

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 29 2014

DEPARTMENT OF  
WATER RESOURCES

## Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

| Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| PD 35-14175           | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| PD 35-14177           | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| PD 35-14179           | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: THE CONSERVATION FUND  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): USDI, BLM, IDAHO STATE OFFICE  
New owner(s) as listed on the conveyance document      Name connector ☐ and ☐ or ☐ and/or
- 1387 S VINNELL WAY      BOISE      ID      83709-1657  
Mailing address      City      State      ZIP
- (208) 373-3831      fwprice@blm.gov  
Telephone      Email
4. If the water rights and/or adjudication claims were split, how did the division occur?  
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 08-11-2014
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:  
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.  
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).  
☒ Filing fee (see instructions for further explanation):  
     o \$25 per *undivided* water right.  
     o \$100 per *split* water right.  
     o No fee is required for pending adjudication claims.  
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.  
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

**SUPPORT DATA**  
**IN FILE #** 35-14175

8. Signature: [Signature]      Water Rights Team Leader      9-26-2014  
Signature of new owner/claimant      Title, if applicable      Date
- Signature: \_\_\_\_\_      Title, if applicable      Date  
Signature of new owner/claimant

**For IDWR Office Use Only:**

Received by [Signature]      Date 9/29/14      Receipt No. C099461      Receipt Amt. \$75<sup>00</sup>

Active in the Water Supply Bank? Yes ☐ No ☐      If yes, forward to the State Office for processing      W-9 received? Yes ☐ No ☐

Name on W-9 \_\_\_\_\_      Approved by [Signature]      Processed by [Signature]      Date 10-7-14

Instrument # 412592  
RIGBY, JEFFERSON, IDAHO  
08-13-2014 02:22:07 PM No. of Pages: 2  
Recorded for: ALLIANCE TITLE - RIGBY OFFICE  
CHRISTINE BOULTER Fee: \$13.00  
Ex-Officio Recorder Deputy: LK  
Index To: WARRANTY DEED  
Electronically Recorded by Simplifile

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
ALLIANCE TITLE & ESCROW CORP

IDI-36706

240876 WARRANTY DEED

For the true and actual consideration of \$200,000.00

THE CONSERVATION FUND, a Maryland Non-Profit Corporation

hereinafter called Grantor, whether one or more, does hereby grant, bargain, sell, and convey to the UNITED STATES OF AMERICA and its assigns, as authorized by Section 205 of the Federal Land Policy and Management Act of 1976 as amended (90 Stat. 2755; 43 U.S.C. 1715), the following described real property situated in the County of Jefferson, State of Idaho, to wit:

Beginning at a point that is South 00°13'45" West along the Section line 1508.22 feet and West 575.81 feet from the East Quarter Corner of Section 16, Township 5 North, Range 38 East of the Boise Meridian, Jefferson County, Idaho; running thence West 2055.73 feet to the North-South Center Section line of said Section 16; thence North 00°05'17" West along said North-South Center Section line 1005.48 feet to the centerline of the Butte and Market Lake Canal; thence along said centerline the following eight (8) courses; North 62°01'46" East 299.67 feet; thence North 75°04'39" East 471.37 feet; thence North 66°47'48" East 245.25 feet, thence South 70°52'07" East 137.52 feet, thence South 48°38'33" East 407.97 feet; thence South 41°39'40" East 250.07 feet; thence South 33°22'21" East 309.22 feet; thence South 29°18'28" East 693.05 feet to the POINT OF BEGINNING. The parcel of land to which the above description applies contains 47.14 acres, more or less.

Together with 15 shares of the Palisades Water Users, Water District No. 1, and together with (a) Water Right No. 35-14175, as modified by Transfer 78462, Priority Date March 5, 1948, 0.32 cfs; (b) Water Right No. 35-14177, as modified by Transfer 78462, Priority Date December 31, 1940, 0.47 cfs; and (c) Water Right No. 35-14179, as modified by Transfer 78462, Priority Date September 28, 1981, 0.03 cfs; along with all ditches, ditch rights-of-way, and all rights to and interest in ditches and ditch rights-of-way; all structures for diverting and conveying water appurtenant to, associated with or used in connection with the above described water rights for the property -described.

Together with, any and all personal property and fixtures located on the real property described above including but not limited to portable aluminum mainline used to run irrigation water and two Wade Rain wheel lines and any other fixtures, devices or equipment which make up part of the wells and irrigation delivery system.

