

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: A36-02611
Date Received: 3/29/1990
Receipt No: S011715
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROSEMARY MC GONIGAL 208-324-4828
Address: P.O. BOX 102
JEROME, ID 83338

OR

Name: JOHN D. MC GONIGAL 208-324-4828
Address: P.O. BOX 102
JEROME, ID 83338

2. Date of Priority: APR 12, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	17E	14	SW	NE	SE		JEROME

5. Description of diverting works:
20"X 790' WELL, 500 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.460		

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

8. Total consumptive use is 822.0 Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED

JAN 28 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	17E	14	SE		NW		IRR	38.0
			NE		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	39.0
			NW		SE		IRR	39.0
			SW		SE		IRR	39.0
			SE		SE		IRR	39.0

Section Acres 274.0

Total Acres 274.0

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:
A36-08111

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 32315

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 D. McLaughlin* Date: 29 Mar 90
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of March 19 90

Stuart C. Allen
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

R. 17E.

P.M.

T.
8
S.

P.O.



A36-02611

MICROFILMED
JAN 28 1993

Sanitary
Landfill

R. 17 E.

T576
B187-1-3
38

40

39

39

P.R.

77.6

79.9

40

39

39

15 14
22 23

14 13
23 24

Not
To
Scale

P.U.

45.1

4.3

9.0

7.5

MICROFILMED
JAN 28 1992

A36-02611

Log for claim 36-02611

Spatial Dynamics LTD

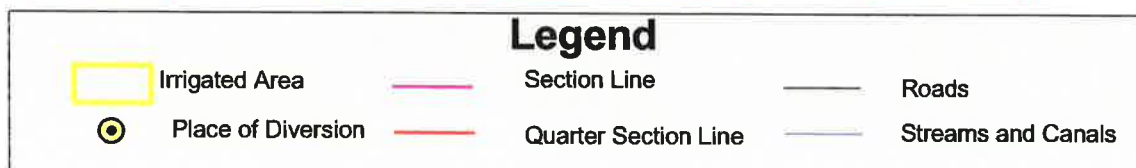
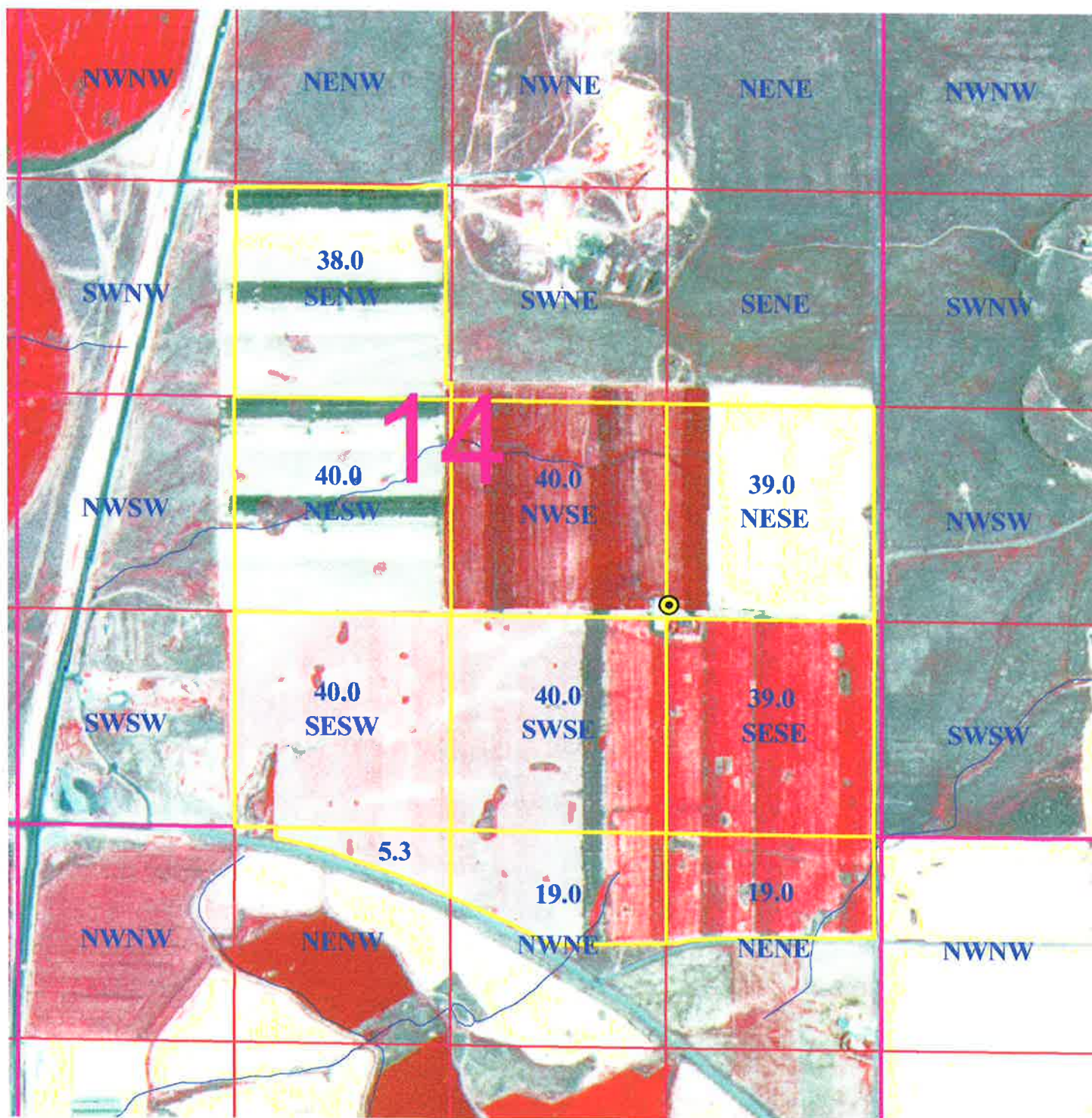
9/6/01

