

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: A36-02324
Date Received: 2/08/1990
Receipt No: S011144
Received By: B.V. 21

COPY
FOR YOUR FILES

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

1. Name: ROOST POTATO COMPANY
Address: 952 S., 1400 E.
EDEN, ID

208-825-5007

83325-0000

2. Date of Priority: APR 24, 1957

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	19E	28	NE	SE	NW		JEROME

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.200		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is 180 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	19E	28	SW	NE		IRR	20.0
			SE	NE		IRR	40.0

Section Acres 60.0

A36-02324

Page 1

Date: 02/08/90

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10. Place of Use: Continued

Total Acres 60.0

11. Place of use in counties: JEROME

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

13. Other Water Rights Used:
A36-07000

14. Remarks:
TRANS. 3048.

15. Basis of Claim: LICENSE
Water Right Number: 26874

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OCT 13 1994
JAN 27 1993

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of

Title
ROOST POTATO CO, that I have signed the foregoing
Organization
document in the space below as PRESIDENT of

Title
ROOST POTATO CO and that the statements contained in the
Organization
foregoing document are true and correct.

Calvin Jones
Signature of Authorized Agent

PRESIDENT ROOST POTATO CO
Title and Organization

2-14-1990
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of February 1990

Robert V. Horstelf
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires January 16, 1995

Ringert, Clark, Harrington, Reid, Christenson & Kaufman

CHARTERED
LAWYERS

WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON
JAMES G. REID
JEFFREY R. CHRISTENSON
JAMES P. KAUFMAN
LAURA E. BURRI

SAMUEL KAUFMAN (1921-1988)

599 WEST BANNOCK STREET
P.O. BOX 2773
BOISE, IDAHO 83701
TELEPHONE (208) 342-4591
FAX (208) 342-4657

April 14, 1989

Mr. R. Keith Higginson, Director
Idaho Department of Water Resources
1301 North Orchard Avenue
Boise, ID 83706

Re: Snake River Basin Adjudication - Change in Ownership

Dear Mr. Higginson:

Pursuant to the requirements of Idaho Code §42-1409(7), you are hereby notified that the property described in the enclosed "Description of Lands" has been sold by The Travelers Insurance Company, a Connecticut corporation to Roost Potato Company, Inc., whose current mailing address, according to our records is 952 S. 1400 East, Eden, Idaho 83325.

The water rights appurtenant to those lands and for which the owner is required to file a notice of claim in the Snake River Adjudication are identified by the following water right numbers in the record of the Department of Water Resources or Notices of Claim numbers in the Snake River Basin Adjudication:

Water Licenses Nos. 36-2324, 36-7000, and 36-7763.

Yours very truly,


W. F. Ringert

WFR:am
Enclosure
cc: Donald S. Reed
Margaret Veglia
Thomas S. Josselyn
Roost Potato Company, Inc.

A36 - 07019
0829
13927
13928
13929
13930
13931
07554
02324
07000

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TOWNSHIP 9 SOUTH, RANGE 19, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 20: S~~X~~SE~~X~~; NE~~X~~SE~~X~~;
Section 21: SW~~X~~SW~~X~~;
Section 28: S~~X~~N~~X~~; NW~~X~~NW~~X~~;
Section 29: N~~X~~NE~~X~~;
Section 32: N~~X~~, EXCEPTING THEREFROM that portion of NW~~X~~NW~~X~~
deeded to the State of Idaho by Deed recorded April
12, 1934 in Book 102 Page 579, Jerome County
records.

EXCEPTING THEREFROM that part of N~~X~~NE~~X~~ deeded to
the State of Idaho by Deed recorded January 29,
1932 in Book 102 Page 233, Jerome County records.

EXCEPTING THEREFROM that part of E~~X~~NW~~X~~ deeded to
the State of Idaho by Deed recorded April 12, 1934
in Book 102 Page 479, Jerome County records.

EXCEPTING THEREFROM that part of SW~~X~~NW~~X~~ deeded to
the State of Idaho by Deed recorded April 12, 1934
in Book 102 Page 577, Jerome County records.

AND EXCEPTING the following described parcel
located in the SE~~X~~NE~~X~~ and NE~~X~~SE~~X~~:

Beginning at the Southeast corner of said Section
32;
Thence North 0°03'00" West a distance of 2599.93
feet along the Easterly boundary of said Section
32 to THE TRUE POINT OF BEGINNING;
Thence North 89°06'42" West a distance of 225.56
feet;
Thence North 3°34'50" East a distance of 185.61
feet;
Thence North 84°21'20" East a distance of 214.80
feet to a point on the Easterly boundary of said
Section 32;
Thence South 0°03'00" East a distance of 209.67
feet to THE TRUE POINT OF BEGINNING.

C o n t i n u e d

SUBJECT TO an easement over a strip of land 20 feet wide which runs directly over the existing mainline up to and including a pump and motor located on the North Side Canal with the right of ingress and egress and right to use and maintain pipes and pumps located on the above described property:

Section 32: That part of the N~~X~~SE~~X~~, described as follows:

Beginning at the East quarter corner of said Section 32;
Thence North 89°31' West, 281.6 feet along the North line of said N~~X~~SE~~X~~ to THE TRUE POINT OF BEGINNING;
Thence South 0°03' East, 454.8 feet to the North bank of the North Side Canal Company C-53 Lateral;
Thence North 89°30' West, 392.7 feet along said North bank of said lateral to the juncture of the C-42 lateral of the North Side Canal Company;
Thence along the North bank of said C-42 lateral the following courses and distances:
 Thence North 69°55' West, 701.75 feet;
 Thence South 85°17' West, 328.7 feet;
 Thence South 82°03' West, 817.35 feet;
 Thence South 80°15' West, 136.4 feet;
 Thence North 89°31' West, 21.85 feet to the West line of said N~~X~~SE~~X~~;
Thence North 0°03' West, 394.5 feet along said West line to the Northwest corner of said N~~X~~SE~~X~~;
Thence South 89°31' East, 2344.9 feet along the North line of said N~~X~~SE~~X~~ to THE TRUE POINT OF BEGINNING.

AND that part of the N~~X~~SE~~X~~, described as follows:

Beginning at the East quarter corner of said Section 32;
Thence South 0°03' East, 383.0 feet along the East line of said Section 32 to intersect the North bank of the North Side Canal Company C-53 Lateral;
Thence along the North bank of said C-53 lateral the following courses and distances:
 Thence North 86°17' West, 136.3 feet;
 Thence South 45°45' West, 124.09 feet;

C o n t i n u e d

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JAN 17 1995

Thence North 81°33' West, 57.36 feet;
Thence leaving said C-53 lateral North 0°03' West,
454.8 feet to the North line of said N½SE½;
Thence South 89°31' East, 281.6 feet to THE POINT
OF BEGINNING.

SUBJECT TO an easement over a strip of land 20 feet wide which runs directly over the existing mainline up to and including a pump and motor located on the North Side Canal with the right of ingress and egress and right to use and maintain pipes and pumps located on the above described property:

Section 33: SW½; W½SE½; S½NW½; SW½NE½; S½NW½NW½; NE½NW½;

SUBJECT TO an easement over a strip of land 20 feet wide which runs directly over the existing mainline up to and including a pump and motor located on the North Side Canal with the right of ingress and egress and right to use and maintain pipes and pumps located on the above described property:

TOWNSHIP 10 SOUTH, RANGE 19, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 4: Lot 4; SW½NW½, EXCEPTING THEREFROM the East 580 feet of the SW½NW½;

SUBJECT TO an easement for road right of way purposes over, upon and across the South 25 feet of the West 740 feet of said SW½NW½.

TOWNSHIP 10 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 9: A portion of the S½SW½, described as follows:

Beginning at the Southwest corner of Section 9, Township 10 South, Range 21, East Boise Meridian, said corner marked by a ½" rebar;
Thence North 0°03'30" West (North 0°03' West recorded) along section line for 467.00 feet to a P.K. Nail;
Thence North 89°58'20" East (North 89°56' East recorded) for 662.31 feet to a ½" rebar which shall be THE POINT OF BEGINNING;
Thence North 89°58'20" East (North 89°56' East

C o n t i n u e d

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recorded) for 787.69 feet to a ½" rebar;
Thence South 0°03'30" East (South 0°03' East
recorded) for 315.05 feet to a ½" rebar;
Thence South 89°32'15" West for 779.35 feet to a ½"
rebar;
Thence North 1°33'05" West for 321.08 feet to THE
POINT OF BEGINNING.

SUBJECT TO a 20 foot wide access easement along the
South and West sides TOGETHER WITH a right of
ingress and egress over and across the following
described properties to wit:

Beginning at the Southwest corner of Section 9,
Township 10 South, Range 21, East Boise
Meridian, said corner marked by a ½" rebar;
Thence North 89°58'20" East (North 89°56' East
recorded) along section line for 654.48 feet to
THE POINT OF BEGINNING;
Thence North 1°33'05" West for 467.17 feet to a
point;
Thence North 89°58'20" East (North 89°56' East
recorded) for 40.00 feet to a point;
Thence South 1°33'05" East for 300.92 feet to a
point;
Thence North 89°32'15" East for 759.87 feet to a
point;
Thence South 0°03'30" East (South 0°03' East
recorded) for 40.00 feet to a point;
Thence South 89°32'15" West for 758.83 feet to a
point;
Thence South 1°33'05" East for 126.24 feet to a
point on Section line;
Thence South 89°58'20" West (South 89°56' West
recorded) for 40.00 feet to THE POINT OF
BEGINNING.