The acquiring agency is the United States Department of the Interior, Bureau of Land Management.

TO HAVE AND TO HOLD unto the UNITED STATES OF AMERICA and its assigns forever.

IDI-36706

Page 1 of 2

Acknowledgement on Page 2

412592

Grantor covenants and warrants that it is lawfully seized and possessed of the real property aforesaid and has the full right, power and authority to execute this conveyance, and that said real property is free and clear of liens, claims or encumbrances, except as shown of record, and that it will defend the title to the real property conveyed herein and quiet enjoyment thereof against the lawful claims and demands of all persons.

Dated this 11<sup>th</sup> day of August, 20 14

THE CONSERVATION FUND,  
a Maryland non-profit corporation

Sam T.  
By Asst. Sec.  
Title

#### CORPORATE ACKNOWLEDGMENT

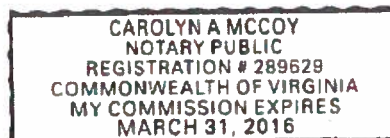
COMMONWEALTH OF VIRGINIA )  
 ) ss  
COUNTY OF ARLINGTON )

On this 11<sup>th</sup> day of August, 20 14, before me, the undersigned, a Notary Public in and for the jurisdiction aforesaid, personally appeared Sam T. as Assistant Secretary of The Conservation Fund, a Maryland non-profit corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was his/her act and deed for the purposes therein express.

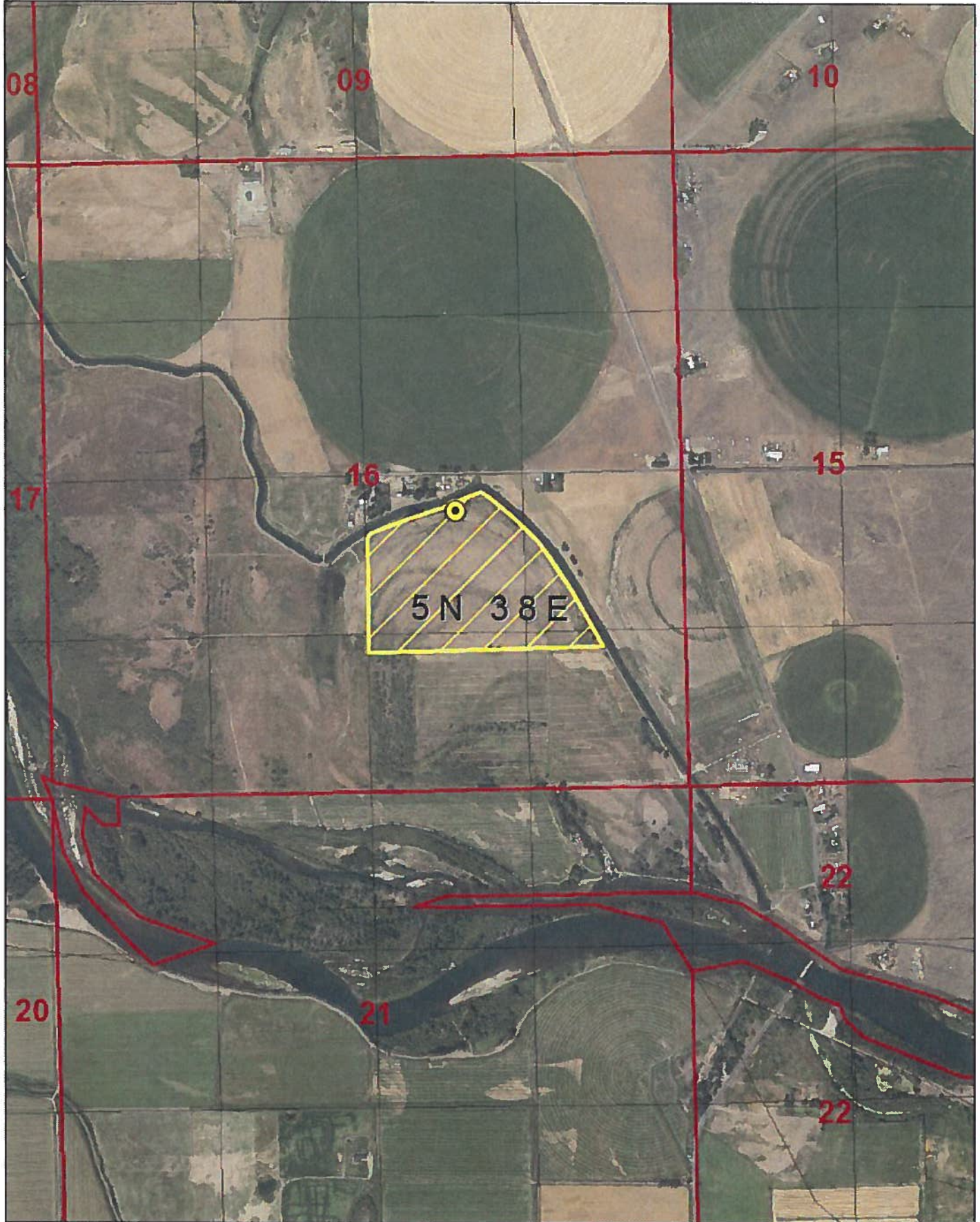
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Carolyn McCoy  
Notary Public  
Printed Name: Carolyn McCoy  
Notary Registration Number: 289629  
My commission expires: 3/31/16

