

T-127

NHEL
NW

①

10.5

105

34-10885
34-02312
34-07076

14 | 13
23 | 24

34-00498
34-00282A
34-00594
34-00136
34-00599
34-00598
34-00826B

③
3.2

②

3.9

#591
480
T-639
NHEL

372 T-211

W

NHEL/NW

①

66.6

MICROFILMED
AUG 20 2003

34-110885
34-07076
34-02312
34-④

20.0

⑤

52.3

23 | 24

26 | 25

34-00498
34-00282A
34-00594
34-00136
34-00599
34-00598
34-00826B
71.6

33.3

X 34-10885
34-02312
34-10885

24 | 19
25 | 30

124
T-1

⑦

54.0

⑧

2.5

90 NHEL

T-159

①

11.2

⑨

157.1

⑪

20.6

⑬

13.0

352
T-518
NHEL W

①

14.9

③

54

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

JUN 12 2000
 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
34-00826 B	_____	___	34-0082 A	_____	___
34-00598	_____	___	34-02312	_____	___
34-00599	_____	___	34-07076	_____	___
34-00136	_____	___	34-10885	_____	___
34-00594	_____	___	34-00498	_____	___

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) Reta Jean Daniels, Fannie E. ULYSSES GRANT Daniels Farm Tr
40 Debbie Waddups, Trustee Arco, Id. 83213
4. New Owner/Claimant(s) Three In One Ranch LLC
 Name Connector (Check one) ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 486, 136 Bridon Way
Jerome, Id 83338
- City, State and ZIP Code
- New Telephone Number (208) 644-1803
5. Date you acquired the property April 7, 2000

See file #34-136 for support data

MICROFILMED

6

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

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

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

7.

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

Ron Ambrose, Managing Partner,
Blue Sky One Ranch LLC

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

For Office Use Only			
Received by <u>Mari</u>	Date <u>6/23/03</u>	Fee <u>\$250.00</u>	
Receipted by <u>DJ Mason</u>	Date <u>6/23/03</u>	Receipt No. <u>00491124</u>	
Processed by <u>AJ</u>	Date _____	WR _____	Date <u>6/11/03</u>

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED

JUL - 1 2003

Department of Water Resources

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT Parkinson Seed)
34-826B/598/498/136/594/599/282A)

ORDER AUTHORIZING
TEMPORARY CHANGE TC-34-28

WHEREAS, a drought emergency has been declared for Butte
County to allow administrative actions to lessen the severe impacts of the drought
conditions in the counties; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a
drought emergency, the director of the Department of Water Resources ("Department")
is authorized to allow temporary changes in the point of diversion, the place of use, and
the purpose of use for valid existing water rights when the director determines that such
changes can be accomplished in accordance with the provisions of section 42-222A,
Idaho Code; and

WHEREAS, on 6/14/03, Parkinson Seed submitted the attached
Temporary Change Application TC-34-28 to the Department; and

WHEREAS, the Department has reviewed the application and has determined
the application can be approved with certain conditions;

ORDER

IT IS HEREBY ORDERED that the application is APPROVED subject to the
following conditions:

1. Diversion and use of right no(s). 34-594/599/282A
34-826B/598/498/136 is authorized only
at the point of diversion and place of use described on the application.
2. This temporary change approval does not authorize construction of a new
well as a new point of diversion.
3. The applicant assumes all risk of curtailment or mitigation should the
diversion and use of water under the temporary change approval cause
injury to other water rights, constitute an enlargement in use of the original
right, be inconsistent with the conservation of water resources within the
state of Idaho, or not be in the local public interest.
4. This temporary change approval may only be used to provide a

ORDER AUTHORIZING
TEMPORARY CHANGE TC-34-28

replacement water supply to lands or other uses which normally have a full water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

- 34-8266/598/498/136
5. Right(s) 34/594/599/282A are limited to the irrigation of a total of 212 acres in a single irrigation season.
6. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
7. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
8. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
9. The applicant shall measure the amount of water diverted and shall report the amount of water diverted under this approval.
10. The watermaster of Water District No. 34 is authorized to administer the temporary change approval.
11. This temporary change approval expires on 10/31/03 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 17th day of June 2003.


