 1745
BLISS ID 83314

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.150 CFS
555.500 AFY

PRIORITY DATE: 02/06/1974

POINT OF DIVERSION:

T06S R13E S14 SENESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
1.150 CFS
555.50 AFY

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S13	NESW	34.0	T06S R13E S13	NWSW	32.0
T06S R13E S13	SWSW	30.0	T06S R13E S13	SESW	33.0
T06S R13E S13	NESE	32.0	T06S R13E S13	NWSE	33.0
T06S R13E S14	NENE	39.0	T06S R13E S14	SWNE	33.0
T06S R13E S14	SENE	40.0	T06S R13E S14	NESE	39.0
T06S R13E S14	NWSE	31.0			

376 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-7338.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.

12/19/2002

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

RIGHT NUMBER: 37-20839

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WY
BOISE ID 83709-1657

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.190 CFS
94.500 AFY

PRIORITY DATE: 02/06/1974

POINT OF DIVERSION:

T06S R13E S14 SENESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.190 CFS 94.50 AFY

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S13	SWSE	32.0	T06S R13E S13	SESE	32.0
---------------	------	------	---------------	------	------

64 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-7338.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.

06/22/2002

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

RIGHT NUMBER: 37-7338

NAME AND ADDRESS: ELLIOTT FAMILY LIMITED PARTNERSHIP
HC 60 BOX 1745
BLISS ID 83314

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.340 CFS
650.00 AFY

PRIORITY DATE: 02/06/1974

POINT OF DIVERSION:

T06S R13E S14 SENESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

1.340 CFS
650.00 AFY

PLACE OF USE:

IRRIGATION Within GOODING County

T06S R13E S13	NESW	34.0	T06S R13E S13	NWSW	32.0
T06S R13E S13	SWSW	30.0	T06S R13E S13	SESW	33.0
T06S R13E S13	NESE	32.0	T06S R13E S13	NWSE	33.0
T06S R13E S13	SWSE	32.0 BLM	T06S R13E S13	SESE	32.0 BLM
T06S R13E S14	NENE	39.0	T06S R13E S14	SWNE	33.0
T06S R13E S14	SENE	40.0	T06S R13E S14	NESE	39.0
T06S R13E S14	NWSE	31.0			

440 ACRES TOTAL

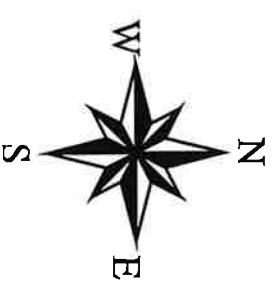
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: BASIS OF CLAIM - License

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL
CO. LTD.

**T06S R13E
S13 & S14**



Map prepared by: Carter Fritschle
Date prepared: 11/15/01
1987-1988 NAPP photography
Idaho Department of Water Resources

04/04/2002

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

RIGHT NUMBER: 37-7338

NAME AND ADDRESS: ELLIOTT FAMILY LIMITED PARTNERSHIP
HC 60 BOX 1745
BLISS ID 83314

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.34 CFS
650.0 AFY

PRIORITY DATE: 02/06/1974

POINT OF DIVERSION:

T06S R13E S14 SENESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

1.340 CFS
650.00 AFY

PLACE OF USE:

IRRIGATION Within GOODING County

T06S R13E S13	NESW	34.0	T06S R13E S13	NWSW	32.0
T06S R13E S13	SWSW	30.0	T06S R13E S13	SESW	33.0
T06S R13E S13	NESE	32.0	T06S R13E S13	NWSE	33.0
T06S R13E S13	SWSE	32.0	T06S R13E S13	SESE	32.0
T06S R13E S14	NENE	39.0	T06S R13E S14	SWNE	33.0
T06S R13E S14	SENE	40.0	T06S R13E S14	NESE	39.0
T06S R13E S14	NWSE	31.0			

440 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL
CO. LTD.

