

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 37-7617A
Date Received: 12/18/2001
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DON TABER
312 E 20 N
SHOSHONE ID USA 83352

Phone: (208) 886-2427

BEVERLY TABER
312 E 20 N
SHOSHONE ID USA 83352

Phone: (208) 886-2427

2. Date of Priority: 06/02/1977

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	18E	3	SW NW	LINCOLN	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	3.64	744

7. Total Quantity Appropriated is:
3.64 C.F.S. and/or 744 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
06S	18E	3	SW	NE	IRRIGATION	19.5	
			NE	NW	3	IRRIGATION	39.8
			NW	NW	4	IRRIGATION	47.2
			SW	NW	IRRIGATION	39.7	
			SE	NW	IRRIGATION	39.8	
Section Acres						186	
Total Acres						186	

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Approval of this transfer does not preclude the opportunity for review of the validity of Right 37-07617A and 37-07617B in the ongoing Snake River Basin Adjudication.

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

15. Basis of Claim: License

WATER RIGHT
NUMBER

NAME

CFS

37-07617

RIGHT SPLIT INTO PARTS A & B THRU APPROVED TRANSFER 5495.

37-07617A

TABER , BEVERLY
TABER , DON

3.64

37-07617B

TABER , DON
TABER , BEVERLY

0.14

MICROFILMED

NOV 08 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5495
WATER RIGHT NO(S). 37-07617A/37-07617B/37-10221/37-10336

This is to certify that: **DON TABER**
BEVERLY TABER
312 E 20 N
SHOSHONE ID 83352

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-07617B :			
Priority: 06/02/1977			
STOCKWATER	01/01 to 12/31	0.14 CFS	21.0 AF
COMMERCIAL	01/01 to 12/31	0.14 CFS	21.0 AF
		0.14 CFS	21.0 AF
Right No. 37-10221 :			
Priority: 06/15/1938			
STOCKWATER	01/01 to 12/31	0.03 CFS	0.7 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	2.4 AF
		0.07 CFS	3.1 AF
Right No. 37-10336 :			
Priority: 08/01/1985			
STOCKWATER	01/01 to 12/31	0.09 CFS	9.8 AF
SUBTOTAL:			
		* 0.23 CFS	33.9 AF *
Right No. 37-07617A :			
Priority: 06/02/1977			
IRRIGATION	04/01 to 11/01	3.64 CFS	744.0 AF
TOTAL:			
		3.87 CFS	777.9 AF
<u>SOURCE</u>			
GROUNDWATER			

LOCATION OF POINT(S) OF DIVERSION:

Right No. 37-07617A : SWNW , Sec. 3, Township 06S, Range 18E
Right No. 37-07617B/37-10221/37-10336 :
Lot 2 (NWNWNE), Sec. 3, Township 06S, Range 18E
Lot 3 (NENENW), Sec. 3, Township 06S, Range 18E
LINCOLN County

MICROFILMED

NOV 08 2000

TRANSFER NO. 5495
WATER RIGHT NO(S). 37-07617A/37-07617B/37-10221/37-10336

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
06S	18E	3	SWNE 19.5	Lot 3 (NENW)	39.8	Lot 4 (NWNW)	47.2	
			SWNW 39.7		SENE 39.8			186.0
Total number of acres irrigated:								186.0

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		
06S	18E	3	Lot 2 (NWNE)	Lot 3 (NENW)

PLACE OF USE: COMMERCIAL

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
06S	18E	3	Lot 2 (NWNE)	Lot 3 (NENW)	Lot 4 (NWNW)
			SWNW	SENE	

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
06S	18E	3	Lot 3 (NENW)

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code for Right 37-07617A.
2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval for commercial use shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
6. The quantity of water decreed for Rights 37-10221 and 37-10336 for stockwater and domestic uses is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion under Rights 37-07617B, 37-10221 and 37-10336 which will allow determination of the total rate of diversion.

MICROFILMED

NOV 08 2000

TRANSFER NO. 5495
WATER RIGHT NO(S). 37-07617A/37-07617B/37-10221/37-10336

CONDITIONS OF APPROVAL AND REMARKS

- * 8. The total instantaneous diversion of water from all points of diversion under Rights 37-07617B, 37-10221 and 37-10336 shall not exceed 0.23 cfs, nor total combined annual volume of 33.9 af.
- 9. The well previously used under Right 37-10221 shall be abandoned in a manner which complies with Department well abandonment rules.
- 10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the
- 11. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
- 12. Approval of this transfer does not preclude the opportunity for review of the validity of Right 37-07617A and 37-07617B in the ongoing Snake River Basin Adjudication.
- 13. Commercial use is for a dairy located within the (NENW) Lot 3, S03, T06S, R18E.
- 14. Domestic use is for two (2) homes.
- 15. Two points of diversion are located within (NENENW) Lot 3, S03, T06S, R18E.

