

15275 decided
Copy to Allocation 12/1/1999

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JAN 27 1999

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) 36-07054, 36-071168, 36-08081, 36-15275
Adjudication Claim Number(s) AJ5809NP, AJ5809NP, AJ5809NP, AJ5809NP

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 on file with the county.) OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) F.F. GUNNING AND IRENE GUNNING
P.O. BOX 716, WENDELL, ID 83355

4. New Owner/Claimant(s) LUIS M. BETTENCOURT
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address P.O. BOX 587

City, State and ZIP Code JEROME, ID 83338

New Telephone Number () -

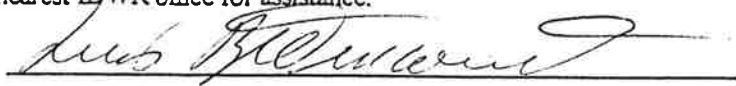
5. Date you acquired the property _____

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 actually irrigated _____ Number and type of stock _____

Diversion rate in CFS Number of homes Other uses
cubic feet per second

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.

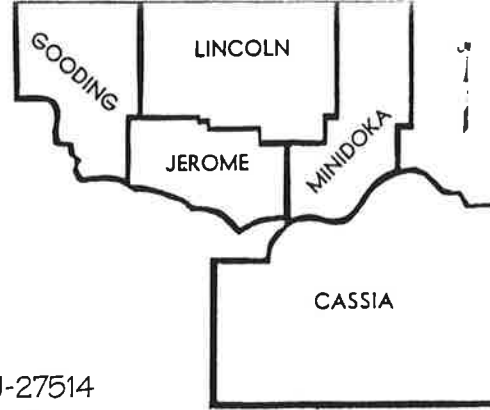
7. Signature of New Owner/Claimant(s)  Date 1/15/99
LUIS M. BETTENCOURT Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: GJ-27514
OFFICE: Gooding

September 8, 1997

State of Idaho
Department of Water Resources
Southern Region
1341 FILLMORE SUITE 200
Twin Falls, Idaho 83301-3380

RECEIVED
JAN 27 1999
Department of Water Resources
Southern Region

RE: Notice of Change of Water Right Ownership
Gunning to Bettencourt
Cert. Mail #Z 380 159 368

Dear Sirs:

At the request of the Buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership
- Copy of Deed # 178867 & 178868
- Copy of Map

Thank You,

LAND TITLE AND ESCROW, INC.

Keri Craig
Keri Craig

(208) 934-8477

P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

CC:

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

WARRANTY DEED

#GJ-27514

For Value Received

F.F GUNNING and IRENE GUNNING, husband and wife

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

LUIS M. BETTENCOURT, a single man
Address: P. O. Box 587, Jerome, ID 83338

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

See attached Exhibit A

TOGETHER WITH all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto.

SUBJECT TO:

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

Aso subject to exceptions shown on Exhibit B attached hereto.

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: January 7, 1999

F. F. Gunning
F. F. Gunning

Irene Gunning
Irene Gunning

STATE OF IDAHO)

COUNTY OF Gooding) ss.
Jerome

On this 1st day of January, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared F.F. Gunning and Irene Gunning, 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.

Becky Shubert
Notary Public
Residing at:
My Commission expires:

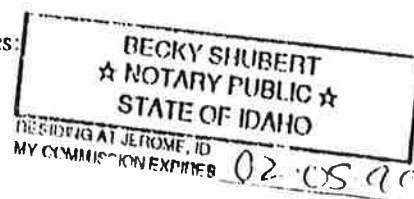


EXHIBIT "A"

PARCEL NO. 4

**TOWNSHIP 7 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 19: The West portion of Lot 3 and the West portion of Lot 4 lying North of the "W" Canal of the North Side Canal Company, Limited.

EXCEPTING THEREFROM that part described as follows:

Beginning at the Northeast corner of said Section 19;

Thence South 0°14'06" East 1320.72 feet to the Northeast corner of said SE ¼ NE ¼ of Section 19, THE TRUE POINT OF BEGINNING;

Thence South 0°14'06" East 1320.72 feet to the Northeast corner of said S ½ of Section 19;

Thence South 0°27'06" East 933.56 feet to the center of an irrigation canal;

Thence along the center of said irrigation canal the following courses and distances:

South 61°51'09" West 539.27 feet;

Thence South 22°32'26" West 139.20 feet to the Northerly boundary of the SE ¼ SE ¼ of Section 19;

Thence leaving said irrigation canal, North 89°50'00" West, 786.95 feet to the Northwest corner of said SE ¼ SE ¼;

Thence South 0°23'09" East 159.27 feet along the Westerly boundary of said SE ¼ SE ¼ to the center of said irrigation canal;

Thence along the center of said irrigation canal the following courses and distances:

South 74°31'08" West 800.26 feet;

Thence South 46°53'21" West, 139.86 feet;

Thence South 19°07'45" East, 166.90 feet;

Thence South 45°28'38" West, 580.30 feet;

Thence South 39°38'16" West, 237.06 feet;

Thence South 71°56'55" West, 158.48 feet;

Thence North 70°11'10" West, 471.28 feet;

Thence North 58°33'42" West, 375.84 feet;

Thence North 68°09'15" West, 176.29 feet;

Thence North 83°57'22" West, 433.21 feet;

- Continued -

CONTINUATION

Thence leaving said canal North $0^{\circ}05'33''$ East 2130.25 feet parallel with the Westerly boundary of said $S\frac{1}{2}$ of Section 19 to the Northerly boundary of said $S\frac{1}{2}$ of Section 19;

Thence South $89^{\circ}45'02''$ East 2879.44 feet to the Southwest corner of said $SE\frac{1}{4}NE\frac{1}{4}$ of Section 19;

Thence North $0^{\circ}16'40''$ West 1319.89 feet to the Northwest corner of said $SE\frac{1}{4}NE\frac{1}{4}$;

Thence South $89^{\circ}47'13''$ East 1318.31 feet to THE TRUE POINT OF BEGINNING.

EXHIBIT "B"

Taxes subsequent to the year 1998, which are not yet due or 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.

178868

STATE OF IDAHO COUNTY OF COCONINO
LAND TITLE & ESCROW
Filed for record at the amount of \$52.00 on 22nd
of January 1999 12.00
By Penny Archuleta Deputy

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

F.F. GUNNING, INC., an Idaho Corporation

a corporation duly organized and existing under the laws of the State of Idaho, GRANTOR, does hereby grant, bargain, sell and convey unto

LUIS M. BETTENCOURT, a single man

ADDRESS: P.O. BOX 587, Jerome, ID 83338

GRANTEE, the following described real estate, to-wit:

See Attached EXHIBIT A

Together with all water rights appurtenant thereto, including but not limited to Water Right Nos. 36-07054, 36-07116B, 36-08081, 36-15275, and 36-10821A.

. OBJECT TO:

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

Also subject to exceptions shown on EXHIBIT B attached hereto

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said GRANTEE, and the successors and assigns of the GRANTEE forever, except as aforesaid.

IN WITNESS WHEREOF, The GRANTOR, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 17th day of January, 1999.

178867

BY: F.F. Gunning
PRESIDENT

STATE OF IDAHO)
COUNTY OF Blaine)
LAND TITLE & ESCROW
Filing record with record of

51 January 19 99 30.00
By Penny Richwald Deputy

ATTEST: Irene Gunning
SECRETARY

STATE OF IDAHO)
COUNTY OF Blaine)
Jerome

On this 17th day of January, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared F.F. Gunning and Irene Gunning, known or identified to me to be the President and Secretary, respectively, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Becky Schubert
Notary Public

Residing at:
My Commission expires:

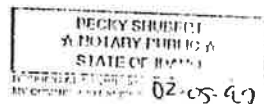


EXHIBIT "A"

PARCEL NO. 1

TOWNSHIP 7 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: Lot 2 and the West 25 feet of Lots 3 and 4

EXCEPTING THEREFROM the West 25 feet of Lot 2 deeded to the Wendell Highway District by Warranty Deed recorded June 14, 1972 as Instrument Number 40839, Gooding County records.

PARCEL NO. 2

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 25: N $\frac{1}{2}$; SE $\frac{1}{4}$;

EXCEPTING THEREFROM the South 25 feet deeded to the Wendell Highway District by Warranty Deed recorded June 14, 1972 as Instrument Number 40839, Gooding County records.

AND EXCEPTING THEREFROM the following described parcel:

Beginning at the Southeast corner of said Section 25, which point shall be known as THE TRUE POINT OF BEGINNING;
Thence North 89°47'25" West along the South boundary of said Section 25, 330.00 feet;
Thence North 0°03'28" West, 330.00 feet;
Thence South 89°47'25" East, 330.00 feet to a point on the East boundary of said Section 25;
Thence South 0°03'28" East, along the East boundary of said Section 25, 330.00 feet to THE TRUE POINT OF BEGINNING;

TOWNSHIP 7 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Part of the NW $\frac{1}{4}$ of Section 30 and
Part of the SW $\frac{1}{4}$ of Section 19 described below

AND

- Continued -

CONTINUATION

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Part of the NE¼ of Section 25 and

Part of the SE¼ of Section 24, described as follows:

Beginning at the Southwest corner of said NW¼, Section 30;
Thence South 0°00'24" East, 207.07 feet to the edge of a circular pivot
irrigation system;
Thence along the edge of said circular pivot irrigation system, 4081.05 feet on
the arc of a curve to the left with a radius of 1708.00 feet, a central angle of
136°54'04" and a chord which bears North 26°23'59" East, 3177.22 feet to
the Northerly boundary of said NW¼ Section 30;
Thence continuing along the edge of said circular pivot irrigation system 75.81
feet on the arc of a curve to the left with a radius of 1708.00 feet, a central
angle of 2°32'35" and a chord which bears North 43°19'71" West, 75.81 feet;
Thence North 45°24'22" East, 223.19 feet to the center of the Northside Canal
Company "W" Lateral;
Thence along the center of said "W" lateral the following courses and distances:
North 58°33'42" West, 375.84 feet;
Thence North 68°09'35" West, 176.29 feet;
Thence North 83°57'22" West, 1040.50 feet to the Westerly boundary of said
SW¼ Section 19;
Thence continuing along the center of said "W" lateral, North 83°57'22" West,
304.24 feet;
Thence South 89°26'15" West, 594.48 feet;
Thence South 59°21'51" West, 114.27 feet;
Thence South 29°33'03" West, 622.31 feet to the Southerly boundary of said
SE¼ Section 24;
Thence continuing along the center of said "W" Lateral South 29°13'03" West,
190.98 feet;
Thence South 29°35'31" West, 2.60 feet;
Thence leaving the center of said "W" Lateral South 0°02'41" West, 1724.05
feet to the edge of a circular pivot irrigation system;
Thence along the edge of said circular pivot irrigation system 1045.98 feet on
the arc of a curve to the left with a radius of 1708.00 feet, a central angle of
35°05'16" and a chord which bears South 43°15'59" East, 1029.71 feet to the
Southerly boundary of said NE¼ Section 25;
Thence South 89°41'29" East, 688.57 feet to THE POINT OF BEGINNING.

- Continued -

CONTINUATION

PARCEL NO. 3

TOWNSHIP 7 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 19: That part of the S½ described as follows:

Section 30: That part of the N½ described as follows:

Beginning at the Southwest corner of Section 30;
Thence North 0°00'24" West 2250.90 feet along the Westerly boundary of
Section 30;
Thence North 71°35'54" East 1040.48 feet along an existing powerline;
Thence North 53°17'45" East 150.54 feet along said powerline to the TRUE
POINT OF BEGINNING;
Thence North 53°17'50" East 589.71 feet along said powerline;
Thence North 66°39'27" East 1377.20 feet along said powerline;
Thence North 87°54'18" East 1416.21 feet along said powerline;
Thence North 24°32'26" East 1321.72 feet along said powerline;
Thence North 24°17'04" West 1394.67 feet along said powerline to the
beginning of a curve left;
Thence 754.25 feet along a curve left having a radius of 608.86 feet and a chord
of North 59°46'23" West 706.93 feet to the Southerly bank of the North Side
Canal Company "W" Canal;
Thence South 84°44'17" West 128.24 feet to the center of said "W" Canal;
Thence along the center of the "W" Canal the following courses:
South 74°31'08" West 800.26 feet;
South 46°53'21" West 139.96 feet;
South 19°07'45" East 166.90 feet;
South 45°28'38" West 580.39 feet;
South 39°38'16" West 237.06 feet;
South 71°56'55" West 158.48 feet;
North 70°11'10" West 471.28 feet;
Thence departing said canal South 45°23'17" West 224.36 feet to the beginning
of a curve Southwesterly;
Thence 3018.66 feet along the curve having a radius of 1708.00 feet and a chord
of South 6°01'14" West 2640.84 feet;
Thence South 33°21'07" East 45.51 feet to THE TRUE POINT OF
BEGINNING;

TOGETHER WITH the following non-exclusive Easement 20.00 feet in width,
for access and utilities created by Deed dated November 5, 1992, recorded April
30, 1993 as Instrument Number 152499, Gooding County records:

- Continued -

CONTINUATION

Beginning at the aforesaid TRUE POINT OF BEGINNING;
Thence along the Northerly side of said 20.00 feet in width Easement the following courses:

North 53°17'50" East 589.71 feet;
North 66°39'27" East 1377.20 feet;

Thence along the Southerly side of said 20.00 feet in width Easement the following courses:

North 87°54'18" East 1416.21 feet;
North 24°32'26" East 1321.72 feet to the end of said 20.00 feet in width access and utility Easement.

TOGETHER WITH the following Easement for well and pump access created by Deed dated November 5, 1992, recorded April 30, 1993 as Instrument Number 152499, Gooding County records:

Beginning at the aforesaid TRUE POINT OF BEGINNING;

Thence North 53°17'50" East 589.71 feet;
Thence North 66°39'27" East 1377.20 feet to the beginning of said well Easement;
Thence North 87°54'18" East 50.00 feet;
Thence South 2°05'42" East 50.00 feet;
Thence South 77°16'52" West 79.85 feet;
Thence North 23°20'33" West 50.00 feet;
Thence North 66°39'27" East 50.00 feet to the end of said well Easement.

PARCEL NO. 5

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 24: SE¼SE¼, EXCEPTING THEREFROM that portion of the following described tract lying with Section 24:

Beginning at the Southwest corner of said NW¼, Section 30;
Thence South 0°00'24" East, 207.07 feet to the edge of a circular pivot irrigation system;
Thence along the edge of said circular pivot irrigation system, 4081.05 feet on the arc of a curve to the left with a radius of 1708.00 feet, a central angle of 136°54'04" and a chord which bears North 26°23'59" East, 3177.22 feet to the Northerly boundary of said NW¼ Section 30;

- Continued -

CONTINUATION

Thence continuing along the edge of said circular pivot irrigation system 75.81 feet on the arc of a curve to the left with a radius of 1708.00 feet, a central angle of 2°32'35" and a chord which bears North 43°19'71" West, 75.81 feet; Thence North 45°24'22" East, 223.19 feet to the center of the Northside Canal Company "W" Lateral;

Thence along the center of said "W" lateral the following courses and distances: North 58°33'42" West, 375.84 feet;

Thence North 68°09'35" West, 176.29 feet;

Thence North 83°57'22" West, 1040.50 feet to the Westerly boundary of said SW ¼ Section 19;

Thence continuing along the center of said "W" lateral, North 83°57'22" West, 304.24 feet;

Thence South 89°26'15" West, 594.48 feet;

Thence South 59°21'51" West, 114.27 feet;

Thence South 29°33'03" West, 622.31 feet to the Southerly boundary of said SE ¼ Section 24;

Thence continuing along the center of said "W" Lateral South 29°13'03" West, 190.98 feet;

Thence South 29°35'31" West, 2.60 feet;

Thence leaving the center of said "W" Lateral South 0°02'41" West, 1724.05 feet to the edge of a circular pivot irrigation system;

Thence along the edge of said circular pivot irrigation system 1045.98 feet on the arc of a curve to the left with a radius of 1708.00 feet, a central angle of 35°05'16" and a chord which bears South 43°15'59" East, 1029.71 feet to the Southerly boundary of said NE ¼ Section 25;

Thence South 89°41'29" East, 688.57 feet to THE POINT OF BEGINNING.