AND Beginning at the Southwest corner of Section 9
of Township 10 South, Range 21, East Boise
Meridian, said corner marked by a ½" rebar which
shall be THE POINT OF BEGINNING;
Thence North 0°03'30" West (North 0°03' West
recorded) along section line for 467.00 feet to
a P.K. Nail;
Thence North 89°58'20" East (North 89°56' East
recorded) for 155.41 feet to a point;
Thence South 0°18'13" West for 467.01 feet to a
point on section line;
Thence South 89°58'20" West (South 89°56' West
recorded) along section line for 152.46 feet to
THE POINT OF BEGINNING.

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JAN 27 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

POOR ORIGINAL

T. 8S
R. 20E
36
PD
PD
PD

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OCT 13 1994

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Calvin Jones President
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of January, 19 92

Mary G. Baldwin
(Notary Public)

My commission expires 10/16/92

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by J.F. Stanton Date 1-27-92

Protest filed by _____

Prelim. check by AS Fee \$50. \$014097

Receipted by JP Date 1-27-92

Published in North Side News

Copies of protest forwarded by _____

Pub. dates 8/5 & 8/12/92

Hearing held by _____ Date _____

Watermaster recommendation requested on N/A

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by SL

Copy of transfer sent to lien holder _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

Transfer No. 3912APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Roost Potato Co., Inc. Phone 825-5007
Post Office address 952 S. 1400 E., Eden, ID 83325

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Canal water is available to irrigate the original land, but none is available for Sec. 36. Additional water is needed for use in Sec. 36.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- | | | | | |
|------------------|----------------|-------------|---------------|-----------------------------|
| <u>36-02324</u> | <u>4-24-57</u> | <u>1.2</u> | <u>Irrig.</u> | <u>3-15</u> to <u>11-15</u> |
| <u>A36-15152</u> | <u>5-1-57</u> | <u>0.08</u> | <u>"</u> | <u>"</u> to <u>"</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 1.2 cubic feet per second and/or 256 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>SW</u>	<u>SE</u>	<u>NW</u>	<u>36</u>	<u>8S</u>	<u>20E</u>	<u>Jerome</u>	<u>Existing well</u>
	<u>SW</u>	<u>SE</u>	<u>SE</u>	<u>"</u>	<u>"</u>	<u>"</u>	<u>"</u>	<u>New well to be drilled</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>8S</u>	<u>20E</u>	<u>36</u>	<u>40</u>	<u>14</u>		<u>10</u>													<u>40</u>

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PART 1

6. General Information:

a. Description of diversion system Existing well & pump, new well to be drilled, Connecting mainline, handline sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will continue to be irrigated, but source will Northside Canal Co. shares.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-02324

And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 9th day of October, 1992

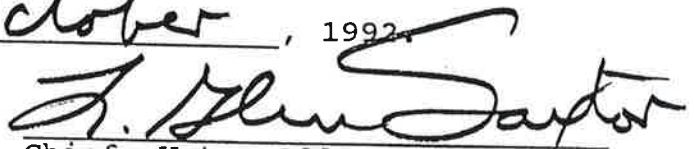
[Signature]
CHIEF, WATER ALLOC. BUREAU

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CONDITIONS OF APPROVAL
Transfer of Water Right No. 36-02324

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands described above.

Dated this 9th day of October, 1992.


Chief, Water Alloc. Bureau

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A36-15152 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 5-1-1957

5. Water is used for the following purpose:

amount 0.36 cfs for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	NW	28	95	19E	Jerome	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
95	19E	28			18														18

9. Describe any other water rights used for the same purpose as described above

None. Same ~~water~~ system also serves Lic. 36-2324

Total acres 18

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes If yes, describe 14 ac. originally farmed has been a feedlot for 10 years or more

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

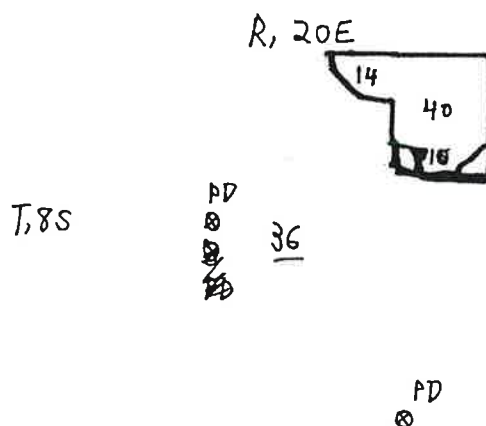
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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OCT 13 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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OCT 13 1994

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Calvin Jones President
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of January, 19 92.

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/92

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and _____ attachments

Received by J.F. Stanton Date 1-27-92

Prelim. check by P.S. Fee \$50.00 5014087

Receipted by JS Date 1-27-92

Published in North Side News

Pub. dates 9/2 + 9/9/92

Watermaster recommendation requested on N/A

_____ rec'd. _____

Copy of transfer sent to lien holder _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denial

by JS

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OCT 13 1994

FILED _____

Page 1



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 25, 1993

RECEIVED

MAR 29 1993

Department of Water Resources
Southern Region Office

Roost Potato Company
952 S. 1400 E.
Eden, ID 83325

RE: Snake River Basin Adjudication (SRBA)
Jerome County
Recommendations 36-02324, 36-07554, 36-15152

Dear Claimant:

We recently found several typographical errors on the recommendations of your Notices of Claim in the Basin 36 Director's Report submitted to the court on November 2, 1992.

The error consists of the following: Transfer Numbers 3912 and 3911 were approved on October 9, 1992. The transfer information was not updated in the Recommendations.

The only method currently known to this department available to correct this error is by your submission of an objection to the SRBA Court. Filing an objection will call the error to the Court's attention. It should also prevent your right from being incorrectly decreed and will give us the opportunity to correct the information. However, you should remember that the Snake River Basin Adjudication is a legal proceeding. There may be other legal procedures available to you to have this error corrected, and only a lawyer is qualified to give you legal advice. If you do have any questions concerning your legal rights and remedies, I encourage you to consult an attorney.

Enclosed is an Objection Form for your consideration and possible use in this matter. Also enclosed is a copy of the SRBA Court's order concerning the filing of objections. Please read the order and the instructions for use of the form carefully.

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OCT 13 1994

Roost Potato Company
March 25, 1993
Page 2 - Jerome County

Note that May 1, 1993, is the deadline for filing objections in Basin 36. If you have any questions, please feel free to call me.

Sincerely,

Helen Harrington-Thornton

Helen Harrington-Thornton
Senior Water Resource Agent
Adjudication Bureau

HHT:sf:south:state

Enclosures:

Objection Form
SRBA Court Order

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OCT 13 1994

Ringert, Clark, Harrington, Reid, Christenson & Kaufman

CHARTERED
LAWYERS

WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON
JAMES G. REID
JEFFREY R. CHRISTENSON
JAMES P. KAUFMAN
LAURA E. BURRI

SAMUEL KAUFMAN (1921-1988)

599 WEST BANNOCK STREET
P.O. BOX 2773
BOISE, IDAHO 83701
TELEPHONE (208) 342-4591
FAX (208) 342-4657

April 14, 1989

Mr. R. Keith Higginson, Director
Idaho Department of Water Resources
1301 North Orchard Avenue
Boise, ID 83706

Re: Snake River Basin Adjudication - Change in Ownership

Dear Mr. Higginson:

Pursuant to the requirements of Idaho Code §42-1409(7), you are hereby notified that the property described in the enclosed "Description of Lands" has been sold by The Travelers Insurance Company, a Connecticut corporation to Roost Potato Company, Inc., whose current mailing address, according to our records is 952 S. 1400 East, Eden, Idaho 83325.

The water rights appurtenant to those lands and for which the owner is required to file a notice of claim in the Snake River Adjudication are identified by the following water right numbers in the record of the Department of Water Resources or Notices of Claim numbers in the Snake River Basin Adjudication:

Water Licenses Nos. 36-2324, 36-7000, and 36-7763.

Yours very truly,

W. F. Ringert
W. F. Ringert

WFR:am
Enclosure
cc: Donald S. Reed
Margaret Veglia
Thomas S. Josselyn
Roost Potato Company, Inc.

A36 - 07019
07829
13927
13928
13929
13930
13931
07554
02324
07000

MICROFILMED

JAN 27 1993

TOWNSHIP 9 SOUTH, RANGE 19, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 20: S~~X~~SE~~X~~; NE~~X~~SE~~X~~;

Section 21: SW~~X~~SW~~X~~;

Section 28: S~~X~~N~~X~~; NW~~X~~NW~~X~~;

Section 29: N~~X~~NE~~X~~;

Section 32: N~~X~~, EXCEPTING THEREFROM that portion of NW~~X~~NW~~X~~ deeded to the State of Idaho by Deed recorded April 12, 1934 in Book 102 Page 579, Jerome County records.

EXCEPTING THEREFROM that part of N~~X~~NE~~X~~ deeded to the State of Idaho by Deed recorded January 29, 1932 in Book 102 Page 233, Jerome County records.

EXCEPTING THEREFROM that part of E~~X~~NW~~X~~ deeded to the State of Idaho by Deed recorded April 12, 1934 in Book 102 Page 479, Jerome County records.

EXCEPTING THEREFROM that part of SW~~X~~NW~~X~~ deeded to the State of Idaho by Deed recorded April 12, 1934 in Book 102 Page 577, Jerome County records.