Dated this 5th day of

June

2000


Chief, Water Allocation Bureau

MICROFILMED

NOV 08 2000

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: A37-07617
Date Received: 6/29/1988
Receipt No: 5000615
Received By: ADA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON TABER 208-886-2427
Address: BOX 474 HWY. 93
SHOSHONE, ID 83352

AND/OR

Name: BEVERLY TABER
Address: BOX 474 HWY. 93
SHOSHONE, ID 83352

2. Date of Priority: JUN 02, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	18E	3	NW	SW	NW		LINCOLN

5. Description of diverting works:
WELL & 150 H.P. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.780		

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

8. Total consumptive use is 579.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	18E	3	SW	NE		IRR	40.0
			NE	NW	3	IRR	40.0
			NW	NW	4	IRR	48.0
			SW	NW		IRR	25.0
			SE	NW		IRR	40.0

Section Acres 193.0

Total Acres 193.0

11. Place of use in counties: LINCOLN

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: LICENSE
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: 0

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): Donald Tabu Date: 6/29/88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 29th day

of June 19 88

Mary G. Baldwin
Notary Public

Seal

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

Snake River Basin Adjudication
Change in Address of Notice of Claim

RECEIVED
DEC 11 2001
Department of Water Resources
Southern Region

Claim Number(s):

Previous Mailing Address:

Don Taber CID 101034

Box 474 Hwy 93

Shoshone, ID 83352

Beverly -
CID 153924

New Mailing Address:

Don Taber

Donley Farms, Inc.

312 East 20 North
Shoshone, Idaho 83352

Telephone Number:

(208) 586-~~2427~~ 2427

Signature of Claimant(s):

Don Taber

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
OCT 21 2002
 Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-076210					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Rod McCoy
1301 East 3400 North

4. New Owner/Claimant(s)

Buhl, ID 83316

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

Scott^A Castle and Nicole R. Castle
P.O. Box 500, Bellevue ID 83313

City, State and ZIP Code

New Telephone Number

() 208 788 9784

5. Date you acquired the property

10-3-02

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

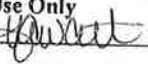
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) ☒ (include title if applicable) ☒



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

For Office Use Only

Received by  Date 10/21/02 Fee NA
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

K25643

QUITCLAIM DEED

For Value Received **Rodney McCoy, an unmarried man and Rosan Marie McCoy, an unmarried woman**

do hereby convey, release, remise and forever quit claim unto

Scott A. Castle and Nicole R. Castle, husband and wife whose address is: P.O. Box 500, Bellevue, ID 83313

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

All water rights and appurtenances located on the following described property including but not limited to that certain water right number 37-07621D more particularly described in Exhibit A attached hereto and made a part hereof:

TOWNSHIP 2 SOUTH, RANGE 21 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 16: A parcel of land located in the NE1/4, more particularly described as follows:

Commencing at the Northwest corner of said NE1/4, also being the REAL POINT OF BEGINNING; thence

S. 00° 29' 44" W., 1332.69 feet to the CN1/16 corner; thence

N. 89° 52' 05" E., 1324.52 feet to the NE1/16 corner; thence

Along the Easterly boundary of the NW1/4 NE1/4 of Section 16 N. 00° 21' 42" E., 1306.46 feet; thence

N. 89° 58' 04" E., 1121.50 feet; thence

S. 00° 13' 43" W., 50.00 feet; thence

N. 89° 58' 04" E., 144.44 feet to the Westerly right-of-way of State Highway No. 93; thence

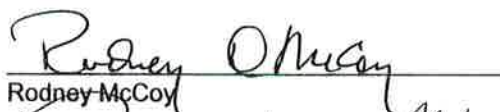
Along said Highway right-of-way N. 00° 13' 43" E., 80.00 feet to the boundary of said NE1/4; thence

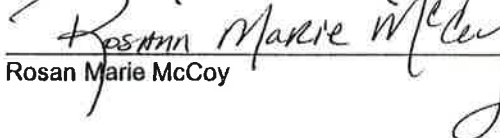
S. 89° 58' 04" W., 2587.29 feet to the REAL POINT OF BEGINNING.

(Tax Lot No. 7607)

together with their appurtenances.