PARCEL NO. 6

TOWNSHIP 7 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 30: Part of the SW ¼, more particularly described as follows:

Commencing at the Northwest corner of said Southwest Quarter;

Thence South 0°00'24" East 207.07 feet along the Westerly boundary of said SW ¼ to the TRUE POINT OF BEGINNING;

Thence South 0°00'24" East 851.51 feet along said Westerly boundary;

- Continued -

CONTINUATION

Thence Northeasterly along the edge of a circular pivot irrigation system
1300.61 feet on the arc of a non-tangent curve to the right with a radius of
1330.14 feet, a central angle of $56^{\circ}01'25''$ and a chord which bears North
 $39^{\circ}40'22''$ East 1249.41 feet;

Thence North $22^{\circ}18'57''$ West 12.57 feet to the edge of a second circular pivot
irrigation system;

Thence Westerly along the edge of said second circular pivot irrigation system
809.82 feet on the arc of a non-tangent curve to the right with a radius of
1708.00 feet, a central angle of $27^{\circ}09'56''$ and a chord which bears South
 $81^{\circ}16'03''$ West 802.25 feet to THE TRUE POINT OF BEGINNING.

EXHIBIT "B"

Taxes subsequent to the year 1998, which are not yet due or 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 F. F. Gunning and Irene Gunning, husband and wife, to Idaho Power Company, a corporation, dated April 25, 1969, recorded January 19, 1970 as Instrument Number 30809, Gooding County records, affecting the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and a portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, both in Section 25, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, all in Township 7 South, Range 16, East Boise Meridian.(Part of Parcel 2 and 6)

Power Line Easement given by F. F. Gunning and Irene E. Gunning, husband and wife, to Idaho Power Company, a corporation, dated March 26, 1970, recorded May 20, 1970 as Instrument Number 32017, Gooding County records, affecting the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, and the N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 25, Township 7 South, Range 15, East Boise Meridian (Part of Parcel 2).

Power Line Easement given by F. F. Gunning and Irene E. Gunning, husband and wife, to Idaho Power Company, a corporation, dated March 26, 1970, recorded May 20, 1970 as Instrument Number 32617, Gooding County records, affecting the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, and the N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 25, Township 7 South, Range 15, East Boise Meridian (Part of Parcel 2).

Power Line Easement given by F. F. Gunning and Irene E. Gunning, husband and wife, to Idaho Power Company, a corporation, dated September 27, 1971, recorded November 15, 1971 as Instrument Number 37740, Gooding County records, affecting the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 7 South, Range 16, East Boise Meridian (Parcel 6)

Power Line Easement given by F. F. Gunning and Irene E. Gunning, husband and wife, to Idaho Power Company, a corporation, dated September 27, 1971, recorded January 17, 1972 as Instrument Number 38668, Gooding County records, affecting the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, Township 7 South, Range 16, East Boise Meridian.(Parcel 1)

Power Line Easement given by F. F. Gunning and Irene Gunning, husband and wife, and Clyde Petersen and Nina Petersen, husband and wife, to Idaho Power Company, dated April 12, 1972, recorded October 10, 1972 as Instrument Number 42275, Gooding County records, affecting Lot 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 7 South, Range 16, East Boise Meridian.(Parcel 6)

Power Line Easement given by F. F. Gunning and Irene Gunning, husband and wife, Clyde Petersen and Nina Petersen, husband and wife, to Idaho Power Company, a corporation, dated October 19, 1972, recorded January 29, 1973 as Instrument Number 43789, Gooding County records, affecting the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, Township 7 South, Range 16, East Boise Meridian. (Parcel 1)

Power Line Easement given by F. F. Gunning and Irene E. Gunning, husband and wife, to Idaho Power Company, a corporation, dated March 27, 1973, recorded March 22, 1974 as Instrument Number 49409, Gooding County records, affecting the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 7 South, Range 16, East Boise Meridian. (Parcel 3)

Power Line Easement given by F. F. Gunning and Irene E. Gunning, husband and wife, to Idaho Power Company, a corporation, dated May 5, 1974, recorded December 24, 1975 as Instrument Number 57507, Gooding County records, affecting the NE $\frac{1}{4}$ SE $\frac{1}{4}$ South of the Canal in Section

19 and the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 30, all in Township 7 South, Range 16, East Boise Meridian.
(Parcel 3)

Power Line Easement given by Hazel B. Churchman, a single person, to Idaho Power Company, a corporation, dated May 5, 1974, recorded January 14, 1976 as Instrument Number 57743, Gooding County records, affecting the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Township 7 South, Range 16, East Boise Meridian. (Parcel 3)

Power Line Easement given by Clyde C. Petersen and Nina Petersen, husband and wife, to Idaho Power Company, a corporation, dated April 26, 1974, recorded February 18, 1976 as Instrument Number 58253, Gooding County records, affecting the NE $\frac{1}{4}$ SE $\frac{1}{4}$ South of the Canal in Section 19 and the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 30, all in Township 7 South, Range 16, East Boise Meridian.
(Parcel 3)

Underground Power Line Easement given by F. F. Gunning and Irene E. Gunning, husband and wife, to Idaho Power Company, a corporation, dated March 19, 1976, recorded November 15, 1976 as Instrument Number 61955, Gooding County records, affecting Lot 2 of Section 31, Township 7 South, Range 16, East Boise Meridian. (Parcel 1)

Road Easement Agreement by and between Francis F. Gunning and Irene E. Gunning, husband and wife, and F. F. Gunning, Inc., an Idaho Corporation, the first parties, and Gail C. Gunning and Susan E. Gunning, husband and wife, the second parties, dated September 19, 1977, recorded November 2, 1977 as Instrument Number 67208, Gooding County records, wherein the first parties grant unto the second parties an easement 30 feet in width, over and across a portion of Sections 24 and 25, Township 7 South, Range 15, East Boise Meridian, for the purpose of installation, operation and maintenance of a road providing access to the property owned by the second parties located in the S $\frac{1}{2}$ of Section 19, Township 7 South, Range 16, East Boise Meridian. (Part of Parcel 2)

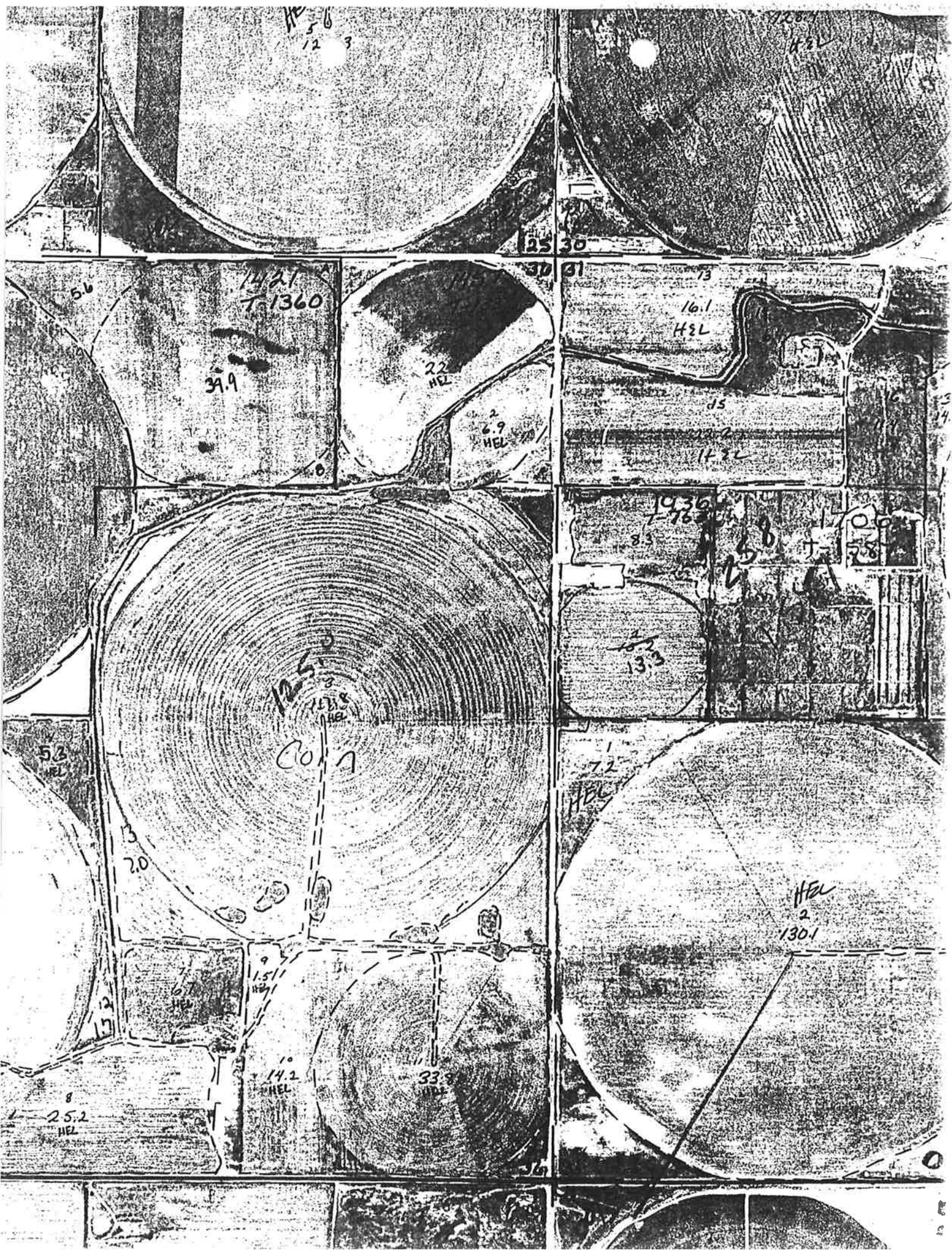
Easement for irrigation canal contained in Warranty Deed given by Ida-Gro, Inc., an Idaho corporation, to Arkoosh & Zidan, Inc., an Idaho corporation, dated January 3, 1981, recorded April 6, 1981 as Instrument Number 88718, Gooding County records. (Parcel 3)

Easement for ingress and egress as set forth in Warranty Deed dated January 3, 1981, recorded April 6, 1981 as Instrument Number 88720, Gooding County records, over a 30.00 feet wide strip of land, across the E $\frac{1}{2}$ of Section 25, lying 15.00 feet on each side of the following described centerline:
(Parcel 2)

Beginning at the Southwest corner of said E $\frac{1}{2}$, Section 25;
Thence South 89°48'02" East, 15.00 feet along the Southerly boundary of said E $\frac{1}{2}$, Section 25 to THE TRUE POINT OF BEGINNING;
Thence North 0°00'23" West, 3620.47 feet parallel with and 15.00 feet Easterly from the Westerly boundary of said E $\frac{1}{2}$, Section 25 to a point 35.00 feet at right angles from the centerline of the "W" Canal;
Thence parallel with and 35.00 feet Southeasterly of the centerline of said "W" Canal the following courses and distances:
North 26°08'31" East, 156.42 feet;
North 65°27'38" East, 107.19 feet;
North 89°25'28" East, 256.86 feet;
North 52°12'20" East, 102.23 feet to a point opposite a wood bridge across said "W" Canal;
Thence North 60°30'40" West, 70.00 feet to a point 35.00 feet Northwesterly at right angles to the centerline of said "W" Canal;
Thence North 29°29'20" East, 1371.87 feet parallel with and 35.00 feet Northwesterly from the centerline of said "W" Canal to a point on the Northerly boundary of said E $\frac{1}{2}$, Section 25 bearing South 89°48'10" East, 1298.71 feet from the Northwest corner of said NE $\frac{1}{4}$.

Terms and conditions of an existing road and non-exclusive easement for ingress and egress and access easement for pump and well and easement for purpose of farming as disclosed in Paragraph 7 and 8 of an agreement between F. F. Gunning, Inc.; Arkoosh & Zidan, Inc.; and Arkoosh Produce, Inc., dated November 5, 1992, recorded April 30, 1993 as Instrument Number 152498, Gooding County records. (Parcel 3)

Subject to an non-exclusive Easement 20 feet in width for access and utilities and Subject to an easement for well and pump access as described in Non-Merger Warranty Deed given by Arkoosh & Zidan, Inc., an Idaho corporation, and Arkoosh Produce, Inc., an Idaho corporation, to F. F. Gunning, Inc., an Idaho corporation, dated November 5, 1992, recorded April 30, 1993 as Instrument Number 152499, Gooding County records. (Parcel 3)



R-16E

1936
T-1490

1936
T-1351

19
36

4/19
15/30

HEL
3
134.6
HEL

4
6.2
HEL

3.1

6.3
HEL

1710
T-1588

9.2
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Transferred to
Jerome County
Bettencourt

117.4
HEL

12
128.4
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10
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25 30

R-15

792.8
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1936

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5
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26 25
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STATE OF IDAHO
IDAE DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
JAN 27 1999
Department of Water Resources
Southern Region

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

Water Right Number(s) 36-07054, 36-071168, 36-08081, 36-15275

Adjudication Claim Number(s) AJ5809NP, AJ5809NP, AJ5809NP, AJ5809NP

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 on file with the county.) OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly LSCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

Name and Address of Former Owner/Claimant(s) F.F. GUNNING AND IRENE GUNNING
P.O. BOX 716, WENDELL, ID 83355

New Owner/Claimant(s) LUIS M. BETTENCOURT
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR

New Mailing Address P.O. BOX 587

City, State and ZIP Code JEROME, ID 83338

New Telephone Number () -

Date you acquired the property _____

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 actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

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.

Signature of New Owner/Claimant(s)

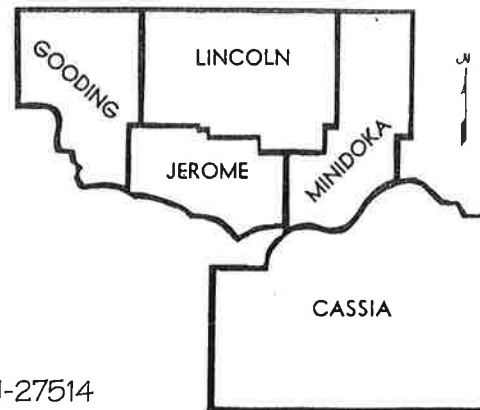
LUIS M. BETTENCOURT

Date 4/15/99
Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: GJ-27514
OFFICE: Gooding

September 8, 1997

State of Idaho
Department of Water Resources
Southern Region
1341 FILLMORE SUITE 200
Twin Falls, Idaho 83301-3380

RECEIVED
JAN 27 1999
Department of Water Resources
Southern Region

RE: Notice of Change of Water Right Ownership
Gunning to Bettencourt
Cert. Mail #Z 380 159 368

Dear Sirs:

At the request of the Buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership
- Copy of Deed # 178867 & 178868
- Copy of Map

Thank You,

LAND TITLE AND ESCROW, INC.

Keri Craig
Keri Craig

(208) 934-8477

P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

CC:

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

WARRANTY DEED

#GJ-27514

For Value Received

F.F GUNNING and IRENE GUNNING, husband and wife

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

LUIS M. BETTENCOURT, a single man
Address: P. O. Box 587, Jerome, ID 83338

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

See attached Exhibit A

TOGETHER WITH all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto.

SUBJECT TO:

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

Aso subject to exceptions shown on Exhibit B attached hereto.

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: January 7, 1999

F.F. Gunning
F. F. Gunning

Irene Gunning
Irene Gunning

STATE OF IDAHO)
COUNTY OF Gooding) ss.
Jerome

On this 7th day of January, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared F.F. Gunning and Irene Gunning, 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.

Becky Shubert
Notary Public

Residing at:

My Commission expires:

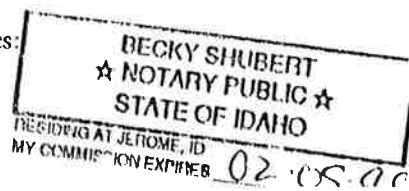


EXHIBIT "A"

PARCEL NO. 4

**TOWNSHIP 7 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 19: The West portion of Lot 3 and the West portion of Lot 4 lying North of the "W" Canal of the North Side Canal Company, Limited.

