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Department of Water Resources
Codyham Reprint

STATE OF IDAHO Department of Water Resources
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.

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
36-7015A					
36-2074B					

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) FRANK M. MCFARLAND
P.O. BOX 566 BURLEY, ID. 83318
4. New Owner/Claimant(s) MINIDOKA LUMBER COMPANY
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address P.O. BOX 730
City, State and ZIP Code PAUL, IDAHO 83347
New Telephone Number (208-438-8059
5. Date you acquired the property APRIL 17, 1998

See file 36-02074 B for support data.

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FEB 11 2003

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) Minidoka Lumber Company
(include title if applicable) by Don Smith

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 [Signature] Date 2/4/03 Fee 50.00
 Receipted by [Signature] Date 2/4/03 Receipt No. 5025489
 Processed by _____ AJ Date _____ WR _____ Date _____

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MAR 11 2003

Important Information About Your Water Right

December 12, 2001

Frank M McFarland
PO Box 566
Burley, ID 83318

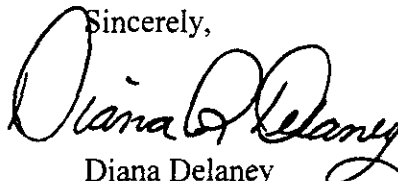
Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an **Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc** (hereinafter "**Order**") for water right number 36-07015A. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the **Order** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the **Order**, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This **Order** also incorporates into the **Partial Decree** an express statement that the **Partial Decree** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This **Order**, in combination with the **Partial Decree** that was issued for this water right on December 4, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the **Partial Decree** to show evidence of this water right. The original of this **Order** and the original of the **Partial Decree** for this water right are on file with SRBA Court. If you do not have a copy of the original **Partial Decree**, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the **Order** is entered **Nunc Pro Tunc**, meaning that the **Order** will be treated as if it were issued on the same date that the **Partial Decree** was originally issued.

Sincerely,



Diana Delaney
Case Administrator

MICROFILMED

MAR 14 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	)	Water Right 36-07015A
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on December 4, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 05-01 to 10-01

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 May 1 and after October 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.

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IT IS FURTHER ORDERED that the ***Partial Decree*** for the above-captioned water right is hereby amended and decreed to contain the following:

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 a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the ***Partial Decree*** was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the ***Partial Decree***.

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.

Dated December 12, 2001.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

MICROFILMED
MAR 11 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 36-07015A

NAME & ADDRESS: FRANK M MC FARLAND
PO BOX 566
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.97 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02074B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.72 CFS, AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 624 AF.

PRIORITY DATE: 02/14/1968

POINT OF DIVERSION: T08S R22E S28 SWNWSW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.97 CFS

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T08S R22E S28	NESW 38	NWSW 39	SWSW 39	SESW 37
	153 ACRES TOTAL				

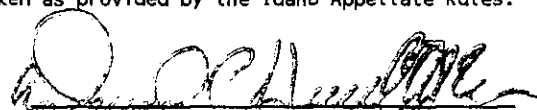
USE OF THIS RIGHT WITH RIGHT NO. 36-02074B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 156 ACRES IN A SINGLE
IRRIGATION SEASON.

CONSUMPTIVE USE:
USE OF THIS RIGHT WITH RIGHT NO. 36-02074B IS LIMITED TO A
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 468 AF.


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

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 36-07015A

MICROFILMED

MAR 11 2003

PAGE 1
NOV-20-1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
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 Number(s) 36-07015A, 36-02074B and Water Right No. 36-08493
 Adjudication Claim Number(s) _____

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

3. Name and Address of Former Owner/Claimant(s) Frank and and Dorothy McFarland Trust
11192 Agnes Way
Grass Valley, California 95949

4. New Owner/Claimant(s) Minidoka Lumber Company
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
 New Mailing Address P. O. Box 730

 City, State and ZIP Code Paul, Idaho 83347
 New Telephone Number () - -

5. Date you acquired the property April 17, 1998

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 actually irrigated _____ Number and type of stock _____

 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)

By: Costa Delis
 Costa Delis, Partner
 By: Katina Dickson
 Katina Dickson, Partner

JUN 24 1999
 Date 4-17-98
 Date 4-17-98

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

#29811MC

434929

For Value Received

FRANK M. MCFARLAND and DOROTHY M. MCFARLAND, Trustees of the "Frank and Dorothy McFarland Trust"

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

MINIDOKA LUMBER COMPANY, an Idaho general partnership
Address: P. O. Box 730
Paul, Idaho 83347

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

TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 28: S½

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Idaho Department of Water Resources Adjudication Nos. 36-07015A, 36-02074B and Water License No. 36-08493

SUBJECT TO:

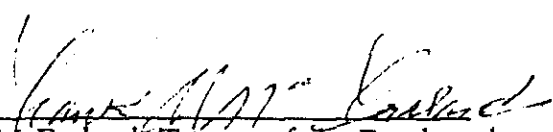
All reservations in patents or deeds in the chain of title.