WMD

37-7338
POD Data

06S 13E 14 NESE

Legal Description

GPS Site ID

Diversion Name

Meas
Option

POD

06S 13E 14 NESE

A0004191

WAITE WELL

GOOD

401610

Latitude 042:53:54.355

Longitude -114:52:14.951

GPS File C071620B

Timeclock (7)

Comments EXISTING TIME CLOCK OPERATING PROPERLY

Timeclock Data

Year 2000 Op Hours: 56 Avg GPM: 1137 Avg CFS: 2.53 Acre-Ft: 11.72

Comments This well was run for 56 hours for maintenance purposes. CRK 1-22-01

Preferred ☐

Validated ☐

Change Date: 8/28/2001

Year 1999 Op Hours: Avg GPM: 1137 Avg CFS: 2.53 Acre-Ft:

Comments

Preferred ☐

Validated ☐

Change Date: 8/28/2001

Year 1998 Op Hours: Avg GPM: 1137 Avg CFS: 2.53 Acre-Ft:

Comments

Preferred ☐

Validated ☐

Change Date: 8/28/2001

Site Visits

Site Visit
Date

Site
Examiner

Reason

Change Date:

8/28/2001

CKNOWLES

Other

8/28/2001

Notes: Looked through file and found that the well is used very little and has been measured once back 97' by C. Hodges. At that time the well was pumping 1137 GPM. Needs to be re-done.

7/16/1997

CHODGES

Inventory

10/6/2000

Notes:



Point of Diversion

(ALL DISTRICTS)

GPS Site ID Tag	A0004191	Legal Description	06S 13E 14 NESE	POD Number	401610	
GPS Site ID Tag	A0004191	Legal Description	06S 13E 14 NESE	Diversion Name	WAITE WELL	
Data Summary	Twp	Rng	Sect	QQQ	Q	Lot
	06S	13E	14	NE	SE	
Tag Location:	Offset	Bearing	Elevation	GPS File	POD Number	
SERVICE POLE S OF POND	0	0	0	C0716208	401610	
Description:	Source: Ground Water					
EXISTING TIME CLOCK OPERATING PROPERLY						

Latitude:	Longitude:	Altitude:	Measurement Option:
42 53 54.355	-114 52 14.951	1016.45	Timeclock (7)
IDTM-X: 428901.91	IDTM-Y: 200126.22	District: WMD	Access Port:

Reporter(s):	Network:	Use Codes:	Access Port:
Owner	Last Name:	ELLIOTT	
Edit	Yes	First Name:	JESS D OR KAREN
		Organization:	WOODTICK FARMS

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

Record: 1 of 1

Print Data

Reporters

Water Rights

Menu

Record: 1 of 1 2575

Select POD Legal Description

Start

Inbox

Explorin...

Realduk...

http://w...

http://w...

WMIS...

Microso...

ArcView...

CAPS NUM

9:19 AM

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: A37-07338
Date Received: 8/31/1988
Receipt No: S001954
Received By: DJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JESS D ELLIOTT 208-352-4680
Address: HC 60 BOX 1745
BLISS ID 83314
AND/OR
Name: KAREN K ELLIOTT 208-352-4680
Address: HC 60 BOX 1745
BLISS ID 83314
AND/OR
Name: RICHARD H WAITE 208-352-4680
Address: HC 60 BOX 1745
BLISS ID 83314

2. Date of Priority: FEB 6, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	13E	14		NE	SE		GOODING

5. Description of diverting works:
100 HP PUMP, SPRINKLER SYSREM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.340		650.00

7. Total Quantity Appropriated is:
1.340 C.F.S. (and/or) 650.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

RECORDED
NOV 27 1999

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	13E	13	NE		SW		IRR	40.0
			NW		SW		IRR	33.0
			SW		SW		IRR	36.0
			SE		SW		IRR	39.0
			NE		SE		IRR	20.0
			NW		SE		IRR	17.0
			SW		SE		IRR	33.0
			SE		SE		IRR	33.0
							Section Acres	251.0
		14	NE		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			NE		SE		IRR	38.0
			NW		SE		IRR	33.0
							Section Acres	189.0
							Total Acres	440.0

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:

14. Remarks:

THE RATE OF DIVERSION UNDER THIS LIC. WHEN COMBINED WITH ALL OTHER RTS. FOR THE SAME USE SHALL NOT EXCEED .02 CFS/AC. OWNERSHIP CHANGE RECEIVED 4-4-94. GOUGH-FORMER OWNER, ELLIOTT-NEW OWNER. WARRANTY DEED INCLUDED, OWNERSHIP CHANGED 11-9-94. *****

11/21/95, DJ: FIRST NAME FOR MR ELLIOT CHANGED TO REFLECT ACTUAL NAME AS IT APPEARS ON 42-1409(7) REC'D ON 4/4/94 & ENTERED ON 11/9/94 AS DATA ENTRY ERROR. NEW OWNERSHIP CHANGE FORM REC'D AND DATA ENTERED THIS DAY.

