

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: A37-07949
Date Received: 7/01/1988
Receipt No: 3000668
Received By: AM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IDAHO CONSOLIDATED DAIRY FARMS
Address: P.O. BOX 2469
TWIN FALLS, ID 83301
208-734-6347

2. Date of Priority: NOV 04, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	19E	2	SE	NE	SE		LINCOLN

5. Description of diverting works:
WELL, PUMP, MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.130		
COMMERCIAL	01/01	12/31	0.120		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/800 DAIRY C/DAIRY.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04S	19E	2	NE	SE		STOCK	
			NE	SE		COMMER	

A37-07949

Page 1

Date: 07/01/88

MICROFILMED

FEB 24 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	19E	2	SE SE	SE SE	STOCK COMMER	

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:
37-7650

14. Remarks:

15. Basis of Claim: PERMIT
Water Right Number:

16. Signature(s)

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

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am MANAGER of _____ Title

Idaho Consolidated Dairy Farms that I have signed the foregoing Organization document in the space below as MANAGER of Title

Idaho Consolidated Dairy Farms and that the statements contained in the Organization foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Mgr. Idaho Consolidated Dairy Farms
Title and Organization

7-1-88
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of July 19 88

Mary A. Baldwin
Notary Public

Seal

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



T4S

well

R19E

33 Johnson Butte

34

35

36

4693

4654

4579

BM 4546

BM 4548

BM 4468

Burns Co

06/21/2002

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

RIGHT NUMBER: 37-7949

NAME AND ADDRESS: MICHAEL S TELFORD
1450 W HWY 24
PAUL ID 83347

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.25 CFS

PRIORITY DATE: 11/04/1981

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

POINT OF DIVERSION:

T04S R19E S2 SENESE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	1/01 12/31	0.120 CFS
STOCKWATER	1/01 12/31	0.130 CFS

PLACE OF USE: COMMERCIAL Within LINCOLN County

T04S R19E S02 NESE T04S R19E S02 SESE

STOCKWATER Within LINCOLN County

T04S R19E S02 NESE T04S R19E S02 SESE

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:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 37-7949

WATER RIGHT NUMBER: 37-7949

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MATTCO DAIRY NO 1
	, ZZ
Current Owner	MICHAEL TELFORD
	RT 2 BOX 2568
	PAUL, ID 83347

Priority Date: 11/04/1981

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.980 CFS	
STOCKWATER	01/01 to 12/31	0.520 CFS	
DOMESTIC	01/01 to 12/31	0.160 CFS	
	<u>Total Diversion:</u>	1.660 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 2, Twp 04S, Rge 19E, B.M.
LINCOLN County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	19E	2	40.0			40.0					40.0	40.0			10.0	40.0			210.0

Total Acres: 210

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	19E	2	40.0			40.0					40.0	40.0			10.0	40.0			210.0

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report 37-7949

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
U4S	19E	2	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			40.0			40.0					40.0	40.0			10.0	40.0			210.0

Conditions of Approval:Remarks:Comments:Dates and Other Information:

Permit Proof Due Date: 12/1/1982
 Permit Proof Made Date: 9/1/1982
 Permit Approved Date: 12/27/1977
 Permit Moratorium Expiration Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Field Exam Date:
 Date Sent to State Office:
 Date Received at State Office:
 Formal Action Date:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Both Permits: Assignments filed?

12/20/01
SCC

* Needs COO documentation - chain of Title

well East	{ 37-7650 }	30 HP (large)
well West		5 HP (small)

Two POD's are listed in the exam for 37-7650. Right is now licensed.

37-7949 - Right was set for cancellation but has been delayed to give the owner more time to submit proof of use under the permit.

As of 12/21/01 this permit is awaiting review of that documentation.

* Reid as an AØ1 permit.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 37-7949

WATER RIGHT NUMBER: 37-7949

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MICHAEL TELFORD
	, ZZ
Original Owner	MATTCO DAIRY NO 1
	, ZZ

Priority Date:

Basis:

Status: Cancelled

SourceTributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
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Total Diversion:Location of Point(s) of DiversionPlace of UseConditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 37-7949

Dates and Other Information:

Permit Proof Due Date:
Permit Proof Made Date:
Permit Approved Date:
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date:
Date Sent to State Office:
Date Received at State Office:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Michael S. or Shannon Telford
1450 West Hwy 24
Paul, Idaho 83347

RE: Snake River Basin Adjudication (SRBA)
CLAIM(S): A37-07650, A37-07949

Dear Claimants:

Thank you for notifying us of the change of ownership for the above-referenced Snake River Basin Adjudication claim(s). In reviewing your request for change of ownership, however, I have found that there is a lack of documentation linking you to the original claimant for your water right. Please provide the following at your earliest convenience:

A document which conveys the property from Idaho Consolidated Dairy Farms to MATTCO DAIRY FARM #1, or a copy of your Title Insurance policy on this property.