TR	SEC	QQ	Acres Recommended	Acres Shaped	COMMENT
08s17e	14	SENW	38	38	
08s17e	14	NESW	40	40	
08s17e	14	SESW	40	40	
08s17e	14	NESE	39	39	
08s17e	14	NWSE	39	40	
08s17e	14	SWSE	39	40	
08s17e	14	SESE	39	39	
08s17e	23	NENE	19	19	
08s17e	23	NWNE	16	19	
08s17e	23	NENW	3	5.3	
Totals:			312	319.3	

Water Right Claim Number 36-02611

Township , 8S17E

09/06/2001



500 0 500 1000 Feet



SPATIAL DYNAMICS

RECEIVED

MAY 26 1998

Department of Water Resources
Southern Region

RECEIVED

MAR 18 1998

Department of Water Resources

RECEIVED

MAR 19 1998

Department of Water Resources
Adjudication Bureau

SOUTHERN

NOAP NOT
NECESSARY

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

)
)
)
)
)
)
)

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☐ CONSENT TO SUBSTITUTION OF
PARTY

36-68111

36-62611 decreed

INSTRUCTIONS FOR USE

This form is to be used to provide notice of a change in address of a party or to substitute a party whose water right was recommended in a director's report. *The filing of Standard Form 3 cannot result in a contested matter and a hearing will not be scheduled.* If completed as directed, the form will be accepted by the court and no further orders will issue. Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) (1986) where a water right recommendation is not before the court.

This form has been adopted by the court in Re SRBA, Twin Falls County Case 39576, *SRBA Administrative Order 1 Rules of Procedure* (amended 6/21/93), Section 4Ac(3), which may be consulted for further information.

A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here. Follow the instructions on the form or it will not be accepted for filing. The Verification and the Certificate of Mailing must be completed.