15. Basis of Claim: LICENSE



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

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

NOV 21 1995

DATE OF CLOSING: 12-8-94Department of Water Resources
Southern Region

LEGAL DESCRIPTION OF PROPERTY: Township 6 South Range 13 East, B.M.
Section 13&14, 1/4 of SEE 1/4 of ATTACHED 1/4, Govt. Lot N/A, B.M.
Lot N/A, Block, N/A, Subdivision/Townsite N/A.
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s)
Assigned by IDWR: A37-11194 & A37-07338
- ☒ Name and Address of Former Owner/Claimant(s)(Seller):
Jess D. Elliott and/or Karen K. Elliott
HC 60, Box #1745
Bliss, Idaho 83314
- ☒ New Owner/Claimant (Purchaser):
Richard H. Waite and/or Jess D. and/or Karen K. Elliott
- ☒ New Mailing Address:
HC 60, Box #1745
Bliss, Idaho 83314
- ☒ New Telephone Number: (208) 352 - 4680
- ☒ 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: Copy of two recorded Warranty Deeds.
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☒ Signature of New Owner/Claimant(s): Jess D. Elliott & Karen K. Elliott Date 11-21-95
Jess D. Elliott Date 11-20-95
- ☒ Signature of Former Owner/Claimant(s): Jess D. Elliott Date 11-20-95
Karen K. Elliott Date 11-20-95

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 11/21/95 By: [Signature]

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

NOV 27 1995

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: **A37-07338**
Date Received: 8/31/1988
Receipt No: S001954
Received By: _____

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

1. Name: JOHN C ELLIOTT 208-352-4680
Address: HC 60 BOX 1745
BLISS ID 83314

AND/OR

Name: KAREN K ELLIOTT 208-352-4680
Address: HC 60 BOX 1745
BLISS ID 83314

2. Date of Priority: FEB 6, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	13E	14	NE	SE			GOODING

5. Description of diverting works:
100 HP PUMP, SPRINKLER SYSREM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.340		650.00

7. Total Quantity Appropriated is:
1.340 C.F.S. (and/or) 650.00 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
06S	13E	13	NE	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	13E	13	NW	SW		IRR	33.0
			SW	SW		IRR	36.0
			SE	SW		IRR	39.0
			NE	SE		IRR	20.0
			NW	SE		IRR	17.0
			SW	SE		IRR	33.0
			SE	SE		IRR	33.0
						Section Acres	251.0
		14	NE	NE		IRR	39.0
	SW		NE		IRR	40.0	
	SE		NE		IRR	39.0	
	NE		SE		IRR	38.0	
	NW		SE		IRR	33.0	
						Section Acres	189.0
						Total Acres	440.0

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:

14. Remarks:

THE RATE OF DIVERSION UNDER THIS LIC. WHEN COMBINED WITH ALL OTHER RTS. FOR THE SAME USE SHALL NOT EXCEED .02 CFS/AC. OWNERSHIP CHANGE RECEIVED 4-4-94. GOUGH-FORMER OWNER, ELLIOTT-NEW OWNER. WARRANTY DEED INCLUDED, OWNERSHIP CHANGED 11-9-94.