EXCEPTING THEREFROM that part described as follows:

Beginning at the Northeast corner of said Section 19;

Thence South 0°14'06" East 1320.72 feet to the Northeast corner of said SE¼NE¼ of Section 19, THE TRUE POINT OF BEGINNING;

Thence South 0°14'06" East 1320.72 feet to the Northeast corner of said S½ of Section 19;

Thence South 0°27'06" East 933.56 feet to the center of an irrigation canal;

Thence along the center of said irrigation canal the following courses and distances:

South 61°51'09" West 539.27 feet;

Thence South 22°32'26" West 139.20 feet to the Northerly boundary of the SE¼SE¼ of Section 19;

Thence leaving said irrigation canal, North 89°50'00" West, 786.95 feet to the Northwest corner of said SE¼SE¼;

Thence South 0°23'09" East 159.27 feet along the Westerly boundary of said SE¼SE¼ to the center of said irrigation canal;

Thence along the center of said irrigation canal the following courses and distances:

South 74°31'08" West 800.26 feet;

Thence South 46°53'21" West, 139.86 feet;

Thence South 19°07'45" East, 166.90 feet;

Thence South 45°28'38" West, 580.30 feet;

Thence South 39°38'16" West, 237.06 feet;

Thence South 71°56'55" West, 158.48 feet;

Thence North 70°11'10" West, 471.28 feet;

Thence North 58°33'42" West, 375.84 feet;

Thence North 68°09'15" West, 176.29 feet;

Thence North 83°57'22" West, 433.21 feet;

- Continued -

CONTINUATION

Thence leaving said canal North $0^{\circ}05'33''$ East 2130.25 feet parallel with the Westerly boundary of said $S\frac{1}{2}$ of Section 19 to the Northerly boundary of said $S\frac{1}{2}$ of Section 19;

Thence South $89^{\circ}45'02''$ East 2879.44 feet to the Southwest corner of said $SE\frac{1}{4}NE\frac{1}{4}$ of Section 19;

Thence North $0^{\circ}16'40''$ West 1319.89 feet to the Northwest corner of said $SE\frac{1}{4}NE\frac{1}{4}$;

Thence South $89^{\circ}47'13''$ East 1318.31 feet to THE TRUE POINT OF BEGINNING.

EXHIBIT "B"

Taxes subsequent to the year 1998, which are not yet due or 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.

178868

STATE OF IDAHO COUNTY OF COCOPINE
LAND TITLE & ESCROW
Filed for record at the record of
52. 1. 22nd
of January 1999 12.00
By Penny Archibald Deputy

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

F.F. GUNNING, INC., an Idaho Corporation

a corporation duly organized and existing under the laws of the State of Idaho, GRANTOR, does hereby grant, bargain, sell and convey unto

LUIS M. BETTENCOURT, a single man

ADDRESS: P.O. BOX 587, Jerome, ID 83338
GRANTEE, the following described real estate, to-wit:

See Attached EXHIBIT A

Together with all water rights appurtenant thereto, including but not limited to Water Right Nos. 36-07054, 36-07116B, 36-08081, 36-15275, and 36-10821A.

SUBJECT TO:

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

Also subject to exceptions shown on EXHIBIT B attached hereto

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said GRANTEE, and the successors and assigns of the GRANTEE forever, except as aforesaid.

IN WITNESS WHEREOF, The GRANTOR, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 19th day of January, 1999.

178867

BY: F.F. Gunning President
PRESIDENT

STATE OF IDAHO COUNTY OF GOODING
LAND TITLE & ESCROW
Filed for record at the request of
51 P. M. this 22nd
of January 1999 30.00
By Penny Archibald Deputy

ATTEST: Irene Gunning
SECRETARY

STATE OF IDAHO)
COUNTY OF Gooding) ss.
Jerome

On this 19th day of January, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared F.F. Gunning and Irene Gunning, known or identified to me to be the President and Secretary, respectively, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Becky Shubert
Notary Public

Residing at:
My Commission expires:

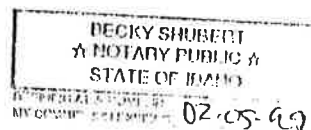


EXHIBIT "A"

PARCEL NO. 1

TOWNSHIP 7 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: Lot 2 and the West 25 feet of Lots 3 and 4

EXCEPTING THEREFROM the West 25 feet of Lot 2 deeded to the Wendell Highway District by Warranty Deed recorded June 14, 1972 as Instrument Number 40839, Gooding County records.

PARCEL NO. 2

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 25: N $\frac{1}{2}$; SE $\frac{1}{4}$;

EXCEPTING THEREFROM the South 25 feet deeded to the Wendell Highway District by Warranty Deed recorded June 14, 1972 as Instrument Number 40839, Gooding County records.

AND EXCEPTING THEREFROM the following described parcel:

Beginning at the Southeast corner of said Section 25, which point shall be known as THE TRUE POINT OF BEGINNING;

Thence North 89°47'25" West along the South boundary of said Section 25, 330.00 feet;

Thence North 0°03'28" West, 330.00 feet;

Thence South 89°47'25" East, 330.00 feet to a point on the East boundary of said Section 25;

Thence South 0°03'28" East, along the East boundary of said Section 25, 330.00 feet to THE TRUE POINT OF BEGINNING;

TOWNSHIP 7 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Part of the NW $\frac{1}{4}$ of Section 30 and

Part of the SW $\frac{1}{4}$ of Section 19 described below

AND

- Continued -

CONTINUATION

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Part of the NE¼ of Section 25 and
Part of the SE¼ of Section 24, described as follows:

Beginning at the Southwest corner of said NW¼, Section 30;
Thence South 0°00'24" East, 207.07 feet to the edge of a circular pivot irrigation system;
Thence along the edge of said circular pivot irrigation system, 4081.05 feet on the arc of a curve to the left with a radius of 1708.00 feet, a central angle of 136°54'04" and a chord which bears North 26°23'59" East, 3177.22 feet to the Northerly boundary of said NW¼ Section 30;
Thence continuing along the edge of said circular pivot irrigation system 75.81 feet on the arc of a curve to the left with a radius of 1708.00 feet, a central angle of 2°32'35" and a chord which bears North 43°19'71" West, 75.81 feet;
Thence North 45°24'22" East, 223.19 feet to the center of the Northside Canal Company "W" Lateral;
Thence along the center of said "W" lateral the following courses and distances:
North 58°33'42" West, 375.84 feet;
Thence North 68°09'35" West, 176.29 feet;
Thence North 83°57'22" West, 1040.50 feet to the Westerly boundary of said SW¼ Section 19;
Thence continuing along the center of said "W" lateral, North 83°57'22" West, 304.24 feet;
Thence South 89°26'15" West, 594.48 feet;
Thence South 59°21'51" West, 114.27 feet;
Thence South 29°33'03" West, 622.31 feet to the Southerly boundary of said SE¼ Section 24;
Thence continuing along the center of said "W" Lateral South 29°13'03" West, 190.98 feet;
Thence South 29°35'31" West, 2.60 feet;
Thence leaving the center of said "W" Lateral South 0°02'41" West, 1724.05 feet to the edge of a circular pivot irrigation system;
Thence along the edge of said circular pivot irrigation system 1045.98 feet on the arc of a curve to the left with a radius of 1708.00 feet, a central angle of 35°05'16" and a chord which bears South 43°15'59" East, 1029.71 feet to the Southerly boundary of said NE¼ Section 25;
Thence South 89°41'29" East, 688.57 feet to THE POINT OF BEGINNING.

- Continued -

CONTINUATION

PARCEL NO. 3

TOWNSHIP 7 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 19: That part of the S½ described as follows:

Section 30: That part of the N½ described as follows:

Beginning at the Southwest corner of Section 30;

Thence North 0°00'24" West 2250.90 feet along the Westerly boundary of
Section 30;

Thence North 71°35'54" East 1040.48 feet along an existing powerline;

Thence North 53°17'45" East 150.54 feet along said powerline to the TRUE
POINT OF BEGINNING;

Thence North 53°17'50" East 589.71 feet along said powerline;

Thence North 66°39'27" East 1377.20 feet along said powerline;

Thence North 87°54'18" East 1416.21 feet along said powerline;

Thence North 24°32'26" East 1321.72 feet along said powerline;

Thence North 24°17'04" West 1394.67 feet along said powerline to the
beginning of a curve left;

Thence 754.25 feet along a curve left having a radius of 608.86 feet and a chord
of North 59°46'23" West 706.93 feet to the Southerly bank of the North Side
Canal Company "W" Canal;

Thence South 84°44'17" West 128.24 feet to the center of said "W" Canal;

Thence along the center of the "W" Canal the following courses:

South 74°31'08" West 800.26 feet;

South 46°53'21" West 139.96 feet;

South 19°07'45" East 166.90 feet;

South 45°28'38" West 580.39 feet;

South 39°38'16" West 237.06 feet;

South 71°56'55" West 158.48 feet;

North 70°11'10" West 471.28 feet;

Thence departing said canal South 45°23'17" West 224.36 feet to the beginning
of a curve Southwesterly;

Thence 3018.66 feet along the curve having a radius of 1708.00 feet and a chord
of South 6°01'14" West 2640.84 feet;

Thence South 33°21'07" East 45.51 feet to THE TRUE POINT OF
BEGINNING;

TOGETHER WITH the following non-exclusive Easement 20.00 feet in width,
for access and utilities created by Deed dated November 5, 1992, recorded April
30, 1993 as Instrument Number 152499, Gooding County records;

- Continued -

CONTINUATION

Beginning at the aforesaid TRUE POINT OF BEGINNING;
Thence along the Northerly side of said 20.00 feet in width Easement the following courses:

North 53°17'50" East 589.71 feet;
North 66°39'27" East 1377.20 feet;

Thence along the Southerly side of said 20.00 feet in width Easement the following courses:

North 87°54'18" East 1416.21 feet;
North 24°32'26" East 1321.72 feet to the end of said 20.00 feet in width access and utility Easement.

TOGETHER WITH the following Easement for well and pump access created by Deed dated November 5, 1992, recorded April 30, 1993 as Instrument Number 152499, Gooding County records:

Beginning at the aforesaid TRUE POINT OF BEGINNING;
Thence North 53°17'50" East 589.71 feet;
Thence North 66°39'27" East 1377.20 feet to the beginning of said well Easement;
Thence North 87°54'18" East 50.00 feet;
Thence South 2°05'42" East 50.00 feet;
Thence South 77°16'52" West 79.85 feet;
Thence North 23°20'33" West 50.00 feet;
Thence North 66°39'27" East 50.00 feet to the end of said well Easement.

PARCEL NO. 5

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 24: SE¼SE¼, EXCEPTING THEREFROM that portion of the following described tract lying with Section 24:

Beginning at the Southwest corner of said NW¼, Section 30;
Thence South 0°00'24" East, 207.07 feet to the edge of a circular pivot irrigation system;
Thence along the edge of said circular pivot irrigation system, 4081.05 feet on the arc of a curve to the left with a radius of 1708.00 feet, a central angle of 136°54'04" and a chord which bears North 26°23'59" East, 3177.22 feet to the Northerly boundary of said NW¼ Section 30;

- Continued -

CONTINUATION

Thence continuing along the edge of said circular pivot irrigation system 75.81 feet on the arc of a curve to the left with a radius of 1708.00 feet, a central angle of $2^{\circ}32'35''$ and a chord which bears North $43^{\circ}19'71''$ West, 75.81 feet; Thence North $45^{\circ}24'22''$ East, 223.19 feet to the center of the Northside Canal Company "W" Lateral;

Thence along the center of said "W" lateral the following courses and distances: North $58^{\circ}33'42''$ West, 375.84 feet;

Thence North $68^{\circ}09'35''$ West, 176.29 feet;

Thence North $83^{\circ}57'22''$ West, 1040.50 feet to the Westerly boundary of said SW $\frac{1}{4}$ Section 19;

Thence continuing along the center of said "W" lateral, North $83^{\circ}57'22''$ West, 304.24 feet;

Thence South $89^{\circ}26'15''$ West, 594.48 feet;

Thence South $59^{\circ}21'51''$ West, 114.27 feet;

Thence South $29^{\circ}33'03''$ West, 622.31 feet to the Southerly boundary of said SE $\frac{1}{4}$ Section 24;

Thence continuing along the center of said "W" Lateral South $29^{\circ}13'03''$ West, 190.98 feet;

Thence South $29^{\circ}35'31''$ West, 2.60 feet;

Thence leaving the center of said "W" Lateral South $0^{\circ}02'41''$ West, 1724.05 feet to the edge of a circular pivot irrigation system;

Thence along the edge of said circular pivot irrigation system 1045.98 feet on the arc of a curve to the left with a radius of 1708.00 feet, a central angle of $35^{\circ}05'16''$ and a chord which bears South $43^{\circ}15'59''$ East, 1029.71 feet to the Southerly boundary of said NE $\frac{1}{4}$ Section 25;

Thence South $89^{\circ}41'29''$ East, 688.57 feet to THE POINT OF BEGINNING.

PARCEL NO. 6

TOWNSHIP 7 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 30: Part of the SW $\frac{1}{4}$, more particularly described as follows:

Commencing at the Northwest corner of said Southwest Quarter;

Thence South $0^{\circ}00'24''$ East 207.07 feet along the Westerly boundary of said SW $\frac{1}{4}$ to the TRUE POINT OF BEGINNING;

Thence South $0^{\circ}00'24''$ East 851.51 feet along said Westerly boundary;

- Continued -

CONTINUATION

Thence Northeasterly along the edge of a circular pivot irrigation system
1300.61 feet on the arc of a non-tangent curve to the right with a radius of
1330.14 feet, a central angle of $56^{\circ}01'25''$ and a chord which bears North
 $39^{\circ}40'22''$ East 1249.41 feet;

Thence North $22^{\circ}18'57''$ West 12.57 feet to the edge of a second circular pivot
irrigation system;

Thence Westerly along the edge of said second circular pivot irrigation system
809.82 feet on the arc of a non-tangent curve to the right with a radius of
1708.00 feet, a central angle of $27^{\circ}09'56''$ and a chord which bears South
 $81^{\circ}16'03''$ West 802.25 feet to THE TRUE POINT OF BEGINNING.

EXHIBIT "B"

Taxes subsequent to the year 1998, which are not yet due or 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 F. F. Gunning and Irene Gunning, husband and wife, to Idaho Power Company, a corporation, dated April 25, 1969, recorded January 19, 1970 as Instrument Number 30809, Gooding County records, affecting the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and a portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, both in Section 25, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, all in Township 7 South, Range 16, East Boise Meridian.(Part of Parcel 2 and 6)

Power Line Easement given by F. F. Gunning and Irene E. Gunning, husband and wife, to Idaho Power Company, a corporation, dated March 26, 1970, recorded May 20, 1970 as Instrument Number 32017, Gooding County records, affecting the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, and the N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 25, Township 7 South, Range 15, East Boise Meridian (Part of Parcel 2).

