

COPY

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SRBA
JUL, 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	)	SUBCASE NO. 36-02228A, 36-02228B
	)	36-02493B, 36-07597A,
Case No. 39576	)	36-07597B, 36-07682
	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDING

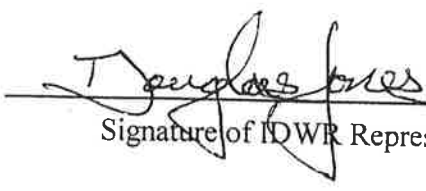
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 12/18/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 12/21, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Grace Madalena
919 11th Ave N
Buhl ID 83316
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Tom Heida
Mary Jane Heida
460 5th Ave E
Wendell ID 83355
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

12/18/2000

RIGHT NUMBER: 36-2228A

NAME AND ADDRESS: MARY JANE HEIDA
TOM HEIDA
460 5TH AVENUE E
WENDELL, ID 83355

SOURCE: GROUND WATER

QUANTITY: 1.58 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07597A IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.28 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 456 AF
USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-07597B, 36-
02493B, 36-07682, & 36-02493C

PRIORITY DATE: 07/13/1953

POINT OF DIVERSION: T08S R14E S36 SESESW Within GOODING County
T08S R14E S36 SESWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	1.58 CFS

PLACE OF USE:

<u>IRRIGATION Within GOODING County</u>					
T08S R14E S36	NESW	37	T08S R14E S36	SWSW	38
T08S R14E S36	SESW	39			

114 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-07597A IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 114 ACRES IN A SINGLE IRRIGATION SEASON

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED
ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-07597B, 36-02493B, 36-07682, &
36-02493C

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

12/18/2000

RIGHT NUMBER: 36-2228B

NAME AND ADDRESS: MARY JANE HEIDA
TOM HEIDA
460 5TH AVENUE E
WENDELL, ID 83355

SOURCE: GROUND WATER

QUANTITY: 0.4 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07597B IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.58 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 316 AF
USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.: 36-07597A, 36-02228A, 36-07597B, 36-
02493B, 36-07682, & 36-02493C

PRIORITY DATE: 07/13/1953

POINT OF DIVERSION: T08S R14E S36 SESESW Within GOODING County
T08S R14E S36 SESWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.40 CFS

PLACE OF USE:

<u>IRRIGATION Within GOODING County</u>			
T08S R14E S36	NWSE	40	T08S R14E S36 SWSE 39

79 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-07597B IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 79 ACRES IN A SINGLE IRRIGATION SEASON

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-
1425, IDAHO CODE.

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

RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED
ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228A, 36-07597B, 36-02493B, 36-07682, &
36-02493C

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

12/18/2000

RIGHT NUMBER: 36-2493B
NAME AND ADDRESS: MARY JANE HEIDA
TOM HEIDA
460 5TH AVENUE E
WENDELL, ID 83355

SOURCE: GROUND WATER

QUANTITY: 0.36 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07682 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.56 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 312 AF
USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-07597B, 36-
02228A, 36-07682, & 36-02493C

PRIORITY DATE: 06/28/1961

POINT OF DIVERSION: T08S R14E S36 SESESW Within GOODING County
T08S R14E S36 SESWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	0.36 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15
AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT
ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE
IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS
ENTERED FOR THIS RIGHT

PLACE OF USE:

<u>IRRIGATION Within GOODING County</u>			
T08S R14E S36	NESE	39	T08S R14E S36 SESE 39

78 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-07682 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 78 ACRES IN A SINGLE IRRIGATION SEASON
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

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

RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-07597B, 36-02228A, 36-07682, & 36-02493C

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

12/18/2000

RIGHT NUMBER: 36-7597A

NAME AND ADDRESS: MARY JANE HEIDA
TOM HEIDA
460 5TH AVENUE E
WENDELL, ID 83355

SOURCE: GROUND WATER

QUANTITY: 0.7 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02228A IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.28 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 456 AF
USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.: 36-02228A, 36-02228B, 36-07597B, 36-
02493B, 36-07682, & 36-02493C

PRIORITY DATE: 01/13/1976

POINT OF DIVERSION: T08S R14E S36 SESESW Within GOODING County
T08S R14E S36 SESWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	0.70 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15
AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT
ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE
IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS
ENTERED FOR THIS RIGHT

PLACE OF USE:

<u>IRRIGATION Within GOODING County</u>					
T08S R14E S36	NESW	37	T08S R14E S36	SWSW	38
T08S R14E S36	SESW	39			

114 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-02228A IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 114 ACRES IN A SINGLE IRRIGATION SEASON

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED
ABOVE. OTHER RIGHT NOS.: 36-02228A, 36-02228B, 36-07597B, 36-02493B, 36-07682, &
36-02493C

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

12/18/2000

RIGHT NUMBER: 36-7597B
NAME AND ADDRESS: MARY JANE HEIDA
TOM HEIDA
460 5TH AVENUE E
WENDELL, ID 83355

SOURCE: GROUND WATER

QUANTITY: 1.18 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02228B IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.58 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 316 AF
USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-02228A, 36-
02493B, 36-07682, & 36-02493C

PRIORITY DATE: 01/13/1976

POINT OF DIVERSION:	T08S R14E S36	SESESW	Within GOODING County
	T08S R14E S36	SESWSW	Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	1.18 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15
AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT
ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE
IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS
ENTERED FOR THIS RIGHT

PLACE OF USE:

<u>IRRIGATION Within GOODING County</u>			
T08S R14E S36	NWSE	40	T08S R14E S36 SWSE 39

79 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-02228B IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 79 ACRES IN A SINGLE IRRIGATION SEASON

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-02228A, 36-02493B, 36-07682, & 36-02493C

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

12/18/2000

RIGHT NUMBER: 36-7682
NAME AND ADDRESS: MARY JANE HEIDA
TOM HEIDA
460 5TH AVENUE E
WENDELL, ID 83355

SOURCE: GROUND WATER

QUANTITY: 1.24 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02493B IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.56 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 312 AF
USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-07597B, 36-
02493B, 36-02228A & 36-02493C

PRIORITY DATE: 02/14/1977

POINT OF DIVERSION: T08S R14E S36 SESESW Within GOODING County
T08S R14E S36 SESWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	1.24 CFS

PLACE OF USE:

<u>IRRIGATION Within GOODING County</u>			
T08S R14E S36	NESE	39	T08S R14E S36 SESE 39

78 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-02493B IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 78 ACRES IN A SINGLE IRRIGATION SEASON

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED
ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-07597B, 36-02493B, 36-02228A &
36-02493C



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

December 22, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TOM HEIDA
MARY JANE HEIDA
460 5TH AVE E
WENDELL ID 83355

RE: SRBA Claim(s) 36-02228A, 36-02228B, 36-02493B,
 36-07597A, 36-07597B, 36-07682

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Grace Madalena

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 36-2493B
Date Received: 7/15/88
Receipt No:
Received By:

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

1. Name of Claimant(s)

TOM HEIDA
460 5TH AVENUE E
WENDELL ID 83355

Phone: (208)536-2189

MARY JANE HEIDA
460 5TH AVENUE E
WENDELL ID 83355

Phone: (208)536-2189

2. Date of Priority: 06/28/1961

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
08S	14E	36	SW SE	GOODING

5. Description of diverting works:

WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.36	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	14E	36	SE	SE	IRRIGATION	20
					Section Acres	20
					Total Acres	20

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

TRANS. 2055
ADDRESS CHANGE 8/14/90 BY JG

12-7-00, FM: OWNERSHIP CHANGE COMPLETED PER REQUEST RECEIVED 10-28-99.

15. Basis of Claim: License

G-28871

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED
OCT 28 1999
 Department of Water Resources
 Southern Region

1. Water Right No(s).: 36-2228A, 36-2228B, 36-7597B, 36-02493C, and 36-07682
 Adjudication Claim No(s).: 36-7597A, 36-02493B *vv*

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant: Grace V. Madalena, individually and as Trustee of the Joseph John Madalena Testamentary Trust
919 11th Avenue North, Buhl, ID 83316

4. New Owner/Claimant(s): Tom Heida and Mary Jane Heida
 Name Connector (Check one): ☐ and ☐ or ☐ and/or
 New Mailing Address: 460 5th Avenue East
 City, State and ZIP Code: Wendell, ID 83355
 New Telephone Number: (208) 536-2189

5. Date you acquired the property: 10-27-99

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s): *Tom Heida Mary Jane Heida* Date 10-27-99
 _____ Date 10-27-99
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

Jim

WARRANTY DEED

For Value Received

Grace V. Madalena, individually and as Trustee under the Last Will and Testament of Joseph
John Madalena, deceased

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

Tom Heida and Mary Jane Heida, husband and wife
Address: 460 5th Avenue East, Wendell, ID 83355

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

SEE EXHIBIT "A" attached hereto:

TOGETHER WITH *Idaho Department of Water Resources* water right Nos. 36-2228A, 36-2228B,
36-7597A, 36-7597B, 36-02493B, 36-02493C, and 36-07682.

This property is being conveyed without North Side Canal Company water shares.

SUBJECT TO:**All reservations in patents or deeds in the chain of title.**

Taxes for 1999 and subsequent years, which are a lien, but not yet due and payable.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

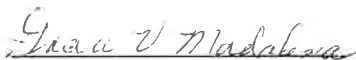
Power Line Easement given by North Side Farms to Idaho Power Company, a corporation, dated June 2, 1973, recorded June 21,
1973 as Instrument Number 045934, Gooding County records, affecting Beginning at the North ¼ corner of 321, Township 8 South,
Range 15 East Boise Meridian, thence a 20' strip of land adjacent to the ¼ line and in the NW¼ of the NE¼ and extending South
approximately 900 ft..