15. Basis of Claim: LICENSE

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 _____

Water Right Number - R37-07338 Prefix Translation: RESEARCH Old (D) Number -

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

*** C - CURRENT OWNER ***

ELLIOTT JOHN C 1 - HC 60 BOX 1745 State- ID Zip- 83314
2 - City- BLISS
3 - Phone - 208-352-4680
1 - HC 60 BOX 1745
2 - State- ID Zip- 83314
3 - City- BLISS
Phone - 208-352-4680

*** O - ORIGINAL OWNER ***

GOUGH JOHN C. 1 - 2052S 2000E State- ID Zip- 83314
2 - HC 60
3 - City- BLISS
Phone - 208-352-4275
1 - 2052S 2000E
2 - HC 60
3 - State- ID Zip- 83314
City- BLISS
Phone - 208-352-4275

GOUGH BARBARA A. 1 - 2052S 2000E State- ID Zip- 83314
2 - HC 60
3 - City- BLISS
Phone - 208-352-4275
1 - 2052S 2000E
2 - HC 60
3 - State- ID Zip- 83314
City- BLISS
Phone - 208-352-4275

+ - - Priority Date - - + + - - Region - - + + - - Stage - - + + - - Status - - - +
02/06/1974 17 SOUTHERN L - LICENSE

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

GROUNDWATER

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

Twn	Rng	Sec	Tract	Lot	RFlg	County
06S	13E	14	NE SE	(47)	GOODING	

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	1.340	650.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.340 650.00 0.0

+ - - - - Place of Use - - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06S	13E	13	NE SW	40.0	01	IRRIGATION	(47) GOODING	
06S	13E	13	NW SW	33.0	01	IRRIGATION	(47) GOODING	
06S	13E	13	SW SW	36.0	01	IRRIGATION	(47) GOODING	
06S	13E	13	SE SW	39.0	01	IRRIGATION	(47) GOODING	
06S	13E	13	NE SE	20.0	01	IRRIGATION	(47) GOODING	

MICROFILMED
NOV 27 1996

Water right number - R37-07338 Prefix Translation: RESEARCH

Trn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06S	13E	13	NW SE	17.0	01	IRRIGATION	(47) GOODING	
06S	13E	13	SW SE	33.0	01	IRRIGATION	(47) GOODING	
06S	13E	13	SE SE	33.0	01	IRRIGATION	(47) GOODING	
06S	13E	14	NE NE	39.0	01	IRRIGATION	(47) GOODING	
06S	13E	14	SW NE	40.0	01	IRRIGATION	(47) GOODING	
06S	13E	14	SE NE	39.0	01	IRRIGATION	(47) GOODING	
06S	13E	14	NE SE	38.0	01	IRRIGATION	(47) GOODING	
06S	13E	14	NW SE	33.0	01	IRRIGATION	(47) GOODING	

Total Acres: 440.0

+ - - Diversion Means - 100 HP PUMP, SPRINKLER SYSYEM

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

THE RATE OF DIVERSION UNDER THIS LIC. WHEN COMBINED WITH ALL
OTHER RTS. FOR THE SAME USE SHALL NOT EXCEED .02 CFS/AC.
OWNERSHIP CHANGE RECEIVED 4-4-94. GOUGH-FORMER OWNER, ELLIOTT-
NEW OWNER. WARRANTY DEED INCLUDED, OWNERSHIP CHANGED 11-9-94.

No Old Water Right Numbers Found

Conditions of Approval

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

Date: 11/09/1994 User Id: TBACKLUN Subject: COPIED FROM REMARKS
THE RATE OF DIVERSION UNDER THIS LIC. WHEN COMBINED WITH ALL
OWNERSHIP CHANGE RECEIVED 4-4-94. GOUGH-FORMER OWNER, ELLIOTT-
OTHER RTS. FOR THE SAME USE SHALL NOT EXCEED .02 CFS/AC.
NEW OWNER. WARRANTY DEED INCLUDED, OWNERSHIP CHANGED 11-9-94.

Audit Fields - - +
11/09/94 TBACKLUN

Adjudication Rights Dates and Flags Area					
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	- T
Claim Received Date	- 08/31/1988	Last Amended Date	- 00/00/0000	Temporary Right	-
		Receipt Number	-	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S

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

Name	Connector	- AND/OR -	Presumption Flag	Notice of Error Flag

NOV 27 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

09-NOV-94 09:25

JOHN & KAREN ELLIOTT
HC 60 BOX 1745
BLISS, ID 83314

RE: SRBA CLAIMS: A37-07338 & A37-11194
GOUGH

DEAR CLAIMANT(S):