Power Line Easement given by F. F. Gunning and Irene E. Gunning, husband and wife, to Idaho Power Company, a corporation, dated March 26, 1970, recorded May 20, 1970 as Instrument Number 32617, Gooding County records, affecting the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, and the N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 25, Township 7 South, Range 15, East Boise Meridian.(Part of Parcel 2)

Power Line Easement given by F. F. Gunning and Irene E. Gunning, husband and wife, to Idaho Power Company, a corporation, dated September 27, 1971, recorded November 15, 1971 as Instrument Number 37740, Gooding County records, affecting the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 7 South, Range 16, East Boise Meridian.(Parcel 6)

Power Line Easement given by F. F. Gunning and Irene E. Gunning, husband and wife, to Idaho Power Company, a corporation, dated September 27, 1971, recorded January 17, 1972 as Instrument Number 38668, Gooding County records, affecting the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, Township 7 South, Range 16, East Boise Meridian.(Parcel 1)

Power Line Easement given by F. F. Gunning and Irene Gunning, husband and wife, and Clyde Petersen and Nina Petersen, husband and wife, to Idaho Power Company, dated April 12, 1972, recorded October 10, 1972 as Instrument Number 42275, Gooding County records, affecting Lot 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 7 South, Range 16, East Boise Meridian.(Parcel 6)

Power Line Easement given by F. F. Gunning and Irene Gunning, husband and wife, Clyde Petersen and Nina Petersen, husband and wife, to Idaho Power Company, a corporation, dated October 19, 1972, recorded January 29, 1973 as Instrument Number 43789, Gooding County records, affecting the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, Township 7 South, Range 16, East Boise Meridian. (Parcel 1)

Power Line Easement given by F. F. Gunning and Irene E. Gunning, husband and wife, to Idaho Power Company, a corporation, dated March 27, 1973, recorded March 22, 1974 as Instrument Number 49409, Gooding County records, affecting the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 7 South, Range 16, East Boise Meridian. (Parcel 3)

Power Line Easement given by F. F. Gunning and Irene E. Gunning, husband and wife, to Idaho Power Company, a corporation, dated May 5, 1974, recorded December 24, 1975 as Instrument Number 57507, Gooding County records, affecting the NE $\frac{1}{4}$ SE $\frac{1}{4}$ South of the Canal in Section

19 and the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 30, all in Township 7 South, Range 16, East Boise Meridian.
(Parcel 3)

Power Line Easement given by Hazel B. Churchman, a single person, to Idaho Power Company, a corporation, dated May 5, 1974, recorded January 14, 1976 as Instrument Number 57743, Gooding County records, affecting the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Township 7 South, Range 16, East Boise Meridian. (Parcel 3)

Power Line Easement given by Clyde C. Petersen and Nina Petersen, husband and wife, to Idaho Power Company, a corporation, dated April 26, 1974, recorded February 18, 1976 as Instrument Number 58253, Gooding County records, affecting the NE $\frac{1}{4}$ SE $\frac{1}{4}$ South of the Canal in Section 19 and the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 30, all in Township 7 South, Range 16, East Boise Meridian.
(Parcel 3)

Underground Power Line Easement given by F. F. Gunning and Irene E. Gunning, husband and wife, to Idaho Power Company, a corporation, dated March 19, 1976, recorded November 15, 1976 as Instrument Number 61955, Gooding County records, affecting Lot 2 of Section 31, Township 7 South, Range 16, East Boise Meridian. (Parcel 1)

Road Easement Agreement by and between Francis F. Gunning and Irene E. Gunning, husband and wife, and F. F. Gunning, Inc., an Idaho Corporation, the first parties, and Gail C. Gunning and Susan E. Gunning, husband and wife, the second parties, dated September 19, 1977, recorded November 2, 1977 as Instrument Number 67208, Gooding County records, wherein the first parties grant unto the second parties an easement 30 feet in width, over and across a portion of Sections 24 and 25, Township 7 South, Range 15, East Boise Meridian, for the purpose of installation, operation and maintenance of a road providing access to the property owned by the second parties located in the S $\frac{1}{2}$ of Section 19, Township 7 South, Range 16, East Boise Meridian. (Part of Parcel 2)

Easement for irrigation canal contained in Warranty Deed given by Ida-Gro, Inc., an Idaho corporation, to Arkoosh & Zidan, Inc., an Idaho corporation, dated January 3, 1981, recorded April 6, 1981 as Instrument Number 88718, Gooding County records. (Parcel 3)

Easement for ingress and egress as set forth in Warranty Deed dated January 3, 1981, recorded April 6, 1981 as Instrument Number 88720, Gooding County records, over a 30.00 feet wide strip of land, across the E $\frac{1}{2}$ of Section 25, lying 15.00 feet on each side of the following described centerline:
(Parcel 2)

Beginning at the Southwest corner of said E $\frac{1}{2}$, Section 25;
Thence South 89°48'02" East, 15.00 feet along the Southerly boundary of said E $\frac{1}{2}$, Section 25 to THE TRUE POINT OF BEGINNING;
Thence North 0°00'23" West, 3620.47 feet parallel with and 15.00 feet Easterly from the Westerly boundary of said E $\frac{1}{2}$, Section 25 to a point 35.00 feet at right angles from the centerline of the "W" Canal;
Thence parallel with and 35.00 feet Southeasterly of the centerline of said "W" Canal the following courses and distances:
North 26°08'31" East, 156.42 feet;
North 65°27'38" East, 107.19 feet;
North 89°25'28" East, 256.86 feet;
North 52°12'20" East, 102.23 feet to a point opposite a wood bridge across said "W" Canal;
Thence North 60°30'40" West, 70.00 feet to a point 35.00 feet Northwesterly at right angles to the centerline of said "W" Canal;
Thence North 29°29'20" East, 1371.87 feet parallel with and 35.00 feet Northwesterly from the centerline of said "W" Canal to a point on the Northerly boundary of said E $\frac{1}{2}$, Section 25 bearing South 89°48'10" East, 1298.71 feet from the Northwest corner of said NE $\frac{1}{4}$.

Terms and conditions of an existing road and non-exclusive easement for ingress and egress and access easement for pump and well and easement for purpose of farming as disclosed in Paragraph 7 and 8 of an agreement between F. F. Gunning, Inc.; Arkoosh & Zidan, Inc.; and Arkoosh Produce, Inc., dated November 5, 1992, recorded April 30, 1993 as Instrument Number 152498, Gooding County records. (Parcel 3)

Subject to an non-exclusive Easement 20 feet in width for access and utilities and Subject to an easement for well and pump access as described in Non-Merger Warranty Deed given by Arkoosh & Zidan, Inc., an Idaho corporation, and Arkoosh Produce, Inc., an Idaho corporation, to F. F. Gunning, Inc., an Idaho corporation, dated November 5, 1992, recorded April 30, 1993 as Instrument Number 152499, Gooding County records. (Parcel 3)

1201
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Transferred to

Jerome County 6/9

Bettencourt

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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: **A36-08081**

Date Received: 6/27/1988

Receipt No: S000540

Received By: *JK*

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

*ownership change
back to Gunning
previous ofc was
in error*

1. Name: FF GUNNING
Address: PO BOX 716
WENDELL ID

83355

208-536-6390

AND

Name: IRENE GUNNING
Address: PO BOX 716
WENDELL ID

83355

208-536-6390

2. Date of Priority: APR 30, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	16E	31	SW	NW		2	GOODING

5. Description of diverting works:

8" X 280' WELL, 60 HP MOTOR, SPRINKLERS. 6" WELL FOR SPUD CELLAR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	11/01	04/15	0.040		
IRRIGATION	03/15	11/15	0.600		

7. Total Quantity Appropriated is:

0.640 C.F.S. (and/or) 127.00 A.F.A.

8. Total consumptive use is 97.0 Acre Feet Per Annum.

9. Non-irrigation uses:

COMMERCIAL/ POTATO CELLAR HUMIDIFIER

MICROFILMED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	16E	31	SW	NW	2	IRR	30.0
			SW	NW	2	COMMER	

Section Acres 30.0

Total Acres 30.0

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:
NONE

14. Remarks:

LAND IN LOT 3 IS NO LONGER OWNED BY US, AND IS NOT IRRIGATED BY
THIS SYSTEM.
7 AFA IS CLAIMED FOR COMMERCIAL USE IN SPUD CELLAR.

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

MEMO TO FILE: A37-08081
DATE: JANUARY 25, 1996
BY: JEANIE ROBERTSON
RE: OWNERSHIP CHANGE CORRECTED

OWNERSHIP CHANGE WAS DONE ON THIS CLAIM FROM GUNNING TO RIETKERK ON 11/25/92. IT WAS LATER DETERMINED THAT THIS WAS DONE IN ERROR. (RIETKERK'S DEED SPECIFIED LOTS 3 & 4, THIS CLAIM WAS FOR LOT 2.) CORRECTION BACK TO GUNNING WAS MADE TODAY. 36-08081 WAS ALSO CORRECTED. NO SF3 WAS EVER FILED WITH THE SRBA COURT, SO THEIR RECORDS NEEDED NO CORRECTING.

MICROFILMED

DEC 5 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

January 25, 1996

JOHN H RIETKERK
RHONDA M RIETKERK
3075-A S 2300 E
WENDELL ID 83355

RE: SRBA CLAIM #36-08081

Dear Mr. and Mrs. Rietkerk,

This claim was incorrectly changed into your name in November of 1992. Upon further review of the warranty deed submitted with the original ownership change request, it was discovered that the deed specified Lots 3 & 4 of Section 31, while the adjudication claim 36-08081 was actually for Lot 2 of Section 31. I have changed 36-08081 back to the name of Gunning. The other two claims (36-02692 and 36-07691) are still in your names and cover the 220 acres that you purchased.

If you have any questions, please feel free to give me a call.

Sincerely,

Jeanie Robertson
Water Right Agent, Adjudication

MICROFILMED

DEC 5 1996

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

Water Right Number - 36-08081 Prefix Translation: WATER RIGHT Old (D) Number -

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

*** C - CURRENT OWNER ***
GUNNING IRENE 1 - PO BOX 716
2 -
3 -
City- WENDELL State- ID Zip- 83355
Phone - 208-536-6390
1 - PO BOX 716
2 -
3 -
City- WENDELL State- ID Zip- 83355
Phone - 208-536-6390

GUNNING F F

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/07/1983 17 SOUTHERN L - LICENSE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07S 16E 31 SW NW 2 (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.420 88.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.420 88.00 66.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 16E 31 SW NW 2 22.0 01 IRRIGATION (47) GOODING

Total Acres: 22.0

+ - - Diversion Means - 8" X 280' WELL, 60 HP MOTOR, SPRINKLERS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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

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

DEC 5 1996
MICROFILMED

Water right number - 36-08081

Prefix Translation: WATER RIGHT

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

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

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

Date: 05/06/1991 User Id: STERLING Subject: REVIEW - MSS
RECOMMENDED PRIORITY DATE AS IT WAS LICENSED, NOT AS CLAIMED. 30 ACRES WERE CLAIMED, BUT LICENSE WAS FOR ONLY 22 ACRES. FROM MAPS
& PHOTOS, IT APPEARS THAT NO MORE THAN THOSE 22 ACRES WERE IRRIGATED IN '87, SO 22 ACRES WERE RECOMMENDED. THE SPUD CELLAR WAS
NOT INCLUDED IN THE LICENSE FOR THIS RIGHT, SO IT WILL NOT BE RECOMMENDED UNDER THIS RIGHT, BUT UNDER RIGHT 36-15275. THE
TOTAL DIVERSION RATE WAS BASED ON THE CFS/ACRE THAT WAS LICENSED.
Date: 05/06/1991 User Id: STERLING Subject: COPIED FROM REMARKS
LAND IN LOT 3 IS NO LONGER OWNED BY US, AND IS NOT IRRIGATED BY THIS SYSTEM.
7 AFA IS CLAIMED FOR COMMERCIAL USE IN SPUD CELLAR.
Date: 07/09/1992 User Id: ROBERTSO Subject: NAME STANDARD
Date: 11/25/1992 User Id: ROBERTSO Subject: OWNERSHIP CHANGE
Change of ownership received 11/20/92-original owners F F & Irene Gunning - new owners John & Rhonda Rietkerk. Copy of deed submit
ted with form. A36-08081 also changed this date.
Date: 01/25/1996 User Id: JROBERTS Subject: NAME CHANGE
NAME WAS CHANGED BACK TO GUNNING. PREVIOUS OWNERSHIP CHANGE TO RIETKERK WAS DONE IN ERROR. RIETKERK'S DEED SPECIFIED LOTS 3 & 4
BUT THIS CLAIM IS FOR LOT 2. A36-08081 ALSO CORRECTED. (NO SF3 WAS EVER FILED.). jr

+ - - Audit Fields - - +
01/25/96 JROBERTS

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 06/27/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000540	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
DEC 5 1996

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: **A36-08081**

Date Received: 6/27/1988

Receipt No: S000540

Received By: _____

ownership change JK

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

1. Name: JOHN H RIETKERK

Address: 3075-A S 2300 E

WENDELL ID

83355

AND

Name: RHONDA M RIETKERK

Address: 3075-A S 2300 E

WENDELL ID

83355

2. Date of Priority: APR 30, 1982

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	16E	31	SW	NW		2	GOODING

5. Description of diverting works:

8" X 280' WELL, 60 HP MOTOR, SPRINKLERS. 6" WELL FOR SPUD CELLAR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	11/01	04/15	0.040		
IRRIGATION	03/15	11/15	0.600		

7. Total Quantity Appropriated is:

0.640 C.F.S. (and/or) 127.00 A.F.A.

8. Total consumptive use is

97.0 Acre Feet Per Annum.

9. Non-irrigation uses:

COMMERCIAL/ POTATO CELLAR HUMIDIFIER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	16E	31	SW	NW	2	IRR	30.0
			SW	NW	2	COMMER	

Section Acres 30.0

Total Acres 30.0

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:
NONE

14. Remarks:

LAND IN LOT 3 IS NO LONGER OWNED BY US, AND IS NOT IRRIGATED BY
THIS SYSTEM.

7 AFA IS CLAIMED FOR COMMERCIAL USE IN SPUD CELLAR.

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

21-Oct-1992

JANET GORRELL
LAND TITLE AND ESCROW, INC.
PO BOX 473
GOODING ID 83330

RE: CHANGE OF OWNERSHIP - ADJUDICATION CLAIM #A36-02692, A36-07691
Kober/Rietkerk

Dear Janet:

Pursuant to the notification that you are representing the claimant(s) on the above referenced Adjudication Claim(s), the Department has changed the record(s) of the current owner as you requested. Please find enclosed copy(s) of the computer record of the claim(s) noting the change in claimant(s) and also copies of our recommendations to the court.

As per our telephone conversation this morning, I am returning the request to change A36-08081, as our records show it to be in the name of Gunning still.

Please review the records(s) and if you have any corrections or any questions, please feel free to contact this office.

Sincerely,


Jeanie Robertson
Records Clerk

/jr
Enclosures

MICROFILMED

FEB 09 1993

WARRANTY DEED

COPY

For Value Received KENNETH F. KOBER and JACKIE M. KOBER, also shown as
JACQUELINE M. KOBER, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
JOHN H. RIETKERK and RHONDA M. RIETKERK, husband and wife
whose address is: 3075-A South 2300 East, Wendell, Idaho 83355

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

TOWNSHIP 7 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: W $\frac{1}{2}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; Lots 3 and 4;

EXCEPTING THEREFROM the West 25 feet of Lots 3 and
4 deeded to the Wendell Highway District by Warranty
Deed recorded June 14, 1972 as Instrument Number
40839, Gooding County records.

TOGETHER WITH Water License Nos. 36-7691 and 36-2692;
appurtenant thereto, and Water Right No. 36-8081, all
as issued by the Idaho Department of Water Resources.

SUBJECT TO THE FOLLOWING:

All Reservations in Patents or Deeds in the Chain of Title.
Taxes for 1992 and subsequent years, which are not yet due
and payable.

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

Power Line Easement given by F. F. Gunning and Irene Gunning,
husband and wife, to Idaho Power Company, a corporation,
dated May 1, 1967, recorded November 29, 1968 as Instrument
Number 26999, Gooding County records, affecting a 40 foot
strip along the East edge of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and a 50 foot strip
along the South edge of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31,
Township 7 South, Range 16, East Boise Meridian.

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 9, 1992

Kenneth F. Kober
Kenneth F. Kober

Jackie M. Kober
Jackie M. Kober

STATE OF IDAHO, COUNTY OF GOODING

On this 9th day of October, 1992
before me, a notary public in and for said State, per-
sonally appeared

Kenneth F. Kober
and
Jackie M. Kober

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Janet A. Gorrell
Notary Public
Residing at Gooding 2-28-1993, Idaho.
Commission expires:

150322

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of *Land Title & Escrow Inc.*

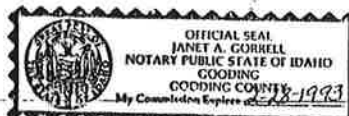
50 min. past 3 o'clock P. M. this 9
of Oct., 1992 fee 3.00

JOHN A. MYERS Recorder

By *Alveta Sides*

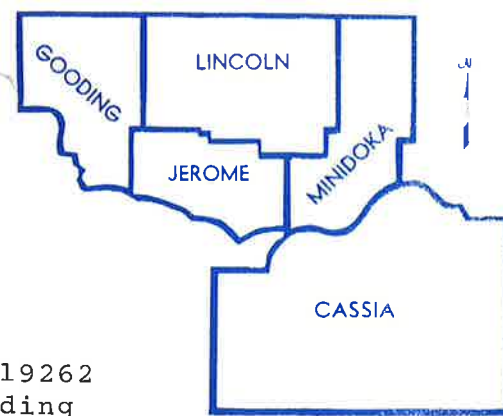
Deputy MICROFILMED

FEB 09 1993



Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: G-19262

OFFICE: Gooding

November 19, 1992

Jeanie Robertson
Records Clerk
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

NOV 20 1992

Department of Water Resources
Southern Region Office

Re: Change of Ownership
Adjudication Claim 36-8081

Dear Jeanie:

Please refer to the enclosed copy of your letter dated October 21, 1992. I am enclosing the Notice of Change of Ownership and copies of recorded Deeds conveying property from Gunning to present owner John H. Rietkerk. If in order, please change ownership and provide this office with copy of the transfer.