RONALD D. CARLSON
EASTERN REGION MANAGER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TEMPORARY CHANGE APPLICATION

(To change point of diversion, place of use or purpose of use)

Name of Applicant Parkinson Seed Phone 208-709-7911
Post Office Address P.O. Box 326, St. Anthony, ID 83445-0326

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof Changing point of diversion
to facilitate delivery of water

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>34-00826B</u>	<u>10-12-1884</u>	<u>.4</u>	<u>Irrigation</u>	<u>5-1</u> to <u>10-15</u>
<u>34-00598</u>	<u>6-1-1885</u>	<u>1.6</u>	<u>Irrigation</u>	<u>5-1</u> to <u>10-15</u>
<u>34-00498</u>	<u>5-10-1897</u>	<u>2.00</u>	<u>Irrigation</u>	<u>5-1</u> to <u>10-15</u>
<u>34-00136</u>	<u>5-10-1897</u>	<u>2.00</u>	<u>Irrigation</u>	<u>5-1</u> to <u>10-15</u>

See Back of Form

2. Total amount of water being transferred 9.2 cubic feet per second and/or 18.25 acre-feet per annum3. Source of water Surface tributary to Big Lost River

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	SE	SE	4	5N	26E	Butte	Moore

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	26E	17									36	36	32	37		37	34		

MICHAEL J. JONES

Total Acres 212

6. General Information:

- a. Who owns the water right to be changed? (current owner) Three & One Ranch / Grant Daniels / Norman Svaty (was) (was)
- b. Describe the arrangement allowing use of the right Agreement with owner.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
This ground is not being farmed
- d. Has the water right sought to be transferred been used this year? no If yes, explain.
- e. Absent the changes, how would the right be used for the remainder of the year? Not possible to get water to place of use without transfer / Change of POP.
- f. Describe other water rights used for the same purpose.
Parkinson Seed water rights 34-170, 34-02358E, 34-1686, 34-6542, 34-10832
- g. Remarks: Due to shrink needs more water to irrigate new place of use.

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

C-B
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by KCW Date 6/16/03 Fee 50⁰⁰

Received KCW # E028879 Recommend: approve deny

Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this 17th day of June, 2003.

Ronald R. Rasmussen
For the Director

42134-CU

0220821

Custer County Reg. of.

First American Title

Time 2:05 P.M. Date 4/12/00

Ethel M. Peck, Clerk

Janet Daniels 18⁰⁰
Deputy

WARRANTY DEED

PA
RSS
MP

For value received RETA JEAN DANIELS, a widow dealing with her sole and separate property, 303 Diane St., Arco, ID 83213, and the ULYSSES GRANT DANIELS, JR. FAMILY TRUST, by Debbie Waddoups, its Trustee, hereinafter called the Grantors, hereby grant, bargain, sell and convey unto THREE IN ONE RANCH, LLC, 136 Bridon Way, Jerome, ID 83338, hereinafter called the Grantee, the following described premises, in Custer County, Idaho, to-wit:

See Exhibits "A," "B," and "C" attached hereto and made a part hereof by reference as if set forth fully herein.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that the Grantors are the owners in fee simple of said premises; that they are free from all incumbrances except as described on Exhibit "D" which is attached hereto and made a part hereof by reference as if set forth fully herein and that Grantors will warrant and defend the same from all lawful claims whatsoever.

Dated this 7 day of April, 2000.

Reta Jean Daniels
RETA JEAN DANIELS

THE ULYSSES GRANT DANIELS, JR.
FAMILY TRUST

By Debbie Waddoups
Debbie Waddoups, Trustee

STATE OF IDAHO

)
) ss.
)

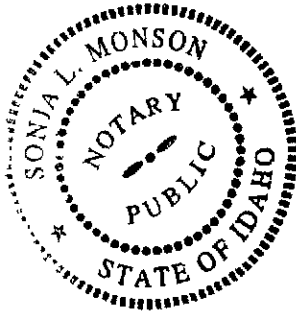
County of BONNER

On this 7th day of April, 2000, before me, the undersigned, a notary public in and for said county and state, personally appeared RETA JEAN DANIELS, a widow dealing with her sole and separate property, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

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

MICROFILMED

APR 12 2000





NOTARY PUBLIC FOR IDAHO
Residing at Idaho Falls ID
My Commission Expires 07-17-2002