(seal)



35-14175, 35-14177, & 35-14179  
POD and POU



# **WATER RIGHT NO. 35-14175**

## **As Modified by Transfer No. 78462**

In accordance with the approval of Transfer No. 78462, Water Right No. 35-14175 is now described as follows:

**Right Holder:** THE CONSERVATION FUND  
1655 N FORT MEYER DR STE 1300  
ARLINGTON, VA 22209-3199

**Priority Date:** 3/5/1948

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/01       | to 10/31  | 0.320 cfs             | 64.0 af                 |
|                       |             |           | 0.320 cfs             | 64.0 af                 |

### **LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER NWSE Sec 16 Twp 05N Rge 38E JEFFERSON County

### **PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE  |      |     |     | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|-----|------|-----|-----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE  | NW   | SW  | SE  |        |
| 05N | 33E | 16  |    |    |    |    |    |    |    |    |    |    |    |    | 6.0 | 28.0 | 8.0 | 2.0 | 44.0   |

Right Acre Limit: 16.0

POU Total Acres: 44.0

### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 16 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14175, 35-14177, and 35-14179, when combined shall not exceed a total diversion rate of 0.82 cfs, a total annual maximum diversion volume of 176 af at the field headgate, and the irrigation of 44 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 78462

**WATER RIGHT NO. 35-14175**  
**As Modified by Transfer No. 78462**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 78462, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. 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 place of use.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. Place of use described above does not include federal public lands.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

## **Pedigree Search (History of Water Right Number splits)**

**Water Right Pedigree for 35-4274**

**-- Water Right Number / Status /Reason for split**

**--35-4274 /PARENT /Ownership Change**

**--35-14174 /Active /Ownership Change**

**--35-14175 /Active /Ownership Change**

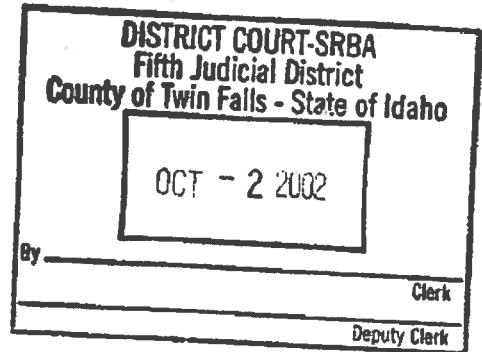
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

**AMENDED**

In Re SRBA )  
 )  
Case No. 39576 )  
 )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 35-04274



NAME AND ADDRESS: ADEN GUNDERSON  
C/O NYLE RAYMOND  
3310 E 750 N  
MENAN, ID 83434

SOURCE: GROUNDWATER

QUANTITY: 1.44 CFS  
288.00 AFT

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 1.83 CFS, A TOTAL COMBINED  
ANNUAL DIVERSION VOLUME OF 929 AF.  
COMBINED RIGHT NOS.: 35-08657, 35-04275.