Dated: September 19, 2002


Rodney McCoy


Rosan Marie McCoy

See Attached Notary Acknowledgements

STATE OF Idaho

)
)ss.
)

COUNTY OF Blaine

On this 26th day of September, in the year of 2002, before me, Nancy L. Anderson, personally appeared Rodney McCoy, known or identified to me (or proved to me on the oath of _____), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Nancy L. Anderson
Notary Public of Idaho
Residing at: Hailey
Commission Expires: 02/27/08



STATE OF Oregon

)
)ss.
)

COUNTY OF

On this _____ day of September, in the year of 2002, before me, Nancy L. Anderson, personally appeared Rosan Marie McCoy, known or identified to me (or proved to me on the oath of _____), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public of Idaho Oregon
Residing at: Hailey
Commission Expires: ~~02/27/08~~

STATE OF OREGON,

County of DOUGLAS

} ss.

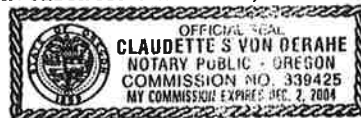
On September 30, 2002
DATE

, before me personally appeared _____

Rosan Marie McCoy

whose identity was established to my satisfaction, and who executed the foregoing instrument, acknowledging to me that the same was executed freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on the date first written above.



Claudette S. Von Derahe
Notary Public for Oregon
My commission expires _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07621D

Priority: June 7, 1977

Maximum Diversion Rate: 0.77 CFS
Maximum Diversion Volume: 136.5 AF

This is to certify, that ROD MC COY

PO BOX 1165

ROSEBURG OR 97470

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 7, 1977; and has submitted Proof of Beneficial Use on April 9, 1979. An examination indicates that the works have a diversion capacity of 5.620 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.55 CFS	136.5 AF

LOCATION OF POINT(S) OF DIVERSION:
Rediversion

SWSW , Sec. 22, Township 01S, Range 21E
SWSE , Sec. 30, Township 01N, Range 21E
BLAINE County

PLACE OF USE: IRRIGATION

TWN RGE SEC
02S 21E 16

ACRES
NWNE 39

ACRES

ACRES TOTAL
39

Total number of acres irrigated: 39

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 37N.
6. The following rights are also diverted through the point of diversion described above: 37-07621B and 37-07621C.

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

WATER RIGHT NO. 37-07621D

CONDITIONS/REMARKS:

7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a total field headgate volume of 136.5 afa.
8. Water from the well is injected into the East Canal and may not be diverted when downstream diversions from East Canal are not on. Water diverted under this right is exchanged with water from the Little Wood River diverted into the West Canal.
9. The Department retains the jurisdiction, if it is necessary, to change the amount of canal conveyance loss, under this right, to a greater or lesser percentage than the 20% that has historically been assessed.
10. The right holder shall first use the full allotment of surface water appurtenant to the above land prior to using water under this right. The surface water cannot be sold, leased, or removed from the above land without the approval of the Director.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 20TH
day of June, 1995.



Acting for KARL J. DREHER, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
OCT 21 2002
 Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-07621D					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Rod McCoy
1301 East 3400 North

4. New Owner/Claimant(s)

Buhl, ID 83316

Name Connector (Check one): ☐ and ☐ or ☐ and/or

New Mailing Address

Scott^A Castle and Nicole R. Castle

City, State and ZIP Code

PO BOX 500, Bellevue ID 83313

New Telephone Number

() 208 788 9784

5. Date you acquired the property

10-3-02

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

[Handwritten signature]

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

For Office Use Only

Received by <u>[Signature]</u>	Date <u>10/21/02</u>	Fee <u>NA</u>
Received by _____	Date _____	Receipt No. _____
Processed by _____	Date _____	WR _____ Date _____

K25643

QUITCLAIM DEED

For Value Received **Rodney McCoy, an unmarried man and Rosan Marie McCoy, an unmarried woman**

do hereby convey, release, remise and forever quit claim unto

Scott A. Castle and Nicole R. Castle, husband and wife whose address is: **P.O. Box 500, Bellevue, ID 83313**

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

All water rights and appurtenances located on the following described property including but not limited to that certain water right number 37-07621D more particularly described in Exhibit A attached hereto and made a part hereof:

TOWNSHIP 2 SOUTH, RANGE 21 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 16: A parcel of land located in the NE1/4, more particularly described as follows:

Commencing at the Northwest corner of said NE1/4, also being the REAL POINT OF BEGINNING; thence

S. 00° 29' 44" W., 1332.69 feet to the CN1/16 corner; thence

N. 89° 52' 05" E., 1324.52 feet to the NE1/16 corner; thence

Along the Easterly boundary of the NW1/4 NE1/4 of Section 16 N. 00° 21' 42" E., 1306.46 feet; thence

N. 89° 58' 04" E., 1121.50 feet; thence

S. 00° 13' 43" W., 50.00 feet; thence

N. 89° 58' 04" E., 144.44 feet to the Westerly right-of-way of State Highway No. 93; thence

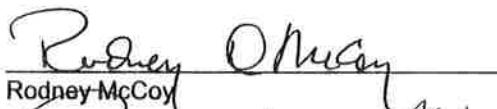
Along said Highway right-of-way N. 00° 13' 43" E., 80.00 feet to the boundary of said NE1/4; thence

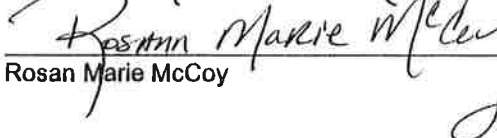
S. 89° 58' 04" W., 2587.29 feet to the REAL POINT OF BEGINNING.

