

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: A36-10311  
Date Received: 8/02/1988  
Receipt No: S001237  
Received By: W

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JOHN K. FRANCIS  
Address: 1446E 2900S  
WENDELL, ID 83355  
208-536-2104

2. Date of Priority: JAN 01, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 07S      | 14E   | 24      | SE     | SE     | SW  |     | GOODING |

5. Description of diverting works:  
WELL & PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| DOMESTIC   | 01/01 | 12/31 | 0.040  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.040  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/1 HOUSE, S/50 COW DAIRY

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use             | Acres |
|----------|-------|---------|--------|-----|-----|-----------------|-------|
| 07S      | 14E   | 27      | SE     | SW  |     | STOCK<br>DOMEST |       |

A36-10311

Page 1

Date: 08/02/88

MICROFILMED  
FEB 10 1993

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:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments:           

**For Individuals:**

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

Signature of Claimant(s): John K Francis Date: 2 Aug 1988  
Date:                                 

State of Idaho )  
County of T.F. ) SS.

Subscribed and sworn (or affirmed) before me this 2<sup>nd</sup> day  
of August 19 88

For White  
Notary Public

Seal

Residing at T.F.

My Commission Expires 5/95

AJ0749NP  
No. R36-10311

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

DATE: 02/05/97  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                        | PRIORITY<br>DATE | WATER USE              | USE PERIOD<br>FROM TO      | DIVERSION<br>RATE    | DIVERSION<br>VOLUME |
|------------------|-----------------------------------------------------------------------|------------------|------------------------|----------------------------|----------------------|---------------------|
| C                | V & L DAIRY<br>1446 E 2900 S<br>WENDELL ID 83355                      | 01/01/1950       | STOCKWATER<br>DOMESTIC | 01-01 12-31<br>01-01 12-31 | 0.04 CFS<br>0.04 CFS |                     |
| TOTAL DIVERSION: |                                                                       |                  |                        |                            | 0.04 CFS             |                     |
| D                | JOHN K FRANCIS<br>1446 E 2900 S<br>WENDELL ID 83355<br>(208) 536-2104 |                  |                        |                            |                      |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07S R14E S27

SESESW

GOODING County

Place of use Legal Description for: STOCKWATER

|     |     |     |   | NE   |      |      |      | NW |      |      |      | SW   |    |      |      | SE   |      |    |      |      |      |      |    |    |   |
|-----|-----|-----|---|------|------|------|------|----|------|------|------|------|----|------|------|------|------|----|------|------|------|------|----|----|---|
| T   | R   | S   | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | :  | NESW | NWSW | SWSW | SESW | :  | NESE | NWSE | SWSE | SESE | :  |    |   |
| --- | --- | --- | : | Lt   | Ac   | Lt   | Ac   | Lt | Ac   | Lt   | Ac   | Lt   | Ac | :    | Lt   | Ac   | Lt   | Ac | Lt   | Ac   | Lt   | Ac   | Lt | Ac | : |
| 07S | 14E | 27  | : |      |      |      |      | :  |      |      |      |      | :  |      |      |      |      | :  |      |      |      |      |    | :  |   |
|     |     |     | : |      |      |      |      | :  |      |      |      |      | :  |      |      |      | S    | :  |      |      |      |      |    | :  |   |

Place of use Legal Description for: DOMESTIC

|     |     |     |   | NE   |      |      |      | NW |      |      |      | SW   |    |      |      | SE   |      |    |      |      |      |      |    |    |   |
|-----|-----|-----|---|------|------|------|------|----|------|------|------|------|----|------|------|------|------|----|------|------|------|------|----|----|---|
| T   | R   | S   | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | :  | NESW | NWSW | SWSW | SESW | :  | NESE | NWSE | SWSE | SESE | :  |    |   |
| --- | --- | --- | : | Lt   | Ac   | Lt   | Ac   | Lt | Ac   | Lt   | Ac   | Lt   | Ac | :    | Lt   | Ac   | Lt   | Ac | Lt   | Ac   | Lt   | Ac   | Lt | Ac | : |
| 07S | 14E | 27  | : |      |      |      |      | :  |      |      |      |      | :  |      |      |      |      | :  |      |      |      |      |    | :  |   |
|     |     |     | : |      |      |      |      | :  |      |      |      |      | :  |      |      |      | D    | :  |      |      |      |      |    | :  |   |