AND EXCEPTING the following described parcel located in the SE~~X~~NE~~X~~ and NE~~X~~SE~~X~~:

Beginning at the Southeast corner of said Section 32;

Thence North 0°03'00" West a distance of 2599.93 feet along the Easterly boundary of said Section 32 to THE TRUE POINT OF BEGINNING;

Thence North 89°06'42" West a distance of 225.56 feet;

Thence North 3°34'50" East a distance of 185.61 feet;

Thence North 84°21'20" East a distance of 214.80 feet to a point on the Easterly boundary of said Section 32;

Thence South 0°03'00" East a distance of 209.87 feet to THE TRUE POINT OF BEGINNING.

C o n t i n u e d

SUBJECT TO an easement over a strip of land 20 feet wide which runs directly over the existing mainline up to and including a pump and motor located on the North Side Canal with the right of ingress and egress and right to use and maintain pipes and pumps located on the above described property:

Section 32: That part of the N~~X~~SE~~X~~, described as follows:

Beginning at the East quarter corner of said Section 32;

Thence North 89°31' West, 281.6 feet along the North line of said N~~X~~SE~~X~~ to THE TRUE POINT OF BEGINNING;

Thence South 0°03' East, 454.8 feet to the North bank of the North Side Canal Company C-53 Lateral;

Thence North 89°30' West, 392.7 feet along said North bank of said lateral to the juncture of the C-42 lateral of the North Side Canal Company;

Thence along the North bank of said C-42 lateral the following courses and distances:

Thence North 69°55' West, 701.75 feet;

Thence South 85°17' West, 328.7 feet;

Thence South 82°03' West, 817.35 feet;

Thence South 80°15' West, 136.4 feet;

Thence North 89°31' West, 21.85 feet to the West line of said N~~X~~SE~~X~~;

Thence North 0°03' West, 394.5 feet along said West line to the Northwest corner of said N~~X~~SE~~X~~;

Thence South 89°31' East, 2344.9 feet along the North line of said N~~X~~SE~~X~~ to THE TRUE POINT OF BEGINNING.

AND that part of the N~~X~~SE~~X~~, described as follows:

Beginning at the East quarter corner of said Section 32;

Thence South 0°03' East, 383.0 feet along the East line of said Section 32 to intersect the North bank of the North Side Canal Company C-53 Lateral;

Thence along the North bank of said C-53 lateral the following courses and distances:

Thence North 86°17' West, 136.3 feet;

Thence South 45°45' West, 124.09 feet;

C o n t i n u e d

MICROFILMED
JAN 27 1993

Thence North 81°33' West, 57.36 feet;
Thence leaving said C-53 lateral North 0°03' West,
454.8 feet to the North line of said N½SE½;
Thence South 89°31' East, 281.6 feet to THE POINT
OF BEGINNING.

SUBJECT TO an easement over a strip of land 20 feet wide which runs directly over the existing mainline up to and including a pump and motor located on the North Side Canal with the right of ingress and egress and right to use and maintain pipes and pumps located on the above described property:

Section 33: SW½; W½SE½; S½NW½; SW½NE½; S½NW½NW½; NE½NW½;

SUBJECT TO an easement over a strip of land 20 feet wide which runs directly over the existing mainline up to and including a pump and motor located on the North Side Canal with the right of ingress and egress and right to use and maintain pipes and pumps located on the above described property:

TOWNSHIP 10 SOUTH, RANGE 19, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 4: Lot 4; SW½NW½, EXCEPTING THEREFROM the East 580 feet of the SW½NW½;

SUBJECT TO an easement for road right of way purposes over, upon and across the South 25 feet of the West 740 feet of said SW½NW½.

TOWNSHIP 10 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 9: A portion of the S½SW½, described as follows:

Beginning at the Southwest corner of Section 9, Township 10 South, Range 21, East Boise Meridian, said corner marked by a ½" rebar;
Thence North 0°03'30" West (North 0°03' West recorded) along section line for 467.00 feet to a P.K. Nail;
Thence North 89°58'20" East (North 89°56' East recorded) for 662.31 feet to a ½" rebar which shall be THE POINT OF BEGINNING;
Thence North 89°58'20" East (North 89°56' East

C o n t i n u e d

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JAN 27 1993

recorded) for 787.69 feet to a ½" rebar;
Thence South 0°03'30" East (South 0°03' East
recorded) for 315.05 feet to a ½" rebar;
Thence South 89°32'15" West for 779.35 feet to a ½"
rebar;
Thence North 1°33'05" West for 321.08 feet to THE
POINT OF BEGINNING.

SUBJECT TO a 20 foot wide access easement along the
South and West sides TOGETHER WITH a right of
ingress and egress over and across the following
described properties to wit:

Beginning at the Southwest corner of Section 9,
Township 10 South, Range 21, East Boise
Meridian, said corner marked by a ½" rebar;
Thence North 89°58'20" East (North 89°56' East
recorded) along section line for 654.48 feet to
THE POINT OF BEGINNING;
Thence North 1°33'05" West for 467.17 feet to a
point;
Thence North 89°58'20" East (North 89°56' East
recorded) for 40.00 feet to a point;
Thence South 1°33'05" East for 300.92 feet to a
point;
Thence North 89°32'15" East for 759.87 feet to a
point;
Thence South 0°03'30" East (South 0°03' East
recorded) for 40.00 feet to a point;
Thence South 89°32'15" West for 758.83 feet to a
point;
Thence South 1°33'05" East for 126.24 feet to a
point on Section line;
Thence South 89°58'20" West (South 89°56' West
recorded) for 40.00 feet to THE POINT OF
BEGINNING.

AND Beginning at the Southwest corner of Section 9
of Township 10 South, Range 21, East Boise
Meridian, said corner marked by a ½" rebar which
shall be THE POINT OF BEGINNING;
Thence North 0°03'30" West (North 0°03' West
recorded) along section line for 467.00 feet to
a P.K. Nail;
Thence North 89°58'20" East (North 89°56' East
recorded) for 155.41 feet to a point;
Thence South 0°18'13" West for 467.01 feet to a
point on section line;
Thence South 89°58'20" West (South 89°56' West
recorded) along section line for 152.46 feet to
THE POINT OF BEGINNING.

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JAN 27 1993

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

Water Right Number - 36-02324

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 26874

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

JONES LAND & FEED YARDS INC.

1 - P.O. BOX 465

2 -

3 -

City- EDEN

State- ID Zip- 833250000

Phone -

*** O - ORIGINAL OWNER ***

JONES

HENRY C.

1 -

2 -

3 -

City-

State-

Zip-

Phone -

+ - - Priority Date - - +

04/24/1957

+ - - Region - - - +

17

+ - - Stage - - - +

L - LICENSE

+ - - Status - - - - +

+ - - - - Source - - - - - +

GROUNDWATER

+ - - - - Tributary - - - - - +

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

Twn Rng Sec Tract Lot RFlg County

09S 19E 28 SE NW (53) JEROME

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

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

1.200

43 - DOMESTIC

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

1.200

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

Twn Rng Sec Tract Lot Acres Code Description County

09S 19E 28 SW NE 20.0 01 IRRIGATION (53) JEROME

09S 19E 28 SE NE 40.0 01 IRRIGATION (53) JEROME

Total Acres: 60.0

+ - Diversion Means -

180

+ - Non-Irrigation Use -

+ - Other Rights for Same Use -

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JAN 27 1993

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
Start Work Date	-	00/00/0000	Verified Date	-	12/09/1985	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	-	T
Decree Date	-	00/00/0000						

MICROFILMED
JAN 27 1993

Claim No. below

IDWR Employee/Agent: Steve Clelland

8/24/99 11:00 AM

RE:

CALLIN

SEVERAL ISSUES

36-07000 – This was partially decreed with the N06 code limiting to 2500 gpd but with a volume of 134 afa. Appears it should not have the N06 code. Must file a motion to Alter or Amend but this right is decreed over 1.5 years ago... late, late.

36-02324 & 36-15152 – These rights were transferred under T# 3912 and it has been approved (8/20/99) and the WR side is updated to show the new POD & POU. The AJ record still shows the old data. I will try to notify our staff of the new Trans. And see that it gets applied to the R-record, which is listing a new season of use.

MEMO

TO: DAN NELSON
-CC: SRBA FILE 36-02324
FROM: STEVE CLELLAND *sc*
DATE: June 4, 1998

RE: POSSIBLE ERROR IN PARTIAL DECREE OF 36-02324

=====

At your request to review the recommendation and resulting partial decree of the claim 36-02324 I have the following information.

First, the IDWR approved the transfer changing the place of use from section 28 to section 36 after the 1992 director's report for basin 36. We agreed with the claimant then that an objection was necessary to correct the reported recommendation and list the place of use correctly as the section 36 location.

Secondly, in November of 1997 we again agreed with the claimant on this issue and signed into a SF5 agreement to resolve the objection to this right. I have obtained a copy of the SF5 as submitted to the SRBA court showing the elements as stipulated; it correctly shows the place of use in section 36. I have attached a copy of the SF5 to this memo.

Finally, regardless of how this happened, the final record presented to the court for partial decree remained unchanged from the 1992 version and incorrectly lists the place of use as section 28; contradictory to the transfer as approved.

To correct this the claimant, Roost Potato Co., should file a Motion to Set Aside the Partial Decree for water right 36-02324. I am not aware of any official form and a letter requesting this motion, sent to Judge Hurlbutt, has been the procedure for others. Perhaps you can forward a copy of this memo to Roost Potato Co. and they in turn can forward a copy along with their motion to show the IDWR's concurrence with the requested correction to the partial decree; in agreement with the SF5 as filed.