(Tax Lot No. 7607)

together with their appurtenances.

Dated: September 19, 2002


Rodney McCoy


Rosan Marie McCoy

See Attached Notary Acknowledgements

STATE OF Idaho

)
)ss.
)

COUNTY OF Blaine

On this 26th day of September, in the year of 2002, before me, Nancy L. Anderson, personally appeared Rodney McCoy, known or identified to me (or proved to me on the oath of _____), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Nancy L. Anderson
Notary Public of Idaho
Residing at: Hailey
Commission Expires: 02/27/08



STATE OF Oregon

)
)ss.
)

COUNTY OF

On this _____ day of September, in the year of 2002, before me, Nancy L. Anderson, personally appeared Rosan Marie McCoy, known or identified to me (or proved to me on the oath of _____), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Nancy L. Anderson
Notary Public of ~~Idaho~~ Oregon
Residing at: ~~Hailey~~
Commission Expires: ~~02/27/08~~

STATE OF OREGON,

County of DOUGLAS

} ss.

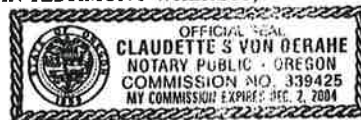
On September 30, 2002
DATE

, before me personally appeared _____

Rosan Marie McCoy

whose identity was established to my satisfaction, and who executed the foregoing instrument, acknowledging to me that the same was executed freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on the date first written above.



Claudette S. Von Oerahe
Notary Public for Oregon
My commission expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 17, 2002

DON TABER
BEVERLY TABER
312 E 20 N
SHOSHONE ID 83352

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. 37-59B, 37-423, 37-424, 37-425, 37-7617
Decreed Water Right 37-10221, 37-10334, 37-10335, 37-10336
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

37-7617

COPY

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2002 NOV 22 PM 2 14

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

In Re SRBA

) Subcase No. 37-7621D
)
)
)
)

Case No. 39576

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

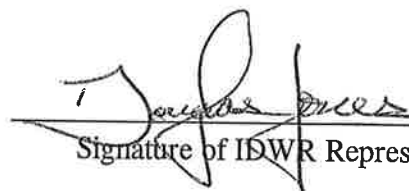
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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

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

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

Dated: 11/19/02



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11/22, 2002, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Rod McCoy
1301 E 3400 N
Buhl ID 83316
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Scott A Castle
Nicole R Castle
PO Box 500
Bellevue ID 83313
4. One Copy to:
Each party in the subcase or attorney of record:
Jo Beeman
Beeman & Associates
409 W Jefferson St
Boise ID 83702
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

FILED

2002 NOV 22 PM 2 14

RIGHT NUMBER: 37-7621D
NAME AND ADDRESS: SCOTT A CASTLE
PO BOX 500
BELLEVUE ID 83313

NICOLE R CASTLE
PO BOX 500
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.770 CFS
136.50 AFY

PRIORITY DATE: 06/07/1977

POINT OF
DIVERSION: T01S R21E S22 NWSWS Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.770 CFS 136.50 AFY

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

PLACE OF USE: IRRIGATION Within BLAINE County
T02S R21E S16 NWNE 39.0

39 ACRES TOTAL

10/31/2002

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

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

WATER FROM THE WELL IS INJECTED INTO THE EAST CANAL AND MAY NOT BE DIVERTED WHEN DOWNSTREAM DIVERSIONS FROM EAST CANAL ARE NOT ON. WATER DIVERTED UNDER THIS RIGHT IS EXCHANGED WITH WATER FROM THE LITTLE WOOD RIVER DIVERTED INTO THE WEST CANAL. A PORTION OF THIS RIGHT IS USED IN CONVEYANCE OF THIS RIGHT IN THE WEST CANAL; CURRENTLY ESTIMATED AT 20 PERCENT.

WATER IS DELIVERED THROUGH WEST CANAL.