POU County: GOODING

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP07S14E276000

Dates: Exam Made Date:

Verified Date:

02/05/1997

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ0749NP  
No. R36-10311

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

DATE: 02/05/97  
PAGE: 2

=====

Comments: Date: 10/02/1996 User-ID: D&S-DSHA Subject: D&S CONDITION CODE UPDATE  
CONDITION CODE N11 ADDED  
CONDITION CODE N13 ADDED

Date: 11/13/1996 User-ID: DSHAFF Subject: NAME CHANGE  
SF3 (FRANCIS TO V&L DAIRY -VEENSTRA/LUND) FILED 3/22/96 BUT  
RECEIVED BY IDWR 9/26/96.

Date: 02/05/1997 User-ID: KCHRISTE Subject: UPDATE OF P/D LEGAL DESC.  
I CALLED JEFF LUND AND CONFIRMED THAT THE DOMESTIC WELL IS CLOSE  
TO THE HOUSE AND THAT THEY ARE BOTH IN SECTION 27 SESESW. I  
UPDATED THE RECORD WHICH IS NOW READY FOR AMENDED DIR REPORT. SEE  
CLAIM FILE FOR ADDITIONAL INFO IN CONVERSATION MEMO.

Audit: 02/05/97 KCHRISTE

Analysis of P/D P/U conflict for 2-5-97  
36-10311 ; 36-02188 ; 36-15211 KKC

|          | P/D                 | P/U                                 |
|----------|---------------------|-------------------------------------|
| 36-10311 | 7S, 14E, 24; SESESW | 7S; 14E; 27; SESW DOM.              |
| 36-15211 | 7S; 14E 34; NENENW  | 7S; 14E; 27; S $\frac{1}{2}$ SW ERR |
| 36-02188 | 7S; 14E 34, NENENW  | 7S; 14E; 27; S $\frac{1}{2}$ SW IRR |

P/D is shown as sec 24 and/or 34

P/U is shown as sec 27

Called 2-5-97 11:10 AM left message on  
(Veenstra@-536-5590) answering machine

Jeff Lund. 12:14 PM.

returned my call. We discussed the claims & he indicated that there is still a small dairy and home north of the road in SE SW of sec 27. He further described the source as a well that is located in a well house between the home and Barn. He stated that the ir system for the S $\frac{1}{2}$ SW of 27 does come from sec 34 but that system is not tied into the domestic/stock use.

I read through 36-10311 and stated that I would correct the P/D to read 7S; 14E Sec 27, SESESW and that it would be then ready for partial release.

Kelly K. Christensen  
2-5-97

AJ5809NP  
No. 36-10311

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/96  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS | PRIORITY<br>DATE | WATER USE              | USE PERIOD<br>FROM TO      | DIVERSION<br>RATE    | DIVERSION<br>VOLUME |
|------------------|----------------|------------------|------------------------|----------------------------|----------------------|---------------------|
| C                | JOHN K FRANCIS | 01/01/1950       | STOCKWATER<br>DOMESTIC | 01-01 12-31<br>01-01 12-31 | 0.04 CFS<br>0.04 CFS |                     |
| TOTAL DIVERSION: |                |                  |                        |                            | 0.04 CFS             |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T07S R14E S24 SESESW

GOODING County

Place of use Legal Description for: STOCKWATER

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac |
| 07S | 14E | 27 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

Place of use Legal Description for: DOMESTIC

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac |
| 07S | 14E | 27 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

POU County: GOODING

Non-Irrigation Uses: ~~DOMESTIC~~ 1 HOUSE, STOCKWATER 50 COW DAIRY ) EXP

Other Rights: NONE

Remarks: ~~GEN~~ <sup>EXP</sup> PARCEL NO. RP07S14E276000

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 01/03/91 SRBA 02/25/91 SRBA 07/18/92 POST-STD 11/02/92 CPSHAW  
12/05/92 ADT-SHAW 03/29/95 POST-STD

AJ5808NP  
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIMS PROOF READING REPORT

10/02/96 11:41:49  
Page 1

Water Right Number - 36-10311

Prefix Translation: WATER RIGHT

Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*  
FRANCIS

JOHN K

1 - 1446 E 2900 S

2 -

3 -

City- WENDELL

Phone - 208-536-2104

State- ID Zip- 83355

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +  
01/01/1950 ERROR IN REGION J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - - +  
TwN Rng Sec Tract Lot RFlg County Diversion Name