PRIORITY DATE: 03/05/1948

POINT OF DIVERSION: T05N R38E S15 SWSW Within Madison County  
S22 NWNENW

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 04-01 TO 10-31 | 1.44 CFS<br>288.00 AFT |

| PLACE OF USE: | Irrigation        |                  |                         |
|---------------|-------------------|------------------|-------------------------|
|               | T05N R38E S15     | NWSW 31.0        | Within Madison County   |
|               |                   | SESW 13.0        | SWSW 31.0               |
|               | S16               | NESW 3.0         | Within Jefferson County |
|               |                   | NWSE 29.0        | NESE 38.0               |
|               |                   | SESE 8.0         | SWSE 8.0                |
|               | S21 LOT 1         | (NENE) 15.0      |                         |
|               | S22               | NENW 20.0        | Within Madison County   |
|               | 198.0 Acres Total | LOT 4 (NWNW) 2.0 |                         |

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 72 ACRES WITHIN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 207 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-04275, 35-08657

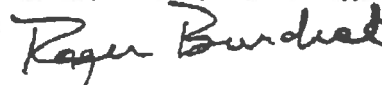
THE PLACE OF USE DESCRIBED ABOVE IN T05N R38E S16 NESW SWSE  
AND SESE DOES NOT INCLUDE ANY LAND OWNED BY THE UNITED STATES.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



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Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

# **WATER RIGHT NO. 35-14177** **As Modified by Transfer No. 78462**

In accordance with the approval of Transfer No. 78462, Water Right No. 35-14177 is now described as follows:

**Right Holder:** THE CONSERVATION FUND  
 1655 N FORT MEYER DR STE 1300  
 ARLINGTON, VA 22209-3199

**Priority Date:** 12/31/1940

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/01       | to 10/31  | 0.470 cfs             | 105.8 af                |
|                       |             |           | 0.470 cfs             | 105.8 af                |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      NWSE                      Sec 16 Twp 05N Rge 39E JEFFERSON County

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE  |      |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|-----|------|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE  | NW   | SW | SE |        |
| 05N | 38E | 16  |    |    |    |    |    |    |    |    |    |    |    |    | 6.0 | 28.0 | 8  | 2  | 44.0   |

Right Acre Limit: 26.4  
 POU Total Acres: 44.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 26.4 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14175, 35-14177, and 35-14179, when combined shall not exceed a total diversion rate of 0.82 cfs, a total annual maximum diversion volume of 176 af at the field headgate, and the irrigation of 44 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 78462

**WATER RIGHT NO. 35-14177**  
**As Modified by Transfer No. 78462**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 78462, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. 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 place of use.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. Place of use described above does not include federal public lands.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

## **Pedigree Search (History of Water Right Number splits)**

**Water Right Pedigree for 35-4275A**

-- **Water Right Number / Status /Reason for split**

--35-4275A /PARENT /Ownership Change

--35-14176 /Active /Ownership Change

--35-14177 /Active /Ownership Change

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 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 35-04275A

2002 AUG 29 AM 11:40  
DISTRICT COURT-SRBA  
TWIN FALLS CO. IDAHO  
FILED

NAME AND ADDRESS: ADEN GUNDERSON  
C/O NYLE RAMOND  
3310 E 750 N  
MENAN, ID 83434

SOURCE: GROUNDWATER

QUANTITY: 2.10 CFS  
476.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 3.67 CFS, A TOTAL COMBINED  
ANNUAL DIVERSION VOLUME OF 792 AF.  
COMBINED RIGHT NOS.: 35-08657A, 35-04274.

PRIORITY DATE: 12/31/1940

POINT OF DIVERSION: T05N R38E S15 SWSWSW Within Madison County  
S22 NWNENW

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 04-01 TO 10-31 | 2.10 CFS<br>476.00 AFY |

| PLACE OF USE: | Irrigation        | Within Madison County                                         |
|---------------|-------------------|---------------------------------------------------------------|
|               | T05N R38E S15     | NWSW 31.0<br>SESW 13.0                                        |
|               | S16               | Within Jefferson County<br>NESE 38.0<br>NWSE 29.0<br>SESE 8.0 |
|               | S21 LOT 1         | (NENE)15.0                                                    |
|               | S22               | Within Madison County<br>NENW 20.0 LOT 4 (NWNW) 2.0           |
|               | 198.0 Acres Total |                                                               |

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 119 ACRES WITHIN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.  
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 198 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-04274, 35-08657A.  
THE PLACE OF USE DESCRIBED ABOVE IN T05N R38E S16 NESW SWSE  
AND SESE DOES NOT INCLUDE ANY LAND OWNED BY THE UNITED STATES.

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. I.C. SECTION 42-1412(6).