Thank you for your assistance in this matter.

Sincerely,

LAND TITLE AND ESCROW, INC.


Janet Gorrell
Manager-Gooding

Enclosures

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

BOX 349, JEROME, IDAHO 83338
PHONE 324-4842 - 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

MICROFILMED

FEB 09 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

NOV 20 1992

Department of Water Resources
Southern Region Office

DATE OF CLOSING: October 9, 1992

LEGAL DESCRIPTION OF PROPERTY: Township 7 South Range 16 E
Section 31, W $\frac{1}{2}$ SE 1/4 of 1/4 of E $\frac{1}{2}$ SW 1/4, Govt. Lot 3 & 4, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: 36-8081

☐ Name and Address of Former Owner/Claimant(s)(Seller): Kenneth F. and Jackie M. Kober
503 5th Avenue East
Wendell, Idaho 83355

☐ New Owner/Claimant (Purchaser): John H. and Rhonda M. Rietkerk

☐ New Mailing Address: 3075-A South 2300 East
Wendell, Idaho 83355

☐ New Telephone Number: () _____ - _____

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Copy of Recorded Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): John H. Rietkerk Date 10-9-92
Rhonda Rietkerk Date 10-9-92

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

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10/21/92 By: [Signature]

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 11/25/92 By: [Signature]

Claim Numbers of Split, if any:

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

MICROFILMED

FEB 09 1993

WARRANTY DEED

For Value Received Gail C. Gunning and Susan E. Gunning, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
IDA-GRO, INC., an Idaho Corporation
whose address is: *McC N. Fillmore*
Jerome, Idaho 83331

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

TOWNSHIP 7 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: **Lots 3 and 4**, EXCEPT 50 feet along the West boundary
of said Lots 3 and 4.

E4SW4; W4SE4;

RECEIVED

NOV 20 1992

Department of Water Resources
Southern Region Office

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and
to the Grantee's heirs and assigns forever. And 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 incum-
brances except as above described and that Grantor will warrant and defend the same from all lawful
claims whatsoever.

Dated: October 25, 1977.

STATE OF IDAHO, COUNTY OF Jerome
On this 25th day of Oct. , 19 77
before me, a Notary Public in and for said State, per-
sonally appeared *Gail C. Gunning*
and *Susan E. Gunning*,

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Residing at *Jerome*

Notary Public
Idaho.

STATE OF IDAHO, COUNTY OF *Gooding*
I hereby certify that this instrument was filed for record
at the request of *Gail C. Gunning & Susan E. Gunning*
at 21 minutes past 10:00 o'clock A. M.
this 2nd day of November
1977, in my office, and duly recorded in Book
of Deeds at page

Margaret F. Clements
Ex-Officio Recorder

By *Francis Lurd* Deputy.

Fees \$
Mail to:

Direct

Indirect

Instrument No.

67211

RECORDED
FEB 09 1993

124417
RECEIVED

NOV 20 1992

WARRANTY DEED

Department of Water Resources
Southern Region Office

IDA GRO, INC., an Idaho Corporation and GAIL GUNNING and SUSAN GUNNING, individually, as husband and wife, and the community of them composed, and as general partners, GRANTORS, hereby CONVEY, GRANT AND WARRANT TO NORWEST AGRICULTURAL CREDIT, INC., GRANTEE, of PO Box 1837, Sioux Falls, South Dakota 57101, the following described tracts of land in Gooding County, State of Idaho:

See Exhibit "A", attached hereto and incorporated herein by this reference as if set forth in full.

TOGETHER WITH all water rights, ditch rights, rights of way, buildings, structures, improvements, fixtures, tenements, hereditaments and appurtenances now or hereafter thereto belonging or used in connection therewith.

TOGETHER WITH any and all existing easements, rights of way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This deed is an absolute conveyance of title, in effect as well as in form, and is not intended as a mortgage, trust conveyance or security of any kind. The consideration therefor is the full release of all debts and obligations heretofore existing on account of the mortgage on said land recorded as Instrument Number 110546 and the subsequent assignment thereof recorded as Instrument Number 110686 in the records of County. This deed completely satisfies said mortgage and the notes secured thereby and any effect thereof in all respects. The Grantors state and warrant that the premises described on Exhibit A have not ever been used as a homestead by Grantors or their families.

MICROFILMED
FEB 09 1993

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that said premises are free from all encumbrances, excepting those as may be hereinafter set forth, and excepting those existing of record, and that they will warrant and defend the same from all lawful claims whatsoever.

WITNESS the hand of said Grantors this 27th day of August, 1986.

IDA GRO, INC. An Idaho Corporation

By [Signature]

Its [Signature]

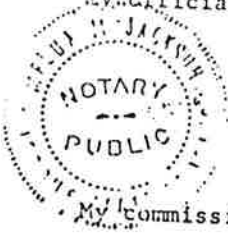
[Signature]
Gail Gunning

[Signature]
Susan Gunning

STATE OF IDAHO)
COUNTY OF Jerome)SS

On this 27 day of August, 1986, before me, the undersigned a Notary Public in and for said State, personally appeared [Signature] of IDA GRO, INC., an Idaho Corporation, known or identified to me to the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same, and was so authorized to do so for and on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]
Notary Public - State of Idaho

My commission expires:

7/23/87

MICROFILMED
FEB 09 1993

Parcel No. 1:

TOWNSHIP 7 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: Lots 3 and 4, EXCEPT 50 feet along the West boundary of said Lots 3 and 4.

W1SW1; W1SE1;

Parcel No. 2:

TOWNSHIP 7 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 25: N1SE1:

TOWNSHIP 7 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

That part of the NW1 of Section 25, described as follows:

Commencing at the Northwest corner of said Section 25;
Thence South 0°11' West along the West boundary of said
Section 25, 1976.40 feet to the Northwest corner of the
S1SW1NW1, said point being THE TRUE POINT OF BEGINNING;
Thence continuing South 0°11' West along the West boundary of
said Section 25, 650.80 feet to the Southwest corner of
said NW1;
Thence South 89°44'33" East along the South boundary of said
NW1, 953.54 feet to the center of an irrigation canal;
Thence along the center of said irrigation canal the
following courses and distances:
North 47°35'40" East, 29.58 feet;
North 86°28'34" East, 246.37 feet;
North 79°53'50" East, 477.66 feet;
North 80°36'07" East, 522.67 feet;
North 30°41'06" East, 513.54 feet;
North 26°08'31" East, 414.65 feet to the Easterly bound-
ary of said NW1;
Thence leaving said irrigation canal and going North 0°00'23"
West along the East boundary of said NW1, 1612.35 feet to
the Northeast corner of said NW1;
Thence North 89°48'16" West along the North boundary of said
NW1, 1121.47 feet to the Northwest corner of the NE1NW1;
Thence South 0°05'18" West along the West boundary of the
NE1NW1 and the SE1NW1, 1977.48 feet to the Northeast
corner of the S1SW1NW1;
Thence North 89°45'28" West along the North boundary of the
S1SW1NW1, 1324.95 feet to THE TRUE POINT OF BEGINNING.

TOWNSHIP 7 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 25: S1SE1, EXCEPTING THEREFROM the South 25 feet
deeded to the Wendell Highway District by Warranty,
Deed recorded June 14, 1972 as Instrument Number
10819, Gooding County records.

AND EXCEPTING THEREFROM the following described
parcel:

Beginning at the Southeast corner of said Section
25, which point shall be known as THE TRUE POINT
OF BEGINNING;
Thence North 89°47'25" West along the South bound-
ary of said Section 25, 330.00 feet;
Thence North 0°03'28" West, 330.00 feet;
Thence South 89°47'25" East, 330.00 feet to a point
on the East boundary of said Section 25;

MICROFILMED

FEB 09 1993

Thence South 0°03'28" East along the East boundary
of said Section 25, 330.00 feet to THE TRUE
POINT OF BEGINNING.

NW1/4; N1/2NW1/4; SW1/4;

AND that part of the NE1/4, S1/2NW1/4, described as
follows:

Beginning at the Northwest corner of said NE1/4;
Thence South 89°48'10" East, 1338.84 feet along the
Northerly boundary of said NE1/4 to the center of
the Northside Canal Company "W" Canal;
Thence South 29°09'57" West, 190.98 feet along the
center of said "W" Canal;
Thence South 29°32'11" West, 2.60 feet along the
center of said "W" Canal;
Thence South 0°00'23" East, 2470.05 feet to the
Southerly boundary of said NE1/4;
Thence North 89°44'33" West, 1244.47 feet to the
Southwest corner of said NE1/4;
Thence North 89°44'33" West, 1698.54 feet along the
Southerly boundary of said S1/2NW1/4 to the center
of said "W" Canal;
Thence along the center of said "W" Canal the
following courses and distances:
North 47°35'40" East, 29.58 feet;
Thence North 86°28'34" East, 246.37 feet;
Thence North 79°53'50" East, 477.66 feet;
Thence North 80°36'07" East, 522.67 feet;
Thence North 30°41'06" East, 513.54 feet;
Thence North 26°08'31" East, 414.65 feet to
the Easterly boundary of said S1/2NW1/4;
Thence North 0°00'23" West, 1612.36 feet to the
Northeast corner of said NW1/4 and THE POINT OF
BEGINNING.

SUBJECT TO an easement for the purpose of ingress
and egress over a 30.00 feet wide strip of land,
across the E1/4 of Section 25, lying 15.00 feet on
each side of the following described centerline.

Commencing at the Southwest corner of said E1/4,
Section 25;
Thence South 89°48'02" East, 15.00 feet along the
Southerly boundary of said E1/4, Section 25 to THE
TRUE POINT OF BEGINNING;
Thence North 0°00'23" West, 3620.47 feet parallel
with and 15.00 feet Easterly from the Westerly
boundary of said E1/4, Section 25 to a point 35.00
feet at right angles from the centerline of the
"W" Canal;
Thence parallel with and 35.00 feet Southeasterly
of the centerline of said "W" Canal the
following courses and distances:
North 26°08'31" East, 156.42 feet;
Thence North 65°27'38" East, 107.19 feet;
Thence North 89°25'28" East, 256.86 feet;
Thence North 52°12'20" East, 247.46 feet;
Thence North 29°29'20" East, 102.23 feet to a
point opposite a wood bridge across said
"W" Canal;
Thence North 60°30'40" West, 70.00 feet to a
point 35.00 feet Northwesterly at right
angles to the centerline of said "W"
Canal;
Thence North 29°29'20" East, 1371.87 feet parallel
with and 35.00 feet Northwesterly from the cen-
terline of said "W" Canal to a point on the
Northerly boundary of said E1/4, Section 25

UNFILMED

FEB 09 1955

bearing South 89°48'10" East, 1298.71 feet from
the Northwest corner of said NE1;

Parcel No. 3;

TOWNSHIP 7 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 25: W1NE1NE1; and that part of the W1NE1, described as
follows:

Commencing at the Northeast corner of said Section
25;

Thence North 89°48'10" West along the North bound-
ary of said Section 25, 659.25 feet to the
Northeast corner of the W1NE1NE1, said point
being THE TRUE POINT OF BEGINNING;

Thence continuing North 89°48'10" West along the
North boundary of Section 25, 638.91 feet to a
point that lies South 89°48'10" East, 1338.84
feet from the North quarter corner of said
Section 25, said point being in the center of
the Northside Canal Co. "W" Canal;

Thence South 29°09'57" West, 190.98 feet along the
center of said "W" Canal;

Thence South 29°32'11" West, 2.60 feet along the
center of said "W" Canal;

Thence leaving the center of the "W" Canal South
0°00'23" East, 1724.05 feet to the edge of a
circular pivot irrigation system;

Thence along the edge of said circular pivot irri-
gation system on the arc of a curve left, with a
radius of 1708.00, a central angle of 35°05'16"
to the intersection with the East boundary of
the W1NE1;

Thence North along the East boundary of the W1NE1
to the Southwest corner of the W1NE1NE1;

Thence East along the South boundary of the W1NE1,
659.25 feet, more or less, to the Southeast
corner of the W1NE1NE1;

Thence North along the East boundary of the
W1NE1NE1, 1320.00 feet, more or less, to THE
TRUE POINT OF BEGINNING.

Parcel No. 4;

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN
GOODING COUNTY, IDAHO

Section 16: E4E4, W4SE4, SW4NE4, E4SW4, NW4SW4

MICROFILMED
FEB 09 1993

WARRANTY DEED

NORWEST AGRICULTURAL CREDIT, INC., GRANTOR, of Sioux Falls, South Dakota, hereby CONVEYS, GRANTS AND WARRANTS TO BEN F. KOBER and WANDA L. KOBER, husband and wife, of P. O. Box 787, Wendell, ID, 83355, KENNETH F. KOBER and JACQUELINE M. KOBER, husband and wife, of Route #1, Box 81, Wendell, ID, 83355, and LARRY W. KOBER, a single man, as his sole and separate property, of Route #2, Wendell, ID, 83355, GRANTEES, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described tracts of land in Gooding County, State of Idaho:

Township 7 South, Range 16, East of the Boise Meridian, Gooding County, Idaho, Section 31: Lots 3 and 4, EXCEPT 50' along the west boundary of said Lots 3 and 4; E1/2SW1/4; W1/2SE1/4.

TOGETHER WITH all water rights, including water permit number 36-8081 and water license numbers 36-7691 and 36-2692; ditch rights, rights of way, buildings, structures, improvements, fixtures, tenements, hereditaments and appurtenances now or hereafter thereto belonging or used in connection therewith.

SUBJECT TO prorated taxes and assessments for 1987 and all taxes and assessments for all subsequent years, together with any and all existing easements, rights of way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees that it is the owner in fee simple of said premises; that said premises are free from all

WARRANTY DEED-1
07/c

1281
encumbrances, excepting those as may be hereinafter set forth, and excepting those existing of record, and that it will warrant and defend the same from all lawful claims whatsoever.

WITNESS the hand of said Grantor this 5 day of May, 1987.

NORWEST AGRICULTURAL
CREDIT, INC.

By Don C. Anderson
Its President

STATE OF South Dakota
County of Minnehaha ss

On this 5th day of May, 1987, before me, the undersigned, a Notary Public in and for said State, personally appeared Don C. Anderson, as representative for Norwest Agricultural Credit, Inc., known to me or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for and on behalf of Norwest Agricultural Credit, Inc.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]
Notary Public for South Dakota
Commission expires: 7-19-93

WARRANTY DEED-2
07/e

127773
FEB 09 1993
FEB 09 1993
FEB 09 1993

MICROFILMED

FEB 09 1993

DEED

FOR VALUE RECEIVED, F. F. GUNNING, INC., a Corporation

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto BEN F. KOBER and WANDA L. KOBER, husband and wife; LARRY W. KOBER, a single man; KENNETH F. KOBER and JACQUELINE M. KOBER, husband and wife grantee, the following described real estate, to-wit:
Whose address is: P.O. Box 787, Wendell, Idaho 83355

TOWNSHIP 7 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN
GOODING COUNTY, IDAHO

Section 31: East 25 feet of the West 50 feet of Lots 3 and 4
along the West boundary of said Lots 3 & 4

STATE OF IDAHO
COUNTY OF GOODING, S.S.
RECORDED AT REQUEST
1st American
'88 JUL 21 AM 9 19
JOHN A. MYERS, REC.
DEP. REC. FEE \$2.00

132894

Direct _____
Indirect _____

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 12th day of June, 1987.

By F. F. Gunning Inc. President
F. F. Gunning PRESIDENT.

ATTEST:
Irene Gunning
SECRETARY

STATE OF IDAHO, COUNTY OF GOODING
On this 12th day of June, 1987,
before me, a notary public in and for said State, personally
appeared F. F. Gunning and
Irene Gunning

known to me to be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, this day and year in this certificate first above written.