Standard forms may be obtained from the Idaho Department of Water Resources or the SRBA Court.

right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of the "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

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

I am the new claimant/purchaser of Water Right #36-08111 & 36-02611
(Insert each water right number)

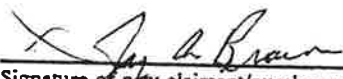
My name is Jay A. Brown and Marie H. Brown

My address is 11 South 500 East Jerome, Idaho

My phone number is: Work _____ Home _____

The name and address of the prior claimant/seller who I wish to be substituted for are:
John D. MCGONIGAL AND ROSEMARY MCGONIGAL

See Deed
Signature of prior claimant/seller


Signature of new claimant/purchaser

If an attorney is filing this form on behalf of a water right claimant or party in the SRBA, the attorney must complete the following information, in addition to the information required above.

Attorney name _____

Attorney of record for _____
(Identify party/claimant)

Attorney address and phone number: _____

- ☐ I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.
- ☐ A *Notice of Appearance* accompanies this form indicating which party and water rights I represent.

INSTRUCTIONS FOR MAILING

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

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

CERTIFICATE OF MAILING

I certify that on March 13, 1998, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

736-3011

2. A *Change of Address* was served on each party, or if they are represented by an attorney you must serve the attorney, in each subcase in which you are a party, at the following address(es):

3. A *Consent to Substitution of Party* was served on the prior claimant/seller, or if they are represented by an attorney you must serve the attorney, at the following address(es):

4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):

WARRANTY DEED

COPY

For Value Received

JOHN D. MCGONIGAL, also shown of record as

JOHN R. MCGONIGAL and ROSEMARY MCGONIGAL, husband and wife

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

JAY A. BROWN and MARIE H. BROWN, husband and wife

Address: 11 South 500 East Jerome, Idaho 83338

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

SEE EXHIBIT "A" ATTACHED HERETO:

TOGETHER WITH ALL WATER AND WATER RIGHTS THERETO:
INCLUDING BUT NO LIMITED TO WATER RIGHT #36-08111 & 36-02611

SUBJECT TO:

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

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: March 11, 1998

John D. McGonigal
JOHN D. MCGONIGAL

Rosemary McGonigal
ROSEMARY MCGONIGAL

STATE OF IDAHO

COUNTY OF JEROME

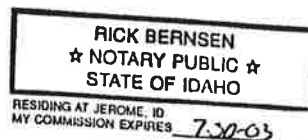
) ss.

On this 10th day of March, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN D. MCGONIGAL and ROSEMARY MCGONIGAL, known or identified to me to be the persons WHOSE names are subscribed to the within instrument, and acknowledged to me that they executed the same.

[Signature]
Notary Public

Residing at:

My Commission expires:



RECORDED AT THE REQUEST
Land Title & Escrow, Inc.
MAR 11 4 08 PM '98
JEROME COUNTY, IDAHO
FEES 9.00 DEP 100

981296

EXHIBIT "A"

PARCEL NO. 1

TOWNSHIP 8 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 14: E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$;

SE $\frac{1}{4}$, EXCEPTING therefrom a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:

Beginning at the Northwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 0°01' East, 200 feet along the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 89°57' East, 600.0 feet;
Thence North 0°01' West, 200.0 feet to the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 89°57' West, 600.0 feet to THE POINT OF BEGINNING;

AND EXCEPTING THEREFROM a strip of land 50 feet in width for ingress and egress to the above described tract, described as follows:

Beginning at the Northeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 89°57' West, 720.0 feet along the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the Northeast corner of the above described tract;
Thence South 0°01' East, 50.0 feet along the East line of the above described tract;
Thence South 89°57' East, 720.0 feet to the East line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 0°01' West, 50.0 feet to THE POINT OF BEGINNING.

PARCEL NO. 2

TOWNSHIP 8 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 23: A parcel of land located in the N $\frac{1}{2}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section, more particularly described as follows:

THE TRUE POINT OF BEGINNING being the Northeast corner of Section 23;
Thence North 89°58'15" West, 3,306.61 feet to a point on the Northerly right of way S.H. 25 Sta. 212/11.33
Thence Southeasterly along the Northerly right of way S. H. 25, said S. H. 25 having a 1° curve Rt. with a Delta 39°41' at centerline, 2,007.2 feet to Sta. 231/50.83 of S. H. 25;
Thence North 65°28'45" East, 152.80 feet along centerline County Road to the P. C. of 5° curve Rt. Delta 24°29' and radius 1,145.92 feet;
Thence North 77°43'15" East, 485.95 feet along long cord of curve to the P. T.
Thence North 89°57'45" East, 875.29 feet along centerline County Road;
Thence North 0°02'15" West, 659.10 feet along Section line to THE TRUE POINT OF BEGINNING. CONTINUED-

EXHIBIT "A" CONTINUED.