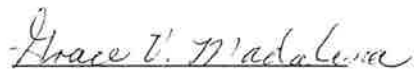
Power Line Easement given by John Madalena and Grace Madalena to Idaho Power Company, a corporation, dated December 9, 1975,
recorded February 18, 1976 as Instrument Number 58249, Gooding County records, affecting N½SW¼ of Section 36, Township 8
South, Range 14 East Boise Meridian.

Easement by and between John Madalena and Grace Madalena, husband and wife, Grantors, and West Point Highway District No.
4, Grantee, dated April 30, 1993, recorded May 18, 1993 as Instrument Number 152713, Gooding County records.

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

Dated: October 27, 1999


Grace V. Madalena

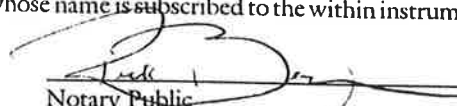

Grace V. Madalena, as Trustee of the Joseph John
Madalena Testamentary Trust U/W dated 02-07-1991

183046

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the County Clerk's Office of
40 10/27/99 P. 22
October 27 1999 \$12.00
D. J. Madalena

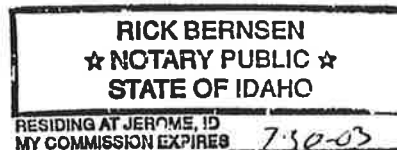
STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 27th day of **October, 1999**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Grace V. Madalena**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.


Notary Public

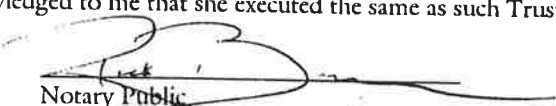
Residing at: Jerome, ID

My Commission expires: 7-30-03



STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 27th day of **October, 1999**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Grace V. Madalena**, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Joseph John Madalena Testamentary Trust U/W Dated 02-07-1991, and acknowledged to me that she executed the same as such Trustee.


Notary Public

Residing at: Jerome, ID

My Commission expires: 7-30-03

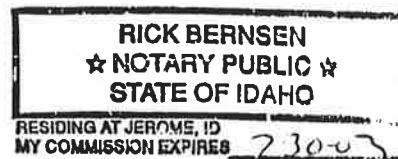


EXHIBIT "A"

Order Number: G-28871

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 36: A parcel of land located in the S½, and more particularly described as follows:

Commencing at the Southwest corner of said Section 36, from which the West one quarter (W¼) corner of said Section 36 bears North 00°00'00" East, 2642.87 feet, said Southwest corner of Section 36 being the TRUE POINT OF BEGINNING;

Thence North 00°00'00" East along the West boundary of the SW¼ of said Section 36 for a distance of 1016.02 feet to the center of an irrigation coulee;

Thence along the Center of the irrigation coulee on the following courses:

North 71°05'47" East, 28.11 feet;
North 36°53'39" East, 14.97 feet;
North 31°00'59" East, 75.70 feet;
North 28°26'33" East, 53.08 feet;
North 27°46'19" East, 117.97 feet;
North 38°06'50" East, 34.90 feet;
North 43°58'10" East, 53.99 feet;
North 41°04'46" East, 95.48 feet;
North 38°56'38" East, 26.00 feet;
North 29°15'51" East, 29.07 feet;
North 17°56'14" East, 45.18 feet;
North 08°34'29" East, 38.15 feet;
North 31°12'49" East, 29.07 feet;
North 31°11'57" East, 22.32 feet;
North 01°10'26" East, 39.83 feet;
North 18°09'40" East, 38.91 feet;
North 53°56'22" East, 44.71 feet;
South 86°09'06" East, 40.48 feet;
South 73°30'45" East, 51.33 feet;
South 54°51'47" East, 60.44 feet;
South 49°56'58" East, 51.05 feet;
South 38°39'31" East, 57.31 feet;
South 39°42'56" East, 30.07 feet;
South 56°13'18" East, 46.79 feet;
South 59°44'27" East, 58.80 feet;
South 73°30'47" East, 43.80 feet;
North 83°33'00" East, 45.84 feet;
North 66°58'14" East, 40.49 feet;

-Continued-

CONTINUATION

EXHIBIT "A"

Order Number: G-28871

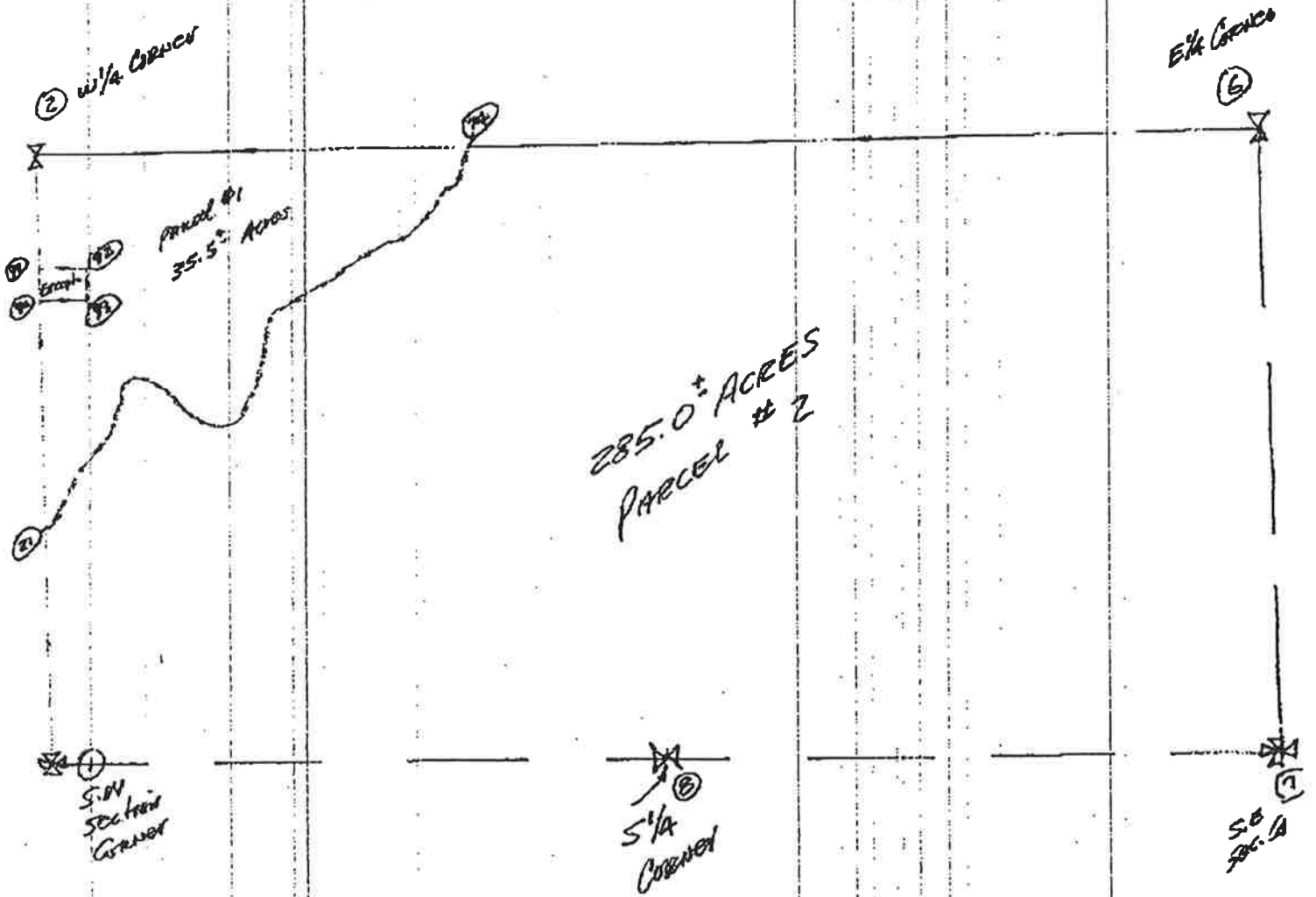
North 45°18'26" East, 35.82 feet;
North 25°20'56" East, 80.53 feet;
North 31°02'29" East, 50.07 feet;
North 24°27'39" East, 34.46 feet;
North 07°26'22" East, 65.79 feet;
North 20°27'50" East, 42.99 feet;
North 10°56'04" East, 69.34 feet;
North 08°58'58" East, 84.53 feet;
North 19°47'47" East, 42.10 feet;
North 46°09'39" East, 31.39 feet;
North 67°36'36" East, 29.22 feet;
North 60°35'56" East, 143.63 feet;
North 64°53'51" East, 118.99 feet;
North 44°51'14" East, 71.83 feet;
North 60°40'32" East, 191.52 feet;
North 83°51'50" East, 48.71 feet;
North 64°43'06" East, 54.32 feet;
North 44°35'36" East, 48.28 feet;
North 45°47'15" East, 117.43 feet;
North 25°47'44" East, 47.93 feet;
North 40°09'20" East, 36.00 feet;
North 62°41'45" East, 43.74 feet;
North 52°51'00" East, 17.12 feet;
North 23°23'40" East, 62.50 feet;
North 17°23'08" East, 11.28 feet to a point on the North boundary of the SW¼ of said Section 36:

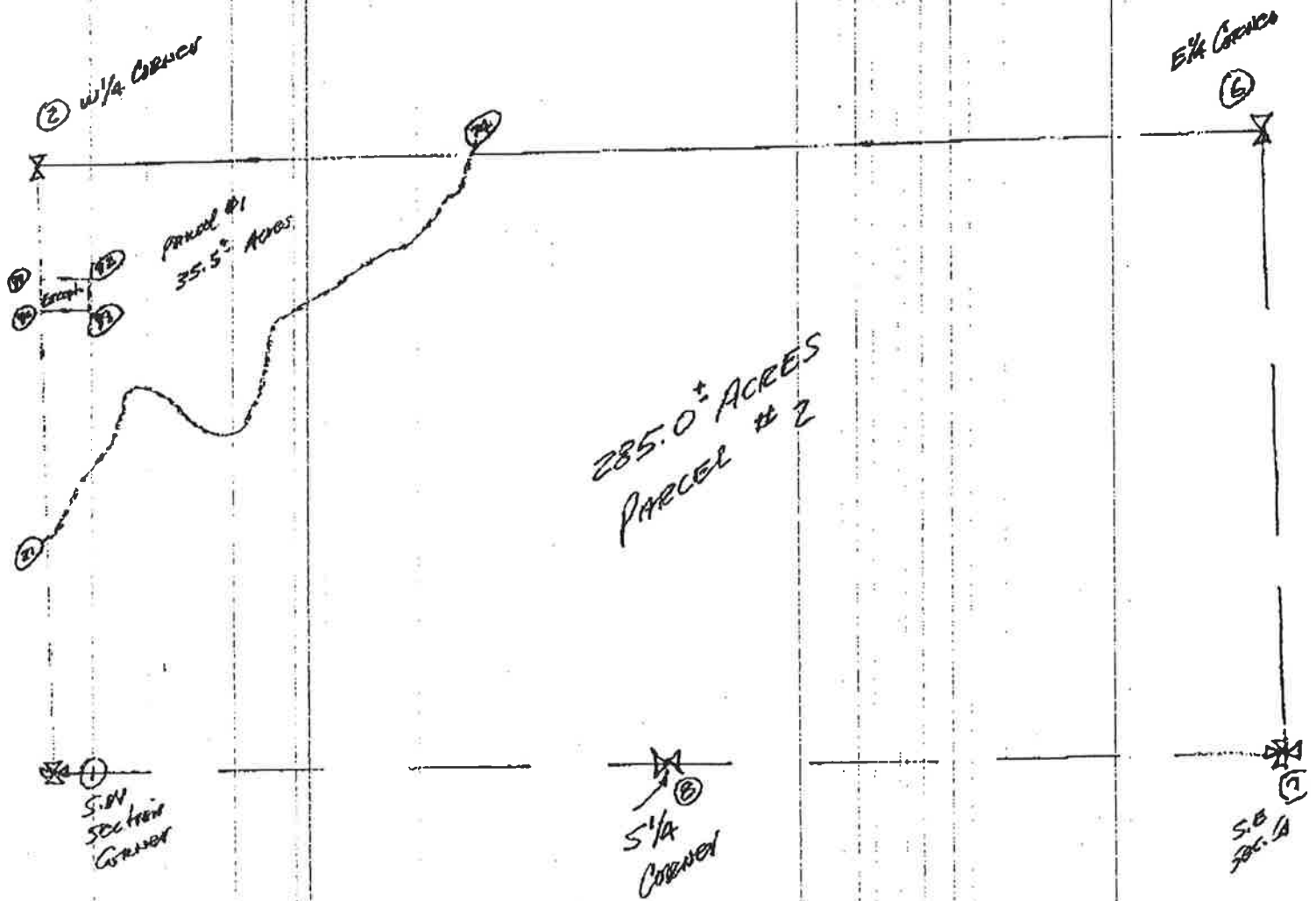
Thence South 89°57'41" East along the North boundary of the S½ of said Section 36 for a distance of 3406.72 feet to the East one quarter (E¼) corner of said Section 36, also being the Northeast corner of the S½ of said Section 36;

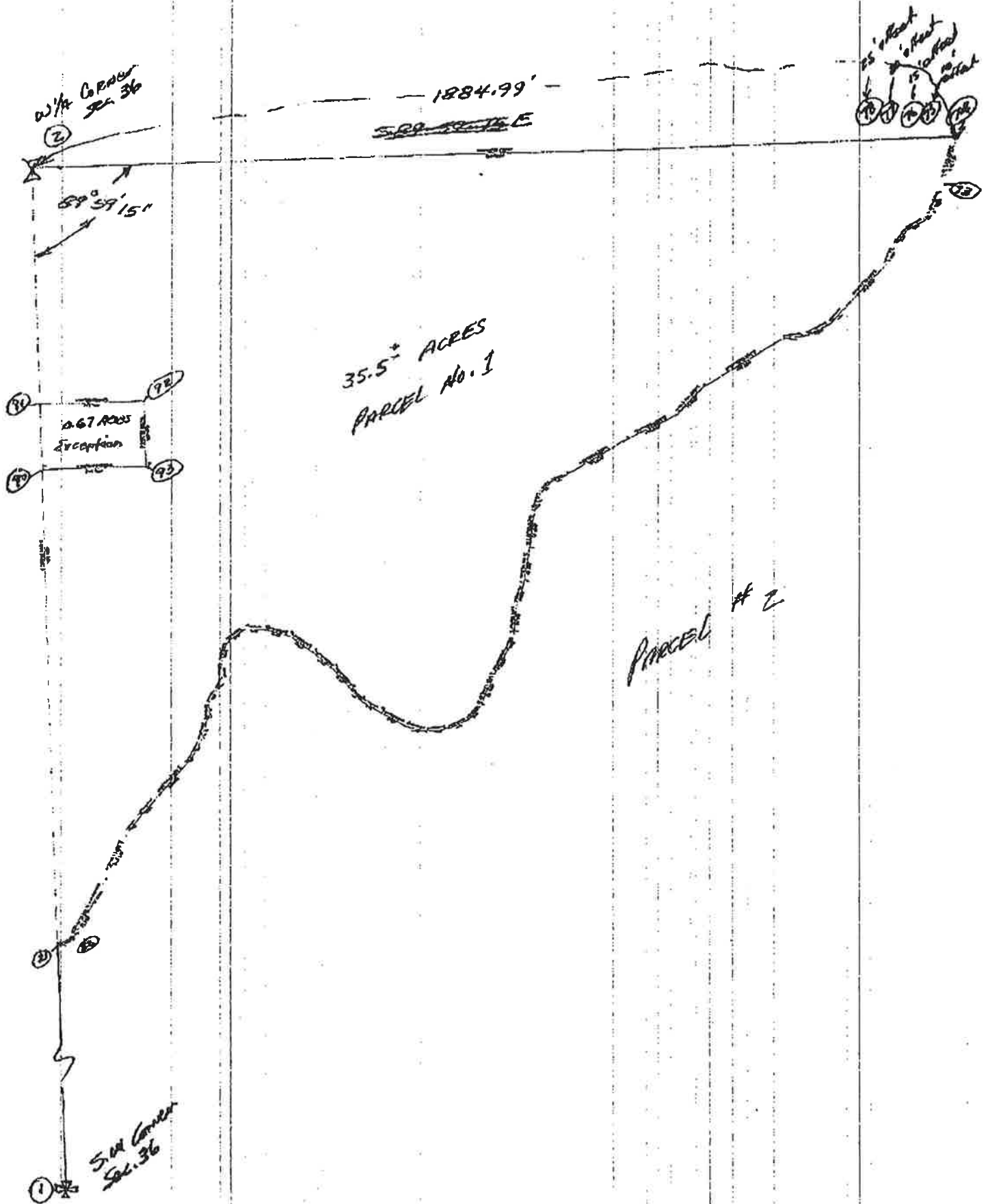
Thence South 00°04'20" East along the East boundary of the SE¼ of said Section 36 for a distance of 2643.97 feet to the Southeast corner of said Section 36;

Thence North 89°52'22" West along the South boundary of the SE¼ of said Section 36 for a distance of 2647.39 feet to the South one quarter (S¼) corner of said Section 36;

Thence South 89°58'25" West along the South boundary of the SW¼ of said Section 36 for a distance of 2647.39 feet to the TRUE POINT OF BEGINNING.







State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-07682

Priority: February 14, 1977

Maximum Diversion Rate: 1.24 CFS
Maximum Diversion Volume:¹ 312.0 AF

This is to certify, that JOHN MADALENA
GRACE V. MADALENA

919 11TH AVE. N.
BUHL, ID 83316

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 14, 1977; and has submitted Proof of Beneficial Use on January 25, 1982. An examination indicates that the works have a diversion capacity of 4.280 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.24 CFS	312.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 36, Township 08S, Range 14E
SESW , Sec. 36, Township 08S, Range 14E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	14E	36	NESE 39	SESE 39		78
Total number of acres irrigated:						78

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
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 above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-07682

CONDITIONS/REMARKS:

6. The maximum combined rate of diversion under this right & Rights
36-7597, 36-2493B & 36-2228 shall not exceed 4.28 cfs.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 19th
day of April, 1990.