NOTARY
John A. Myers
Notary Public
Residing at _____, Idaho
Comm. Expires 12/29/91

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
1987, in my office, and duly recorded in Book _____
of Deeds at page _____

Ex-Officio Recorder
By _____ Deputy.

Fees \$
Mail to:



First American Title Company of Idaho

INSTRUMENT No.

MICROFILMED

FEB 09 1993

QUIT CLAIM DEED

FOR VALUE RECEIVED, Larry Kober, a single person, DOES HEREBY CONVEY, RELEASE, REMISE AND FOREVER QUIT CLAIM TO Kenneth F. Kober and Jackie M. Kober, husband and wife, WHOSE ADDRESS IS Route No. 1, Wendell, Idaho 83355, THE FOLLOWING DESCRIBED PROPERTY LOCATED IN GOODING COUNTY, IDAHO:

BEGINNING OF LEGAL DESCRIPTION

Approximately 220 Acres of farmland located in Gooding County, Idaho, known as the "Gunning Property" and described as:

In Township 7 South, Range 16 East of the Boise meridian: In the East half of the Southwest Quarter and the West half of the Southeast Quarter of Section 31: Lots 3 and 4;

TOGETHER WITH all water rights, ditch rights, rights of way, buildings, structures, improvements, fixtures, tenements, hereditaments and appurtenances now or later belonging to or used with the described property;

SUBJECT TO all existing easements, rights of way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the property would show.

END OF LEGAL DESCRIPTION

TOGETHER WITH THEIR APPURTENANCES.

DATE: November 13, 1990

Larry W. Kober
LARRY W. KOBER

ACKNOWLEDGMENT

STATE OF IDAHO, GOODING COUNTY) ss

On November 13, 1990, LARRY W. KOBER, known to me to be the person whose name is subscribed to the above instrument, personally appeared before me, a Notary Public, and acknowledged the execution of this instrument.

142882

STATE OF IDAHO, COUNTY OF GOODING

Filed for record at the request of Larry Kober

30 min. past 11 o'clock A. M. this 13th

of Nov 1990

JOHN A. MYERS, Recorder

By [Signature] Deputy



MICROFILMED

FEB 09 1993

QUIT CLAIM DEED

FOR VALUE RECEIVED, Ben F. Kober and Wanda L. Kober, husband and wife, DO HEREBY CONVEY, RELEASE, REMISE AND FOREVER QUIT CLAIM TO Kenneth F. Kober and Jackie M. Kober, husband and wife, WHOSE ADDRESS IS Route No. 1, Wendell, Idaho 83355, THE FOLLOWING DESCRIBED PROPERTY LOCATED IN GOODING COUNTY, IDAHO:

BEGINNING OF LEGAL DESCRIPTION

An undivided six-tenths interest of their undivided one-third interest to approximately 220 Acres of farmland located in Gooding County, Idaho, known as the "Gunning Property" and described as:

In Township 7 South, Range 16 East of the Boise meridian; In the East half of the Southwest Quarter and the West half of the Southeast Quarter of Section 31: Lots 3 and 4;

TOGETHER WITH all water rights, ditch rights, rights of way, buildings, structures, improvements, fixtures, tenements, hereditaments and appurtenances now or later belonging to or used with the described property;

SUBJECT TO all existing easements, rights of way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the property would show.

END OF LEGAL DESCRIPTION

TOGETHER WITH THEIR APPURTENANCES.

DATE: November 13, 1990

Ben F. Kober
BEN F. KOBER

Wanda L. Kober
WANDA L. KOBER

ACKNOWLEDGMENT

STATE OF IDAHO, GOODING COUNTY) ss

On November 13, 1990, BEN F. KOBER and WANDA L. KOBER, known to me to be the persons whose names are subscribed to the above instrument, personally appeared before me, a Notary Public, and acknowledged the execution of this instrument.

Barbara A. Houghland
NOTARY PUBLIC FOR IDAHO
RESIDING AT WENDELL, IDAHO
COMMISSION EXPIRES: 12/99

SEAL

STATE OF IDAHO, COUNTY OF GOODING

Filed for record at the request of Barbara A. Houghland
31 min. past 11 o'clock A.M. this 13th
of Nov 1990

JOHN A. MYERS, Recorder

By [Signature] Deputy

MICROFILMED

FEB 09 1993

QUIT CLAIM DEED

FOR VALUE RECEIVED, Ben F. Kober and Wanda L. Kober, husband and wife, DO HEREBY CONVEY, RELEASE, REMISE AND FOREVER QUIT CLAIM TO Kenneth F. Kober and Jackie M. Kober, husband and wife, WHOSE ADDRESS IS Route No. 1, Wendell, Idaho 83355, THE FOLLOWING DESCRIBED PROPERTY LOCATED IN GOODING COUNTY, IDAHO:

BEGINNING OF LEGAL DESCRIPTION

Approximately 220 Acres of farmland located in Gooding County, Idaho, known as the "Gunning Property" and described as:

In Township 7 South, Range 16 East of the Boise meridian: In the East half of the Southwest Quarter and the West half of the Southeast Quarter of Section 31: Lots 3 and 4;

TOGETHER WITH all water rights, ditch rights, rights of way, buildings, structures, improvements, fixtures, tenements, hereditaments and appurtenances now or later belonging to or used with the described property;

SUBJECT TO all existing easements, rights of way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the property would show.

END OF LEGAL DESCRIPTION

TOGETHER WITH THEIR APPURTENANCES.

DATE: January 2, 1991

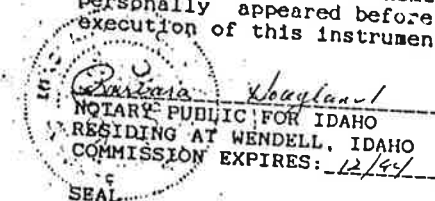
Ben F. Kober
BEN F. KOBER

Wanda L. Kober
WANDA L. KOBER

ACKNOWLEDGMENT

STATE OF IDAHO, GOODING COUNTY) ss

On January 2, 1991, BEN F. KOBER and WANDA L. KOBER, known to me to be the persons whose names are subscribed to the above instrument, personally appeared before me, a Notary Public, and acknowledged the execution of this instrument.



STATE OF IDAHO, COUNTY OF GOODING

Filed for record at the request of Ben F. Kober

10 min. past 4 o'clock P. M. this 7

of Jan, 1991 143374

JOHN A. MYERS, Recorder

By Welda M. Schmidt Deputy

WARRANTY DEED

COPY

Received KENNETH F. KOBER and JACKIE M. KOBER, also shown as
JACQUELINE M. KOBER, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
JOHN H. RIETKERK and RHONDA M. RIETKERK, husband and wife
whose address is: 3075-A South 2300 East, Wendell, Idaho 83355

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

TOWNSHIP 7 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: W $\frac{1}{2}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; Lots 3 and 4;

EXCEPTING THEREFROM the West 25 feet of Lots 3 and
4 deeded to the Wendell Highway District by Warranty
Deed recorded June 14, 1972 as Instrument Number
40839, Gooding County records.

TOGETHER WITH Water License Nos. 36-7691 and 36-2692.
appurtenant thereto, and Water Right No. 36-8081, all
as issued by the Idaho Department of Water Resources.

SUBJECT TO THE FOLLOWING:

All Reservations in Patents or Deeds in the Chain of Title.
Taxes for 1992 and subsequent years, which are not yet due
and payable.

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

Power Line Easement given by F. F. Gunning and Irene Gunning,
husband and wife, to Idaho Power Company, a corporation,
dated May 1, 1967, recorded November 29, 1968 as Instrument
Number 26999, Gooding County records, affecting a 40 foot
strip along the East edge of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and a 50 foot strip
along the South edge of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31,
Township 7 South, Range 16, East Boise Meridian.

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 9, 1992

Kenneth F. Kober
Kenneth F. Kober

Jackie M. Kober
Jackie M. Kober

STATE OF IDAHO, COUNTY OF GOODING

On this 9th day of October, 1992
before me, a notary public in and for said State, per-
sonally appeared

Kenneth F. Kober
and
Jackie M. Kober

known to me to be the persons whose names are

150322

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of *Land Title & Escrow Inc.*
50 min. past 3 o'clock *p* m. this 9
of Oct, 1992 fee 3.00
JOHN A. MYERS Recorder

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FEB 09 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

25-Nov-1992

JANET GORRELL
LAND TITLE AND ESCROW
PO BOX 473
GOODING ID 83330

Re: Ownership Change for Adjudication Claim #A36-08081

GUNNING/RIETKERK

Dear Ms. Gorrell:

Pursuant to notification that you are representing the new claimant(s) on the above referenced Adjudication Claim(s), the Department has changed the Department's record(s) of the current owner as you requested. Please note that the Director's Report for Basin 36 has been filed with the court and the recommendation(s) for the above listed right(s) remain in the former owner(s) name.

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

Sincerely,


Jeanie Robertson
Records Clerk

/jr
Enclosures

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FEB 09 1993

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: A36-08081
Date Received: 6/27/1988
Receipt No: 5000540
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: F. F. GUNNING 208-536-6390
Address: P. O. BOX 716
WENDELL, ID 83355

AND/OR
Name: IRENE GUNNING
Address: WENDELL, ID 83355

2. Date of Priority: APR 30, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	16E	31	SW	NW		2	GOODING

5. Description of diverting works:

8" X 280' WELL, 60 HP MOTOR, SPRINKLERS. 6" WELL FOR SPUD CELLAR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	11/01	04/15	0.040		
IRRIGATION	03/15	11/15	0.600		

7. Total Quantity Appropriated is:

0.640 C.F.S. (and/or) 127.00 A.F.A.

8. Total consumptive use is 97.0 Acre Feet Per Annum.

9. Non-irrigation uses:

COMMERCIAL/HUMIDIFIER IN POTATO CELLAR

A36-08081

Page 1

Date: 06/27/88

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FEB 09 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	16E	31	SW	NW	2	IRR	30.0
			SW	NW	2	COMMER	

Section Acres 30.0

Total Acres 30.0

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:
NONE

14. Remarks:

LAND IN LOT 3 IS NO LONGER OWNED BY US, AND IS NOT IRRIGATED BY THIS SYSTEM.

7 AFA IS CLAIMED FOR COMMERCIAL USE IN SPUD CELLAR.

15. Basis of Claim: PERMIT
Water Right Number:

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 X 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):

J. H. Humming

Date:

June 27/88

Date:

State of Idaho)

County of

Twier Falls

) SS.

Subscribed and sworn (or affirmed) before me this 27th day

of June 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at

Hooding, Id

My Commission Expires

10/16/1992

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 12/09/91
Time: 07:44:37

Rec/No - S013884 AR/No -
From: - GUNNING, F. F.

Receipt Type - CK Doc/No - 127
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 11/12/1991

Type Of Payment
ADJUDICATION FEE

Program	Acct	Class	Fee
410162	9337	6490	25.00

Total Due - 25.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A3615275	25.00				

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

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FEB 09 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 6, 1991

F.F. & Irene Gunning
P.O. Box 716
Wendell, Idaho 83355

RE: Notice of Claim A36-08081
Response Date: December 6, 1991

Gooding County

Dear Mr. & Mrs. Gunning:

This letter is in response to our phone conversation of October 30. Thank you for supplying the information necessary for the analysis of the claim listed above. I have had time to review the claim further and have detailed the options available to you regarding the water use at the potato cellar discussed in our conversation. As licensed, the water right described does not include a commercial use for 0.04 cfs. Therefore, we cannot recommend the commercial use under this water right number.

First, I should explain that the potato cellar would fall under the classification of "domestic" as you have been told, but may not be a deferrable domestic claim. There are two different definitions of domestic use, with those fitting under definition A being deferrable, while those under definition B are not.

A part A domestic use is the use of water for a home and all other purposes associated with it, including up to 1/2 acre of irrigation, where the total use does not exceed a volume of 13,000 gallons per day. Farmstead uses may be included in this definition only if they are in conjunction with a home. If you are confident that your system falls under this category, you may choose to defer filing the claim until such time as it is required by the Department.

A part B domestic use may be any use other than those described above, but must not exceed 2,500 gallons per day or 0.04 cubic feet per second. If you determine that your potato cellar is in this category, you will be required to file a claim for a domestic right, which, if decreed, will guarantee that the water right is protected. Again, this type of claim is not deferrable.

Based on our discussion, it sounds as if no household water is used in conjunction with the water use for the potato cellar. If that is the case, the water used at the potato cellar is a part B domestic use, which would require that a

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FEB 09 1993

claim be filed based on beneficial use.

I have included a claim form for your use if you choose to file a claim. Most of the items have been completed using the information already available to me, but a few spaces have been left blank. Please review the claim and make any changes that may be necessary, as well as filling out those items that have not been completed, including items 2, 5, 6, 9, 14, and 16. To ensure that the proper legal descriptions have been supplied for the point of diversion and place of use, please review the enclosed ortho-photoquad map. If the well and/or cellar locations are incorrectly identified, make the corrections on that map.

If you choose to file a claim for the water use at the potato cellar, please do so by the response date indicated above. If the claim is not received by that date, a \$50.00 late fee will be assessed in addition to the \$25.00 claim fee.

Please contact me if you have any questions or concerns. I have included a business card with the phone number at which I may be reached.

Sincerely,

Marci Sterling

Marci Sterling
Engineering Specialist (EIT)

MS:state:tf

Enclosures:

Short Form w/Instructions

Business card

Ortho-photoquad map

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FEB 09 1993

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

Identification No. _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) F.F. and/or Irene Gunning Phone (208) 536-6390
Mailing Address P.O. Box 716 Wendell, Idaho Zip 83355

2. Date of Priority (Only one per claim) _____ Month/Day/Year
3. Source of water supply (Check one) (X) Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 07S Range 16E
Section 31 , NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot 2 , BM.,
County of Gooding

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. _____

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from _____ Month/Day to _____ Month/Day amount 0.04 (cfs)
For _____ purposes from _____ (Both dates are inclusive) to _____ amount _____

7. Total quantity claimed 0.04 (cfs) amount _____

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) _____

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FEB 09 1993

10. Place of use is: Township: 07S Range 16E
Section 31, SW 1/4 of NW 1/4, Govt. Lot 2, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Gooding

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
(X) None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

_____) SS.

County of _____)

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this _____ day of _____ 19 _____

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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FEB 09 1993

SRBA SUBCASE SUMMARY REPORT 36-08081

[Return to SRBA Home Page](#)

SRBA
11-07-2000

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 36-08081 FILE#: 00000
CLAIMANT: GUNNING, IRENE & F F
STATUS: UNOBJECTED TO W/R
WATER SOURCE: GROUNDWATER,

****** PARTIES INVOLVED ******

IRENE & F F GUNNING C PRO SE

****** ROA ENTRIES ******

08-05-1999 SUPPLEMENTAL DIRECTOR'S REPORTS, RP 1, BASIN
36 PERIOD OF USE & CONJUNCTIVE MANAGEMENT

[Return to SRBA Home Page](#)

08081
SD 7



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

IRENE GUNNING
F F GUNNING
PO BOX 716
WENDELL ID 83355

August 6, 1999

10-14-99
Response

CC: W.A.