NOV 12 1997
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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(S) 36-02324

SPECIAL MASTER'S REPORT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The Director of the State of Idaho Department of Water Resources examined the claim and his *Report* contained a recommendation of the elements of this water right.

- ☐ There were no objections to this claim; however, this claim is used in combination with another claim which is the subject of an objection.
- ☒ All objections to this claim were resolved by stipulation of the parties at hearing or with a *Standard Form 5*. All parties to the subcase and IDWR have signed the *Standard Form 5*.
- ☐ All objections to this claim were resolved at trial. The court made oral findings of fact and conclusions of law at the trial and they are incorporated herein reference.

Therefore, based on the file and record herein, IT IS RECOMMENDED that this claim be decreed with the elements as set forth in the attached *Special Master's Recommendation for Partial Decree*.

DATED: Nov 12, 1997

Russell C. Dole
Special Master
Snake River Basin Adjudication

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

DATE: NOV-12-1997

PAGE: A-1

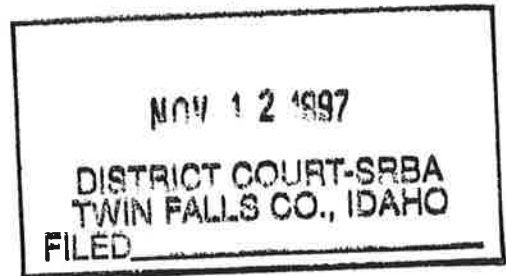
RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-02324

NAME AND ADDRESS: ROOST POTATO CO
952 S 1400 E
EDEN ID 83325

SOURCE: GROUNDWATER

QUANTITY: 1.2 CFS



THE QUANTITY FOR NON/IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
USED FOR DOMESTIC/ 1 HOME

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHT 36-15152 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.20 CFS AND A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 256 AF.

PRIORITY DATE: 04/24/1957

POINT OF DIVERSION: T08S R20E S36 SWSNW Within JEROME County
SWESE
T09S R19E S28 NSENN

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		<u>Irrigation Season</u>	1.2 CFS
		04/01 10/31	
DOMESTIC 1 HOME		01-01 12-31	0.04 CFS

PLACE OF USE:

IRRIGATION Within JEROME County

T08S R20E S36	NENE 40	NWNE 14	SENE 10
T09S R19E S28	SWNE 24	SENE 40	

64 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT 36-15152 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 64 ACRES IN A SINGLE IRRIGATION
SEASON.

Place of use for DOMESTIC is same as IRRIGATION

36-02324 (CONT.)

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-07000, 36-13931 & 36-13132.
USE OF THIS RIGHT WITH RIGHT 36-13132 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.20 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 236 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 192 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 64 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-13132 IS AN EXPANSION OF THIS RIGHT PURSUANT TO IDAHO CODE 42-1416(2).

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

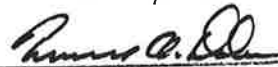
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1423, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE: 36-07554, 36-07829 AND 36-15152.

RIGHT NO. 36-15152 IS AN EXPANSION OF THIS RIGHT PURSUANT TO IDAHO CODE 42-1426.

RECOMMENDATION

NOV 12 1997



SPECIAL MASTER

36-02324 & 36-15152

The transfer data base shows only two transfers on these rights.

#3048 was approved in 1984 and changed the original Place of Use of 60 acres from irrigated land to a feed lot and stockyard.

#3912 added a point of diversion and changed the place of use. It was approved in October of 1992. The original recommendation was made in Jan. 1992. When the Director's Report was issued, the approved transfer data had never been made to the AT record.

We wrote them in March of 1993 and told them the only way to correct this was to have them file an objection. They did so in June of 1993. We responded in Aug. of 1993 and said there were errors in the recommendation and we needed to correct them...

JL 11/11/97

SD-0862-2 Basin: 36 Starting Right Number: 02324

S E Trans L No.	Last Name	S T	Status Date	Call-Up Date	Affected Rights	Proposed Rights
3048			00/00/0000	00/00/0000	36-02324	
3912	ROOST POTATO CO INC		00/00/0000	00/00/0000	36-02324	
					A36-15152	

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

WR5809NP
No. 36-02324

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/11/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROOST POTATO CO INC	04/24/1957	IRRIGATION	04/01 10/31	1.200 CFS	256.00 AFA
TOTAL DIVERSION:					1.200 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T08S R20E S36

SENW

SESE

JEROME County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
08S	20E	36	:	40		14		:					:					:					:	64.0
TOTAL ACRES																							64.0	

Pou County: JEROME

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
36-07554 36-07829

Other Water Rights Listing Overlapping Place(s) of use:
36-07829 36-08640

Conditions of Approval:

- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

Dates:	App. Received:	01/27/1992	Priority Date:	04/24/1957
	Proof Due Date:		Proof Made Date:	
	Exam Made Date:		Exam Sent to S.O.:	
	Licensed Date:	04/24/1979		

Misc: Water District Number: Field Exam Fee:

WR5809NP
No. 36-02324

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/11/97
PAGE: 2

=====
Comments: Date: 08/12/1992 User-ID: BALDWIN Subject: Trans. #3912
Trans. #3912 was filed to change the point of diversion and
place of use under this right and SRBA Claim A36-15152.

Audit: 12/09/85 05/28/88 CONVERT 08/12/92 BALDWIN 08/24/92 CURTIS
10/08/92 CURTIS

AJ5809NP
No. 36-02324

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/11/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROOST POTATO CO	04/24/1957	IRRIGATION DOMESTIC	04-01 10-31 01-01 12-31	1.20 CFS 0.04 CFS	
TOTAL DIVERSION:					1.20 CFS	

Water Source: GROUNDWATER Tributary to: Stage: LICENSE
Point(s) of Diversion: T09S R19E S28 NESENW JEROME County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE									
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
09S	19E	28	:				24		40	:											
TOTAL ACRES																			64.0		

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: JEROME

Non-Irrigation Uses: DOMESTIC, 1 HOME

Other Rights: SEE REMARKS

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: GEN THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 36-07000, 36-13931 & 36-15152.
USE OF THIS RIGHT WITH RIGHT 36-15152 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.20 CFS, A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 256 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 192 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL
OF 64 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-15152 IS AN EXPANSION OF THIS RIGHT PURSUANT TO
IDAHO CODE 42-1416(2).

Dates: Exam Made Date: Verified Date: 01/30/1992 Objection Filed Date: 06/04/1993
Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

AJ5809NP
No. 36-02324

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/11/97
PAGE: 2

=====

Comments: Date: 12/23/1991 User-ID: CHRISTEN Subject: COPIED FROM REMARKS
TRANS. 3048.

Audit: 12/23/91 CHRISTEN 01/30/92 CHRISTEN 07/10/92 CWU-PROD 07/18/92 POST-STD
08/28/92 PR-PRODM 11/02/92 CPSHAW 12/05/92 ADT-SHAW 06/11/93 CM1-SEIF
09/15/93 UPD-SCHU 03/29/95 POST-STD

AJ5809NP
No. R36-15152

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/11/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROOST POTATO CO	08/30/1984	IRRIGATION	04-01 10-31	0.08 CFS	
TOTAL DIVERSION:					0.08 CFS	

Water Source: GROUNDWATER Tributary to: Stage: BENEFICIAL USE
Point(s) of Diversion: T09S R19E S28 NESENW JEROME 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	SUM
09S	19E	28	:			24		40	:											64.0
TOTAL ACRES																			64.0	

POU County: JEROME

Other Rights: SEE REMARKS

Conditions of Approval:

- C11 - THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
- PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
- AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
- BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION
- 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR
- RIGHT.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 36-02324 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.20 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 256 AF.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 36-02324 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 64 ACRES IN A SINGLE IRRIGATION
SEASON.

GEN THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 36-02324
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXP RIGHT NO. 36-02324 IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: E

AJ5809NP
No. R36-15152

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/11/97
PAGE: 2

=====

Comments: Date: 07/16/1992 User-ID: ROBERTSO Subject: NAME STANDARD

Date: 09/08/1997 User-ID: ENORQUES Subject: REFORMAT
REFORMATTED TO CURRENT STANDARDS.

Audit: 08/27/97 DSHAFF 08/29/97 C11-PROD 09/08/97 ENORQUES 09/17/97 DSHAFF

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3912APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Roost Potato Co., Inc. Phone 825-5007
Post Office address 952 S. 1400 E, Eden, ID 83325

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Canal water is available to irrigate the original land, but none is available for Sec. 36. Additional water is needed for use in Sec. 36.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|----------------|--------------------|---------------|-----------------------------|
| <u>36-02324</u> | <u>4-24-57</u> | <u>1.2</u> | <u>Irrig.</u> | <u>3-15</u> to <u>11-15</u> |
| <u>A36-15152</u> | <u>5-1-57</u> | <u>0.08</u> | <u>"</u> | <u>"</u> to <u>"</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 1.2 cubic feet per second and/or 256 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	~~SW~~	~~SE~~	~~NW~~	36	8S	20E	Jerome	Existing well
	SW	SE	SE	"	"	"	"	New well to be drilled

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	20E	36	40	14		10													64

Total acres 64

"DO NOT FILM"

36-02324
A36-15152
T# 3912

PART 1

6. General Information:

- a. Description of diversion system Existing well & pump, new well to be drilled, connecting mainline, handline sprinklers
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will continue to be irrigated, but source will Northside Canal Co. shares.
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-02324

And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this

9th day of

October

19 92

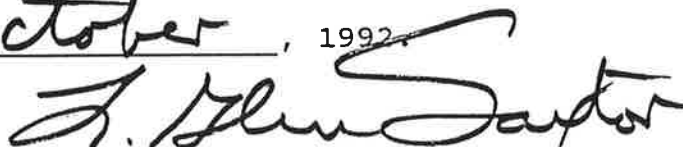
J. Glen Saylor
CHIEF, WATER ALLOC. BUREAU

"DO NOT FILM"

CONDITIONS OF APPROVAL
Transfer of Water Right No. 36-02324

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands described above.