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

YOU HAVE ANY MORE QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

NOV 27 1994

SD-0604-2 Township: 06S			Range: 13E		Section: 13		Tract: NWSE		Lot:	
S	L		STATE		O		S	Max # Records	51	
E	O	Water	Name		W		T	Priority	Use	
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
-	----	--	-----	-----	-	--	-	-----	--	-----
-			A37-10821	CARLISLE, STANLEY A.	C		J	01/01/1920	43	DOMEST
-				CARLISLE, MARY A.	C				04	STOCK
-			A37-11194	GOUGH, JOHN C.	C		J	01/01/1937	43	DOMEST
-				GOUGH, BARBARA A.	C				04	STOCK
-			R37-10821	CARLISLE, STANLEY A	C		J	01/01/1920	43	DOMEST
-				CARLISLE, MARY A	C				04	STOCK
-	NWSE		A37-07338	GOUGH, JOHN C.	C	17	L	02/06/1974	01	IRR
-				GOUGH, BARBARA A.	C					
-	NWSE		A37-11194	GOUGH, JOHN C.	C		J	01/01/1937	43	DOMEST
-				GOUGH, BARBARA A.	C				04	STOCK
-	NWSE		A01-00212Z0	NORTH SIDE CANAL COMPA	C	40	D	10/07/1905	01	IRR
-				ROSHOLT, JOHN A.	A				02	IRR S
-									03	IRR FS
-	NWSE		R37-11194	GOUGH, JOHN C	C		J	01/01/1937	43	DOMEST
-				GOUGH, BARBARA A	C				04	STOCK
-	NWSE		R37-11194	GOUGH, JOHN C	C		J	01/01/1937	43	DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

NOV 27 1998

SD-0604-2 Township: 06S			Range: 13E		Section: 13		Tract: NWSE		Lot:	
S	L		STATE	O	S	Max #	Records	51		
E	O	Water	Name	W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
			A37-10821	CARLISLE, STANLEY A.	C		J	01/01/1920	43	DOMEST
				CARLISLE, MARY A.	C				04	STOCK
			A37-11194	GOUGH, JOHN C.	C		J	01/01/1937	43	DOMEST
				GOUGH, BARBARA A.	C				04	STOCK
			R37-10821	CARLISLE, STANLEY A	C		J	01/01/1920	43	DOMEST
				CARLISLE, MARY A	C				04	STOCK
NWSE			A37-07338	GOUGH, JOHN C.	C	17	L	02/06/1974	01	IRR
				GOUGH, BARBARA A.	C					
NWSE			A37-11194	GOUGH, JOHN C.	C		J	01/01/1937	43	DOMEST
				GOUGH, BARBARA A.	C				04	STOCK
NWSE			A01-00212Z0	NORTH SIDE CANAL COMPA	C	40	D	10/07/1905	01	IRR
				ROSHOLT, JOHN A.	A				02	IRR S
									03	IRR FS
NWSE			R37-11194	GOUGH, JOHN C	C		J	01/01/1937	43	DOMEST
				GOUGH, BARBARA A	C				04	STOCK
NWSE			R37-11194	GOUGH, JOHN C	C		J	01/01/1937	43	DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

NOV 27 1998



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

APR 04 1994

DATE OF CLOSING: 3-25-94

LEGAL DESCRIPTION OF PROPERTY: Township 6 South Range 13 East, Boise, Meridian Office
Section 13&14, 1/4 of 1/4 of 1/4 Govt. Lot N/A, BM.
Lot N/A, Block, N/A, Subdivision/Townsite N/A. SEE ATTACHED LEGAL!
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s)
Assigned by IDWR: A37-7338 and A37-11194
- ☒ Name and Address of Former Owner/Claimant(s)(Seller): John C. Gough & Barbara A. Gough
2052 South 2000 East, HC 60
- ☒ New Owner/Claimant (Purchaser): Bliss, Idaho 83314
Jess D. Elliott and/or Karen K. Elliott
- ☒ New Mailing Address: HC 60, Box #1745
Bliss, Idaho 83314
- ☒ New Telephone Number: (208) 352 - 4680
- ☒ 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: Copy of the recorded Warranty Deed & copy of adjudication claims
(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) Jess D. Elliott Date 3-25-94
Karen K. Elliott Date 3-25-94