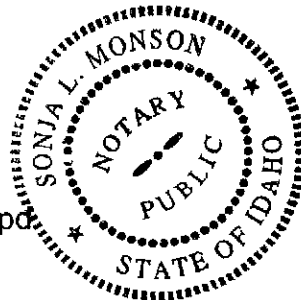
STATE OF IDAHO

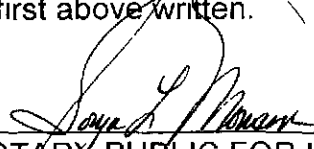
County of Bonneville

)
) ss
)

On this 7th day of April, 2000, before me, the undersigned, a notary public in and for said county and state, personally appeared DEBBIE WADDOUPS, known to me to be the person whose name is subscribed to the foregoing instrument as trustee and acknowledged to me that she executed the same as trustee.

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





NOTARY PUBLIC FOR IDAHO
Residing at Idaho Falls ID
My Commission Expires: 07-17-2002

WLN\Old\IDANwd wpd

MICHAEL L. LEE
2000 2 8 2709

EXHIBIT A

Township 6 North, Range 25 E.B.M., Custer County, Idaho.

Section 23: The E½E½ lying E. of the U.C. Canal and S. of the following described line: Beginning at a point that is S. 817.26 feet along the Section line from the NE corner of said Section 23; running thence S. 84°12'25" W. 325.96 feet; to a set iron rod; thence S. 84°42'46" W. 787.29 feet to the centerline of the U.C. Canal, and that portion of the S½ of the SE¼SE¼ lying West of the U.C. Canal.

Section 24: The W½NW¼ and the SW¼ of Section 24, lying W. of U.S. Highway 93 and S. of the following described line: Beginning at a point that is S. 817.26 feet along the Section line from the NW corner of said Section 24; running thence N. 84°12'15" E. 394.97 feet to a set iron pin; thence S. 79°46'38" E. 308.55 feet to a set iron pin, on the Westerly right-of-way line of U.S Highway 93.

Section 25: NE¼ less Highway and Railroad right of way. NW¼ and SW¼, E. of the Big Lost River Irrigation Canal right of way, **EXCEPTING THEREFROM** the following described tract: Commencing at the S¼ corner of said Section 25; thence N. 0°30' W. 1283.1 feet; thence S. 89°26' W. 2097.1 feet; thence S. 35°29' W. 368.1 feet; thence S. 13°03' E. 163.0 feet; thence S. 38°34" E. 401.2 feet; thence S. 41°25' E. 656.5 feet; thence N. 89°55' E. 1600.7 feet, more or less to the Point of Beginning.

ADW
R. J. AD.

MICROFILMED

APR 10 2003

<u>Item</u>	<u>Description</u>	<u>Size</u>	<u>Length</u>	<u>Condi-</u> <u>tion</u>
(East Well)				
Elec. Motor	U.S. Motor, S#C2684-01-272-J	150 HP	-	G
Turb. Pump	Lalyne & Bowler S#44006P	-	100'	G
(West Well)				
Elec. Motor	Westinghouse S#7802	75 HP	-	G
Turb. Pump	Peerless S#150089	-	100'	G
(North Well)				
Elec. Motor	U.S. Motor, S#D-7010625	125 HP	-	G
Turb. Pump	Lalyne & Bowler S#20782	-	100'	G
(Sprinkler Equipment)				
Cent-Pivot	Valley 6000, S#64094	7"	1,600'	G
Cent-Pivot	Lockwood 2006, S#951803CP	7"	1,265'	G
Cent-Pivot	Zimmatic, S#60021	7"	1,270'	G
Wheel-lines	(3) Western 6' wheels	4 & 5"	3,840'	G
Handlines	(3) portable aluminum	4"	3,840'	F
(Mainlines)				
Mainline	buried Steel	10"	440'	F
Mainline	portable aluminum	10"	2,300'	F
Mainline	buried Plastic PVC	10"	3,750'	G

ADW
R. J. D.