Re: Snake River Basin Adjudication (SRBA) S
Water Rights #36-02457, 36-07054, 36-07116B, 36-07760,
36-08081, 36-10112, 36-10113, 36-10114, 36-10815,
36-15275, 36-10821A & 36-15511
Change of Address

Dear Water Right Holders:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by August 24, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally Sherman

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED

RESORT
FIRST CLASS



IMPORTANT WATER RIGHT INFORMATION

P.O. Box 716

FOE
LH

36-10821A
IRENE GUNNING
F F GUNNING
2027 E 2975 S
WENDELL ID 83355

AUTO DEPOSIT



AJ5811NP
SELECTION FILE: SS-GUNNING

IDAHO DEPARTMENT OF WATER RESOURCES
SELECTION FILE CONTENTS

DATE: 08/05/99
TIME: 13:36:22
PAGE: 1

36-02457	36-07054	36-071168	36-07760	36-08081	36-10112	36-10113	36-10114	36-10815	36-15275
~~A36-02457~~	~~A36-07054~~	~~A36-071168~~	~~A36-07760~~	~~A36-08081~~	~~A36-10112~~	~~A36-10113~~	~~A36-10114~~	~~A36-15275~~	~~R36-02457~~
R36-07054	R36-071168	R36-07760	R36-08081	R36-10821A	R36-15511				

TOTAL RECORDS IN SELECTION FILE: 26

CLAIM NUMBERS 36-08081

DATE 9/23/97

AGENT [Signature]

TRANSFER NUMBER _____

OBJECTION FILED _____

TOTAL ACRES FROM RECOMMENDATION 22

GEOGRAPHIC INFO SYSTEM 22.41

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	07S	16E	31							22									22
GIS										22.41									22.41
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF 445 ✓
B36-DBPOD.DBF 415 ✓

POLYGON CREATED ON 604 (4)
ATTRIBUTES OF B36-POU.SHP (445)
ATTRIBUTES OF B36-POD.SHP (415) SWNW-31

P/U CONFLICT yes () no (✓)

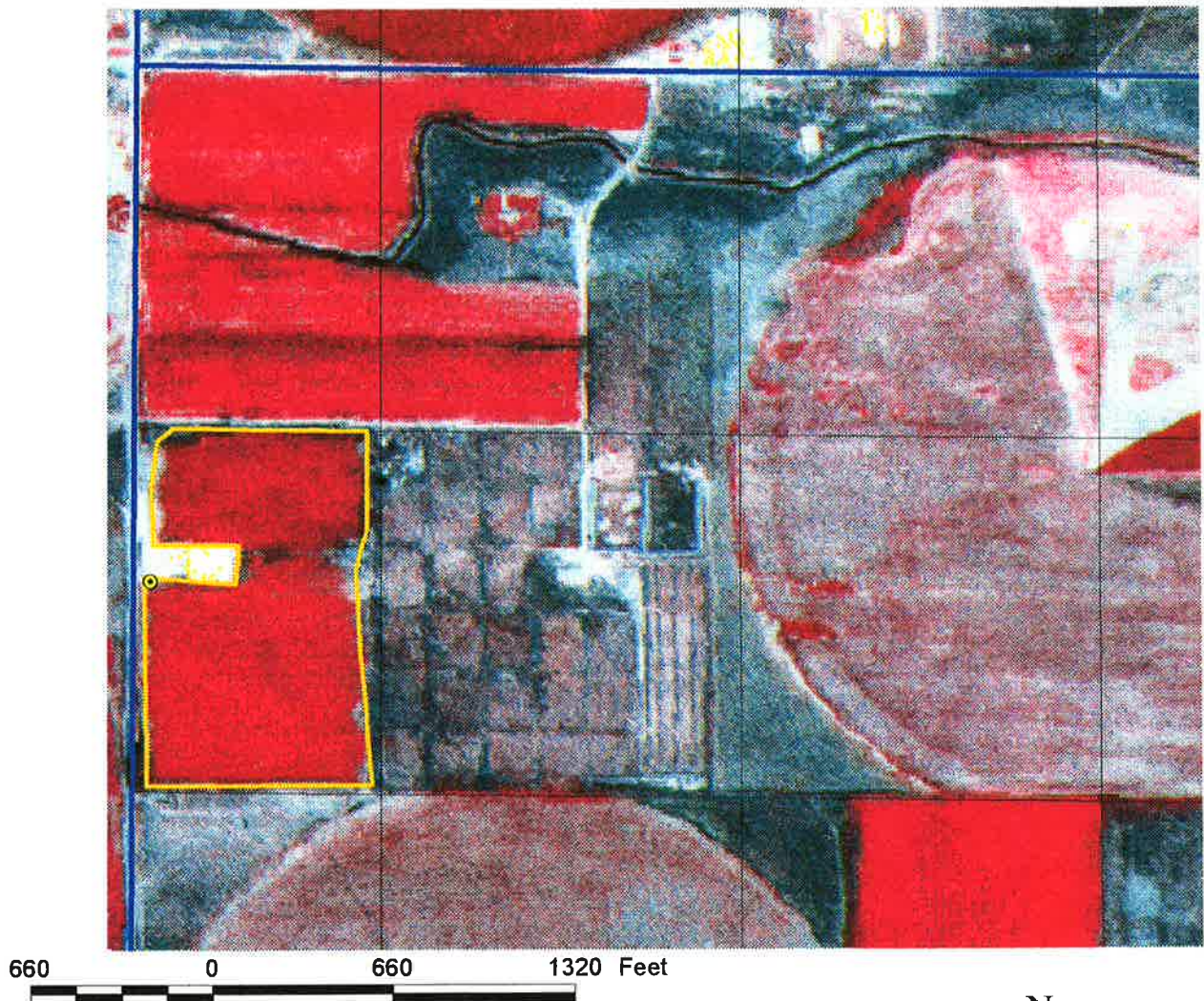
P/D CONFLICT yes () no (✓)

READY FOR DECREE yes () no ()

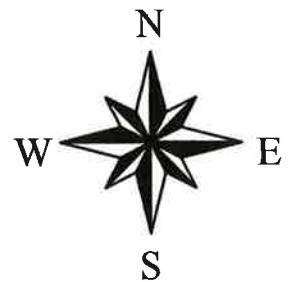
SENT FOR DECREE yes () no ()

IDAHO DEPARTMENT OF WATER RESOURCES

36-08081
FF & IRENE GUNNING



TNS 7S, RNG 16E, SEC 31



⊙ RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY SEPTEMBER 1997
BY JEANIE ROBERTSON

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED

FEB 09 1955

Water Right Number - 36-08081

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
RIETKERK

JOHN H

1 - 3075-A S 2300 E

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-000-0000

RIETKERK

RHONDA M

1 - 3075-A S 2300 E

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-000-0000

*** D - DIR RPT OWNER ***
GUNNING

IRENE

1 - PO BOX 716

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-6390

GUNNING

F F

1 - PO BOX 716

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-6390

+ - - Priority Date - - +
03/07/1983+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

07S 16E 31 SW NW 2 (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01

10/31

0.420

88.00

+ - Total Div. Rate - +
0.420+ - Total Div. Volume - +
88.00+ - Total Consumptive Use - + + - KW Usage - +
66.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

07S

16E

31

SW NW

2

22.0

01 IRRIGATION

(47) GOODING

Total Acres: 22.0

MICROFILMED
FEB 09 1993

Prefix Translation: WATER RIGHT

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 06/27/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000540	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-

FEB 09 1993

Water Right Number - R36-08081

Prefix Translation: RESEARCH

Old (D) Number -

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***
GUNNING

IRENE

1 - PO BOX 716

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-6390

GUNNING

F.F.

1 - PO BOX 716

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-6390

+ - - Priority Date - - +
03/07/1983

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - - +

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

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

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

07S 16E 31 SW NW 2 (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 0.420 88.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.420 88.00 66.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

07S 16E 31 SW NW 2 22.0 01 IRRIGATION (47) GOODING

Total Acres: 22.0

+ - - Diversion Means - 8" X 280' WELL, 60 HP MOTOR, SPRINKLERS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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

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

MICROFILMED
FEB 09 1993

Water right number - R36-08081

Prefix Translation: RESEARCH

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

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 05/06/91 STERLING 11/13/91 WORSTELL 01/31/92 THORNTON

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

Date: 05/06/1991 User Id: STERLING Subject: COPIED FROM REMARKS
LAND IN LOT 3 IS NO LONGER OWNED BY US, AND IS NOT IRRIGATED BY THIS SYSTEM.
7 AFA IS CLAIMED FOR COMMERCIAL USE IN SPUD CELLAR.

Date: 05/06/1991 User Id: STERLING Subject: REVIEW - MSS
RECOMMENDED PRIORITY DATE AS IT WAS LICENSED, NOT AS CLAIMED. 30 ACRES WERE CLAIMED, BUT LICENSE WAS FOR ONLY 22 ACRES. FROM MAPS
& PHOTOS, IT APPEARS THAT NO MORE THAN THOSE 22 ACRES WERE IRRIGATED IN '87, SO 22 ACRES WERE RECOMMENDED. THE SPUD CELLAR WAS
NOT INCLUDED IN THE LICENSE FOR THIS RIGHT, SO IT WILL NOT BE RECOMMENDED UNDER THIS RIGHT, BUT UNDER RIGHT 36-15275. THE
TOTAL DIVERSION RATE WAS BASED ON THE CFS/ACRE THAT WAS LICENSED.

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 01/31/1992	Old Judicial District	-
Claim Received Date	- 06/27/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S000540	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND/OR	Notice of Error Flag	-

MICROFILMED
FEB 09 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:28:01
03/22/91

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-08081

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	<i>Desktop</i> 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	<i>X N</i>		<i>ms 3/27/91</i>	<i>Y</i>	<i>6</i>	<i>ms 3/27/91</i>	<i>ms 5/10/91</i>	<i>ms 1/31/91</i>
POINT OF DIV	<i>Y</i>		<i>~</i>	<i>N</i>		<i>~</i>	<i>~</i>	<i>~</i>
SOURCE	<i>N</i>		<i>~</i>	<i>N</i>		<i>~</i>	<i>~</i>	<i>~</i>
PLACE OF USE	<i>Y</i>		<i>ms 5/11/91</i>	<i>Y</i>	<i>1,2,4</i>	<i>ms 5/10/91</i>	<i>~</i>	<i>~</i>
DIV. AMOUNT CFS/VOLUME	<i>Y</i>		<i>ms 5/10/91</i>	<i>Y</i>	<i>6</i>	<i>~</i>	<i>~</i>	<i>~</i>
CONSUMPTIVE USE	<i>-</i>		<i>~</i>	<i>Y</i>	<i>6</i>	<i>~</i>	<i>~</i>	<i>~</i>
PURPOSES	<i>Y</i>		<i>~</i>	<i>Y</i>	<i>6</i>	<i>~</i>	<i>~</i>	<i>~</i>
PERIOD OF USE	<i>Y</i>		<i>~</i>	<i>Y</i>	<i>6</i>	<i>~</i>	<i>~</i>	<i>~</i>
BASIS OF CLAIM	<i>X N</i>		<i>~</i>	<i>Y (Now a license)</i>	<i>6</i>	<i>~</i>	<i>~</i>	<i>~</i>
REMARKS	<i>Y</i>		<i>~</i>	<i>Y (Put in comments)</i>	<i>6</i>	<i>~</i>	<i>~</i>	<i>~</i>

"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.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:28:01
03/22/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-08081

LAST: GUNNING
ADDRESS: P.O. BOX 716
CITY: WENDELL
PHONE NUMBER: 208-536-6390

FIRST: F.F.
STATE: ID ZIP: 83355

OWNER CODE: C

LAST: GUNNING
ADDRESS: P.O. BOX 716
CITY: WENDELL
PHONE NUMBER: 208-536-6390

FIRST: IRENE
STATE: ID ZIP: 83355

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
N

CLAIM REMARKS: LAND IN LOT 3 IS NO LONGER OWNED BY US, AND IS NOT IRRIGATED BY
THIS SYSTEM.
7 AFA IS CLAIMED FOR COMMERCIAL USE IN SPUD CELLAR.

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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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A. AJ CLAIM: # A36-08081 PRIORITY DATE: 04-30-1982 STAGE: P
B. WR RECORD: # 36-08081 PRIORITY DATE: 03-07-1983 STAGE: L

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) Y N

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

REMARKS: Exam Fee/Info Sheet for Licensing was received 311 days late, which moved the priority date ahead by 311 days, from 4/30/82 to 3/7/83. See Beneficial Use Field Report Review sheet in file. Recommend a priority date of 3/7/83.
Claim was submitted while still a permit → right was licensed 2/12/91.

RECOMMENDED PRIORITY DATE:

03-07-1983

REVIEWED BY

3/27/91

DATE

4/28

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-08081	07S	16E	31		SW	NW	2	GOODING

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-10113 NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-08081	07S	16E	31		SW	NW	2	GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

A36-10113 NONE

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:

P/D is described only to 40 acre tract — 10 acre description is not necessary unless field exam is required for some other reason.

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>07S</u>	<u>16E</u>	<u>31</u>	<u>SW</u>	<u>NW</u>	<u>02</u>	<u>Gooding</u>	

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: mps

DATE: 3/27/91

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A. ROOT WATER RIGHT NUMBERS: A36-08081

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	16E	31	SW	NW	2	GUNNING, F.F.	A36-08081 /30.0	36-08081 /22.0	27.0		22
07S	16E	31	SW	NW	2	GUNNING, F.F.	A36-08081 /	36-08081 /22.0	27.0		22
TOTAL ACRES							A36-08081	30.00	44.00	54.00	

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

NAPP photo, OQ & ASCS photo in file all show that only 22 acres in the SWNW are irrigated - recommend 22 acres. No acres were claimed for the ~~SWNW~~^{SWNW}, but were licensed - now owned by someone else - do not recommend with this right.

RECOMMENDATIONS:

TOTAL ACRES: 22

REVIEWED BY: mjs

DATE: 5/1/91

RECORDED
FEB 09 1993

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-08081 COMMERCIAL	FROM 11-01 TO 04-15	.040 CFS
A36-08081 IRRIGATION	FROM 03-15 TO 11-15	.600 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.640 CFS 127.00 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-08081 IRRIGATION	FROM 03-15 TO 11-15	.960 CFS 200.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		.960 CFS 200.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(X) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X) N() Explain in remarks, below.

REMARKS:

Recommend use & period of use as licensed (Irrigation - 3/15 to 11/15), but recommend only the cfs/acre that was claimed & recommend only for 22 acres → $0.96 \text{ cfs}/50 \text{ ac.} = 0.0192 \text{ cfs/ac}$ $(0.0192 \text{ cfs/ac})(22 \text{ ac}) = 0.422 \text{ cfs}$

Commercial portion of claim has been disallowed & has been claimed on another claim (ben. use - # A36-15275)

Update 2/10/92 - Per new standards, standard irrigation system is 4/1 to 10/31.

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(X)

AJ TOTAL CLAIMED DIVERSION RATE: 0.640 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.960 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?