Acting for  R. Keith Higginson, Director

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C016017

Date: 03/30/90
Time: 12:13:27

Received
From: MADALENA, JOHN/GRACE

Type of Payment	Program Acct Class	Amount
APPLICATION FOR AMENDMENT (3607682)	0610199 1238 6390	\$20.00

Total

\$20.00

CHECK 10069

Idaho Department of Water Resources

Region: STATE

Signature: C. Hong

State of Idaho
Department of Water Resources

RECEIVED
MAR 30 1990

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-07682

Department of Water Resources

Date of Priority: February 14, 1977

Maximum Diversion Rate:
Maximum Diversion Volume:¹

1.24 CFS
~~3.1~~ AF

Allow 312.0 *

Comes now

JOHN MADALENA
GRACE V. MADALENA

RT. 1
WENDELL, ID 83355

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 36-07682, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.24 CFS	Allow 312.0 * ~~3.1~~ AF

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 36, Township 08S, Range 14E
SESW , Sec. 36, Township 08S, Range 14E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	14E	36	NESE 39	SESE 39		78
Total number of acres irrigated:						78

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Paul Loh, this 29 day of March, 1990.

John Madalena
(Signature)

tkw 1/11/90

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-07682

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00 ✓ Received by C. Wong Date 3/30/90 # 1016017

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 36-07682 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
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 above.
6. The maximum combined rate of diversion under this right & Rights 36-7597, 36-2493B & 36-2228 shall not exceed 4.28 cfs.

Witness my hand this 19th day of April, 1990.

R. Keith Higginson
Acting for R. Keith Higginson, Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08276

Priority: June 6, 1985

Maximum Diversion Rate:

0.14 CFS

This is to certify, that JOHN MADALENA
919 11TH AVE N
BUHL ID 83316

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 6, 1985; and
has submitted Proof of Beneficial Use on May 9, 1989. An examination indicates
that the works have a diversion capacity of 4.280 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.14 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 36, Township 08S, Range 14E
SWSE , Sec. 36, Township 08S, Range 14E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	14E	36	NESW 37	NWSW 7	SWSW 38	121
			SESW 39			

Total number of acres irrigated: 121

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The following rights are also diverted through the points of diversion described above: 36-02228A, 36-02228B, 36-02493B, 36-02493C, 36-07597A, 36-07597B and 36-07682.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
6. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
7. This right is limited to the irrigation of 7 acres within the place of use described above in a single irrigation season.

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 36-08276

CONDITIONS OF APPROVAL AND REMARKS

8. This right when combined with Rights 36-02228A and 36-07597A and all other rights shall provide no more than .02 cfs per acre nor exceed an annual diversion volume of 28 af for the lands above.
9. Use of this right with the rights listed below is limited to a total combined diversion rate of 2.42 cfs, a total combined annual diversion volume of 484 af, and to the irrigation of a combined total of 121 acres in a single irrigation season.
10. The combined rights include: 36-02228A and 36-07597A.
11. Use of this right with the rights listed below is limited to a total combined diversion rate of 4.28 cfs. The combined rights include: 36-02228A, 36-02228B, 36-02493B, 36-02493C, 36-07597A, 36-07597B and 36-07682.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 6th
day of September, 1995.


KARL J. DREHER, DirectorActing for:


State of Idaho
Department of Water Resources

RECEIVED

AUG 24 1995

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08276

Department of Water Resources
No ✓

Date of Priority: June 6, 1985 Maximum Diversion Rate: 0.14 CFS
Comes now JOHN MADALENA
919 11TH AVE N
BUHL ID 83316

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 36-08276, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.14 CFS	

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 36, Township 08S, Range 14E
SWSE , Sec. 36, Township 08S, Range 14E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S 14E 36	NESW 37	NWSW 7	SWSW 38	
	SESW 39			121

Total number of acres irrigated: 121

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Buhl, Ida this 22 day of Aug, 1995
919 11th Ave N
John Madalena
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08276

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = \$50.00 Received by Ruby # C033488 Date 9/1/95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 36-08276 with the following;

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The following rights are also diverted through the points of diversion described above: 36-02228A, 36-02228B, 36-02493B, 36-02493C, 36-07597A, 36-07597B and 36-07682.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
6. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
7. This right is limited to the irrigation of 7 acres within the place of use described above in a single irrigation season.
8. This right when combined with Rights 36-02228A and 36-07597A and all other rights shall provide no more than .02 cfs per acre nor exceed an annual diversion volume of 28 af for the lands above.
9. Use of this right with the rights listed below is limited to a total combined diversion rate of 2.42 cfs, a total combined annual diversion volume of 484 af, and to the irrigation of a combined total of 121 acres in a single irrigation season.
10. The combined rights include: 36-02228A and 36-07597A.
11. Use of this right with the rights listed below is limited to a total combined diversion rate of 4.28 cfs. The combined rights include: 36-02228A, 36-02228B, 36-02493B, 36-02493C, 36-07597A, 36-07597B and 36-07682.

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

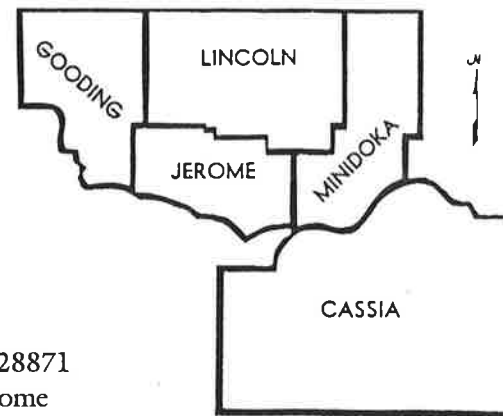
WATER RIGHT NO. 36-08276

Witness my hand this 6th day of September, 1995.


Acting for KARL J. DREHER, Director

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: G-28871
OFFICE: Jerome

October 28, 1999

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

RECEIVED

OCT 28 1999

Department of Water Resources
Southern Region

RE: MADELANA/HEIDA

To Whom It May Concern:

In connection with the above referenced file, enclosed herewith you will find the following:

1. *Copy of Warranty Deed* recorded October 27, 1999 as Instrument No. 183046 under Goodin County Records.
2. *Plat Map.*
3. *Original Notice of Change of Water Right Ownership* dated October 27, 1999.
4. *Original Water Right License for Water Right No. 36-07682 and a copy of the Application for Amendment.*
5. *Original Water Right License for Water Right No. 36-08276 and a copy of the Application for Amendment.*

Please transfer these water rights as indicated on the Warranty Deed.

Thank you for your assistance!! Should you have any questions regarding this matter, please do not hesitate to contact our office at 208-324-3357.

Very truly yours,
LAND TITLE AND ESCROW, INC.

Jenni Stippich
Escrow Department

Enclosures

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

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

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

The undersigned hereby acknowledges receipt of the above listed items this 28 day of October, 1999.

BY: C. H. H.

DATE: 10/29/99
PAGE: 1

THIS RIGHT TO DIVERT GROUNDWATER SHALL NOT BE USED IF THE SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD.

AJ5809NP
No. R36-08276

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 2

Remarks: TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE WITHOUT
THE APPROVAL OF THE DEPARTMENT.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 36-02228A, 36-02228B, 36-02493B,
36-02493C, 36-07597A, 36-07597B, AND 36-07682.

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

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

Comments: Date: 06/26/1991 User-ID: WORSTELL Subject: COPIED FROM REMARKS
ADDRESS CHANGE 8/15/90 BY JG.
FIELD EXAM MADE 8/9/90 BY D.J. RVW 6/26/91

Date: 07/15/1992 User-ID: CHRISTEN Subject: BASIS FOR RECOMMENDATION
FIELD VERIFICATION FOR LICENSING WAS CONDUCTED ON 8-10-90 BUT THE
RIGHT HAS NOT BEEN LICENSED AS OF THIS DATE. THEREFORE, THIS
CLAIM IS RECOMMENDED AS PERMITTED. THE CHANGES FOUND DURING
THE FIELD VERIFICATION ARE IGNORED FOR ADJUDICATION
RECOMMENDATIONS. KKC 7-15-92.

Date: 01/30/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.

Date: 03/12/1998 User-ID: TFAWCETT Subject: AMENDED CLAIM/LICENSE
CLAIM AMENDED TO CONFORM TO LICENSE.

Audit: 12/12/97 SCLELLAN 03/11/98 TFAWCETT 03/13/98 TFAWCETT 07/15/99 KCHRISTE
07/16/99 KCHRISTE

AJ5809NP
No. R36-07682

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GRACE V MADALENA	02/14/1977	IRRIGATION	03-15 11-15	1.240 CFS	
C	JOHN MADALENA 919 11TH AVE NORTH BUHL ID 83316 (208) 543-6775					
TOTAL DIVERSION:					1.240 CFS	

Water Source: GROUNDWATER Tributary to: Stage: DECREED

Point(s) of Diversion: T08S R14E S36 SESESW SESWSE GOODING 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	14E	36	:					:					:					:						
																			39		39		78.0	
																			TOTAL ACRES		78.0			

POU County: GOODING

Other Rights: SEE REMARKS

Conditions of Approval:

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

Remarks: QNT

USE OF THIS RIGHT WITH RIGHT NO. 36-02493B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.56 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 312 AF.
USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.:
36-07597A, 36-02228B, 36-07597B, 36-02493B, 36-02228A & 36-02493C

POU1 USE OF THIS RIGHT WITH RIGHT NO. 36-02493B IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 78 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228B,
36-07597B, 36-02493B, 36-02228A & 36-02493C.