07S 14E 24 SE SE SW (47) GOODING

| Code            | Description | Period From | Period To | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|----------------|------------------|
| 43 - DOMESTIC   |             | 01/01       | 12/31     | 0.040          |                  |
| 04 - STOCKWATER |             | 01/01       | 12/31     | 0.040          |                  |

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +  
0.040 0.0

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

|     |     |    |       |  |  |    |            |              |
|-----|-----|----|-------|--|--|----|------------|--------------|
| 07S | 14E | 27 | SE SW |  |  | 04 | STOCKWATER | (47) GOODING |
| 07S | 14E | 27 | SE SW |  |  | 43 | DOMESTIC   | (47) GOODING |

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use - DOMESTIC 1 HOUSE, STOCKWATER 50 COW DAIRY

+ - - Other Rights for Same Use - NONE

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

GEN PARCEL NO. RP07S14E276000

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

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

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

*Handwritten notes:*  
Hold  
P/D P/U  
Legal discrepancy  
RHC



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 9-16-96

LEGAL DESCRIPTION OF PROPERTY: Township 7 Range 14  
Section 27, 1/4 of 1/4 of 1/4, Govt. Lot       , BM. Gooding County, ID  
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) 36-02188, Beneficial Claim #36-15211 & 36-10311  
Assigned by IDWR:       

☐ Name and Address of Former Owner/Claimant(s)(Seller): John K. & Kathleen Francis  
1446 E. 2900 S., Wendell, ID

☐ New Owner/Claimant (Purchaser): V & L Dairy, a partnership consisting of Frank W. Veenstra, Sr.  
Mary Jane Veenstra, Jeffrey A. Lund & Julie A. Lund

☐ New Mailing Address: 1446 E. 2900 S.  
Wendell, ID 83355

☐ New Telephone Number: (208) 536-5590

☐ 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:       

(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) Jeffrey A. Lund Date 9-16-96  
Julie A. Lund Date 9-16-96  
Mary Jane Veenstra Date 9-16-96

☐ Signature of Former Owner/Claimant(s): John K. Francis Date 9-16-96  
Kathleen Francis Date 9-16-96

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

## FOR IDWR USE ONLY:

Initial Review and Data-Entry  
Date:        By:       

Further Action Needed:       

Further Action Taken  
Date:        By:       

Final Review and Data-Entry  
Date:        By:       

Claim Numbers of Split, if any:       

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

Order No. G-004137

WARRANTY DEED

RECEIVED

SEP 24 1996

Department of Water Resources  
Southern Region

For Value Received

**John K. Francis And Kathleen Francis,  
Husband And Wife.**

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

**V & L DAIRY, A Partnership composed of Frank W. Veenstra, Sr. And Mary Jane Veenstra  
And Jeffrey A. Lund And Julie A. Lund,**

the grantee(s), whose current address is

**1446 E. 2900 S., Wendell, ID 83355**

the following described premises, to-wit:

**Township 7 South, Range 14 East of the Boise Meridian, Gooding County,  
Idaho  
Section 27: S1/2SW1/4**

166881

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of

1st American  
50 min. past 3 o'clock P.m. this 16  
of Sept 1996 3:00

By Christa Sells Deputy

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: September 14, 1996

John K. Francis  
John K. Francis

Kathleen Francis  
Kathleen Francis

STATE OF IDAHO

: ss

COUNTY OF GOODING

On This 16th day of September, in the year 1996, before me, a Notary Public in and for said State, personally appeared **John K. Francis And Kathleen Francis**, 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.

WITNESS my hand and official seal.