Dated this 9th day of October, 1992.



Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A36-15152 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 5-1-1957

5. Water is used for the following purpose:

amount 0.36 cfs for Irrigation purposes from 2-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	NW	28	95	19E	Jerome	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
95	19E	28			18														18

Total acres 18

9. Describe any other water rights used for the same purpose as described above _____

None. Same ~~new~~ system also serves Lic. 36-2324

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes If yes, describe 14 ac. originally farmed has been a feedlot for 10 years or more

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

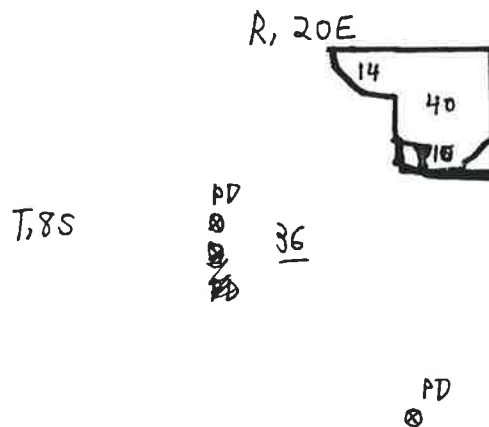
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

"DO NOT FILM"

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



"DO NOT FILM"

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Calvin Jones President
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of January, 19 92.

Mary A. Baldwin
(Notary Public)

My commission expires

10/16/92**FOR DEPARTMENT USE ONLY**Transfer contains 8 pages and _____ attachmentsReceived by J.F. Stanton Date 1-27-92 Protest filed by _____Prelim. check by P.S. Fee \$50.00 5014097Receipted by JA Date 1-27-92Published in North Side News Copies of protest forwarded by _____Pub. dates 9/2 + 9/6/92 Hearing held by _____ Date _____Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial_____ rec'd. _____ by JA

Copy of transfer sent to lien holder _____

"DO NOT FILM"

Transfer No. 3048Water Right No. 36-2324

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant JONES LAND & FEED YARDS, INC. Phone (208) 825-5322Post Office address P. O. Box 465, Eden, Idaho 83325

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)

in case of _____ vs _____

dated in _____ in _____ (Name of court) county of _____

b. License No. G-26874
36-2324 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Acquired by assignment from Henry C. Jones. Assignment is already on file with Idaho Department of Water Resources.

3. Source of water Deep well tributary to subterranean flow4. Date of priority April 24, 1957

5. Water is used for the following purposes:
amount 1.20 c.f.s. for domestic and irrigation purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 1.20 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28
Township 9 S. Range 19 E., B.M., in Jerome County

Additional points of diversion, if any _____

8. Lands irrigated or 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 $\frac{1}{4}$	
<u>9 S.</u>	<u>19 E.</u>	<u>28</u>							<u>35</u>	<u>25</u>									<u>60</u>

Total number of acres to be irrigated 609. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years

36-2324 T# 3048

DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit Part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
- ✓ Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
- Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 1.20 c.f.s. &/or _____ acre feet
- b. Description of diverting works 1,300 feet of 4" plastic mainline and
2,640 feet of 8" steel mainline
- c. Describe the reasons for the proposed changes Entire original place of use
is now a feed lot and stackyard, none of which is irrigated.

2. Change in point of diversion

Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County

Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: Original land irrigated will be used as a feed lot and
stackyard.

C. Describe the lands and place of use to which the water will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9 S.	19 E.	28			20	40													60

Total number of acres to be irrigated 60

- Describe any other water rights used for the same purpose as described above. None
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

Section 28, Tp. 9 S., R. 19 E.															
SW 1/4 NW 1/4				SE 1/4 NW 1/4				SW 1/4 NE 1/4				SE 1/4 NE 1/4			
old land								new land							
Feed lot and stack yard				2640 feet of 8" steel mainline 1300 feet of 4" plastic mainline											

SCALE: 2 inches equal 1 mile. Draw plan in ink.

J. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

JONES LAND & FERT YARDS, INC.:
by Calvin Jones - Vice-Pres.
(Signature of Applicant)

Subscribed and sworn to before me this 1st day of June, 19 84.

H. Blandford
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-2324
and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 30th day of August, 19 84

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>gjf</u>	Date <u>6/1/84</u>	Protest filed by <u>None</u>
Prelim. check by <u>gs</u>	Fee <u>50⁰⁰</u>	
Receipted by <u>marque</u>	Date <u>6/21/84 # 33117</u>	
Published in <u>North side news</u>	Copies of protest forwarded by	
Pub. dates <u>7/18 + 7/25/84</u>	Hearing held by	Date
Watermaster recommendation requested on <u>N/A</u>	Recommended for <u>approval</u> denial	
rec'd.	by <u>ADK again DPT</u>	

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

OCT 13 1984

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

2. SUBJECT OF INQUIRY:

Approved Transfers 3911 & 3912
in name of Roost Potato Co., Inc. have not
been reflected in Directors Report.

3. RESPONSE TO INQUIRY:

I discussed this issue with
LK-H on 12/9/92 when she was in office.
She took down the ~~the~~ numbers to have Nick
take note for possible motion to change record.

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

36-02324, 36-15152, 36-07554

OCT 13 1994

Adm 12/10/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3912

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Roost Potato Co., Inc. Phone 825-5007
Post Office address 952 S. 1400 E., Eden, ID 83325

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use OCT 10 1992
☐ Change nature of use ☐ Change period of use ☐ Other _____ Department of Water Resources
2. Describe the reason for the proposed changes Canal water is available to irrigate the original land, but none is available for Sec. 36. Additional water is needed for use in Sec. 36.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-------------------|-------------------|-----------------------|-------------------|--|
| <u>36-02324</u> | <u>4-24-57</u> | <u>1.2</u> | <u>Irrig.</u> | <u>3-15</u> to <u>11-15</u> |
| <u>A36-15152</u> | <u>5-1-57</u> | <u>0.08</u> | <u>"</u> | <u>"</u> to <u>"</u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
2. Total amount of water being transferred 1.2 cubic feet per second and/or 256 acre-feet per annum
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

MICROFILMED
OCT 13 1994

Total acres 64

PART 1

6. General Information:

a. Description of diversion system Existing well & pump, new well to be drilled, Connecting mainline, handline sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will continue to be irrigated, but source will Northside Canal Co. shares.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-02324

And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 9th day of October, 19 92

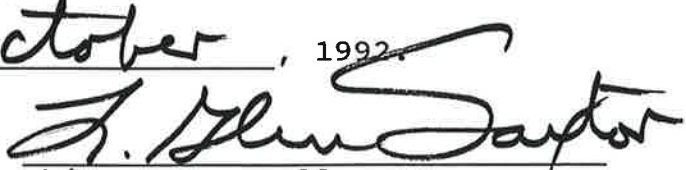
[Signature]
CHIEF, WATER ALLOC. BUREAU

RECEIVED
OCT 13 1994

CONDITIONS OF APPROVAL
Transfer of Water Right No. 36-02324

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands described above.

Dated this 9th day of October, 1992.


Chief, Water Alloc. Bureau

MICROFILMED
OCT 13 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____

in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. A36-15152 on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 5-1-1957

5. Water is used for the following purpose:

amount 0.36 cfs for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	NW	28	95	19E	Jerome	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
95	19E	28			18														18

Total acres 18

9. Describe any other water rights used for the same purpose as described above

None. Same ~~water~~ system also serves Lic. 36-2324

MICROFILMED

OCT 13 1994

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes If yes, describe 14 ac. originally farmed has been a feedlot for 10 years or more

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

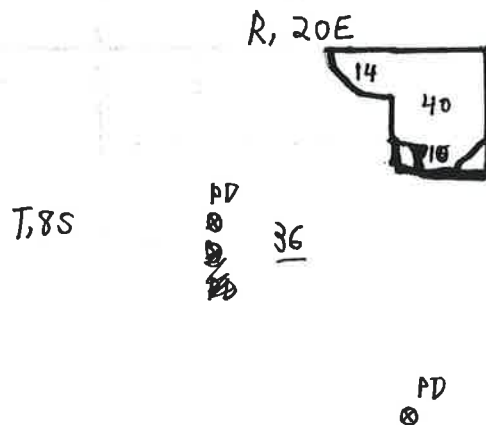
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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Total acres 13 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Calvin Jones President
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of January, 19 92.