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

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

AJ5809NP
No. R36-07682

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 2

=====

Comments: Date: 06/25/1991 User-ID: WORSTELL Subject: COPIED FROM REMARKS
ADDRESS CHANGE 8/15/90 BY JG.

Date: 12/12/1997 User-ID: SCLELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE

Audit: 07/14/99 KCHRISTE 07/15/99 CWU-DSHA

DATE: 10/29/99
PAGE: 1

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

AJ5809NP
No. R36-02228A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 2

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Comments: Date: 08/05/1991 User-ID: CHRISTEN Subject: COPIED FROM REMARKS
TRANSFER 3171.
THIS CLAIM IS PART OF TRACT 1.
ADDRESS CHANGE 8/15/90 BY JG.

Date: 12/12/1997 User-ID: SCLELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE

Audit: 07/13/99 KCHRISTE 07/15/99 CWU-DSHA

AJ5809NP
No. R36-02228B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GRACE V MADALENA	07/13/1953	IRRIGATION	03-15 11-15	0.400 CFS	
C	JOHN MADALENA 919 11TH AVE NORTH BUHL ID 83316 (208) 543-6775					
				TOTAL DIVERSION:	0.400 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08S R14E S36 SESESW SESWSE

GOODING County

Place of use Legal Description for: IRRIGATION

												NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
08S	14E	36	:									:									:							:	
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AJ5809NP
No. R36-02228B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 4

=====

Comments: Date: 02/19/1992 User-ID: CHRISTEN Subject: COPIED FROM REMARKS
TRANS. 3171. IRRIGATES 193 ACRES ALONG WITH A36-07597A AND
A36-02228A & B WITH A TOTAL OF 2.0 CFS PUMPED FROM 2 WELLS.
THIS CLAIM IS PART OF TRACT 2.
ADDRESS CHANGE 8/15/90 BY JG.

Date: 01/30/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.
*NAME/ADDRESS STANDARDIZED TO AVOID DUPLICATE MAILING LABELS

Date: 12/12/1997 User-ID: SCLELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE

Audit: 07/13/99 KCHRISTE 07/15/99 CWU-DSHA

AJ5809NP
No. R36-07597A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN MADALENA	01/13/1976	IRRIGATION	04-01 11-01	0.700 CFS	
C	GRACE V MADALENA 919 11TH AVE NORTH BUHL ID 83316 (208) 543-6775					
TOTAL DIVERSION:					0.700 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T08S R14E S36

SESESW

SESWSW

GOODING County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE									
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
08S	14E	36	:									:									:							:	114.0
																												114.0	
																												TOTAL ACRES	114.0

POU County: GOODING

Other Rights: SEE REMARKS

Conditions of Approval:

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

Remarks: QNT

USE OF THIS RIGHT WITH RIGHT NO. 36-02228A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.28 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 456 AF.
USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.:
36-02228A, 36-02228B, 36-07597B, 36-02493B, 36-07682, & 36-02493C

USE

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR
LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A
PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

POU1

USE OF THIS RIGHT WITH RIGHT NO. 36-02228A IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 114 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP

RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-02228A, 36-02228B,

AJ5809NP
No. R36-07597A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 2

=====

Remarks: 36-07597B, 36-02493B, 36-07682, & 36-02493C.

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

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

Comments: Date: 08/05/1991 User-ID: CHRISTEN Subject: COPIED FROM REMARKS
TRANSFER 3171.
THIS CLAIM IS USED ON TRACT 1.
ADDRESS CHANGE 8/14/90 BY JG.

Date: 12/12/1997 User-ID: SCLELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE

Audit: 06/23/99 KCHRISTE 07/16/99 KCHRISTE 07/20/99 CWU-DSHA

DATE: 10/29/99
PAGE: 3

EXP RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION

AJ5809NP
No. R36-07597B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 4

Remarks: DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228B,
36-02228A, 36-02493B, 36-07682, & 36-02493C.

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

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

Comments: Date: 06/26/1991 User-ID: WORSTELL Subject: COPIED FROM REMARKS
TRANS. 3171. IRRIGATES 193 ACRES ALONG WITH A36-07597A AND
A36-02228A&B WITH A TOTAL OF 2.0 CFS PUMPED FROM 2 WELLS.
THIS CLAIM IS PART OF TRACT 2 OF TRANS. 3171.
ADDRESS CHANGE 8/14/90 BY JG.

Date: 01/30/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.

*NAME/ADDRESS STANDARDIZED TO AVOID DUPLICATE MAILING LABELS

Date: 12/12/1997 User-ID: SCLELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE

Audit: 06/23/99 KCHRISTE 07/16/99 KCHRISTE 07/20/99 CWU-DSHA

DATE: 10/29/99
PAGE: 1

POU1 USE OF THIS RIGHT WITH RIGHT NO. 36-07682 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 78 ACRES IN A SINGLE IRRIGATION SEASON.

AJ5809NP
No. R36-02493B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 2

Remarks: THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228B,
36-07597B, 36-02228A, 36-07682, & 36-02493C.

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

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

Comments: Date: 02/19/1992 User-ID: CHRISTEN Subject: COPIED FROM REMARKS
TRANS. 2055.
ADDRESS CHANGE 8/14/90 BY JG.

Date: 08/14/1992 User-ID: WORSTELL Subject: SPLIT FROM 36-02493A

Date: 12/12/1997 User-ID: SCLELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE

Audit: 06/23/99 KCHRISTE 07/15/99 KCHRISTE 07/16/99 JROBERTS

AJ5809NP
No. R36-02493C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN MADALENA	06/28/1961	IRRIGATION	04-01 10-31	2.380 CFS	536.00 AFA
C	GRACE V MADALENA 919 11TH AVE NORTH BUHL ID 83355 (208) 543-6775					
TOTAL DIVERSION:					2.380 CFS	536.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T08S R14E S36

SESESW

SESWSE

GOODING County

Place of use Legal Description for: IRRIGATION

NE										NW				SW				SE					
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM
09S	14E	1	: 01-35	02-20																			
09S	15E	6	:								: 03-39	04-37	06-03										
																						TOTAL ACRES	134.0

POU County: GOODING

Other Rights: NONE

Conditions of Approval:

- S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.
- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.28 CFS. COMBINED RIGHT NOS.: 36-07597A, 36-02228B, 36-07597B, 36-02493B, 36-07682, & 36-02228A

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-07597A, 36-02228B, 36-07597B, 36-02493B, 36-07682, & 36-02228A.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: C

AJ5809NP
No. R36-02493C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 4

=====

Comments: Date: 06/25/1991 User-ID: WORSTELL Subject: COPIED FROM REMARKS
TRANSFER 3169
ADDRESS CHANGE 8/14/90 BY JG.

Date: 08/14/1992 User-ID: WORSTELL Subject: SPLIT FROM 36-02493A

Date: 01/30/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.

*NAME/ADDRESS STANDARDIZED TO AVOID DUPLICATE MAILING LABELS

Date: 12/12/1997 User-ID: SCLELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE

Audit: 07/13/99 KCHRISTE 07/15/99 KCHRISTE 07/16/99 JROBERTS

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: A36-02493B
Date Received: 7/15/1988
Receipt No: S000963
Received By: /W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN MADALENA
Address: RT. 1
3560AS 1600E
WENDELL, ID 83355 208-536-2356

AND/OR

Name: GRACE MADALENA
Address: RT. 1
3560AS 1600E
WENDELL, ID 83355 208-536-2356

2. Date of Priority: JUN 28, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	14E	36	SW	SE			GOODING

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.360		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A36-02493B

Page 1

Date: 07/15/88

MICROFILMED

JAN 28 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	14E	36	SE	SE		IRR	20.0
Section Acres							20.0
Total Acres							20.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:
TRANS. 2055.

15. Basis of Claim: LICENSE
Water Right Number: 29890

MICROFILMED
JAN 28 1993

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): John Madalena Date: 7-15-88

Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of July 19 88 Don White
Notary Public