De Nene  
Notary Public of Idaho  
Residing at Wendell, Idaho  
Commission Expires 3/13/98



First American Title Company of Idaho

AJ5809NP  
No. R36-10311

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/96  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                        | PRIORITY<br>DATE | WATER USE              | USE PERIOD<br>FROM TO      | DIVERSION<br>RATE    | DIVERSION<br>VOLUME |
|------------------|-----------------------------------------------------------------------|------------------|------------------------|----------------------------|----------------------|---------------------|
| C                | JOHN K FRANCIS<br>1446 E 2900 S<br>WENDELL ID 83355<br>(208) 536-2104 | 01/01/1950       | STOCKWATER<br>DOMESTIC | 01-01 12-31<br>01-01 12-31 | 0.04 CFS<br>0.04 CFS |                     |
| TOTAL DIVERSION: |                                                                       |                  |                        |                            | 0.04 CFS             |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07S R14E S24

SESESW

GOODING County

Place of use Legal Description for: STOCKWATER

|     |     |    |   | NE   |      |      |      | NW |      |      |      | SW   |   |      |      | SE   |      |   |      |      |      |      |   |
|-----|-----|----|---|------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|------|---|
| T   | R   | S  | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | : |
|     |     |    |   | Lt   | Ac   | Lt   | Ac   |    | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |   |
| 07S | 14E | 27 | : |      |      |      |      |    |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |
|     |     |    |   |      |      |      |      |    |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |

Place of use Legal Description for: DOMESTIC

|     |     |    |   | NE   |      |      |      | NW |      |      |      | SW   |   |      |      | SE   |      |   |      |      |      |      |   |
|-----|-----|----|---|------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|------|---|
| T   | R   | S  | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | : |
|     |     |    |   | Lt   | Ac   | Lt   | Ac   |    | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |   |
| 07S | 14E | 27 | : |      |      |      |      |    |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |
|     |     |    |   |      |      |      |      |    |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |

POU County: GOODING

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP07S14E276000

Dates: Exam Made Date:

Verified Date:

11/11/1996

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

"DO NOT FILM"

RECEIVED  
DEC 11 1996  
Department of Water Resources  
Southern Region

From: DWR60::TBACKLUN 14-NOV-1996 11:54:17.20  
To: DWR03::DSHAFF  
CC: TBACKLUN  
Subj: V & L PARTNERSHIP

HI THERE. JUST GOT A CALL FROM THE TITLE COMPANY THAT HANDLED THE OWNERSHIP CHANGE FOR V & L PARTNERSHIP (36-02188, 36-15211, 36-10311). MR. LUND CALLED TO ASK HER IF HE WOULD BE GETTING ANY PAPERWORK BACK FROM US. I TOLD HER AS SOON AS IT WAS DONE, SOMETHING WOULD BE SENT OUT. I SEE ON THE COMPUTER WHERE YOU HAVE DONE THE NAME CHANGE. I WAS THEN INFORMED THAT THE ADDRESS SHOULD BE: 1446 E 2950 S, WENDELL ID 83355. JUST I THOUGHT I LET YOU KNOW.

TARA

RECEIVED

RECEIVED

AJ-POU ✓  
ONLY 3 IDENT.

WR-POU  
No OTHERS

DEC 11 1996

SEP 26 1996

Department of Water Resource  
Southern Region

Department of Water Resources

ALL AJ CHANGES AND  
CHANGES MADE BY [signature] 11-12-96  
NCAP to COURT 11-15-96  
LA  
- 10

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

In Re SRBA

Case No. 39576

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☐ CONSENT TO SUBSTITUTION OF  
PARTY

36-02188 , 36-15211

INSTRUCTIONS FOR USE

36-10311

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

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

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

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

### CHANGE IN ADDRESS

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

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

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

My name is John K. Francis

I am the claimant of Water License #36-02188 , Beneficial Claim #36-15211 & 36-10311  
(Insert each water right number)

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

\_\_\_\_\_  
(Insert each water right number)

My new mailing address is Wendell, ID

My phone number is: Work \_\_\_\_\_ Home 536-2104

(Go to Page 4)

### CONSENT TO SUBSTITUTION OF PARTY

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

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

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



## VERIFICATION

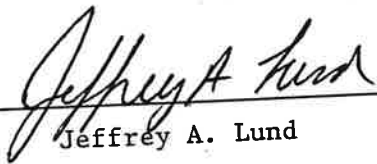
(To be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of GOODING

Jeffrey A. Lund  
Frank W. Veenstra, Sr., being first duly sworn, upon oath, deposes and says:  
(Insert name of party/claimant filing form)

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

  
Jeffrey A. Lund

  
Signature of person filing form  
Frank W. Veenstra, Sr.