RIGHT NO. 37-7621 PARTS E, F & G ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER IRRIGATION DIST.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 22, 2002

SCOTT CASTLE
NICOLE CASTLE
PO BOX 500
BELLEVUE ID 83313

RE: SRBA Claim(s) 37-7621D

Dear Claimant:

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Rod McCoy

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07621D

Priority: June 7, 1977

Maximum Diversion Rate: 0.77 CFS
Maximum Diversion Volume: 136.5 AF

This is to certify, that ROD MC COY
PO BOX 1165

ROSEBURG OR 97470 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 7, 1977; and has submitted Proof of Beneficial Use on April 9, 1979. An examination indicates that the works have a diversion capacity of 5,620 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/15 to 10/15	0.55 CFS	136.5 AF

LOCATION OF POINT(S) OF DIVERSION:
Rediversion

SWSW, Sec. 22, Township 01S, Range 21E
SWSE, Sec. 30, Township 01N, Range 21E
BLAINE County

PLACE OF USE: IRRIGATION
TWN RGE SEC
02S 21E 16

ACRES	ACRES	ACRES	TOTAL
NWNE			39
Total number of acres irrigated:			39

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water diverted by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 37N.
6. The following rights are also diverted through the point of diversion described above: 37-07621B and 37-07621C.

PAGE 2

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

WATER RIGHT NO. 37-07621D

CONDITIONS/REMARKS:

7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a total field headgate volume of 136.5 afa.
8. Water from the well is injected into the East Canal and may not diverted when downstream diversions from East Canal are not on. Water diverted under this right is exchanged with water from the Little Wood River diverted into the West Canal.
9. The Department retains the jurisdiction, if it is necessary, to change the amount of canal conveyance loss, under this right, to a greater or lesser percentage than the 20% that has historically been assessed.
10. The right holder shall first use the full allotment of surface water appurtenant to the above land prior to using water under this right. The surface water cannot be sold, leased, or removed from the above land without the approval of the Director.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 20TH
day of THURSDAY, 1995.

WR
KARL J. ADREHER, Director

IDAHO DEPARTMENT OF WATER RESOURCES 12/19/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

Water Right **37-7617A**

1

NAME AND ADDRESS: DON TABER
312 E 20 N
SHOSHONE ID 83352

BEVERLY TABER
312 E 20 N
SHOSHONE ID 83352

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 3.64 CFS
744.0 AFY

PRIORITY DATE: 06/02/1977

POINT OF DIVERSION:

T06S R18E S3 NWSNW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	3.640 CFS 744.00 AFY

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

PLACE OF USE: IRRIGATION Within LINCOLN County

T06S R18E S03	SWNE	19.5	T06S R18E S03 Lot 3	NENW	39.8
T06S R18E S03 Lot 4	NWNW	47.2	T06S R18E S03	SWNW	39.7
T06S R18E S03	SENE	39.8			

186 ACRES TOTAL

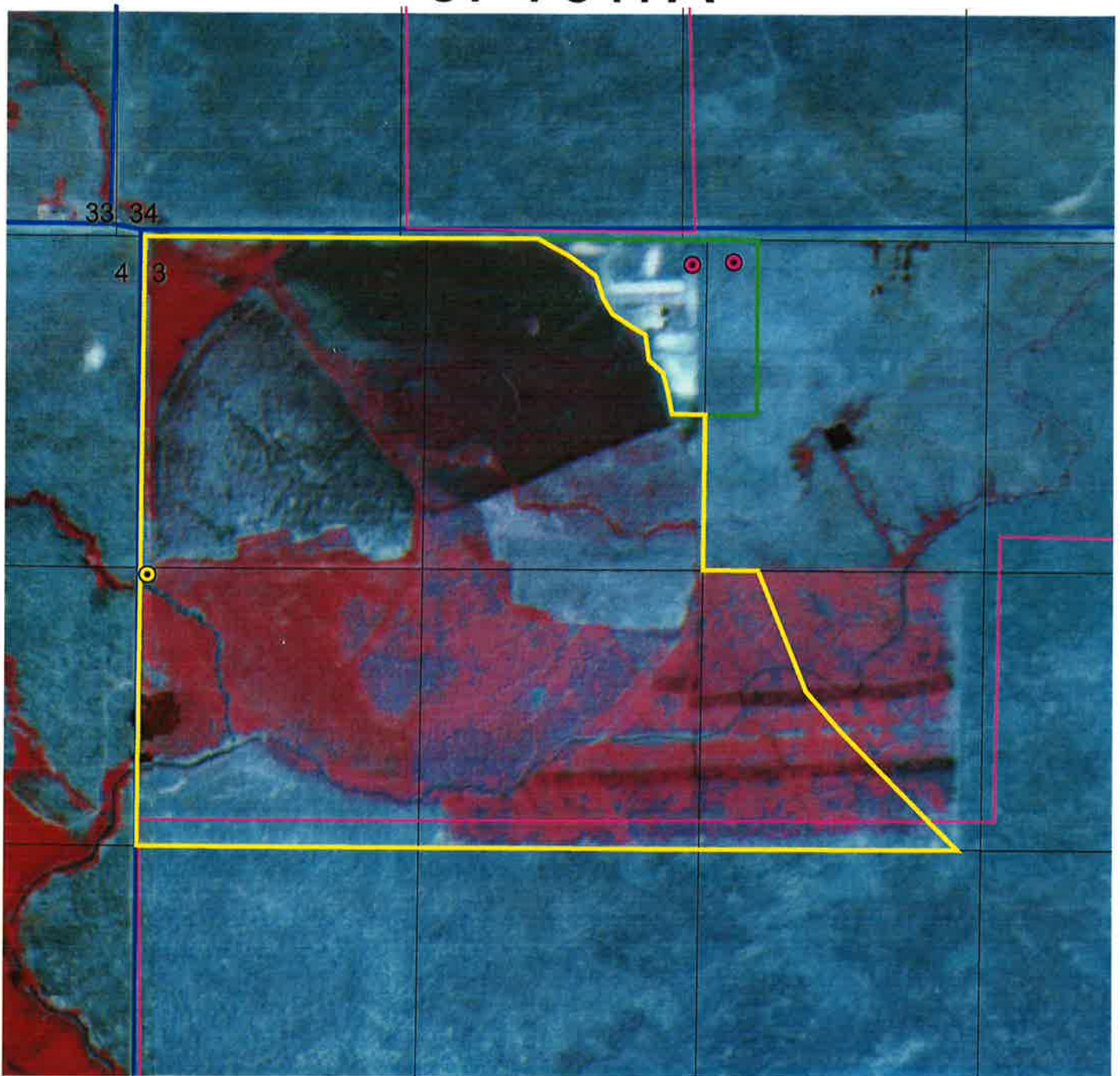
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: License