Order Number: J-26382

PARCEL NO. 3

TOWNSHIP 8 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 14: A tract of land in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:

Beginning at the Northwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 0°01' East, 200 feet along the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 89°57' East, 600 feet;
Thence North 0°01' West, 200.0 feet to the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 89°57' West, 600.0 feet to THE POINT OF BEGINNING.

TOGETHER WITH a strip of land 50 feet in width for ingress and egress to
the above tract, described as follows:

Beginning at the Northeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 89°57' West, 720.0 feet along the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to
the Northeast corner of the above described tract;
Thence South 0°01' East, 50.0 feet along the East line of the above described
tract;
Thence South 89°57' East, 720.0 feet to the East line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 0°01' West, 50.0 feet to THE POINT OF BEGINNING.

AJ0749NP
No. 36-02611

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/30/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAY A BROWN	04/12/1965	IRRIGATION	04-01 10-31	4.46 CFS	
C	MARIE H BROWN 11 S 500 E JEROME ID 83338			TOTAL DIVERSION:	4.46 CFS	

D JOHN D MC GONIGAL
D ROSEMARY MC GONIGAL
PO BOX 102
JEROME ID 83338
(208) 324-4828

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08S R17E S14 SWNESE

JEROME County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE												
		NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NESE		NWSE		SWSE		SESE		
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
08S	17E 14	:																39		39		39		39		274.0
08S	17E 23	:	19		16					03																38.0
																							TOTAL ACRES		312.0	

POU County: JEROME

Other Rights: 36-08111

Conditions of Approval:

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

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 36-08111 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.61 CFS, AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1248 AF.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 274 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 36-08111 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 312 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP RIGHT NO. 36-08111 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:



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

April 6, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Jay A. and Marie H. Brown
11 South 500 East
Jerome, Idaho 83338

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): 36-08111, 36-02611
Change of Ownership Notification

Dear Claimant(s):

We have been notified that you have purchased property with the above referenced Snake River Basin Adjudication claim(s), and our records have been changed, accordingly. **The enclosed copies are for your records**, please review these computer generated documents for accuracy in all respects. If you have any questions, please contact me at this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'V. Hancock'.

Vikie Hancock
S.R.B.A. Records Clerk

ENCLOSURES

COPY

SOUTHERN

RECEIVED

MAR 16 1998

Department of Water Resources
Adjudication Bureau

MAIL13116



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

RECEIVED

MAR 19 1998

Case No. 39576 Department of Water Resources
Southern Region

STANDARD FORM 3
(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☒ CONSENT TO SUBSTITUTION OF
PARTY

36-08111 NO OBJ.
NEEDS P.D.

36-02611 DECEET
1/98

NO NCAP
NECESSARY

COURT HAS
CHANGED WATRS
3/17/98

INSTRUCTIONS FOR USE

This form is to be used to provide notice of a change in address of a party or to substitute a party whose water right was recommended in a director's report. *The filing of Standard Form 3 cannot result in a contested matter and a hearing will not be scheduled.* If completed as directed, the form will be accepted by the court and no further orders will issue. Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) (1986) where a water right recommendation is not before the court.

This form has been adopted by the court in Re SRBA, Twin Falls County Case 39576, *SRBA Administrative Order 1 Rules of Procedure* (amended 6/21/93), Section 4Ac(3), which may be consulted for further information.

A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here. Follow the instructions on the form or it will not be accepted for filing. The Verification and the Certificate of Mailing must be completed.

Standard forms may be obtained from the Idaho Department of Water Resources or the SRBA Court.