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/92

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and _____ attachments

Received by J.F. Stanton Date 1-27-92

Protest filed by _____

Prelim. check by A.S. Fee \$50.00 5014097

Receipted by JS Date 1-27-92

Published in North Side News

Copies of protest forwarded by _____

Pub. dates 9/2 & 9/9/92

Hearing held by _____ Date _____

Watermaster recommendation requested on N/A

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by JS

Copy of transfer sent to lien holder _____

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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 the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 36-02324 -0001

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

RESPONSE TO OBJECTION

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

RESPONSE TO OBJECTION NO. 36-02324 -0001 - PAGE . 1

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OCT 13 1994

2. Person who filed objection:

Name: ROOST POTATO CO INC
Address: C/O CALVIN JONES PRESIDENT
952 S 1400 E
EDEN ID 83325

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

14. ☒ Other: I respond to the objection concerning:

TRANSFER NUMBER 3912 OF WATER RIGHT NOS.
36-02324 & A36-15152 WAS NOT ADDED TO THE
RECOMMENDATION.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection 14, and all allegations of the objection regarding this item, IDWR admits there are errors in the description of the point of diversion, place of use and remarks of this right in the director's report. The recommendation should be corrected as shown in the attachment entitled "Recommended Water Rights Acquired Under State Law."

CHANGES TO THE DIRECTOR'S REPORT

See attached List of Recommended Water Rights Acquired under State Law.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

	No. of Pages
Notice of Claim No. A36-02324	3
Recommended Water Rights Acquired Under State Law	1

(Over)

NOT RECORDED

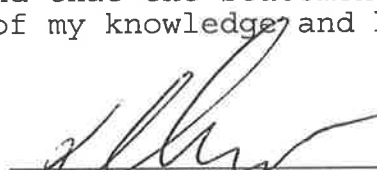
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

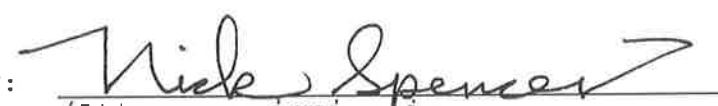
David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



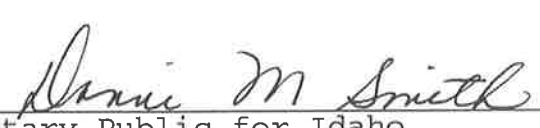
Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 30th day of August,
1993.



Notary Public for Idaho

Residing at: _____

My Commission expires _____

Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of August, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared 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. One copy to the owner of the water right, and you must fill in the following information:

See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: ROOST POTATO CO INC
Address: C/O CALVIN JONES PRESIDENT
952 S 1400 E
EDEN ID 83325

4. One copy to:

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



Signature of Respondent or attorney
mailing on Respondent's behalf

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: A36-02324
Date Received: 2/08/1990
Receipt No: S011144
Received By: B.V. 21

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROOST POTATO COMPANY 208-825-5007
Address: 952 S., 1400 E.
EDEN, ID 83325-0000

2. Date of Priority: APR 24, 1957

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	19E	28	NE	SE	NW		JEROME

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.200		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 180 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	19E	28	SW	NE		IRR	20.0
			SE	NE		IRR	40.0

Section Acres 60.0

A36-02324

Page 1

Date: 02/08/90

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JAN 27 1993
OCT 13 1994

10. Place of Use: Continued

Total Acres 60.0

11. Place of use in counties: JEROME

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

13. Other Water Rights Used:
A36-07000

14. Remarks:
TRANS. 3048.

15. Basis of Claim: LICENSE
Water Right Number: 26874

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JAN 27 1993
OCT 13 1994

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 Organizations:

I do solemnly swear or affirm that I am PRESIDENT of

Title
ROOST POTATO CO, that I have signed the foregoing
Organization
document in the space below as PRESIDENT of

Title
ROOST POTATO CO and that the statements contained in the
Organization
foregoing document are true and correct.

Calvin Jones
Signature of Authorized Agent
PRESIDENT ROOST POTATO CO
Title and Organization
2-14-1990
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of February 1990

Robert V. Horstelf
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires January 16, 1995

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

DATE: AUG-28-1993

PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
36-02324	ROOST POTATO CO 952 S 1400 E EDEN ID 833250000	04/24/1957	IRRIGATION	04-01 10-31	1.2 CFS	LICENSE
			DOMESTIC	01-01 12-31	.04 CFS	
TOTAL QUANTITY:					1.2 CFS	
NON-IRRIGATION-USES:						
DOMESTIC, 1 HOME						
POINT OF DIVERSION:						
	~~T09S R19E S28~~	~~NESENW~~				
	~~T08S R20E S36~~	~~SWSENW~~				
		~~SWSESE~~				
PLACE OF USE: IRRIGATION						
	~~T09S R19E S28~~	~~SWNE 24.0~~	~~SENE 40.0~~			
	~~T08S R20E S36~~	~~NENE 40~~	~~NWNE 14~~	~~SENE 10~~		
64.0 ACRES TOTAL						
PLACE OF USE: DOMESTIC						
SAME AS OTHER USE						
REMARKS: ~~RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO~~						
~~IDAHO CODE 42-1416A.~~						
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60 ACRES WITHIN THE						
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.						
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OR POINTS OF DIVERSION						
DESCRIBED ABOVE: ~~36-07000, 36-13931 36-07554, 36-07829 & 36-15152.~~						
USE OF THIS RIGHT WITH RIGHT 36-15152 IS LIMITED TO A TOTAL						
COMBINED DIVERSION RATE OF 1.20 CFS, A TOTAL COMBINED ANNUAL						
DIVERSION VOLUME OF 256 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE						
USE VOLUME OF 192 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL						
OF 64 ACRES IN A SINGLE IRRIGATION SEASON.						
RIGHT NO. 36-15152 IS AN EXPANSION OF THIS RIGHT PURSUANT TO						
IDAHO CODE 42-1416(2).						

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Roost Potato Company, Inc.

952S 1400E
Eden, Idaho 83325
(208) 825-5322

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

RECEIVED

JUN 07 1993

Department of Water Resources
Adjudication Bureau

6-1-93

As per Conversation on 5-27-93 please find inclosed objections and once again please forgive me for fileing late.

Objections inclosed

Transfer No. 3911 of Water Right No. 36-07554

Transfer No. 3912 of water Right Nos. 36-02324 & A36-15152

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RECEIVED

JUN 07 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources
Adjudication Bureau

Transfer No. 3912 of Water Right No.

In Re the General Adjudication of Rights
to the Use of Water from the Snake River
Basin Water System

Case No. 36-02324 & A36-15152

(You must insert the water
right number you are
objecting to)

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

Petitioner,

vs.

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

Respondents.

OBJECTION

Transfer No 3912 was approved
ON October 9, 1992. However the
Transfer was NOT updated
IN The Recommendation

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. *You may object to one water right per objection form.* The water right number you are objecting to must be indicated above in the blank space following "Case No." *To object to more than one water right, you must file a separate objection form for each.* Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. **Person objecting:** Roost Potato Co Inc.
Name: 13y Calvin Jones President
Address: 952 S 1400 E
Eden, Idaho 83325
Phone: Days: 420 2921 Evenings: 825 5007

Briefly describe your interest in this water right: Irrigation

2. **Owner of the water right:**

Name: Roost Potato Co Inc.
Address: 952 S 1400 E
Eden Idaho 83325

3. **If this objection is filed by an attorney:**

Attorney Name: _____

Attorney Address: _____

Attorney Phone No.: _____

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ *Name and Address*: I object to the name and/or address of the owner of the water right.
2. ☐ *Source*: I object to the source of water.
3. ☐ *Quantity*: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ *Priority Date*: I object to the priority date.
5. ☐ *Points of Diversion*: I object to the legal description of the point(s) of diversion.
6. ☐ *Instream Flow*: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ *Purpose(s) of Use*: I object to the purpose(s) of use.
8. ☐ *Period of Year*: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ *Place of Use*: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ *Consumptive Use*: I object to the annual volume of consumptive use.
11. ☐ *Remarks*: I object to the "remarks" listed with the water right.
12. ☐ *Water Right Recommendation*: I object to:
 - a. ☐ this water right being recommended at all; or
 - b. ☐ this water right not being recommended.

13. ☐ **Description of Reservation:** I object to the legal description of the reservation.
14. ☒ **Other.** I object to: Transfer Number 3912 of water Right
Nos. 36-02324 & A36-15152 was not added to the
Recommendation.

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

Transfer NO. 3912 was approved on October 9, 1992

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

Add Transfer No. 3912 to water Right Nos. 36-2324 And
A36-15152

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

- ☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

Dept. of Water Resources Transfer letter. 14 pages
Dept. of Water Resources SRBA Letter. 2 pages

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

Dept. of Water Resources transfer letter 14 Pages

Dept. of Water Resources SRBA letter 2 Pages

VERIFICATION (Must be Completed)

State of Idaho

County of Jerome

Roost Potato Co Inc

By Calvin Jones

Calvin Jones

_____, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Calvin Jones

Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 1st day of June,
1993.

Glenn Johnson

Notary Public for State of Idaho

Residing at: Hazelton

My Commission expires: 6/24/98

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 1 day of JUNE, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct 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. One copy to the owner of the water right, and you must fill in the following information:

Owner name: ROOST Potato Co INC
Owner's address: 952 S 1400 E
Eden, Idaho 83325

3. One copy to:

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

4. One copy to:

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

ROOST Potato Co INC
By Calvin Jones President
Signature of Objector or attorney
mailing on Objector's behalf



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 25, 1993

Roost Potato Company
952 S. 1400 E.
Eden, ID 83325

RE: Snake River Basin Adjudication (SRBA)
Jerome County
Recommendations 36-02324, 36-07554, 36-15152

Dear Claimant:

We recently found several typographical errors on the recommendations of your Notices of Claim in the Basin 36 Director's Report submitted to the court on November 2, 1992.