BY: \_\_\_\_\_  
Attorney signing in representative capacity

Subscribed and sworn to before me on September 16, 1996  
(Insert Date)

Notary Public for Idaho  
Residing at: Wendell, ID  
My Commission expires: 3-13-98

## INSTRUCTIONS FOR MAILING

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

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

## CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 199\_\_, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

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

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

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

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5. One copy to:

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

6. One copy to:

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

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Signature of person or attorney mailing the form

## WARRANTY DEED

For Value Received

**John K. Francis And Kathleen Francis,  
Husband And Wife.**

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

**V & L DAIRY, A Partnership composed of Frank W. Veenstra, Sr. And Mary Jane Veenstra  
And Jeffrey A. Lund And Julie A. Lund,**

the grantee(s), whose current address is

**1446 E. 2900 S., Wendell, ID 83355**

the following described premises, to-wit:

**Township 7 South, Range 14 East of the Boise Meridian, Gooding County,  
Idaho  
Section 27: S1/2SW1/4**

**166381**

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of

1st American  
50 min. past 3 o'clock P.m. this 16  
of Sept, 1996 3rd  
By Julia Sides Deputy

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: September 14, 1996

John K. Francis  
John K. Francis

Kathleen Francis  
Kathleen Francis

STATE OF IDAHO

: ss

COUNTY OF GOODING

On This 16th day of September, in the year 1996, before me, a Notary Public in and for said State, personally appeared **John K. Francis And Kathleen Francis**, 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.

WITNESS my hand and official seal

Debra  
Notary Public of Idaho  
Residing at Wendell, Idaho  
Commission Expires 3/13/98



*First American Title Company of Idaho*

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

DATE: NOV-11-1996

PAGE: A-35

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-10311

NAME AND ADDRESS: JOHN K FRANCIS  
1446 E 2900 S  
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY  
USED FOR DOMESTIC 1 HOME, STOCKWATER 30 COW DAIRY

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

PRIORITY DATE: 01/01/1950

POINT OF DIVERSION: T07S R14E S24 SESEW Within GOODING County

## PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE | QUANTITY |
|----------------|-----------------|---------------|----------|
|                | STOCKWATER      | 01-01 12-31   | 0.04 CFS |
|                | DOMESTIC 1 HOME | 01-01 12-31   | 0.04 CFS |

PLACE OF USE: STOCKWATER Within GOODING County  
T07S R14E S27 SESWDOMESTIC Within GOODING County  
T07S R14E S27 SESW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

PARCEL NO. RP07S14E276000

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

updated  
OK  
H  
11-11-96

AJ5809NP  
No. R36-10311

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/06/96  
PAGE: 55

| OWNER<br>CODE    | NAME & ADDRESS                                                        | PRIORITY<br>DATE | WATER USE              | USE PERIOD<br>FROM TO      | DIVERSION<br>RATE    | DIVERSION<br>VOLUME |
|------------------|-----------------------------------------------------------------------|------------------|------------------------|----------------------------|----------------------|---------------------|
| C                | JOHN K FRANCIS<br>1446 E 2900 S<br>WENDELL ID 83355<br>(208) 536-2104 | 01/01/1950       | STOCKWATER<br>DOMESTIC | 01-01 12-31<br>01-01 12-31 | 0.04 CFS<br>0.04 CFS |                     |
| TOTAL DIVERSION: |                                                                       |                  |                        |                            | 0.04 CFS             |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T07S R14E S24 SESEW GOODING County

Place of use Legal Description for: STOCKWATER

| NE  |     |    |   | NW |   |   |   | SW |   |   |   | SE |   |   |   |
|-----|-----|----|---|----|---|---|---|----|---|---|---|----|---|---|---|
| T   | R   | S  |   | T  | R | S |   | T  | R | S |   | T  | R | S |   |
| 07S | 14E | 27 | : |    |   |   | : |    |   |   | : |    |   |   | : |

Place of use Legal Description for: DOMESTIC

| NE  |     |    |   | NW |   |   |   | SW |   |   |   | SE |   |   |   |
|-----|-----|----|---|----|---|---|---|----|---|---|---|----|---|---|---|
| T   | R   | S  |   | T  | R | S |   | T  | R | S |   | T  | R | S |   |
| 07S | 14E | 27 | : |    |   |   | : |    |   |   | : |    |   |   | : |

POU County: GOODING

Non-Irrigation Uses: ~~DOMESTIC 1 HOUSE~~ STOCKWATER 50 COW DAIRY

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: GEN PARCEL NO. RP07S14E276000