CHANGE IN ADDRESS

You must use this form to advise the court and parties of any change in your address during the pendency of the SRBA.

You must provide a copy of the completed form to each party or if the party is represented by an attorney you must serve the attorney in every subcase in which you are a party.

No hearing will be held and no further order will issue from this court.

My name is _____

I am the claimant of _____
(Insert each water right number)

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

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

(Go to Page 4)

CONSENT TO SUBSTITUTION OF PARTY

This form may only be used if a water right number is included as a "recommendation" in a director's report. *This form cannot be used for water rights that are not in a director's report or when portions of a water right are involved (i.e., where a water right is split).* You must use this form to substitute a new party into the SRBA.

You are to provide a copy of the completed form to every party in each subcase in which the new party is to be substituted. If the party is represented by an attorney you must serve the attorney. Because this is a "consent" form, it is a stipulation that there is no disagreement between the prior claimant/seller and the new claimant/purchaser that the prior claimant/seller has transferred all interests in the water right. No hearing will be held and no further order will issue.

"Prior claimant/seller" means any person who, pursuant to I.C. §§ 42-1409(2), (3) and (6) (1986), filed a notice of claim asserting the right to the use of water or on whose behalf the

right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of the "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

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

I am the new claimant/purchaser of Water Right #36-08111 & 36-02611
(Insert each water right number)

My name is Jay A. Brown and Marie H. Brown

My address is 11 South 500 East Jerome, Idaho

My phone number is: Work _____ Home _____

The name and address of the prior claimant/seller who I wish to be substituted for are:
John D. MCGONIGAL AND ROSEMARY MCGONIGAL

See Deed
Signature of prior claimant/seller


Signature of new claimant/purchaser

If an attorney is filing this form on behalf of a water right claimant or party in the SRBA, the attorney must complete the following information, in addition to the information required above.

Attorney name _____

Attorney of record for _____
(Identify party/claimant)

Attorney address and phone number: _____

- ☐ I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.
- ☐ A *Notice of Appearance* accompanies this form indicating which party and water rights I represent.

VERIFICATION

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

State of IDAHO

County of JEROME

RICK BERNSEN, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10) (1986); that the water right number I am asking the court to substitute a party on is a water right in a director's report filed with the court and that I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

[Signature]
Signature of person filing form

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on March 10, 1998
(Insert Date)



Nancy J. Jackson
Notary Public for IDAHO
Residing at: JEROME
My Commission expires: 3-1-04

INSTRUCTIONS FOR MAILING

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

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

CERTIFICATE OF MAILING

I certify that on March 13, 1998, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

736 - 3011

2. A *Change of Address* was served on each party, or if they are represented by an attorney you must serve the attorney, in each subcase in which you are a party, at the following address(es):

3. A *Consent to Substitution of Party* was served on the prior claimant/seller, or if they are represented by an attorney you must serve the attorney, at the following address(es):

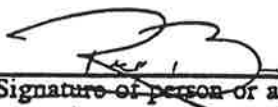
4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):

5. One copy to:

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

6. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724



Signature of person or attorney mailing the form

COPY

For Value Received

JOHN D. MCGONIGAL, also shown of record as

JOHN R. MCGONIGAL and ROSEMARY MCGONIGAL, husband and wife

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

JAY A. BROWN and MARIE H. BROWN, husband and wife
Address: 11 South 500 East Jerome, Idaho 83338

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

SEE EXHIBIT "A" ATTACHED HERETO:

TOGETHER WITH ALL WATER AND WATER RIGHTS THERETO:
INCLUDING BUT NO LIMITED TO WATER RIGHT #36-08111 & 36-02611

SUBJECT TO:

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

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: March 11, 1998


JOHN D. MCGONIGAL

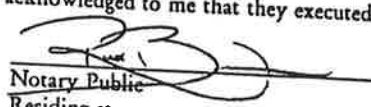

ROSEMARY MCGONIGAL

STATE OF IDAHO

COUNTY OF JEROME

)
) ss.
)