MICROFILMED

1983

EXHIBIT

B

Right Number	Farm Tract	Right Status	Priority Date	Amount c.f.s.*	Water Source	Right Quality
34-00498		Decreed	05-10-1897	2.00	Big Lost River	
34-008268	East & West	Decreed	10-12-1884	0.40	Big Lost River	Good
34-00598	" " "	Decreed	06-01-1885	1.60	" " "	Fair
34-00136	" " "	Decreed	05-10-1897	2.00	" " "	Fair
34-00594	" " "	Decreed	05-10-1897	0.80	" " "	Fair
34-00599	" " "	Decreed	05-10-1897	0.80	" " "	Fair
34-00282A	" " "	Decreed	06-01-1897	1.60	" " "	Fair
34-02312	" " "	Decreed	07-17-1954	7.00	Groundwater	Good
34-07076	" " "	License	10-16-1974	1.56	"	Good
34-10885	" " "	Decreed	04-01-1961	3.20	"	Good

Overall total for Subject Tracts

20.96 c.f.s.

Big Lost River Total Rights

9.2 c.f.s.

Groundwater Total Rights

11.76 c.f.s.

Storage water Rights, Mackay Reservoir

7,360 inches (day inches)

c.f.s. - cubic feet per second.

DJW
R.J.D.

MICRO

APR 2 1983



EXHIBIT D

I. The following agreements between Lost River Electric Cooperative, Inc. And Grant and Reta J. Daniels:

1. Recorded: June 21, 1991
Instrument No.: 198893
2. Recorded: June 21, 1991
Instrument No.: 198894
Amendment recorded August 8, 1997, Instrument No. 213967
3. Recorded: August 13, 1991
Instrument No.: 199860
4. Recorded: March 25, 1996
Instrument No.: 210696
5. Recorded: September 19, 1997
Instrument No.: 214244

II. Water Adjudication Proceedings:

The Snake River Basin Adjudication relating to water rights is presently pending in Idaho District Court in Twin Falls, Idaho. The adjudication will determine and affect the water rights that are appurtenant to the property conveyed herein. Grantees shall pursue, at Grantees' sole expense, all legal steps and procedures before the Court and any appropriate administrative agency as may be required for the purpose of adjudicating, determining, and protecting water rights appurtenant to the land being sold to the full extent permitted by law.

RJW
RJD

MICRO...

APR 1, 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Three In One Ranch
P.O. Box 486
Jerome, ID 83338

RE: Grant Daniels Water Rights: 34-136, 34-282A, 34-300, 34-442, 34-498, 34-517, 34-594,
34-598, 34-599, 34-826A, 34-2312, 34-7076, & 34-10885

Dear Sir:

It appears that you may be the owner(s) of the place of use upon which the above numbered water rights are appurtenant. If this is true then you need to file a change in ownership form with the department. Enclosed is a copy of 34-136 so that you can compare the place of use under the water rights with land that you currently own.

Enclosed is a blank change in ownership form that needs to be completed and returned with the appropriate filing fee.

Sincerely,

Keith C. Wilson
Senior Resource Agent

MICROFILMED

APR 13 1998

Idaho Department of Water Resources Receipt

Receipt ID C069704

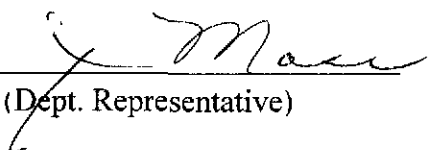
Payment Amount \$250.00 Date Received 6/23/2003 1:53 50 PM Region State Status
 Payment Type Check Check Number 1443

Payer THREE IN ONE RANCH LLC

Comment WATER RIGHTS 34-00826B 34-00598 34-00599 34-00136 34-00594 34-00282A 34-02312 34-07076 34-10885 34-00498

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$250.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	56140	1155


 Signature Line (Dept. Representative)

MICHAEL

6/23/2003

T-127

NHEL
NW

①

10.5

34-10885
34-02312
34-07076

14 19
23 24

③
3.2

②
3.9

480
T-639
NHEL

372 T-211

W

NHEL/NW

①

66.6

MICROFILM

606 20 2003

34-10885
34-07076
34-02312

④
20.0

⑤

52.3

23 24

26 25

34-00498
34-00252A
34-00594
34-00136
34-00599
34-00598
34-00826B
716

⑥
33.3

24 19
25 30

34-10885
34-02312
34-10885

124
T-19

⑦

54.0

⑧
2.5

③

54.1

90 NHEL

T-159

①

7.3

①

11.2

①

157.1

①

20.6

③

13.0

352
T-518
NHEL

W

①

14.9

Important Information About Your Water Right

December 14, 2001

GRANT DANIELS
RETA J DANIELS
HC 30
MOORE, ID 83258

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 34-00136. 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 February 20, 1998, 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 the 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 the same date that the ***Partial Decree*** was originally issued.