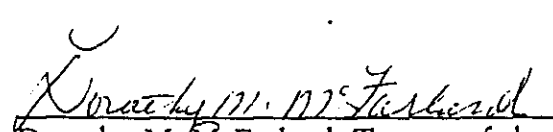
Taxes for 1998 and subsequent years.

Assessments of the Magic Valley Ground Water District.

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: April 17, 1998


Frank M. McFarland, Trustee of the Frank and Dorothy McFarland Trust JTE


Dorothy M. McFarland, Trustee of the Frank and Dorothy McFarland Trust JTE

MICROFILMED
JUN 24 1999

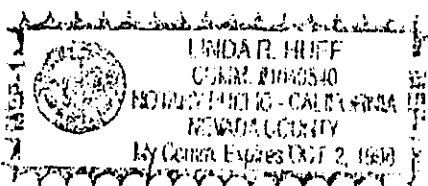
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RECORDED AT REQUEST OF
Land Title Bureau
MINIDOKA COUNTY, IDAHO
APR 23 14 : 06
JANE SMITH, RECORDER
DEPUTY

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF California
 COUNTY OF San Diego } SS.

On April 20, 1998 before me, the undersigned, a Notary Public in and for said State personally appeared Frank M. McFarland and Dorothy M. McFarland
 Name(s) of Signer(s)

☐ Personally known to me OR ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that he ~~is~~ they executed the same in his ~~or~~ their authorized capacity(ies), and that by his ~~or~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Witness my hand and official seal.

Linda R. Huff
 Signature of Notary
Linda R. Huff
 Name (Typed or Printed)

(This area for official notarial seal)

Capacity Claimed by Signer

- ☒ Individual(s)
- ☐ Corporate Officer(s) - Title(s) _____
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☒ Trustee(s)
- ☐ Guardian/Conservator
- ☐ Other: _____

Description of Attached Document

This certificate must be attached to the document described below:
 Title or type of document Power of Attorney
 Number of Pages 1
 Date of Document 4-17-98
 Signer(s) Other than Named Above [Signature]

Signer Is Representing:

Name of person(s) or Entity(ies)

MICROFILMED ATTENTION NOTARY

JUN 24 1998

Although the information requested above is optional, it could prevent fraudulent attachment of this certificate to another document.

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SRBA

DIRECTORS REPORT 36-07015A

Return to SRBA Home Page

IWT072

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

Right Number: 36-07015A

Name and Address: FRANK M MC FARLAND
2916 JANIS DR.
BURLEY, ID 83318

Source: GROUNDWATER

Quantity: .97 CFS

Priority Date: 02-14-1968

Diversion Point: T08S R22E S28 SWNWSW Within Minidoka County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	04-01 TO 10-31	.97 CFS

Place of Use:	Irrigation	Within Minidoka County	
	T08S R22E S28	NESW 38	NWSW 39
		SESW 37	SWSW 39
153 Acres Total			

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - License

USE OF THIS RIGHT WITH RIGHT NO. 36-02074B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.72 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 624 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 468 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 156 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-02074B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Return to SRBA Home Page

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JUN 24 1999

SRBA

SUBCASE SUMMARY REPORT 36-07015A

[Return to SRBA Home Page](#)

SRBA
06-17-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 36-07015A FILE#: 01001
CLAIMANT: MC FARLAND, FRANK M
STATUS: PD ISSUED
WATER SOURCE: GROUNDWATER,

**** PARTIES INVOLVED ****

FRANK M MC FARLAND

PRO SE

**** ROA ENTRIES ****

02-04-1997	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING	02-04-1997
02-04-1997	AMENDED DIRECTORS REPORT FILED (CHNG ADDRESS)	
12-04-1997	ORDER OF PARTIAL DECREE	
12-04-1997	PARTIAL DECREE FILED	12-04-1997
12-04-1997	CERTIFICATE OF MAILING - PARTIAL DECREE	

[Return to SRBA Home Page](#)

MICROFILMED

JUN 24 1999

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 36-07015A

NAME & ADDRESS: FRANK M MC FARLAND
PO BOX 566
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.97 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02074B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.72 CFS, AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 624 AF.