IDAHO DEPT OF WATER RESOURCES

37-7617A



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 6S
RNG: 18E
SEC: 3



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: December 18, 2001

A37-07617

6/9/94

COMMUNICATION DOCUMENTATION

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

IDWR Employee/Agent Georgia Satterlee

DATE
February 3, 1999 2:07pm

CUSTOMER
Donald Taber

SUBJECT: A37-07617
phone call (x) walk-in (.)

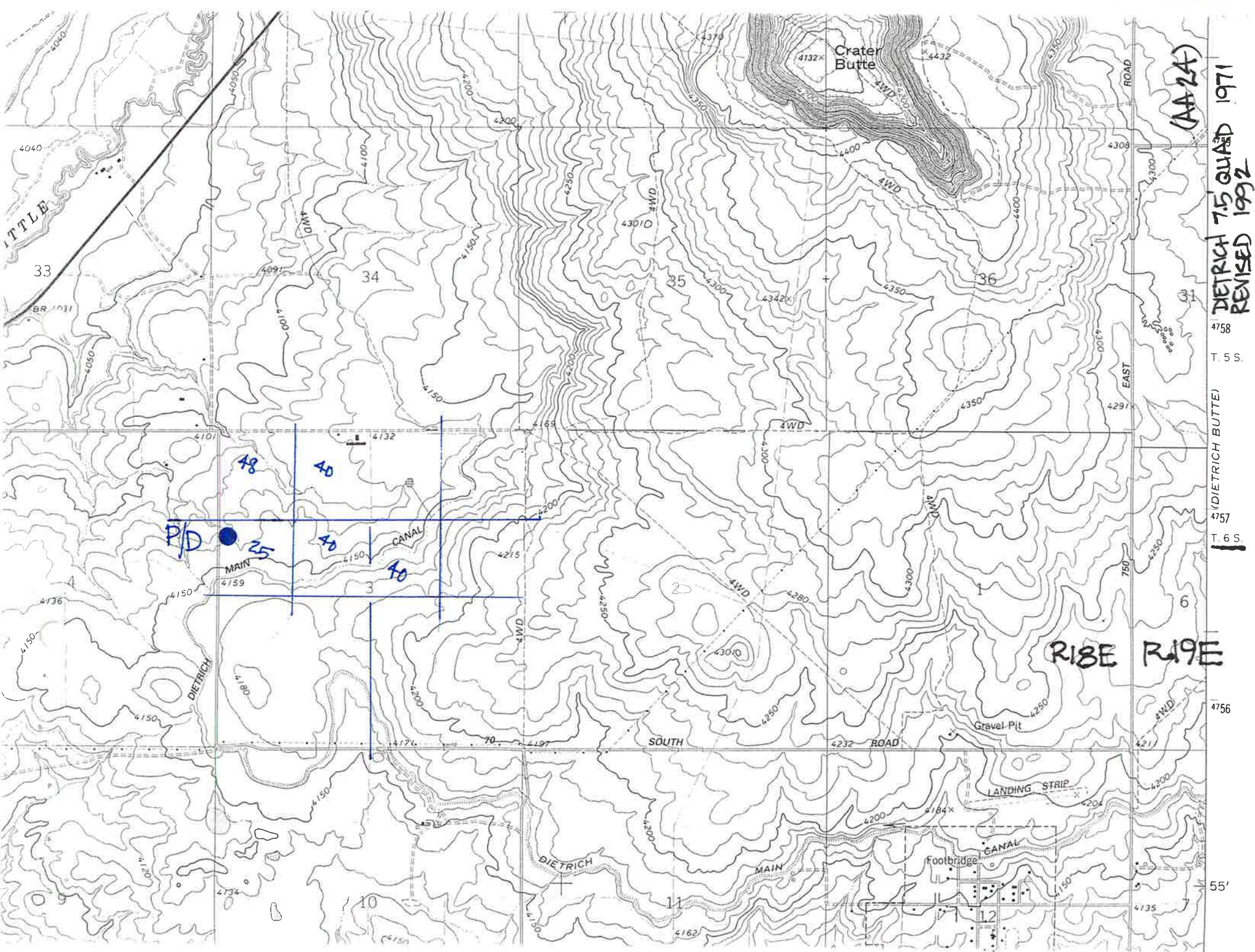
At this time I am unable to generate a dairy worksheet printout. Below is the total diversion volume and the acreage related.