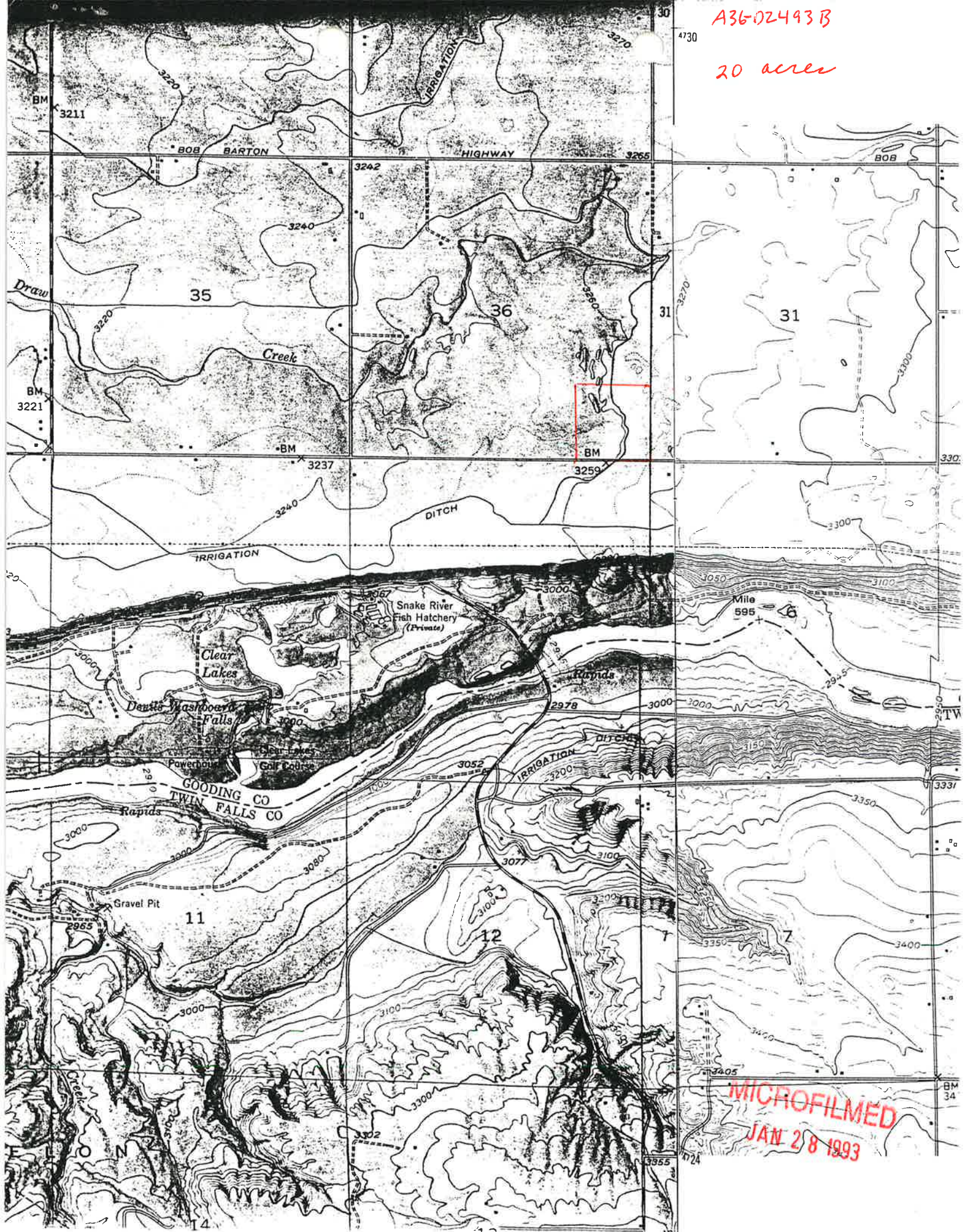
Seal

Residing at T.F.

My Commission Expires 5/95

A36-02493 B

20 acres



RECEIVED

AUG 14 1990

Department of Water Resources
Southern Region Office

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): A36-10212, 10213 A36-02493A, 02493C
A36-07597A, 07597B A36-07682
A36-02228A, 02228B A36-08276

[] Old Mailing Address: John &/or Grace V. Madalena
Rt. 1 Box 290
Wendell, ID 83355

[] New Mailing Address: John &/or Grace V. Madalena
919 11th Ave, North
Buhl, ID 83316

New Telephone Number: (208) 543-6775

[] Signature of Claimant: Grace V Madalena X

Date: 8-13-90 X

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 8/13/90 By: AG

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 8/13/90 By: AG

MICROFILMED
JAN 28 1993



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REG.
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 FAX (208) 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 26, 1996

CHUCK CARNAHAN
IDAHO DEPT OF TRANSPORTATION
BOX 2A
SHOSHONE ID 83352

RE: MADALENA CLAIMS - SRBA CLAIM PROOF REPORTS

Dear Chuck,

Enclosed is the proof reports we discussed during our conversation on Nov. 25, 1996. As you will see the reports are color coded; the pink set is the summary of the claim filed and attached to the back of that is the green set which represents the right as reported to the district court. I have stapled each separate claim/right together to help keep the paperwork straight.

I have also sent a copy of my file notes of our discussion from yesterday. It is sent for your information.

If you have further questions feel free to call me at our office. Please note: IDWR will be moving our office, EFFECTIVE DECEMBER 15, 1996 new address is --

1342 Fillmore St Suite 200
Twin Falls ID 83301-3380

Phone numbers will be the same as before.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Clelland', with a large, sweeping loop at the end.

STEVE CLELLAND
Water Resource Agent

ENC:

A36-2493 B

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

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

IDWR Employee/Agent Steve Clelland

November 25, 1996 10:50am

NAME:
CHUCK CARNAHAN IDOT

RE:
QUESTIONS ON PARTIAL DECREE

HE ASKED ABOUT THE PARTIAL DECREE... SAYS IT LISTED GROUNDWATER BUT THE SOURCE IS ACTUALLY A SPRING. I TOLD HIM OF THE ERROR CORRECTION FORMS NEEDED AND NOT YET AVAILABLE; I WILL NOTE HIS ADDRESS AND SEND THEM OUT WHEN RECEIVED. CLAIM: A36-10137

HE THEN ASKED ABOUT USE OF THE OTHER RIGHTS THEY HAVE TO PRESERVE WILDLIFE PONDS AND HABITAT AT THE CLEAR LAKE GRADE AREA (NEW). I EXPLAINED THE FORFEITURE ISSUES, EXTENTIONS OF TIME, AND POSSIBLE TRANSFERS IN NATURE OF USE. I OFFERED TO MAIL OUT PROOFS ON THE RIGHTS I COULD FIND FROM THE MADALENA FARM FOR HIM TO REVIEW AND WHEN HE DECIDES WHAT HE NEEDS TO DO HE CAN CONTACT OUR OFFICE FOR FURTHER ASSISTANCE.

MAILED OUT PROOFS ON CLAIMS: A36-02493B, A36-02228A, A36-07682, A36-08276, A36-07597A, A36-04076, A36-10137 & A36-10212. ALSO SENT THE CURRENT DIRECTOR'S REPORT PROOFS.

TO: IDAHO DEPT. OF TRANSPORTATION
BOX 2A, SHOSHONE, ID 83352
PHONE: 886-7823

November 25, 1996 11:10am

NAME:
GRACE MADALENA CALLIN W/ MSG.

RE:
DECREE CHANGE OF OWNER

SHE CALLED FOLLOWING THIS ABOVE CALL FROM IDOT... I DID NOT SPEAK TO HER BUT SHE LEFT THE MSG. OF A CHANGE OF OWNER ON THE PARTIAL DECREE. PHONE: 543-6775. RETURNED CALL BUT NO ANSWER.

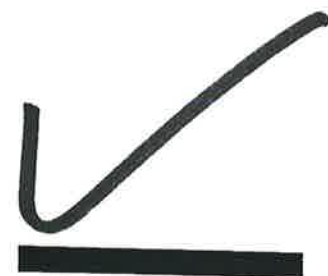
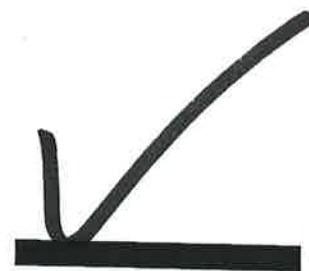
R PROOF

CVR

MAPS

PHOTOS

MISC



MICROFILMED
JAN 28 1993

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

Water Right Number - R36-02493B

Prefix Translation: RESEARCH

Old (D) Number - 29890

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***

MADALENA

JOHN

1 - 919 11TH AVE NORTH

2 -

3 -

City- BUHL

State- ID Zip- 83316

Phone - 208-543-6775

1 - 919 11TH AVE NORTH

2 -

3 -

City- BUHL

State- ID Zip- 83316

Phone - 208-543-6775

MADALENA

GRACE V

+ - - Priority Date - - +
06/28/1961+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

Tw	Rng	Sec	Tract	Lot	RFlg	County
08S	14E	36	SE SE SW		(47)	GOODING
			SE SW SE		(47)	GOODING

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	0.360	

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
0.360		0.0	

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	14E	36	NE SE		39.0	01	IRRIGATION	(47) GOODING
08S	14E	36	SE SE		39.0	01	IRRIGATION	(47) GOODING

Total Acres: 78.0

+ - Diversion Means - 2 WELLS & PUMPS

+ - Non-Irrigation Use -

+ - Other Rights for Same Use - SEE REMARKS

+ - - - - Remarks - - - - - +
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

Water right number - R36-02493B

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +
USE OF THIS RIGHT WITH RIGHT NO. 36-07682 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.56 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 312 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 234 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 78 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF
THESE RIGHTS IS LIMITED TO 4.28 CFS. OTHER RIGHT NOS.:
36-07597A, 36-02228A, 36-02228B, 36-07597B, 36-07682 & 36-02493C.

+ - - - - Old Water Right Numbers - - - - - +
3602493

+ - - - - Conditions of Approval - - - - - +
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO IDAHO CODE 42-1416A.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.
S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

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

+ - - - - Comments - - - - - +
Date: 02/19/1992 User Id: CHRISTEN Subject: COPIED FROM REMARKS
TRANS. 2055. ADDRESS CHANGE 8/14/90 BY JG.
Date: 08/14/1992 User Id: WORSTELL Subject: SPLIT FROM 36-02493A

+ - - Audit Fields - - +
08/17/92 THORNTON

+ - - - - 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	- 08/17/1992	Old Judicial District	-
Claim Received Date	- 07/15/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000964	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	-

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:04:05
06/30/90

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02493B

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

LA 7/21/90

"VERIFIED BY" CODES

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

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

MICROFILMED
JAN 23 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:04:05
06/30/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02493B

LAST: MADALENA
ADDRESS: RT. 1
3560-A S. 1600 E.
CITY: WENDELL
PHONE NUMBER: 208-536-2356

FIRST: JOHN

STATE: ID ZIP: 83355

OWNER CODE: C

LAST: MADALENA
ADDRESS: RT. 1
3560-A S. 1600 E.
CITY: WENDELL
PHONE NUMBER: 208-536-2356

FIRST: GRACE V.