The error consists of the following: Transfer Numbers 3912 and 3911 were approved on October 9, 1992. The transfer information was not updated in the Recommendations.

The only method currently known to this department available to correct this error is by your submission of an objection to the SRBA Court. Filing an objection will call the error to the Court's attention. It should also prevent your right from being incorrectly decreed and will give us the opportunity to correct the information. However, you should remember that the Snake River Basin Adjudication is a legal proceeding. There may be other legal procedures available to you to have this error corrected, and only a lawyer is qualified to give you legal advice. If you do have any questions concerning your legal rights and remedies, I encourage you to consult an attorney.

Enclosed is an Objection Form for your consideration and possible use in this matter. Also enclosed is a copy of the SRBA Court's order concerning the filing of objections. Please read the order and the instructions for use of the form carefully.

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OCT 13 1994

Roost Potato Company
March 25, 1993
Page 2 - Jerome County

Note that May 1, 1993, is the deadline for filing objections in Basin 36. If you have any questions, please feel free to call me.

Sincerely,

Helen Harrington-Thornton
Helen Harrington-Thornton
Senior Water Resource Agent
Adjudication Bureau

HHT:sf:south:state
Enclosures:
 Objection Form
 SRBA Court Order

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OCT 13 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

October 14, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

ROOST POTATO CO INC
952 S 1400 E
EDEN ID 83325

RE: Transfer No. 3911 of Water Right Nos. 36-07554
Transfer No. 3912 of Water Right Nos. 36-02324 & A36-15152

Dear Water Right Holder(s):

Enclosed are copies of your approved Applications for Transfer of the above referenced water rights. Be sure to note any conditions of approval as listed on the second page of each transfer.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jim Johnson'.

JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

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OCT 13 1994

APPLICATION FOR TRANSFER OF WATER RIGHT **APPROVED**

PART 1

Name of applicant Roost Potato Co., Inc. Phone 825-5007
Post Office address 952 S. 1400 E., Eden, ID 83225

4. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes A second well is needed to properly irrigate Sec. 36 (App. For Permit has been filed to replace relinquished Lic. 36-7829). No additional water was developed for the latter right. Both wells will be tied together so the system can be operated at maximum efficiency.

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|----------|-----------------------|------------------|---------------|
| 36-07554 | 7-5-1975 | 5.35 | Irrig. | 3-15 to 11-15 |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred <u>5.35</u> cubic feet per second and/or _____ acre-feet per annum. | | | | |
| 3. Source of water <u>Groundwater</u> tributary to _____ | | | | |
| 4. Point(s) of Diversion: _____ | | | | |

[illegible]

5. Lands irrigated or place of use: No Change

[illegible]

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Total acres 0CT 13 1994

PART 1

6. General Information:

a. Description of diversion system One existing & 1 new well, motors, pumps, connecting mainline, handlines

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-07554

And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 9th day of October, 19 92

J. Glen Sexton
CHIEF, WATER ALLOC. BUREAU

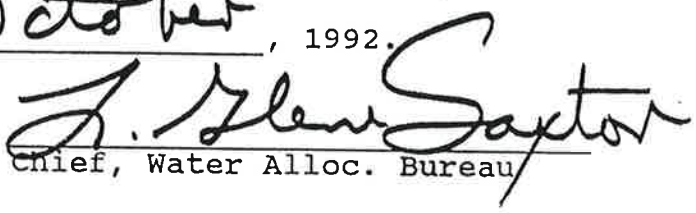
MICROFILMED

OCT 13 1994

CONDITIONS OF APPROVAL
Transfer of Water Right No. 36-07554

1. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
2. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands described above.

Dated this 9th day of October, 1992.


Chief, Water Alloc. Bureau

MICROFILMED
OCT 13 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 36-07554 Issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority Groundwater 7/5/1975 7/23/92

5. Water is used for the following purpose:

amount 5.35 cfs for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 5.35 cubic feet per second and/or 1280 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	NW	36	85	20E	Jerome	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
85	20E	36					40	40	40	40	40	40	40	40					320

9. Describe any other water rights used for the same purpose as described above _____

Total acres 320

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OCT 13 1994

R PROOF



CVR



MAPS



PHOTOS



MISC



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JAN 27 1993

Water Right Number - R36-02324

Prefix Translation:

RESEARCH

Old (D) Number - 26874

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***
ROOST POTATO CO.

1 - 952 S. 1400 E.

2 -
3 -

City- EDEN

Phone - 208-825-5007

VERIFIED BY. *KKC*

State- ID Zip- 833250000

+ - - Priority Date - - +
04/24/1957+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - +
GROUNDWATER

+ - - Tributary - - - - +

+ - - Point of Diversion - - - - +						
Tw	Rng	Sec	Tract	Lot	RFlg	County
09S	19E	28	NE SE NW		(53)	JEROME

+ - - Water Use - - - - +					
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	1.200	
43 - DOMESTIC		01/01	12/31	0.040	

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
1.200		0.0	

+ - - Place of Use - - - - +								
Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	19E	28	SW NE		24.0	01	IRRIGATION	(53) JEROME
09S	19E	28	SE NE		40.0	01	IRRIGATION	(53) JEROME

Total Acres: 64.0

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use - DOMESTIC, 1 HOME

+ - - Other Rights for Same Use - SEE REMARKS

+ - - Remarks - - - - +

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-07000, 36-13931 & 36-15152. USE OF THIS RIGHT WITH RIGHT 36-15152 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.20 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 256 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE

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JAN 27 1993

Water right number - R36-02324

Prefix Translation: RESEARCH

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

USE VOLUME OF 192 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL
OF 64 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-15152 IS AN EXPANSION OF THIS RIGHT PURSUANT TO
IDAHO CODE 42-1416(2).

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

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

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

No Comments Found

+ - - Audit Fields - - +

01/30/92 CHRISTEN

+ - - - - 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	- 01/30/1992	Old Judicial District	-
Claim Received Date	- 02/08/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S011144	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	-

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התאחדות המורים והמורות
 מועצה מקומית (מחוז) - תל אביב
 תל אביב - תל אביב

מס' תעודת זהות
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1
RECEIVED BY: [illegible] THE [illegible] COURT

RECEIVED BY: [illegible]

2. IT IS HEREBY ORDERED THAT [illegible] SHALL [illegible]

PERSON	DATE	TIME	TYPE	FILE	DATE	TIME	FILE	PERSON
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]				[illegible]				[illegible]

3. [illegible]

4. [illegible]

PERSON	DATE	TIME	TYPE	FILE	DATE	TIME	FILE	PERSON
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]				[illegible]				[illegible]

5. [illegible]

6. [illegible]

DATE	TIME	FILE	PERSON
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]

7. [illegible]

P/D OK. accept as claimed
verified on ASCS Photo.

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claimed priority date
matches claimed priority date
accept as claimed
KKC

ACRES	ADDITIONAL	TOTAL	REMARKS
200.000	40.000	240.000	ADDITIONAL ACRES
200.000	40.000	240.000	ADDITIONAL ACRES
TOTAL ADDED		40.000	

40
24

64

RECORDED
INDEXED

JAN 27 1993

acres in excess of the claimed 60 acres were found. they are to be covered in ~~transfer~~ expansion claim A36-15152. these 60 acres agree with transfer # 3048.

Recommend these 60 acres and the additional acres under A36-15152 as a P.M.

Limit this right to 60A in Remark KØ6
64A total in EØ3

KKC

ST. JOHN'S UNIVERSITY
NEW YORK, N.Y. 10043-5500

ST. JOHN'S UNIVERSITY
NEW YORK, N.Y. 10043-5500

ST. JOHN'S UNIVERSITY
NEW YORK, N.Y. 10043-5500

same

ST. JOHN'S UNIVERSITY
NEW YORK, N.Y. 10043-5500

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NEW YORK, N.Y. 10043-5500

ST. JOHN'S UNIVERSITY
NEW YORK, N.Y. 10043-5500

ST. JOHN'S UNIVERSITY
NEW YORK, N.Y. 10043-5500

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0

stock water only

10. [Download](#) [Share](#)

from field exam, the system capacity is 1.20 CFS (use in Remark
code E 07)
Remark Code Data for:
F 06; 36 - 7000 ; 36 - 15/52

6.0

1.2

X

Combined right with
(expansion claim A36-15152)
See work sheet for comb.
Vol limiters used
in EQ3.
KKC

I understand; $1.2 \text{ CFS} \div 60 \text{ A} = 0.02 \text{ CFS/ACRE}$
 with expansion acres; $1.2 \text{ CFS} / 64 \text{ A} = 0.01875 \text{ CFS/ACRE}$
 (within tolerances.)

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1. TAXPAYER'S NAME (Last, first, middle initial)

2. ADDRESS (Street, city, state, zip code)
3. PHONE NUMBER (Area code and number)

ADDITIONAL INCOME	ADDITIONAL DEDUCTIONS
1. 2. 3.	1. 2. 3.

4. TAXPAYER'S SOCIAL SECURITY NUMBER

5. TAXPAYER'S MARITAL STATUS (Married, single, etc.)

6. TAXPAYER'S FILING STATUS (Single, married, etc.)

7. TAXPAYER'S
1. 2. 3.

8. TAXPAYER'S

9. TAXPAYER'S

10. TAXPAYER'S

11. TAXPAYER'S

12. TAXPAYER'S

13. TAXPAYER'S

14. TAXPAYER'S

15. TAXPAYER'S

16. TAXPAYER'S

17. TAXPAYER'S

18. TAXPAYER'S

19. TAXPAYER'S

20. TAXPAYER'S

21. TAXPAYER'S

22. TAXPAYER'S

23. TAXPAYER'S

Kelly K. Christensen

12-23-91
Sr. Water Rights Agent

See Hacked analysis sheets.