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 11-9-94 By: HLB

Claim Numbers of Split, if any:

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

NOV 27 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-07338
Date Received: 8/31/1988
Receipt No: S001954
Received By: WJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN C. GOUGH 208-352-4275
Address: 2052S 2000E
HC 60
BLISS, ID 83314

AND/OR
Name: BARBARA A. GOUGH 208-352-4275
Address: 2052S 2000E
HC 60
BLISS, ID 83314

2. Date of Priority: FEB 06, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	13E	14	NE	SE			GOODING

5. Description of diverting works:
100 HP PUMP, SPRINKLER SYSREM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.340		650.00

7. Total Quantity Appropriated is:
1.340 C.F.S. (and/or) 650.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A37-07338

Page 1

Date: 08/31/88

MICROFILMED
FEB 24 1989

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	13E	13	NE		SW		IRR	40.0
			NW		SW		IRR	33.0
			SW		SW		IRR	36.0
			SE		SW		IRR	39.0
			NE		SE		IRR	20.0
			NW		SE		IRR	17.0
			SW		SE		IRR	33.0
			SE		SE		IRR	33.0
							Section Acres	251.0
		14	NE		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			NE		SE		IRR	38.0
			NW		SE		IRR	33.0
							Section Acres	189.0
							Total Acres	440.0

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:

14. Remarks:

THE RATE OF DIVERSION UNDER THIS LIC. WHEN COMBINED WITH ALL
OTHER RTS. FOR THE SAME USE SHALL NOT EXCEED .02 CFS/AC.

15. Basis of Claim: LICENSE

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): Jane C. Gough Date: Aug 31-88
_____ Date: _____

State of Idaho _____)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 31st day
of August 19 88 Lori White
Notary Public

Seal

Residing at TF
My Commission Expires 5/95

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7338 Priority February 6, 1974 Amount 1.34 cfs

THIS IS TO CERTIFY, that JOHN C. GOUGH
of Bliss, Idaho, has complied with the terms and conditions of Permit
No. 37-7338 issued pursuant to Application for Permit dated February 6, 1974,
and has submitted proof to the Department of Water Resources on January 5, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.34 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use an
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>1.34</u> cfs and	<u>650</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.34 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
650 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, Twp. 6S,
Rge. 13E, B.M. in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6S	13E	13									40	33	36	39	20	17	33	33	251
		14	39		40	39									38	33			189

Total number of acres irrigated 440

Condition:

The rate of diversion under this license when combined with all other
rights for the same lands shall not exceed 0.02 cfs per acre.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
December, 19 79.


Director

RECORDED

TOTAL ACREAGE

Permit No. 37-7338
Examination for 6/a

DATE OF EXAM 7/2/79

ACREAGE
Found 482 Acres
Recommended 440

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 1.34 c.f.s. V = 652.7 AF/Ann. from 3-15 to 11-15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes X no _____

Name source: Waters from the North Side Canal Company
twp. 6S Rge. 13 E B.M., Sec. 14 Sub. NE 1/4 SE 1/4 Gooding County

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 County

Point of injection:
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 County

Point of exchange:
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 County

Total Q measured 600 gpm $\Rightarrow$ 1.34 cfs Method of measurement In-Line-Meter

Total Q recommended 1.34 cfs Meter No. 74-6-454 Type McGrawmeter Condition Fair
totalizer portion of meter did not work.

Total V recommended 652.7

Recommended Amendments:

P.D. _____
Place of Use (See Attached corrected amendment)
Other _____
None _____

MEASUREMENT CALCULATION:
 $Q_{rec.} = Q_{meas.} = (600 \text{ gpm} / 448.8 \text{ gpm/cfs}) = 1.34 \text{ cfs}$

$V_{rec} = (1.34 \text{ cfs} \times 1.98 \text{ A.F./cfs day} \times 246 \text{ days}) = 650.0$

SYSTEM DESCRIPTION:
100 H.P. Newman motor, serial 51226204 with Peerless pump serial FI9680
deliver to a mainline which is connected to a pump which diverts from the
North Side Canal Co. canal. The mainline delivers water to three
pivots and handlines and two wheel lines.

REMARKS: Mr. Gough was present during the exam.

