

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 37-2022
Date Received: 5/17/1988
Receipt No: S000218
Received By:

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

1. Name of Claimant(s)

JANSS FARMS Phone: (208)352-4657
C/O PETER JANSS
PO BOX 99
BLISS ID 83314

2. Date of Priority: 12/07/1905

3. Source: UNNAMED STREAM Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	12E	16	SW SE NW	CAMAS	

5. Description of diverting works:

EARTH DAM AND DITCH TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	11/01	0.8	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01S	12E	16	SE	SE		IRRIGATION	20
			SW	SE		IRRIGATION	20
						Section Acres	40
						Total Acres	40

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

WATER WAS ORIGINALLY DIVERTED IN SWSW SEC.9.

15. Basis of Claim: License

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED
SEP 27 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION
RECEIVED
SEP 25 2006
WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s).: 37-2022 / 37-41493
 Adjudication Claim No(s).: _____

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

3. Name and Address of Former Owner/Claimant ELSIE WOLFE
RT Box 166 Bliss IDAHO

4. New Owner/Claimant(s) JANSS FARMS INC.
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
 New Mailing Address Box 99
 City, State and ZIP Code Bliss, IDAHO 83314
 New Telephone Number (208) 352-4657

5. Date you acquired the property 4-26-2000

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes 0 Other uses Livestock

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) [Signature] President

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

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

Instrument # 185746

GOODING GOODING, IDAHO

2000-05-09

03:48:27 No. of Pages: 1

Recorded for : SWEDE SWENSON

HELEN EDWARDS

Fee: 3.00

Ex-Officio Recorder Deputy Penny Archuleta

Index to: DEED, WARRANTY

WARRANTY DEED

For value received, Elsie N. Shaffer, f/k/a Elsie N. Wolfe, a married woman dealing with her sole and separate property, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Janss Farms, a partnership, whose address is Post Office Box 99, Bliss, Idaho 83314, hereinafter called the Grantee, the premises situated in Camas County, Idaho, described as follows:

STATE OF IDAHO, COUNTY OF CAMAS
TOWNSHIP 1 SOUTH, RANGE 12 EAST, BOISE MERIDIAN

Section 16: N1/2N1/2, S1/2NW1/4, S1/2S1/2 AND NW1/4SW1/4

SUBJECT TO road rights of way along the North, West, South and East boundaries.

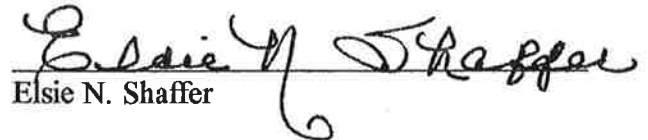
Section 21: N1/2NE1/4

SUBJECT TO road rights of way along the North and East boundaries.

Together with water rights including rights from an unnamed stream and an unnamed spring as evidenced by Snake River Basin Water System Adjudication as Identification No. A37-04149 and Identification No. A37-02022; subject, however, to the ~~final~~ court decree entered in the Snake River Basin Water System Adjudication.

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 encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED: April 26, 2000.


Elsie N. Shaffer

STATE OF IDAHO)
)ss.
County of Gooding)

On the 26th day of April, 2000, before me, a Notary Public in and for said state, personally appeared Elsie N. Shaffer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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

SEVERT SWENSON ID

Walking J

SHEEP • CATTLE

Post Office Box 99 • Bliss, Idaho 83314
(208) 352-4657

RECEIVED

SEP 25 2006

WATER RESOURCES
WESTERN REGION

September 21, 2006

Steve Clelland
IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

SEP 27 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Dear Steve,

Enclosed are documents that I hope will be sufficient to transfer this water right.

Lee Peterson came up to take pictures and GPS the point of diversion.

I have no specific knowledge of the priority date but will approach a few of the old timers for their recollections.

Sincerely,



Peter Janss

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: A37-02022
Date Received: 5/17/1988
Receipt No: S000218
Received By: hu

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ELSIE N. WOLFE 208-543-5528
Address: RT. 4 BOX 166
BUHL, ID 83316

2. Date of Priority: DEC 07, 1905

3. Source: UNNAMED STREAM Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	12E	16	SW	SE	NW		CAMAS

5. Description of diverting works:
EARTH DAM AND DITCH TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.800		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	12E	16	SW	SE		IRR	20.0
			SE	SE		IRR	20.0

Section Acres 40.0

10. Place of Use: Continued

Total Acres 40.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
37-4149

14. Remarks:
WATER WAS ORIGINALLY DIVERTED IN SWSW SEC.9.

15. Basis of Claim: LICENSE
Water Right Number: 1558

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): Elmer A. Wafer Date: 6-1-89