On this 10th day of March, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN D. MCGONIGAL and ROSEMARY MCGONIGAL, known or identified to me to be the persons WHOSE names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public
Residing at:
My Commission expires:

RICK BERNSEN
★ NOTARY PUBLIC ★
STATE OF IDAHO
RESIDING AT JEROME, ID
MY COMMISSION EXPIRES 7-30-03

RECORDED AT THE REQUEST
Land Title & Escrow, Inc.
MAR 11 4 08 PM '98
JEROME COUNTY, IDAHO
FEES 9.00 DEP MB

981296

EXHIBIT "A"

PARCEL NO. 1

TOWNSHIP 8 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 14: E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$;

SE $\frac{1}{4}$, EXCEPTING therefrom a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:

Beginning at the Northwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 0°01' East, 200 feet along the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 89°57' East, 600.0 feet;
Thence North 0°01' West, 200.0 feet to the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 89°57' West, 600.0 feet to THE POINT OF BEGINNING;

AND EXCEPTING THEREFROM a strip of land 50 feet in width for ingress and egress to the above described tract, described as follows:

Beginning at the Northeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 89°57' West, 720.0 feet along the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the Northeast corner of the above described tract;
Thence South 0°01' East, 50.0 feet along the East line of the above described tract;
Thence South 89°57' East, 720.0 feet to the East line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 0°01' West, 50.0 feet to THE POINT OF BEGINNING.

PARCEL NO. 2

TOWNSHIP 8 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 23: A parcel of land located in the N $\frac{1}{2}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section, more particularly described as follows:

THE TRUE POINT OF BEGINNING being the Northeast corner of Section 23;

Thence North 89°58'15" West, 3,306.61 feet to a point on the Northerly right of way S.H. 25 Sta. 212/11.33

Thence Southeasterly along the Northerly right of way S. H. 25, said S. H. 25 having a 1° curve Rt. with a Delta 39°41' at centerline, 2,007.2 feet to Sta. 231/50.83 of S. H. 25;

Thence North 65°28'45" East, 152.80 feet along centerline County Road to the P. C. of 5° curve Rt. Delta 24°29' and radius 1,145.92 feet;

Thence North 77°43'15" East, 485.95 feet along long cord of curve to the P. T.

Thence North 89°57'45" East, 875.29 feet along centerline County Road;

Thence North 0°02'15" West, 659.10 feet along Section line to THE TRUE POINT OF BEGINNING. CONTINUED.

EXHIBIT "A" CONTINUED.

Order Number: J-26382

PARCEL NO. 3

TOWNSHIP 8 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 14: A tract of land in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:

Beginning at the Northwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 0°01' East, 200 feet along the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 89°57' East, 600 feet;
Thence North 0°01' West, 200.0 feet to the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 89°57' West, 600.0 feet to THE POINT OF BEGINNING.

TOGETHER WITH a strip of land 50 feet in width for ingress and egress to the above tract, described as follows:

Beginning at the Northeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 89°57' West, 720.0 feet along the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the Northeast corner of the above described tract;
Thence South 0°01' East, 50.0 feet along the East line of the above described tract;
Thence South 89°57' East, 720.0 feet to the East line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 0°01' West, 50.0 feet to THE POINT OF BEGINNING.

6/9/94

COMMUNICATION DOCUMENTATION

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 Georgia Satterlee

DATE

February 17, 1998 9:45am

CUSTOMER

Varin, Kevin

SUBJECT: 36-02611, -08111, -14628, -14629

phone call (x) walk-in (.)

Requested profile reports all in the name of McGonigal, printed all of the above, left em' at front desk for him to pick up.