1 pt. & 2nd reviewed
by KKC 12-23-91

2010

JAN 27 1993

4
135 4

FEED
LOT
AS OF
NOV 19, 1987
P/D

3
27 4

T 6025

715-4-1

P/D
FOR STOCK WATER
36-7000
36-13931

37 1 HEL

4 14 HEL

4 1 HEL

1
66 5

T 6107 ALL HEL
1689-1-4

EXPANSION
ACRES (4)
36-15152

36-2324
60 ACRES

4
50 2 HEL

5
105 4 HEL

9
8 2

T 282

984

7
9 5

6
65 1

4
3 4

10
17 4

8
34 9

7
61 2



RECEIVED
JAN 27 1993

12-27-91

Analysis of A36-15152

Claimed priority date - - - MAY 1, 1957

Available evidence as of 12-27-91

1. a) Affidavit from Calvin Jones, dated Oct 31, 1990 states that the expansion acres were from the system licensed under 36-2324. priority date 4-24-1957
 b.) the affidavit further states that the irrigation expansion was for dust control in the feed lot. updated 1-27-92
2. a) The original P/U for 36-2324 was within the S $\frac{1}{2}$ NW $\frac{1}{4}$ (60 ACRES) and was verified in the licensing field exam on 6-7-1960
 b) The P/U was transferred via transfer # 3048 to the S $\frac{1}{2}$ NE $\frac{1}{4}$. the original P/U (S $\frac{1}{2}$ NW $\frac{1}{4}$) was then a feed lot. with a portion of the feed lot being in the NE $\frac{1}{4}$. transfer approved on 8-30-84
3. a) Application for Permit # 36-7000 was approved on Dec 26, 1967 recognising a priority date of 6-14-67.
 The permit was for the expansion of the original feed lot claimed ~~licensed~~ under A36-13931 with a claimed priority date of 3-1-55 and for irrigation of additional acres within Sec 33.
 b) The permit was licensed for stock water only. Apparently no additional irrigation was found. (no field exam data available on microfiche)
 c) Additional information within the application for permit for 36-7000 was a sketch of the proposed project. Indicated by Henry Jones was "LANDS OWNED BY APPLICANT". The S $\frac{1}{2}$ NE $\frac{1}{4}$ was not within the sketched boundary. dated 8-14-67

JAN 27 1993

Analysis of A36-15152 (cont) available evidence

4. The ortho photo indicates that the $S\frac{1}{2}NW\frac{1}{4}$ is a feedlot and that the feedlot extends into the $SW\frac{1}{4}NE\frac{1}{4}$, acres covered by the feedlot appears to be approx 10 acres (maybe more) the ortho photo flight date was 1976.
5. The NAPP photo shows the $S\frac{1}{2}NW\frac{1}{4}$ as a feedlot and no irrigation. It also shows approx 14 acres within the SW/NE as feed lots. and the balance as irrigated the NAPP photo flight date was 6-24-87

ANALYSIS & RECOMMENDATIONS:

The claim is for 18 acres of irrigation with a priority date of 1957 (the date of the new well and near the priority date of 36-2324 (see note 1.a.)

At that date there was no expansion in irrigation ~~as~~ in the $NE\frac{1}{4}$ as that quarter was not owned by the claimant (see note 3.c.)

Also the 1960 field exam identified only 60 acres of irrigation (see note 2.a)

The best evidence of the existence of the feedlot excluding the irrigated acres is the Permit 36-07000 with a priority date of 1967 (see note 3.a. & b.)

The first substantial indication of any irrigation in the $NE\frac{1}{4}$ from the claimed P/D is the 1984 transfer (see note 2.b.)

therefore

I recommend 4 acres under the expansion claim with a 8-30-84 priority date.

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the best evidence indicates no expanded acres in the NW 1/4 and no evidence of irrigation in the NE 1/4 before 1984.

On the 10-31-90 affidavit by Calvin Jones, there is reference to dust control, however, the claim (as of this date) is silent for dust abatement. No dust abatement will be recommended without further information and an amendment to the claim. The change in nature of use from dust abatement to irrigation, on a per acre basis, would be an expansion in vol & possibly rate.

The applicant was notified that an application for a permit is required for the irrigated acres that were created when the feed lot in the NE 1/4 was removed after 1987. (see Letter dated 12-31-1991).

Kelly L. Christensen

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JAN 27 1993

1-27-92

Office visit with Calvin Jones

He is transferring the P/O & P/U from 36-02324 & 36-15152 to Sec 36, T 8S, R-20E (pending approval) - application made this date.

No dust abatement is claimed under 36-15152. Also the transfer P/U is based upon the adjudication field exam.

Stock Water:

All 4 existing wells now ~~supply~~ ^{supply} water for feed lot. Wells claimed under 36-13931 are now the primary source with the well under 36-7000 used to supplement & the irrigation well originally licensed under 36-2324 being used for backup. That well no longer supplies water for irrigation.

The system used for dust abatement has been abandoned as of 1990. The system was approx 1 standard rainbird ($\frac{9}{16}$ - $\frac{7}{32}$ ^{tip} range) per pen. for the pens located in Sec 28 & 29. The pens in Sec 27 used 1 big gun (1" tip $\pm$) rotated between pens.

The stock pens and water systems in Sec 27 have been removed as of this date.

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REMARK AND CONDITION CODE WORKSHEET

SYSTEM CLAIM NUMBERS

36 2324
36 15152AGENT
INITIALS

KKC

DATE 12-23-91

CLAIM NO.
OR ENTRY
ORDERREMARK
CODE

ENTRY DATA

CONDITION
CODESTAGE
OR
STATUSPRESUMPTION
CODE

36-2324	K06	60 ACRES			
	F06	36-07000 & 36-15152	C05		C
	E03	1.20			
		256 AFA			
		192 AFA			
		64 ACRES			
	K01	36-15152			
36-15152	K06	4			
	F06	36-2324 & 36-7000			E
	E03	1.20			
		256 AFA			
		192 AFA			
		64 A			
	K02	36-2324			

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JAN 27 1993

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3912APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Roost Potato Co., Inc. Phone 825-5007
Post Office address 952 S. 1400 E, Eden, ID 83325

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Canal water is available to irrigate the original land, but none is available for Sec. 36. Additional water is needed for use in Sec. 36.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>36-02324</u>	<u>4-24-57</u>	<u>1.2</u>	<u>Irrig.</u>	<u>3-15</u> to <u>11-15</u>
<u>A36-15152</u>	<u>5-1-57</u>	<u>0.08</u>	<u>"</u>	<u>"</u> to <u>"</u>
				to
				to

2. Total amount of water being transferred 1.2 cubic feet per second and/or 256 acre-feet per annum.3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>SW</u>	<u>SE</u>	<u>NW</u>	<u>36</u>	<u>8S</u>	<u>20E</u>	<u>Jerome</u>	<u>Existing well</u>
	<u>SW</u>	<u>SE</u>	<u>SE</u>	<u>"</u>	<u>"</u>	<u>"</u>	<u>"</u>	<u>New well to be drilled</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>8S</u>	<u>20E</u>	<u>36</u>	<u>40</u>	<u>14</u>		<u>10</u>													<u>4</u> <u>60</u>

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JAN 27 1993

PART 1

6. General Information:

- a. Description of diversion system Existing well & pump, new well to be drilled, Connecting mainline, handline sprinklers
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will continue to be irrigated, but source will Northside Canal Co. shares.
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

MICROFILMED**JAN 27 1993**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 36-02324 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3048 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4-24-1957

5. Water is used for the following purpose:

amount 1.2 cfs for Irrig. purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount _____ for Domestic purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.2 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	28	95	19E	Jerome	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
95	19E	28			20	40													60

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 JAN 27 1993

Total acres 60

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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JAN 27 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A36-15152 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 5-1-1957

5. Water is used for the following purpose:

amount 0.36 cfs for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	NW	28	95	19E	Jerome	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
95	19E	28			18														18

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Total acres 18

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
Yes If yes, describe 14 ac. originally farmed has been a feedlot for 10 years or more

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

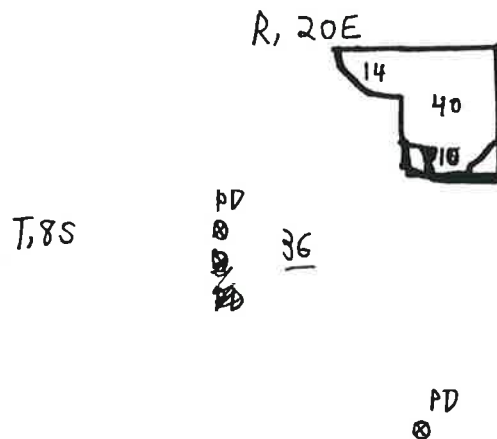
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 27th day of January, 19 92

Calvin Jones President
(Signature of Applicant)

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/92

FOR DEPARTMENT USE ONLYTransfer contains 8 pages and _____ attachmentsReceived by J. F. Stanton Date 1-27-92Prelim. check by R.S. Fee \$50.00 5014077Received by JS Date 1-27-92Published in Water Right NewsPub. dates 9/2 & 9/10/92Watermaster recommendation requested on N/A

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denialby JS

Copy of transfer sent to lien holder _____

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