The pump from canal was running during the well measurement.
AMENDMENT ALREADY COMPLETED - Sent 10-day notice letter.

Examiner's Signature Allen D. Merritt Date 7/17/79
Checked by J E Stanton Date 7-17-79
Approved by _____ Date _____

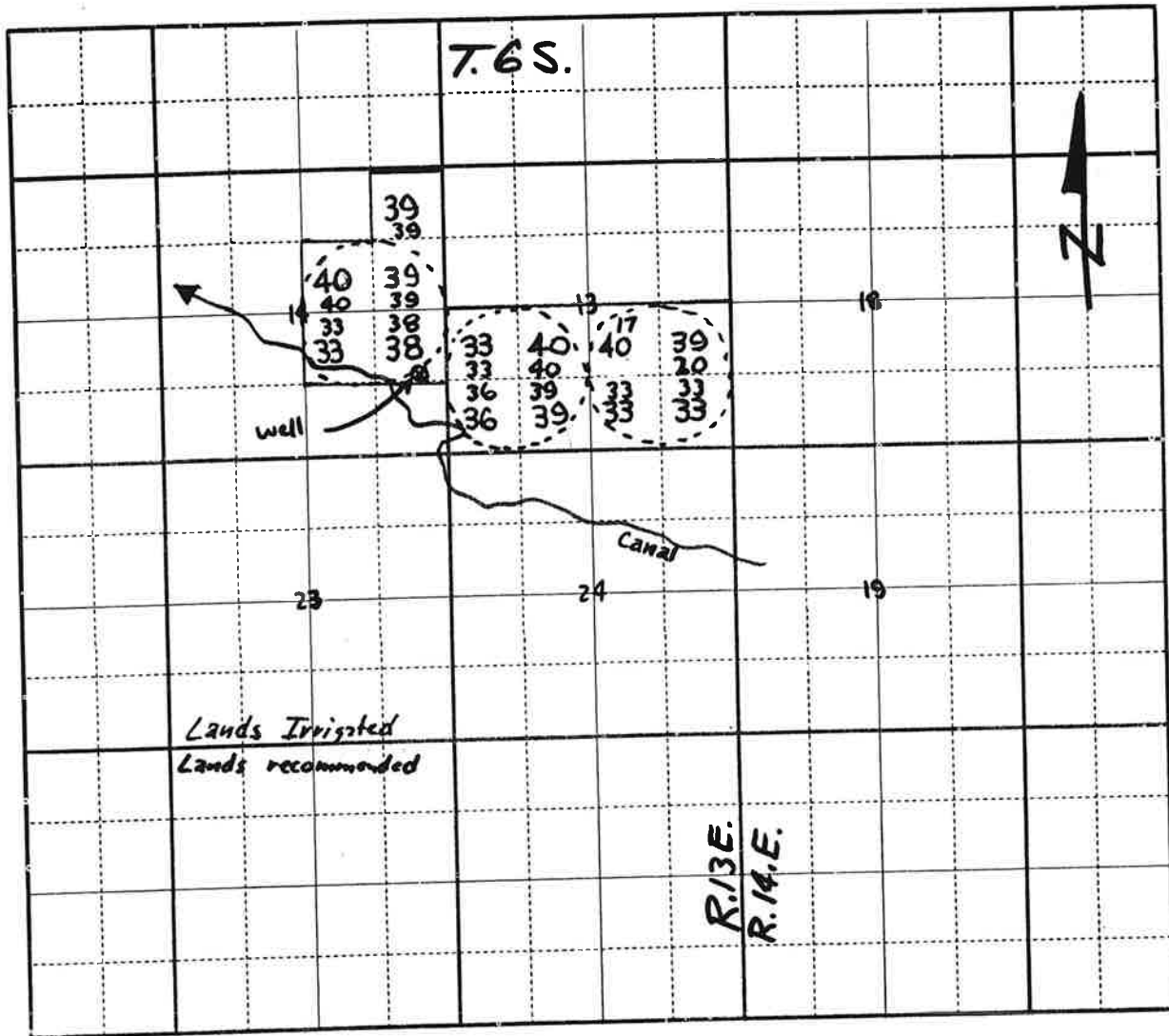


Diagram of System