Your prompt attention to this matter will be greatly appreciated, as your claim cannot be processed until all the information has been received. If you have any questions, please feel free to call me at this office.

Sincerely,

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

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

RECEIVED

DEC 30 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Southern 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).: _____
Adjudication Claim No(s).: A37-07650, 07949
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 Idaho Consolidated Dairy Farms
PO Box 2469, Twin Falls, ID 83303
4. New Owner/Claimant(s) Michael S. & Shannon Telford
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 1450 W Hwy 24
City, State and ZIP Code Paul, ID 83347
New Telephone Number () 532-4555
- X 5. Date you acquired the property 22 May 1991
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 _____ Other uses _____
- 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.
- X 7. Signature of New Owner or Claimant(s) Michael Telford
- (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..

WARRANTY DEED

For Value Received

MATTCO DAIRY FARM #1, a Texas Limited Partnership

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

MICHAEL S. TELFORD and SHANNON J. TELFORD, husband and wife
whose address is: Route #2 Box 2568 Paul Idaho 83347Hereinafter called the Grantee, the following described premises situated in Lincoln County, Idaho,
to-wit:

See Exhibit "A" Attached Hereto:

Together with 218.02 Shares of Big Wood Canal Company
Water Stock

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: January 7, 1991

MATTCO DAIRY FARM #1, a Texas Limited
PartnershipBy: *Duane L. Kent*

Duane L. Kent, General Partner

STATE OF IDAHO, COUNTY OF Jerome

On this 7th day of January, 1991,
before me, a notary public in and for said State, personally appearedDuane L. Kent, as General Partner
of MATTCO DAIRY FARM #1, a Texas Limited
Partnership

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that he executed the same.
as General Partner of said Limited
Partnership

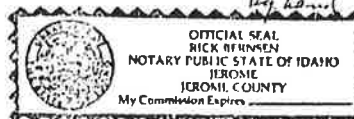
Residing at Jerome

, Idaho.

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of
Shirley Little

JAN 07 91

RECORDED
INDEXED
AL 25 minutes past 3:15 P.M.
recorded by *Shirley Little*
for \$9.00 Return to *By hand*



154552

Parcel No. 1:

TOWNSHIP 4 SOUTH, RANGE 19, EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

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

That part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:

Commencing at the Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of
said Section 2, and running West along the North
boundary line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, 800 feet;
Thence running South 218 feet;
Thence running East 800 feet to the East Section
line of said Section 2;
Thence North along said Section line, 218 feet to
THE TRUE POINT OF BEGINNING.

SOMETIMES described as Tax Lot 2 of the SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Parcel No. 2:

TOWNSHIP 4 SOUTH, RANGE 19, EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 2: Lot 1; SE $\frac{1}{4}$ NE $\frac{1}{4}$;

SUBJECT TO THE FOLLOWING:

Taxes for 1991 and subsequent years, which are not yet due and payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Private Right of Way and Tree Trimming Permit given by C. L. Buel and Leona S. Buel to the West Coast Power Company, a corporation, dated February 3, 1940, recorded July 2, 1940 in Book 5 Page 58 as Instrument Number 79381, Lincoln County records, affecting the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 2, Township 4 South, Range 19, East Boise Meridian.

Pipe Line Agreement by and between the Board of Commissioners of Highway District No. 3, party of the first part, and Fourmile Water Association, Inc., a corporation, party of the second part, dated October 28, 1947, recorded January 19, 1948 in Book 5 Page 281 as Instrument Number 91173, Lincoln County records, affecting the township line between Sections 35, Township 3 South, Range 19, East Boise Meridian, and Section 2, Township 4 South, Range 19, East Boise Meridian.

Power Line Easement given by J. G. Roth and Charlott L. Roth, husband and wife, to Idaho Power Company, a corporation, dated August 4, 1970, recorded November 18, 1970 as Instrument Number 123949, Lincoln County records, affecting the North 100 feet of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 4 South, Range 19, East Boise Meridian.

Power Line Easement given by Richfield Associates and Aurora

Capital Corporation, to Idaho Power Company, Corporation, dated May 12, 1980, recorded October 24, 1980 as Instrument Number 139861, Lincoln County records, affecting a portion of the NE+SE+ of Section 2, Township 4 South, Range 19, East Boise Meridian.

Power Line Easement given by Richfield Associates and Aurora Capital Corporation to Idaho Power Company, a corporation, dated September 12, 1980, recorded January 26, 1981 as Instrument Number 140282, Lincoln County records, affecting a portion of the NW+SE+ of Section 2, Township 4 South, Range 19, East Boise Meridian.