Existing Dairy 300 wet/30 dry

Increase Herd 300 wet
Total Diversion Volume=13.5 ac.ft. or 4.5 acres dried up

Increase Herd 400 wet
Total Diversion Volume=18 ac.ft. or 6 acres dried up

Taber Fax #886-2112
Next stop: Lincoln Cnty P/Z



- Both Partially
Decreased 5/02/01

commercial and stock use for an existing dairy. Additionally, 15 acres per 37-07617 (A37-07617) will be moved from the SWNE $\frac{1}{4}$ to the SWNW $\frac{1}{4}$, both quadrants are located in Section 3, T06S, R18E.

Mr. Taber would like to add approximately 450 more milkers, for a total of 700 milking cows. All of the dry cattle are kept in the NE $\frac{1}{4}$ of Section 33, T06S, R18E. The dairy worksheet included shows the consumptive use of the additional animals. The existing use, for all claims, is shown below under the Consumptive Use Requirement.

There are two wells (37-10336) at the dairy site that also serve two trailers. The new well (drilling permit issued for replacement well, 6/26/1999) will be drilled 300 feet east of the dairy in Lot 2, NWNWNE¹/₄ Section 3. The well associated with 37-10221 (domestic and stock), which is located 1,000 feet east of the dairy will be abandoned.

Consumptive Use Requirement:

37-10336 and 37-10221

$$250 \text{ dairy}(35\text{gal}/\text{day})=8750\text{gpd}(365 \text{ days})=\frac{3,193,750\text{gal}/\text{year}}{325,850}$$

$$=9.8 \text{ ac ft}/\text{year}$$

37-10336,-10221 250 dairy cattle = 9.8 acre feet/year
37-10336,-10221 2 homes w/ lawns= 2.4 " " "
= 12.2 acre feet/year

37-07617B 450 dairy cattle=
PROPOSED USE = 21.0 acre feet

TOTAL CONSUMPTIVE USE= 33.2 acre feet per annum

The power records for the irrigation well located in the NWSWNW $\frac{1}{4}$ of Section 3 have been calculated. The average use is 673 acre feet, from 1994 through 1998. The licensed acres 193 acres x 4.0 irr requirement = 772 acre feet.

-One well (irrigation) is located in SWNW $\frac{1}{4}$ Section 3, T06S, R18E. GPS Tag A0004993 per Jeff Martin Steelhead Engineering.

-Two wells (stockwater/domestic) are located within Section 3, T06S, R18E, Lot 3, NENENW $\frac{1}{4}$.

-One well located in the NENWNE $\frac{1}{4}$ of Section 3, T06S, R18E, will be abandoned per IDWR standards.

-One well to be drilled in NWNWNE $\frac{1}{4}$ Section 3, T06S, R18E, and the well is subject to drilling permit requirements.

-Right holder shall obtain measuring device(s) and/or the use is subject to measuring and reporting to the North Snake Ground Water District.

-The acres which will be unauthorized for irrigation under 37-07617A is specifically described as follows: 7 acres in SWNE $\frac{1}{4}$ of Section 3, T06S, R18E.

-Lagoon water co-mingled with groundwater and land applied in the NW $\frac{1}{4}$ of Section 3.