STATE: ID ZIP: 83355

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: TRANS. 2055.

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JAN 28 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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JAN 28 1993

A. AJ CLAIM: # A36-02493B

PRIORITY DATE: 06-28-1961

STAGE: L

B. WR RECORD: # 36-02493B

PRIORITY DATE: 06-28-1961

STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
NFIELD
EXAMINER
NARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(/)
IF YES EXPLAIN.

REMARKS:

*claimed priority date
matches himself priority
accept as claimed.
KCC*

=====

RECOMMENDED PRIORITY DATE:
06-28-1961REVIEWED BY lw

DATE

7/21/90MICROFILMED
JAN 28 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02493B	08S	14E	36	36	SW	SE		GOODING

OTHER AJ CLAIMS WITH SAME AJ POD
 A PREFIX R PREFIX
 A36-07597A NONE
 A36-07597B
 A36-07682
 A36-02228B

WR RECORDS IN SAME 40 ACRE TRACT
 36-02228B
 36-07597A
 36-07597B
 36-07682

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02493B	08S	14E	36		SW	SE		GOODING

OTHER WR RECORDS WITH SAME WR POD
 36-02228B
 36-07597A
 36-07597B
 36-07682

AJ CLAIMS IN SAME 40 ACRE TRACT
 A PREFIX R PREFIX
 A36-07597A NONE
 A36-07597B
 A36-07682
 A36-02228B

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
 DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
 Y
 N

FIELD
 EXAMINER
 N
 N

REMARKS:

confirmed with orig field exam

*system includes
 a second well*

*see SW sec 36.
 see attached narrative.*

KKC

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JAN 28 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC.

8S 14E 36

1/4

1/4

1/4

LOT

COUNTY

SE
SESW
SESE
SW

—

4747

KRC

SOURCE: GROUNDWATER

REVIEWED BY:

LW

DATE:

2/21MICROFILMED
JAN 28 1993

A. ROOT WATER RIGHT NUMBERS: A36-02493B
A36-02493C
A36-02493D

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	14E	36	SE	SE		MADALENA, JOHN	A36-02493B /20.0	36-02493B /20.0			
						MADALENA, JOHN	A36-07682 /40.0	36-07682 /39.0	37.0		
TOTAL ACRES							A36-02493B	20.00	20.00	37.00	20

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
YFIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

Recommend P/U covering 78 acres
as a P. P/U covering narrative.
See attached narrative.
Limit this claim to 20 A. in KØ6.
K KC
See attached narrative.

RECOMMENDATIONS:

TOTAL ACRES: 20REVIEWED BY: lwDATE: 7/21/90

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JAN 28 1991

A. AJ CLAIMED USES:

PURPOSES
A36-02493B IRRIGATIONMONTH/DAY
FROM 04-01 TO 10-31

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
.360 CFS

.360 CFS

B. WR RECORDED USES:

PURPOSES
36-02493B IRRIGATIONMONTH/DAY
FROM 04-01 TO 10-31

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
.360 CFS

.360 CFS

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JAN 28 1993

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)DATABASE FIELD
EXAMINER
N
N
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?Y(☒) N(☐)Y(☐) N(☐) Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE:

0.360

CFS

WR ROOT RIGHT TOTAL DIVERSION RATE:

0.360

CFS

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

FLOW MEASUREMENT REQUIRED?

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

DATABASE

FIELD

N

EXAMINER

*claimed div rate
reflects amended div rate
on transfer 2055
accept as claimed.
KKC.*

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☒) IF YES COMPLETE OVERLAP REVIEW.OTHER RIGHTS LISTED IN CLAIM: ~~NONE~~ A36-07682

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02493B	GROUNDWATER	MADALENA , JOHN	0.360	0.018		
A36-07682	GROUNDWATER	MADALENA , JOHN	1.240	0.015		
NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION						

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JAN 28 1993

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 20 x 0.02 CFS/ACRE = .4 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A
ACRES 20 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =
TOTAL CONSUMPTIVE USE 60 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES 20 x DIVERSION VOL. AF/A FOR AREA 4 =
TOTAL DIVERSION VOLUME 80 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

The max combined rate of diversion under this
right + rights A36-07597B, 02228B, 07682 shall not exceed
4.28 cfs. 02228A,

Land in Sec 36 limited to 40 acres, 120 cons. use,
160 AF/A.

(A36-07682 40 acres)
02493B 20 acres)

*See attached
narrative for combined use
calculation & recommendations
KKC*

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JAN 28 1997

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 10-31	DATABASE EXAMINER 0.360 ✓	DATABASE EXAMINER 80	DATABASE EXAMINER 0.0 6
TOTAL FOR THIS RIGHT		0.360		0.0

REVIEWED BY: lw

DATE: 7/21/90

MICROFILMED
 JAN 28 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(/)	()
(N/A)	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02493

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
3.000

EXAMINER
/

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A36-02493	A36-02493B	0.360	-		36-02493	
A36-02493	A36-02493C	2.380	-		36-02493	
A36-02493	A36-02493D	0.260	-		36-02493	
-	-		-		36-02493A	2.640
-	-		-		36-02493B	0.360
TOTAL CFS		3.000				3.000

DIVERSION RATE REVIEW

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

DATABASE
N

FIELD
EXAMINER
/

REMARKS:

MICROFILMED
JAN 28 1993

AUTHENTICATION:

SIGNATURE:

Loi White

DATE:

7/21/90

NAME OF FIELD EXAMINER:

TITLE:

MICROFILMED
JAN 28 1993

SYSTEM 1
36-2228A
36-7597A
36-8276

SYSTEM 2
36-2228B
36-7597B

SYSTEM 3
36-2493B
36-7682

SYSTEM 4
36-2493C

MICROFILMED
JAN 28 1993

GOODING CO
TWIN FALLS CO

Permit
a was refused
from final permit.
KKC 7-1592

SEC 36

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
FOUND ACRES		8S	14E	36									37	7	38	39	39	40	39	39	278	
RECOMMENDED SYSTEM 1				36									37	7	38	39					114	121 ¹
SYSTEM 2				36														40	39			79 ²
SYSTEM 3				36													39			39		78 ³

SEC 1

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
FOUND ACRES		9S	14E	1	35	20															55	
RECOMMENDED SYSTEM 1					35	20																55

SEC 6

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
FOUND ACRES		9S	15E	6					39	37		3									79	
RECOMMENDED SYSTEM 4									39	37		3										79

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

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JAN 28 1993

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JAN 28 1993

TOTAL IRRIGATED ACRES 412

Madalena

orig in 36-2228A

2-19-1992

P/g 1/

System 1	SYSTEM 2	SYSTEM 3	SYSTEM 4
A36-2228A	A36-2228B	A36-2493B	A36-2493C
A36-7597A	A36-7597B	A36-7682	
A36-8276	#1	licensed for 2 P/D's in 1980	#1
#1 references 7597B	#2	#2	#2
1.25 <u>114</u> KRC 7-15-92	78	78	134

CLAIM P/D

ACRES

P/D #	LOCATION	CAPACITY	
#1	S-36, SE SE SW	2.71 CFS	RATE AND LOCATION VERIFIED
#2	S-36, SE SW SE	1.57 CFS	BY LICENSING FIELD EXAM FOR
	TOTAL	4.28 CFS	PERMIT 36-7682 ON 5-30-86

The original field exams and transfers state that both PDs are tied together to irrigate the acres under all 4 systems. The transfers separated acres per Quarter Quarter tracts (see map). I recommend both P/Ds be recognised on all rights. The P/U is recommended by a system by system basis. Permissible P/U is recommended within each system but not across systems.

allocations did The ^{approved} transfer separated the systems while tying them together.

not license 36-8276.

Recommend no permit for 36-8276.

get better from combined

highly recommended

System 1 analysis

The recommended div rate for A36-2228A and A36-7597A are the rates calculated in transfer 3171.

Recommend as claimed. The Diversion rate for

A36-8276 is based upon the licensing ^{field exam} for this claim, recommend as licensed.

This system div rate limiter is the sum of the rates for each claim. see Remark EØ1

**RECEIVED
JAN 28 1993**

System 1 analysis cont.

for 36-2228A

(RE: transfer 3171)

Data from transfer = 1.58 CFS div rate

P/U = 114 Acres

P/D = one well/tied to the other well.

for 36-7597A

Data from transfer = 0.70 CFS div rate

P/U = 114 Acres (same as above)

P/D = one well/tied to the other well

for 36-8276

Data from licensing field exam

.14 CFS div rate

P/U = 7 Acres (new acres)

P/D = one well

Calculations

For EØ1

total Acres = 121

 $121 \times 4 = 484$ AFA 456 $\times 3 = 363$ AFA 342 $1.58 + 0.70 + .14 = 2.42$ CFS 2.28vs $121 \text{ Acres} \times 2.02 = 2.42$ CFS 2.28

For EØ8 list all claims

tied into the two P/Ds.

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JAN 28 1993

System 2 analysis

P/U for these claims is also based upon transfer 3/71. The recommended P/U and div rates ~~are~~ ^{use} data from that transfer.

The system limitor in Remark EØ1 is the sum of the recommended div rates, and the system limitor in EØ8 is the system capacity.