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

**WATER RIGHT NO. 35-14179**  
**As Modified by Transfer No. 78462**

In accordance with the approval of Transfer No. 78462, Water Right No. 35-14179 is now described as follows:

**Right Holder:** THE CONSERVATION FUND  
1655 N FORT MEYER DR STE 1300  
ARLINGTON, VA 22209-3199

**Priority Date:** 9/28/1981

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From** 04/01 **To** 10/31

**Diversion Rate**  
0.030 cfs  
0.030 cfs

**Diversion Volume**  
6.2 af  
6.2 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER NWSE Sec 16 Twp 05N Rge 38E JEFFERSON County

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE  |      |     |     | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|-----|------|-----|-----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE  | NW   | SW  | SE  |        |
| 05N | 38E | 16  |    |    |    |    |    |    |    |    |    |    |    |    | 6.0 | 28.0 | 8.0 | 2.0 | 44.0   |

Right Acre Limit: 1.6  
POU Total Acres: 44.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 1.6 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14175, 35-14177, and 35-14179, when combined shall not exceed a total diversion rate of 0.82 cfs, a total annual maximum diversion volume of 176 af at the field headgate, and the irrigation of 44 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

**WATER RIGHT NO. 35-14179**  
**As Modified by Transfer No. 78462**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 78462, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. 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 place of use.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. Place of use described above does not include federal public lands.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

## Pedigree Search (History of Water Right Number splits)

Water Right Pedigree for 35-8657A

-- Water Right Number / Status /Reason for split

--35-8657A /PARENT /Ownership Change

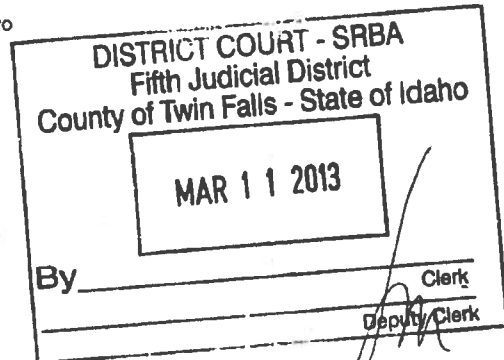
--35-14178 /Active /Ownership Change

--35-14179 Active /Ownership Change

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 )  
 )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 35-14179



NAME AND ADDRESS: SPRING CREEK RANCH INC  
3352 E 750 N  
MENAN, ID 83434

SOURCE: GROUNDWATER

QUANTITY: 0.03 CFS  
6.20 APY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 0.82 CFS, A TOTAL COMBINED  
ANNUAL DIVERSION VOLUME OF 176 AF.  
COMBINED RIGHT NOS.: 35-14175, 35-14177.

PRIORITY DATE: 09/28/1981

POINT OF DIVERSION: T05N R38E S15 SWSWS Within Madison County  
S22 NWNENW

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY             |
|----------------------------|----------------|----------------|----------------------|
|                            | Irrigation     | 04-01 TO 10-31 | 0.03 CFS<br>6.20 APY |

| PLACE OF USE: | Irrigation       | Within JEFFERSON & MADISON County |
|---------------|------------------|-----------------------------------|
|               | T05N R38E S16    | NESE 6.0<br>NWSE 28.0<br>SESE 2.0 |
|               | 44.0 Acres Total |                                   |

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1.6 ACRES WITHIN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.  
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 44 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-14175, 35-14177.

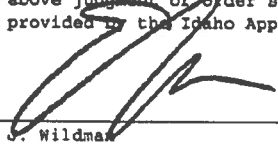
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This water right enjoys the benefit of subordination of  
hydropower water right nos. 02-00100, 02-4000A, 02-4001A,  
02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056,  
02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B,  
02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710,  
37-02709, 36-02013, 36-02018 and 36-02026 only so long as the  
average daily flows as measured at the Murphy Gaging station meet  
or exceed the minimum stream flows established by state action.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

  
Eric J. Wildman  
Presiding Judge of the  
Snake River Basin Adjudication



State of Idaho

## DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

October 7, 2014

USDI- BLM  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE ID 83709-1657

Re: Change of Ownership for Water Right No(s): 35-14175, 35-14177 and 35-14179

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records to reflect this change in ownership and has enclosed a computer-generated report for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Change reporting forms are available from any office of the Department, or at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4942.

Sincerely,

Jean Hersley  
Technical Records Specialist II

Enclosure

c: Water District No. 120