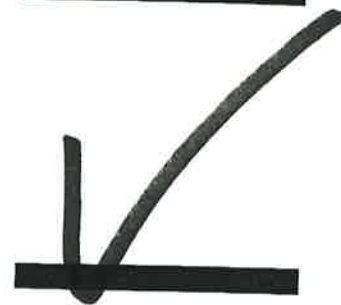
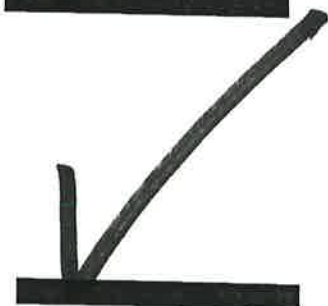
R PROOF

CVR

MAPS

PHOTOS

MISC



MICROFILMED

JAN 28 1994

VERIFIED BY

See

Water Right Number - R36-02611

Prefix Translation: RESEARCH

Old (D) Number - 32315

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

*** C - CURRENT OWNER ***
MC GONIGAL

ROSEMARY

1 - PO BOX 102

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-4828

MC GONIGAL

JOHN D

1 - PO BOX 102

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-4828

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
04/12/1965 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

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

Twn Rng Sec Tract Lot RFlg County

08S 17E 14 SW NE SE (53) JEROME

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

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 4.460

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
4.460 0.0

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

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	17E	14	SE NW		38.0	01	IRRIGATION	(53) JEROME
08S	17E	14	NE SW		40.0	01	IRRIGATION	(53) JEROME
08S	17E	14	SE SW		40.0	01	IRRIGATION	(53) JEROME
08S	17E	14	NE SE		39.0	01	IRRIGATION	(53) JEROME
08S	17E	14	NW SE		39.0	01	IRRIGATION	(53) JEROME
08S	17E	14	SW SE		39.0	01	IRRIGATION	(53) JEROME
08S	17E	14	SE SE		39.0	01	IRRIGATION	(53) JEROME
08S	17E	23	NE NE		19.0	01	IRRIGATION	(53) JEROME
08S	17E	23	NW NE		16.0	01	IRRIGATION	(53) JEROME
08S	17E	23	NE NW		3.0	01	IRRIGATION	(53) JEROME

Total Acres: 312.0

+ - - Diversion Means - 20"X 790' WELL, 500 HP PUMP

MICROFILMED
JAN 28 1993

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	- 09/26/1991	Old Judicial District	-
Claim Received Date	- 03/29/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S011715	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	- C
				Notice of Error Flag	-

MICROFILMED
JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:15
09/08/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02611

LAST: MC GONIGAL
ADDRESS: P.O. BOX 102
CITY: JEROME
PHONE NUMBER: 208-324-4828

FIRST: ROSEMARY

STATE: ID ZIP: 83338

OWNER CODE: C

LAST: MC GONIGAL
ADDRESS: P.O. BOX 102
CITY: JEROME
PHONE NUMBER: 208-324-4828

FIRST: JOHN D.

STATE: ID ZIP: 83338

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

MICROFILMED
JAN 28 1993

CLAIM NUMBER: A36-02611

CONTACT PERSON:

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y (____) N (____)

TIME: ____:

PHONE NUMBER: (____) ____-____

A (____) P (____)

ACCOMPANIED BY:

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A36-02611 PRIORITY DATE: 04-12-1965 STAGE: L
B. WR RECORD: # 36-02611 PRIORITY DATE: 04-12-1965 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

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

REMARKS:

MICROFILMED

JAN 28 1993

RECOMMENDED PRIORITY DATE:
04-12-1965

REVIEWED BY lw

DATE

11/20/90

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02611	08S	17E	14	SW	NE	SE		JEROME

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-08111 NONE
A36-14628

WR RECORDS IN SAME 40 ACRE TRACT
36-08111

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02611	08S	17E	14		NE	SE		JEROME

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A36-08111 NONE
A36-14628

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:							
TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
---	---	same	---	---	---	---	---
SOURCE: GROUNDWATER			TRIB:				
REVIEWED BY: w			DATE: 11/20/90				