PRIORITY DATE: 02/14/1968

POINT OF DIVERSION: T08S R22E S2B SWNWSW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.97 CFS

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T08S R22E S2B	NESW 38	NWSW 39	SWSW 39	SESW 37
	153 ACRES TOTAL				

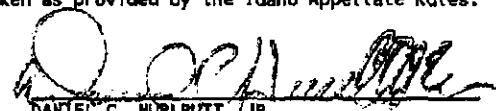
USE OF THIS RIGHT WITH RIGHT NO. 36-02074B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 156 ACRES IN A SINGLE
IRRIGATION SEASON.

CONSUMPTIVE USE:
USE OF THIS RIGHT WITH RIGHT NO. 36-02074B IS LIMITED TO A
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 468 AF.


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

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 36-07015A

PAGE 1
NOV-20-1997

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SCANNED

APR 14 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 SRBA	)	Water Right 36-07015A
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on December 4, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 05-01 to 10-01

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 May 1 and after October 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.

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

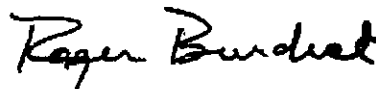
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

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.

Dated December 12, 2001.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

December 12, 2001

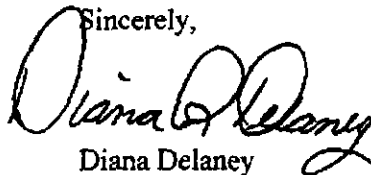
Frank M McFarland
PO Box 566
Burley, ID 83318

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-07015A. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order*, in combination with the *Partial Decree* that was issued for this water right on December 4, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of this water right. The original of this *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued on the same date that the *Partial Decree* was originally issued.

Sincerely,

Diana Delaney
Case Administrator

SCANNED

APR 14 2003

MICROFILMED

JUN 11 2002

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 36-07015A

NAME & ADDRESS: FRANK M MC FARLAND
PO BOX 566
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.97 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02074B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.72 CFS, AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 624 AF.

PRIORITY DATE: 02/14/1968

POINT OF DIVERSION: T08S R22E S28 SWNWSW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.97 CFS

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T08S R22E S28	NESW 38	NWSW 39	SWSW 39	SESW 37
	153 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NO. 36-02074B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 156 ACRES IN A SINGLE
IRRIGATION SEASON.

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.

~~BARRY WOOD
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication~~

JUN 24 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 14, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MINIDOKA LUMBER COMPANY
PO BOX 730
PAUL ID 83347-0730

RE: Water Rights 36-07015A/36-02074B/36-08493

Dear Water Right Holder(s) :

The Department is in receipt of the correspondence changing the ownership of the above referenced water rights to you. We have modified our records to reflect these changes in ownership and computer-generated reports are enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

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JUN 24 1999

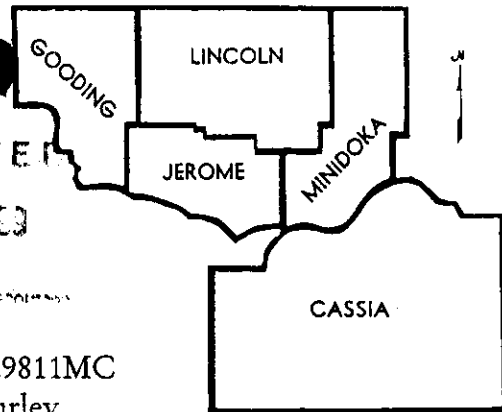
Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY

RECEIVED
MAY 12 1999

Department of Water Resources

REFER TO: #29811MC
OFFICE: Burley



May 11, 1999

KariLynn Townsend
1301 N. Orchard
Boise, Idaho 83706-2237

Re: Frank M. McFarland/Minidoka Lumber Company

Dear KariLynn:

Enclosed with this letter please find photostatic copies of the letter, Notice of Water Right Ownership, Warranty Deed and aerial photo on the above referred to transaction that I spoke to you today about.

Please let me know when this transfer is complete.

Should you have any questions concerning this matter, please don't hesitate to contact me.

Very truly yours,
LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg
enc.

BOX 177, BURLEY, IDAHO 83318
PHONE 878-3524 - FAX 878-4435

BOX 349, JEROME, IDAHO 83336
PHONE 324-3357 - FAX 324-8981

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

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