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

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

Comments: Date: 10/02/1996 User-ID: D&S-DSHA Subject: D&S CONDITION CODE UPDATE

*updated # 11-8-96*

AJ5809NP  
No. R36-10311

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/06/96  
PAGE: 56

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Comments: Date: 10/02/1996 User-ID: D&S-DSHA Subject: D&S CONDITION CODE UPDATE  
CONDITION CODE N11 ADDED  
CONDITION CODE N13 ADDED

Audit: 09/30/96 DSHAFF 10/02/96 D&S-DSHA

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIMS PROOF READING REPORT

11/07/90 01:03:24  
PAGE 1

WATER RIGHT NUMBER - A36-10311

ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA      OLC (D) NUMBER -

| + - - - - - LAST NAME - - - - - + | + - FIRST NAME - - + | + - - - - - ADDRESS - - - - - + |
|-----------------------------------|----------------------|---------------------------------|
| 1                                 | 2                    | 3                               |
| 4                                 | 5                    | 6                               |
| 7                                 | 8                    | 9                               |
| 10                                | 11                   | 12                              |
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| 358                               | 359                  | 360                             |
| 361                               | 362                  | 363                             |
| 364                               | 365</                |                                 |

\*\*\* C - CURRENT OWNER \*\*\*  
FRANCIS

JOHN K.

1 - 1446E 2900S  
2 -  
3 -  
CITY- WENDELL  
PHONE - 208-536-2104

STATE- ID ZIP- 83355

| PRIORITY   | DATE            | REGION             | STAGE | STATUS |
|------------|-----------------|--------------------|-------|--------|
| 01/01/1950 | ERROR IN REGION | J - BENEFICIAL USE |       |        |

|                              |  |                                 |
|------------------------------|--|---------------------------------|
| + - - - - SOURCE - - - - - + |  | + - - - - TRIBUTARY - - - - - + |
| GROUNDWATER                  |  |                                 |

| TWN | RNG | SEC | TRACT | LOT | RFLG | COUNTY | POINT OF DIVERSION | STREAM INDEX (BLANK IF NO INDEX CODE) |
|-----|-----|-----|-------|-----|------|--------|--------------------|---------------------------------------|
| 1   | 2   | 3   | 4     | 5   | 6    | 7      | 8                  | 9                                     |

07S 14E 24 SE SE SW (47) GOODING

| CODE | DESCRIPTION | PERIOD FROM | PERIOD TO | WATER USE | DIVERSION RATE | DIVERSION VOLUME |
|------|-------------|-------------|-----------|-----------|----------------|------------------|
| 1    | 1           | 1           | 1         | 1         | 1              | 1                |

|                 |       |       |       |
|-----------------|-------|-------|-------|
| 43 - DOMESTIC   | 01/01 | 12/31 | 0.040 |
| 04 - STOCKWATER | 01/01 | 12/31 | 0.040 |

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +

| TWN | RNG | SEC | TRACT | LOT | ACRES | PLACE OF USE<br>CODE | DESCRIPTION | COUNTY |
|-----|-----|-----|-------|-----|-------|----------------------|-------------|--------|
|-----|-----|-----|-------|-----|-------|----------------------|-------------|--------|

|     |     |    |       |    |            |       |         |
|-----|-----|----|-------|----|------------|-------|---------|
| 07S | 14E | 27 |       | 04 | STOCKWATER | (47 ) | GOODING |
| 07S | 14E | 27 | SE SW | 43 | DOMESTIC   | (47 ) | GOODING |

TOTAL ACRES:

+ - - DIVERSION MEANS - WELL & PUMP

+ - - NON-IRRIGATION USE - D/1 HOUSE, S/50 COW DAIRY

+ - - OTHER RIGHTS FOR SAME USE - NONE

|  | REMARKS           |
|--|-------------------|
|  | NO REMARKS FOUND. |

----- OLD WATER RIGHT NUMBERS -----  
NO OLD WATER RIGHT NUMBERS FOUND.

-----+  
 NO CONDITIONS OF APPROVAL FOUND. VERIFIED  
 -----+

NO CONDITIONS OF  
**MICROFILMED**  
FEB 10 1993

VERIFIED  
NOV 4 0 1990

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PAGE 2

VERIFIED  
NOV 20 1990