Calculations

for 36-2228B

Data from transfer = .40 CFS

P/U = 79 Acres

P/D = one well/tied to the other well

Adj claim = both wells tied together.

for 36-7597B

Data from transfer = 1.18 CFS

P/U = 79 Acres

P/D = one well/tied to the other well

Adj claim = both wells tied together.

System total = .4 CFS + 1.18 CFS = 1.58 CFS

VS 79A * 0.02 CFS = 1.58 CFS

KØ6 remark not needed both rights cover all of the P/U independently.

EØ1 = 1.58 CFS

EØ8 required.

79A * .4 = 316 AFA

* 3 = 237 AFA

Total Acres = 79

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JAN 28 1993

System 3 analysis

P/U & div rate based upon transfer 2055.

The claimed 20 A & 0.36 CFS was approved on 4-15-77. Claimed use was found during Adj review. accept right as claimed (P/U & div rate). 2nd P/D is tied into this system, therefore, an amendment to the P/D is required.

36-7682 was licensed for 78 acres (includes the 20 A from 36-2493B) bringing the recommended total div rate (when combining both rates to 1" per acre.

Recommendation is for rate & acres to be recommended as claimed within a permissible P/U of 78 acres. 36-7682 is recommended for the full 78 acres as this right brings the overlapping acres up to an inch/Acre.

Calculations

for 36-2493B

Data from transfer 2055

div rate = 0.36 CFS

P/U = 20 Acres

P/D = 1 well

the 2 P/D's are recommended based upon previous analysis.

for 36-7682

Data from license (issued 4-19-90)

div rate = 1.24 CFS

P/U = 78 Acres

P/D = 2 wells

MICROFILMED

JAN 28 1993

combined rates

.36 CFS + 1.24 CFS = 1.60 CFS

VS: 78 A * .02 = 1.56 CFS

(FOR E & D)

78 * 4 = 312

* 3 = 234

System 4 analysis

The system is one claim covering 134 acres from two wells. The transfer 3169 indicates only 1 P/D but this claim and other related claims tie both wells in Sec 36 together. Therefore I recommend the P/D as claimed.

The transfer recognizes 134 acres with a div rate of 2.38 CFS. The claim matches. I recommend the P/U & div rate as claimed.

There is a P/D overlap requiring Remark code

EØ8 : "data"

4.28 CFS

36-7597A, ~~36-8276~~, 36-2228A, 36-2228B
36-7597B, 36-2493B, and 36-7682

still a permit, rate not bound
by this rate.

MICROFILMED
JAN 28 1993

Date: 06/25/91
Time: 15:29:31

Water Right Number: 36-02493 FIRST PAGE
13. Remarks: SPLIT INTO 36-2493A & 36-2493B BY TRANS. 2055.

(Enter=Exit)
(GOLD8=Cancel)

MICROFILMED
JAN 28 1983

Application No. 36-24493

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

APPROVED

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to

in case of

dated

114

county of _____

(Name of court)

b. License No. 29890/36-2493 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.

Originally licensed to Frank Madalena, brother to applicant; the land has been inherited.

3. Source of water groundwater tributary to

8. Date of priority June 28, 1961

5. Water is used for the following purposes:

amount 3.0cfs for irrigation purposes from April 1 to October 1

amount	for	purposes from

amount for purposes from

Thirtieth day – both dates inclusive)

5. Total amount of water under right: a. 3.0cfs cubic feet per second

b. $\frac{8}{\text{acre foot per annum}}$ or

7. Location of original point of diversion is SE 1/4 of SE 1/4 of Section 31

Township 8S Range 15E B.M. in Gooding County

Additional points of diversion, if any

8. Land irrigated or place of use:

WY	RANGE	LOC	NW1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NW1/4	NW1/4	SW1/4	SW1/4	NW1/4	NW1/4	SW1/4	SW1/4	NW1/4	NW1/4	SW1/4	SW1/4					
85	14E	36																20	20
95	14E	1 35	20															55	
95	15E	6 5	10				39	37		3								94	

Total number of acres to be irrigated 162

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. 0.36 cubic feet per second
b. _____ &/or _____
acre feet per annum
2. Point of diversion SE 1/4 SE 1/4, Section 31 Township 8S
Range 15E, B.M. Gooding 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	
8S	14E	36																20	20

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

1. Change in point of diversion
- a. Amount of water to be diverted 0.36 c.f.s. or _____ acre feet
- b. Point(s) of diversion SW 1/4 SE 1/4, Section 36 Township 8S
Range 14E, B.M. Gooding County
Additional points _____
- c. Description of diverting works well, pump, motor & sprinkler system
- d. Describe the reasons for applying for a change in the point(s) of diversion
sprinkler system with a closer well

2. Change in place of use

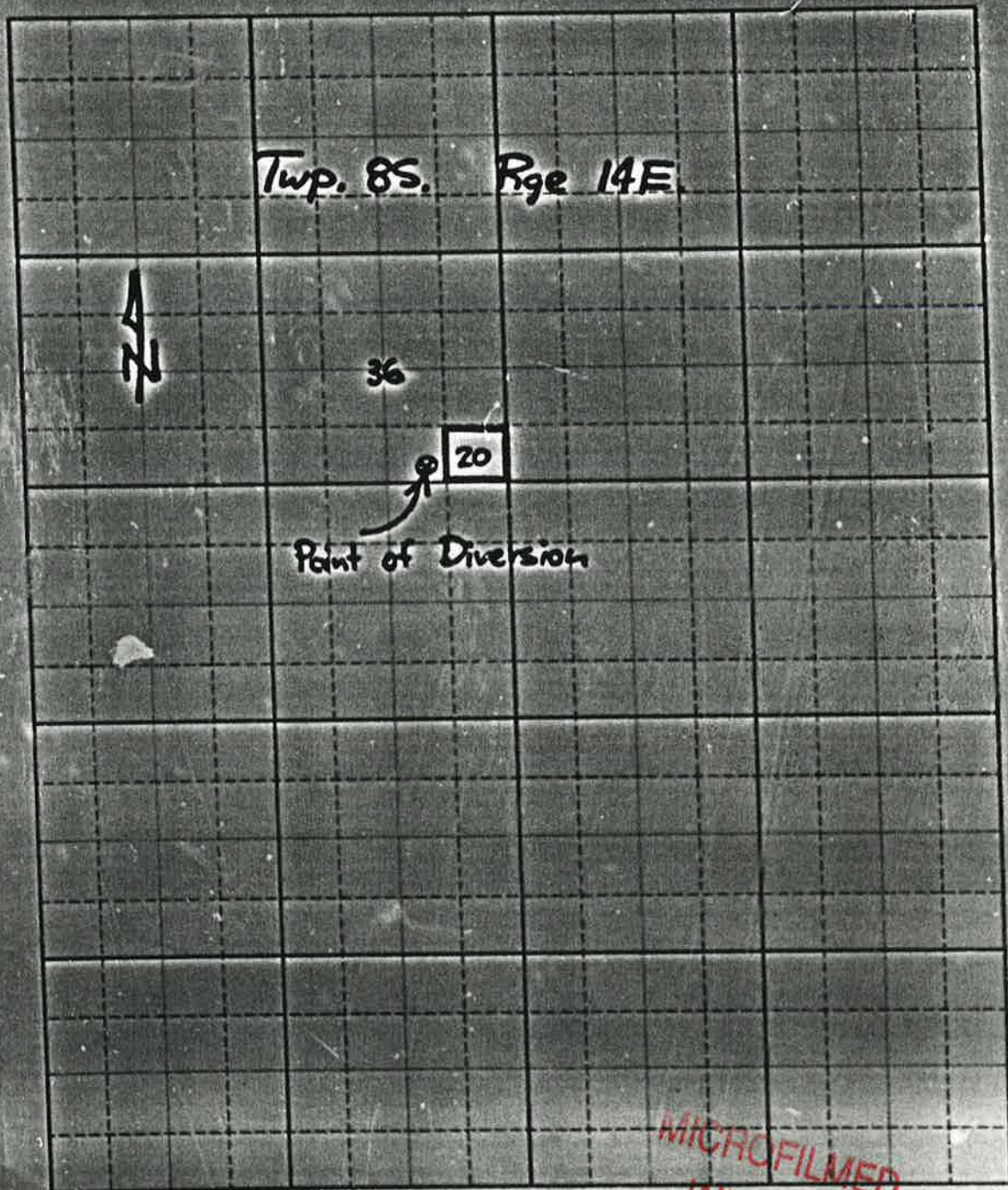
- a. Describe the lands or place of use to which the right will be transferred: _____

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	
8S	14E	36																20	20

Total number of acres to be irrigated 20

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- b. 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.



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

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3. Remarks

I hereby assert that no one will be injured by such change and 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.

John Madalena
(Signature of applicant)

Subscribed and sworn to before me this 14 day of Feb, 1977

Michael L. Steele
(Notary public)

My commission expires lifetime

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 35-2493 and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:
A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.
2. Denial of said application is for the following reasons:

Witness my hand this 15 day of April, 1977

[Signature]

FOR DEPARTMENT USE ONLY

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JAN 28 1993

Received by ADM Date 2-14-77 Protest filed by _____
Prelim. check by TAB Fee 30⁰⁰ Rec 3346
Receipted by LB Date 2/14/77
Published in Gooding City Leader Copies of protest forwarded by _____
Pub. dates 2/24 & 3/3/77 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial _____
rec'd. by ADM 98