Sincerely,



Diana Delaney
Case Administrator

MICROFILMED

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 34-00136

Case No. 39576)

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on February 20, 1998. 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, IDWR filed a *Supplemental Director's Report, Reporting Area 1, IDWR Basin 34, 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 recommendation and the time period for filing objections has now expired.

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

PERIOD OF USE: 05-01 10-15

THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES

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 at 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 any 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 14, 2001

Roger Burdick
ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

MICROFILMED
AUG 20 2003

1998 FEB 20 AM 9:39

DISTRICT COURT - 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 Right 34-00136**

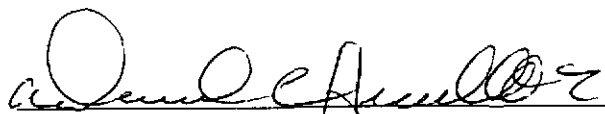
)

On October 16, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 34-00136 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 20, 1998.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

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 34-00136

1998 FEB 20 AM 9:39

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: GRANT DANIELS
RETA J DANIELS
HC 30
MOORE ID 83258

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 2.00 CFS

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 14.52 CFS.
COMBINED RIGHT NOS.: 34-00282A, 34-00498, 34-00594, 34-00598,
34-00599, 34-00826B, 34-02312, 34-07076 AND 34-10885.

PRIORITY DATE: 05/10/1897

POINT OF DIVERSION: T06N R25E S14 SENWSE Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.00 CFS

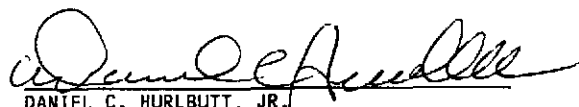
PLACE OF USE:	IRRIGATION	Within CUSTER County		
	T06N R25E S23	• NENE 10	• SENE 12	• NESE 20
	S24	• NWNW 7	• SWNW 36	• SENW 2
		• NWSW 40	• SWSW 40	• SESW 34
	S25	• NENE 38	• NWNE 29	• SWNE 35
		• NENW 40	• NWNW 32	• SWNW 28
		• NESW 40	• NWSW 31	• SESE 25
				• NESW 18
				• SWSE 1
				• SENE 30
				• SENW 40
	588 ACRES TOTAL			

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 588 ACRES IN A SINGLE
IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00282A, 34-00498, 34-00594, 34-00598,
34-00599, 34-00826B, 34-02312, 34-07076 AND 34-10885.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE 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.


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

1998 FEB 20 PM 02:00
DISTRICT COURT - 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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 34-00136

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 34-00136 was mailed
on February 20, 1998, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

GRANT & RETA J. DANIELS
HC 30
MOORE, ID 83258

NORMAN SVATY
SVATY, VERNA
67733 HUTCHINSON LANE
UNION, OR 97883

DIANA DELANEY

Chief Deputy Clerk

CERTIFICATE OF MAILING

MICROFILM

APR 1 1998

PAGE 1
02/20/98



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

July 25, 2003

THREE IN ONE RANCH LLC
PO BOX 486
JEROME ID 83338

RE: Change of Ownership for Water Rights 34-136, 34-282A, 34-498, 34-594,
34-598, 34599, 34-826B, 34-2312, 34-7076, 3410885

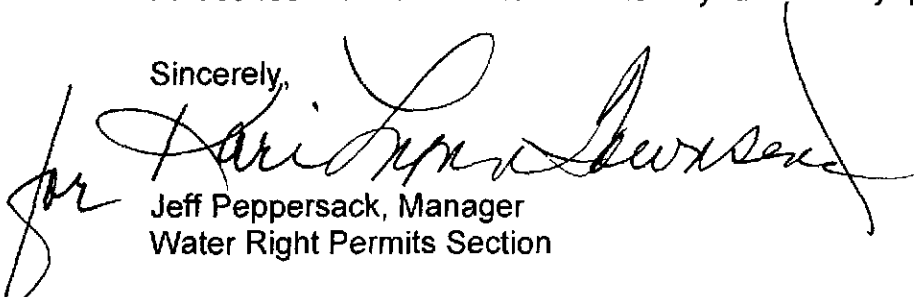
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports 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

Enclosures

MICROFILMED

SEP 14 2003