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of June 19 89 Lois White
Notary Public

Seal

Residing at TF
My Commission Expires 5/94

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

Department of Water Resources
Southern Region Office

Ident. Number: A37-02022
Date Received: 5/17/1988
Receipt No: 5000218

MAY 17 1988

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

1. Name: ELSIE N. WOLFE

Address: RT. 4 BOX 166
BUHL, ID 83316

208-543-5528

2. Date of Priority: DEC 07, 1905

3. Source: UNNAMED STREAM Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	12E	16	SW	SE	NW		CAMAS

5. Description of diverting works:
EARTH DAM AND DITCH TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.800		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	12E	21	NW	NE		IRR	40.0

Section Acres 40.0

Total Acres 40.0

A37-02022

Page 1

Date: 05/17/88

MICROFILMED
FEB 23 1993

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
37-4149

14. Remarks:
WATER WAS ORIGINALLY DIVERTED IN SWSW SEC.9.

15. Basis of Claim: LICENSE
Water Right Number: 1558

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): Elaine A. Wase Date: _____
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 17th day

of May 19 88

Mary Baldwin
Notary Public

Seal

Residing at Gooding, Id
My Commission Expires 10/16/1992

10/13/2006

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

RIGHT NUMBER: 37-2022

NAME AND ADDRESS: JANSS FARMS
C/O PETER JANSS
PO BOX 99
BLISS ID 83314

SOURCE: UNNAMED STREAM

TRIBUTARY: CAMAS CREEK

QUANTITY: 0.800 CFS

PRIORITY DATE: 12/07/1905

POINT OF DIVERSION:

T01S R12E S16 SWSNW Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
0.800 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T01S R12E S16 SWSE 35.00 T01S R12E S16 SESE 5.00

40 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



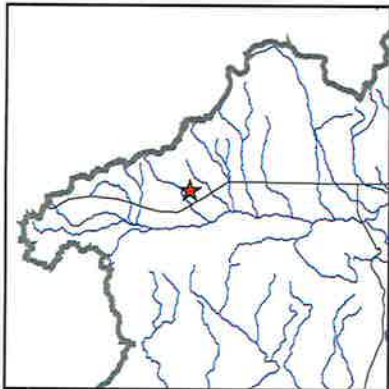
Idaho Department of Water Resources

SRBA Recommendation:

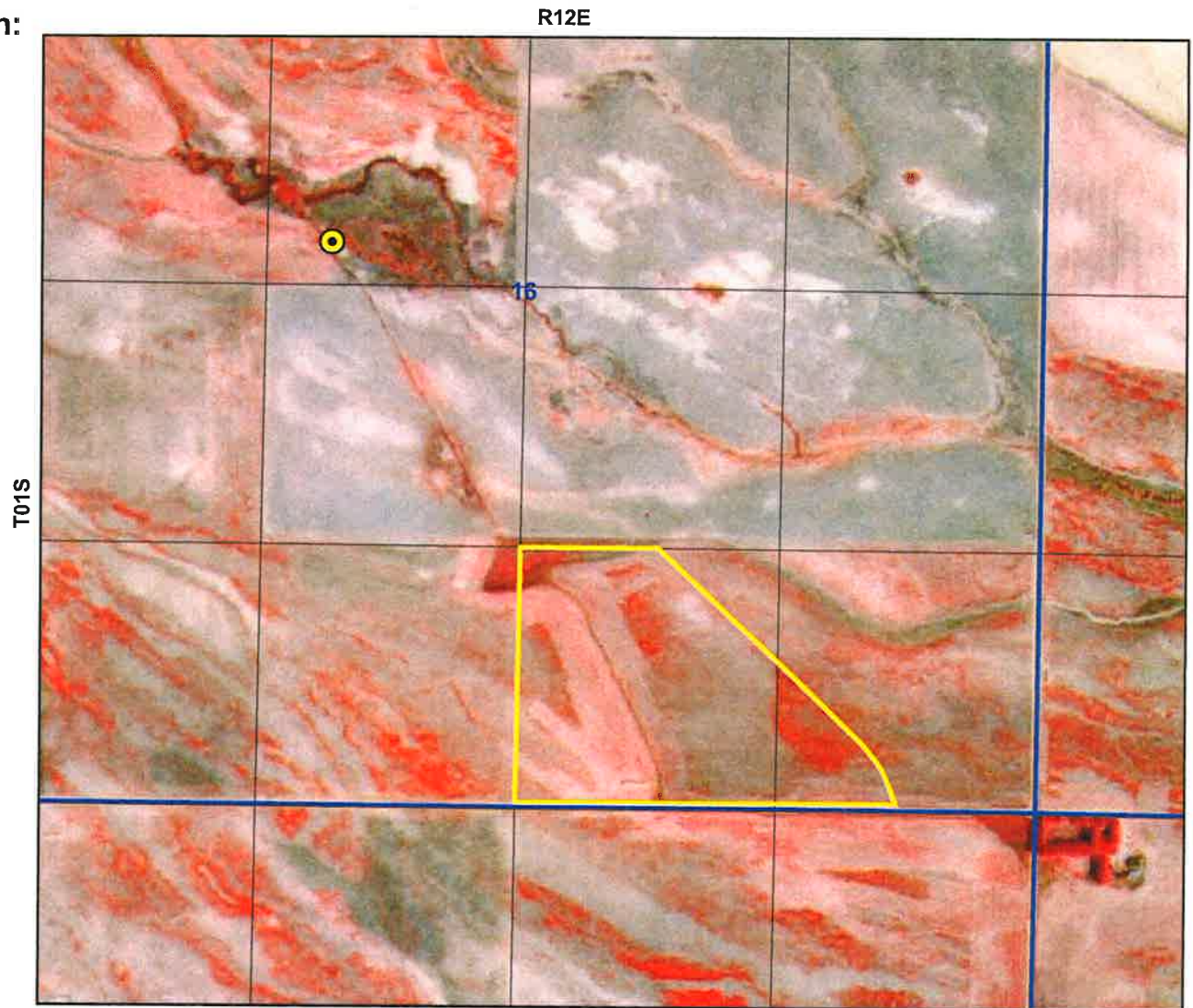
37-2022

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Camas County
IDWR Basin 37



0 0.25 0.5 Miles



Prepared by M. Anders
On Friday, October 13, 2006
1987/88 Aerial Photography

RECEIVED 11/01/2006

NOTICE OF ERROR
REPLY

NOV 14 2006

DEPARTMENT OF
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: November 21, 2006

Water right number: 37-2022

JANSS FARMS

C/O PETER JANSS

PO BOX 99

BLISS ID 83314

Telephone Number: (208)352-4657

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: Nov. 9, 2006

SIGNATURE:

Peter Janss for Janss Farms, Inc.

Please print your name: PETER JANSS

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (800)451-4129

SCANNED

NOV 14 2006

Adjudication Claim Notes

Claim(s): 37-2022

Background Data

- Source is Unnamed Stream tributary to Sinks
- Licensed for 0.8 cfs for Irrigation of 1 QQ
- Claimed for 0.8 cfs for Irrigation of 40 acres

Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo

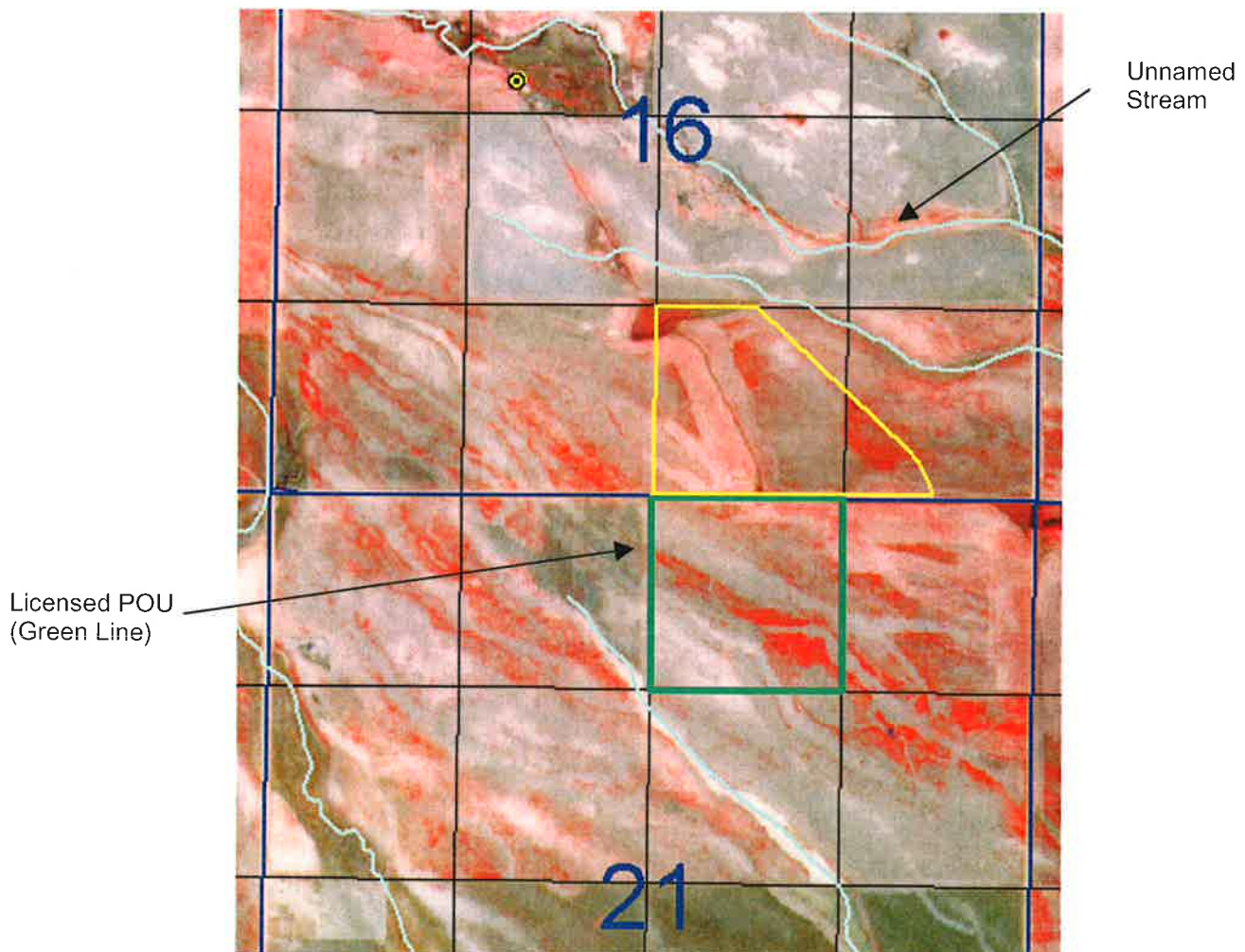




Photo of Spring location taken during field exam.



Photo of ditch from Spring pond taken during field exam.



Location of attempted discharge measurement during field exam.



Photo of distribution system taken during field exam.



Photo of distribution system taken during field exam.

Notes

T1S R12E Section 16

- Found 40 acres of irrigation. POU is somewhat uncertain.
- 1987 aerial photo shows some occurring in the 1987 photo. Ditches were observed during field exam to need some repair.
- The ditch is 10 ft wide by 1.3 ft deep, so there is ample capacity for the claimed 0.8 cfs plus the 1.2 cfs claimed in 37-4149.
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

File No.

A37-02022 - 04149B

Elsie N Wolfe [SOLD]

9/21/06

Jans Farms [PETER] Cell 352-4657

Bliss, Id

I called Elsie about these two files and she informed me that Peter Jans now owns both these water rights and she gave me Peters phone numbers so I then called him and made an apt. to meet him at the property to review these files. And he showed me on the color photo where the ditches are, we then drove to the spring location and walked up the ditch to the pond and spring, as I went along I observed water in this ditch but it was not moving it was just ponding in the pond and ditch for stock [horses & cows] and where there was water the cows were lounging. I observed that all this land is used for pasture which is now dry and has been for some time, all the cattle were wanting to be moved due to this dry grass has not food value. I did GPS the spring in pond, photo 1030302 S is where the spring is showing a small amount bubbling up in pond which is just enough to keep the pond and a small amount going down ditch for stock water. There are two diversions from this ditch to the east but as shown on photo 306 E check structure there is no water passing and photo 305 E is dry and both have been dry for some time. Photo 304 is where I measured the ditch width & depth due to what little water there was in this ditch I could see no amount of movement but I would guess approx 5-6" maybe. All this area depends on snow and spring rains for water to irrigate their lands it appears to me that the springs in late summer are just stock purposes very little if any can be diverted.

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Elsie Wolfe	Elsie 1	2415456	1349012	A0015572	A1030302-303
Guillermina Wolfe	Albert 1	2415577	1348880	"	304-305-306

Lee R. Peterson

ditch mea.



Peter Jans
Cell
352 4657
mink lane east
hill city - north ind
green house

TIS RIZE

water
not moving

dry

sub
irrig

dry

pasture

sub

306
OK

mp2.00

304

dry

305 ditch

culvert

10 20
20 20

ditch

sub
when spring
water

sub
spring

16 15

21 22

37-2022
37-4149B

stock use is minor

Claimed on lands
not in licensed pool