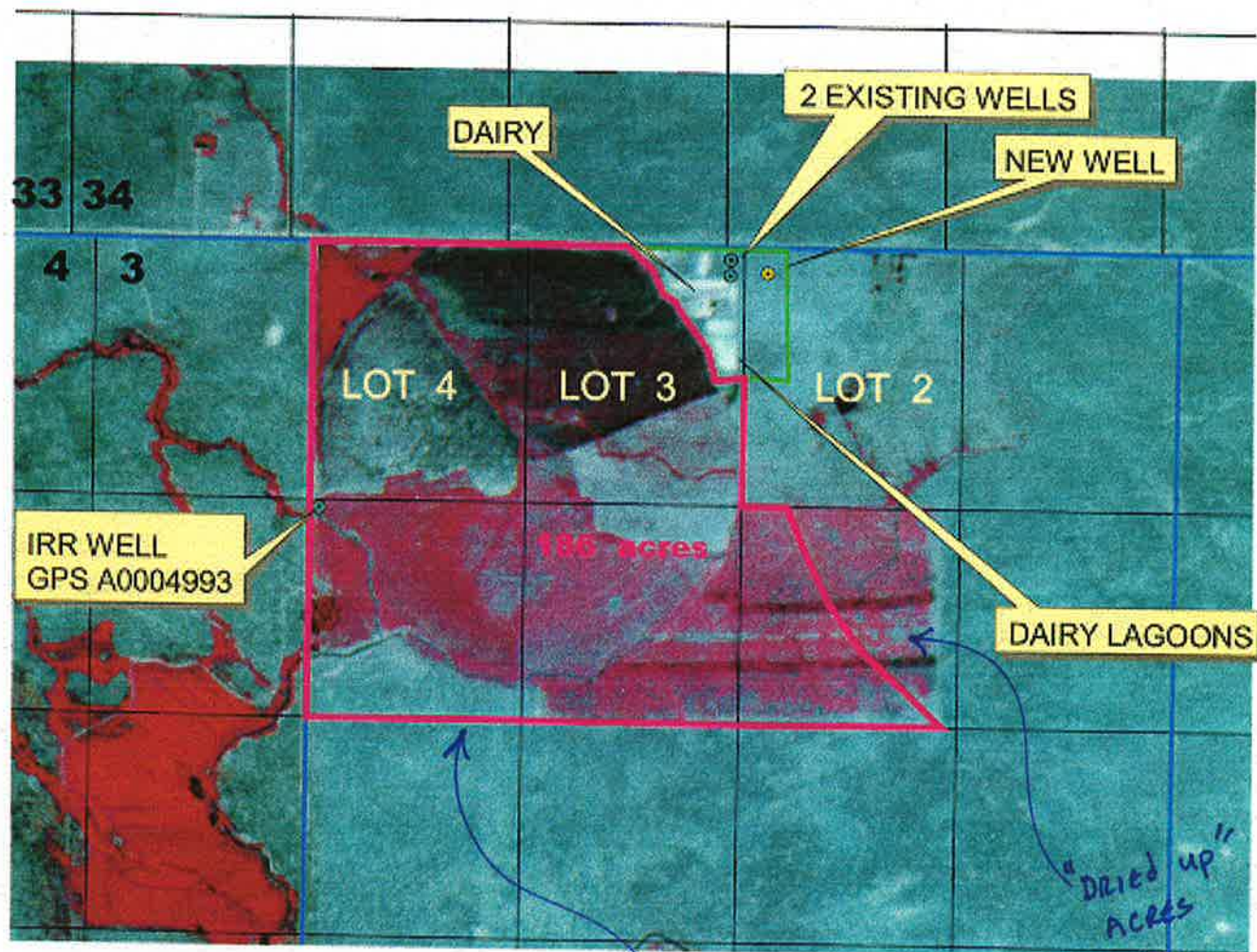
-Rights 37-07617B (0.14 cfs), 37-10336 (0.09 cfs), and 37-10221 (0.07 cfs) are limited to 33.2 afa for use in the existing dairy for stockwater and commercial and also the domestic use for 2 homes with lawns.

-Right 37-07617A will be limited to a rate of 3.64 cfs for 186 acres and 744 acre feet per annum.

-Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing SRBA.

IDAHO DEPARTMENT OF WATER RESOURCES

TRANSFER #5495
37-07617A IRRIGATION
37-07617B, -10221, -10336
COMMERCIAL/STOCK DAIRY
DONALD AND BEVERLY TABER



T06S, R18E, LINCOLN COUNTY

QUARTER/QUARTER LINES
SECTION LINES

TRANSFER #5495
1987/1988 NAPP PHOTOGRAPHY
DATA ENTRY BY G.SATTERLEE
21 JULY 1999