FIELD
DATABASE EXAMINER

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

N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

but not for irrigation

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 22 x 0.02 CFS/ACRE = 0.44 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 97.0 AF/A

ACRES 22 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 = 66.0 af/a

TOTAL CONSUMPTIVE USE 66.0 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 127.00 AF/A

ACRES 22 x DIVERSION VOL. AF/A FOR AREA 4.0 = 88.0

TOTAL DIVERSION VOLUME 88.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

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

1b. CALCULATIONS

CLAIMED less than 0.02 cfs per acre, so give them only the amount per acre that was claimed:

$$\frac{0.96 \text{ cfs}}{50 \text{ ac}} = 0.0192 \text{ cfs/ac.}$$

$$(0.0192 \text{ cfs/ac})(22 \text{ ac.}) = 0.42 \text{ cfs}$$

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
<u>Irrigation</u>	<u>4-1</u> <u>10-31</u> <u>03-18</u> <u>11-18</u>	<u>0.42</u>	<u>88.0</u>	<u>66.0</u>
		<u>0.42</u>	<u>88.0</u>	<u>66.0</u>

TOTAL FOR THIS RIGHT

REVIEWED BY:

DATE:

5/6/91

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(X)	()
FORFEIT/ABANDON _____	(X)	()
ADDITIONAL DIV. AMOUNT _____	(X)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-08081

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	0.960	<u>0.64</u>	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A36-08081	A36-08081	0.640	-		36-08081	0.960
TOTAL CFS		0.640				0.960

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	FIELD EXAMINER
N	<u>N</u> <u>Y</u>

REMARKS:

AUTHENTICATION:

SIGNATURE: Marci Sterling

DATE: 5/6/91

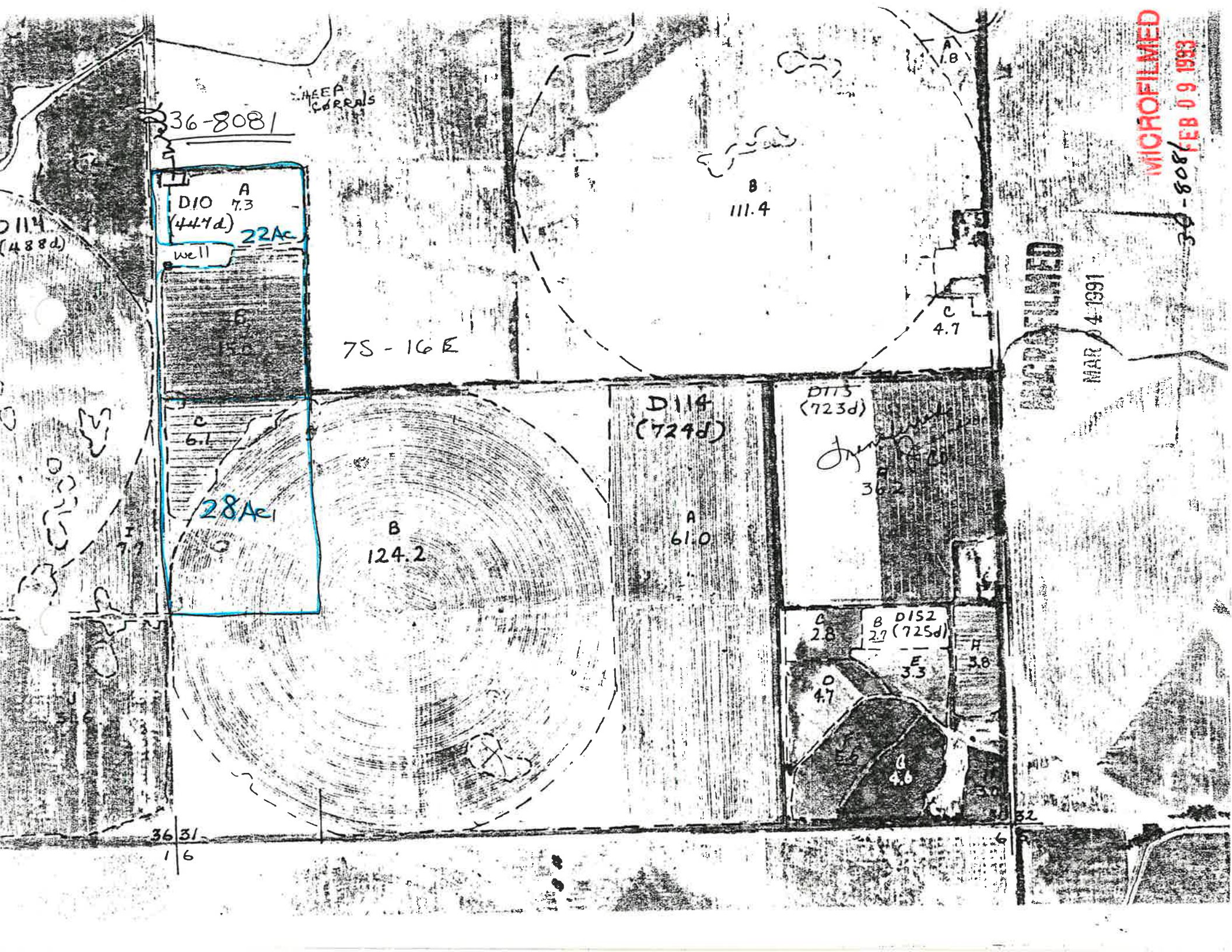
NAME OF FIELD EXAMINER: Marci Sterling

TITLE: _____

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36-808 FEB 09 1993

MAR 04 1991



07S16E

06 LT04	06 LT03	06 LT02	06 LT01	05 LT04	05 LT03	05 LT02	05 LT01	04 LT04	04 LT03	04 LT02	04 LT01	03 LT04	03 LT03	03 LT02	03 LT01	02 LT04	02 LT03	02 LT02	02 LT01	01 LT04	01 LT03	01 LT02	01 LT01
06 LT05	06 NE5W	06 NW5E	06 NE5E	05 NW5W	05 NE5W	05 NW5E	05 NE5E	04 NW5W	04 NE5W	04 NW5E	04 NE5E	03 NW5W	03 NE5W	03 NW5E	03 NE5E	02 NW5W	02 NE5W	02 NW5E	02 NE5E	01 NW5W	01 NE5W	01 NW5E	01 NE5E
06 LT06	06 SE5W	06 SW5E	06 SE5E	05 SW5W	05 SE5W	05 SW5E	05 SE5E	04 SW5W	04 SE5W	04 SW5E	04 SE5E	03 SW5W	03 SE5W	03 SW5E	03 SE5E	02 SW5W	02 SE5W	02 SW5E	02 SE5E	01 SW5W	01 SE5W	01 SW5E	01 SE5E
07 LT01	07 NE6W	07 NW6E	07 NE6E	06 NW6W	06 NE6W	06 NW6E	06 NE6E	05 NW6W	05 NE6W	05 NW6E	05 NE6E	04 NW6W	04 NE6W	04 NW6E	04 NE6E	03 NW6W	03 NE6W	03 NW6E	03 NE6E	02 NW6W	02 NE6W	02 NW6E	02 NE6E
07 LT02	07 SE6W	07 SW6E	07 SE6E	06 SW6W	06 SE6W	06 SW6E	06 SE6E	05 SW6W	05 SE6W	05 SW6E	05 SE6E	04 SW6W	04 SE6W	04 SW6E	04 SE6E	03 SW6W	03 SE6W	03 SW6E	03 SE6E	02 SW6W	02 SE6W	02 SW6E	02 SE6E
07 LT03	07 NE5W	07 NW5E	07 NE5E	06 NW5W	06 NE5W	06 NW5E	06 NE5E	05 NW5W	05 NE5W	05 NW5E	05 NE5E	04 NW5W	04 NE5W	04 NW5E	04 NE5E	03 NW5W	03 NE5W	03 NW5E	03 NE5E	02 NW5W	02 NE5W	02 NW5E	02 NE5E
07 LT04	07 SE5W	07 SW5E	07 SE5E	06 SW5W	06 SE5W	06 SW5E	06 SE5E	05 SW5W	05 SE5W	05 SW5E	05 SE5E	04 SW5W	04 SE5W	04 SW5E	04 SE5E	03 SW5W	03 SE5W	03 SW5E	03 SE5E	02 SW5W	02 SE5W	02 SW5E	02 SE5E
18 LT01	18 NE1W	18 NW1E	18 NE1E	17 NW1W	17 NE1W	17 NW1E	17 NE1E	16 NW1W	16 NE1W	16 NW1E	16 NE1E	15 NW1W	15 NE1W	15 NW1E	15 NE1E	14 NW1W	14 NE1W	14 NW1E	14 NE1E	13 NW1W	13 NE1W	13 NW1E	13 NE1E
18 LT02	18 SE1W	18 SW1E	18 SE1E	17 SW1W	17 SE1W	17 SW1E	17 SE1E	16 SW1W	16 SE1W	16 SW1E	16 SE1E	15 SW1W	15 SE1W	15 SW1E	15 SE1E	14 SW1W	14 SE1W	14 SW1E	14 SE1E	13 SW1W	13 SE1W	13 SW1E	13 SE1E
18 LT03	18 NE3W	18 NW3E	18 NE3E	17 NW3W	17 NE3W	17 NW3E	17 NE3E	16 NW3W	16 NE3W	16 NW3E	16 NE3E	15 NW3W	15 NE3W	15 NW3E	15 NE3E	14 NW3W	14 NE3W	14 NW3E	14 NE3E	13 NW3W	13 NE3W	13 NW3E	13 NE3E
18 LT04	18 SE3W	18 SW3E	18 SE3E	17 SW3W	17 SE3W	17 SW3E	17 SE3E	16 SW3W	16 SE3W	16 SW3E	16 SE3E	15 SW3W	15 SE3W	15 SW3E	15 SE3E	14 SW3W	14 SE3W	14 SW3E	14 SE3E	13 SW3W	13 SE3W	13 SW3E	13 SE3E
19 LT01	19 NE1W	19 NW1E	19 NE1E	20 NW1W	20 NE1W	20 NW1E	20 NE1E	21 NW1W	21 NE1W	21 NW1E	21 NE1E	22 NW1W	22 NE1W	22 NW1E	22 NE1E	23 NW1W	23 NE1W	23 NW1E	23 NE1E	24 NW1W	24 NE1W	24 NW1E	24 NE1E
19 LT02	19 SE1W	19 SW1E	19 SE1E	20 SW1W	20 SE1W	20 SW1E	20 SE1E	21 SW1W	21 SE1W	21 SW1E	21 SE1E	22 SW1W	22 SE1W	22 SW1E	22 SE1E	23 SW1W	23 SE1W	23 SW1E	23 SE1E	24 SW1W	24 SE1W	24 SW1E	24 SE1E
19 LT03	19 NE3W	19 NW3E	19 NE3E	20 NW3W	20 NE3W	20 NW3E	20 NE3E	21 NW3W	21 NE3W	21 NW3E	21 NE3E	22 NW3W	22 NE3W	22 NW3E	22 NE3E	23 NW3W	23 NE3W	23 NW3E	23 NE3E	24 NW3W	24 NE3W	24 NW3E	24 NE3E
19 LT04	19 SE3W	19 SW3E	19 SE3E	20 SW3W	20 SE3W	20 SW3E	20 SE3E	21 SW3W	21 SE3W	21 SW3E	21 SE3E	22 SW3W	22 SE3W	22 SW3E	22 SE3E	23 SW3W	23 SE3W	23 SW3E	23 SE3E	24 SW3W	24 SE3W	24 SW3E	24 SE3E
30 LT01	30 NE1W	30 NW1E	30 NE1E	29 NW1W	29 NE1W	29 NW1E	29 NE1E	28 NW1W	28 NE1W	28 NW1E	28 NE1E	27 NW1W	27 NE1W	27 NW1E	27 NE1E	26 NW1W	26 NE1W	26 NW1E	26 NE1E	25 NW1W	25 NE1W	25 NW1E	25 NE1E
30 LT02	30 SE1W	30 SW1E	30 SE1E	29 SW1W	29 SE1W	29 SW1E	29 SE1E	28 SW1W	28 SE1W	28 SW1E	28 SE1E	27 SW1W	27 SE1W	27 SW1E	27 SE1E	26 SW1W	26 SE1W	26 SW1E	26 SE1E	25 SW1W	25 SE1W	25 SW1E	25 SE1E
30 LT03	30 NE3W	30 NW3E	30 NE3E	29 NW3W	29 NE3W	29 NW3E	29 NE3E	28 NW3W	28 NE3W	28 NW3E	28 NE3E	27 NW3W	27 NE3W	27 NW3E	27 NE3E	26 NW3W	26 NE3W	26 NW3E	26 NE3E	25 NW3W	25 NE3W	25 NW3E	25 NE3E
30 LT04	30 SE3W	30 SW3E	30 SE3E	29 SW3W	29 SE3W	29 SW3E	29 SE3E	28 SW3W	28 SE3W	28 SW3E	28 SE3E	27 SW3W	27 SE3W	27 SW3E	27 SE3E	26 SW3W	26 SE3W	26 SW3E	26 SE3E	25 SW3W	25 SE3W	25 SW3E	25 SE3E
31 LT01	31 NE1W	31 NW1E	31 NE1E	32 NW1W	32 NE1W	32 NW1E	32 NE1E	33 NW1W	33 NE1W	33 NW1E	33 NE1E	34 NW1W	34 NE1W	34 NW1E	34 NE1E	35 NW1W	35 NE1W	35 NW1E	35 NE1E	36 NW1W	36 NE1W	36 NW1E	36 NE1E
31 LT02	31 SE1W	31 SW1E	31 SE1E	32 SW1W	32 SE1W	32 SW1E	32 SE1E	33 SW1W	33 SE1W	33 SW1E	33 SE1E	34 SW1W	34 SE1W	34 SW1E	34 SE1E	35 SW1W	35 SE1W	35 SW1E	35 SE1E	36 SW1W	36 SE1W	36 SW1E	36 SE1E
31 LT03	31 NE3W	31 NW3E	31 NE3E	32 NW3W	32 NE3W	32 NW3E	32 NE3E	33 NW3W	33 NE3W	33 NW3E	33 NE3E	34 NW3W	34 NE3W	34 NW3E	34 NE3E	35 NW3W	35 NE3W	35 NW3E	35 NE3E	36 NW3W	36 NE3W	36 NW3E	36 NE3E
31 LT04	31 SE3W	31 SW3E	31 SE3E	32 SW3W	32 SE3W	32 SW3E	32 SE3E	33 SW3W	33 SE3W	33 SW3E	33 SE3E	34 SW3W	34 SE3W	34 SW3E	34 SE3E	35 SW3W	35 SE3W	35 SW3E	35 SE3E	36 SW3W	36 SE3W	36 SW3E	36 SE3E

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10/30/91 ~2:15

son owned 160 ac. but lost it $\rightarrow$ he ^{F.F. Gunning} bought Lot 3, then sold it to Kober

Kober is not irrigating Lot 3, been dry for 3-4 years, may try to buy it a

Lot 3 home - deserted

potato cellar is on same system, but is only use now besides household use by Bogue
dom well is to north of irr. well

deferrable? winter use only } J^{an}, F^{cb}, M^{or}
in spud cellar } 4-5 hrs./day

~~to~~ Kober, ? ^{Kenneth} new owner of SW 1/4

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F B C 9 1993

SWNW
<u>36-08081</u>
22 ac. - 0.0192 cfs/ac

36-07691

220 ac. 1.56 cfs

NWSW
<u>36-08081</u>
28 ac. - 0.0192 cfs/ac
<u>36-07691</u>
30 ac. - 0.020 cfs/ac

NESW
<u>36-07691</u>
40 ac. - 0.0022 cfs/ac
<u>36-02692</u>
40 ac. - 0.0178 cfs/ac

NWSE
<u>36-07691</u>
40 ac. - 0.0022 cfs/ac
<u>36-02692</u>
40 ac. - 0.0178 cfs/ac

36-02692

160 ac. 2.84 cfs

SWSW
<u>36-07691</u>
30 ac. - 0.020 cfs/ac

SESW
<u>36-07691</u>
40 ac. - 0.0022 cfs/ac
<u>36-02692</u>
40 ac. - 0.0178 cfs/ac

SWSE
<u>36-07691</u>
40 ac. - 0.0022 cfs/ac
<u>36-02692</u>
40 ac. - 0.0178 cfs/ac

36-08081

50 ac. 0.96 cfs

The total diversion rate for each acre covered by licenses 36-07691 + 36-02692 does not exceed 0.02 cfs/acre. The portion of license 36-08081 covering lands in the NWSW has not been claimed, but the combination of 36-08081 + 36-07691 would exceed 0.02 cfs/acre if 36-08081 was claimed in that $\frac{1}{4}$ $\frac{1}{4}$.

36 - 8081

potato storage



		Irr.	Comm.	SWNW	NWSW	
7/19/82	Permit :	0.92	0.04	28	28	
2/12/91	License :	0.96	—	22	28	0.019 cfs/ac 0.0184
6/4/87	Field Exam:			22	28	
6/27/88	Claim:	0.60	0.04	30	—	

36 - 7691

		Irr.		NWSW	
6/8/82	License: Gunning	1.56 ^{220 ac.} (total)		30	0.007 cfs/ac.
6/1/88	Claim: Kober	1.56			



Check to see whether 6 acres within SWNW is still not irrigated

IF it is, it may be a transfer (or an expansion?)

If not, part of 8081 should go to the buyer of NWSW unless it was held back by Gunning

Still not irrigated - 5/1/91 recommend only 22 ac. in SWNW
Investigate whether new owner of NWSW should have the other 28 ac. from this right

NO!

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FEB 09 1993

BENEFICIAL USE FIELD REPORT REVIEW

TO: FILE 36-8081

FROM: ~~JIM JOHNSON~~ *Sharla*

RE: PRIORITY ADVANCE REVIEW

DATE: 13-SEP-1990

*10 Day
Letter*

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This review memo is prepared to show the process for determining what elements were involved in advancement of the priority.

	<u>DATE</u>	<u>JULIAN</u>
PERMIT		
Permit priority Date:	APRIL 30 1982	120
EXAM FEE NOTICE		
Exam Fee Notice Date:	APRIL 17 1986	107
Exam Fee/Info Sheet Received Date:	APRIL 23 1987	478
Exam Fee or Info Due Date:	JUNE 16 1986	167
Days Late:		311 DAY(S)
NEW PRIORITY DATE		
Original Priority Date:	APRIL 30 1982	120
Total Days Late:		311 DAY(S)
New Priority Date:	MARCH 07 1983	66

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MAR 14 1991

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FEB 09 1993