MICROFILMED
JAN 28 1993

A. ROOT WATER RIGHT NUMBERS: A36-02611

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	17E	14	SE	NW		MC GONIGAL, ROSEMARY	A36-02611 738.0	36-02611 738.0	40.0		38
08S	17E	14	NE	SW		MC GONIGAL, ROSEMARY	A36-02611 740.0	36-02611 740.0	39.0		40
08S	17E	14	SE	SW		MC GONIGAL, ROSEMARY	A36-02611 740.0	36-02611 740.0	40.0		40.0
08S	17E	14	NE	SE		MC GONIGAL, ROSEMARY	A36-02611 739.0	36-02611 739.0	41.0		39
08S	17E	14	NW	SE		MC GONIGAL, ROSEMARY	A36-02611 739.0	36-02611 739.0	40.0		39
08S	17E	14	SW	SE		MC GONIGAL, ROSEMARY	A36-02611 739.0	36-02611 739.0	40.0		39
	17E	14	SE	SE		MC GONIGAL, ROSEMARY MC GONIGAL, JOHN D.	A36-02611 739.0 A36-14628 /	36-02611 739.0 -	41.0 /		39
TOTAL ACRES							A36-02611	274.00	274.00	281.00	274

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

add license 36-8111

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

into PPU for 312 Acres

PRESUMPTION FLAG:

REMARKS:

*Add S.23 NENE 19
NWNE 16
NENW 3
38 Acres*

PPU.

RECOMMENDATIONS:

TOTAL ACRES: *274 / 312*

REVIEWED BY: *W*

DATE: *11/20/90*

See 9-26-91

A. AJ CLAIMED USES:

A36-02611 PURPOSES
IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
4.460 CFS

4.460 CFS

B. WR RECORDED USES:

36-02611 PURPOSES
IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
4.460 CFS 1096.00 AF/A

4.460 CFS 1096.00 AF/A

C. ASSUMPTION 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 N
N N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X) N()

Explain in remarks, below.

REMARKS:

MICROFILMED
JAN 28 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 4.460 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.460 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)

FIELD
DATABASE EXAMINER
Y 2

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: ~~A36-08111~~

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-14628	DOMESTIC	MC GONIGAL , JOHN D.	FROM 01-01 TO 12-31	.040 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 274 × 0.02 CFS/ACRE = 5.48 CFS
(Taken from p/u review)

1b. CALCULATIONS

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 = 822.0 AF/A

ACRES 274 × CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 822 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 274 × DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 1096 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

P.P.U. Combined limit = $4.61 \text{ cfs} \div 312 \text{ Ac.} = 0.0147756 \text{ cfs/Ac}$

936 AF C.U.

1248 AF D.V.

MICROFILMED
JAN 28 1993

$\frac{4.46 \text{ cfs}}{274 \text{ Ac.}} = 0.016277 \text{ cfs/Ac}$

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE 4.460 EXAMINER <u> </u>	DATABASE 1096 EXAMINER <u> </u>	DATABASE 822.0 EXAMINER <u> </u>
TOTAL FOR THIS RIGHT		4.460		822.0

REVIEWED BY: w

DATE: 11/20/90

K06
E07
E01

005

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
<i>N/A</i>	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02611

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
4.460

EXAMINER
N/A

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A36-02611	A36-02611	4.460	-		36-02611	4.460
TOTAL CFS		4.460				4.460

DIVERSION RATE REVIEW

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

DATABASE
Y

FIELD
EXAMINER
N/A

REMARKS:

AUTHENTICATION:

SIGNATURE: *Steve Chell*

DATE: *11/20/90*

NAME OF FIELD EXAMINER: _____ TITLE: _____

MICROFILMED
JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:15
09/08/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02611

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	Y			N		Sc 9-26-91	OB	
SOURCE				N				
USE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME				N (Y)	1, 2, 6 4, 1			
CONSERVATIVE USE				Y (Y)				
PURPOSES				N (Y)				
PERIOD OF USE				N				
BASIS OF CLAIM				N (Y)	6.			
REMARKS				N (Y)	6.			

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAFF 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.

Sanitary
Landfill

R. 17 E.

T576
B187-1-3
38

40

39

39

P.R.

77.6

79.9

40

39

39

5 14
2 23

14 13

23 24

8 18.3

Not
To
Scale

P.H.

3

16

19

45.1

4.3

9.0

7.5

MICROFILMED
JAN 28 1951

3 1/2 Acres
x3 = 936
x4 = 1248

A36-D2611