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Documents
In File

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

#36200MC RECEIVED

FEB - 6 2003

Department of Water Resources

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

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
36-15552					
36-2250A					

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**.

Name and Address of Former
Owner/Claimant(s)

R.J.T. Farming, Inc.

P. O. Box 475

Rupert, ID 83350

New Owner/Claimant(s)

Perry Gillette Farms, Inc.

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

New Mailing Address

520 West Baseline

City, State and ZIP Code

Paul, Idaho 83347

New Telephone Number

(208) 438-5621

Date you acquired the property

December 11, 2002

MICROFILMED

MAR 11 2003

See file 36-2250A for support data

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) PERRY GILLETTE FARMS, INC.
(include title if applicable)

By: Perry Gillette
Perry Gillette, President

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.

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APR 11 2003

For Office Use Only

Received by <u>J. Mason</u>	Date <u>2/6/03</u>	Fee <u>\$50.00</u>
Received by <u>J. Mason</u>	Date <u>2/6/03</u>	Receipt No. <u>0067270</u>
Processed by <u>J. Mason</u>	Date _____	WR _____ Date _____

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MAY 14 2002

Department of Water Resources

2002 MAY 13 PM 2:34

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

**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 36-11867, 36-15552, 36-15553

)

Case No. 39576

)

**ORDER REGARDING DUPLICATIVE
PARTIAL DECREES**

)

)

On April 13, 1998, a *Partial Decree* was issued for the water right 36-11867, a copy of which is attached hereto. However, due to oversight and omission of the Clerk of the Court, the *Partial Decree* was not entered in the Court's register of action (IWATRS). On November 17, 2000, the Idaho Department of Water Resources (IDWR) file a *Notice of Completed Administrative Proceeding* which, among other things, split water right 36-11867 into 36-15552 and 36-15553. On January 16, 2001, this Court issued *Partial Decrees* for water rights 36-15552 and 36-15553, and a *Final Order Disallowing Water Right Claim 36-11867*.

Therefore, IT IS ORDERED that the *Partial Decrees* for water rights 36-15552 and 36-15553, and the *Final Order Disallowing Water Right Claim 36-11867*, all dated January 16, 2001, shall be deemed to be an amendment of, and shall replace and supercede the *Partial Decree* dated April 13, 1998. This order is being entered *nunc pro tunc* as of January 16, 2001, and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred after that date.

DATED: 5-9-02



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

2 PGS
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SCANNED
MAY 14 2002

1189

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)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 36-11867

1998 APR 13 PM 4:17

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: MAGIC VALLEY FOODS-FARM
PO BOX 475
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.92 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02250 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.32 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1204 AF.

PRIORITY DATE: 03/15/1974

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION
42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR
RIGHT.

POINT OF DIVERSION: T08S R23E S18 LOT 1 (SEWNNE) Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.92 CFS

PLACE OF USE:	IRRIGATION	Within MINIDOKA County		
	T08S R23E S07	NESE 37	Lot 3 (NWSE)36	Lot 4 (SWSE)41
	S18	NENE 37	Lot 1 (NWNE)43	Lot 2 (SWNE)35
	301 ACRES TOTAL			

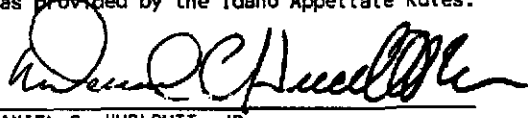
USE OF THIS RIGHT WITH RIGHT NO. 36-02250 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 301 ACRES IN A SINGLE
IRRIGATION SEASON.

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

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT
NO. 36-02250 PURSUANT TO SECTION 42-1426, IDAHO CODE.

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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-11867

PAGE 1
MAR-27-1998

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MAY 14 2002

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JAN 18 2001

Department of Water Resources

2001 JAN 16 PM 2:15

DISNEY COUNTY SRBA
TWIN FALLS CO., IDAHO
FILED

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

)
)
)
)
ORDER OF PARTIAL DECREE

For Water Rights 36-15552 and 36-15553

On November 17, 2000, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding* on a completed transfer and an *Amended Director's Report* recommending that water right claim 36-11867 be split and decreed as 36-15552 and 36-15553. No objection was filed to this *Amended Director's Report* and the time for filing objections has expired.

Therefore, IT IS ORDERED that water rights 36-15552 and 36-15553 are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED 1-16-01.

R. Burdick
ROGER BURDICK
Presiding Judge of the
Snake River Basin Adjudication

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MAR 9 1 2003

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 36-15552

2001 JAN 16 PM 2:15

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: MAGIC VALLEY FOODS INC
PO BOX 475
RUPERT, ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.86 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02250A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.06 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1130.4 AF.

PRIORITY DATE: 03/15/1974

POINT OF DIVERSION: T08S R23E S18 LOT 01 (SEWNWE) Within Minidoka County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.86 CFS

PLACE OF USE:	Irrigation	Within Minidoka County
	T08S R23E S07	NESE 29.6
	LOT 04 (SWSE)41.0	LOT 03 (NWSE)31.3
	S18	SESE 36.0
	NENE 37.0	LOT 01 (NWNE)43.0
	LOT 02 (SWNE)35.0	SENE 29.7
	282.6 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60.1 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 36-02250A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 282.6 ACRES IN A SINGLE
IRRIGATION SEASON.

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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MAR 17 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 14, 2003

PERRY GILLETTE FARMS INC
520 W BASELINE
PAUL ID 83347

RE: Change of Ownership for Water Rights 36-2250A and 36-15552

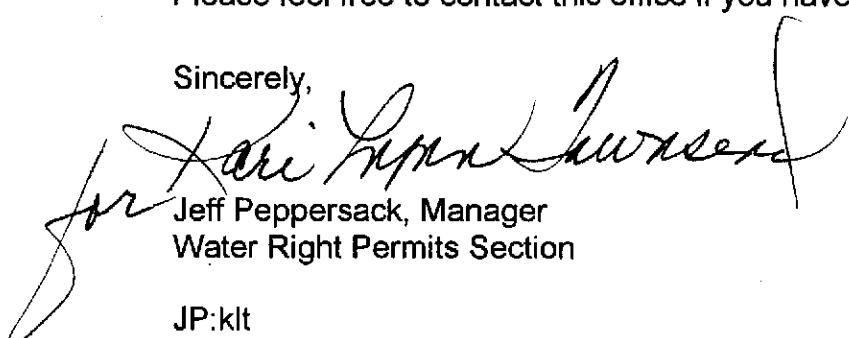
Dear Water Right Holder(s):

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

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.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,



Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

cc: Nancy Garrett, Land Title & Escrow
Reference # 36200MC

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MAR 11 2003